

JOINT  
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS  
69A HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107  
and  
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL  
Water Quality Certification and Wetlands Section  
2600 Bull Street  
Columbia, South Carolina 29201

REGULATORY DIVISION  
Refer to: P/N SAC-2008-01646

29 APRIL 2020

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**Mr. Hank Fiedler /Scott Benedict, Sea Mist IOP, LP**  
**C/o Eric McClanahan**  
**Cygnus Environmental, LLC**  
**Post Office 548**  
**Cordesville, South Carolina 29434**

for a permit to place fill material in

**FRESHWATER WETLANDS**

at a location, a 68.41 acre site off of US Highway 176, adjacent to Tricias Misty Lane, in Berkeley County, South Carolina (Latitude: 33.0467°, Longitude: -80.1099°), Mount Holly Quad.

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

**15 Days from the Date of this Notice,**

and **SCDHEC** will receive written statements regarding the proposed work until

**30 Days from the Date of this Notice**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of placing fill material in 3.46 acres of freshwater wetlands and 3.45 acres of open-water borrow pit for development of the site. In detail, the applicant proposes to construct a mixed use development including commercial, office, multifamily, storage facility and retail space. The approximate amounts of each space may change slightly. The multifamily design currently includes 156 multifamily units with 334 residential development parking spaces.

The retail and commercial development includes approximately 125,000 square feet of floor space (typically single level) of grocery/supermarket space, with other franchise business locations and available commercial and office space also included in multiple buildings. Total parking for shopping and commercial will be 500 to 510 spaces. Total stormwater retention space anticipated for the development will be approximately 125,000 square feet (2.9 acres). See sheets 3 to 11 of 11 showing project impacts and proposed development. Preserved green space on the site will be approximately 28 acres of wetlands and buffers preserved, as well as other green spaces including required setbacks from property lines and roadways. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 27.2 restoration/enhancement credits from an approved mitigation bank. In addition, as avoidance and minimization, the applicant proposes to preserve the remaining 27.61 acres of wetlands onsite. The project purpose as stated by the applicant is *to provide additional options for local and national businesses to locate in a high growth and highly competitive area which has undergone substantial increases in residential population. The area has had increased population of young families, retirees and business locations continuously since the 1990's. The continuous development of the surrounding areas in commercial and residential sites have created an ongoing and growing need for additional sites. High volume vehicle traffic along US Highway 176 demonstrates the ideal nature of this location. The site was formerly farm and grazing land and is now fallow.*

**NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 3.46 acres of freshwater wetlands inland and upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined, based on the most recently available information that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public

notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(f)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps cannot undertake to adjudicate rival claims.

The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant

to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107**

If there are any questions concerning this public notice, please contact Mary Hope Green Project Manager, at (843) 329-8044 X 8034, toll free at 1-866-329-8187, or by email at [Mary.H.Green@usace.army.mil](mailto:Mary.H.Green@usace.army.mil).



**SITE**

Project Title: SEA MIST AT CANE BAY

## Location Map

Revisions

Project Location: SECOND GOOSE CREEK PARISH  
BERKELEY COUNTY, SOUTH CAROLINA

Date: 1/16/20

Scale: As Shown

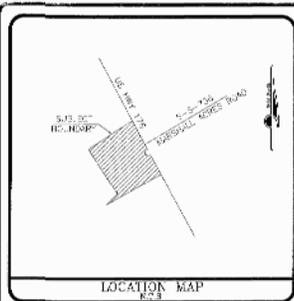
Date

Initials

Applicant: SEA MIST IOP, LP

Application #: SAC-2008-01646

Sheet No. 1 of 11



**NOTES:**

1. AREA AND DISTANCE BY THE COORDINATE METHOD.
2. ANYTHING SHOWN OUTSIDE THE SHOWN BOUNDARY IS FOR INFORMATION PURPOSES ONLY.
3. THE AREA IS SHOWN REFERENCED TO 45° PLAT AND ONLY USED AS A GUIDE TO THE LOCATION OF THE PROPERTY. THEY ARE NOT TO BE USED AS A BASIS FOR ANYTHING.
4. THIS PLAN HAS BEEN PREPARED FOR THE SOLE USE AND PURPOSE OF THE CLIENT, AGENT AND CONTRACTOR, AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.
5. THE CLIENT HAS BEEN ADVISED THAT THE AREA IS NOT TO BE USED AS A BASIS FOR ANYTHING.
6. ANYTHING SHOWN HEREIN IS FOR INFORMATION PURPOSES ONLY.
7. THE CLIENT HAS BEEN ADVISED THAT THE AREA IS NOT TO BE USED AS A BASIS FOR ANYTHING.
8. THE CLIENT HAS BEEN ADVISED THAT THE AREA IS NOT TO BE USED AS A BASIS FOR ANYTHING.

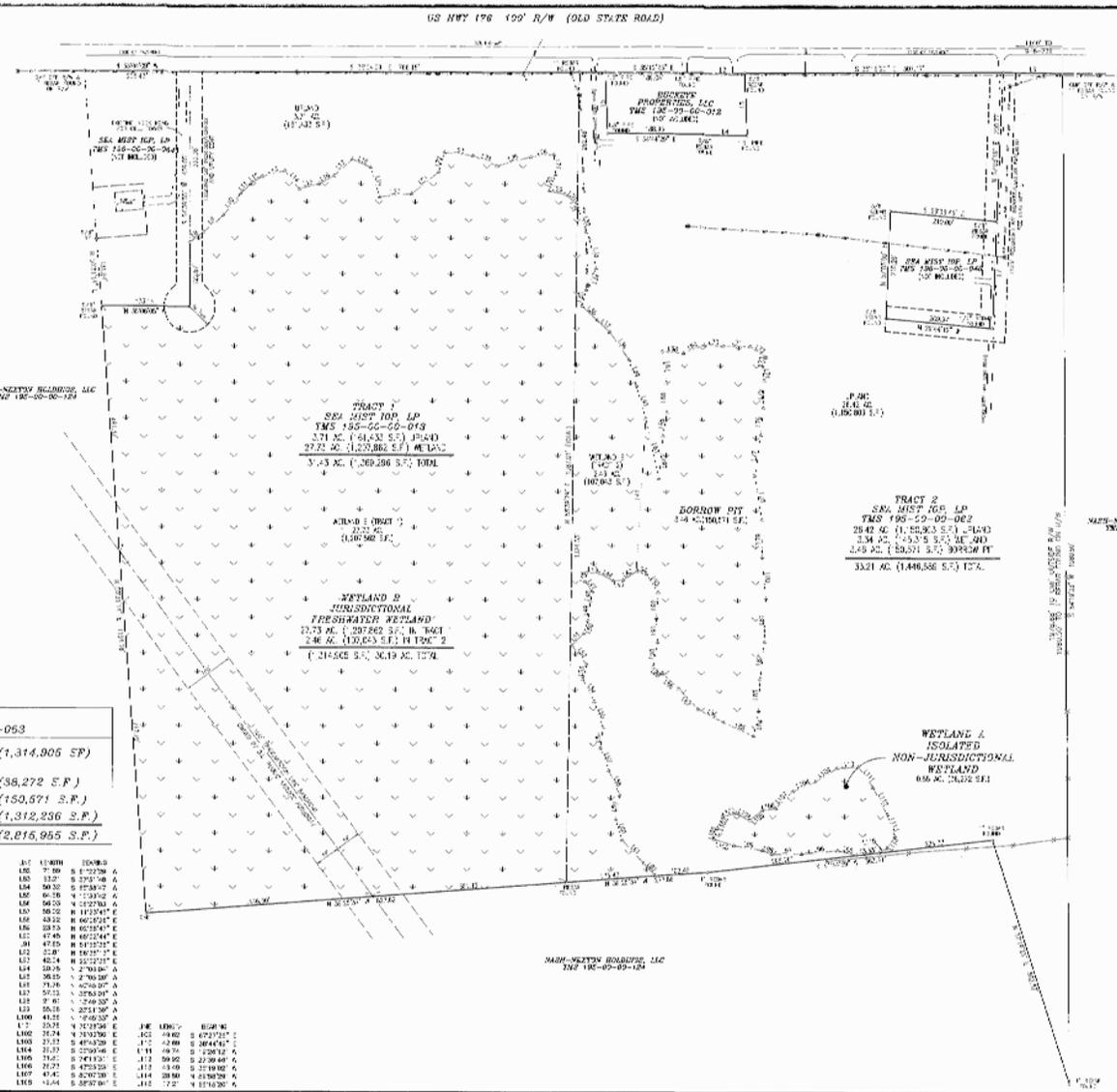
**SEE REFERENCES:**

1. PLAN BY ENGINEER, LEE WARD, INC., 1984, RECORDED IN PLAN COMBINATION FILE NO. 100-100-00-013 & 100-100-00-053.
2. PLAN BY CIVIL ENGINEER, LEE WARD, INC., 1985, RECORDED IN PLAN COMBINATION FILE NO. 100-100-00-013 & 100-100-00-053.
3. PLAN BY CIVIL ENGINEER, LEE WARD, INC., 1986, RECORDED IN PLAN COMBINATION FILE NO. 100-100-00-013 & 100-100-00-053.
4. PLAN BY CIVIL ENGINEER, LEE WARD, INC., 1987, RECORDED IN PLAN COMBINATION FILE NO. 100-100-00-013 & 100-100-00-053.
5. PLAN BY CIVIL ENGINEER, LEE WARD, INC., 1988, RECORDED IN PLAN COMBINATION FILE NO. 100-100-00-013 & 100-100-00-053.
6. PLAN BY CIVIL ENGINEER, LEE WARD, INC., 1989, RECORDED IN PLAN COMBINATION FILE NO. 100-100-00-013 & 100-100-00-053.
7. PLAN BY CIVIL ENGINEER, LEE WARD, INC., 1990, RECORDED IN PLAN COMBINATION FILE NO. 100-100-00-013 & 100-100-00-053.

**ACREAGE SUMMARY**  
TMS 195-00-00-013 & TMS 195-00-00-053

JURISDICTIONAL FRESHWATER WETLAND	30.19 AC. (1,314,905 SF)
ISOLATED NON-JURISDICTIONAL FRESHWATER WETLAND	0.88 AC. (38,272 SF)
BORROW PIT	3.46 AC. (150,571 S.F.)
<b>TOTAL UPLAND ACREAGE</b>	<b>34.53 AC. (1,503,748 S.F.)</b>

STATION	ELEVATION	BEARING	DISTANCE	STATION	ELEVATION	BEARING	DISTANCE
1+00.00	100.00	S 00° 00' 00" W	100.00	1+100.00	100.00	S 00° 00' 00" W	100.00
1+100.00	100.00	S 00° 00' 00" W	100.00	1+200.00	100.00	S 00° 00' 00" W	100.00
1+200.00	100.00	S 00° 00' 00" W	100.00	1+300.00	100.00	S 00° 00' 00" W	100.00
1+300.00	100.00	S 00° 00' 00" W	100.00	1+400.00	100.00	S 00° 00' 00" W	100.00
1+400.00	100.00	S 00° 00' 00" W	100.00	1+500.00	100.00	S 00° 00' 00" W	100.00
1+500.00	100.00	S 00° 00' 00" W	100.00	1+600.00	100.00	S 00° 00' 00" W	100.00
1+600.00	100.00	S 00° 00' 00" W	100.00	1+700.00	100.00	S 00° 00' 00" W	100.00
1+700.00	100.00	S 00° 00' 00" W	100.00	1+800.00	100.00	S 00° 00' 00" W	100.00
1+800.00	100.00	S 00° 00' 00" W	100.00	1+900.00	100.00	S 00° 00' 00" W	100.00
1+900.00	100.00	S 00° 00' 00" W	100.00	2+000.00	100.00	S 00° 00' 00" W	100.00



**ASHLEY**  
REGISTERED PROFESSIONAL ENGINEER  
SOUTH CAROLINA  
LICENSE NO. 10118

WETLAND QUALITY DETERMINATION  
TRACT 1, SEA MIST IOP, LP  
TRACT 2, SEA MIST IOP, LP  
TRACT 3, SEA MIST IOP, LP  
SOUTH CAROLINA  
BERKELEY COUNTY, SOUTH CAROLINA  
LICENSE NO. 10118

SCALE: 1" = 100'  
DATE: 1/16/20  
PROJECT: SEA MIST AT CANE BAY  
SHEET: 2 OF 11  
REVISIONS ONLY

Project Title: SEA MIST AT CANE BAY

# Existing Conditions

Revisions

Project Location: SECOND GOOSE CREEK PARISH  
BERKELEY COUNTY, SOUTH CAROLINA

Date: 1/16/20

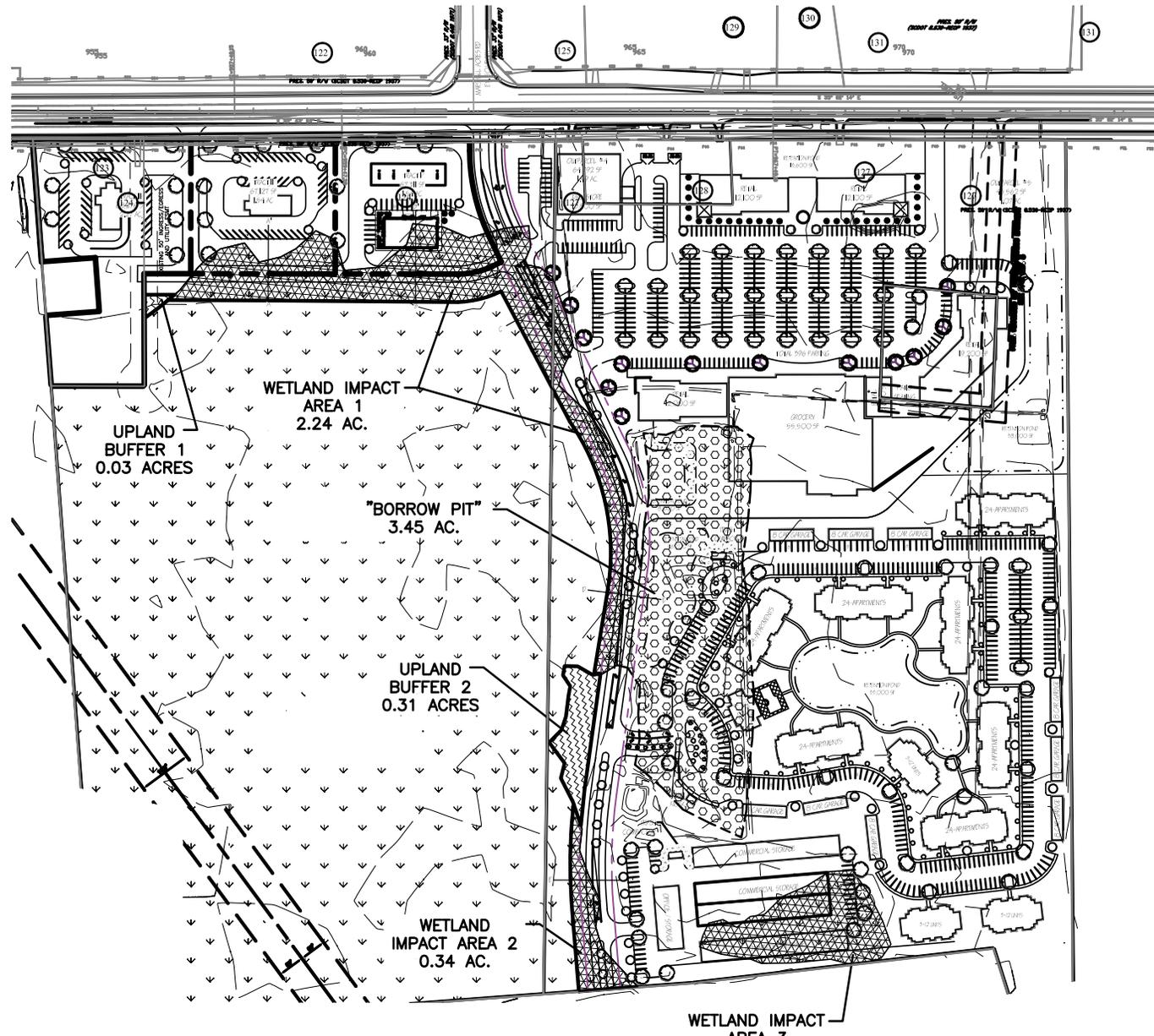
Scale: As Shown

Date Initials

Applicant: SEA MIST IOP, LP

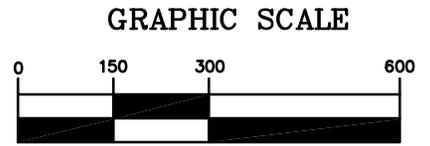
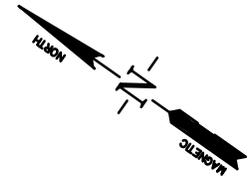
Application #: SAC-2008-01646

Sheet No. 2 of 11



SITE ANALYSIS	
TOTAL TRACT:	68.41 AC
WETLANDS	31.07 AC
BORROW PIT	3.45 AC
UPLANDS	33.89 AC
WETLANDS IMPACT	3.46 AC
WETLANDS PRESERVED	27.61 AC

IMPACT ANALYSIS	
WETLAND IMPACT AREA 1	2.24 AC
WETLAND IMPACT AREA 2	0.34 AC
WETLAND IMPACT AREA 3	0.88 AC
TOTAL WETLAND IMPACT	3.46 AC



( IN FEET )  
1 inch = 300ft.

Project Title:	SEA MIST AT CANE BAY
Project Location:	SECOND GOOSE CREEK PARISH BERKELEY COUNTY, SOUTH CAROLINA
Applicant:	SEA MIST IOP, LP

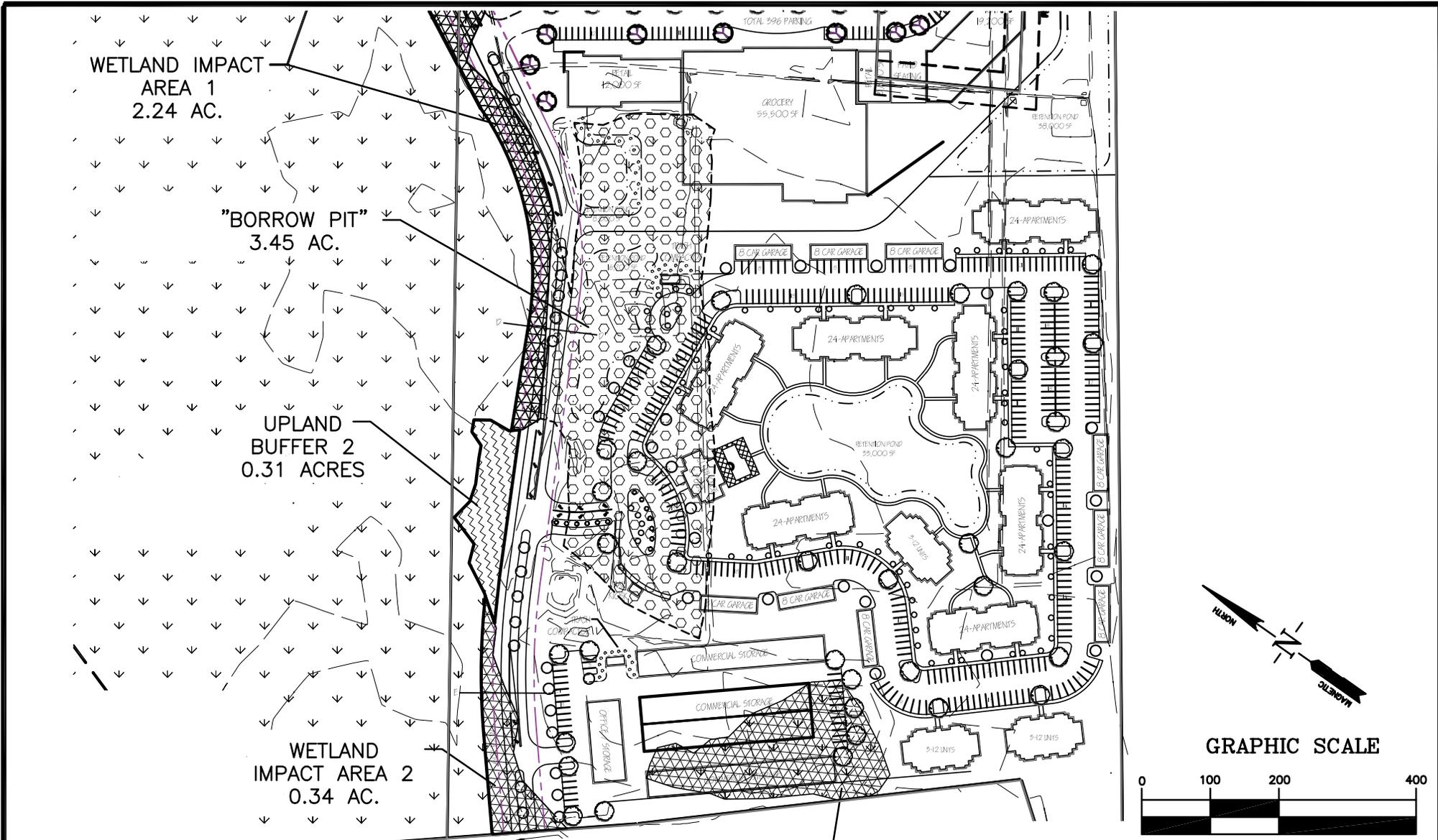
Date:	1/16/20
Application #:	SAC-2008-01646

Scale:	As Shown
Sheet No.	<u>3</u> of <u>11</u>

Revisions	
Date	Initials

## Overall Site Plan

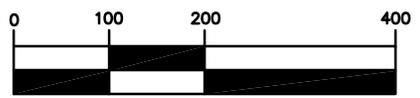




WETLAND IMPACT  
AREA 3  
0.88 ACRES

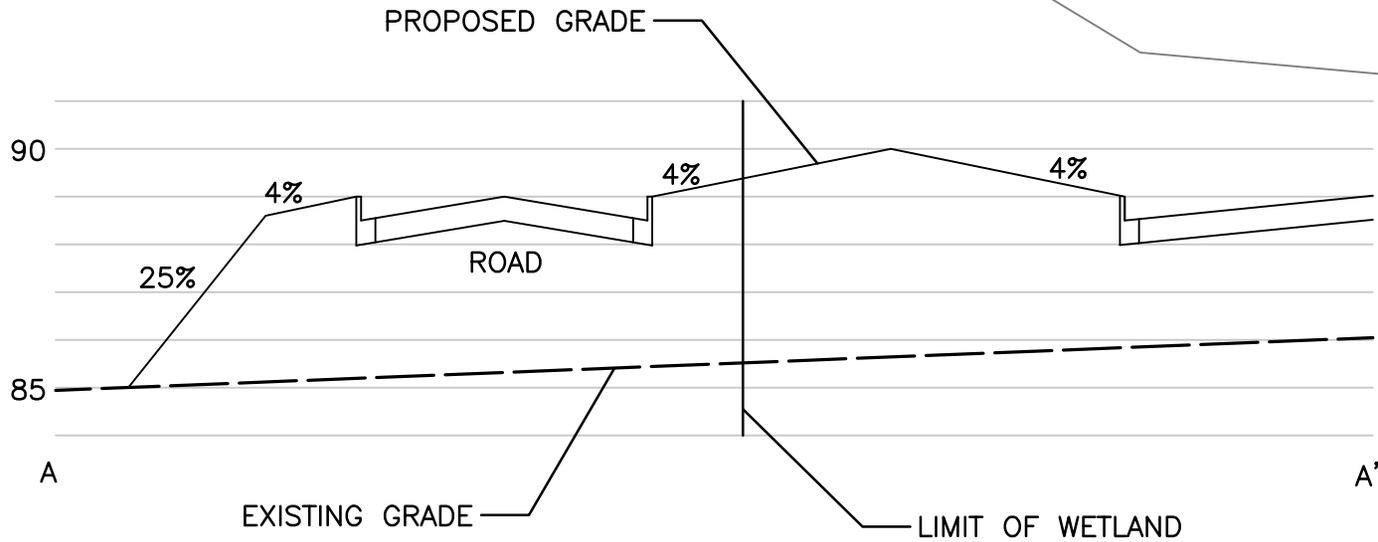
## Enlargement 2

GRAPHIC SCALE

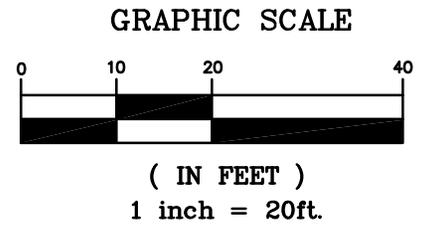


( IN FEET )  
1 inch = 200ft.

Project Title: SEA MIST AT CANE BAY		Revisions	
Project Location: SECOND GOOSE CREEK PARISH BERKELEY COUNTY, SOUTH CAROLINA		Date: 1/16/20	Initials
Applicant: SEA MIST IOP, LP		Scale: As Shown	Date
Application #: SAC-2008-01646		Sheet No. <u>5</u> of <u>11</u>	



### SECTION A-A'



Project Title: SEA MIST AT CANE BAY

### Cross Section A-A'

VERT. SCALE 1"=5'  
HORIZ. SCALE 1"=20'

Revisions

Project Location: SECOND GOOSE CREEK PARISH  
BERKELEY COUNTY, SOUTH CAROLINA

Date: 1/16/20

Scale: As Shown

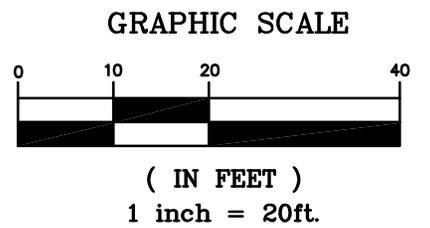
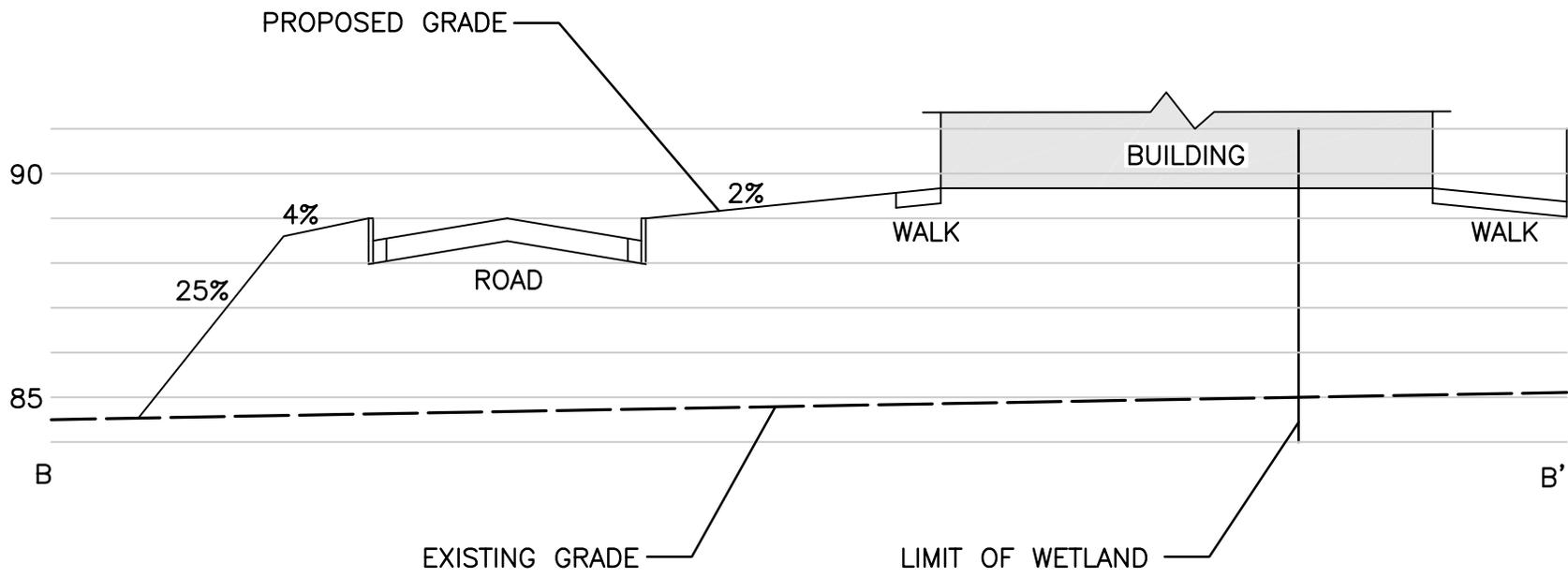
Date

Initials

Applicant: SEA MIST IOP, LP

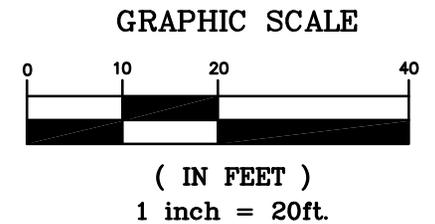
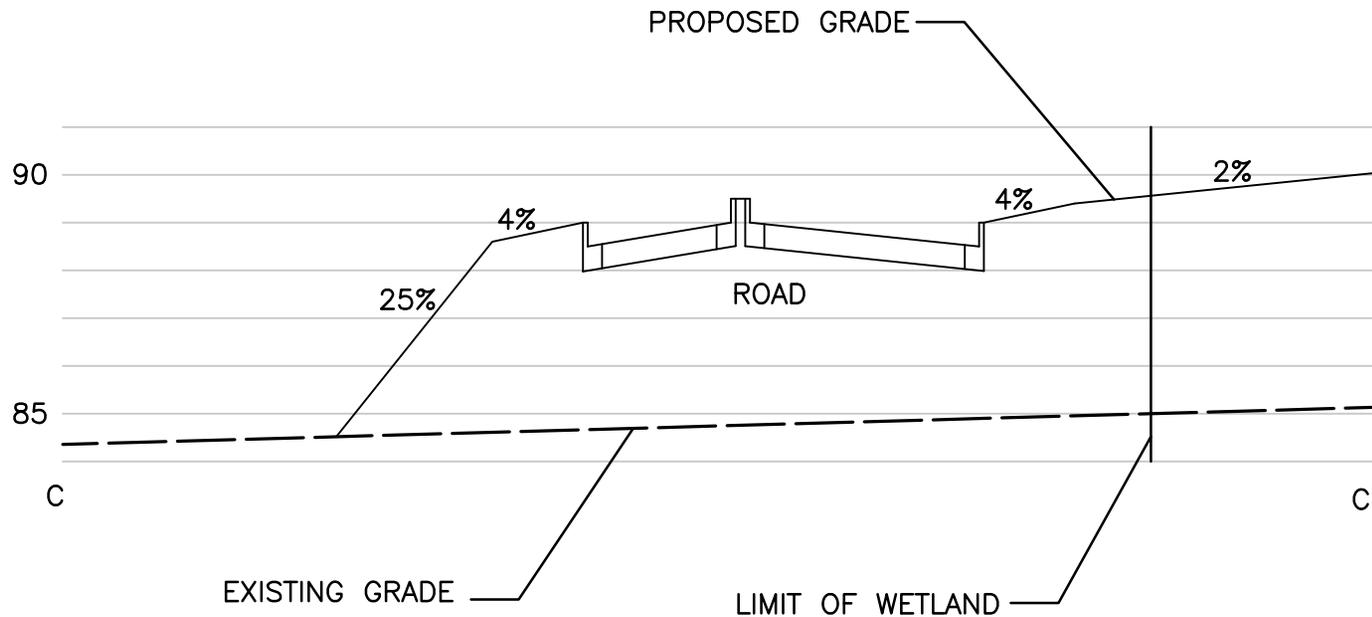
Application #: SAC-2008-01646

Sheet No. 6 of 11



PREPARED BY:

Project Title: SEA MIST AT CANE BAY		<b>Cross Section B-B'</b> VERT. SCALE 1"=5' HORIZ. SCALE 1"=20'	Revisions		
Project Location: SECOND GOOSE CREEK PARISH BERKELEY COUNTY, SOUTH CAROLINA			Date: 1/16/20	Scale: As Shown	Date
Applicant: SEA MIST IOP, LP		Application #: SAC-2008-01646		Sheet No. <u>7</u> of <u>11</u>	



Project Title: SEA MIST AT CANE BAY

### Cross Section C-C'

VERT. SCALE 1"=5'  
 HORIZ. SCALE 1"=20'

Revisions

Project Location: SECOND GOOSE CREEK PARISH  
 BERKELEY COUNTY, SOUTH CAROLINA

Date: 1/16/20

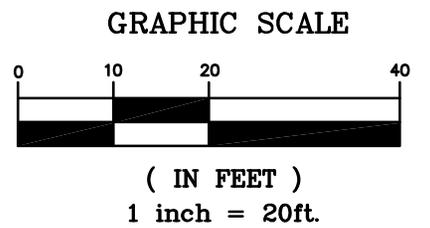
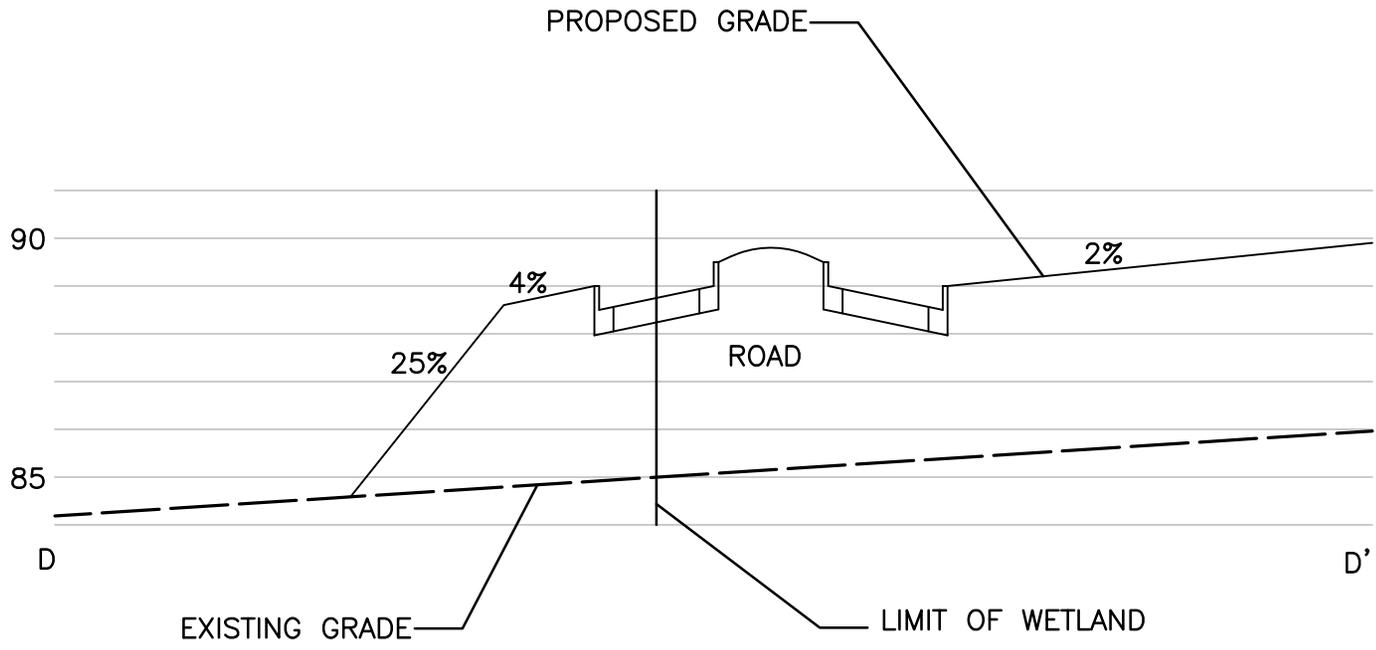
Scale: As Shown

Date	Initials

Applicant: SEA MIST IOP, LP

Application #: SAC-2008-01646

Sheet No. 8 of 11



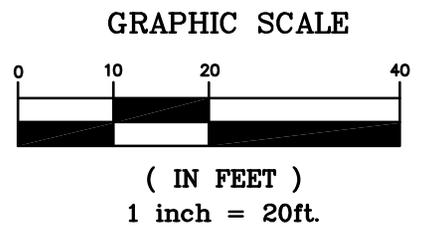
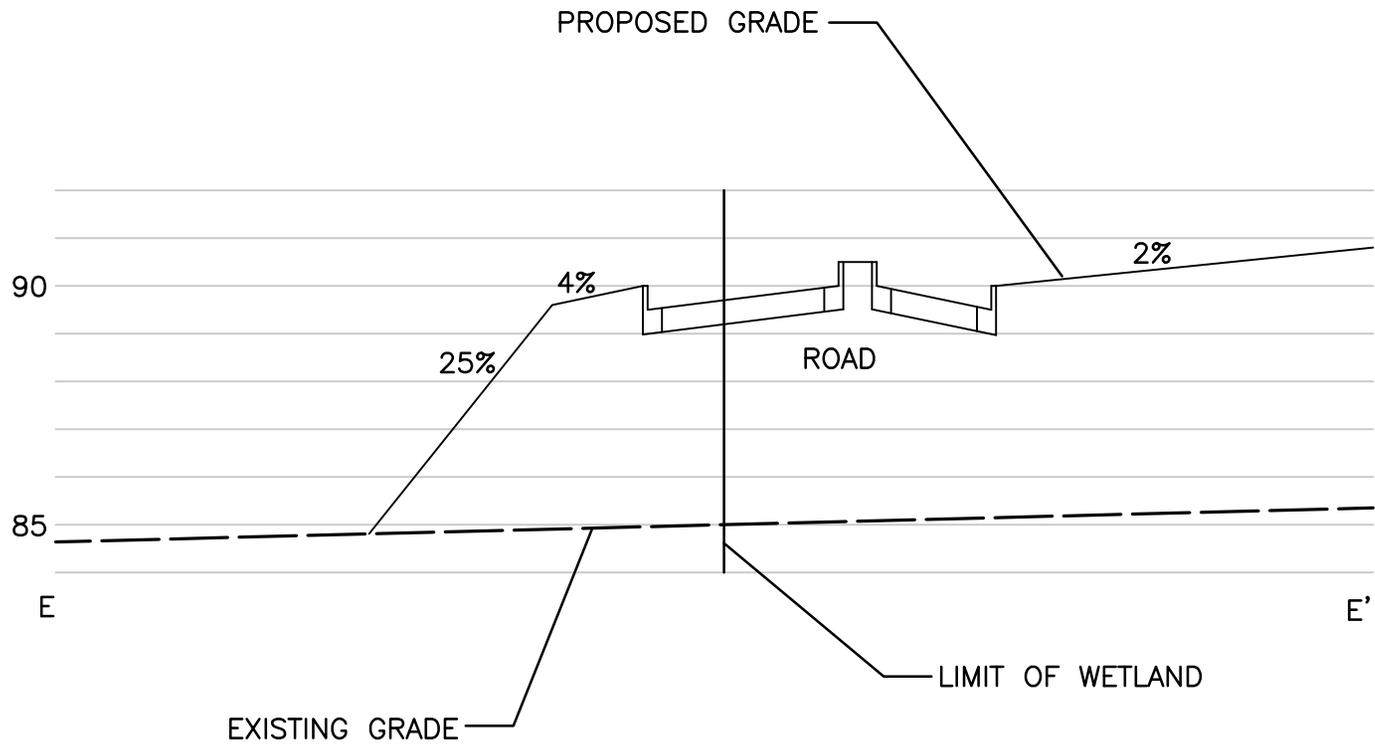
**Cross Section D-D'**    VERT. SCALE 1"=5'  
 HORIZ. SCALE 1"=20'

Project Title: SEA MIST AT CANE BAY
Project Location: SECOND GOOSE CREEK PARISH BERKELEY COUNTY, SOUTH CAROLINA
Applicant: SEA MIST IOP, LP

Date: 1/16/20
Application #: SAC-2008-01646

Scale: As Shown
Sheet No. <u>9</u> of <u>11</u>

Revisions	
Date	Initials



### Cross Section E-E'

VERT. SCALE 1"=5'  
HORIZ. SCALE 1"=20'

Revisions

Project Title: SEA MIST AT CANE BAY
Project Location: SECOND GOOSE CREEK PARISH BERKELEY COUNTY, SOUTH CAROLINA
Applicant: SEA MIST IOP, LP

Date: 1/16/20
Application #: SAC-2008-01646

Scale: As Shown
Sheet No. <u>10</u> of <u>11</u>

Date	Initials

SITE ANALYSIS

TOTAL TRACT:	68.41 AC
WETLANDS	31.07 AC
UPLANDS BUFFER	0.34 AC
BORROW PIT	3.45 AC
UPLANDS	33.55 AC
WELANDS IMPACT	3.46 AC
WETLANDS PRESERVED	27.61 AC

IMPACT ANALYSIS

WETLAND IMPACT AREA 1	2.24 AC
WETLAND IMPACT AREA 2	0.34 AC
WETLAND IMPACT AREA 3	0.88 AC
TOTAL WETLAND IMPACT	3.46 AC

Project Title: SEA MIST AT CANE BAY

**Summary**

Revisions

Project Location: SECOND GOOSE CREEK PARISH  
BERKELEY COUNTY, SOUTH CAROLINA

Date: 1/16/20

Scale: As Shown

Date

Initials

Applicant: SEA MIST IOP, LP

Application #: SAC-2008-01646

Sheet No. 11 of 11