

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, SC 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: SAC-2022-01025

August 12, 2022

Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), the South Carolina Coastal Zone Management Act (48-39-10 et seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Mr. Michael Cain
Foundry Commercial
2151 Hawkins Street, Ste. 1000
Charlotte, North Carolina 28203
c/o
Mr. Ryan Clarey
Newkirk Environmental, Inc.
PO Box 746
Mt. Pleasant, South Carolina 29465
ryan@newkirkenv.com

for a permit to discharge fill material into freshwater, non-tidal wetlands associated with the

GREEN BAY BRANCH

Located on Hodge Road in Dorchester County, South Carolina (Latitude: 33.05941 °, Longitude: -80.22563 °), (Summerville Quad Sheet)

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.

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

Applicant's Stated Purpose

According to the applicant, the purpose of the proposed project is to develop, construct, and own a new inland warehouse distribution facility that meets the present and future needs of industry utilizing the Port of Charleston by way of additional strategically located warehouse and distribution space.

The applicant provided the following information regarding the project purpose and need:

The Proposed Project is a standalone, fully self-contained warehouse facility with incorporated loading docks, dedicated truck/trailer/POV parking, dedicated stormwater detention basins, and would utilize a newly constructed entrance road to the parcel off of Hodge Road to the North. The size of the facility is dictated both by the geographical considerations of the site, as well as the demonstrated need for facilities of similar size to support throughput at the Port of Charleston. Industry analysis demonstrates that larger facilities allow for the efficient operation of the volume expected to traverse these facilities. The Proposed Project is of sufficient size to accommodate one or more end-users within the facility footprint.

The need for new, standalone warehouse distribution facilities in the Charleston region has grown dramatically in recent years, with demand outpacing supply. The primary reason behind this need is the Port of Charleston, which is the second largest port in the South Atlantic, the fourth largest port on the East Coast, and the eighth largest port in the United States by container volume as measured in twenty-foot-equivalent units (TEUs). Over the last several years, the Port of Charleston has been one of the fastest growing major ports in the United States, with exports driving the Port's growth well above the industry average. The Port of Charleston serves the international shipping needs of an estimated 20,000 companies in more than two dozen states. Containerized cargo processed through the Port of Charleston has increased by a compound annual growth rate of over seven percent since 2009, with 19 percent year-over-year growth from 2020 to 2021. The basis for this growth is multifaceted but owes primarily to growth in many port-dependent industries established throughout South Carolina, including manufacturing plants such as BMW, Volvo Cars, Michelin North

America, Samsung, as well as distribution centers such Wal-Mart, Harbor Freight Tools, E.J. Gallo, and Dollar Tree Stores.

To support container growth, as well as investments that manufacturers have made in South Carolina, there is a need to bring the Port of Charleston closer to their import-export centers. Doing so benefits the local, regional, and national economy, and also provides additional jobs and economic development. In 2021, the vacancy rate for industrial space to serve the supply chain and distribution network associated with the Port of Charleston was below 5%, which is an indicator of the current demand for new industrial warehouse/distribution buildings. For its part, the Ports Authority has invested \$1.6 billion in infrastructure over the past decade, with an approximate additional \$1 billion in investments by various government agencies and private partners through the Ports Authority's Capital Improvements (CapEx) program. Capital projects include construction of a greenfield 280-acre container terminal (Hugh Leatherman Terminal), Phase I of which opened in April 2021, upgrades to Wando Welch Terminal to allow for larger ships and increased capacity, roadway improvements, and the development of other infrastructure, including rail-served inland ports in Greer and Dillon that are owned and operated by the SCPA. In addition, the State of South Carolina and the Federal government have contributed nearly \$600 million towards the Charleston Harbor deepening project slated for completion this year that will result in the Port of Charleston being the deepest port on the U.S. East Coast at 52 feet. An additional \$550 million in State funds are scheduled to be contributed towards a wharf extension project at Wando Welch Terminal and associated container barge operation between the Wando Welch and Hugh Leatherman Terminals, as well as construction of a new near-dock intermodal container transfer facility in North Charleston (Navy Base Intermodal Container Transfer Facility). These combined investments are vital to ensure the State's, region's, and the nation's businesses will continue to have access to a low cost, convenient, and reliable entry point to the global economy.

As a result of the above-described growth trend of the Port of Charleston, Foundry Commercial and its clients have identified a need for available warehouse capacity in the vicinity of the Port of Charleston that meets the identified criteria put forward for the Proposed Project. As the amount of import TEU's through the Port of Charleston increases, and the aforementioned projects and new facilities come on-line, the demand for warehouse space is only going to increase. According to a 2020 warehouse demand forecast put together by the Ports Authority, import TEU's were projected to grow by 77% over the next ten years, which the Ports Authority correlated to projected occupied warehouse space and forecasted a need for more than 33 million square feet of new warehouse/industrial space to accommodate the Port's anticipated operations. Actual TEU counts for the previous two years matched or exceeded the projections; therefore, the Ports Authority's forecast has held and equates to more than 3 million square feet of annual new warehouse absorption each year for the next ten years.

Further, local governments in the region, notably Dorchester, Charleston and Berkeley

Counties have incorporated this need into their respective comprehensive plans in the form of identified employment growth areas, strategic locations of industrial zoning within proximity to major transportation corridors, and neighborhood/community nodes intended to provide work forces in proximity to new industrial developments.

Project Description

The proposed work consists of the discharge of fill material into 0.67 acre of freshwater, non-tidal wetlands. In detail, the proposed work involves the discharge of 242 cubic yards of fill material into 0.15 acre of wetlands for the construction of a stormwater pond and the discharge of 894 cubic yards of fill material into 0.52 acre of wetlands for the construction of a 216,320 square foot warehouse building, stormwater pond, associated parking and access road.

Avoidance and Minimization

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by the following:

There will be an adequate SCDHEC approved stormwater management plan incorporating BMPs such as, silt fences, temporary catch basins, inlet protections and silt sacks; that is capable of meeting the needs of the proposed project. As these plans are not generally designed prior to obtaining a 404 Individual Permit and 401 Certification, the exact locations of such structures and support structures are not known at this point in time. The project engineer has been made aware of and intends to employ all up-to-date stormwater management techniques, where practical, as part of the final stormwater plan to prevent runoff from having adverse impacts to off-site waters of the U.S./state including wetlands. The location of the implementation of such techniques and structures will be included in the comprehensive stormwater management plan submitted to SCDHEC for approval under the NPDES program.

Proposed Compensatory Mitigation

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 6.8 credits from an Approved Mitigation Bank.

South Carolina Department of Health and Environmental Control

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 Public Notice will serve as the notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act.

Essential Fish Habitat

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 0.69 acre of freshwater, non-tidal wetlands inland 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.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County(s) where the work will occur: American woodstork, red-cockaded woodpecker, Atlantic sturgeon, shortnose sturgeon and northern long-eared bat,

Based on all information provided by the applicant and the most recently available information, the District Engineer has determined the following:

The project will have no effect on American woodstork, red-cockaded woodpecker, Atlantic sturgeon, shortnose sturgeon and northern long-eared bat, 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.

Cultural Resources

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)(1)(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.

Corps' Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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 and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. 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.

Solicitation of Public Comment

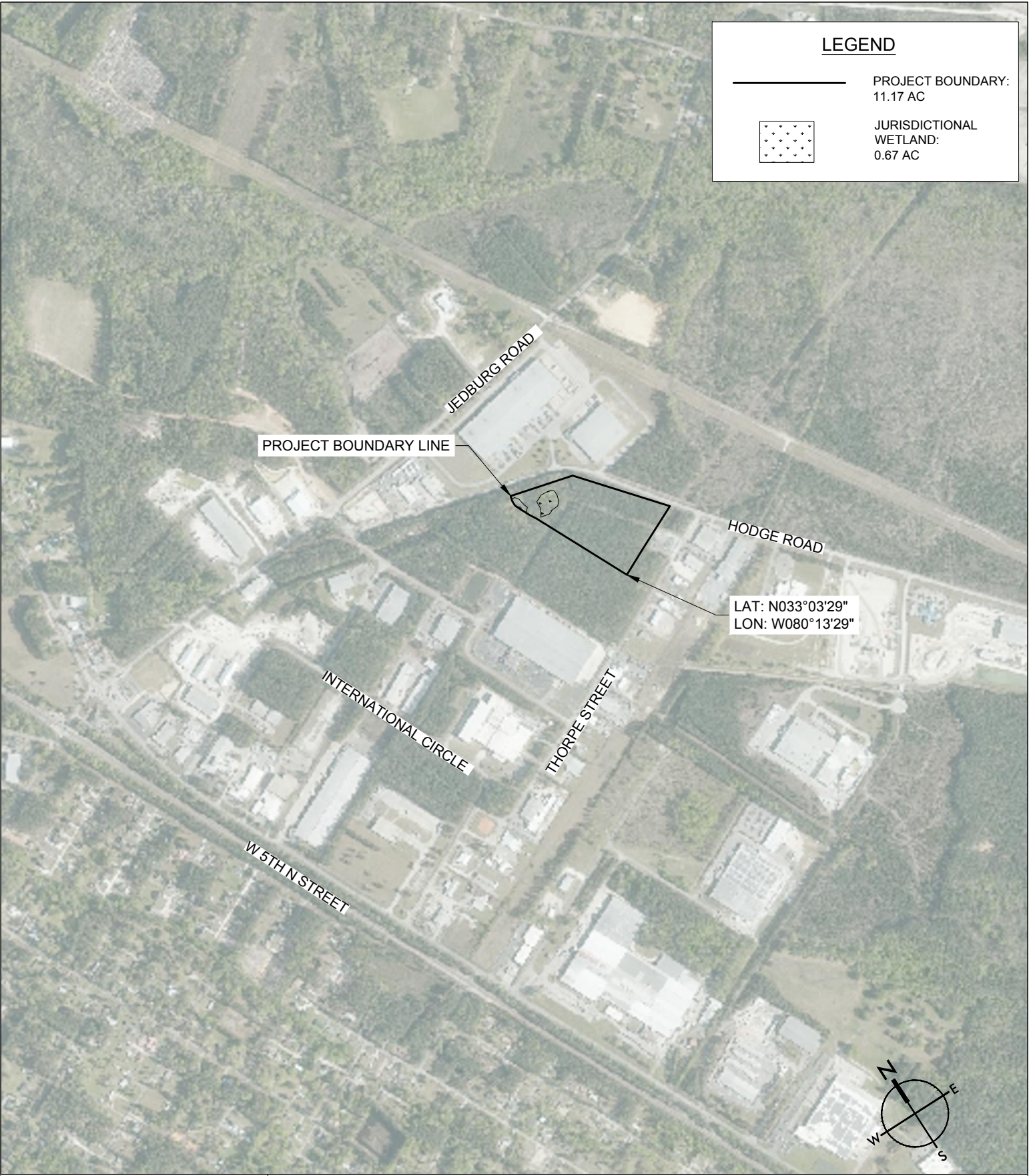
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate

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. 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.

Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-2022-01025), to Tracy.D.Sanders@usace.army.mil or the following address:

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, SC 29403-5107**

If there are any questions concerning this public notice, please contact Tracy D. Sanders, Project Manager, at (843) 329-8190, toll free at 1-866-329-8187, or by email at Tracy.D.Sanders@usace.army.mil.



LEGEND

- PROJECT BOUNDARY: 11.17 AC
- ▣ JURISDICTIONAL WETLAND: 0.67 AC

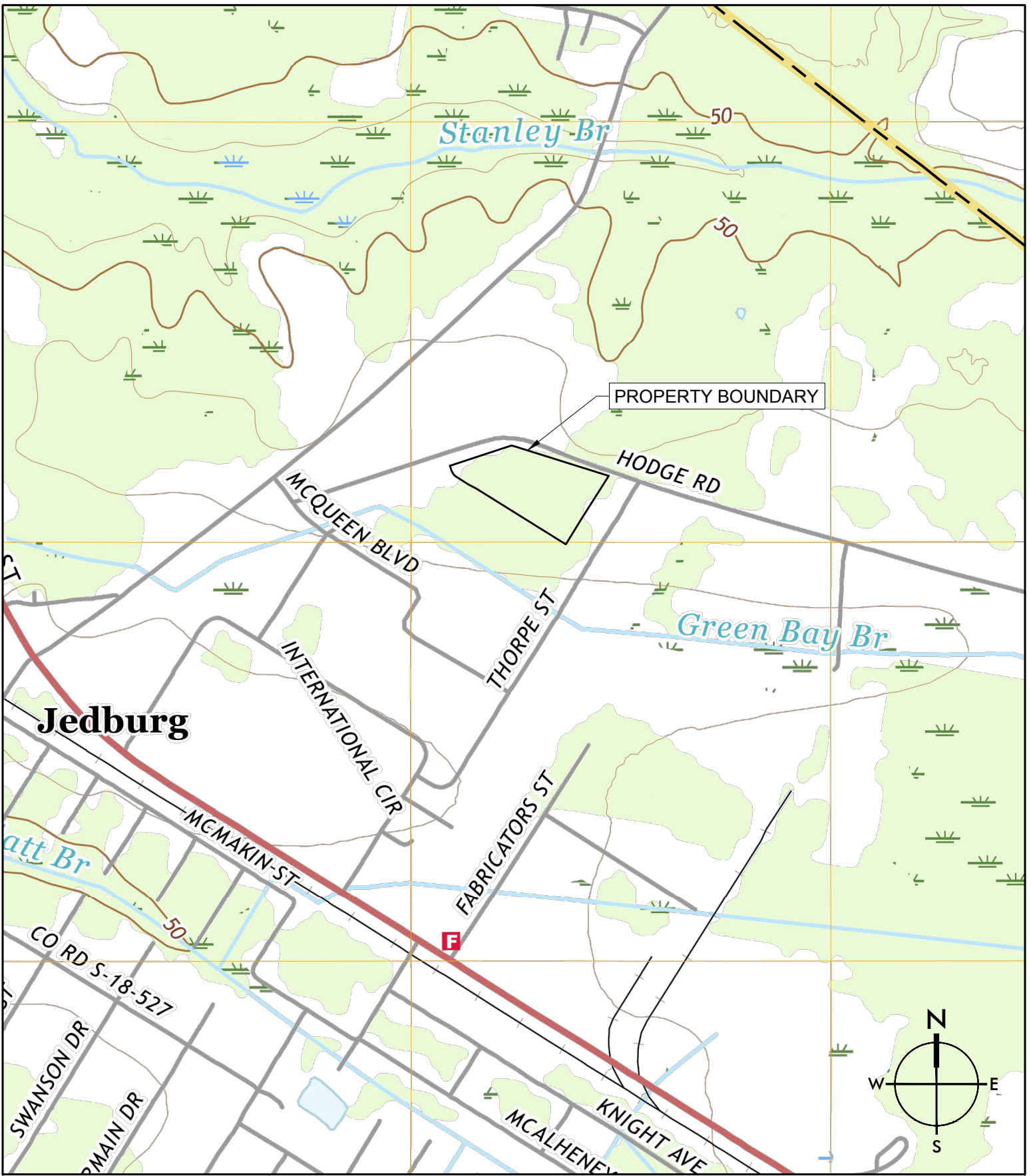
PROJECT BOUNDARY LINE

LAT: N033°03'29"
LON: W080°13'29"



DORCHESTER COMMERCE CENTER
 SW+ #: 8718
 DATE: 6/30/22
 SCALE: 1"=1000'

SHEET 1
 LOCATION EXHIBIT
 WETLAND PERMIT



DORCHESTER COMMERCE CENTER
 SW+ #: 8718
 DATE: 6/30/22
 SCALE: 1"=1000'

SHEET 2
 USGS MAP EXHIBIT
 WETLAND PERMIT



EGDM, INC.
T.M.S. #122-00-00-126
(PLAT BOOK 4186, PAGE 125)

PROPERTY BOUNDARY

TRACT 2
(ALSO KNOWN AS PARCEL "H")
4.152 ACRES / 180,987 SQ.FT.

TRACT 1
(ALSO KNOWN AS TRACT "G-2")
33.956 ACRES / 1,479,129 SQ.FT.

BERKELEY ELECTRIC
COOPERATIVE, INC.
T.M.S. #122-00-00-166
(PLAT BOOK L, PAGE 114)
(EXCEPTION 4)

McQUEEN STREET, LLC
T.M.S. #122-00-00-112
(PLAT BOOK J, PAGE 125)

QUATLEBAUM BROTHERS, LLC
T.M.S. #122-00-00-119
(PLAT BOOK J, PAGE 188)



DORCHESTER COMMERCE CENTER
SW+ #: 8718
DATE: 6/30/22
SCALE: 1" = 300'

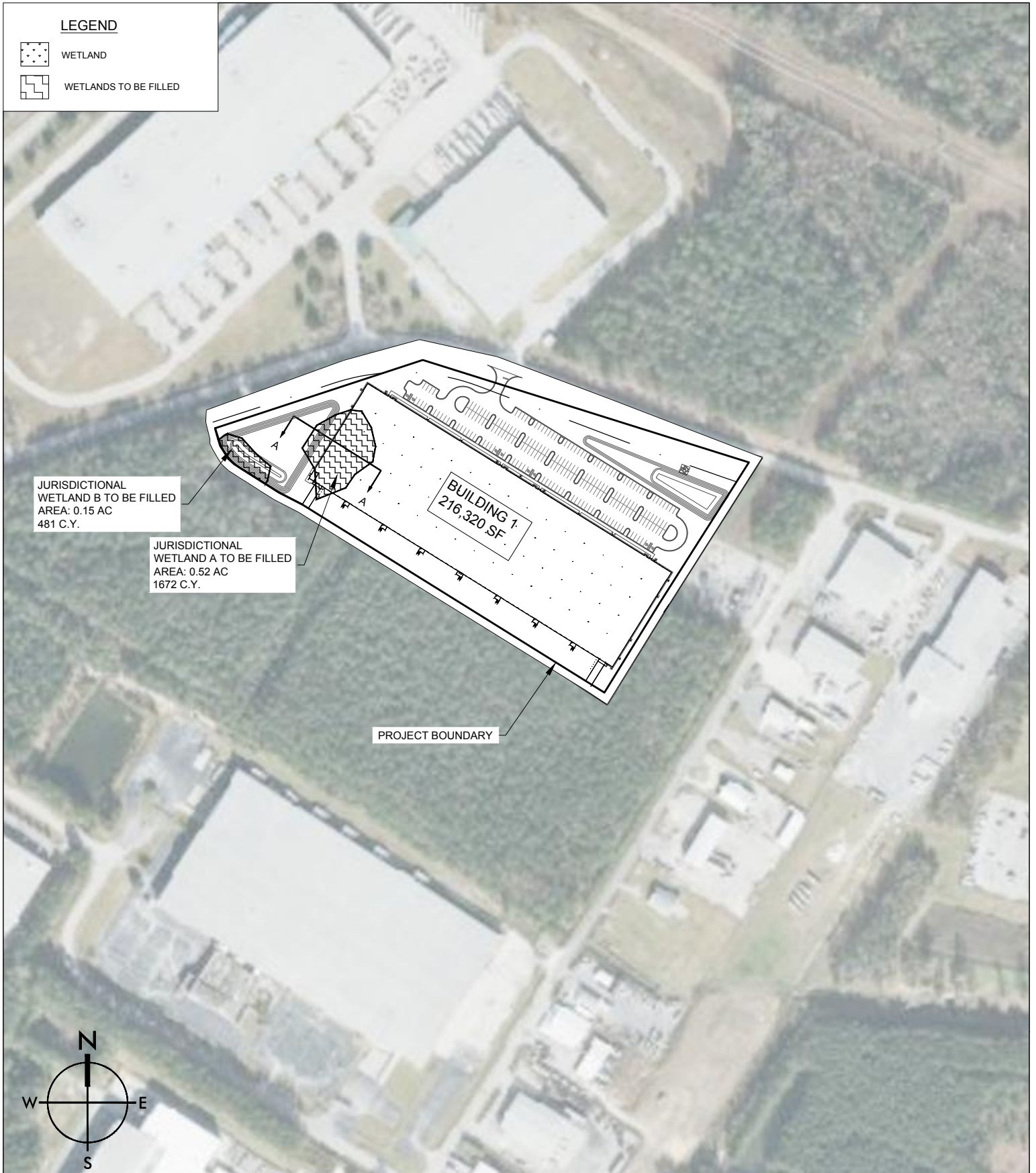
SHEET 3
EXISTING CONDITIONS EXHIBIT
WETLAND PERMIT

LEGEND



WETLAND

WETLANDS TO BE FILLED



JURISDICTIONAL
WETLAND B TO BE FILLED
AREA: 0.15 AC
481 C.Y.

JURISDICTIONAL
WETLAND A TO BE FILLED
AREA: 0.52 AC
1672 C.Y.

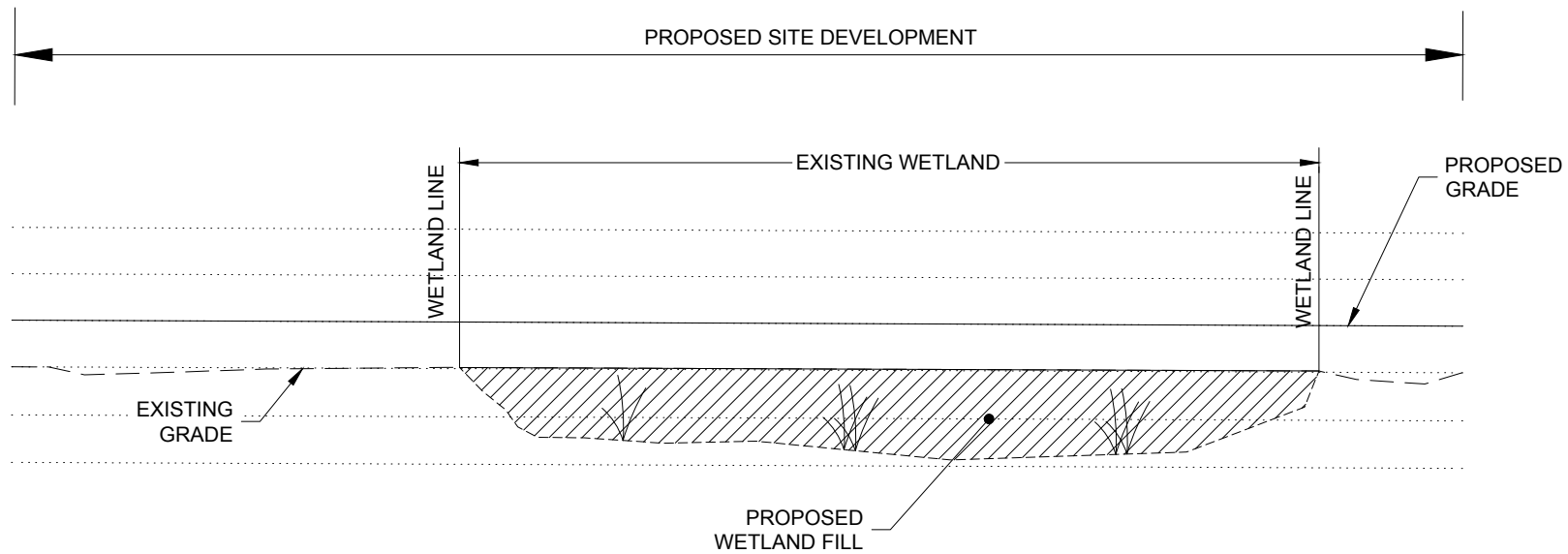
PROJECT BOUNDARY

BUILDING 1:
216,320 SF.



DORCHESTER COMMERCE CENTER
SW+ #: 8718
DATE: 6/30/22
SCALE: 1" = 300'

SHEET 4
SITE DEVELOPMENT EXHIBIT
WETLAND PERMIT



SECTION A-A'