

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-2018-01789

December 28, 2018

Pursuant to 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. Brent Gibadio
NASH - Nexton Holdings, LLC
201 Sigma Drive Ste 130
Summerville, South Carolina 29486

for a permit to construct a “shovel ready” office complex within
9.52 acres of freshwater wetlands

at a location within the intersection of I-26 and Nexton Parkway in Summerville, Berkeley County, South Carolina (Latitude: 33.0552 °N, Longitude: -80.1601 °W), Summerville, SC 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 filling and/or excavating within 9.52 acres of non-tidal freshwater wetlands to construct a “shovel ready” office complex. The office complex will include approximately 46 acres of office space, approximately 2 acres of hotel space to accommodate 100 guest rooms, approximately 25 acres of retail space, parking, and other infrastructure. The 45.69

project site consists of 35.82 acres of upland and 9.87 acres of freshwater wetlands. 8.5 acres of the wetlands are within an abandoned borrow pit and 1.37 acres are depressional wetlands. The applicant proposes to avoid 0.35 acre of the depressional wetlands on-site. The applicant also proposes to mitigate for the loss of 9.52 acres of wetlands by purchasing 85.2 non-buffer enhancement/restoration credits reserved at the Pigeon Pond Mitigation Bank. The project purpose is to provide suitable land to allow construction of a master planned, high density office complex development for corporate headquarters or large regional offices.

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 9.52 acres of freshwater wetlands located 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 the Frosted flatwoods salamander (*Ambystoma cingulatum*), Red-cockaded woodpecker (*Picoides borealis*), Atlantic sturgeon (*Acipenser oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), West Indian manatee (*Trichechus manatus*), American chaffseed (*Schwalbea americana*), Canby's dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*); and the project is not likely to adversely affect the Northern long-eared bat (*Myotis septentrionalis*) and American wood stork (*Mycteria americana*). This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on these determinations, and serves as a request for any additional information they may have on whether any additional 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.

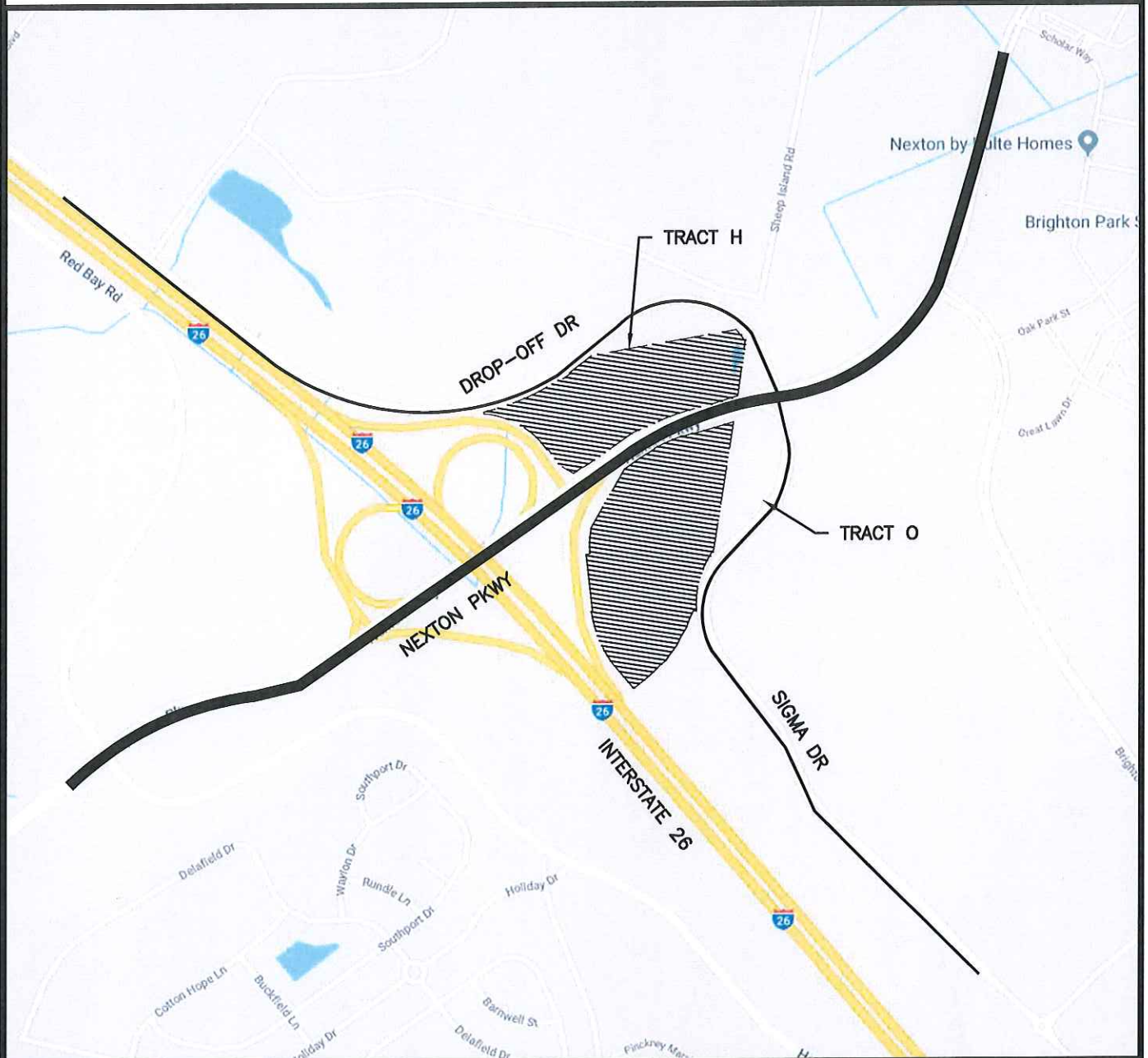
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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 Leslie Estill, Project Manager, at (843) 329-8039.



NOT TO SCALE



Activity:
COMMERCIAL DEVELOPMENT
Project:
TRACT H & O AT NEXTON
INTERCHANGE
Location:
BERKELEY COUNTY, SC

Applicant:
NASH-NEXTON HOLDINGS, LLC
201 SIGMA DRIVE #130
SUMMERVILLE, SC 29486
PHONE: (843) 970-9473



*SITE
LOCATION*

Sheet 1 of 8 Revised: NA
Date: November 6, 2018



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



SUMMERVILLE QUADRANGLE
SOUTH CAROLINA
7.5-MINUTE SERIES

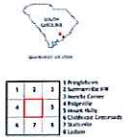
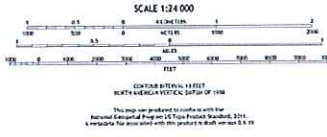
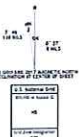


SITE
TRACT H & O
LAT: 33°03'21"
LONG: 80°09'34"

HWY 17A

SUMMERVILLE

Produced by the United States Geological Survey
Scale: Graphic Scale of 1:24,000
This map is not a legal document. Accuracy may be
questioned for the map scale. Please check with the
authorities for any further details. This is a preliminary
working draft only.



ROAD CLASSIFICATION
Expressway
Interstate Hwy
Parkway
State Route
Local Collector
Local Road
Road
Other Road

SUMMERVILLE, SC
2017



Activity:
COMMERCIAL DEVELOPMENT
Project:
TRACT H & O AT NEXTON
INTERCHANGE
Location:
BERKELEY COUNTY, SC


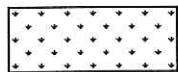

Applicant:
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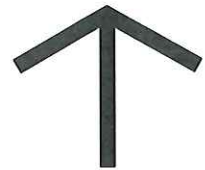


USGS MAP

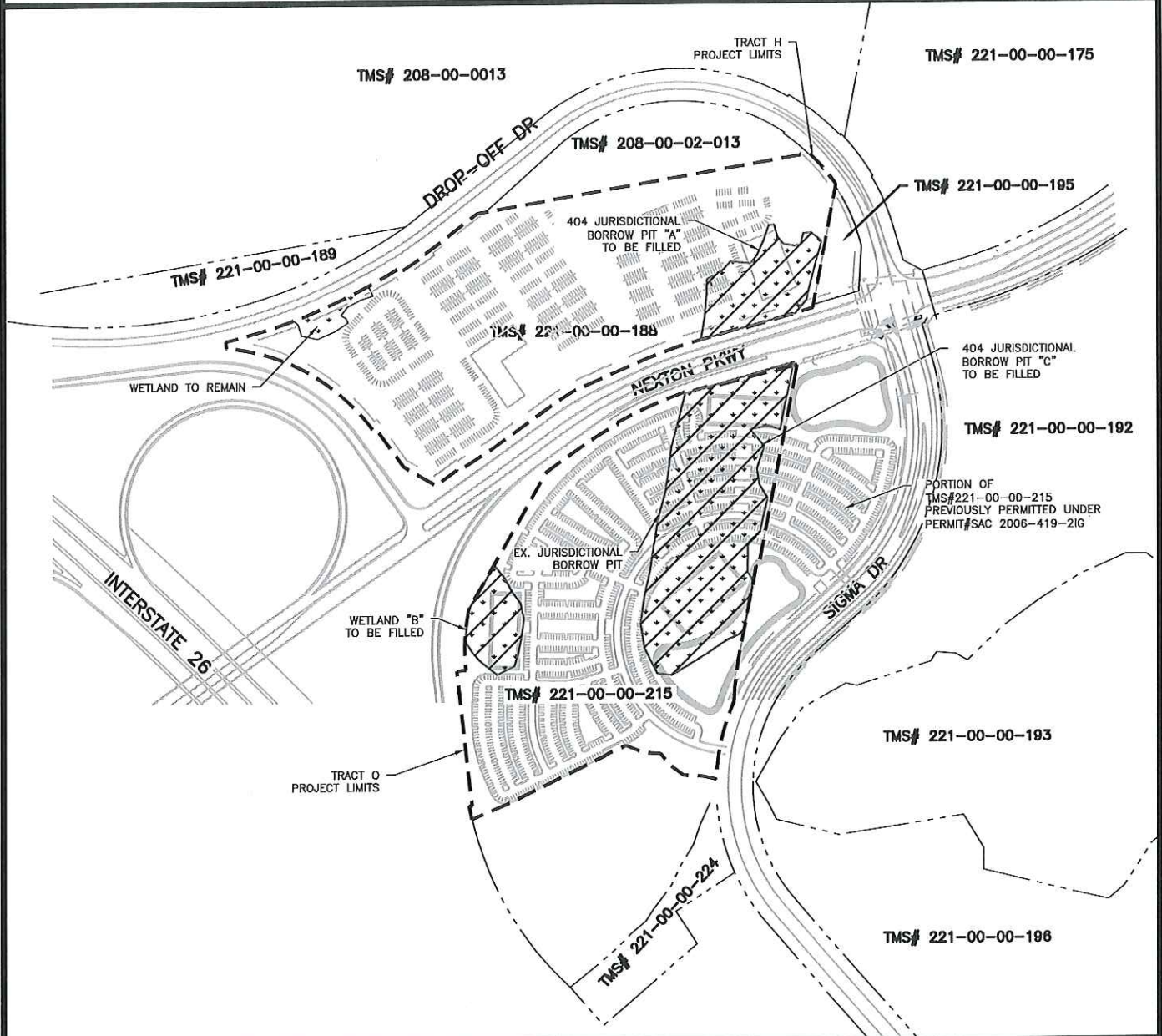
Sheet 2 of 8 Revised: NA
Date: November 6, 2018

WETLAND LEGEND

-  PROJECT BOUNDARY
-  WETLAND TO REMAIN
-  WETLAND/JURISDICTIONAL BORROW FILL AREA



SCALE: 1"=500'



Activity:
COMMERCIAL DEVELOPMENT
Project:
TRACT H & O AT NEXTON
INTERCHANGE
Location:
BERKELEY COUNTY, SC

Applicant:
NASH-NEXTON HOLDINGS, LLC
201 SIGMA DRIVE #130
SUMMERVILLE, SC 29486
PHONE: (843) 970-9473



**TRACT H & O
LIMITS**

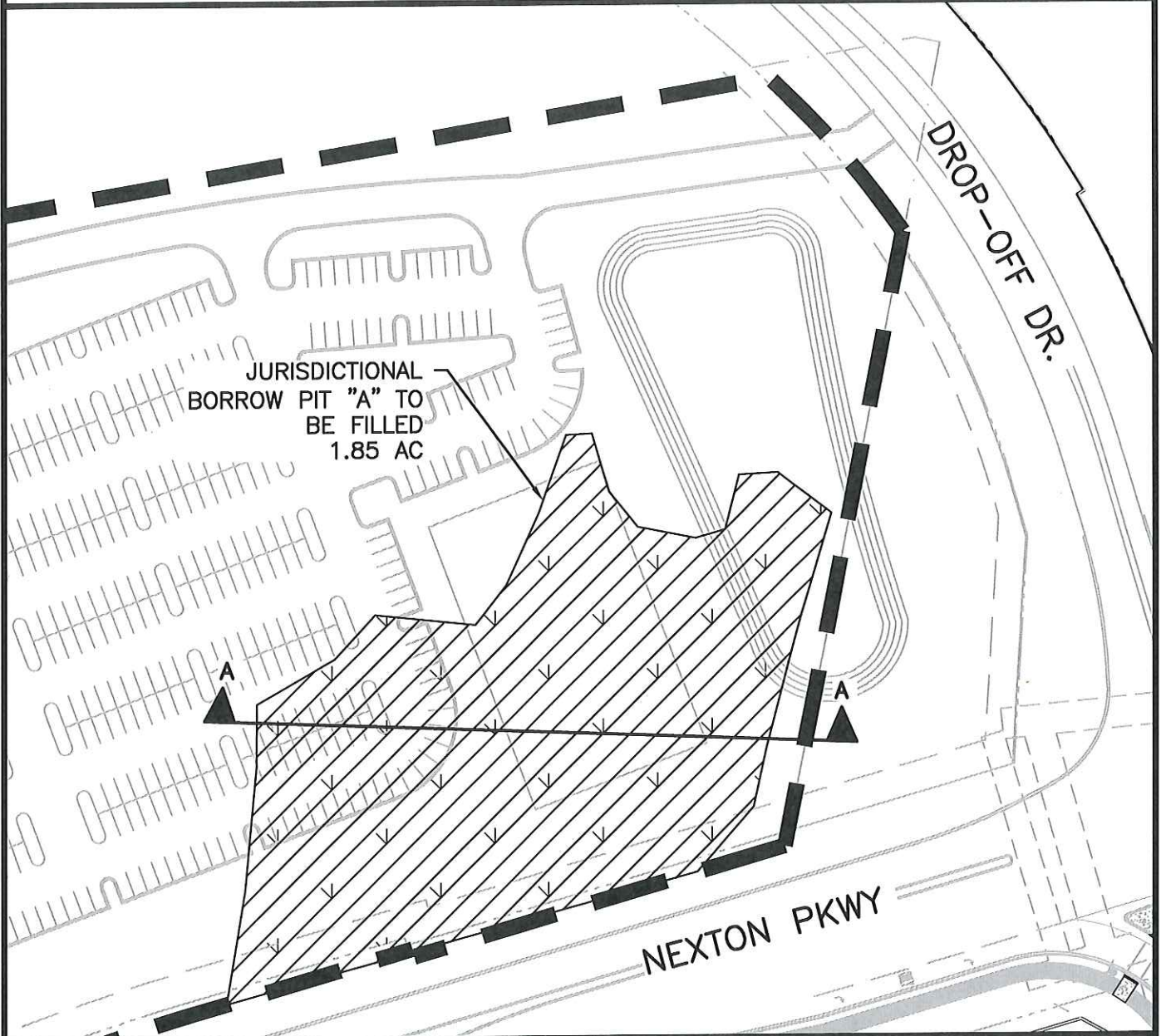
Sheet 3 of 8 Revised: NA
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WETLAND LEGEND

-  PROJECT BOUNDARY
-  BORROW PIT FILL AREA



SCALE: 1" = 100'



Activity:
COMMERCIAL DEVELOPMENT
Project:
TRACT H & O AT NEXTON
INTERCHANGE
Location:
BERKELEY COUNTY, SC

Applicant:
NASH-NEXTON HOLDINGS, LLC
201 SIGMA DRIVE #130
SUMMERVILLE, SC 29486
PHONE: (843) 970-9473



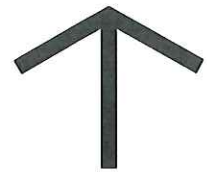
**WETLAND
IMPACT**

Sheet 4 of 8 Revised: NA
Date: November 6, 2018

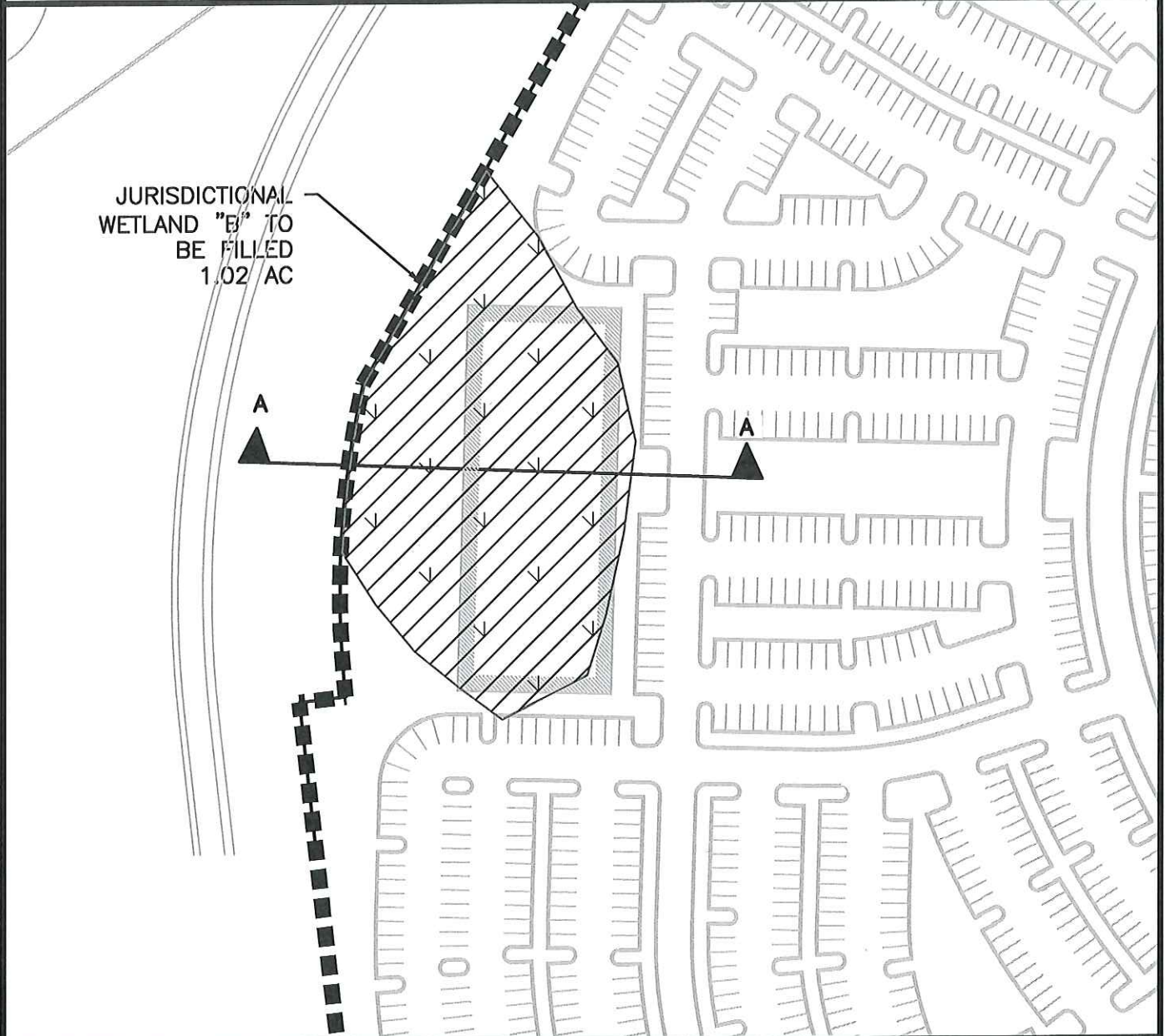
WETLAND LEGEND

— — — — — PROJECT BOUNDARY

 WETLAND FILL AREA



SCALE: 1" = 100'



Activity:
COMMERCIAL DEVELOPMENT
Project:
TRACT H & O AT NEXTON INTERCHANGE
Location:
BERKELEY COUNTY, SC


Applicant:
NASH-NEXTON HOLDINGS, LLC
201 SIGMA DRIVE #130
SUMMERVILLE, SC 29486
PHONE: (843) 970-9473



**WETLAND
IMPACT**

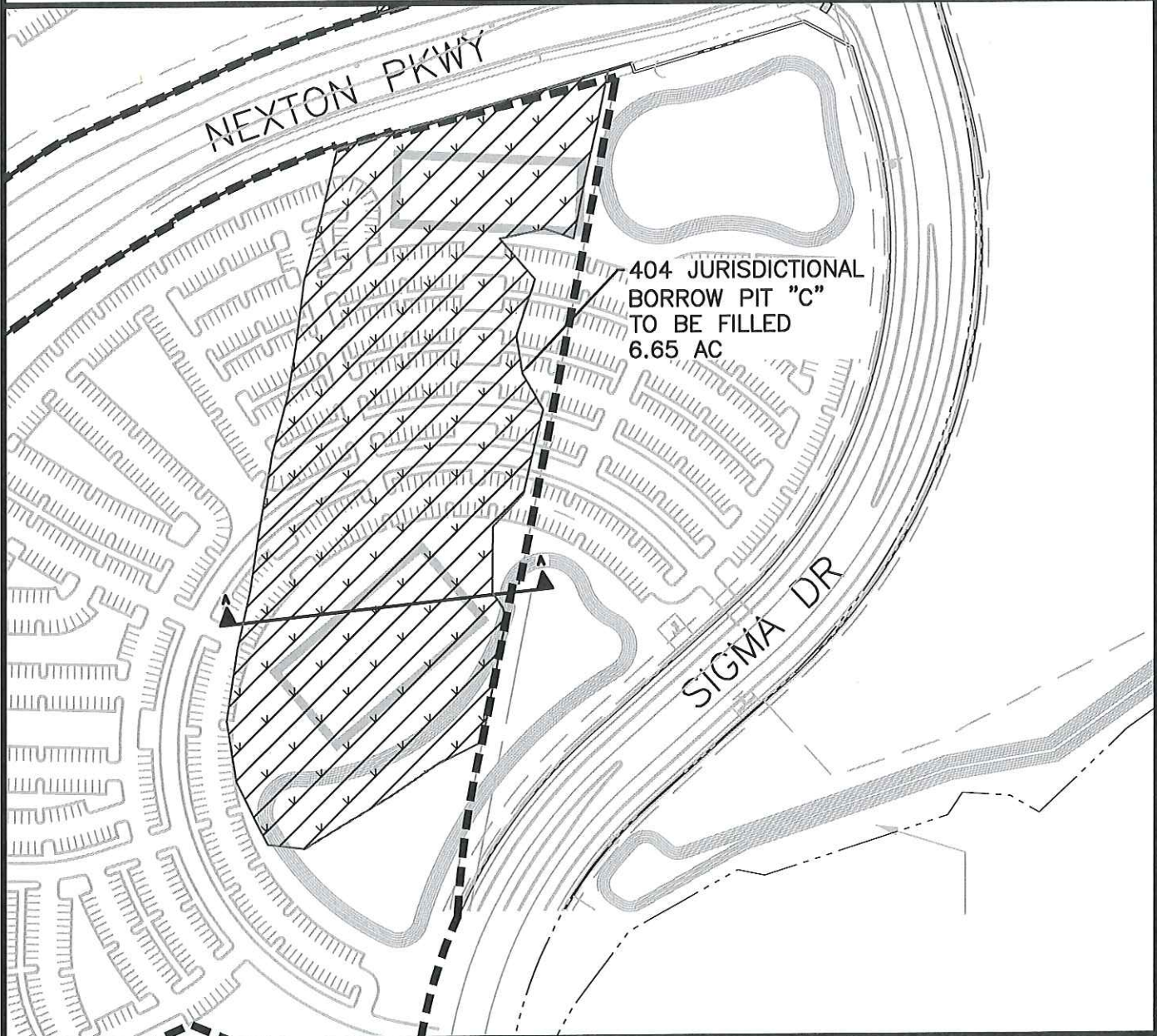
Sheet 5 of 8 Revised: NA
Date: November 6, 2018

WETLAND LEGEND

- — — — — PROJECT BOUNDARY
-  WETLAND FILL AREA



SCALE: 1"=200'



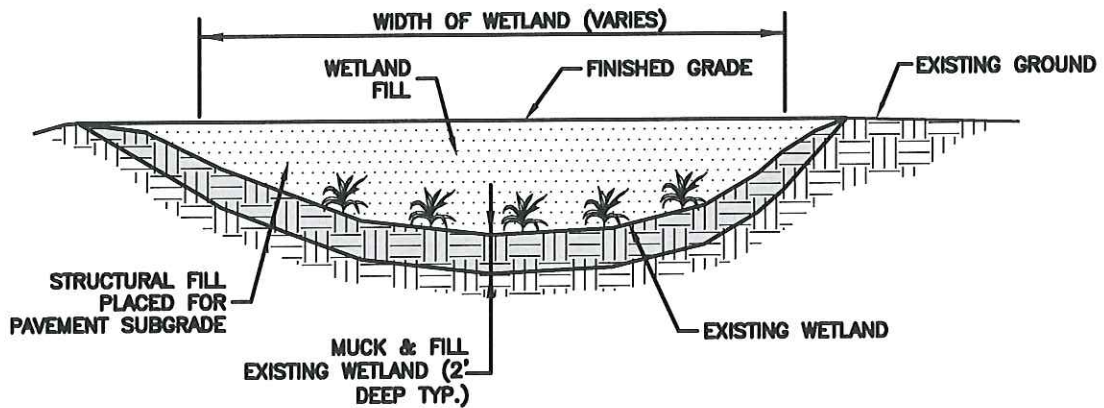
Activity:
COMMERCIAL DEVELOPMENT
Project:
TRACT H & O AT NEXTON
INTERCHANGE
Location:
BERKELEY COUNTY, SC

Applicant:
NASH-NEXTON HOLDINGS, LLC
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**WETLAND
IMPACT**

Sheet 6 of 8 Revised: NA
Date: November 6, 2018



TYPICAL WETLAND FILL DETAIL
SECTION "A-A"

(NOT TO SCALE)

Activity:
COMMERCIAL DEVELOPMENT
Project:
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INTERCHANGE
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*FILL
DETAIL*

Sheet 7 of 8 Revised: NA
Date: November 6, 2018

TRACT H & O

TOTAL SITE = 45.69 Ac.

TOTAL AQUATIC RESOURCES = 9.87 Ac.

JURISDICTIONAL AQUATIC RESOURCES

TOTAL JURISDICTIONAL WETLANDS = 1.37 Ac.

TOTAL JURISDICTIONAL BORROW PITS = 8.50 Ac.

IMPACTS

DEVELOPMENT FILL

BORROW PIT FILL A = 1.85 Ac.

WETLAND FILL B = 1.02 Ac.

BORROW PIT FILL C = 6.65 Ac.

TOTAL = 9.52 Ac.

WETLAND TO REMAIN = 0.35 Ac.

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Project:
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Location:
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SUMMARY

Sheet 8 of 8 Revised: NA
Date: November 6, 2018