

**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**  
Office of Environmental Quality Control  
Water Quality Certification and Wetlands Programs Section  
2600 Bull Street  
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N # SAC-2014-00933-2T

6 February 2015

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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

**SUMMERVILLE INVESTMENT PARTNERS, LLC**  
**GEORGE TOMLIN**  
**C/O NEWKIRK ENVIRONMENTAL, INC.**  
**RYAN CLAREY**  
**P.O. BOX 746**  
**MT. PLEASANT, SOUTH CAROLINA 29465**

for a permit to discharge fill in wetlands associated with

**SAWMILL BRANCH**

Located at the end of Jockey Court near the Comfort Suites off 17A (Main Street) in the Town of Summerville, Berkeley County, South Carolina (33.035530 Latitude/ -80.148689 Longitude)

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.

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The proposed work consists of the discharge of fill material in 2.4 acres of jurisdictional non-tidal freshwater wetlands for the construction of an 87,789 square foot retail building and attendant features including required stormwater facilities, an access road extending from the existing Jockey Court and 401 parking spaces. Of the 2.4 acres of proposed wetland impacts, 0.387 acres of the impacts are associated with construction of the main access road to the site, 1.62 acres of the impacts are associated with the commercial development, and 0.40 acres of the impacts are for a permanently cleared utility easement corridor (sewer). The sewer line will connect with an existing sewer line.

The applicant states in the application that the proposed project purpose is to establish a commercial retail business that is in conformance with the Berkeley and Dorchester County Comprehensive plans that will serve to meet the demand of a steadily growing consumer population in Berkeley County, Dorchester County and the Town of Summerville.

The applicant states in the application that avoidance and minimization occurred by localizing the impacts to mainly the "planted pine" wetlands onsite as opposed to the wetlands associated with Sawmill Branch and the 100-year floodplain. In addition, the applicant also states that the parking area was slightly adjusted to allow for parking on the west side of the building to further minimize wetland impacts.

The applicant proposed to purchase 26.8 credits from either Pigeon Pond Mitigation Bank or Congaree Carton Mitigation Bank,

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 South Carolina Coastal Zone Management Act (15 CFR 930). 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. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

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 2.4 acres of freshwater wetlands upstream of estuarine waters and wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined 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 7(c) of the Endangered Species Act of 1973 (as amended).

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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 the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

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 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 of Engineers cannot undertake to adjudicate rival claims.

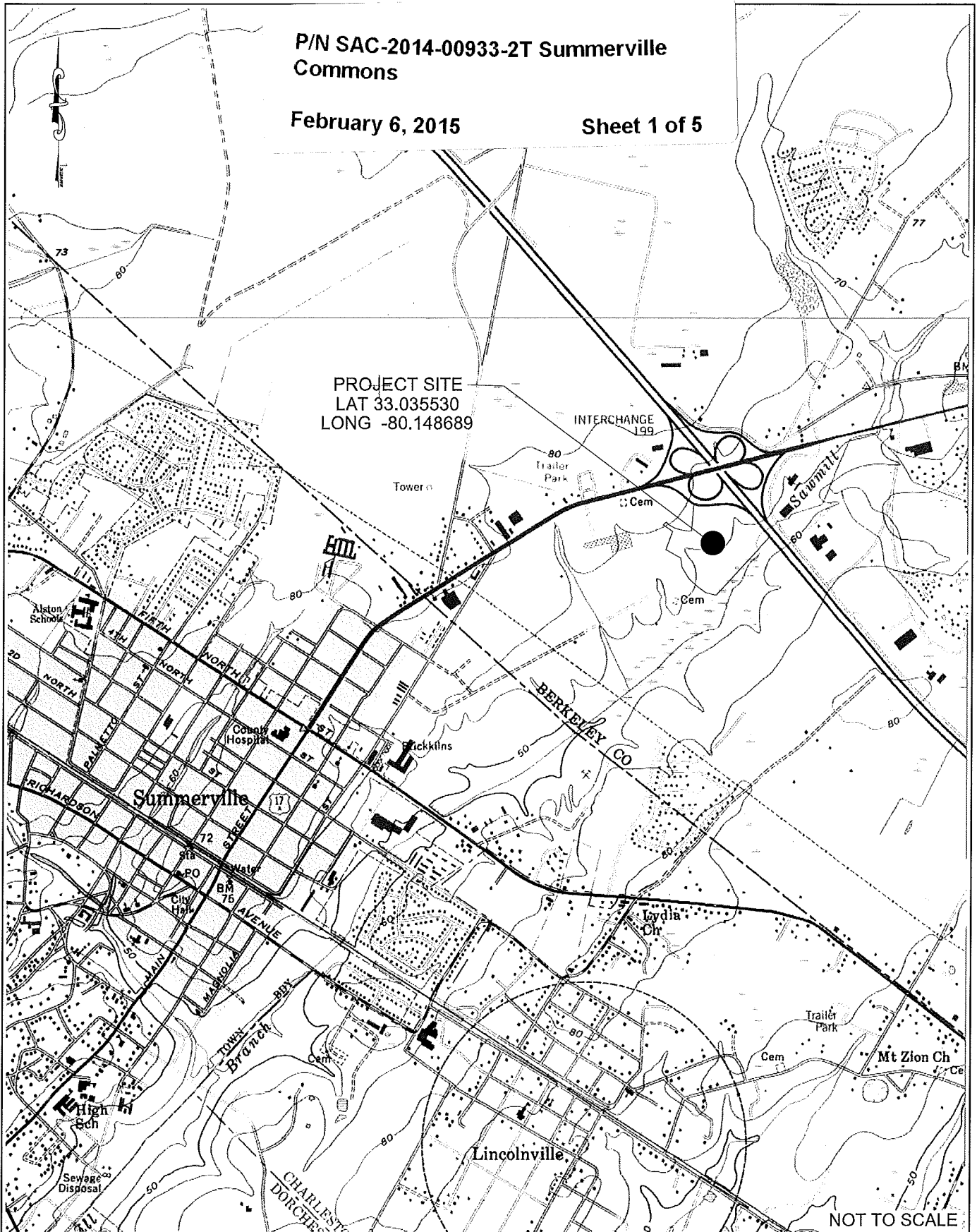
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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.

If there are any questions concerning this public notice, please contact **Tracy Sanders** at 843-329-8044 or toll free at 1-866-329-8187.

P/N SAC-2014-00933-2T Summerville Commons

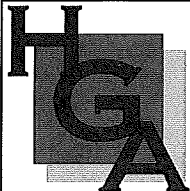
February 6, 2015

Sheet 1 of 5



PROJECT SITE  
LAT 33.035530  
LONG -80.148689

NOT TO SCALE

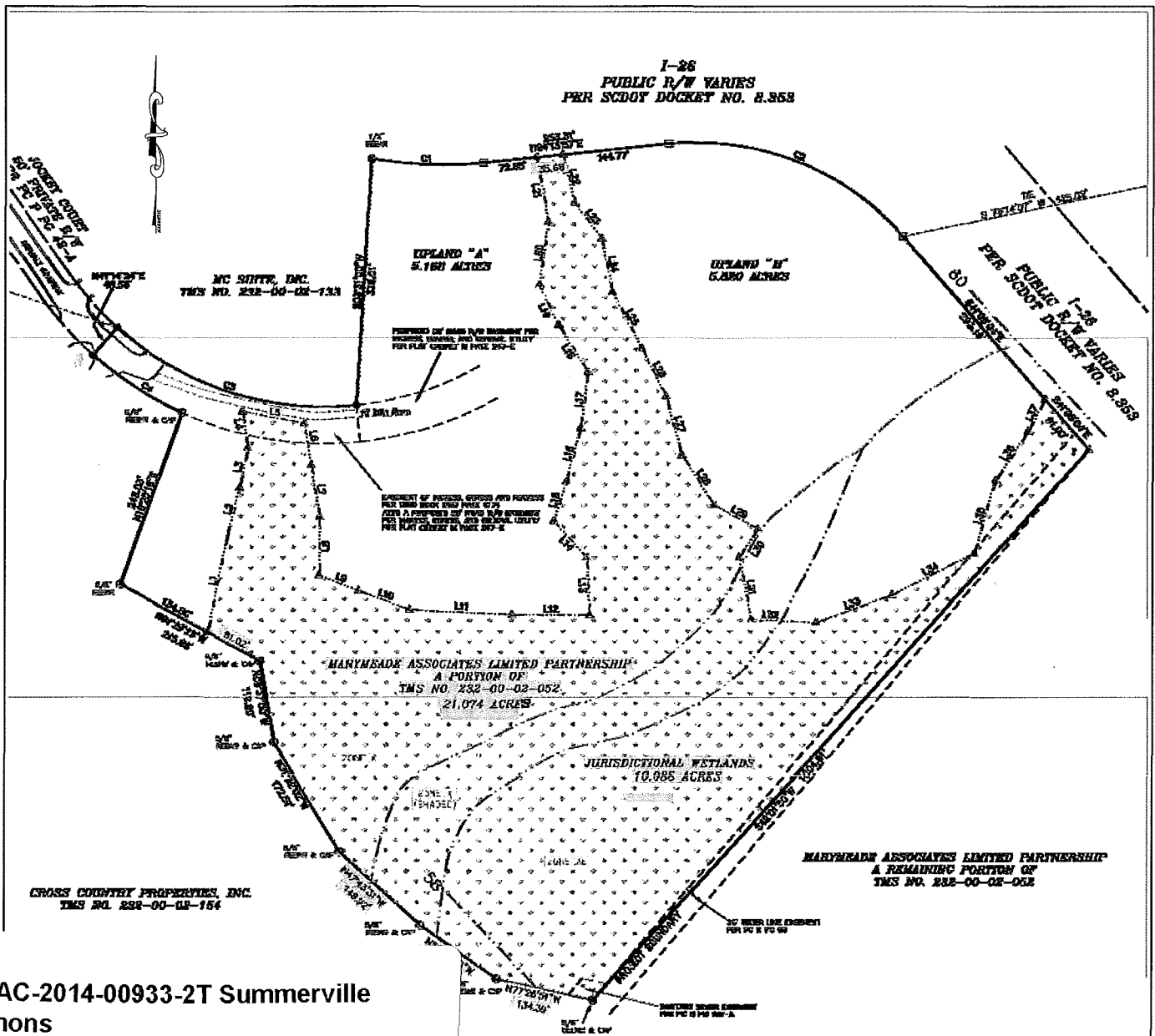


**HAINES GIPSON & ASSOCIATES**  
CONSULTING ENGINEERS  
CIVIL & STRUCTURAL SERVICES  
  
1550 NORTH BROWN ROAD, SUITE 100  
LAWRENCEVILLE, GEORGIA 30043  
PHONE: (770) 491-7550  
FAX: (770) 491-7750

**SUMMERVILLE COMMONS**  
JOCKEY COURT, SUMMERVILLE, SOUTH CAROLINA  
SUMMERVILLE INVESTMENT PARTNES, LLC

QUADRANGLE LOCATION MAP

DATE:	12/16/14
DRAWN BY:	RCL
CHECKED BY:	RCL
ORIGINAL DRAWING REFERENCE:	SHEET 1
HGA PROJECT NUMBER:	2014-305



P/N SAC-2014-00933-2T Summerville Commons

February 6, 2015

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**A R E A T A B L E**



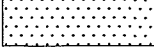


<b>TOTAL PROJECT AREA</b>	<b>21.074 acres</b>
<b>TOTAL JURISDICTIONAL WETLANDS</b>	<b>10.086 acres</b>
<b>UPLAND "A"</b>	<b>5.168 acres</b>
<b>UPLAND "B"</b>	<b>5.820 acres</b>
<b>TOTAL PROJECT UPLAND AREA</b>	<b>10.988 acres</b>

NOT TO SCALE

**HGA**  
**HAINES GIPSON & ASSOCIATES**  
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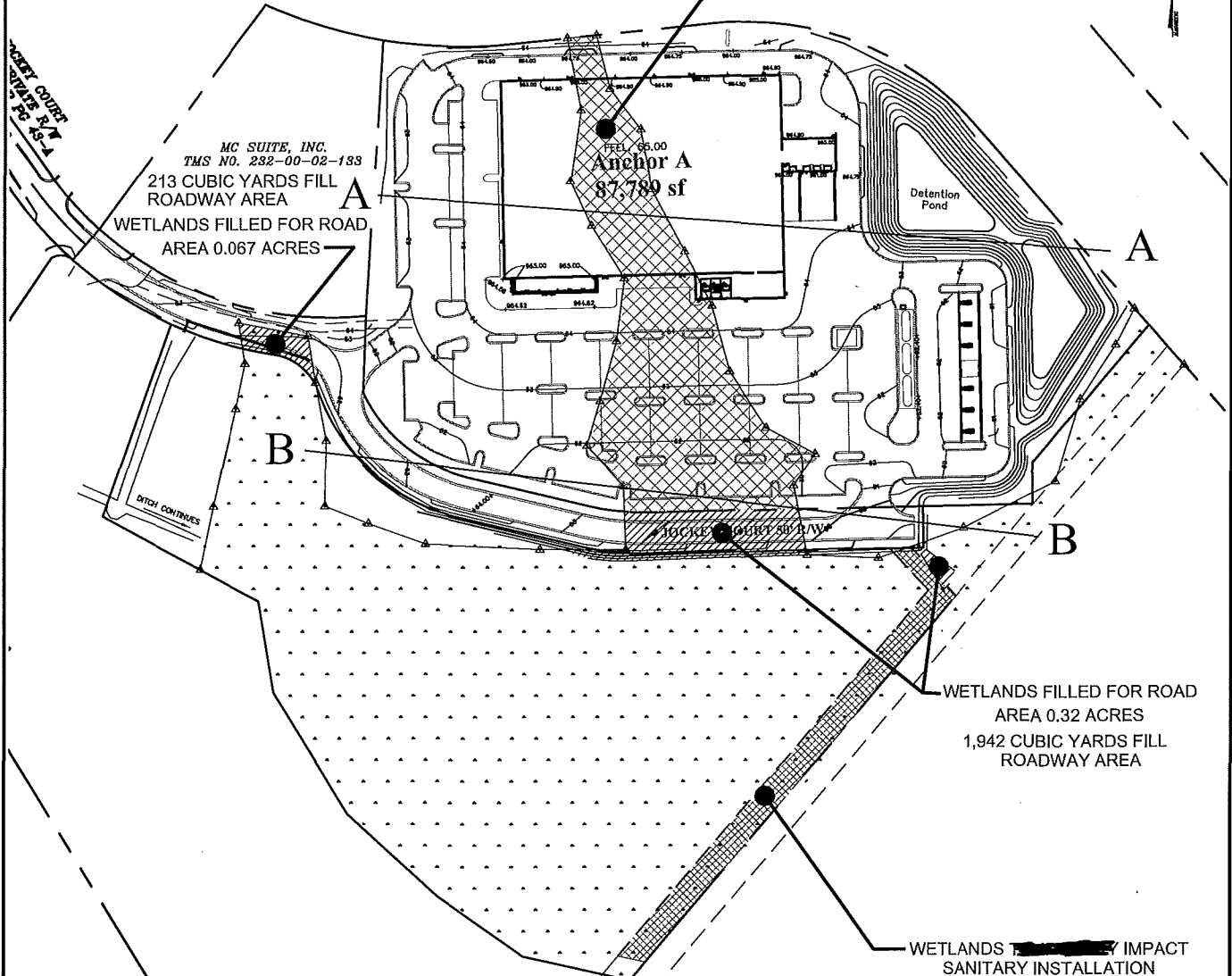
**SUMMERVILLE COMMONS**  
 JOCKEY COURT, SUMMERVILLE, SOUTH CAROLINA  
 SUMMERVILLE INVESTMENT PARTNES, LLC  
**WETLANDS SURVEY**

DATE: 12/16/14  
 DRAWN BY: RCL CHECKED BY: RCL  
 ORIGINAL DRAWING REFERENCE: SHEET 2  
 H.G.A. PROJECT NUMBER: 2014-305

-  JURISDICTIONAL WETLANDS TO BE FILLED FOR ROADWAY 0.387 ACRES
-  JURISDICTIONAL WETLANDS TO BE FILLED FOR SITE 1.620 ACRES
-  JURISDICTIONAL WETLANDS TO REMAIN 8.136 ACRES
-  UPLAND AREA 10.988 ACRES
-  TEMPORARY IMPACT FOR SEWER .40 ACRES

TOTAL WETLAND IMPACT 2.00 ACRES  
 TOTAL WETLAND FILL IMPACT 13,155 CUBIC YARDS

WETLANDS FILLED FOR SITE  
 AREA 1.62 ACRES  
 11,000 CUBIC YARDS FILL  
 SITE AREA



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TOTAL PROJECT AREA 21.074 ACRES

SCALE: 1"=200'



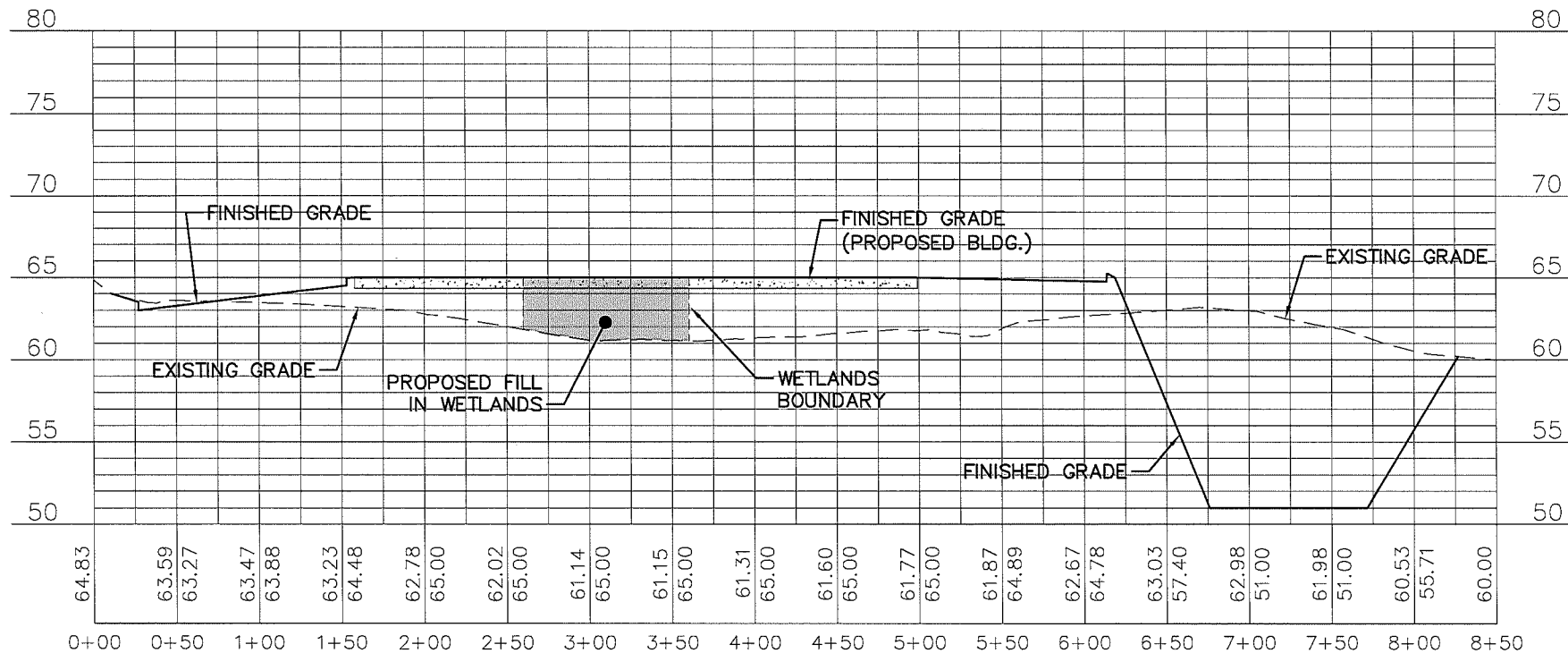
**HAINES GIPSON & ASSOCIATES**  
 CONSULTING ENGINEERS  
 CIVIL & STRUCTURAL SERVICES

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**SUMMERVILLE COMMONS**  
 JOCKEY COURT, SUMMERVILLE, SOUTH CAROLINA  
 SUMMERVILLE INVESTMENT PARTNES, LLC

PROPOSED WETLAND IMPACTS

DATE: 1/08/15	
DRAWN BY: RCL	CHECKED BY: RCL
ORIGINAL DRAWING REFERENCE: SHEET 3	
H.G.A. PROJECT NUMBER: 2014-305	



**SECTION A-A PROFILE**

STA: 0+00 to STA: 8+50

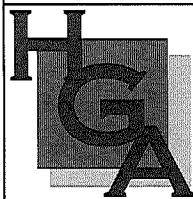
Horizontal Scale: 1"=100'

Vertical Scale: 1"=10'

**P/N SAC-2014-00933-2T Summerville Commons**

**February 6, 2015**

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**HAINES GIPSON & ASSOCIATES**  
 CONSULTING ENGINEERS  
 CIVIL & STRUCTURAL SERVICES

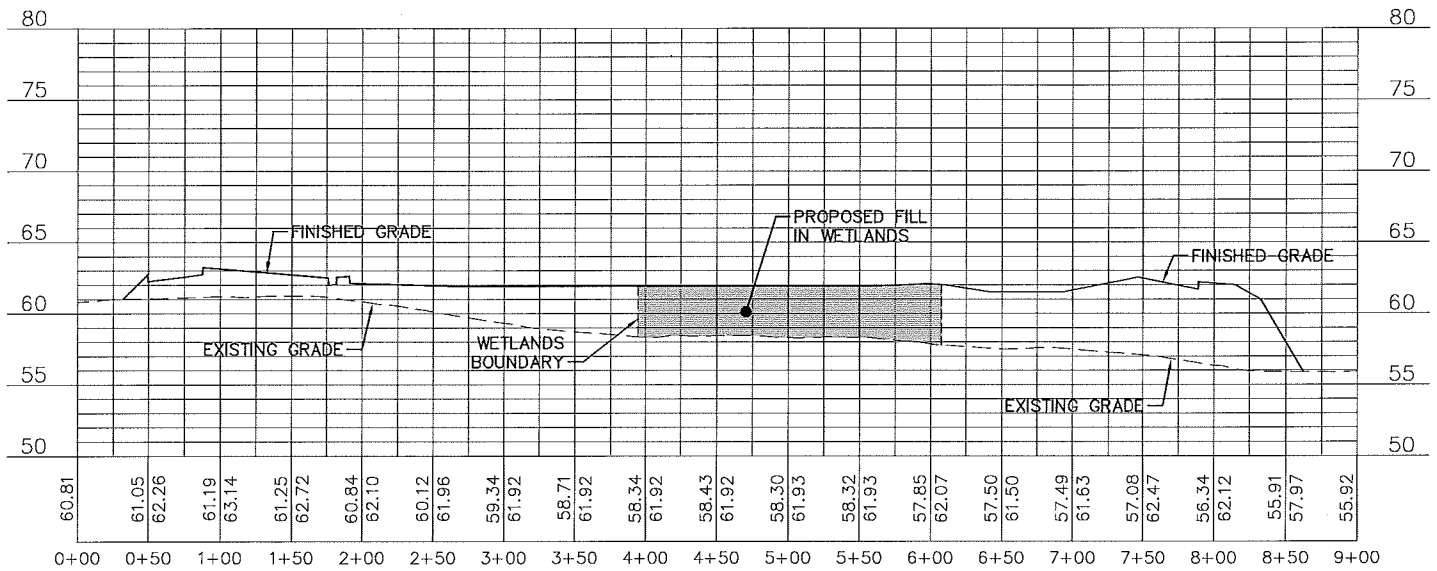
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**SUMMERVILLE COMMONS**

JOCKEY COURT, SUMMERVILLE, SOUTH CAROLINA  
 SUMMERVILLE INVESTMENT PARTNES, LLC

**CONCEPTUAL GRADING CROSS SECTION PLAN**

DATE: 12/16/14	
DRAWN BY: RCL	CHECKED BY: RCL
ORIGINAL DRAWING REFERENCE: SHEET 4	
H.G.A. PROJECT NUMBER: 2014-305	



**SECTION B-B PROFILE**  
 STA: 0+00 to STA: 9+00  
 Horizontal Scale: 1"=100'  
 Vertical Scale: 1"=10'



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**SUMMERVILLE COMMONS**  
 JOCKEY COURT, SUMMERVILLE, SOUTH CAROLINA  
 SUMMERVILLE INVESTMENT PARTNES, LLC

CONCEPTUAL GRADING CROSS SECTION PLAN

DATE: 12/16/14	
DRAWN BY: RCL	CHECKED BY: RCL
ORIGINAL DRAWING REFERENCE: SHEET 5	
H&A PROJECT NUMBER 2014-305	

P/N SAC-2014-00933-2T Summerville  
 Commons

February 6, 2015

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