

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: P/N SAC-2001-34516

February 17, 2022

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), 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

Ms. Reba B. Hall
Bill Hall Company, Limited Partnership
c/o Mr. Kenneth Smoak
Sabine & Waters, Inc.
PO Box 1072
Summerville, South Carolina
ksmoak@sabinc.net

for a permit to place fill material in freshwater wetlands associated with

STANLEY BRANCH

at 1200 Drop Off Drive near Summerville, Berkeley County, South Carolina (Latitude: 33.06824 °, Longitude: -80.18073 °), (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.

The proposed work consists of the discharge of dredged or fill material into 1.35 acres of freshwater, non-tidal wetlands for the construction of a commercial and industrial development. In detail, the proposed project involves the discharge of dredged or fill material into 1.35 acres of wetlands to include ingress/egress corridors, parking, stormwater retention/detention, and a 90° turn-in from Drop Off Drive necessary to safely accommodate truck access. The proposed development is located adjacent to an existing commercial and industrial areas and undeveloped forestlands that have zoning from Light Industrial (LI) to Heavy Industrial (HI) near Summerville. The proposed project area is zoned HI. The purpose of the proposed project is for the construction of office space facilities and industrial flex facilities that would be able to utilize existing infrastructure and intensive zoning surrounding the site. As stated in the application, "The Drop Off Drive development, when taking development requirements and restrictions into account, such as building design requirement/needs, local zoning requirements (e.g. setbacks, buffers, storm water and landscaping), building siting restrictions, parking and internal site access, ingress, egress and circulation corridors, and docking requirements, it became apparent that no matter how the various components were manipulated, it was concluded that wetland impacts, for feasible site development, could not be avoided." Additionally, the buildings, parking, circulation, and stormwater ponds were designed and oriented for upland locations. Utilities will also be placed in the roadbeds of the road crossings to further minimize impacts. Culverts will be used in wetland crossings #3 and #4 to maintain continuity in the wetland system and allow for the continuation of migration corridors for herptiles. The applicant is proposing to preserve the remaining 25.43 acres of on-site wetlands and preserve 1.94 acre of buffer enhancement as additional avoidance and minimization. The applicant is also proposing to receive a 25% reduction in the amount of mitigation credits to be purchased due to the preservation. A total of 15.5 wetland mitigation credits are required to offset the impacts to 1.35 acres of freshwater, non-tidal wetlands. To compensate for the loss of the proposed 1.35 acres of wetlands, while taking into account the 25% reduction in the amount of mitigation credits to be purchased, the applicant is proposing to purchase 11.6 credits from the Palmetto Umbrella Mitigation Bank – Big Run Site.

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 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.

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 1.35 acres 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.

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 frosted flatwoods salamander (*Ambystoma cingulatum*), American woodstork (*Myceteria americana*), 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 (*Oxypoliz canbyi*), and pondberry (*Lindera melissifolia*) are Federally endangered or threatened species is present in the vicinity of the project. However, it has been determined that the project will have no effect on this species and will not result in the destruction or adverse modification of designated or proposed critical habitat.

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 that the project is is not likely to adversely affect Northern long-eared bat (*Myotis septentrionalis*), or result in the destruction or adverse modification of designated or proposed critical habitat. 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 this determination.

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.

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.

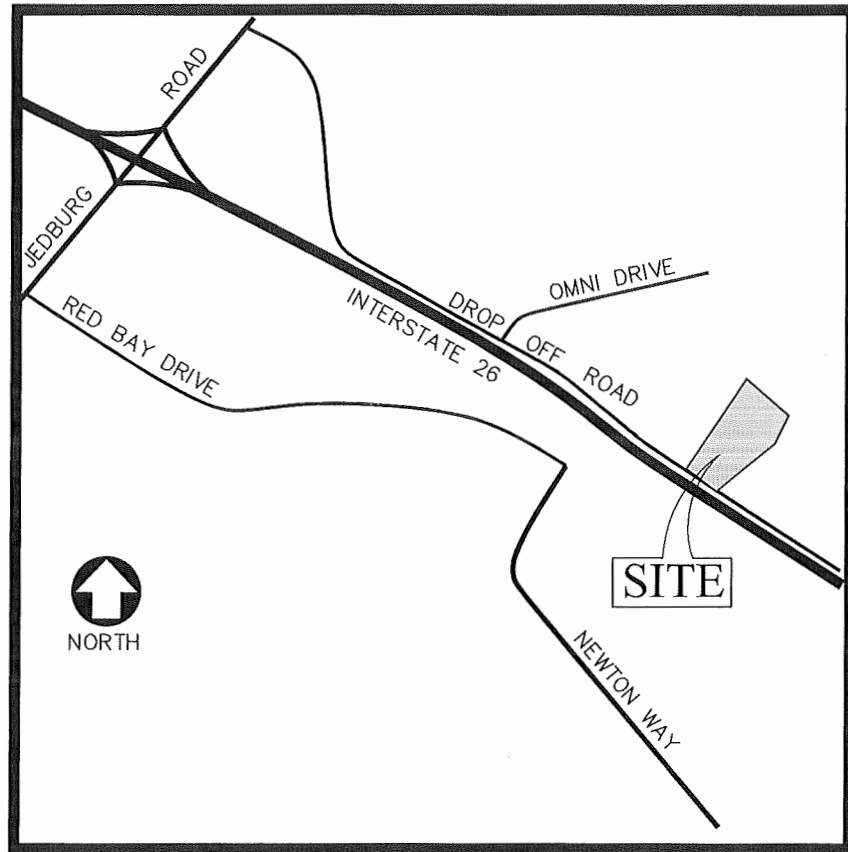
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority 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.

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, 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.

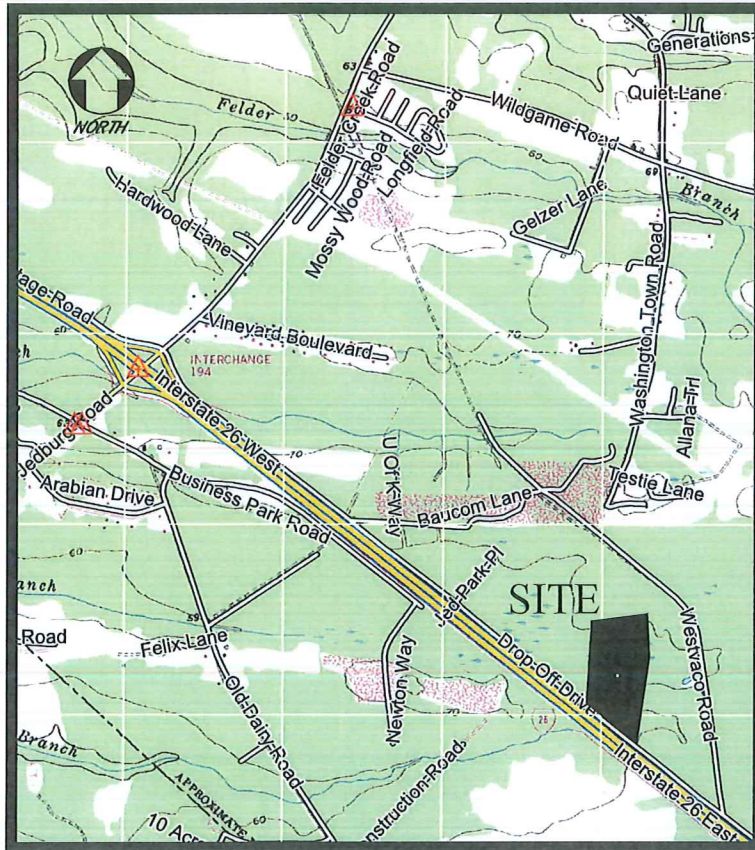


LOCATION MAP
NOT TO SCALE

PROPOSED ACTIVITY:
WETLAND IMPACT FOR
INFRASTRUCTURE IMPROVEMENTS.

Revisions	
Date	Initials

Project Title: HALL JEDBURG TRACT	
Project Location: Lat. 33.06694 N, Long. 80.18083 W DROP OFF DRIVE, BERKELEY CO., SOUTH CAROLINA	
Applicant: BILL HALL CO. LIMITED PARTNERSHIP	
Date: NOVEMBER 18, 2021	Scale: NONE
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USGS MAP
NOT TO SCALE

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Date: NOVEMBER 18, 2021	Scale: NONE
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U.S INDUSTRIAL
REIT III DISTRIBUTION
TMS NO. 221-00-00-147

VAN SMITH
COMPANY, INC.
TMS NO. 207-00-02-124

U.S INDUSTRIAL
REIT III DISTRIBUTION
TMS NO. 221-00-00-147

DROP OFF
DRIVE, LLC
TMS NO. 207-00-02-063

DROP OFF
DRIVE, LLC
TMS NO. 207-00-02-121

BILL HALL CO.
LIMITED PARTNERSHIP
TMS NO. 207-00-02-120

BILL HALL CO.
LIMITED PARTNERSHIP
TMS NO. 207-00-02-062
51.75 TOTAL ACRES
26.78 WETLAND ACRES
24.97 UPLAND ACRES

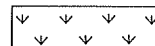
GERBER CHILDRENSWEAR
REAL ESTATE, LLC
TMS NO. 221-00-00-001

WETLAND "B"
46.00 ACRES

WETLAND "A"
1.54 ACRES

DROP OFF DRIVE (S-B-1235) FRONTAGE ROAD
INTERSTATE 26 (I-26) 360' R/W

LEGEND



WETLANDS



HIGHLANDS

SUMMARY

TOTAL SITE AREA	51.75 ACRES
JURISDICTIONAL WETLANDS	26.78 ACRES
SITE HIGHLANDS	24.97 ACRES

JURISDICTIONAL WETLAND IMPACTS

#1 (0.44 AC.) + #2 (0.04 AC.) + #3 (0.35 AC.) + #4 (0.52 AC.) =	1.35 AC
CUBIC YARD TOTAL =	5,613 CY

PRESERVED WETLANDS	25.43 ACRES
PRESERVED WETLAND BUFFER	1.94 ACRES

WETLAND MASTERPLAN

SCALE: 1" = 400'

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Applicant: BILL HALL CO. LIMITED PARTNERSHIP	
Date: NOVEMBER 18, 2021	Scale: 1" = 400'
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400 TRADE ZONE
BOULEVARD, LLC
TMS NO. 221-00-00-147

VAN SMITH
COMPANY, INC.
TMS NO. 207-00-02-124

400 TRADE ZONE
BOULEVARD, LLC
TMS NO. 221-00-00-147

DROP OFF
DRIVE, LLC
TMS NO. 207-00-02-063

WETLAND FILL #1
0.33 ACRES

GERBER CHILDRENSWEAR
REAL ESTATE, LLC
TMS NO. 221-00-00-001

1156 DROP OFF
DRIVE, LLC
TMS NO. 207-00-02-121

BILL HALL CO.
LIMITED PARTNERSHIP
TMS NO. 207-00-02-062
51.75 TOTAL ACRES
26.78 WETLAND ACRES
24.97 WETLAND BUFFER ACRES

BILL HALL CO.
LIMITED PARTNERSHIP
TMS NO. 207-00-02-120



GERBER CHILDRENSWEAR
REAL ESTATE, LLC
TMS NO. 221-00-00-001

LEGEND

-  WETLANDS
-  HIGHLANDS
-  WETLAND FILL
-  WETLAND BUFFER

SUMMARY

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Revisions

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WETLAND MASTERPLAN

SCALE: 1" = 400'

Project Title:

HALL JEDBURG TRACT

Project Location: Lat. 33.06694 N, Long. 80.18083 W

DROP OFF DRIVE, BERKELEY CO., SOUTH CAROLINA

Applicant:

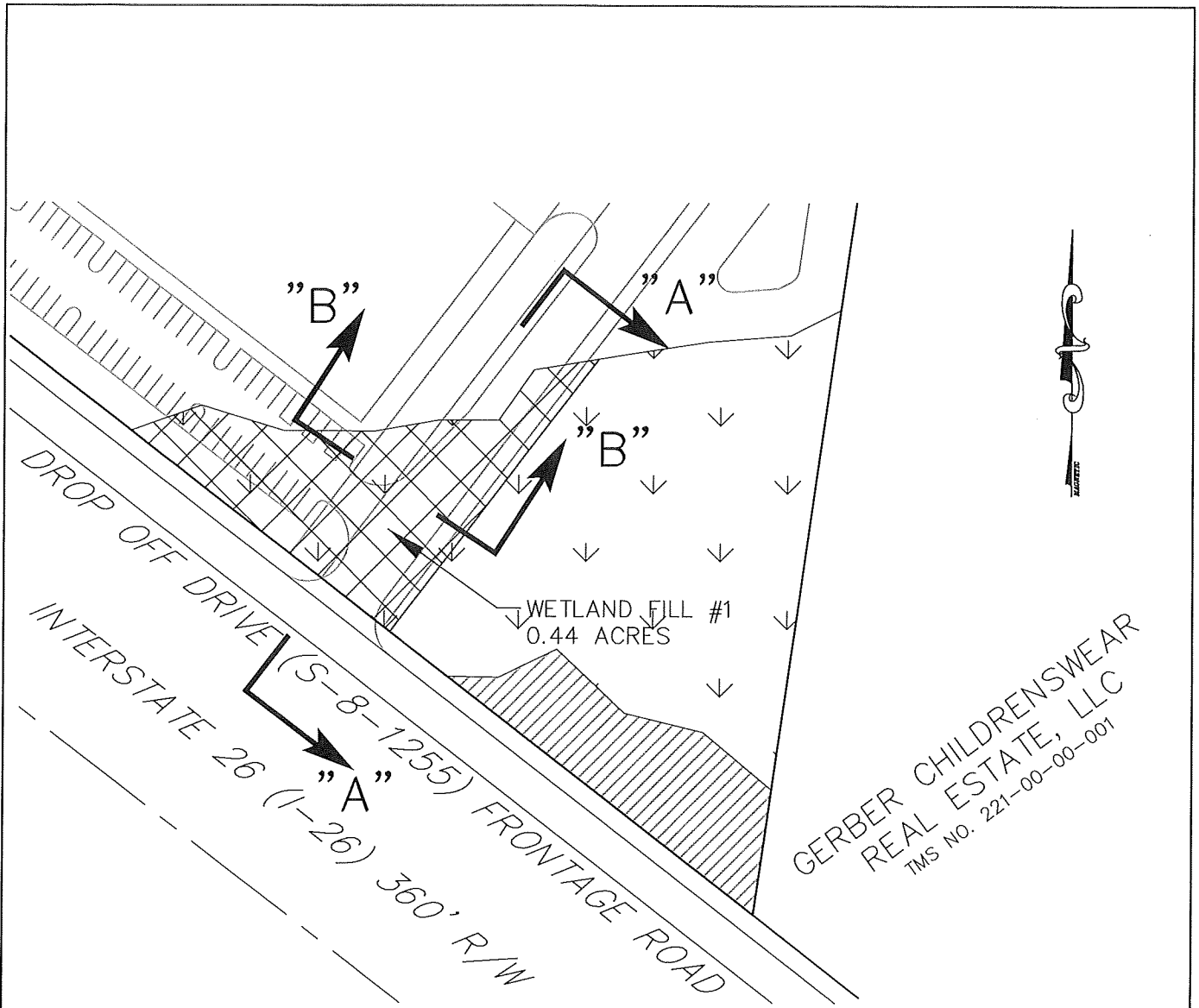
BILL HALL CO. LIMITED PARTNERSHIP

Date: NOVEMBER 18, 2021

Scale: 1" = 400'

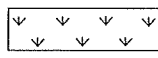


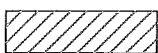
Application #

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GERBER CHILDRENSWEAR
 REAL ESTATE, LLC
 TMS No. 221-00-00-001

LEGEND

-  WETLANDS
-  HIGHLANDS
-  WETLAND FILL
-  WETLAND BUFFER

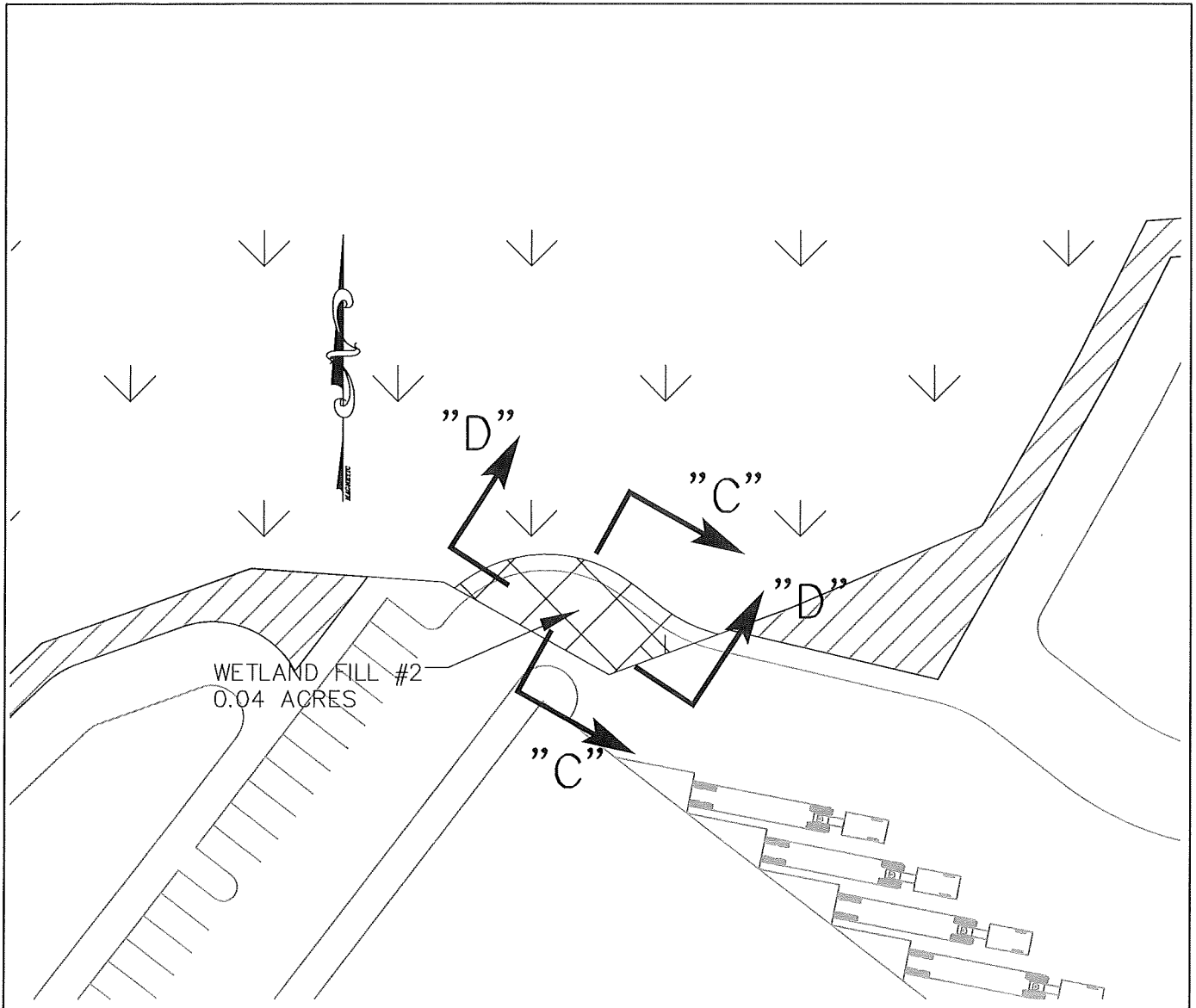
WETLAND MASTERPLAN

SCALE: 1" = 100'

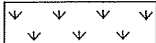
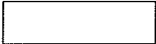

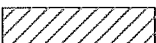
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Applicant: BILL HALL CO. LIMITED PARTNERSHIP	
Date: NOVEMBER 18, 2021	Scale: 1" = 100'
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LEGEND

-  WETLANDS
-  HIGHLANDS
-  WETLAND FILL
-  WETLAND BUFFER

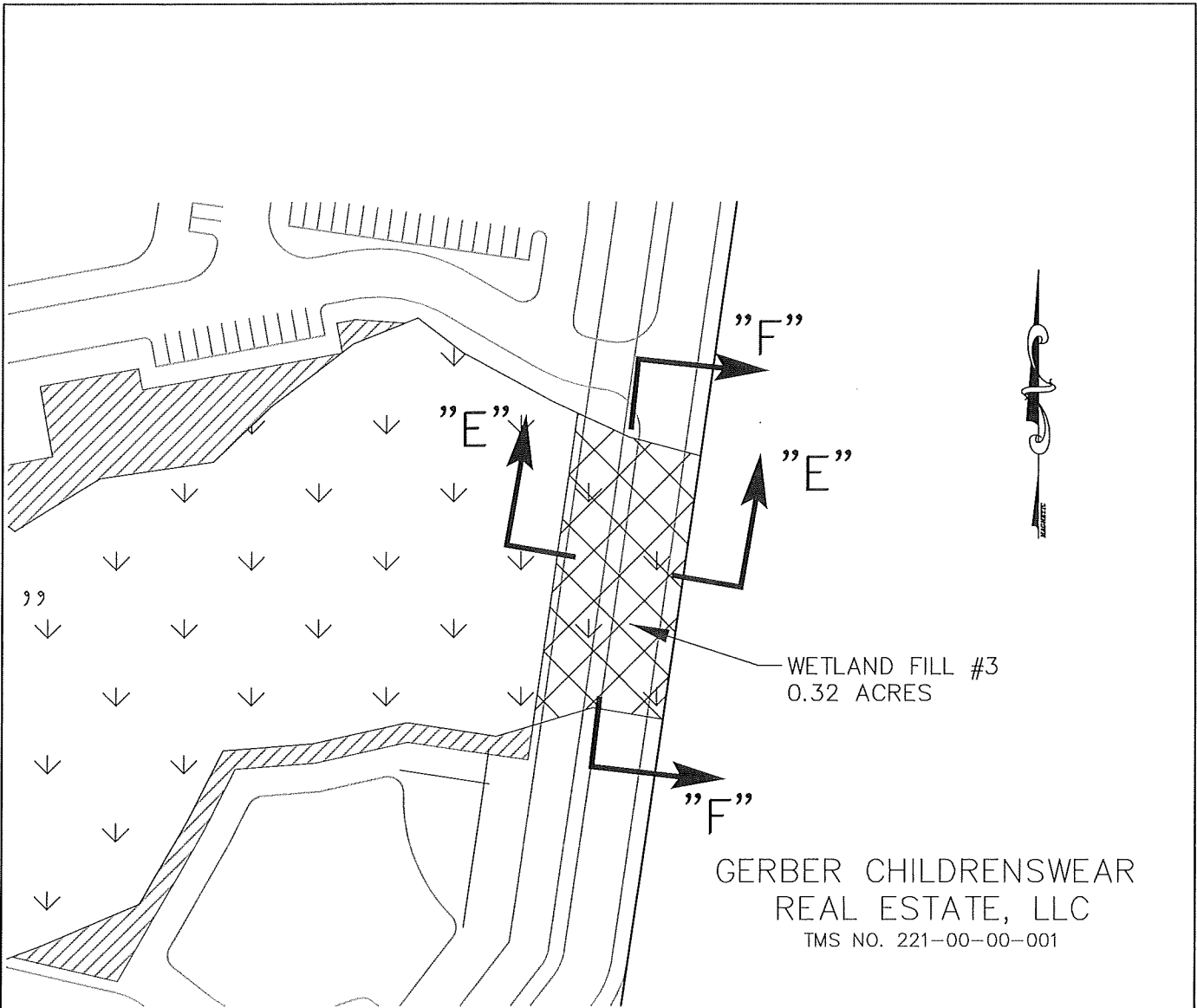
WETLAND MASTERPLAN

SCALE: 1" = 50'

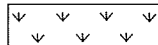
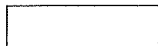

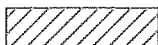
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Applicant: BILL HALL CO. LIMITED PARTNERSHIP	
Date: NOVEMBER 18, 2021	Scale: 1" = 50'
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LEGEND

-  WETLANDS
-  HIGHLANDS
-  WETLAND FILL
-  WETLAND BUFFER

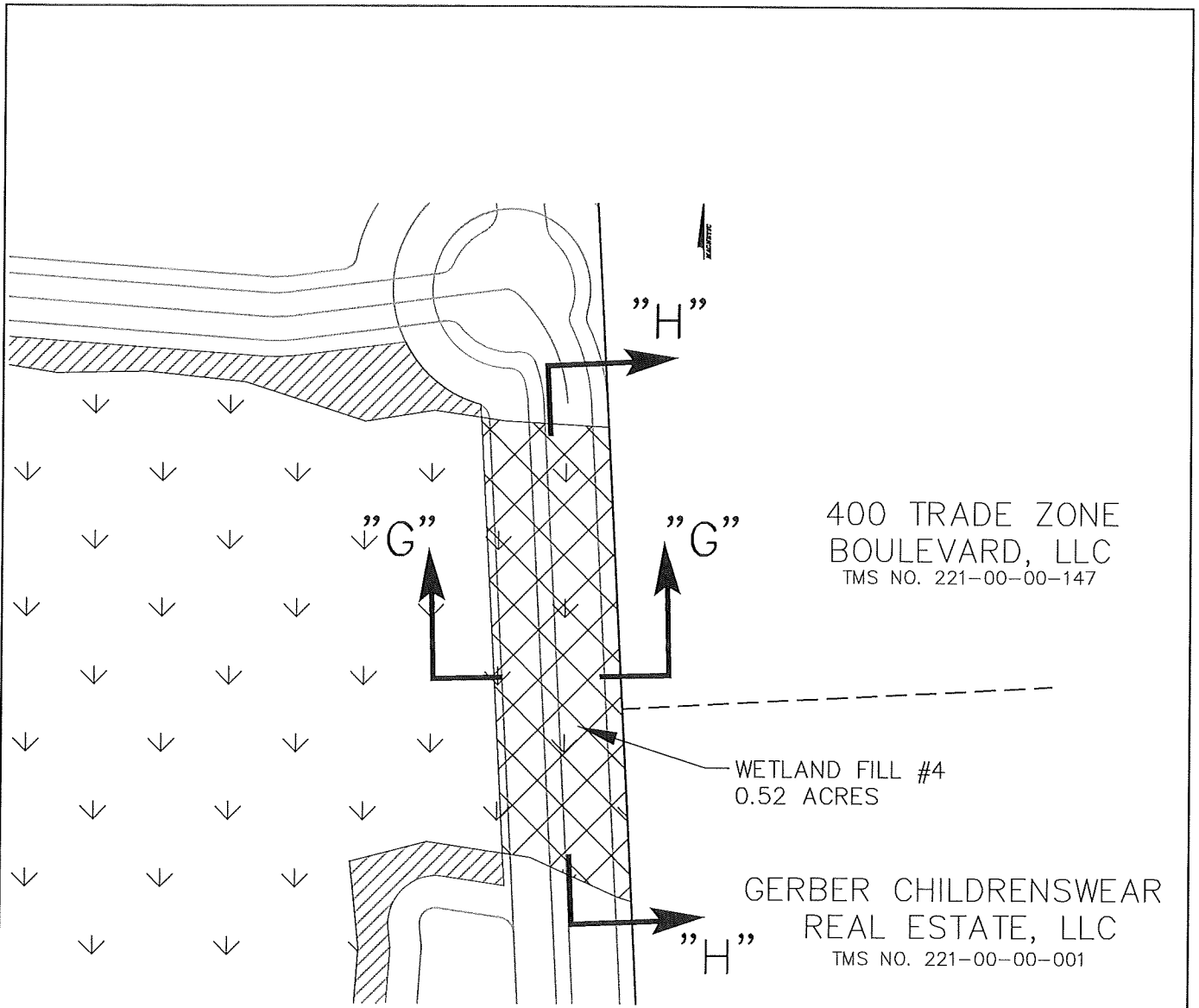
WETLAND MASTERPLAN

SCALE: 1" = 100'

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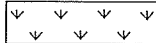


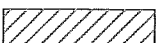


400 TRADE ZONE
BOULEVARD, LLC
TMS NO. 221-00-00-147

WETLAND FILL #4
0.52 ACRES

GERBER CHILDRENSWEAR
REAL ESTATE, LLC
TMS NO. 221-00-00-001

LEGEND

-  WETLANDS
-  HIGHLANDS
-  WETLAND FILL
-  WETLAND BUFFER

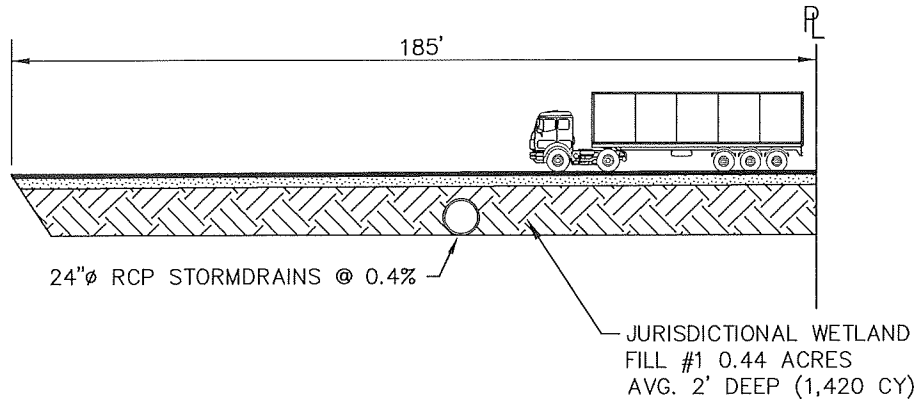
WETLAND MASTERPLAN

SCALE: 1" = 100'

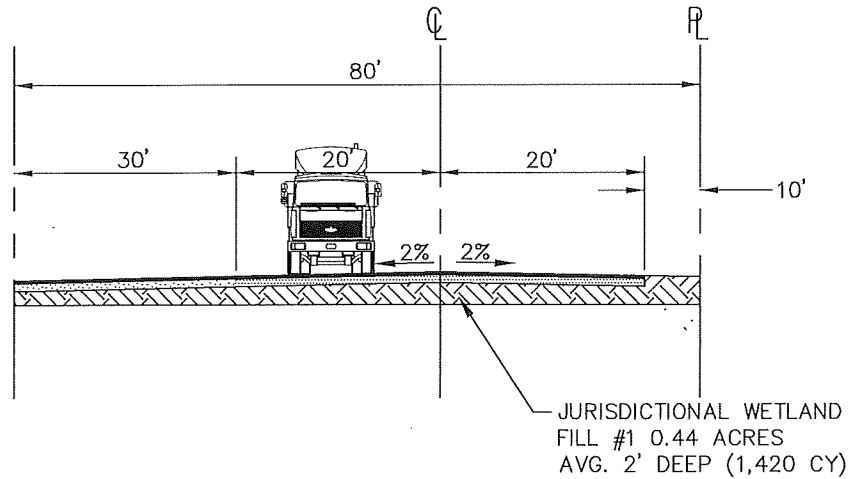
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CROSS SECTION "A-A"
NOT TO SCALE



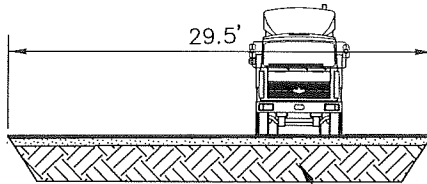
CROSS SECTION "B-B"
NOT TO SCALE

CROSS SECTIONS
SCALE: NONE

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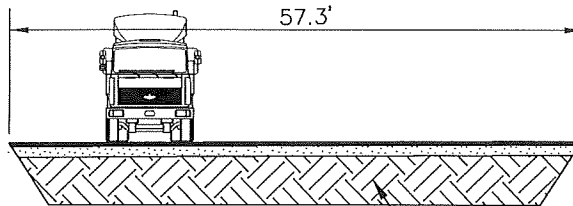
Revisions	
Date	Initials



JURISDICTIONAL WETLAND
 FILL #2 0.04 ACRES
 AVG. 2' DEEP (129 CY)

CROSS SECTION "C-C"

NOT TO SCALE



JURISDICTIONAL WETLAND
 FILL #2 0.04 ACRES
 AVG. 2' DEEP (129 CY)

CROSS SECTION "D-D"

NOT TO SCALE

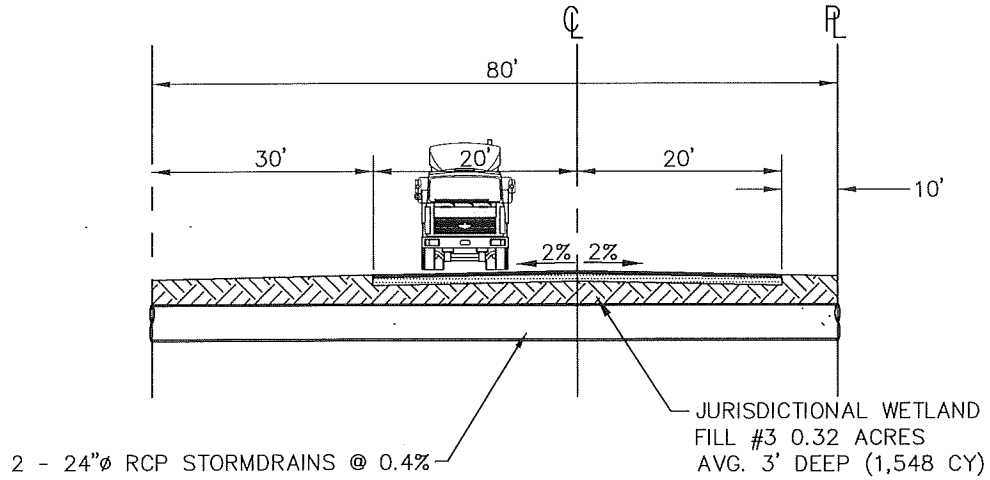
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Applicant: BILL HALL CO. LIMITED PARTNERSHIP	
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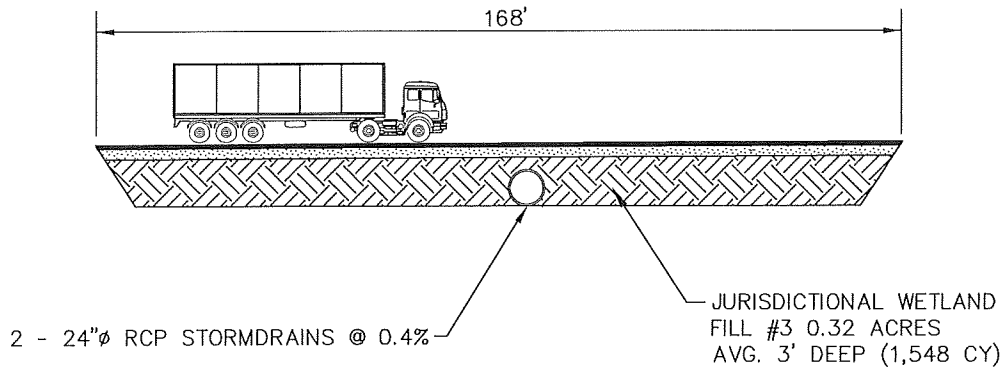
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CROSS SECTION "E-E"

NOT TO SCALE



CROSS SECTION "F-F"

NOT TO SCALE

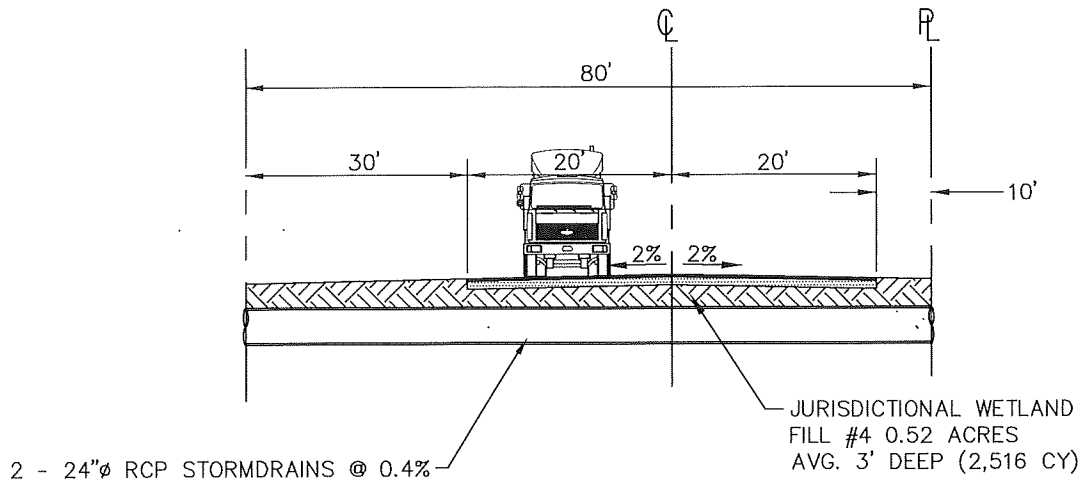
CROSS SECTIONS

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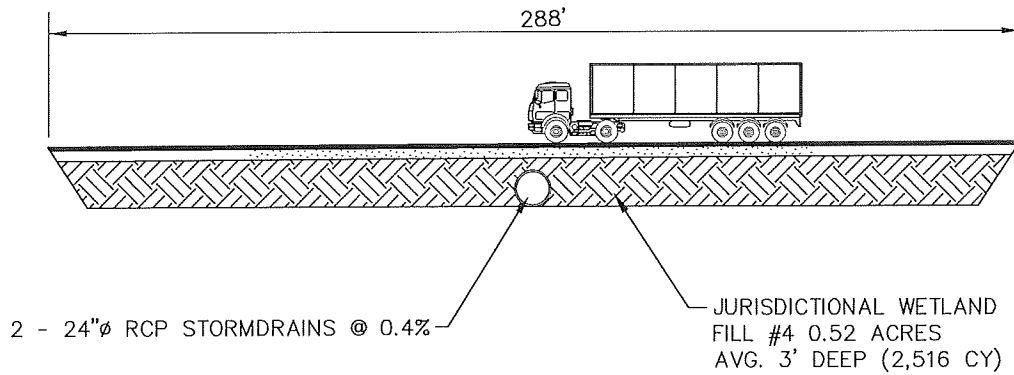
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CROSS SECTION "G-G"

NOT TO SCALE



CROSS SECTION "H-H"

NOT TO SCALE

CROSS SECTIONS

SCALE: NONE

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