

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS  
69 A 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-2023-01518

February 28, 2024

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

**Cate Browne  
North Point  
11 Fulton Street, Unit A  
Charleston, South Carolina 20401**

**Steve Nichols  
Newkirk Environmental, Inc  
PO Box 746  
Mt. Pleasant, South Carolina 29645  
steve@newkirkenv.com**

for a permit to construct a new logistics center in

**wetlands associated with unnamed tributaries to Timothy Creek**

located off of Autonomous Drive, in Berkeley County, South Carolina (Latitude: 33.0754 °, Longitude: -80.1721 °), Pringletown 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.

**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, own, and operate new inland warehouse/distribution facilities that meet the present and future needs of industry utilizing Camp Hall and the Port of Charleston by way of additional strategically located warehouse and distribution space.

### **Project Description**

The proposed work consists of the placement of fill material in 12.28 acres of wetlands and pipe in 0.04 acre (188 linear feet) of stream to create suitable high ground for road crossings and building pads for a logistics center. In detail, the proposed logistics center would consist of five warehouse distribution facilities totaling 1.5 million square feet in size, along with attendant infrastructure, loading docks, surface level truck/trailer court parking, privately owned vehicle parking, and associated independent stormwater detention basins. The proposed project would involve placement of fill within 0.39 acre of wetlands and piping 0.04 acre (188 linear feet) of stream for two road crossings, and placement of fill within 11.89 acres of wetlands for a building pad and truck access.

### **Avoidance and Minimization**

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by through site selection as described in an offsite alternatives analysis, and through onsite avoidance and minimization through maximizing use of uplands on site and reductions in building size to reduce proposed impacts.

### **Proposed Compensatory Mitigation**

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 120 wetland credits and 542.8 stream credits at an approved

mitigation bank or banks. The applicant has requested a 25% reduction in required wetland and stream credits (from 160 wetland credits and 723.8 stream credits) for preserving and buffering remaining onsite waters. The total area proposed for protection with deed restrictive covenants is 30.86 acres of wetlands with remaining streams within the wetlands, along with upland buffers averaging 75 feet in width totaling 21.15 acres, for a total preserved area of 52.01 acres.

### **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 certifying authority, South Carolina Department of Health and Environmental Control, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

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.

### **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 12.32 acres of 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, including **IPaC Project code 2023-0105160**, the following species may be present in the County(s) where the work will occur:

American Chaffseed (*Schwalbea amerciana*)  
Canby's Dropwort (*Oxypolis canbyi*)  
Pondberry (*Lindera melissifolia*)  
Red-cockaded Woodpecker (*Picoides borealis*)  
Northern Long-eared Bat (*Myotis septentrionalis*)  
Tricolored Bat (*Perimyotis subflavus*) Proposed endangered

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 Chaffseed (*Schwalbea amerciana*)  
Canby's Dropwort (*Oxypolis canbyi*)  
Pondberry (*Lindera melissifolia*)  
Red-cockaded Woodpecker (*Picoides borealis*)  
Northern Long-eared Bat (*Myotis septentrionalis*)

and will not result in the destruction or adverse modification of designated or proposed critical habitat.

Additionally, the proposed project is not likely to jeopardize the continued existence of the proposed endangered Tricolored Bat (*Perimyotis subflavus*) nor result in the destruction or adverse modification of any 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

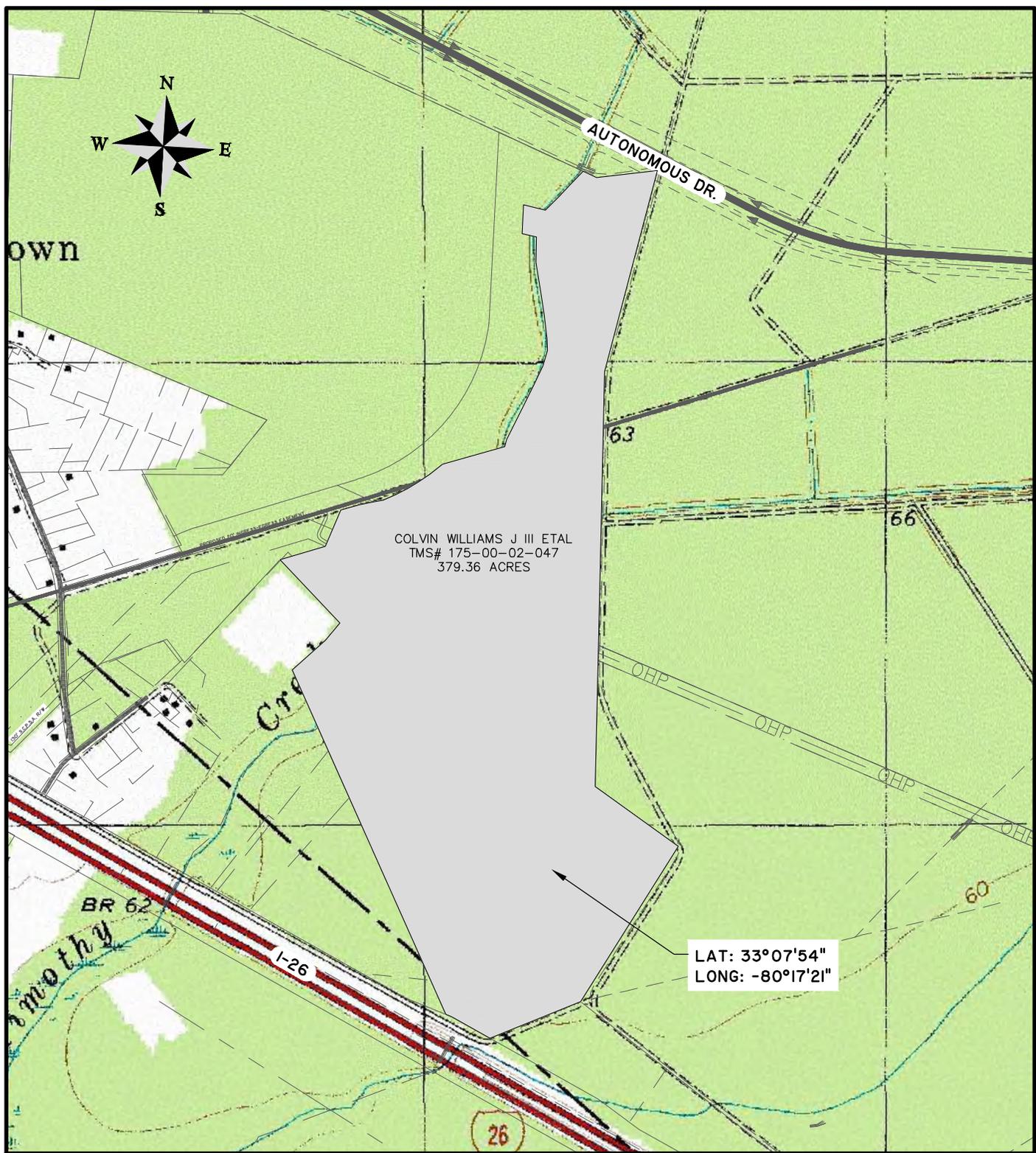
factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. 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-2023-01518), to [Laura.M.Boos@usace.army.mil](mailto:Laura.M.Boos@usace.army.mil) or the following address:**

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

If there are any questions concerning this public notice, please contact Laura M. Boos, Team Leader, at (803) 253-3444, or by email at [Laura.M.Boos@usace.army.mil](mailto:Laura.M.Boos@usace.army.mil).

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CREEKSIDE LOGISTICS CENTER WETLAND PERMIT PLANS

SHEET NAME:  
COVER SHEET  
CLIENT:  
NORTH POINT

LOCATION: BERKELEY COUNTY, SC  
DATE: 1/22/2024  
JOB NUMBER: J-25789.0000  
DRAWN BY: CHH  
REVIEWED BY: RSO  
SHEET: 1  
SCALE: 1" = 1000'



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# LEGEND

## ACREAGE SUMMARY TABLE

<b>TOTAL PROJECT ACREAGE</b>		<b>193.01 AC.</b>
TOTAL JURISDICTIONAL WETLAND AREA		43.18 AC.
TOTAL UPLAND AREA		149.83 AC.

## JURISDICTIONAL IMPACTS

	WETLAND ROAD IMPACT	0.39 AC.
	WETLAND SITE IMPACT	11.89 AC.
	STREAM IMPACT AREA	0.04 AC.
	STREAM IMPACT LENGTH	188.0 LF.
<b>TOTAL JURISDICTIONAL WETLAND IMPACTS</b>		<b>12.32 AC.</b>

## AVOIDENCE & MINIMIZATION

	BUFFERS (75' AVERAGE WIDTH)	21.15 AC.
	PRESERVED JURISDICTIONAL WETLANDS AREA	30.86 AC.

**CREEKSIDE LOGISTICS CENTER WETLAND PERMIT PLANS**

SHEET NAME:  
**LEGEND**  
 CLIENT:  
**NORTH POINT**

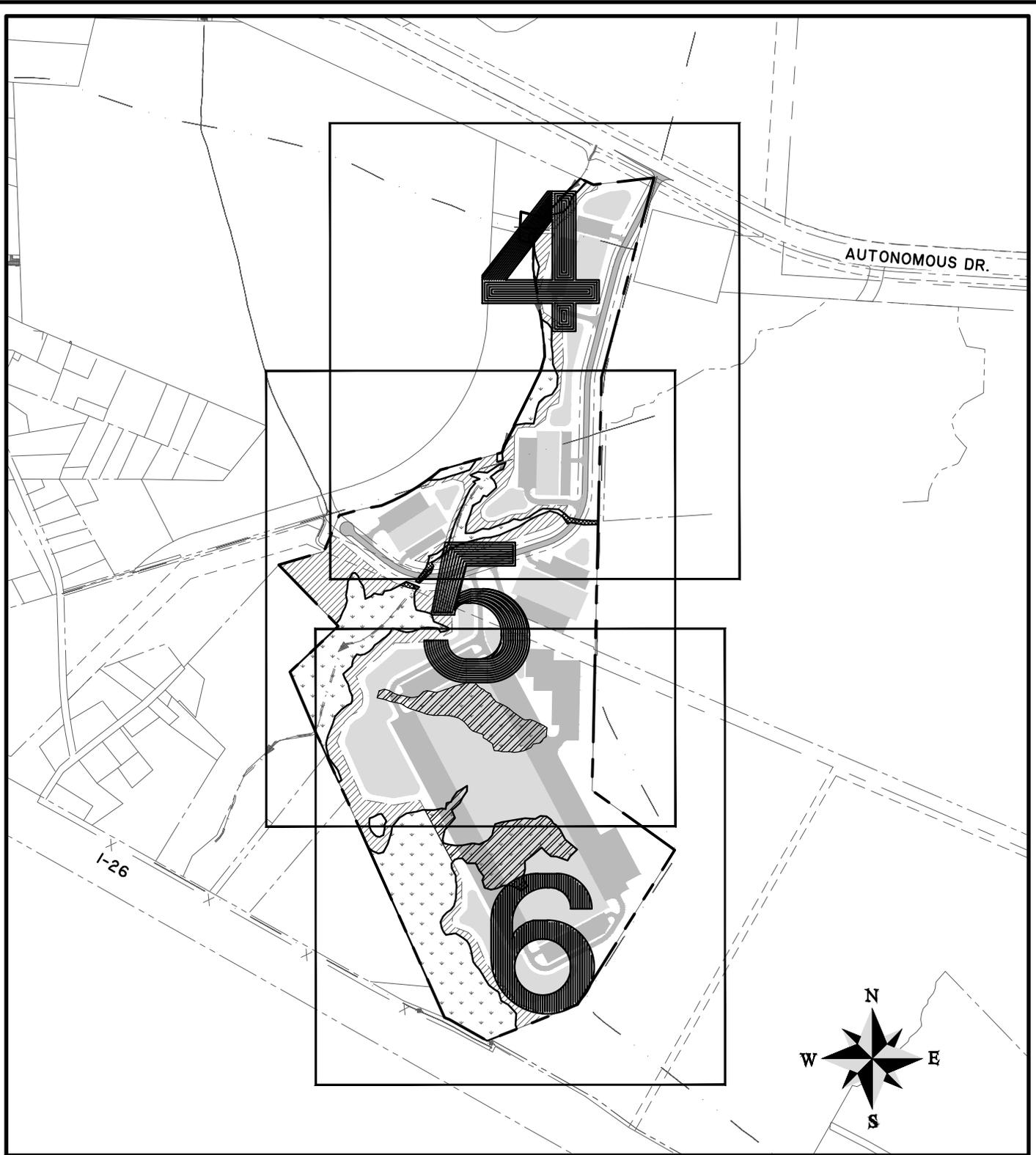
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 DATE: 1/22/2024      DRAWN BY: CHH      SHEET: 2  
 JOB NUMBER: J-25789.0000      REVIEWED BY: RSO      SCALE: N.T.S.



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SHEET INDEX  
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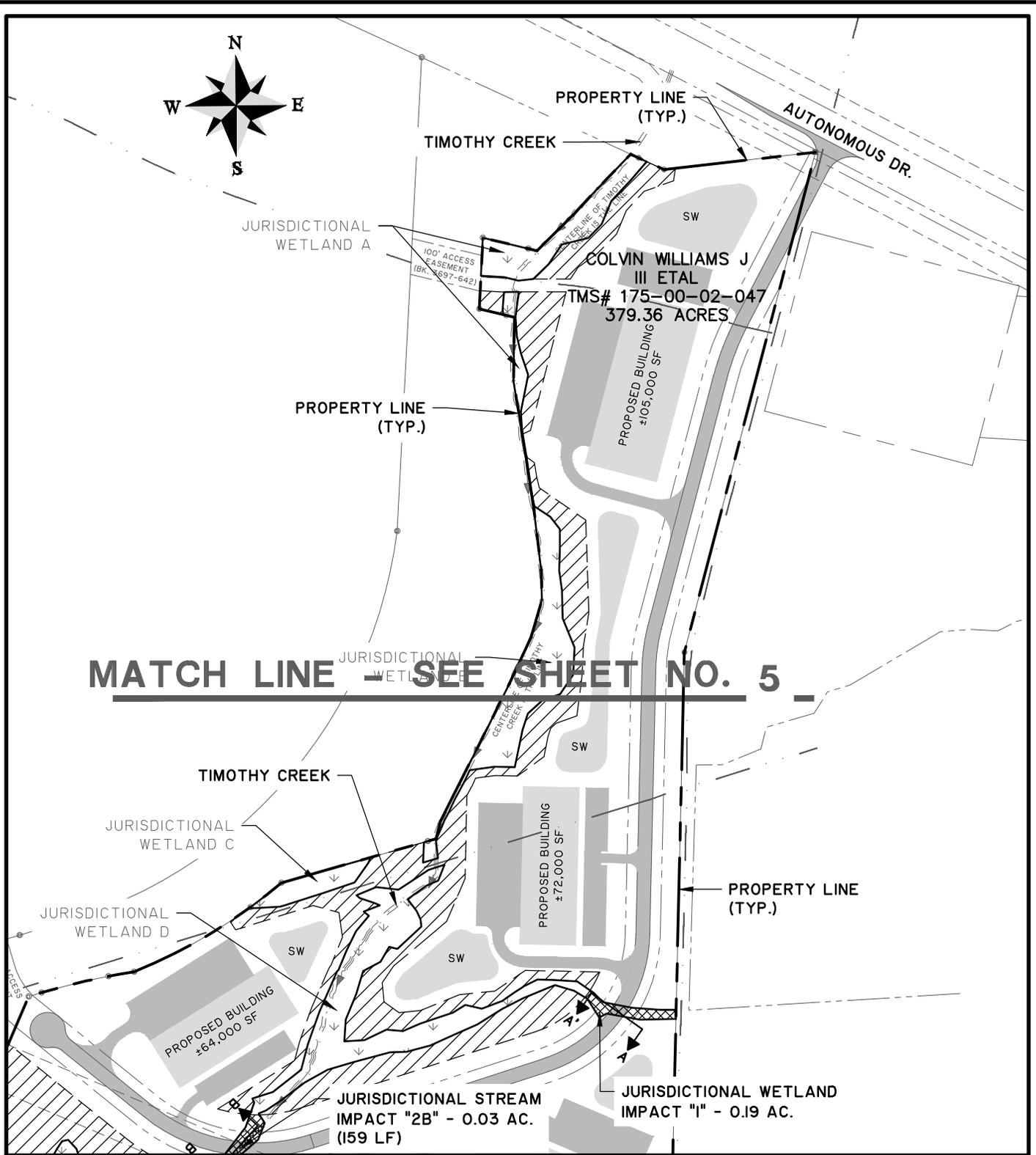
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DRAWN BY: CHH  
REVIEWED BY: RSO  
SHEET: 3  
SCALE: 1" = 1000'



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CREEKSIDE LOGISTICS CENTER WETLAND PERMIT PLANS

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 WETLAND IMPACT DRAWINGS  
 CLIENT:  
 NORTH POINT  
 LOCATION: BERKELEY COUNTY, SC  
 DATE: 1/22/2024  
 JOB NUMBER: J-25789.0000

DRAWN BY: CHH  
 REVIEWED BY: RSO  
 SHEET: 4  
 SCALE: 1" = 400'

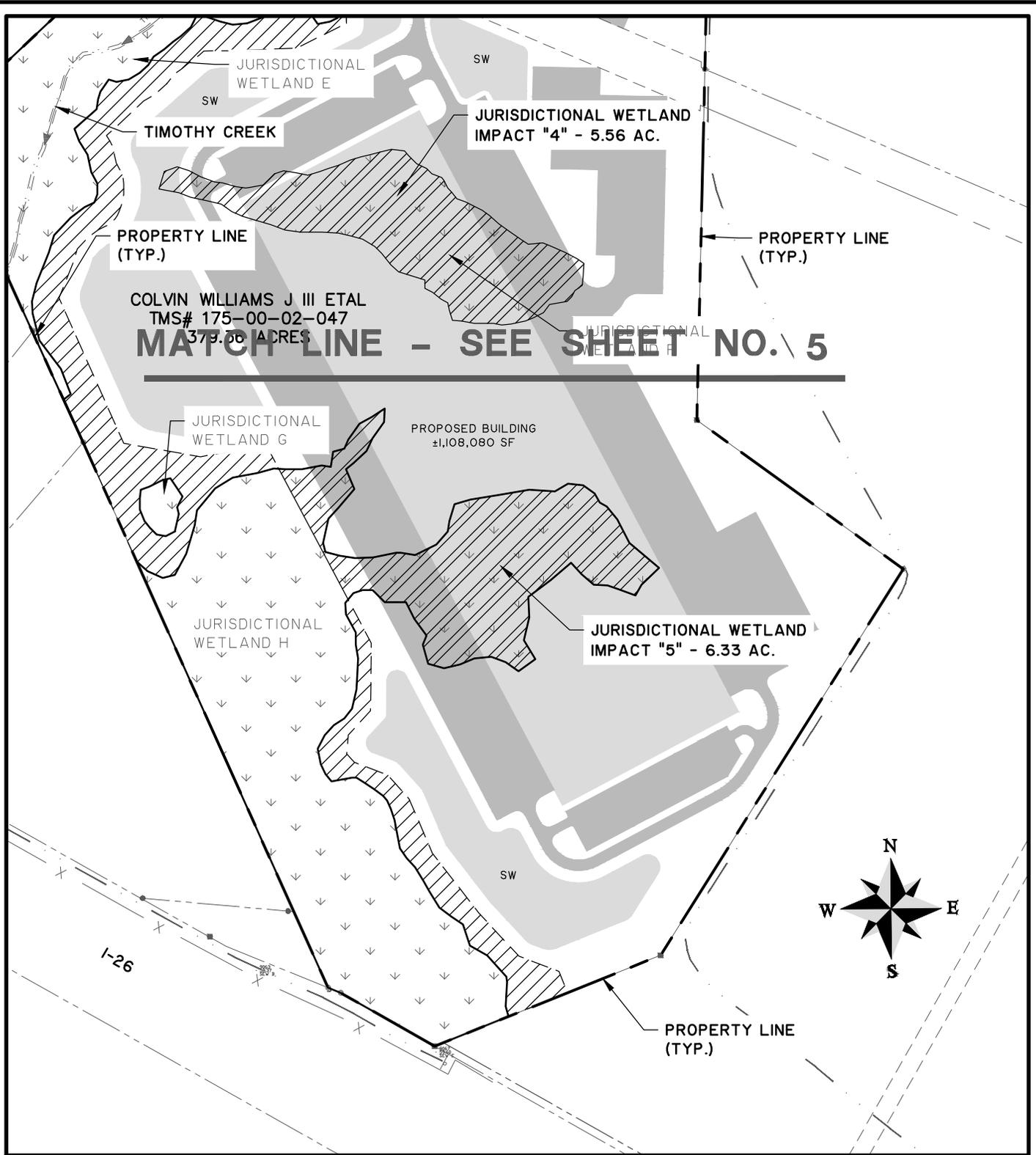


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**NORTH POINT**  
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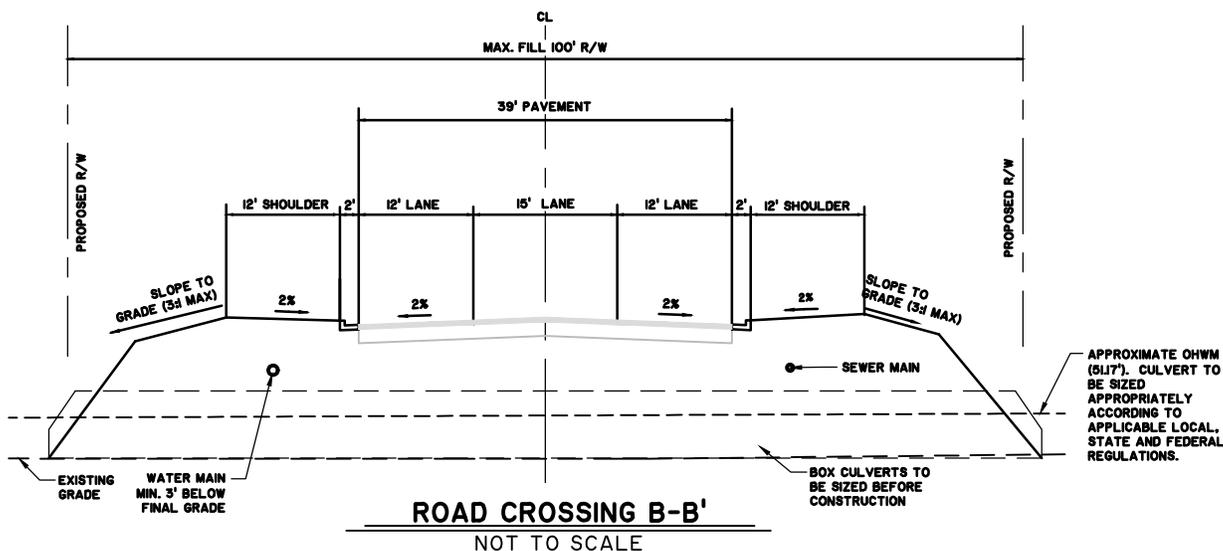
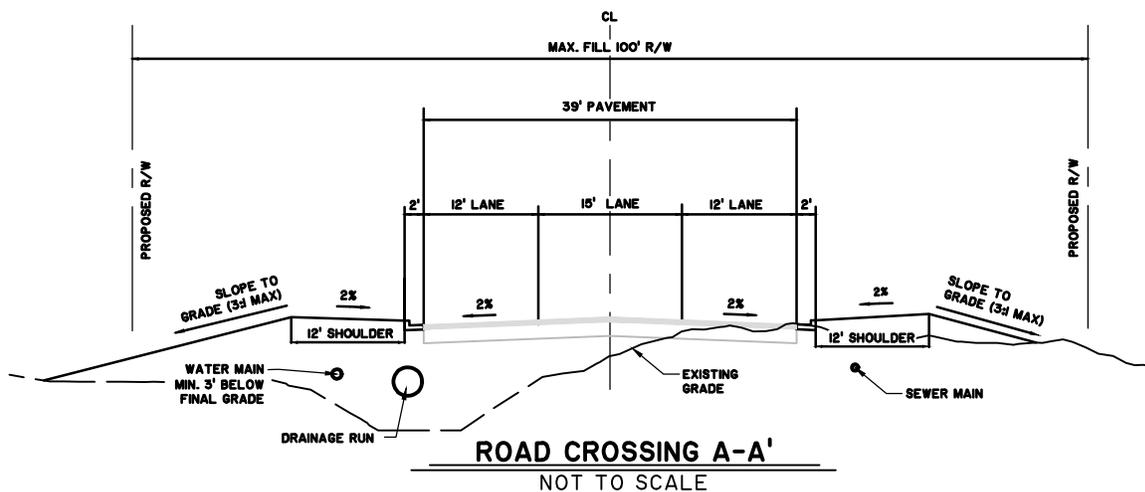
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 REVIEWED BY: RSO  
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 SCALE: 1" = 400'



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CREEKSIDE LOGISTICS CENTER WETLAND PERMIT PLANS

SHEET NAME:  
 DETAILS  
 CLIENT:  
 NORTH POINT

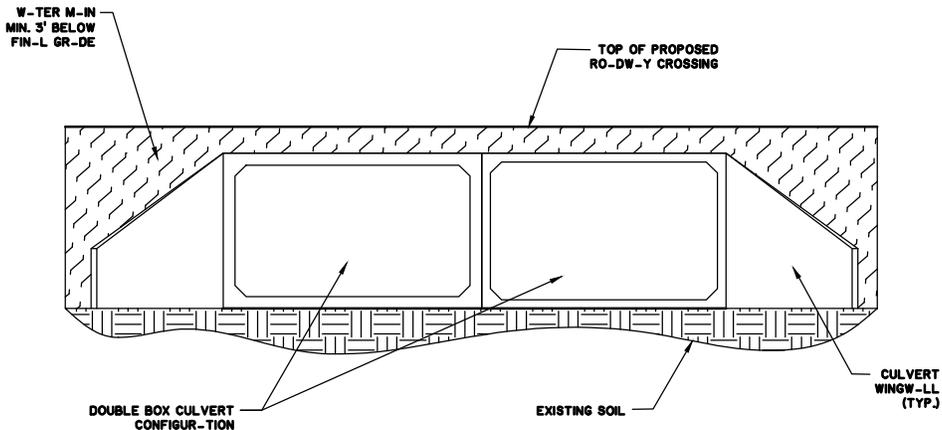
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 DATE: 1/22/2024  
 JOB NUMBER: J-25789.0000  
 DRAWN BY: CHH  
 REVIEWED BY: RSO  
 SHEET: 7  
 SCALE: N.T.S.



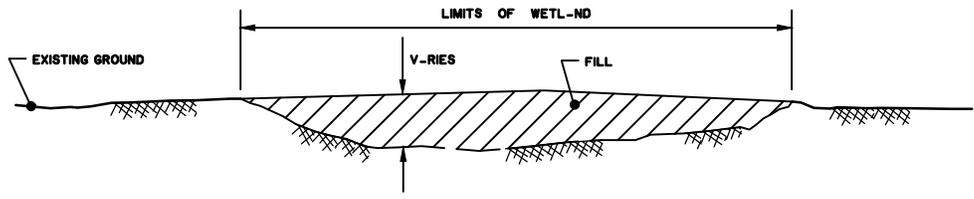
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**TYPICAL SECTION PERPENDICULAR TO BOX CULVERTS**  
 NOT TO SCALE



**WETLAND FILL SECTION**  
 NOT TO SCALE

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