

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 Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N # SAC 2007-00194-2M

29 January 2015

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

Pritchard Real Estate Investors and The Morrison Family Trust
c/o Newkirk Environmental, Inc.
PO Box 746
Mount Pleasant, South Carolina 29465-0746

for a permit to place fill material in freshwater wetlands located at Ben Sawyer Boulevard, Mount Pleasant, Charleston County, South Carolina (Latitude: 32.7875°N, Longitude: 79.917222°W).

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 0.43 acres of freshwater wetlands to facilitate construction of a mixed-use (multi-family residential and commercial) development with elevated buildings over vehicular parking on a 14.88 Acre site located at Ben Sawyer Boulevard, Mount Pleasant, Charleston County, South Carolina. The project will include a walking trail, a pool and stormwater features in addition to the main buildings. The purpose of this project is to facilitate the construction of a planned mixed-use development (multi-family residential and commercial). The applicant proposes to purchase wetland mitigation credits from either Pigeon Pond Mitigation Bank or Congaree Carton Mitigation Bank to mitigate projected impacts.

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,

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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 0.43 acres of estuarine substrates and emergent 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species 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 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. 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.

REGULATORY DIVISION

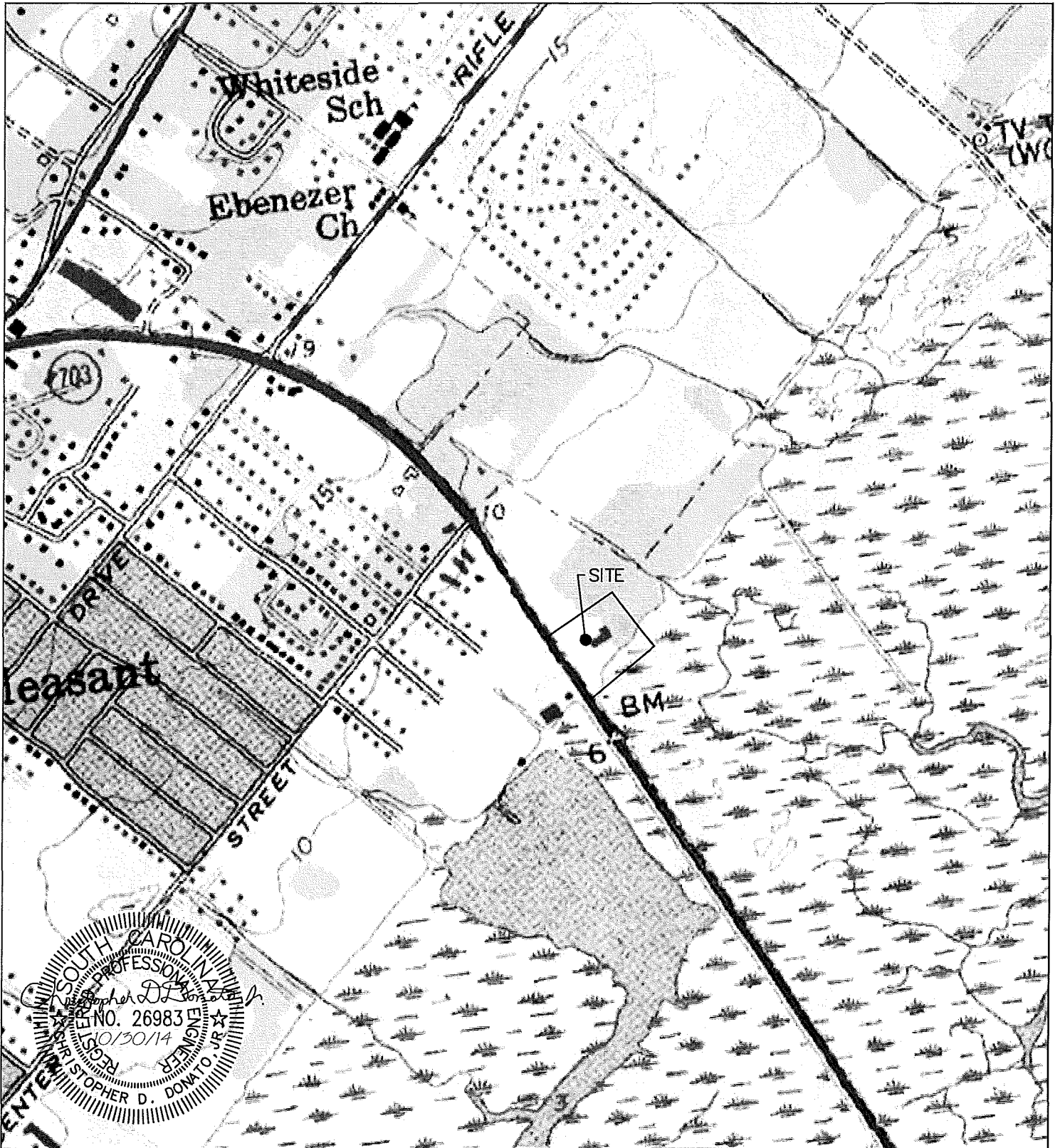
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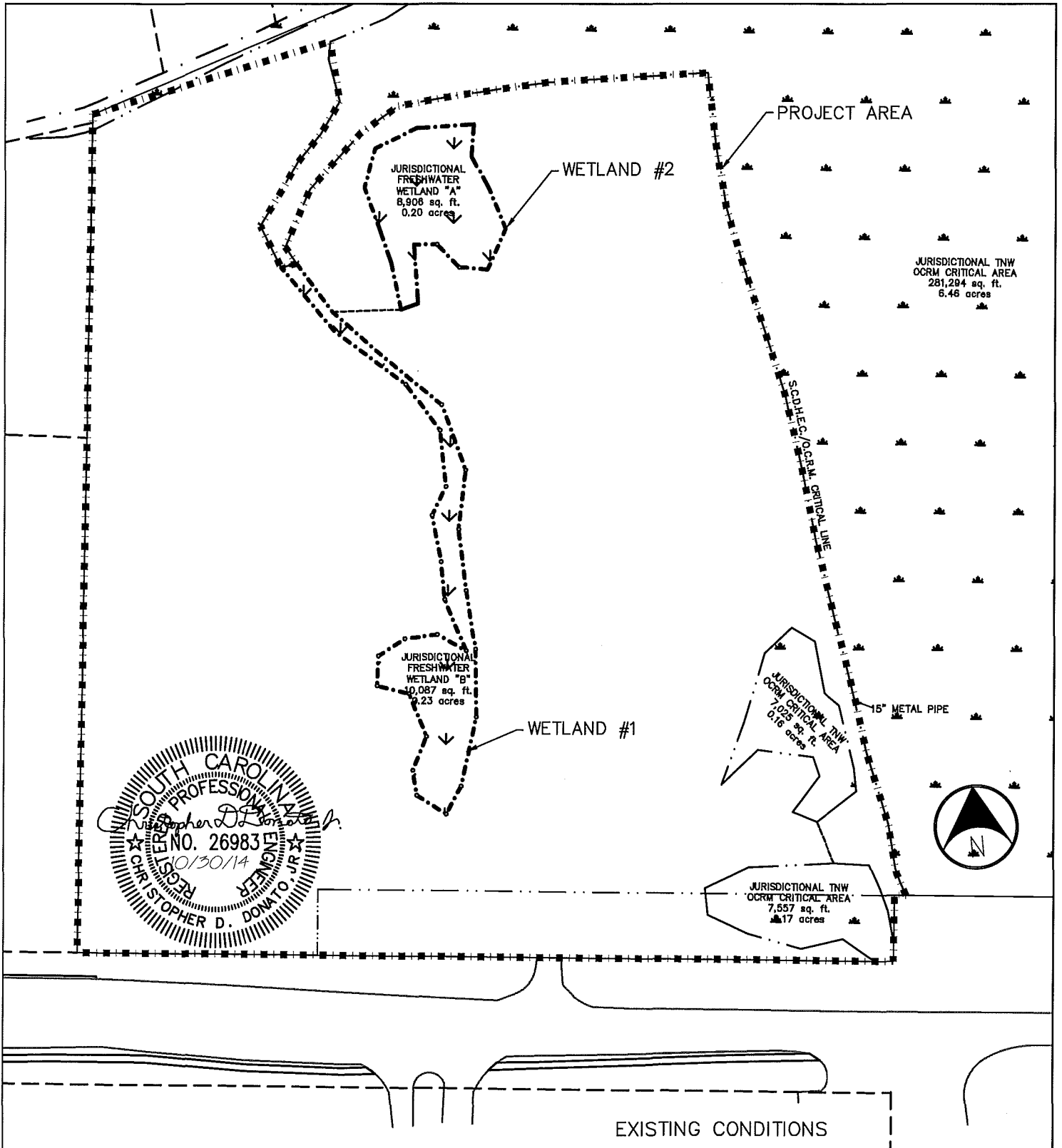
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity.

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.

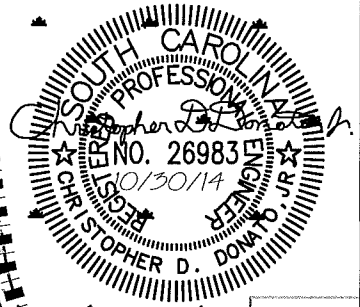
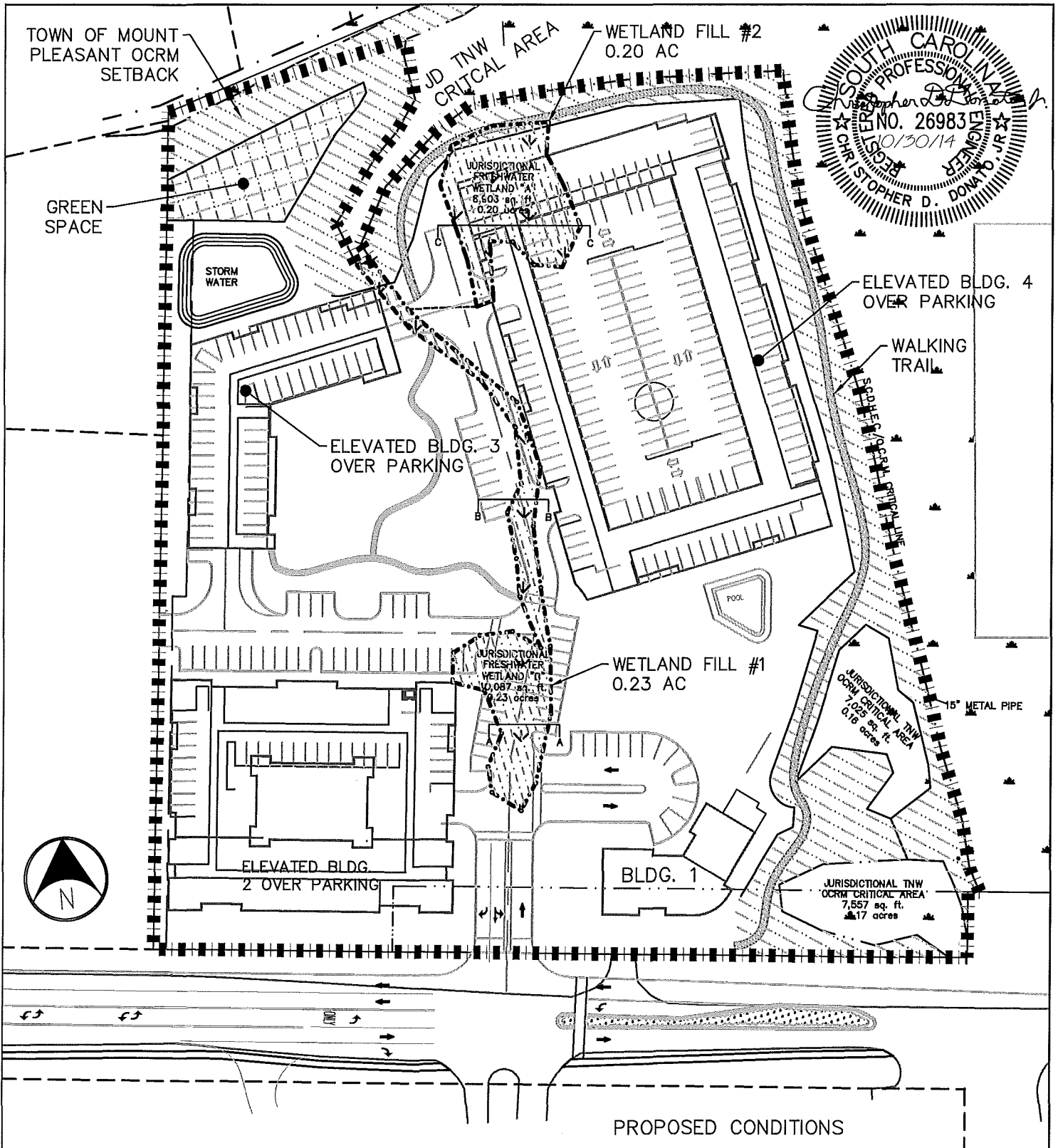
If there are any questions concerning this public notice, please contact Warren May at 843-329-8044 or toll free at 1-866-329-8187.



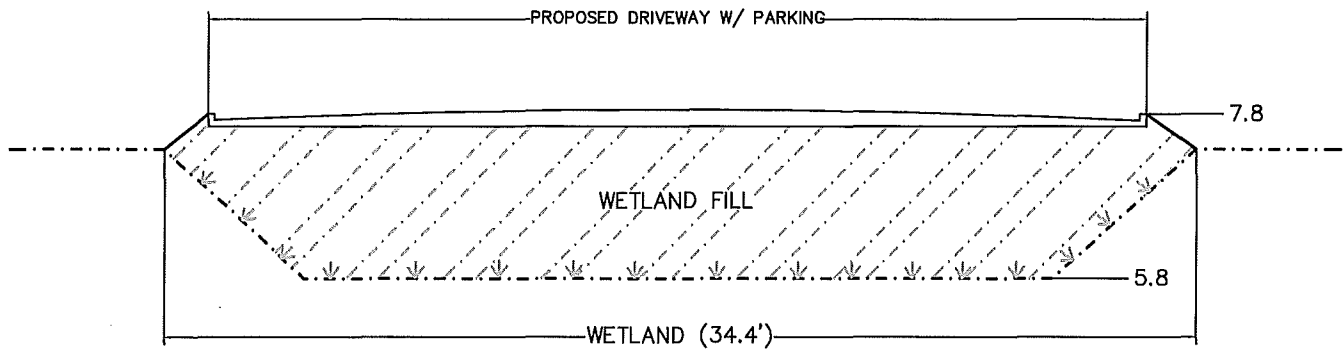
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| QUADRANGLE LOCATION MAP | | PROJECT TITLE: THE ATLANTIC AT MOUNT PLEASANT | |
| | | PROJECT LOCATION: TOWN OF MOUNT PLEASANT, SC | |
| REVISIONS DATE INITIALS | | APPLICANT: MIDDLE STREET PARTNERS, LLC | |
| | | DATE: OCTOBER 8, 2014 | SCALE= N.T.S |
| SITE AREA: 14.88 ACRES LATITUDE: 32-47-15 LONGITUDE: 79-59-02 | | APPLICATION #: SAC# | SHEET 1 OF 5 |



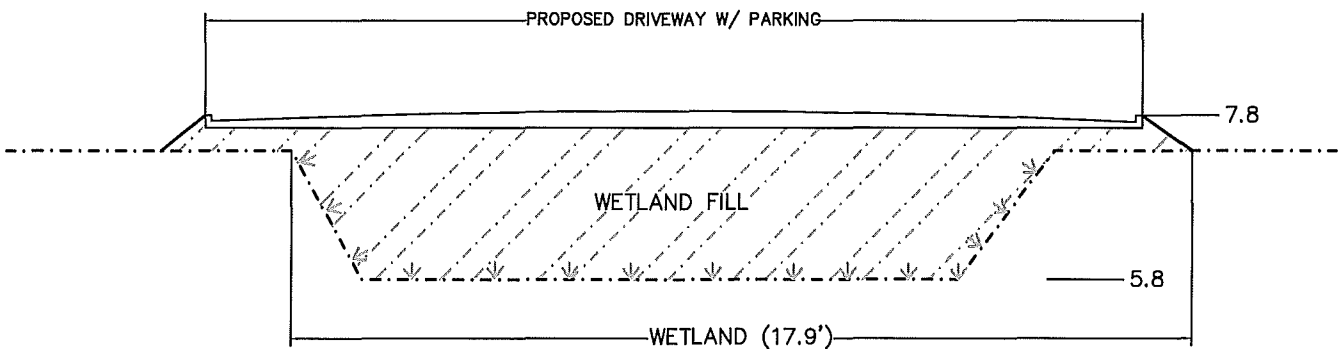
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| REVISIONS <table border="1"> <thead> <tr> <th>DATE</th> <th>INITIALS</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table> | | DATE | INITIALS | | | APPLICANT: MIDDLE STREET PARTNERS, LLC | |
| | | DATE | INITIALS | | | | |
| | | | | | | | |
| DATE: OCTOBER 8, 2014 | | SCALE = 1"=100' | | | | | |
| APPLICATION #: SAC# | | SHEET 2 OF 5 | | | | | |



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| FRESHWATER WETLAND TO BE FILLED 0.43 ACRES | | PROJECT LOCATION: TOWN OF MOUNT PLEASANT, SC | |
| VOLUME OF FILL 56,192.4 CY | | APPLICANT: MIDDLE STREET PARTNERS, LLC | |
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| | | | SHEET 3 OF 5 |



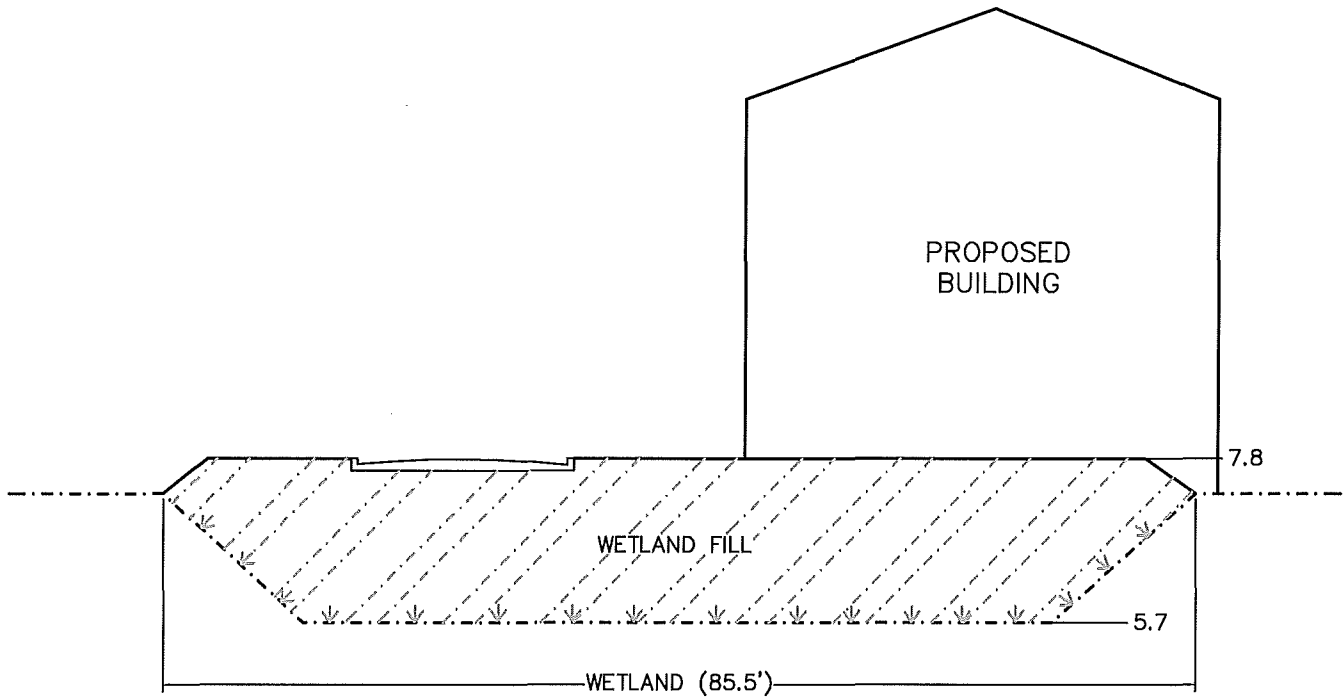
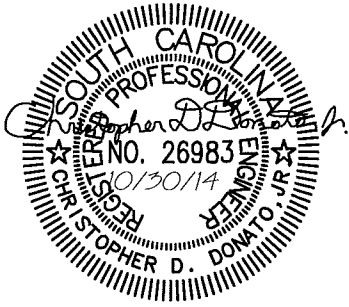
SECTION "A"
 WETLAND FILL (DRIVEWAY AND PARKING
 CROSS SECTION



SECTION "B"
 WETLAND FILL (DRIVEWAY AND PARKING
 CROSS SECTION

WETLAND FILL

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SECTION "C"
 WETLAND FILL (DRIVEWAY AND BUILDING
 CROSS SECTION

WETLAND FILL

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