

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, SC 29403**  
**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-2020-01715

January 28, 2021

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**Mr. Daniel Young**  
**South Carolina Department of Commerce**  
**1201 Main Street, Suite 1600**  
**Columbia, South Carolina 29201-3200**

for a permit to construct a wine and spirits bottling, containerization, and distribution facility on a 630-acre site in

wetlands and unnamed tributaries to the Catawba River

at a location east of US Highway 21 and south of SC Highway 9 near Fort Lawn, Chester County, South Carolina (Latitude: 34.697°, Longitude: -80.879°), Fort Lawn and Lancaster quadrangle.

In order to give all interested parties an opportunity to express their views

**N O T I C E**

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

**30 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 construction and operation of a production, bottling, containerization, and distribution facility for wine and spirits. In detail the work will require the discharge of fill material into 1.23 acres of freshwater wetlands and 8,018 linear feet of tributaries that flow to the Catawba River. The applicant has proposed to mitigate for impacts to wetlands

and/or waters of the United States by accomplishing permittee-responsible compensatory mitigation to provide equal to or greater than 13.1 freshwater wetland credits and 58,747 stream credits at a nearby site within the same watershed where the project impacts would occur. The project purpose is to construct and operate a beverage production, bottling, containerization, and distribution facility in South Carolina on a site with dual rail access to Class I rail carriers, nearby interstate highway access within the I-95/I-85/I-40 corridors, and is located sufficiently close to the Port of Charleston.

**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. This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification are 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 1.23 acres of freshwater wetlands and 8,018 linear feet of tributaries well 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 Section 7 of the Endangered Species Act of 1973 (as amended), the applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, the District Engineer 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 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)), and has initially determined that historic properties, are present; moreover, these historic properties may be affected by the undertaking. This public notice serves to notify the State Historic Preservation Office that the Corps plans to initiate Section 106 consultation on these historic properties. Individuals or groups who would like to be consulting parties for the

purposes of the NHPA should make such a request to the Corps in writing within 30 days of this public notice. 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 other interested parties to provide any information they may have with regard to historic properties.

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.

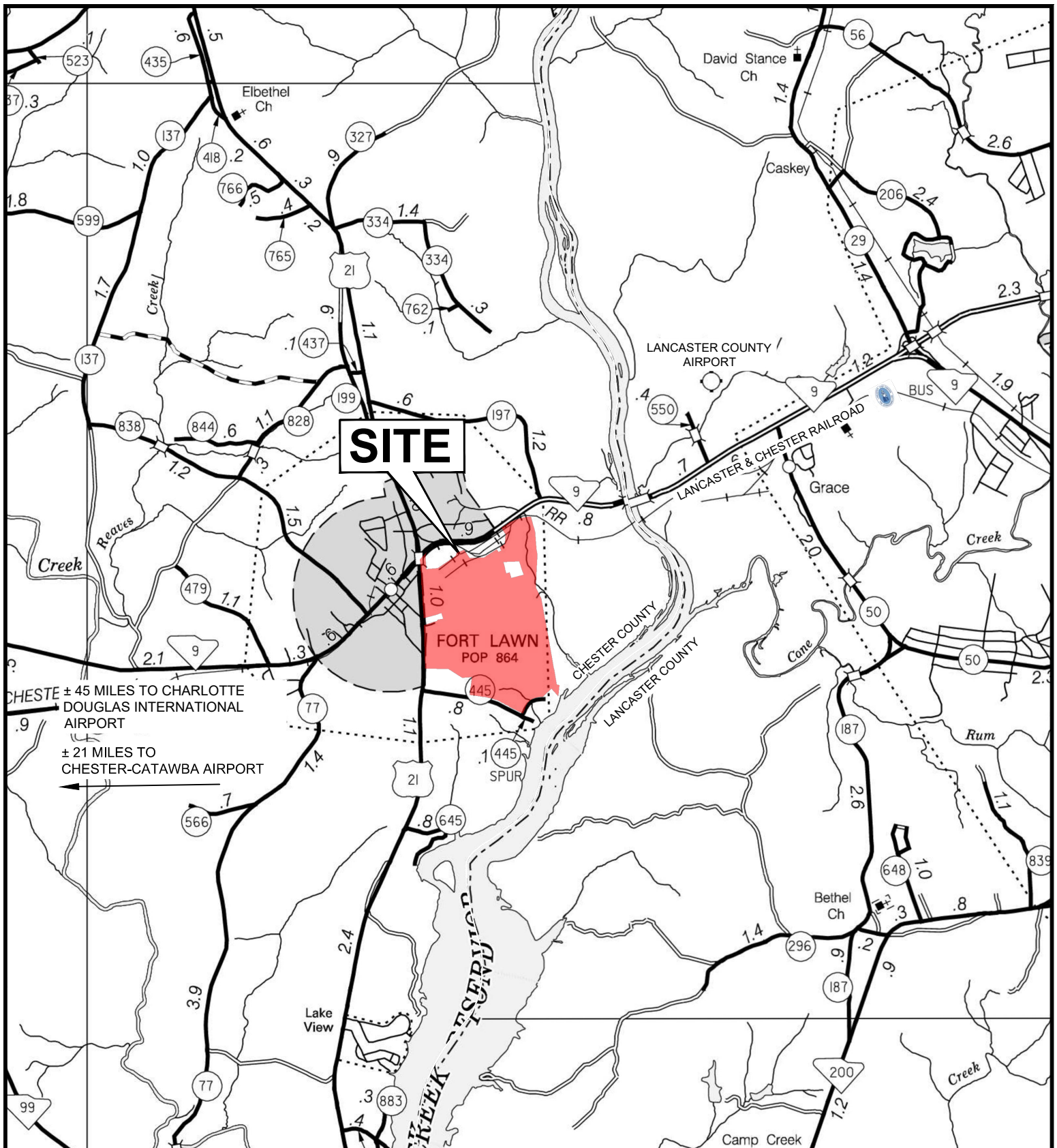
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. 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**

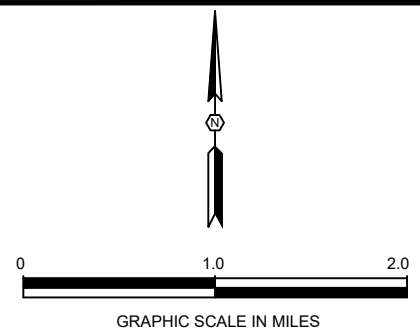
If there are any questions concerning this public notice, please contact Richard L. Darden, Ph.D., Project Manager, at (843) 329-8043, toll free at 1-866-329-8187, or by email at [Richard.L.Darden@usace.army.mil](mailto:Richard.L.Darden@usace.army.mil).



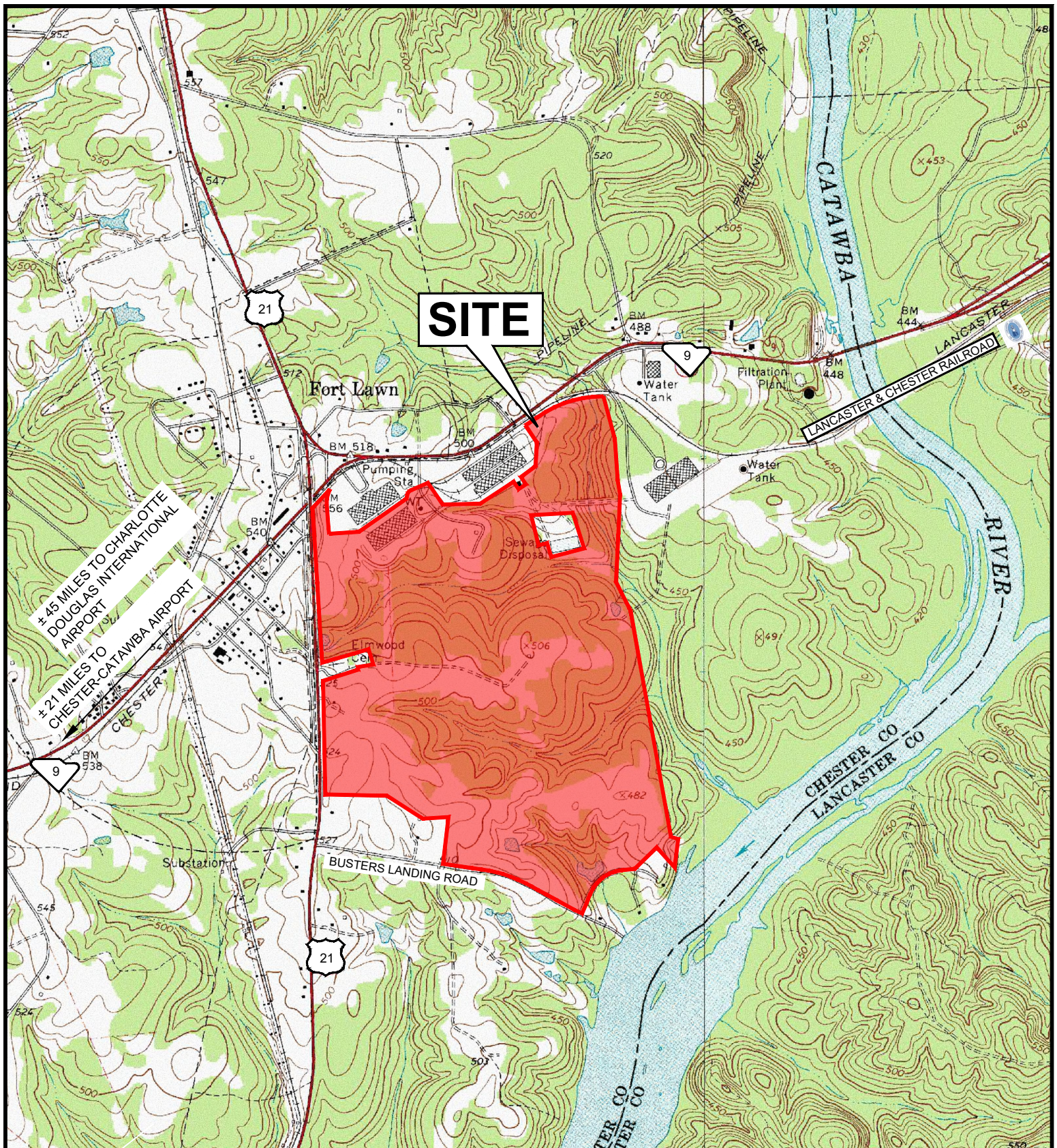
PREPARED BY:  
ALLIANCE CONSULTING ENGINEERS, INC.  
INFORMATION FROM:  
SCDOT HIGHWAY MAP  
CHESTER COUNTY, SOUTH CAROLINA  
DATED 2010

## Vicinity Exhibit

**Project Title:** Project Magma  
**Applicant:** SCDOT / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
**Permit Number:** SAC 2020-01715





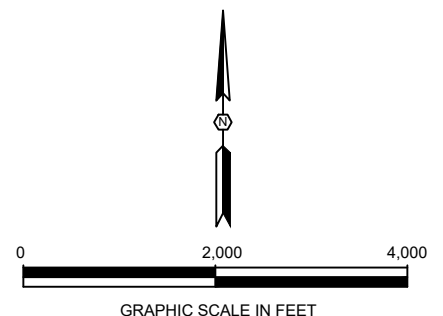


PREPARED BY:  
ALLIANCE CONSULTING ENGINEERS, INC.  
INFORMATION FROM:  
CHESTER COUNTY, SOUTH CAROLINA USGS DATA  
DATED 2010



**Topographic Exhibit**  
Project Title: Project Magma  
Applicant: SCDOC / J.M. Mullis, Inc.  
Location: Chester County, South Carolina  
Date: January 19, 2021  
Permit Number: SAC 2020-01715

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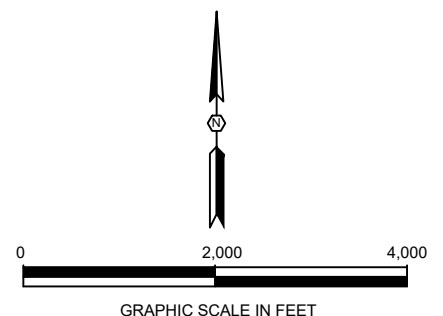


PREPARED BY:  
ALLIANCE CONSULTING ENGINEERS, INC.  
INFORMATION FROM:  
CHESTER COUNTY, SOUTH CAROLINA  
USDA NRCS GEOSPATIAL GATEWAY  
DATED 2019

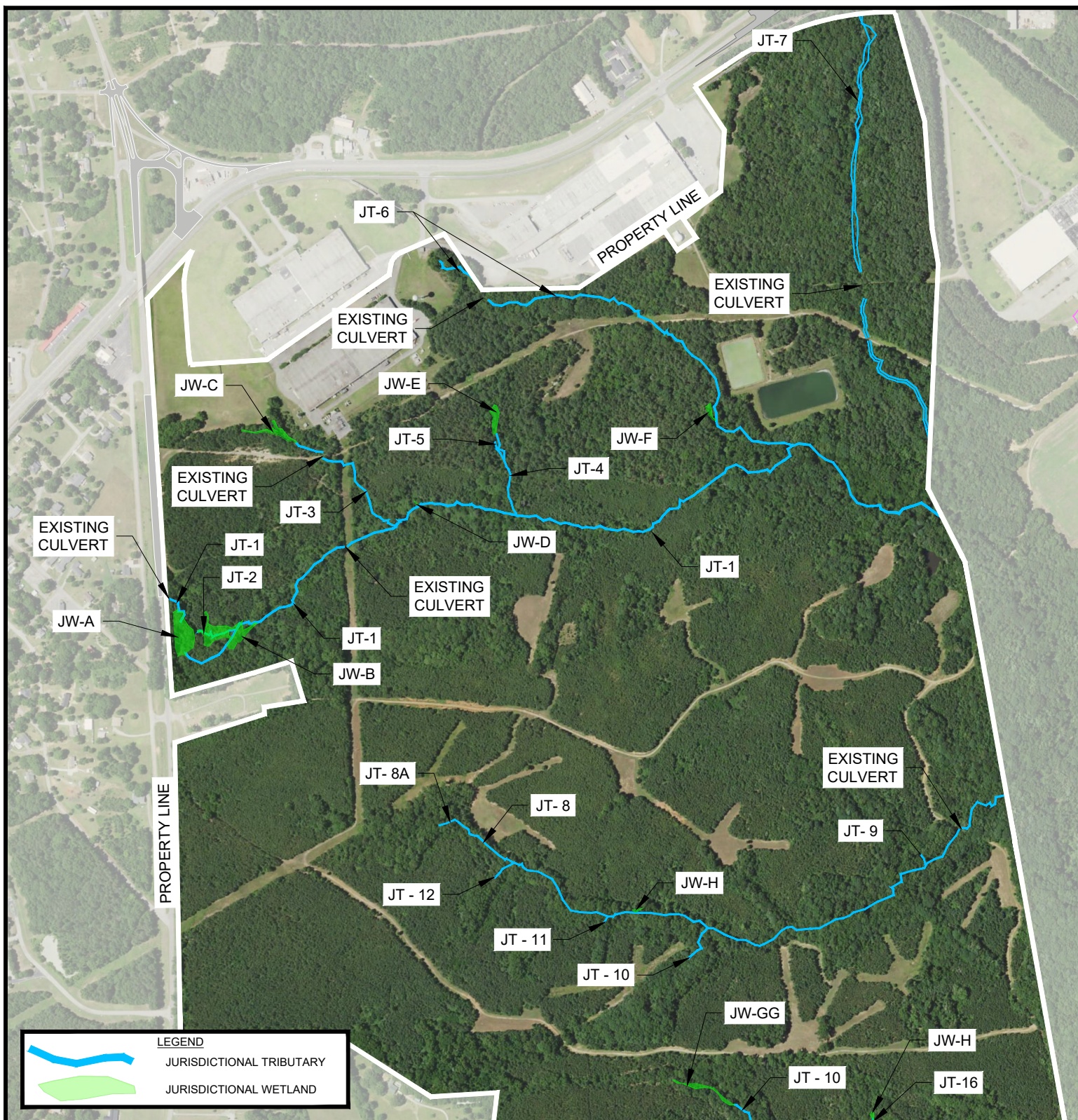


**Aerial Exhibit**  
**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
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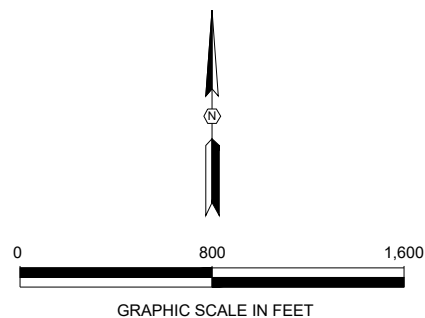




REFERENCE:  
 Conceptual Site Plan for Project Magma  
 prepared by Alliance Consulting Engineers, Inc.  
 dated January 13, 2021






## Existing Conditions Exhibit

**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M.Mullis, Inc.  
**Location:** Chester County, South Carolina  
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PARCEL NUMBER TABLE		
Parcel #	(Ac)	Owner
1	± 408	Springland, Inc. (Tract M)
2	± 57	Springland, Inc. (Tract M)
3	± 60	Springsteen Properties
4	± 31	Springsteen-Frances, LLC
5	± 3	Springsteen-Elliott, LLC
7	± 63	Springsteen Properties
10	± 7	Springsteen Properties

LEGEND	
Tributary	
Wetlands	
Open Water	
Non-Jurisdictional Pond	
Project Site	

Stream Impacts			
Tributary	Total Length (LF)	Total Impacts (LF)	Type of Impact
JT-1	4,907	4,639	Fill
		268	Relocate
JT-2	269	269	Fill
JT-3	873	705	Fill
JT-4	537	537	Fill
JT-5	125	125	Fill
JT-6	2,710	146	Relocate
		544	Pipe
		40	Riprap
JT-8	4,189	198	Fill
		150	Pipe
		40	Riprap
JT-8A	262	262	Fill
JT-12	149	75	Culvert
		20	Riprap
Total	14,021	8,018	

Jurisdictional Wetland Impacts			
Wetland	Total Area (AC)	Total Impacts (AC)	Type of Impact
JW-A	0.53	0.53	Fill
JW-B	0.56	0.56	Fill
JW-C	0.154	0.01	Fill
JW-D	0.004	0.004	Fill
JW-E	0.128	0.128	Fill
Total	1.376	1.232	

NOTES:

1) REFERENCE IS MADE TO THE *PROJECT MAGMA UPDATE* PROVIDED BY S&ME DATED NOVEMBER 12, 2020.

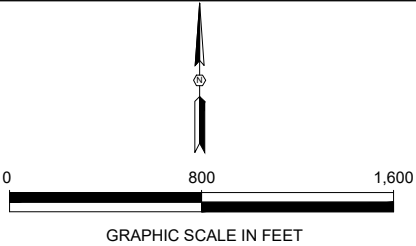
2) REFERENCE IS MADE TO A SITE PLAN PROVIDED BY HASKELL DATED DECEMBER 17, 2020.

REFERENCE:  
 Conceptual Site Plan for Project Magma  
 prepared by Alliance Consulting Engineers, Inc.  
 dated January 13, 2021

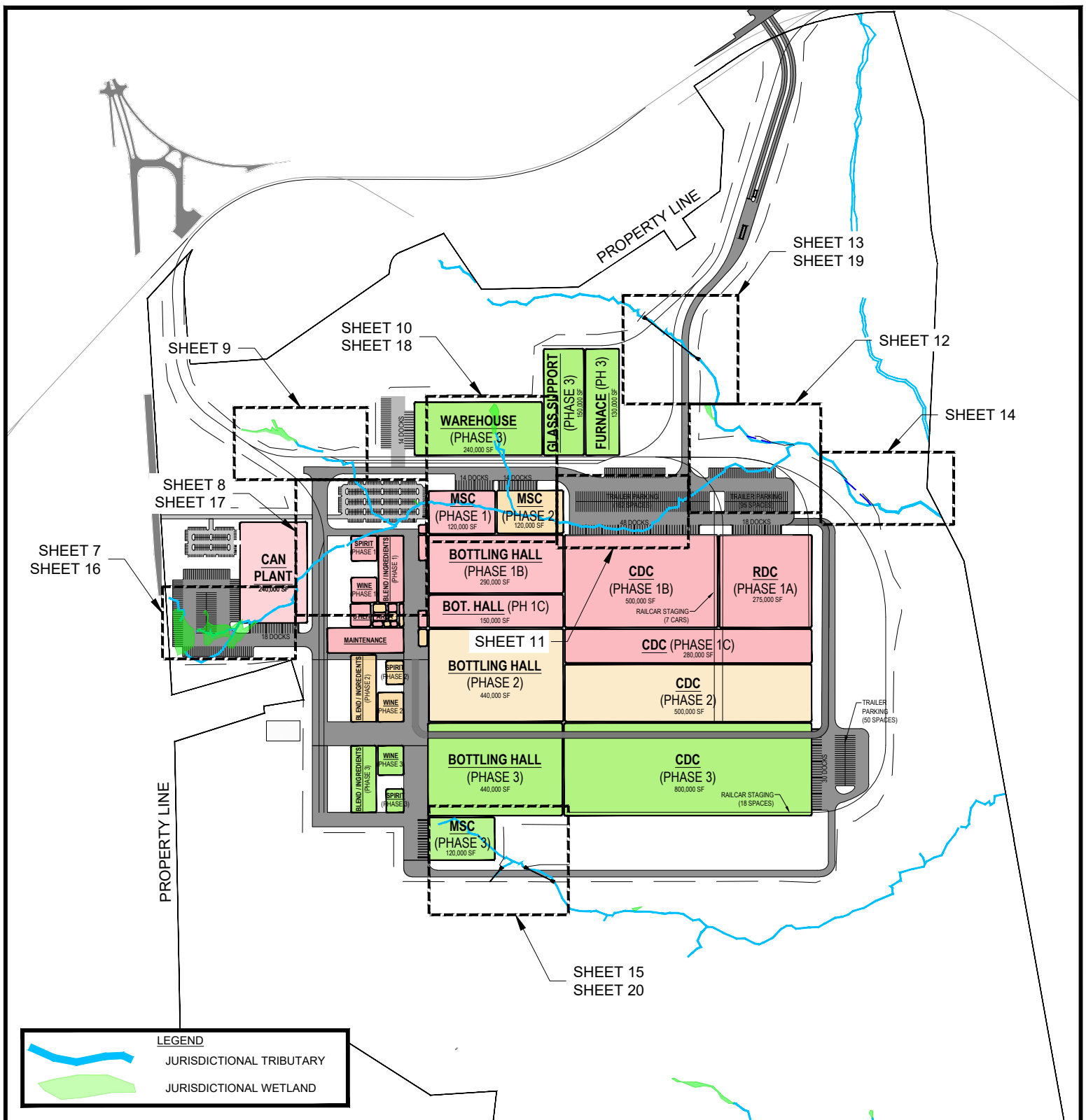


### Wetland / Stream Impacts

**Project Title:** Project Magma  
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**Location:** Chester County, South Carolina  
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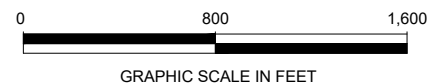


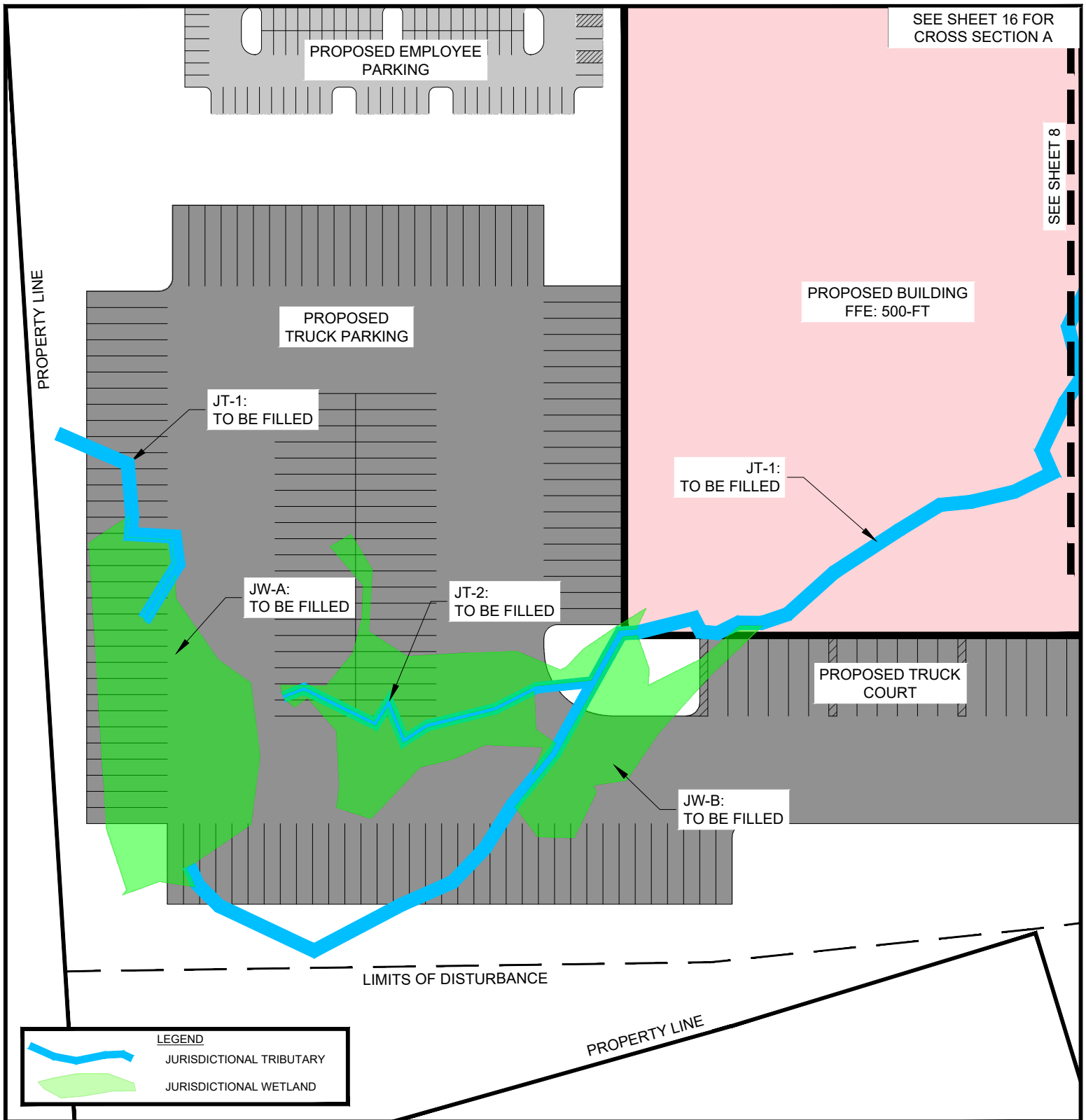


**REFERENCE:**  
Conceptual Site Plan for Project Magma  
prepared by Alliance Consulting Engineers, Inc.  
dated January 13, 2021

## Overall Map

**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
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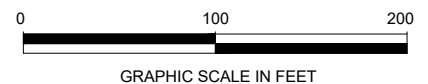
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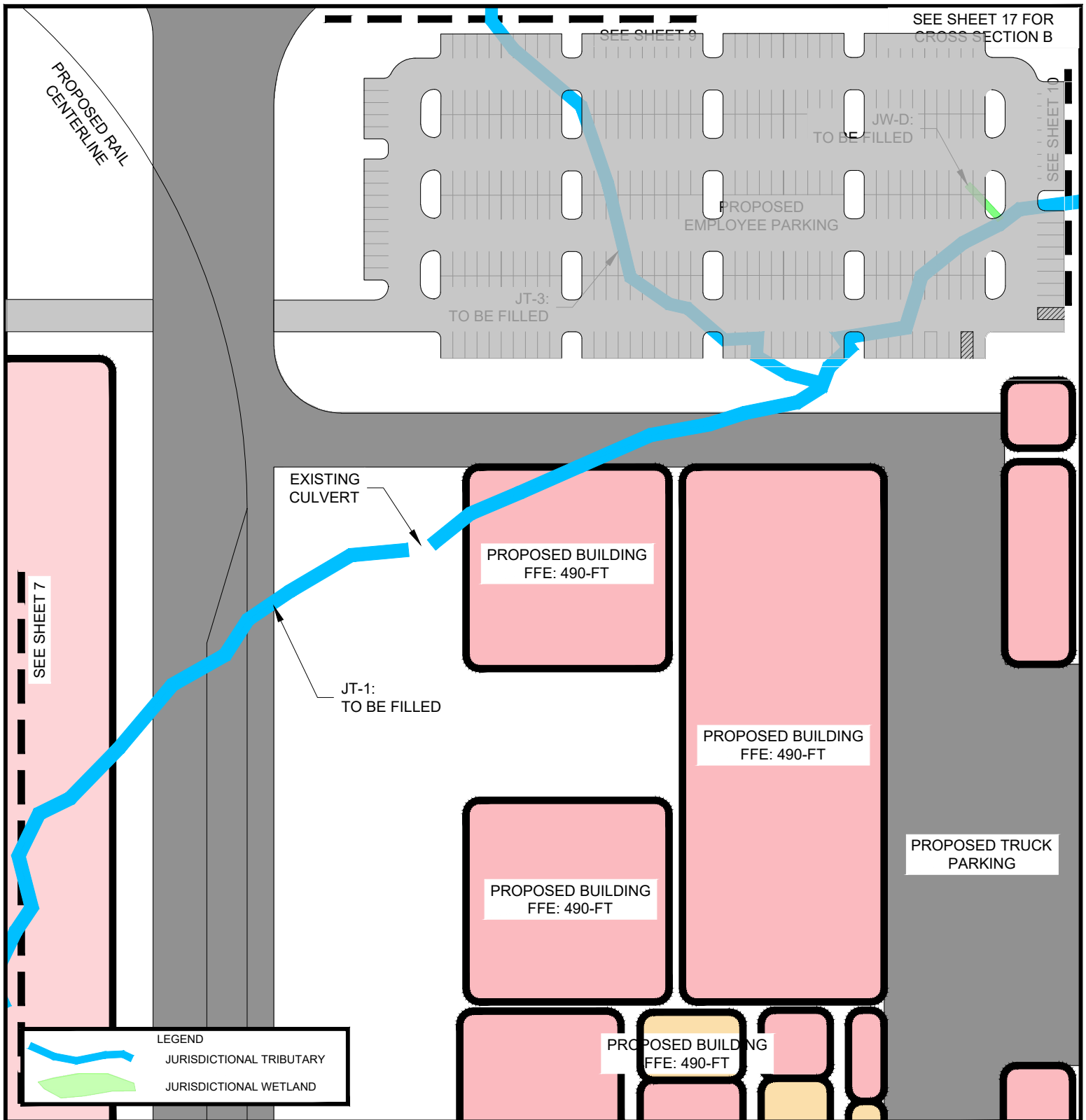
## Sheet 7

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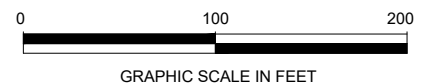
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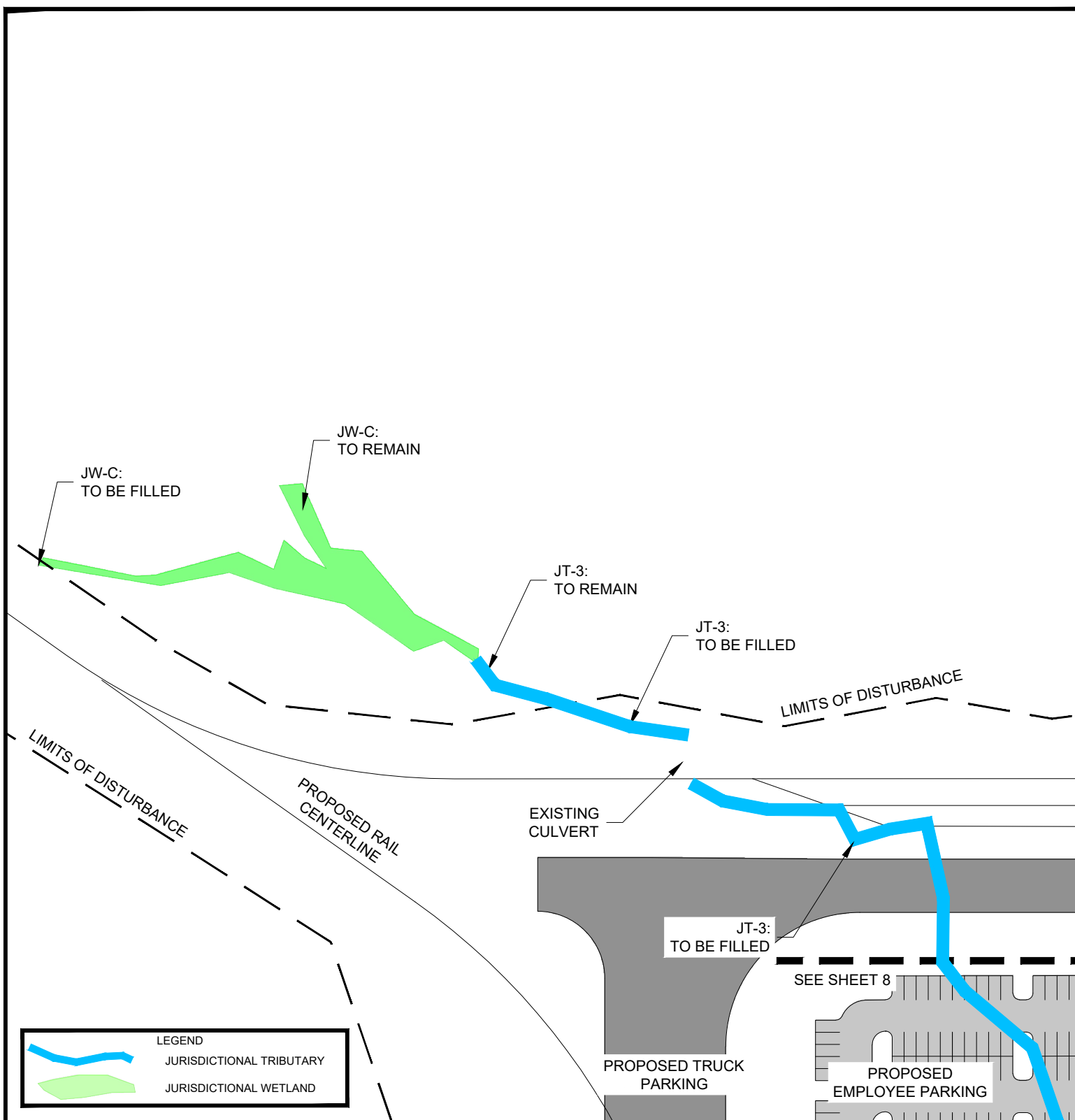
## Sheet 8

**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
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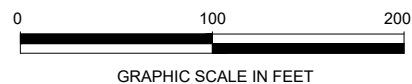


REFERENCE:  
Conceptual Site Plan for Project Magma  
prepared by Alliance Consulting Engineers, Inc.  
dated January 13, 2021

## Sheet 9

**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
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SEE SHEET 18 FOR  
CROSS SECTION C

PROPOSED BUILDING  
FFE: 490-FT

JW-E:  
TO BE FILLED

JT-5:  
TO BE FILLED

JT-4:  
TO BE FILLED

PROPOSED RAIL CENTERLINE

PROPOSED TRUCK  
PARKING

PROPOSED BUILDING  
FFE: 490-FT

PROPOSED BUILDING  
FFE: 490-FT

JT-1:  
TO BE FILLED

SEE SHEET 8

SEE SHEET 11

**REFERENCE:**

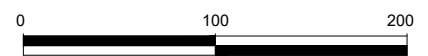
Conceptual Site Plan for Project Magma  
prepared by Alliance Consulting Engineers, Inc.  
dated January 13, 2021

## Sheet 10

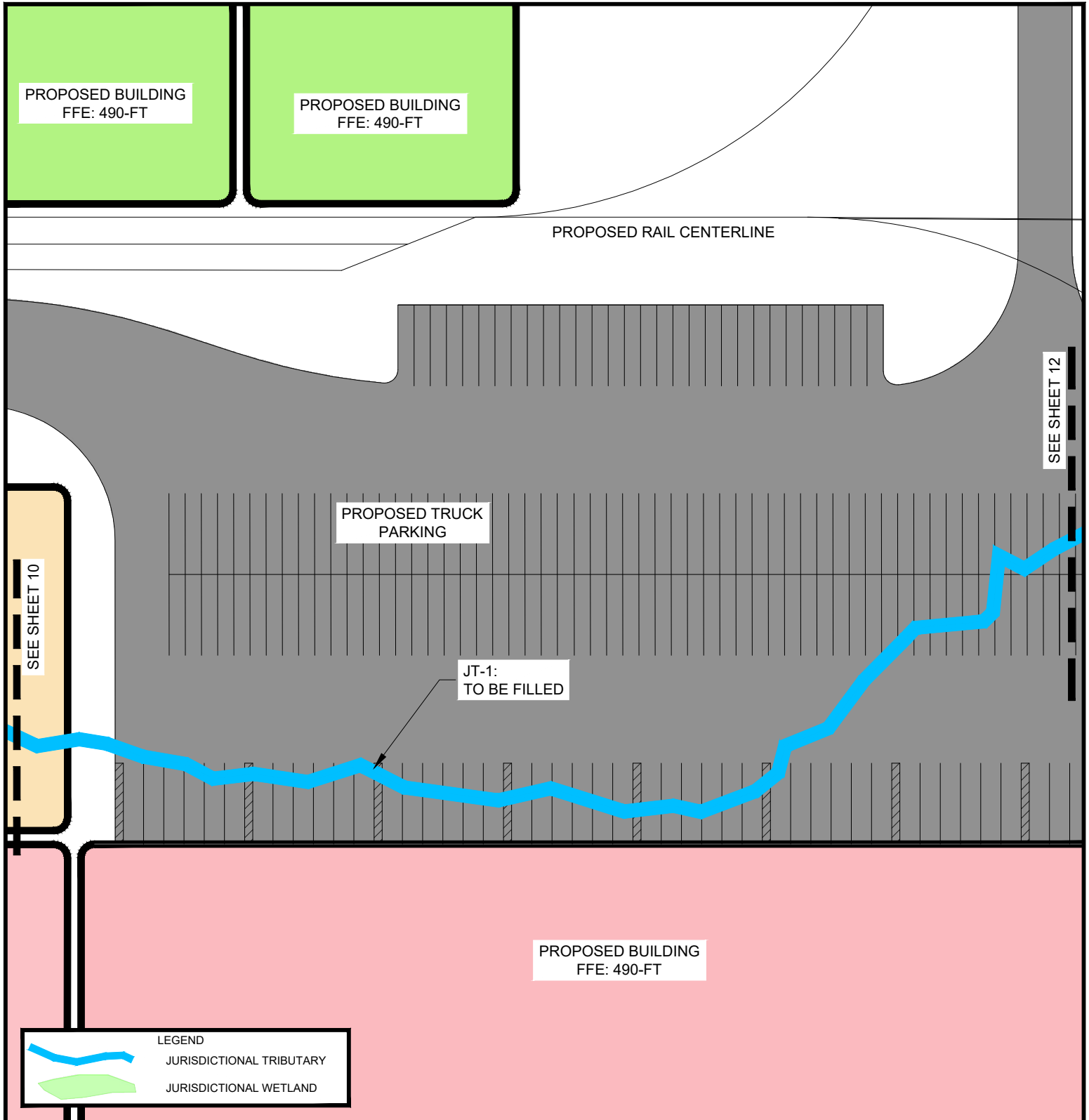
**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
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GRAPHIC SCALE IN FEET

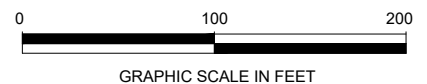


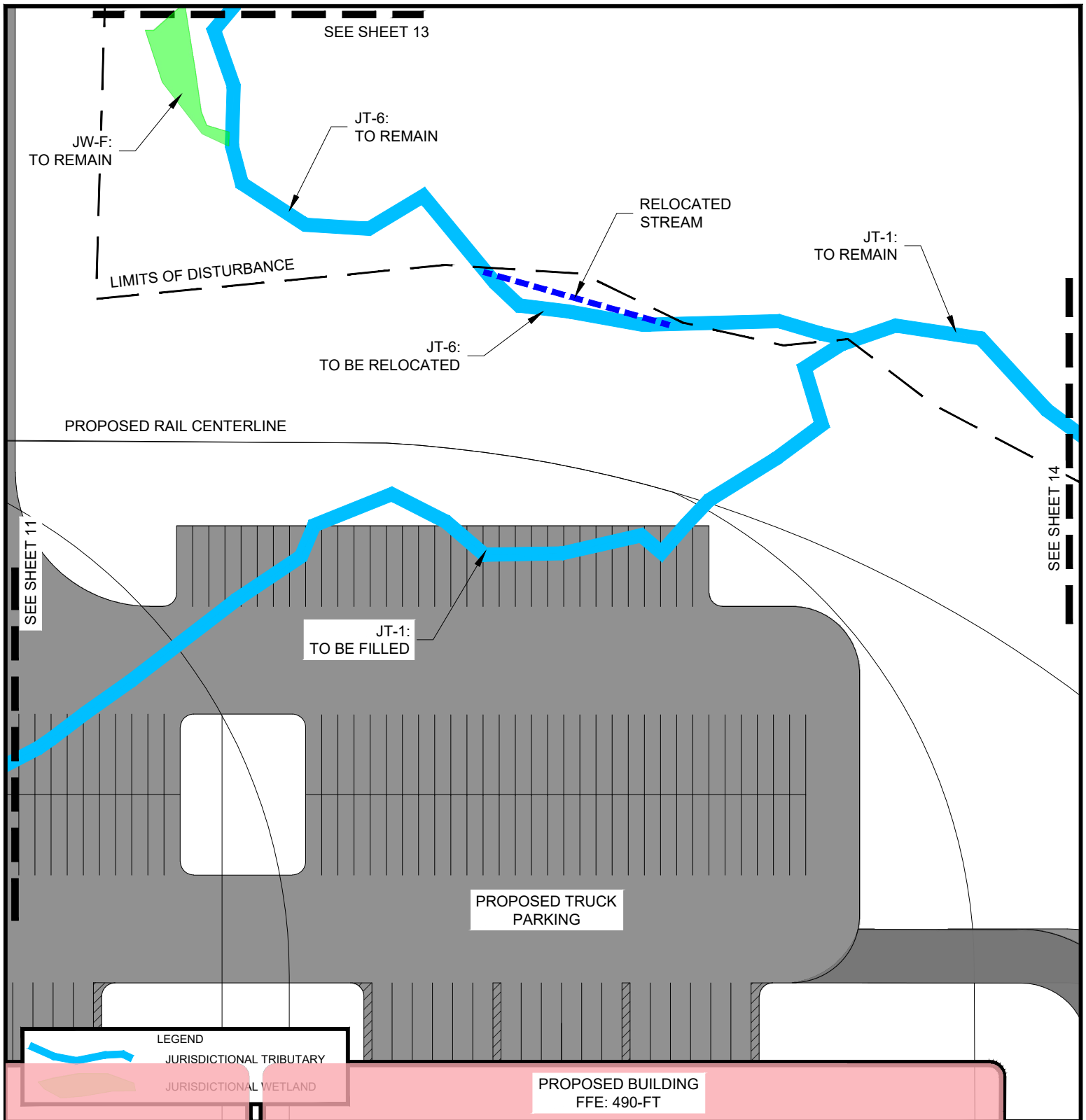
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Conceptual Site Plan for Project Magma  
prepared by Alliance Consulting Engineers, Inc.  
dated January 13, 2021



**Sheet 11**  
**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
**Permit Number:** SAC 2020-01715

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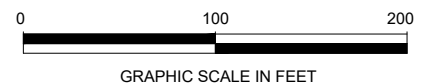
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 prepared by Alliance Consulting Engineers, Inc.  
 dated January 13, 2021

## Sheet 12

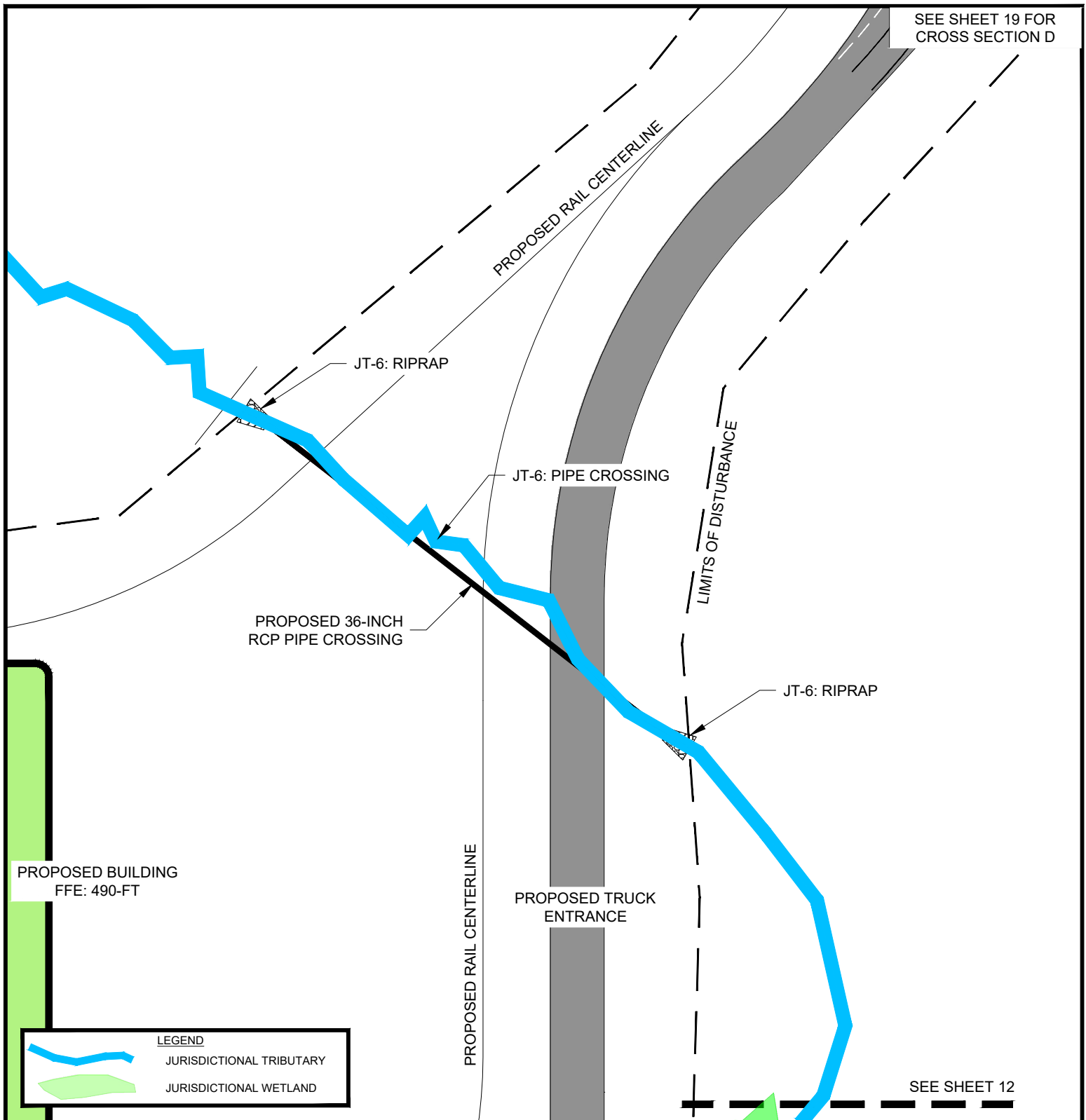
**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
**Permit Number:** SAC 2020-01715



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SEE SHEET 19 FOR  
CROSS SECTION D



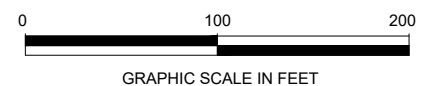
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Conceptual Site Plan for Project Magma  
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dated January 13, 2021

## Sheet 13

**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
**Permit Number:** SAC 2020-01715



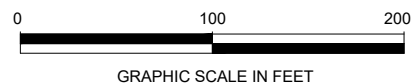
Sheet: 13 of 21







**ALLIANCE**  
CONSULTING ENGINEERS



SEE SHEET 20 FOR  
CROSS SECTION E

PROPOSED BUILDING  
FFE: 490-FT

JT-8A:  
TO BE FILLED

JT-8A TO JT-8  
DELINEATION

PROPOSED BUILDING  
FFE: 490-FT

JT-8:  
TO BE FILLED

JT-12:  
RIPRAP

LIMITS OF DISTURBANCE

JT-8:  
TO REMAIN

JT-8:  
RIPRAP

JT-8:  
PIPE CROSSING

JT-12:  
CULVERT CROSSING

LIMITS OF DISTURBANCE

PROPOSED 36-INCH  
RCP PIPE CROSSING

JT-8:  
RIPRAP

**LEGEND**



JURISDICTIONAL TRIBUTARY  
JURISDICTIONAL WETLAND

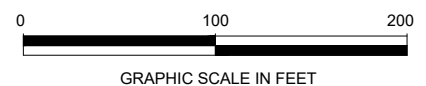
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Conceptual Site Plan for Project Magma  
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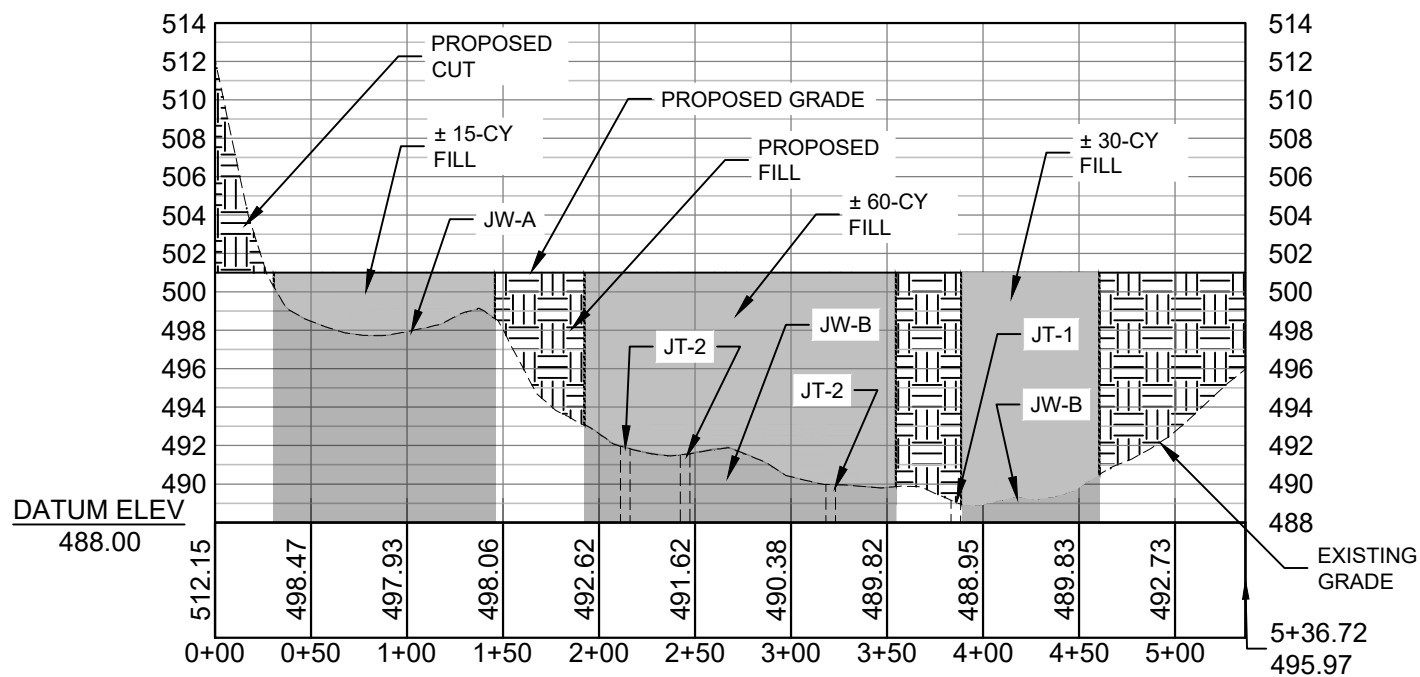
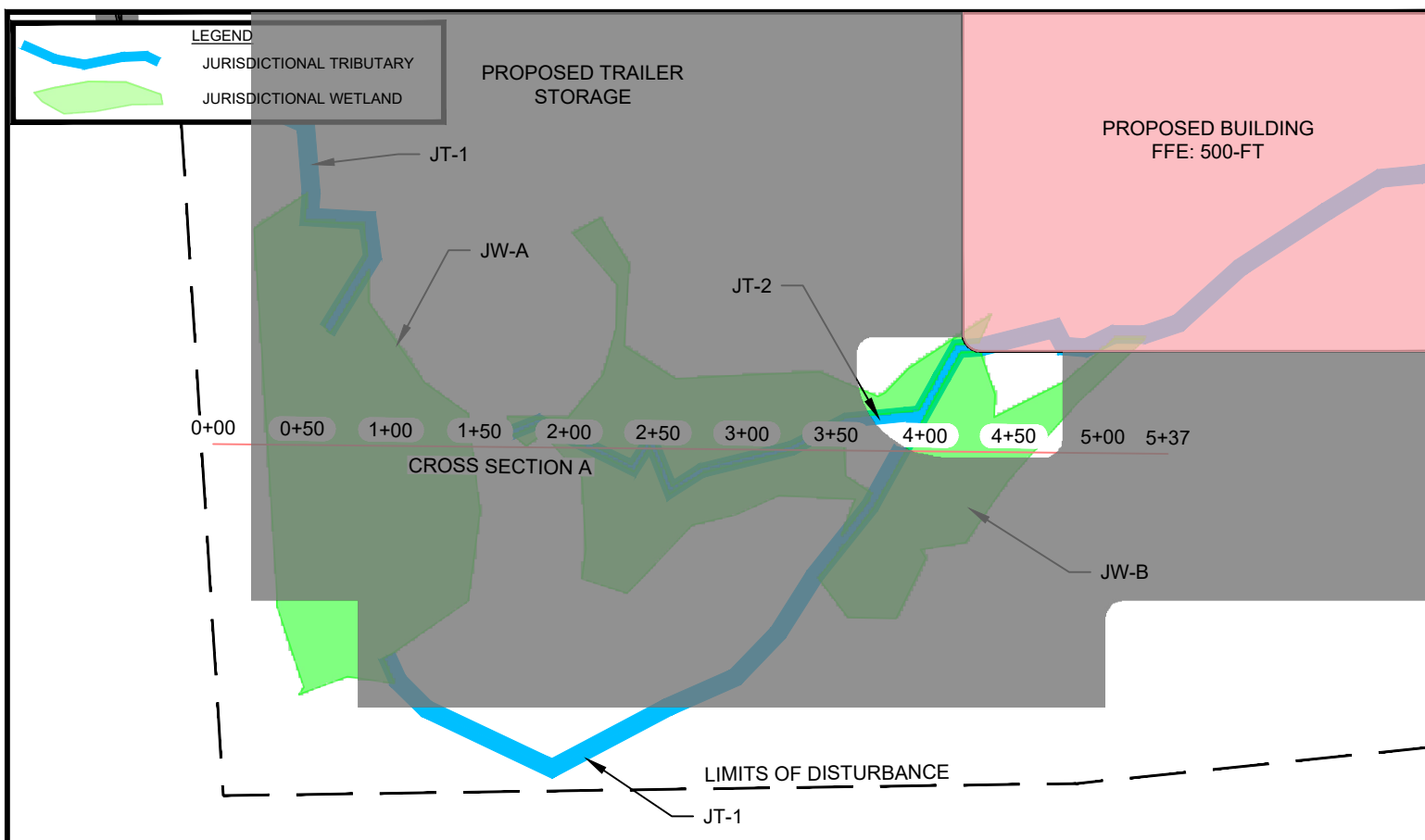
## Sheet 15

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**Applicant:** SCDOC / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
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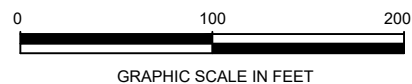
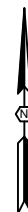


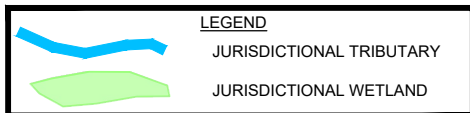
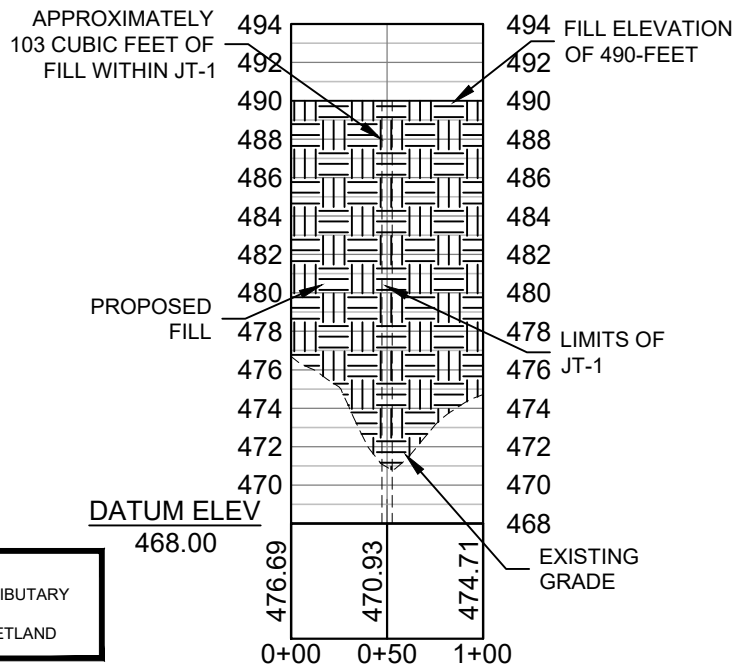
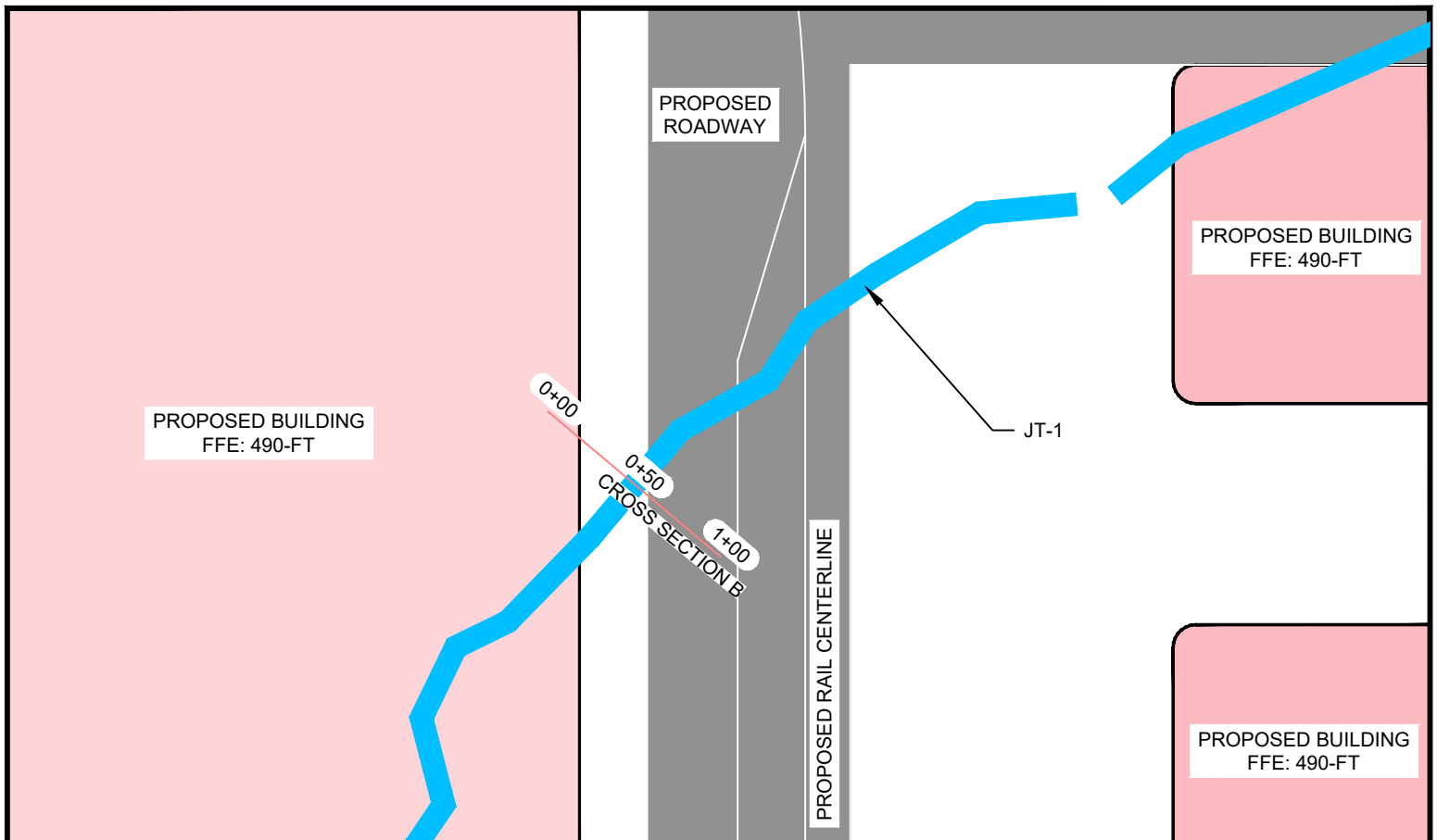


**REFERENCE:**  
Conceptual Site Plan for Project Magma  
prepared by Alliance Consulting Engineers, Inc.  
dated January 13, 2021



**Cross Section A**  
**Project Title:** Project Magma  
**Applicant:** SCDOT / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
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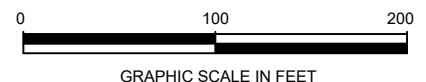
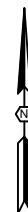


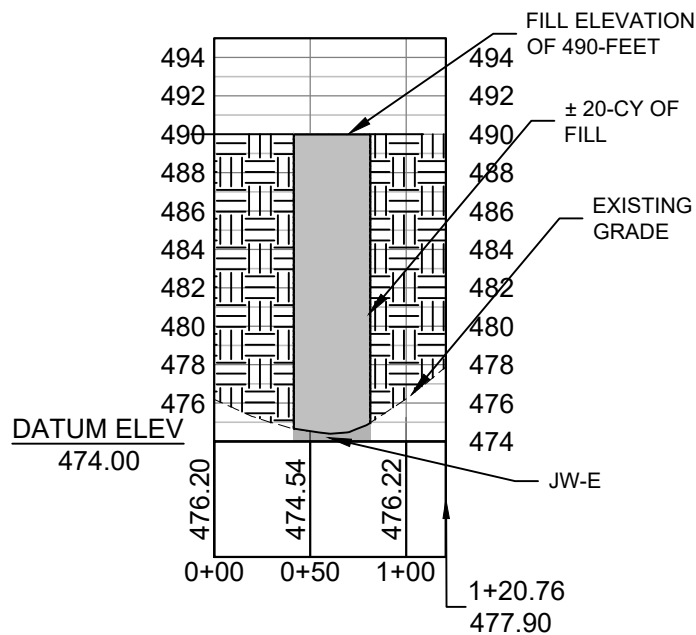
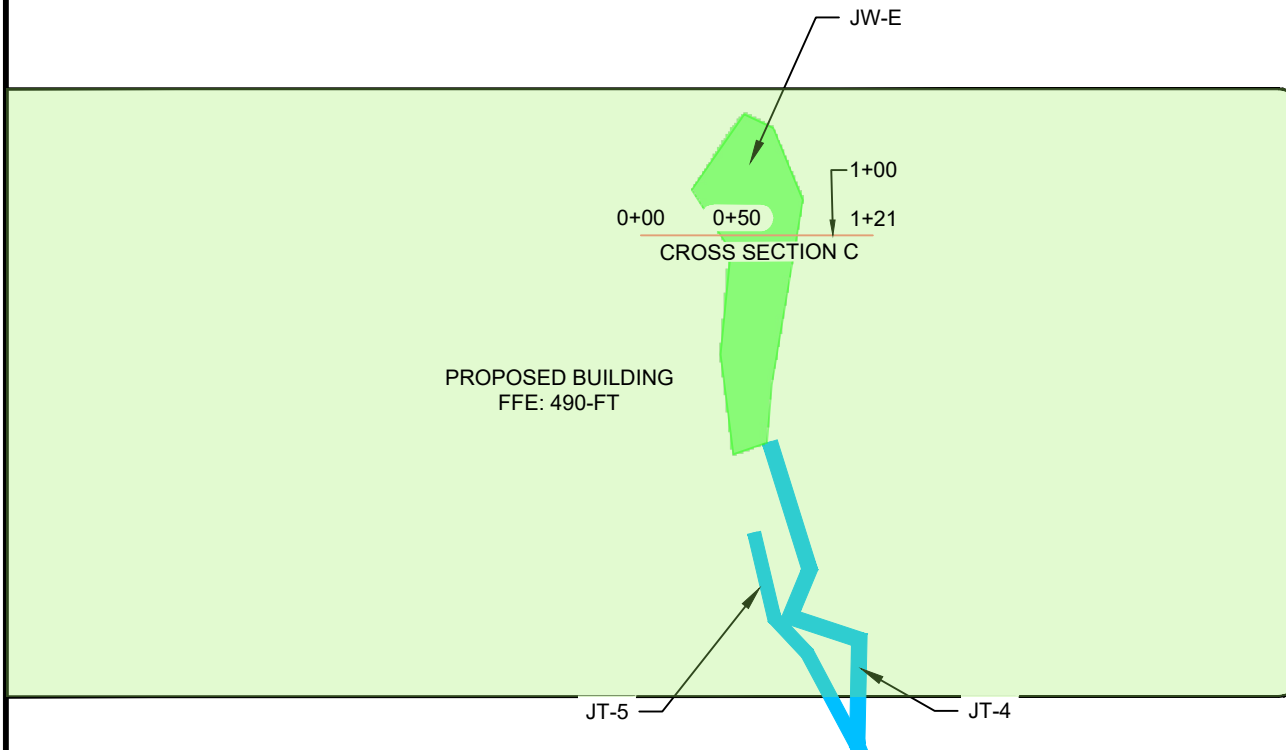


**REFERENCE:**  
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**Cross Section B**  
**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Mullis, Inc.  
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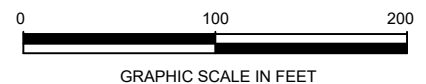
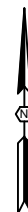


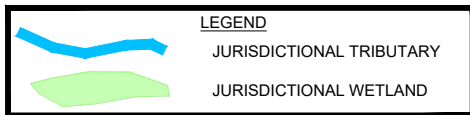
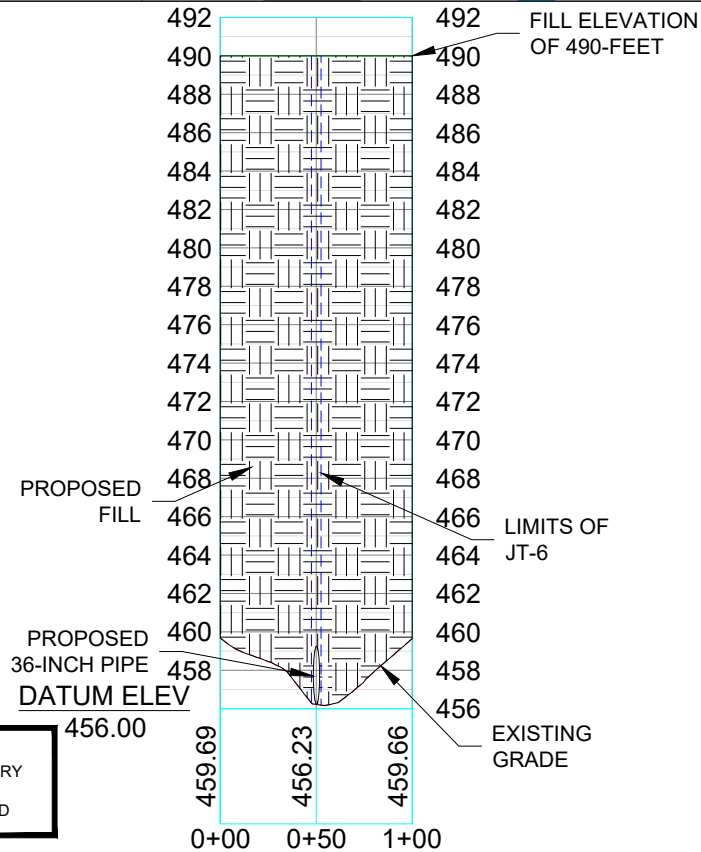
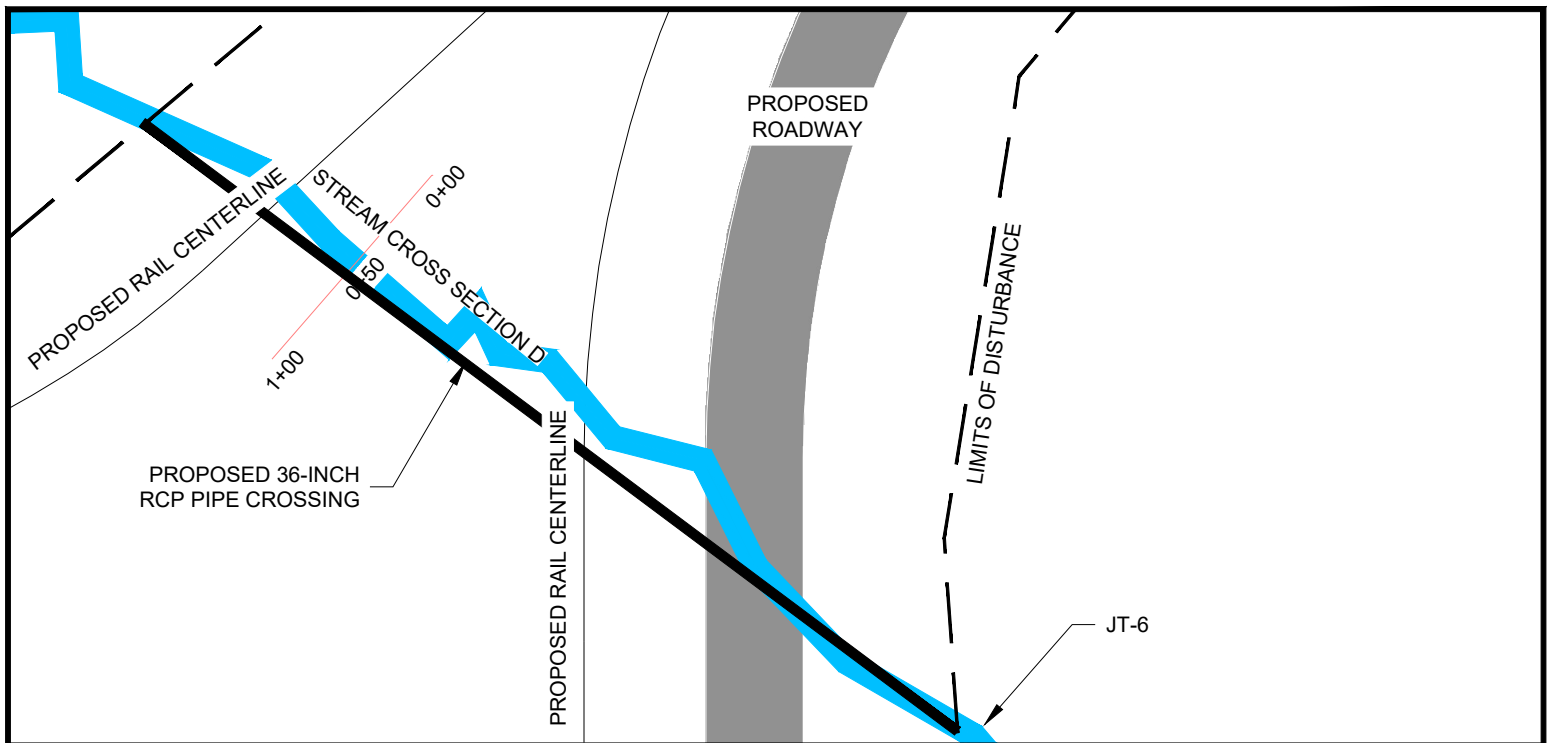


**REFERENCE:**  
Conceptual Site Plan for Project Magma  
prepared by Alliance Consulting Engineers, Inc.  
dated January 13, 2021



**Cross Section C**  
**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
**Permit Number:** SAC 2020-01715

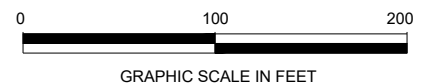




REFERENCE:  
Conceptual Site Plan for Project Magma  
prepared by Alliance Consulting Engineers, Inc.  
dated January 13, 2021



**Cross Section D**  
**Project Title:** Project Magma  
**Applicant:** SCDOC / J.M. Nullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
**Permit Number:** SAC 2020-01715





PROPOSED BUILDING  
FFE: 490-FT

JT-8A

PROPOSED BUILDING  
FFE: 490-FT

LIMITS OF DISTURBANCE

PROPOSED  
ROADWAY

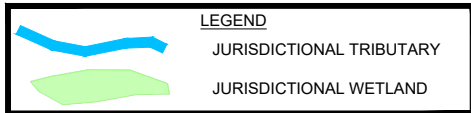
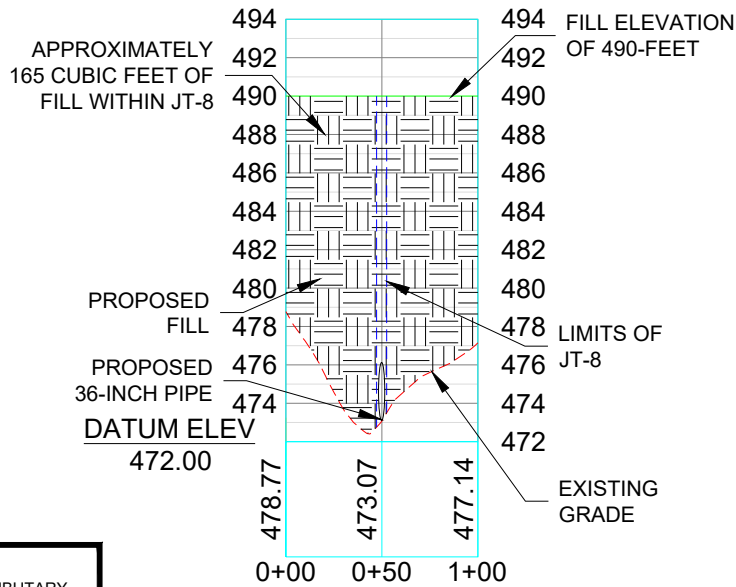
LIMITS OF DISTURBANCE

JT-12

PROPOSED  
36-INCH RCP PIPE  
CROSSING

0+00 0+50 1+00  
CROSS SECTION E

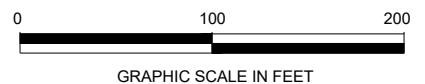
JT-8



REFERENCE:  
 Conceptual Site Plan for Project Magma  
 prepared by Alliance Consulting Engineers, Inc.  
 dated January 13, 2021



**Cross Section E**  
**Project Title:** Project Magma  
**Applicant:** SCDOT / J.M. Mullis, Inc.  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
**Permit Number:** SAC 2020-01715



### Permanent Impacts to Wetlands Summary

Wetland ID	Sheet No.	Type	Impact Type	Purpose	Acreage
JW-A	7, 16	PFO	Fill	Surface Parking (Trucks)	0.53
JW-B	7, 16	PFO/PSS	Fill	Surface Parking (Trucks)	0.56
JW-C	9	PFO	Fil	Rail Slopes	0.01
JW-D	8	PFO	Fill	Surface Parking (Autos)	0.004
JW-E	10, 18	PFO	Fill	Warehouse	0.13
				<b>Total</b>	<b>1.23</b>

JW = Jurisdictional Wetland

PFO – Palustrine Forested

PSS – Palustrine Scrub-Shrub

### Permanent Impacts to Tributaries Summary

Trib. ID	Sheet No.	Type	Impact Type	Purpose	Linear Feet
JT-1	7-8, 10-12, 14, 16-17	Perennial	Fill	Buildings, Parking, Rail Slopes	4,639
			Relocation	Rail Slopes	268
JT-2	7-8,	Perennial	Fill	Surface Parking (Trucks)	269
JT-3	8-9	Perennial	Fill	Surface Parking (Autos), Road, Rail	705
JT-4	10, 18	Seasonal	Fill	Warehouse, Building, Truck Docks, Rail	537
JT-5	10, 18	Seasonal	Fill	Warehouse	125
JT-6	12-13, 19	Perennial	Pipe	Road and Rail Spurs Crossings	544
			Armor	Rip-Rap	40
			Relocation	Rail Slopes	146
JT-8A	15, 20	Seasonal	Fill	Building	262
JT-8	15, 20	Perennial	Fill	Building	198
			Pipe	Road Crossing	150
			Armor	Rip-Rap	40
JT-12	15, 20	Seasonal	Culvert	Road Crossing	75
			Armor	Rip-Rap	20
				Total	8,018

JT = Jurisdictional Tributary

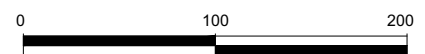
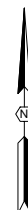
#### REFERENCE:

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dated January 13, 2021



### Impact Summary

**Project Title:** Project Magma  
**Applicant:** APPLICANT  
**Location:** Chester County, South Carolina  
**Date:** January 19, 2021  
**Permit Number:** SAC 2020-01715



GRAPHIC SCALE IN FEET