

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69 A Hagood Avenue
Charleston, South Carolina 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-2022-01224

January 5, 2023

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

Mr. Ryan Hyler
Daniel Island SS, LLC
1276 Assembly Street
Columbia, South Carolina 29201

Mr. Robert Bunch
Palmetto Environmental Consulting, Inc.
Post Office Box 1730
Lexington, South Carolina 29071
Robert.bunch@palmettoenv.com

for a permit to fill 0.499 acre of jurisdictional freshwater wetlands to construct a storage facility in

a wetland adjacent to Nowell Creek

located adjacent to Clements Ferry Road, approximately 304 feet to the southeast of the intersection of Forrest Drive and Clements Ferry Road in the city of Daniel Island in Berkeley County, South Carolina (Latitude: 32.8799 °, Longitude: -79.9291 °), North Charleston 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 construct a self-storage facility.

Project Description

The proposed work consists of placing 2,800 cubic yards of fill material into 0.49 acres of freshwater wetland to construct a storage facility building pad and parking. The proposed impacts to freshwater wetland are located adjacent to tidal wetlands.

Avoidance and Minimization

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by scaling down the site footprint of the building square footage. A typical self-storage facility would be upwards of a 33,000 square foot footprint with three stories. The applicant is proposing a 23,000 square foot building footprint with three stories. Additionally, stormwater detention has been designed to minimize the land area needed with most of the building runoff being detained and treated either above or below ground.

Proposed Compensatory Mitigation

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 5.6 in-kind credits from a Corps approved mitigation bank.

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 0.49 acres of freshwater wetlands adjacent to estuarine 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, the following species may be present in the County where the work will occur: frosted flatwoods salamander, American wood stork, red-cockaded woodpecker, Atlantic sturgeon, shortnose sturgeon, northern long-eared bat, West Indian manatee, American chaffseed, Canby's dropwort, and pondberry.

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 frosted flatwoods salamander, American wood stork, red-cockaded woodpecker, Atlantic sturgeon, shortnose sturgeon, West Indian manatee, American chaffseed, Canby's dropwort, and pondberry; and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect northern long-eared bat or 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.

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. 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-2022-01224), to Eileen.K.Foss@usace.army.mil or the following address:

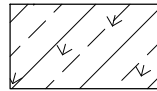
**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

If there are any questions concerning this public notice, please contact Eileen Foss, Project Manager, at 843-329-8037, toll free at 1-866-329-8187, or by email at Eileen.K.Foss@usace.army.mil.



PROJECT SUMMARY AND LEGEND

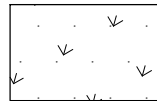
TOTAL PROJECT AREA: 4.26 ACRES
 JURISDICTIONAL WETLAND AREA: 3.39 ACRES



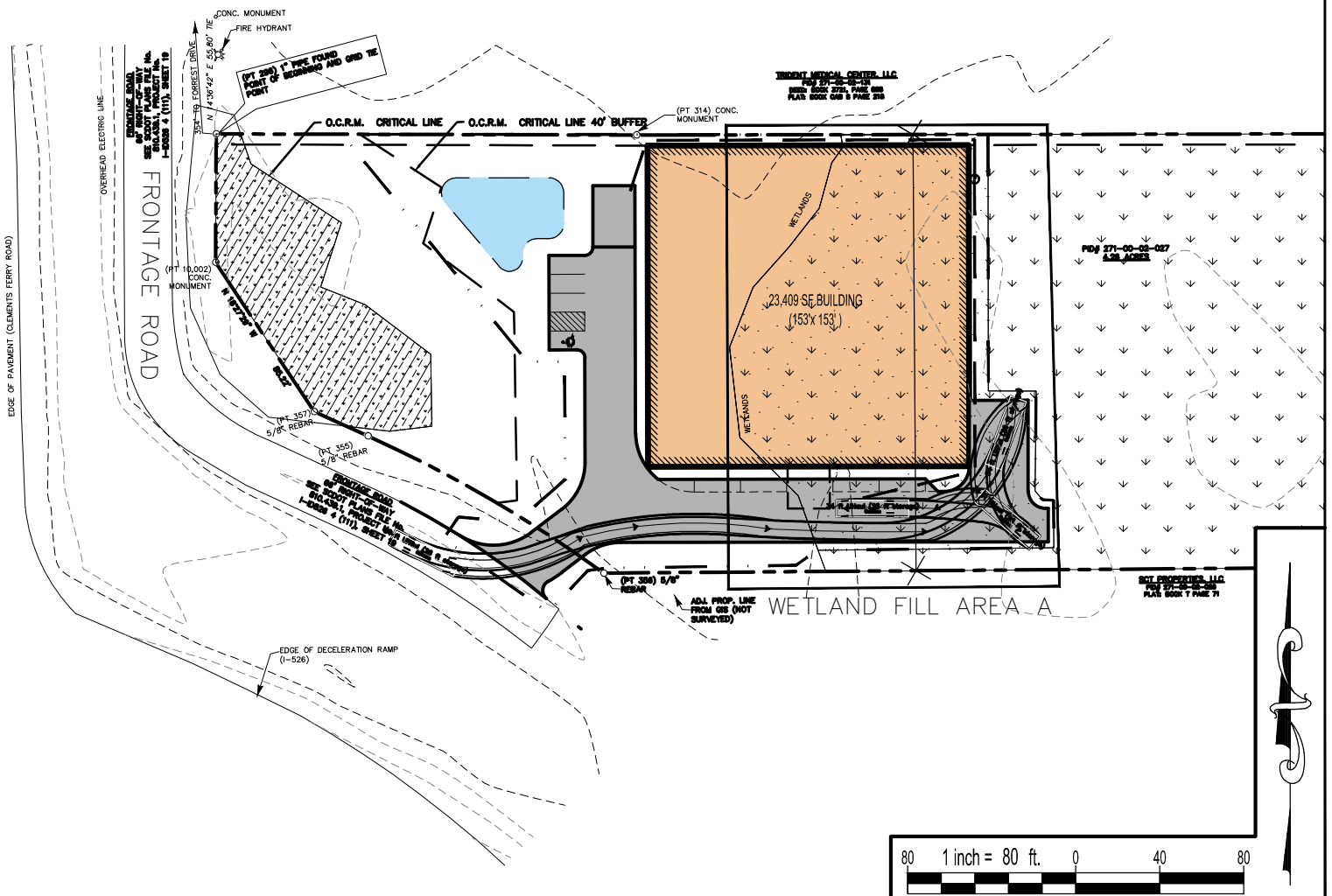
SALTWATER WETLANDS TO BE PRESERVED= 1.57 ACRES



FRESHWATER WETLANDS TO BE PRESERVED= 1.321 ACRES



FRESHWATER WETLANDS TO BE FILLED: 0.499 ACRES



1226 YEAMANS HALL ROAD
 HANAHAN, SC 29410
 843-566-0161
 ADCENGINEERING.COM

WETLAND FILL OVERALL WITH SITE PLAN

DANIEL ISLAND SELF STORAGE

PAGE 3

DATE: 09/13/2022

CHARLESTON, SOUTH CAROLINA

REF:

ADC PROJECT#: 21128

PROJECT SUMMARY AND LEGEND

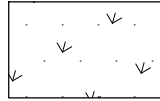
**2800 CUBIC
YARDS OF FILL**

TOTAL PROJECT AREA: 4.26 ACRES
JURISDICTIONAL WETLAND AREA: 3.39 ACRES

TRIDENT MEDICAL CENTER, LLC
PID# 271-00-02-131
DEED: BOOK 3721, PAGE 855
PLAT: BOOK CAB S PAGE 218

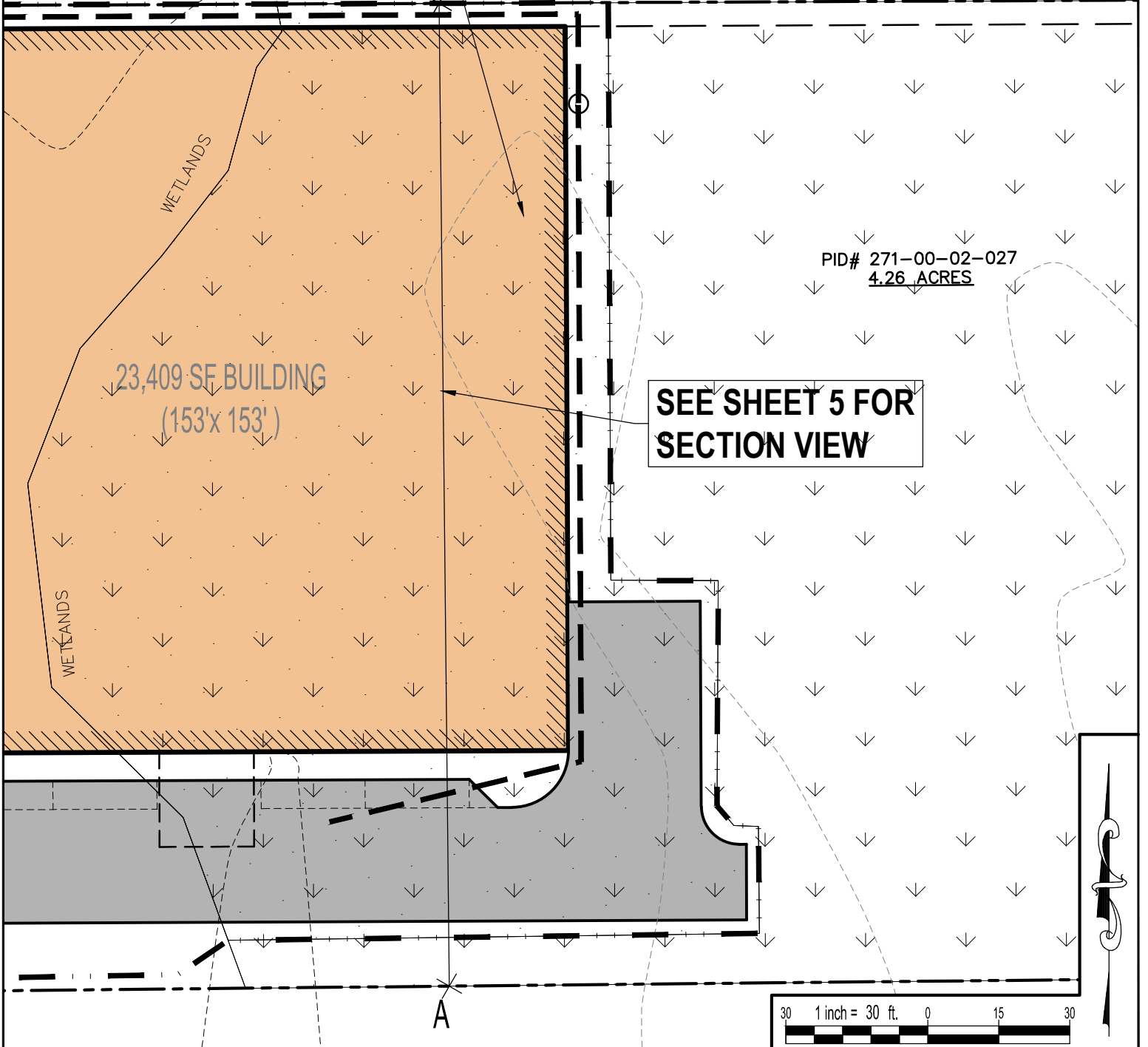


FRESHWATER WETLANDS



FRESHWATER WETLANDS TO BE
FILLED: 0.499 ACRES

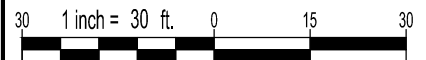
ONC.



PID# 271-00-02-027
4.26 ACRES

23,409 SF BUILDING
(153'x 153')

**SEE SHEET 5 FOR
SECTION VIEW**



1226 YEAMANS HALL ROAD
HANAHAN, SC 29410
843-566-0161
ADCENGINEERING.COM

WETLAND FILL AREA

DANIEL ISLAND SELF STORAGE

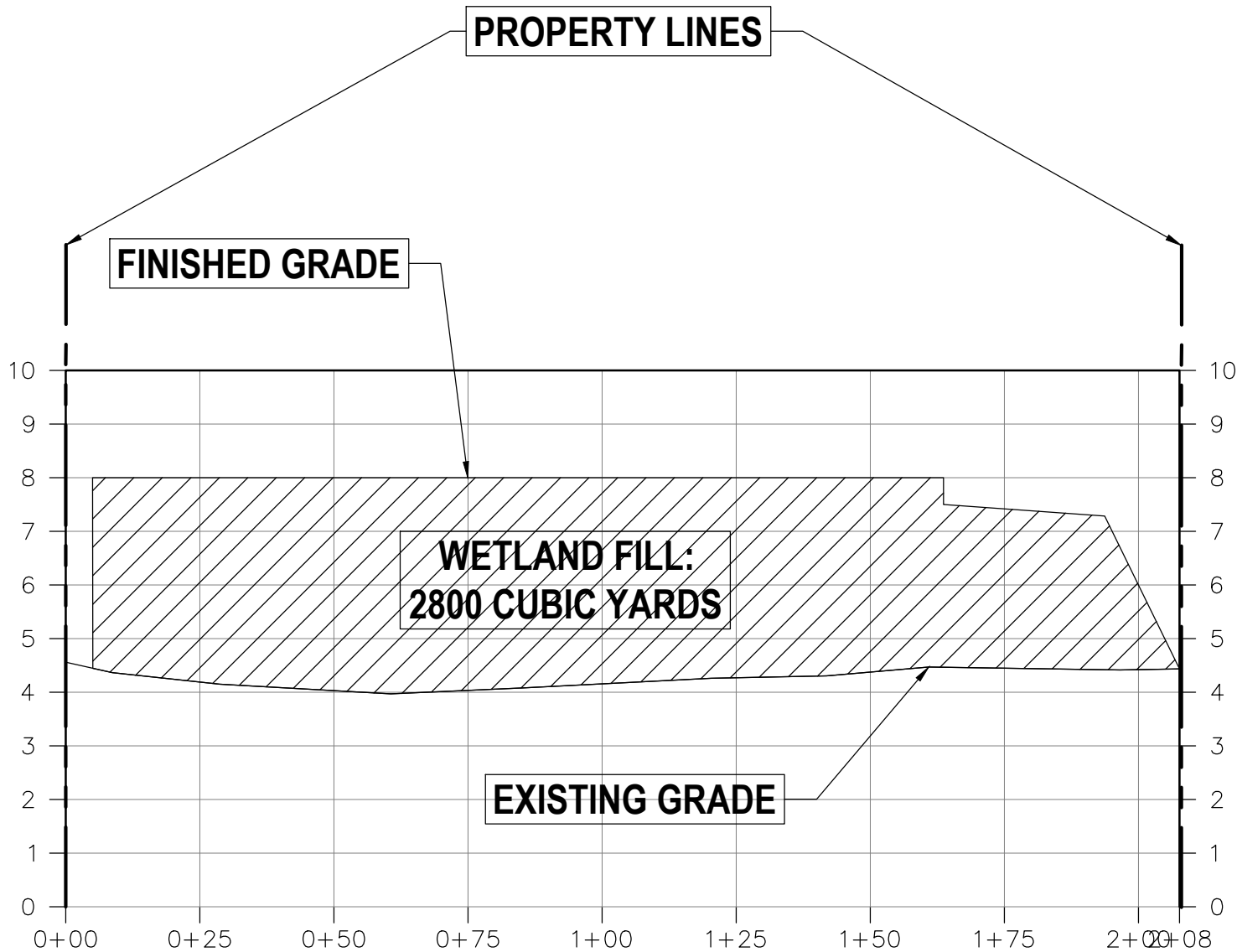
PAGE 4

DATE: 09/13/2022

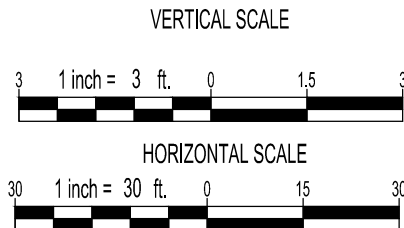
CHARLESTON, SOUTH CAROLINA

REF:

ADC PROJECT#: 21128



WETLAND FILL SECTION PROFILE



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 843-566-0161
 ADCENGINEERING.COM

WETLAND FILL SECTION

DANIEL ISLAND SELF STORAGE

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DATE: 09/13/2022

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