

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: SAC-2022-00571

January 12, 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. Eric Meyer
Weber USA Corporation
230 Seven Farms Drive, Suite 103
Charleston, South Carolina 29492

c/o

JD Collins
Sabine & Waters, Inc.
PO Box 1072
Summerville, South Carolina 29484
jcollins@sabinc.net

for a permit to construct a mixed-use development adjacent to

McChune Branch

located on a 1,700 acre tract between Palmetto Commerce Parkway in North Charleston, Charleston County, South Carolina (Latitude: 32.9593 °, Longitude: -80.0773°), Ladson 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.

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 mixed use town center type community with compatible zoning and infrastructure in place, with direct access to retail, housing, office space and hospitals, as well as being in close proximity to current and planned large scale manufacturing facilities to meet the needs of the rapidly growing Tri-County area of South Carolina.

Project Description

The proposed work consists of the discharge of fill material into and the excavation of material from wetlands to construct a town center type mixed use development, with affordable multi-family housing, restaurants, and retail and office space. In detail, the applicant proposes to impact a total of 19.24 acres of jurisdictional wetlands and other aquatic resources, which includes 0.06 acre of stream impacts. Specifically, the applicant proposes the discharge of 90,600 cubic yards of fill material into 16.37 acres of freshwater wetlands and other waters of the U.S, and the excavation of 26,225 cubic yards of material from 2.87 acres of freshwater wetlands to construct the development.

The project area includes a portion of the previously authorized Palmetto Commerce Interchange, Department of the Army Permit SAC-2018-00160.

The applicant stated that the Palmetto Commerce Interchange will feed directly into the proposed community allowing opportunities to generate revenue from residents in other areas of Charleston, Berkeley and Dorchester counties. For those working in other areas but living in the Ingleside community, it will also provide direct access to I-26, thus helping to minimize or alleviate heavy use traffic on secondary roads. Palmetto Commerce has

approximately 10,000 jobs between Boeings three facilities, Mercedes Benz, Roper St. Francis, Cummins etc.). The interchange is critical to alleviating the building traffic caused by the employees of these multi-national corporations. All of the jobs will also use the services and provide housing opportunities in the nearby permit area.

Avoidance and Minimization

The applicant has stated that the proposed project was evaluated to avoid and minimize impacts to the aquatic environment to the maximum extent practicable for feasible development. All necessary utilities would be located within the footprint of the road, the proposed stormwater ponds will be fully stabilized with 3:1 slopes, and silt fences will be placed along construction areas and kept in place until the area has stabilized.

Proposed Compensatory Mitigation

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 150.5 wetland credits and 346.5 stream credits from the Palmetto Umbrella Mitigation Bank- Big Run Site. In addition, the applicant has proposed to preserve the remaining 148.81 acres of wetlands, 1.61 acres (3,892 linear feet) of tributaries, and 18.73 acre of upland buffers through restrictive covenants. The proposed mitigation qualifies for the 25% reduction in amount of wetland and stream credits to be purchased. The wetland credits are reduced from 200.6 to 150.5 and stream credits reduced from 462 to 346.5.

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 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

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 19.24 acres of freshwater wetlands upstream and

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, the following species may be present in the County(s) where the work will occur: Frosted flatwoods salamander, American wood stork, Bachman's warbler, Eastern black rail, piping plover, red-cockaded woodpecker, Rufa red knot, Atlantic sturgeon, shortnose sturgeon, finback whale, humpback whale, Northern long-eared bat, North Atlantic right whale, sei whale, sperm whale, West Indian manatee, American chaffseed, Canby's dropwort, pondberry, seabeach amaranth, green sea turtle, Kemp's Ridley sea turtle, leatherback sea turtle, and loggerhead sea turtle.

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 the frosted flatwoods salamander, Bachman's warbler, Eastern black rail, piping plover, Rufa red knot, red-cockaded woodpecker, Atlantic sturgeon, shortnose sturgeon, the whales, West Indian Manatee, American chaffseed, Canby's dropwort, pondberry, seabeach amaranth, or the sea turtles, and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect the American wood stork or the 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 for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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

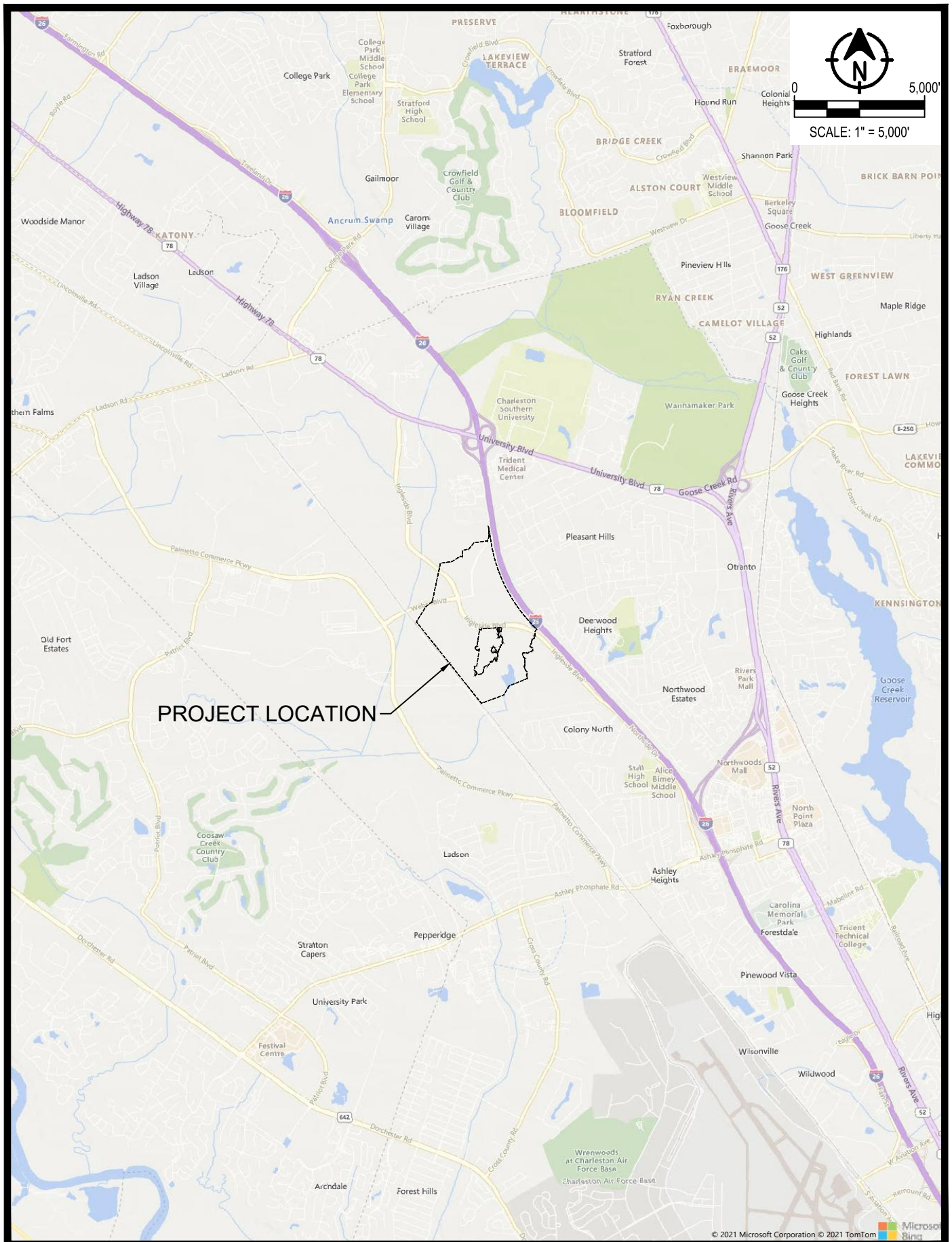
this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement 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-2022-00571), to Tracy.d.sanders@usace.army.mil or 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 Sanders, Project Manager, at (843) 329-8190, or by email at Tracy.d.sanders@usace.army.mil.

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PROJECT LOCATION

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 2971 W. MONTAGUE AVE., STE. 101
 NORTH CHARLESTON, SC 29418
 P: 843.297.4103

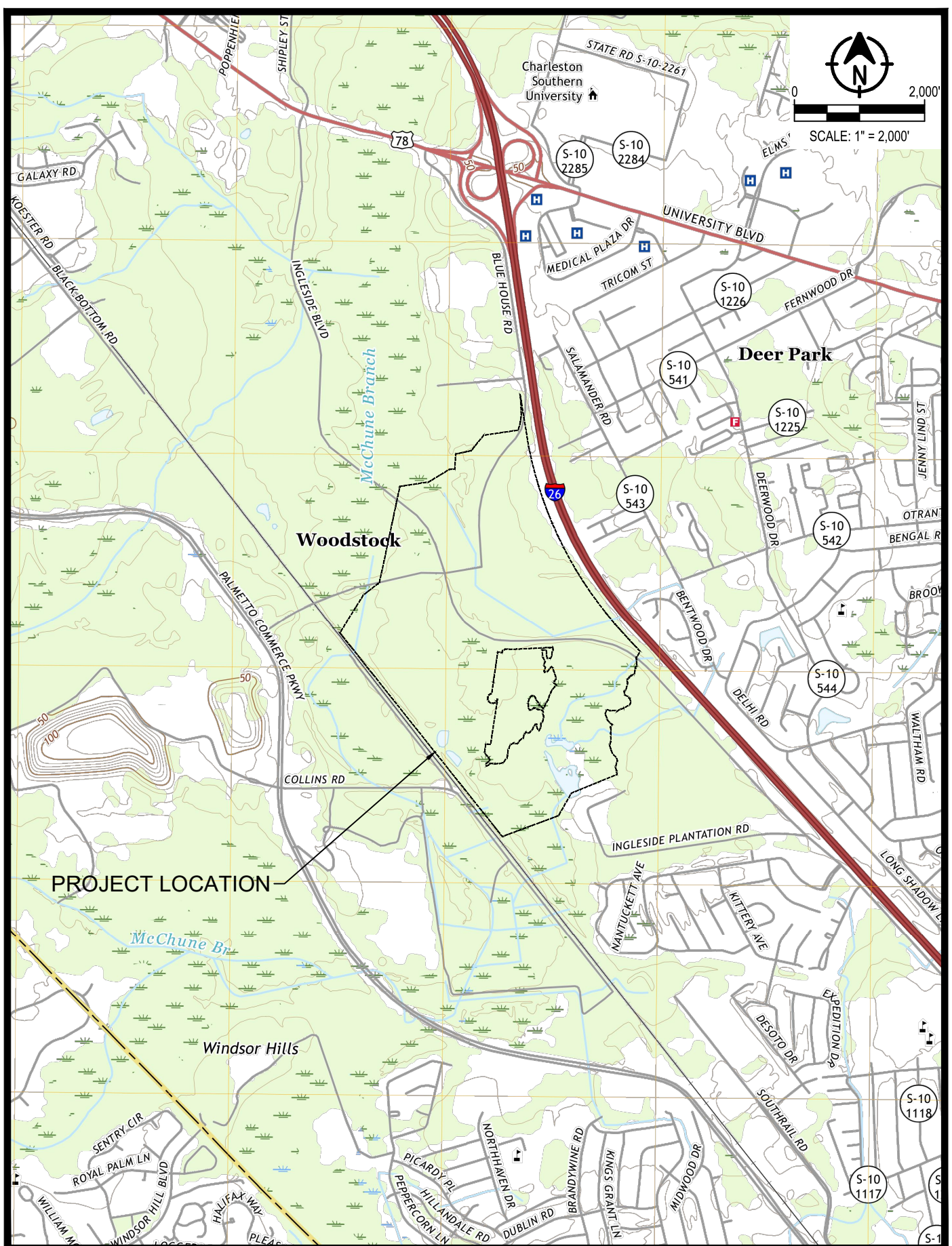
Project Owner: WEBER USA CORPORATION
Drawing Title: LOCATION MAP

Project Title: INGLESIDE WETLAND MASTER PLAN
Project Location: NORTH CHARLESTON, SC

Rever Project No.: 400405.00
Date: 03/24/2022
EXHIBIT 1
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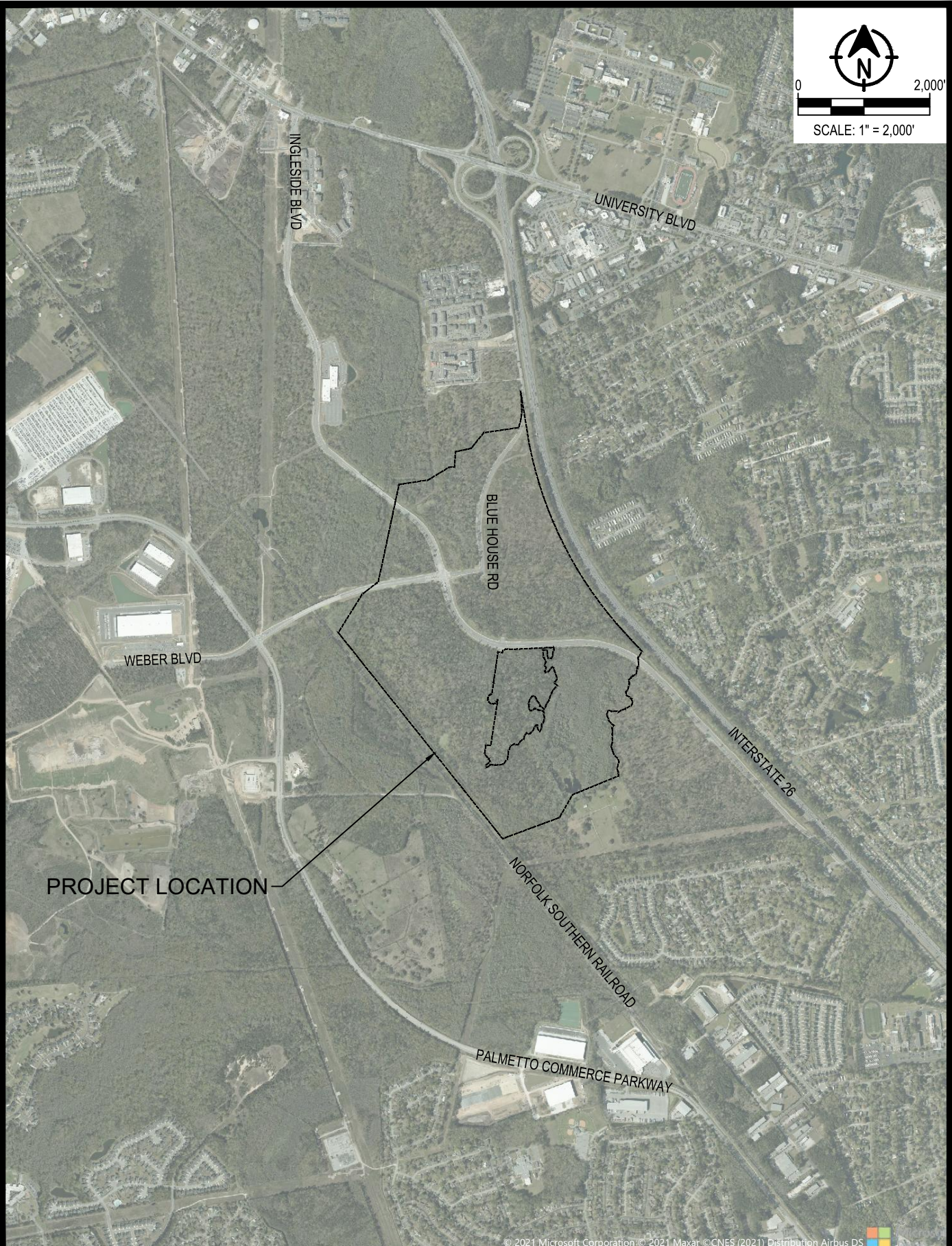

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Project Owner: WEBER USA CORPORATION
Drawing Title: USGS TOPOGRAPHIC MAP

Project Title: INGLESIDE WETLAND MASTER PLAN
Project Location: NORTH CHARLESTON, SC

Rever Project No.: 400405.00
Date: 03/24/2022
EXHIBIT 2
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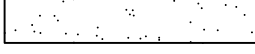
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Drawing Title: VICINITY MAP

Project Title: INGLESIDE WETLAND MASTER PLAN
Project Location: NORTH CHARLESTON, SC

Rever Project No.: 400405.00
Date: 03/24/2022
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LEGEND

DESCRIPTION	SYMBOL	TOTAL AREA/VOLUME/LF
PROPERTY BOUNDARY	— PLx — PLx —	N/A
RIGHT OF WAY	— RWx — RWx —	N/A
PROJECT LIMITS	- - - - -	352.09 ACRES
WETLAND		168.05 ACRES
WETLAND TO BE IMPACTED		19.24 ACRES
WETLAND TO BE PRESERVED		148.81 ACRES
BUFFER TO BE PRESERVED		18.73 ACRES
NWW TOTAL*	- - - - - > - - -	1.67 ACRES 4,032 LF
NWW IMPACTED*	- - - - - > - - -	0.06 ACRES 140 LF
NWW PRESERVED*	- - - - - > - - -	1.61 ACRES 3,892 LF
EXCAVATION IMPACT		2.87 ACRES 26,225 CY
FILL IMPACT		16.37 ACRES 90,600 CY

*NWW = NON WETLAND WATER

PROPERTY DATA TABLE

TRACT NO.	PROPERTY OWNER	PHYSICAL ADDRESS	TAX MAP REFERENCE
1	WEBER USA CORPORATION	INGLESIDE DR	393-00-00-131
2	WEBER USA CORPORATION	NORTHSIDE DR	393-00-00-132
3	OTTO-LILENTHAL STRASSE ASSOCIATES LLC	NORTHSIDE DR	393-00-00-452
4	WEBER USA CORPORATION	NORTHSIDE DR	393-00-00-138
5	OTTO-LILENTHAL STRASSE ASSOCIATES LLC	NORTHSIDE DR	393-00-00-136
6	OTTO-LILENTHAL STRASSE ASSOCIATES LLC	NORTHSIDE DR	393-00-00-082
7	OTTO-LILENTHAL STRASSE ASSOCIATES LLC	NORTHSIDE DR	393-00-00-082
8	WEBER USA CORPORATION	3700 INGLESIDE BLVD	393-00-00-465
9	3000 CYPRESS LAKE SC PROPERTY OWNER LLC	2501 INGLESIDE BLVD	393-00-00-464
10	WEBER USA CORPORATION	INGLESIDE BLVD	393-00-00-092

DEVELOPMENT SUMMARY

RETAIL/RESTAURANT	580,100 SF
MULTI-FAMILY	850 UNITS
HOTEL	390 ROOMS
PARKING GARAGE	45,000 SF



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P: 843.297.4103

Project Owner:
WEBER USA CORPORATION

Project Title:
INGLESIDE WETLAND MASTER PLAN

Reveer Project No.:
400405.00

Date:
03/24/2022

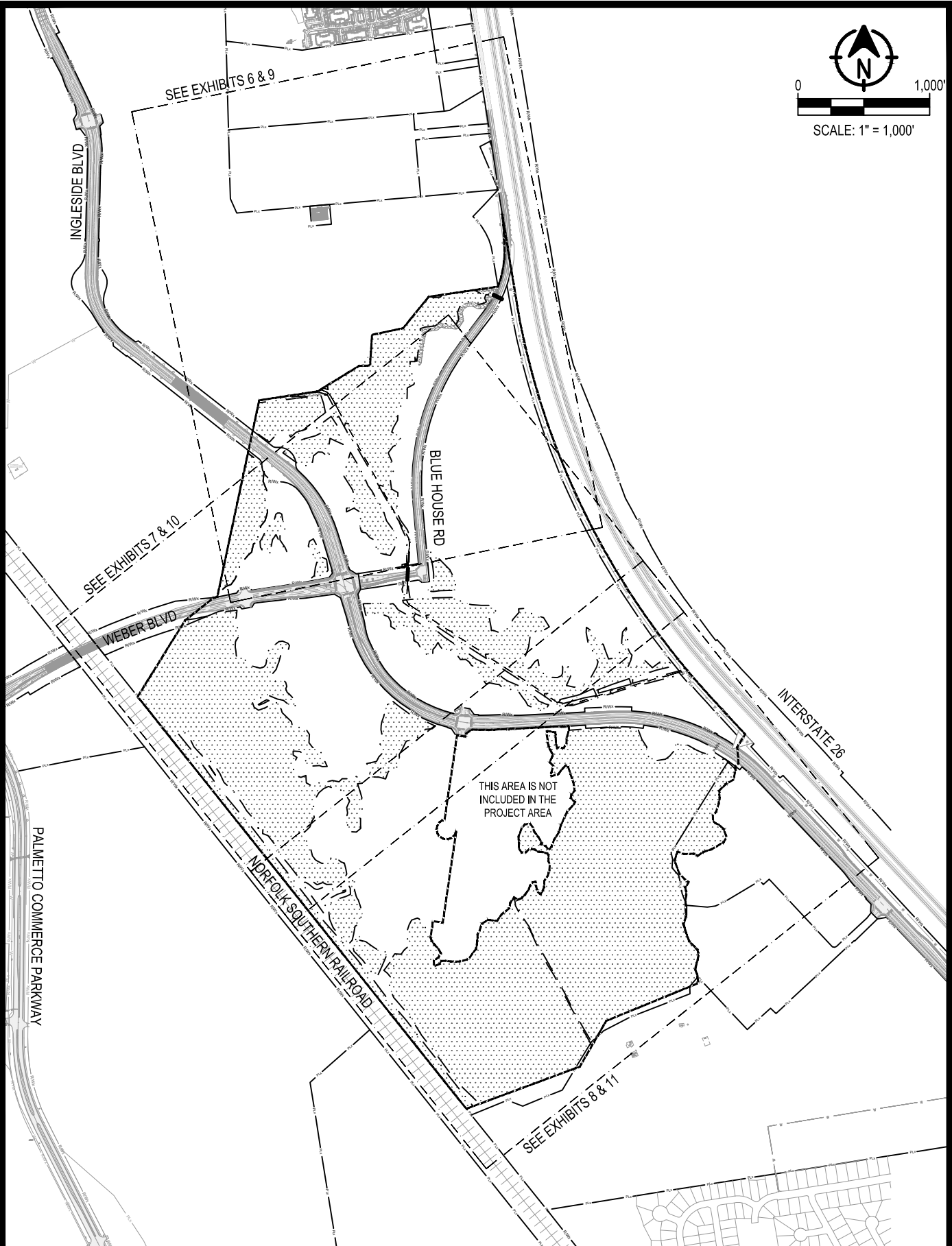
Drawing Title:
LEGEND AND NOTES

Project Location:
NORTH CHARLESTON, SC

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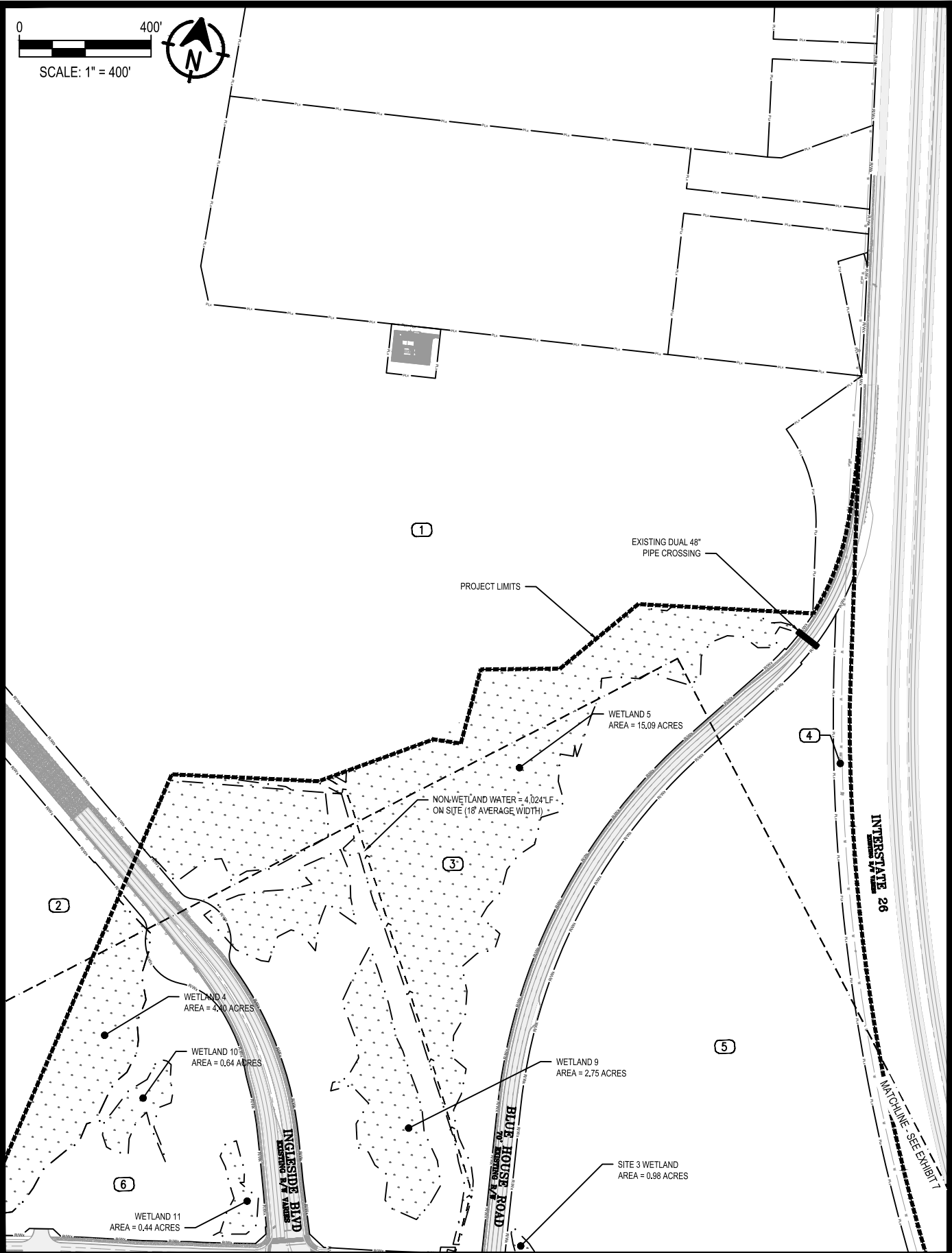

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Project Owner: WEBER USA CORPORATION
Drawing Title: SHEET LAYOUT BREAKDOWN

Project Title: INGLESIDE WETLAND MASTER PLAN
Project Location: NORTH CHARLESTON, SC

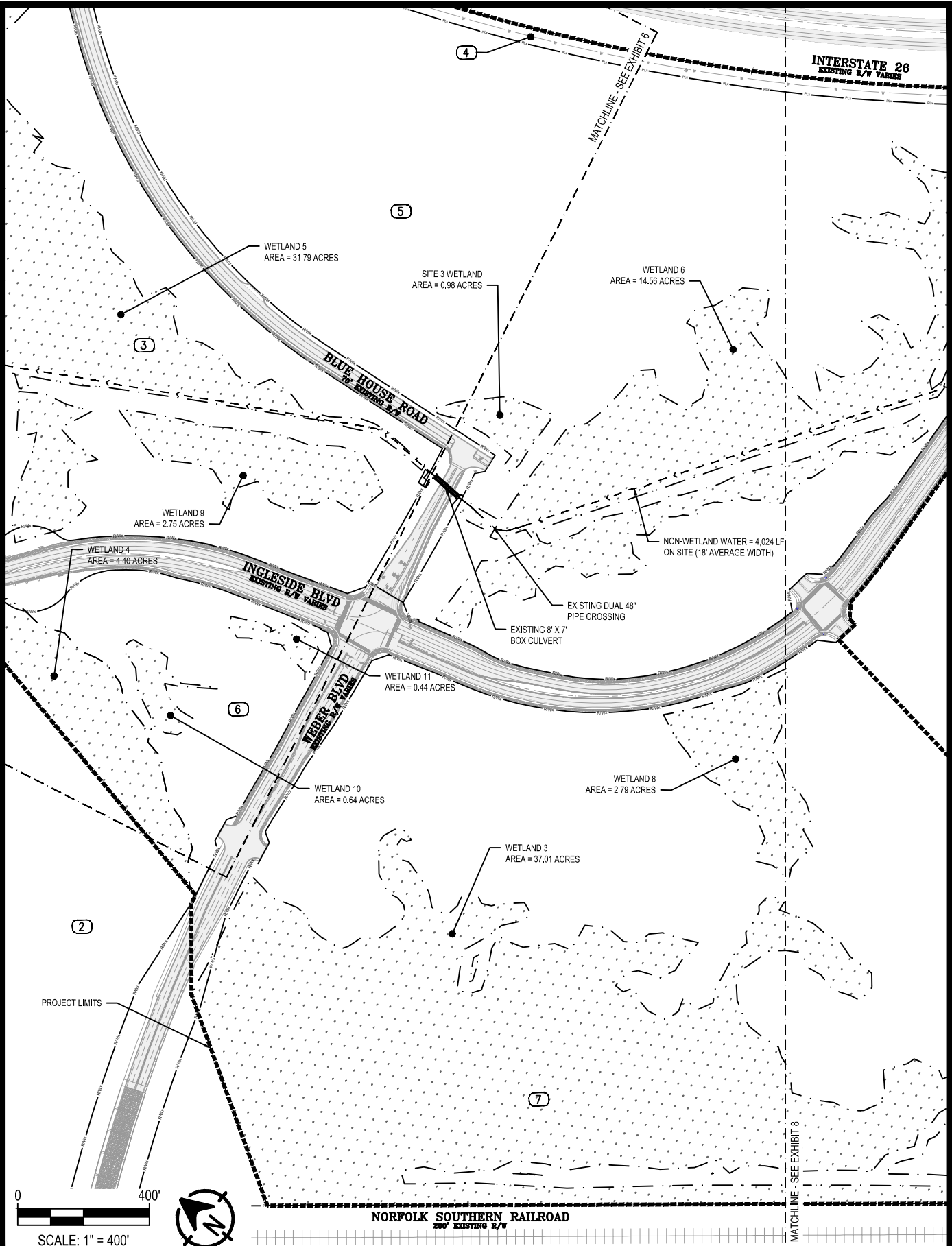
Rever Project No.: 400405.00
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	Drawing Title: EXISTING CONDITIONS	Project Location: NORTH CHARLESTON, SC	Date: 03/24/2022
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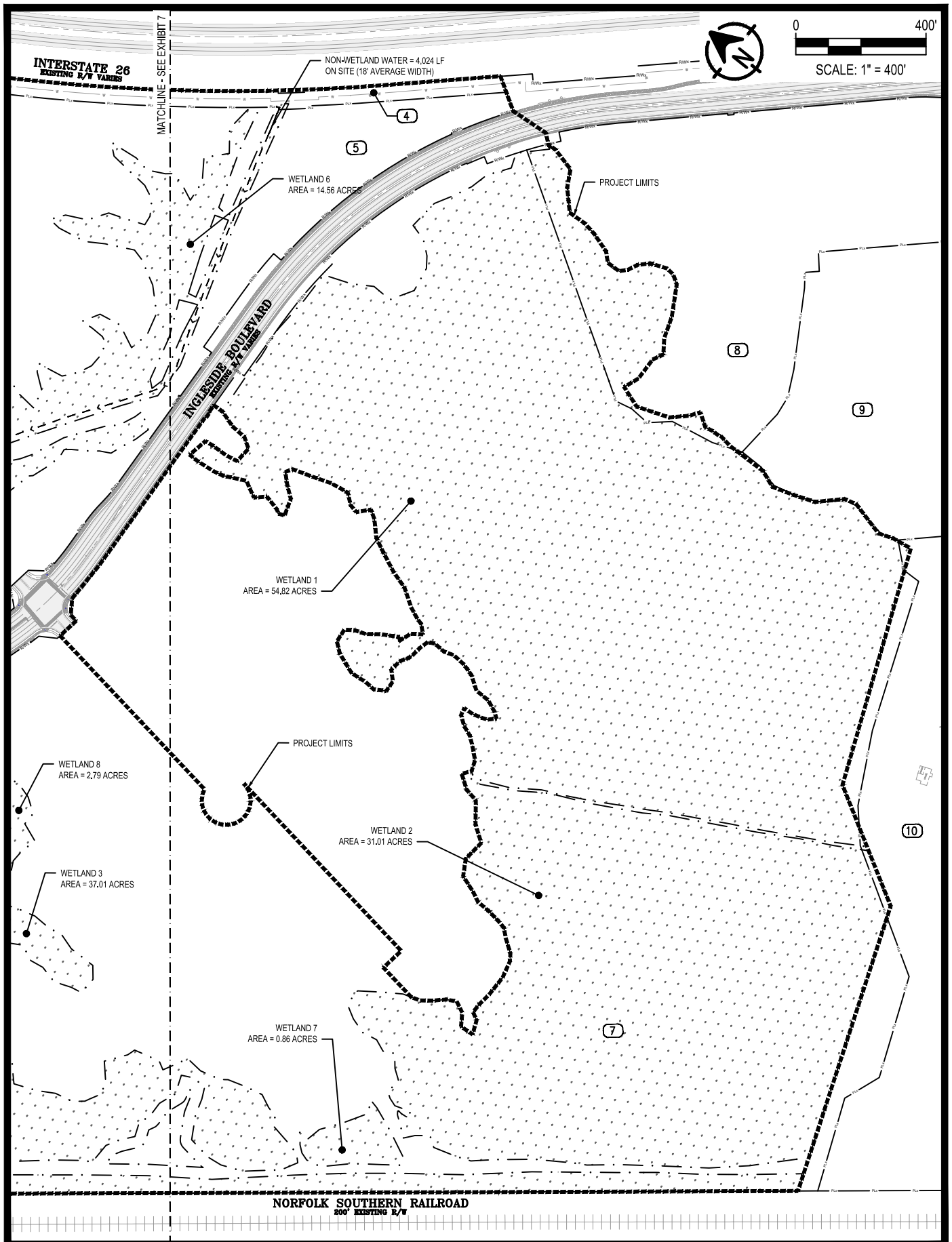
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Drawing Title: EXISTING CONDITIONS	Project Location: NORTH CHARLESTON, SC

Rever Project No.: 400405.00
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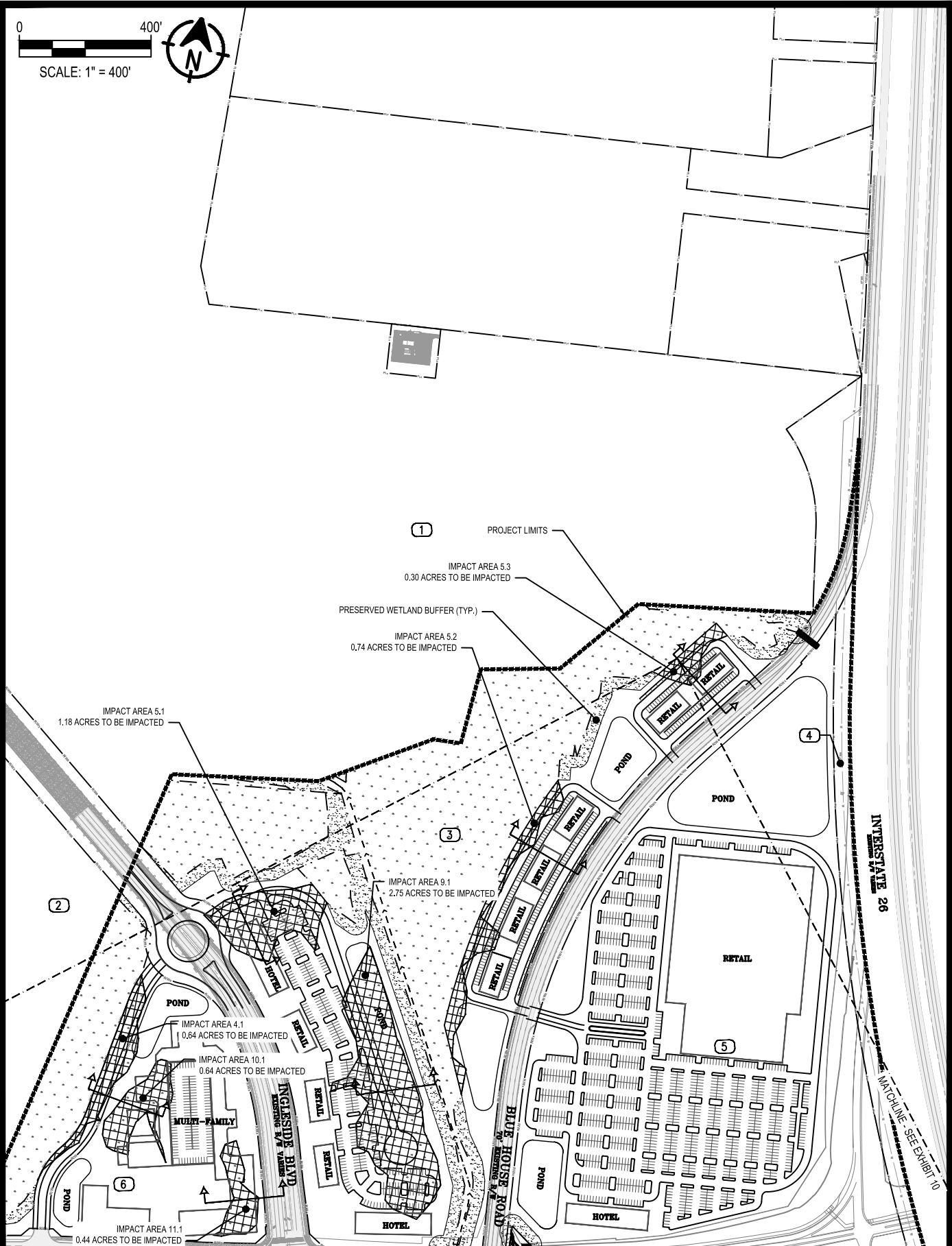
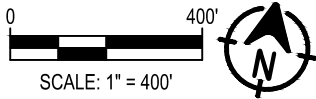


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Drawing Title: EXISTING CONDITIONS

Project Title: INGLESIDE WETLAND MASTER PLAN
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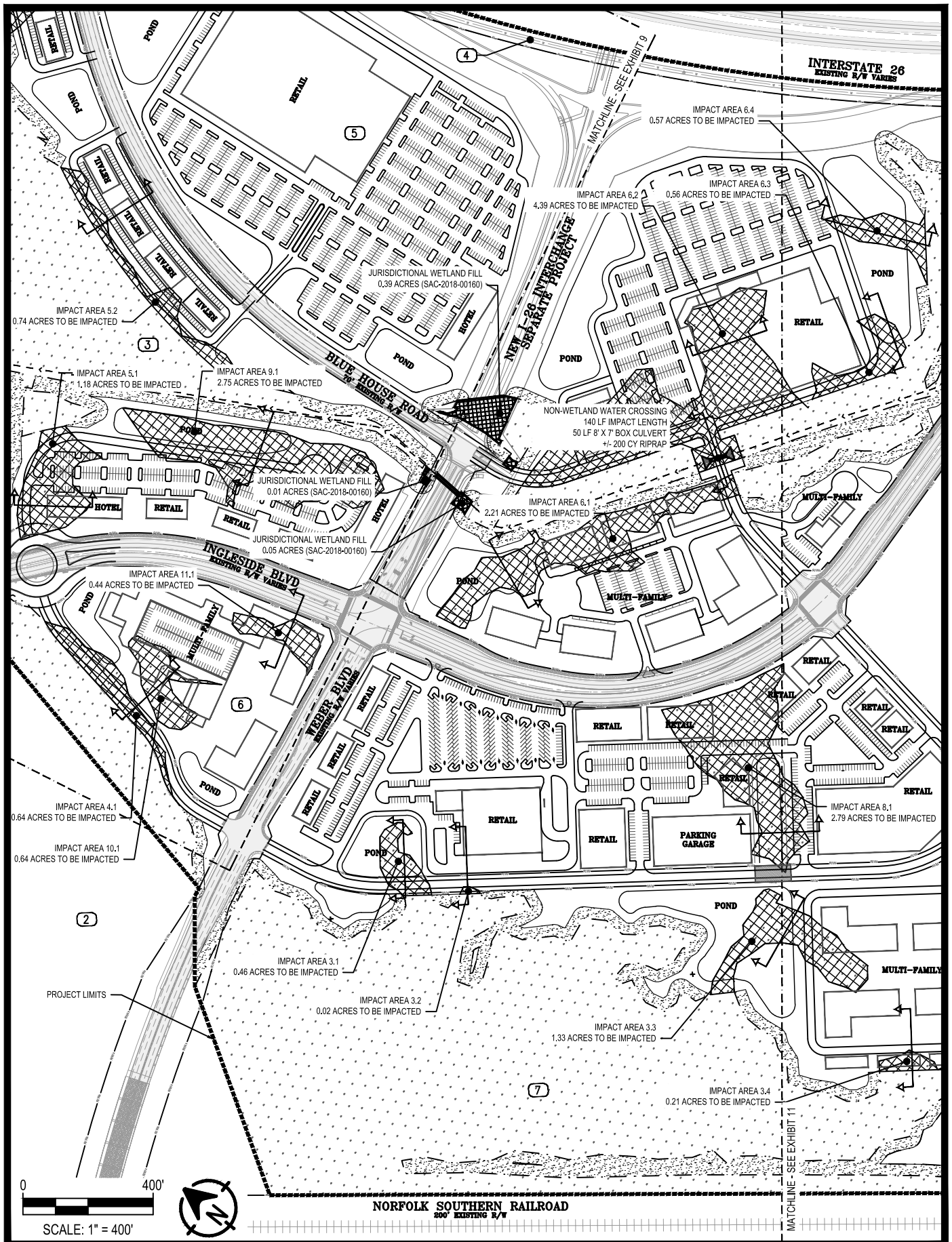
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Project Owner: WEBER USA CORPORATION	Project Title: INGLESIDE WETLAND MASTER PLAN
Drawing Title: PROPOSED DEVELOPMENT	Project Location: NORTH CHARLESTON, SC

Rever Project No.: 400405.00
Date: 01/10/2023
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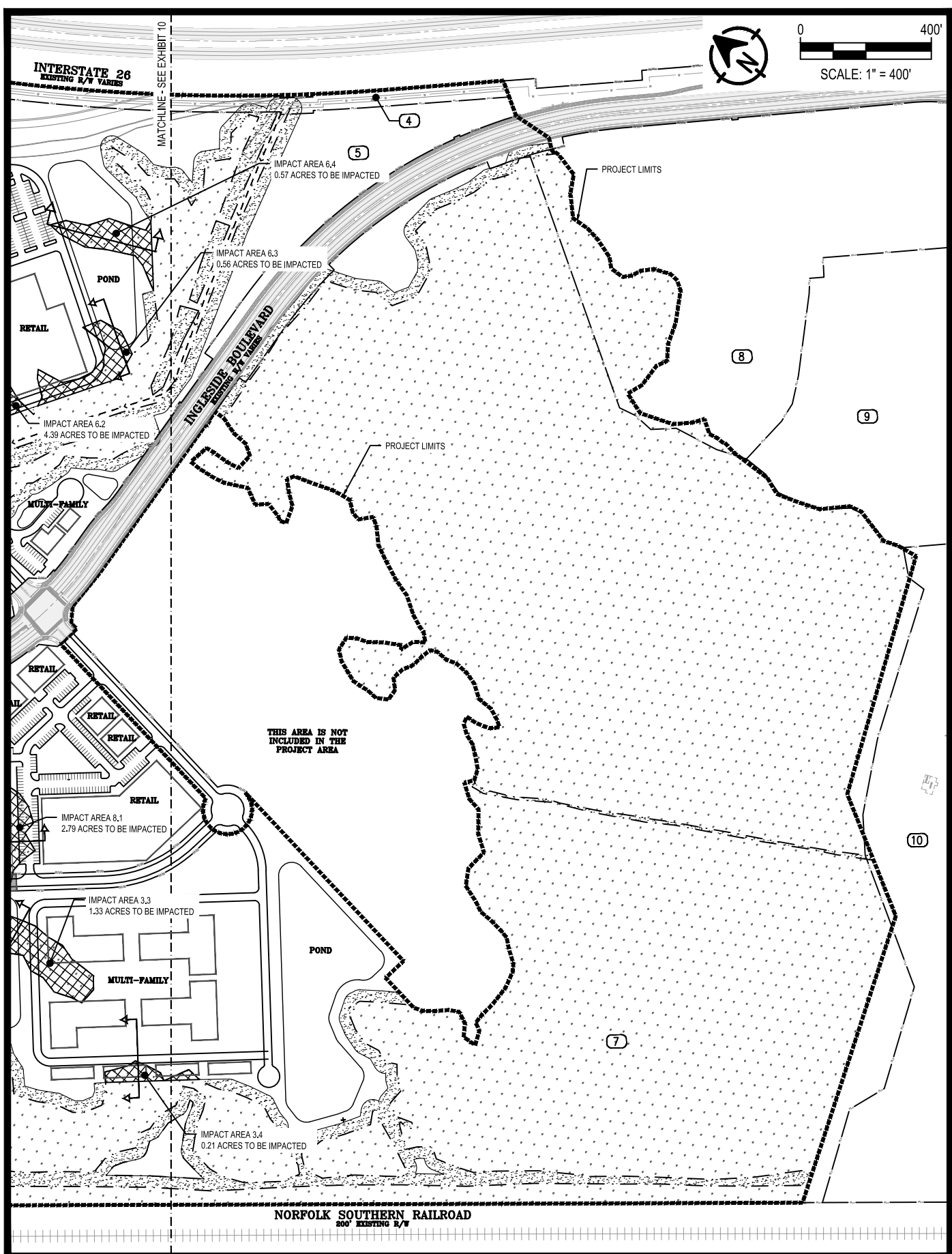
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Project Owner: WEBER USA CORPORATION	Project Title: INGLESIDE WETLAND MASTER PLAN
Drawing Title: PROPOSED DEVELOPMENT	Project Location: NORTH CHARLESTON, SC

Reveer Project No.: 400405.00
Date: 01/10/2023
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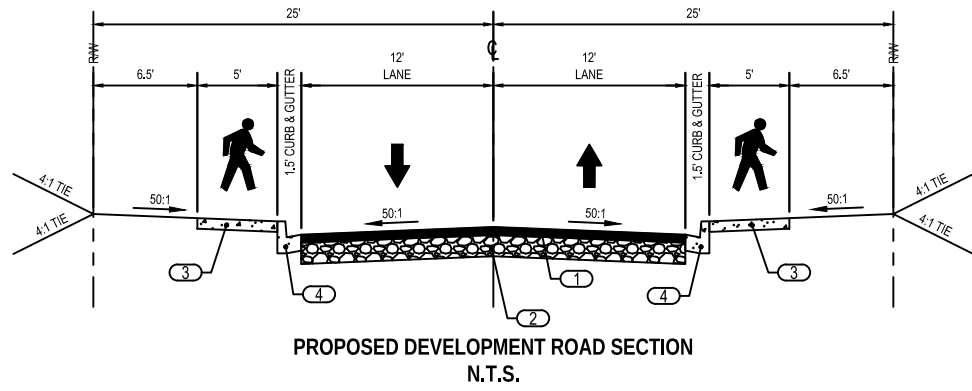
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Project Owner: WEBER USA CORPORATION	Project Title: INGLESIDE WETLAND MASTER PLAN
Drawing Title: PROPOSED DEVELOPMENT	Project Location: NORTH CHARLESTON, SC

Reveer Project No.: 400405.00
Date: 01/10/2023
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LEGEND	
	1 ASPHALT SURFACE COURSE TYPE B (3" UNIFORM)
	2 GRADED AGGREGATE BASE COURSE (8" UNIFORM)
	3 CONCRETE SIDEWALK (4" UNIFORM, 2% MAX. CROSS SLOPE)
	4 CONCRETE CURB & GUTTER (18" VERTICAL FACE)

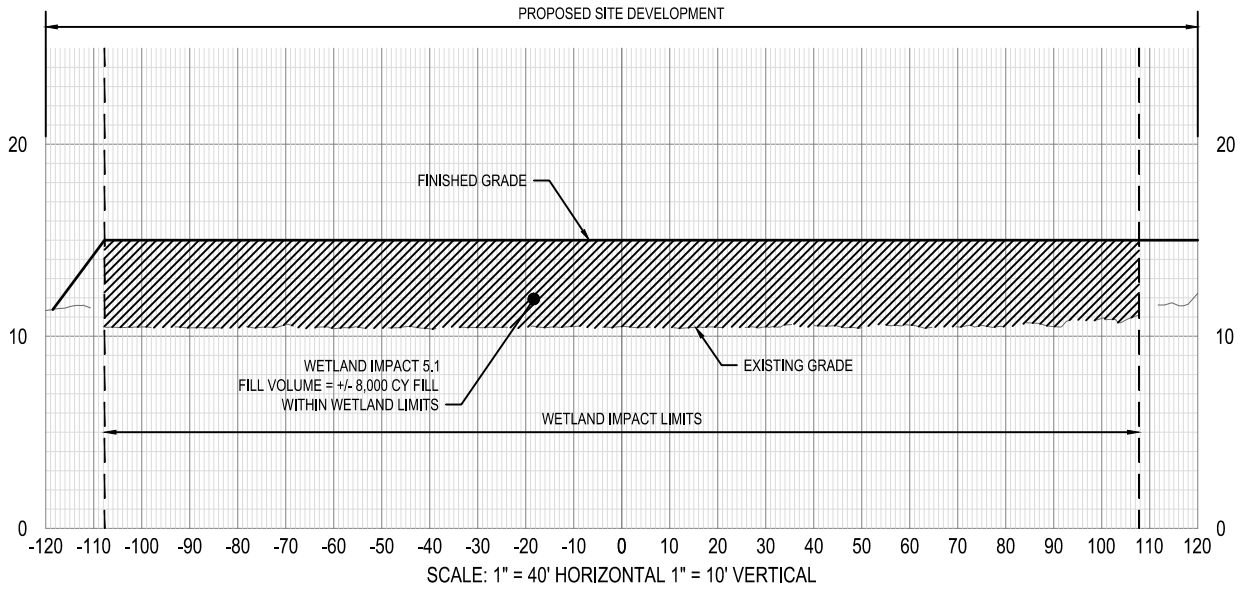
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Project Owner: WEBER USA CORPORATION
Drawing Title: ROADWAY TYPICAL SECTION

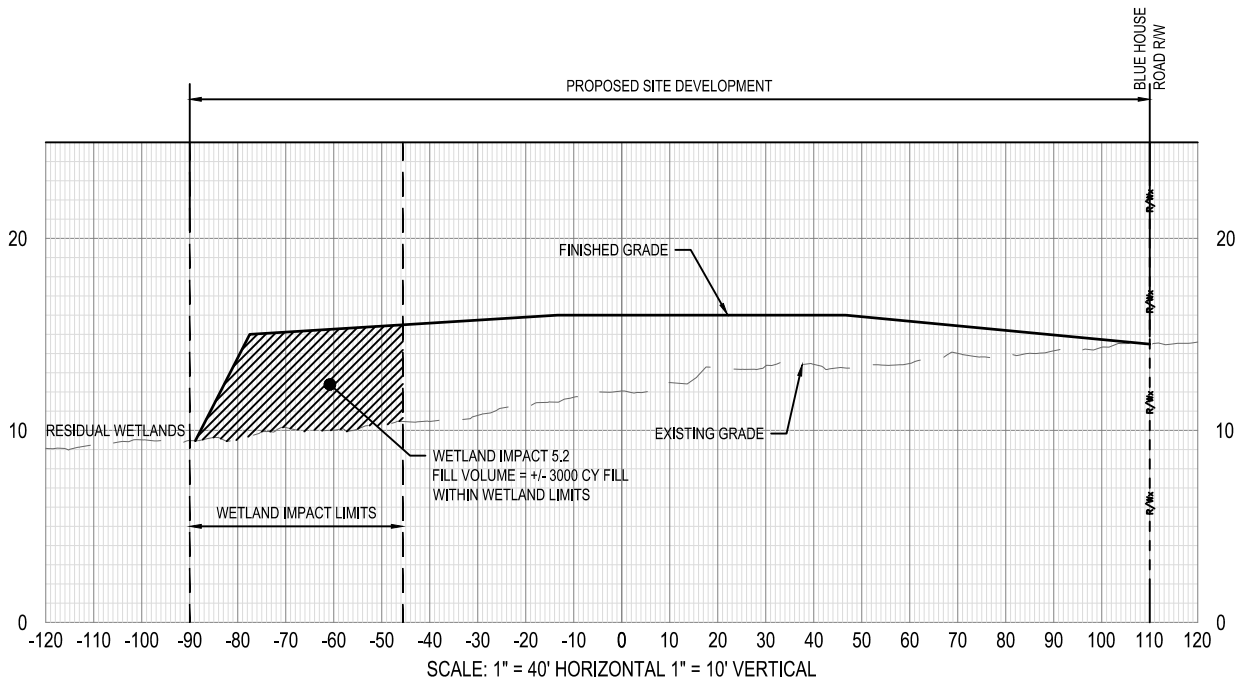
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WETLAND IMPACT 5.1



WETLAND IMPACT 5.2

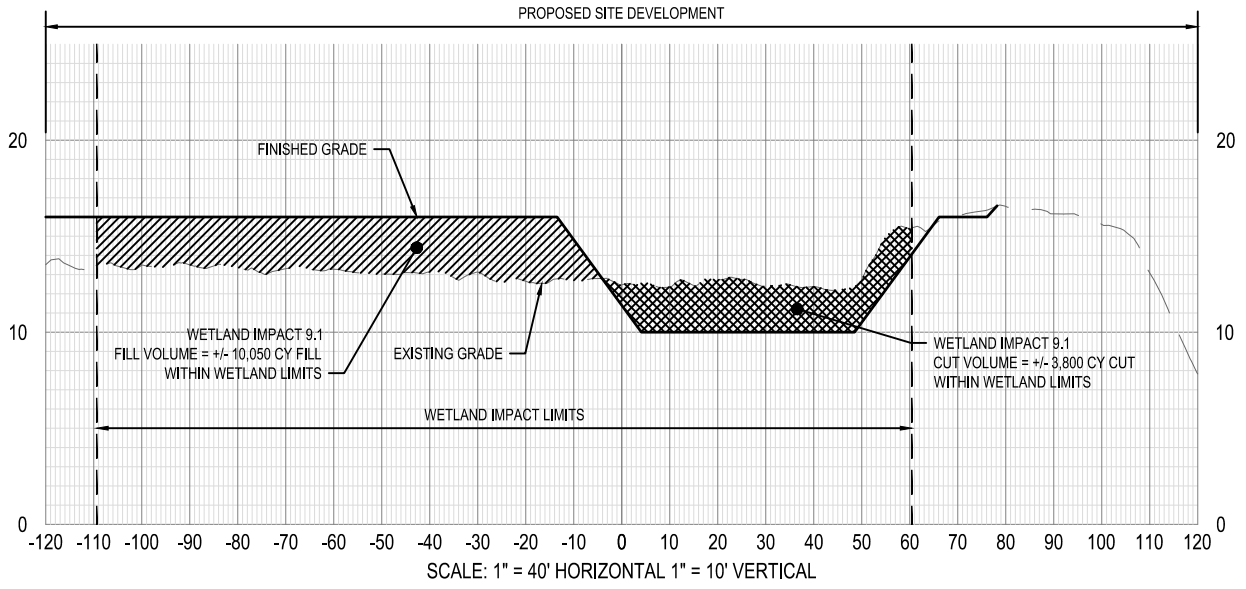


Project Owner: WEBER USA CORPORATION	Project Title: INGLESIDE WETLAND MASTER PLAN
Drawing Title: WETLAND IMPACT CROSS SECTIONS	Project Location: NORTH CHARLESTON, SC

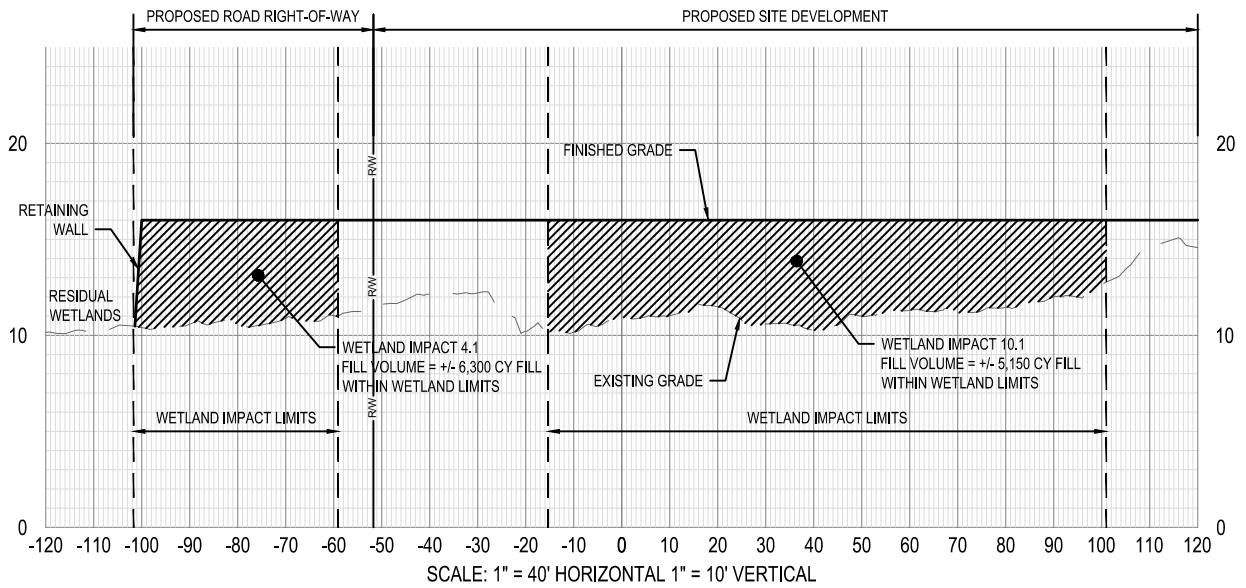
Reveer Project No.: 400405.00
Date: 03/24/2022
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WETLAND IMPACT 9.1

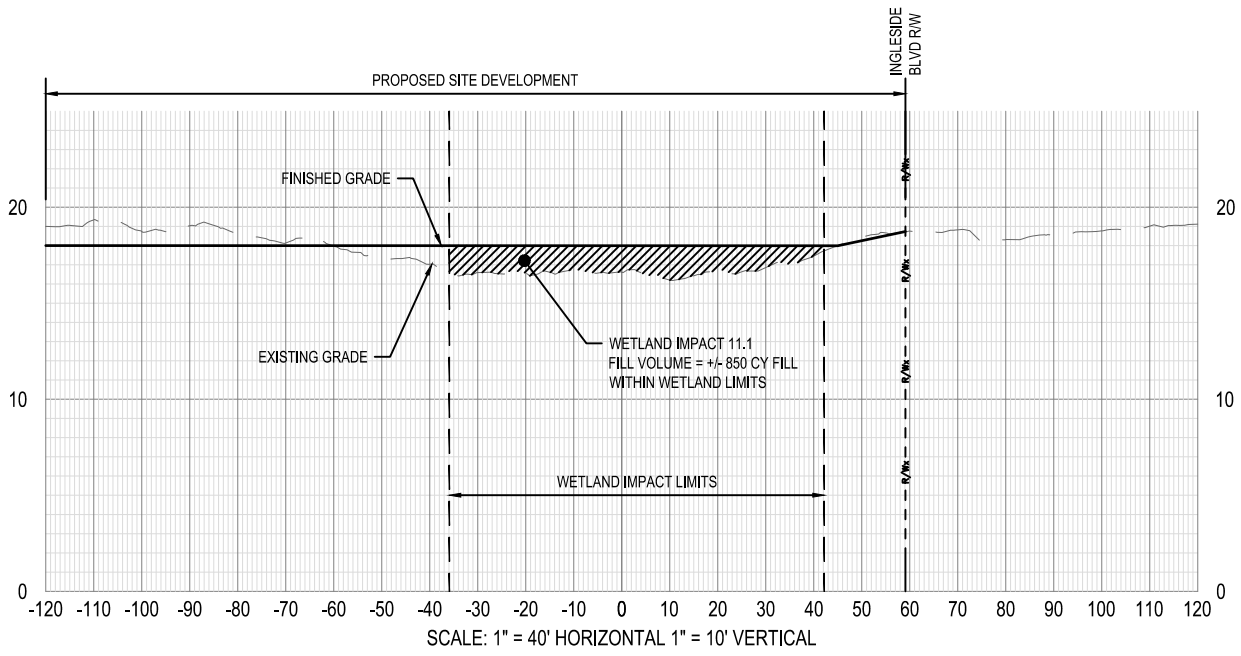


WETLAND IMPACTS 4.1 & 10.1

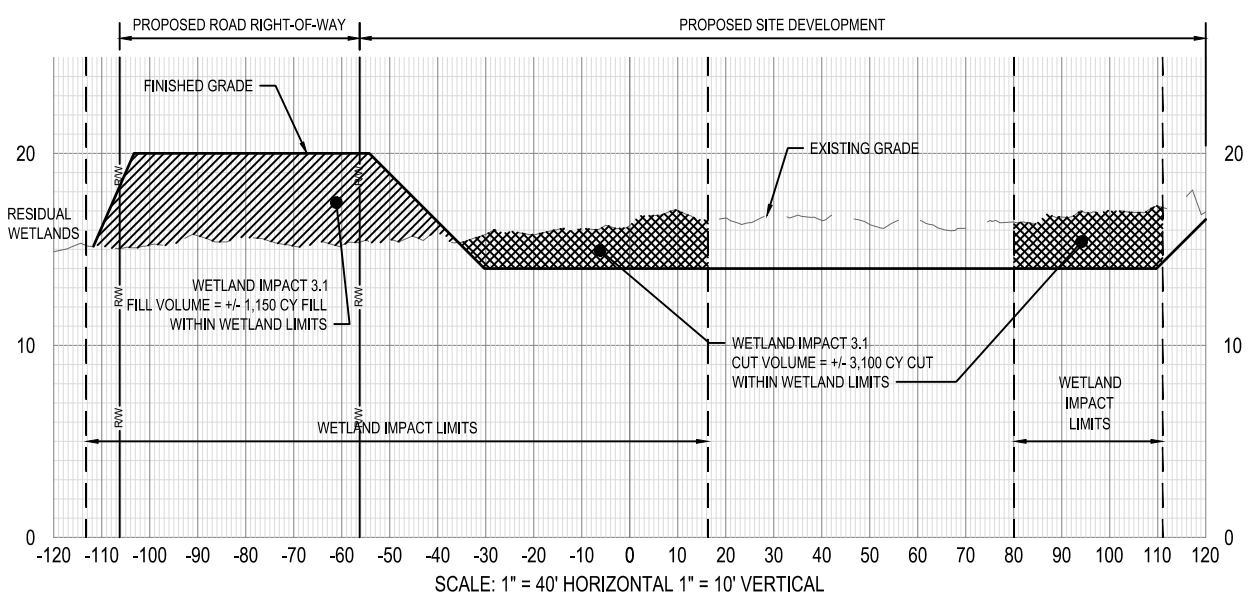


Project Owner: WEBER USA CORPORATION	Project Title: INGLESIDE WETLAND MASTER PLAN	Reveer Project No.: 400405.00
Drawing Title: WETLAND IMPACT CROSS SECTIONS	Project Location: NORTH CHARLESTON, SC	Date: 03/24/2022
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WETLAND IMPACT 11.1



WETLAND IMPACT 3.1



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Drawing Title:
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Project Title:
INGLESIDE WETLAND MASTER PLAN

Project Location:
NORTH CHARLESTON, SC

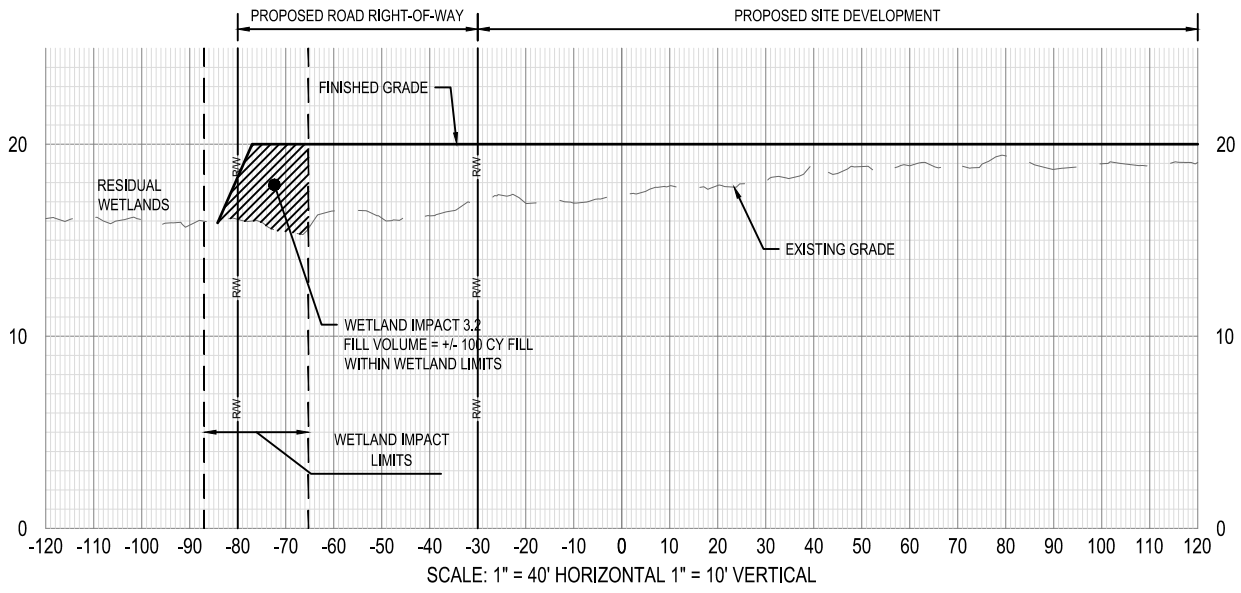
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400405.00

Date:
03/24/2022

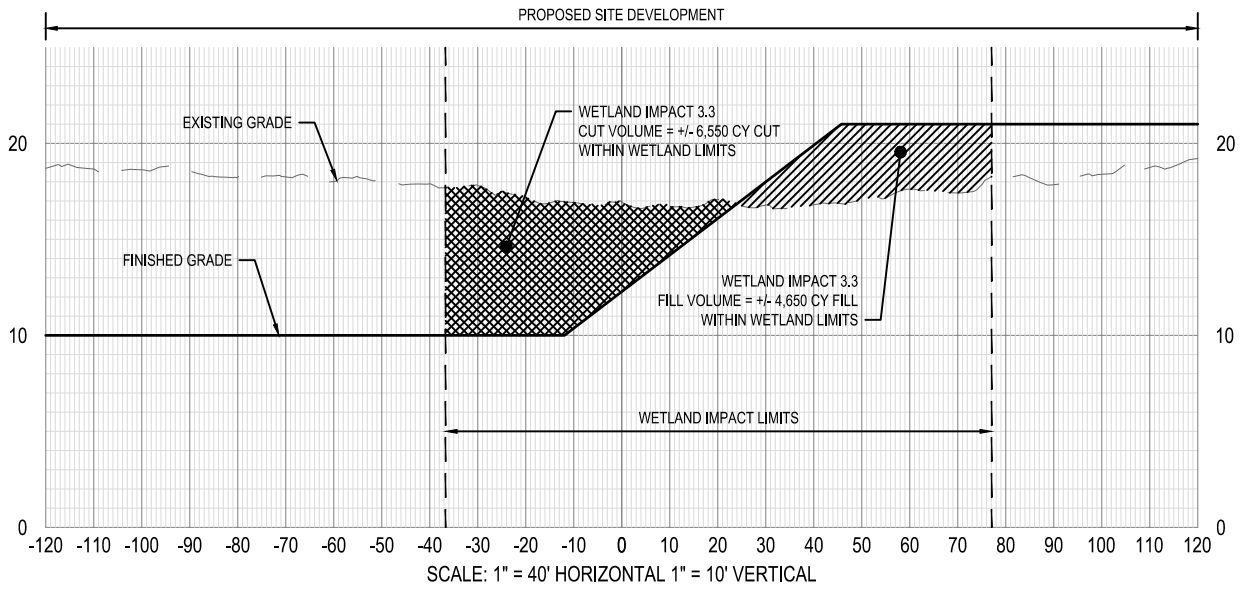
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WETLAND IMPACT 3.2



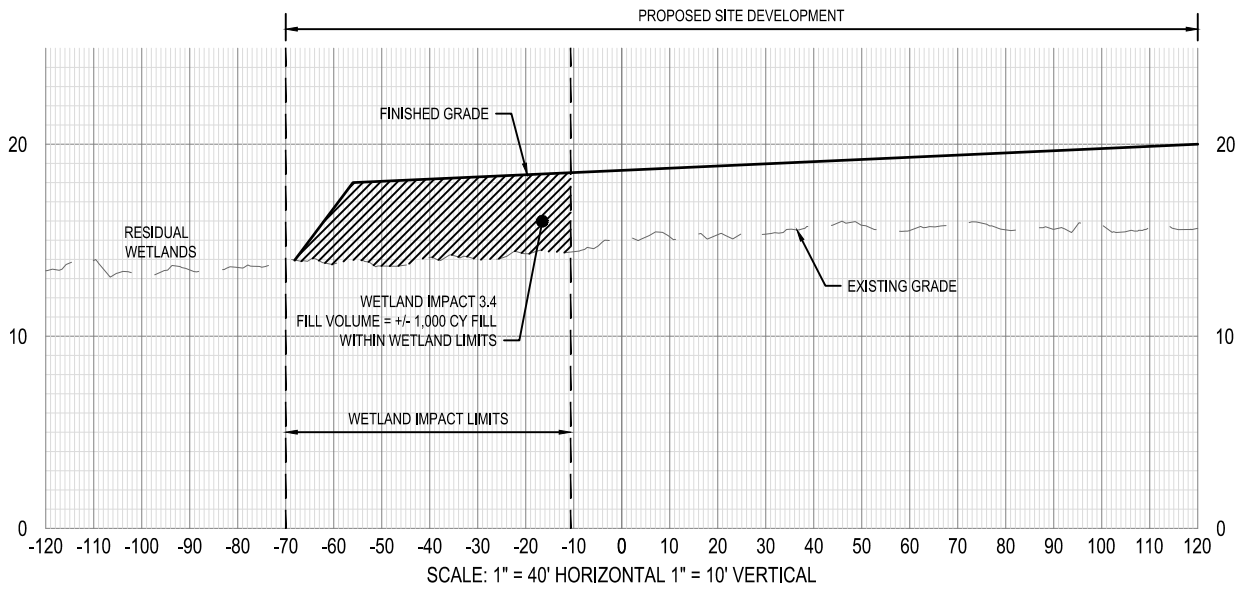
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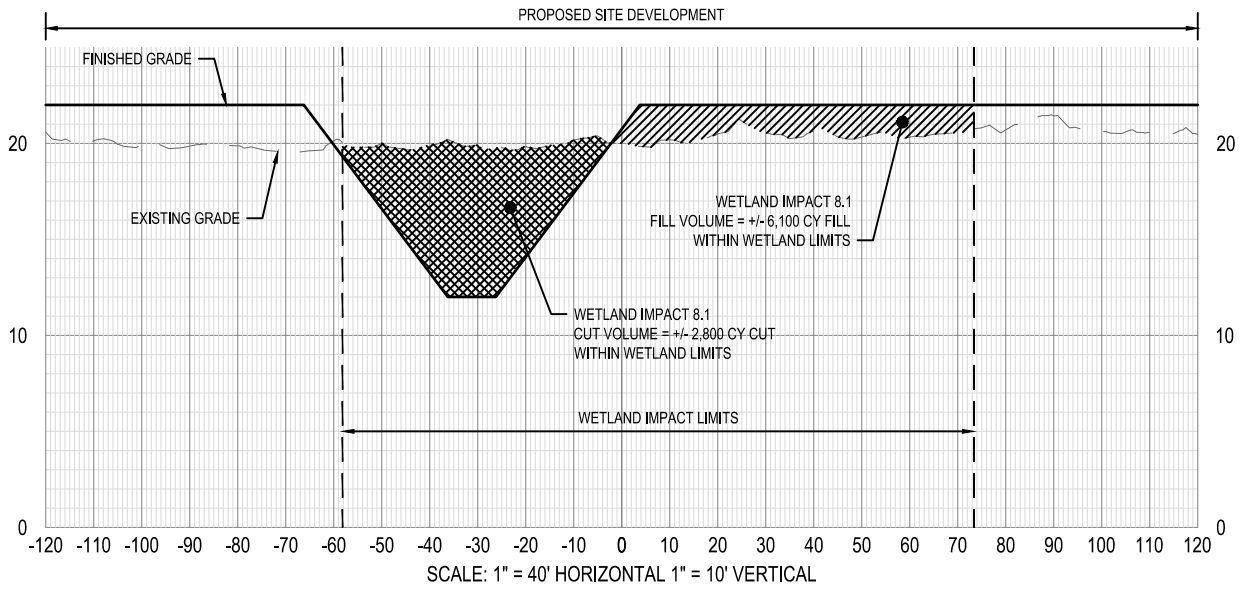
Project Owner: WEBER USA CORPORATION	Project Title: INGLESIDE WETLAND MASTER PLAN
Drawing Title: WETLAND IMPACT CROSS SECTIONS	Project Location: NORTH CHARLESTON, SC

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WETLAND IMPACT 3.4



WETLAND IMPACT 8.1



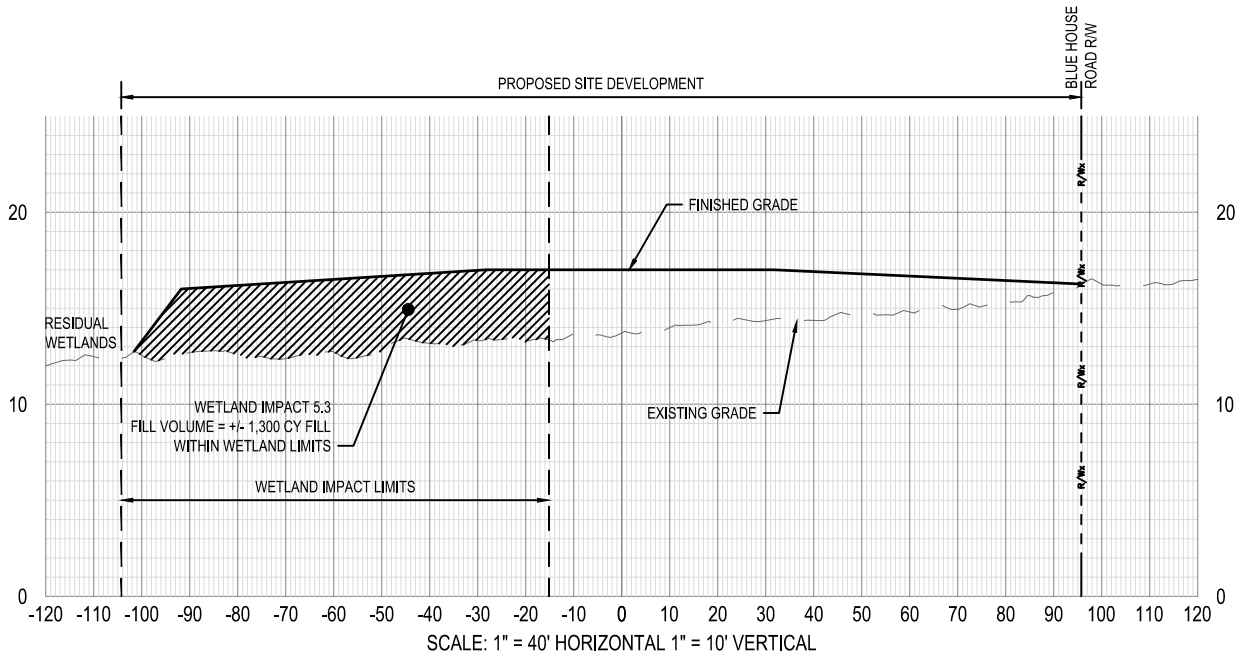
2971 W. MONTAGUE AVE., STE. 101
 NORTH CHARLESTON, SC 29418
 P: 843.297.4103

Project Owner: WEBER USA CORPORATION
Drawing Title: WETLAND IMPACT CROSS SECTIONS

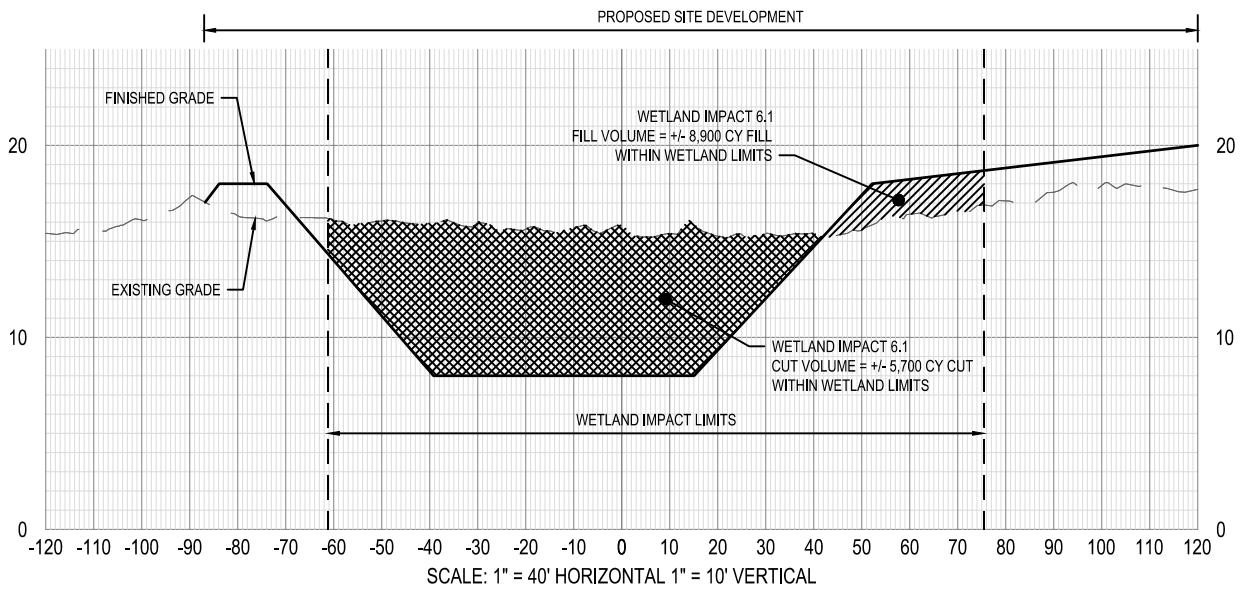
Project Title: INGLESIDE WETLAND MASTER PLAN
Project Location: NORTH CHARLESTON, SC

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WETLAND IMPACT 5.3

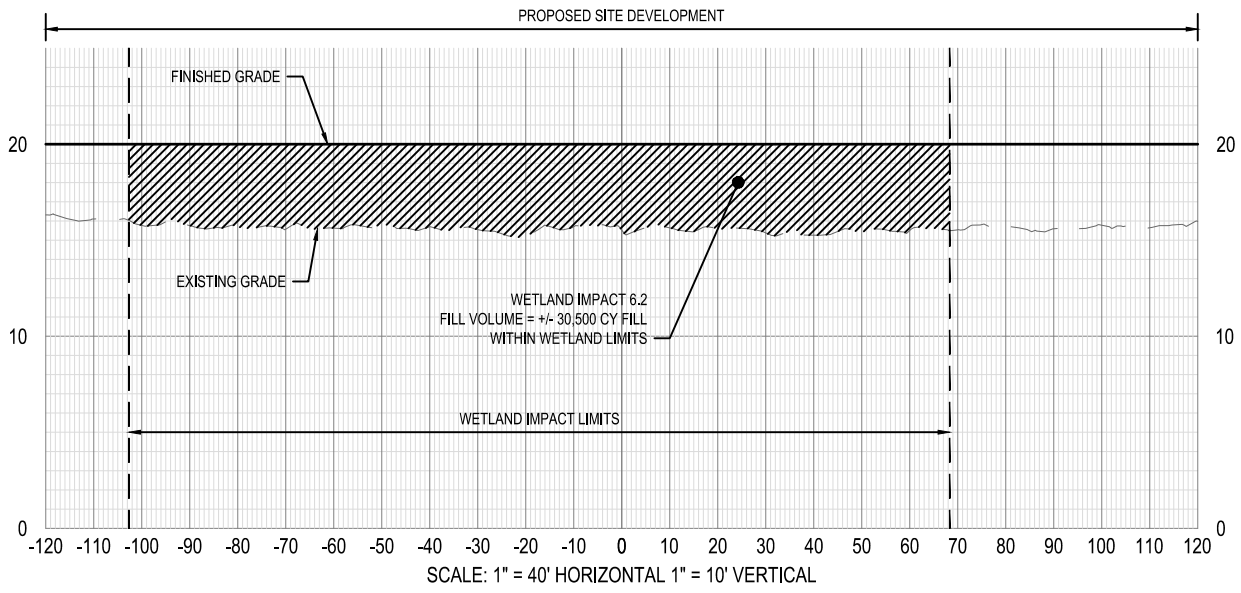


WETLAND IMPACT 6.1

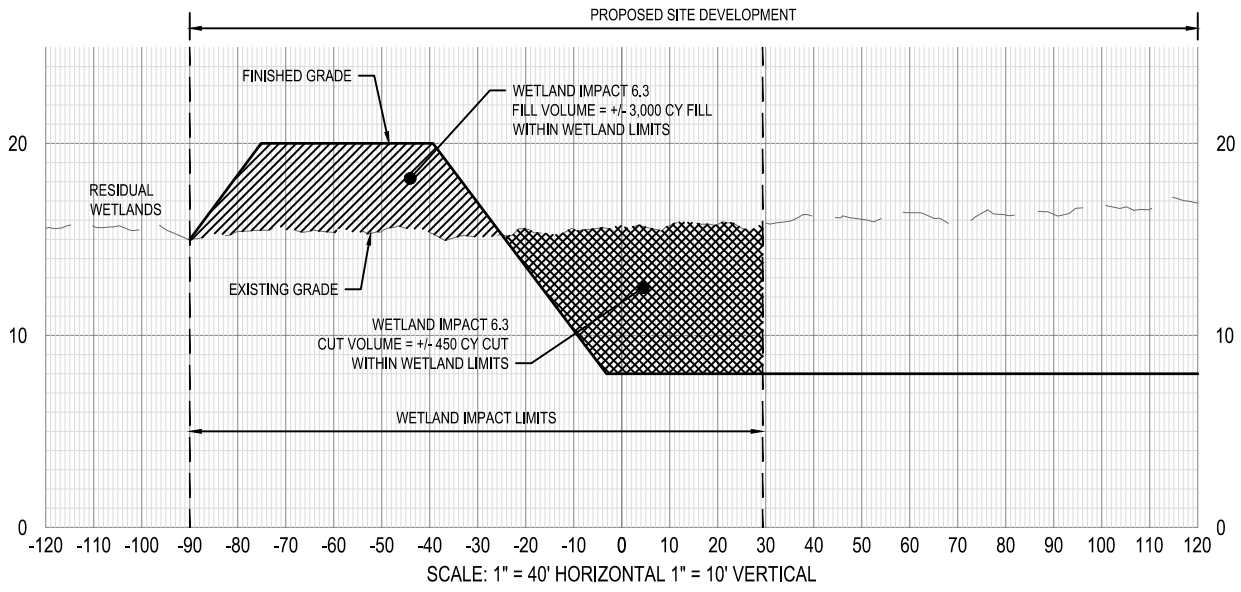


Project Owner: WEBER USA CORPORATION	Project Title: INGLESIDE WETLAND MASTER PLAN	Reveer Project No.: 400405.00
Drawing Title: WETLAND IMPACT CROSS SECTIONS	Project Location: NORTH CHARLESTON, SC	Date: 03/24/2022
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WETLAND IMPACT 6.2



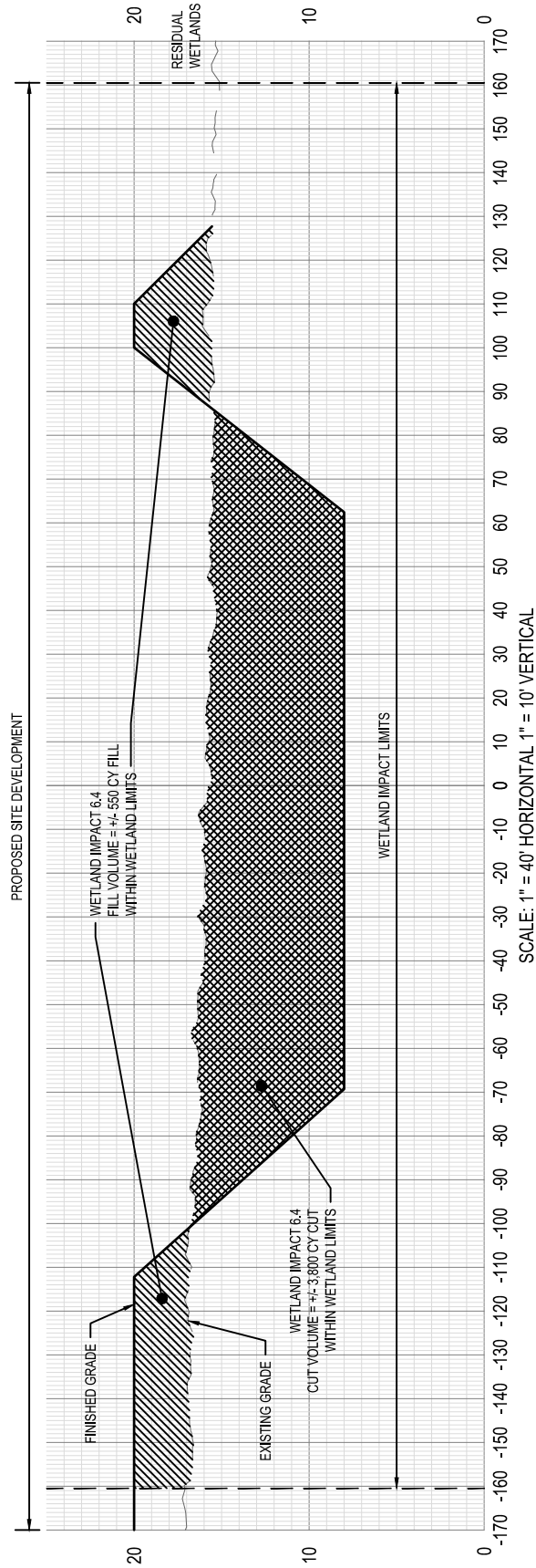
WETLAND IMPACT 6.3



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Drawing Title: WETLAND IMPACT CROSS SECTIONS	Project Location: NORTH CHARLESTON, SC

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WETLAND IMPACT 6.4

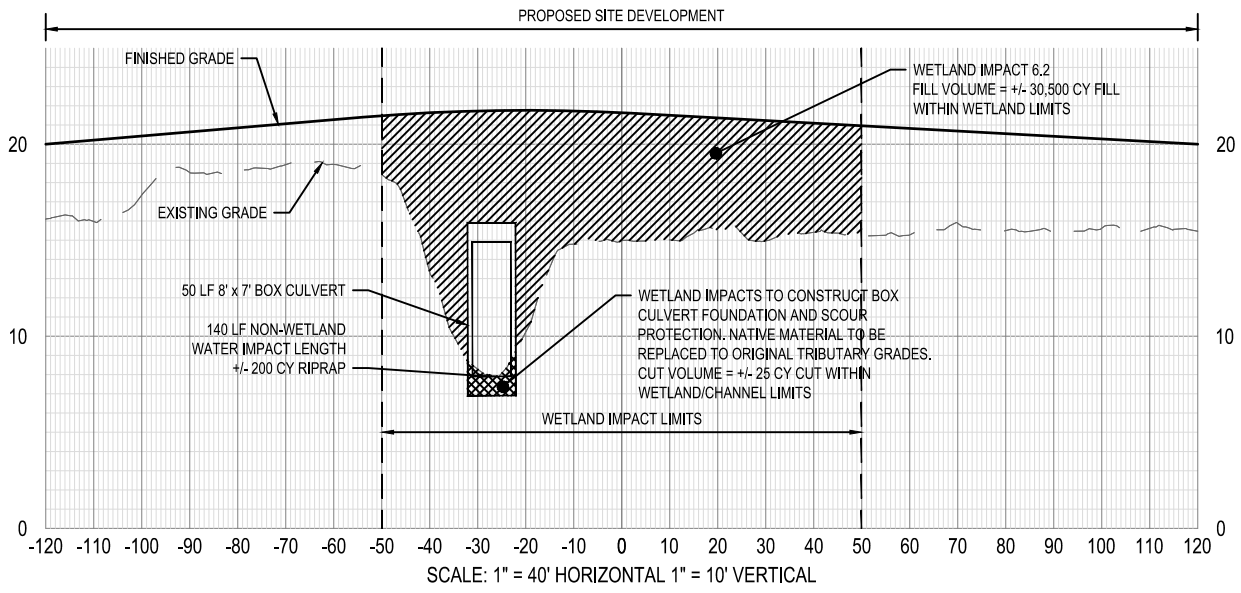


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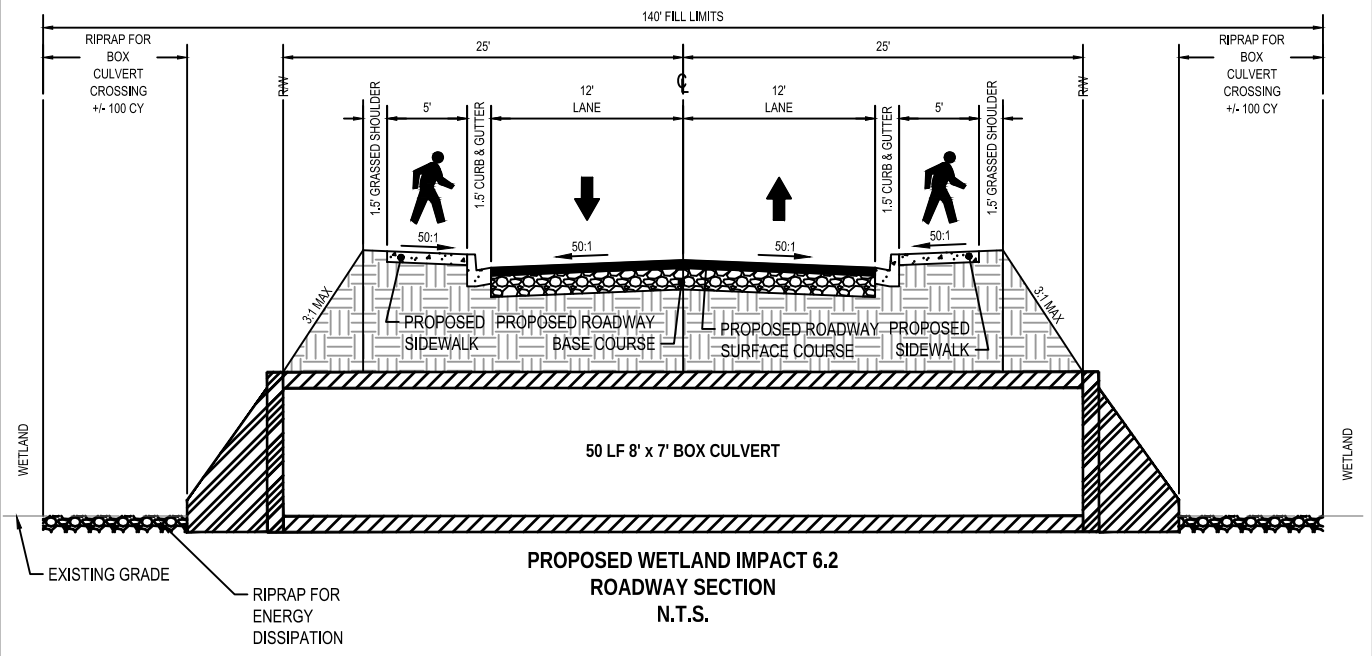
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Drawing Title: WETLAND IMPACT CROSS SECTIONS	Project Location: NORTH CHARLESTON, SC

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WETLAND IMPACT 6.2 - CHANNEL IMPACT



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Drawing Title: WETLAND IMPACT CROSS SECTIONS	Project Location: NORTH CHARLESTON, SC

Reveer Project No.: 400405.00
Date: 03/24/2022
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