

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-2015-00188

June 25, 2019

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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 (DA) and the S.C. Department of Health and Environmental Control by

Mr. Michael Maher
Horizon Project Foundation, Inc.
C/O Mr. Andy Ruocco
Terracon Consultants, Inc.
1450 Fifth Street West
North Charleston, South Carolina 29405

for a permit to construct residential and mixed-use commercial, medical, and research facilities in tidal wetlands (commonly known as Gadsden Creek) of the

Ashley River

at a location described as a 31.57-acre tract, east of the intersection of Fishburne Street and Lockwood Drive in the City of Charleston, Charleston County, South Carolina (Latitude: 32.7892 °N, Longitude: -79.9574 °W), Charleston Quadrangle 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.

PLEASE NOTE: THE PROJECT WAS ORIGINALLY PLACED ON PUBLIC NOTICE ON MAY 22, 2018. THE PROJECT WAS LATER REVISED TO INCLUDE ADDITIONAL WORK AND MODIFICATIONS TO THE PREVIOUSLY ADVERTISED WORK. THIS NOTICE SERVES AS A NEW PUBLIC NOTICE OF THE ENTIRE PROJECT AREA. ONLY COMMENTS RECEIVED IN RESPONSE TO THIS PUBLIC NOTICE WILL BE CONSIDERED IN THE PERMIT EVALUATION.

The applicant proposes to impact 3.923 acres of tidal waters and wetlands for the development of approximately 31.57 acres. The project site is located within the limits of a former sanity landfill. The applicant proposes to fill 2.866 acres of Gadsden Creek and its associated tidal wetlands for the construction of medical and research facilities, housing, commercial areas, and structured parking. Additionally, the proposed project includes impacts to 0.088 acre of an existing tidal ditch for the excavation of 3,442 cubic yards of material. The applicant proposes to excavate the existing tidal ditch below the remaining landfill material and construct an impervious base cap below the existing bottom elevation of the ditch. Further, the applicant proposes to install a new outfall structure with two (2) 48' inline check valves upstream of the proposed excavation limits within the ditch. These valves would eliminate tidal influence within the project area, south of Fishburne Street. The applicant also proposes to excavate approximately 3,949 cubic yards of material from 0.969 acre of tidal wetlands at the intersection of Fishburne Street and Hagood Avenue. This area would be converted into a freshwater, stormwater detention basin with normal water level regulated by a control structure. The applicant proposes to construct an impervious base cap below the existing bottom elevation. Any excavated material would be disposed of as per a Corps approved treatment plan.

Currently, Gadsden Creek and its associated wetlands flow through the project site. However, the applicant stated that surface water tidal flows south of Line Street and towards Hagood Avenue would be cut-off. Tidal flow would also be cut-off from the existing drainage basin along Hagood Avenue and Fishburne Street. Surface water in the southern portion of the site would be diverted to the City of Charleston's Spring Street drainage system through a series of inlets and proposed 42' concrete pipe. See the attached Figure 6 of 12 for the proposed drainage plan. The applicant stated that the proposed project would result in improvements of existing stormwater and drainage infrastructure through the implementation of stormwater engineering controls.

The applicant proposes to mitigate for impacts to wetlands and/or waters of the United States by implementing Permittee-Responsible Mitigation (PRM) at an off-site location identified as the Kings Grant Site, within the same 8-digit HUC watershed as the proposed wetland impacts. The proposed PRM plan includes the restoration/enhancement of approximately 20 acres of previously impacted wetlands. The applicant stated that in the event that PRM is not approved by the Corps, the applicant would purchase 46.5 saltwater mitigation credits from the Clydesdale Mitigation Bank.

As stated by the applicant, the project purpose is to provide housing, commercial areas, medical offices, and research facilities to serve and enhance existing functions of the Medical University of South Carolina, in the City of Charleston, to advance economic development and improve the quality of life in the City's neighborhoods.

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. 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 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 3.923 acres 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 have an adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). An EFH Assessment was previously coordinated with 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 the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined that the project is not likely to adversely affect the American wood stork (*Mycteria americana*) a Federally endangered species that may be present in the vicinity of the project. Furthermore, the District Engineer has determined that the project will have no effect on other Federally endangered, threatened, or proposed species and will not 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 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

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consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

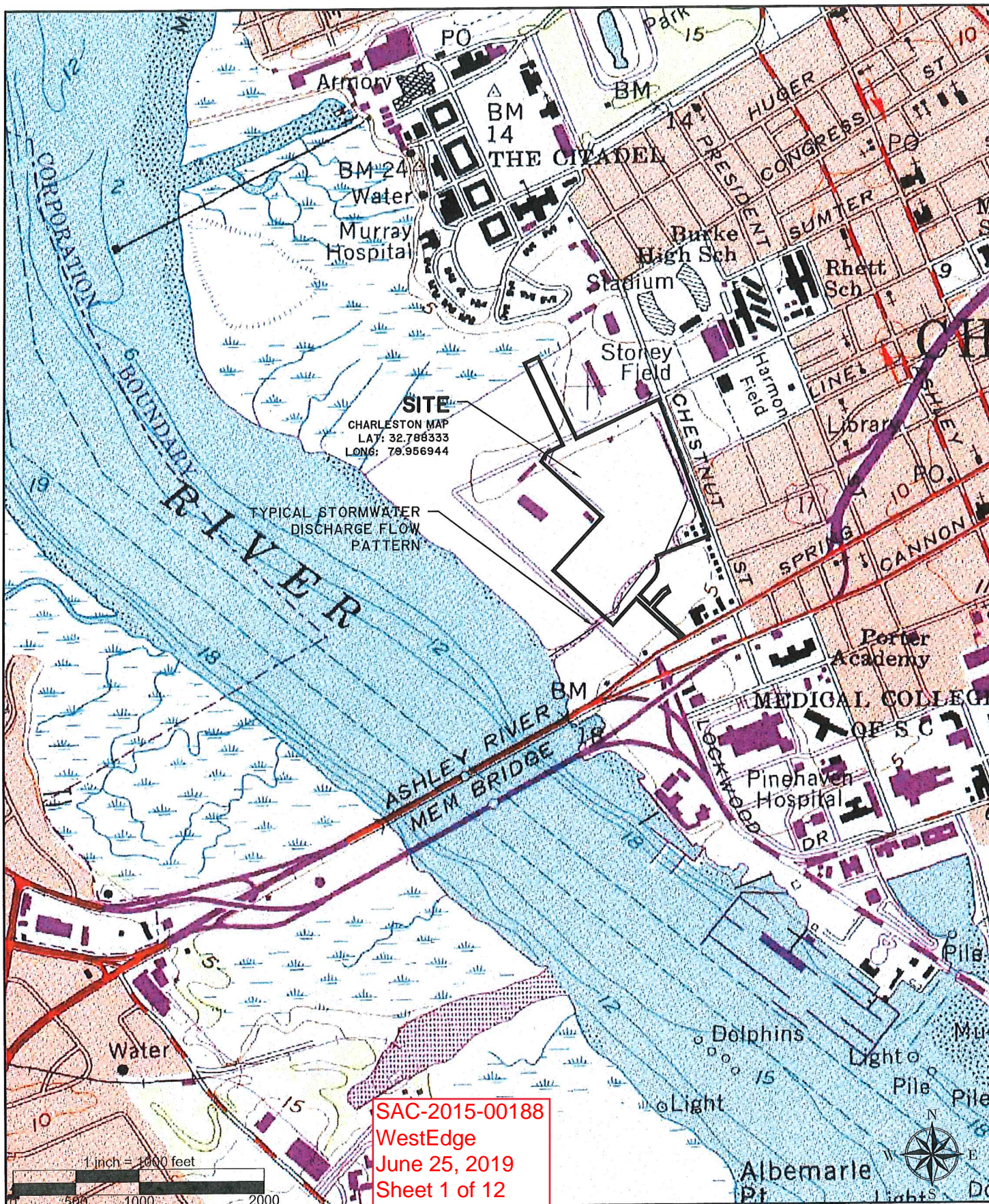
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 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.

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, South Carolina 29403-5107**

If there are any questions concerning this public notice, please contact Mrs. Courtney M. Stevens, Project Manager, at (843) 329-8044, or by email at Courtney.M.Stevens@usace.army.mil.



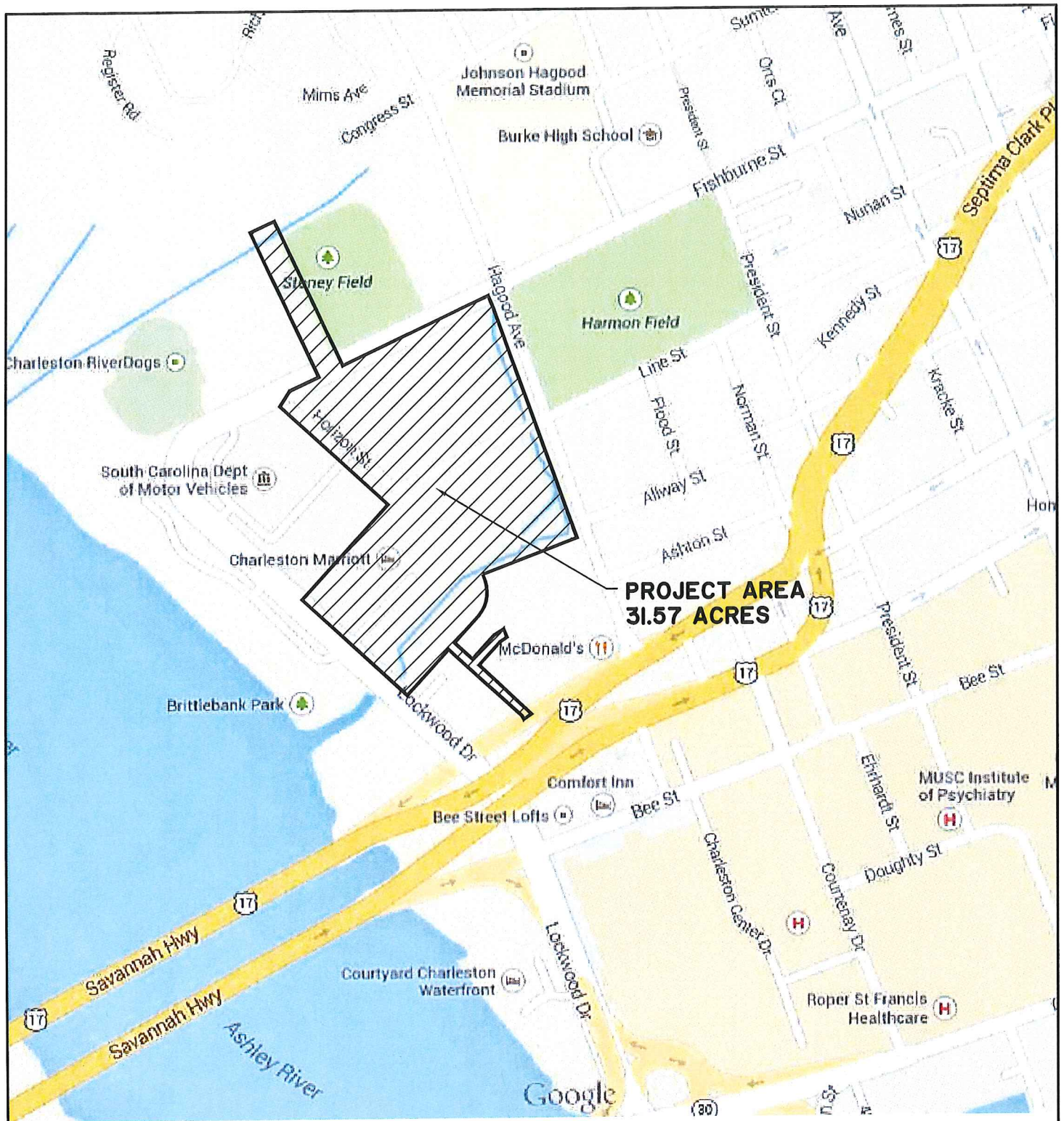
EXHIBIT

A

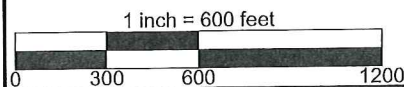
Applicant
 WestEdge Foundation, Inc.
 Drawing Title
 USGS Quad Map
 Drawing Reference

Project Title
 WestEdge
 Project Location
 Charleston, SC
 Lat: 32° 47' 18"
 Long: 79° 57' 25"

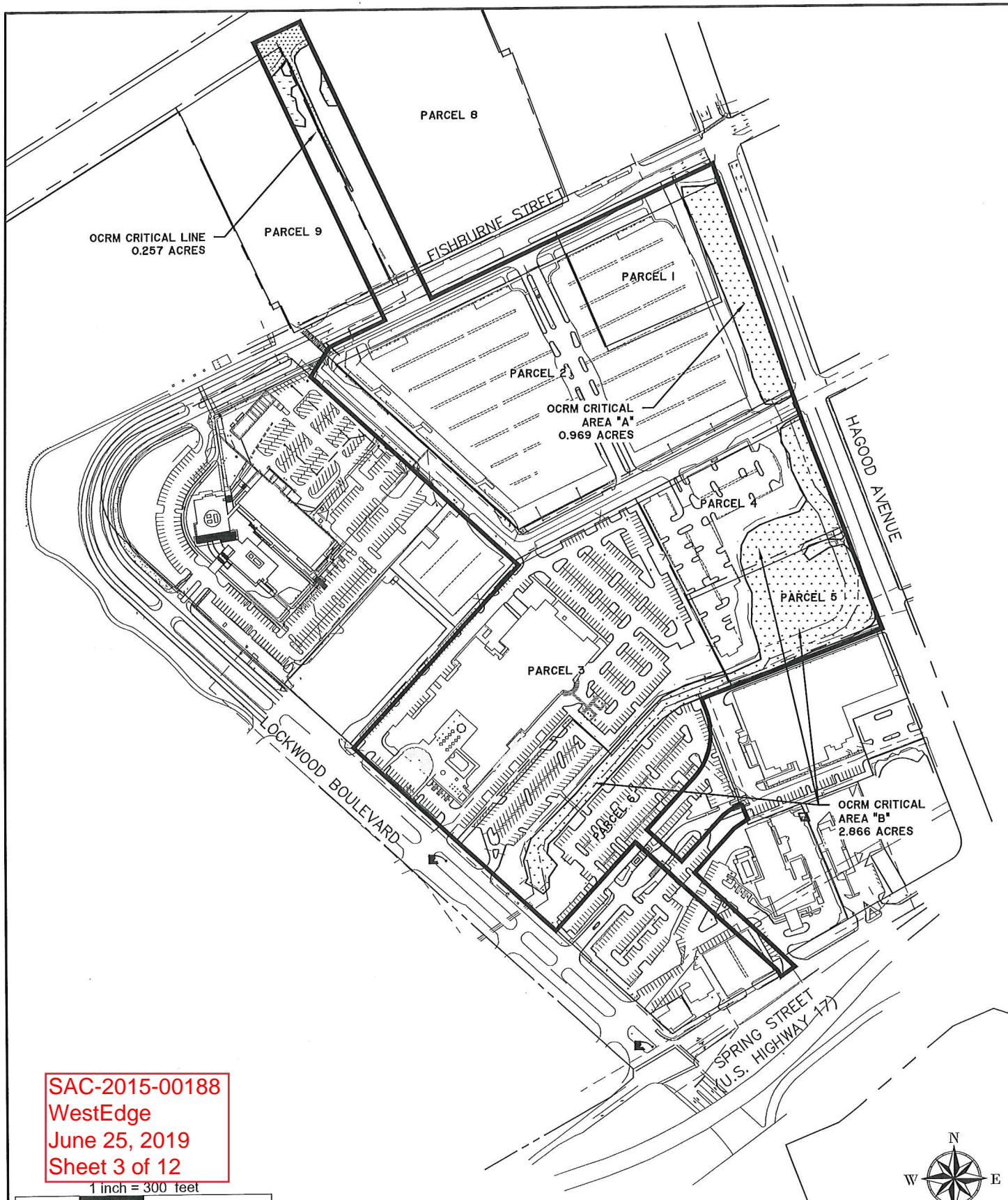
Date
 6/4/2019
 Job No.
 24627.0001
 WE-1
 sht. 1 of 11



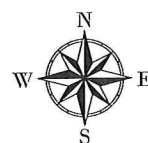
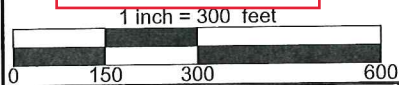
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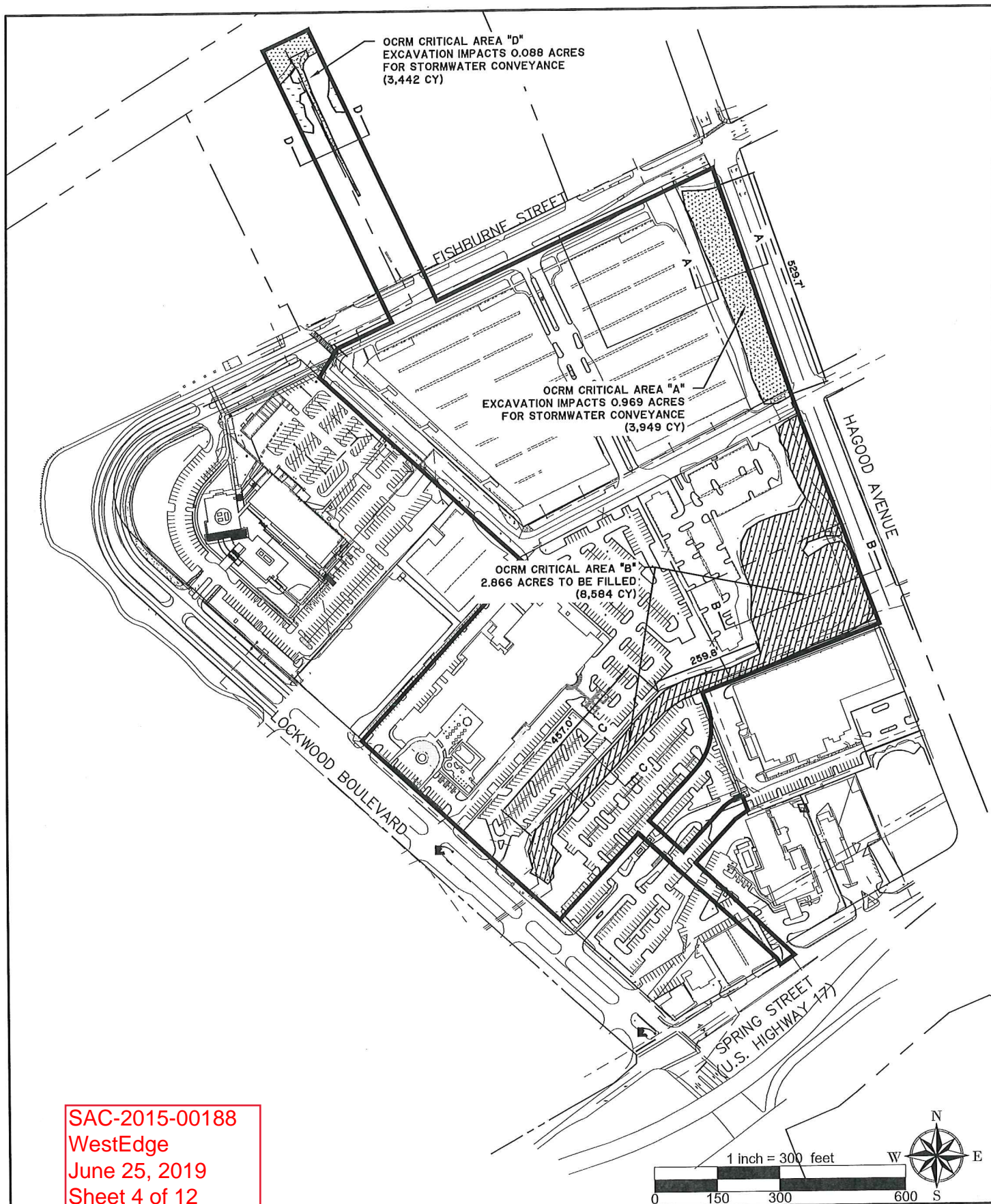
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	WestEdge Foundation, Inc.	WestEdge	6/4/2019
	Drawing Title	Project Location	Job No.
	Site Location	Charleston, SC	24627.0001
	Drawing Reference	Lat: 32° 47' 18"	WE-2
	---	Long: 79° 57' 25"	sht. 2 of 11



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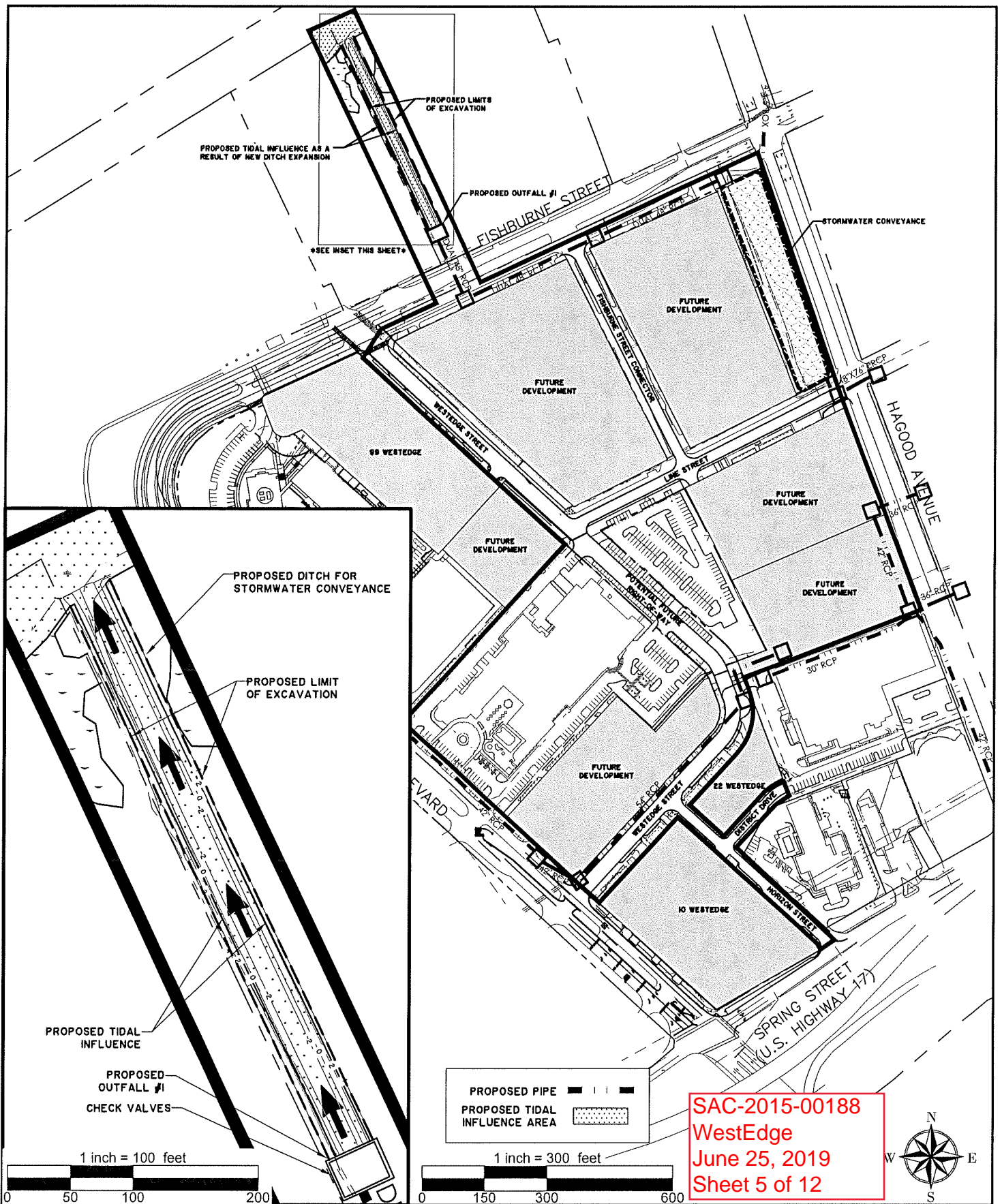


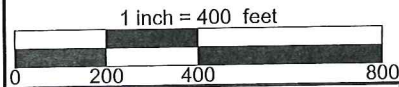
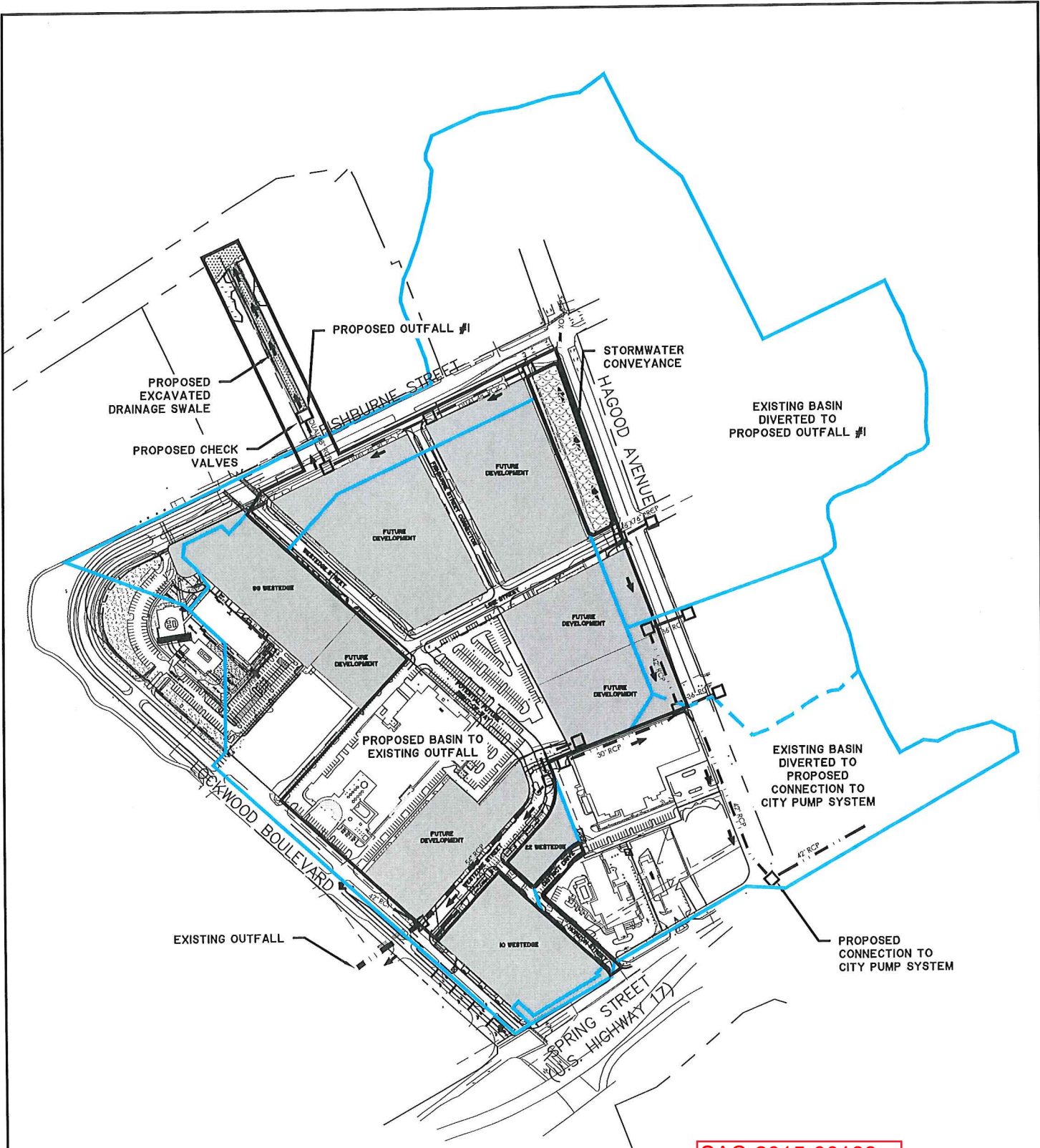
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	Drawing Title Existing Wetlands	Project Location Charleston, SC	Job No. 24627.0001
	Drawing Reference	Lat: 32° 47' 18" Long: 79° 57' 25"	WE-3 sht. 3 of 11



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	Applicant	Project Title	Date
	WestEdge Foundation, Inc.	WestEdge	6/4/2019
	Drawing Title	Project Location	Job No.
	Fill Exhibit	Charleston, SC	24627.0001
	Drawing Reference	Lat: 32° 47' 18"	WE-4
		Long: 79° 57' 25"	sht. 4 of 11

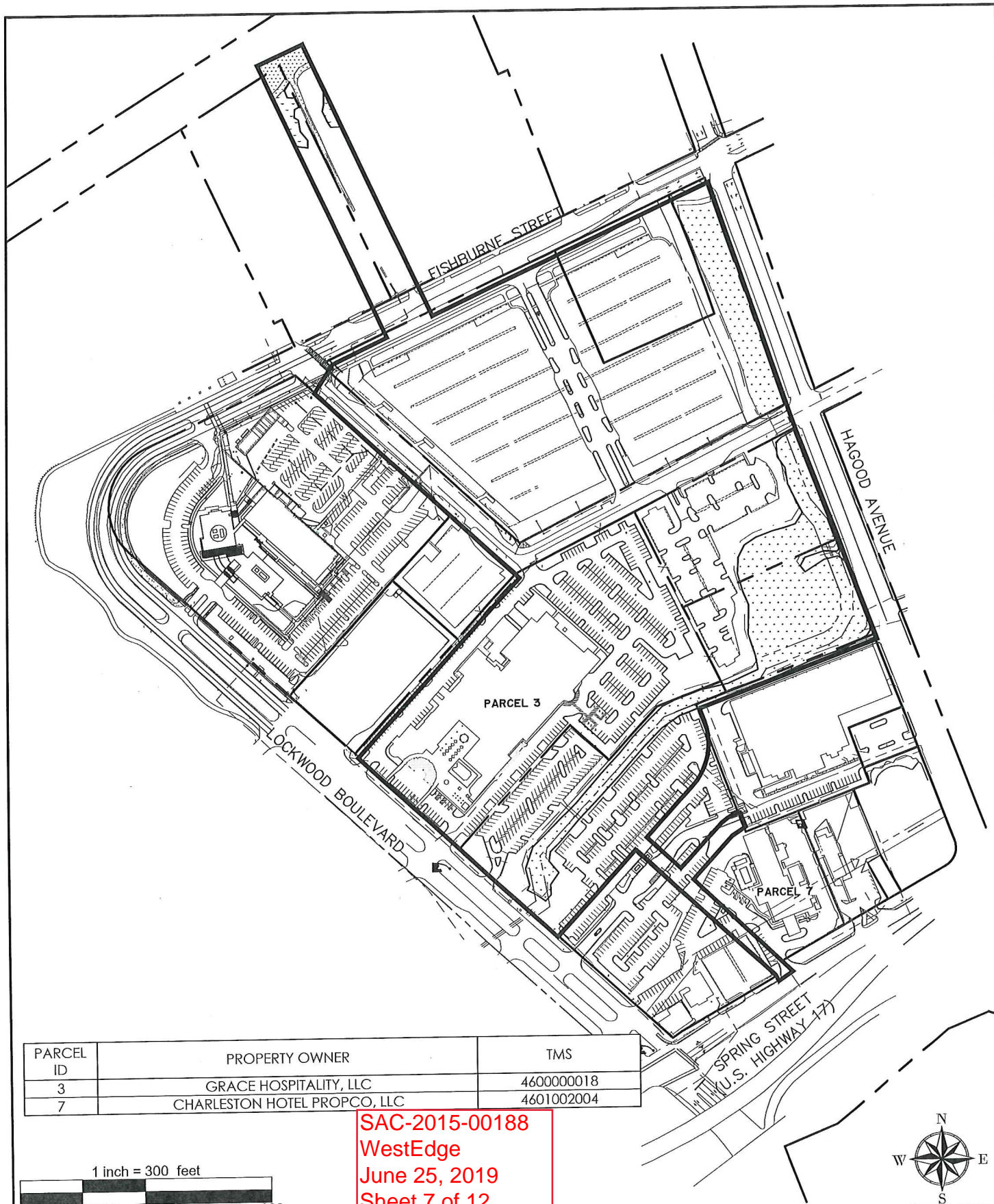




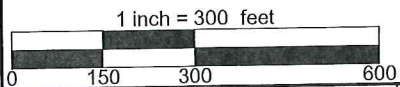
SAC-2015-00188
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	Applicant WestEdge Foundation, Inc.	Project Title WestEdge	Date 6/4/2019
	Drawing Title Drainage Plan	Project Location Charleston, SC	Job No. 24627.0001
	Drawing Reference	Lat: 32° 47' 18" Long: 79° 57' 25"	WE-6 sht. 6 of 11



PARCEL ID	PROPERTY OWNER	TMS
3	GRACE HOSPITALITY, LLC	4600000018
7	CHARLESTON HOTEL PROPCO, LLC	4601002004



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	Applicant	Project Title	Date
	WestEdge Foundation, Inc.	WestEdge	6/4/2019
	Drawing Title	Project Location	Job No.
	Adjacent Property Owners	Charleston, SC	24627.0001
	Drawing Reference	Lat: 32° 47' 18"	WE-7
		Long: 79° 57' 25"	sht. 7 of 11

JOE RILEY PARK

BRITTLEBANK PARK

ASHLEY RIVER

LOCKWOOD BLVD.

FISHBURNE ST.

WESTEDGE ST.

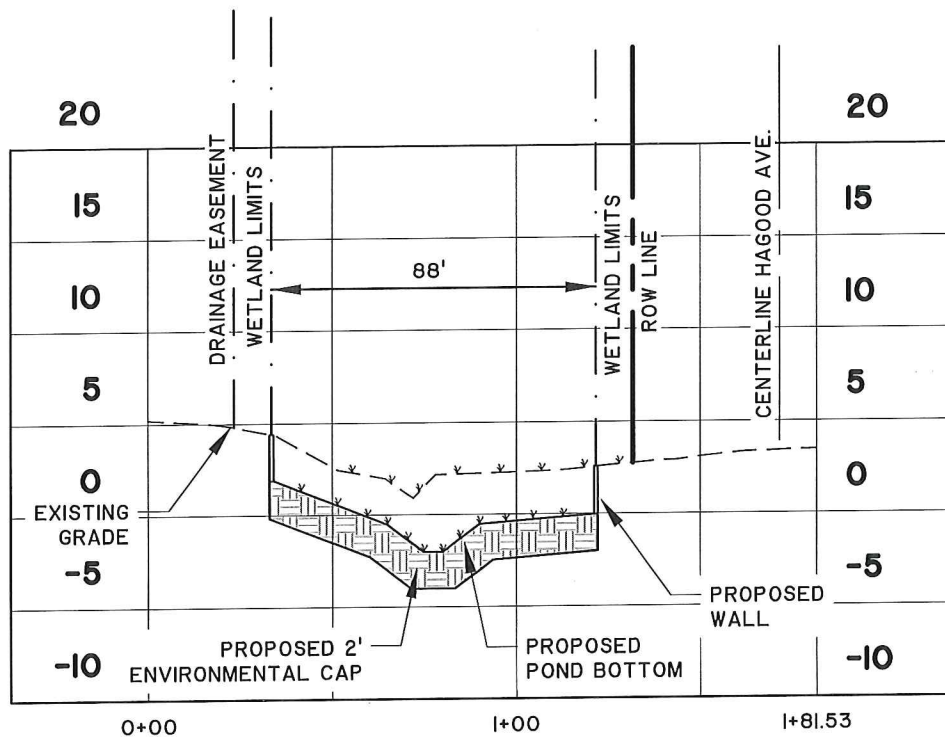
WESTEDGE ST.

HAGOOD AVE.

SPRING ST.

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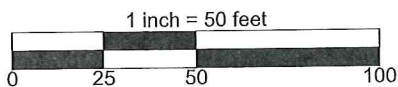


STORMWATER CONVEYANCE CRITICAL AREA IMPACTS SECTION A

SEE SHEET WE-4
FOR LOCATION

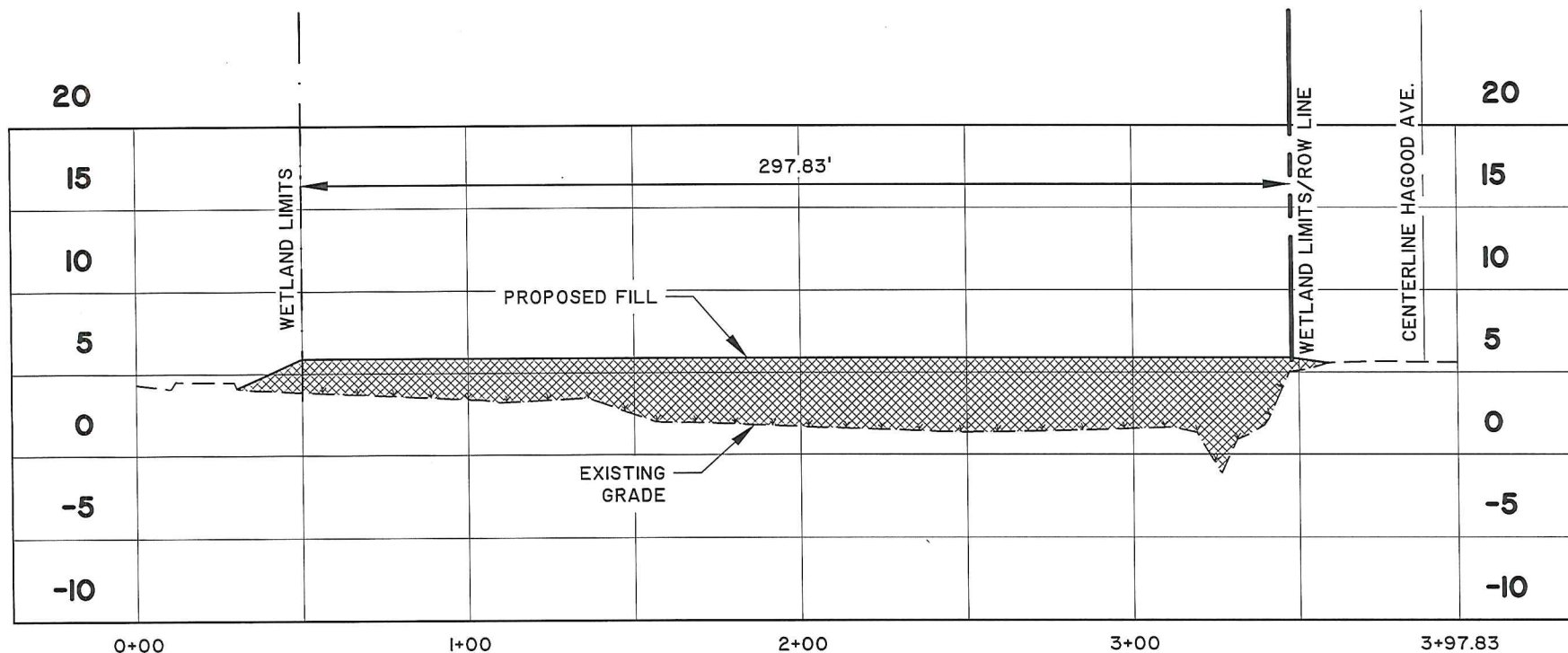
STATIONS: 0+00 - 1+82
SCALE: HORZ.: 1" = 50'
VERT.: 1" = 10'

OCRM CRITICAL AREA "A"
EXCAVATION IMPACTS 0.969
ACRES FOR STORMWATER
CONVEYANCE (3,949 CY)



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	Applicant WestEdge Foundation, Inc.	Project Title WestEdge	Date 6/4/2019
	Drawing Title Fill Cross-Section A	Project Location Charleston, SC	Job No. 24627.0001
	Drawing Reference	Lat: 32° 47' 18" Long: 79° 57' 25"	WE-8 sht. 8 of 11



CRITICAL AREA FILL SECTION B

STATIONS: 0+00 - 3+98
 SEE SHEET WE-4
 FOR LOCATION
 SCALE: HORZ.: 1" = 50'
 VERT.: 1" = 10'

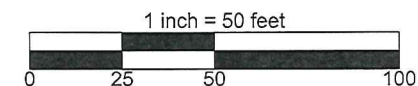
OCRM CRITICAL AREA "B"
 2.866 ACRES TO BE FILLED.
 (8,584 CY TOTAL BETWEEN
 "B" & "C")

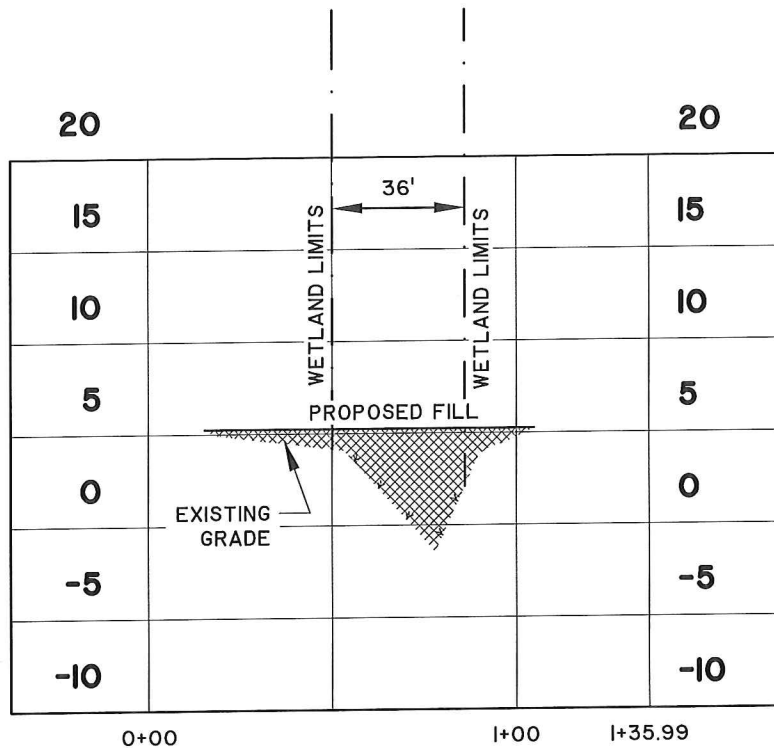
SAC-2015-00188
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Owner	WestEdge Foundation, Inc.
Drawing Title	Fill Cross-Section B
Drawing Reference	---

Project Title	WestEdge
Project Location	Charleston, SC
Lat: 32° 47' 18"	
Long: 79° 57' 25"	

Date	6/4/2019
Job No.	24627.0001
WE-9	
sht. 9 of 11	



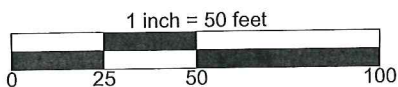


CRITICAL AREA FILL SECTION C

SEE SHEET WE-4
FOR LOCATION

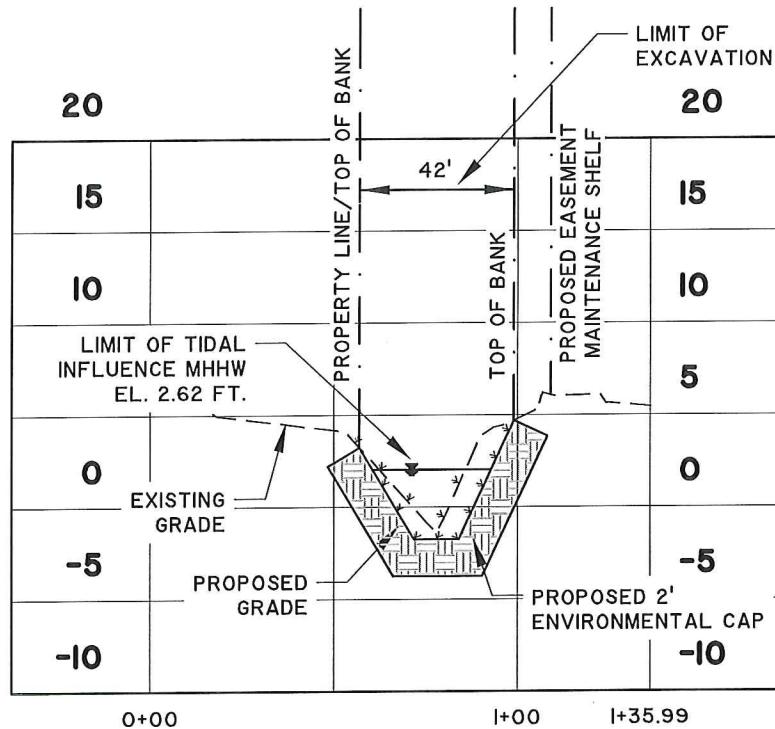
STATIONS: 0+00 - 1+36
SCALE: HORZ.: 1" = 50'
VERT.: 1" = 10'

OCRM CRITICAL AREA "C"
2.866 ACRES TO BE FILLED
(8,584 CY TOTAL BETWEEN
"B" & "C")



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	Applicant WestEdge Foundation, Inc.	Project Title WestEdge	Date 6/4/2019
	Drawing Title Fill Cross-Section C	Project Location Charleston, SC	Job No. 24627.0001
	Drawing Reference ---	Lat: 32° 47' 18" Long: 79° 57' 25"	WE-10 sht. 10 of 11

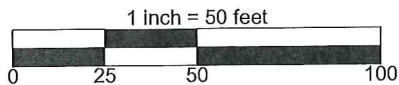


CRITICAL AREA CROSS SECTION D

STATIONS: 0+00 - 1+36
 SCALE: HORZ.: 1" = 50'
 VERT.: 1" = 10'

SEE SHEET WE-4
 FOR LOCATION

OCRM CRITICAL AREA "D"
 EXCAVATION IMPACTS 0.088
 ACRES FOR STORMWATER
 CONVEYANCE (3,442 CY)



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 WestEdge
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	Applicant WestEdge Foundation, Inc.	Project Title WestEdge	Date 6/4/2019
	Drawing Title Cross-Section D	Project Location Charleston, SC	Job No. 24627.0001
	Drawing Reference ----	Lat: 32° 47' 18" Long: 79° 57' 25"	WE-11 sht. 11 of 11