

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69-A 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-2018-00548

DATE 3/18/2022

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. Steven E. McCraney
Firetower Logistics @ 77, LLC
189 S. Orange Ave, Suite 1170
Orlando, FL 32801

for a permit to construct a new commercial shipping and distribution center including warehouse, parking lots, and access roads in

freshwater wetlands and an unnamed tributary to Taylor Creek

at a location north of the interchange of Interstate 77 and Porter Road, York County, South Carolina (Latitude: 34.90503°, Longitude: -80.99116°), Rock Hill East.

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 constructing a new commercial shipping and distribution center including warehouse, parking lots, and access roads. In detail the proposed project would permanently place fill material in 1.26 acres of wetlands for the construction of the proposed warehouse and parking lots. The proposed project would also involve the construction of a new dual-culverted access road resulting in permanent impacts to 149 linear feet of tributaries. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing compensatory mitigation credits from a Corps approved mitigation bank. The project purpose is to construct a new shipping and distribution center.

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 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.

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 1.27-acres freshwater habitat 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 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, based on the most recently available information that the project may affect Schweinitz's Sunflower (*Helianthus schweinitzii*). A biological assessment (or other similar document) detailing our analysis of the potential effects of the action will be provided to the U.S. Fish and Wildlife Service

and/or the National Marine Fisheries Service.

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.

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 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 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.

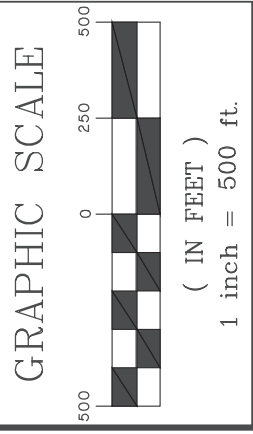
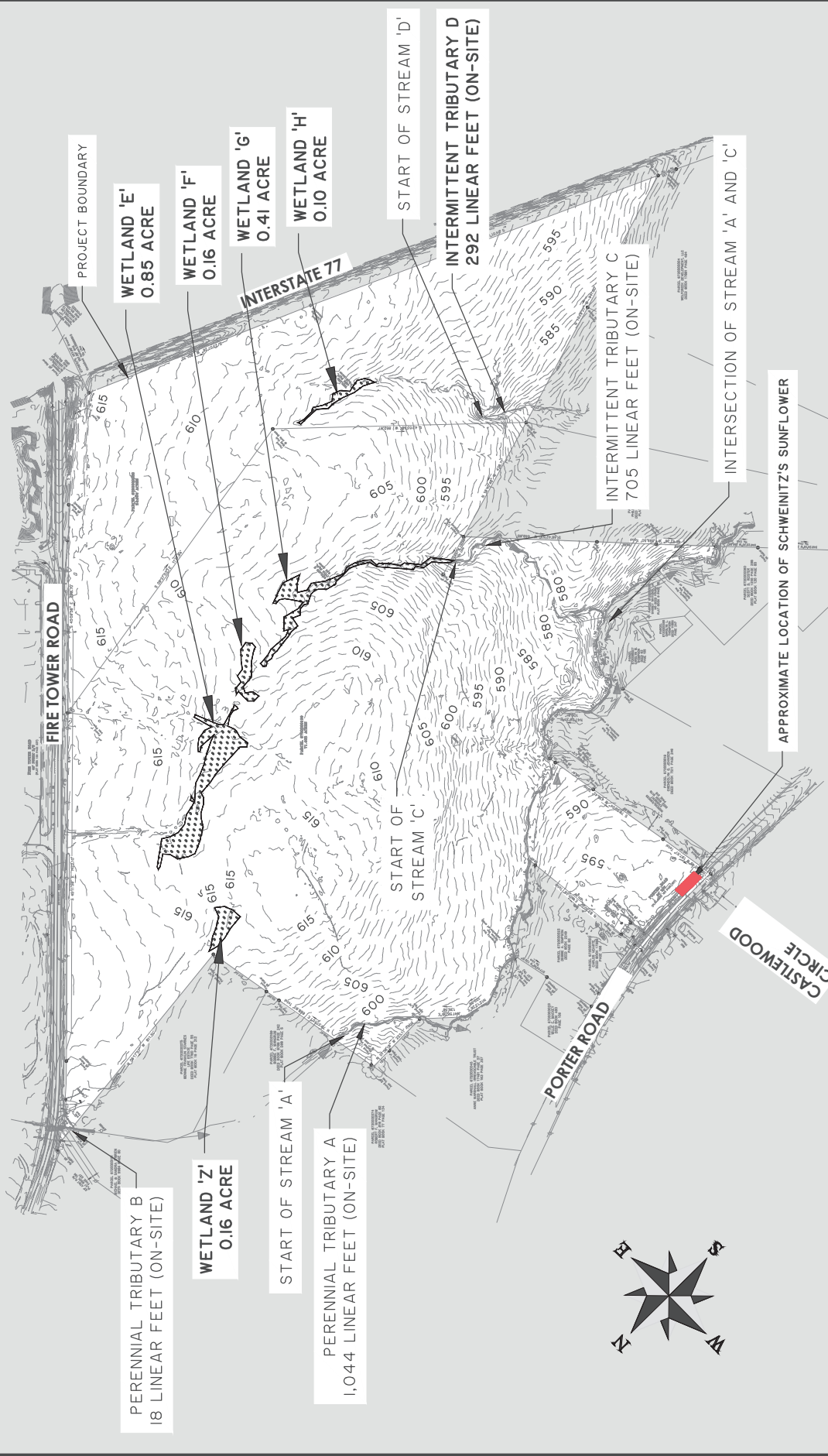
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate

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
69-A Hagood Avenue
Charleston, SC 29403**

If there are any questions concerning this public notice, please contact Jonathan Swartz, Project Manager, at (803) 260-5536, toll free at 1-866-329-8187, or by email at Jonathan.M.Swartz@usace.army.mil.

SAC-2018-00548



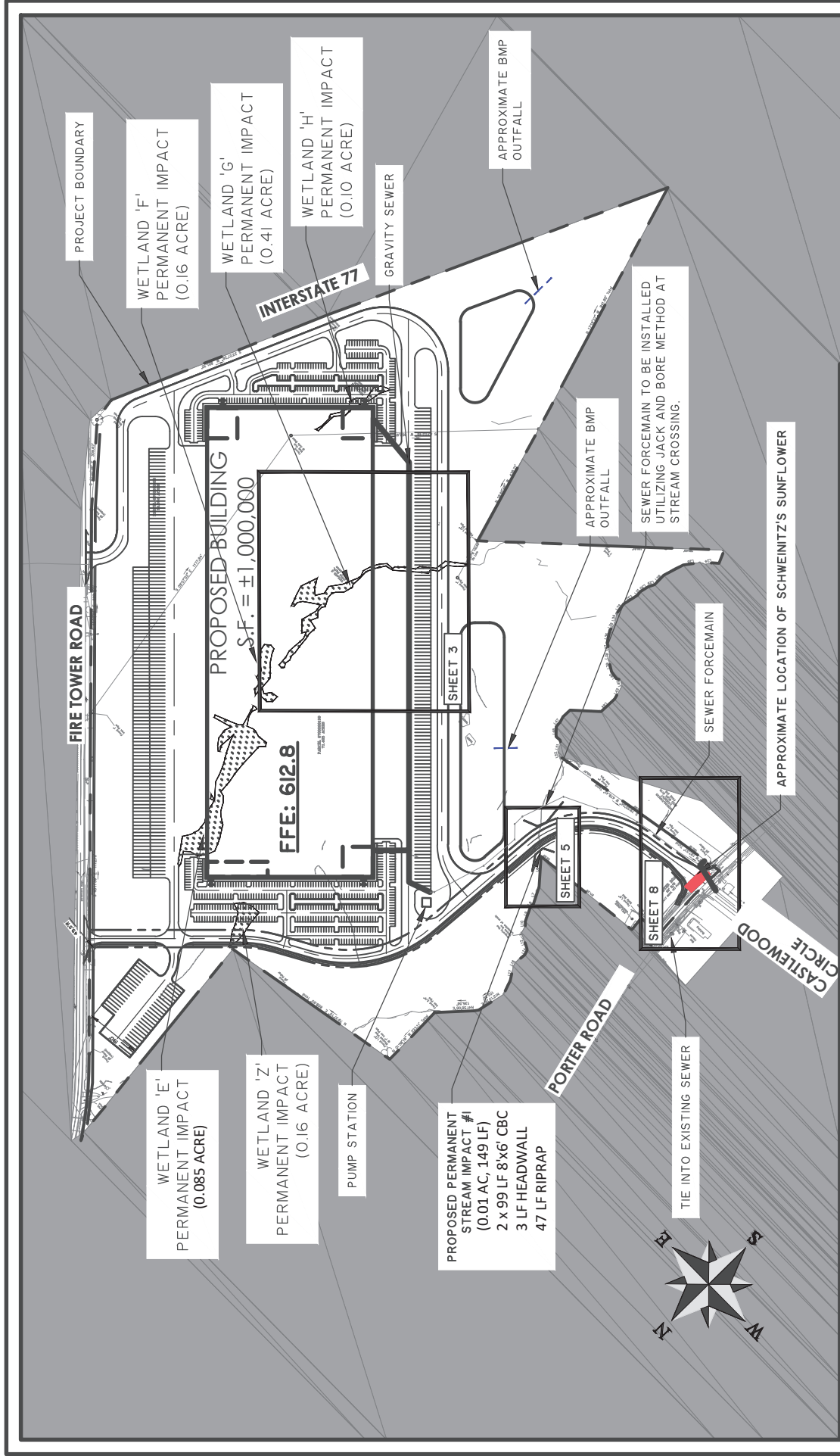
THOMAS & HUTTON
 1020 Euclid Avenue
 Charlotte, NC 28202 • 980.201.5505
www.thomasandhutton.com

FIRETOWER RD
 EXISTING CONDITIONS
 CLIENT: MCCRANEY PROPERTY
 LOCATION: YORK COUNTY
 DATE: 02-22-2022
 JOB NUMBER: J-28250.0000

DRAWN BY: LSE
 REVIEWED BY: MSK

SHEET: 1
 SCALE: 1" = 500'

SAC-2018-00548



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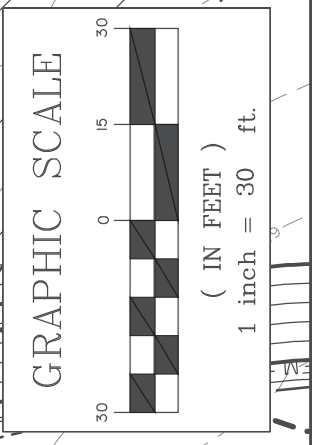
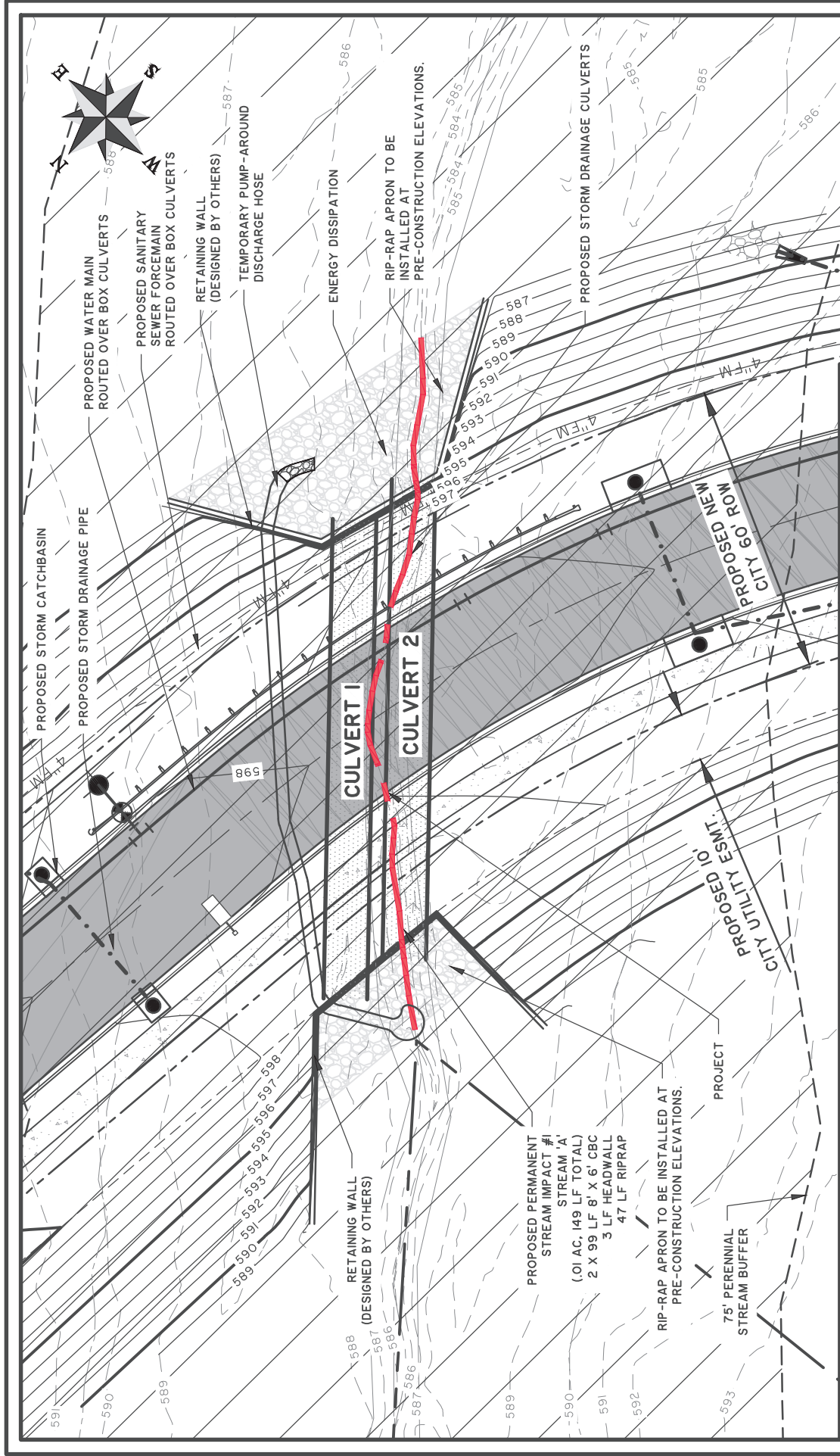
FIRE TOWER RD

OVERALL SITE
CLIENT: MCCRANEY PROPERTY
LOCATION: YORK COUNTY
DATE: 02-22-2022
JOB NUMBER: J-28250.0000

DRAWN BY: LSE
REVIEWED BY: MSK

SHEET: 2
SCALE: 1" = 500'

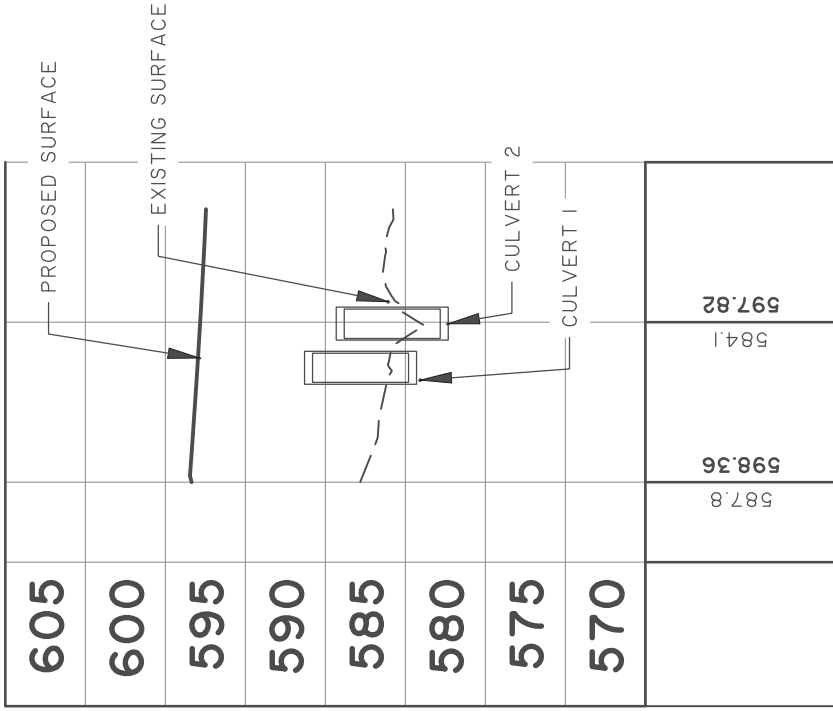
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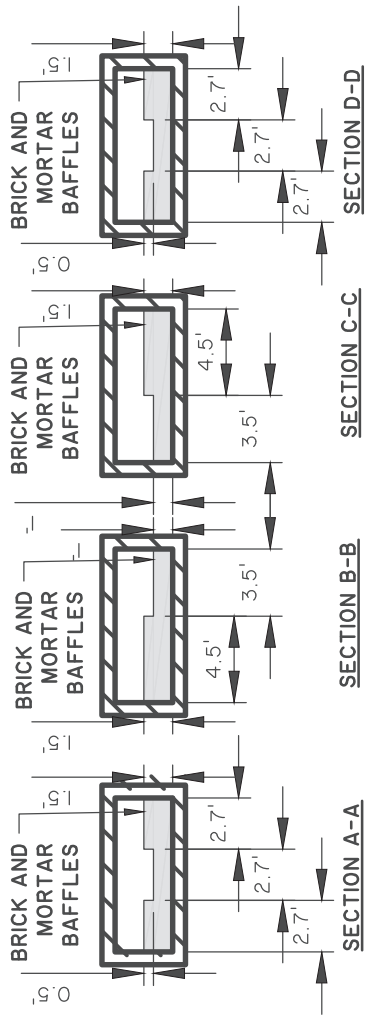
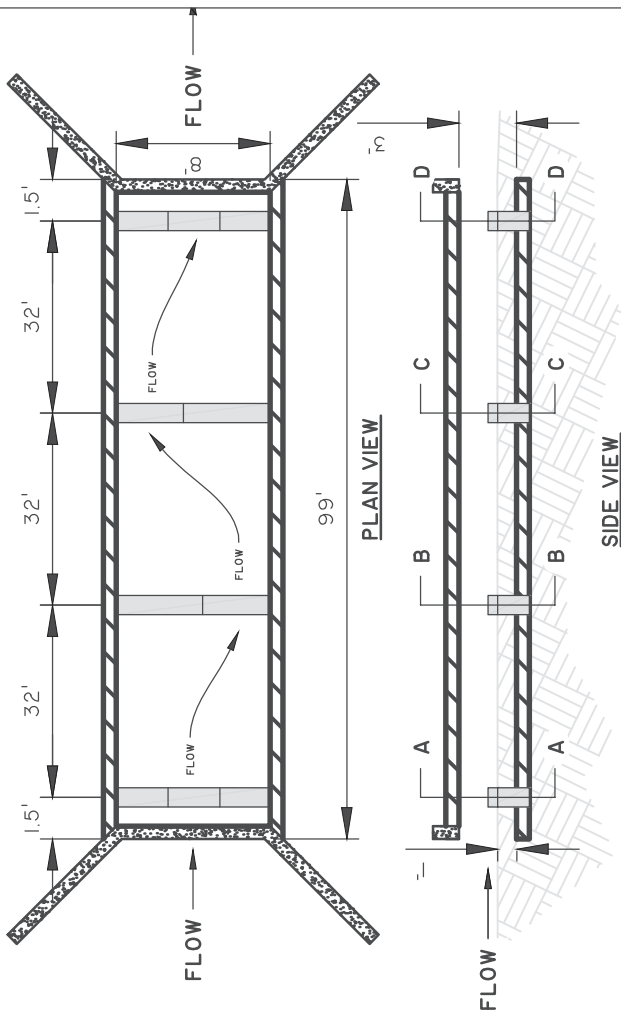
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FIRETOWER RD
 IMPACT AREA ENLARGEMENT - STREAM A
 CLIENT: MCCRANEY PROPERTY
 LOCATION: YORK COUNTY
 DATE: 02-22-2022
 JOB NUMBER: J-28250.0000
 DRAWN BY: LSE
 REVIEWED BY: MSK
 SHEET: 5
 SCALE: 1" = 30'

SAC-2018-00548



CULVERT CROSS SECTION
 STATIONS: -0+25 - 1+00
 SCALE: HORZ.: 1" = 10'
 VERT.: 1" = 2'



CULVERT 2 BAFFLE DETAILS

FIRETOWER RD

CULVERT CROSS SECTIONS AND DETAILS

CLIENT: MCCRANEY PROPERTY
 LOCATION: MCCRANEY PROPERTY
 DATE: 02-22-2022
 JOB NUMBER: J-28250.0000

DRAWN BY: LSE
 REVIEWED BY: NTS

SHEET: 7
 SCALE: NTS



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