

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
North Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N SAC-2021-01841

March 15, 2022

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. Karl Rakes
Main Road Business Park, LLC.
1038 Jenkins Road
Charleston, South Carolina 29407

for a permit to discharge fill material into waters of the United States in to facilitate the construction of an office and warehouse park in

freshwater wetlands adjacent to the Stono River

at 636 Main Road on Johns Island, Charleston County, South Carolina (Latitude: 32.7711°, Longitude: -80.1078°), Johns Island, SC 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.

The proposed work consists of constructing an office and warehouse park. In detail the applicant proposes to discharge of fill material into 0.547 acre of freshwater wetland to construct a commercial development and attendant features. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 6.1 wetland credits from a Corps approved mitigation bank. The project purpose is to provide commercial, warehouse, and office space for the surrounding area.

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 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 not impact 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 will have no effect on the 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. Furthermore, the District Engineer has determined that the project is not likely to adversely

affect the Northern long-eared bat 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)(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.

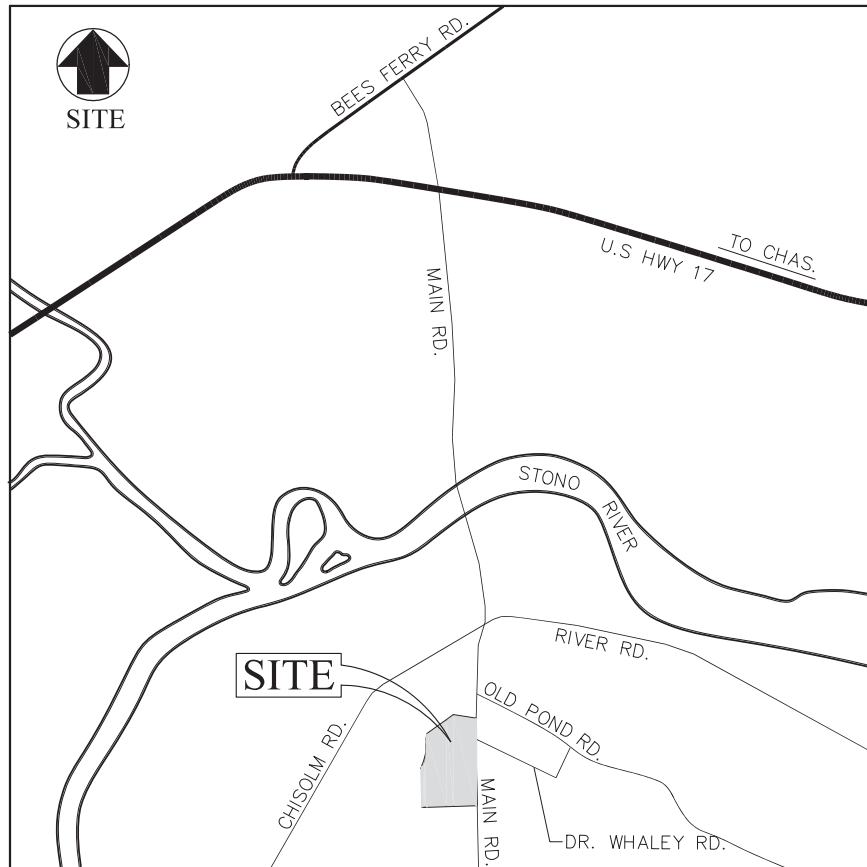
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

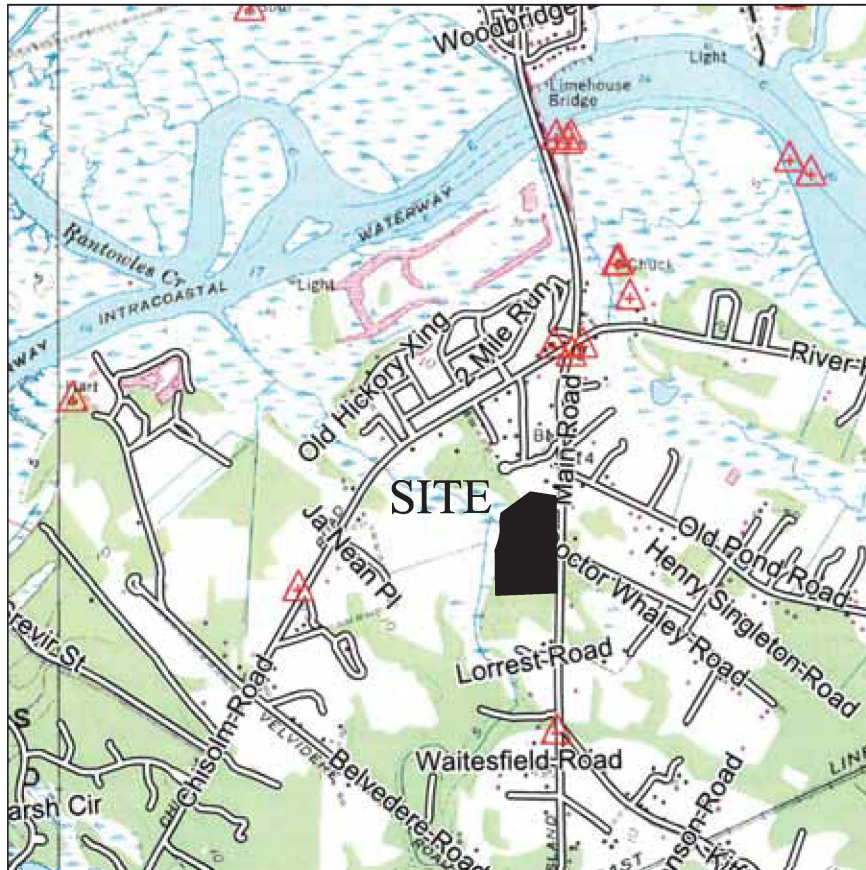
If there are any questions concerning this public notice, please contact Lorin Kinney, Project Manager, at 843-329-8037, or by email at Lorin.R.Kinney@usace.army.mil.



PROPOSED ACTIVITY:
WETLAND IMPACT AND MITIGATION

Revisions	
Date	Initials

Project Title: RAKES MAIN RD – OFFICE WAREHOUSE PARK	
Project Location: Lat. 32.770886° N, Long. 80.107680° W CHARLESTON COUNTY, SOUTH CAROLINA	
Applicant: KARL RAKES	
Date: FEBRUARY 22, 2022	Scale: NONE
Application #	Sheet 1 of 9



USGS MAP

NOT TO SCALE

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Applicant: KARL RAKES	
Date: FEBRUARY 22, 2022	Scale: NONE
Application #	Sheet 2 of 9

SUMMARY

SITE AREA	21.22± ACRES
JURISDICTIONAL WETLANDS	1.89 ACRES
BELOW OCRM CRITICAL LINE	6.63± ACRES
SITE HIGHLANDS	12.7 ACRES

JURISDICTIONAL WETLAND IMPACTS

"A1"/"A2" 0.45 ACRES + "A3" 0.037 ACRES	
+ "A4" 0.06 ACRES =	0.547 ACRES

TOTAL IMPACT	0.547 ACRES
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PRESERVED JURISDICTIONAL WETLANDS	1.343 ACRES
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WETLAND BUFFER (35' AVG.)	1.87 ACRES
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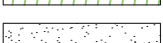
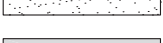
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Application #	Sheet 3 of 9



WETLAND MASTERPLAN

NOT TO SCALE

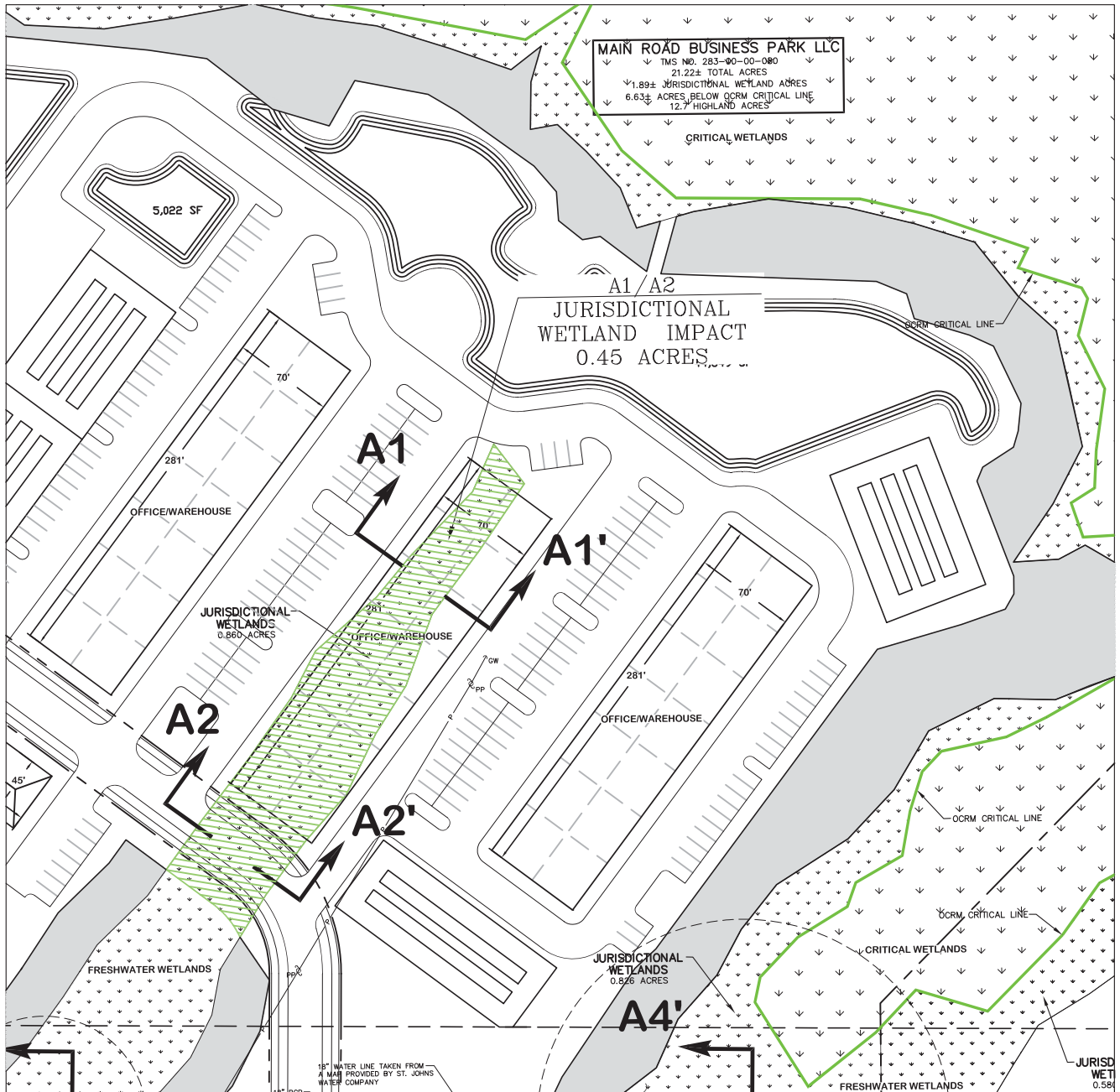
LEGEND

-  WETLANDS
-  UPLANDS
-  PROPOSED JURISDICTIONAL FILL
-  UTILITY/ROAD CROSSING
-  WETLAND BUFFER

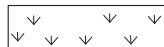

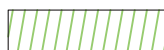
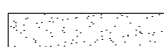
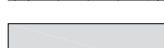
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Applicant:		KARL RAKES	
Date:	FEBRUARY 22, 2022	Scale:	1" = 250'
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WETLAND IMPACT AND MITIGATION

Revisions	
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LEGEND

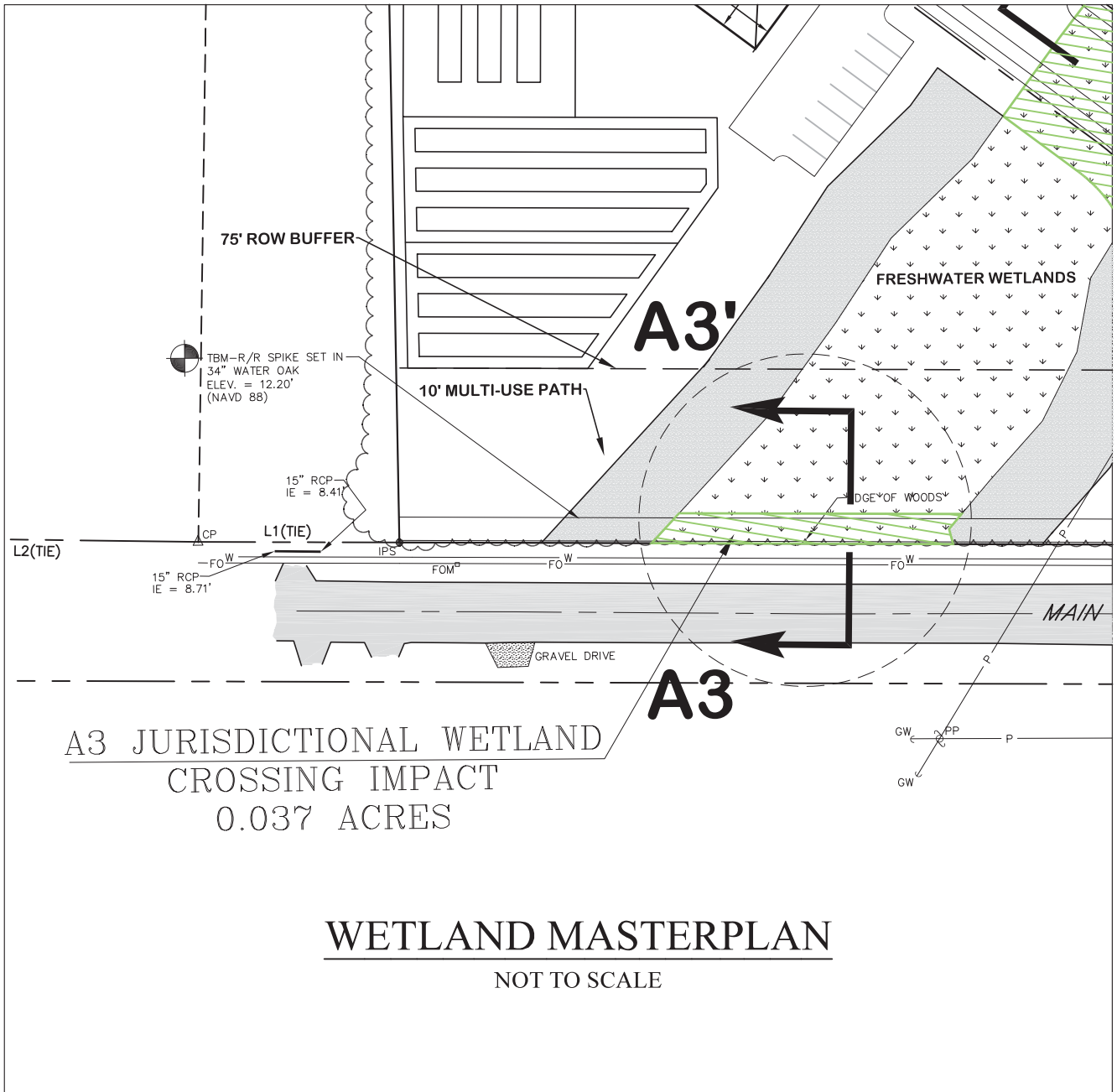
-  WETLANDS
-  UPLANDS
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Date:	FEBRUARY 22, 2022	Scale:	NTS
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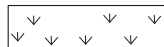

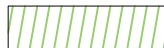
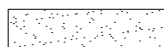

PROPOSED ACTIVITY:
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A3 JURISDICTIONAL WETLAND
CROSSING IMPACT
0.037 ACRES

WETLAND MASTERPLAN
NOT TO SCALE

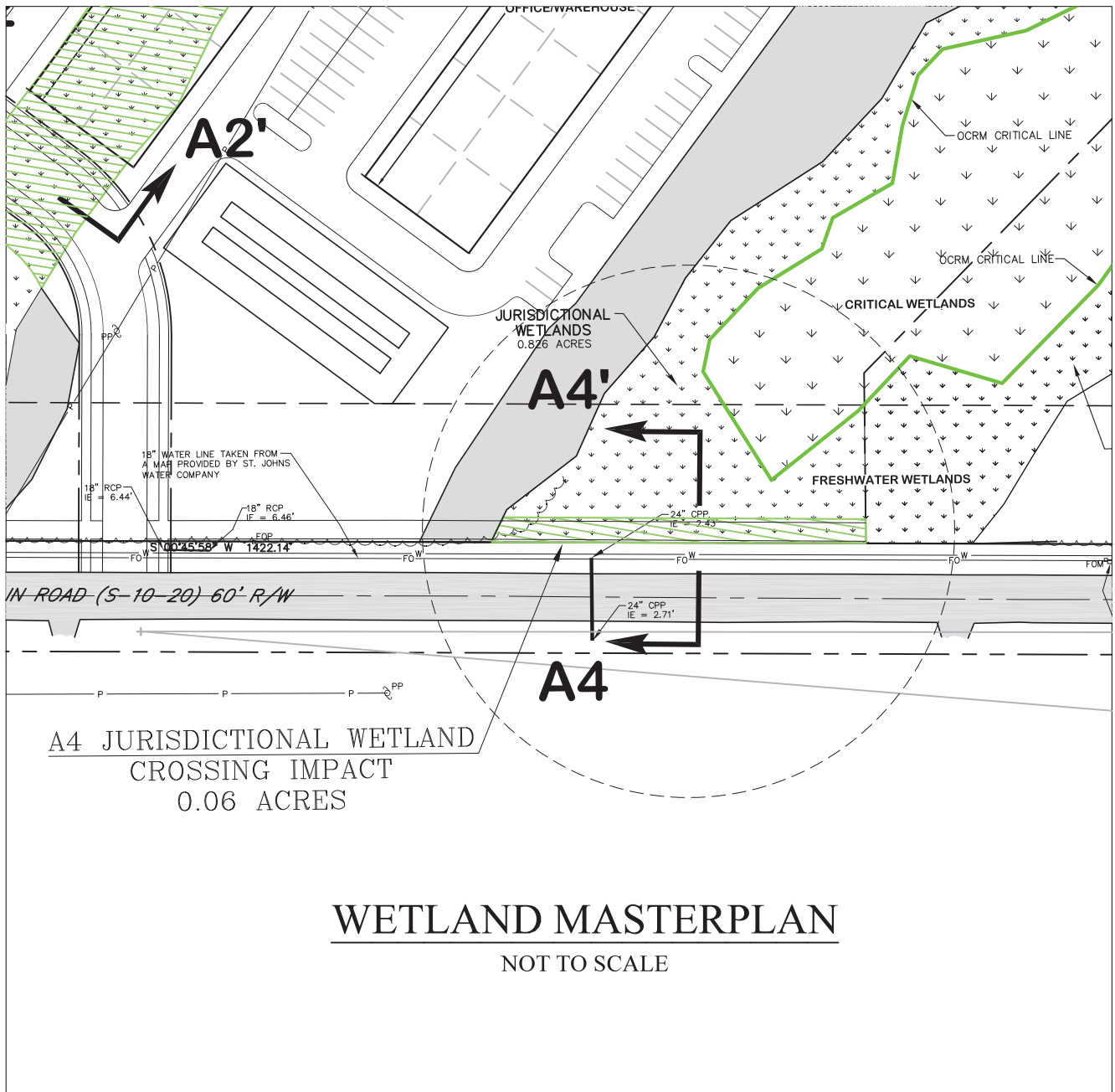
LEGEND

-  WETLANDS
-  UPLANDS
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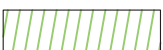




A4 JURISDICTIONAL WETLAND
CROSSING IMPACT
0.06 ACRES

WETLAND MASTERPLAN

NOT TO SCALE

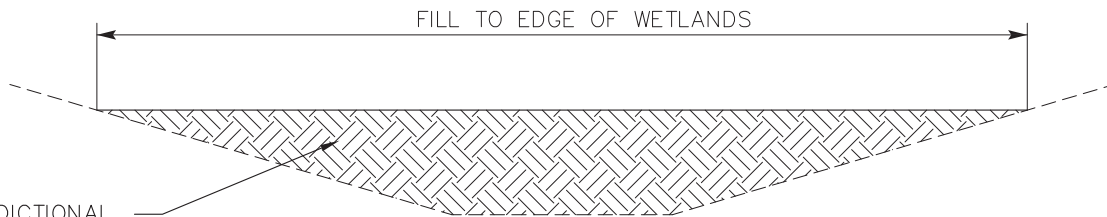
LEGEND

-  WETLANDS
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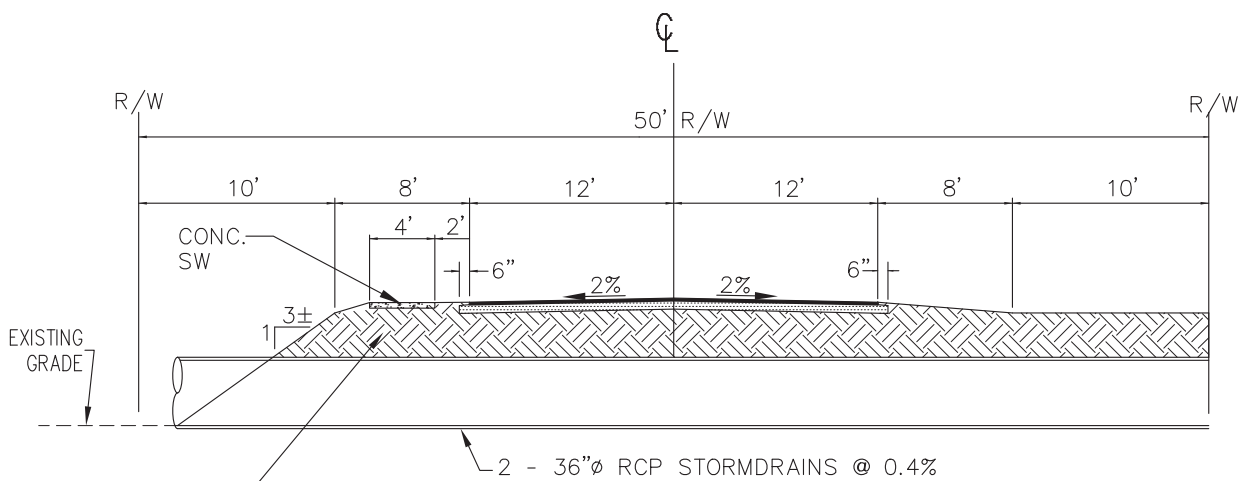
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JURISDICTIONAL
WETLAND FILL #1
0.45 ACRES TO BE FILLED
AVG 3' DEEP (APPROX. 2,178 CY)

CROSS SECTION A1 - A1'
N.T.S.



JURISDICTIONAL
WETLAND FILL #1
0.45 ACRES TO BE FILLED
AVG 3' DEEP (APPROX. 2,178 CY)

CROSS SECTION A2 - A2'
N.T.S.

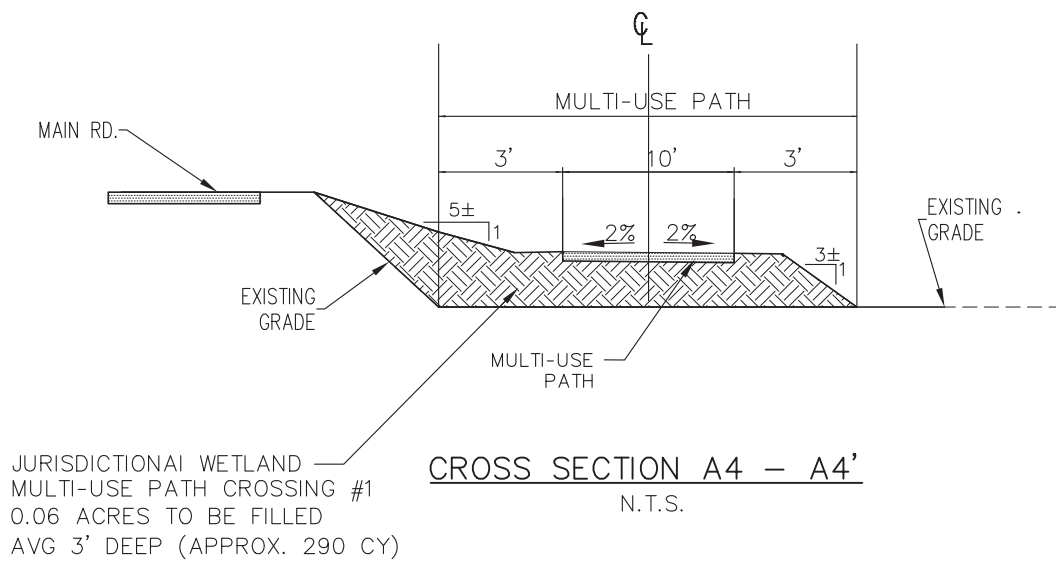
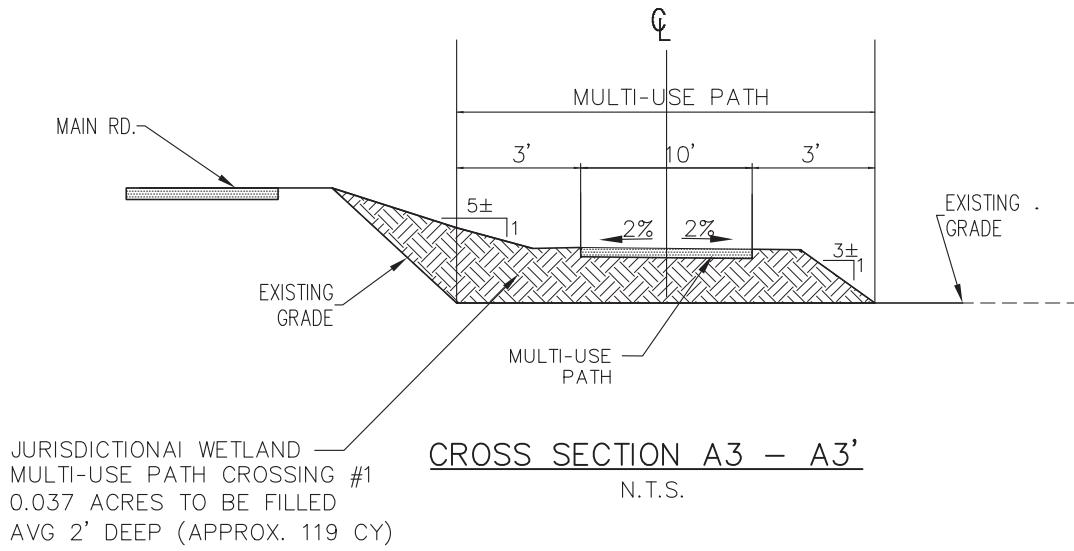
CROSS SECTIONS

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