

**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-2022-01174

September 21, 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. Tim Helmig**  
**Plantation Road Property Owner, LLC**  
**1000 Wilson Boulevard, Suite 700**  
**Arlington, Virginia 22209**

for a permit to construct a multi-unit residential home community adjacent to

**Popperdam Creek**

located at 3500 Ashley Phosphate Road in North Charleston, Charleston County, South Carolina (Latitude: 32.9317 °, Longitude: -80.0819 °), Quad Sheet- Ladson.

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 the construction of a 350-unit multi-family residential community to provide critical affordable housing options for Charleston County and the rapidly growing tri-county area.

### **Project Description**

The proposed work consists of constructing a multi-unit residential home community. In detail, the applicant proposes to place fill within wetlands and waters of the U.S. to construct an apartment complex with 350 units located in one large U-shaped building, with a parking garage (342 spaces) and surface parking (218 spaces), as well as an approximately 8,000 square foot clubhouse/ community center. The applicant proposes impacts to 2.12 acres of freshwater wetlands and 0.29 acres (1,151 linear feet) of non-wetland waters. The impact to the wetland will be fill associated with the residential development. The impacts to the non-wetland water includes 0.09 acre (282 linear feet) of permanent impounding/ flooding impacts from excavation of the onsite stormwater retention pond. The remainder of the impacts to the non-wetland water (0.20 acre or 869 linear feet) will be fill to accommodate the construction of the proposed multi-family development. The non-wetland water will be re-routed from the stormwater pond along Plantation Road to an existing culvert that crosses under Plantation Road, eventually draining into Popperdam Creek.

### **Avoidance and Minimization**

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by localizing and increasing density onto a smaller area of the entire property. In addition, the reduction of surface parking was achieved by inclusion of a parking garage to minimize the overall footprint of the development.

### **Proposed Compensatory Mitigation**

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 22.3 freshwater mitigation credits and 5,414 stream credits from the Palmetto Umbrella Mitigation Bank- Big Run Site.

### **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 2.12 acres of freshwater wetlands and 0.29 acre of non-wetland waters inland and upstream of any 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.

### **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-2022-01174), to [Chelsea.B.Fannin@usace.army.mil](mailto:Chelsea.B.Fannin@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 Chelsea B. Fannin, Project Manager, at (843) 329-8038, or by email at [Chelsea.B.Fannin@usace.army.mil](mailto:Chelsea.B.Fannin@usace.army.mil).



# ASHLEY PHOSPHATE APARTMENTS

COVER SHEET

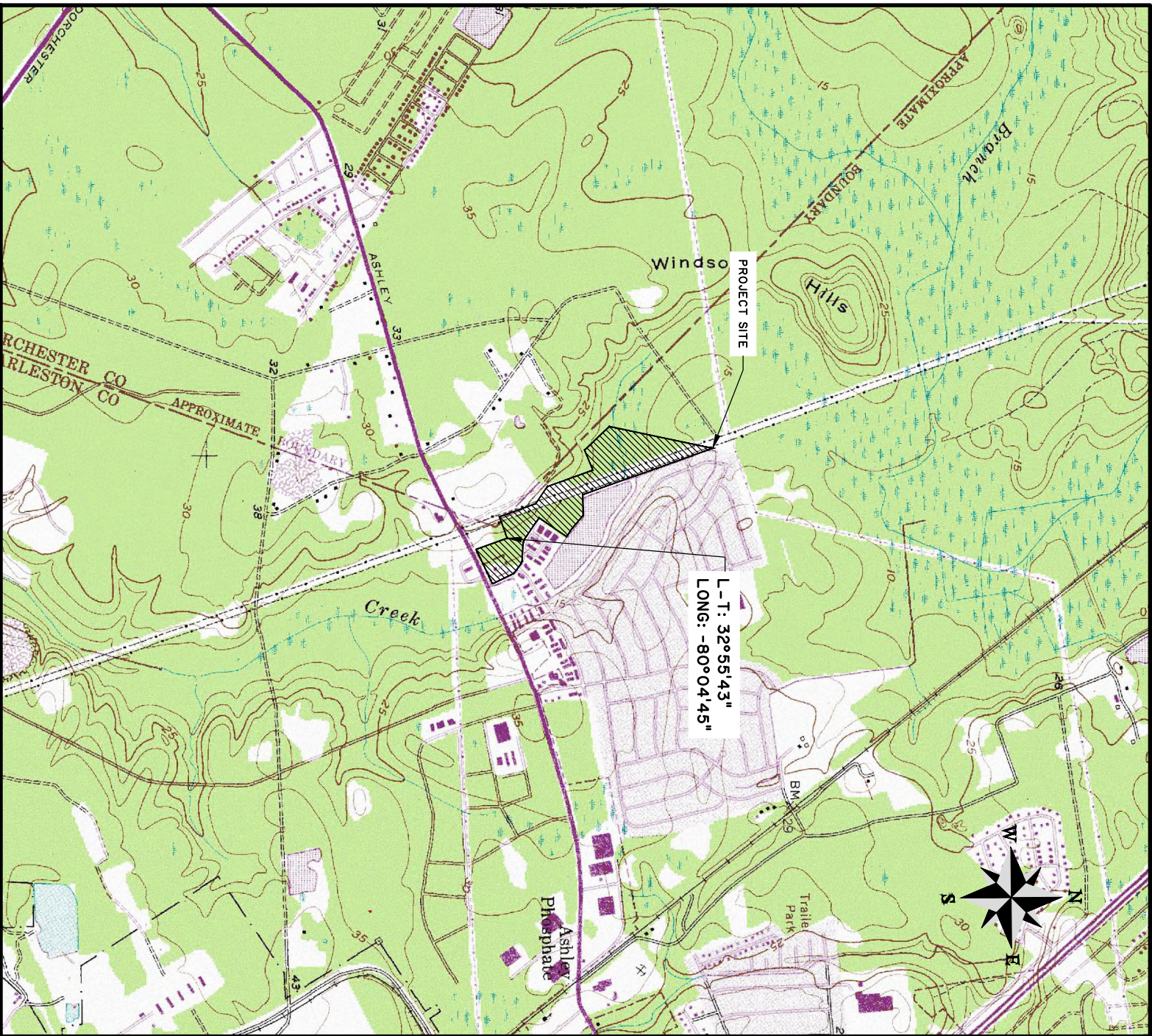
CLIENT:  
MONDAY PROPERTIES

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC		
DATE: 9/12/2022	DRAWN BY: CAB	SHEET: C0
JOB NUMBER: J-28824.0001	REVIEWED BY: DJJ	SCALE: 1" = 10000'



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# ASHLEY PHOSPHATE APARTMENTS

## QUAD MAP

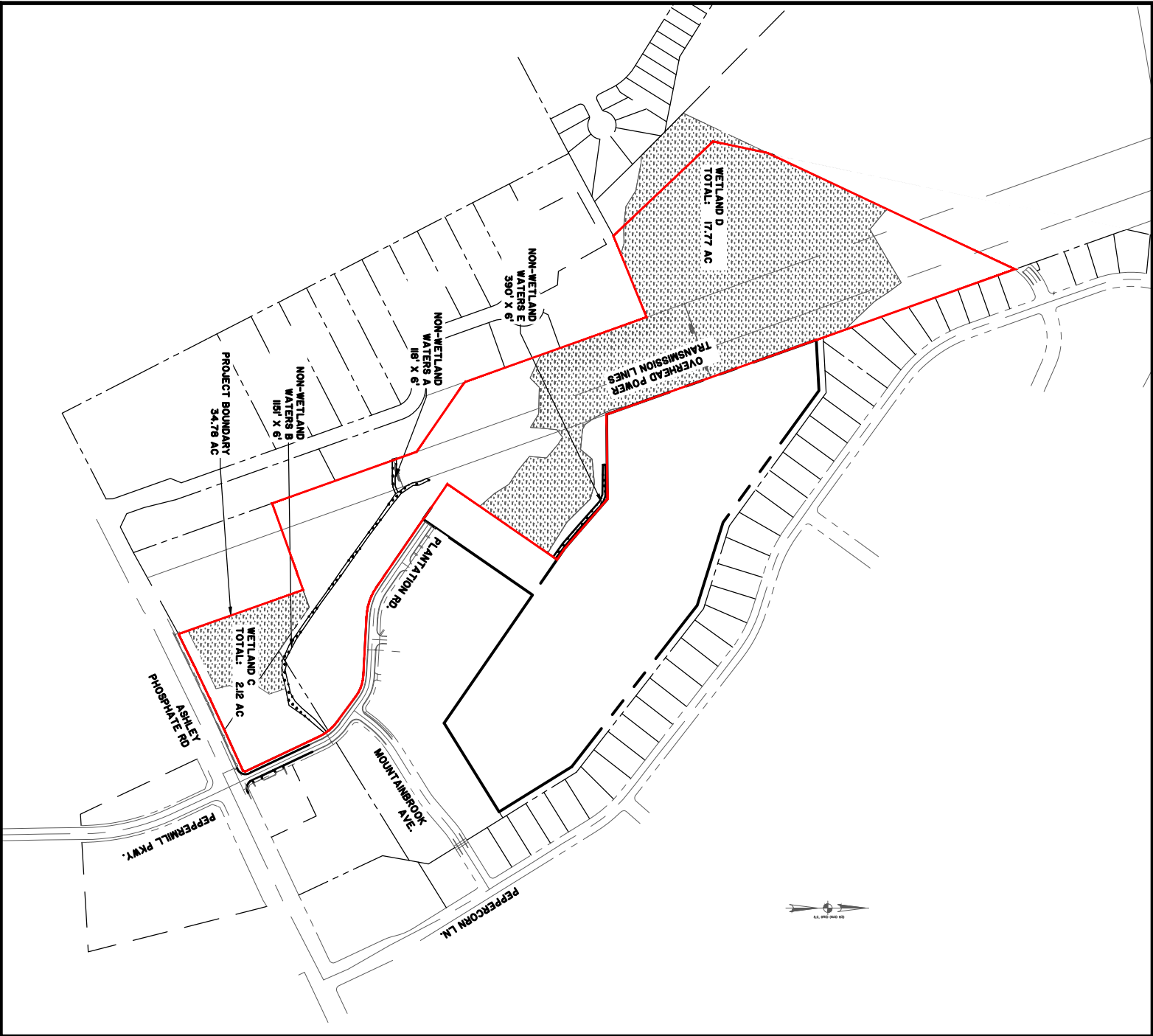
CLIENT:  
**MONDAY PROPERTIES**  
 LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC  
 DATE: 2022/9/12 DRAWN BY: CAB SHEET: C1  
 JOB NUMBER: J-28824.0001 REVIEWED BY: DJJ SCALE: 1" = 2000'



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# ASHLEY PHOSPHATE APARTMENTS

## EXISTING CONDITIONS PLAN

CLIENT:

**MONDAY PROPERTIES**

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC

DATE: 2022/9/12

JOB NUMBER: J-28824.0001

DRAWN BY: CAB

REVIEWED BY: DJJ

SHEET: C2

SCALE: 1" = 500'



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## Sheet List Table

Sheet Number	Sheet Title
C0	Cover Sheet
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C2	Existing Conditions Plan
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C4	Summary - Preferred
C5	Overall Site Plan - Preferred Option
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C8	Site Plan
C9	Site Plan
C10	Site Plan
C11	Site Plan
C12	Drainage Plan - Preferred Option
C13	Cross Section - 1
C14	Cross Section - 2
C15	Cross Section - 3
C16	Alternate Site Plan - 1
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# ASHLEY PHOSPHATE APARTMENTS

## SUMMARY - INDEX

CLIENT:

**MONDAY PROPERTIES**

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC  
 DATE: 2022/9/12  
 JOB NUMBER: J-28824.0001

DRAWN BY: CAB  
 REVIEWED BY: DJJ

SHEET: C3  
 SCALE: 1" = 50'



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






## 'PREFERRED PLAN' WETLAND IMPACT SUMMARY

IMPACT	WETLAND	SIZE (AC)	FILL (AC)	EXCAVATE (AC)	FILL (CY)	LF
1	NWW - B	0.29		0.09		282.00
2	NWW - B	0.29	.20	0.00	725.00	869.00
3	C	2.12	2.12	0.00	6567.00	
TOTAL			2.32	0.09	7292.00	1151.00

### EXISTING SITE CHARACTERISTICS

TOTAL AREA (AC): 34.78  
 UPLAND AREA: 14.52  
 WETLAND AREA: 19.82  
 NWW AREA: 0.44

## KEY

SYMBOL	DESCRIPTION
	NON WETLAND WATERS EXCAVATION LIMITS
	NON WETLAND WATERS EXCAVATION PATTERN
	NON WETLAND WATERS FILL LIMITS
	NON WETLAND WATERS FILL PATTERN
	NON WETLAND WATER LIMITS
	NON WETLAND WATER PATTERN
	NON WETLAND WATER LIMITS REMAIN
	NON WETLAND WATER REMAIN PATTERN
	WETLAND DEMO LIMITS
	WETLAND DEMO PATTERN
	WETLAND LIMITS
	WETLAND PATTERN
	WETLAND FILL LIMITS
	WETLAND FILL PATTERN
	WETLAND BUFFER LIMITS
	WETLAND BUFFER PATTERN
	WETLAND BUFFER FILL LIMITS
	WETLAND BUFFER IMPACT PATTERN

# ASHLEY PHOSPHATE APARTMENTS

## SUMMARY - PREFERRED

CLIENT:

MONDAY PROPERTIES

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC

DATE: 2022/9/12

DRAWN BY: CAB

SHEET: C4

JOB NUMBER: J-28824.0001

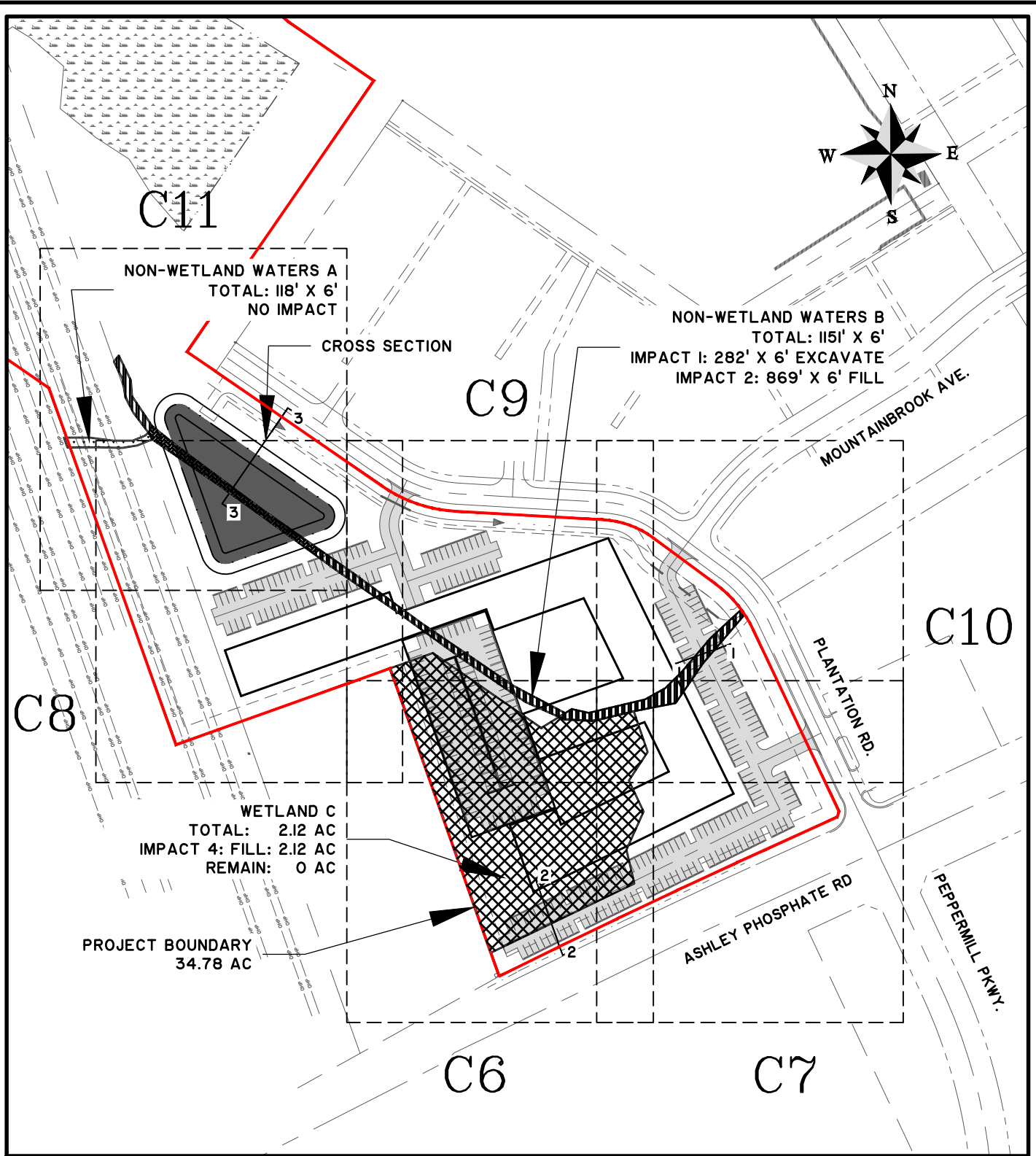
REVIEWED BY: DJJ

SCALE: 1" = 50'



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# ASHLEY PHOSPHATE APARTMENTS

## OVERALL SITE PLAN - PREFERRED OPTION

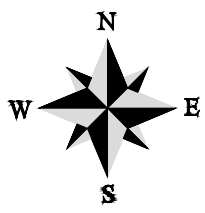
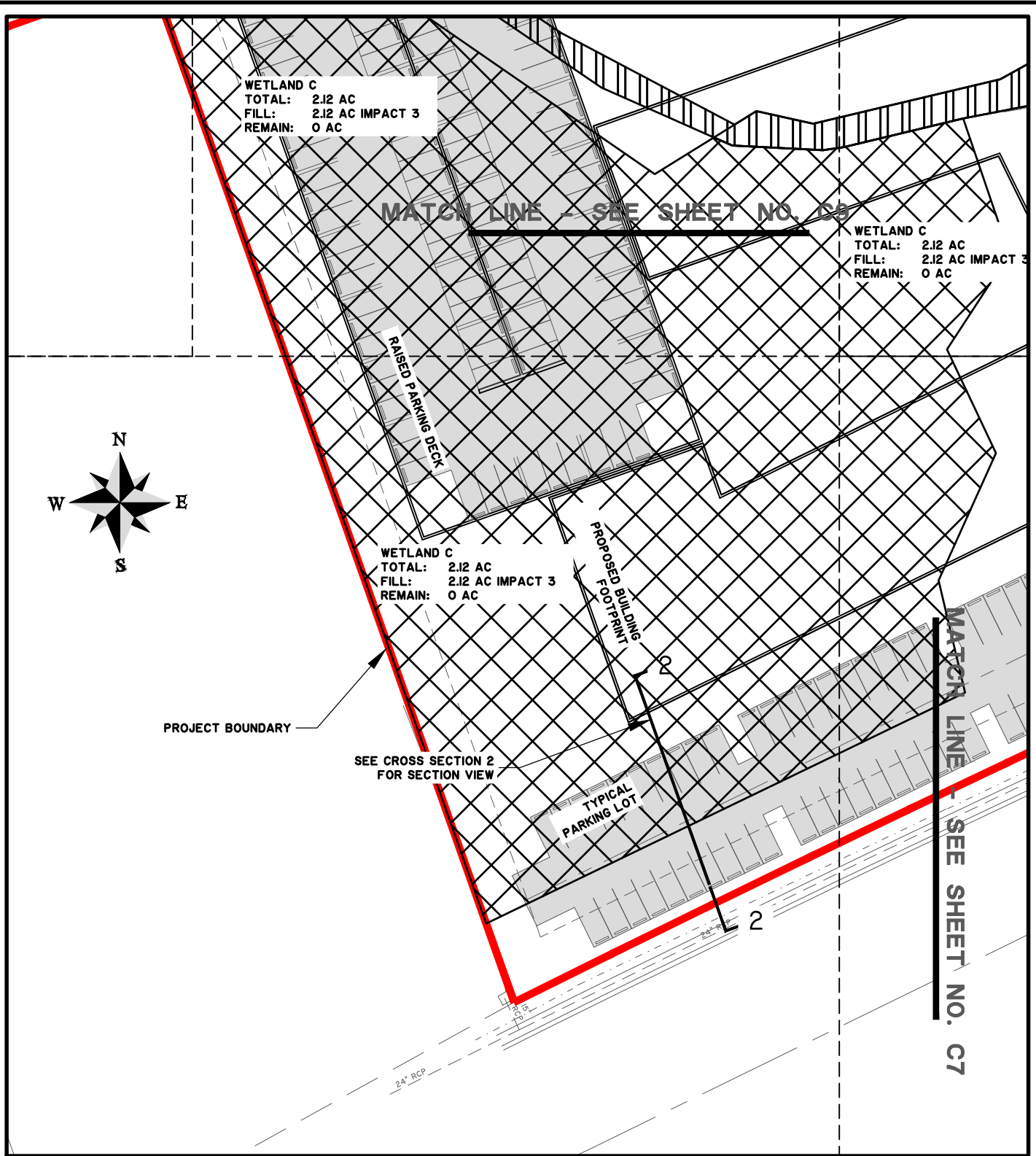
CLIENT:  
**MONDAY PROPERTIES**

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC  
DATE: 2022/9/12      DRAWN BY: CAB      SHEET: C5  
JOB NUMBER: J-28824.0001      REVIEWED BY: DJJ      SCALE: 1" = 200'



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# ASHLEY PHOSPHATE APARTMENTS

## SITE PLAN

CLIENT:  
**MONDAY PROPERTIES**

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC  
 DATE: 2022/9/12      DRAWN BY: CAB      SHEET: C6  
 JOB NUMBER: J-28824.0001      REVIEWED BY: DJJ      SCALE: 1" = 60'



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WETLAND C  
TOTAL: 212 AC  
FILL: 212 AC IMPACT 3  
REMAIN: 0 AC

PROPOSED BUILDING FOOTPRINT

TYPICAL PARKING LOT

TYPICAL PARKING LOT

MATCH LINE - SEE SHEET NO. C10

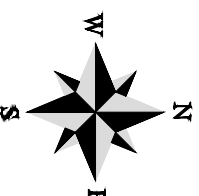
MATCH LINE - SEE SHEET NO. C6

BUILDING SETBACK (20') & SEWER EASEMENT

PLANTATION ROAD (50' PUBLIC R/W)

PROJECT BOUNDARY

ASHLEY PHOSPHATE RD



# ASHLEY PHOSPHATE APARTMENTS

## SITE PLAN

CLIENT:

MONDAY PROPERTIES

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC

DATE: 2022/9/12

JOB NUMBER: J-28824.0001

DRAWN BY: CAB

REVIEWED BY: DJJ

SHEET: C7

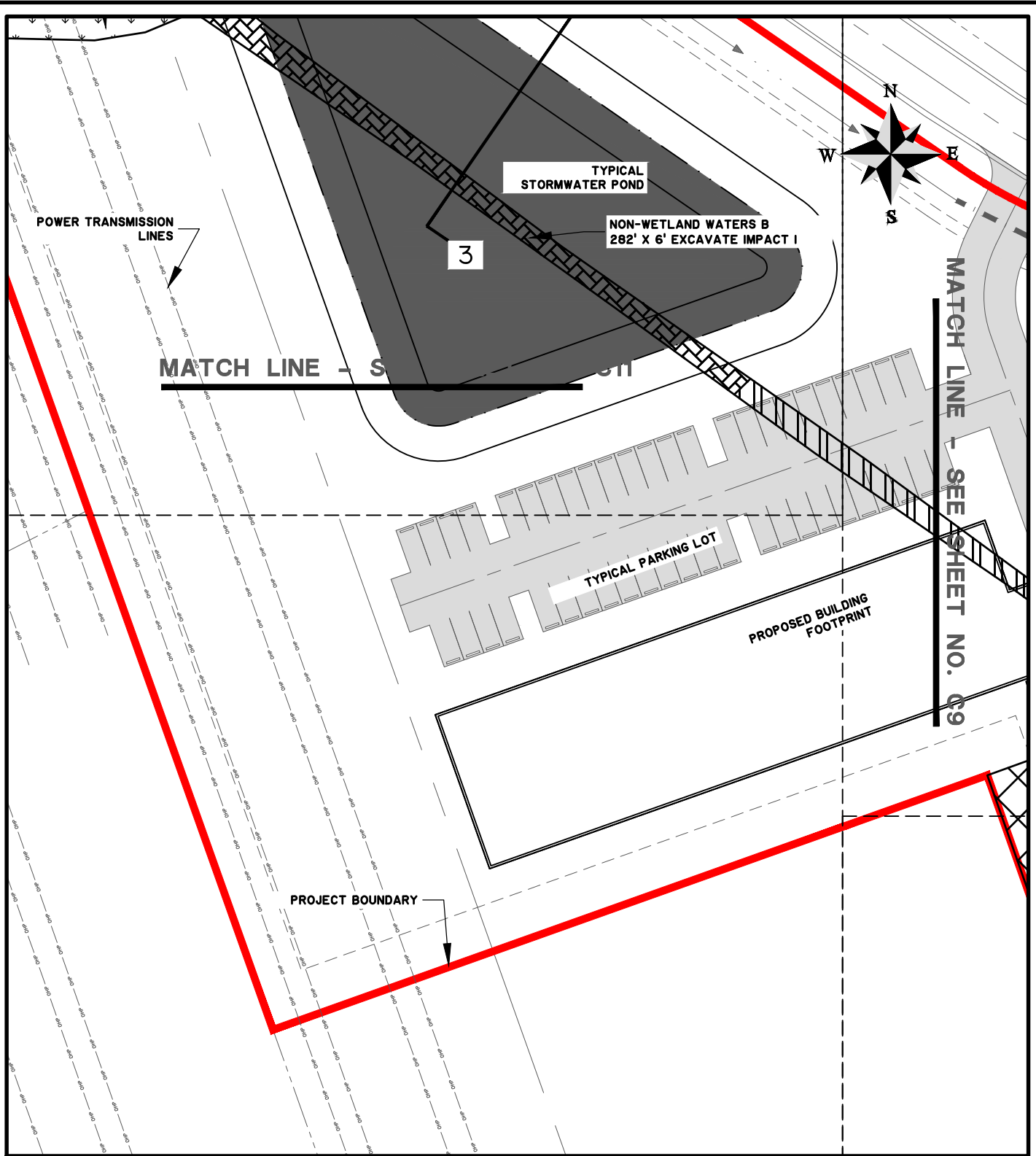
SCALE: 1" = 60'



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# ASHLEY PHOSPHATE APARTMENTS

## SITE PLAN

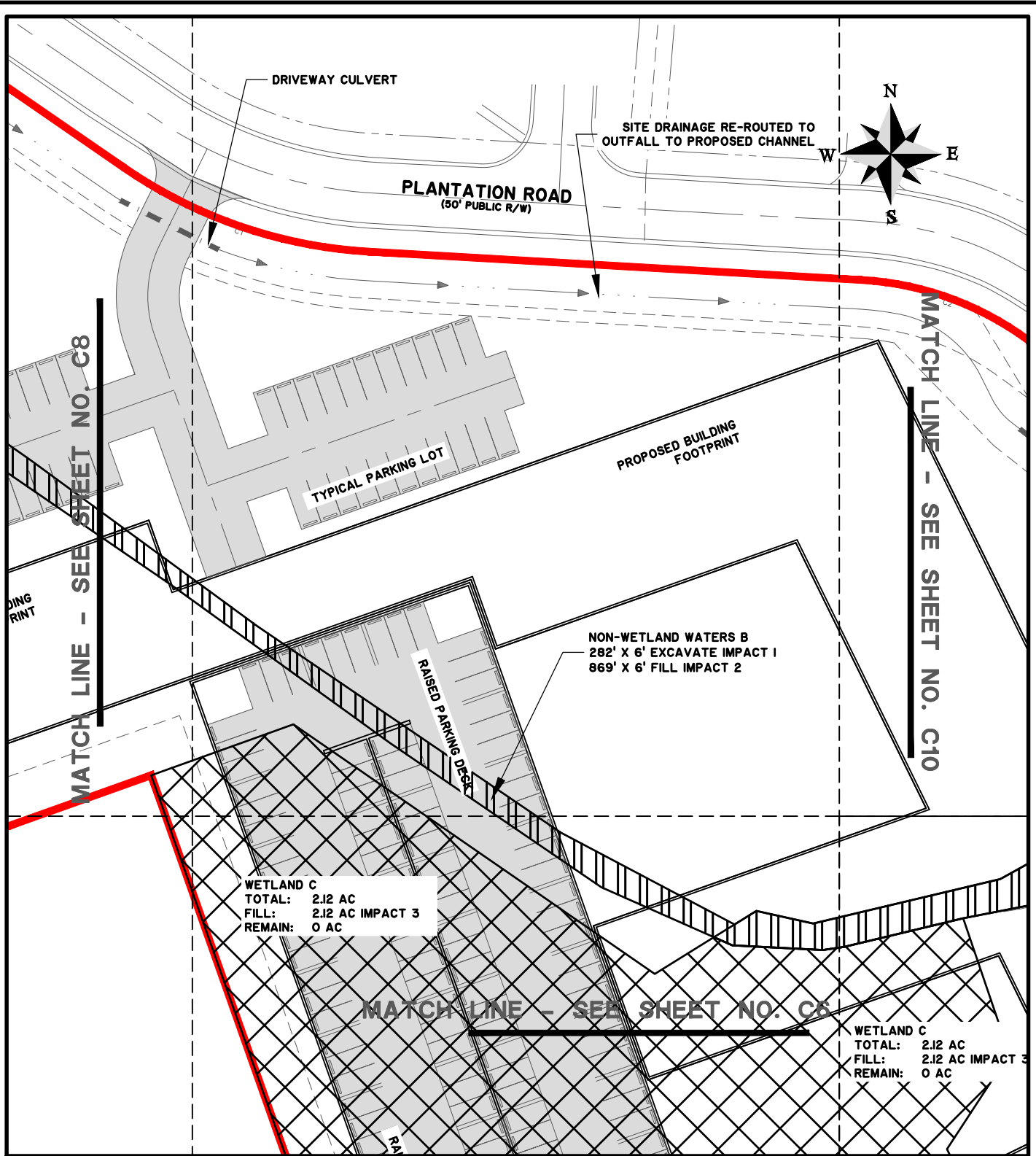
CLIENT:  
MONDAY PROPERTIES

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC  
DATE: 2022/9/12      DRAWN BY: CAB      SHEET: C8  
JOB NUMBER: J-28824.0001      REVIEWED BY: DJJ      SCALE: 1" = 60'



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WETLAND C  
 TOTAL: 2.12 AC  
 FILL: 2.12 AC IMPACT 3  
 REMAIN: 0 AC

WETLAND C  
 TOTAL: 2.12 AC  
 FILL: 2.12 AC IMPACT 3  
 REMAIN: 0 AC

# ASHLEY PHOSPHATE APARTMENTS

## SITE PLAN

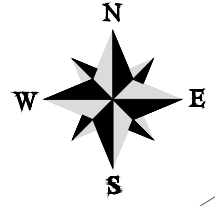
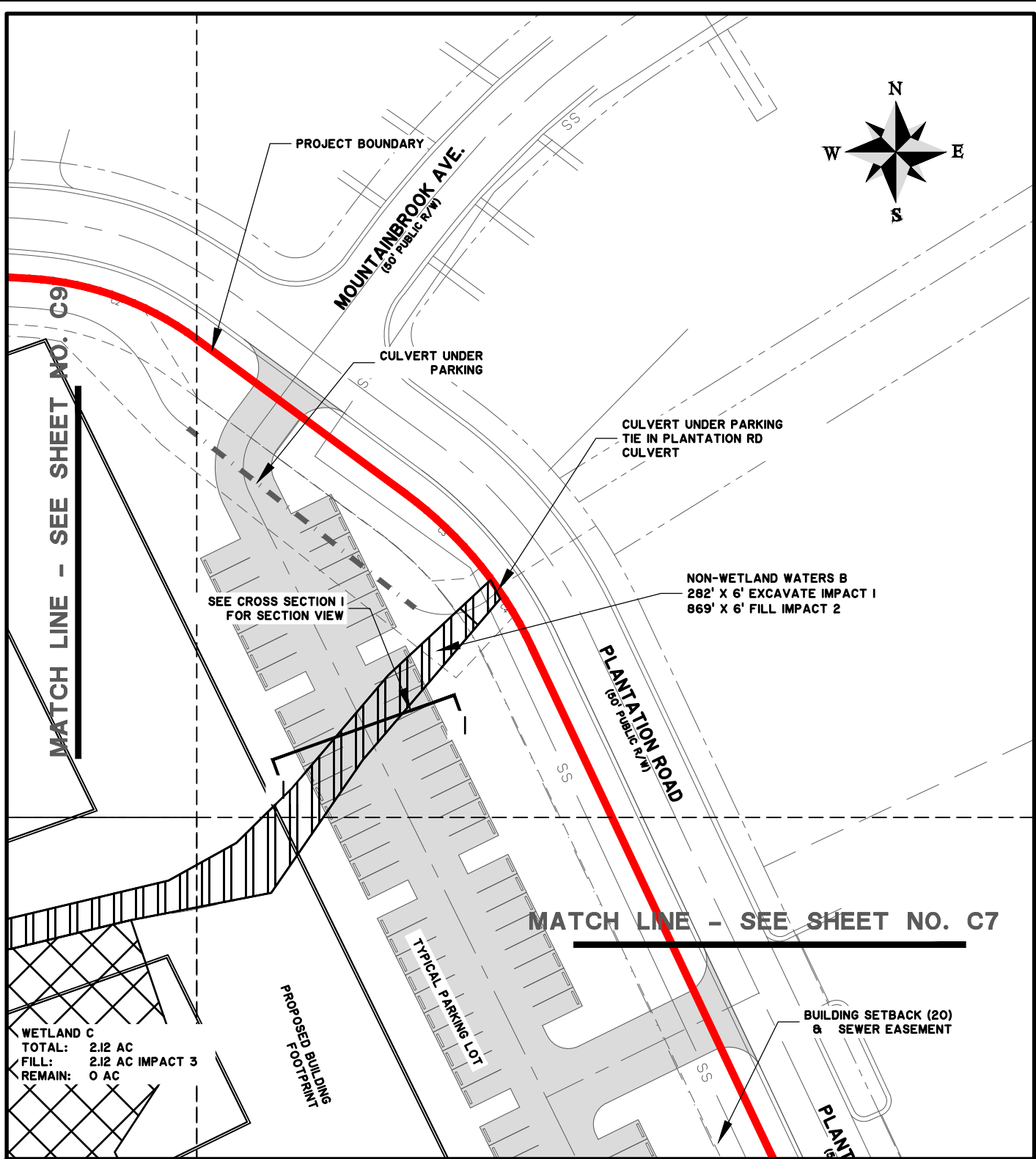
CLIENT:  
**MONDAY PROPERTIES**

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC  
 DATE: 2022/9/12      DRAWN BY: CAB      SHEET: C9  
 JOB NUMBER: J-28824.0001      REVIEWED BY: DJJ      SCALE: 1" = 60'



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# ASHLEY PHOSPHATE APARTMENTS

## SITE PLAN

CLIENT:  
**MONDAY PROPERTIES**

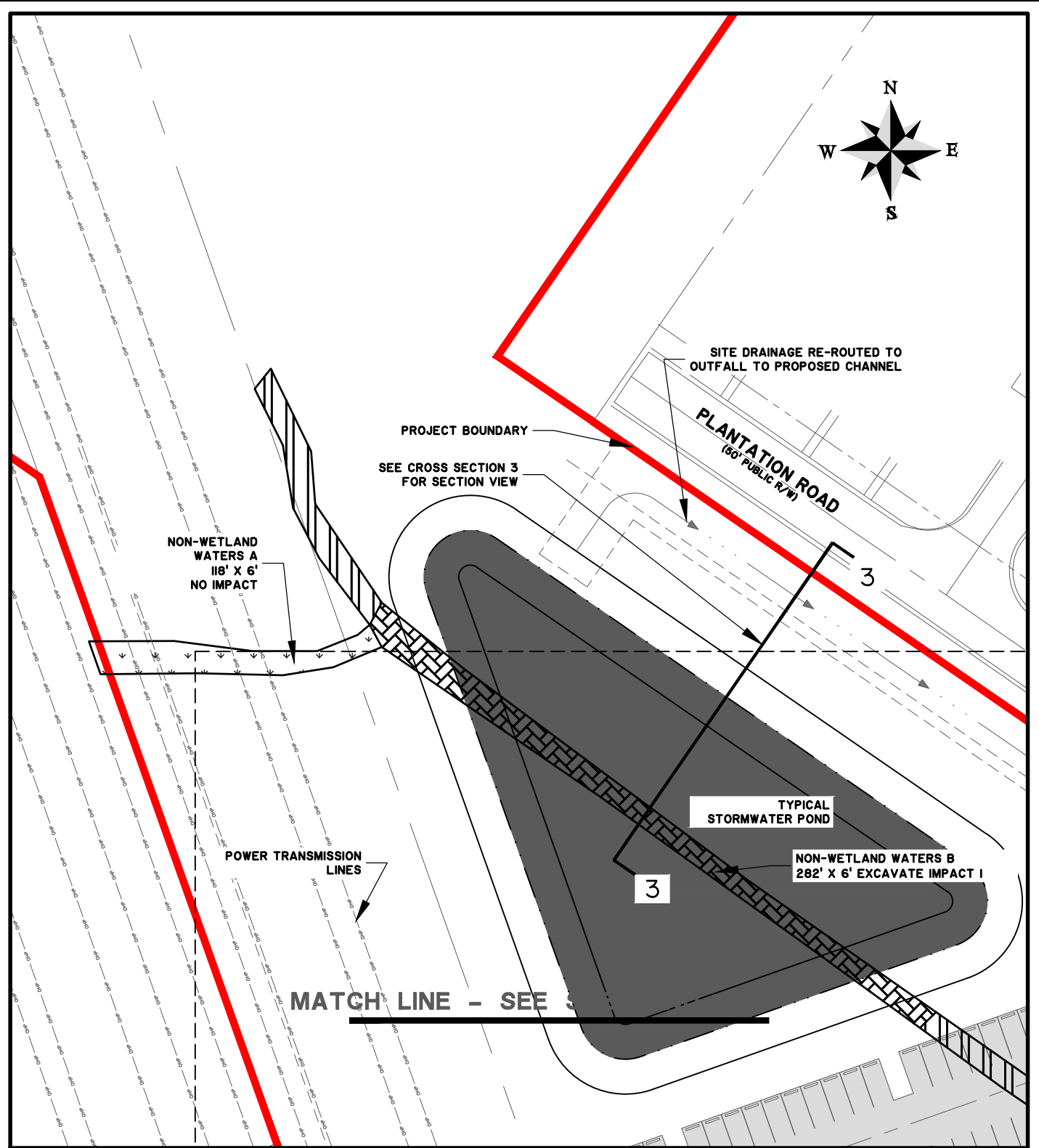
LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC  
 DATE: 2022/9/12      DRAWN BY: CAB      SHEET: C10  
 JOB NUMBER: J-28824.0001      REVIEWED BY: DJJ      SCALE: 1" = 60'



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# ASHLEY PHOSPHATE APARTMENTS

SITE PLAN

CLIENT:

MONDAY PROPERTIES

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC

DATE: 2022/9/12

DRAWN BY: CAB

SHEET: C11

JOB NUMBER: J-28824.0001

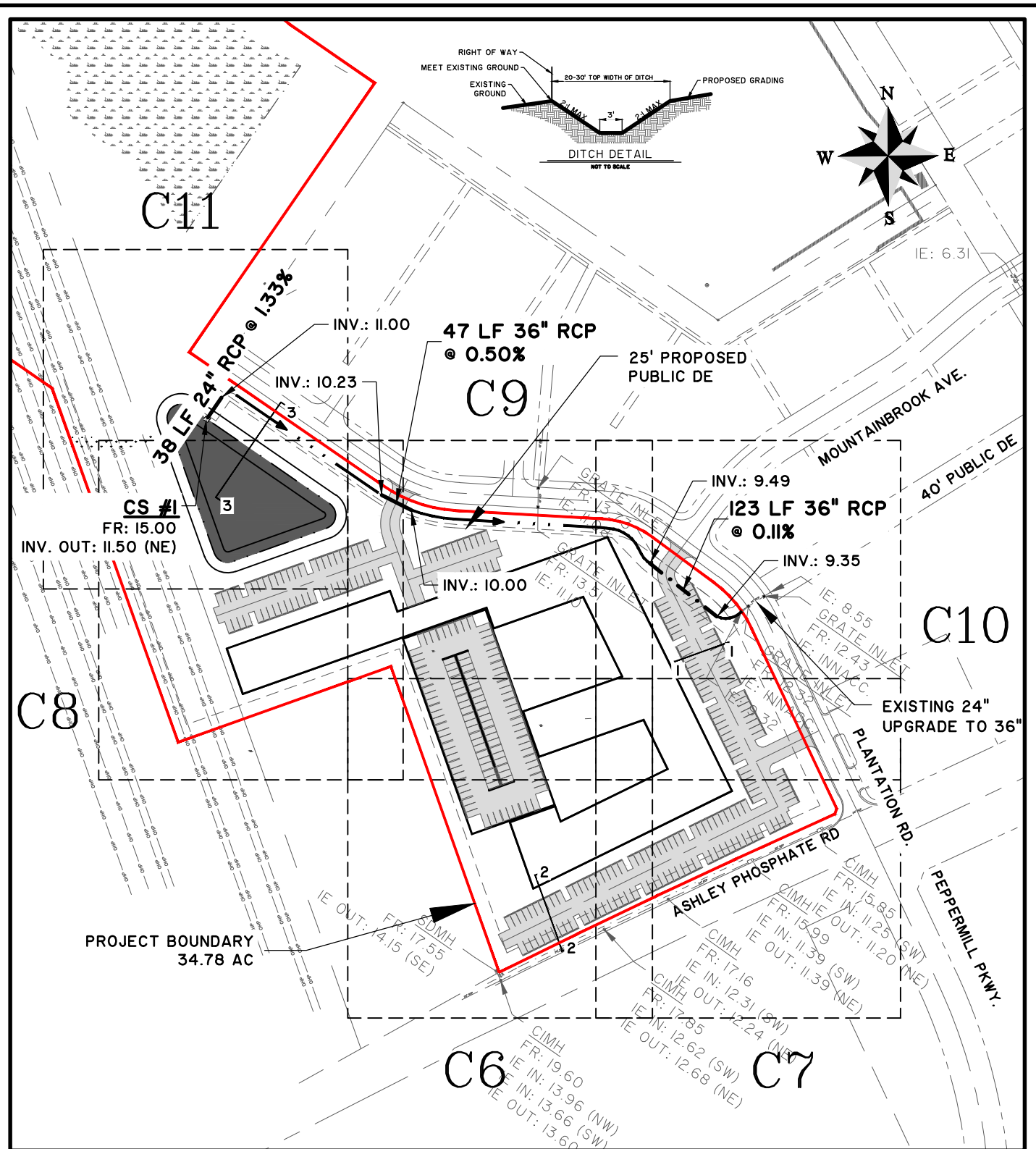
REVIEWED BY: DJJ

SCALE: 1" = 60'



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# ASHLEY PHOSPHATE APARTMENTS

## DRAINAGE PLAN - PREFERRED OPTION

CLIENT:

**MONDAY PROPERTIES**

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC

DATE: 2022/9/12

DRAWN BY: CAB

SHEET: C12

JOB NUMBER: J-28824.0001

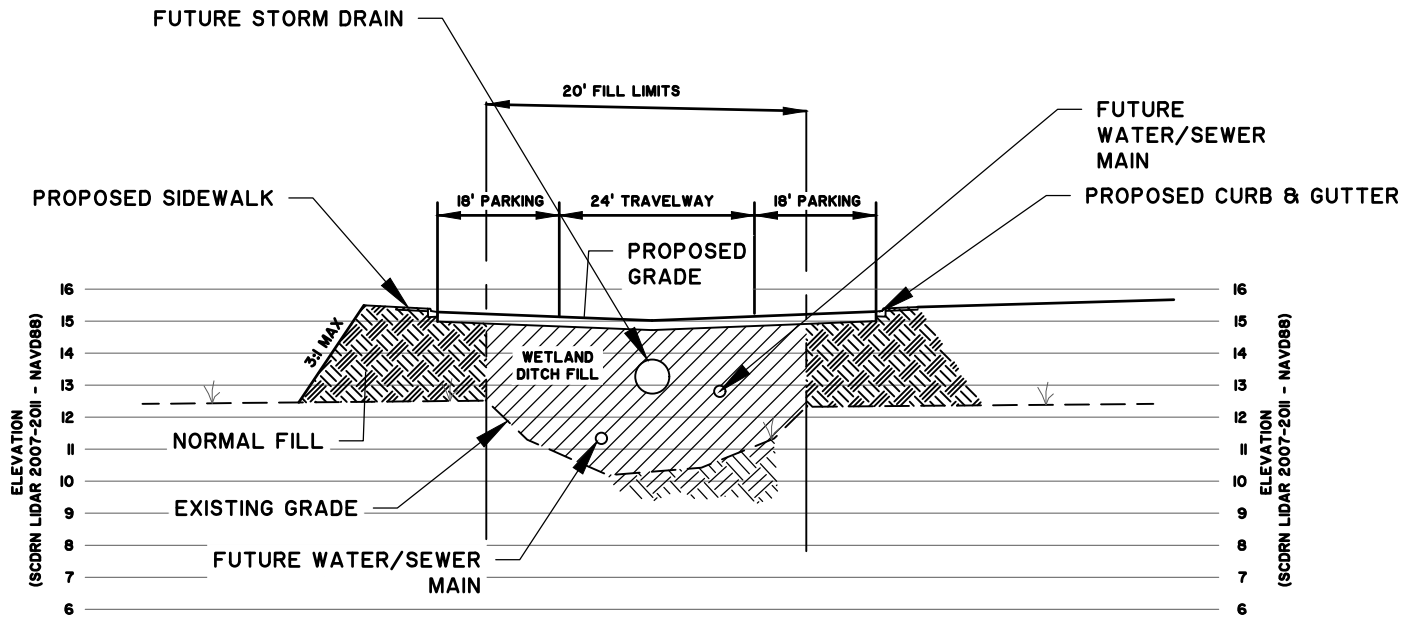
REVIEWED BY: DJJ

SCALE: 1" = 200'



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**CROSS SECTION I**

SCALE: N.T.S.

**ASHLEY PHOSPHATE APARTMENTS**

**CROSS SECTION - 1**

CLIENT:

**MONDAY PROPERTIES**

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC

DATE: 2022/9/12

DRAWN BY: CAB

SHEET: C13

JOB NUMBER: J-28824.0001

REVIEWED BY: DJJ

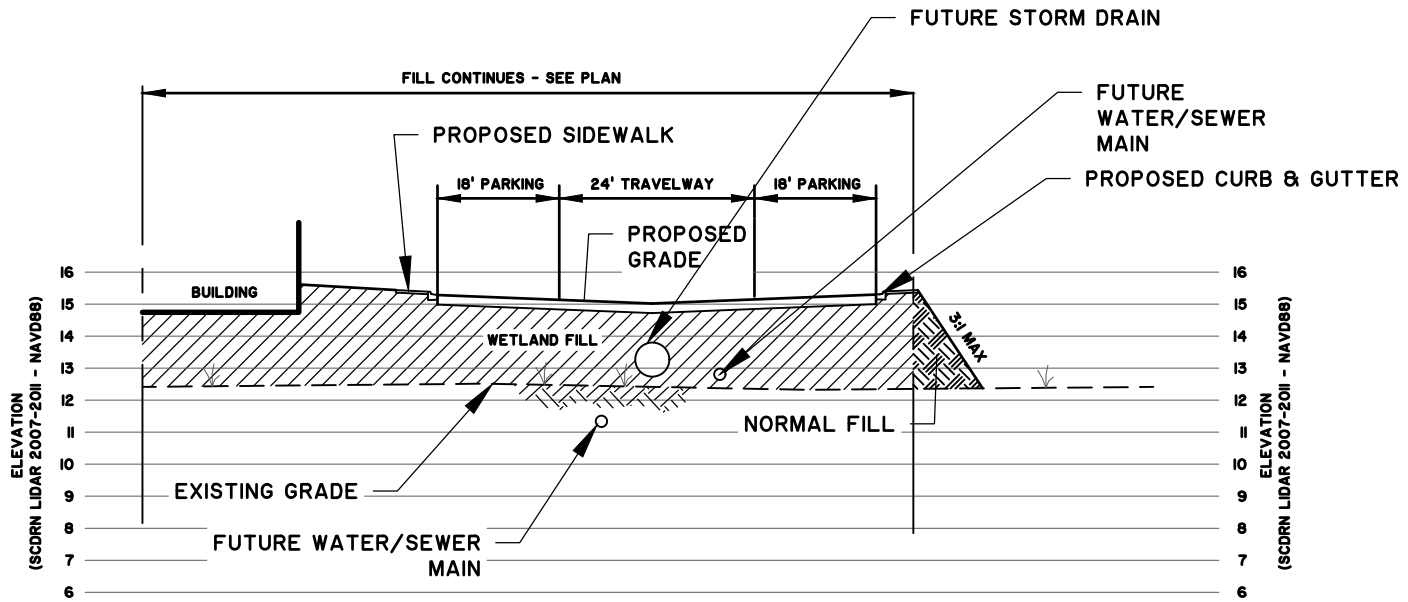
SCALE: NTS



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Z:\28824\28824.000\ENGINEERING\DR-WINGS\EXHIBITS\WETL-ND PERMIT DRAWINGS\28824.0001 - CROSS SECTIONS.DWG - Sep 12, 2022 - 11:20 - M



### CROSS SECTION 2

SCALE: N.T.S.

## ASHLEY PHOSPHATE APARTMENTS

### CROSS SECTION - 2

CLIENT:

MONDAY PROPERTIES

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC

DATE: 2022/9/12

DRAWN BY: CAB

SHEET: C14

JOB NUMBER: J-28824.0001

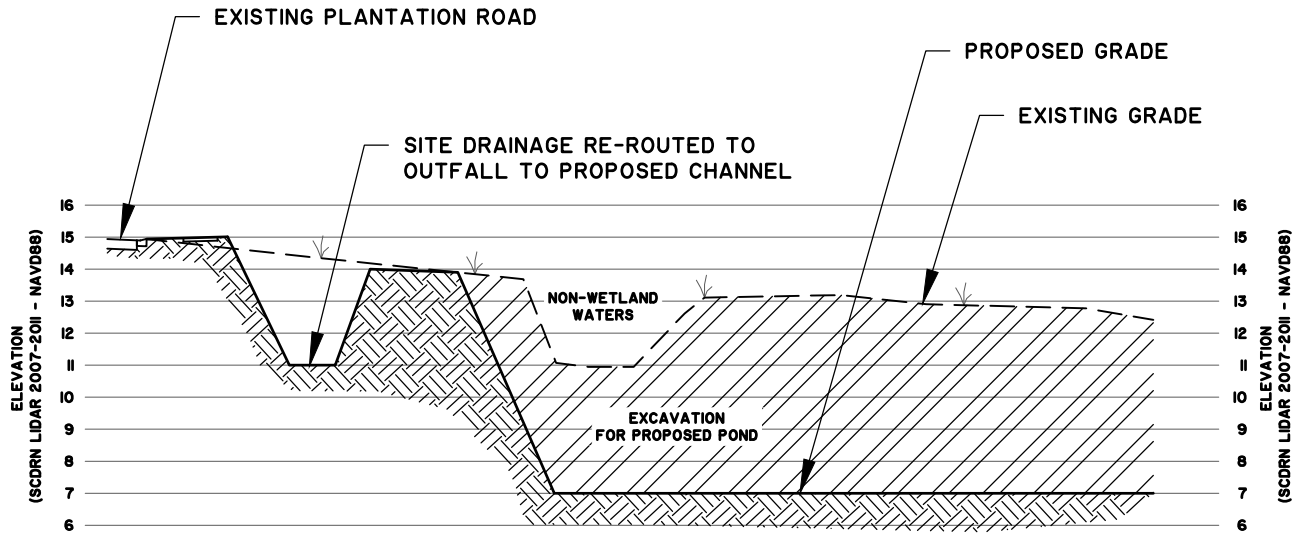
REVIEWED BY: DJJ

SCALE: NTS



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**CROSS SECTION 3**

SCALE: N.T.S.

**ASHLEY PHOSPHATE APARTMENTS**

**CROSS SECTION - 3**

CLIENT:  
**MONDAY PROPERTIES**

LOCATION: CHARLESTON COUNTY - NORTH CHARLESTON, SC  
DATE: 2022/9/12      DRAWN BY: CAB      SHEET: C15  
JOB NUMBER: J-28824.0001      REVIEWED BY: DJJ      SCALE: NTS



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