

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 Environmental Quality Control

Water Quality Certification and Wetlands Programs Section

2600 Bull Street

Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N # 2013-1345-1Q

15 Jan 2014

Pursuant to 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 South Carolina Department of Health and Environmental Control by

MR. ANTHONY BAKKER

LAUREL BLUFF PLANTATION

LIBERIA ROAD

WADMALAW ISLAND, SOUTH CAROLINA 29487

for a permit to construct an impoundment on a headwater tributary of

LEADENWAH CREEK

at a location about 0.4-mile south-southeast of the intersection of Bears Bluff Road (S-10-316) and Liberia Road (S-10-68) on Wadmalaw Island, Charleston County, South Carolina (Lat: 32.67318°N x Long: -80.19208°W).

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 applicant proposes to create a Greentree Reservoir (*GTR*, approximately 2.6-acres at *'full-pool'*) by installing a riser-box Water Control Structure in an existing 2'-diameter open concrete culvert in a forested wetlands road crossing of the headwaters of Leadenwah Creek on Wadmalaw Island, Charleston County, South Carolina. The project area is included in a 1997 SC Conservation Easement that recognizes such actions. According to the applicant, the site was specifically chosen to minimize wetland impacts by using the site's adjacent upland topography as the *GTR*'s lateral embankments and the historic roadbed crossing as the terminal embankment. The resulting approximate 62'-long terminal embankment is about 18'-wide at the base (sloping to 15'-wide at the top), and 4' in height, with an approximate 0.026-acre impact footprint in the jurisdictional wetlands.

The applicant proposes to manage the impoundment under the October 1997 *'Interagency Guidance Concerning Authorization, Siting, Construction and Management of Greentree Reservoirs'* guidelines. The Basic Purpose of the project is to construct a Water Control Structure in an established road/embankment allowing seasonal (winter) flooding of the project area to a maximum 18" average depth, for three years out of four, that will stimulate increased mast production and provide enhanced cover and nesting habitat for resident waterfowl and other wetland dependent species. No additional compensatory mitigation is proposed by the applicant.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

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 District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to Water Quality Certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

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 seasonally impact about 2.6 acres of freshwater wetlands upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species 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.

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 the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

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.

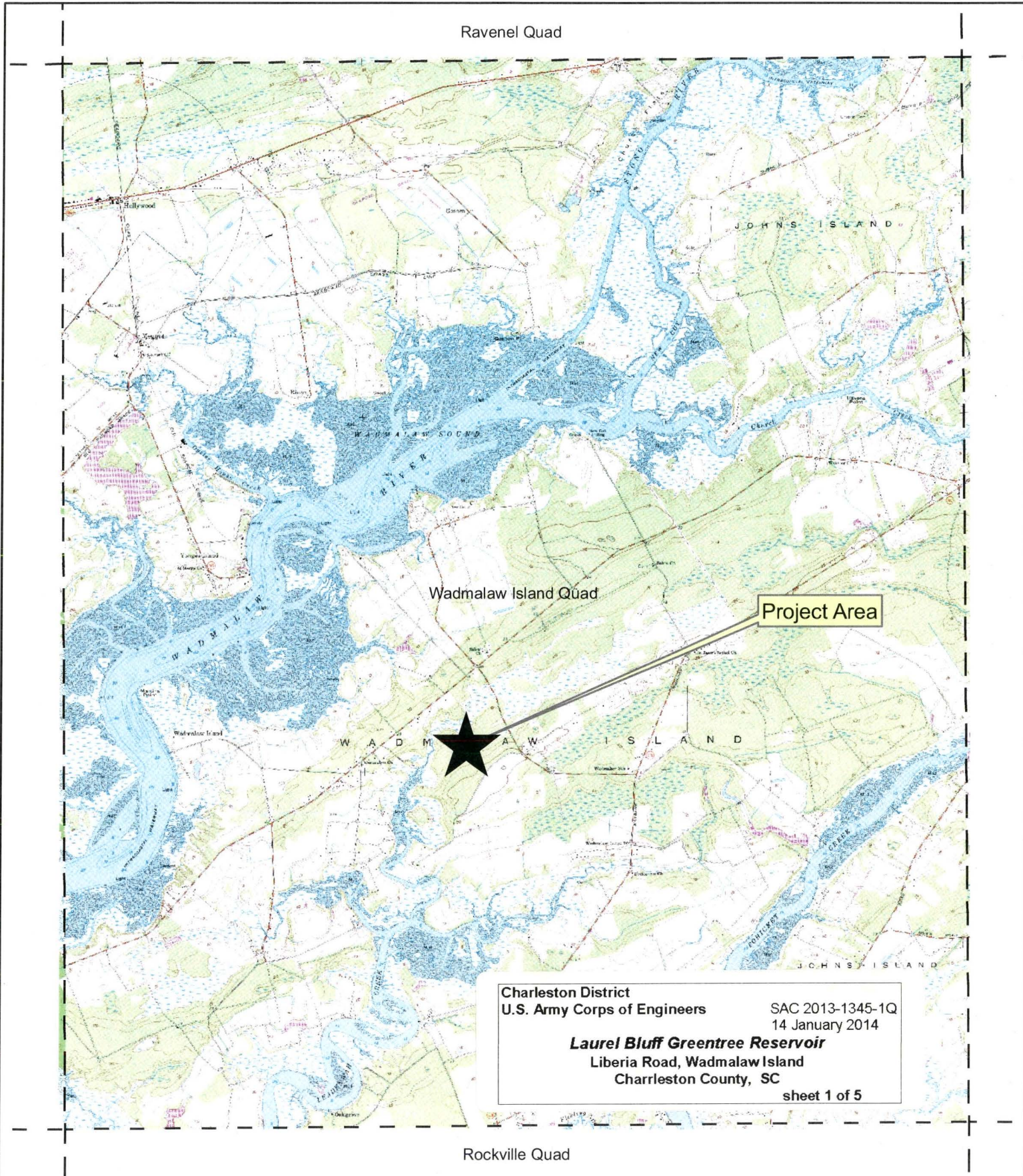
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may 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 of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers 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 of Engineers 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.

If there are any questions concerning this public notice, please contact Paul Hinchcliff at 843-329-8044 or toll free at 1-866-329-8187.

Project in USGS Quad

0 0.5 1 2 Miles Quad boundaries in black



Ravenel Quad

Wadmalaw Island Quad

Project Area

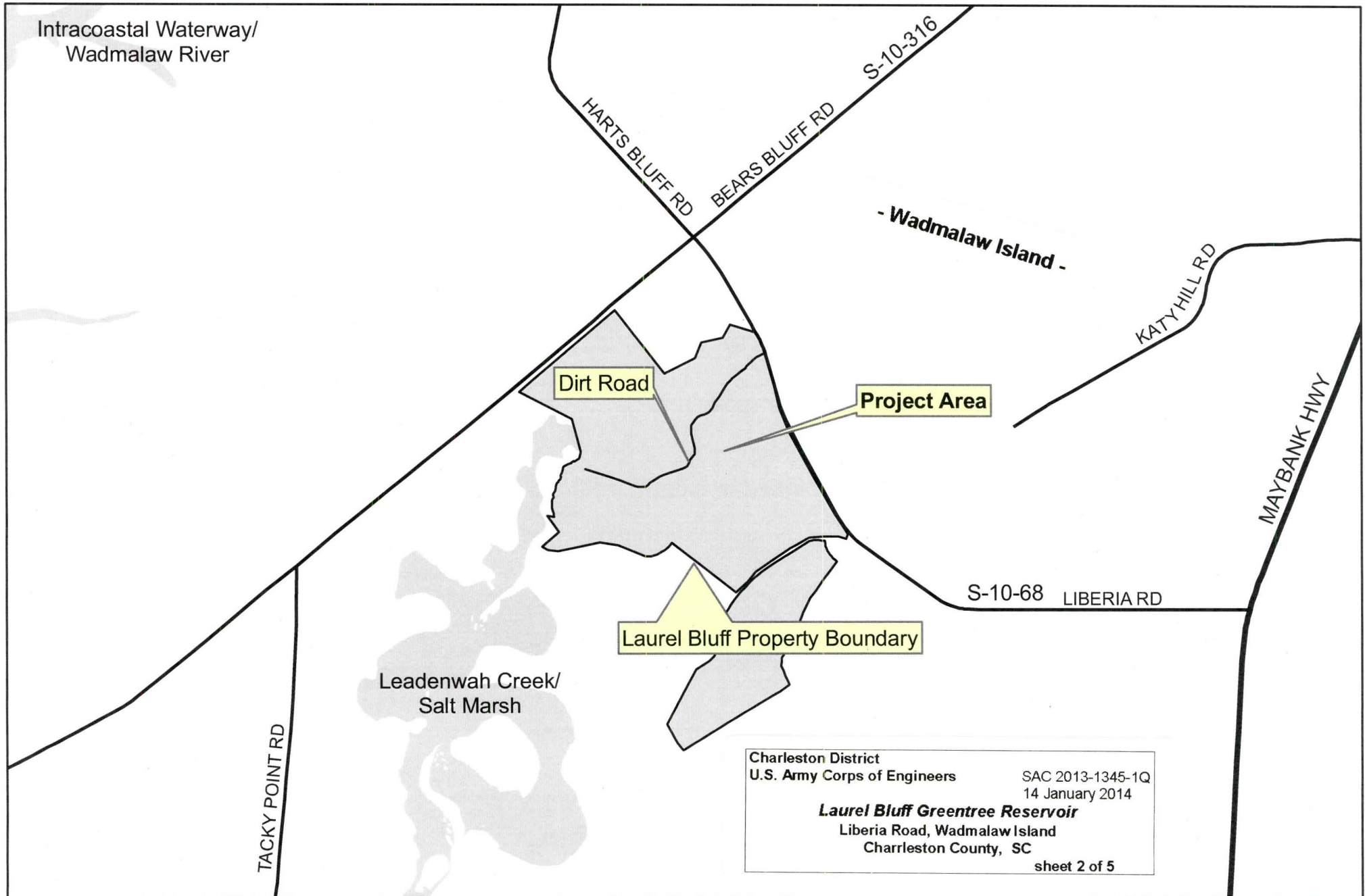


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Laurel Bluff Greentree Reservoir
Liberia Road, Wadmalaw Island
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Rockville Quad

Project Vicinity

0 0.125 0.25 0.5 Miles

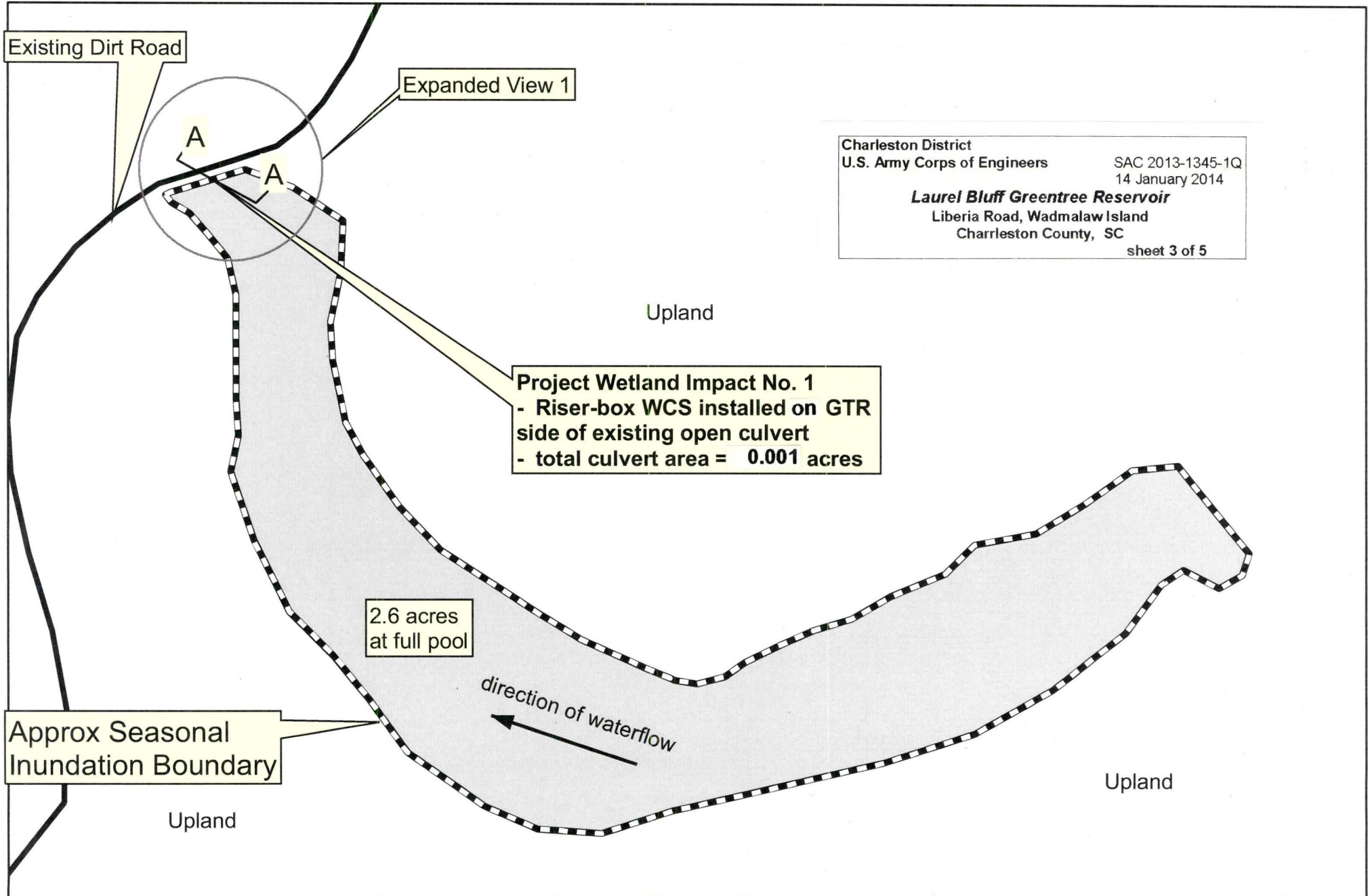
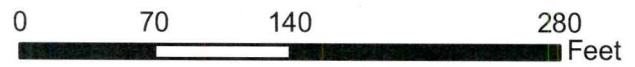


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Liberia Road, Wadmalaw Island
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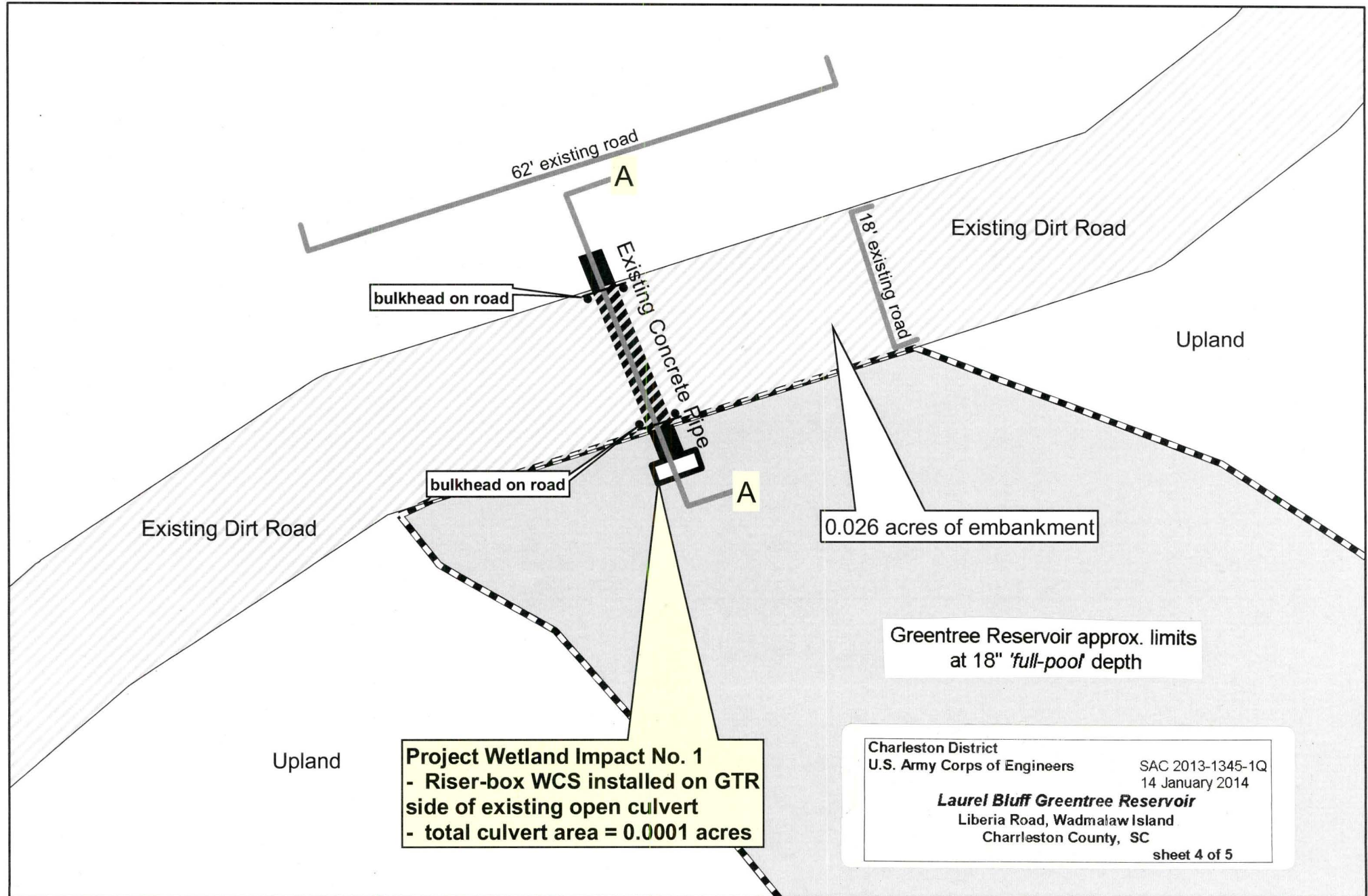
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Plan View Impoundment

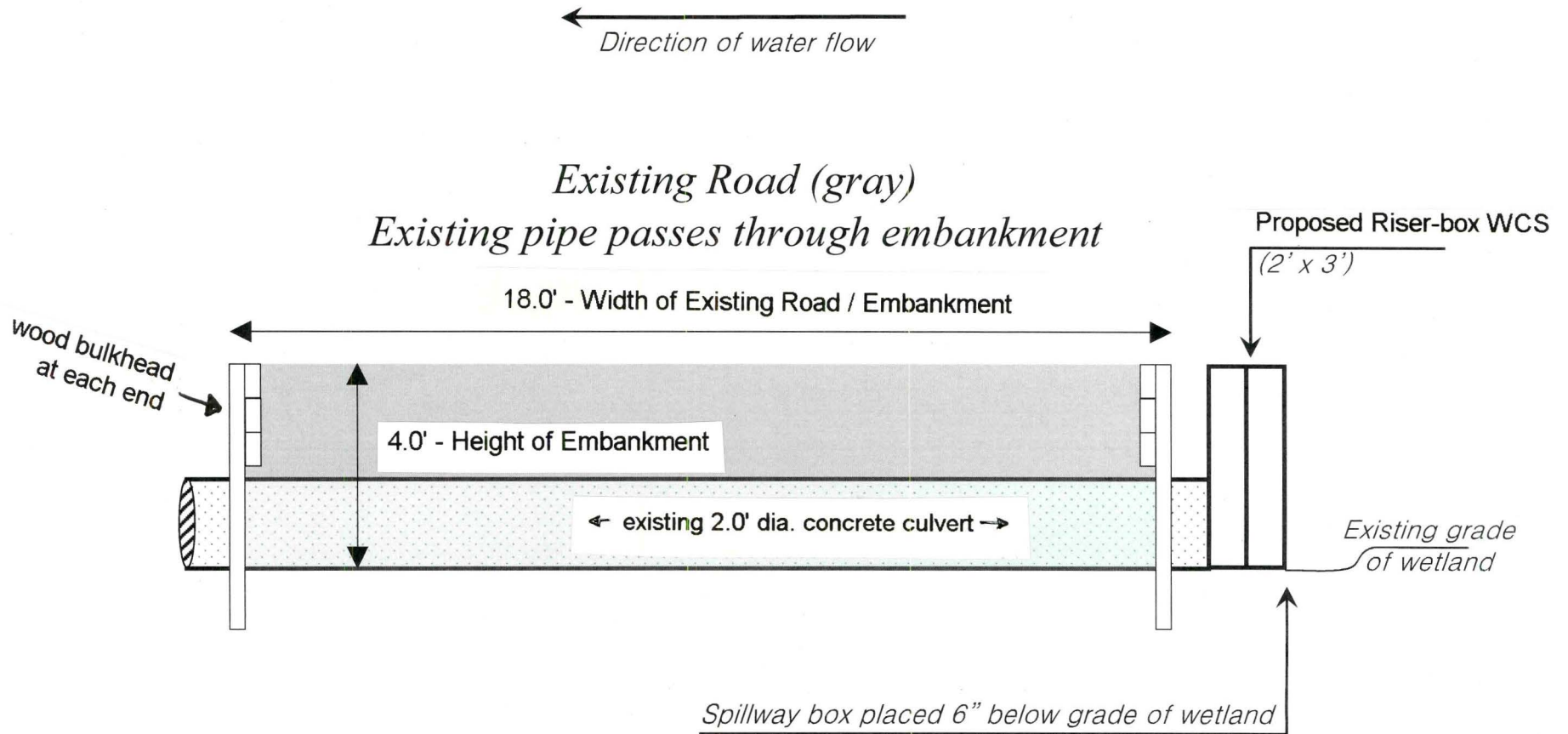


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Plan View at Road



Cross Section A-A (typical)



Dimensions

- Width of riser box = 3'
- Depth of riser box = 2'
- Height of flashboard riser = 4.0'
- Length of concrete pipe = 22'

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