

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- 2012-00651-1T

14 September 2012

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 and the S.C. Department of Health and Environmental Control by

THE HAMMOCKS PROPERTY OWNERS ASSOCIATION, INC
C/O WINTHROP FOSTER
P.O. BOX 334
EDISTO ISLAND, SOUTH CAROLINA 29438

for a permit to excavate wetlands and place fill material and structures in wetlands and waters of

SCOTT CREEK

at two locations (Parcel A and Lot 61) within the Hammocks subdivision off of Hammocks Way near HWY 174 on Edisto Island in Colleton County, South Carolina. (Parcel A: 32.514045 Latitude/ -80.288898 Longitude; Lot 61: 32.5165301 Latitude/ -80.283402 Longitude)

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.

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The proposed work consists of the installation of two (2) dry fire hydrant intake pipes. Hydrant #1 Intake Pipe is located at Parcel A and Hydrant #2 Intake Pipe is located at Lot 61. Hydrant #1 Intake Pipe involves the installation of 62' long X 6" diameter PVC intake pipe with a 3.3' strainer on the end buried in substrate below the high tide line. Hydrant #2 Intake Pipe involves the installation of 59' long X 6" diameter PVC intake pipe with a 3.3' strainer on the end buried in substrate below the high tide line. The work will include the temporary installation of 8" x 8" X 8' pilings spaced 12" to 16" (or as needed) wide as matting that will be placed on the marsh for the backhoe to ride over. To install the PVC pipes, the backhoe will excavate two trenches (one for each Hydrant intake pipe) with approximate top widths of 3-4' and bottom widths of approximately 1.5'. The depth of the trenches will vary with substrate profile. Approximately 0.015 acres tidal marsh and waters will be temporarily impacted by the proposed project. The excavated material will be placed on a 12 foot wide geocell silting fabric to minimize impact to the marsh. The work will occur during low tide and will be completed before high tide. Upon installation of the pipes, the excavated material will be replaced and contoured to meet the existing conditions. The disturbed area will be allowed to vegetate naturally. Both intake pipes will have a flow of approximately 14.2 ft/second, which is based on the pipe size and the presumption that the flow rate will be a typical 1250 gallons per minutes.

The purpose of the proposed project is to provide a water source for the new proposed dry fire hydrants at the Hammocks subdivision. At a POA meeting in March of 2009, the Edisto Beach Fire Chief addressed the POA in regards to improving fire protection of the property. The Fire Chief urged the POA to install dry fire hydrants for not only fire protection but to lower the property owners insurance. No compensatory mitigation is being proposed as the impacts are minor and temporary. Minimization of project impacts have occurred by conducting the excavation during low tide, using geocell silting fabric, using temporary pilings for the backhoe to ride over, and restoring the excavated areas to pre-disturbance contours.

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 work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). 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 approximately 0.015 acres 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.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any 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 to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

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 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

REGULATORY DIVISION

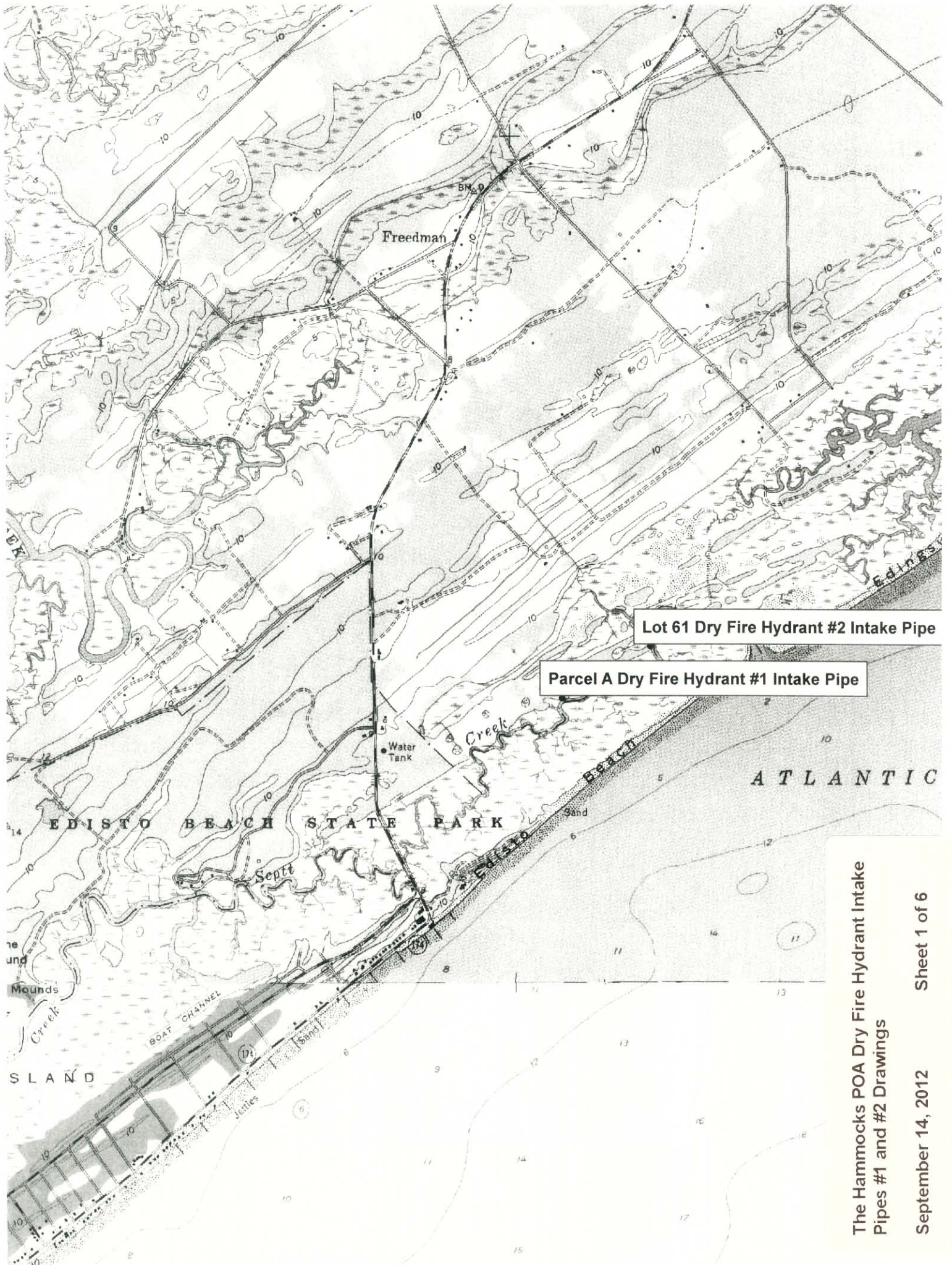
Refer to: P/N SAC- 2012-00651-1T

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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 **(Tracy Dotolo Sanders)** at 843-329-8044 or toll free at 1-866-329-8187.



Lot 61 Dry Fire Hydrant #2 Intake Pipe

Parcel A Dry Fire Hydrant #1 Intake Pipe

The Hammocks POA Dry Fire Hydrant Intake
Pipes #1 and #2 Drawings

Sheet 1 of 6

September 14, 2012



Edisto Island

Eel Island

Van Savage Way

Inlet Point Po Outlet

Lot 61 Dry Fire Hydrant #2 Intake Pipe

Parcel A Dry Fire Hydrant #1 Intake Pipe

Scott Creek

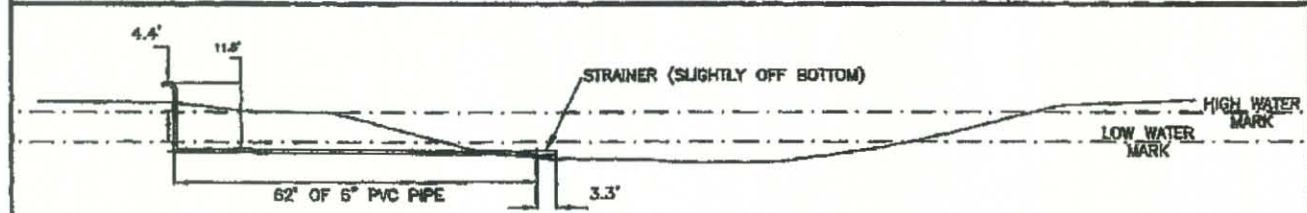
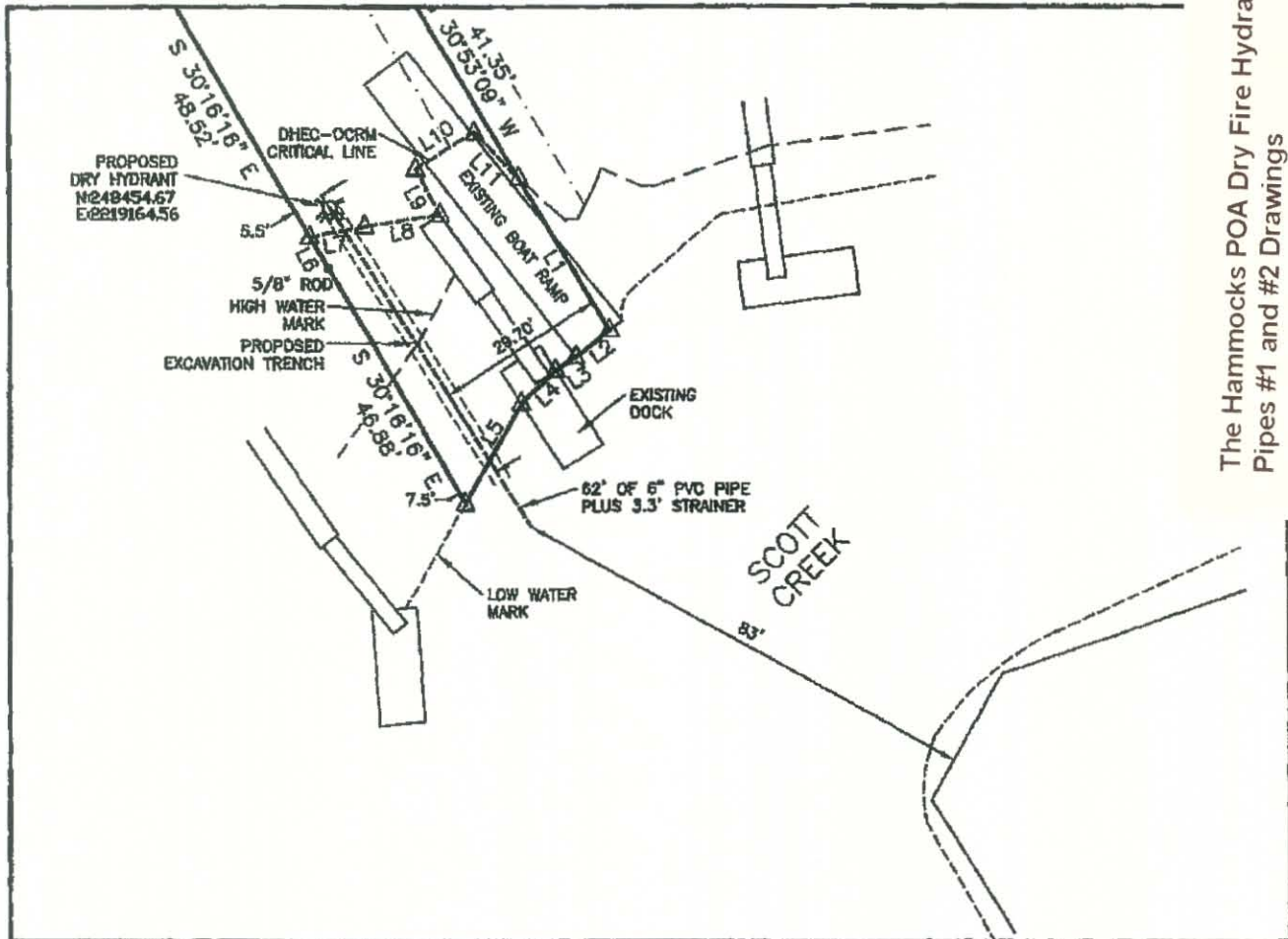
The Hammocks POA Dry Fire Hydrant Intake Pipes #1 and #2 Drawings
September 14, 2012
Sheet 2 of 6

Hydrant #1 Intake Pipe

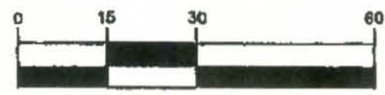
The Hammocks POA Dry Fire Hydrant Intake Pipes #1 and #2 Drawings

Sheet 3 of 6

September 14, 2012



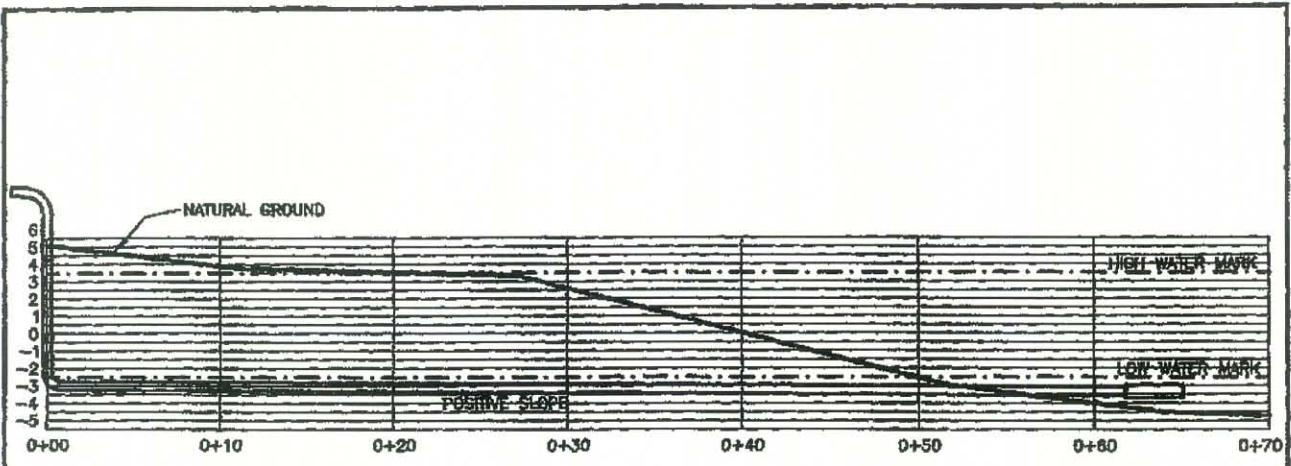
GRAPHIC SCALE



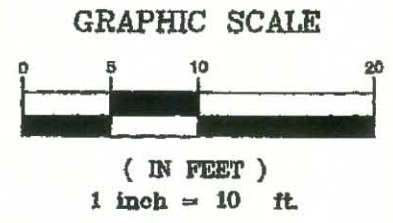
(IN FEET)
1 inch = 30 ft.

ADJOINING PROPERTY OWNERS:
1. INTER VIVOS TRUST AGREEMENT (LOT 9)
2. JAMES D. POTTER, JR. (LOT 8)

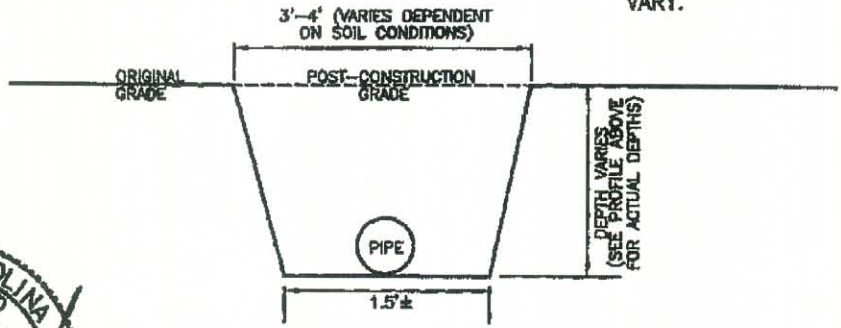
<p>APPLICATION BY: THE HAMMOCKS P.O.A.</p> <p>ADDRESS: PARCEL A-HAMMOCKS WAY</p> <p>DATE: APRIL 16, 2012</p>	<p>LOCATION CRITICAL AREA PERMIT DRAWING FOR DRY HYDRANT #1 AT PARCEL "A" OF THE HAMMOCKS S/D (BOAT LANDING) LOCATED ON SCOTT CREEK EDISTON ISLAND COLLETON COUNTY</p>	<p>SHT. NAME PLAN AND PROFILE</p>	<p>SHT. NO. 3 OF 5</p>
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EXISTING GRADE AND PROPOSED PIPE PROFILE



- NOTE: 1. ALL EXCAVATED MATERIAL TO BE TEMPORARILY STORED ON GEOCELL SILTING FABRIC ABOVE THE HIGH TIDE LINE.
 2. EXCAVATED AREAS TO BE RETURNED TO PRE-CONSTRUCTION CONTOURS.
 3. ACTUAL FIELD CONSTRUCTION MAY VARY.



TRENCH CROSS-SECTION (NOT TO SCALE)

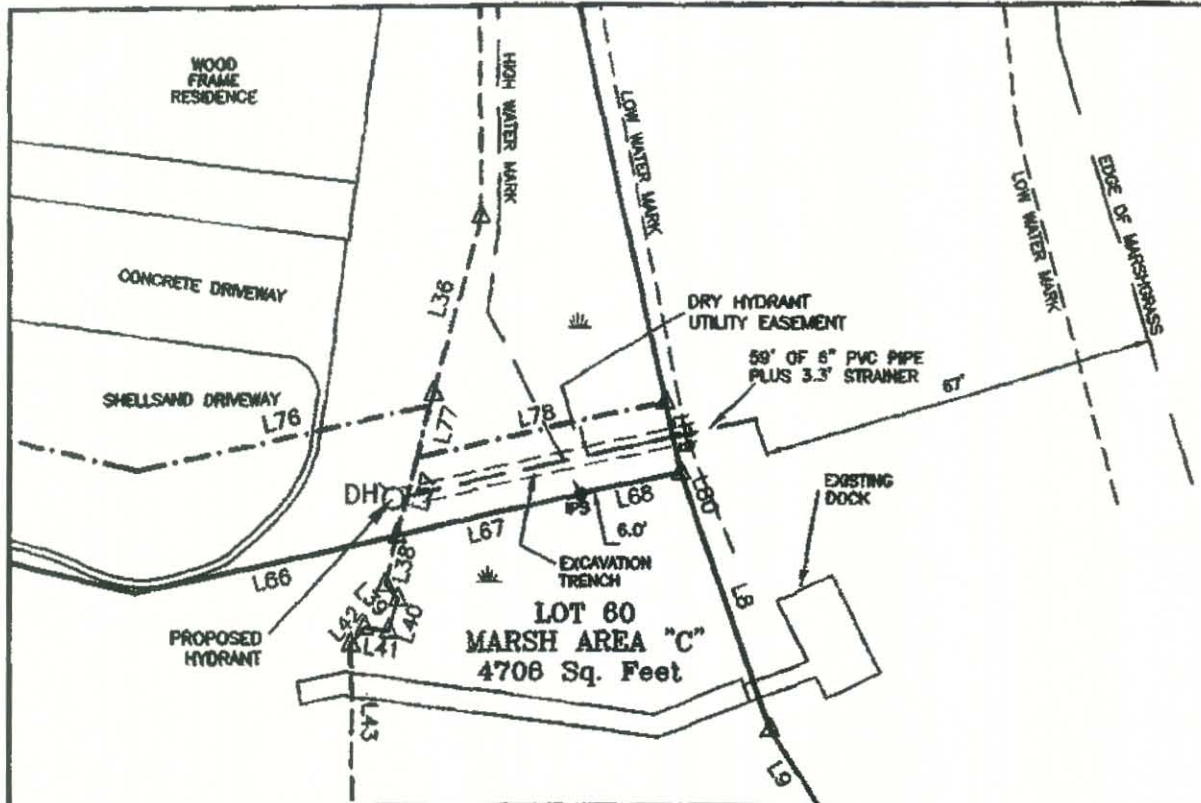


- ADJOINING PROPERTY OWNERS:
 1. INTER VIVOS TRUST AGREEMENT (LOT 1)
 2. JAMES D. POTTER, JR. (LOT 8)

APPLICATION BY: THE HAMMOCKS P.O.A. ADDRESS: PARCEL A-HAMMOCKS WAY DATE: APRIL 16, 2012	LOCATION CRITICAL AREA PERMIT DRAWING FOR DRY HYDRANT #1 AT PARCEL "A" OF THE HAMMOCKS S/D (BOAT LANDING) LOCATED ON SCOTT CREEK EDISTO ISLAND	SHT. NAME PROFILE AND CROSS SECTION	SHT. NO. SUPPLEME
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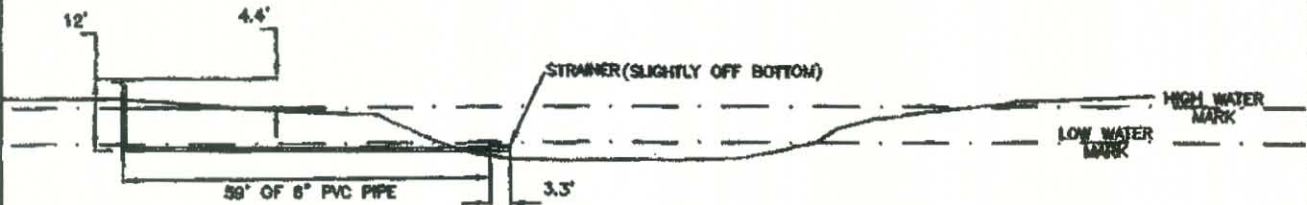
The Hammocks POA Dry Fire Hydrant Intake Pipes #1 and #2 Drawings

Hydrant #2 Intake Pipe



The Hammocks POA Dry Fire Hydrant Intake
Pipes # 1 and #2 Drawings
P/N SAC -2012-00651-1T

NOTE: ACTUAL FIELD CONSTRUCTION MAY VARY.



GRAPHIC SCALE

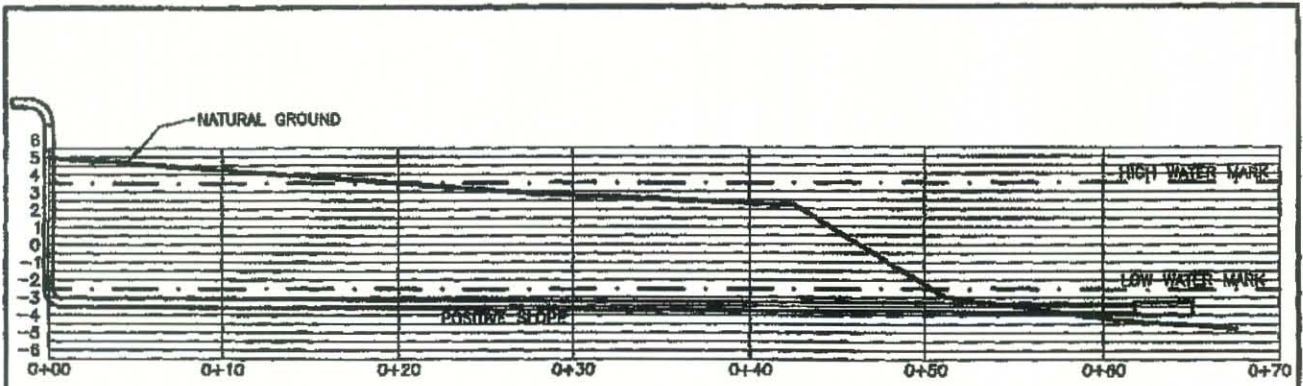


(IN FEET)
1 inch = 30 ft.



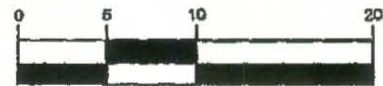
- ADJOINING PROPERTY OWNERS:
1. WINTHROP AND NANCY FOSTER (TO THE NORTH)
2. ROBERT AND JOANN SCOTT

<p>APPLICATION BY: THE HAMMOCKS P.O.A.</p> <p>ADDRESS: LOT 61 - HAMMOCKS WAY</p> <p>DATE: MAY 8, 2012</p> <p>REVISED: AUGUST 21, 2012</p>	<p>LOCATION</p> <p>CRITICAL AREA PERMIT DRAWING FOR DRY HYDRANT #2 AT LOT 61 OF THE HAMMOCKS S/D LOCATED ON SCOTT CREEK EDISTO ISLAND COLLETON COUNTY SOUTH CAROLINA</p>	<p>SHT. NAME</p> <p>PLAN AND PROFILE</p> <p>TMS #358-06-00-054</p>	<p>SHT. NO.</p> <p>5 OF 5</p>
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EXISTING GRADE AND PROPOSED PIPE PROFILE

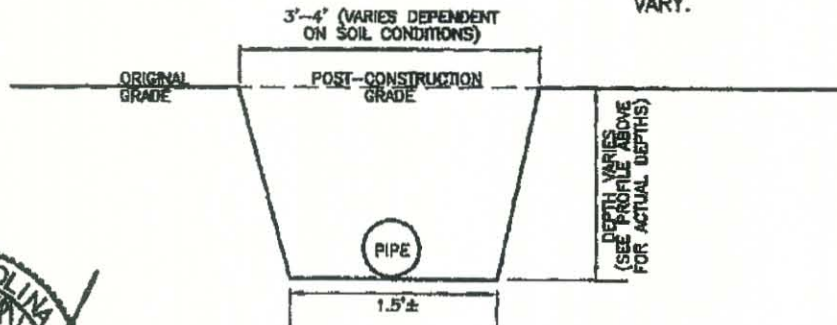
GRAPHIC SCALE



(IN FEET)

1 inch = 10 ft.

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The Hammocks POA Dry Fire Hydrant Intake
 Pipes # 1 and #2 Drawings
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