

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 #2004-1U-033-P- REVISED

16 APRIL 2004

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

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
ATTN: TIM HUNTER
POST OFFICE BOX 191
COLUMBIA, SOUTH CAROLINA 29202-0191

for a permit to place fill material in wetlands adjacent to

HAULOVER CREEK

at the intersection of Betsy Kerrison Parkway, Kiawah Island Parkway, and Seabrook Island Road, Charleston County, South Carolina (Latitude 32.608081 N; Longitude 80.15045 W).

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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 17 MAY 2004

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of impacts to 0.89 acres of tidal wetlands for the construction of a roundabout to replace the existing three-legged intersection of Betsy Kerrison Parkway, Kiawah Island Parkway, and Seabrook Island Road. In detail, the project includes 0.88 acres of wetland fill and 0.003 acres of land-clearing within wetlands. The impacts due to a fourth leg to the roundabout, wetland fill of 0.53 acres of wetlands, were permitted by the Freshfield Village Development under Department of the Army permit #2002-1G-471 and are currently under construction. Proposed mitigation includes debiting the Huspa Creek Mitigation Bank. The purpose of the proposed project, as described by the applicant, is to improve the operation of the intersection and facilitate traffic flow onto and off of Kiawah and Seabrook Islands.

PLEASE NOTE: The project has been revised. Only comments in response this revised project and public notice will be considered.

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 0.89 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).

The District Engineer has 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. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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 that 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 me at 843-329-8044 or toll free at 1-866-329-8187.



Mary Hope Glenn
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

PIN 27428
File No. 10.2001.1
Const. Of Roundabout
Charleston County

PROJECT NARRATIVE

The project would involve the construction of a roundabout to replace the existing three-legged intersection of Betsy Kerrison Parkway, Kiawah Island Parkway and Seabrook Island Road. The new roundabout would be located approximately 250 feet west of the existing intersection. The roundabout will be approximately 200 feet in diameter with one lane of traffic (see attached plan sheet). There would also be a separated free-flow right turn lane from Kiawah Island Parkway onto Betsy Kerrison Parkway and a separated free-flow right turn lane from Betsy Kerrison Parkway onto Seabrook Island Road. A fourth leg will be added to the intersection by the Freshfield Village Development, which is currently under construction. Current ADT at the intersection is 10,700 vehicles. 2020 ADT is expected to be 25,000 vehicles under build out conditions at both Kiawah and Seabrook Islands.

The objective of the project is to improve the operation of the intersection and facilitate traffic flow onto and off of Kiawah and Seabrook Islands. These improvements will help to provide a more efficient intersection, decreasing delays and improving safety for residents and travelers in this area.

The project is being funded through a combination of Federal Highway funding with a local match from the Town of Kiawah. Right of way for the project's construction has been donated by the Freshfield Village Development, which has already obtained a permit to fill some of the wetlands that would be filled as a result of this project.

The project is not of a traffic generating nature, and there will be no noise quality impact. The project will not have an effect on ambient air quality. There are no historic properties affected by the current project. No endangered or threatened species will be jeopardized by the current project. No consideration of alternative sites nor additional studies are required under the Farmland Protection Policy Act of 1981. There are no UST or hazardous material sites within the immediate vicinity. No 4(f) properties would be impacted by the project.

There are two small wetland areas that will be impacted by the referenced project. Less than one acre of tidal wetlands will be impacted. Because the wetland impacts are within the critical area of the Coastal Zone, an Individual Permit will be required. In order to minimize impacts, the Department has proposed 2:1 slopes in the estuarine areas. Additionally, the Department has increased the size/capacity of the culvert connection on Road S-20 (Betsy Kerrison Parkway) to provide a better hydraulic connection for this tidal marsh. As there was no practicable mitigation on site, the Department is proposing to debit the Huspa Creek mitigation bank.

PROJECT TITLE: BETSY KERRISON PKWY
APPLICANT: SCDOT
LOCATION: CHARLESTON COUNTY, SC
DATE: JANUARY 23, 2004, REV. APRIL 2, 2004
FILE: P/N # 2004-1U-033 - REVISED

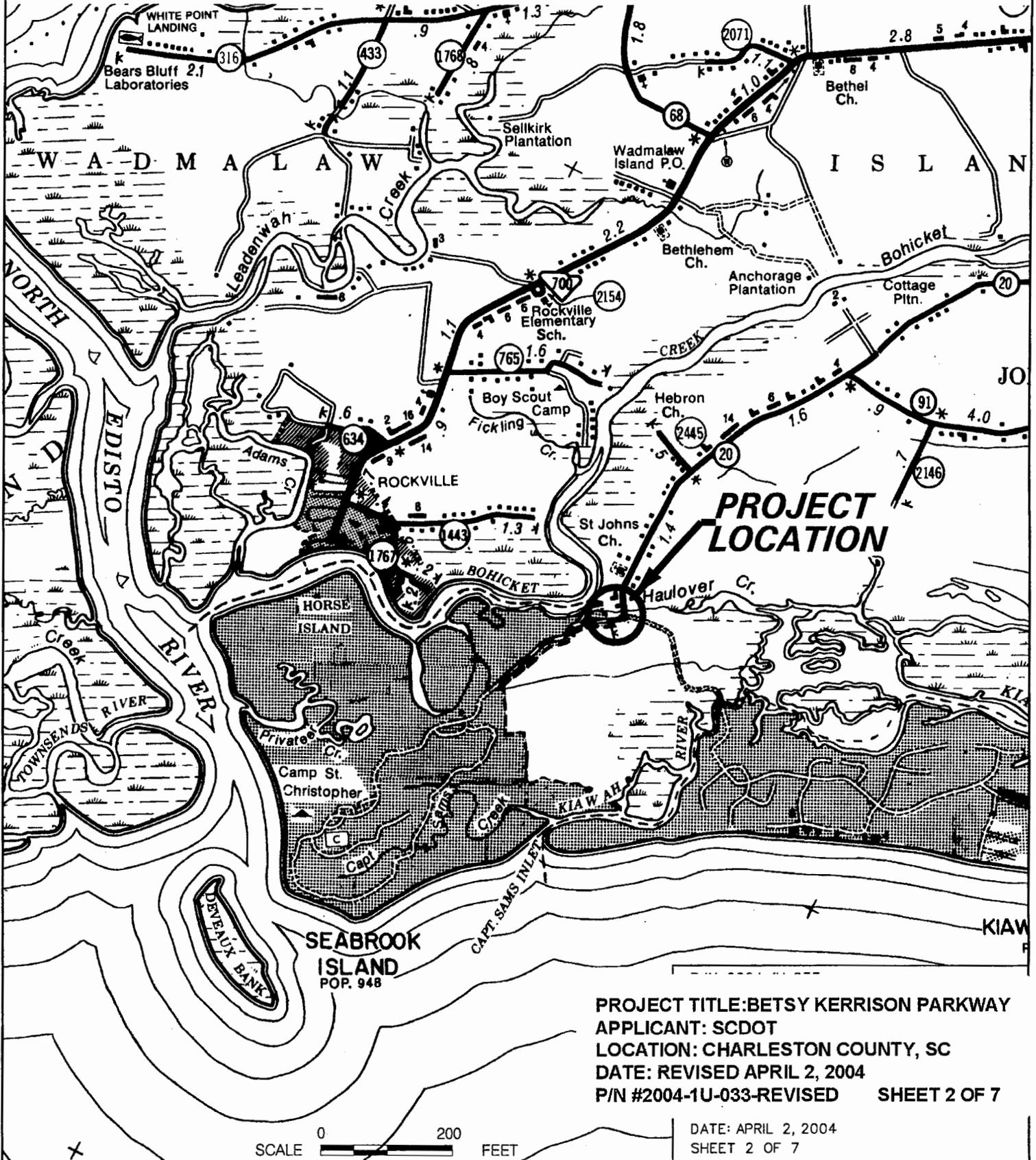


Shaded Area Indicates County Location in SC



VINCINITY MAP FROM CHARLESTON COUNTY (SCDOT)

APPROXIMATE LOCATION OF PROJECT IS
LATITUDE 32° 36'
LONGITUDE 80° 11'

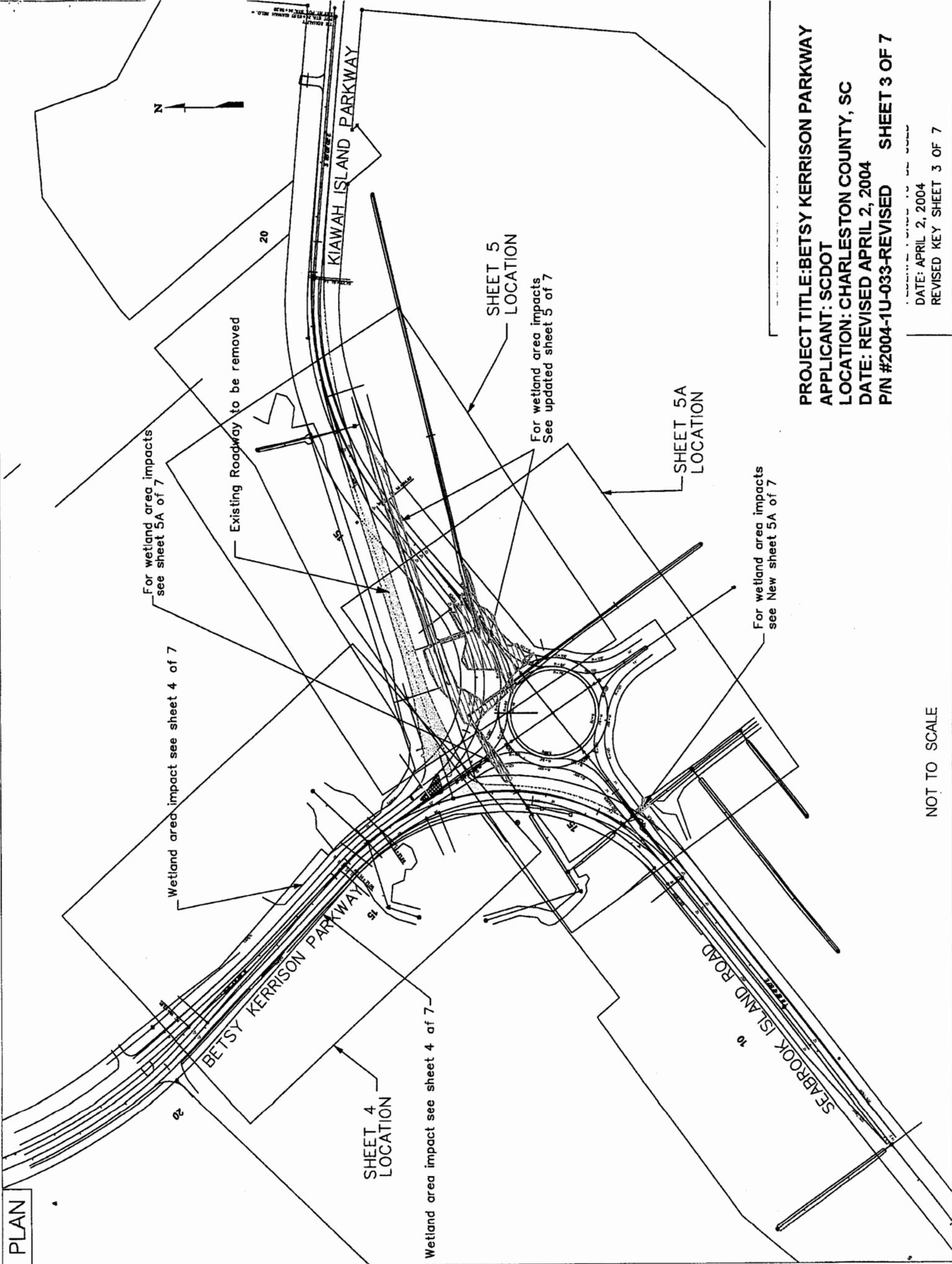


PROJECT LOCATION

PROJECT TITLE: BETSY KERRISON PARKWAY
APPLICANT: SCDOT
LOCATION: CHARLESTON COUNTY, SC
DATE: REVISED APRIL 2, 2004
P/N #2004-1U-033-REVISED SHEET 2 OF 7

DATE: APRIL 2, 2004
SHEET 2 OF 7

PLAN

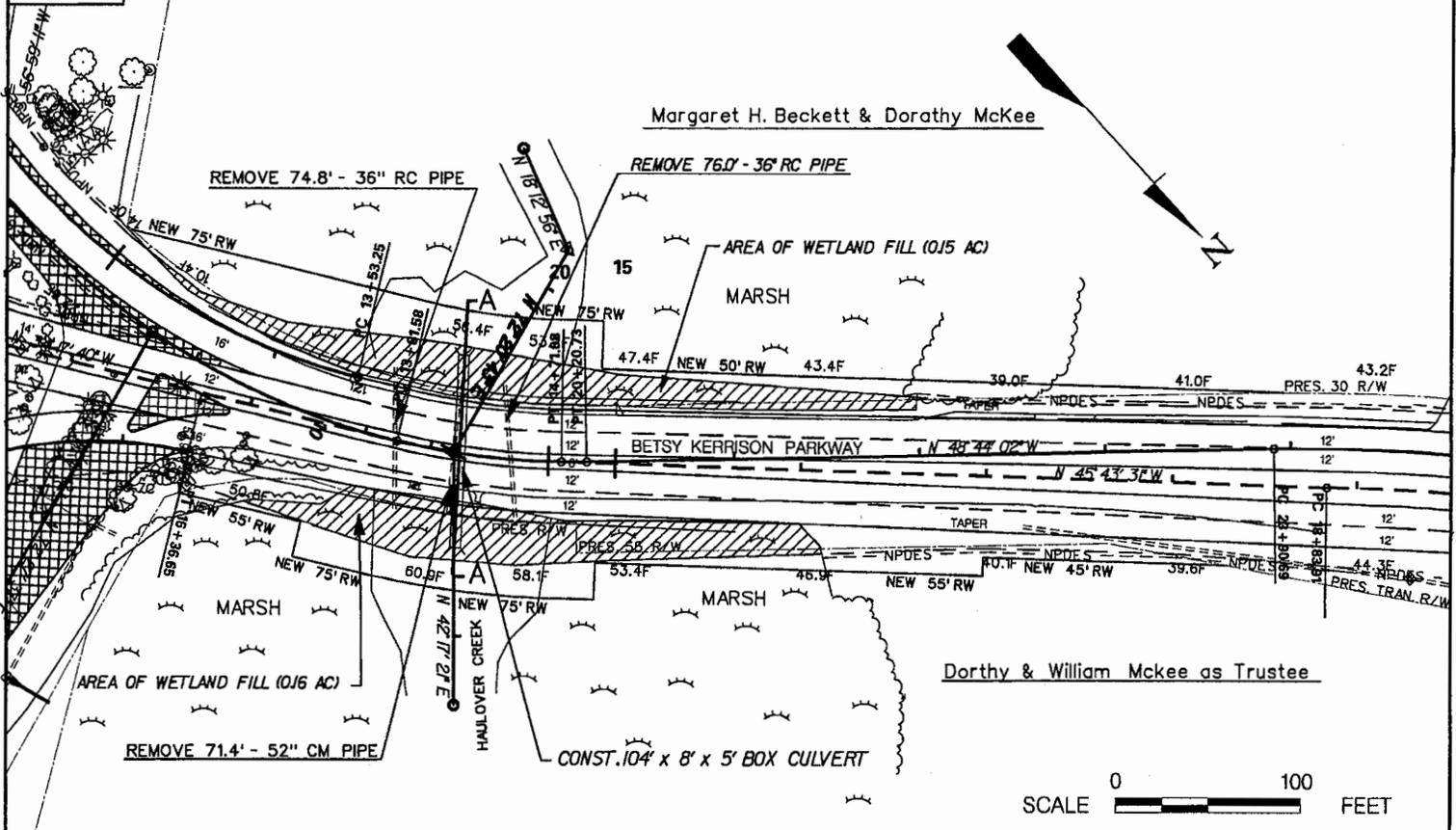


PROJECT TITLE: BETSY KERRISON PARKWAY
 APPLICANT: SCDOT
 LOCATION: CHARLESTON COUNTY, SC
 DATE: REVISED APRIL 2, 2004
 P/N #2004-1U-033-REVISED SHEET 3 OF 7

DATE: APRIL 2, 2004
 REVISED KEY SHEET 3 OF 7

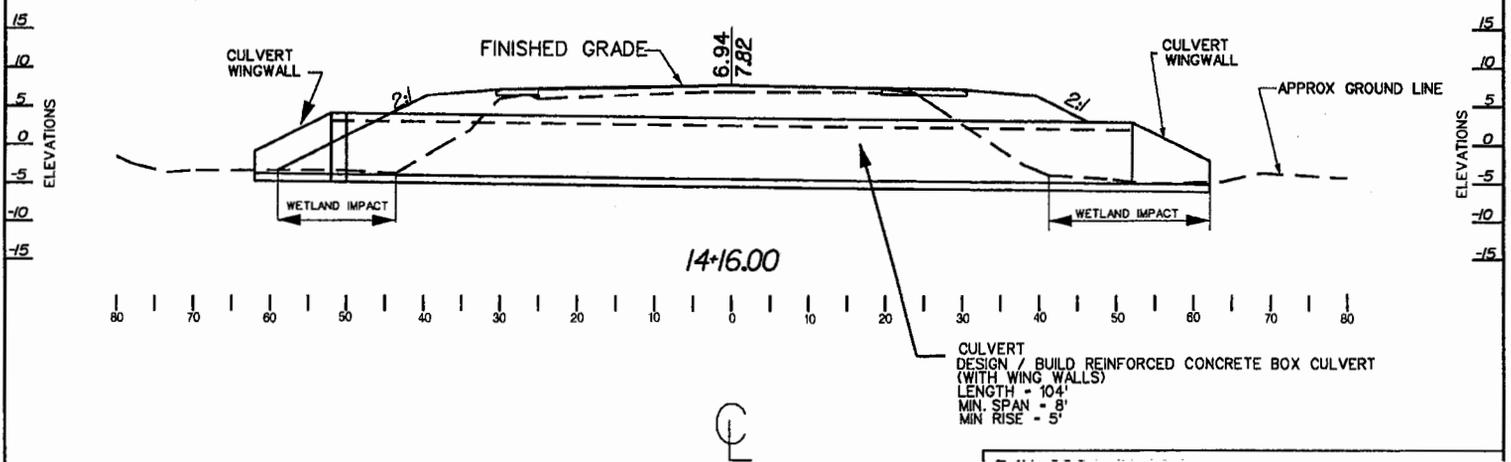
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PLAN



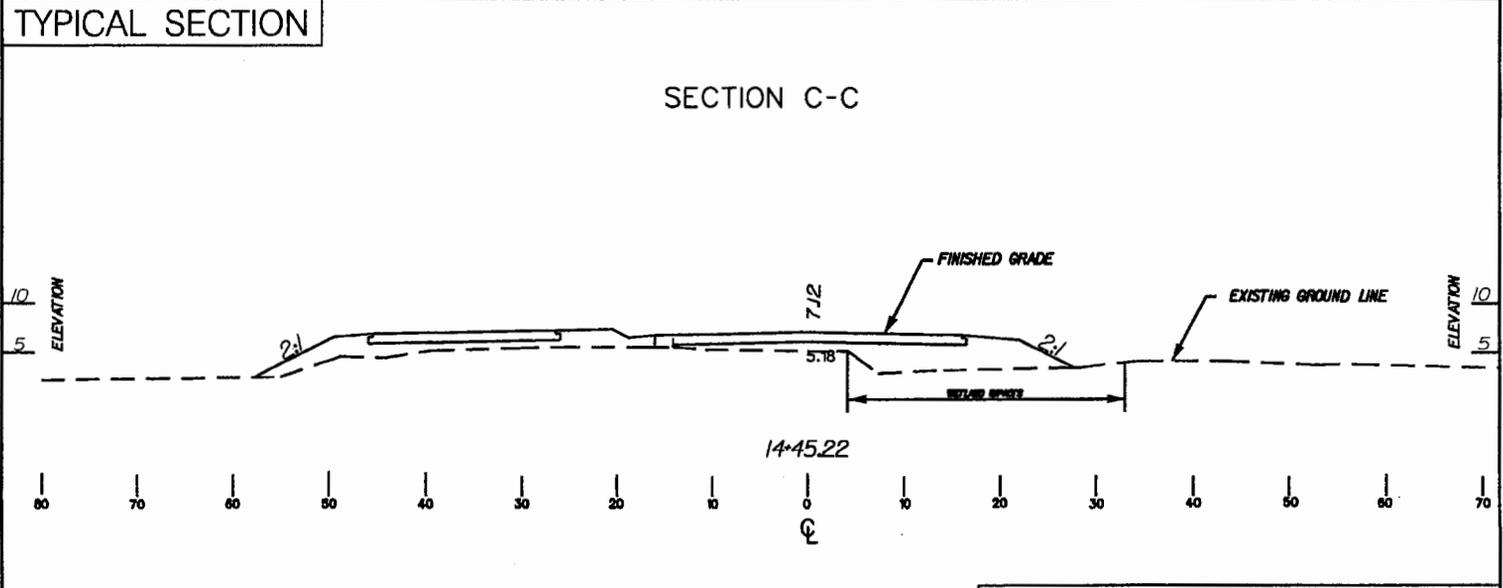
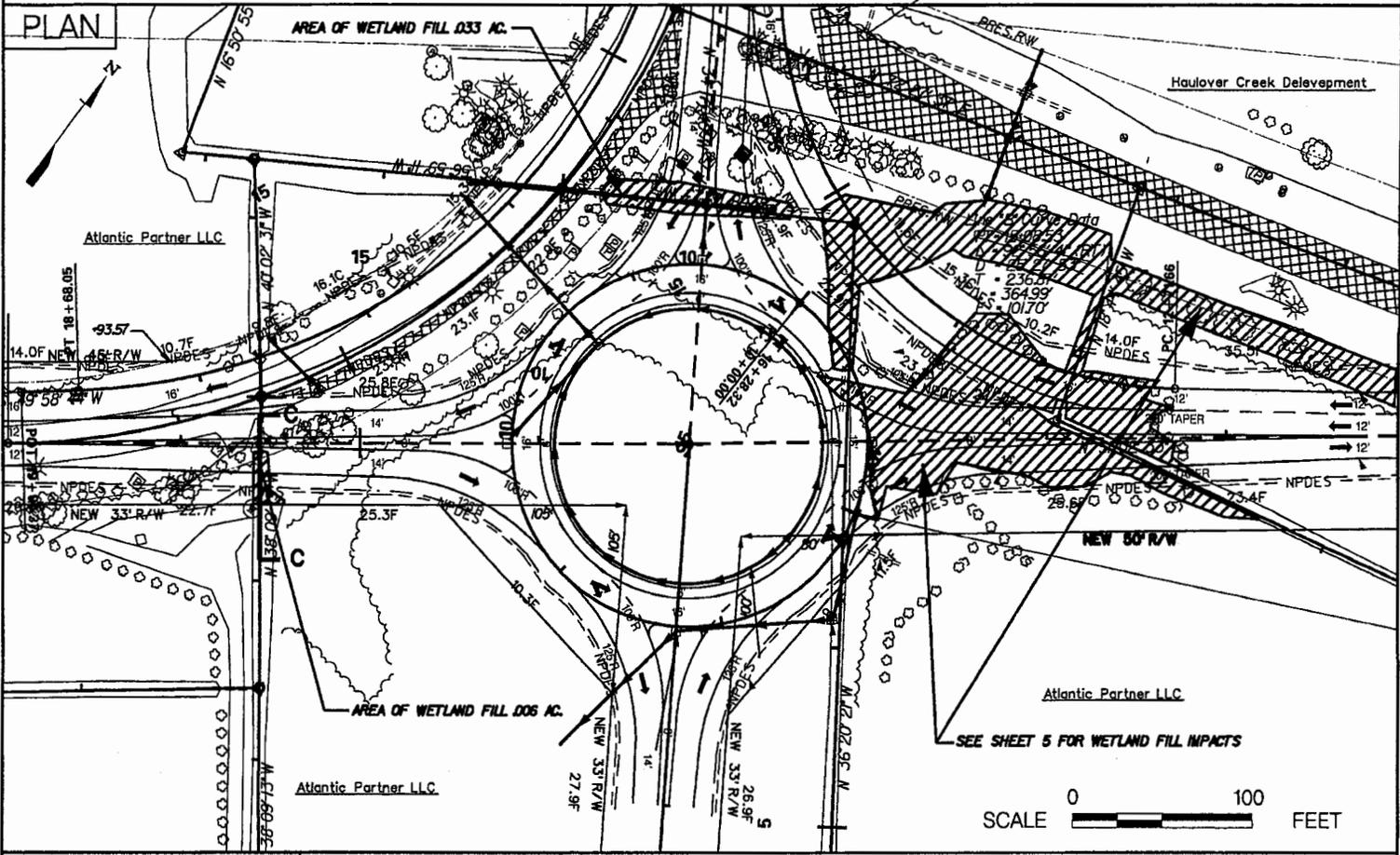
TYPICAL SECTION

SECTION A-A



PROJECT TITLE: BETSY KERRISON PARKWAY
APPLICANT: SCDOT
LOCATION: CHARLESTON COUNTY, SC
DATE: REVISED APRIL 2, 2004
P/N #2004-1U-033-REVISED SHEET 4 OF 7

DATE: JANUARY 22, 2004
 SHEET 4 OF 7



REVISED APRIL 2, 2004

PROJECT TITLE: BETSY KERRISON PARKWAY
 APPLICANT: SCDOT
 LOCATION: CHARLESTON COUNTY, SC
 DATE: REVISED APRIL 2, 2004
 P/N #2004-1U-033-REVISED SHEET 5A OF 7

VERT. 0 20
 HORIZ. 0 20
 SCALE 0 20 FEET

SHEET 5A OF 7

NAH 226 ArgVermilab-12-02AV174sp04.dwg Feb 21, 2003 - 9:53:56

BETSY KERRISON PARKWAY

HAULOVER CREEK

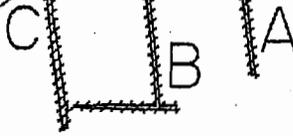
KIAWAH ISLAND PARKWAY

SEABROOK ISLAND ROAD

PROPOSED SCDOT ROUND ABOUT

CONCEPTUAL RIGHT-OF-WAY FROM SCDOT PLAN DATE 9-4-02

EXISTING 0.32 ACRES OF WETLANDS TO BE FILLED (TYPICAL)



FRESHFIELDS RETAIL VILLAGE

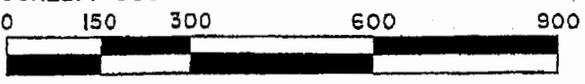
IMPACTS AUTHORIZED BY DEPARTMENT OF THE ARMY PERMIT #2002-1G-471

PERMITTED PLANS

Permit # 2002-1G-471

SITE MAP

SCALE: 1"=300'



DATE: SEPTEMBER 20, 2002

PROJECT TITLE: BETSY KERRISON PARKWAY
APPLICANT: SCDOT
LOCATION: CHARLESTON COUNTY, SC
DATE: REVISED APRIL 2, 2004

St P/N #2004-1U-033-REVISED SHEET 6 OF 7

PERMIT NOTES

- 1) Approximately 0.89 acres of wetlands will be impacted which includes 0.88 acres of fill in waters of the U.S. and 0.003 acres of clearing.
- 2) Erosion and sediment control measures will be implemented in accordance with Section 107.26 of the South Carolina Department of Transportation's Standard Specifications.
- 3) Fill material meeting AASHTO Specifications M-57-80 will be obtained from high ground and placed using mechanized equipment.
- 4) Excavated material will be disposed of on high ground.
- 5) Mitigation will consist of debiting 0.89 credit-acres from the Huspa Creek Mitigation Bank
- 6) The names and addresses of adjacent property owners are as follows:

Margaret H. Beckett & Dorothy H. Mckee
4484 Betsy Kerrison Parkway
Johns Island S.C. 29455

Dorothy Mckee & William J. Mckee
4484 Betsy Kerrison Parkway
Johns Island S.C. 29455

Atlantic Partners LLC
P.O. Box 12001
Charleston S.C. 29422

Haulover Creek Development
901 E. Cary ST SUITE 1500
Richmond VA 23219

REVISED APRIL 2, 2004

PROJECT TITLE: BETSY KERRISON PARKWAY
APPLICANT: SCDOT
LOCATION: CHARLESTON COUNTY, SC
DATE: REVISED APRIL 2, 2004
P/N #2004-1U-033-REVISED SHEET 7 OF 7

SHEET 7 OF 7