

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

22 October 2004

Refer to: P/N # 2003-1N-350-C (Revised)

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

ROBERT L. SCROGGS, JR.
CRESCENT DEVELOPMENT & CONTRACTING GROUP
4 BOLAND COURT
GREENVILLE, SOUTH CAROLINA 29615

for a permit to place fill material in jurisdictional wetlands adjacent to an

UNNAMED TRIBUTARY OF RANTOWLES CREEK

at a location near the intersection of US Highway 17 and Bees Ferry Road in Charleston County, South Carolina (Latitude – 32.80387 N, Longitude – 80.11919 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 22 NOVEMBER 2004

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

The proposed work consists of relocating the intersection of Bees Ferry Road and US Highway 17 (Savannah Highway) and constructing an adjacent commercial development. The applicant plans to relocate approximately 1,000 linear feet of Bees Ferry Road, which will enable the two roads to intersect at a 90-degree angle. The new intersection will be located approximately 500-feet east of the existing intersection. In addition, the applicant plans to convert a portion of the former Bees Ferry Road right-of-way into a cul-de-sac that will provide access to the adjacent properties. The proposed cul-de-sac will intersect the new Bees Ferry Road right-of-way at a 90-degree angle.

Refer to: P/N # 2003-1N-350-C (Revised)

The relocation of Bees Ferry Road will impact 0.64 acres of jurisdictional wetlands. The upland area that is located northeast of the proposed intersection is currently being developed by others. The applicant plans to impact 0.46 acres of jurisdictional wetlands to construct a commercial development northwest of the proposed intersection. The applicant has proposed to construct an 8,100 square foot commercial building with associated parking areas. Since the site is bisected by a drainage easement, the applicant has proposed to pipe the existing drainage ditch. The pipe would join the existing pipes under US Highway 17 and the former Bees Ferry Road right-of-way.

The applicant has proposed a conceptual mitigation plan that consists of removing a portion of the former Bees Ferry Road (0.41 acres), preserving the remaining onsite wetlands (1.47 acres), and purchasing 7.4 mitigation credits from an approved mitigation bank. It is our understanding that the applicant plans to excavate the roadbed to the elevation of the adjacent wetlands in order to restore wetland hydrology. The project purpose for the proposed activities is to provide a more direct and safe intersection, and to convert waters of the United States into uplands for commercial development.

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. Persons wishing to comment or object to State 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 impact 0.64 acres of waters of the United States 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.

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

Refer to: P/N # 2003-1N-350-C (Revised)

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.

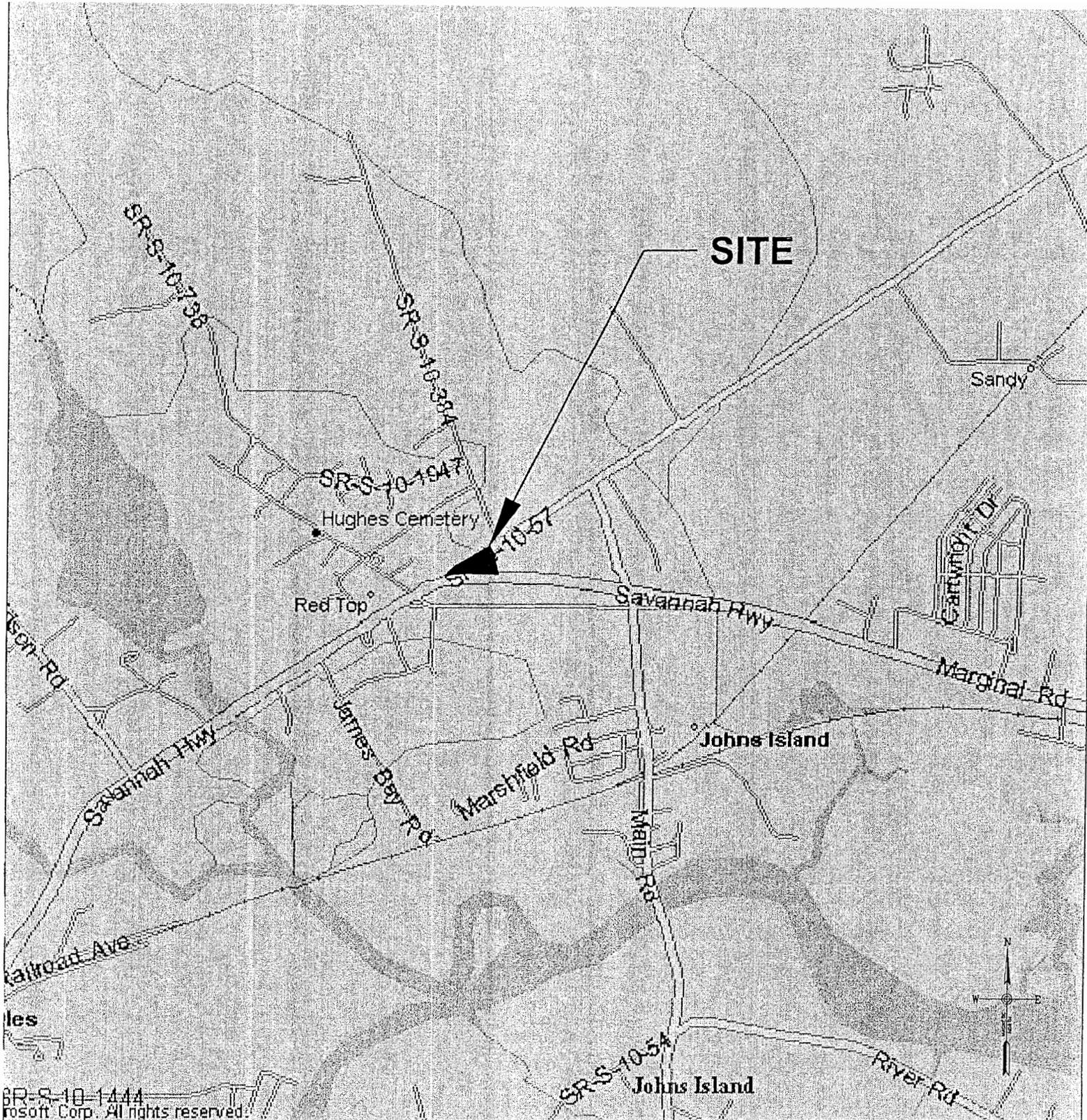
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 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 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 me at 843-329-8044 or toll free at 1-866-329-8187.



Nathaniel I. Ball
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



VICINITY MAP

APPROXIMATE COORDINATES
 LAT: N32°48'11" LON: W80°07'14"

PROJECT TITLE:
 BEES FERRY RD. REALIGNMENT

PROJECT LOCATION:
 BEES FERRY RD. & SAVANNAH HWY.
 CHARLESTON, SC

APPLICATION #:

DATE:
 11/12/03

SCALE:
 NO SCALE

PROJECT NUMBER:
 03-134

SHEET NO.
 D1 of 6

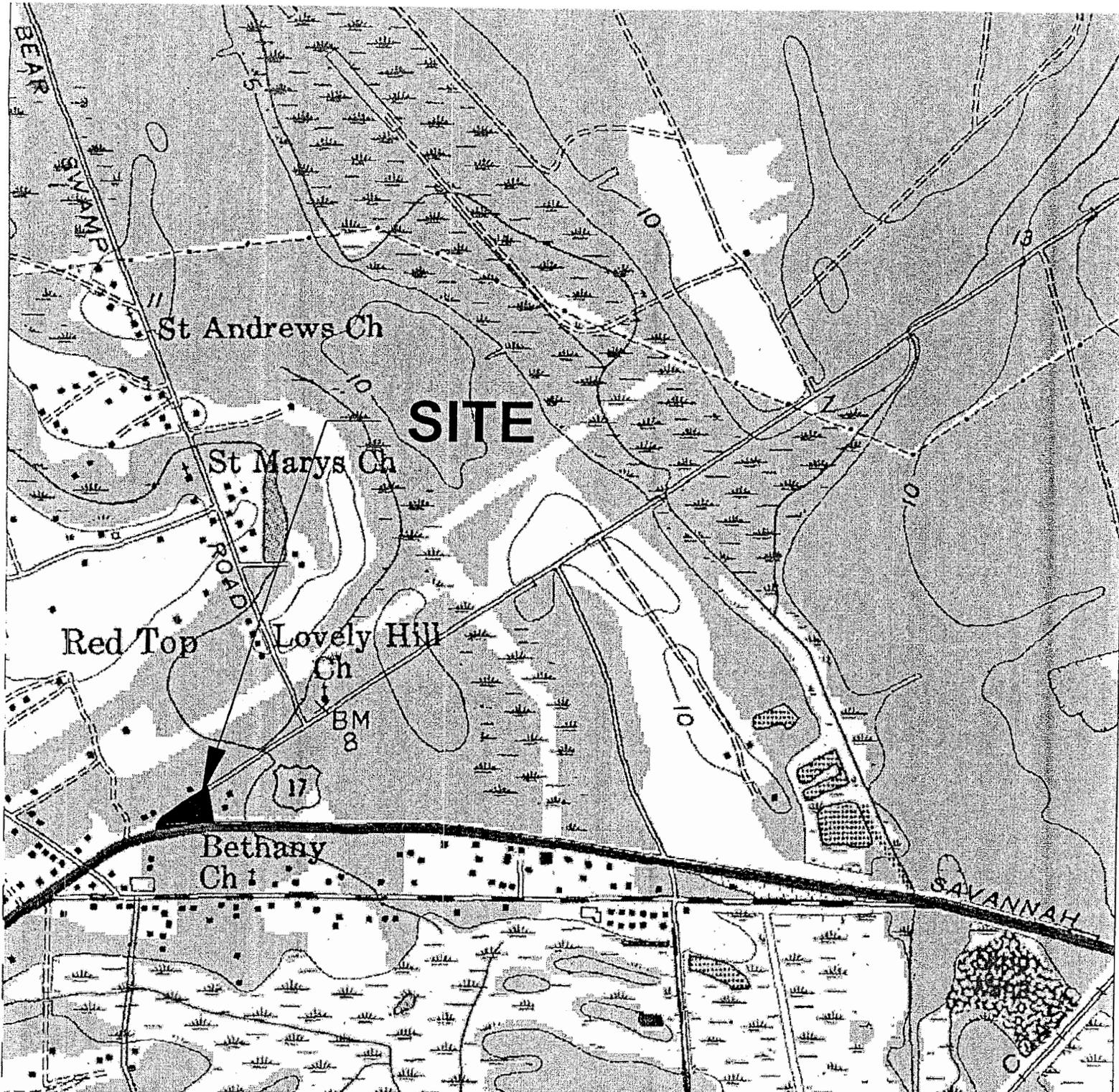


ENGINEERS • ARCHITECTS • LAND SURVEYORS

*COMMITTED TO HELPING YOU ACHIEVE
 YOUR GOALS THROUGH INNOVATIVE SOLUTIONS,
 EXCEPTIONAL SERVICE AND TEAMWORK.*

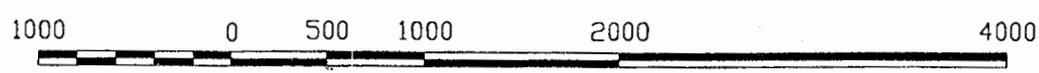
REVISIONS:		
DATE	INITIALS	REASON

SR-S-10-1444
 Microsoft Corp. All rights reserved.



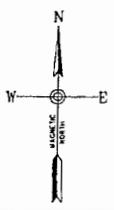
source: USGS TOPOGRAPHIC TRIANGLE OF JOHNS ISLAND, SC, PHOTOREVISED 1979

LAT: N32°48'11" LON: W80°07'14"



(IN FEET)

LOCATION MAP

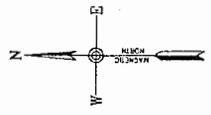
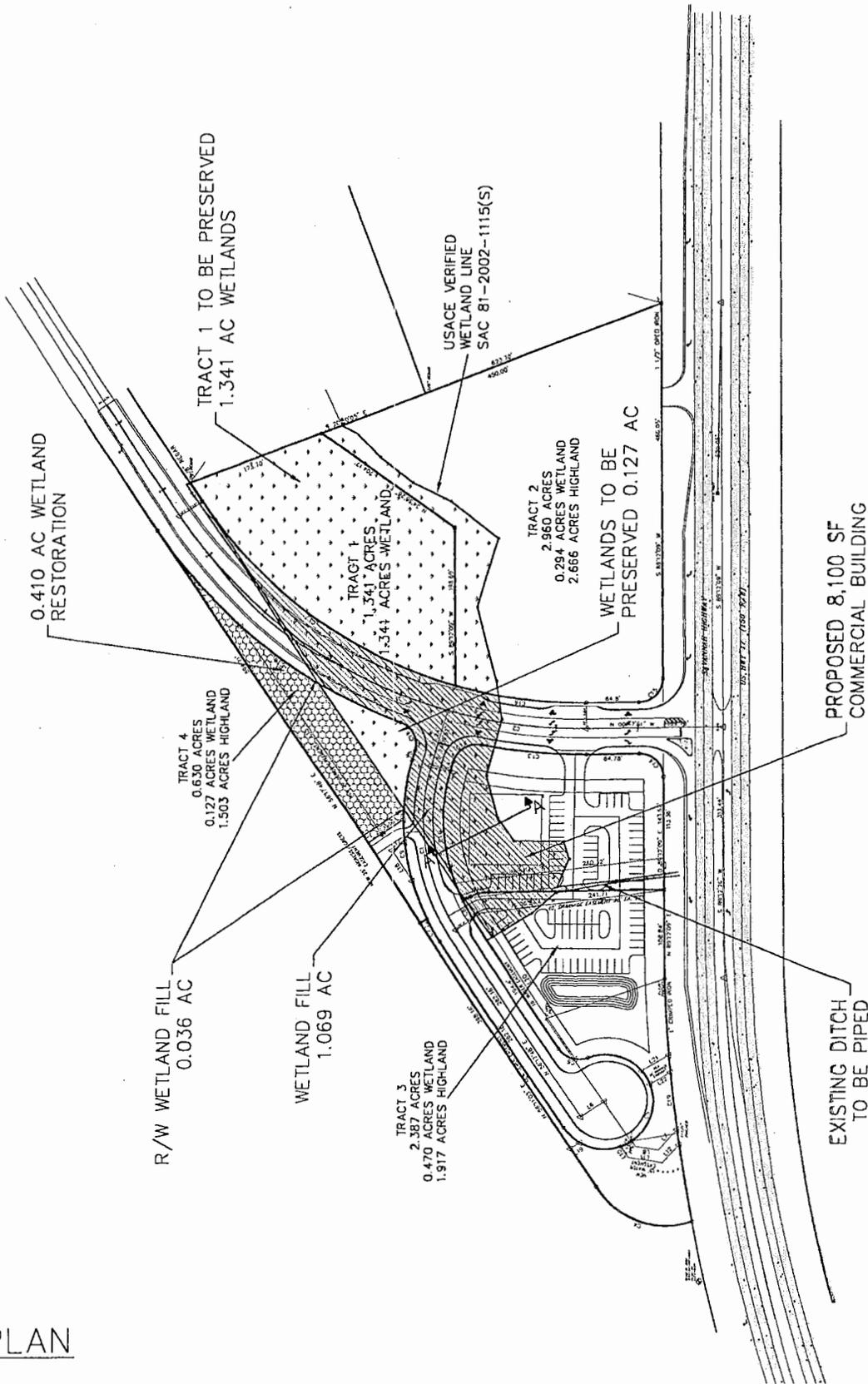


PROJECT TITLE: BEES FERRY RD. REALIGNMENT	DATE: 11/12/03	SCALE: 1" = 1000'
PROJECT LOCATION: BEES FERRY RD. & SAVANNAH HWY. CHARLESTON, SC	PROJECT NUMBER: 03-134	
APPLICATION #:	SHEET NO. D2 of 6	



ENGINEERS • ARCHITECTS • LAND SURVEYORS
COMMITTED TO HELPING YOU ACHIEVE
YOUR GOALS THROUGH INNOVATIVE SOLUTIONS,
EXCEPTIONAL SERVICE AND TEAMWORK.

REVISIONS:		
DATE	INITIALS	REASON



SITE PLAN

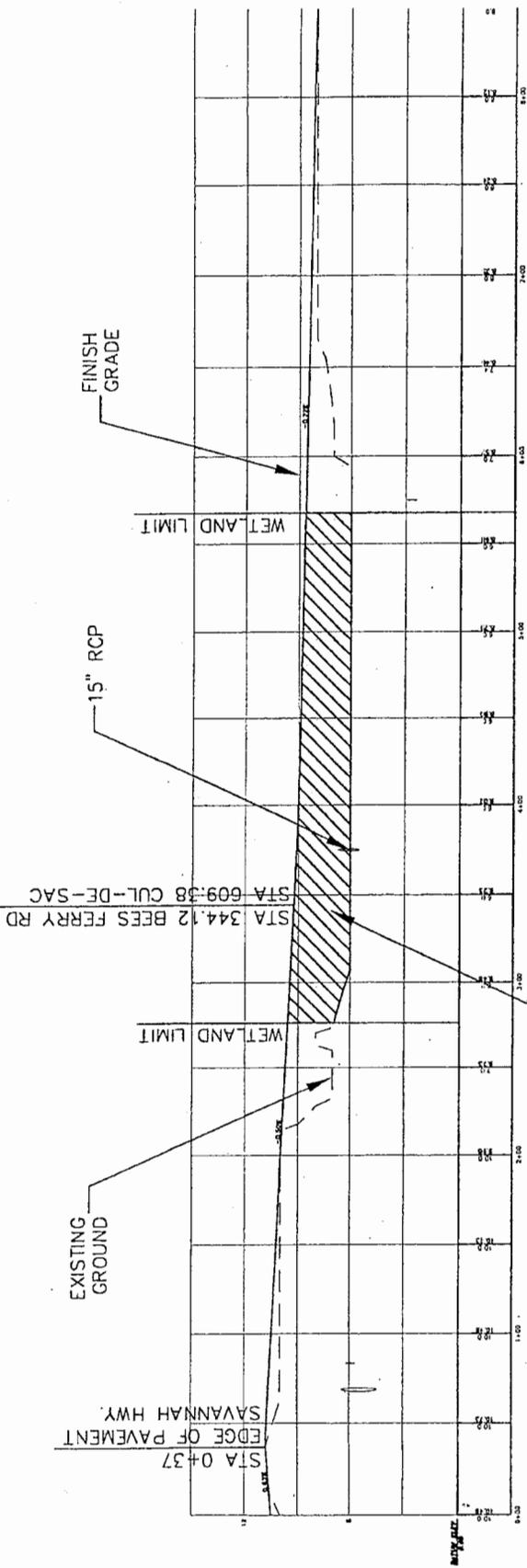


APPROXIMATE COORDINATES
 LAT: N32°48'11" LON: W80°07'14"

PROJECT TITLE: JEEES FERRY RD. REALIGNMENT	DATE: 11/12/03	SCALE: 1" = 200'	 <p>ENGINEERS • ARCHITECTS • LAND SURVEYORS COMMITTED TO HELPING YOU ACHIEVE YOUR GOALS THROUGH INNOVATIVE SOLUTIONS, EXCEPTIONAL SERVICE AND TEAMWORK.</p>	REVISIONS:		
PROJECT LOCATION: JEEES FERRY RD. & SAVANNAH HWY. CHARLESTON, SC	PROJECT NUMBER: 03-134			DATE	INITIALS	REASON
APPLICATION #:	SHEET NO. D3 of 6			3/22/04	SKO	PER USACE
			7/08/04	SKO	PER USACE	
			8/17/04	SKO	PER OCRM	
			9/14/04	SKO	PER USACE	

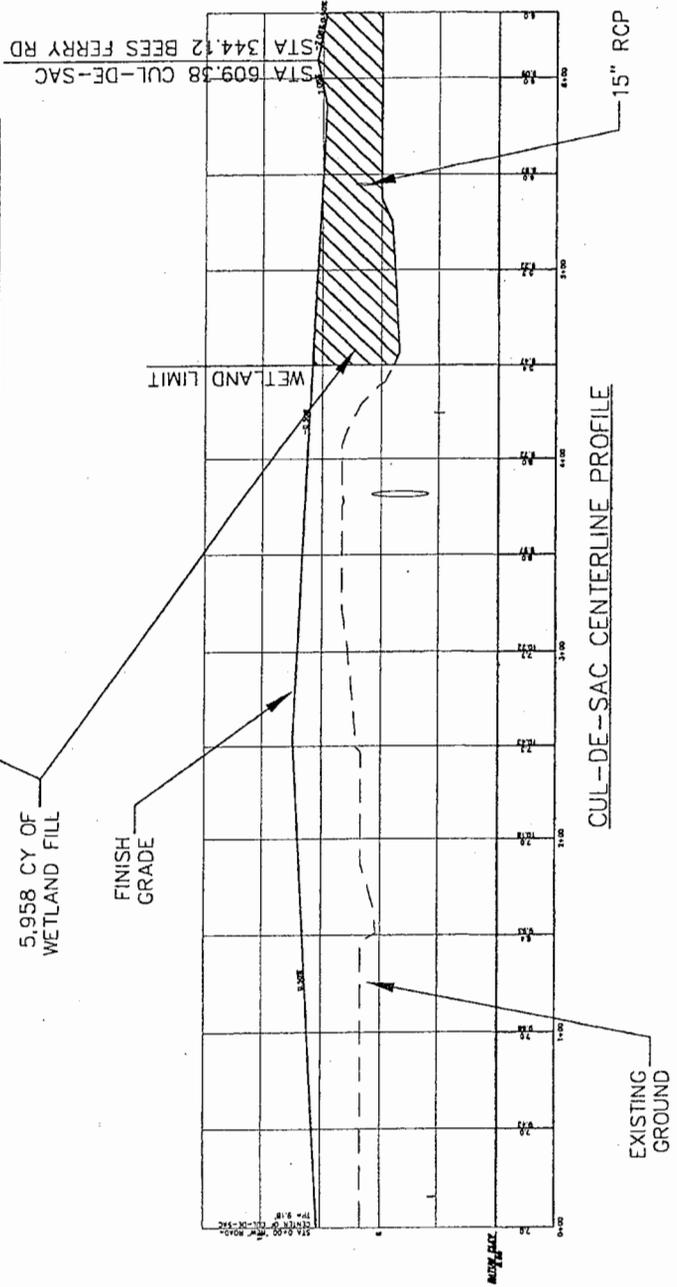
VERTICAL SCALE: 1" = 10' - 0"

HORIZONTAL SCALE: 1" = 100' - 0"



NEW BEES FERRY ROAD CENTERLINE PROFILE

5,958 CY OF WETLAND FILL



CUL-DE-SAC CENTERLINE PROFILE

PROJECT TITLE: BEES FERRY RD. REALIGNMENT	DATE: 11/12/03	SCALE: AS NOTED
PROJECT LOCATION: BEES FERRY RD. & SAVANNAH HWY. CHARLESTON, SC	PROJECT NUMBER: 03-134	
APPLICATION #:	SHEET NO. D4 OF 6	

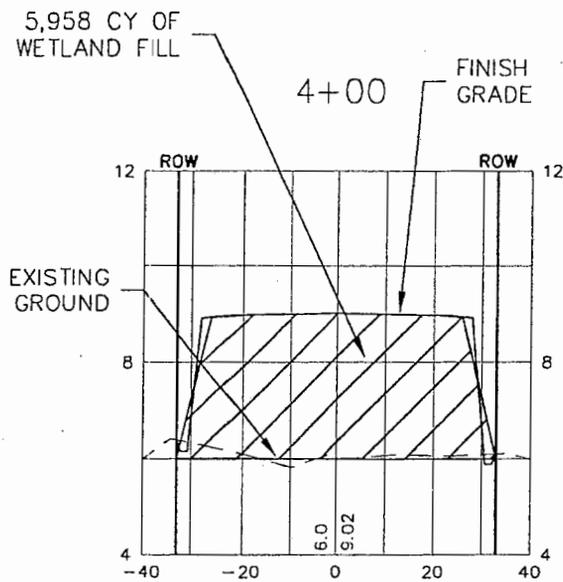
REVISIONS:
DATE INITIALS REASON
8-17-04 SKO PER OCRM



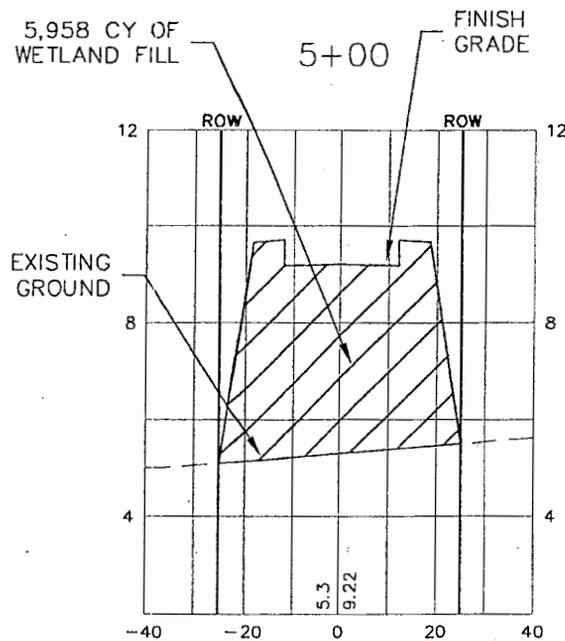
ENGINEERS • ARCHITECTS • LAND SURVEYORS
 COMMITTED TO HELPING YOU ACHIEVE
 YOUR GOALS THROUGH INNOVATIVE SOLUTIONS,
 EXCEPTIONAL SERVICE AND TEAMWORK.

HORIZONTAL SCALE: 1" = 40' - 0"

VERTICAL SCALE: 1" = 4' - 0"



NEW BEES FERRY ROAD CROSS SECTION

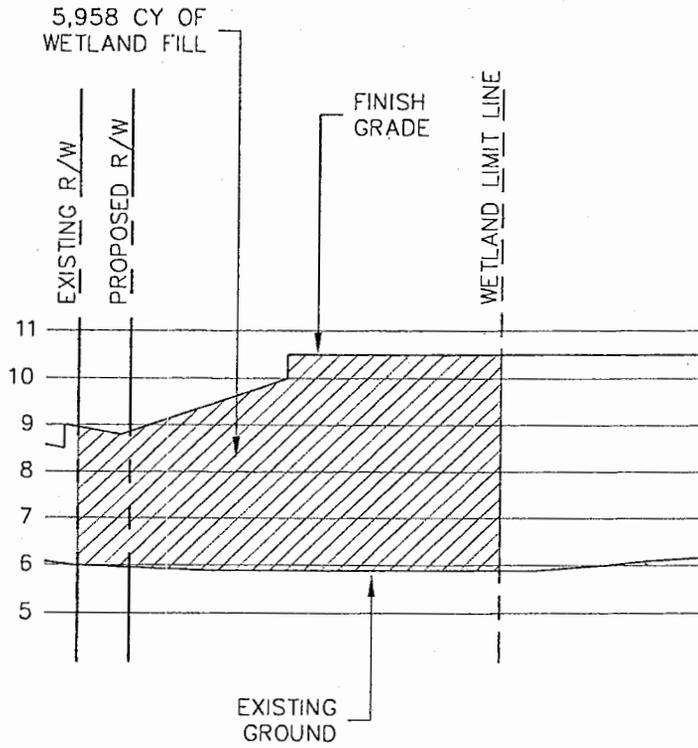


CUL-DE-SAC CROSS SECTION

PROJECT TITLE: BEES FERRY RD. REALIGNMENT	DATE: 11/12/03	SCALE: AS NOTED	 <p><i>ENGINEERS • ARCHITECTS • LAND SURVEYORS</i> COMMITTED TO HELPING YOU ACHIEVE YOUR GOALS THROUGH INNOVATIVE SOLUTIONS, EXCEPTIONAL SERVICE AND TEAMWORK.</p>	REVISIONS:		
PROJECT LOCATION: BEES FERRY RD. & SAVANNAH HWY. CHARLESTON, SC	PROJECT NUMBER: 03-134			DATE	INITIALS	REASON
APPLICATION #:	SHEET NO. 05 OF 6			8-17-04	SKO	PER OCRM

HORIZONTAL SCALE: 1" = 40' - 0"

VERTICAL SCALE: 1" = 4' - 0"



SECTION A-A'

PROJECT TITLE: BEES FERRY RD. REALIGNMENT	DATE: 11/12/03	SCALE:	 <p>ENGINEERS • ARCHITECTS • LAND SURVEYORS</p> <p>COMMITTED TO HELPING YOU ACHIEVE YOUR GOALS THROUGH INNOVATIVE SOLUTIONS, EXCEPTIONAL SERVICE AND TEAMWORK.</p>	REVISIONS:		
PROJECT LOCATION: BEES FERRY RD. & SAVANNAH HWY. CHARLESTON, SC	PROJECT NUMBER: 03-134			DATE	INITIALS	REASON
APPLICATION #:	SHEET NO. D6 OF 6					