

JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, U.S. ARMY CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Bureau of Water, Division of Water Quality
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201
and
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
Coastal Zone Consistency Section
1362 McMillan Ave., Suite 400
Charleston, SC 29405

**NOTE: THIS IS A U.S. ARMY CORPS OF ENGINEERS
CIVIL WORKS PROJECT**

PLANNING AND ENVIRONMENTAL BRANCH
Refer to: P/N # SAC-CW-2023-0001

January 17, 2023

Town Creek Federal Navigation Project Maintenance Dredging Charleston County, South Carolina

The U.S. Army Corps of Engineers, Charleston District proposes to perform the work described herein with due consideration and review given to the relevant provisions of the following laws and others as applicable:

- The Clean Water Act of 1972, as amended (33 U.S.C. 1251, et. seq.).
- Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1531, et. seq.).
- The National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321).
- The Endangered Species Act of 1973, as amended (16 U.S.C. 1531, et. seq.).
- The National Historic Preservation Act of 1966, as amended (U.S.C. 470, et. seq.).
- Magnuson-Stevens Fishery Conservation and Management Act, as amended (16 U.S.C. 1801, et. seq.).

The purpose of this notice is to advise all interested parties of proposed ongoing maintenance dredging of the Town Creek Federal Navigation Channel in the McClellanville area in Charleston County, SC.

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 at this office 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.

PROJECT DESCRIPTION / INFORMATION

The proposed project involves continued, ongoing maintenance dredging of the Town Creek Federal Navigation project in the McClellanville area in Charleston County, SC (see Figure 1). The Town Creek project was authorized on 12 November 1974 under Section 107 of the River and Harbor Act of 1960, as amended (see Figure 3). The authorized project includes a 4-mile long, 12-foot deep (mean low water – MLW) by 100-foot wide entrance channel across the ocean bar to the mouth of Five Fathom Creek. At the mouth of Five Fathom Creek, the channel transitions to a 6.2 mile long, 10-foot deep (MLW) by 80-foot wide channel through Five Fathom Creek and Town Creek to the Atlantic Intracoastal Waterway (AIWW) near McClellanville, SC. Initial construction of the project was completed in 1975. Maintenance dredging of the project has occurred on a regular basis since 1975.

Historically, maintenance dredging of the Town Creek project was performed by a side-cast dredge with the dredged material being placed alongside the channel. Proposed future dredging of the project includes continued use of the side-cast dredge, but also includes use of a modified, special-purpose hopper dredge with dredged material being beneficially placed in a nearshore area off of Lighthouse Island (see Figure 2). Future dredging may also include minor channel realignment and advanced maintenance dredging in an approximate 4-1/2 acre area immediately adjacent to the channel (see Figure 2). The purpose of the possible channel realignment is to move the channel to follow naturally deep water, while the purpose of the advance maintenance is to reduce the frequency of dredging. Based on recent sampling (August 2022), the material being dredged is medium to fine-grained sand with a sand content ranging between 93% sand and 99% sand. Future maintenance dredging is expected to occur every 3 to 5 years, with up to 190,000 cubic yards of material being dredged during each dredge event. Dredging could occur any time of year, and each dredging cycle is expected to take 30 to 60 days to complete.

ADDITIONAL CONSIDERATIONS

This document serves as a public notice on behalf of the South Carolina Department of Health and Environmental Control (SCDHEC), Bureau of Water (BOW) for water quality certification. A certification is required from SCDHEC stating that the proposed dredging will be conducted in a manner consistent with the Clean Water Act. By this notice, the Charleston District requests SCDHEC-BOW to issue that certification or to issue a waiver. Persons wishing to comment on State Certification are invited to submit same in writing to SCDHEC, 2600 Bull Street, Columbia, South Carolina 29201, within 30 days of the date of this notice.

This document also serves as a public notice on behalf of the South Carolina Department of Health and Environmental Control (SCDHEC), Office of Ocean and Coastal Resource Management (OCRM) for coastal zone consistency. Charleston District has concluded that this project is consistent to the maximum extent practicable with the enforceable policies of South Carolina's Coastal Zone Management Program. By this notice, the Charleston District requests concurrence from SCDHEC-OCRM that the proposed activity is consistent with the State's Coastal Zone Management Program.

Pursuant to the National Environmental Policy Act (NEPA), the Charleston District has prepared a draft Environmental Assessment (EA) and draft Finding of No Significant Impact (FONSI) for this project. The draft EA and draft FONSI are available for review online at: <https://www.sac.usace.army.mil/Missions/Civil-Works/NEPA-Documents/>.

Pursuant to the Endangered Species Act, species under the jurisdiction of both U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) occur in the project area. With regard to listed species under the jurisdiction of NMFS, the dredging and dredged material placement is covered under the 2020 South Atlantic Regional Biological Opinion (SARBO). Charleston District will adhere to all applicable project design criteria in the 2020 SARBO. The only listed species under the jurisdiction of the USFWS that could be directly affected by dredging and dredged material placement is the West Indian Manatee. Charleston District will implement *Standard Manatee Construction Conditions*, which will reduce impacts to manatees to discountable and insignificant levels.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), the Charleston District has initiated consultation with the State Historic Preservation Office (SHPO), the South Carolina Institute of Archaeology and Anthropology, and numerous Indian Tribes. Charleston District is currently conducting a submerged cultural resources remote sensing survey of the area that will be subject to maintenance dredging and the nearshore placement area off of Lighthouse Island. The results will be coordinated with the SHPO to ensure that all identified shipwrecks and archaeological sites eligible or potentially eligible for listing on the National Register of Historic Places will not be affected by the proposed project.

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, Charleston District will comply with the conservation recommendations and best management practices included in the *Programmatic Essential Fish Habitat Consultation for USACE*

Activities and Projects Regularly Undertaken in South Carolina that is currently being finalized. Therefore, impacts to essential fish habitat and habitat areas of particular concern associated with the Town Creek maintenance dredging and beneficial use placement are expected to be temporary and will not result in significant effects on managed species.

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 proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to proceed with the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, Tribal cultural or religious effects, and other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this, notice, that a public hearing be held to consider this proposed project. Requests for a public hearings all state, with particularity, the reasons for holding a public hearing. These requests should be made to DHEC at the address listed above.

Questions or comments concerning this notice should be directed to Ms. Erica Fritz at (843) 329-8167 or by email at erica.fritz@usace.army.mil.

Nancy Parrish

Nancy A. Parrish
Chief, Planning & Environmental Branch

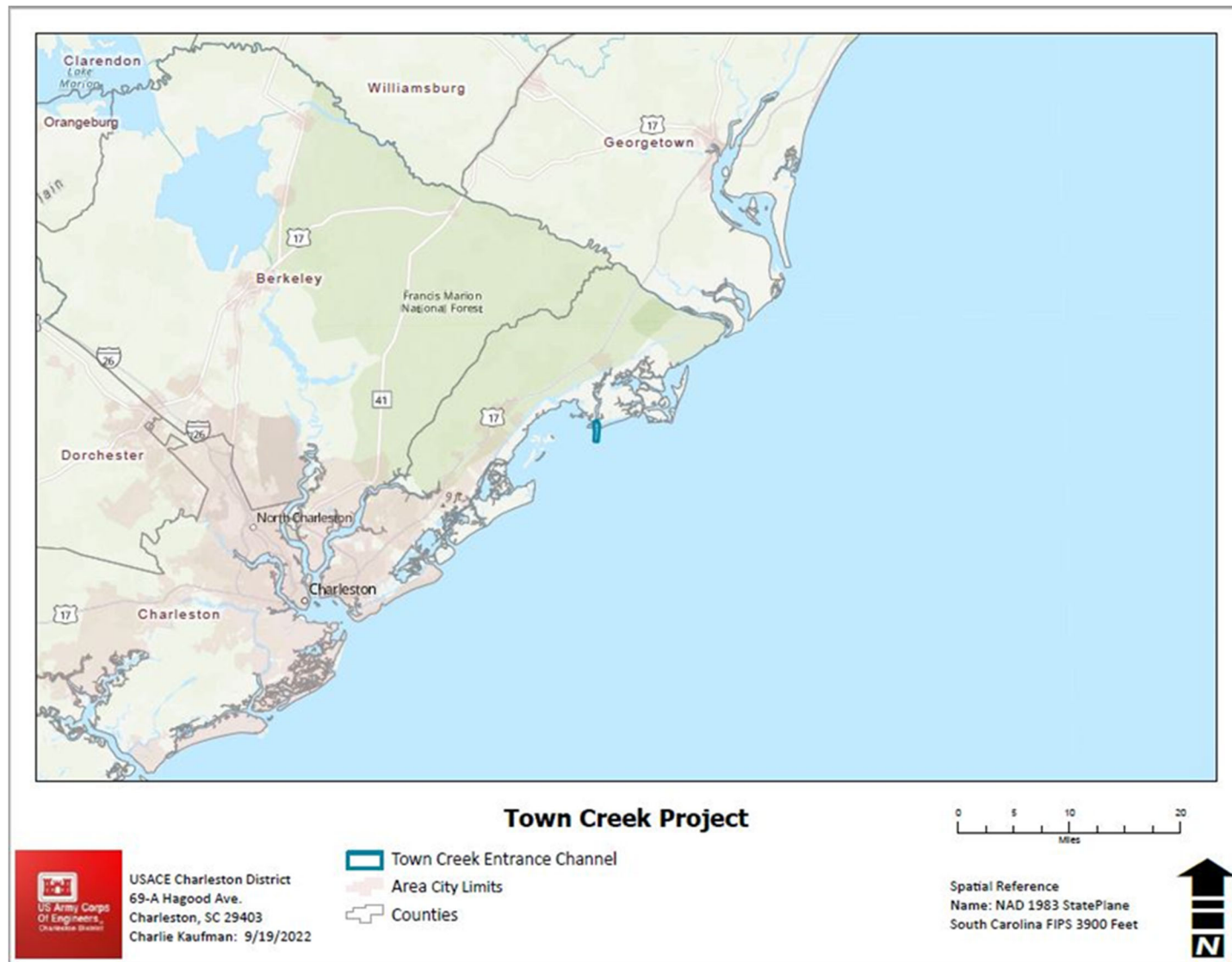


FIGURE 1: PROJECT LOCATION MAP

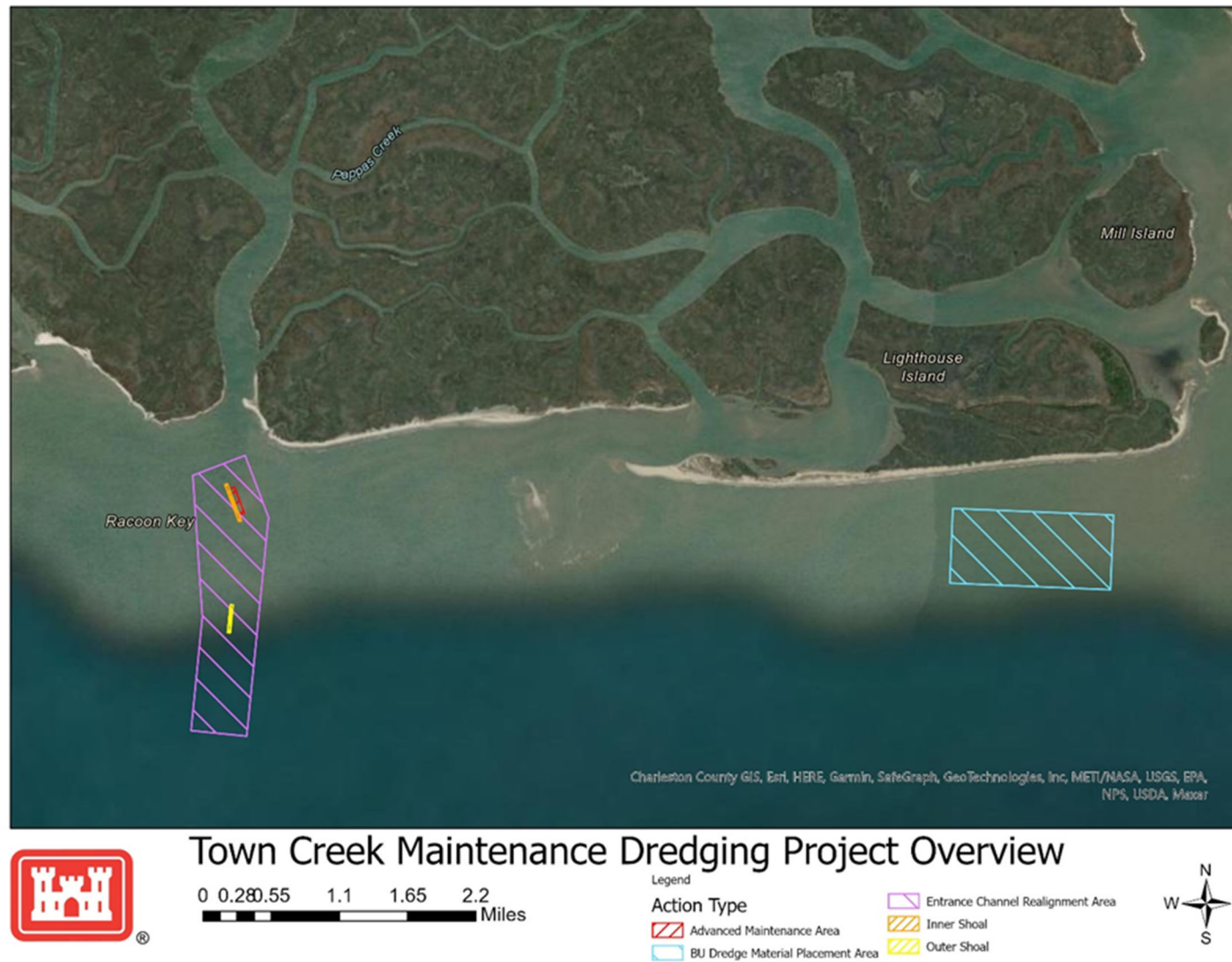


FIGURE 2: Town Creek Entrance Channel and Beneficial Use Placement Area

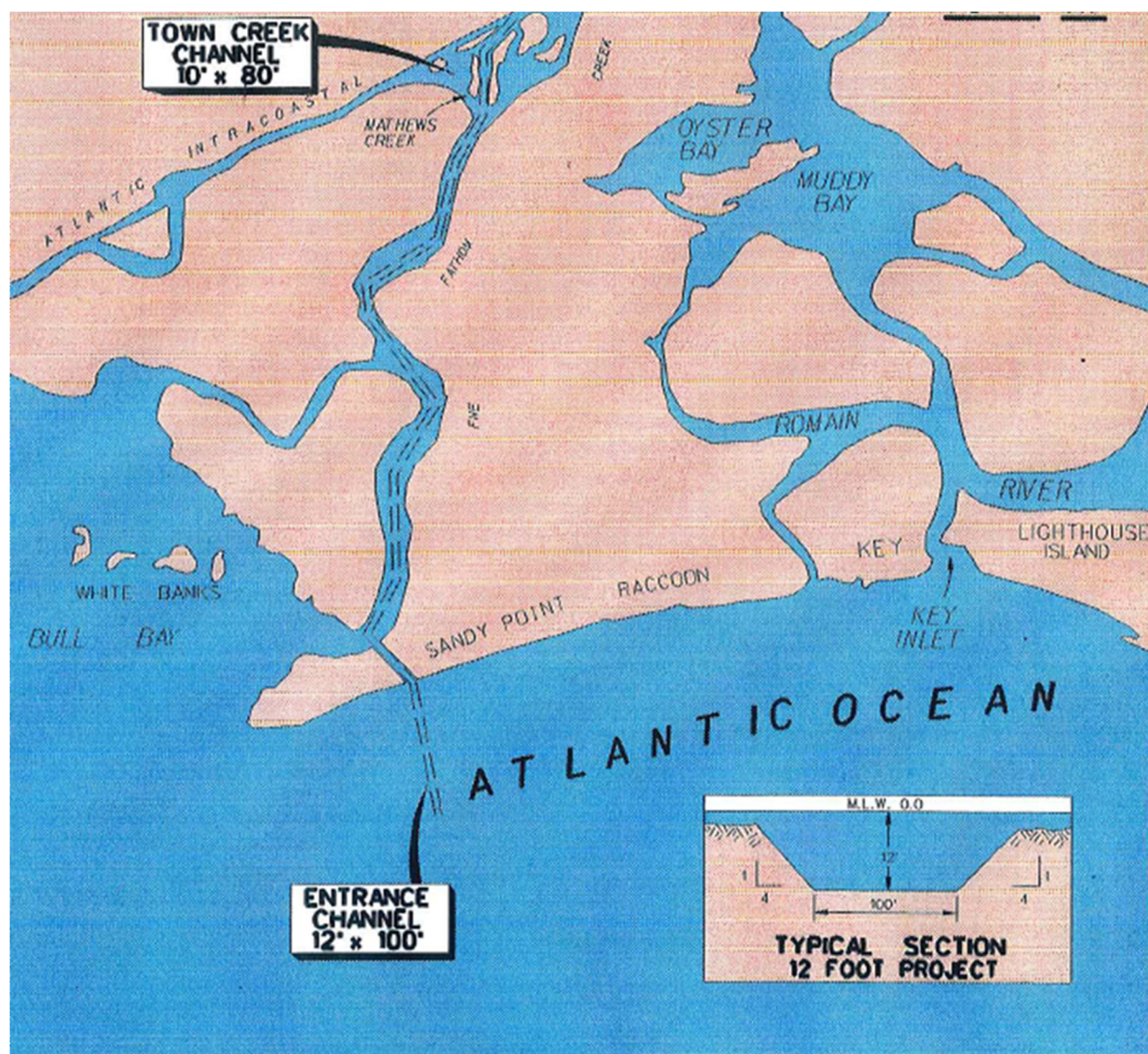


FIGURE 3: Authorized Town Creek Project