



**US Army Corps  
of Engineers®**

Charleston District

**CHARLESTON PENINSULA, SOUTH CAROLINA,  
A COASTAL STORM RISK MANAGEMENT STUDY**

Charleston, South Carolina

**NATIONAL HISTORIC PRESERVATION ACT COMPLIANCE  
APPENDIX - D**

December 2021

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## National Historic Preservation Act Compliance

This appendix contains pertinent correspondence and the Programmatic Agreement for compliance with Section 106 and Section 110 of the National Historic Preservation Act (NHPA). A brief description of pertinent correspondence is provided below. Copies of the correspondence sent and received follow. Note that maps showing site locations have been redacted.

### Section 106 of the NHPA Consultation Letters

Page	Description
1	June 11, 2019: Presentation of study area and tentative alternatives and initiation of section 106 of the NHPA consultation with the South Carolina Department of Archives and History (SC DAH)
4	July 10, 2019: SC DAH response to consultation initiation
6	July 12, 2019: Invitation to consult and concur in the Section 106 of the NHPA process to the National Park Service (NPS)
8	July 30, 2019: NPS response to consultation and concurrence invitation
11	July 30, 2019: Invitation to consult in the Section 106 of the NHPA process to the Preservation Society of Charleston
13	July 30, 2019: Invitation to consult in the Section 106 of the NHPA process to the Historic Charleston Foundation
15	August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Absentee-Shawnee Tribe of Indians of Oklahoma
18	August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Alabama-Quassarte Tribal Town
21	August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Catawba Indian Nation
24	August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Chickasaw Nation
27	August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Delaware Tribe of Indians
30	August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Eastern Band of the Cherokee Indians
33	August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Eastern Shawnee Tribe of Oklahoma
36	August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Kialegee Tribal Town
39	August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Muscogee (Creek) Nation

- 42 August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Shawnee Tribe
- 45 August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Thlopthlocco Tribal Town
- 48 August 1, 2019: Invitation to consult in the Section 106 of the NHPA process to the Poarch Band of Creek Indians
- 51 August 20, 2019: Historic Charleston Foundation response to consultation invitation
- 52 August 26, 2019: Catawba Indian Nation response to consultation invitation
- 53 November 5, 2019: Transmittal of minutes from Section 106 Consultation Meeting/Site Visit to the Preservation Society of Charleston, SC DAH, NPS, Charleston County Planning, Historic Charleston Foundation, and Catawba Indian Nation
- 54 November 7, 2019: Invitation to consult and notice of the development of a Programmatic Agreement to the Advisory Council on Historic Preservation (ACHP)
- 56 November 25, 2019: ACHP response to consultation invitation
- 57 February 28, 2020: Invitation to participate as a consulting party to stewards of National Historic Landmarks (NHL); Robert Barnwell Rhett House, Circular Congregational Church and Parish House, Clark Mills Studio, College of Charleston, Denmark Vesey House, Dubose Heyward House, Edward Rutledge House, Exchange and Provost, Farmers' and Exchange Bank, Fireproof Building, Williams Gibbes House, Heyward-Washington House, Joseph Manigault House, Hibernian Hall, Huguenot Church, John Rutledge House, Kahal Kadosh Beth Elohim Synagogue, Market Hall and Sheds, Miles Brewton House, Nathaniel Russell House, USS *Yorktown*, USS *Laffey*, USS *Clamagore*, Powder Magazine, Robert Brewton House, Robert William Roper House, Simmons-Edwards House, St. Michael's Episcopal Church, St. Philip's Episcopal Church, Old Marine Hospital, Unitarian Church in Charleston, William Blacklock House, and William Aiken House
- 117 February 26, 2019: Invitation to participate as a concurring party to Naval History and Heritage Command (NHHC)
- 117 February 26, 2019: NHHC response to concurring party invitation
- 119 March 3, 2020: Stewards of College of Charleston NHL response to consultation invitation
- 121 March 20, 2020: Invitation for comment on proposed project direct Area of Potential Effect (APE); SC DAH, NPS, ACHP, Historic Charleston Foundation, Preservation Society of Charleston, and Catawba Indian Nation
- 121 April 8, 2020: NPS response to APE comment invitation
- 123 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Kialegee Tribal Town
- 125 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Absentee-Shawnee Tribe of Indians of Oklahoma

- 127 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Chickasaw Nation
- 129 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Eastern Shawnee Tribe of Oklahoma
- 131 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Charleston County Planning
- 133 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the ACHP
- 135 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Thlopthlocco Tribal Town
- 137 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Poarch Band of Creek Indians
- 139 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Catawba Nation
- 141 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Alabama-Quassarte Tribal Town
- 143 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the NPS
- 147 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to South Carolina Institute of Archeology and Anthropology (SCIAA)
- 151 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Delaware Tribe of Indians
- 153 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the SC DAH
- 155 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Eastern Band of the Cherokee Indians
- 157 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Shawnee Tribe
- 159 April 20, 2020: Request for comment on the draft Feasibility Report/Environmental Assessment (FR/EA) to the Muscogee (Creek) Nation
- 161 April 23, 2020: Preservation Society of Charleston response to APE comment invitation
- 163 June 18, 2020: SC DAH response to draft FR/EA comment request
- 173 June 19, 2020: ACHP response to draft Programmatic Agreement (PA) comment request
- 175 June 19, 2020: Preservation Society of Charleston response to draft FR/EA comment request
- 201 June 22, 2020: NPS response to draft FR/EA comment request

206 November 23, 2020: Request for comment on the proposed revised APE to SC DAH

215 November 23, 2020: Request for comment on the proposed revised APE to the Secretary of the Interior (SOI)

224 November 23, 2020: Request for comment on the proposed revised APE to the ACHP

233 November 23, 2020: Request for comment on the proposed revised APE to the Catawba Indian Nation

242 November 23, 2020: Request for comment on the proposed revised APE to the Charleston County Planning

251 November 23, 2020: Request for comment on the proposed revised APE to the Historic Charleston Foundation

260 November 23, 2020: Request for comment on the proposed revised APE to the NHHHC

269 November 23, 2020: Request for comment on the proposed revised APE to the NPS

278 November 23, 2020: Request for comment on the proposed revised APE to the Preservation Society of Charleston

287 December 23, 2020: SC DAH response to revised APE comment request

289 January 4, 2021: NPS response to revised APE comment request

290 February 1, 2021: Request for comment on the revised draft PA to the Catawba Indian Nation

291 February 1, 2021: Request for comment on the revised draft PA to the Charleston County Planning

292 February 1, 2021: Request for comment on the revised draft PA to the Historic Charleston Foundation

293 February 1, 2021: Request for comment on the revised draft PA to the NPS

294 February 1, 2021: Request for comment on the revised draft PA to the ACHP

295 February 1, 2021: Request for comment on the revised draft PA to the SC DAH

296 February 1, 2021: Request for comment on the revised draft PA to the Preservation Society of Charleston

297 February 10, 2021: SC DAH response to request to become a cooperating agency for the study

298 February 22, 2021: Charleston County Planning response to request for comment on the revised draft PA

300 February 24, 2021: The Charleston Museum request for information regarding final artifact deposition and inclusion as a consulting party

301 March 1, 2021: SC DAH response to request for comment on the revised draft PA

303 March 2, 2021: NPS response to request for comment on the revised draft PA

305 March 2, 2021: ACHP response to request for comment on the revised draft PA

- 307 March 2, 2021: Catawba Indian Nation response to request for comment on the revised draft PA
- 309 March 2, 2021: Preservation Society of Charleston response to request for comment on the revised draft PA
- 310 March 2, 2021: Historic Charleston Foundation response to request for comment on the revised draft PA
- 311 June 22, 2021: Request for comment on the revised draft PA to the ACHP
- 312 June 22, 2021: Request for comment on the revised draft PA to the Catawba Indian Nation
- 313 June 22, 2021: Request for comment on the revised draft PA to the Charleston County Planning
- 314 June 22, 2021: Request for comment on the revised draft PA to the Historic Charleston Foundation
- 315 June 22, 2021: Request for comment on the revised draft PA to the NPS
- 316 June 22, 2021: Request for comment on the revised draft PA to the Preservation Society of Charleston
- 317 June 22, 2021: Request for comment on the revised draft PA to the SC DAH
- 318 June 25, 2021: Schedule update to the SC DAH
- 320 June 25, 2021: Schedule update to the NPS
- 322 October 7, 2021: SC DAH response to request for comment on the revised draft PA
- 325 October 8, 2021: NPS response to request for comment on the revised draft PA
- 327 October 12, 2021: ACHP response to request for comment on the revised draft PA
- 328 October 13, 2021: Catawba Indian Nation response to request for comment on the revised draft PA
- 329 October 14, 2021: SC State Archaeologist response to request for information regarding unanticipated human remains language in revised draft PA

#### Draft Programmatic Agreement

- 331 Programmatic Agreement Among the United States Army Corps of Engineers, Charleston District, the South Carolina State Historic Preservation Officer, the National Park Service, the Advisory Council on Historic Preservation, and the City of Charleston Regarding the Charleston Peninsula Coastal Storm Risk Management Project, Charleston, South Carolina





**DEPARTMENT OF THE ARMY**  
CHARLESTON DISTRICT, CORPS OF ENGINEERS  
69A HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning Branch

W. Eric Emerson, Ph.D.  
Director  
South Carolina Department of Archives and History  
8301 Parklane Road  
Columbia, South Carolina 29223

Dear Dr. Emerson:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, the U.S. Army Corps of Engineers (USACE), Charleston District would like to initiate consultation regarding the Charleston Peninsula Coastal Flood Risk Management Study, the Feasibility stage, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina. The lead federal agency for this study is USACE and the non-Federal Sponsor is the City of Charleston.

The low elevations and tidal connections to the Ashley and Cooper Rivers and Charleston Harbor place a significant percentage of the city on the Peninsula at risk of inundation from high tides, nor'easters, tropical storms, hurricanes and other storms. Exacerbating the flooding is the phenomenon of relative sea level rise, which is the combination of water level rise and land subsidence. Without a plan to reduce the risks of coastal storm and flood damage, the area is assumed to be at increased risk from coastal storms. This study will develop and evaluate coastal storm risk management measures that would be combined into alternative plans to address the flooding problem for Charleston residents, industries, and businesses.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem on the Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives (Table 1). The alternatives may include various combinations of the following structural and non-structural measures: barriers; breakwaters; phased/selective elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed. The final array of alternatives may include these measures in various combinations. A Tentatively Selected Plan (TSP) will be chosen from the final array of alternatives in December 2019. A figure showing the preliminary locations of these measures is enclosed for your reference. Also included on the figure are recorded cultural resources located on the peninsula. This figure is intended to illustrate resources that may be affected by the proposed undertaking as currently designed.

<b>ALTERNATIVE NAME</b>	<b>MEASURE TYPE(S)</b>	<b>DESCRIPTION</b>
<b>Barrier Only</b>	Structural	<b>Structural:</b> A barrier approximately 10 miles long would be constructed mainly along the perimeter of the peninsula except for areas that require access to the shoreline for operational purposes. Specifically, the barrier would be located behind the Coast Guard station at Tradd Street and the South Carolina Ports Authority at Union and Columbus Street ports. The barrier would tie into the existing Battery seawall. The location around Magnolia Cemetery is to be determined.
<b>Combination</b>	Structural; Nonstructural; and Natural or nature-based	<b>Structural:</b> A barrier would be constructed along the perimeter of the Peninsula. <b>Non-structural:</b> Phased/selective elevations, relocations, or buyout of structures <b>Natural:</b> Living shorelines and elevating existing shoreline marsh as needed.
<b>Combination w/Breakwater</b>	Structural; Nonstructural; and Natural or nature-based	<b>Structural:</b> A breakwater approximately 2 miles long would be located seaward of the Battery wall. A barrier would be constructed along the perimeter of the Peninsula. <b>Non-structural:</b> Phased/selective elevations, relocations, or buyout of structures. <b>Natural:</b> Living shorelines and elevating existing shoreline marsh as needed.

Structural measures refer to measures which would divert floodwaters from damageable property. Structural measures currently being considered are a barrier and a breakwater. Structural measures are included in all three alternatives and all three include a barrier along the perimeter of the peninsula. Greater detail about the barrier and the breakwater, i.e., construction materials, height, and length, will be known after modeling has been completed by late September 2019. Both the breakwater and the barrier have the potential to affect archaeological resources on river bottoms, shorelines and on the peninsula, as well as have potential for visual effects to architectural properties and historic districts. The location of the barrier near Magnolia Cemetery is still to be determined and likely will not be decided until modeling has been completed.

Nonstructural coastal flood risk management measures are permanent or contingent measures applied to a structure and/or its contents that prevent or provide resistance to damage from flooding. Nonstructural measures differ from structural measures in that they focus on reducing the consequences of flooding instead of focusing on reducing the probability of flooding. These measures include modifications to buildings such as relocations, buyouts and/or home elevation. These non-structural measures have the potential to cause effects to historic properties and are included in two alternatives -- Combination and Combination

w/Breakwater. The precise locations for buyouts and raising the first floor elevations have yet to be identified.

Natural or nature-based coastal flood risk management measures work with or restore natural processes with the aim of wave attenuation and storm surge reduction. These measures include elevating existing shoreline marsh to absorb and reduce the inland extent of coastal storm floodwaters by keeping pace with rising sea levels, and living shorelines to stabilize the shoreline marsh. Natural and nature-based features would be included in two alternatives (Combination and Combination w/Breakwater). These measures have the potential to cause effects to archaeological resources and changes to the landscape. The visual effects would likely not be considered adverse to historic properties.

The scope and diversity of potential effects of the project and constraints of the USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. Policy mandates a determination of effects pursuant to Section 106 is made by the project's TSP milestone date, which is scheduled in December 2019. Also, because it is necessary to complete the Environmental Assessment to finalize the feasibility study, Section 106 must be satisfied through a PA. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineer and Design (PED) phase of the project. The document will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined. Lastly, the PA will streamline the Section 106 reviews given the potential to affect a high number of historic resources.

We look forward to working with your office on this project and will be submitting more information about the alternatives and efforts to minimize and mitigate effects as more information becomes available. We anticipate work on a draft PA will be initiated in September after more modeling regarding effectiveness of and locations for a barrier and the breakwater helps determine design criteria and locations of buyouts and first floor elevations have been selected. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil).

Respectfully,

**PARRISH.NANC**  
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Nancy Parrish  
Interim Chief, Planning and Environmental  
Branch

Enclosure



July 10, 2019

Nancy Parrish  
Interim Chief, Planning and Environmental Branch  
Department of the Army  
Charleston District, Corps of Engineers  
69A Hagood Avenue  
Charleston, SC 29403-5107

Re: Charleston Peninsula Coastal Flood Risk Management Study  
Charleston County, South Carolina  
SHPO Project No. 18-EJ0131

Dear Nancy Parrish:

Thank you for your letter of June 11, 2019, which we received on June 14, 2019, regarding the above-referenced proposed undertaking. We also received the *Charleston Peninsula Study* map as supporting documentation for this undertaking. The State Historic Preservation Office (SHPO) is providing comments to the U.S. Army Corps of Engineers pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800. Consultation with the SHPO is not a substitution for consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public.

Thank you for providing our office with an update regarding the status of the feasibility study. Our office notes that the Area of Potential Effect (APE) for this project includes multiple National Historic Landmarks, requiring consultation with the Advisory Council on Historic Preservation pursuant to 36 CFR 800.10 *Special requirements for protecting National Historic Landmarks*. Our office additionally notes that the map provided does not appear to include historic areas and districts within the APE that have been determined to be eligible for listing in the National Register of Historic Properties and are considered historic properties.

Our office looks forward to reviewing the draft Programmatic Agreement (PA) and to continued consultation on this project.

Please refer to SHPO Project Number 18-EJ0131 in any future correspondence regarding this project. If you have any questions, please contact me at (803) 896-6181 or [KLewis@scdah.sc.gov](mailto:KLewis@scdah.sc.gov).

Sincerely,

*Keely Lewis*

Keely Lewis

Archaeologist

State Historic Preservation Office

cc: Julie Morgan, Corps



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

July 12, 2019

Planning and Environmental Branch

Mr. Robert A. Vogel  
Regional Director  
National Park Service, Southeast Region  
100 Alabama St. SW  
1924 Building  
Atlanta, GA 30303

Dear Mr. Vogel:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the National Park Service to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem on the Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives. The alternatives may include various combinations of the following structural and non-structural measures: physical barriers; breakwaters; phased/selective elevations of roads and/or structures; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the undertaking and constraints of the USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the project's Tentative Selected Plan milestone date, which is scheduled in January 2020. Also, because it is necessary to complete the NEPA analysis to finalize the feasibility study, Section 106 must be satisfied through a PA. The PA will allow USACE to complete the necessary archaeological surveys

during the follow on Preconstruction Engineer and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

We invite the National Park Service to consult and concur with us as we develop the PA pursuant to 36 CFR Part 800. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil).

Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



## United States Department of the Interior



IN REPLY REFER TO:  
8.A.4. (SERO-CRD)

NATIONAL PARK SERVICE  
Southeast Regional Office  
Atlanta Federal Center  
1924 Building  
100 Alabama St., SW.  
Atlanta, Georgia 30303

JUL 30 2019

Alan D. Shirey  
U.S. Army Corps of Engineers,  
Charleston District, Planning and Environmental Branch  
69 A Hagood Avenue  
Charleston, South Carolina 29403-5107

Dear Mr. Shirey:

Thank you for your letter, dated July 12, 2019, inviting the National Park Service to participate as a consulting party in the development of a Programmatic Agreement to address implementation of flood mitigation measures, which were developed as part of the U.S. Army Corps of Engineers and City of Charleston's *Charleston Peninsula Coastal Flood Risk Management Study*. The National Park Service wishes to participate in this consultation.

As you note in your letter, the Charleston Peninsula contains a number of historic properties, including numerous National Historic Landmarks. Along with our National Parks, National Historic Landmarks are considered to be the most important historic properties in the United States. Upon designation by the Secretary of the Interior, National Historic Landmarks are automatically listed in the National Register of Historic Places and therefore included in the review of federal undertakings that are subject to Section 106 of the National Historic Preservation Act. Section 110(f) of the National Historic Preservation Act and the Section 106 regulations contain provisions that set a higher standard of consideration and care for National Historic Landmarks (54 U.S.C. 306107 and 36 CFR 800.10).

The Secretary of the Interior designated the Charleston National Historic Landmark District in 1960 for the district's significance in American social, political, and architectural history. The Secretary has also designated numerous individual properties within the Charleston district as National Historic Landmarks. Within or adjacent to the Charleston district are thirty-four National Historic Landmarks (please see enclosure). This concentration of nationally significant historic properties makes Charleston a particularly important place in illustrating American history. In addition to National Historic Landmarks, Fort Sumter, a unit of the National Park Service, sits on a man-made island in the Charleston Harbor within view of the Charleston district.



The National Park Service looks forward to working with you and other consulting parties to develop a Programmatic Agreement that will address potential effects to these important historic properties. If you have any questions regarding this letter, please contact Cynthia Walton at (404) 507-5792, or by email to [Cynthia\\_Walton@nps.gov](mailto:Cynthia_Walton@nps.gov).

Sincerely,



Robert A. Vogel  
Regional Director

Enclosure (1)

List of National Historic Landmarks within or near Charleston National Historic Landmark District

cc:

W. Eric Emerson, PhD, State Historic Preservation Officer, South Carolina (via email)

Christopher Daniel, Program Analyst, Advisory Council on Historic Preservation (via email)

J. Tracy Stakely, Superintendent, Fort Sumter and Fort Moultrie NHP (via email)

Julie H. Earnstein, Ph.D. RPA, Acting Chief, National Register & National Historic Landmarks Program

**National Historic Landmarks within or near Charleston National Historic Landmark District**

1. William Aiken House and associated Railroad Structures (NHL 1963)
2. William Blacklock House (NHL 1973)
3. Miles Brewton House (NHL 1960)
4. Robert Brewton House (NHL 1960)
5. USS Clamagore (NHL 1989)
6. College of Charleston (NHL 1971)
7. Exchange and Provost (NHL 1973)
8. Farmers' and Exchange Bank (NHL 1973)
9. Fireproof Building (NHL 1973)
10. William Gibbes House (NHL 1970)
11. Dubose Heyward House (NHL 1971)
12. Heyward-Washington House (NHL 1970)
13. Hibernian Hall (NHL 1973)
14. Huguenot Church (NHL 1973)
15. Kahal Kadosh Beth Elohim (NHL 1980)
16. USS Laffey (NHL 1986)
17. Joseph Manigault House (NHL 1973)
18. Market Hall and Sheds (NHL 1973)
19. Clark Mills Studio (NHL 1965)
20. Old Marine Hospital (NHL 1973)
21. Parish House of the Circular Congregational Church (NHL 1973)
22. Powder Magazine (NHL 1989)
23. Robert Barnwell Rhett House (NHL 1973)
24. Robert William Roper House (NHL 1973)
25. Nathaniel Russell House (NHL 1973)
26. Edward Rutledge House (NHL 1971)
27. John Rutledge House (NHL 1973)
28. Saint Michael's Episcopal Church (NHL 1960)
29. Saint Phillip's Episcopal Church (NHL 1973)
30. Simmons-Edwards House (NHL 1973)
31. Colonel John Stuart House (NHL 1973)
32. Unitarian Church (NHL 1973)
33. Denmark Vesey House (NHL 1976)
34. USS Yorktown (NHL 1986)



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

July 30, 2019

Planning and Environmental Branch

Mr. Kristopher B. King  
Executive Director  
Preservation Society of Charleston  
Post Office Box 521  
Charleston, SC 29402

Dear Mr. King:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Preservation Society of Charleston to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem on the Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives. The alternatives may include various combinations of the following structural and non-structural measures: physical barriers; breakwaters; phased/selective elevations of roads and/or structures; and relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the undertaking and constraints of the USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the project's Tentative Selected Plan milestone date, which is scheduled in January 2020. Also, because it is necessary to complete the NEPA analysis to finalize the feasibility study, Section 106 must be satisfied through a PA. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineer and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be

completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

We invite the Preservation Society of Charleston to consult and concur with us as we develop the PA pursuant to 36 CFR Part 800. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil). Please let us know if you are interested in being part of the consultation process.

Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

July 30, 2019

Planning and Environmental Branch

Mr. Winslow Hastie  
President  
Historic Charleston Foundation  
40 East Bay Street  
Charleston, SC 29401

Dear Mr. Hastie:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite Historic Charleston Foundation to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston.

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The scope and diversity of potential effects of the undertaking and constraints of the USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the project's Tentative Selected Plan milestone date, which is scheduled in January 2020. Also, because it is necessary to complete the NEPA analysis to finalize the feasibility study, Section 106 must be satisfied through a PA. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineer and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be

completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

We invite Historic Charleston Foundation to consult and concur with us as we develop the PA pursuant to 36 CFR Part 800. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil). Please let us know if you are interested in being part of the consultation process.

Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Ms. Devon Frazier  
Absentee-Shawnee Tribe of Indians of Oklahoma  
Tribal Historic Preservation Office  
2025 South Gordon Cooper Drive  
Shawnee, Oklahoma 74801

Dear Ms. Frazier:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Absentee-Shawnee Tribe of Indians of Oklahoma to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP- listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

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We invite the Absentee-Shawnee Tribe of Indians of Oklahoma to consult and concur with us as we develop the PA pursuant to 36 CFR Part 800. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil). Please let us know if you are interested in being part of the consultation process.

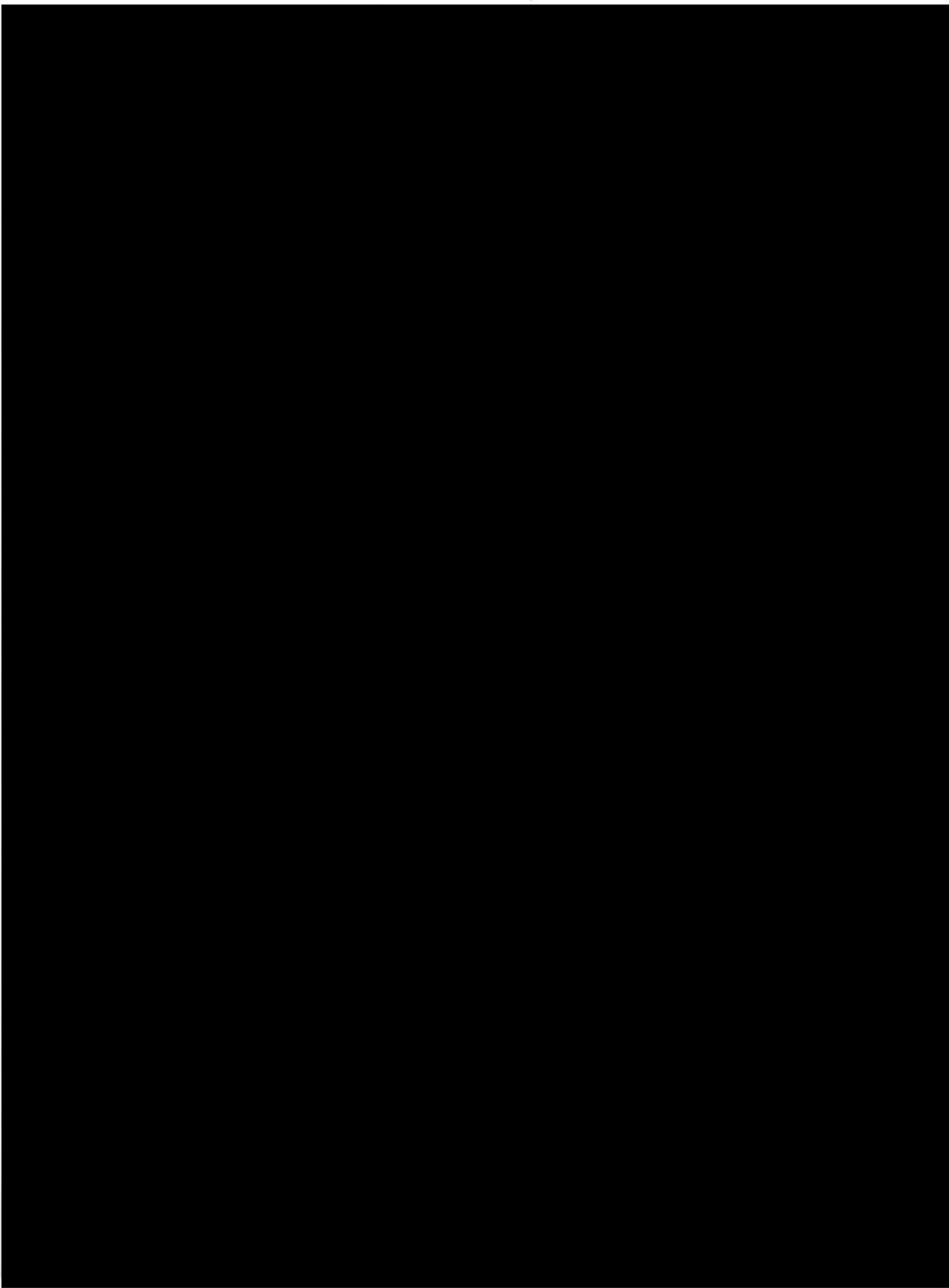
Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure







DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Ms. Janice Lowe  
Alabama-Quassarte Tribal Town  
Tribal Historic Preservation Office  
P.O. Box 187  
101 East Broadway  
Wetumka, Oklahoma 74883

Dear Ms. Lowe:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Alabama-Quassarte Tribal Town to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

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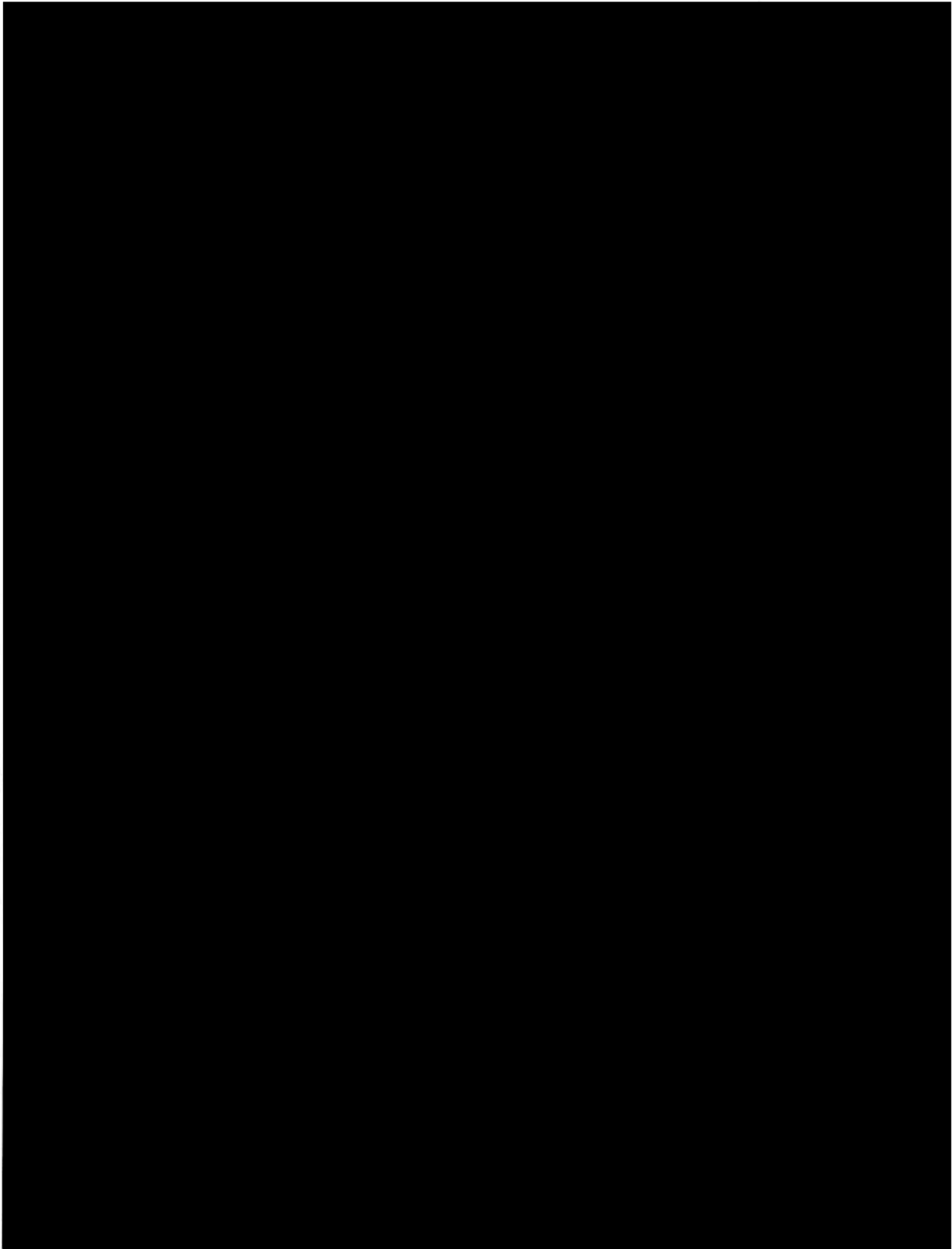
We invite the Alabama-Quassarte Tribal Town to consult and concur with us as we develop the PA pursuant to 36 CFR Part 800. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil). Please let us know if you are interested in being part of the consultation process.

Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Dr. Wenonah G. Haire  
Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Dear Dr. Haire:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Catawba Indian Nation to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

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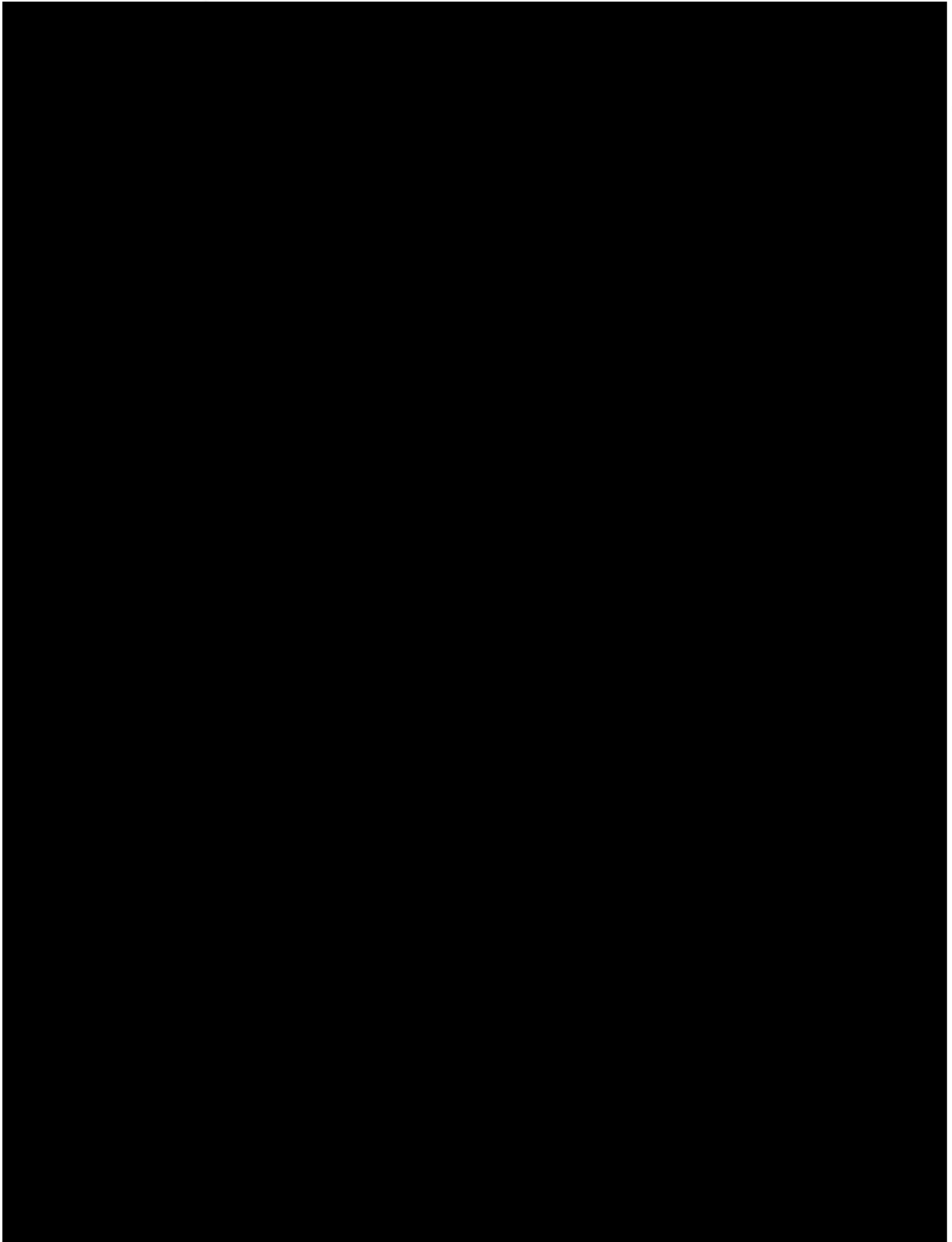
We invite the Catawba Indian Nation to consult and concur with us as we develop the PA pursuant to 36 CFR Part 800. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil). Please let us know if you are interested in being part of the consultation process.

Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403 5107

AUGUST 1, 2019

Planning and Environmental Branch

Ms. Karen Brunso  
Chickasaw Nation  
Tribal Historic Preservation Office  
Post Office Box 1548  
Ada, Oklahoma 74820

Dear Ms. Brunso:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Chickasaw Nation to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP- listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

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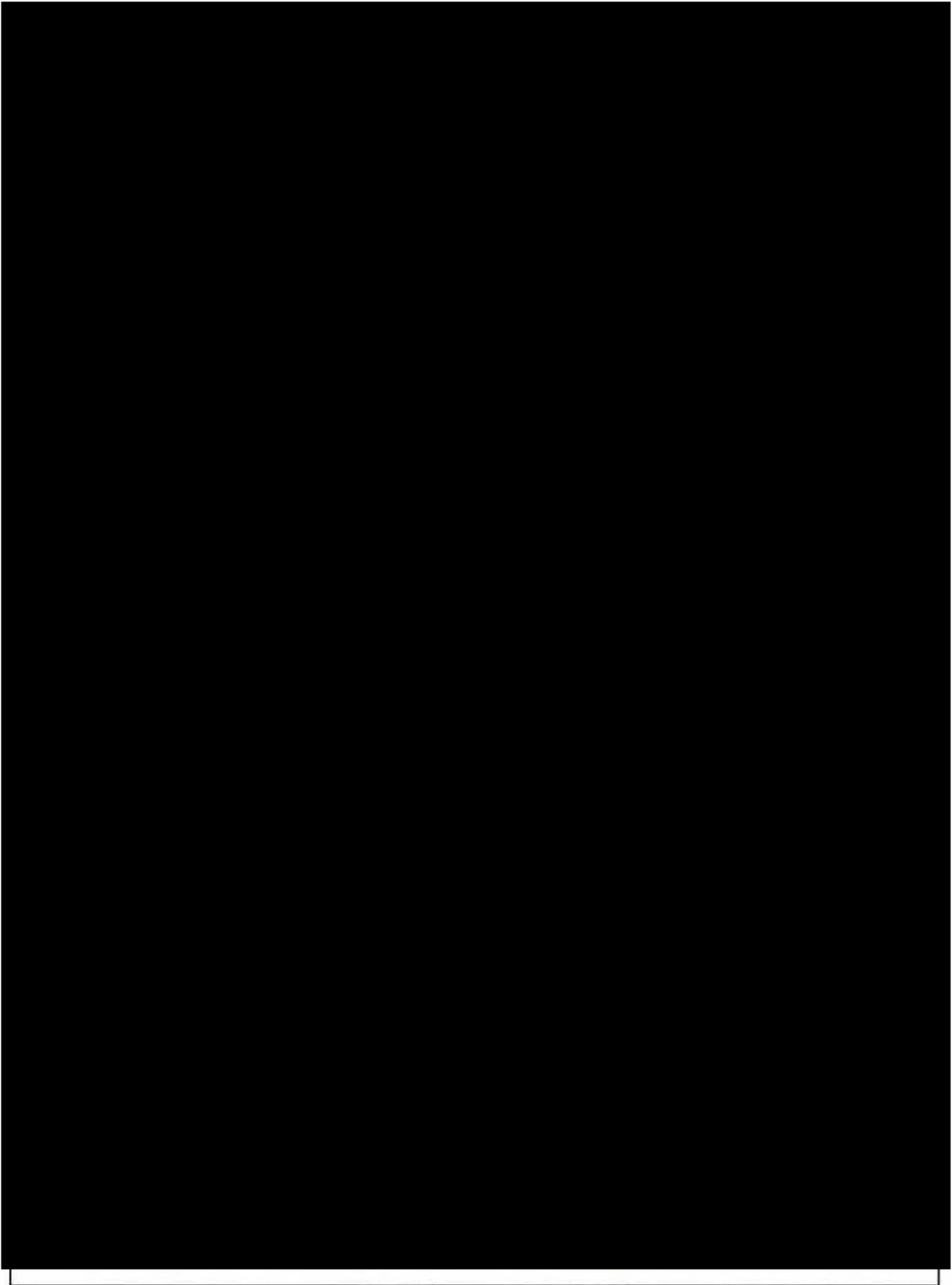
We invite the Chickasaw Nation to consult and concur with us as we develop the PA pursuant to 36 CFR Part 800. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil). Please let us know if you are interested in being part of the consultation process.

Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Dr. Brice Obermeyer  
Delaware Tribe of Indians  
Tribal Historic Preservation Office  
Roosevelt Hall, Room 212  
1200 Commercial Street  
Emporia, Kansas 66801

Dear Dr. Obermeyer:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Delaware Tribe of Indians to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

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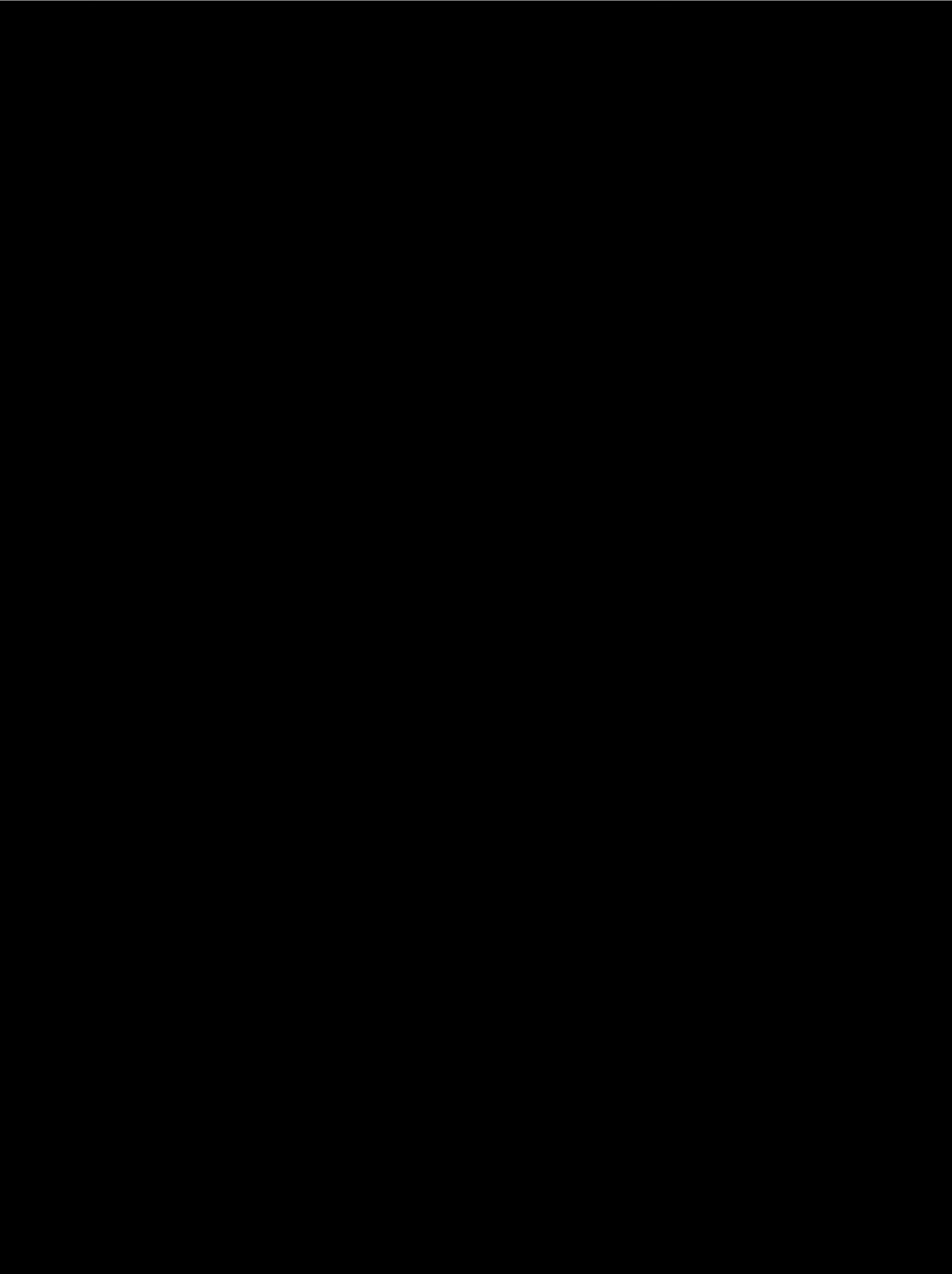
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Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Mr. Russell Townsend  
Eastern Band of the Cherokee Indians  
Tribal Historic Preservation Office  
Post Office Box 455  
Cherokee, North Carolina 28719

Dear Mr. Townsend:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Eastern Band of the Cherokee Indians to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

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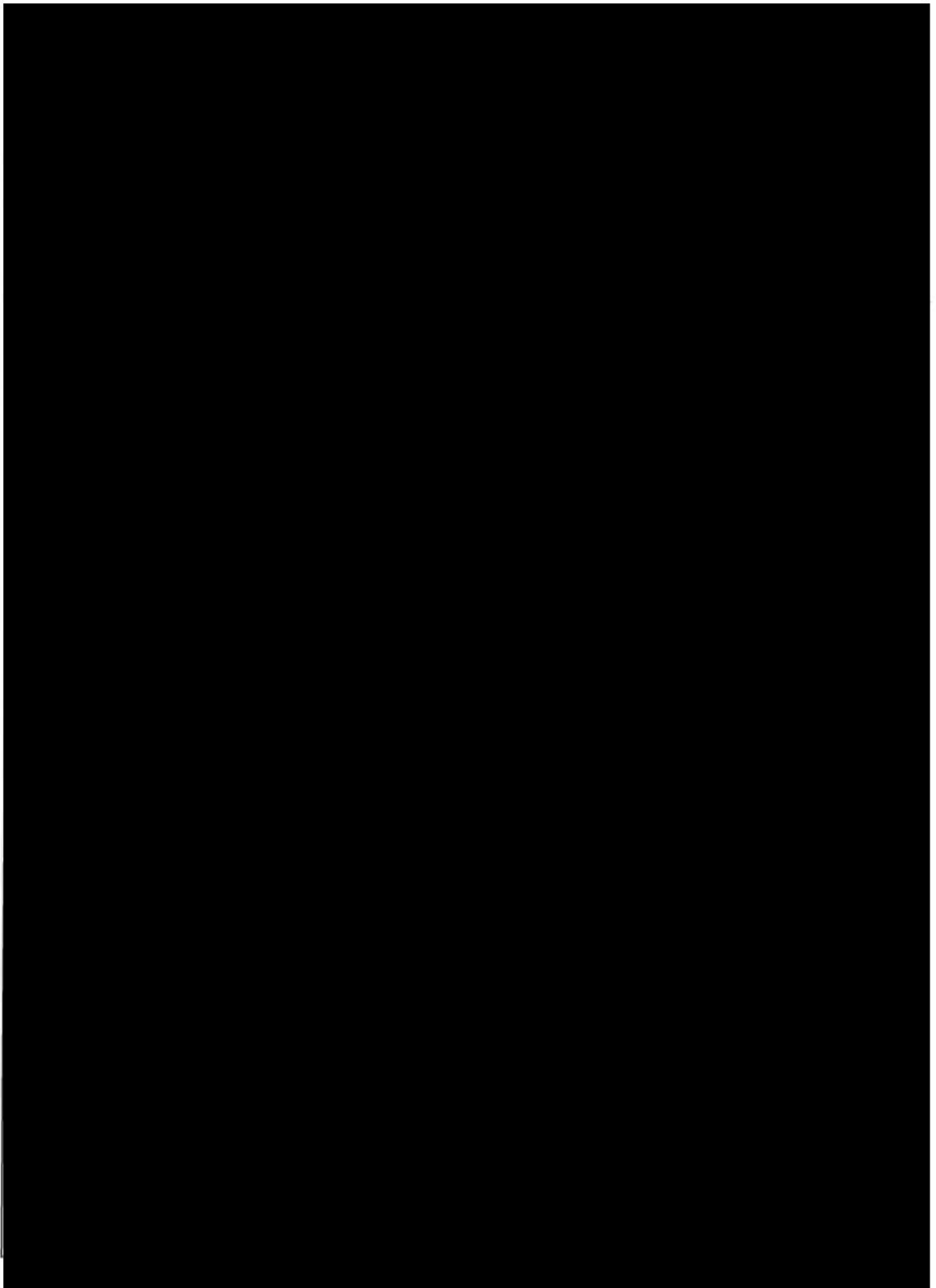
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Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure







DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Ms. Robin DuShane  
Eastern Shawnee Tribe of Oklahoma  
Tribal Historic Preservation Office  
Post Office Box 350  
Seneca, Missouri 64865

Dear Ms. DuShane:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Eastern Shawnee Tribe of Oklahoma to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

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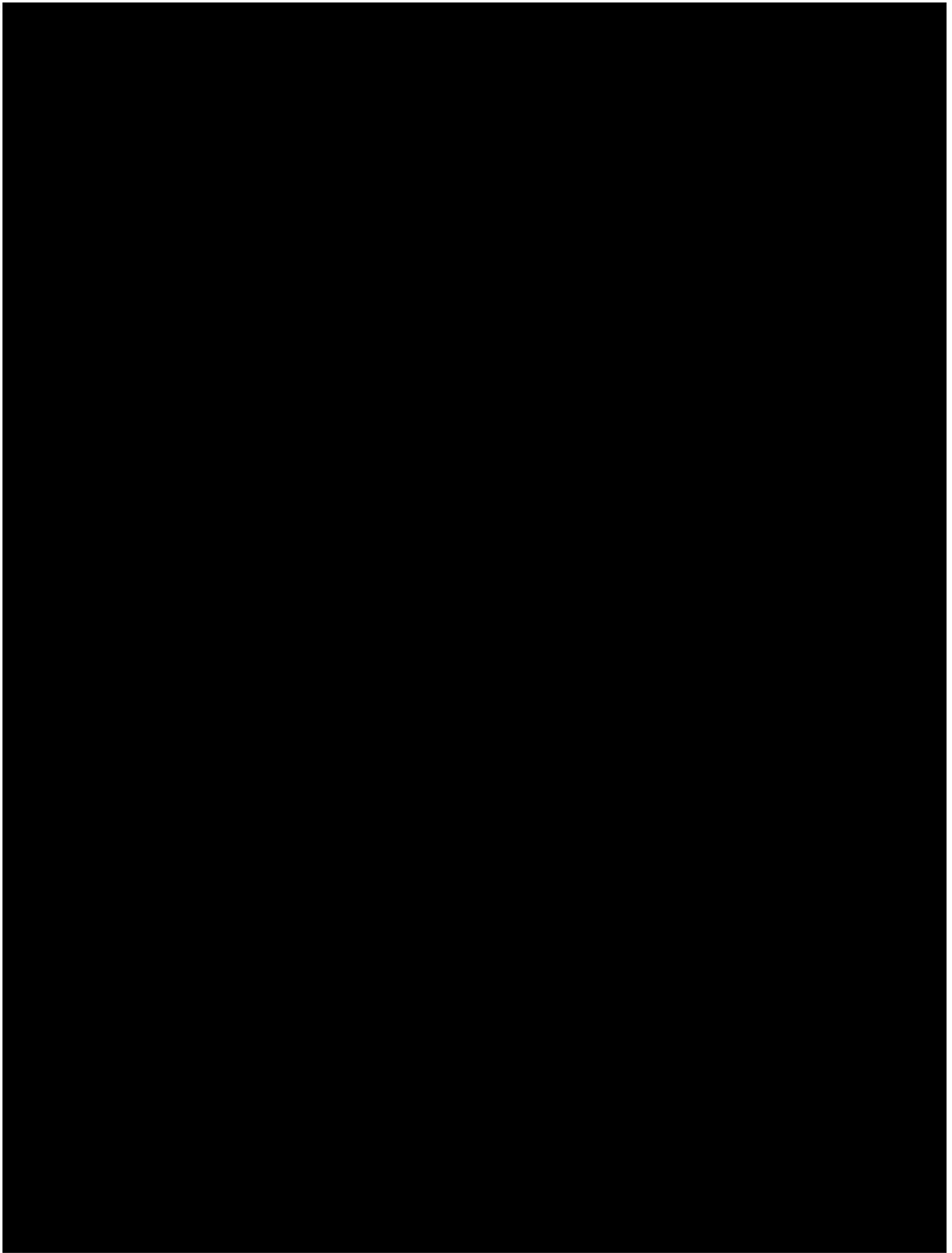
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Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Mr. David Cook  
Kialegee Tribal Town  
Tribal Historic Preservation Office  
Post Office Box 332  
Wetumka, Oklahoma 74883

Dear Mr. Cook:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Kialegee Tribal Town to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP- listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

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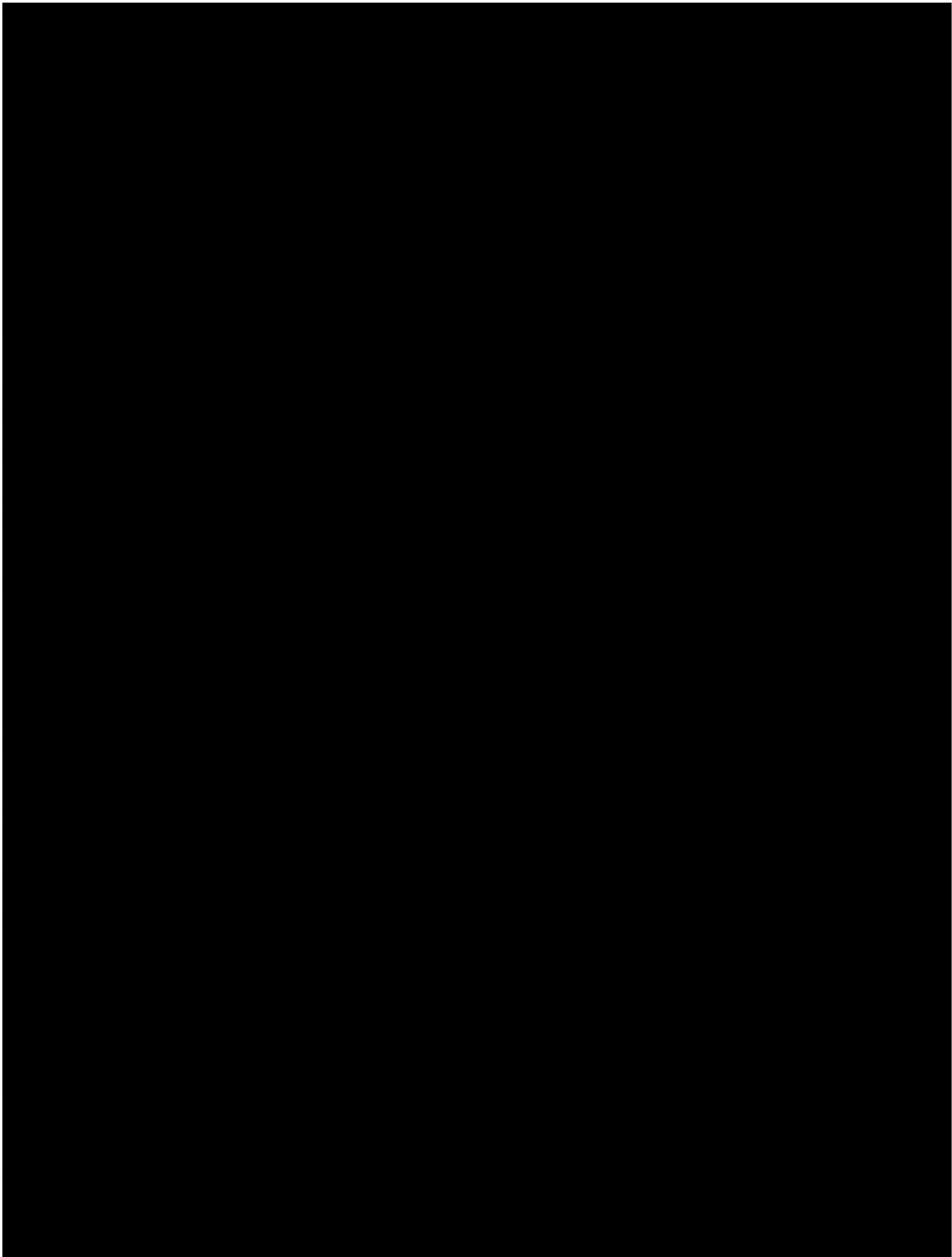
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Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Ms. Corain Lowe-Zepeda  
Muscogee (Creek) Nation  
Tribal Historic Preservation Office  
Post Office Box 580  
Okmulgee, Oklahoma 74447

Dear Ms. Lowe-Zepeda:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Muscogee (Creek) Nation to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

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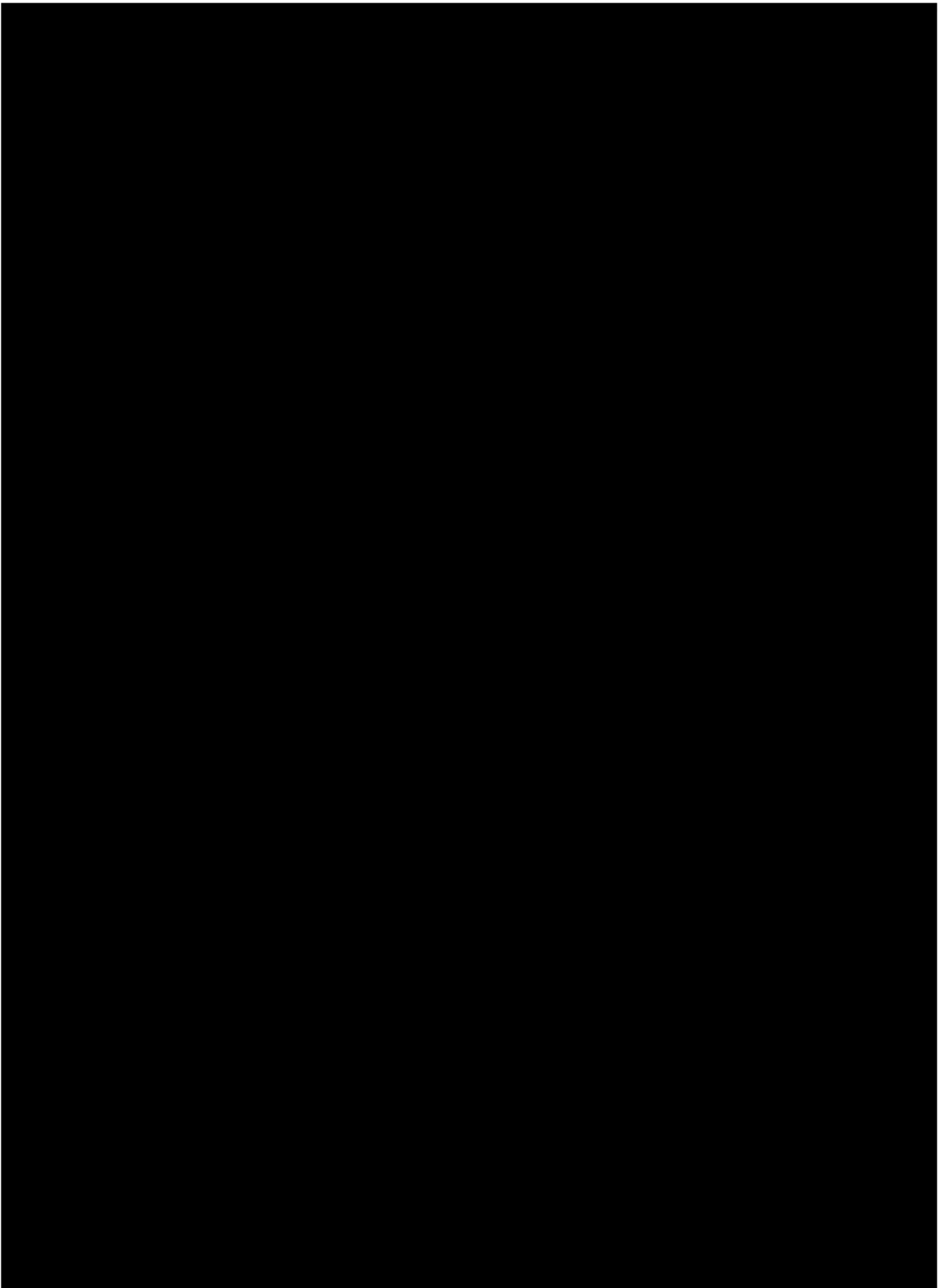
Sincerely,



Alan D. Shirey  
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Environmental Branch

Enclosure







DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Ms. Tonya Tipton  
Shawnee Tribe  
Tribal Historic Preservation Office  
Post Office Box 189  
29 S Hwy 69A  
Miami, Oklahoma 74355

Dear Ms. Tipton:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Shawnee Tribe to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem on the Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives. The alternatives may include various combinations of the following structural and non-structural measures: physical barriers; breakwaters; phased/selective elevations of roads and/or structures; and relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the undertaking and constraints of the USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the project's Tentative Selected Plan milestone date, which is scheduled in January 2020. Also, because it is necessary to complete the NEPA analysis to finalize the feasibility study, Section 106 must be satisfied through a PA. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineer and Design (PED) phase of the project,

and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

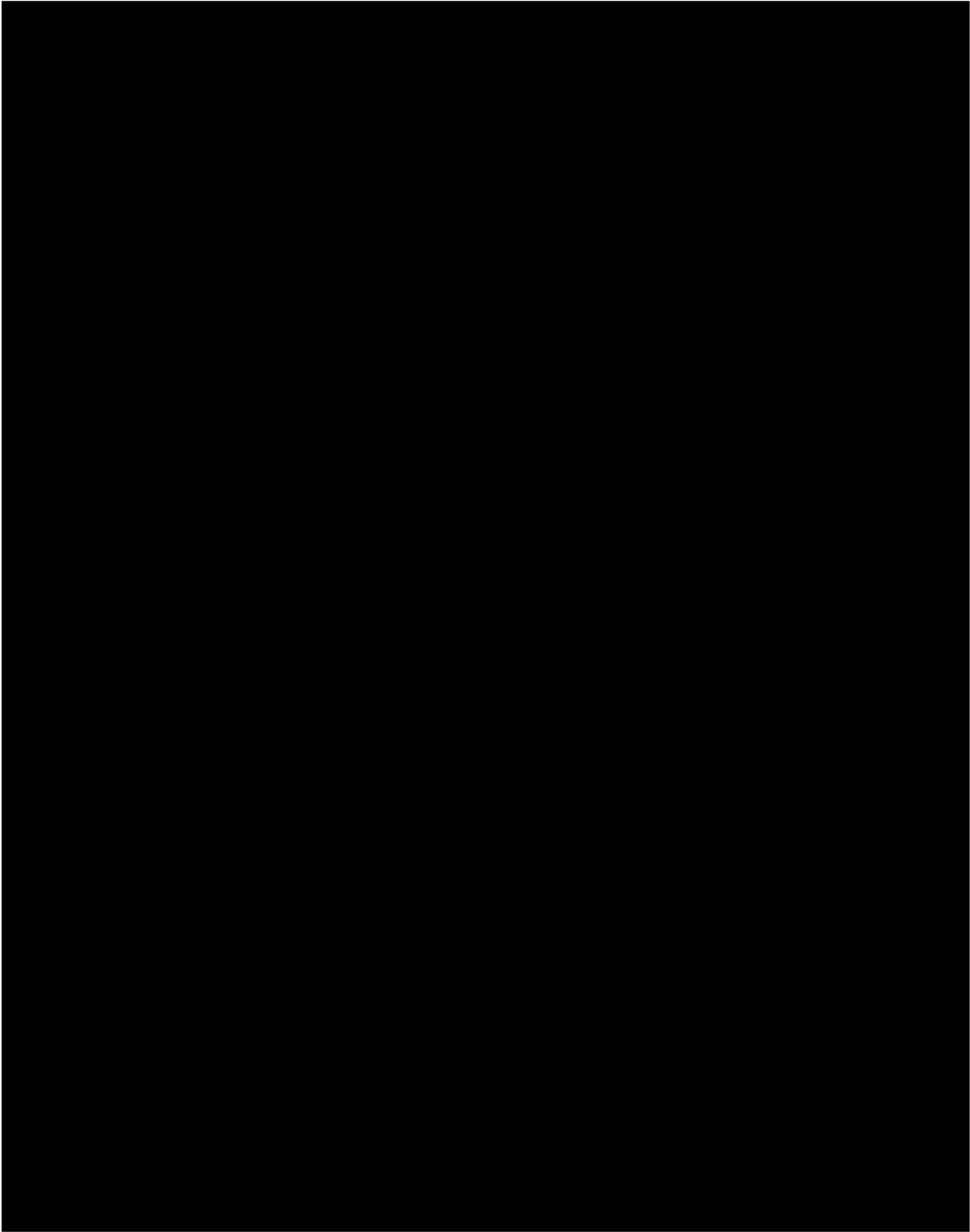
We invite the Shawnee Tribe to consult and concur with us as we develop the PA pursuant to 36 CFR Part 800. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil). Please let us know if you are interested in being part of the consultation process.

Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Ms. Janet Maylen  
Thlopthlocco Tribal Town  
Tribal Historic Preservation Office  
Post Office Box 188  
Okemah, Oklahoma 74859

Dear Ms. Maylen:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Thlopthlocco Tribal Town to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem on the Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives. The alternatives may include various combinations of the following structural and non-structural measures: physical barriers; breakwaters; phased/selective elevations of roads and/or structures; and relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the undertaking and constraints of the USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the project's Tentative Selected Plan milestone date, which is scheduled in January 2020. Also, because it is necessary to complete the NEPA analysis to finalize the feasibility study, Section 106 must be satisfied through a PA. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineer and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be

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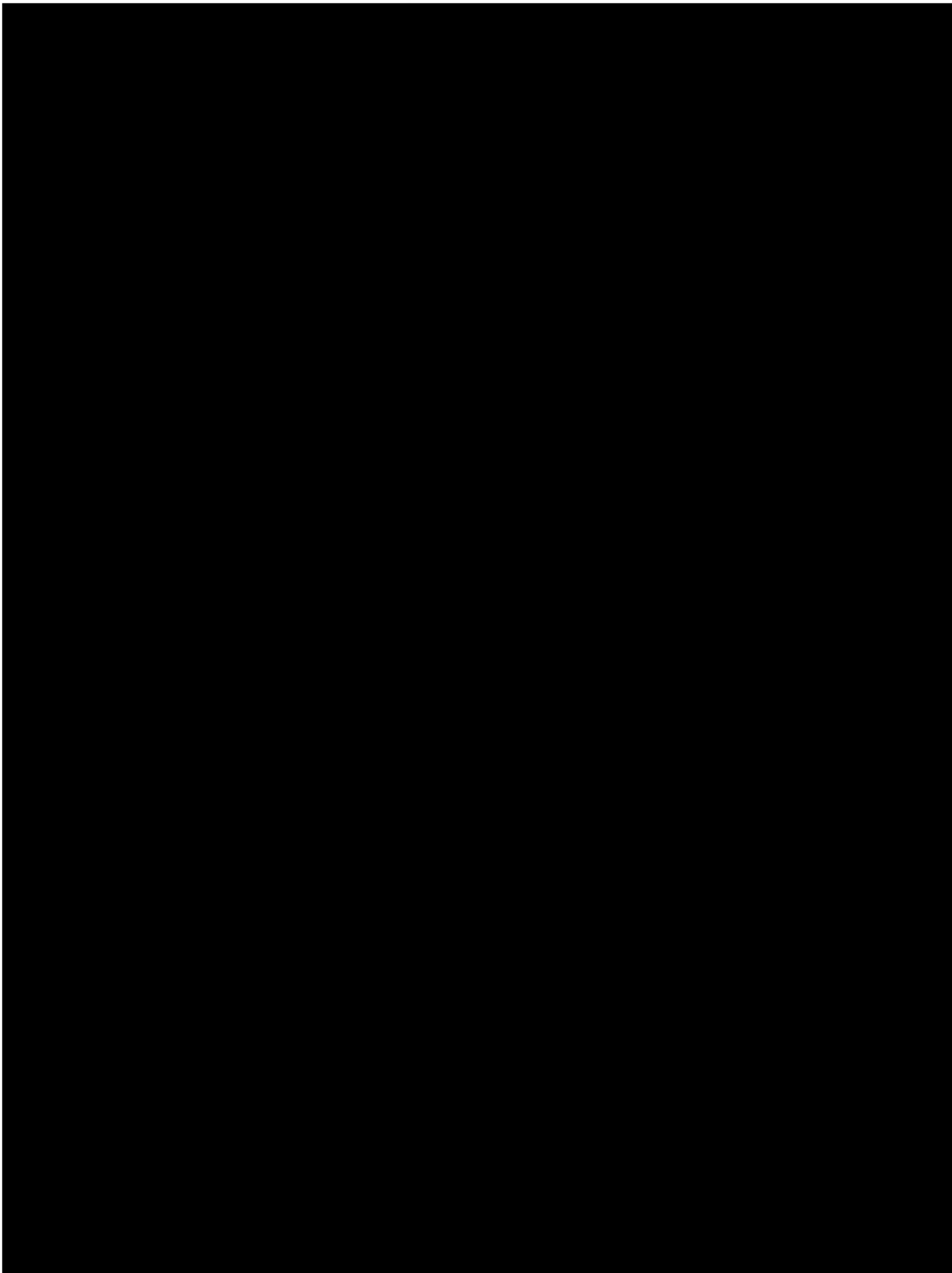
We invite the Thlopthlocco Tribal Town to consult and concur with us as we develop the PA pursuant to 36 CFR Part 800. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, *julie.a.morgan@usace.army.mil*. Please let us know if you are interested in being part of the consultation process.

Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

AUGUST 1, 2019

Planning and Environmental Branch

Mr. Larry Haikey  
Poarch Band of Creek Indians  
Tribal Historic Preservation Office  
5811 Jack Springs Road  
Atmore, Alabama 36502

Dear Mr. Haikey:

In accordance with regulations pertaining to the National Historic Preservation Act (NHPA), Section 106, we invite the Poarch Band of Creek Indians to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study, to minimize or mitigate any adverse effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP). The study area is the Charleston Peninsula, an area approximately 8 square miles, located between the Ashley and Cooper Rivers in Charleston County, South Carolina, and home to a National Historic Landmark (NHL) District and numerous individual NHLs and other NRHP-listed properties. The study is a joint undertaking of the U.S. Army Corps of Engineers (USACE), Charleston District and the City of Charleston. A figure of the study area is enclosed for your reference.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem on the Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives. The alternatives may include various combinations of the following structural and non-structural measures: physical barriers; breakwaters; phased/selective elevations of roads and/or structures; and relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

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completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

We invite the Poarch Band of Creek Indians to consult and concur with us as we develop the PA pursuant to 36 CFR Part 800. Should you have any questions regarding this project, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil). Please let us know if you are interested in being part of the consultation process.

Sincerely,



Alan D. Shirey  
Acting Chief, Planning and  
Environmental Branch

Enclosure



**From:** [Hastie, Winslow](#)  
**To:** [Morgan-Ryan, Julie A CIV USARMY CESAS \(US\)](#)  
**Subject:** [Non-DoD Source] Charleston Peninsula Coastal Flood Risk Management Study  
**Date:** Tuesday, August 20, 2019 3:10:19 PM

---

Dear Julie, I am in receipt of a letter from Alan Shirley inviting Historic Charleston Foundation to be a consulting party on this project. We welcome the opportunity and look forward to working with you on this project. Please let me know what else you may need from me.

Best, Winslow

<Blocked<http://www.historiccharleston.org/>>

Winslow W. Hastie

President & CEO

whastie@historiccharleston.org <<mailto:whastie@historiccharleston.org>>

843.720.1186

Donate <Blocked<https://www.historiccharleston.org/donate/>> . Engage  
<Blocked<https://www.historiccharleston.org/blog/events/>> . Explore <Blocked<https://app.cuseum.com/historic-charleston-foundation/>> .

<Blocked<https://www.instagram.com/historiccharlestonfoundation/?hl=en>>  
<Blocked<https://www.facebook.com/HistoricCharlestonFoundation/>>

**From:** [Caitlin Rogers](#)  
**To:** [Morgan-Ryan, Julie A CIV USARMY CESAS \(US\)](#)  
**Subject:** [Non-DoD Source] Charleston Peninsula Coastal Flood Risk Management Study  
**Date:** Monday, August 26, 2019 10:36:51 AM

---

Ms. Morgan.

The Catawba do wish to consult and do concur with the development of a PA. If you need anything else let me know. Thanks

Caitlin

--

Caitlin Rogers  
Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, SC 29730

803-328-2427 ext. 226  
Caitlinh@ccppcrafts.com <<mailto:Caitlinh@ccppcrafts.com>>

\*Please Note: We CANNOT accept Section 106 forms via e-mail, unless requested. Please send us hard copies.  
Thank you for your understanding\*

**From:** [Morgan-Ryan, Julie A CIV USARMY CESAS \(US\)](#)  
**To:** [rourley@preservationsociety.org](#); [Erin Minnigan](#); [eemerson@scdah.sc.gov](#); [fulmern@sc.edu](#); [Lewis, Keely](#); [JSylvest@scdah.sc.gov](#); [Johnson, Elizabeth](#); [ellen\\_rankin@nps.gov](#); [Walton, Cynthia](#); [wilbertm@charleston-sc.gov](#); [hollya@charleston-sc.gov](#); [morganc@charleston-sc.gov](#)  
**Cc:** [Wilson, Wesley CIV USARMY CESAC \(USA\)](#); [Steinbeiser, Dorothy M CIV USARMY CESAS \(USA\)](#); [Sheehan, Robert V CIV USARMY CESAS \(USA\)](#); [Jellema, Jonathan M CIV USARMY CESAC \(US\)](#); [Ward, Bethney P CIV USARMY CESAC \(US\)](#); [Parrish, Nancy A CIV USARMY USACE \(USA\)](#); [Brown, Sara A CIV USARMY CESAC \(USA\)](#); [Morgan-Ryan, Julie A CIV USARMY CESAS \(US\)](#); [whastie@historiccharleston.org](#); [Caitlin Rogers](#)  
**Subject:** US Army Corps Engineers-Charleston Peninsula 10 Oct 2019  
**Date:** Tuesday, November 5, 2019 1:12:40 PM  
**Attachments:** [Elev 12 Barrier.pdf](#)  
[Meeting Minutes.pdf](#)  
[Sign in sheet.pdf](#)  
[barriers\\_gates.pdf](#)

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All: Attached please find meeting minutes from the October 10, 2019 meeting in Charleston. If you see any inaccuracies, please let me know.

Also attached find a figure showing the elevation 12 ft. barrier alignment and visuals of different wall types/construction. Note that this barrier alignment is subject to change as more modeling is done.

A copy of the sign in sheet with contact information is included. I'm trying to get a copy of the presentation from Wesley Wilson, the Project Manager. I'll forward that as soon as I get it.

Please don't hesitate to contact me if you have any questions. Thank you so much for attending the meeting and all the feedback you provided.

Respectfully,

Julie A. Morgan  
Archaeologist, Planning Branch  
U.S. Army Corps of Engineers  
Savannah District  
Ph: 706-856-0378  
Email: [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil)



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

Planning and Environmental Branch

Advisory Council on Historic Preservation  
Office of Federal Agency Programs  
ATTN: Christopher Daniel, Program Analyst  
401 F Street NW, Suite 308  
Washington, DC 20001-2637

Dear Mr. Daniel:

The U.S. Army Corps of Engineers (USACE), Charleston District, is analyzing various alternatives to develop a plan to reduce damages from coastal storm surge inundation on the peninsula of Charleston, South Carolina, which will result in preparation of a feasibility study and integrated NEPA document. The study area for the coastal flood risk management study is confined to Charleston's peninsula (Charleston County, SC), and covers an area of approximately 8 square miles. In accordance with the requirements outlined in 36 CFR 800, the implementing regulations for Section 106 of the National Historic Preservation Act, Charleston District is providing your office information regarding the undertaking and inviting your agency to participate in consultation. Additional information about the undertaking is provided on your agency's e106 Form along with supplemental materials.

The scope and diversity of potential effects of the project and constraints of the USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the project's Tentative Selected Plan milestone date, which is scheduled in January 2020. Also, because it is necessary to complete the NEPA document to finalize the feasibility study, Section 106 must be satisfied through a PA. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

At this time I would like to ask your agency to review the enclosed materials and provide a response regarding the Advisory Council on Historic Preservation's participation in Section 106 consultation. Please direct your questions or comments regarding the undertaking to Ms. Julie Morgan, Archaeologist, Planning Branch, Savannah District at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil).

Sincerely,

**PARRISH.NANCY.A.1035168296**  
Digitally signed by  
PARRISH.NANCY.A.1035168296  
Date: 2019.11.07 05:59:26  
-05'00'

Nancy A. Parrish  
Chief, Planning and Environmental Branch

Hon. Aimee K. Jorjani  
Chairman

Leonard A. Forsman  
Vice Chairman

John M. Fowler  
Executive Director



*Preserving America's Heritage*

November 25, 2019

The Honorable R.D. James  
Assistant Secretary for the Army for Civil Works  
Office of the Assistant Secretary of the Army (Civil Works)  
108 Army Pentagon  
Washington, DC 20310-0108

Ref: *Charleston Peninsula Coastal Flood Risk Management Study Programmatic Agreement  
Charleston County, South Carolina  
ACHPConnect Log Number: 014692*

Dear Mr. James:

In response to the recent notification by the U.S. Army Corps of Engineers, Charleston District the Advisory Council on Historic Preservation (ACHP) will participate in consultation to develop a Section 106 agreement document for the referenced undertaking. Our decision to participate in this consultation is based on the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, contained within the regulations, "Protection of Historic Properties" (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act. The criteria are met for this proposed undertaking because it has substantial impacts on important historic properties and has the potential for presenting procedural problems.

Section 800.6(a)(1)(iii) of these regulations requires that we notify you as the head of the agency of our decision to participate in consultation. By copy of this letter, we are also notifying Ms. Nancy A. Parrish, Chief of Planning and Environmental Branch, of this decision.

Our participation in this consultation will be handled by Mr. Christopher Daniel who can be reached at (202) 517-0223 or via email at [cdaniel@achp.gov](mailto:cdaniel@achp.gov). We look forward to working with your agency and other consulting parties to reach agreement on ways to avoid, minimize, or mitigate adverse effects on historic properties.

Sincerely,

John M. Fowler  
Executive Director





**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

28 FEB 2020

Planning Branch

Mr. Joseph M. Jenrette  
6 Thomas Street  
Charleston, South Carolina 29403-6013

Dear Mr. Jenrette:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structures; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Robert Barnwell Rhett House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

Reverend Dr. Jeremy Rutledge, Pastor  
Circular Congregational Church  
Post Office Box 776  
Charleston, South Carolina 29402

Dear Dr. Rutledge:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Circular Congregational Church and Parish House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Juel P. Corporation  
Post Office Box 1290  
Myrtle Beach, South Carolina 29578-1290**

**Dear Sir/Madam:**

**This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.**

**For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.**

**The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.**

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Clark Mills Studio, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

28 FEB 2020

Planning Branch

Board of Trustees  
College of Charleston  
66 George Street  
Charleston, South Carolina 29424-1407

Dear Sir/Madam:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

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In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the College of Charleston, portions of which are a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager





**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT**  
**69 A HAGOOD AVENUE**  
**CHARLESTON SC 29403-5107**

28 FEB 2020

Planning Branch

56 Bull Street, LLC  
Post office Box 60387  
North Charleston, South Carolina 29419

Dear Sir/Madam:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

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In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Denmark Vesey House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Ms. Kim L. Lee  
4 Rutledge Boulevard  
Charleston, South Carolina 29401**

**Dear Ms. Lee:**

**This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.**

**For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.**

**The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.**

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Dubose Heyward House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Governor's House Inn, LLC  
1037 Chuck Dawley Road  
Building A  
Mount Pleasant, South Carolina 29464**

**Dear Sir/Madam:**

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Edward Rutledge House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

28 FEB 2020

Planning Branch

Ms. MaeRe Skinner  
Daughters of the American Revolution  
Rebecca Motte Chapter  
122 East Bay Street  
Charleston, South Carolina 29401-2103

Dear Ms. Skinner:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Exchange and Provost, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager





**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

The Balish Family, LLC  
12 Anson Street  
Charleston, South Carolina 29401

Dear Sir/Madam:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Farmers' and Exchange Bank, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

Fay Jensen, Ph.D., Executive Director  
South Carolina Historical Society  
100 Meeting Street  
Charleston, South Carolina 29401-2215

Dear Dr. Jensen:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

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The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Fireproof Building, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

Ms. J. Elizabeth Bradham  
William Gibbes House  
64 South Battery Street  
Charleston, South Carolina 29401-2326

Dear Ms. Bradham:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

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In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the William Gibbes House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

Mr. Carl Borick, Director  
The Charleston Museum  
360 Meeting Street  
Charleston, South Carolina 29401-6235

Dear Mr. Borick:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

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In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Heyward-Washington House and the Joseph Manigault House, National Historic Landmarks (NHLs), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of these NHLs, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager





**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

The Hibernian Society  
Post Office Box 134  
Charleston, South Carolina 29402-0134

Dear Sir/Madam:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

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The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of Hibernian Hall, a National Historic Landmarks (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Reverend Phillip C. Bryant, Pastor  
The Huguenot Church of Charleston  
Post Office Drawer 917  
Charleston, South Carolina 29402**

**Dear Reverend Bryant:**

**This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.**

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In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Huguenot Church, a National Historic Landmarks (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

Mr. Richard T. Widman  
John Rutledge Associate LP  
General Partner  
116 Broad Street  
Charleston, South Carolina 29401

Dear Mr. Widman:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

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In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the John Rutledge House, a National Historic Landmarks (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT**  
**69 A HAGOOD AVENUE**  
**CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

Mr. Steve Bram, Executive Director  
Kahal Kadosh Beth Elohim Synagogue  
90 Hasell Street  
Charleston, South Carolina 29401

Dear Mr. Bram:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

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The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of Kahal Kadosh Beth Elohim Synagogue, a National Historic Landmarks (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager





**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**City Council of Charleston  
Post Office Box 304  
Charleston, South Carolina 29402-0304**

**Dear Sir/Madam:**

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

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The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Market Hall and Sheds, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

Patricia Lucas Bennett Trust  
27 King Street  
Charleston, South Carolina 29401

Dear Sir/Madam:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Miles Brewton House, a National Historic Landmarks (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Mr. Winslow Hastie, Director  
Historic Charleston Foundation  
51 Meeting Street  
Charleston, South Carolina 29401-2536**

**Dear Mr. Hastie:**

**This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.**

**For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.**

**The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.**

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Nathaniel Russell House, a National Historic Landmarks (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Mr. Larry Murray, Executive Director  
Patriots Point Naval and Maritime Museum  
40 Patriots Point Road  
Mt. Pleasant, South Carolina 29464**

**Dear Mr. Murray:**

**This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.**

**For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.**

**The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.**

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the USS YORKTOWN, USS LAFFEY and USS CLAMAGORE, vessels designated as National Historic Landmarks (NHLs), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of these NHLs, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager





**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

National Society of the Colonial Dames of America  
in the State of South Carolina  
81 Cumberland Street  
Charleston, South Carolina 29401

Dear Madam:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Powder Magazine, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Mr. Steven Werner Kohlhagen  
71 Church Street  
Charleston, South Carolina 29401-2572**

**Dear Mr. Kohlhagen:**

**This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.**

**For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.**

**The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.**

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Robert Brewton House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT**  
**69 A HAGOOD AVENUE**  
**CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Mr. Richard H. Jenrette**  
**69 East 93<sup>rd</sup> Street**  
**New York, New York 10128-1331**

**Dear Mr. Jenrette:**

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Robert William Roper House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Fourteen Legare Street, LLC  
Post Office Box 3163  
Palm Beach, Florida 33480**

**Dear Sir/Madam:**

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Simmons-Edwards House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager





**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Mr. Arthur Bailey, Church Sexton  
St. Michael's Church  
71 Broad Street  
Charleston, South Carolina 29401**

**Dear Mr. Bailey:**

**This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.**

**For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.**

**The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.**

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of St. Michael's Episcopal Church, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Mr. Benjamin Singleton, Church Sexton  
St. Philip's Church  
142 Church Street  
Charleston, South Carolina 29401**

**Dear Mr. Singleton:**

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of St. Philip's Episcopal Church, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

Planning Branch

Mr. Donald J. Cameron, President  
The Housing Authority of the City of Charleston  
550 Meeting Street  
Charleston, South Carolina 29403

Dear Mr. Cameron:

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; wave attenuation structure; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Old Marine Hospital, a National Historic Landmarks (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Ms. Sandra Selvitelli  
Unitarian Church in Charleston  
Executive Director  
4 Archdale Street  
Charleston, South Carolina 29401-1959**

**Dear Ms. Selvitelli:**

**This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.**

**For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; breakwaters; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.**

**The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.**

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the Unitarian Church in Charleston, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager





**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Blacklock House Educational Holdings, LLC  
664 George Street  
Charleston, South Carolina 29424**

**Dear Sir/Madam:**

**This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.**

**For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; breakwaters; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.**

**The scope and diversity of potential effects of the contemplated project and constraints of USACE planning policy make a Programmatic Agreement (PA) for compliance with NHPA Section 106 essential. USACE policy mandates that a determination of effects pursuant to Section 106 is made by the study's Tentative Selected Plan milestone date, which is anticipated in late February 2020. The PA will allow USACE to complete the necessary archaeological surveys during the follow on Preconstruction Engineering and Design (PED) phase of the project, and it will also allow any additional architectural inventories and mitigation to be completed after structural and non-structural measures have been clearly defined and sited. The PA will also streamline Section 106 reviews given the potential to affect a high number of historic properties.**

In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the William Blacklock House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

A handwritten signature in black ink that reads "Nancy Parrish". The script is cursive and fluid.

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107**

**28 FEB 2020**

**Planning Branch**

**Patrick Properties, LLC  
Post Office Box 22647  
Charleston, South Carolina 29413-2647**

**Dear Sir/Madam:**

This letter is to inform you that U.S. Army Corps of Engineers, Charleston District (USACE) and the City of Charleston have initiated the Charleston Peninsula Coastal Flood Risk Management Study (the study), and to invite you to participate as a consulting party for purposes of the National Historic Preservation Act (NHPA) Section 106 process. The study evaluates alternative plans to address flooding from storm surge for Charleston residents, industries, and businesses on the peninsula, an area approximately 8 miles square between the Ashley and Cooper Rivers.

For this study, the team focused on identifying structural, non-structural, and natural or nature-based measures that would address the flooding problem that results from storm surge on the Charleston Peninsula. After several iterations, these management measures have been grouped into three distinct alternatives that will be discussed and analyzed in a draft and final feasibility report. The alternatives may include various combinations of the following structural and non-structural measures: barriers; breakwaters; phased/selective structure elevations; relocations or buyout of structures. Natural and nature-based measures might include elevating existing shoreline marsh and adding living shoreline protection as needed.

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In accordance with regulations implementing NHPA Section 106, we invite you, as a steward of the William Aiken House, a National Historic Landmark (NHL), to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. Should you have any questions regarding this study, please contact Ms. Julie Morgan, at (706) 856-0378, or email, [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil) or the address listed in the letterhead. If you are no longer the steward of this NHL, please notify Ms. Morgan so we may update our records.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

cc: Cynthia Walton, National Historic Landmarks Program Manager

**From:** [Neyland, Robert S CIV USN NAVHISTHERITAGECOM \(USA\)](#)  
**To:** [Morgan-Ryan, Julie A CIV USARMY CESAS \(US\)](#)  
**Cc:** [Atcheson, Meredith B CIV USN NHC WASHINGTON DC \(USA\)](#); [Catsambis, Alexis CIV USN NHC WASHINGTON DC \(USA\)](#); [Schwarz, George Robert CIV USN NHC WASHINGTON DC \(USA\)](#); [Ortiz, Agustin J CTR USN NHC WASHINGTON DC \(USA\)](#); [Brown, Heather G CTR USN NHC WASHINGTON DC \(USA\)](#)  
**Subject:** RE: Charleston District Coastal Flood Project  
**Date:** Wednesday, February 26, 2020 11:34:40 AM

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Julie

Yes we would want to be a concurring party. We have done this in regards to projects in Norfolk and New Jersey as well as Savannah.

We are stretched thin at moment so would like as much time as possible to review any proposals. There are a number of wrecks in Charleston Harbor.

I have a phone conference at 1000 tomorrow so afternoon or Friday would be best.

V/r  
Bob

Robert S. Neyland, Ph.D.  
Branch Head  
Underwater Archaeology Branch  
Naval History and Heritage Command  
805 Kidder Breese St, SE  
Washington Navy Yard, DC 20374-5060  
Office: 202-685-0897  
Cell: 202-500-9974

-----Original Message-----

From: Morgan-Ryan, Julie A CIV USARMY CESAS (US) <Julie.A.Morgan@usace.army mil>  
Sent: Wednesday, February 26, 2020 7:57 AM  
To: Neyland, Robert S CIV USN NAVHISTHERITAGECOM (USA) <robert.neyland@navy mil>  
Subject: Charleston District Coastal Flood Project

Bob:

I am working with Charleston District on a project that would look at ways to help reduce coastal storm surge flooding and protect against flooding due to future sea level rise. As part of that study we will likely be constructing a wave attenuating feature off the Battery in Charleston Harbor. I'd like to talk to you about your interest in being a concurring party to the PA that we are developing. There may be potential to encounter submerged resources in that area that are related to the Revolutionary or Civil Wars. Having your agency as a concurring party would streamline consultation in the event that the Sunken Military Craft Act applies to any of the findings.

If you are free later today or this week, I'll give you a call to talk more about the project.

Thanks.

Respectfully,

Julie A. Morgan  
Archaeologist, Planning Branch  
U.S. Army Corps of Engineers  
Savannah District  
Ph: 706-856-0378

Email: [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil)

**From:** [Morris, John P](#)  
**To:** [Morgan-Ryan, Julie A CIV USARMY CESAS \(US\)](#)  
**Subject:** [Non-DoD Source] FW: Army Corps Letter re Chas Peninsula Coastal Flood Risk Mgmt Study  
**Date:** Tuesday, March 3, 2020 12:24:51 PM  
**Attachments:** [Army Corps Letter re Chas Peninsula Coastal Flood Risk Mgmt Study.pdf](#)

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Hi Julie, the attached letter was forwarded to me and I will take the lead for the College of Charleston. Please keep me posted on any specific details needed on my behalf.

Thank you,

John

John P. Morris, P.E., CEFP, APPA Fellow

Vice President for Facilities Management

COLLEGE of CHARLESTON

Office: 843.953.1325

Fax: 843.953.5884

[morrisjp2@cofc.edu](mailto:morrisjp2@cofc.edu) <<mailto:morrisjp2@cofc.edu>>

From: Kassebaum, Elizabeth Williams <[KassebaumE@cofc.edu](mailto:KassebaumE@cofc.edu)>  
Sent: Tuesday, March 3, 2020 11:01 AM  
To: Morris, John P <[morrisjp2@cofc.edu](mailto:morrisjp2@cofc.edu)>  
Cc: McFarland, Katie <[davenportkm@cofc.edu](mailto:davenportkm@cofc.edu)>; Welch, Frances C <[WelchF@cofc.edu](mailto:WelchF@cofc.edu)>; McGrew, Michelle R <[mmcgrew@cofc.edu](mailto:mmcgrew@cofc.edu)>; Patrick, Paul David <[patrickpd@cofc.edu](mailto:patrickpd@cofc.edu)>; Berry, Mark E <[BerryM@cofc.edu](mailto:BerryM@cofc.edu)>; Craig, Betty L <[craigb@cofc.edu](mailto:craigb@cofc.edu)>; Abbott, Michaela Elizabeth <[abbottme1@cofc.edu](mailto:abbottme1@cofc.edu)>; Hammond, Debbie <[HammondDD@cofc.edu](mailto:HammondDD@cofc.edu)>  
Subject: Army Corps Letter re Chas Peninsula Coastal Flood Risk Mgmt Study

Hi,

Nancy Parrish, Chief of the Planning and Environmental Branch of the US Army Corps of Engineers, wrote the Board of Trustees to invite them as stewards of the College of Charleston – portions of which are a National Historic Landmark - to consult regarding the Charleston Peninsula Coastal Flood Risk Management Study. (Letter attached.)

I believe you or someone in your division would be the appropriate person to respond or not.

If you need me to do something or ask Ms. Parrish to write you directly, or to write someone else on campus, please let me know.

Thank you,

Elizabeth

Elizabeth W. Kassebaum

Executive Secretary to the Board of Trustees

and Vice President for College Projects

College of Charleston

66 George Street

Charleston, SC 29424

kassebaume@cofc.edu <<mailto:kassebaume@cofc.edu>>

843-953-5747 (office)

843-442-0575 (cell)



**From:** [Walton, Cynthia A](#)  
**To:** [Morgan-Ryan, Julie A CIV USARMY CESAS \(US\)](#); [Johnson, Elizabeth](#); [Chris Daniel](#)  
**Cc:** [Schroer, Keely](#); [Hastie, Winslow](#); [kking@preservationsociety.org](mailto:kking@preservationsociety.org); [Caitlin Rogers](#); [Rankin, Ellen E](#)  
**Subject:** [Non-DoD Source] Re: [EXTERNAL] USACE Charleston Peninsula Study  
**Date:** Wednesday, April 8, 2020 12:55:16 PM

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Hi Julie,

I hope you're doing well during this difficult time. Thanks for hosting the webinar last week, it was helpful.

I have two questions about the APE:

- \* On the map depicting the sight lines from Fort Sumter to the peninsula, the lines converge on the For Sumter dock. I assume this is a graphic error and the sight lines are meant to encompass the entire island upon which Fort Sumter sits? I don't think adjusting the lines to include the entire island has an appreciable difference on the APE.
- \* I understand that 360 feet would extend to about the next street back and that the views of most properties behind the first row of buildings will be blocked, but what about properties that are beyond the 360 foot boundary but still within view of the water? An example would be the National Historic Landmark Exchange and Provost Building at the corner of East Bay and Broad Streets. From the corner of this building you can look down exchange street to the water. It seems that any property within view of the storm surge barrier should be included in the APE.

Thanks,

Cynthia

Cynthia Walton  
Acting Branch Chief, Cultural Resources, Research and Science  
National Park Service, Interior Region 2  
100 Alabama St. SW, Atlanta, GA 30303  
(404) 507-5792

---

From: Morgan-Ryan, Julie A CIV USARMY CESAS (US) <Julie.A.Morgan@usace.army.mil>  
Sent: Friday, March 20, 2020 9:50 AM  
To: Johnson, Elizabeth <EJohnson@scdah.sc.gov>; Walton, Cynthia A <Cynthia\_Walton@nps.gov>; Chris Daniel <cdaniel@achp.gov>  
Cc: Schroer, Keely <KSchroer@scdah.sc.gov>; Hastie, Winslow <whastie@historiccharleston.org>; kking@preservationsociety.org <kking@preservationsociety.org>; Caitlin Rogers <caitlinh@ccppcrafts.com>  
Subject: [EXTERNAL] USACE Charleston Peninsula Study

SC SHPO No. 18-EJ0131  
ACHPConnect Log No. 014692  
NPS: 8.A.4. (SERO-CRD)

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All:

As work continues on the Charleston Peninsula Coastal Storm Risk Management project and we analyze the alternatives in greater detail, I'd like to send you a description of the APE for your consideration and discussion. I am also working a draft Programmatic Agreement to address Section 106 procedures (survey, mitigation) that is currently being reviewed by the district's Office of Council. I will send that out for your review and comment as soon as it has finished internal review.

The Project's direct Area of Potential Effects (APE) as the areas where structural measures are implemented and

non-structural measures are applied to historic properties as defined in 36 C.F.R. §800.16(l) such as, but not limited to, visual instructions, alterations of setting, noise, vibrations and physical impacts; and the indirect APE as the area within which there may be historic properties within the view shed of both structural and non-structural measures, or where submerged sites may be affected by changes in hydrology.

For the viewshed, it would be 360 feet either side of the storm surge structure (i.e., barrier), extending to Fort Sumter and Fort Moultrie. Along the Battery this would reach north almost to the next street back and south nearly to the breakwater/wave attenuation feature. The viewshed APE would be extended from Fort Sumter to the city, primarily focusing on the Battery/point of the peninsula. Per the discussion we had I have attached some figures for your reference.

Please provide any comments you may have within 30 calendar days of receipt of this email. Please feel free to contact me to discuss.

Please be aware that many USACE employees are currently teleworking in response to the COVID-19 pandemic and at the moment processes are still in flux. Email would be the best form of communication during this time.

Thank you.

Respectfully,

Julie A. Morgan  
Archaeologist, Planning Branch  
U.S. Army Corps of Engineers  
Savannah District  
Ph: 706-856-0378  
Email: [julie.a.morgan@usace.army.mil](mailto:julie.a.morgan@usace.army.mil)



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

April 20, 2020

Planning and Environmental Branch

Mr. David Cook  
Kialegee Tribal Town  
Tribal Historic Preservation Office  
Post Office Box 332  
Wetumka, Oklahoma 74883

Dear Mr. Cook:

The U.S. Army Corps of Engineers, Charleston District (USACE), in conjunction with the City of Charleston, is conducting a feasibility study to evaluate storm surge risks reduction measures for people and infrastructure on the Charleston Peninsula in Charleston, South Carolina. An integrated Draft Feasibility Report/Environmental Assessment (FR/EA) has been prepared to present the results of the study to date, and to analyze impacts of the proposed measures on the environment.

The Draft FR/EA evaluates potential impacts of two alternative actions on the environment, in addition to the no-action alternative. Alternative 2 consists of construction of a storm surge wall along the perimeter of the peninsula and nonstructural measures. Alternative 3 includes a wave attenuation structure offshore of the Battery seawall, the storm surge wall along the perimeter of the peninsula, and nonstructural measures. The alternatives were compared using coastal and economic modeling to assess the performance and economic benefits of each. Alternative 3 was identified as the plan that reasonably maximized net National Economic Development (NED) benefits, consistent with protecting the Nation's environment, as such, Alternative 3 is the Tentatively Selected Plan (TSP).

The majority of the environmental effects assessed in the integrated Draft FR/EA are considered to be minor, a few negligible, a few beneficial, and a few significantly adverse. Important minimization and mitigation measures would be taken to reduce adverse impacts to less than significant. These are described in a Draft Mitigation Plan in the Draft FR/EA. Therefore, a mitigated Finding of No Significant Impact (FONSI) is being proposed, and is included with the Draft FR/EA.

In accordance with provisions of the National Environmental Policy Act (NEPA), your comments on the Draft FR/EA and Draft FONSI are hereby solicited. They are available for review at [www.sac.usace.army.mil/charlestonpeninsulastudy](http://www.sac.usace.army.mil/charlestonpeninsulastudy). Please submit your comments in writing by June 19, 2020.

If you have any questions or require that a hard copy be mailed to you, please contact Ms. Bethney Ward at (843) 214-4565 or by email at [Bethney.P.Ward@usace.army.mil](mailto:Bethney.P.Ward@usace.army.mil). Your comments can be emailed directly to Ms. Ward or mailed to her at the address at the top of this letter.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

April 20, 2020

Planning and Environmental Branch

Ms. Devon Frazier  
Absentee-Shawnee Tribe of Indians of Oklahoma  
Tribal Historic Preservation Office  
2025 South Gordon Cooper Drive  
Shawnee, Oklahoma 74801

Dear Ms. Frazier:

The U.S. Army Corps of Engineers, Charleston District (USACE), in conjunction with the City of Charleston, is conducting a feasibility study to evaluate storm surge risks reduction measures for people and infrastructure on the Charleston Peninsula in Charleston, South Carolina. An integrated Draft Feasibility Report/Environmental Assessment (FR/EA) has been prepared to present the results of the study to date, and to analyze impacts of the proposed measures on the environment.

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Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT**  
**69 A HAGOOD AVENUE**  
**CHARLESTON SC 29403-5107**

April 20, 2020

Planning and Environmental Branch

Ms. Karen Brunso  
Chickasaw Nation  
Tribal Historic Preservation Office  
Post Office Box 1548  
Ada, Oklahoma 74820

Dear Ms. Brunso:

The U.S. Army Corps of Engineers, Charleston District (USACE), in conjunction with the City of Charleston, is conducting a feasibility study to evaluate storm surge risks reduction measures for people and infrastructure on the Charleston Peninsula in Charleston, South Carolina. An integrated Draft Feasibility Report/Environmental Assessment (FR/EA) has been prepared to present the results of the study to date, and to analyze impacts of the proposed measures on the environment.

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Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

April 20, 2020

Planning and Environmental Branch

Mr. Brett Barnes  
Eastern Shawnee Tribe of Oklahoma  
Tribal Historic Preservation Office  
Post Office Box 350  
Seneca, Missouri 64865

Dear Mr. Barnes:

The U.S. Army Corps of Engineers, Charleston District (USACE), in conjunction with the City of Charleston, is conducting a feasibility study to evaluate storm surge risks reduction measures for people and infrastructure on the Charleston Peninsula in Charleston, South Carolina. An integrated Draft Feasibility Report/Environmental Assessment (FR/EA) has been prepared to present the results of the study to date, and to analyze impacts of the proposed measures on the environment.

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Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT**  
**69 A HAGOOD AVENUE**  
**CHARLESTON SC 29403-5107**

April 20, 2020

Planning and Environmental Branch

Andrea Pietras, Deputy Director  
Charleston County Planning  
4045 Bridge View Drive  
North Charleston, SC 29405

Dear Ms. Pietras:

The U.S. Army Corps of Engineers, Charleston District (USACE), in conjunction with the City of Charleston, is conducting a feasibility study to evaluate storm surge risks reduction measures for people and infrastructure on the Charleston Peninsula in Charleston, South Carolina. An integrated Draft Feasibility Report/Environmental Assessment (FR/EA) has been prepared to present the results of the study to date, and to analyze impacts of the proposed measures on the environment.

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Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

April 20, 2020

Planning and Environmental Branch

Advisory Council on Historic Preservation  
Office of Federal Agency Programs  
ATTN: Christopher Daniel, Program Analyst  
401 F Street NW, Suite 308  
Washington, DC 20001-2637

Dear Mr. Daniel:

The U.S. Army Corps of Engineers, Charleston District (USACE), in conjunction with the City of Charleston, is conducting a feasibility study to evaluate storm surge risks reduction measures for people and infrastructure on the Charleston Peninsula in Charleston, South Carolina. An integrated Draft Feasibility Report/Environmental Assessment (FR/EA) has been prepared to present the results of the study to date, and to analyze impacts of the proposed measures on the environment.

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Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

April 20, 2020

Planning and Environmental Branch

Ms. Janet Maylen  
Thlopthlocco Tribal Town  
Tribal Historic Preservation Office  
Post Office Box 188  
Okemah, Oklahoma 74859

Dear Ms. Maylen:

The U.S. Army Corps of Engineers, Charleston District (USACE), in conjunction with the City of Charleston, is conducting a feasibility study to evaluate storm surge risks reduction measures for people and infrastructure on the Charleston Peninsula in Charleston, South Carolina. An integrated Draft Feasibility Report/Environmental Assessment (FR/EA) has been prepared to present the results of the study to date, and to analyze impacts of the proposed measures on the environment.

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Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch





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April 20, 2020

Planning and Environmental Branch

Mr. Larry Haikey  
Poarch Band of Creek Indians  
Tribal Historic Preservation Office  
5811 Jack Springs Road  
Atmore, Alabama 36502

Dear Mr. Haikey:

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**CHARLESTON SC 29403-5107**

April 20, 2020

Planning and Environmental Branch

Dr. Wenonah G. Haire  
Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Dear Dr. Haire:

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**CHARLESTON SC 29403-5107**

April 20, 2020

Planning and Environmental Branch

Ms. Janice Lowe  
Alabama-Quassarte Tribal Town  
Tribal Historic Preservation Office  
P.O. Box 187  
101 East Broadway  
Wetumka, Oklahoma 74883

Dear Ms. Lowe:

The U.S. Army Corps of Engineers, Charleston District (USACE), in conjunction with the City of Charleston, is conducting a feasibility study to evaluate storm surge risks reduction measures for people and infrastructure on the Charleston Peninsula in Charleston, South Carolina. An integrated Draft Feasibility Report/Environmental Assessment (FR/EA) has been prepared to present the results of the study to date, and to analyze impacts of the proposed measures on the environment.

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CHARLESTON SC 29403-5107

April 20, 2020

Planning and Environmental Branch

Ms. Anita Barnett  
Planning and Compliance Division  
National Park Service, South Atlantic Gulf Region 2  
100 Alabama Street, 1924 Building  
Atlanta, GA 30303

Dear Ms. Barnett:

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April 20, 2020

Planning and Environmental Branch

Mr. Robert A. Vogel  
Regional Director  
National Park Service, Southeast Region  
100 Alabama St. SW  
1924 Building  
Atlanta, GA 30303

Dear Mr. Vogel:

The U.S. Army Corps of Engineers, Charleston District (USACE), in conjunction with the City of Charleston, is conducting a feasibility study to evaluate storm surge risks reduction measures for people and infrastructure on the Charleston Peninsula in Charleston, South Carolina. An integrated Draft Feasibility Report/Environmental Assessment (FR/EA) has been prepared to present the results of the study to date, and to analyze impacts of the proposed measures on the environment.

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April 20, 2020

Planning and Environmental Branch

Dr. Jonathan Leader  
SC Institute of Archeology and Anthropology  
University of South Carolina  
1321 Pendleton Street  
Columbia, SC 29208

Dear Dr. Leader:

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April 20, 2020

Planning and Environmental Branch

Dr. James Spirek  
SC Institute of Archeology and Anthropology  
University of South Carolina  
1321 Pendleton Street  
Columbia, SC 29208

Dear Dr. Spirek:

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April 20, 2020

Planning and Environmental Branch

Dr. Brice Obermeyer  
Delaware Tribe of Indians  
Tribal Historic Preservation Office  
Roosevelt Hall, Room 212  
1200 Commercial Street  
Emporia, Kansas 66801

Dear Dr. Obermeyer:

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April 20, 2020

Planning and Environmental Branch

W. Eric Emerson, Ph.D.  
Director  
South Carolina Department of Archives and History  
8301 Parklane Road  
Columbia, South Carolina 29223

Dear Dr. Emerson:

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April 20, 2020

Planning and Environmental Branch

Mr. Russell Townsend  
Eastern Band of the Cherokee Indians  
Tribal Historic Preservation Office  
Post Office Box 455  
Cherokee, North Carolina 28719

Dear Mr. Townsend:

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April 20, 2020

Planning and Environmental Branch

Ms. Tonya Tipton  
Shawnee Tribe  
Tribal Historic Preservation Office  
Post Office Box 189  
29 S Hwy 69A  
Miami, Oklahoma 74355

Dear Ms. Tipton:

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If you have any questions or require that a hard copy be mailed to you, please contact Ms. Bethney Ward at (843) 214-4565 or by email at [Bethney.P.Ward@usace.army.mil](mailto:Bethney.P.Ward@usace.army.mil). Your comments can be emailed directly to Ms. Ward or mailed to her at the address at the top of this letter.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 A HAGOOD AVENUE  
CHARLESTON SC 29403-5107

April 20, 2020

Planning and Environmental Branch

Ms. Corain Lowe-Zepeda  
Muscogee (Creek) Nation  
Tribal Historic Preservation Office  
Post Office Box 580  
Okmulgee, Oklahoma 74447

Dear Ms. Lowe-Zepeda:

The U.S. Army Corps of Engineers, Charleston District (USACE), in conjunction with the City of Charleston, is conducting a feasibility study to evaluate storm surge risks reduction measures for people and infrastructure on the Charleston Peninsula in Charleston, South Carolina. An integrated Draft Feasibility Report/Environmental Assessment (FR/EA) has been prepared to present the results of the study to date, and to analyze impacts of the proposed measures on the environment.

The Draft FR/EA evaluates potential impacts of two alternative actions on the environment, in addition to the no-action alternative. Alternative 2 consists of construction of a storm surge wall along the perimeter of the peninsula and nonstructural measures. Alternative 3 includes a wave attenuation structure offshore of the Battery seawall, the storm surge wall along the perimeter of the peninsula, and nonstructural measures. The alternatives were compared using coastal and economic modeling to assess the performance and economic benefits of each. Alternative 3 was identified as the plan that reasonably maximized net National Economic Development (NED) benefits, consistent with protecting the Nation's environment, as such, Alternative 3 is the Tentatively Selected Plan (TSP).

The majority of the environmental effects assessed in the integrated Draft FR/EA are considered to be minor, a few negligible, a few beneficial, and a few significantly adverse. Important minimization and mitigation measures would be taken to reduce adverse impacts to less than significant. These are described in a Draft Mitigation Plan in the Draft FR/EA. Therefore, a mitigated Finding of No Significant Impact (FONSI) is being proposed, and is included with the Draft FR/EA.

In accordance with provisions of the National Environmental Policy Act (NEPA), your comments on the Draft FR/EA and Draft FONSI are hereby solicited. They are available for review at [www.sac.usace.army.mil/charlestonpeninsulastudy](http://www.sac.usace.army.mil/charlestonpeninsulastudy). Please submit your comments in writing by June 19, 2020.

If you have any questions or require that a hard copy be mailed to you, please contact Ms. Bethney Ward at (843) 214-4565 or by email at [Bethney.P.Ward@usace.army.mil](mailto:Bethney.P.Ward@usace.army.mil). Your comments can be emailed directly to Ms. Ward or mailed to her at the address at the top of this letter.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch



**From:** [Kristopher King](#)  
**To:** [Morgan-Ryan, Julie A CIV USARMY CESAS \(USA\)](#)  
**Cc:** [Erin Minnigan](#); [Anna-Catherine Carroll](#)  
**Subject:** [Non-DoD Source] Re: USACE Charleston Peninsula Study  
**Date:** Thursday, April 23, 2020 12:58:00 PM

---

Julie,

I hope this finds you well. My apologies but your email unfortunately was quickly buried in the chaos of the past month. The PSC definitely has comments and I would ask that we schedule a call to touch base.

To be discussed:

- We feel the study area of 360' is insufficient
- We are concerned about the impact on the street viewsheds.
- We are concerned about how the above impact the feeling, settings, and association of the historic district to the water.
- The many significant resources of the NRHD (both listed, contributing, and eligible) and the National Landmark Historic District as well as individually listed National Landmarks impacted both directly and indirectly.
- The viewshed proposed also fails to include Castle Pickney. This should be corrected
- The study of eligible properties needs to be discussed. There are numerous eligible areas that are not included and given the scale of the map it is impossible to understand the specific impacts. Also the final location of the wall is not set and we feel that the APE must be expanded.
- We also want to understand the approach and philosophy to the National Register Districts of Magnolia Cemetery and the Charleston Cemetery Historic District.

Please let us know when would work to discuss. Thank you.

Best,  
Kristopher

KRISTOPHER B. KING  
Executive Director

PRESERVATION SOCIETY OF CHARLESTON  
147 King Street  
Charleston, South Carolina 29401  
O: 843.722.4630  
[preservationsociety.org](http://www.preservationsociety.org/) <Blockedhttp://www.preservationsociety.org/>

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On 3/20/20, 9:52 AM, "Morgan-Ryan, Julie A CIV USARMY CESAS (US)" <[Julie.A.Morgan@usace.army mil](mailto:Julie.A.Morgan@usace.army.mil)> wrote:

SC SHPO No. 18-EJ0131  
ACHPConnect Log No. 014692  
NPS: 8.A.4. (SERO-CRD)

-----  
All:

As work continues on the Charleston Peninsula Coastal Storm Risk Management project and we analyze the

alternatives in greater detail, I'd like to send you a description of the APE for your consideration and discussion. I am also working a draft Programmatic Agreement to address Section 106 procedures (survey, mitigation) that is currently being reviewed by the district's Office of Council. I will send that out for your review and comment as soon as it has finished internal review.

The Project's direct Area of Potential Effects (APE) as the areas where structural measures are implemented and non-structural measures are applied to historic properties as defined in 36 C.F.R. §800.16(l) such as, but not limited to, visual instructions, alterations of setting, noise, vibrations and physical impacts; and the indirect APE as the area within which there may be historic properties within the view shed of both structural and non-structural measures, or where submerged sites may be affected by changes in hydrology.

For the viewshed, it would be 360 feet either side of the storm surge structure (i.e., barrier), extending to Fort Sumter and Fort Moultrie. Along the Battery this would reach north almost to the next street back and south nearly to the breakwater/wave attenuation feature. The viewshed APE would be extended from Fort Sumter to the city, primarily focusing on the Battery/point of the peninsula. Per the discussion we had I have attached some figures for your reference.

Please provide any comments you may have within 30 calendar days of receipt of this email. Please feel free to contact me to discuss.

Please be aware that many USACE employees are currently teleworking in response to the COVID-19 pandemic and at the moment processes are still in flux. Email would be the best form of communication during this time.

Thank you.

Respectfully,

Julie A. Morgan  
Archaeologist, Planning Branch  
U.S. Army Corps of Engineers  
Savannah District  
Ph: 706-856-0378  
Email: julie.a.morgan@usace.army.mil



June 18, 2020

Nancy Parrish  
Chief, Planning and Environmental Branch  
U.S. Army Corps of Engineers, Charleston District  
69 A Hagood Avenue  
Charleston SC 29403-5107

Subject: Draft Integrated Feasibility Report/Environmental Assessment, Charleston Peninsula Flooding Study  
Charleston, Charleston County  
SHPO Project No.: 18-EJ0131

Dear Nancy Parrish:

Thank you for providing links to “A Coastal Flood Risk Management Study Draft Feasibility Report / Environmental Assessment” (EA) and Appendices (released April 20, 2020) and requesting comments from the State Historic Preservation Office (SHPO). We are providing comments to the Corps of Engineers pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800. Consultation with the SHPO is not a substitution for consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public.

We are providing overall comments on the EA and the draft Programmatic Agreement (PA) found in Appendix D – Cultural Resources, followed by technical comments on each document.

**Draft Environmental Assessment (EA)**

Area of Potential Effect (APE): Additional consultation and discussion of the Area of Potential Effect (APE) is needed. Page 102 states that the APE “extends beyond the study area and is defined as the areas where structural measures are implemented and non-structural measures are applied to historic properties”. The PA provides a further definition of the APE to include submerged resources.

We believe it could be argued that the entire peninsula study area is the APE, when considering both direct and indirect effects, and potentially any views from historic properties across to the peninsula (Fort Sumter, Fort Moultrie, Castle Pinckney, Fort Johnson, USS Yorktown, etc). Indirect effects should not be limited to submerged sites affected by changes in hydrology. The entire harbor maybe also need to be considered as part of the APE since a breakwater is to be

constructed. Another possible option to consider is establishing direct APE and indirect APE distances (such as 0.25 or a half mile) from the barrier, wave attenuation structure, and other measures. (See also Technical Comments on the Draft PA Attachment A: “Preliminary APE”.)

Potential Adverse Effects: The list of potential adverse effects is extensive (Pages 23, 102, 153, 185-188, and 214-215), so it is unclear how adverse effects, even after mitigation, are not “cumulatively significant.” Without plans, elevations, and conceptual designs it is difficult to assess the full range of potential direct and indirect effects that may result. The potential protection of significant historic resources is valuable. However the project, if implemented as described, has the potential to profoundly change the character of the historic district, through construction activities (for example, damage or loss of archaeological sites and vibration damage to historic buildings) and through permanent alterations and intrusions to visual character and viewsheds both to and from the historic district, particularly historic views to and from the water. Comprehensive mitigation strategies need to be addressed, as well as individual mitigation for individual historic buildings and archaeological sites.

Consulting Parties: The public comment period and public outreach could identify additional consulting parties. The EA should state (Pages 24 and 222) that other consulting parties could request to join the consultation process and sign the PA as concurring parties.

Cost Estimate for Cultural Resource Compliance: What is the cost estimate of the Cultural Resources Compliance based on (Page 25)? Does the formula account for the high concentration of significant historic and cultural resources on the Charleston peninsula? Are identification efforts and potential mitigation included in this estimate? We are concerned that this estimate may be insufficient to carry out both the cultural resources identification studies and to provide the mitigation proposed in the PA.

### **Draft Programmatic Agreement (PA)**

While the Corps previously informed our office of plans to develop a PA as part of this study, the SHPO did not have the opportunity to review or provide input into the draft PA that is part of Appendix D – Cultural Resources. While the current document provides an overall framework, we find that the draft needs many revisions and additional consultation to more fully and accurately describe the processes that will be followed to identify historic properties, assess effects, and mitigate the adverse effects to historic properties. It is not clear in the EA (Page 222) that the PA included in Appendix D is a draft subject to revisions.

We suggest reaching out to other Corps Districts that are undertaking similar studies for similar projects for any final or draft PAs that could be shared that could help inform the development of this PA.

### **Maps**

Both the EA and PA contain several maps intended to show the location of known historic properties on the Charleston Peninsula. Because the Study Area is quite large and there are numerous historic properties and areas, it would be very helpful for the Corps to provide much

larger maps. Also, please review all maps provided in the EA and PA for consistency. We note that the maps appear to vary in the types of historic resources shown. Further, at least three of the Figures include archaeological sites information. We are concerned about making the locations of these sites widely available to the public.

EA Pages 183 and 220 – Legend includes archaeological sites.

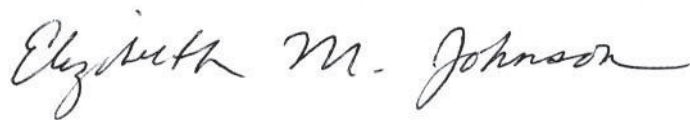
Appendix D of the PA: Includes a map “Charleston Peninsula Study Area Cultural Resources in Study Area” that includes in the legend and map Restricted National Register Points, Archaeological Points, Restricted National Register Polygons, and Archaeological Sites. We are concerned about making the locations of these sites widely available to the public.

The records of submerged cultural resources maintained by the Maritime Research Division (SCIAA) and the records of archaeological sites excavated by the Charleston Museum are not comprehensively identified in SC ArchSite and should be referenced for the identification of known historic properties within the APE.

Please also see the attached technical comments on the draft EA and draft PA.

Thank you for the opportunity to provide comments. Please refer to SHPO Project No. 18-EJ0131 in future correspondence related to this project. If you have any questions please contact me at 803-896-6168, [ejohnson@scdah.sc.gov](mailto:ejohnson@scdah.sc.gov).

Cordially,

A handwritten signature in black ink that reads "Elizabeth M. Johnson". The signature is written in a cursive, flowing style.

Elizabeth M. Johnson  
Director, Historical Services, D-SHPO  
State Historic Preservation Office

Cc: Chris Daniels, ACHP

## Technical Comments - Environmental Assessment

Pages 12 and 45: “Minimize adverse effects to the historic district and structures”. Minimization of adverse effects to terrestrial and submerged cultural resources should also be included as a constraint.

Page 18: What would the design of the “reconstructed” High Battery consist of? Demolition and reconstruction would be an adverse effect (as noted on Page 186), and has the potential to also cause an adverse effect by changing the visual character of the Charleston Historic District.

Page 23: “...impacts to historic and cultural resources will continue to be minimized and avoided in some cases”. Mitigation should also be listed as a potential outcome here.

Page 23: Notes visual effects from the storm surge wall and wave attenuating structure, and that impacts to the viewshed will “be minimized through the inclusion of aesthetic and recreational features that preserve the city’s cultural and historic nature.” What are the mechanisms by which this will be carried out? Use of the City’s Board of Architectural Review process? Specific design guidelines? Review of designs by the SHPO and concurring parties? Include in the PA.

Please add damage during ground disturbance and construction to the list of possible adverse effects. (These are more fully described on Page 186.) Monitoring equipment is suggested as a possible requirement to ensure vibration does not damage historic properties. What are the mechanisms by which this will be carried out? What happens if damage is identified? Include in the PA.

Page 51: How did the study determine that 54% of historic structures are at risk from inundation? Are these all of the buildings within the Charleston Historic District? The individually listed buildings (NRHP and NHLs) and those eligible?

Page 103: A discussion of the role of the Charleston Harbor in the Transatlantic Slave Trade should be included within the overview of the History of the Charleston Peninsula.

Page 105. Replace “succeeded” with “seceded” and “rebuild” with “rebuilt”

Page 105: Notes that a full list of properties included in Appendix D. However Appendix D currently only contains a list of the National Historic Landmarks (NHLs).

Page 107- 109: It would be helpful to include in an Appendix full lists of all of the historic resources, organized by type. Larger maps should also be developed and shared with the consulting parties.

Page 110: Please specify that archaeological investigations by the Charleston Museum have also documented and excavated cultural resources related to Charleston’s waterfront as they are relevant to the Study Area. A discussion of archaeological work conducted by Charleston’s Walled City Task Force would also be relevant.

Page 182, 7.10 Cultural Resources- Please include a discussion regarding impacts to the Charleston Cemeteries Historic District under the various alternatives as it is located within the Study Area but outside of the proposed storm surge wall.

Page 183: Map includes archaeological sites. See previous comments on Maps.

Page 187: The statement that the storm surge wall would not dominate the setting or attract attention of observers because of other modern intrusions around the perimeter should be revisited. While this may be true in some locations, there are likely locations where the barrier wall could introduce a visually dominant new element. Figure 7.8 (Page 195) indicates areas along the eastern edge of the peninsula where the wall will be greater than 7 feet in height, and in some places between 10 and 11 feet in height. On the western edge the projected barrier height is consistently in the 10 to 12 feet range.

Page 188: More accurate to say “at least 760” are contributing (see Page 108).

Page 190: How visible will the wave attenuation structure be? At low tide vs. high tide? Page 190 suggests the potential for adverse effects, while Appendix F Page 50 states that “... the storm surge wall and/or breakwater is not anticipated to affect their experience of views across water bodies”. Plans, drawings and visual simulations will be needed to evaluate.

Page 215: The reference to the Post 45 project is unclear.

Page 220: Map includes archaeological sites. See previous comments on Maps.

#### **Appendix A – Plan Formulation Appendix:**

Add Figure numbers to the captions and reference Figure numbers in the text.

#### **Appendix F- Environmental:**

Page 37: In addition to visual corridors along streets, will consideration be given of views from the historic buildings themselves, particularly buildings along the perimeter of the peninsula such as along East Battery like the Roper House (EA, Page 186), as well as taller buildings within the peninsula such as the Francis Marion Hotel?

Page 51: “National or State Register of Historic Places.” Please correct to National Register of Historic Places or clarify what State Register is referring to. There is not a separate State Register of Historic Places in South Carolina. We recommend specifically including National Historic Landmarks in the visual resource analysis to ensure that adverse effects are minimized to the maximum extent possible.

## Technical Comments - Draft Programmatic Agreement

In future submittals please provide a WORD copy of the draft PA to all parties so we can track changes in the document. That will also allow reviewers to insert additional language and make needed edits.

The Whereas clauses should allow a cold reader to understand the who, what, when, where, why and how of a project and development of the agreement.

Title: Bold, with each party on its own separate line.

### **Whereas Clauses**

1st Whereas: More clearly state/define the nature and extent of the anticipated federal involvement. It only says "design and implement". Not clear that Corps funding is anticipated for construction. What about funding from another federal agency or agencies? Could include general language that federal funding is expected to implement construction. Is Corps permitting also anticipated? Under what program?

2nd Whereas: Better define "the Project", i.e. the scope, length of wall, area to be protected etc. While all of this is described in the EA, the PA should include a succinct statement of what the Project is and where it will occur. Reference the planning study (and/or insert an additional Whereas clause). Add the rebuilding of the High Battery as it is mentioned in the EA and the Low Battery is included in this Whereas clause.

We are concerned about the use of the terms structural vs non-structural measures, as all measures appear to have a structural component or effect. Perhaps state ".....involves the construction of structural...."

Add "adverse" prior to "effects".

3rd Whereas: What is the City's role, are they the applicant? It is not currently defined. What role will the City of Charleston have in developing this PA? The draft EA does a better job in establishing the whys and authorities, consider copying that information into the PA.

Make "SC DAH" SCDAH, or just delete it and use SHPO, as that is the reference in the title. Make "CFR" C.F.R. (and/or choose one approach and make it consistent throughout, as it is not currently).

Consider adding a Whereas clause that more clearly state the reason for developing the PA. (See EA Pages 23, 111), regarding Corps deferring final identification and evaluation of historic properties until after project approval and additional funding becomes available.

The 4th, 5th, and 6th Whereas clauses. These clauses need revision and expansion as described below.



The 4th Whereas should focus only on establishing the direct and indirect APEs (or overall APE) and delete reference to adverse effects, historic properties, and definitions. These should be included in a following clause or clauses, such as the 6th, encompassing all historic properties. The indirect APE needs to include more than submerged resources, such as viewsheds, vibratory, auditory, etc.

The 5th Whereas needs to be verified. We note that this list could change as the APE boundaries are refined. In addition to the Granville Bastion ( 38CH1673) the EA (Page 185) also notes the Penderois site (38CH0700).

The 6th Whereas needs to include the language from the 4th, simply stating that the Project may cause adverse effects to known historic properties (as shown/listed in Attachment A) as well as to possible historic properties, including submerged, not yet identified.

7<sup>th</sup> – 13<sup>th</sup> Whereas clauses: The public comment period may bring forth other parties who want to participate and be a concurring party, especially considering the scope and impact of the project. The EA when discussing the PA doesn't address that the parties could be expanded, or issued an invitation. We believe the Catawba Indian Nation should be an invited signatory, and more specifically identified in the Stipulations that may be applicable to them. Please confirm their involvement with the CIN-THPO. Also reference the second comment period that will be open in early 2021.

Now Therefore clause: The City needs to be last.

## **Stipulations**

Stipulation number references throughout will need to be rechecked at some point, and the document checked for typos. As this is a first draft we have not noted most typos or incorrect Stipulation references.

### I. Archaeological Historic Properties

A.1 and A.2 Identification: The stipulation number references included here don't help much. For example a reference to Stipulation VI is to “Changes in Scope” not specifically archaeological identification. Please elaborate more. A.2 begins with a fragment and not clear why it's necessary, as it seems to repeat parts of A.1. SHPO and consulting parties should also have the opportunity to review the plans for identification surveys before they are implemented. Reference the *SC Standards and Guidelines for Archaeological Investigation*.

B. Assessment of Effects: Please check the first sentence, it appears a word or words may be missing in line 5.

### C.1 – C.4 Mitigation of Adverse Effects

C.1 Add NPS at top/first two sentence references, just in case within NHL. Confusing Stipulation reference again. Change Concurring Parties reference to "and the other Consulting Parties".

C.3 and C. 4: Consider including the NPS and other Consulting Parties language for these reviews, and not just SHPO. Confirm with the other parties that want to be involved beyond concurring on a treatment plan. There is no mention of Tribal concurrence, beyond that of the "consulting parties". SHPO and the Corps shouldn't be the only ones finalizing a Native American burial treatment. (Stipulation VIII and App. B are clearer regarding human remains, consider referencing.). The "potentially eligible" language is problematic, our office uses "requires additional research/testing".

## II. Architectural Historic Properties

This section needs revision and expansion. Please review the Section 106 regulations and NPS Standards publications and incorporate that language as appropriate.

A Identification: Add reference to the *Survey Manual: SC Statewide Survey of Historic Properties*. Does the City have any specific requirements for survey to incorporate here as well?

Note: Not all pre-1940 buildings have been evaluated for eligibility / contributing status. Does the Corps consider for the purposes of this agreement that all pre-1940 structures are contributing to the historic district?

B. Assessment of Effects: Who will be making these decisions on adverse effects, screening, etc? Adverse effect per who? By the Corps only? Corps and SHPO? or all parties? What about affected property owners? "Effectively screened" per who? Is this an existing screen or is this minimization or compensatory mitigation screening?

Need better definitions and/or references to explain Wet Floodproofing and Dry Floodproofing, it is unclear from the current descriptions. As before, who will be making decisions about adverse effects for these measures and Raising Elevation?

Check/confirm the appropriate citations for the Secretary of the Interior's Standards for the Treatment of Historic Properties. Likely should cite the Rehabilitation Standards specifically for impacts to buildings, and more broadly for visual effects cite the broader Standards and Guidelines for Treatment, including Cultural Landscapes. Reference the [new Flood Adaptation Guidelines from NPS](#).

The City also has design review and/or guidelines that will have to be met.

### C. Mitigation of Adverse Effects

What process will be used to ensure design modifications / enhancements for the barrier will address / help mitigate adverse visual effects?

Will need more detailed language on HABS or HALS. NPS will be more involved than stated here.

Check numbering and spacing.

How will monitoring for vibration impacts occur? This is mentioned as a potential adverse effect if construction causes damage, but the PA does not include a process related to monitoring, and how to resolve if damage is observed.

### III. Cumulative Effects on Historic Properties

We disagree with the concept that the contribution to cumulative effects resulting from this Undertaking will be mitigated by the individual specific measures outlined in Stipulations I and II. We believe that one or more Stipulations providing Cumulative Mitigation are needed. The specific form or forms of this Cumulative Mitigation should be developed through consultation with signatories and consulting parties.

### IV. Preparation and Review of Documents

IV.B: This doesn't meet the current [SC Standards and Guidelines for Archaeological Investigations](#) and is unclear. Just state that SHPO will be provided final reports in accordance with current state Standards and Guidelines, or as requested by the SHPO. Final report copies will differ based on what they are reporting.

### V. Curation Standards

Add statement that the SHPO will be notified when records and collections are placed in a permanent curation facility.

### VII. Standards

Considering putting all the Professional Standards as the first Stipulation.

C: Need revise to include the *Survey Manual: SC Statewide Survey of Historic Properties* and the *SC Standards and Guidelines Archaeological Investigations*.

### VIII. Treatment of Human Remains

Re-do this stipulation. Use an ACHP sample or another PA. Consider combining with Stipulation X, or could also reference Appendix B here and address everything in that document. Please cite the SC laws related to human remains and burials.

### XV. Amendments

Attachment D referenced here appears to be missing.

## XVIII. Additional Agencies

This Stipulation could make more sense if it followed Stipulation III, instead of being buried at the end. It also could be a Whereas clause. Either way it may be better by stating that the Corps will be the lead agency. The EA states the Corps is the lead on NEPA, so what about 106? Should also be clearer regarding who is to pay for any adverse effect mitigation in such situations, the Corps or the other agency?

### Attachment A “Preliminary APE”:

Page 24 of 30: The map is a preliminary APE map, but no APE is delineated on it.

Please provide additional sectional views to make the overall map discernible. Additional colors are needed to clarify the legend.

It will be helpful if the sectional views identified the points/polygons by name, but if not, then there should be a list or table of known historic properties. The list of National Historic Landmarks (NHLs) could be used as a starting point and our office can assist the Corps with developing an accurate list of known historic properties. (Note: When comparing the map to SC ArchSite, the map does not look complete or accurate in some places but at this scale it difficult to discern.)

Eligible Historic Areas appears twice in legend, only once on map using the darker color.

The legend includes NRHP-Listed and Eligible Arch Sites (archaeological sites) and we are concerned about making the locations of these sites widely available to the public. In general, locational information about archeological sites should not be public/attached to a PA.

The comparable EA Figure legend (page 109 Figure 4-11) and removal of archaeological sites is a better model. In the EA (page 183 Figure 7-4) another map that includes Archaeological Sites, please remove. That map also does not include in the legend a label for the purple dots, and does not identify National Register properties.



June 19, 2020

Nancy A. Parrish  
Planning and Environmental Branch  
U.S. Army Corps of Engineers, Charleston District  
69 A Hagood Avenue  
Charleston, SC 29403-5107

Ref: *Charleston Peninsula Coastal Flood Risk Management Study Programmatic Agreement  
Charleston County, South Carolina  
ACHP Project Number: 014692*

Dear Ms. Parrish:

The Advisory Council on Historic Preservation (ACHP) has reviewed the draft *Programmatic Agreement among the United States Army Corps of Engineers, Charleston District; the South Carolina State Historic Preservation Office; the National Park Service; the Advisory Council on Historic Preservation; and the City of Charleston Regarding the Charleston Peninsula Coastal Flood Risk Management Project, Charleston, South Carolina*, provided by the United States Army Corps of Engineers (USACE) on April 20, 2020. This draft was submitted as part of the USACE's compliance with the Section 106 (54 U.S.C. § 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, "Protection of Historic Properties" (36 C.F.R. Part 800).

We have provided the majority of our comments directly on the document (enclosed). Overall, we found the current draft vague in outlining how the process stipulated in the agreement will be implemented during project design and execution. Further, the agreement is not clear in purpose and scope regarding the proposed resolution of adverse effects, and lacking in recognition of the USACE's responsibilities under of 36 CFR § 800.10(a). In addition to the comments provided directly to the draft document, the ACHP offers the following recommendations concerning several critical items. We appreciate the USACE's consideration of these comments and recommendations, along with those submitted by other consulting parties, as it continues consultation.

**General:** The ACHP recommends that the USACE review the agreement against the ACHP's Guidance on Section 106 Agreement Documents (<https://www.achp.gov/initiatives/guidance-agreement-documents>) for style and consistency, and revise the agreement accordingly. This will be particularly helpful for the necessary administrative provisions and the preamble. The ACHP has provided suggested revisions to the formatting and administrative stipulations throughout the agreement to reflect preferred language; however, the USACE should review these individually as it revises the current draft. Further, our attached comments also include recommendations for improving the overall flow of the agreement and several specific suggestions for changes to stipulations to ensure they reflect a straightforward process for implementing this complex undertaking. As currently drafted, the sequencing is difficult to follow with respect to review and assessment of individual activities. Many of these revisions will be relatively easy to capture as the USACE revises the agreement.

**Identification, Assessment, and Resolution Efforts:** While the proposed agreement intends to phase the identification and evaluation of historic properties and the assessment and resolution of adverse effects for various aspects of the undertaking, we observe that a great deal of information on historic properties within the area of potential effects (APE) already exists. We recommend that the USACE expand the initial summary of its identification efforts with the assistance of the South Carolina State Historic Preservation Officer (SHPO) and other consulting parties. The current agreement and supporting materials appear to indicate that adverse effects are likely to occur to a variety of historic properties within the APE. While the ACHP supports the proposed phasing aspects of the agreement, we encourage the USACE to think broadly about what level of resolution can be incorporated into the agreement now rather than deferred until later. The agreement should delineate between continued identification efforts and resolution of already identified adverse effects in a clear manner. Many of our comments on the current draft aim to improve and clarify existing stipulations that lack overarching direction. The ACHP concurs with the recommendation by the SHPO, in their June 18, 2020 letter, that the USACE should give attention to potential cumulative effects; moreover, that the proposed agreement should consider “comprehensive mitigation strategies” in addition to “individual mitigation for individual historic buildings and archaeological sites.” Given the likelihood for substantial impacts to historic properties, this recommendation appears reasonable and reinforces our concerns throughout the document.

**National Historic Landmark Responsibilities:** The ACHP would like to reiterate the USACE’s responsibilities under Section 110(f) of the NHPA (54 U.S.C. 306107), which requires the agency, through its planning and actions, minimize harm to the NHL “to the maximum extent possible.” Reflecting the lack of initial consultation on the development of this proposed agreement, the current draft provides no recognition of the USACE’s NHL responsibilities or consultation on alternatives or modifications to avoid and minimize effects to NHLs. The consideration of alternatives that meet the USACE’s goals while also avoiding adverse effects to the NHL should be given the highest level of consideration in the Section 106 process both during the development of this agreement and throughout its implementation. The ACHP acknowledges that the constraints surrounding the complexity and variety of activities associated with the undertaking and that these present limited avenues to avoid adverse effects; however, we encourage the USACE to build into the agreement processes that prioritize alternatives/opportunities to avoid and minimize adverse effects to NHLs. The USACE’s receptiveness, consideration, and evaluation of all prudent and feasible alternatives will be important in demonstrating that it has met its responsibility to minimize harm to NHLs.

**Next Steps:** We recognize the time constraints placed on this consultation; however, we urge the USACE respond to the comments provided by the ACHP, SHPO, and other consulting parties as it revises the draft agreement. Further, we recommend establishing a schedule moving forward to guide future consultation, which should include a meeting to discuss the USACE’S responses to existing comments and proposed revisions.

We look forward to assisting the USACE in this consultation to carry out its Section 106 compliance responsibilities. We appreciate your consideration of our comments and recommendations on these issues, and look forward to your response as we move forward. If you have any questions, please contact Mr. Christopher Daniel (202) 517-0223, or via e-mail at [cdaniel@achp.gov](mailto:cdaniel@achp.gov).

Sincerely,



Tom McCulloch PhD, RPA  
Assistant Director  
Federal Property Management Section  
Office of Federal Agency Programs

Enclosure

June 19, 2020

BY EMAIL

Wesley B. Wilson, Project Manager  
U.S. Army Corps of Engineers (Charleston District)  
Environmental & Planning Office  
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Re: Adverse Effects of the Proposed Seawall on the Charleston's Historic Districts & Need for an Environmental Impact Statement

Dear Mr. Wilson:

Cultural Heritage Partners, PLLC represent the Preservation Society of Charleston ("Preservation Society"). We submit these comments on the Preservation Society's behalf in its role as a consulting party to address issues raised by the "Coastal Flood Risk Management Study, Draft Feasibility Report, and Environmental Assessment" under review by the U.S. Army Corps of Engineers. Founded in 1920, the Preservation Society is the oldest community-based historic preservation advocacy organization in the nation, representing approximately 1,300 members.<sup>1</sup>

In 1931, the Preservation Society was instrumental in persuading Charleston City Council to pass the first zoning ordinance enacted to protect historic resources in the nation. The ordinance established the nation's first Board of Architectural Review and designated a 138-acre historic district. Today, that original area forms a substantial portion of the Charleston Historic District, a National Historic Landmark ("NHL"), which the proposed seawall will directly and adversely affect. In addition, the Preservation Society has a demonstrated interest in protecting the Old and Historic Charleston District that evolved from boundary increases to the NHL and is listed in the National Register of Historic Places, as well as the National Register-listed Charleston Cemeteries District and individually listed properties.

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<sup>1</sup> The Preservation Society submitted more generalized public comments on June 19, 2020. They are attached as Exhibit A and incorporated herein by reference.

The Preservation Society supports the City of Charleston's and the Army Corps' efforts to address disaster preparedness and sea level rise and appreciates the opportunity to participate in the environmental review process as a consulting party. However, as our community's extensive discussions during the Dutch Dialogues held in Charleston made clear, a seawall designed to partially address storm surge during hurricane events should not be the sole focus of the Army Corps' Coastal Flood Risk Management Study, especially if one of the City's goals is to address tidal and heavy rainfall flooding that happens with increasing regularity.<sup>2</sup> Moreover, it is not clear that the proposed seawall will stop storm surge. For example, Hurricane Hugo had a storm surge of over twenty feet in 1989.<sup>3</sup>

To assist the Army Corps in understanding the special issues involved with building a proposed seawall around a National Historic Landmark district and National Register-listed historic districts within the City of Charleston, the Preservation Society's comments are divided into three parts. Part 1 addresses why the Army Corps must apply heightened scrutiny under Section 110(f) of the National Historic Preservation Act (NHPA) throughout the permitting process and use all possible planning to minimize harm to the Charleston Historic District. Part 2 documents the significance of the Charleston Historic District and explains the relevance of adverse viewshed impacts to the NHL and National Register-listed historic resources. Part 3 identifies problems with the Draft Feasibility Report, Environmental Assessment, and Finding of No Significant Impact and explains why an Environmental Impact Study is required.

**PART 1. THE ARMY CORPS MUST APPLY A HEIGHTENED STANDARD OF REVIEW IN EVALUATING THE PROPOSED PROJECT BECAUSE OF DIRECT AND ADVERSE EFFECTS ON THE CHARLESTON HISTORIC DISTRICT, A NATIONAL HISTORIC LANDMARK.**

As a threshold matter, we have reviewed the Draft Feasibility Report, Environmental Assessment, Public Notice, Finding of No Significant Impact, and Draft Programmatic Agreement (PA). Specific comments follow below, but these documents contain no reference to Section 110(f) of the National Historic Preservation Act, which governs the Army Corps' permitting process for a significant portion of the proposed seawall. 54 U.S.C. § 306107. Therefore, the Army Corps is not applying the correct standard of review. The Preservation Society notes its objection.

Section 110(f) provides: "Prior to the approval of any Federal undertaking which may directly and adversely affect any [NHL], the head of the responsible Federal agency shall, to the maximum extent possible, undertake such planning and actions as may be

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<sup>2</sup> See, e.g., Bo Peterson & Mikaela Porter, *Charleston and the South Carolina Coast Flooded Record 89 Times in 2019*, THE POST AND COURIER (Jan. 3, 2020) (noting that Charleston flooded one out of almost every five days in 2019).

<sup>3</sup> <https://www.nhc.noaa.gov/outreach/history/#hugo>



necessary to minimize harm to such landmark, and shall afford the Advisory Council a reasonable opportunity to comment on the undertaking.” *Id.*

Section 110(f) “does not supersede Section 106, but complements it by setting a higher standard for agency planning in relationship to landmarks before the agency brings the matter to the Council[.]” House Report at 36-38, *reprinted in* 1980 U.S.C.C.A.N. at 6399-6401 (emphasis added). This higher standard was codified by the National Park Service (NPS) in the Secretary of the Interior’s Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to Section 110 of the National Historic Preservation Act of 1966 (“Section 110 Guidelines”), which state that “Section 110(f) of the NHPA requires that Federal agencies exercise a higher standard of care when considering undertakings that may directly and adversely affect NHLs [National Historic Landmarks].” 63 Fed. Reg. at 20,503.

Moreover, the Section 110(f) Guidelines further direct agencies to “consider all prudent and feasible alternatives to avoid an adverse effect on the NHL.” *Id.* Because the proposed seawall will directly and adversely affect the Charleston Historic District, a NHL, the Army Corps must require all possible planning to avoid an adverse effect. See *National Parks Conservation Ass’n v. Semonite*, 916 F.3d 1075 (D.C. Cir. 2019) (holding Section 110(f) is not limited to physical impacts and includes visual effects).

The Army Corps has not helped the City of Charleston by shortchanging attention to the Charleston Historic District’s NHL status.<sup>4</sup> To fully appreciate the risks of this course, consider the recent example of Dominion Power’s energy project at Skiffe’s Creek in Virginia, which is the waterway from which one can view historic Jamestown. *Id.* The area contains a National Historic Landmark and thus due heightened protections under Section 110(f). When Dominion proposed to construct seventeen transmission towers in the river, proponents warned that Dominion and the Army Corps were not paying close enough attention to the impacts on the NHL. The company pushed ahead under the seeming protection of the Corps. Dominion built the towers. Then, in March of this year, after

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<sup>4</sup> The Preservation Society also notes its objection to skipped steps in the Section 106 process under the National Historic Preservation Act that apply to all properties listed in the National Register of Historic Places outside the NHL. The National Historic Preservation Act (NHPA) of 1966, as amended (54 U.S.C. §§ 300101-307108), requires that the head of any federal agency having direct or indirect jurisdiction over a proposed federal or federally-assisted undertaking consider the effect of that undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register prior to issuing any license or expending any federal funds on the undertaking. Federal agencies like the Army Corps therefore have a responsibility to ensure that federally funded or permitted actions do not adversely affect significant historic and cultural properties. Yet despite the significance of the historic properties adversely affected by this project in the continuing cultural identity of the community, the Army Corps has rushed the Section 106 process and created legal gaps in the Draft Feasibility Report’s analysis that make it impossible for any consulting party to meaningfully comment, such as failing to identify historic properties, drawing an impossibly narrow Area of Potential Effect, failing to include any meaningful visualizations or comprehensive list of adverse effects, and attempting to impose a Programmatic Agreement as a substitute for the Section 106 process without addressing these fundamental questions.

litigation, the U.S. Court of Appeals for the District of Columbia ordered completion of an Environmental Impact Statement. Depending on the outcome of that process, Dominion may have to take the towers down.

Section 110(f) calls for the impacts directly caused by a project like this one to be evaluated under a heightened standard whenever they may adversely affect the nation's most significant historic sites, such as the Charleston Historic District. So far, the Army Corps has not done this. In addition to the failure of the Army Corps to apply Section 110(f), the sections that follow address other deficiencies in the environmental review process, including Section 106 of the National Historic Preservation Act and the National Environmental Policy Act.<sup>5</sup>

**PART 2. THE CHARLESTON HISTORIC DISTRICT, A NATIONAL HISTORIC LANDMARK, MAINTAINS A HIGH DEGREE OF INTEGRITY IN TERMS OF ITS CONNECTIONS TO HISTORIC WATER LANDSCAPES, A HISTORIC AND CULTURAL RESOURCE THAT REQUIRES A HEIGHTENED DEGREE OF DEFERENCE.**

As the National Park Service recognized in its 2015 letter to the Army Corps concerning the agency's ongoing permitting review for a proposed terminal for large cruise ships, "[a]long with our National Parks, NHLs are considered to be the most important historic properties in the United States." Letter from Sherri Fields, National Park Service, to Nathaniel I. Ball 1 (Nov. 16, 2015) (attached as Exhibit B). The National Park Service "oversees the National Historic Landmarks Program and is committed to preserving the integrity of National Historic Landmarks." *Id.* at 2. "Whereas National Register properties must merely have good integrity," to "achieve and retain their National Historic Landmark designation, historic properties must possess most of these aspects to a **high** degree." *Id.* (emphasis in original). "A high degree of integrity enables a historic property to convey both why a property is significant (NHL criteria) and when it was significant (period of significance)." *Id.* (citing NATIONAL PARK SERVICE, NATIONAL REGISTER BULLETIN: HOW TO PREPARE NATIONAL HISTORIC LANDMARK NOMINATIONS 36 (1999)).<sup>6</sup>

The Charleston Historic District was designated in 1960 as a NHL for its significance in American social, political, and architectural history, with a "concentration of nationally significant historic properties [that] makes Charleston a particularly important place in illustrating American history." *Id.* at 1. The nominating materials for the Charleston Historic District's National Historic Landmark Designation cite the "great concentration of 18<sup>th</sup> and 19<sup>th</sup> century buildings" that give "the district the flavor of an earlier America" and present "a kaleidoscope of two centuries of America's architectural history." National Register of Historic Places, Charleston Historic District, Charleston, Charleston County, South Carolina,

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<sup>5</sup> See note 3, *supra*.

<sup>6</sup> For a comprehensive survey of Charleston's historic architecture, see JONATHAN H. POSTON, THE BUILDINGS OF CHARLESTON: A GUIDE TO THE CITY'S ARCHITECTURE (1997).

National Register #70.1.41.0001, at 2-3 (“Charleston NHL Nomination”). The Statement of Significance explains that “[t]oday much of nation’s social and architectural history can be visibly appreciated because of the great concentration of period buildings that still line the city’s streets,” with more than 650 “18th and 19th century buildings valuable to architectural historians.” *Id.* at 3. The original period of significance for the district is 1700-1899, and the marked “Areas of Significance” are Architecture, Art, Education, Landscape Architecture, Literature, Political, Religion/Philosophy, with “Colonial Period” and “Revolutionary and Civil War” noted.

In 1978, the Charleston Historic District’s period of significance was extended through a Boundary Increase to capture Charleston’s architecture as the city “slowly regained economic viability during the twentieth century and evolved into an urban center which retains a strong sense of its past.” This extension included historic movie theaters, automobile filling stations, hotels, warehouses, and commercial buildings. Mary Watson Edmonds, “Charleston Old and Historic District Addendum—Extension of Period of Significance,” National Register of Historic Places Continuation Sheet, South Carolina Department of Archives and History, Columbia, Aug. 9, 1988 (citing Robert P. Stockton, “Old and Historic Charleston—Extended,” National Register of Historic Places Inventory—Nomination Form, South Carolina Department of Archives and History, Columbia, Dec. 15, 1977).

Notwithstanding the Army Corps’ decision to issue a Finding of No Significant Impact, a decision we discuss in Part 3, the visual impacts to and from the Charleston Historic District and National Register-listed districts to the Charleston Harbor and Fort Sumter and other historic properties and sites should not be understated or undervalued. Instead, the overriding theme of the NHL designation—and the basis for the Charleston Historic District’s recognition as an NHL—is its unmatched concentration of 18<sup>th</sup>- and 19<sup>th</sup>-century structures—chiefly two- and three-story residences punctuated by taller church spires and other human-scale structures. These same scenic qualities characterize Charleston’s other historic districts outside the NHL listed in the National Register.

Moreover, these buildings and their context—including their connection to Charleston’s surrounding natural landscape and prolongation of unimpeded views from streets, houses, rooftops, bridges, and church spires of the Ashley River, Cooper River, Charleston Harbor, and Fort Sumter—have been preserved at significant private and public expense and remain in active use today. This makes sense because as the NHL nomination explains, “The city was a major Colonial seaport.” Charleston NHL Nomination at 5. Charleston has maintained this maritime connection.

To further understand Charleston’s historic context and importance of unimpeded water views, the NHL is “bordered on the south by the Ashley River and on the southeast by the Cooper River; the two rivers converge at Oyster Point on the tip of The Battery, from which there are views of Charleston Harbor, Fort Sumter, Sullivan’s Island, Patriot’s Point,

James Island, and other points of historical significance.” Robert P. Stockton, “Old and Historic Charleston—Extended,” National Register of Historic Places Inventory—Nomination Form, South Carolina Department of Archives and History, Columbia, Dec. 15, 1977), at 4-5. Preservation of this historic integrity, aesthetic, setting, and context is what makes the Charleston Historic District one of the most significant and scenic National Historic Landmarks in the country and in the evolution of the nation’s historic preservation movement.

The Army Corps should note that the importance of Charleston’s water views is underlined by the City’s own historic preservation plans, beginning with the HISTORIC PRESERVATION PLAN FOR THE CITY OF CHARLESTON (June 1974), the first historic preservation plan in the United States.<sup>7</sup> It explains:

- “The basic form of Old Charleston is a legacy from past generations. The street patterns, many of the buildings, and important vistas . . . resulted from the vision of our forefathers.” *Id.* at 9.
- “Charleston is one of the most visually appealing cities in the Nation[.]” *Id.* at 13.
- “The views of open water . . . make the Battery a major tourist attraction and an outstanding visual asset.” *Id.*
- “Some of the most fascinating features of Old Charleston are the views down narrow streets. Neverending surprises delight the eye. The turn of a corner reveals an unexpected vista where the rhythm of the buildings leads the eye to the water, then to a ship in the distance. Especially on the Battery one is rarely more than a few steps from a view of the water.” *Id.* at 14.
- Murray Boulevard and East Battery offer sweeping panoramas. . . . The broad sidewalks on the seaward side provide excellent vantage points for viewing the bay. Virtually every class of [boat] can be seen from these vantage points. The lure of open water brings countless tourists to the Battery, further enriching the experience.” *Id.*

When the City updated its preservation plan in January 2008—VISION | COMMUNITY | HERITAGE: A PRESERVATION PLAN FOR CHARLESTON, SOUTH CAROLINA<sup>8</sup>—it continued the practice of discouraging interruptions to water views:

- “[Buildings] should not interrupt the view of the skyline, the block or important viewsheds to water or along the water’s edge.” *Id.* 39.
- “Redevelopment . . . should respect the existing street grid, surrounding historic resources, and viewsheds to the water.” *Id.* at 97.

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<sup>7</sup> <https://www.charleston-sc.gov/DocumentCenter/View/1400/1974-Preservation-Plan?bidId=>

<sup>8</sup> <https://www.charleston-sc.gov/DocumentCenter/View/1395/Preservation-Plan-1-of-2?bidId=>

The proposed \$1.75 billion seawall would have a variety of direct—as well as indirect and cumulative—impacts on sites and districts protected under the National Historic Preservation Act, 54 U.S.C. §§ 306107-306108, including Charleston’s water views that are integral to understand its setting and context. The Section 106 regulations specifically identify the “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features” as an adverse effect. 36 C.F.R. § 800.5(2)(v). *See also* 33 C.F.R. Part 325, App. C (15) (identifying visual and atmospheric impacts as adverse impacts).

NPS has previously noted the “effects of new pier facilities on the views from and to the Charleston National Historic Landmark District” as a “major concern” given their potential “to significantly diminish the integrity of setting, association and feeling.” Letter from Sherri Fields, National Park Service, to Nathaniel I. Ball, U.S. Army Corps of Engineers 2 (Nov. 16, 2015). NPS has further explained that the District sits on a flat peninsula, which allows visual intrusions to be seen from a long distance. *Id.* This would impact “views from the district to the harbor,” but also “views towards the district,” including “views from Fort Sumter National Monument towards Charleston.” *Id.* Views to and from Forts Sumter and Fort Moultrie illustrate the strategic locations of these fortifications as well as their connection to the City of Charleston and its maritime culture. Fort Sumter remains an iconic landmark within Charleston and maintaining the sight lines and views between the fort and the city are critical.” *Id.* Therefore, NPS has on previous occasions recommended that the Corps “take into account all sight lines between historic properties, particularly Fort Sumter and the Charleston National Historic Landmark District,” and define the Area of Potential Effects to include “all locations where . . . associated activities may be visible.” *Id.* at 2-3.

Here, the Army Corps must expand the Area of Potential Effects. A giant concrete seawall rising around the entire lower and middle peninsula of Charleston, along with a massive wave attenuation structure stretching off the lower peninsula, will undoubtedly and directly affect views to and from the National Historic Landmark District, as well views from Fort Sumter and other points of historic interest in and around Charleston, such as Castle Pinckney, a property individually listed in the National Register and located in Charleston Harbor. As the Draft Feasibility Report notes, “There would be visual effects from the storm surge wall and wave attenuating structure since they will be permanent and visible on land and/or water.” *Id.* at 23. And although the Report promises to minimize visual impacts to preserve the city’s “cultural and historic nature,” neither the Report nor Draft PA indicate how this would occur or what the potential viewshed impacts would look like. *Id.* For example, it is not clear how the seawall would affect Lowndes Grove on the Ashley River, a National Register-listed property, or Magnolia Cemetery within the National Register-listed Charleston Cemeteries District. This information is needed now for consulting parties to meaningfully comment, although it has not been provided.

As shown below, the visual impacts arising from a seawall similar to the one proposed for Charleston are expected to be substantial.<sup>9</sup>



*Example of a surge barrier wall in New Orleans, LA.*

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<sup>9</sup> Additional visual references supporting the Charleston Historic District’s connection to views of the water, harbor, and marsh are available here: View of Charlestown, late-1700s: [https://www.postandcourier.com/news/rare-late-18th-century-print-with-waterfront-view-of-charleston-acquired-by-colonial-williamsburg/article\\_b4d42696-664c-11e7-a65b-77ea0cdf02e8.html](https://www.postandcourier.com/news/rare-late-18th-century-print-with-waterfront-view-of-charleston-acquired-by-colonial-williamsburg/article_b4d42696-664c-11e7-a65b-77ea0cdf02e8.html); 1774 painting “View of Charleston-Town” and 1831 painting “View Along East Battery” (also see copied below with citations): <https://www.mesdajournal.org/2015/probability-provenance-jacob-sass-charlestons-post-revolution-german-school-cabinetmakers/>; View of Charleston, 1780: <https://fineartamerica.com/featured/charleston-sc-1780-granger.html>; Harper’s Weekly 1861: [http://www.sonofthesouth.net/leefoundation/major-anderson-ft-sumter\\_Dir/civil-war-charleston-south-carolina.htm](http://www.sonofthesouth.net/leefoundation/major-anderson-ft-sumter_Dir/civil-war-charleston-south-carolina.htm); Panorama of Charleston by John William Hill, 1851: [http://www.gibbesmuseum.org/news/thanksgiving-is-all-about-the-details/panorama\\_of\\_charleston/](http://www.gibbesmuseum.org/news/thanksgiving-is-all-about-the-details/panorama_of_charleston/); Birds Eye View of Broad Street, year unknown: <https://www.pinterest.com/pin/244179611024401404/>; HABS Aerial View of the Battery, date unknown, but likely mid-late 20<sup>th</sup> century: <https://www.pinterest.com/pin/308918855664278741/>. See also images provided by the Charleston Museum, including: Photo taken toward harbor from St. Michaels Steeple, 1939: <https://www.charlestonmuseum.org/research/collection/bird-s-eye-view-of-charleston-/20DAB75D-1666-44CB-B298-322741560819>; Photo from water looking back at East Battery, 1900: <https://www.charlestonmuseum.org/research/collection/east-battery/3BF4FAA4-0D22-47FF-9BE0-503278673731>; and View from Edmondston Alston House (21 East Battery) looking out at harbor, 1938: <https://www.charlestonmuseum.org/research/collection/edmondston-alston-house-21-east-battery/CE2E294E-C1DD-4697-9091-599863470061>.



*Shoreline views like that of Lockwood Blvd. from the Ashley River could be dramatically altered by the construction of a 12-foot perimeter wall. Photo courtesy of Justin Falk Photography.*



*View of the Charleston Harbor (early 1700s).  
Collection of Museum of Early Southern Decorative Arts, Winston Salem, NC.*



*Samuel Barnard, View Along the East Battery, Charleston (1831),  
Mabel Brady Garvan Collection, Yale University Art Gallery.*

Visual impacts are not limited to the area immediately adjacent to the seawall. The Army Corps' proposed 360-foot wide viewshed "study area" is not adequate and the Area of Potential Effect must be expanded. For example, the view from the Cooper River side, in the waters plied by the ferry serving Fort Sumter National Monument, could be significantly impacted by a massive new seawall, as represented by the historic image below.



*"Bombardment of Fort Sumter, April 12, 1861 Floating Battery Fort Moultrie Fort Sumter Fort Johnson Gunboat Lady Dora Wm. Seabrook," Collection of the Charleston Museum, Charleston, SC.*



The proposed seawall will also be visible from numerous historic vantage points in Charleston, including to and from individually listed National Historic Landmarks in the Charleston Historic District, such as Roper House on East Battery.



*Representative photograph showing view of the Charleston Harbor from Roper House NHL on East Battery.*

Moreover, it is impossible for the Preservation Society to comment fully about the Area of Potential Effects without a study of all properties eligible for listing in the National Register and without knowing exactly where the seawall will be set. Given the small scale and limited detail of the maps provided by the Army Corps, consulting parties cannot understand the extent of the Project’s impacts. Pushing these determinations off to a PA that purports to resolve these issues at some point in the future is no help at present if consulting parties are supposed to offer meaningful comments now.<sup>10</sup> Therefore, we reserve our right to supplement our objections as additional information becomes available.

For the Army Corps’ reference, the test for whether an “effect” exists does not turn on whether that phenomenon will result in delisting. *See* 36 C.F.R. § 800.5(2)(v) (defining adverse effect as “[i]ntroduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features”). A large eight-mile long concrete seawall on the scale contemplated by the Coastal Flood Risk Management Study would undoubtedly alter the context of Charleston’s historic districts, their viewsheds, surrounding water landscapes, and street views to the water. As the U.S. Court of Appeals for the Fourth Circuit explained in *Pye v. United States*:

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<sup>10</sup> For example, the PA leaps inexplicably to compensatory mitigation as if it is a predetermined outcome and contains no mention of how Section 110(f) of the NHPA will be addressed, or how avoidance or minimization could occur under a Section 106 scenario. Coastal Flood Risk Management Study, App. D (Draft PA) at 4-7.

The fact that the proposed project will not actually touch any of the historic sites . . . is of no moment. . . . Even if no shovels or backhoes will touch either historic area, damage to historic areas can occur in less direct ways. Indeed, the Corps' own regulations embrace this by mandating consideration of "the effects of undertakings on any known historic properties that may occur outside the permit area." *See, e.g.*, 33 C.F.R. pt. 325, App. C, 5(f). Directness, while it may be relevant to causation and the extent of damages, is irrelevant to the presence of injury-in-fact. [The] smallest of endeavors can have enormous consequences if undertaken improvidently."

269 F.3d 459, 468-69 (4<sup>th</sup> Cir. 2001).

Although the Army Corps has tended in the past to take issue with recognizing visual, atmospheric or audible impacts as direct effects, we trust that is no longer the case following the U.S. Court of Appeals for the D.C. Circuit's opinion in *National Parks Conservation Ass'n v. Semonite*, 916 F.3d 1075 (D.C. Cir. 2019). The ACHP regulations explicitly include visual, audible, and atmospheric impacts as examples of "adverse effects." *See* 36 C.F.R. § 800.5(2)(v) (defining adverse effects to include "Introduction of *visual, atmospheric or audible* elements that diminish the integrity of the property's significant historic features) (emphasis added). So do the Corps' regulations. 33 C.F.R. Part 325, App. C (15)(b)(3) (defining adverse effects to include "Introduction of *visual, audible, or atmospheric elements* that are out of character with the property or alter its setting") (emphasis added). For these reasons, courts around the nation have understood visual impacts to be cognizable direct effects. *E.g., River Fields, Inc. v. Peters*, No. CIV.A. 3:08-CV-264S, 2009 WL 2222901, at \*7 (W.D. Ky. July 23, 2009).

There is no basis in statute, regulation or case law to support the notion that direct adverse effects are limited to on-site construction or other ground disturbing activities. Visual, auditory, vibration or other impacts experienced beyond the perimeter of on-site mechanical construction can constitute direct adverse effects for the purposes of both Section 106 and Section 110(f) of the National Historic Preservation Act. Indeed, in this case, the adverse effects include those that have the potential to affect the historic district (*e.g.*, visual impacts), and those that have the potential to physically damage historic structures (*e.g.*, vibrations from construction, pile driving, and heavy machinery).

In addition to the seawall's anticipated adverse effects on Charleston's viewshed and sight lines, the Draft Feasibility Report notes that additional—and potentially more troubling—adverse effects beyond visual effects are anticipated. Draft Feasibility Report at 187. They include "potential acquisition, demolition, modification of historic structures . . . and disturbance of terrestrial and submerged archeological sites. There is the potential for finding submerged resources in the area off the Battery where the proposed wave attenuation feature is part of the Charleston Harbor Naval Battlefield." *Id.*

Physical damage to historic properties is expected from construction activities. “Vibrations from pile driving during construction would have the potential to directly affect historic structures near the wall’s footprint.” *Id.* For example, vibrations could cause structural damage to nearby historic structures that are contributing elements of the NHL, or are individually designated as a NHL or listed in the National Register. *Id.* at 186. In addition to vibrations from pile driving, heavy equipment could also cause “damaging vibrations” to properties located on East Battery, such as Roper House, which is individually listed as a NHL. *Id.* Finally, heavy machinery and equipment are expected to cause temporary visual intrusions and lead to road closures, thus limiting access, ingress, and egress to historic properties not only to members of the public, but also individual property owners. *Id.* at 187. All of these impacts taken together support the Preservation Society’s request for an EIS, which is discussed in the section below.

**PART 3. IF THE CORPS PROCEEDS WITH CONSIDERING THIS PERMIT APPLICATION, NOTWITHSTANDING ITS RESPONSIBILITIES UNDER SECTION 110(K), THE CORPS MUST PREPARE AN ENVIRONMENTAL IMPACT STATEMENT.**

The Preservation Society joins with the Southern Environmental Law Center, South Carolina Coastal Conservation League, Charleston Water Keeper, South Carolina Wildlife Federation, Audubon South Carolina, and the South Carolina Environmental Law Project in their request for an Environmental Impact Statement (EIS). The National Environmental Policy Act (NEPA) mandates that agencies prepare an EIS to assess the potential impact of actions significantly affecting the quality of the human environment, including historic and cultural resources. NEPA regulations require all agencies to consider the context of any action in determining significance of those effects. “[Context] means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short term and long-term effects are relevant.”<sup>11</sup> In other words, considering contexts does not mean giving greater attention to effects on society as a whole than to effects on a local area. On the contrary, the importance of impacts must be considered in the context of the local area.

Here, context includes the circumstances that frame the historic and cultural importance of the Charleston Historic District so that the seawall proposal can be fully understood and assessed. The Charleston Historic District is an irreplaceable historic and cultural asset that allows the public to experience the setting and atmosphere of a colonial and 19<sup>th</sup> century city, including its myriad connections to surrounding water landscapes as well as mostly unimpeded views toward Charleston from the water.

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<sup>11</sup> 40 C.F.R. § 1508.27(a).

Agencies must also consider the intensity of an action, which is a function of ten factors, any one of which can justify preparation of an EIS.<sup>12</sup> As provided in 40 C.F.R. § 1508.27, these factors include:

1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.
2. The degree to which the proposed action affects public health or safety.
3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.
5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.
8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.
9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.
10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The impacts of the proposed seawall on the Charleston NHL have a high degree of intensity and meet many of these factors, which we discuss below.

**The Charleston NHL will experience significant impacts, even if the potential effect could be beneficial. (Factor 1).** Although the proposed seawall might help protect portions of the Charleston peninsula from storm surge up to a certain height (a benefit), the Corps must also consider adverse effects on Charleston's historic viewsheds (a cost). In light of the Charleston's high degree of historic integrity, including its connections to its surrounding water landscapes, the Corps should consider impacts to the NHL as significant.

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<sup>12</sup> See, e.g., *Ocean Advocates v. U.S. Army Corps of Eng'rs*, 402 F.3d 846, 865 (9<sup>th</sup> Cir. 2005).

**There are unique characteristics of the geographic area that must be considered in an EIS. (Factor 3).** The Project proposes to impact unique characteristics of the geographic area, including proximity to historic and cultural resources, as well as ecologically critical areas. The Project would have considerable impact on setting through changes to the appearance of the waterside portions of the Charleston Historic District as well as its historic viewshed of Lowcountry marshlands and water and their physical connections to the city, which a proposed seawall would visually disrupt.

**The Project proposes adverse effects on the appearance of the Charleston Historic District, an NHL, as well as views to and from Fort Sumter National Monument. (Factor 8).** This project will cause adverse effects to the context and setting of a National Historic Landmark district, to a degree sufficient in itself to warrant an EIS, as well as likely archeological impacts within the Project's footprint. In addition, views to and from the Fort Sumter National Monument will be affected. Moreover, building the seawall will likely cause physical damage to nearby historic properties. An EIS is necessary to determine the extent of the adverse effects, both quantitatively and qualitatively, that a proposed seawall of any size would cause.

**The Project's effects on the quality of the human environment are likely to be highly controversial, and the degree to which the possible effects on the human environment are highly uncertain and involve unique or unknown risks (Factors 4 and 5).** This project is highly controversial. As the court in *Standing Rock Sioux Tribe v. U.S. Army Corps of Eng'rs* explained, "Effects are 'controversial' where 'substantial dispute exists as to the size, nature, or effect of the major federal action rather than to the existence of opposition to a use.'"<sup>13</sup> The proposed seawall is a \$1.75 billion project with unknown impacts, legitimate questions about the appropriate size, or even whether and to what extent the seawall will actually protect the City of Charleston from storm surge or create unintended consequences of adding to an existing and well-documented flooding problem since projections fail to assume what would happen with a seawall in place at high tide during a simultaneous major rain event. Contrary to the Army Corps' assertions, it is hard to see how a giant seawall would not create a bathtub effect, trapping water, creating a public emergency, and damaging properties that contribute to the integrity of NHL.<sup>14</sup>

Furthermore, as the court in *National Park Conservation Ass'n v. Semonite* stated and the court in *Standing Rock Sioux* affirmed, the Army Corps must pay particular attention to

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<sup>13</sup> *Standing Rock Sioux Tribe v. U.S. Army Corps of Eng'rs*, 2020 U.S. Dist. LEXIS 51540 \*19, citing *Town of Cave Creek v. FAA*, 325 F.3 320, 331 (D.C. Cir. 2003).

<sup>14</sup> From "Frequently Asked Questions," available at <https://www.sac.usace.army.mil/Missions/Civil-Works/Supplemental-Funding/Charleston-Peninsula-Study/>. "Pedestrian, vehicle, rail, storm and access gates along the perimeter storm surge wall would remain open until a storm surge event. These gates would be closed at low tide during storm events to ensure water storage is available in marsh areas, alleviating any flooding caused by storm runoff." *Id.* No assumption is made about what would happen at high tide during a simultaneous rain event, even though this is becoming a common scenario.

the concerns from state and federal agencies “entrusted with preserving historic resources and organizations with subject-matter expertise.”<sup>15</sup> Here, the Advisory Council on Historic Preservation and National Park Service have agreed to participate in consultation and have previously raised similar issues for the Army Corps to consider, concerns echoed by local historic preservation groups. Moreover, the volume of controversy is demonstrated by the level of public engagement and media interest.<sup>16</sup> Taken together, all of the factors point to the need for the Army Corps to prepare an EIS. Substituting a mere Environmental Assessment for an EIS based on a “Finding of No Significant Impact” constitutes legal error.

## CONCLUSION

The Preservation Society supports the City’s and Army Corps’ laudable goal of protecting residents, property, and infrastructure from storm surge, sea level rise, and flooding. However, the Army Corps has failed to apply the correct standard of review in developing the draft feasibility study and should start the permitting process from the beginning through the lens of Section 110(f) of the National Historic Preservation Act so that impacts to the Charleston Historic District and other historic properties can be properly addressed. In addition, the Army Corps should prepare an EIS as required by NEPA because of the magnitude of the proposed seawall project, level of public interest and controversy, and significant adverse effects that are anticipated on historic and cultural resources. Finally, if the Army Corps continues to propose a PA as a substitute for traditional Section 106 compliance, it should be revised to require compliance with Section 110(f) so that all possible planning will be taken to minimize harm.<sup>17</sup>

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<sup>15</sup> *Nat’l Parks Conservation Ass’n v. Semonite*, 916 F.3d 1075 (D.C. Cir. 2019); *Standing Rock Sioux Tribe v. U.S. Army Corps of Eng’rs*, 2020 U.S. Dist. LEXIS 51540 \*21 (D.D.C. 2020).

<sup>16</sup> See, e.g., Chloe Johnson, *Charleston faces an existential choice: Wall off the rising ocean or retreat to high ground*, THE POST AND COURIER (May 20, 2020), available at [https://www.postandcourier.com/rising-waters/charleston-faces-an-existential-choice-wall-off-the-rising-ocean-or-retreat-to-high-ground/article\\_f581b3a4-8edd-11ea-b5fa-ef8ba31c0a65.html](https://www.postandcourier.com/rising-waters/charleston-faces-an-existential-choice-wall-off-the-rising-ocean-or-retreat-to-high-ground/article_f581b3a4-8edd-11ea-b5fa-ef8ba31c0a65.html); Gilbert Gaul, *Fortress Charleston: Will Walling Off the City Hold Back the Waters?*, Yale Env. 360, May 5, 2020, available at <https://e360.yale.edu/features/fortress-charleston-will-walling-off-the-city-hold-back-the-waters/>; Drew Tripp, *Billion-dollar seawall around Charleston proposed to battle future hurricane storm surge*, ABC 4 News, Apr. 21, 2020, available at <https://abcnews4.com/news/local/billion-dollar-seawall-around-charleston-proposed-to-battle-future-hurricane-storm-surge/>; Tim Renaud, *Army Corps of Engineers considering perimeter wall to protect Charleston peninsula from sea level rise, storm surge*, Count On, Apr. 20, 2020, available at <https://www.counton2.com/news/local-news/charleston-county-news/army-corps-of-engineers-considering-nearly-8-mile-perimeter-wall-to-protect-charleston-peninsula-from-sea-level-rise-storm-surge/>; Rob Way, *City set to spend millions to fix, elevate the Battery’s seawall*, WCSC News, Oct. 21, 2019, available at <https://www.live5news.com/2019/10/21/city-set-spend-millions-fix-elevate-batterys-seawall/>. See additional commentary from Laura Cantral, *No Reason to Rush Project that Would Alter Charleston Forever*, THE POST AND COURIER (April 23, 2020) and William Stiles, Jr., *Advice from Norfolk to Charleston: Slow Roll the Flood Wall*, THE POST AND COURIER (May 23, 2020).

<sup>17</sup> See note 6, *supra*.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William J. Cook". The signature is fluid and cursive, with a long horizontal stroke at the end.

William J. Cook, Special Counsel (S.C. Bar No. 12183)

cc: Christopher Daniel, Advisory Council on Historic Preservation  
Jeff Durbin, Section 106 Compliance Officer, National Park Service  
Cynthia Walton, National Historic Landmarks Program Manager  
Eric Emerson, State Historic Preservation Officer, S.C. Dep't of Archives & History  
Sara Porsia, Attorney-Advisor, Office of the Solicitor, U.S. Department of the Interior

# EXHIBIT A



PRESERVATION  
ESTD SOCIETY 1920  
of CHARLESTON

June 19, 2020

US Army Corps of Engineers  
Charleston District Environmental & Planning Office  
69A Hagood Avenue  
Charleston, SC 29412

Re: Charleston Peninsula Coastal Flood Risk Management Study

To Whom It May Concern,

The Preservation Society respectfully submits these comments regarding the Army Corps' Tentatively Selected Plan for storm surge protection of the Charleston peninsula.

Founded in 1920, the Preservation Society is the oldest community-based historic preservation advocacy organization in the nation and currently represents approximately 1,300 members. In 1931, the Preservation Society was instrumental in persuading Charleston City Council to pass the first zoning ordinance enacted to protect historic resources in the nation. Much of the 138-acre Old and Historic District forms a substantial portion of the Charleston Landmark Historic District, a national designation of the highest level of significance. Over the past 100 years, our mission has widened to focus not only on preserving Charleston's historic built environment, but also quality of life for residents. The Preservation Society has a heightened interest in the proposed project, due to the direct impacts the sea wall will have on Charleston's livability and character.

The Preservation Society of Charleston has thoroughly reviewed the Draft Feasibility Report and Environmental Assessment, Draft Finding of No Significant Impact, and all related appendices, and presents the following concerns and recommendations:

**Historic Resources:** The plan acknowledges there will be adverse effects to historic resources, including potential harm from construction activity, as well as visual intrusions on the historic district that would diminish its significance and integrity. *In accordance with the provisions of the National Historic Preservation Act, we urge the Army Corps of Engineers to undertake any and all actions necessary to minimize harm to Charleston's Old and Historic District.*

**Visual Impacts:** The proposed sea wall and breakwater structure would permanently alter the views and relationship of the city to the water. To date, the Army Corps has provided no visual reference for what the wall will look like and how it will alter the quality of our experience of Charleston. *Before any decisions are made, we request that the Army Corps provide 3D data visualizations to help the community understand the magnitude of visual impacts caused by the sea wall and breakwater structure.*

**Maintenance and Operability:** The proposed wall would include an extensive network of floodgates that must be opened and closed for the wall to function. *We request that the Army Corps provide a detailed plan, with cost estimates, for the annual operations and maintenance of the proposed wall.*

PRESERVATION  
ESTD SOCIETY 1920  
of CHARLESTON

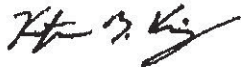
***Neighborhood Impacts:*** At present, neighborhoods like Rosemont, Bridgeview, and Gadsdenborough are outside of the wall's proposed boundaries, presenting significant accessibility and livability concerns for the residents of these areas. The plan must be fair and work for all. ***We urge the Army Corps to engage directly with residents of these neighborhoods and provide specific information as to how areas outside the wall will be affected in the event of a major storm, as well as how accessibility and mobility will be hindered when the system is closed.***

***Indirect Impacts:*** Similarly, the Army Corps has not yet presented models assessing the possible effects of deflected wave energy on neighboring areas like James Island, West Ashley and Mount Pleasant. ***We ask the Army Corps to undertake a thorough study to assess the adverse impacts to surrounding communities early in the process.***

***Dutch Dialogues:*** Our community recently undertook a major planning exercise with the Dutch Dialogues to determine optimal water management solutions for Charleston. The Final Report cautions against single-purpose solutions and hard edges that prevent the natural ebb and flow of Charleston's water systems. ***We call on the Army Corps to explain more fully how this proposal fits within the framework of the Dutch Dialogues recommendations and overall flood mitigation priorities for the city.***

Thank you for your consideration of these comments. We welcome the opportunity to discuss these recommendations with you further and stand ready to engage in refining the proposed approach to present the best solution for Charleston.

Sincerely,



Kristopher B. King  
Executive Director

# EXHIBIT B



## United States Department of the Interior



IN REPLY REFER TO:  
8.A.4 (SER CRD)

NATIONAL PARK SERVICE  
Southeast Regional Office  
Atlanta Federal Center  
1924 Building  
100 Alabama St., SW.  
Atlanta, Georgia 30303

Nathaniel I. Ball  
Special Projects Branch  
U.S. Army Corps of Engineers  
69-A Hagood Avenue  
Charleston, South Carolina 29403

NOV 16 2015

Dear Mr. Ball:

Thank you for organizing the consulting parties meeting on October 22, 2015. We value the opportunity to hear from other consulting parties and look forward to future discussions. We would appreciate any transcripts or meeting minutes that may have been produced. If possible we would also like copies of the PowerPoint presentations that were given.

Following the meeting we received your request of October 26, 2015, to provide written comments about the Area of Potential Effect and the effects of the proposed project on historic properties. Our comments on this subject are offered below.

The Secretary of the Interior designated the Charleston National Historic Landmark District in 1960 for the district's significance in American social, political, and architectural history. The Secretary has also designated numerous individual properties within the Charleston district as National Historic Landmarks. Within or adjacent to the Charleston district are thirty-four National Historic Landmarks (please see attachment). This concentration of nationally significant historic properties makes Charleston a particularly important place in illustrating American history. In addition to National Historic Landmarks, Fort Sumter National Monument, a unit of the National Park Service, sits on a man-made island in the Charleston Harbor within view of the Charleston district.

Along with our National Parks, National Historic Landmarks are considered to be the most important historic properties in the United States. Upon designation by the Secretary of the Interior, National Historic Landmarks are automatically listed in the National Register of Historic Places and therefore included in the review of federal undertakings that are subject to Section 106 of the National Historic Preservation Act. Section 110(f) of the National Historic Preservation Act and the Section 106 regulations contain provisions that set a higher standard of consideration and care for National Historic Landmarks (54 U.S.C. 306107 and 36 CFR 800.10).

The National Park Service oversees the National Historic Landmarks Program and is committed to preserving the integrity of National Historic Landmarks. The National Park Service's 1999 *National Register Bulletin: How to Prepare National Historic Landmark Nominations*, defines integrity as "the ability of an historic property to convey its historical associations or attributes." The National Historic Landmarks program uses the same seven aspects of integrity as the National Register: location, design, setting, materials, workmanship, feeling, and association. Whereas National Register properties must merely have good integrity; to achieve and retain their National Historic Landmark designation, historic properties must possess most of these aspects to a **high** degree. A high degree of integrity enables a historic property to convey both why a property is significant (NHL criteria) and when it was significant (period of significance) (*NHL Bulletin* page 36).

Charleston's role as an important seaport during its period of significance makes the district's relationship to the harbor particularly important to conveying its historic significance and to its ability to illustrate its period of significance. The integral relationship between the development of Charleston and its relationship to the harbor make integrity of setting, association, and feeling critical. Although we understand that Charleston was historically a port city and ship traffic is part of its history, we are nevertheless concerned about the potential effects of new types of ship traffic and new patterns of use.

The effects of new pier facilities on the views from and to the Charleston National Historic Landmark District are a major concern as they have the potential to significantly diminish integrity of setting, association, and feeling. We are especially concerned that large ships might dominate the historic district's low skyline. The Charleston National Historic Landmark District sits on a flat peninsula, which allows for ships in the harbor to be seen from quite a long distance. In addition to views from the district to the harbor, we are concerned about views towards the district.

We are particularly concerned about views from Fort Sumter National Monument towards Charleston. Because of its strategic location in Charleston Harbor and its role as a symbol of secession, Fort Sumter was heavily bombarded and eventually reduced to ruins. As the place most closely associated with the beginning of the Civil War, Fort Sumter has a prominent role in national movements to commemorate, interpret, and memorialize the period. Today visitors travel to Fort Sumter to better understand the military, political, and social history of the American Civil War. Views are critical to the historical understanding of Fort Sumter. As explained in the park's draft Foundation Document:

*Views to and from Forts Sumter and Fort Moultrie illustrate the strategic locations of these fortifications as well as their connection to the City of Charleston. Fort Sumter remains an iconic landmark within Charleston and maintaining the sight lines and views between the fort and the city are critical. While new development and changing shipping traffic may intrude on the historic vistas, local landmarks such as the many church steeples in Charleston and the city's waterfront are fundamental elements of the visitor experience. These views and vistas around Charleston harbor, as with those of the Sullivan's Island Lighthouse, are also important to the maritime history of the region.*

We recommend the Army Corps take into account all sight lines between historic properties, particularly Fort Sumter and the Charleston National Historic Landmark District. The Area of

Potential Effect should include all locations where ships using the proposed terminal and associated activities may be visible.

In addition to concerns over potential visual effects we are concerned about noise that may result from ships. We understand that ships may sound their horns when in the harbor or in port and when in port onboard activities (i.e., announcements over the ship's public address system, and live or recorded music) may be heard from land. We believe audible intrusions have the potential to further diminish the integrity of setting of historic properties. Audible intrusions are of particular concern with regard to Fort Sumter National Monument, which was set aside by Congress as a ". . . national memorial to commemorate historical events at or near Fort Sumter." Maintaining the quietude needed for contemplation is important to retaining the site's historically significant commemorative atmosphere. The park's draft Foundation Document articulates the importance of the solemnity of the site:

*Fort Sumter National Monument, which includes two forts where significant fighting occurred during the American Civil War, provides an opportunity for visitors to reflect on the complexities of this conflict in a somber and reverent place. Dedicated as a national monument, Fort Sumter has become a symbol of the turmoil and destruction caused by the Civil War. In the American Revolution, fighting occurred at Fort Moultrie, especially the grassy field located in front of the current fort. Contributing to this sense of solemnity, the park contains a number of markers including the Major Anderson flag monument, the Confederate defenders plaque, the Union Garrison Monument, and USS Patapsco memorial. Fort Sumter National Monument strives to be a venue where the causes and consequences of this critical moment in our nation's history can be explored and understood. Maintaining this sense of solemnity is an important goal that guides management decisions and the appropriateness of activities at the park.*

We recommend that the Area of Potential effect extend to all locations where ships and associated activities may be audible.

We believe that increased ship traffic will likely result in increased car traffic within the historic district. Increased car traffic and changing traffic patterns have the potential to affect the historic NHL district. Not only may increased traffic diminish the setting of the district, but it may necessitate widening of roads, installation of signs, and improvements to other associated infrastructure. We recommend that the Army Corps of Engineers study potential changes to car traffic including increased numbers of vehicles and changes to traffic patterns, and include in the Area of Potential Effect any areas that may face increasing car traffic and changing traffic patterns.

We are also concerned about atmospheric changes related to the impact of ship engine exhaust on air quality in the historic district. At the October 22 consultation meeting, neighborhood residents specifically cited their concerns about ship engine exhaust, which may deposit contaminants onto historic buildings and require increased frequency of abrasive cleaning. NPS Preservation Brief 6: *Dangers of Abrasive Cleaning to Historic Buildings* outlines the dangers of this practice. Historic properties are expensive to maintain and the need for additional maintenance may prove too burdensome for some stewards. For these reasons, we encourage the Army Corps of Engineers to study the potential air quality implications of increased ship traffic and include within the Area of Potential Effect any areas that may see a reduction in air quality.

Although our comments are focused on National Historic Landmark and National Park Service-administered properties, we are aware of other National Register-listed and National Register-eligible properties in the area. The Army Corps must also take these properties into account. This includes the Charleston Old and Historic National Register District and the area proposed for inclusion in the district in 1989, which was formally determined National Register-eligible by the Keeper of the National Register, but was not listed because of owner objection.

We look forward to working with you as the process continues. Please direct correspondence to Cynthia Walton at the address shown in the letterhead, or by email to [Cynthia\\_Walton@nps.gov](mailto:Cynthia_Walton@nps.gov). Ms. Walton can be reached by telephone at (404) 507-5792.

Sincerely,



<sup>FAR</sup>  
Sherri Fields  
Deputy Regional Director  
National Park Service, Southeast Region

cc:

W. Eric Emerson, PhD, State Historic Preservation Officer, South Carolina (via email)  
Charlene Dwin Vaughn, Assistant Director, Advisory Council on Historic Preservation (via email)  
Will Cook, Associate General Counsel, National Trust For Historic Preservation (via email)  
Winslow Hastie, Chief Preservation Officer, Historic Charleston Foundation (via email)  
Christopher Cody, Manager of Advocacy, Historic Charleston Foundation (via email)  
Tim Stone, Superintendent, Fort Sumter NM (via email)  
Ben West, Chief of Planning, National Park Service, SER (via email)

**National Historic Landmarks within or near Charleston National Historic Landmark District**

1. William Aiken House and associated Railroad Structures (NHL 1963)
2. William Blacklock House (NHL 1973)
3. Miles Brewton House (NHL 1960)
4. Robert Brewton House (NHL 1960)
5. USS Clamagore (NHL 1989)
6. College of Charleston (NHL 1971)
7. Exchange and Provost (NHL 1973)
8. Farmers' and Exchange Bank (NHL 1973)
9. Fireproof Building (NHL 1973)
10. William Gibbes House (NHL 1970)
11. Dubose Heyward House (NHL 1971)
12. Heyward-Washington House (NHL 1970)
13. Hibernian Hall (NHL 1973)
14. Huguenot Church (NHL 1973)
15. Kahal Kadosh Beth Elohim (NHL 1980)
16. USS Laffey (NHL 1986)
17. Joseph Manigault House (NHL 1973)
18. Market Hall and Sheds (NHL 1973)
19. Clark Mills Studio (NHL 1965)
20. Old Marine Hospital (NHL 1973)
21. Parish House of the Circular Congregational Church (NHL 1973)
22. Powder Magazine (NHL 1989)
23. Robert Barnwell Rhett House (NHL 1973)
24. Robert William Roper House (NHL 1973)
25. Nathaniel Russell House (NHL 1973)
26. Edward Rutledge House (NHL 1971)
27. John Rutledge House (NHL 1973)
28. Saint Michael's Episcopal Church (NHL 1960)
29. Saint Phillip's Episcopal Church (NHL 1973)
30. Simmons-Edwards House (NHL 1973)
31. Colonel John Stuart House (NHL 1973)
32. Unitarian Church (NHL 1973)
33. Denmark Vesey House (NHL 1976)
34. USS Yorktown (NHL 1986)





# United States Department of the Interior



## NATIONAL PARK SERVICE

Atlanta Federal Center

1924 Building

100 Alabama Street, SW

Atlanta, GA 30303

IN REPLY REFER TO:

1.A.2 (SERO-PC)

Ms. Nancy Parrish  
Chief, Planning and Environmental Branch  
U.S. Army Corps of Engineers, Charleston District  
69 A Hagood Avenue  
Charleston, SC 29403

Dear Ms. Parrish:

The National Park Service (NPS) has reviewed the U.S. Army Corps of Engineers (USACE) Coastal Flood Risk Management Study, Draft Feasibility Report/Environmental Assessment (FR/EA) for the Charleston Peninsula, South Carolina. The USACE and the City of Charleston are sponsoring this study, and USACE is the lead agency under the National Environmental Policy Act (NEPA). The Charleston Peninsula is approximately eight square miles, located on the coast of South Carolina between the Ashley and Cooper Rivers. The study objectives are to reduce risk to human health and safety from coastal storm surge inundation and to reduce economic damages resulting from coastal storm surge inundation on the Charleston Peninsula through year 2075.

The Charleston Peninsula contains multiple National Historic Landmarks (NHL), including the Charleston NHL District, which encompasses the lower half of the Charleston Peninsula. NHLs are automatically listed in the National Register of Historic Places (NRHP) and therefore included in the review of federal undertakings that are subject to Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended. Section 110(f) of the NHPA and the Section 106 regulations contain provisions that set a higher standard of consideration and care for NHLs (54 U.S.C. 306107 and 36 CFR 800.10). Due to the presence of multiple NHLs within the area of potential effect for this project, the NPS is a consulting party on this undertaking in accordance with Section 106 of the NHPA (54 U.S.C. 306108). A draft Programmatic Agreement (PA) was provided for NPS review as part of Section 106 consultation.

Fort Sumter and Fort Moultrie National Historical Park is located in and around the harbor of Charleston, South Carolina. It consists of four geographically separate areas: (1) Fort Sumter, an island fort situated at the entrance of Charleston Harbor; (2) Fort Moultrie, located one mile northeast of the entrance of the harbor on Sullivan's Island; (3) the U.S. Coast Guard Historic District on Sullivan's Island, which contains the park's maintenance facility and employee housing located approximately 0.8 mile east of Fort Moultrie; and (4) Liberty Square, a downtown Charleston location that is home to the park's visitor education center and tour boat facility.

The NPS also evaluates federal actions which may impact National Park System units with respect to our obligations under the NPS Organic Act which requires the NPS, “to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations.” The NPS offers the following general and specific comments on the FR/EA and draft PA:

### **General Comments**

Seven alternatives were initially considered. Two alternatives and a no action alternative were carried forward in the FS/EA. Alternative 3 has been identified as the National Economic Development and Tentatively Selected Plan. The study identifies minimizing adverse effects to the historic district and other historic properties as one of the constraints of the project.

Adverse effects are anticipated for historic and cultural resources including potential acquisition, demolition, modification of historic structures; viewshed and sightline impacts to historic districts and disturbance of terrestrial and submerged archaeological sites. Construction of a storm surge wall and wave attenuator would change the views of the harbor, where Fort Sumter sits, from the Charleston Peninsula and conversely of the Peninsula from the water and from Fort Sumter. According to the FS/EA this adverse effect is a known or expected point of controversy. A preliminary visual resource analysis has been provided and the analysis is expected to be refined during the feasibility design phase and used to inform potential measures to minimize adverse effects.

Views to and from Fort Sumter and Fort Moultrie illustrate the strategic locations of these fortifications as well as their connection to the City of Charleston. Fort Sumter remains an iconic landmark within Charleston and maintaining the sight lines and views between the fort and the city are critical. While new development and changing shipping traffic may intrude on the historic vistas, local landmarks such as the many church steeples in Charleston and the city’s waterfront are fundamental elements of the visitor experience. These views and vistas around Charleston harbor, as with those of the Sullivan’s Island Lighthouse, are also important to the maritime history of the region. The NPS offers several comments related to the need for additional assessment of visual impacts from the project.

### **Specific Comments on the FR/EA**

- Will there be viewshed modeling conducted from Fort Sumter and Fort Moultrie to determine potential viewshed impacts from the proposed storm wall, wave attenuating feature or other structures? These are National Register locations that could be affected but are outside of the current area of potential effect identified in the EA. Fort Sumter and Fort Moultrie are an integral part of the Charleston Historic District viewshed. NPS recommends that the area of potential effect be extended to include these sites and additional viewshed analysis be undertaken to address the concerns described previously.
- The viewshed modeling needs to include the wave attenuation feature from areas currently outside of APE, specifically Fort Sumter. Although Fort Sumter is slightly over three miles from the High Battery, a 16-foot high barrier that is 4,000 feet long and an undetermined width could potentially have significant impacts to the historic viewshed. During the design phase please consider design materials, such as granite block, that would visually tie the

wave attenuation system in with surrounding features, which could reduce impacts to the viewshed.

- The storm wall location depicted on maps are for planning purposes and the exact location to construct the wall has not yet been determined. However, the Fort Sumter Visitor Education Center at Liberty Square is near the end of the wall shown on the maps in the EA. What would the potential impacts be from storm surge wave action to structures in proximity to the storm wall? Will buildings “outside” of the wall receive greater impact because wave action can’t dissipate inland? What are the anticipated effects from diversion of storm surge to potentially impact other historic properties or NPS sites? NPS recommends identification of these impacts in an updated EA.

### **Specific Comments on the draft PA**

The PA will allow USACE to complete the archaeological surveys during the preconstruction, engineering and design phase and to allow for additional inventories and mitigation to be completed after structural and nonstructural measures have been clearly defined and sited. The draft PA has been sent to the State Historic Preservation Office, Advisory Council on Historic Preservation and consulting parties for review.

The PA contains no provisions for a higher standard of care for NHLs. There are multiple individual NHLs as well as the Charleston NHL District on the Charleston Peninsula. Provisions should be made to address adverse impacts to individual NHLs, there is a least one NHL, the Exchange and Provost Building at the corner of East Bay and Broad Streets that is theoretically in view of the proposed sea wall. Additionally, there should be some acknowledgement that the district is an NHL and the USACE has an obligation to exercise a higher standard of care under Section 110(f).

Page 1

- The Area of Potential Effect should be expanded to include areas from which the sea wall, wave attenuating feature, and other changes as a result of the undertaking are visible. Visual alterations to the historic district may change the character of the historic property (district). Visual simulations may be necessary to assess effects.

Page 2

- NPS should be an invited signatory, not a signatory.

Page 5

- General: The term “architectural historic properties” is potentially limiting and confusing. Consideration should be given to using different terminology that makes clear all above ground National Register property types (buildings, structures, objects, sites, districts), are included. There are historic circulation networks, walls, parks and other features that may not be easily understood as an “architectural historic property.”
- Is 36 CFR Part 61 the correct citation?

- Depending on the historic property, construction of a structure greater than 10 feet may result in an adverse effect. How was this height and distance selected? Additionally, safety features on the wave attenuating feature and the combo-wall, such as safety lights, may be potentially visible from great distances at night. Visual simulations may be necessary to assess effects.

Page 6

- Raising Elevation: Raising the elevation of an NRHP listed or eligible property, or property contributing to a listed or NRHP eligible historic district *may be an adverse effect*. It should be made clear that the effects to the individual building as well as the surrounding district should be assessed.
- Mitigation: “*No construction affecting...*” is construction the correct word as demolition is not construction?
- Mitigation: consider changing “architectural resources” to above ground historic properties as defined by 36 CFR 800.16.

Page 7

- General: You can replace HABS/HALS with Heritage Documentation Programs (HDP) as this encompasses all documentation programs (HABS/HAER/HALS).
- 1.1: Please clarify, by “resources under NPS authority” do you mean the federally owned land managed by NPS, i.e. Fort Sumter and Fort Moultrie National Historical Park?
- 1.2 and throughout: As the federal agency responsible for administering the Historic Documentation Program (HABS/HAER/HALS), NPS wishes to be involved in determining the “level” of documentation for all properties, not just properties under NPS authority. Additionally, the NPS wishes to be given the opportunity to provide detailed guidance on the development of individual scopes of work to ensure documentation meets standards of the HDP and can be accepted by the Library of Congress.

Page 8

- Cumulative Effects: Do the previous mitigation measures really address cumulative effects as those are case by case basis. You may consider HALS documentation before the project begins and the proposed interpretive signage as it progresses.
- Final Documents: The Historic Documentation Programs have specific recordation requirements and these need to be submitted to NPS for review and transmittal to the Library of Congress: <https://www.nps.gov/hdp/standards/Transmittal.pdf>

Page 9

- Documentation Standards: Reference is made to Virginia guidelines, should be changed to South Carolina.

We look forward to working with you on this project and identifying ways to avoid and minimize impacts to resources of concern. Please contact Cynthia Walton, Acting Branch Chief, Cultural Resources, Research and Science, NPS Interior Region 2 at (404) 507-5792 or [Cynthia Walton@nps.gov](mailto:Cynthia_Walton@nps.gov); or Anita Barnett, Planning and Compliance Division, NPS Interior Region 2 at (404) 507-5706 or [Anita Barnett@nps.gov](mailto:Anita_Barnett@nps.gov) if you have any questions regarding our comments.

Sincerely,

**KAREN**

**CUCURULLO**

Karen L. Cucurullo  
Acting Regional Director

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CUCURULLO  
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DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

November 23, 2020

Dr. W. Eric Emerson, Ph.D.  
Director  
South Carolina Department of Archives and History  
8301 Parklane Road  
Columbia, South Carolina 29223

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina (SHPO No.: 18-EJ0131)

Dear Dr. Emerson:

The U.S. Army Corps of Engineers, Charleston District (Corps), in conjunction with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Subsequent meetings have outlined the optimized tentatively selected plan for the Project to include a storm surge wall along the perimeter of the peninsula, interior drainage facilities, and nonstructural measures. The proposed storm surge wall will measure 12 feet NAVD88 and tie into high ground as appropriate, including the existing Battery Wall (Figure 1). Due to its age and uncertainty about the integrity of the structure, the High Battery Wall will be reconstructed to meet Corps construction standards and raised to provide a consistent level of performance. The storm surge wall also includes multiple pedestrian, vehicle, railroad, boat, and storm (tidal flow) gates. Typically, the gates would remain open, and would be closed when the National Weather Service predicts major flooding for the Charleston Peninsula. Sections of the new wall would be fitted with walkways and railings to provide recreation opportunities. Where possible, designs will be modified to adhere to the visual aesthetic of the city. The location of drainage facilities, such as permanent and temporary pump stations, will be identified during the preconstruction, engineering and design (PED) phase of the Project. Additionally, nonstructural measures such as relocations, buyouts, elevations, and floodproofing will also be determined during the PED phase.

Based on comments provided by your office and other consulting parties, the Corps has refined the area of potential effects (APE) to include four separate areas where the Corps will consider potential effects to historic properties as a result of the Project (Figures 2 and 3). Please note that these APEs are based on a feasibility level analysis. Once project features are designed in the PED phase, the APEs may be subject to change through consultation with your office. Construction effects, to include demolition, vibration, and auditory effects, will be considered within a 200-foot radius centered from the proposed storm surge wall (see Figure 2). Effects of non-structural measures will be considered at three locations on the north end of the peninsula (see Figure 2). Due to location of the storm surge wall on the periphery of the peninsula and the nature of the city layout, potential visual impacts will be considered at two different viewsheds; the exterior peninsula viewshed (historic properties that view the peninsula from across the Ashley and Cooper rivers), and the interior peninsula viewshed (historic properties located on the peninsula with a view of the storm surge wall). Visual APEs were determined through consultation with your office, geographic information system (GIS) analysis, and field reconnaissance of both viewsheds. Table 1 presents all previously identified cultural resources within the APEs based on information available from the South Carolina State Historic Preservation Office. Effects to archaeological sites will only be considered within the construction effects APE. The Corps has determined there is no potential to effect archaeological resources outside of this APE.

With regards to the exterior peninsula viewshed, the storm surge wall is likely to be observed from the perimeter of the land surrounding the peninsula; however, views are currently obscured within 100 to 300 feet inland by existing structures and vegetation (see Figure 3). Historic properties within the exterior peninsula viewshed includes Fort Sumter National Monument, Moultrieville Historic District, Castle Pickney, Mount Pleasant Historic District, Old Charles Towne, USS Yorktown, USS Clamagore, and USS Laffey. Due to the highly urbanized environment, street layout, and topography of the Charleston Peninsula itself, the interior peninsula viewshed is limited to those structures immediately facing the proposed wall or those structures along street corridors up to 1000 feet from the proposed wall. Although the viewshed of the majority of historic properties within the Charleston Peninsula will not be effected by the Project, National Historic Landmarks such as the Charleston Old and Historic District, Robert William Roper House, Miles Brewton House, Exchange and Provost, and the Market Hall and Sheds are located within the interior Peninsula viewshed APE. The Corps recognizes its responsibility to avoid and minimize effects to these historic properties pursuant to Section 106 and Section 110 of the NHPA. The forthcoming revised draft Programmatic Agreement, of which your office has agreed to be a signatory, will outline methods of avoidance, minimization, and, if necessary, mitigation to historic properties.

The Corps also recognizes that additional efforts are required to identify historic properties within these APEs. The Programmatic Agreement will further outline methods to identify and assess effects to historic properties through consultation with the consulting parties.

As part of the continuation of consultation for the Project the Corps kindly requests your comments on the proposed area of potential effects within 30 days from receipt of this letter. A revised draft Programmatic Agreement is scheduled to be available for review in January 2021. The Corps expects to host a meeting after a 30-day review period of the revised draft Programmatic Agreement to discuss additional comments. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at Meredith.A.Moreno@usace.army.mil.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



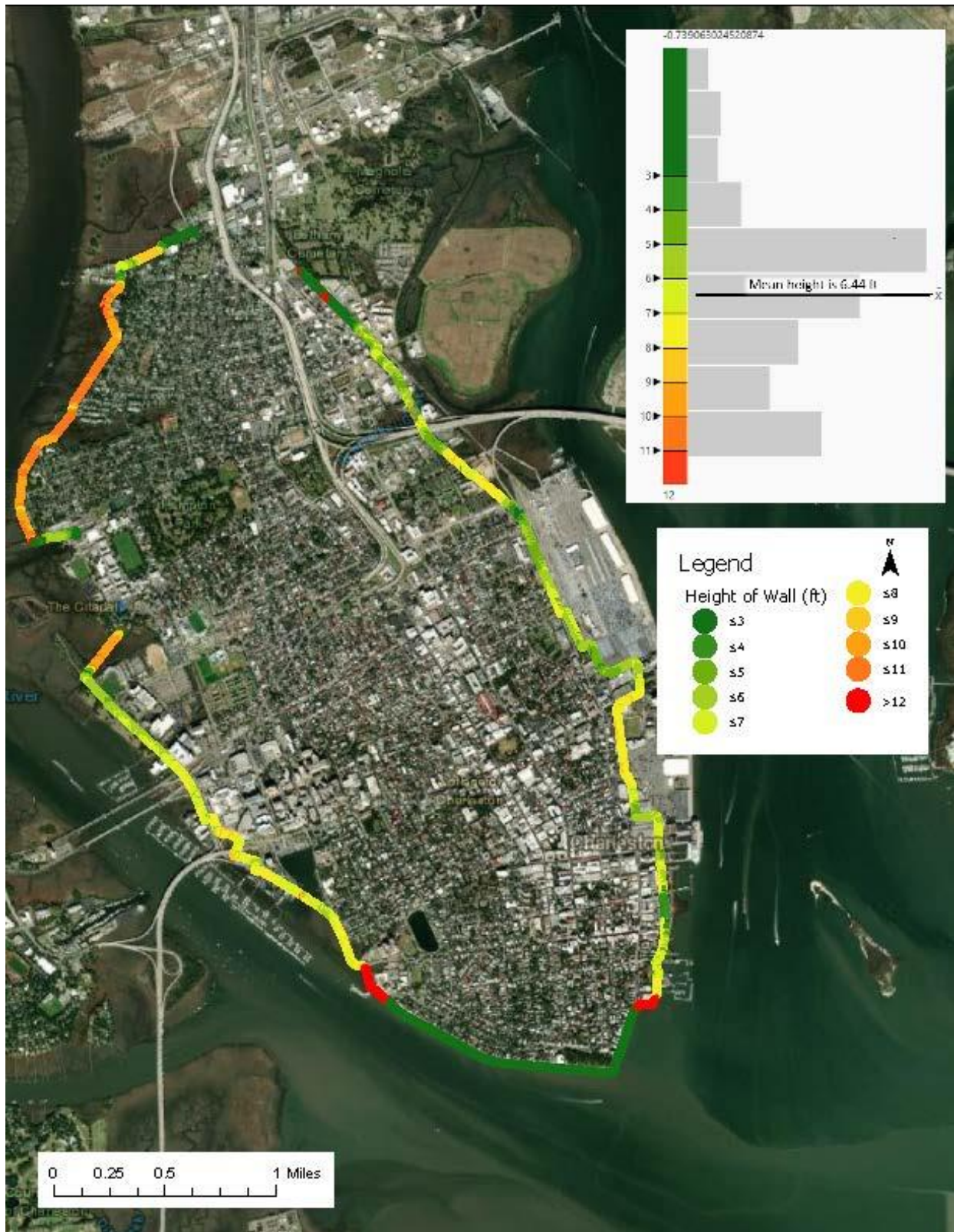


Figure 1. Height of the proposed storm surge wall.



Figure 2. Charleston Peninsula Coastal Flood Risk Management Study APEs.

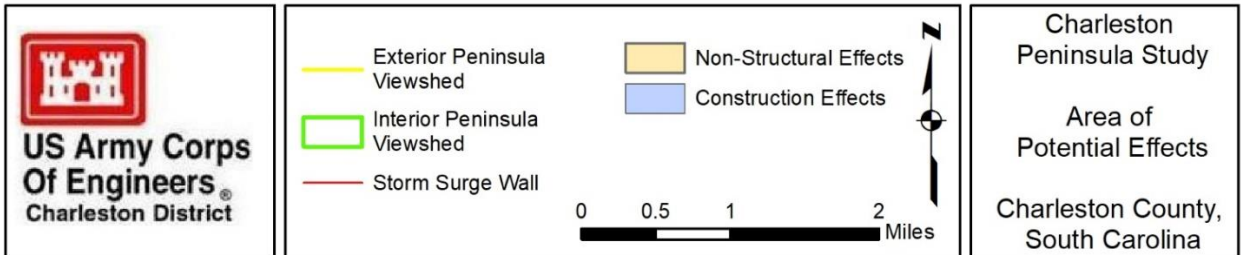
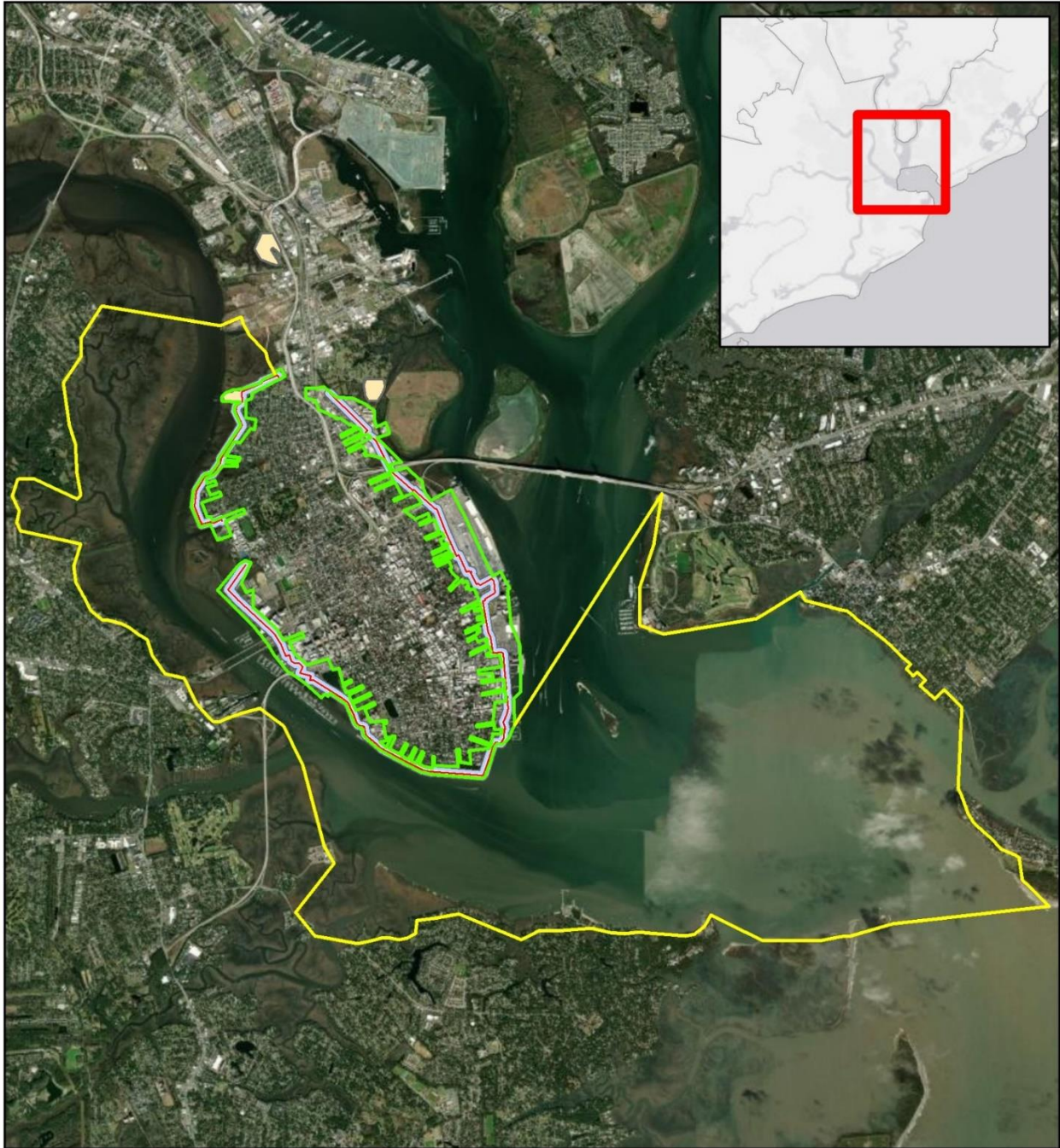


Figure 3. Charleston Peninsula Coastal Flood Risk Management Study APEs.

Table 1. Cultural Resources within the Project APEs.

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
38CH0701	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
38CH0700	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
Lowndes Grove	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
West Point Rice Mill	Interior Peninsula Viewshed	Structure	Listed
Unnamed/Halsey Blvd. (Site No. 5858)	Construction Effects, Interior Peninsula Viewshed	Historic Area	Eligible
Operations Maintenance Shop/9 Chisolm Street (Site No. 089-6458)	Interior Peninsula Viewshed	Structure	Contributes to Eligible District
Thomas H. Jr. Army Reserve Training Center/9 Chisolm Street (Site No. 089-6457)	Interior Peninsula Viewshed	Structure	Eligible
1-11 Ashley Boulevard	Interior Peninsula Viewshed	Structure	Destroyed
205 Broad Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
US Light House Service Sixth District Office Building/196 Tradd Street (Site No. 089-6454)	Interior Peninsula Viewshed	Structure	Eligible
Chisolm's Rice Mill Storage Building/196 Tradd Street (Site No. 089-6455)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Andrew B. Murray Vocational School/3 Chisolm Street	Interior Peninsula Viewshed	Structure	Listed
Charleston Old and Historic District (Boundary Increase)	Construction Effects, Interior Peninsula Viewshed	District	Listed/NHL
Proposed expansion to Charleston Historic District	Construction Effects, Interior Peninsula Viewshed	District	Eligible
Robert William Roper House/9 E. Battery Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed/NHL
Miles Brewton House/27 King Street	Interior Peninsula Viewshed	Structure	Listed/NHL
3 Water Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
38CH1673	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
3 Meeting Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
1 Meeting Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
U.S. Customhouse/200 E. Bay Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Exchange and Provost/ E. Bay and Broad Streets	Interior Peninsula Viewshed	Structure	Listed/NHL
38CH1606	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Eligible
9 Middle Atlantic Wharf	Interior Peninsula Viewshed	Structure	Contributes to Listed District
Dutarque-Guida House/105 East Bay Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
Fleet Landing Building/186 Concord Street	Interior Peninsula Viewshed	Structure	Eligible
4 Vendue Range	Construction Effects, Interior Peninsula Viewshed	Structure	Contributes to Listed District
Charleston's French Quarter District	Interior Peninsula Viewshed	District	Listed
Market Hall and Sheds	Interior Peninsula Viewshed	Structure	Listed/NHL
38CH1486	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Not Eligible
38CH1910	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Not Eligible
Charlotte Street Power Plant	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Presqu'île/2 Amherst Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Josiah Smith Tennent House	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Columbus Street Elementary/63 Columbus Street (Site No. 4256)	Interior Peninsula Viewshed	Structure	Eligible
Faber House; Hametic Hotel/635 East Bay Street (Site No. 0276)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Cigar Factory	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
East Bay Elementary/805 Morrison Drive (Site No. 4257)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Charleston Cemeteries Historic District	Construction Effects	District	Listed
USS Yorktown	Exterior Peninsula Viewshed	Structure	Listed/NHL
USS Clamagore	Exterior Peninsula Viewshed	Structure	Listed/NHL
USS Laffey	Exterior Peninsula Viewshed	Structure	Listed/NHL

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
Castle Pinckney	Exterior Peninsula Viewshed	Structure	Listed
Mount Pleasant Historic District	Exterior Peninsula Viewshed	District	Listed
Moultrieville Historic District	Exterior Peninsula Viewshed	District	Listed
Fort Sumter National Monument	Exterior Peninsula Viewshed	National Monument	Listed
King House/1040 5 <sup>th</sup> Avenue (Site No. 7927)	Exterior Peninsula Viewshed	Structure	Eligible
Site of Old Charles Towne	Exterior Peninsula Viewshed	Multicomponent	Listed

\*Only archaeology sites within Construction Effects APE included.



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

December 10, 2020

The Honorable David Bernhardt  
Secretary of the Interior  
National Historic Landmarks Program  
1849 C Street NW, Mail Stop 7228  
Washington, DC 20240

Re: Charleston Peninsula Coastal Flood Risk Management Study, Charleston County,  
South Carolina

Dear Honorable Secretary Bernhardt:

The U.S. Army Corps of Engineers, Charleston District (Corps), is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. As part of the Project, the Corps has identified a tentatively selected plan which proposes construction of a storm surge wall along the perimeter of the peninsula, interior drainage facilities, and nonstructural measures. The proposed storm surge wall will measure 12 feet NAVD88 and tie into high ground as appropriate, including the existing Battery Wall (Figure 1). Due to its age and uncertainty about the integrity of the structure, the High Battery Wall will be reconstructed to meet Corps construction standards and raised to provide a consistent level of performance. The storm surge wall also includes multiple pedestrian, vehicle, railroad, boat, and storm (tidal flow) gates. Typically, the gates would remain open, and would be closed when the National Weather Service predicts major flooding for the Charleston Peninsula. Sections of the new wall would be fitted with walkways and railings to provide recreation opportunities. Where possible, designs will be modified to adhere to the visual aesthetic of the city. The location of drainage facilities, such as permanent and temporary pump stations, will be identified during the preconstruction, engineering and design (PED) phase of the Project. Additionally, nonstructural measures such as relocations, buyouts, elevations, and floodproofing will also be determined during the PED phase.

The area of potential effects (APE) for this Project includes four separate areas where the Corps will consider potential effects to historic properties as a result of the Project (Figures 2 and 3). Please note that these APEs are based on a feasibility level analysis. Once project features are designed in the PED phase, the APEs may be subject to change.

Construction effects, to include demolition, vibration, and auditory effects, will be considered within a 200-foot radius centered from the proposed storm surge wall (see Figure 2). Effects of non-structural measures will be considered at three locations on the north end of the peninsula (see Figure 2). Due to location of the storm surge wall on the periphery of the peninsula and the nature of the city layout, potential visual impacts will be considered at two different viewsheds; the exterior peninsula viewshed (historic properties that view the peninsula from across the Ashley and Cooper rivers), and the interior peninsula viewshed (historic properties located on the peninsula with a view of the storm surge wall). Visual APEs were determined through consultation with the South Carolina State Historic Preservation Officer (SHPO), the National Park Service, the Advisory Council on Historic Preservation, and other interested parties. Geographic information system (GIS) analysis, and field reconnaissance of both viewsheds was also conducted.

With regards to the exterior peninsula viewshed, the storm surge wall is likely to be observed from the perimeter of the land surrounding the peninsula; however, views are currently obscured within 100 to 300 feet inland by existing structures and vegetation (see Figure 3). Due to the highly urbanized environment, street layout, and topography of the Charleston Peninsula itself, the interior peninsula viewshed is limited to those structures immediately facing the proposed wall or those structures along street corridors up to 1000 feet from the proposed wall. Table 1 presents all previously identified cultural resources within the APEs based on information available from the SHPO. Effects to archaeological sites will only be considered within the construction effects APE. The Corps has determined there is no potential to effect archaeological resources outside of this APE; however, multiple National Historic Landmarks (NHL), including the Charleston Old and Historic District are located within the viewshed.

Based on the location of the APE, the Project has the potential to adversely affect NHLs. Pursuant to 36 C.F.R. § 800.10, the Corps is inviting the Secretary to participate in consultation regarding these effects and as an invited signatory to a forthcoming Programmatic Agreement for compliance with Section 106 of the National Historic Preservation Act (NHPA). The Corps recognizes its responsibility to avoid and minimize effects to these historic properties pursuant to Section 106 and Section 110 of the NHPA. The forthcoming revised draft Programmatic Agreement will outline methods of avoidance, minimization, and, if necessary, mitigation to historic properties. The Corps also recognizes that additional efforts are required to identify historic properties within these APEs. The Programmatic Agreement will further outline methods to identify and assess effects to historic properties through consultation with the consulting parties.



Pursuant to Section 106 and Section 110 of the NHPA, the Corps kindly requests your comments on the proposed area of potential effects within 30 days from receipt of this letter. A revised draft Programmatic Agreement is scheduled to be available for review in January 2021. The Corps expects to host a meeting after a 30-day review period of the revised draft Programmatic Agreement to discuss additional comments. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls

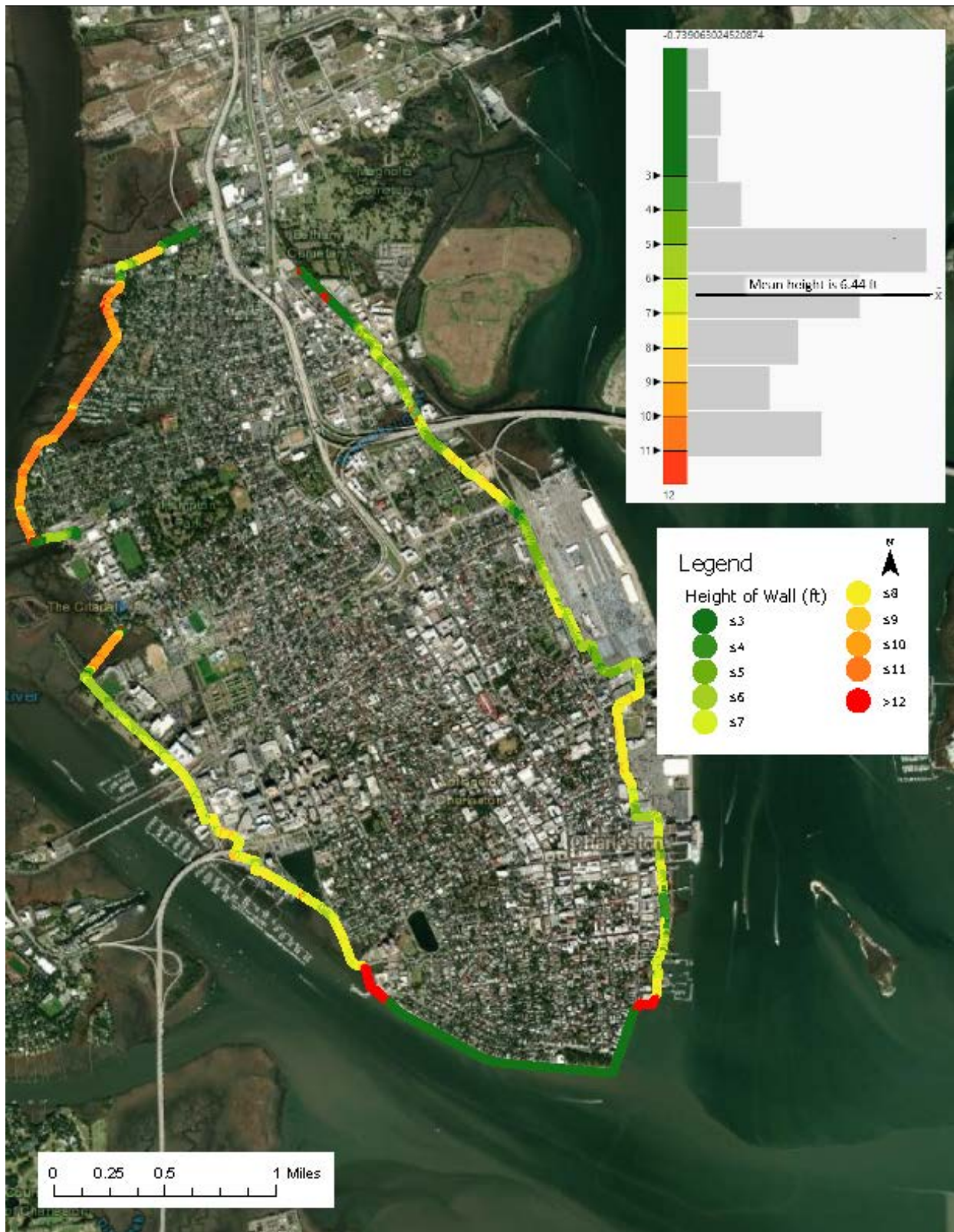


Figure 1. Height of the proposed storm surge wall.



Figure 2. Charleston Peninsula Coastal Flood Risk Management Study APEs.

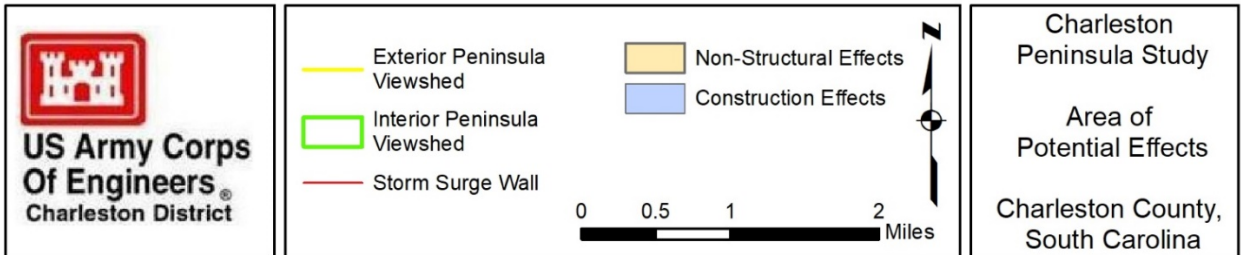
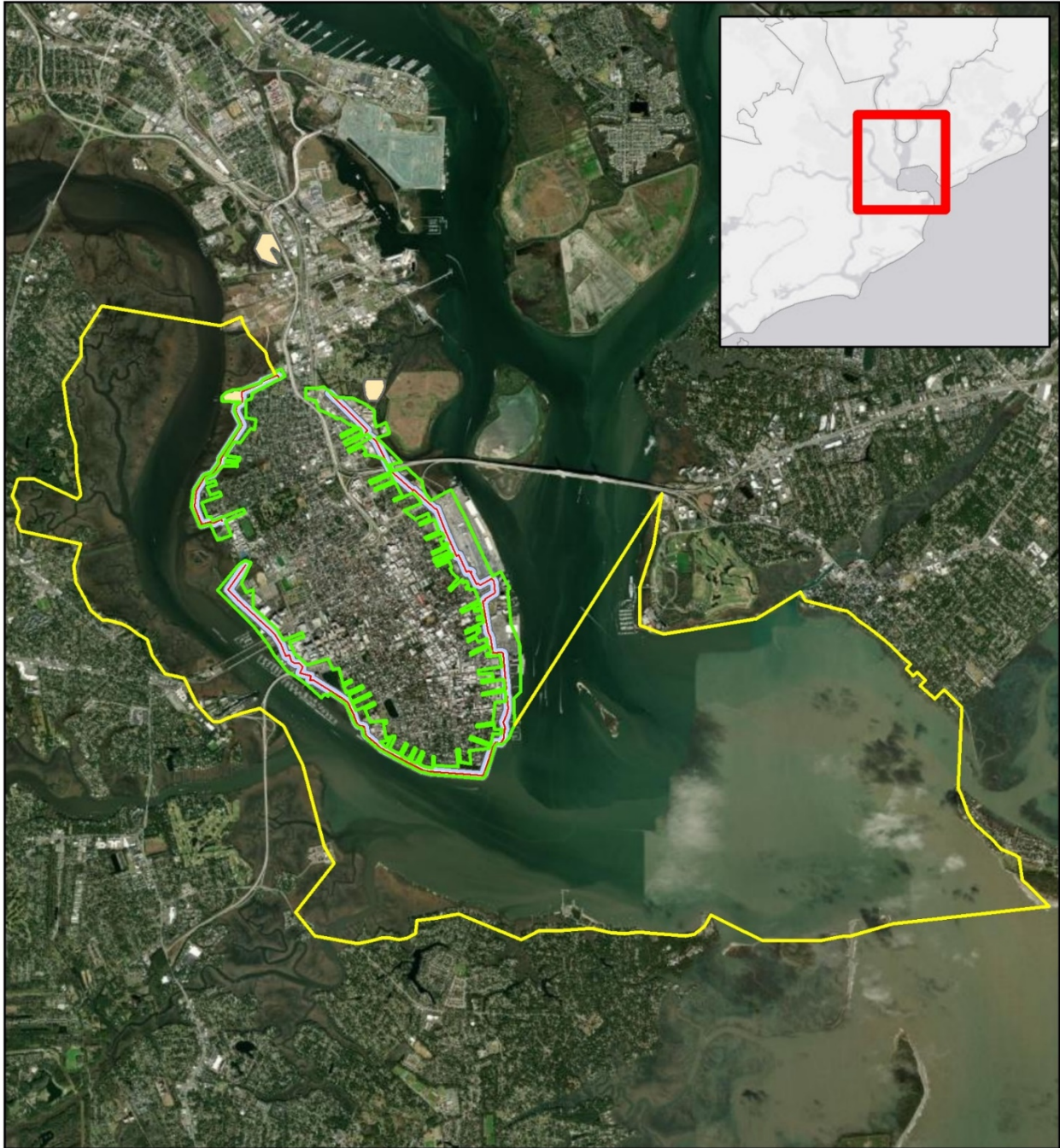


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DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

November 23, 2020

Dr. Tom McCulloch, PhD, RPA  
Assistant Director  
Federal Property Management Section  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
401 F. Street NW, Suite 308  
Washington, DC 20001-2637

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina (ACHP Project No.: 014692)

Dear Dr. McCulloch:

The U.S. Army Corps of Engineers, Charleston District (Corps), in conjunction with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Subsequent meetings have outlined the optimized tentatively selected plan for the Project to include a storm surge wall along the perimeter of the peninsula, interior drainage facilities, and nonstructural measures. The proposed storm surge wall will measure 12 feet NAVD88 and tie into high ground as appropriate, including the existing Battery Wall (Figure 1). Due to its age and uncertainty about the integrity of the structure, the High Battery Wall will be reconstructed to meet Corps construction standards and raised to provide a consistent level of performance. The storm surge wall also includes multiple pedestrian, vehicle, railroad, boat, and storm (tidal flow) gates. Typically, the gates would remain open, and would be closed when the National Weather Service predicts major flooding for the Charleston Peninsula. Sections of the new wall would be fitted with walkways and railings to provide recreation opportunities. Where possible, designs will be modified to adhere to the visual aesthetic of the city. The location of drainage facilities, such as permanent and temporary pump stations, will be identified during the preconstruction, engineering and design (PED) phase of the Project. Additionally, nonstructural measures such as relocations, buyouts, elevations, and floodproofing will also be determined during the PED phase.



Based on comments provided by your office and other consulting parties, the Corps has refined the area of potential effects (APE) to include four separate areas where the Corps will consider potential effects to historic properties as a result of the Project (Figures 2 and 3). Please note that these APEs are based on a feasibility level analysis. Once project features are designed in the PED phase, the APEs may be subject to change through consultation with your office. Construction effects, to include demolition, vibration, and auditory effects, will be considered within a 200-foot radius centered from the proposed storm surge wall (see Figure 2). Effects of non-structural measures will be considered at three locations on the north end of the peninsula (see Figure 2). Due to location of the storm surge wall on the periphery of the peninsula and the nature of the city layout, potential visual impacts will be considered at two different viewsheds; the exterior peninsula viewshed (historic properties that view the peninsula from across the Ashley and Cooper rivers), and the interior peninsula viewshed (historic properties located on the peninsula with a view of the storm surge wall). Visual APEs were determined through consultation with your office, geographic information system (GIS) analysis, and field reconnaissance of both viewsheds. Table 1 presents all previously identified cultural resources within the APEs based on information available from the South Carolina State Historic Preservation Office. Effects to archaeological sites will only be considered within the construction effects APE. The Corps has determined there is no potential to effect archaeological resources outside of this APE.

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As part of the continuation of consultation for the Project the Corps kindly requests your comments on the proposed area of potential effects within 30 days from receipt of this letter. A revised draft Programmatic Agreement is scheduled to be available for review in January 2021. The Corps expects to host a meeting after a 30-day review period of the revised draft Programmatic Agreement to discuss additional comments. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at Meredith.A.Moreno@usace.army.mil.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls

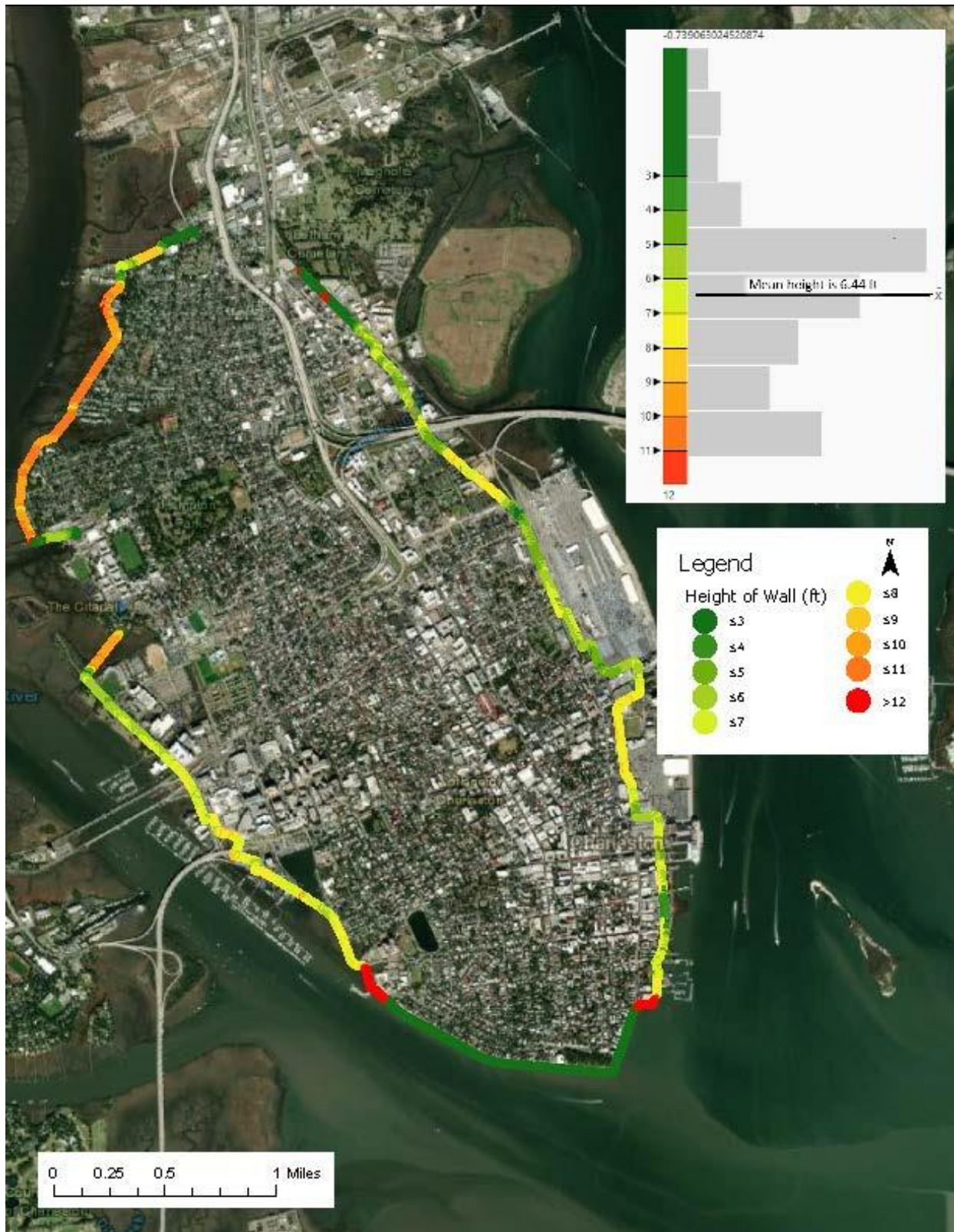


Figure 1. Height of the proposed storm surge wall.



Figure 2. Charleston Peninsula Coastal Flood Risk Management Study APEs.

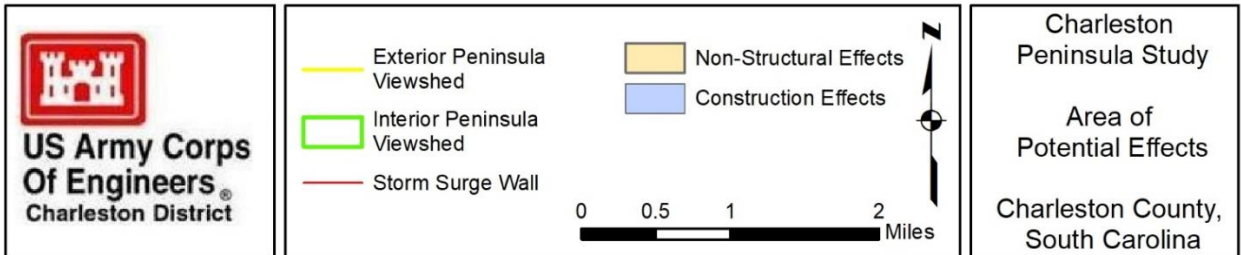
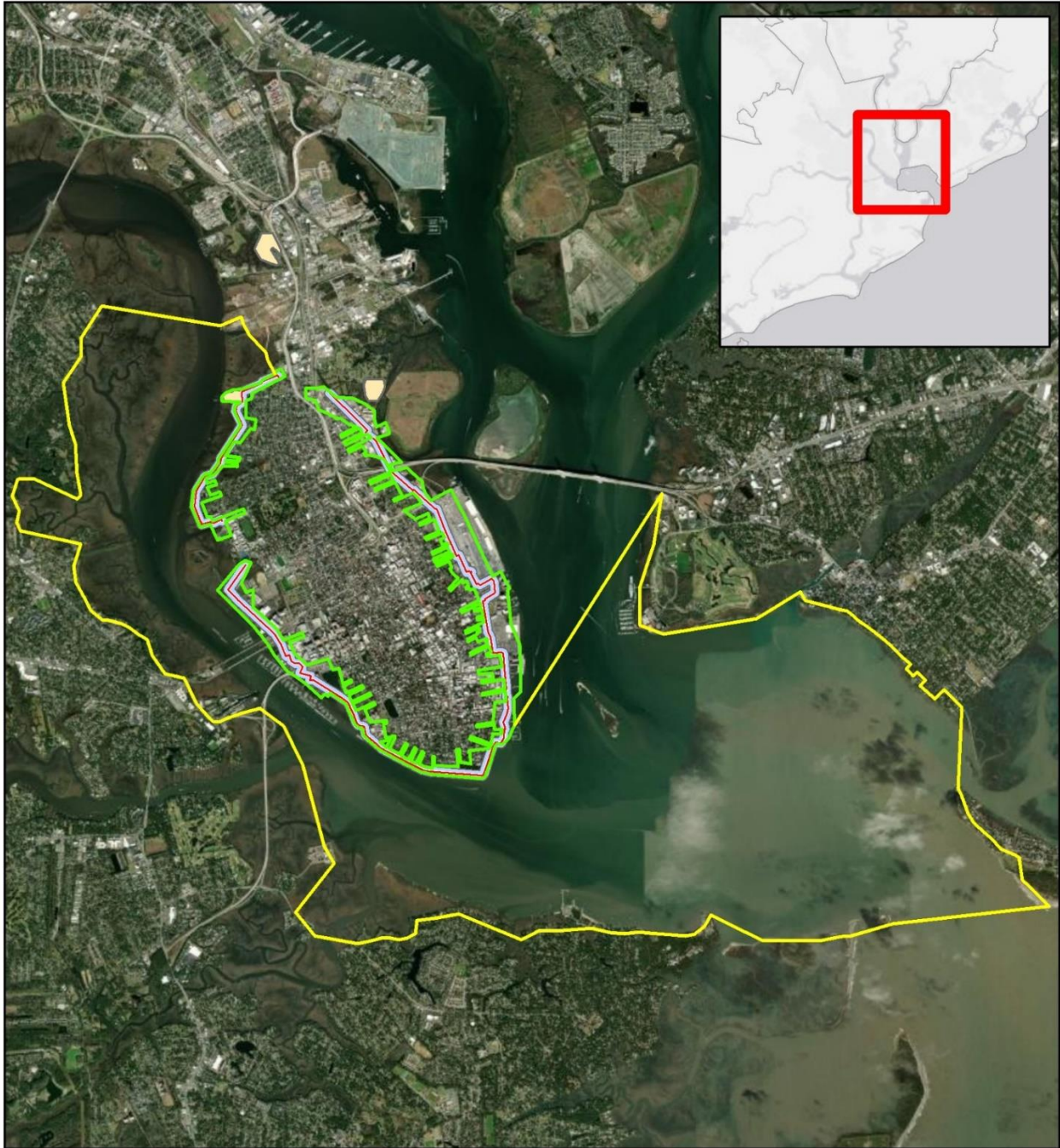


Figure 3. Charleston Peninsula Coastal Flood Risk Management Study APEs.

Table 1. Cultural Resources within the Project APEs.

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
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38CH0700	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
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West Point Rice Mill	Interior Peninsula Viewshed	Structure	Listed
Unnamed/Halsey Blvd. (Site No. 5858)	Construction Effects, Interior Peninsula Viewshed	Historic Area	Eligible
Operations Maintenance Shop/9 Chisolm Street (Site No. 089-6458)	Interior Peninsula Viewshed	Structure	Contributes to Eligible District
Thomas H. Jr. Army Reserve Training Center/9 Chisolm Street (Site No. 089-6457)	Interior Peninsula Viewshed	Structure	Eligible
1-11 Ashley Boulevard	Interior Peninsula Viewshed	Structure	Destroyed
205 Broad Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
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3 Water Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
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Fleet Landing Building/186 Concord Street	Interior Peninsula Viewshed	Structure	Eligible
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DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

November 23, 2020

Dr. Wenonah G. Haire  
Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Dr. Haire:

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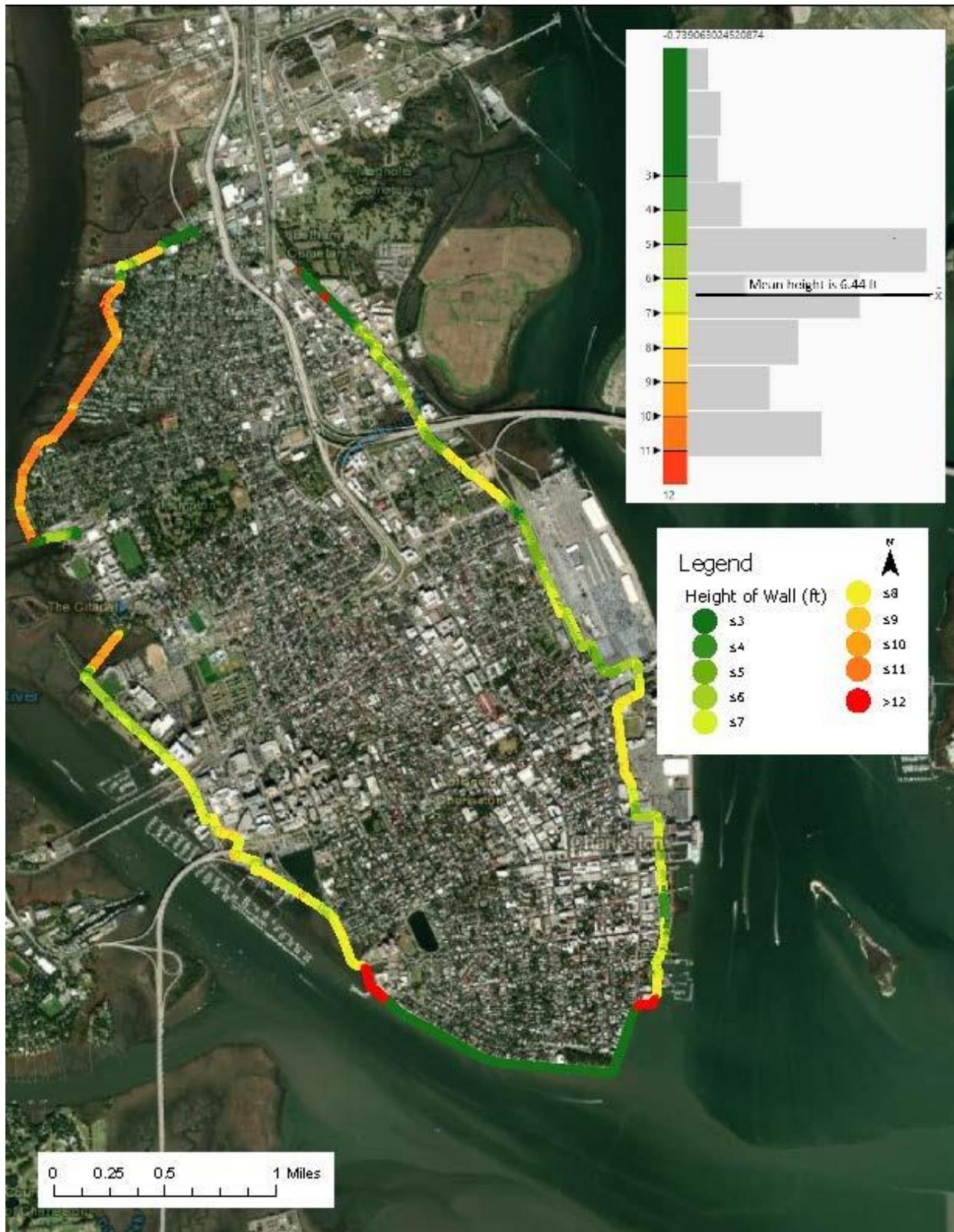


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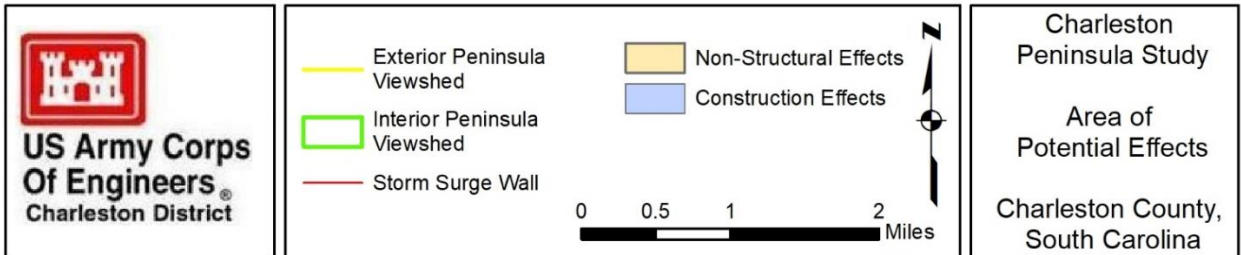
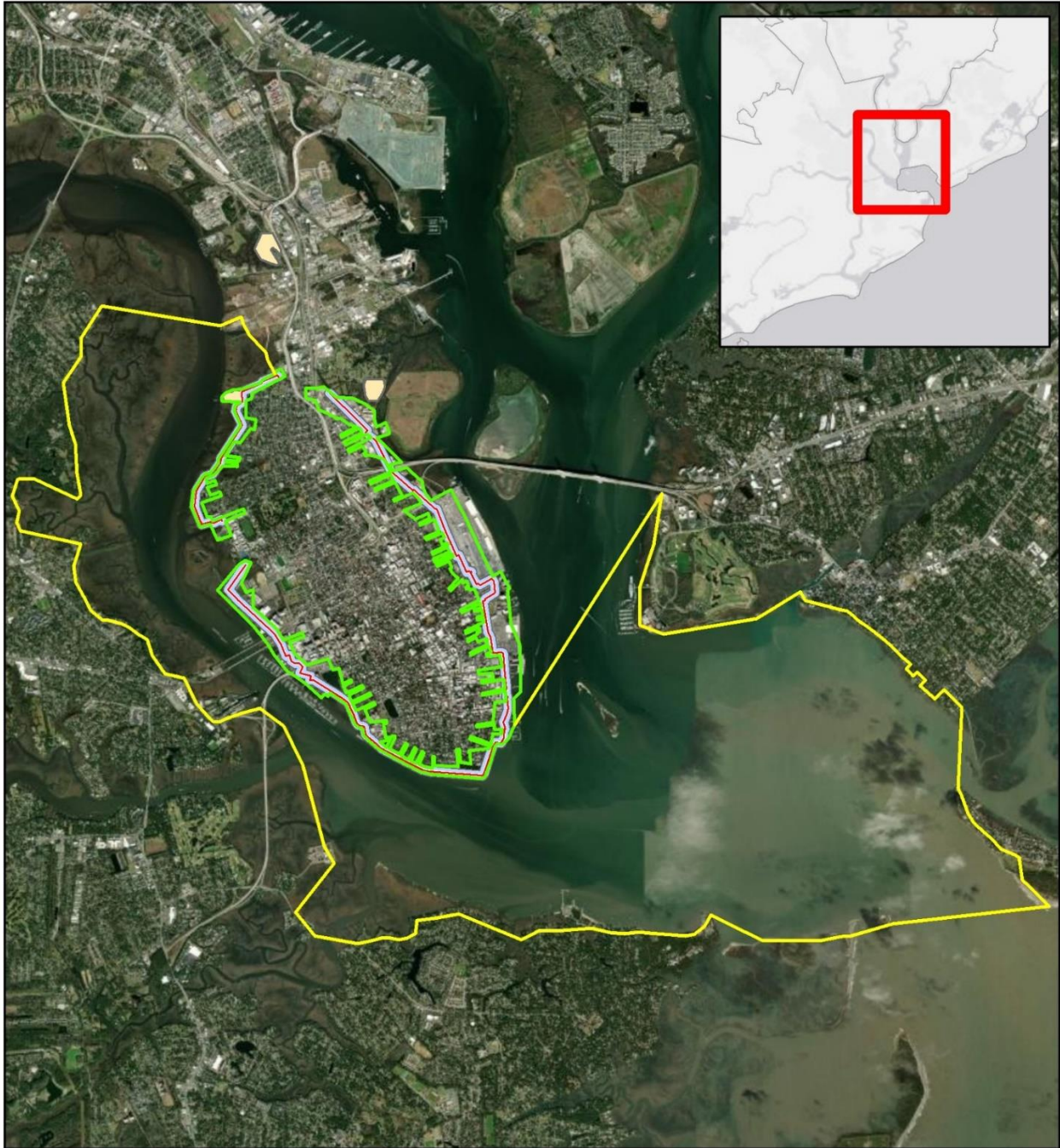


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DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

November 23, 2020

Ms. Andrea Pietras  
Deputy Director  
Charleston County Planning  
City of Charleston  
4045 Bridge View Drive  
North Charleston, South Carolina 29405

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Ms. Pietras:

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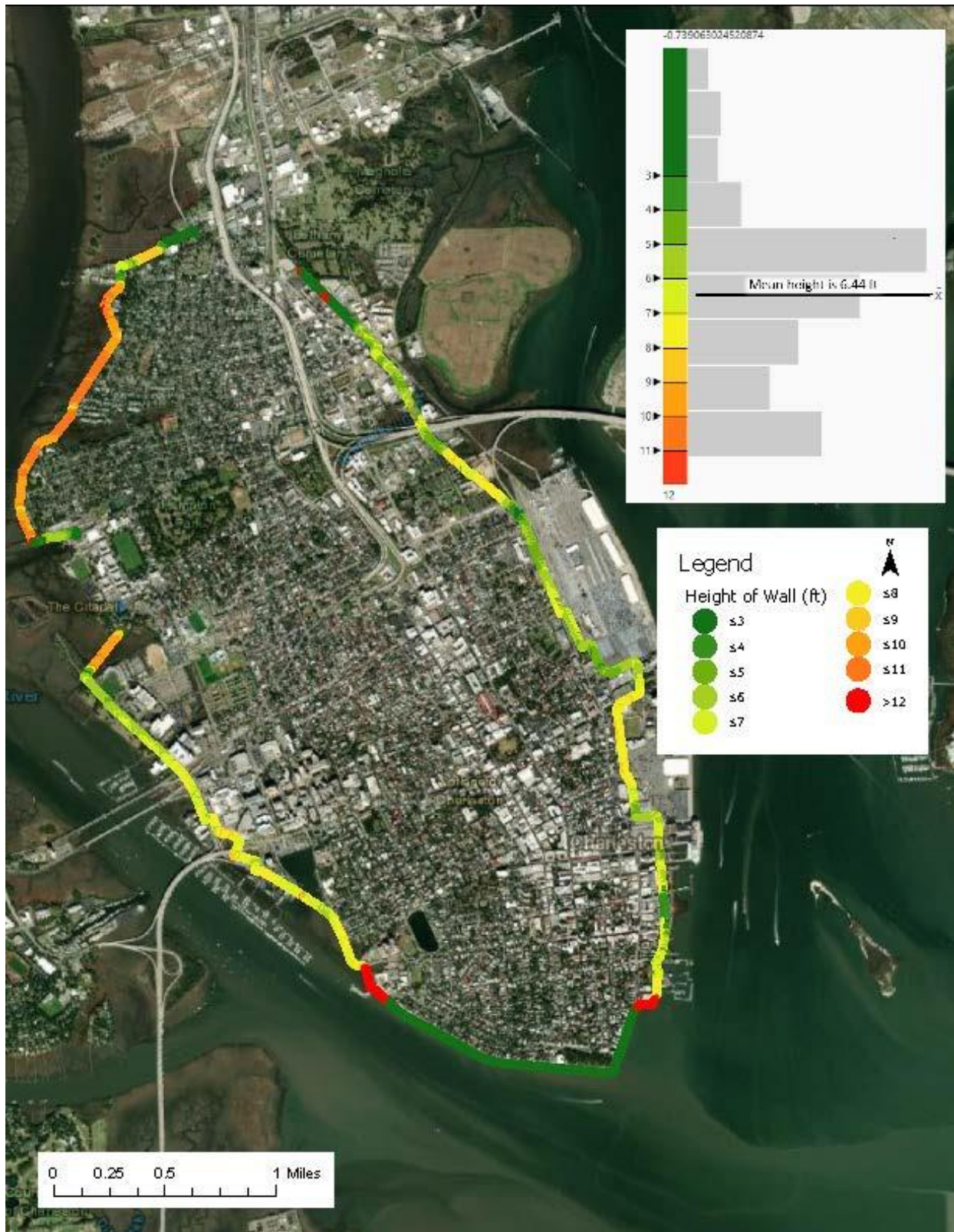


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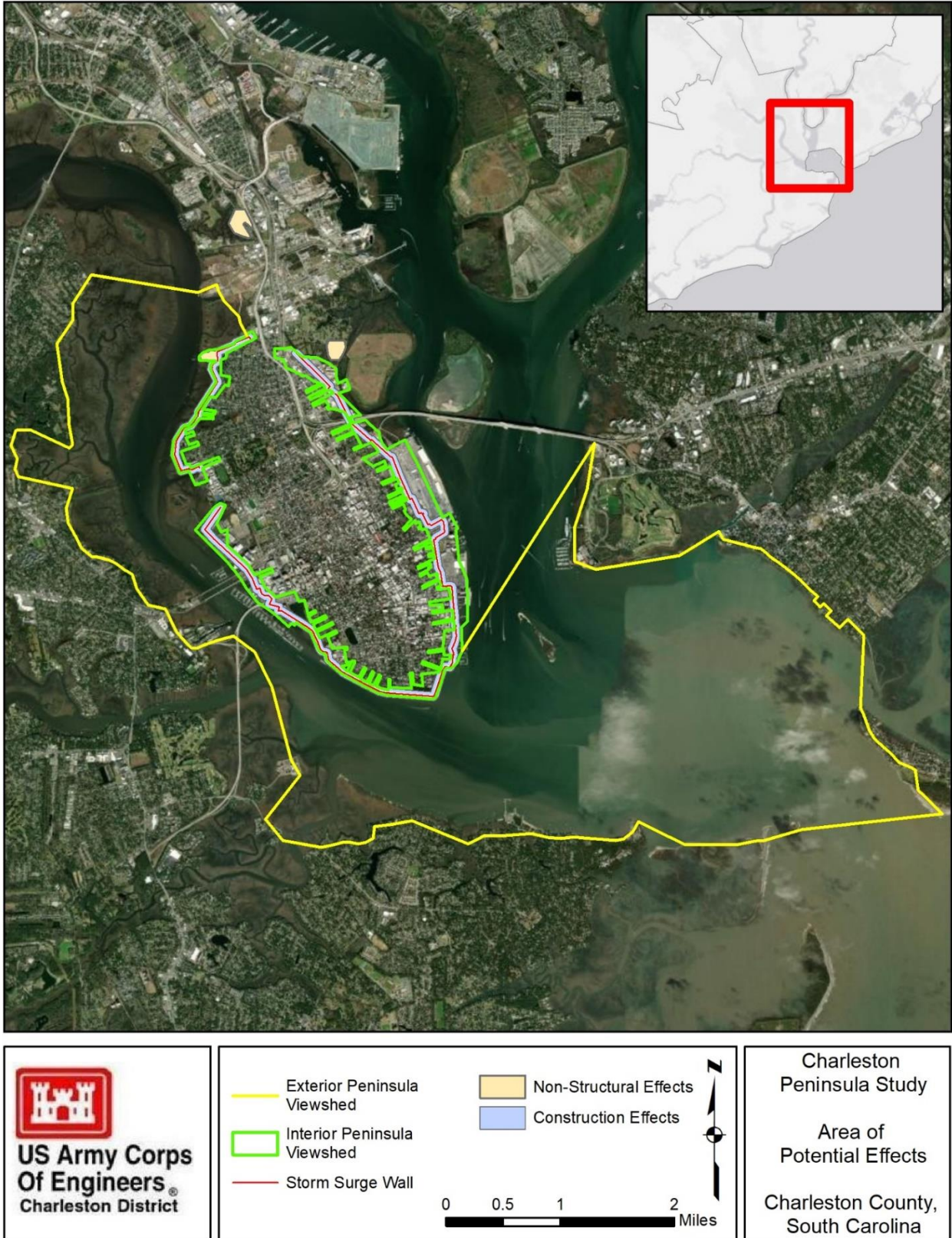


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Presqu'île/2 Amherst Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Josiah Smith Tennent House	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Columbus Street Elementary/63 Columbus Street (Site No. 4256)	Interior Peninsula Viewshed	Structure	Eligible
Faber House; Hametic Hotel/635 East Bay Street (Site No. 0276)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Cigar Factory	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
East Bay Elementary/805 Morrison Drive (Site No. 4257)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Charleston Cemeteries Historic District	Construction Effects	District	Listed
USS Yorktown	Exterior Peninsula Viewshed	Structure	Listed/NHL
USS Clamagore	Exterior Peninsula Viewshed	Structure	Listed/NHL
USS Laffey	Exterior Peninsula Viewshed	Structure	Listed/NHL

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
Castle Pinckney	Exterior Peninsula Viewshed	Structure	Listed
Mount Pleasant Historic District	Exterior Peninsula Viewshed	District	Listed
Moultrieville Historic District	Exterior Peninsula Viewshed	District	Listed
Fort Sumter National Monument	Exterior Peninsula Viewshed	National Monument	Listed
King House/1040 5 <sup>th</sup> Avenue (Site No. 7927)	Exterior Peninsula Viewshed	Structure	Eligible
Site of Old Charles Towne	Exterior Peninsula Viewshed	Multicomponent	Listed

\*Only archaeology sites within Construction Effects APE included.



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

November 23, 2020

Mr. Winslow Hastie  
President  
Historic Charleston Foundation  
40 East Bay Street  
Charleston, South Carolina 29401

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Mr. Hastie:

The U.S. Army Corps of Engineers, Charleston District (Corps), in conjunction with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Subsequent meetings have outlined the optimized tentatively selected plan for the Project to include a storm surge wall along the perimeter of the peninsula, interior drainage facilities, and nonstructural measures. The proposed storm surge wall will measure 12 feet NAVD88 and tie into high ground as appropriate, including the existing Battery Wall (Figure 1). Due to its age and uncertainty about the integrity of the structure, the High Battery Wall will be reconstructed to meet Corps construction standards and raised to provide a consistent level of performance. The storm surge wall also includes multiple pedestrian, vehicle, railroad, boat, and storm (tidal flow) gates. Typically, the gates would remain open, and would be closed when the National Weather Service predicts major flooding for the Charleston Peninsula. Sections of the new wall would be fitted with walkways and railings to provide recreation opportunities. Where possible, designs will be modified to adhere to the visual aesthetic of the city. The location of drainage facilities, such as permanent and temporary pump stations, will be identified during the preconstruction, engineering and design (PED) phase of the Project. Additionally, nonstructural measures such as relocations, buyouts, elevations, and floodproofing will also be determined during the PED phase.

Based on comments provided by your office and other consulting parties, the Corps has refined the area of potential effects (APE) to include four separate areas where the Corps will consider potential effects to historic properties as a result of the Project (Figures 2 and 3). Please note that these APEs are based on a feasibility level analysis. Once project features are designed in the PED phase, the APEs may be subject to change through consultation with your office. Construction effects, to include demolition, vibration, and auditory effects, will be considered within a 200-foot radius centered from the proposed storm surge wall (see Figure 2). Effects of non-structural measures will be considered at three locations on the north end of the peninsula (see Figure 2). Due to location of the storm surge wall on the periphery of the peninsula and the nature of the city layout, potential visual impacts will be considered at two different viewsheds; the exterior peninsula viewshed (historic properties that view the peninsula from across the Ashley and Cooper rivers), and the interior peninsula viewshed (historic properties located on the peninsula with a view of the storm surge wall). Visual APEs were determined through consultation with your office, geographic information system (GIS) analysis, and field reconnaissance of both viewsheds. Table 1 presents all previously identified cultural resources within the APEs based on information available from the South Carolina State Historic Preservation Office. Effects to archaeological sites will only be considered within the construction effects APE. The Corps has determined there is no potential to effect archaeological resources outside of this APE.

With regards to the exterior peninsula viewshed, the storm surge wall is likely to be observed from the perimeter of the land surrounding the peninsula; however, views are currently obscured within 100 to 300 feet inland by existing structures and vegetation (see Figure 3). Historic properties within the exterior peninsula viewshed includes Fort Sumter National Monument, Moultrieville Historic District, Castle Pickney, Mount Pleasant Historic District, Old Charles Towne, USS Yorktown, USS Clamagore, and USS Laffey. Due to the highly urbanized environment, street layout, and topography of the Charleston Peninsula itself, the interior peninsula viewshed is limited to those structures immediately facing the proposed wall or those structures along street corridors up to 1000 feet from the proposed wall. Although the viewshed of the majority of historic properties within the Charleston Peninsula will not be effected by the Project, National Historic Landmarks such as the Charleston Old and Historic District, Robert William Roper House, Miles Brewton House, Exchange and Provost, and the Market Hall and Sheds are located within the interior Peninsula viewshed APE. The Corps recognizes its responsibility to avoid and minimize effects to these historic properties pursuant to Section 106 and Section 110 of the NHPA.

The forthcoming revised draft Programmatic Agreement, of which your office has agreed to be a concurring party, will outline methods of avoidance, minimization, and, if necessary, mitigation to historic properties. The Corps also recognizes that additional efforts are required to identify historic properties within these APEs. The Programmatic Agreement will further outline methods to identify and assess effects to historic properties through consultation with the consulting parties.

As part of the continuation of consultation for the Project the Corps kindly requests your comments on the proposed area of potential effects within 30 days from receipt of this letter. A revised draft Programmatic Agreement is scheduled to be available for review in January 2021. The Corps expects to host a meeting after a 30-day review period of the revised draft Programmatic Agreement to discuss additional comments. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls

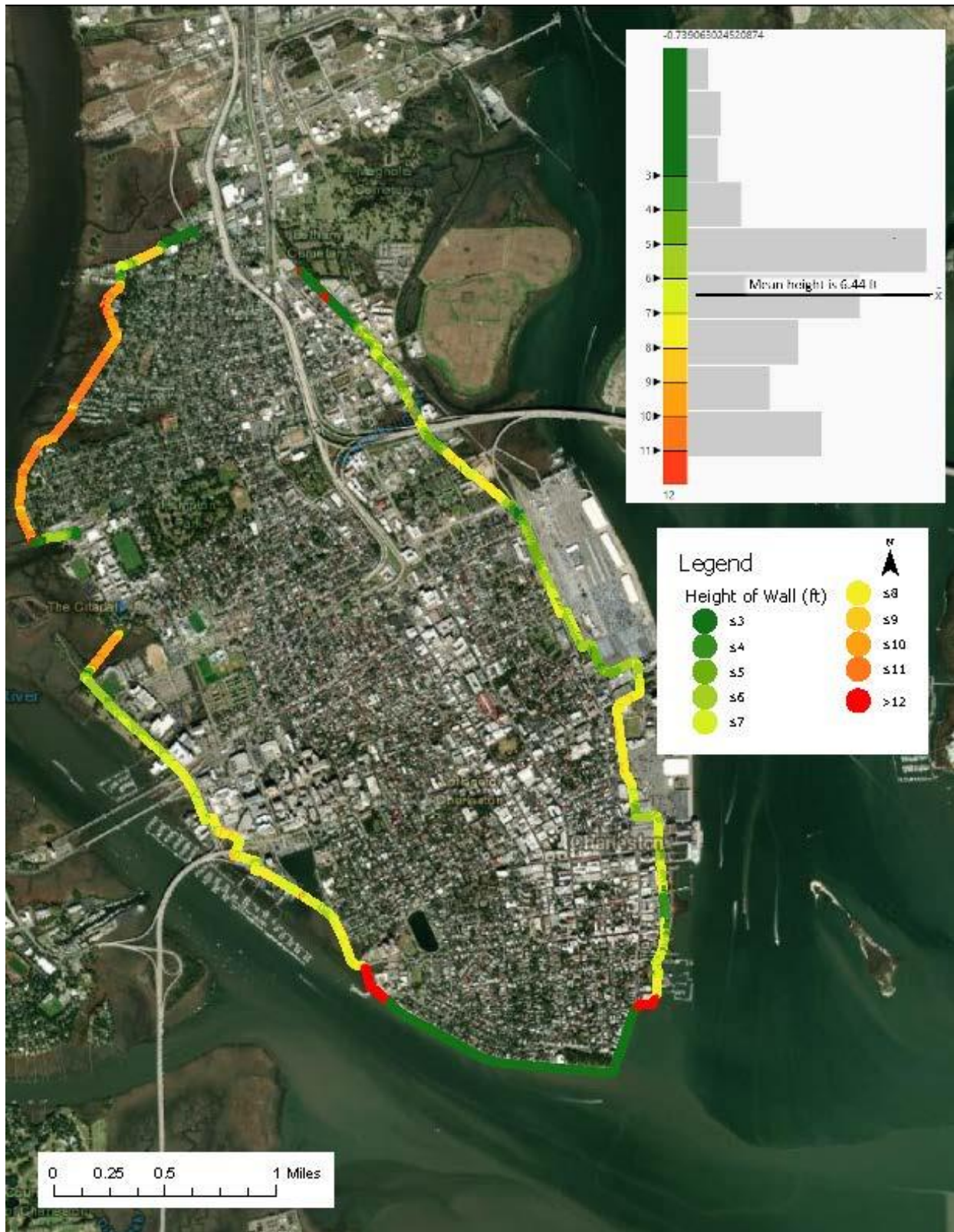


Figure 1. Height of the proposed storm surge wall.



Figure 2. Charleston Peninsula Coastal Flood Risk Management Study APEs.

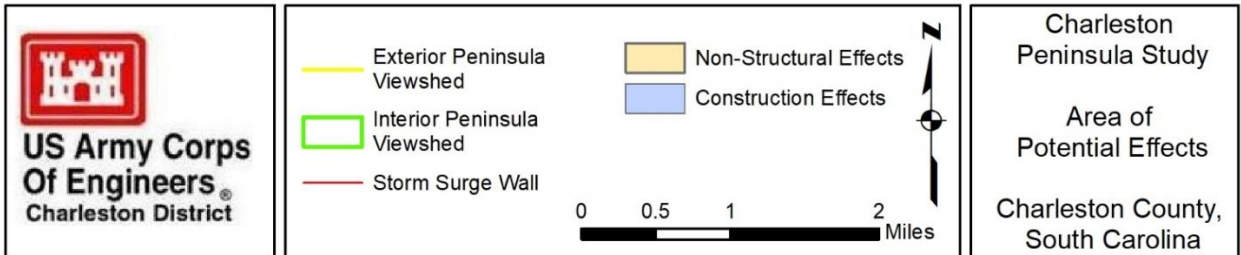
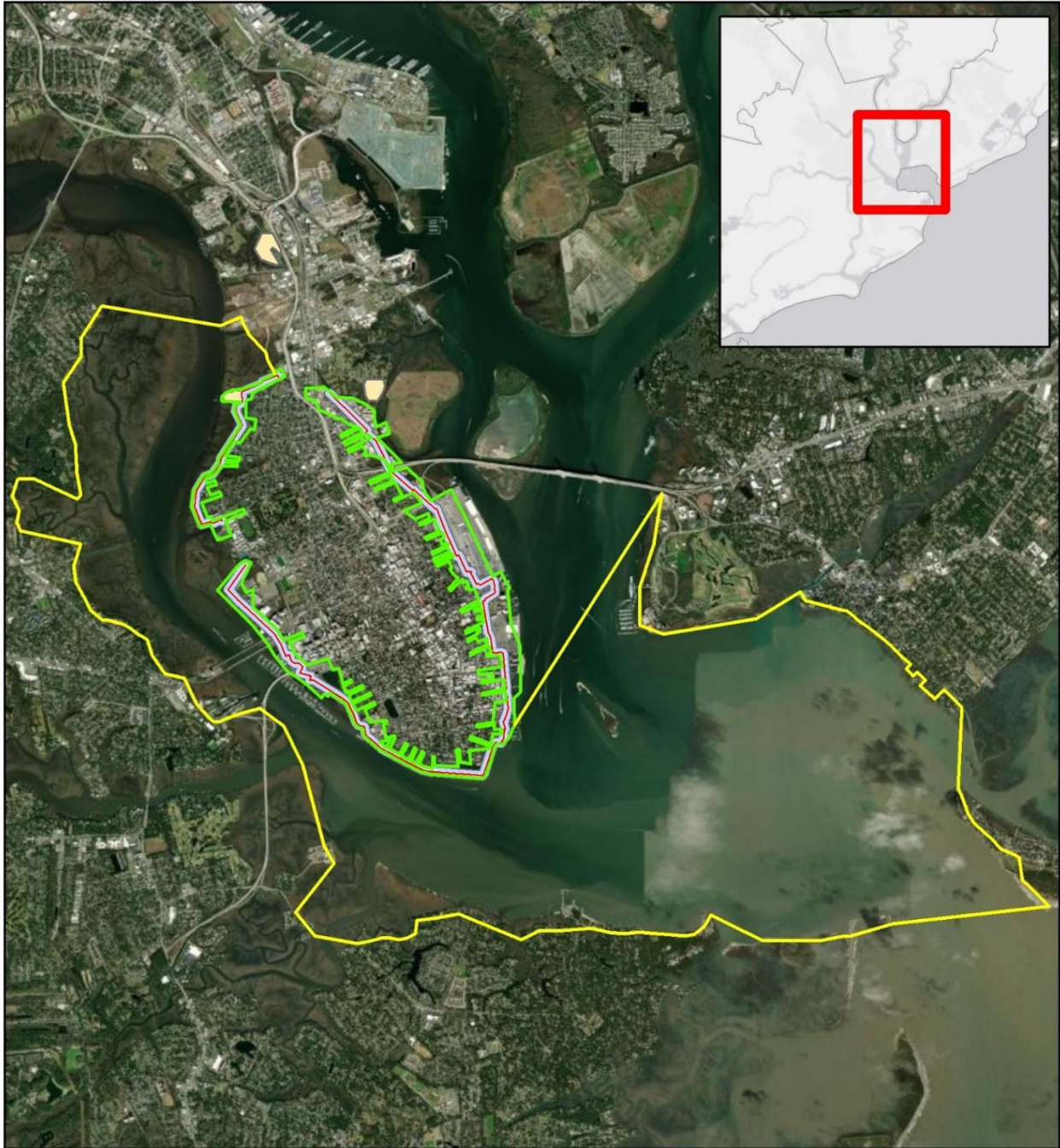


Figure 3. Charleston Peninsula Coastal Flood Risk Management Study APEs.



Table 1. Cultural Resources within the Project APEs.

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
38CH0701	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
38CH0700	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
Lowndes Grove	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
West Point Rice Mill	Interior Peninsula Viewshed	Structure	Listed
Unnamed/Halsey Blvd. (Site No. 5858)	Construction Effects, Interior Peninsula Viewshed	Historic Area	Eligible
Operations Maintenance Shop/9 Chisolm Street (Site No. 089-6458)	Interior Peninsula Viewshed	Structure	Contributes to Eligible District
Thomas H. Jr. Army Reserve Training Center/9 Chisolm Street (Site No. 089-6457)	Interior Peninsula Viewshed	Structure	Eligible
1-11 Ashley Boulevard	Interior Peninsula Viewshed	Structure	Destroyed
205 Broad Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
US Light House Service Sixth District Office Building/196 Tradd Street (Site No. 089-6454)	Interior Peninsula Viewshed	Structure	Eligible
Chisolm's Rice Mill Storage Building/196 Tradd Street (Site No. 089-6455)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Andrew B. Murray Vocational School/3 Chisolm Street	Interior Peninsula Viewshed	Structure	Listed
Charleston Old and Historic District (Boundary Increase)	Construction Effects, Interior Peninsula Viewshed	District	Listed/NHL
Proposed expansion to Charleston Historic District	Construction Effects, Interior Peninsula Viewshed	District	Eligible
Robert William Roper House/9 E. Battery Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed/NHL
Miles Brewton House/27 King Street	Interior Peninsula Viewshed	Structure	Listed/NHL
3 Water Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
38CH1673	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
3 Meeting Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
1 Meeting Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
U.S. Customhouse/200 E. Bay Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Exchange and Provost/ E. Bay and Broad Streets	Interior Peninsula Viewshed	Structure	Listed/NHL
38CH1606	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Eligible
9 Middle Atlantic Wharf	Interior Peninsula Viewshed	Structure	Contributes to Listed District
Dutarque-Guida House/105 East Bay Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
Fleet Landing Building/186 Concord Street	Interior Peninsula Viewshed	Structure	Eligible
4 Vendue Range	Construction Effects, Interior Peninsula Viewshed	Structure	Contributes to Listed District
Charleston's French Quarter District	Interior Peninsula Viewshed	District	Listed
Market Hall and Sheds	Interior Peninsula Viewshed	Structure	Listed/NHL
38CH1486	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Not Eligible
38CH1910	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Not Eligible
Charlotte Street Power Plant	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Presqu'île/2 Amherst Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Josiah Smith Tennent House	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
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Cigar Factory	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
East Bay Elementary/805 Morrison Drive (Site No. 4257)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
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King House/1040 5 <sup>th</sup> Avenue (Site No. 7927)	Exterior Peninsula Viewshed	Structure	Eligible
Site of Old Charles Towne	Exterior Peninsula Viewshed	Multicomponent	Listed

\*Only archaeology sites within Construction Effects APE included.



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

November 23, 2020

Dr. Robert S. Neyland, Ph.D.  
Branch Head  
Underwater Archaeology Branch  
Naval History and Heritage Command  
805 Kidder Brees Street, SE  
Washington Navy Yard, DC 20374-5060

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Dr. Neyland:

The U.S. Army Corps of Engineers, Charleston District (Corps), in conjunction with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Subsequent meetings have outlined the optimized tentatively selected plan for the Project to include a storm surge wall along the perimeter of the peninsula, interior drainage facilities, and nonstructural measures. The wave attenuation feature as been removed and Project effects will be limited to terrestrial resources or within the adjacent marsh. The proposed storm surge wall will measure 12 feet NAVD88 and tie into high ground as appropriate, including the existing Battery Wall (Figure 1). Due to its age and uncertainty about the integrity of the structure, the High Battery Wall will be reconstructed to meet Corps construction standards and raised to provide a consistent level of performance. The storm surge wall also includes multiple pedestrian, vehicle, railroad, boat, and storm (tidal flow) gates. Typically, the gates would remain open, and would be closed when the National Weather Service predicts major flooding for the Charleston Peninsula. Sections of the new wall would be fitted with walkways and railings to provide recreation opportunities. Where possible, designs will be modified to adhere to the visual aesthetic of the city. The location of drainage facilities, such as permanent and temporary pump stations, will be identified during the preconstruction, engineering and design (PED) phase of the Project. Additionally, nonstructural measures such as relocations, buyouts, elevations, and floodproofing will also be determined during the PED phase.

Based on comments provided by your office and other consulting parties, the Corps has refined the area of potential effects (APE) to include four separate areas where the Corps will consider potential effects to historic properties as a result of the Project (Figures 2 and 3). Please note that these APEs are based on a feasibility level analysis. Once project features are designed in the PED phase, the APEs may be subject to change through consultation with your office. Construction effects, to include demolition, vibration, and auditory effects, will be considered within a 200-foot radius centered from the proposed storm surge wall (see Figure 2). Effects of non-structural measures will be considered at three locations on the north end of the peninsula (see Figure 2). Due to location of the storm surge wall on the periphery of the peninsula and the nature of the city layout, potential visual impacts will be considered at two different viewsheds; the exterior peninsula viewshed (historic properties that view the peninsula from across the Ashley and Cooper rivers), and the interior peninsula viewshed (historic properties located on the peninsula with a view of the storm surge wall). Visual APEs were determined through consultation with your office, geographic information system (GIS) analysis, and field reconnaissance of both viewsheds. Table 1 presents all previously identified cultural resources within the APEs based on information available from the South Carolina State Historic Preservation Office. Effects to archaeological sites will only be considered within the construction effects APE. The Corps has determined there is no potential to effect archaeological resources outside of this APE.

With regards to the exterior peninsula viewshed, the storm surge wall is likely to be observed from the perimeter of the land surrounding the peninsula; however, views are currently obscured within 100 to 300 feet inland by existing structures and vegetation (see Figure 3). Historic properties within the exterior peninsula viewshed includes Fort Sumter National Monument, Moultrieville Historic District, Castle Pickney, Mount Pleasant Historic District, Old Charles Towne, USS Yorktown, USS Clamagore, and USS Laffey. Due to the highly urbanized environment, street layout, and topography of the Charleston Peninsula itself, the interior peninsula viewshed is limited to those structures immediately facing the proposed wall or those structures along street corridors up to 1000 feet from the proposed wall. Although the viewshed of the majority of historic properties within the Charleston Peninsula will not be effected by the Project, National Historic Landmarks such as the Charleston Old and Historic District, Robert William Roper House, Miles Brewton House, Exchange and Provost, and the Market Hall and Sheds are located within the interior Peninsula viewshed APE. The Corps recognizes its responsibility to avoid and minimize effects to these historic properties pursuant to Section 106 and Section 110 of the NHPA.

The forthcoming revised draft Programmatic Agreement, of which your office has agreed to be a concurring party, will outline methods of avoidance, minimization, and, if necessary, mitigation to historic properties. The Corps also recognizes that additional efforts are required to identify historic properties within these APEs. The Programmatic Agreement will further outline methods to identify and assess effects to historic properties through consultation with the consulting parties.

Due to the removal of Project features that would potentially effect underwater resources, your office may wish to abstain from participating in future consultation for the Charleston Peninsula Coastal Flood Risk Management Study. If the Naval History and Heritage Command chooses to remain a concurring party to the Programmatic Agreement, the Corps kindly requests confirmation of your participation and any comments on the proposed area of potential effects within 30 days from receipt of this letter. A revised draft Programmatic Agreement is scheduled to be available for review in January 2021. The Corps expects to host a meeting after a 30-day review period of the revised draft Programmatic Agreement to discuss additional comments. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls

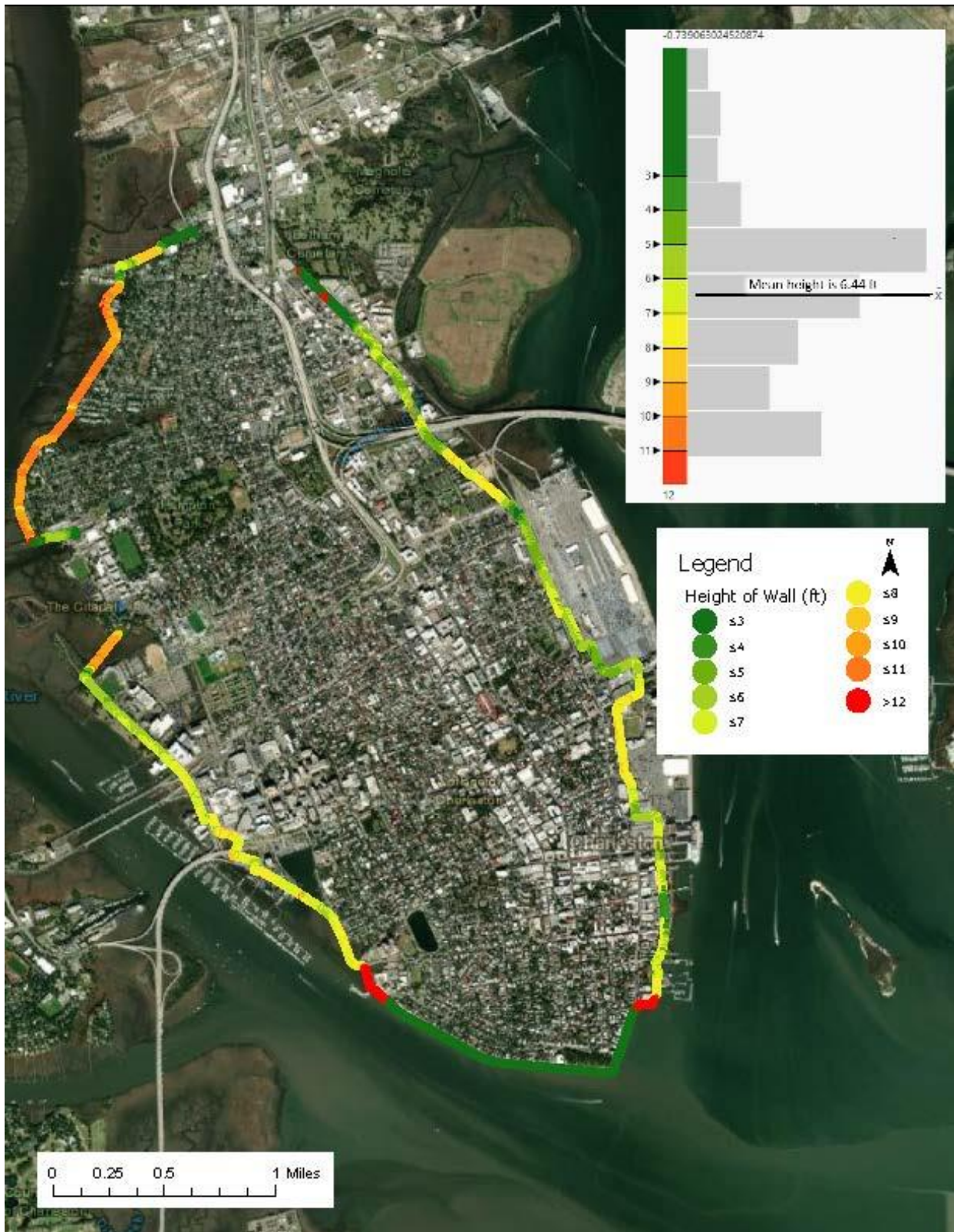


Figure 1. Height of the proposed storm surge wall.



Figure 2. Charleston Peninsula Coastal Flood Risk Management Study APEs.



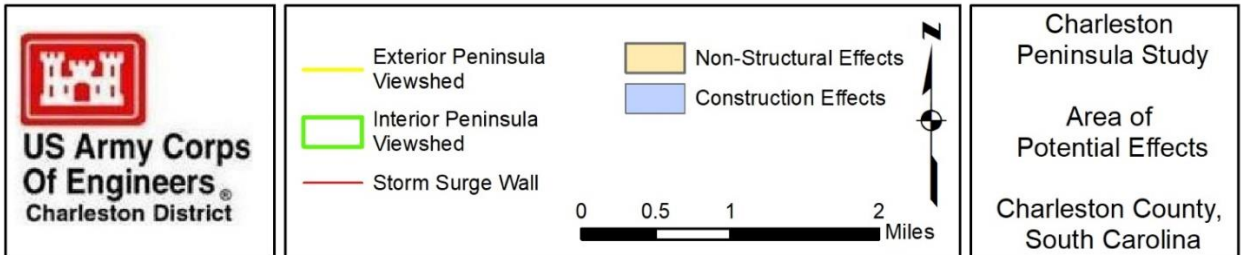
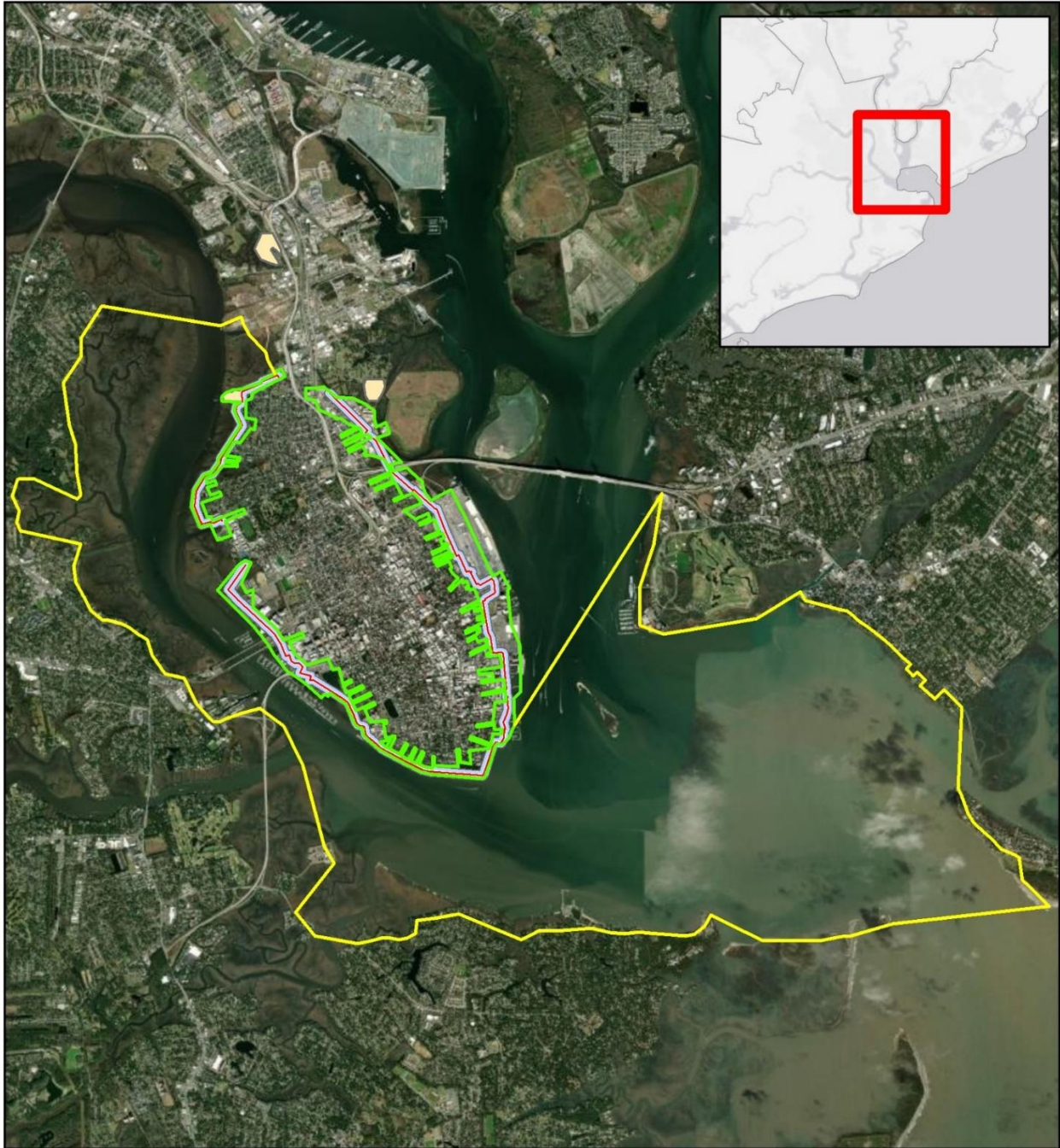


Figure 3. Charleston Peninsula Coastal Flood Risk Management Study APEs.

Table 1. Cultural Resources within the Project APEs.

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
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US Light House Service Sixth District Office Building/196 Tradd Street (Site No. 089-6454)	Interior Peninsula Viewshed	Structure	Eligible
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3 Water Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
38CH1673	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
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U.S. Customhouse/200 E. Bay Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
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38CH1606	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Eligible
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Dutarque-Guida House/105 East Bay Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
Fleet Landing Building/186 Concord Street	Interior Peninsula Viewshed	Structure	Eligible
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DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

November 23, 2020

Ms. Karen L. Cucurullo  
Acting Regional Director  
National Park Service, Southeast Region  
100 Alabama Street SW  
1924 Building  
Atlanta, Georgia 30303

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Ms. Cucurullo:

The U.S. Army Corps of Engineers, Charleston District (Corps), in conjunction with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Subsequent meetings have outlined the optimized tentatively selected plan for the Project to include a storm surge wall along the perimeter of the peninsula, interior drainage facilities, and nonstructural measures. The proposed storm surge wall will measure 12 feet NAVD88 and tie into high ground as appropriate, including the existing Battery Wall (Figure 1). Due to its age and uncertainty about the integrity of the structure, the High Battery Wall will be reconstructed to meet Corps construction standards and raised to provide a consistent level of performance. The storm surge wall also includes multiple pedestrian, vehicle, railroad, boat, and storm (tidal flow) gates. Typically, the gates would remain open, and would be closed when the National Weather Service predicts major flooding for the Charleston Peninsula. Sections of the new wall would be fitted with walkways and railings to provide recreation opportunities. Where possible, designs will be modified to adhere to the visual aesthetic of the city. The location of drainage facilities, such as permanent and temporary pump stations, will be identified during the preconstruction, engineering and design (PED) phase of the Project. Additionally, nonstructural measures such as relocations, buyouts, elevations, and floodproofing will also be determined during the PED phase.

Based on comments provided by your office and other consulting parties, the Corps has refined the area of potential effects (APE) to include four separate areas where the Corps will consider potential effects to historic properties as a result of the Project (Figures 2 and 3). Please note that these APEs are based on a feasibility level analysis. Once project features are designed in the PED phase, the APEs may be subject to change through consultation with your office. Construction effects, to include demolition, vibration, and auditory effects, will be considered within a 200-foot radius centered from the proposed storm surge wall (see Figure 2). Effects of non-structural measures will be considered at three locations on the north end of the peninsula (see Figure 2). Due to location of the storm surge wall on the periphery of the peninsula and the nature of the city layout, potential visual impacts will be considered at two different viewsheds; the exterior peninsula viewshed (historic properties that view the peninsula from across the Ashley and Cooper rivers), and the interior peninsula viewshed (historic properties located on the peninsula with a view of the storm surge wall). Visual APEs were determined through consultation with your office, geographic information system (GIS) analysis, and field reconnaissance of both viewsheds. Table 1 presents all previously identified cultural resources within the APEs based on information available from the South Carolina State Historic Preservation Office. Effects to archaeological sites will only be considered within the construction effects APE. The Corps has determined there is no potential to effect archaeological resources outside of this APE.

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The Corps also recognizes that additional efforts are required to identify historic properties within these APEs. The Programmatic Agreement will further outline methods to identify and assess effects to historic properties through consultation with the consulting parties.

As part of the continuation of consultation for the Project the Corps kindly requests your comments on the proposed area of potential effects within 30 days from receipt of this letter. A revised draft Programmatic Agreement is scheduled to be available for review in January 2021. The Corps expects to host a meeting after a 30-day review period of the revised draft Programmatic Agreement to discuss additional comments. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at Meredith.A.Moreno@usace.army.mil.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls

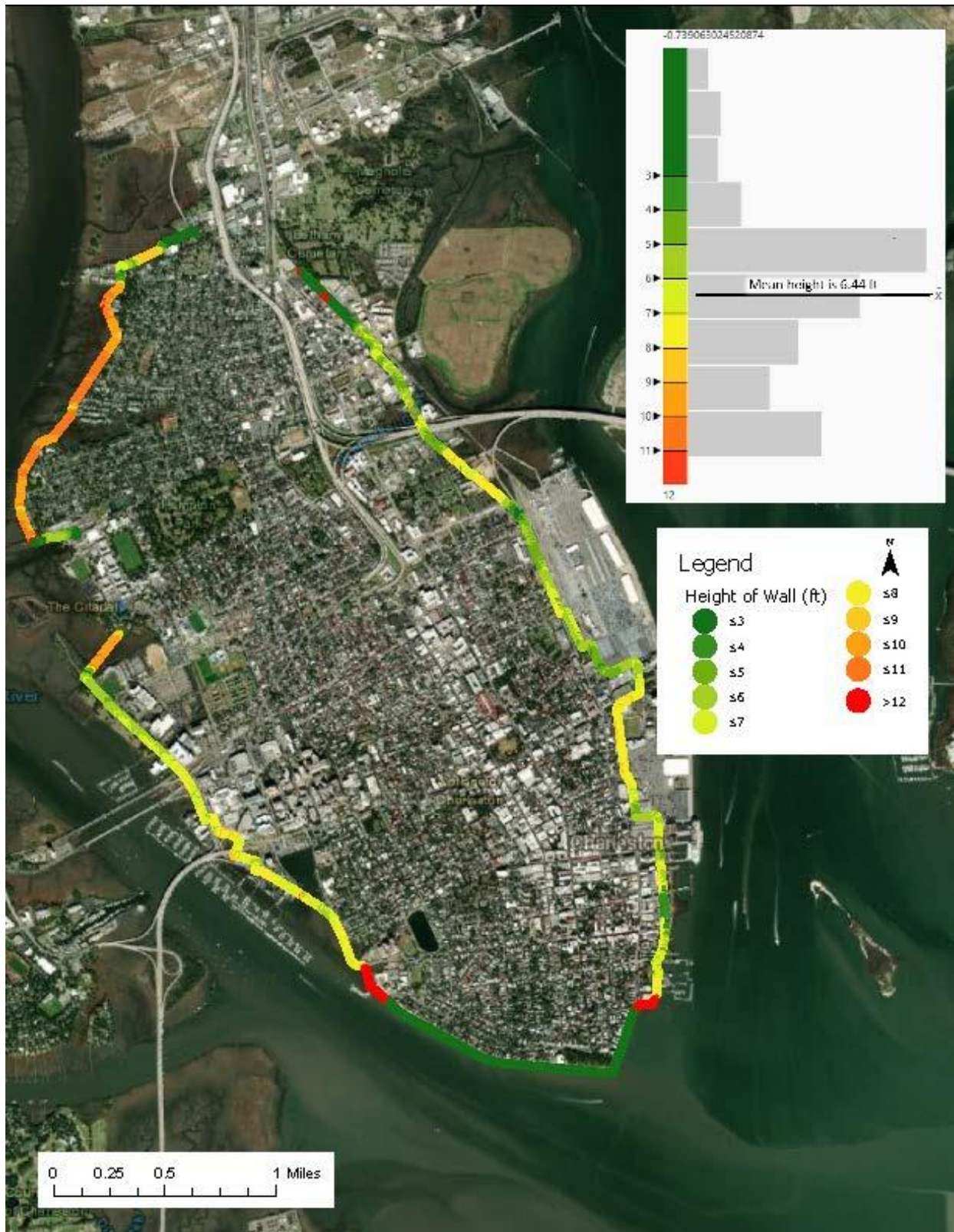


Figure 1. Height of the proposed storm surge wall.



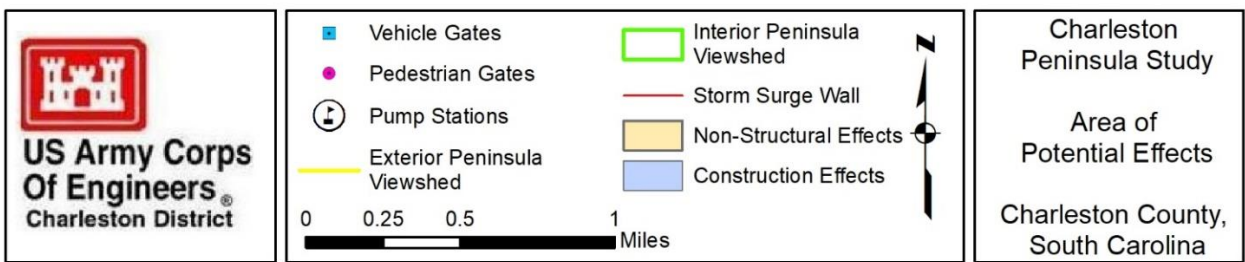
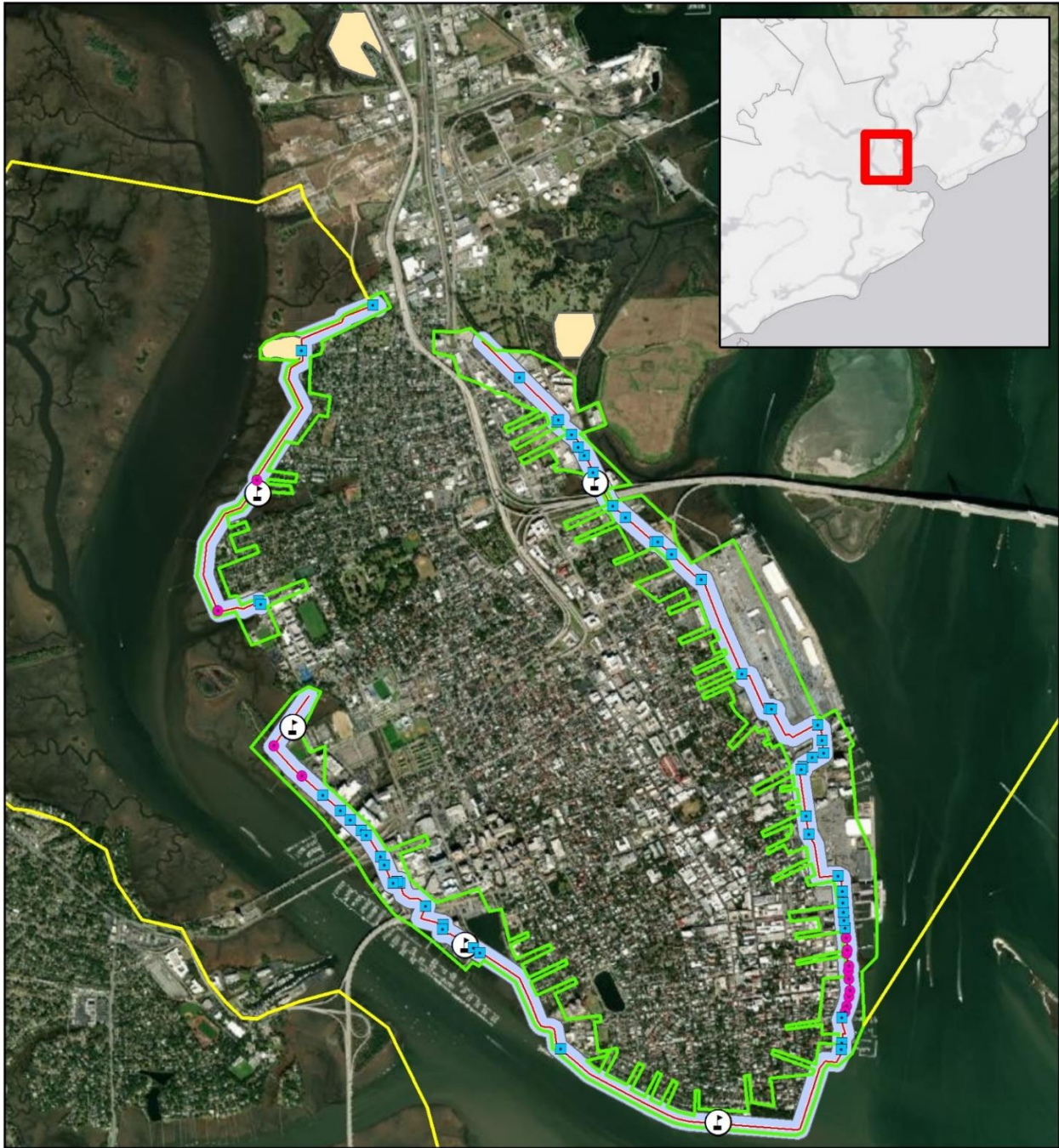


Figure 2. Charleston Peninsula Coastal Flood Risk Management Study APEs.

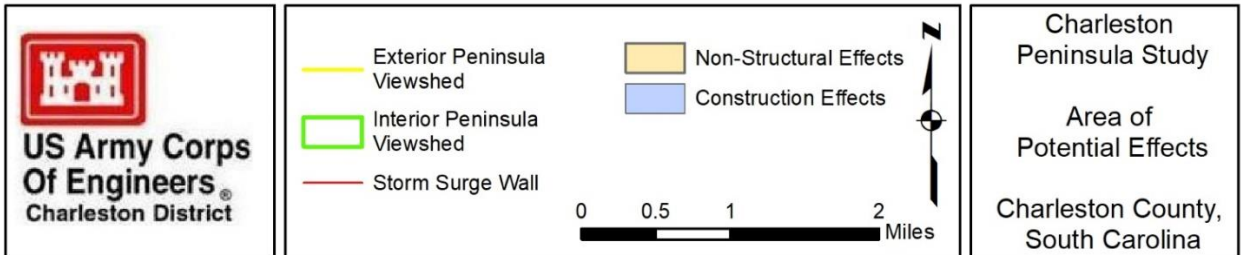
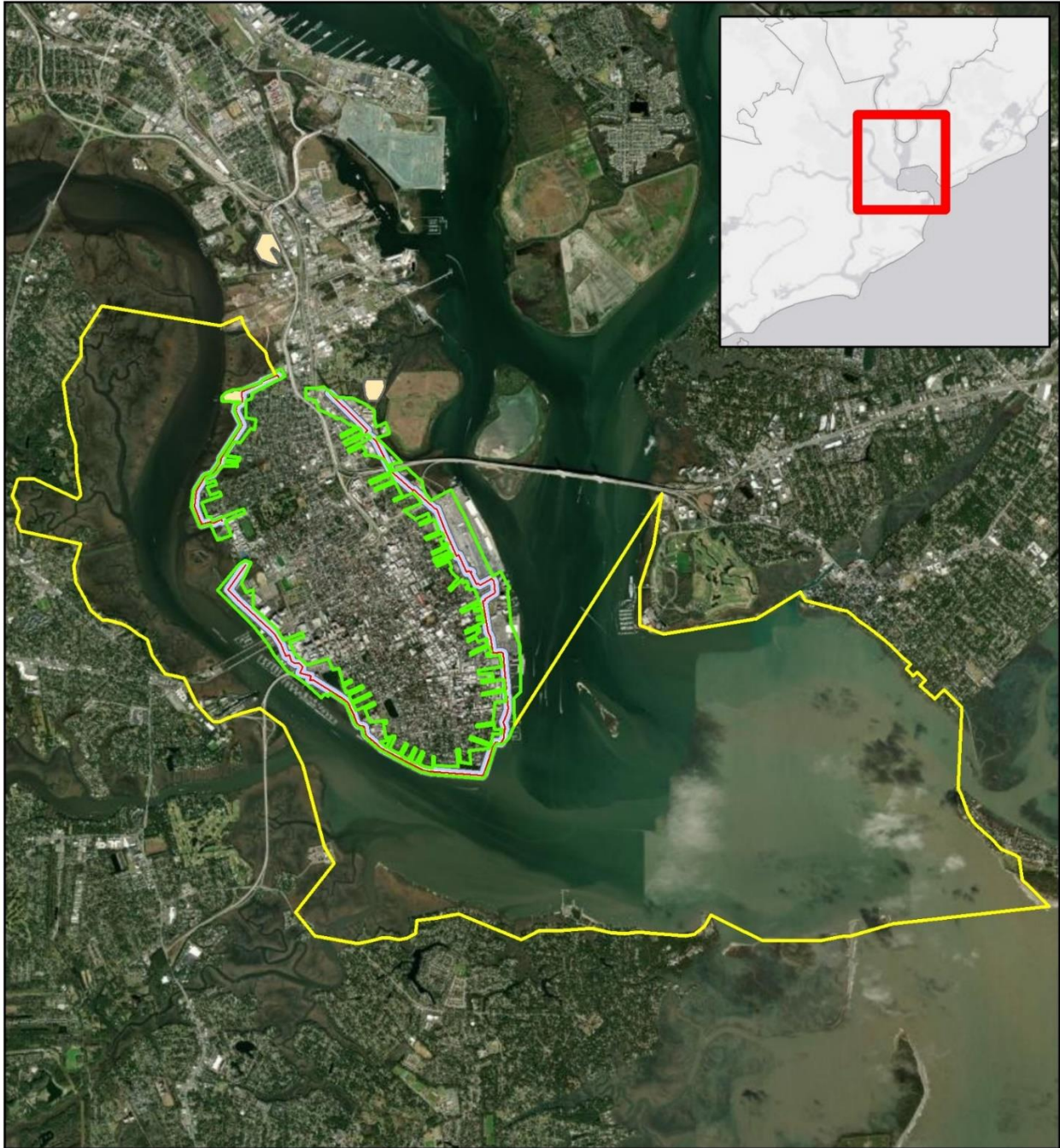


Figure 3. Charleston Peninsula Coastal Flood Risk Management Study APEs.

Table 1. Cultural Resources within the Project APEs.

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
38CH0701	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
38CH0700	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
Lowndes Grove	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
West Point Rice Mill	Interior Peninsula Viewshed	Structure	Listed
Unnamed/Halsey Blvd. (Site No. 5858)	Construction Effects, Interior Peninsula Viewshed	Historic Area	Eligible
Operations Maintenance Shop/9 Chisolm Street (Site No. 089-6458)	Interior Peninsula Viewshed	Structure	Contributes to Eligible District
Thomas H. Jr. Army Reserve Training Center/9 Chisolm Street (Site No. 089-6457)	Interior Peninsula Viewshed	Structure	Eligible
1-11 Ashley Boulevard	Interior Peninsula Viewshed	Structure	Destroyed
205 Broad Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
US Light House Service Sixth District Office Building/196 Tradd Street (Site No. 089-6454)	Interior Peninsula Viewshed	Structure	Eligible
Chisolm's Rice Mill Storage Building/196 Tradd Street (Site No. 089-6455)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Andrew B. Murray Vocational School/3 Chisolm Street	Interior Peninsula Viewshed	Structure	Listed
Charleston Old and Historic District (Boundary Increase)	Construction Effects, Interior Peninsula Viewshed	District	Listed/NHL
Proposed expansion to Charleston Historic District	Construction Effects, Interior Peninsula Viewshed	District	Eligible
Robert William Roper House/9 E. Battery Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed/NHL
Miles Brewton House/27 King Street	Interior Peninsula Viewshed	Structure	Listed/NHL
3 Water Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
38CH1673	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Potentially Eligible
3 Meeting Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
1 Meeting Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
U.S. Customhouse/200 E. Bay Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Exchange and Provost/ E. Bay and Broad Streets	Interior Peninsula Viewshed	Structure	Listed/NHL
38CH1606	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Eligible
9 Middle Atlantic Wharf	Interior Peninsula Viewshed	Structure	Contributes to Listed District
Dutarque-Guida House/105 East Bay Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
Fleet Landing Building/186 Concord Street	Interior Peninsula Viewshed	Structure	Eligible
4 Vendue Range	Construction Effects, Interior Peninsula Viewshed	Structure	Contributes to Listed District
Charleston's French Quarter District	Interior Peninsula Viewshed	District	Listed
Market Hall and Sheds	Interior Peninsula Viewshed	Structure	Listed/NHL
38CH1486	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Not Eligible
38CH1910	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Not Eligible
Charlotte Street Power Plant	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Presqu'île/2 Amherst Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Josiah Smith Tennent House	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Columbus Street Elementary/63 Columbus Street (Site No. 4256)	Interior Peninsula Viewshed	Structure	Eligible
Faber House; Hametic Hotel/635 East Bay Street (Site No. 0276)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Cigar Factory	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
East Bay Elementary/805 Morrison Drive (Site No. 4257)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Charleston Cemeteries Historic District	Construction Effects	District	Listed
USS Yorktown	Exterior Peninsula Viewshed	Structure	Listed/NHL
USS Clamagore	Exterior Peninsula Viewshed	Structure	Listed/NHL
USS Laffey	Exterior Peninsula Viewshed	Structure	Listed/NHL

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
Castle Pinckney	Exterior Peninsula Viewshed	Structure	Listed
Mount Pleasant Historic District	Exterior Peninsula Viewshed	District	Listed
Moultrieville Historic District	Exterior Peninsula Viewshed	District	Listed
Fort Sumter National Monument	Exterior Peninsula Viewshed	National Monument	Listed
King House/1040 5 <sup>th</sup> Avenue (Site No. 7927)	Exterior Peninsula Viewshed	Structure	Eligible
Site of Old Charles Towne	Exterior Peninsula Viewshed	Multicomponent	Listed

\*Only archaeology sites within Construction Effects APE included.



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

November 23, 2020

Mr. Kristopher King  
Executive Director  
Preservation Society of Charleston  
147 King Street  
Charleston, South Carolina 29401

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Mr. King:

The U.S. Army Corps of Engineers, Charleston District (Corps), in conjunction with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Subsequent meetings have outlined the optimized tentatively selected plan for the Project to include a storm surge wall along the perimeter of the peninsula, interior drainage facilities, and nonstructural measures. The proposed storm surge wall will measure 12 feet NAVD88 and tie into high ground as appropriate, including the existing Battery Wall (Figure 1). Due to its age and uncertainty about the integrity of the structure, the High Battery Wall will be reconstructed to meet Corps construction standards and raised to provide a consistent level of performance. The storm surge wall also includes multiple pedestrian, vehicle, railroad, boat, and storm (tidal flow) gates. Typically, the gates would remain open, and would be closed when the National Weather Service predicts major flooding for the Charleston Peninsula. Sections of the new wall would be fitted with walkways and railings to provide recreation opportunities. Where possible, designs will be modified to adhere to the visual aesthetic of the city. The location of drainage facilities, such as permanent and temporary pump stations, will be identified during the preconstruction, engineering and design (PED) phase of the Project. Additionally, nonstructural measures such as relocations, buyouts, elevations, and floodproofing will also be determined during the PED phase.

Based on comments provided by your office and other consulting parties, the Corps has refined the area of potential effects (APE) to include four separate areas where the Corps will consider potential effects to historic properties as a result of the Project (Figures 2 and 3). Please note that these APEs are based on a feasibility level analysis. Once project features are designed in the PED phase, the APEs may be subject to change through consultation with your office. Construction effects, to include demolition, vibration, and auditory effects, will be considered within a 200-foot radius centered from the proposed storm surge wall (see Figure 2). Effects of non-structural measures will be considered at three locations on the north end of the peninsula (see Figure 2). Due to location of the storm surge wall on the periphery of the peninsula and the nature of the city layout, potential visual impacts will be considered at two different viewsheds; the exterior peninsula viewshed (historic properties that view the peninsula from across the Ashley and Cooper rivers), and the interior peninsula viewshed (historic properties located on the peninsula with a view of the storm surge wall). Visual APEs were determined through consultation with your office, geographic information system (GIS) analysis, and field reconnaissance of both viewsheds. Table 1 presents all previously identified cultural resources within the APEs based on information available from the South Carolina State Historic Preservation Office. Effects to archaeological sites will only be considered within the construction effects APE. The Corps has determined there is no potential to effect archaeological resources outside of this APE.

With regards to the exterior peninsula viewshed, the storm surge wall is likely to be observed from the perimeter of the land surrounding the peninsula; however, views are currently obscured within 100 to 300 feet inland by existing structures and vegetation (see Figure 3). Historic properties within the exterior peninsula viewshed includes Fort Sumter National Monument, Moultrieville Historic District, Castle Pickney, Mount Pleasant Historic District, Old Charles Towne, USS Yorktown, USS Clamagore, and USS Laffey. Due to the highly urbanized environment, street layout, and topography of the Charleston Peninsula itself, the interior peninsula viewshed is limited to those structures immediately facing the proposed wall or those structures along street corridors up to 1000 feet from the proposed wall. Although the viewshed of the majority of historic properties within the Charleston Peninsula will not be effected by the Project, National Historic Landmarks such as the Charleston Old and Historic District, Robert William Roper House, Miles Brewton House, Exchange and Provost, and the Market Hall and Sheds are located within the interior Peninsula viewshed APE. The Corps recognizes its responsibility to avoid and minimize effects to these historic properties pursuant to Section 106 and Section 110 of the NHPA.

The forthcoming revised draft Programmatic Agreement, of which your office has agreed to be a concurring party, will outline methods of avoidance, minimization, and, if necessary, mitigation to historic properties. The Corps also recognizes that additional efforts are required to identify historic properties within these APEs. The Programmatic Agreement will further outline methods to identify and assess effects to historic properties through consultation with the consulting parties.

As part of the continuation of consultation for the Project the Corps kindly requests your comments on the proposed area of potential effects within 30 days from receipt of this letter. A revised draft Programmatic Agreement is scheduled to be available for review in January 2021. The Corps expects to host a meeting after a 30-day review period of the revised draft Programmatic Agreement to discuss additional comments. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



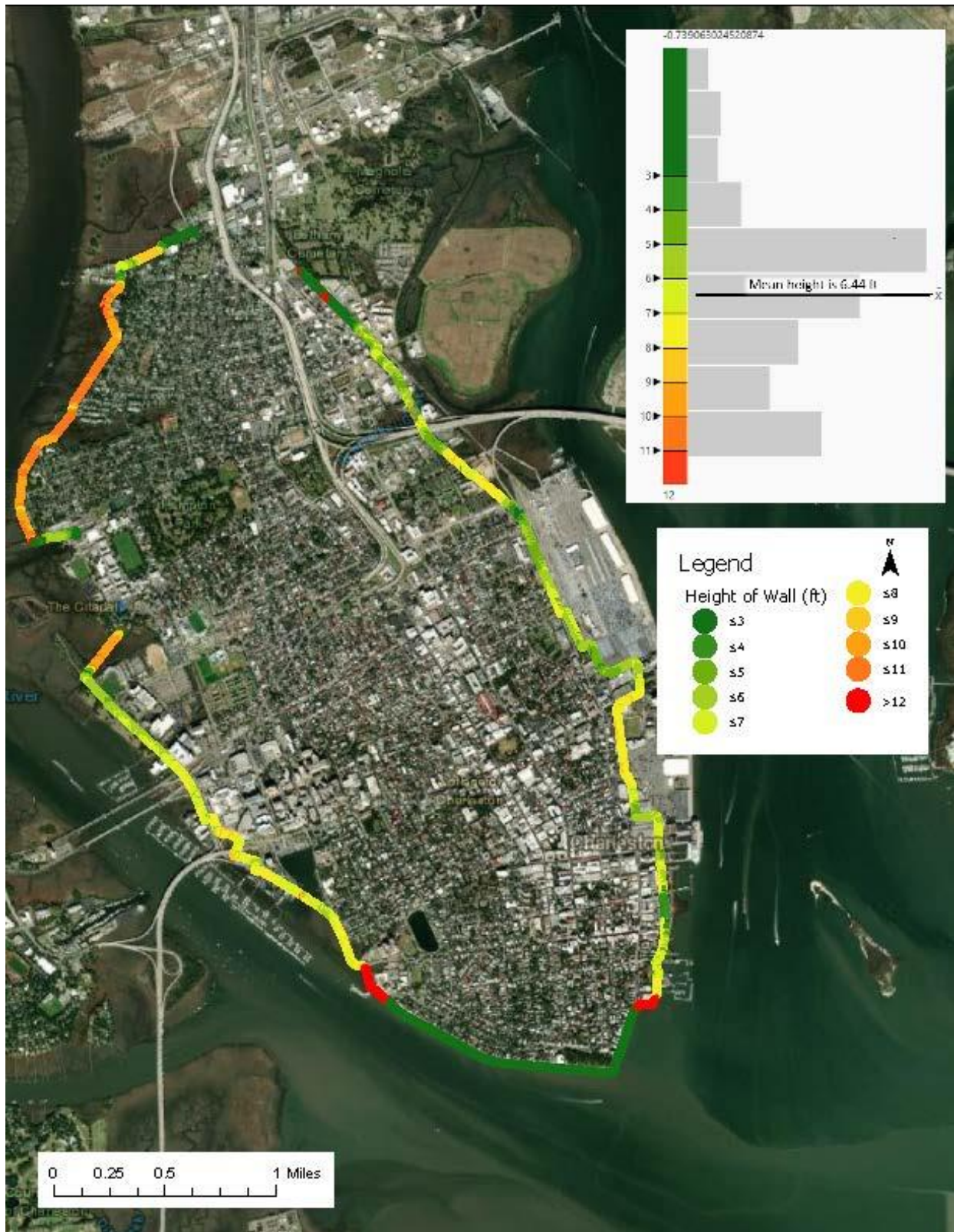


Figure 1. Height of the proposed storm surge wall.



Figure 2. Charleston Peninsula Coastal Flood Risk Management Study APEs.

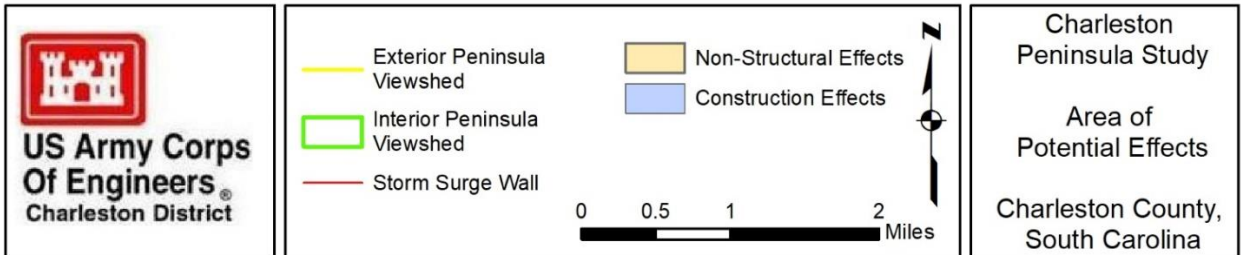
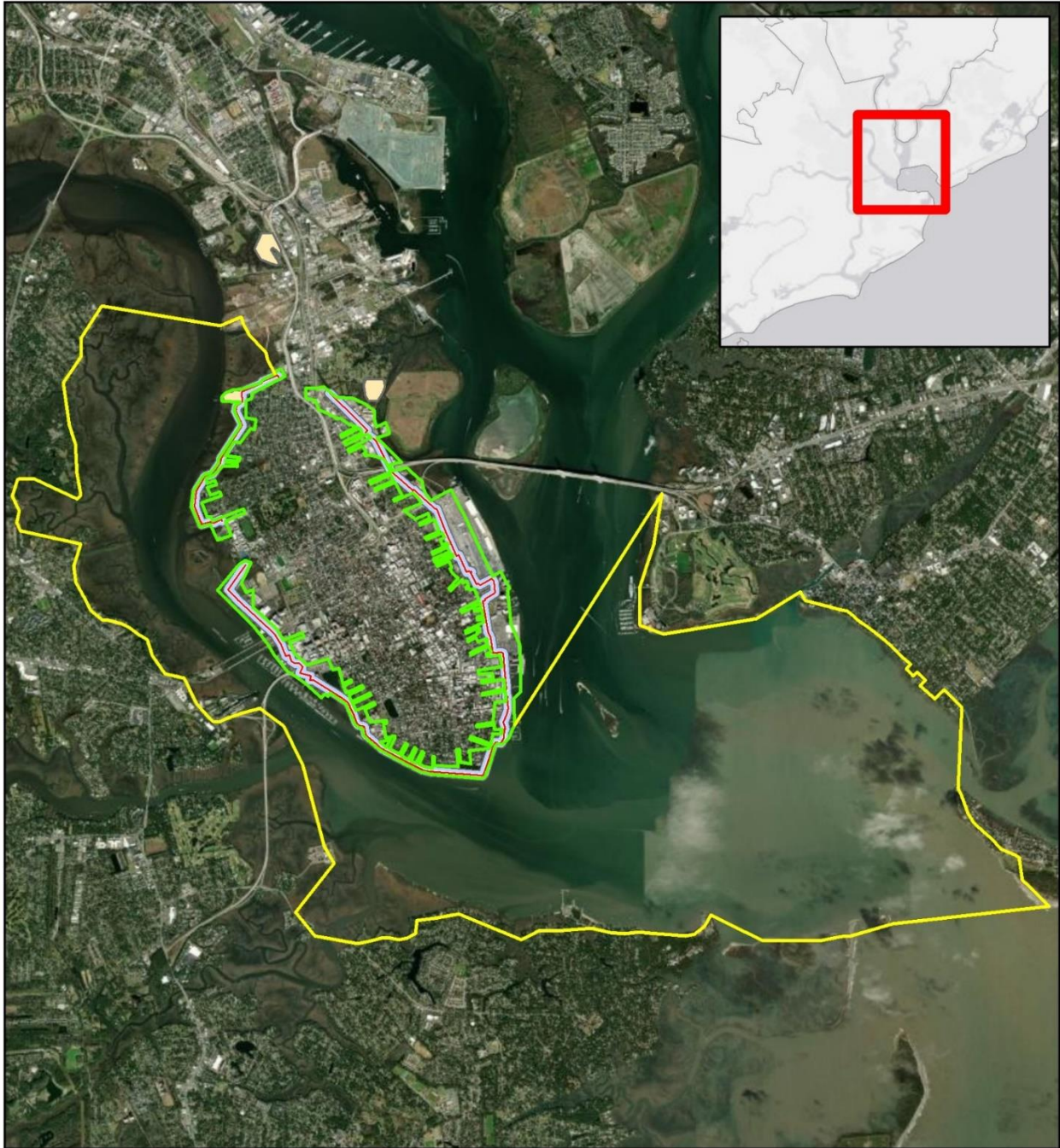


Figure 3. Charleston Peninsula Coastal Flood Risk Management Study APEs.

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Site of Old Charles Towne	Exterior Peninsula Viewshed	Multicomponent	Listed

\*Only archaeology sites within Construction Effects APE included.



December 23, 2020

Nancy Parrish  
Chief, Planning and Environmental Branch  
U.S. Army Corps of Engineers, Charleston District  
69 A Hagood Avenue  
Charleston SC 29403-5107

Subject: Revised Area of Potential Effects (APE), Charleston Peninsula Flooding Study  
Charleston, Charleston County  
SHPO Project No.: 18-EJ0131

Dear Nancy Parrish:

Thank you for your letter of November 23, 2020 which we received via email, along with maps depicting the revised Area of Potential Effects (APEs). We are providing comments to the Corps of Engineers pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800. Consultation with the SHPO is not a substitution for consultation with Tribal Historic Preservation Offices, other Native American tribes including those with state recognition, local governments, other consulting parties, or the public.

The letter describes the tentatively selected plan to include a storm surge wall along the perimeter of the peninsula, interior drainage features, and nonstructural measures. The proposed storm surge wall will measure 12 feet NAVD88 and will tie into high ground as appropriate, including the Battery Wall. The letter notes the High Battery Wall will be reconstructed due to uncertainty about the integrity of the structure. It also states that the location of drainage features and nonstructural measures will be defined during the Preconstruction, Engineering and Design (PED) phase and that the APEs are subject to change as features are designed.

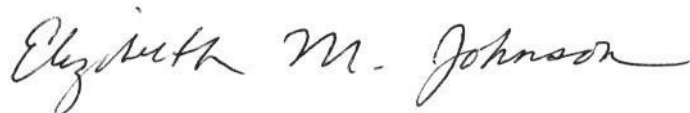
Thank you for responding to prior comments on the Draft Environmental Assessment (EA) that noted the need for additional consultation and discussion of the APEs. The Corps proposes four APEs (Construction, Nonstructural Measures, Interior Viewshed, and Exterior Viewshed) as shown on Figure 3 and described within the letter. We appreciate the additional research and analysis to develop and map the revised APEs. Our comments are as follows:

- Construction APE: The Corp proposes to limit the Construction APE for demolition, vibration, and auditory effects to a 200 foot radius from the proposed wall. We also note that effects to archaeological sites will be limited to the Construction APE. How did the Corps select the 200 foot radius? Does this include any staging areas for construction?

- Table 1. Cultural Resources in the APE: We appreciate the inclusion of the specific APE, site type, and National Register of Historic Places (NRHP) status in the Table. While extensive, it appears that the list is not a comprehensive list of each individual property address for example, that is within the 1000 foot Interior Viewshed APE boundary.
- Are there other “reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative” (36 CFR 800.5) that would suggest the need for additional APEs or revisions to the boundaries of the currently proposed APEs? Discussion of potential effects of the undertaking on the broader peninsula would be helpful. While the visibility of the undertaking may be limited as described in the Interior Viewshed discussion, consideration of reasonably foreseeable effects would be helpful such as changes in travel patterns of influence on patterns of development.
- Please share any comments about the revised APEs that you have received from other consulting parties with our office.

Thank you for the opportunity to provide comments. Please refer to SHPO Project No. 18-EJ0131 in future correspondence related to this project. If you have any questions please contact me at 803-896-6168, [ejohnson@scdah.sc.gov](mailto:ejohnson@scdah.sc.gov).

Cordially,



Elizabeth M. Johnson  
Director, Historical Services, D-SHPO  
State Historic Preservation Office

Cc: Chris Daniel, ACHP





# United States Department of the Interior



## NATIONAL PARK SERVICE

Atlanta Federal Center  
1924 Building  
100 Alabama Street, SW  
Atlanta, GA 30303

1.A.2 (SERO-PC)

IN REPLY REFER TO:

Ms. Nancy Parrish  
Chief, Planning and Environmental Branch  
U.S. Army Corps of Engineers, Charleston District  
69 A Hagood Avenue  
Charleston, SC 29403

Dear Ms. Parrish:

Thank you for your letter of November 23, 2020, which proposed a revised Area of Potential Affect (APE) for the Charleston Peninsula Coastal Flood Risk Management Study (project) in Charleston, South Carolina. The National Park Service (NPS) appreciates your efforts to consider our comments and the comments of other consulting parties.

As previously articulated, NPS is primarily concerned with affects to National Historic Landmarks on the Charleston Peninsula and with historic resources that comprise Fort Sumter and Fort Moultrie National Historical Park. We believe the revised APE for this project addresses our earlier concerns that affects to all historic resources within view of the proposed storm surge wall are considered.

We appreciate that this APE is based on a feasibility level analysis and that as the project develops it may need to be reconsidered. In the future, NPS will be interested in better understanding the construction requirements of the project and how they may affect historic properties including potential heavy equipment staging and movement through the National Historic Landmark District.

We look forward to working with you on this project. Please contact Cynthia Walton, Branch Manager, Archeological and Historic Preservation Partnerships, NPS Interior Region 2 at (404) 354-5792 or [Cynthia\\_Walton@nps.gov](mailto:Cynthia_Walton@nps.gov) if you have any questions regarding our comments.

Sincerely,

LANCE  
HATTEN

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HATTEN  
Date: 2021.01.04  
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For Stan Austin  
Regional Director

Interior Region 2 • South Atlantic–Gulf

Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi  
North Carolina, Puerto Rico, South Carolina, Tennessee, U.S. Virgin Islands



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

February 01, 2021

Dr. Wenonah G. Haire  
Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Dr. Haire:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Based on comments provided by your office and other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continuation of consultation for the Project, the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within two weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

February 01, 2021

Ms. Andrea Pietras  
Deputy Director  
Charleston County Planning  
City of Charleston  
4045 Bridge View Drive  
North Charleston, South Carolina 29405

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Ms. Pietras:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Based on comments provided by your office and other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continuation of consultation for the Project, the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within two weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

February 01, 2021

Mr. Winslow Hastie  
President  
Historic Charleston Foundation  
40 East Bay Street  
Charleston, South Carolina 29401

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Mr. Hastie:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Based on comments provided by your office and other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continuation of consultation for the Project, the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within two weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

February 01, 2021

Ms. Karen L. Cucurullo  
Acting Regional Director  
National Park Service, Southeast Region  
100 Alabama Street SW  
1924 Building  
Atlanta, Georgia 30303

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Ms. Cucurullo:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Based on comments provided by your office and other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continuation of consultation for the Project, the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within two weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

February 01, 2021

Dr. Tom McCulloch, PhD, RPA  
Assistant Director  
Federal Property Management Section  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
401 F. Street NW, Suite 308  
Washington, DC 20001-2637

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina (ACHP Project No.: 014692)

Dear Dr. McCulloch:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Based on comments provided by your office and other consulting parties, the Corps has revised the draft Programmatic Agreement.

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Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

February 01, 2021

Dr. W. Eric Emerson, Ph.D.  
Director  
South Carolina Department of Archives and History  
8301 Parklane Road  
Columbia, South Carolina 29223

Re: Draft Programmatic Agreement Charleston Peninsula Coastal Flood Risk  
Management Study, Charleston County, South Carolina (SHPO No.: 18-EJ0131)

Dear Dr. Emerson:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Based on comments provided by your office and other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continuation of consultation for the Project, the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within two weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

February 01, 2021

Mr. Kristopher King  
Executive Director  
Preservation Society of Charleston  
147 King Street  
Charleston, South Carolina 29401

Re: Revised APE Charleston Peninsula Coastal Flood Risk Management Study,  
Charleston County, South Carolina

Dear Mr. King:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. Consultation was previously initiated with your office pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), and an integrated draft programmatic agreement and draft feasibility report/environmental assessment was coordinated with your office for comment. Based on comments provided by your office and other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continuation of consultation for the Project, the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within two weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls





February 10, 2021

Nancy Parrish  
Chief, Planning and Environmental Branch  
U.S. Army Corps of Engineers, Charleston District  
69 A Hagood Avenue  
Charleston SC 29403-5107  
(delivered via email)

Subject: Cooperating Agency Invitation, Charleston Peninsula Coastal Flood Risk Management Study, Integrated Feasibility Report/Environmental Impact Statement (IFR/EIS)  
Charleston, Charleston County  
SHPO Project No.: 18-EJ0131

Dear Nancy Parrish:

Thank you for your letter of January 27, 2021 which we received via email inviting the SC Department of Archives and History to become a cooperating agency for this Study and IFR/EIS. We accept the invitation and look forward to ongoing coordination and consultation with the Corps of Engineers through the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800. We understand that the timeline for completion of the study is July 2022.

I will serve as the primary point of contact for this project for both NEPA and Section 106. The alternate contact will be John Sylvest, Project Review Coordinator, [jsylvest@scdah.sc.gov](mailto:jsylvest@scdah.sc.gov), 803-896-6129.

Please refer to SHPO Project No. 18-EJ0131 in future correspondence related to this project. If you have any questions please contact me at 803-896-6168, [ejohnson@scdah.sc.gov](mailto:ejohnson@scdah.sc.gov).

Cordially,

Elizabeth M. Johnson  
Director, Historical Services, D-SHPO  
State Historic Preservation Office

**From:** [Wilbert, Mark](#)  
**To:** [Moreno, Meredith A CIV USARMY CESAJ \(US\)](#)  
**Cc:** [Copeland, Julia](#); [Hlavin, Kim](#); [Davis, Allen](#); [Wilbert, Mark](#); [Herdina, Susan](#); [Wilbert, Mark](#)  
**Subject:** [Non-DoD Source] FW: Programmatic Agreement  
**Date:** Monday, February 22, 2021 4:51:01 PM  
**Attachments:** [image001.png](#)  
[Charleston PA\\_02.01.2021.DRAFT redlines.docx](#)

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Meredith;

Our comments from this morning have not changed within the document. We very much support the inclusion of language as to the Principles of Historic Architecture and Design or something like that to establish upfront that anything built in this area of the city needs to be sensitive to the environment and adhere to certain principles. This is not my area of expertise but we do have staff in the city with this expertise. I think it's imperative that the advocacy groups are part of establishing those principles and they are considered to be part of the PA if possible. I think it would be wise to have a team draft for submittal consisting of the parties signing the agreement. Just my thoughts and let me know what you think.

Thanks

Mark

---

**From:** Copeland, Julia  
**Sent:** Monday, February 22, 2021 9:34 AM  
**To:** Wilbert, Mark <wilbertm@charleston-sc.gov>  
**Cc:** Hlavin, Kim <hlavink@charleston-sc.gov>  
**Subject:** Programmatic Agreement

Here you go. Thanks!

**Julia P. Copeland** | Assistant Corporation Counsel  
City of Charleston | Legal Department  
50 Broad Street | Charleston, SC 29401  
T: 843-577-0216 | F: 843-724-3706 | [copelandj@charleston-sc.gov](mailto:copelandj@charleston-sc.gov) | [www.charleston-sc.gov](http://www.charleston-sc.gov)



*City of Charleston*

February 24, 2021

Ms. Nancy Parrish  
Chief, Planning and Environmental Branch  
Department of the Army Corps of Engineers, Charleston District  
69 Hagood Avenue  
Charleston, SC 29403-5107

Dear Ms. Parrish,

The Charleston Museum is interested in the final disposition of artifacts that could potentially be found in flood mitigation projects in Charleston that will be undertaken by the Army Corps of Engineers, and we request that the Museum be added as a consulting party for the Charleston Peninsula Coastal Flood Risk Management Study as part of Section 106. Our Archaeology Department, led by Ms. Martha Zierden, Curator of Historical Archaeology, has extensive experience monitoring and participating in urban archaeology projects in the city over several decades.

Please let us know what steps are required to be taken for our organization to be included.

Sincerely,



Carl P. Borick  
Director

Cc: Jennifer McCormick, Chief of Collections  
Martha Zierden, Curator of Historical Archaeology

**From:** [Johnson, Elizabeth](#)  
**To:** [Moreno, Meredith A CIV USARMY CESAJ \(US\)](#); [Emerson, W. Eric](#)  
**Cc:** [Sylvest, John](#)  
**Subject:** [Non-DoD Source] RE: Draft Charleston Peninsula Study Programmatic Agreement for comment  
**Date:** Monday, March 1, 2021 4:22:33 PM  
**Attachments:** [image001.png](#)  
[Charleston PA\\_02.01.2021\\_SHPO-review.docx](#)

---

Meredith:

Thank you for the opportunity to provide comments on this draft. Attached are edits and comments in track changes.

Please let me know if you have any questions,

Thanks,

Elizabeth



Elizabeth M. Johnson  
Director, Historical Services, D-SHPO  
State Historic Preservation Office  
SC Department of Archives & History  
8301 Parklane Road  
Columbia, SC 29223  
Ph: 803.896.6168 Fax: 803.896.6167 <https://scdah.sc.gov/historic-preservation>

---

**From:** Moreno, Meredith A CIV USARMY CESAJ (US) <Meredith.A.Moreno@usace.army.mil>  
**Sent:** Monday, February 01, 2021 4:03 PM  
**To:** Emerson, W. Eric <EEmerson@scdah.sc.gov>  
**Cc:** Johnson, Elizabeth <EJohnson@scdah.sc.gov>; Sylvest, John <JSylvest@scdah.sc.gov>  
**Subject:** Draft Charleston Peninsula Study Programmatic Agreement for comment

Good afternoon,

The draft Charleston Peninsula Study Programmatic Agreement is attached for your consideration and comment. Please let me know if a hard copy is required. A doodle poll will be sent in a separate email to gauge availability for your participation in a meeting to discuss the Agreement prior to comment due date. Feel free to email or call with any questions or concerns.

Thank you,  
Meredith A. Moreno, M.A., RPA  
Lead Archaeologist

Jacksonville District, US Army Corps of Engineers  
Phone: 904-232-1577

**From:** [Walton, Cynthia A](#)  
**To:** [Moreno, Meredith A CIV USARMY CESAJ \(US\)](#)  
**Cc:** [Rankin, Ellen E](#); [Barnett, Anita](#); [Funk, Kate](#); [Betcher, Nathan G](#); [Monteleone, Simone](#)  
**Subject:** [Non-DoD Source] Re: [EXTERNAL] Draft Charleston Peninsula Study Programmatic Agreement for comment  
**Date:** Tuesday, March 2, 2021 8:45:50 AM  
**Attachments:** [NPS Charleston PA 02.01.2021.docx](#)

---

Good morning Meredith,

Please see attached track changes from NPS. Let me know if you have any questions.

Cynthia

Cynthia Walton  
Branch Manager, Archeological and Historic Preservation Partnerships  
National Park Service, Interior Region 2  
100 Alabama St. SW, Atlanta, GA 30303  
(404) 354-6072 - cell

---

**From:** Moreno, Meredith A CIV USARMY CESAJ (US) <Meredith.A.Moreno@usace.army.mil>  
**Sent:** Monday, February 1, 2021 4:05 PM  
**To:** Karen.Cucurullo@nps.gov <Karen.Cucurullo@nps.gov>  
**Cc:** Rankin, Ellen E <Gwilym\_Rankin@nps.gov>; Walton, Cynthia A <Cynthia\_Walton@nps.gov>; Barnett, Anita <Anita\_Barnett@nps.gov>; Funk, Kate <Kate\_Funk@nps.gov>; Betcher, Nathan G <Nathan\_Betcher@nps.gov>  
**Subject:** [EXTERNAL] Draft Charleston Peninsula Study Programmatic Agreement for comment

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Good afternoon,

The draft Charleston Peninsula Study Programmatic Agreement is attached for your consideration and comment. Please let me know if a hard copy is required. A doodle poll will be sent in a separate email to gauge availability for your participation in a meeting to discuss the Agreement prior to comment due date. Feel free to email or call with any questions or concerns.

Thank you,  
Meredith A. Moreno, M.A., RPA

Lead Archaeologist  
Jacksonville District, US Army Corps of Engineers  
Phone: 904-232-1577



**From:** [Chris Daniel](#)  
**To:** [Moreno, Meredith A CIV USARMY CESAJ \(US\)](#); [Allen Davis](#); [Anita Barnett](#); [Anna-Catherine Carroll](#); [Barbara Neale](#); [Brian Turner](#); [Cashion Drolet](#); [Chris Stout](#); [Cynthia Walton](#); [Elizabeth Johnson](#); [Ellen Rankin](#); [Eric Emerson](#); [Erin Minnigan](#); [John Sylvest](#); [Kate Funk](#); [Kim Hlavin](#); [Kristopher B. King](#); [Mark Wilbert](#); [Morgan Gundlach](#); [Nathan Betcher](#); [Tory Parish](#); [Wenonah Haire](#); [Will Cook](#); [Winslow Hastie](#)  
**Cc:** [Parrish, Nancy A CIV USARMY USACE \(USA\)](#); [Wilson, Wesley CIV USARMY CESAC \(USA\)](#); [Ward, Bethney P CIV USARMY CESAC \(USA\)](#); [Stetzel, Corrine M CIV USARMY CESPCK \(USA\)](#); [Tom McCulloch](#); [Hadley, Hannah F CIV USARMY CENWW \(USA\)](#); [Brian Turner](#); [Jellema, Jonathan M CIV USARMY CESAC \(USA\)](#); [Perkins, Diane C CIV USARMY CESAC \(USA\)](#)  
**Subject:** [Non-DoD Source] RE: [External] Charleston Peninsula Study Programmatic Agreement Discussion  
**Date:** Tuesday, March 2, 2021 11:24:03 PM  
**Attachments:** [Charleston PA 02.01.2021 \(ACHP Comments 03-02-2021\).docx](#)

---

Meredith,

Please find attached the ACHP's comments on the draft Programmatic Agreement. At this time, we will not be providing a formal letter with our comments.

**Sincerely,**

Christopher Daniel (he/him/his)  
Program Analyst  
Advisory Council on Historic Preservation  
401 F Street NW, Suite 308, Washington, DC 20001  
202.517.0223 (Office & Mobile)  
[cdaniel@achp.gov](mailto:cdaniel@achp.gov)

**COVID-19 and the ACHP.** The ACHP staff is teleworking and available by e-mail and phone. Up to date information on Section 106 and ACHP operations can be found at [www.achp.gov/coronavirus](http://www.achp.gov/coronavirus).

**[e106-online section 106 documentation submittal system](https://www.achp.gov/e106-email-form)**

<https://www.achp.gov/e106-email-form>

---

**From:** Moreno, Meredith A CIV USARMY CESAJ (US) [<mailto:Meredith.A.Moreno@usace.army.mil>]  
**Sent:** Wednesday, February 03, 2021 10:26 AM  
**To:** Allen Davis; Anita Barnett; Anna-Catherine Carroll; Barbara Neale; Brian Turner; Cashion Drolet; Chris Daniel; Chris Stout; Cynthia Walton; Elizabeth Johnson; Ellen Rankin; Eric Emerson; Erin Minnigan; John Sylvest; Kate Funk; Kim Hlavin; Kristopher B. King; Mark Wilbert; Morgan Gundlach; Nathan Betcher; Tory Parish; Wenonah Haire; Will Cook; Winslow Hastie  
**Cc:** Nancy Parrish; Wilson, Wesley CIV USARMY CESAC (USA); Ward, Bethney P CIV USARMY CESAC (USA); Stetzel, Corrine M CIV USARMY CESPCK (USA); Hadley, Hannah F CIV USARMY CENWW (USA); Jellema, Jonathan M CIV USARMY CESAC (US); Perkins, Diane C CIV USARMY CESAC (USA)  
**Subject:** [External] Charleston Peninsula Study Programmatic Agreement Discussion

Good morning,

Hopefully everyone received a copy of the draft Programmatic Agreement on Monday, 1 February. I would like to schedule a meeting between 17 to 24 February to discuss any questions on the PA before final comments are due. If you would like to attend this meeting, please provide your

availability at the link below.

[https://doodle.com/poll/vzzyiedwmzvir2fs?utm\\_source=poll&utm\\_medium=link](https://doodle.com/poll/vzzyiedwmzvir2fs?utm_source=poll&utm_medium=link)

Please don't hesitate to call or email with any questions or concerns prior to this meeting.

Thank you,

Meredith A. Moreno, M.A., RPA

Lead Archaeologist

Jacksonville District, US Army Corps of Engineers

Phone: 904-232-1577

**From:** [Wenonah Haire](#)  
**To:** [Moreno, Meredith A CIV USARMY CESAJ \(US\)](#)  
**Subject:** [Non-DoD Source] Re: [External] Charleston Peninsula Study Programmatic Agreement Discussion  
**Date:** Tuesday, March 2, 2021 6:34:30 PM

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Thank you for the draft. We have no concerns with the draft at this time.

Sincerely,  
Wenonah G. Haire, DMD  
CIN-THPO

Sent from my iPhone

On Mar 2, 2021, at 5:52 PM, Chris Daniel <[cdaniel@achp.gov](mailto:cdaniel@achp.gov)> wrote:

Meredith,

Please find attached the ACHP's comments on the draft Programmatic Agreement. At this time, we will not be providing a formal letter with our comments.

**Sincerely,**

Christopher Daniel (he/him/his)  
Program Analyst  
Advisory Council on Historic Preservation  
401 F Street NW, Suite 308, Washington, DC 20001  
202.517.0223 (Office & Mobile)  
[cdaniel@achp.gov](mailto:cdaniel@achp.gov)

**COVID-19 and the ACHP.** The ACHP staff is teleworking and available by e-mail and phone. Up to date information on Section 106 and ACHP operations can be found at [www.achp.gov/coronavirus](http://www.achp.gov/coronavirus).

**[e106-online section 106 documentation submittal system](https://www.achp.gov/e106-email-form)**

<https://www.achp.gov/e106-email-form>

---

**From:** Moreno, Meredith A CIV USARMY CESAJ (US)  
[mailto:[Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil)]  
**Sent:** Wednesday, February 03, 2021 10:26 AM  
**To:** Allen Davis; Anita Barnett; Anna-Catherine Carroll; Barbara Neale; Brian Turner; Cashion Drolet; Chris Daniel; Chris Stout ; Cynthia Walton; Elizabeth Johnson; Ellen Rankin; Eric Emerson; Erin Minnigan; John Sylvest; Kate Funk; Kim Hlavin; Kristopher B. King; Mark Wilbert; Morgan Gundlach; Nathan Betcher; Tory Parish; Wenonah Haire; Will Cook; Winslow Hastie  
**Cc:** Nancy Parrish; Wilson, Wesley CIV USARMY CESAC (USA); Ward, Bethney P CIV

USARMY CESAC (USA); Stetzel, Corrine M CIV USARMY CESPCK (USA); Hadley, Hannah F CIV USARMY CENWW (USA); Jellema, Jonathan M CIV USARMY CESAC (US); Perkins, Diane C CIV USARMY CESAC (USA)

**Subject:** [External] Charleston Peninsula Study Programmatic Agreement Discussion

Good morning,

Hopefully everyone received a copy of the draft Programmatic Agreement on Monday, 1 February. I would like to schedule a meeting between 17 to 24 February to discuss any questions on the PA before final comments are due. If you would like to attend this meeting, please provide your availability at the link below.

[https://doodle.com/poll/vzzyiedwmzvir2fs?utm\\_source=poll&utm\\_medium=link](https://doodle.com/poll/vzzyiedwmzvir2fs?utm_source=poll&utm_medium=link)

Please don't hesitate to call or email with any questions or concerns prior to this meeting.

Thank you,

Meredith A. Moreno, M.A., RPA

Lead Archaeologist

Jacksonville District, US Army Corps of Engineers

Phone: 904-232-1577

<Charleston PA\_02.01.2021 (ACHP Comments 03-02-2021).docx>

## Disclaimer

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**From:** [Brian Turner](#)  
**To:** [Moreno, Meredith A CIV USARMY CESAJ \(US\)](#); [Parrish, Nancy A CIV USARMY USACE \(USA\)](#)  
**Cc:** [davisal@charleston-sc.gov](#); [Anita\\_Barnett@nps.gov](#); [Anna-Catherine Carroll](#); [NEALEB@dhec.sc.gov](#); [cdrolet@historiccharleston.org](#); [cdaniel@achp.gov](#); [stoutcm@dhec.sc.gov](#); [Cynthia\\_Walton@nps.gov](#); [EJohnson@scdah.sc.gov](#); [Gwilym\\_Rankin@nps.gov](#); [eemerson@scdah.sc.gov](#); [Erin Minnigan](#); [JSylvest@scdah.sc.gov](#); [Kate\\_Funk@nps.gov](#); [hlavink@charleston-sc.gov](#); [Kristopher King](#); [wilbertm@charleston-sc.gov](#); [gundlachm@charleston-sc.gov](#); [Nathan\\_Betcher@nps.gov](#); [PARISHT@charleston-sc.gov](#); [wenonah.haire@catawba.com](#); [will@culturalheritagepartners.com](#); [whastie@historiccharleston.org](#)  
**Subject:** [Non-DoD Source] Draft PA Comments - Charleston Coastal Flood Risk Management Study  
**Date:** Tuesday, March 2, 2021 8:20:33 PM  
**Attachments:** [PSC Comments on 2.1.21 PA for Coastal Food Risk Management Study.pdf](#)

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Greetings Ms. Moreno and Ms. Parrish:

Please find attached the Preservation Society of Charleston's comments on the Feb. 1, 2021 Draft Programmatic Agreement for the Coastal Flood Risk Management Study. These comments consist of a brief cover letter followed by detailed technical comments.

Thank you for your consideration. We look forward to further engagement as a consulting party in the Section 106 process.

**BRIAN R. TURNER**  
Director of Advocacy

**PRESERVATION SOCIETY OF CHARLESTON**  
147 King Street  
Charleston, South Carolina 29401  
M: 415.683.8057  
O: 843.722.4630 ext. 24  
[preservationsociety.org](#)



---

HISTORIC CHARLESTON  
FOUNDATION

March 2, 2021

Ms. Nancy Parrish  
Chief, Planning and Environmental Branch  
US Army Corps of Engineers, Charleston District  
69 Hagood Avenue  
Charleston, SC 29403-5107

*Via Electronic Mail* (Nancy.A.Parrish@usace.army.mil)

Dear Ms. Parrish:

As part of the continuation of consultation on Section 106 of the National Historic Preservation Act in relation to the US Army Corps of Engineers Charleston Peninsula Coastal Flood Risk Management Study, attached to this letter is a “marked-up” version of the revised draft Programmatic Agreement on behalf of Historic Charleston Foundation. This document provides our comments, new language suggestions, questions and areas of concern. We appreciate the open dialogue with the Army Corps Project Team, the webinar meeting on February 22nd, and the willingness to perfect the Programmatic Agreement. We look forward to continued cooperation with the Project Team on this document and the Section 106 process.

Please do not hesitate to contact me or my staff member Cashion Drolet, if there are any questions or clarification needed on the attached.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Winslow Hastie'.

Winslow Hastie  
President & CEO



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

June 22, 2021

Dr. Tom McCulloch, PhD, RPA  
Assistant Director  
Federal Property Management Section  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
401 F. Street NW, Suite 308  
Washington, DC 20001-2637

Re: Revised Draft Programmatic Agreement Charleston Peninsula Coastal Flood Risk Management Study, Charleston County, South Carolina (ACHP Project No.: 014692)

Dear Dr. McCulloch:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. The Corps is in receipt of your comments dated March 2, 2021 regarding the draft Programmatic Agreement for the Project. Based on these comments and those received from other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continued consultation pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within three weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

June 22, 2021

Dr. Wenonah G. Haire  
Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Re: Revised Draft Programmatic Agreement Charleston Peninsula Coastal Flood Risk Management Study, Charleston County, South Carolina

Dear Dr. Haire:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. The Corps is in receipt of your email dated March 2, 2021 regarding the draft Programmatic Agreement for the Project. Although your office did not have comments on the draft Programmatic Agreement, the Corps has revised the document based on comments received from other consulting parties.

As part of the continued consultation pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within three weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls





DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

June 22, 2021

Ms. Andrea Pietras  
Deputy Director  
Charleston County Planning  
City of Charleston  
4045 Bridge View Drive  
North Charleston, South Carolina 29405

Re: Revised Draft Programmatic Agreement Charleston Peninsula Coastal Flood Risk Management Study, Charleston County, South Carolina

Dear Ms. Pietras:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. The Corps is in receipt of your comments dated February 22, 2021 regarding the draft Programmatic Agreement for the Project. Based on these comments and those received from other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continued consultation pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within three weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

June 22, 2021

Mr. Winslow Hastie  
President  
Historic Charleston Foundation  
40 East Bay Street  
Charleston, South Carolina 29401

Re: Revised Draft Programmatic Agreement Charleston Peninsula Coastal Flood Risk Management Study, Charleston County, South Carolina

Dear Mr. Hastie:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. The Corps is in receipt of your comments dated March 2, 2021 regarding the draft Programmatic Agreement for the Project. Based on these comments and those received from other consulting parties, the Corps has revised the draft Programmatic Agreement.

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Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

June 22, 2021

Mr. Stan Austin  
Regional Director  
National Park Service, Interior Region 2  
100 Alabama Street SW  
1924 Building  
Atlanta, Georgia 30303

Re: Revised Draft Programmatic Agreement Charleston Peninsula Coastal Flood Risk Management Study, Charleston County, South Carolina

Dear Mr. Austin:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. The Corps is in receipt of your comments dated March 2, 2021 regarding the draft Programmatic Agreement for the Project. Based on these comments and those received from other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continued consultation pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within three weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

June 22, 2021

Mr. Kristopher King  
Executive Director  
Preservation Society of Charleston  
147 King Street  
Charleston, South Carolina 29401

Re: Revised Draft Programmatic Agreement Charleston Peninsula Coastal Flood Risk Management Study, Charleston County, South Carolina

Dear Mr. King:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. The Corps is in receipt of your comments dated March 2, 2021 regarding the draft Programmatic Agreement for the Project. Based on these comments and those received from other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continued consultation pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within three weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69 HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

Planning and Environmental Branch

June 22, 2021

Dr. W. Eric Emerson, Ph.D.  
Director  
South Carolina Department of Archives and History  
8301 Parklane Road  
Columbia, South Carolina 29223

Re: Revised Draft Programmatic Agreement Charleston Peninsula Coastal Flood Risk Management Study, Charleston County, South Carolina (SHPO No.: 18-EJ0131)

Dear Dr. Emerson:

The U.S. Army Corps of Engineers, Charleston District (Corps), in partnership with the City of Charleston, is studying the feasibility and environmental effects of storm surge risk reduction measures as part of the Charleston Peninsula Coastal Flood Risk Management Study (Project) in Charleston, South Carolina. The Corps is in receipt of your comments dated March 1, 2021 regarding the draft Programmatic Agreement for the Project. Based on these comments and those received from other consulting parties, the Corps has revised the draft Programmatic Agreement.

As part of the continued consultation pursuant to Section 106 and Section 110 of the National Historic Preservation Act (NHPA), the Corps kindly requests your comments on the revised draft Programmatic Agreement within 30 days from receipt of this letter. The Corps proposes to host a meeting within three weeks of receipt of the revised draft Programmatic Agreement to discuss questions or concerns. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

Encls



**DEPARTMENT OF THE ARMY**  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69A HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

25 June 2021

Planning and Environmental Branch

Dr. Eric Emerson  
Director  
South Carolina Department of Archives and History  
8301 Parklane Road  
Columbia, South Carolina 29223

Dear Mr. Emerson:

Thank you for becoming a cooperating agency on the Integrated Feasibility Report/Environmental Impact Statement (IFR/EIS) for Charleston Peninsula Coastal Flood Risk Management Study. The purpose of this letter is to set expectations and responsibilities of U.S. Army Corps of Engineers, Charleston District (USACE), as lead agency and South Carolina Department of Archives and History (SHPO), as cooperating agency in the EIS preparation process.

As lead agency, USACE is responsible for preparation of the EIS and the NEPA compliance process. The lead agency's responsibilities include, but are not limited to, determining the purpose and need, selecting alternatives for analysis, designing parameters of analysis, identifying effects of alternatives, identifying mitigation measures, selecting the preferred alternative, issuing the record of decision with the alternative selected, filing the necessary documents to complete the process, developing schedules, and making staff commitments of lead agency's personnel to complete the NEPA process within the time schedule.

The CEQ regulations implementing NEPA outline the roles and responsibilities for cooperating agencies (40 C.F.R. § 1501.8(b)). Additionally, Section 1005 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) provides certain responsibilities for cooperating agencies for water resources development studies. As a cooperating agency, your agency's expertise provides valuable assistance in helping USACE meet its NEPA requirements. Your cooperating agency acceptance letter proposes that your agency would continue ongoing coordination and consultation with USACE through the NEPA process and Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800.

We look forward to your continued participation on this study. With regards to the review and comment of NEPA document, USACE has an expectation that SHPO will adhere to the review schedule for the preliminary Draft IFR/EIS of July 26 - August 6, 2021 and if any schedule changes occur, USACE will immediately inform SHPO of

those changes. The formal NEPA public comment period for the Draft IFR/EIS is expected to be September 10 – October 25, 2021, depending on the exact publication date in the Federal Register, should SHPO wish to provide official agency comments for public record during this time.

If you have any questions, please contact Hannah Hadley at [hannah.f.hadley@usace.army.mil](mailto:hannah.f.hadley@usace.army.mil) or 208-433-4460. We look forward to your written reply confirming that SHPO agrees with the review schedule expectations.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch



**DEPARTMENT OF THE ARMY**  
CORPS OF ENGINEERS, CHARLESTON DISTRICT  
69A HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

25 June 2021

Planning and Environmental Branch

Mr. Robert A. Vogel  
National Park Service, Southeast Region  
100 Alabama St. SW  
1924 Building  
Atlanta, GA 30303

Dear Mr. Vogel:

Thank you for becoming a cooperating agency on the Integrated Feasibility Report/Environmental Impact Statement (IFR/EIS) for Charleston Peninsula Coastal Flood Risk Management Study. The purpose of this letter is to set expectations and responsibilities of U.S. Army Corps of Engineers, Charleston District (USACE), as lead agency and National Park Service (NPS), as cooperating agency in the EIS preparation process.

As lead agency, USACE is responsible for preparation of the EIS and the NEPA compliance process. The lead agency's responsibilities include, but are not limited to, determining the purpose and need, selecting alternatives for analysis, designing parameters of analysis, identifying effects of alternatives, identifying mitigation measures, selecting the preferred alternative, issuing the record of decision with the alternative selected, filing the necessary documents to complete the process, developing schedules, and making staff commitments of lead agency's personnel to complete the NEPA process within the time schedule.

The CEQ regulations implementing NEPA outline the roles and responsibilities for cooperating agencies (40 C.F.R. § 1501.8(b)). Additionally, Section 1005 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) provides certain responsibilities for cooperating agencies for water resources development studies. As a cooperating agency, your agency's expertise provides valuable assistance in helping USACE meet its NEPA requirements. Your cooperating agency acceptance letter proposes that your agency would assist USACE in developing the IFR/EIS in order to ensure that pertinent NPS mission statements, legislative authorities, and policies are duly considered when developing any alternatives, related management actions, or options that could potentially affect Fort Sumter and Fort Moultrie National Historical Park and multiple National Historic Landmarks (NHL), including the Charleston NHL District, on the Charleston Peninsula.



We look forward to your continued participation on this study. With regards to NPS' assistance, USACE understands that will happen through NPS' review and comment of the preliminary Draft IFR/EIS. USACE has an expectation that NPS will adhere to the review schedule for the preliminary Draft IFR/EIS of July 26 - August 6, 2021 and if any schedule changes occur, USACE will immediately inform NPS of those changes. The formal NEPA public comment period for the Draft IFR/EIS is expected to be September 10 – October 25, 2021, depending on the exact publication date in the Federal Register, should NPS wish to provide official agency comments for public record during this time.

If you have any questions, please contact Hannah Hadley at [hannah.f.hadley@usace.army.mil](mailto:hannah.f.hadley@usace.army.mil) or 208-433-4460. We look forward to your written reply confirming that NPS agrees with the review schedule expectations.

Sincerely,

*Nancy Parrish*

Nancy Parrish  
Chief, Planning and Environmental Branch

**From:** [Johnson, Elizabeth](#)  
**To:** [Moreno, Meredith A CIV USARMY CESAJ \(US\)](#)  
**Subject:** [Non-DoD Source] RE: Charleston Peninsula Study Programmatic Agreement  
**Date:** Thursday, October 7, 2021 6:33:04 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[Charleston PA\\_all comments 8.16.21\\_secondround\\_clean SHPO edits.docx](#)

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Meredith,

Thanks for all of your hard work on this. Overall the PA look really good and you sufficiently addressed our comments. Attached is the PA with just a couple of comments and tweaks, the most substantive on the addition of the whereas clause for the living shoreline.

Also, have you checked with the State Archaeologist, Jon Leader, regarding language referencing and assigning responsibility to his office/position on page 15, the section on treatment of human remains.

Thanks,



Elizabeth M. Johnson  
Director, Historical Services, D-SHPO  
State Historic Preservation Office  
SC Department of Archives & History  
8301 Parklane Road  
Columbia, SC 29223  
Ph: 803.896.6168 Fax: 803.896.6167 <https://scdah.sc.gov/historic-preservation>

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**From:** Moreno, Meredith A CIV USARMY CESAJ (US) <Meredith.A.Moreno@usace.army.mil>  
**Sent:** Tuesday, September 28, 2021 10:51 AM  
**To:** Johnson, Elizabeth <EJohnson@scdah.sc.gov>  
**Subject:** RE: Charleston Peninsula Study Programmatic Agreement

Hi Elizabeth,

This was emailed on 8 September. It also included the revised PA. Let me know if you need more info.

Thanks!

Meredith A. Moreno, M.A., RPA  
Lead Archaeologist  
Jacksonville District, US Army Corps of Engineers  
Phone: 904-232-1577

---

**From:** Johnson, Elizabeth <[EJohnson@scdah.sc.gov](mailto:EJohnson@scdah.sc.gov)>  
**Sent:** Tuesday, September 28, 2021 10:46 AM  
**To:** Moreno, Meredith A CIV USARMY CESAJ (US) <[Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil)>  
**Subject:** [Non-DoD Source] RE: Charleston Peninsula Study Programmatic Agreement

Meredith,

Have you send the formal letter, if so please provide again? If not, no rush just wanted to make sure I hadn't missed it.

Thanks,  
Elizabeth



Elizabeth M. Johnson  
Director, Historical Services, D-SHPO  
State Historic Preservation Office  
SC Department of Archives & History  
8301 Parklane Road  
Columbia, SC 29223  
Ph: 803.896.6168 Fax: 803.896.6167 <https://scdah.sc.gov/historic-preservation>

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**From:** Moreno, Meredith A CIV USARMY CESAJ (US) <[Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil)>  
**Sent:** Wednesday, September 01, 2021 4:32 PM  
**To:** Allen Davis <[davisal@charleston-sc.gov](mailto:davisal@charleston-sc.gov)>; Anita Barnett <[Anita\\_Barnett@nps.gov](mailto:Anita_Barnett@nps.gov)>; Anna-Catherine Carroll <[accarroll@preservationsociety.org](mailto:accarroll@preservationsociety.org)>; Barbara Neale <[NEALEB@dhec.sc.gov](mailto:NEALEB@dhec.sc.gov)>; Brian Turner <[btturner@preservationsociety.org](mailto:btturner@preservationsociety.org)>; Cashion Drolet <[cdrolet@historiccharleston.org](mailto:cdrolet@historiccharleston.org)>; Chris Daniel <[cdaniel@achp.gov](mailto:cdaniel@achp.gov)>; Chris Stout <[stoutcm@dhec.sc.gov](mailto:stoutcm@dhec.sc.gov)>; Cynthia Walton <[Cynthia\\_Walton@nps.gov](mailto:Cynthia_Walton@nps.gov)>; Johnson, Elizabeth <[EJohnson@scdah.sc.gov](mailto:EJohnson@scdah.sc.gov)>; Ellen Rankin <[Gwilym\\_Rankin@nps.gov](mailto:Gwilym_Rankin@nps.gov)>; Emerson, W. Eric <[EEmerison@scdah.sc.gov](mailto:EEmerison@scdah.sc.gov)>; Erin Minnigan <[eMinnigan@preservationsociety.org](mailto:eMinnigan@preservationsociety.org)>; Sylvest, John <[JSylvest@scdah.sc.gov](mailto:JSylvest@scdah.sc.gov)>; Kate Funk <[Kate\\_Funk@nps.gov](mailto:Kate_Funk@nps.gov)>; Kim Hlavin <[hlavink@charleston-sc.gov](mailto:hlavink@charleston-sc.gov)>; Kristopher King <[kking@preservationsociety.org](mailto:kking@preservationsociety.org)>; Mark Wilbert <[wilbertm@charleston-sc.gov](mailto:wilbertm@charleston-sc.gov)>; Morgan Gundlach <[gundlachm@charleston-sc.gov](mailto:gundlachm@charleston-sc.gov)>; Nathan Betcher <[Nathan\\_Betcher@nps.gov](mailto:Nathan_Betcher@nps.gov)>; Tory Parish <[PARISHT@charleston-sc.gov](mailto:PARISHT@charleston-sc.gov)>; Wenonah Haire <[wenonah.haire@catawba.com](mailto:wenonah.haire@catawba.com)>; Will Cook <[will@culturalheritagepartners.com](mailto:will@culturalheritagepartners.com)>; Winslow Hastie <[whastie@historiccharleston.org](mailto:whastie@historiccharleston.org)>  
**Cc:** Parrish, Nancy A CIV USARMY USACE (USA) <[Nancy.A.Parrish@usace.army.mil](mailto:Nancy.A.Parrish@usace.army.mil)>; Wilson, Wesley CIV USARMY CESAC (USA) <[Wesley.B.Wilson@usace.army.mil](mailto:Wesley.B.Wilson@usace.army.mil)>  
**Subject:** Charleston Peninsula Study Programmatic Agreement

Good Afternoon,

I have revised the Charleston PA to include the most recent round of comments. I have attached a .zip of all the comments received and a clean version of the PA. This will be the version that is released with the Draft Environmental Impact Statement for public comment. I will send a formal letter next week to request a final review of the PA in preparation of signature, but wanted to ensure that all stakeholders were provided comments and the newest version before release of the EIS. Please feel free to call with any questions or concerns.

Thanks!

Meredith A. Moreno, M.A., RPA

Lead Archaeologist

Jacksonville District, US Army Corps of Engineers

Phone: 904-232-1577

**From:** [Walton, Cynthia A](#)  
**To:** [Moreno, Meredith A CIV USARMY CESAJ \(US\)](#); [Barnett, Anita](#); [Rankin, Ellen E](#); [Funk, Kate](#); [Betcher, Nathan G](#)  
**Cc:** [West, Ben](#); [Monteleone, Simone](#); [Stakely, Tracy](#)  
**Subject:** [Non-DoD Source] Re: [EXTERNAL] Revised Draft Programmatic Agreement Charleston Peninsula Coastal Flood Risk Management Study, Charleston County, South Carolina  
**Date:** Friday, October 8, 2021 12:32:55 PM

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Hi Meredith,

I wanted to send a quick note to let you know NPS had no additional comments on the PA. I believe NPS will be issuing a letter on the EIS, which will also mention no comments on the PA.

Cynthia

Cynthia Walton  
Branch Manager, Archeological and Historic Preservation Partnerships  
National Park Service, Interior Region 2  
100 Alabama St. SW, Atlanta, GA 30303  
(404) 354-6072 - cell

---

**From:** Moreno, Meredith A CIV USARMY CESAJ (US) <Meredith.A.Moreno@usace.army.mil>  
**Sent:** Wednesday, September 8, 2021 11:55 AM  
**To:** Barnett, Anita <Anita\_Barnett@nps.gov>; Walton, Cynthia A <Cynthia\_Walton@nps.gov>; Rankin, Ellen E <Gwilym\_Rankin@nps.gov>; Funk, Kate <Kate\_Funk@nps.gov>; Betcher, Nathan G <Nathan\_Betcher@nps.gov>  
**Subject:** [EXTERNAL] Revised Draft Programmatic Agreement Charleston Peninsula Coastal Flood Risk Management Study, Charleston County, South Carolina

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Good morning,

Attached is the revised draft of the Charleston Peninsula PA for your review and comment. The Corps is releasing the draft Agreement for public comment as part of the draft Environmental Impact Statement and as separate press release on September 10, 2021. Provided there are no substantive comments from the public review or during the concurrent consulting party review, the Agreement will be routed for signature subsequent to the review period.

All comments and the response matrix were provided in a separate email dated September 1, 2021. Please note there is a new whereas clause added to address the recent addition of a living shoreline to the project. If you need a hard copy of the attached let me know. As always, please feel free to call with any questions or concerns.

Thanks,  
Meredith A. Moreno, M.A., RPA  
Lead Archaeologist  
Jacksonville District, US Army Corps of Engineers  
Phone: 904-232-1577

**From:** [Chris Daniel](#)  
**To:** [Moreno, Meredith A CIV USARMY CESAJ \(US\)](#)  
**Subject:** [Non-DoD Source] RE: (External)Revised Draft PA Charleston Peninsula Coastal Flood Risk Management Study (ACHP Project No.: 014692)  
**Date:** Tuesday, October 12, 2021 11:18:40 AM

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Meredith,

I wanted to let you know that at this time the ACHP is not planning to provide any substantive comments at this time. Please keep us informed if other consulting parties provide comments as well as indications from signatories and concurring parties on their willingness to move to execute the agreement.

Christopher Daniel (he/him/his)  
Program Analyst  
Advisory Council on Historic Preservation  
202.517.0223 (Office & Mobile)  
[cdaniel@achp.gov](mailto:cdaniel@achp.gov)

---

**From:** Moreno, Meredith A CIV USARMY CESAJ (US) [<mailto:Meredith.A.Moreno@usace.army.mil>]  
**Sent:** Wednesday, September 08, 2021 11:55 AM  
**To:** e106  
**Cc:** Chris Daniel  
**Subject:** (External)Revised Draft PA Charleston Peninsula Coastal Flood Risk Management Study (ACHP Project No.: 014692)

Good morning,

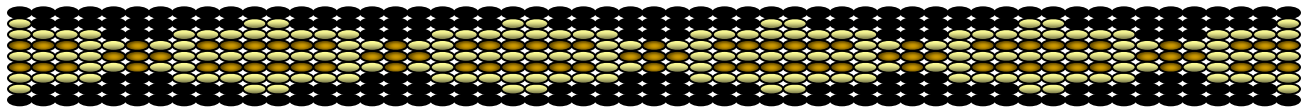
Attached is the revised draft of the Charleston Peninsula PA for your review and comment. The Corps is releasing the draft Agreement for public comment as part of the draft Environmental Impact Statement and as separate press release on September 10, 2021. Provided there are no substantive comments from the public review or during the concurrent consulting party review, the Agreement will be routed for signature subsequent to the review period.

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Thanks,  
Meredith A. Moreno, M.A., RPA  
Lead Archaeologist  
Jacksonville District, US Army Corps of Engineers  
Phone: 904-232-1577

Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Office 803-328-2427  
Fax 803-328-5791



October 13, 2021

Attention: Meredith Moreno  
Charleston District, Corps of Engineers  
69 A Hagood Avenue  
Charleston, SC 29403-5107

Re. THPO #	TCNS #	Project Description
2021-1-100		Revised Draft PA Charleston Peninsula Coastal Flood Risk Management Study

Dear Ms. Moreno,

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**

If you have questions please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail [Caitlin.Rogers@catawba.com](mailto:Caitlin.Rogers@catawba.com).

Sincerely,

Wenonah G. Haire  
Tribal Historic Preservation Officer



**From:** [Leader, Jonathan](#)  
**To:** [Moreno, Meredith A CIV USARMY CESAJ \(US\)](#)  
**Cc:** [Johnson, Elizabeth](#)  
**Subject:** [Non-DoD Source] Re: Unanticipated human remains policy  
**Date:** Thursday, October 14, 2021 11:59:09 AM

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Hi Meredith,

Thank you for reaching out and the information.  
It looks good to me. I have no additions or emendations.  
All the best  
Jon

Jonathan Leader, PhD  
SC State Archaeologist  
South Carolina Institute of Archaeology and Anthropology  
1321 Pendleton St.  
Columbia, SC 29208

(803) 576- 6560, cell (803) 413 7395



**South Carolina Institute of Archaeology and Anthropology**

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**From:** Moreno, Meredith A CIV USARMY CESAJ (US) <Meredith.A.Moreno@usace.army.mil>  
**Sent:** Wednesday, October 13, 2021 10:52 AM  
**To:** Leader, Jonathan <LEADERJ@mailbox.sc.edu>  
**Subject:** FW: Unanticipated human remains policy

Good morning,

I am following up on the email below. I am working on a Programmatic Agreement between the USACE and SC SHPO and they would prefer to have your confirmation on language regarding human remains before signing the agreement:

- A. If encountered, human skeletal remains and the artifacts found in association with human remains, whether in association with marked graves or unmarked burials, will be left in situ, and all ground-disturbing work within 15 meters of the remains will cease. The contractor will contact the KO immediately and the guidelines of SC Code 16-17-600 will apply. When human remains are encountered, all activity that might disturb the remains shall not resume until authorized by the District Medical Examiner or the State Archaeologist.

1. If, upon inspection by the appropriate legal authorities, the remains are determined to be a criminal matter and not archaeological, the Corps will ensure that appropriate legal and contractual requirements are followed.
2. If the remains are determined to be archaeological, the State Archaeologist has jurisdiction to determine the appropriate treatment and options for the remains following additional coordination with the Consulting Parties.
  - a. Human remains will be left in place and protected from further disturbance with security fencing and if necessary, a security guard until a site-specific work plan for their avoidance or, if necessary, their removal can be developed.
  - b. The Corps will coordinate with all Consulting Parties, Interested Tribe(s), and other Interest Parties or descendent communities to develop a treatment or avoidance plan consistent with [Stipulation V \(Inadvertent Discoveries and Unanticipated Effects\)](#).

Please let me know if you disagree with the language provided or if there is a different SC statute that is more appropriate.

Thank you,  
Meredith A. Moreno, M.A., RPA  
Lead Archaeologist  
Jacksonville District, US Army Corps of Engineers  
Phone: 904-232-1577

---

**From:** Moreno, Meredith A CIV USARMY CESAJ (US)  
**Sent:** Wednesday, August 25, 2021 4:07 PM  
**To:** [leaderj@mailbox.sc.edu](mailto:leaderj@mailbox.sc.edu)  
**Subject:** Unanticipated human remains policy

Good afternoon,

I'm in the process of writing a document that will guide archaeological fieldwork in South Carolina, and was hoping you could direct me to an official SC human remains policy. For example, in Florida the medical examiner is only involved if human remains are less than 75 years old. Does SC have a similar policy? All I can find is SC Code 16-17-600. John Sylvest suggest I reach out to you.

Thanks in advance!

Meredith A. Moreno, M.A., RPA  
Lead Archaeologist  
Jacksonville District, US Army Corps of Engineers  
Phone: 904-232-1577



PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

1           **WHEREAS**, the Corps has determined that the undertaking will have a direct and adverse effect  
2 on one or more National Historic Landmarks (NHLs) and the agency is required pursuant to Section 110(f)  
3 of the NHPA (54 U.S.C. § 306107) and 36 C.F.R. § 800.10 to the maximum extent possible undertake  
4 such planning and actions as may be necessary to minimize harm to any affected NHLs; and  
5

6           **WHEREAS**, schedule and budgetary constraints, including Section 1001 of the Water Resources  
7 Reform and Development Act (WRRDA) of 2014 (Public Law 113-121) (limiting duration and cost of  
8 Corps of Engineers final feasibility reports), limit the detailed engineering design of the Project features  
9 during the feasibility phase such that the Corps cannot conduct all of the necessary surveys to fully identify  
10 and evaluate historic and cultural resources, fully determine adverse effects of the Project on historic  
11 properties, or fully avoid, minimize or mitigate those adverse effects, prior to completing the appropriate  
12 National Environmental Policy Act (NEPA) documentation for the feasibility phase; and  
13

14           **WHEREAS**, because implementation of the Preconstruction, Engineering and Design (PED)  
15 phase, where detailed engineering design will occur, is contingent on authorization and appropriation of  
16 funds by Congress, the Corps may implement PED in phases as construction authority is provided and  
17 funds are appropriated, so that efforts to identify and evaluate historic properties, determine effects from  
18 Project features, identify appropriate avoidance, minimization or mitigation, and conduct related  
19 consultation may occur over a period of multiple years as the design for each Project construction phase  
20 and/or feature is finalized; and  
21

22           **WHEREAS**, as it is unknown during development of this Agreement if the Project will be funded  
23 to be designed and constructed during a single phase or multiple phases, upon authorization and  
24 appropriation of funds by Congress, the Corps shall assign a Project cultural resources specialist to develop  
25 a detailed consultation and document delivery schedule within six (6) months of receiving funding at the  
26 Charleston District level to be appended to the Agreement in [Attachment C](#); and  
27

28           **WHEREAS**, the Corps recognizes its responsibilities under Section 110(f) of the NHPA (54  
29 U.S.C. 306107), which requires the agency, through its planning and actions, minimize harm to all NHLs  
30 within the APEs to the maximum extent possible which will be addressed through the design of the storm  
31 surge wall, gate placement, and other Project features during the PED phase of the Project; and  
32

33           **WHEREAS**, the Corps recognizes that significant historic districts and properties in and around  
34 the peninsula of Charleston are an integral part of the community's life and character; and preservation of  
35 this irreplaceable heritage is in the public interest. The knowledge and identification of the Charleston  
36 Peninsula's historic resources, together with the goal of preserving the integrity of these resources, will  
37 improve the planning and execution of the Project. The Corps commits to considering the avoidance and  
38 minimization of adverse effects to historic properties in its design of the storm surge wall and other Project  
39 features; and  
40

41           **WHEREAS**, the Corps has determined that as Project features are further designed during the  
42 PED phase of the Project, the APEs may be further refined, cultural resources surveys to be conducted  
43 may identify additional historic properties within the APEs, and effects on historic properties and NHLs  
44 may be further identified; and  
45

46           **WHEREAS**, the Corps intends to comply with Sections 106 and 110(f) of the NHPA for the  
47 undertaking, and while it has complied to the extent practicable in an effort to avoid, minimize, or mitigate  
48 adverse effects on historic properties and minimize harm to NHLs during the feasibility phase of the  
49 Project, recognizes that there are potential effects on historic properties and NHLs which cannot be fully  
50 determined prior to approval of this complex undertaking; and  
51

52           **WHEREAS**, the Corps intends to ensure compliance for all Project phases and features with  
53 Sections 106 and 110(f) of the NHPA for the undertaking through the execution and implementation of

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

1 this Programmatic Agreement pursuant to 36 C.F.R. § 800.14(b); and  
2

3 **WHEREAS**, the South Carolina Department of Archives and History, which serves as the South  
4 Carolina State Historic Preservation Office (SHPO), has concurred in the use of a Programmatic  
5 Agreement and in being a Signatory to this Agreement; and  
6

7 **WHEREAS**, the City of Charleston is the non-Federal sponsor for this project responsible for 35  
8 percent of the total cost of design and construction of the Project, and the Corps has invited the City of  
9 Charleston to sign this Agreement as an Invited Signatory and the City has elected to participate; and  
10

11 **WHEREAS**, pursuant to 36 CFR § 800.10(c), the Corps has notified the Secretary of the Interior  
12 (SOI), invited the Secretary to participate, consulted with the NPS Interior Region 2 Office regarding the  
13 effects of the undertaking on historic properties and NHLs, and has invited them to sign this Agreement  
14 as an Invited Signatory and the NPS has elected to participate; and  
15

16 **WHEREAS**, the Corps has consulted with the Absentee-Shawnee Tribe of Oklahoma, Alabama-  
17 Quassarte Tribal Town, Catawba Indian Nation, Chickasaw Nation, Delaware Tribe of Indians, Eastern  
18 Band of the Cherokee Indians, Eastern Shawnee Tribe of Oklahoma, Kialegee Tribal Town, Muscogee  
19 (Creek) Nation, Poarch Band of Creek Indians, Shawnee Tribe and Thlopthlocco Tribal Town regarding  
20 the effects of the undertaking on historic properties, has invited these Tribes to sign this Agreement as  
21 Concurring Parties, and the Catawba Indian Nation alone has responded and elected to participate as a  
22 Concurring Party in this Agreement; and  
23

24 **WHEREAS**, the Corps has consulted with Historic Charleston Foundation and the Preservation  
25 Society of Charleston regarding the effects of the undertaking on historic properties and NHLs and has  
26 invited them to each sign this Agreement as a Concurring Party and they have elected to participate each  
27 as a Concurring Party; and  
28

29 **WHEREAS**, in accordance with 36 C.F.R. § 800.6(a)(1) and § 800.10(a), the Corps has notified  
30 the Advisory Council on Historic Preservation (ACHP) of its intension to develop this Agreement, and the  
31 ACHP has chosen to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii); and  
32

33 **WHEREAS**, the SHPO, NPS, ACHP, City of Charleston, Catawba Indian Nation, Historic  
34 Charleston Foundation, and the Preservation Society of Charleston are hereinafter collectively referred to  
35 as Consulting Parties; and  
36

37 **WHEREAS**, in accordance with 36 CFR § 800.2(d) the Corps has solicited public comment on  
38 the Project through release of the draft IFR/Environmental Assessment (EA) from April 20, 2020 to June  
39 20, 2020; and  
40

41 **WHEREAS**, after conversion of the NEPA process from an EA to an EIS, the Corps has also  
42 solicited public involvement on the Project through public meetings, release of the draft IFR/EIS, and  
43 through a separate issuance of a public notice through social media for review of this Agreement with a  
44 review period concurrent with the draft IFR/EIS; and  
45

46 **NOW, THEREFORE**, the Corps, SHPO, NPS, ACHP, and the City of Charleston (hereinafter  
47 collectively referred to as Signatories) agree that the undertaking shall be implemented in accordance  
48 with the following stipulations in order to take into account the effect of the undertaking on historic  
49 properties and undertake appropriate planning and actions with regard to NHLs.

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## STIPULATIONS

The Corps shall ensure that the following measures are carried out:

### I. TIMEFRAMES AND REVIEW PROCEDURES

For all draft and final documents and deliverables produced in compliance with this Agreement, the Corps shall provide documents electronically for formal review and for communications among the Consulting Parties. Upon request, a hardcopy via mail may be provided to any Consulting Party, time and size permitting. Any written comments provided on draft documents by the Consulting Parties within 30 calendar days from the date of receipt shall be considered in the revision of the document or deliverable. The Corps shall document and report the written comments received for the document or deliverable and how comments were addressed. The Corps shall provide a revised final document or deliverable to the Consulting Parties. The Consulting Parties shall have 30 calendar days to respond. Failure of the Consulting Parties to respond within 30 calendar days of receipt of any document or deliverable shall not preclude the Corps from moving to the next step in this Agreement. A copy of the final document shall be provided to the Consulting Parties subject to the limitations in **Stipulation X (Confidentiality)**.

### II. AREAS OF POTENTIAL EFFECTS

- A. APEs for the Project were determined by the Corps based on feasibility-level design and in consultation with the Consulting Parties. The APEs are comprised of Project features and corresponding viewsheds to include direct, indirect, and cumulative effects and depicted in **Attachment A** to this Agreement. Design and construction of the project may occur in phases in which various components of the Project shall be funded and designed separately. The Corps shall refine and consult on the development of each Project phase and consult on the APEs for each project feature throughout PED as designs are developed that expand or contract direct and indirect areas of effect.
- B. The APEs shall be revised where necessary as project designs and details become available to incorporate all areas, including staging areas and travel routes, that will be directly, indirectly, or cumulatively affected by the Project. If the Corps revises the APEs, or an individual component of the APEs, the Corps shall consult with the Consulting Parties on that revision in accordance with **Stipulation I (Timeframes and Review Procedures)**. Pursuant to **Stipulation III.C (Avoidance and Minimization of Adverse Effects)**, Project designs will be reviewed by the Consulting Parties at 35%, 65%, and 95% levels of design. The Consulting Parties may recommend revisions to the APE based on design changes. The Corps shall consult with the Consulting Parties on recommended revisions in accordance with **Stipulation I (Timeframes and Review Procedures)** and make a determination of the final APE for each Project component. After consultation with the Consulting Parties, the new amended APEs will be appended to this Agreement in **Attachment A**.
- C. The Corps shall determine the potential for the Project to affect historic properties in a revised APE in consultation with the Consulting Parties pursuant to 36 C.F.R. §§ 800.3 - 800.5. If the Corps determines that changes to the APEs will result in adverse direct, indirect, or cumulative affects to historic properties, the Corps shall consult on this finding of effect in accordance with **Stipulation I (Timeframes and Review Procedures)** and **Stipulation III.B (Assessment of Effects)**. Revisions to the APEs will not necessitate amendments to this Agreement.

1 **III. TREATMENT OF HISTORIC PROPERTIES**

2  
3 **A. IDENTIFICATION AND EVALUATION**

4 The Corps shall complete the identification and evaluation of historic properties as early as  
5 practical, following Project/Project component authorization and receipt of funding, to assist in  
6 the avoidance and minimization of adverse effects to historic properties well in advance of Project  
7 construction. Upon Project/Project component authorization and appropriation of funds, the Corps  
8 shall assign a Corps staff member to serve as the Project cultural resources specialist. The Project  
9 cultural resources specialist shall meet the SOI *Historic Preservation Professional Qualification*  
10 *Standards*, as specified in 36 C.F.R. Part 61 for archaeology, history, architectural history,  
11 architecture, or historic architecture. The Project cultural resources specialist will begin  
12 consultation with the Consulting Parties regarding PED timeframes, cultural resources surveys,  
13 proposed construction schedules, how each Project phase or feature will be identified, delineated,  
14 and effects assessed, and development of a detailed consultation and document delivery schedule  
15 to be appended to this Agreement in **Attachment C** within six (6) months of receiving funding at  
16 the Charleston District level. If the Project is funded by Project feature or in phases, the Corps  
17 will inform the Consulting Parties and consult on the manner in which the Corps proposes to order  
18 the identification and evaluation of historic properties and make subsequent determination of  
19 effects for each Project phase or feature.

- 20 1. *Above-Ground Structures*. The Corps shall initiate a historic properties identification survey  
21 of all above-ground historic and architectural resources older than 45 years from the date of  
22 survey commencement within the final Construction, Non-structural, Interior Peninsula, and  
23 Exterior Peninsula APEs, agreed to under **Stipulation II (Areas of Potential Effects)** and  
24 consistent with the SOI's Standards and Guidelines for Archeology and Historic Preservation  
25 (48 F.R. 44716-44740), as design details and funding becomes available.
- 26 a. Prior to initiation of a survey, the Corps shall submit a research design for the proposed  
27 survey for review and comment by the Consulting Parties consistent with **Stipulation I**  
28 **(Timeframes and Review Procedures)**. Surveys and associated reporting will comply  
29 with all applicable guidelines and requirements specified in the *South Carolina Statewide*  
30 *Survey of Historic Properties Survey Manual*. Surveys shall ensure that above-ground  
31 historic and architectural resources such as historical structures, buildings, historical  
32 engineering features, cemeteries, landscapes, viewsheds, and traditional cultural  
33 properties (TCPs), are recorded. Recordation of historic properties shall be prepared using  
34 the appropriate SHPO site forms.
- 35 b. Surveys will identify historic properties within the APEs and determine if these properties  
36 are eligible for inclusion in the NRHP individually or as a contributing element to a  
37 historic district and/or NHL as appropriate.
- 38 c. The Corps shall submit identification and evaluation survey reports to Consulting Parties  
39 for review and comment consistent with **Stipulation I (Timeframes and Review**  
40 **Procedures)**.
- 41 2. *Archaeological Resources*. The Corps shall initiate a historic properties identification survey  
42 of archaeological resources within the final Construction APE, agreed to under **Stipulation**  
43 **II (Areas of Potential Effects)** and consistent with the SOI's *Standards and Guidelines for*  
44 *Archeology and Historic Preservation* (48 F.R. 44716-44740), as design details and funding  
45 becomes available. Archaeological and above-ground historic and architectural surveys may  
46 be combined as project design and APE finalization allows.
- 47 a. Prior to initiation of a survey, the Corps shall submit a research design for the proposed  
48 survey for Consulting Party review and comment consistent with **Stipulation I**  
49 **(Timeframes and Review Procedures)**. Surveys and associated reporting will comply  
50 with all applicable guidelines and requirements specified in the *South Carolina Standards*  
51 *and Guidelines for Archaeological Investigations* manual. Surveys shall ensure that  
52 archaeological resources such as submerged sites, terrestrial sites, and TCPs are recorded.

1           Recordation of archaeological sites shall be prepared using the appropriate South Carolina  
2           Institute of Archaeology and Anthropology (SCIAA) site form. Any identified TCPs shall  
3           be recorded using the appropriate SHPO site form.

- 4           b. Surveys will identify archaeological resources within the APE and determine if these  
5           properties are eligible for inclusion in the NRHP individually or as a contributing element  
6           to a district. Due to the urban environment of the Project, there will be portions of the  
7           APE that cannot be surveyed prior to construction; therefore, the archaeological report  
8           will evaluate the potential for the APE to contain archaeological resources and  
9           recommend locations for archaeological monitoring during construction of the Project.  
10          c. The Corps shall submit identification and evaluation survey reports to Consulting Parties  
11          for review and comment consistent with **Stipulation I (Timeframes and Review**  
12          **Procedures)**.

- 13          3. *NRHP Eligibility Determinations.* The Corps shall determine NHRP eligibility based on  
14          identification and evaluation efforts and consult with Consulting Parties regarding these  
15          determinations. Should any Consulting Party(s) disagree in writing to the Corps' findings of  
16          NRHP eligibility and/or findings of effect within a final document or deliverable, the Corps  
17          will immediately notify the Consulting Parties of the objection and proceed to consult with  
18          the objecting Party for a period of time, not to exceed 30 calendar days, to resolve the  
19          objection. Should the objecting Party(s) and the Corps be unable to agree on the issues to  
20          which the Consulting Party(s) has objected, the Corps shall proceed in accordance with  
21          **Stipulation XI (Dispute Resolution)**; or

- 22          a. Through mutual agreement of the Signatories, elect to consult further with the objecting  
23          Party(s) until the objection is resolved, or dispute resolution is exercised through the  
24          process set forth in **Stipulation XI (Dispute Resolution)**;  
25          b. Treat the property as eligible for the National Register; or  
26          c. Obtain a formal determination of eligibility from the Keeper of the National Register. The  
27          Keeper's determination will be final in accordance with 36 C.F.R. § 63.4.

28  
29          B. ASSESSMENT OF EFFECTS

30          The Corps has determined that Project construction of the storm surge wall will adversely affect  
31          the NRHP listed and NHL designated Charleston Historic District; however due to schedule and  
32          budgetary constraints during the feasibility study resulting in a lack of detailed engineering design  
33          of Project features, the effects of the Project to other previously identified historic properties and  
34          historic properties yet to be identified are still unknown and will require phasing of the assessment  
35          of effects. Provisions for avoidance, minimization, and/or mitigation of adverse effects are  
36          outlined in **Stipulation III.C (Avoidance and Minimization of Adverse Effects)** and  
37          **Stipulation III.D (Mitigation of Adverse Effects)**. The Corps may implement the Project in a  
38          phased approach as funding is appropriated and construction authority is provided and, as a result,  
39          the Corps may make multiple identification surveys, historic property evaluations, and  
40          determinations of effects for each Project phase, feature, type of effect (e.g. vibration, visual,  
41          cumulative, etc.), and/or individual APE. If the Project is funded by Project feature or in phases,  
42          the Corps will inform the Consulting Parties and consult on the manner in which the Corps  
43          proposes to order the identification and evaluation of historic properties and make subsequent  
44          determination of effects for each Project phase, feature, type of effect, or individual APE.  
45          Consultation and agreement of a project schedule and delineation of Project phase, feature, type  
46          of effect, or individual APE will begin within six (6) months of receiving funding at the Charleston  
47          District level and the resulting documentation will be appended to this Agreement in **Attachment**  
48          **C.**

49          1. **Findings of No Historic Properties Affected.**

- 50          a. Basis for Finding. The Corps shall make findings of "no historic properties affected" for  
51          each Project phase, feature, type of effect, or individual APE under the following  
52          circumstances:



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- 1           i. If no historic properties are present in the APE; or  
2           ii. The Project phase or feature shall avoid effects to historic properties (including  
3           cumulative effects).
- 4           b. The Corps shall notify Consulting Parties of each finding and provide supporting  
5           documentation in accordance with 36 C.F.R. § 800.11(d). Unless a Consulting Party  
6           objects to a finding within 30 days, the Section 106 review of the specific Project phase,  
7           feature, type of effect, or individual APE will have concluded.
- 8           c. If a Consulting Party objects within 30 days to a finding of "no historic properties  
9           affected," the Corps shall consult with the objecting Party to resolve the disagreement.
- 10           i. If the objection is resolved, the Corps either may proceed with the specific Project  
11           phase, feature, type of effect, or individual APE in accordance with the resolution or  
12           reconsider effects on the historic property by applying the criteria of adverse effect  
13           pursuant to 36 C.F.R. § 800.5(a)(1).
- 14           ii. If the Corps is unable to resolve the disagreement within 30 days, it will forward the  
15           finding and supporting documentation to ACHP and request that ACHP review the  
16           Corps' finding in accordance with the process described in 36 C.F.R. § 800.4(d)(1)(ii).  
17           If the Corps' final determination is to reaffirm its "no historic properties affected"  
18           finding, the Section 106 of the NHPA review of the specific Project phase, feature,  
19           type of effect, or individual APE will have concluded. If the Corps revises its finding,  
20           then it shall proceed to **Stipulation III.B.2 (Findings of No Adverse Effect)** or  
21           **Stipulation III.B.3 (Determination of Adverse Effect)** below.
- 22           2. **Findings of No Adverse Effect.**
- 23           a. Basis for Finding. If the Corps determines that a specific Project phase, feature, or type  
24           of effect does not meet the adverse effect criteria, or the effect to a historic property is  
25           consistent with the SOI's *Guidelines on Flood Adaptation for Rehabilitating Historic*  
26           *Buildings* and meets the SOI's *Standards for Rehabilitation*, the Corps shall propose a  
27           finding of "no adverse effect" and consult with Consulting Parties in accordance with 36  
28           C.F.R. § 800.5(b) and following steps i-iii below:
- 29           i. The Corps shall notify all Consulting Parties of its finding; describe any project  
30           specific conditions and/or modifications required to the undertaking to avoid adverse  
31           effects to historic properties; and provide supporting documentation pursuant to 36  
32           CFR § 800.11(e).
- 33           ii. Unless a Consulting Party disagrees with the finding within 30 days, the Corps will  
34           proceed with its "no adverse effect" determination and conclude the Section 106 of  
35           the NHPA review.
- 36           iii. If a Consulting Party disagrees with the finding of "no adverse effect," the Corps will  
37           consult with the objecting party to resolve the disagreement.
- 38           a) If the objection is resolved, the Corps shall proceed with the Project phase,  
39           feature, type of effect, or individual APE in accordance with the resolution; or
- 40           b) If the objection cannot be resolved, the Corps shall request that ACHP review the  
41           findings in accordance with 36 C.F.R. § 800.5(c)(3)(i)-(ii) and submit the  
42           required supporting documentation. If the Corps' final determination is to reaffirm  
43           its "no adverse effect" finding, the Section 106 of the NHPA review of the specific  
44           Project phase, feature, type of effect, or individual APE will have concluded. If  
45           the Corps will revise its finding then it shall proceed to **Stipulation III.B.3**  
46           **(Determination of Adverse Effect)** below.
- 47           3. **Determination of Adverse Effect**
- 48           a. If the Corps determines that a specific Project phase, feature, type of effect, and/or  
49           individual APE may alter, directly or indirectly, any of the characteristics of a historic  
50           property that qualify the property for inclusion in the National Register in a manner that  
51           would diminish the integrity of the property's location, design, setting, materials,  
52           workmanship, feeling, or association resulting in an adverse effect to a historic property,

1 the Corps shall notify the Consulting Parties of the determination.

- 2 b. Avoidance and Minimization of Adverse Effects. Avoidance of adverse effects to historic  
3 properties is the preferred treatment approach. The Corps will consider redesign of  
4 elements of the Project phase or feature in order to avoid and/or minimize historic  
5 properties and Project effects that may be adverse. Provisions for avoidance and  
6 minimization of adverse effects are outlined in **Stipulation III.C (Avoidance and**  
7 **Minimization of Adverse Effects)**. If the Corps determines that the Project phase or  
8 feature cannot be modified to avoid or minimize adverse effects, the Corps will make a  
9 determination of "adverse effect".  
10

11 C. AVOIDANCE AND MINIMIZATION OF ADVERSE EFFECTS

- 12 1. In order to minimize harm to affected NHLs to the maximum extent possible pursuant to  
13 Section 110(f) of the NHPA (54 U.S.C. § 306107) and 36 C.F.R. § 800.10, adverse effects  
14 from the undertaking may be avoided or minimized by storm surge wall design, gate  
15 placement, or design of a Project feature consistent with the SOI's *Guidelines on Flood*  
16 *Adaptation for Rehabilitating Historic Buildings*, the SOI's *Standards for Rehabilitation*, or  
17 other appropriate historic resource guidelines or standards. Minimization and avoidance of  
18 adverse effects to historic properties and NHLs provided by storm surge wall design or other  
19 Project feature design can include but is not limited to: improvements to overall alignment,  
20 high-quality construction materials, contextualization of design and materials to specific  
21 location on the peninsula, ability to double as active park/recreational space, integrated public  
22 art or landscape features, and enhanced community experience.  
23 a. The Corps will develop Project plans and specifications for each Project phase or feature  
24 at completion intervals of 35%, 65%, and 95% levels of design. At each level of design,  
25 the Corps will provide the draft plans and specifications to the Consulting Parties for  
26 review and comment in accordance with **Stipulation I (Timeframes and Review**  
27 **Procedures)**.  
28 b. If the City of Charleston determines that they shall design or hire a contractor to design a  
29 Project phase or feature, the City will ensure that the Corps is able to still provide draft  
30 plans and specifications at 35%, 65%, and 95% levels of design to the Consulting Parties  
31 for review and comment in accordance with **Stipulation I (Timeframes and Review**  
32 **Procedures)**.  
33 c. If, through consultation with the Consulting Parties, adverse effects to historic properties  
34 are avoided at the 35% or 65% level of design, the Corps shall make a determination of  
35 effect on the specific Project phase, feature, type of effect and/or APE in accordance with  
36 **Stipulation III.B.2.a (Findings of No Adverse Effect)**. The 95% level of design shall  
37 still be provided for review and comment in accordance with **Stipulation I (Timeframes**  
38 **and Review Procedures)** regardless of effects determination.  
39 d. If an effects determination has not been made at the 35% or 65% level of design the Corps  
40 shall make a determination of effect in accordance with the process described in  
41 **Stipulation III.B (Assessment of Effects)** after consultation with the Consulting Parties  
42 is complete for the 95% design review of each Project phase or feature.  
43 2. Adverse vibratory effects within the Construction APE may be avoided or minimized as a  
44 result of monitoring or other protective measures. Feasibility-level engineering analysis  
45 suggests vibratory effects will be experienced within 100-feet of construction. The  
46 Construction APE includes a 200-foot buffer of the Project feature for effects but may be  
47 amended in accordance with **Stipulation II (Areas of Potential Effects)** as information on  
48 the surrounding soils, the condition of adjacent buildings, and construction methods becomes  
49 available during PED.  
50 a. The Corps shall develop a vibration monitoring and/or protection plan after geotechnical  
51 borings are collected and analyzed and construction methods are finalized. The draft plan  
52 shall outline methods for avoidance of adverse effects and detail procedures in the case

- 1 that adverse effects inadvertently occur. The draft plan shall be submitted to the  
2 Consulting Parties for review and comment in accordance with **Stipulation I**  
3 **(Timeframes and Review Procedures)**.
- 4 b. If, through consultation with the Consulting Parties, adverse effects to historic properties  
5 are avoided through development of the vibration monitoring and/or protection plan, the  
6 Corps shall make a determination of effect on the specific Project type of effect and/or  
7 APE in accordance with **Stipulation III.B.2.a (Findings of No Adverse Effect)**.
- 8 c. If through consultation with the Consulting Parties, adverse effects to historic properties  
9 cannot be avoided through development of the vibration monitoring and/or protection  
10 plan, the Corps shall make a determination of effect on the specific Project type of effect  
11 and/or APE in accordance with **Stipulation III.B.3 (Determination of Adverse Effect)**.
- 12 d. If the Corps determines that the Project causes inadvertent adverse vibratory effects to  
13 historic properties, these effects will be repaired and/or mitigated on a case-by-case basis  
14 as detailed in the vibration monitoring and/or protection plan.
- 15 3. If the Corps, during its initial review of any Project phase, feature, type of effect, and/or  
16 individual APE not explicitly detailed in this Agreement, finds the undertaking may adversely  
17 affect historic properties, the Corps shall develop and evaluate alternatives or modifications  
18 to the undertaking that could avoid or minimize adverse effects (including cumulative effects)  
19 on historic properties.
- 20 a. Alternatives or modifications to the Project phase or feature that would avoid or minimize  
21 adverse effects on historic properties shall be provided to the Consulting Parties for review  
22 and comment in accordance with **Stipulation I (Timeframes and Review Procedures)**.
- 23 b. After all comments provided by Consulting Parties in accordance with **Stipulation I**  
24 **(Timeframes and Review Procedures)** have been addressed, the Corps shall make a  
25 determination of effect in accordance with the process described in **Stipulation III.B.2.a**  
26 **(Findings of No Adverse Effect)** or **Stipulation III.B.3 (Determination of Adverse**  
27 **Effect)**.
- 28 4. In the event that an effect cannot be avoided or minimized, documentation will be provided  
29 to explain why the effect cannot be avoided or minimized and outline the alternatives  
30 considered to avoid or minimize, and the Corps will consult with the Consulting Parties to  
31 resolve the effects as outlined in **Section III.D (Mitigation of Adverse Effects)**.

#### 32 33 D. MITIGATION OF ADVERSE EFFECTS

##### 34 1. **Specific Mitigation Action**

- 35 a. The Corps has determined that Project construction of the storm surge wall will adversely  
36 affect the NRHP listed and NHL designated Charleston Historic District by introducing  
37 visual elements and altering physical features within the Charleston Historic District that  
38 diminishes the integrity of the setting and feeling; however, effects to other historic  
39 districts, previously identified historic properties, and/or historic properties that shall be  
40 identified during future survey efforts are unknown. Future mitigation for these unknown  
41 impacts will be determined after surveys have been complete and Project feature design  
42 reviewed in accordance with **Stipulation III.C (Avoidance and Minimization of**  
43 **Adverse Effects)**.
- 44 b. Adverse visual and cumulative effects from construction of the storm surge wall to the  
45 Charleston Historic District shall be mitigated through an update to the NRHP  
46 Nomination Form and the NHL Nomination Form, production of a short report,  
47 geographic information system (GIS) files, and creation of educational materials  
48 regardless of minimization to impacts that may be identified during the Project PED  
49 phase. The Consulting Parties understand that the existing nominations should be  
50 considered a starting point only. The full extent of the historic property must be  
51 determined through research and in consultation with the SHPO and NPS. The nomination  
52 form updates will include updating the areas and periods of significance, establishing

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1 appropriate boundaries, and providing a comprehensive inventory of contributing and  
2 non-contributing properties. The revised Nomination Forms will also include an  
3 archaeological context and identify any contributing and/or individually eligible  
4 archaeological sites. It is expected that the updated documentation (including boundaries,  
5 areas of significance, periods of significance and contributing and non-contributing  
6 inventory) will be different than the existing documentation. Similarly, as NHL  
7 nominations only address nationally significant resources, it is expected that the NRHP  
8 and NHL nominations will have different boundaries, areas of significance, periods of  
9 significance and contributing and non-contributing inventory. In addition to the updates,  
10 a short report that describes the District's physical properties, significance, a  
11 comprehensive list of both contributing and noncontributing properties to the NRHP  
12 District and NHL, and a short summary or table of each individual property that denotes  
13 physical address, Universal Transverse Mercator (UTM) coordinates, construction year,  
14 and any other information that is relevant to its significance will be prepared and provided  
15 to the Consulting Parties. Site forms and GIS locations of all individually eligible or  
16 contributing properties will be provided to SHPO for ArchSite update. Information  
17 utilized to update the NHL and NRHP forms and short report will also be utilized to create  
18 educational materials, such as brochures and/or online story maps, for distribution through  
19 SHPO, NPS, Historic Charleston Foundation and the Preservation Society of Charleston.

20 i. The timeline for updates to the NHL and NRHP Nomination Forms, production of  
21 the short report, delivery of GIS files, and creation of educational materials will be  
22 outlined in the document delivery schedule and updates to the nomination forms will  
23 be finalized prior to construction of the storm surge wall.

24 ii. Prior to initiation of the NHL and National Register updates and report, the Corps  
25 shall submit a research design for review and comment consistent with **Stipulation I**  
26 **(Timeframes and Review Procedures)**. The NHL and National Register updates and  
27 architectural survey detailed in **Stipulation III.A.1 (Identification and Evaluation)**  
28 may be conducted simultaneously. The research design shall outline research topics  
29 and methods, fieldwork methodology, and detail the educational materials.

30 iii. The Corps shall be responsible for providing the updated NRHP Nomination Form to  
31 the Consulting Parties for review and comment. Due to the complexity and level of  
32 review of the NRHP Nomination Form, up to three (3) drafts of the updated form will  
33 be provided to the Consulting Parties for review and comment. Consulting Parties  
34 review timeframes will be outlined in the document delivery schedule and in the  
35 research design. After the final draft of the NRHP update has been coordinated with  
36 the Consulting Parties, the update will be provided to the SHPO for review and  
37 submittal to the State Review Board and the NPS. The Corps will be responsible for  
38 providing, as necessary, revisions in response to additional SHPO comments on the  
39 updated NRHP draft, a presentation for the State Review Board, and a presenter for  
40 the State Review Board meeting and any public meetings on the updated NRHP  
41 Nomination Form held prior to the State Review Board meeting. The Corps will also  
42 address return comments from the NPS, if applicable.

43 iv. The Corps shall be responsible for providing updated NHL documentation. The Corps  
44 shall allow the consulting parties to review the proposed document delivery schedule  
45 and research design for the updated NHL documentation. The delivery schedule shall  
46 include a detailed outline of the NHL nomination, including section 5 (significance),  
47 section 6 (property description), and a preliminary inventory of contributing and non-  
48 contributing resources. Up to three (3) full drafts of the NHL nomination will be  
49 provided to the Consulting Parties for review and comment. NPS will facilitate peer  
50 review of a draft. The Corps shall be responsible for providing edits to the draft to  
51 respond to peer review comments as deemed necessary by NPS. The Corps shall be  
52 responsible for providing an executive summary and PowerPoint presentation of the

1 NHL nomination, using NPS templates, and a presentation of the nomination to the  
2 NHL Committee. The Corp shall edit the nomination as necessary to address  
3 comments from the NHL committee.

- 4 c. Adverse effects to the NRHP listed and NHL designated Charleston Historic District shall  
5 further be minimized by storm surge wall design, gate placement, or design of a Project  
6 feature in accordance with **Stipulation III.C (Avoidance and Minimization of Adverse  
7 Effects)** regardless of implementation of this Stipulation (III.D.1). However, no further  
8 mitigation shall be provided to mitigate for adverse visual or cumulative effects from  
9 construction of the storm surge wall to the NRHP listed and NHL designated Charleston  
10 Historic District. Additional mitigation for adverse effects to the NRHP listed and NHL  
11 designated Charleston Historic District shall be considered for the construction of other  
12 project features or types of effects. This stipulation does not preclude additional mitigation  
13 to other historic properties as a result of adverse visual or cumulative effects from  
14 construction of the storm surge wall in accordance with **Stipulation III.B.3  
15 (Determination of Adverse Effect)**.

16 **2. Historic Properties Treatment Plan**

- 17 a. If the Corps determines that the Project will result in additional adverse effects to historic  
18 properties, the Corps, in consultation with the Consulting parties, shall develop a Historic  
19 Properties Treatment Plan (HPTP) or Plans to resolve adverse effects resulting from a  
20 Project phase, feature, or type of effect. A HPTP would be developed after the Corps  
21 notifies the Consulting Parties of a determination of "adverse effect" for a particular  
22 Project phase, feature, type of effect, and/or individual APE, but before construction of  
23 the feature or phase commences as outlined in **Stipulation IV (Notices to Proceed with  
24 Construction)**.
- 25 b. A HPTP shall outline the minimization and mitigation measures necessary to resolve the  
26 adverse effects to historic properties. Development of appropriate measures shall include  
27 consideration of historic property types and provisions for avoidance or protection of  
28 historic properties where necessary. Proposed mitigation measures may include, but are  
29 not limited to, data recovery, HABS/HAER/HALS documentation, educational programs,  
30 informative websites, donation of preservation easements, contributions to preservation  
31 funds, historic markers, interpretive brochures, publications, and other forms of creative  
32 mitigation or combinations of these measures depending on the historic property's  
33 criterion for eligibility. Adverse effects to historic properties may also be minimized by  
34 storm surge wall design, gate placement, or design of a Project feature in accordance with  
35 **Stipulation III.C (Avoidance and Minimization of Adverse Effects)**. A HPTP shall  
36 include a general schedule of work for each Project phase or feature, and provide a  
37 schedule of key project milestones, and decision points at which to discuss opportunities  
38 for Project modification(s) with Consulting Parties.
- 39 c. Where a historic property is under private ownership, the Consulting Parties shall to the  
40 maximum extent practicable involve the private owner(s) in the development of measures  
41 for the HPTP, provided that the HPTP measures to be developed are no more costly or  
42 extensive than would be for a comparable property under public ownership. Where a  
43 private owner refuses to participate in the development of an HPTP, the Consulting Parties  
44 may elect to develop an HPTP without the owner's participation. Under no circumstances  
45 will the Corps be responsible for a private owner's refusal to participate in the  
46 development of an HPTP or the refusal to conduct onsite mitigation. Mitigation options  
47 may be constrained to offsite or non-invasive approaches (e.g. documentation, offsite  
48 interpretation, or further support to other larger scale mitigation measures, etc.), and must  
49 be consistent with parameters for use of Federal funds.
- 50 d. A HPTP shall define the process and conditions under which monitoring is appropriate.  
51 A HPTP will outline the curation process and storage criteria for all artifacts and data  
52 recovered from historic properties listed in this document. A HPTP will detail the means

1 and methods of public outreach and dissemination of the results of data recovery  
2 excavations to the general public.

- 3 e. The Corps shall ensure that the provisions of a HPTP, as developed in the consultation  
4 with the Consulting Parties and agreed to by the Signatories are documented in writing  
5 and implemented. A HPTP shall be appended to this Agreement in **Attachment D** without  
6 amending the Agreement. The use of a HPTP to resolve adverse effects resulting from the  
7 Project shall not require the execution of an individual Memorandum of Agreement or  
8 Programmatic Agreement and follow the provisions below (i-vi).
- 9 i. Development: The Corps shall develop a HPTP in consultation with the Consulting  
10 Parties after a determination of adverse effect is made in accordance with **Stipulation**  
11 **III.B.3 (Determination of Adverse Effect)**.
- 12 ii. Review: The Corps shall submit the draft HPTP to the Consulting Parties for review  
13 and comment pursuant to **Stipulation I (Timeframes and Review Procedures)**.
- 14 iii. Concurrence: Following review and acceptance of the HPTP, all Consulting Parties  
15 will be provided with the final HPTP, which will be appended to this Agreement in  
16 **Attachment D** and implemented in a manner consistent with the procedures outlined  
17 in this Agreement and the HPTP. Per **Stipulation IV (Notices to Proceed with**  
18 **Construction)** below, the HPTP shall be implemented prior to any construction or  
19 other activity associated with the undertaking that would adversely affect a historic  
20 property. Should the Concurring Parties be unable to agree on a HPTP, the Corps  
21 shall proceed in accordance with **Stipulation XI (Dispute Resolution)**.
- 22 iv. Reporting: Reports and other data pertaining to the treatment of effects to historic  
23 properties will be distributed to the Consulting Parties and other members of the  
24 public, consistent with **Stipulation X (Confidentiality)**, unless the Consulting Parties  
25 have indicated through consultation that they do not want to receive a report or data.  
26 Reports will be consistent with the procedures outlined in the appropriate SHPO and  
27 SOI standards and guidelines.
- 28 v. Amendments/Addendums/Revisions: If a historic property, which is not covered by  
29 an existing HPTP, is discovered within the APEs subsequent to the initial inventory  
30 effort, if there are previously unanticipated effects to an historic property, or if the  
31 Corps and Consulting Parties mutually agree that a modification to the HPTP is  
32 necessary, the Corps shall prepare an addendum to the HPTP. If necessary, the Corps  
33 shall then submit the addendum to the Consulting Parties for review in accordance  
34 with **Stipulation I (Timeframes and Review Procedures)**, and if necessary, shall  
35 follow the provisions of **Stipulation V (Inadvertent Discoveries and Unanticipated**  
36 **Effects)**. The HPTP may cover multiple discoveries for the same property type.  
37 Should the Concurring Parties be unable to agree on an HPTP addendum, the Corps  
38 shall proceed in accordance with **Stipulation XI (Dispute Resolution)**.
- 39 vi. Final Report Documenting Implementation of HPTP(s): Within one year after the  
40 completion of all construction for the Project, the Corps shall submit to the Consulting  
41 Parties a final report, or reports if multiple HPTPs were utilized, documenting the  
42 results of all work prepared under the HPTP. The Corps may extend this period  
43 through written consent of the Consulting Parties. The submittal of the Final Report  
44 shall be in addition to the annual report required under **Stipulation XIV (Monitoring**  
45 **and Reporting)** of this Agreement and in accordance with **Stipulation I**  
46 **(Timeframes and Review Procedures)** and **Stipulation X (Confidentiality)**.

47  
48 **IV. NOTICES TO PROCEED WITH CONSTRUCTION**

- 49  
50 A. After the identification and evaluation of historic properties have been completed for the  
51 undertaking, and an effects determination has been made per **Stipulation III (Treatment of**  
52 **Historic Properties)**, the Corps may issue a notice to proceed (NTP) for individual construction

1 features or phases, defined by the Corps in its construction plans and specifications, prior to  
2 resolution of the adverse effects on historic properties, provided that:

- 3 1. The HPTP has been finalized for the undertaking in accordance with **Stipulation III.D**  
4 **(Mitigation of Adverse Effects)** and that the construction would not impact or prevent  
5 implementation of the HPTP; and
- 6 2. Ground-disturbing activities associated with the undertaking do not encroach within 15 meters  
7 of the known boundaries of any historic property as determined from archaeological site  
8 record forms, other documentation, or as otherwise defined in consultation with the  
9 Consulting Parties, as appropriate; and
- 10 3. If an archaeological monitor is deemed necessary by the Corps after consultation with the  
11 Consulting Parties (except in phases of construction where visual inspection of the  
12 construction area cannot be safely or feasibly accomplished), an archaeological monitor that  
13 meets the professional qualifications described in **Stipulation VIII (Qualifications)**, will be  
14 present during any activities that are anticipated to extend either vertically or horizontally into  
15 any areas designated as archaeologically sensitive.

- 16
- 17 B. Notification of the Corps' intent to provide NTP for a specific Project phase or feature will be  
18 provided to the Consulting Parties by the Project cultural resources specialist 30 days before the  
19 NTP is issued to the construction contractor. Notification of the NTP to Consulting Parties will  
20 only occur in instances where an adverse effects determination was made for a specific Project  
21 phase or feature.

## 22

## 23 **V. INADVERTENT DISCOVERIES AND UNANTICIPATED EFFECTS**

## 24

- 25 A. If historic properties are inadvertently discovered or if unanticipated adverse effects to known  
26 historic properties are made during implementation of a Project phase or feature the Corps will  
27 ensure that the following stipulations are met, and that the following provisions will be included  
28 in all construction, operations, and maintenance plans.
- 29
- 30 B. When a previously unidentified cultural resource, including but not limited to, archaeological  
31 sites, shipwrecks and the remains of ships and/or boats, standing structures, and properties of  
32 traditional religious and cultural significance to Indian Tribes, are discovered during the execution  
33 of the undertaking, the individual(s) who made the discovery shall immediately notify the Corps  
34 and the undertakings' Contracting Officer (KO), secure the vicinity, make a reasonable effort to  
35 avoid or minimize harm to the resource and comply with the following:
  - 36 1. All ground-disturbing activities shall cease within a minimum of 15 meters from the  
37 inadvertent discovery until the Corps' agency official issues the NTP following the procedure  
38 outlined in **Stipulation IV (Notices to Proceed with Construction)**.
  - 39 2. The Corps will notify the Consulting Parties by email or telephone within 48 hours of the  
40 discovery or unanticipated effect.
  - 41 3. The Corps will consult with the Consulting Parties by email, virtual meeting, or telephone to  
42 determine whether additional investigations are needed to determine if the resource is a  
43 historic property or if the available information is sufficient to make such a determination.
    - 44 a. If the Corps determines through consultation that the resource does not warrant further  
45 investigation, they will provide written notification by email to the Concurring Parties,  
46 outlining the Corps' justification and requesting concurrence. If no comments are received  
47 within 72 business hours of acknowledged receipt, construction may resume.
    - 48 b. If the Corps determines through consultation that the site warrants further investigation,  
49 a scope of work will be developed consistent with **Stipulation III (Treatment of Historic**  
50 **Properties)**.
      - 51 i. The scope of work will be submitted to the Consulting Parties for review and  
52 comment within a time frame established in the scope of work. If no comments are

1 received within this period, work shall be implemented in accordance with the scope.  
2 If comments are received, the Corps shall take them into account and carry out the  
3 scope of work. A report of the investigations will be completed within the time frame  
4 established by the scope of work and copies provided to all Consulting Parties. Should  
5 any party object to the proposed work plan or results, the Corps will proceed in  
6 accordance with **Stipulation XI (Dispute Resolution)**, except that the calendar day  
7 periods in the timeframe for resolution in XI.A, shall be reduced from 30 calendar to  
8 NTE 10 business days.

9 ii. If the resources are found to be ineligible for listing in the NRHP, construction may  
10 proceed as planned.

11 iii. If the resources are determined to be eligible for listing in the NRHP, the Corps shall  
12 then initiate communication with the Project design team to determine if alternative  
13 design or construction methods can be implemented to avoid, protect, or minimize  
14 adverse effects to the resource. If the resources cannot be avoided by construction  
15 activities, then a mitigation/treatment plan or other measures will be adopted in  
16 accordance with **Stipulation III.D.2 (Historic Properties Treatment Plan)**.  
17 Undertaking activities in the 15-meter buffer, or other appropriate distance  
18 determined by the Corps, will remain suspended until the Corps resolves the adverse  
19 effect.

20 c. Inadvertent discovery and the treatment of human remains is governed by **Stipulation VI**  
21 **(Tribal Consultation and Treatment of Human Remains)**.

22  
23 C. If unanticipated effects to historic properties are made during implementation of a Project phase  
24 or feature where a “no adverse effects” determination was previously made through development  
25 of Project feature design, monitoring, and/or protection plan in accordance with **Stipulation III.C**  
26 **(Avoidance and Minimization of Adverse Effects)**, the individual(s) who made the discovery  
27 shall immediately notify the Corps and the undertakings’ KO, secure the vicinity, make a  
28 reasonable effort to stop and avoid further harm to the resource and comply with the following:

29 1. All ground-disturbing activities shall cease within a minimum of 15 meters from the  
30 inadvertent effect until the Corps’ agency official issues the NTP following the procedure  
31 outlined in **Stipulation IV (Notices to Proceed with Construction)**.

32 2. The Corps will notify the Consulting Parties by email or telephone within 48 hours of the  
33 discovery or unanticipated effect.

34 3. The Corps will consult with the Consulting Parties by email or telephone to determine the  
35 sources of the effect and whether the feature design, monitoring plan, and/or protection plan  
36 should be amended to avoid adverse effects.

37 a. If the Corps determines through consultation that an amendment to the feature design,  
38 monitoring plan, and/or protection plan can be made to protect the historic property from  
39 further effect, they will provide written notification by email to the Concurring Parties,  
40 outlining the Corps’ justification and requesting concurrence. If no comments are received  
41 within 72 business hours of acknowledged receipt, construction may resume.

42 b. If, through consultation with the Consulting Parties, the Corps determines that damage  
43 occurred to a historic property as a result of the unanticipated effect constitutes an adverse  
44 effect as defined in **Stipulation III.B.3 (Determination of Adverse Effect)**, or that  
45 further effects cannot be avoided through an amendment to the feature design, monitoring  
46 plan, and/or protection plan, a determination of adverse effect will be made and a HPTP  
47 will be developed in accordance with **Stipulation III.D.2 (Historic Properties**  
48 **Treatment Plan)**.

49 i. A construction buffer will be made in consultation with the Consulting Parties and  
50 construction will be allowed to continue outside of the buffer.

51 ii. After the HPTP has been finalized in accordance with **Stipulation V.D (Historic**  
52 **Properties Treatment Plan)**, a NTP will be issued for the remainder of the Project



1 feature impacted by the unanticipated effect in accordance with **Stipulation IV**  
2 **(Notices to Proceed with Construction)**.

3  
4 **VI. TRIBAL CONSULTATION AND TREATMENT OF HUMAN REMAINS**

- 5  
6 A. During any point during design or construction of a Project phase or feature that may affect  
7 historic properties, particularly TCPs or human remains of Native American Origin, any Indian  
8 Tribe(s) may request to consult on the undertaking whether or not the Tribe(s) is a Concurring  
9 Party to this Agreement. If requested, the Corps will consult with the Tribe(s) on a government-  
10 to-government basis in recognition of their sovereign status.  
11  
12 B. The Corps will make every effort to avoid the disturbance of historic and prehistoric human  
13 remains. If human remains are identified, consultation would occur with any Indian Tribe(s) that  
14 claim cultural affiliation with the identified human remains and any associated funerary objects,  
15 sacred objects, and objects of cultural patrimony.  
16  
17 C. If encountered, human skeletal remains and the artifacts found in association with human remains,  
18 whether in association with marked graves or unmarked burials, will be left in situ, and all ground-  
19 disturbing work within 15 meters of the remains will cease. The contractor will contact the KO  
20 immediately and the guidelines of SC Code 16-17-600 will apply. When human remains are  
21 encountered, all activity that might disturb the remains shall not resume until authorized by the  
22 District Medical Examiner or the State Archaeologist.  
23 1. If, upon inspection by the appropriate legal authorities, the remains are determined to be a  
24 criminal matter and not archaeological, the Corps will ensure that appropriate legal and  
25 contractual requirements are followed.  
26 2. If the remains are determined to be archaeological, the State Archaeologist has jurisdiction to  
27 determine the appropriate treatment and options for the remains following additional  
28 coordination with the Consulting Parties.  
29 a. Human remains will be left in place and protected from further disturbance with security  
30 fencing and if necessary, a security guard until a site-specific work plan for their  
31 avoidance or, if necessary, their removal can be developed.  
32 b. The Corps will coordinate with all Consulting Parties, Interested Tribe(s), and other  
33 Interest Parties or descendent communities to develop a treatment or avoidance plan  
34 consistent with **Stipulation V (Inadvertent Discoveries and Unanticipated Effects)**.  
35  
36 D. If human remains are identified during analysis of archaeological materials, the Consulting Parties  
37 will be immediately contacted to determine the appropriate treatment of the remains. No  
38 photographs or scientific analysis beyond the identification of the remains are permitted. Minimal  
39 contact with such remains is permitted by those conducting fieldwork or laboratory analysis.  
40

41 **VII. CURATION**

- 42  
43 A. The Corps shall ensure that all original archaeological records (research notes, field records, maps,  
44 drawings, and photographic records) and all archaeological collections recovered from the Project  
45 produced as a result of implementing the Stipulations of this Agreement are provided for  
46 permanent curation. The Corps shall ensure that the records, and collections and curation facility  
47 comply with standards set forth in 36 CFR 79, *Curation of Federally Owned and Administered*  
48 *Archaeological Collections*.  
49  
50 B. The final disposition of collected material will be specifically outlined in the HPTP and Consulting  
51 Parties will be notified in writing when records and collections have been placed in the permanent  
52 curation facility as agreed to in the HPTP.

1  
2 **VIII. QUALIFICATIONS**  
3

4 **A. PROFESSIONAL QUALIFICATIONS**

5 All key personnel (e.g. Principal Investigator, Underwater/Marine Archaeologist,  
6 Bioarchaeologist/Osteologist, and Architectural Historian) for technical work and specialized  
7 analysis, required for historic preservation activities implemented pursuant to this Agreement and  
8 outlined in research designs or HPTPs, shall meet or exceed the SOI's *Historic Preservation*  
9 *Professional Qualification Standards*, as specified in 36 C.F.R. Part 61 for archaeology, history,  
10 architectural history, architecture, or historic architecture as appropriate (48 F.R. 44739). The term  
11 "technical work" is defined as all efforts to inventory, evaluate, and perform subsequent treatment  
12 of potential historic properties that is required under this Agreement such as cultural resources  
13 surveys, architectural inventory, data recovery excavation or recordation. This stipulation shall  
14 not be construed to limit peer review, guidance, or editing of documents by Consulting Parties.  
15

16 **B. HISTORIC PRESERVATION STANDARDS**

17 Historic preservation activities carried out pursuant to this Agreement shall meet or exceed the  
18 *Archaeology and Historic Preservation; Secretary of Interior's Standards and Guidelines* (48 FR  
19 44716-44740, September 29, 1983), as well as standards and guidelines for historic preservation  
20 activities established by the SHPO. The Corps shall ensure that all reports prepared pursuant to  
21 this Agreement are provided to the Consulting Parties, distributed in accordance with **Stipulation**  
22 **X (Confidentiality)**, and meet the published standards of the SHPO or subsequent guidelines  
23 provided by the State of South Carolina.  
24

25 **C. MONITORING STANDARDS**

- 26 1. Archaeological monitoring activities required for exploratory, construction, or construction-  
27 related, ground disturbing activities implemented pursuant to this Agreement shall be carried  
28 out by an individual meeting, at a minimum, the SOI's *Historic Preservation Professional*  
29 *Qualifications Standards* for archaeology or history, as appropriate (48 C.F.R. 44739). The  
30 term "archaeological monitoring" is defined as monitoring ground-disturbing activities that  
31 have been determined by the Corps to be occurring in areas potentially sensitive for historic  
32 properties or buried resources.  
33 2. Archaeological monitoring will comply with all applicable guidelines and requirements  
34 specified in the South Carolina State Historic Preservation Office Guidance for  
35 Archaeological Site Monitoring.  
36 3. Other monitoring required as a result of implementing the Stipulations of this Agreement shall  
37 be carried out by individuals meeting specific criteria outlined in the appropriate HPTP.  
38

39 **IX. PUBLIC COMMENT AND PUBLIC NOTICE**  
40

41 The interested public shall be invited to provide input at appropriate times during the implementation of  
42 this Agreement. The Corps may carry this out through letters of notification, public meetings, site visits,  
43 and by utilizing the Corps' Charleston District (SAC) Environmental Documents Website and will provide  
44 a link to that location through social media and/or a press release. The Corps shall ensure that any  
45 comments received from members of the public are considered and incorporated where appropriate.  
46 Review periods for such comments shall be consistent with **Stipulation I (Timeframes and Review**  
47 **Procedures)**. In seeking input from the interested public, locations of historic properties will be handled  
48 in accordance with **Stipulation X (Confidentiality)**.  
49

50 **X. CONFIDENTIALITY**  
51

52 Signatory Parties to this Agreement acknowledge that information about historic properties is subject to

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

1 the provisions of Section 304 of the NHPA (54 U.S.C. § 307103) and 36 C.F.R. § 800.11(c), relating to  
2 the disclosure of information about the location, character or ownership of an historic property, and will  
3 ensure that any disclosure under this Agreement is consistent with the terms of this Agreement and with  
4 Section 304 of the NHPA, 36 C.F.R. § 800.11(c), the Freedom of Information Act (5 U.S.C. § 552), as  
5 amended, and S.C. Code Ann. § 30-4-10, *et al*, as applicable. Confidentiality regarding the specific nature  
6 and location of the archaeological sites and any other cultural resources discussed in this Agreement shall  
7 be maintained to the extent allowable by law. Dissemination of such information shall be limited to  
8 appropriate personnel within the Corps (including their contractors), Consulting Parties and those parties  
9 involved in planning, reviewing, and implementing this Agreement. When information is provided to the  
10 Corps by SHPO or others who wish greater control over the discretionary dissemination of that  
11 information, the Corps will make a good faith effort to do so, provided the information to be controlled  
12 and the rationale for withholding is clearly identified, to the extent consistent with applicable law.

13  
14 **XI. DISPUTE RESOLUTION**

- 15  
16 A. At any time during the term of the Agreement, should any Signatory or Concurring Party object  
17 to any actions proposed or the manner in which the terms of this Agreement are implemented, the  
18 Corps will immediately notify the Consulting Parties of the objection and proceed to consult with  
19 the objecting party(s) for a period of time, not to exceed 30 calendar days, to resolve the objection.  
20 If the objection is resolved through consultation, the Corps may authorize the disputed action to  
21 proceed in accordance with the terms of such resolution. If the Corps determines that such  
22 objection cannot be resolved, the Corps will:
- 23 1. Forward all documentation relevant to the dispute, including the Corps' proposed resolution,  
24 to the ACHP. The ACHP shall provide the Corps with its recommendation on the resolution  
25 of the objection within 30 calendar days of receiving adequate documentation (See 36 C.F.R.  
26 § 800.11). Prior to reaching a final Agency decision, the Corps shall prepare a written response  
27 that takes into account any timely advice or comments regarding the dispute from the ACHP,  
28 and other relevant Consulting Parties, and provide the objecting party with a copy of this  
29 written response. The Corps will then proceed according to its final Agency decision.
  - 30 2. If the ACHP does not provide its recommendation regarding the dispute within the 30-day  
31 time period, the SAC Commander may make a final Agency decision and proceed  
32 accordingly. Prior to reaching such a final Agency decision, the Corps shall prepare a written  
33 response that takes into account any timely comments regarding the dispute from the  
34 Consulting Parties to the Agreement and provide them and the ACHP with a copy of such  
35 written response.
  - 36 3. The Corps' responsibility to carry out all other actions subject to the terms of this Agreement  
37 that are not the subject of the dispute remain unchanged.
- 38  
39 B. At any time while this Agreement is in effect, should a substantial objection pertaining to the  
40 implementation of this Agreement be raised by a member of the public, the Corps shall notify the  
41 Consulting Parties and take the objection under consideration. The Corps will consult with the  
42 Consulting Parties to this Agreement, regarding the objection for no longer than 15 calendar days.  
43 The Corps shall consider the objection and all comments provided by the Consulting Parties in  
44 reaching its decision. Within 15 calendar days following closure of the Consulting Parties'  
45 comment period, the Corps will render a written decision regarding the objection and respond to  
46 the objecting party. The Corps will promptly provide written notification of its decision to the  
47 Consulting Parties, including a copy of the response to the objecting party. The Corps' decision  
48 regarding resolution of the objection will be final. Following issuance of its final decision, the  
49 Corps may authorize the action that was the subject of the dispute to proceed in accordance with  
50 the terms of that decision. The Corps' responsibility to carry out all other actions under this  
51 Agreement shall remain unchanged.
- 52

1 **XII. NOTICES**  
2

- 3 A. Unless otherwise agreed by all Consulting Parties, notices, demands, requests, consents, approvals  
4 or any other types of communications regarding this Agreement, shall be sent digitally, requiring  
5 confirmation of receipt. If a party to this Agreement requests communication sent by United States  
6 Mail, that party shall be considered in receipt of the communication five (5) calendar days after  
7 the initial communication is deposited in the United States Mail, certified and postage prepaid,  
8 return receipt requested.  
9
- 10 B. The ACHP has requested electronic documents and/or electronic communications be used for  
11 formal communication among themselves for activities in support of **Stipulation I (Timeframes**  
12 **and Review Procedures)** as well as all notices, demands, requests, consents, or approvals. Any  
13 Consulting Party may consent to electronic documents and/ or electronic communications used in  
14 lieu of hard copies.  
15

16 **XIII. AMENDMENTS, TERMINATION AND DURATION**  
17

18 A. AMENDMENT

19 Any Signatory Party to this Agreement may propose that the Agreement be amended, whereupon  
20 the Corps shall consult with the Signatories to consider such amendment. This Agreement may  
21 only be amended when all Signatories agree in writing to such an amendment. The amendment  
22 will be effective as of the date the amendment is signed by all the Signatories and filed with the  
23 ACHP.  
24

25 B. AMENDED APPENDICIES

26 All appendices to this Agreement, and other instruments prepared pursuant to this Agreement,  
27 may be revised or updated by the Corps through consultation consistent with **Stipulation I**  
28 **(Timeframes and Review Procedures)** and written agreement of the Signatory Parties without  
29 requiring an amendment to this Agreement. In accordance and **Stipulation IX (Public Comment**  
30 **and Public Notice)**, the Consulting Parties will receive copies and interested members of the  
31 public will receive notice of any amendment(s) to the Agreement.  
32

33 C. TERMINATION

34 If any Signatory to this Agreement determines that its terms will not or cannot be carried out, that  
35 party shall immediately consult with the other Signatories to attempt to develop an amendment  
36 per Stipulation XIII.A, above. If within thirty (30) days (or another time period agreed to by all  
37 signatories) an amendment cannot be reached, any Signatory may terminate the Agreement upon  
38 written notification to the other Signatories.  
39

40 Once the Agreement is terminated, and prior to work continuing on the undertaking, the Corps  
41 must either (a) execute an Agreement pursuant to 36 CFR § 800.6 or (b) request, take into account,  
42 and respond to the comments of the ACHP under 36 CFR § 800.7. The Corps shall notify the  
43 Signatories as to the course of action it will pursue.  
44

45 D. DURATION

46 This Agreement shall remain in effect for a period of 15 years after the date it takes effect and  
47 shall expire at the end of this 15-year period, unless it is terminated prior to that time. No later  
48 than 90 calendar days prior to the expiration date of the Agreement, the Corps shall initiate  
49 consultation with all Signatory Parties to determine if the Agreement should be allowed to expire  
50 or whether it should be extended. Unless the Signatories unanimously agree in accordance with  
51 **Stipulation XIII (Amendments, Termination, and Duration)**, this Agreement shall  
52 automatically expire and have no further force or effect.

1  
2 **XIV. MONITORING AND REPORTING**  
3

4 Each year following the execution of this Agreement until it expires or is terminated, the Corps shall  
5 provide all parties to this Agreement, on or about the annual anniversary date of execution, a summary  
6 memorandum detailing work undertaken pursuant to its terms. Such report shall include any scheduling  
7 changes proposed, any problems encountered, and any disputes and objections received in the Corps'  
8 efforts to carry out the terms of this Agreement. The annual report shall specify how Project/Project  
9 component design has been utilized to minimize harm to affected historic properties and NHLs to the  
10 maximum extent possible pursuant to Section 110(f) of the NHPA (54 U.S.C. § 306107) and 36 C.F.R. §  
11 800.10. The annual report also shall include an updated digital copy of the Agreement that includes  
12 approved HPTPS, as well as APE revisions and updates to Attachments A-E.  
13

14 **XV. USE OF THIS AGREEMENT BY OTHER FEDERAL AGENCIES**

15 In the event that another federal agency not initially a party to or subject to this Agreement receives an  
16 application for funding/license/permit for the Undertaking as described in this Agreement, that agency  
17 may fulfill its Section 106 responsibilities by stating in writing it concurs with the terms of this Agreement  
18 and notifying the Corps, SHPO, and the ACHP that it intends to do so. Such agreement shall be evidenced  
19 by execution of a Signature Sheet ([Attachment E](#)) and filing with the ACHP, and implementation of the  
20 terms of this Agreement  
21

22 **XVI. THE ANTI-DEFICIENCY ACT**  
23

24 The Corps' and other Federal agencies' obligations under this Agreement are subject to the availability of  
25 appropriated funds, and the stipulations of the Agreement are subject to the provisions of the Anti-  
26 deficiency Act, 31 U.S.C. § 1341, et seq. The Corps and other Federal agencies shall make reasonable and  
27 good faith efforts to secure the necessary funds to implement their obligations under this Agreement. If  
28 compliance with the Anti-deficiency Act alters or impairs the Corps' ability to implement its obligations  
29 under this Agreement, the Corps shall consult in accordance with the amendment and termination  
30 procedures found in [Stipulation XIII \(Amendments, Termination, and Duration\)](#), or proceed in  
31 accordance with the procedures found in [Stipulation III.D.2.e.\(v\) \(Mitigation of Adverse Effects\)](#), if the  
32 Corps and Consulting Parties agree that an addendum to an HPTP is appropriate.  
33

34 **XVII. EFFECTIVE DATE**  
35

36 This Agreement shall take effect on the date that it has been fully executed by the Signatory Parties.  
37

38 **XVIII. EXECUTION**  
39

40 By execution of this Agreement in the pages provided below, the Signatory Parties agree to the terms of  
41 this Agreement, and the execution and the implementation of the terms of this Agreement by the Signatory  
42 Parties evidence that the Corps has taken into account the effects of these undertakings on historic  
43 properties and afforded the ACHP an opportunity to comment, and has to the maximum extent possible  
44 undertaken such planning and actions as are necessary to minimize harm to NHLs.

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

**SIGNATORIES TO THE PROGRAMMATIC AGREEMENT REGARDING THE  
CHARLESTON PENINSULA COASTAL STORM RISK MANAGEMENT PROJECT,  
CHARLESTON, SOUTH CAROLINA:**

U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

Andrew C. Johannes, PhD, PE, PMP  
Lieutenant Colonel, U.S. Army  
Commander and District Engineer

DRAFT

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

**SIGNATORIES TO THE PROGRAMMATIC AGREEMENT REGARDING THE  
CHARLESTON PENINSULA COASTAL STORM RISK MANAGEMENT PROJECT,  
CHARLESTON, SOUTH CAROLINA:**

SOUTH CAROLINA DEPARTMENT OF ARCHIVES AND HISTORY

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

Dr. W. Eric Emerson, Ph.D.  
State Historic Preservation Officer

DRAFT

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

**SIGNATORIES TO THE PROGRAMMATIC AGREEMENT REGARDING THE  
CHARLESTON PENINSULA COASTAL STORM RISK MANAGEMENT PROJECT,  
CHARLESTON, SOUTH CAROLINA:**

ADVISORY COUNCIL ON HISTORIC PRESERVATION

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

Reid Nelson  
Executive Director, Acting

DRAFT



PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

**SIGNATORIES TO THE PROGRAMMATIC AGREEMENT REGARDING THE  
CHARLESTON PENINSULA COASTAL STORM RISK MANAGEMENT PROJECT,  
CHARLESTON, SOUTH CAROLINA:**

CITY OF CHARLESTON

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

John J. Tecklenburg  
Mayor

DRAFT

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

**INVITED SIGNATORIES TO THE PROGRAMMATIC AGREEMENT REGARDING  
THE CHARLESTON PENINSULA COASTAL STORM RISK MANAGEMENT  
PROJECT, CHARLESTON, SOUTH CAROLINA:**

NATIONAL PARK SERVICE

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

Pedro Ramos  
Acting Regional Director  
National Park Service, Interior Region 2

DRAFT

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

**CONCURRING PARTIES TO THE PROGRAMMATIC AGREEMENT REGARDING  
THE CHARLESTON PENINSULA COASTAL STORM RISK MANAGEMENT  
PROJECT, CHARLESTON, SOUTH CAROLINA:**

CATAWBA INDIAN NATION

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

William Harris  
Chief

DRAFT

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

**CONCURRING PARTIES TO THE PROGRAMMATIC AGREEMENT REGARDING  
THE CHARLESTON PENINSULA COASTAL STORM RISK MANAGEMENT  
PROJECT, CHARLESTON, SOUTH CAROLINA:**

HISTORIC CHARLESTON FOUNDATION

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

Winslow Hastie  
President & CEO

DRAFT

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

**CONCURRING PARTIES TO THE PROGRAMMATIC AGREEMENT REGARDING  
THE CHARLESTON PENINSULA COASTAL STORM RISK MANAGEMENT  
PROJECT, CHARLESTON, SOUTH CAROLINA:**

PRESERVATION SOCIETY OF CHARLESTON

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

David Leckey  
Interim Executive Director

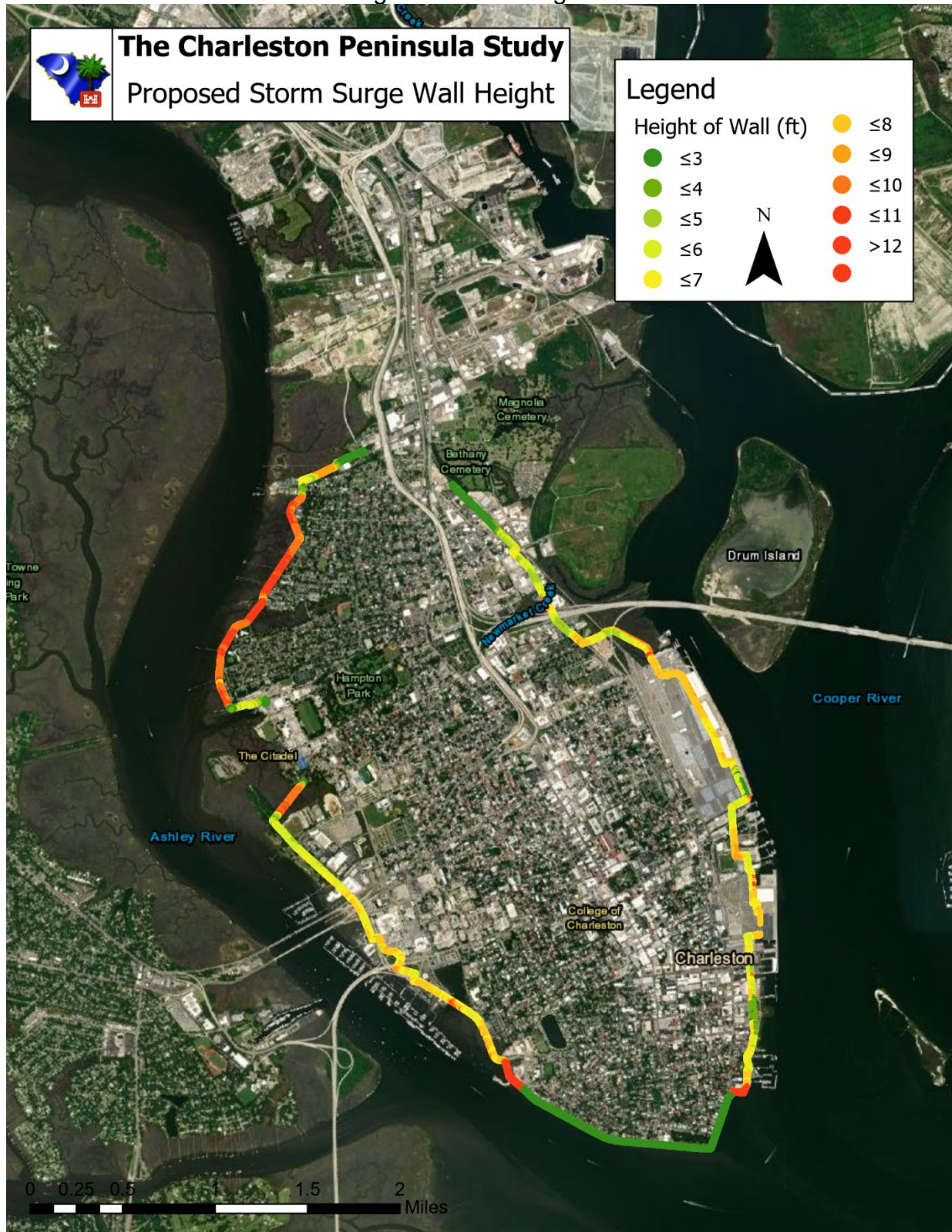
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**ATTACHMENT A**

**MAPS OF THE AREAS OF POTENTIAL EFFECTS**

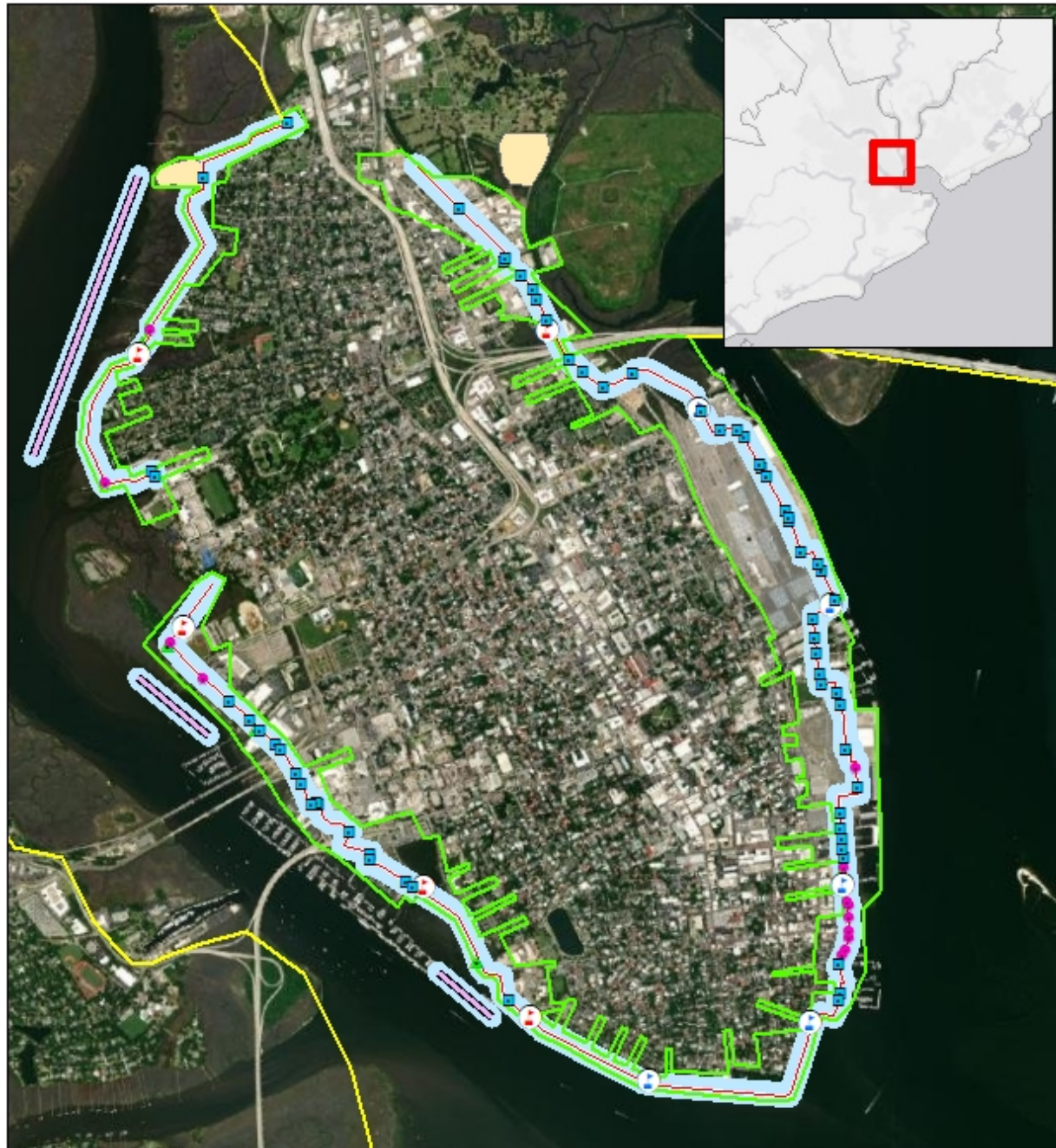
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Attachment A.1. Location and Height of Storm Surge Wall



PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

Attachment A.2. Interior Peninsula Viewshed APE, Construction APE, and Non-Structural APE.

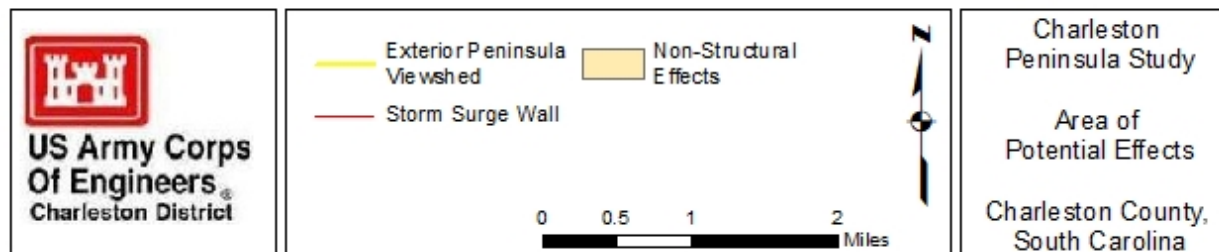


 <p><b>US Army Corps Of Engineers</b> Charleston District</p>	<p>— Exterior Peninsula Viewshed</p> <p>■ Vehicle/Rail Gates</p> <p>● Mobile Pumpstation</p> <p>● Permanent Pumpstation</p> <p>● Pedestrian Gates</p> <p>▲ Storm Gates</p>	<p>— Living Shoreline APE</p> <p>— Interior Peninsula Viewshed</p> <p>■ Non-Structural Effects</p> <p>■ Construction Effects</p>		<p>Charleston Peninsula Study</p> <p>Area of Potential Effects</p> <p>Charleston County, South Carolina</p>
	<p>0 0.25 0.5 1 Miles</p>			



PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

Attachment A.3. Exterior Peninsula Viewshed APE.



**ATTACHMENT B**

**PREVIOUSLY IDENTIFIED HISTORIC PROPERTIES WITHIN THE AREAS OF POTENTIAL  
EFFECTS**

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PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
38CH0701	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Unevaluated
38CH0700	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Unevaluated
Lowndes Grove	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
West Point Rice Mill	Interior Peninsula Viewshed	Structure	Listed
Alverta Long Park Lake/Halsey Blvd. (Site No. 5858)	Construction Effects, Interior Peninsula Viewshed	Historic Area	Eligible
Operations Maintenance Shop/9 Chisolm Street (Site No. 089-6458)	Interior Peninsula Viewshed	Structure	Contributes to Eligible District
Thomas H. Martin Jr. Army Reserve Training Center/9 Chisolm Street (Site No. 089-6457)	Interior Peninsula Viewshed	Structure	Eligible
205 Broad Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
US Light House Service Sixth District Office Building/196 Tradd Street (Site No. 089-6454)	Interior Peninsula Viewshed	Structure	Eligible
Chisolm's Rice Mill Storage Building/196 Tradd Street (Site No. 089-6455)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Andrew B. Murray Vocational School/3 Chisolm Street	Interior Peninsula Viewshed	Structure	Listed
Charleston Historic District (Boundary Increase)	Construction Effects, Interior Peninsula Viewshed	District	Listed/NHL

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
Proposed expansion to Charleston Historic District	Construction Effects, Interior Peninsula Viewshed	District	Eligible
Robert William Roper House/9 E. Battery Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed/NHL
Miles Brewton House/27 King Street	Interior Peninsula Viewshed	Structure	Listed/NHL
3 Water Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
38CH1673	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Unevaluated
3 Meeting Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
1 Meeting Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
U.S. Customhouse/200 E. Bay Street	Construction Effects, Interior Peninsula Viewshed	Structure	Listed
Exchange and Provost/ E. Bay and Broad Streets	Interior Peninsula Viewshed	Structure	Listed/NHL
38CH1606	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Unevaluated
9 Middle Atlantic Wharf	Construction Effects, Interior Peninsula Viewshed	Structure	Contributes to Listed District
Dutarque-Guida House/105 East Bay Street	Interior Peninsula Viewshed	Structure	Contributes to Listed District
Fleet Landing Building/186 Concord Street	Interior Peninsula Viewshed	Structure	Eligible

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
4 Vendue Range	Construction Effects, Interior Peninsula Viewshed	Structure	Contributes to Listed District
Charleston's French Quarter District	Interior Peninsula Viewshed	District	Listed
Market Hall and Sheds	Interior Peninsula Viewshed	Structure	Listed/NHL
Charlotte Street Power Plant, 360 Concord Street	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Immigration Center (Site No. 2809)	Interior Peninsula Viewshed	Structure	Eligible
38CH1486	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Unevaluated
38CH1587	Construction Effects, Interior Peninsula Viewshed	Archaeology Site	Eligible
East Bay Elementary/805 Morrison Drive (Site No. 4257)	Construction Effects, Interior Peninsula Viewshed	Structure	Eligible
Charleston Cemeteries Historic District	Construction Effects	District	Listed
USS Yorktown	Exterior Peninsula Viewshed	Structure	Listed/NHL
USS Clamagore	Exterior Peninsula Viewshed	Structure	Listed/NHL
USS Laffey	Exterior Peninsula Viewshed	Structure	Listed/NHL
Castle Pinckney	Exterior Peninsula Viewshed	Structure	Listed
Mount Pleasant Historic District	Exterior Peninsula Viewshed	District	Listed

PROGRAMMATIC AGREEMENT REGARDING THE REGARDING THE CHARLESTON PENINSULA  
 COASTAL STORM RISK MANAGEMENT PROJECT, CHARLESTON, SOUTH CAROLINA

<b>Resource</b>	<b>APE</b>	<b>Site Type</b>	<b>Eligibility</b>
Moultrieville Historic District	Exterior Peninsula Viewshed	District	Listed
Fort Sumter National Monument	Exterior Peninsula Viewshed	National Monument	Listed
King House/1040 5 <sup>th</sup> Avenue (Site No. 7927)	Exterior Peninsula Viewshed	Structure	Eligible
Site of Old Charles Towne	Exterior Peninsula Viewshed	Multicomponent	Listed

\*Only archaeology sites within Construction Effects APE included.

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**ATTACHMENT C**

**PROJECT SCHEDULE**

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**ATTACHMENT D**

**HISTORIC PROPERTY TREATMENT PLANS**

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**ATTACHMENT E**

**SIGNATURE SHEET FOR USE OF THIS AGREEMENT BY OTHER FEDERAL AGENCIES**

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