JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A Hagood Avenue Charleston, South Carolina 29403-5107

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION April 18, 2014

Refer to: P/N #2011-968-DIM

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), and the South Carolina Coastal Zone Management Act (48-39-10 <u>et.seq.</u>) an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

South Carolina Department of Transportation c/o Will McGoldrick Post Office Box 191, 955 Park Street Columbia, South Carolina 20202-0191

for a permit to place fill material in waters of the U.S. (including wetlands) in

Sophia Swamp

located along the existing Henry Brown Boulevard beginning at Red Bank Road and extending to Liberty Hall Road, in Goose Creek, Berkeley County, South Carolina (Latitude 33.00104, Longitude -80.01686).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by the **Corps** and **SCDHEC** until

30 DAYS FROM THE DATE OF THIS NOTICE

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

The proposed project includes widening the existing Henry Brown Boulevard from Red Bank Road (S-8-29) to Liberty Hall Road (S-8-529) and intersection improvements at Red Bank Road, Stanhope Road, and Liberty Hall Road. The proposed widening consists of a four-lane divided roadway with a 15 foot paved median and a 10 foot multi-use path. The typical section between Summit Avenue and Liberty Hall Road includes 12 foot travel lands, 10 foot paved

REGULATORY DIVISION Refer to: P/N #2011-968-DIM

shoulders and a 10 foot multi-use path on the west side of the roadway. The southern portion of the proposed project between Summit Avenue and Red Bank Road will have the same width roadway but will include a curb and gutter section with the 10' multi-use path separated by the curb and a 3 foot earthen shoulder. The intersection improvements at Red Bank would include dual 300 foot in length left turn lanes at the eastbound and southbound approaches. The intersection improvements at the Stanhope Road Intersection would include a 200 foot in length right turn lane and a signalized intersection. The intersection improvements at Liberty Hall Road would include dual 300 foot in length left turn lanes added to the northbound approach, dual receiving lanes that extend to the first traffic signal at Wildberry Lane/Alder Road would be added to the west bound approach, and the east bound approach would include the addition of a channelized right turn lane.

In detail, the proposed project will impact a total of 3.362 acres of jurisdictional freshwater wetlands, which includes 1.8 acres of wetland fill, 0.922 acre of wetland clearing, and 0.64 acre of wetland excavation. Additionally the project will impact a total of 2,223 linear feet of tributaries which includes 593 feet of pipe and cover impacts, 1,458 linear feet of tributary fill, 38 linear feet of armor/rip-rap, and 134 linear feet of excavation.

<u>Purpose</u>: According to the applicant, the purpose of the proposed work is to increase capacity, improve traffic flow, and reduce intersection delays on Henry Brown Boulevard between Red Bank Road and Liberty Hall Road. In addition the project is expected to improve the public safety of travelers on the roadway.

<u>Avoidance and Minimization</u>: The applicant states that efforts to avoid and/or minimize impacts to waters of the US include:

- 2:1 roadway approach fill slopes were designed where feasible to reduce the overall width
 of the project impacts. In addition a curb and gutter section is proposed in order to
 prevent impacts to 200 linear feet of a tributary.
- Reduced median widths are proposed in efforts to decrease the overall width of the project impacts. The proposed project utilizes 15 foot medians whereas 48 foot medians are recommended for four-lane divided roadways under normal circumstances.
- Sediment and erosion control measures, consistent with the State's best management practices (BMPs), will be installed during construction.

<u>Mitigation</u>: For the unavoidable impacts to tributaries, SCDOT has proposed a conceptual permittee responsible mitigation plan dated March 27, 2014, for stream mitigation at Cannon Creek in Berkeley County, SC. SCDOT proposes to utilize this permittee responsible mitigation site for impacts associated with Henry Brown Boulevard and a future intersection improvement project at U.S. Highway 26, Sheep Island Parkway and Jedburg Road. The applicant has stated that the proposed mitigation plan will conform to the Corps Mitigation Rule and the current Charleston District Mitigation SOP. SCDOT expects that the proposed mitigation plan will generate 16,114 stream mitigation credits. Per the calculations provided, SCDOT expects that 12,493.2 stream credits will be needed for the proposed impacts in this public notice for Henry Brown Boulevard.

For the unavoidable impacts to jurisdictional freshwater wetlands, SCDOT proposes to debit 10.086 acres from the SCDOT approved Black River mitigation bank. This debit represents a ratio of 3:1.

Refer to: P/N #2011-968-DIM

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact approximately 3.362 acre of wetland and 2,223 linear feet of tributaries upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state,

with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Christopher Mims at 843-329-8044 or toll free at 1-866-329-8187.

Shaded Area Indicates County Location in SC

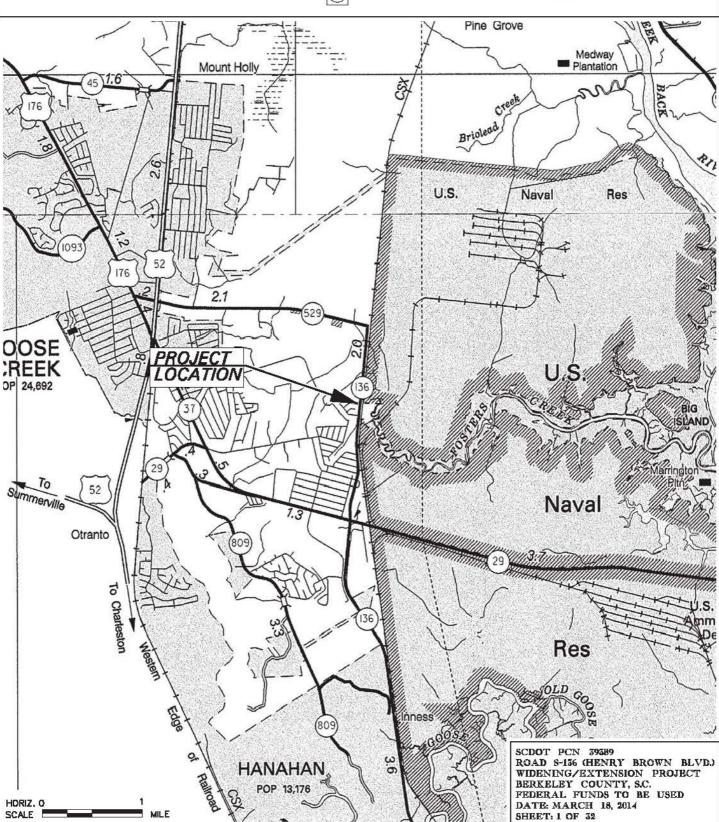


VICINITY MAP
Berkeley County, S.C.

Approximate Location of Project is:

Longitude 80 00 13*

Latitude 32 56 58*



LAYOUT

SCALE

DATE: MARCH 18, 2014

FEET

JWM**6** 3/18/2014 \\scifs1\projects\10203_01*1_Henry Brown\Permit Drawings\PD-03(*1

RIPRAP IMPACT

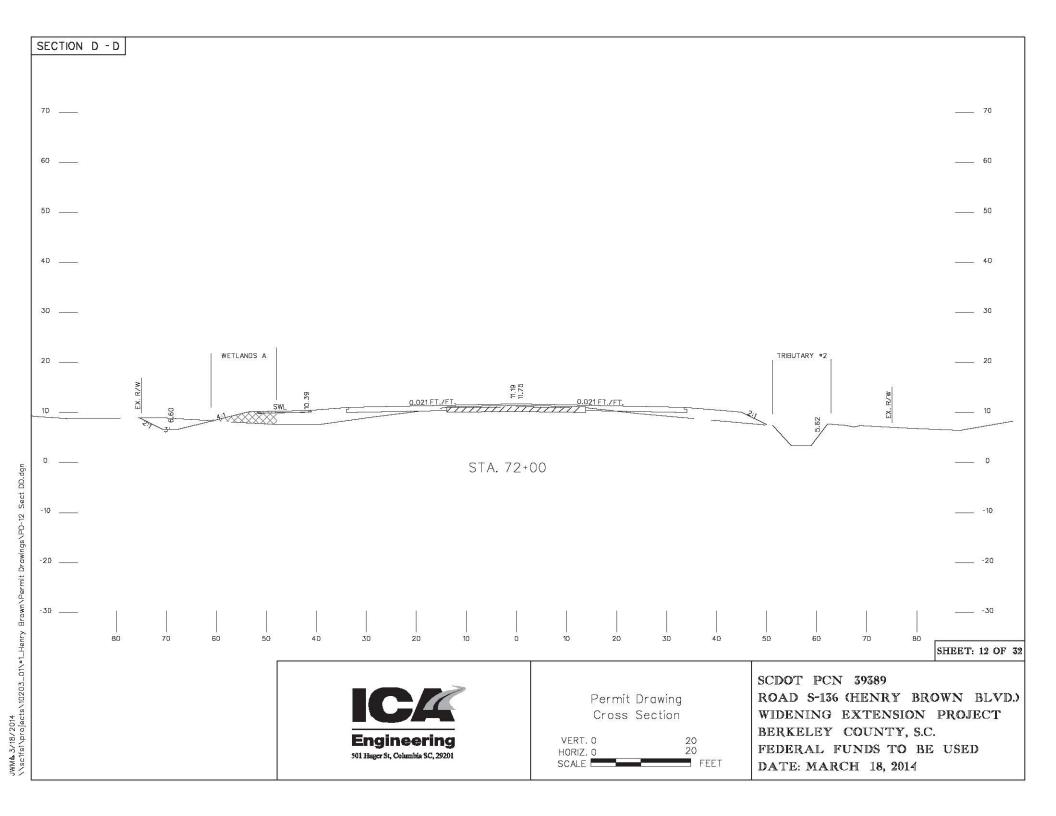
JWM**6.** 3/18/2014 \\scifs1\projects\10203_01*1_Henry Brown\Permit Drawings\\PD-04(*1)_Plan-(!

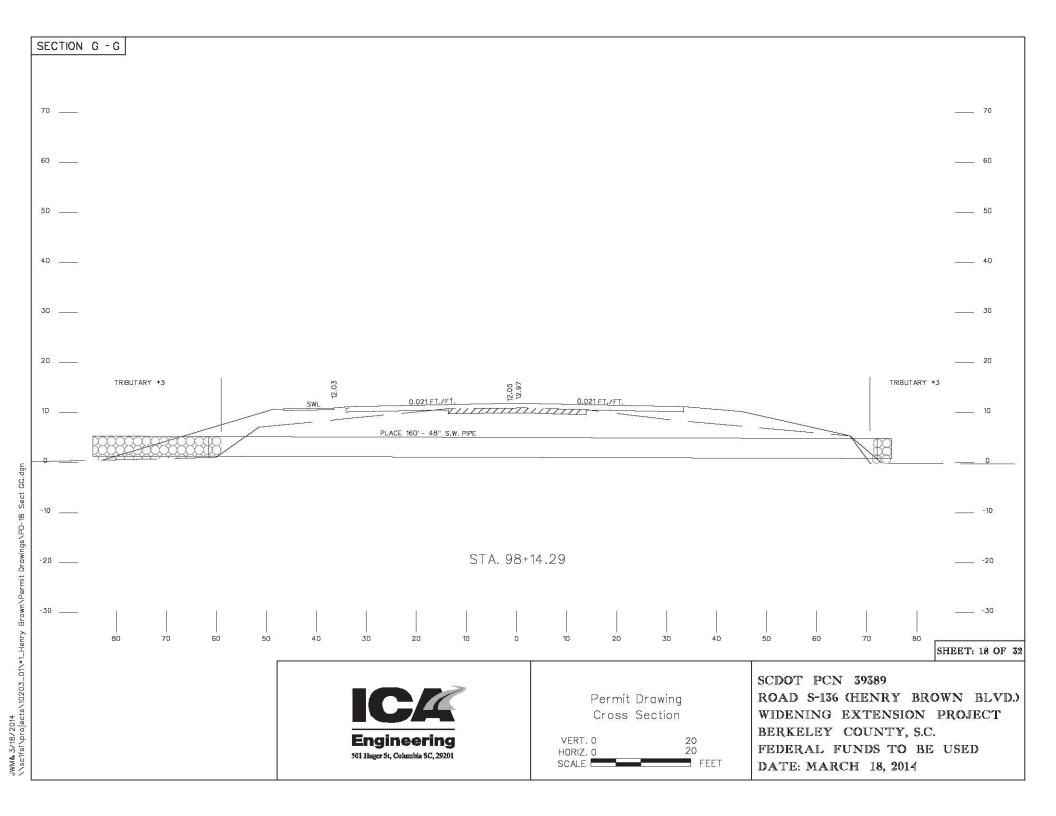
JWM& 3/18/2014 \\Scifs\\projects\\10203_01**!_Henry Brown\Permit Drawings\\PD-07(*1)_Plan-

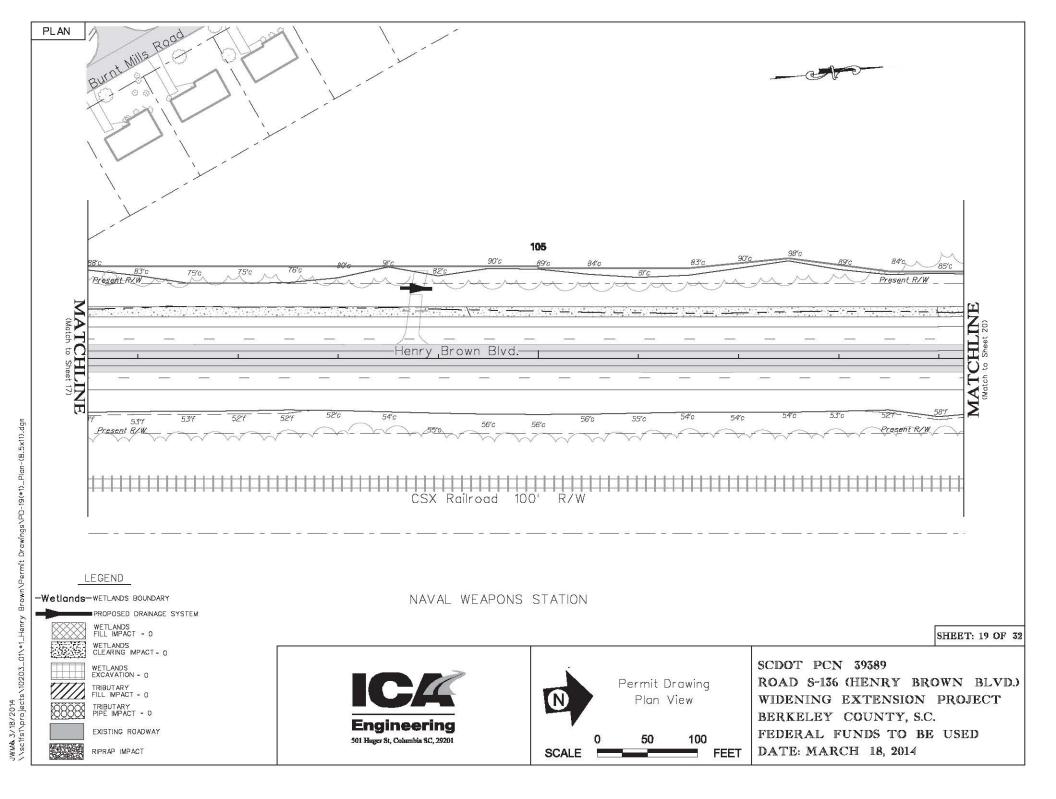
SCALE

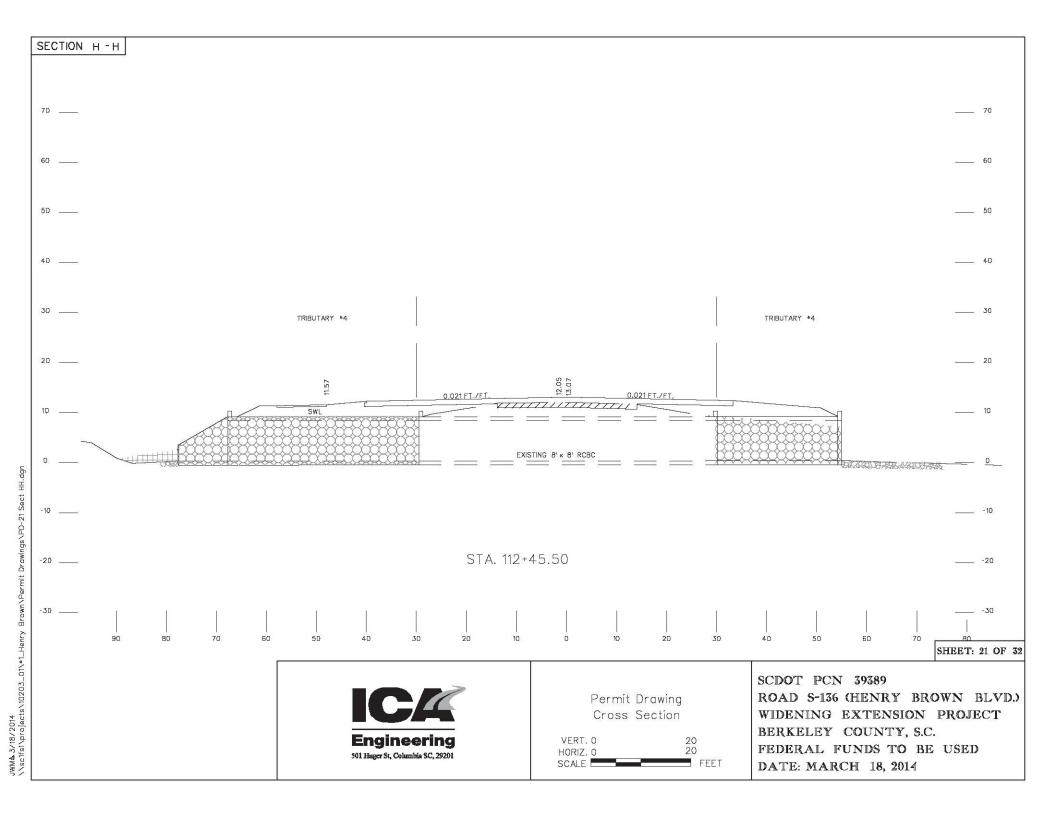
FEET

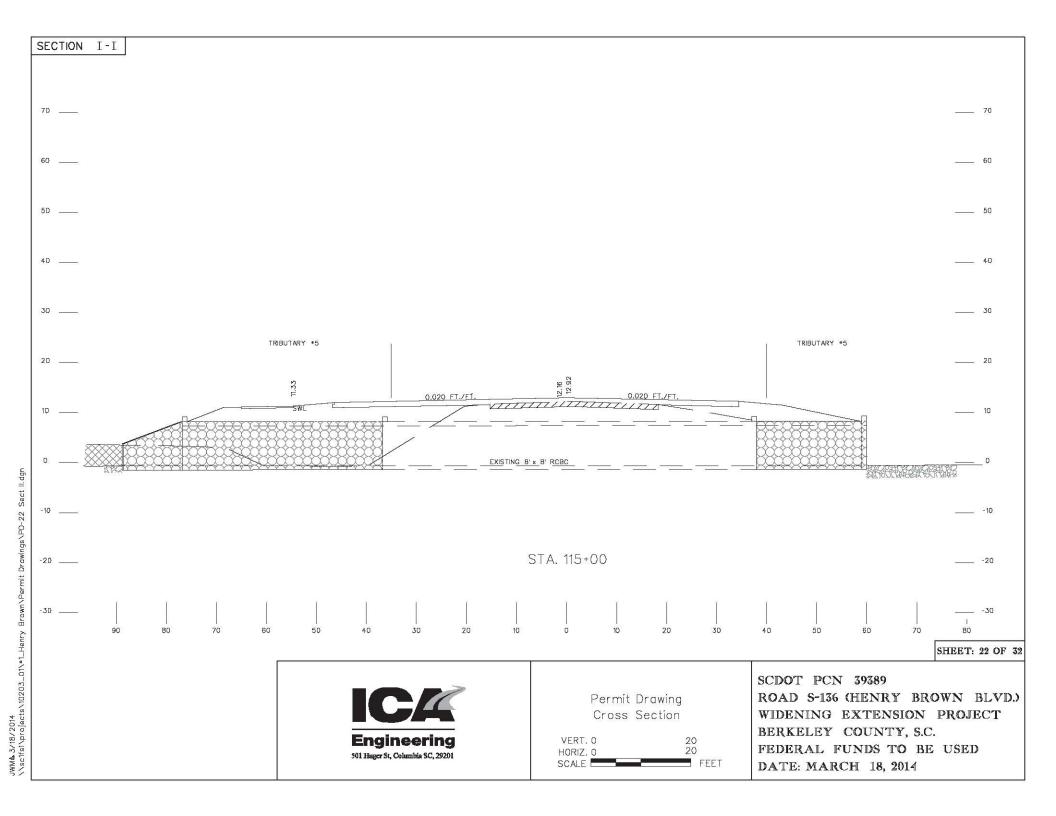
JWM**6.** 3/18/2014 \\sc1fs1\projects\10203_01*1_Henry

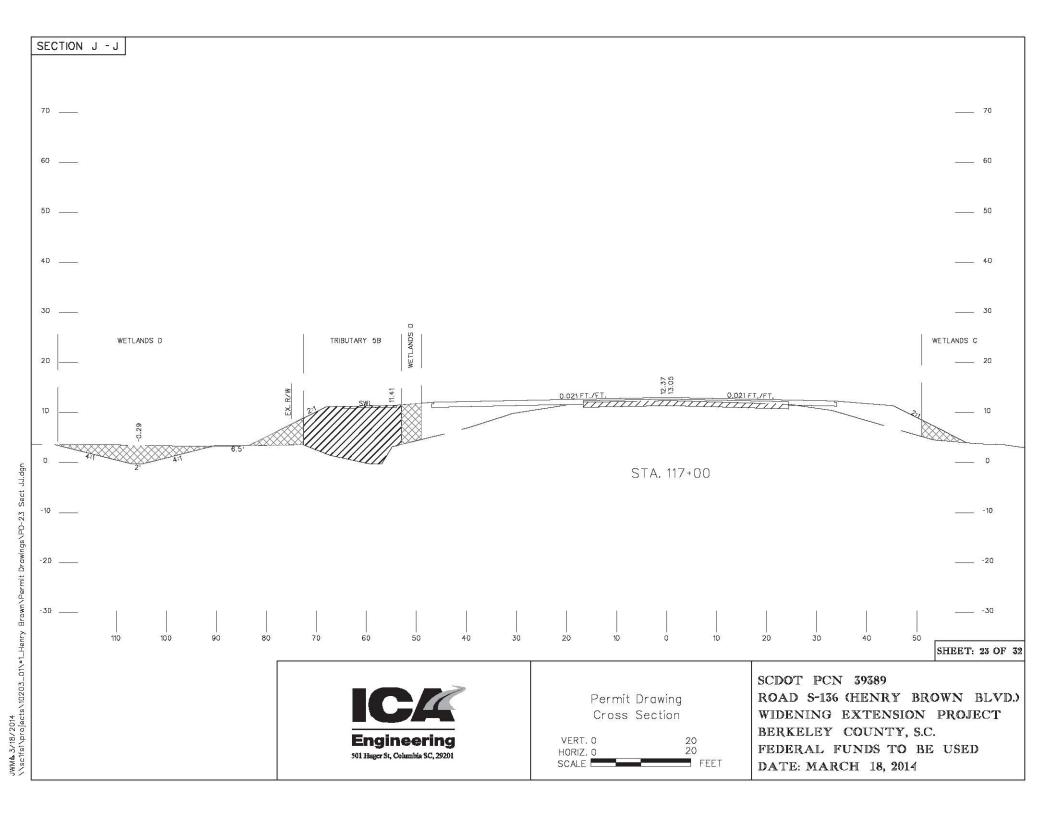












501 Huger St, Columbia SC, 29201

50

SCALE

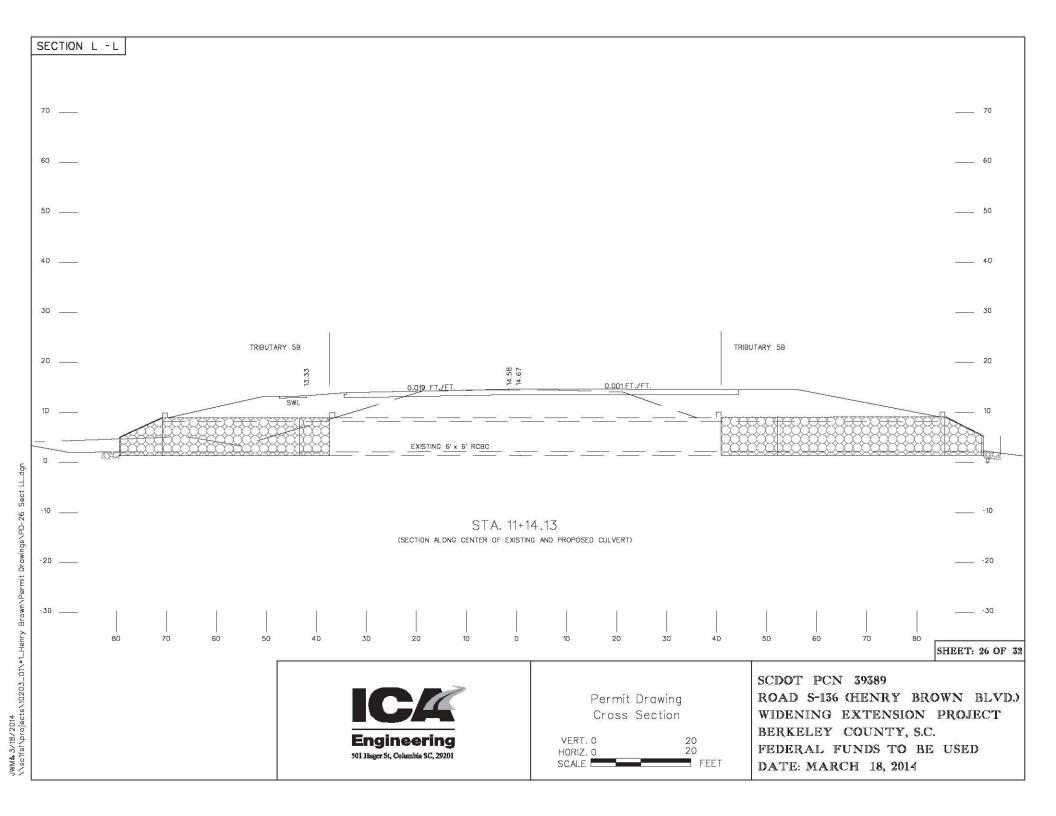
100

FEET

DATE: MARCH 18, 2014

JWM**6.** 3/18/2014 \\sc1fs1\projects\10203_01*1_Henry

RIPRAP IMPACT



UWMA 3/18/2014 \\scffs1\projects\10203_01\text{\"1_Henry Brown\Permit Drawings\PD-32(*1)_Plan-(8,5)