

JOINT
PUBLIC NOTICE

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

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N SAC-2019-00157

April 18, 2019

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

Mr. Steve Hirsch
Seabrook Island Property Owner Association
1202 Land Fall Way
Johns Island, South Carolina 29455

for a permit to excavate saltmarsh in

Bohicket Creek, Privateer Creek and Captain Sam's Inlet

at various locations on Seabrook Island, Charleston County, South Carolina. Refer to the attached table for the specific impact locations. **(Rockville Quad)**

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** until

15 Days from the Date of this Notice,

and **SCDHEC** will receive written statements regarding the proposed work 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 work consists of the excavation of a total of 3.39 acres of saltmarsh (tidal vegetated wetlands) to establish stormwater outfall drainage canals. In detail, the proposed work involves the excavation of a total of 2,732 cubic yards of material from 3.39 acres of saltmarsh (tidal vegetated wetlands) at 46 existing stormwater outfall locations to establish a total of 9,836 linear feet of drainage canals through the saltmarsh. The proposed drainage canals will have a top

width of 8 feet, a bottom width of 2 feet, a depth of 3 feet, and a length ranging from 21-729 feet. The amount of material that will be excavated ranges from 6-203 cubic yards per drainage canal and the amount of saltmarsh that will be impacted ranges from 0.01-0.25 acre per drainage canal. In addition to the proposed excavation of 46 drainage canals, the proposed project also includes an After-The-Fact permit application for 2 drainage canals that were excavated in January 2018. The 2 drainage canals that were previously established included the excavation of a total of 57 cubic yards of material from a total 0.07 acre of saltmarsh to establish a total of 200 linear feet of drainage canal. Therefore, the proposed project involves the excavation of a total of 2,788 cubic yards of material from a total of 3.46 acres of saltmarsh to establish a total of 10,036 linear feet of drainage canal.

Please note that the proposed project will occur in the saltmarshes of Bohicket Creek, Privateer Creek and Captain Sam's Inlet. Please refer to the attached table for the outfall identification numbers and the latitude/longitude locations, excavation acreages, excavation volumes, and waterway names for each proposed activity. Location maps and a project drawing are also included.

The proposed excavation will occur by mechanical excavator that will be placed on mats. The excavator will be backed off of the mats and the excavated material will be placed directly into a truck that will be positioned in the adjacent uplands. The excavated material will be hauled offsite and disposed of in an offsite, upland location.

The purpose of the proposed project is to establish positive drainage from the stormwater outfalls on Seabrook Island. According to the applicant, when Seabrook Island was developed in the 1970's, stormwater flowed freely from these outfall pipes into the adjacent marshes. Over time, the marsh has grown vertically and now impedes the flow of stormwater from the pipe outfall into the tidal channels.

Minimization of project impacts include excavating the drainage canals from the end of the stormwater outfall pipe to the nearest tidally influenced channel. In addition, the applicant proposes to place the mechanical excavator on mats. The applicant is proposing no mitigation to compensate for impacts to saltmarsh.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

The work shown on this application must be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact a total of **3.46** acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's 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). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined, based on the most recently available information 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 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 Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(1)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties 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 and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

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. 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 cannot undertake to adjudicate rival claims.

April 18, 2019

The Corps 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 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. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, SC 29403-5107**

If there are any questions concerning this public notice, please contact Tracy D. Sanders, Project Manager, at (843) 329-8190, toll free at 1-866-329-8187, or by email at Tracy.D.Sanders@usace.army.mil.

Bonivet Creek = B Privateer Creek = P Captain Sam's Inset = C

Outfall Excavation Summary

Outfall ID	Excavation Length (ft)	Tidal Wetland Exc Acre	Exc Volume below MHW (cu yd)	Latitude	Longitude
1	329	0.11	91	32.59736963	-80.16329074
2	399	0.14	111	32.5967829	-80.16531364
3	143	0.05	40	32.58845128	-80.16579349
4	150	0.05	42	32.58778283	-80.16598108
5	45	0.02	13	32.58655037	-80.16766933
6	187	0.06	52	32.58607481	-80.16874157
8	96	0.03	27	32.58380703	-80.17024286
9	41	0.01	11	32.58383556	-80.16969258
10	408	0.14	113	32.58245605	-80.16913502
11	165	0.06	46	32.58222536	-80.17030748
12	238	0.08	66	32.58127885	-80.17141758
13	296	0.10	82	32.58069337	-80.17283077
14	398	0.14	110	32.58028865	-80.17360829
15	530	0.18	147	32.57987015	-80.17432006
16	409	0.14	113	32.57924708	-80.17556234
17	128	0.04	36	32.57840076	-80.17699557
19	127	0.04	35	32.57081152	-80.16465531
20	403	0.14	112	32.56932145	-80.16365545
21	390	0.13	108	32.56976708	-80.16211065
22	355	0.12	99	32.57409293	-80.1584207
25	291	0.10	81	32.57735729	-80.16210583
26	50	0.02	14	32.58036511	-80.16175358
27	275	0.09	76	32.58172514	-80.16002699
29	127	0.04	35	32.57923315	-80.15728915
30	75	0.03	21	32.58027119	-80.15578118
31	68	0.02	19	32.58067559	-80.15550139
32	27	0.01	8	32.58057708	-80.15470558
33	71	0.02	20	32.58216293	-80.15170766
34	188	0.06	52	32.58281819	-80.15170657
35	218	0.08	61	32.58255705	-80.15027236
36	161	0.06	45	32.58395877	-80.14745292
38	25	0.01	7	32.5691909	-80.16719015
39	588	0.20	163	32.56825326	-80.16819256
40	68	0.02	19	32.56725967	-80.16876498

Creek

B - previously excavated Jan 2016

C - previously excavated Jan 2016

41	729	0.25	203	32.56449201	-80.16969823	C
42	187	0.06	52	32.57561001	-80.16986534	C
43	346	0.12	96	32.5762402	-80.16958706	C
44	70	0.02	19	32.577083	-80.16841208	C
45	72	0.02	20	32.57728341	-80.16712328	C
47	50	0.02	14	32.57962201	-80.16375308	C
49	338	0.12	94	32.56580159	-80.16614839	C
51	192	0.07	53	32.59631253	-80.16176014	B
52	90	0.03	25	32.59351449	-80.16413731	B
53	189	0.07	53	32.593251	-80.16442594	B
54	38	0.01	11	32.59442922	-80.16429971	B
55	25	0.01	7	32.59262079	-80.16603617	B
56	22	0.01	6	32.59089936	-80.16558492	B
57	221	0.08	61	32.5909368	-80.16428505	B
TOTAL =	10036	3.46	2788			



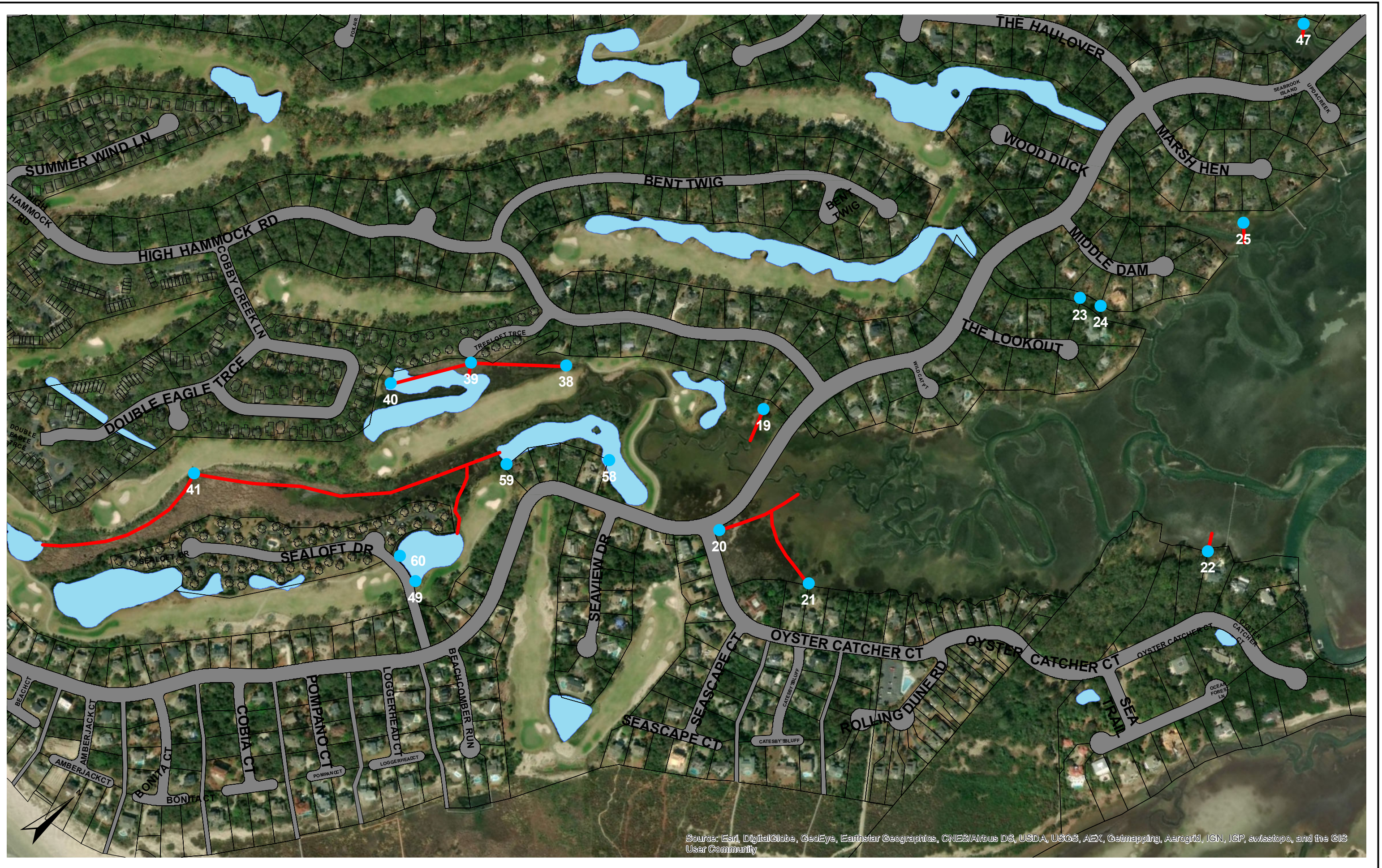
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus, DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



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SEABROOK ISLAND POA

LEGEND



KEY MAP



SCALE

NA

PLOT DATE

03/13/2019

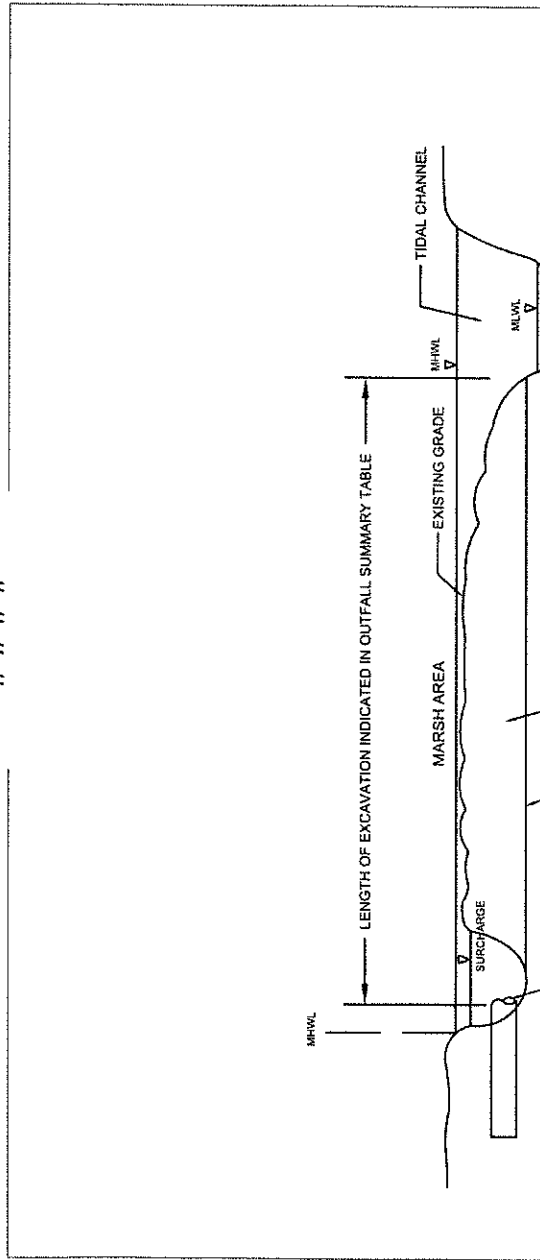
FILE NAME

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SHEET NUMBER

1

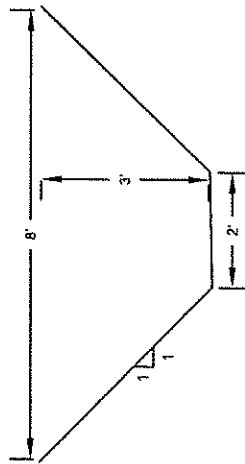
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EXCAVATION PROFILE

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EXCAVATION CROSS SECTION

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