## JOINT PUBLIC NOTICE

# CHARLESTON DISTRICT, CORPS OF ENGINEERS 69 A HAGOOD AVENUE CHARLESTON SOUTH CAROLINA 29403

and

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

REGULATORY DIVISION

Refer to: P/N SAC 2019-00276 April 15, 2020

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Charleston County
Ms. Shiva Mae (Sunshine) Trakas
4045 Bridge View Drive, STE B 309
North Charleston, South Carolina 29405

for a permit to place fill material in wetlands and waters of the United States adjacent to

#### **Church Creek and Long Branch**

at a location along the existing SC Route 461 (Glenn McConnell Parkway) from Magwood Drive to Bees Ferry Road in the City of Charleston, Charleston County, South Carolina (Start Point: Latitude: 32.826743°, Longitude: -80.080228° End Point Latitude: 32.826743°, Longitude: -80.080228°).

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 widening the existing SC Route 461 (Glenn McConnell Parkway) from Magwood Drive to Bees Ferry Road in the City of Charleston, Charleston County, South Carolina. The proposed work would include an additional travel lane in each direction for the

length of the project corridor, turning lanes and a 10-foot shared use path for bicycles and pedestrians. In detail, the proposed project will result in impacts to a total of 1.86 acres of waters of the United States, including wetlands. These impacts include the discharge of fill material into 0.74 acres, discharges of fill material associated with the excavation and re-shaping (normally for ditches and outfalls) of 0.46 acres and permanent mechanical clearing of 0.65 acres of wetlands. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 17.05 credits from the Big Run Mitigation Site of the Palmetto Umbrella Mitigation Bank.

According to the applicant, the purpose of the project is "to relieve traffic congestion on the parkway by widening the roadway from four to six lanes. One additional travel lane will be added in each direction of travel. A shared use path will also be constructed to improve and provide alternate transportation options to bicyclists and pedestrians with a safer means to travel within the parkway corridor and over the CSX railway."

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

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 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 1.86 acres of wetlands upstream 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 applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, the District Engineer has determined that the project is not likely to adversely affect the wood stork (*Mycteria americana*) and Kirtlands warbler (*Setophaga kirtlandii*) and will have no effect to any other Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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)), 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).

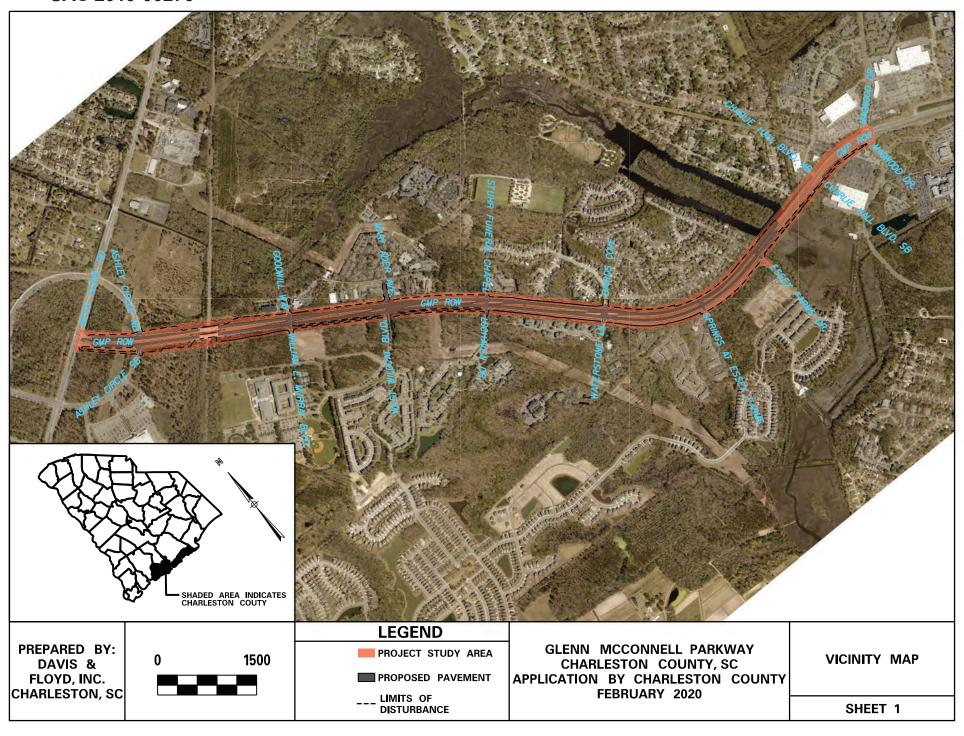
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

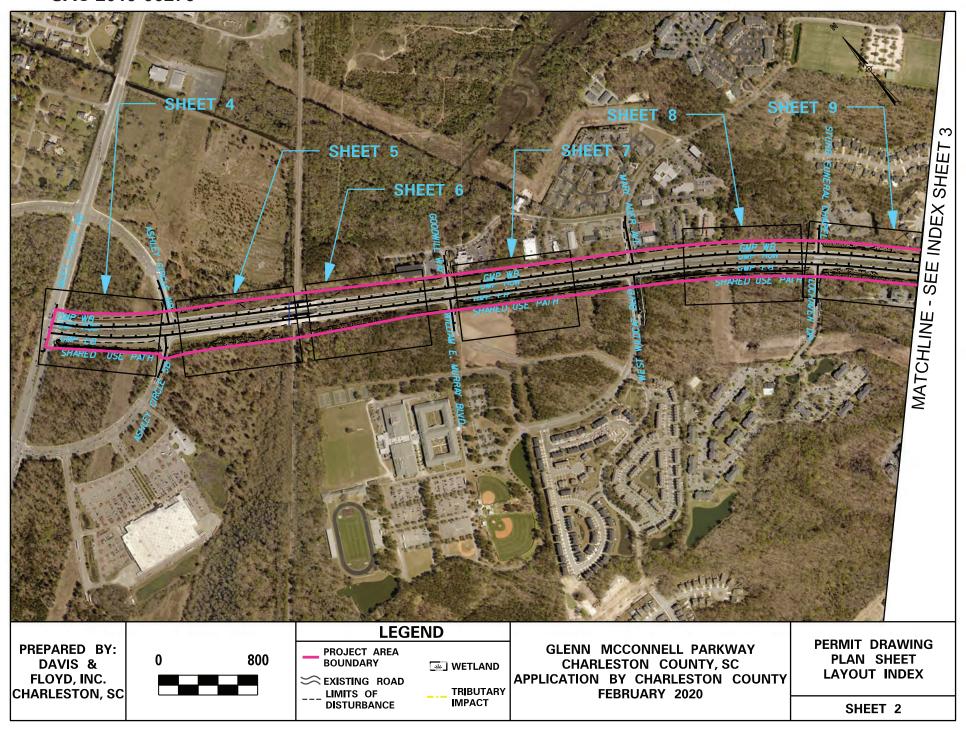
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 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 cannot undertake to adjudicate rival claims.

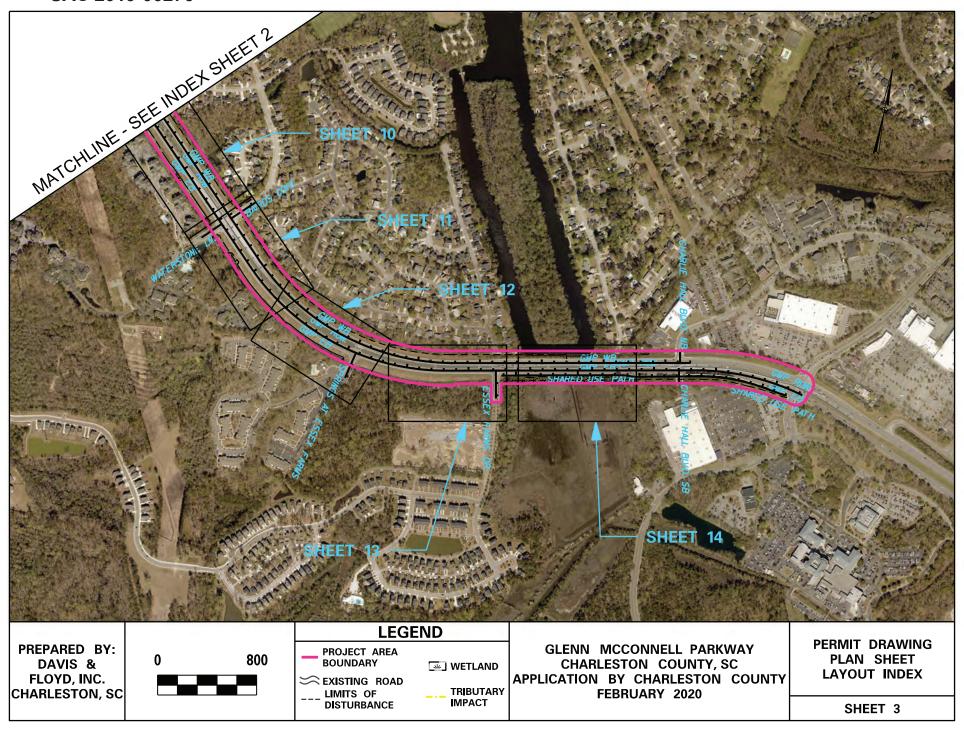
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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:

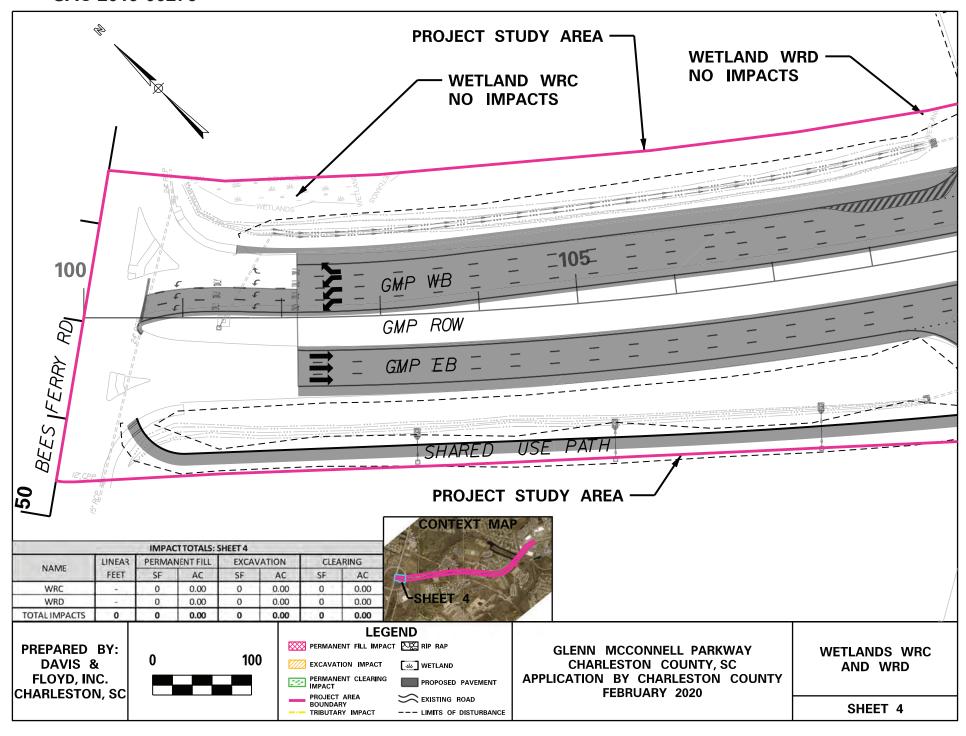
# U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION CHARLESTON DISTRICT, CORPS OF ENGINEERS 69 A HAGOOD AVENUE CHARLESTON SOUTH CAROLINA 29403

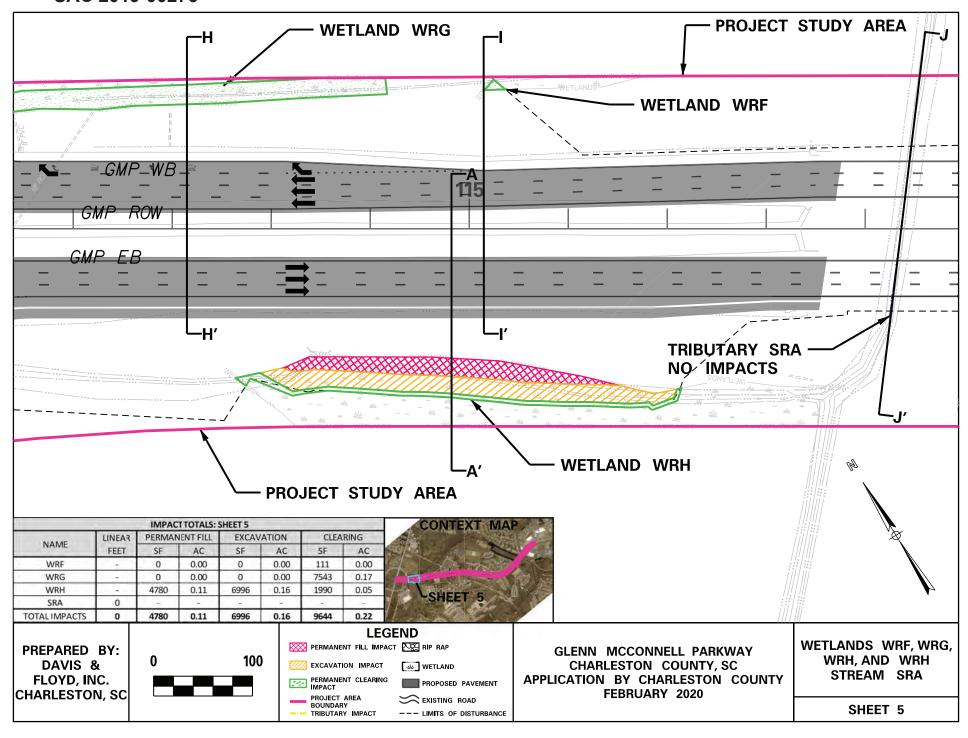
If there are any questions concerning this public notice, please contact Elizabeth Williams at 84-329-8044 or toll free at 1-866-329-8187, or by email at <a href="mailto:elizabeth.g.williams@usace.army.mil">elizabeth.g.williams@usace.army.mil</a>.

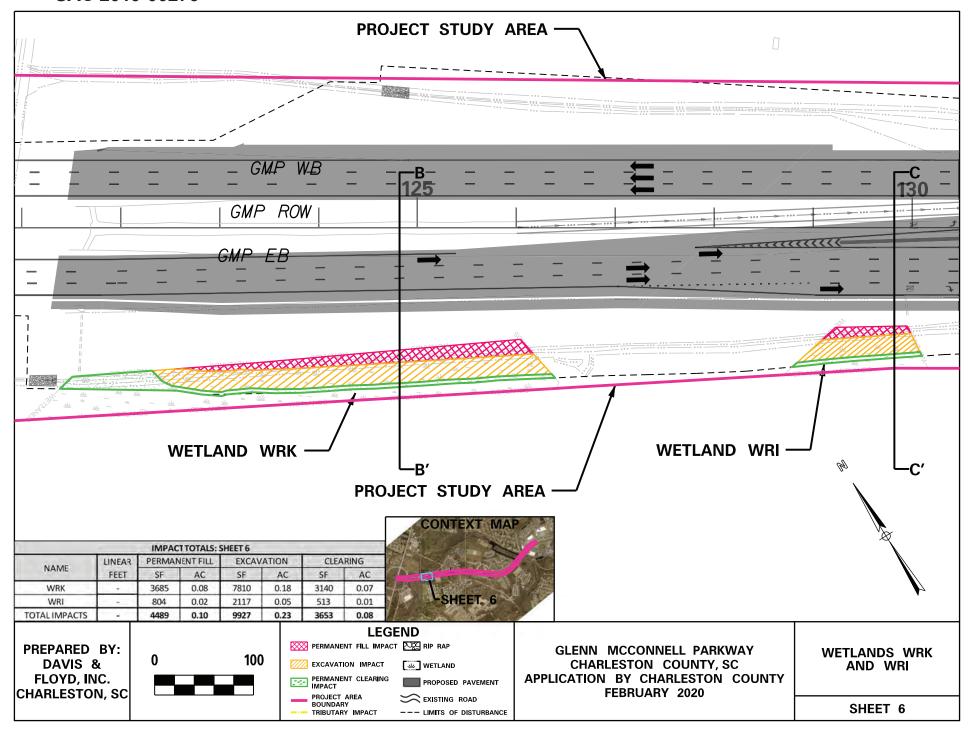


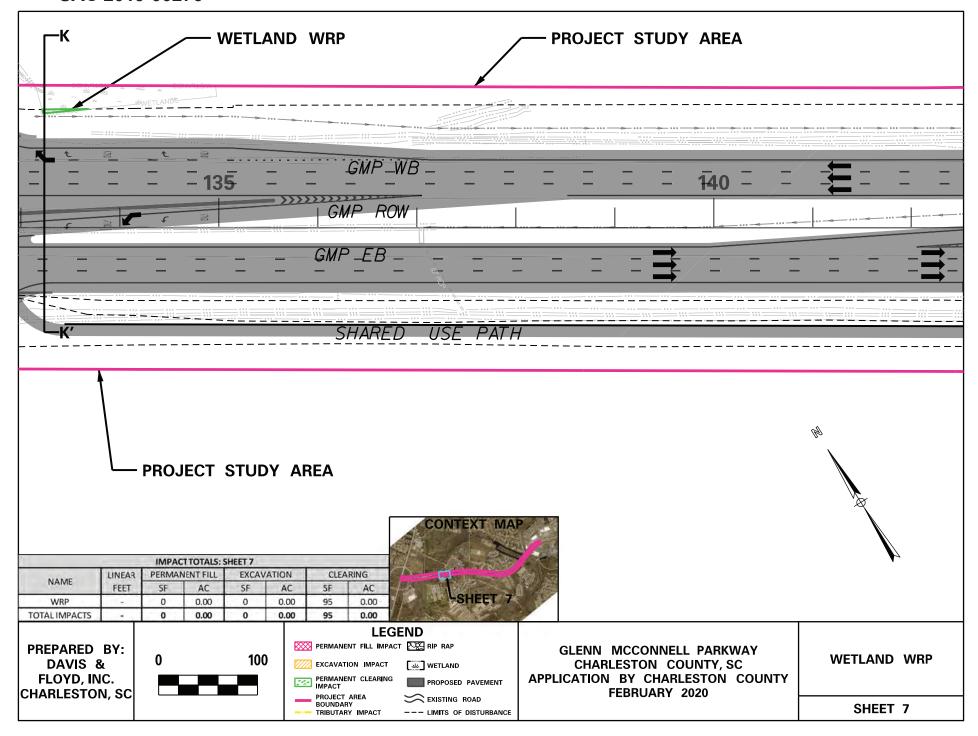


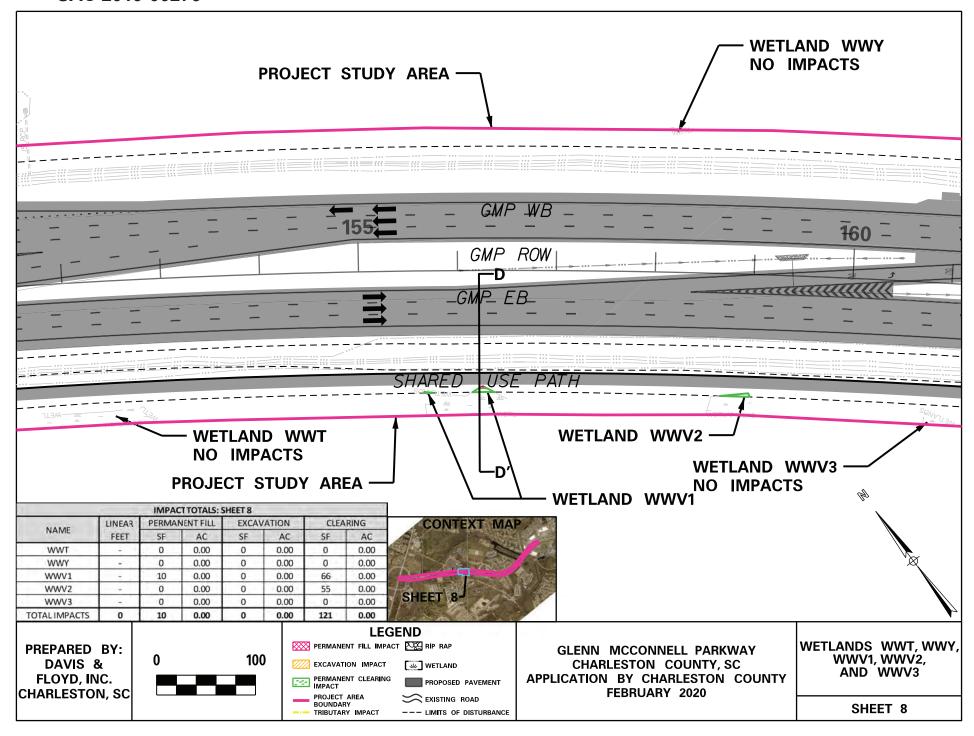


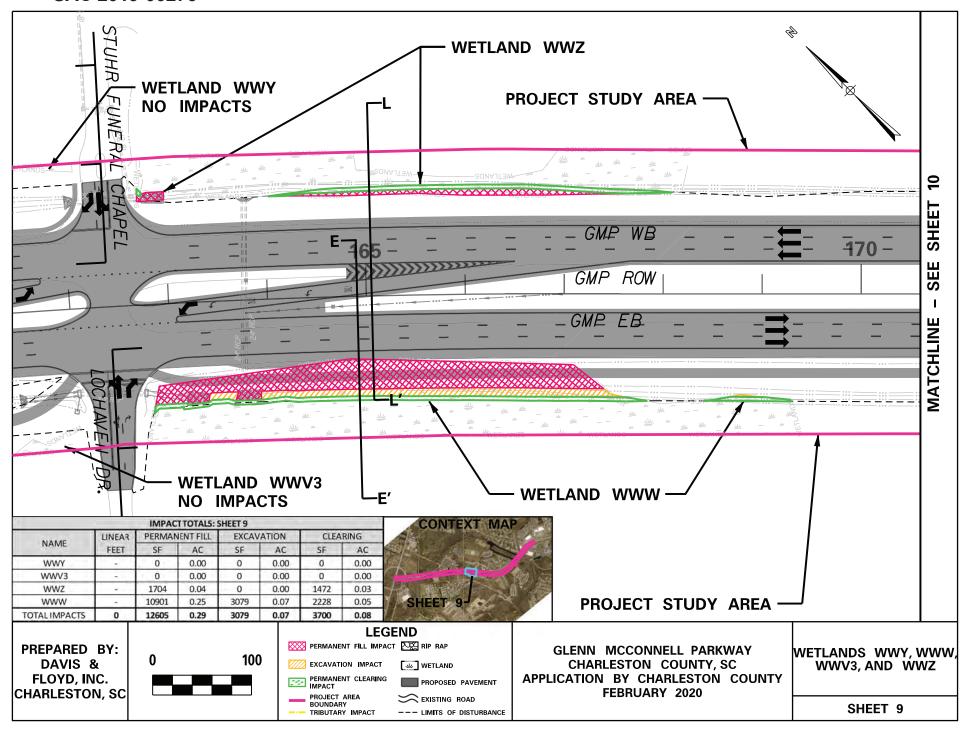


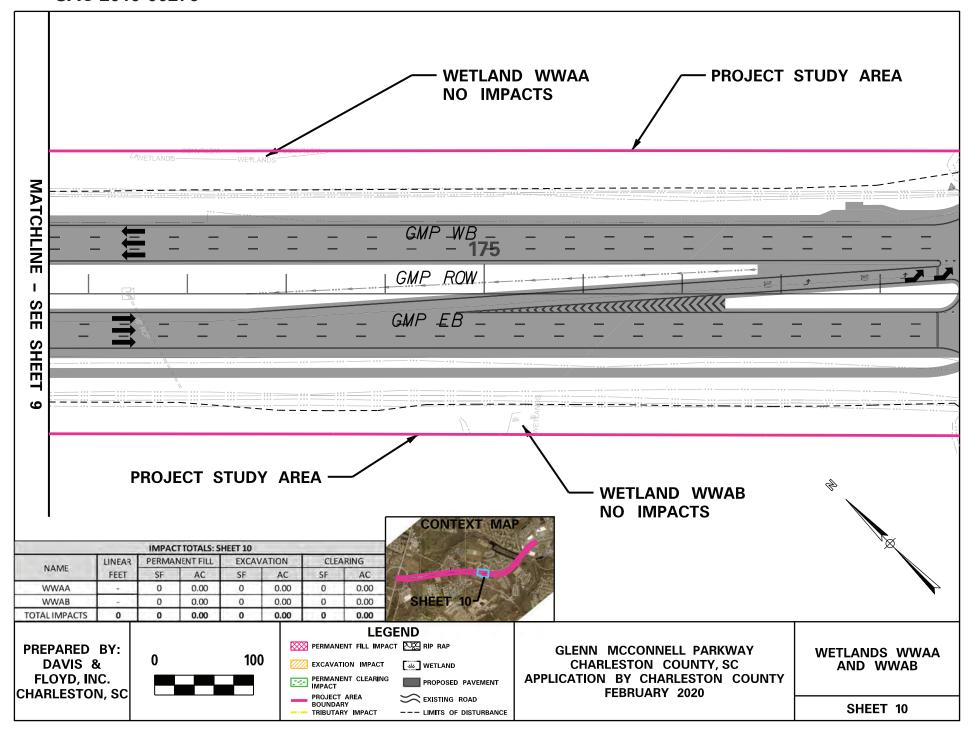


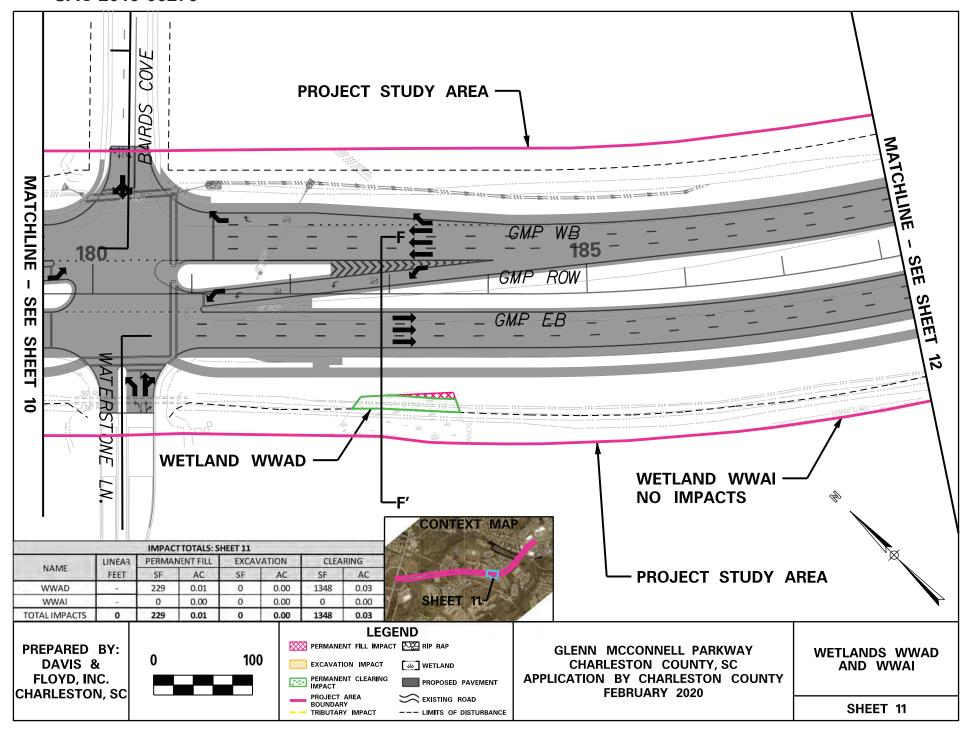


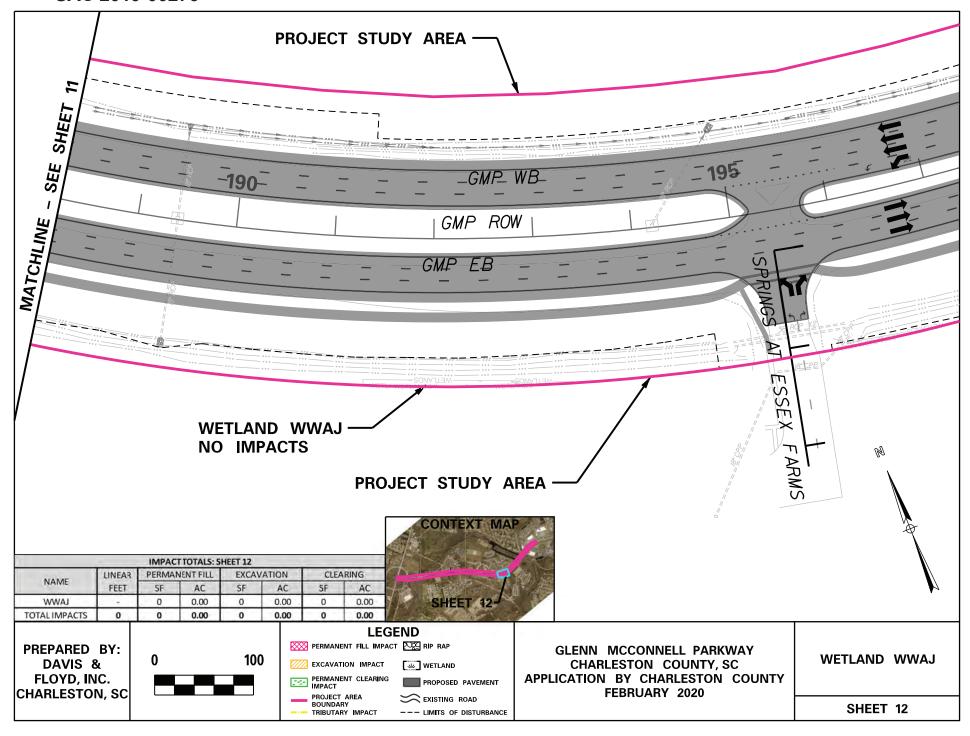


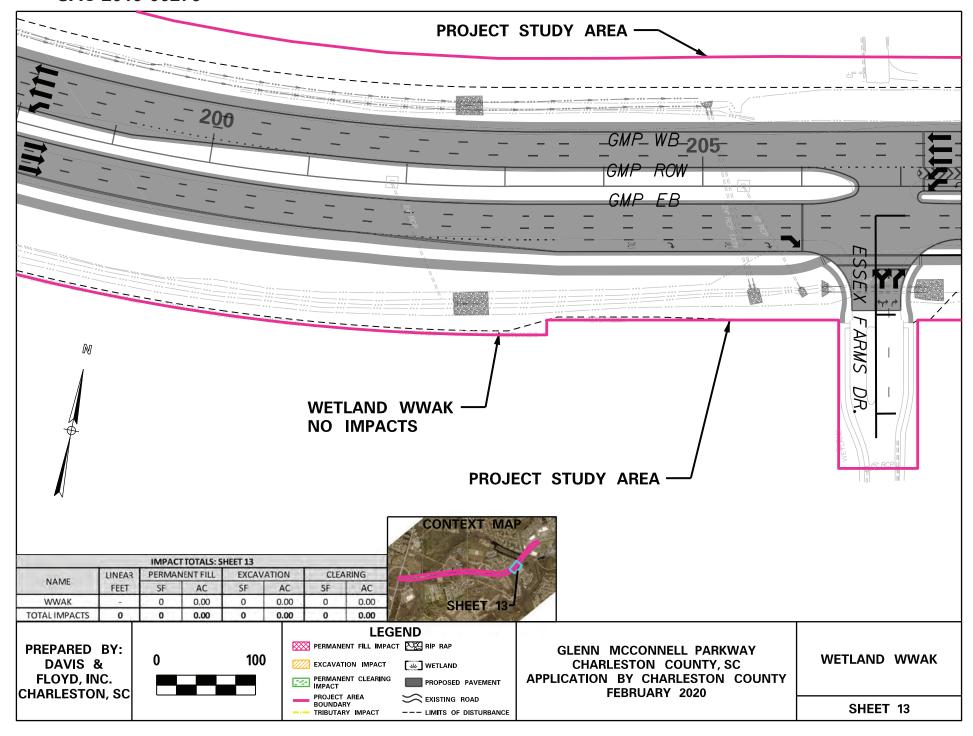


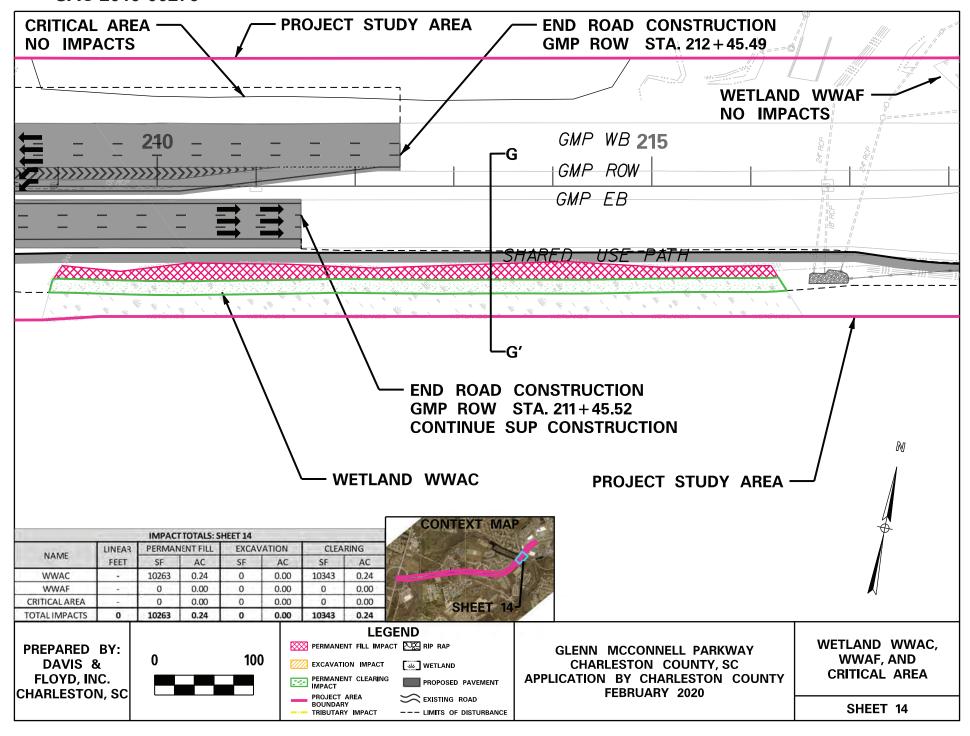












LABEL	NAME	SHEET NUMBERS	PERMITTED IMPACTS						
			LINEAR FEET	PERMANENT FILL		EXCAVATION		CLEARING	
				SF	AC	SF	AC	SF	AC
Wetland	WRC	SHEET 4	1.4	0	0.00	0	0.00	0	0.00
Wetland	WRD	SHEET 4		0	0.00	0	0.00	0	0.00
Wetland	WRF	SHEET 5		0	0.00	0	0.00	111	0.00
Wetland	WRG	SHEET 5	-1-	0	0.00	0	0.00	7543	0.17
Wetland	WRH	SHEET 5	7 - 79	4780	0.11	6996	0.16	1990	0.05
Tributary	SRA	SHEET 5	0	26		1.35	- 4		4
Wetland	WRI	SHEET 6	- 4	804	0.02	2117	0.05	513	0.01
Wetland	WRK	SHEET 6		3685	0.08	7810	0.18	3140	0.07
Wetland	WRP	SHEET 7	19	0	0.00	0	0.00	95	0.00
Wetland	WWT	SHEET 8	1.2	0	0.00	0	0.00	0	0.00
Wetland	WWV1	SHEET 8		10	0.00	0	0.00	66	0.00
Wetland	WWY	SHEET 8, SHEET 9	-	0	0.00	0	0.00	0	0.00
Wetland	WWV3	SHEET 8, SHEET 9	-	0	0.00	0	0.00	0	0.00
Wetland	www	SHEET 9		10901	0.25	3079	0.07	2228	0.05
Wetland	WWZ	SHEET 9	1-	1704	0.04	0	0.00	1472	0.03
Wetland	WWAA	SHEET 10	-46	0	0.00	0	0.00	0	0.00
Wetland	WWAB	SHEET 10		0	0.00	0	0.00	0	0.00
Wetland	WWAD	SHEET 11	3.5	229	0.01	0	0.00	1348	0.03
Wetland	WWAI	SHEET 11		0	0.00	0	0.00	0	0.00
Wetland	WWAJ	SHEET 12		0	0.00	0	0.00	0	0.00
Wetland	WWAK	SHEET 13	1.5	0	0.00	0	0.00	0	0.00
Wetland	WWAC	SHEET 14	-	10263	0.24	. 0	0.00	10343	0.24
Wetland	WWAF	SHEET 14		0	0.00	0	0.00	0	0.00
CRITICAL AREA	CA	SHEET 14	13.0	0	0.00	0	0.00	0	0.00
TOTAL:		0	32376	0.74	20002	0.46	28849	0.66	
OTAL WETLAND IMPACTS (AC):		1.86							
TOTAL TRIBUTARY IMPACTS (LF):		0.00							
TOTAL PROJECT AREA (AC):		89.44							

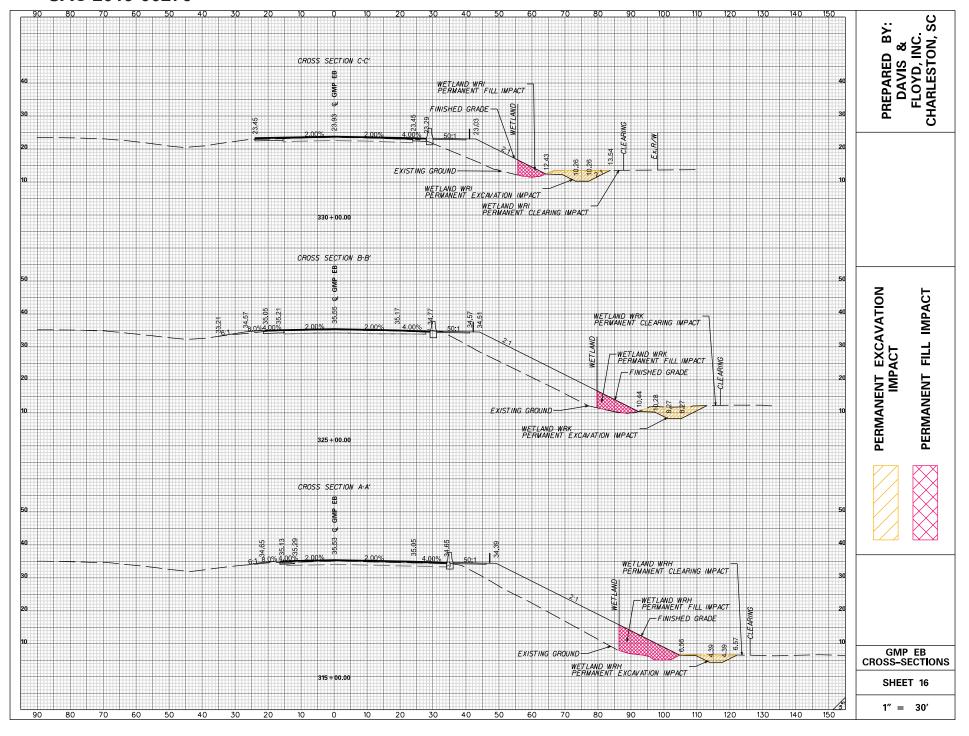
N.T.S.

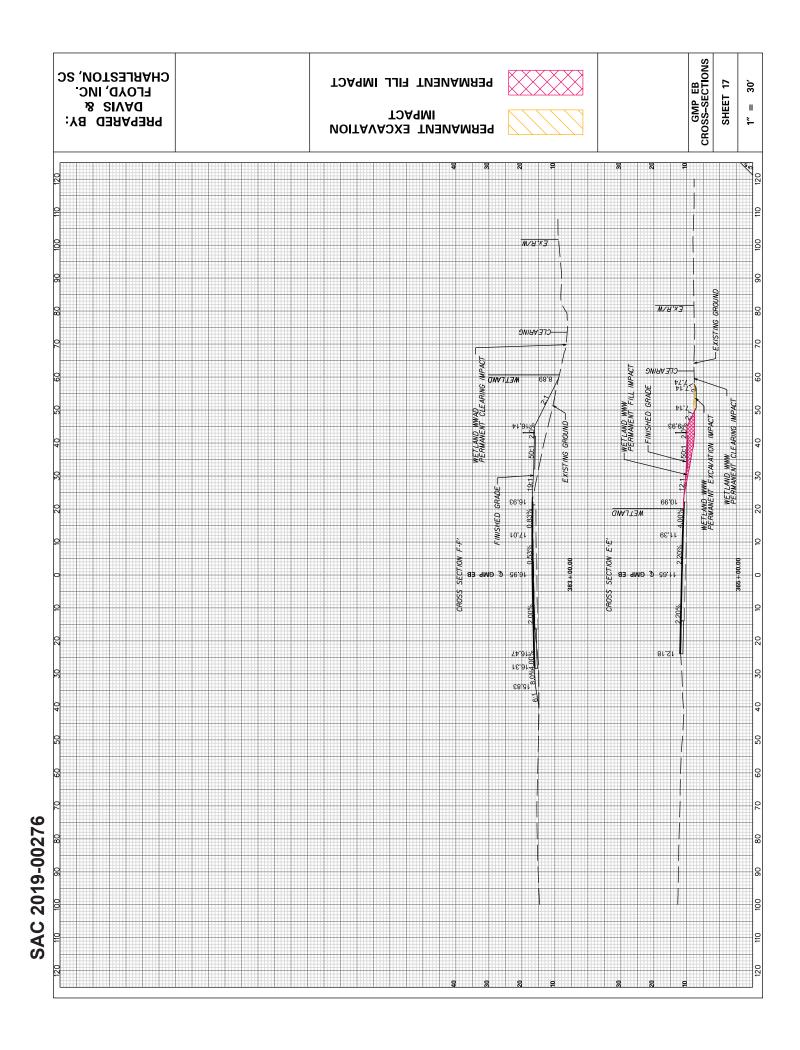
PREPARED BY: DAVIS & FLOYD, INC. CHARLESTON, SC GLENN MCCONNELL PARKWAY
CHARLESTON COUNTY, SC
APPLICATION BY CHARLESTON COUNTY
FEBRUARY 2020

IMPACT SUMMARY

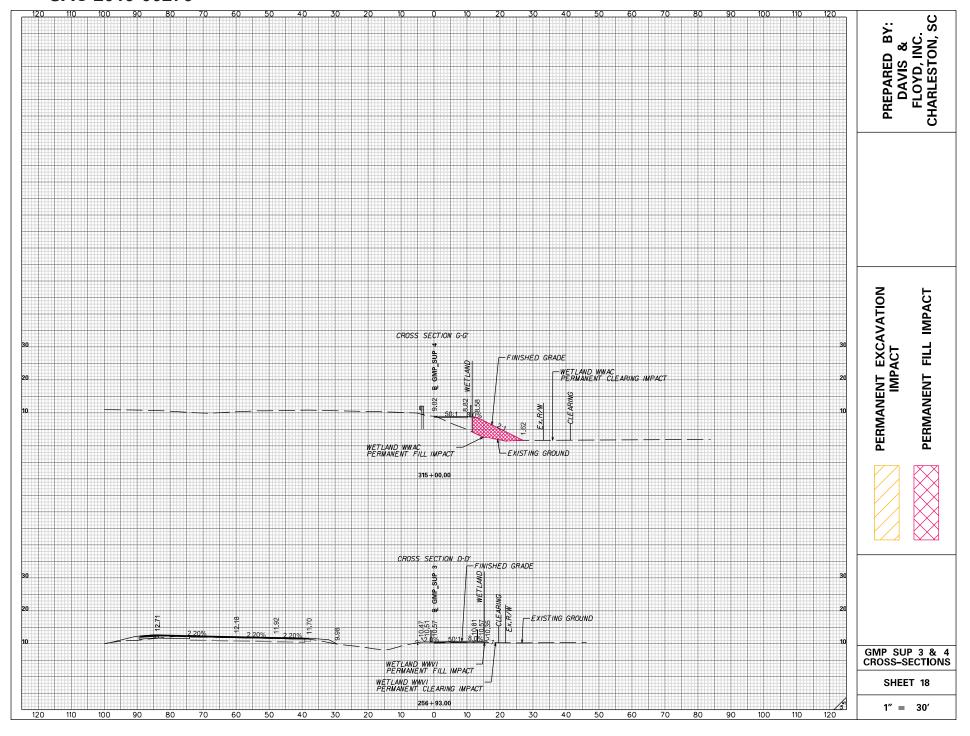
SHEET 15

# SAC 2019-00276





SAC 2019-00276



## SAC 2019-00276

