### JOINT PUBLIC NOTICE

### CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A HAGOOD AVENUE CHARLESTON, SOUTH CAROLINA 29403-5107 and THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL Water Quality Certification and Wetlands Section 2600 Bull Street Columbia, South Carolina 29201

REGULATORY DIVISION Refer to: P/N SAC-2019-01568

29 APRIL 2020

Pursuant to 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 <u>et.seq.</u>), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

#### The Town of Mt. Pleasant, Transportation Department Mr. Eric DeMoura C/o Mr. John Collum JMT Post Office Box 8902 Columbia, South Carolina 29202-8902

for a permit to place fill material in

# FRESHWATER WETLANDS AND WATERS OF THE U.S.

for construction of a roadway, at a location southeast of US Highway 17 North immediately past Christ Church, (southeast of approximately 2304 North Highway 17) to approximately 2538 Rifle Range Road, in the Town of Mount Pleasant, Charleston County, South Carolina (Latitude: 32.8424°, Longitude: -79.8047°), Fort Moultrie 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 placing approximately 4,034 cubic yards of fill material in approximately 2.71 acres of freshwater wetlands and waters of the U. S. to construct a connector roadway from near US Highway 17 North to Rifle Range Road. The proposed new road in this application would be constructed parallel to, and between Hamlin Road (S-504), and Six Mile Road (S-921).

In detail, this proposed project begins southeast of and near US Highway 17 to tie in with the terminus of the previously permitted Longpoint Road realignment project on the southeast side of US Highway 17. (See Permit SAC-2011-00918, issued July 17, 2014, and extended until June 30, 2029, and attached drawings). The proposed project consists of the design and construction of a 2-lane road on new alignment divided by a planted median. The proposed project includes dedicated pedestrian and bicycle accommodations and is anticipated to have a 35-mph posted speed limit. As previously stated, on the southeast side of the US 17 connection (northwest terminus of this project), the project will align with and meet the terminus of Department of the Army permitted project SAC-2011-00918, which includes a new intersection at Old Georgetown Road. At Rifle Range Road, a new intersection is proposed as part of this project to tie this proposed connector road in with Rifle Range Road. The applicant states that, this improvement would add capacity to the Town's transportation network and enhance connectivity for all modes of transportation for its citizens. The extension provides better connection between the existing and planned arterial network, which decreases trip lengths and disperses traffic to more intersections. versus concentrating it at fewer intersections. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 28 credits from an approved mitigation bank that services the project location. The project purpose as stated by the applicant is to provide a connector road from US 17 to Rifle Range Road, in between Six Mile and Hamlin roads to enhance mobility for vehicle, pedestrian, and bicycle traffic and add capacity to the Town's transportation network.

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

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 approximately 2.71 acres of freshwater 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

# REGULATORY DIVISION SAC-2019-01568

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 <u>no effect</u> 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)(*I*)(1)), and has initially determined that historic properties, are present; moreover, these historic properties may be affected by the undertaking. This public notice serves to notify the State Historic Preservation Office that the Corps plans to initiate Section 106 consultation on these historic properties. Individuals or groups who would like to be consulting parties for the purposes of the NHPA should make such a request to the Corps in writing within 30 days of this public notice. 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 other interested parties to provide any information they may have with regard to historic properties.

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 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. 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

# REGULATORY DIVISION SAC-2019-01568

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 69A HAGOOD AVENUE CHARLESTON, SOUTH CAROLINA 29403-5107

If there are any questions concerning this public notice, please contact Mary Hope Green Project Manager, at (843) 329-8044 X 8034, toll free at 1-866-329-8187, or by email at Mary.H.Green@usace.army.mil.



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US 17 TO RIFLE RANGE ROAD CONNECTOR MOUNT PLEASANT, CHARLESTON COUNTY, SC USACE SAC# SAC-2019-01568 DATE: APRIL 17, 2020	LOCATION MAP SHEET: 2 OF 8	72	











