# JOINT PUBLIC NOTICE

# CHARLESTON DISTRICT, CORPS OF ENGINEERS 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-2016-01507 August 2, 2017

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

# Mr. Chris Beckham South Carolina Department of Transportation P.O. Box 191 Columbia, South Carolina 29202

for a permit to place fill material in waters of the U.S., including wetlands, to act as a suitable road base to reconstruct the existing bridge and accommodate a westerly shift in U.S. 701, in

## Six Mile Creek and adjacent wetlands

At a location along U.S. Route 701, from just south of North Levee Drive to Waterford Drive, in Georgetown, Georgetown County, South Carolina (Latitude: 33.469286°N, Longitude: -79.279567°W), as shown on the Georgetown North, South Carolina quadrangle map.

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 replacement of the existing 36-foot wide by 150-foot long bridge over Six Mile Creek with a 47-foot wide by 160-foot long bridge, which will include a 12-foot wide travel lane and 10-foot wide shoulder in each direction. To accommodate the new bridge, and maintain traffic flow during construction, the new bridge will be offset approximately 45-feet to the west. The offset bridge replacement will require a westerly shift to approximately 1,700 linear feet

of U.S. 701 south of the bridge and approximately 2,300 linear feet of U.S. 701 north of the bridge. Also proposed is incidental intersection work at U.S. 701 and Ramsey Grove Road and at a private drive. Approximately 0.086-acre of fill material will be removed from the existing bridge ends to provide better hydrologic connection along the adjacent overbank areas. The proposed project will have permanent fill impacts to 0.476-acre of non-tidal wetlands and 0.477-acre of tidal wetlands and will have temporary clearing impacts to 0.124-acre of non-tidal wetlands and 0.305-acre of tidal wetlands, for a total of 1.382-acres of wetland impacts.

<u>Purpose and Need:</u> As stated by the applicant: "The project purpose is to replace a functionally obsolete bridge with a new bridge that meets current design standards."

Avoidance and Minimization: As stated by the applicant: "In-water work associated with construction and demolition activities is expected to be minimal due to the size of the channel, location of proposed columns, and available access. Construction access for drilling and construction of the shafts/columns should be accommodated from the new road embankment, and would not require use of temporary barges, piles, or other in-water work. Additional minimization strategies include the use of 2:1 side slopes along wetland areas to further reduce the project footprint. The project will incorporate strategies to protect water quality, including grassed swales/ditches for the conveyance of stormwater, which will not require the use of scuppers over open water. The project will also be constructed within the appropriate stormwater guidelines that will require the installation, maintenance, and inspection of appropriate erosion and sediment control devices."

<u>Compensatory Mitigation:</u> The applicant has proposed to mitigate for impacts to jurisdictional waters of the U.S., including wetlands, by debiting 1.6 wetland acres from the approved SCDOT Black River Mitigation Bank and 8.7 tidal wetland credits from the approved SCDOT Huspa Creek Mitigation Bank.

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 approximately 0.78-acre of estuarine substrates and wetlands utilized by various life stages of species comprising the penaeid shrimp management complex. 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 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 proposed project will have no effect on the piping plover (Charadrius melodus), red knot (Calidris canutus rufa), red-cockaded woodpecker (Picoides borealis), frosted flatwoods salamander (Ambystoma cinqulatum), finback whale (Balaenoptera physalus), humpback whale (Megaptera novaengliae), right whale (Balaena glacialis), Northern long-eared bat (Myotis septentrionalis), green sea turtle (Chelonia mydas), Kemp's ridley sea turtle (Lepidochelys kempii), leatherback sea turtle (Dermochelys coriacea), loggerhead sea turtle (Caretta caretta), American chaffseed (Schwalbea Americana), Canby's dropwort (Oxypolis canbyi), pondberry (Lindera melissifolia), and seabeach amaranth (Amaranthus pumilus), and will not result in the destruction or adverse modification of designated or proposed critical habitat. Also, in accordance with the written concurrence letters on the proposed project from the U.S. Fish and Wildlife Service and National Marine Fisheries Service, dated September 7, 2016 and April 3, 2017, respectively, the Corps has determined that the proposed project may affect, not likely to adversely affect, the Atlantic sturgeon (Acipenser oxyrinchus), shortnose sturgeon (Acipenser brevirostrum), and American wood stork (Mycteria Americana), or result in the destruction or adverse modification of designated or proposed critical habitat of these species. Furthermore, in accordance with the U.S. Fish and Wildlife Service's Standard Local Operating Procedure for Endangered Species (SLOPES) letter, dated August 1, 2016, and associated Manatee Key, the Corps has determined that the proposed project may affect, not likely to adversely affect, the West Indian manatee (Trichechus manatus).

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 there are historic properties present, but they will not be affected; 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 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.

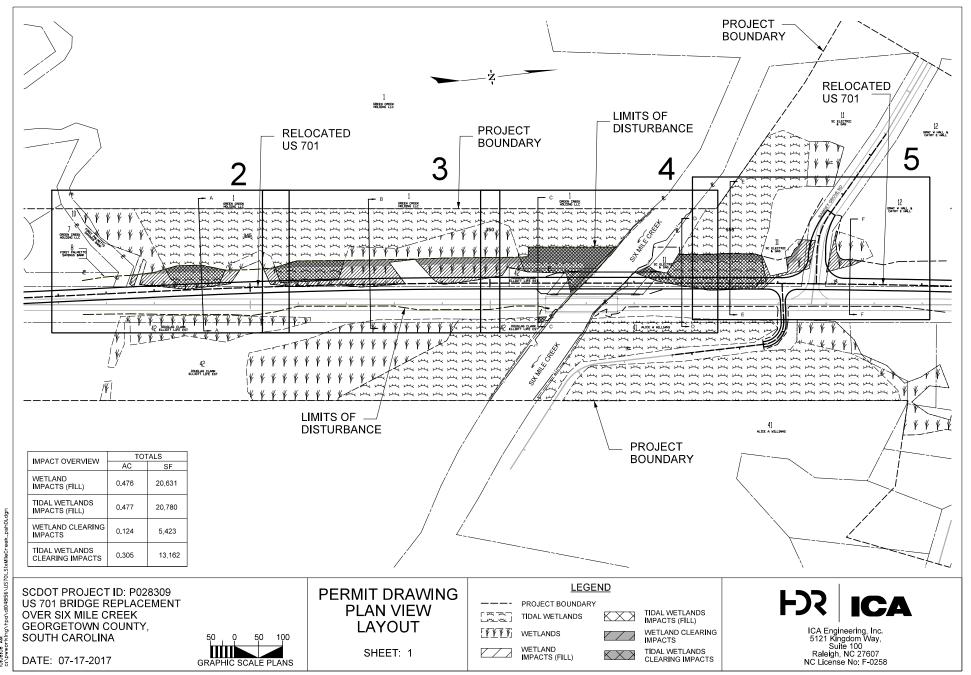
The decision whether to issue a permit will be based on an evaluation of the probable impact

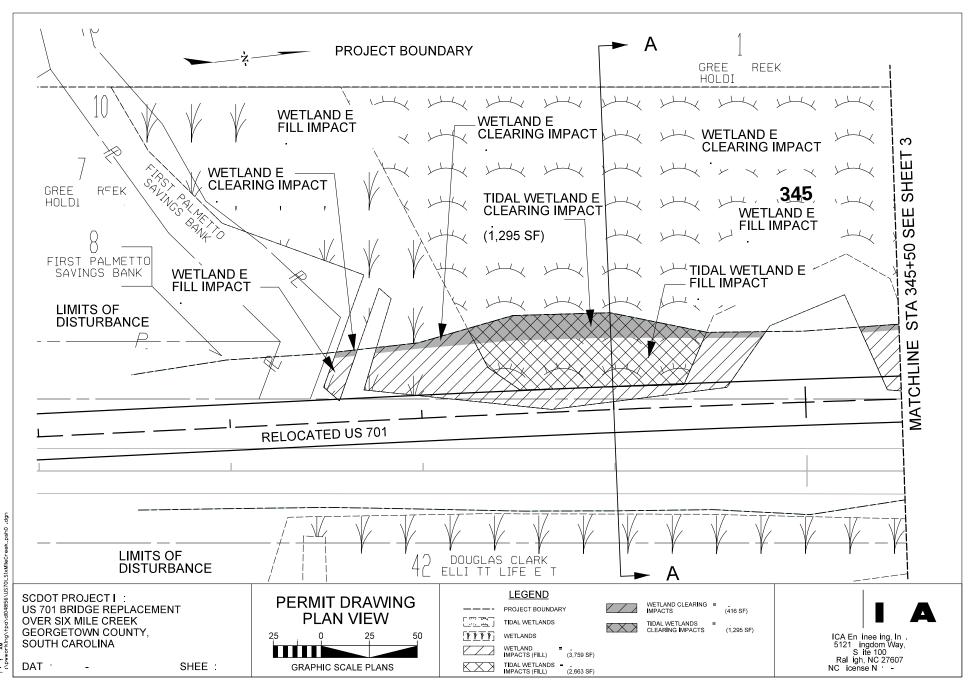
including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority 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.

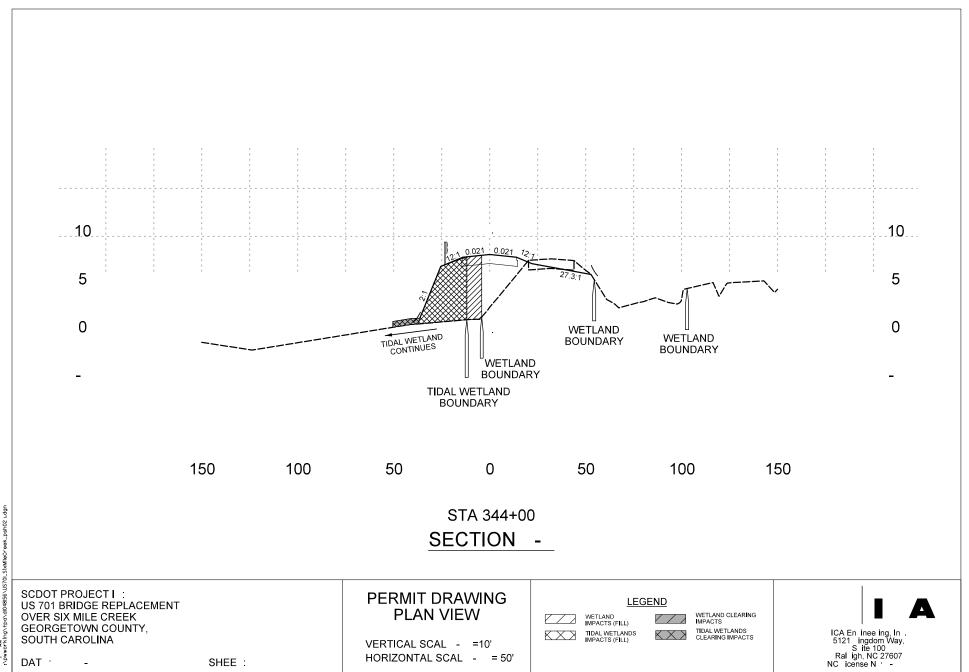
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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 69-A Hagood Avenue Charleston, South Carolina 29403-5107

If there are any questions concerning this public notice, please contact John N. Policarpo, Project Manager, at (843) 329-8043 or toll free at 1-866-329-8187, or by email at John.N.Policarpo@usace.army.mil.



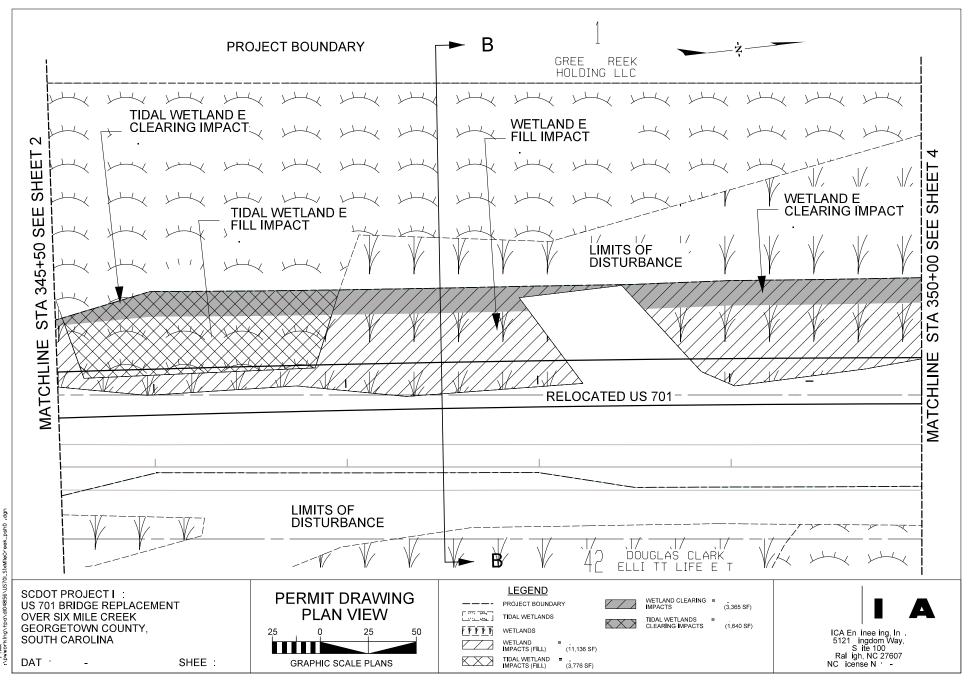


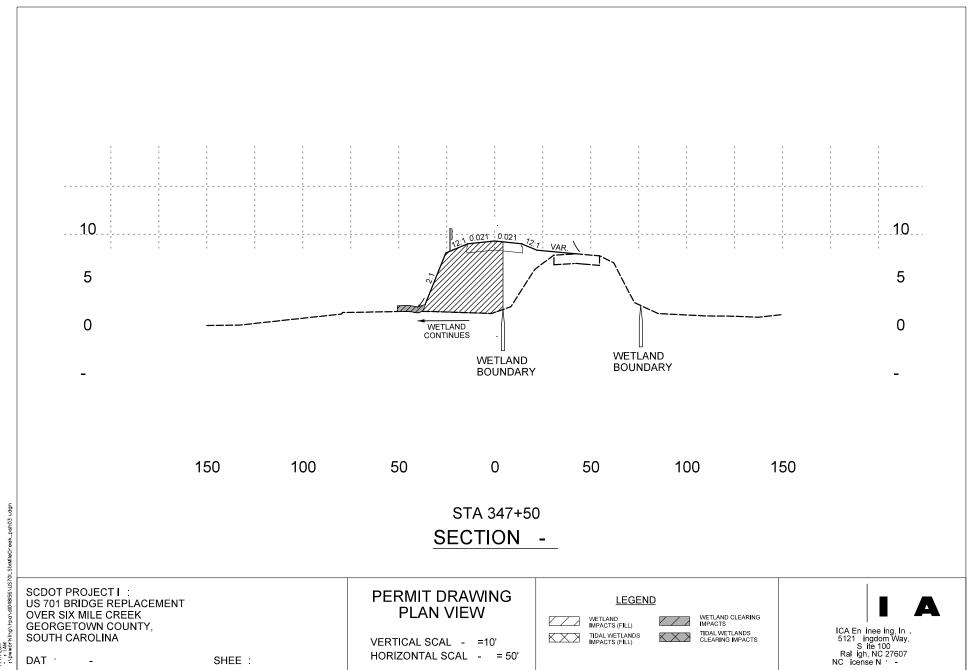


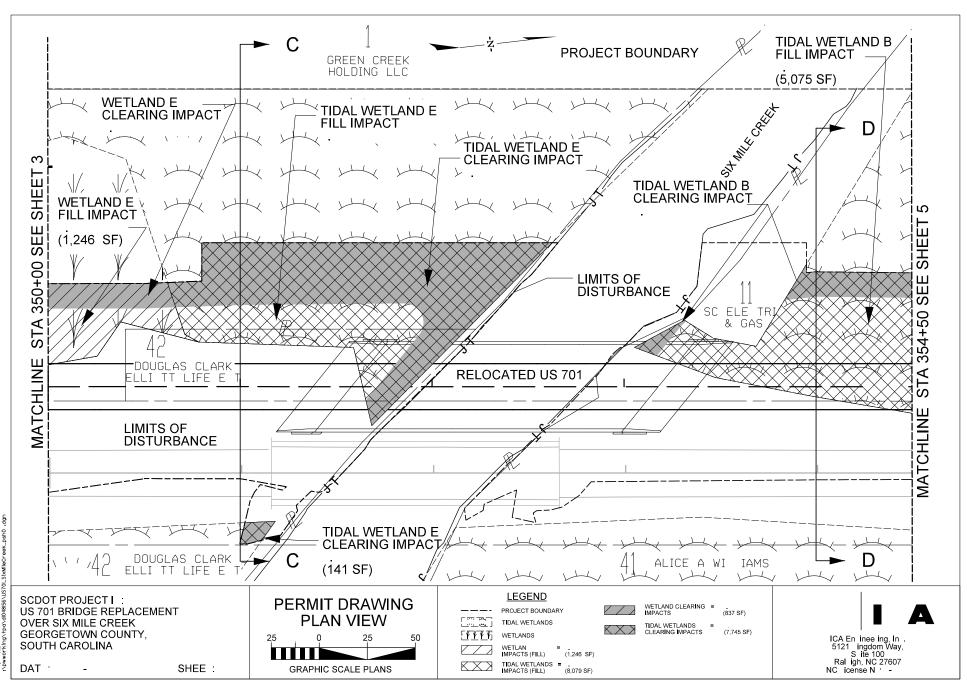
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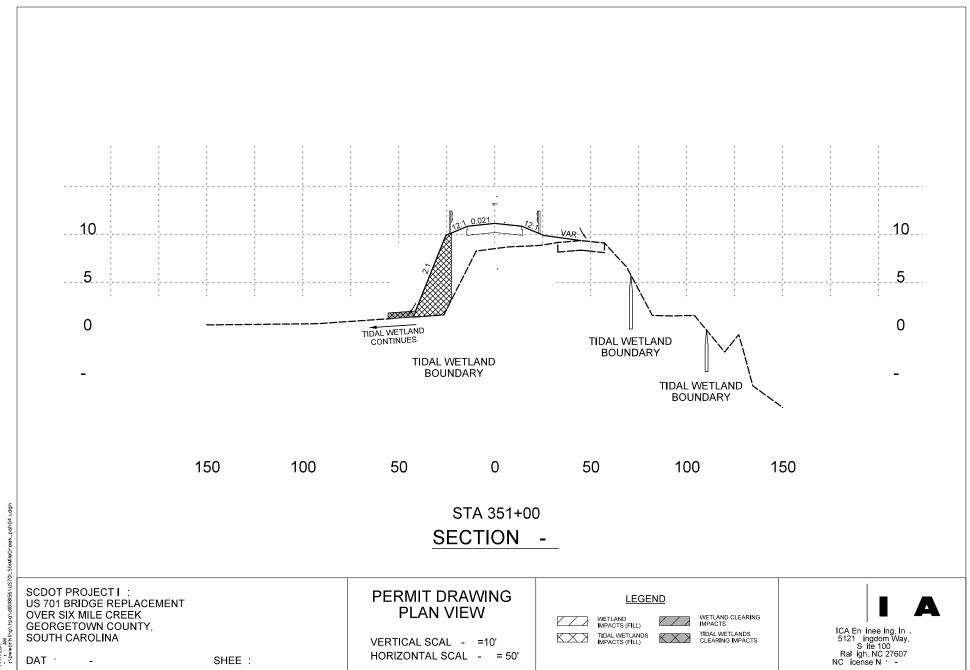
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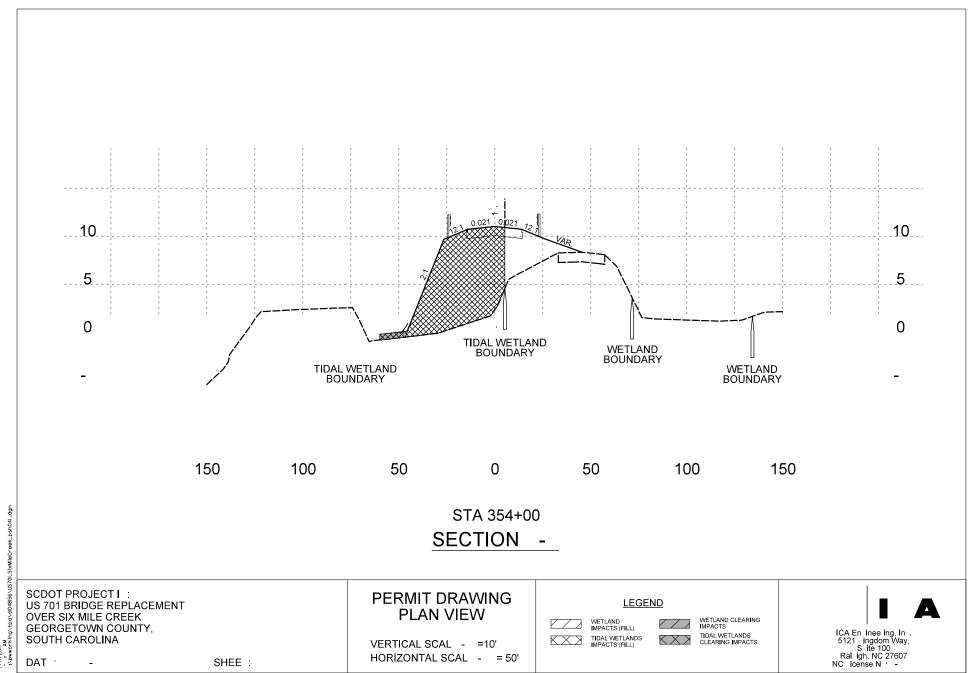
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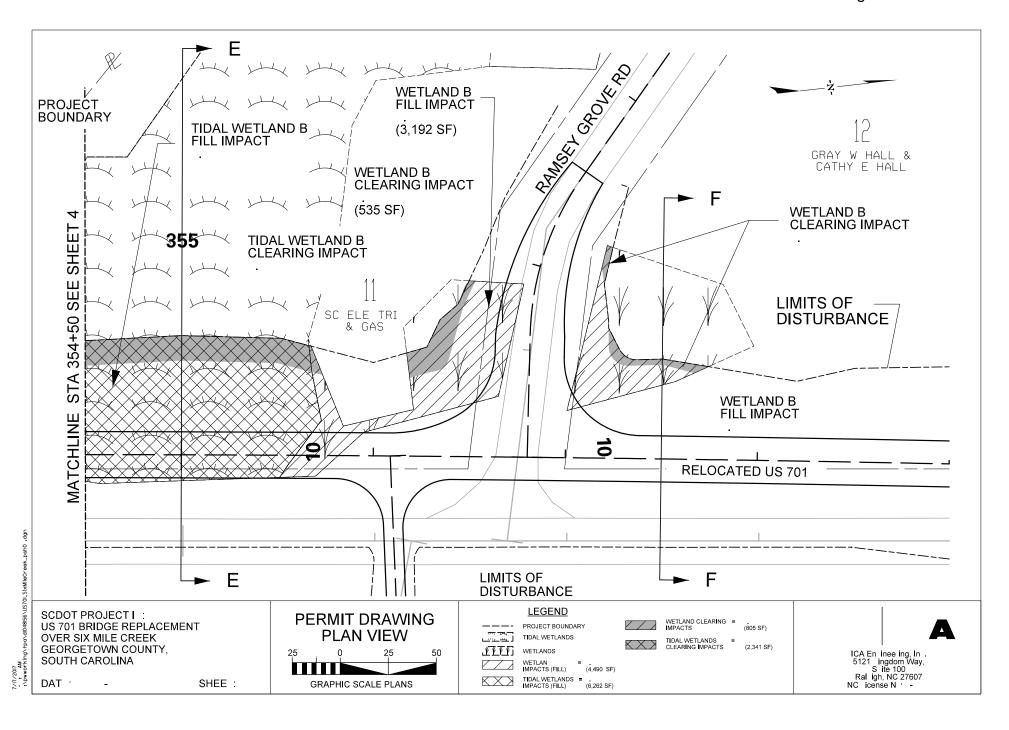


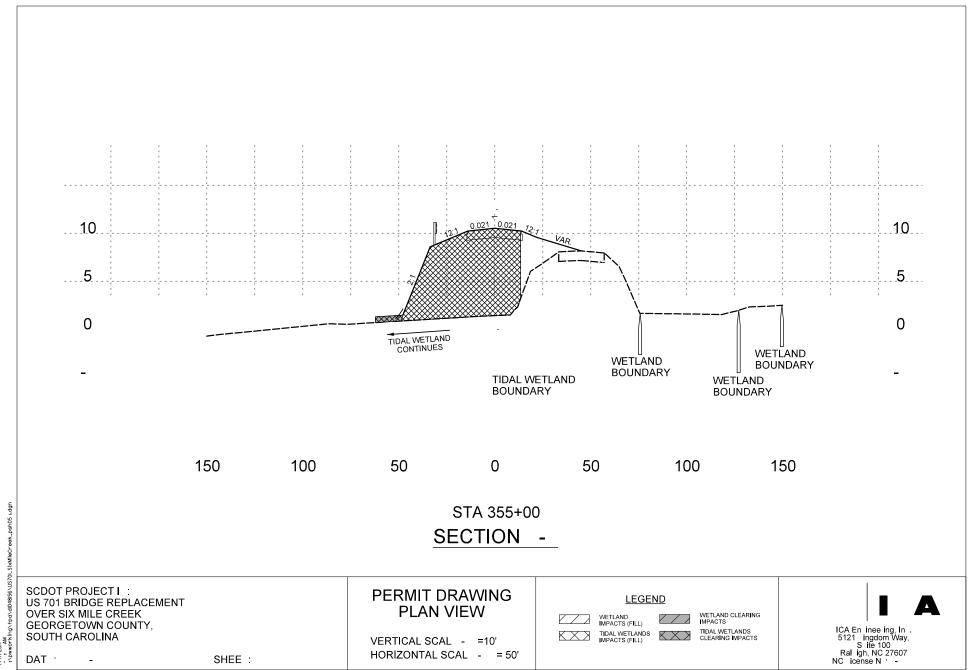


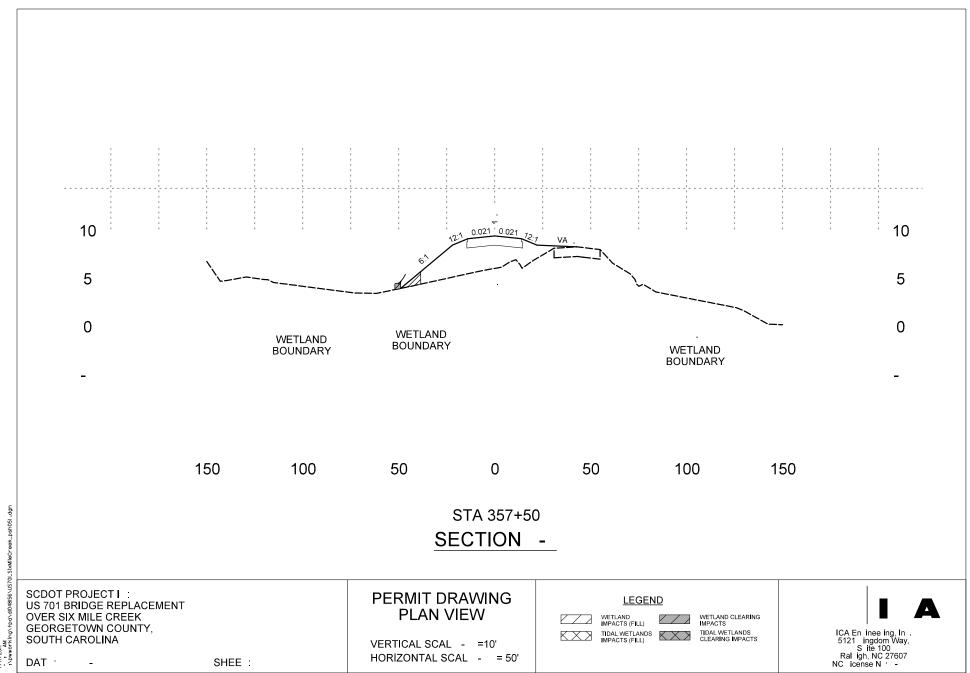




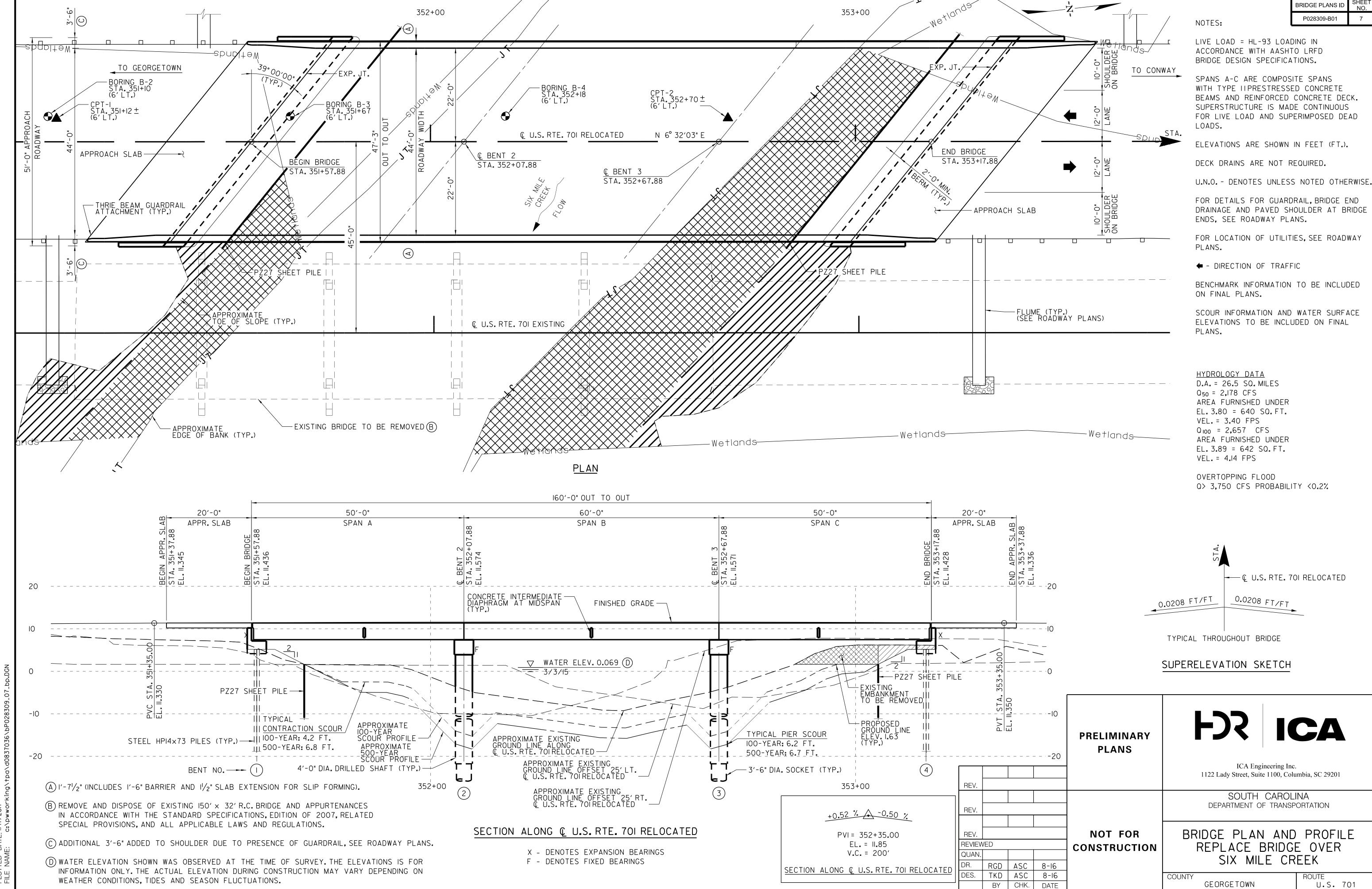
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