

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Ave**  
**Charleston, South Carolina 29403**  
**and**  
**THE S.C. DEPARTMENT OF ENVIRONMENTAL SERVICES**  
**Water Quality Certification and Wetlands Section**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

REGULATORY DIVISION  
Refer to: SAC-2023-01361

December 12, 2024

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 et.seq.), an application has been submitted to the Department of the Army and the South Carolina Department of Environmental Services by

**Mr. Eric DeMoura**  
**TOWN OF MT. PLEASANT**  
**100 ANN EDWARDS LANE**  
**MT PLEASANT, South Carolina 29465**

**Mr. Bret Davis**  
**S&ME Inc**  
**7410 Northside Drive**  
**North Charleston, South Carolina 29420**  
**bkdavis@smeinc.com**

for a permit to construct a stormwater pond in freshwater wetlands adjacent to

Hamlin Sound

Located at 2364 Rifle Range Road in Mount Pleasant, Charleston County, South Carolina (Latitude: 32.8401 °, Longitude: -79.8031 °), Fort Moultrie, SC 1:24000.

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

**N O T I C E**

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 **SCDES** 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.

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

**Applicant's Stated Purpose**

According to the applicant, the purpose of the proposed project is the development of a Town of Mt. Pleasant park with an emphasis on active recreational uses, including multi-use athletic fields and facilities.

**Project Description**

The proposed work consists of excavating and filling wetlands for the construction of a stormwater pond. In detail, the impacts would result from the excavation of 0.80 acre and filling of 0.10 acre of freshwater wetlands for the construction of the stormwater pond. The pond is necessary to provide anticipated retention volume for onsite stormwater runoff.

**Avoidance and Minimization**

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by selecting the site design which prioritizes the least amount of impacts to aquatic resources, while providing adequate amenities and associated infrastructure for the proposed recreational park project. The applicant evaluated two alternative site layouts; Alternative Site Layout 1 involved an additional one-acre of jurisdictional wetland impacts and Alternative Site Layout 2 would have involved an additional 0.7 acre of jurisdictional wetland impacts. Furthermore, the unavoidable impact for the construction of the stormwater pond would continue to allow for flora and fauna to occupy the created open water space. The remaining 11.04 acres of jurisdictional freshwater wetlands would not be impacted and vegetated upland buffers would be established along the perimeter of the remaining wetlands onsite.

**Proposed Compensatory Mitigation**

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 8.8 freshwater mitigation credits from Big Run Mitigation Bank. The proposed impacts are within the same watershed and primary service area of Big Run Mitigation Bank.

### **South Carolina Department Environmental Services**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the certifying authority, South Carolina Department of Environmental Services, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

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 South Carolina Department of Environmental Services. 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.

### **Essential Fish Habitat**

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 0.90 acres of freshwater wetlands adjacent to 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.

### **Endangered Species**

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the proposed project and based on location and available

information, the following species have the potential to occur in the vicinity of the proposed work: Canby's dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*), American Chaffseed (*Schwalbea americana*), Red-cockaded woodpecker (*Picoides borealis*), Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*) – **proposed species**, Tricolored bat (*Perimyotis subflavus*), - **candidate species**, Monarch Butterfly (*Danuas Plexippus*).

Based on all information provided by the applicant and the most recent available information, the District Engineer has determined the following:

The project will have no effect on Canby's dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*), American Chaffseed (*Schwalbea americana*), Red-cockaded woodpecker (*Picoides borealis*), Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensis*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), and the Leatherback Sea Turtle (*Dermochelys coriacea*) and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The tricolored bat (*Perimyotis subflavus*) is currently proposed endangered. The project area contains suitable habitat for the tricolored bat, including forested areas. Currently, the tricolored bat is not a federally listed species. Due to the scope of work and adjacent forested habitat, the project is not likely to jeopardize the continued existence of the proposed species. Therefore, the Corps is not required to initiate conference with USFWS at this time.

This public notice serves as a request to the U.S. Fish and Wildlife Service (USFWS project code: 2023-0117777) 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.

### **Cultural Resources**

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.

### **Corps' Evaluation**

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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.

### **Solicitation of Public Comment**

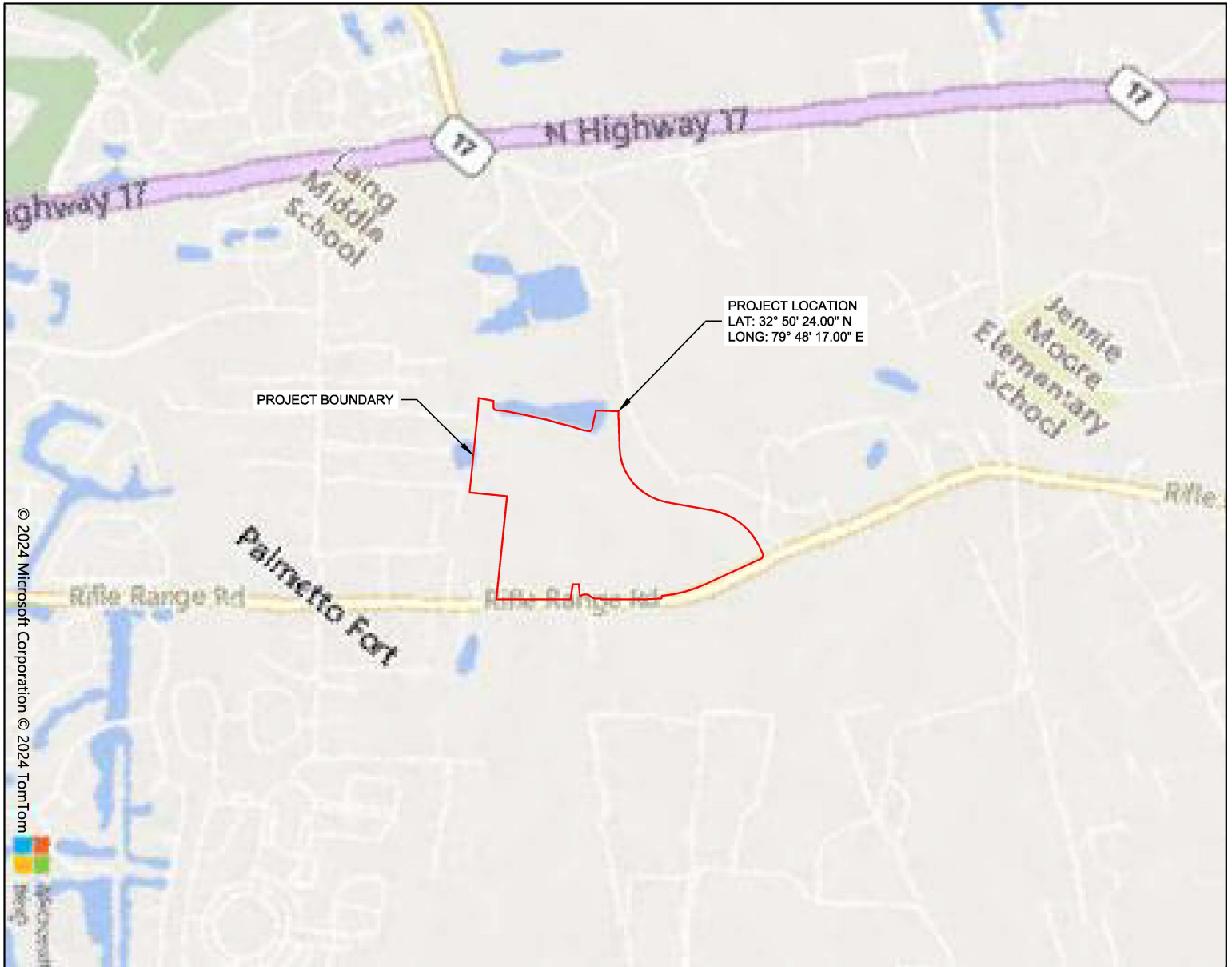
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify,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

**Please submit comments in writing, identifying the project of interest by public**

**notice/file number (SAC-2023-01361), to [alexander.m.miranda@usace.army.mil](mailto:alexander.m.miranda@usace.army.mil) or the following address:**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
1949 Industrial Park Road  
Conway, South Carolina 29526**

If there are any questions concerning this public notice, please contact Alexander M. Miranda, Biologist, at 843-329-8033, toll free at 1-866-329-8187, or by email at [alexander.m.miranda@usace.army.mil](mailto:alexander.m.miranda@usace.army.mil).



© 2024 Microsoft Corporation © 2024 TomTom

#### LEGEND

PROJECT BOUNDARY



SCALE: 1" = 1500'



VICINITY MAP

SCALE: 1" = 1500'

PROPOSED ACTIVITY:  
DRAINAGE

PROJECT NAME:  
RIFLE RANGE ROAD PARK

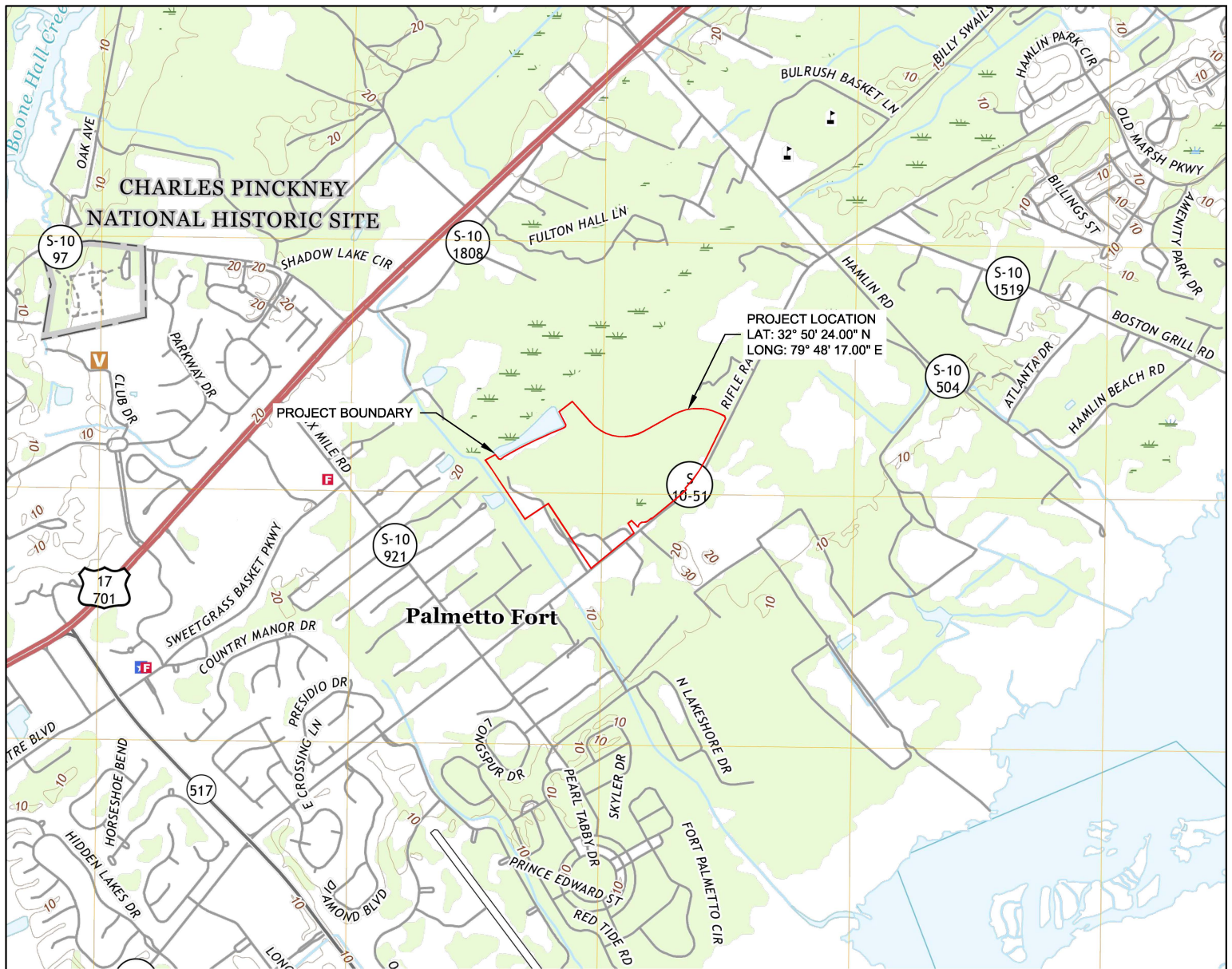
COUNTY: CHARLESTON

APPLICANT: TOWN OF MOUNT PLEASANT

DATE: 09/12/2024

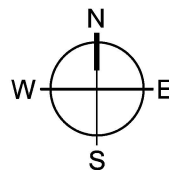
SHEET: 1 OF 7

USACE PERMIT:



# LEGEND

PROJECT BOUNDARY



0 500 1000 2000  
SCALE: 1" = 1000'



USGS QUAD MAP

SCALE: 1" = 1000'

PROPOSED ACTIVITY:  
DRAINAGE

PROJECT NAME:  
RIFLE RANGE ROAD PARK

COUNTY: CHARLESTON

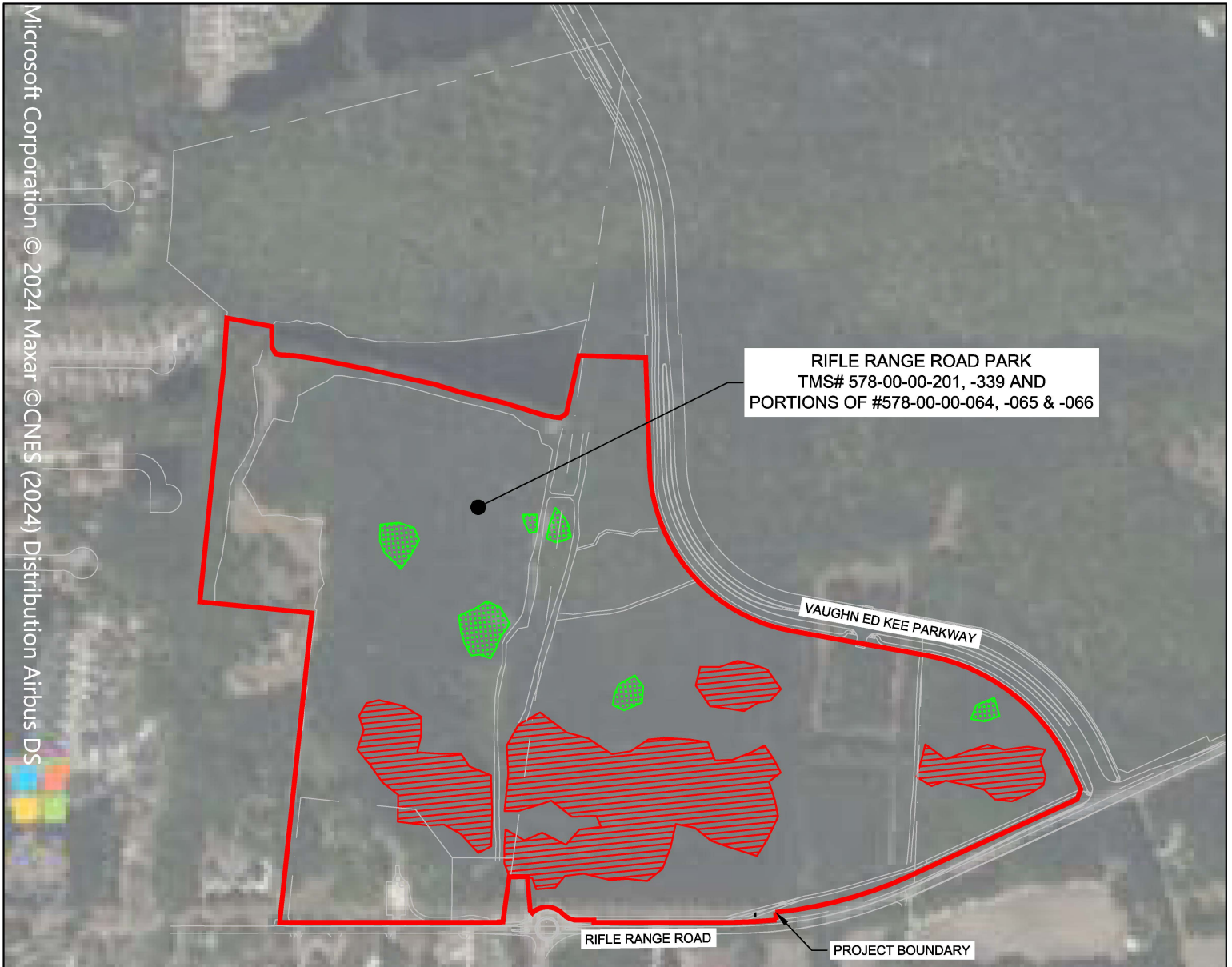
APPLICANT: TOWN OF MOUNT PLEASANT

DATE: 09/12/2024

SHEET: 2 OF 7

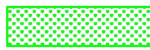
USACE PERMIT:





LEGEND

NON-JURISDICTIONAL  
WETLAND



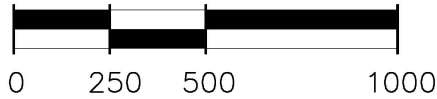
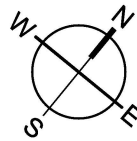
1.21 AC.

JURISDICTIONAL  
WETLAND

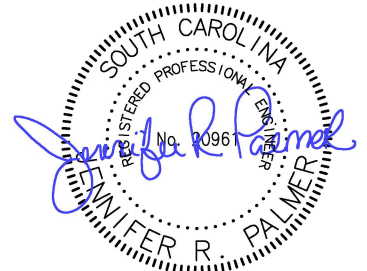


11.94 AC.

PROJECT BOUNDARY



SCALE: 1" = 500'



EXISTING CONDITIONS

SCALE: 1" = 500'

PROPOSED ACTIVITY:  
DRAINAGE

PROJECT NAME:  
RIFLE RANGE ROAD PARK

COUNTY: CHARLESTON

APPLICANT: TOWN OF MOUNT PLEASANT

DATE: 09/12/2024

SHEET: 3 OF 7

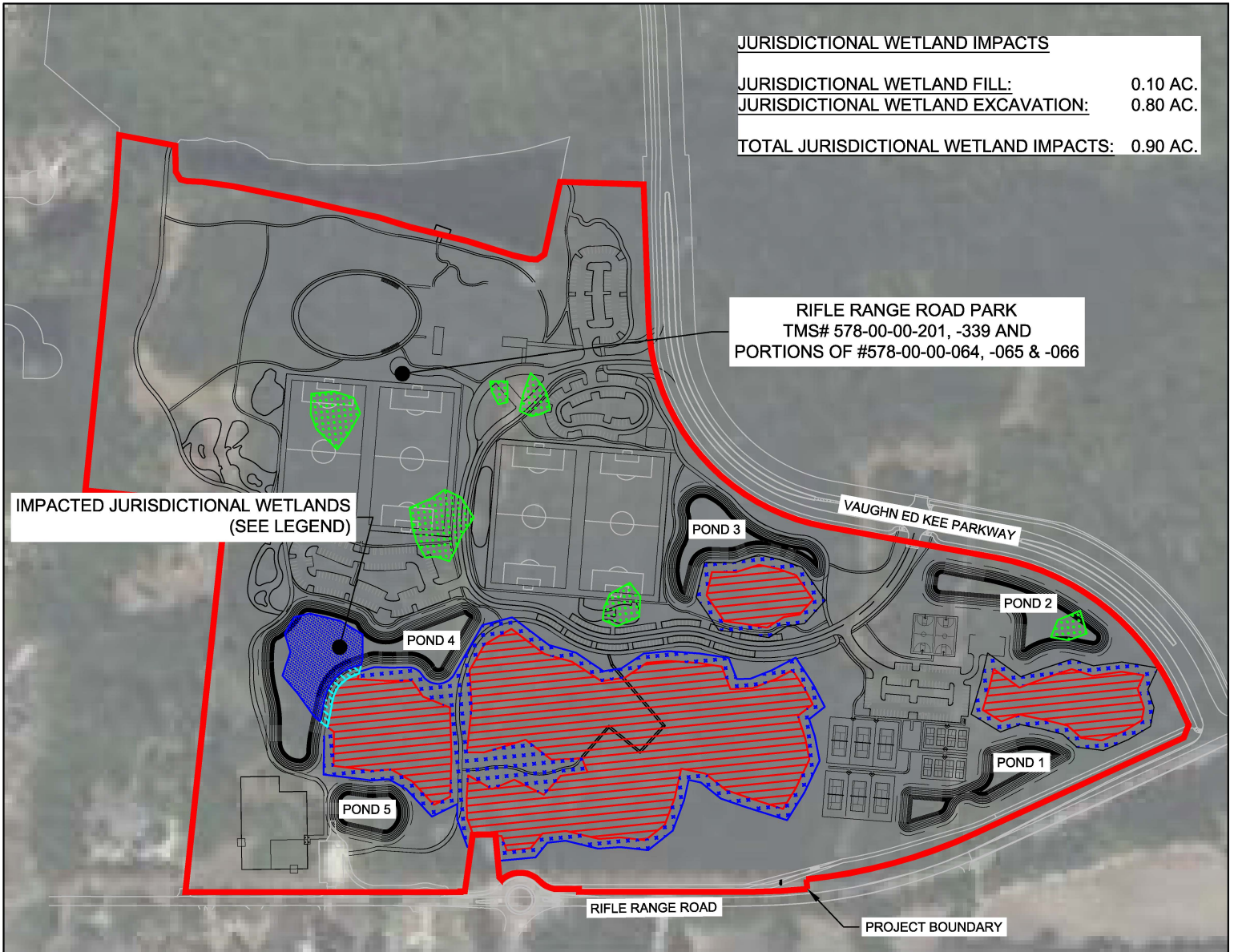
USACE PERMIT:

# JURISDICTIONAL WETLAND IMPACTS

JURISDICTIONAL WETLAND FILL: 0.10 AC.  
 JURISDICTIONAL WETLAND EXCAVATION: 0.80 AC.  
 TOTAL JURISDICTIONAL WETLAND IMPACTS: 0.90 AC.

RIFLE RANGE ROAD PARK  
 TMS# 578-00-00-201, -339 AND  
 PORTIONS OF #578-00-00-064, -065 & -066

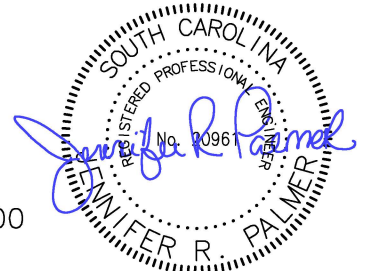
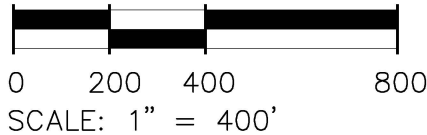
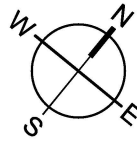
IMPACTED JURISDICTIONAL WETLANDS  
 (SEE LEGEND)



## LEGEND

PROJECT BOUNDARY		
UPLAND BUFFER		
IMPACTED NON-JURISDICTIONAL WETLAND		1.21 AC.
UN-IMPACTED JURISDICTIONAL WETLAND		11.04 AC.
IMPACTED JURISDICTIONAL WETLAND TO BE FILLED		0.10 AC.
IMPACTED JURISDICTIONAL WETLAND TO BE EXCAVATED		0.80 AC.

TOTAL JURISDICTIONAL WETLAND IMPACTS = 0.90 AC.

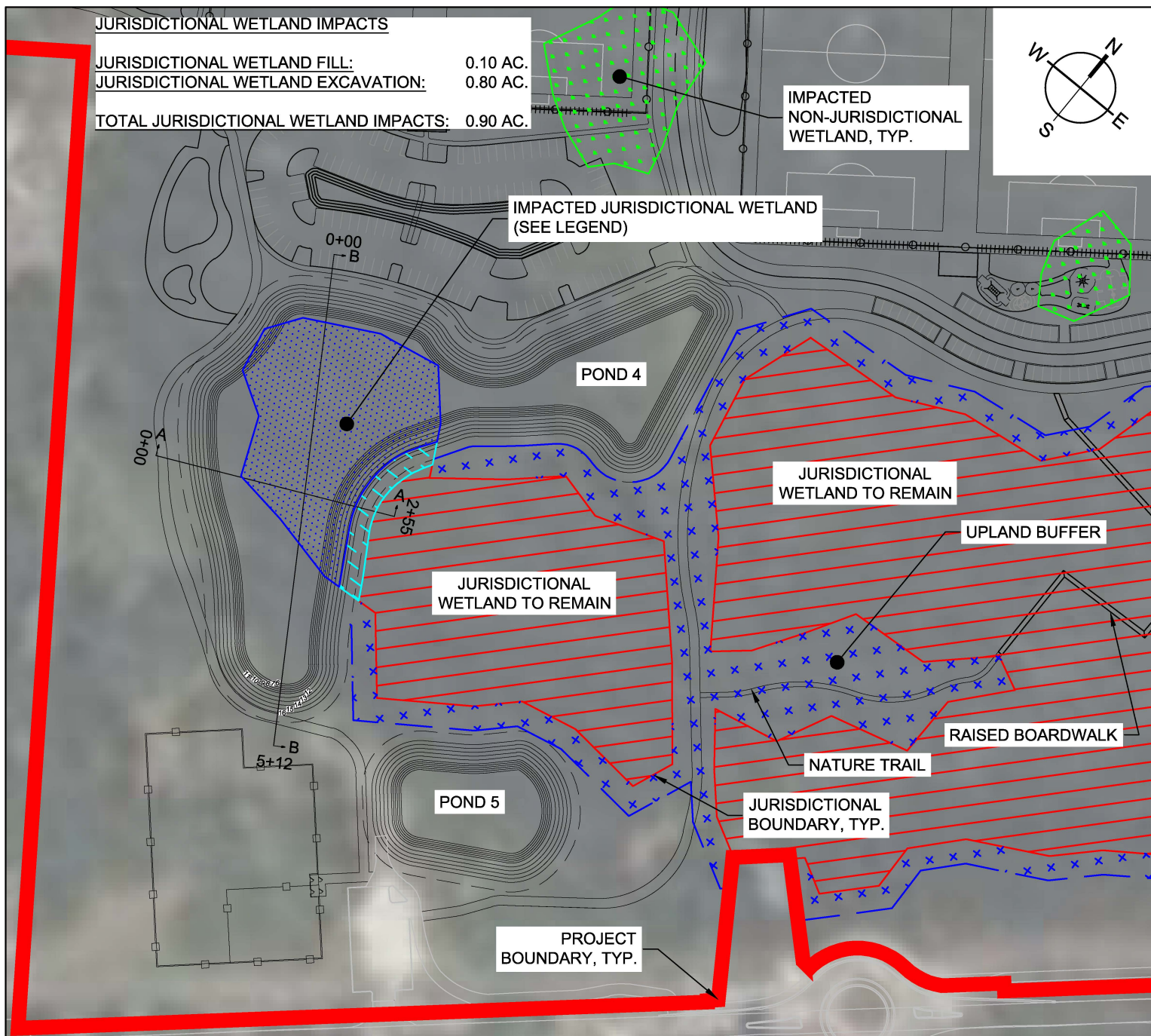


PROPOSED SITE LAYOUT  
 PROJECT NAME:  
 RIFLE RANGE ROAD PARK  
 DATE: 09/12/2024

SCALE: 1" = 500'  
 SHEET: 4 OF 7

PROPOSED ACTIVITY:  
 DRAINAGE  
 COUNTY: CHARLESTON  
 APPLICANT: TOWN OF MOUNT PLEASANT  
 USACE PERMIT:





**LEGEND**

PROJECT BOUNDARY

UPLAND BUFFER

IMPACTED NON-JURISDICTIONAL WETLAND

UN-IMPACTED JURISDICTIONAL WETLAND

IMPACTED JURISDICTIONAL WETLAND TO BE FILLED

IMPACTED JURISDICTIONAL WETLAND TO BE EXCAVATED



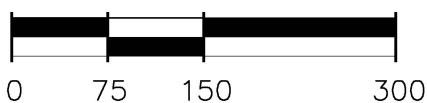
1.21 AC.

11.04 AC.

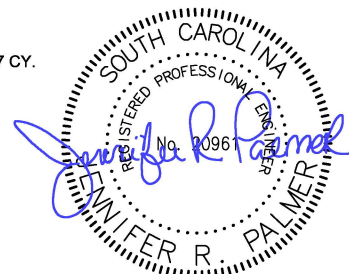
0.10 AC.

0.80 AC.

TOTAL JURISDICTIONAL WETLAND FILL = 1066.15 CY.  
TOTAL JURISDICTIONAL WETLAND EXCAVATION = 26994.87 CY.



SCALE: 1" = 150'



WETLAND IMPACTS PLAN

SCALE: 1" = 150'

PROPOSED ACTIVITY:  
DRAINAGE

PROJECT NAME:  
RIFLE RANGE ROAD PARK

COUNTY: CHARLESTON

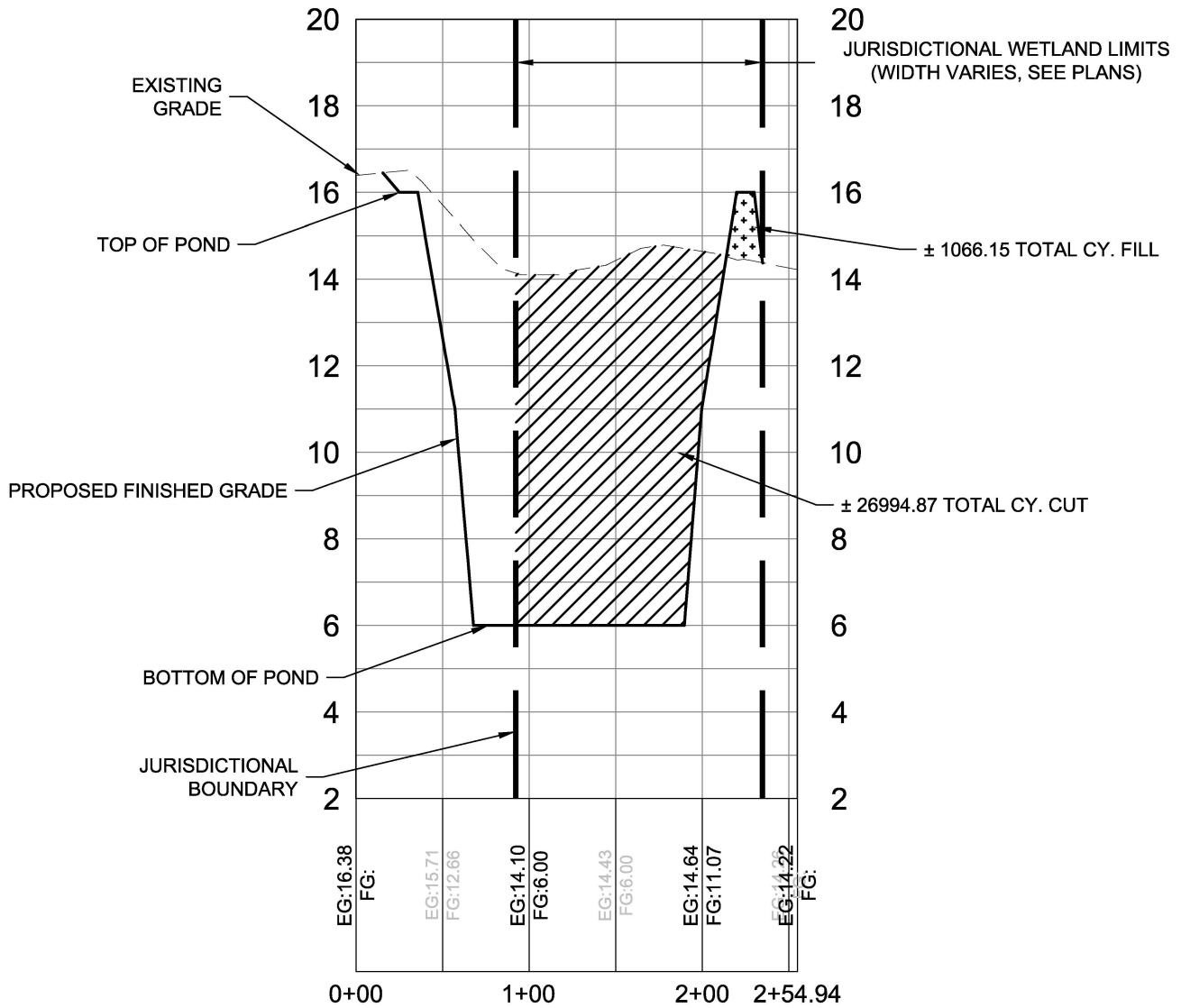
APPLICANT: TOWN OF MOUNT PLEASANT

DATE: 09/12/2024

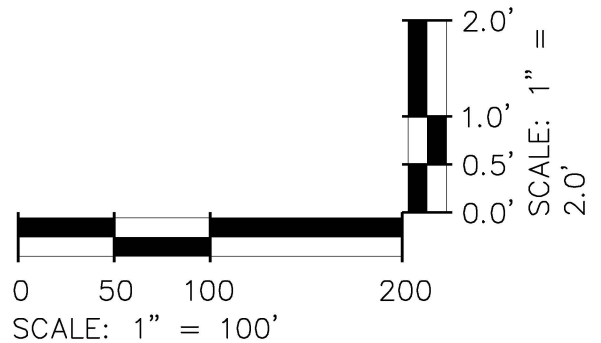
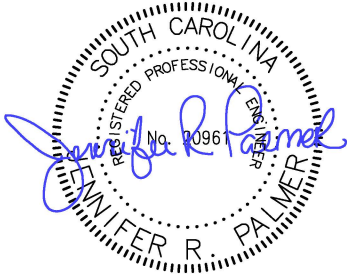
SHEET: 5 OF 7

USACE PERMIT:

APPROX. FILL VOLUME: 1066.15 CY.  
 APPROX. CUT VOLUME: 26994.87 CY.



## WETLAND IMPACTS PROFILE 'A'



WETLAND IMPACTS POND 4  
 CROSS-SECTION A

SCALE: 1" = 100'

PROPOSED ACTIVITY:  
 DRAINAGE

PROJECT NAME:  
 RIFLE RANGE ROAD PARK

COUNTY: CHARLESTON

APPLICANT: TOWN OF MOUNT PLEASANT

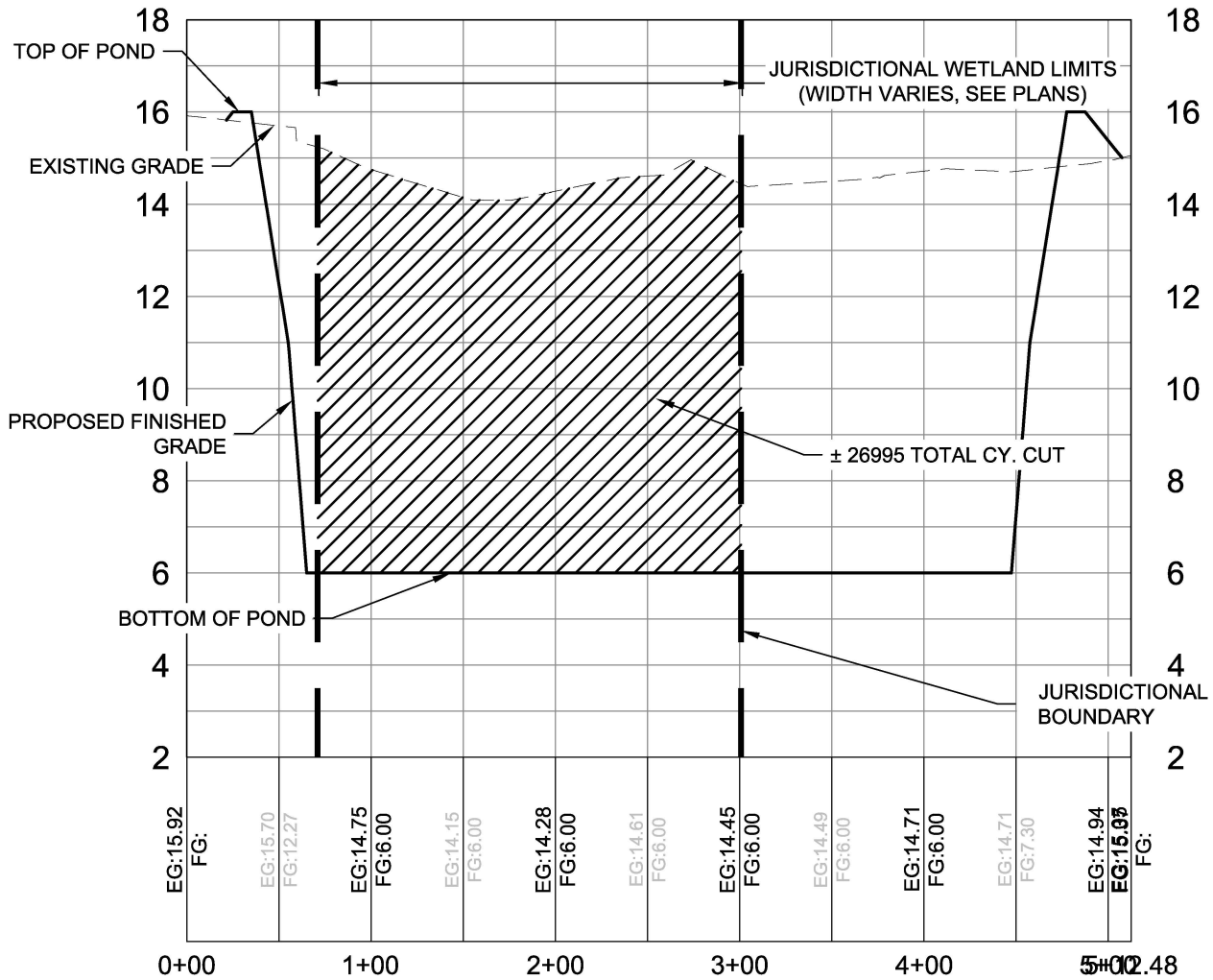
DATE: 09/12/2024

SHEET: 6 OF 7

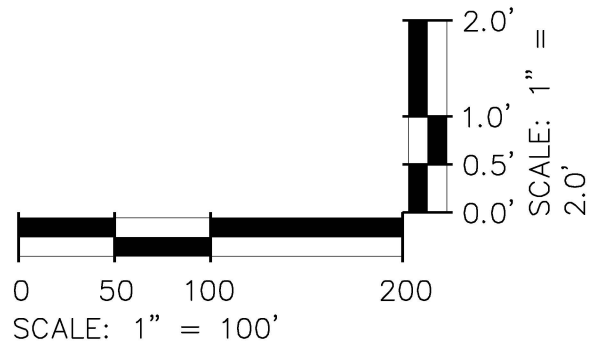
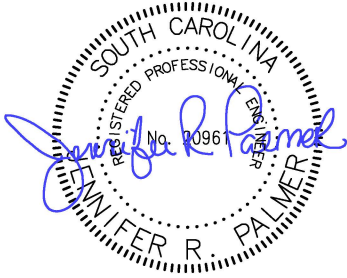
USACE PERMIT:



APPROX. FILL VOLUME: 1066.15 CY.  
 APPROX. CUT VOLUME: 26994.87 CY.



## WETLAND IMPACTS PROFILE 'B'



WETLAND IMPACTS POND 4 CROSS-SECTION B	SCALE: 1" = 100'	PROPOSED ACTIVITY: DRAINAGE	
		COUNTY: CHARLESTON	APPLICANT: TOWN OF MOUNT PLEASANT
DATE: 09/12/2024	SHEET: 7 OF 7	USACE PERMIT:	