JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 69-A 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-2016-01434 January 23, 2017

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 South Carolina Department of Health and Environmental Control (SCDHEC) by:

MR. DANNY JOHNSON SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION 955 PARK STREET COLUMBIA, SOUTH CAROLINA 29202

for a permit to clear or clear and grub wetlands, along a 33-mile section of Interstate 95 (I-95) in Jasper County, from Mile Marker (MM) 0 to MM 33, in wetlands that drain to

SAVANNAH RIVER, GREAT SWAMP, BEES CREEK, LITTLE BEES CREEK, COOSAWHATCHIE RIVER, TULIFINY RIVER, & ASSOCIATED UNNAMED TRIBUTARIES

At a location within the existing right-of-way (ROW) of I-95, including the median and outer lanes, from MM 0 to MM 33, through Jasper County, South Carolina (Start: Latitude: 32.235769°N, Longitude: -81.149671°W; End: Latitude: 32.443649°N, Longitude: -80.995058°W) (Port Wentworth, Rincon, Hardeeville, Tillman, Ridgeland, Coosawhatchie & McPhersonville Quad Maps).

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 clearing and grubbing, or clearing without grubbing, of trees and shrubs within the existing median where the median is less than 160-feet wide, within a 55-foot wide area from the edge of the travel way where the median is greater than 160-feet wide, and a 55-foot wide area on the outside edge of the travel lanes, the extension of existing guardrails, and the construction of cable barriers at a 1-foot offset from the centerline of the median ditch. Clearing and grubbing activities will be conducted using a combination of rubber tires and track logging equipment. All cleared areas will be maintained cleared in perpetuity for safety purposes. In detail, the proposed work consists of the following:

Section 1 (MM 0 to MM 23.19)

Areas in this section will be cleared and grubbed. Where the median is less than 160-feet wide, the entire median will be cleared and grubbed; where the median is less than 160-feet wide, clearing and grubbing will be conducted 55-feet from the edge of the existing travel way; and, clearing and grubbing will occur within a 55-foot wide zone on the outside edges of the travel way. Within portions of the cleared median, certain areas will be graded and approximately 8.4-miles of cable barriers will be constructed in order to prevent vehicles from crossing the median into oncoming traffic. Limited amounts of fill will be placed in select areas of the median and side slopes to improve overall grade, achieve a traversable surface, and provide for the installation of the cable barriers; fill in wetlands will be selectively placed where stumps have been removed. Approximately 4,500 linear feet of additional guardrail will be strategically installed to protect 3.7-acres of high quality forested wetlands and along bridges. Clearing and grubbing will impact approximately 40.61-acres of wetlands as follows: between MM 3-5 (1.63-acres), between MM 8.5-16 (36.12-acres), and between MM 22.5-23.19 (2.86-acres).

Section 2 (MM 23.19 to MM 32.5)

Areas in this section will be cleared without being grubbed, as stumps will be left in place, but be cut close to the existing ground surface. Where the median is less than 160-feet wide, the entire median will be cleared; where the median is less than 160-feet wide, clearing will be conducted 55-feet from the edge of the existing travel way; and, clearing will occur within a 55-foot wide zone on the outside edges of the travel way. Clearing in this section will impact approximately 6.59-acres of wetlands. Soils will not be disturbed and no fill will be brought in to fill voids.

<u>Purpose and Need:</u> As stated by the applicant: "The project purpose is to improve safety of the I-95 corridor through Jasper County, South Carolina by reducing the number of collisions with trees that occur along this section of highway."

Avoidance and Minimization: As stated by the applicant: "There will be no loss of jurisdictional wetlands, but there will be a conversion of forested and scrub/shrub wetlands to emergent wetlands. All wetlands that are to be cleared or cleared and grubbed are to be maintained in perpetuity for safety reasons. All work is to be conducted within the existing ROW of I-95 and the acquisition of new ROW is not required. Most impacts to high quality wetlands will be avoided by extending guard rail and no clearing or clearing and grubbing is to be conducted in tidally influenced wetlands. In addition, clearing or clearing and grubbing will not occur around bridges over navigable tributaries and other waterbodies. No impacts to streams are proposed and a 50-foot wide riparian buffer will remain in place on both sides of an identified perennial stream."

<u>Compensatory Mitigation</u>: The applicant has proposed to mitigate for impacts to jurisdictional waters of the U.S., including wetlands, by debiting 40.61 wetland acres from the approved SCDOT Black River Mitigation Bank.

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 no 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 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), Atlantic sturgeon (Acipenser oxyrinchus), shortnose sturgeon (Acipenser brevirostrum), finback whale (Balaenoptera physalus), humpback whale (Megaptera novaengliae), right whale (Balaena glacialis), West Indian manatee (Trichechus manatus), green sea turtle (Chelonia mydas), Kemp's ridley sea turtle (Lepidochelys kempii), leatherback sea turtle (Dermochelys coriacea), and loggerhead sea turtle (Caretta caretta), and will not result in the destruction or adverse modification of designated or proposed critical habitat. However, the Corps has determined that the proposed project is not likely to adversely effect, the frosted flatwoods salamander (Ambystoma cingulatum), American wood stork (Mycteria Americana), redcockaded woodpecker (Picoides borealis), American chaffseed (Schwalbea Americana), Canby's dropwort (Oxypolis canbyi), and pondberry (Lindera melissifolia), 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)(I)(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.

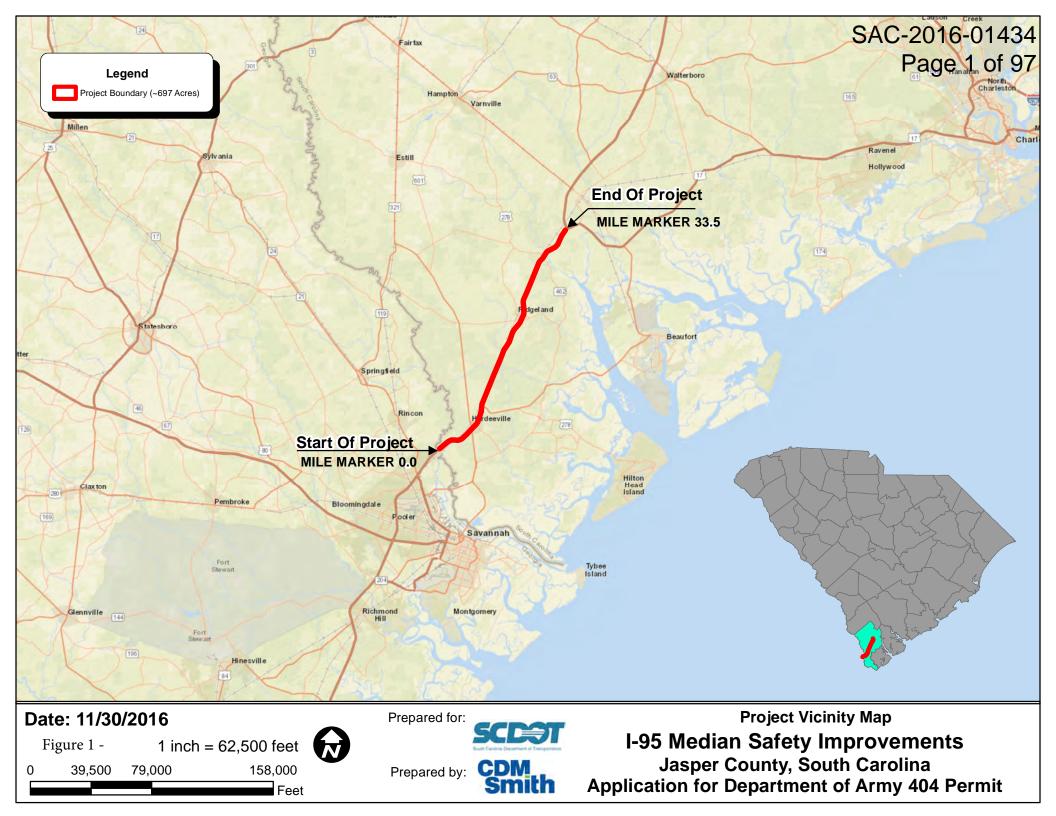
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

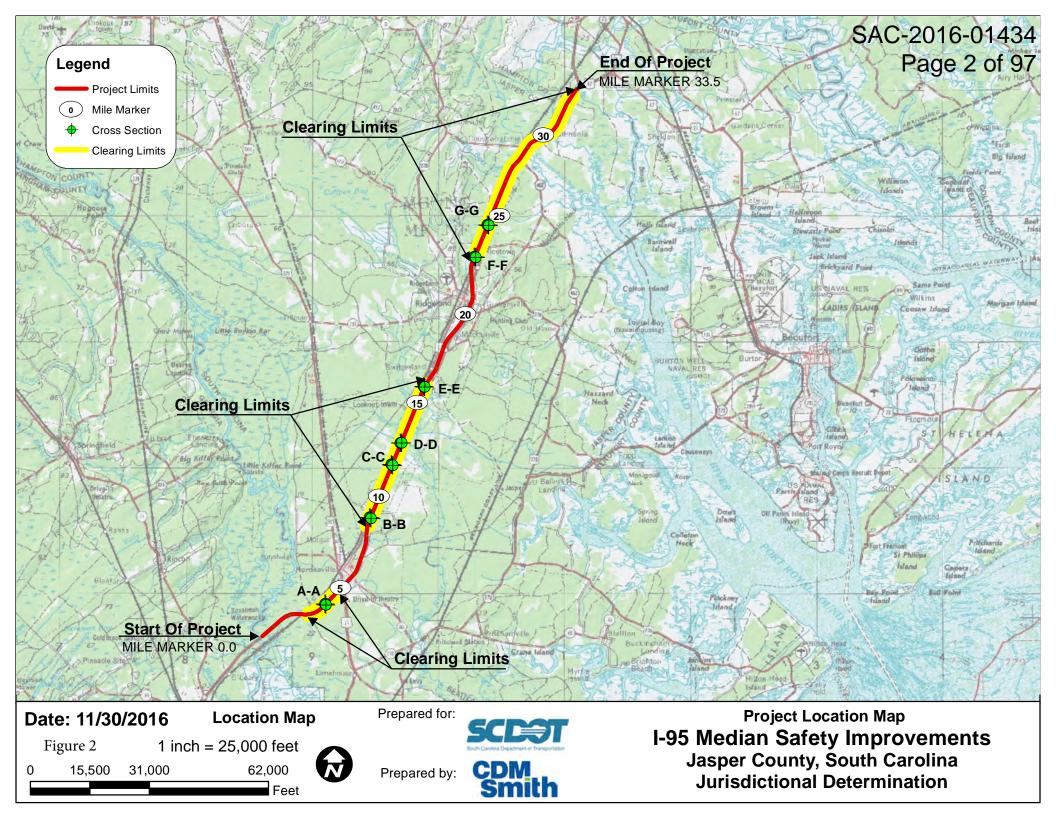
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act. 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, at john.n.policarpo@usace.army.mil, at (843) 329-8043 or toll free at 1-866-329-8187.







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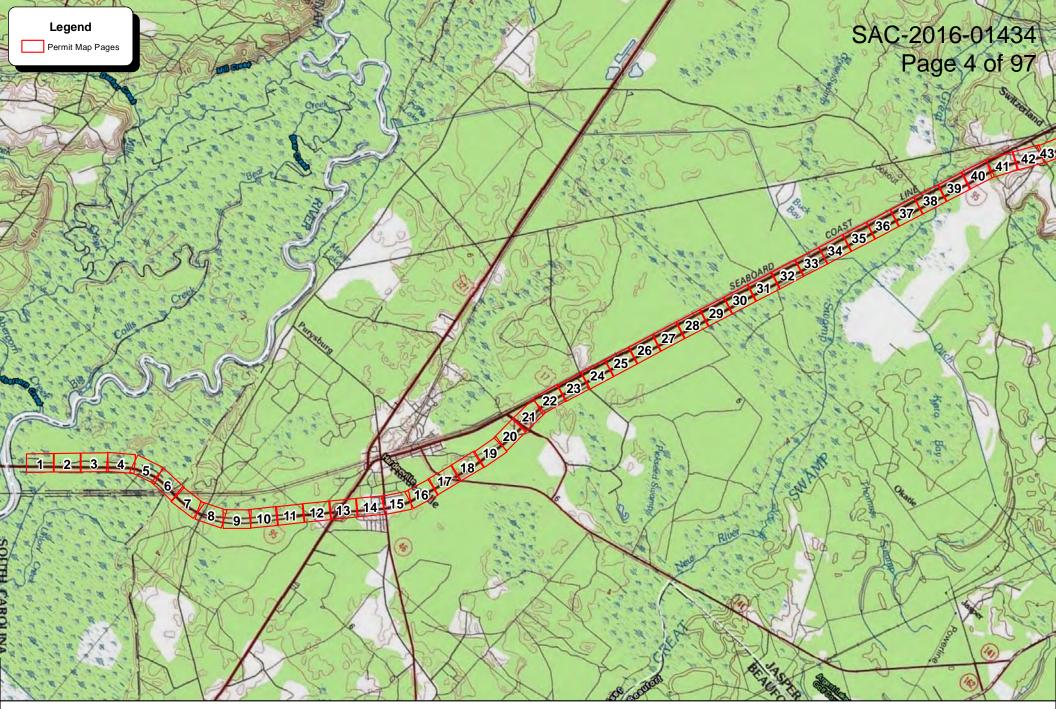
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I-95 Median Safety Improvements Jasper County, Soun Carolina Application for Department of Army 404 Permit



Date: 12/1/2016 Index Map 1 of 2 0 0.75 1.5



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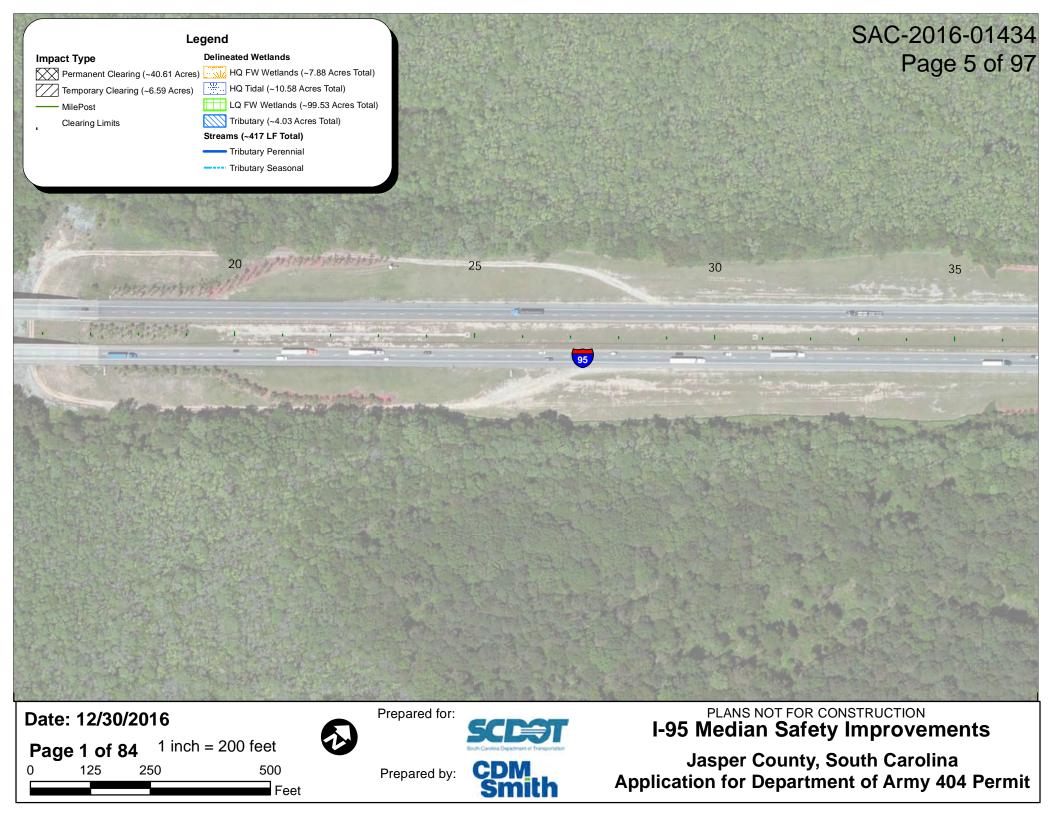
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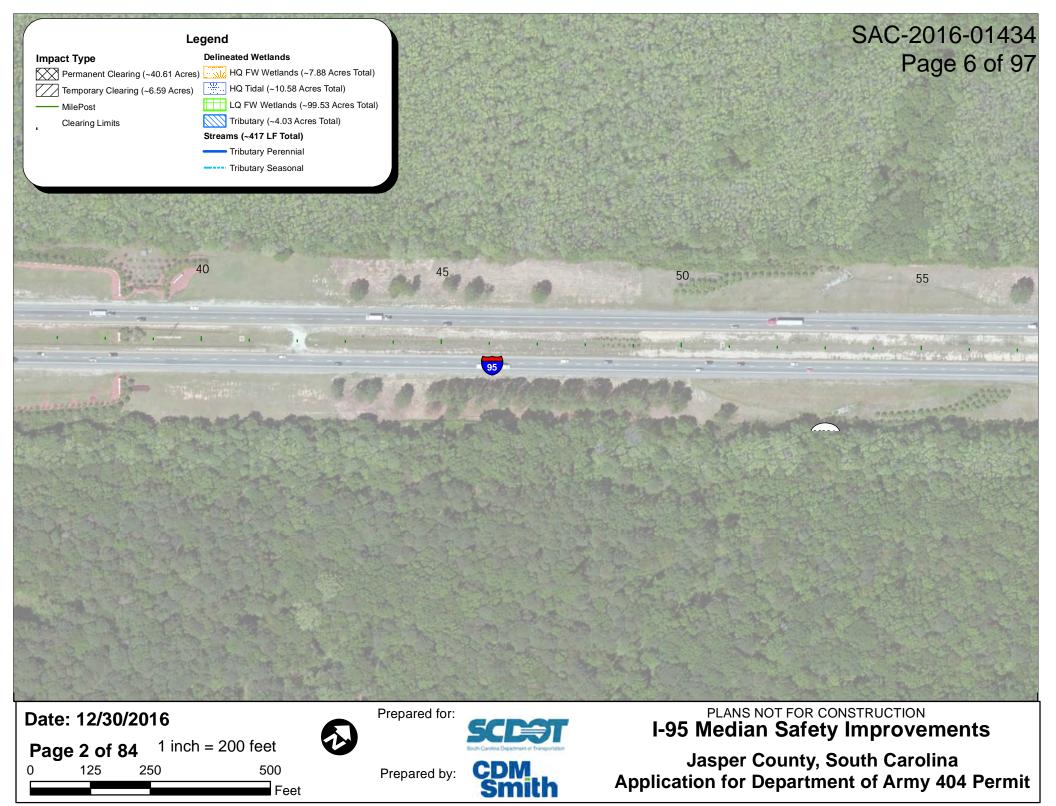
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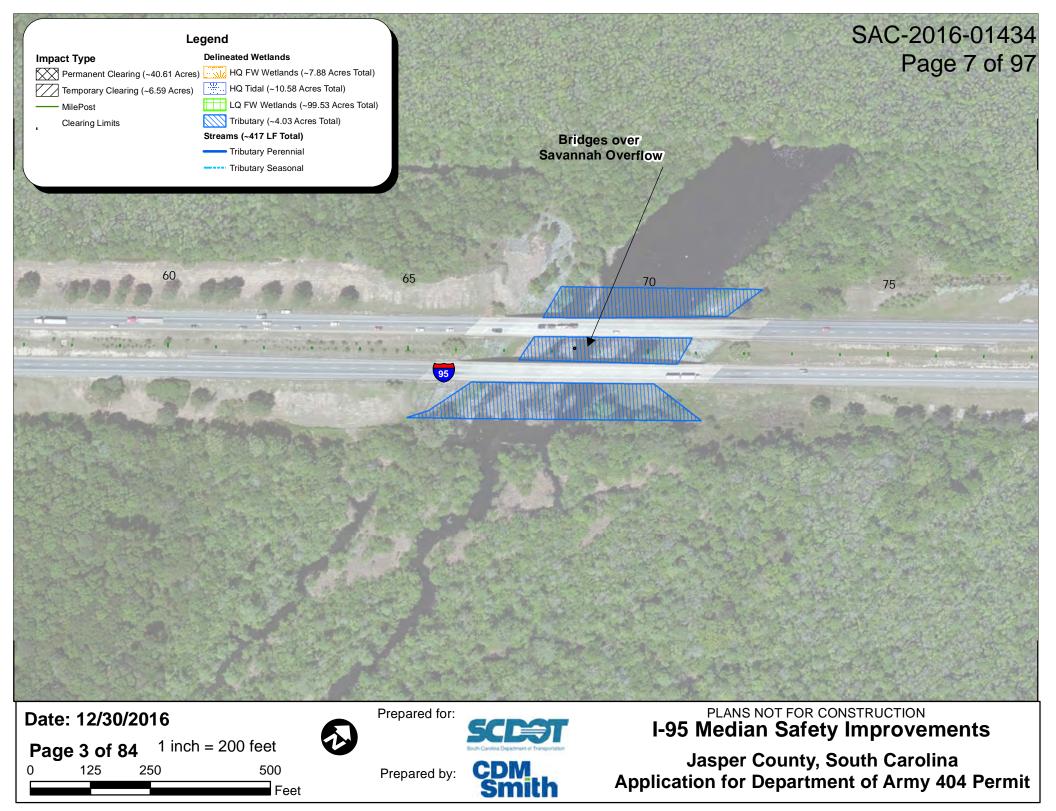


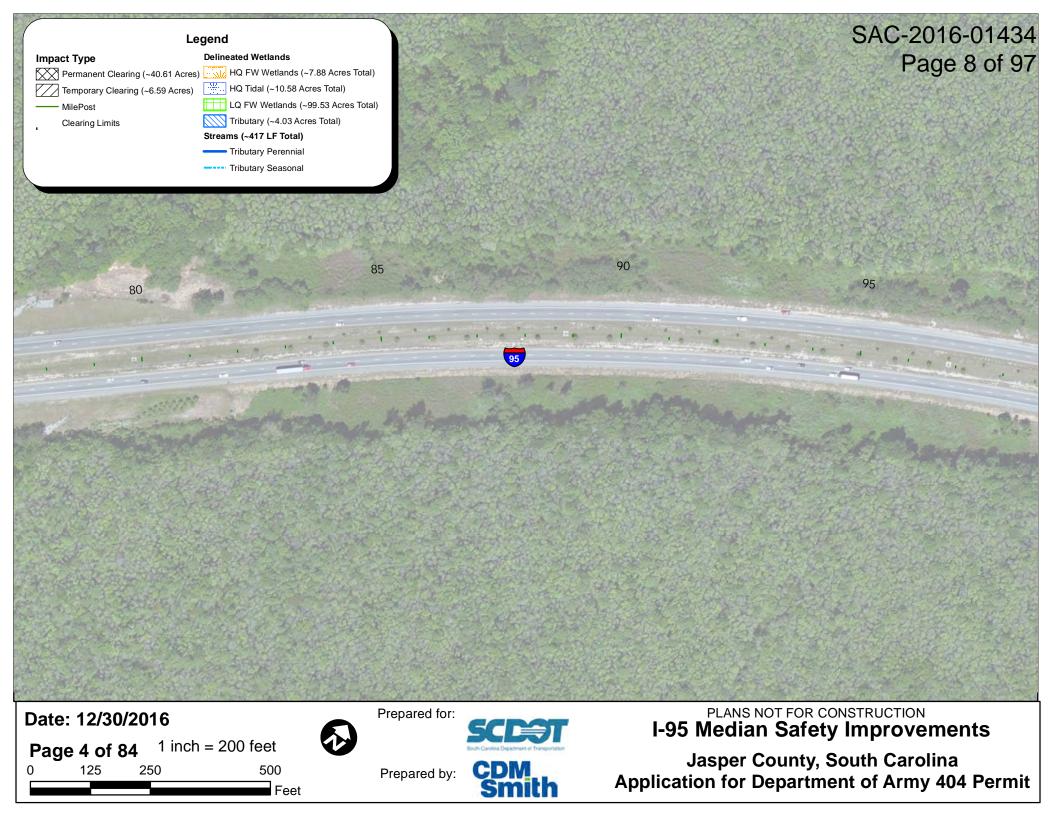


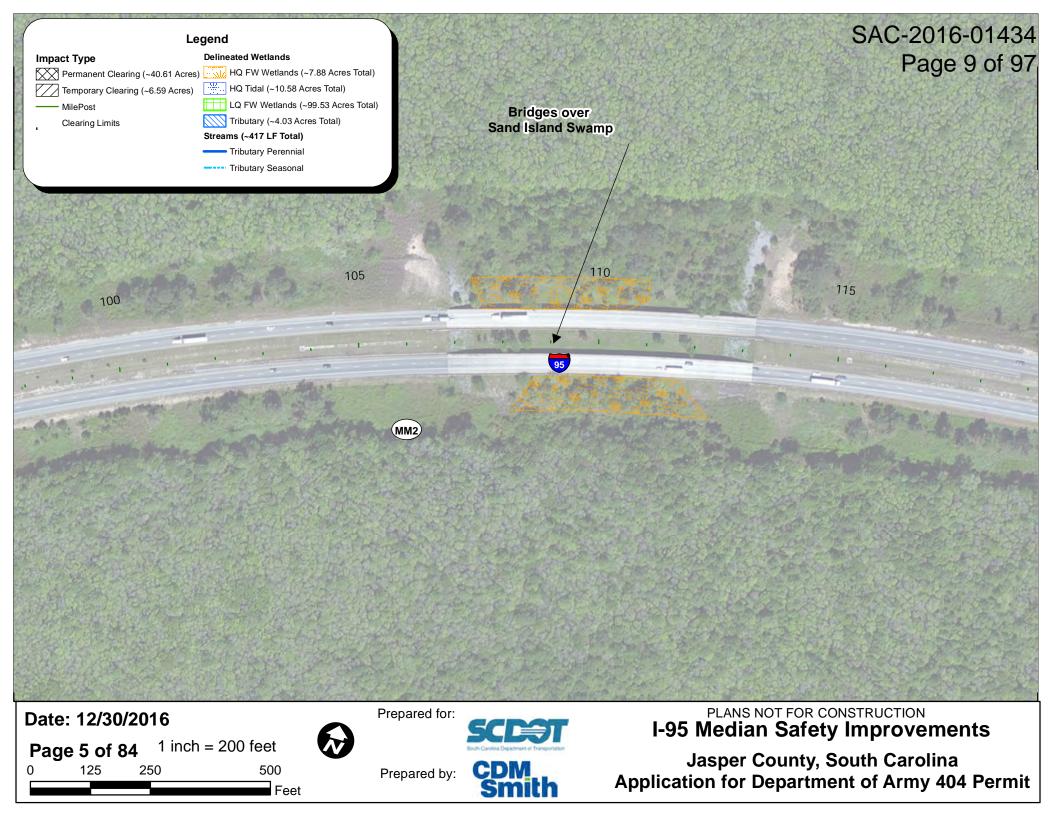
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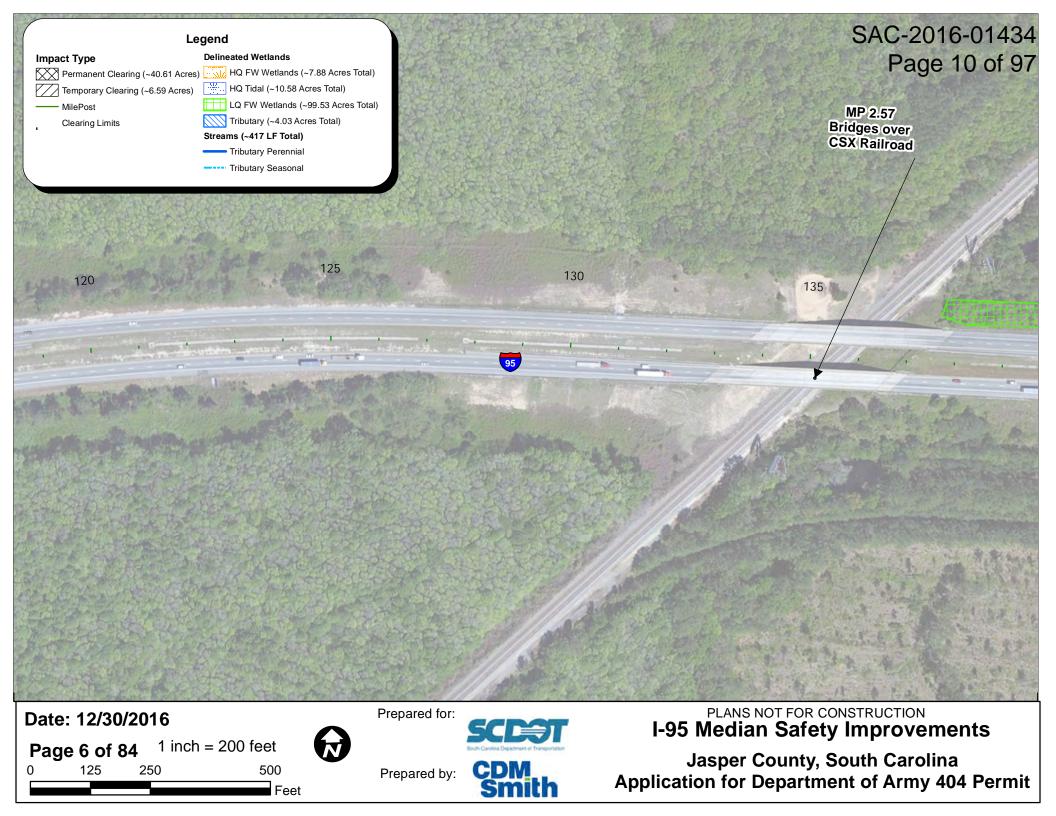


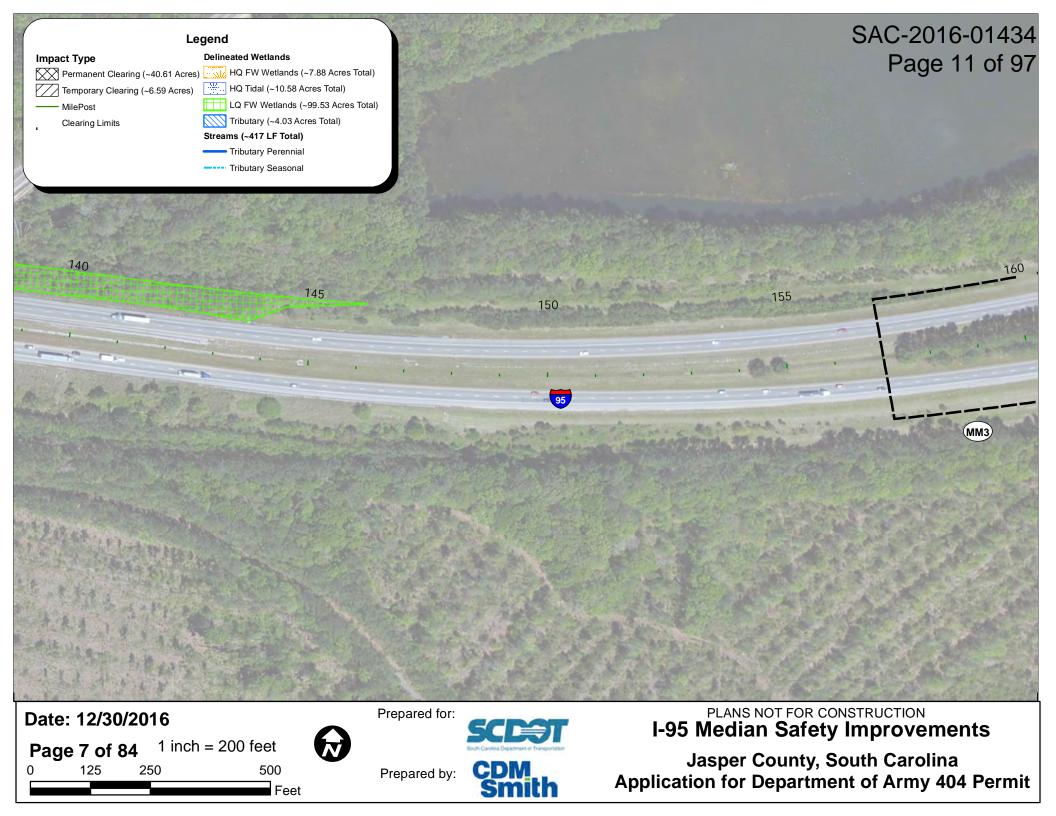


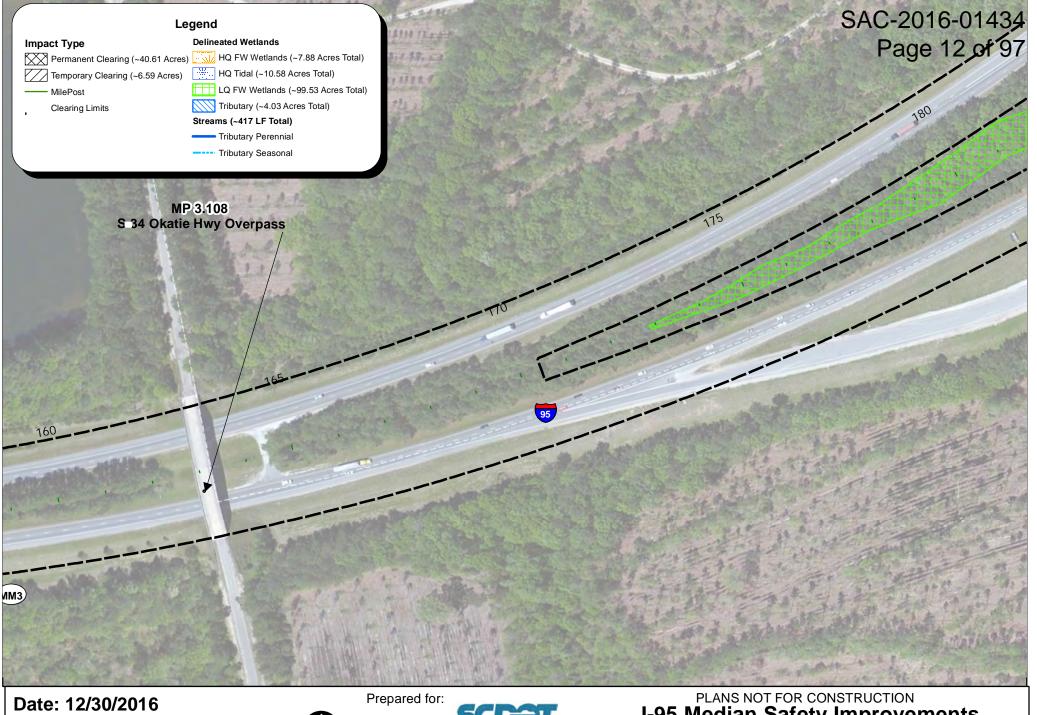










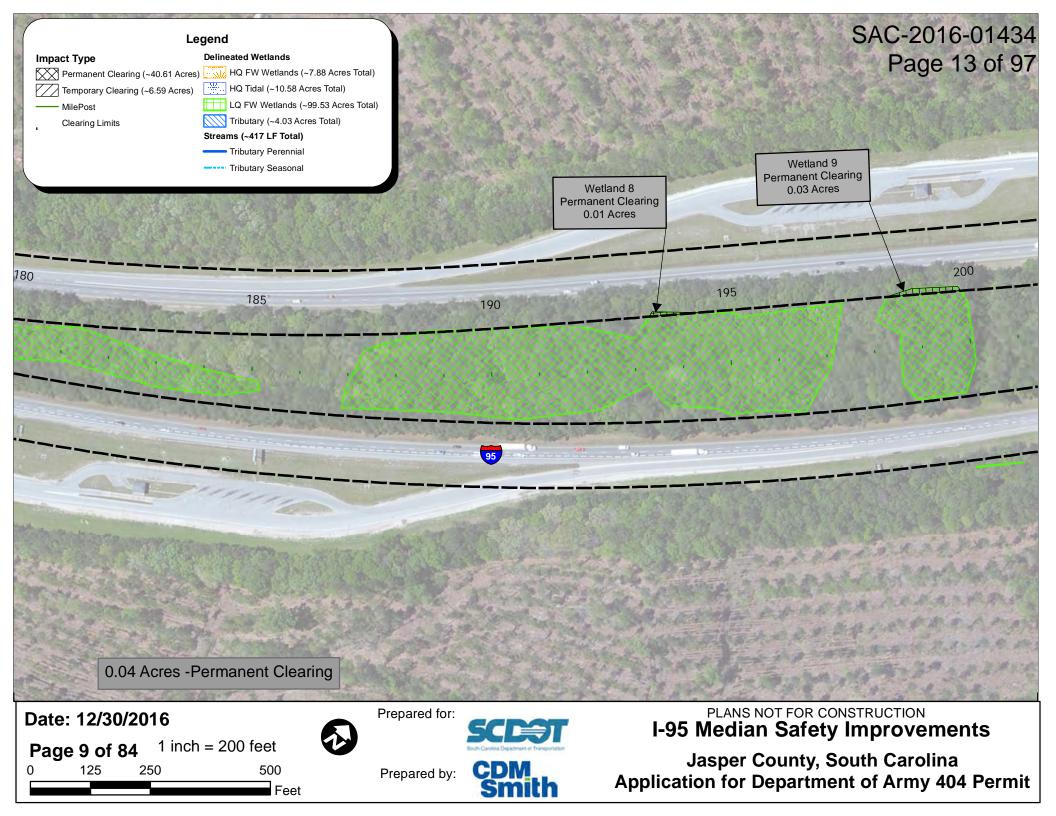


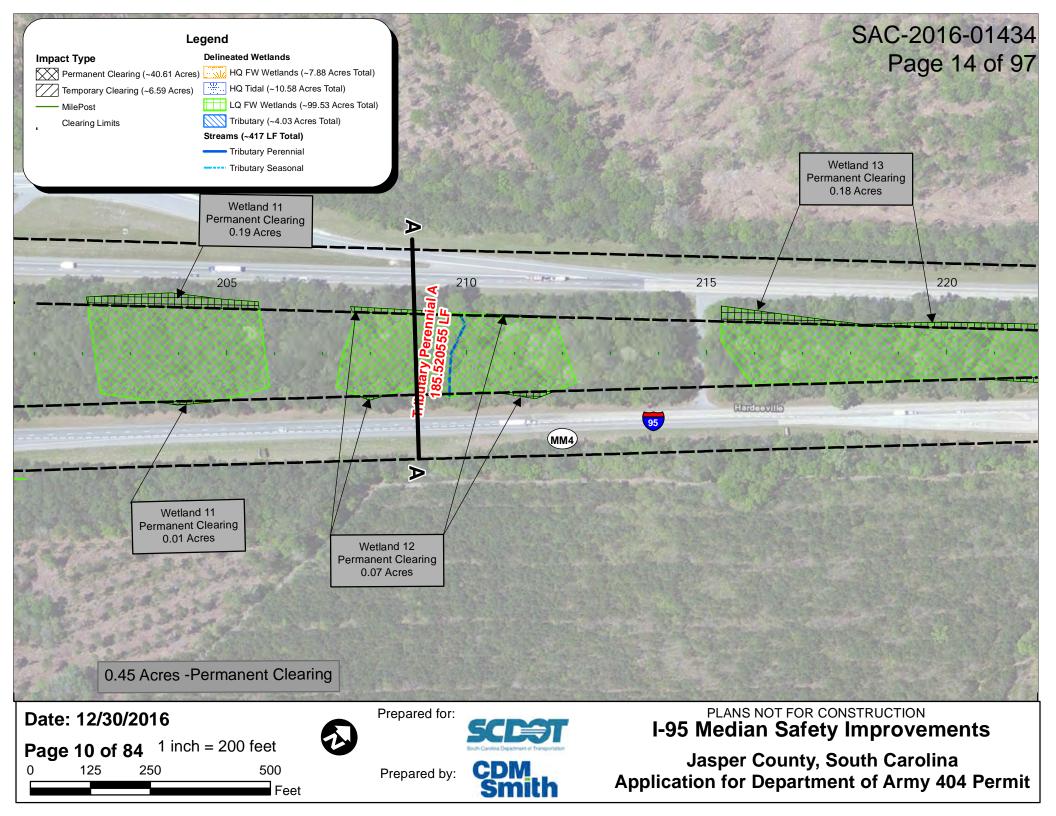
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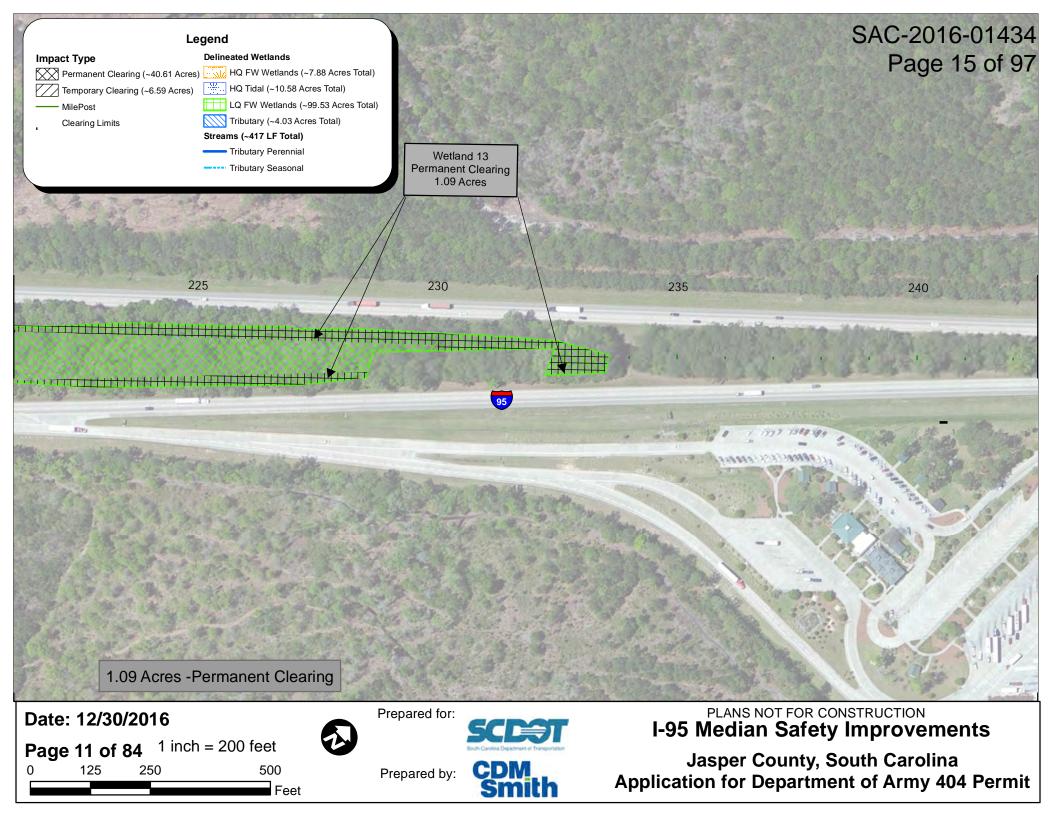
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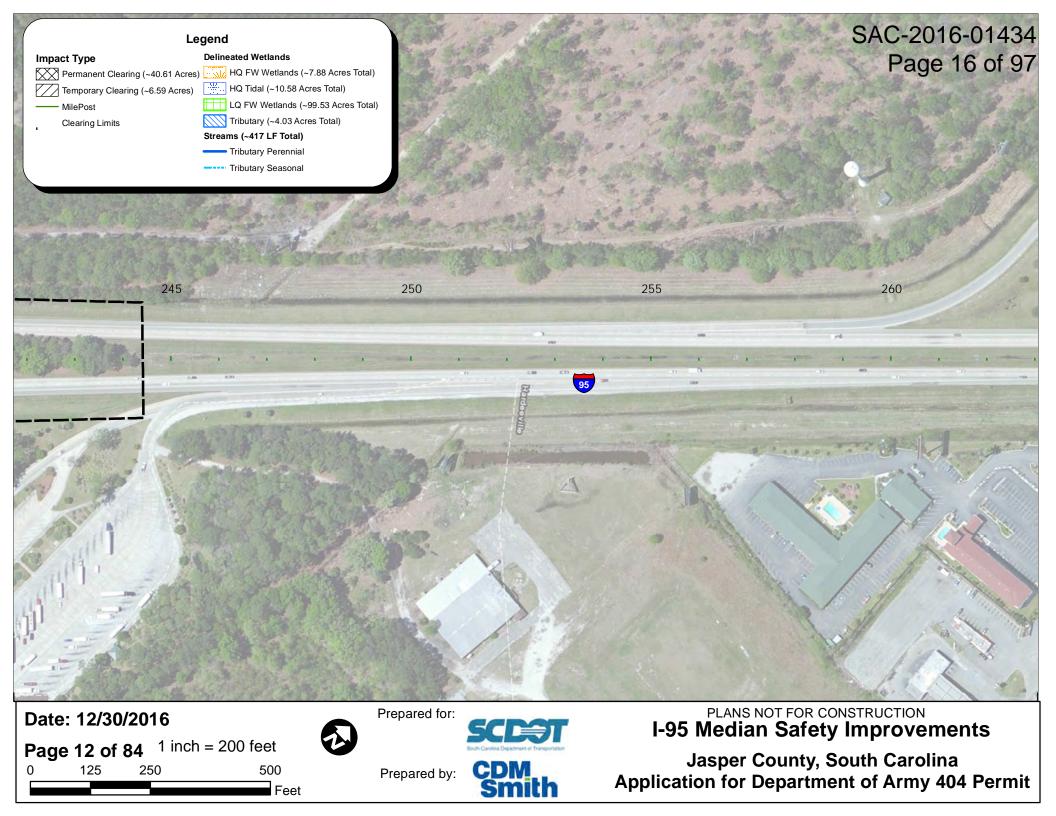


I-95 Median Safety Improvements











Date: 12/30/2016 1 inch = 200 feet Page 13 of 84 250 500 125 0 Feet

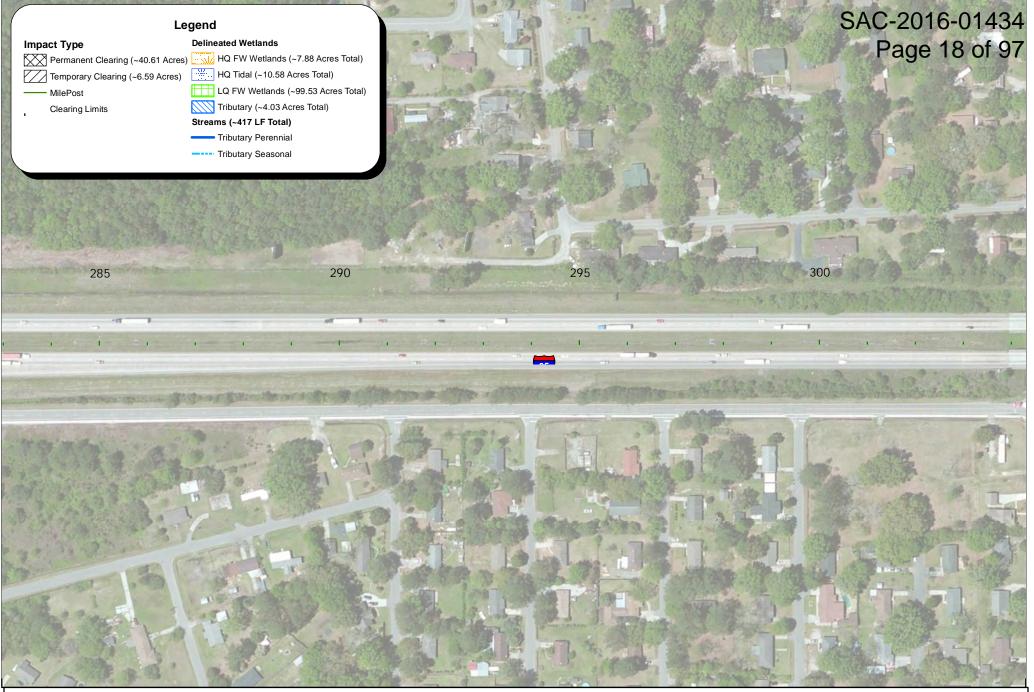


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PLANS NOT FOR CONSTRUCTION I-95 Median Safety Improvements



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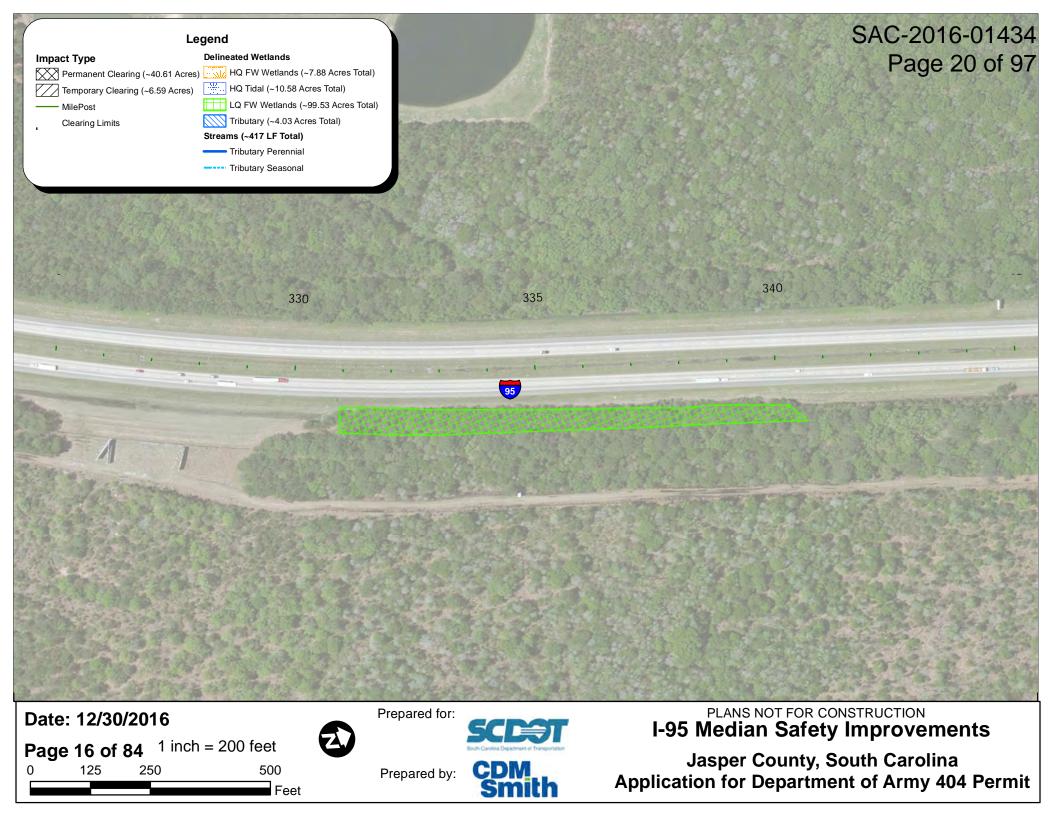
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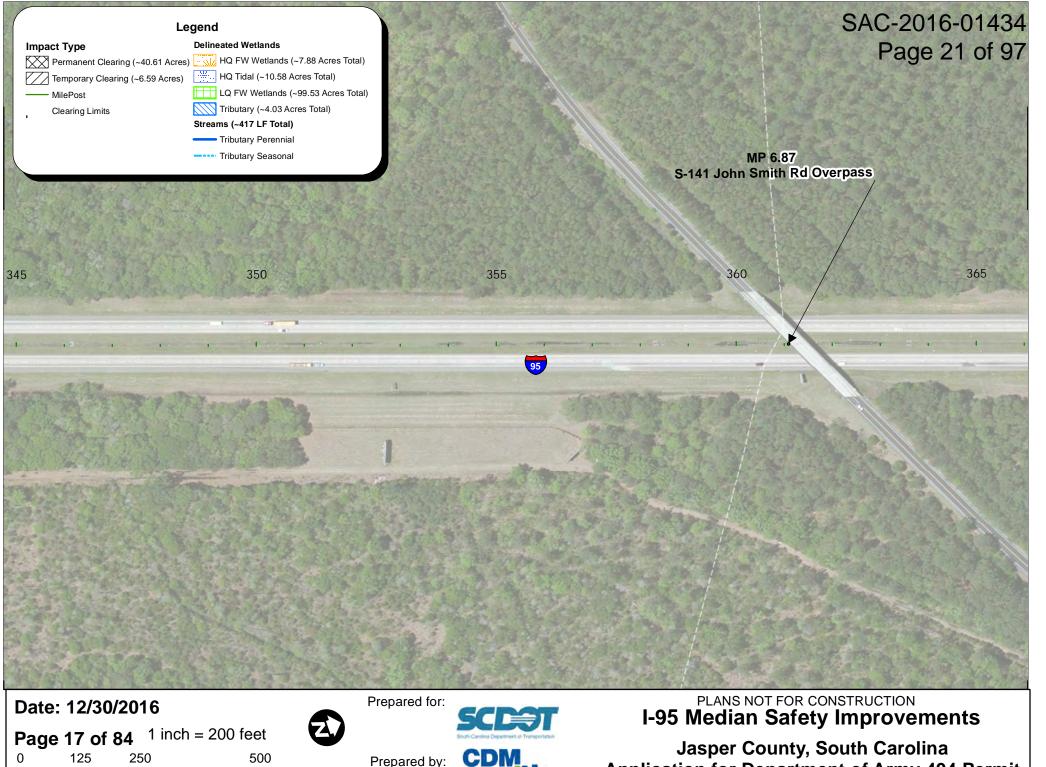


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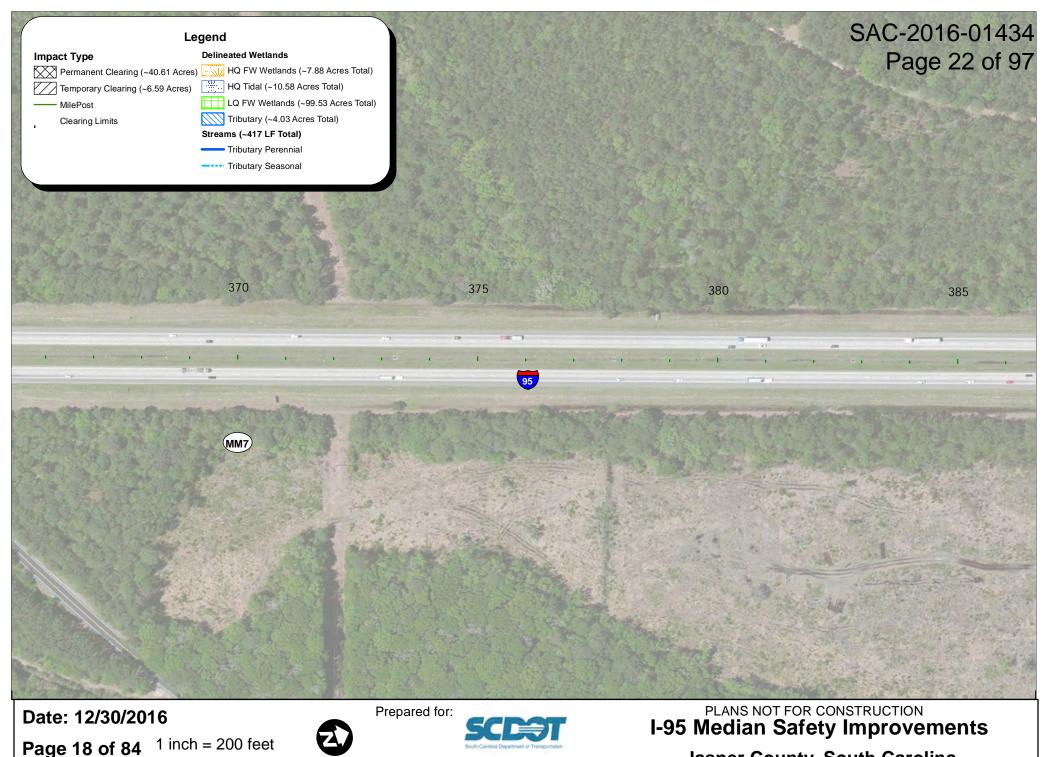
I-95 Median Safety Improvements





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Application for Department of Army 404 Permit



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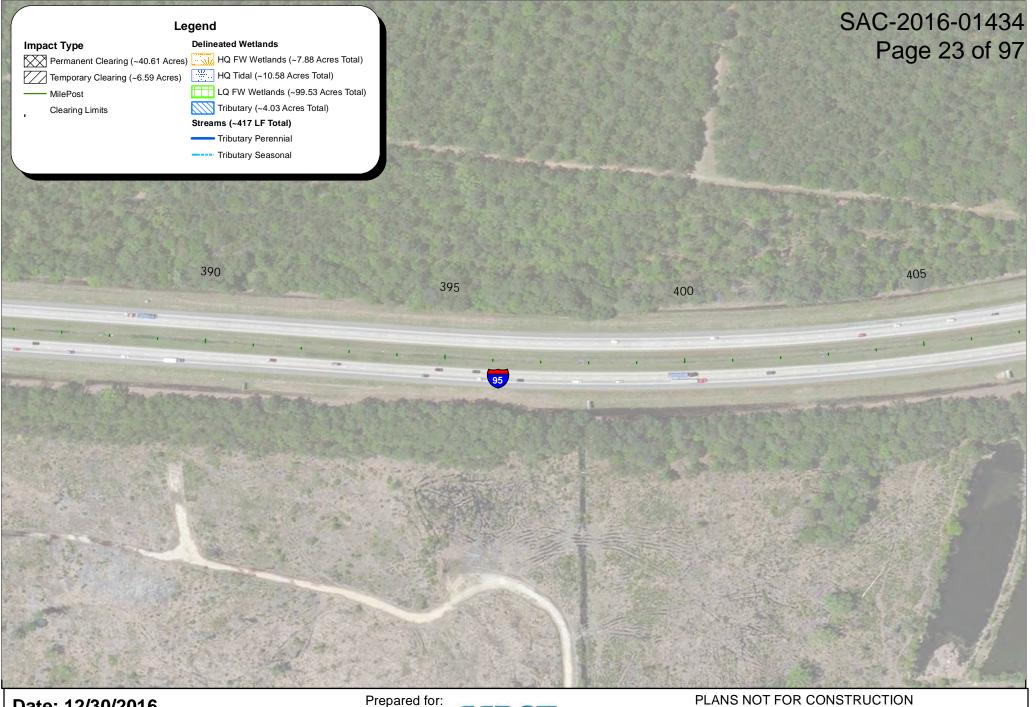
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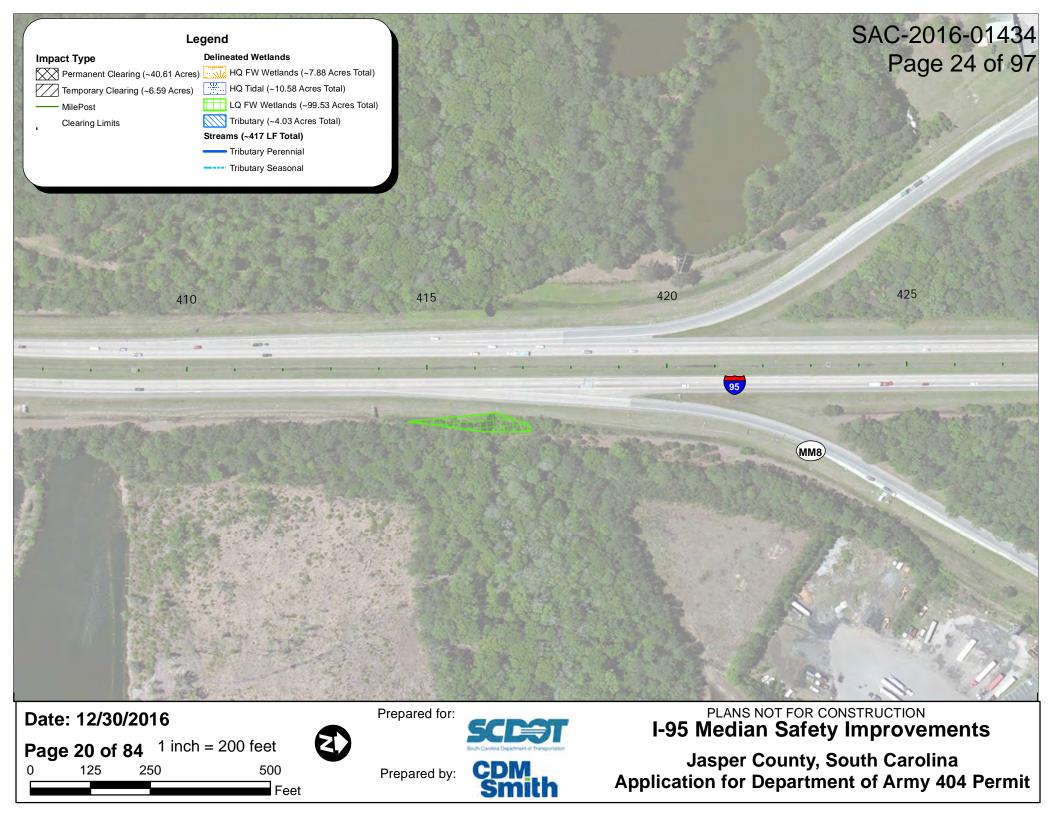
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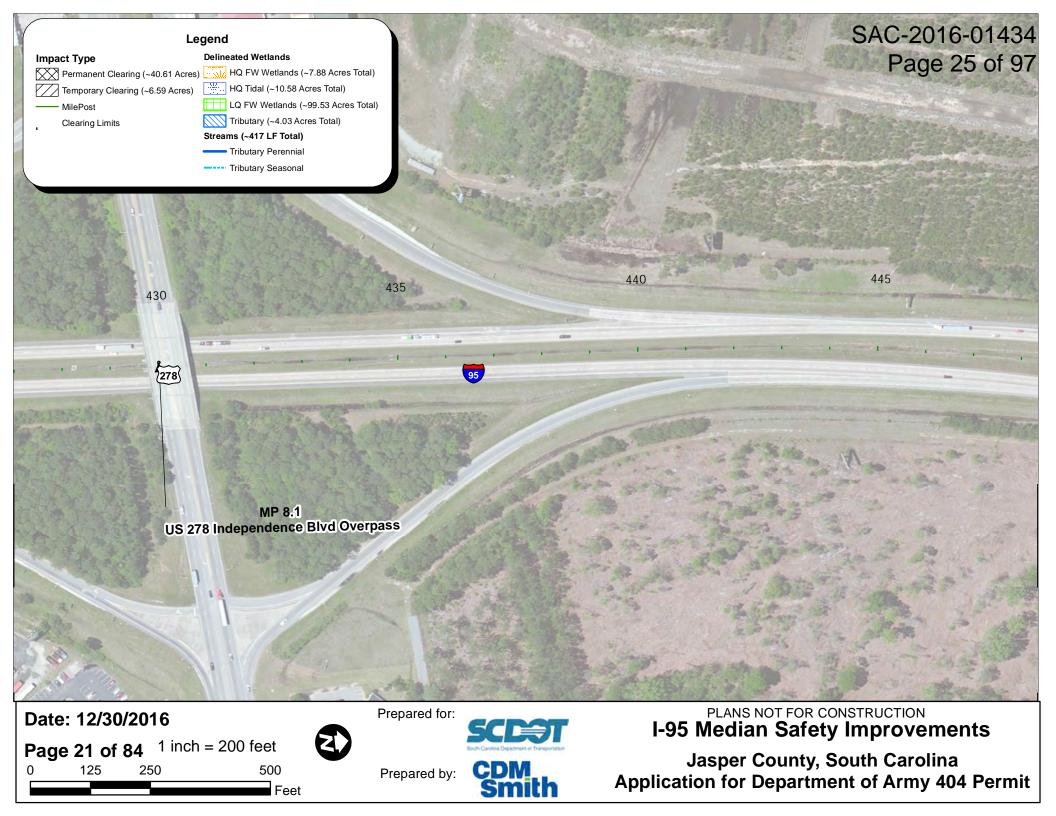


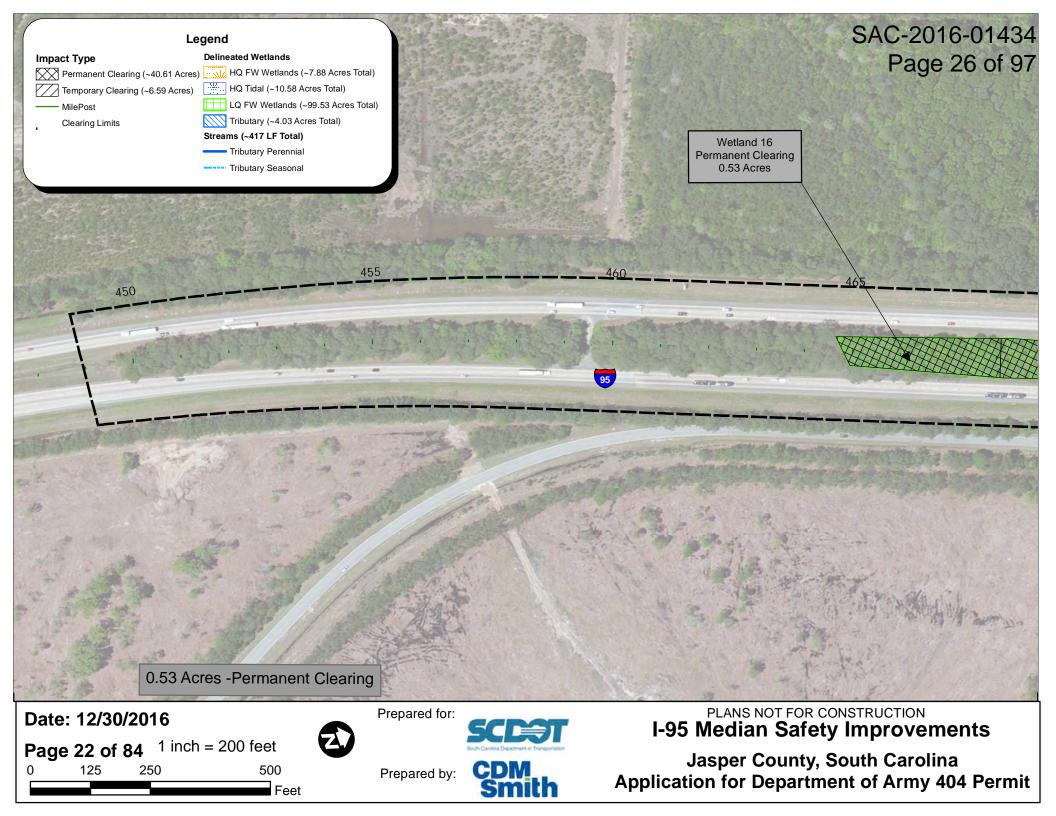
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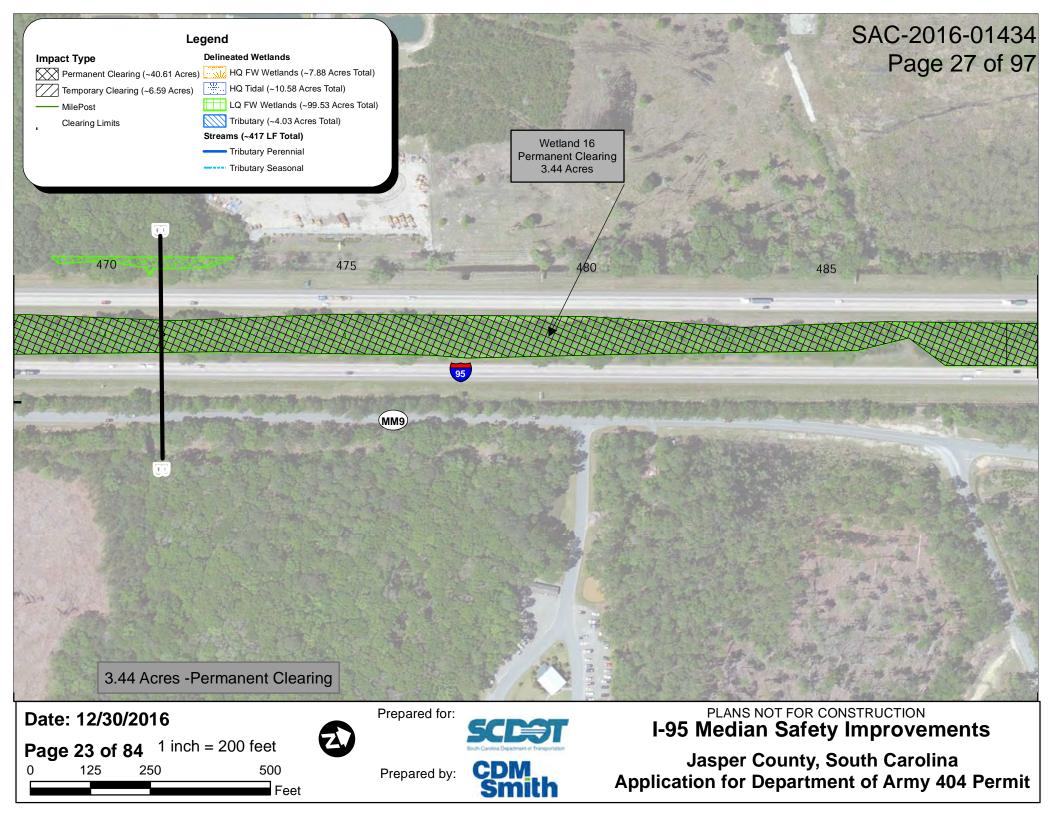


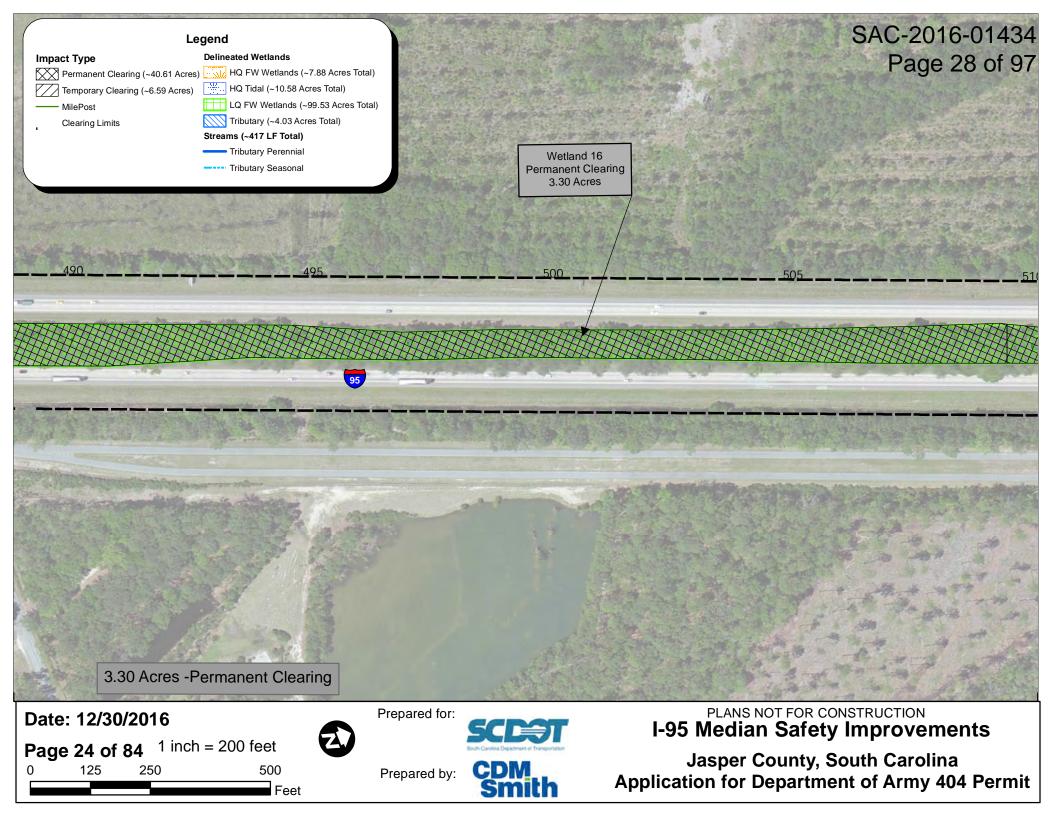
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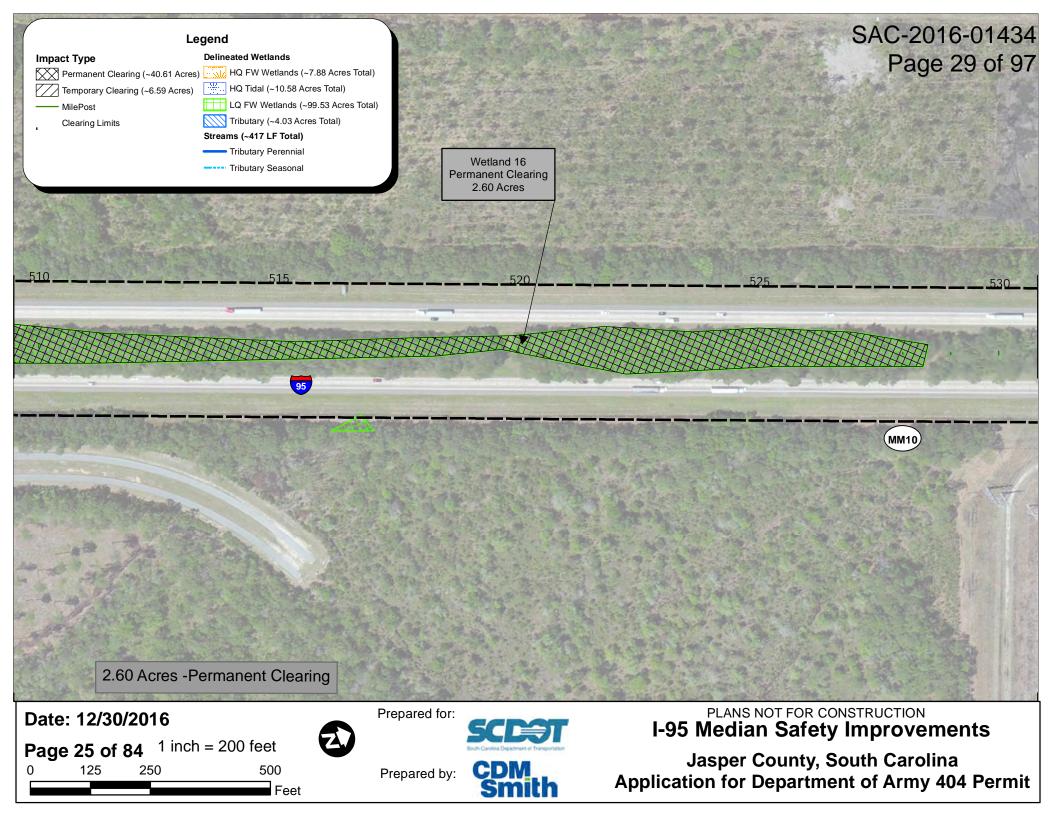


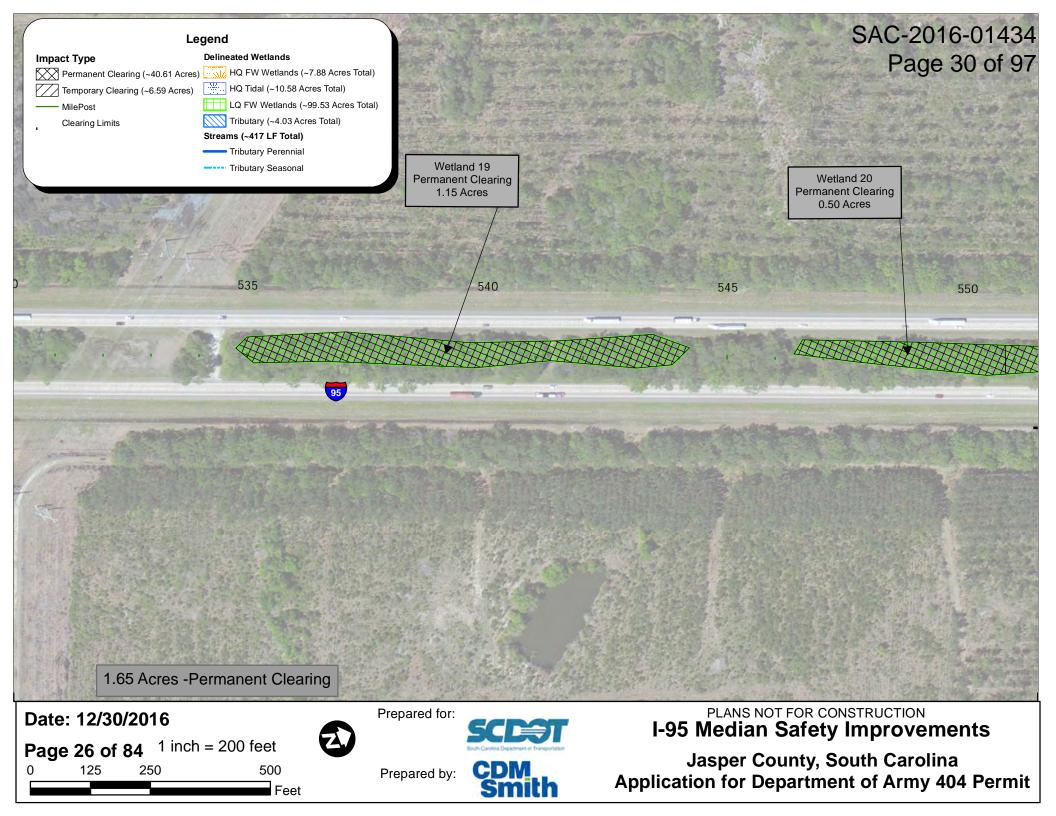


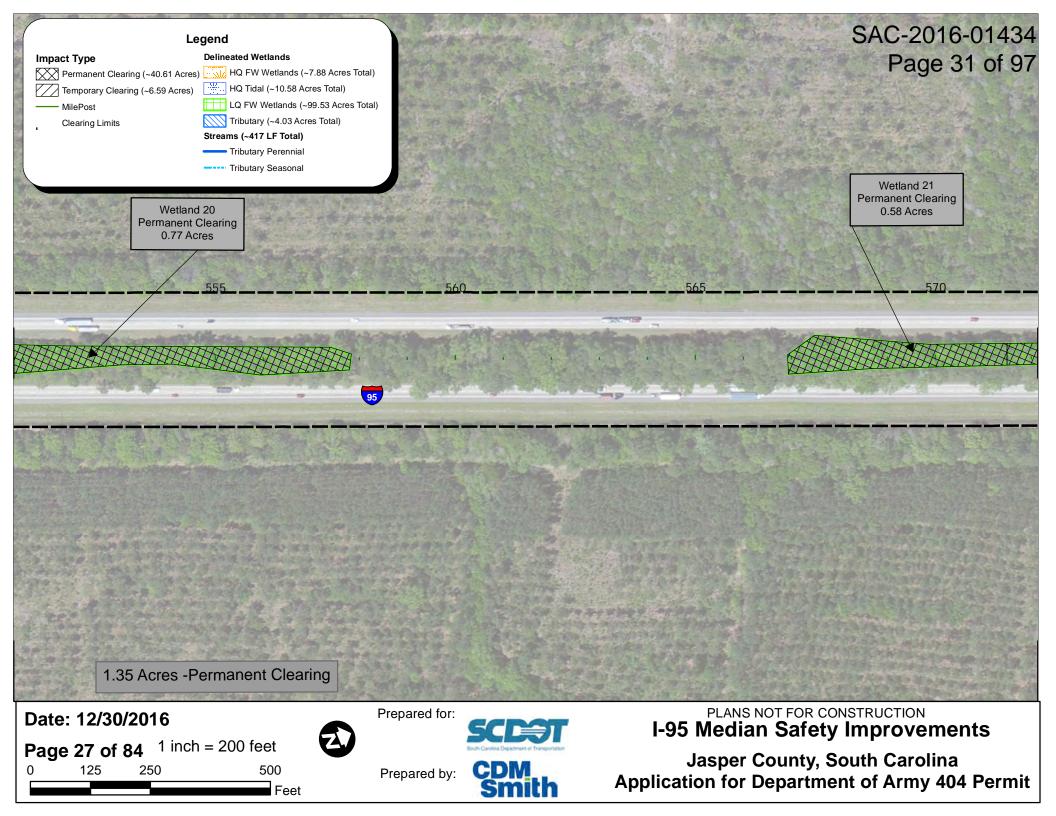


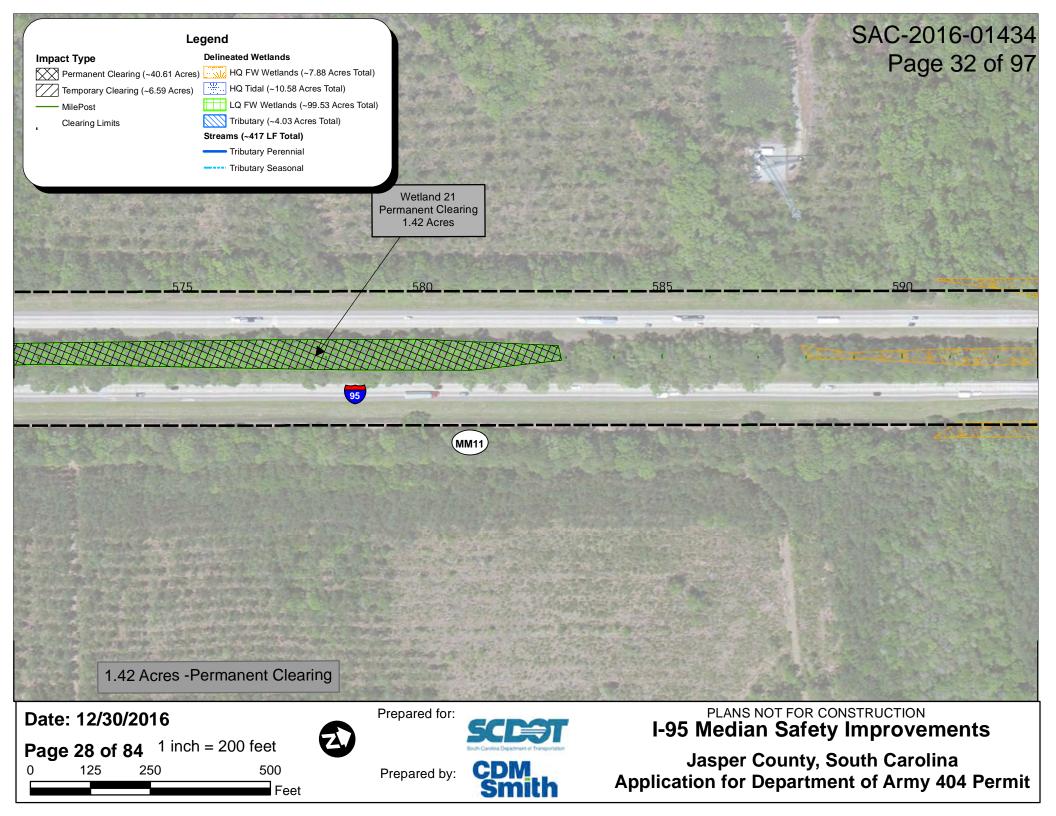


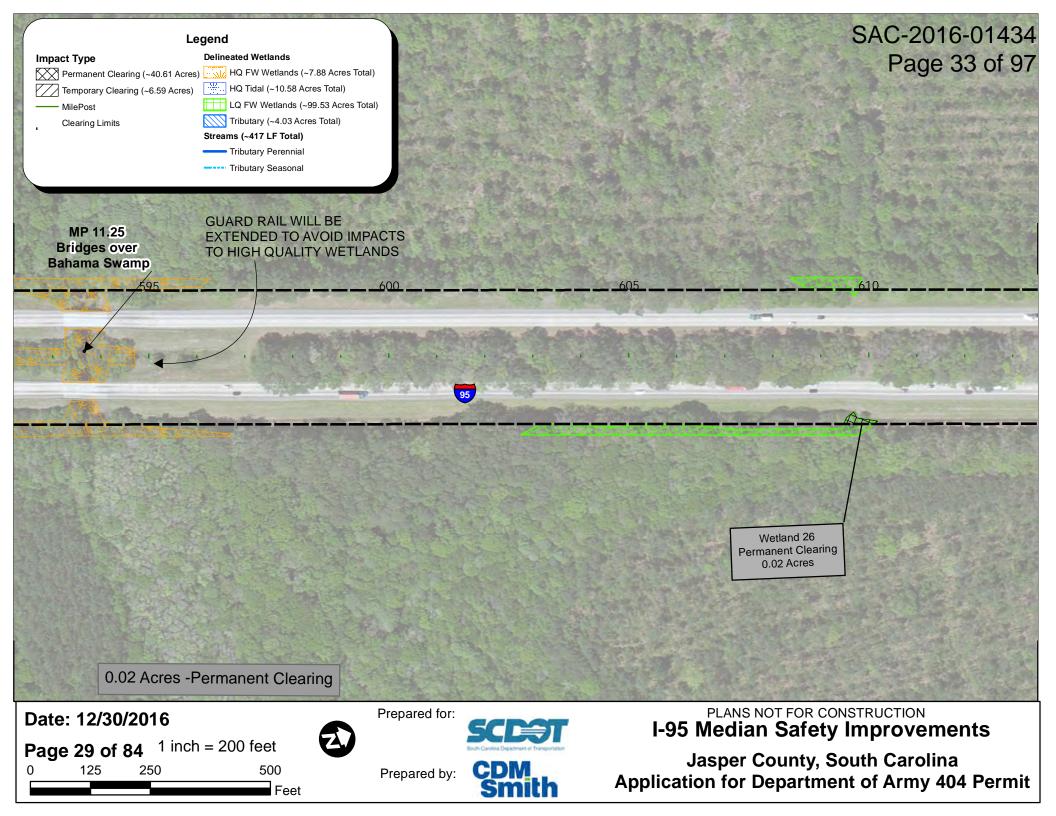


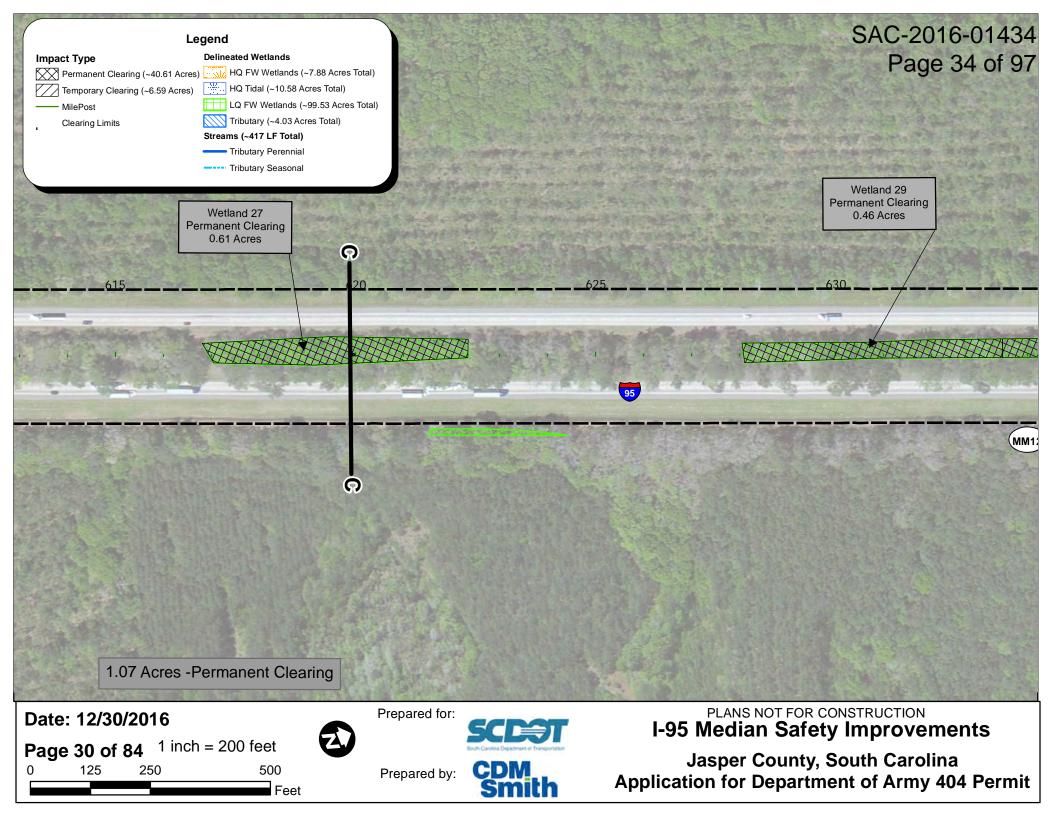


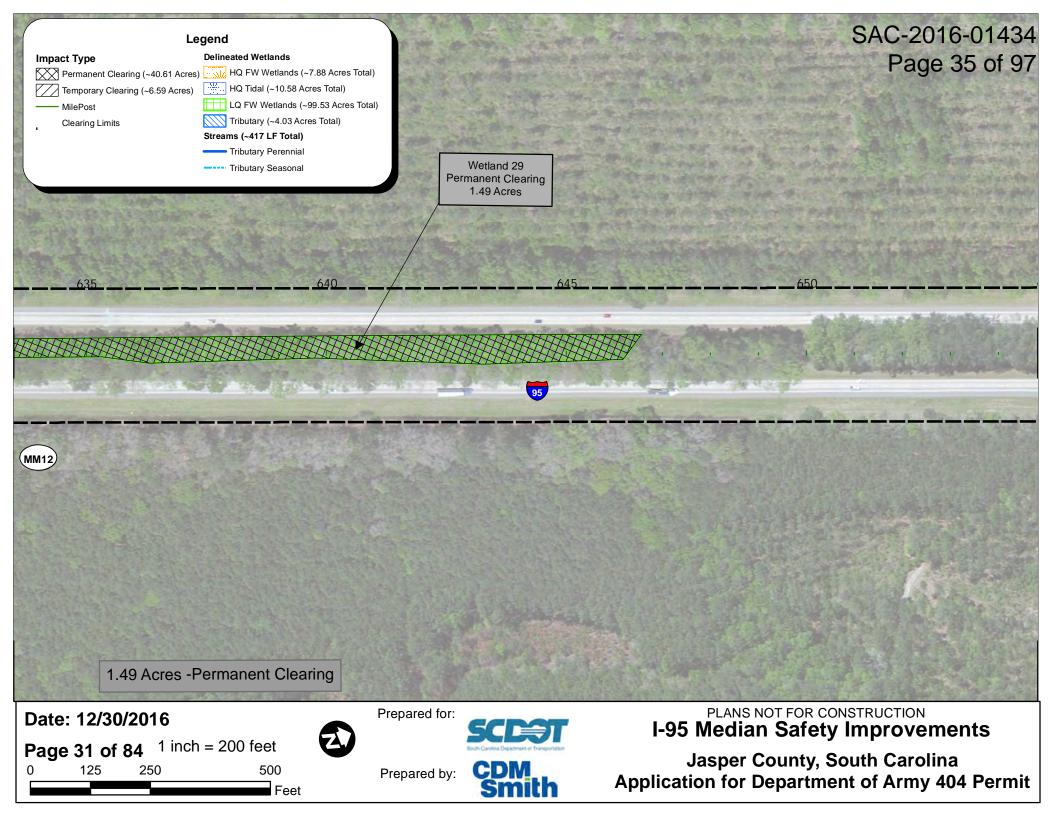


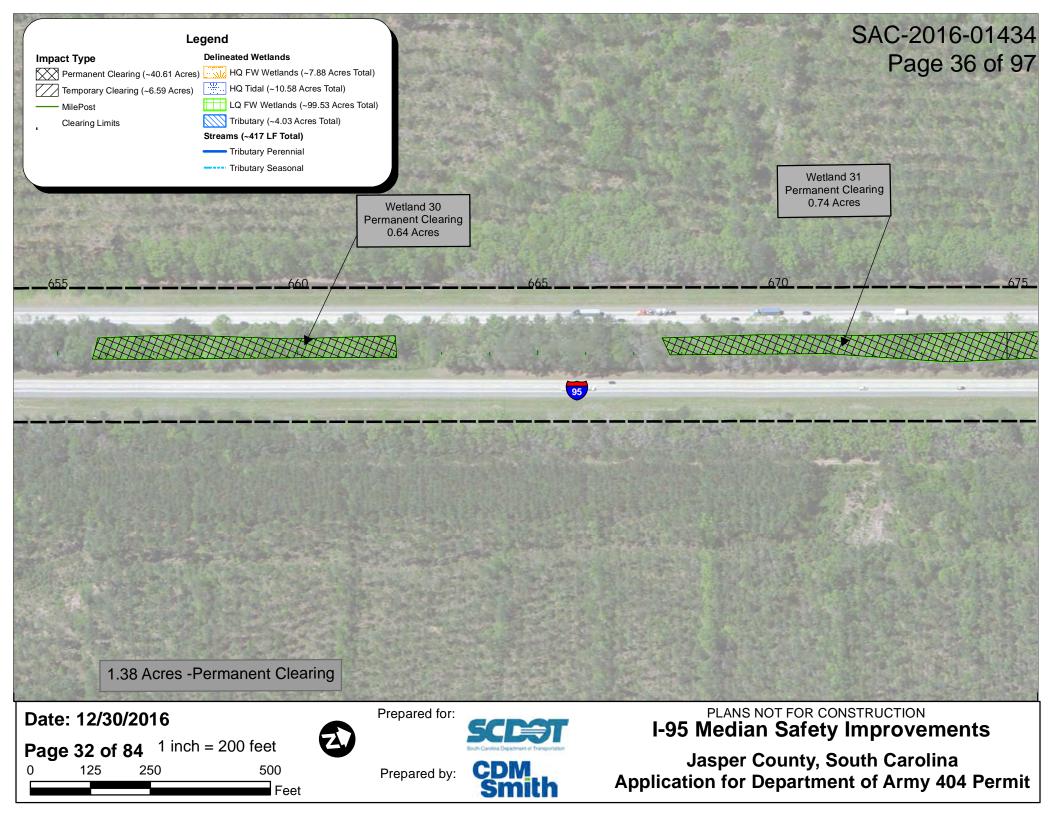


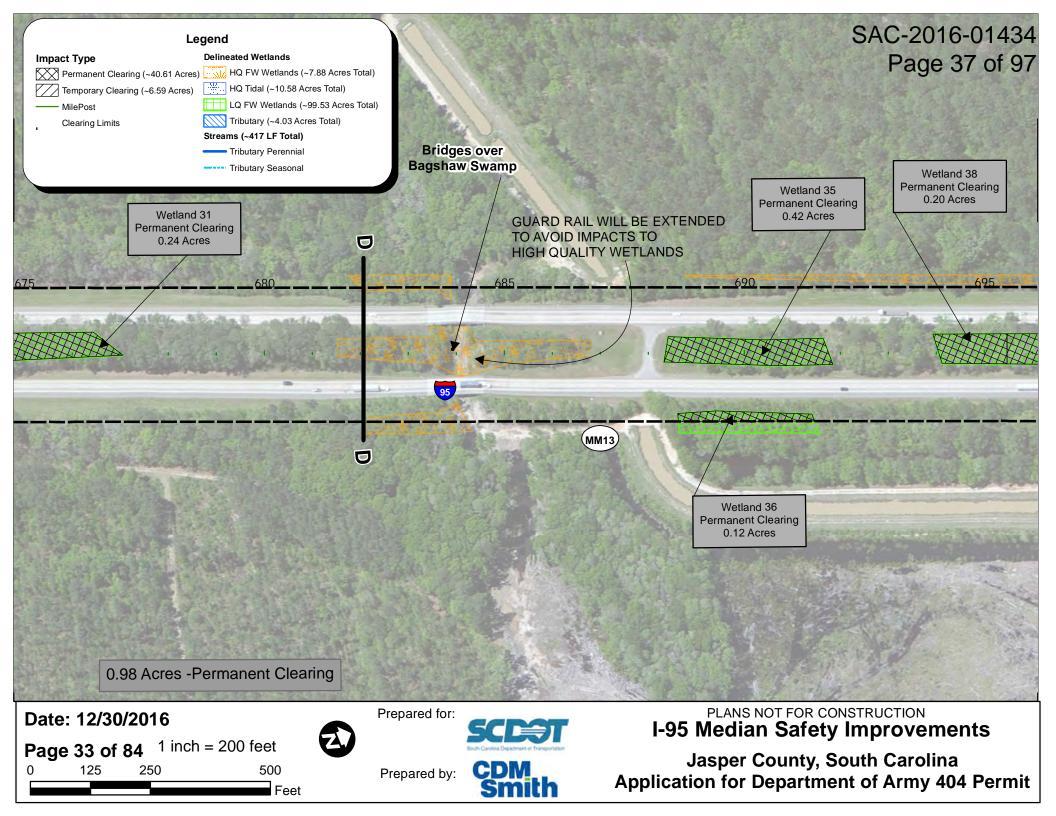


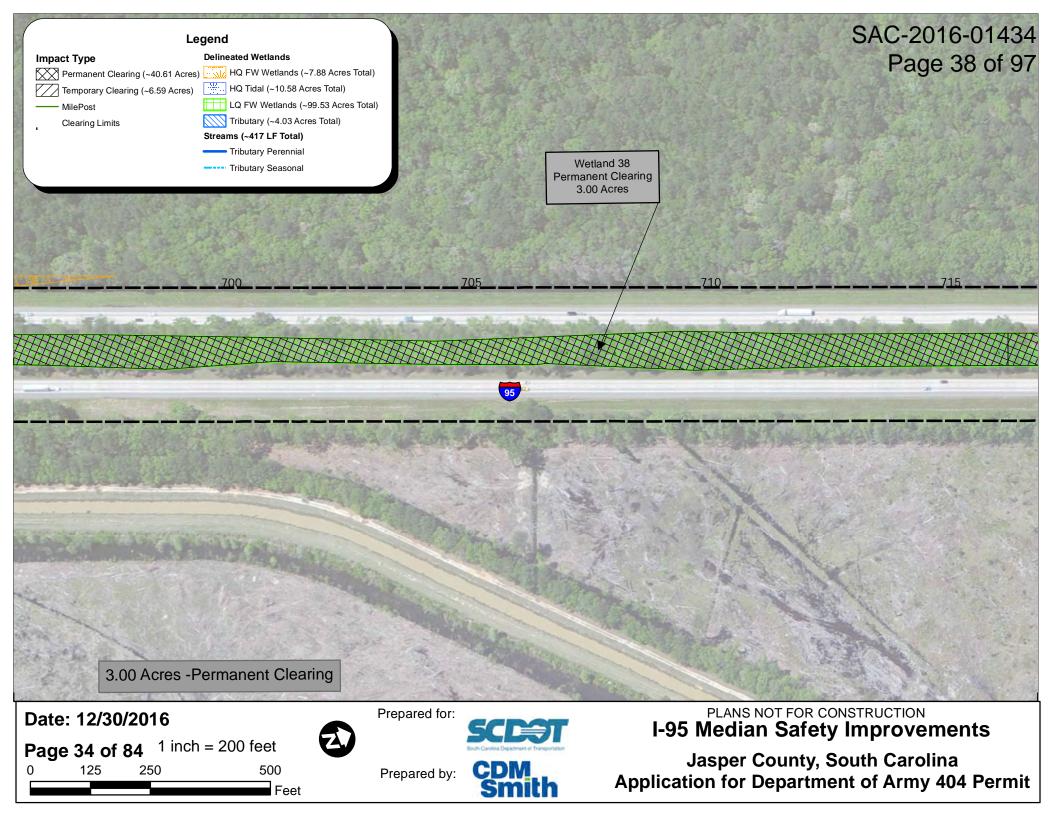


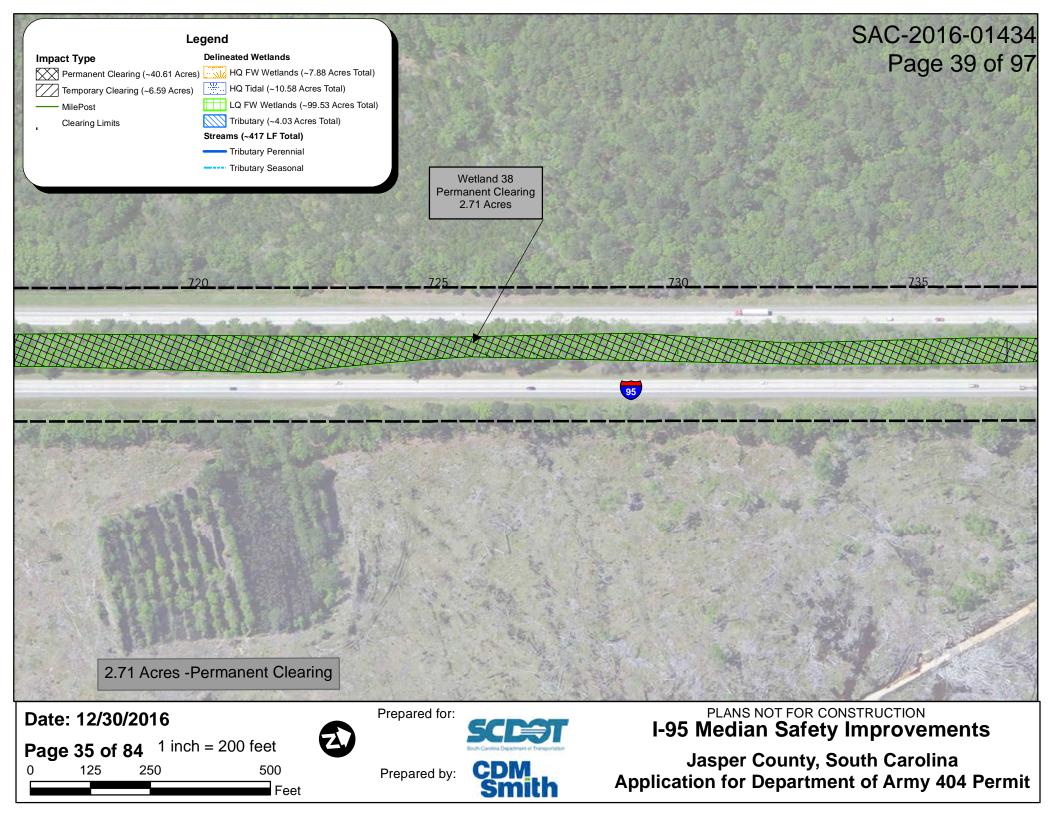


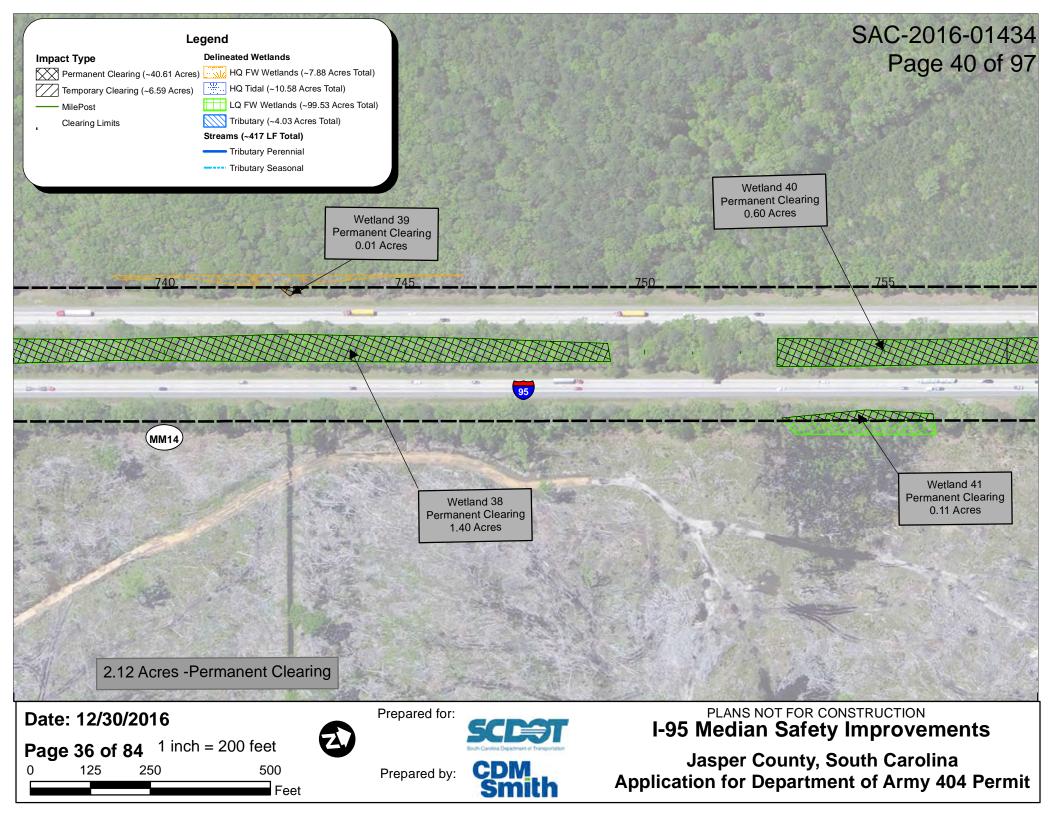


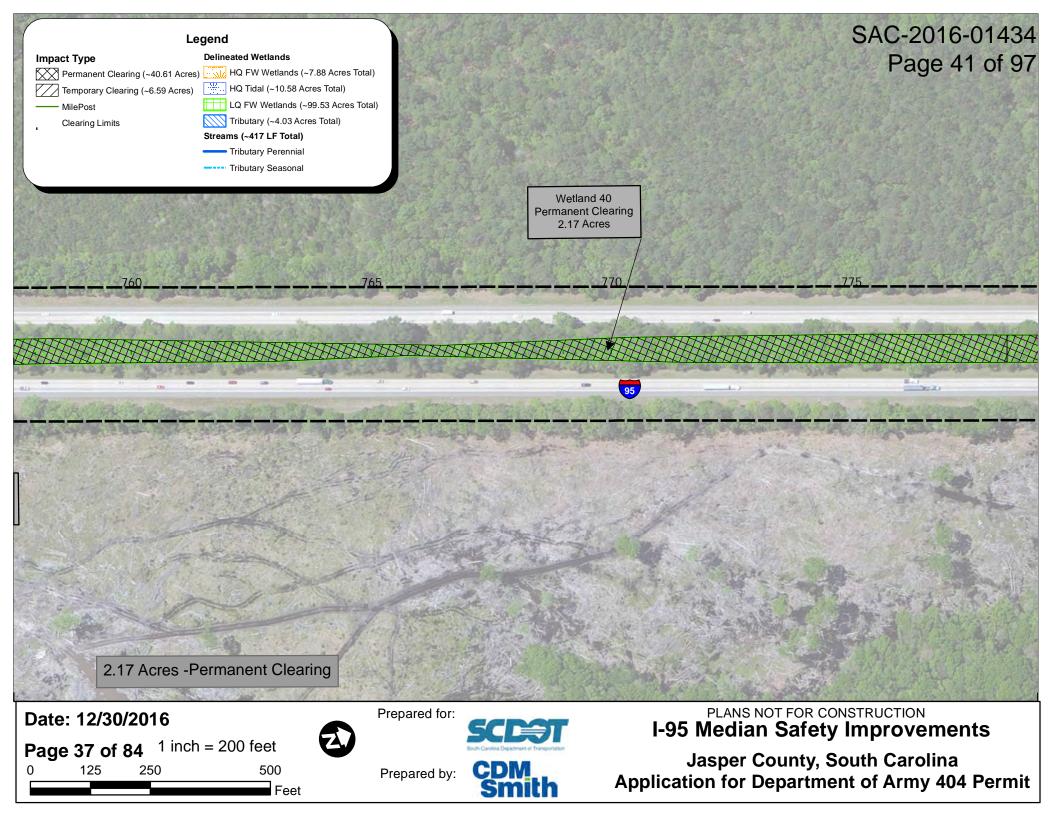


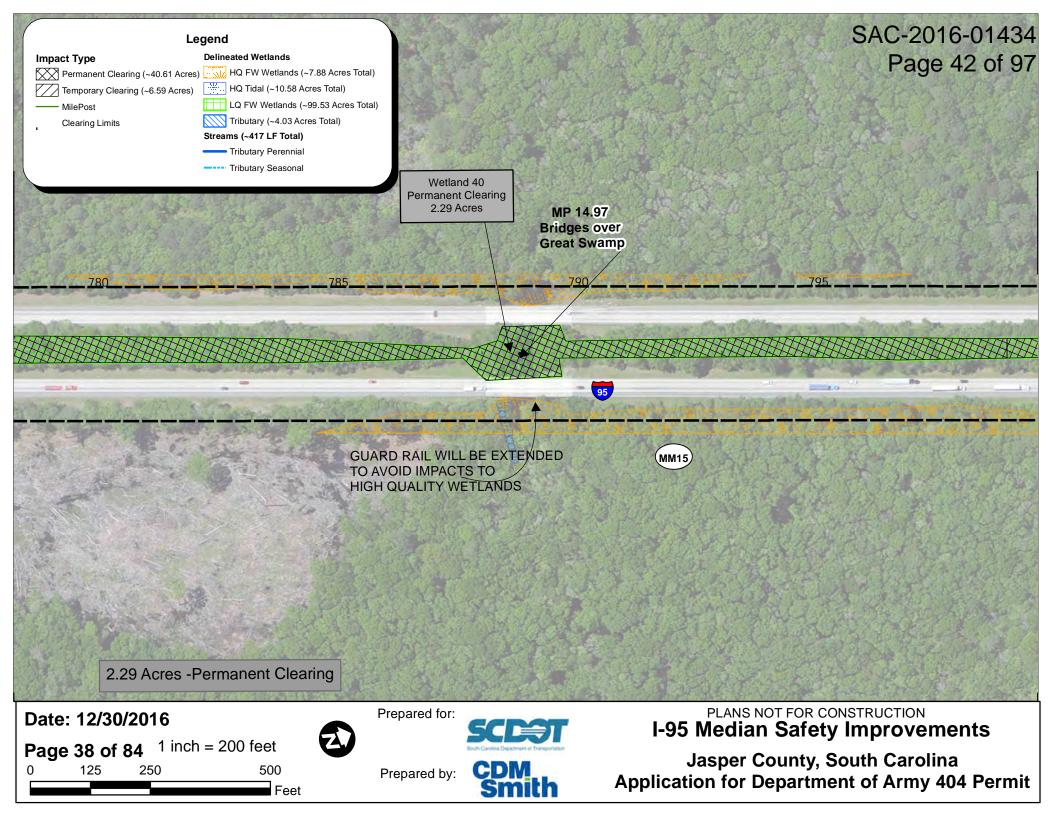


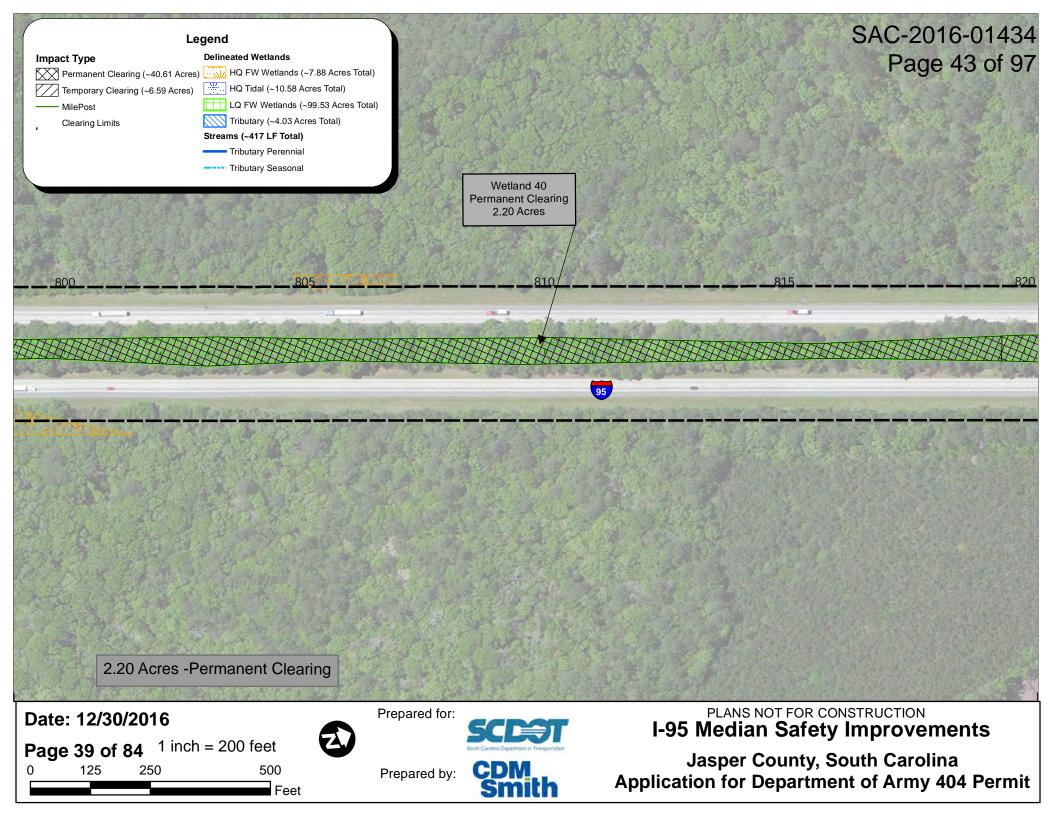


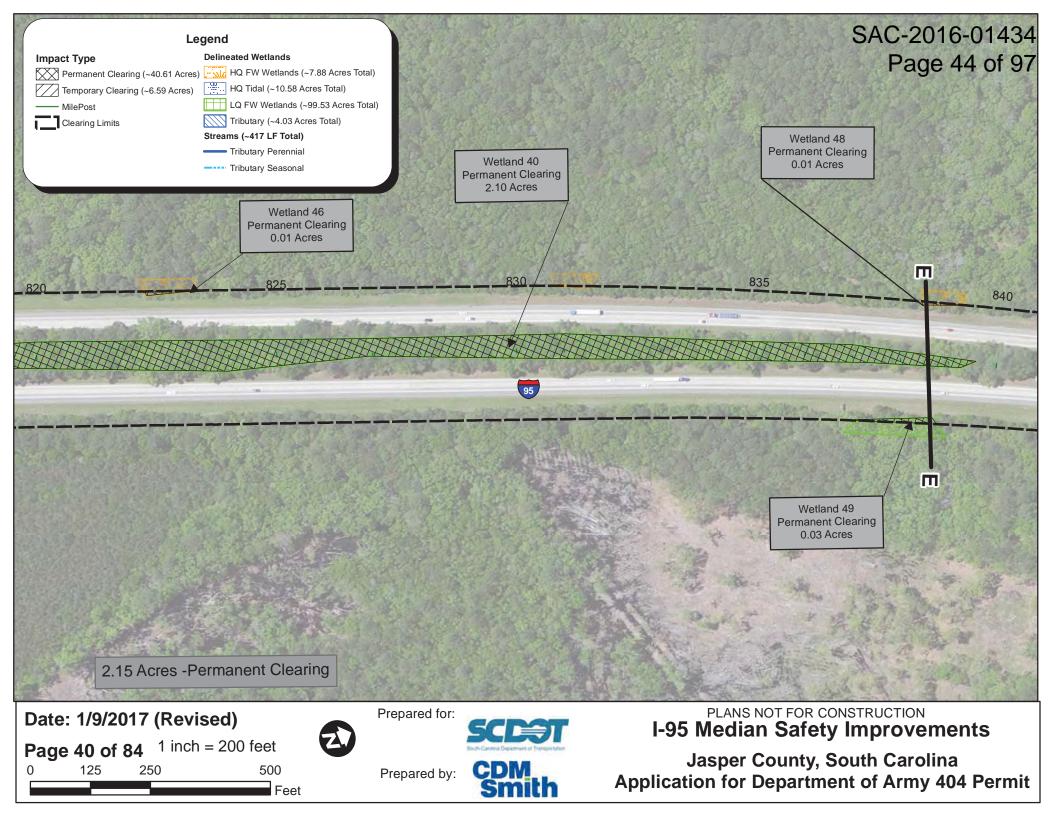


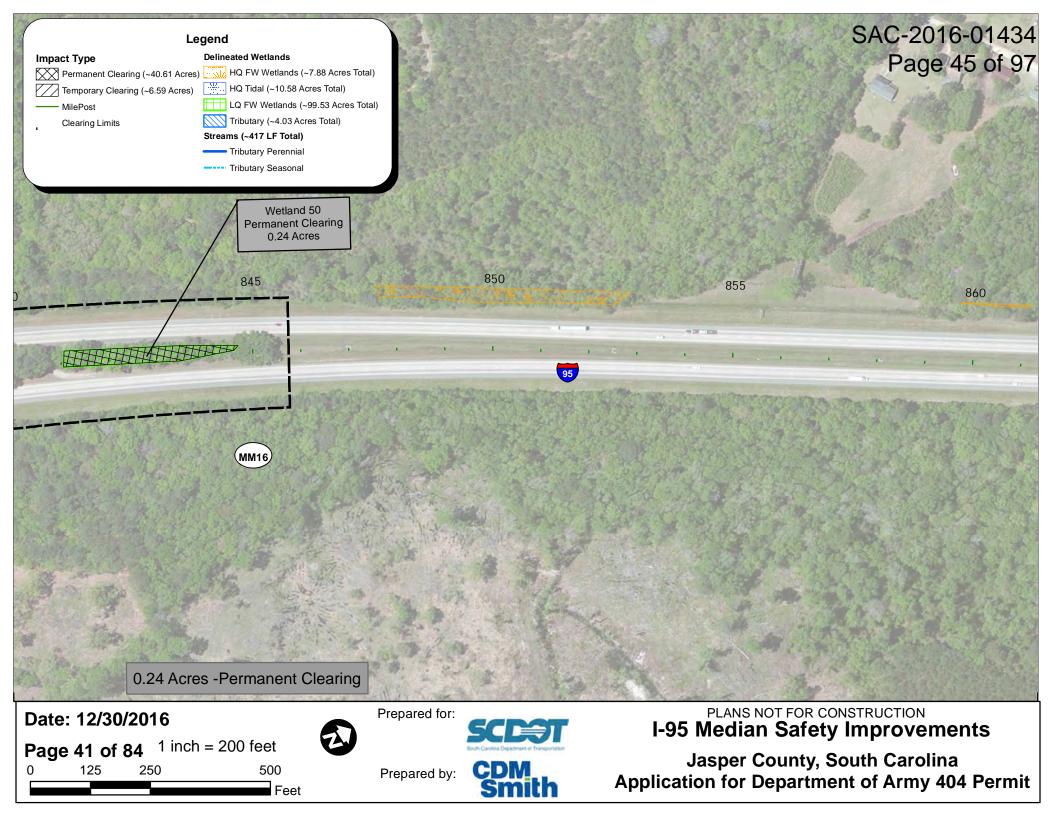


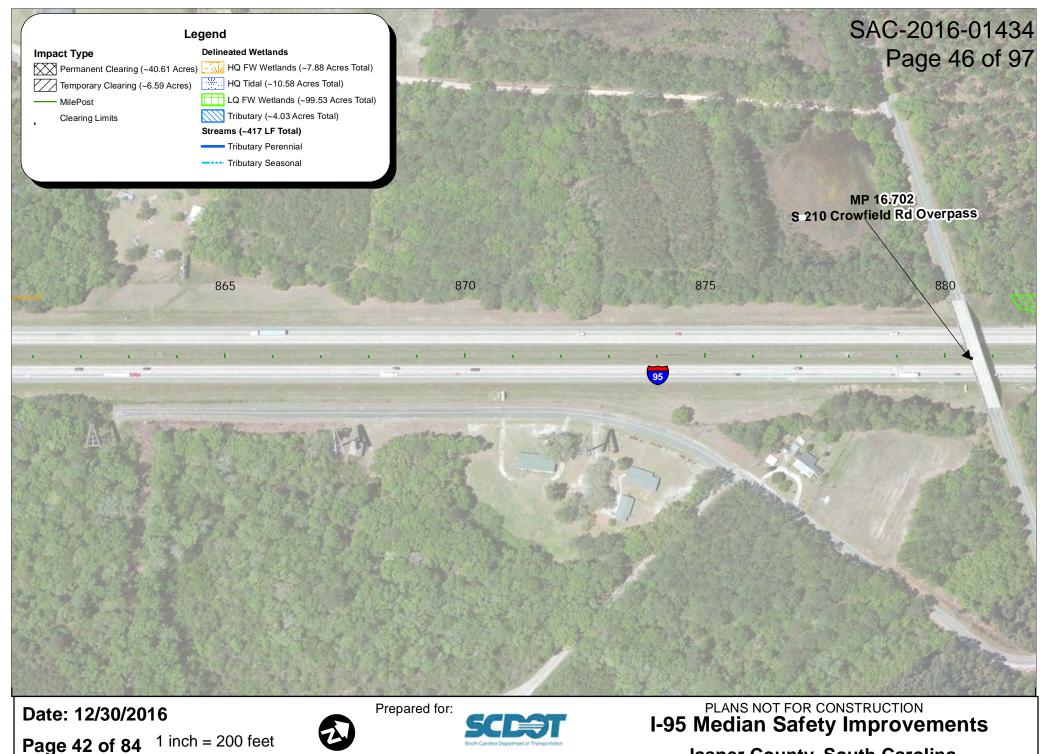












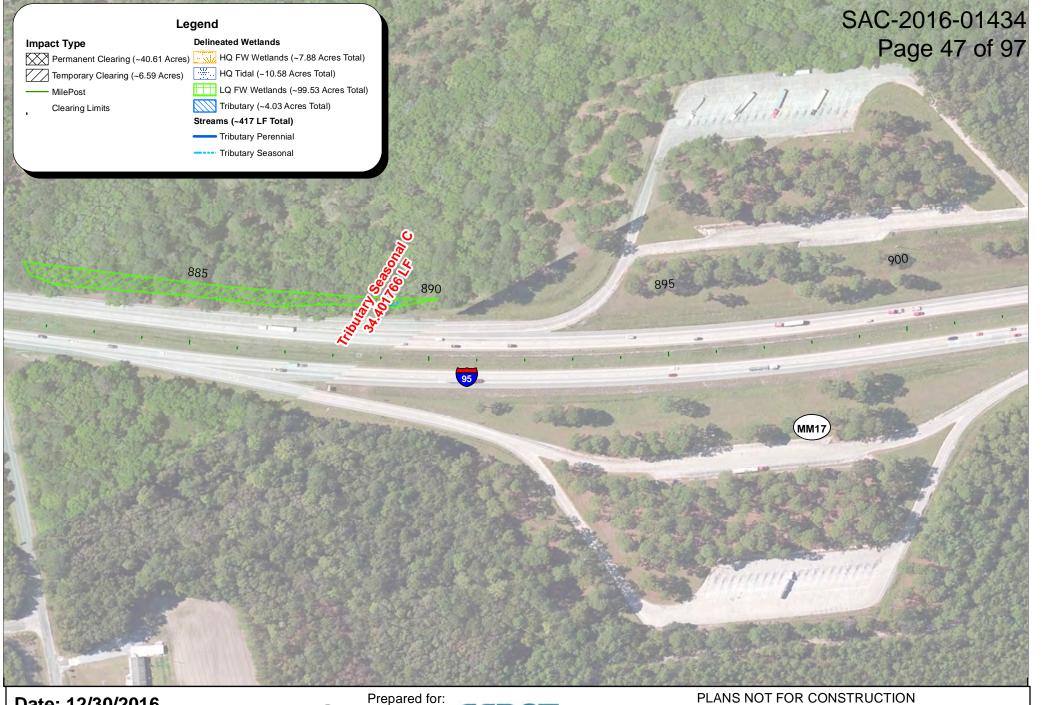
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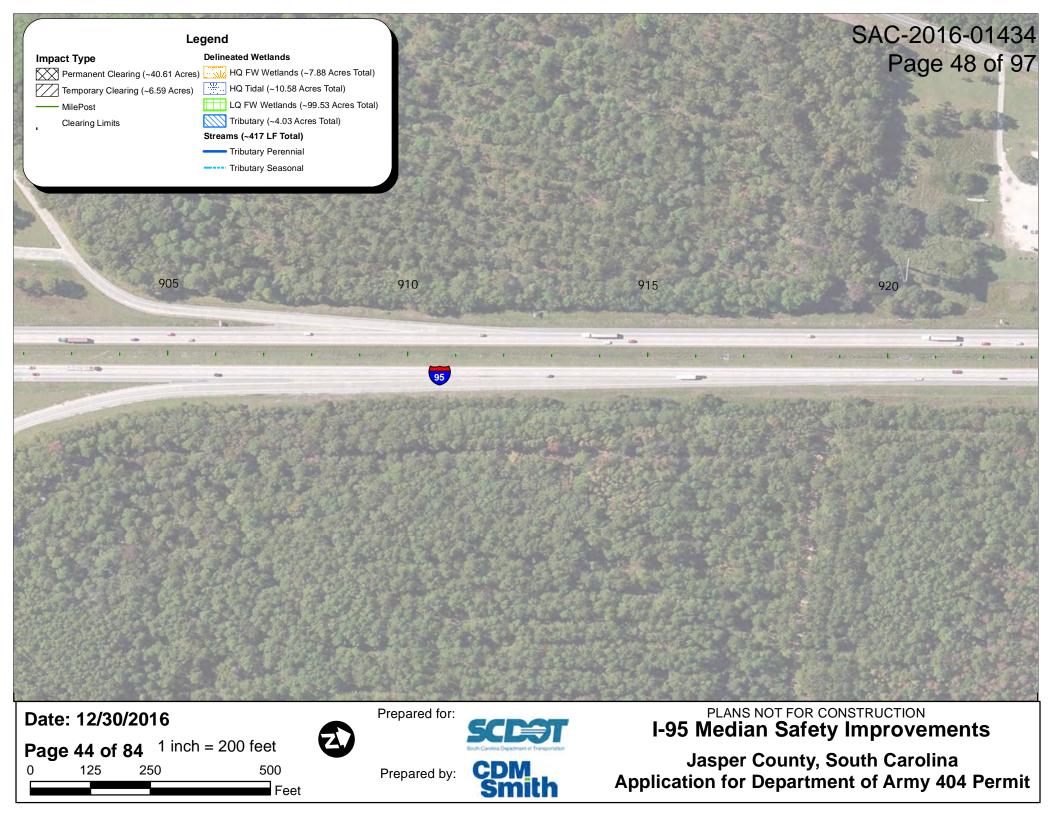
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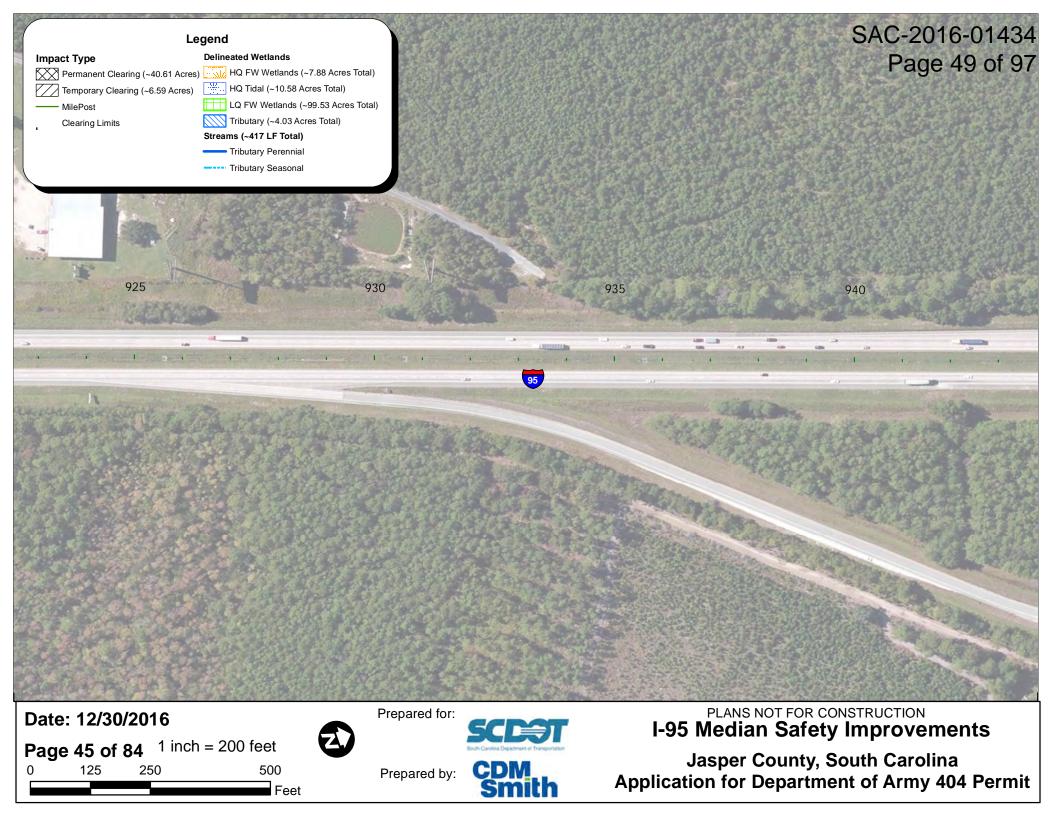


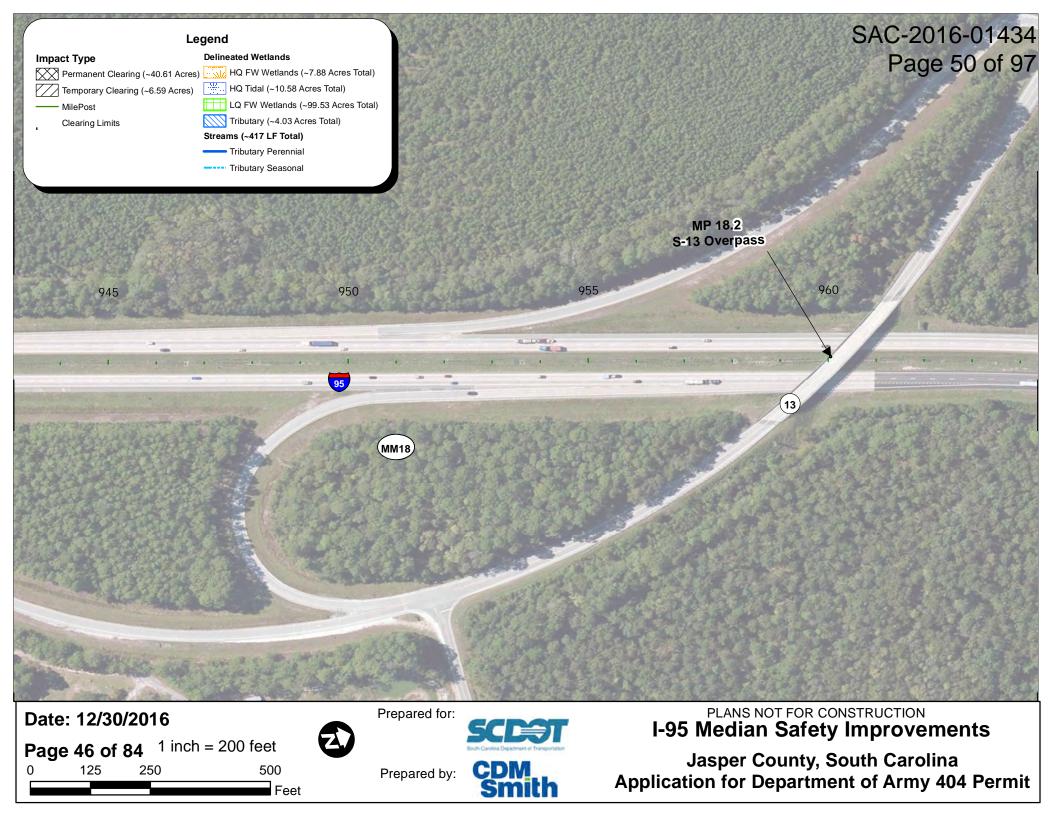
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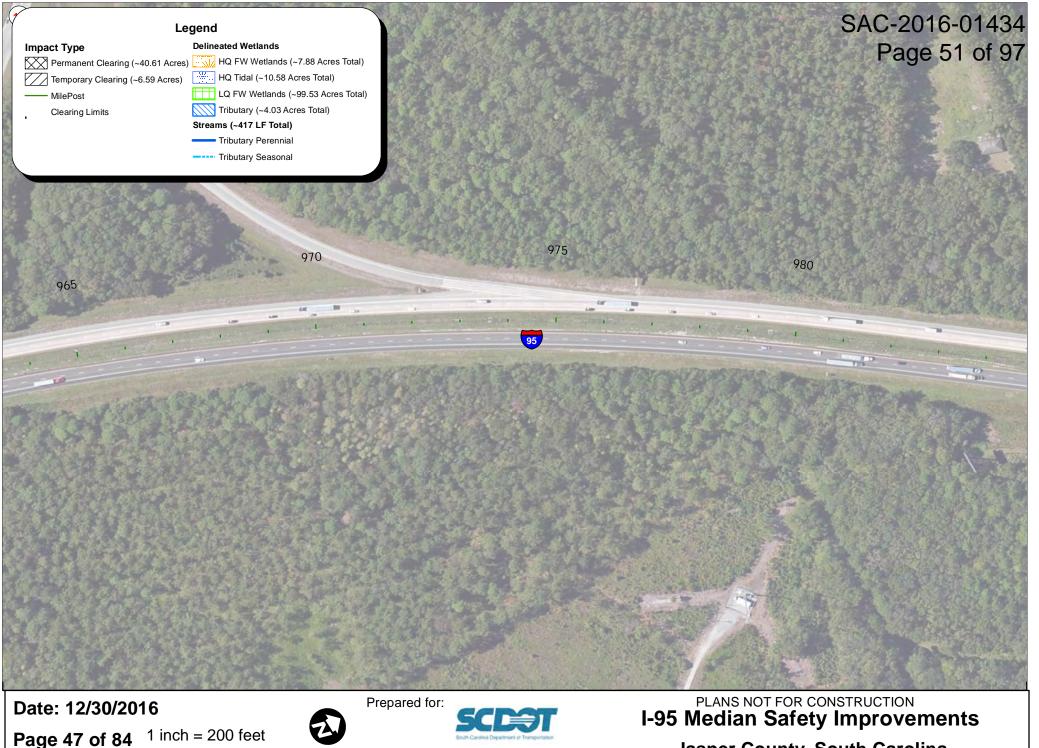


PLANS NOT FOR CONSTRUCTION I-95 Median Safety Improvements









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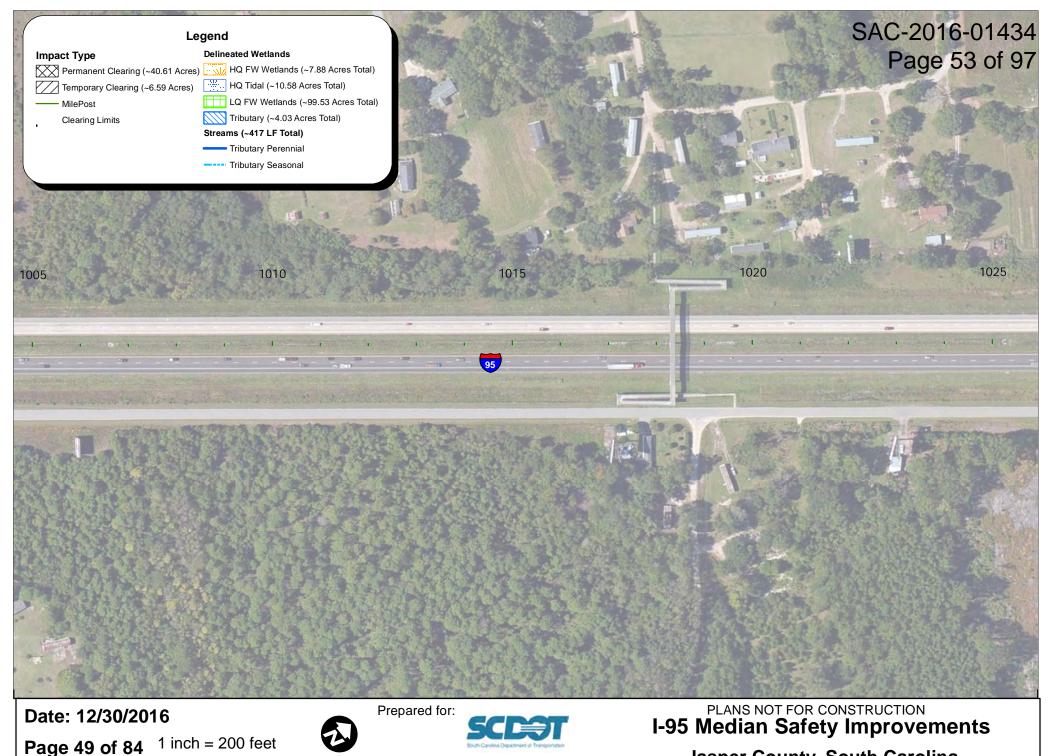
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PLANS NOT FOR CONSTRUCTION I-95 Median Safety Improvements



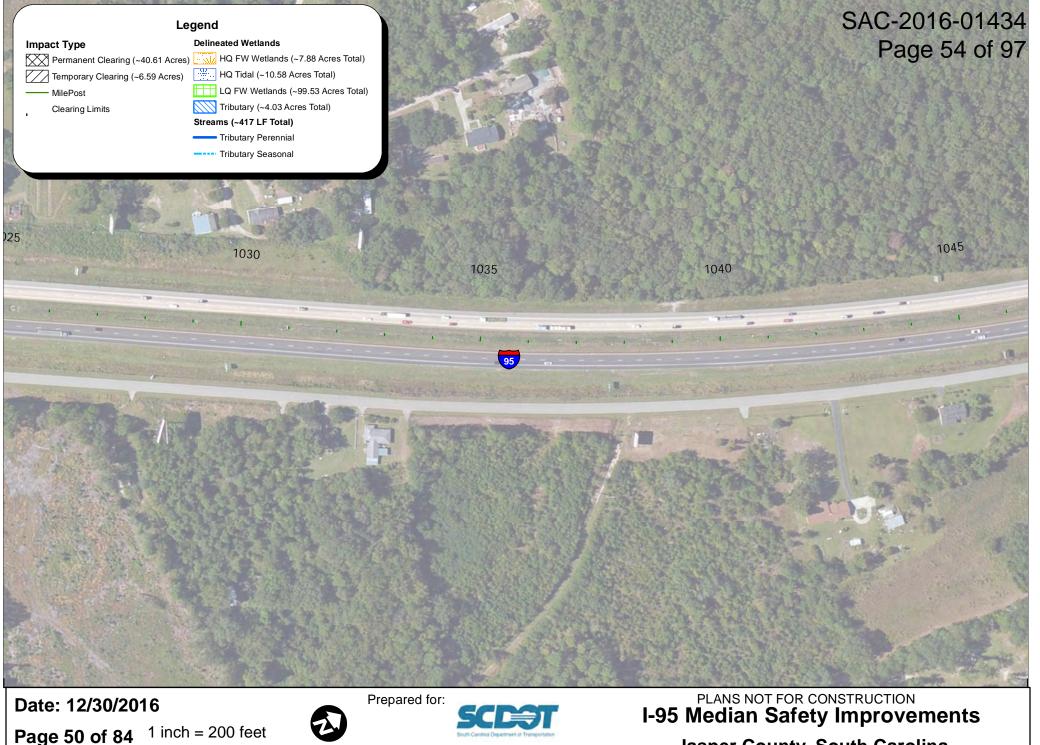
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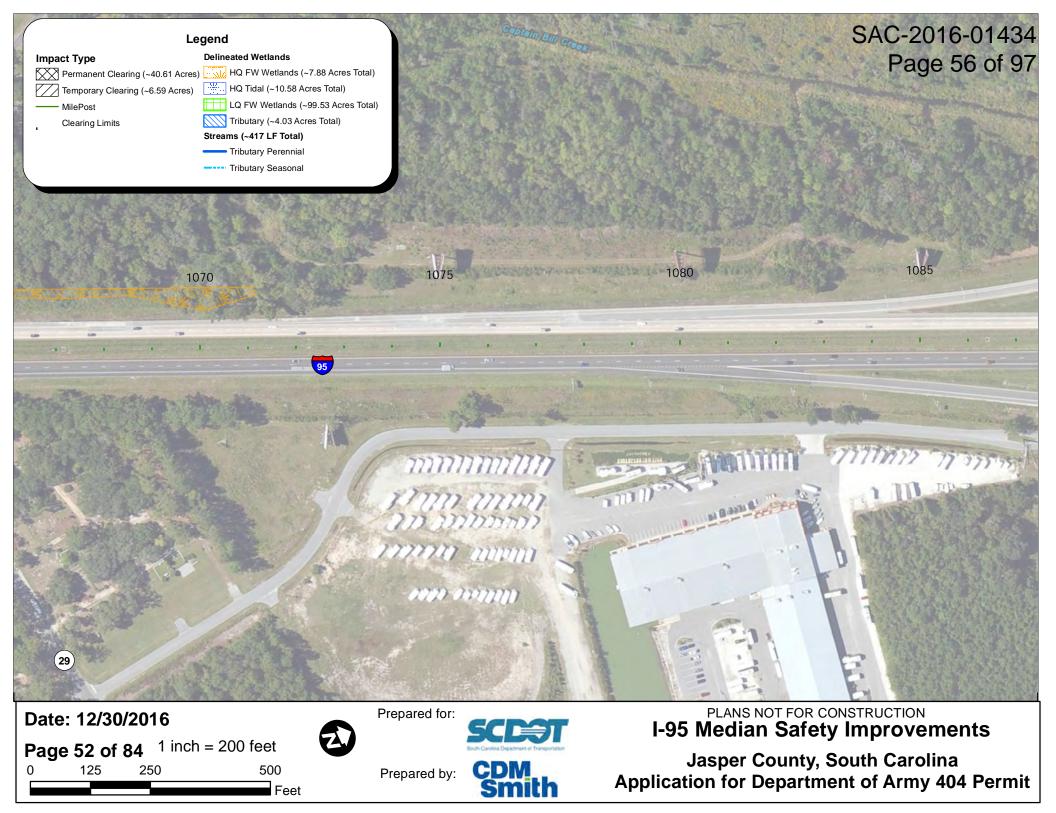
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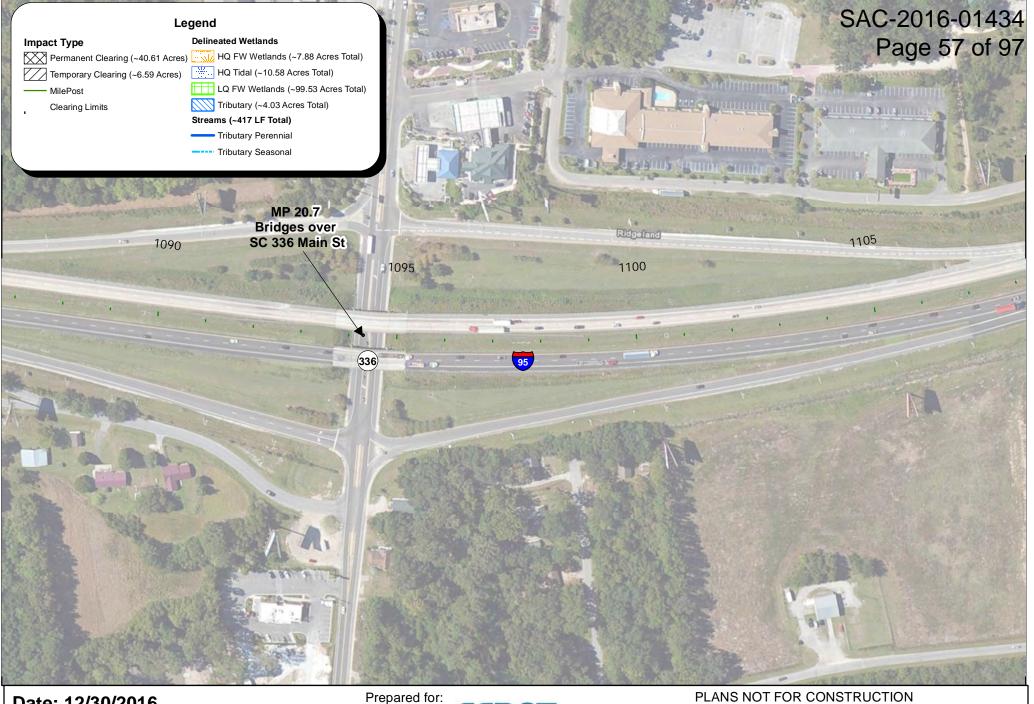


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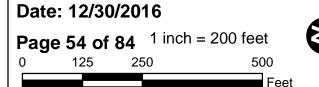
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PLANS NOT FOR CONSTRUCTION I-95 Median Safety Improvements







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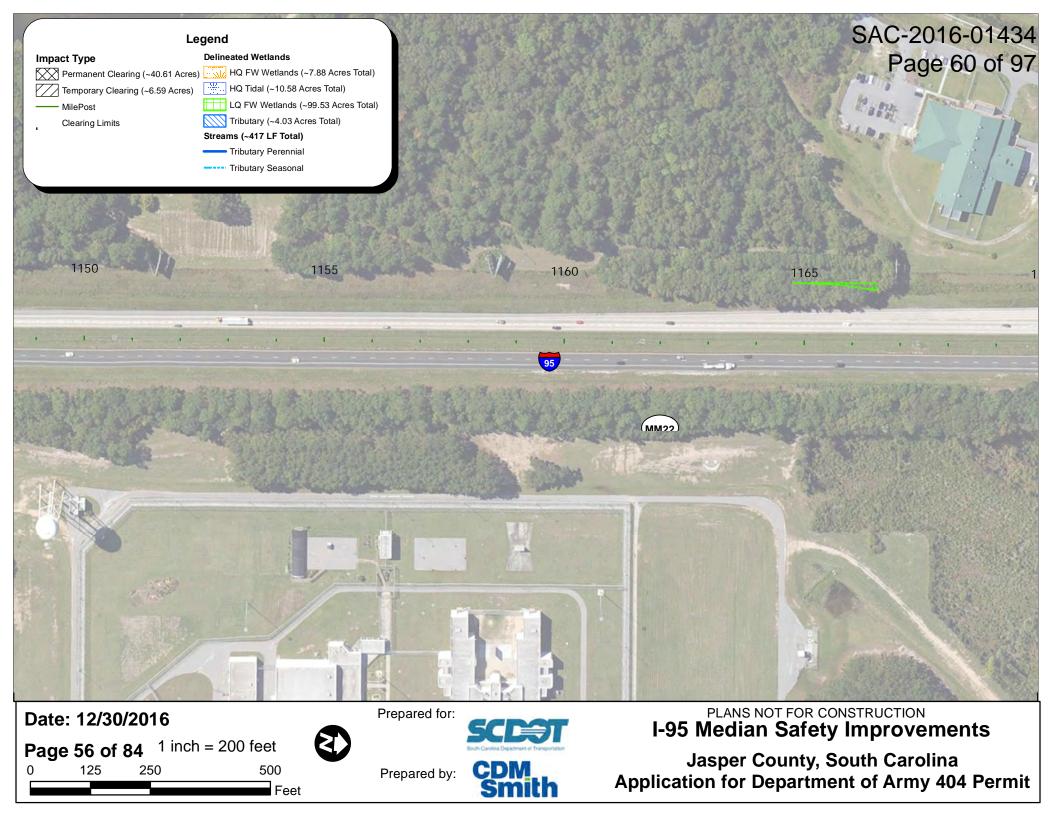


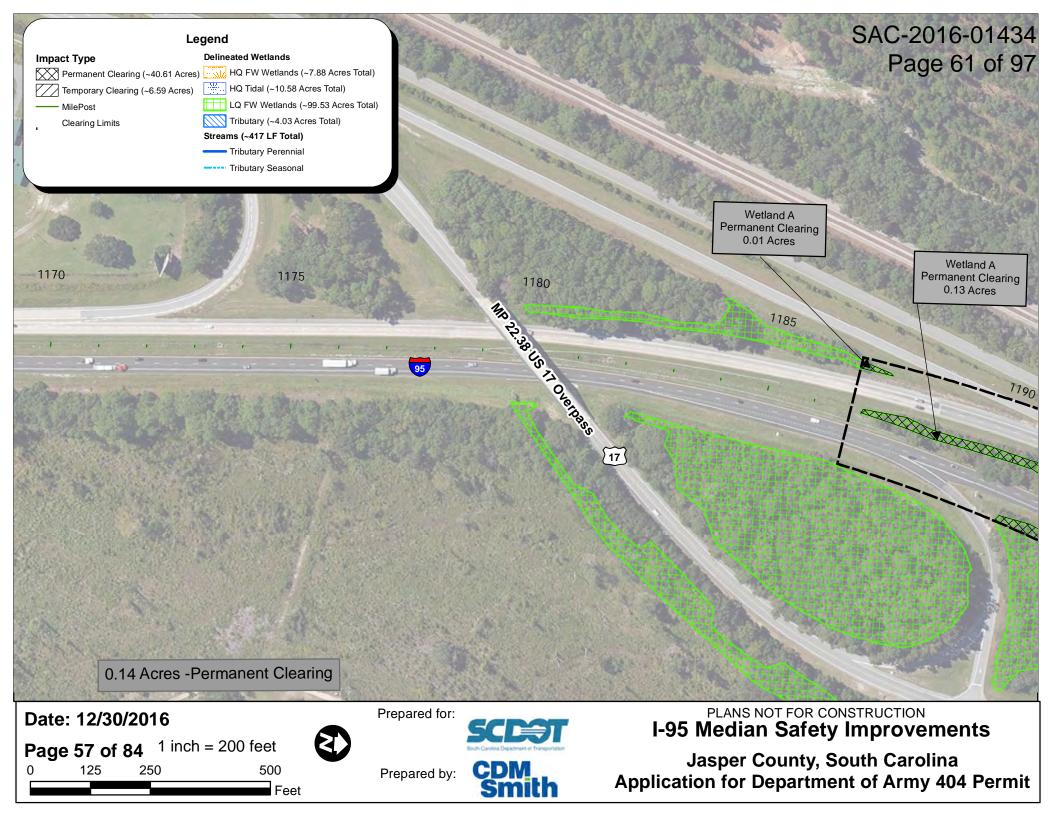
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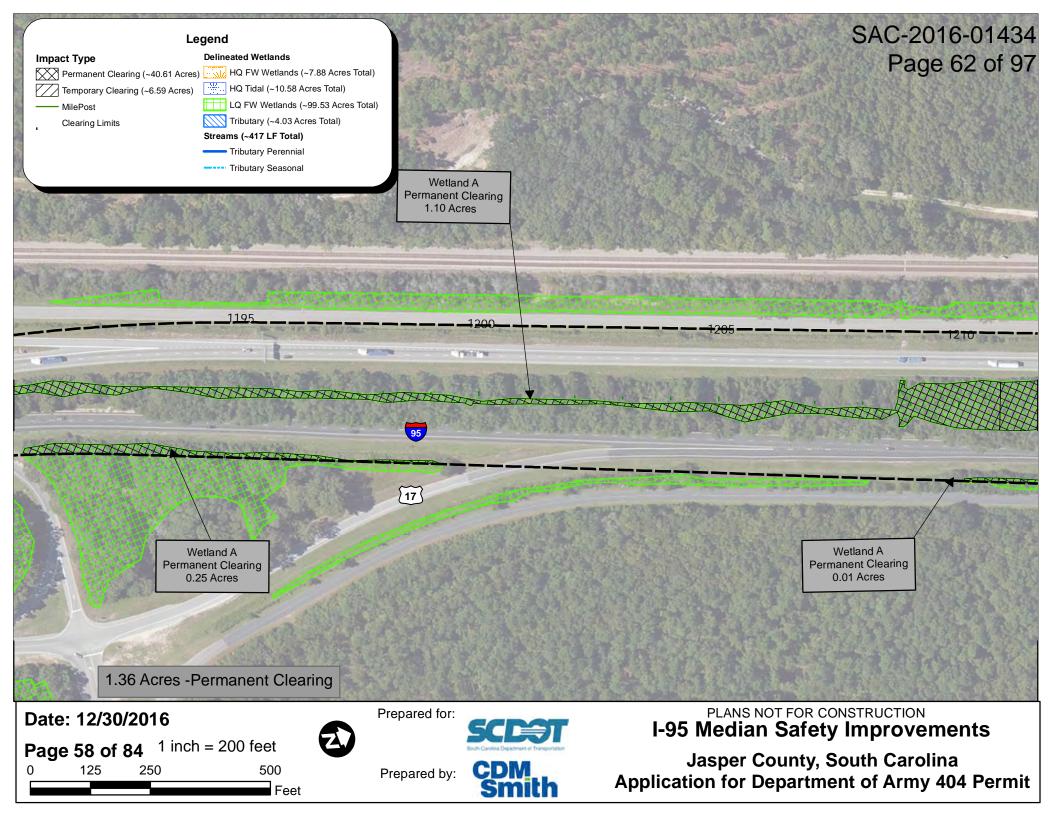
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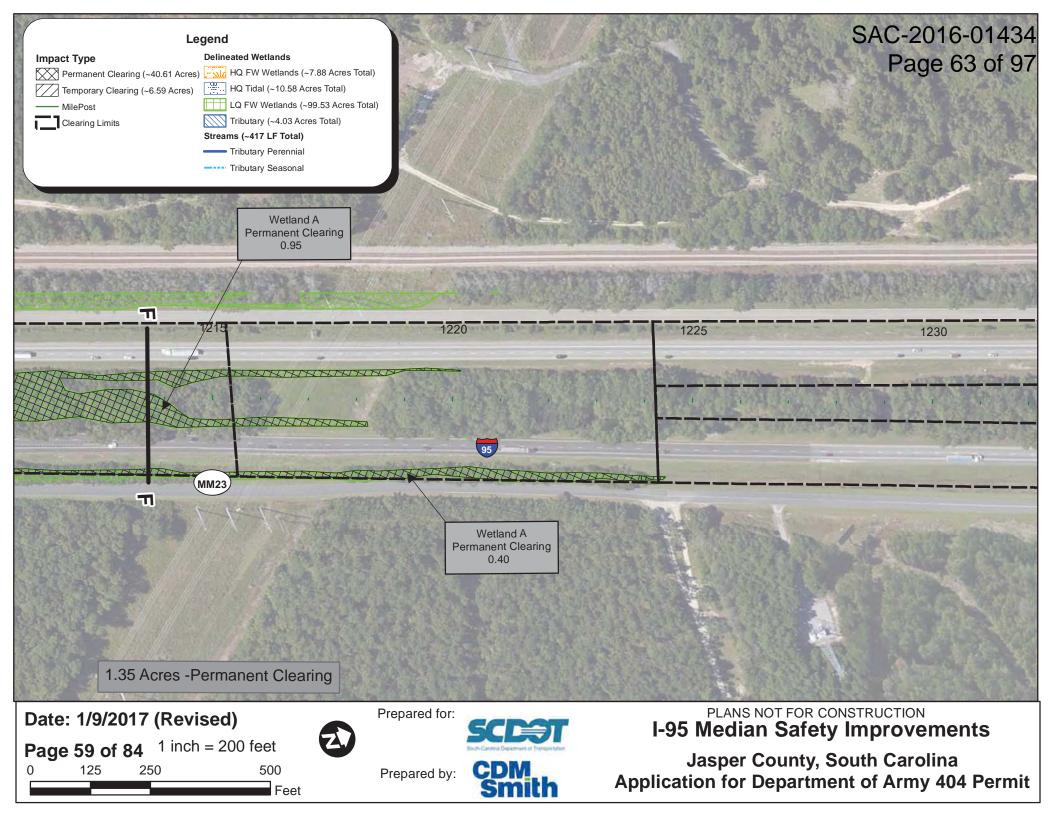
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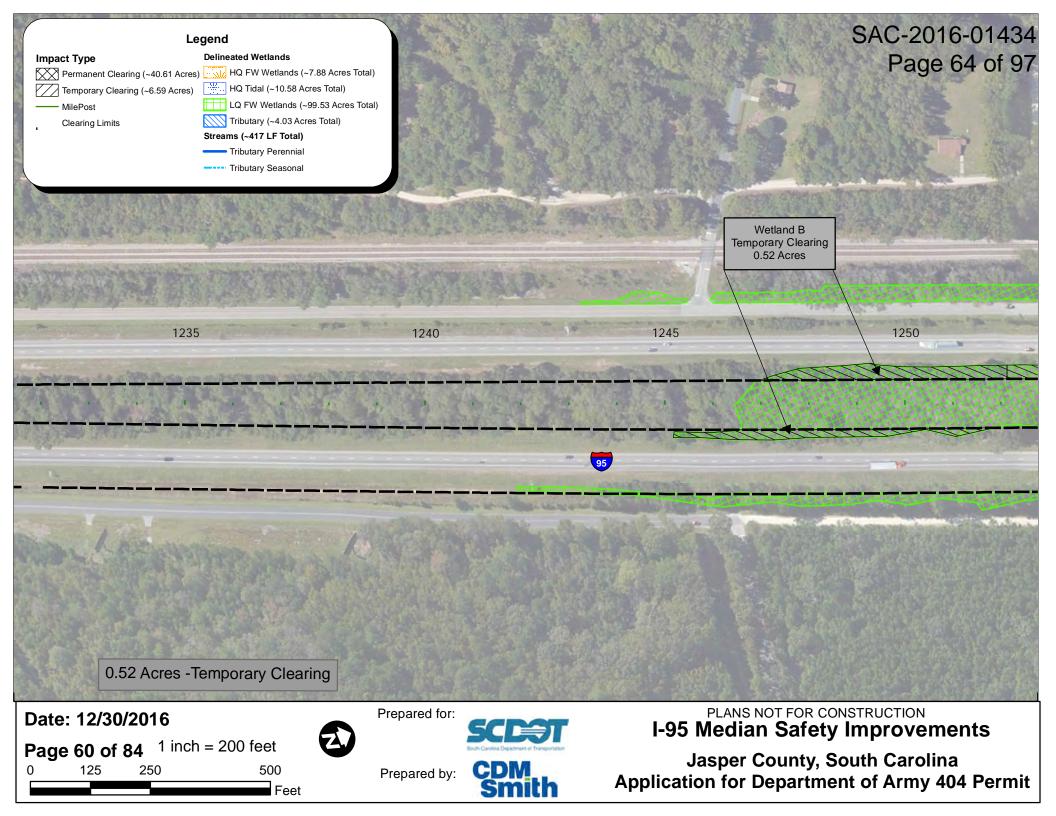
Application for Department of Army 404 Permit

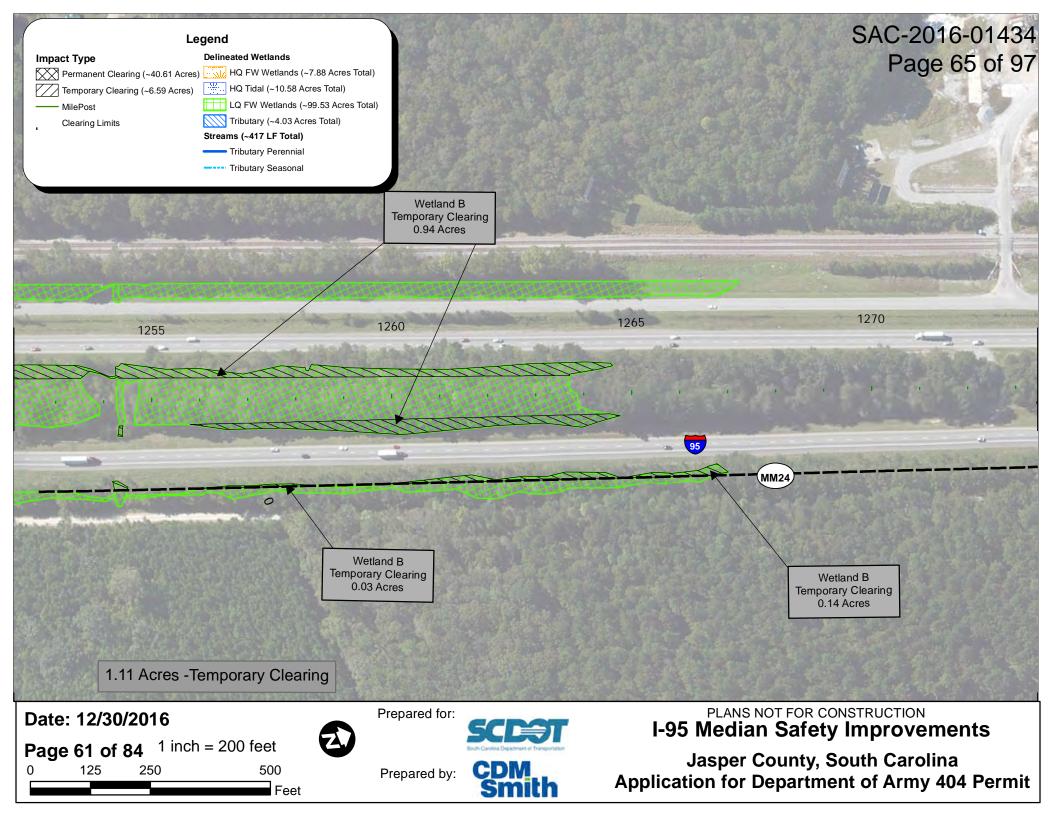


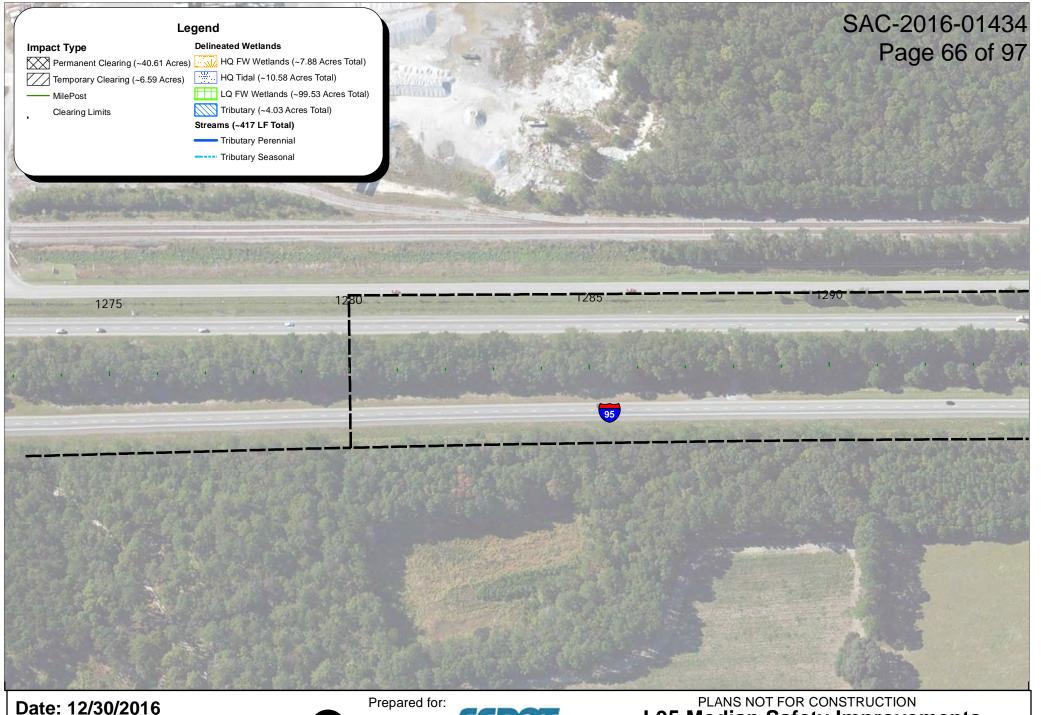












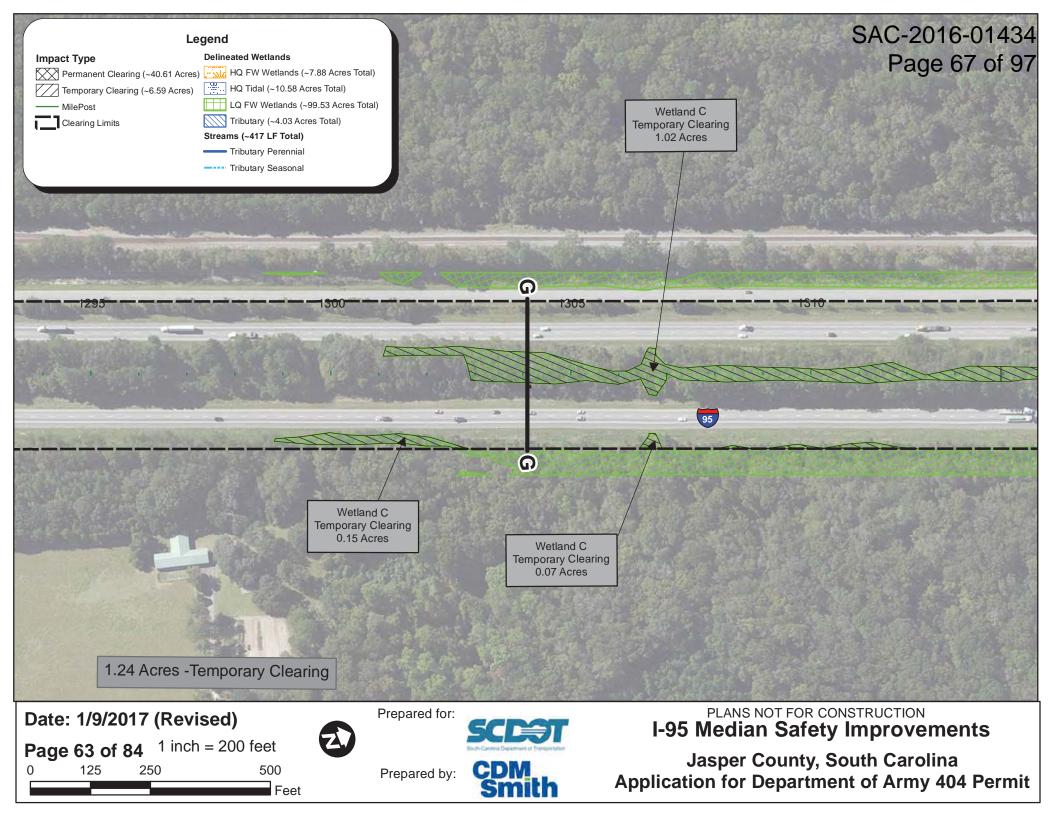
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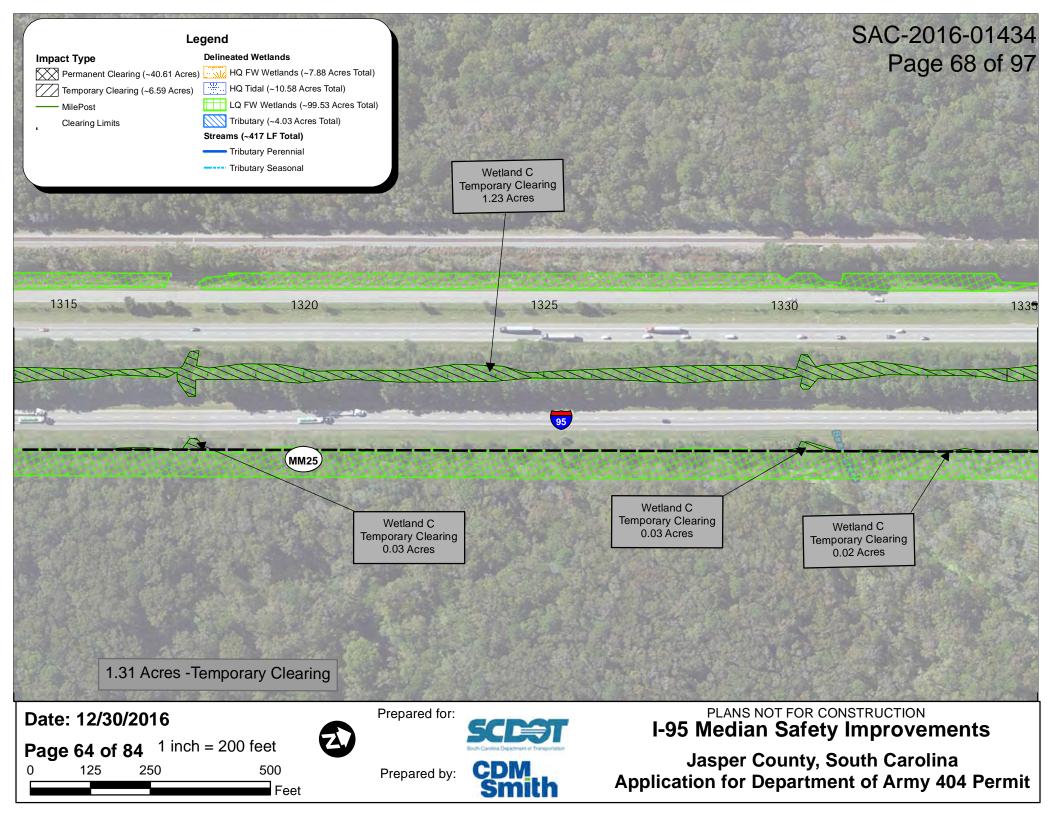


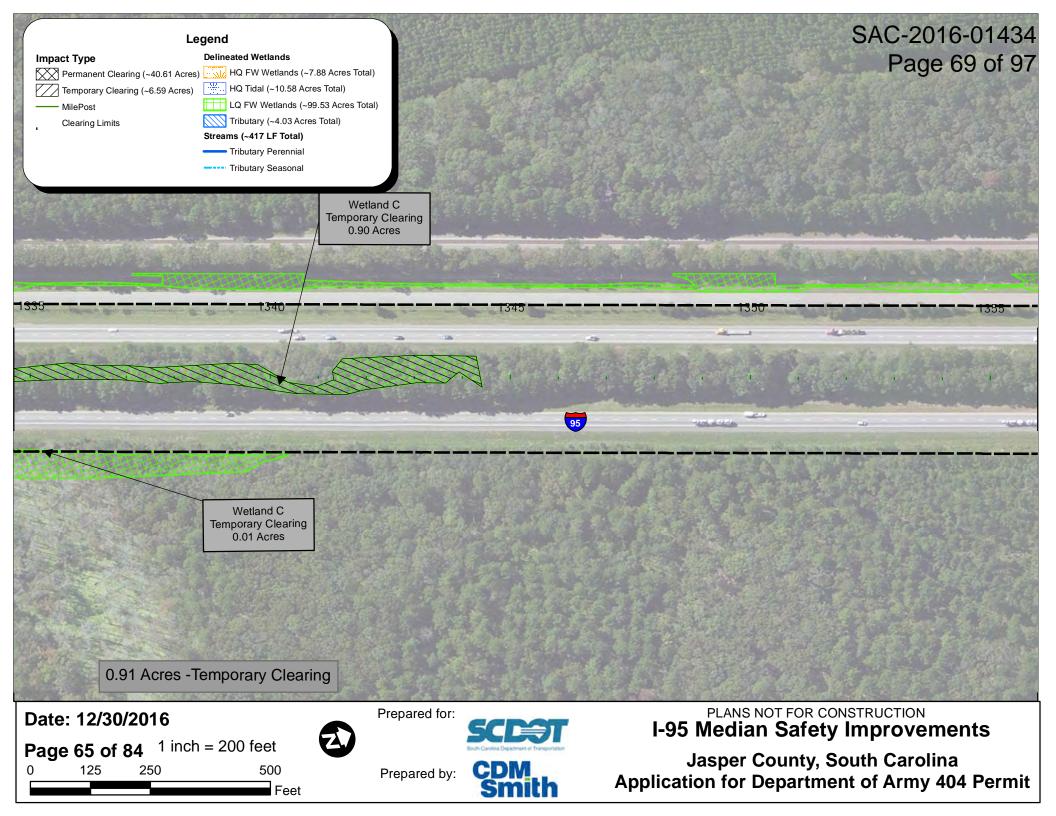
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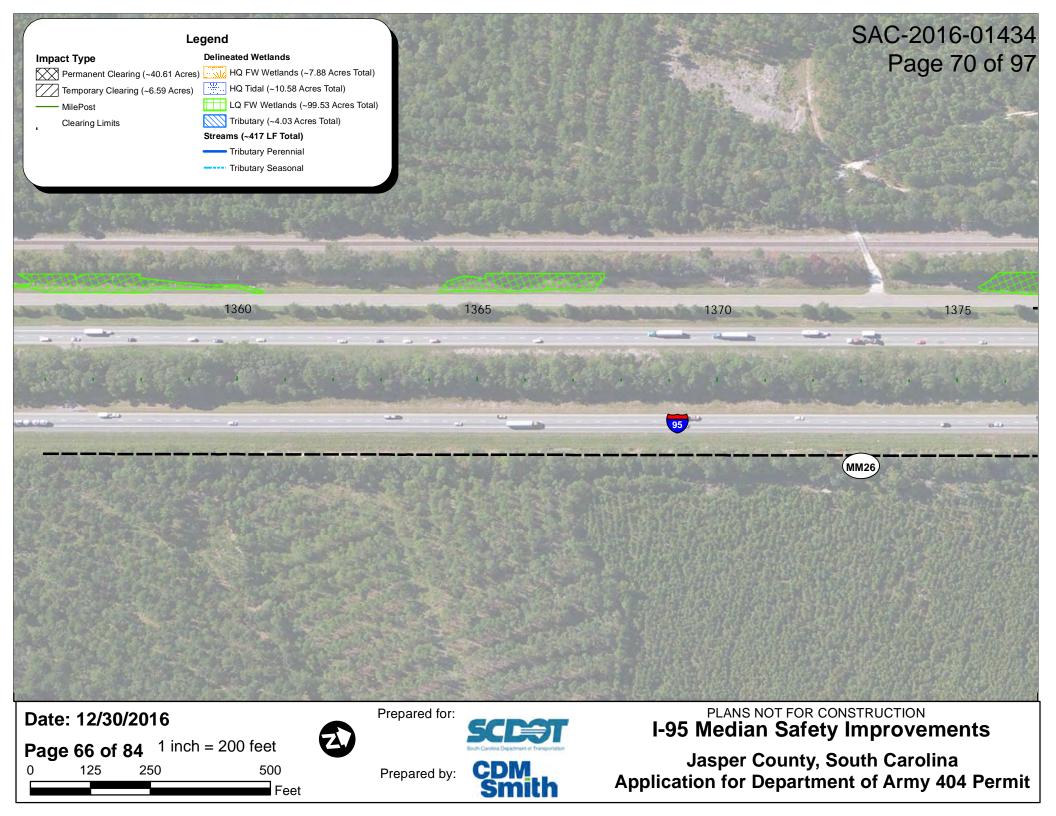


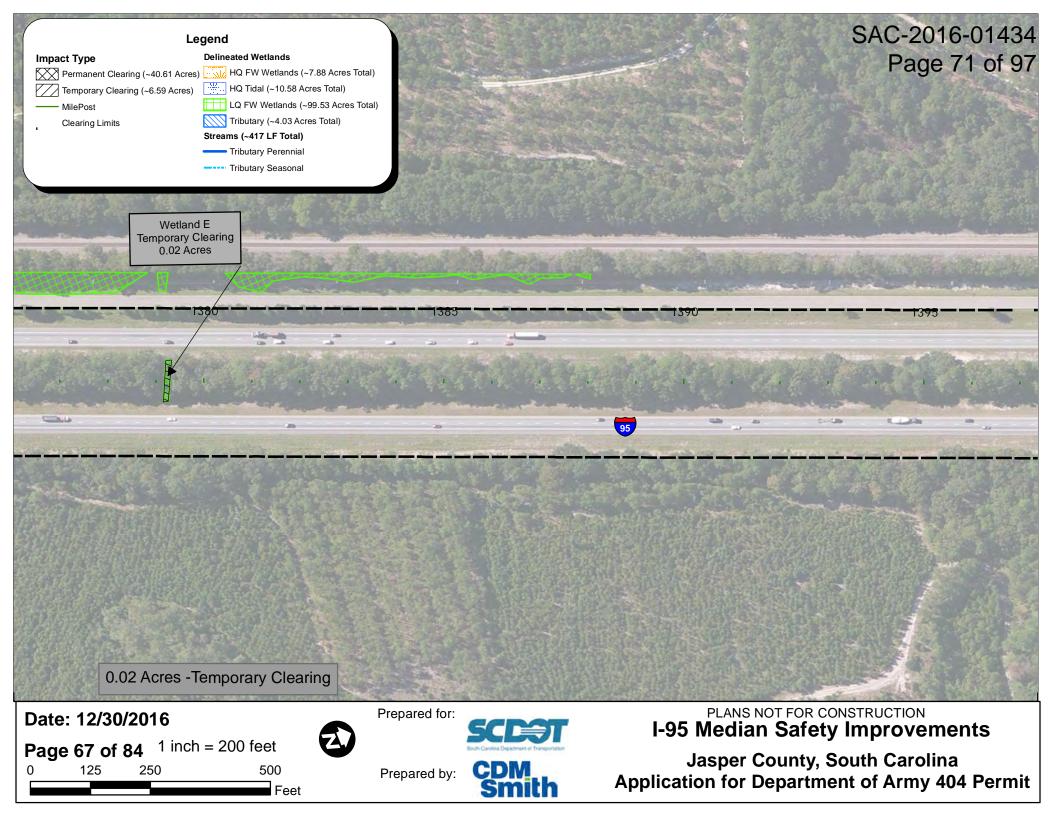
I-95 Median Safety Improvements

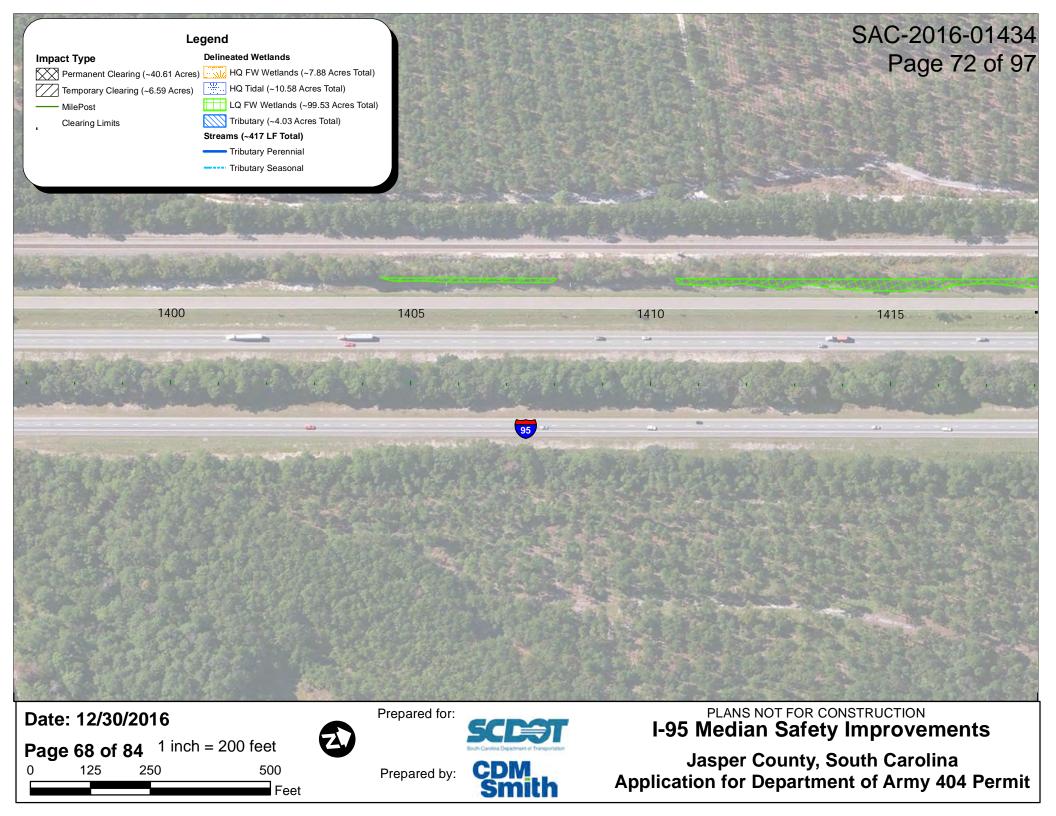


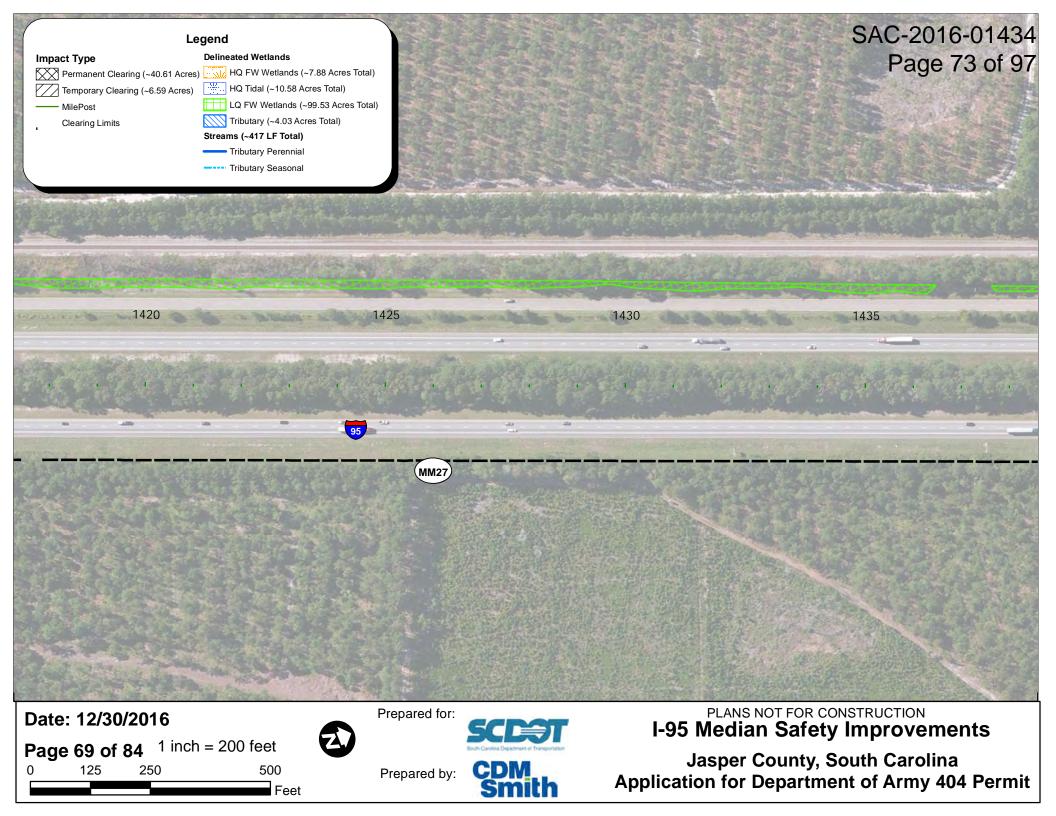


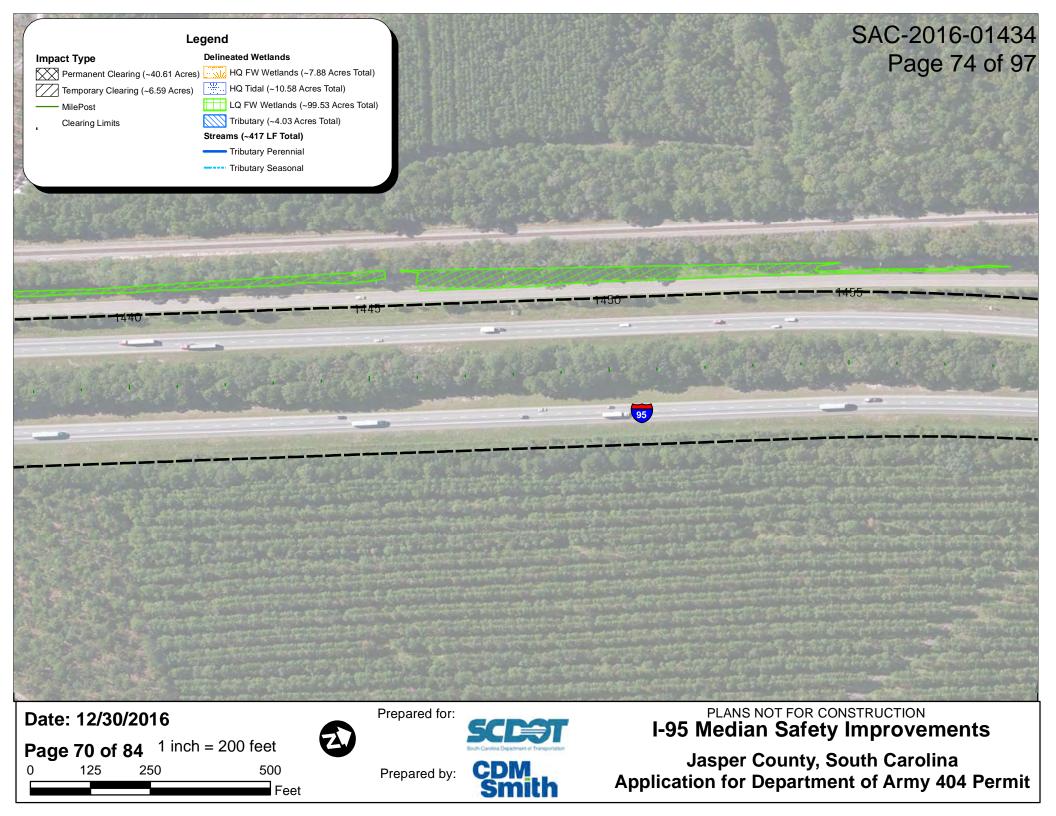


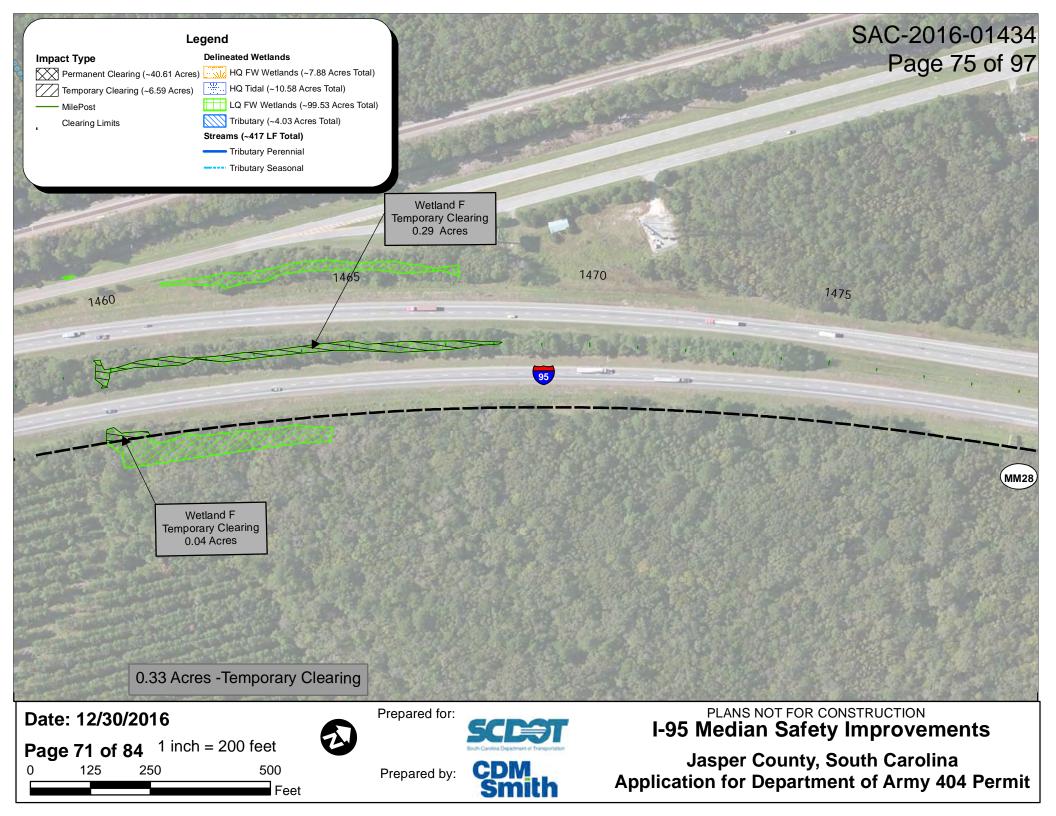


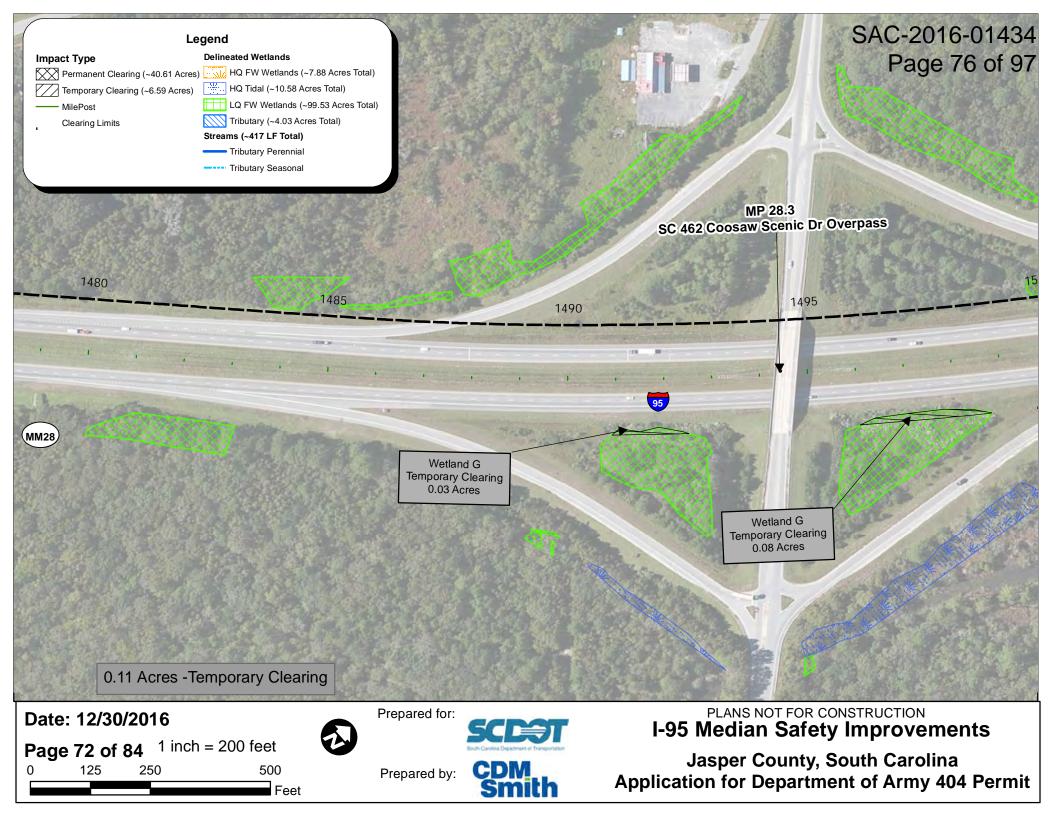


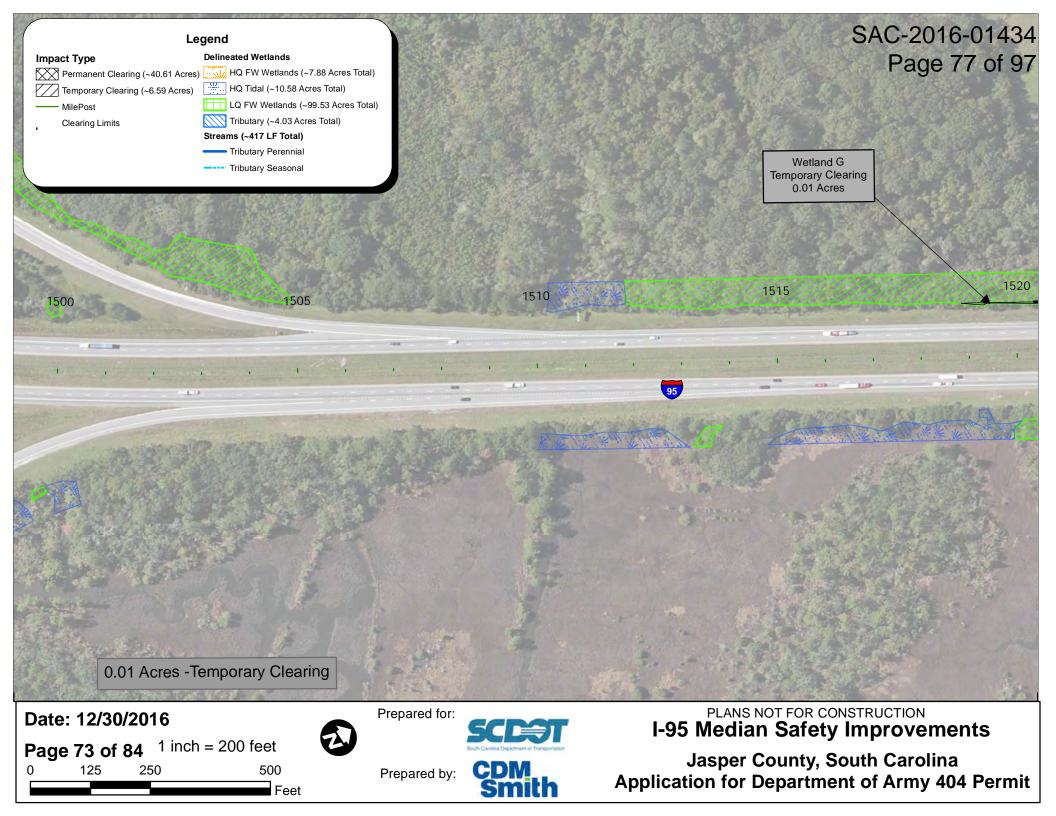


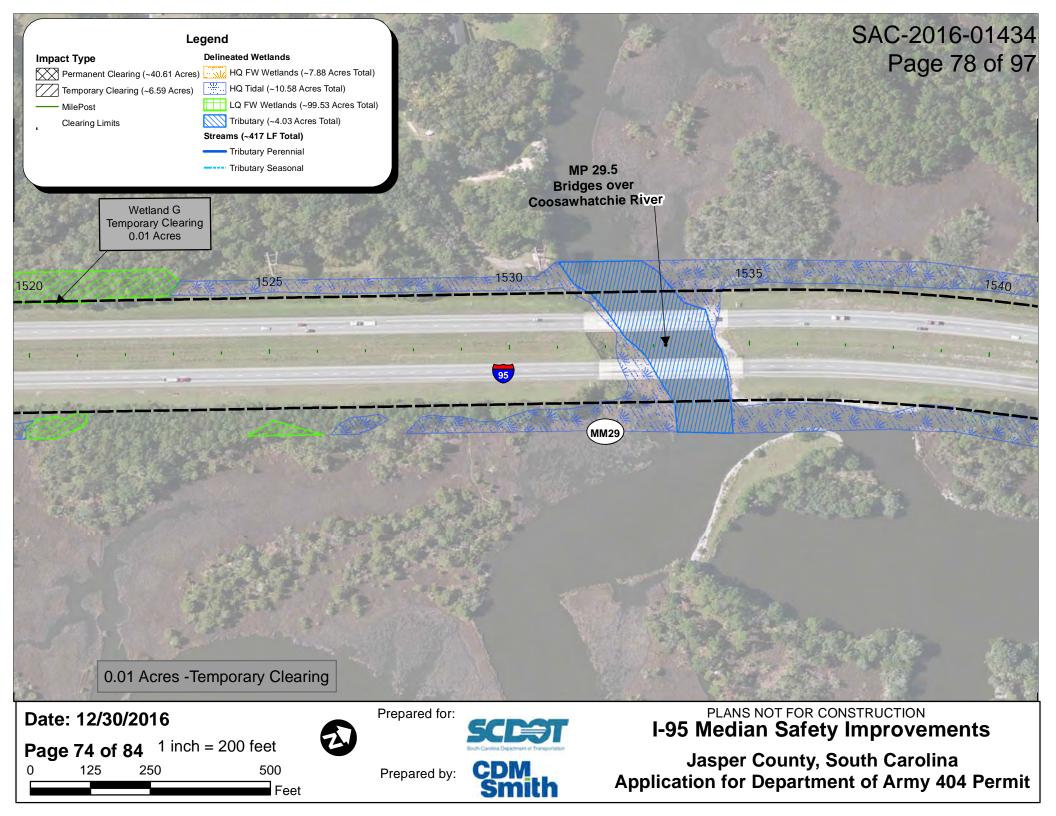


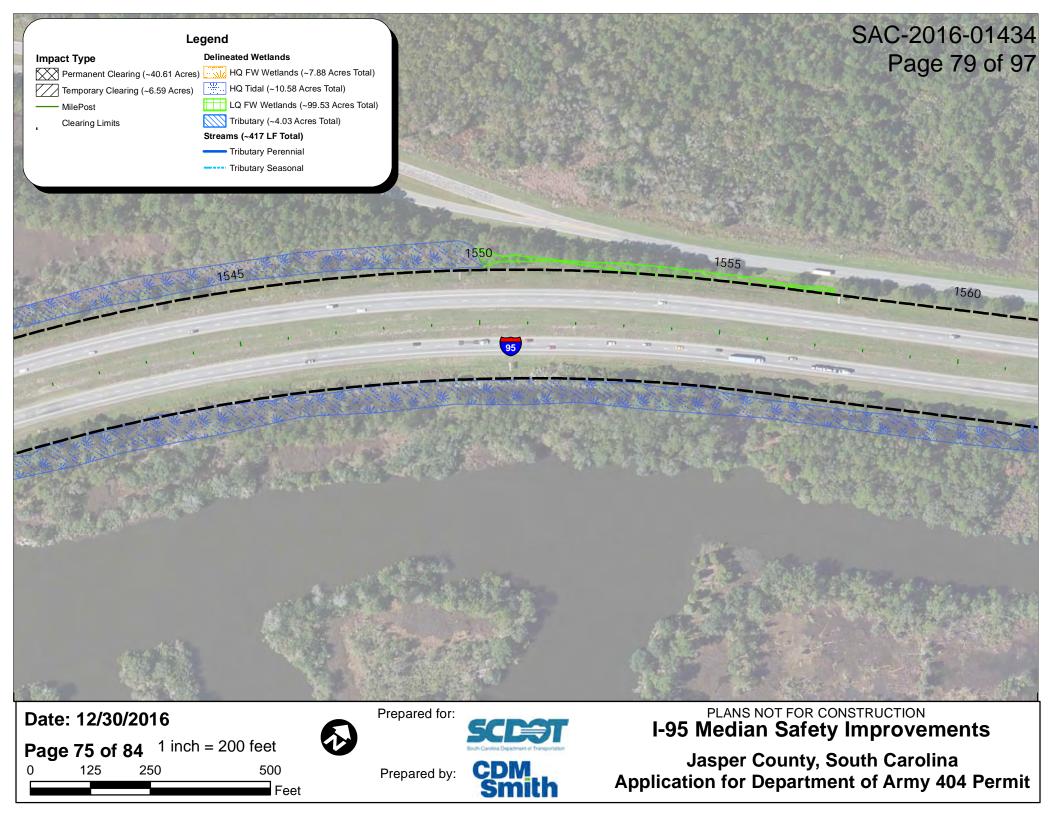


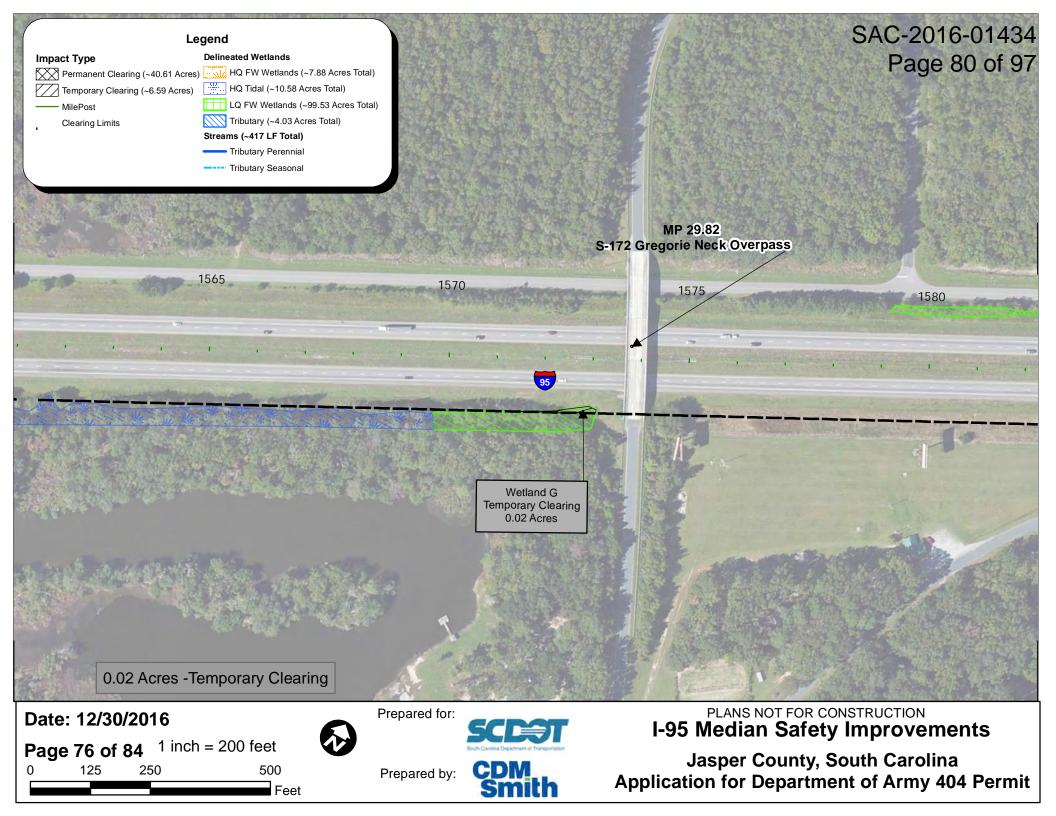


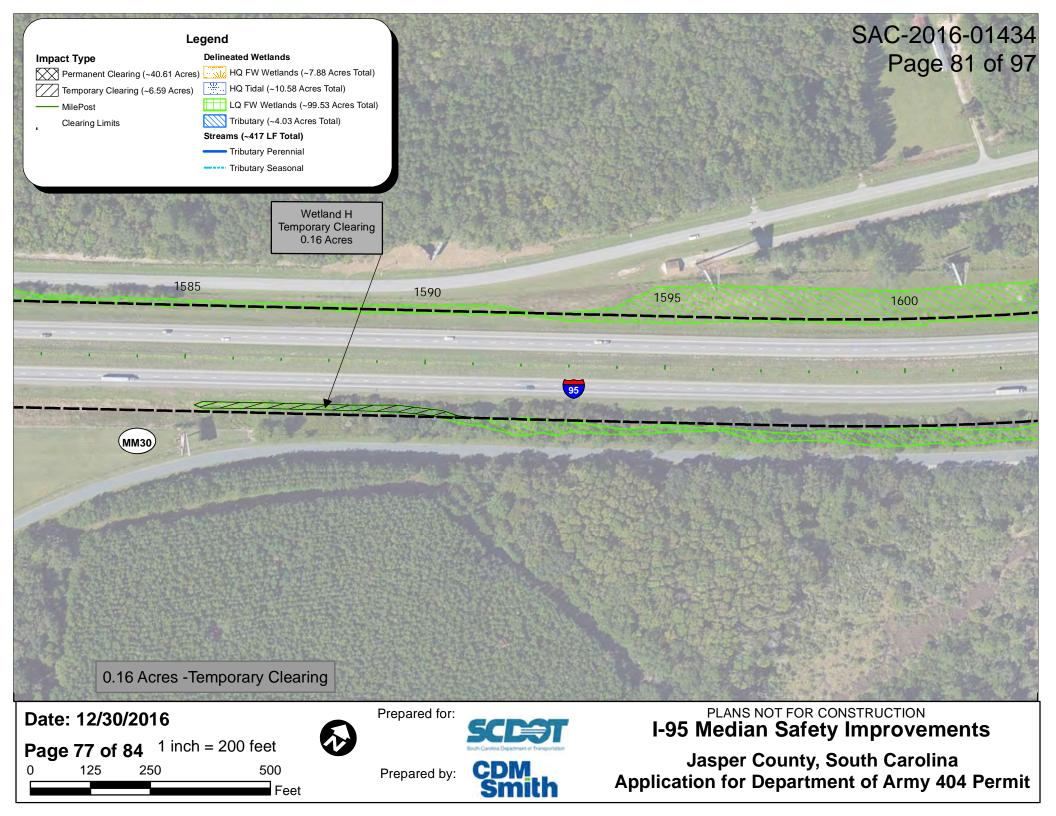


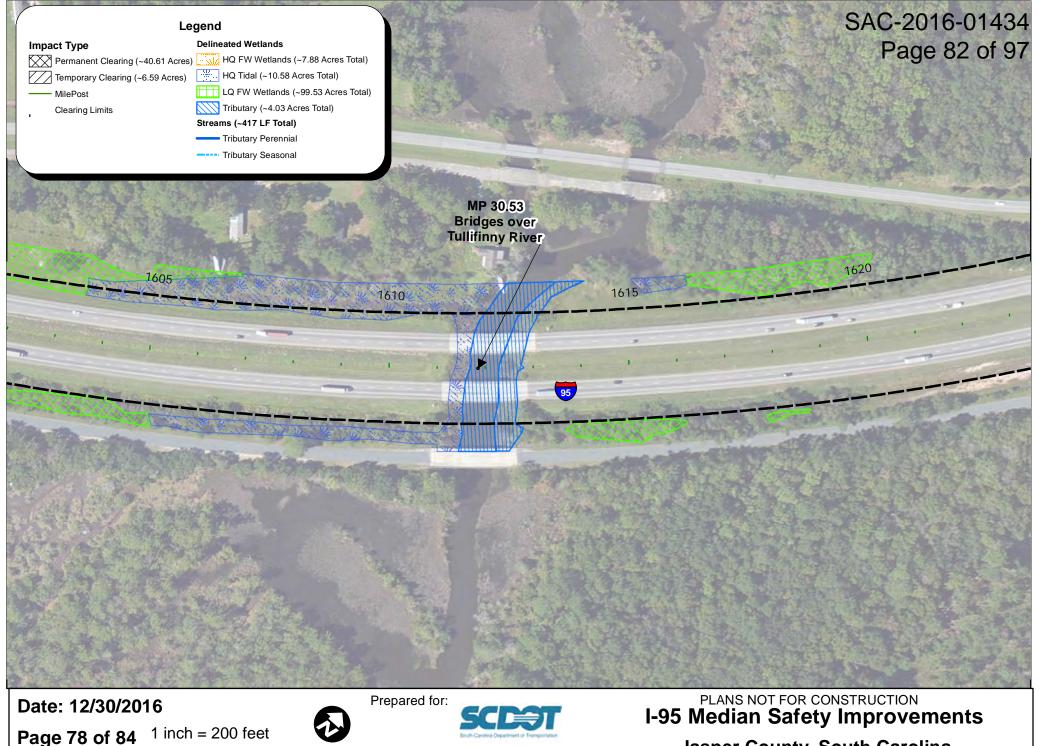












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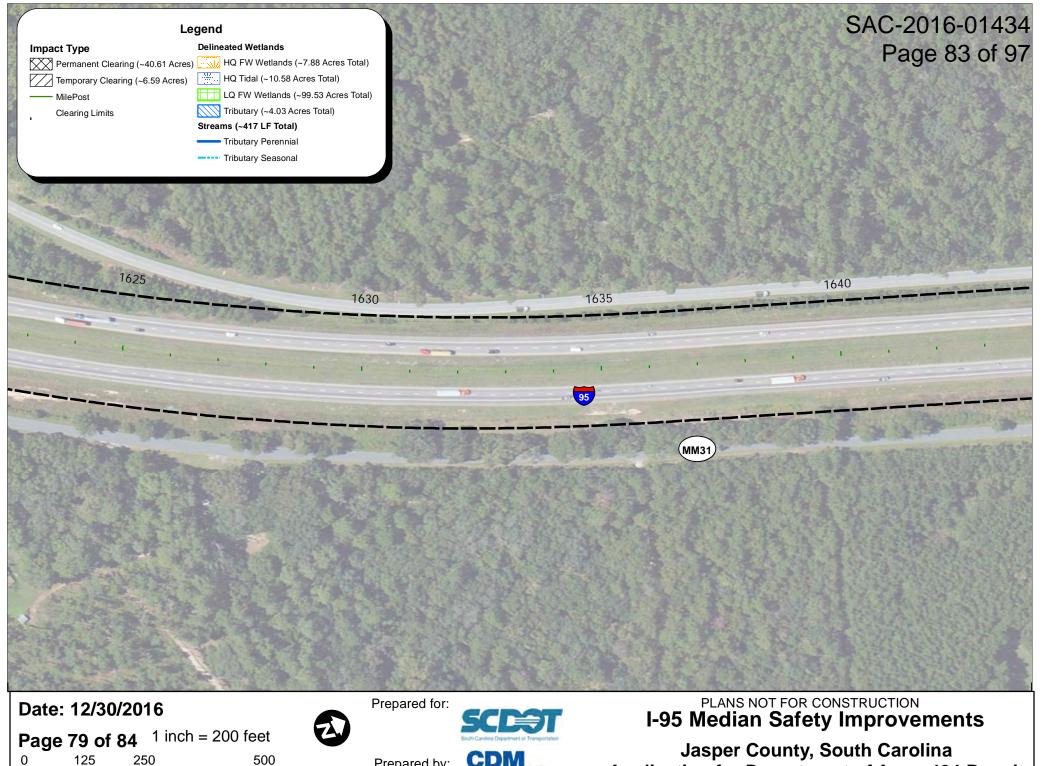
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125

0

500

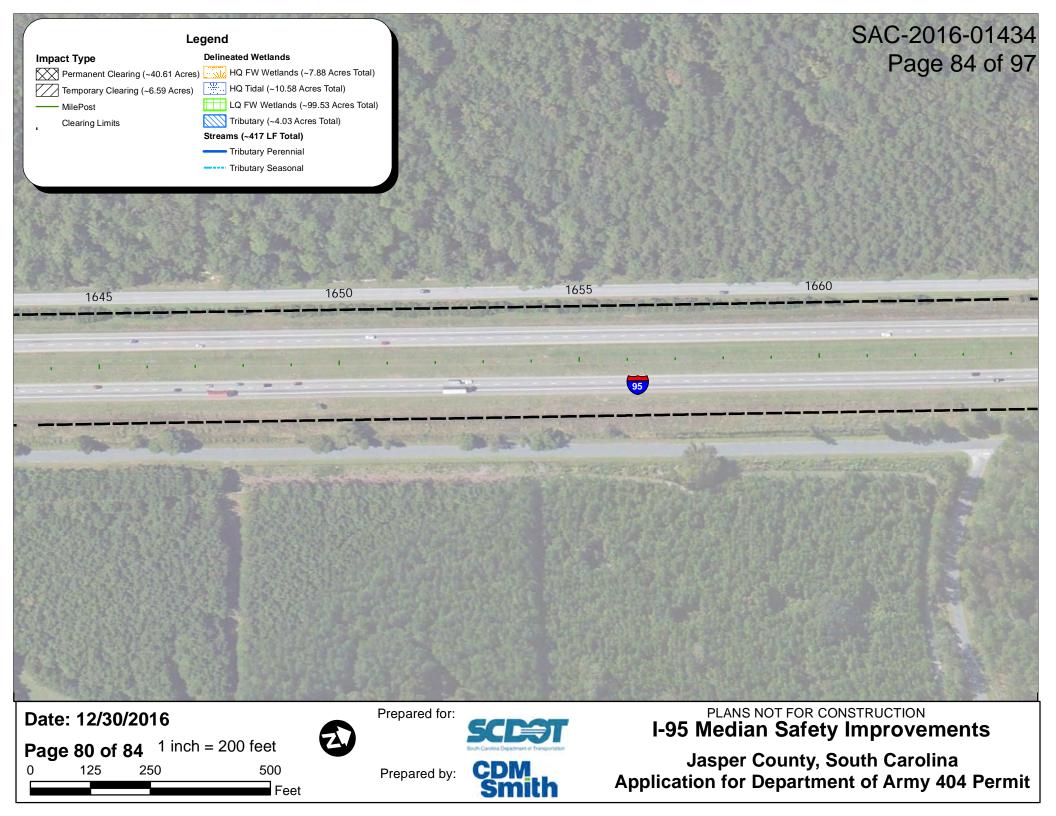
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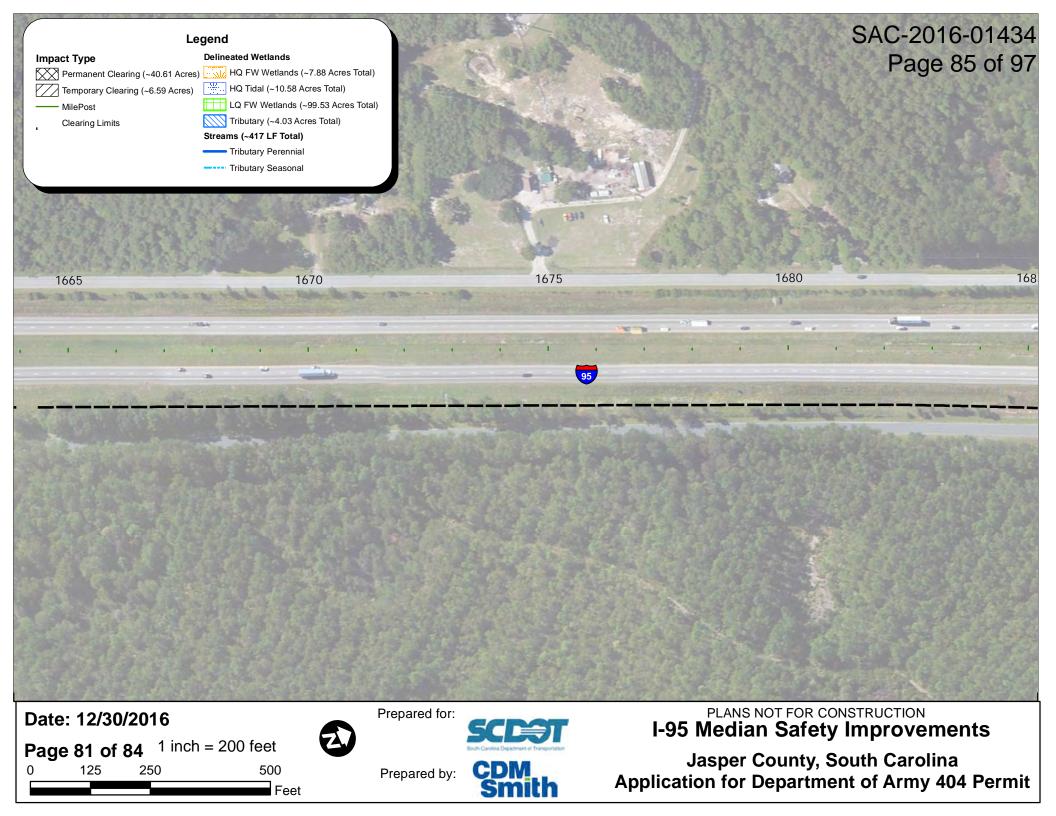


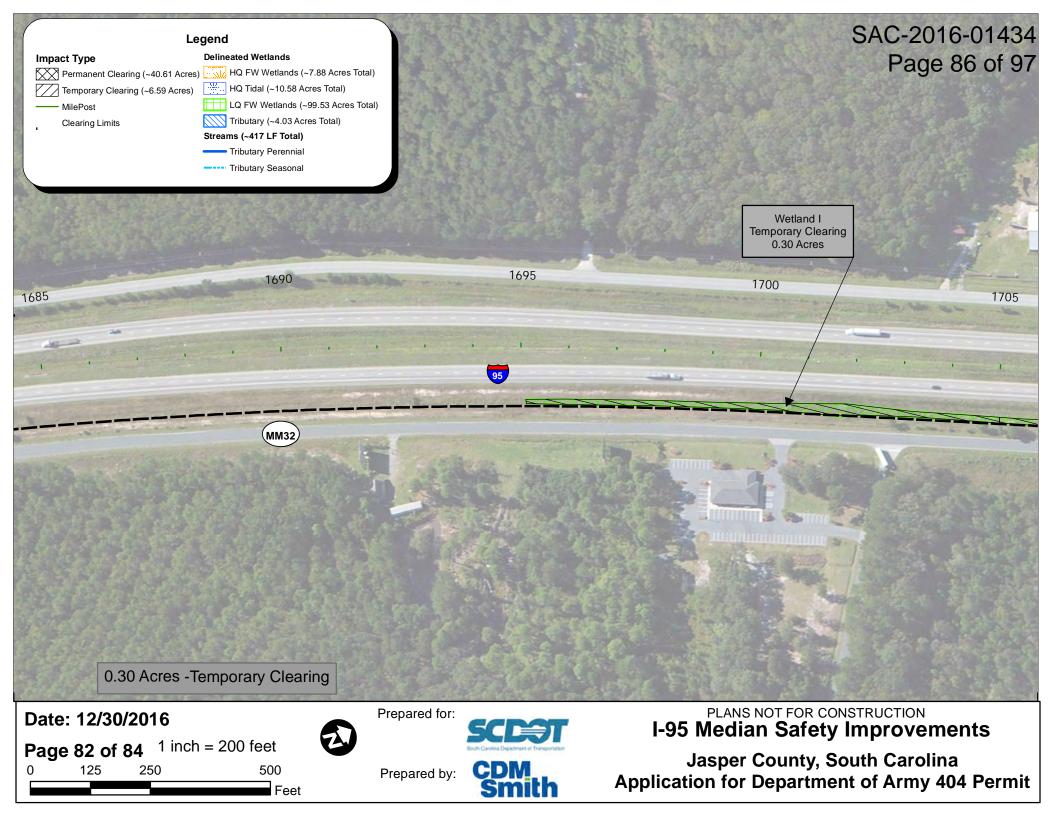
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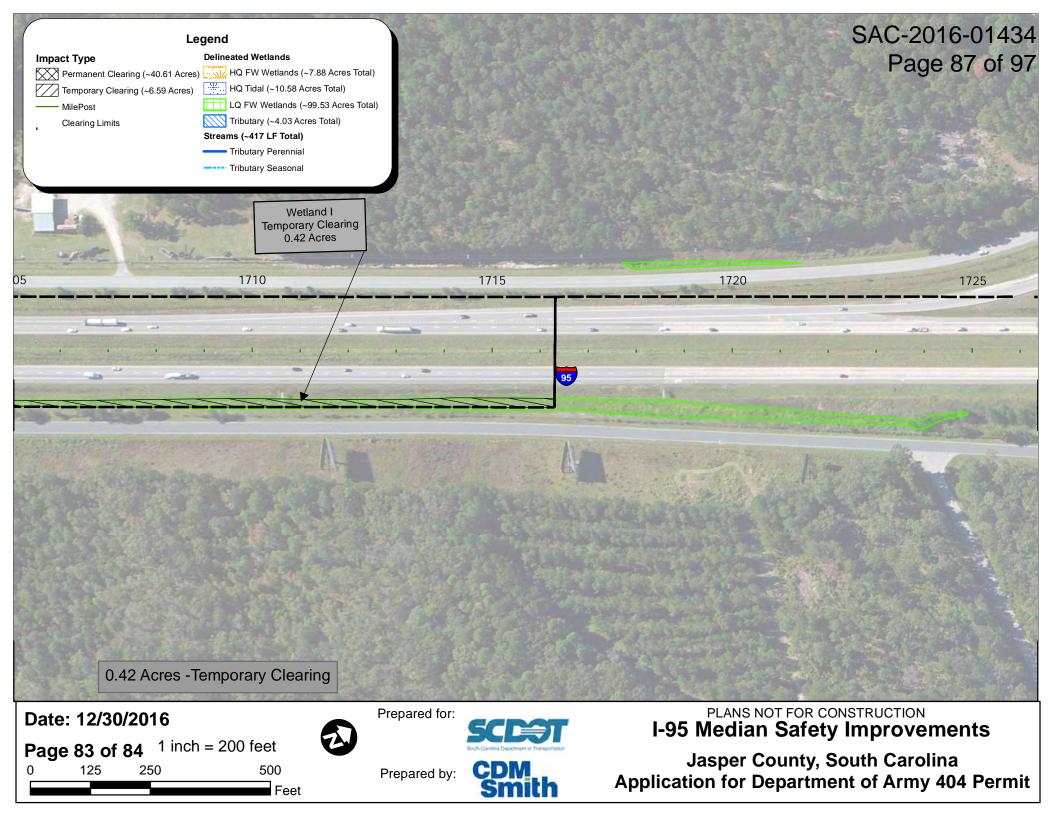
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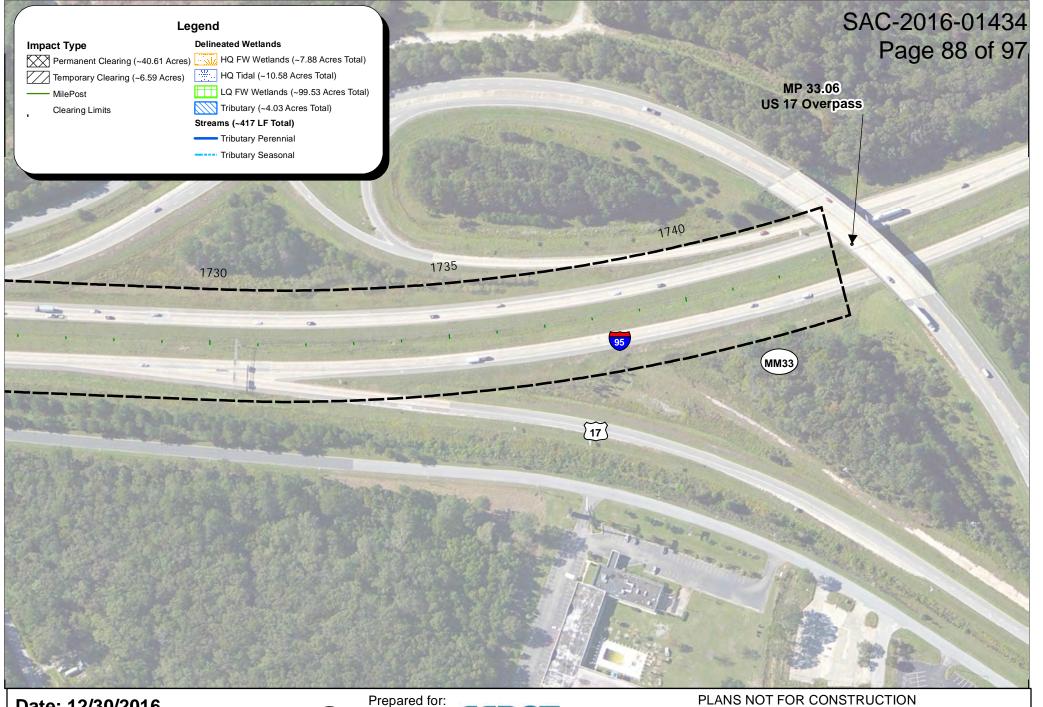
Prepared by:











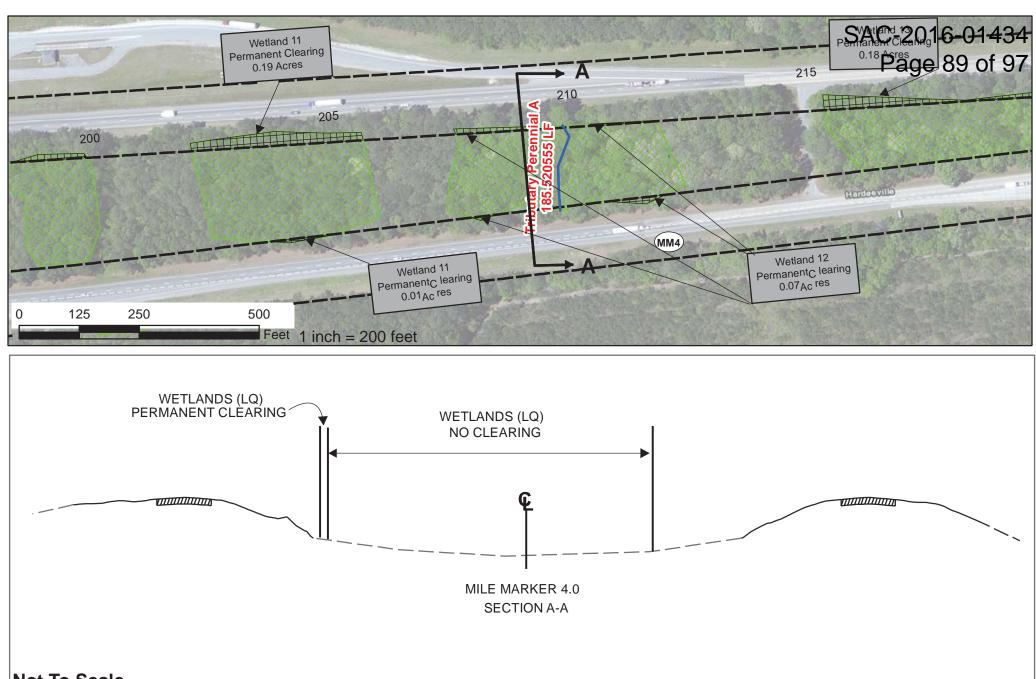
Date: 12/30/2016 Page 84 of 84 1 inch = 200 feet 0 125 250 500 Feet



Prepared by:



PLANS NOT FOR CONSTRUCTION I-95 Median Safety Improvements



Not To Scale

Date: 1/9/2017 (Revised)

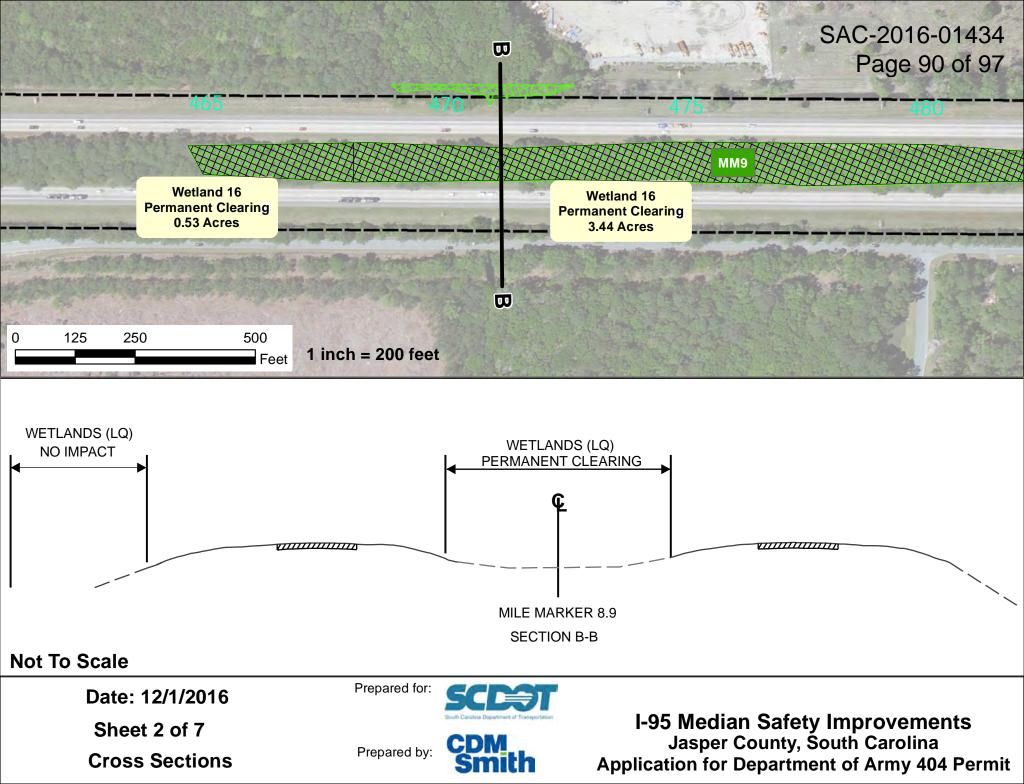
Sheet 1 of 7

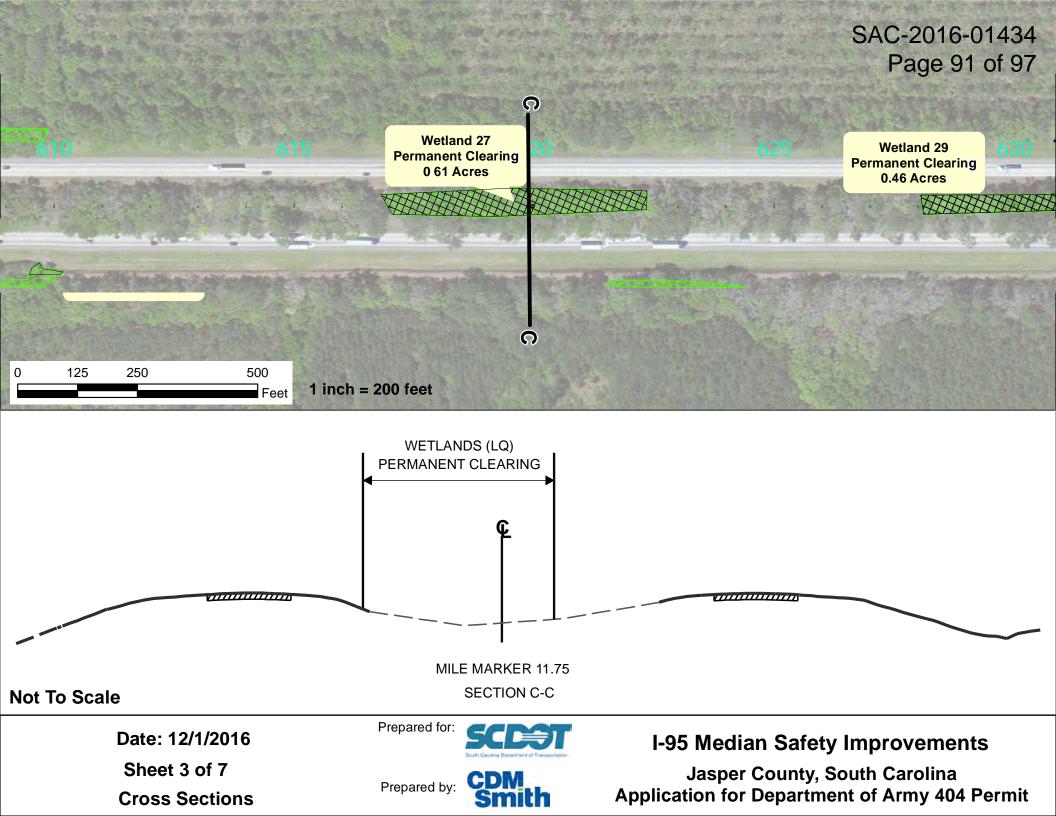
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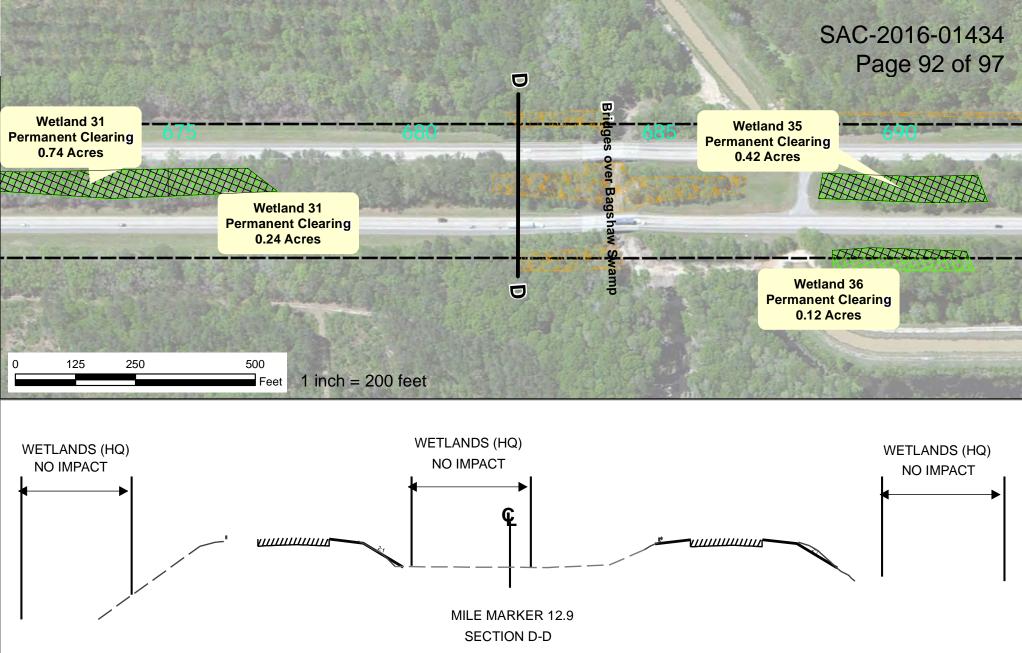
Prepared by:

Prepared for:

I-95 Median Safety Improvements







Not To Scale

Date: 12/1/2016

Sheet 4 of 7

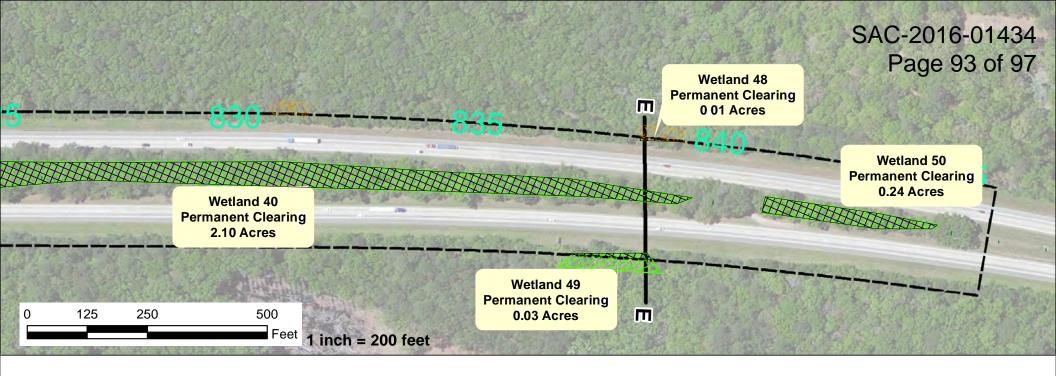
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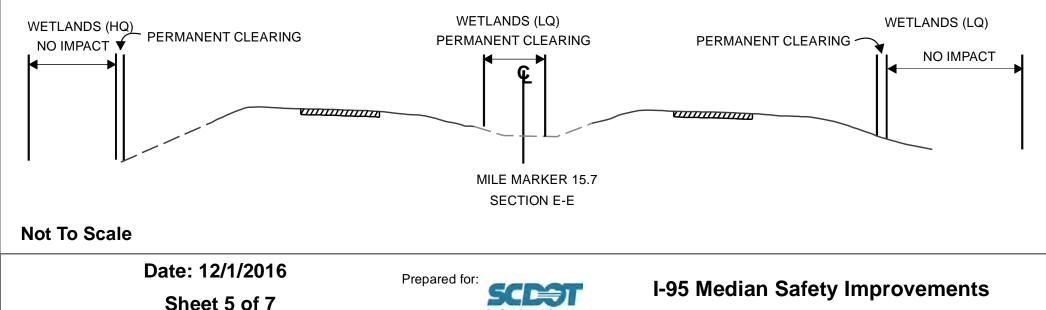




Prepared by: CDM

I-95 Median Safety Improvements

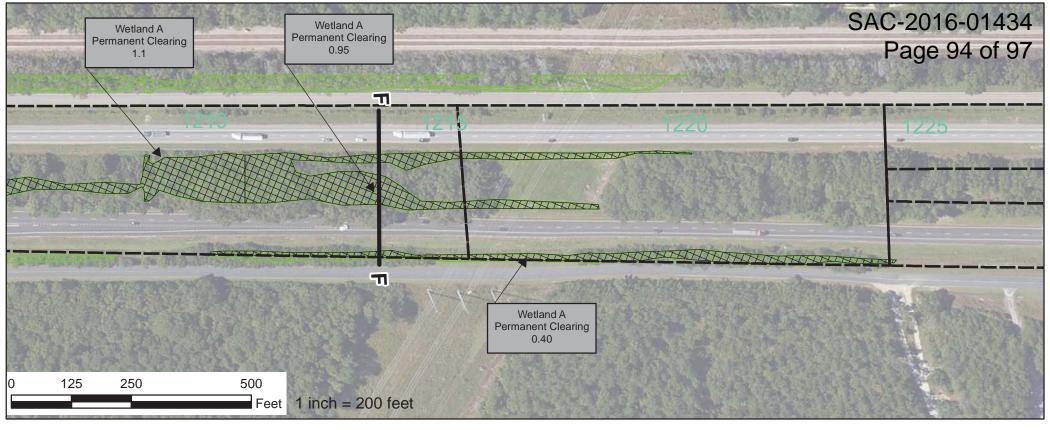




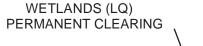
Jasper County, South Carolina Application for Department of Army 404 Permit

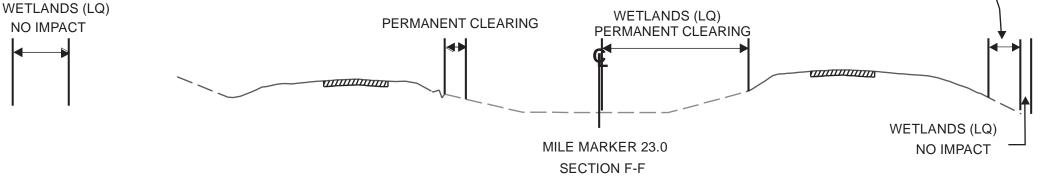
Cross Sections

Prepared by:



WETLANDS (LQ)





Not To Scale

Date: 1/9/2017 (Revised)

Prepared for:



I-95 Median Safety Improvements

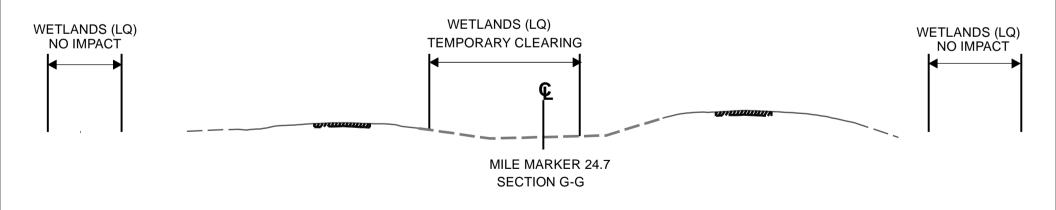
Cross Sections

Sheet 6 of 7

Prepared by:



SAC-2016-01434 Page 95 of 97



Not To Scale

125

250

500

Feet

1 inch = 200 feet

0

Date: 12/1/2016

Sheet 7 of 7

Cross Sections

Prepared for:



I-95 Median Safety Improvements



