

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, SC 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-2015-00997

January 18, 2018

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. Eric Davis
Dorchester County
2120 East Main Street
Summerville, South Carolina 29483

for a permit to a develop the Ashley River Park along the

Ashley River

within an 87-acre tract located off of Highway 165 (Bacon's Bridge Road) in Summerville, Dorchester County, South Carolina (Latitude: 32.9578 °N, Longitude: -80.1961°W), Quad Sheet: Stallville.

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 developing a new recreation park. In detail, the applicant has proposed to place fill material and permanently clear a total of 1.592 acres of freshwater wetlands. Specifically, they proposed to fill 1.215 acres of wetlands and permanently clear 0.377

acres of wetlands. The applicant is proposing to implement park infrastructure (roads, parking, and a multi-use path) to support public access and park amenities to facilitate the recreational and educational use of the property. A portion of the proposed wetland impacts (0.708 acres) and an additional 0.625 acres of upland buffer are currently protected by covenants associated with Department of the Army Permit No. 2001-1P-104, which was a previously proposed residential development. Under the previous permit, 0.296 acres of wetlands were filled, mitigation was purchased, and covenants were recorded, however the residential subdivision was never constructed/ completed. For the impacts to the preserved wetlands, the applicant is proposing to rescind and replace the current covenants to facilitate construction of the Ashley River Park as well as perpetual protection of an additional 5.62 acres of wetlands on site. In addition, the applicant proposes the implementation of the Pine Trace Permittee Responsible Mitigation Plan which includes preserving 67.9 acres of additional off-site wetlands and other Waters of the U.S. Upland buffer protection at the Pine Trace Park Site will result in 81.5 total acres of protected area. **Please Note:** The Pine Trace Park Site mitigation area is proposed by the applicant as mitigation for this current project as well as for SAC-2017-00991 for Pine Trace Park. The project purpose is to construct a park and amenities adjacent to the Ashley River to meet local demand for education and recreation, specifically outdoors.

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 1.592 acres of freshwater, non-tidal 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 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 no effect 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)(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. 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
69A Hagood Avenue
Charleston, SC 29403-5107**

If there are any questions concerning this public notice, please contact Chelsea B. Fannin, Project Manager, at (843) 329-8044 or toll free at 1-866-329-8187.

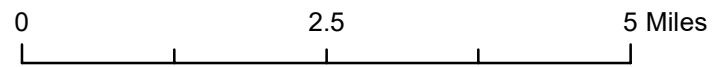
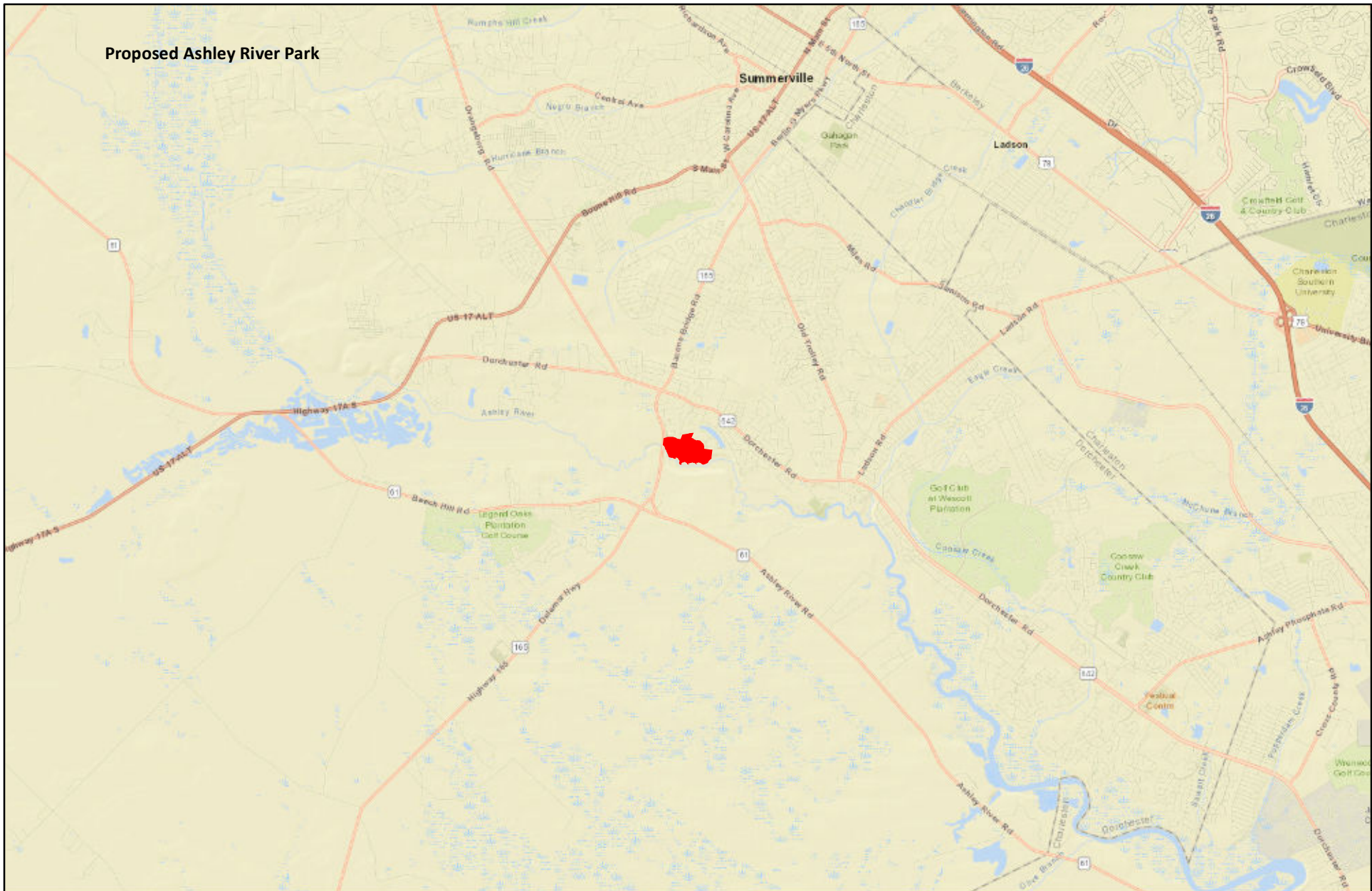
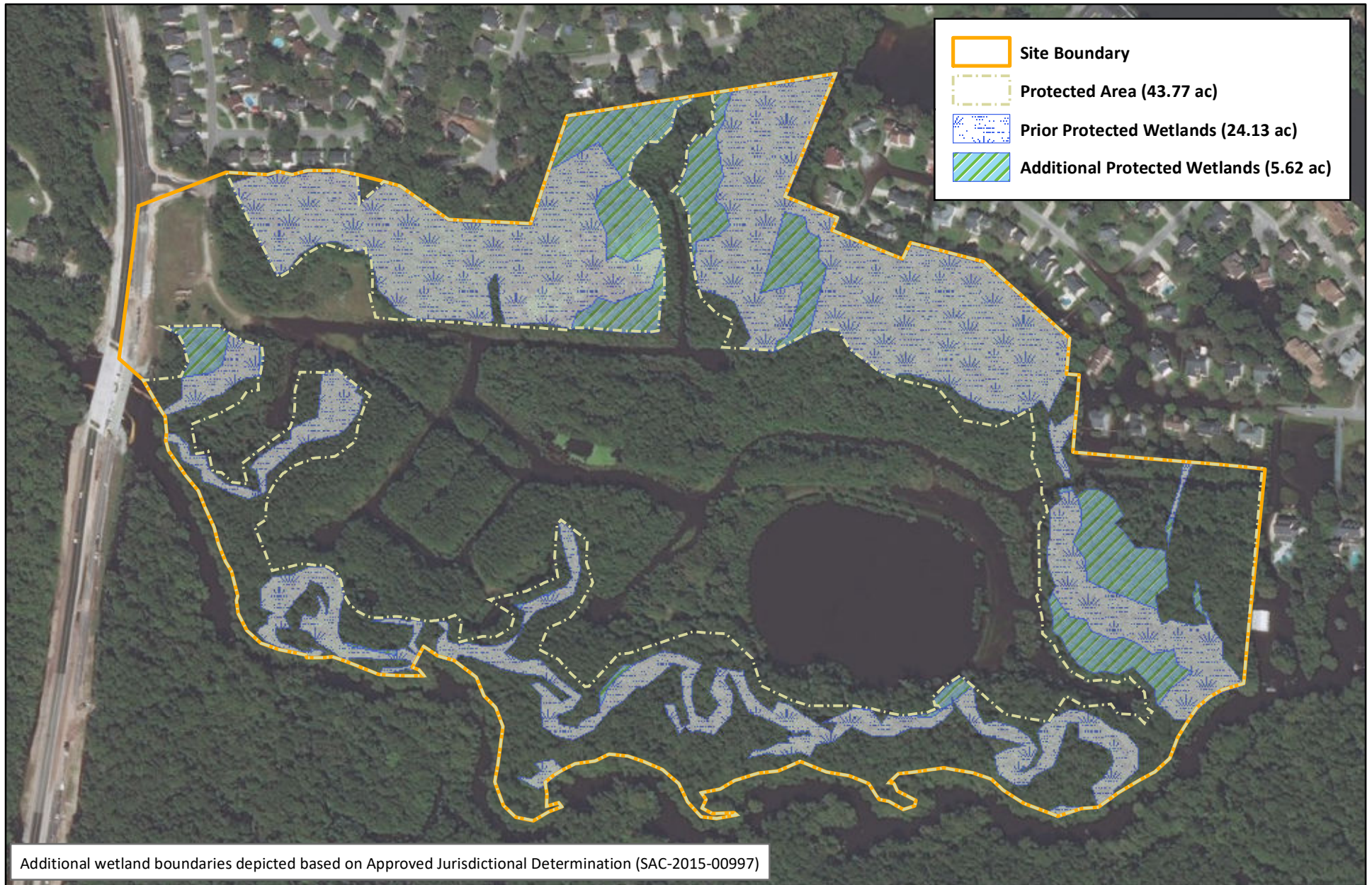
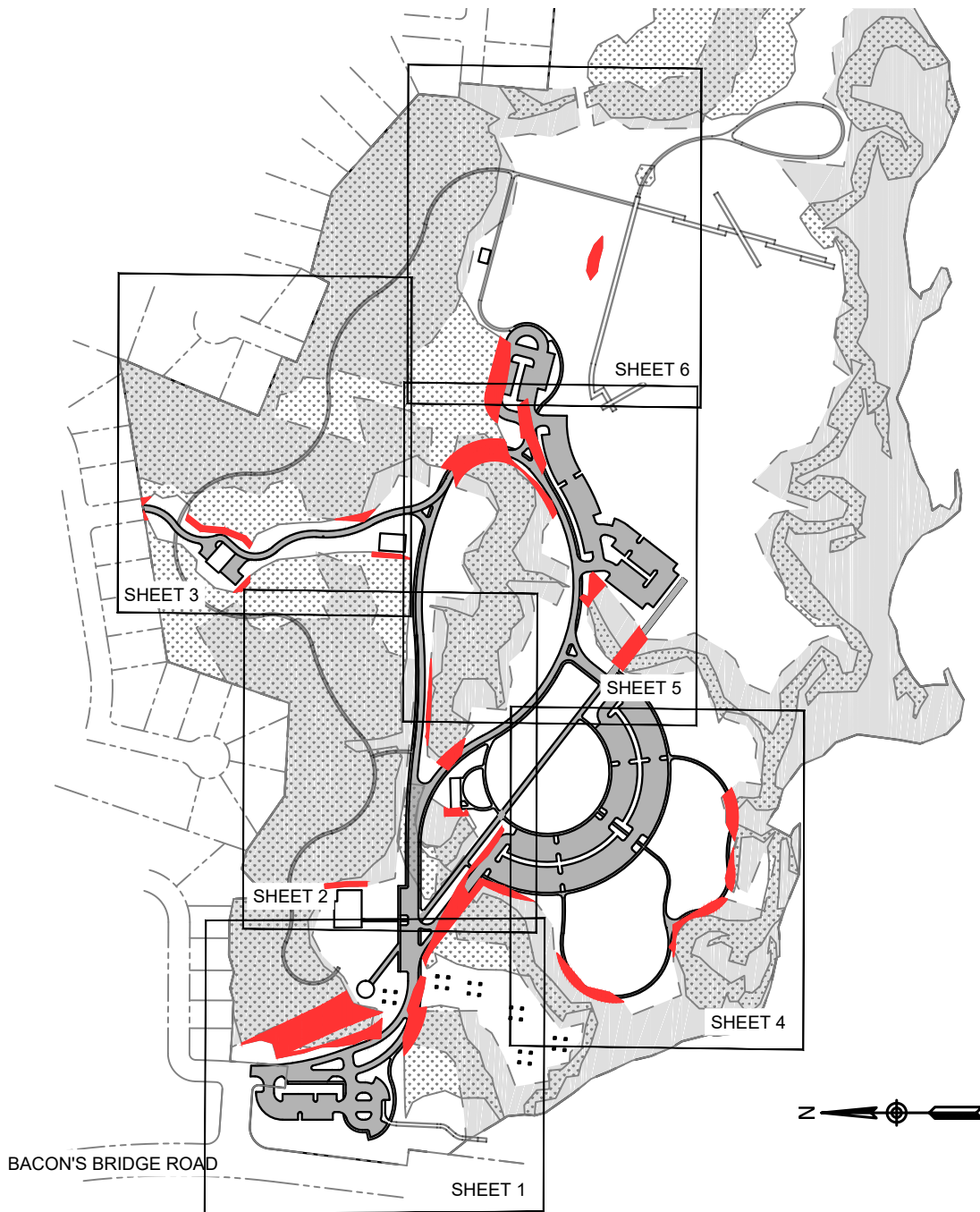


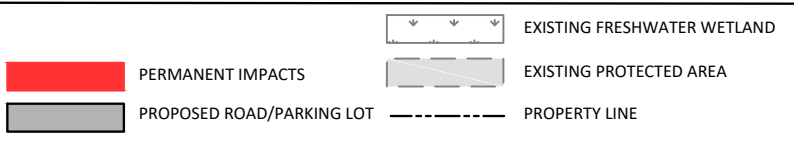
Figure 1. Proposed Ashley River Park Site
Ashley River Park
Cooper River Basin (03050201)
Dorchester County, SC





NOTES:

1. IMPACTS TO AQUATIC RESOURCES AND PROTECTED UPLAND ILLUSTRATED. IMPACTS SEGREGATED AND LISTED IN IMPACT TABLES.
2. PROPOSED TRAILS WILL BE HAND CLEARED AND CONSTRUCTED OF NATURAL MATERIAL TO AVOID WETLAND IMPACTS, UNLESS OTHERWISE NOTED ON THE PLAN. THE APPLICANT WILL MINIMIZE THE USE OF BOARD WALK TO THE EXTENT PRACTICABLE BUT INTENDS TO UTILIZE BOARDWALK IN AREAS THAT ARE FREQUENTLY INUNDATED OR SATURATED, PREVENTING FOOT TRAFFIC.
3. SHEETS ILLUSTRATE WETLANDS AND OTHER AQUATIC RESOURCES THAT ARE WATERS OF THE UNITED STATES PURSUANT TO SECTION 404 OF THE CLEAN WATER ACT AS DEFINED IN THE JURISDICTIONAL DETERMINATION (SAC-2015-00997), ISSUED JUNE 3, 2016 FOR A 87-ACRE SITE LOCATED OFF OF BACON'S BRIDGE ROAD IN DORCHESTER COUNTY, SOUTH CAROLINA.

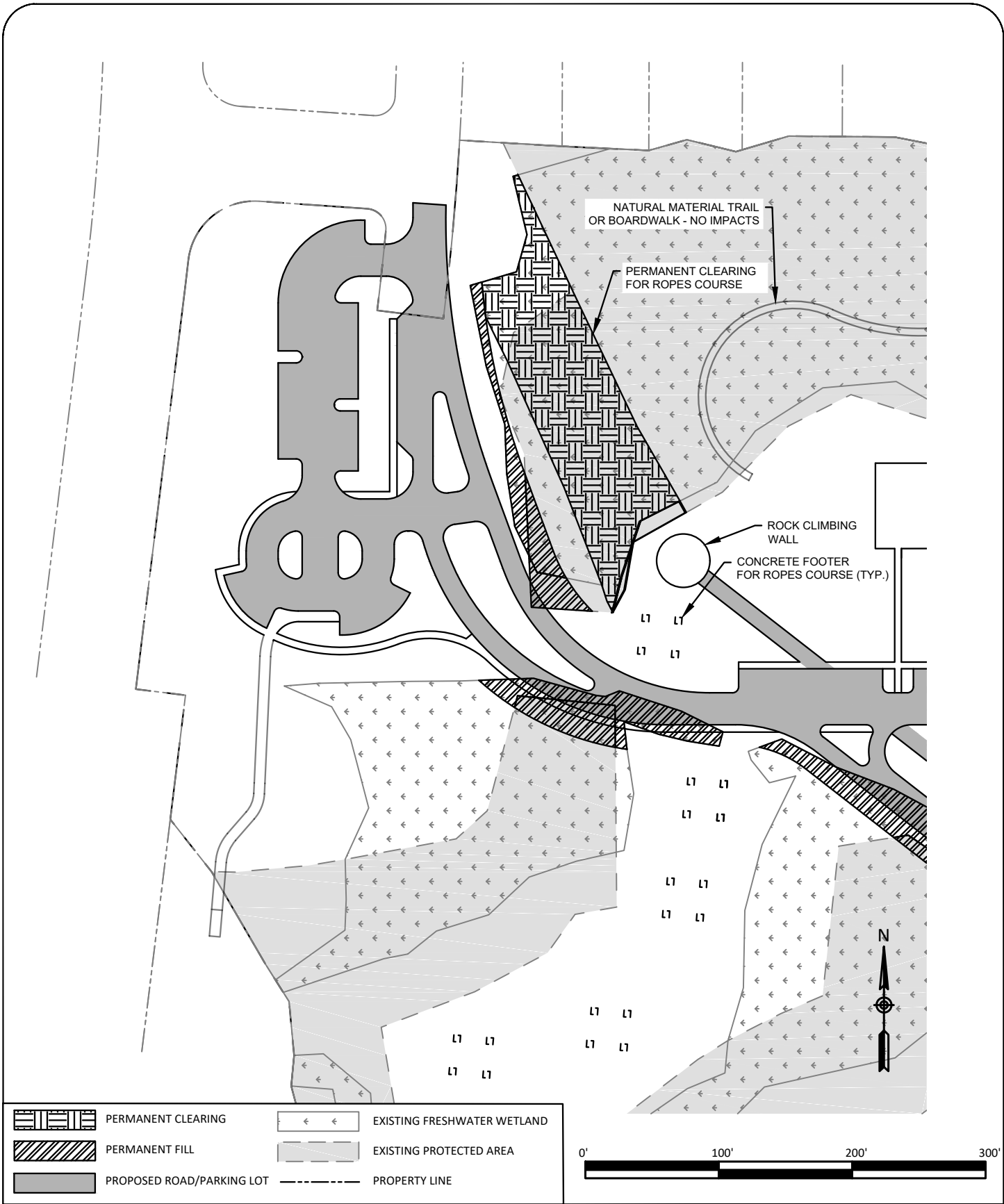





WILDLANDS
 ENGINEERING
 497 Bramson Court, Suite 104
 Mount Pleasant, SC 29464
 Tel: 843.277.6221
 Fax: 843.212.2101

Date: 12-15-17
 Job Number: 005-17126
 Applicant: Dorchester County
 Agent: Wildlands Engineering
 Scale: 1" = 400'

Ashley River Park
 Dorchester County, SC

Overview



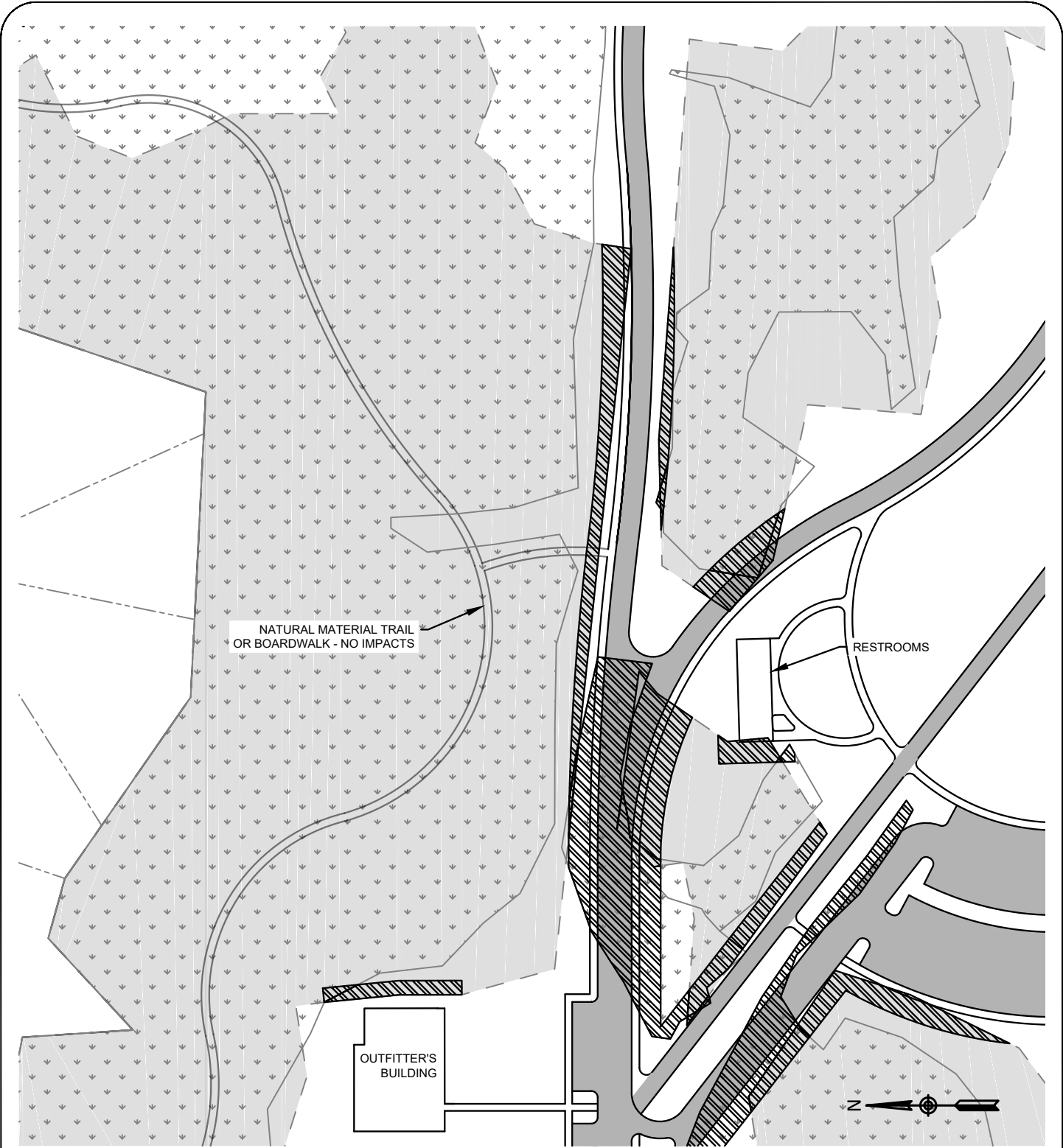
	PERMANENT CLEARING		EXISTING FRESHWATER WETLAND
	PERMANENT FILL		EXISTING PROTECTED AREA
	PROPOSED ROAD/PARKING LOT		PROPERTY LINE

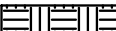






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Ashley River Park
 Dorchester County, SC

Sheet 1



	PERMANENT CLEARING		EXISTING FRESHWATER WETLAND
	PERMANENT FILL		EXISTING PROTECTED AREA
	PROPOSED ROAD/PARKING LOT		PROPERTY LINE

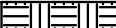




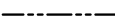



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Ashley River Park
 Dorchester County, SC



	PERMANENT CLEARING		EXISTING FRESHWATER WETLAND
	PERMANENT FILL		EXISTING PROTECTED AREA
	PROPOSED ROAD/PARKING LOT		PROPERTY LINE

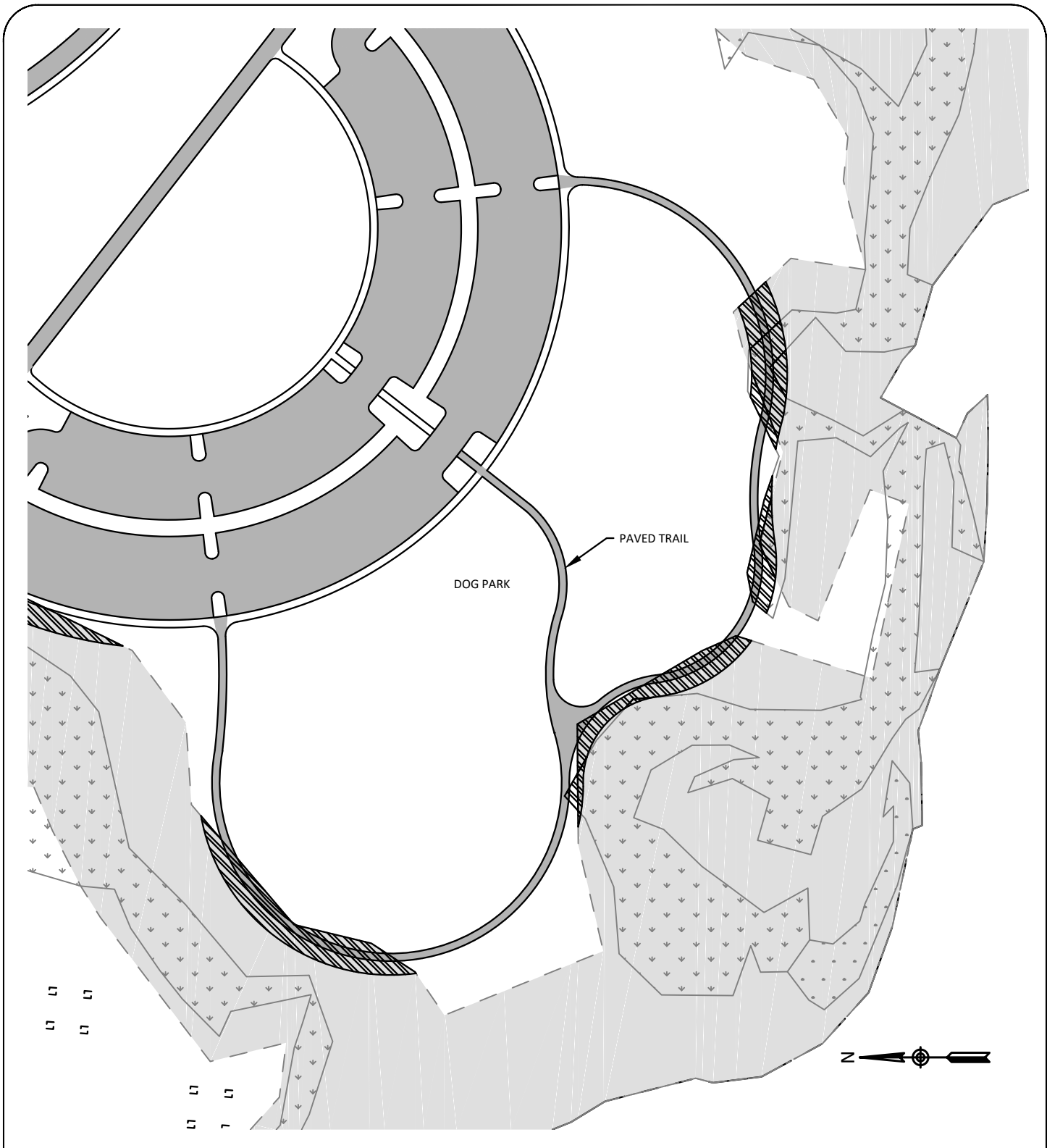



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Ashley River Park Dorchester County, SC

Sheet 3



	PERMANENT CLEARING		EXISTING FRESHWATER WETLAND
	PERMANENT FILL		EXISTING PROTECTED AREA
	PROPOSED ROAD/PARKING LOT		PROPERTY LINE

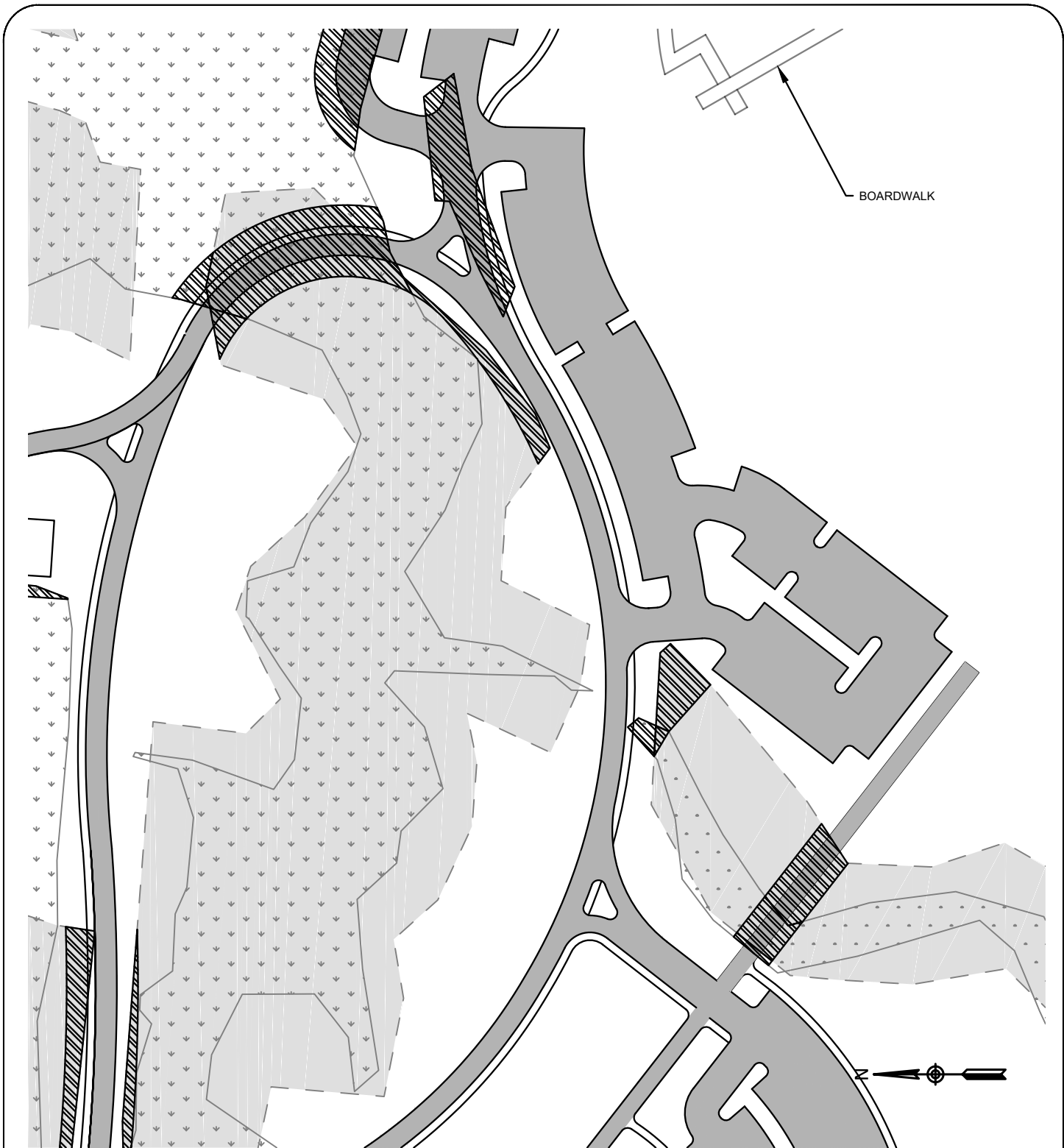



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Ashley River Park
Dorchester County, SC

Sheet 4



BOARDWALK

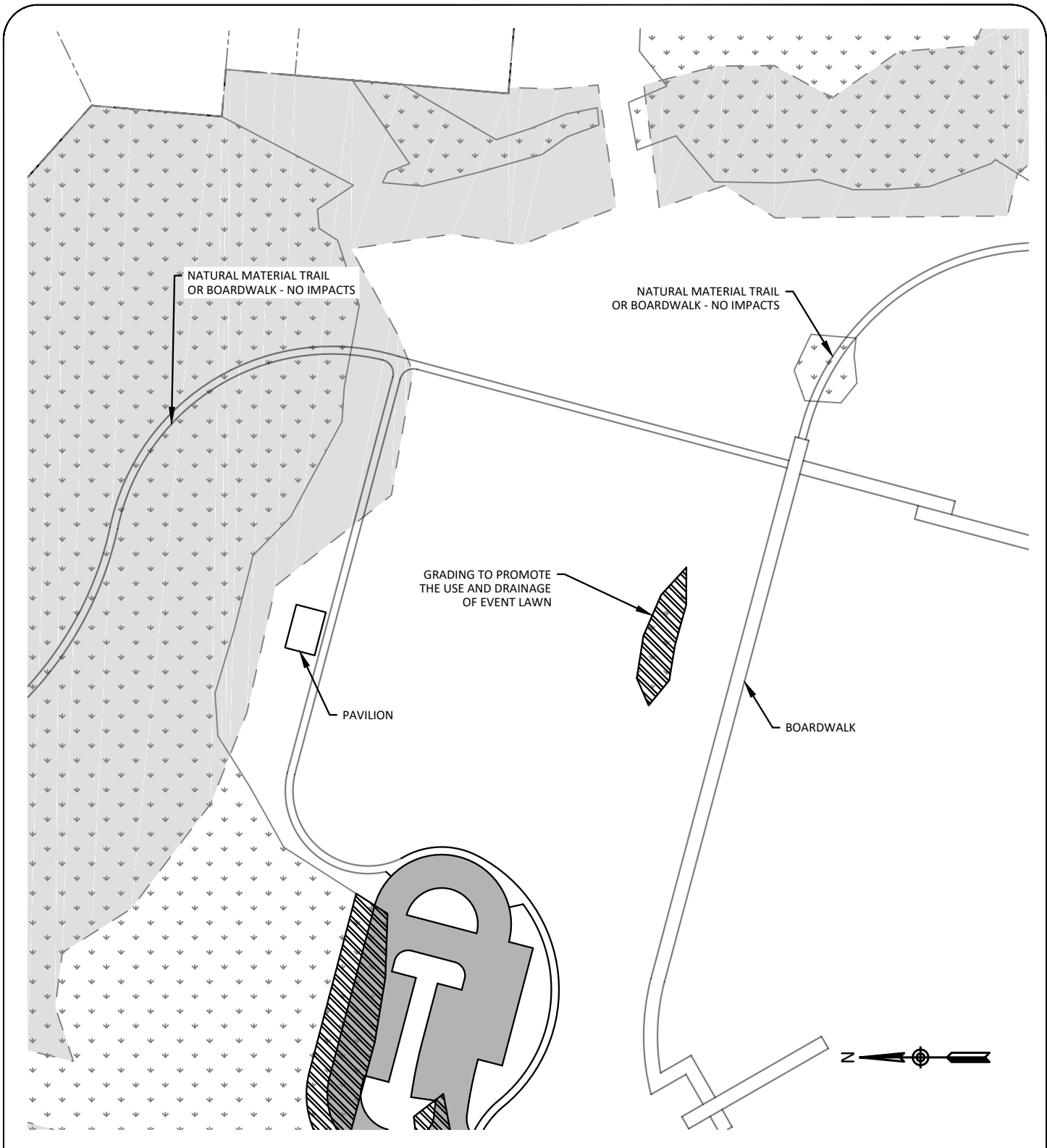
	PERMANENT CLEARING		EXISTING FRESHWATER WETLAND
	PERMANENT FILL		EXISTING PROTECTED AREA
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Ashley River Park
Dorchester County, SC



	PERMANENT CLEARING		EXISTING FRESHWATER WETLAND
	PERMANENT FILL		EXISTING PROTECTED AREA
	PROPOSED ROAD/PARKING LOT		PROPERTY LINE

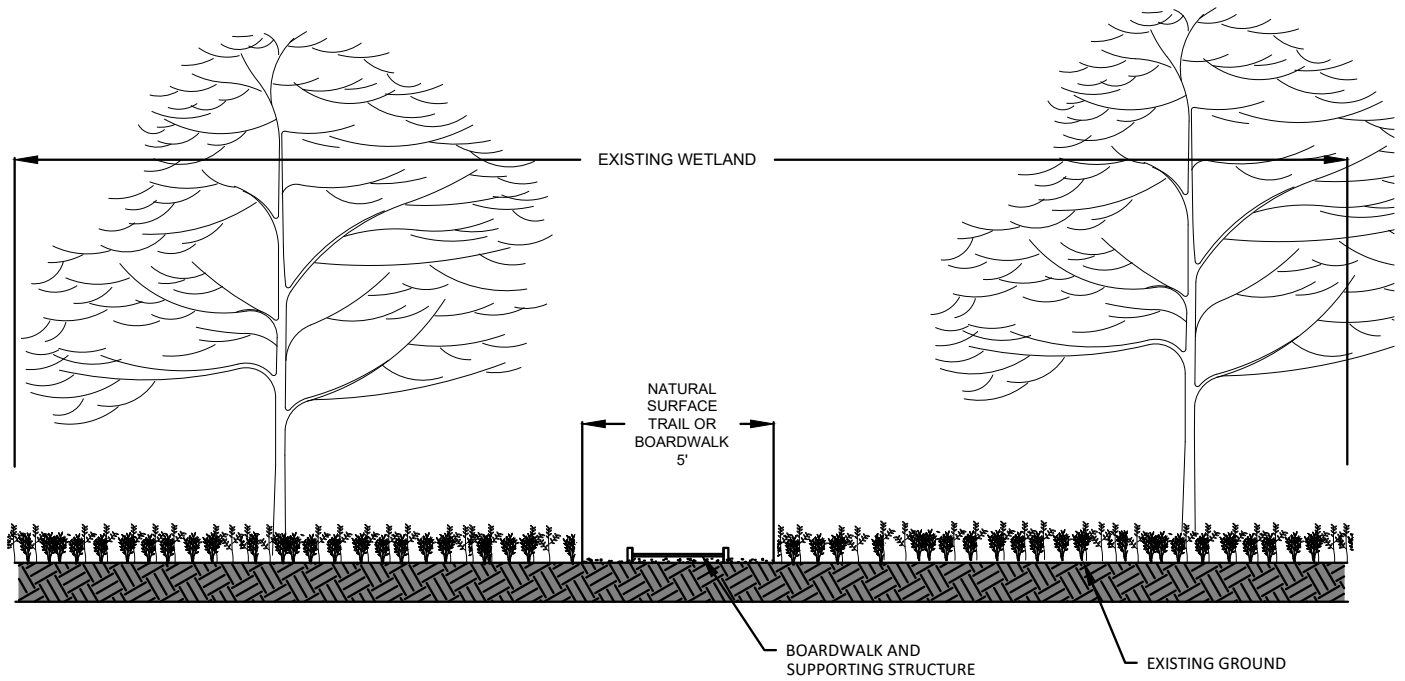



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Ashley River Park
Dorchester County, SC

Cross-Section
NATURAL SURFACE TRAIL/BOARDWALK



NOTES:

1. TYPICAL PATH WIDTH IS 5'.
2. CLEARING SHOULD NOT EXTEND BEYOND PATH LIMITS.
3. PATH CONSTRUCTION LIMITED TO CLEARING ONLY.
4. BOARDWALK WILL BE UTILIZED IN AREAS THAT ARE FREQUENTLY INUNDATED OR SATURATED, PREVENTING FOOT TRAFFIC.



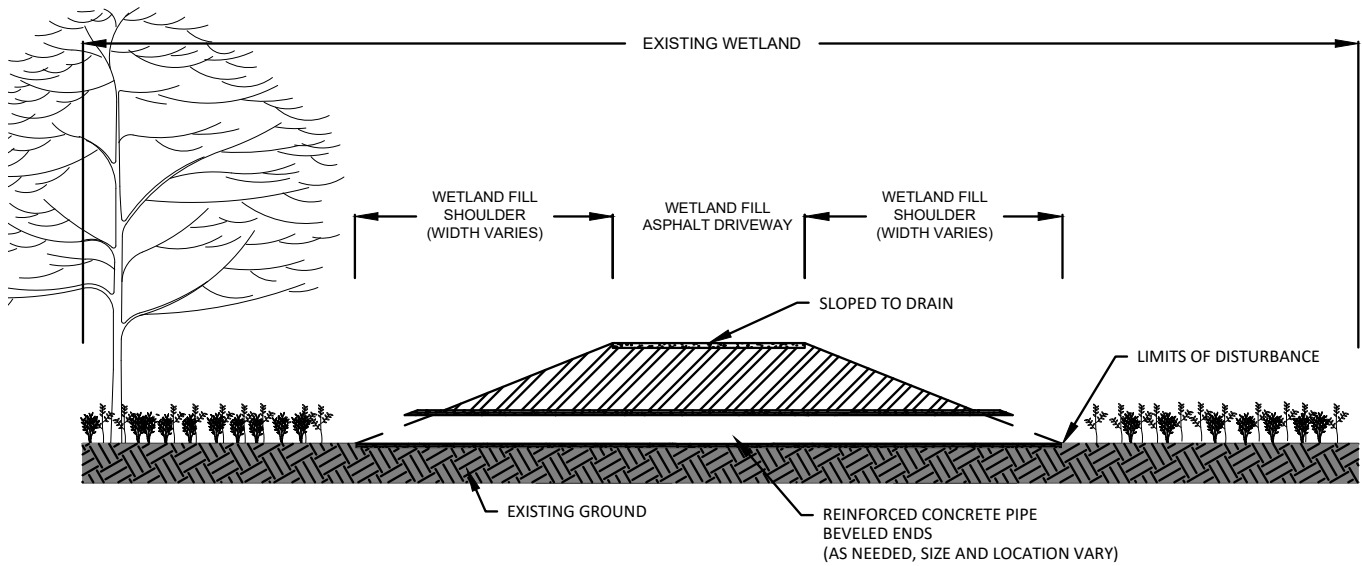
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Fax: 843.212.2101

Date: 12-15-17
Job Number: 005-17126
Applicant: Dorchester County
Agent: Wildlands Engineering
Scale: NTS

Ashley River Park
Dorchester County, SC

Trail and Boardwalk Section

Typical Cross-Section
ROAD IMPROVEMENT IMPACTS
WETLAND CROSSING



NOTES:

1. A PAVED ROAD WILL BE CONSTRUCTED AT THE PARK ENTRANCE TO SUPPORT INGRESS AND EGRESS. THE ROAD WIDTH MAY VARY BUT THE IMPACTS TO AQUATIC RESOURCES WILL BE LIMITED TO THE EXTENT ILLUSTRATED ON THESE PLANS. THE PAVED ROAD WILL CONTINUE FROM WEST TO EAST TO SUPPORT BOTH VEHICULAR AND FOOT TRAFFIC. THE INTERIOR PORTION WILL FEATURE A ONE-WAY LOOP TO PROVIDE ACCESS TO PARK FEATURES WHILE MINIMIZING IMPACT WIDTH.
2. LIMITS OF DISTURBANCE IS LIMITED TO 20' FROM THE EDGE OF PAVEMENT OR STRUCTURES.
3. DEPTH OF FILL WILL VARY DEPENDING ON LOCATION AND SURROUNDING TERRAIN.
4. CULVERT SIZE AND LOCATIONS WILL BE SHOWN ON FINAL CONSTRUCTION PLANS.



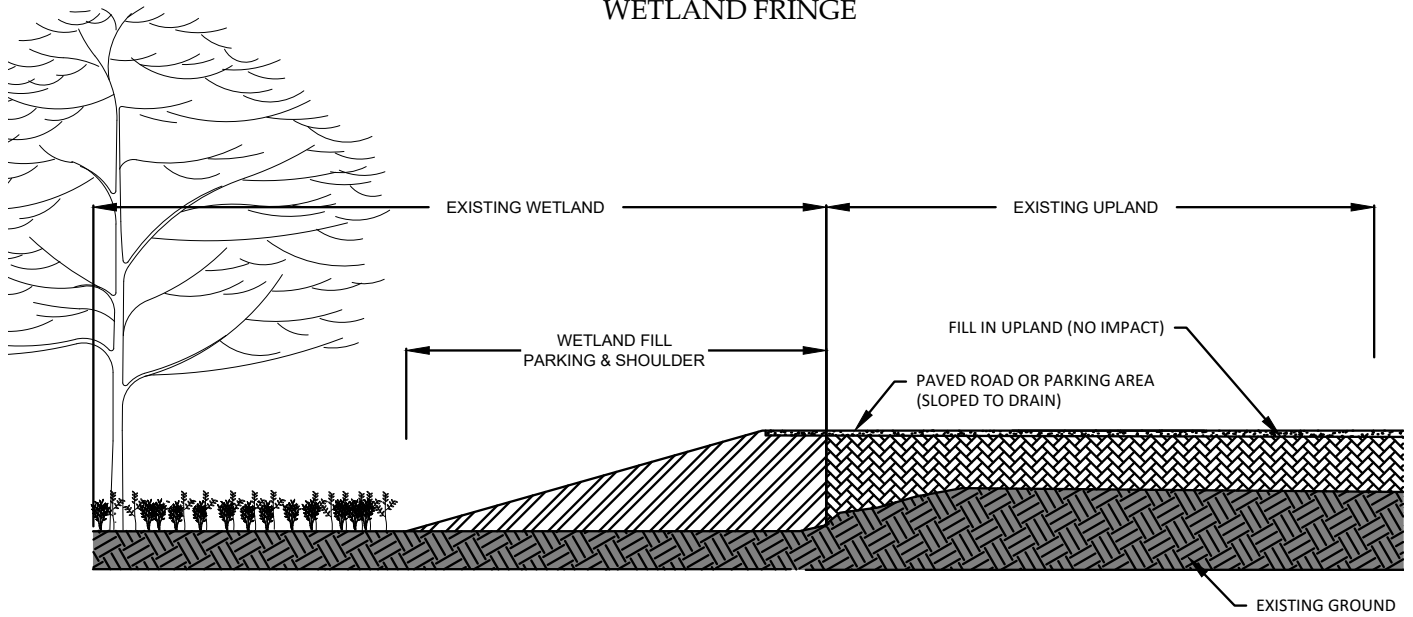
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Scale:	NTS

**Ashley River Park
Dorchester County, SC**

Road Section

Typical Cross-Section
ROAD/PARKING IMPROVEMENT IMPACTS
WETLAND FRINGE



NOTES:

1. DEPTH OF FILL WILL VARY DEPENDING ON LOCATION AND SURROUNDING TERRAIN.
2. LIMITS OF DISTURBANCE IS LIMITED TO 20' FROM THE EDGE OF PAVEMENT OR STRUCTURE.



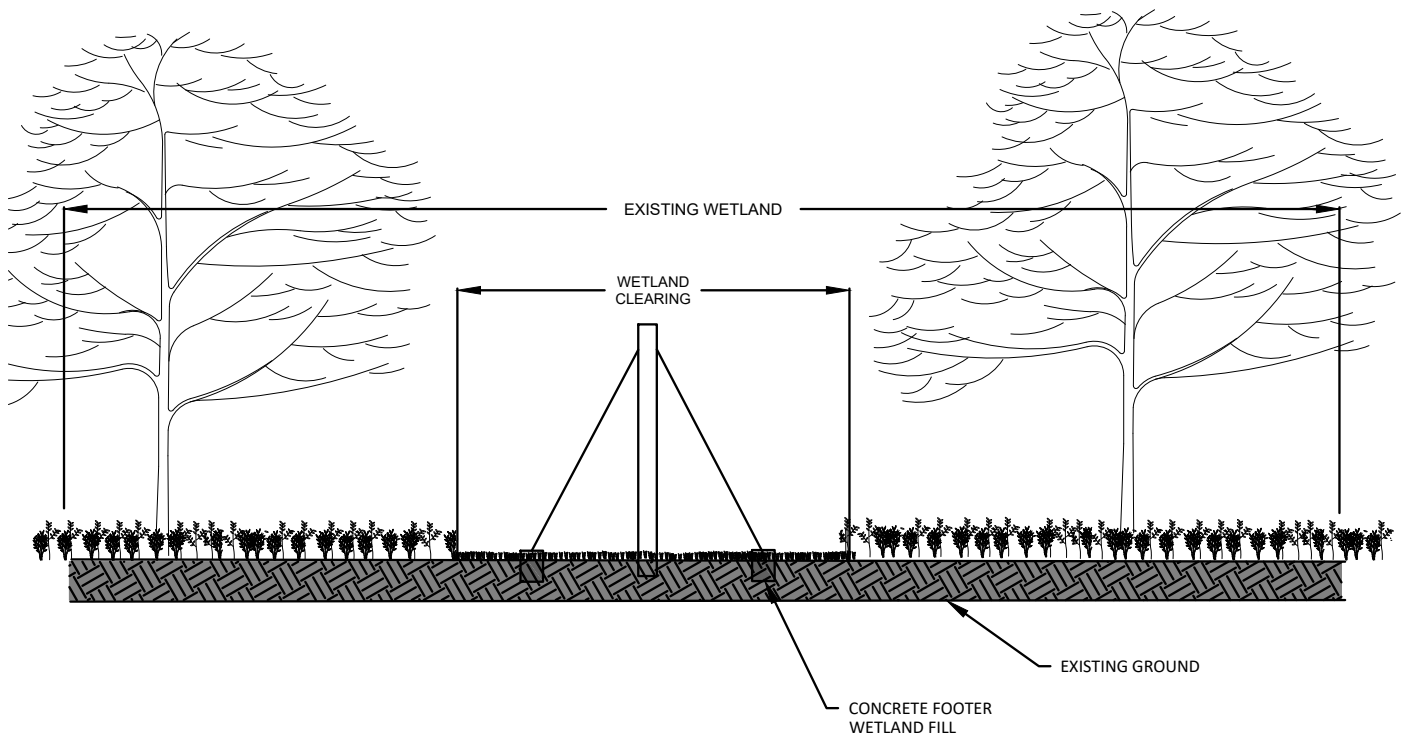
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Ashley River Park
Dorchester County, SC

Parking Lot Section

Cross-Section
ROPES COURSE



- NOTES:
1. CLEARING SHOULD NOT EXTEND BEYOND DEPICTED LIMITS.
 2. CONCRETE FOOTER TO BE 5' X 5' SQUARE, DEPTH VARIES.



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Ashley River Park
Dorchester County, SC

Ropes Course Section