JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A Hagood Avenue Charleston, South Carolina 29403-5107

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N SAC-2015-00964 January 26, 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 <u>et. seq.</u>), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Mr. Will McGoldrick South Carolina Department of Transportation (SCDOT) 955 Park Street Columbia, South Carolina 29201-3959

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 northerly shift of the travelway, within wetlands adjacent to and in the

HARBOR RIVER

located at the U.S. 21 bridge crossing over the Harbor River, between St. Helena and Harbor Islands, Beaufort County, South Carolina (Latitude: 32.404229°N, Longitude: -80.452784°W), as shown on the St. Helena Sound, 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 placement of fill in order to create a suitable road base for the replacement of the existing 77-year-old, U.S. 21 steel truss swing-span bridge over the Harbor

River. The new bridge will be offset approximately 65-feet to the north of the existing so as to maintain traffic during construction, which is necessary as the bridge is the only means of access to the island. The proposed project begins approximately 1,400-feet west of the existing bridge to accommodate the alignment shift. The new bridge will be 47-feet wide and 3,340-feet long and will be constructed of reinforced concrete. The new bridge will contain two 12-foot wide travel lanes and two 10-foot wide shoulders, one in each direction, and have a 42-inch high barrier on the outside of each shoulder. The proposed roadway approaches will consist of 4-foot wide paved shoulders to match existing shoulders on U.S. 21 both east and west of the bridge, except for a 10foot wide paved shoulder between the bridge and Harbor Drive. The new bridge will be pile supported on 19 bents and have a vertical clearance of 65-feet and horizontal clearance of 90-feet over the main channel. Once the new bridge is constructed, the existing bridge will be demolished. The swing-span truss will be removed first followed by the span's center pier and fender system. The spans and superstructure will then be removed followed by the bridge sub-structure, which will be removed 2-feet below the mud line. All proposed work, including demolition, will be conducted from a floating barge system within the river, while construction mats and/or barges may be used over the salt marsh. According to the applicant, approximately 0.84-acre of existing fill material from the eastern-most causeway will be removed during demolition activities to provide EFH habitat. The proposed project will have permanent fill impacts to 2.95-acres of tidal wetlands and temporary fill impacts to 0.968-acre of tidal wetlands, for total project impacts to 3.918-acres of tidal wetlands.

<u>Purpose and Need:</u> As stated by the applicant: "The purpose of the proposed project is to correct structural and functional deficiencies of the U.S. 21 bridge over the Harbor River and to upgrade the bridge and its approaches to current design standards."

Avoidance and Minimization: As stated by the applicant: "The Design-Build Team has developed various roadway and bridge design strategies to avoid and minimize impacts. These include the following: revised embankment side slopes from 6:1 to 2:1, reducing the area of the roadway footprint and subsequent fill in salt marsh wetlands; modified roadway alignment to reduce project limits: utilize portions of existing embankment for stormwater treatment: longer bridge spans to reduce the number of foundation elements in waters of the U.S.; removal of approximately 0.84-acres of the existing embankment and provide monetary supplement to the S.C. Oyster Restoration and Enhancement Program; use of pile footings versus drilled shafts in marsh area to minimize generation and handling of spoils; use of floatable sectional barges versus mats for construction access and material storage; use of specialized construction equipment and material: develop/implement environmental compliance plan throughout project to include environmental compliance inspector; and utilize fuel tanks with redundant containment and maintain equipment and avoid spills. The project will also be constructed within the appropriate stormwater guidelines of SCDHEC and SCDOT, which will require the installation, maintenance, and inspection of appropriate erosion and sediment control BMPs throughout construction. In addition, the project will incorporate appropriate post-construction strategies to protect water quality, including grassed swales/ditches for the conveyance and treatment of stormwater and no bridge scuppers over open water."

<u>Compensatory Mitigation:</u> The applicant has proposed to mitigate for impacts to jurisdictional waters of the U.S., including wetlands, by purchasing 51.45 saltwater wetland credits from the approved Clydesdale Mitigation Bank.

NOTE: This public notice and associated plans are available on the Corps' website at: http://www.sac.usace.armv.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 **6.85-acres** of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, shellfish, other fishes, 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, NMFS. Per the applicants' prior coordination, dated June 6, 2016, NMFS concurred with the findings and made EFH conservation recommendations. As such, this public notice serves as a request for any additional information regarding EFH and the proposed project from 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 may affect, but is not likely to adversely affect, the American wood stork (Mycteria Americana), piping plover (Charadrius melodus), red knot (Calidris canutus rufa), Atlantic sturgeon (Acipenser oxyrinchus), shortnose sturgeon (Acipenser brevirostrum), West Indian manatee (Trichechus manatus), green sea turtle (Chelonia mydas), Kemp's ridley sea turtle (Lepidochelys kempii), and loggerhead sea turtle (Caretta caretta), but will not result in the destruction or adverse modification of designated or proposed critical habitat of these species. In addition, the District Engineer has determined that the proposed project will have no effect on any other Federally listed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. Per the applicants' prior coordination with the U.S. Fish and Wildlife Service (USFWS), dated January 27, 2016, and the NMFS, dated July 18, 2016, both agencies concurred with these findings. As such, this public notice serves as a request for any additional information regarding listed species and the proposed project from the USFWS and/or NMFS.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(I)(1)), and has initially determined that historic properties, are present; moreover, these historic properties will be affected by the proposed undertaking. As submitted, the

Federal Highway Administration (FHWA), SCDOT, and the State Historic Preservation Office (SHPO) have entered into a Memorandum of Understanding regarding the proposed unavoidable impacts to this resource. Individuals or groups who would like to be consulting parties for the purposes of the NHPA should make such a request to the Corps in writing within 30 days of this public notice. To ensure that other historic properties that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the SHPO and other interested parties to provide any information they may have with regard to historic properties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

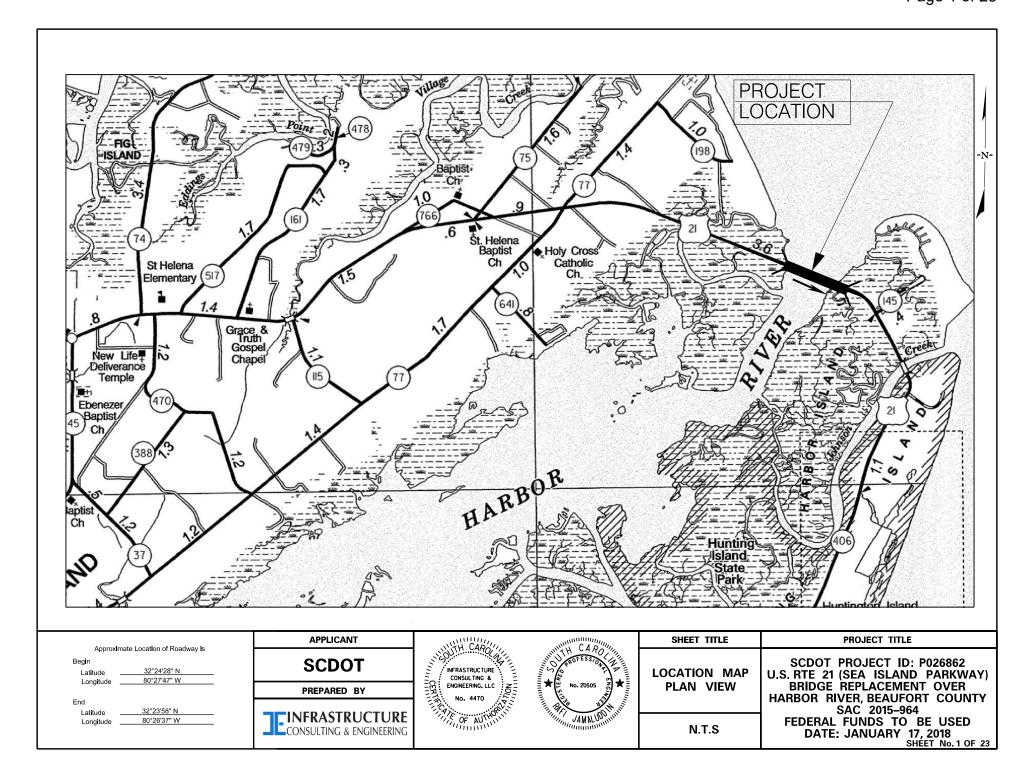
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

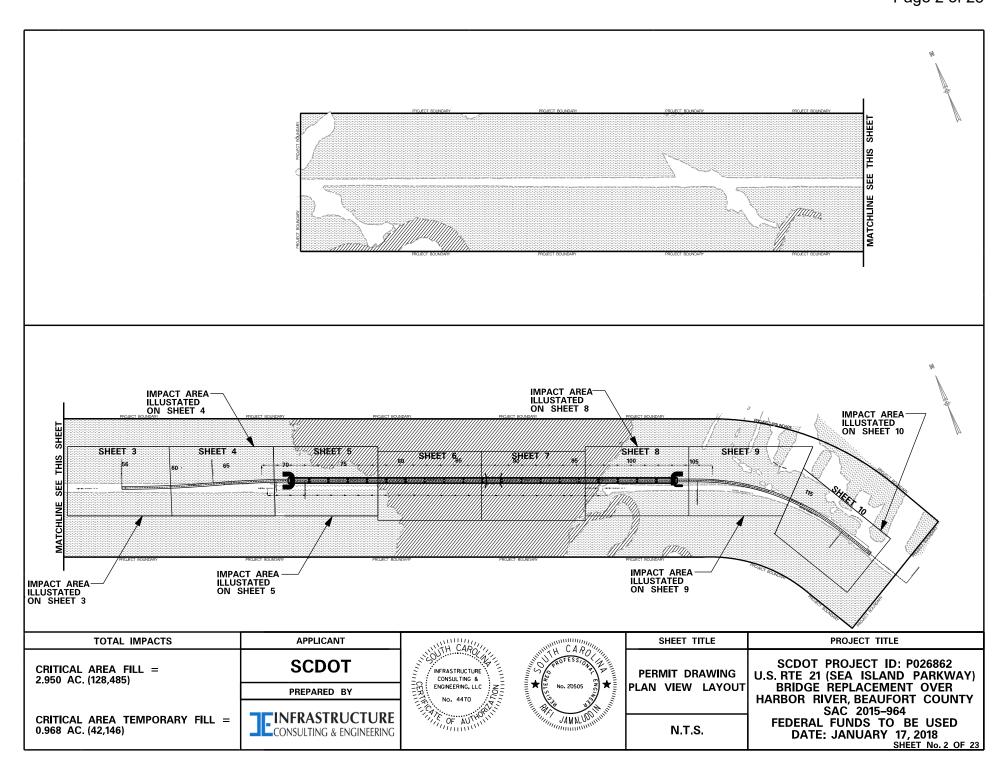
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps cannot undertake to adjudicate rival claims.

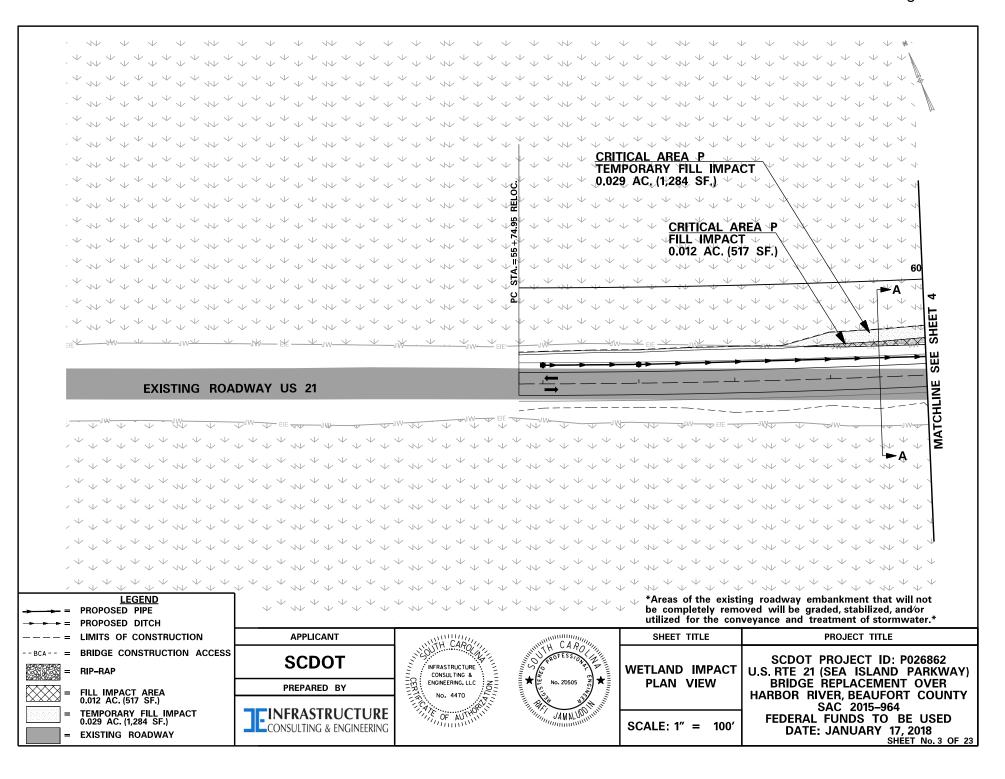
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify,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

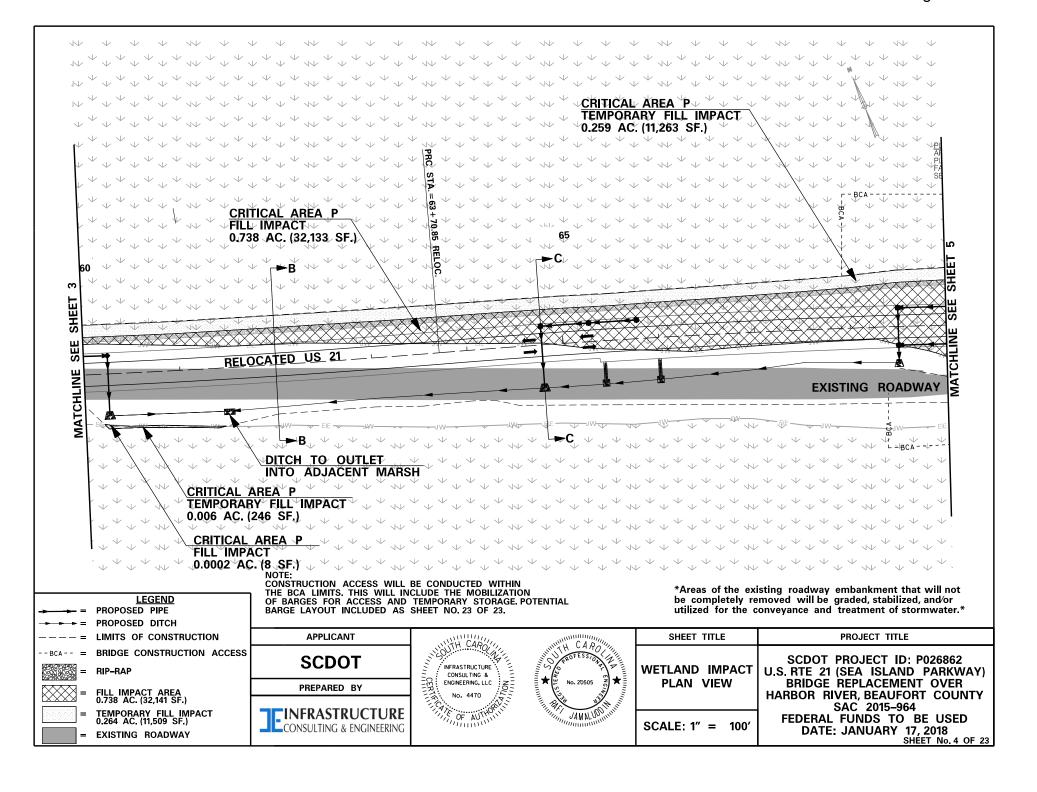
U.S. Army Corps of Engineers ATTN: Regulatory Division 69-A Hagood Avenue Charleston, South Carolina 29403-5107

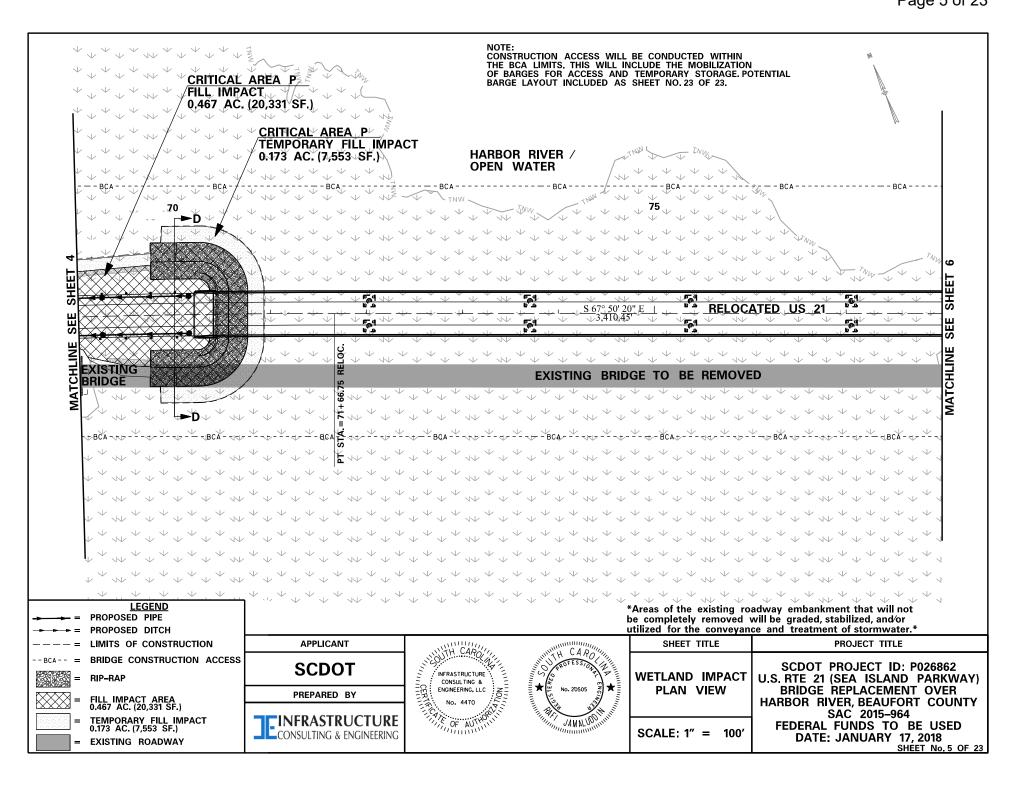
If there are any questions concerning this public notice, please contact Christopher Mims, at (843) 329-8154, toll free at 1-866-329-8187, or via email at Christopher.D.Mims@usace.army.mil.

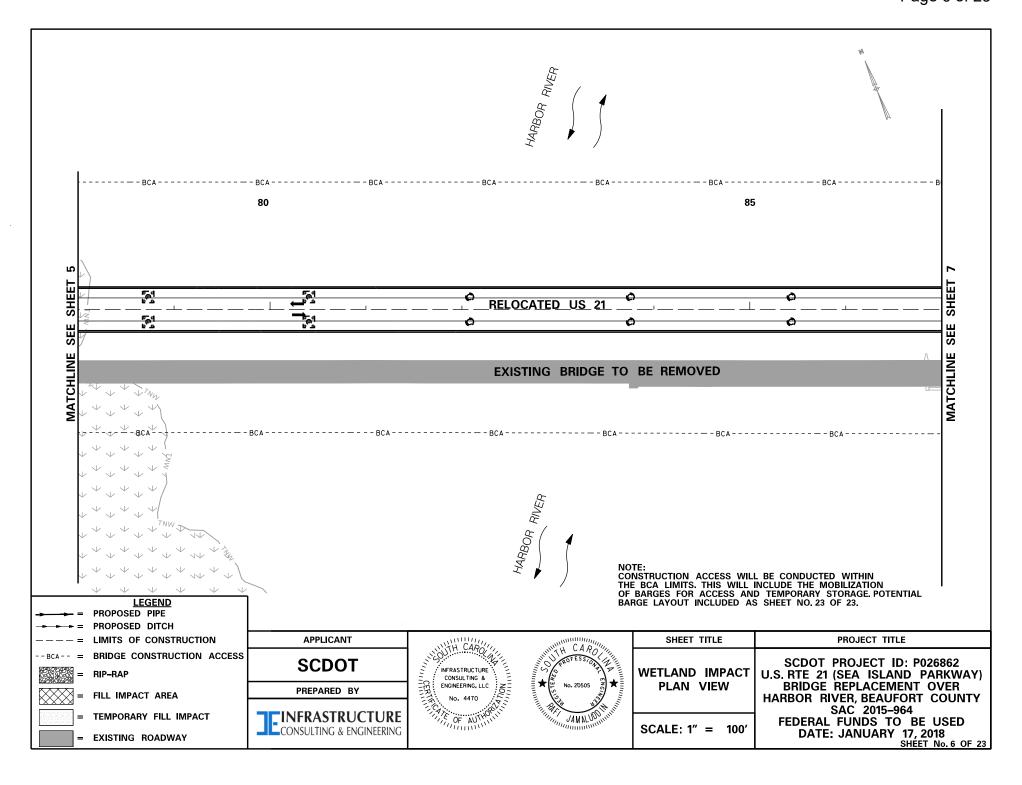


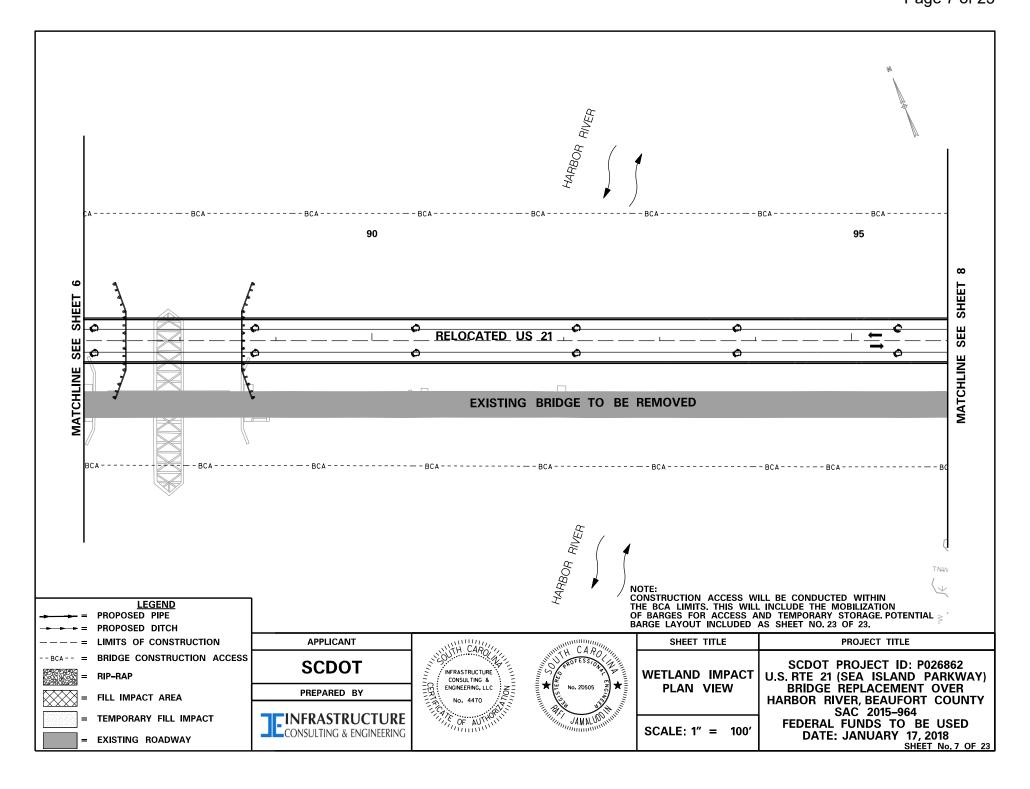


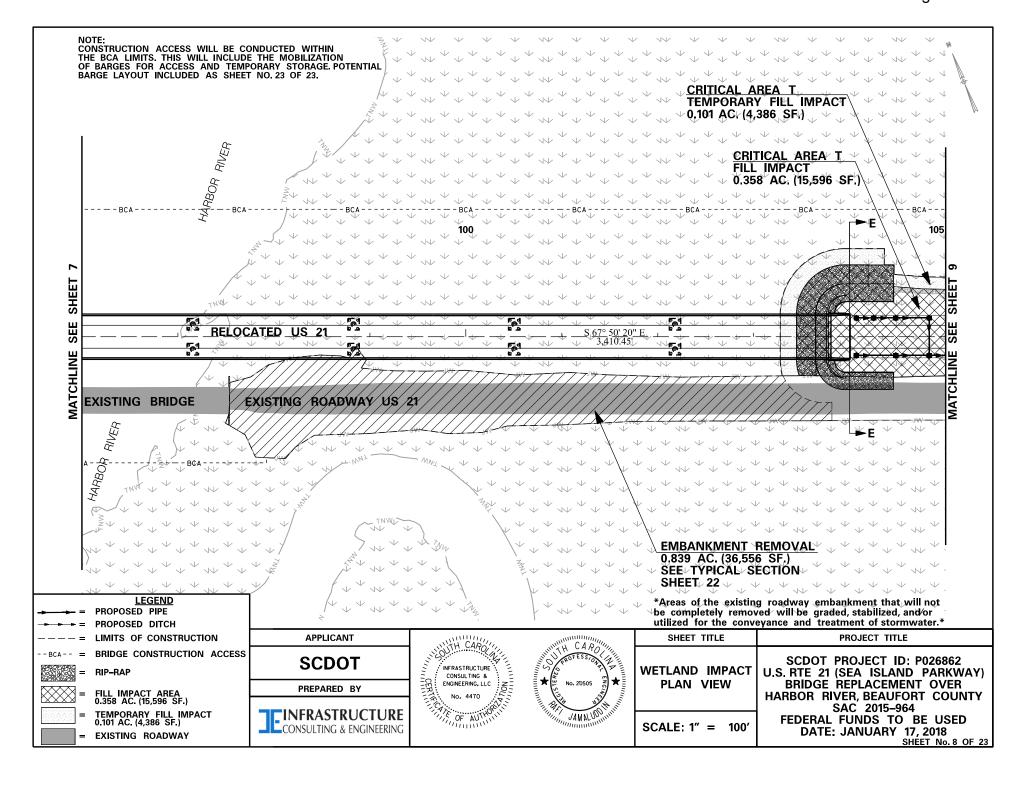


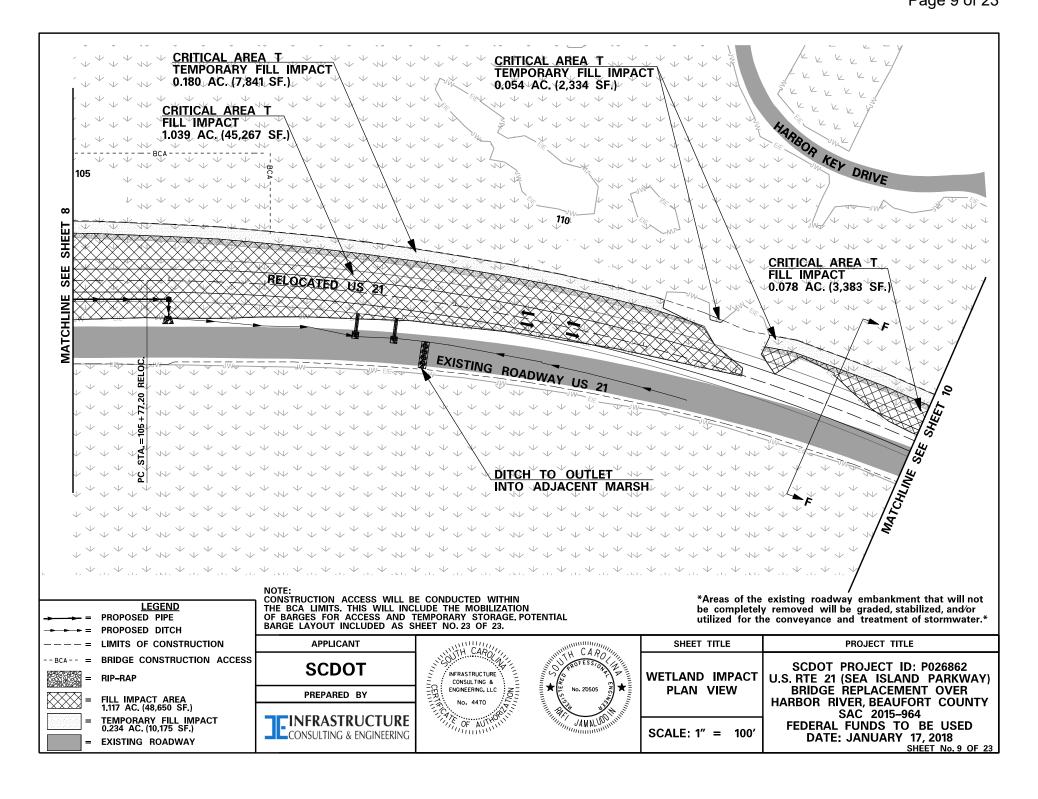


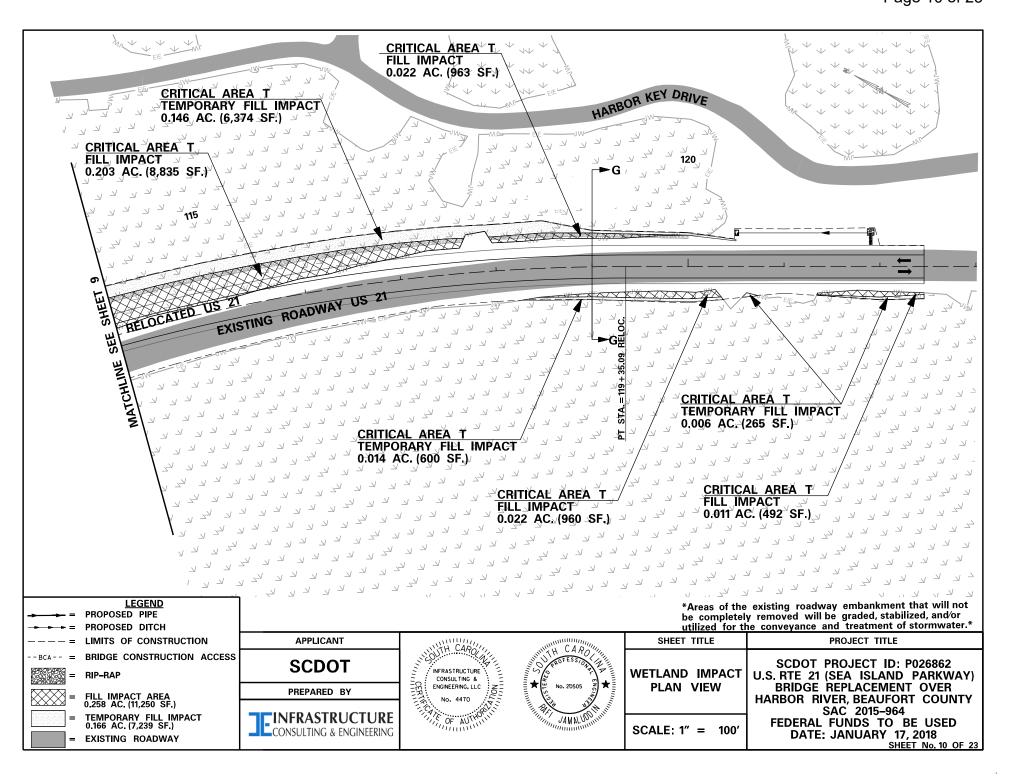


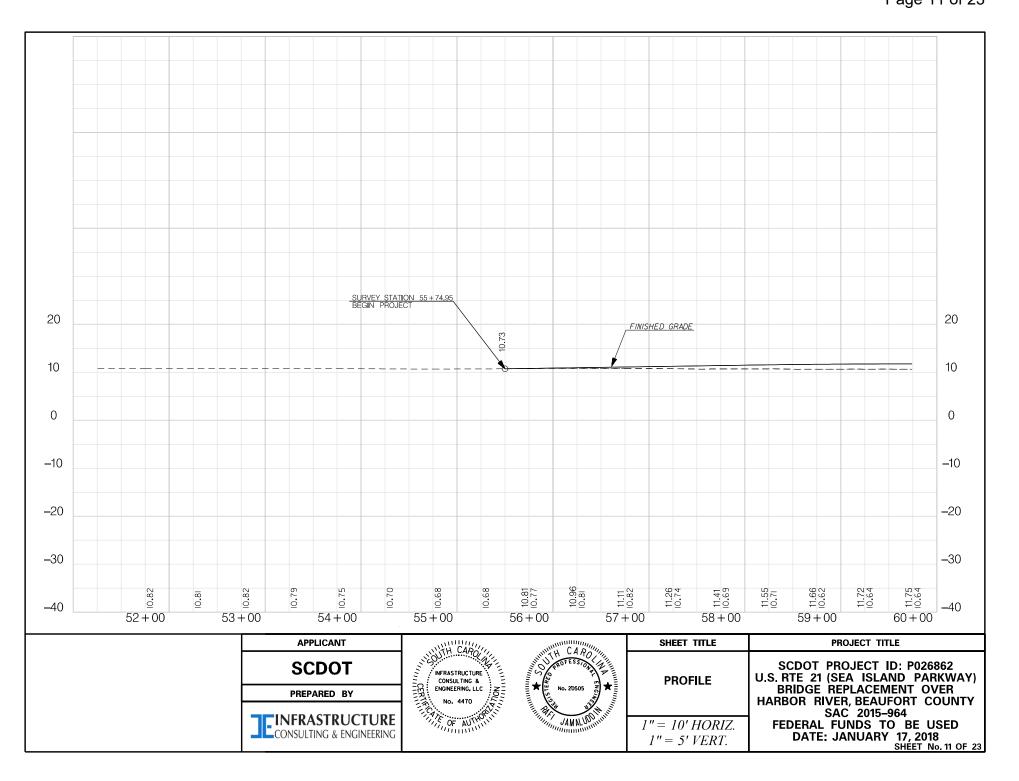


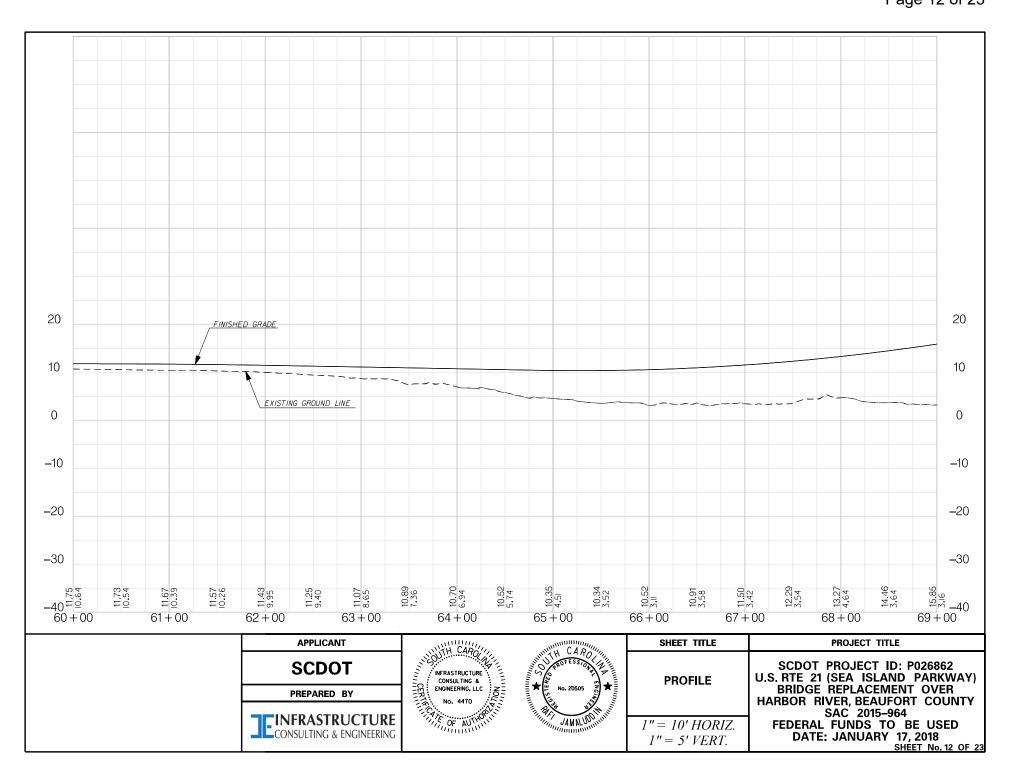


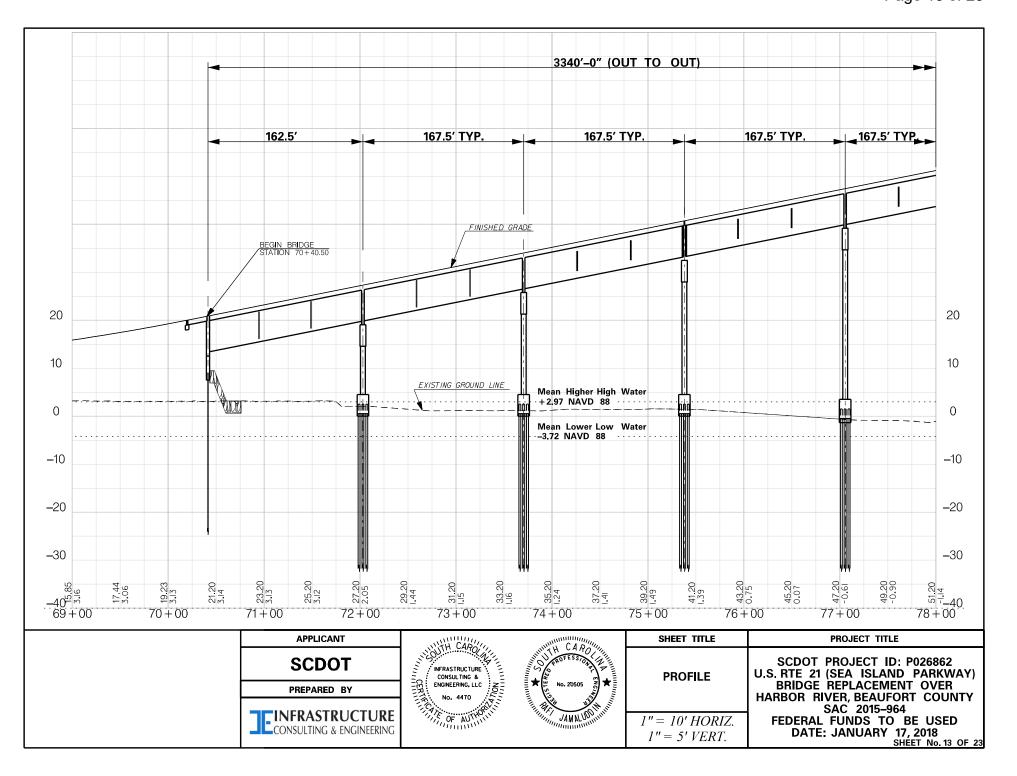


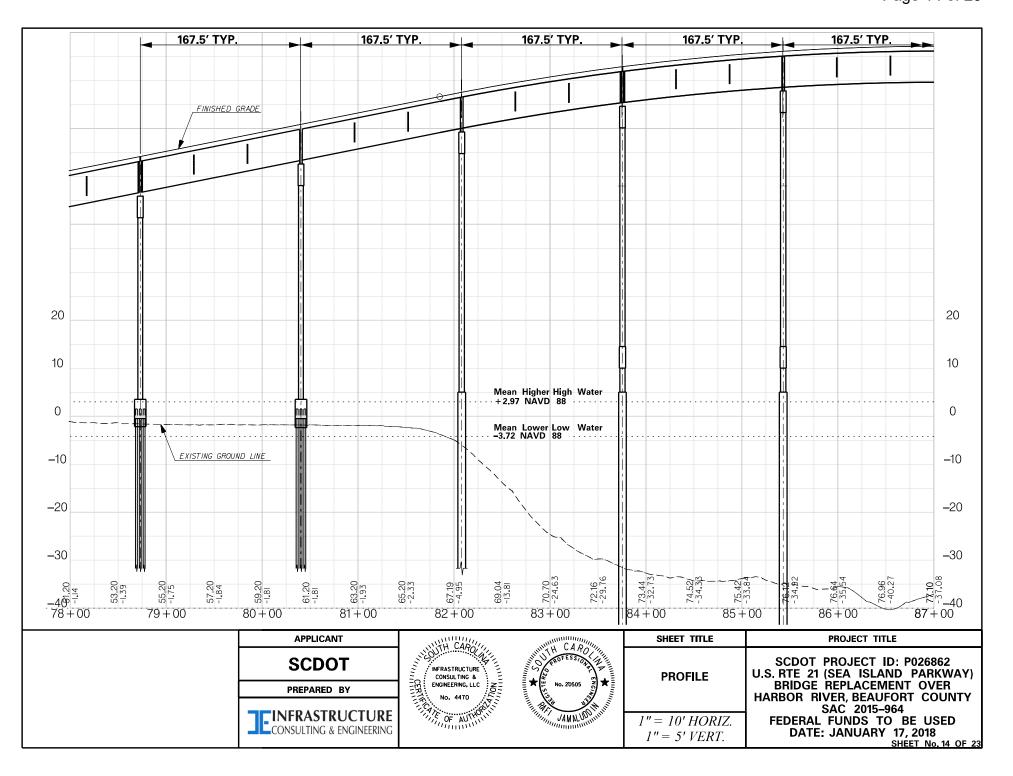


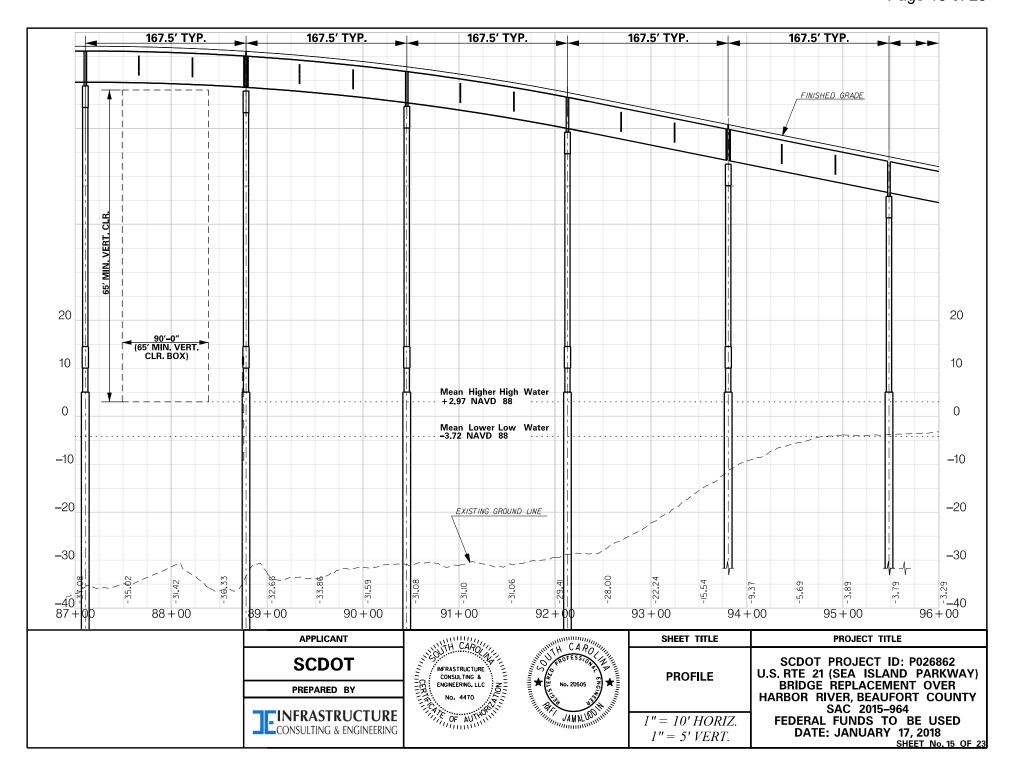


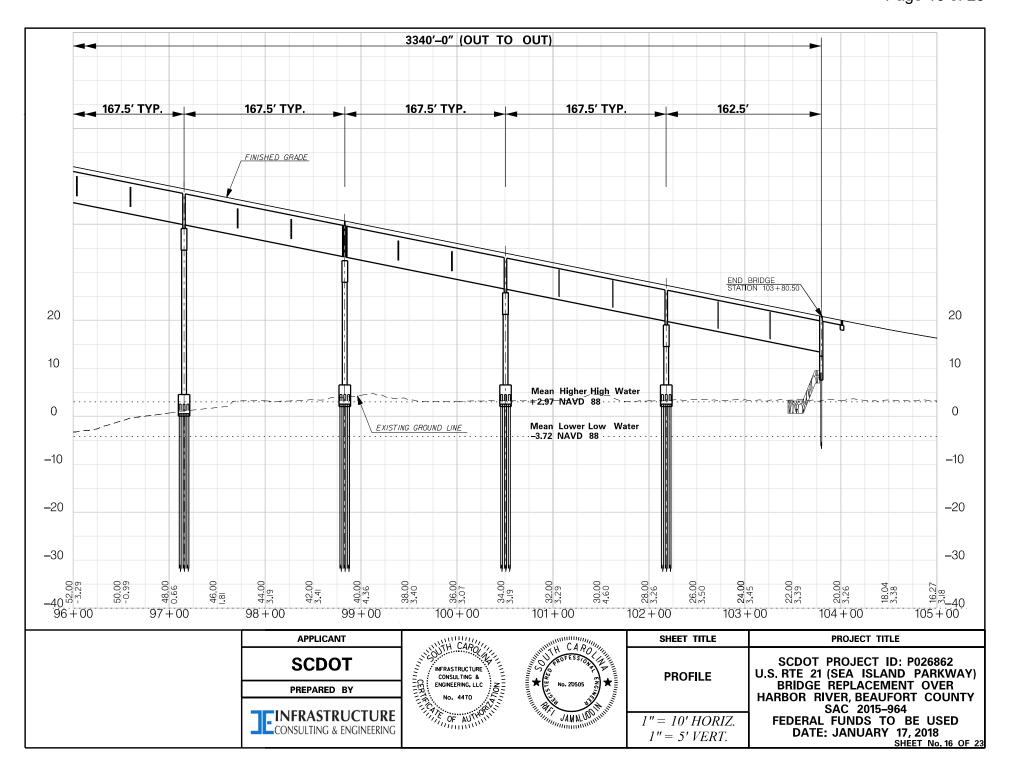


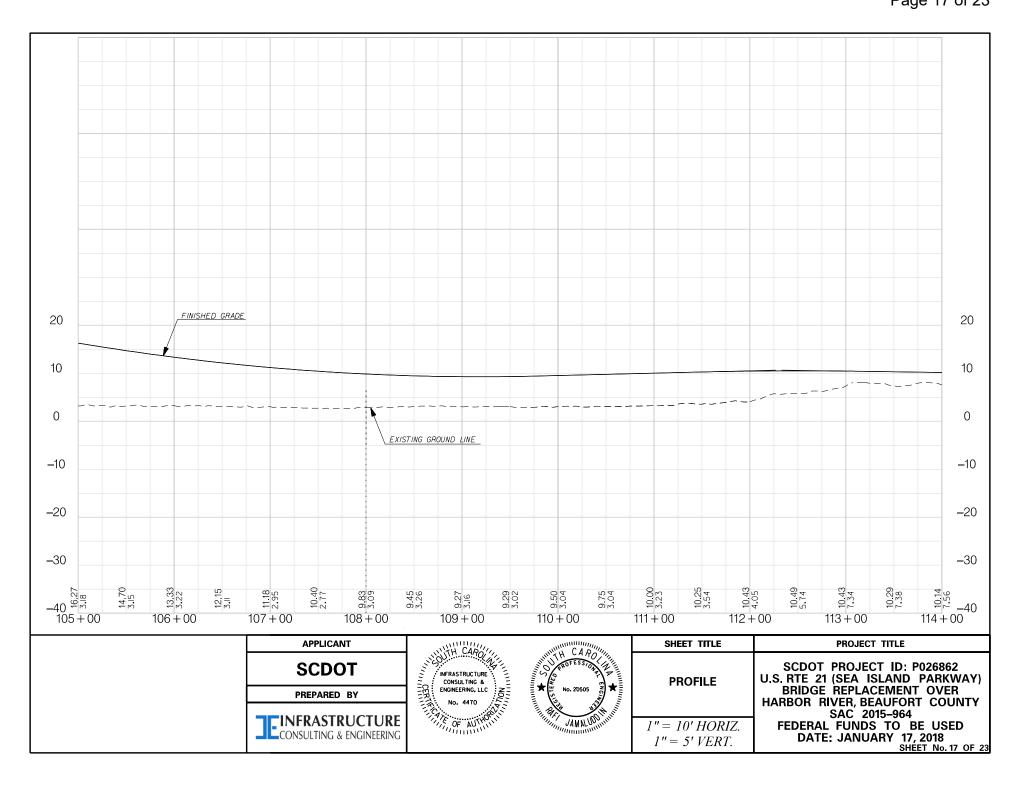


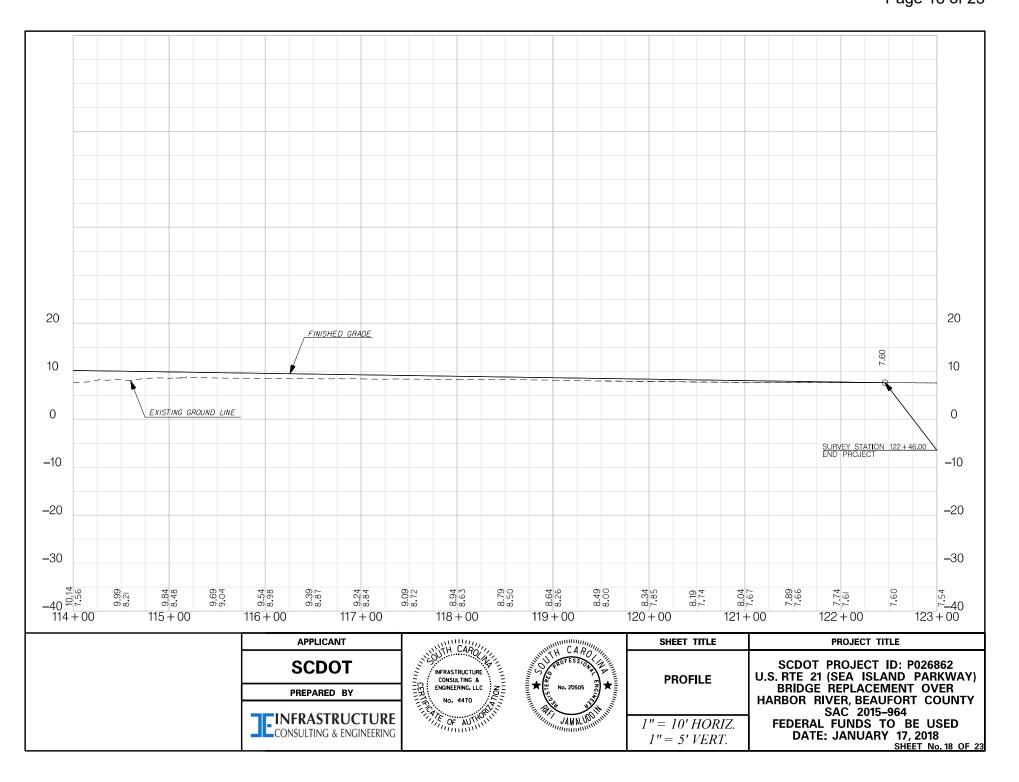




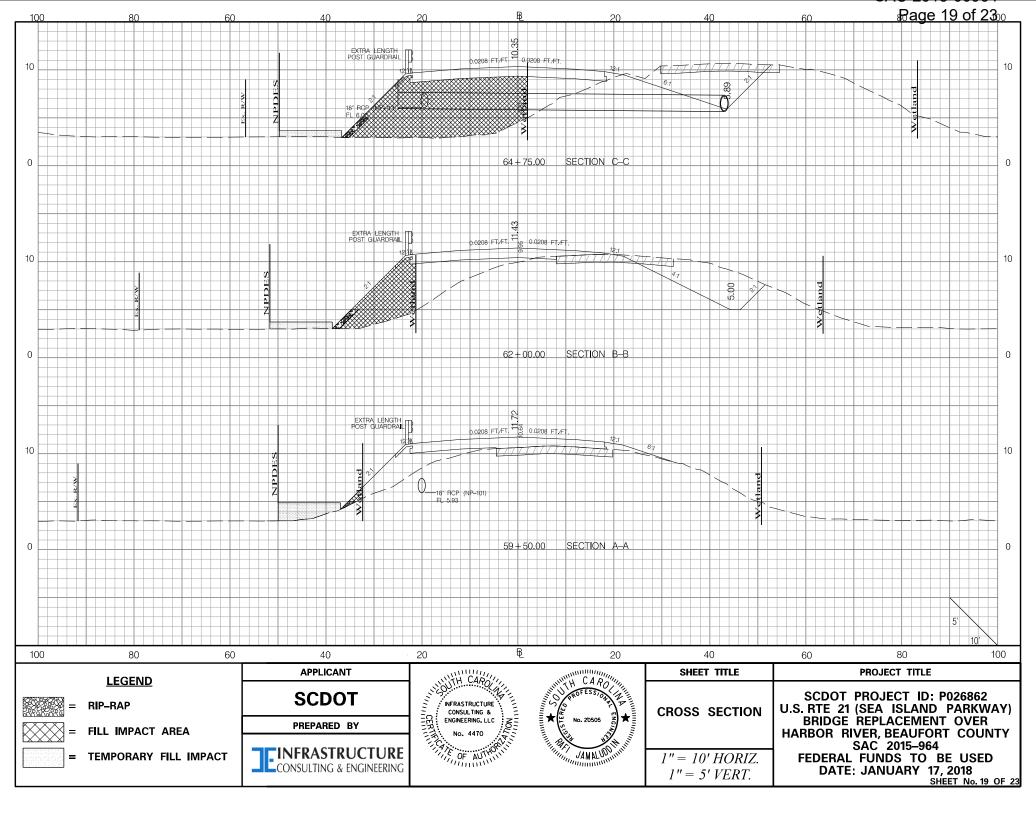




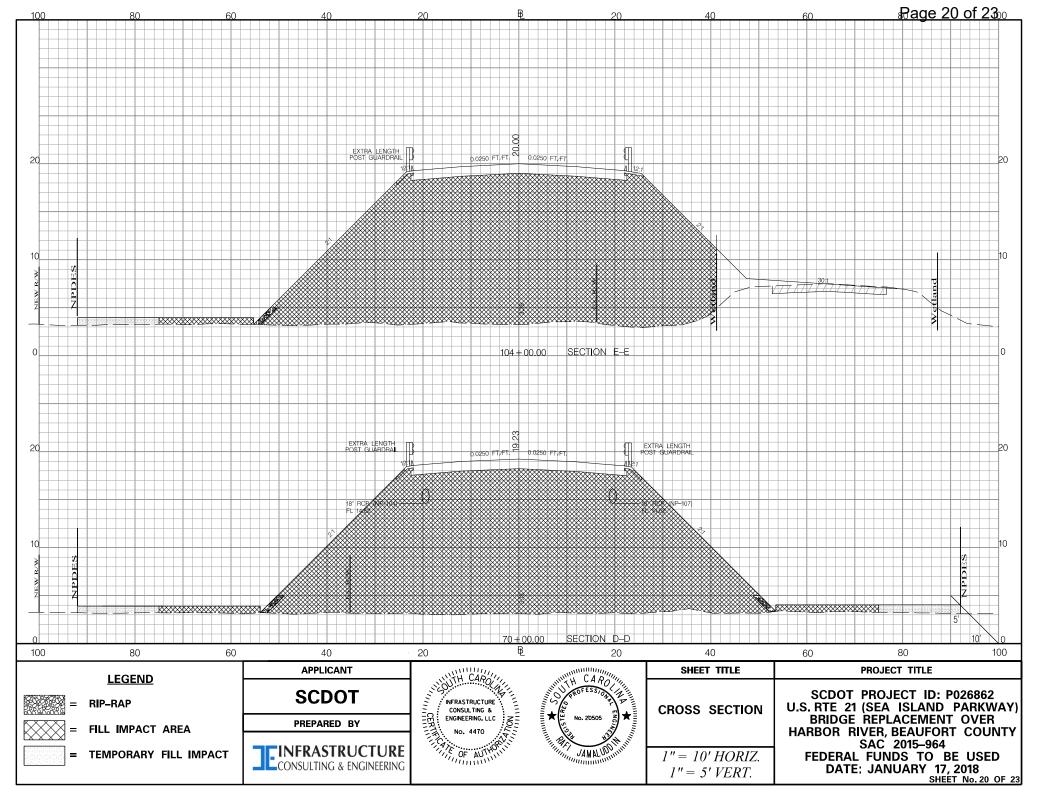




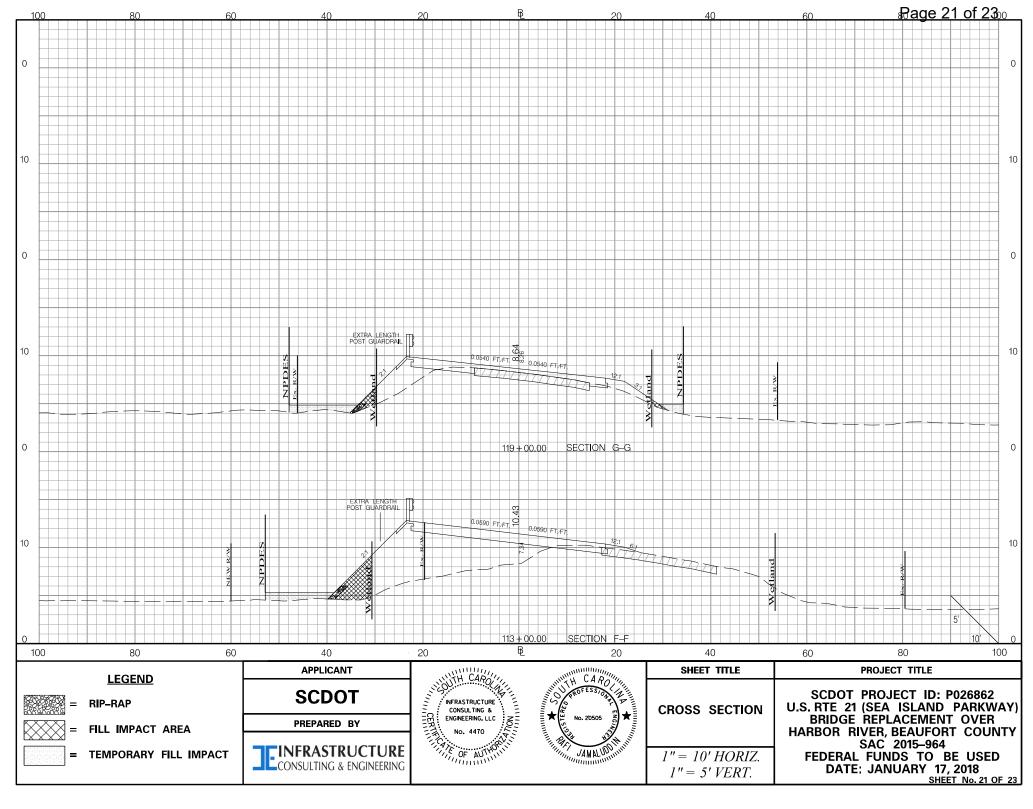
SAC-2015-00964



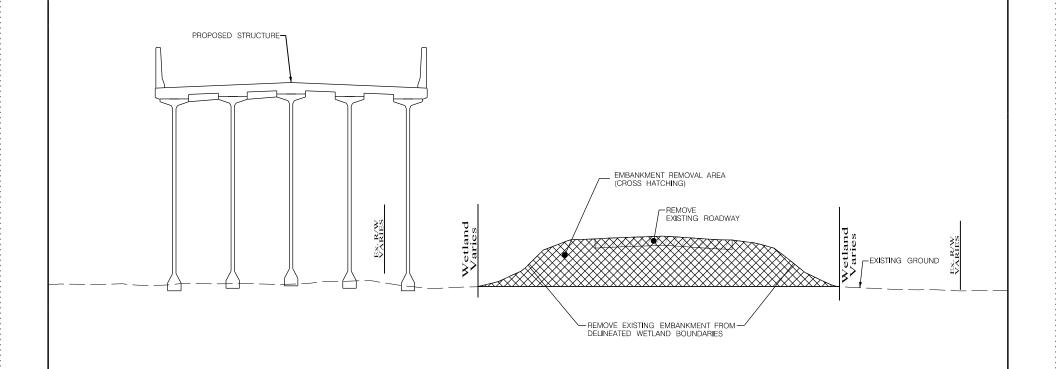








TYPICAL SECTION OF EXISTING EMBANKMENT REMOVAL



APPLICANT SHEET TITLE PROJECT TITLE **SCDOT** SCDOT PROJECT ID: P026862 U.S. RTE 21 (SEA ISLAND PARKWAY) CONSULTING & TYPICAL SECTION BRIDGE REPLACEMENT OVER PREPARED BY HARBOR RIVER, BEAUFORT COUNTY SAC 2015-964 **INFRASTRUCTURE** FEDERAL FUNDS TO BE USED N.T.S. CONSULTING & ENGINEERING **DATE: JANUARY 17, 2018** SHEET No. 22 OF 23

