

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

Office of Ocean and Coastal Resource Management

1362 McMillan Avenue, Suite 400

Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N SAC-2018-01827

DATE: March 22, 2019

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. Steven Kirk

City of Charleston

2 George St Suite 2100

Charleston, South Carolina 29401

for a permit to construct a drainage ditch in

tidal marshes of Wappoo Creek

located between Devonshire Drive and Cork Road, in West Ashley, Charleston County, South Carolina (Latitude: 32.7777 °N, Longitude: -79.9967 °W), Charleston Quad.

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 utilizing hydro-excavation to construct a drainage ditch. In detail, the applicant is proposing to hydro-excavate approximately 116 cubic yards of material from 542 linear feet (0.10 acre) of tidal marsh leading from a 30" reinforced concrete pipe (RCP) to a tributary of Wappoo Creek. The proposed ditch will have a bottom width of 12" with 1:1 H:V (horizontal distance to vertical rise) side slopes. The excavated material will be collected in trucks

located outside of the marsh area and disposed of in the City of Charleston's Milford Street drying beds. The applicant has proposed no mitigation be required for the project. The project purpose is to establish positive flow from the 30" RCP to Wappoo Creek in order to reduce localized flooding concerns.

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 0.10 acres 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 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.

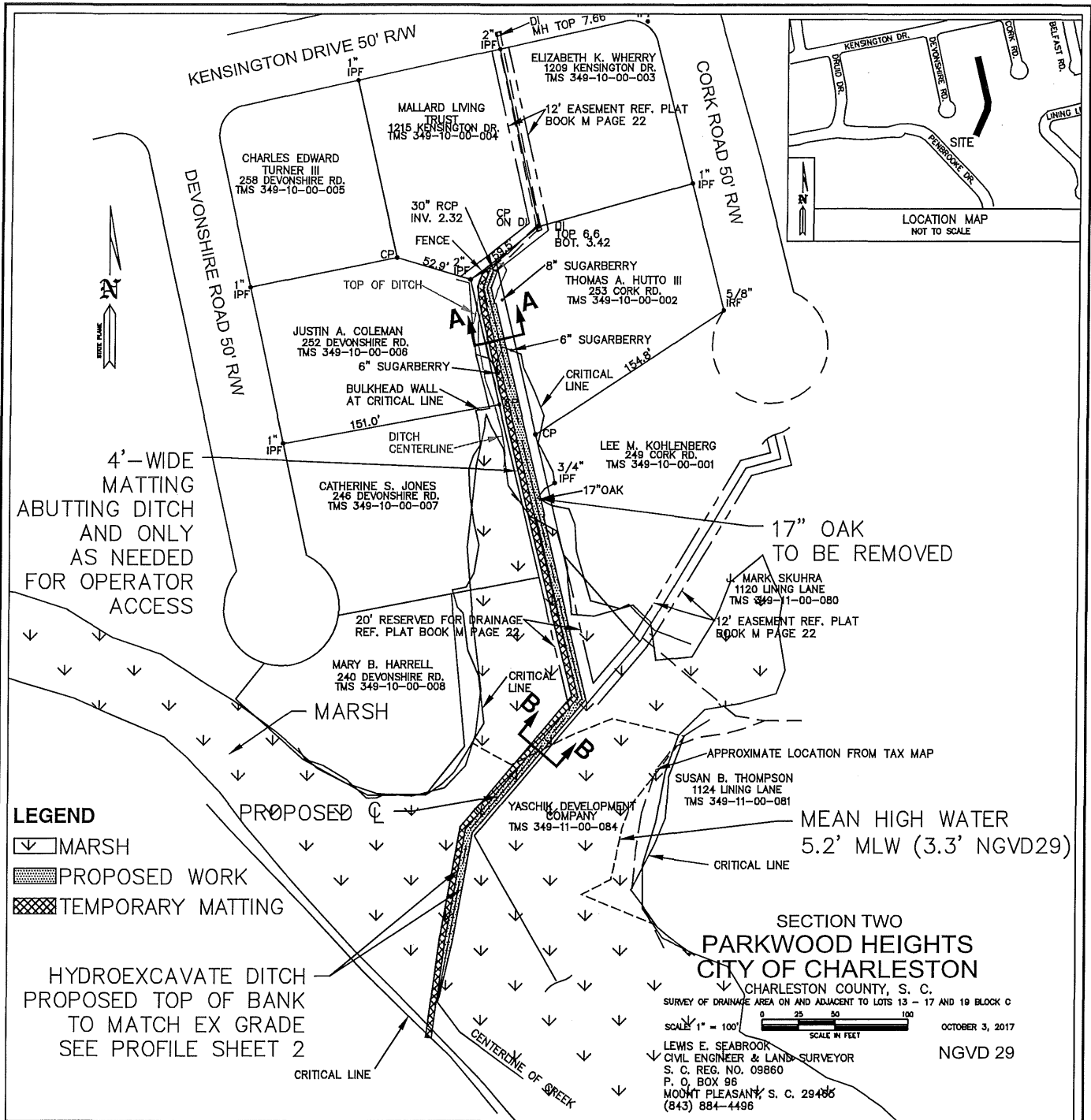
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. 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 Jeremy M. Kinney, Project Manager, at 843-329-8033 or toll free at 1-866-329-8187.



KENSINGTON DRIVE OUTFALL RE-ESTABLISHMENT PROJECT

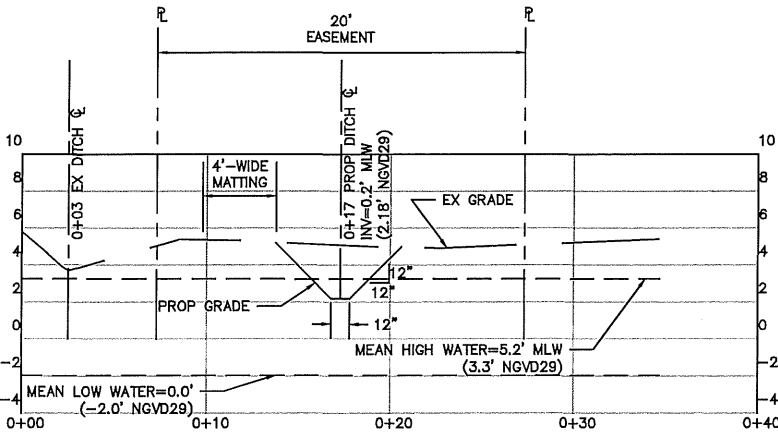
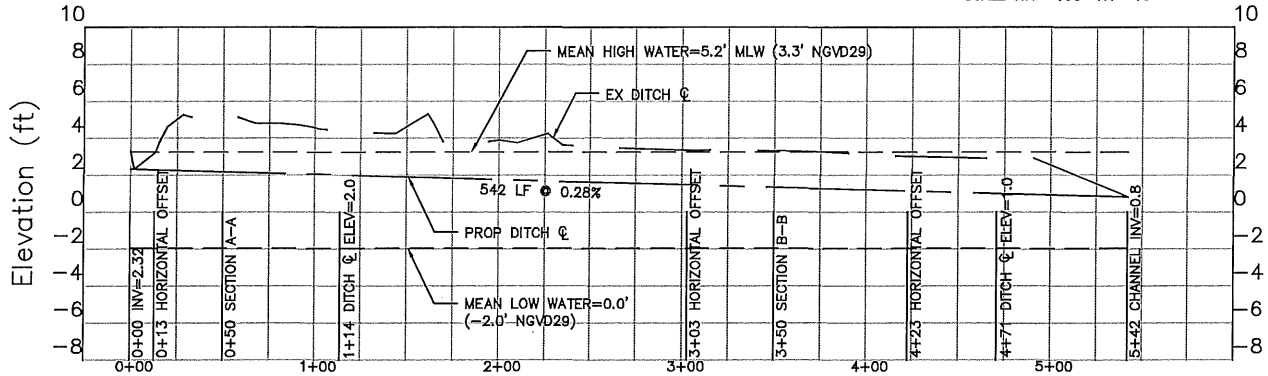
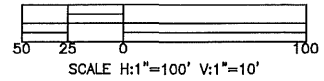
NO.	REVISED	BY
DRAWN BY: MMW		
CHECKED : SAK		



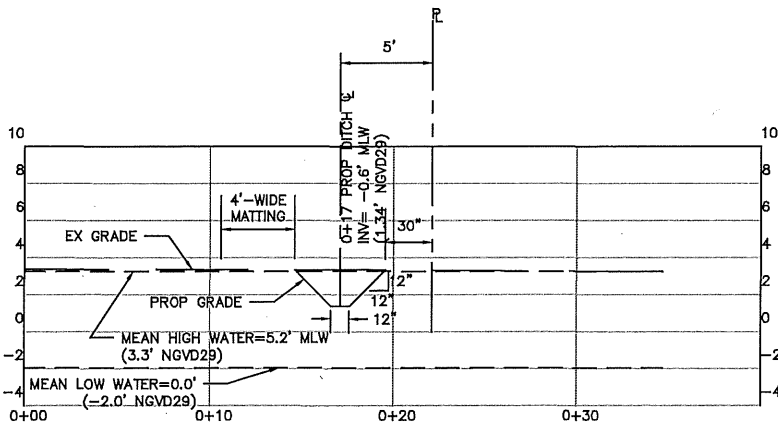
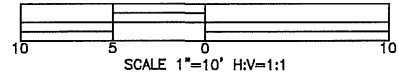
APPLICANT: CITY OF CHARLESTON
 DEPARTMENT OF PUBLIC SERVICE, ENGINEERING DIVISION
 2 GEORGE STREET, CHARLESTON, SC 29401-3506
 PARKWOOD HEIGHTS SUBDIVISION
 CITY OF CHARLESTON
 CHARLESTON COUNTY, SC

APPROVED	
STEVEN A. KIRK, PE SENIOR PROJECT ENGINEER	
DATE:	MARCH 2019
SCALE:	1"=100'
PAGE No.:	1 OF 2

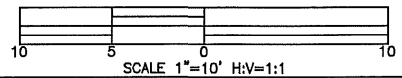
PROPOSED DITCH



SECTION A-A
PROPOSED DITCH STA 0+50



SECTION B-B
PROPOSED DITCH STA 3+50



KENSINGTON DRIVE OUTFALL RE-ESTABLISHMENT PROJECT

NO.	REVISED	BY

DRAWN BY: MMW
CHECKED : SAK

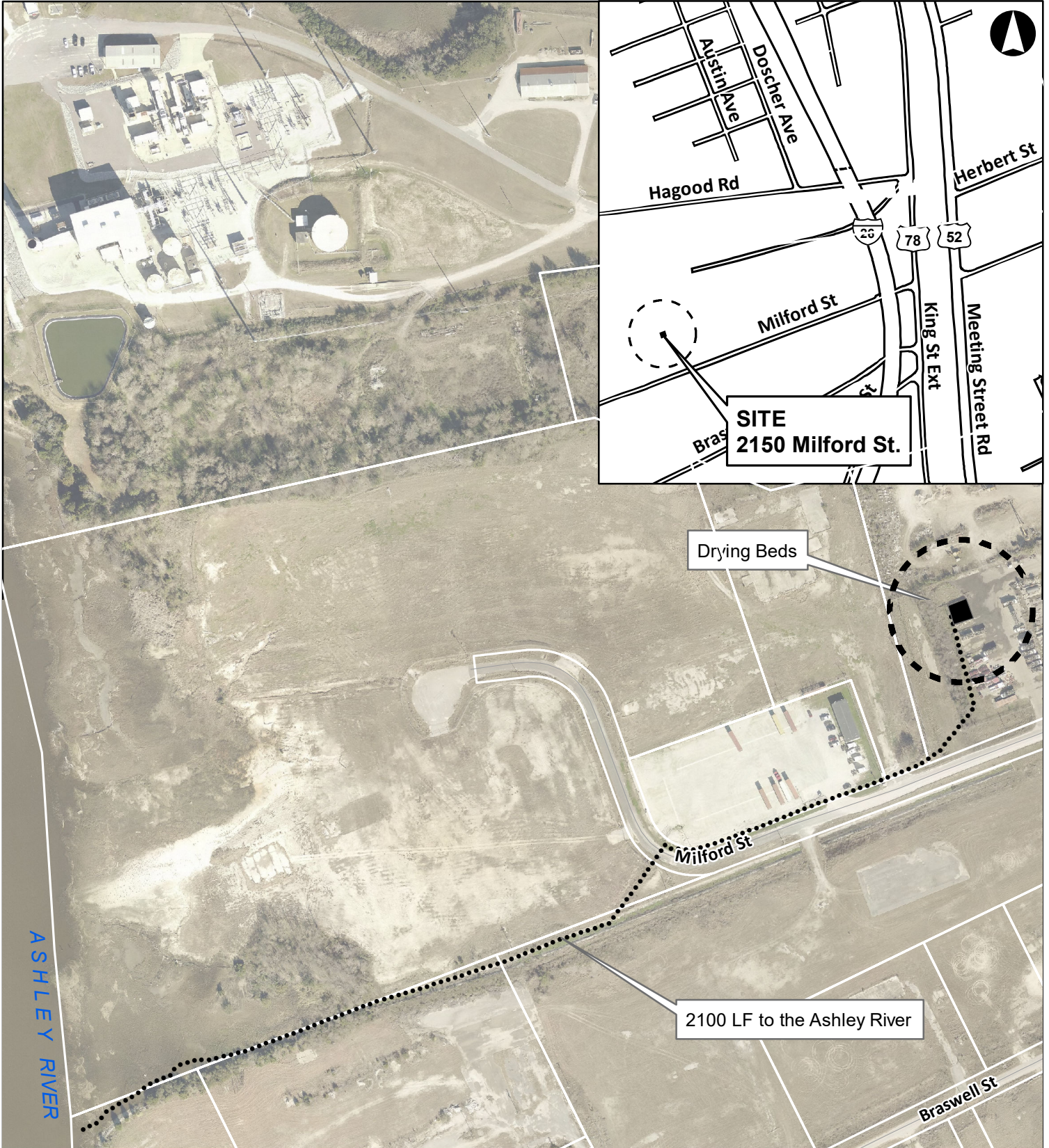


APPLICANT: CITY OF CHARLESTON
DEPARTMENT OF PUBLIC SERVICE, ENGINEERING DIVISION
2 GEORGE STREET, CHARLESTON, SC 29401-3506
PARKWOOD HEIGHTS SUBDIVISION
CITY OF CHARLESTON
CHARLESTON COUNTY, SC

APPROVED	
STEVEN A. KIRK, PE SENIOR PROJECT ENGINEER	
DATE:	MARCH 2019
SCALE:	PAGE No.:
VARIES	2 OF 2

KENSINGTON DRIVE OUTFALL RE-ESTABLISHMENT PROJECT

Milford Street Drying Beds



wrightma : Z:\Engineering\Projects\Active Engineering Projects\Devonshire\GIS\ArcMap\Willford Drying beds.mxd



City of Charleston
 Department of Public Service
 Engineering Division
 2 George St, Suite 2100
 Charleston, SC 29401
 www.charleston-sc.gov

© Copyright 2019 City of Charleston
 All Rights Reserved



1 inch = 250 feet

Date: 3/15/2019

Important Disclaimer Notice
 The City of Charleston makes no warranty, representation, or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any information provided herein or derived from the mapping data for any reason. The City of Charleston explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. The user knowingly waives any and all claims for damages against any and all of the entities comprising the City of Charleston that may arise from the mapping data.