JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A Hagood Avenue Charleston, South Carolina 29408 and

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

REGULATORY DIVISION Refer to: SAC-2018-01655

SEPTEMBER 25, 2023

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 S.C. Department of Health and Environmental Control by

Town of Mount Pleasant c/o Kally McCormick Civil Engineering Consulting Services, Inc. 2000 Park Street, Suite 201 Columbia, South Carolina 29201

for a permit to construct 1.3 miles of Billy Swails Boulevard in waters associated with

SIX MILE CANAL

located northeast of the intersection of Six Mile Road and Sweetgrass Basket Parkway, southwest of the intersection of Hamlin Road and Billy Swails Parkway, in the Town of Mount Pleasant, Charleston County, South Carolina (Starting Latitude: 32.8388°, Longitude: -79.8141°; Ending Latitude: 32.8487°, Longitude: -79.7959°), Fort Moultrie 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

30 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.

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 to add capacity in the north and south travel corridor formed by US Highway 17, the parallel Hungreyneck Boulevard/Sweetgrass Basket Parkway/Billy Swails Boulevard, and Rifle Range Road to accommodate increasing vehicle, pedestrian, and bicycle traffic.

Project Description

The proposed work consists of the construction of a 1.3-mile-long segment of roadway connecting Sweetgrass Parkway to Billy Swails Boulevard. The proposed roadway would have three total lanes with one vehicle lane on each side. The vehicle lanes would be 14' wide, and outside of the vehicle lanes, to the north of the proposed roadway, there would be a paved 12' wide multi-use path to accommodate bicycle and pedestrian use. Associated work includes construction of a large supplemental drainage channel to move water through the project area and into a large drainage ditch located near Rifle Range Road. The proposed project would impact 6.36 acres of wetlands, 483 linear feet of streams, and 0.79 acre of ponds. In detail, the proposed project would result in permanent fill impacts to 5.31 acres of wetlands and 0.79 acre of ponds, excavation impacts to 0.11 acre of wetlands, permanent clearing impacts to 0.33 acre of wetlands and temporary clearing impacts to 0.61 acre of wetlands. Additionally, the proposed project would result in 15 linear feet of stream impacts to facilitate the construction of the roadway, 107 linear feet of stream impacts for pipe outlet armoring, and 361 linear feet of stream impacts for piping.

Avoidance and Minimization

The applicant has stated that impacts to waters of the US are unavoidable and necessary for construction of the project. The following design strategies and measures were incorporated to minimize impacts within the project area:

- Roadway alignment: The proposed project was shifted to cross all wetlands, ponds, and streams at the narrowest point possible, while also maintaining design and safety standards
- Wetland Quality: Large blocks of contiguous wetlands located in the future Rifle Range Road Park property were avoided. The most northerly border of the

wetlands located within the Project Study Area were selected as the road alignment crossing location to help maintain the largest contiguous block of wetlands to the south of the project. Berms were added along ponds to ensure that wetlands do not drain into the pond, effectively draining the wetlands and causing impairments.

- Design: Clearing limits were reduced to the minimum necessary to maintain adequate erosion control best management practices (BMPs) and safety for the traveling public. In addition, 2:1 side slopes were utilized along wetland areas to the extent practicable. The landscaped center median was eliminated in jurisdictional areas.
- Hydrology & Hydraulics: Culverts and pipes were appropriately sized in accordance with SC Department of Transportation standards. The NPDES line has been moved as close to the roadway as possible in areas near streams and wetlands. Clearing and temporary impacts have been eliminated in many areas to reduce the construction footprint.
- Construction: During construction, the contractor will be required to implement and maintain BMPs to further minimize potential indirect impacts associated with stormwater runoff. The contractor will be required to utilize materials clean of any source of pollution. Staging of equipment and materials will be sited outside of jurisdictional areas. Only clean fill material would be used to construct the new roadway.

Proposed Compensatory Mitigation

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing credits from an approved mitigation bank that services the project area. For the proposed impacts to 6.36 acres of wetlands and 0.79 acre of ponds, the applicant proposes to purchase 75.479 credits, consisting of 37.7 enhancement credits and 37.7 preservation credits. For the proposed impacts to 483 linear feet of stream, the applicant proposes to purchase 1,872.9 stream credits, consisting of 936.45 restoration credits and 936.45 preservation credits.

South Carolina Department of Health and Environmental Control

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 Health and Environmental Control, 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 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.

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 7.28 acres 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.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County where the work will occur: American chaffseed (*Schwalbea americana*), Canby's dropwort (*Oxypolis canbyi*), Eastern black rail (*Laterallus jamaicensis*), Green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermochelys coriacea*), Loggerhead sea turtle (*Caretta caretta*), Piping Plover (*Charadrius melodus*), Pondberry (*Lindera melissifolia*), Red Knot (*Calidris canutus rufa*), Red-cockaded Woodpecker (*Picoides borealis*), and Northern Long-eared Bat (*Myotis septentrionalis*).

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

The project will have <u>no effect</u> on American chaffseed (*Schwalbea americana*), Canby's dropwort (*Oxypolis canbyi*), Eastern black rail (*Laterallus jamaicensis*), Green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermochelys coriacea*), Loggerhead sea turtle (*Caretta caretta*), Piping Plover

(Charadrius melodus), Red Knot (Calidris canutus rufa), and Red-cockaded Woodpecker (Picoides borealis) and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project <u>is not likely to adversely affect</u> Pondberry (*Lindera melissifolia*) and Northern Long-eared bat (*Myotis septentrionalis*) 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.

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.

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 the "Programmatic Agreement Among The Federal Highway Administration, The U.S. Army Corps of Engineers, Charleston District, The South Carolina Department of Transportation, The South Carolina State Historic Preservation Officer, and The Advisory Council on Historic Preservation Regarding Section 106 Implementation for Federal Aid Transportation Projects in The State of South Carolina" executed on October 6, 2017 (Section 106 Programmatic Agreement), for the purpose of Section 106 compliance for all FHWA undertakings in the State of South Carolina that require Corps authorization, the Corps designated FHWA as the lead federal agency for fulfilling both FHWA and the Corps' collective responsibilities under Section 106 of the National Historic Preservation Act. FHWA determined that historic properties are present within the review area, and these historic properties may be adversely affected by the undertaking. A draft MOA was submitted to the ACHP on October 30, 2020, and the final MOA was submitted to the ACHP on March 18, 2021. By letter dated June 22, 2020, the SCDOT provided their determination that historic properties will be adversely affected by the proposed undertaking to the SHPO. On June 29, 2022, the SHPO concurred with the SCDOT's determination.

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.

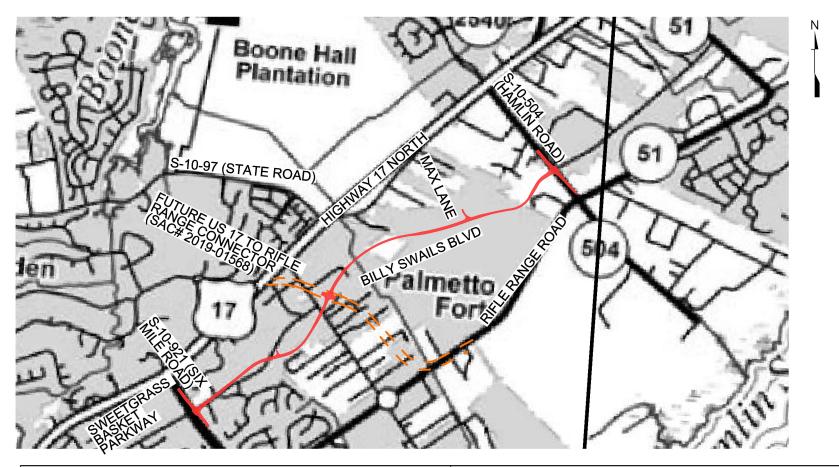
Solicitation of Public Comment

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-2018-01655), to Ann.W.Eaddy@usace.army.mil <u>or</u> the following address:

U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 1949 Industrial Park Road, Room 140 Conway, South Carolina 29526

If there are any questions concerning this public notice, please contact Ann Eaddy at (843) 365-4239 or by email at Ann.W.Eaddy@usace.army.mil.



TOTAL NON-JURISDICTIONAL IMPACT: 0.29 AC & 1,196 LF		TOTAL JURISDICTIONAL IMPACT: 7.15 AC & 483 LF (0.14 AC)	
POND PERMANENT FILL	0.24 AC (389 CY)	POND PERMANENT FILL	0.79 AC (2,432 CY)
POND PERMANENT EXCAVATION	0.05 AC (17 ČY)	WETLAND TEMP CLEARING IMPACT	0.61 AC
DITCH PERMANENT FILL	1196 LF (68,625 CY)	WETLAND PERM CLEARING IMPACT	0.33 AC
		WETLAND PERMANENT FILL IMPACT	5.31 AC (35,363 CY)
		WETLAND PERMANENT EXCAVATION	0.11 AC (262 CY)
		STREAM PERM FILL	50 LF (0.002 AC)
		STREAM PERM PIPE IMPACT	361 LF (0.09 AC)
		STREAM PERM ARMORING	72 LF (0.04 AC)
		APPLICATION BY:	·

PREPARED BY:



Stantec Consulting Services 4969 Centre Pointe Drive, Suite 200 North Charleston, SC 29418 Tel: 843.740.7700 Fax: 843.740.7707 www.stantec.com SCALE IN FEET



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LEGEND

- FUTURE US 17 TO RIFLE RANGE CONNECTOR
PROPOSED PAVEMENT

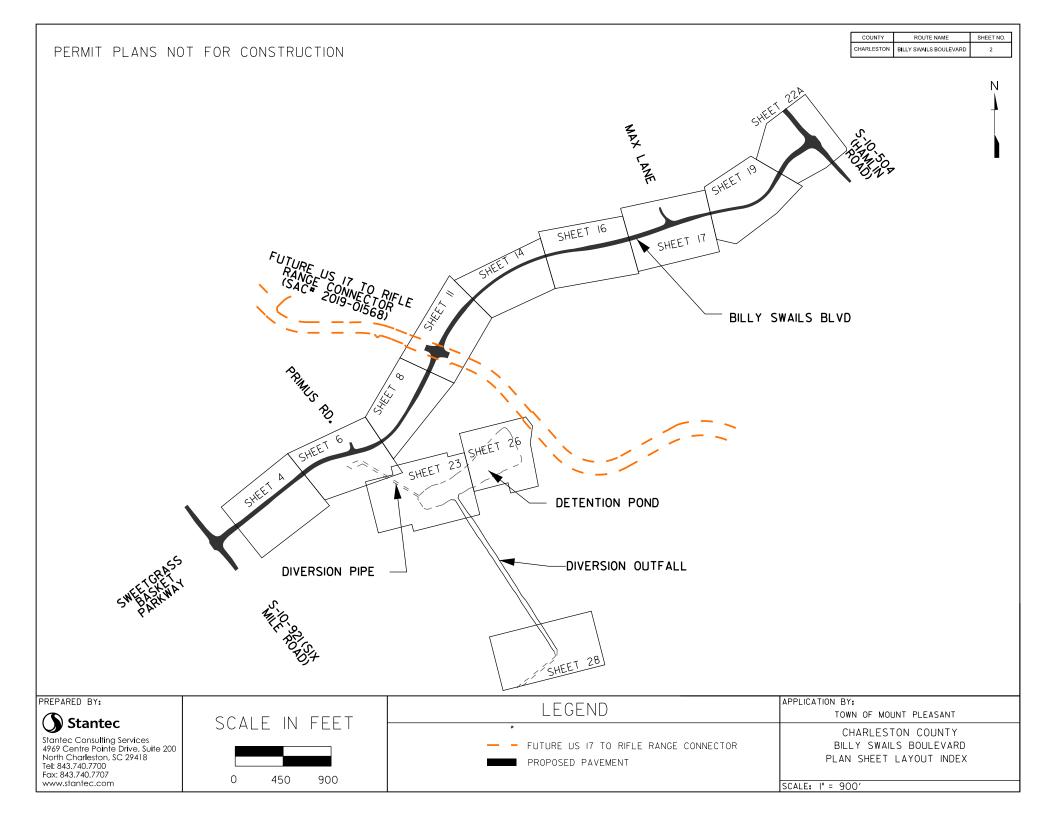
TOWN OF MOUNT PLEASANT

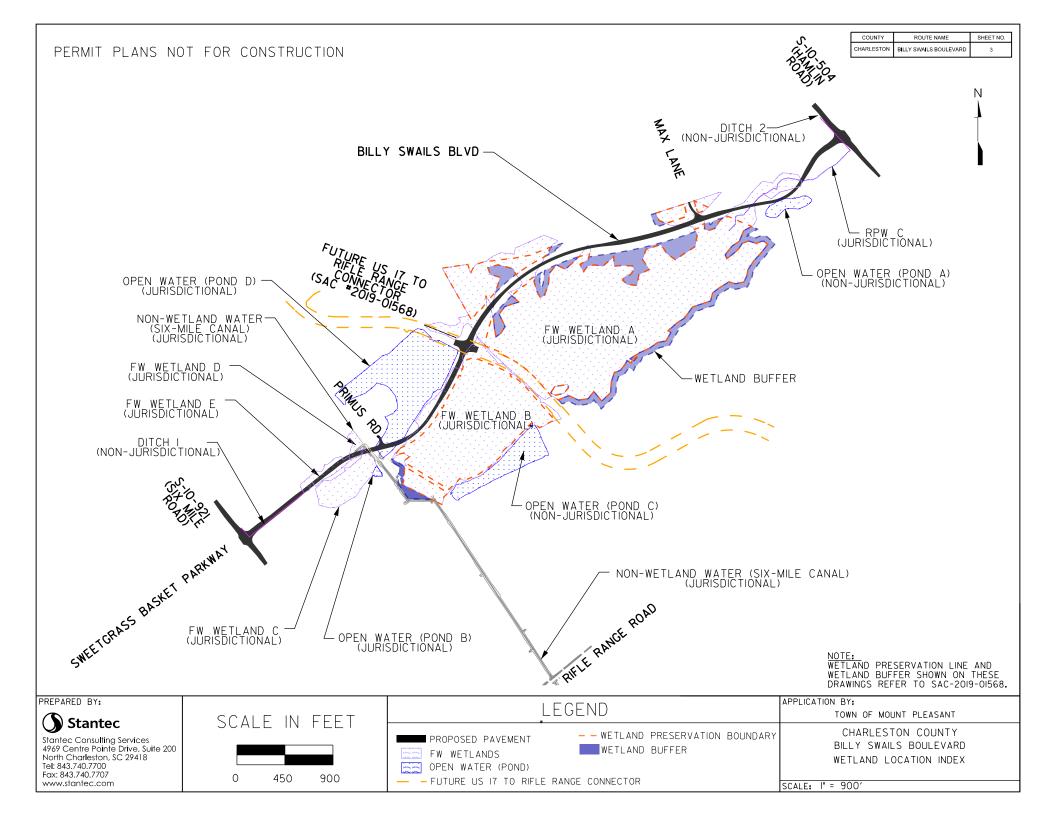
CHARLESTON COUNTY
BILLY SWAILS BOULEVARD

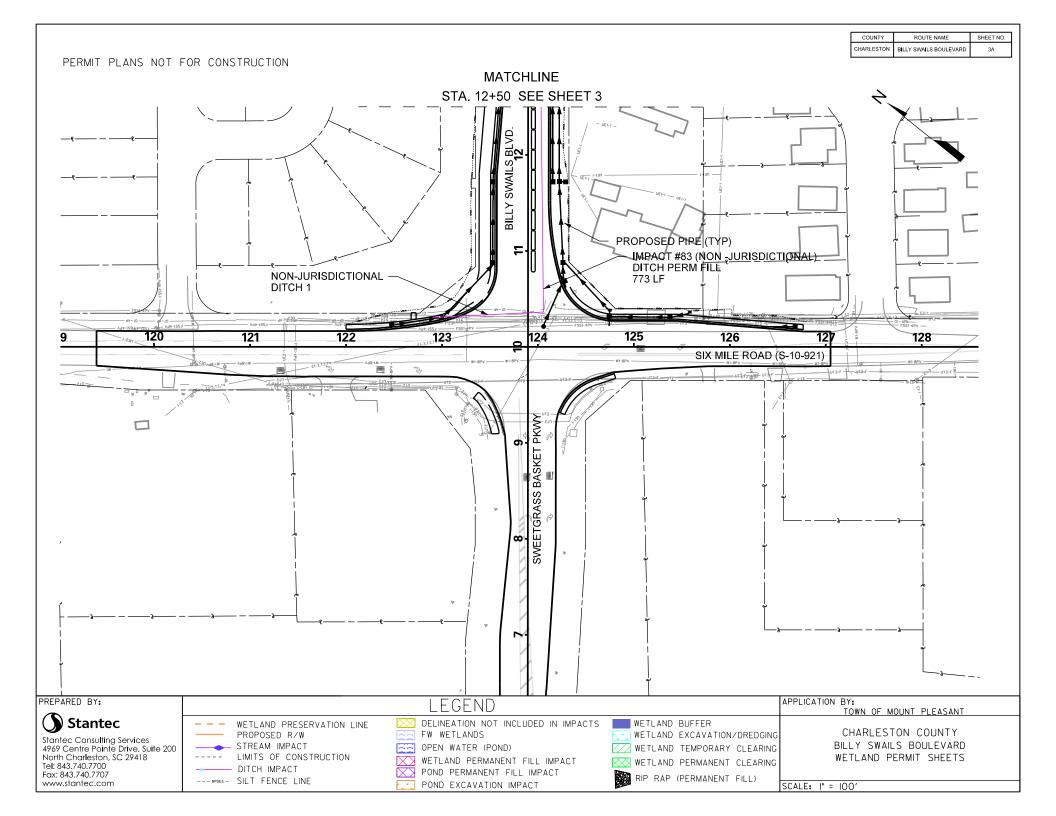
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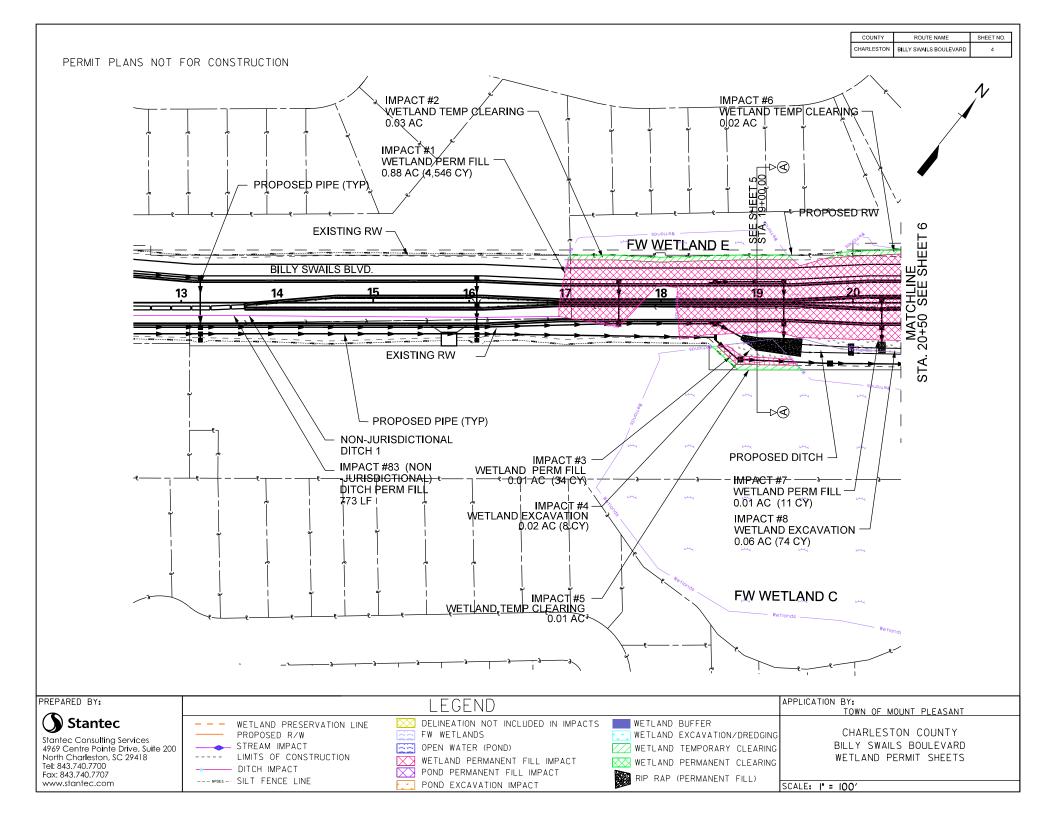
VICINITY MAP

SCALE: I" = 1500'





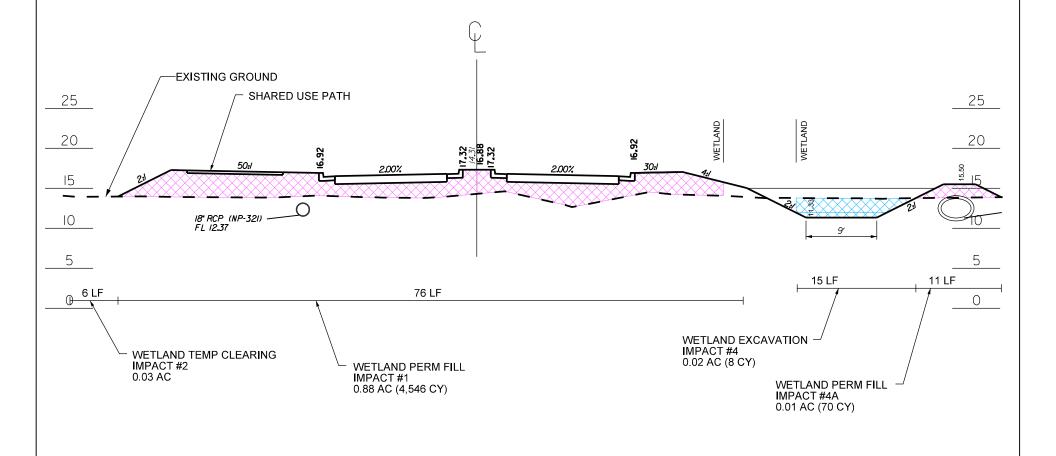




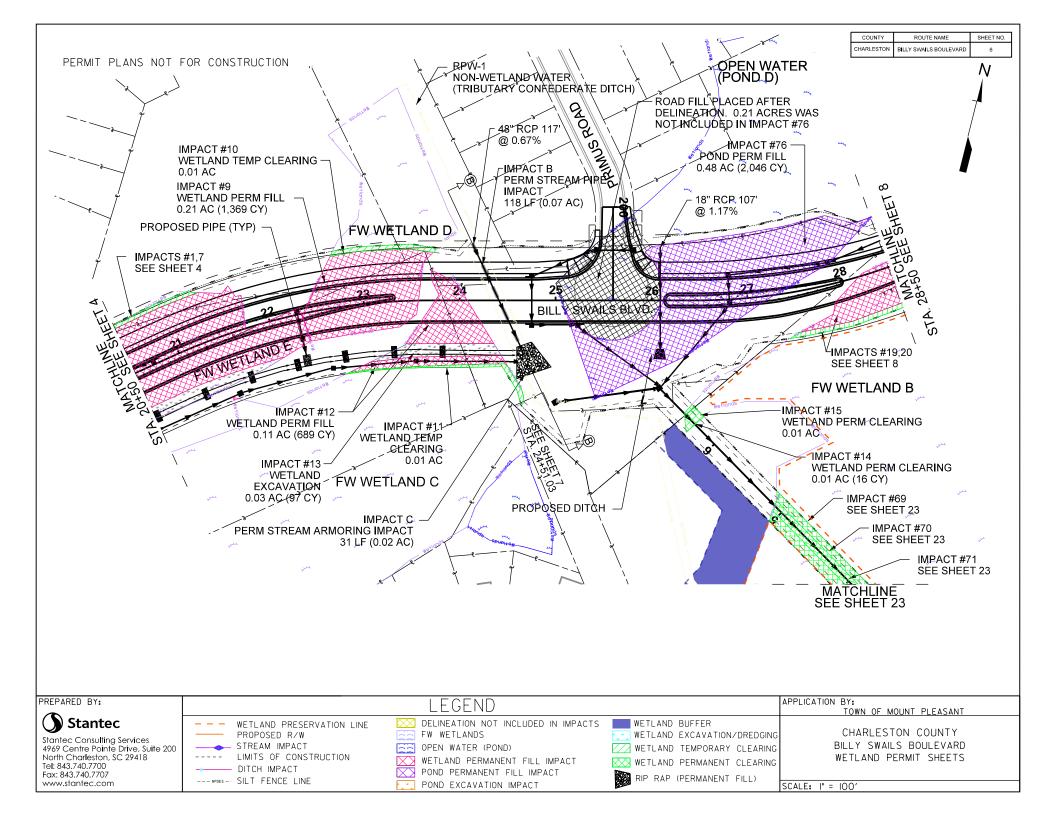
STATION 19+00.00 SECTION A

COUNTY ROUTE NAME SHEET NO.

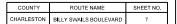
CHARLESTON BILLY SWAILS BOULEVARD 5

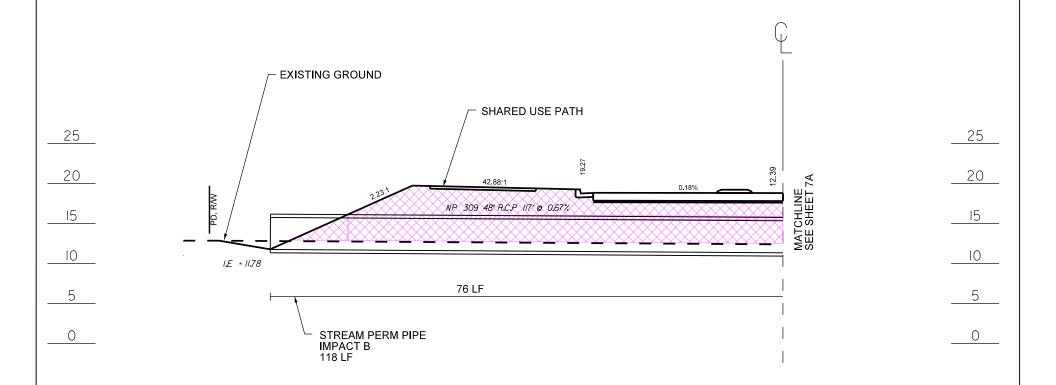






STATION 24+41.07 SECTION B





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Stantec	LEGENU	TOWN OF MOUNT PLEASANT
Stantee Consulting Services 4969 Centre Pointe Drive, Suite 200 North Charleston, SC 29418 Tel: 843.740.7700 Fax: 843.740.7707 www.stantec.com	PERMANENT WETLAND FILL IMPACT PERMANENT WETLAND EXCAVATION IMPACT	CHARLESTON COUNTY BILLY SWAILS BOULEVARD WETLAND PERMIT DRAWINGS CROSS-SECTION VIEW SCALE: N.T.S.

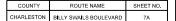
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STATION 24+51.03 SECTION B



APPLICATION BY:

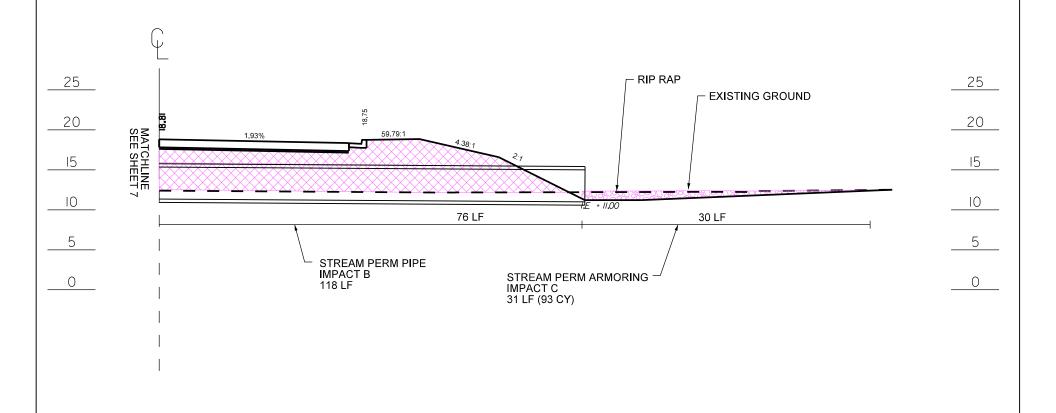
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TOWN OF MOUNT PLEASANT

CHARLESTON COUNTY

BILLY SWAILS BOULEVARD

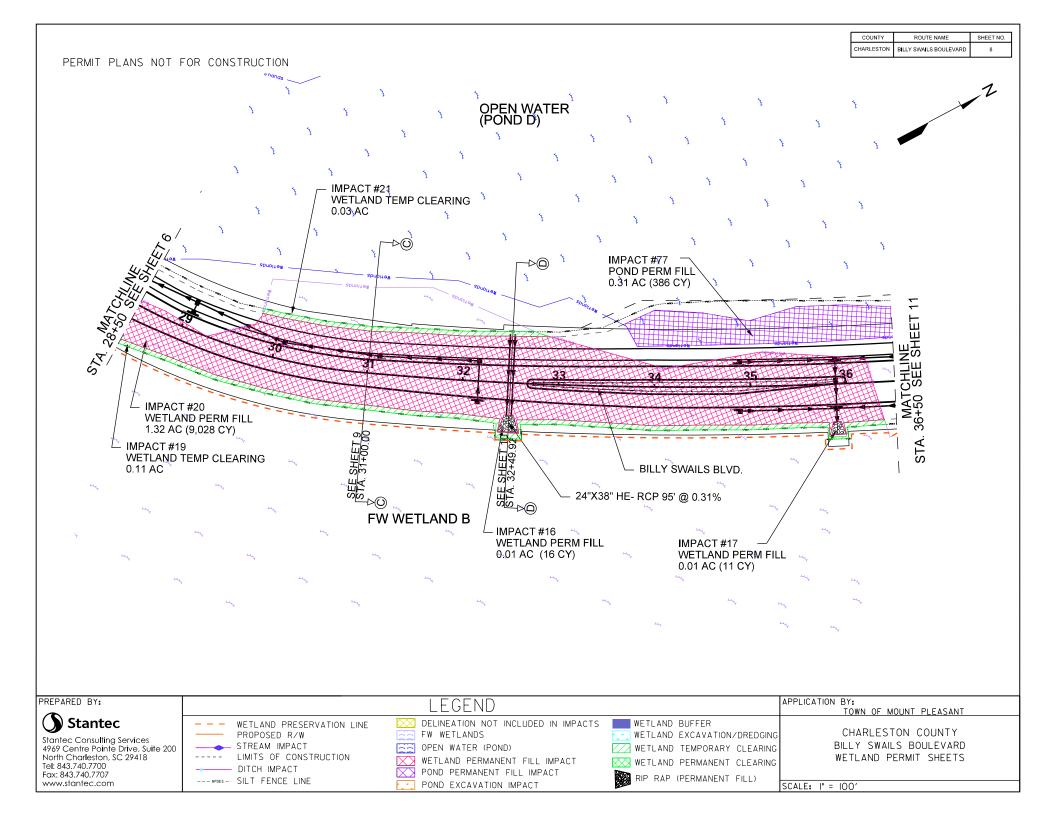
WETLAND PERMIT DRAWINGS CROSS-SECTION VIEW



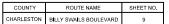
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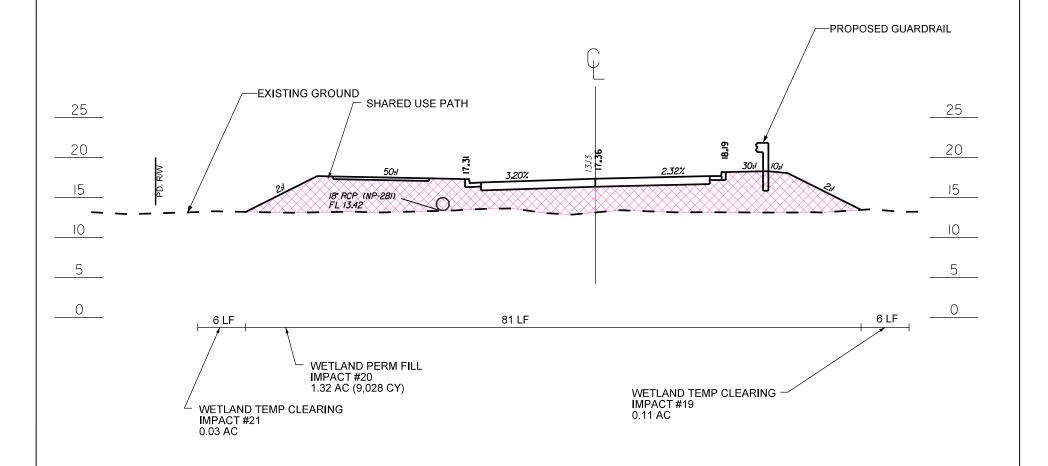
PERMANENT WETLAND EXCAVATION IMPACT

PERMANENT WETLAND FILL IMPACT

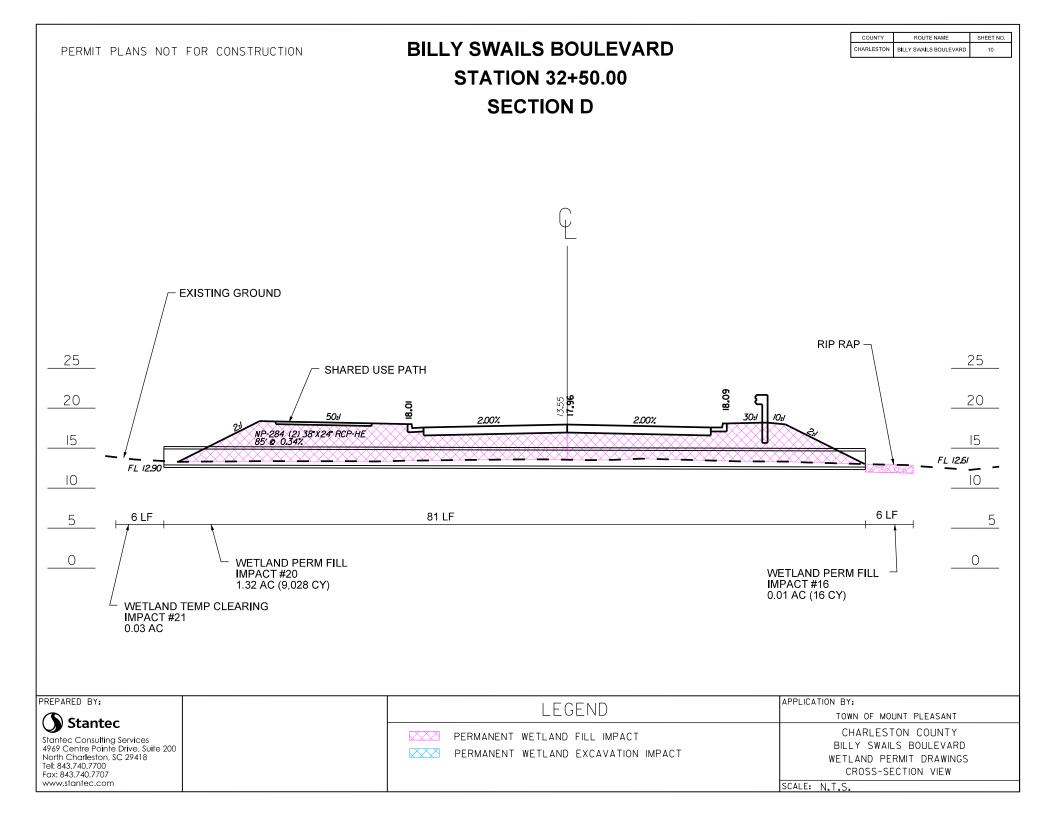


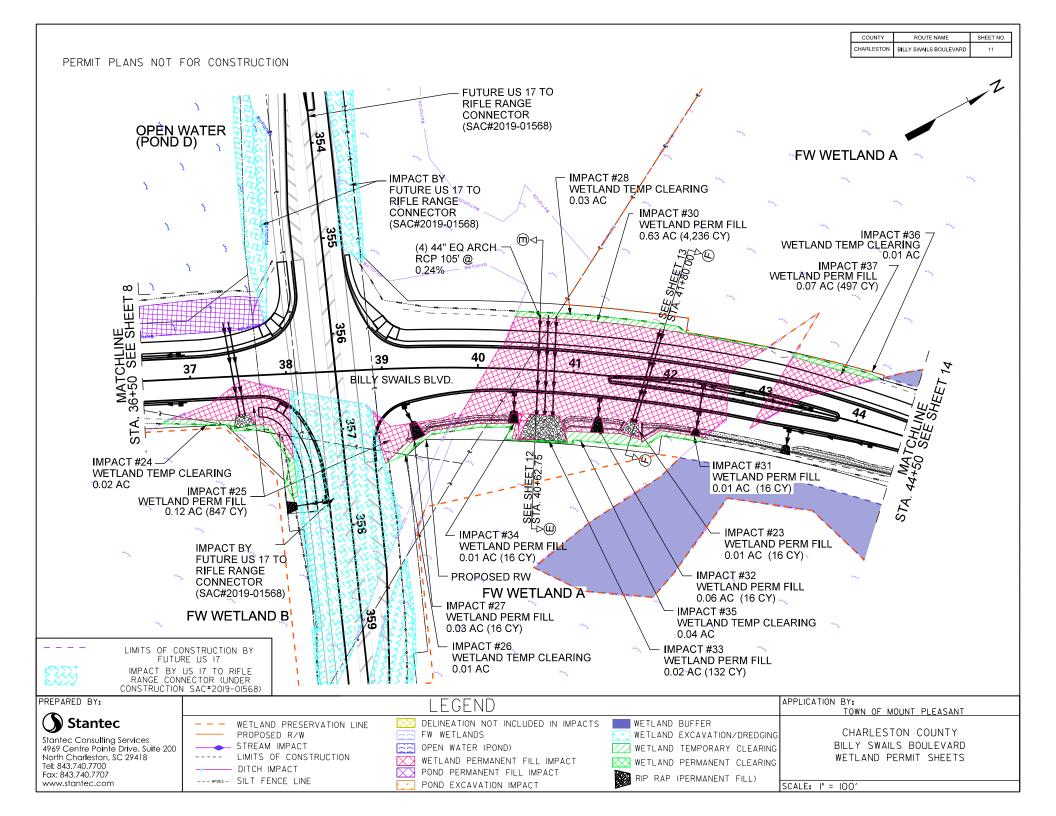
STATION 31+00.00 SECTION C



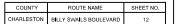


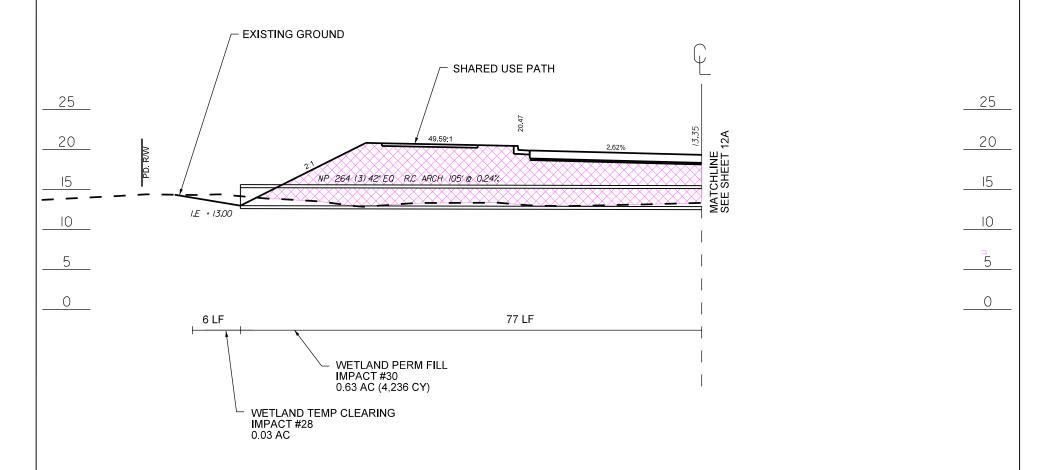
PREPARED BY:	I F G F N D	APPLICATION BY:
Stantec	LEGEND	TOWN OF MOUNT PLEASANT
Stantec Consulting Services 4969 Centre Pointe Drive, Suite 200 North Charleston, SC 29418 Tel: 843.740.7700 Fax: 843.740.7707 www.stantec.com	PERMANENT WETLAND FILL IMPACT PERMANENT WETLAND EXCAVATION IMPACT	CHARLESTON COUNTY BILLY SWAILS BOULEVARD WETLAND PERMIT DRAWINGS CROSS-SECTION VIEW SCALE: N.T.S.





STATION 40+62.75 SECTION E



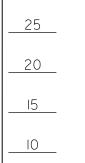


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Stantec	LEGEND	TOWN OF MOUNT PLEASANT
Stantec Stantec Consulting Services 4969 Centre Pointe Drive, Suite 200 North Charleston, SC 29418 Tel: 843,740,7700 Fax: 843,740,7707 www.stantec.com	PERMANENT WETLAND FILL IMPACT PERMANENT WETLAND EXCAVATION IMPACT	CHARLESTON COUNTY BILLY SWAILS BOULEVARD WETLAND PERMIT DRAWINGS CROSS-SECTION VIEW SCALE: N.T.S.

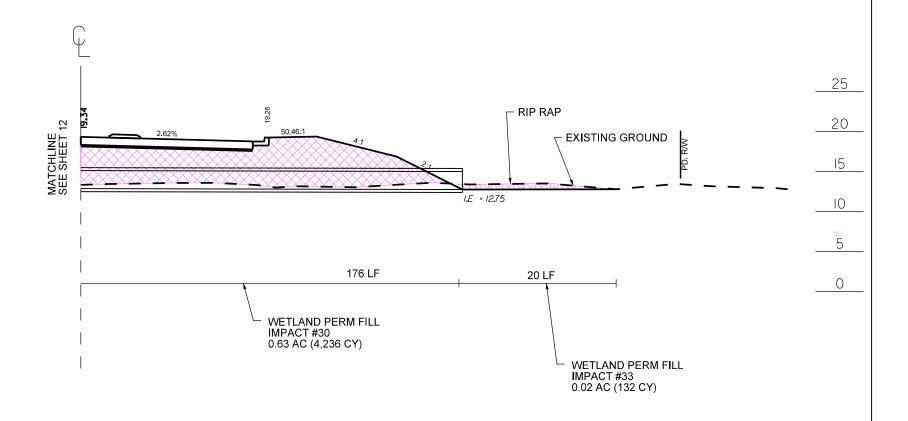
BILLY SWAILS BOULEVARD STATION 40+62.75 SECTION E

COUNTY ROUTE NAME SHEET NO.

CHARLESTON BILLY SWAILS BOULEVARD 12A



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TOWN OF MOUNT PLEASANT

CHARLESTON COUNTY
BILLY SWAILS BOULEVARD
WETLAND EXCAVATION IMPACT
WETLAND PERMIT DRAWINGS
CROSS-SECTION VIEW

SCALE: N.T.S.

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STATION 41+78.39 SECTION F

COUNTY ROUTE NAME SHEET NO.

CHARLESTON BILLY SWAILS BOULEVARD 13

APPLICATION BY:

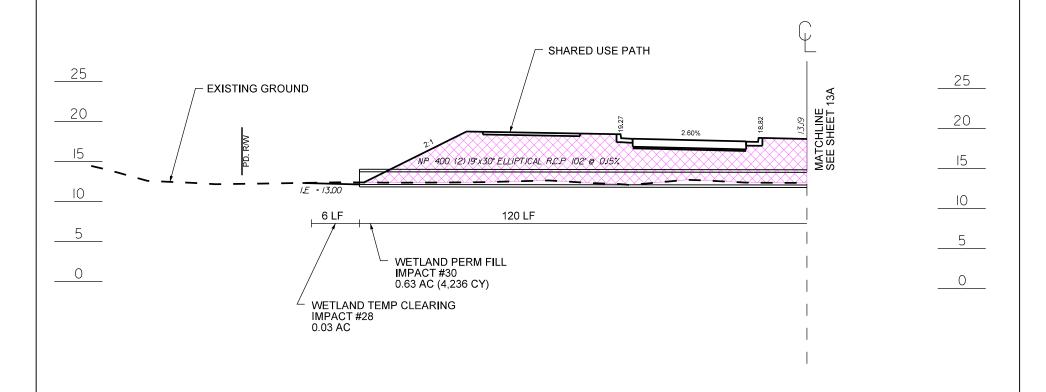
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TOWN OF MOUNT PLEASANT

CHARLESTON COUNTY

BILLY SWAILS BOULEVARD

WETLAND PERMIT DRAWINGS CROSS-SECTION VIEW



LEGEND

PERMANENT WETLAND EXCAVATION IMPACT

PERMANENT WETLAND FILL IMPACT

STATION 41+78.39 SECTION F

COUNTY ROUTE NAME SHEET NO.

CHARLESTON BILLY SWAILS BOULEVARD 13A

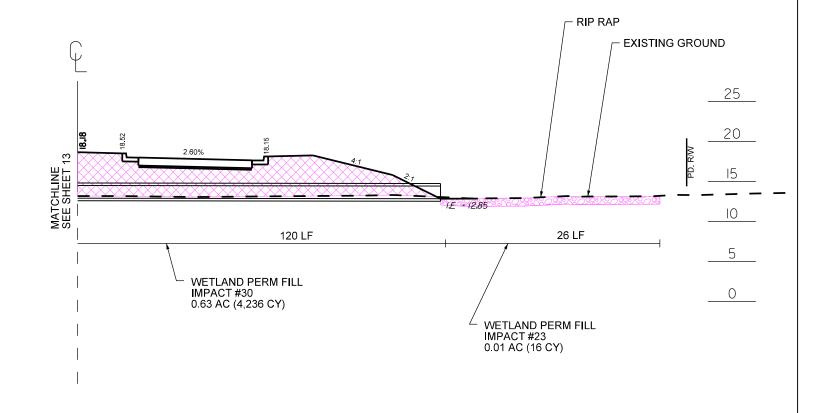


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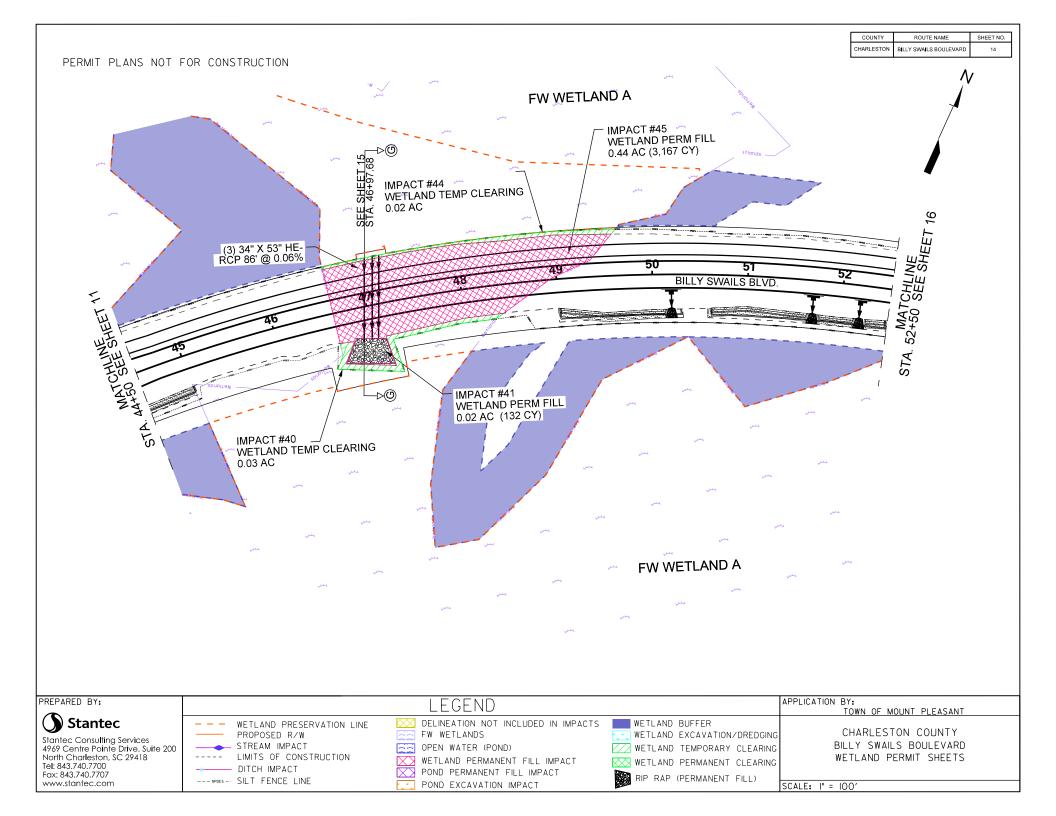
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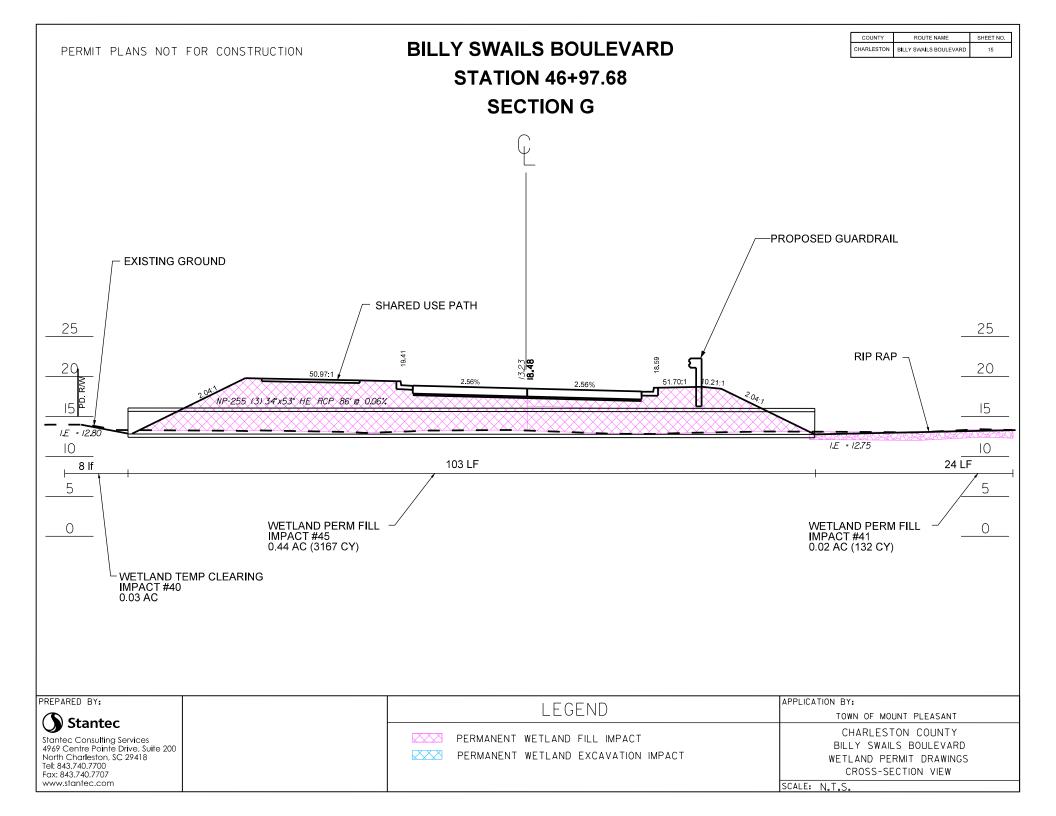
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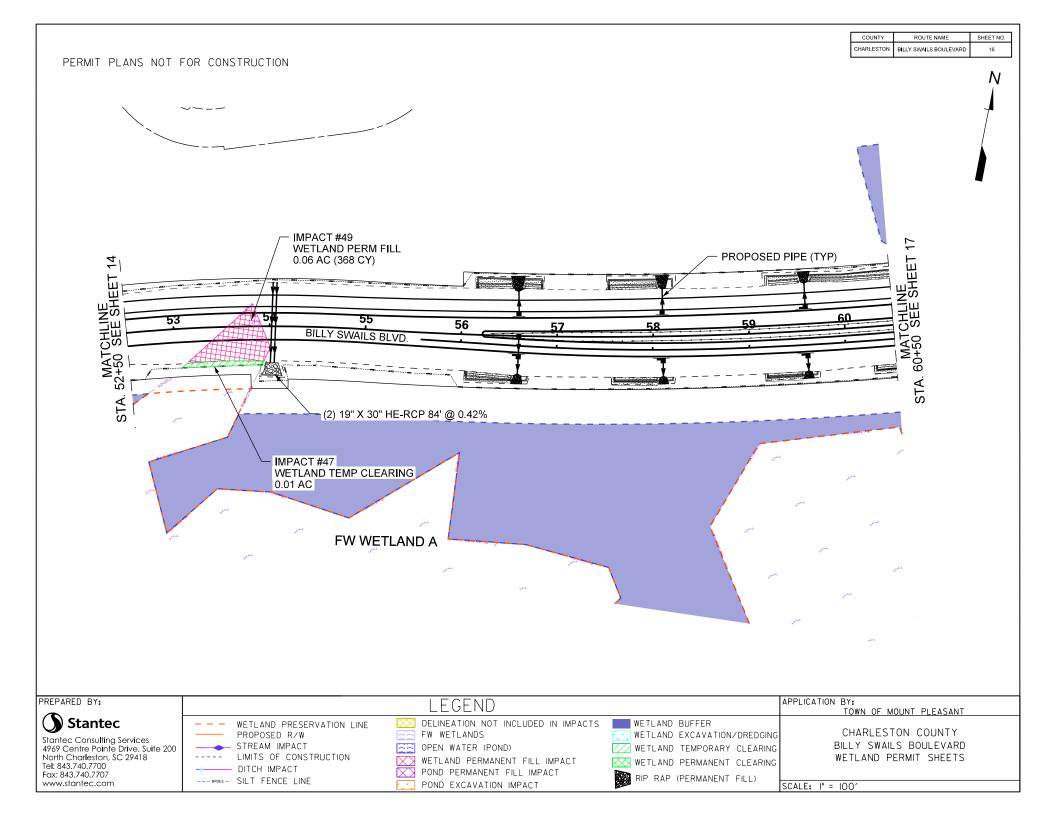
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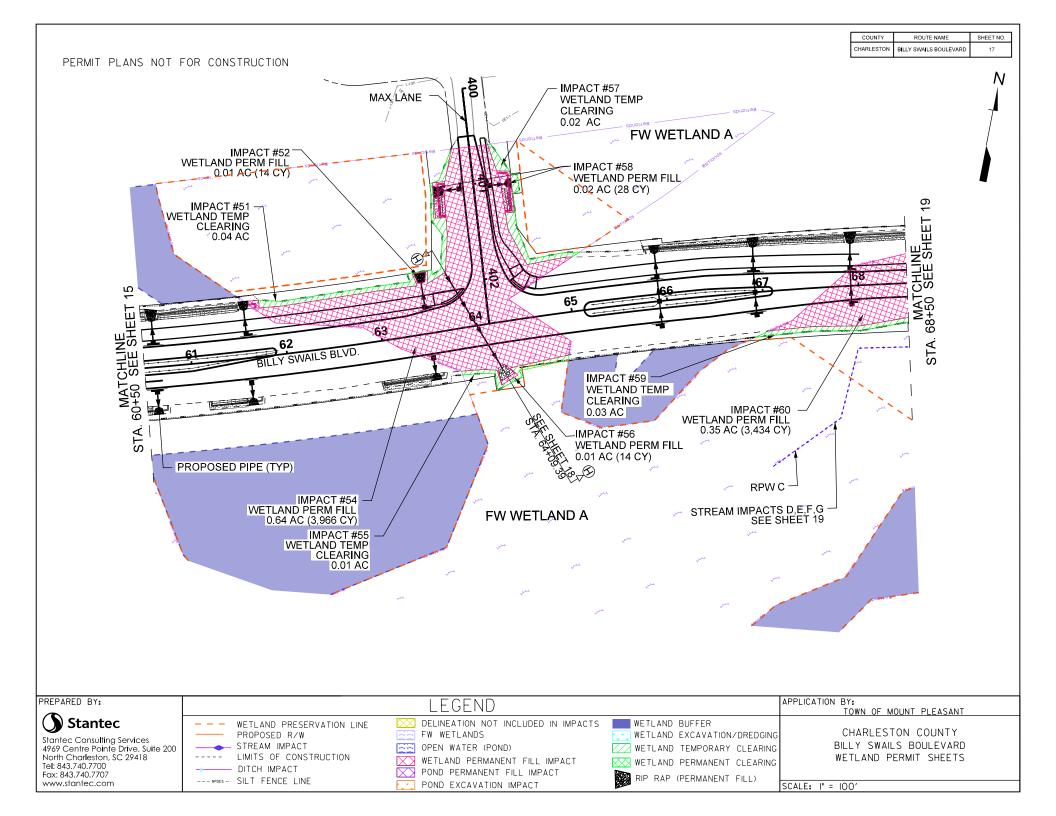








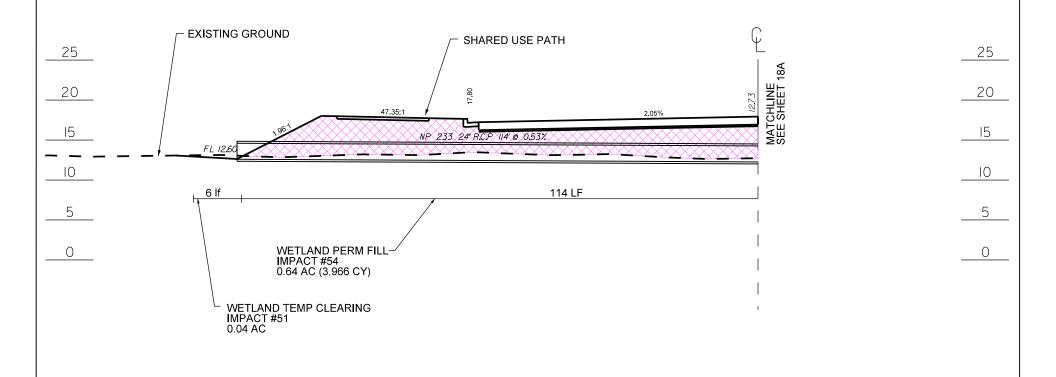




BILLY SWAILS BOULEVARD STATION 63+99.78 SECTION H

 COUNTY
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 CHARLESTON
 BILLY SWAILS BOULEVARD
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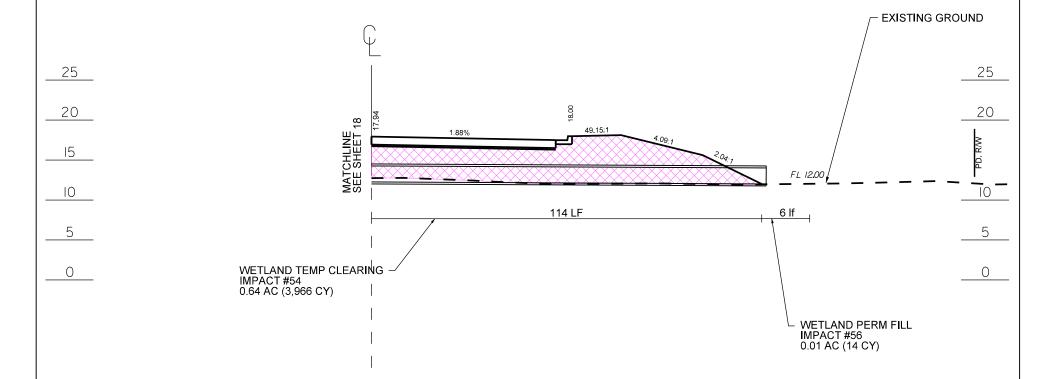


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Stantec	LEGENU	TOWN OF MOUNT PLEASANT
Stantec Consulting Services 4969 Centre Pointe Drive, Suite 200 North Charleston, SC 29418 Tel: 843.740.7700 Fax: 843.740.7707 www.stantec.com	PERMANENT WETLAND FILL IMPACT PERMANENT WETLAND EXCAVATION IMPACT	CHARLESTON COUNTY BILLY SWAILS BOULEVARD WETLAND PERMIT DRAWINGS CROSS-SECTION VIEW SCALE: N.T.S.

STATION 64+09.39 SECTION H

COUNTY ROUTE NAME SHEET NO.

CHARLESTON BILLY SWAILS BOULEVARD 18A



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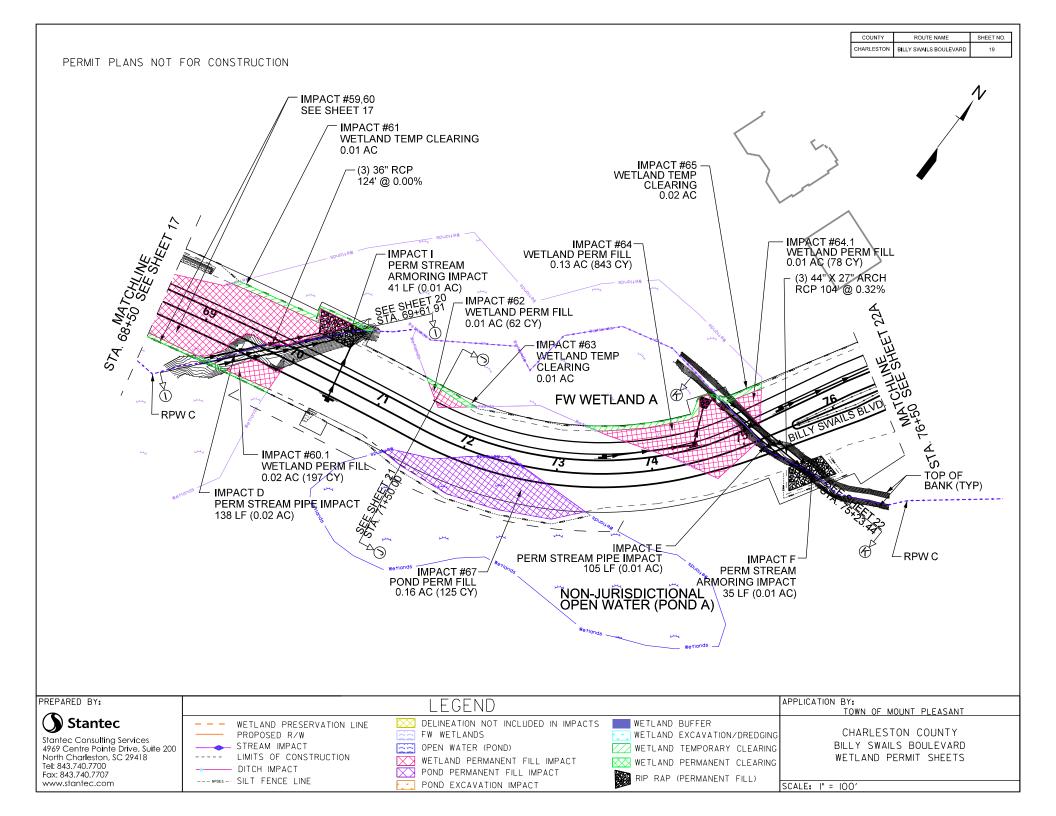
PERMANENT WETLAND FILL IMPACT
PERMANENT WETLAND EXCAVATION IMPACT

TOWN OF MOUNT PLEASANT

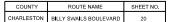
CHARLESTON COUNTY
BILLY SWAILS BOULEVARD
WETLAND PERMIT DRAWINGS
CROSS-SECTION VIEW

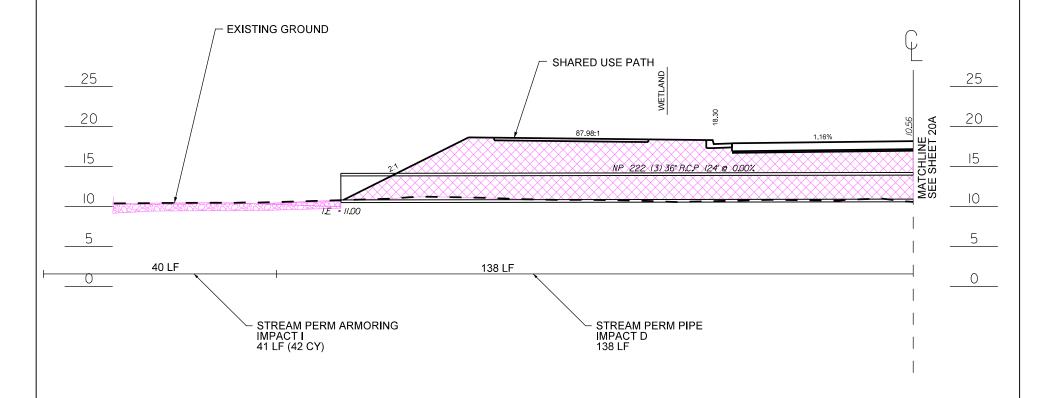
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APPLICATION BY:



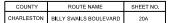
BILLY SWAILS BOULEVARD STATION 69+61.91 SECTION I

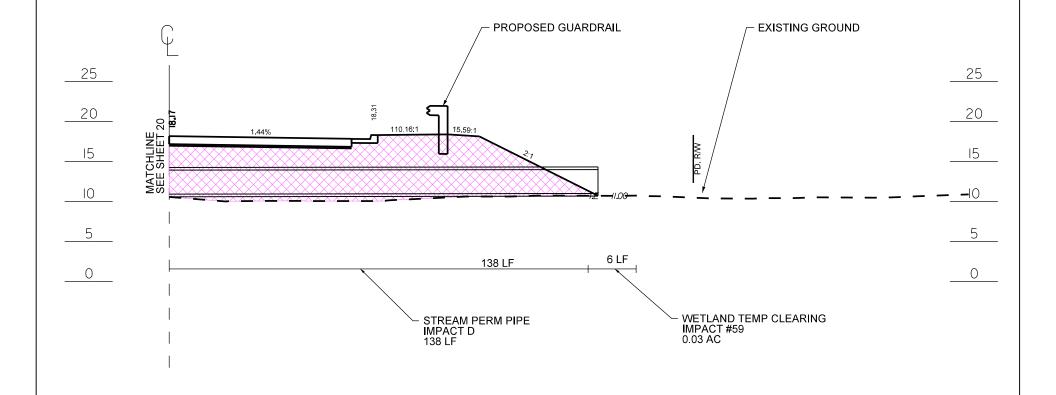


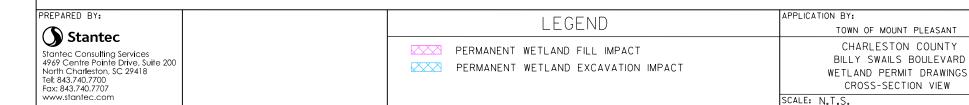




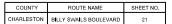
STATION 69+61.91 SECTION I

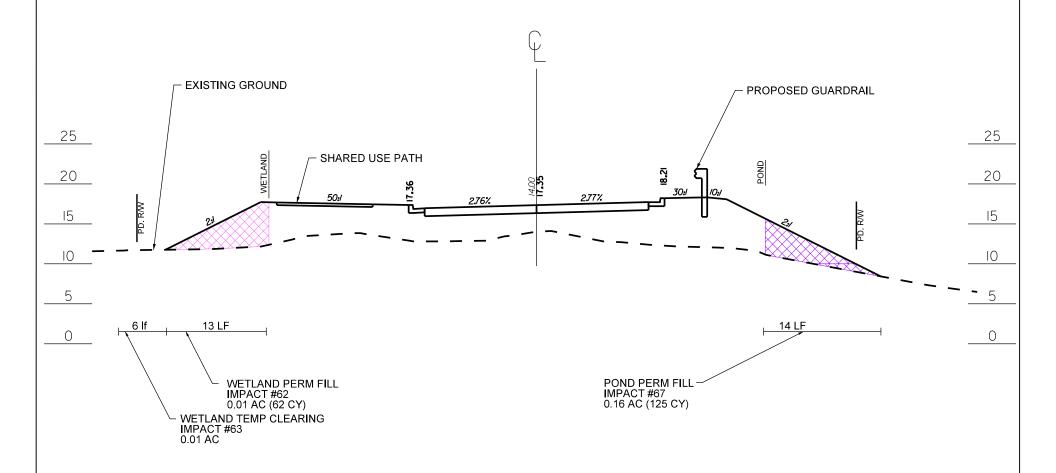






STATION 71+50.00 SECTION J





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♦ Stantec	LEGENU	TOWN OF MOUNT PLEASANT
Stantec Consulting Services 4969 Centre Pointe Drive, Suite 200 North Charleston, SC 29418 Tel: 843.740.7700 Fax: 843.740.7707 www.stantec.com	PERMANENT WETLAND FILL IMPACT PERMANENT WETLAND EXCAVATION IMPACT PERMANENT POND FILL IMPACT	CHARLESTON COUNTY BILLY SWAILS BOULEVARD WETLAND PERMIT DRAWINGS CROSS-SECTION VIEW SCALE: N.T.S.

ROUTE NAME SHEET NO. **BILLY SWAILS BOULEVARD** CHARLESTON BILLY SWAILS BOULEVARD 22 PERMIT PLANS NOT FOR CONSTRUCTION **STATION 75+23.44 SECTION K EXISTING GROUND** 25 25 SHARED USE PATH 20 20 60.89:1 1.81% 15 15 NP-287 (3) 36" EQ RC ARCH PIPE 104 @ 0.32% 10 I.E = 9.58 6 LF 105 LF 5 0 0 STREAM PERM PIPE WETLAND TEMP CLEARING IMPACT E IMPACT #65 0.02 AC 105 LF PREPARED BY: APPLICATION BY: LEGEND

PERMANENT WETLAND FILL IMPACT

PERMANENT WETLAND EXCAVATION IMPACT

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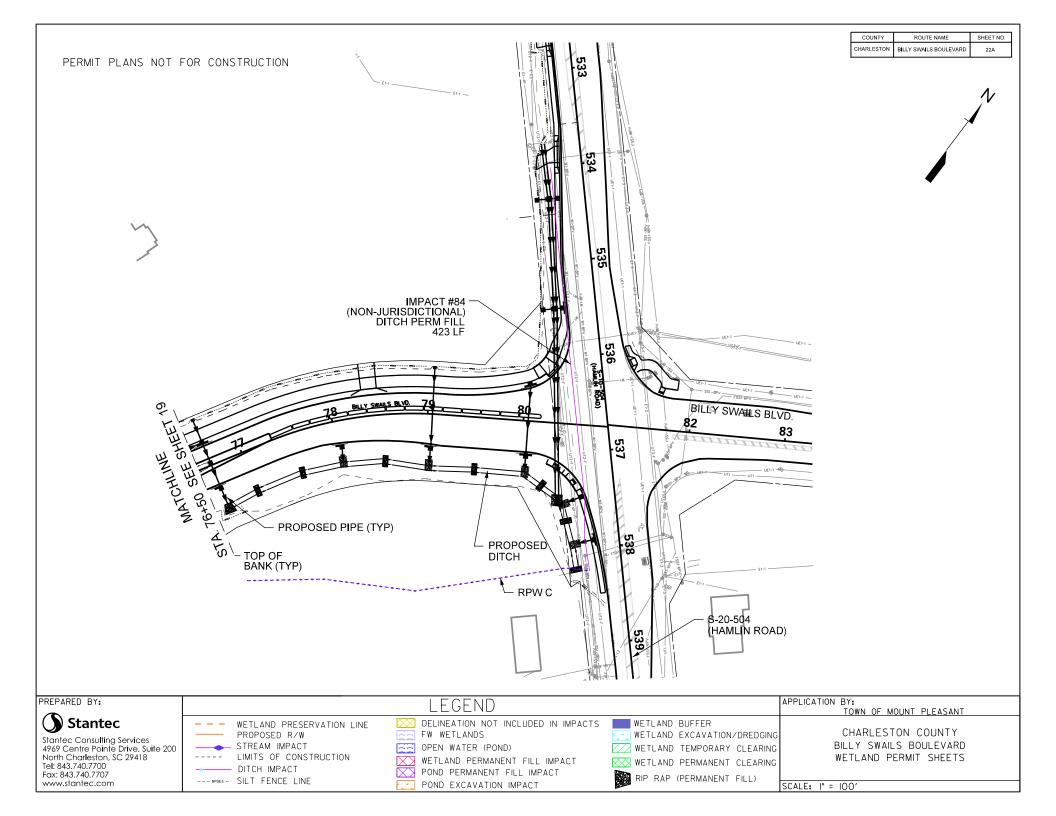
TOWN OF MOUNT PLEASANT

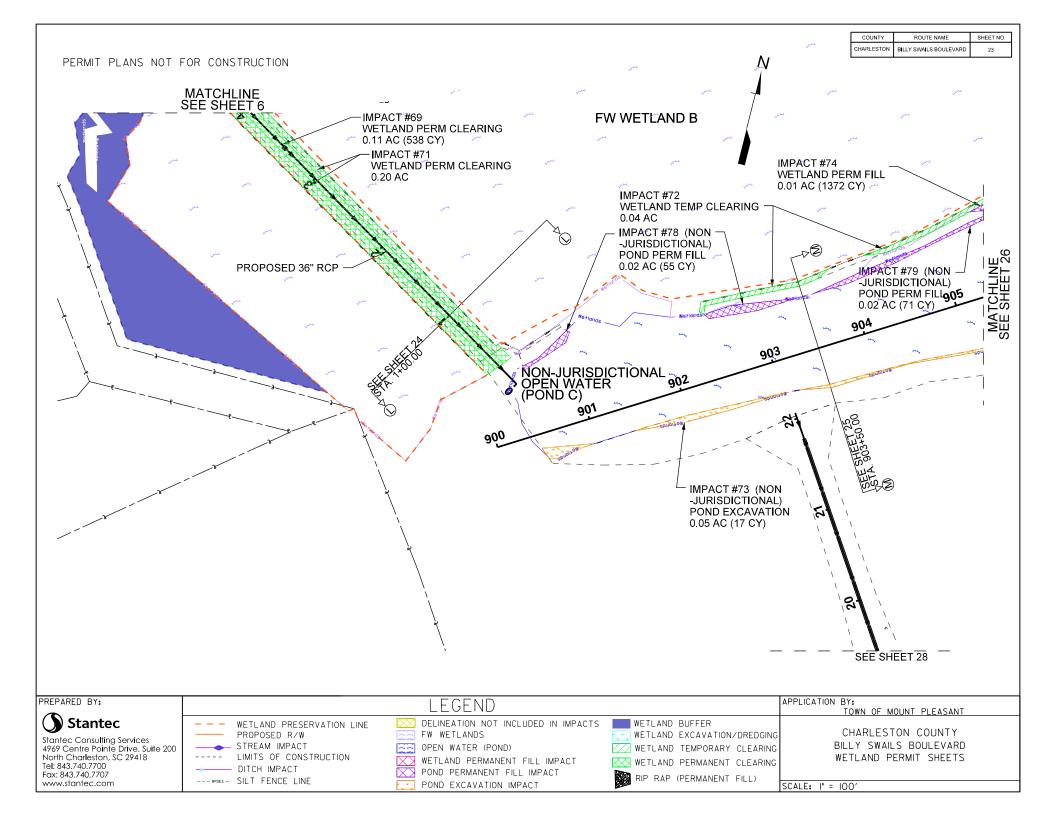
CHARLESTON COUNTY

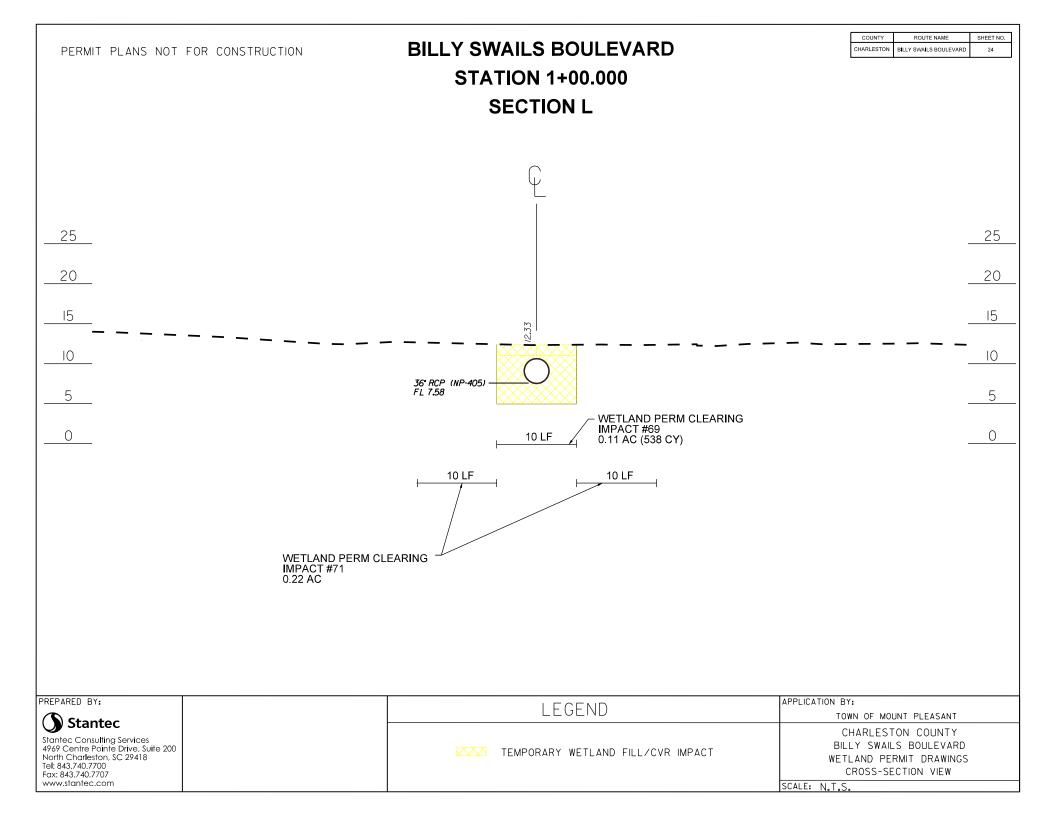
BILLY SWAILS BOULEVARD

WETLAND PERMIT DRAWINGS CROSS-SECTION VIEW

SCALE: N.T.S.







BILLY SWAILS BOULEVARD COUNTY ROUTE NAME SHEET NO. CHARLESTON BILLY SWAILS BOULEVARD 25 PERMIT PLANS NOT FOR CONSTRUCTION **STATION 903+50.000 SECTION M** 25 25 20 20 15 11.00 -7.57 10 10 5 0 L EXISTING POND 0 POND EXCAVATION (NON-JURISDICTIONAL) IMPACT #73 WETLAND TEMP CLEARING IMPACT #72 0.04 AC 0.05 AC PREPARED BY: APPLICATION BY: LEGEND TOWN OF MOUNT PLEASANT **Stantec** CHARLESTON COUNTY PERMANENT WETLAND FILL IMPACT Stantec Consulting Services 4969 Centre Pointe Drive, Suite 200 North Charleston, SC 29418 Tel: 843.740.7700 Fax: 843.740.7707 BILLY SWAILS BOULEVARD PERMANENT WETLAND EXCAVATION IMPACT

PERMANENT POND FILL IMPACT

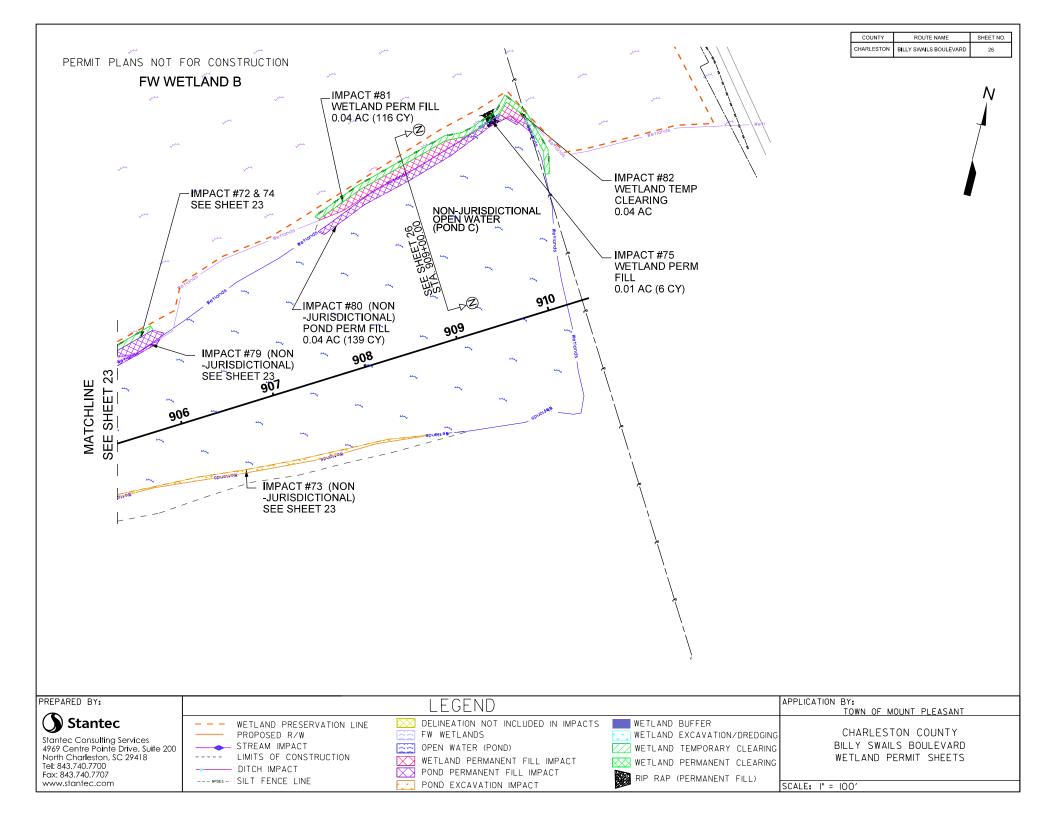
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PERMANENT POND EXCAVATION IMPACT

CROSS-SECTION VIEW

WETLAND PERMIT DRAWINGS

SCALE: N.T.S.



STATION 909+00.000 SECTION N

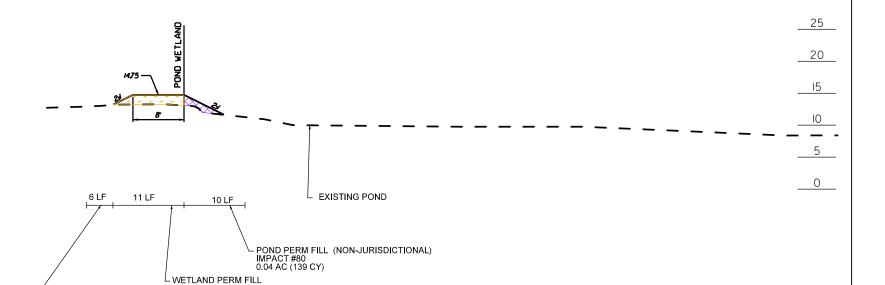
COUNTY ROUTE NAME SHEET NO.

CHARLESTON BILLY SWAILS BOULEVARD 27

___25 __20 ___15 ____ __10

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IMPACT #81 0.04 AC (116 CY)

WETLAND TEMP CLEARING IMPACT #82 0.04 AC

PERMANENT WETLAND FILL IMPACT
PERMANENT WETLAND EXCAVATION IMPACT
PERMANENT POND FILL IMPACT
PERMANENT POND EXCAVATION IMPACT

LEGEND

TOWN OF MOUNT PLEASANT

CHARLESTON COUNTY

BILLY SWAILS BOULEVARD

CROSS-SECTION VIEW

WETLAND PERMIT DRAWINGS

SCALE: N.T.S.

APPLICATION BY:

