



United States Department of the Interior



NATIONAL PARK SERVICE
Southeast Regional Office
Atlanta Federal Center
1924 Building
100 Alabama St., SW.
Atlanta, Georgia 30303

IN REPLY REFER TO:
8.B. (SER-RPB)
45-00856.6
45-00985.3

JUL 20 2016

Mr. Phil Gaines
State Liaison Officer
Department of Parks, Recreation, & Tourism
1205 Pendleton Street
Columbia, South Carolina 29201

Dear Mr. Gaines:

On December 14, 2014, the United States District Court-District of South Carolina granted the National Park Service's (NPS) motion for a voluntary remand for the reconsideration of its November 25, 2008, approval of the conversion of DeReef Park, under Section 6(f)(3) of the Land and Water Conservation Fund (LWCF) Act pursuant to 36 C.F.R. Part 59 in order to ensure compliance with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) Section 106. DeReef Park received LWCF financial assistance under project numbers 45-00856 and 45-00985 for the acquisition and development of a 1.3± acre public outdoor recreation facility, located at the intersection of Morris Street and DeReef Court in downtown Charleston.

In conjunction with the voluntary remand, on June 30, 2016, the NPS received from the South Carolina Department of Parks, Recreation, & Tourism (SCPRT), on behalf of the City of Charleston, a proposal to amend the original project agreement for the partial conversion of DeReef Park by removing LWCF protection from 0.954± acre of DeReef Park, leaving 0.346± acre under LWCF protection. The remaining LWCF protected portion of DeReef Park will continue to be owned by the City of Charleston and will be renovated as a smaller neighborhood park to serve public outdoor recreation purposes. The City of Charleston will mitigate the conversion by securing replacement site(s) within 1 year of approval of the conversion proposal. This proposal constitutes a federal action to amend a contractual agreement that will supersede the 2008 conversion approval.

Based on the content of the Environmental Assessment (EA) prepared under NEPA, the proposal does not constitute an action that requires preparation of an Environmental Impact Statement (EIS). There are no significant impacts to public health, public safety, threatened or endangered species; therefore a Finding of No Significant Impact (FONSI) is applicable and has been

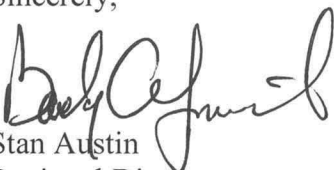
prepared. In compliance with NHPA Section 106 requirements, a Programmatic Agreement (PA) was developed and signed by the Advisory Council on Historic Preservation, the South Carolina State Historic Preservation Office, the SCPRT, the City of Charleston and the NPS to mitigate the adverse effect of the proposal on the expansion of the Charleston Old and Historic District, a historic property eligible for listing in the National Register of Historic Places. The PA will be in effect upon the approval of the Amendment to the Project Agreement and will be closely monitored by the NPS.

After thorough review and consideration of the facts contained in the project proposal submitted by the SCPRT, the NPS has found the proposal to be consistent with 36 C.F.R. § 59.3, and has approved this proposal, which includes the SCPRT's commitment to work with the City of Charleston to secure replacement site(s) within the 1 year period of the approval of the Amendment to the Project Agreement, which is effective as of the date of this letter. A FONSI has also been approved.

Enclosed for the SCPRT's records is a copy of the signed Amendment to the Project Agreement approving the partial conversion with a 1 year delayed replacement and a copy of the FONSI. Once selected, the State will submit to NPS for approval an Amendment to the Project Agreement that accurately evaluates that the replacement site(s) meet the criteria in 36 C.F.R. § 59.3.

If you have any questions, please do not hesitate to contact Gwen Smith at (404) 507-5800 or by email at gwen_smith@nps.gov.

Sincerely,


For Stan Austin
Regional Director

Enclosures

cc:

Amy Blinson, Alternate State Liaison Officer, SCPRT