

JOINT  
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS  
69A 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-2012-0017-2IG

3 FEBRUARY 2012

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) 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

**THE CITY OF CHARLESTON**  
**DEPARTMENT OF PARKS**  
**C/O ROSS NELSON**  
**TIDEWATER ENVIRONMENTAL SERVICES, INC**  
**POST OFFICE BOX 865**  
**JOHNS ISLAND, SOUTH CAROLINA 29457-0865**

for a permit to construct a fixed pier and with fishing decks and a floating dock in the

**ASHLEY RIVER**

at a location, the eastern end of the West Ashley Bikeway, Charleston County TMS #418-00-00-006, located at the end of Main Street and Chickadee Avenue, in the City of Charleston, Charleston County, South Carolina (Latitude 32.796203° - Longitude -79.976428°)

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 construction of a 20' x 20' fixed center pierhead with a roof attached to high ground by a 10' – 12' x 375' walkway with hand rails. In addition, the applicant proposes to construct a 20' x 24' octagon shaped, uncovered, fixed pierhead ("fishing deck") on each side of the 20' x 20' center covered pierhead and attached to the center pierhead by a 6' x 10'8" walkway. Finally, the applicant proposes to install a 20' x 20' floating dock on the

downstream side of the pierheads and attached to the downstream pierhead by a 4' x 36' walkway as shown on the attached plans. The walkway will include a slight turn approximately 250' from high ground to avoid existing pilings and a high pressure gas line. The portion of the walkway from the turn to the pierhead will be 12' wide to allow safe passage of dock carts, pedestrians, and bikes that may be trying to access the structure. The walkway follows American Disabilities Act regulations for handicap accessibility. Therefore, the slope of the walkway will not exceed 12 to 1 and will include an 8' wide landing area every 30 feet. The applicant has stated that "due to the minimal impact of the proposed work and the best management practices that will be used during construction of the pier, mitigation is not proposed for this project." The purpose of the proposed work is to enhance public recreational access to the Ashley River.

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

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

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 the Coastal Zone Management Program (15 CFR 930). 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 have minimal impact on estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined 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 7(c) of the Endangered Species Act of 1973 (as amended).

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.

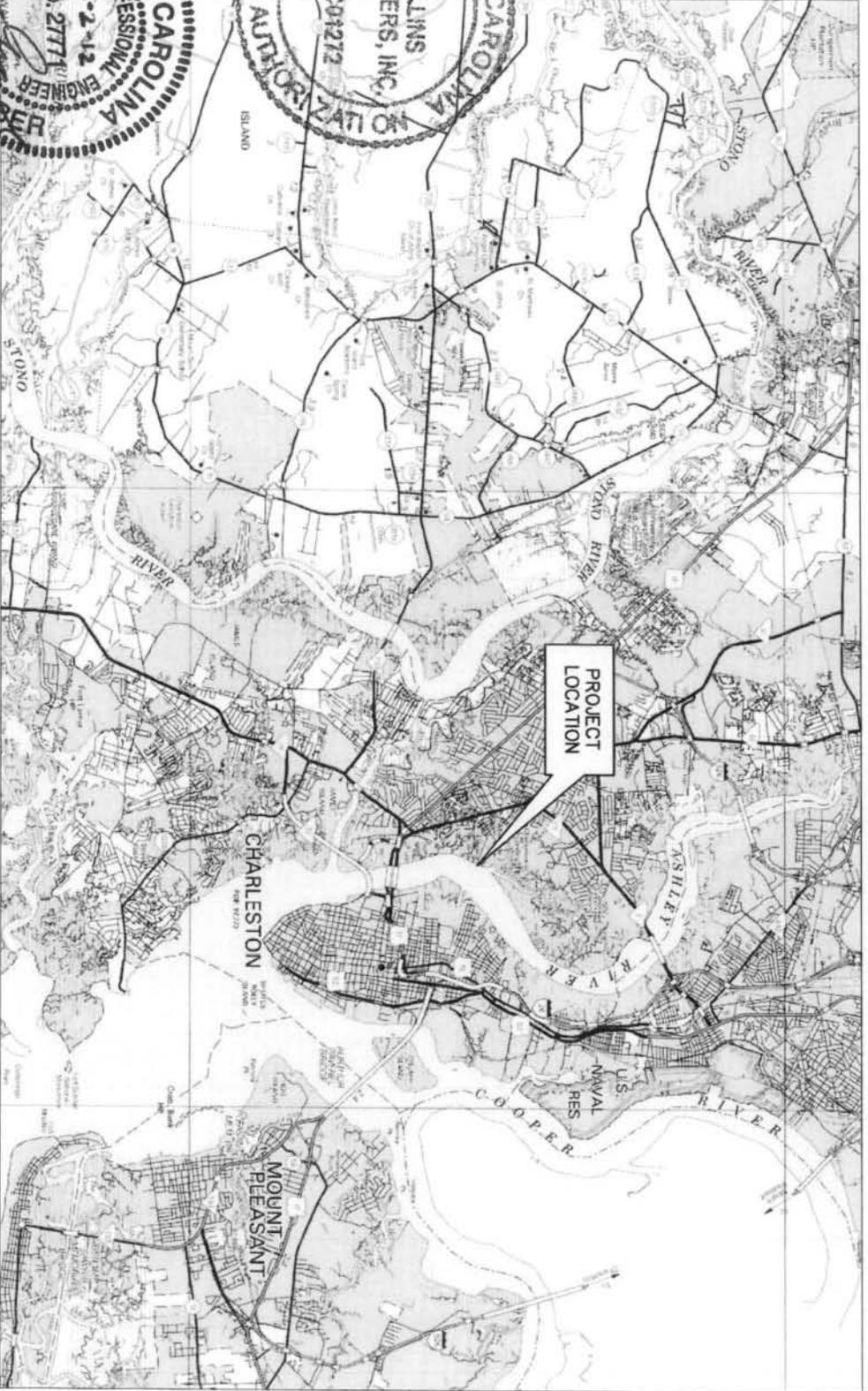
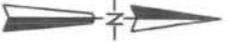
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

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. 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 of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers 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 of Engineers 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.

If there are any questions concerning this public notice, please contact Mary Hope Green at 843-329-8044 or toll free at 1-866-329-8187.



VICINITY MAP

(NTS) #SACC2012-17-2IG

PURPOSE: ENHANCE PUBLIC ACCESS TO ASHLEY RIVER

ADJACENT PROPERTY OWNERS: LOWCOUNTRY OPEN LAND TRUST, INC.

**COLLINS ENGINEERS**

COLLINS ENGINEERS INC.  
1180 SAM RITTENBERG BLVD, STE. 105  
CHARLESTON, SC 29407  
PHONE: 843-763-1576

FIGURE 1 PROJECT VICINITY MAP

NOT TO SCALE

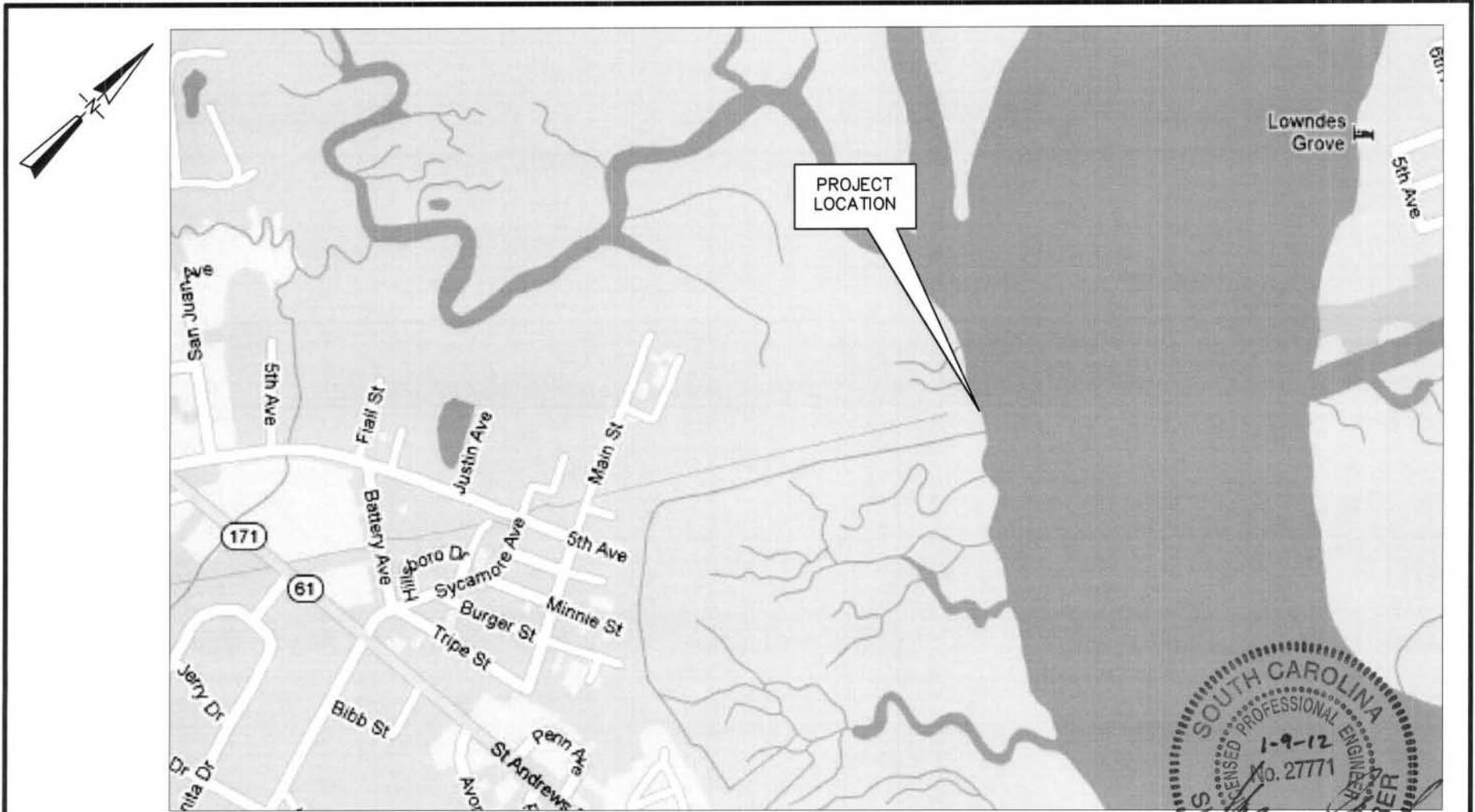
APPLICANT CITY OF CHARLESTON - DEPARTMENT OF PARKS

PROPOSED: PUBLIC RECREATIONAL PIER

AT: WEST ASHLEY BIKEWAY  
CHARLESTON, SC  
COUNTY: CHARLESTON

SHEET: 1 OF 7 DATE: 10/03/11

JAN 13 2012



LOCATION MAP  
(NTS)

#SAC-2012-17-2IG

**PURPOSE:** ENHANCE PUBLIC ACCESS TO ASHLEY RIVER

**ADJACENT PROPERTY OWNERS:**  
LOWCOUNTRY OPEN LAND TRUST, INC.

**COLLINS ENGINEERS INC**

COLLINS ENGINEERS INC.  
1180 SAM RITTENBERG BLVD. STE. 105  
CHARLESTON, SC 29407  
PHONE: 843-763-1576

**FIGURE 2**  
PROJECT LOCATION MAP

NOT TO SCALE

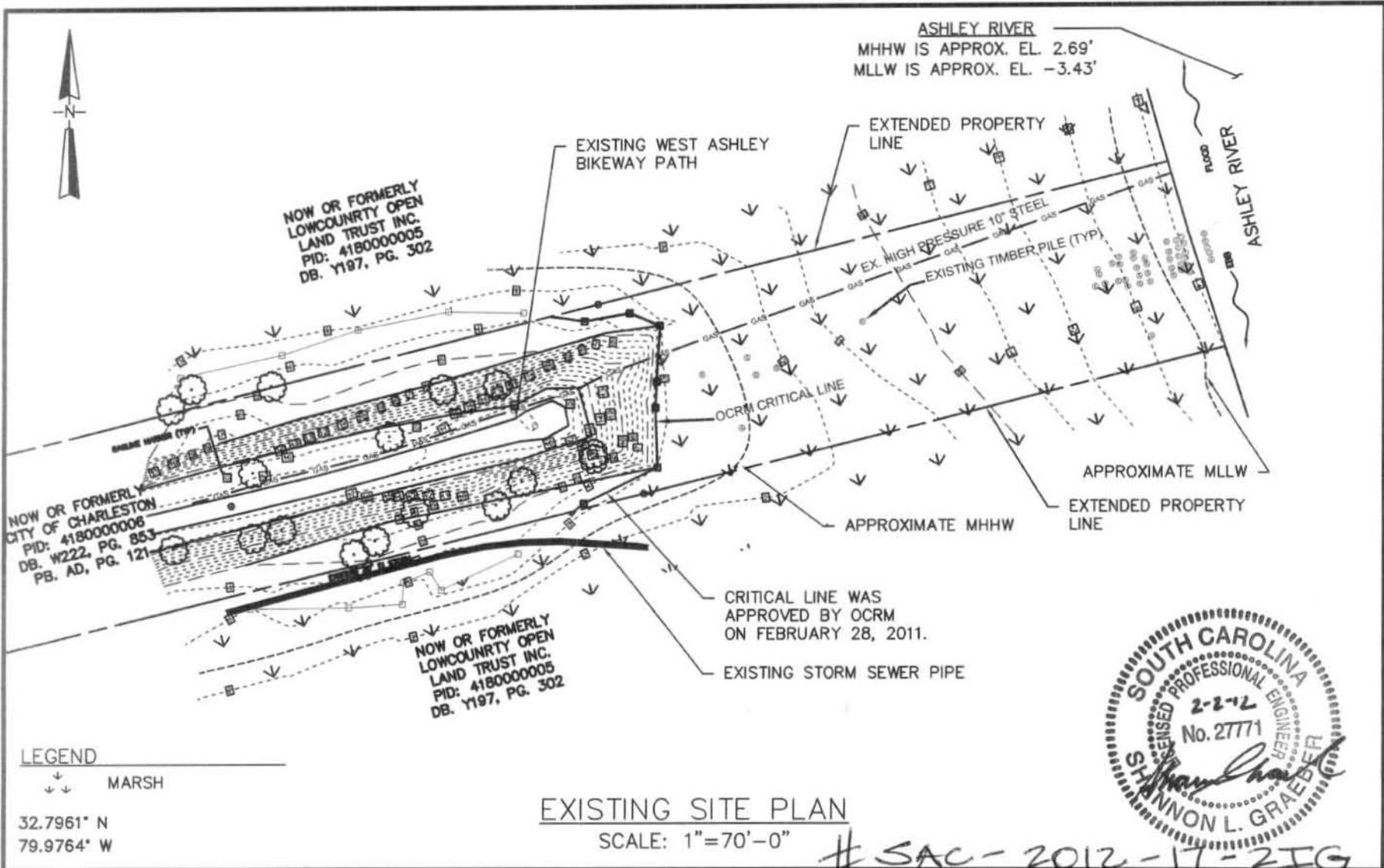
**APPLICANT**  
CITY OF CHARLESTON - DEPARTMENT OF PARKS

**PROPOSED:** PUBLIC RECREATIONAL PIER

**AT:** WEST ASHLEY BIKEWAY  
CHARLESTON, SC

**COUNTY:** CHARLESTON

**SHEET:** 2 OF 6      **DATE:** 10/03/11



**PURPOSE:** ENHANCE PUBLIC ACCESS TO ASHLEY RIVER

**ADJACENT PROPERTY OWNERS:**  
 LOWCOUNTRY OPEN LAND TRUST, INC.

**COLLINS ENGINEERS INC.**

COLLINS ENGINEERS INC.  
 1180 SAM RITTENBERG BLVD. STE. 105  
 CHARLESTON, SC 29407  
 PHONE: 843-763-1576

**FIGURE 3**  
 EXISTING SITE PLAN  
 1"=70'-0"

0' 70' 140'

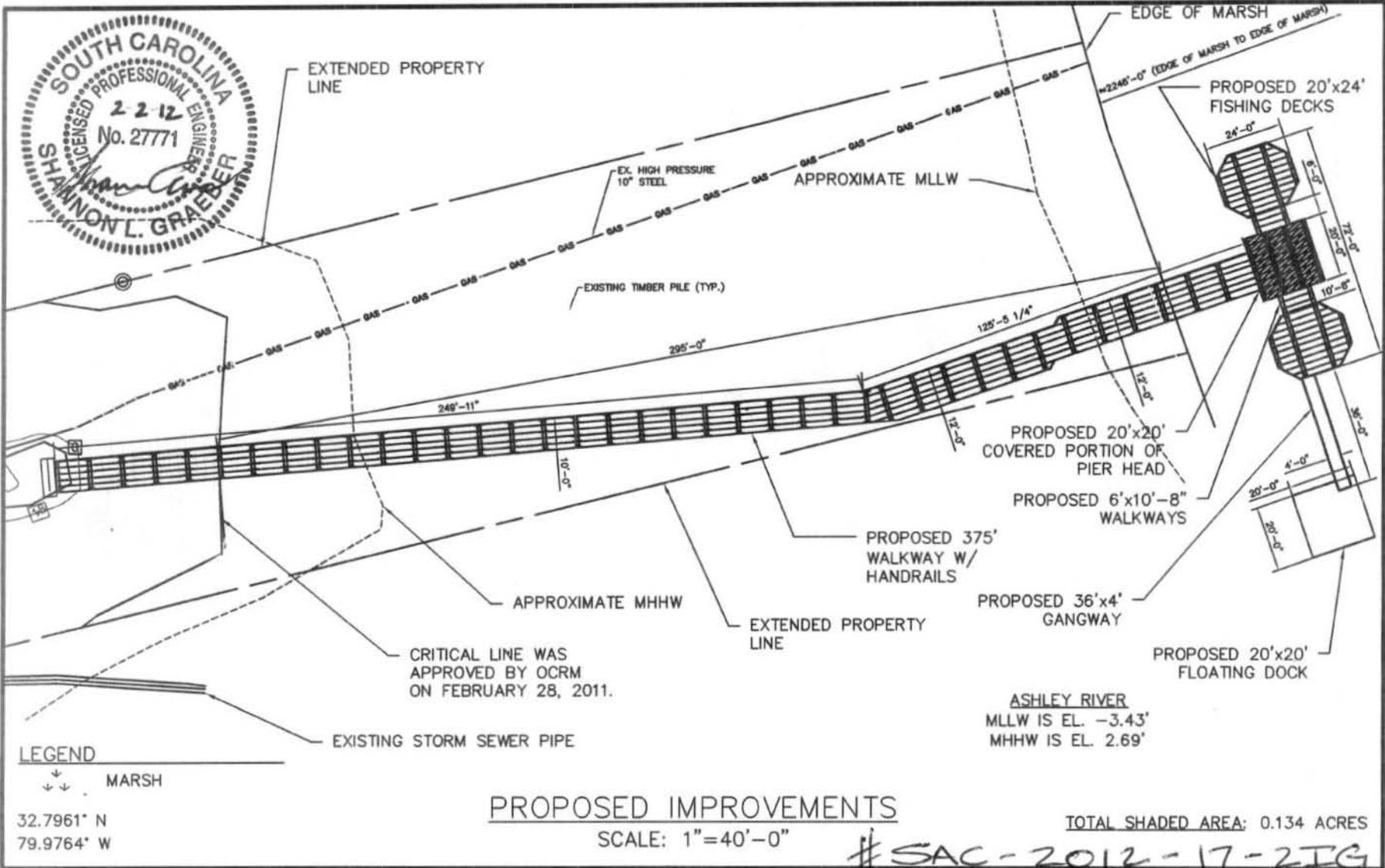
**APPLICANT**  
 CITY OF CHARLESTON - DEPARTMENT OF PARKS

**PROPOSED:** PUBLIC RECREATIONAL PIER

**AT:** WEST ASHLEY BIKEWAY PIER  
 CHARLESTON, SC

**COUNTY:** CHARLESTON

**SHEET:** 3 OF 7 **DATE:** 10/03/11



**PROPOSED IMPROVEMENTS**

SCALE: 1"=40'-0"

TOTAL SHADED AREA: 0.134 ACRES

32.7961° N  
79.9764° W

**PURPOSE:** ENHANCE PUBLIC ACCESS TO ASHLEY RIVER

**ADJACENT PROPERTY OWNERS:** LOWCOUNTRY OPEN LAND TRUST, INC.

**COLLINS ENGINEERS INC.**  
COLLINS ENGINEERS INC.  
1180 SAM RITTENBERG BLVD. STE. 105  
CHARLESTON, SC 29407  
PHONE: 843-763-1576

**FIGURE 4**  
PROPOSED IMPROVEMENTS  
1"=40'-0"  
0' 40' 80'  
**APPLICANT**  
CITY OF CHARLESTON - DEPARTMENT OF PARKS

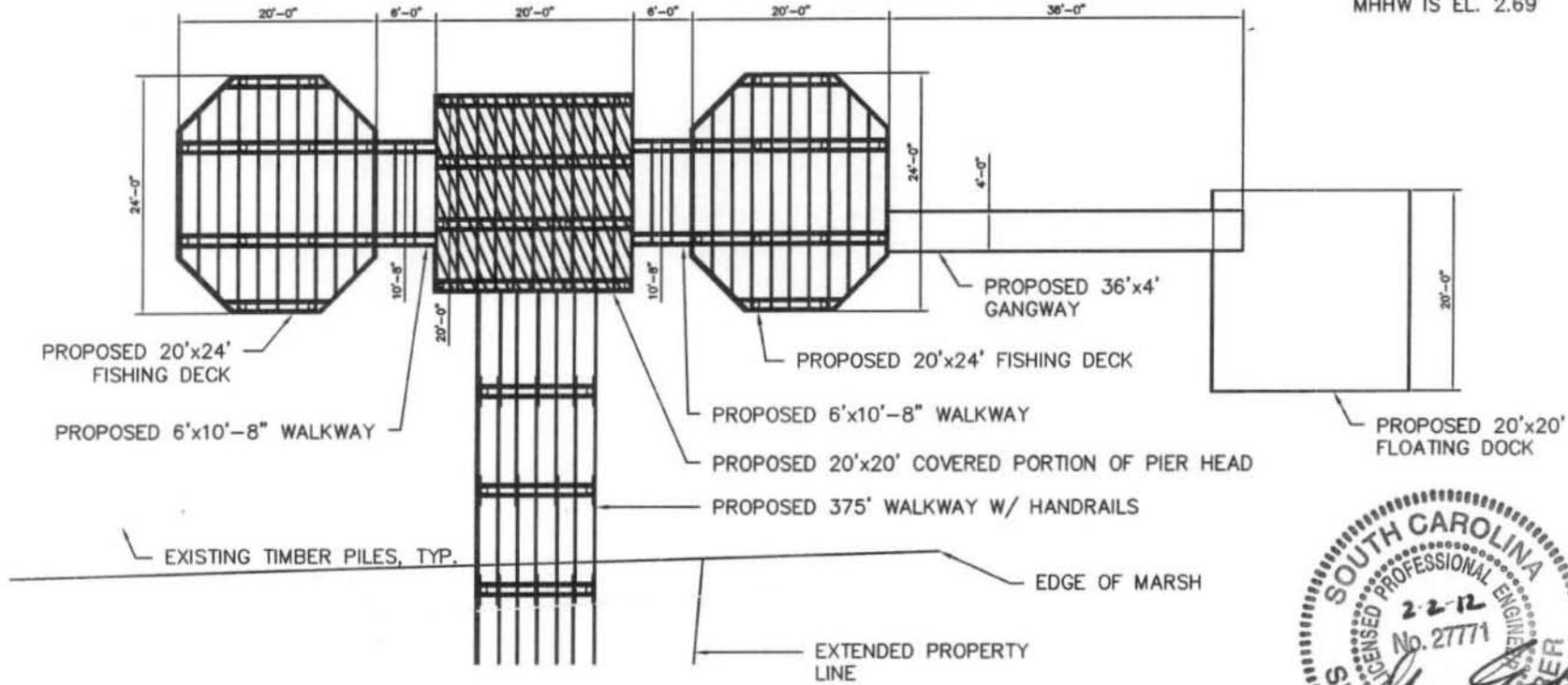
**PROPOSED:** PUBLIC RECREATIONAL PIER

**AT:** WEST ASHLEY BIKEWAY PIER  
CHARLESTON, SC  
**COUNTY:** CHARLESTON

**SHEET:** 4 OF 7      **DATE:** 10/03/11



ASHLEY RIVER  
 MLLW IS EL. -3.43'  
 MHHW IS EL. 2.69'



**LEGEND**

↓ ↓ MARSH  
 32.7961° N  
 79.9764° W

**PROPOSED IMPROVEMENTS (PIER HEAD)**

SCALE: N.T.S.



TOTAL SHADED AREA: 0.134 ACRES

#SAC-2012-17-2FG

**PURPOSE:** ENHANCE PUBLIC ACCESS TO ASHLEY RIVER

**ADJACENT PROPERTY OWNERS:** LOWCOUNTRY OPEN LAND TRUST, INC.

**COLLINS ENGINEERS**  
 COLLINS ENGINEERS INC.  
 1180 SAM RITTENBERG BLVD. STE. 105  
 CHARLESTON, SC 29407  
 PHONE: 843-763-1576

**FIGURE 5**  
 PROPOSED IMPROVEMENTS (PIER HEAD)

NOT TO SCALE

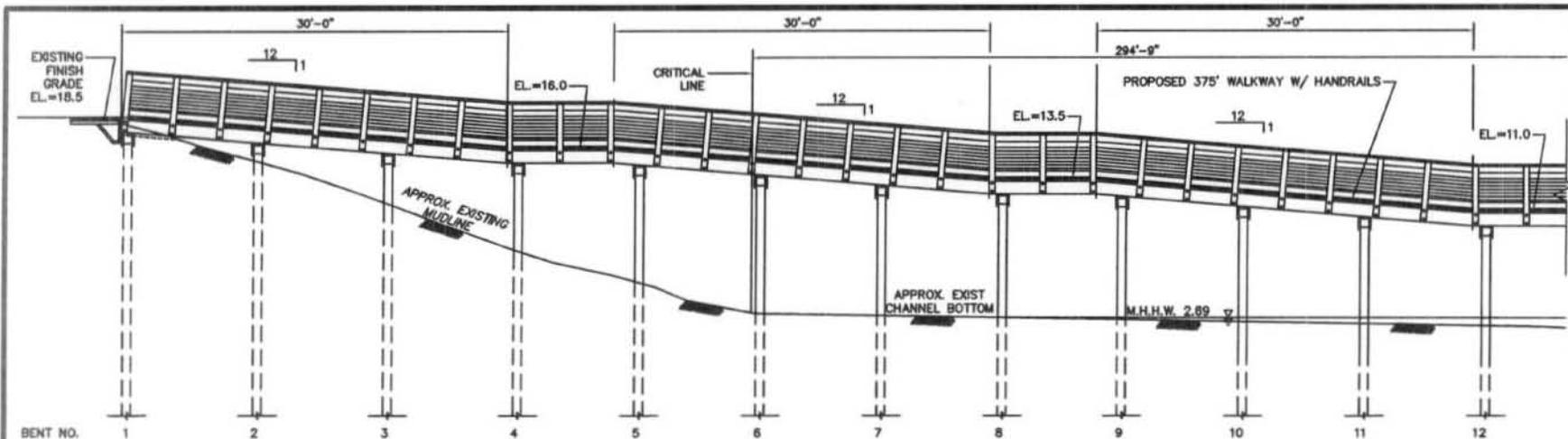
**APPLICANT**  
 CITY OF CHARLESTON - DEPARTMENT OF PARKS

**PROPOSED:** PUBLIC RECREATIONAL PIER

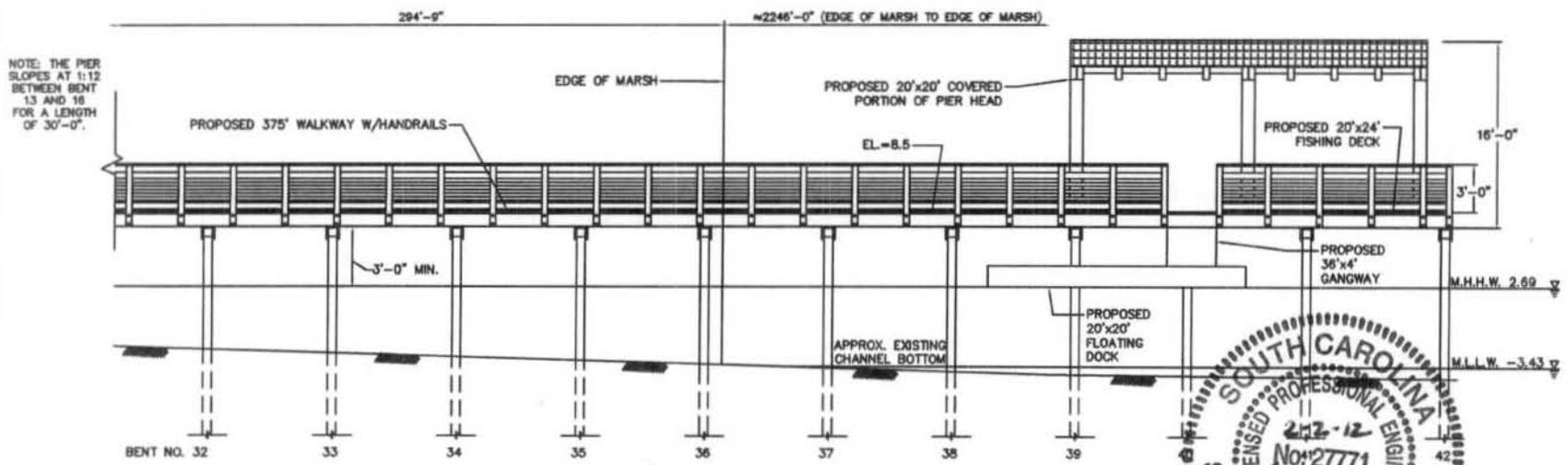
**AT:** WEST ASHLEY BIKEWAY PIER  
 CHARLESTON, SC

**COUNTY:** CHARLESTON

**SHEET:** 5 OF 7      **DATE:** 10/03/11



BENT NO. 1 2 3 4 5 6 7 8 9 10 11 12



32.7961° N  
79.9764° W

#SAC-2012-17-ZIG  
ELEVATION OF FIXED FISHING PIER



**PURPOSE:** ENHANCE PUBLIC ACCESS TO ASHLEY RIVER

**ADJACENT PROPERTY OWNERS:** LOWCOUNTRY OPEN LAND TRUST, INC.

**COLLINS ENGINEERS**  
INC.

COLLINS ENGINEERS INC.  
1180 SAM RITTENBERG BLVD. STE. 105  
CHARLESTON, SC 29407  
PHONE: 843-763-1576

**FIGURE 6**  
ELEVATION OF FISHING PIER

1"=15'-0"

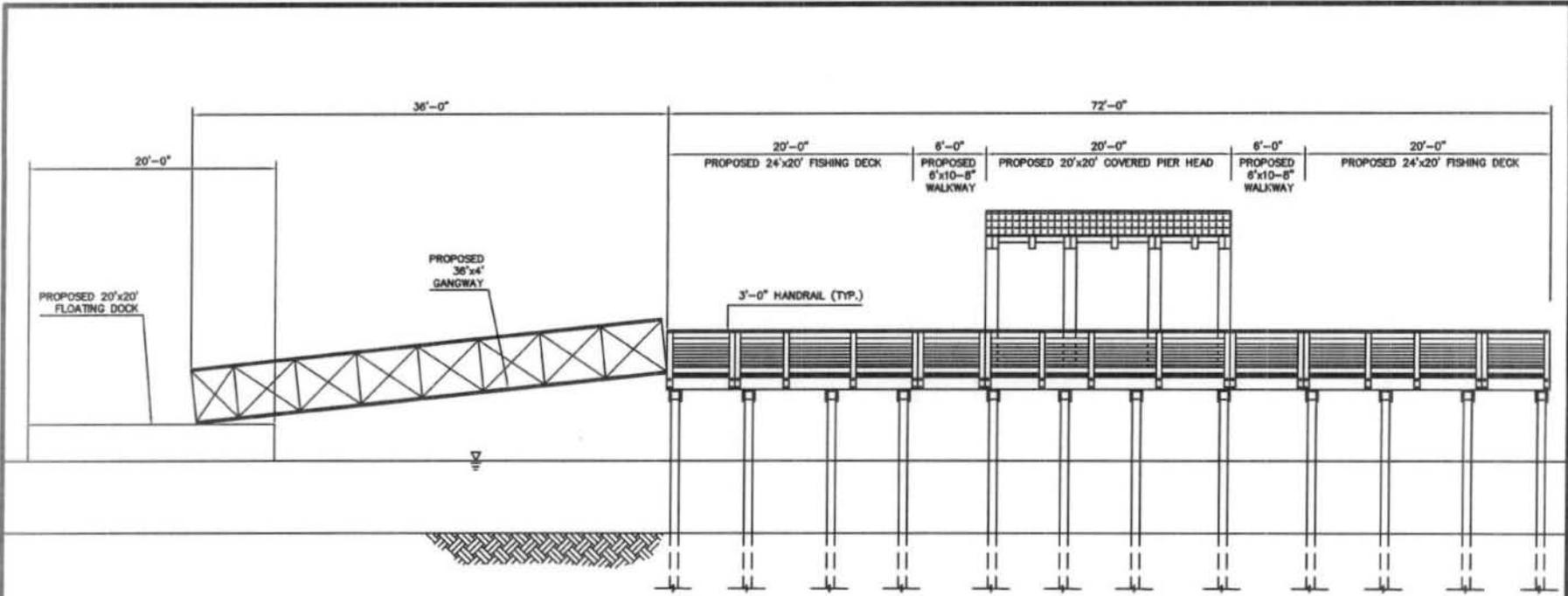
**APPLICANT**  
CITY OF CHARLESTON - DEPARTMENT OF PARKS

**PROPOSED PUBLIC RECREATIONAL PIER**

**AT:** WEST ASHLEY BIKEWAY PIER  
CHARLESTON, SC

**COUNTY:** CHARLESTON

**SHEET:** 6 OF 7     **DATE:** 10/03/11



END ELEVATION OF FIXED FISHING PIER



#SAC-2012-17-219

32.7961° N  
79.9764° W

|                                                                                                                                       |                                                                                                                                                            |                                                                                                                                            |                                                                                                                                                                                                      |
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| <p><b>PURPOSE:</b> ENHANCE PUBLIC ACCESS TO ASHLEY RIVER</p> <p><b>ADJACENT PROPERTY OWNERS:</b> LOWCOUNTRY OPEN LAND TRUST, INC.</p> | <p><b>COLLINS ENGINEERS INC.</b></p> <p>COLLINS ENGINEERS INC.<br/>1180 SAM RITTENBERG BLVD. STE. 105<br/>CHARLESTON, SC 29407<br/>PHONE: 843-763-1576</p> | <p><b>FIGURE 7</b><br/>ELEVATION OF FISHING PIER</p> <p>1"=15'-0"</p> <p><b>APPLICANT</b><br/>CITY OF CHARLESTON - DEPARTMENT OF PARKS</p> | <p><b>PROPOSED:</b> PUBLIC RECREATIONAL PIER</p> <p><b>AT:</b> WEST ASHLEY BIKEWAY PIER<br/>CHARLESTON, SC</p> <p><b>COUNTY:</b> CHARLESTON</p> <p><b>SHEET:</b> 7 OF 7    <b>DATE:</b> 10/03/11</p> |
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