

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 #2004-1X-398

7 January 2005

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

SCHC, L.L.C.
P.O. BOX 1271
MOUNT PLEASANT, SOUTH CAROLINA 29465

for a permit to repair/replace an existing pier and construct two floating docks, a harbor master's security building and two boat lifts on the west side of

SHEM CREEK

Located upstream from Two Sister's Creek approximately 0.5 miles from the confluence of Charleston Harbor. (Latitude – 32.78972, Longitude – 79.88611).

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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, FEBRUARY 7, 2005

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the repair and replacement of 200 linear feet of existing fixed pier. The replaced fixed pier width will increase from 8 to 10 feet. A new 20 foot x 20 foot harbormaster's security building (with restroom) will be located on the repaired section of the fixed pier. The work will include the addition of a 153 linear foot floating dock (10 feet wide) parallel to the existing fixed pier, the addition of a 50 linear foot floating dock (10 feet wide) for the launching of kayaks, a 20 foot x 20 foot covered area, and two cradle boatlifts which will accommodate vessels up to 30 feet in length. The purpose of the project is to improve the existing infrastructure, allow Eco-Tourism Kayaking and general private recreation.

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 impact 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species 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.

The District Engineer has 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. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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.

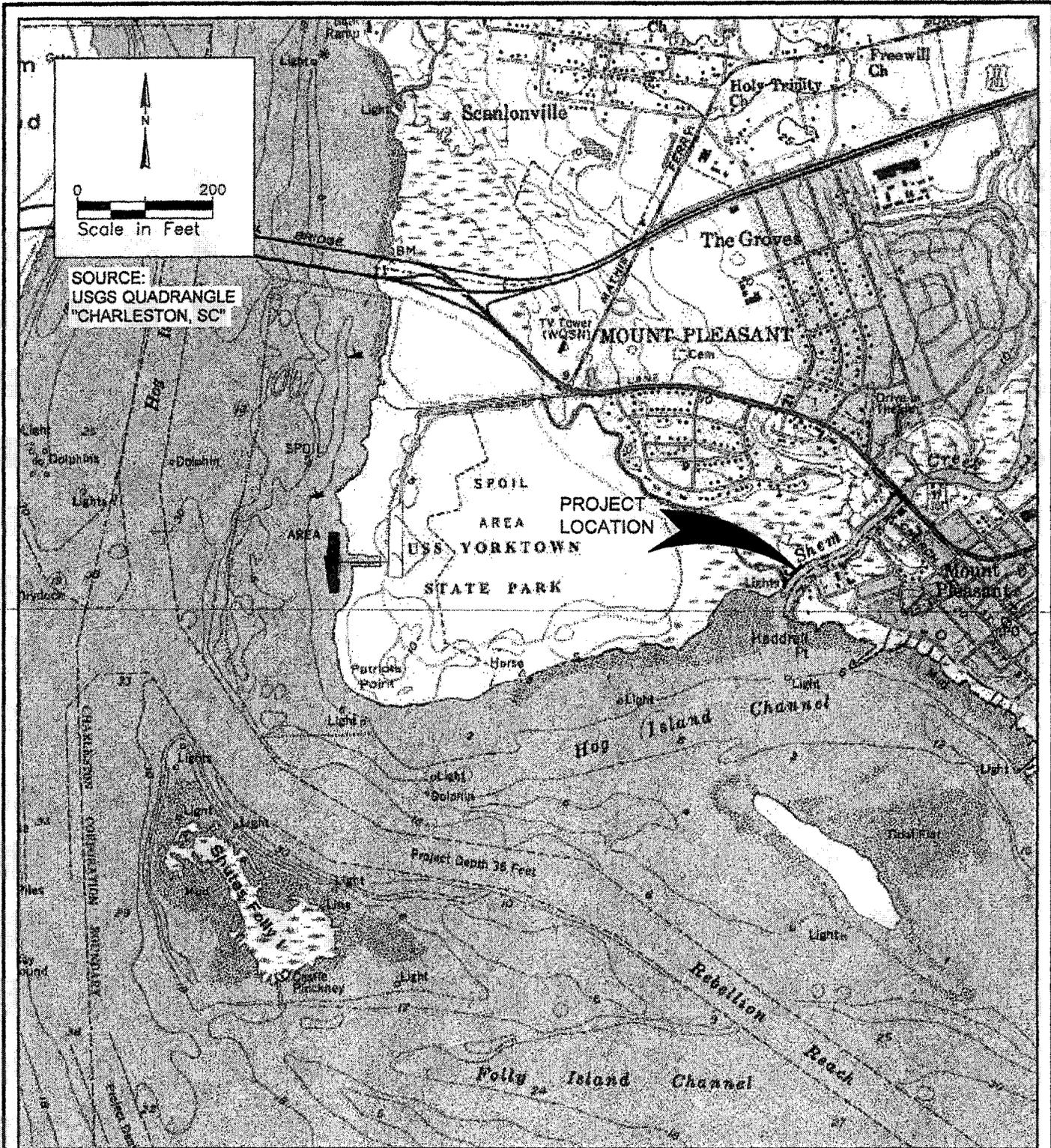
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may 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 me at 843-329-8167 or toll free at 1-866-329-8187.



Robin Collier-Socha
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



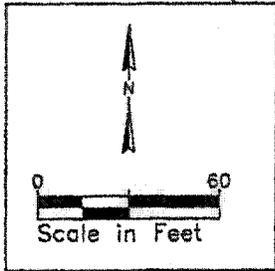
SOURCE:
USGS QUADRANGLE
"CHARLESTON, SC"

PURPOSE: MARINA DEVELOPMENT
 DATUM:
 APPLICATION BY: SCHC, LLC
 USACE #
 ADJACENT PROPERTY OWNERS:
 SEE EXHIBIT B
 DATE: 12/08/04

LOCATION MAP

SCHC, LLC
 P.O. BOX 1271
 MOUNT PLEASANT, SC 29465

PROPOSED: SHEM CREEK SPORTFISHING
 IN: SHEM CREEK
 AT: SHEM CREEK &
 CHARLESTON HARBOR
 COUNTY OF: CHARLESTON
 STATE: SOUTH CAROLINA



NOTES:
 1) MEAN LOW WATER (MLW) AND MEAN HIGH WATER (MHW) OBTAINED FROM SURVEY TAKEN BY SOUTHEASTERN SURVEY (DEC. 2004)

FIXED TIMBER PIER (TO REMAIN)

EXISTING DECK (TO BE REFURBISHED)

FIXED TIMBER PIER (TO BE REMOVED)

210'

SHEM CREEK

EDGE OF USACE CHANNEL

EDGE OF USACE CHANNEL

EDGE OF USACE CHANNEL

EBB FLOOD

TWO SISTERS CREEK

MLW

MLW

MLW

MHW

MLW

MHW

04957CHRD01.DWG 12/08/04

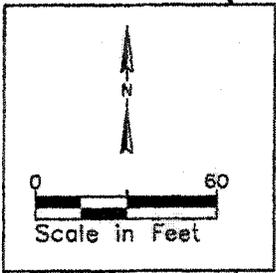
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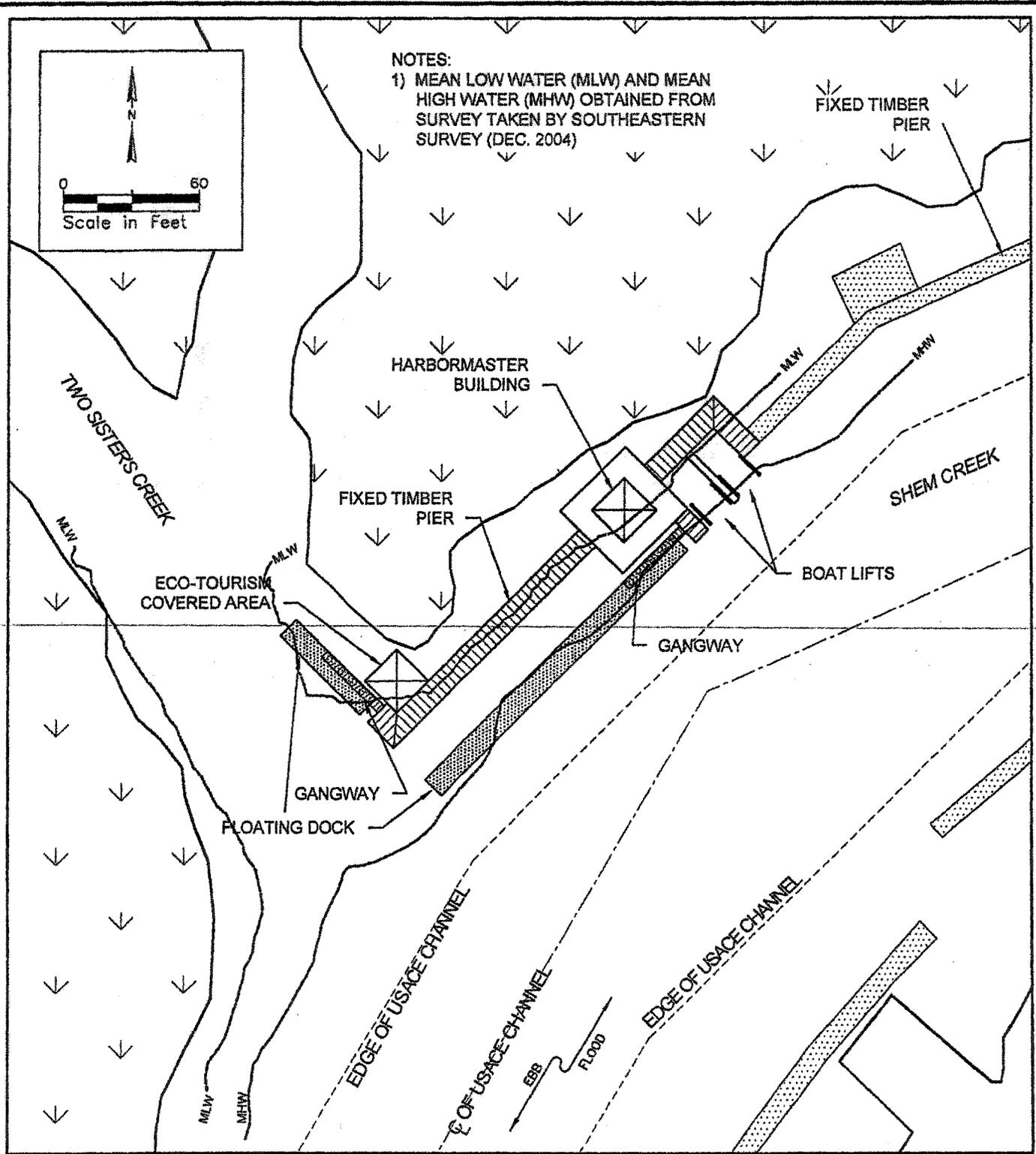
EXISTING CONDITIONS

SCHC, LLC
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 MOUNT PLEASANT, SC 29465

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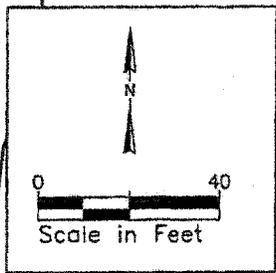


04957CHB01.DWG 12/08/04

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 DATUM:
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 ADJACENT PROPERTY OWNERS:
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PROPOSED IMPROVEMENTS
 SCHC, LLC
 P.O. BOX 1271
 MOUNT PLEASANT, SC 29465

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TWO SISTERS CREEK

20'x20'
ECO-TOURISM
COVERED AREA

50'x10'
FLOATING
DOCK

35'x4'
GANGWAY

153'x10'
FLOATING
DOCK

REFURBISHED
FIXED PIER
WITH 20'x20'
HARBORMASTER
BUILDING AND
RESTROOM

NEW FIXED PIER
(10' WIDE)

NEW FIXED PIER
(10' WIDE)

FIXED TIMBER
PIER

FIXED ACCESS
PIER
(13'x8')

BOAT LIFTS

SHEM CREEK

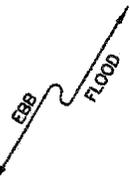
35'x4'
GANGWAY

30' OFFSET
FROM EDGE
OF USACE
CHANNEL

EDGE OF USACE CHANNEL

EDGE OF USACE CHANNEL

EDGE OF USACE CHANNEL



12/08/04
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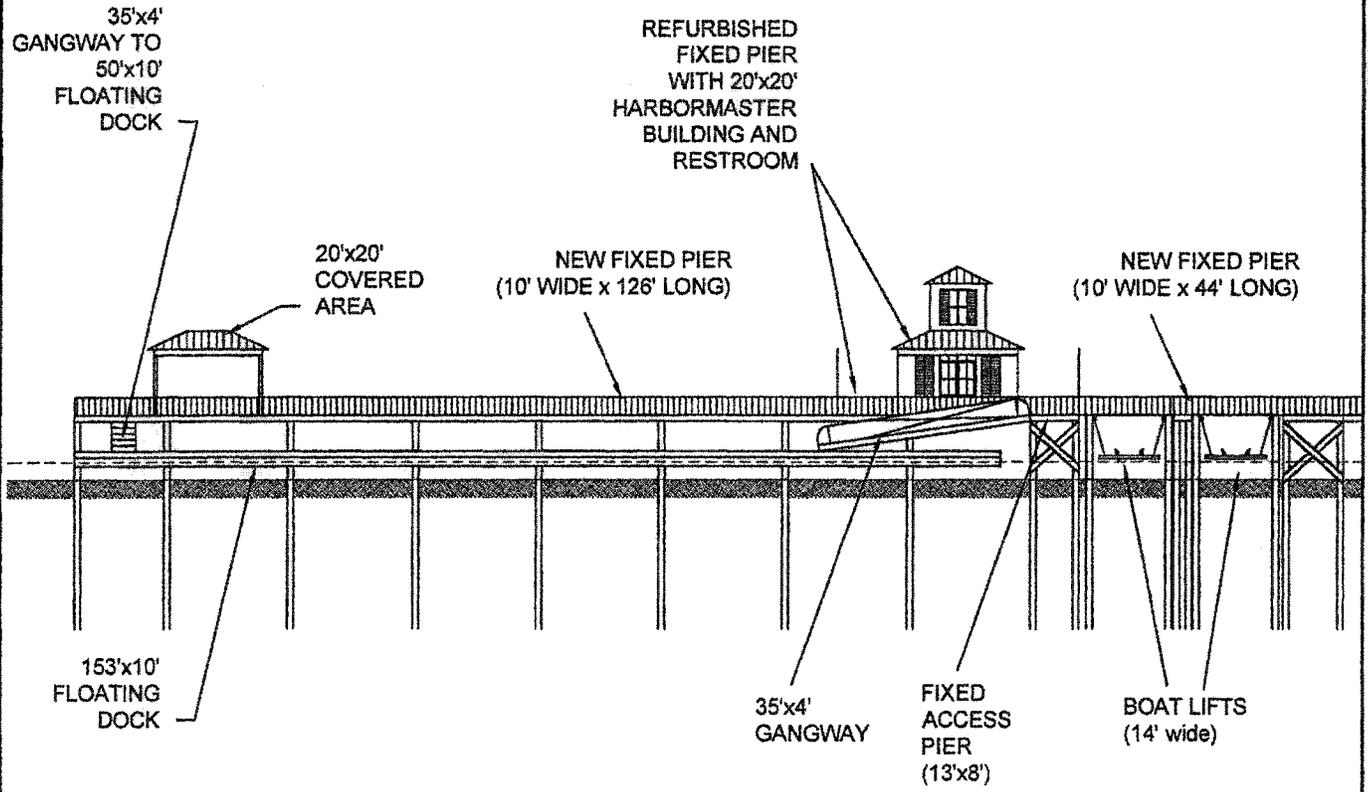
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PROPOSED IMPROVEMENTS
WITH DETAILS

SCHC, LLC
P.O. BOX 1271
MOUNT PLEASANT, SC 29465

PROPOSED: SHEM CREEK SPORTFISHING
IN: SHEM CREEK
AT: SHEM CREEK &
CHARLESTON HARBOR
COUNTY OF: CHARLESTON
STATE: SOUTH CAROLINA



04957CHBD1.DWG 12/08/04

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CROSS-SECTION A-A

SCHC, LLC
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 CHARLESTON HARBOR
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SHEET 5