

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Ave**  
**Charleston, South Carolina 29403**  
**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-2008-00407

December 14, 2023

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 South Carolina Department of Health and Environmental Control by

**Mr. J. Tracy Stakely**  
**National Park Service, Fort Sumter & Fort Moultrie NHP**  
**1214 Middle Street**  
**Sullivan's Island, South Carolina 29482**

**Mr. Nicholas Sarata**  
**Childs Engineering**  
**34 William Way**  
**Bellingham, Massachusetts 02019**  
**saratan@childseng.com**

for a permit to remove an existing authorized pier structure and the construction of a new pier structure to the east (floodside) of the existing pier in

**Charleston Harbor**

located along the Charleston Harbor at TMS# 4500000021, Charleston County, South Carolina (Latitude: 32.7534 °, Longitude: -79.8754 °), 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.

**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 ensure safe access to Fort Sumter while reducing annual and corrective maintenance requirements due to deterioration and damage of the existing structure. The completed project would facilitate annual inspections, accommodate the larger existing concession vessels, provide enhanced recreational use, create resiliency against increased wave action due to a deepened harbor channel and fast currents, and would ease significant mooring positioning efficiencies. Furthermore, the work would include new pier heights and configurations that would account for sea level rise, changing harbor traffic, and other coastal morphology projections.

**Project Description**

The proposed work consists of the removal of the existing pier structure and the construction of a new pier structure to the east (floodside) of the existing pier. The new pier would include shading of 0.035-acre of intertidal wetlands to construct a T-shaped pier consisting of a 320' x 12' walkway leading to a 130' x 24' fixed pier head with associated lookouts for visitors and mooring areas for authorized vessel access. The pier extends in a westerly direction before heading north which brings the berthing face inshore by approximately 25 feet from the original pier face. The pier widths would remain similar to the original construction at 12 feet wide along the stem and 24 feet wide at the outshore berthing face. Construction of the new pier would include the installation of 105 new concrete foundation piles with associated concrete pile caps, prestressed concrete deck planks and timber fender system which includes driving 69 timbers fender pile.

**Avoidance and Minimization**

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment due to the construction activities by ensuring the Contractor deploys floating debris booms around the proposed repair and construction

areas. This would prevent dispersal of debris material during construction work from migrating into the Charleston Harbor. Additionally, the contractor shall be required to have hazardous materials spill prevention and clean up kits available on site for any waterborne equipment.

### **Proposed Compensatory Mitigation**

The applicant has proposed to not mitigate for impacts to wetlands and/or waters of the United States due to the anticipated area of impact (shading) to delineated wetland habitat is 0.035 acre and below the threshold for required compensatory mitigation.

### **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 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 0.035 acre 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(s) where the work will occur: Eastern Black Rail (*Laterallus jamaicensis* ssp.), Wood Stork (*Mycteria americana*),

Red-cockaded Woodpecker (*Picoides borealis*), West Indian Manatee (*Trichechus manatus*), American chaffseed (*Schwalbea americana*), Canby's dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*), 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*), and Red Knot (*Calidris canutus rufa*).

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 no effect on Eastern Black Rail (*Laterallus jamaicensis* ssp.), American chaffseed (*Schwalbea americana*), Canby's dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*), Wood Stork (*Mycteria americana*), Red-cockaded Woodpecker (*Picoides borealis*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), and Loggerhead Sea Turtle (*Caretta caretta*),

The project is not likely to adversely affect on West Indian Manatee (*Trichechus manatus*), Piping Plover (*Charadrius melodus*), and Red Knot (*Calidris canutus rufa*). 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 (USFWS project code: 2024-0007815) 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 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)(1)), and has initially determined that historic properties, are present; moreover, these historic properties may be affected by the undertaking. This public notice serves to notify the State Historic Preservation Office that the Corps plans to initiate Section 106 consultation on these historic properties. Individuals or groups who would like to be consulting parties for the purposes of the NHPA should make such a request to the Corps in writing within 30 days of this public notice. 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 other interested parties to provide any information they may have with regard to historic properties.

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.

### **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. 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**

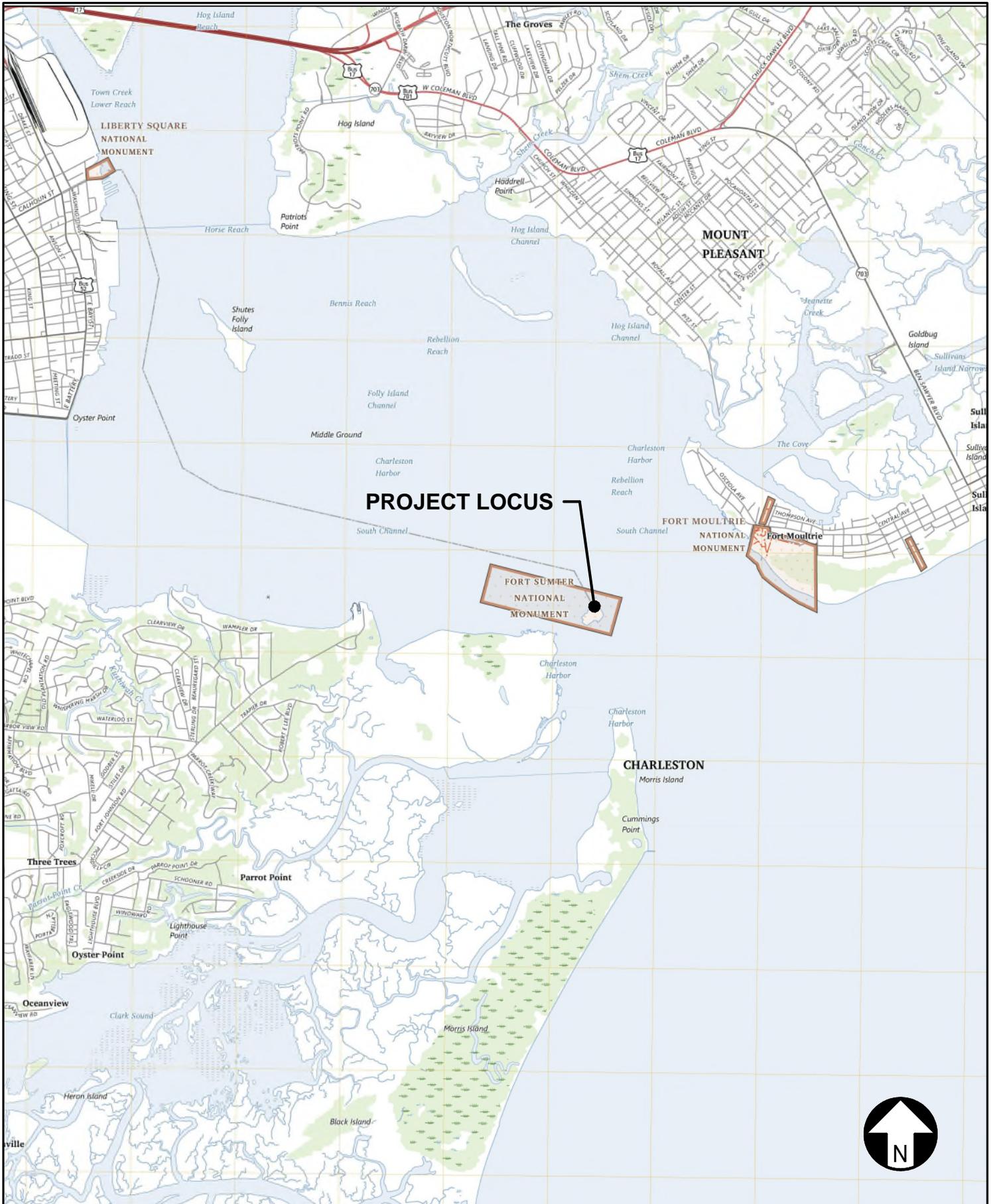
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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-2008-00407), to [Alexander.M.Miranda@usace.army.mil](mailto:Alexander.M.Miranda@usace.army.mil) or the following address:**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Ave**

**Charleston, South Carolina 29403**

If there are any questions concerning this public notice, please contact Alexander M. Miranda, Project Manager, at 843-329-8033, or by email at [Alexander.M.Miranda@usace.army.mil](mailto:Alexander.M.Miranda@usace.army.mil).



**PROJECT LOCUS**




**CHILDS  
ENGINEERING**

34 WILLIAM WAY, BELLINGHAM, MA 02019 U.S.A.  
Phone: (508) 966-9092 E-mail: mail@childseng.com

Designed by:	SSS	Date:	10/10/23
Dwn by:	TEQ	Ckd by:	SSS
Reviewed by:	NBS	Design file no.:	298322.02
		Scale:	NONE

APPLICANT: FORT SUMTER AND FORT MOULTRIE  
NATIONAL HISTORICAL PARK  
PROJECT: FORT SUMTER NATIONAL HISTORIC  
PARK—REPLACE AND REHABILITATE DOCKS  
CHARLESTON, SC  
LOCUS MAP

Sheet  
reference  
number:  
**S-100**  
Sheet 1 of 10

COOPER RIVER  
CHARLESTON HARBOR

FLOOD EBB

EXISTING DOLPHINS

EXISTING PIERHEAD

DEEP WATER  
AQUATIC HABITAT

APPROXIMATE  
TOE OF RIP RAP

MLW 0

EXISTING PIER (CONC.)

FLOOD ZONE VE 14 (MLW 11')

FLOOD ZONE AE 12 (MLW 9')

INTERTIDAL WETLANDS  
(VEGETATED AND MUD FLAT)

APPROXIMATE TOE  
OF RIP RAP

BRICK SIGN

STONE WALL

STONE WALL  
GRANITE BLOCK

BRICK & MORTAR  
FORT WALL

UNITED STATES OF  
AMERICA  
FORT SUMTER  
NATIONAL MONUMENT  
TMS# 450-00-00-021

NOTES:

1. DRAWING REFENCENCED FROM:  
TOPOGRAPHIC AND  
BATHYMETRIC SURVEY  
GEL ENGINEERING LLC  
SURVEY DATED 11/2022
2. VERTICAL DATUM: MLW = 0.0'  
MHW=5.2'

FLOOD ZONE AE 14 (MLW 11')

FLOOD ZONE AE 12 (MLW 9')

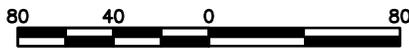
FLOOD ZONE AE 12 (MLW 9')

FLOOD ZONE X (SHADED)

FLOOD ZONE X

**SITE PLAN**

SCALE: 1"=80'-0"



VERTICAL DATUM: MLW = 0.0'

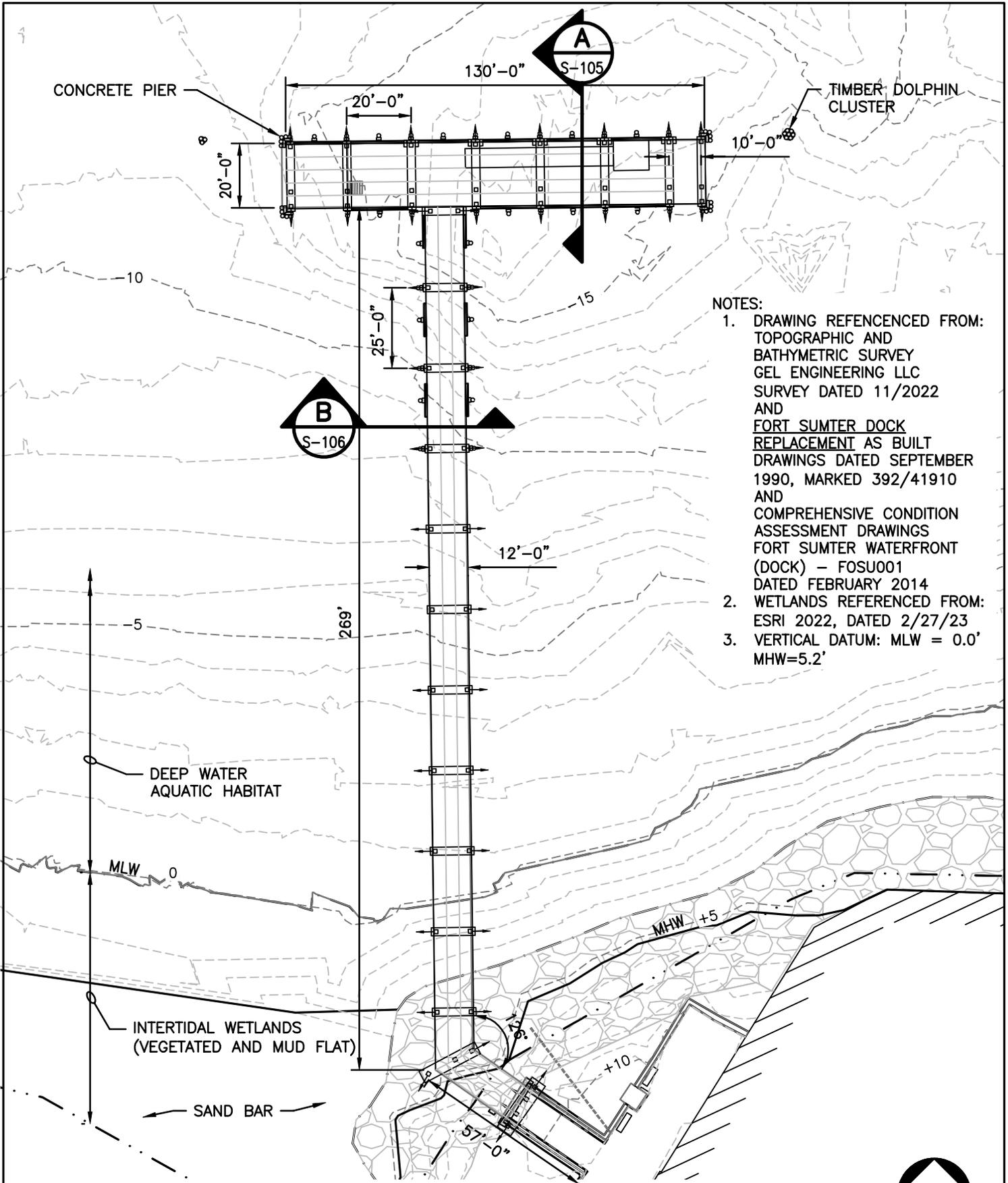


34 WILLIAM WAY, BELLINGHAM, MA 02019 U.S.A.  
Phone: (508) 966-9092 E-mail: mail@childseng.com

Designed by:	SSS	Date:	10/10/23
Drawn by:	TEQ	Ckd by:	SSS
Reviewed by:	NBS	Design file no.:	298322.02
		Scale:	1"=80'-0"

APPLICANT: FORT SUMTER AND FORT MOULTRIE  
NATIONAL HISTORICAL PARK  
PROJECT: FORT SUMTER NATIONAL HISTORIC  
PARK-REPLACE AND REHABILITATE DOCKS  
CHARLESTON, SC  
SITE PLAN

Sheet  
reference  
number:  
**S-101**  
Sheet 2 of 10



- NOTES:**
1. DRAWING REFENCED FROM: TOPOGRAPHIC AND BATHYMETRIC SURVEY GEL ENGINEERING LLC SURVEY DATED 11/2022 AND FORT SUMTER DOCK REPLACEMENT AS BUILT DRAWINGS DATED SEPTEMBER 1990, MARKED 392/41910 AND COMPREHENSIVE CONDITION ASSESSMENT DRAWINGS FORT SUMTER WATERFRONT (DOCK) - FOSU001 DATED FEBRUARY 2014
  2. WETLANDS REFERENCED FROM: ESRI 2022, DATED 2/27/23
  3. VERTICAL DATUM: MLW = 0.0' MHW=5.2'

**EXISTING PLAN**

SCALE: 1"=40'-0"

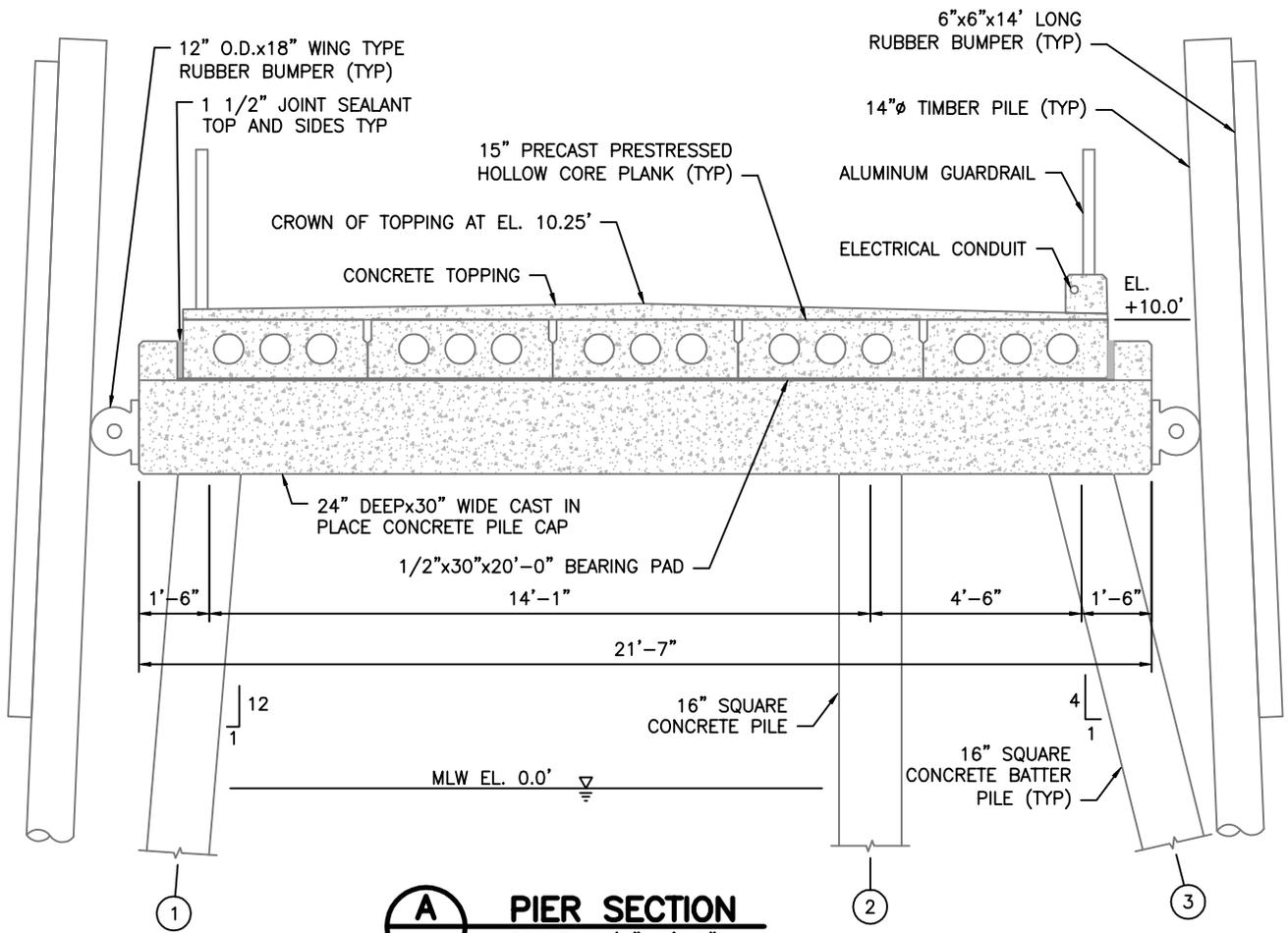


**CHILDS ENGINEERING**  
 34 WILLIAM WAY, BELLINGHAM, MA 02019 U.S.A.  
 Phone: (508) 966-9092 E-mail: mail@childseng.com

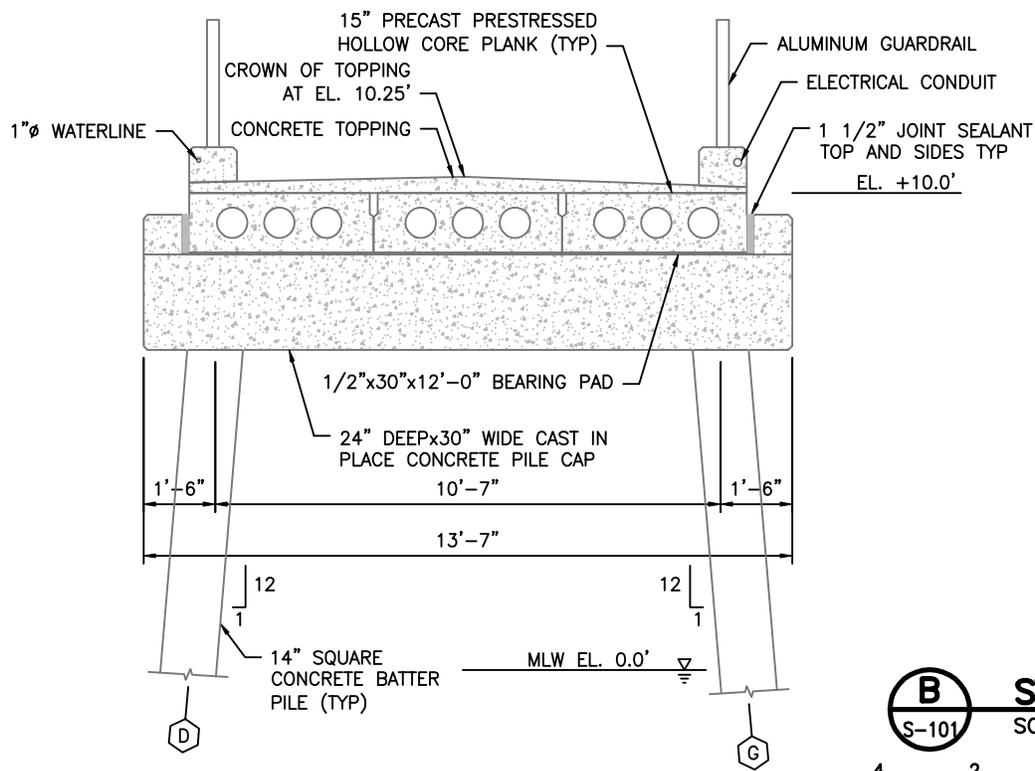
Designed by:	SSS	Date:	10/10/23
Dwn by:	TEQ	Ckd by:	SSS
Reviewed by:	NBS	Design file no.:	298322.02
		Scale:	1"=40'-0"

APPLICANT: FORT SUMTER AND FORT MOULTRIE  
 NATIONAL HISTORICAL PARK  
 PROJECT: FORT SUMTER NATIONAL HISTORIC  
 PARK-REPLACE AND REHABILITATE DOCKS  
 CHARLESTON, SC  
 EXISTING PLAN

Sheet reference number:  
**S-102**  
 Sheet 3 of 10



**A** **PIER SECTION**  
 S-101 SCALE: 1/4"=1'-0"



**B** **STEM SECTION**  
 S-101 SCALE: 1/4"=1'-0"

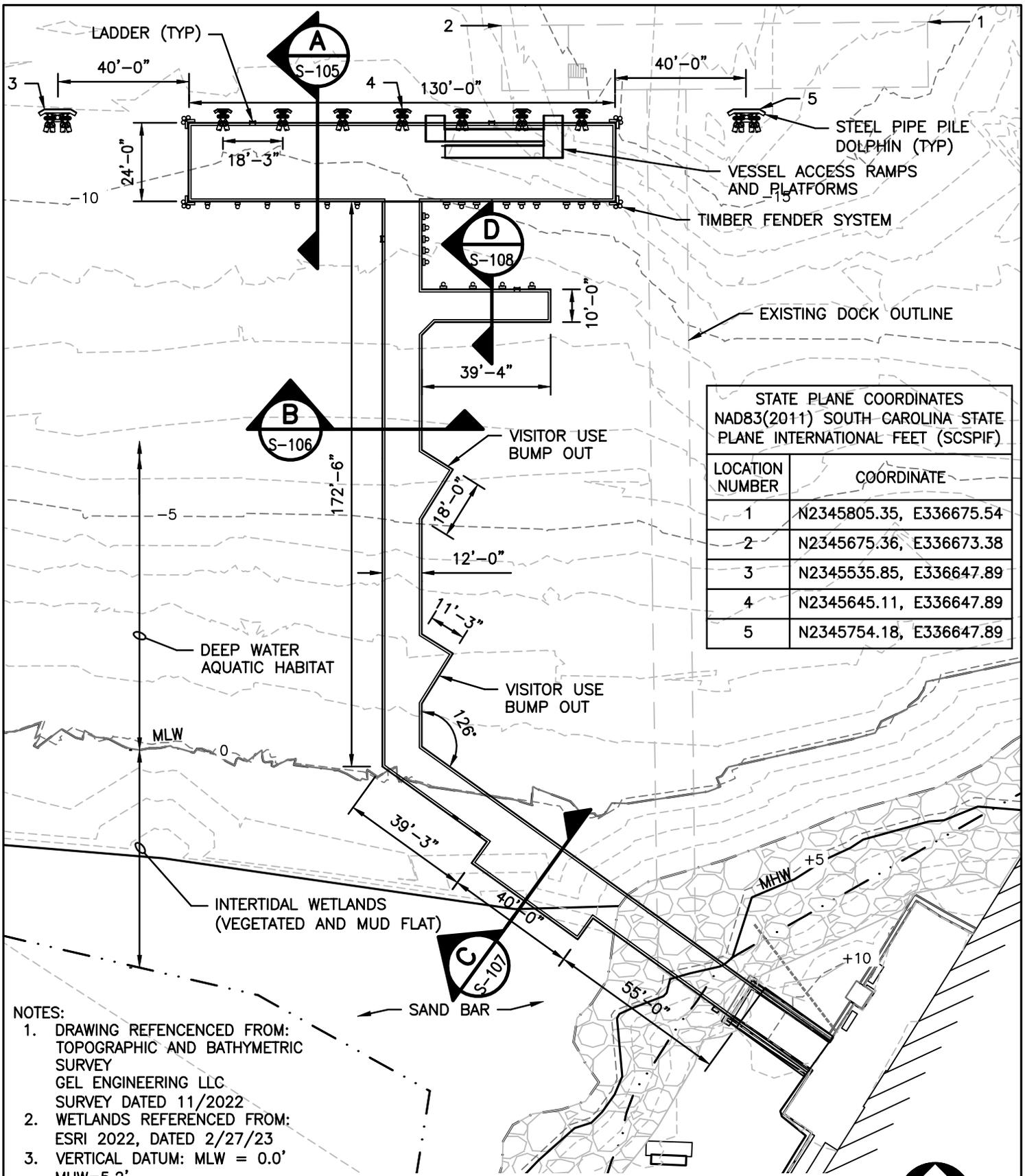


**CHILDS ENGINEERING**  
 34 WILLIAM WAY, BELLINGHAM, MA 02019 U.S.A.  
 Phone: (508) 966-9092 E-mail: mail@childseng.com

Designed by:	SSS	Date:	10/10/23
Drawn by:	TEQ	Design file no.:	298322.02
Reviewed by:	NBS	Scale:	1/4"=1'-0"

APPLICANT: FORT SUMTER AND FORT MOULTRIE  
 NATIONAL HISTORICAL PARK  
 PROJECT: FORT SUMTER NATIONAL HISTORIC  
 PARK-REPLACE AND REHABILITATE DOCKS  
 CHARLESTON, SC  
 EXISTING SECTION

Sheet reference number:  
**S-103**  
 Sheet 4 of 10



**NOTES:**

1. DRAWING REFENCED FROM:  
TOPOGRAPHIC AND BATHYMETRIC  
SURVEY  
GEL ENGINEERING LLC  
SURVEY DATED 11/2022
2. WETLANDS REFERENCED FROM:  
ESRI 2022, DATED 2/27/23
3. VERTICAL DATUM: MLW = 0.0'  
MHW=5.2'
4. FEDERAL CHANNEL SET BACK IS  
OVER 1,500 FEET FROM DOCK

**PROPOSED PLAN**

SCALE: 1"=40'-0"

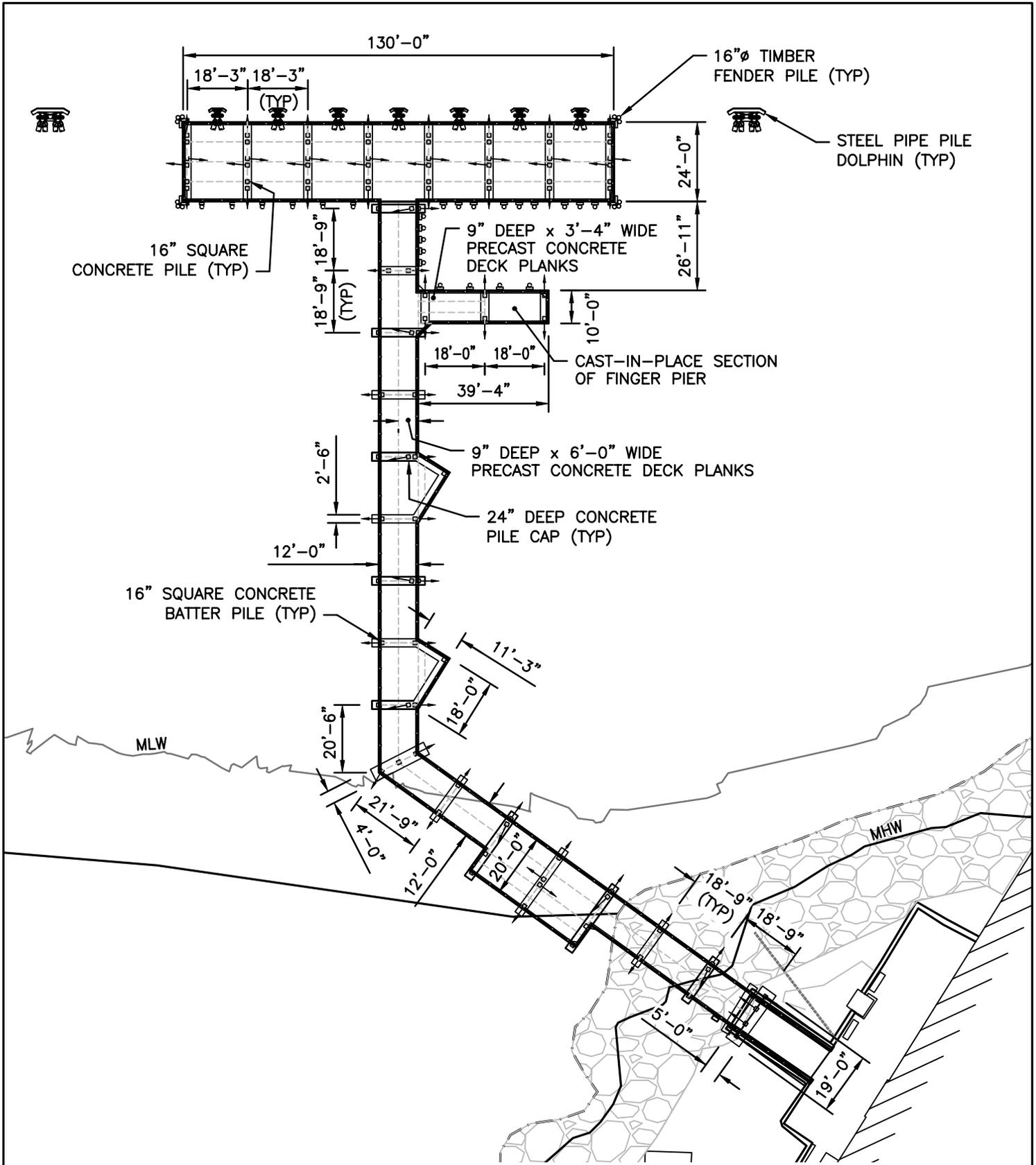


**CHILDS ENGINEERING**  
34 WILLIAM WAY, BELLINGHAM, MA 02019 U.S.A.  
Phone: (508) 966-9092 E-mail: mail@childseng.com

Designed by:	SSS	Date:	11/02/23
Dwn by:	TEQ	Ckd by:	SSS
Reviewed by:	NBS	Design file no.:	298322.02
		Scale:	1"=40'-0"

APPLICANT: FORT SUMTER AND FORT MOULTRIE  
NATIONAL HISTORICAL PARK  
PROJECT: FORT SUMTER NATIONAL HISTORIC  
PARK-REPLACE AND REHABILITATE DOCKS  
CHARLESTON, SC  
**PROPOSED PLAN**

Sheet  
reference  
number:  
**S-104**  
Sheet 5 of 10



**PILE/PILE CAP PLAN**

SCALE: 1"=40'-0"



**CHILDS ENGINEERING**  
 34 WILLIAM WAY, BELLINGHAM, MA 02019 U.S.A.  
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Designed by:	SSS	Date:	10/10/23
Dwn by:	TEQ	Ckd by:	SSS
Reviewed by:	NBS	Design file no.:	298322.02
		Scale:	1"=40'-0"

APPLICANT: FORT SUMTER AND FORT MOULTRIE NATIONAL HISTORICAL PARK  
 PROJECT: FORT SUMTER NATIONAL HISTORIC PARK-REPLACE AND REHABILITATE DOCKS CHARLESTON, SC  
**PILE/PILE CAP PLAN**

Sheet reference number:  
**S-105**  
 Sheet 6 of 10

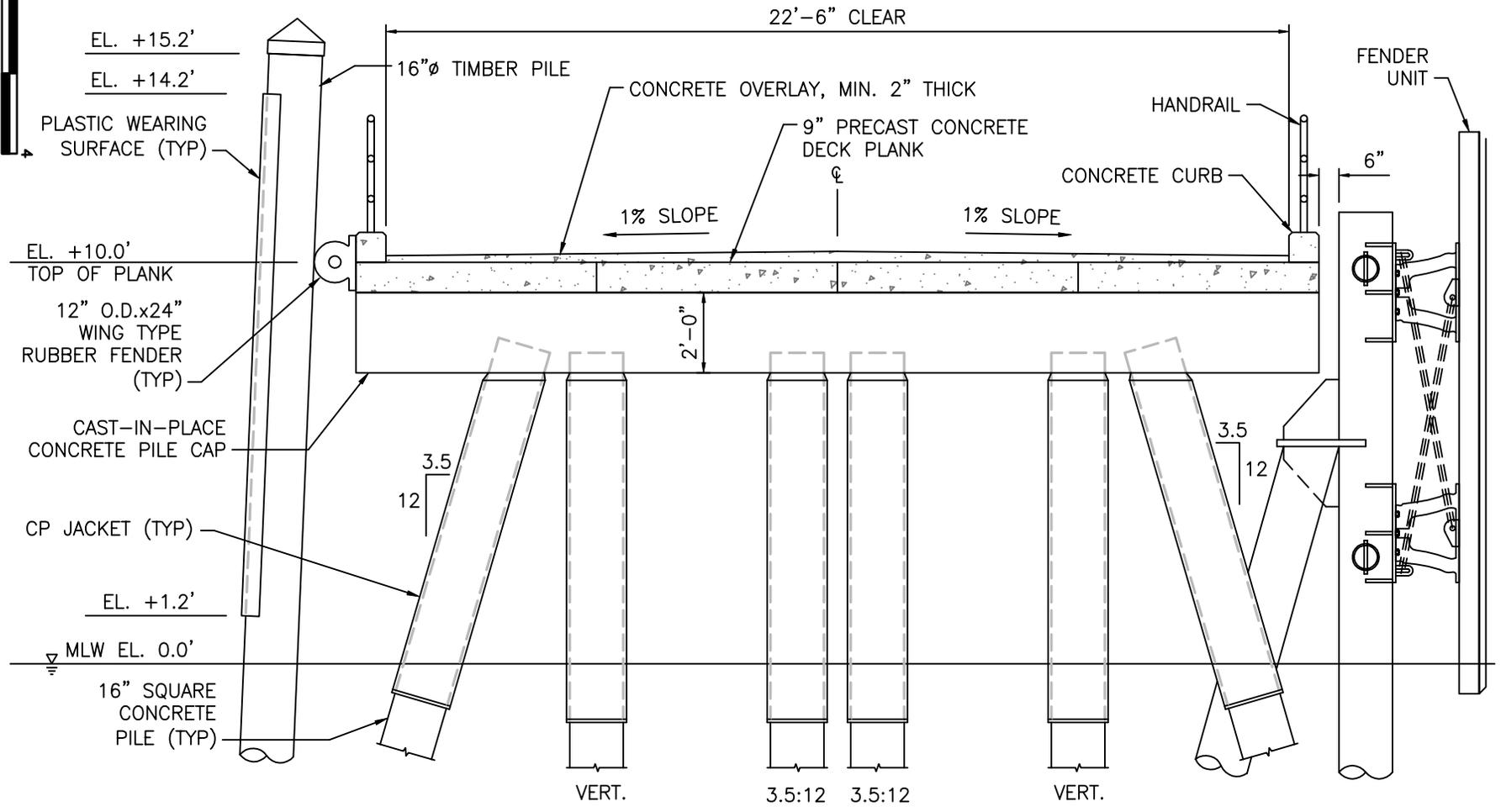
34 WILLIAM WAY, BELLINGHAM, MA 02019 U.S.A.  
 Phone: (508) 968-9092 E-mail: mail@childseeng.com



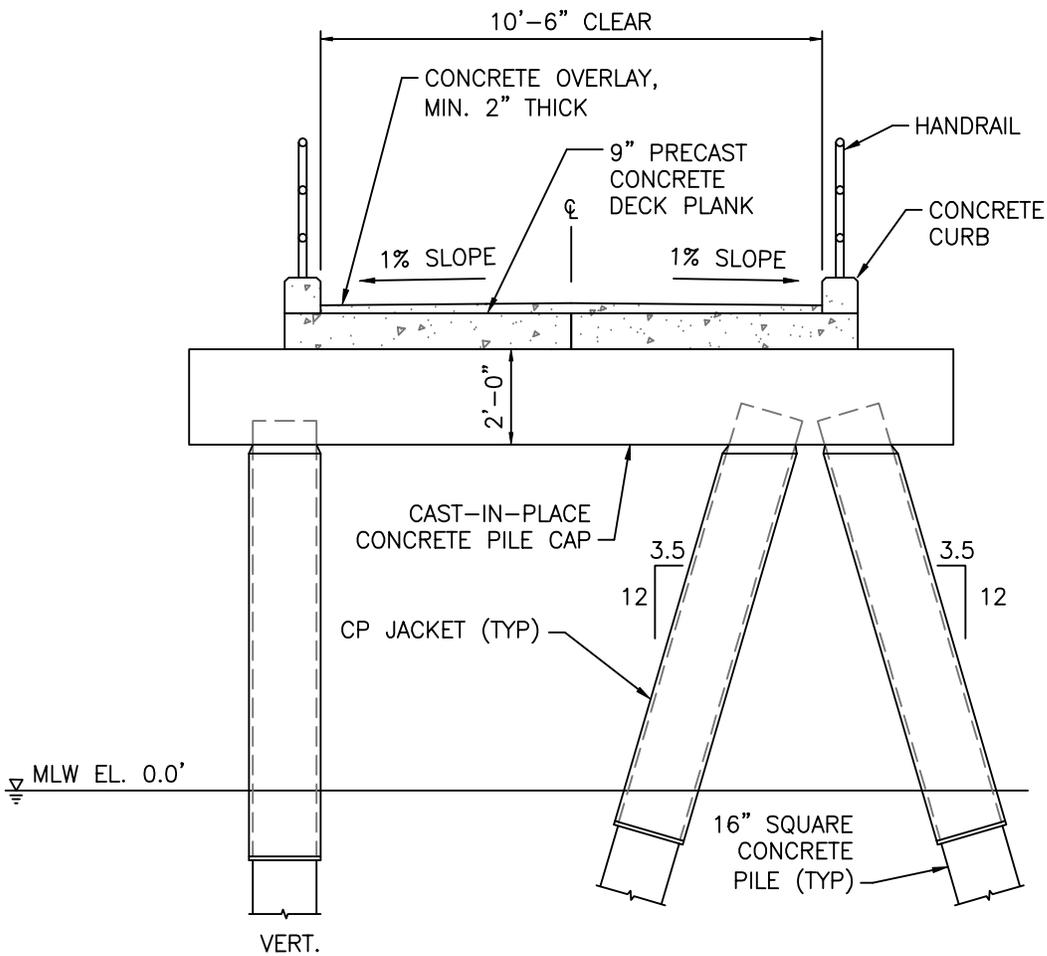
Designed by:	SSS	Date:	10/10/23
Drawn by:	TEQ	Check by:	SSS
Reviewed by:	NBS	Design file no.:	298322.02
Scale:	1/4" = 1'-0"		

APPLICANT: FORT SUMNER AND FORT MOULTRIE  
 NATIONAL HISTORICAL PARK  
 PROJECT: FORT SUMNER NATIONAL HISTORIC  
 PARK-REPLACE AND REHABILITATE DOCKS  
 CHARLESTON, SC  
 PROPOSED PIER SECTION

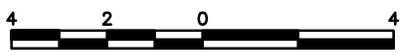
Sheet reference number:  
**S-106**  
 Sheet 7 of 10



**A** PIER SECTION  
 S104 SCALE **B**



**B** STEM SECTION  
 S104 SCALE Ⓟ

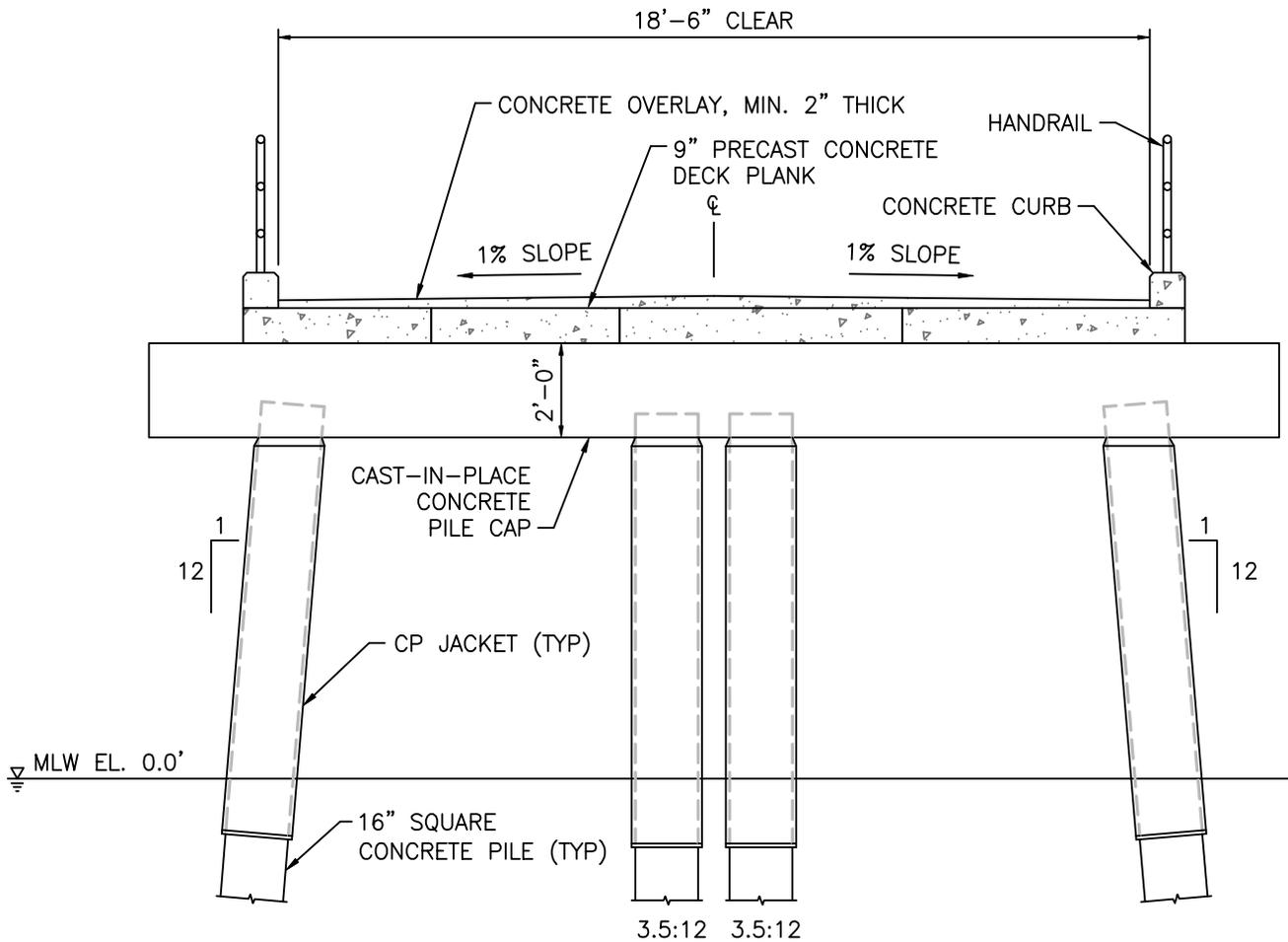


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Dwn by:	TEQ	Ckd by:	SSS
Reviewed by:	NBS	Design file no.:	298322.02
		Scale:	1/4"=1'-0"

APPLICANT: FORT SUMTER AND FORT MOULTRIE NATIONAL HISTORICAL PARK  
 PROJECT: FORT SUMTER NATIONAL HISTORIC PARK—REPLACE AND REHABILITATE DOCKS CHARLESTON, SC  
 PROPOSED STEM SECTION

Sheet reference number:  
**S-107**  
 Sheet 8 of 10



C
STEM SECTION  
S104
SCALE B



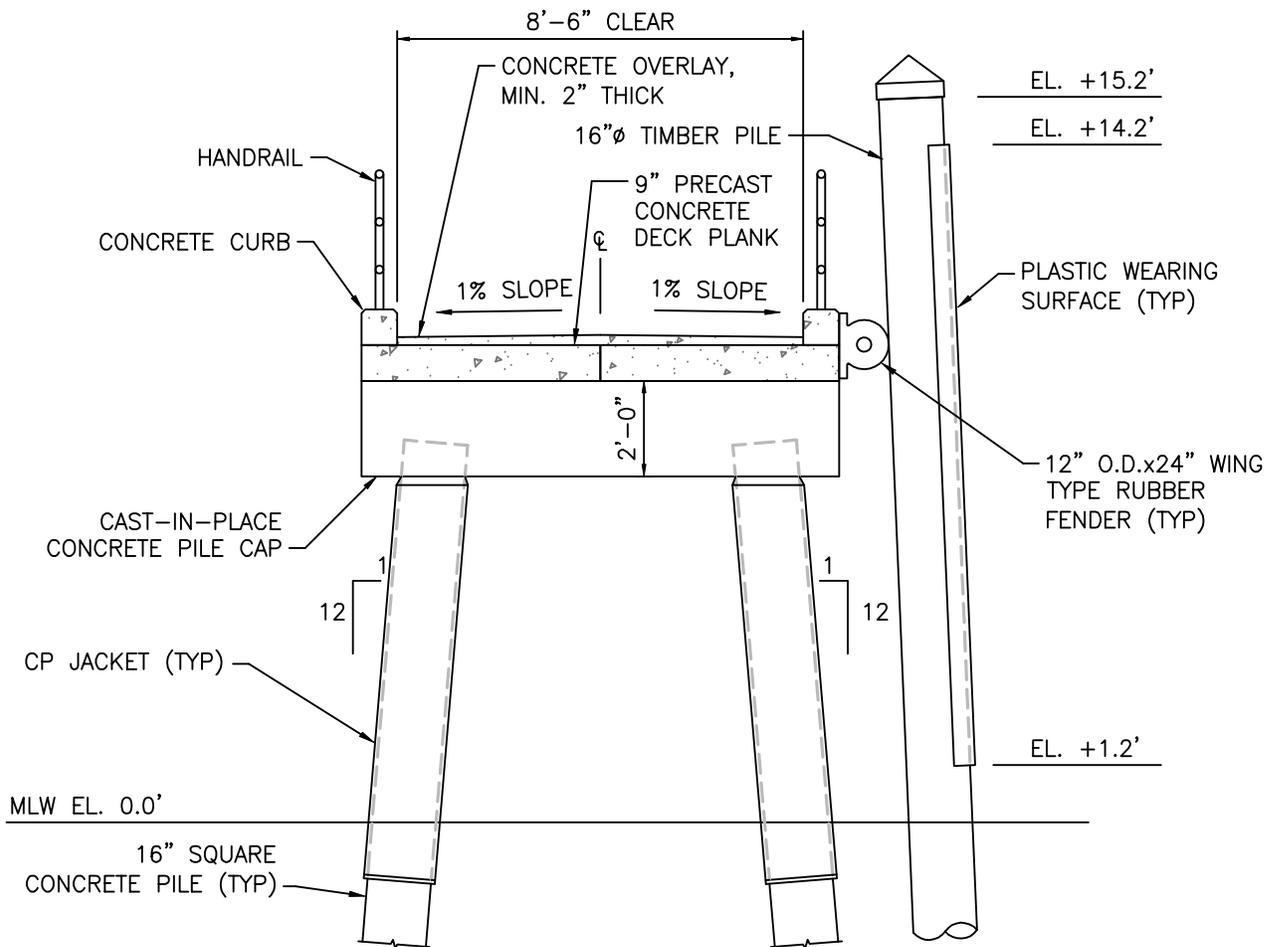
**CHILDS**  
ENGINEERING

34 WILLIAM WAY, BELLINGHAM, MA 02019 U.S.A.  
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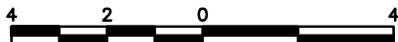
Designed by:		Date:
SSS		10/10/23
Drawn by:	Ckd by:	Design file no.
TEQ	SSS	298322.02
Reviewed by:		Scale:
NBS		1/4"=1'-0"

APPLICANT: FORT SUMTER AND FORT MOULTRIE  
NATIONAL HISTORICAL PARK  
PROJECT: FORT SUMTER NATIONAL HISTORIC  
PARK-REPLACE AND REHABILITATE DOCKS  
CHARLESTON, SC  
**PROPOSED STEM SECTION**

Sheet  
reference  
number:  
  
**S-108**  
Sheet 9 of 10



**D** **FINGER SECTION**  
 S104 SCALE  $\text{\textcircled{B}}$



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Dwn by:	TEQ	Ckd by:	SSS
Reviewed by:	NBS	Design file no.:	298322.02
		Scale:	1/4" = 1'-0"

APPLICANT: FORT SUMTER AND FORT MOULTRIE  
 NATIONAL HISTORICAL PARK  
 PROJECT: FORT SUMTER NATIONAL HISTORIC  
 PARK—REPLACE AND REHABILITATE DOCKS  
 CHARLESTON, SC  
 PROPOSED SECTION

Sheet reference number:  
**S-109**  
 Sheet 10 of 10