

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-2017-00792

30 June 2017

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

Mayor John Tecklenburg

City of Charleston

2 George Street

South Carolina, South Carolina 29401

and

Mr. Dan Battista

Leucadia Coast Properties, LLC

11777 San Vicente Boulevard

Los Angeles, California 90049

for a permit to fill 0.56 acres of tidal wetlands and construct a public dock in the

Charleston Harbor/Cooper River

located off Concord Street between Cumberland Street and Vendue Range in Charleston, Charleston County, South Carolina (Latitude: 32.77983°N, Longitude: -79.92521°W), 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.

The proposed work consists of constructing an expansion to the existing Joseph P. Riley, Jr. Waterfront Park to include a new public dock/marina within the Charleston Harbor/Cooper River. In detail, the proposed project consists of placing 8,000 cubic yards of fill material into 0.56 acres of tidal wetlands to construct the park expansion and temporarily impacting approximately 0.30 acres of tidal wetlands during this construction. The proposed dock marina will permanently shade 0.25 acres of tidal wetlands and open water. The City's existing 48" drainage pipe on the southern edge of the project site would be extended under the proposed fill and includes a rock scour apron at the end of the pipe. The project purpose is to provide a continuation of the City's River Walkway and create additional public waterfront space to include access by boat.

The applicants propose to mitigate for impacts to wetlands and/or waters of the United States by preserving an approximately 486 acre site within Copahee Sound consisting of open water, tidal wetlands, and forested uplands located in Mt. Pleasant, Charleston County, South Carolina (Latitude: 32.864951°N, Longitude: -79.753939 °W) (TMS No. 614-00-00-008). The applicants propose that the mitigation site property owners retain their ownership under a Kings Grant while the East Cooper Land Trust serves as the Conservation Easement holder. An existing oyster mariculture lease is proposed to continue within the mitigation site, and existing plans to construct a dock and boardwalks within the mitigation site are also proposed.

See Attached Figures 1-14.

NOTE: This public notice and associated plans are available on the Corps' website at:
<http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

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 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.

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 1.11 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, snapper-grouper management complexes, and migratory sharks. 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.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer 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 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.

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.

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 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.

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. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

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

If there are any questions concerning this public notice, please contact Leslie Estill, Project Manager, at (843) 329-8039 or toll free at 1-866-329-8187.

FOR PERMITTING PURPOSES ONLY
 "NOT FOR CONSTRUCTION"

O:\Projects\17-3022 SCPA Marine Permitting & Planning\DWG\00-Permit Plans\17-3022-176 Concord Street Permit Plans Rev 3.dwg (1) 5/25/17
 NOTE: THESE DRAWINGS AND DESIGNS ARE STRICTLY CONFIDENTIAL AND PROTECTED BY INTERNATIONAL COPYRIGHT LAW. DETAILS MUST NOT BE DISCLOSED, REPRODUCED OR COMMUNICATED TO A 3rd PARTY IN ANY FORM OR MANNER WITHOUT THE PRIOR WRITTEN APPROVAL OF APPLIED TECHNOLOGY & MANAGEMENT.



NOTE: IMAGE IS BASED ON USGS US TOPO MAP, CHARLESTON QUADRANGLE (7.5-MINUTE SERIES)

PROJECT: Joseph P. Riley, Jr. Waterfront
 Park Expansion
WATERBODY: Charleston Harbor
COUNTY: Charleston
STATE: South Carolina
LATITUDE: 32°46'47.23"N
LONGITUDE: 79°55'30.21"W

LOCATION MAP

City of Charleston & Leucadia Coast Prop. LLC
 Address: 176 & 186 Concord Street, Charleston, SC
 Parcel ID: 4590000276, 4590000091, 4580904051

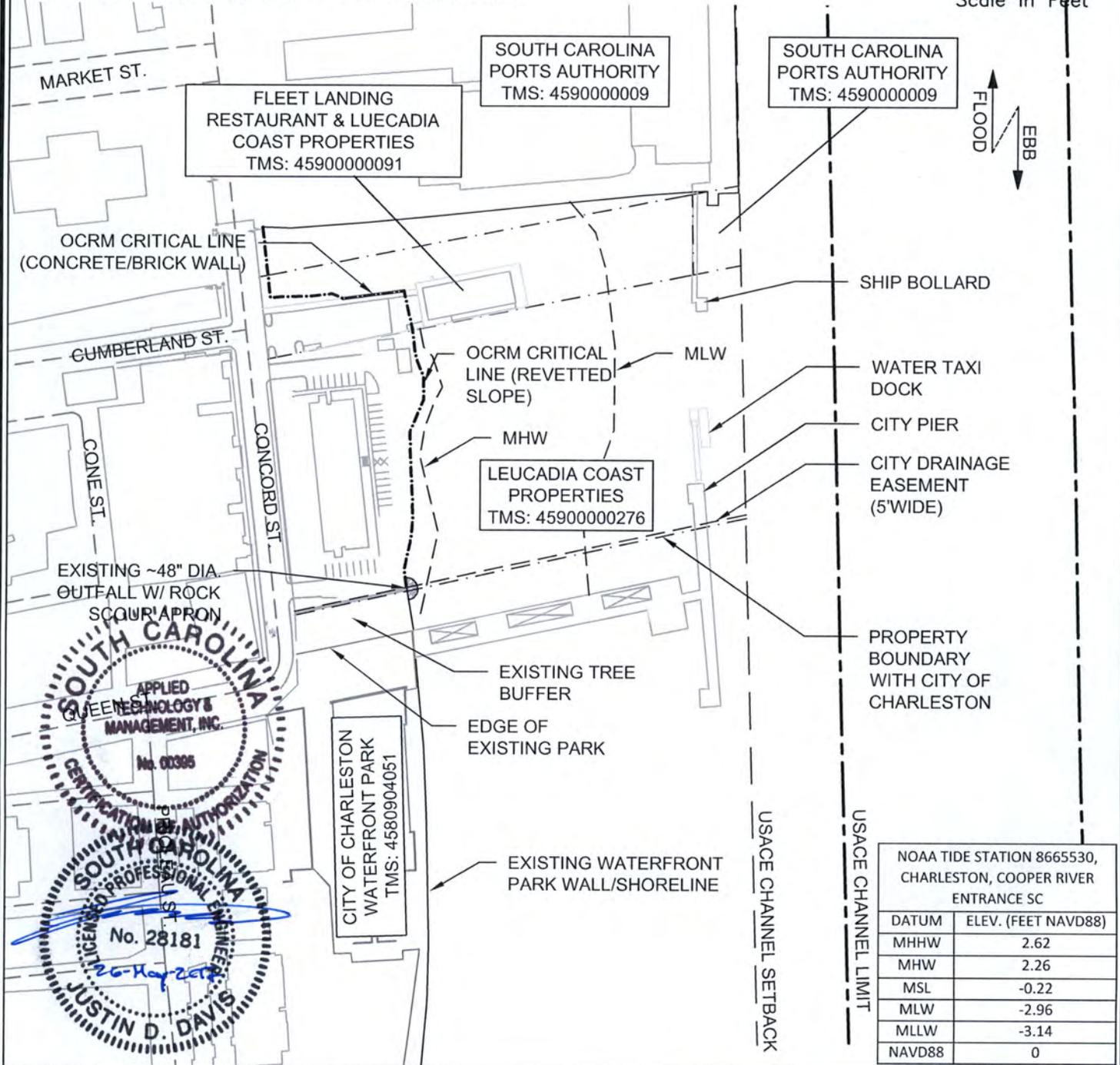
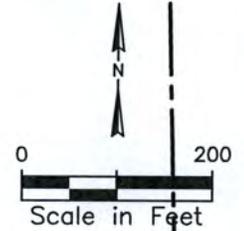


May 25, 2017
 SHEET 1

**FOR PERMITTING PURPOSES ONLY
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NOTES:

1. USACE CHANNEL LIMITS BASED ON AUTOCAD FILE RECEIVED FROM THE CHARLESTON USACE DISTRICT.
2. UPLAND FEATURES (BUILDINGS, ROADS) BASED ON INFORMATION DOWNLOADED FROM CHARLESTON COUNTY GIS DATABASE.
3. SURVEY INFORMATION BASED ON ALTA SURVEY BY GEORGE A.Z. JOHNSON JR., INC. DATED JUNE 2016.
4. CRITICAL LINE WAS CERTIFIED IN FEBRUARY 2015.



| NOAA TIDE STATION 8665530, CHARLESTON, COOPER RIVER ENTRANCE SC | |
|---|---------------------|
| DATUM | ELEV. (FEET NAVD88) |
| MHHW | 2.62 |
| MHW | 2.26 |
| MSL | -0.22 |
| MLW | -2.96 |
| MLLW | -3.14 |
| NAVD88 | 0 |

C:\Projects\17-3022 SCPA Marine Permitting & Planning\DWG\000_Permits\17-3022-176 Concord Street Permit Plans Rev3.jfdwg (2) 5/25/17
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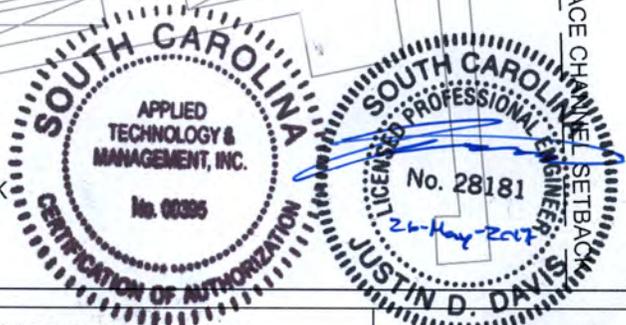
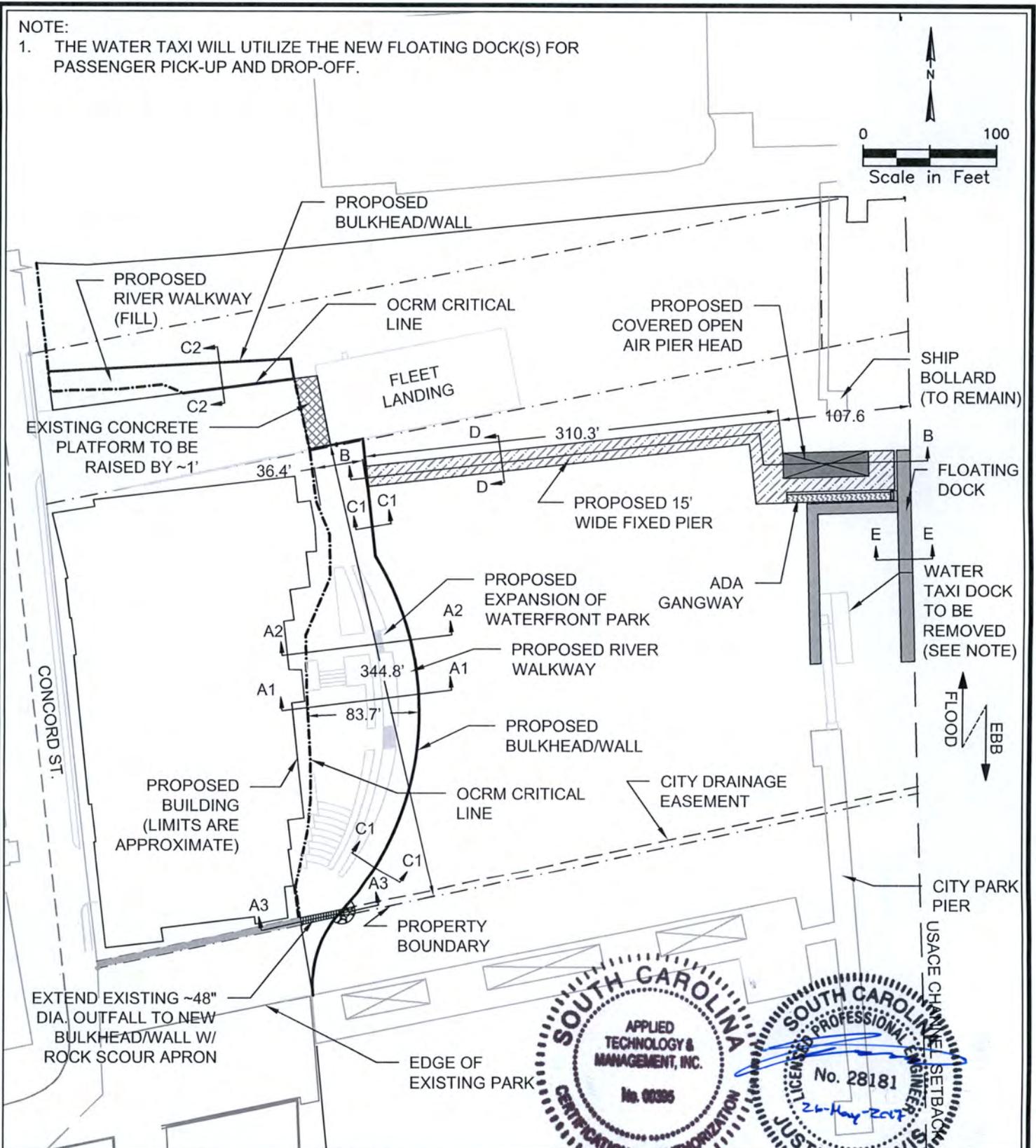
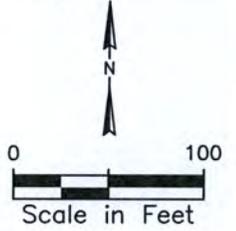


| | | | |
|---|---|--|-----------------------------|
| PROJECT: Joseph P. Riley, Jr. Waterfront Park Expansion WATERBODY: Charleston Harbor COUNTY: Charleston STATE: South Carolina LATITUDE: 32°46'47.23"N LONGITUDE: 79°55'30.21"W | EXISTING CONDITIONS | | May 25, 2017 SHEET 2 |
| | City of Charleston & Leucadia Coast Prop. LLC | | |
| | Address: 176 & 186 Concord Street, Charleston, SC | | |
| | Parcel ID: 4590000276, 4590000091, 4580904051 | | |

**FOR PERMITTING PURPOSES ONLY
"NOT FOR CONSTRUCTION"**

NOTE:

- THE WATER TAXI WILL UTILIZE THE NEW FLOATING DOCK(S) FOR PASSENGER PICK-UP AND DROP-OFF.



| | |
|------------|--|
| PROJECT: | Joseph P. Riley, Jr. Waterfront Park Expansion |
| WATERBODY: | Charleston Harbor |
| COUNTY: | Charleston |
| STATE: | South Carolina |
| LATITUDE: | 32°46'47.23"N |
| LONGITUDE: | 79°55'30.21"W |

| |
|---|
| PROPOSED IMPROVEMENTS OVERVIEW |
| City of Charleston & Leucadia Coast Prop. LLC |
| Address: 176 & 186 Concord Street, Charleston, SC |
| Parcel ID: 4590000276, 4590000091, 4580904051 |

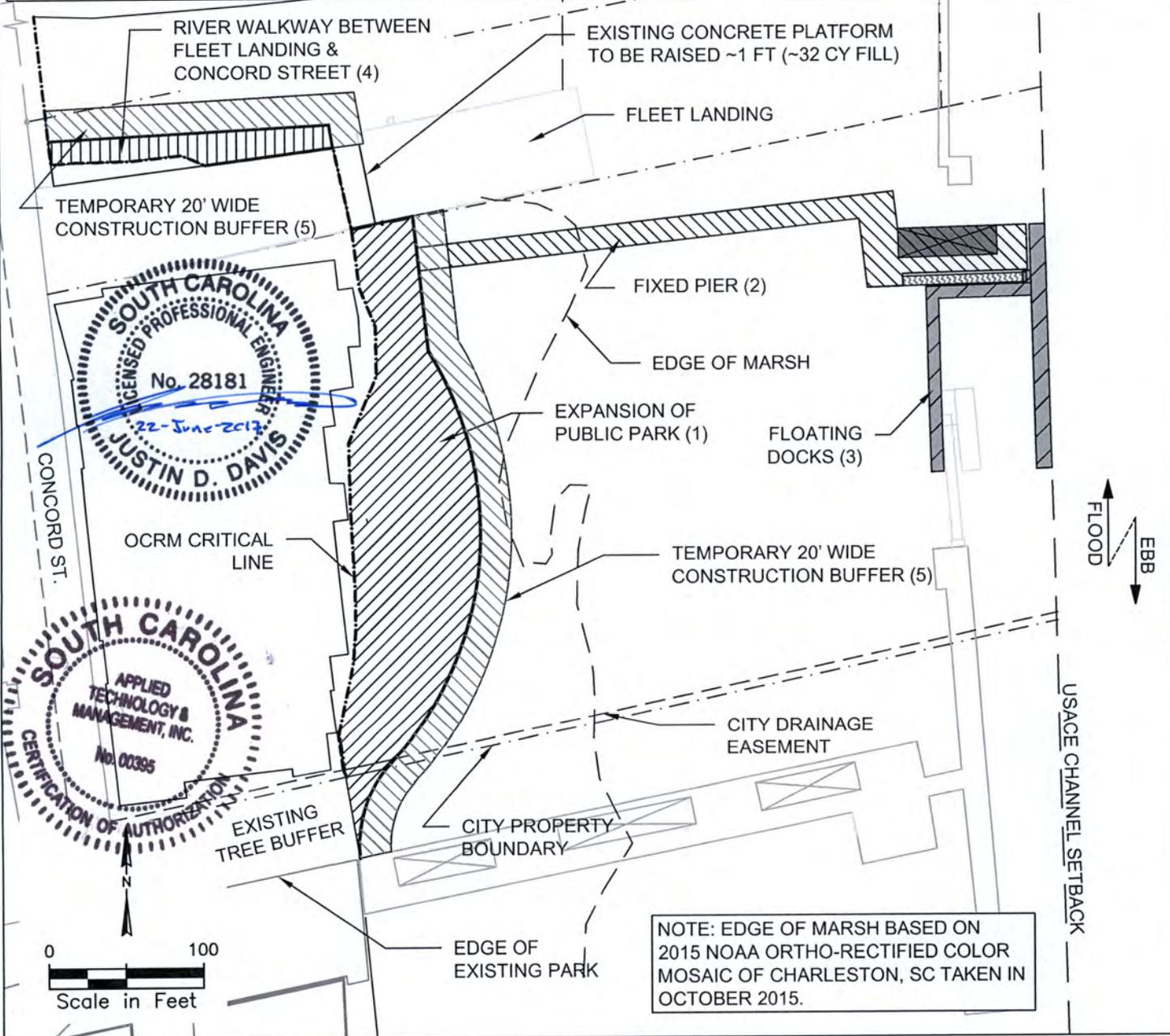
ATM
APPLIED TECHNOLOGY & MANAGEMENT

May 25, 2017
SHEET 3

O:\Projects\17-3022 SCPA Marine Permitting & Planning\DWG\00-Permit Plans\17-3022-176 Concord Street Permit Plans Rev.3 Id.dwg (3) 5/25/17
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| IMPACT NUMBER | TYPE OF IMPACT | AREA OF OPEN WATER IMPACT (SQ.FT.) | AREA OF MARSH IMPACT (SQ.FT.) | VOLUME (CY) | DESCRIPTION |
|---------------|----------------|------------------------------------|-------------------------------|-------------|--|
| 1 | FILL | 0 | 21585 | 7,200 | EXPANSION OF PUBLIC PARK |
| 2 | SHADING | 6,532 | 1,281 | N/A | FIXED PIER |
| 3 | SHADING | 3,045 | 0 | N/A | FLOATING DOCKS |
| 4 | FILL | 0 | 3,020 | 800 | RIVER WALKWAY BETWEEN FLEET LANDING & CONCORD ST |
| 5 | DISTURBANCE | 200 | 12,936 | N/A | TEMPORARY CONSTRUCTION BUFFER |



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 NOTE: THESE DRAWINGS AND DESIGNS ARE STRICTLY CONFIDENTIAL AND PROTECTED BY INTERNATIONAL COPYRIGHT LAW. DETAILS MUST NOT BE DISCLOSED, REPRODUCED OR COMMUNICATED TO A 3rd PARTY IN ANY FORM OR MANNER WITHOUT THE PRIOR WRITTEN APPROVAL OF APPLIED TECHNOLOGY & MANAGEMENT.

| | |
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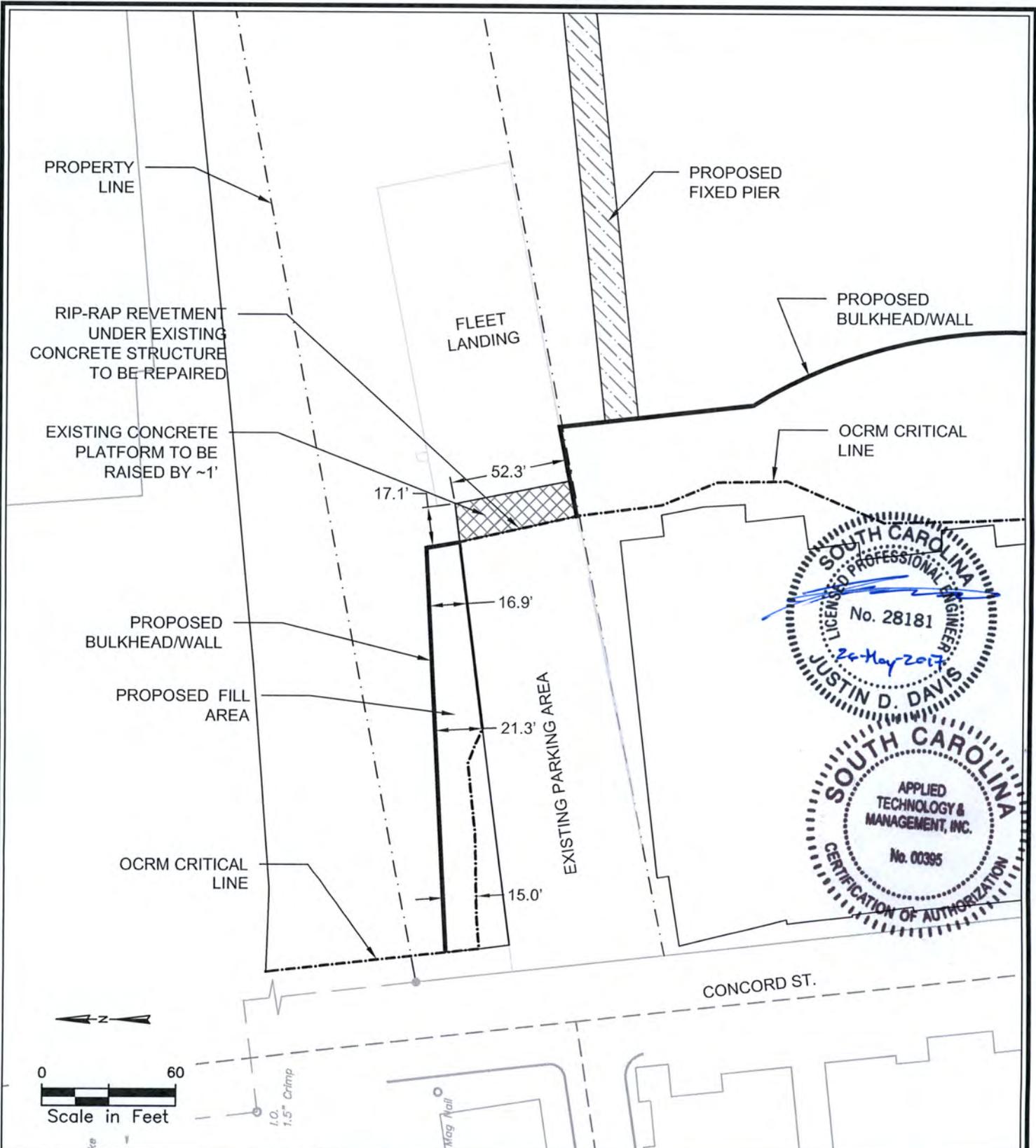
| | |
|---|--|
| PROPOSED IMPACTS | |
| City of Charleston & Leucadia Coast Prop. LLC | |
| Address: 176 & 186 Concord Street, Charleston, SC | |
| Parcel ID: 4590000276, 4590000091, 4580904051 | |



APPLIED TECHNOLOGY & MANAGEMENT

REVISED - JUNE 21, 2017
SHEET 4

FOR PERMITTING PURPOSES ONLY
 "NOT FOR CONSTRUCTION"



SOUTH CAROLINA
 LICENSED PROFESSIONAL ENGINEER
 No. 28181
 Justin D. Davis
 26 May 2017

SOUTH CAROLINA
 APPLIED TECHNOLOGY & MANAGEMENT, INC.
 No. 00395
 CERTIFICATION OF AUTHORIZATION

O:\Projects\17-3022 SCPA Marine Permitting & Planning\DWG\100-Permit Plans\17-3022-176 Concord Street Permit Plans Rev. 3.jd.dwg (5). 5/25/17
 NOTE: THESE DRAWINGS AND DESIGNS ARE STRICTLY CONFIDENTIAL AND PROTECTED BY INTERNATIONAL COPYRIGHT LAW. DETAILS MUST NOT BE DISCLOSED, REPRODUCED OR COMMUNICATED TO A 3rd PARTY IN ANY FORM OR MANNER WITHOUT THE PRIOR WRITTEN APPROVAL OF APPLIED TECHNOLOGY & MANAGEMENT.

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 WATERBODY: Charleston Harbor
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 LATITUDE: 32°46'47.23"N
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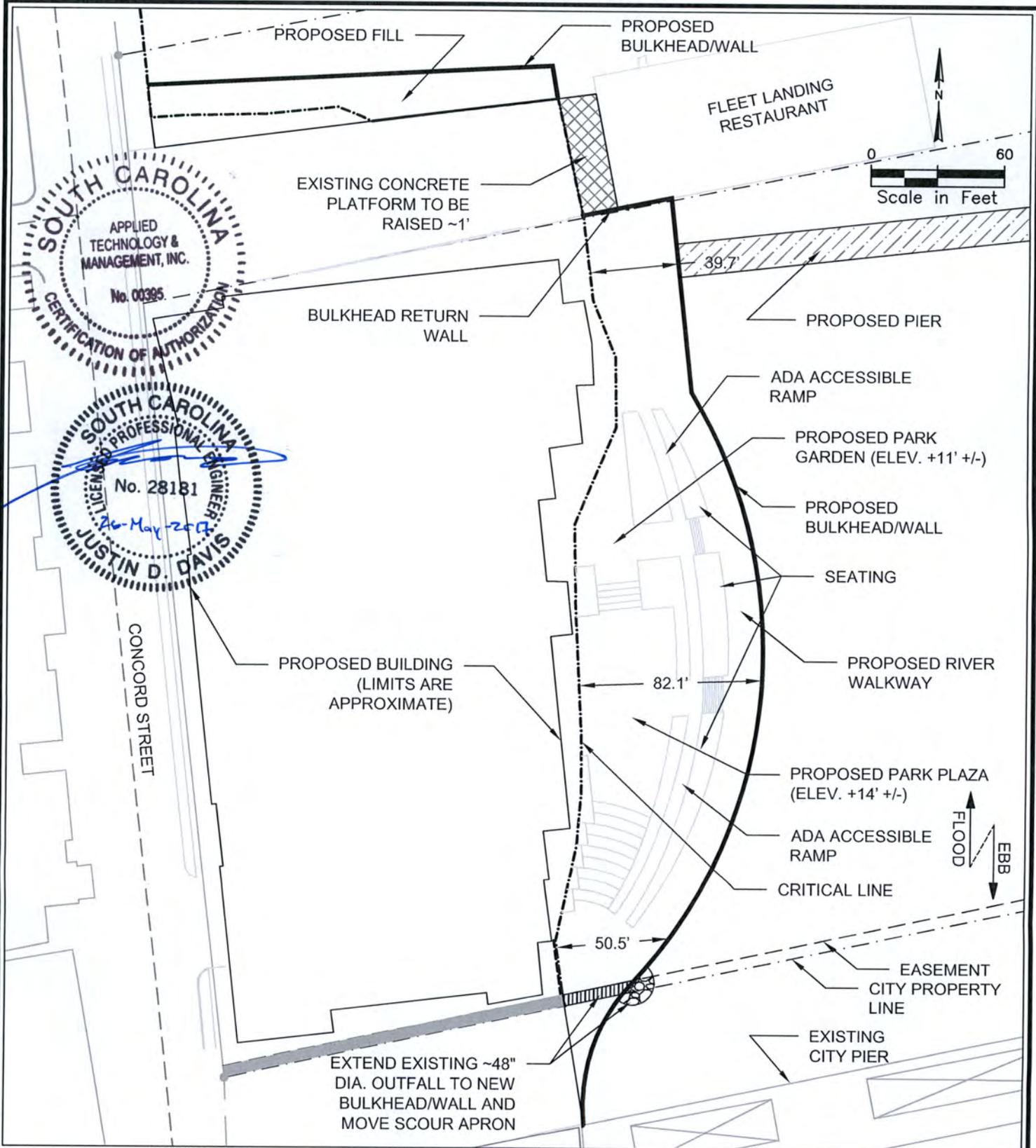
PROPOSED IMPROVEMENTS
 RIVER WALKWAY & FLEET LANDING AREA
 City of Charleston & Leucadia Coast Prop. LLC
 Address: 176 & 186 Concord Street, Charleston, SC
 Parcel ID: 4590000276, 4590000091, 4580904051

ATM
 APPLIED TECHNOLOGY & MANAGEMENT

May 25, 2017
 SHEET 5

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 Park Expansion
WATERBODY: Charleston Harbor
COUNTY: Charleston
STATE: South Carolina
LATITUDE: 32°46'47.23"N
LONGITUDE: 79°55'30.21"W

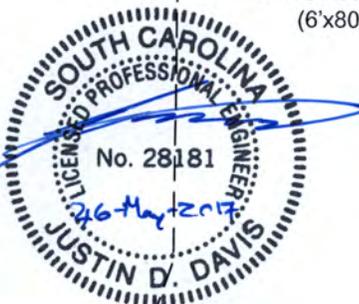
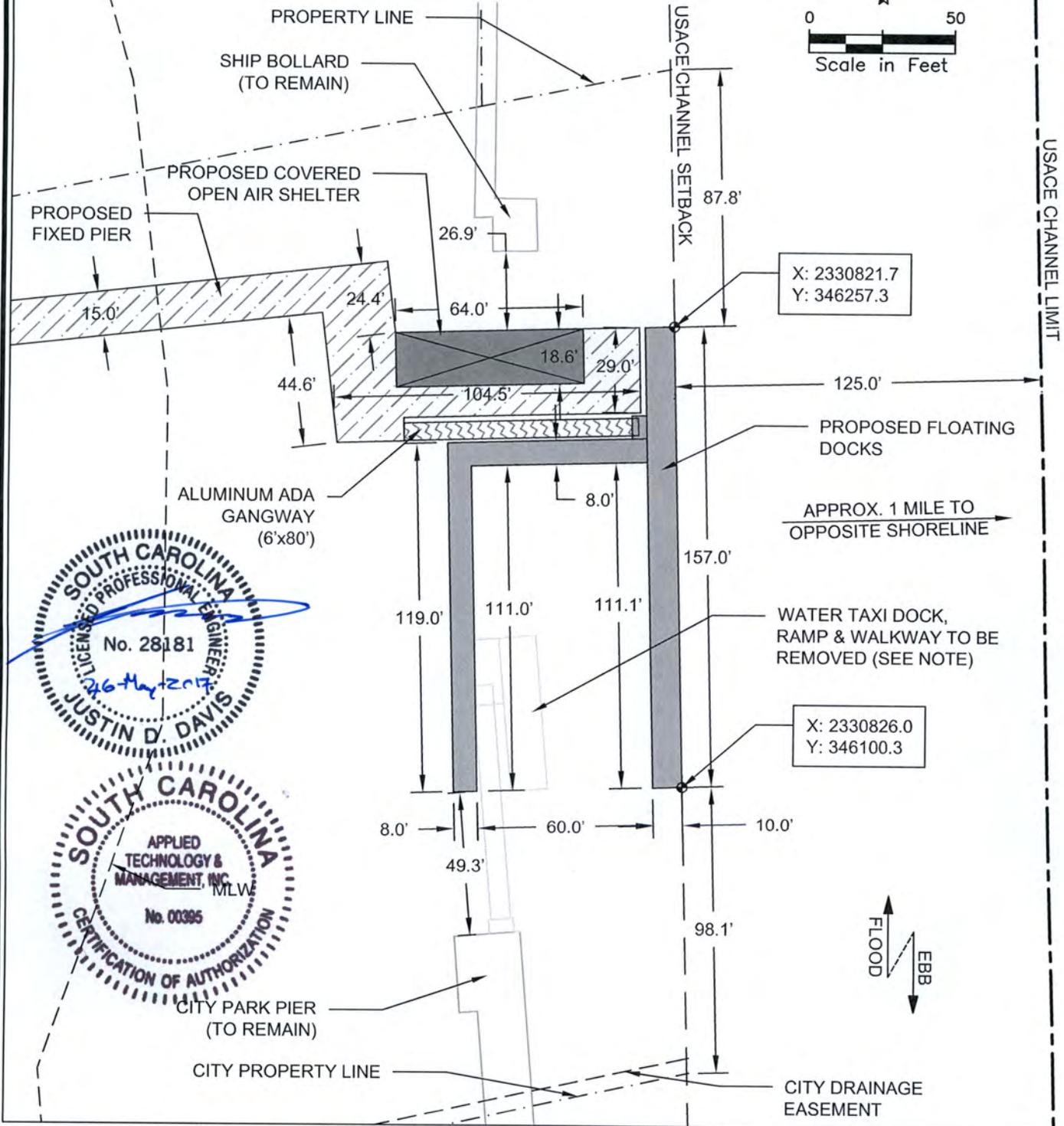
PROPOSED IMPROVEMENTS
 WATERFRONT PARK EXPANSION
 City of Charleston & Leucadia Coast Prop. LLC
 Address: 176 & 186 Concord Street, Charleston, SC
 Parcel ID: 4590000276, 4590000091, 4580904051

May 25, 2017
 SHEET 6

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NOTES:

1. THE WATER TAXI WILL UTILIZE THE NEW FLOATING DOCK(S) FOR PASSENGER PICK-UP AND DROP-OFF.
2. COORDINATES ARE IN FEET AND REFERENCE SOUTH CAROLINA STATE PLANE.



PROJECT: Joseph P. Riley, Jr. Waterfront Park Expansion
WATERBODY: Charleston Harbor
COUNTY: Charleston
STATE: South Carolina
LATITUDE: 32°46'47.23"N
LONGITUDE: 79°55'30.21"W

**PROPOSED IMPROVEMENTS
FIXED PIER & FLOATING DOCKS**

City of Charleston & Leucadia Coast Prop. LLC

Address: 176 & 186 Concord Street, Charleston, SC

Parcel ID: 4590000276, 4590000091, 4580904051



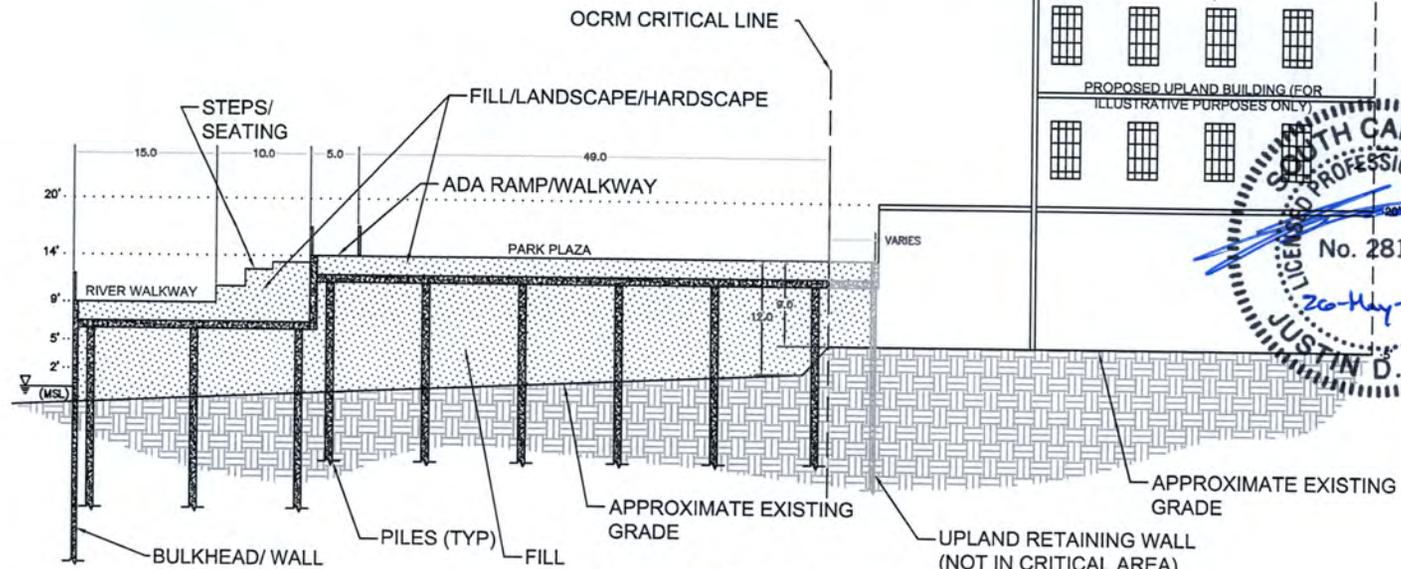
May 25, 2017
SHEET 7

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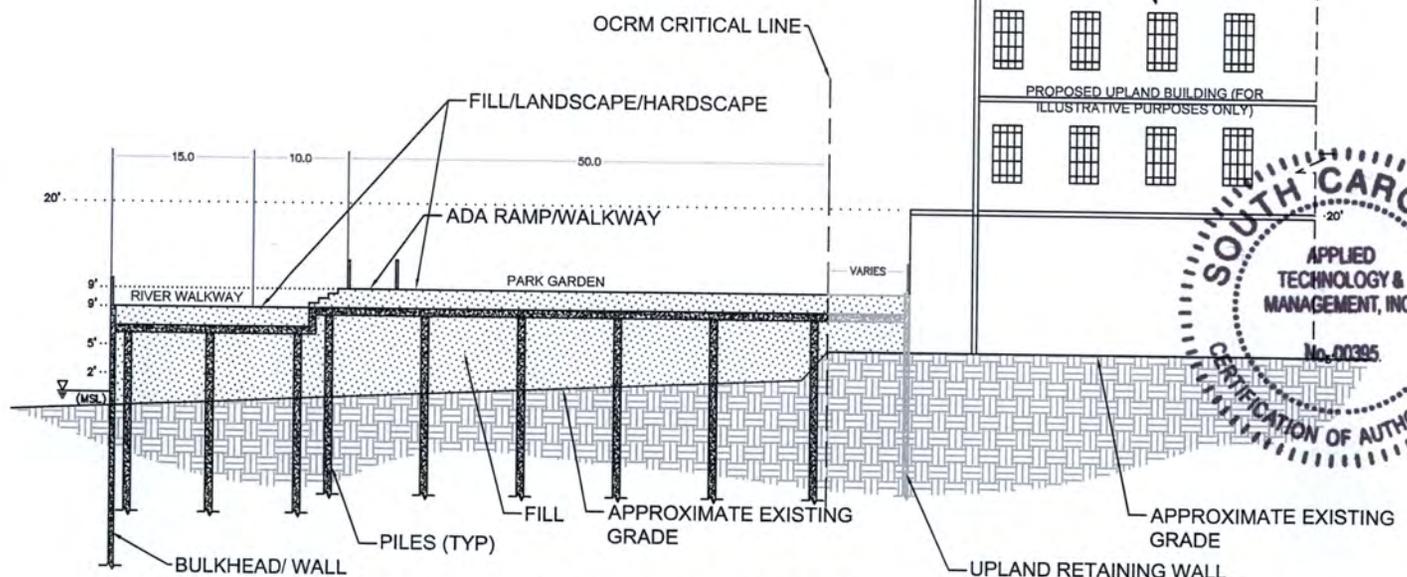
PROJECT: Joseph P. Riley, Jr. Waterfront
 WATERBODY: Park Expansion
 COUNTY: Charleston Harbor
 STATE: South Carolina
 LATITUDE: 32°46'47.23"N
 LONGITUDE: 79°55'30.21"W

TYPICAL PROFILES OF WATERFRONT
 PARK EXPANSION AREA
 City of Charleston & Leucadia Coast Prop. LLC
 Address: 176 & 186 Concord Street, Charleston, SC
 Parcel ID: 4590000276, 4590000091, 4580904051

ATM
 APPLIED TECHNOLOGY & MANAGEMENT
 May 25, 2017
 SHEET 8

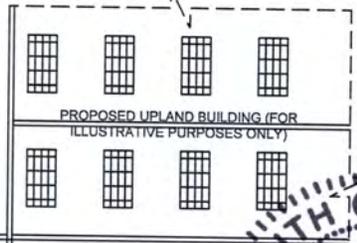
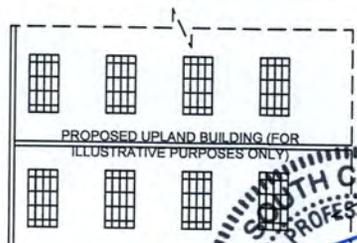


TYPICAL SECTION A1
 NTS



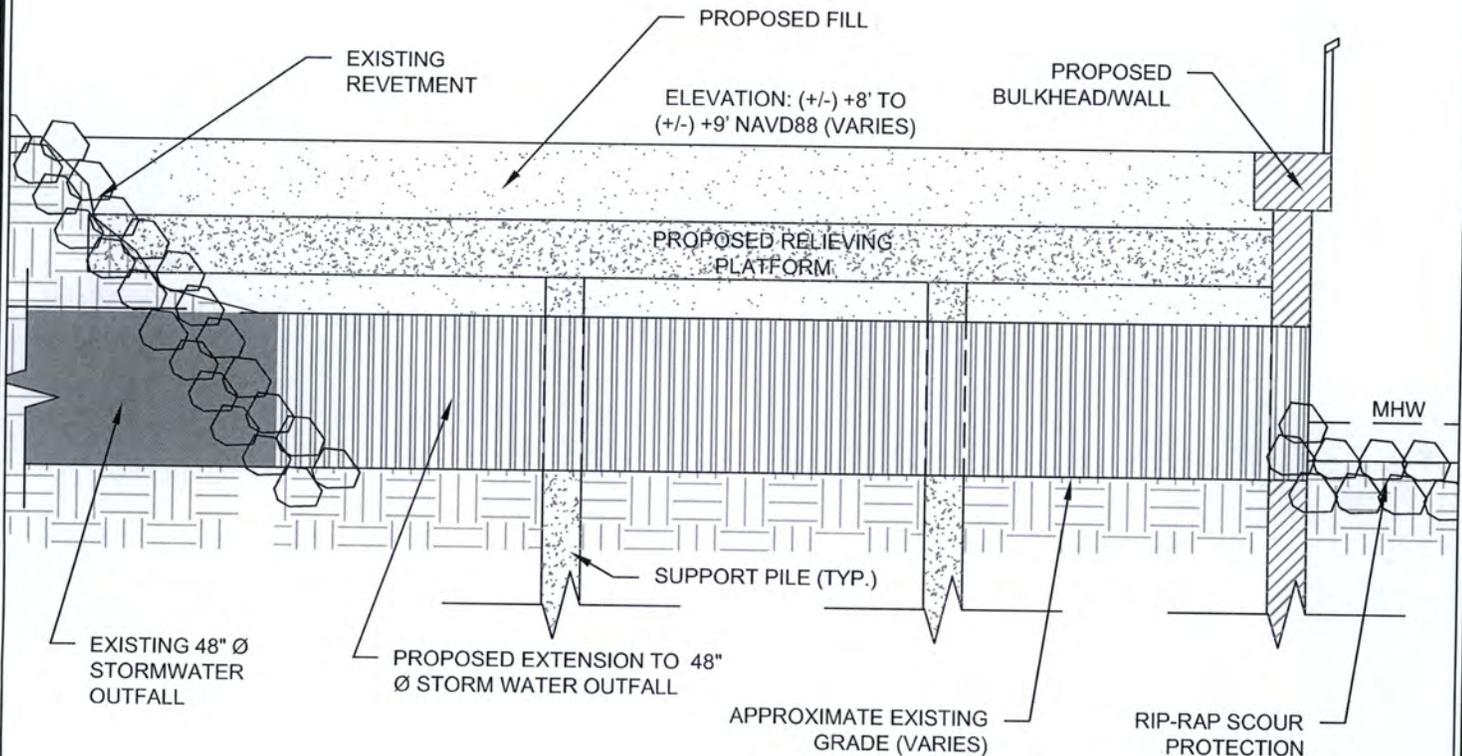
TYPICAL SECTION A2
 NTS

- NOTES:
 1. LANDSCAPE AND LIGHTING DETAILS PER CITY REQUIREMENTS.
 2. PILE SPACING & LOCATIONS ARE CONCEPTUAL.



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TYPICAL SECTION A-3

SCALE: 1"=5'

NOTE: PILE SPACING & LOCATIONS ARE CONCEPTUAL.

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 WATERBODY: Charleston Harbor
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 STATE: South Carolina
 LATITUDE: 32°46'47.23"N
 LONGITUDE: 79°55'30.21"W

TYPICAL SECTION OF BULKHEAD/WALL

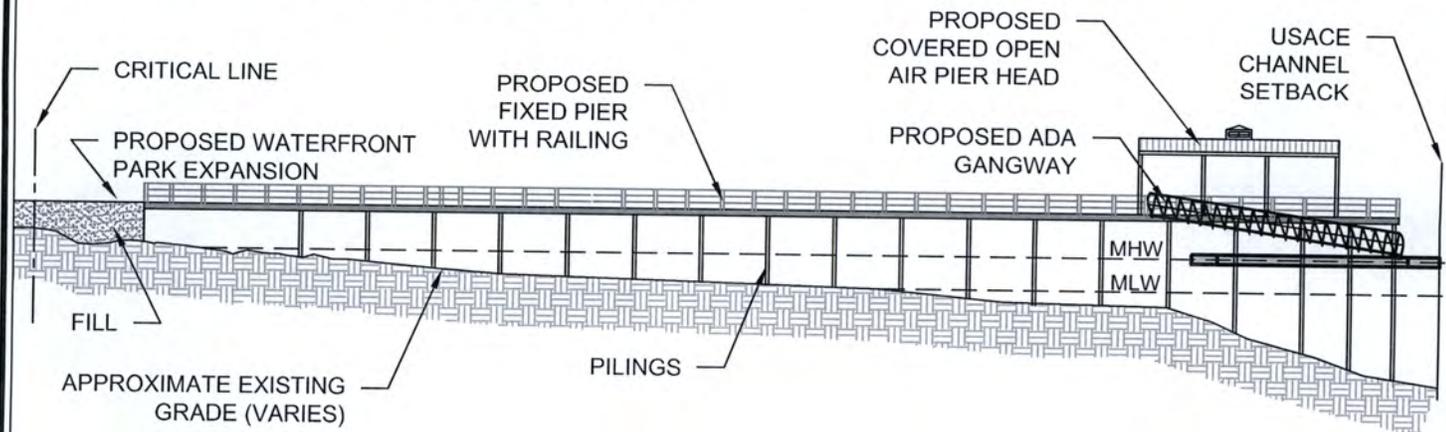
City of Charleston & Leucadia Coast Prop. LLC
 Address: 176 & 186 Concord Street, Charleston, SC
 Parcel ID: 4590000276, 4590000091, 4580904051



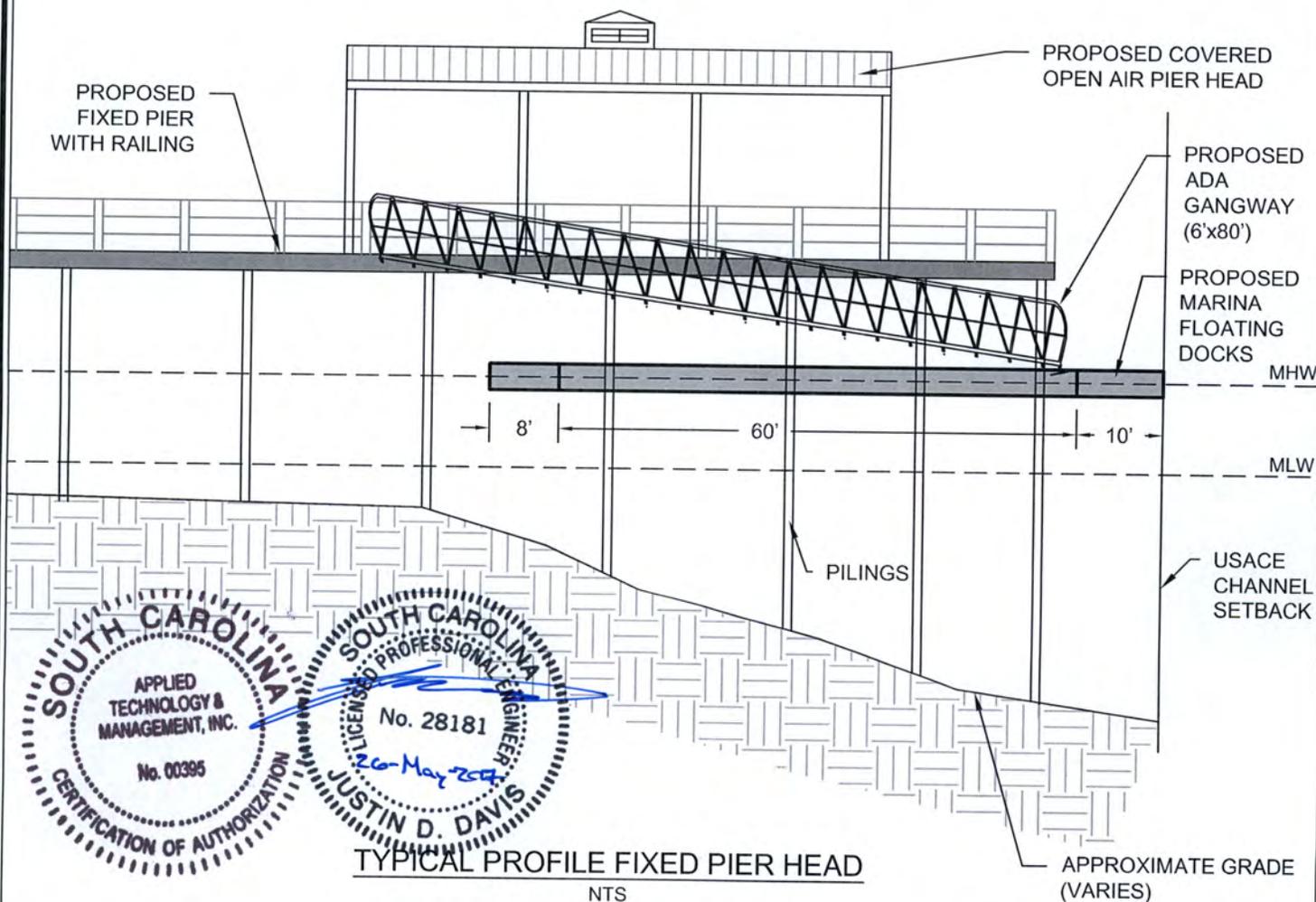
May 25, 2017
 SHEET 9

FOR PERMITTING PURPOSES ONLY
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NOTE: PILE SPACING & LOCATIONS ARE CONCEPTUAL.



PROFILE B-B
 NTS



TYPICAL PROFILE FIXED PIER HEAD
 NTS



PROJECT: Joseph P. Riley, Jr. Waterfront Park Expansion
 WATERBODY: Charleston Harbor
 COUNTY: Charleston
 STATE: South Carolina
 LATITUDE: 32°46'47.23"N
 LONGITUDE: 79°55'30.21"W

TYPICAL PROFILES OF FIXED PIER AND PIER HEAD

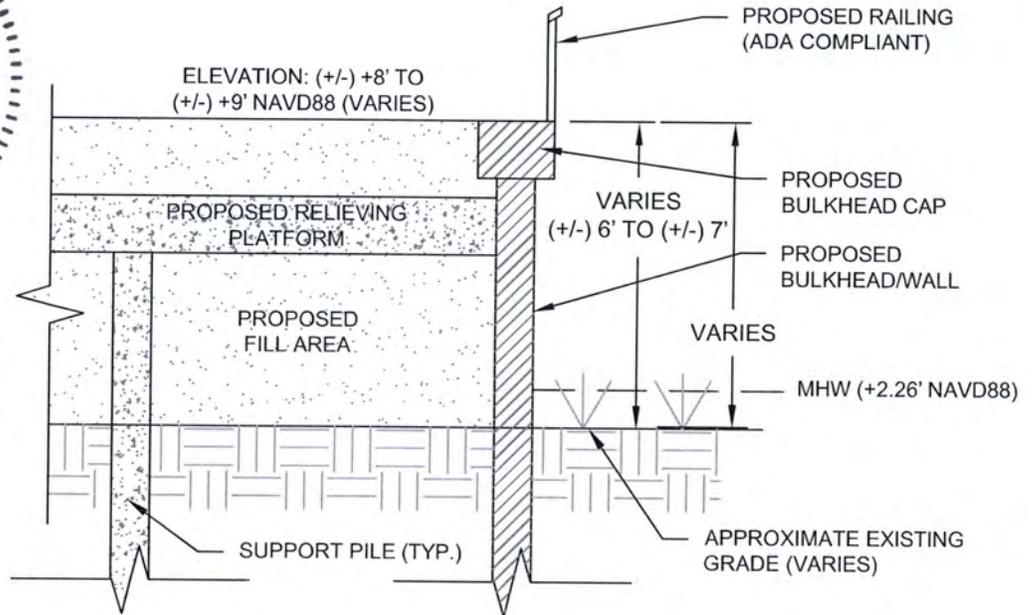
City of Charleston & Leucadia Coast Prop. LLC
 Address: 176 & 186 Concord Street, Charleston, SC
 Parcel ID: 4590000276, 4590000091, 4580904051



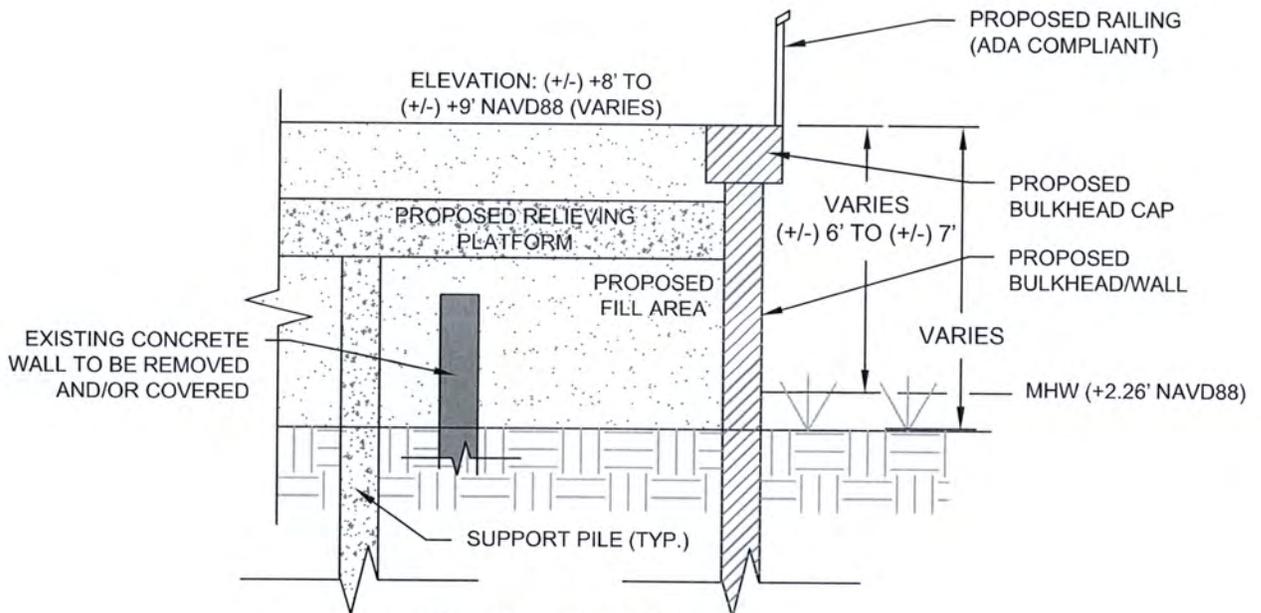
May 25, 2017
 SHEET 10

O:\Projects\17-3022_SCPA Marine Permitting & Planning\DWG\00-Permit Plans\17-3022-176 Concord Street Permit Plans Rev.3.td.dwg (10) 5/25/17
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TYPICAL SECTION C1
 SCALE: 1"=5'



TYPICAL SECTION C2
 SCALE: 1"=5'

PROJECT: Joseph P. Riley, Jr. Waterfront Park Expansion
 WATERBODY: Charleston Harbor
 COUNTY: Charleston
 STATE: South Carolina
 LATITUDE: 32°46'47.23"N
 LONGITUDE: 79°55'30.21"W

TYPICAL SECTION OF BULKHEAD/WALL

City of Charleston & Leucadia Coast Prop. LLC

Address: 176 & 186 Concord Street, Charleston, SC

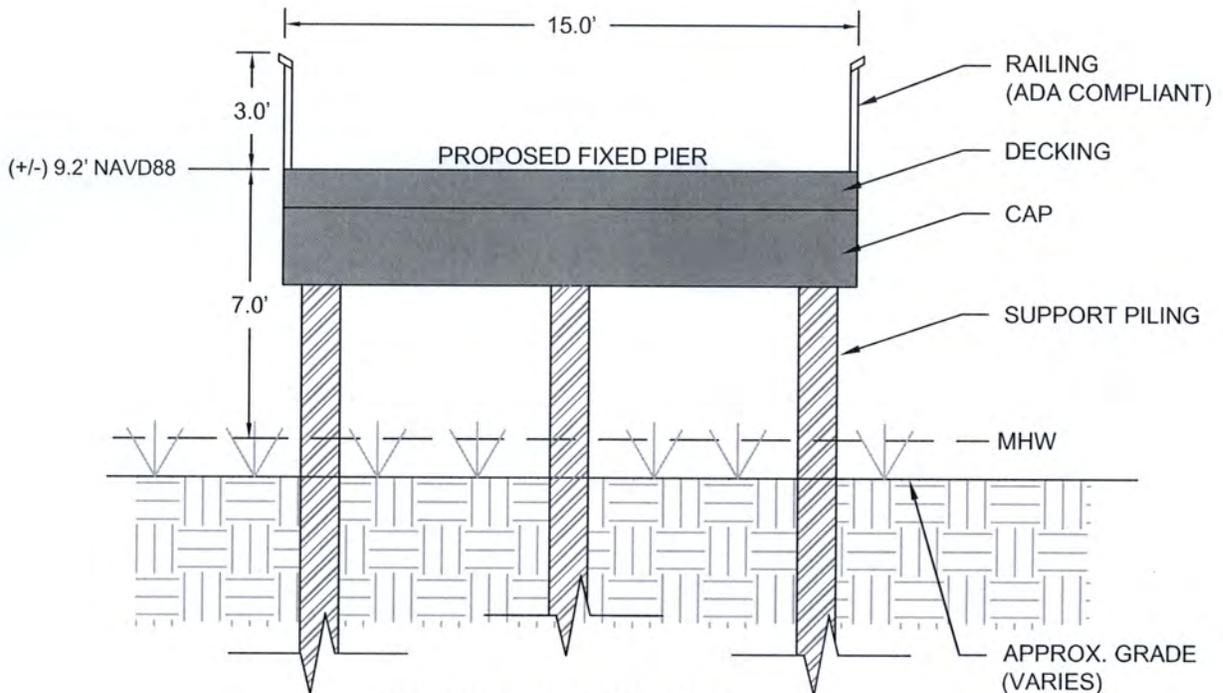
Parcel ID: 4590000276, 4590000091, 4580904051



May 25, 2017
 SHEET 11

C:\Projects\17-3022 SCPA Marine Permitting & Planning\DWG\00-Permit Plans\17-3022-176 Concord Street Permit Plans Rev 3.jd.dwg (11) 5/25/17
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 "NOT FOR CONSTRUCTION"



TYPICAL SECTION D-D

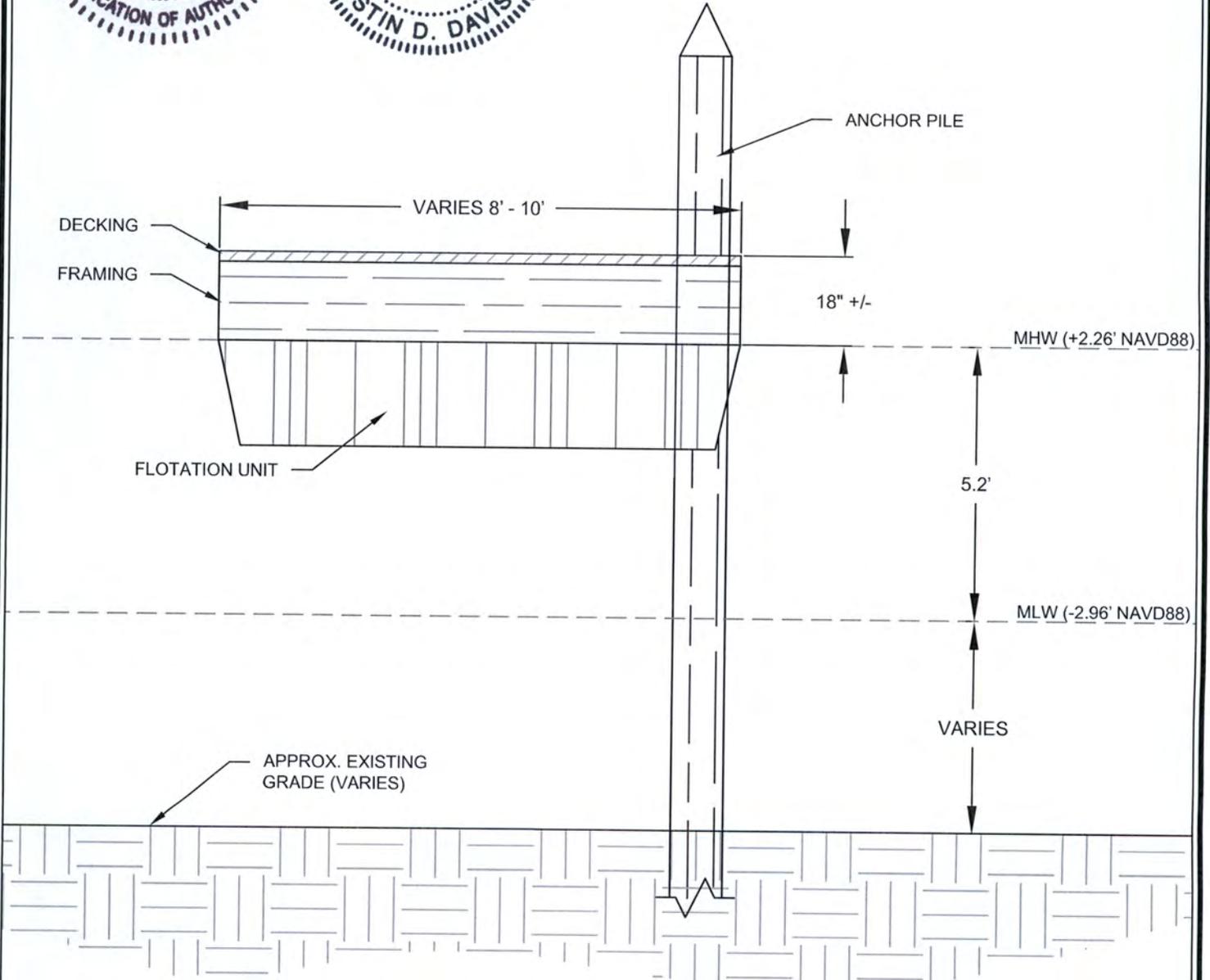
SCALE: 1"=5'

NOTE: PILE SPACING & LOCATIONS ARE CONCEPTUAL.

O:\Projects\17-3022 SCPA Marine Permitting & Planning\DWG\00-Permit Plans\17-3022-176 Concord Street Permit Plans Rev.3\ld.dwg (12) 5/25/17
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| | | | |
|------------|--|---|---|
| PROJECT: | Joseph P. Riley, Jr. Waterfront Park Expansion | TYPICAL CROSS SECTION OF FIXED PIER City of Charleston & Leucadia Coast Prop. LLC Address: 176 & 186 Concord Street, Charleston, SC Parcel ID: 4590000276, 4590000091, 4580904051 |  May 25, 2017 SHEET 12 |
| WATERBODY: | Charleston Harbor | | |
| COUNTY: | Charleston | | |
| STATE: | South Carolina | | |
| LATITUDE: | 32°46'47.23"N | | |
| LONGITUDE: | 79°55'30.21"W | | |

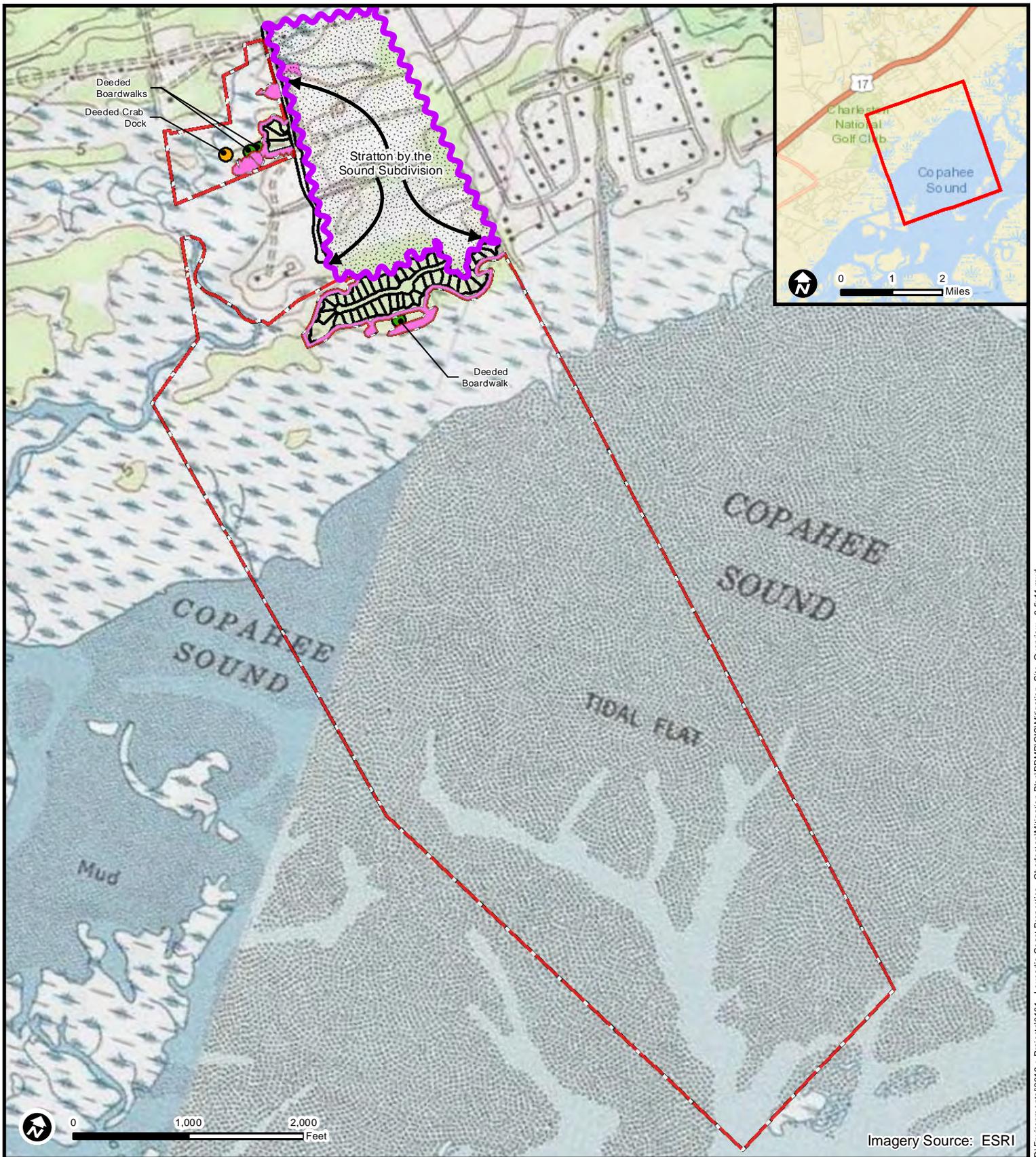
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 "NOT FOR CONSTRUCTION"



TYPICAL FLOATING DOCK SECTION E-E
 SCALE: 1"=3'

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| | | | |
|------------|---|---|------------------------------|
| PROJECT: | Joseph P. Riley, Jr. Waterfront Park Expansion | TYPICAL SECTION OF FLOATING DOCKS | May 25, 2017 SHEET 13 |
| WATERBODY: | Charleston Harbor | | |
| COUNTY: | Charleston | | |
| STATE: | South Carolina | | |
| LATITUDE: | 32°46'47.23"N | | |
| LONGITUDE: | 79°55'30.21"W | City of Charleston & Leucadia Coast Prop. LLC | |
| | | Address: 176 & 186 Concord Street, Charleston, SC | |
| | | Parcel ID: 4590000276, 4590000091, 4580904051 | |



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| Legend | |
|---|--|
| | Bubble |
| | Stratton Place PRM Project Boundary (~486 acres) |
| | Stratton by the Sound |
| | Stratton by the Sound - Adjacent Parcels |
| | Stratton by the Sound Subdivision - Buffer (25 Ft) |
| Approximate Locations of Deeded Encroachments | |
| | Deeded Boardwalk |
| | Deeded Crab Dock |

| | |
|---|---|
| Stratton Place Permittee Responsible Mitigation Plan Charleston County, South Carolina | |
| Job No. <u>6250-17-0131</u> Drawn By: <u>BWS</u> Reviewed By: <u>WAR</u> Date: <u>6/22/2017</u> | The map shown here has been created with all due and reasonable care and is strictly for use with Amec Foster Wheeler project number 6250170131. Amec Foster Wheeler assumes no liability, direct or indirect, whatsoever for any such third party or |