### 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-2010-404-2G

8 September 2014

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 401 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

THE TOWN OF MOUNT PLEASANT
C/O BRYAN BROOKS
THOMAS & HUTTON
682 JOHNNIE DODDS BLVD, SUITE 100
MOUNT PLEASANT, SOUTH CAROLINA 29464

for a permit to remove and replace the existing fixed walkway/pier long the northwestern shoreline with a safe walkable boardwalk/pier in waters of

#### SHEM CREEK

at a location along the northwestern shoreline from the Coleman Boulevard sidewalk to the existing Shem Creek park boardwalk south of Jones Creek, in Mount Pleasant, Charleston County, South Carolina. (Latitude 32°47'29.22 -Longitude -79°52'.18")

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 removing the existing boardwalk/pier and replacing it with a new structure adjacent to the properties of Mt. Pleasant Seafood, Waters Edge, Shem Creek Inn, and Vickery's Restaurant. Existing boardwalks/piers are to be replaced in their existing footprints where possible. In detail, the applicant will remove approximately 750 linear feet of the existing

Refer to: P/N #SAC-2010-404-2G

8 September 2014

private deteriorating timber and concrete fixed walkways. These will be replaced with 1165' of new fixed walkway from 6' to 10' wide. In addition the following will be constructed:

- A new 6' x 60 foot boardwalk connection to Vickery's parking lot with a public access to Shrimp Boat Lane
- A new 10' x 40' boardwalk connection to the parking lot between Waters Edge and Lowcountry Scuba Dive shop with a public access easement to Shrimp Boat Lane
- A new 8' x 50' pre-engineered pedestrian bridge system over Jones Creek. The existing
  dock currently blocking a portion of Jones Creek will be removed. Vertical clearance will
  not be any more restrictive than the existing clearance and is proposed at 6' 6" minimum
  vertical clearance above mean high water.
- A new 6' x 16' timber bridge over the existing boat ramp between Mount Pleasant Seafood and Lowcountry Scuba
- A New 6' x 20' and 10' x 10' finger pier serving three existing private floating docks
- One 30' access ramp (gangway) from the Mount Pleasant Seafood sidewalk to the displaced location of their existing floating dock
- A new 10' x 12' covered fuel dispensary located creek side in the vicinity of the existing fuel point
- A new 8' x 30' connection around the existing pier head at the confluence of the existing shrimper's dock and the proposed 8' boardwalk/pier located adjacent to it
- A new 20' x 24' cover on an existing pierhead
- Relocation of two existing floating dock structures adjacent to mount pleasant Seafood property
- Four locking gates at each of the finger pierheads serving the existing private floating docks
- Water, electric receptacles, lighting and trash dispensers will be provided.

The purpose of the proposed work is to redevelop the existing waterfront boardwalk along Shem Creek to provide additional public access and connect with the existing Shem Creek Park boardwalk system that was completed in 2011. In addition the purpose is to allow for safe public access with handrails and compliance with ADA regulations.

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.

REGULATORY DIVISION
Refer to: P/N #SAC-2010-404-2G

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.

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.

#### PROJECT DESCRIPTION

# Shem Creek Park Extension Town of Mount Pleasant, South Carolina

#### INTRODUCTION

The applicant, the Town of Mount Pleasant (Town), is proposing the expansion of the existing Shem Creek Park that was completed and opened to the public in October 2011. The next phase of this project will extend the existing public boardwalk along the northwestern shoreline of Shem Creek to Coleman Boulevard. It will create three (3) additional public points of access to the creek and afford the public a creek side amenity along the entire lower northwest portion of Shem Creek. The boardwalk will extend from Coleman Boulevard sidewalk to the existing Shem Creek Park boardwalk south of Jones Creek converting nearly 1000 LF of a privately owned fixed walkway to a safe walkable addition to the overwhelmingly successful Shem Creek Park. With this new addition, the park will have a total of five different points of access, it will directly support local business, greatly expand on the significant public interest in Shem Creek, and link other activities along Coleman Boulevard.

Support for this endeavor is provided in a number of land use reports, industry studies, and public meetings that stress the importance of maintaining and improving public access to the creek. The earliest study found in our local archives is the 1980 Shem Creek Special Area Management plan, which recognizes the significance of Shem Creek to the public. Other readily available studies that support public access to the waterfront include Preserving the Character of Shem Creek in 2002, Shem Creek Master Plan in 2007, The Coleman Boulevard and Ben Sawyer Boulevard Revitalization Plan in 2008, the Cultural Resource Survey and Preliminary Concept Plan for Shem Creek Park in 2009, and the 2009 Comprehensive Plan for Mount Pleasant. These documents are publicly initiated and approved by elected representatives of Mount Pleasant. This particular project is specific to the 2007 Master Plan for Shem Creek.

Prior to this submittal, two stakeholder meetings were held where an open forum was created to encourage public comments and questions related to this new proposal. Notices and invitations were provided to other regulatory agencies seeking technical and regulatory input. The first of the two public meetings, held on May 20, 2013, was to allow collaboration between business owners along Shem Creek. The second stakeholder meeting was held on May 28, 2013 at Town Hall for the general public. Personal invitations were mailed to residents of Bay View Subdivision and residents along the southern portion of Shem Creek, public announcements were made at Town Council meetings, advertisements placed in local newspapers and posted on the Town website. The responses received were overwhelmingly positive from business owners and citizens. Many had experienced immediate benefits from the waterfront access provided by the existing Shem Creek Park boardwalk and amenities. Notes and written comments can be provided upon request.

The Shem Creek Park Boardwalk to Coleman Project continues the vision of the Town of Mount Pleasant Comprehensive Plan by satisfying one of the key strategic goals of Incentivizing the

Provision of Public Access to Waterfront Developments. Although the jurisdictional boundary of Mount Pleasant has a great deal of waterfront, there are only a few points of access that are for the general public. Most of the waterfront space in Mount Pleasant is privately owned. It wasn't until recent years, the Town expanded public access with the addition of the new Waterfront Memorial and Phase 1 Shem Creek parks. These two projects have been a significant improvement to the quality of life for residents that would otherwise be unable to afford exclusive waterfront docks. Again, to expand on these accomplishments, this next phase will not only continue on with the same success, but will transform two existing private boardwalks to a continuous publicly accessible walkway along the waterfront with a connection to the existing Coleman Boulevard bridge sidewalk.

A second major goal of the Comprehensive Plan is to design in *Harmony with Nature*, which Shem Creek Park accomplishes. Harmony with nature is about being a steward for the natural environment by appreciating the natural environment as well as taking excellent care of it, as evidenced by the initial phases of the park with its educational storyboards about the history of Shem Creek and its vitality to the environment. Stewardship implies that environmental impacts will be considered and minimized. Protecting the natural environment means taking proactive steps to reduce impacts to environmentally sensitive areas and preserve the beauty of the marshes and wetlands. Stewardship also means providing better access to nature through trails, a connected system of parks, waterfront facilities and a balance of active and passive recreational opportunities.

In addition to the overwhelming support from citizens, business owners and elected officials, this project will allow for more convenient disability access to the creek that would otherwise be from the Town parking lot or allowed through privately owned and unsafe docks. As a result of this project, senior citizens and the disabled will have a more convenient walkway; improve educational opportunity, enriched historical and recreational opportunity.

#### **EXISTING SITE CONDITIONS**

The Town of Mount Pleasant completed the initial phase of Shem Creek Park in 2011 which consisted of approximately 2,150 linear feet of boardwalk and floating docks, an amenity/restroom facility, and public parking on approximately 47 acres of high ground and marsh land. Storyboards were later added highlighting the history and ecology of Shem Creek. Due to benefits the park has provided to its citizens by providing walkable public access to the waterfront, the Town has elected continue the next phase of its Master Plan by expanding the waterfront access along the northern portion of the creek. Existing privately owned docks consisting of deteriorating timber and concrete fixed walkways are situated along Shem Creek's northwestern shoreline. The existing walkways are narrow (approximately 6' wide) and have no handrails system. These structures have incurred significant deterioration and, in almost all locations, are no longer suitable for public accessibility.

#### PRIVATE/PUBLIC AGREEMENT

Mutual agreements are in place with adjacent landowners to allow the Town to demolish approximately 750 linear feet of the existing private deteriorating timber and concrete fixed walkways. Two property owners have signed long-term lease agreements with the Town and the Town is submitting one complete permit encompassing the entire project. Operation and maintenance (O&M) responsibilities will be linked collectively with the Town's O&M manual.

#### PROPOSED SITE PLAN

The Town is proposing the redevelopment and expansion of the existing waterfront fixed pier to consist of the construction of:

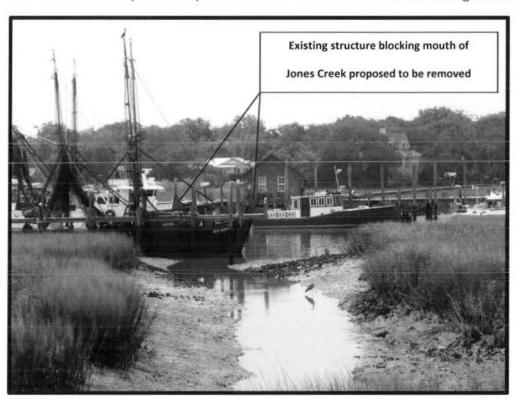
- The replacement of approximately 300 linear feet of existing deteriorated boardwalks with 350 linear feet of new fixed walkway, 8' wide
- The replacement of approximately 350 linear feet of existing deteriorated boardwalks with 285 linear feet of new fixed walkway, 10' wide
- 250 linear feet of new boardwalk, 8' wide
- 280 linear feet of new boardwalk, 6' wide
- A new 6'x60' boardwalk connection to Vickery's parking lot with a public access easement to Shrimp Boat Lane
- A new 10'x40' boardwalk connection to parking lot between Waters Edge and Lowcountry Scuba dive shop with a public access easement to Shrimp Boat Lane
- A new 50'x8' pre-engineered pedestrian bridge system over Jones Creek
- A new 6'x16' timber bridge over the existing boat ramp between Mount Pleasant Seafood and Lowcountry Scuba
- A new 6'x20' and 10'x10' finger pier serving three existing private floating docks
- One 30' access ramp (gangway) from the Mount Pleasant Seafood sidewalk to the displaced location of their existing floating dock
- A new 10'x12' covered fuel dispensary located creek side in the vicinity of the existing fuel point
- A new 8'x30' connection around the existing pier head at the confluence of the existing shrimper's dock and the proposed 8' boardwalk located adjacent to it
- A new 20'x24' cover on an existing pier head
- Relocation of two existing floating dock structures adjacent to Mount Pleasant Seafood property
- Four (4) locking gates at each of the finger pier heads serving the existing private floating docks.
- Water, electric receptacles, lighting and trash dispensers will be provided

#### JONES CREEK

The proposed pedestrian bridge system over Jones Creek is a vital link to this project as it is the key component connecting the existing Shem Creek Park boardwalk with the proposed expanded boardwalk area. The bridge will connect the existing pedestrian activity area that is accessed at the public parking area of the park as well as those utilizing the floating docks to the expanded portions fronting the existing restaurants and businesses. Without this crossing, the project would function as two separate parks. Detailed surveying and planning was undertaken

to minimize the impacts to Jones Creek and the use of a pre-engineered pedestrian bridge achieves the following:

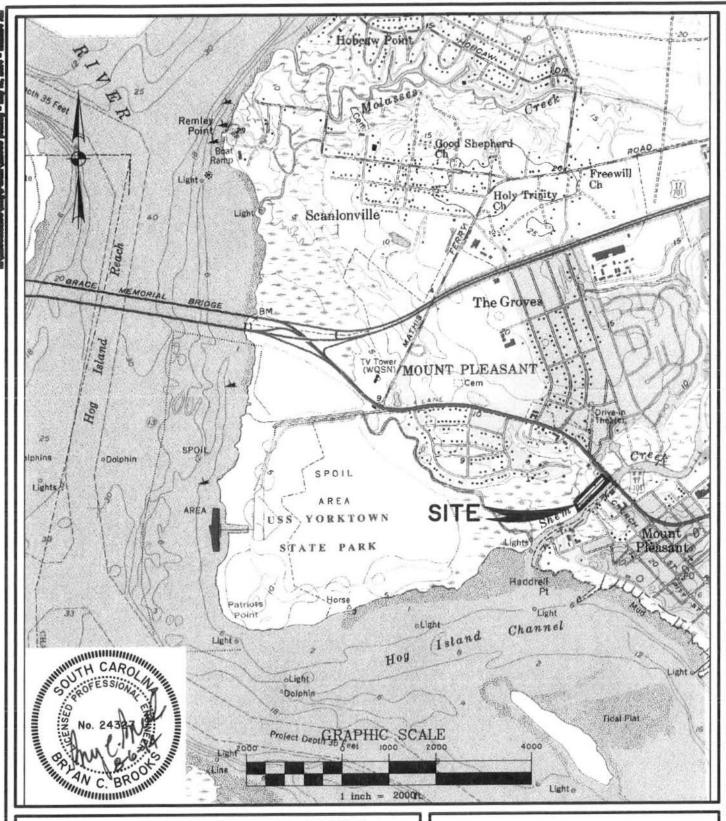
- Improves navigation by removing a portion of the existing dock that currently impedes access to the creek (see photo below)
- 50' horizontal clearance a 50' span will be provided matching the existing opening at the mouth of the creek, but will be centered at the deepest portion of the creek. By centering the span, the creek will be navigable during lower tides as opposed to the current conditions (refer to the Permit Exhibit Sheets 5 and 9)
- Vertical clearance will not be any more restrictive than the existing creek crossings. 6'6" minimum vertical clearance above mean high water (MHW) is proposed, allowing
  small boats and kayakers ample clearance to clear the structure during restrictive tides



#### CONCLUSION

The Town of Mount Pleasant is proposing to expand and redevelop the existing waterfront boardwalk along Shem Creek that will provide three additional points of access to the public, interconnect with the existing Shem Creek Park boardwalk system that was completed in 2011, and ultimately connect to the sidewalk system along Coleman Blvd. The requested increase in walkway widths with inclusion of handrails will allow for safe public access, compliance with ADA regulations and provide for suitable access for continued operations and maintenance.

Management of the redeveloped Shem Creek Park waterfront docks will be under the Town of Mount Pleasant and maintained by the Town's Department of Public Services who operates and maintains the park's current infrastructure. The established current hours of operation will apply to the expanded docks as well.



PROPOSED ACTIVITY:

QUADRANGLE MAP

PERMIT# 2010-404-2G

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 1 of 20 SCALE: 1"=2000"

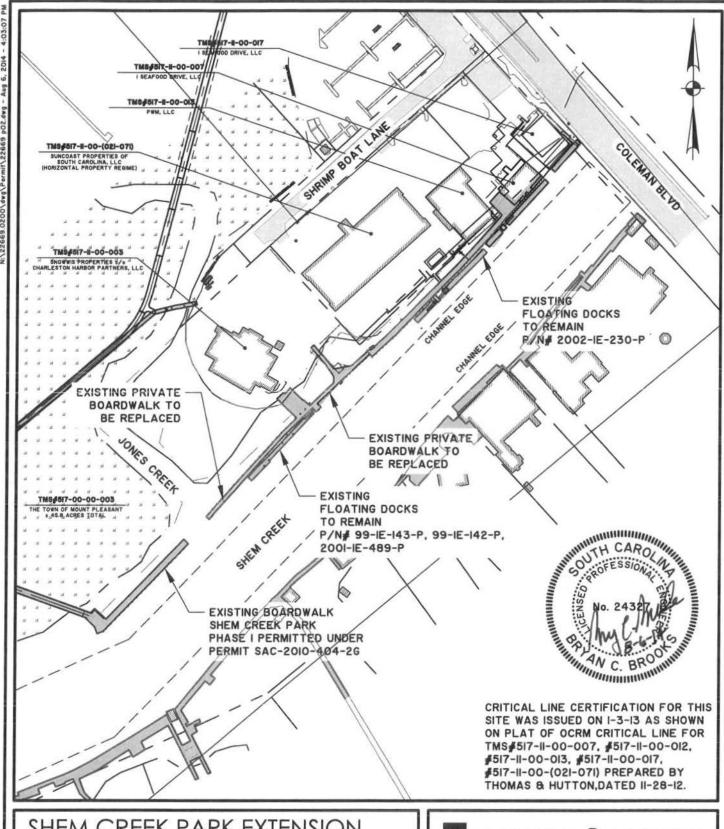
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PROPOSED ACTIVITY:

**EXISTING CONDITIONS** 

PERMIT# 2010-404-2G

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014

JOB NUMBER: J - 22669.0020

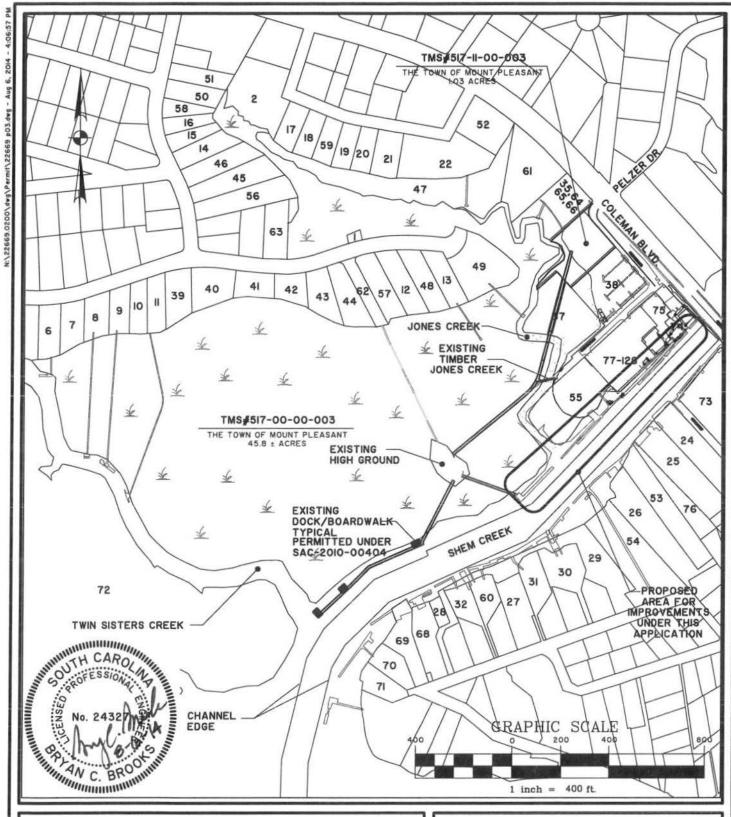
SHEET: 2 of 20 SCALE:

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ADJACENT PROPERTY OWNERS

CLIENT: **PERMIT #** 2010-404-2G

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC DATE: August 6, 2014

JOB NUMBER: J - 22669.0020

SHEET: 3 of 20 SCALE: 1"= 400"

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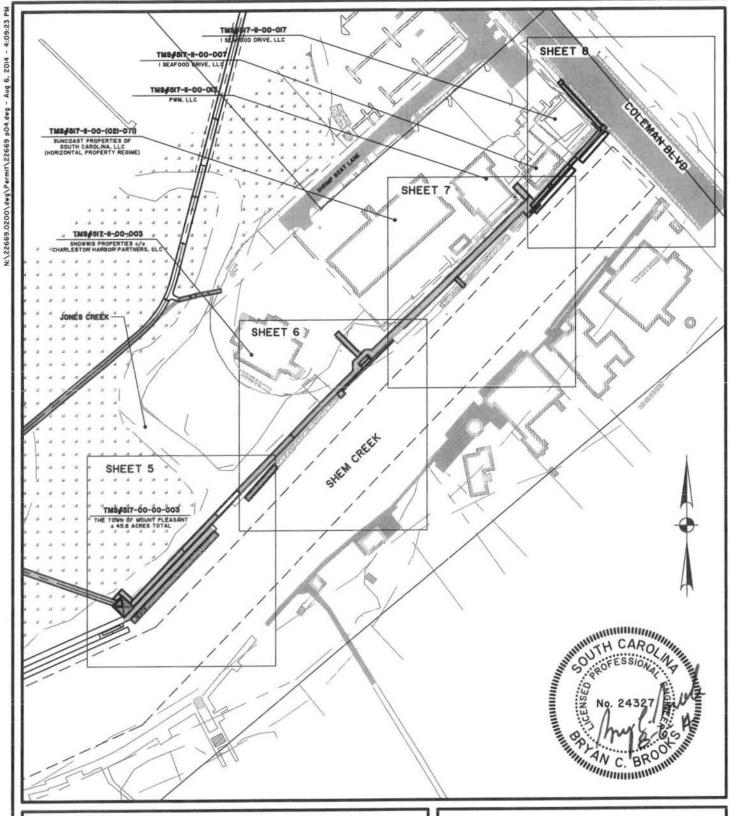
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PROPOSED ACTIVITY:

OVERALL LAYOUT PLAN PE

PERMIT# 2010-404-2G

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014

JOB NUMBER: J - 22669.0020

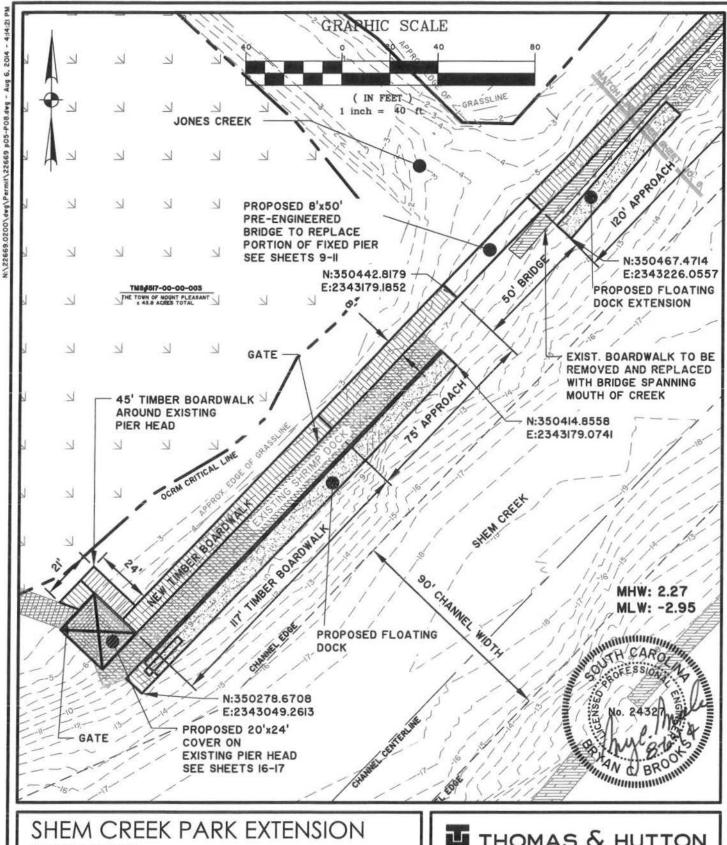
SHEET: 4 of 20 SCALE: 1"= 150"



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SITE PLAN

PERMIT# 2010-404-26

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 5 of 20 SCALE:

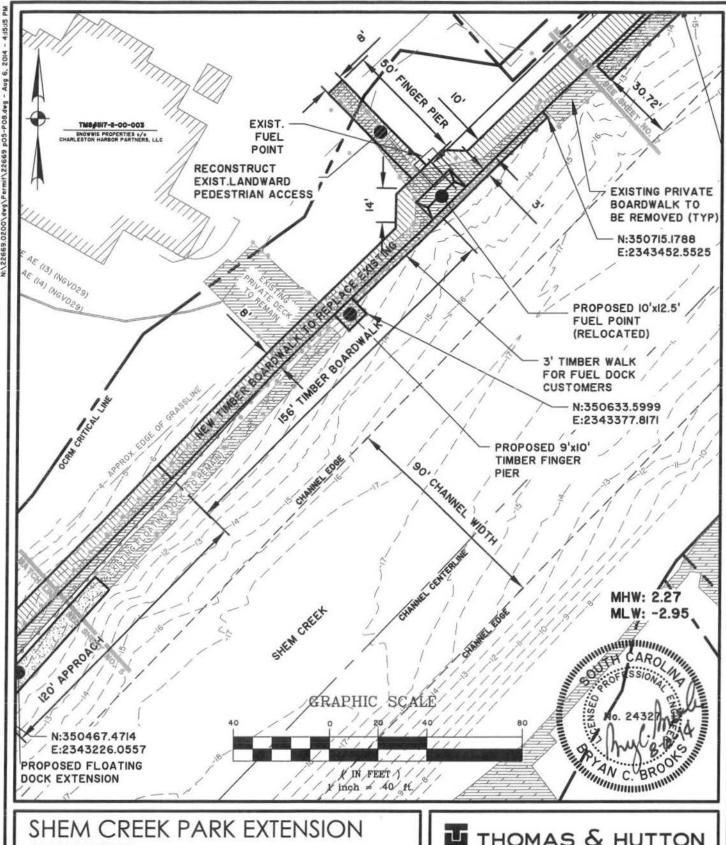
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STIE PLAN

PERMIT# 2010-404-2G

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

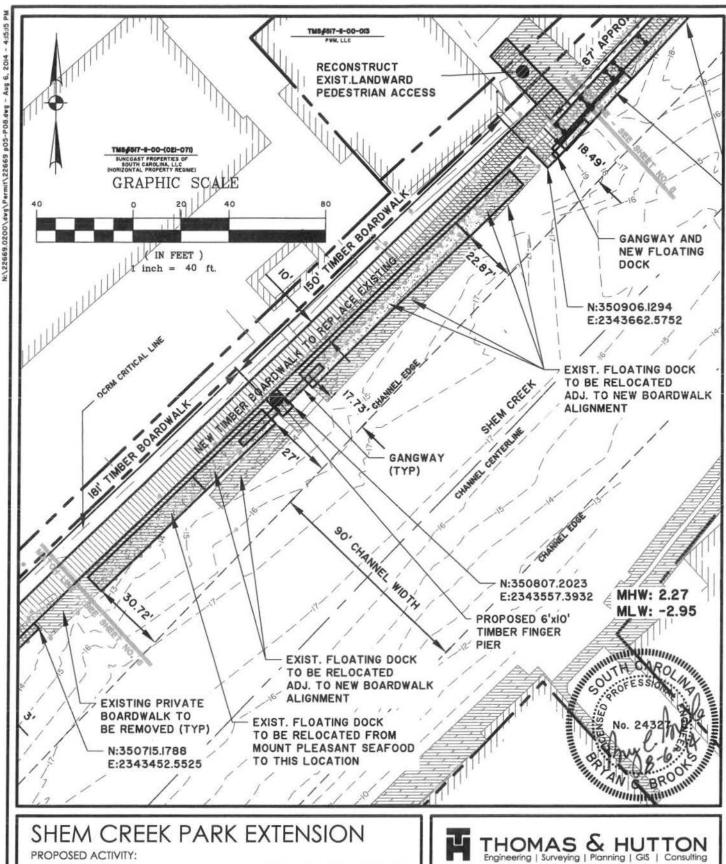
DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 6 of 20 SCALE:

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SITE PLAN

PERMIT# 2010-404-2G

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

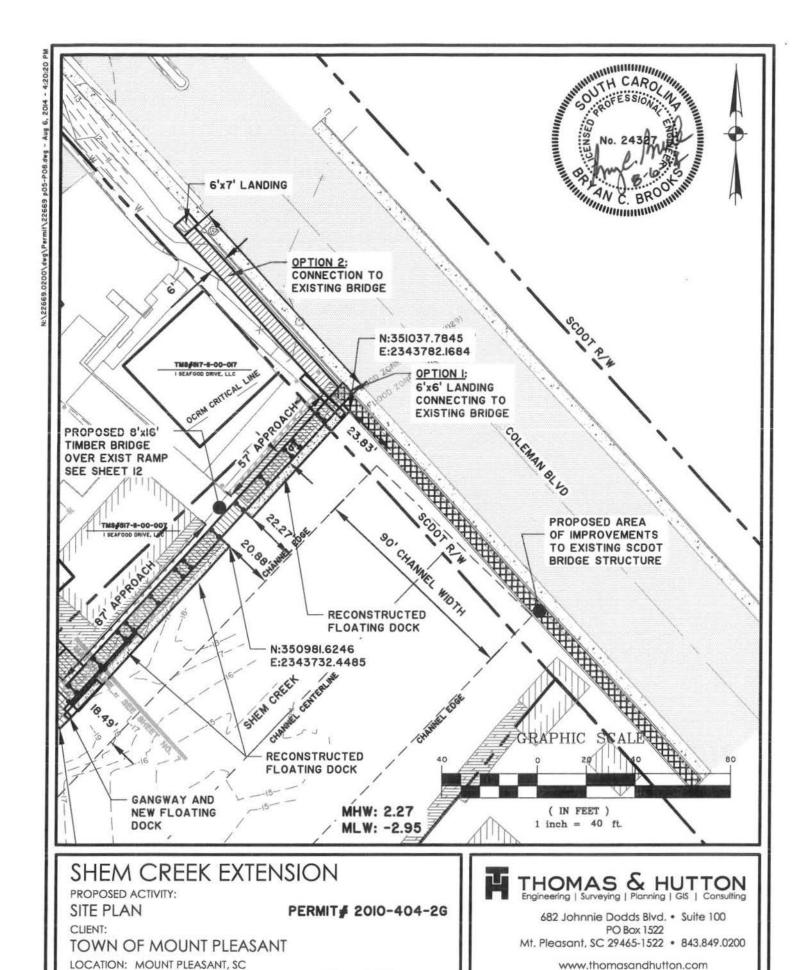
DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 7 of 20 SCALE:



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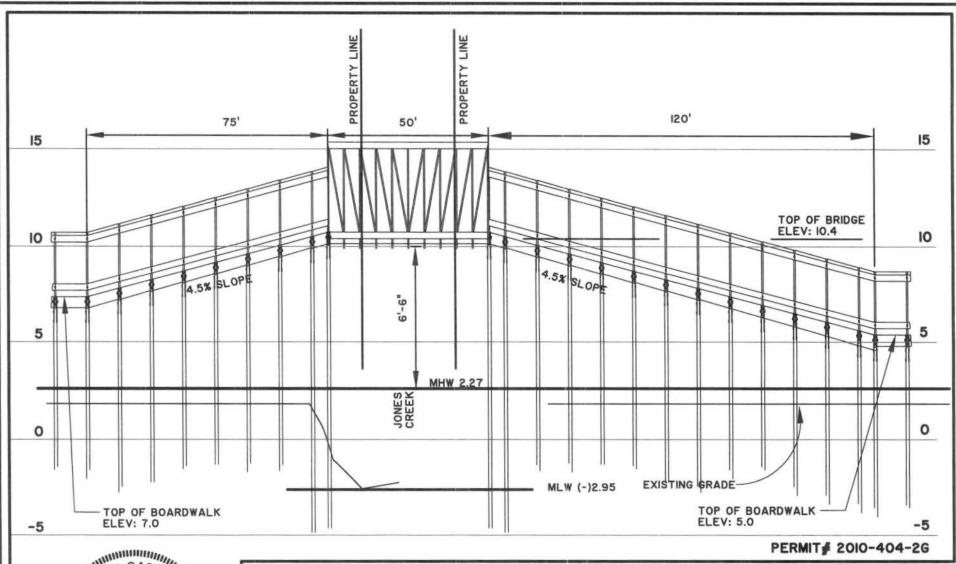
SHEET: 8 of 20

SCALE:

DATE: August 6, 2014

JOB NUMBER: J - 22669.0020

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PROPOSED ACTIVITY:

JONES CREEK BRIDGE PROFILE

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 9 of 20 SCALE: 1" = 30'



# THOMAS & HUTTON

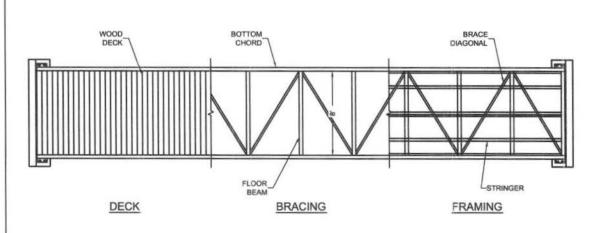
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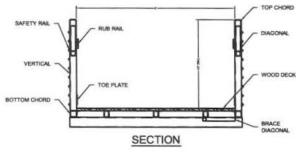
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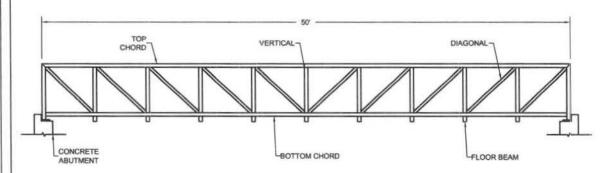
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#### **BRIDGE PLAN**



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513-645-7000

513-645-7993 FAX

### **BRIDGE ELEVATION**

PERMIT# 2010-404-2G

## SHEM CREEK PARK EXTENSION

PROPOSED ACTIVITY:

JONES CREEK PEDESTRIAN BRIDGE DETAILS

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 10 of 20 SCALE: N.T.S.



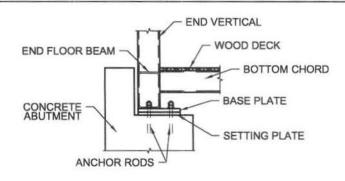
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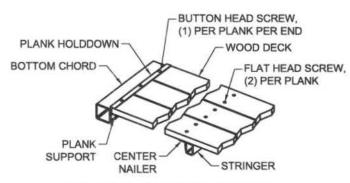




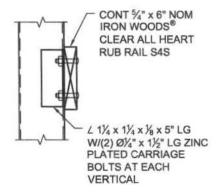
### BEARING SIDE VIEW

INFORMATION PROVIDED FOR REPRESENTATION ONLY.

ACTUAL BEARING DIAGRAMS TO BE BASED ON FINAL DESIGN.



WOOD DECK DETAIL



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RUB RAIL DETAIL

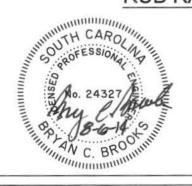
PERMIT# 2010-404-2G

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513-645-7000

513-645-7993 FAX



## SHEM CREEK PARK EXTENSION

PROPOSED ACTIVITY:

JONES CREEK PEDESTRIAN BRIDGE DETAILS

CLIENT:

TOWN OF MOUNT PLEASANT

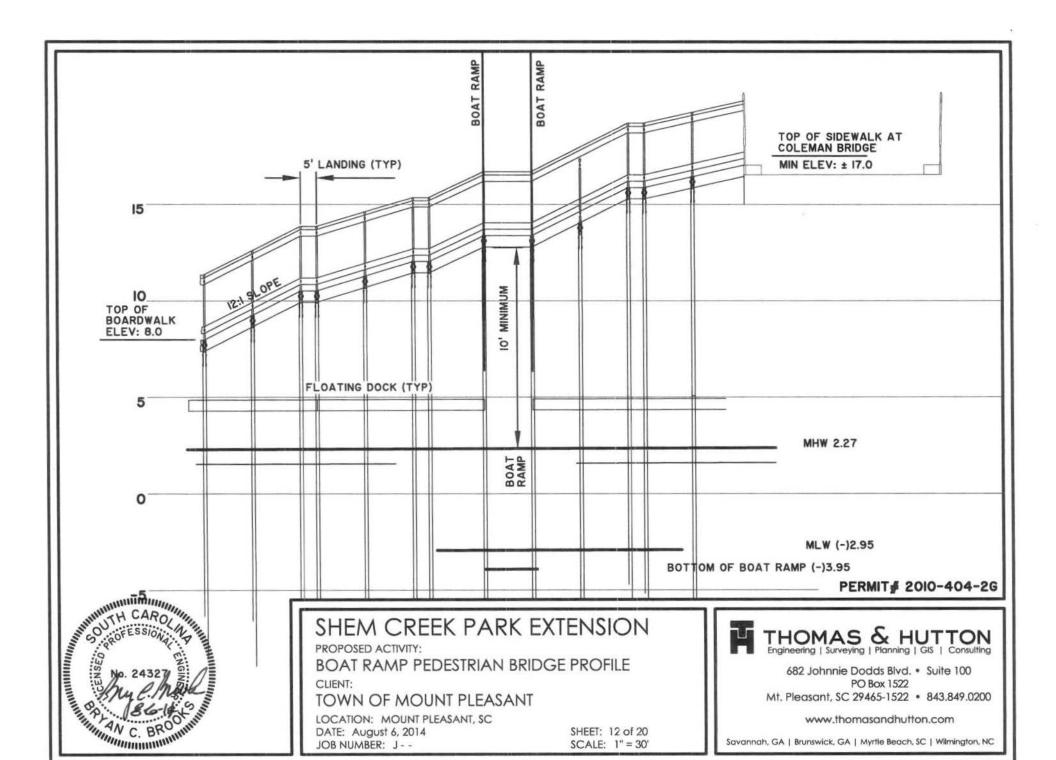
LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 11 of 20 SCALE: N.T.S. THOMAS & HUTTON
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SCALE: 1" = 30'

JOB NUMBER: J - -

PROPOSED ACTIVITY:

TYPICAL SECTION THROUGH BOARDWALK

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 13 of 20 SCALE: N.T.S.



## THOMAS & HUTTON

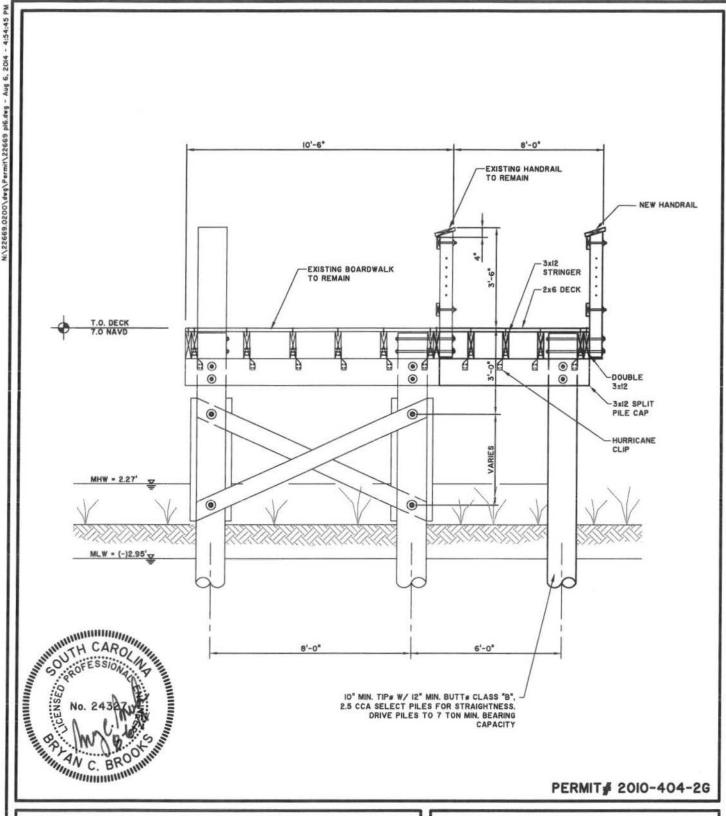
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PROPOSED ACTIVITY:

SECTION THROUGH EXISTING BOARDWALK AT EXPANSION

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 14 of 20 SCALE: N.T.S.

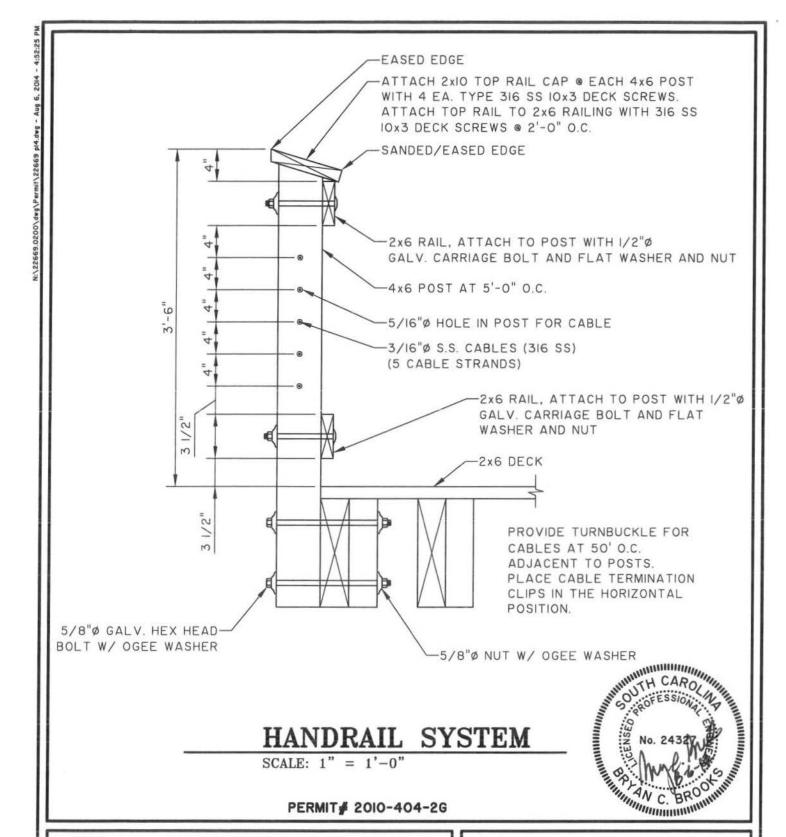


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PROPOSED ACTIVITY:

HANDRAIL SYSTEM TYPICAL SECTION

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

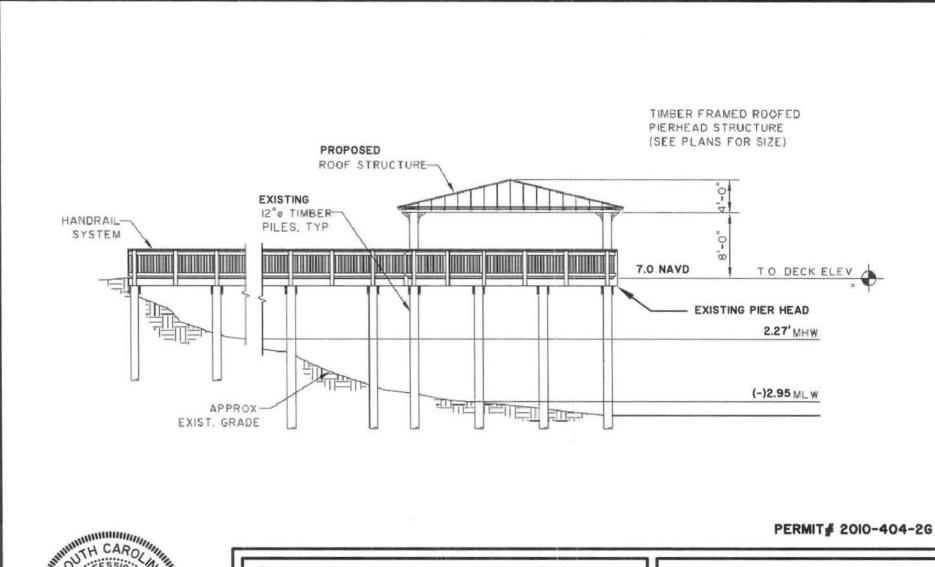
DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 15 of 20 SCALE: 1"=1"

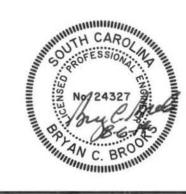


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PROPOSED ACTIVITY:

PIER HEAD ELEVATION (COVERED)

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014

JOB NUMBER: J - 22669.0020

- 11

SHEET: 16 of 20

SCALE: N.T.S.

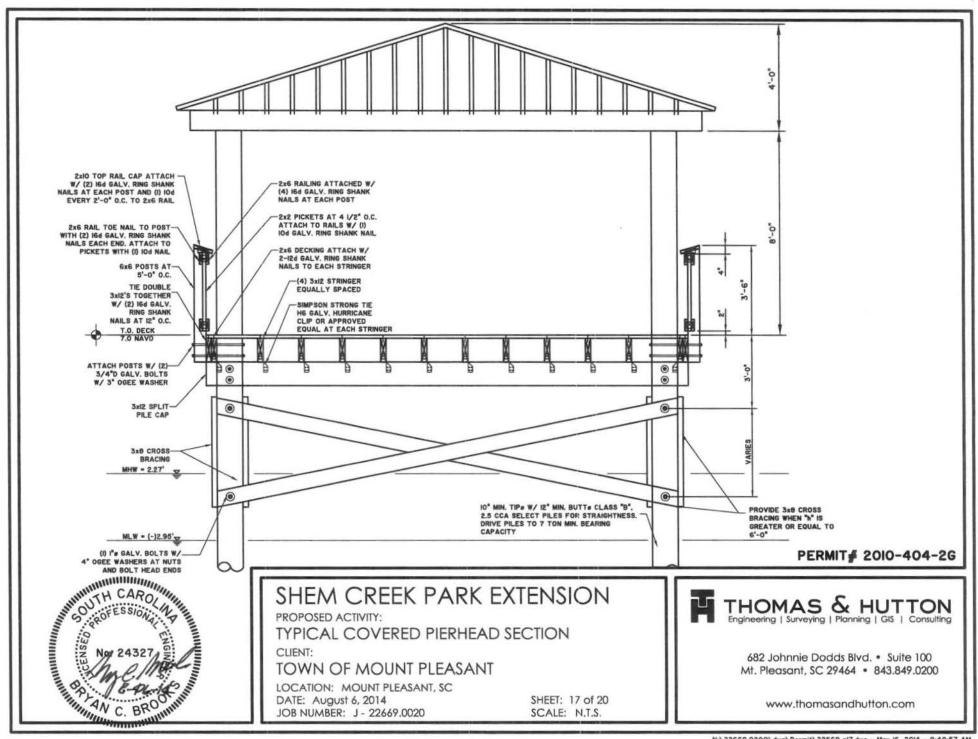
## THOMAS & HUTTON

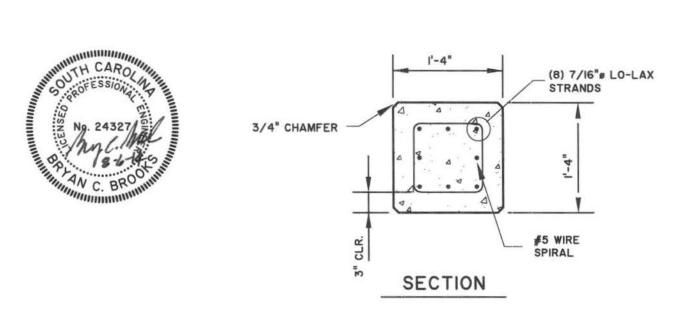
Engineering | Surveying | Planning | GIS | Consulting

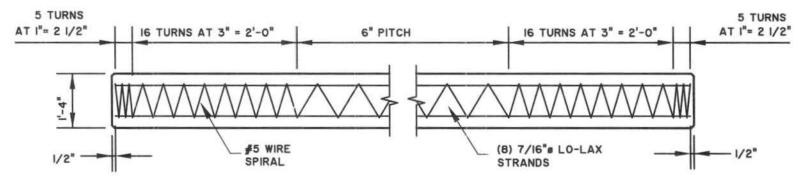
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SHEET: 18 of 20

SCALE: N.T.S.

PERMIT# 2010-404-2G

# SHEM CREEK PARK EXTENSION

PROPOSED ACTIVITY:

PRE-STRESSED PILING DETAIL

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014

JOB NUMBER: J - 22669.0020



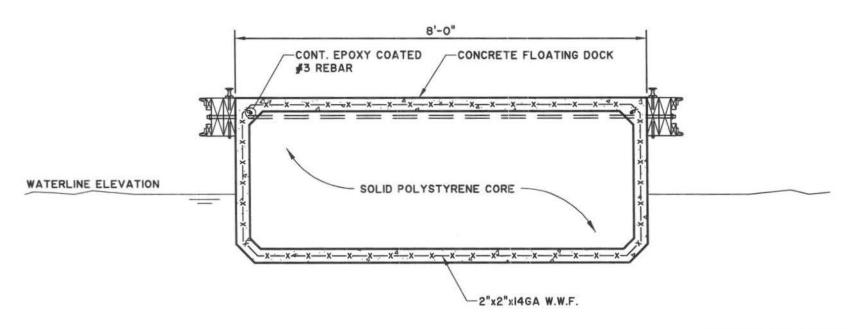
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PERMIT# 2010-404-26

# SHEM CREEK PARK EXTENSION

PROPOSED ACTIVITY:

FLOAT ASSEMBLY SECTION (CONCRETE DOCK)

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC DATE: August 6, 2014

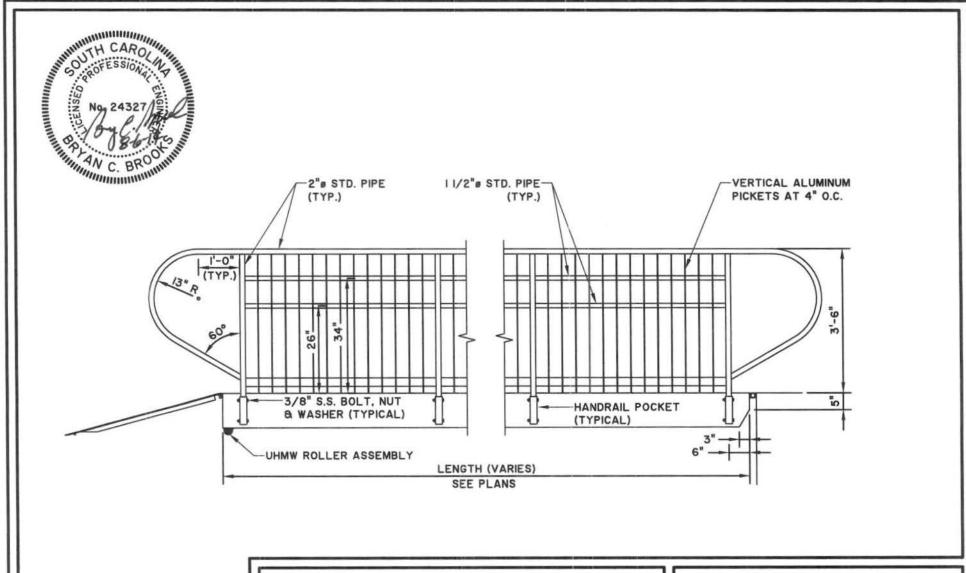
JOB NUMBER: J - 22669.0020

SHEET: 19 of 20 SCALE: N.T.S.



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PROPOSED ACTIVITY:

**GANGWAY ELEVATION** 

PERMIT# 2010-404-2G

CLIENT:

TOWN OF MOUNT PLEASANT

LOCATION: MOUNT PLEASANT, SC

DATE: August 6, 2014 JOB NUMBER: J - 22669.0020 SHEET: 20 of 20 SCALE: N.T.S.



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