

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-2018-00278

March 13, 2018

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. Andrew Carmines
Hudson's Seafood Dock
PO Box 22519
Hilton Head Island, South Carolina 29925

for a permit to provide after-the-fact (ATF) authorization for a wood deck that was re-constructed following damage to the original deck structure during Hurricane Matthew, relocate an existing floating dock, and construct a new floating dock and associated pierhead structures in

Skull Creek

at 1 Hudson Road, Beaufort County, South Carolina (Latitude: 32.236 °N, Longitude: -80.7487 °W), **Hilton Head Quad Sheet** .

In order to give all interested parties an opportunity to express their views

N O T I C E

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 providing after-the-fact (ATF) authorization for a wood deck that was re-constructed following damage to the original deck structure during Hurricane Matthew, relocate an existing floating dock, and construct a new floating dock and associated

pierhead structures for a commercial seafood restaurant. In detail, the applicant is seeking a permit to provide ATF authorization for a 30'x60' wood deck that was rebuilt following damage to the original structure during Hurricane Matthew. In addition, the applicant seeks to construct a 4'x24' floating ramp and 6'x6' fixed pierhead. Lastly, the applicant seeks to relocate and elongate an existing floating dock. The existing floating dock, is 11'x84' and will be elongated by adding additional floating dock sections that are 10'x72', and 11'x44'. Upon completion, the floating dock will total 200' in length and will not exceed 11' in width. The applicant has not proposed to mitigate for impacts to wetlands and/or waters of the United States because the only impacts to waters of the United States are indirect impacts from shading from the associated structures. The project purpose is **to construct associated docks, pierhead, and other similar structures for use by a commercial restaurant facility.**

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. 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 0.09 acres 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.

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, based on the most recently available information, that the **Atlantic sturgeon (*Acipenser oxyrinchus*)**, **Shortnose sturgeon (*Acipenser brevirostrum*)**, **West Indian manatee (*Trichechus manatus*)**, **Green sea turtle (*Chelonia mydas*)**, **Kemp's ridley sea turtle (*Lepidochelys kempi*)**, **Leatherback sea turtle (*Dermochelys coriacea*)**, and **Loggerhead sea turtle (*Caretta caretta*)**, which are Federally *endangered or threatened* species, are present in the vicinity of the project. However, it has been determined that the project will have no effect on these species and will not result in the destruction or adverse modification of designated or proposed critical habitat.

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)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties

March 13, 2018

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 any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

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.

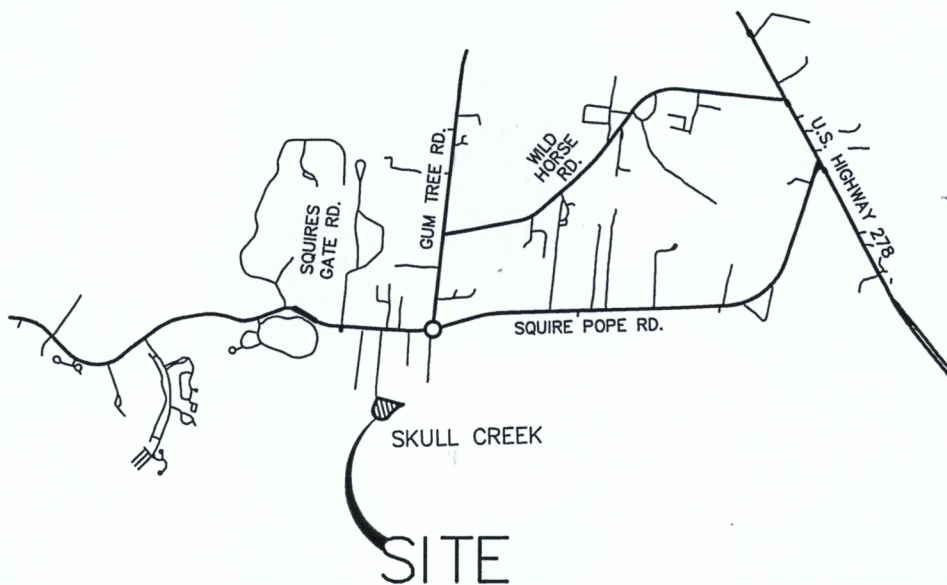
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. 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 Tyler L. Sgro, Project Manager, at (843) 329-8037 or toll free at 1-866-329-8187.



PN# _____
 TAX PARCEL I.D. NO. R511-003-000-001A-0000
 ADDRESS: #3 HUDSON ROAD

REFERENCE PLAT:
 A DOCK AS-BUILT SURVEY OF A PERMANENT STORM DRAINAGE
 EASEMENT, TAX PARCEL No. R511 003 000 001A 0000,
 DATED: 02/23/2017,
 BY: MARK ELLIS LAMB, SR, S.C.R.L.S. NO. 23200,



VICINITY MAP
 OF
HUDSON'S
SEAFOOD DOCK
 A PORTION OF
HUDSON ROAD



HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA
 PREPARED FOR: **HUDSON SEAFOOD CORPORATION**
 SCALE: NOT TO SCALE DATE: 10/04/2017 JOB NO. SC94210C



SURVEYING CONSULTANTS

17 Sherington Drive, Suite C, Bluffton, SC 29910
 SC Telephone: (843) 815-3304 FAX: (843) 815-3305 GA Telephone: (912) 826-2775

www.SurveyingConsultants.com
 Email: SC@SurveyingConsultants.com
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CREW: N/A
 CAD: SCT

SHEET 1 OF 3

APPLICATION BY: HUDSON SEAFOOD CORP. COUNTY: Beaufort

ACTIVITY: Dock

DATE: 10/04/2017

STATE: South Carolina

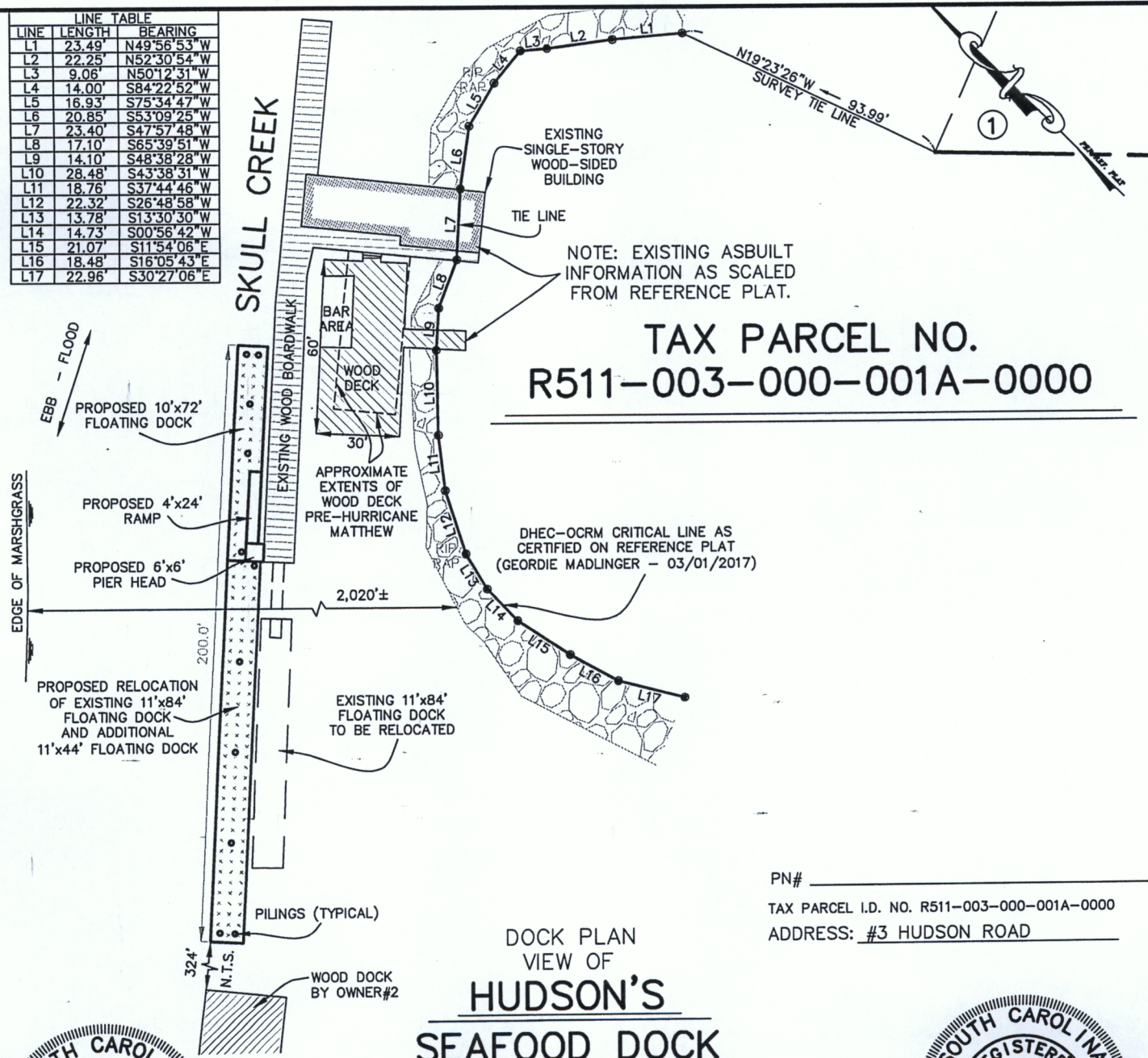
SCALE: NOT TO SCALE

ADJACENT PROPERTY OWNERS:

① DEEP WATER OF HILTON HEAD
 ISLAND, LLC
 11 PARK LANE CENTRAL PARK
 HILTON HEAD ISLAND, SC 29928

② BARNWELL FAMILY ASSOCIATES, LLC
 PO BOX 21057
 HILTON HEAD ISLAND, SC 29925

LINE TABLE		
LINE	LENGTH	BEARING
L1	23.49'	N49°56'53" W
L2	22.25'	N52°30'54" W
L3	9.06'	N50°12'31" W
L4	14.00'	S84°22'52" W
L5	16.93'	S75°34'47" W
L6	20.85'	S53°09'25" W
L7	23.40'	S47°57'48" W
L8	17.10'	S65°39'51" W
L9	14.10'	S48°38'28" W
L10	28.48'	S43°38'31" W
L11	18.76'	S37°44'46" W
L12	22.32'	S26°48'58" W
L13	13.78'	S13°30'30" W
L14	14.73'	S00°56'42" W
L15	21.07'	S11°54'06" E
L16	18.48'	S16°05'43" E
L17	22.96'	S30°27'06" E



TAX PARCEL NO.
R511-003-000-001A-0000

DHEC-OCRM CRITICAL LINE AS
 CERTIFIED ON REFERENCE PLAT
 (GEORDIE MADLINGER - 03/01/2017)

PN# _____
 TAX PARCEL I.D. NO. R511-003-000-001A-0000
 ADDRESS: #3 HUDSON ROAD

DOCK PLAN
 VIEW OF
HUDSON'S
SEAFOOD DOCK
 A PORTION OF
HUDSON ROAD

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA
 PREPARED FOR: **HUDSON SEAFOOD CORPORATION**
 SCALE: 1" = 50' DATE: 10/04/2017 JOB NO. SC94210C



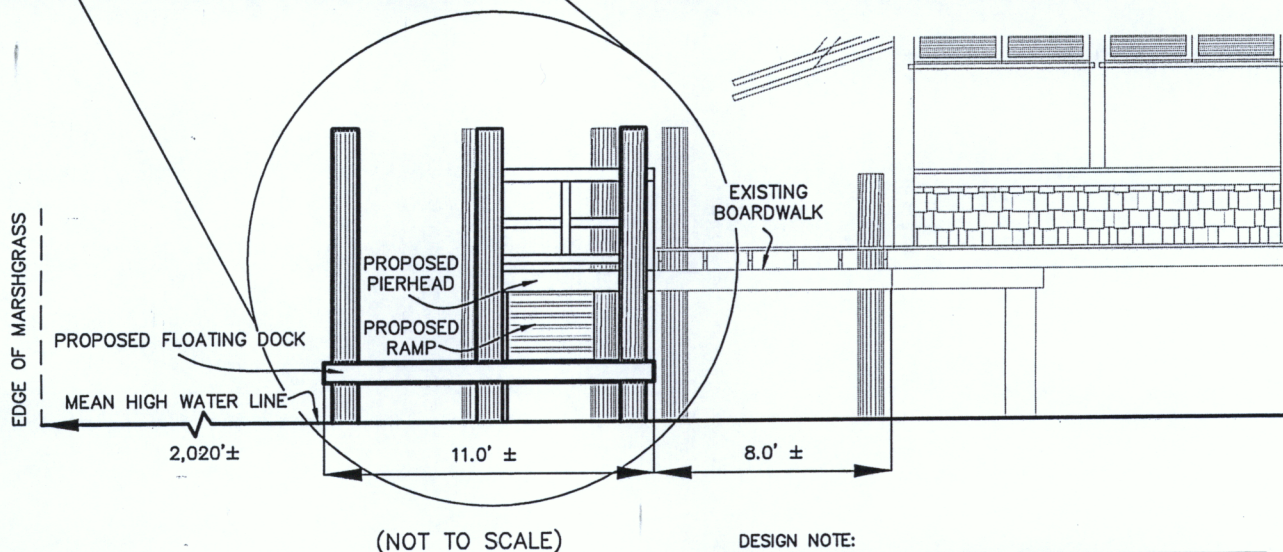
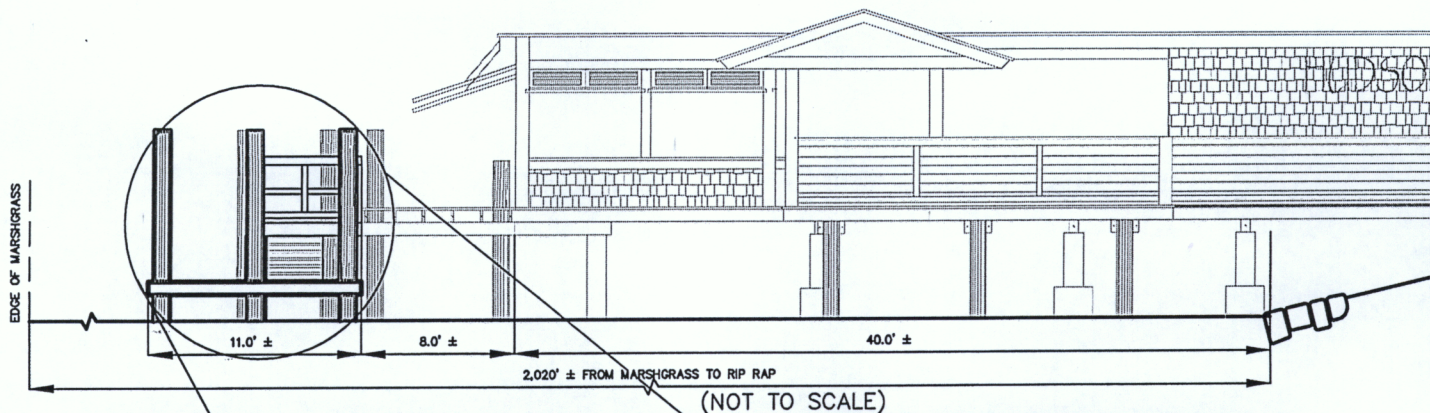
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 Email: SC@SurveyingConsultants.com
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SHEET 2 OF 3

APPLICATION BY: HUDSON SEAFOOD CORP. COUNTY: Beaufort
 ACTIVITY: Dock
 DATE: 10/04/2017
 STATE: South Carolina
 SCALE: 1" = 50'

ADJACENT PROPERTY OWNERS:
 ① DEEP WATER OF HILTON HEAD ISLAND, LLC
 11 PARK LANE CENTRAL PARK
 HILTON HEAD ISLAND, SC 29928
 ② BARNWELL FAMILY ASSOCIATES, LLC
 PO BOX 21057
 HILTON HEAD ISLAND, SC 29925



DESIGN NOTE:

SURVEYING CONSULTANTS DOES NOT CERTIFY TO ANY STRUCTURAL DESIGN. PROJECT DETAILS SHOULD BE VERIFIED BY THE APPROPRIATE BUILDING & DESIGN AUTHORITIES.

PN# _____
TAX PARCEL I.D. NO. R511-003-000-001A-0000
ADDRESS: #3 HUDSON ROAD

ELEVATION DETAIL
OF

**HUDSON'S
SEAFOOD DOCK**

A PORTION OF

HUDSON ROAD

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR: **HUDSON SEAFOOD CORPORATION**

SCALE: NOT TO SCALE DATE: 10/04/2017 JOB NO. SC94210C



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www.SurveyingConsultants.com

Email: SC@SurveyingConsultants.com

CREW: N/A
CAD: SCT

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SHEET 3 OF 3

APPLICATION BY: HUDSON SEAFOOD CORP. COUNTY: Beaufort

ACTIVITY: Dock

DATE: 10/04/2017

STATE: South Carolina

SCALE: NOT TO SCALE

ADJACENT PROPERTY OWNERS:

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