

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-2018-00462

18 May 2018

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

**Mr. Palmer Simmons**  
**Simmons Family Holdings, LLC**  
**C/o Mr. Mark Renew**  
**Sea Island Land Survey, LLC**  
**4D Mathews Court**  
**Hilton Head Island, South Carolina 29926**

for a permit to [construct a marina](#) in waters of

**BROAD CREEK**

at a location, 11 Simmons Road, on Hilton Head Island, in Beaufort County, South Carolina (Latitude: 32.1850°N, Longitude:-80.7561°W), Bluffton 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 removing the existing dock and constructing a new marina facility. In detail, the applicant proposes to construct a 20' x 20' covered pierhead attached to high

ground by an 8' x 250' walkway. In addition, a 12' x 13' four pile boat lift will be installed on the upstream side of the pierhead accessed by a 4' x 12' catwalk. At the waterward end of the pierhead the applicant proposes to install a 6' x 40 aluminum ramp leading to a 20' x 90' floating dock with an 8' x 108' center float. Six 6' x 45' finger piers will be attached to the 20' x 90' center float. Finally, a 6' x 66' "L" shaped kayak pier is to be installed at the upland side of the 20' x 98' floating dock as shown on the attached plans. According to the applicant, the marina will provide 630 linear feet of dockable slip space. Based on an assumed average boat length of 20, the proposed marina will accommodate 28 boats in wet slips. The largest single slip face is 98 linear feet. The applicant states that the marina will operate without power output, water supply, waste facilities or fueling equipment. The applicant stated that mitigation is not proposed as there are no impacts to aquatic resources that would require mitigation. The purpose of the proposed work is to provide day time mooring of boats to provide access to the inland property as well as storage and launching of unpowered kayaks.

**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 have minimal impact on 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 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 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 no historic properties are present; therefore, there will be no effect on historic properties. 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 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.

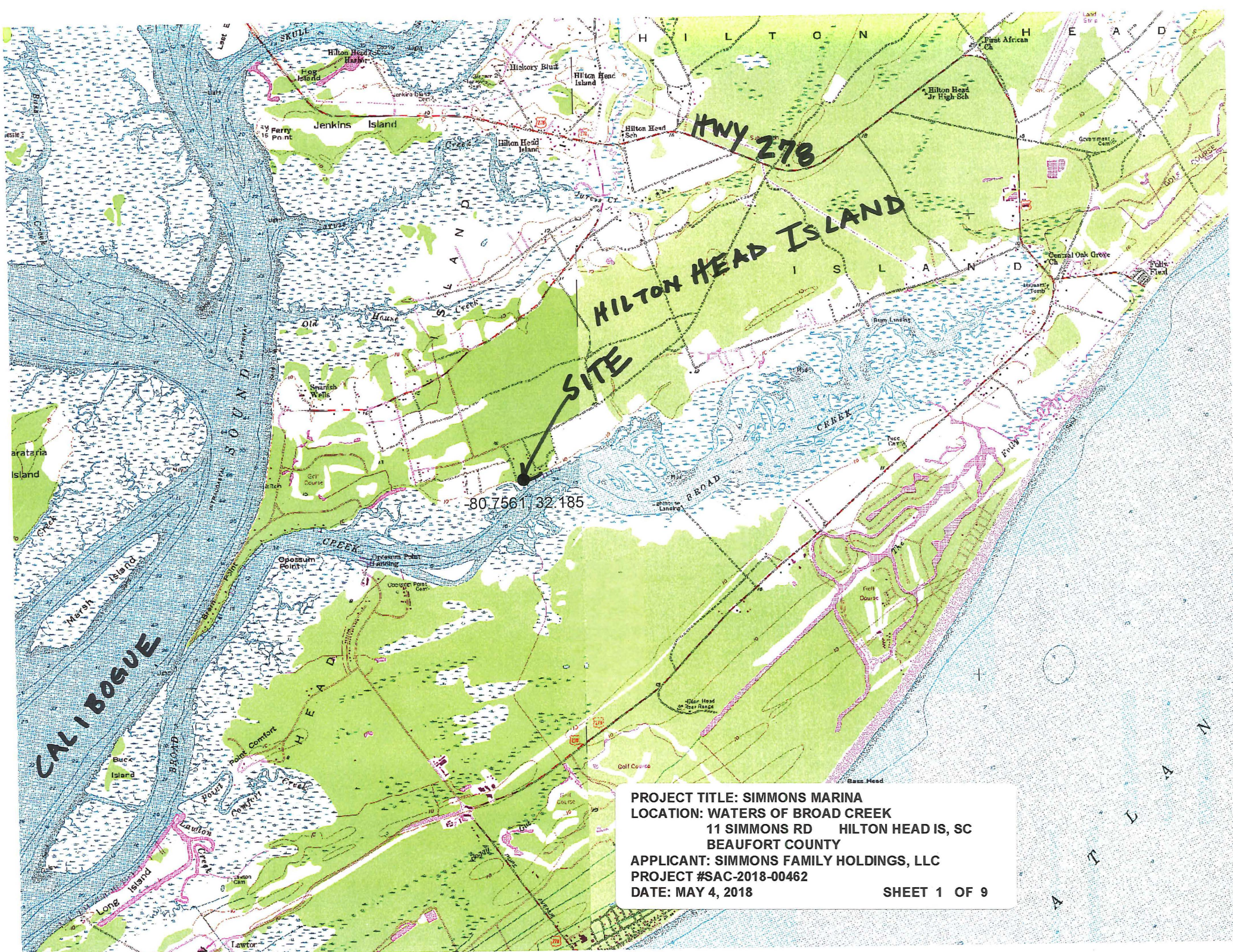
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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:**

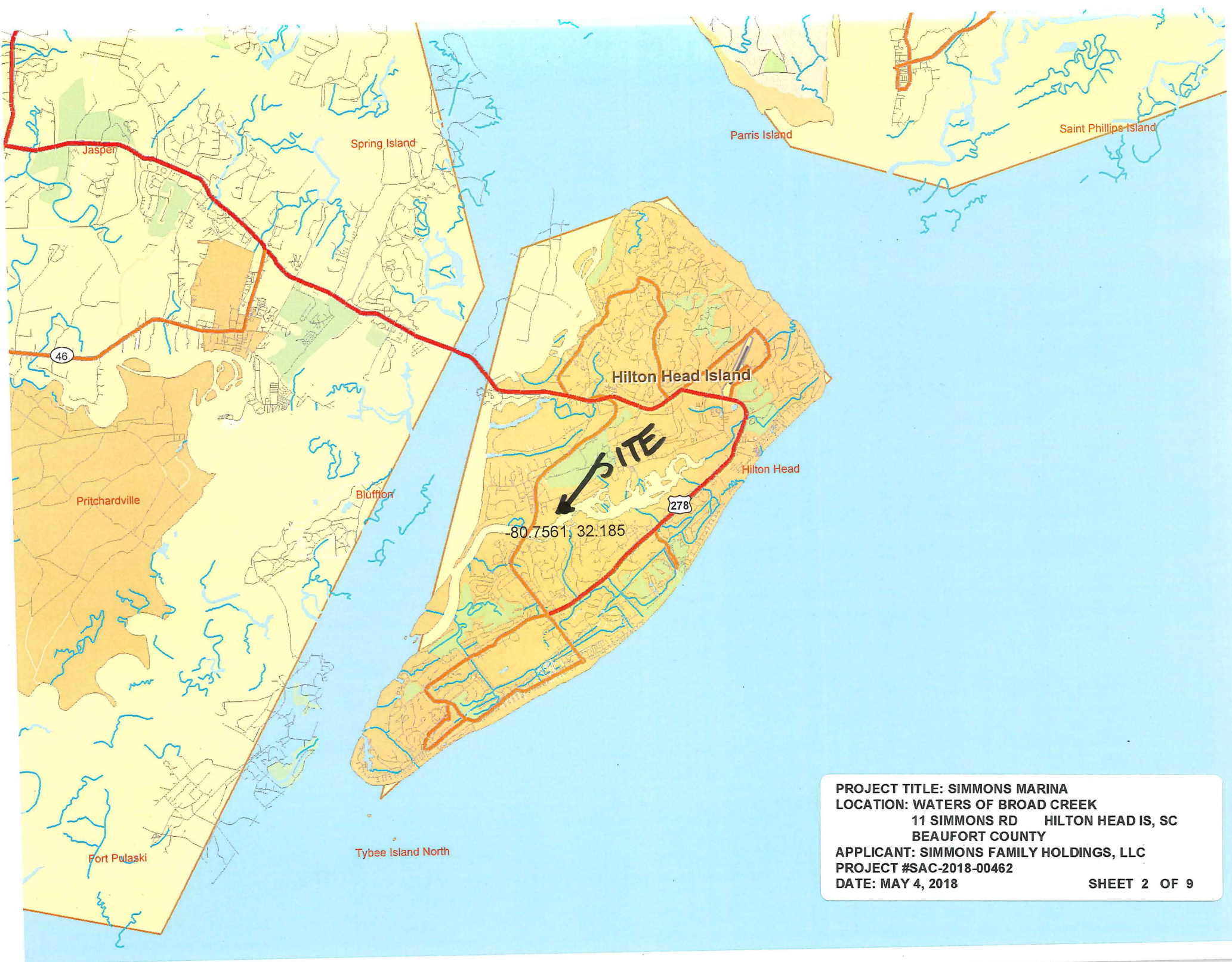
**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107**

If there are any questions concerning this public notice, please contact Mary Hope Green Project Manager, at (843) 329-8044 X 8034 or toll free at 1-866-329-8187.



**PROJECT TITLE: SIMMONS MARINA**  
**LOCATION: WATERS OF BROAD CREEK**  
**11 SIMMONS RD HILTON HEAD IS, SC**  
**BEAUFORT COUNTY**  
**APPLICANT: SIMMONS FAMILY HOLDINGS, LLC**  
**PROJECT #SAC-2018-00462**  
**DATE: MAY 4, 2018**

**SHEET 1 OF 9**



**PROJECT TITLE: SIMMONS MARINA**  
**LOCATION: WATERS OF BROAD CREEK**  
**11 SIMMONS RD HILTON HEAD IS, SC**  
**BEAUFORT COUNTY**  
**APPLICANT: SIMMONS FAMILY HOLDINGS, LLC**  
**PROJECT #SAC-2018-00462**  
**DATE: MAY 4, 2018**

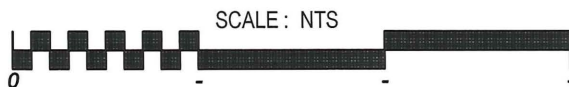



**PROJECT TITLE: SIMMONS MARINA**  
**LOCATION: WATERS OF BROAD CREEK**  
**11 SIMMONS RD HILTON HEAD IS, SC**  
**BEAUFORT COUNTY**

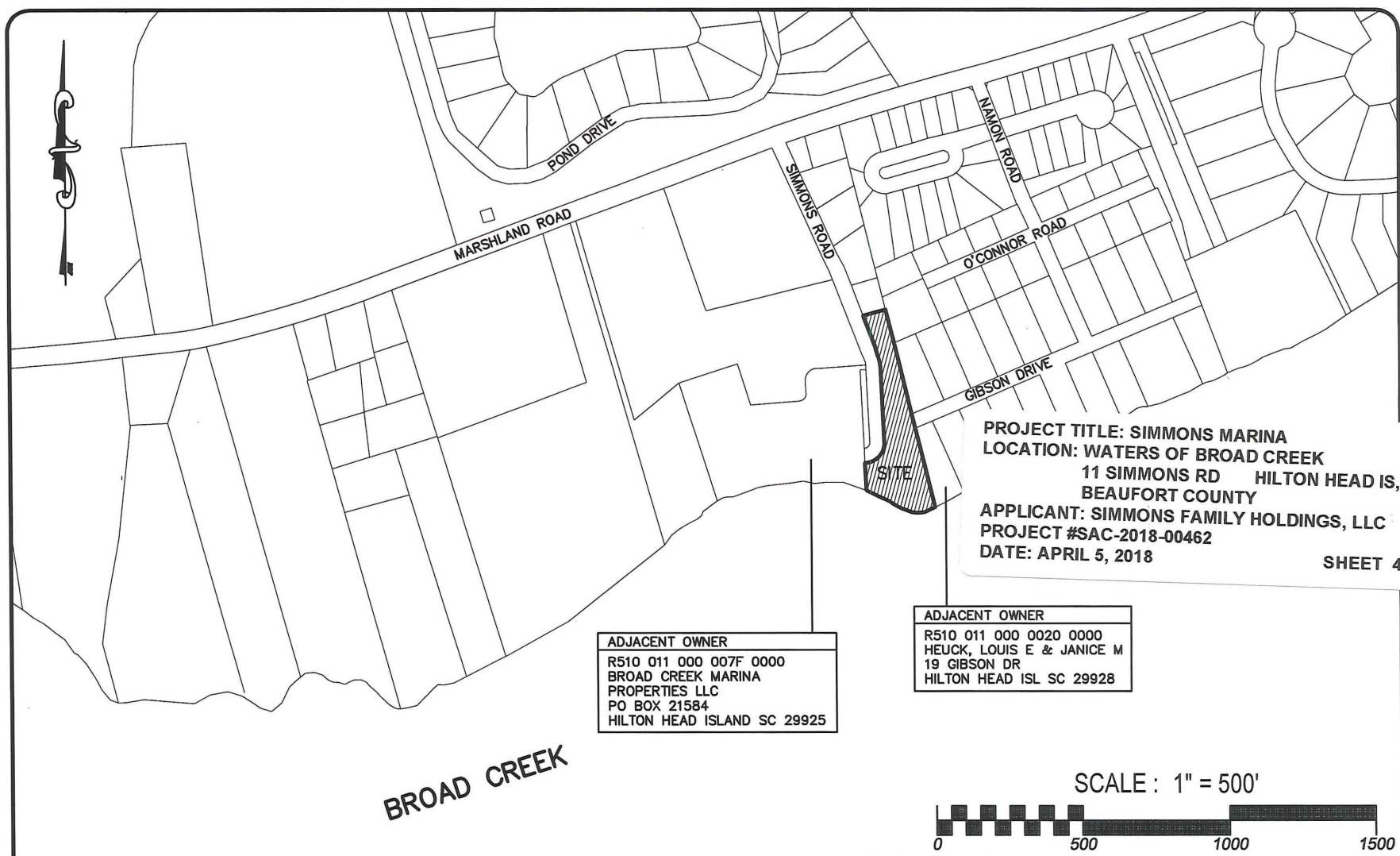
**APPLICANT: SIMMONS FAMILY HOLDINGS, LLC**  
**PROJECT #SAC-2018-00462**

**DATE: APRIL 5, 2018**

**SHEET 3 OF 9**



<p><b>APPLICANT</b>  SIMMONS FAMILY HOLDINGS LLC  ADDRESS: P.O. BOX 22944  HILTON HEAD ISLAND  SC 29925  DATE: APR. 05 2018  WATERBODY: BROAD CREEK</p>	<p><b>LOCATION</b>  ADDRESS: #11 SIMMONS ROAD  LEGAL: PARCEL 7  SIMMONS ROAD  HILTON HEAD ISLAND  SC, 29928  BEAUFORT COUNTY,  SOUTH CAROLINA  TAX PARCEL #: R510 011 000 0007 0000</p>		<p>USGS QUADRANGLE MAP LOCATION:  <b>PROPOSED MARINA</b>  <del>SHEET 5 of 7 Sheets</del></p> <p><b>SILS</b> Sea Island Land Survey, LLC.  4D Mathews Court, Tel (843) 681-3248  Hilton Head Island, Fax (843) 689-3871  SC 29926 E-mail: sils@sprynet.com  FILE No.: 17214  DWG No.: 5-1908_REV2</p>
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**LOCATION: WATERS OF BROAD CREEK**  
 11 SIMMONS RD HILTON HEAD IS, SC  
 BEAUFORT COUNTY  
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**PROJECT #SAC-2018-00462**  
**DATE: APRIL 5, 2018**

SHEET 4 OF 9

**ADJACENT OWNER**  
 R510 011 000 007F 0000  
 BROAD CREEK MARINA  
 PROPERTIES LLC  
 PO BOX 21584  
 HILTON HEAD ISLAND SC 29925

**ADJACENT OWNER**  
 R510 011 000 0020 0000  
 HEUCK, LOUIS E & JANICE M  
 19 GIBSON DR  
 HILTON HEAD ISL SC 29928

BROAD CREEK

SCALE : 1" = 500'



**APPLICANT**  
 SIMMONS FAMILY HOLDINGS LLC  
 ADDRESS: P.O. BOX 22944  
 HILTON HEAD ISLAND  
 SC 29925  
 DATE: APR. 05 2018  
 WATERBODY: BROAD CREEK

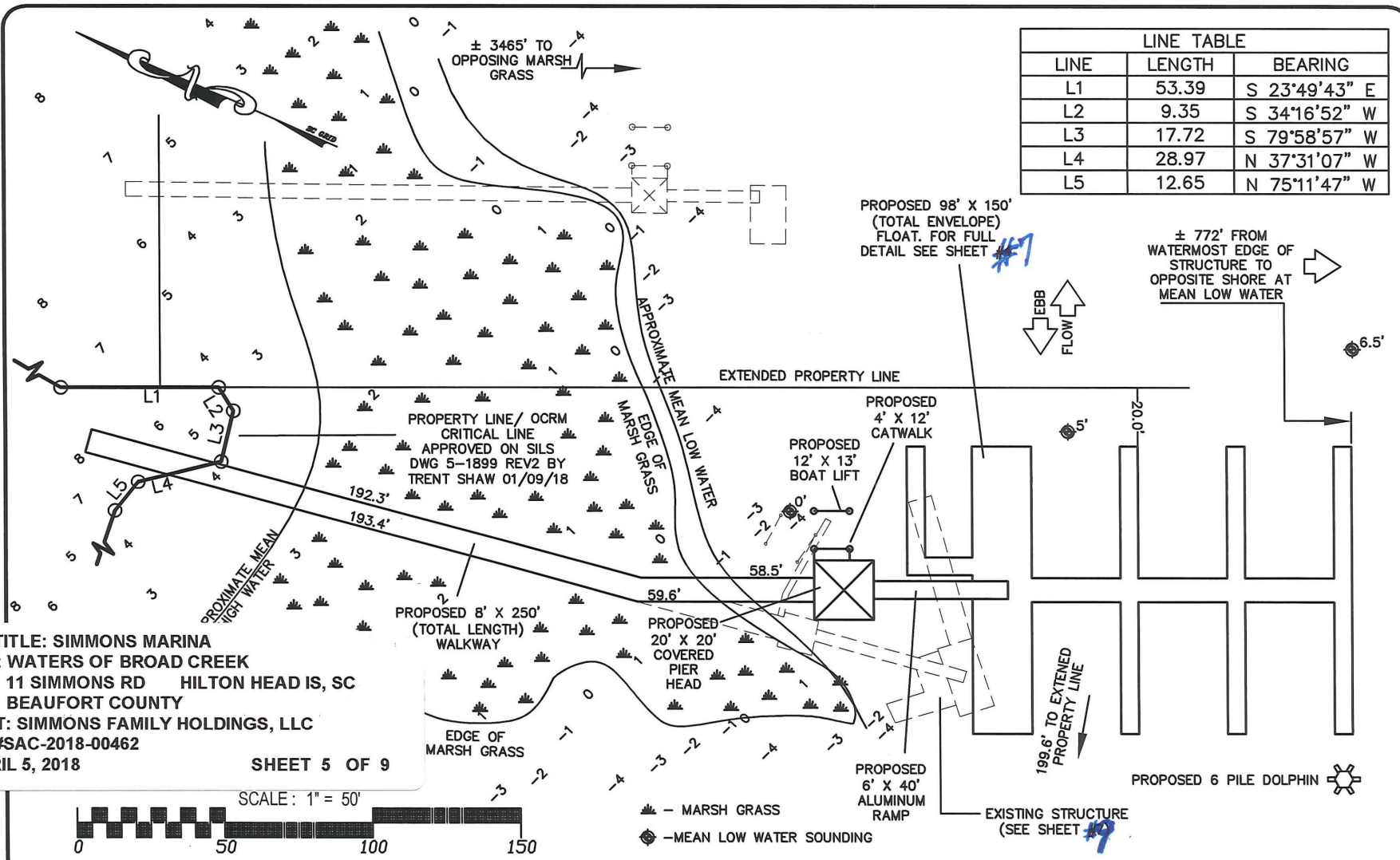
**LOCATION**  
 ADDRESS: #11 SIMMONS ROAD  
 LEGAL: PARCEL 7  
 SIMMONS ROAD  
 HILTON HEAD ISLAND  
 SC, 29928  
 BEAUFORT COUNTY,  
 SOUTH CAROLINA  
 TAX PARCEL #: R510 011 000 0007 0000



**SITE PLAN**  
**PROPOSED MARINA**  
~~SHEET 4 of 7 Sheets~~  
**SIS** Sea Island Land Survey, LLC.  
 4D Mathews Court, Tel (843) 681-3248  
 Hilton Head Island, SC 29926 Fax (843) 689-3871  
 E-mail: sils@sprynet.com  
 FILE No : 17214  
 DWG No. : 5-1908\_REV2

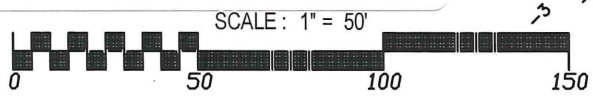


LINE TABLE		
LINE	LENGTH	BEARING
L1	53.39	S 23°49'43" E
L2	9.35	S 34°16'52" W
L3	17.72	S 79°58'57" W
L4	28.97	N 37°31'07" W
L5	12.65	N 75°11'47" W



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SHEET 5 OF 9



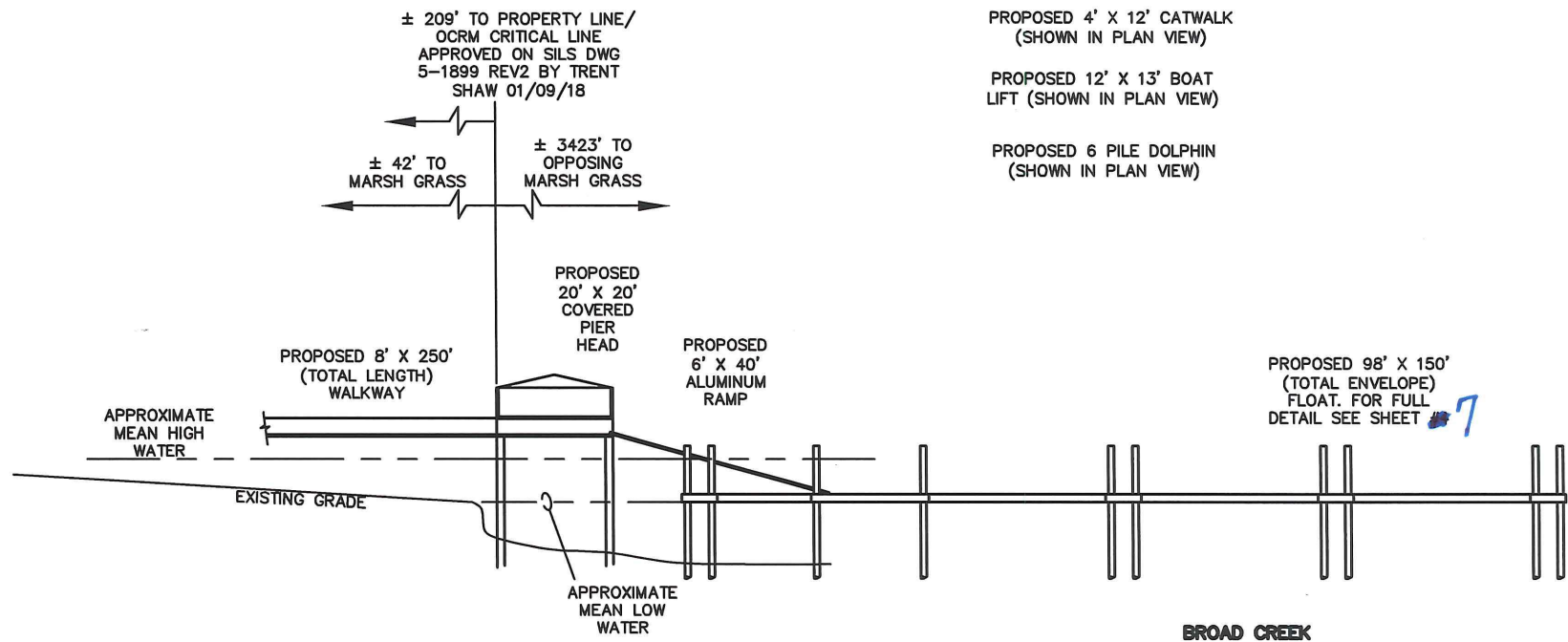
**APPLICANT**  
 SIMMONS FAMILY HOLDINGS LLC  
 ADDRESS: P.O. BOX 22944  
 HILTON HEAD ISLAND  
 SC 29925  
 DATE: APR. 05 2018  
 WATERBODY: BROAD CREEK

**LOCATION**  
 ADDRESS: #11 SIMMONS ROAD  
 LEGAL: PARCEL 7  
 SIMMONS ROAD  
 HILTON HEAD ISLAND  
 SC, 29928  
 BEAUFORT COUNTY,  
 SOUTH CAROLINA  
 TAX PARCEL #: R510 011 000 0007 0000



**PLAN VIEW**  
 PROPOSED MARINA  
~~SHEET 2 of 7 Sheets~~

**SILS** Sea Island Land Survey, LLC.  
 4D Mathews Court, Tel (843) 681-3248  
 Hilton Head Island, SC 29926 Fax (843) 689-3871  
 E-mail: sils@sprynet.com  
 FILE No.: 17214  
 DWG No.: 5-1908\_REV2






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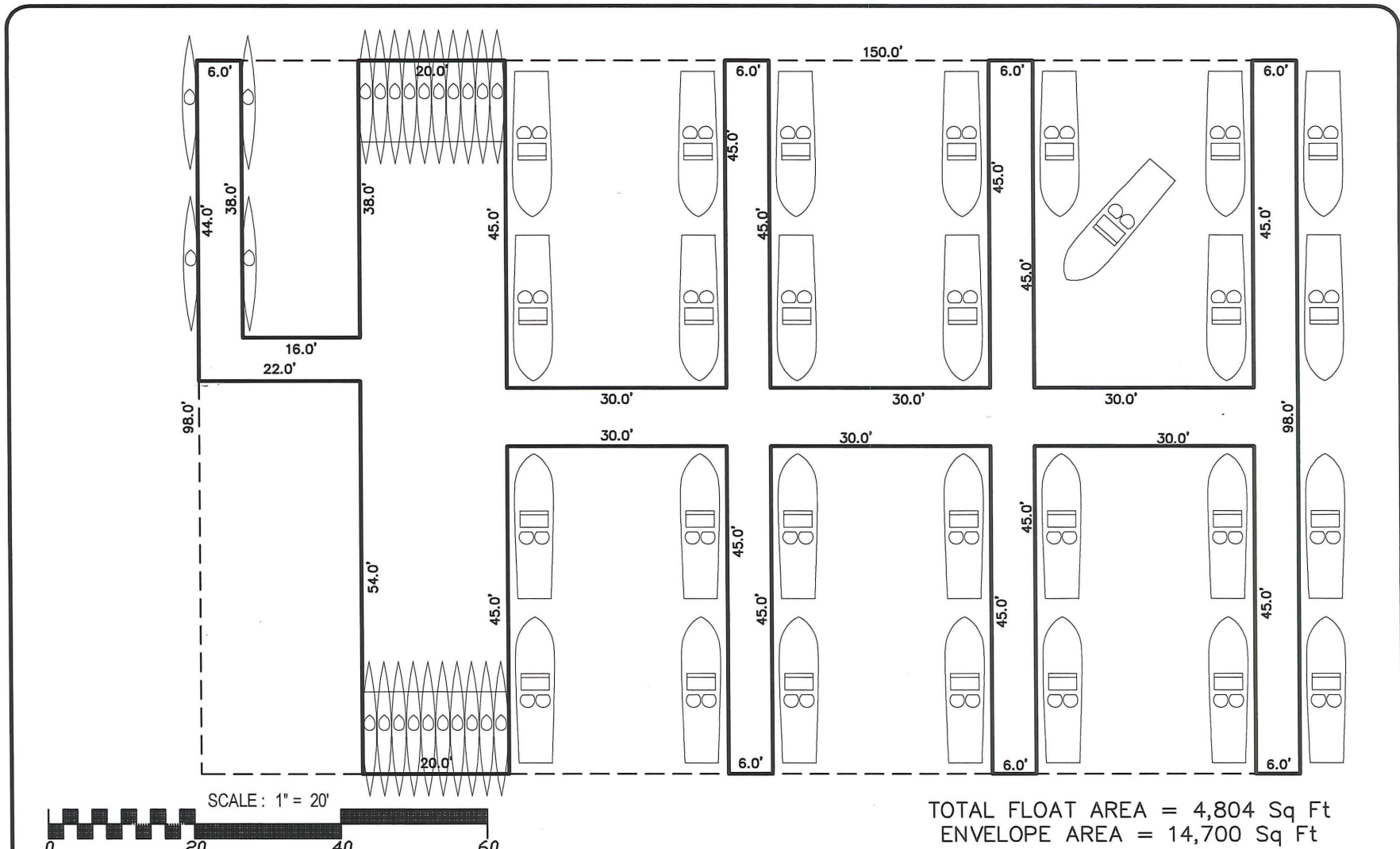
**NOTE**  
 PROPOSED DOCK LAYOUT, TO BE VERIFIED BY APPROPRIATE  
 STRUCTURAL PROFESSIONAL.

SHEET 6 OF 9

SCALE: 1" = 30'



<p><b>APPLICANT</b>          SIMMONS FAMILY HOLDINGS LLC          ADDRESS: P.O. BOX 22944          HILTON HEAD ISLAND          SC 29925          DATE: APR. 05 2018          WATERBODY: BROAD CREEK</p>	<p><b>LOCATION</b>          ADDRESS: #11 SIMMONS ROAD          LEGAL: PARCEL 7          SIMMONS ROAD          HILTON HEAD ISLAND          SC, 29928          BEAUFORT COUNTY,          SOUTH CAROLINA          TAX PARCEL #: R510 011 000 0007 0000</p>	 	<p><b>SIDE VIEW</b>          PROPOSED MARINA          SHEET 3 of 7 Sheets</p>  <p>Sea Island Land Survey, LLC.          4D Mathews Court, Tel (843) 681-3248          Hilton Head Island, SC 29926 Fax (843) 689-3871          E-mail: sils@sprynet.com          FILE No.: 17214          DWG No.: 5-1908_REV2</p>
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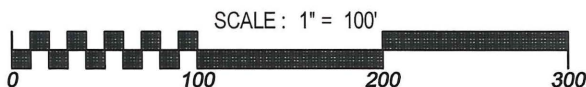
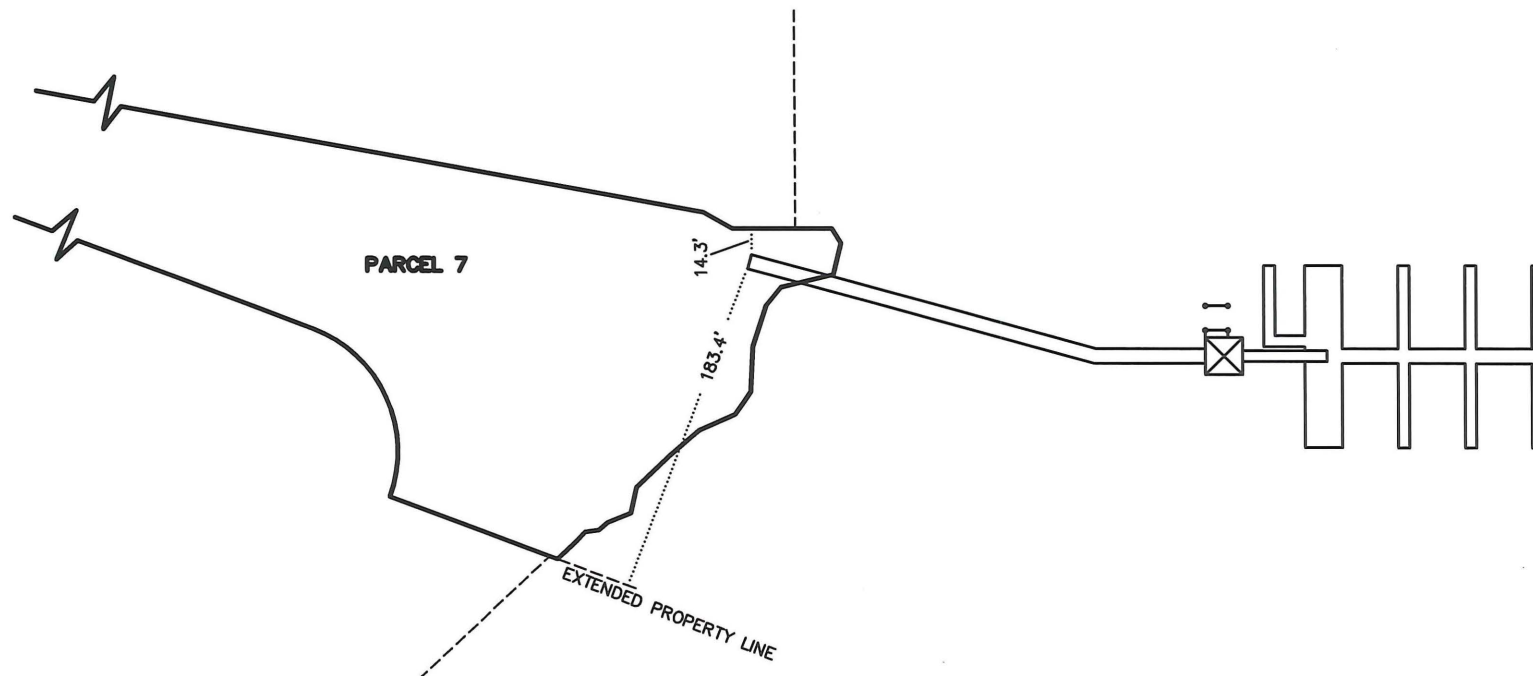
**APPLICANT**  
 SIMMONS FAMILY HOLDINGS LLC  
 ADDRESS: P.O. BOX 22944  
 HILTON HEAD ISLAND  
 SC 29925  
 DATE: APR. 05 2018  
 WATERBODY: BROAD CREEK

**LOCATION**  
 ADDRESS: #11 SIMMONS ROAD  
 LEGAL: PARCEL 7  
 SIMMONS ROAD  
 HILTON HEAD ISLAND  
 SC, 29928  
 BEAUFORT COUNTY,  
 SOUTH CAROLINA  
 TAX PARCEL #: R510 011 000 0007 0000



**FLOAT DETAIL**  
 PROPOSED MARINA  
 SHEET 4 of 7 Sheets

PROJECT TITLE: SIMMONS MARINA  
 LOCATION: WATERS OF BROAD CREEK  
 11 SIMMONS RD HILTON HEAD IS, SC  
 BEAUFORT COUNTY  
 APPLICANT: SIMMONS FAMILY HOLDINGS, LLC  
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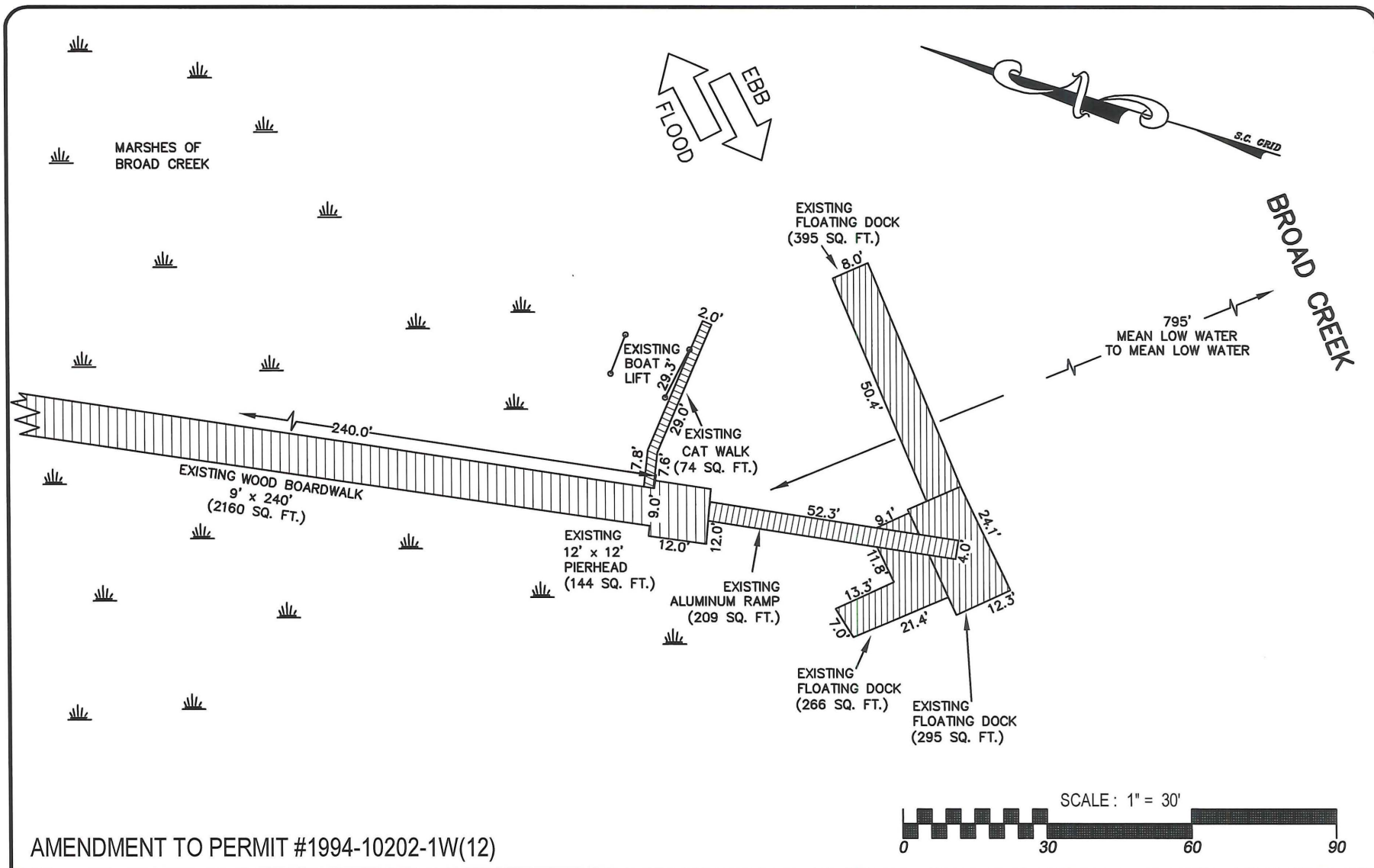
**APPLICANT**  
 SIMMONS FAMILY HOLDINGS LLC  
 ADDRESS: P.O. BOX 22944  
 HILTON HEAD ISLAND  
 SC 29925  
 DATE: APR. 05 2018  
 WATERBODY: BROAD CREEK

**LOCATION**  
 ADDRESS: #11 SIMMONS ROAD  
 LEGAL: PARCEL 7  
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 HILTON HEAD ISLAND  
 SC, 29928  
 BEAUFORT COUNTY,  
 SOUTH CAROLINA  
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MARINA WALKWAY POSITION  
 PROPOSED MARINA  
~~SHEET 6 of 7 Sheets~~

PROJECT TITLE: SIMMONS MARINA  
 LOCATION: WATERS OF BROAD CREEK  
 11 SIMMONS RD HILTON HEAD IS, SC  
 BEAUFORT COUNTY  
 APPLICANT: SIMMONS FAMILY HOLDINGS, LLC  
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AMENDMENT TO PERMIT #1994-10202-1W(12)

**APPLICANT**  
 SIMMONS FAMILY HOLDINGS  
 ADDRESS: P.O. BOX 22944  
 HILTON HEAD ISLAND  
 SC, 29925  
 DATE: APR. 05, 2018  
 WATERBODY: BROAD CREEK

**LOCATION**  
 ADDRESS: #11 SIMMONS ROAD  
 LEGAL: PORTION OF PARCEL 7,  
 HILTON HEAD ISLAND  
 SC, 29926  
 BEAUFORT COUNTY,  
 SOUTH CAROLINA  
 TAX PARCEL #: R510 011 000 0007 0000



PLAN VIEW  
**EXISTING FLOATING DOCK**  
 SHEET 7 of 7 Sheets

PROJECT TITLE: SIMMONS MARINA  
 LOCATION: WATERS OF BROAD CREEK  
 11 SIMMONS RD HILTON HEAD IS, SC  
 BEAUFORT COUNTY  
 APPLICANT: SIMMONS FAMILY HOLDINGS, LLC  
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