

PERMIT MODIFICATION  
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-1900-2598 (formerly 83-3D-079)

2 May 2012

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 the

**MOSS CREEK OWNERS ASSOC. INC.**  
c/o **APPLIED TECHNOLOGY & MANAGEMENT, INC.**  
**360 CONCORD STREET, SUITE 300**  
**CHARLESTON, SOUTH CAROLINA 29401**

for a permit modification to replace and reconfigure an existing boat ramp, to add a ground-out floating dock, to replace and reconfigure some existing floating docks and finger piers and to install a kayak launch in waters of

MOSS CREEK

at a location within Moss Creek Plantation at the existing marina facility, 100 Devil's Elbow Lane, Hilton Head Island, Beaufort County, South Carolina (Latitude 32.25318<sup>o</sup>, Longitude -80.79986<sup>o</sup>)

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 the installation of a 20' x 170' concrete boat ramp to replace the existing 20' x 170' concrete ramp. The new ramp will be installed in a revised footprint as follows:

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- Portions of the existing ramp that fall outside of the footprint of the new ramp will be removed.
- The new ramp will be angled slightly from the location of the existing ramp to allow for safe launching and retrieval of boats at the facility and to avoid conflict with an existing upland boat storage area.

The proposed work consists of the installation of an 8' x 208' ground-out floating staging dock along one side of the newly reconfigured boat ramp and the installation of a 16' x 16' floating kayak launch next to the ground-out dock and the main walkway.

The proposed work also consists of the removal of an existing "E"-shaped floating located adjacent to the existing boat ramp, the removal of one finger pier from the existing floating docks and removal of a portion of the existing fixed pier currently used to access the "E"-shaped floating dock. These structures will be replaced with new floating docks and will connect the new ground-out floating dock to the existing floating docks at the marina as shown on the attached drawings, sheets 1-7 of 7 dated March 27, 2012.

The purpose of the project according to the applicant is to replace some floating docks that have fallen into disrepair in a configuration that will allow for better access to the dock facility, to provide safer boat launching with the new boat ramp configuration and the addition of the ground-out dock and to provide a kayak launch for the residents of the Moss Creek Plantation.

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

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

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 impact 0.023 acres of 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

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final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service 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, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

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 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 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

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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 Debbie King at 843-329-8044 or toll free at 1-866-329-8187.

LOCATION C:\DOCUMENTS AND SETTINGS\JDAVIS\Desktop\MOSS CREEK\_JDD\_DRAWINGS\MOSS CREEK PERMIT DWGS JDD 03-27-12.DWG



360 Concord Street, Suite 300  
Charleston, SC 29401  
843.414.1040  
Certificate of Authorization #00395

**PROJECT LOCATION**

**MOSS CREEK MARINA**  
Beaufort County, SC

**MACKAY CREEK**

**JOB NUMBER:** 12-2333

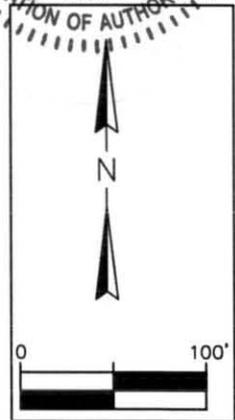
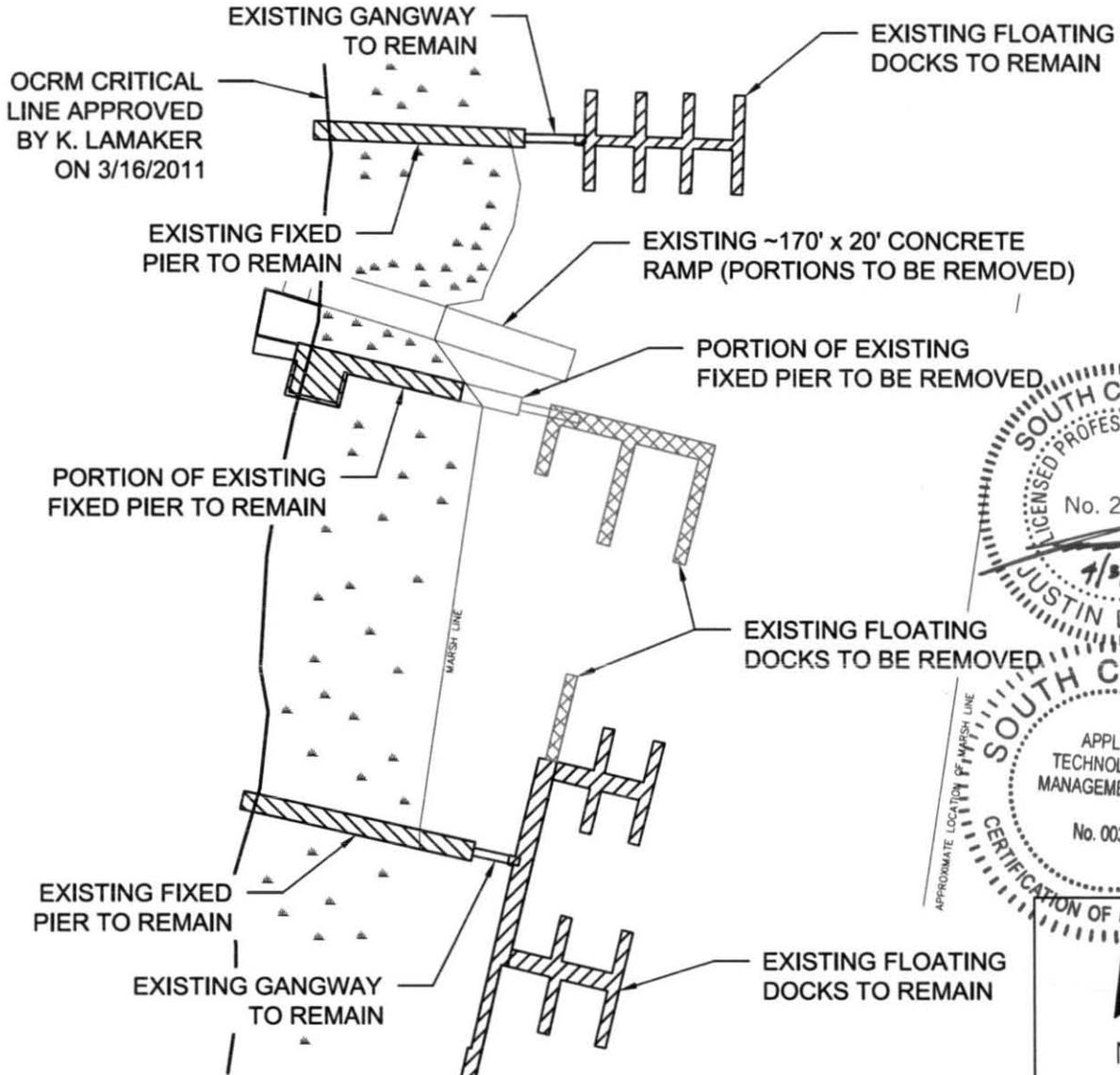
**ISSUE DATE:** 03-27-2012

**SHEET NUMBER:** 001 of 7

**LAT:** 32° 15' 14" N; **LONG:** 80° 47' 59" W

**APPLICANT INFORMATION:**  
MOSS CREEK P.O.A.  
1523 FORDING ISLAND ROAD  
HILTON HEAD ISLAND, SC 29926

LOCATION: C:\DOCUMENTS AND SETTINGS\J.DAVIS\DESKTOP\MOSS CREEK JDD\DRAWINGS\MOSS CREEK PERMIT DWGS JDD 03-27-12.DWG



TIDAL DATUM		LEVEL (FT)
Mean Higher High Water	MHHW	10.58
Mean High Water	MHW	10.21
Mean Sea Level	MSL	6.77
Mean Diurnal Tide Level	DTL	6.27
Mean Tide Level	MTL	6.19
Mean Low Water	MLW	2.17
Mean Lower-Low Water	MLLW	1.97
Station Datum	STND	0.00

Source: NOAA Station # 8667633 - Clarendon Plantation, SC

APPROXIMATE LIMITS OF SURVEY BY T-SQUARE GROUP DATED MARCH 21, 2011. DOCKS SOUTH OF THIS LIMIT WERE DRAWN BY OVERLAYING AERIAL IMAGERY.

**LEGEND**

- EXISTING FLOATING DOCKS TO BE REMOVED
- EXISTING FLOATING DOCKS TO REMAIN
- EXISTING FIXED PIERS TO REMAIN

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**EXISTING CONDITIONS**

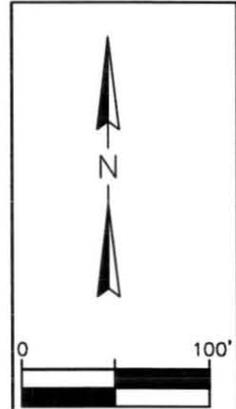
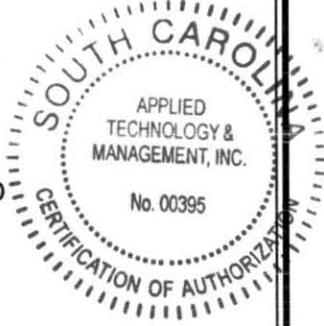
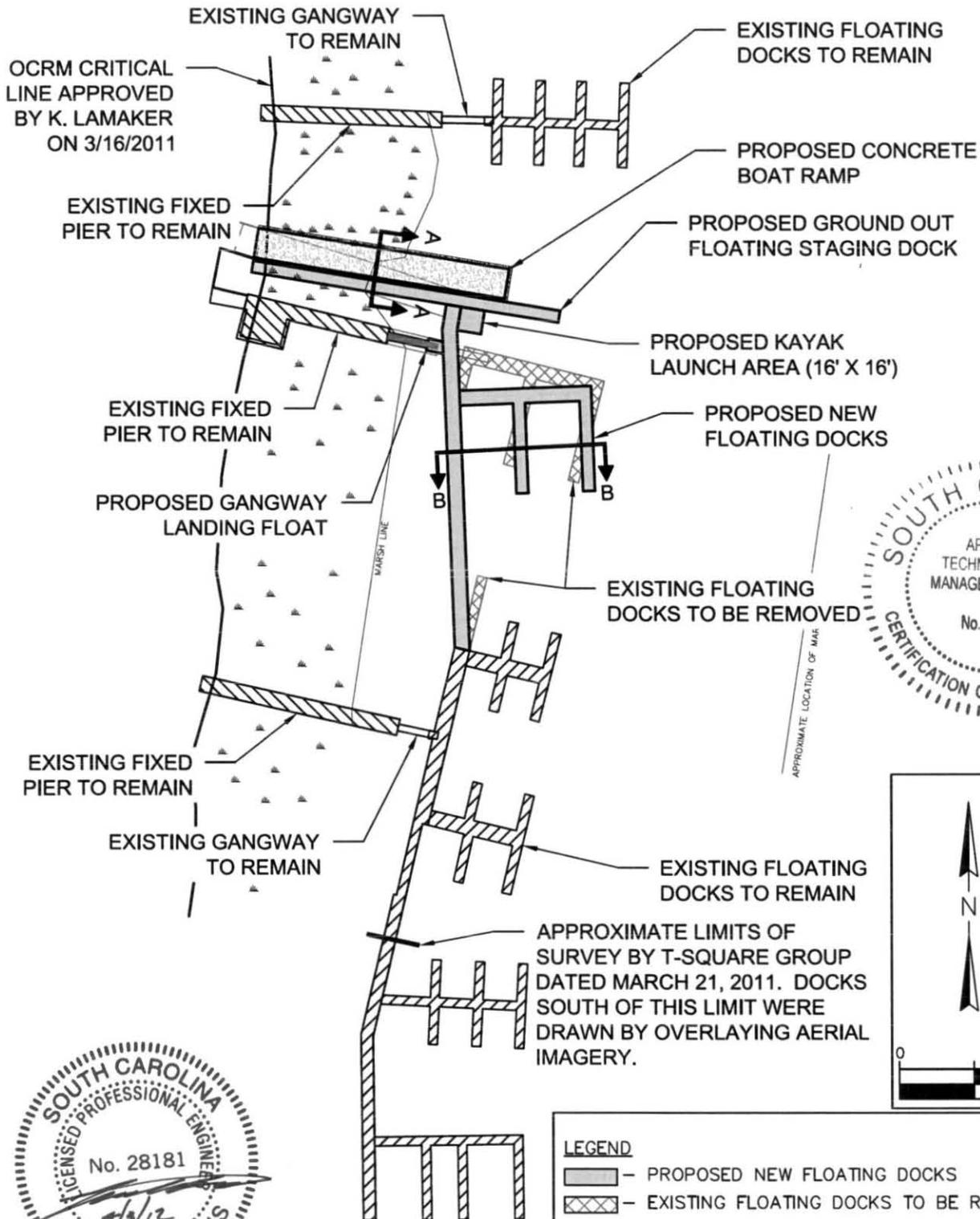
**MOSS CREEK MARINA**  
Beaufort County, SC

MACKAY CREEK  
JOB NUMBER: 12-2333  
ISSUE DATE: 03-27-2012  
SHEET NUMBER: 002 *of 7*

LAT: 32° 15' 14" N; LONG: 80° 47' 59" W

**APPLICANT INFORMATION:**  
MOSS CREEK P.O.A.  
1523 FORDING ISLAND ROAD  
HILTON HEAD ISLAND, SC 29926

LOCATION C:\DOCUMENTS AND SETTINGS\DAVIS\DESKTOP\MOSS CREEK - JDD\DRAWINGS\MOSS CREEK PERMIT DWGS JDD 03-27-12.DWG



**LEGEND**

- PROPOSED NEW FLOATING DOCKS
- EXISTING FLOATING DOCKS TO BE REMOVED
- EXISTING FLOATING DOCKS TO REMAIN
- EXISTING FIXED PIERS TO REMAIN

P/N #SAC-1900-2598 (formerly 83-3D-079)

**ATM**  
 APPLIED TECHNOLOGY & MANAGEMENT  
 360 Concord Street, Suite 300  
 Charleston, SC 29401  
 843.414.1040  
 Certificate of Authorization #00359

**PROPOSED IMPROVEMENTS**

**MOSS CREEK MARINA**  
 Beaufort County, SC

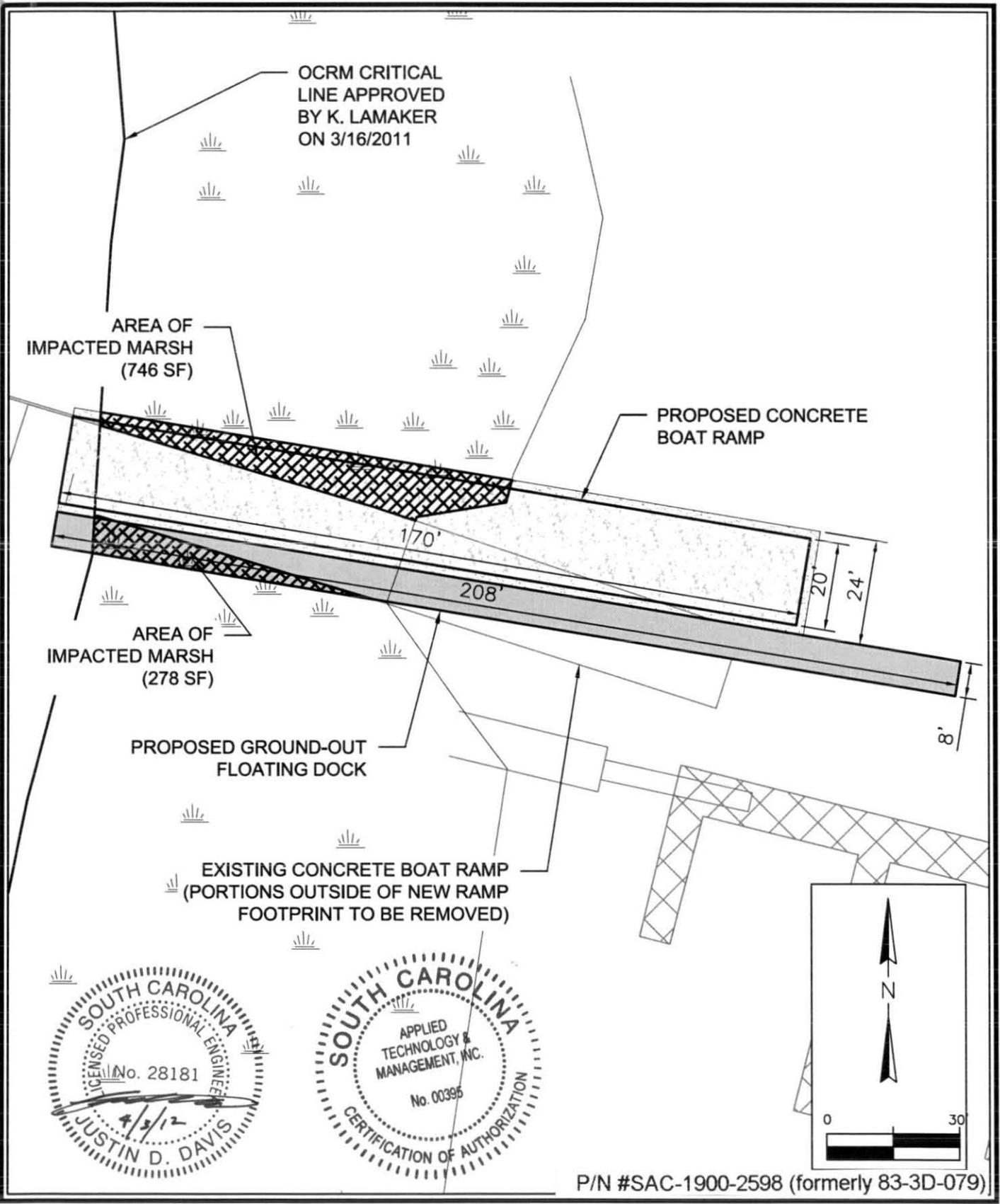
MACKAY CREEK  
 JOB NUMBER: 12-2333  
 ISSUE DATE: 03-27-2012  
 SHEET NUMBER: 003 *17*

LAT: 32° 15' 14" N; LONG: 80° 47' 59" W

**APPLICANT INFORMATION:**  
 MOSS CREEK P.O.A.  
 1523 FORDING ISLAND ROAD  
 HILTON HEAD ISLAND, SC 29926



LOCATION C:\DOCUMENTS AND SETTINGS\DAVIS\DESKTOP\MOSS CREEK\_P\DRAWINGS\MOSS CREEK PERMIT DWGS JDD 03-27-12.DWG



P/N #SAC-1900-2598 (formerly 83-3D-079)

**ATM**  
APPLIED TECHNOLOGY & MANAGEMENT

360 Concord Street, Suite 300  
Charleston, SC 29401  
843.414.1040  
Certificate of Authorization #00359

**BOAT RAMP DETAIL**

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**MOSS CREEK MARINA**  
Beaufort County, SC

MACKAY CREEK

JOB NUMBER: 12-2333

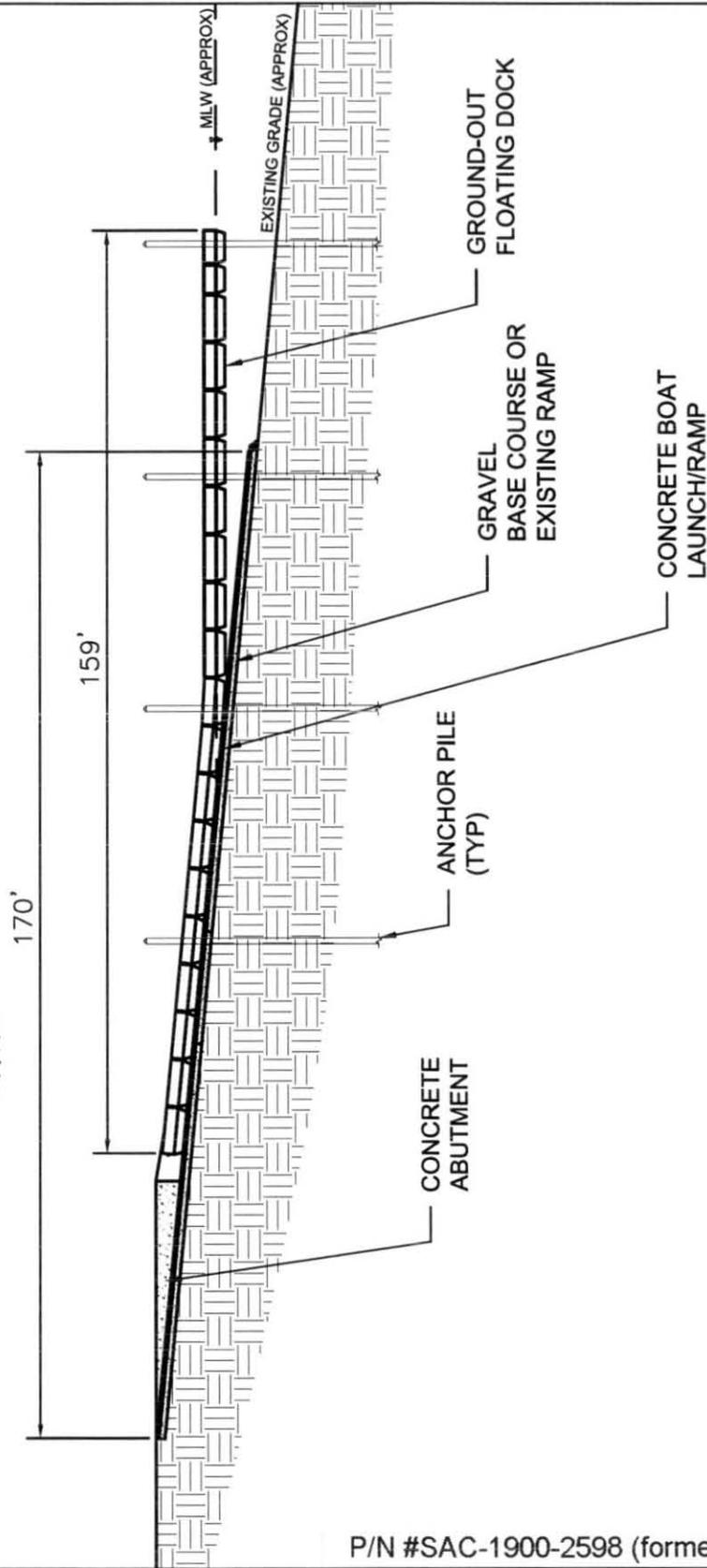
ISSUE DATE: 03-27-2012

SHEET NUMBER: 005 *07*

LAT: 32° 15' 14" N; LONG: 80° 47' 59" W

APPLICANT INFORMATION:  
MOSS CREEK P.O.A.  
1523 FORDING ISLAND ROAD  
HILTON HEAD ISLAND, SC 29926

LOCATION: C:\DOCUMENTS AND SETTINGS\DAVIS\DESKTOP\MOSS\_CREEK\_JDD\DRAWINGS\MOSS\_CREEK\_PERMIT\_DWGS\_JDD\_03-27-12.DWG



P/N #SAC-1900-2598 (formerly 83-3D-079)

**ATM**<sup>SM</sup>  
 APPLIED TECHNOLOGY & MANAGEMENT  
 360 Concord Street, Suite 300  
 Charleston, SC 29401  
 843.414.1040  
 Certificate of Authorization #00359

**RAMP PROFILE**

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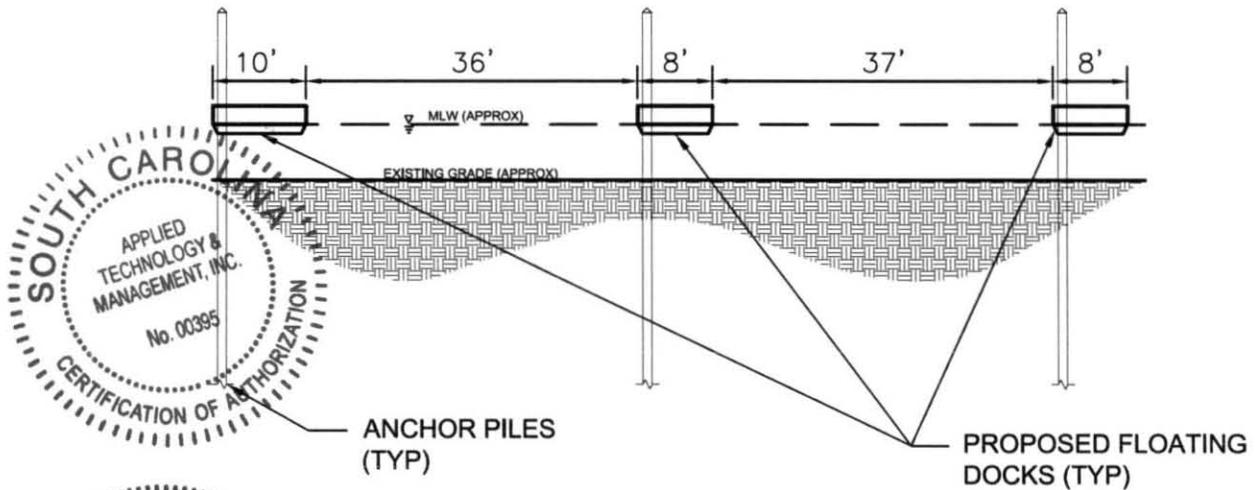
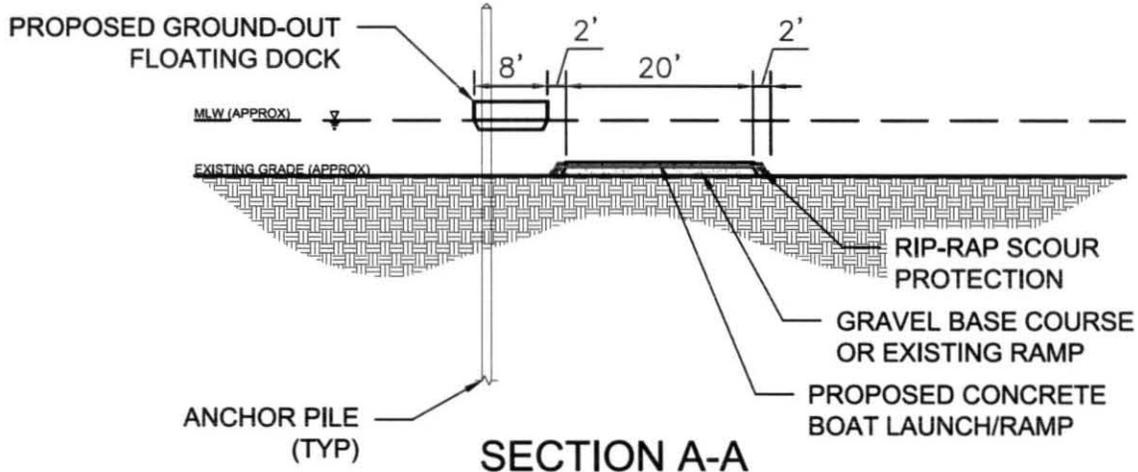
**MOSS CREEK MARINA**  
 Beaufort County, SC

MACKAY CREEK  
 JOB NUMBER: 12-2333  
 ISSUE DATE: 03-27-2012  
 SHEET NUMBER: 006 *of 7*

LAT: 32° 15' 14" N; LONG: 80° 47' 59" W

**APPLICANT INFORMATION:**  
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 HILTON HEAD ISLAND, SC 29926

LOCATION: C:\DOCUMENTS AND SETTINGS\DAVIS\DESKTOP\MOSS CREEK JDD\DRAWINGS\MOSS CREEK PERMIT DWGS JDD 03-27-12.DWG



P/N #SAC-1900-2598 (formerly 83-3D-079)



**ATM**  
APPLIED TECHNOLOGY & MANAGEMENT

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843.414.1040  
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TYPICAL SECTIONS

MOSS CREEK MARINA  
Beaufort County, SC

MACKAY CREEK

JOB NUMBER: 12-2333

ISSUE DATE: 03-27-2012

SHEET NUMBER: 007 *067*

LAT: 32° 15' 14" N; LONG: 80° 47' 59" W

APPLICANT INFORMATION:  
MOSS CREEK P.O.A.  
1523 FORDING ISLAND ROAD  
HILTON HEAD ISLAND, SC 29926