

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 #2004-1G-121-P

21 MAY 2004

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. CHARLES SHELTON
C/O MR. ASHER HOWELL
NEWKIRK ENVIRONMENTAL, INC.
POST OFFICE BOX 309
BLUFFTON, SOUTH CAROLINA 29910

for a permit to perform excavation/dredging and install a weir in an existing tidal stormwater lagoon connected to

CALIBOGUE SOUND

at a location, adjacent to Lot #28, Marsh Drive, Sea Pines Plantation, Hilton Head, South Carolina. (Latitude 32°07'56" – Longitude 80°48' 54")

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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, JUNE 21, 2004

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of performing maintenance excavation or dredging of approximately 3,000 cubic yards of accumulated silt sand sediment from an area of 18,607 square feet within an existing tidal stormwater lagoon. In addition the applicant proposes to install a new weir system on the lagoon side of the existing pipes. The applicant proposes to excavate the lagoon at -6 MSL and grade the side slopes to 1:1. The proposed dredging will be accomplished by mechanical means such as a dragline or track hoe. The dredged material will be deposited in dump trucks and hauled to an upland site designated by a contractor with the

successful bid. The applicant states that the weir will allow tidal flow to enter the lagoon from the top of the water column over the weir and exit through a flap gate as the tide becomes low. Engineers believe this system will slow down the rate at which sediment enters the lagoon and prolongs the need for future maintenance excavation. The applicant has stated that "the purpose of the proposed work is to remove accumulated sediment and to restore the lagoon to its original dimensions an depth so that it can continue to provide the stormwater management and water quality functions intended."

NOTE: The applicant states that the project site is a lagoon that was dug out of uplands in the late 1960's under the master plan to develop Sea Pines. The lagoon was later connected to intertidal marsh to provide tidal flushing and improved water quality. The applicant was previously issued a permit #96-1G-034 to place the existing pipes in the eroded connection between the lagoon and the marsh and perform excavation of 9000 cubic yards of material from within the lagoon. Directions to the site: From Highway 278 on Hilton Head Island, enter Sea Pines Plantation on Greenwood Drive, to Plantation Drive and take a right turn onto Marsh Drive. Site is Lot #28.

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 0.43 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 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).

The District Engineer has 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. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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 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.

REGULATORY DIVISION
Refer to: P/N #2004-1G-121-P

21 MAY 2004

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

A handwritten signature in black ink that reads "Mary Hope Glenn". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Mary Hope Glenn
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



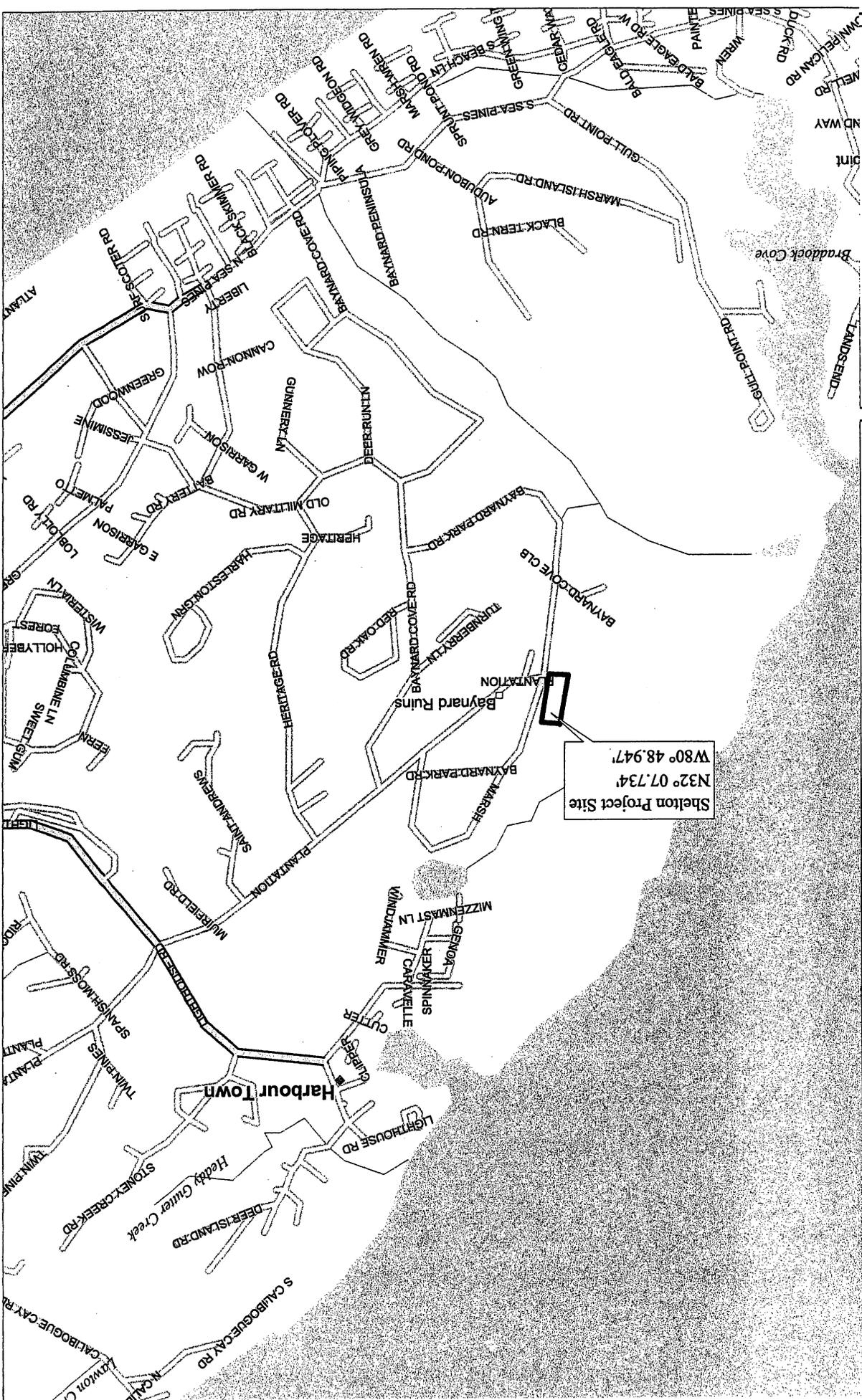
ATLANTIC OCEAN
 PN# 2004-16-121

PROPOSED ACTIVITY:
 LAGOON DREDGING
 COUNTY:
 BEAUFORT COUNTY, S. CAROLINA
 APPLICANT:
 MR. CHARLIE SHELTON

SHELTON LAGOON DREDGING

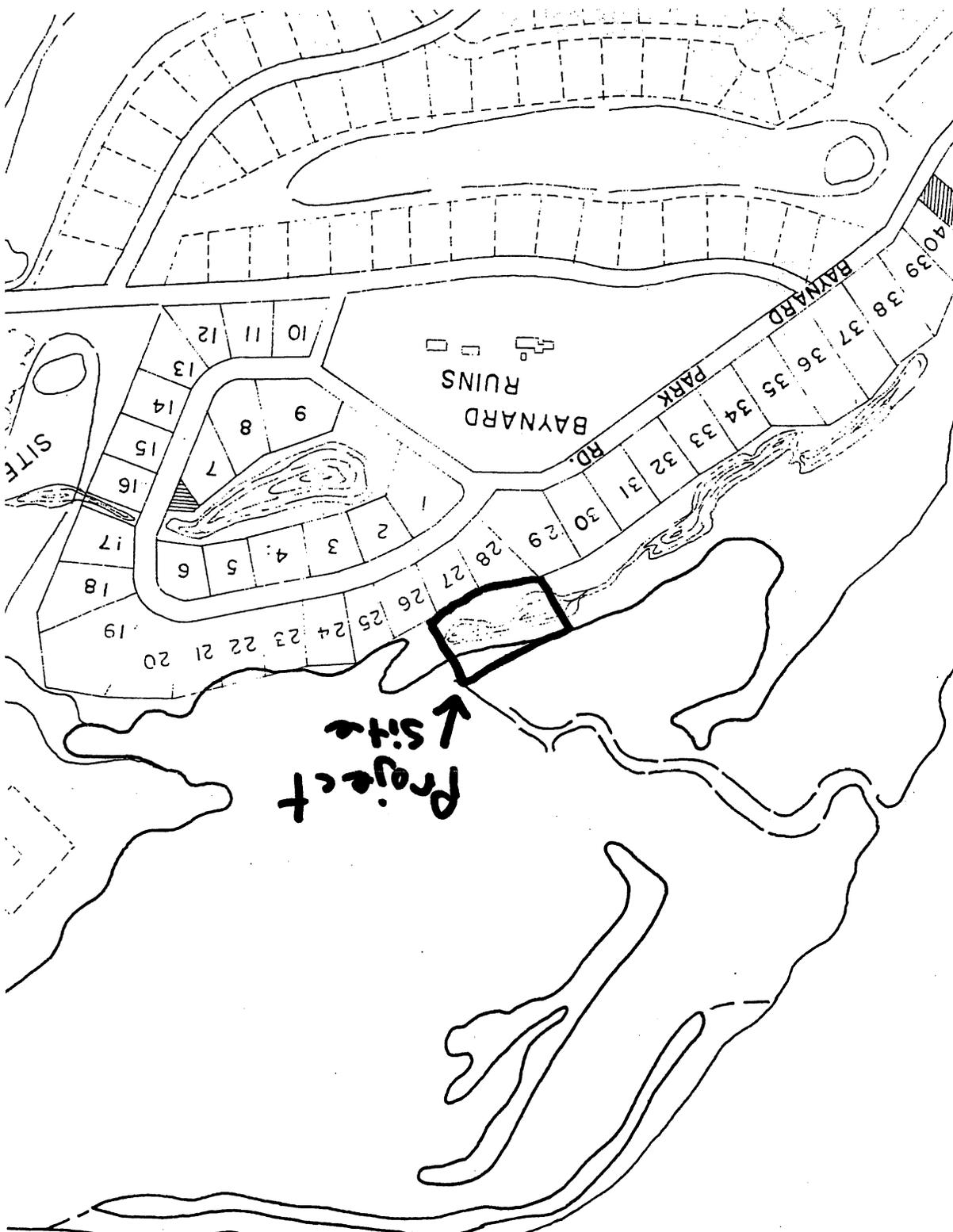
DATE: APRIL 1, 2004
 SCALE: 1" = 4 MILES
 SHEET 1

VICINITY MAP
 HILTON HEAD ISLAND
 BEAUFORT COUNTY, SOUTH CAROLINA
 SOURCE: THOMAS & HUTTON ENGINEERING CO.



PROPOSED ACTIVITY:
 LAGOON DREDGING
 COUNTY:
 BEAUFORT COUNTY, S. CAROLINA
 APPLICANT:
 MR. CHARLIE SHELTON

SHELTON LAGOON DREDGING P N # 2004-161-121
 VICINITY MAP
 HILTON HEAD ISLAND
 BEAUFORT COUNTY, SOUTH CAROLINA
 SOURCE: THOMAS & HUTTON ENGINEERING CO.
 DATE: JANUARY 20, 2004
 SCALE: 1" = 4 MILES
 SHEET 1A



PROPOSED ACTIVITY:
LAGOON DREDGING

COUNTY:
BEAUFORT COUNTY, S. CAROLINA

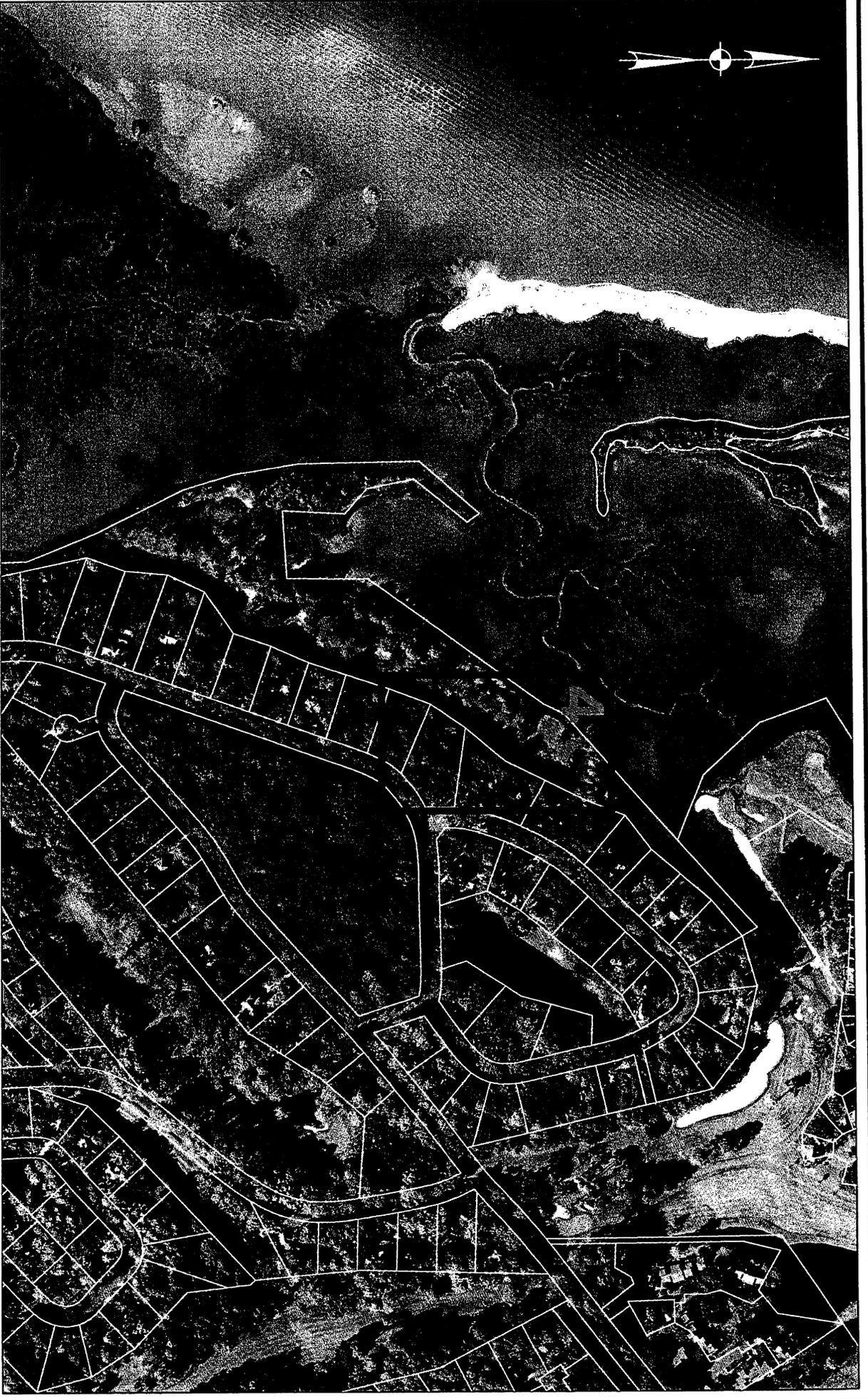
APPLICANT:
MR. CHARLIE SHELTON

SHELTON LAGOON DREDGING PN# 2004-161-121

VICINITY MAP
HILTON HEAD ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA
SOURCE: THOMAS & HUTTON ENGINEERING CO.

DATE: JANUARY 20, 2004
SCALE: 1" = 4 MILES
SHEET 1B

rec'd 5/10/04



SHELTON LAGOON DREDGING

PN# 2004-16-121

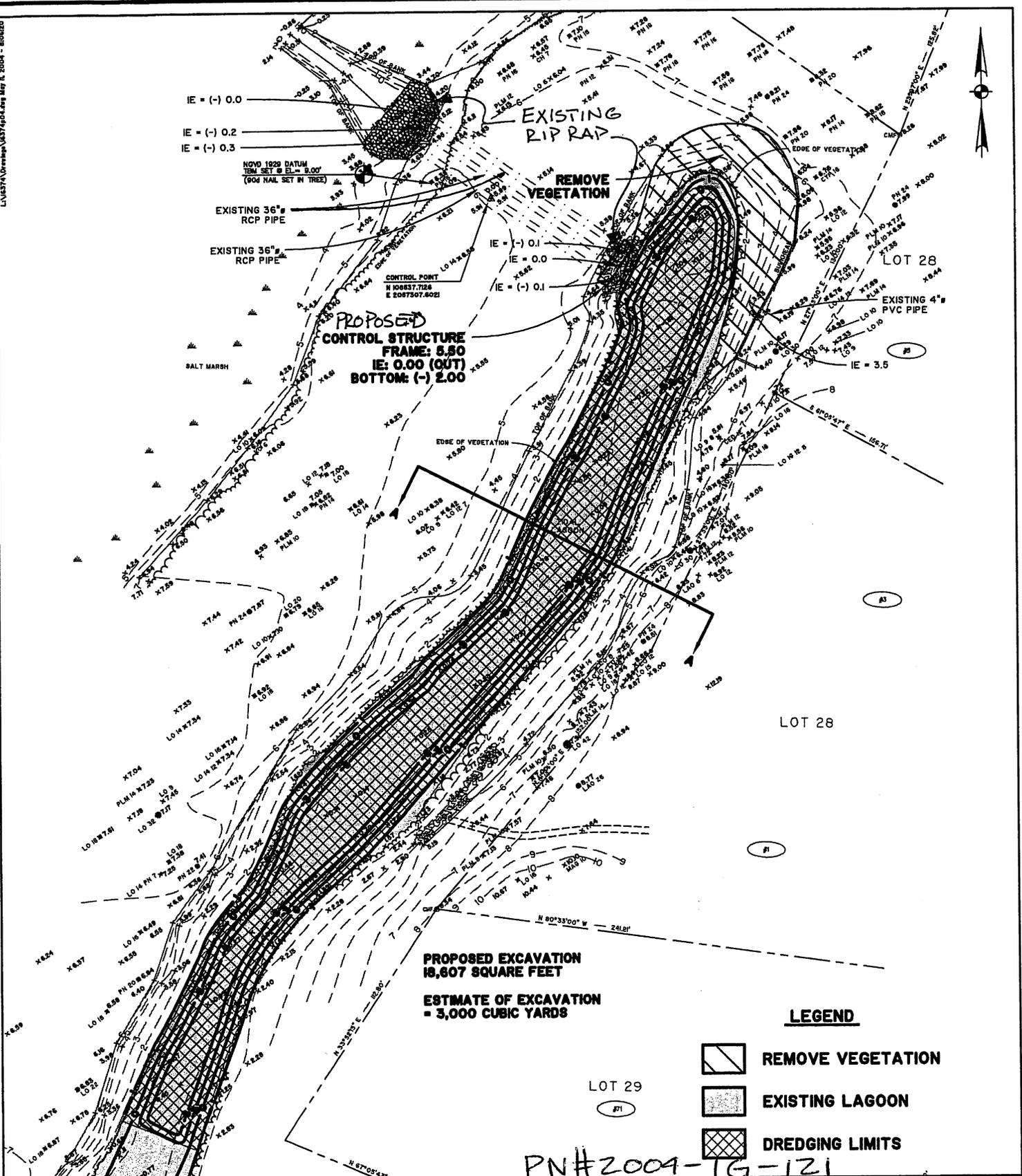
INDEX MAP
HILTON HEAD ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA
SOURCE: THOMAS & HUTTON ENGINEERING CO.

DATE: APRIL 1, 2004
SCALE: 1" = 400'
SHEET: 3

**PROPOSED ACTIVITY:
LAGOON DREDGING**

COUNTY:
BEAUFORT COUNTY, S. CAROLINA
APPLICANT:
MR. CHARLIE SHELTON

LV145741\0rmapa\14574604.dwg May 11, 2004 - 8:05:20



PROPOSED EXCAVATION
18,607 SQUARE FEET

ESTIMATE OF EXCAVATION
= 3,000 CUBIC YARDS

LEGEND

-  REMOVE VEGETATION
-  EXISTING LAGOON
-  DREDGING LIMITS

PN#2004-TG-121

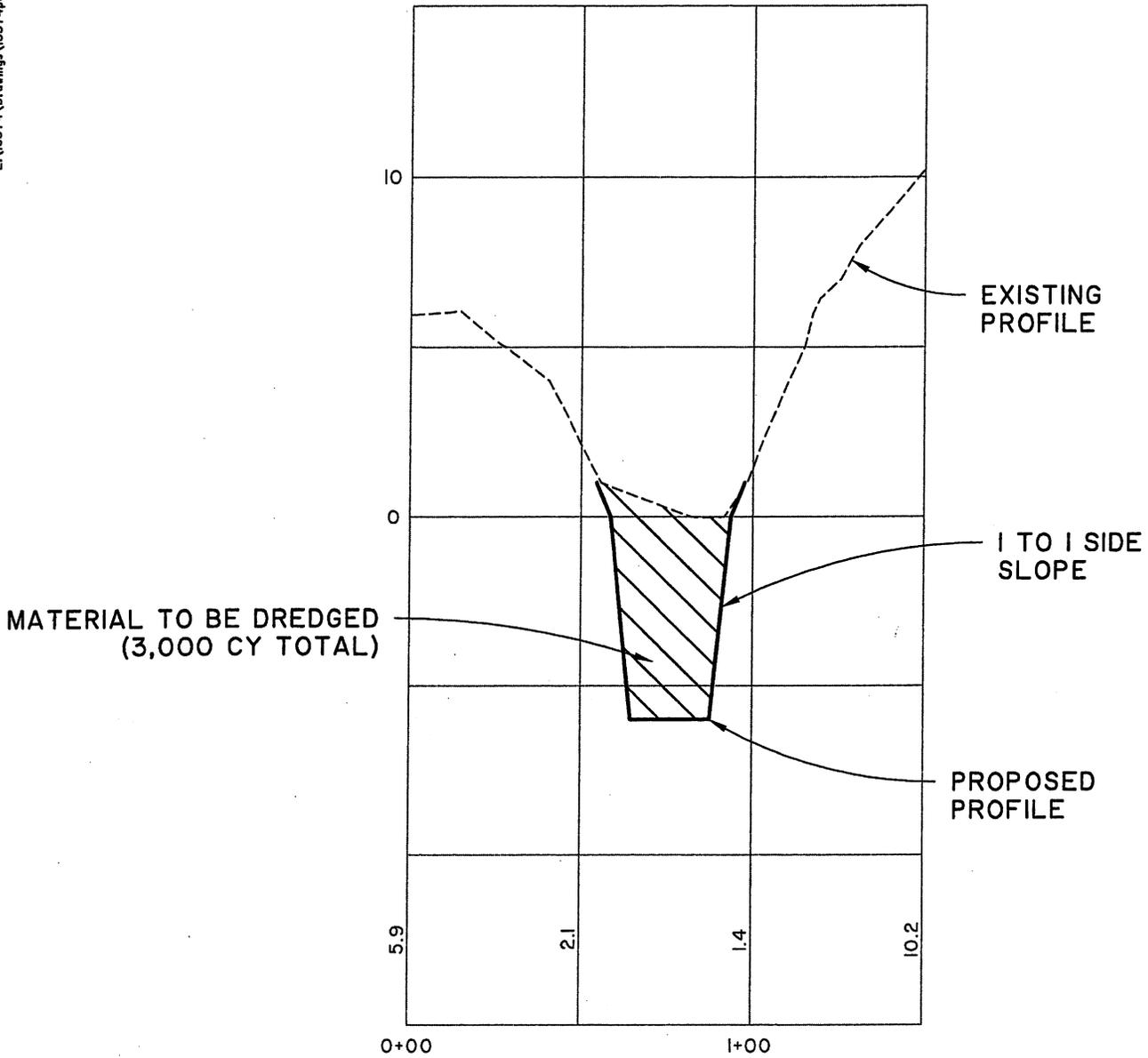
SHELTON LAGOON DREDGING

HILTON HEAD ISLAND
 BEAUFORT COUNTY, SOUTH CAROLINA
 DATE: APRIL 1, 2004
 SCALE: 1" = 60'
 SHEET: 4
 SOURCE: THOMAS & HUTTON ENGINEERING CO.

PROPOSED ACTIVITY:
LAGOON DREDGING

COUNTY:
 BEAUFORT COUNTY, S. CAROLINA

APPLICANT:
 MR. CHARLIE SHELTON



SECTION A-A

1" = 50' HORIZONTAL
1" = 5' VERTICAL

PN#2004-1G-121

SHELTON LAGOON DREDGING

HILTON HEAD ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA
DATE: APRIL 1, 2004
SCALE: N.T.S.
SHEET 5
SOURCE: THOMAS & HUTTON ENGINEERING CO.

PROPOSED ACTIVITY:
LAGOON DREDGING

COUNTY:
BEAUFORT COUNTY, S. CAROLINA

APPLICANT:
MR. CHARLIE SHELTON

SUMMARY QUANTITIES

PROPOSED EXCAVATION = 18,607 SQUARE FEET

ESTIMATE OF EXCAVATION = 3,000 CUBIC YARDS

PN#2004-16-121

SHELTON LAGOON DREDGING

HILTON HEAD ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA
DATE: APRIL 1, 2004
SCALE: N.T.S.
SHEET 6
SOURCE: THOMAS & HUTTON ENGINEERING CO.

PROPOSED ACTIVITY:
LAGOON DREDGING

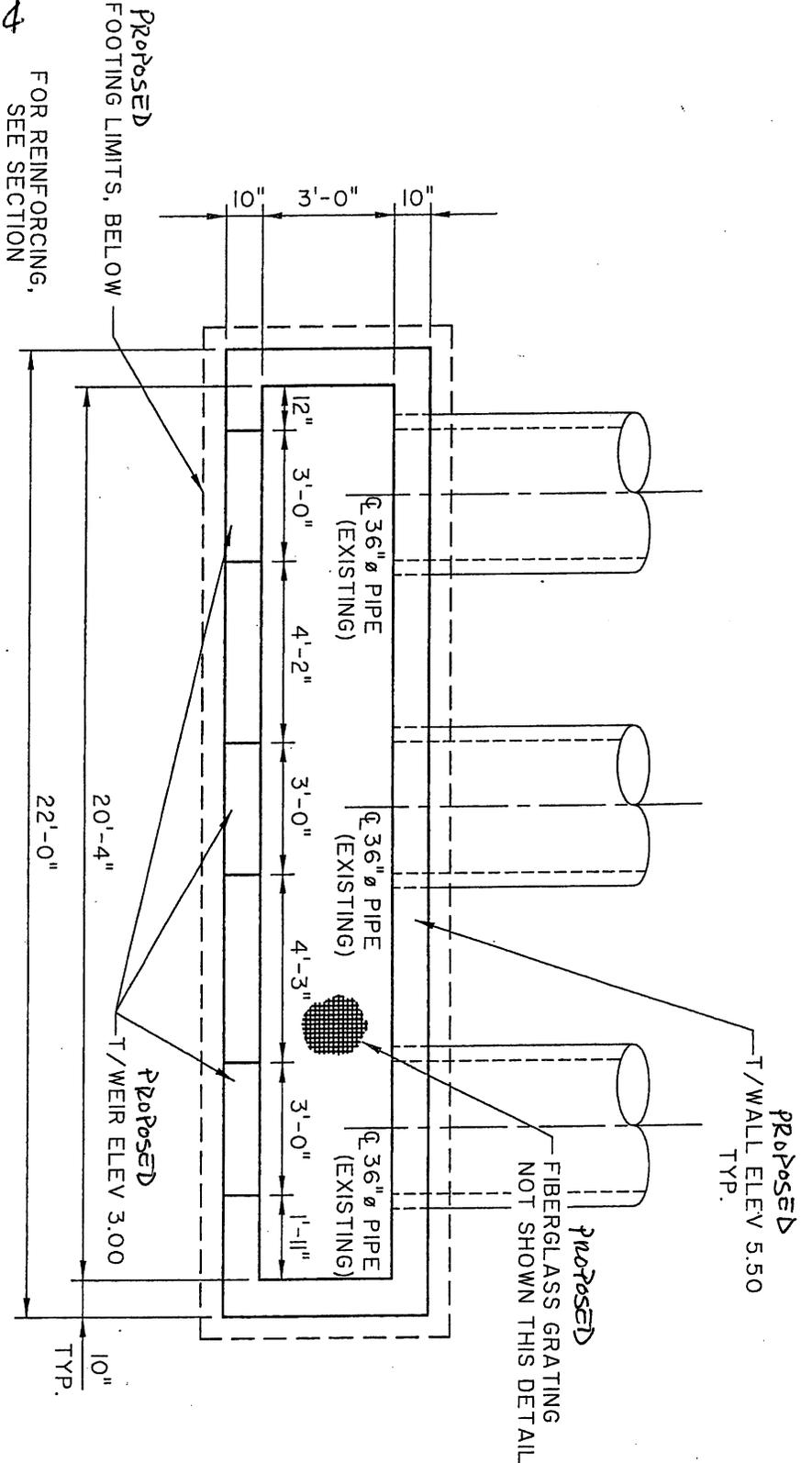
COUNTY:
BEAUFORT COUNTY, S. CAROLINA
APPLICANT:
MR. CHARLIE SHELTON

SHELLTON LAGOON DREDGING

HILTON HEAD ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA
DATE: APRIL 1, 2004
SCALE: AS SHOWN
SHEET 7
SOURCE: THOMAS & HUTTON ENGINEERING CO.

PROPOSED ACTIVITY:
LAGOON DREDGING

COUNTY: BEAUFORT COUNTY, S. CAROLINA
APPLICANT: MR. CHARLIE SHELTON



PN#2004-1G-121

WEIR STRUCTURE PLAN

SCALE: 1/4" = 1'-0"

NOT FOR CONSTRUCTION

PLOT 1/8" = 1'-0"

SHELTON LAGOON DREDGING

PROPOSED ACTIVITY:
LAGOON DREDGING

COUNTY: BEAUFORT COUNTY, S. CAROLINA
APPLICANT: MR. CHARLIE SHELTON

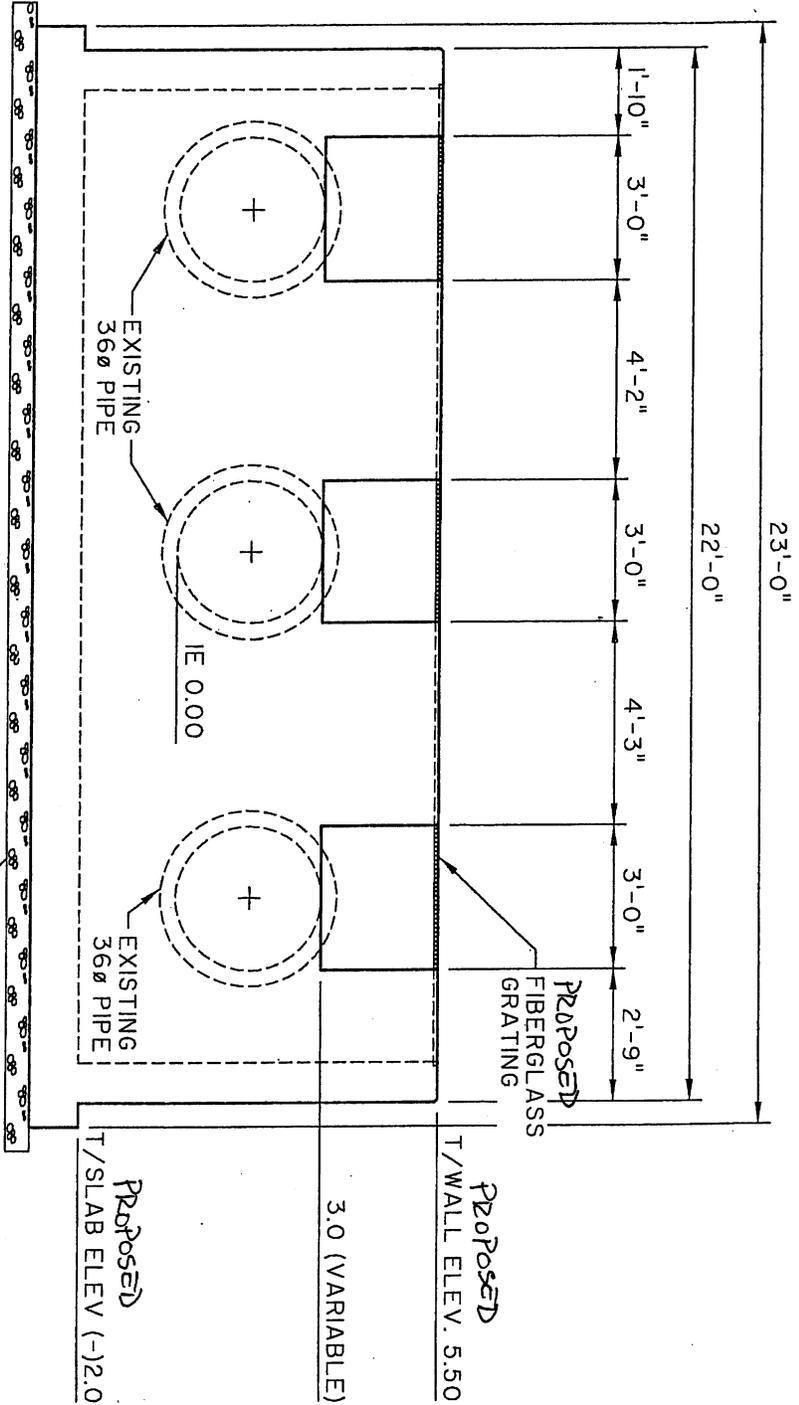
HILTON HEAD ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA
DATE: FEBRUARY 2, 2004
SCALE: AS SHOWN
SHEET 9

SOURCE: THOMAS & HUTTON ENGINEERING CO.

PN # 2004-1672

WEIR DETAIL

SCALE: 1/4" = 1'-0"



NOT FOR CONSTRUCTION

PLOT 1/8" = 1'-0"