JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A Hagood Avenue Charleston, SC 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-2004-13583

January 26, 2017

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 <u>et.seq.</u>), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Hilton Head Plantation Property Owners Association 7 Surrey Lane Hilton Head Island, South Carolina 29925

for a permit modification of an existing permit (SAC-2004-13583) adjacent to the

Port Royal Sound

at a location along the shoreline of the Pine Island Isthmus, between the Dolphin Head Recreation Area and Pine Island on Hilton Head Island, Beaufort County, South Carolina (Latitude: 32.2676 °N, Longitude: -80.7232 °W), Quad Sheet: Parris Island.

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

30 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 modifying and extending an existing permit (SAC-2004-13583) to protect the Pine Island Isthmus from further erosion. In detail, the applicant proposes the following modifications:

1) To construct a 921 linear foot rock revetment along the isthmus shoreline. The proposed

revetment will tie into the existing revetment along Dolphin Head. The revetment will follow the shoreline and extend to Pine Island and will be constructed of approximately 2,700 cubic yards (cy) of granite rock to match the existing revetment. The revetment toe will be placed at -4 ft NAVD (Mean Low Water is -3.91 ft NAVD). The revetment will follow a 1:3 slope from the seaward toe placed on top of the beach fill to create a berm crest height of 6 ft NAVD. The revetment will be 36 ft in width, backed by the beach sand berm which will be 50 ft in width. Approximately 8,000 cy of beach compatible material from an upland source will be used to construct the beach fill berm marshward of the revetment and will follow a 1:10 slope down to the existing grade of the marsh. Note that the proposed sand berm will be placed seaward of the existing stable vegetation to minimize any adverse impacts.

- 2) To increase the permitted volume of sand from 8,000 cy to 8,500 cy of "in-place" material to account for erosion before project construction. The additional sand will be used to fill any sections of the project shoreline that eroded between the November 2016 survey and construction.
- 3) To also allow for an additional 10,000 cy of beach compatible sand from an upland source to be used for future maintenance nourishments. Please note that this is not proposed to be used in the current project but rather on an as needed basis for maintaining beach conditions in the future.
- 4) For a five year extension to their existing federal permit. The project is estimated to take between 2 and 5 months to complete. Typical heavy equipment (e.g. long reach excavator, track-hoes, and dump trucks) will be used at the site. Work on the new revetment will begin at the existing revetment along Dolphin Head Recreation Area and progress towards Pine Island. To control costs and prevent any construction during turtle nesting season, it is possible that construction will be done incrementally in phases. It is anticipated that the revetment and nourishment will consist of two phases, where approximately 500 feet of revetment/ nourishment will occur this year while a second phase of approximately 421 feet will occur the following year. Due to the possibility of incremental construction phases, it is requested that the active permit be modified for an extension of five years. The existing Federal permit is set to expire on December 30, 2021.

The project purpose is to restore and maintain a recreational beach along an approximate 1,000foot erosional section known as Pine Island Isthmus.

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 aclusion 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 2.2 acres of intertidal beach 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 applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, 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 of the green sea turtle (Chelonia mydas), leatherback sea turtle (Dermochelys coriacea). The District Engineer has also determined that the project <u>may adversely affect</u> the loggerhead sea turtle (Caretta caretta) and its critical habitat, piping plover (Charadrius melodus) and its critical habitat, or the red knot (Calidris canutus rufa). 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. **Please note: The USFWS provided a Biological Opinion (BO) for the loggerhead sea turtle on March 26, 1998, for the previously permitted beach nourishment project (97-1A-439-P). Under the 2004 permit (2004-1W-158), and subsequent 2011 permit, the Corps incorporated special conditions prohibiting work during turtle nesting season, which will still be applied to this permit modification.**

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)(*I*)(1)), and has initially determined that historic properties, are present; moreover, these historic properties may be affected by the undertaking. This public notice serves to notify the State Historic Preservation Office that the Corps plans to initiate Section 106 consultation on these historic properties. Individuals or groups who would like to be consulting parties for the purposes of the NHPA should make such a request to the Corps in writing within 30 days of this public notice. 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 other interested parties to provide any information they may have with regard to historic properties.

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

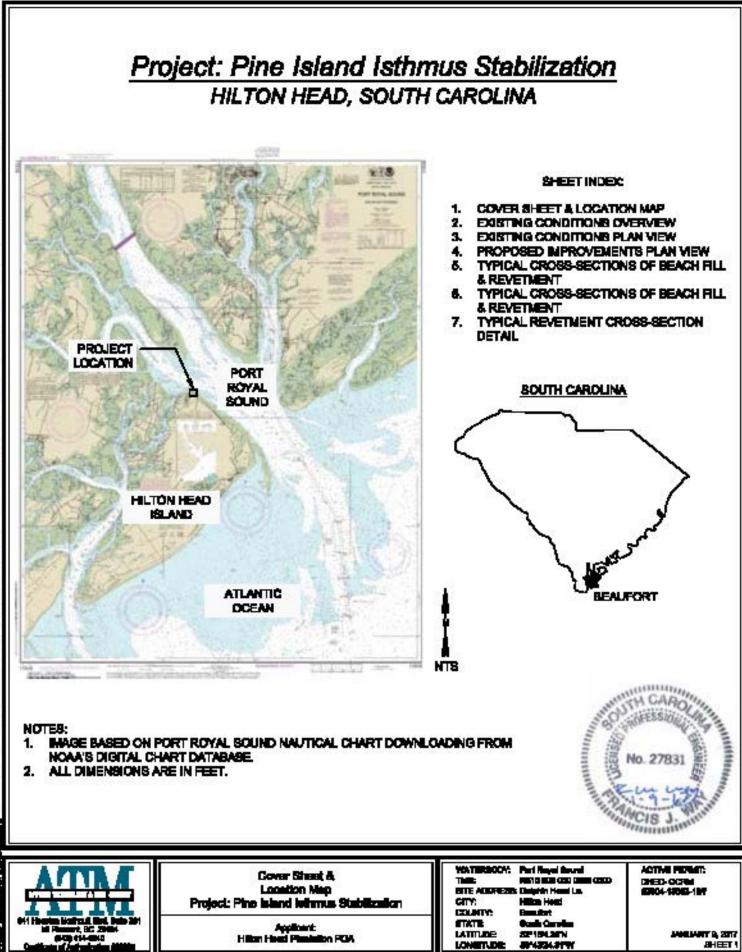
a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 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. 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 cannot undertake to adjudicate rival claims.

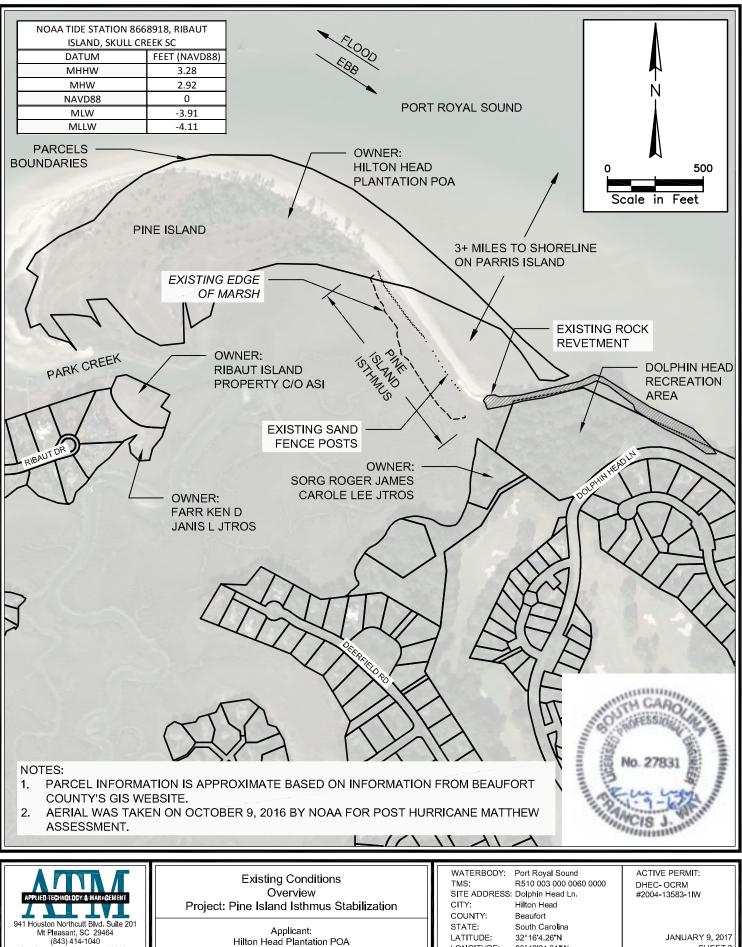
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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, SC 29403-5107

If there are any questions concerning this public notice, please contact Chelsea B. Bowman, Project Manager, at (843) 329-8044 or toll free at 1-866-329-8187.





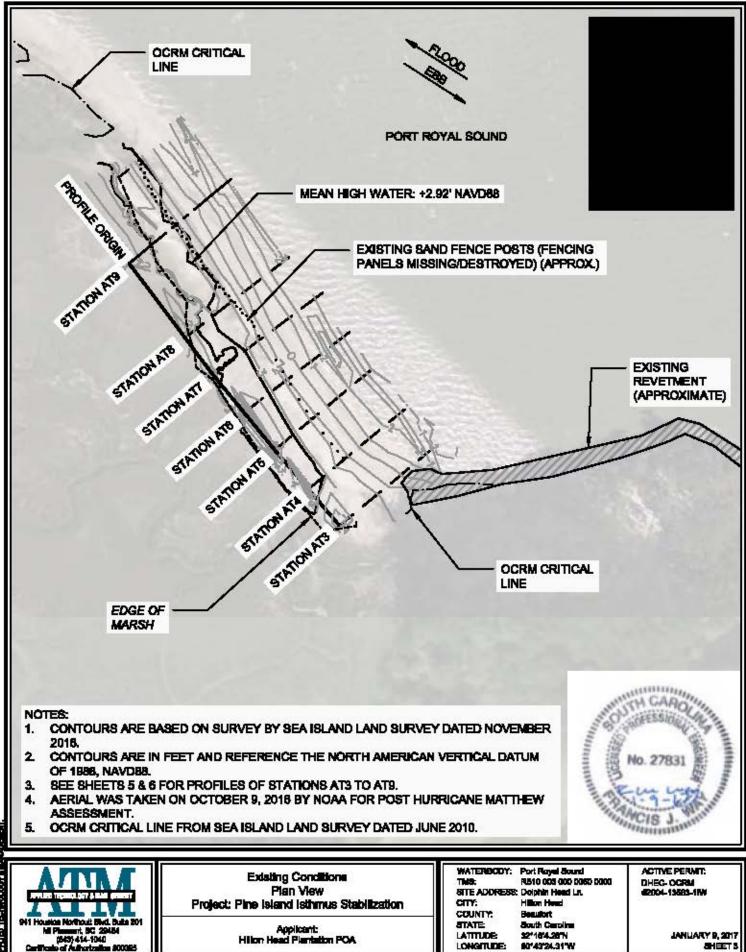


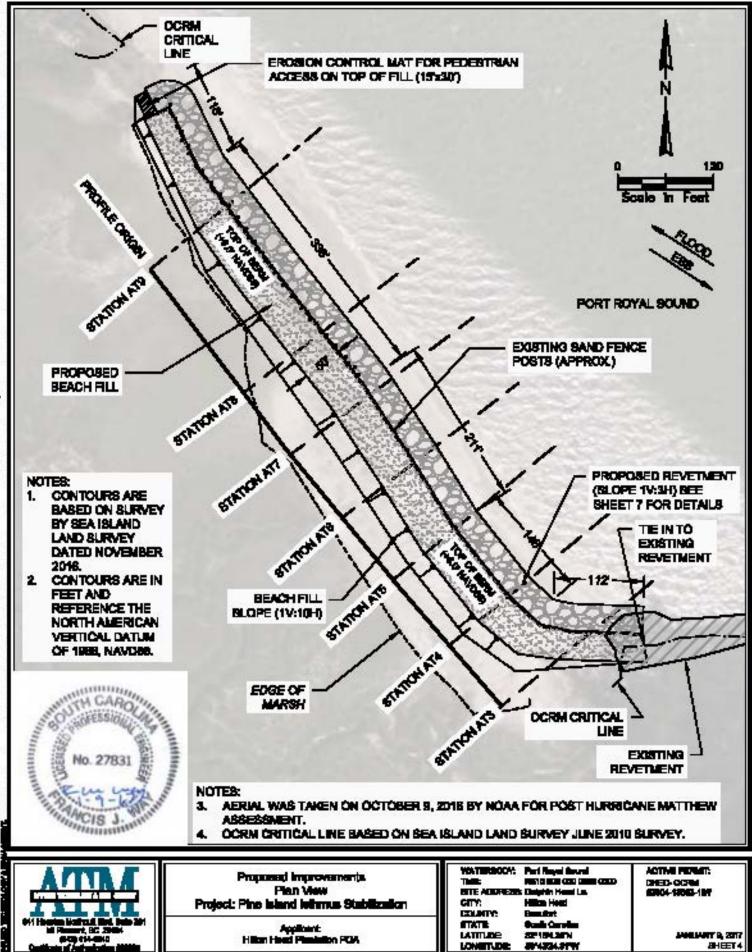
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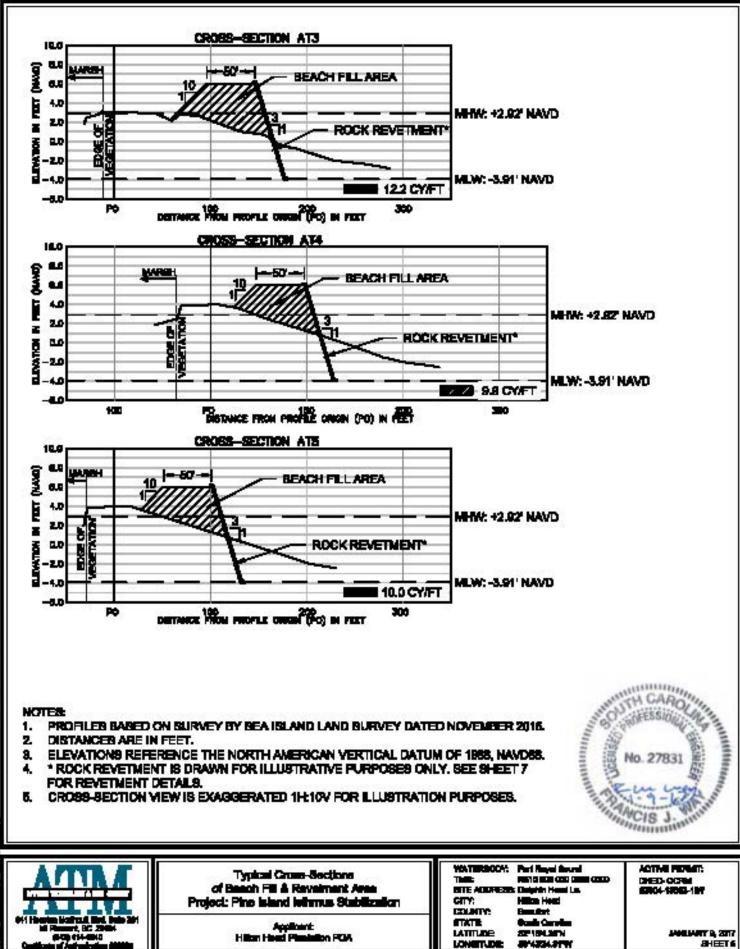
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