

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Ave**  
**Charleston, South Carolina 29403**  
**and**  
**THE S.C. DEPARTMENT OF ENVIRONMENTAL SERVICES**  
**Bureau of Coastal Management**  
**1362 McMillan Avenue, Suite 400**  
**North Charleston, South Carolina 29405**

REGULATORY DIVISION  
Refer to: SAC-2024-01145

February 19, 2025

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), Section 14 of the Rivers and Harbors Act of 1899, 33 USC 408 (Section 408) 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 Environmental Services by

**Mr. Jacob Bowen**  
**United States Fish and Wildlife Service**  
**176 Croghan Spur Road, #100**  
**Charleston, South Carolina 29407**

for a permit to perform dredging within an existing public boat landing, Bulls Island Landing, as well as to repair and improve the existing bulkheads, breakwaters, and boat ramp, and expand the existing docks along

**Summerhouse Creek**

located on Bulls Island, within the Cape Romain National Wildlife Refuge, approximately 0.49 miles to the Northwest of the intersection of Sheep Head Ridge Road and Beach Road in Awendaw, Charleston County, South Carolina (Latitude: 32.9131 °, Longitude: -79.6150 °), Bulls Island 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.

**NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .**

### **Applicant's Stated Purpose**

According to the applicant, the purpose of the proposed project is to improve the existing public Bulls Island landing facility at the Cape Romain National Wildlife Refuge.

### **Project Description**

The existing structures consist of a boat ramp, public floating docks, breakwaters and bulkheads. The proposed work consists of removing and replacing the north breakwater, installing a new southern breakwater adjacent to the existing breakwater, removing and replacing the existing floating docks, metal ramp, piles, and removing and replacing portions of the existing bulkheads. Additionally, 1,400 cubic yards of material will be dredged within 0.19-acres of the existing boat landing. In detail:

#### **Breakwater Replacement and Strengthening**

The proposed breakwater replacement consists of placing a new 78 linear foot breakwater on the water side of the southern bulkhead, resulting in the placement of 93 cubic yards of fill material within 0.002-acres of Waters of the United States. On the north end of the landing, the existing 64 linear foot northern breakwater will be removed and replaced in kind with a new 64 linear foot breakwater, resulting in the placement of 86 cubic yards of fill within 0.004-acres of Waters of the United States.

#### **Boat Ramp Repair and Improvement**

The proposed boat ramp widening consists of removing the existing ramp and adjacent bulkhead (flood side) and installing a new 27' x 54' boat ramp in the same location, resulting in the placement of 86 cubic yards of material within 0.0269-acres of waters of the United States.

#### **Boat Landing Bulkhead Strengthening and Improvement**

The proposed bulkhead improvements consist of installing new FRP (fiber reinforced plastic) sheet pile bulkheads adjacent to the three existing bulkheads (bulkhead 1 through bulkhead 3). In detail:

Bulkhead 1 – 342 cubic yards of material will be placed within 0.008-acres of Waters of the United States to construct an 80 linear foot bulkhead.

Bulkhead 2 – 886 cubic yards of material will be placed within 0.022-acres of Waters of the United States to construct a 137 linear foot bulkhead.

Bulkhead 3 – 72 cubic yards of material will be placed within 0.008-acres of Waters of the United States to construct a 58 linear foot bulkhead.

### **Maintenance Dredging**

The proposed work consists of dredging approximately 1,400 cubic yards of material from a 0.19-acre area (8,309 square feet) within the existing boat landing to a depth of -8 Mean Low Water (MLW). The material will be dredged using a barge-mounted excavator. Dredge material will be transferred to dump trucks and transported to the existing dredge material placement facility (DMPF) located approximately 660 linear feet away from the proposed work area. Prior to placement, a double row of silt fence will be placed around the stockpile to prevent loss of water or sediment outside of the area.

### **Floating Dock Repair and Improvement**

The proposed dock improvements consist of removing the existing floating dock structures, the existing metal ramp, and the piles. A new 35' x 6' aluminum gangway will lead to a 13' x 10' platform. Waterward of the platform will be a new 74' x 6' floating dock. Waterward of the new floating dock will be (starting from the ebb side) a new 6' x 21' floating dock, a new 8' x 45' floating dock, and a new 8' x 45' floating dock.

### **Avoidance and Minimization**

The applicant has stated that the location of the boat ramp improvement and expansion is located in the same location as the current boat landing. Additionally, the applicant has stated that the dredging is limited to the area providing access to the boat ramps and floating dock and is located within the same limits of the dredging event that occurred around 1998.

### **Proposed Compensatory Mitigation**

No mitigation is being proposed as the work consists of continued maintenance dredging as well as the installation of dock structures (shading impacts of 0.019-acres) that will not result in the loss of waters of the United States. Additionally, the new bulkheads, breakwaters and boat ramp expansion will result in impacts to 0.073-acres of tidal marsh.

### **South Carolina Department of Health and Environmental Control**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the certifying authority, South Carolina Department of Environmental Services, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any

license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

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 South Carolina Department of Environmental Services. 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.

### **Essential Fish Habitat**

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 0.263 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.

### **Endangered Species**

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the proposed project and based on location and available information, the following species have the potential to occur in the vicinity of the proposed work: American Chaffseed (*Schwalbea americana*), Canby's Dropwort (*Oxypolis canbyi*), Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensis*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), Piping Plover (*Charadrius melodus*), Pondberry (*Lindera melissifolia*), Red-cockaded Woodpecker (*Dryobates borealis*), Rufa Red Knot (*Calidris canutus rufa*), West Indian Manatee (*Trichechus manatus*), Atlantic sturgeon (*Acipenser oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), Finback whale (*Balaenoptera physalus*), Humpback whale (*Megaptera novaeangliae*), Right Whale

(*Eubalaena glacialis*), Sei whale (*Balaenoptera borealis*), and Sperm whale (*Physeter macrocephalus*).

Based on all information provided by the applicant and the most recently available information, the District Engineer has determined the following:

The project will have no effect on American Chaffseed (*Schwalbea americana*), Canby's Dropwort (*Oxypolis canbyi*), Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensis*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), Piping Plover (*Charadrius melodus*), Pondberry (*Lindera melissifolia*), Red-cockaded Woodpecker (*Dryobates borealis*), Rufa Red Knot (*Calidris canutus rufa*), Atlantic sturgeon (*Acipenser oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), Finback whale (*Balaenoptera physalus*), Humpback whale (*Megaptera novaeangliae*), Right Whale (*Eubalaena glacialis*), Sei whale (*Balaenoptera borealis*), and Sperm whale (*Physeter macrocephalus*) and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect West Indian Manatee (*Trichechus manatus*), or 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 (USFWS project code: 2024-0126273) 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.

### **Cultural Resources**

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.

### **Corps' Evaluation**

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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 cannot undertake to adjudicate rival claims.

### **Solicitation of Public Comment**

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. 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.

**Please submit comments in writing, identifying the project of interest by public notice/file number SAC-2024-01145, to Eileen.K.Foss@usace.army.mil or the following address:**

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

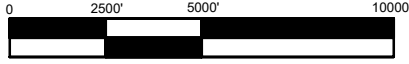
If there are any questions concerning this public notice, please contact Eileen Foss, Project Manager, at 843-329-8037, toll free at 1-866-329-8187, or by email at [Eileen.K.Foss@usace.army.mil](mailto:Eileen.K.Foss@usace.army.mil).



PLOTTED: Jun 16, 2025 - 12:57pm BY: Jbeaman FILE LOCATION: P:\0200\_2999\2811240906\_Bulls\_Island\_Coastal\_Dock\_Drawing\Civil\Bulls\_Island\Permit\Exhibits.dwg LAYOUT TAB: 1

**PURPOSE:** DOCK -ND BULKHEAD REPLACEMENT  
**-APPLICATION:**  
**SURVEY DATE:** N-D83

**FIGURE 1**  
**LOCATION MAP**

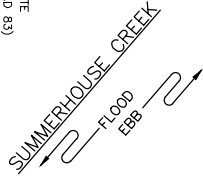
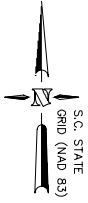


SCALE 1" = 5000'  
**BULL ISLAND**

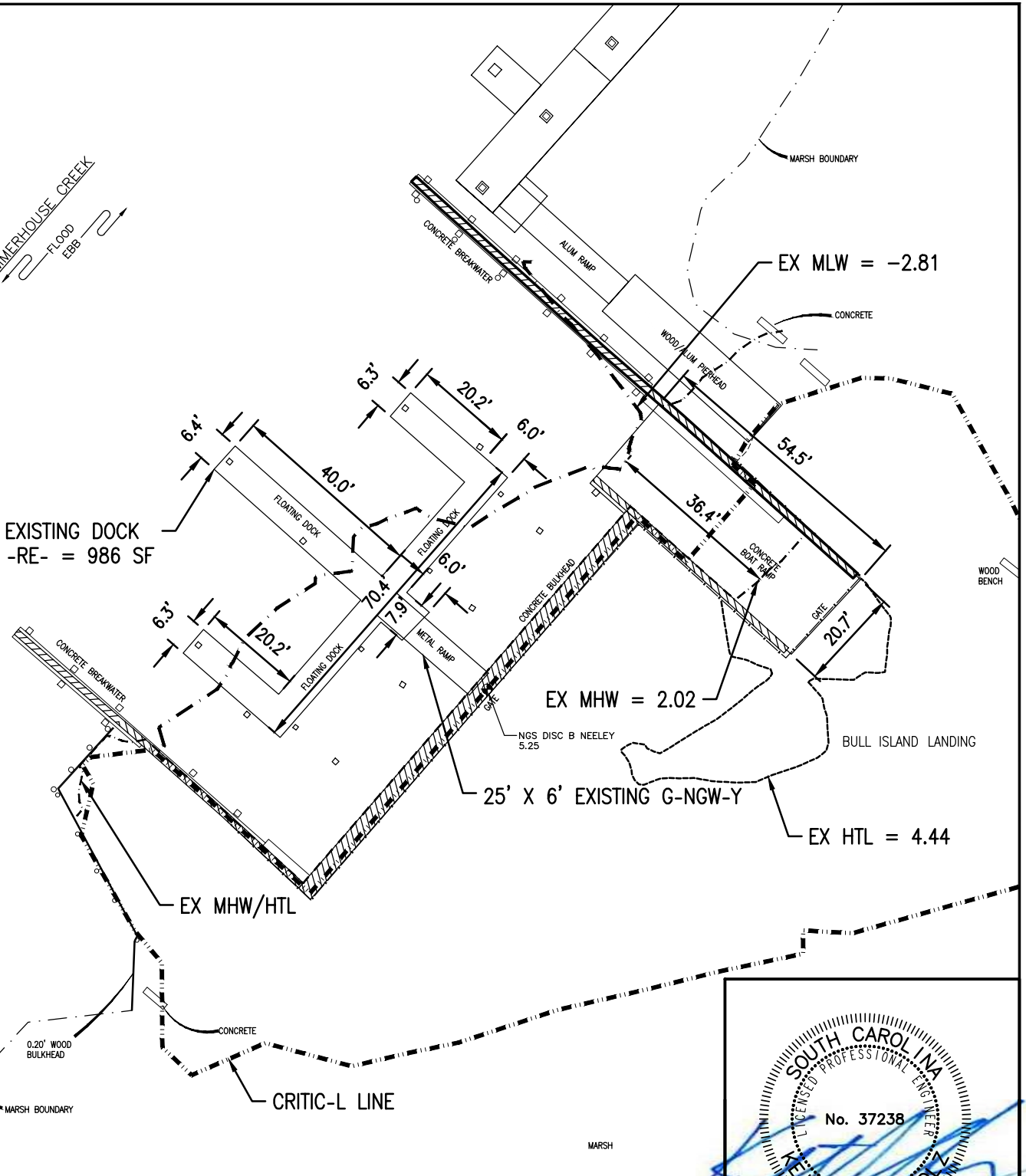


**PROPOSED:** BULL ISLAND GOVERNMENT DOCK REPLACEMENT  
**-TITLE:** THE CHARLESTON NATIONAL WILDLIFE REFUGE  
**IN:** SUMMERHOUSE CREEK  
**COUNTY OF:** CHARLESTON, SOUTH CAROLINA  
**SHEET:** 1 OF 8 **DATE:** 01/16/2025





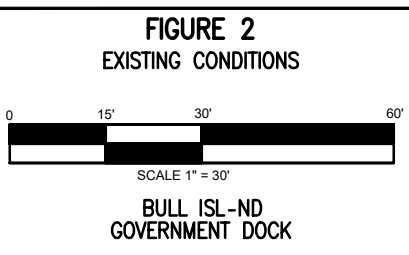
EXISTING DOCK  
-RE- = 986 SF



1. DRAWING FOR PERMITTING PURPOSES ONLY.  
CONCEPTUAL PLANS NOT FOR CONSTRUCTION.

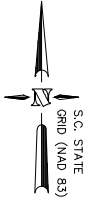


PURPOSE: DOCK -ND BULKHE-D REPL-CEMENT  
-PPLIC-NT:  
SURVEY D-TUM: N-D83



PROPOSED: BULL ISL-ND GOVERNMENT DOCK  
REPL-CEMENT  
-T: THE C-PE ROM-IN N-TION-L WILDLIFE  
REFUGE  
IN: SUMMERHOUSE CREEK  
COUNTY OF: CH-RLESTON, SOUTH C-ROLIN-  
SHEET: 2 OF 8  
D-TE: 01/16/2025

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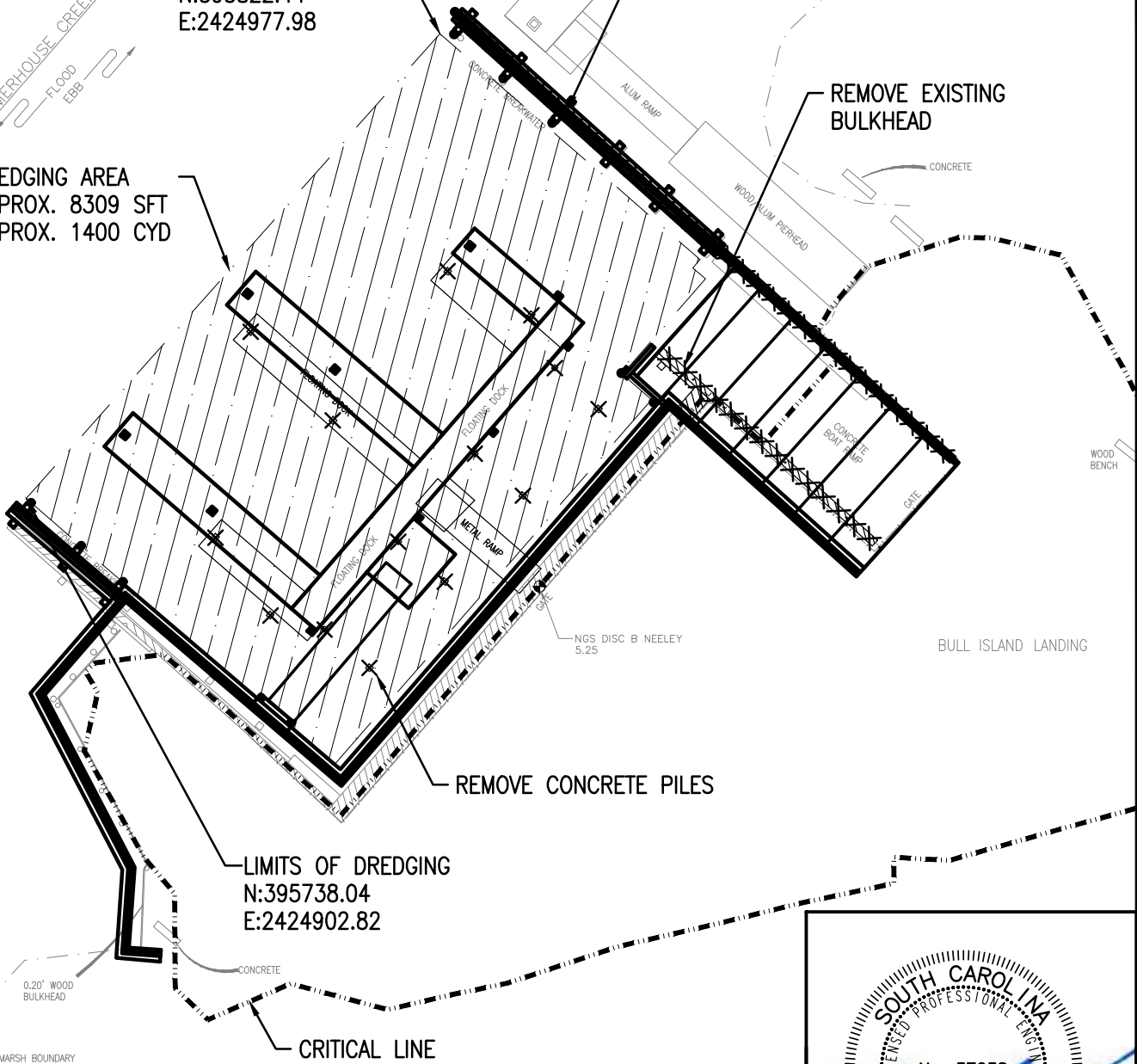
SUMMERHOUSE CREEK  
FLOOD  
EBB

LIMITS OF DREDGING  
N:395822.44  
E:2424977.98

DREDGING AREA  
APPROX. 8309 SFT  
APPROX. 1400 CYD

REMOVE AND REPLACE  
BREAKWATER IN KIND

REMOVE EXISTING  
BULKHEAD



REMOVE CONCRETE PILES

LIMITS OF DREDGING  
N:395738.04  
E:2424902.82

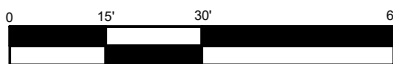
CRITICAL LINE

SOUTH CAROLINA  
LICENSED PROFESSIONAL ENGINEER  
No. 37238  
*Keith Ryan Holt*  
KEITH RYAN HOLT

1. DRAWING FOR PERMITTING PURPOSES ONLY.  
CONCEPTUAL PLANS NOT FOR CONSTRUCTION.

PURPOSE: DOCK AND BULKHEAD REPLACEMENT  
APPLICANT:  
SURVEY DATUM: NAD83

FIGURE 3  
PLAN VIEW



SCALE 1" = 30'

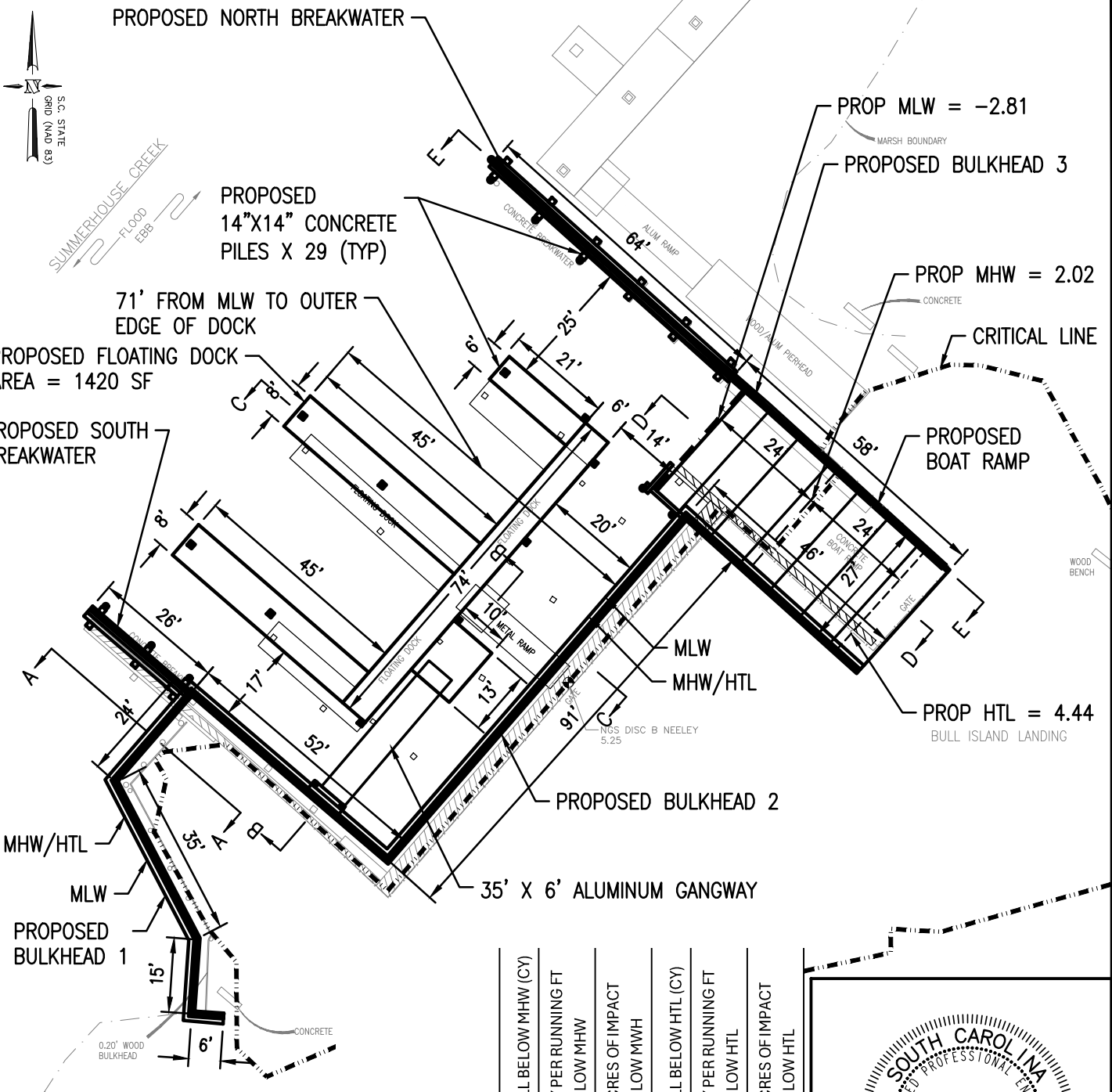
BULL ISLAND  
GOVERNMENT DOCK

PROPOSED: BULL ISLAND GOVERNMENT DOCK  
REPLACEMENT  
AT: THE CAPE ROMAIN NATIONAL WILDLIFE  
REFUGE  
IN: SUMMERHOUSE CREEK

COUNTY OF: CHARLESTON, SOUTH CAROLINA

SHEET: 3 OF 8

DATE: 01/16/2025



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2. AFTER DREDGING, MLW LINE WILL FOLLOW BREAKWATER/BULKHEAD. DISTANCE FROM MLW TO THE OUTER EDGE OF MOST STRUCTURES IS 0.
3. 250' +/- MLW-MLW (ACROSS SUMMERHOUSE CREEK)

	FILL BELOW MHW (CY)	CY PER RUNNING FT BELOW MHW	ACRES OF IMPACT BELOW MHW	FILL BELOW HTL (CY)	CY PER RUNNING FT BELOW HTL	ACRES OF IMPACT BELOW HTL
BULKHEAD 1	312	4.0	0.008	342	4.3	0.008
BULKHEAD 2	800	4.2	0.022	886	4.7	0.022
BULKHEAD 3	40	0.7	0.008	72	1.2	0.008
SOUTH BREAKWATER	85	3.3	0.002	93	3.6	0.002
NORTH BREAKWATER	70	1.1	0.004	86	1.3	0.004
BOAT RAMP	24	1.0	0.013	48	1.0	0.029

SOUTH CAROLINA  
LICENSED PROFESSIONAL ENGINEER  
No. 37238  
KEITH RYAN HOLZ

**PURPOSE:** DOCK AND BULKHEAD REPLACEMENT  
**APPLICANT:**  
**SURVEY DATUM:** NAD83

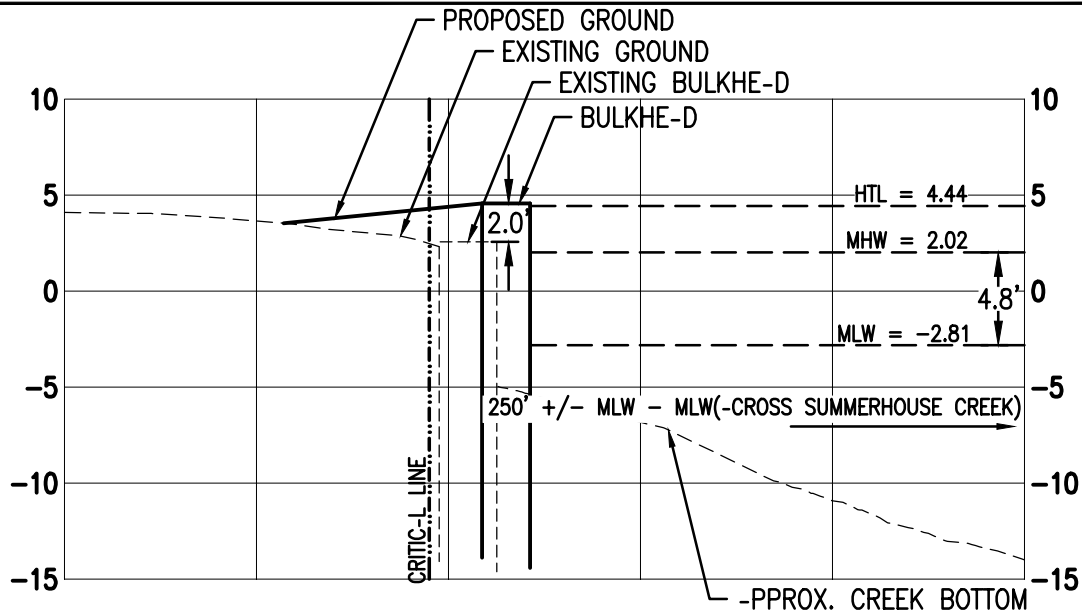
**FIGURE 4**  
**PLAN VIEW**

SCALE 1" = 30'

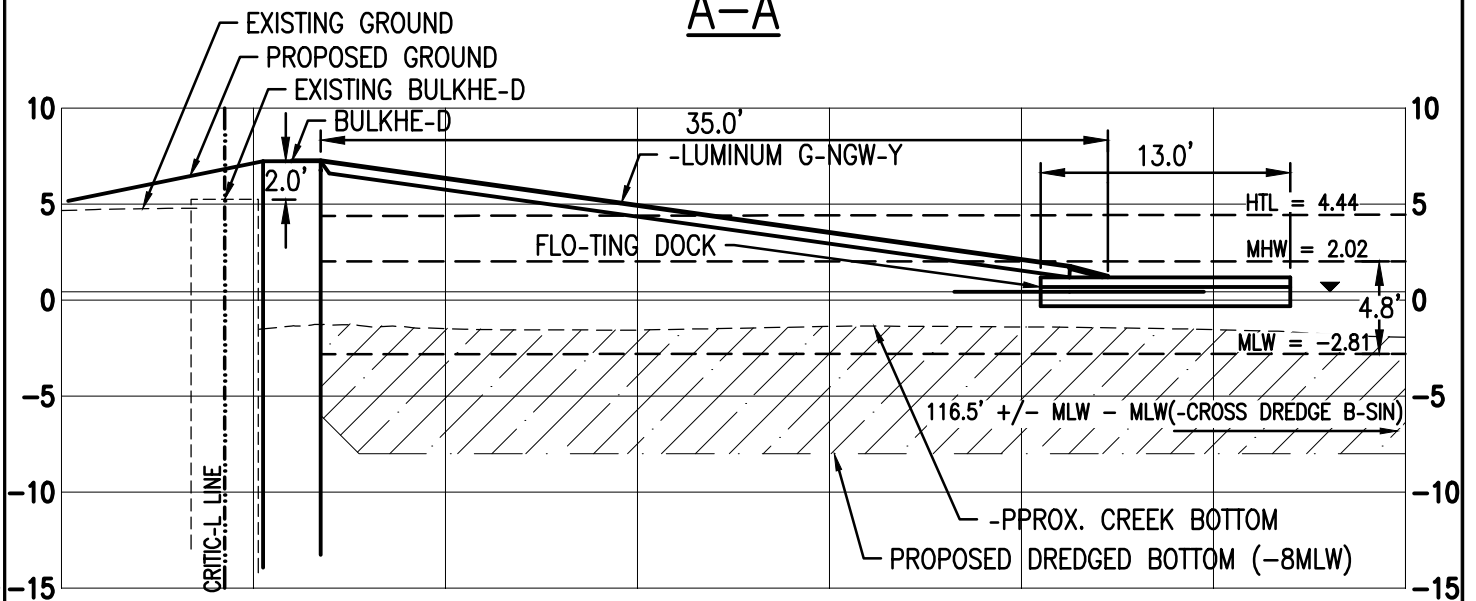
**BULL ISLAND**  
**GOVERNMENT DOCK**

**PROPOSED:** BULL ISLAND GOVERNMENT DOCK REPLACEMENT  
**AT:** THE CAPE ROMAIN NATIONAL WILDLIFE REFUGE  
**IN:** SUMMERHOUSE CREEK  
**COUNTY OF:** CHARLESTON, SOUTH CAROLINA  
**SHEET:** 4 OF 8  
**DATE:** 01/16/2025

PLOTTED: Jan 16, 2025, 3:12pm BY: Dharman FILE LOCATION: P:\0000\_2699\00124090\_Bull\_Island\_Govt\_Dock\_Drawings\Civil\Bul\_Island\Permit\Exhibits.dwg\_LAYOUTTAB.4



**A-A**



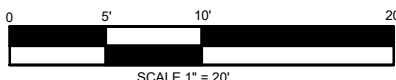
**B-B**



1. DRAWING FOR PERMITTING PURPOSES ONLY. CONCEPTUAL PLANS NOT FOR CONSTRUCTION.
2. AFTER DREDGING, MLW LINE WILL FOLLOW BREAKWATER/BULKHEAD. DISTANCE FROM MLW TO THE OUTER EDGE OF WATER MOST STRUCTURES IS 0.

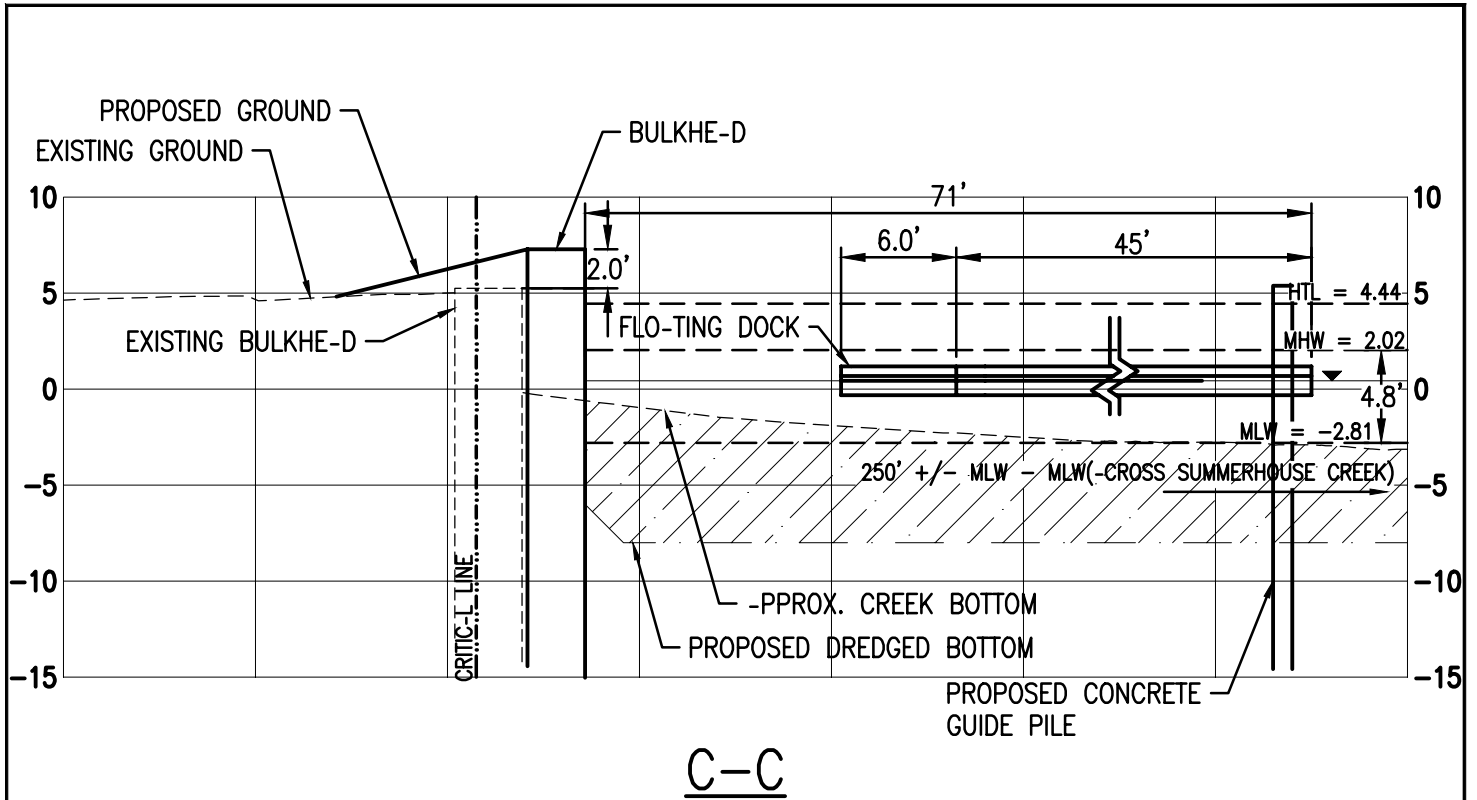
PURPOSE: DOCK -ND BULKHE-D REPL-CEMENT  
 -PPLIC-NT:  
 SURVEY D-TUM: N-D83

**FIGURE 5**  
SECTION VIEW



**BULL ISL-ND GOVERNMENT DOCK**

PROPOSED: BULL ISL-ND GOVERNMENT DOCK REPL-CEMENT  
 -T: THE C-PE ROM-IN N-TION-L WILDLIFE REFUGE  
 IN: SUMMERHOUSE CREEK  
 COUNTY OF: CH-RLESTON, SOUTH C-ROLIN-  
 SHEET: 5 OF 8  
 D-TE: 01/16/2025



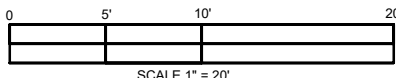
MLW - MLW = 250+/-  
 MLW TO EDGE OF OUTERMOST STRUCTURE = 71 FT

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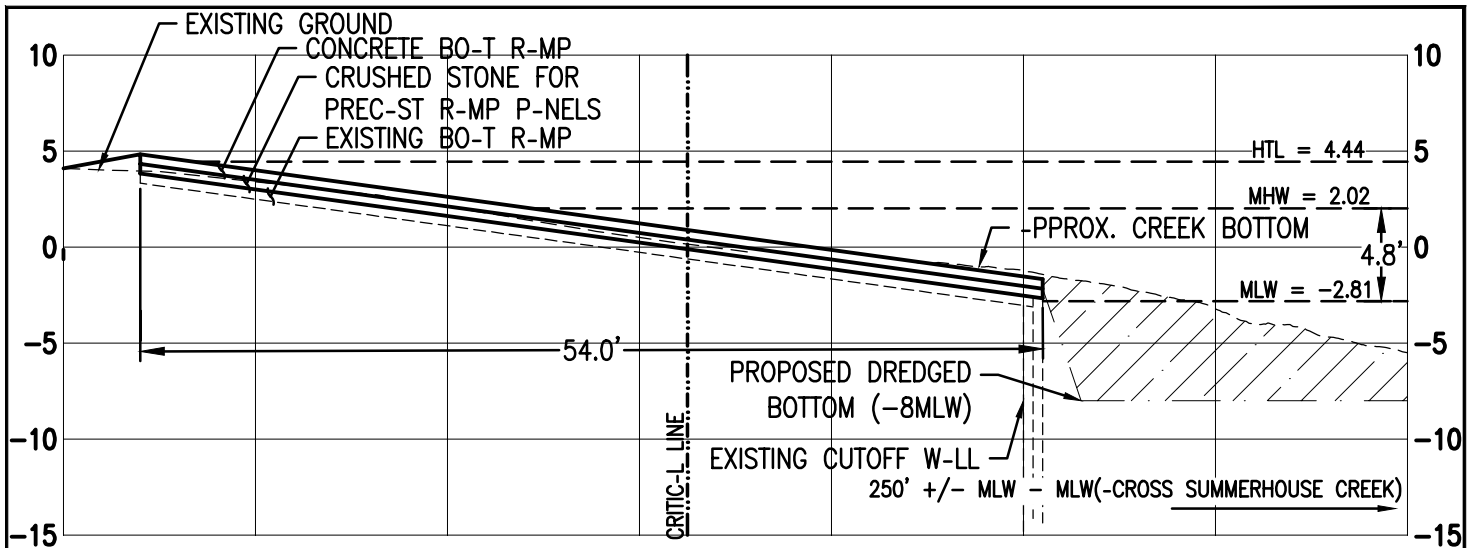
PURPOSE: DOCK -ND BULKHE-D REPL-CEMENT  
 -PPLIC-NT:  
 SURVEY D-TUM: N-D83

**FIGURE 6**  
 SECTION VIEW

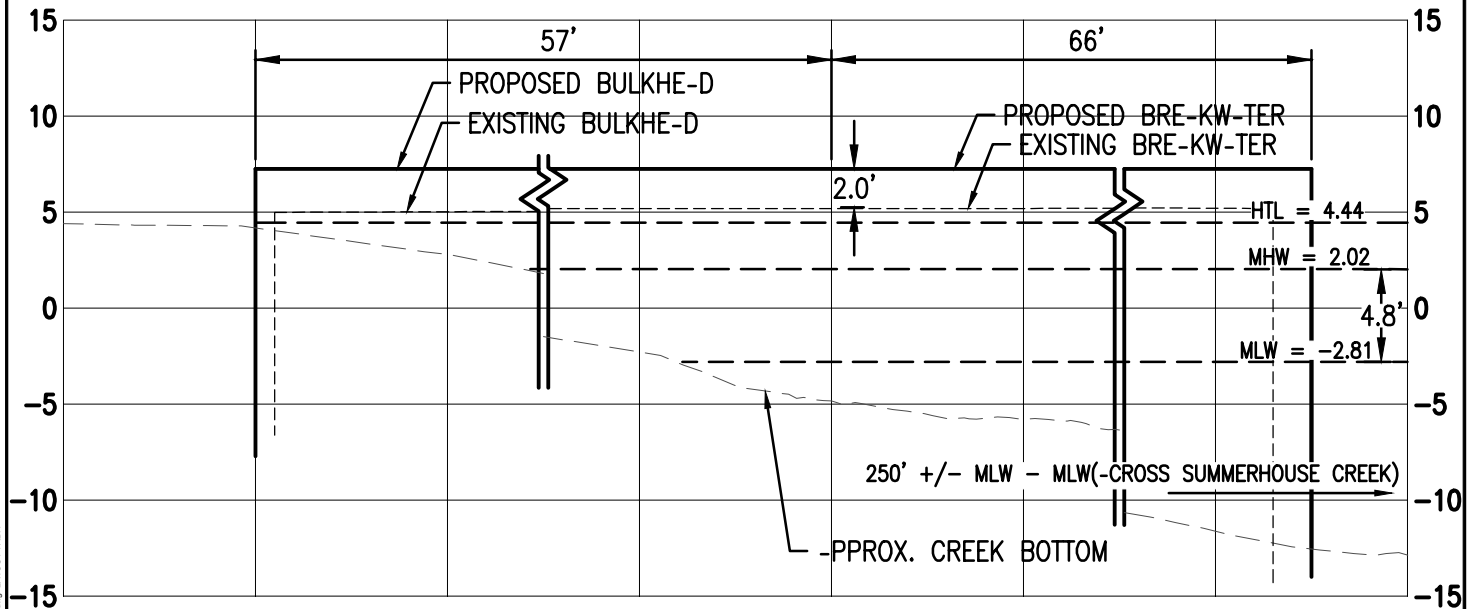


BULL ISL-ND  
 GOVERNMENT DOCK

PROPOSED: BULL ISL-ND GOVERNMENT DOCK  
 REPL-CEMENT  
 -T: THE C-PE ROM-IN N-TION-L WILDLIFE  
 REFUGE  
 IN: SUMMERHOUSE CREEK  
 COUNTY OF: CH-RLESTON, SOUTH C-ROLIN-  
 SHEET: 6 OF 8  
 D-TE: 01/16/2025



**D-D**

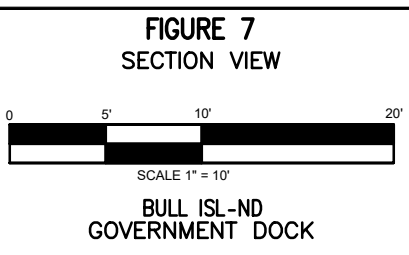


**E-E**

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2. AFTER DREDGING, MLW LINE WILL FOLLOW BREAKWATER/BULKHEAD. DISTANCE FROM MLW TO THE OUTER EDGE OF WATER MOST STRUCTURES IS 0.



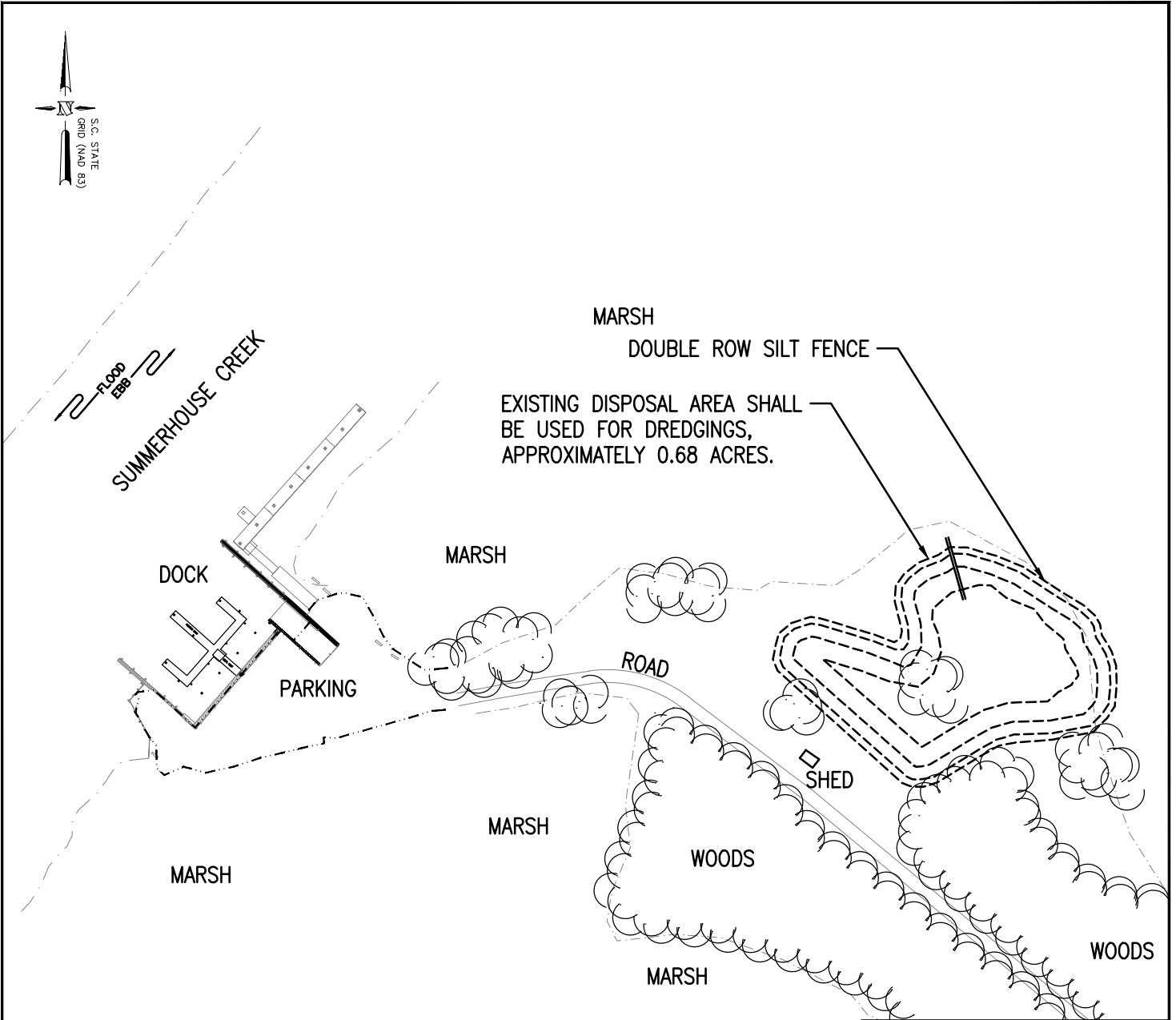
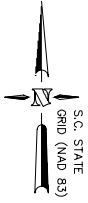
PURPOSE: DOCK -ND BULKHE-D REPL-CEMENT  
 -PPLIC-NT:  
 SURVEY D-TUM: N-D83



PROPOSED: BULL ISL-ND GOVERNMENT DOCK REPL-CEMENT  
 -T: THE C-PE ROM-IN N-TION-L WILDLIFE REFUGE  
 IN: SUMMERHOUSE CREEK  
 COUNTY OF: CH-RLESTON, SOUTH C-ROLIN-  
 SHEET: 7 OF 8  
 D-TE: 01/16/2025

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PURPOSE: DOCK -ND BULKHE-D REPL-CEMENT  
-PP LIC-NT:  
SURVEY D-TUM: N-D83

**FIGURE 8**  
PL-N VIEW



SCALE 1" = 120'

BULL ISL-ND  
DREDGING DISPOS-L

PROPOSED: BULL ISL-ND GOVERNMENT DOCK  
REPL-CEMENT  
-T: THE C-PE ROM-IN N-TION-L WILDLIFE  
REFUGE  
IN: SUMMERHOUSE CREEK

COUNTY OF: CH-RLESTON, SOUTH C-ROLIN-

SHEET: 8 OF 8

D-TE: 01/16/2025