

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
North Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N SAC-1982-07640

July 8, 2020

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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 Health and Environmental Control by

Mr. Donald Baldwin
Board of Directors
Windmill Harbour Association
2 Corpus Christi, Suite 302
Hilton Head Island, South Carolina 29938

for a permit to modify an existing private community dock on the

Calibogue Sound/ Atlantic Intracoastal Waterway (AIWW)

at 11 Reef Club on Jenkins Island within Hilton Head Island in Beaufort County, South Carolina (Latitude: 32.2166 °, Longitude: -80.7841 °), Quad Sheet – Bluffton, SC.

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 modifying an existing private community dock serving the Windmill Harbour Community authorized under Department of the Army (DA) permit SAC-1982-07640 on September 8, 1982 (fka 82-3E-164). In detail, the applicant proposes to replace the existing 8' x 35' float with 4 pilings and the existing 12' x 20' float with no pilings, with two new 10' x

35' floats with 4 pilings each and add a 6' x 40' floating breakwater (wave attenuators) approximately 25' further into the waterbody. The floating breakwater is proposed to protect the floats from large wakes. The entire proposed dock structure consists of a 6' x 269' boardwalk to a 15' x 15' pierhead with a 6' x 29' ramp to the two 10' x 35' floats with 4 pilings each and a 6' x 40' breakwater with 3 pilings. The applicant has proposed no mitigation since there will be no loss of waters of the United States. The project purpose is to provide continued safe and expanded recreational access to Calibougou Sound for the Windmill Harbour Community.

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

The work shown on this application must 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 impact 0.02 acre of estuarine substrates 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 will have no effect on the Frosted flatwoods salamander (*Ambystoma cingulatum*), American wood stork (*Mycteria americana*), Piping plover (*Charadrius melodus*), Red-cockaded woodpecker (*Picoides borealis*), Red knot (*Calidris canutus rufa*), Atlantic sturgeon (*Acipenser oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), Finback whale (*Balaenoptera physalus*), Humpback whale (*Megaptera novaeangliae*), Northern long-eared bat (*Myotis septentrionalis*), Right whale (*Eubalaena glacialis*), Canby's dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*), Green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermochelys coriacea*), and Loggerhead sea turtle (*Caretta caretta*); is not likely to adversely affect West Indian manatee (*Trichechus manatus*); and will not 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 the National Marine Fisheries Service on this determination.

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)(f)(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 (SAC-1982-07640), to the following mailing address or email address:**

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

Leslie.A.Estill@usace.army.mil

If there are any questions concerning this public notice please contact Leslie Estill, Project Manager, at (843) 329-8039 or Leslie.A.Estill@usace.army.mil.

Location Map

The end of the dock is located at 32.2165, -80.7841.



Google Earth

© 2020 Google

2 mi

Mackey Creek

Waterbody Width

Source: Beaufort County GIS

Pinkeneay Island

Skull Creek

US 278

Hog Island

Length: 2,428.4 Feet

Calibogue Sound

Jenkins Island



| CURVE TABLE | | | | | |
|-------------|---------|--------|--------|---------------|-----------|
| LABEL | RADIUS | ARC | CHORD | CHORD BEARING | DELTA |
| C1 | 422.41' | 80.52' | 80.40' | S07°19'07"E | 10°55'19" |
| C2 | 26.83' | 36.98' | 34.12' | S32°00'53"W | 78°58'02" |
| C3 | 66.83' | 34.38' | 34.00' | S39°24'54"W | 29°28'24" |
| C4 | 66.83' | 37.49' | 37.00' | S08°36'45"W | 32°08'29" |

| LINE TABLE | | |
|------------|-------------|----------|
| LABEL | BEARING | DISTANCE |
| L1 | S36°31'21"W | 22.73' |
| L2 | N38°54'28"W | 20.41' |
| L3 | N36°51'24"W | 20.27' |

SKULL CREEK

LEGEND

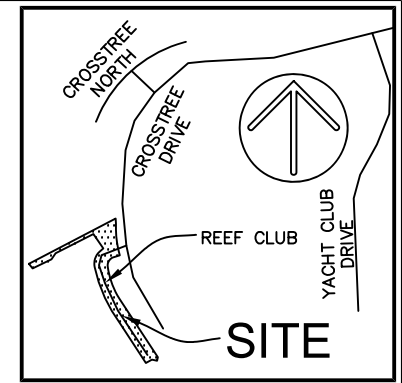
- △ CALC POINT - CORNER NOT SET
- CMF ■ CONC. MONUMENT FOUND
- CMFD ■ CONC. MONUMENT FOUND DISTURBED
- IPF ● IRON PIPE FOUND
- 🌿 MARSHGRASS
- OCRM OCEAN COASTAL RESOURCE MANAGEMENT
- ×12.9 SPOT ELEVATION

NOTES

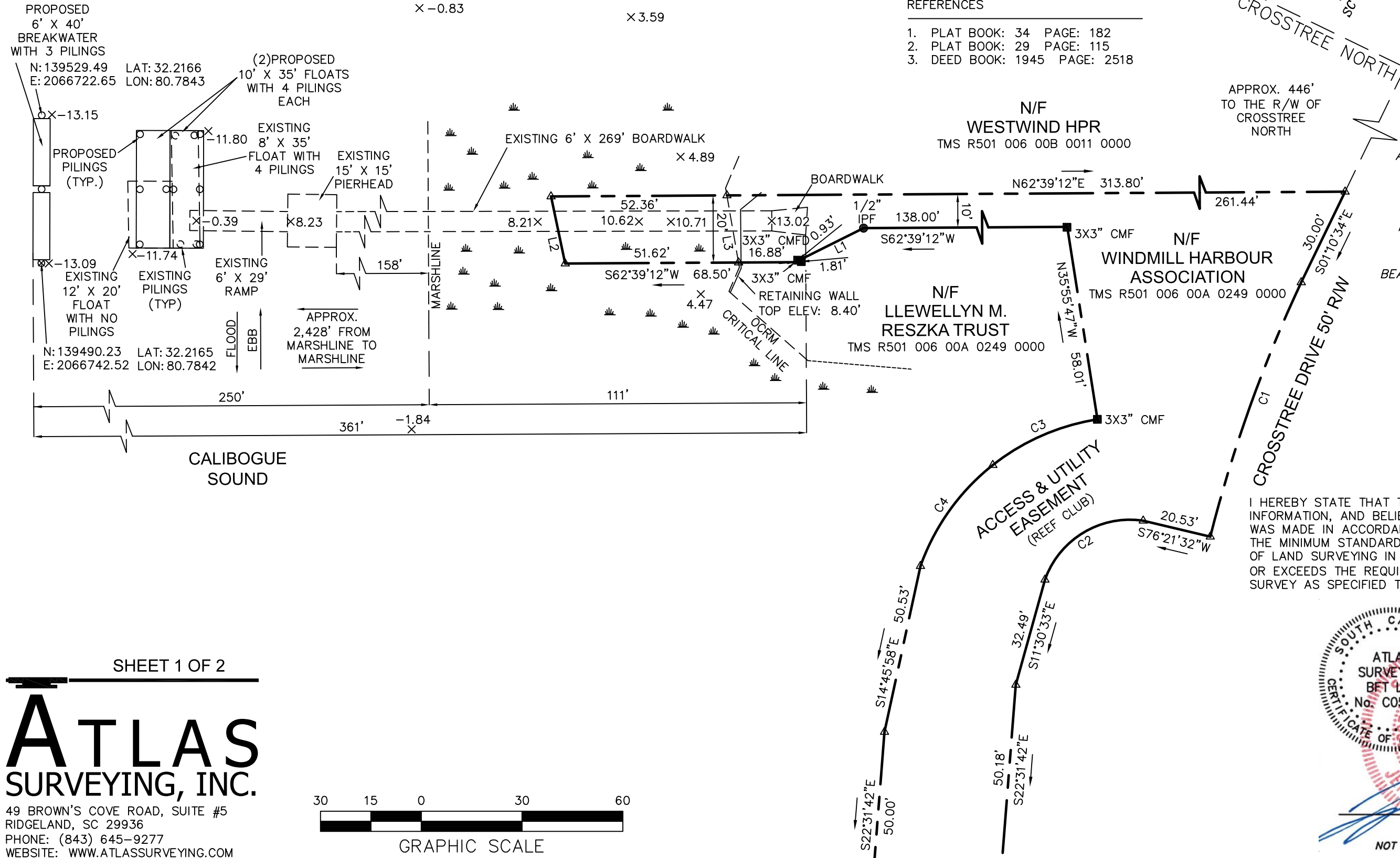
- THIS PARCEL APPEARS TO LIE IN FLOOD ZONE A10 (16.0'), FIRM PANEL 0115-D COMMUNITY 450025.
- VERTICAL DATUM IS NAVD 88.
- HORIZONTAL DATUM IS SOUTH CAROLINA STATE PLANE GRID (NAD 83)

REFERENCES

- PLAT BOOK: 34 PAGE: 182
- PLAT BOOK: 29 PAGE: 115
- DEED BOOK: 1945 PAGE: 2518



VICINITY MAP NOT TO SCALE



PREPARED FOR:
WINDMILL HARBOUR ASSOCIATION

A PROPOSED DOCK SURVEY OF
WINDMILL HARBOUR COMMUNITY DOCK

A PORTION OF TAX PARCEL No.
R501 006 00B 0090 0000
JENKINS ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA

FIELD WORK: JLG
FIELD CHECK: JWR
DRAWN BY: MJF
DATE: 06-16-2020
SCALE: 1"=30'
PROJECT No.: BFT-20007
FILE: 20007 D1 PROA-REV.DWG

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

ATLAS SURVEYING BFT LLC
No. C05928

SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR
No. 28139
JEREMY W. REEDER

JEREMY W. REEDER
S.C.P.L.S. No. 28139
NOT VALID UNLESS CRIMPED WITH SEAL

SHEET 1 OF 2

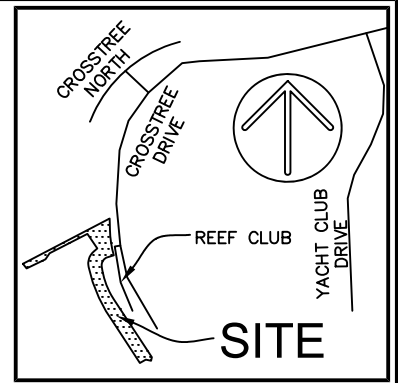
ATLAS SURVEYING, INC.

49 BROWN'S COVE ROAD, SUITE #5
RIDGELAND, SC 29936
PHONE: (843) 645-9277
WEBSITE: WWW.ATLASSURVEYING.COM

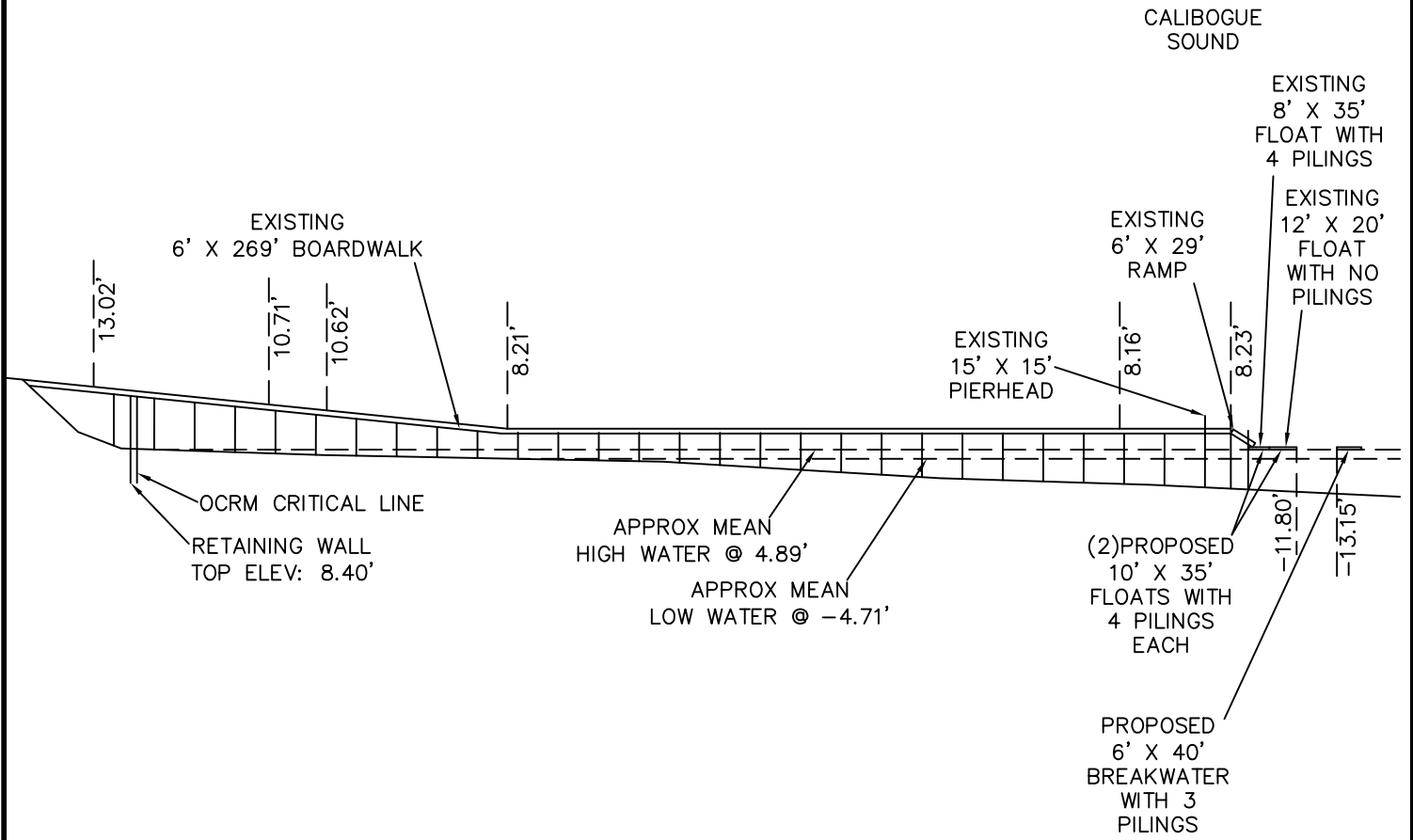


NOTES

1. THIS PARCEL APPEARS TO LIE IN FLOOD ZONE A10 (16.0'), FIRM PANEL 0115-D COMMUNITY 450025.
2. VERTICAL DATUM IS NAVD 88



VICINITY MAP NOT TO SCALE



PREPARED FOR:
WINDMILL HARBOUR
ASSOCIATION

A DOCK AS-BUILT SURVEY OF

WINDMILL HARBOUR
COMMUNITY DOCK

A PORTION OF TAX PARCEL No.
R501 006 00B 0090 0000

JENKINS ISLAND

BEAUFORT COUNTY, SOUTH CAROLINA

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FILE: BFT-20007 D1 PROA-REV.DWG

SHEET 2 OF 2

ATLAS
SURVEYING, INC.

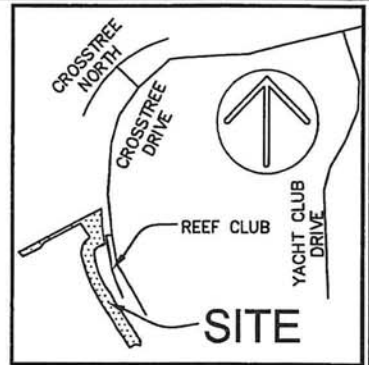
49 BROWN'S COVE ROAD, SUITE #5
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NOT VALID UNLESS CRIMPED WITH SEAL

↑
SKULL
CREEK

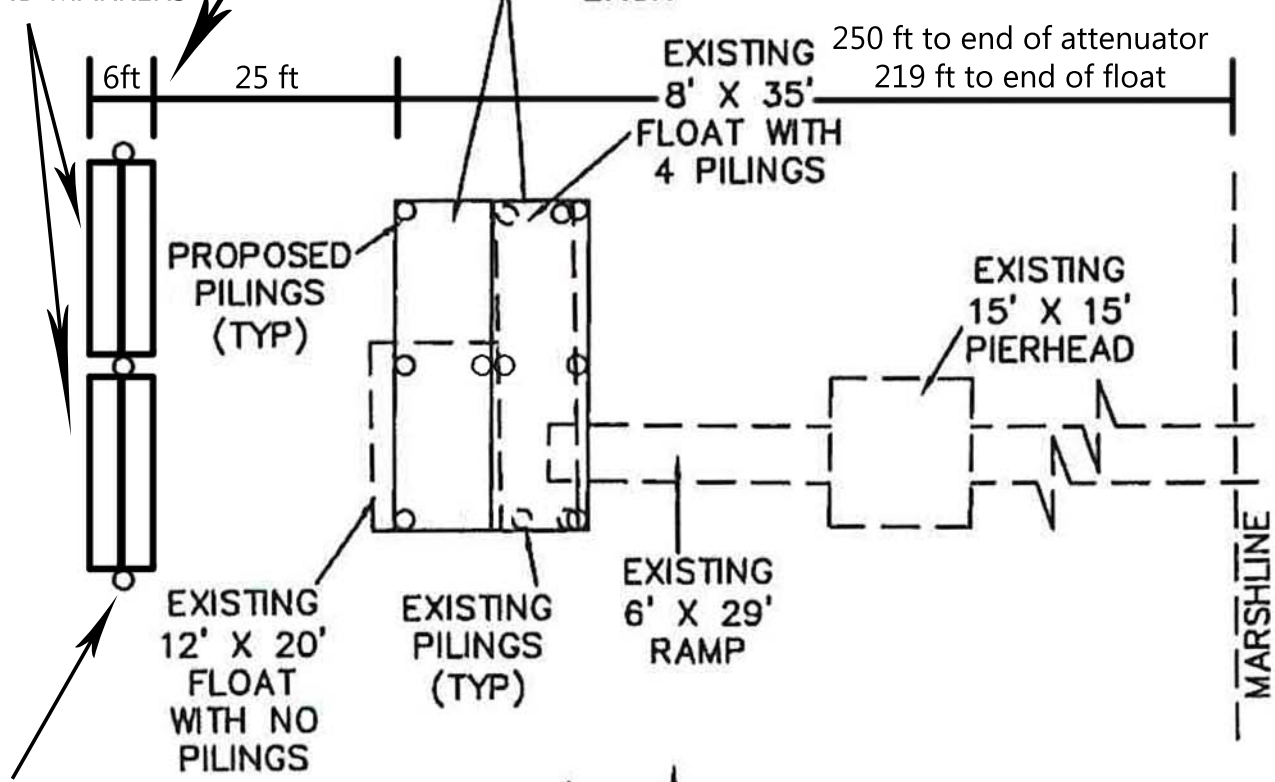


VICINITY MAP NOT TO SCALE

LAT: 32.2166 deg.
LON: 80.7843 deg.

PROPOSED WAVE
ATTENUATORS
(2) 6' X 20'
WITH 3 PILINGS
AND MARKERS

(2) PROPOSED
10' X 35' FLOATS
WITH 4 PILINGS
EACH



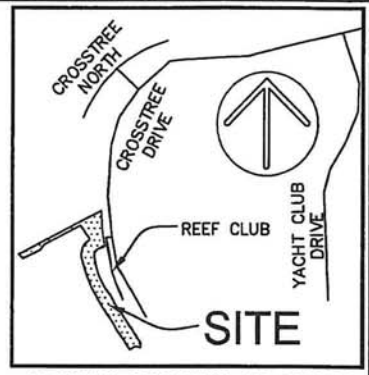
LAT: 32.2165 deg.
LON: 80.7842 deg.

↓
CALIBOGUE
SOUND

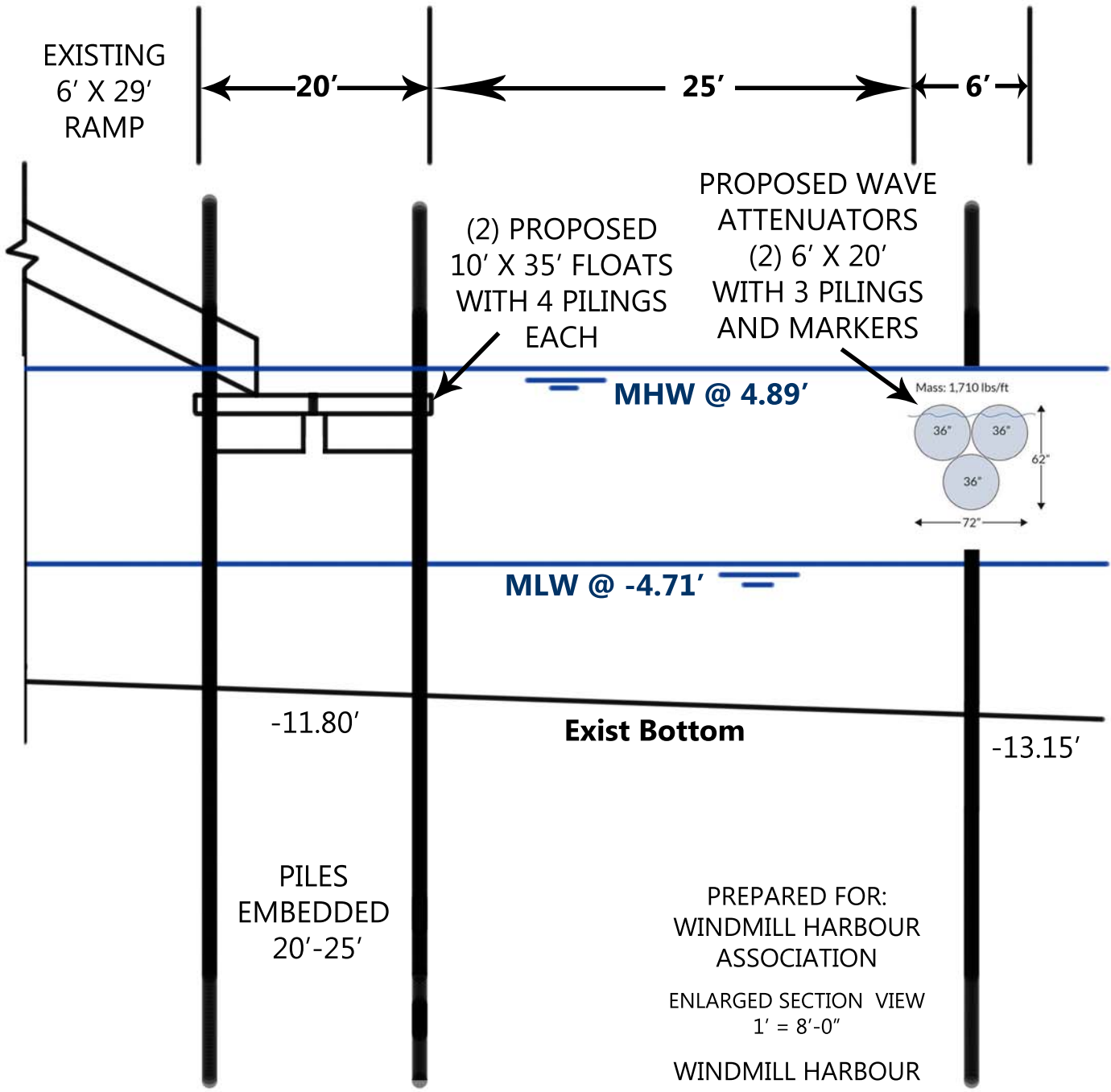
PREPARED FOR:
WINDMILL HARBOUR
ASSOCIATION

ENLARGED PLAN VIEW
1' = 20'-0"

WINDMILL HARBOUR
COMMUNITY DOCK



VICINITY MAP NOT TO SCALE



EXISTING
6' X 29'
RAMP

20'

25'

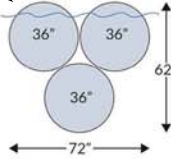
6'

(2) PROPOSED
10' X 35' FLOATS
WITH 4 PILINGS
EACH

PROPOSED WAVE
ATTENUATORS
(2) 6' X 20'
WITH 3 PILINGS
AND MARKERS

MHW @ 4.89'

Mass: 1,710 lbs/ft



MLW @ -4.71'

-11.80'

Exist Bottom

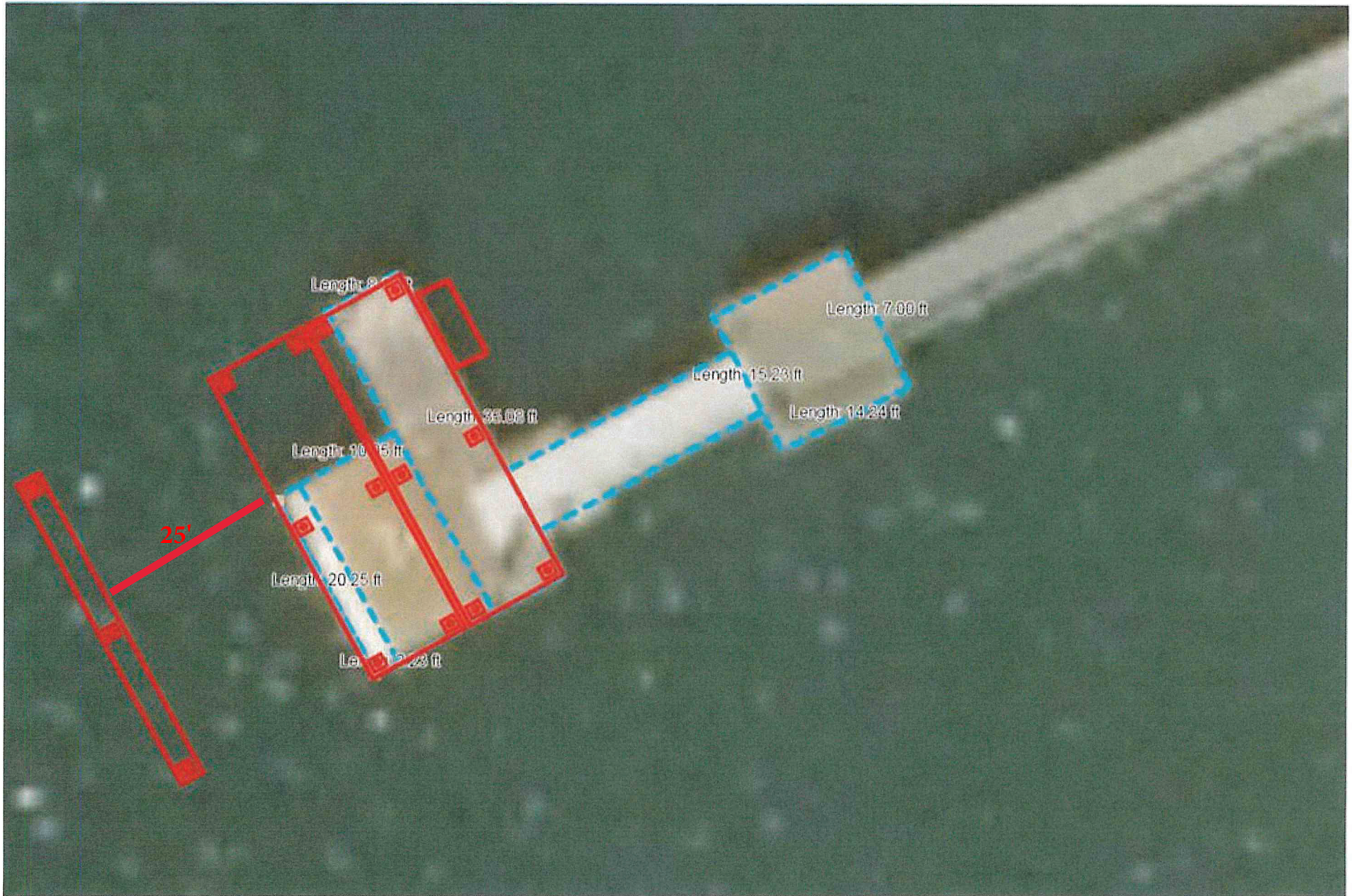
-13.15'

PILES
EMBEDDED
20'-25'

PREPARED FOR:
WINDMILL HARBOUR
ASSOCIATION

ENLARGED SECTION VIEW
1' = 8'-0"

WINDMILL HARBOUR
COMMUNITY DOCK



Existing.
Main Float: 8' wide x 35' long
Add'l Float: 10' wide x 20' long
4 Poles

Proposed:
Two Floats: 10'x35'
Fixed Breakwater
15 Poles