

**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**  
**North Charleston, South Carolina 29405**

REGULATORY DIVISION

Refer to: SAC-2023-00210

June 13, 2023

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. Peter Kristian**  
**Hilton Head Plantation Property Owners Association**  
**PO Box 21940**  
**Hilton Head Island, South Carolina 29925**

for a permit to restore inlet navigation in a channel and renourish an erosional isthmus in

**Park Creek/ Skull Creek**

located at 15 Surrey Lane (TMS# R510 003 000 0060 0000), on Hilton Head Island, Beaufort County, South Carolina (Latitude: 32.2687 °, Longitude: -80.7285 °), Parris Island Quad Sheet.

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 alleviate sedimentation issues at the Park Creek entrance, restore navigability into and out of Park Creek, increase flushing, and to improve water quality to the estuarine marsh creek system. In addition, the beneficial use of the excavated material to renourish the Pine Island isthmus will protect significant marsh vegetation and habitat and promote additional growth.

### **Project Description**

The proposed work consists of restoring navigation in the entrance of Park Creek and renourishing an erosional isthmus shoreline. In detail, the applicant proposes to excavate material from the mouth of Park Creek to restore inlet navigation and flushing through the marsh creek system. The excavated sandy beach compatible material will be beneficially used and placed approximately 2,100 ft east along an erosional section of Port Royal Sound estuarine shoreline between the Dolphin Head Recreational Area (also referred to as Dolphin Head Park) and Pine Island (also referred to as the Pine Island isthmus). The applicant proposes to excavate the sedimentation area to a depth of -6 ft NAVD (+/- 1 ft) with a cut side slope of 1:3 (V:H). Dredge cuts will range from ~50 ft to 250 ft in width by excavating the northeast side of the channel including the accretional material on the west end of Pine Island, restoring the entrance channel for advanced channel maintenance and to mitigate future sedimentation. All excavation and sediment activities will be waterward of the existing marsh vegetation. The sandy beach compatible material will be placed on the Pine Island isthmus to create a berm crest height of +5.5 ft NAVD. The constructed berm will be ~115 ft wide and follow a 1:10 slope down to the existing grade landward of the berm. The project is estimated to take 2-6 months to complete. Typical land-based heavy equipment (e.g., long reach excavator, track-hoes, dump trucks) will be used. Access to the site will either come from barge or through the Dolphin Head Recreation Area. A long reach excavator will be used to remove sand from the mouth of Park Creek and be placed into an offroad dump truck. The truck will drive the designated construction path to the north end of the island and place the compatible sand. A bulldozer or bobcat will be used to shape the fill into the correct template. In total, the project involved the dredging/ excavation of 28,500 cubic yards of material from 4.97 acres to be placed within a 4.76-acre area.

### **Avoidance and Minimization**

The applicant has stated that the proposed project will avoid and/or minimize

impacts to the aquatic environment by conducting all excavation and sediment activities waterward of the existing marsh vegetation. The proposed berm will be placed seaward of the existing stable vegetation to minimize any adverse impacts. Further the applicant proposes to conduct piping plover surveys to verify the absence of birds, completing all work outside of the sea turtle nesting season of May 15 to October 31<sup>st</sup>, and during low-productivity periods. Any wetland habitat near the project will be marked prior to construction. The project will remain in relatively the same location as previously completed restoration projects and no equipment will be stored on the beach during construction. Construction will be limited to daylight hours and any disturbed areas will be restored to pre-construction conditions.

### **Proposed Compensatory Mitigation**

The applicant has not proposed to mitigate for impacts to waters of the United States because there will be no impacts to any marsh vegetation. All excavation and construction activities will be waterward of the existing marsh vegetation. The proposed berm will be placed seaward of the existing stable vegetation to minimize any adverse effects.

### **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 Health and Environmental Control, 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 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.

### **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 9.73 acres 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.

### **Endangered Species**

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County where the work will occur: Frosted flatwoods salamander (*Ambystoma cingulatum*), American wood stork (*Mycteria americana*), Eastern black rail (*Laterallus jamaicensis jamaicensis*), Piping plover (*Charadrius melodus*), Red-cockaded woodpecker (*Picoides borealis*), Rufa 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*), Sei whale (*Balaenoptera borealis*), Sperm whale (*Physeter macrocephalus*), West Indian manatee (*Trichechus manatus*), American chaffseed (*Schwalbea americana*), Pondberry (*Lindera melissifolia*), Green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermochelys coriacea*), and the Loggerhead sea turtle (*Caretta caretta*).

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 the frosted flatwood salamander, American wood stork, red-cockaded woodpecker, the whales, Northern long-eared bat, American chaffseed, and the pondberry and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect the West Indian Manatee, the Atlantic sturgeon, shortnose sturgeon, and the sea turtles or 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/or the National Marine Fisheries Service on this determination.

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, based on the most recently available information, that the project may affect the piping plover and the Rufa red knot. A biological assessment (or other similar document) detailing our analysis of the potential effects of the action will be provided to the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service.

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.

### **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. 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-2023-00210), to [Chelsea.B.Fannin@usace.army.mil](mailto:Chelsea.B.Fannin@usace.army.mil) or the following address:**

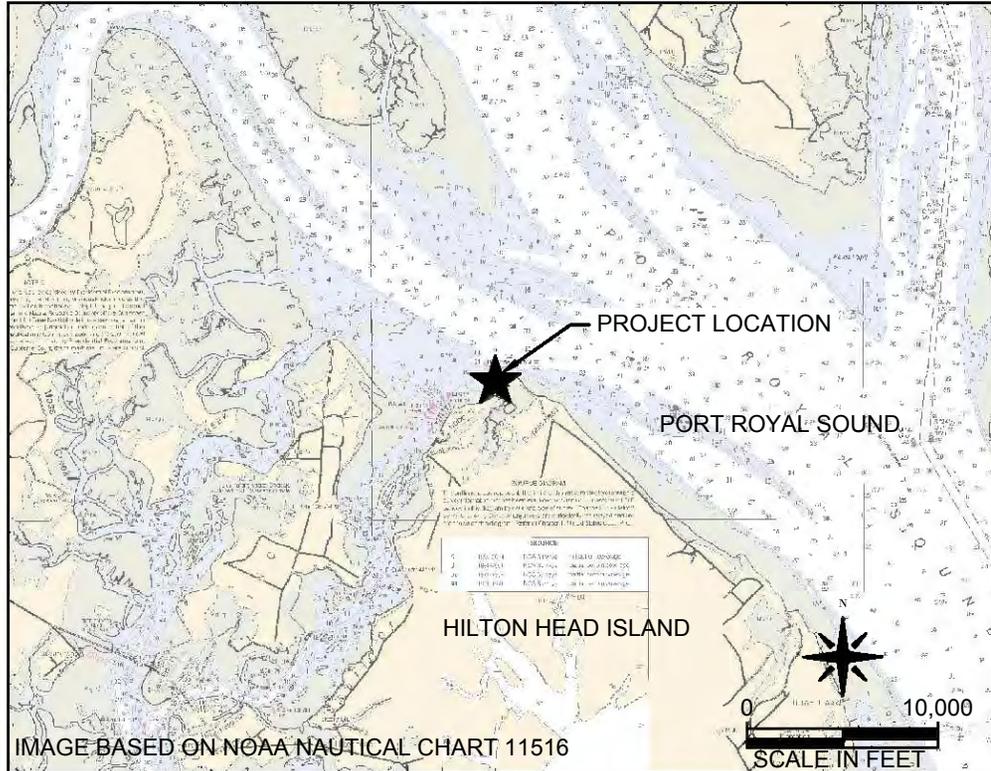
**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, SC 29403-5107**

If there are any questions concerning this public notice, please contact Chelsea B. Fannin, Project Manager, at (843) 329-8038, or by email at [Chelsea.B.Fannin@usace.army.mil](mailto:Chelsea.B.Fannin@usace.army.mil).

FOR PERMITTING PURPOSES ONLY  
 "NOT FOR CONSTRUCTION"

# PROPOSED CHANNEL RESTORATION AND EXCAVATION FOR FLUSHING & NAVIGATION IMPROVEMENTS OF PARK CREEK

HILTON HEAD ISLAND, SOUTH CAROLINA



SHEET INDEX:

1. COVER SHEET & LOCATION MAP
2. EXISTING CONDITIONS & ADJACENT PROPERTIES
3. PROPOSED CHANNEL RESTORATION & BENEFICIAL USE SAND PLACEMENT
4. PROPOSED PARK CREEK CHANNEL RESTORATION
5. PROPOSED CHANNEL RESTORATION PROFILES
6. PROPOSED BENEFICIAL USE SAND PLACEMENT
7. PROPOSED BENEFICIAL USE SAND PLACEMENT PROFILES

RIBAUT ISLAND, SKULL CREEK, SC 8668918

DATUM	ABBREV.	ELEV. FT (NAVD88)
MEAN HIGHER HIGH WATER	MHHW	3.3
MEAN HIGHER WATER	MHW	2.9
NORTH AMERICAN VERTICAL DATUM OF 1988	NAVD88	0
MEAN LOW WATER	MLW	-3.9
MEAN LOWER LOW WATER	MLLW	-4.1



PROJECT: Park Creek Channel Restoration  
 WATERBODY: Port Royal Sound  
 COUNTY: Beaufort  
 STATE: South Carolina  
 LATITUDE: 32° 16.110'N  
 LONGITUDE: 80° 43.867'W

COVER SHEET &  
 LOCATION MAP

Requested by: Hilton Head Plantation POA, Inc.

Project Address: 15 Surrey Ln., Hilton Head Island, SC

Parcel ID: R510 003 000 0060 0000



8-May-2023  
 SHEET 01

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 NOTE: THESE DRAWINGS AND DESIGNS ARE STRICTLY CONFIDENTIAL AND PROTECTED BY INTERNATIONAL COPYRIGHT LAW. DETAILS MUST NOT BE DISCLOSED, REPRODUCED OR COMMUNICATED TO A 3rd PARTY IN ANY FORM OR MANNER WITHOUT THE PRIOR WRITTEN APPROVAL OF APPLIED TECHNOLOGY & MANAGEMENT.

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"NOT FOR CONSTRUCTION"**

1. OWNER: FARR KEN D  
MAIL ADD.: 55 RIBAUT DR  
HILTON HEAD ISLAND, SC 29926
2. OWNER: MARITAL TRUST C/U DAVID G  
SCHOFIELD REVOCABLE LIVING TRUST  
MAIL ADD.: 53 RIBAUT DR  
HILTON HEAD ISLAND, SC 29926
3. OWNER: TI-KE SHEN & WU- YU HWA  
FAMILY TRUST  
MAIL ADD.: 51 RIBAUT DR  
HILTON HEAD ISLAND, SC 29926

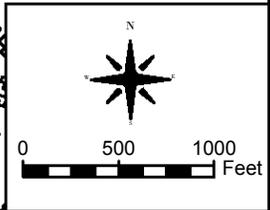
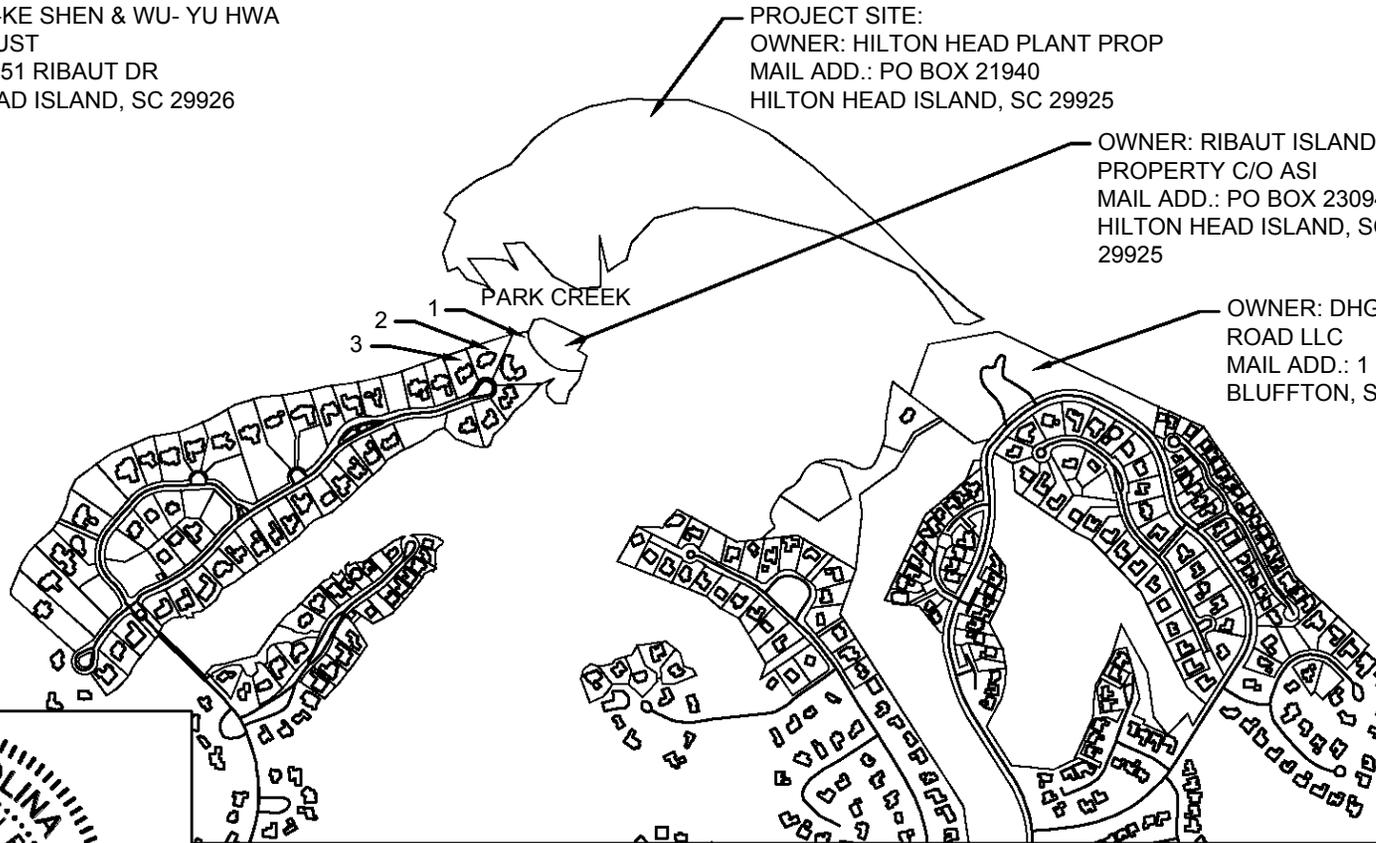
PORT ROYAL SOUND

PROJECT SITE:  
OWNER: HILTON HEAD PLANT PROP  
MAIL ADD.: PO BOX 21940  
HILTON HEAD ISLAND, SC 29925

OWNER: RIBAUT ISLAND  
PROPERTY C/O ASI  
MAIL ADD.: PO BOX 23094  
HILTON HEAD ISLAND, SC  
29925

OWNER: DHGC 56 HIGH BLUFF  
ROAD LLC  
MAIL ADD.: 1 PINECREST WAY  
BLUFFTON, SC 29910

SKULL CREEK



PROJECT: Park Creek Channel Restoration  
 WATERBODY: Port Royal Sound  
 COUNTY: Beaufort  
 STATE: South Carolina  
 LATITUDE: 32° 16.110'N  
 LONGITUDE: 80° 43.867'W

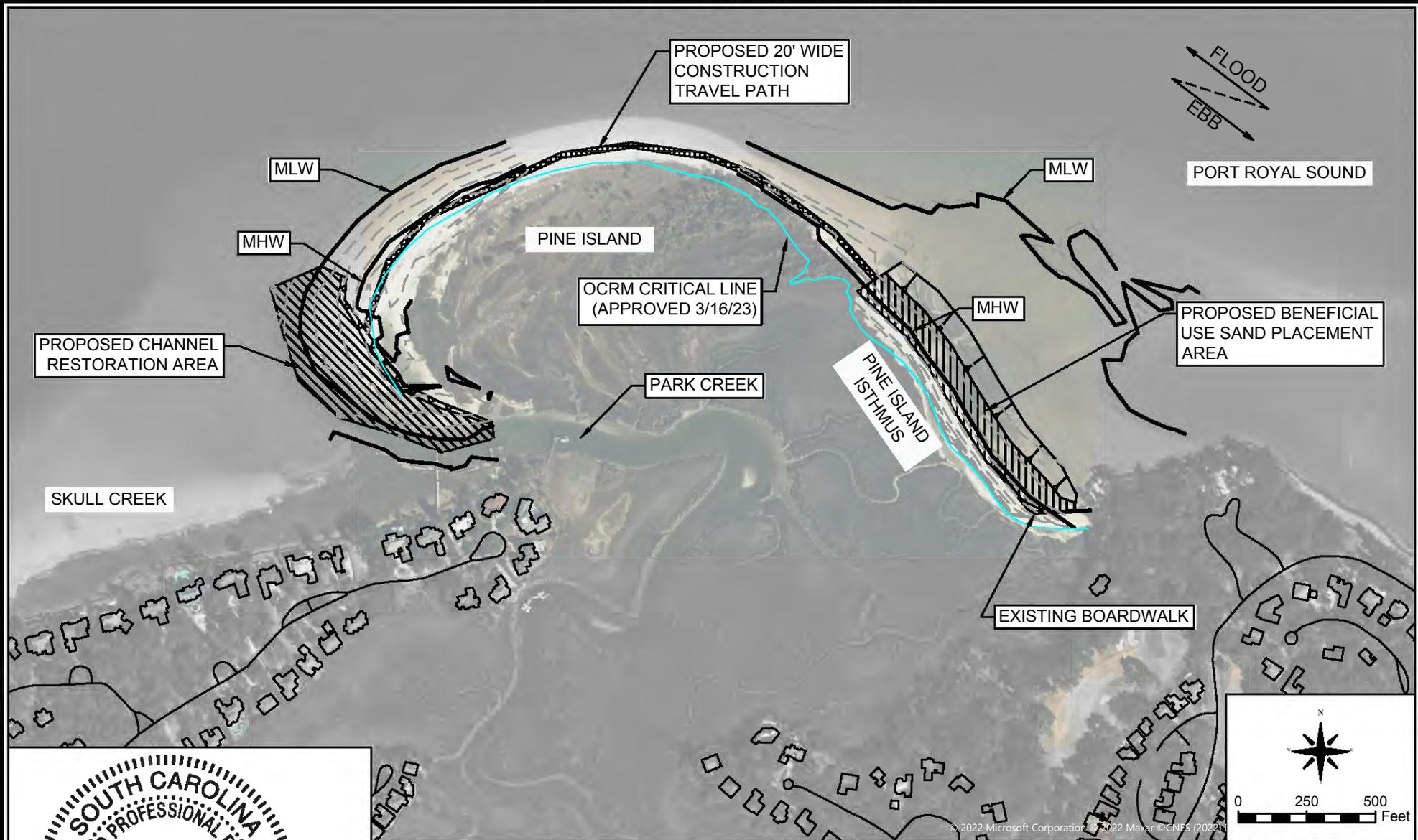
**EXISTING CONDITIONS & ADJACENT PROPERTIES**

Requested by: Hilton Head Plantation POA, Inc.  
 Project Address: 15 Surrey Ln., Hilton Head Island, SC  
 Parcel ID: R510 003 000 0060 0000



8-May-2023  
SHEET 02

FOR PERMITTING PURPOSES ONLY  
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PROJECT: Park Creek Channel Restoration  
 WATERBODY: Port Royal Sound  
 COUNTY: Beaufort  
 STATE: South Carolina  
 LATITUDE: 32° 16.110'N  
 LONGITUDE: 80° 43.867'W

PROPOSED CHANNEL RESTORATION AND BENEFICIAL USE SAND PLACEMENT  
 Requested by: Hilton Head Plantation POA, Inc.  
 Project Address: 15 Surrey Ln., Hilton Head Island, SC  
 Parcel ID: R510 003 000 0060 0000

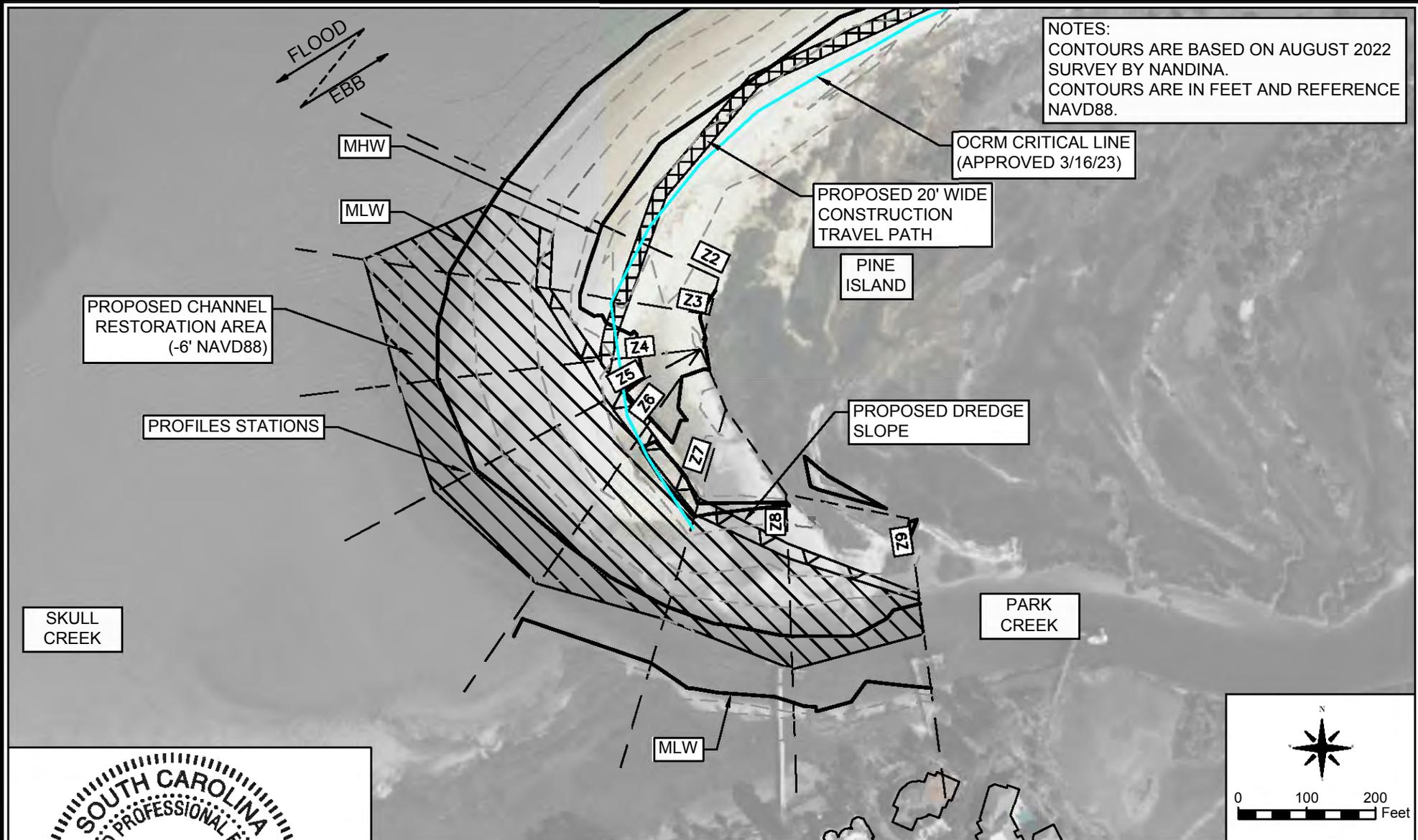


8-May-2023  
 SHEET 03

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NOTES:  
 CONTOURS ARE BASED ON AUGUST 2022 SURVEY BY NANDINA.  
 CONTOURS ARE IN FEET AND REFERENCE NAVD88.



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8-May-2023

PROJECT: Park Creek Channel Restoration  
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 LATITUDE: 32° 16.110'N  
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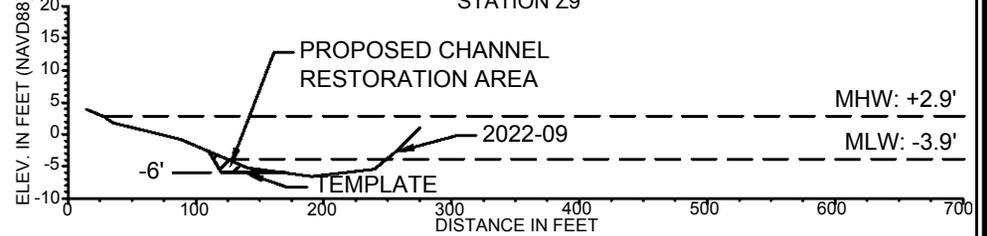
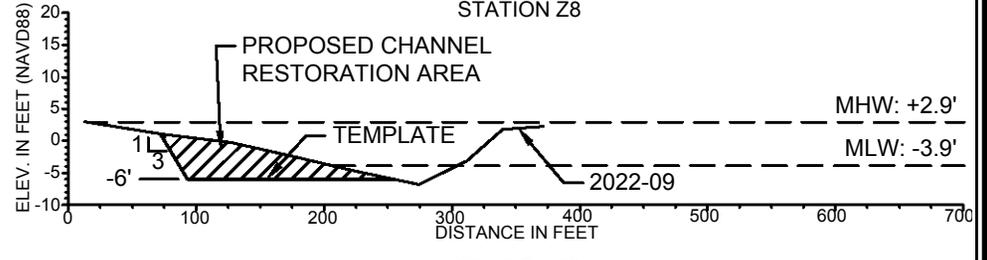
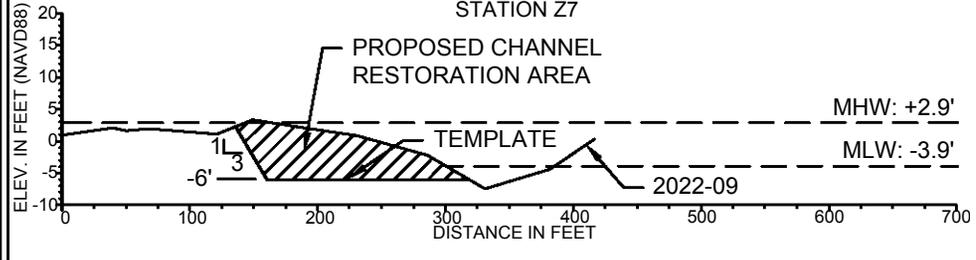
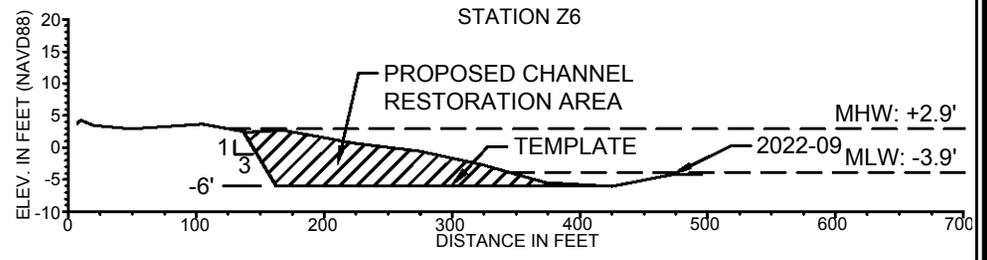
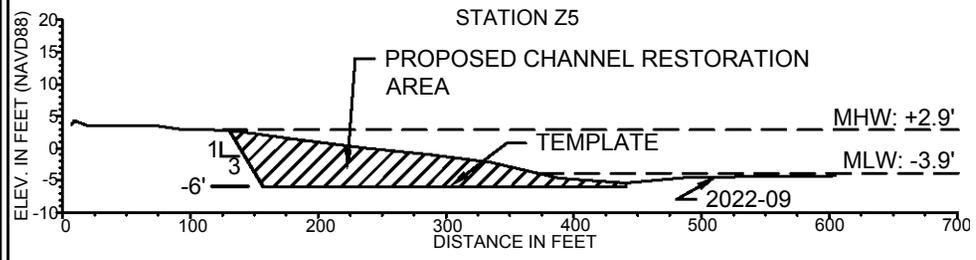
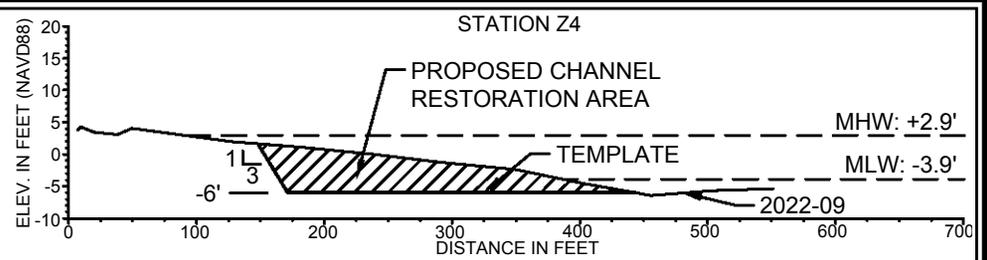
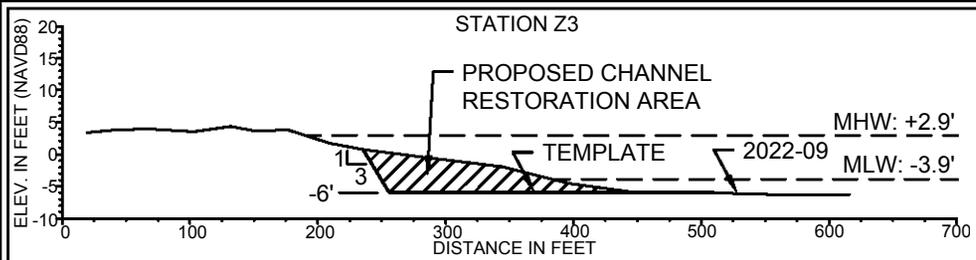
PROPOSED PARK CREEK CHANNEL RESTORATION  
 Requested by: Hilton Head Plantation POA, Inc.  
 Project Address: 15 Surrey Ln., Hilton Head Island, SC  
 Parcel ID: R510 003 000 0060 0000



8-May-2023  
 SHEET 04

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CHANNEL EXCAVATION VOLUME AVAILABLE FOR RESTORATION IS ~28,500 CY

NOTE:  
 PROFILES ARE BASED ON AUGUST 2022 SURVEY BY NANDINA.



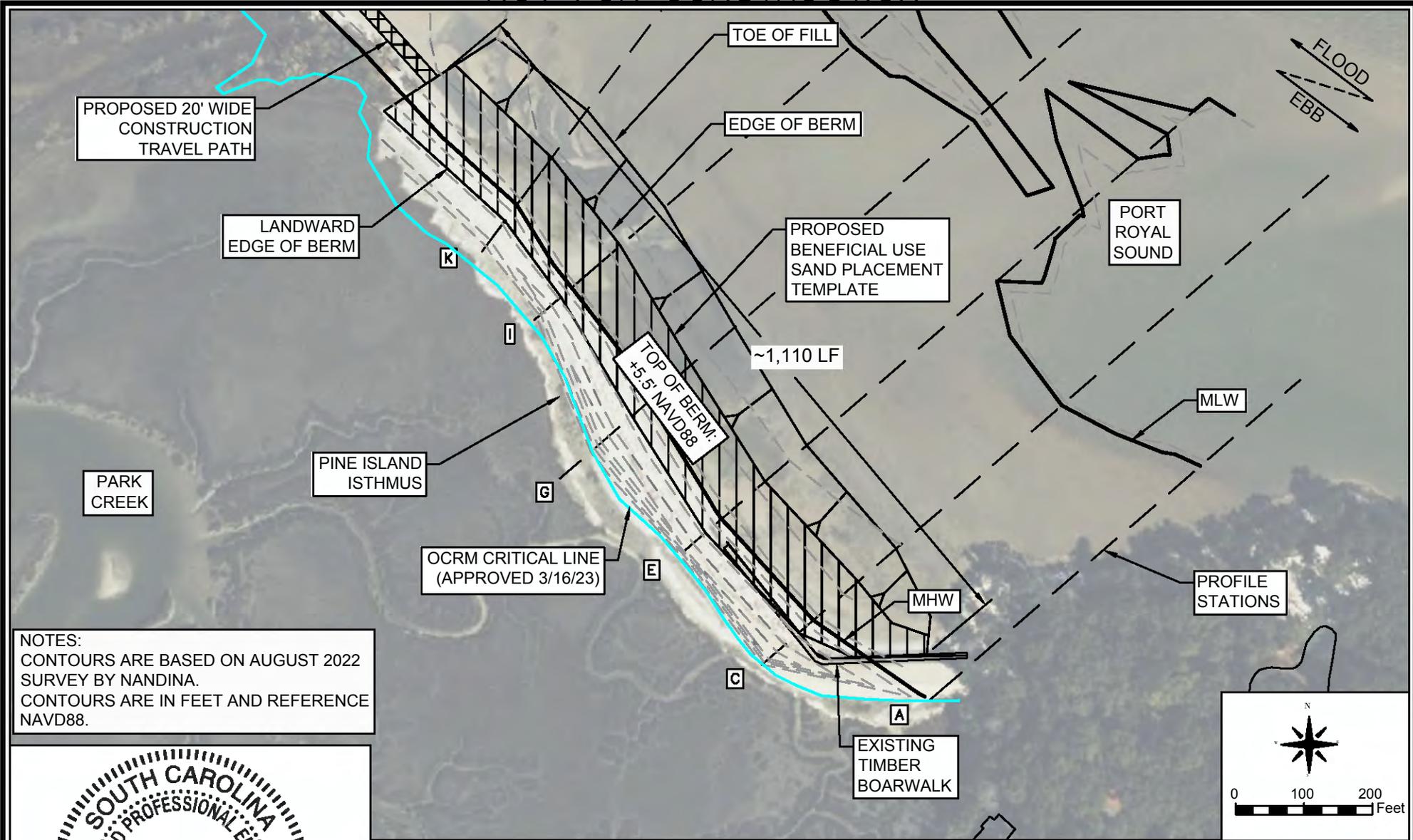
PROJECT: Park Creek Channel Restoration  
 WATERBODY: Port Royal Sound  
 COUNTY: Beaufort  
 STATE: South Carolina  
 LATITUDE: 32° 16.110'N  
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PROPOSED CHANNEL RESTORATION PROFILES  
 Requested by: Hilton Head Plantation POA, Inc.  
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8-May-2023  
 SHEET 05

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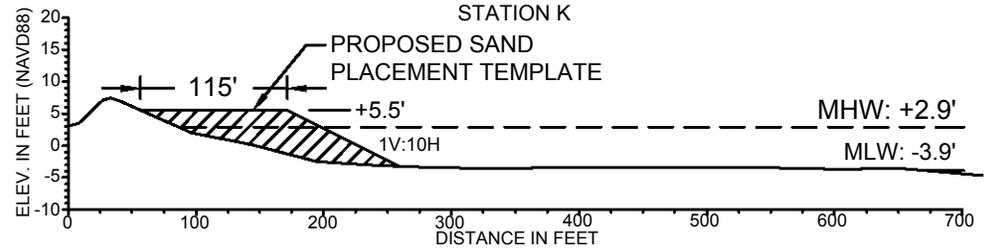
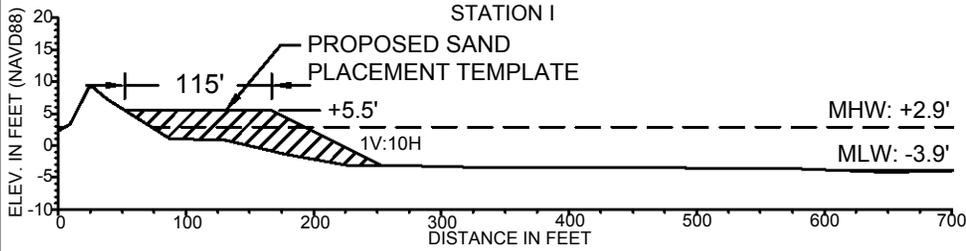
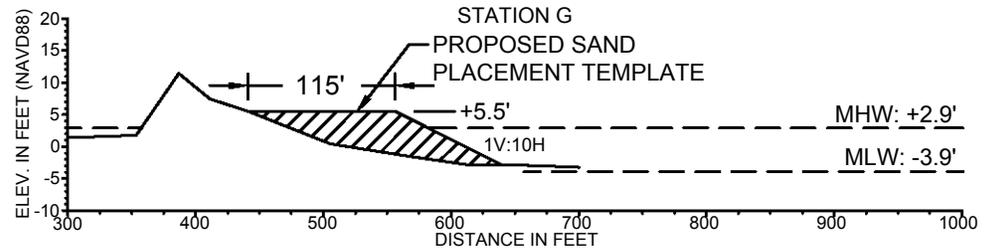
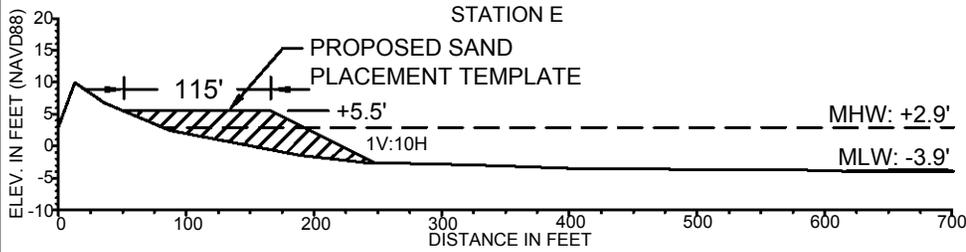
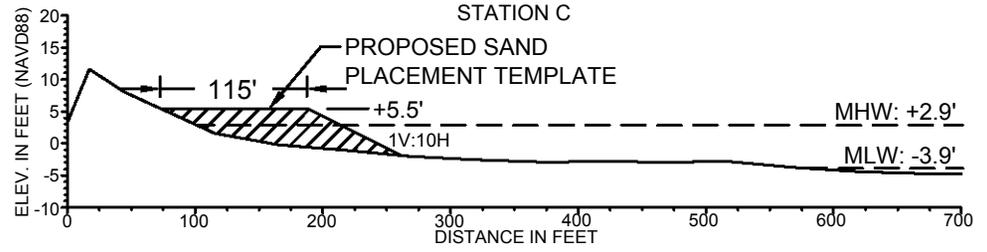
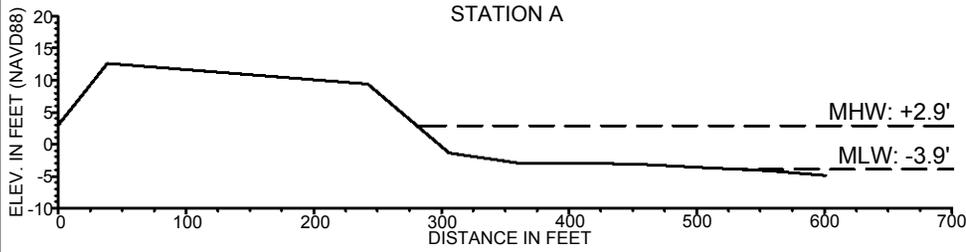


PROJECT: Park Creek Channel Restoration  
 WATERBODY: Port Royal Sound  
 COUNTY: Beaufort  
 STATE: South Carolina  
 LATITUDE: 32° 16.110'N  
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PROPOSED BENEFICIAL USE SAND PLACEMENT  
 Requested by: Hilton Head Plantation POA, Inc.  
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 Parcel ID: R510 003 000 0060 0000

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NOTE:  
PROFILES ARE BASED ON AUGUST 2022  
SURVEY BY NANDINA.

BENEFICIAL USE SAND PLACEMENT  
TEMPLATE HAS A CAPACITY OF ~29,500 CY  
(TEMPLATE MAY BE SMALLER BASED ON  
EXCAVATED AVAILABLE BEACH  
COMPATIBLE SAND)



PROJECT: Park Creek Channel Restoration  
WATERBODY: Port Royal Sound  
COUNTY: Beaufort  
STATE: South Carolina  
LATITUDE: 32° 16.110'N  
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**PROPOSED BENEFICIAL USE SAND  
PLACEMENT PROFILES**

Requested by: Hilton Head Plantation POA, Inc.  
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Parcel ID: R510 003 000 0060 0000



8-May-2023  
SHEET 07

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