

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 SAC-2009-01417

23 March 2018

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), the South Carolina Coastal Zone Management Act (48-39-10 et seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Mr. Neil Turner
Turner's Marina, LLC
PO Box 23753
Hilton Head Island, South Carolina 29925

for a permit modification to expand an existing fueling dock located within an existing commercial marina in

Skull Creek

at Hilton Head Harbor Marina, located at 43A Jenkins Road, Beaufort County, South Carolina (Latitude: 32.2240 °N, Longitude: -80.7711 °W), **Bluffton Quadrangle**.

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 and existing permit for a commercial marina to expand an existing fueling dock located at the commercial marina. In detail, the applicant

proposes to construct a 10'x100' fueling dock with fuel dispensers and hose reels. This dock will expand an existing 10'x122' fueling dock. Upon completion of the proposed project, the fueling dock will total 10'x222'. The applicant has not proposed to mitigate for impacts to wetlands and/or waters of the United States because the only impacts to waters of the United States are indirect impacts from shading from the associated structures. The project purpose is to expand a fuel dock at an existing commercial marina.

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 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** 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.

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 Atlantic sturgeon (*Acipenser oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), Green sea turtle (*Chelonia mydas*), Kemp's ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermochelys coriacea*), and Loggerhead sea turtle (*Caretta caretta*), which are Federally *endangered or threatened* species, are present in the vicinity of the project. However, it has been determined that the project will have no effect on these species and will not result in the destruction or adverse modification of designated or proposed critical habitat.

In addition, 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 is not likely to adversely affect the West Indian Manatee (*Trichechus manatus*). 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.

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)), 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, to the following address:**

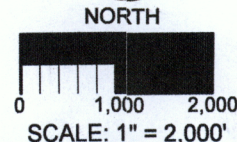
**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

If there are any questions concerning this public notice, please contact Tyler L. Sgro, Project Manager, at (843) 329-8037 or toll free at 1-866-329-8187.



HILTON HEAD HARBOR MARINA

SOURCE: USGS 7.5 MIN. TOPOGRAPHIC QUADRANGLES
"BLUFFTON, SC" OBTAINED FROM SCDNR GIS DATABASE.



FOR PERMITTING PURPOSES ONLY. NOT FOR CONSTRUCTION.

PURPOSE: FACILITATE VESSEL FUELING
DATUM: MLLW
APPLICATION BY: HILTON HEAD HARBOR MARINA
USACE #:
ADJACENT PROPERTY OWNERS: SEE ATTACHED
DATE: 02/19/18

LOCATION MAP

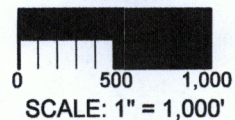
HILTON HEAD HARBOR MARINA
43A JENKINS ROAD
HILTON HEAD ISLAND, SC 29926

PROPOSED: EXTEND EXISTING FUEL DOCK

AT: SKULL CREEK (AIWW) AND TERMINUS
OF JENKINS ISLAND ROAF
COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA
SHEET 1



SOURCES:
GOOGLE EARTH AERIAL IMAGERY, 2017
SCDHEC GIS DATA CLEARINGHOUSE (SHELLFISH CLOSURE ZONE)



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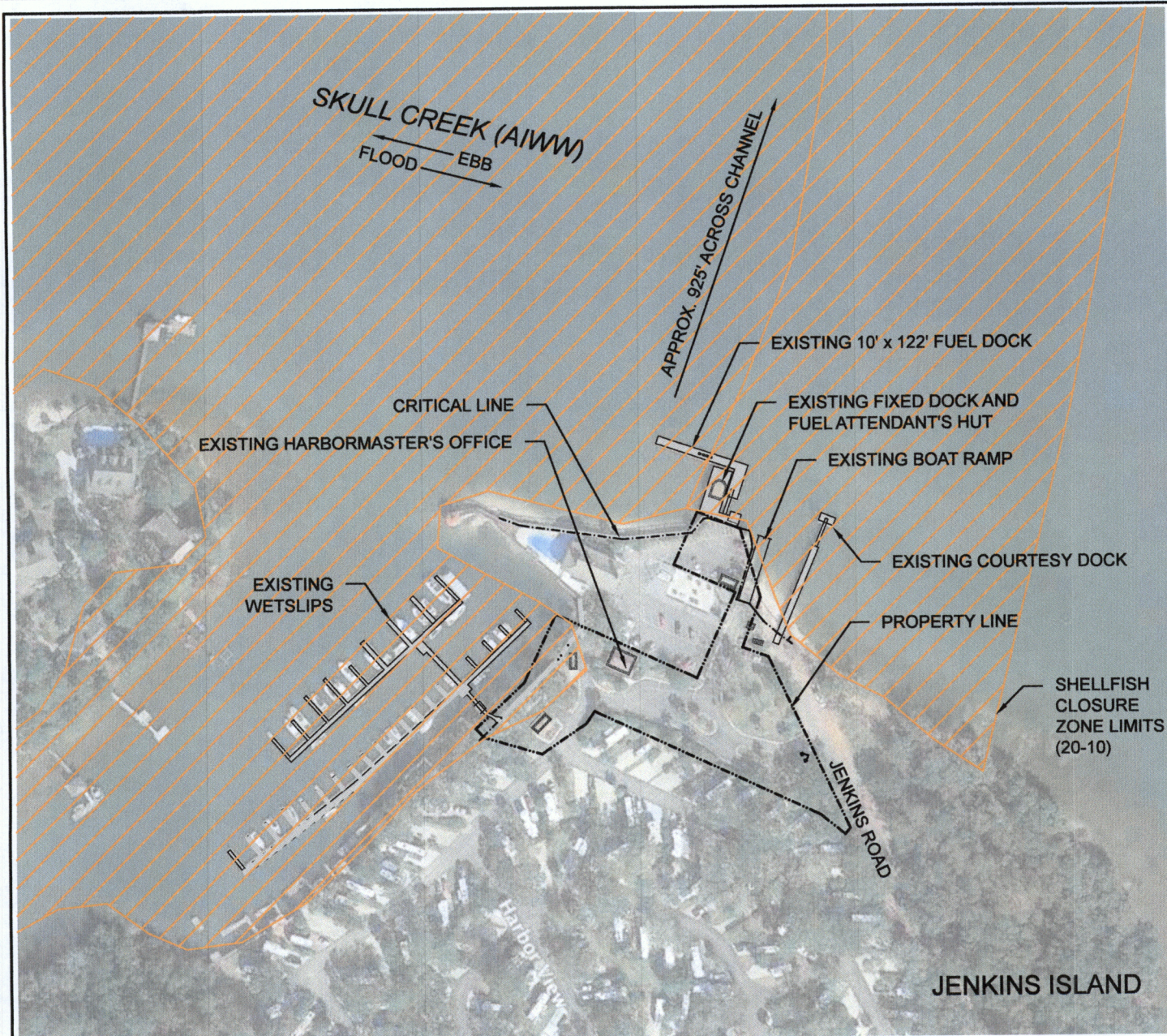
PURPOSE: FACILITATE VESSEL FUELING
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VICINITY MAP

HILTON HEAD HARBOR MARINA
43A JENKINS ROAD
HILTON HEAD ISLAND, SC 29926

PROPOSED: EXTEND EXISTING FUEL DOCK

AT: SKULL CREEK (AIWW) AND TERMINUS
OF JENKINS ISLAND ROAF
COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA
SHEET 2



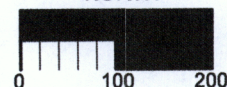
NOTES:

1. THE CRITICAL AREA LINE SHOWN ON THESE DRAWINGS IS TAKEN DIRECTLY FROM THE JULY 24, 2017 "BOUNDARY AND AS-BUILT SURVEY OF PARCEL "B" A PORTION OF HILTON HEAD MARINA AND OUTDOOR RESORTS, TOWN OF HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA" BY SURVEYING CONSULTANTS. THIS PLAT WAS CERTIFIED BY TRENT SHAW ON OCTOBER 10, 2017.
2. THIS SHEET ILLUSTRATES THE EXISTING CONDITIONS AT THE OVERALL MARINA. SEE SHEET 4 FOR AN ENLARGED VIEW OF THE EXISTING FUEL DOCK. SEE SHEET 5 FOR THE PROPOSED FUEL DOCK EXTENSION. SEE SHEET 6 FOR TYPICAL ELEVATION AND CROSS SECTION.

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NORTH



SCALE: 1" = 200'

PURPOSE: FACILITATE VESSEL FUELING

DATUM: MLLW

APPLICATION BY: HILTON HEAD HARBOR MARINA

USACE #:

ADJACENT PROPERTY OWNERS: SEE ATTACHED

DATE: 02/19/18

EXISTING CONDITIONS OVERALL MARINA

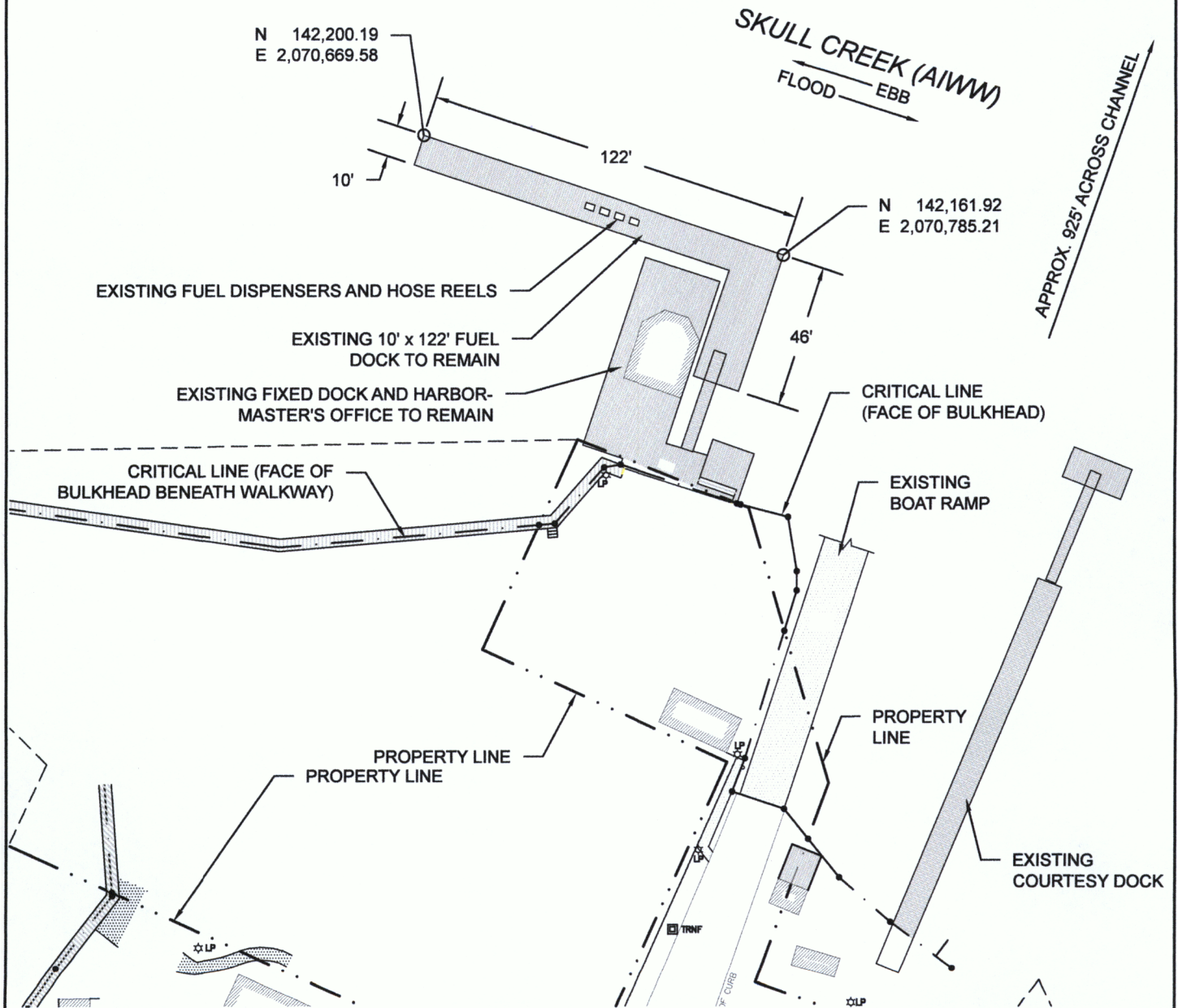
HILTON HEAD HARBOR MARINA
43A JENKINS ROAD
HILTON HEAD ISLAND, SC 29926

PROPOSED: EXTEND EXISTING FUEL DOCK

AT: SKULL CREEK (AIWW) AND TERMINUS
OF JENKINS ISLAND ROAF

COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA

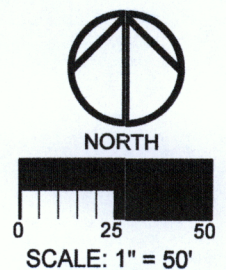
SHEET 3



NOTES:

1. THE CRITICAL AREA LINE SHOWN ON THESE DRAWINGS IS TAKEN DIRECTLY FROM THE JULY 24, 2017 "BOUNDARY AND AS-BUILT SURVEY OF PARCEL "B" A PORTION OF HILTON HEAD MARINA AND OUTDOOR RESORTS, TOWN OF HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA" BY SURVEYING CONSULTANTS. THIS PLAT WAS CERTIFIED BY TRENT SHAW ON OCTOBER 10, 2017.
2. THIS SHEET ILLUSTRATES THE EXISTING CONDITIONS AT THE FUEL DOCK. SEE SHEET 5 FOR THE PROPOSED FUEL DOCK EXTENSION. SEE SHEET 6 FOR TYPICAL ELEVATION AND CROSS SECTION.

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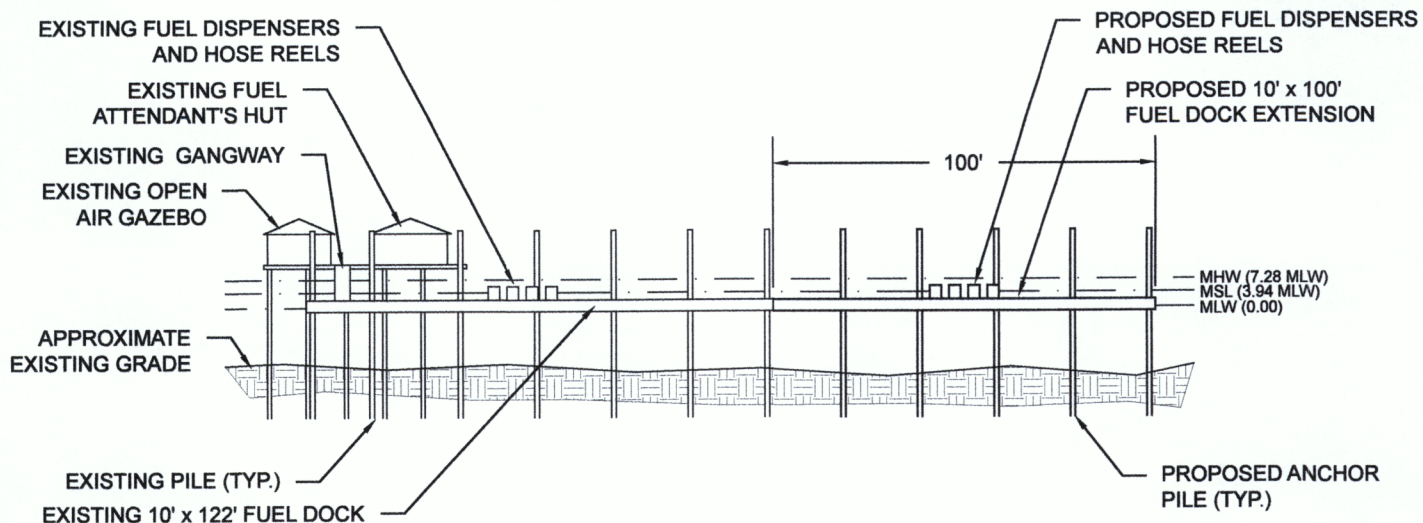
PURPOSE: FACILITATE VESSEL FUELING
 DATUM: MLLW
 APPLICATION BY: HILTON HEAD HARBOR MARINA
 USAGE #:
 ADJACENT PROPERTY OWNERS: SEE ATTACHED
 DATE: 02/19/18

EXISTING CONDITIONS FUEL DOCK

HILTON HEAD HARBOR MARINA
 43A JENKINS ROAD
 HILTON HEAD ISLAND, SC 29926

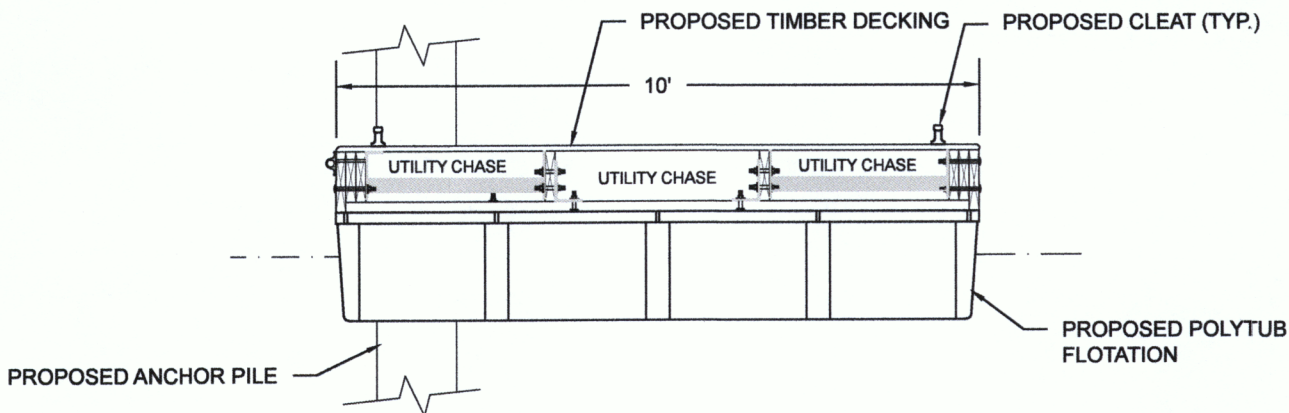
PROPOSED: EXTEND EXISTING FUEL DOCK

AT: SKULL CREEK (AIWW) AND TERMINUS
 OF JENKINS ISLAND ROAF
 COUNTY OF: BEAUFORT
 STATE: SOUTH CAROLINA SHEET 4



ELEVATION A - A

SCALE: 1" = 50'

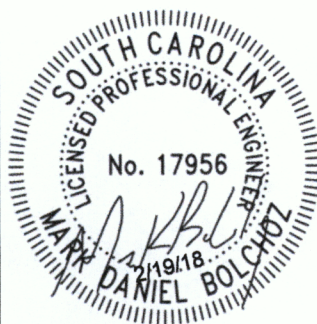


CROSS SECTION B - B

SCALE: 1" = 3'

NOTES:

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2. THIS SHEET ILLUSTRATES THE TYPICAL ELEVATION AND CROSS SECTION OF THE PROPOSED FUEL DOCK EXTENSION.



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PURPOSE: FACILITATE VESSEL FUELING
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**ELEVATION A - A
 CROSS SECTION B - B**

HILTON HEAD HARBOR MARINA
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PROPOSED: EXTEND EXISTING FUEL DOCK

AT: SKULL CREEK (AIWW) AND TERMINUS
 OF JENKINS ISLAND ROAF
 COUNTY OF: BEAUFORT
 STATE: SOUTH CAROLINA
 SHEET 6