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-2022-01511

November 17, 2022

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 103 of the Marine Protection, Research and Sanctuaries Act of 1972, 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. Jack Brinkley South Island Dredging Association 46 Gull Point Road Hilton Head, South Carolina 29928

for a permit to perform maintenance dredging in

multiple waters associated with the Calibogue Sound including Harbour Town Marina, Braddock Cove Creek, Gull Point Marina, South Beach Marina, Port Villas, and Baynard Cove Creek

located on Hilton Head Island, Beaufort County, South Carolina (Latitude: 32.133°N, Longitude 80.825° W), Quad Sheet: Tybee Island North.

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 provide adequate water depths at or in Braddock Cove Creek, Baynard Cove Creek, Gull Point Marina, South Beach Marina, and Harbour Town Marina for safe navigation of recreational and commercial vessels.

Project Description

The proposed work consists of maintenance dredging of eight channels and marina areas with inshore open water discharge (IOWD) in the Caliboque Sound. In detail, the applicant is requesting a ten-year maintenance dredging permit to dredge 250,000 cubic yards of material per dredge event using a hydraulic cutterhead dredge to achieve depths of -6' to -8' MLW plus 1' overdredge within approximately 51.7 acres of open tidal water. Dredging will be performed using a standard hydraulic cutterhead dredge with a maximum intake diameter of 16" to 18". A booster pump station will be placed in the pipeline as needed to provide sufficient additional power to transport the material to the placement site. The dredged material would be transported via a pipe to the IOWD placement site located approximately 4,600 feet from the shoreline of Hilton Head Island and approximately 8,100 feet from the shoreline of Daufuskie Island (Latitude: 32.0961°N, Longitude: 80.82694°W). The IOWD placement site is approximately 106 acres total and consists of rippled sand bottom habitat and has a depth of about 25' - 30' MLW. The dredged material will be placed from the pipeline within approximately 56 acres of the IOWD placement site at a height of approximately 3 feet above the bottom using a bottom tremie pipe to diffuse the discharge, reduce velocity, and evenly place the sediment on the bottom. Discharge at this depth will result in most of the sediment initially accumulating on the bottom pending dispersion by currents, with the water column quickly returning to ambient suspended sediment concentrations, and the sediments becoming part of the natural system from which they originated. The distance between the dredge areas and the IOWD is 2 to 3.5 miles depending on the dredge location. The applicant is proposing to dredge from November 1 through March 31st, conducted up to 24 hours per day. The pipeline route along the edge of the shore will not cause any significant impact and has been selected to have minimal effects on navigation. All proposed dredge areas, depths, pipeline route, and disposal site are the same as those previously authorized/ currently permitted under DA Permit SAC-2012-00926.

Avoidance and Minimization

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

impacts to the aquatic environment by not expanding or deepening any areas not previously permitted. In addition, the applicant will maintain a 10' buffer from marsh grass and oyster resources, as required by their current DA permit.

Proposed Compensatory Mitigation

The applicant has not proposed to mitigate for impacts to wetlands and/or waters of the United States as there are no impacts to wetlands.

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 approximately 108 acres of estuarine substrates (51.7 acres of dredging and 56 acres of discharge) 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(s) where the work will occur: Frosted flatwoods salamander, American wood stork, Eastern black rail, piping plover, red-cockaded woodpecker, Rufa red knot, Atlantic sturgeon, shortnose sturgeon, finback whale, humpback whale, Northern long-eared bat, North Atlantic right whale, sei whale, sperm whale, West Indian manatee, American chaffseed, pondberry, green sea turtle, Kemp's Ridley sea turtle, leatherback sea turtle, and loggerhead sea turtle.

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 <u>no effect</u> on the frosted flatwoods salamander, American wood stork, Eastern black rail, piping plover, red-cockaded woodpecker, red-cockaded woodpecker, Rufa red knot, finback whale, humpback whale, right whale, sei whale, sperm whale, Northern long-eared bat, American chaffseed, and pondberry and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project <u>is not likely to adversely affect</u> the green sea turtle, leatherback sea turtle, Kemp's Ridley sea turtle, loggerhead sea turtle, Atlantic sturgeon and shortnose sturgeon, and the West Indian manatee, 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.

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)(I)(1)), and has initially determined that there are historic properties present, but they will not be affected; 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 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

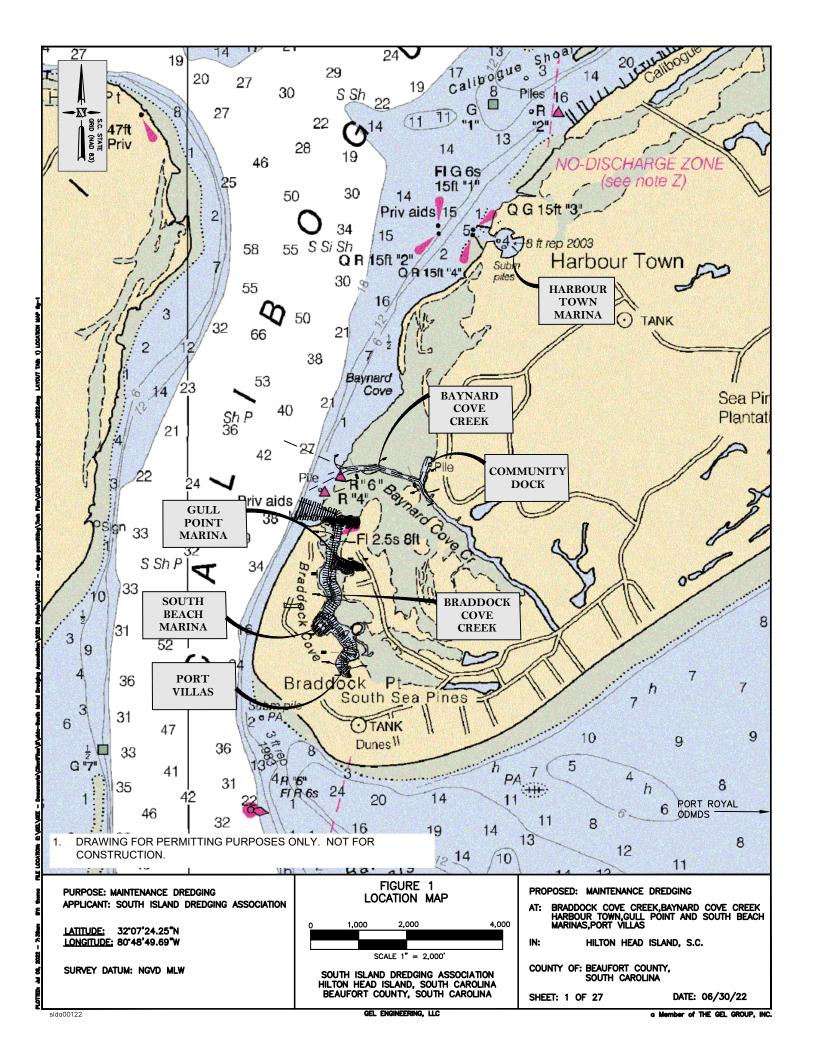
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify,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

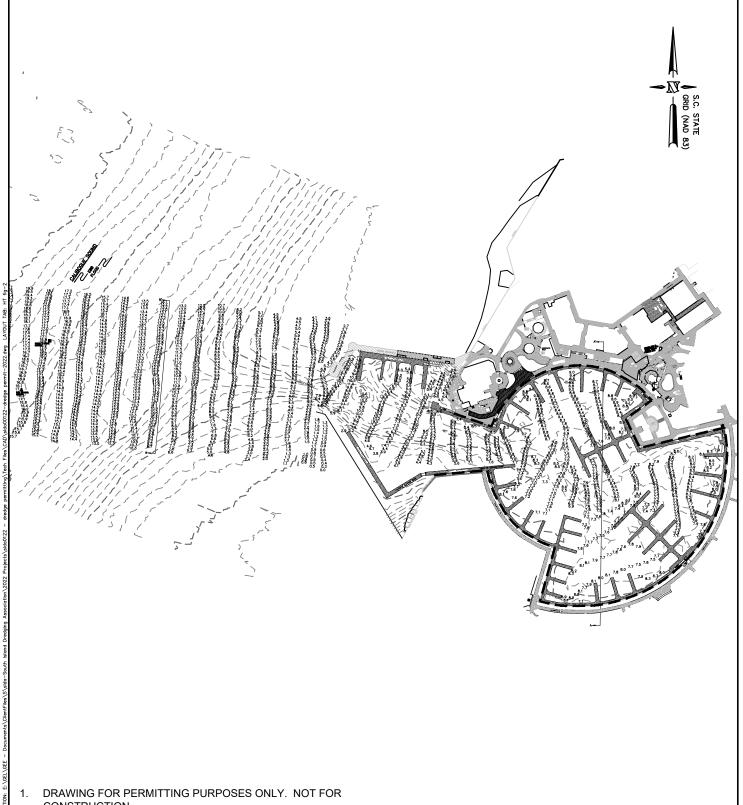
particularity, the reasons for holding a public hearing.

Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-2022-01511), to 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.





CONSTRUCTION.

PURPOSE: MAINTENANCE DREDGING

APPLICANT: SOUTH ISLAND DREDGING ASSOCIATION

LATITUDE: 32°08'15.28"N LONGITUDE: 80°48'47.05"W

SURVEY DATUM: MLW

FIGURE 2 HARBOUR TOWN MARINA PLAN VIEW



SOUTH ISLAND DREDGING ASSOCIATION HILTON HEAD ISLAND, SOUTH CAROLINA BEAUFORT COUNTY, SOUTH CAROLINA

PROPOSED: MAINTENANCE DREDGING

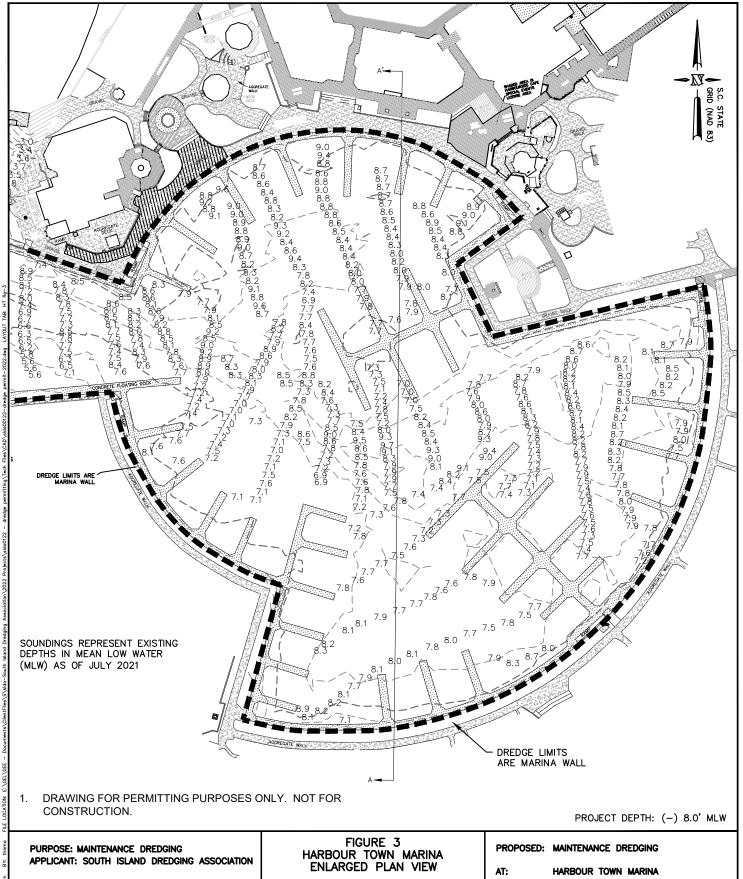
HARBOUR TOWN MARINA AT:

HILTON HEAD ISLAND, S.C. IN:

COUNTY OF: BEAUFORT COUNTY, SOUTH CAROLINA

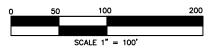
SHEET: 2 OF 27

DATE: 06/30/2022



LATITUDE: 32°08'15.28"N LONGITUDE: 80°48'47.05"W

SURVEY DATUM: MLW

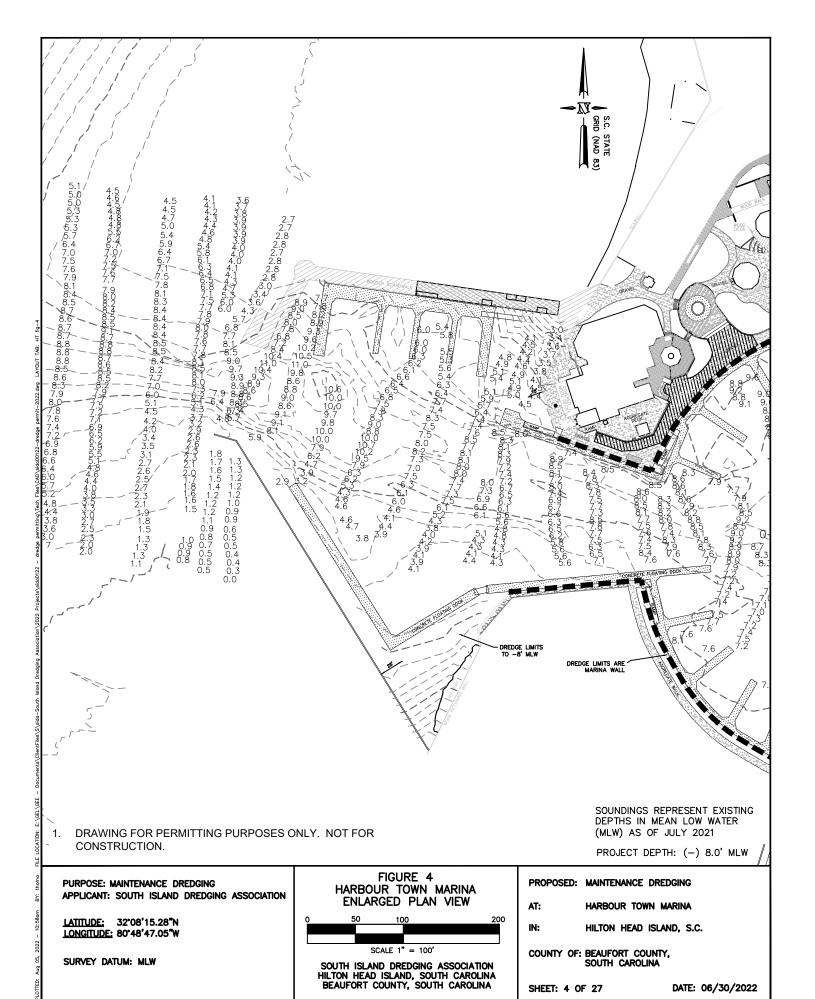


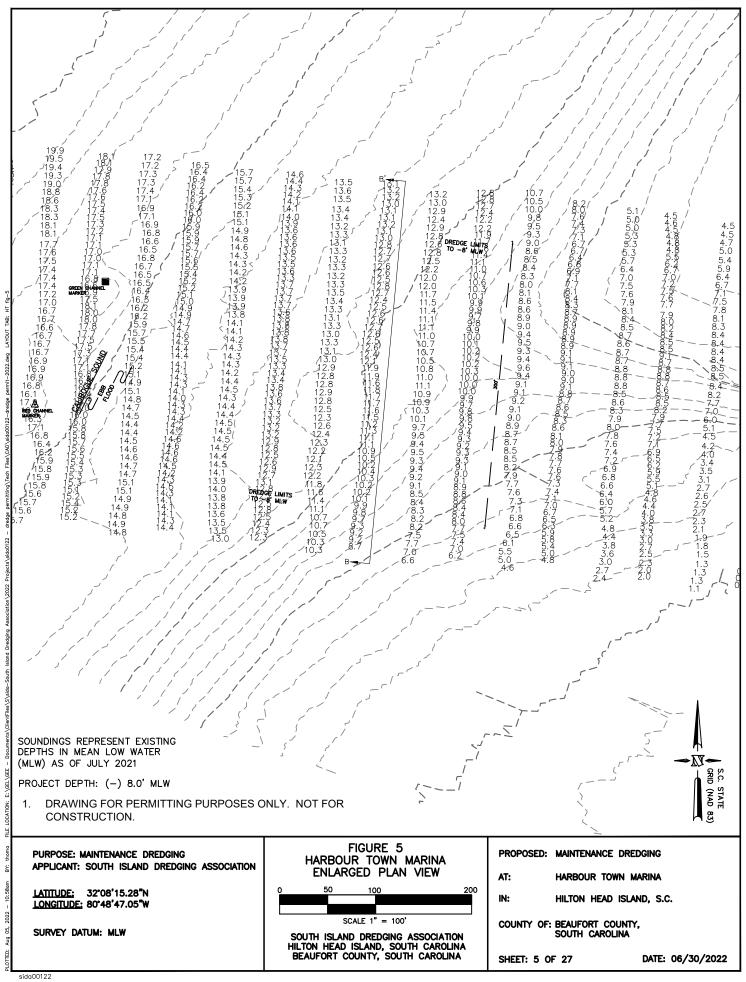
SOUTH ISLAND DREDGING ASSOCIATION HILTON HEAD ISLAND, SOUTH CAROLINA BEAUFORT COUNTY, SOUTH CAROLINA

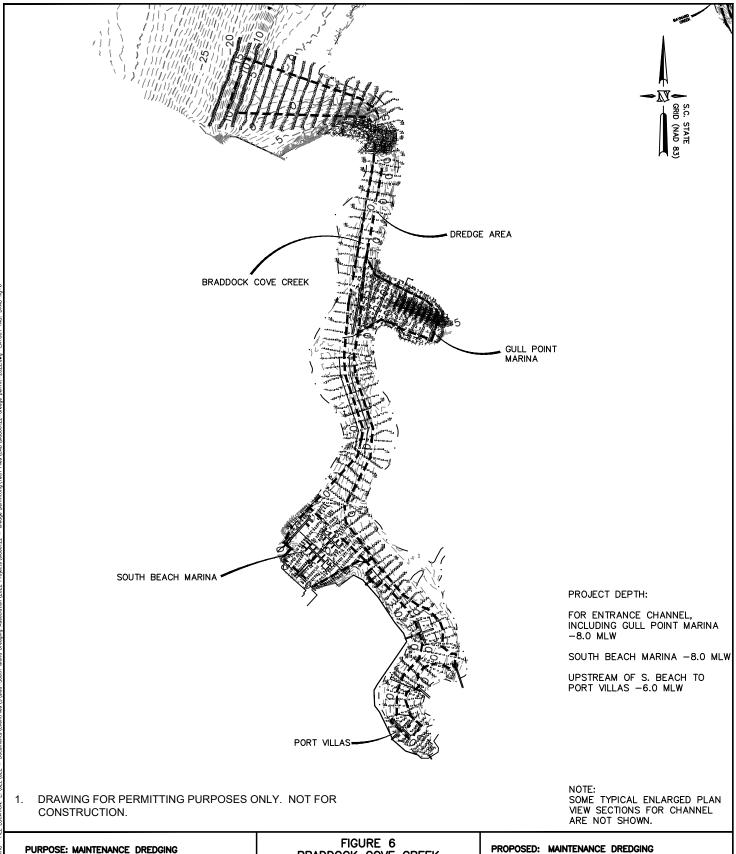
HILTON HEAD ISLAND, S.C.

COUNTY OF: BEAUFORT COUNTY, SOUTH CAROLINA

SHEET: 3 OF 27 DATE: 06/30/2022





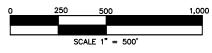


APPLICANT: SOUTH ISLAND DREDGING ASSOCIATION

LATITUDE: 32°07'01.92"N LONGITUDE: 80°49'25.68"W

SURVEY DATUM: MLW

FIGURE 6 BRADDOCK COVE CREEK PLAN VIEW



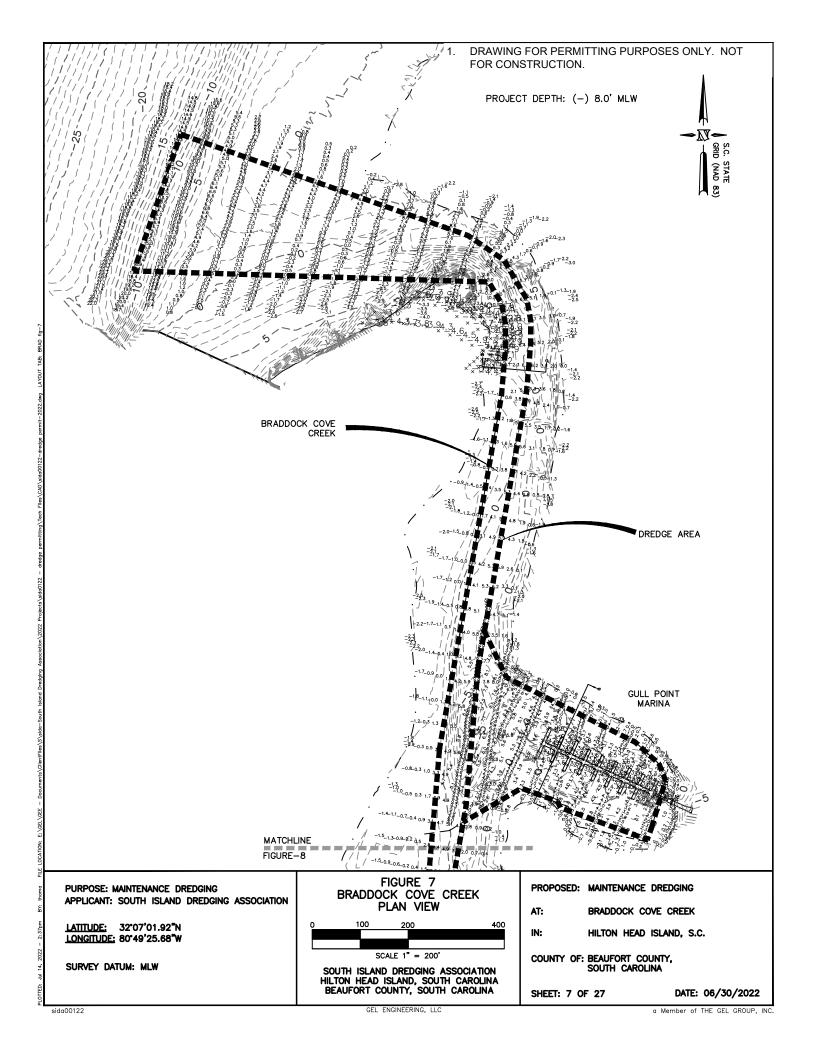
SOUTH ISLAND DREDGING ASSOCIATION HILTON HEAD ISLAND, SOUTH CAROLINA BEAUFORT COUNTY, SOUTH CAROLINA

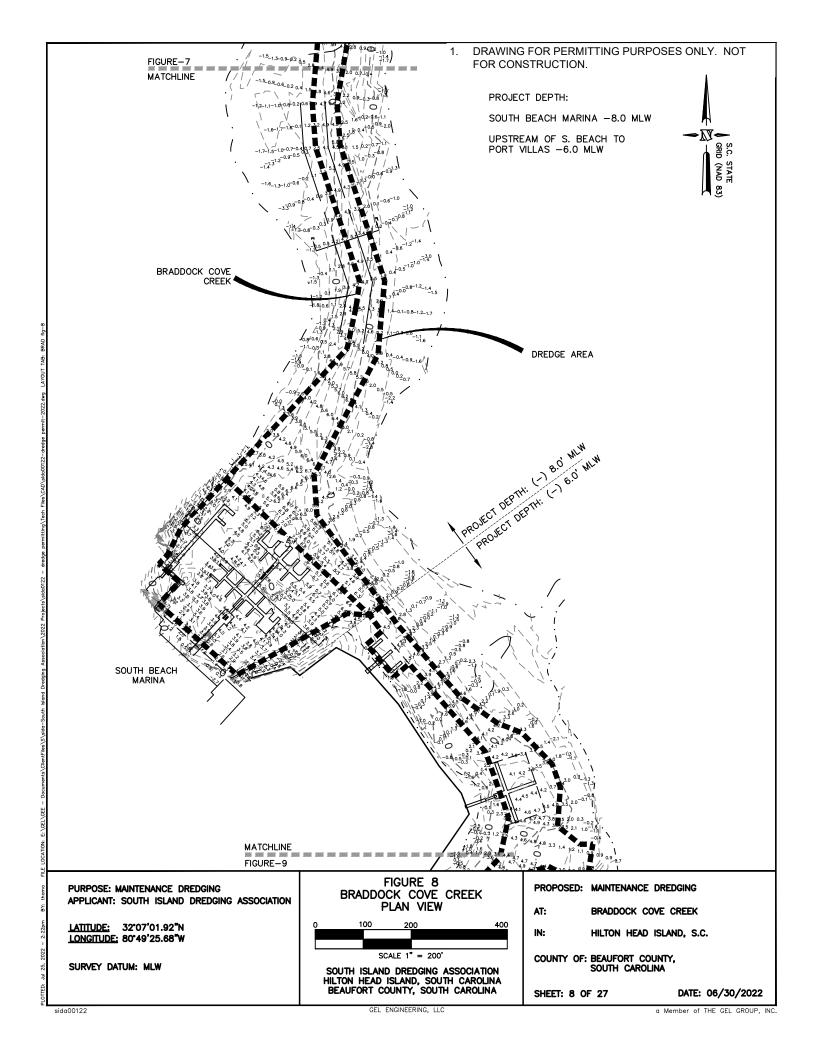
AT: BRADDOCK COVE CREEK

IN: HILTON HEAD ISLAND, S.C.

COUNTY OF: BEAUFORT COUNTY, SOUTH CAROLINA

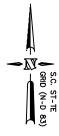
SHEET: 6 OF 27 DATE: 06/30/2022

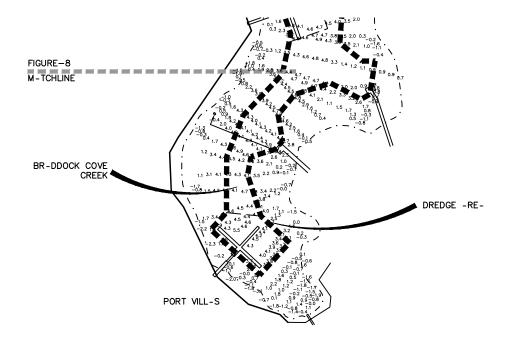




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PROJECT DEPTH: (-) 6.0' MLW





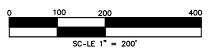
PURPOSE: M-INTEN- CE DREDGING

-PPLIC- T: SOUTH ISL- D DREDGING -SSOCI-TION

L-TITUDE: 32°07'01.92"N LONGITUDE: 80°49'25.68"W

SURVEY D-TUM: MLW

FIGURE 9 BR-DDOCK COVE CREEK PL-N VIEW



SOUTH ISL-ND DREDGING -SSOCI-TION HILTON HE-D ISL-ND, SOUTH C-ROLIN-BE-UFORT COUNTY, SOUTH C-ROLIN-

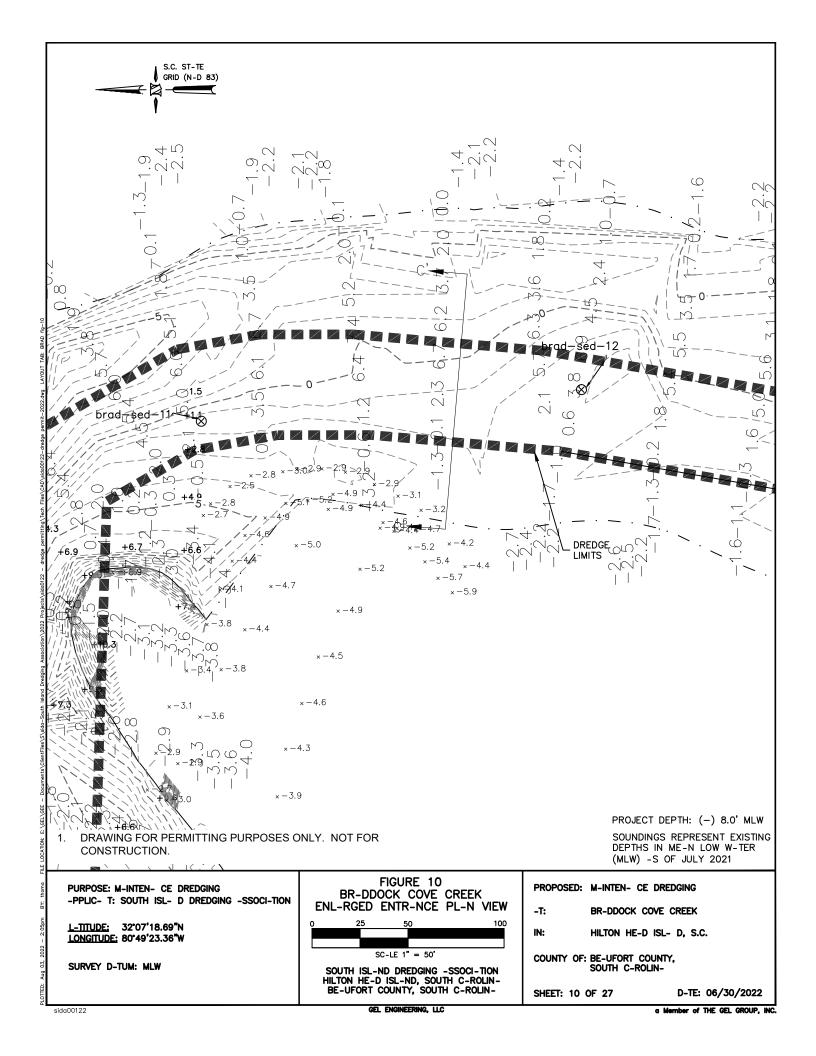
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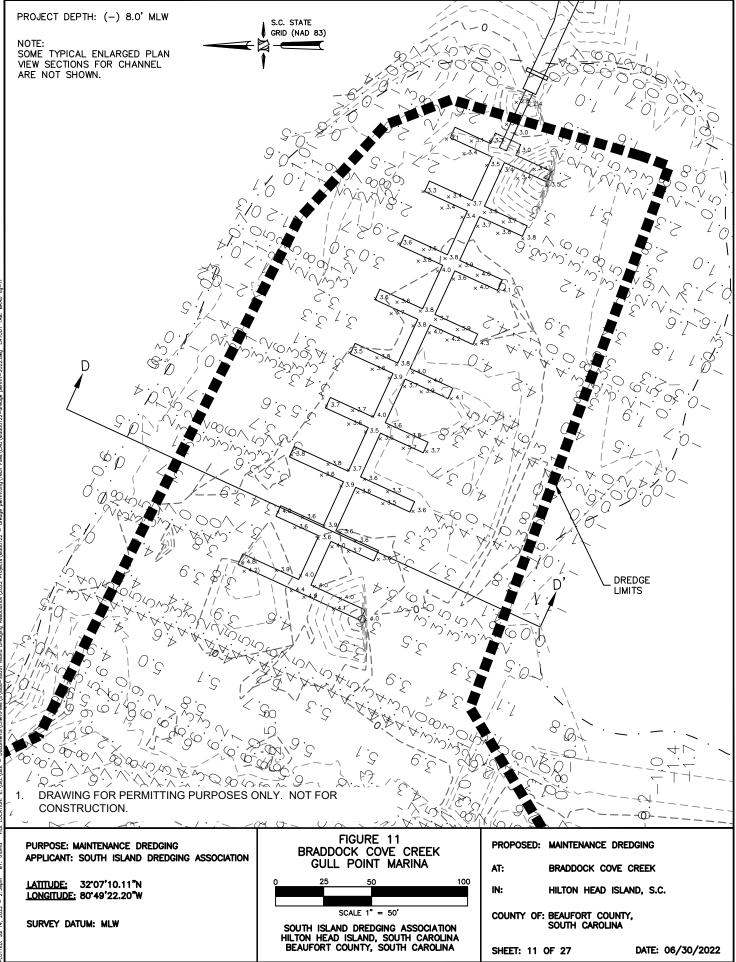
-T: BR-DDOCK COVE CREEK

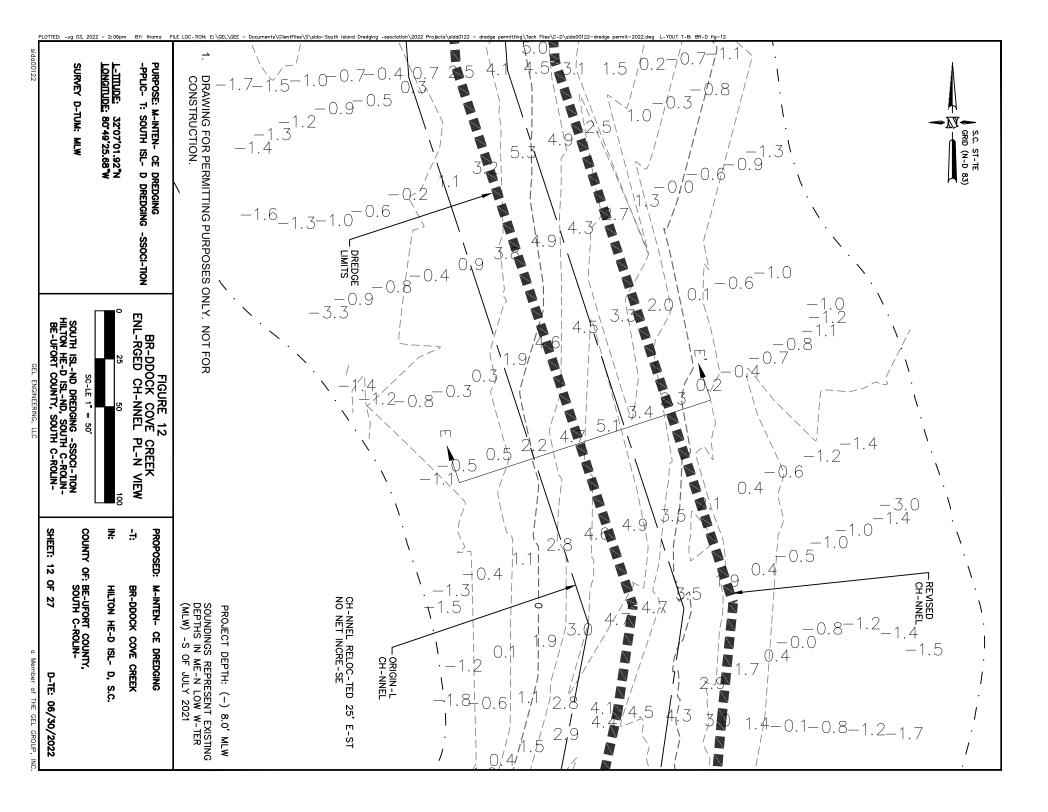
IN: HILTON HE-D ISL- D, S.C.

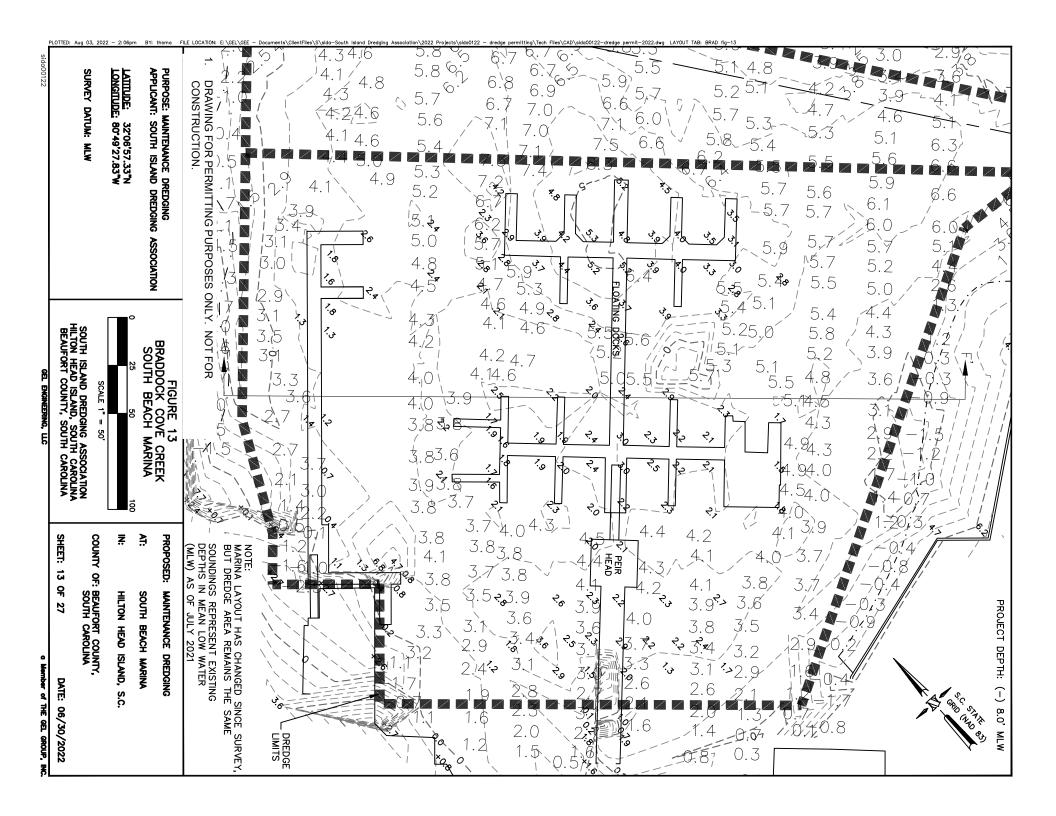
COUNTY OF: BE-UFORT COUNTY, SOUTH C-ROLIN-

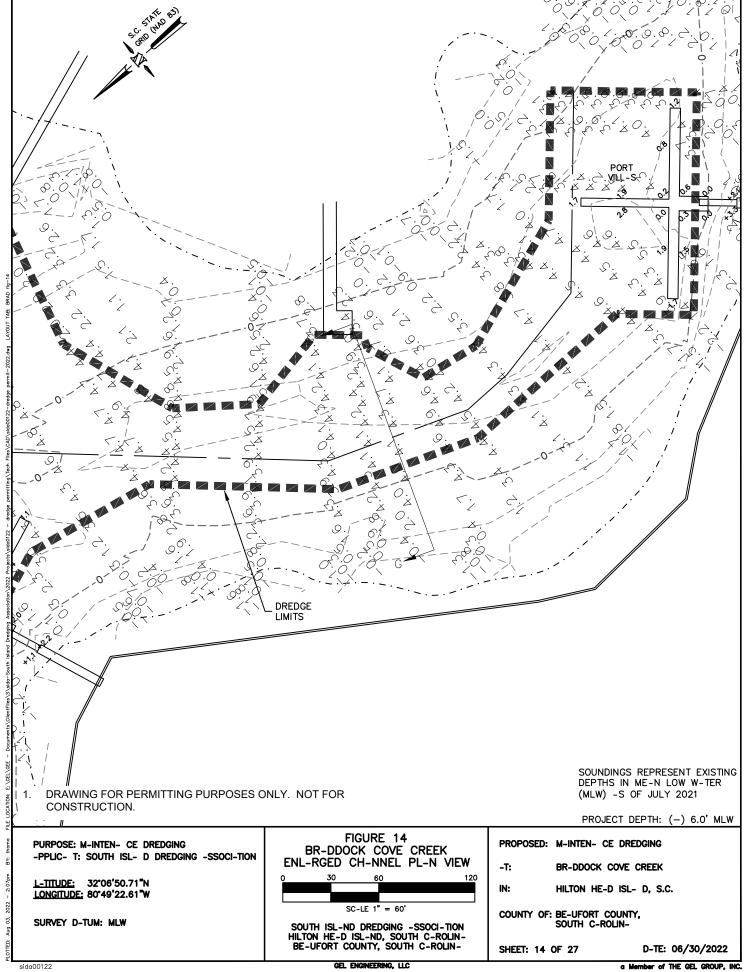
SHEET: 9 OF 27 D-TE: 06/30/2022

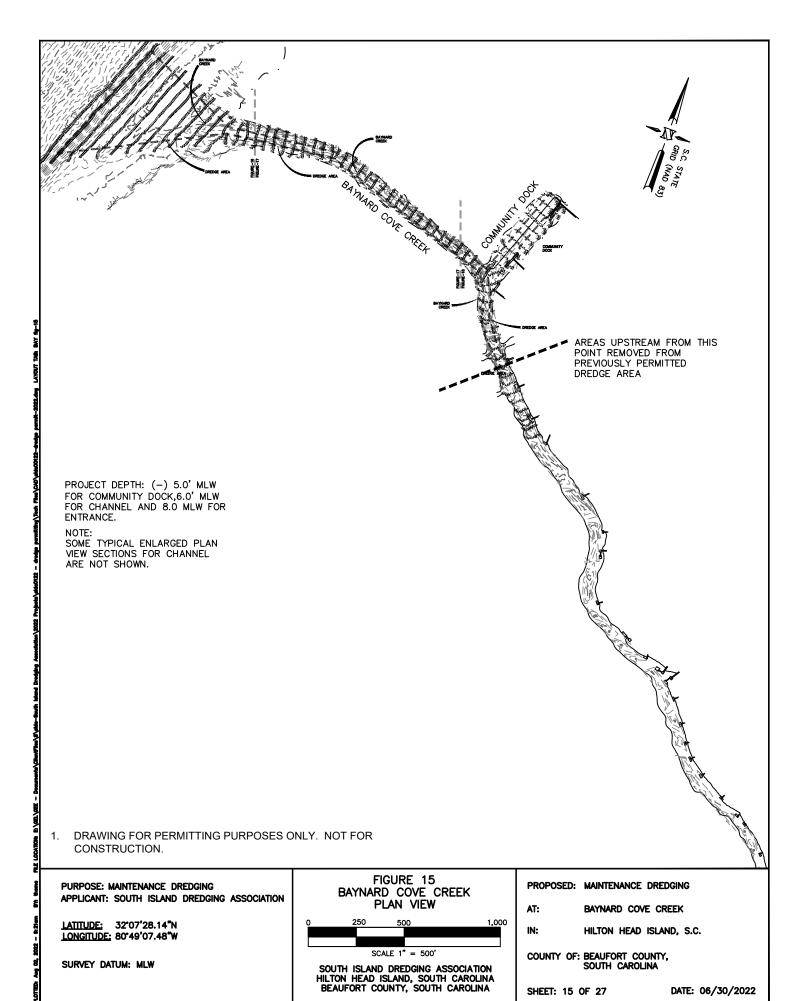


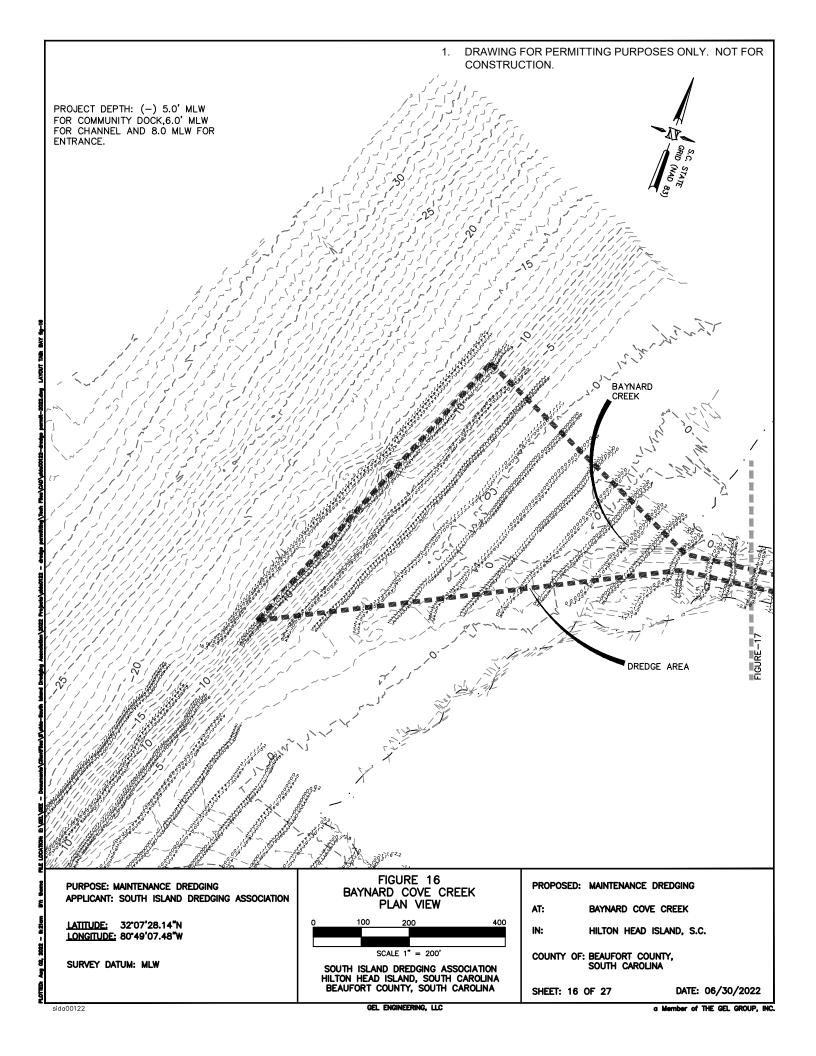


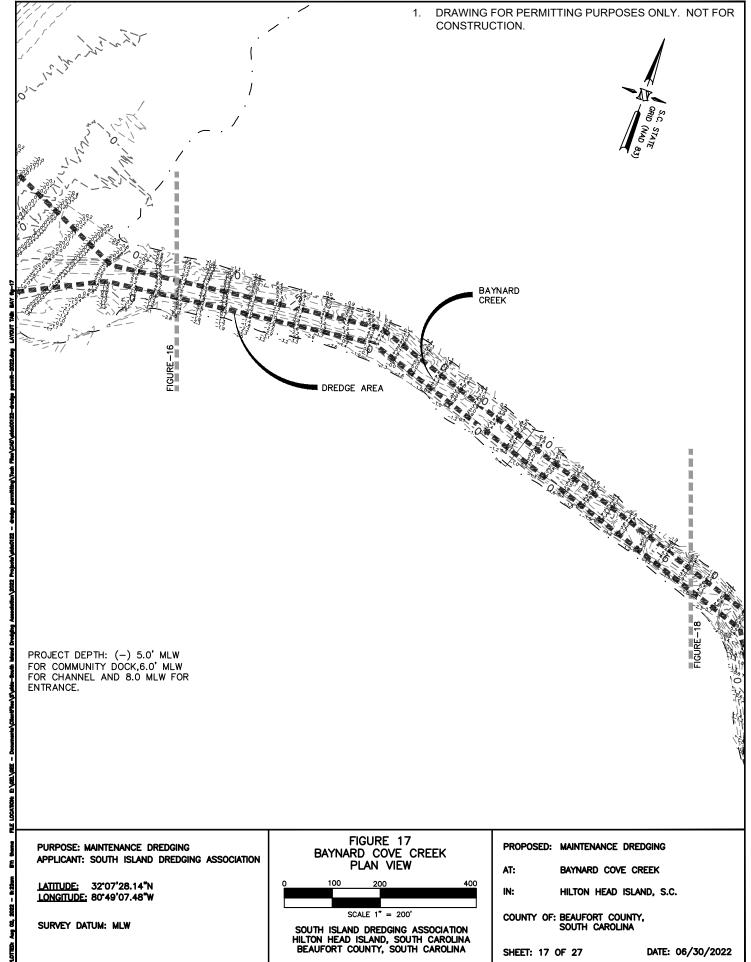


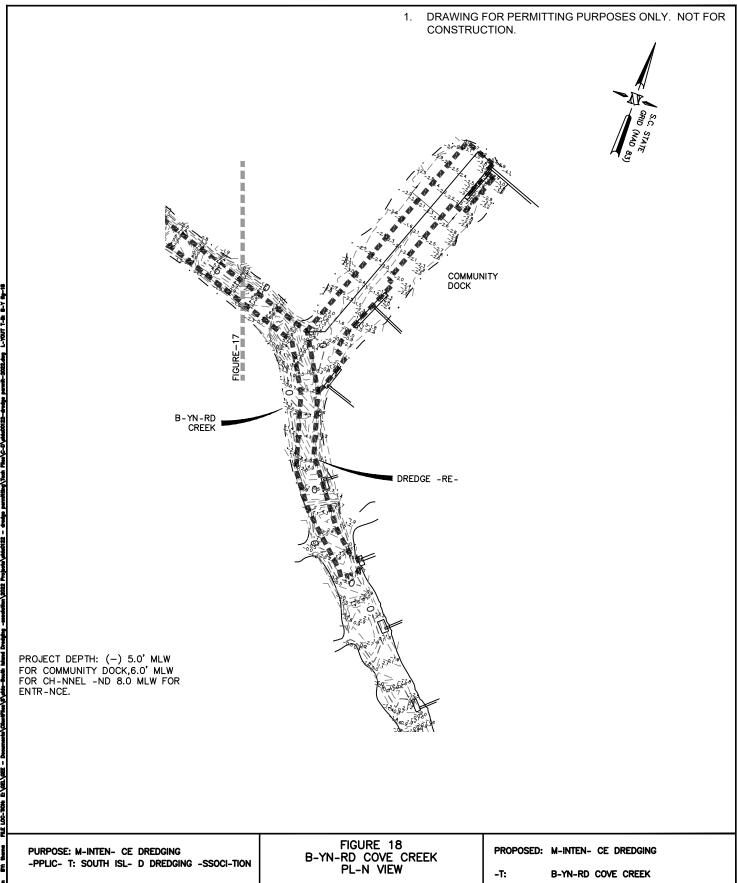










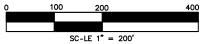


SURVEY D-TUM: MLW

L-TITUDE: 32°07'28.14"N

LONGITUDE: 80°49'07.48"W

400



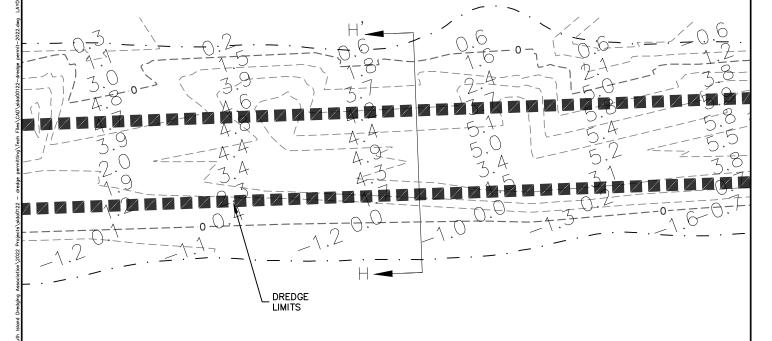
SOUTH ISL-ND DREDGING -SSOCI-TION HILTON HE-D ISL-ND, SOUTH C-ROLIN-BE-UFORT COUNTY, SOUTH C-ROLIN-

IN: HILTON HE-D ISL- D, S.C.

COUNTY OF: BE-UFORT COUNTY, SOUTH C-ROLIN-

D-TE: 06/30/2022 SHEET: 18 OF 27 a Member of THE GEL GROUP, INC.





SOUNDINGS REPRESENT EXISTING DEPTHS IN ME-N LOW W-TER (MLW) -S OF JULY 2021

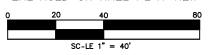
 DRAWING FOR PERMITTING PURPOSES ONLY. NOT FOR CONSTRUCTION.

PURPOSE: M-INTEN- CE DREDGING -PPLIC- T: SOUTH ISL- D DREDGING -SSOCI-TION

L-TITUDE: 32°07'26.66"N LONGITUDE: 80°49'12.39"W

SURVEY D-TUM: MLW

FIGURE 19 B-YN-RD COVE CREEK ENL-RGED CH-NNEL PL-N VIEW



SOUTH ISL-ND DREDGING -SSOCI-TION HILTON HE-D ISL-ND, SOUTH C-ROLIN-BE-UFORT COUNTY, SOUTH C-ROLIN-

PROPOSED: M-INTEN- CE DREDGING

PROJECT DEPTH: (-) 6.0' MLW

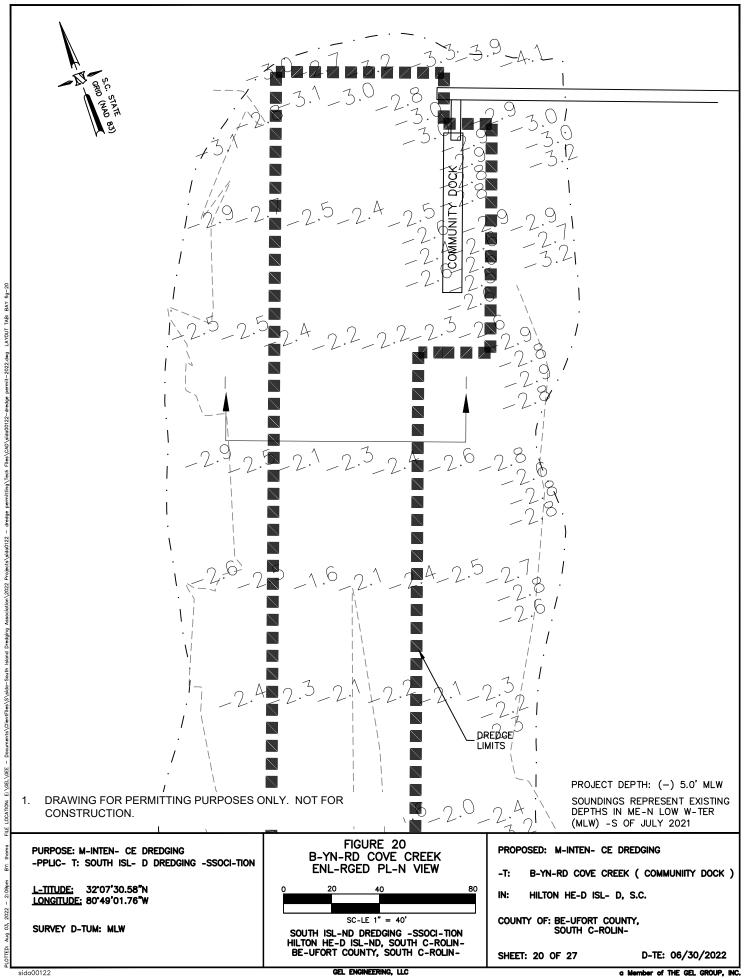
-T: B-YN-RD COVE CREEK

IN: HILTON HE-D ISL- D, S.C.

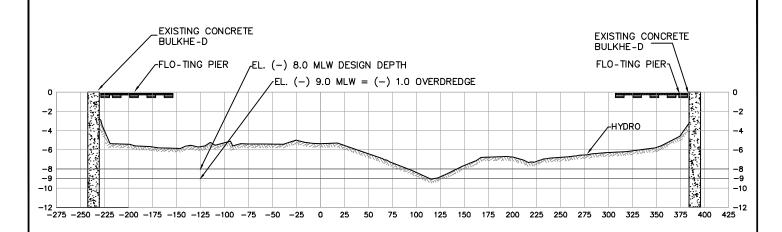
COUNTY OF: BE-UFORT COUNTY, SOUTH C-ROLIN-

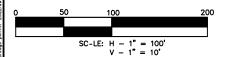
SHEET: 19 OF 27

D-TE: 06/30/2022

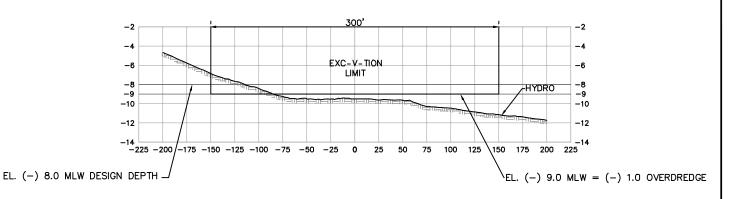








H-RBOR TOWN M-RIN- B-B'





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MLW - ME-N LOW W-TER

PURPOSE: M-INTEN- CE DREDGING -PPLIC- T: SOUTH ISL- D DREDGING -SSOCI-TION

L-TITUDE: 32'08'16.98"N LONGITUDE: 80'48'42.92"W

SURVEY D-TUM: MLW

FIGURE 21 CROSS SECTIONS H-RBOUR TOWN M-RIN-

SOUTH ISL- D DREDGING -SSOCI-TION HILTON HE-D ISL- D, SOUTH C-ROLIN-BE-UFORT COUNTY, SOUTH C-ROLIN-

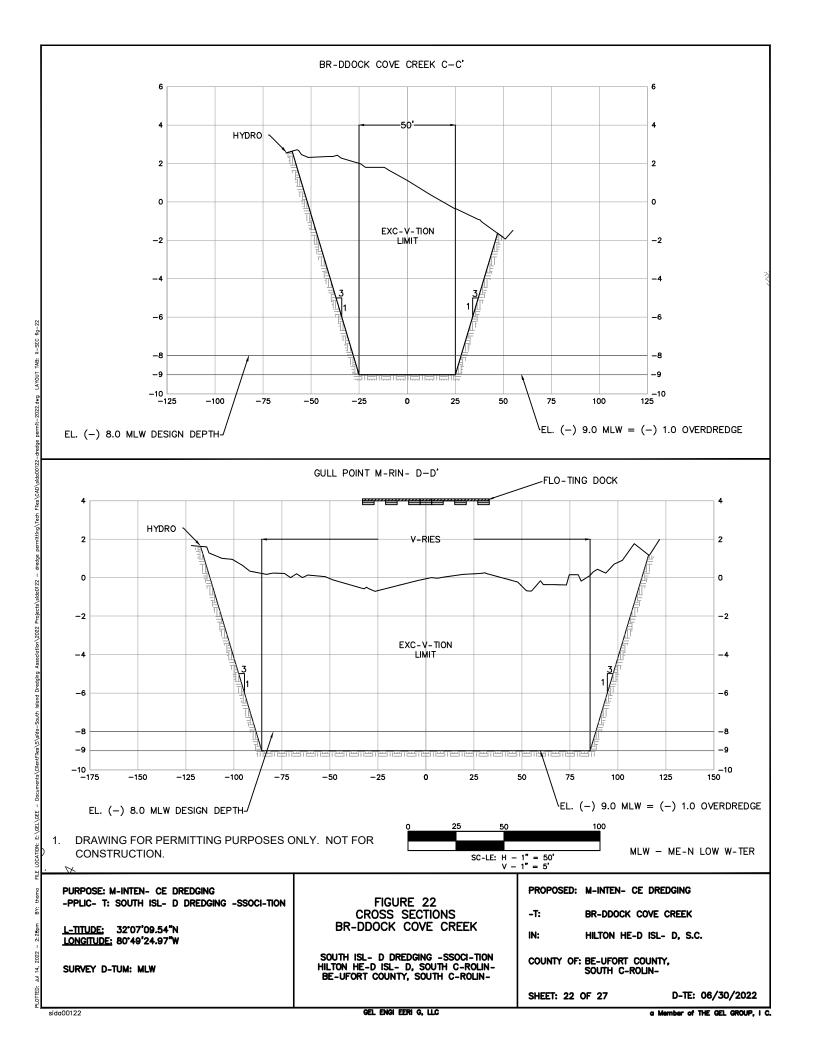
PROPOSED: M-INTEN- CE DREDGING

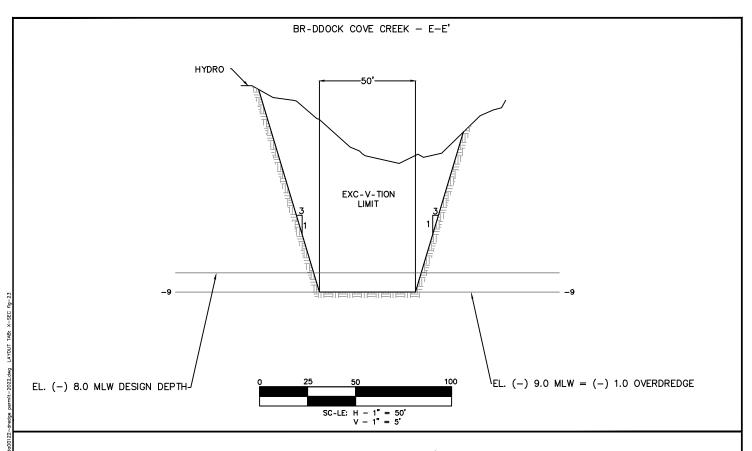
-T: H-RBOUR TOWN M-RIN-

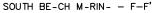
IN: HILTON HE-D ISL- D, S.C.

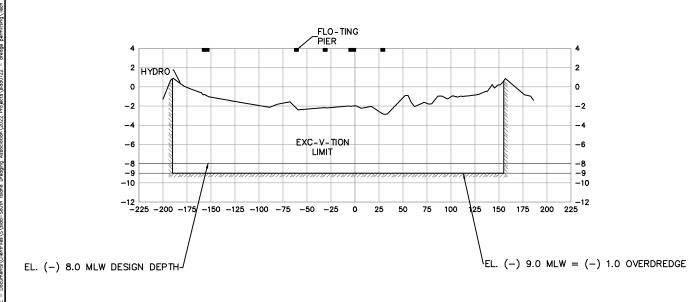
COUNTY OF: BE-UFORT COUNTY, SOUTH C-ROLIN-

SHEET: 21 OF 27 D-TE: 06/30/2022

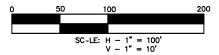








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MLW - ME-N LOW W-TER

PURPOSE: M-INTEN- CE DREDGING

-PPLIC- T: SOUTH ISL- D DREDGING -SSOCI-TION

L-TITUDE: 32°06'58.79"N LONGITUDE: 80°49'26.40"W

SURVEY D-TUM: MLW

FIGURE 23 CROSS SECTIONS BR-DDOCK COVE CREEK

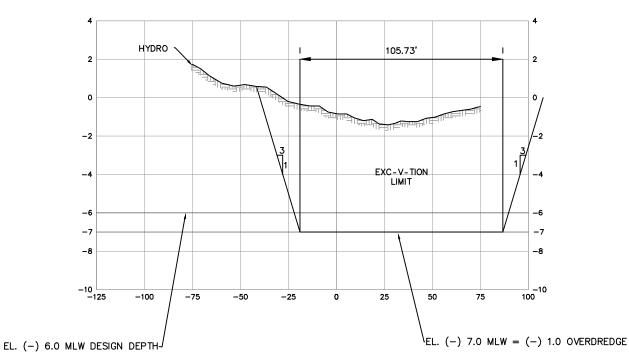
SOUTH ISL- D DREDGING -SSOCI-TION HILTON HE-D ISL- D, SOUTH C-ROLIN-BE-UFORT COUNTY, SOUTH C-ROLIN- PROPOSED: M-INTEN- CE DREDGING

-T: BR-DDOCK COVE CREK

IN: HILTON HE-D ISL- D, S.C.

COUNTY OF: BE-UFORT COUNTY, SOUTH C-ROLIN-

SHEET: 23 OF 27 D-TE: 06/30/2022





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MLW - ME-N LOW W-TER

PURPOSE: M-INTEN- CE DREDGING -PPLIC- T: SOUTH ISL- D DREDGING -SSOCI-TION

L-TITUDE: 32°06'51.97"N LONGITUDE: 80°49'20.74"W

SURVEY D-TUM: MLW

FIGURE 24 CROSS SECTIONS BR-DDOCK COVE CREEK

SOUTH ISL- D DREDGING -SSOCI-TION HILTON HE-D ISL- D, SOUTH C-ROLIN-BE-UFORT COUNTY, SOUTH C-ROLIN-

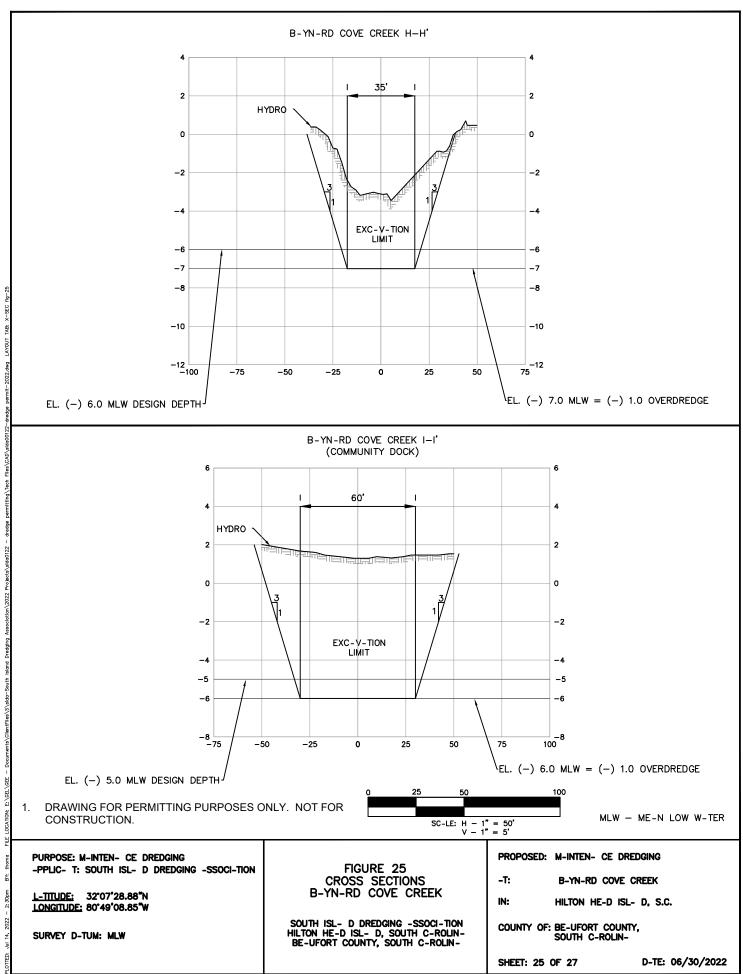
PROPOSED: M-INTEN- CE DREDGING

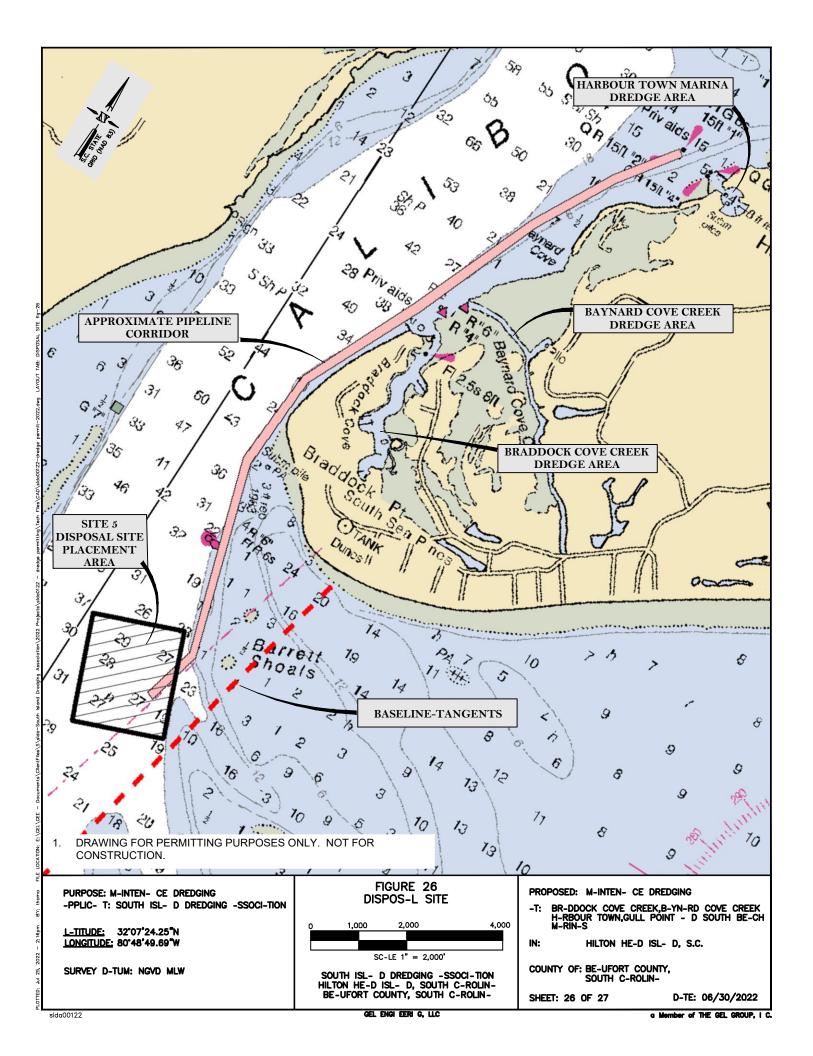
-T: BR-DDOCK COVE CREEK

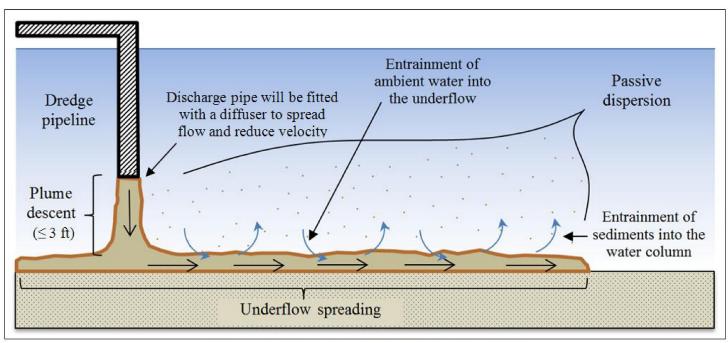
HILTON HE-D ISL- D, S.C.

COUNTY OF: BE-UFORT COUNTY, SOUTH C-ROLIN-

SHEET: 24 OF 27 D-TE: 06/30/2022







(Adapted from Teeter, in Thovenot et al., 1992).

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PURPOSE: MAINTENANCE DREDGING

LATITUDE: 32°07'24.25" LONGITUDE: 80°48'49.69"

SURVEY DATUM: NGVD MLW

SHEET: 27 OF 27 DATE: 06/30/2022

FIGURE 27

PLACEMENT SITE DISCHARGE SCHEMATIC

SOUTH ISLAND DREDING ASSOCIATION HILTON HEAD ISLAND, SOUTH CAROLINA BEAUFORT COUNTY. SOUTH CAROLINA

PROPOSED: MAINTENANCE DREDGING

AT: BRADDOCK COVE CREEK, BAYNARD COVE CREEK, HARBOUR TOWN, GULL POINT AND SOUTH BEACH MARINAS, PORT VILLAS

IN: HILTON HEAD ISLAND

COUNTY: BEAUFORT COUNTY, SC