

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1949 Industrial Park Road Room 140
Conway, South Carolina 29526
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-2024-00488

July 26, 2024

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 South Carolina Department of Environmental Services by

Ms. Desiree Fragoso
City of Isle of Palms
c/o
Coastal Science & Engineering
160 Gills Creek Pkwy
Columbia, South Carolina 29209

for a permit for sand scraping and transfer project in the

Atlantic Ocean

located along the east end of Isle of Palms from Station 246+00 to 208+00 and from Station 304+00 to 328+00, City of Isle of Palms, Charleston County, South Carolina (Latitude: 32.8124 °, Longitude: -79.7205 °), **Fort Moultrie 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 sand management along Isle of Palms, wherein excess sand in accreting sections of the island is shifted mechanically to eroding areas to provide storm protection to properties and maintain public use of the beach at all stages of the tide. The project seeks to augment the natural shoal bypass cycle and restore a viable profile along eroded sections of the shoreline until the shoal bypass cycle completes.

Project Description

The proposed work consists of sand scraping and transfer project on Isle of Palms. The project is intended to restore a dry sand beach along critically eroded areas of the beach. The project is intended to provide temporary erosion relief until a large-scale shoal bypass event attaches to the beach. In detail, the applicant proposes to harvest sand from the intertidal beach at the site of shoal attachment (Harvest Area). The harvest area is shown in Sheets 2 and 3 of the permit drawings. The applicant proposes to shift up to 250,000 cy per event from the Harvest Area. Available quantities will depend on the configuration of the shoal as it attaches. The applicant has provided a 400 ft buffer between properties and any excavation area at the Harvest Area. Based on the shoal configuration and proximity to the shoreline, the applicant anticipates that only one transfer event will be required; however, the applicant requests that the permit allow for up to two events to occur over the 5-year life of the permit should the erosion pressure continue into the future. Up to 30 acres of exposed intertidal beach will be utilized to harvest up to a cumulative total of 400,000 cubic yards (cy) of sand in up to two discrete events over the course of five years. Any single event will be limited to a total of 250,000 cy.

All work under this alternative will be performed by land-based equipment working between low water and high water along the intertidal beach to minimize impacts to dry-beach habitat. Sand will be used to construct a dune and dry sand berm along the placement areas. The dune elevation will be +14 ft NAVD, and the berm at +6ft NAVD. The berm will be up to 50 ft wide along the fill areas.

The proposed project will be scaled to provide an interim solution to the episodic erosion along portions of Isle of Palms affected by the shoal. It will offer sufficient restoration to allow for removal of emergency measures presently installed along the erosion area.

Avoidance and Minimization

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by documenting the recovery of the system following construction, the applicant proposes the following monitoring plan:

- Annual orthophotography of the project area pre- and post-project and for three (3) years following the project. Photography will include coverage of the island north of 42nd Ave. Photo resolution will be greater than three (3) inches per pixel. The applicant will provide digital files of the orthophotography to regulatory and resource agencies upon request.
- Annual beach profiles of the island extending from a point landward of the primary dune to a minimum distance of 1,500 ft seaward of the dune for three (3) years following the project. Profiles will be compared to pre and post construction profiles to document beach width, dune condition, and sand volume change.

The project is proposed to be constructed outside of sea turtle nesting season (Nov 1 – Apr 30) to eliminate threats to nesting or hatching sea turtles. This will also keep construction to the period outside of peak biological recruitment permits for benthic infauna, and outside of peak tourist season. Construction equipment will be stored in areas devoid of vegetation and off the dune.

The applicant has successfully completed two prior shoal management projects. Each of these projects provided improved beach health along the placement sites until another shoal-bypass cycle created additional erosion. The goal of the project is to provide localized erosion relief to areas under emergency conditions while allowing sufficient time for natural sediment transport process to provide longer-term relief. Presently, only a small area of the beach along the east end is critically eroded, and this condition does not justify a large-scale nourishment project. Mitigation of the limited area of erosion will extend the interval before another large-scale nourishment project is required.

Proposed Compensatory Mitigation

The applicant has not proposed to mitigate for impacts to wetlands and/or waters of the United States.

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 30 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 District Engineer has consulted the most recently available information and has made no determination of effect on any Federally endangered, threatened, or proposed species. 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 Federally listed or proposed to be listed endangered or threatened species and/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-2024-00488), to Megan.N.Jackson@usace.army.mil or the following address:

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road Room 140
Conway, South Carolina 29526**

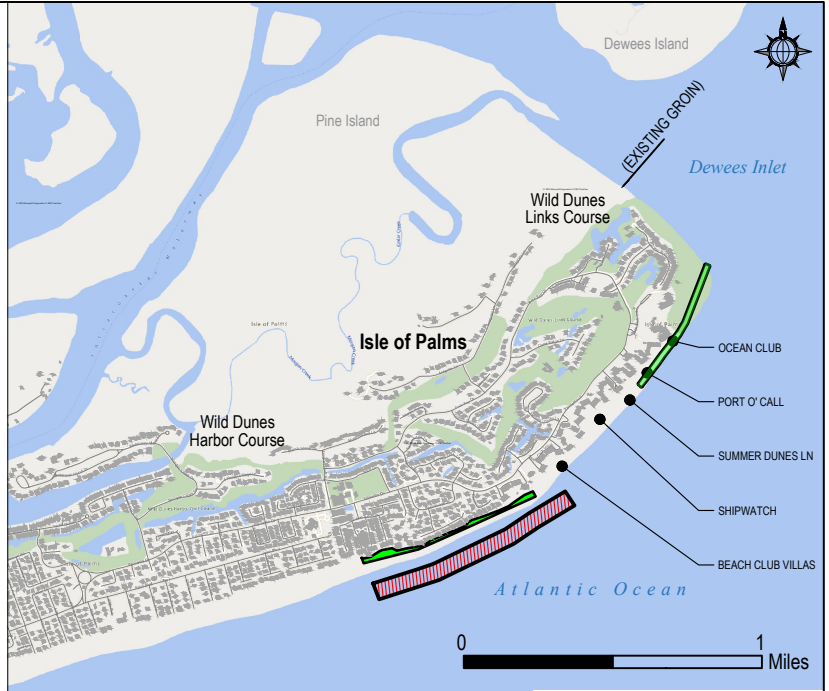
If there are any questions concerning this public notice, please contact Megan N. Jackson, Project Manager, at (843) 365-4239 or by email at Megan.N.Jackson@usace.army.mil.



PROJECT LOCATION:

Latitude: 32° 48' 21" N

Longitude: W79° 43' 40"



DIRECTIONS:

FROM CHARLESTON, TAKE US-17 NORTH. TURN RIGHT ONTO SC 517 (ISLE OF PALMS CONNECTOR). TURN LEFT ONTO PALM BLVD. SITE IS NORTHEAST OF 47TH AVE EXTENDING ALONG TO DEWEES INLET ON THE NORTHEAST END OF ISLE OF PALMS.



APPLICANT:

CITY OF ISLE OF PALMS
1207 PALM BLVD
ISLE OF PALMS SC 29451

DRAWING TITLE:

City of Isle of Palms
Shoal Management
VICINITY MAP

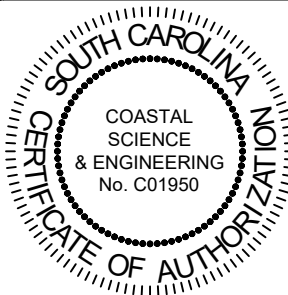
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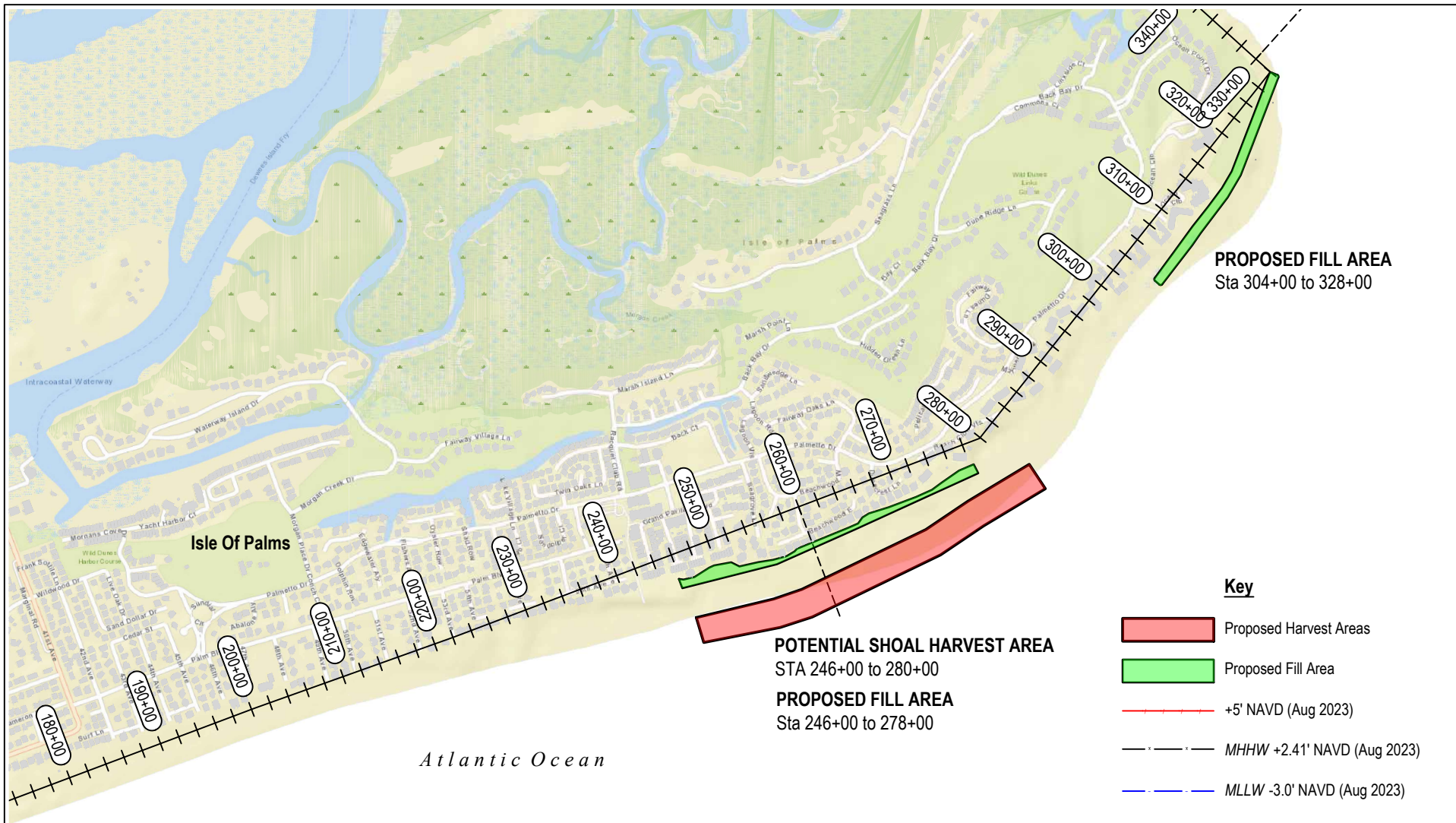
COASTAL SCIENCE & ENGINEERING
PO BOX 8056
COLUMBIA, SC 29202

SCALE: AS SHOWN
DATE: 05 April 2024
REVISED: 18 June 2024
PROJECT #: 2589

SHEET:

01





DATUM:

Horizontal: SPCS NAD '83 (Feet) SC Zone 3900
Vertical: NAVD '88 (Feet)

Contours shown based on data collected by
Coastal Science & Engineering, Inc via RTK GPS Aug 2023.

NOTE:

Excavation and fill limits and volumes may change based on
conditions at the time of construction, but will remain within permitted
boundaries and abide by all special conditions of the permit.



APPLICANT:

City of Isle of Palms
1207 Palm Blvd
Isle of Palms, SC 29451

AGENT:

Coastal Science & Engineering
PO Box 8056
Columbia, SC 29202

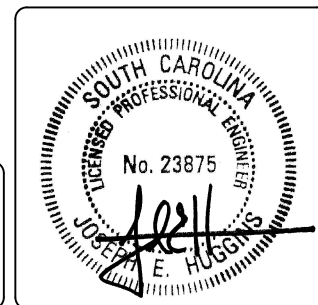
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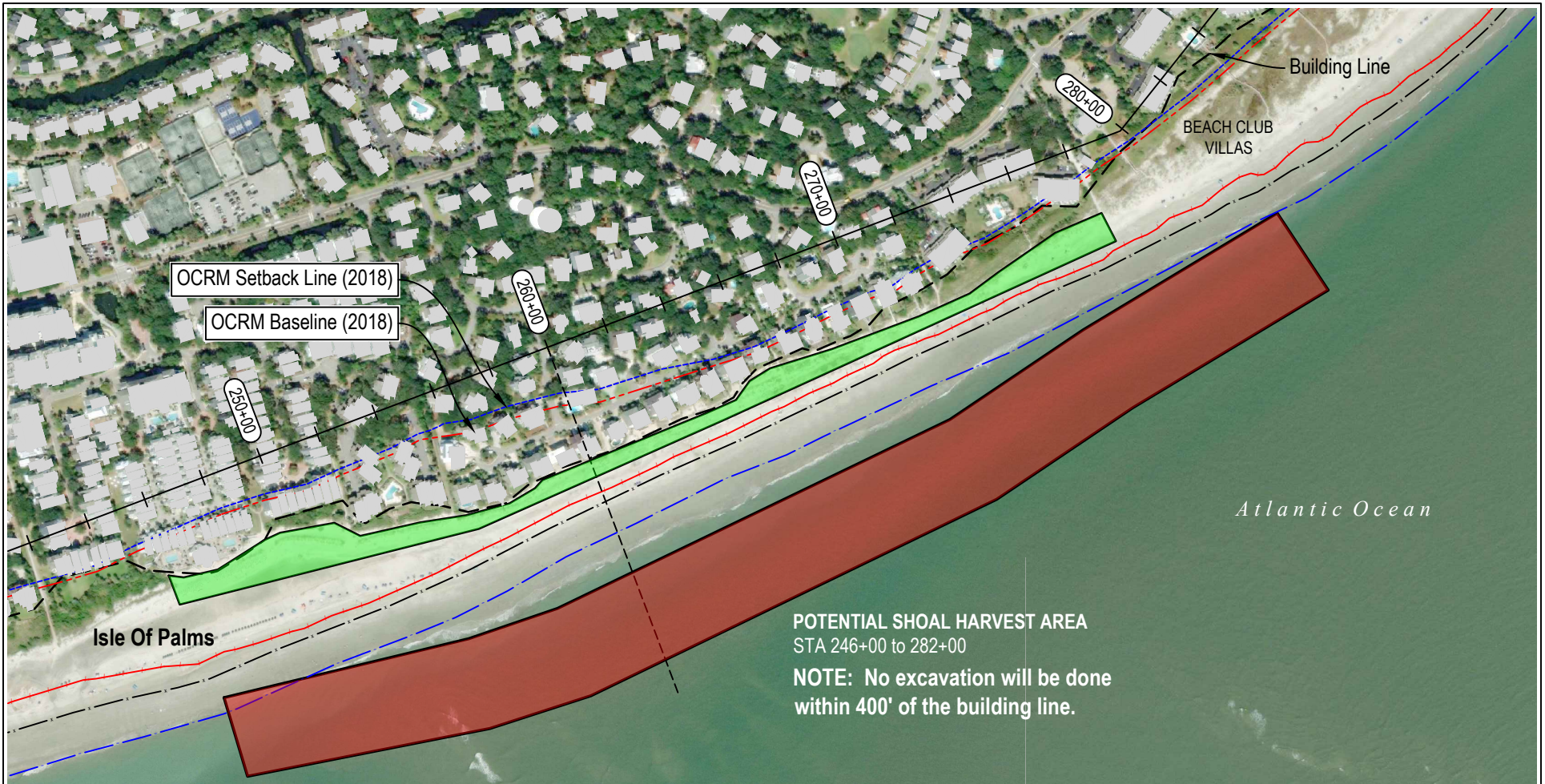
**EXISTING CONDITION (August 2023)
PROPOSED SCRAPING & FILL PLAN**

Scale: As Shown
Date: 05 April 2024
Revised: 18 June 2024
Project #: 2589

Sheet #:

02





Key

- Proposed Harvest Area
- Proposed Fill Area
- +5' NAVD (Aug 2023)
- MHHW +2.41' NAVD (Aug 2023)
- MLLW -3.0' NAVD (Aug 2023)

DATUM:

Horizontal: SPCS NAD '83 (Feet) SC Zone 3900
Vertical: NAVD '88 (Feet)

Contours shown based on data collected by
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The Harvest Area anticipates future attachment of a shoal.
(See sheet 07 for photo)



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1207 Palm Blvd
Isle of Palms, SC 29451

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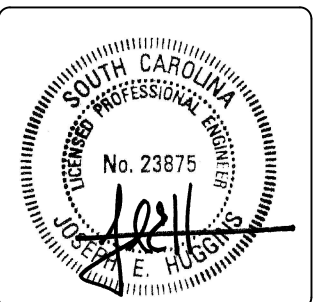
DRAWING TITLE:

**PROPOSED HARVEST AREA
& PROPOSED FILL AREA**

Scale:	As Shown
Date:	05 April 2024
Revised:	18 June 2024
Project #:	2589

Sheet #:

03





Key

- Proposed Fill Area
- +5' NAVD (Aug 2023)
- MHHW +2.41' NAVD (Aug 2023)
- MLLW -3.0' NAVD (Aug 2023)

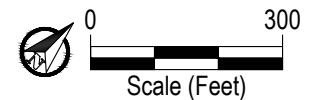
DATUM:

Horizontal: SPCS NAD '83 (Feet) SC Zone 3900
Vertical: NAVD '88 (Feet)

Contours shown based on data collected by
Coastal Science & Engineering, Inc via RTK GPS Aug 2023.

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APPLICANT:

City of Isle of Palms
1207 Palm Blvd
Isle of Palms, SC 29451

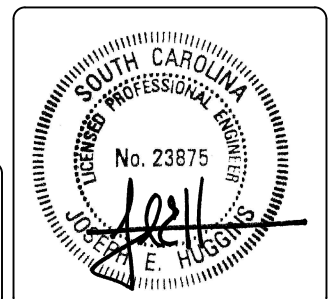
AGENT:

Coastal Science & Engineering
PO Box 8056
Columbia, SC 29202

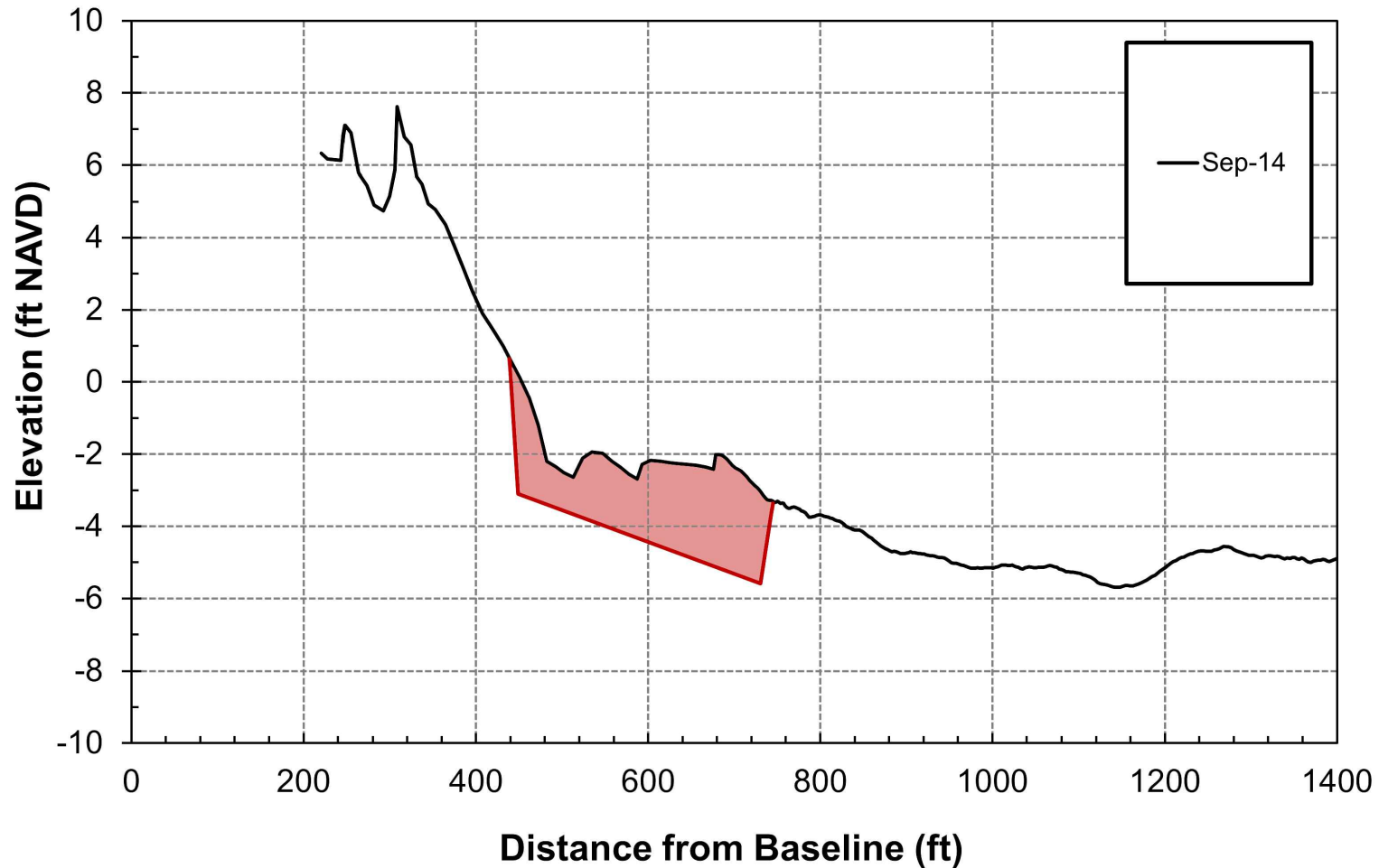
DRAWING TITLE:

PROPOSED FILL AREA
Sta 304+00 to 328+00

Scale:	As Shown	Sheet #:
Date:	05 April 2024	04
Revised:	18 June 2024	
Project #:	2589	



Station 260+00 Example Harvest Section



DATUM:

Horizontal: SPCS NAD '83 (Feet) SC Zone 3900
Vertical: NAVD '88 (Feet)

Contours shown based on data collected by
Coastal Science & Engineering, Inc via RTK GPS Aug 2023.

NOTE:

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boundaries and abide by all special conditions
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APPLICANT:

City of Isle of Palms
1207 Palm Blvd
Isle of Palms, SC 29451

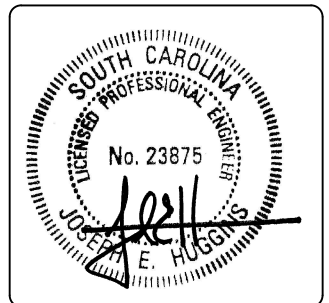
AGENT:

Coastal Science & Engineering
PO Box 8056
Columbia, SC 29202

DRAWING TITLE:

**TYPICAL HARVEST AREA SECTION
2008-2023**

Scale:	As Shown	Sheet #:
Date:	05 April 2024	05
Revised:	18 June 2024	
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Note:

Photo taken looking Northeast on January 16th 2024. Shoal anticipated to continue migrating toward the beach and attach creating harvest area shown on sheet 04.

APPLICANT:

City of Isle of Palms
1207 Palm Blvd
Isle of Palms, SC 29451

AGENT:

Coastal Science & Engineering
PO Box 8056
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DRAWING TITLE:

OBLIQUE AERIAL PHOTO
16 January 2024

Scale:	As Shown	Sheet #:
Date:	05 April 2024	06
Revised:	18 June 2024	
Project #:	2589	

