

**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: SAC-2023-01056

September 12, 2023

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 S.C. Department of Health and Environmental Control by

**Mr. John Robinson**  
**Beaufort County Council**  
**100 Ribault Road**  
**Beaufort, South Carolina 29902**

for a permit to authorize and modify the existing Cross Island Boat Landing to be utilized for commercial and non-commercial uses on

**Broad Creek**

located at 68 Helmsman Way on Hilton Head Island in Beaufort County, South Carolina (Latitude: 32.1774°, Longitude: -80.7697°), Hilton Head, SC 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 to continue public use of the boat landing while also facilitating the new use of the boat landing as an embarkation point for the Daufuskie Island Ferry.

### **Project Description**

The Cross Island Boat Landing is currently used as a non-commercial public boat landing with a small floating dock adjacent to the boat ramp. The applicant proposes to also use the boat landing commercially as the new embarkation point for the Daufuskie Island Ferry until a more permanent location is obtained. The proposed modification consists of removing the existing 6' x 61' floating dock and replacing it with a 14' x 60' floating dock and an adjacent waterward 20' x 50' floating dock.

### **Avoidance and Minimization**

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by performing activities in a manner that will minimize turbidity. No oils or other pollutants will be released from the proposed activities, and all work performed during construction will be done in a manner to prevent interference with public navigation outside the project footprint.

### **Proposed Compensatory Mitigation**

The applicant has not proposed mitigation since there will be no loss of wetlands and/or waters of the United States.

### **South Carolina Department of Health and Environmental Control**

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 0.04-acre 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.

### **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 (*Ambystoma cingulatum*), Eastern black rail (*Laterallus jamaicensis jamaicensis*), 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*), Sei Whale (*Balaenoptera borealis*), Sperm Whale (*Physeter macrocephalus*) Canby's dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*), Green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermodochelys coriacea*), Loggerhead sea turtle (*Caretta caretta*) and West Indian manatee (*Trichechus manatus*).

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 Frosted flatwoods salamander (*Ambystoma cingulatum*), Eastern black rail (*Laterallus jamaicensis jamaicensis*), 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*), Sei Whale (*Balaenoptera borealis*), Sperm Whale (*Physeter macrocephalus*) Canby's dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*), Green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermodochelys coriacea*), Loggerhead sea turtle (*Caretta caretta*) and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect West Indian manatee (*Trichechus manatus*) 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)(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 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. 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.

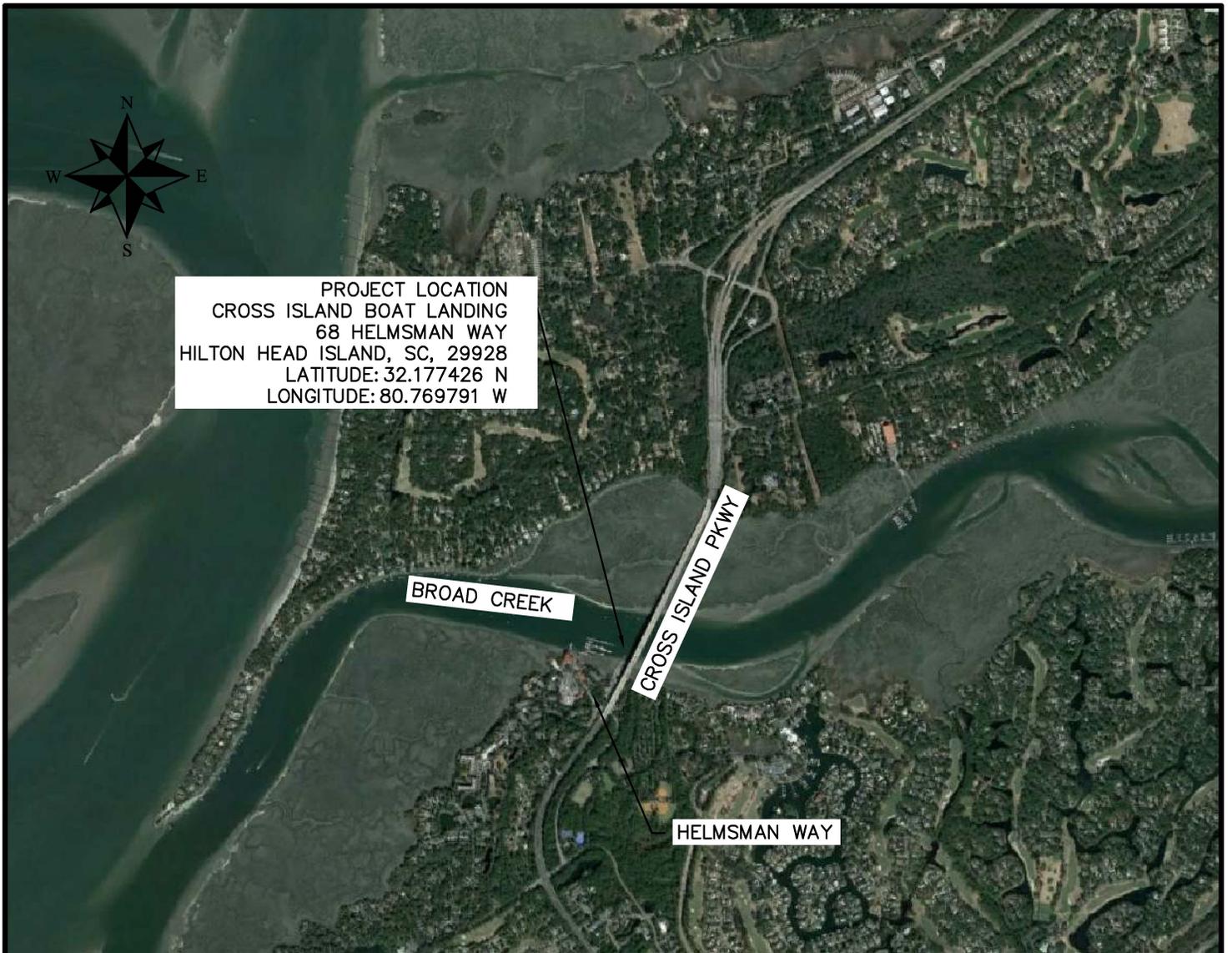
### **Solicitation of Public Comment**

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-2023-01056), to [brittany.a.fournet@usace.army.mil](mailto:brittany.a.fournet@usace.army.mil) or 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 Brittany Fournet, Project Manager, at (843) 329-8046, or by email at [brittany.a.fournet@usace.army.mil](mailto:brittany.a.fournet@usace.army.mil).



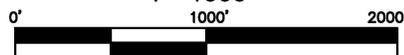
**DIRECTIONS TO SITE FROM CHARLESTON:**

- GET ON HWY 17 S FROM BROAD ST AND LOCKWOOD DR
- CONTINUE ON HWY 17 S TO BURTON
- GET ON US-278 E IN OKATIE FROM SC-170 W
- CONTINUE ON US-278 E TO HILTON HEAD ISLAND
- TAKE HELMSMAN WAY TO CROSS ISLAND PUBLIC BOAT LANDING
- DESTINATION WILL BE ON THE RIGHT



**PROJECT VICINITY**

SCALE: 1" = 1000'



**FIGURE 1**  
LOCATION MAP

1"=1000'

**APPLICANT**  
BEAUFORT COUNTY  
**AGENT**

McSWEENEY ENGINEERS, LLC

**PURPOSE:** SHORELINE STABILIZATION  
& RECREATIONAL ACCESS

**ADJACENT PROPERTY OWNERS:**  
SEE SCHEDULE SHEET 6

**PROPOSED:** FLOATING DOCK  
**WATERWAY:** BROAD CREEK

**IN:** HILTON HEAD

**COUNTY OF:** BEAUFORT

**APPLICATION NO.** REV. 1

**SHEET:** 1 OF 7

**DATE:** 9/7/2023



**DIRECTIONS TO SITE FROM CHARLESTON:**

- GET ON HWY 17 S FROM BROAD ST AND LOCKWOOD DR
- CONTINUE ON HWY 17 S TO BURTON
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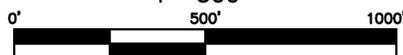
**PROJECT LOCATION**

SCALE: 1" = 500'

**PURPOSE:** SHORELINE STABILIZATION & RECREATIONAL ACCESS

**ADJACENT PROPERTY OWNERS:**  
SEE SCHEDULE SHEET 6

**FIGURE 2**  
VICINITY MAP  
1" = 500'



**APPLICANT**  
BEAUFORT COUNTY  
**AGENT**  
McSWEENEY ENGINEERS, LLC

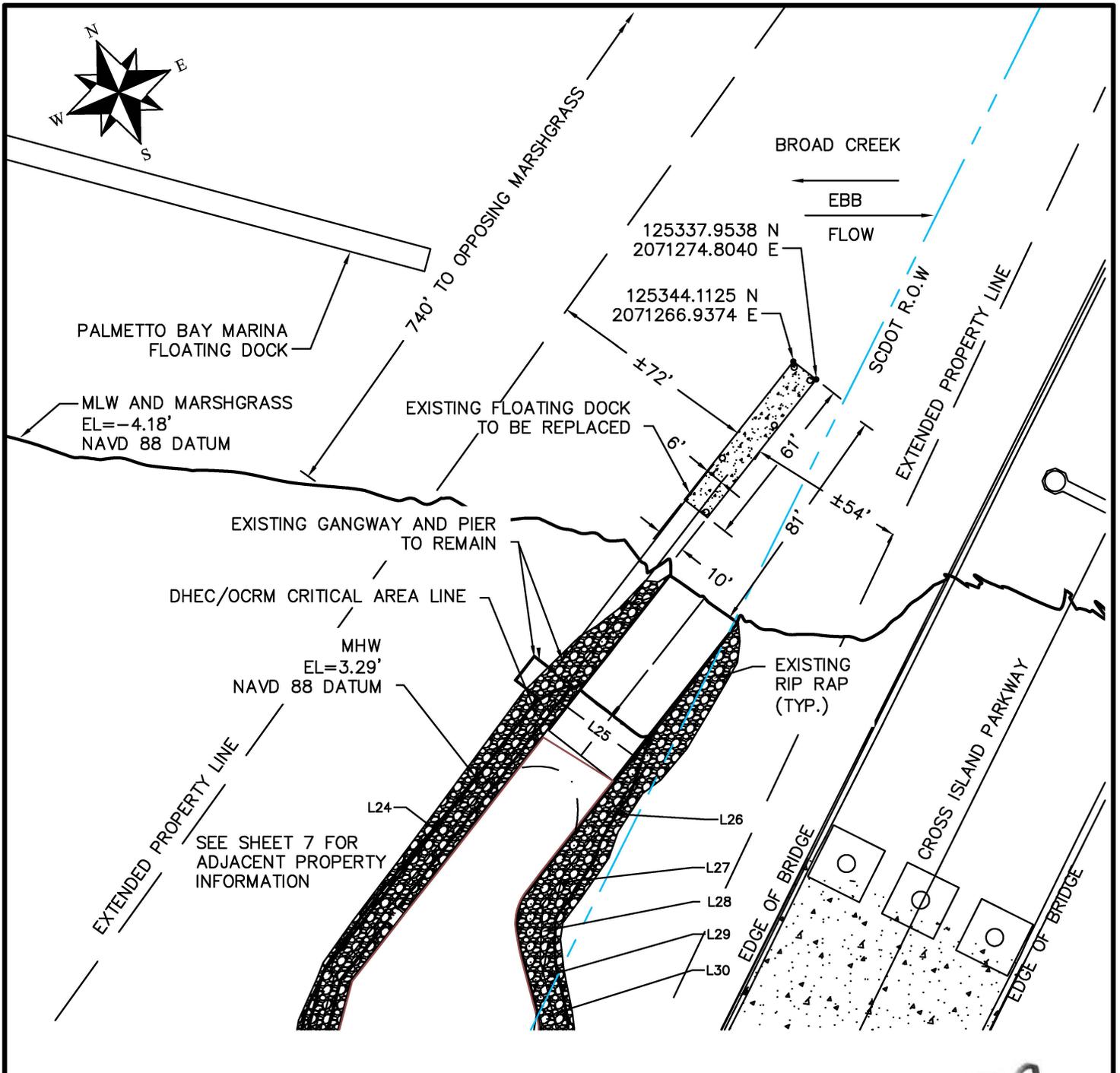
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**WATERWAY:** BROAD CREEK

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**APPLICATION NO. REV. 1**

**SHEET: 2 OF 7      DATE: 9/7/2023**



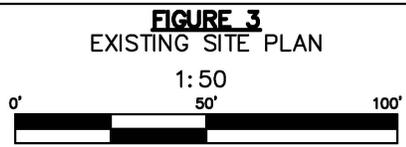
NOTE: THIS DRAWING IS FOR PERMITTING PURPOSES ONLY AND IS NOT TO BE USED FOR ENGINEERING DESIGN OR DETAIL.

**EXISTING SITE PLAN**  
SCALE: 1:50

ALL CRITICAL LINE INFORMATION IS OBTAINED FROM A PLAT PERFORMED BY ANDREWS ENGINEERING AND SURVEYING ON 7/14/2023.

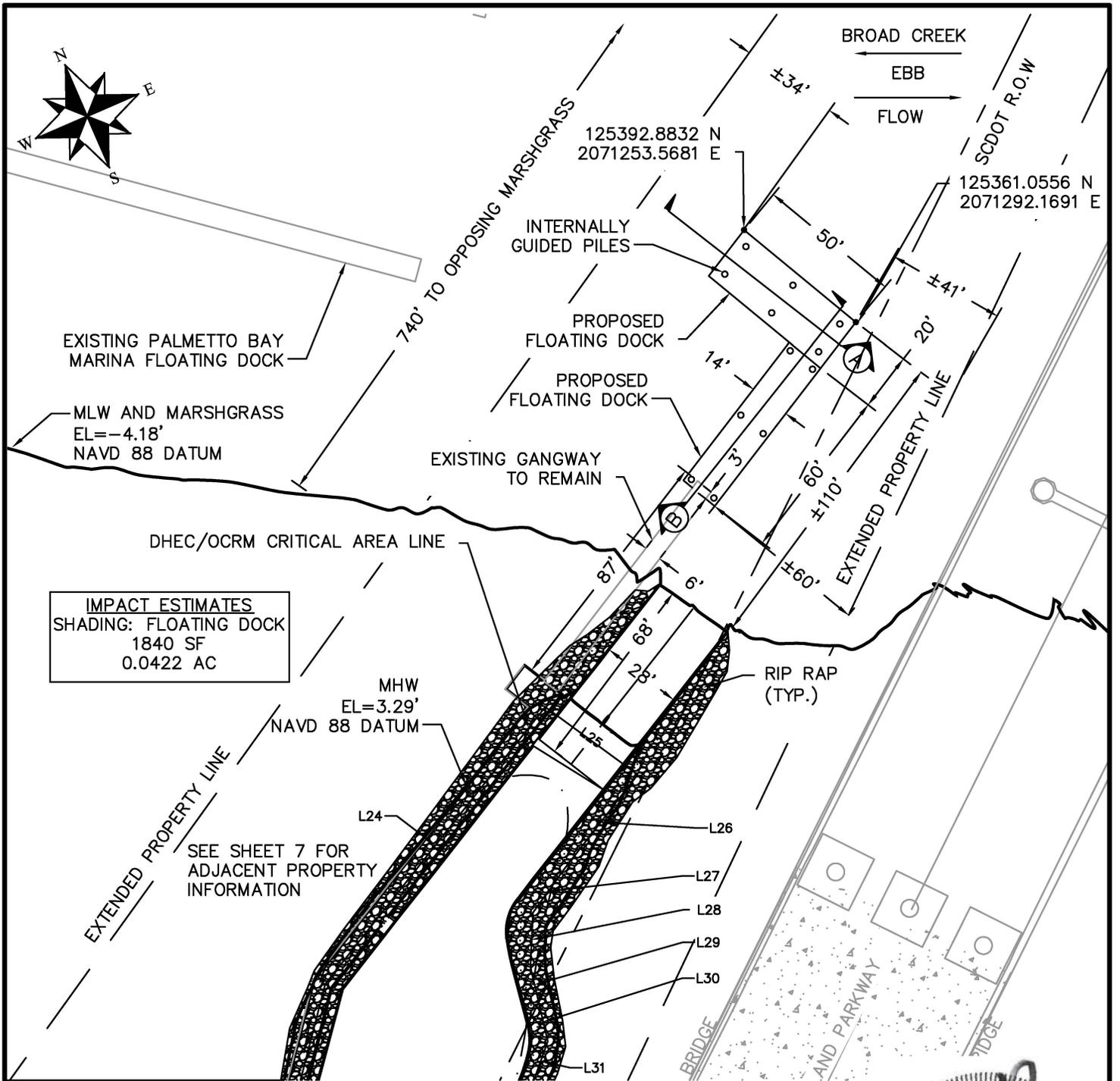


**PURPOSE:** SHORELINE STABILIZATION & RECREATIONAL ACCESS  
**ADJACENT PROPERTY OWNERS:** SEE SCHEDULE SHEET 6



**APPLICANT**  
BEAUFORT COUNTY  
**AGENT**  
McSWEENEY ENGINEERS, LLC

**PROPOSED:** FLOATING DOCK  
**WATERWAY:** BROAD CREEK  
**IN:** HILTON HEAD  
**COUNTY OF:** BEAUFORT  
**APPLICATION NO. REV. 1**  
**SHEET: 3 OF 7**      **DATE: 9/7/2023**



**IMPACT ESTIMATES**  
 SHADING: FLOATING DOCK  
 1840 SF  
 0.0422 AC

MHW  
 EL=3.29'  
 NAVD 88 DATUM

SEE SHEET 7 FOR  
 ADJACENT PROPERTY  
 INFORMATION

NOTE: THIS DRAWING IS FOR  
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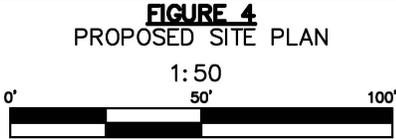
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**PROPOSED SITE PLAN**  
 SCALE: 1: 50



**PURPOSE:** SHORELINE STABILIZATION  
 & RECREATIONAL ACCESS

**ADJACENT PROPERTY OWNERS:**  
 SEE SCHEDULE SHEET 6



**APPLICANT**  
 BEAUFORT COUNTY  
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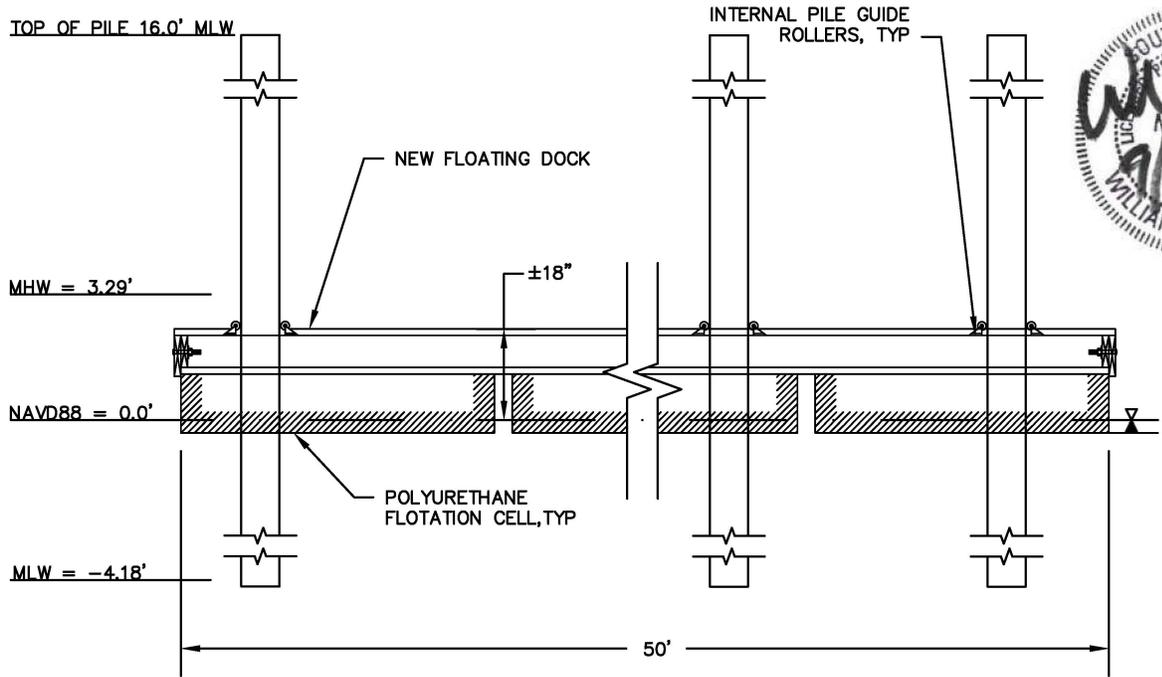
**PROPOSED:** FLOATING DOCK  
**WATERWAY:** BROAD CREEK

**IN:** HILTON HEAD

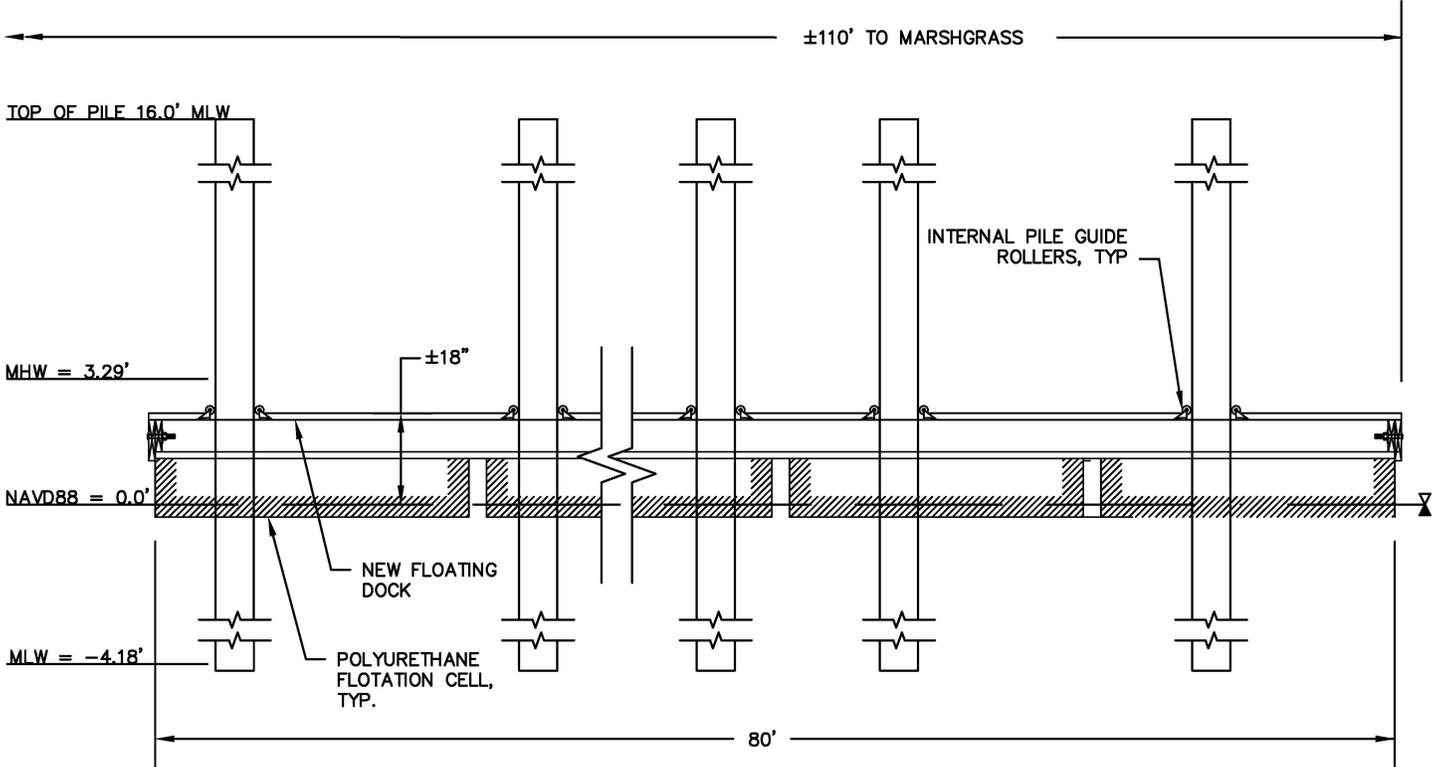
**COUNTY OF:** BEAUFORT

**APPLICATION NO. REV. 1**

**SHEET: 4 OF 7**      **DATE: 9/7/2023**



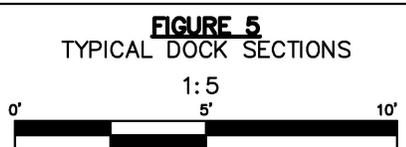
**SECTION A – PROPOSED FLOATING DOCK**  
SCALE: 1:5



**SECTION B – PROPOSED FLOATING DOCK**  
SCALE: 1:5

**PURPOSE:** SHORELINE STABILIZATION & RECREATIONAL ACCESS

**ADJACENT PROPERTY OWNERS:** SEE SCHEDULE SHEET 6



**APPLICANT**  
BEAUFORT COUNTY  
**AGENT**  
McSWEENEY ENGINEERS, LLC

**PROPOSED:** FLOATING DOCK  
**WATERWAY:** BROAD CREEK

**IN:** HILTON HEAD

**COUNTY OF:** BEAUFORT

**APPLICATION NO. REV. 1**

**SHEET: 5 OF 7**      **DATE: 9/7/2023**