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MAY 24 2004
CHARLESTON OFFICE

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

MAJOR ACTIVITY

REGULATORY DIVISION
Refer to: P/N #2004-1W-158-P

21 MAY 2004

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

HILTON HEAD PLANTATION PROPERTY OWNERS ASSOCIATION
c/o OLSEN ASSOCIATES, INC.
4438 HERSCHEL STREET
JACKSONVILLE, FLORIDA 32210

for a permit to perform excavation and to renourish an existing berm in waters of

PORT ROYAL SOUND (SKULL CREEK)

at a location in Hilton Head Plantation adjacent to the Dolphin Point Recreation Area, Hilton Head, Beaufort County, South Carolina (Latitude 32.25003°, Longitude 82.73053°)

THS R510 001 000 0002 0000

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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 21 JUNE 2004

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of removing up to 20,000 cubic yards of sand from an 8 acre area of the depositional shoreline of Skull Creek on Pine Island and transporting it to a 6 acre erosional section of the Port Royal Sound shoreline between Dolphin Point and Pine Island to re-nourish the sand berm that was constructed in 1999 under Department of the Army permit # 97-1A-439-P. The work will be accomplished using land based equipment that will include a trackhoe, 4WD trucks and a bulldozer or front end loader. The project has been monitored on a regular basis since construction and the results of the monitoring indicate that the work proposed in this application is necessary to prevent the overtopping of the berm and the washing of the sand into the interior marsh. The purpose of the project is to prevent the landward migration of

the barrier beach into the Park Creek estuarine marsh and to maintain continued reliable pedestrian access between the Dolphin Point Recreational Area and Pine Island.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

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

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 the Coastal Zone Management Program (15 CFR 930). 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 14.0 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project is likely to adversely affect the loggerhead sea turtle, *Caretta caretta,* and/or is likely to adversely affect designated critical habitat of the piping plover, *Charadrius melodus*. This public notice serves as a request to the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service to initiate formal consultation on these species and/or critical habitat that may be present in the area which would be affected, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended). Please note that a biological opinion on the loggerhead sea turtle was prepared (FWS Log No. 4-6-98-129) dated March 26, 1998, for the project previously permitted, P/N 97-1A-439-P.

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is

otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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 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 of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers 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 of Engineers 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.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

Debra W. King

Debra W. King
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

Bill Eiser
Project Manager
SCDHEC-OCRM

ATTACHMENT A

PROJECT DESCRIPTION P/N 2004-1W-158-P

Pine Island/Dolphin Point Berm Renourishment Project
Hilton Head Plantation, Hilton Head Island, S.C.

Applicant: Hilton Head Plantation Property Owners Association, Inc.
Agent: Olsen Associates, Inc., Jacksonville, Florida

The proposed project will include the "back-passing" of up to 20,000 cubic yards of sand from a downdrift section of depositional Skull Creek shoreline on Pine Island to a 1,600 ft section of erosional Port Royal Sound shoreline between Dolphin Point and Pine Island. The project would re-nourish the sand berm originally constructed as the 1999 Pine Island Sand Scraping Project (PN: 97-1A-439-P).

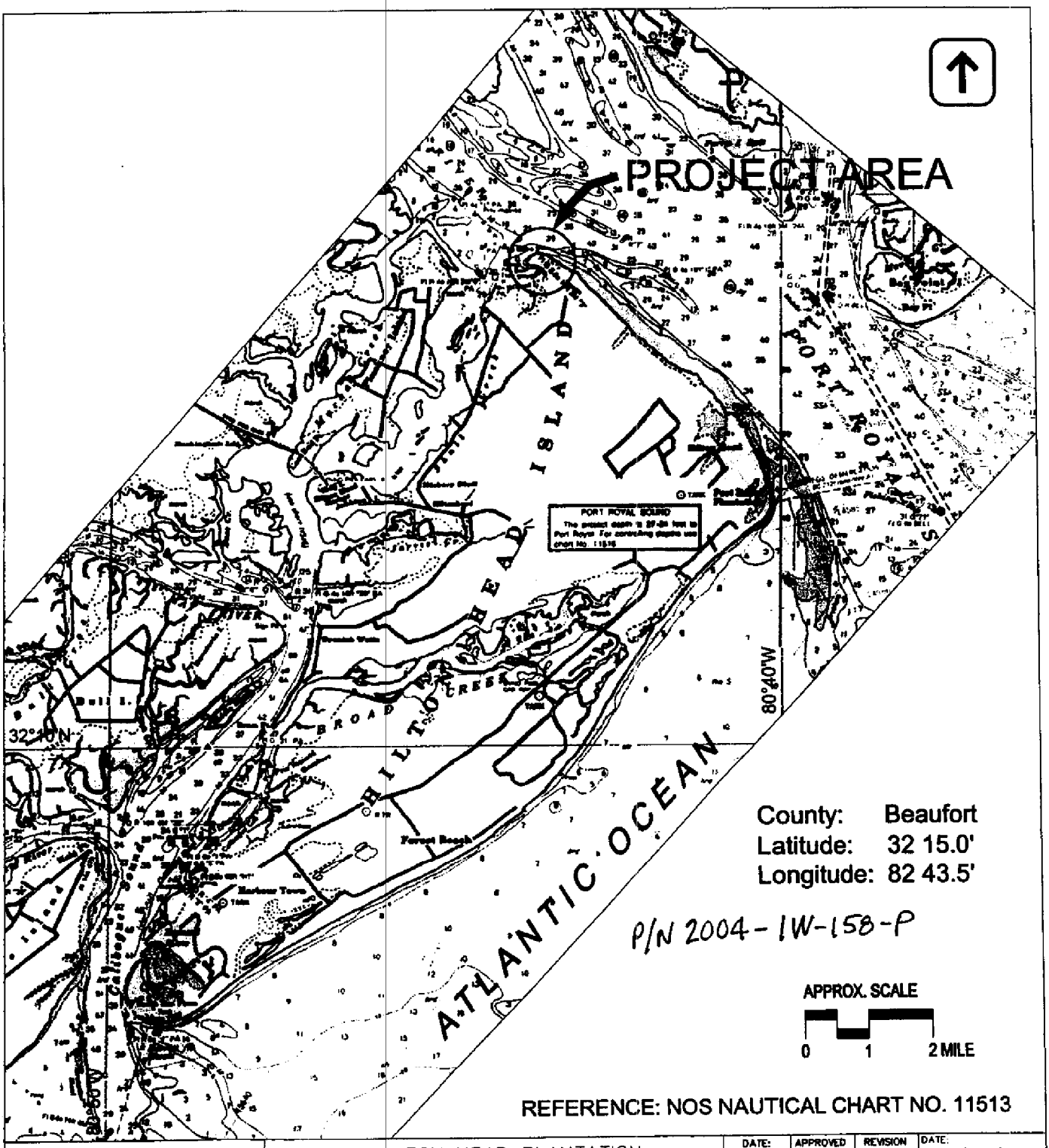
The 1999 project was proposed by the Hilton Head Island Property Owners Association due to the continued loss of width and elevation along the barrier beach between Dolphin Point and Pine Island. The erosion corresponded to sand deposition within Skull Creek and infilling of Park Creek -- a small tidal inlet which serves a portion of the Hilton Head Plantation tidal lagoon and drainage basin. The 1999 project included the excavation, transport, and placement of approximately 18,000 cubic yards of clean beach sand. The sand was excavated from the accretional lobe at the juncture of Skull and Park Creek and placed along the eroded barrier beach between Dolphin Point and Pine Island. The excavation was limited to a depth of -2 ft NGVD and produced clean sand in its entirety. The sand was excavated with a track-hoe excavator, loaded onto off-road dump trucks, transported to the barrier beach, dumped, shaped, and graded into a continuous berm.

Continued physical monitoring of the 1999 project indicates that the berm presently requires reconstruction to prevent overtopping and loss of sand to the interior marsh. The results of the five years of physical monitoring of the fill berm are summarized in Attachment B. The 1999 berm has exceeded pre-project planning expectations in regard to stability and durability. Nonetheless, the eventual maintenance of the sand berm was expected for the purposes of maintaining project benefits.

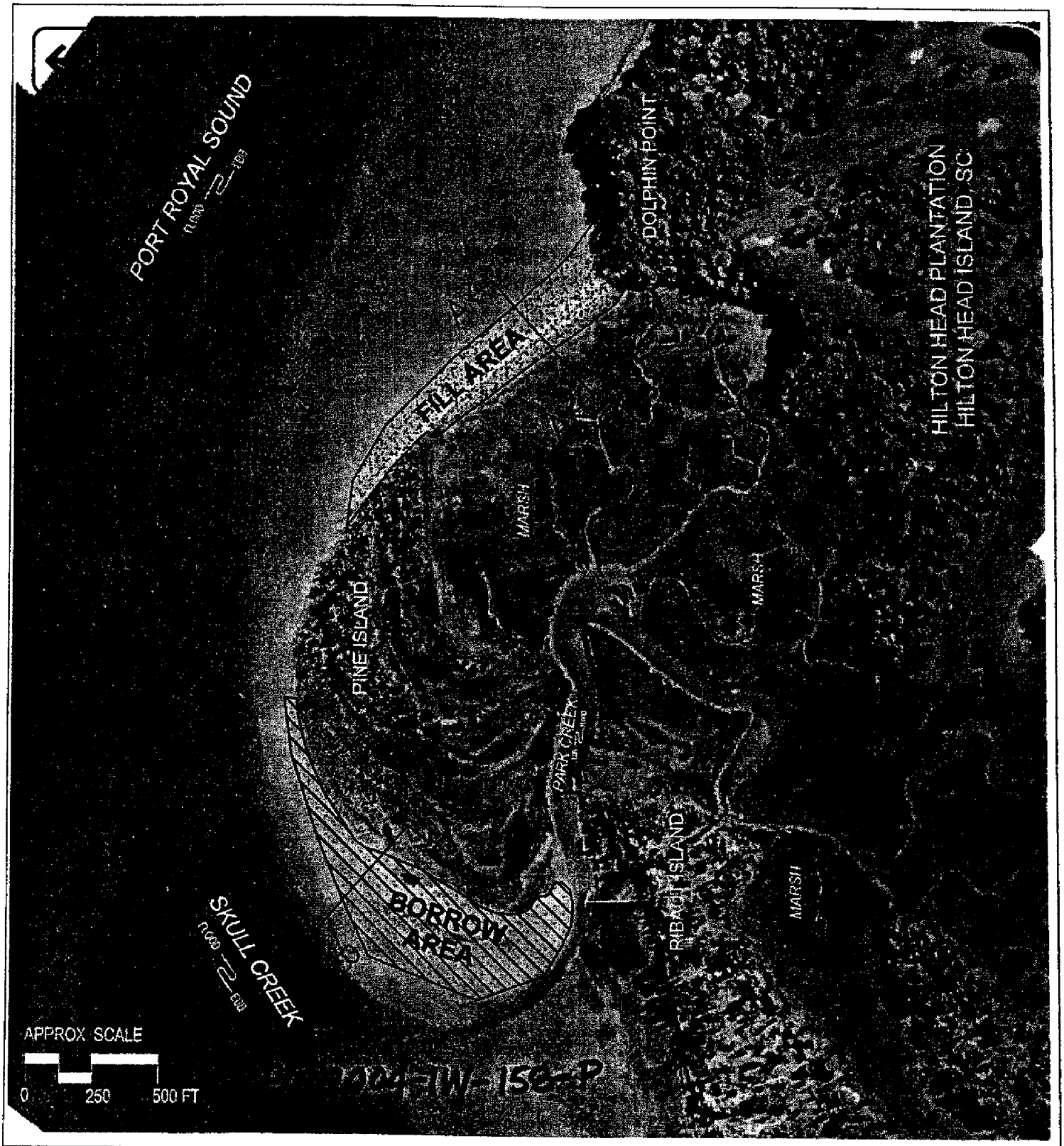
This project will continue to prevent the landward migration of the barrier beach into the Park Creek estuarine marsh and will maintain continued reliable pedestrian access between Dolphin Point Recreational Area and Pine Island. A secondary benefit of the project will be to reduce sand shoaling in the Park Creek inlet.

The limits, scope, and construction methodology of the currently proposed project are generally equivalent to those for the 1999 project. With the currently proposed activity, the excavation would be limited to the approximate 1,800 feet of depositional shoreline within Skull Creek. All sand borrowing would be limited primarily to the area seaward of an established mature upland vegetation line (defined by Agency) and down to a practical lower limit. Because of daily tidal changes, most operations would be limited to above the 0 ft, NGVD elevation but would extend to the -2 ft NGVD elevation, as practicable. It is estimated that approximately 30,000 cubic yards of sand are available above the 0 ft NGVD elevation and as much as 45,000 cubic of sand above the -2 ft NGVD elevation. Similar to the 1999 project, the proposed excavation is expected to produce only clean sand.

Fill activities would occur along the 1,700 feet of shoreline between Dolphin Point and Pine Island originally improved in 1999. The sand would be shaped into a dune/beach berm between Dolphin Point and Pine Island. Sand fencing and salt-tolerant vegetation would be placed along the berm to increase the stability of the reconstructed dune/beach system.



APPLICANT: HILTON HEAD PLANTATION PROPERTY OWNER'S ASSOCIATION	HILTON HEAD PLANTATION HILTON HEAD ISLAND, S.C. PINE ISLAND / DOLPHIN POINT BERM RENOURISHMENT PROJECT	DATE:	APPROVED	REVISION	DATE: 4/16/04 DRAWN BY: C.G.C. SHEET 1 OF 3



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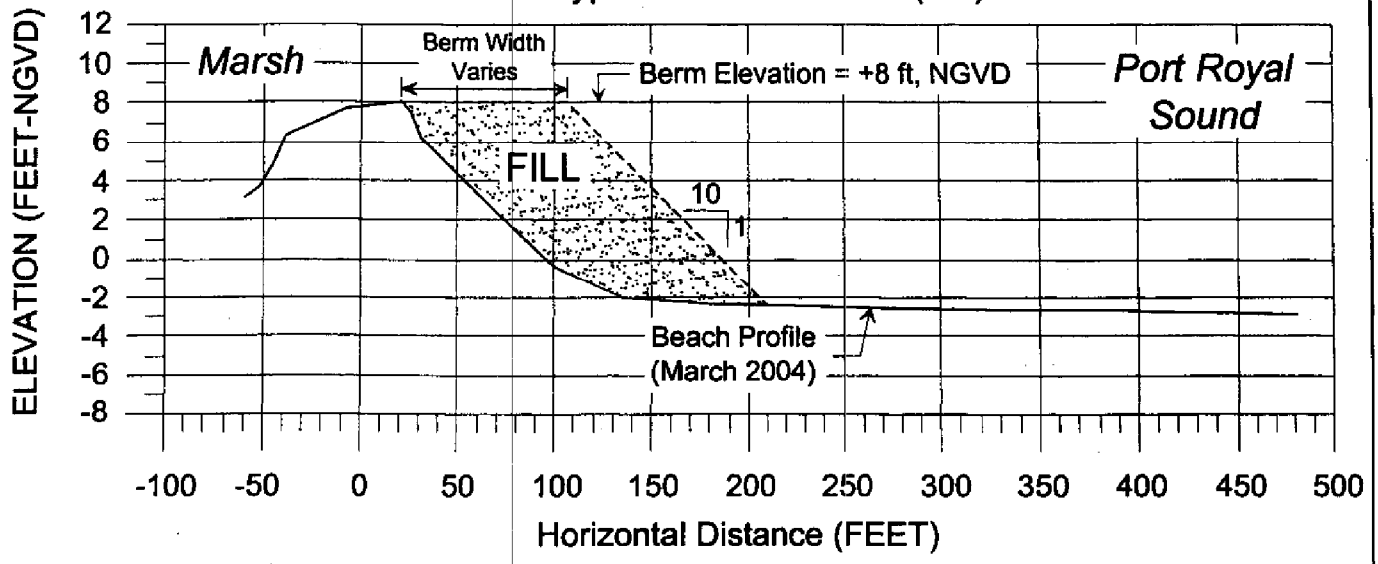
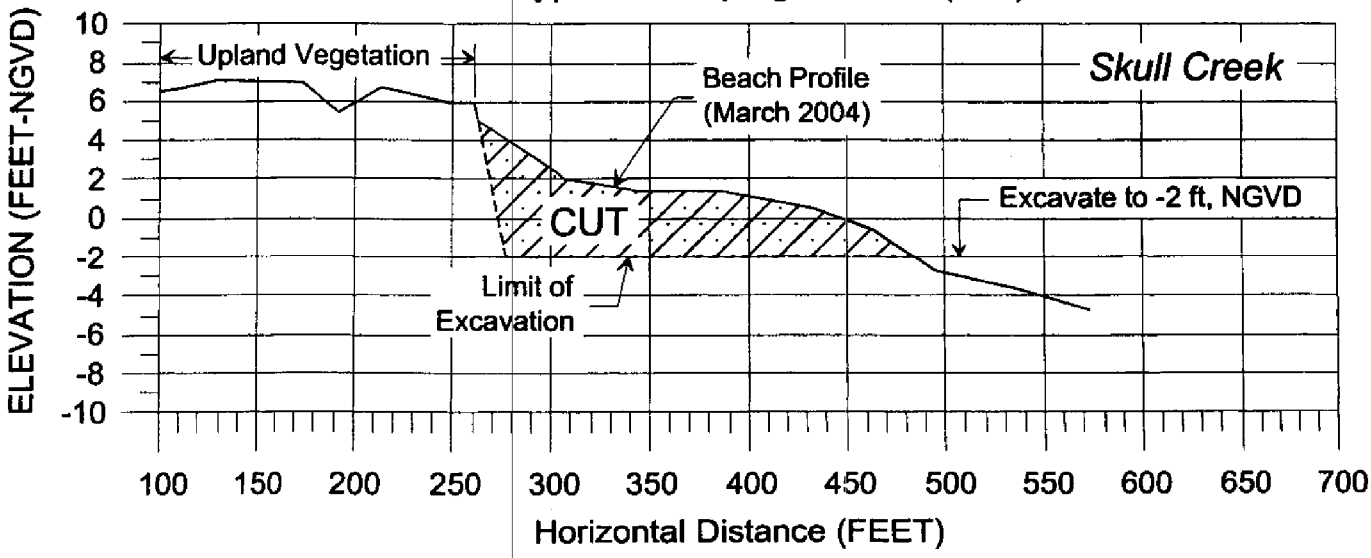
HILTON HEAD PLANTATION PROPERTY OWNER'S ASSOCIATION					DRAWN BY: C.G.C.
					SHEET 2 OF 3

SECTION A-A
Typical Berm Section (Fill)



SECTION B-B
Typical Scraping Section (Cut)



P/N 2004-IW-158-P

APPLICANT:	HILTON HEAD PLANTATION HILTON HEAD ISLAND, S.C.	DATE:	APPROVED	REVISION	DATE: 4/16/04
HILTON HEAD PLANTATION PROPERTY OWNER'S ASSOCIATION	PINE ISLAND / DOLPHIN POINT BERM RENOURISHMENT PROJECT				DRAWN BY: C.G.C.
					SHEET 3 OF 3