

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, South Carolina 29403**  
**and**  
**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**Water Quality Certification and Wetlands Section**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

REGULATORY DIVISION  
Refer to: SAC-2017-00341

April 13, 2017

Pursuant to 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

**Mr. David Wise**  
**Hobonny Plantation LLC**  
**1121 River Road**  
**Yemassee, South Carolina**

for a permit to place fill and excavate material from non-tidal wetlands associated with the

**Combahee River**

in a managed tidal impoundment at Hobonny Plantation located at 1121 River Road Yemassee, Beaufort County (Latitude: 32.663899 °N, Longitude: -80.751655 °W), (Yemassee 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.

The proposed work consists of the discharge of fill material, excavation of material, mechanically clearing of wetlands and the replacement of a water control structure to restore a former managed tidal impoundment. In detail, the proposed project involves the discharge of 3,350

cubic yards of material into 0.27 acres of wetlands for the renovation of an 1,600 linear feet of existing remnant embankment, the excavation of 3,050 cubic yards of material from 0.15 acres of wetlands and waters for construction of field canals, the excavation of 0.07 acres for the renovation of a quarter drain, the installation of a new water control structure (trunk), and the mechanical clearing of woody understory from 10 acres of wetlands to facilitate moist soil management practices. Excavation and fill activities will impact 0.49 acres of wetlands and waters. As stated by the applicant, the purpose of the proposed project is to renovate the historic infrastructure of embankments and water control structures on a 15-acre fallow tidal rice field of Hobonny Plantation to re-establish high quality freshwater wetland habitat functions and services for the on-going benefit of native and migratory wildlife. Avoidance and minimization of project impacts include avoiding 5 acres of mature bottom land hardwood wetland stands present in the project area, working within the foot-print of the historic previously filled/impacted areas, stabilizing new fill by broadcast seeding of Browntop Millet to minimize erosion of the new fill, utilizing existing fill material that is part of remnant embankments and conducting work after the project field has been drained and the area temporarily sealed by coffer dams in late winter and early spring to minimize erosion in and out of the work area.

As stated by the applicant, the proposed activities will occur sequentially. Initially, the project field will be drained and sealed temporarily by coffer dams in late winter and early spring to minimize erosion in and out of the work area. Starting at the eastern, upper end of the 15-acre tidal impoundment and working west toward "Hobonny Creek" frontage canal, degraded portions of the fields 'A' and 'D' perimeter embankments will be renovated, making a total of about 1600 feet of perimeter embankment that will be reconstructed, contoured and top-graded for access. An excavator will proceed down the length of field-dikes, simultaneously re-profiling canal sections, re-establishing the embankment interior berm and filling missing field-dike gaps where needed, with all fill impacts to the interior of the original field footprint. The new field-dike faces will be stabilized by broadcast seeding of Browntop Millet to minimize erosion of new fill. Any non-native invasive species found anywhere in the project area, such as Chinese tallow tree and Chinese privet, will be eliminated and not allowed to re-establish. A siltation fence will be established and maintained around the River Road drainage canal connecting the field canal on the projects southeast corner. The field-clearing phase of work will be completed before anticipated annual high waters. Following the replacement of the water control structure, the shrub layer will be returned to historic field grade by clearing, burning and, if needed, use of herbicides, This will allow for proven moist-soil management techniques to create and sustain a productive 10-acre emergent wetland marsh adjacent to retained mature 5-acre bottomland hardwood wetland stand.

The applicant states that modern wetland management techniques, applied to historic inland rice field impoundment footprints, can substantially contribute to achieving the habitat-related goals of the North American Waterfowl Management Plan and other regional and national programs. In particular, a goal of the South Atlantic Migratory Bird Initiative Implementation Plan for South Carolina includes extending management actions on additional acreages of "coastal impoundments of productive habitat" and encouraging agencies and private managers to increase 'acreage of managed wetlands' for waterbirds.

The applicant is not proposing compensatory mitigation because of the environmental uplift created by the project.

**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 10.49 acres of freshwater wetlands upstream 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 project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. 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.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, the District Engineer has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species 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.

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 any Federally endangered, threatened, or proposed species 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.

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 project may affect **LIST SPECIES** and/or designated or proposed (**select one**) critical habitat. A biological assessment (or other similar document) detailing our analysis of the potential effects of the action will be provided to the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service.

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)), and has initially determined that there are potential historic properties present, but they will not be adversely affected. 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.

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 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  
Tracy D. Sanders  
69A Hagood Avenue  
Charleston, South Carolina 29403**

If there are any questions concerning this public notice, please contact Tracy D. Sanders at 843-329-8190 or toll free at 1-866-329-8187.

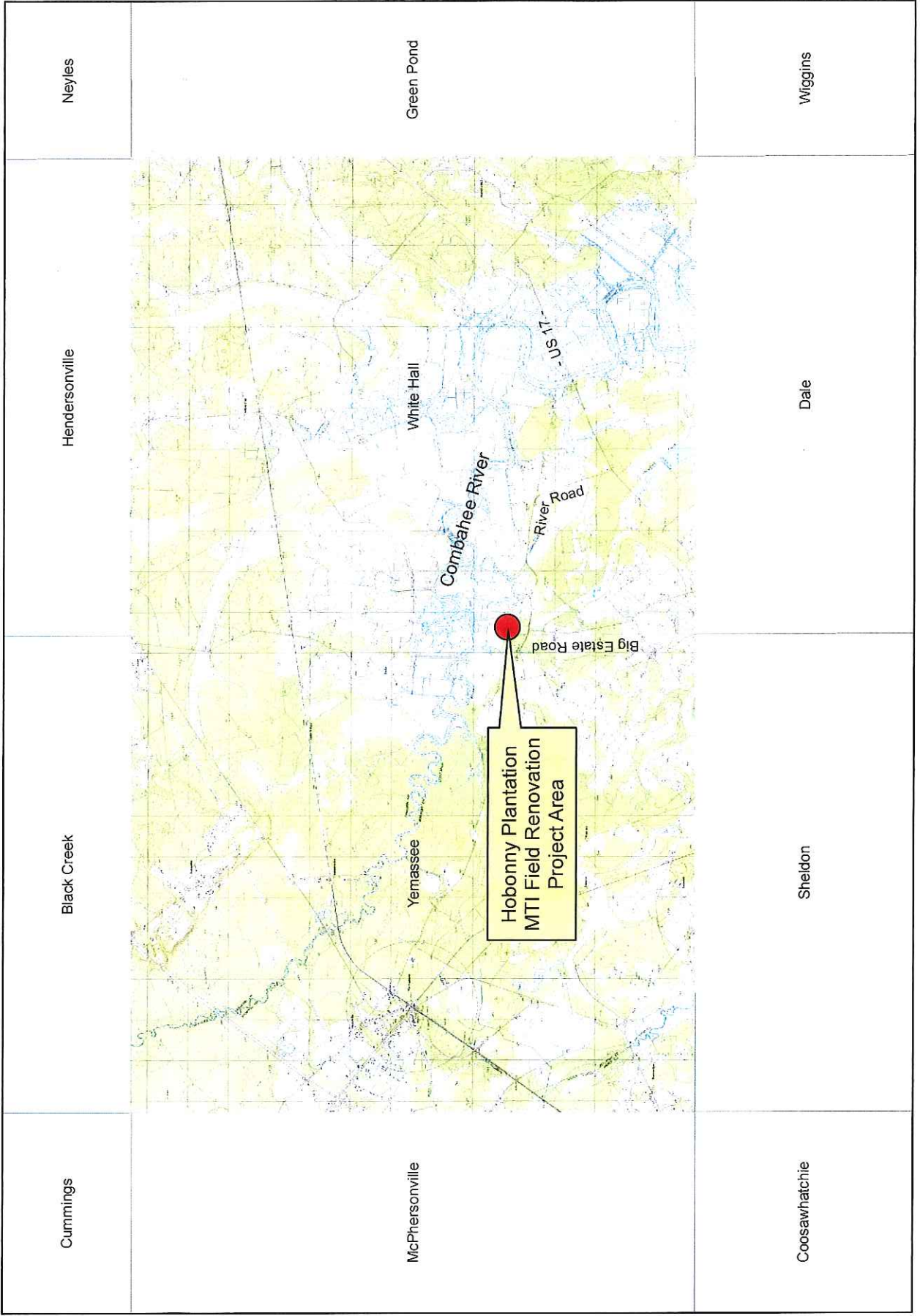
# Att 2. Hobonny Plantation MTI Field Renovation

## Location of Project in USGS Quads

Project Title: Hobonny Plantation MTI Rice Field Renovation	
Project Location: 1121 River Road Yemassee, Beaufort County SC 32.663899 N x -80.751655 W	
Applicant: David Wise	Date: 01Mar17
Agent: PF Hinchcliff, Folk Land Management	Sheet 1 of 12



USGS Topographic Quads

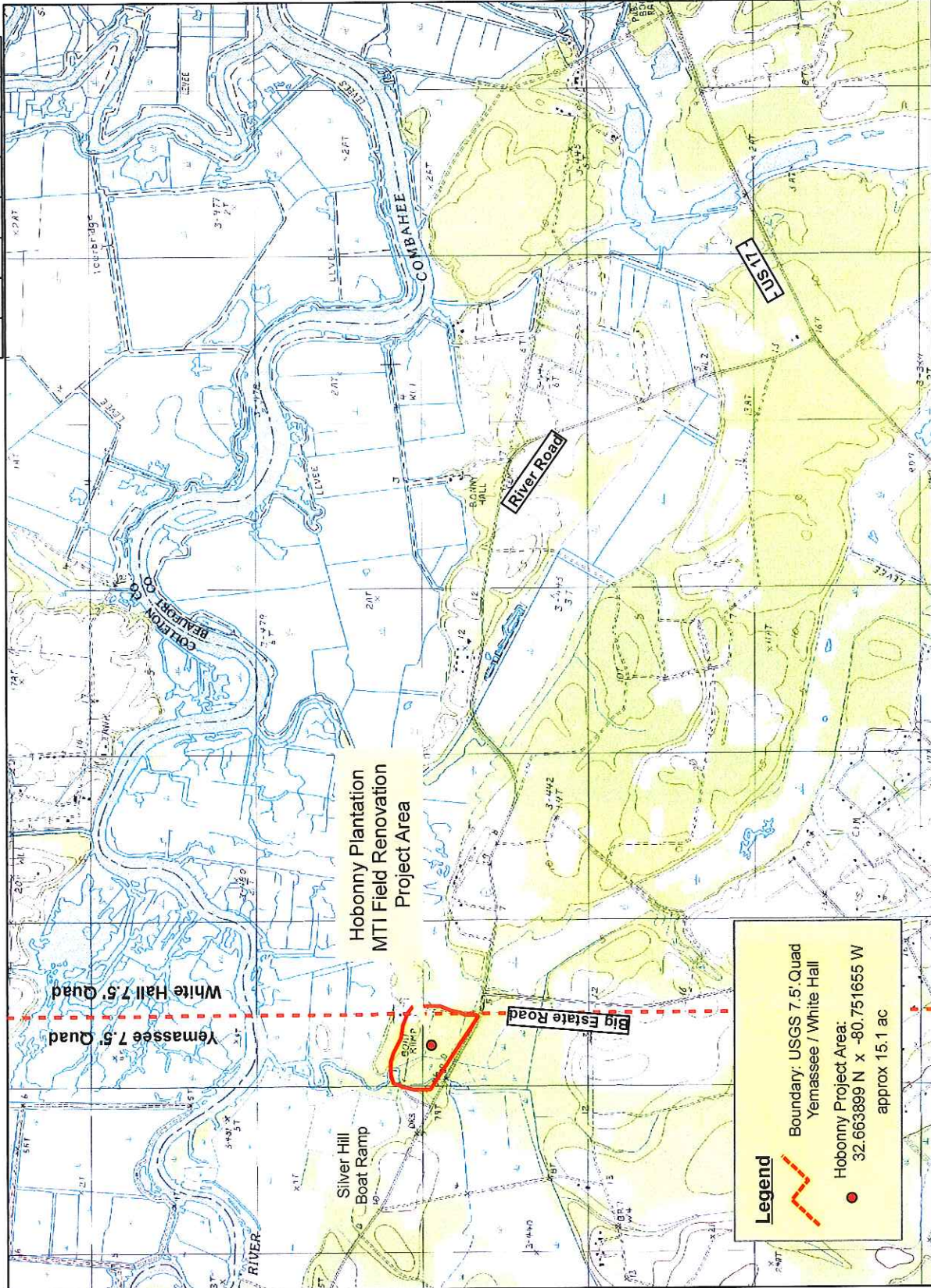


# Att 3. Hobonny Plantation MTI Field Renovation Location of Project in local USGS Quads



Project Title: Hobonny Plantation MTI Rice Field Renovation
Project Location: 1121 River Road Yemassee, Beaufort County SC 32.663899 N x -80.751655 W
Applicant: David Wise
Agent: PF Hinchcliff, Folk Land Management
Date 01Mar17
Sheet 3 of 12

0 0.3 0.6 1.2 Miles



**Legend**

- Boundary: USGS 7.5' Quad Yemassee / White Hall
- Hobonny Project Area:  
32.663899 N x -80.751655 W  
approx 15.1 ac

Hobonny Plantation  
MTI Field Renovation  
Project Area

White Hall 7.5' Quad  
Yemassee 7.5' Quad

Silver Hill  
Boat Ramp

Big Estate Road

River Road

US 17

COMBAHEE

COTTON RIVER

RIVER

# Att 4. Hobonny Plantation MTI Field Renovation

## Existing: Location of Historic MTI Infrastructure

2006 SC Infrared Aerial

Project Title: Hobonny Plantation MTI Rice Field Renovation	
Project Location: 1121 River Road Yemassee, Beaufort County SC 32.663899 N x -80.751655 W	
Applicant: David Wise	Date: 01Mar17
Agent: PF Hinchliff, Folk Land Management	Sheet: 4 of 12

0 100 200 400 Feet



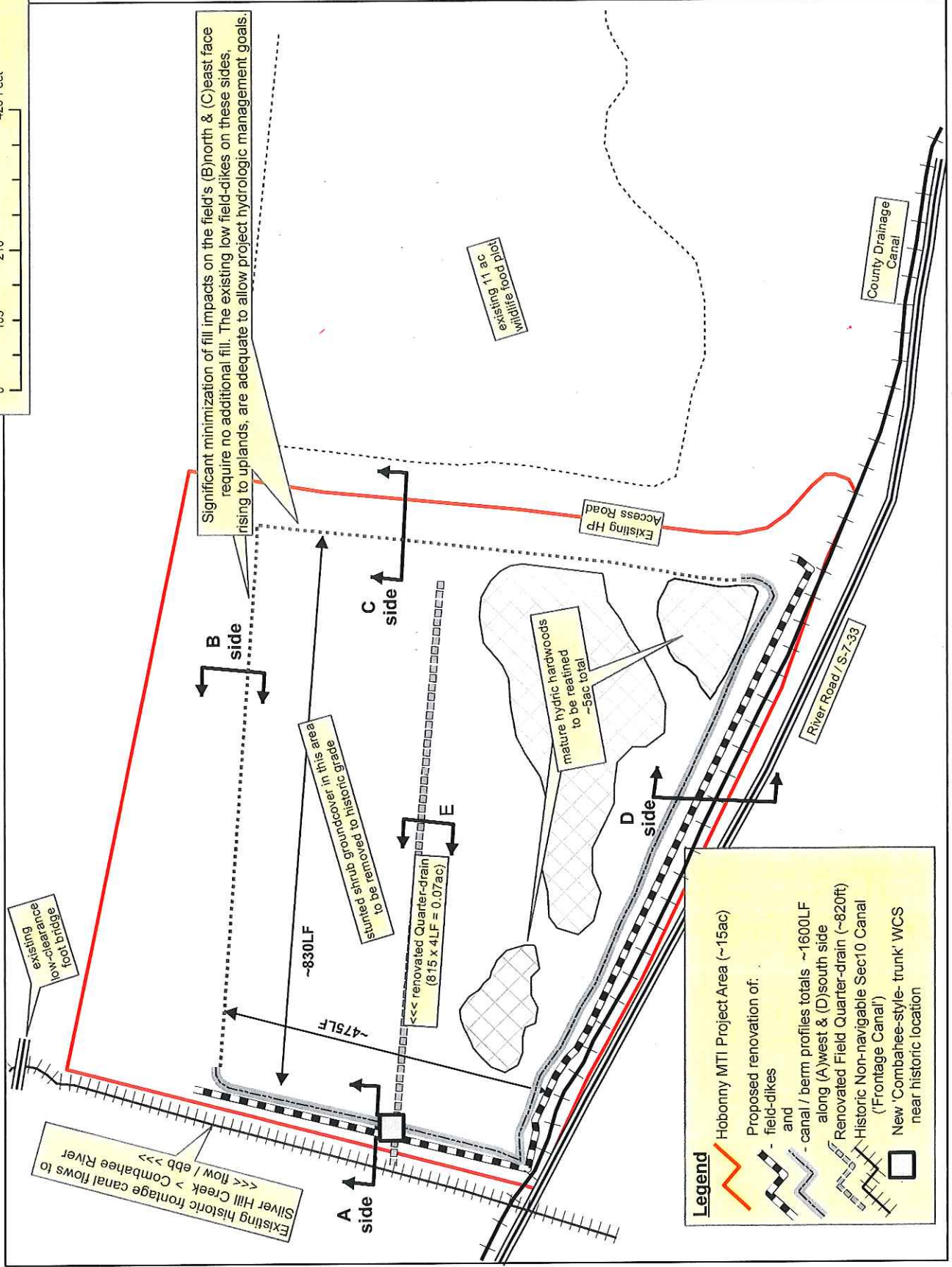
**Legend**

- Hobonny MTI Project Area
- Existing field-dike, and - berm-canal structures
- Historic Field Quarter-drain
- Historic Non-navigable Sec10 Canal ('Frontage Canal')
- X location of historic field trunk



# Att 5. Hobonny Plantation MTI Field Renovation Proposed Infrastructure Plan View

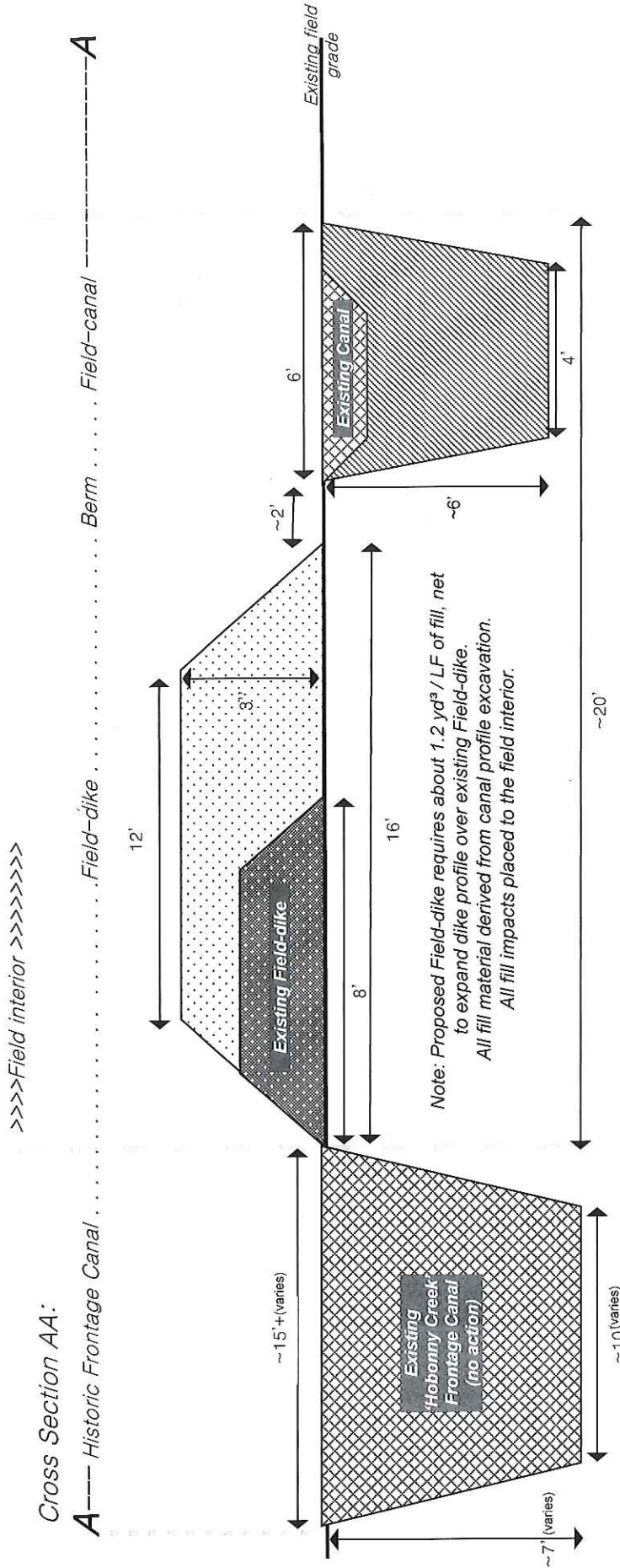
Project Title: Hobonny Plantation MTI Rice Field Renovation	
Project Location: 1121 River Road Yemassee, Beaufort County SC 32.653899 N x -80.751655 W	
Applicant: David Wise	Date: 01/11/17
Agent: PF Hinchliff, Folk Land Management	Sheet 5 of 12
0 105 210 420 Feet	



**Legend**

- Hobonny MTI Project Area (~15ac)
- Proposed renovation of:
  - field-dikes and canal / berm profiles totals ~1600LF along (A) west & (D) south side
  - Renovated Field Quarter-drain (~820ft)
  - Historic Non-navigable Sec10 Canal ('Frontage Canal')
  - New 'Combahée-style- trunk' WCS near historic location

Attachment 6. Hobonny Plantation MTI Rice Field Renovation  
 Cross Section A-A (typical), ALT 3  
 Historic & Proposed Frontage Canal / Field-dike / Berm / Field-canal Profile



**Legend**

- Historic Fill
- Historic Excavation
- Proposed Fill
- Proposed Excavation

Project Title: Hobonny Plantation MTI Rice Field Renovation	
Project Location: 1121 River Road Yemassee, Beaufort County SC 32.663899° N x -80.751655° W	
Applicant: David Wise	Date: 01Mar17
Agent: PF Hinchcliff, Folk Land Management	Sheet 6 of 11



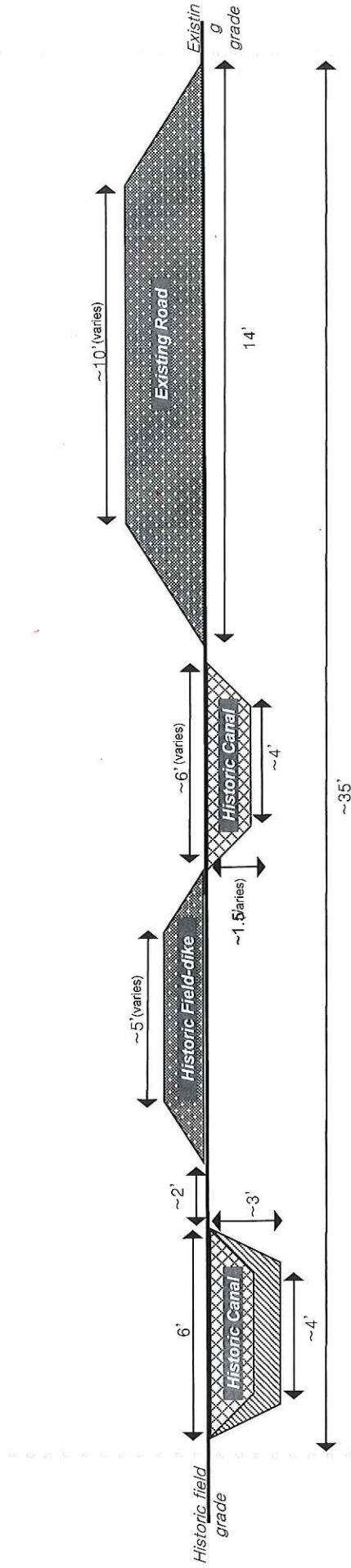
# Attachment 8. Hobonny Plantation MTI Rice Field Renovation

## Cross Section C-C (typical), Alt3

### Historic & Proposed Canal / Berm / Field-dike (Road) Profile

Cross Section CC: ..... <<< Field interior

C---Historic Field Canal ... Berm ... Historic Field-dike ... Historic Perimeter Canal ..... Existing Access Road ----- C



**Note:** To further minimize project impacts, the whole of the 'C' / West Flank embankment, shown here in profile, will not be renovated, but instead, use the Existing Road as the West Flank Field-dike.  
 The historic embankment profile **will be left in-place**, except for re-profile excavation of the Historic Field Canal.  
 MTI 'full pool' will extend to the road berm and the canal spoil and the canal spoil will be used to re-top the existing road.

Legend	
	Historic Fill
	Historic Excavation
	Proposed Fill (none)
	Proposed Excavation
- Not To Scale -	

Project Title: Hobonny Plantation MTI Rice Field Renovation	
Project Location: 1121 River Road Yemassee, Beaufort County SC 32.663899° N x -80.751655° W	
Applicant: David Wise	Date: 01Mar17
Agent: PF Hinchcliff, Folk Land Management	Sheet 8 of 11

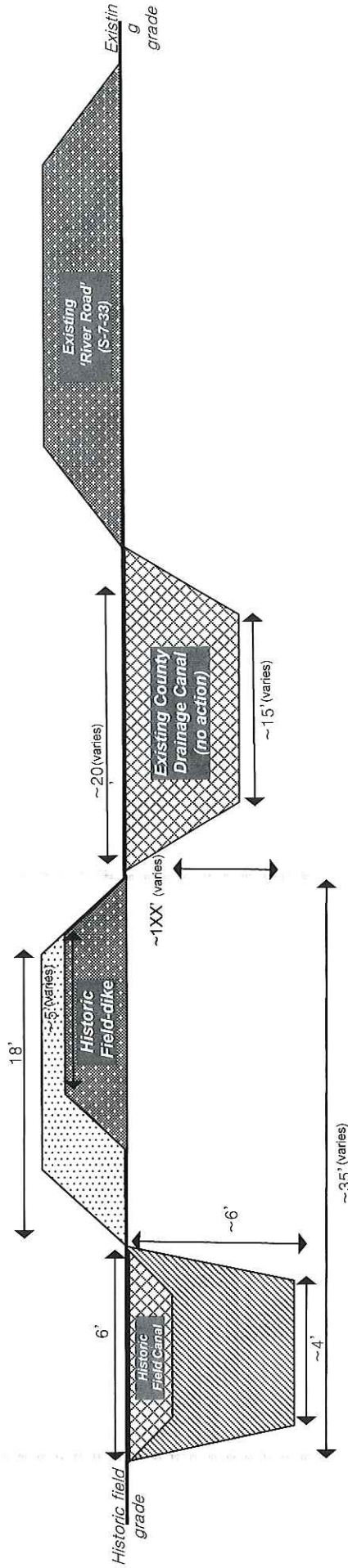
# Attachment 9. Hobonny Plantation MTI Rice Field Renovation

## Cross Section D-D (typical), Alt3

### Historic & Proposed Canal / Berm / Field-dike / River Road (S-7-33) Profile

Cross Section D-D: ..... <<< Field interior

D---Historic Field Canal . . . Historic & Proposed Field-dike . . . D . . . Existing County Drain Canal . . . Existing County Road

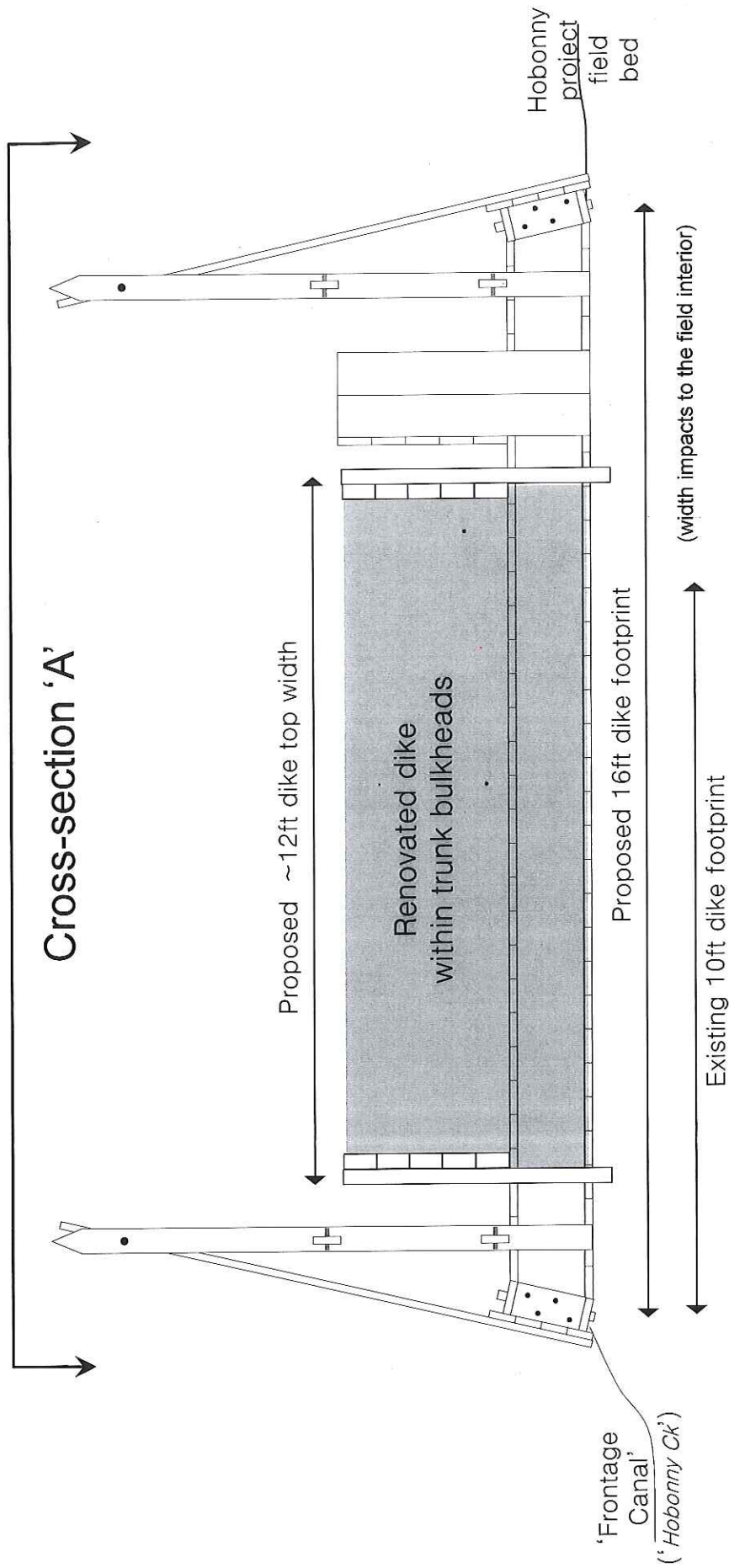


**Note:** The proposed Field-dike requires about 1.2 yd<sup>3</sup> / LF of fill, net, to expand dike profile over existing portions of the D-flank Field-dike. About 70% of the D-flank field-dike (~800LF) requires complete re-construction. All fill material derived from canal profile excavation. All fill impacts placed to the field interior.

Legend	
	Historic Fill
	Historic Excavation
	Proposed Fill
	Proposed Excavation
- Not To Scale -	

Project Title: Hobonny Plantation MTI Rice Field Renovation	
Project Location: 1121 River Road Yemassee, Beaufort County SC 32.663899° N x -80.751655° W	
Applicant: David Wise	Date 01Mar17
Agent: PF Hinchcliff, Folk Land Management	Sheet 9 of 11

**Attachment 10. Hobonny Plantation MTI Field Renovation  
 - Cross-section 'A' w/ Typical 'Combahee' Rice Field Trunk**



Dimensions

- Width of trunk = 5ft
- OA Length of trunk = 16ft
- Outside height of trunk box = 2ft
- Inside height of trunk box = 18in
- Height of flashboard riser = 6ft

<i>Project Title:</i> Hobonny Plantation MTI Enhancement	
<i>Project Location:</i> 1121 River Road Yemassee, Colleton County SC 32.663899° N x -80.751655° W	
<i>Applicant:</i> David Wise	<i>Date:</i> 01 Mar 17
<i>Agent:</i> Paul Hinchcliff, Folk Land Management	<i>Sheet:</i> 10 of 12

