

JOINT
PUBLIC NOTICE

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

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Mr. Eugene Brown
Brown Family Hunt Club and Farm, LLC
204 Wandolea Drive
Mount Pleasant, South Carolina 29464

for an After-the-Fact authorization for an existing Greentree Reservoir constructed in jurisdictional, freshwater wetlands adjacent to Ox Swamp, which is tributary of the

BLACK RIVER

at a location described as southeast of the intersection of U.S. Highway 521 and Blakely Road, in the Town of Salters, Williamsburg County, South Carolina (Latitude: 33.5342 °N, Longitude: - 79.7450 °W, USGS Kellahan Crossroads Quad) .

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the work will be received by the **Corps** until

15 Days from the Date of this Notice,

and **SCDHEC** will receive written statements regarding the work until

30 Days from the Date of this Notice

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

The work consists of modifying an existing impoundment to adhere to the Greentree Reservoir Guidelines as outlined in the "Interagency Guidance Concerning Authorization, Siting, Construction, and Management of Greentree Reservoirs" dated October, 1997 (The Guidance). Currently, the unauthorized impact consists of the placement of fill material within 1.8 acres of wetlands for the construction of a 35' wide x 4' tall berm used to flood 5.9 acres of freshwater wetlands. The applicant proposes to bring the structure into compliance with The Guidance by

reducing the fill associated with the berm to 1 acre (18' wide x 3' tall) which would increase the impounded wetland area to 6.7 acres. Additionally, the applicant has proposed a management plan siting the management criteria contained in The Guidance. The applicant did not propose mitigation for the project and states, "A mitigation requirement for this unavoidable impact is not anticipated as the project will aid with management of a more diverse set of habitats by allowing water management regimes within a fully functional greentree reservoir". The purpose of the project, as stated by the applicant, is "to provide habitat for a variety of waterfowl, wading birds, and neotropical migrants through the seasonal flooding of a wetland and to enhance feeding and foraging habitat for a wide range of wetland dependent wildlife species."

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. 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. The project has impacted 1.8 acres 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 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 has been affected by the activity.

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

February 1, 2017

Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(f)(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.

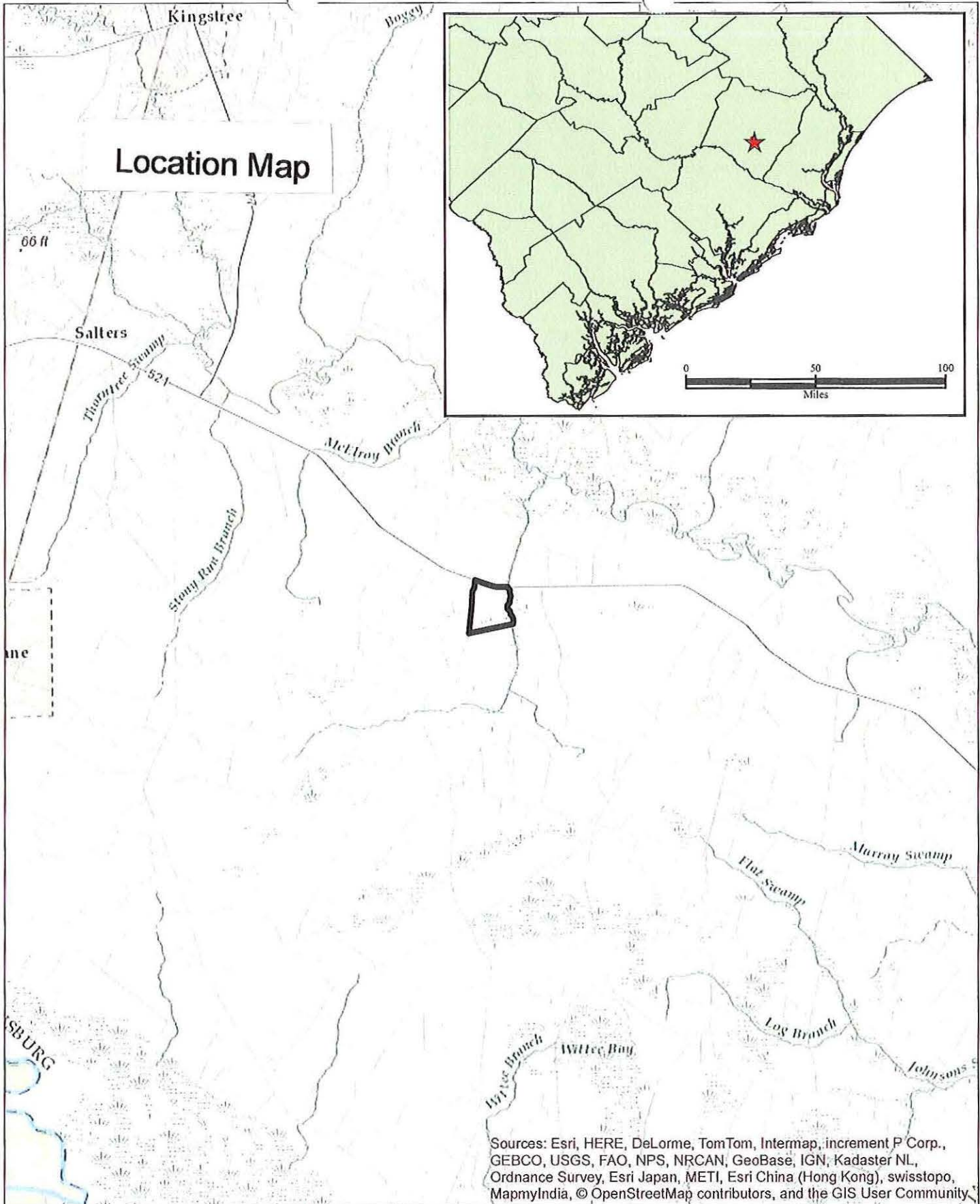
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526**

If there are any questions concerning this public notice, please contact Erica L. Stone, Project Manager, at (843) 365-0583.



Location Map

EXTERNAL SOURCES: ESRI ONLINE TOPO BASEMAP, WILLIAMSBURG COUNTY GIS PARCEL

Created By: Stephen Bostert
 Date Created: November 22, 2016
 Copyright 2016 Saline & Waters, Inc.
 Resistor due to license violation
 mapinfo@salinewaters.com

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Saline & Waters, Inc. disclaims all responsibility and liability for the use of this map.

REVISED: 11/22/2016

LOCATION MAP

PREPARED FOR DOE HALL CREEK
 PROJECT - BROWN TRACT GREENTREE
 WILLIAMSBURG COUNTY, SC

0 2
 Miles








SOURCES: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community.

LEGEND

Existing Conditions -Plan View

US Hwy, 521



LEGEND	
	PROPERTY BOUNDARY: +/- 256 AC
	GREENTREE RESERVOIR: +/- 5.9 AC
	RESERVOIR BERM FILL AREA: +/- 1.8 AC
	DISCHARGE CANAL: +/- 50 LF
	DISCHARGE DITCH
	FLASHBOARD RISER
	ROADS

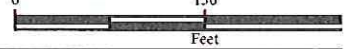
EXTERNAL SOURCES: NAIP 2015 TRUE COLOR AERIAL, U.S. CENSUS ROADS, WILLIAMSBURG COUNTY GIS PARCEL

Created By: Stephen Beckett
 Date Created: November 22, 2016
 Copyright 2016 Sabine & Waters, Inc.
 R. copyright doe hall brown violaball
 mapimg greentree data view aerial
 Sabine & Waters, Inc.
 Environmental Land Management Consultants
 P.O. Box 1072 Summerville, SC 29484
 843 871 5383 (phone) 843 871 2659 (fax)
 http://www.sabine.com

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Sabine & Waters, Inc. disclaims all responsibility and liability for the use of this map.

REVISED: 11/22/2016

PLAN VIEW MAP
 PREPARED FOR DOE HALL CREEK
 PROJECT - BROWN TRACT GREENTREE
 WILLIAMSBURG COUNTY, S

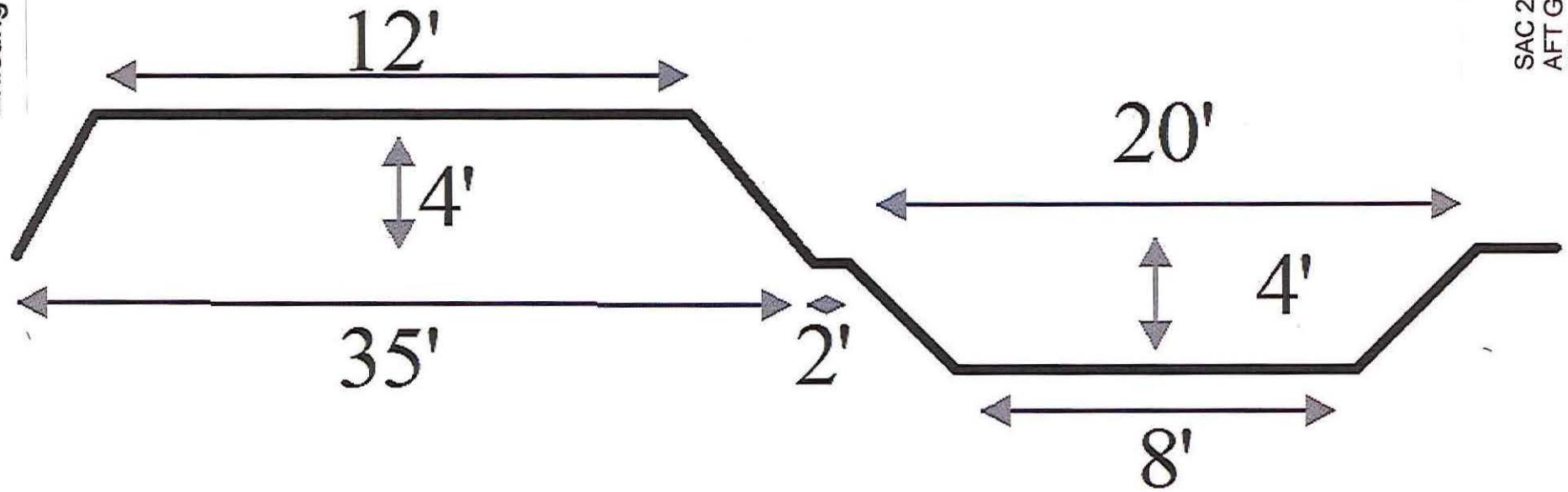


NOTES

SAC 2015-01581
 AFT Greentree Reservoir/Eugene Brown
 Williamsburg County, SC
 January 26, 2017
 Sheet 2 of 5

Existing Conditions - Cross Section

GREENTREE RESERVOIR BERM FILL AREA



SAC 2015-01581
 AFT Greentree Reservoir/Eugene Brown
 Williamsburg County, SC
 January 26, 2017
 Sheet 3 of 5

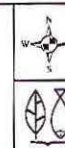
EXTERNAL SOURCES:

Created by: Stephen Bennett	Sabine & Waters, Inc.
Date Created: November 22, 2016	Environmental Land Management Consultants
Copyright 2016 Sabine & Waters, Inc.	P.O. Box 1072 Summerville, SC 29484
R:\data\doe hall\berm\violations	843.871.5383 (phone) 843.871.2050 (fax)
mailto:stephen@sw.com stephen@sw.com	http://www.sw.com

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Sabine & Waters, Inc. disclaims all responsibility and liability for the use of this map.

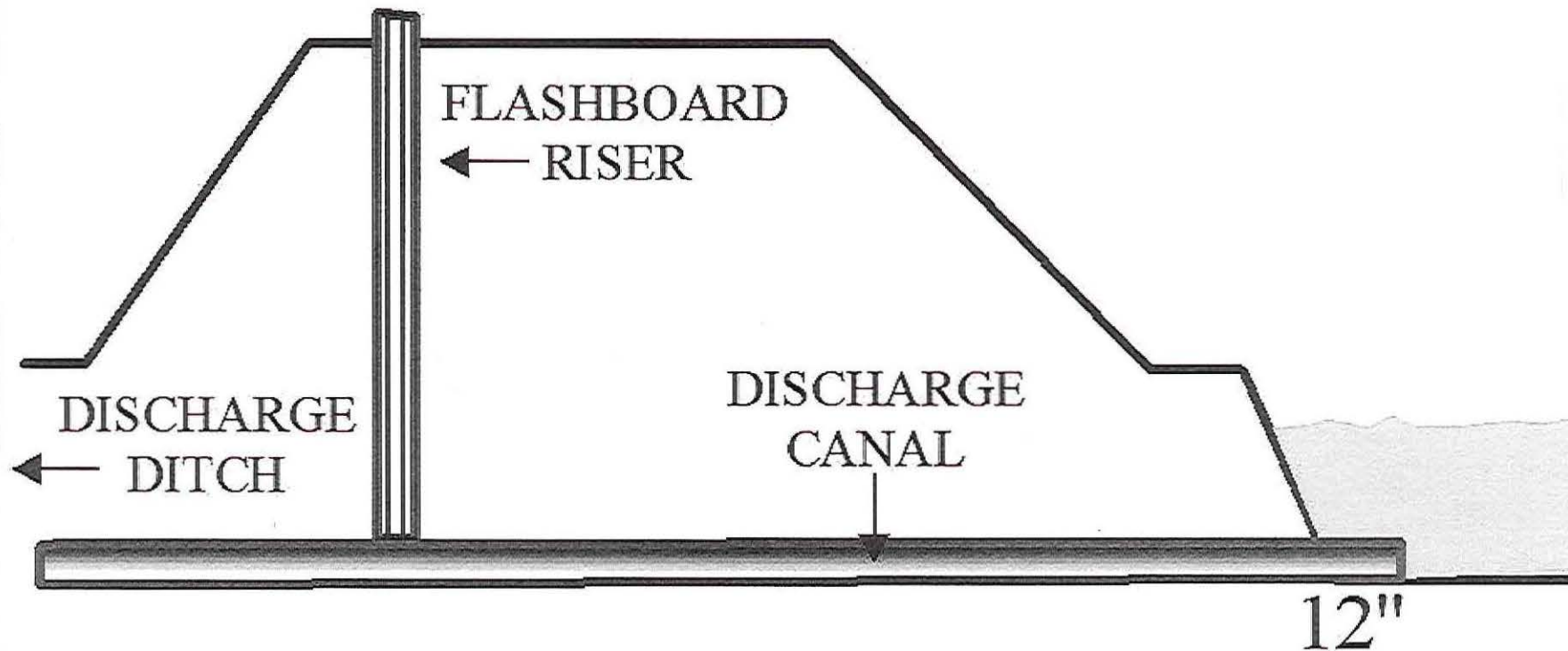
REVISED: 11/22/2016

BERM DIAGRAM
 PREPARED FOR DOE HALL CREEK TIMBER
 PROJECT - BROWN TRACT GREENTREE RESERVOIR
 WILLIAMSBURG COUNTY, SC



NOTES

DISCHARGE CANAL AND FLASHBOARD RISE



SAC 2015-01581
 AFT Greentree Reservoir/Eugene Brown
 Williamsburg County, SC
 January 26, 2017
 Sheet 4 of 5

INTERNAL SOURCES:

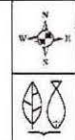
Created by: Stephen Hemmett
 Date Created: November 22, 2016
 Copyright 2016 Sabine & Waters, Inc.
 E:\cadd\doe hall\brooks\violations\

Sabine & Waters, Inc.
 Environmental Land Management Consultants
 P.O. Box 1072 Summerville, SC 29486
 843.871.5383 (phone) 843.871.2050 (fax)
<http://www.sabine.net>

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Sabine & Waters, Inc. disclaims all responsibility and liability for the use of this map.

REVISED: 11/22/2016

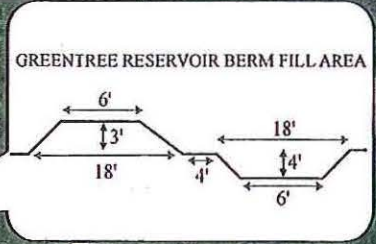
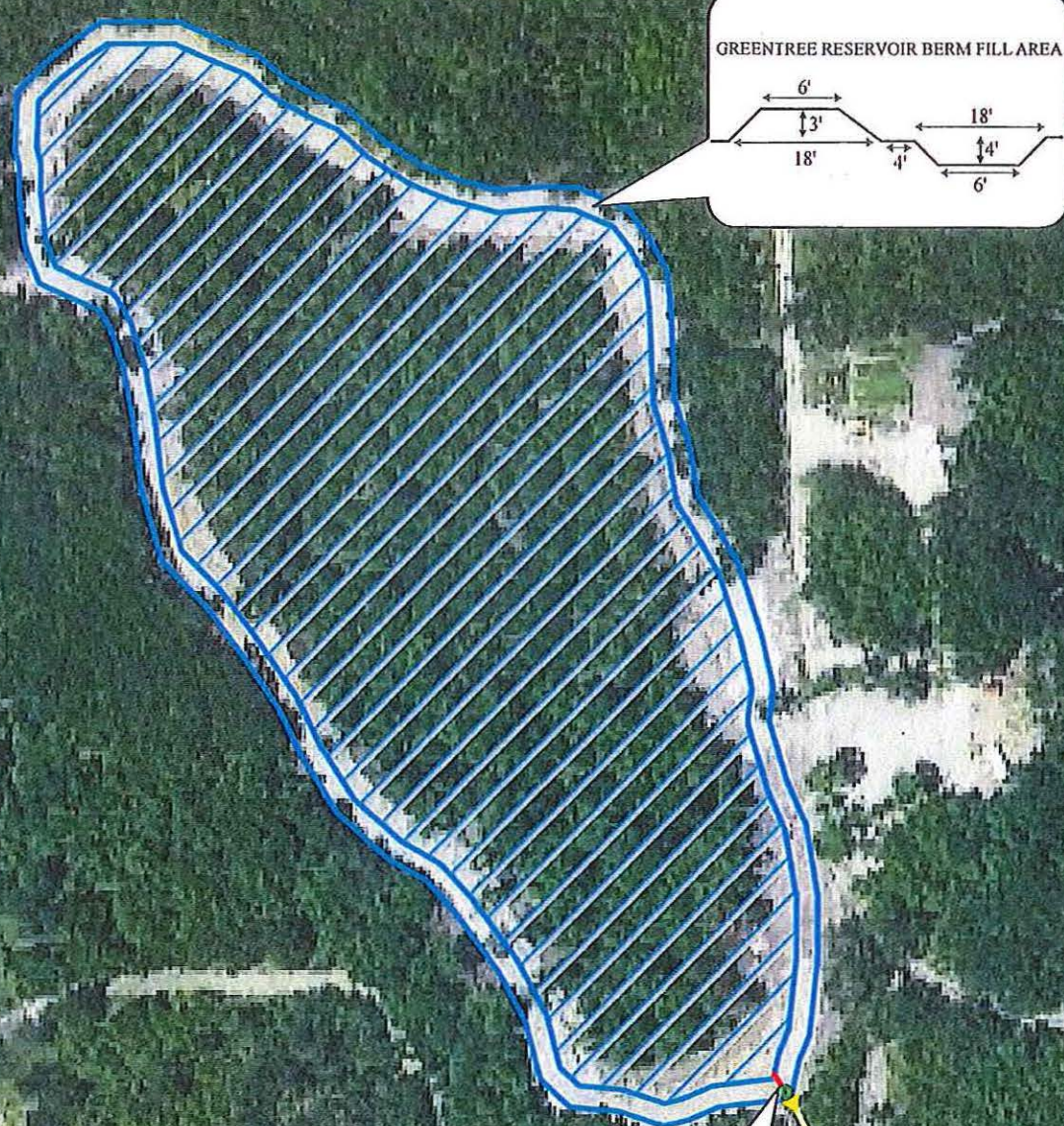
WATER CONTROL STRUCTURE
PREPARED FOR DOE HALL CREEK TIMBER
PROJECT - BROWN TRACT GREENTREE RESERVOIR
WILLIAMSBURG COUNTY, SC



NOTES

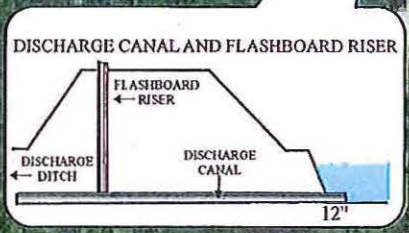
Proposed Modifications

US Hwy 521



LEGEND

- PROPERTY BOUNDARY: +/- 256 AC
- GREENTREE RESERVOIR: +/- 6.7 AC
- RESERVOIR BERM FILL AREA: +/- 1.0 AC
- DISCHARGE CANAL: +/- 32 LF
- DISCHARGE DITCH
- FLASHBOARD RISER
- ROADS



EXTERNAL SOURCES: NAIP 2015 TRUE COLOR AERIAL, U.S. CENSUS ROADS, WILLIAMSBURG COUNTY GIS PARCEL

Created By: Stephen Horvath
 Date Created: November 23, 2016
 Copyright 2016 Salsbe & Wilers, Inc.
 R: copyright doe hall brown via local mapping/greentree-reservoir-williamsburg

Salsbe & Wilers, Inc.
 Environmental Land Management Consultants
 P.O. Box 1272 Summerville, SC 29154
 843.871.5383 (phone) 843.871.2059 (fax)
<http://www.salsbe.com>

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, Salsbe & Wilers, Inc. disclaims all responsibility and liability for the use of this map.

REVISED: 1/26/2017

CROSS SECTIONS
 PREPARED FOR DOE HALL CREE
 PROJECT - BROWN TRACT GREENTREE
 WILLIAMSBURG COUNTY

NOTES

SAC 2015-01581
 AFT Greentree Reservoir/Eugene Brown
 Williamsburg County, SC
 January 26, 2017

Sheet 5 of 5