

**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 Environmental Quality Control**  
**Water Quality Certification and Wetlands Programs Section**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

REGULATORY DIVISION

Refer to: P/N # 2012-0462-1T

30 May 2012

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

**PLUM HILL PLANTATION**  
**FOLK LAND MANAGEMENT, INC.**  
**TRAVIS FOLK**  
**3515 WHITE HALL ROAD**  
**GREEN POND, SC 29446**

for a permit to place fill in wetlands associated with the

**COMBAHEE RIVER**

located at Plum Hill Plantation at 2979 Combahee Road in Yemassee, Colleton County, South Carolina (Latitude 32.703077 °N / Longitude -80.721575 °W)

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 construction of three (3) embankments within an inland rice field at Plum Hill Plantation. The details of the work include the following:

- The construction of the first embankment, referred to as the "Short" embankment, involves the excavation of 0.07 acres (673 cy of material) of wetlands to create a 300' long 5.25' deep canal with a top width of 12' and a bottom width of 9', and the placement of the excavated material into 0.14 acres (662 cy of material) of wetlands to create a 300' long 4' tall field-dike with a top width of 12' and a bottom width of 18'. The work will establish an embankment with a canal, 6' wide berm, and field-dike. The excavated material will be placed on top of an existing 6' wide remnant field-dike. The "Short" embankment will also consist of one (1) wooden spillway box with a 5.0' tall flashboard riser.
- The construction of the second and third embankments, referred to as the "Long Double" embankments, involve the excavation of 1.03 acres (11,407 cy of material) of wetlands to create two (2) 2,745' long 5.25' deep canals with top widths of 12' and bottom widths of 9', and the placement of the excavated material into 2.31 acres (11,210 cy of material) of wetlands to create two (2) 2,745' long 4' tall field-dikes with top widths of 12' and bottom widths of 18'. The work will establish two (2) embankments, each with a canal, 6' wide berm, and field-dike. The excavated material from both canals will be placed on top of two existing 6' wide remnant field-dikes. The "Long Double" embankments will also consist of three (3) wooden spillway boxes with 5.0' tall flashboard risers. The "Long Double" embankments will allow independent water management of the upstream impoundment separate from the two newly created impoundments. No material will be excavated from the central existing canal.
- The work also includes the installation of two (2) new wooden spillway boxes with 5.0' tall flashboard risers into the existing embankment located at the southern end of the project area. A total of six (6) wooden spillway boxes are being proposed for the entire project.

A long-arm excavator operating off of mobile, wooden mats will be used for the construction of the project. The excavator will first remove all trees from the high portions of the remnant field-dikes. The woody debris will be piled and burned in the field. Removal of the woody debris to an upland site would necessitate increased travel and would result in soil compaction of the bed of the rice field. Also, the woody debris can more safely be burned in the rice field than in an upland site. Once the trees are removed, the excavator will start at one end the proposed embankment and move down the length simultaneously excavating material to create a canal and placing the excavated material on top of the remnant field-dike and wetlands to create the renovated field-dike.

According to the applicant, the purpose of the proposed project is to allow greater flexibility in water management and to maintain ecological and historic resource in the ACE Basin of South Carolina Lowcountry. This rice field is managed benefit wildlife and if the existing remnant field-dikes were functional, the field could be managed with a variety of water levels this creating improved habitat diversity for wildlife. Additionally, the southern portion of the field is slightly lower than the northern portion of the field and the proposed project would separate the field into units more consistent grades. This compartmentalization of similarly leveled rice field beds will improve water management for the benefit of wildlife. An additional purpose of the project is to restore the earthen infrastructure of historic rice fields to a configuration that once occurred during periods of rice culture. Many inland rice fields are not managed in South Carolina Lowcountry, and those that are typically consist of single cross embankments. The proposed project will benefit the applicant's ecological management but also mirror the historical configuration of embankments in the area.

As stated in the application, inland rice fields in the South Carolina Lowcountry provide unique opportunities to manage wetland habitats for the benefit of numerous wetland-associated species. These management activities can contribute substantially to achieving habitat-related goals in the North American Waterfowl Management Plan. In particular, a goal of the South Atlantic Migratory Bird Initiative Implementation Plan for South Carolina

includes providing additional acreages of “coastal impoundments or productive habitat” and “increase the acreage of managed wetlands” for waterbirds (Watson 2008). Furthermore, Plum Hill Plantation has received matching cost share funding under the North American Wetland Conservation Act (NAWCA) to enhance the Thomas Filed habitat.

The applicant stated in their application that they have avoided and minimized impacts to wetlands in several ways. First, they are proposing to use the remnant field-dikes to achieve their objectives rather than construct new embankments in other locations. There are portions of the remnant field-dikes that remain high ground which equates to a minimization of wetland impacts. Second, the proposed embankments will be constructed to a width that is sufficient to accommodate normal agricultural vehicles (e.g., tractor). Third, the applicant proposes to obtain the needed fill material from the adjacent excavated canals. They stated that they would opt to bring in the needed fill from an upland source thereby not requiring wetland excavation as part of this project; however, this is not preferable because the trucks would have to drive through the wetlands. In addition, the newly create field-dike would not be stable enough to allow for trucks traffic. Their proposed of wetland excavation would eliminate the travel of trucks across the wetland. Fourth, the applicant will avoid wetland impact by conducting the work in the summer when the impoundment will have been dewatered and the bed is dry. This will eliminate the travel of machinery through areas with standing water. Working on drier soils will also reduce soil compaction as compared to working on inundated areas. If rain water collects in the canal, the water will be pumped dry prior to excavation. Excavating drier soils will also result in more stable material used as the fill for the field-dikes and less sloughing of material into the wetlands will occur. Lastly, the applicant will stabilize all fill material with a fast-growing herbaceous species (e.g., browntop millet [*Panicum ramosum*]) to reduce erosion into the field.

The applicant is not proposing compensatory mitigation for several reasons. The first is that the proposed project will restore the remnant field-dikes and will permit a water management regime that is beneficial to wildlife and also similar to historical patterns of water management. Second, the benefit to wildlife by restoring the embankments will be substantial. The proposed project will allow the field to be divided into squares that are of similar elevation, which was the historical motivation for placing the remnant field-dikes in their present location. A consistent grade across a square will allow planted grains or moist soils vegetation to be flooded at a consistent depth which will increase availability to wintering and wading birds. Third, the proposed project will permit the applicant to manage these fields at varying depths simultaneously. This is especially important during the spring months when migrating shorebird species utilize impoundments across the Lowcountry to obtain nutrients needed for long migrations. More specifically, these impoundments will be dewatered at varying times in order to lengthen the period of time that Plum Hill Plantation can provide fresh, wetland soils to these migrating birds. Currently, the impoundment is drained all at once and the habitat availability for migrating shorebirds occurs within a relatively short time frame. Fourth, the upland sections of the remnant field-dikes are covered with the invasive exotic plant Chinese tallow tree (*Triadica sebifera*). The proposed project will eliminate all of the Chinese tallow trees and thereby the seed source. Finally, the resulting water management capabilities in this project are in line with goals established in regional habitat conservation plans such as the North American Waterfowl Management Plan, which includes providing additional acreages of “coastal impoundments or productive habitat’ and ‘increase the acreage of managed wetlands’ for watersheds (Watson 2008).”

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 of the South Carolina Coastal Zone Management Act (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. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

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 3.55 acres of wetlands upstream 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 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 Section 7(c) of the Endangered Species Act of 1973 (as amended).

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 the NHPA, the District Engineer has also 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. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

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

REGULATORY DIVISION

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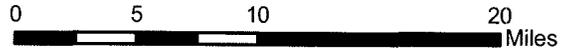
30 May 2012

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 **Tracy Dotolo Sanders** at 843-329-8044 or toll free at 1-866-329-8187.

# Plum Hill Plantation Dike Renovation Project in ACE Basin Region



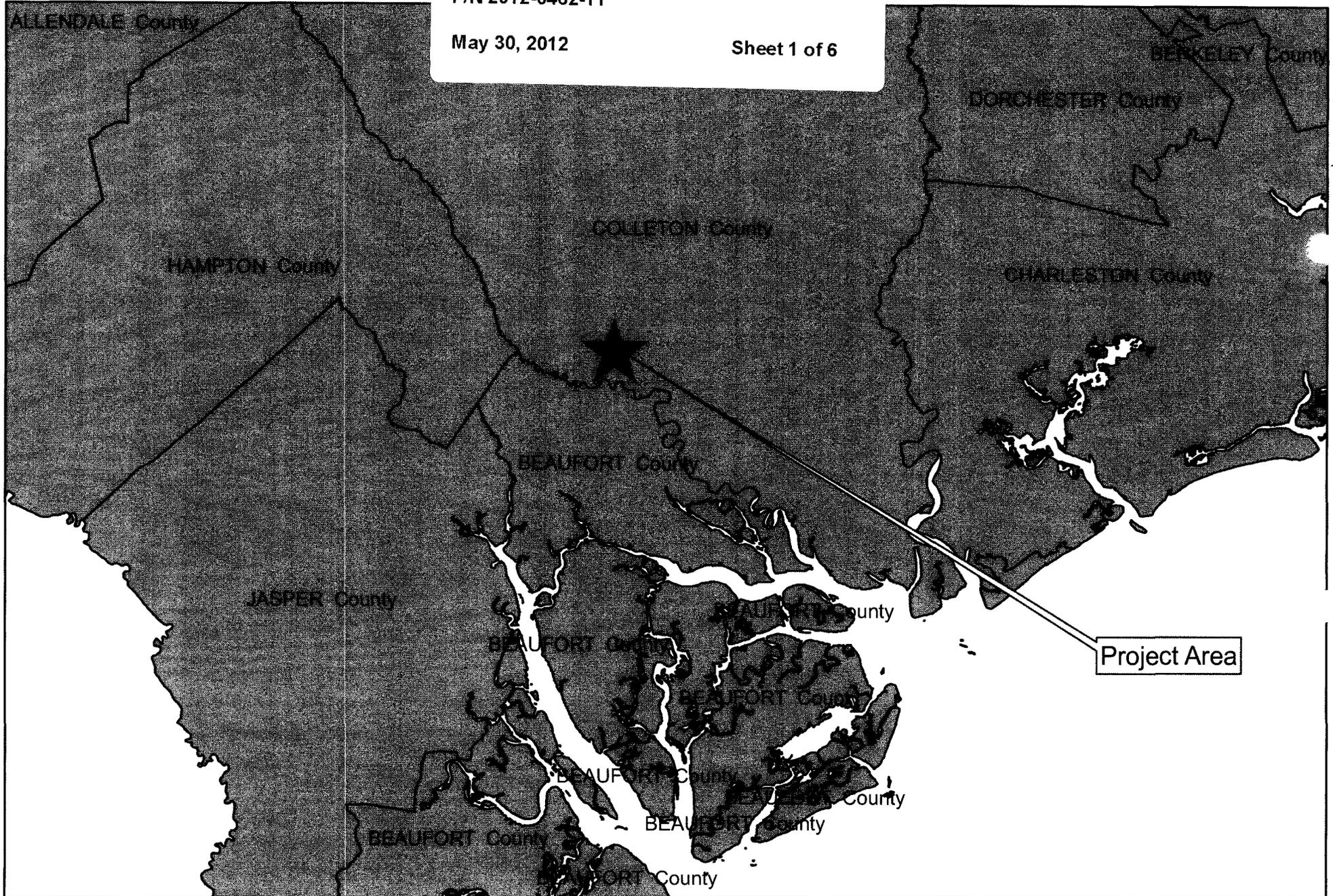
Plum Hill Plantation Field Renovation Project  
P/N 2012-0462-1T

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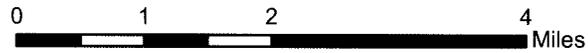
Sheet 1 of 6



Project Title: Plum Hill Plantation dike renovation	
Project Location: 2979 Combahee Road	Drawing Scale
Yemassee, SC Colleton County	1" = 42,000'
32° 40' 49.29" N, 80° 43' 29.93" W	
Applicant: John Kulze II	Date
Agent: Travis Hayes Folk, PhD	Sheet of

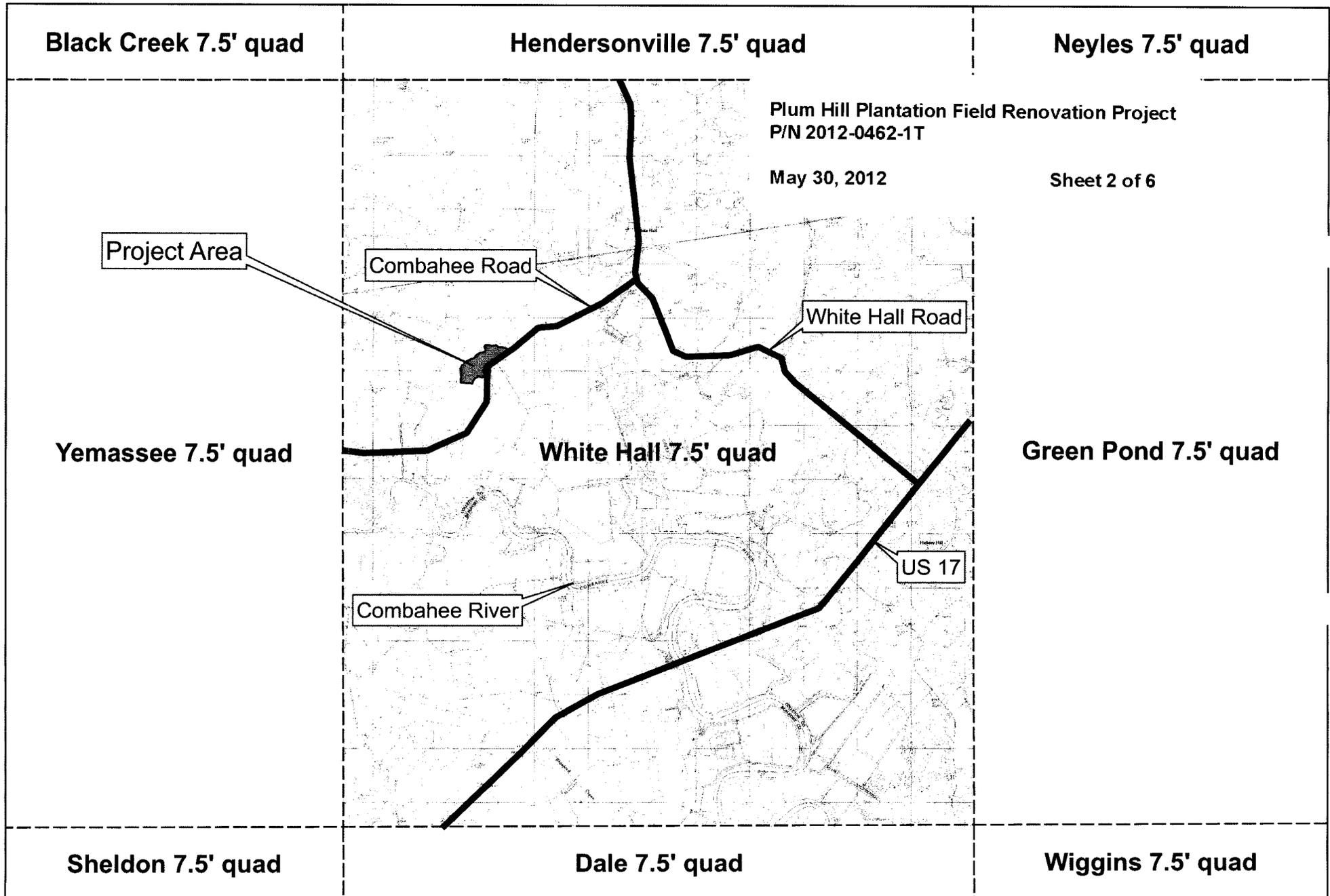


# Project Area in White Hall 7.5' Quadrangle



Project Title: Plum Hill Plantation dike renovation  
Project Location: 2979 Combahee Road  
Yemassee, SC Colleton County  
32° 40' 49.29" N, 80° 43' 29.93" W  
Applicant: John Kulze III  
Agent: Travis Hayes Folk, PhD

Drawing Scale: 1" = 8,000'  
Date: \_\_\_\_\_  
Sheet \_\_\_\_\_ of \_\_\_\_\_



Proposed rice field features

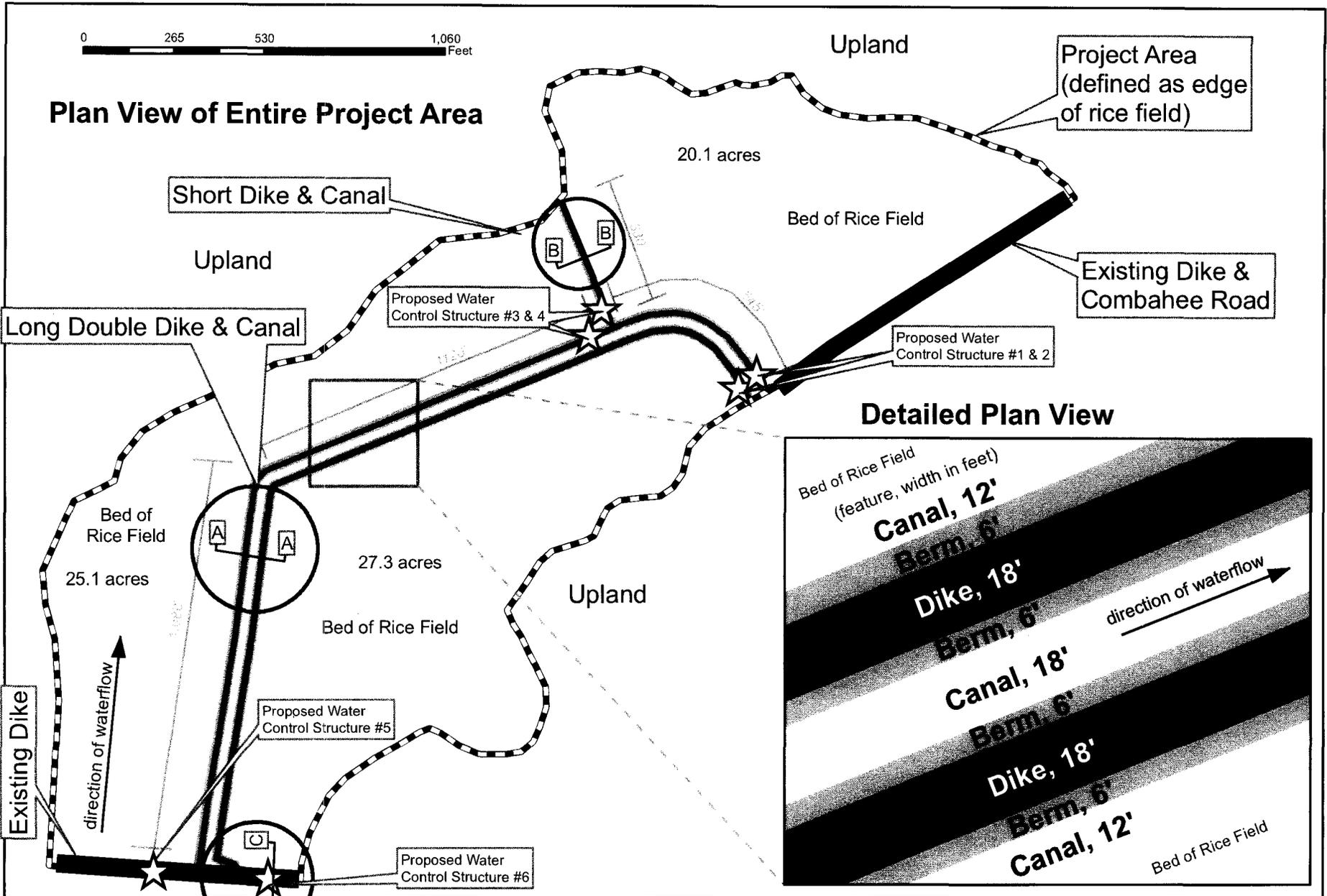
Plum Hill Plantation Field Renovation Project  
P/N 2012-0462-1T

May 30, 2012

Sheet 3 of 6



Project Title: Plum Hill Plantation dike renovation	Drawing Scale
Project Location: 2979 Combahee Road	1" = 375'
Yemassee, SC Colleton County	Date
32° 40' 49.29" N, 80° 43' 29.93" W	Sheet
Applicant: John Kulze II	
Agent: Travis Hayes Folk, PhD	

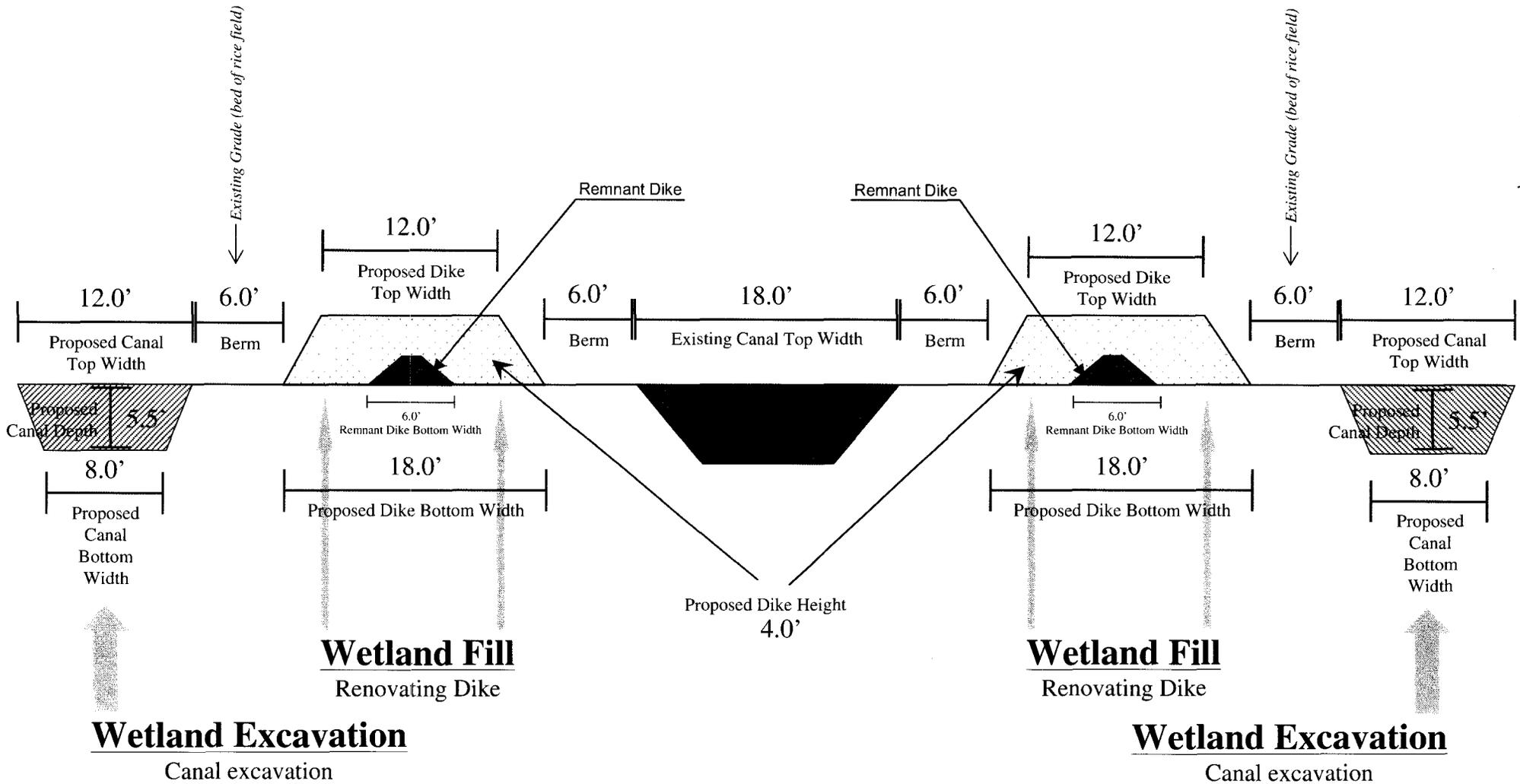


Section A-A (average dimensions)  
 Plum Hill Plantation dike renovation project

Plum Hill Plantation Field Renovation Project  
 P/N 2012-0462-1T

May 30, 2012

Sheet 4 of 6



Legend	
	Existing feature
	Proposed fill
	Proposed Excavation

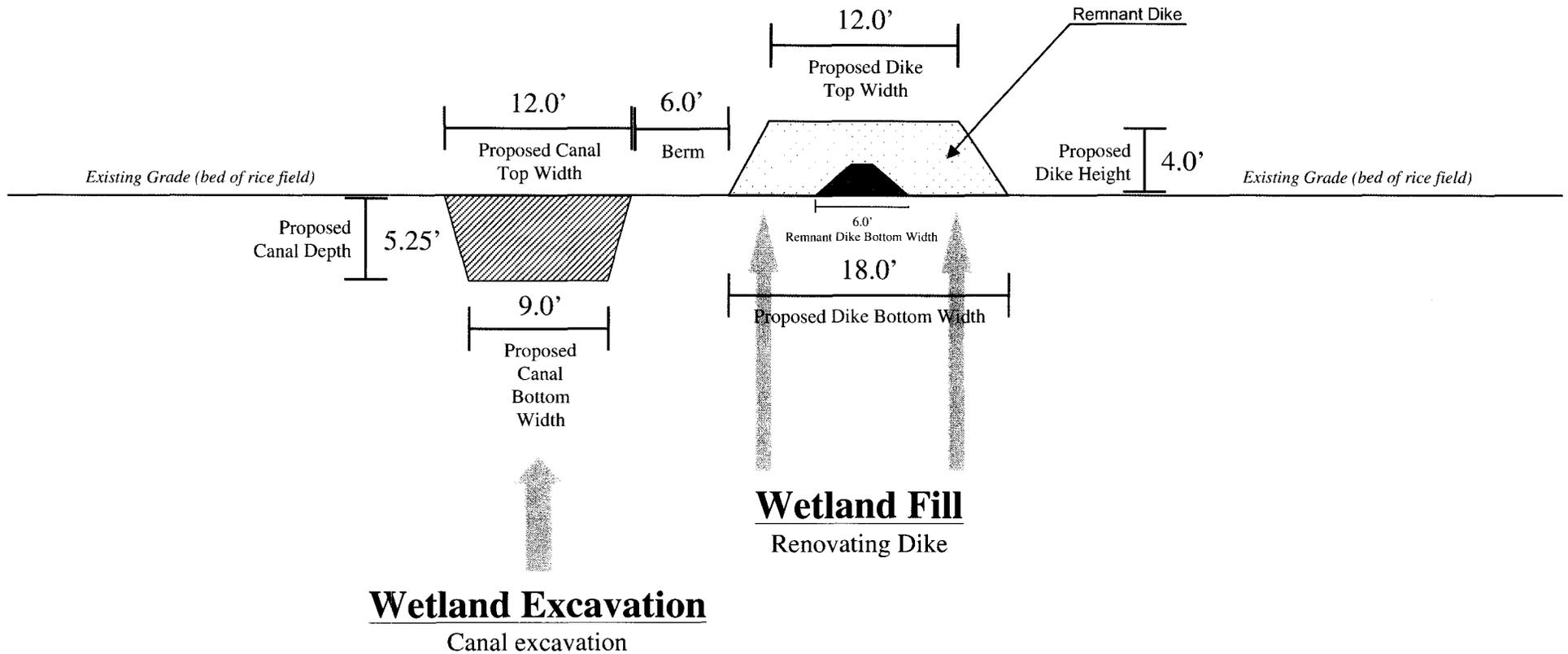
<i>Project Title:</i> Plum Hill Plantation dike renovation	
<i>Project Location:</i> 2979 White Hall Road Yemassee, SC Colleton County 32° 40' 49.29" N, 80° 43' 29.93" W	
<i>Applicant:</i> John Kulze III	<i>Date</i>
<i>Agent:</i> Travis Folk, PhD	<i>Sheet of</i>

Section B-B (average dimensions)  
 Plum Hill Plantation dike renovation project

Plum Hill Plantation Field Renovation Project  
 P/N 2012-0462-1T

May 30, 2012

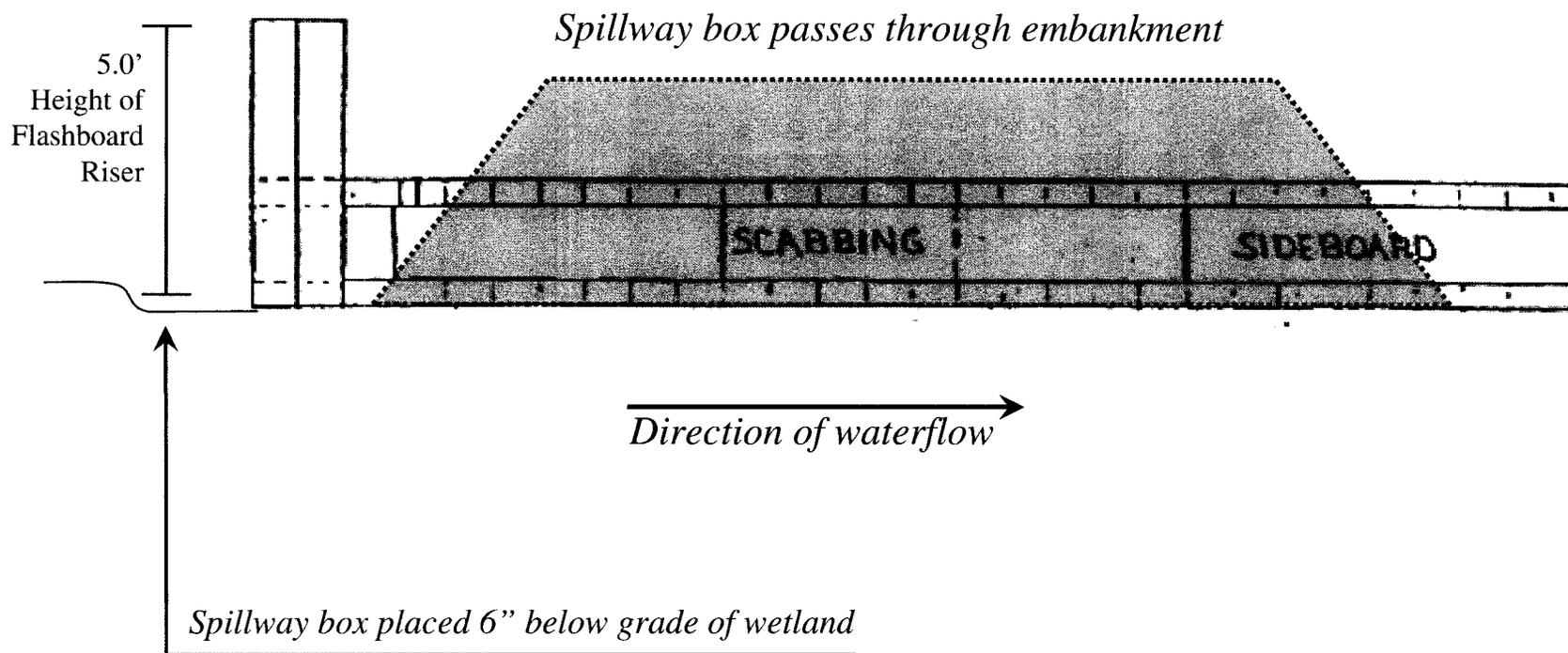
Sheet 5 of 6



Legend	
	Existing feature
	Proposed fill
	Proposed Excavation

<i>Project Title:</i> Plum Hill Plantation dike renovation		
<i>Project Location:</i> 2979 White Hall Road Yemassee, SC Colleton County 32° 40' 49.29" N, 80° 43' 29.93" W		<i>Drawing Scale</i> 1" : 10'
<i>Applicant:</i> John Kulze III		<i>Date</i>
<i>Agent:</i> Travis Folk, PhD		<i>Sheet of</i>

Cross section CC  
 Illustration of Typical Wooden Spillway Box and Flashboard Riser



***Dimensions***

- Width of spillway box = 4'*
- Length of spillway box = 22'*
- Outside height of spillway box = 2.0'*
- Inside height of spillway box = 18"*
- Height of flashboard riser = 5.0'*

<i>Project Title:</i> Plum Hill Plantation dike renovation	
<i>Project Location:</i> 2979 White Hall Road Yemassee, SC Colleton County 32° 40' 49.29" N, 80° 43' 29.93" W	<i>Drawing Scale</i> 1" : 3'
<i>Applicant:</i> John Kulze III	<i>Date</i>
<i>Agent:</i> Travis Folk, PhD	<i>Sheet of</i>