

**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 # 2012-0737-1T

30 July 2012

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

**OLD COMBAHEE PLANTATION**  
**C/O TRAVIS FOLK**  
**FOLK LAND MANAGEMENT, INC.**  
**3515 WHITE HALL ROAD**  
**GREEN POND, SC 29446**

for a permit to place fill material in wetlands of the

**COMBAHEE RIVER**

At Old Combahee Plantation located at 709 River Road in Yemassee, Beaufort County, South Carolina (Latitude 32.657419/ Longitude -80.791231)

**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 placement of fill material and the installation of water control structures in former non-tidal inland rice fields to create three (3) impoundments. A total 0.142 acres of wetlands and waters will be impacted as a result of the discharge of fill material. A total of 81.7 acres of wetlands will be impacted from seasonal flooding and moist soil management practices. In detail, the proposed work consists of the following:

Impoundment #1: The construction of impoundment #1 involves the placement of 5.5 cubic yards of material into 0.001 acres of canal to stop water flow out of the canal and the installation of one water control structure in an existing road crossing, impacting 0.002 acres of waters of the U.S. The proposed water control structure will be a 4' wide X 22' long wooden spillway box with a 4.5' tall flashboard riser. The proposed work for impoundment #1 will allow for the moist soil management of 22.4 acres of forested wetlands and the management of 1.8 acres of forested wetlands as a Greentree Reservoir.

Impoundment #2: The construction of impoundment #2 involves the placement of fill material into two canals to stop flow water flow out of the canals. Each canal fill will require 5.5 cubic yards of fill and will impact 0.001 acres of canal (11 cubic yards and 0.002 acres of canal total). The installation of one water control structure will occur in an existing road crossing impacting 0.002 acres of waters of the U.S. The proposed water control structure will be a 4' wide X 22' long wooden spillway box with a 4.5' tall flashboard riser. The proposed work for impoundment #2 will allow for the management of 17.7 acres of forested wetlands as a Greentree Reservoir.

Impoundment #3: The construction of impoundment #3 involves the placement of 685 cubic yards of material into 0.135 acres of forested wetlands for the renovation/expansion of an existing remnant field-dike and the installation of two water control structures that will impact 0.002 acres of wetlands per structure. The existing remnant field-dike has a top width of 3' and a bottom width of 4' and a height of 3'. The proposed work will expand the top width of the field-dike by 4' and the bottom width by 5' for a total top width of 7' and a bottom width of 9'. The proposed work for impoundment #3 will allow for the moist soil management of 15.8 acres of forested wetlands and the management of 24.0 acres of forested wetlands as a Greentree Reservoir.

All fill material necessary for the proposed work will be obtained from an onsite upland location. Refer to Attachment #1 for the location of the borrow material and travel routes of the material.

Project Purpose: The purpose of the proposed project is to restore water control capability to inland rice fields so they can be managed as Greentree Reservoirs and moist soil units for wildlife.

Avoidance and Minimization:

The applicant stated in the permit application that they avoided and minimized impacts to wetlands and waters in several ways. During the construction of impoundments #1 and #2, access for the water control structure installation points will be from the existing roads. Access to the canal that will be filled will occur by a small trackhoe. Tree removal will be avoided. During the construction of impoundment #3, access to the field-dike will occur from a parallel road located on the adjacent Twickenham Plantation. This road is approximately 10-15 yards from the field-dike. A trackhoe will also be used for the work and it will exit the Twickenham Road to reach the portions of the field-dike that will be renovated. Fill material will only be placed in locations where needed to create a continuous field-dike. Organic material will be removed when needed and relocated to an upland site. The removed organic material will be distributed throughout the upland borrow site. During the work, machinery will avoid removing mature black gum trees on both sides of the remnant field-dike. The two new water control structures will be installed during the field-dike renovations.

All construction related work will occur during dry periods of the year and all disturbed areas (upland and wetland) will be revegetated with fast-growing herbaceous species (e.g., browntop millet). Additional avoidance and minimization occurred during the design of the proposed project. The applicant designed the project to utilize natural and existing changes in elevation to create the impoundments. For example, rather than consider developing a new field-dike to completely surround the proposed impoundments, the applicant selected an area where changes in elevation and existing roadways would provide much of the control needed to develop Greentree reservoirs and moist soil units. Coincidentally, this area was previously developed for water impoundment by rice planters in the later 17<sup>th</sup> and 18<sup>th</sup> centuries. With regards to the proposed water control structure installations, existing road crossings were used where possible to avoid the need of constructing new field-dikes for impoundments #1 and #2. For the construction of impoundment #3, the applicant chose to

renovate/expand the existing remnant field-dike and to do so at a minimum width necessary to allow for water control to further avoid impacts to wetlands and mature black gum trees. The reduction of the width of the field-dike will prevent normal plantation machinery from traveling across the wetland.

To further minimize impacts associated with the proposed project, the applicant has proposed to place inundated areas of impoundments #1, #2, and #3 and a 100 ft wide upland buffer surrounding the impoundments under restrictive covenants. The restrictive covenants will ensure that the impoundments will NOT be used to create a permanently flooded pond, especially of the type that might be conducive to a housing development.

### Management of Impoundments

The applicant has proposed to manage 1.8 acres of impoundment #1, 17.7 acres of impoundment #2, and 24 acres of impoundment #3, for a total of 43.5 acres of the project area, as Greentree Reservoirs. The Greentree Reservoirs will be managed in accordance with the 1997 *Interagency Guidance Concerning Authorization, Siting, Construction and Management of Greentree Reservoirs*. The applicant stated that the proposed impoundments will be located in an inland, non-tidal rice field that was likely cleared and managed for rice production between the early 1700's and 1800's. After rice culture, these habitats were flooded during the winter for waterfowl. The applicant is proposing to manage portions of the impoundment as Greentree reservoirs. With regards to management of the Greentree Reservoirs, the applicant stated that the boards will be added to the riser in November and remove in February-March. This will create shallow-water habitats throughout the bottomland hardwoods during winter. The area is dominated by mature oaks, blackgum, and red maples which will provide adequate mast for waterfowl and wading birds during the flood period. Water depth will vary between 12" and 18" which will result in up to 35.3 acres of seasonally inundated habitat.

The applicant has proposed to manage 22.4 acres of impoundment #1 and 15.8 acres of impoundment #3 as moist soil units. The management actions and goals will be as follows: 1) reduce density and coverage of woody tree species with herbicides; 2) apply repeated prescribed fire to reduce depth of organic content; and 3) flood periodically to stimulate germination and growth of herbaceous plant species.

### Compensatory Mitigation:

The applicant is not proposing compensatory mitigation for impacts associated with the proposed project and believes mitigation should not be required. The applicant stated that the ratio of wetland impacts to habitat created is substantial (i.e., 0.17% = 0.142 acres impact / 81.7 acre habitat). The applicant believes that this demonstrates numerous acres will be able to be managed for the benefit of wildlife with little impacts to wetlands. The proposed project will also create a diversity of habitat types as some of the acreage will be managed as Greentree Reservoirs and the remaining acreage will be managed as a moist soil units with a predominance of wetland herbaceous plant species. This will create habitat for numerous passerine (prothonotary warbler), waterfowl (wood duck), and wading birds (egret and ibis species). The applicant also stated that the project was designed to have as little impacts as possible. Avoidance and minimization of project impacts are discussed in a previous avoidance and minimization section in this public notice. Also discussed in the avoidance and minimization section, the applicant proposes to place restrictive covenants on the inundation area and uplands within 100' of this boundary. In addition, the applicant has voluntarily entered into a conservation easement with The Nature Conservancy and Memorandum of Agreement with South Carolina Department of Natural Resources to manage pine stands to the benefit of red cockaded woodpeckers. The applicant also stated that the proposed project is consistent with the past stewardship of Old Combahee Plantation. The applicant also does not believe compensatory mitigation is necessary as the proposed project will restore historical earthworks associated with the area when it was utilized for commercial rice production and the proposed impacts would restore water control capabilities similar to what would have occurred during rice production. The water

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management routines will be similar to those during the rice growing era. Finally, the proposed project is under consideration for funding by the North American Wetland Conservation Act (NAWCA) funding program as the project is consistent with all of the goals in NAWCA. For all of these reasons, the applicant does not believe that compensatory mitigation should be required for the project impacts.

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 0.142 acres of freshwater 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.

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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 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.

# Project in County

Project Title: Old Combahee Inland Rice Field  
Project Location: 709 River Road  
Yemassee, SC Beaufort County  
32° 39' 26.71" N, 80° 47' 28.43" W  
Applicant: Jessica Loring  
Agent: Travis Hayes Folk, PhD

Drawing Scale  
1" : 20,000'  
Date  
Sheet of



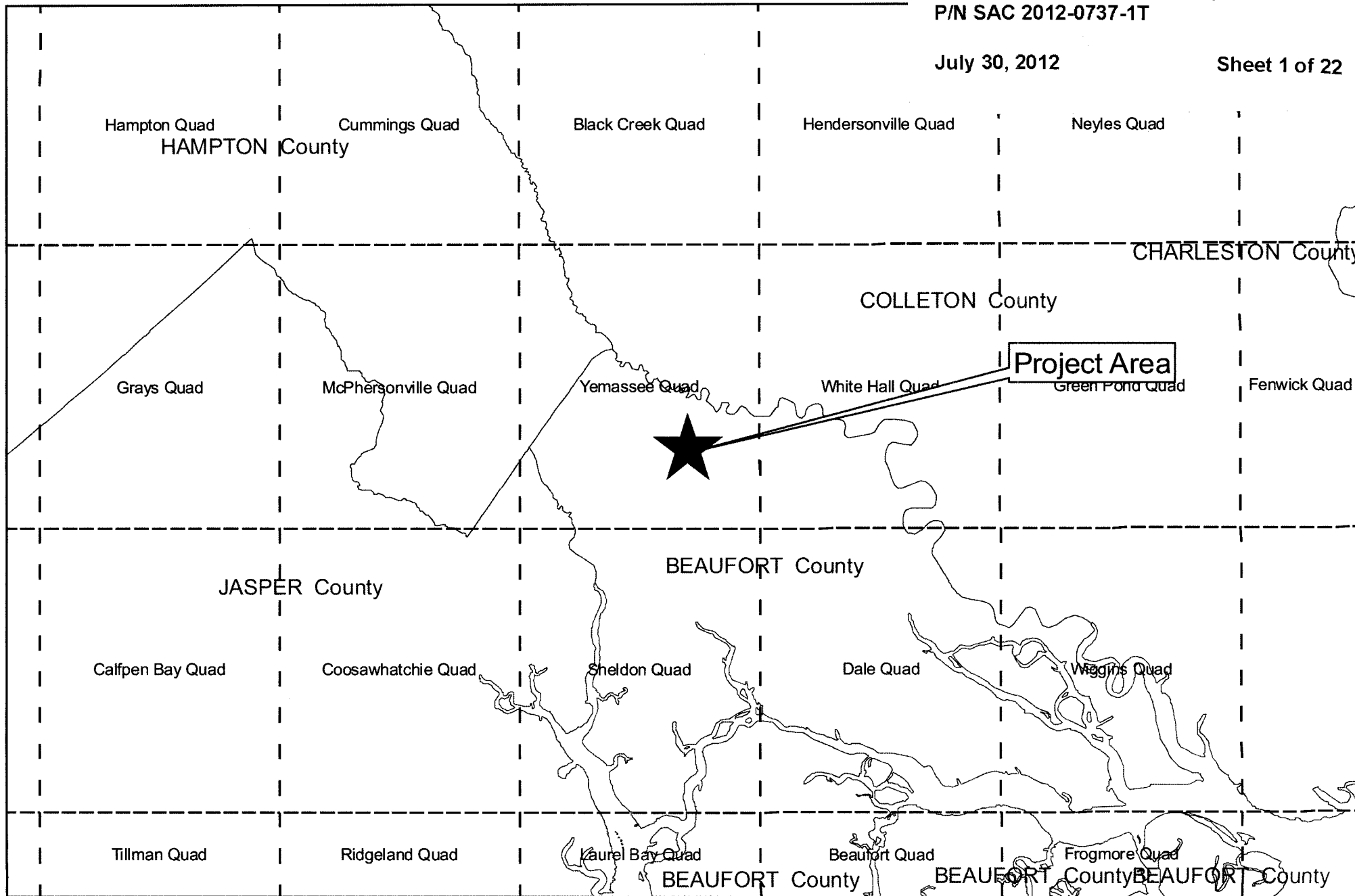
Quad boundaries in black  
County boundaries in gray



## Old Combahee Plantation Impoundments P/N SAC 2012-0737-1T

July 30, 2012

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# Project in Quad

Project Title: Old Combahee Inland Rice Field  
Project Location: 709 River Road  
Yemassee, SC Beaufort County  
32° 39' 26.71" N, 80° 47' 28.43" W  
Applicant: Jessica Loring  
Agent: Travis Hayes Folk, PhD

Drawing Scale  
1" : 7,600'

Date  
Sheet of

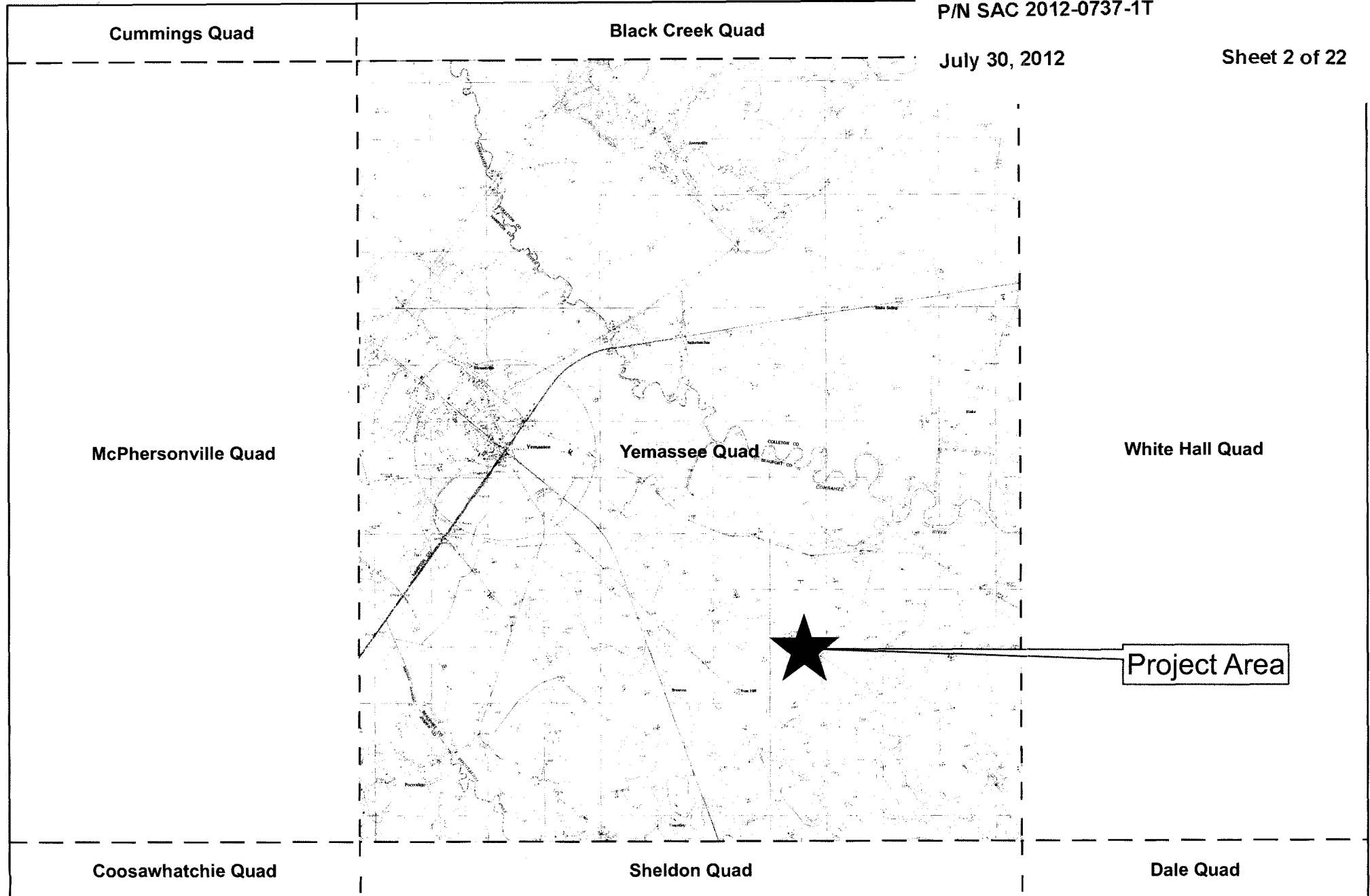


Quad boundaries in black

**Old Combahee Plantation Impoundments**  
**P/N SAC 2012-0737-1T**

July 30, 2012

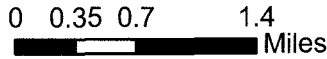
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# Project Vicinity

Project Title: Old Combahee Inland Rice Field  
Project Location: 709 River Road  
Yemassee, SC Beaufort County  
32° 39' 26.71" N, 80° 47' 28.43" W  
Applicant: Jessica Loring  
Agent: Travis Hayes Folk, PhD

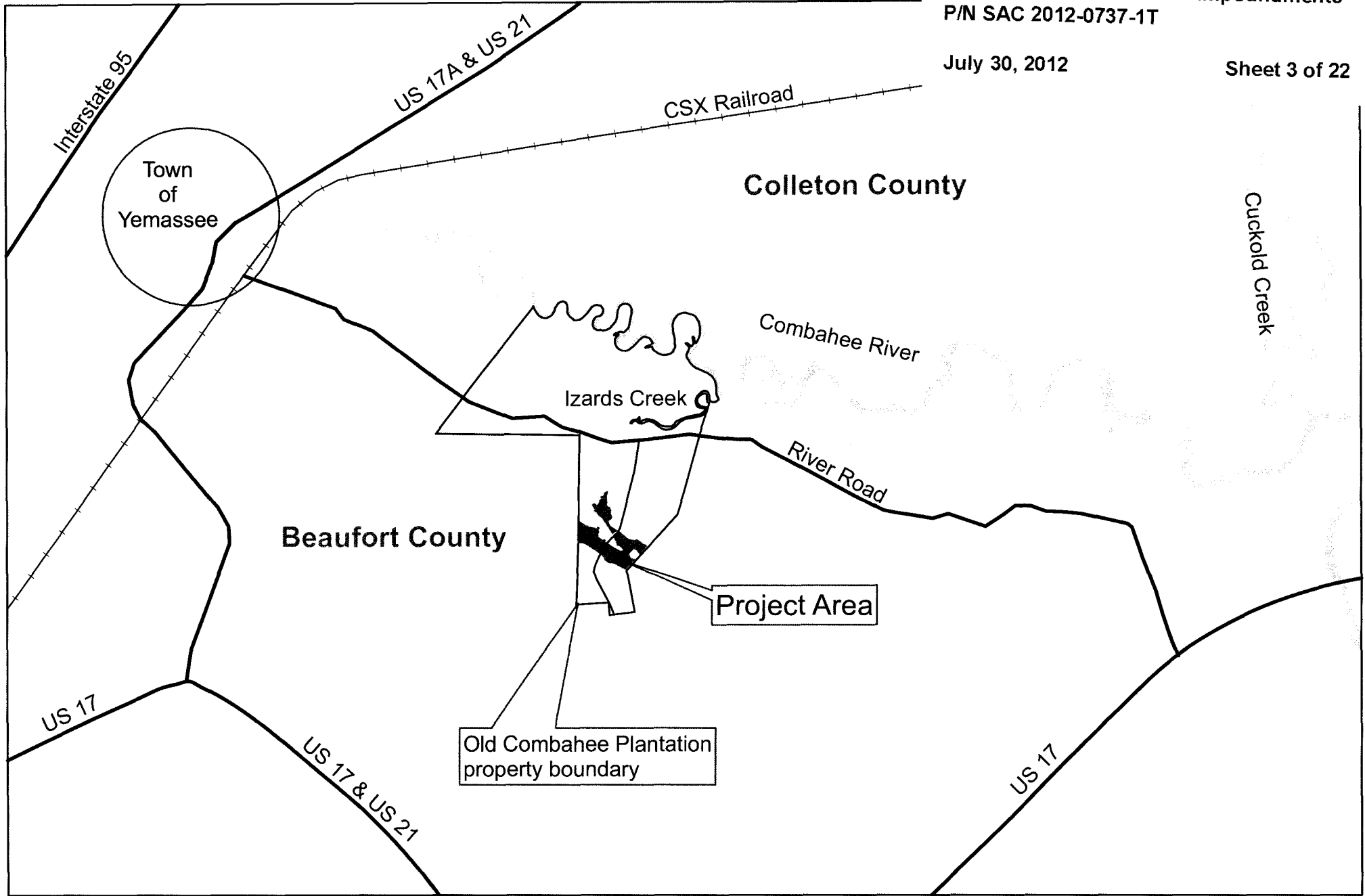
Drawing Scale  
1" : 5,900'  
Date  
Sheet of



## Old Combahee Plantation Impoundments P/N SAC 2012-0737-1T

July 30, 2012

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# Summary of Project Impoundments

Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
1" = 57.5'

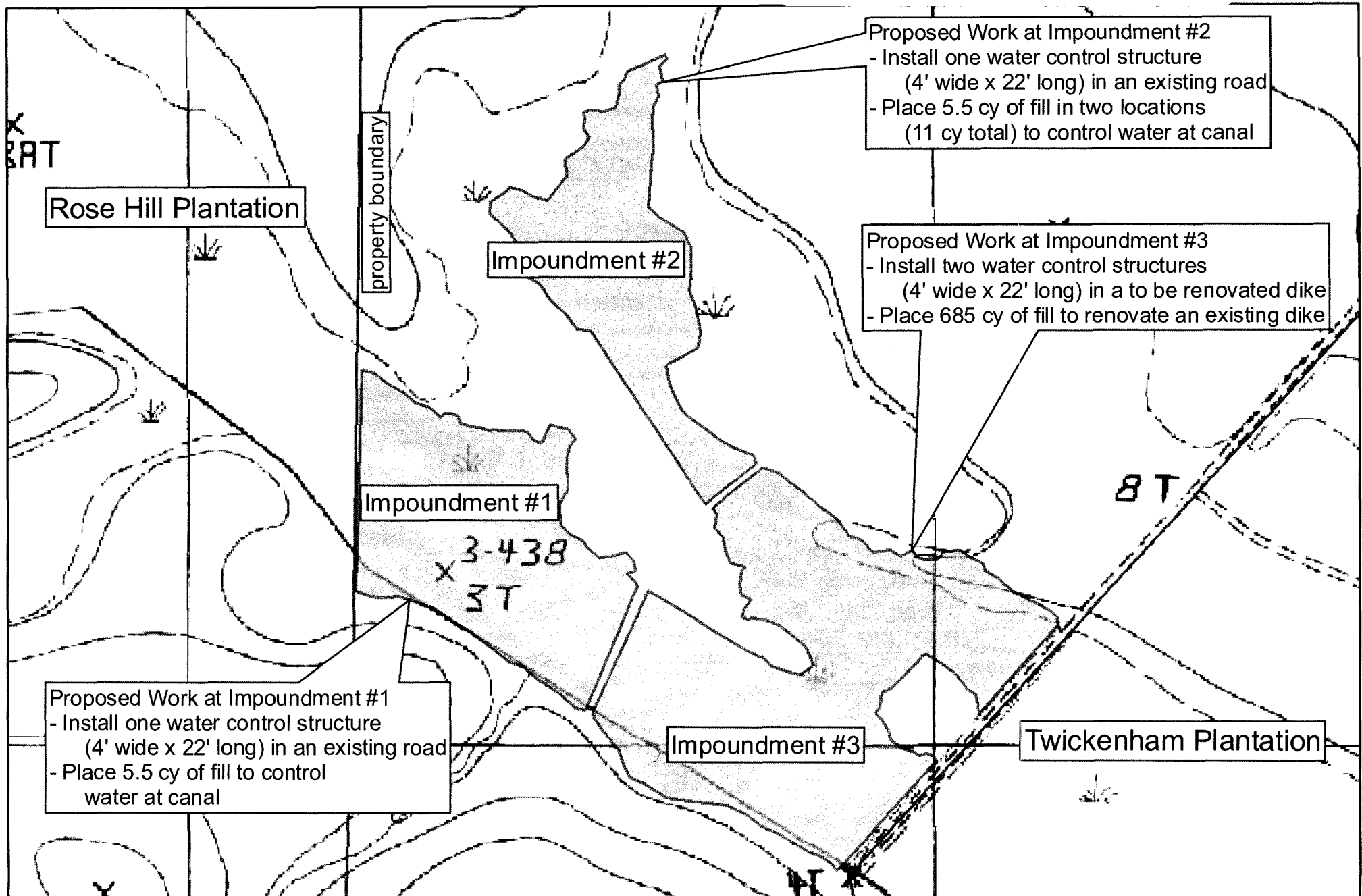
Date  
Sheet of

0 455 910 1,820 Feet

USGS 7.5' Yemassee quadrang

July 30, 2012

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# Project Impacts & Habitat Summary

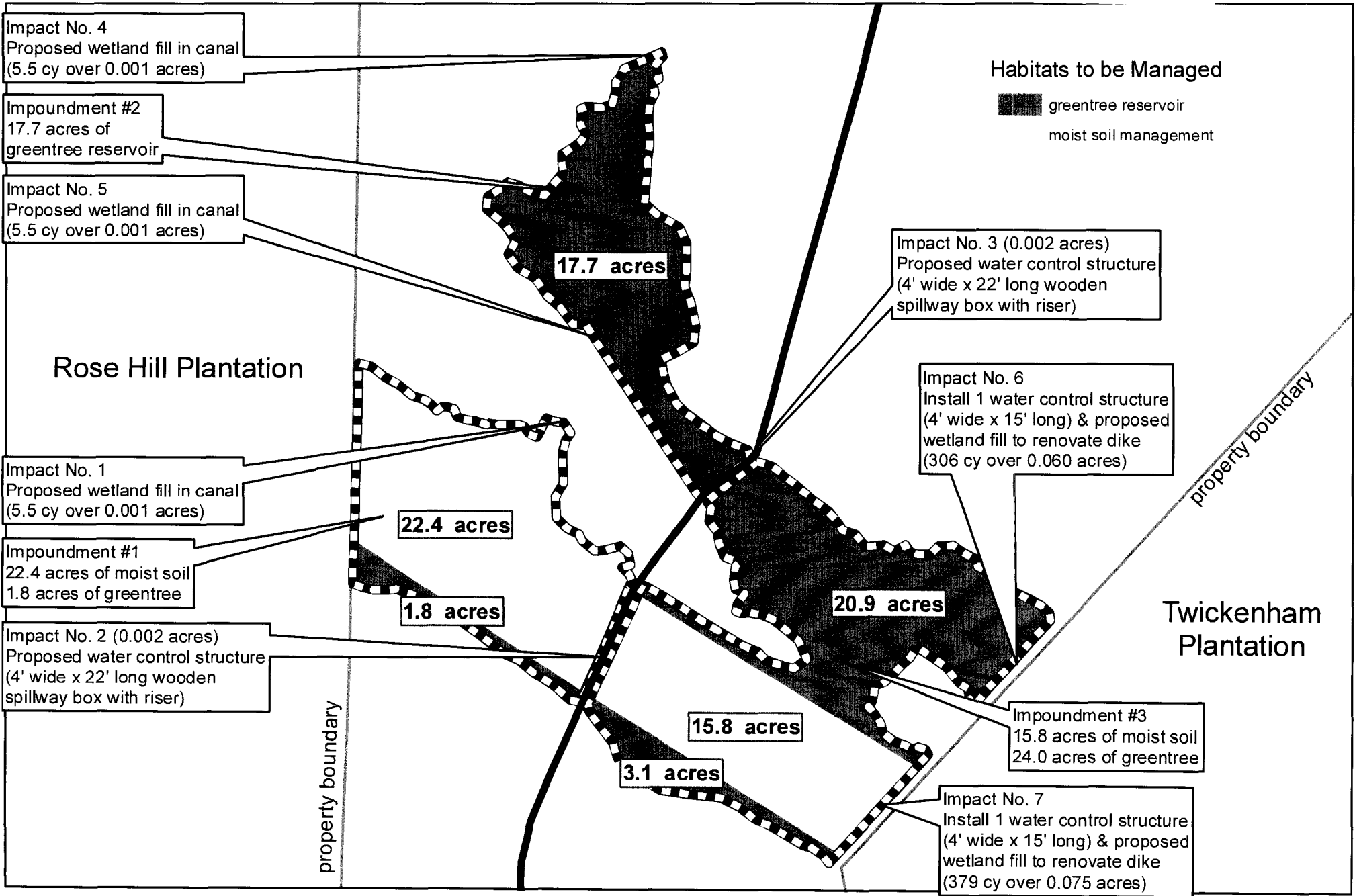
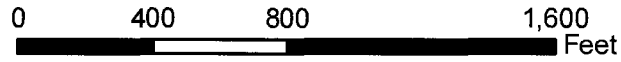
N Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
1" = 575'

Date  
Sheet of

July 30, 2012

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# Plan View Impoundment #1

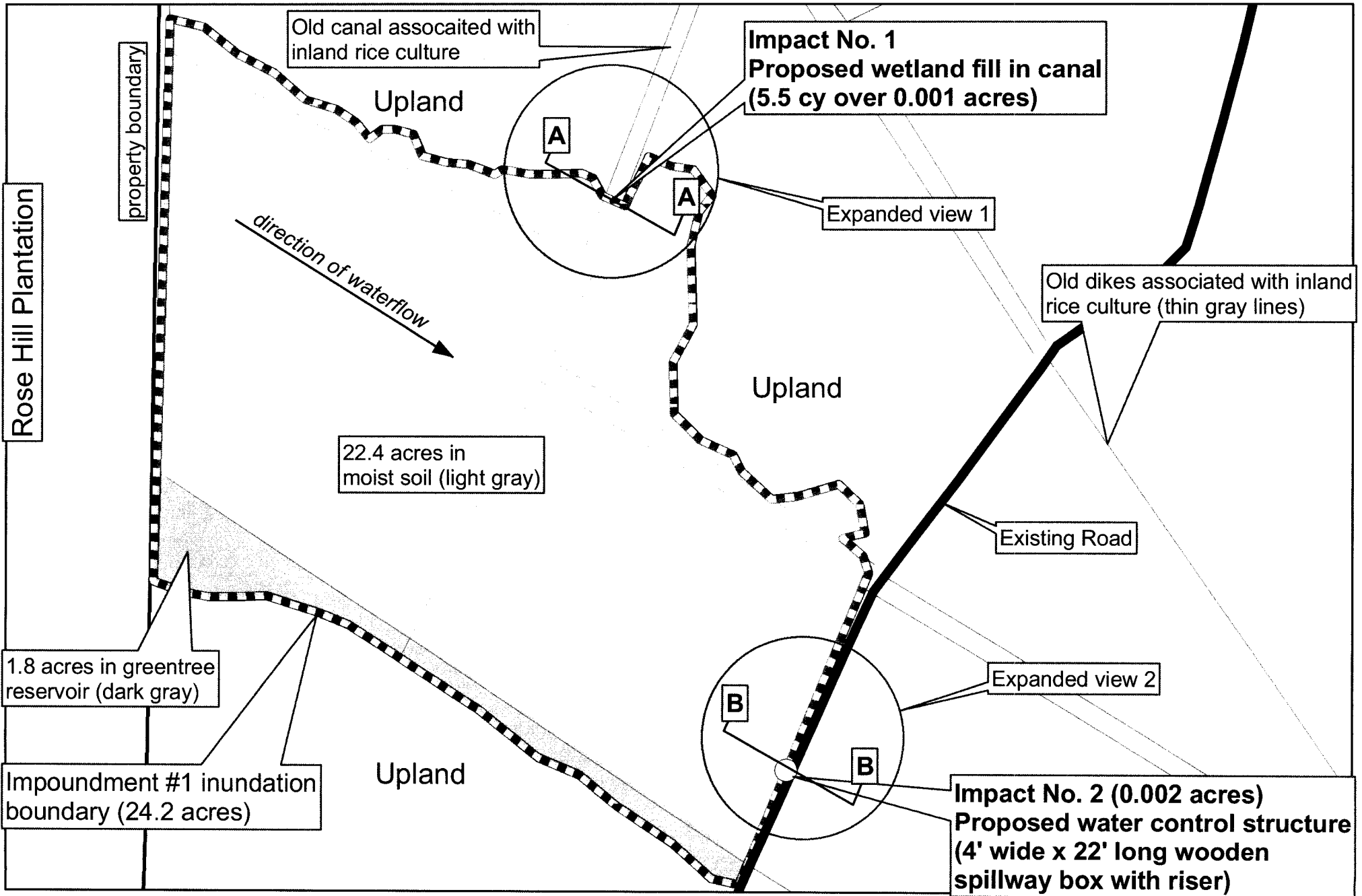
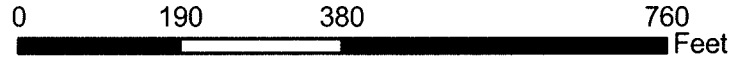
Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
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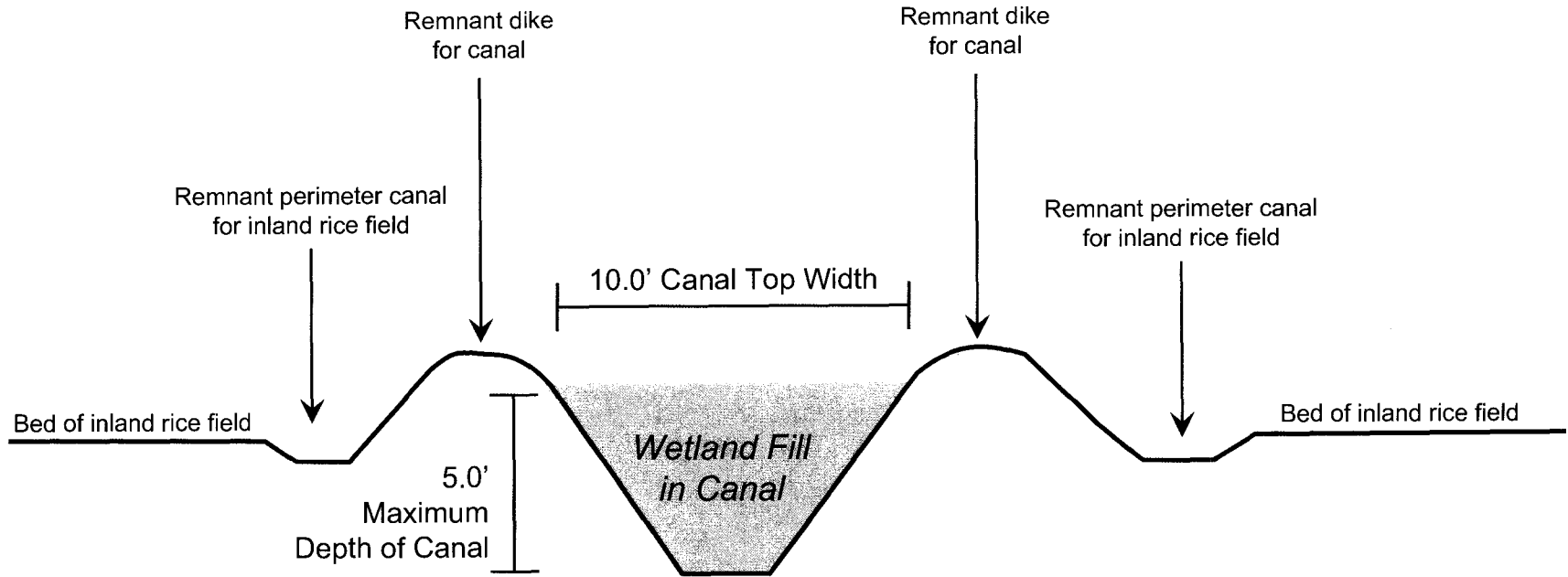
July 30, 2012

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Date  
Sheet of



Cross section AA  
 Illustration of Wetland Fill in Canal



**Old Combahee Plantation Impoundments  
 P/N SAC 2012-0737-1T**

**July 30, 2012**

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Project Location: 709 River Road Yemassee, SC Beaufort County 32° 39' 26.71" N, 80° 47' 28.43" W	Drawing Scale 1" : 5'
Applicant: Jessica Loring	Date 5-22-12
Agent: Travis Hayes Folk, PhD	Sheet of

# Expanded View 1 for Impoundment #1

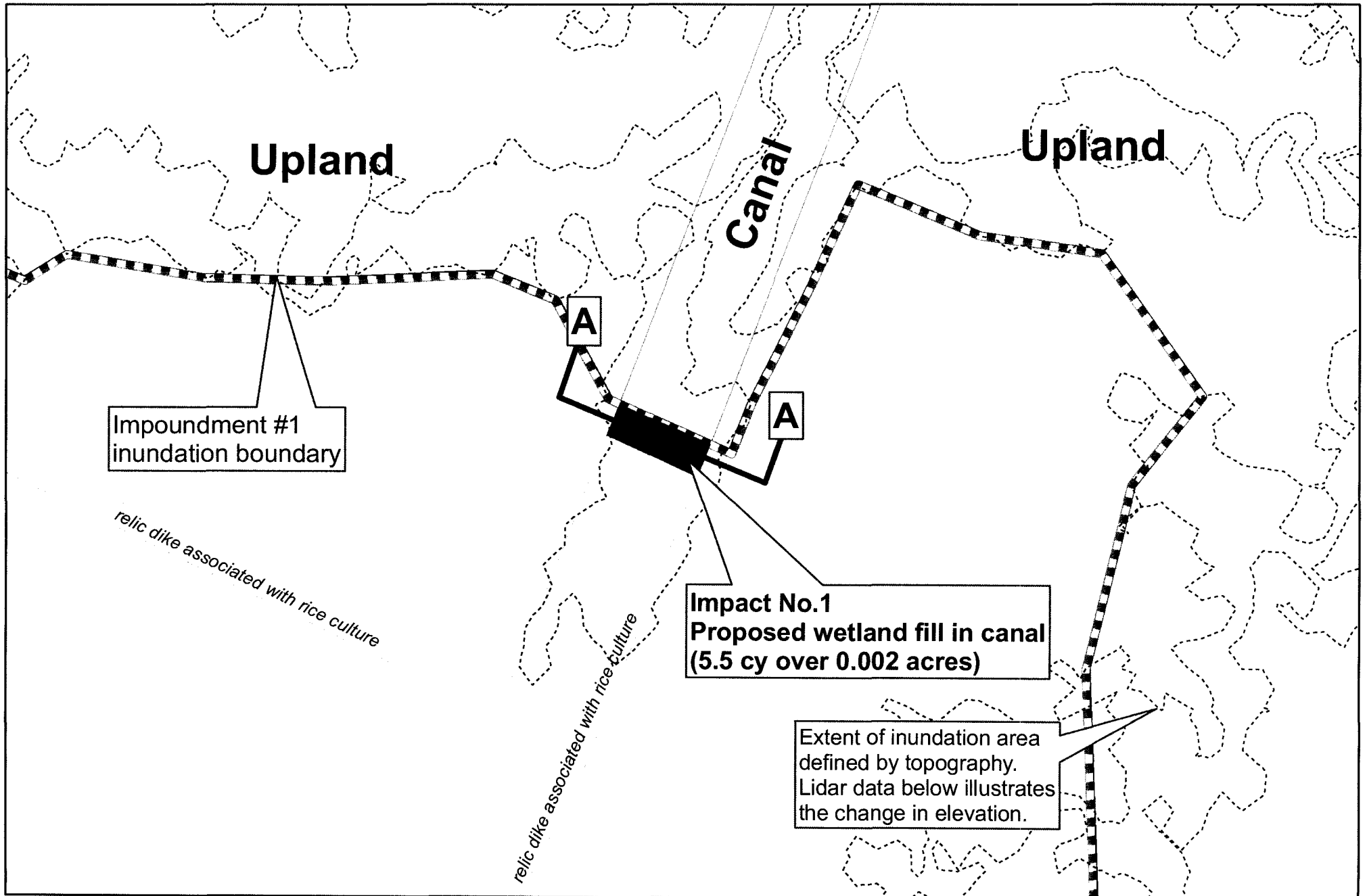
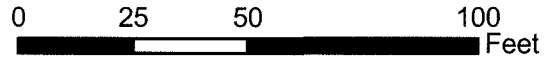
Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
1" = 40'

July 30, 2012

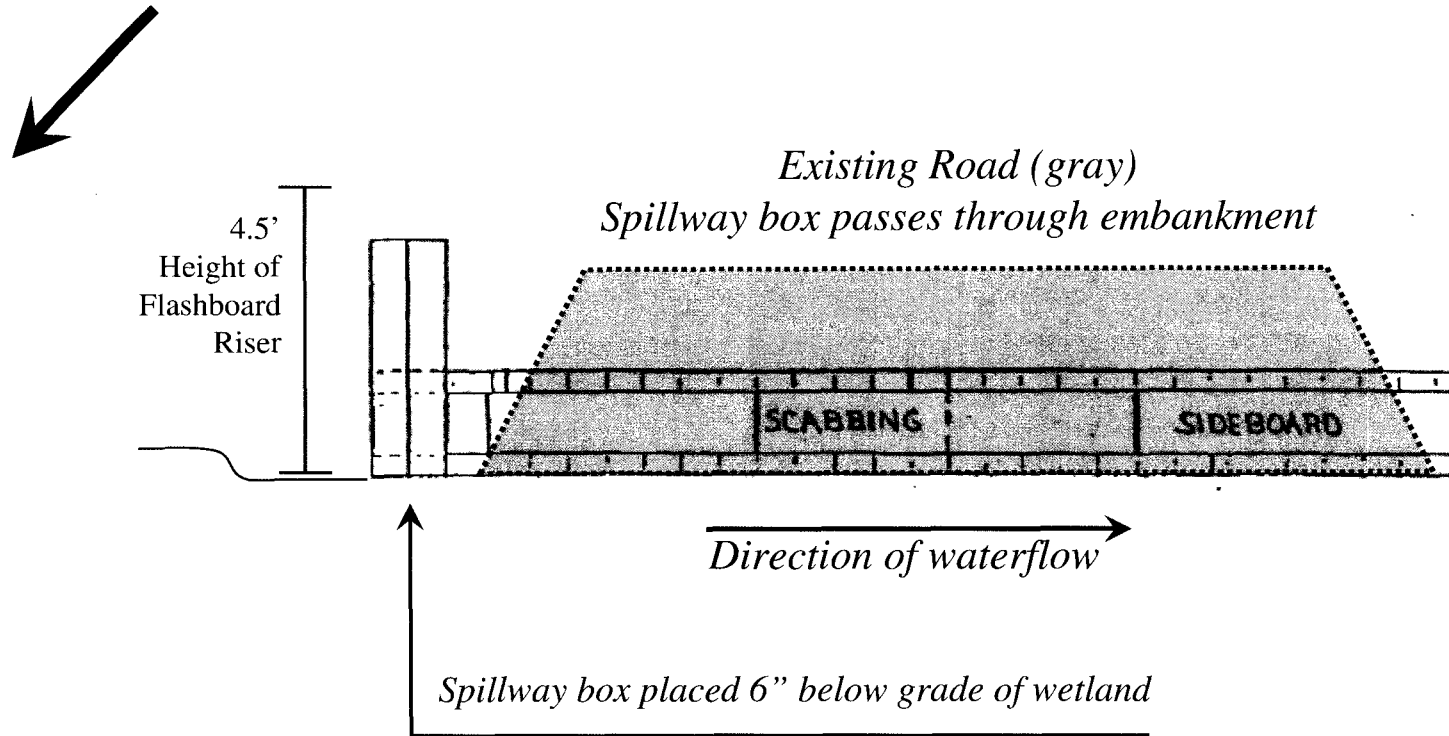
Sheet 8 of 22

Date  
Sheet of



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

Proposed moist soil management unit



**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 = 4.5'*

<i>Project Title:</i> Old Combahee Inland Rice Fields	
<i>Project Location:</i> 709 River Road Yemassee, SC Beaufort County 32° 39' 26.71" N, 80° 47' 28.43" W	<i>Drawing Scale</i> 1" : 4'
<i>Applicant:</i> Jessica Loring	<i>Date</i> 5-15-12
<i>Agent:</i> Travis Hayes Folk, PhD	<i>Sheet</i> of

# Expanded View 2 for Impoundment #1

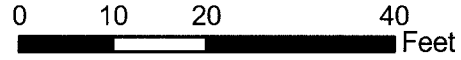
Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
1" : 20'

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Date  
Sheet of



## Impoundment #1

*direction of waterflow*

**B**

**Existing Road**

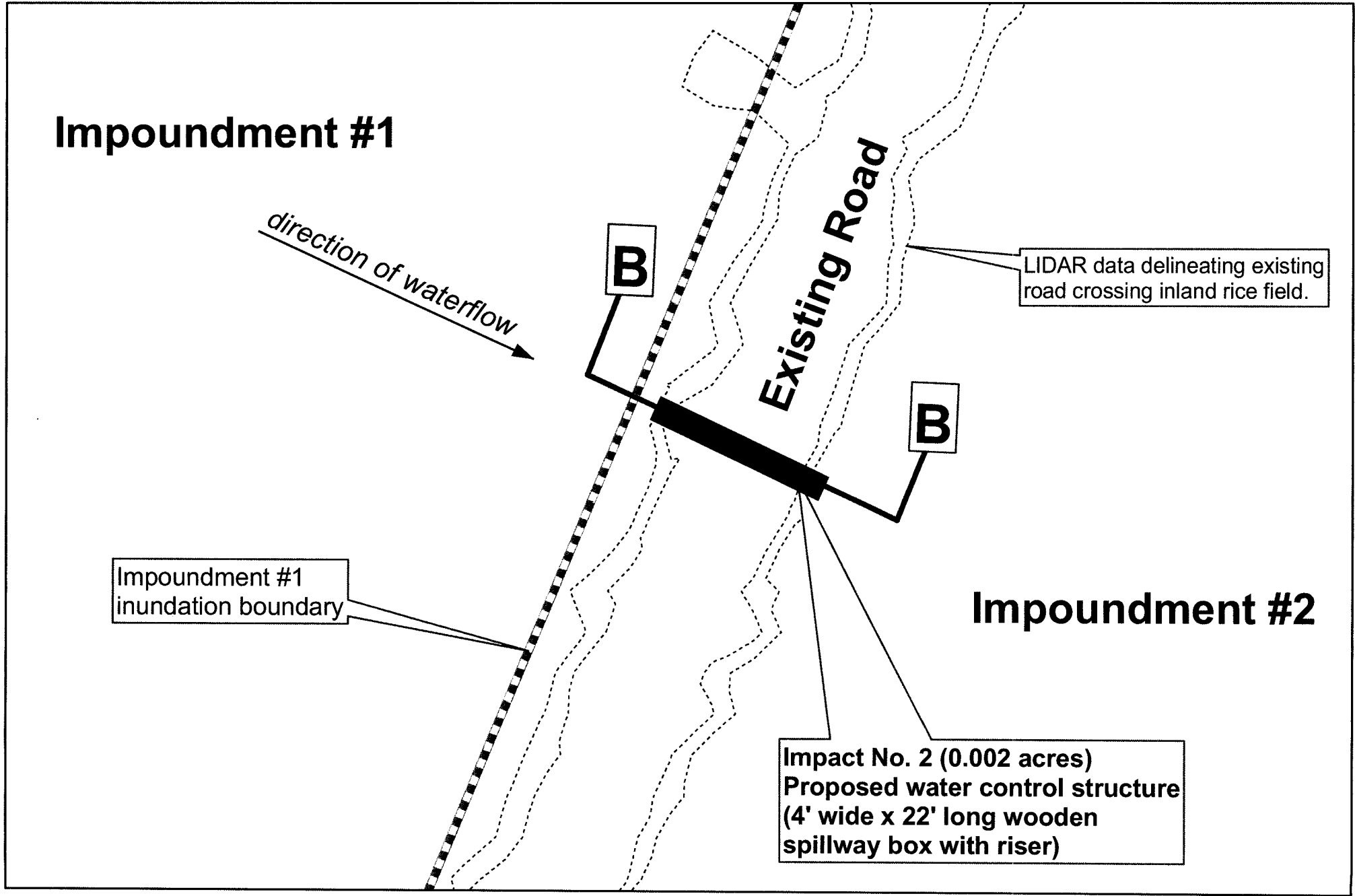
LIDAR data delineating existing road crossing inland rice field.

**B**

Impoundment #1  
inundation boundary

## Impoundment #2

Impact No. 2 (0.002 acres)  
Proposed water control structure  
(4' wide x 22' long wooden  
spillway box with riser)



# Plan View Impoundment #2

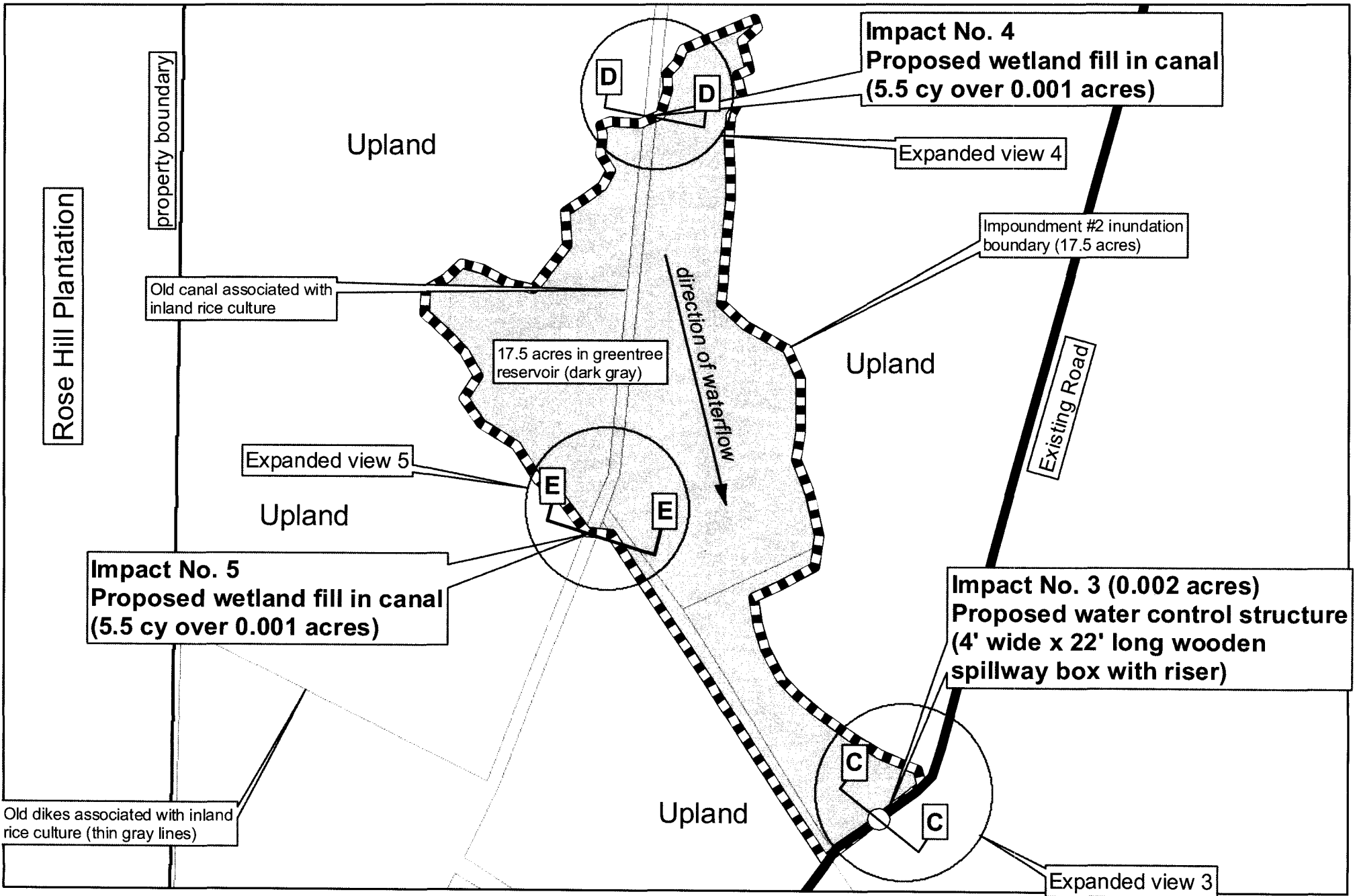
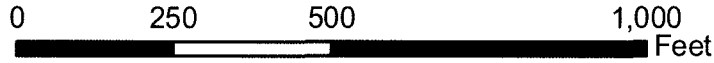
Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
1" = 300'

July 30, 2012

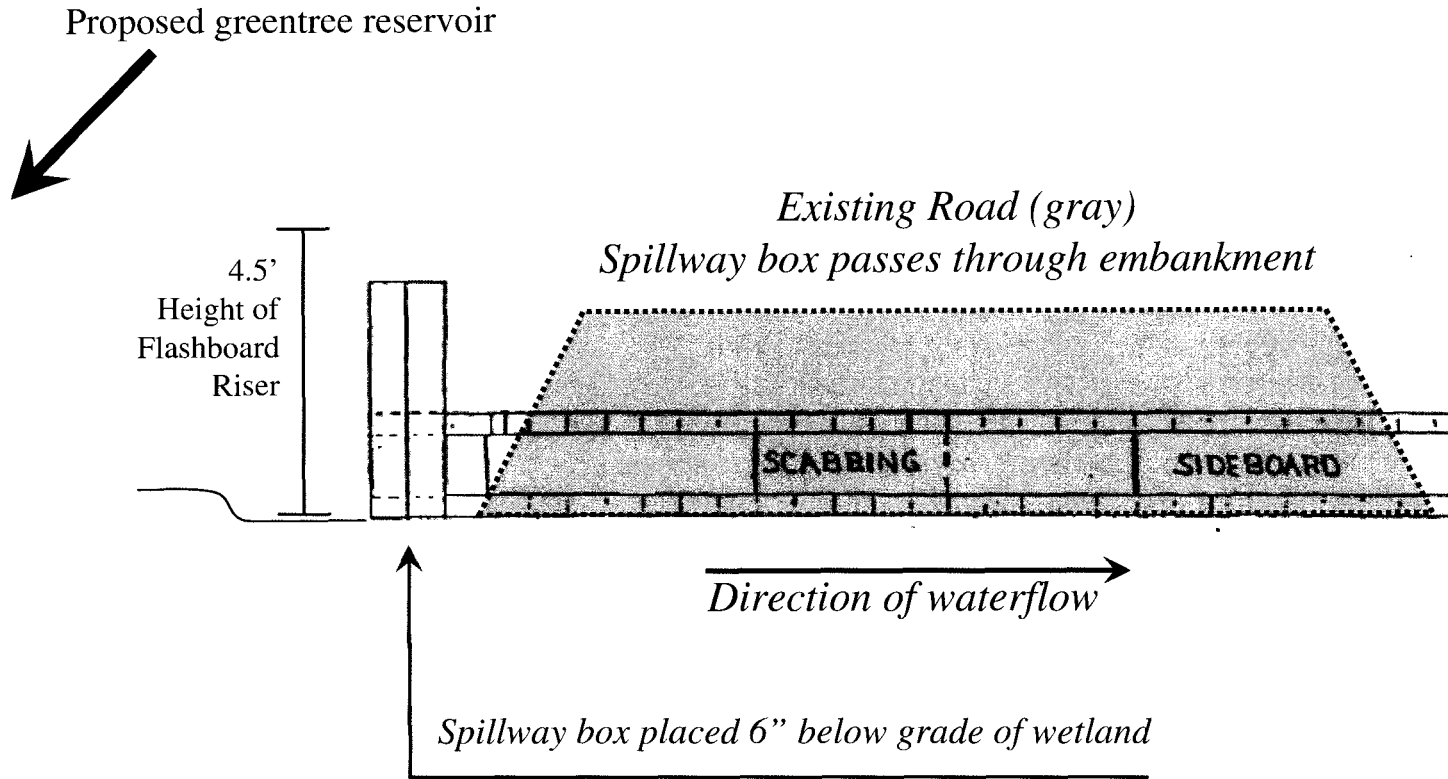
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Date  
Sheet of





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 = 4.5'*

Old Combahee Plantation Impoundments  
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Project Location: 709 River Road Yemassee, SC Beaufort County 32° 39' 26.71" N, 80° 47' 28.43" W	Drawing Scale 1" : 4'
Applicant: Jessica Loring	Date 5-15-12
Agent: Travis Hayes Folk, PhD	Sheet of

# Expanded View 3 for Impoundment #2

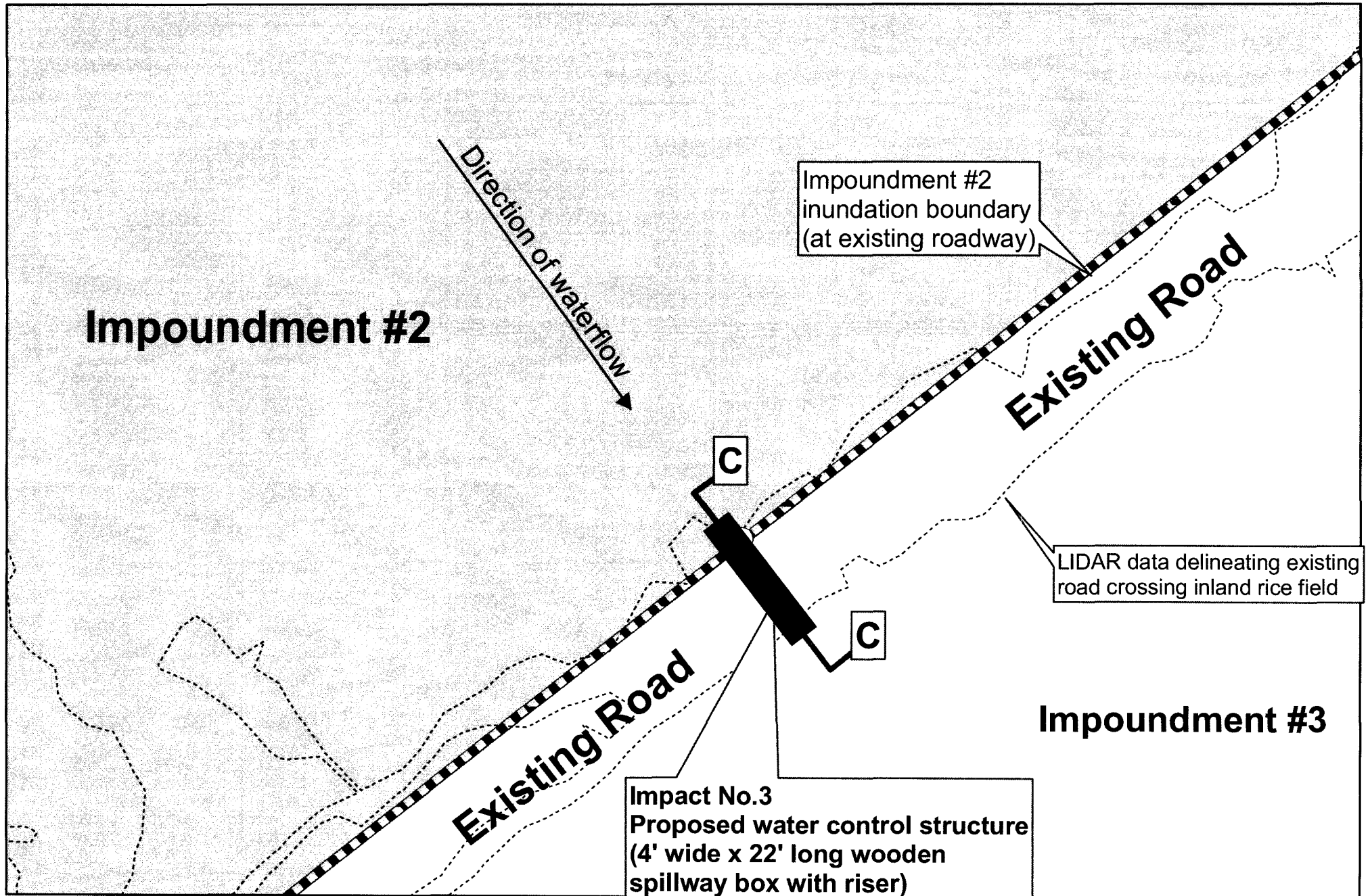
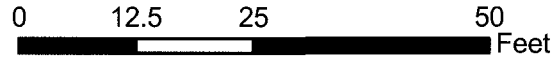
Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
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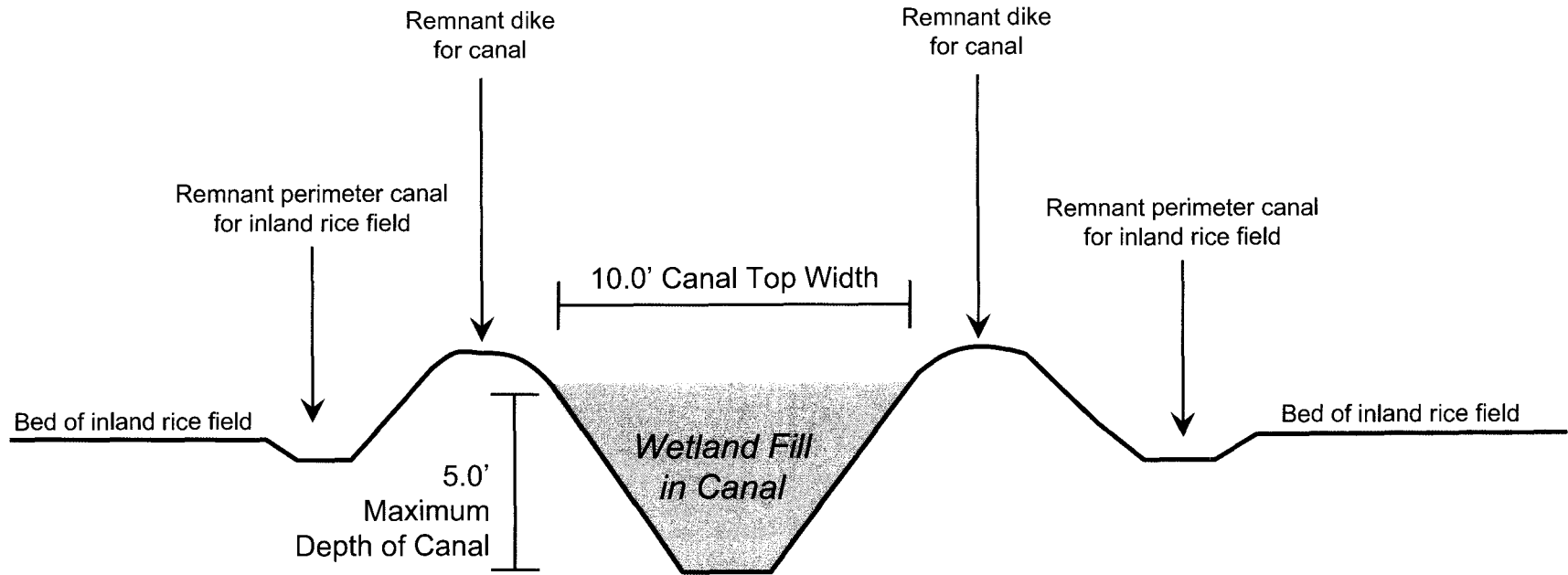
July 30, 2012

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Date  
Sheet of



Cross section DD  
 Illustration of Wetland Fill in Canal



Old Combahee Plantation Impoundments  
 P/N SAC 2012-0737-1T

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Project Location: 709 River Road Yemassee, SC Beaufort County 32° 39' 26.71" N, 80° 47' 28.43" W	Drawing Scale 1" : 5'
Applicant: Jessica Loring	Date 5-22-12
Agent: Travis Hayes Folk, PhD	Sheet of

# Expanded View 4 for Impoundment #2

Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

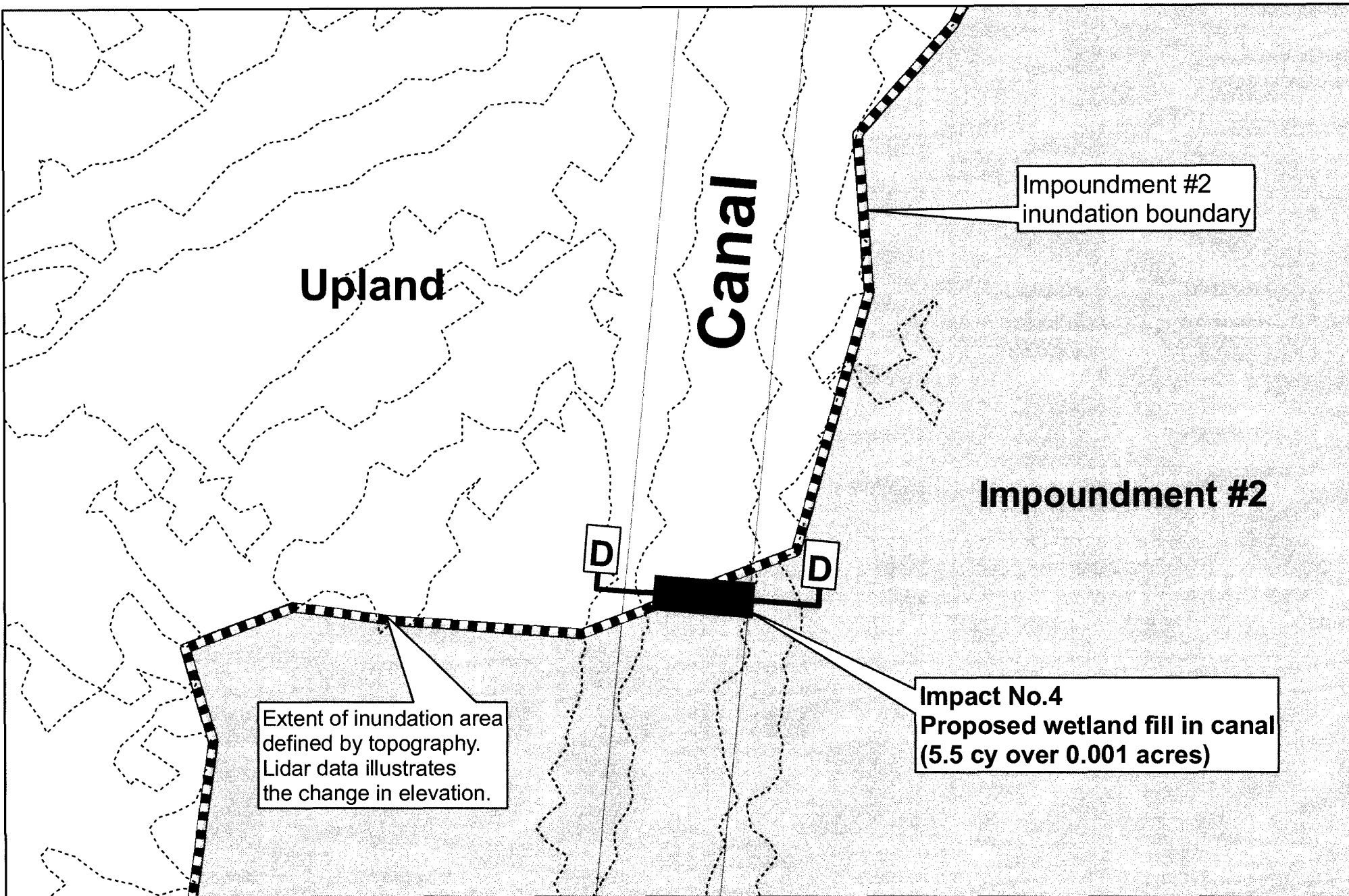
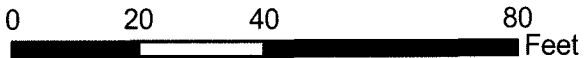
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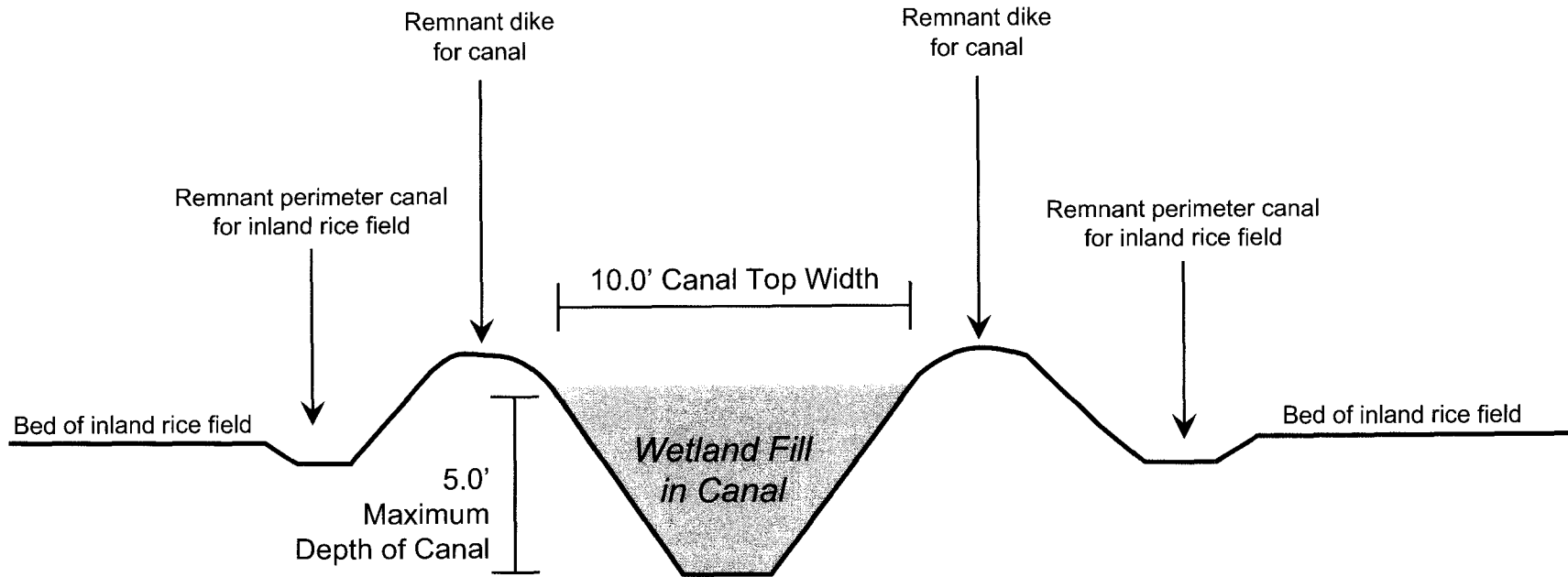
July 30, 2012

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Date  
Sheet of



Cross section EE  
 Illustration of Wetland Fill in Canal



Old Combahee Plantation Impoundments  
 P/N SAC 2012-0737-1T

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Project Location: 709 River Road Yemassee, SC Beaufort County 32° 39' 26.71" N, 80° 47' 28.43" W	Drawing Scale 1" : 5'
Applicant: Jessica Loring	Date 5-22-12
Agent: Travis Hayes Folk, PhD	Sheet of

# Expanded View 5 for Impoundment #2

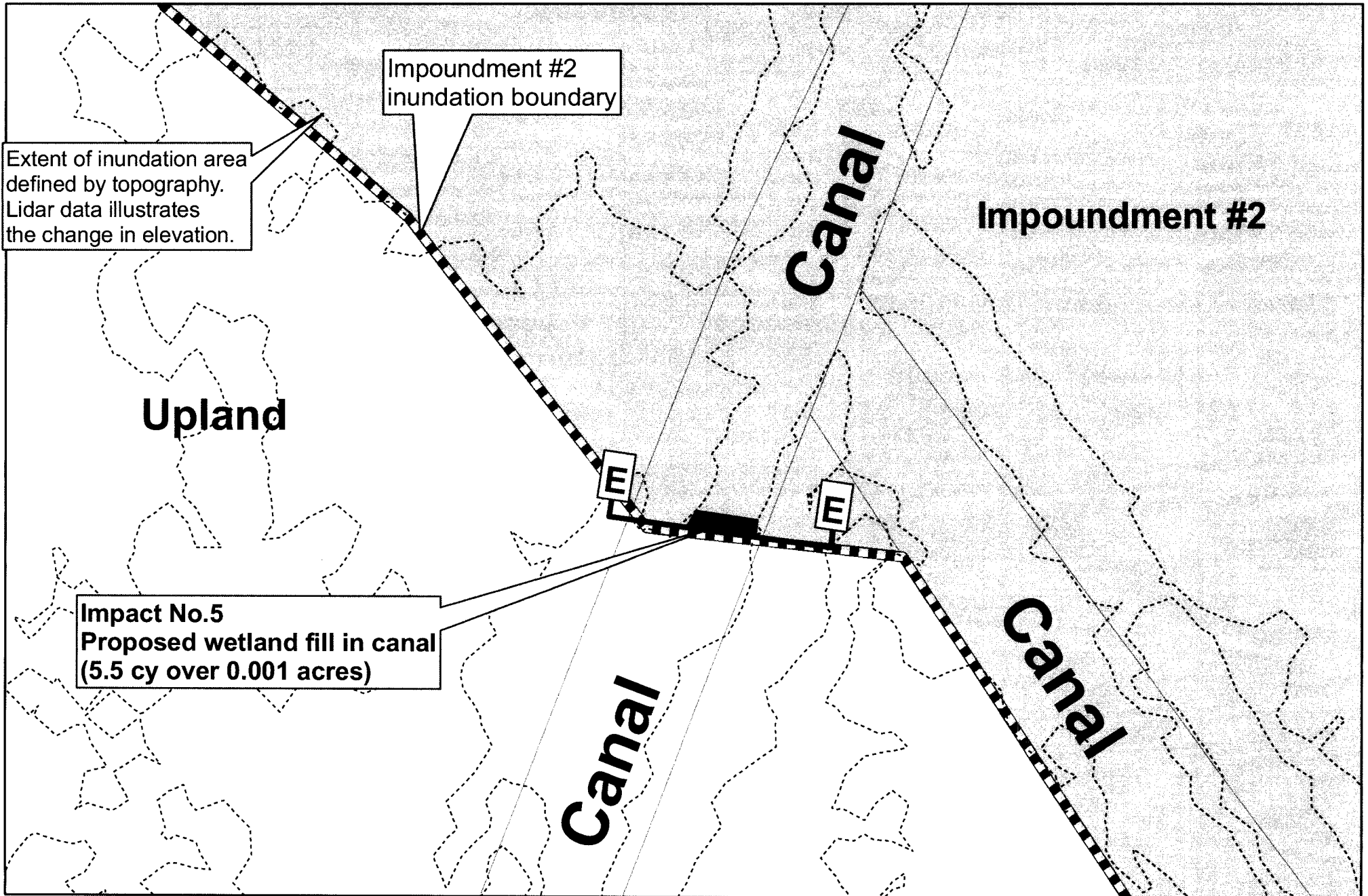
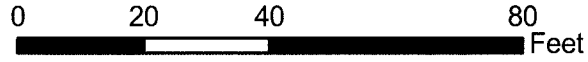
Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
1" : 30'

July 30, 2012

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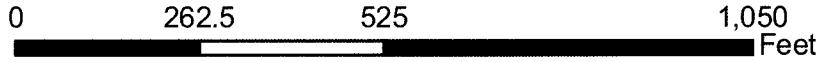
Date  
Sheet of



# Plan View Impoundment #3

Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

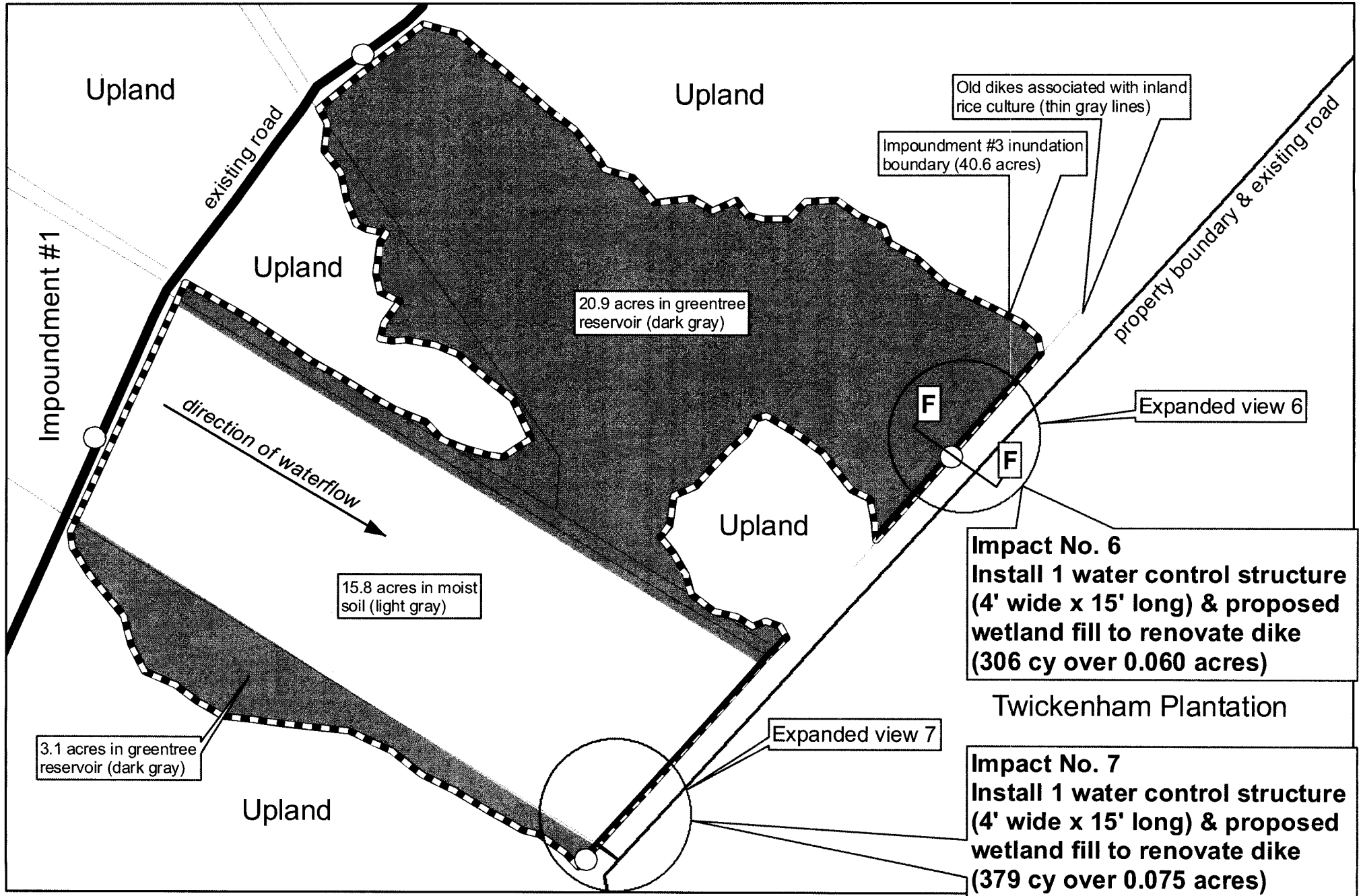
Drawing Scale  
1" : 275'



July 30, 2012

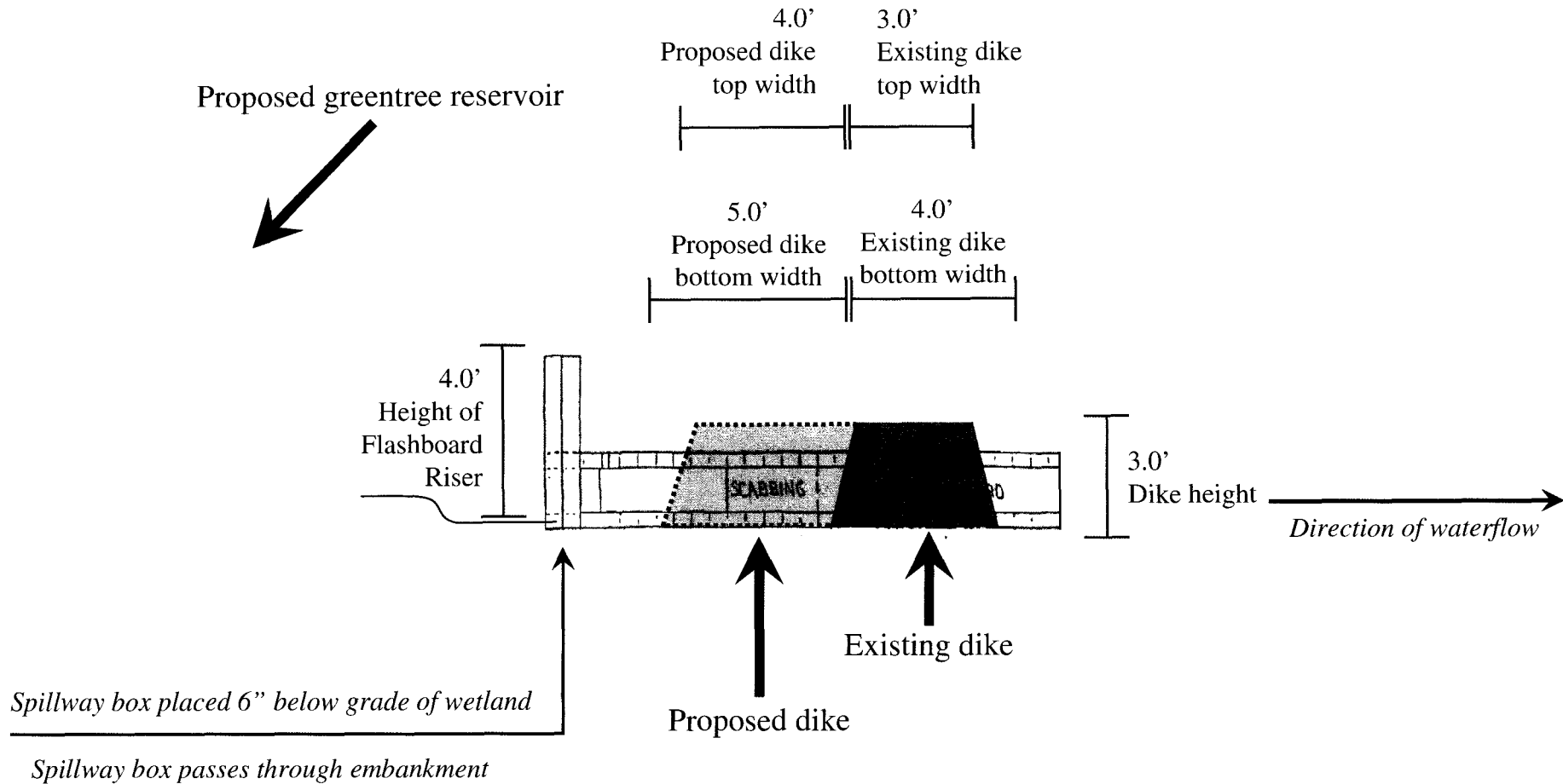
Sheet 18 of 22

Date  
Sheet of



Cross section FF

Illustration of Typical Spillway Box and Riser In Renovated Dike



**Dimensions**

- Width of spillway box = 4'
- Length of spillway box = 15'
- Outside height of spillway box = 2.0'
- Inside height of spillway box = 18"
- Height of flashboard riser = 4.0'

Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

July 30, 2012

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Project Location: 709 River Road Yemassee, SC Beaufort County 32° 39' 26.71" N, 80° 47' 28.43" W	Drawing Scale 1" : 4'
Applicant: Jessica Loring	Date 5-15-12
Agent: Travis Hayes Folk, PhD	Sheet of



# Expanded View 6 for Impoundment #3

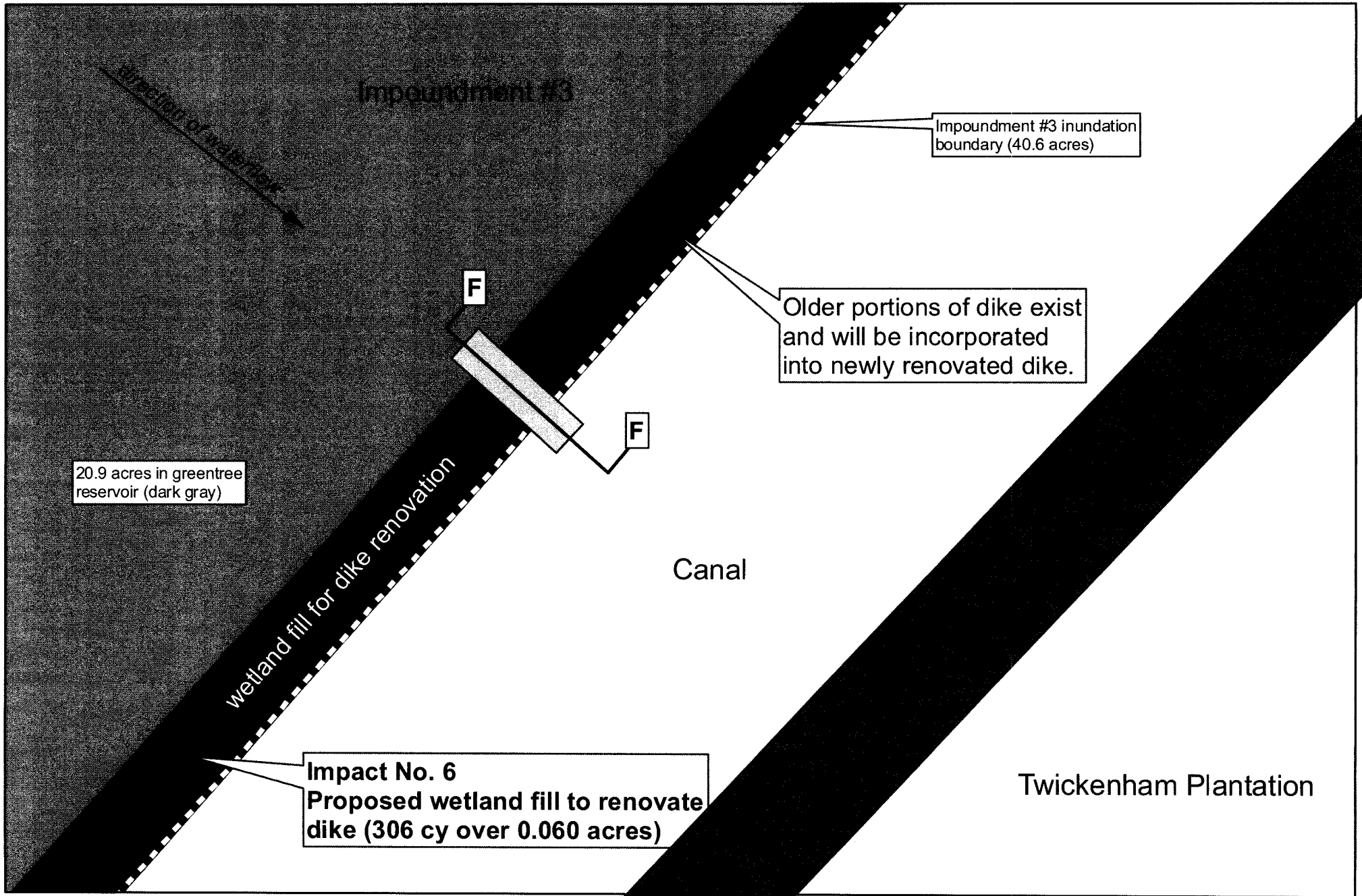
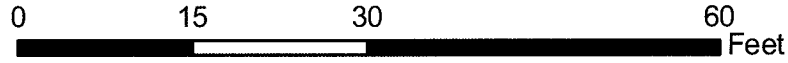
Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
1" : 15'

July 30, 2012

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Date  
Sheet of



20.9 acres in greentree reservoir (dark gray)

Impoundment #3 inundation boundary (40.6 acres)

Older portions of dike exist and will be incorporated into newly renovated dike.

wetland fill for dike renovation

Impact No. 6  
Proposed wetland fill to renovate dike (306 cy over 0.060 acres)

Canal

Twickenham Plantation

# Expanded View 7 for Impoundment #3

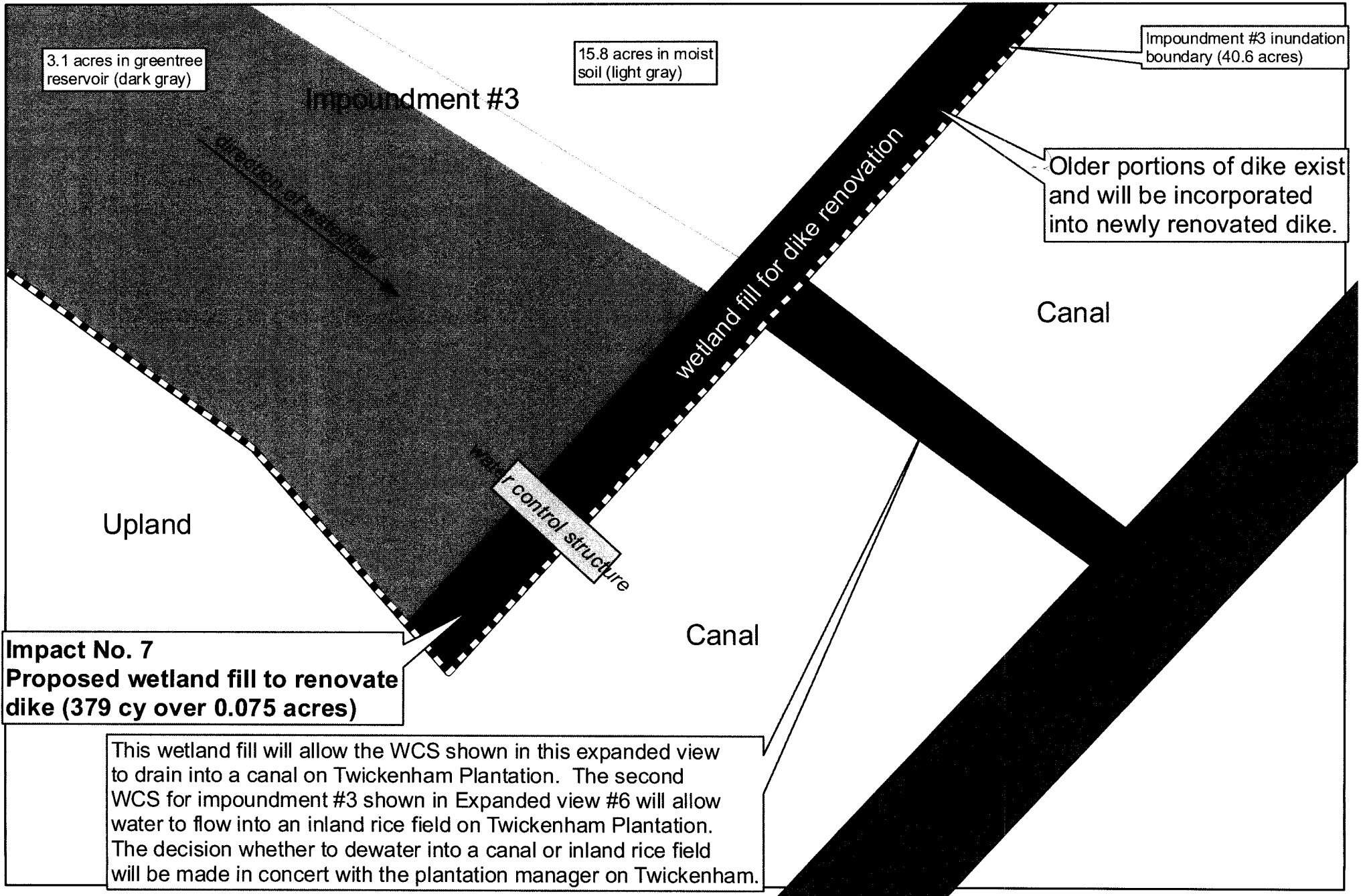
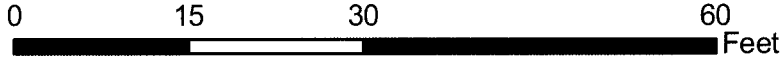
Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
1" : 15'

Date  
Sheet of

July 30, 2012

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# Source and travel route for fill material

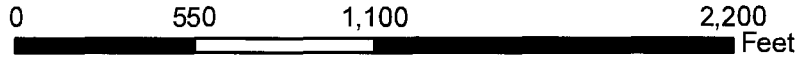
Old Combahee Plantation Impoundments  
P/N SAC 2012-0737-1T

Drawing Scale  
1" = 590'

July 30, 2012

Sheet 22 of 22

Date  
Sheet of



2006 infrared aerial photog.

## Attachment #1

