

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N # 2004-1N-069-P

9 April 2004

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

CHEEHA-COMBAHEE PLANTATION
C/O MR. LEWIS CROUCH
9524 WIGGINS ROAD
GREEN POND, SOUTH CAROLINA 29446

for a permit to excavate and place fill material in waters of the United States adjacent to the

COMBAHEE RIVER

at 9524 Wiggins Road in Green Pond, Hampton County South Carolina (Latitude – 32.60312 N, Longitude – 80.59600 E).

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

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 10 MAY 2004

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

The proposed work consists of constructing improvements to two existing freshwater impoundments. The easternmost impoundment is shown on Sheet 3 of 8. The proposed work consists of constructing a 12-foot wide by 400-foot long cross dike (0.15 acres) within an existing 75-acre open water impoundment. The applicant plans to obtain the necessary fill material by excavating a 12-foot wide by 5-foot deep canal on either side of the proposed cross dike. The applicant plans to install two 1.5-foot high by 4-foot wide wooden spillway boxes in the proposed cross dike (Site 1) to maintain the flow of water within the existing impoundment. In addition, the applicant plans to maintain 5,030 linear feet of 12-foot wide existing perimeter canals. Excavated material will be used to maintain adjacent roads/dikes or disposed in the adjacent uplands.

The westernmost impoundment is shown on Sheet 4 of 8. The proposed work consists of constructing four new 12-foot wide cross dikes (approximately 1,100 linear feet) within an existing 190-acre open water impoundment. As noted previously, the applicant plans to obtain the necessary fill material by excavating a 12-foot wide by 5-foot deep canal on either side of the proposed cross dikes. The applicant plans to install a 1.5-foot high by 4-foot wide wooden spillway box in each of the proposed cross dikes (Sites 3-6) to maintain the flow of water within the existing impoundment.

The applicant plans to replace two 36-inch culvert pipes with two new 1.5-foot high by 4-foot wide wooden spillway boxes within two existing road crossings (Sites 7 and 8). In addition, the applicant plans to construct 26,450 linear feet (4.86 acres) of new 8-foot wide "V-shaped" perimeter ditches. Excavated material will be used to maintain adjacent roads/dikes or disposed in the adjacent uplands. According to the applicant, the purpose of the proposed work is to reestablish wildlife management capability within two existing freshwater impoundments that are exhibiting advanced stages of eutrophication.

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

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

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 6.38 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the bald eagle (*Haliaeetus leucocephalus*) a Federally threatened species is present in the vicinity of the project area. However, it has been determined that this project will have no effect on this species and will not 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.

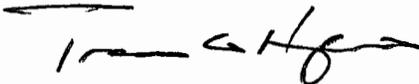
The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

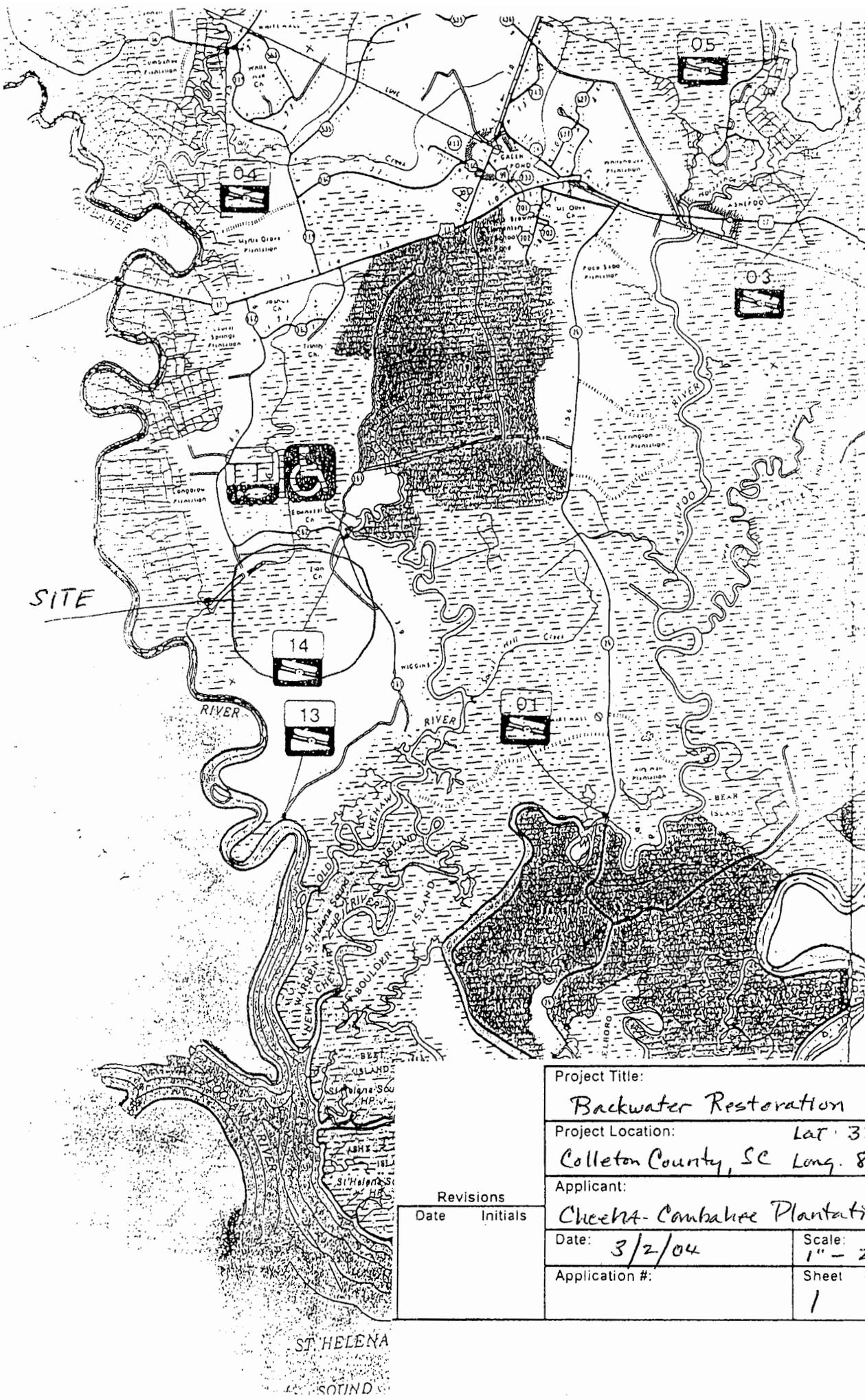
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

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


for Nathaniel Ball
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



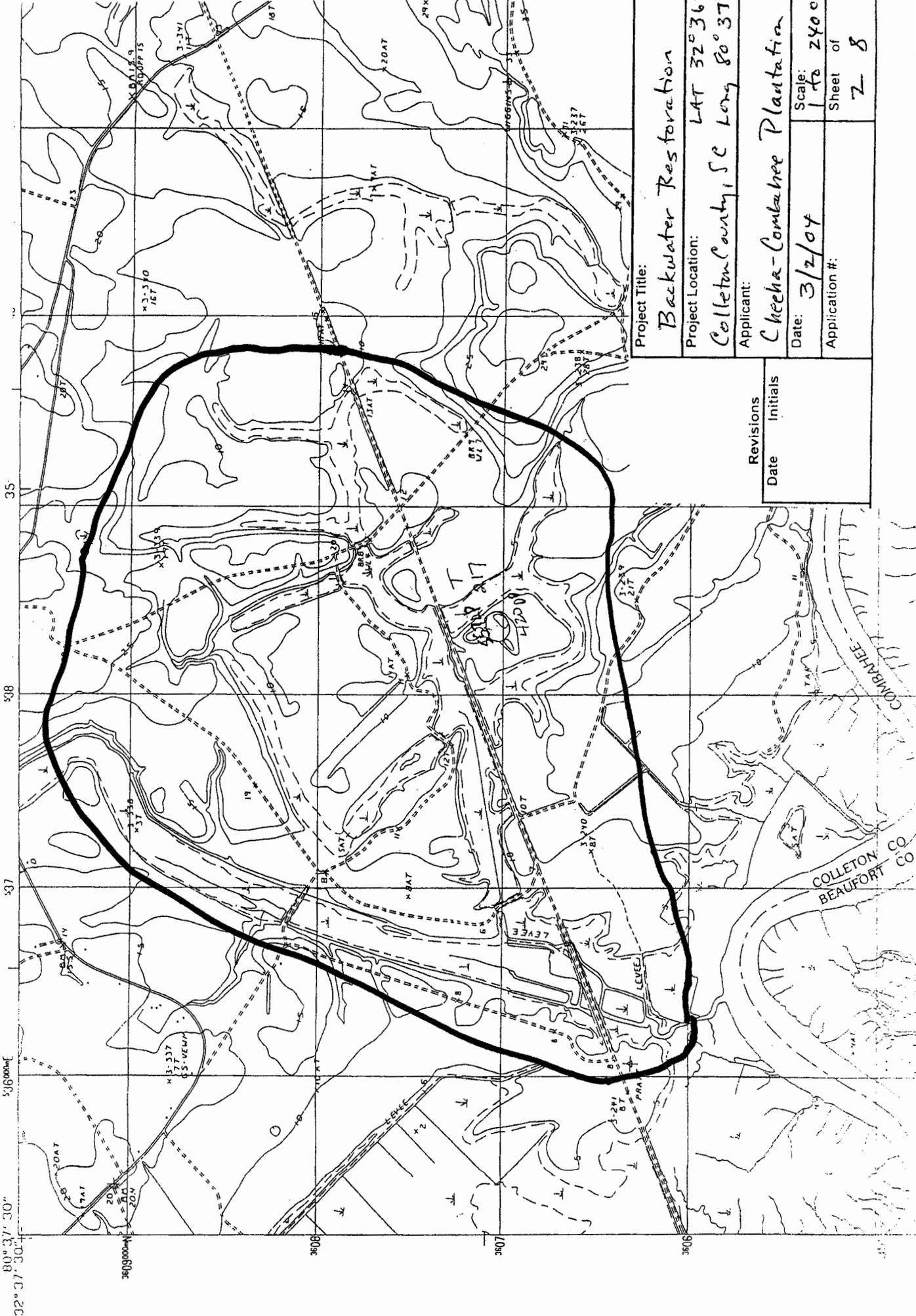
Project Title:		Backwater Restoration	
Project Location:		Lat. 32° 36'	
		Colleton County, SC Long. 80° 37'	
Applicant:		Checha-Cambahce Plantation	
Date:	3/2/04	Scale:	1" = 2.25 mi.
Application #:		Sheet	of 8

Revisions	
Date	Initials

ST. HELENA
SOUND

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

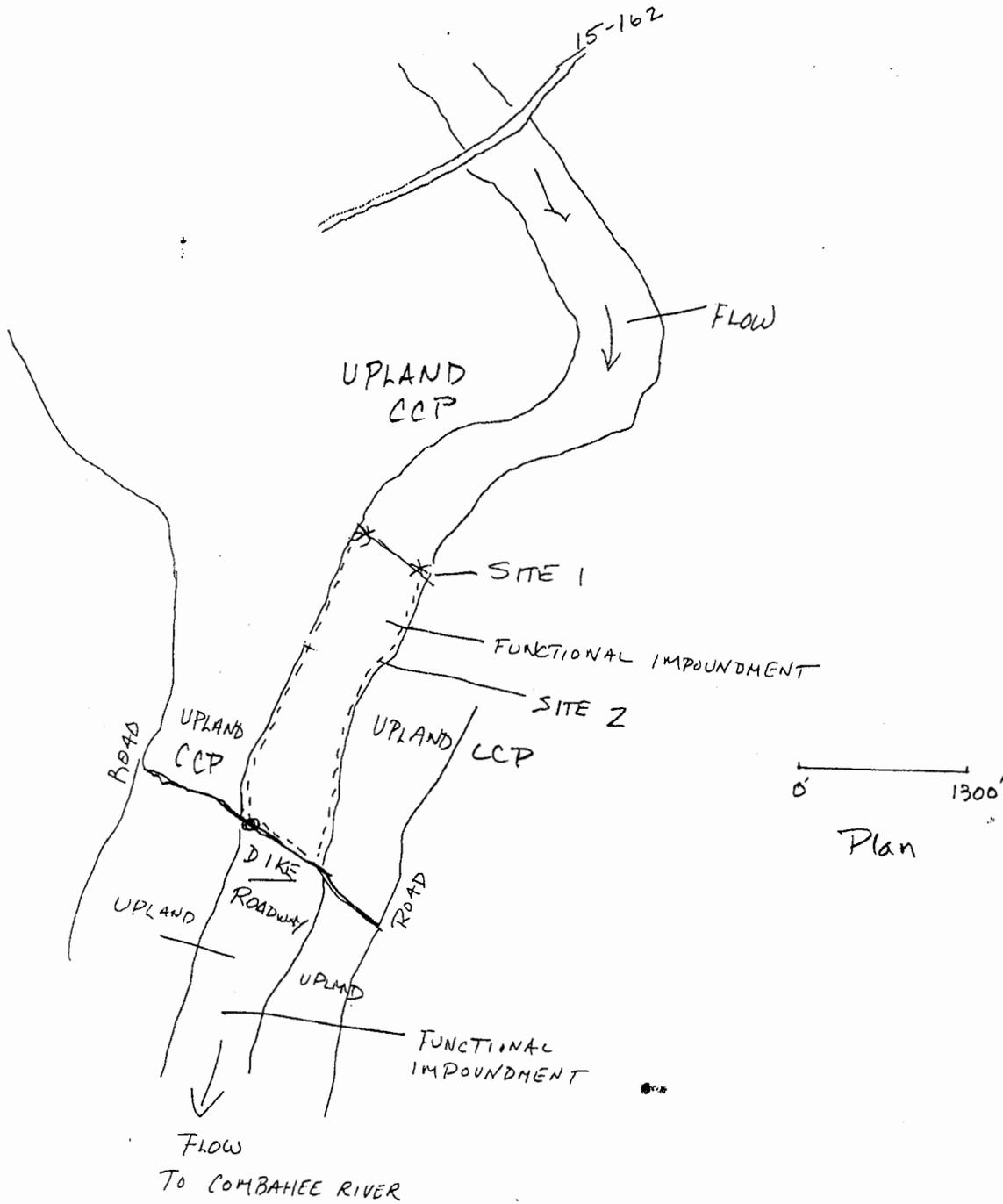
WIGGINS QUADRANGLE
SOUTH CAROLINA
7.5 MINUTE SERIES (TOPOGRAPHIC)



Project Title: <i>Backwater Restoration</i>	
Project Location: <i>Colleton County, SC Long 80° 37'</i>	
Applicant: <i>Checha-Combahee Plantation</i>	
Date: <i>3/2/04</i>	Scale: <i>1" = 2400'</i>
Application #:	Sheet of <i>7 8</i>

Revisions	Initials
Date	

Plan

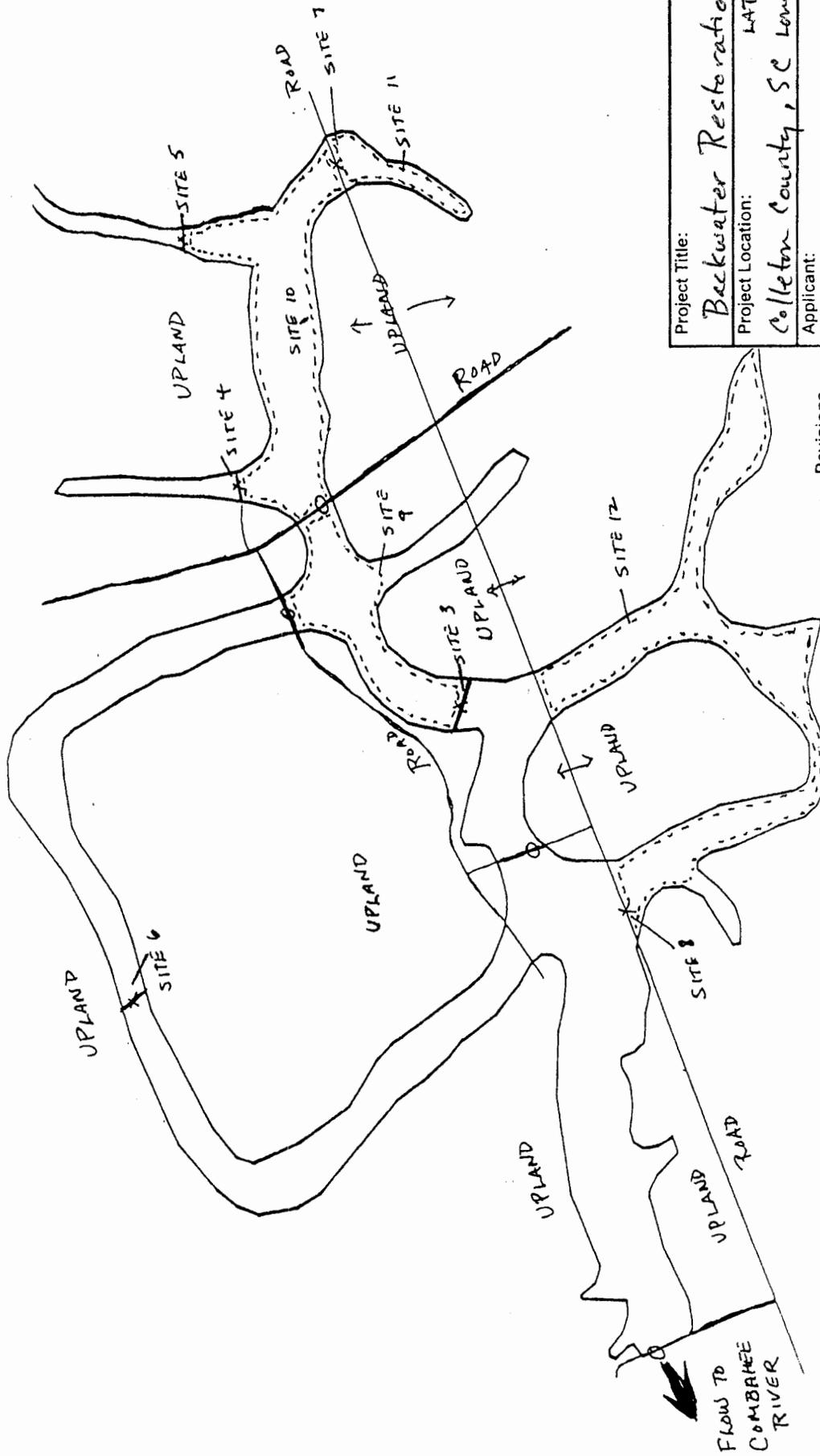


- X - PROPOSED SPILLWAY BOX
- PERIMETER DITCH
- ⊙ - EXISTING STRUCTURE

Revisions	
Date	Initials

Project Title: <i>Backwater Restoration</i>	
Project Location: LAT 32° 36' Colleton County, Se Long 80° 37'	
Applicant: <i>Cheeta-Combahce Plantation</i>	
Date: <i>3/2/04</i>	Scale:
Application #:	Sheet of <i>3 8</i>

PLAN
(NOT TO SCALE)

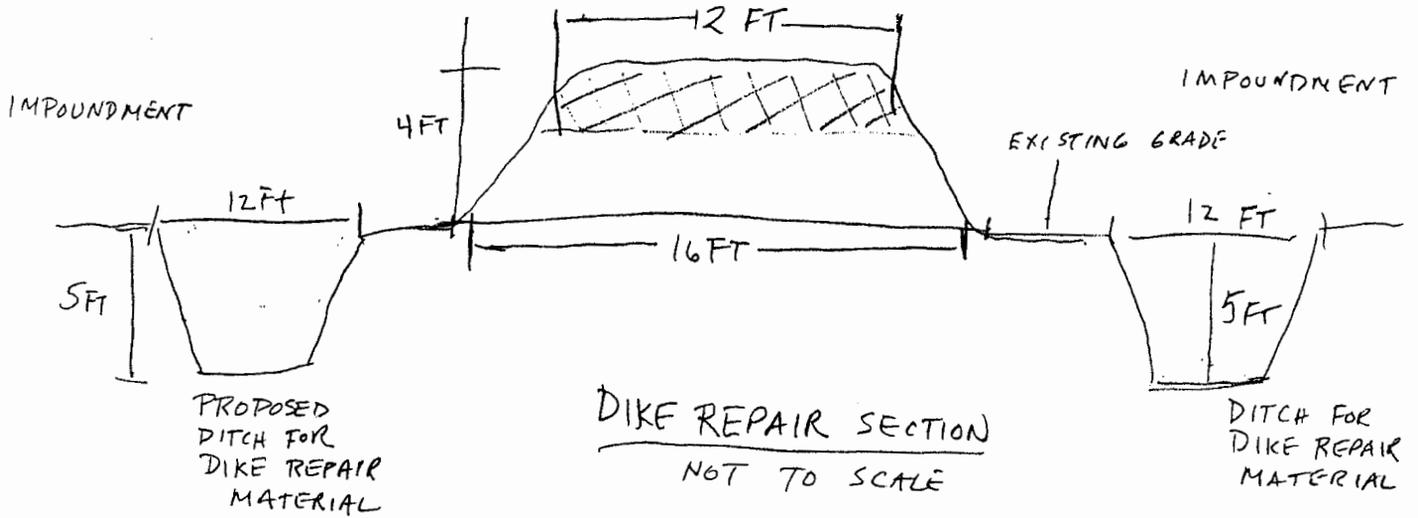


- O - EXISTING WATER CONTROL STRUCTURES
- X - PROPOSED WOODEN SPILLWAY BOXES
- PERIMETER DITCH

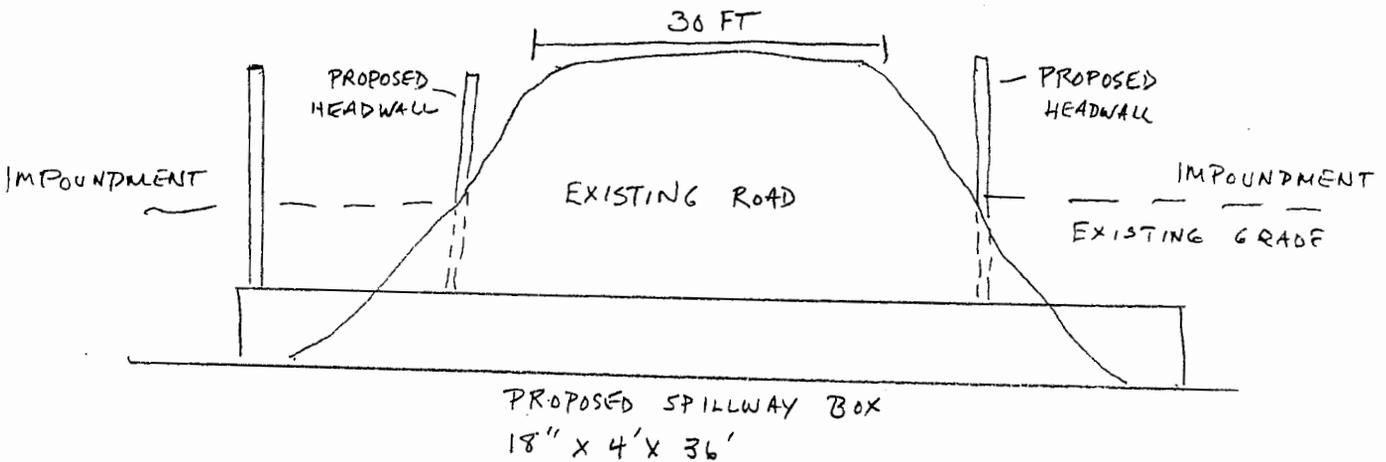
Project Title: Beckwater Restoration	
Project Location: Colleton County, SC Long 80° 3'	LAT 32° 36'
Applicant: Cheeks-Combahoe Plantation	
Date: 3/2/04	Scale:
Application #:	Sheet of 4 of 8

Revisions	
Date	Initials

SITES 1,3,4,5,6



SITES 7-8

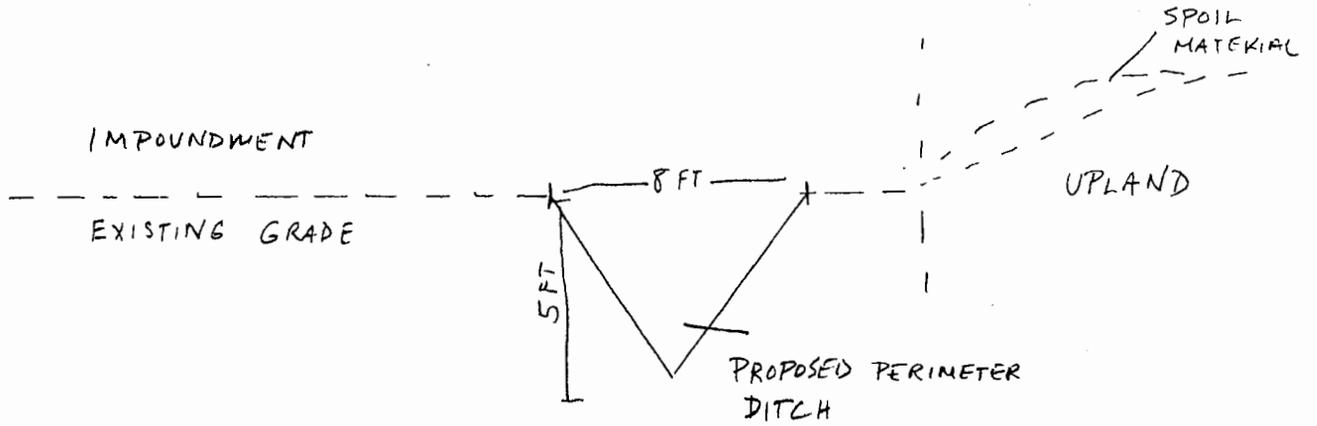


ROAD / SPILLWAY BOX SECTION

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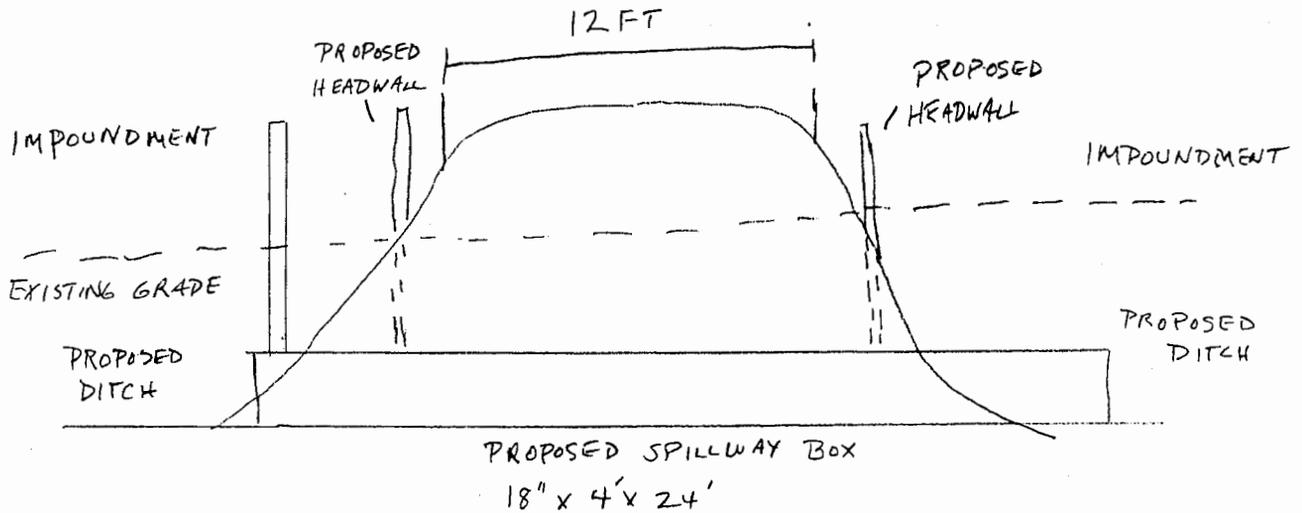
Revisions		Project Title:	
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Date		Project Location:	
		LAT 32° 36' Colleton County, SC Long 80° 37'	
Initials		Applicant:	
		Checha - Combatee Plantation	
Date:		3/2/04	Scale:
Application #:			Sheet of
			5 8

SITES 9-12



PERIMETER DITCH SECTION
NOT TO SCALE

SITES 1,3,4,5,6

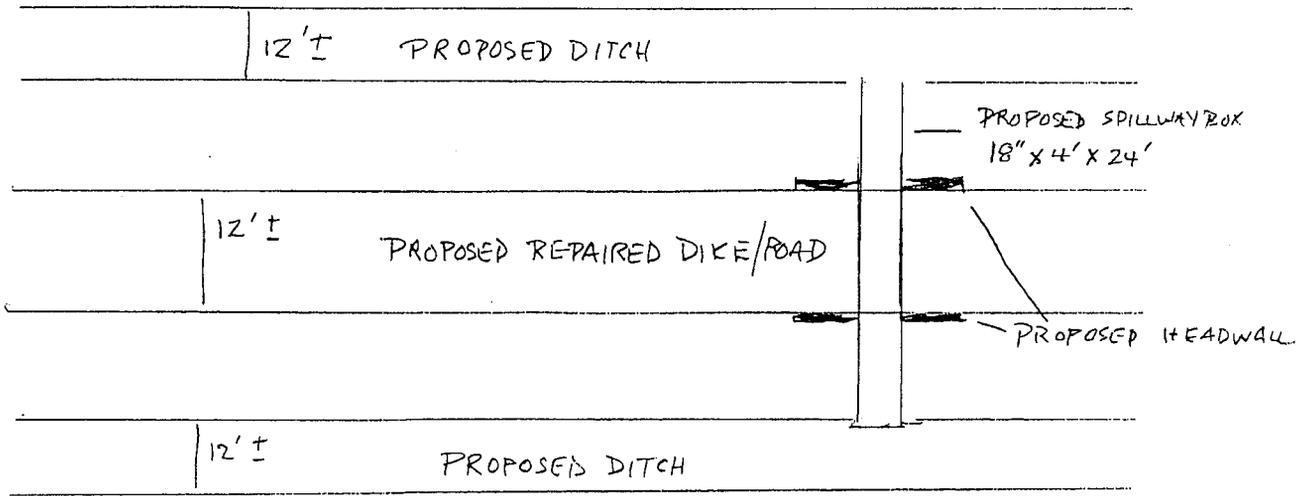


DIKE SECTION & SPILLWAY BOX
NOT TO SCALE

<p>Revisions</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Initials</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>		Date	Initials			<p>Project Title: Backwater Restoration</p>	
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<p>Applicant: Checha-Combahce Plantation</p>		<p>Date: 3/2/04</p>					
<p>Application #:</p>		<p>Scale:</p>					
<p> </p>		<p>Sheet of 6 8</p>					

SITES 1, 3, 4, 5, 6

EXISTING IMPOUNDMENT



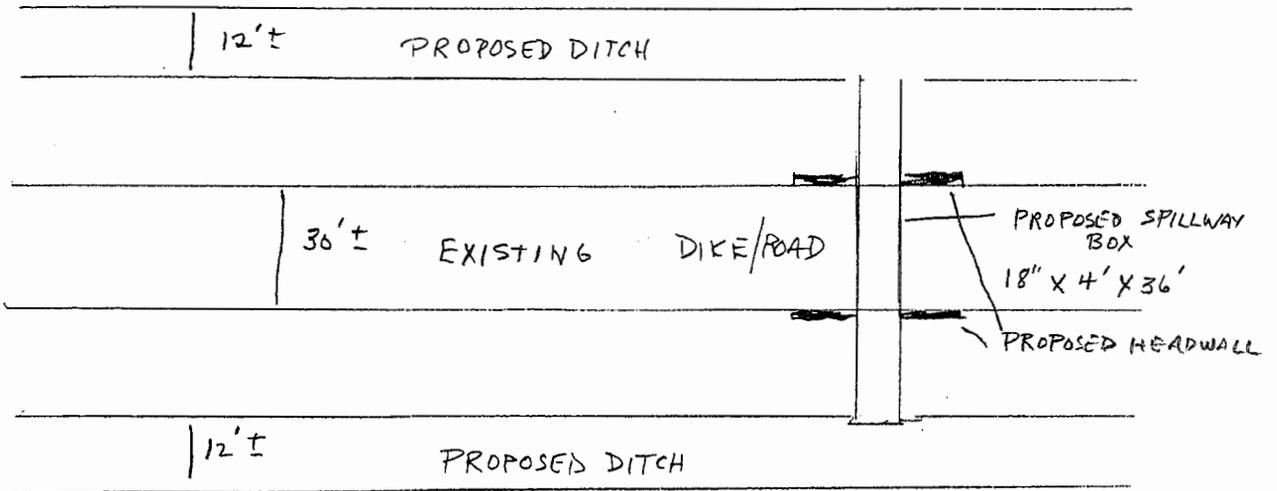
EXISTING IMPOUNDMENT

Plan (not to scale)

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<p>Application #:</p>		<p>Scale:</p>					
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SITES 7 & 8

EXISTING IMPOUNDMENT



EXISTING IMPOUNDMENT

Plan (not to scale)

Revisions		Project Title:	
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Initials		Applicant:	
		Cheaha-Combhee Plantation	
		Date:	Scale:
		3/2/04	
		Application #:	Sheet of
			8 of 8