

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 # 2015-00206-2C

April 9, 2015

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

ERIC BECKER, DRAYTON HALL PRESERVATION TRUST
C/O: TRAVIS FOLK
FOLK LAND MANAGEMENT, INC.
3515 WHITE HALL ROAD
GREEN POND, SC 29446

for a permit to renovate dikes within an historic inland rice field, construct a new cross dike within the impoundment, widen an existing roadway crossing, and install a new water control structure along the

ASHLEY RIVER

at Drayton Hall located at 3380 Ashley River Road, in Charleston, South Carolina (Latitude: 32.869044°N; Longitude: -80.079267°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 both of the above mentioned offices 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 renovating a dike within an historic inland rice field, constructing a new cross dike within the impoundment, widening an existing roadway crossing, and installing a new water control structure. Specifically, the applicant proposes to fill and excavate for the purpose of constructing a new cross dike in the rice field. A wooden spillway box will be installed in the new cross dike. The project also involves renovation of three remnant

diversion dikes with fill material excavated from inside the rice field. The remnant portions of the dikes will be contained within the new renovated dikes. Three rookery habitats and deep water habitats will be created from excavation and fill within the impoundment. A concrete spillway will be removed and replaced with a water control structure under the main driveway. Lastly, the applicant proposes to widen a section of road crossing over the ponds by three feet at the top and base of the current causeway with fill from an upland source. Total impacts from the project are 0.52 acres of wetland impacts, with 3,913 cubic yards of fill and 3819 cubic yards of excavation. The applicant is not proposing wetland mitigation at this time because the project will have an ecological net positive as the impacts to wetlands (0.52 acres impact) will enhance the habitat of 28.08 acres, providing a 1.67 % ratio of impacts to habitat created. Please see attached table for detailed 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 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 0.52 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the 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 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 Ms. Chelsea Bowman at 843-329-8044 or toll free at 1-866-329-8187.

Drayton Hall Rice Field Renovation Project

36. SUMMARY OF WETLAND IMPACTS

Impact No. ^a	Impact Name	Impact Description	Wetland Type	Distance to Receiving Water Body (LF)	Purpose of Impact	Impact Size (ft ²)	Fill Volume (cy)	Excavation Volume (cy)
1	New cross dike	Fill for dike	Palustrine scrub shrub	4,370'	Control water	2,800	407	-
2	Canal beside new cross dike	Excavation for dike	Palustrine scrub shrub	4,370'	Provide fill for dike	1,296	-	396
3	Spillway A	Install new WCS	Palustrine scrub shrub	4,370'	Improve water management capability	na ^b	-	-
4	Northern dike renovation	Fill for dike	Palustrine unconsolidated bottom	3,745'	Control water	4,302	787	-
5	Northern dike canal	Excavation for dike	Palustrine unconsolidated bottom	3,745'	Provide fill for dike	3,776	-	795
6	Southern dike renovation	Fill for dike	Palustrine unconsolidated bottom	3,745'	Control water	5,508	1,008	-
7	Southern dike canal	Excavation for dike	Palustrine unconsolidated bottom	3,745'	Provide fill for dike	4,800	-	1,011
8	Side pond dike	Fill for dike	Palustrine unconsolidated bottom	3,745'	Control water	2,754	504	-
9	Side pond canal	Excavation for dike	Palustrine unconsolidated bottom	3,745'	Provide fill for dike	2,128	-	499
10	Rookery island	Fill for rookery	Palustrine	4,178'	Provide wildlife	1,368	304	-

Drayton Hall Rice Field Renovation Project

	A	habitat	unconsolidated bottom		habitat			
			Palustrine unconsolidated bottom					
11	Deepwater habitat A	Excavation for rookery habitat	4,178'	Provide fill for rookery habitat	1,368	-	304	
12	Rookery island B	Fill for rookery habitat	4,035'	Provide wildlife habitat	2,144	476	-	
13	Deepwater habitat B	Excavation for rookery habitat	4,035'	Provide fill for rookery habitat	2,144	-	476	
14	Rookery island C	Fill for rookery habitat	4,035'	Provide wildlife habitat	1,525	338	-	
15	Deepwater habitat C	Excavation for rookery habitat	4,035'	Provide fill for rookery habitat	1,525	-	338	
16	Spillway B	Renovate dike and install 1 new WCS	3,745'	Improve water management capability	-	-	-	
17	Widen causeway	Widen primary ingress road	3,745	Improve safety driving conditions	2,400	89	89	
18	Spillway C	install 1 new WCS	3,745'	Improve water management capability	-	-	-	
					TOTALS	0.52 acres	3913 cy	3819 cy

^a Impact Nos. correspond to Plan View

^b Area included in new cross dike construction for Impact No. 1

Property within Quad

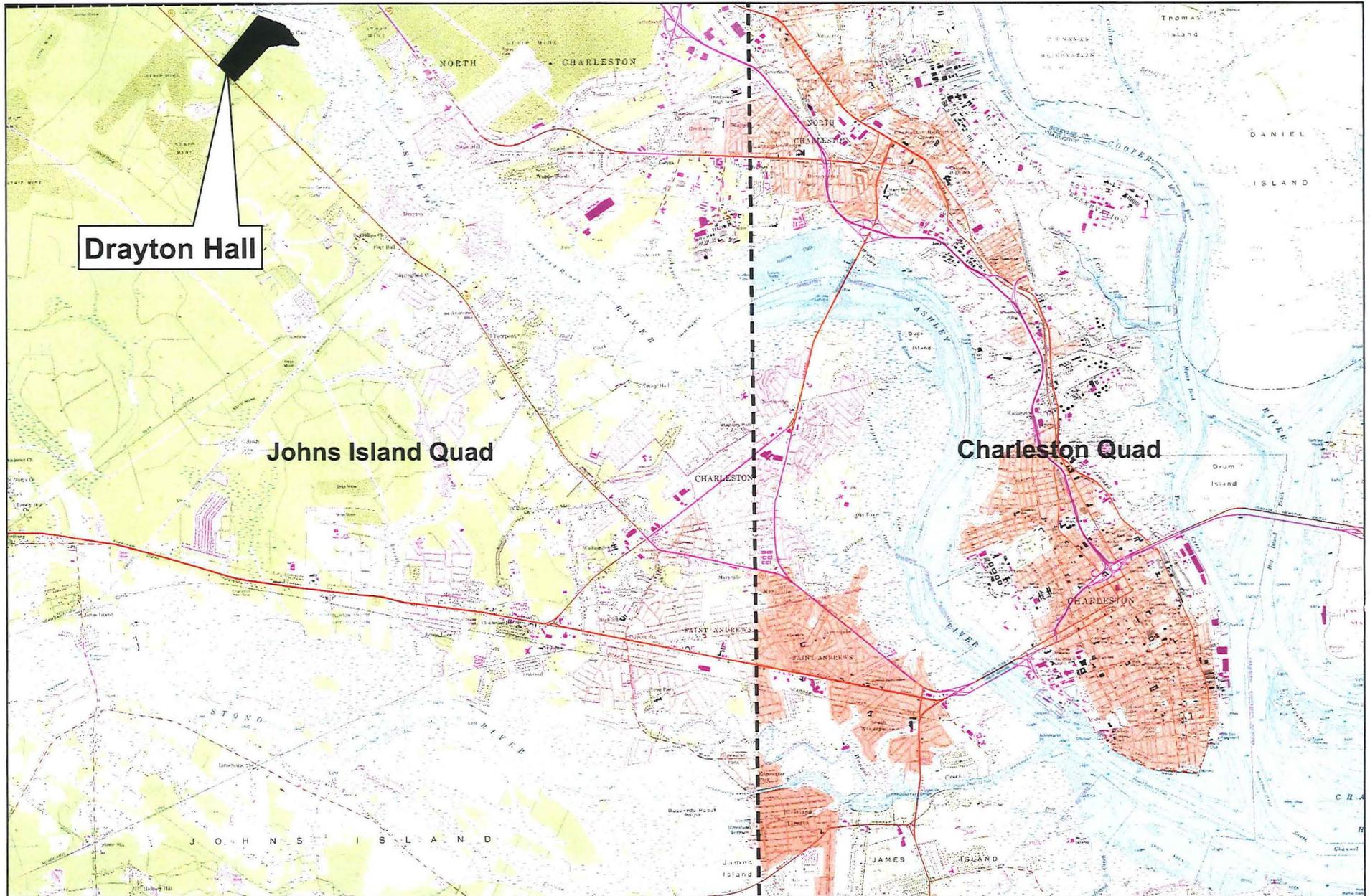


Quad boundaries in black
7.5" USGS Topo



Project Title: Drayton Hall Rice Field Renovation
Project Location: Ashley River Road
Charleston, SC Charleston County
32° 52' 08.56" N, 80° 04' 45.36" W
Applicant: Drayton Hall Preservation Trust
Agent: Travis Hayes Folk, PhD

Drawing Scale
1" : 7,250'
Date
Sheet of



Location Map



Project Title: Drayton Hall Rice Field Renovation

Project Location: Ashley River Road

Charleston, SC Charleston County

32° 52' 08.56" N, 80° 04' 45.36" W

Applicant: Drayton Hall Preservation Trust

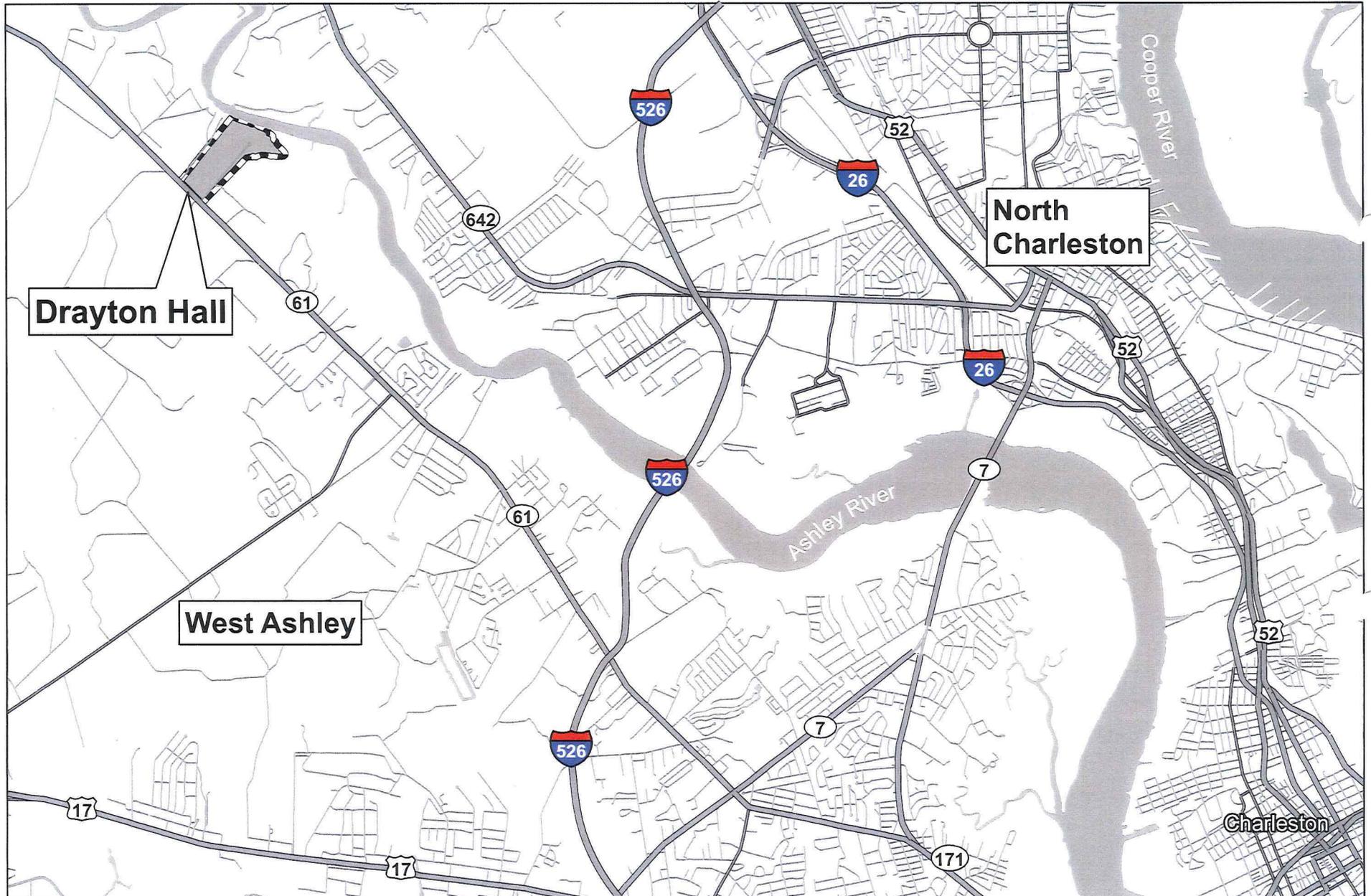
Agent: Travis Hayes Folk, PhD

Drawing Scale

1" : 5,000'

Date

Sheet of



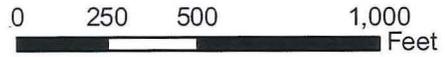
K2COPDWK Watershed 1: SAC - WS1
orm_regulator Role Preferences [ORM Reports] Logout

Home Maps Search SAC-2012-00146 ORM2 Help

Folder Location Aquatic Resources Jurisdiction Impacts/Mitigation Map Letters Documents Contacts Regulators Comments

The image shows a screenshot of a web-based map application. The main map area displays an aerial photograph with a large, irregular purple-shaded region representing a watershed boundary. A road and a stream are visible within the watershed. To the right of the watershed, the word 'Charleston' is labeled in green. Further right, a blue-shaded area represents a water body, with the letters 'SAC' labeled in white. The interface includes a top navigation bar with buttons for 'Home', 'Maps', 'Search', 'SAC-2012-00146', and 'ORM2 Help'. Below this is a secondary navigation bar with buttons for 'Folder', 'Location', 'Aquatic Resources', 'Jurisdiction', 'Impacts/Mitigation', 'Map', 'Letters', 'Documents', 'Contacts', 'Regulators', and 'Comments'. A toolbar with various icons is located above the map, and a vertical navigation control is on the left side of the map frame.

Project Area within Property



2013 Aerial Photograph



Project Title: Drayton Hall Rice Field Renovation
Project Location: Ashely River Road
Charleston, SC Charleston County
32° 52' 08.56" N, 80° 04' 45.36" W
Applicant: Drayton Hall Preservation Trust
Agent: Travis Hayes Folk, PhD

Drawing Scale
1" : 500'
Date
Sheet of



Project Area within Property

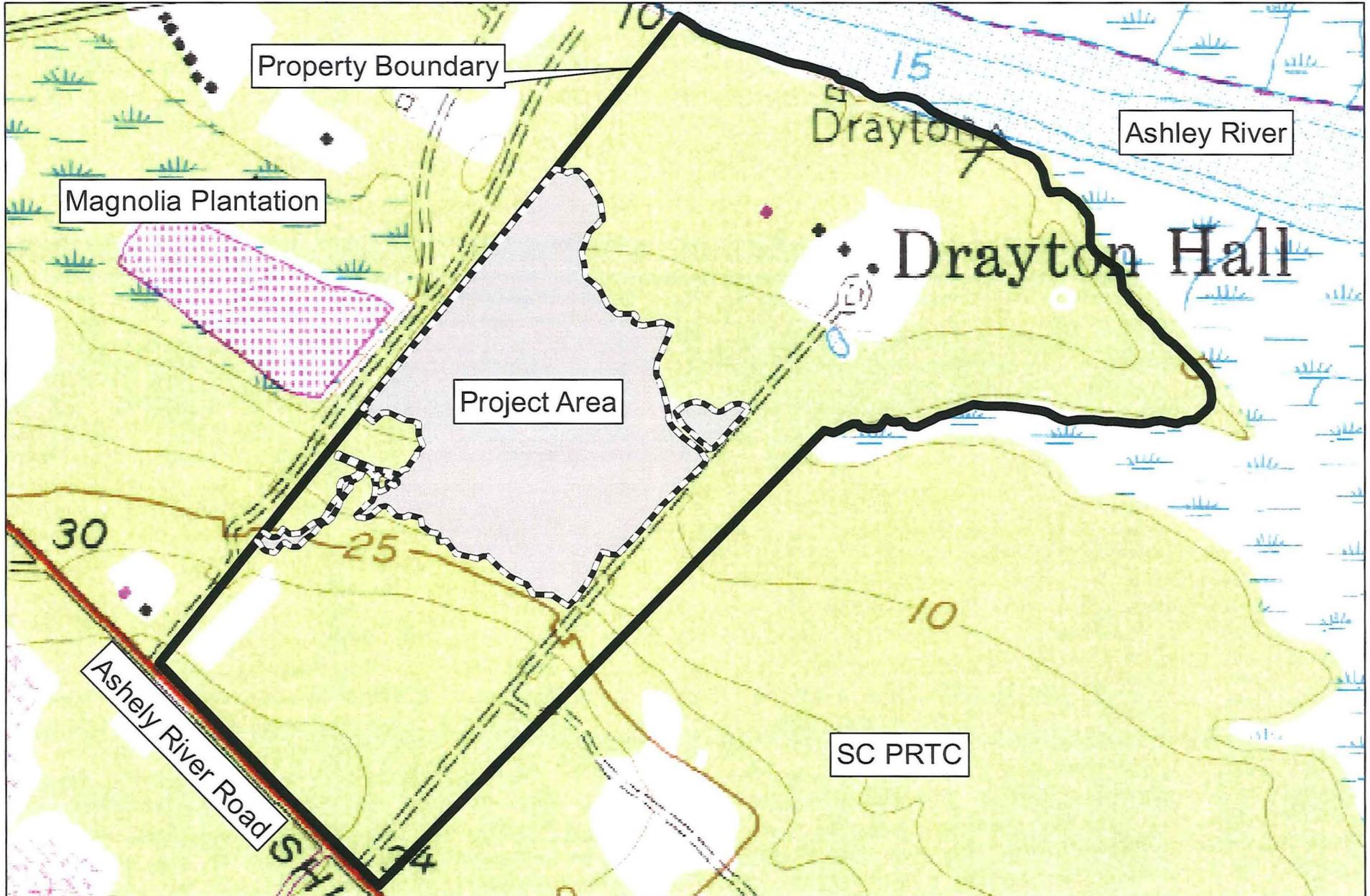


7.5" USGS Topo



Project Title: Drayton Hall Rice Field Renovation
Project Location: Ashely River Road
Georgetown, SC Charleston County
32° 52' 08.56" N, 80° 04' 45.36" W
Applicant: Drayton Hall Preservation Trust
Agent: Travis Hayes Folk, PhD

Drawing Scale
1" : 500'
Date
Sheet of



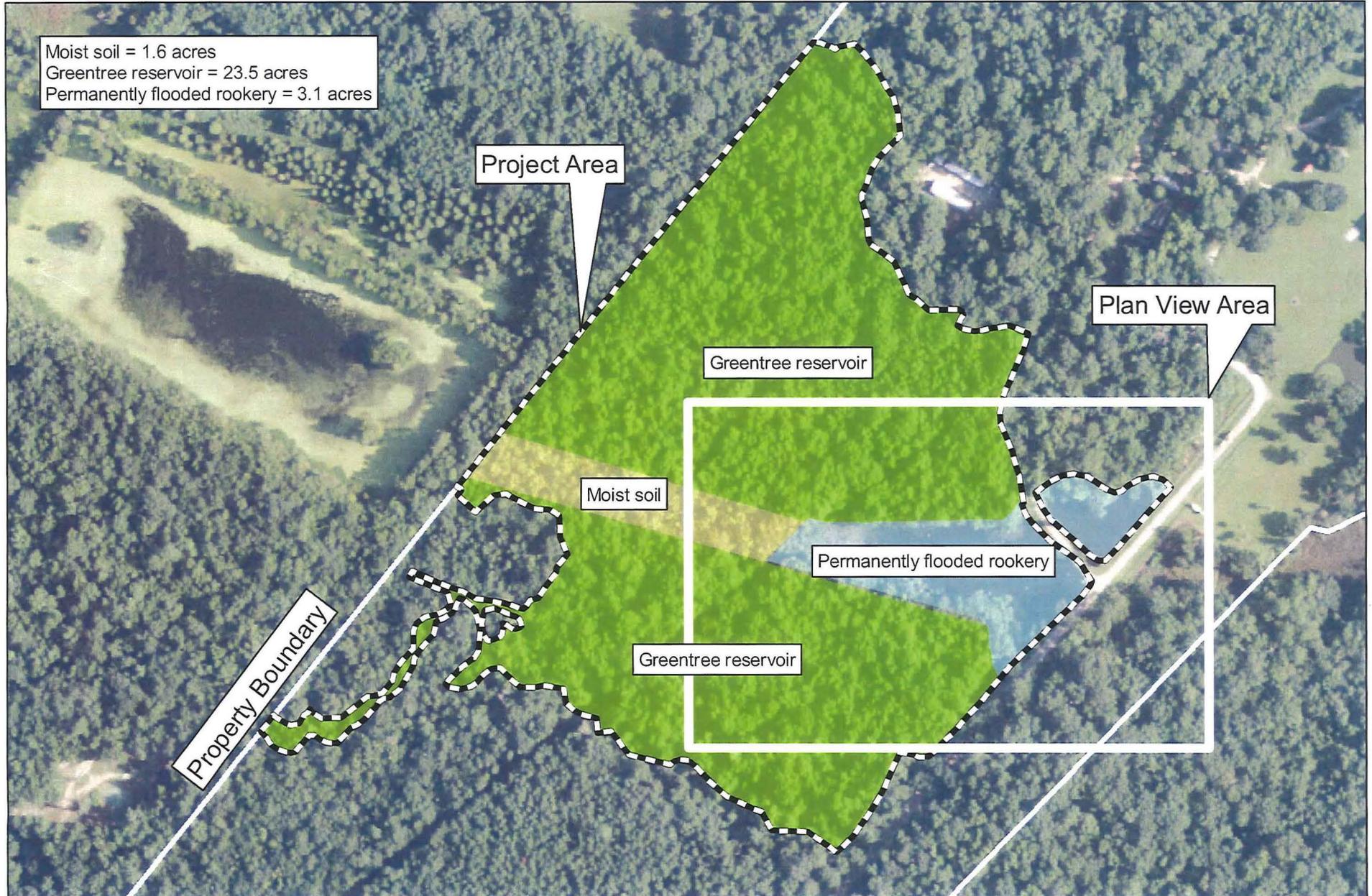
Habitats within Project Area



Project Title: Drayton Hall Rice Field Renovation
Project Location: Ashley River Road
Charleston, SC Charleston County
32° 52' 08.56" N, 80° 04' 45.36" W
Applicant: Drayton Hall Preservation Trust
Agent: Travis Hayes Folk, PhD

Drawing Scale
1" : 275'

Date of
Sheet of



Plan View



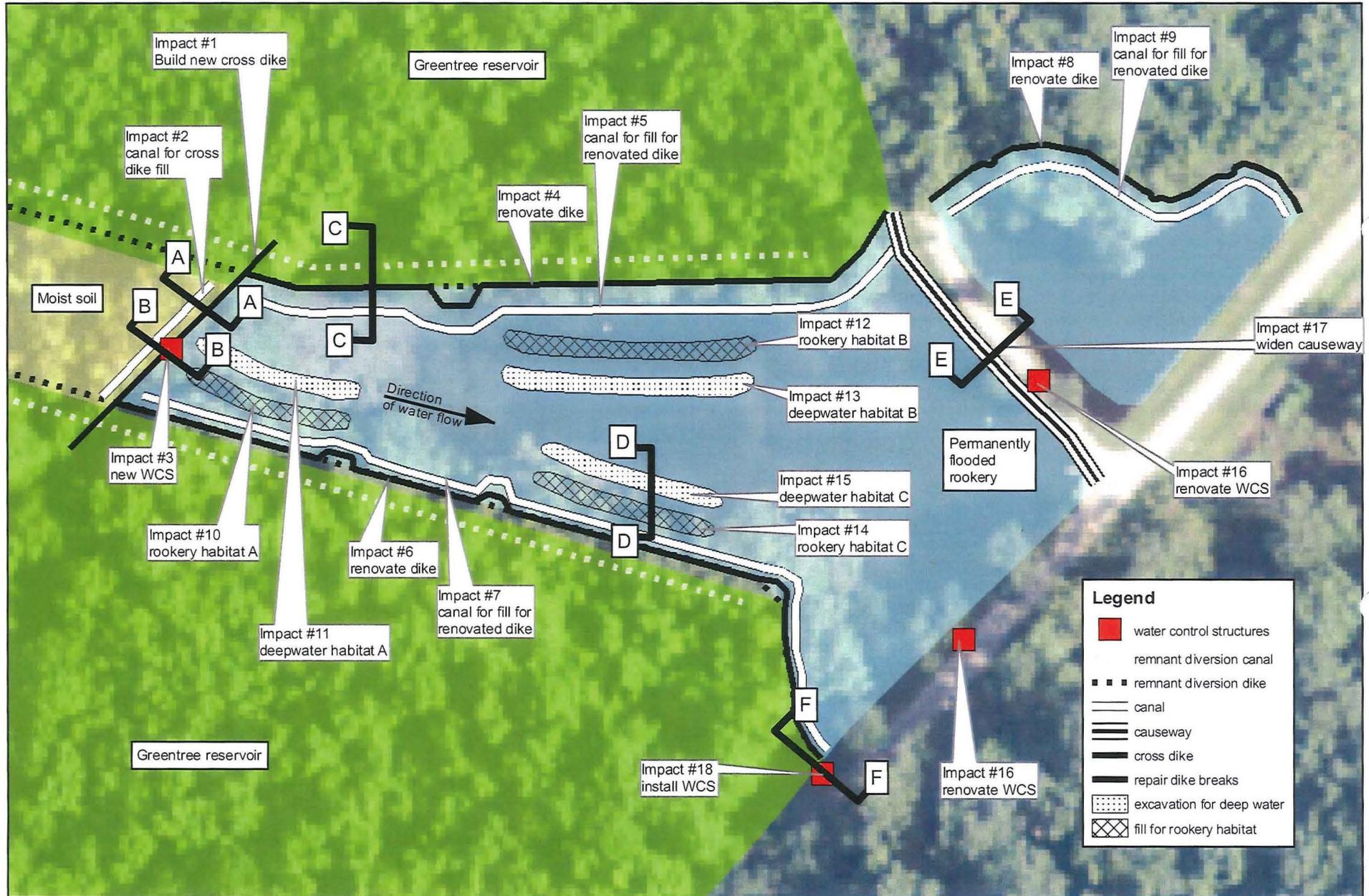
2013 Aerial Photograph



Project Title: Drayton Hall Rice Field Renovation
 Project Location: Ashley River Road
 Charleston, SC Charleston County
 32° 52' 08.56" N, 80° 04' 45.36" W
 Applicant: Drayton Hall Preservation Trust
 Agent: Travis Hayes Folk, PhD

Drawing Scale
 1" : 90'

Date
 Sheet of



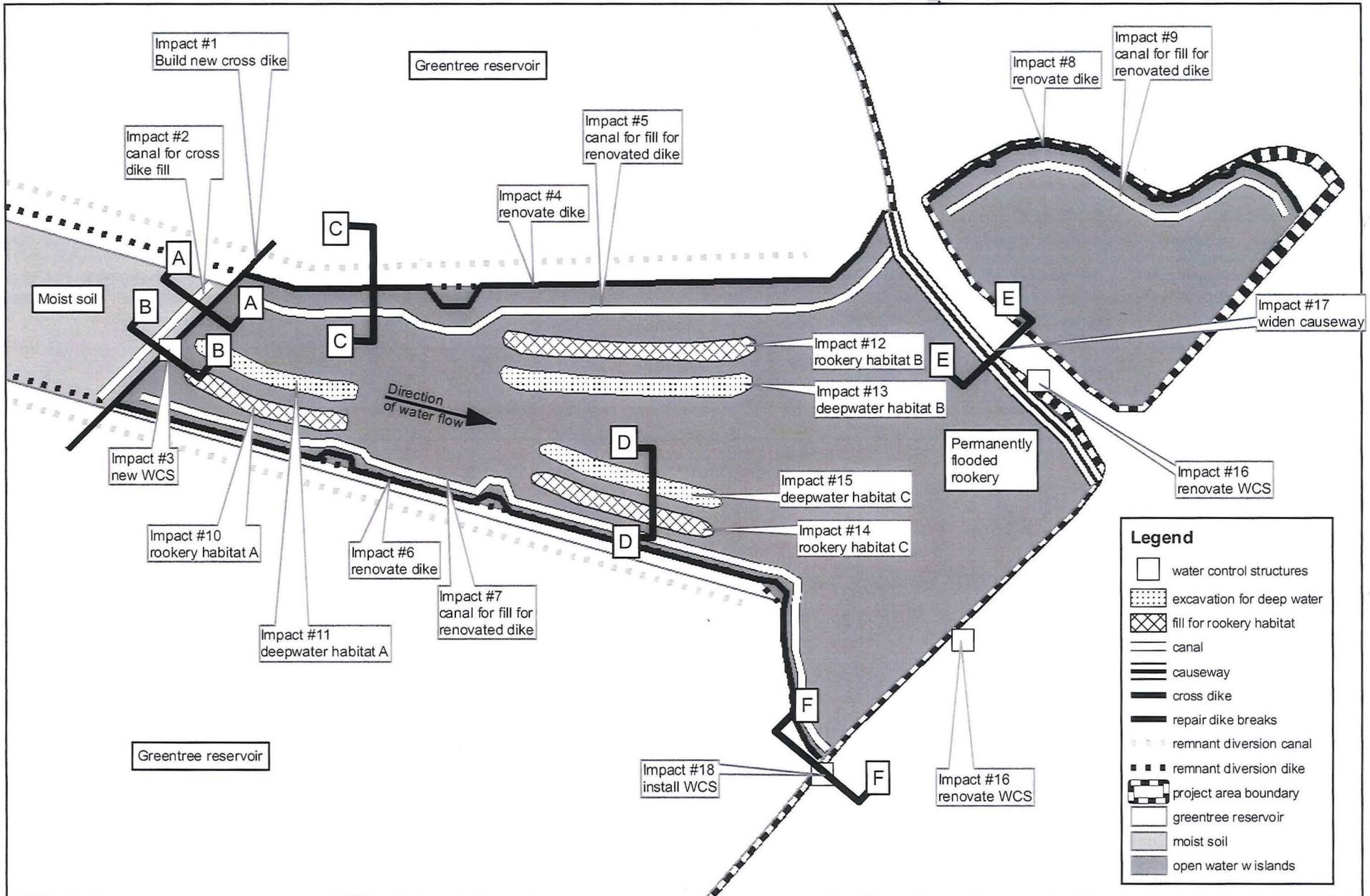
Plan View



Project Title: Drayton Hall Rice Field Renovation
 Project Location: Ashley River Road
 Charleston, SC Charleston County
 32° 52' 08.56" N, 80° 04' 45.36" W
 Applicant: Drayton Hall Preservation Trust
 Agent: Travis Hayes Folk, PhD

Drawing Scale
 1" : 90'

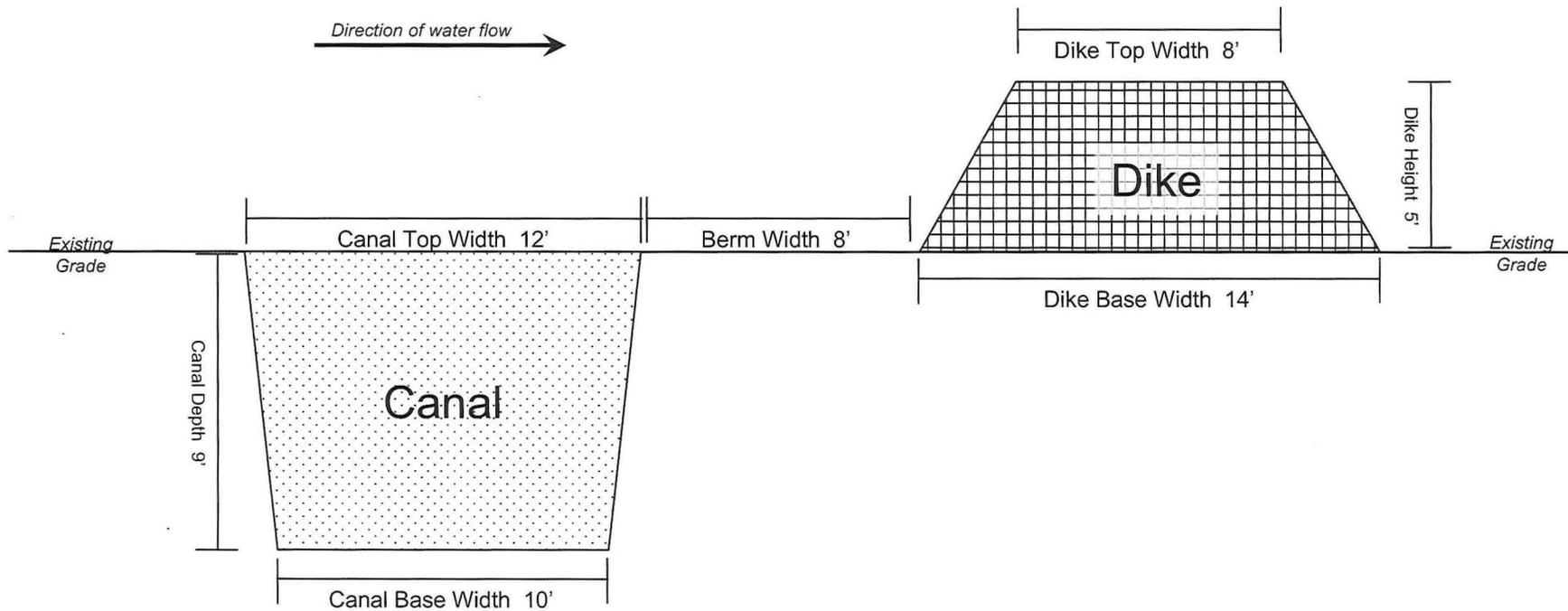
Date _____ of _____



Section A-A

Drayton Hall Rice Field Renovation

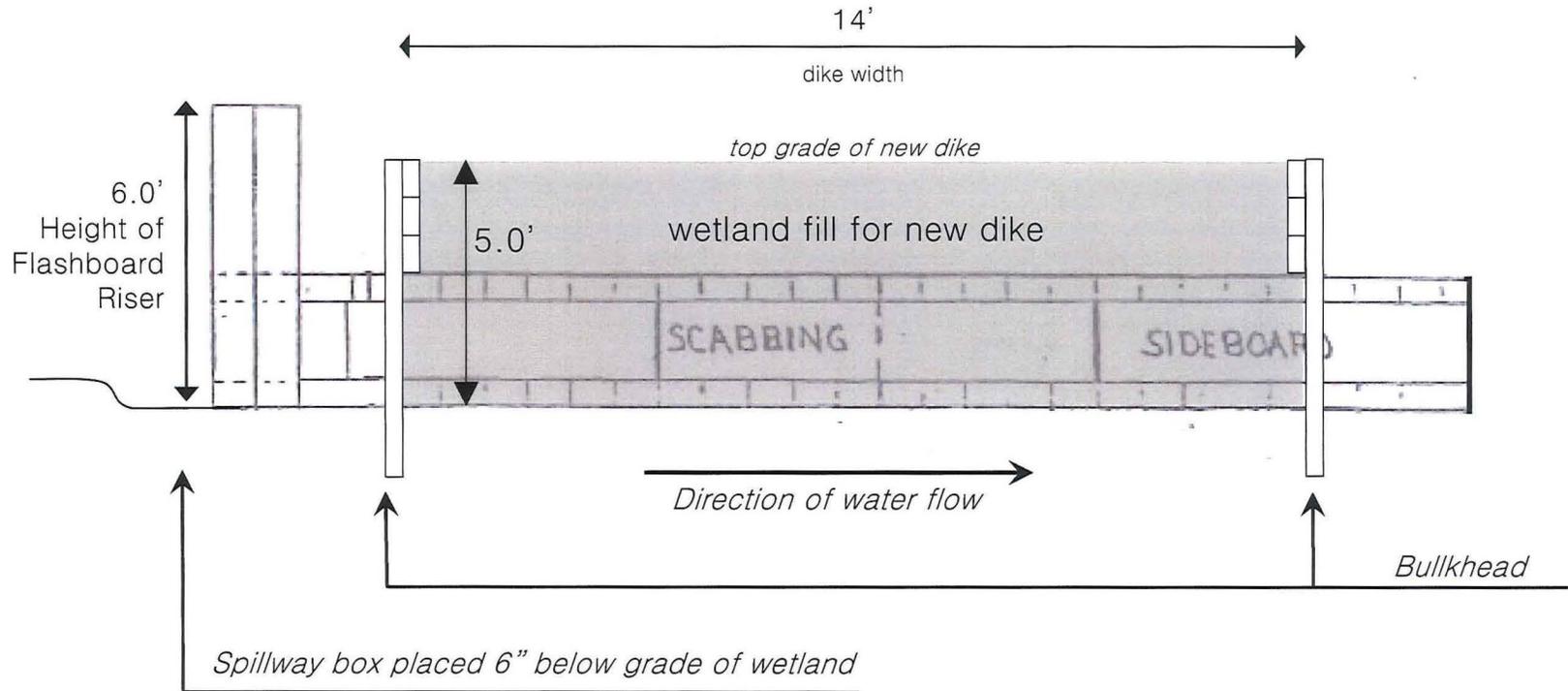
Typical Cross Dike



<i>Project Title:</i> Drayton Hall Rice Field Renovation	
<i>Project Location:</i> Ashley River Road Charleston, SC Charleston County 32° 52' 08.56" N, 80° 04' 45.36" W	Scale 1" : 5'
<i>Applicant:</i> Drayton Hall Preservation Trust	<i>Date</i>
<i>Agent:</i> Travis Folk, Folk Land Management	<i>Sheet of</i>

Section B-B

Drayton Hall Rice Field Renovation
 Typical Spillway and Riser in Cross Dike



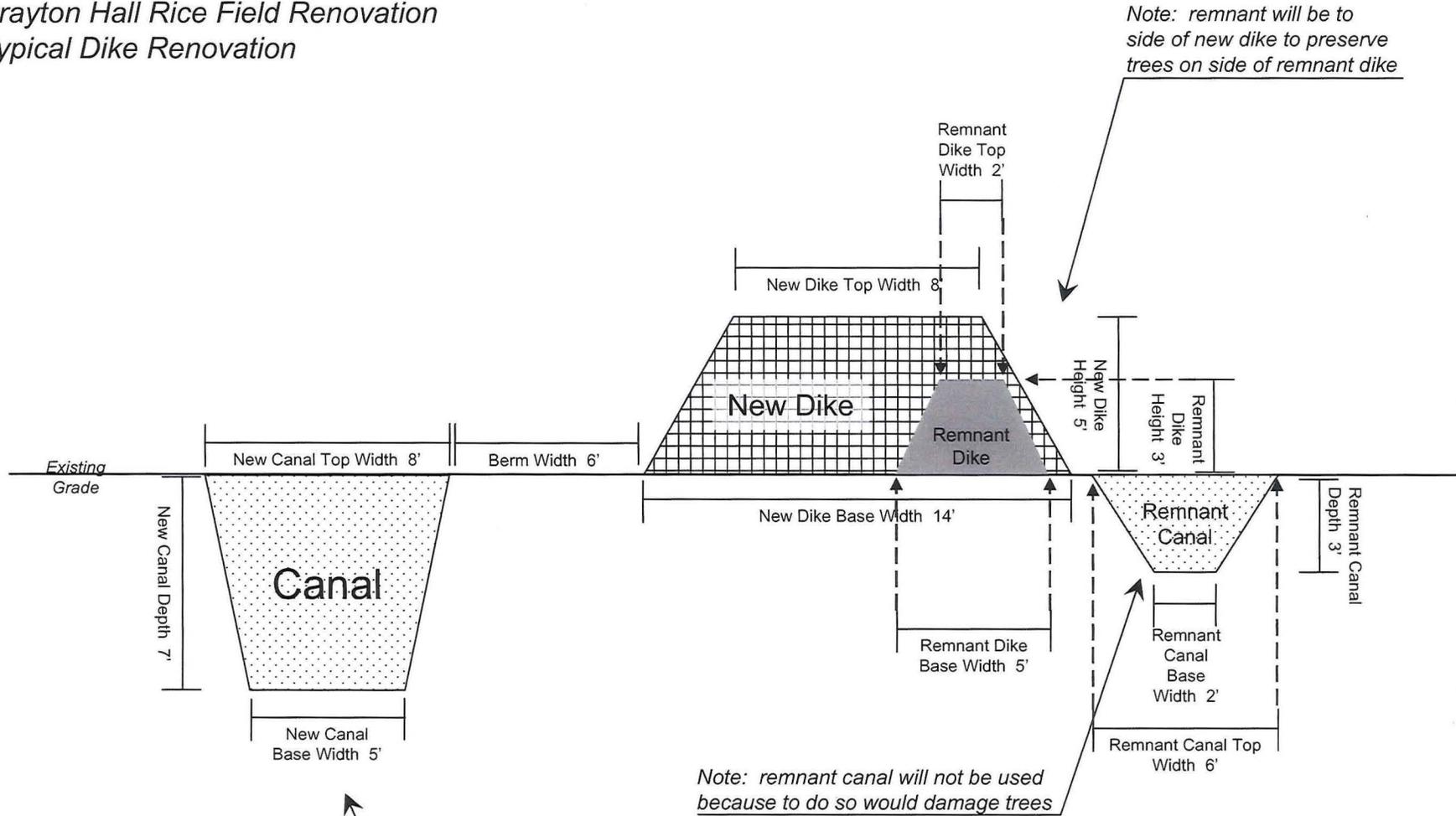
Dimensions

Width of spillway box = 5'
 Length of spillway box = 20'
 Outside height of spillway box = 2.0'
 Inside height of spillway box = 18"
 Height of flashboard riser = 6.0'

<i>Project Title:</i> Drayton Hall Rice Field Renovation	
<i>Project Location:</i> Ashley River Road Charleston, SC Charleston County 32° 52' 08.56" N, 80° 04' 45.36" W	<i>Scale</i> 1" : 2.75'
<i>Applicant:</i> Drayton Hall Preservation Trust	<i>Date</i>
<i>Agent:</i> Travis Folk, Folk Land Management	<i>Sheet of</i>

Section C-C

Drayton Hall Rice Field Renovation Typical Dike Renovation

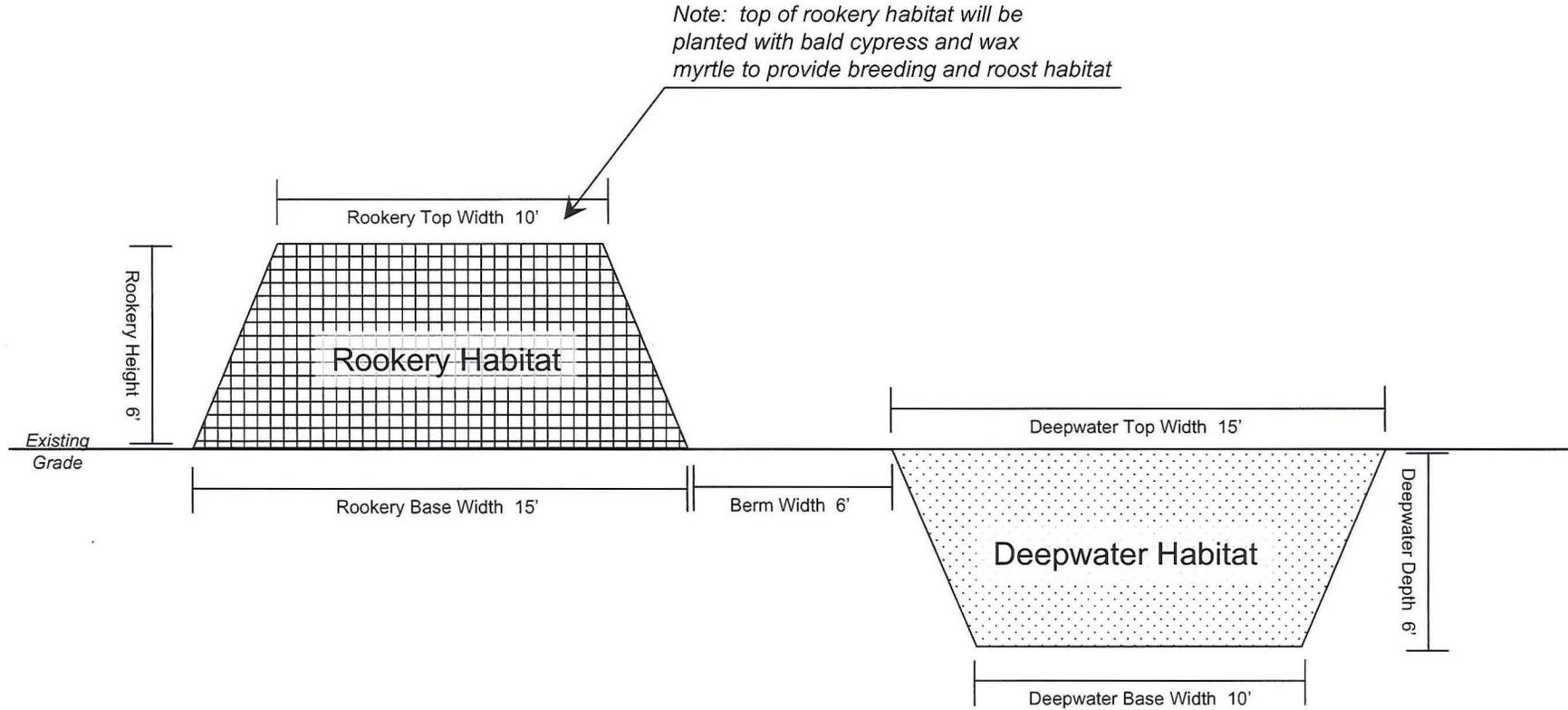


Project Title: Drayton Hall Rice Field Renovation	
Project Location: Ashley River Road Charleston, SC Charleston County 32° 52' 08.56" N, 80° 04' 45.36" W	Scale 1" : 5'
Applicant: Drayton Hall Preservation Trust	Date
Agent: Travis Folk, Folk Land Management	Sheet of

Section D-D

Drayton Hall Rice Field Renovation
 Typical rookery habitat fill and excavation

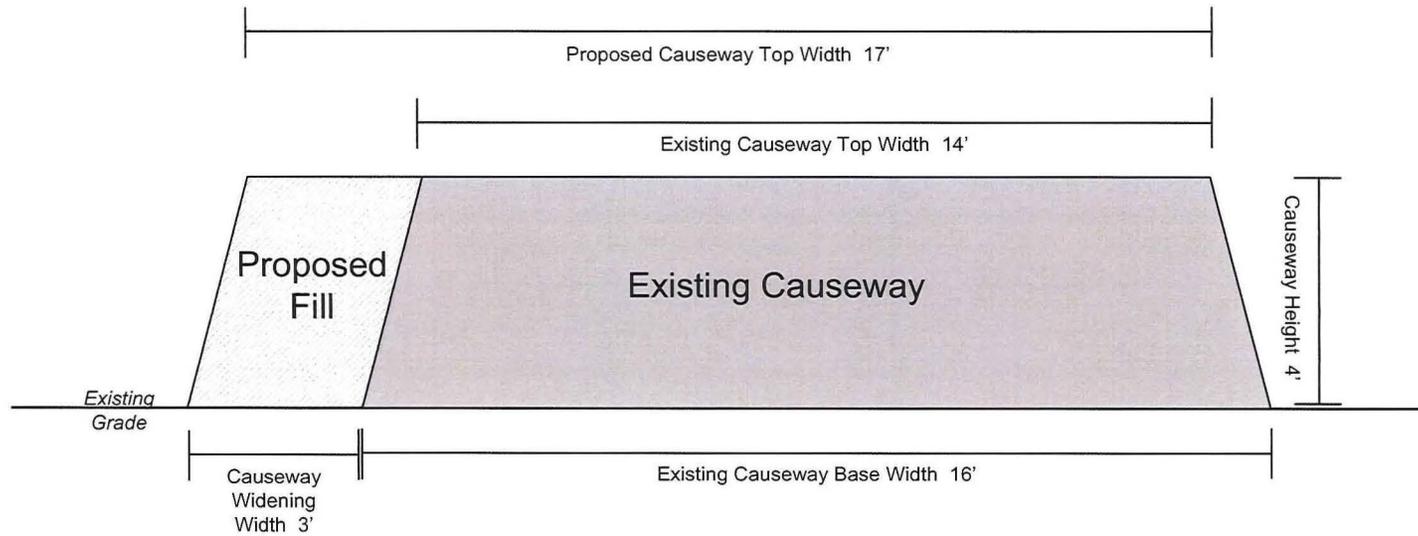
Note: top of rookery habitat will be planted with bald cypress and wax myrtle to provide breeding and roost habitat



<i>Project Title:</i> Drayton Hall Rice Field Renovation	
<i>Project Location:</i> Ashley River Road Charleston, SC Charleston County 32° 52' 08.56" N, 80° 04' 45.36" W	<i>Scale</i> 1" : 5'
<i>Applicant:</i> Drayton Hall Preservation Trust	<i>Date</i>
<i>Agent:</i> Travis Folk, Folk Land Management	<i>Sheet of</i>

Section E-E

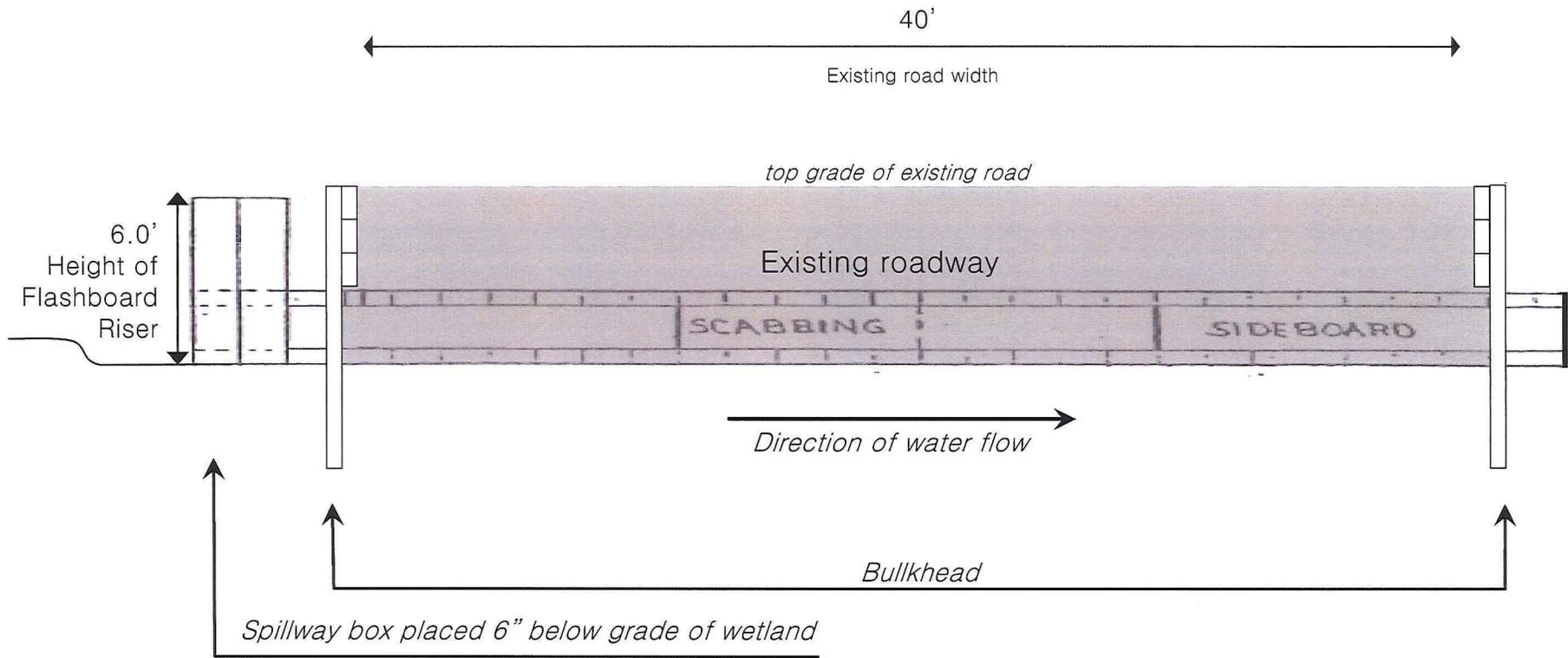
Drayton Hall Rice Field Renovation
Causeway widening



<i>Project Title:</i> Drayton Hall Rice Field Renovation	
<i>Project Location:</i> Ashley River Road Charleston, SC Charleston County 32° 52' 08.56" N, 80° 04' 45.36" W	Scale 1" : 3.2'
<i>Applicant:</i> Drayton Hall Preservation Trust	<i>Date</i>
<i>Agent:</i> Travis Folk, Folk Land Management	<i>Sheet of</i>

Section F-F

Drayton Hall Rice Field Renovation
 Typical Spillway and Riser in Existing Road



Dimensions

- Width of spillway box = 5'
- Length of spillway box = 50'
- Outside height of spillway box = 2.0'
- Inside height of spillway box = 18"
- Height of flashboard riser = 6.0'

<i>Project Title:</i> Drayton Hall Rice Field Renovation	
<i>Project Location:</i> Ashley River Road Charleston, SC Charleston County 32° 52' 08.56" N, 80° 04' 45.36" W	<i>Scale</i> 1" : 5.75'
<i>Applicant:</i> Drayton Hall Preservation Trust	<i>Date</i>
<i>Agent:</i> Travis Folk, Folk Land Management	<i>Sheet</i> of