

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
North Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N SAC-2020-00475

April 22, 2020

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

Mr. David Wise
Hobonny Plantation, LLC
1121 River Road
Yemassee, South Carolina 29945

for a permit to reconstruct a tidal rice field dike in

wetlands adjacent to the Combahee River

at a location within Hobonny Plantation at 1121 River Road in Yemassee, Beaufort County, South Carolina (Latitude: 32.6662°, Longitude: -80.7492°), Whitehall Quad.

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 reconstructing and restoring the functionality of an existing tidal field dike within Hobonny Plantation, a historical rice plantation. The existing field dike has subsided and the tidal impoundment is currently not functioning or managed. The field dike is surrounded by tidal brackish wetland situated at the upper-most fringe of an open tidal saltmarsh adjacent to the Combahee River. The tidal brackish wetland within the project area consist of a

hardwood forested canopy dominated by oak and gum with a woody shrub mid-story dominated by wax-myrtle, and an emergent understory dominated by *Spartina* species and open water. Within the interior of the field dike impoundment are two upland islands surrounded by wetlands. The upland islands contain the historic West Settlement housing area and Hobonny cemetery that were both utilized by the enslaved and freemen workforce on the plantation during the Antebellum period and after the 1863 Emancipation. The proposed dike reconstruction would restore the protective barrier for these islands from extreme high tide events, storm surge, and sea level rise. Currently, the historical/cultural resources on these islands are at risk from these damaging events. In detail, the proposed project involves the excavation of approximately 7,300 cubic yards of material within 0.69 acre of wetland that would create a new interior field canal. There is an existing/historical exterior field canal which would not be excavated. The 7,300 cubic yards of excavated material would be placed on top of the existing field dike totaling 3,783 linear feet. The proposed reconstructed dike totaling 1.2 acres would be slightly wider than the subsided existing field dike. Some sections of the reconstructed dike would extend no more than 4 feet into the exterior field canal/wetland. The field dike must be widened to achieve the necessary height and side slopes to function, and the field dike is being restored to the historical footprint. The reconstructed dike would be joined on each end to an existing road/field dike and match the grade of the existing road/field dike, forming a ring-dike enclosing and sheltering approximate 45.9-acres of uplands/wetlands. There would be no work to the existing road/field dike. The applicant has proposed no mitigation for impacts to wetlands and/or waters of the United States because the work would provide an environmental lift to the 13.6 acre managed wetland buffer. The wetland buffer would be managed to maintain a shallow pool depth (6-12") on cycle with the tides and would be flushed/filled about every two weeks as weather conditions warrant. The management would prevent the wetland buffer area from drying out and thereby providing a reliable water regime for plants and wildlife.

The project purpose is to reconstruct the existing field dike to restore and protect this portion of the historic Hobonny Plantation.

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. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). 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. Implementation of the proposed project would impact 14.8 acres 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 the 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 the frosted flatwoods salamander (*Ambystoma cingulatum*), piping plover (*Charadrius melodus*), red-cockaded woodpecker (*Picoides borealis*), red knot (*Calidris canutus rufa*), Atlantic sturgeon (*Acipenser oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), Finback whale (*Balaenoptera physalus*), Humpback whale (*Megaptera novaeangliae*), Right whale (*Eubalaena glacialis*), Canby's dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*), Green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermochelys coriacea*), and the Loggerhead sea turtle (*Caretta caretta*); the project is not likely to adversely affect the American wood stork (*Mycteria americana*) and Northern long-eared bat (*Myotis septentrionalis*); 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.

In accordance with Section 106 of the NHPA, the District Engineer has consulted South 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 there are historic properties present, but they will not be affected; 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 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 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
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

If there are any questions concerning this public notice, please contact Leslie Estill, Project Manager, toll free at 1-866-329-8187, or by email at Leslie.A.Estill@usace.army.mil.

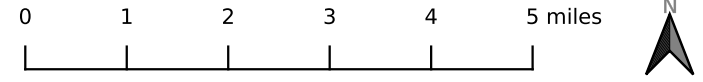
SAC-2020-00475

Hobonny Plantation Cemetery & West Settlement Protection Dike

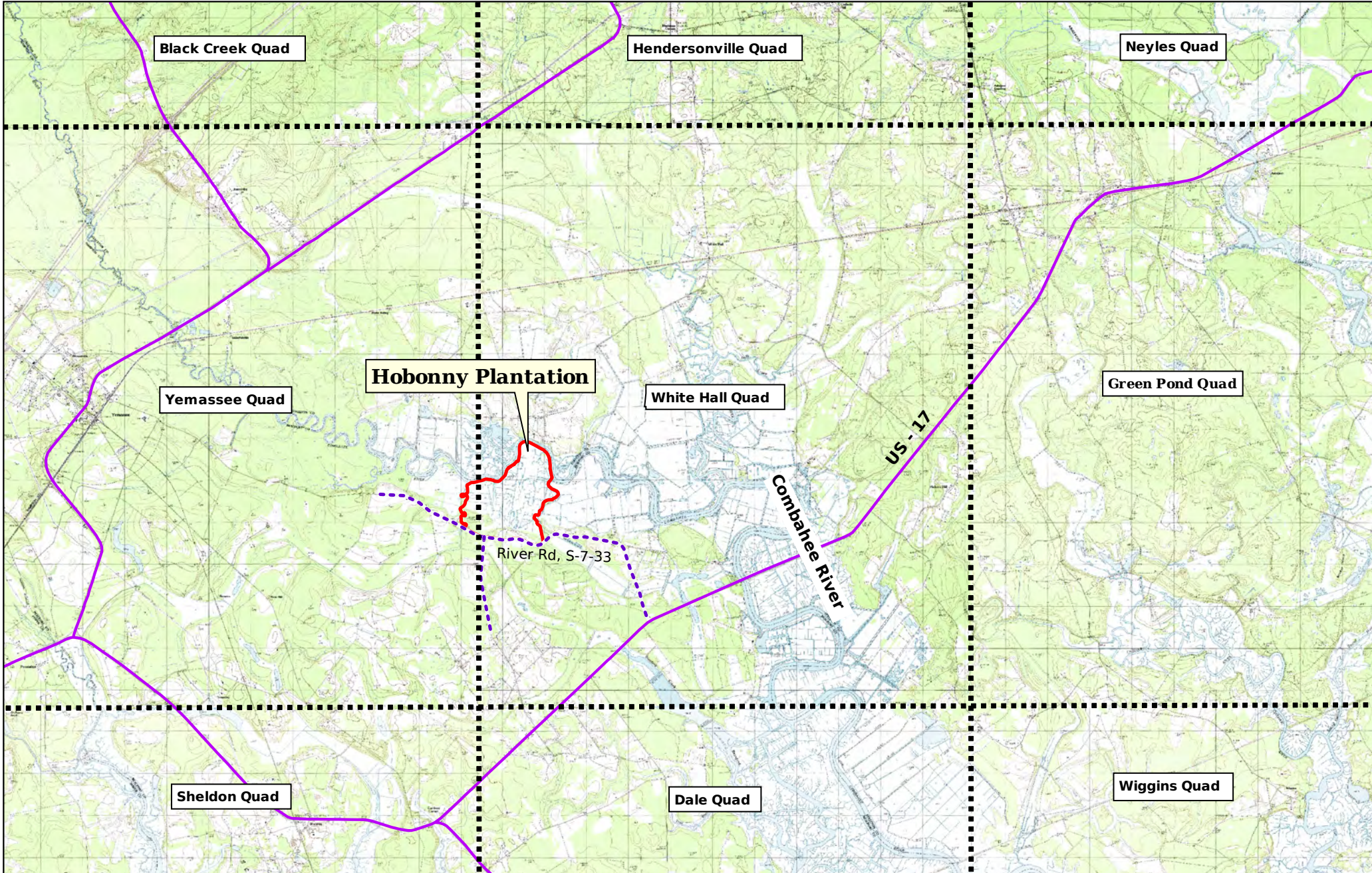
Sheet 1 of 8

April 20, 2020

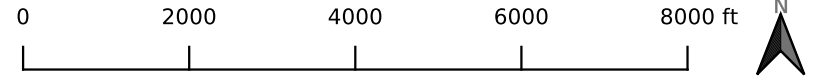
Project Title: Hobonny Plantation Cemetery and West Settlement Protection Dike	Applicant: David Wise
Project Location: 112 River Road, Yemassee, Beaufort County SC	Agent: PF Hinchcliff, Folk Land Management
Lat/Long: -80.7465 N, 32.6654 W	



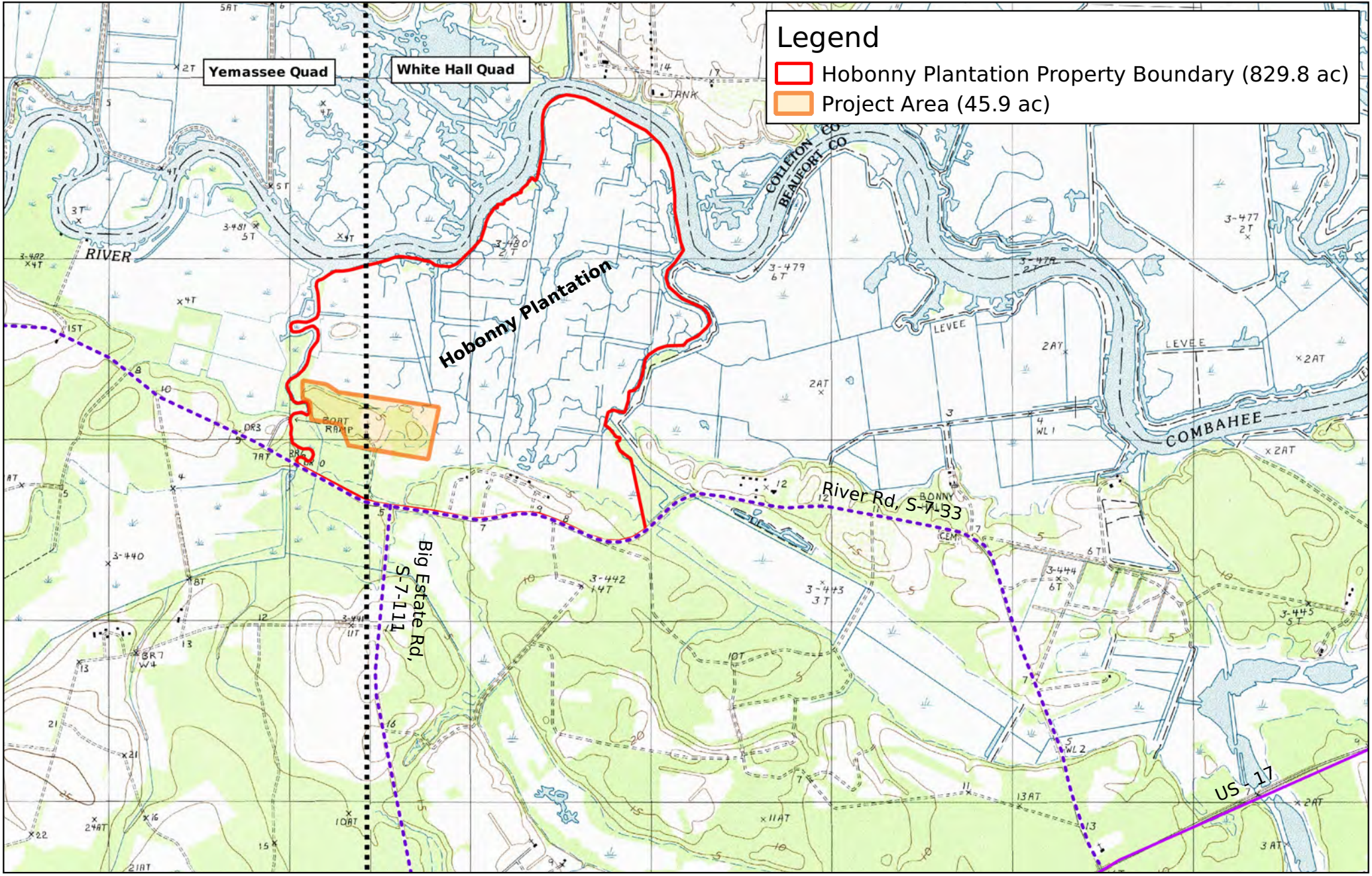
USGS Topographic Quads





Project Title: Hobonny Plantation Cemetery and West Settlement Protection Dike	Applicant: David Wise
Project Location: 112 River Road, Yemassee, Beaufort County SC	Agent: PF Hinchcliff, Folk Land Management
Lat/Long: -80.7465 N, 32.6654 W	



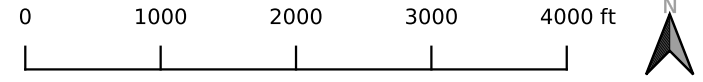
USGS Topographic Quads



Legend

-  Hobonny Plantation Property Boundary (829.8 ac)
-  Project Area (45.9 ac)

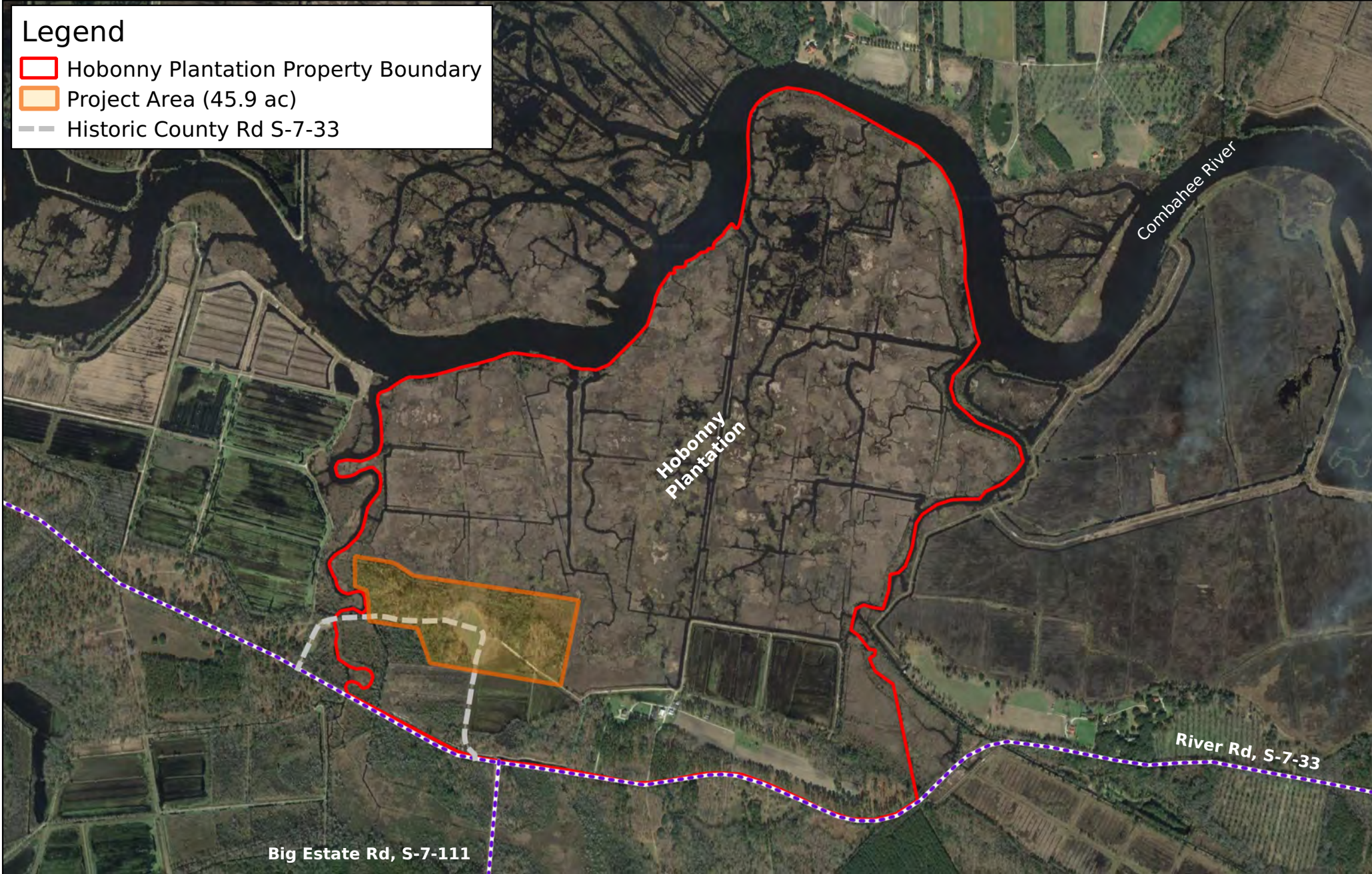
Project Title: Hobonny Plantation Cemetery and West Settlement Protection Dike	Applicant: David Wise
Project Location: 112 River Road, Yemassee, Beaufort County SC	Agent: PF Hinchcliff, Folk Land Management
Lat/Long: -80.7465 N, 32.6654 W	



Google 2019 Satellite Imagery

Legend

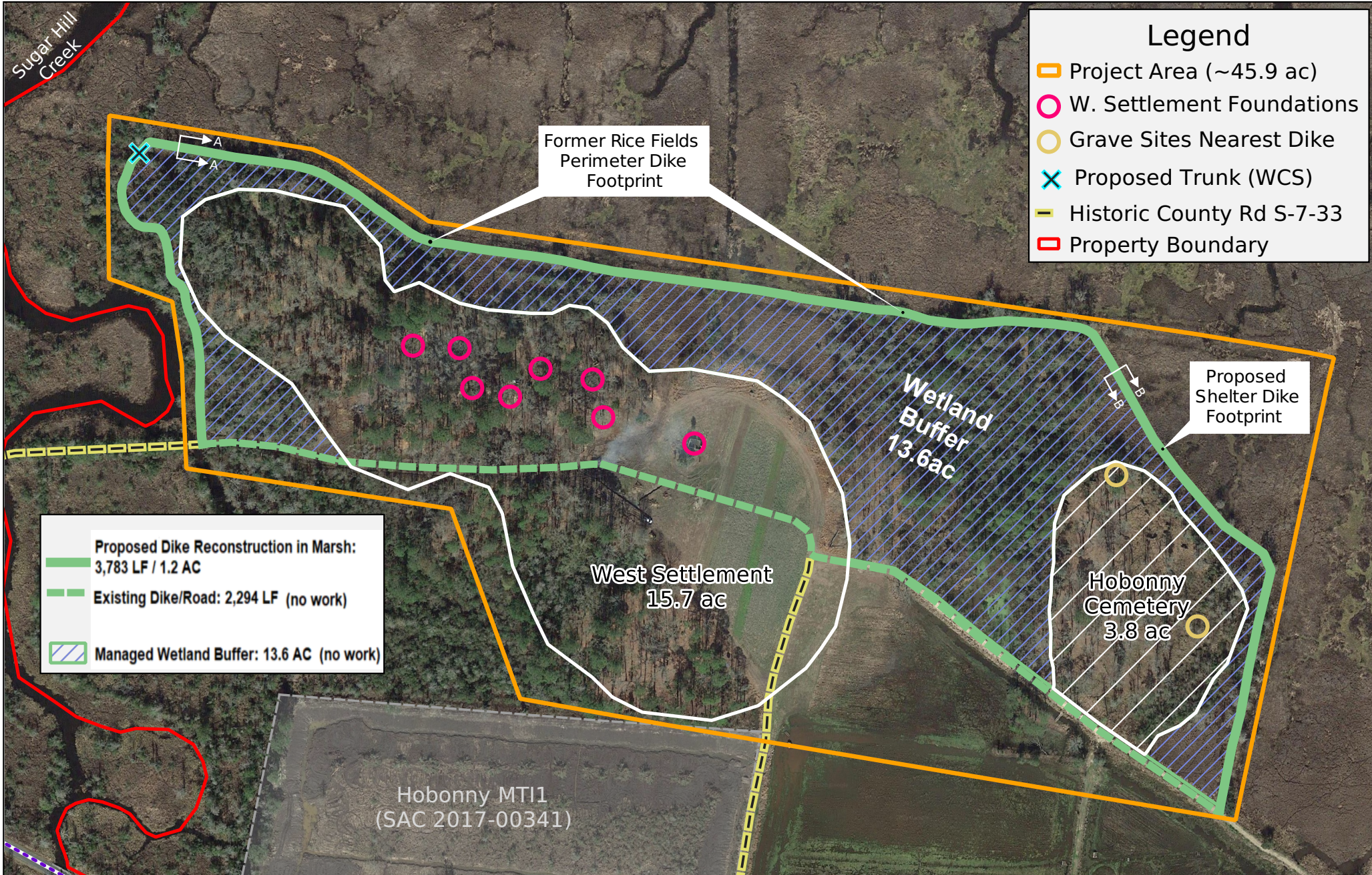
- Hobonny Plantation Property Boundary
- Project Area (45.9 ac)
- Historic County Rd S-7-33



Project Title: Hobonny Plantation Cemetery and West Settlement Protection Dike	Applicant: David Wise
Project Location: 112 River Road, Yemassee, Beaufort County SC	Agent: PF Hinchcliff, Folk Land Management
Lat/Long: -80.7465 N, 32.6654 W	

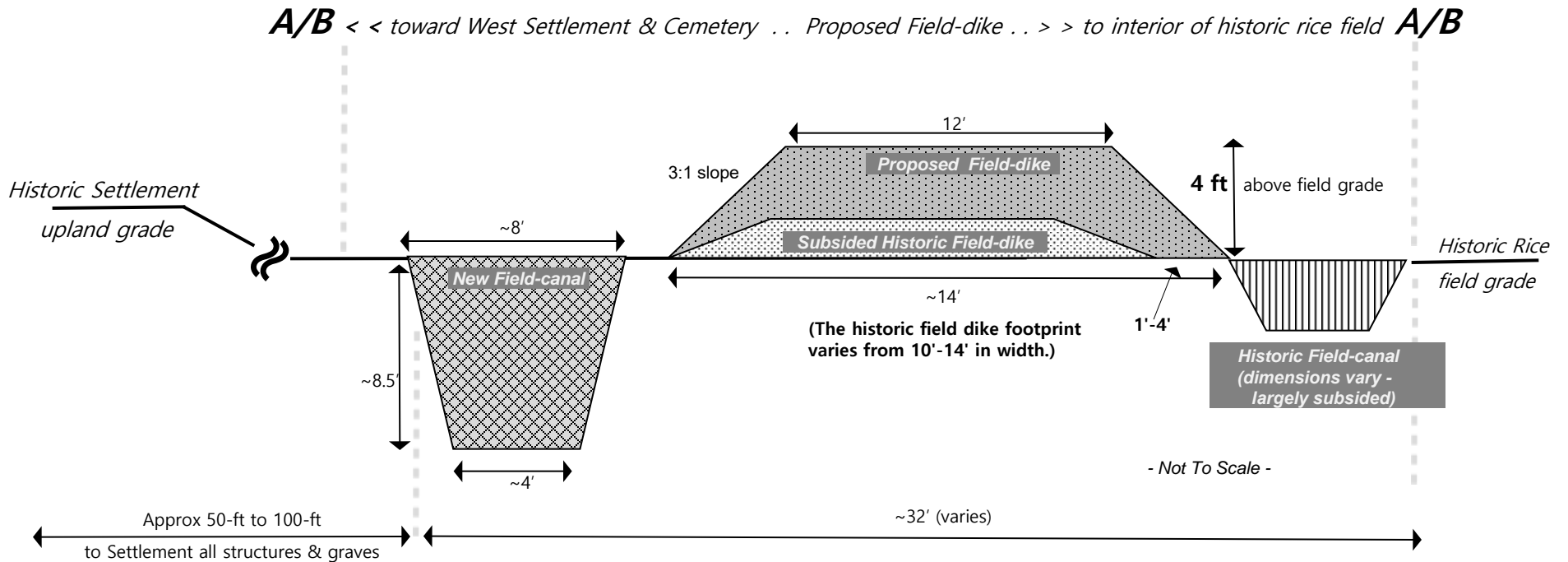


Google 2019 Satellite Imagery



April 20, 2020

- Section A-A & B-B (typical proposed re-built embankment)

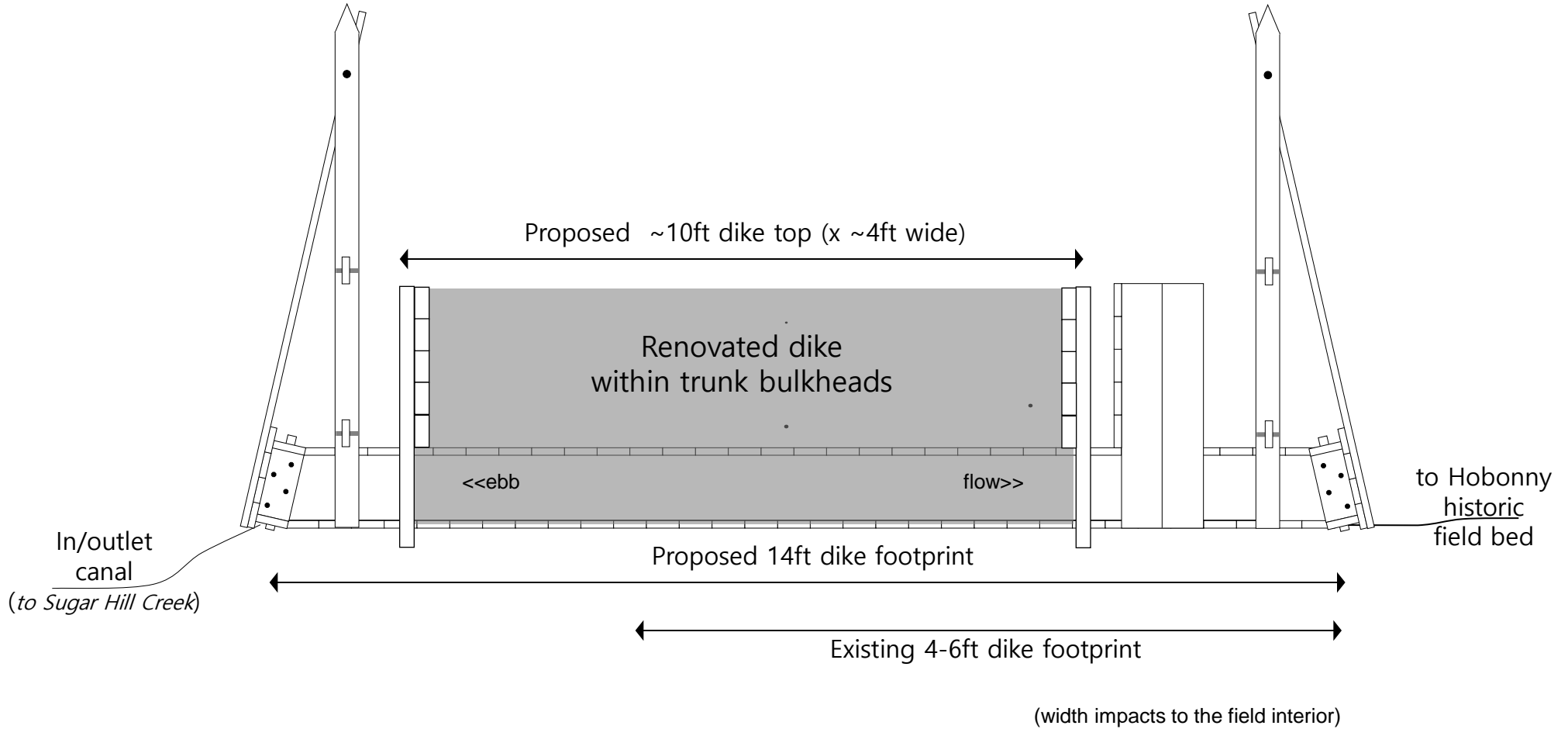


Note: The Historic Field-dike profile and its canal on the north side of HPWV&C have subsided close to grade along much of its length. The proposed re-built dike will be built on the same footprint of the historic field-dike on this site and widened slightly onto the previously-disturbed rice berm to minimize wetland impacts. No excavation is proposed in the historic field.

Legend	
	Proposed Fill re-built dike
	Proposed canal Excavation ~7300 CYs for water mgt
	Historic fill (old field dike)
	Historic Field Canal will not be disturbed

Project Title: Hobonny Plantation West Village & Cemetery Protection Dike	
Project Location: 1121 River Road Yemassee, Beaufort County SC 32.663899° N x -80.751655° W	
Applicant: David Wise, owner File Number: SAC 2020-00475	
Agent: PF Hinchcliff, Folk Land Management	

- Cross-section of typical 'Combahee' Rice Field Trunk proposed at NW project corner



Dimensions

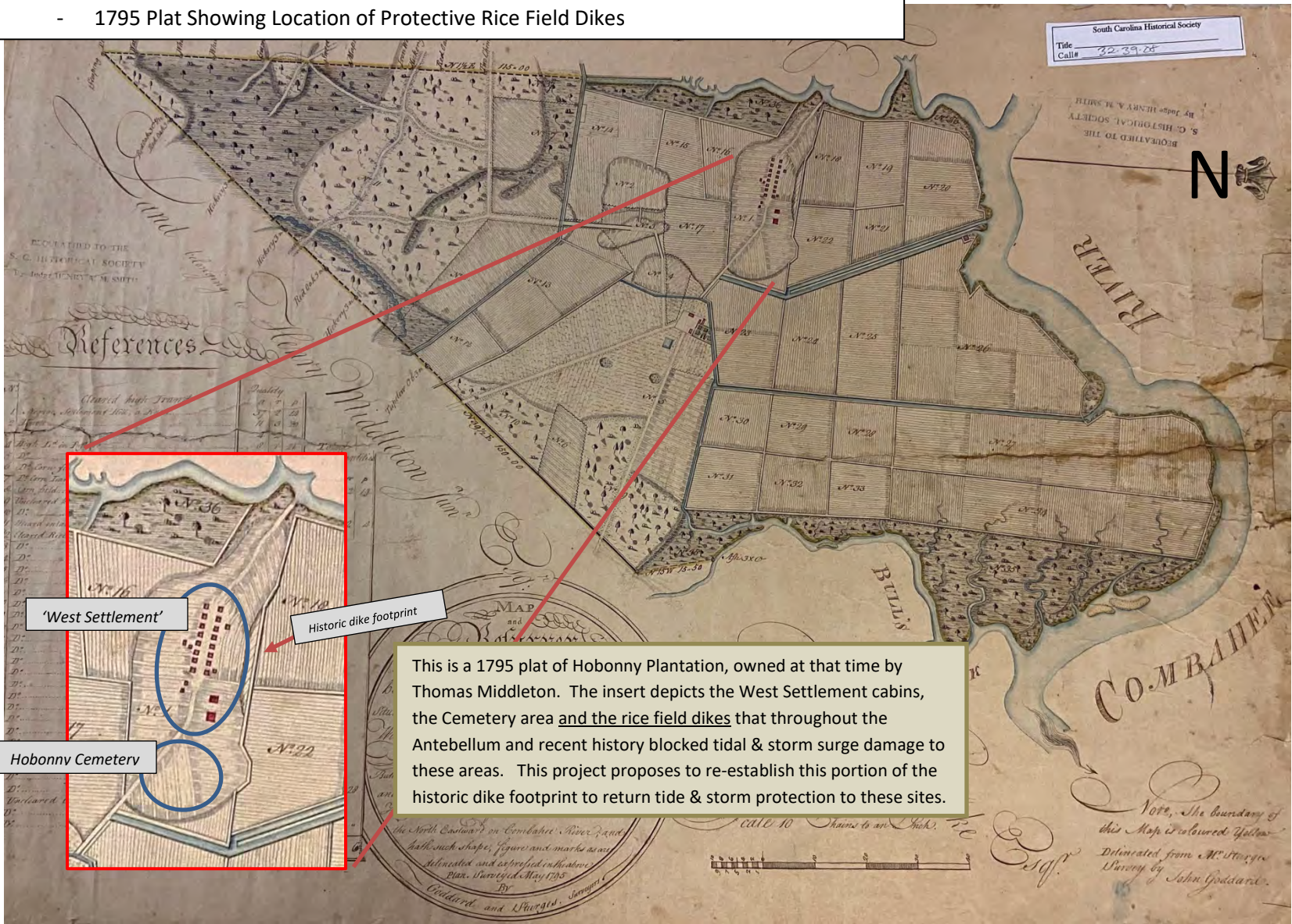
top width of trunk = 10ft
OA Length of trunk = 14ft
Outside height of trunk box = 2ft
Inside height of trunk box = 18in
Height of flashboard riser = ~5ft

Project Title: Hobonny Plantation Cemetery & West Settlement Protection Dike
SAC 2020-00475

Project Location: 1121 River Road
Yemassee, Beaufort County SC

Applicant: David Wise
Agent: PF Hinchcliff, Folk Land Management

- 1795 Plat Showing Location of Protective Rice Field Dikes



**Projections of
Frequency & Extent of Flooding
on the Hobonny Plantation Cemetery
& West Settlement Area**
due to increases in Sea Level
caused by Climate Change
2020 – 2034
- without storm dike protection -

As per:
First Street Foundation / FloodIQ.com

