

JOINT
PUBLIC NOTICE

**CHARLESTON DISTRICT, CORPS OF ENGINEERS
1949 INDUSTRIAL PARK ROAD, ROOM 140
CONWAY, SOUTH CAROLINA 29526**

and

**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201**

REGULATORY DIVISION

Refer to: P/N SAC-2020-00886

DECEMBER 28, 2021

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), the South Carolina Coastal Zone Management Act (48-39-10 et.seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et. seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**Mr. Coleman Owens
c/o Mr. Judson Goff
Red Bay Environmental,
720 Hawksbill Court
Mount Pleasant, South Carolina 29464**

for a permit to construct a canal, dike, and docking structure for equipment access to maintain existing ricefields and dike systems on the eastern side of the

GREAT PEE DEE RIVER

located at 531 North Enfield Drive, east of Plantersville Road, northeast of the City of Georgetown, Georgetown County, South Carolina (Latitude: 33.5014 °, Longitude: - 79.1699 °), Plantersville 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 the excavation of a canal and the construction of a dike within waters of the US adjacent to the Great Pee Dee River. Additionally, the proposed work consists of the construction of a docking structure in the Great Pee Dee River. In detail, the applicant proposes to excavate 0.15 a. of open water and 0.14 a. of wetlands to construct a 30' x 406' canal that will be -4.0' MLW. The excavated material will be utilized to construct a 20' x 260' dike immediately north of the canal, which will require the placement of fill material within 0.12 a. of waters of the US. The remaining material will be placed in uplands, and double-row silt fencing will be used to prevent sedimentation into the adjacent wetlands. The proposed docking structure consists of the construction of a 6' x 40' fixed walkway leading to a 10' x 12' fixed pierhead. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 3.1 wetland mitigation credits from an approved mitigation bank. The project purpose, as stated by the applicant, is to provide equipment access for barge loading to continue the maintenance of historic rice fields protected by conservation easement located within the Pee Dee River Rice Planters Historic District located along the eastern bank of the Great Pee Dee River.

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 Public Notice will serve as the notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act.

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 approximately 0.42 acre 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 Atlantic Sturgeon (*Acipenser oxyrinchus*) and the Shortnose Sturgeon (*Acipenser brevirostrum*), Federally endangered species, are present in the vicinity of the project. However, it has been determined that the project will have no effect on these species and will not result in the destruction or adverse modification of designated or proposed critical habitat.

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)(1)(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.

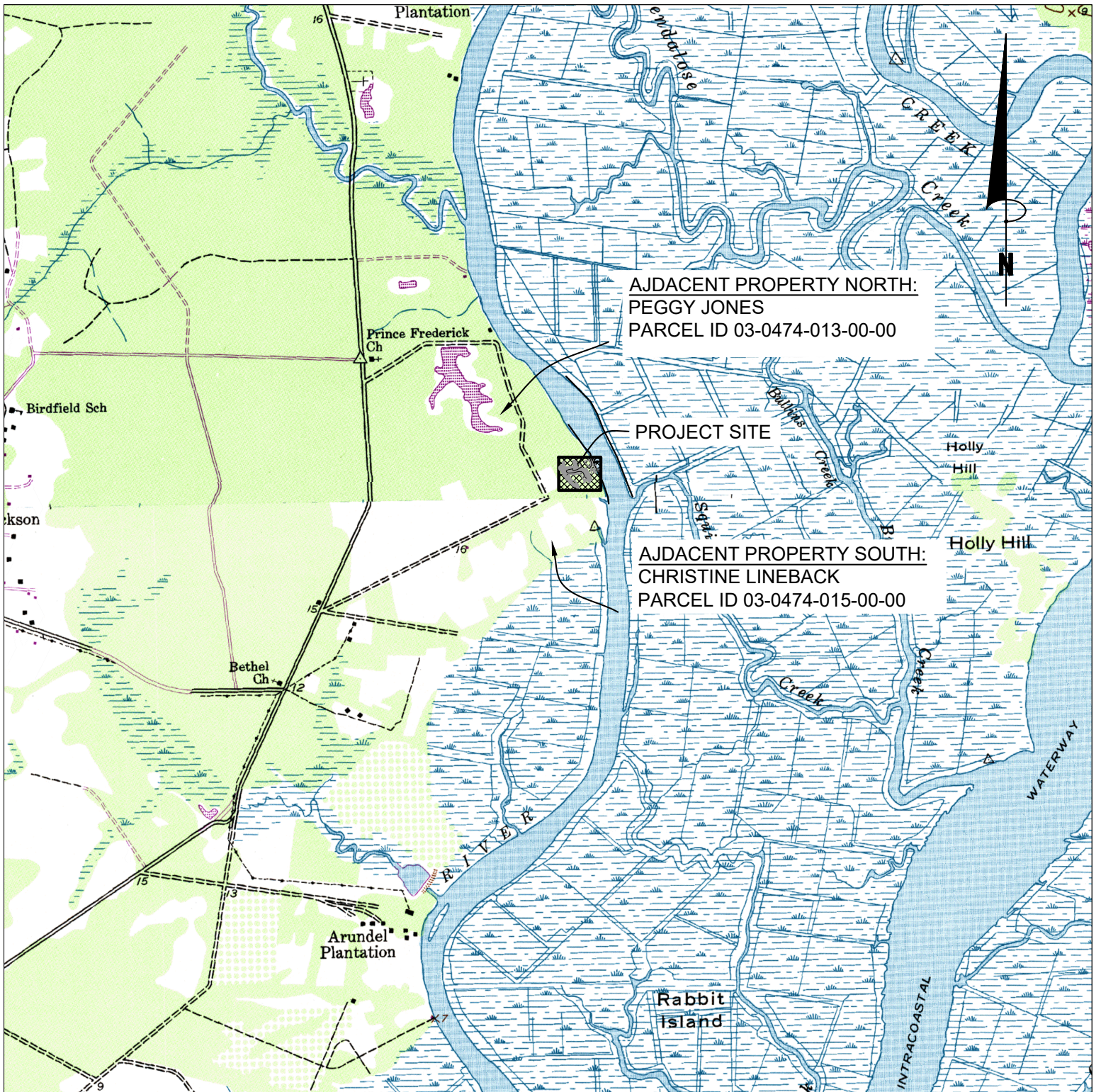
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority 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 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
1949 INDUSTRIAL PARK ROAD, ROOM 140
CONWAY, SOUTH CAROLINA 29526**

If there are any questions concerning this public notice, please contact Ann Eaddy, Project Manager, at (843) 365-4239 or by email at Ann.W.Eaddy@usace.army.mil.

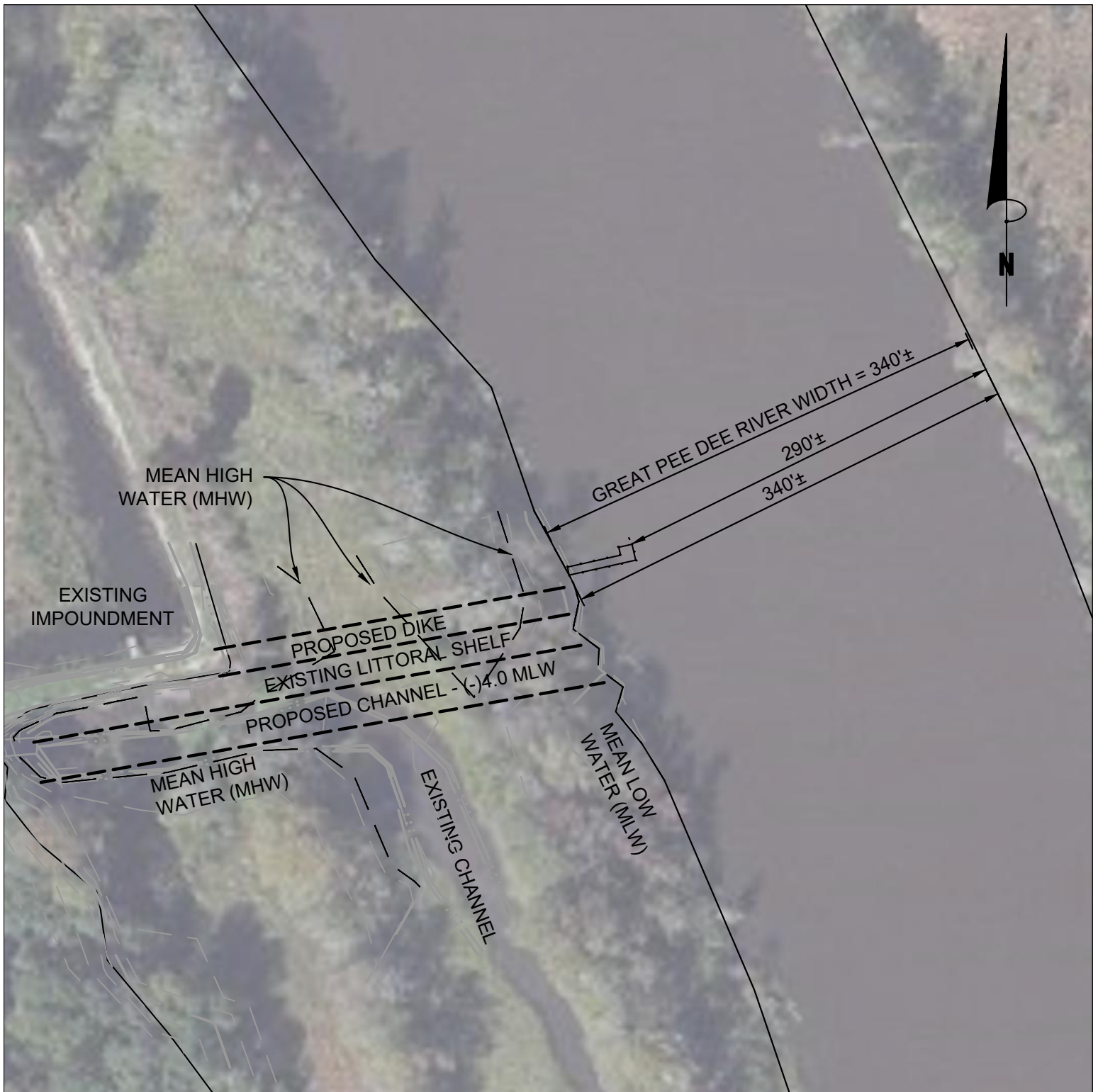


QUAD MAP

1" = 2,000'

OWENS DREDGE PERMITTING

APPLICANT: COLEMAN AND VIRGINIA OWENS
 PLANTERSVILLE, GEORGETOWN, SC
 APPLICATION NO: SAC-2020-00886

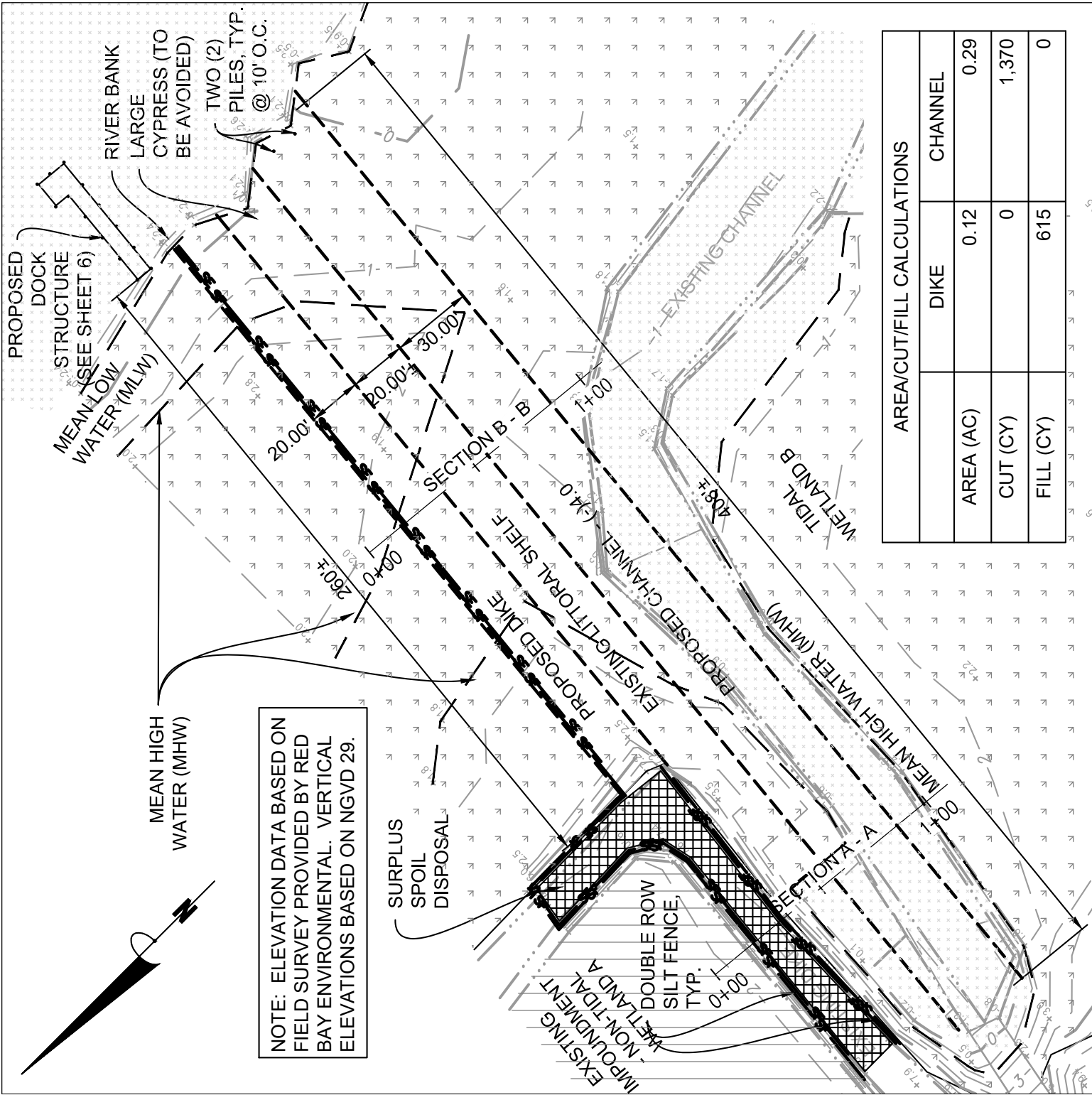


OVERALL SITE LAYOUT

1" = 100'

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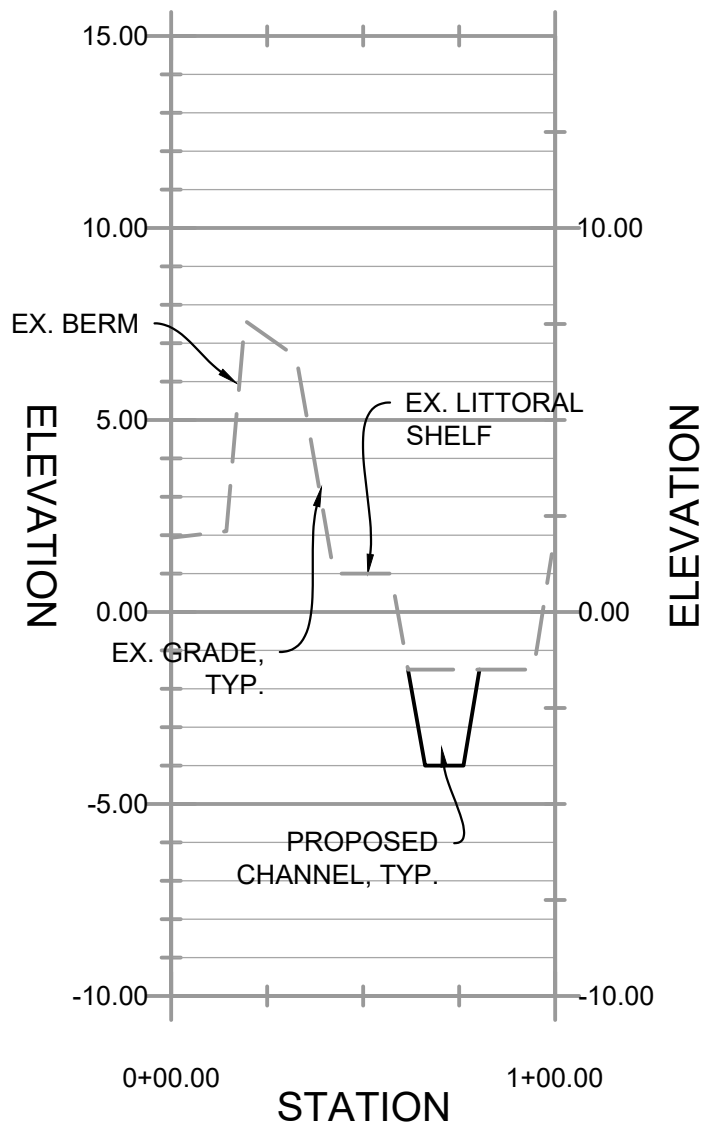
NOTE: ELEVATION DATA BASED ON FIELD SURVEY PROVIDED BY RED BAY ENVIRONMENTAL. VERTICAL ELEVATIONS BASED ON NGVD 29.

AREA/CUT/FILL CALCULATIONS	
	CHANNEL
AREA (AC)	0.12
CUT (CY)	0
FILL (CY)	615
	0

- EMERGENT WETLAND
- IMPOUNDMENT
- OPEN WATER

OVERALL SITE PLAN
1" = 50'

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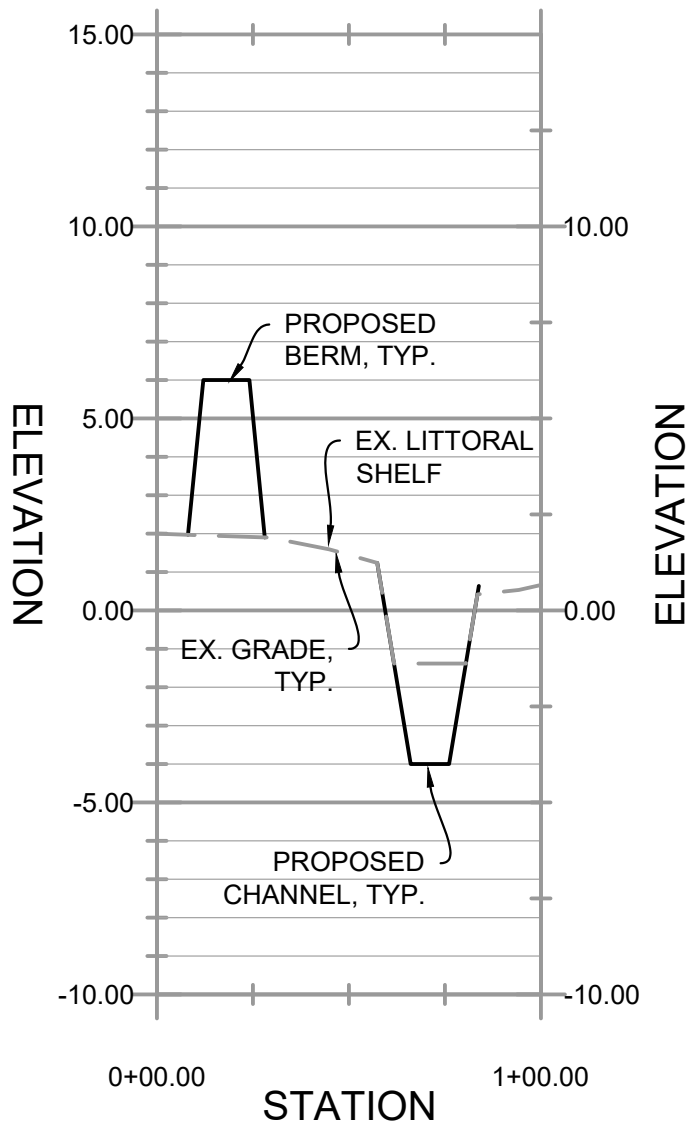
SECTION A - A
HORIZONTAL SCALE: 50.00
VERTICAL SCALE: 5.00

CROSS SECTION A-A

H: 1" = 50' V: 1" = 5'

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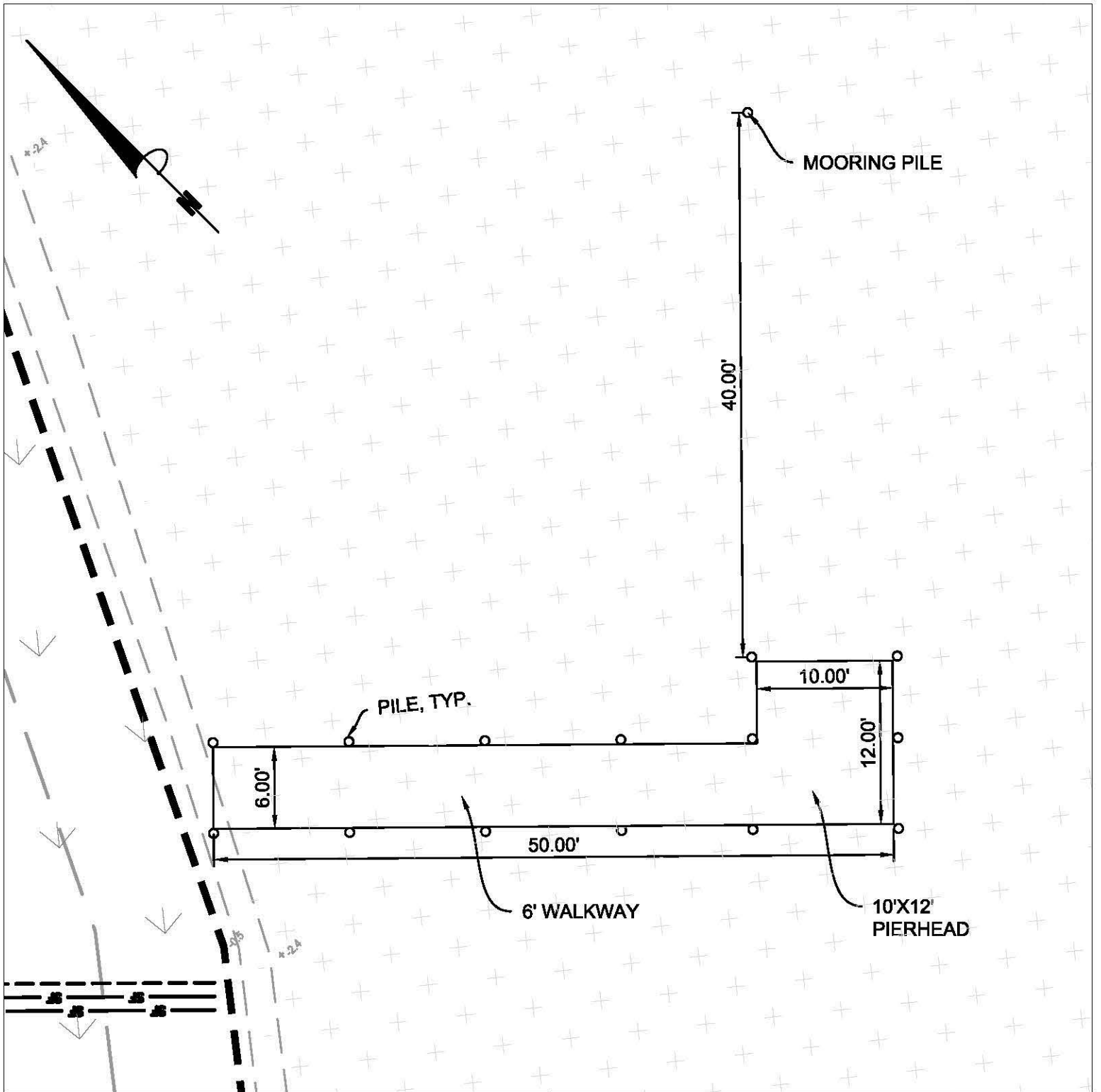
SECTION B - B
HORIZONTAL SCALE: 50.00
VERTICAL SCALE: 5.00

CROSS SECTION B-B

H: 1" = 50' V: 1" = 5'

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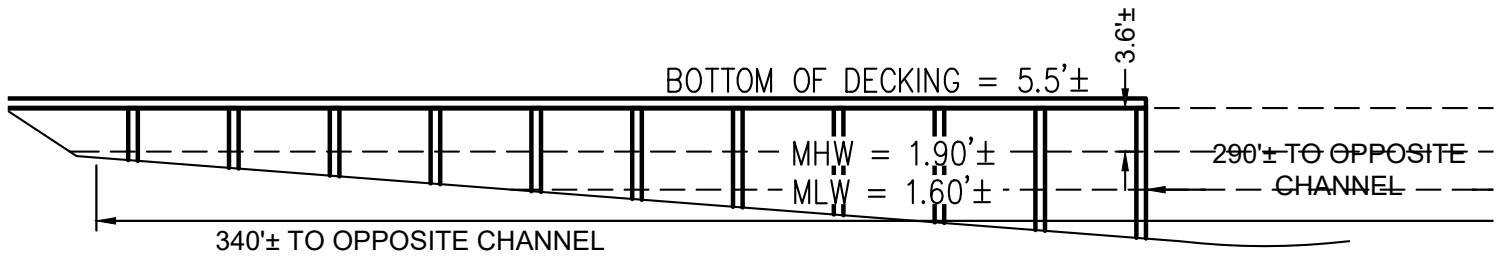
DOCK STRUCTURE

1" = 10'

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*Proposed Dock is approximately 380' from southern property boundary and approximately 385' from northern property boundary



DOCK CROSS SECTION

N.T.S.

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