

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
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N SAC-2016-01457

January 20, 2017

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. George Johnson
Wiley Fork Hope, LLC
c/o Mr. Cameron Dyson
Ducks Unlimited, Inc.
North Charleston, SC 29418

for a permit to excavate and place fill material into tidal wetlands and waters associated with the

Edisto River

within existing managed tidal impoundments at the Hope Plantation in Green Pond, Colleton County, South Carolina (Latitude: 32.6911°N, Longitude: -80.46391°W), Fenwick 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 constructing a new interior cross-dike embankment adjacent to an existing interior cross-dike embankment that would allow individual fields to be dewatered independently from other field. The construction of the new embankment involves the excavation of approximately 37,595 cubic yards of material from 6.47 acres of wetlands and waters to create

two approximately 6,733' long, 20' wide, 5' deep interior canals and the discharge of the excavated material into 6.73 acres of wetlands and waters to create one approximately 6,733' long, 22' wide (top width) field-dike with 3:1 side slopes. One canal would be located on each side of the new field-dike a minimum of 10' away from either toe of slope of the new field-dike to establish a berm that would be at the existing grade of the impoundment field. The field-dike would contain three new 18" tall x 5' wide x 36' long wooden rice trunks with flash board risers and 16' bulkheads with 8' wingwalls. The project's purpose is to enhance water circulation capabilities within the existing managed tidal impoundments.

Total impacts associated with the proposed project would be approximately 13.2 acres of wetlands and waters. The proposed new embankment was designed to have the smallest footprint practicable while still allowing the structure to meet necessary specification for equipment access. The proposed work would occur in the dry and excavation/fill material would not be double handled. The managed tidal impoundments are historic rice fields managed for migratory birds that have diverse wetland habitat requirements in partnership with the property owner/applicant and Ducks Unlimited with contributions from a North American Wetland Conservation Act (NAWCA) grant. The applicant has proposed no mitigation for the impacts to wetlands and waters because the project is consistent with management practices for tidal impoundments and would enhance wildlife habitat.

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 13.2 acres of tidal wetlands upstream 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 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 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. The Catawba Indian Nation provided comments dated April 13, 2016, to U.S. Fish and Wildlife Service in regard to the NAWCA grant for this project that they have no immediate concerns for this project (THPO # 2016-107-8).

Pursuant to Section 106 of the NHPA the State Historic Preservation Office provided comments dated May 17, 2016 to U.S. Fish and Wildlife Service in regard to the NAWCA grant for this project that the proposed undertaking will have no adverse effect on National Register properties (SHPO # 16JS0118). 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 any other interested parties to provide any information they may have with regard to historic properties.

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. 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.

REGULATORY DIVISION
SAC-2016-01457

DATE January 20, 2017

Please submit comments in writing, identifying the project of interest by public notice number, to the following address:

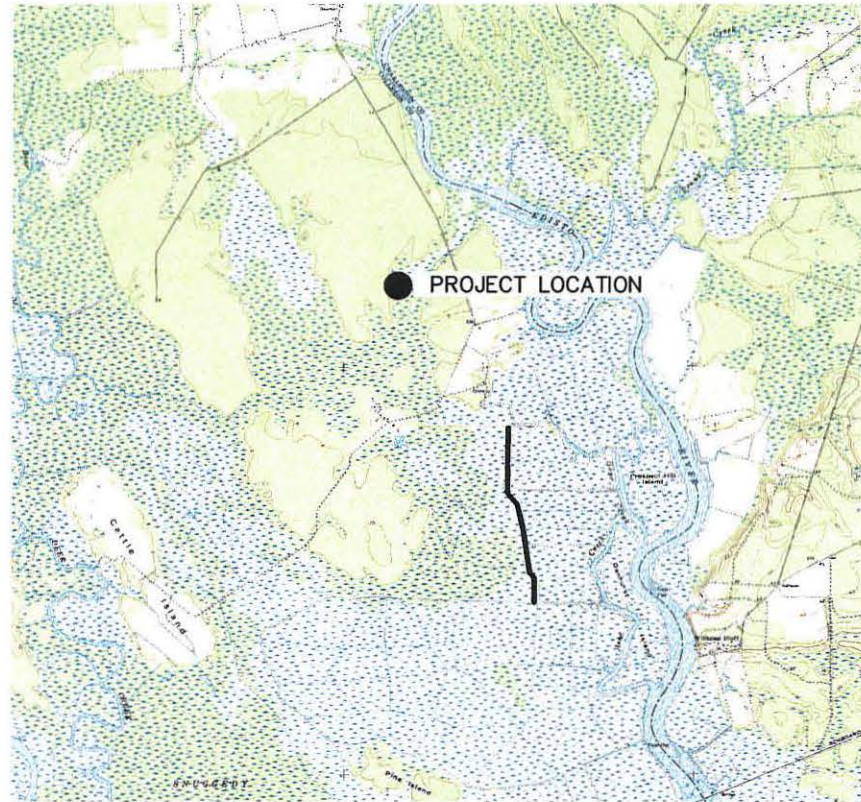
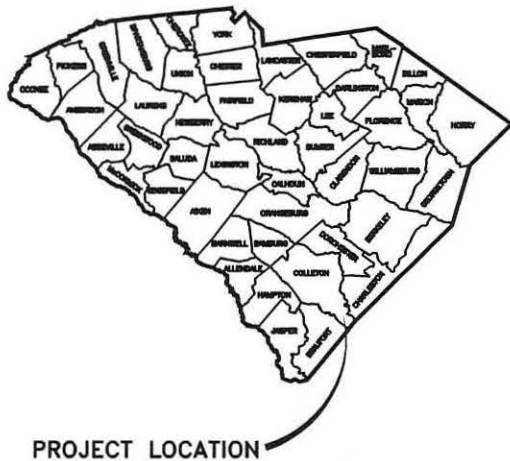
**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

If there are any questions concerning this public notice, please contact Leslie Estill, Project Manager, at (843) 329-8039 or toll free at 1-866-329-8187.



HOPE PLANTATION ACE BASIN

COLLETON COUNTY
SOUTH CAROLINA



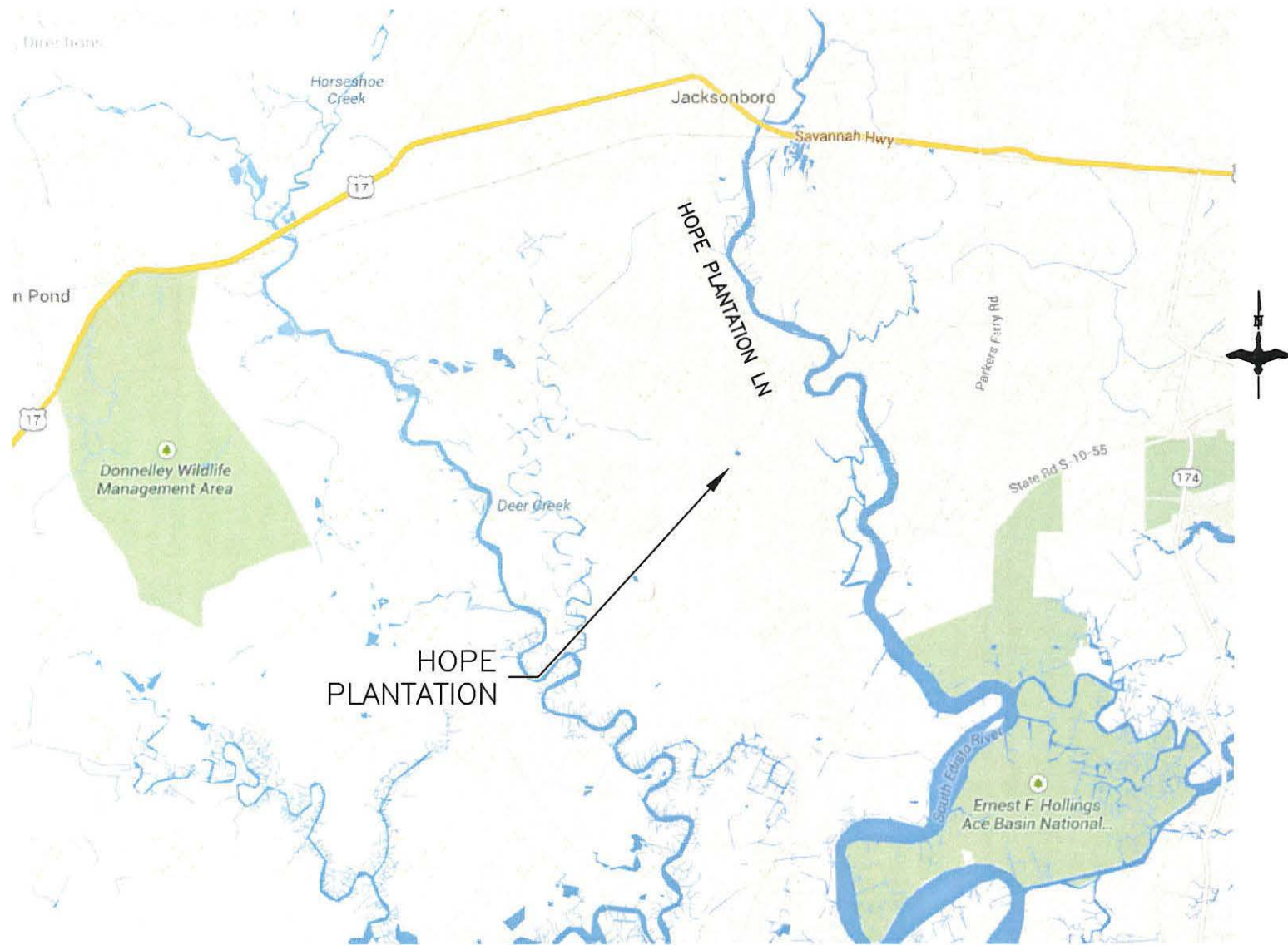
INDEX

- 1 COVER SHEET
- 2 VICINITY MAP
- 3 OVERALL LAYOUT
- 4 PLAN LEVEE
- 5 PLAN LEVEE
- 6 LEVEE SECTIONS
- 7 RICE TRUNK DETAIL
- 8 SUMMARY OF IMPACTS

CAUTION

The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.

APPLICATION NUMBER:	DUCKS UNLIMITED INC.  SOUTHERN REGIONAL OFFICE 193 Business Park Drive; Suite E Ridgeland, MS 39157 Certificate Of Authorization No. C02504	PROJECT NO.:	DU-SC-1-62
PROPOSED ACTIVITY: CONSTRUCTION OF NEW DIKES, CANALS AND WATER CONTROL STRUCTURES		PROJECT TITLE:	HOPE PLANTATION
DATE: 08-05-16		SHEET TITLE:	COVER SHEET
COUNTY: COLLETON		LATITUDE/LONGITUDE:	32.6667° / 80.4327°
	APPLICANT: WILEY FORK HOPE, LLC	AGENT:	DAN BAKER
			SHEET 1 OF 8

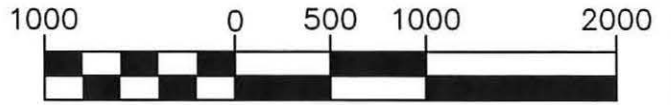


CAUTION

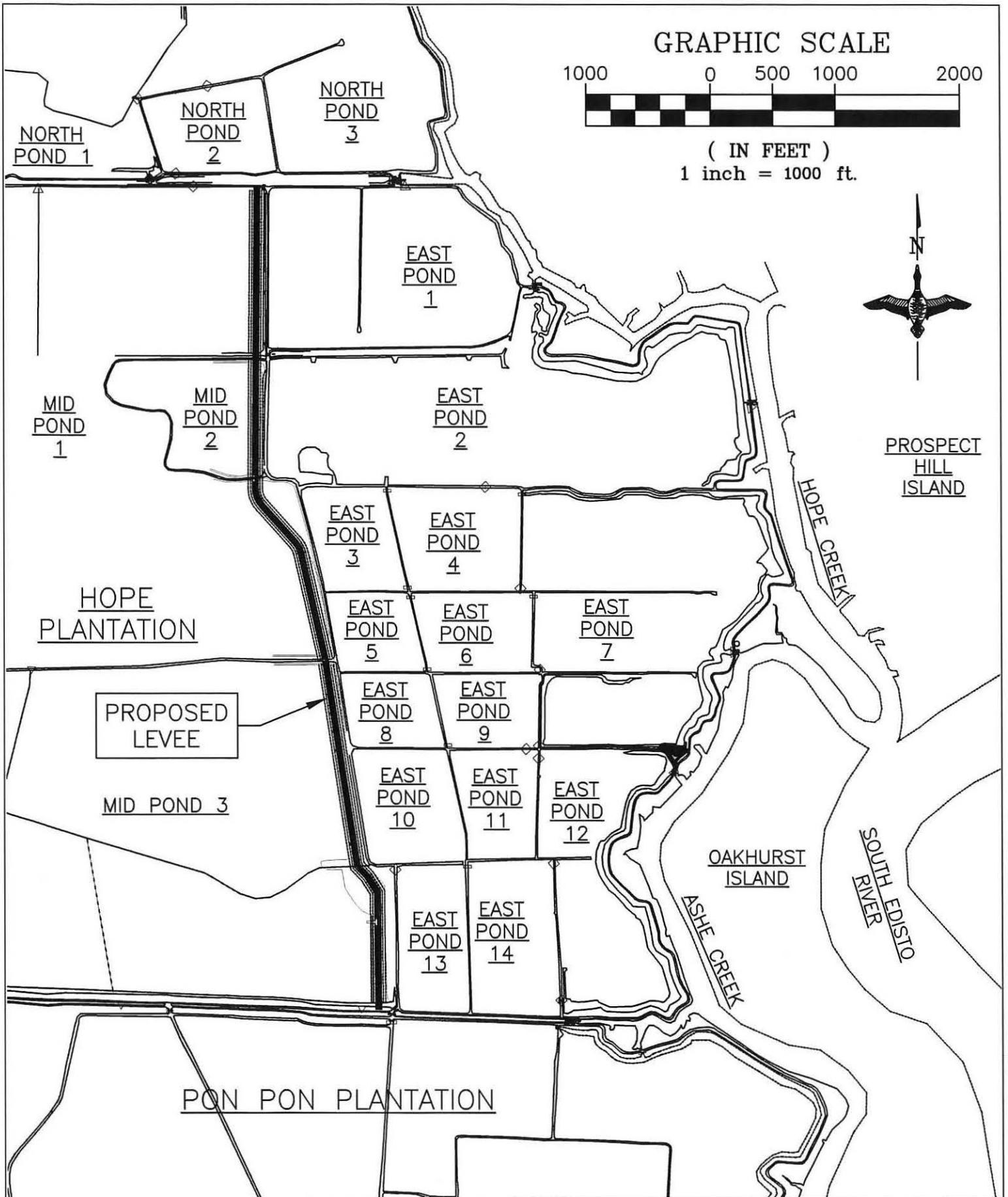
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PROPOSED ACTIVITY: CONSTRUCTION OF NEW DIKES, CANALS AND WATER CONTROL STRUCTURES		PROJECT TITLE:	HOPE PLANTATION	
DATE: 08-05-16		SHEET TITLE:	VICINITY MAP	
COUNTY: COLLETON		LATITUDE/LONGITUDE:	32.6667° / 80.4327°	
	APPLICANT: WILEY FORK HOPE, LLC	AGENT:	DAN BAKER	SHEET 2 OF 8

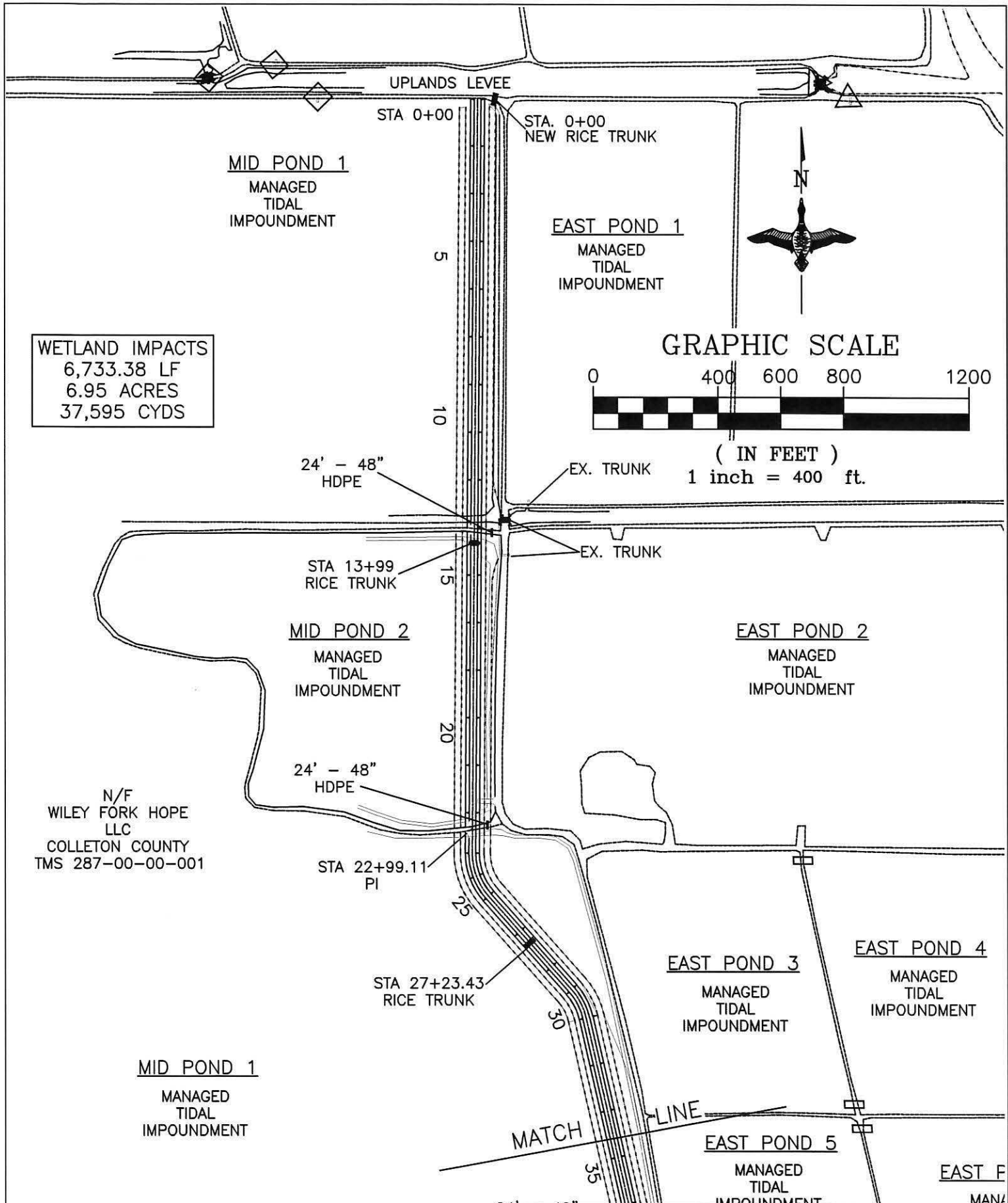
GRAPHIC SCALE



(IN FEET)
1 inch = 1000 ft.

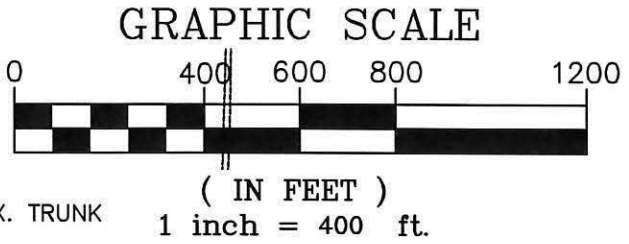


APPLICATION NUMBER:	DUCKS UNLIMITED INC.  SOUTHERN REGIONAL OFFICE 193 Business Park Drive; Suite E Ridgeland, MS 39157 Certificate Of Authorization No. C02504	PROJECT NO.:	DU-SC-1-62
PROPOSED ACTIVITY: CONSTRUCTION OF NEW DIKES, CANALS AND WATER CONTROL STRUCTURES		PROJECT TITLE:	HOPE PLANTATION
DATE: 08-05-16	WILEY FORK HOPE, LLC APPLICANT:	SHEET TITLE:	OVERVIEW MAP
COUNTY: COLLETON		LATITUDE/LONGITUDE:	32.6667° / 80.4327°
		AGENT:	DAN BAKER
			SHEET 3 OF 8



WETLAND IMPACTS
 6,733.38 LF
 6.95 ACRES
 37,595 CYDS

N/F
 WILEY FORK HOPE
 LLC
 COLLETON COUNTY
 TMS 287-00-00-001



APPLICATION NUMBER:	DUCK'S UNLIMITED INC.  SOUTHERN REGIONAL OFFICE 193 Business Park Drive; Suite E Ridgeland, MS 39157 Certificate Of Authorization No. C02504	PROJECT NO.:	DU-SC-1-62
PROPOSED ACTIVITY: CONSTRUCTION OF NEW DIKES, CANALS AND WATER CONTROL STRUCTURES		PROJECT TITLE:	HOPE PLANTATION
DATE:	08-05-16	SHEET TITLE:	PLAN LEVEE
COUNTY:	COLLETON	LATITUDE/LONGITUDE:	32.6667° / 80.4327°
	WILEY FORK HOPE, LLC	AGENT:	DAN BAKER
			SHEET 4 OF 8

MID POND 1

MATCH LINE

EAST POND 5

MANAGED TIDAL IMPOUNDMENT

EAST POND 6

MANAGED TIDAL IMPOUNDMENT

EAST POND 7

MANAGED TIDAL IMPOUNDMENT

24' - 48" HDPE

EX. TRUNK

EX. TRUNK

STA 38+92.50 PI

EAST POND 8

MANAGED TIDAL IMPOUNDMENT

GRAPHIC SCALE



(IN FEET)

1 inch = 400 ft.

N/F
WILEY FORK HOPE
LLC
COLLETON COUNTY
TMS 287-00-00-001

45

EAST POND 10

MANAGED TIDAL IMPOUNDMENT

EAST POND 11

MANAGED TIDAL IMPOUNDMENT

EAST POND 12

MANAGED TIDAL IMPOUNDMENT

MID POND 3

MANAGED TIDAL IMPOUNDMENT

50

55

EAST POND 13

MANAGED TIDAL IMPOUNDMENT

EAST POND 14

MANAGED TIDAL IMPOUNDMENT

65

EX. TRUNK

STA 67+33.38
END

40' - 48" HDPE

PON PON
PLANTATION

APPLICATION NUMBER:

PROPOSED ACTIVITY:
CONSTRUCTION OF NEW DIKES, CANALS
AND WATER CONTROL STRUCTURES

DATE:
08-05-16

COUNTY:
COLLETON

DUCKS
UNLIMITED
INC.



SOUTHERN REGIONAL OFFICE
193 Business Park Drive; Suite E
Ridgeland, MS 39157
Certificate Of Authorization No. C02504

APPLICANT:
WILEY FORK HOPE, LLC

PROJECT NO.: DU-SC-1-62

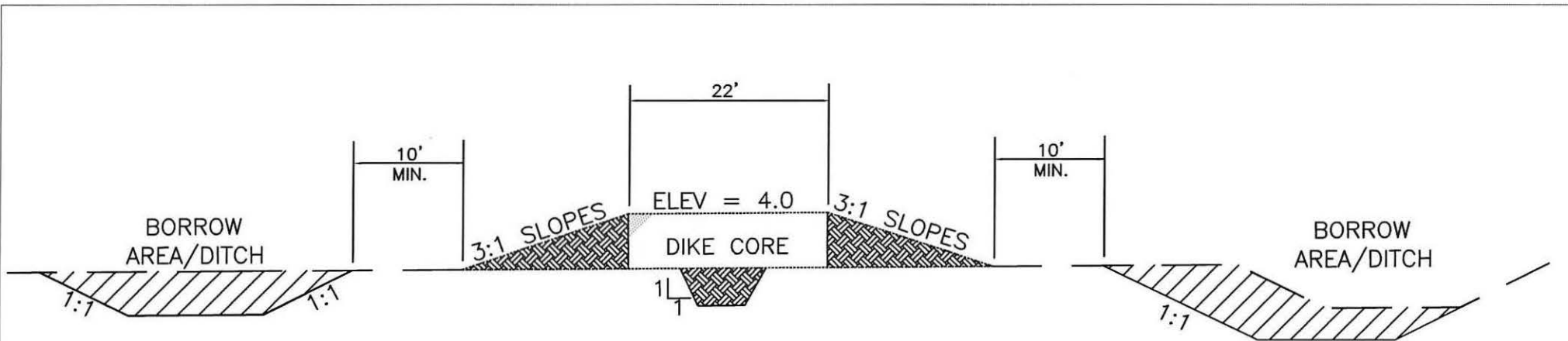
PROJECT TITLE: HOPE PLANTATION

SHEET TITLE: PLAN LEVEE

LATITUDE/LONGITUDE: 32.6667° / 80.4327°

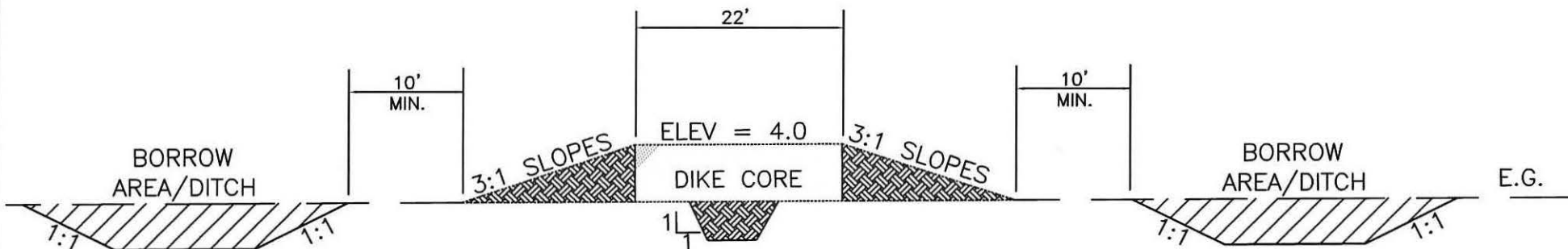
AGENT: DAN BAKER

SHEET 5 OF 8



CROSS DIKE # 2 SECTION
 STA 0+00 - 23+00
 NOT TO SCALE

WETLAND IMPACTS
 6733.38 LF
 6.47 ACRES
 37,169 CYDS

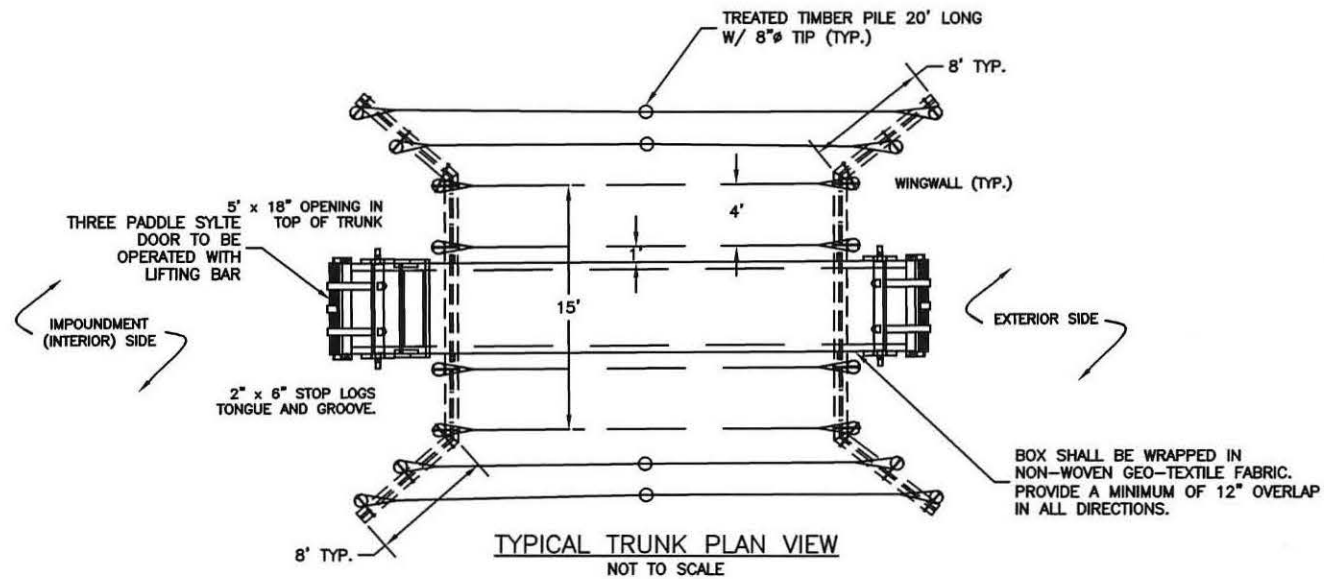


CROSS DIKE # 2 SECTION
 STA 23+00 - 67+33
 NOT TO SCALE

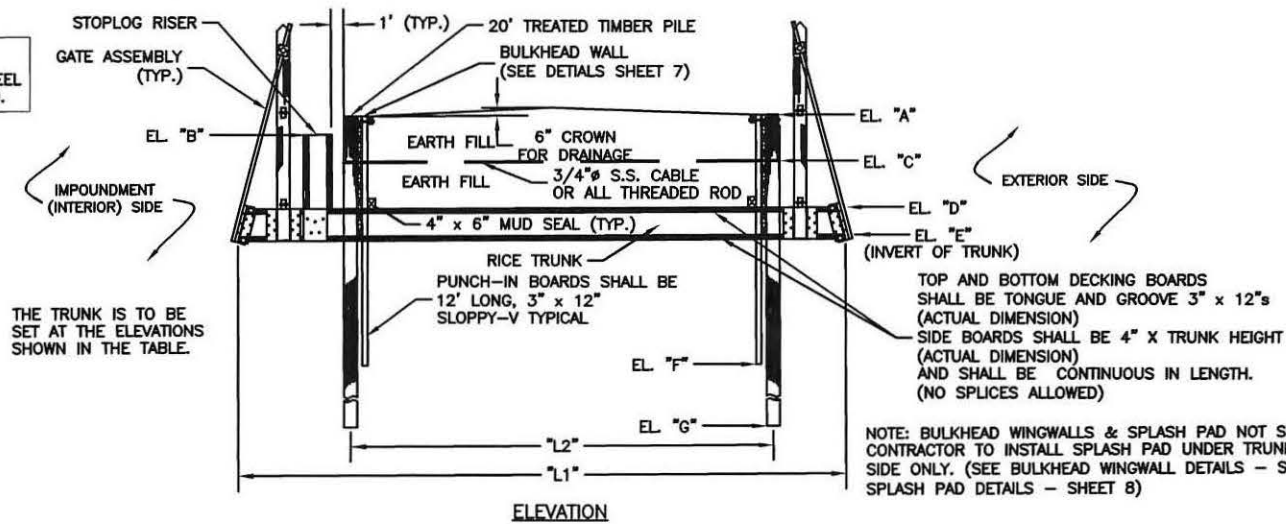
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PROPOSED ACTIVITY: CONSTRUCTION OF NEW DIKES, CANALS AND WATER CONTROL STRUCTURES		PROJECT TITLE:	HOPE PLANTATION
DATE: 08-05-16		SHEET TITLE:	LEVEE SECTIONS
COUNTY: COLLETON		APPLICANT: WILEY FORK HOPE, LLC	LATITUDE/LONGITUDE: 32.6667° / 80.4327°
		AGENT:	DAN BAKER
			SHEET 6 OF 8



NOTE:
ALL HARDWARE SHALL BE
GRADE 316 STAINLESS STEEL
UNLESS OTHERWISE NOTED.



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PROPOSED ACTIVITY: CONSTRUCTION OF NEW DIKES, CANALS AND WATER CONTROL STRUCTURES		PROJECT TITLE:	HOPE PLANTATION
DATE: 08-05-16	SOUTHERN REGIONAL OFFICE 193 Business Park Drive; Suite E Ridgeland, MS 39157 Certificate Of Authorization No. C02504	SHEET TITLE:	TRUNK DETAIL
COUNTY: COLLETON	WILEY FORK HOPE, LLC APPLICANT:	LATITUDE/LONGITUDE:	32.6667° / 80.4327°
		AGENT:	DAN BAKER
			SHEET 7 OF 8

SUMMARY OF IMPACTS

<u>AREA</u>	<u>UPLAND EXCAVATION</u>	<u>WETLAND AREA EXCAVATION</u>	<u>WETLAND AREA FILL</u>
NEW LEVEE	NA	6.47 AC. – 37,595 CY	6.73 AC. – 37,595 CY

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PROPOSED ACTIVITY: CONSTRUCTION OF NEW DIKES, CANALS AND WATER CONTROL STRUCTURES		PROJECT TITLE: HOPE PLANTATION
DATE: 08-05-16		SHEET TITLE: SUMMARY OF IMPACTS
COUNTY: COLLETON	APPLICANT: WILEY FORK HOPE, LLC	LATITUDE/LONGITUDE: 32.6667° / 80.4327°
	AGENT: DAN BAKER	SHEET 8 OF 8