

PUBLIC NOTICE

**CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

REGULATORY DIVISION

Refer to: SAC-2016-01867-MOD 7

January 26, 2024

Pursuant to the Final Rule on Compensatory Mitigation for Losses of Aquatic Resources (33 CFR Parts 325 and 332 and 40 CFR Part 230), 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. 1341) and the South Carolina Coastal Zone Management Act (48-39-10 et. seq.), a proposed modification (IMD) to the Palmetto Umbrella Mitigation Bank has been submitted to the Department of the Army and the South Carolina Interagency Review Team by

**Weyerhaeuser NR Company
Attention: Doug Hughes
406 Cole Road
Hattiesburg, Mississippi 39402**

for a proposal to add a stream and wetland mitigation site called Ace Basin Mitigation Site (ABMS) located within the

Edisto River Basin

west of and adjacent to the Edisto River, north of U.S. Highway 17 in Jacksonboro, Colleton County, SC (Latitude 32.7977 Longitude: -80.4383), Jacksonboro Quadrangle sheet.

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

30 Days from the Date of this Notice,

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

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

Applicant's Stated Purpose

As stated by the Program Sponsor, the primary goal of the ABMS is the restoration, enhancement, preservation, and perpetual protection of freshwater wetlands and streams within the Edisto River Watershed while providing compensatory mitigation for impairments associated with authorized (permitted) impacts. In whole, mitigation activities proposed for the Site would accomplish the following watershed scale and site-specific objectives:

Watershed Scale Objectives

Placing a conservation easement on over 2,000 acres of lands that are immediately adjacent to the Edisto River's floodplain and an existing conservation easement within the ACE Basin would provide a unique opportunity to protect, restore and enhance aquatic and terrestrial resources from encroachment and degradation that would be caused by future site management and development,

Improve flood attenuation in the Edisto Watershed by reconnecting headwater and downstream wetlands, floodplains, and stream systems,

Enhance water quality in the watershed through the reconnection of aquatic resources, improvements to in-stream geomorphology, and the reestablishment of native vegetation that improves biological and chemical processes within stream, wetland systems, and terrestrial systems.

Site-Specific Objectives

Increase native vegetative diversity within the Site by planting appropriate hardwood forest community species in both terrestrial and degraded wetlands,

Improve water quality through the reconnection of aquatic resources, improvements to in-stream geomorphology, and the re-establishment of native vegetation, which increases pollutant removal through overland flow and improves biological and chemical processes within stream and wetland systems,

Re-establishment of characteristic wetland hydrology and resultant increased hydrologic residency,

Improve flood attenuation by reconnecting significant headwater streams and downstream wetlands, floodplains, and stream systems,

Enhance and increase terrestrial and aquatic habitat for a variety of species through the restoration, enhancement, and preservation of stable stream and wetland systems,

Protect stream reach's function by placing a conservation easement over

the stream and associated buffer

Increase infiltration rates in the lateral drainage area and reduce potential sediment/nutrient/pollutant inputs to the reach from overland sources, by restoring natural, non-managed forests within the lateral drainage area and removing concentrated flow points to the restored reaches,

Reduce stress on stream banks and loss of sediment from banks, and provide overbank flood relief and flow attenuation, by restoring a more natural/reference condition bankfull dimension to the channel and either excavating a floodplain (PII restoration) at the bankfull discharge elevation or restoring bankfull discharges to its natural ground elevation at the top of bank,

Project Description

The proposed project consists of establishing a freshwater stream and wetland mitigation site in the Edisto River Basin (8-digit Hydrologic Unit Code 03050206) located in the Middle Atlantic Coastal Plain Level III Ecoregion. The proposed 2,052-acre mitigation site includes approximately 1,412 acres of freshwater wetlands, 640 acres of uplands, and 10,032 linear feet of stream.

The proposal for wetlands consists of 59.2 acres of freshwater wetland restoration, 1,144.8 acres of vegetative and/or hydrologic enhancement, and preservation of 240.2 acres of freshwater wetland. The proposed mitigation activities include plugging drainage ditches, removal of bedded planting areas, removal of existing roads, and planting of native hardwood wetland species.

The proposal for streams consists of 9,398 linear feet of stream restoration/enhancement to include improved stream crossings, reduced incision, bank stabilization, and improved bed form diversity. In addition, 634 linear feet of stream will be preserved and buffered.

As proposed the mitigation bank would provide in-kind compensatory mitigation for authorized impacts to aquatic resources within the proposed service areas (as shown on the attached map). The work required to complete the proposed activities on the mitigation site could potentially be authorized under Nationwide Permit #27 after reviews by the Corps, the South Carolina Department of Health and Environmental Control, and the Interagency Review Team.

South Carolina Department of Health and Environmental Control

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the certifying authority, South Carolina Department of Health and Environmental Control, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). 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.

Essential Fish Habitat

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 wetlands and streams 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.

Endangered Species Act

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and determined that the following species have the potential to occur in the vicinity of the proposed work:

Canby's Dropwort (*Oxypolis canbyi*), Eastern Black Rail (*Laterallus jamaicensis jamaicensis*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), Loggerhead Sea Turtle (*Caretta caretta*), Pipping Plover (*Charadrius melodus*), Pondberry (*Lindera melissifolia*), Red-cockaded Woodpecker (*Picoides borealis*), Rufa Red Knot (*Calidris canutus rufa*), West Indian Manatee (*Trichechus manatus*), Wood Stork (*Mycteria americana*), Northern Long-eared Bat (*Myotis septentrionalis*) and Tri-colored Bat (*Perimyotis subflavus*).

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has made no determination of effect on any Federally endangered, threatened, or proposed species. 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 Federally listed or proposed to be listed endangered or threatened species and/or designated or proposed critical habitat may be present in the area which would be affected by the activity. Consultation will be initiated with the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS) as needed for any determinations, made by the Corps, other than No Effect, and in the case of species under the per view of USFWS, where concurrence has not been already obtained via the USFWS Information for Planning and Consultation (IPaC) Tool (USFWS project code: 2024-0039678). If necessary, a biological assessment (or other similar document) detailing our analysis of the potential effects of the action on these species will be provided to the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service at that time.

Cultural Resources

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 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)), and has initially determined that historic properties, are present; moreover, these historic properties may be affected by the undertaking. This public notice serves to notify the State Historic Preservation Office that the Corps plans to initiate Section 106 consultation on these historic properties. Individuals or groups who would like to be consulting parties for the purposes of the NHPA should make such a request to the Corps in writing within 30 days of this public notice. 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.

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.

Corps' Evaluation

The decision whether to approve or deny the proposed mitigation bank will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. 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. In cases of conflicting property rights, the Corps cannot undertake to adjudicate rival claims.

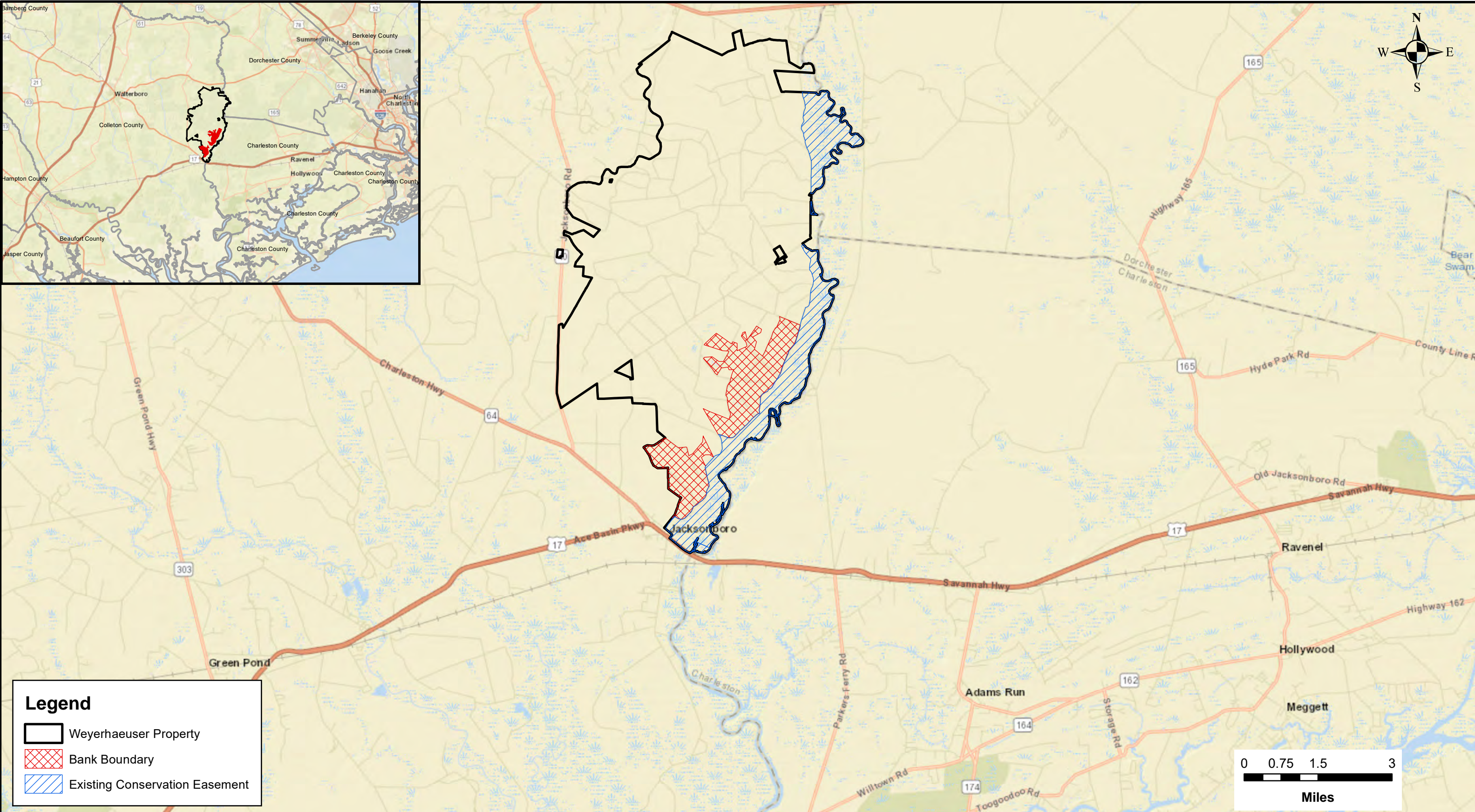
Solicitation of Public Comment

The Corps is soliciting comments from the public; Federal, state, 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 approve or deny the proposed mitigation bank. 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 by email, identifying the project of interest (SAC-2016-01867-MOD 7) by public notice number, to David.B.Wilson@usace.army.mil or in writing to the following address:**

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

A complete copy of the prospectus is available online in the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS) at <https://ribits.ops.usace.army.mil/> and
REGULATORY DIVISION

January 26, 2024



Map Source: ESRI

Boundaries are approximate and not meant to be absolute.

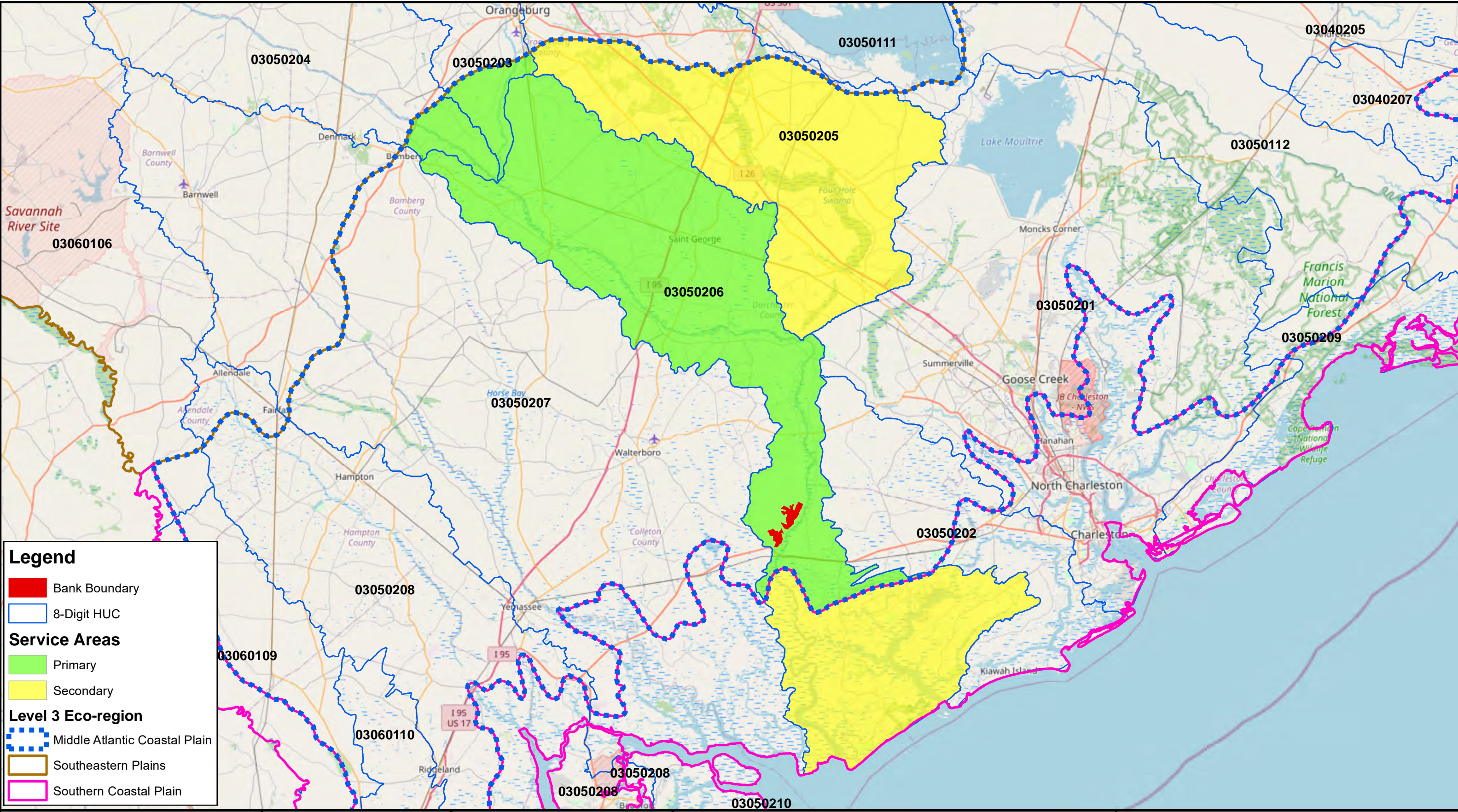
Prepared By:



Prepared For:




Ace Basin Mitigation Site
Palmetto Umbrella Mitigation Bank
Instrument Modification Document
Appendix A





Legend

 Bank Boundary

Prepared By:



Prepared For:



**Ace Basin Mitigation Site
Palmetto Umbrella Mitigation Bank
Instrument Modification Document
Appendix A**


Figure 3A: Aerial Imagey 1957

**ACE Basin Site
Colleton County, SC**

Boundaries are approximate and not
meant to be absolute.



Legend

 Bank Boundary

Prepared By:



Prepared For:

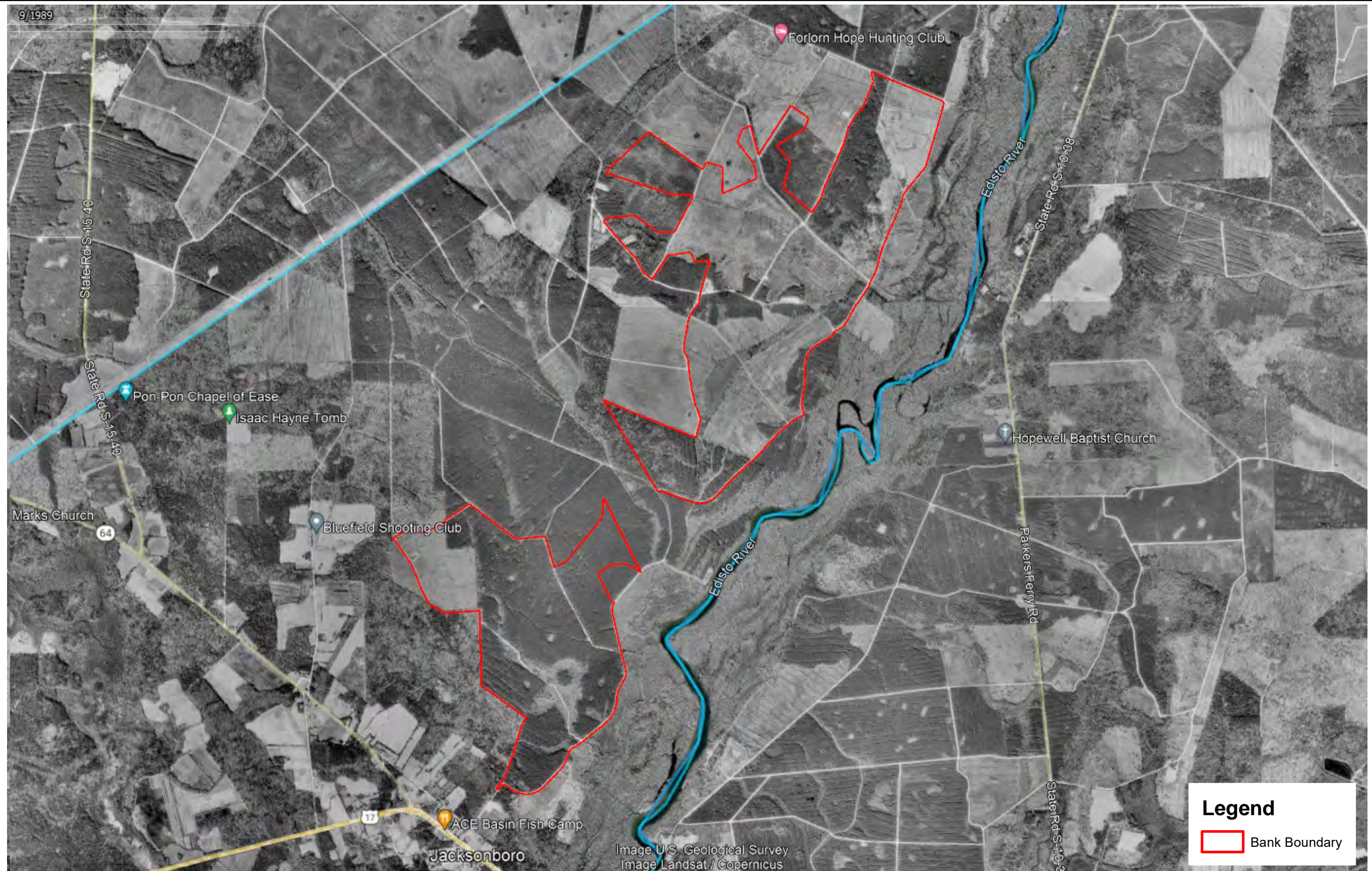


**Ace Basin Mitigation Site
Palmetto Umbrella Mitigation Bank
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Appendix A**

Figure 3B: Aerial Imagey 1972

**ACE Basin Site
Colleton County, SC**

Boundaries are approximate and not
meant to be absolute.



Boundaries are approximate and not meant to be absolute.

Prepared By:



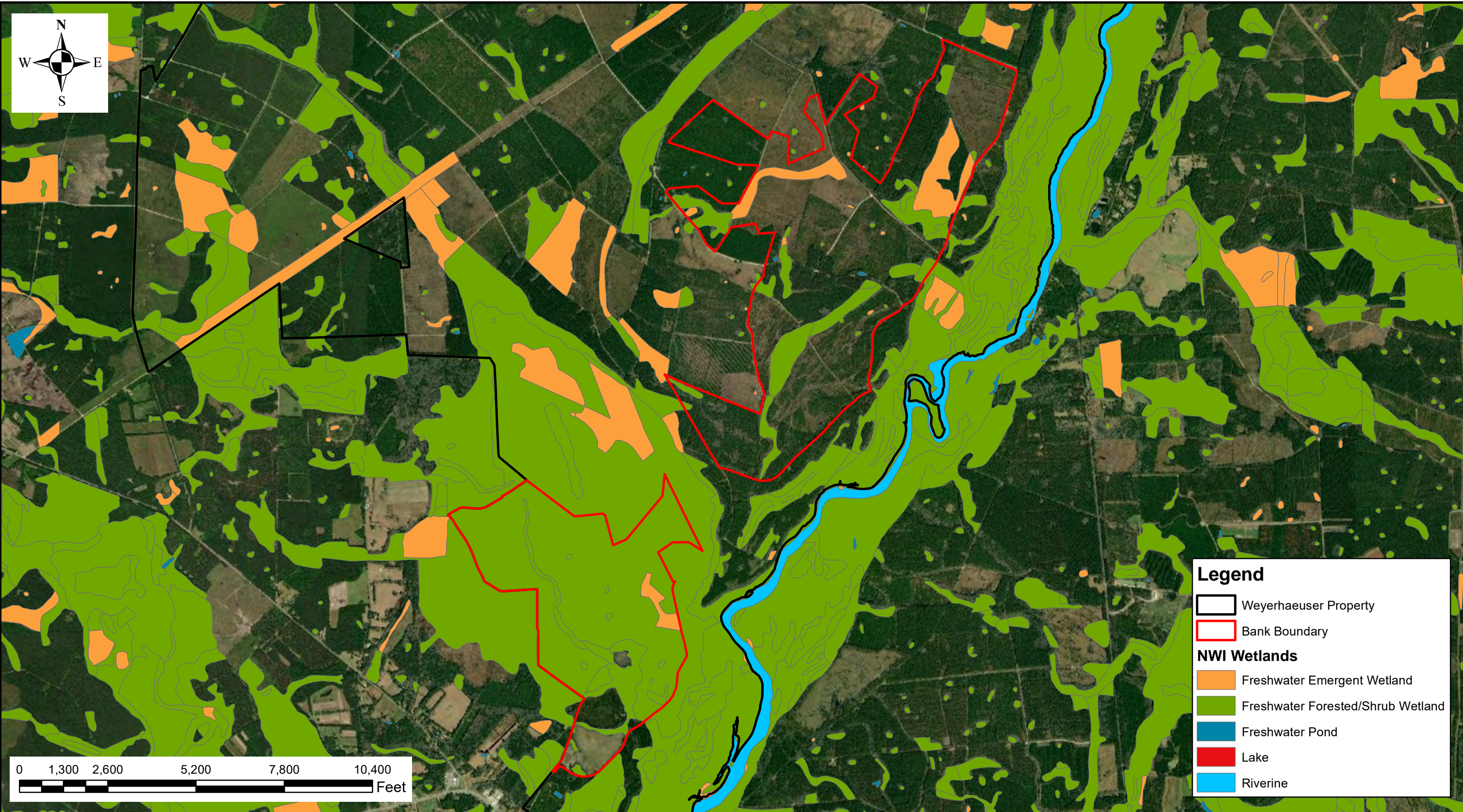
Prepared For:



**Ace Basin Mitigation Site
Palmetto Umbrella Mitigation Bank
Instrument Modification Document
Appendix A**

Figure 3C: Aerial Imagey 1989

**ACE Basin Site
Colleton County, SC**



Legend

Weyerhaeuser Property

Bank Boundary

NWI Wetlands

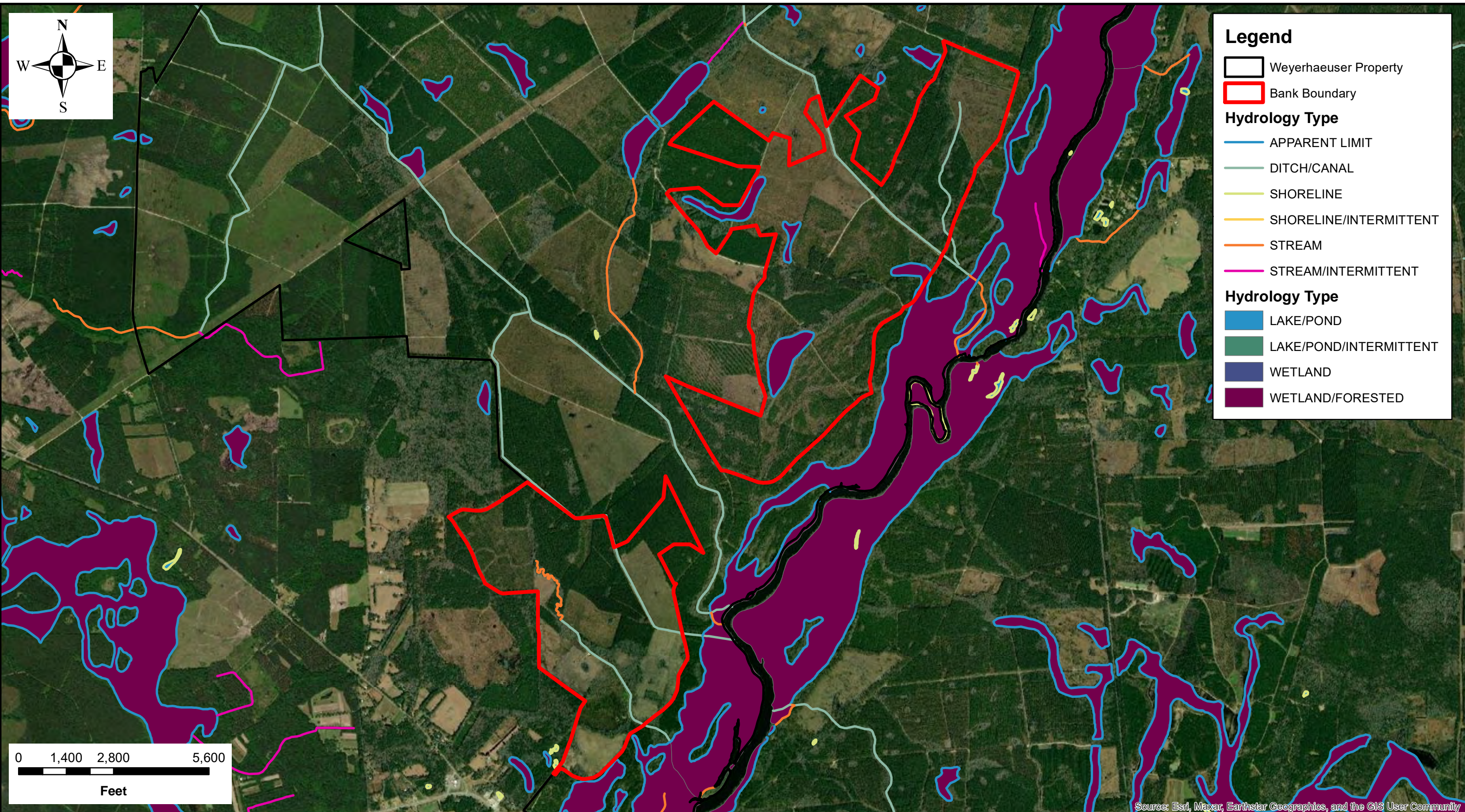
Freshwater Emergent Wetland

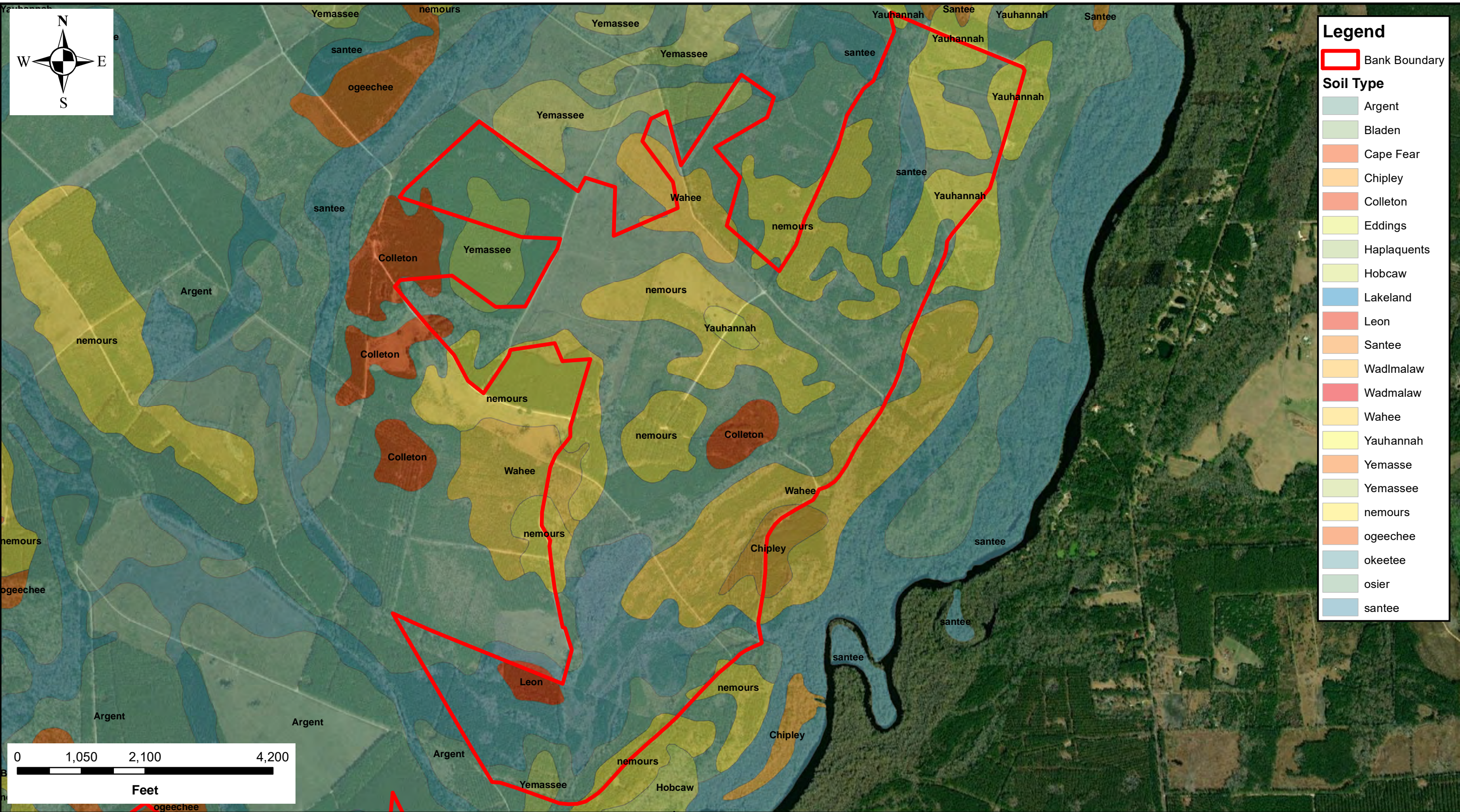
Freshwater Forested/Shrub Wetland

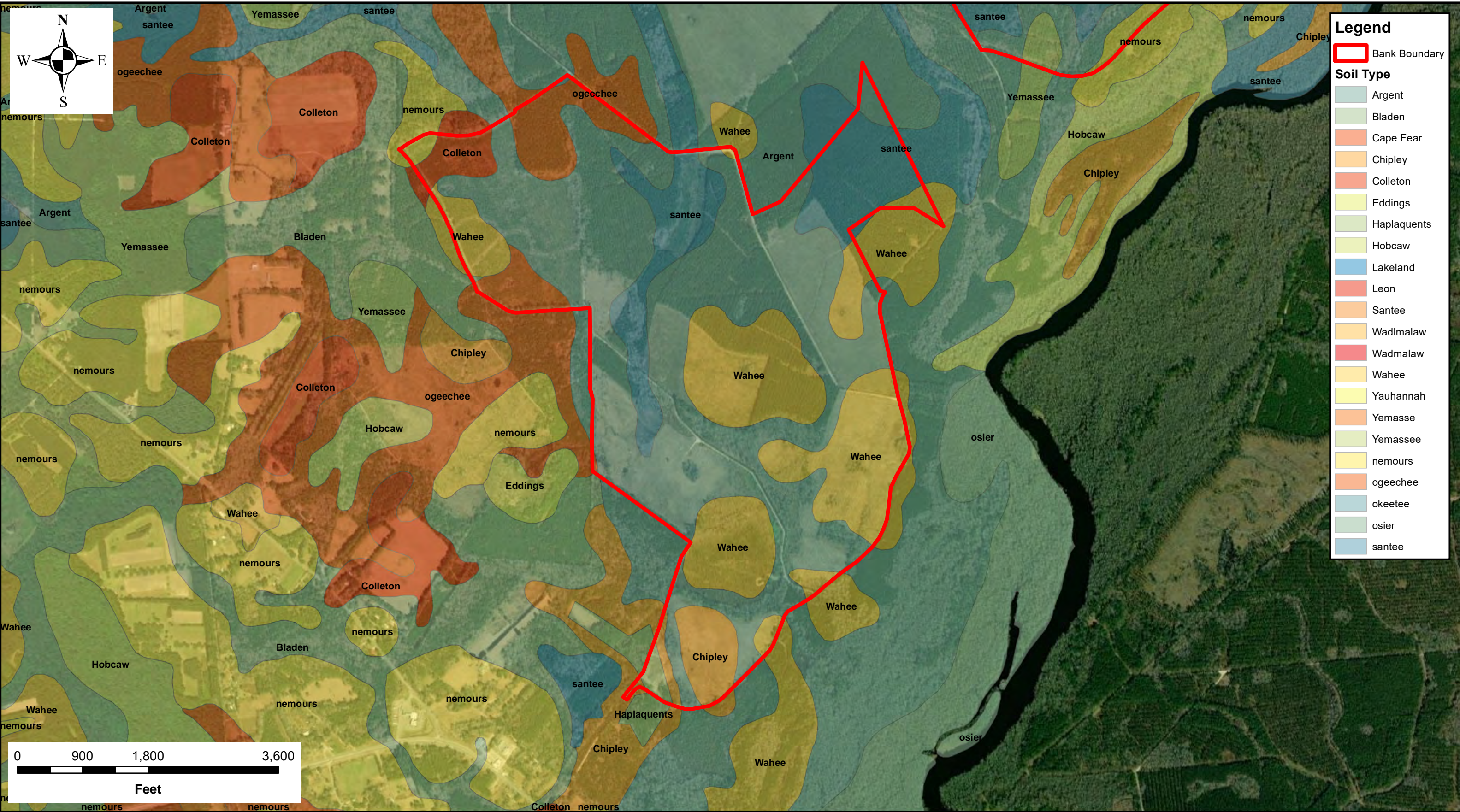
Freshwater Pond

Lake

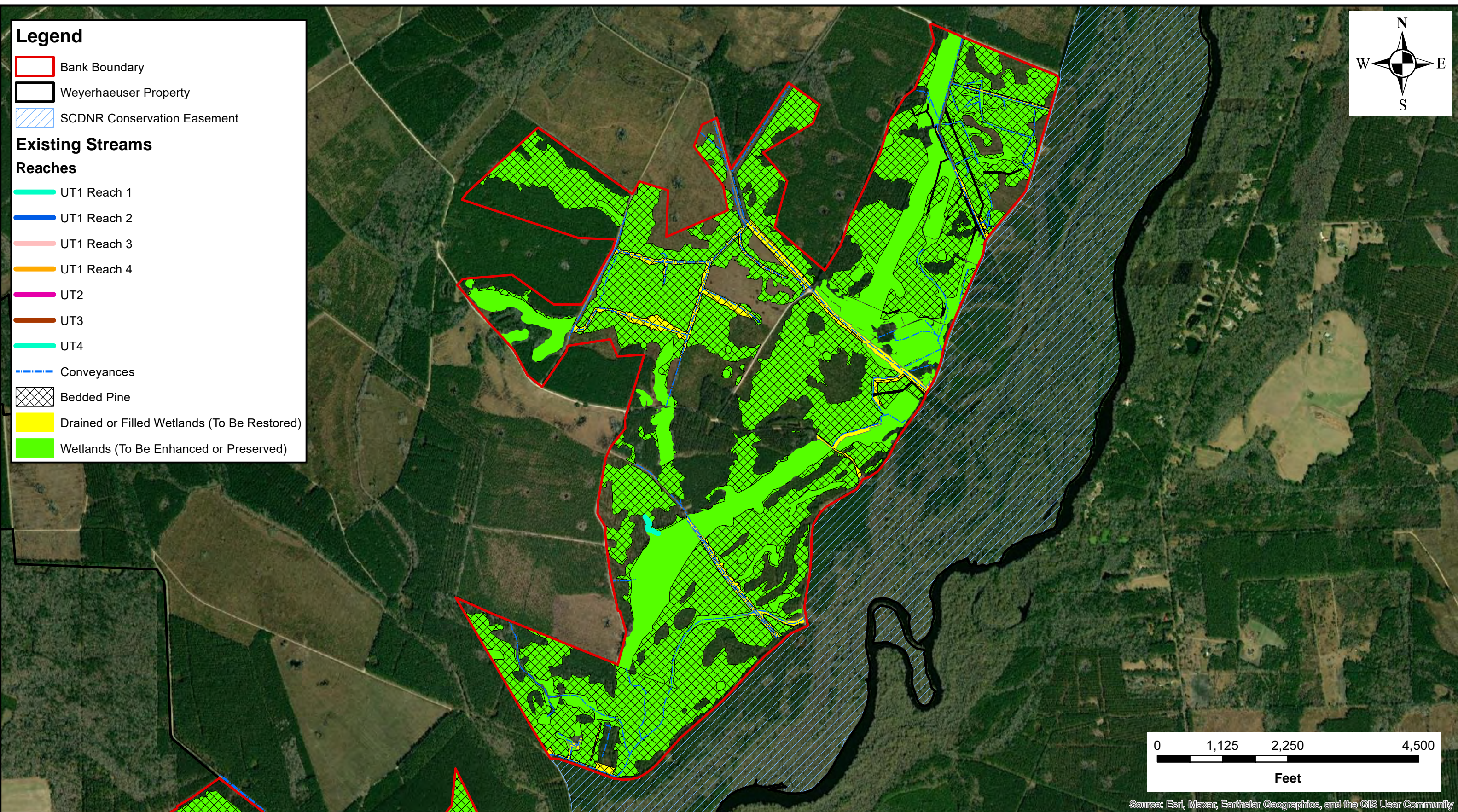
Riverine

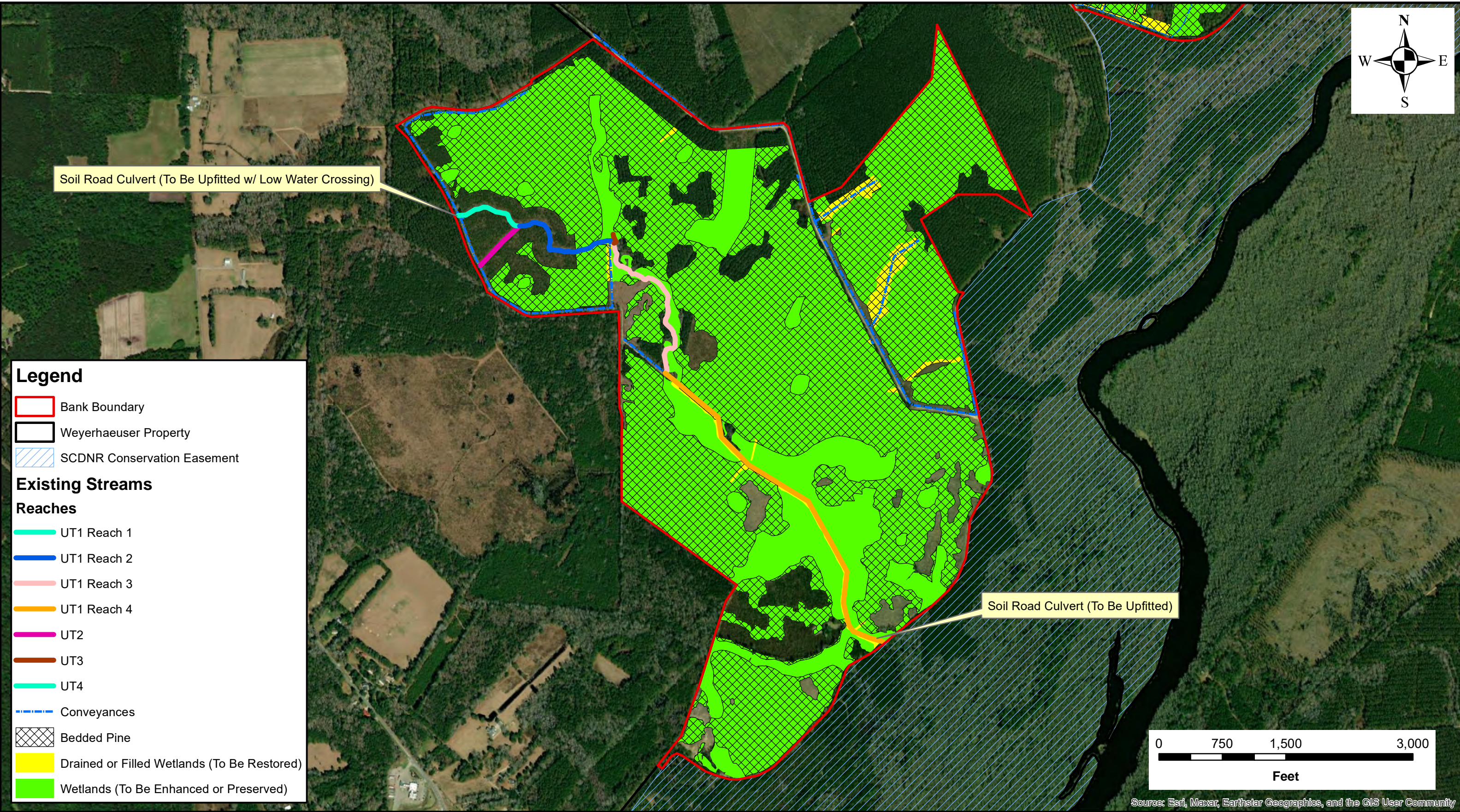


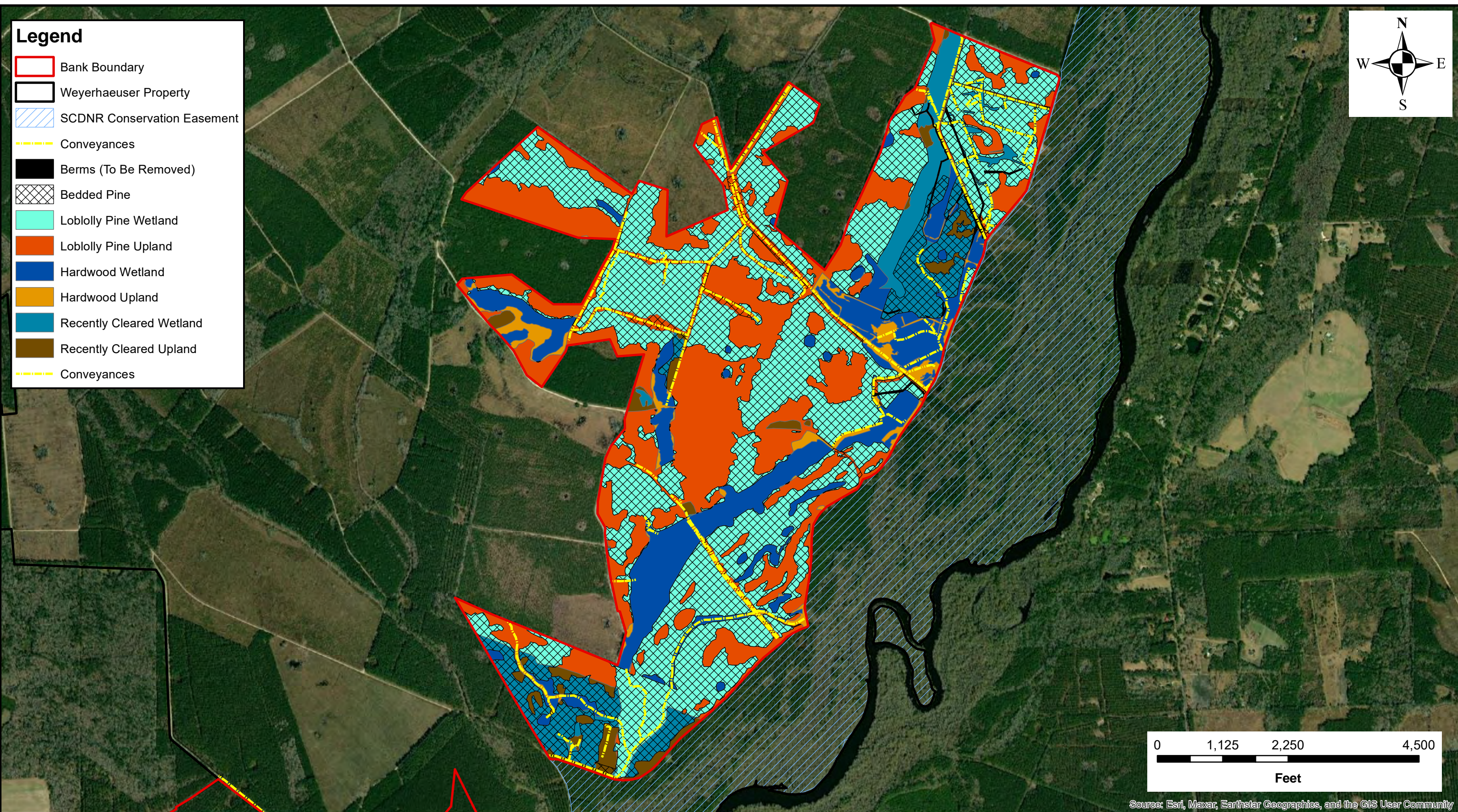


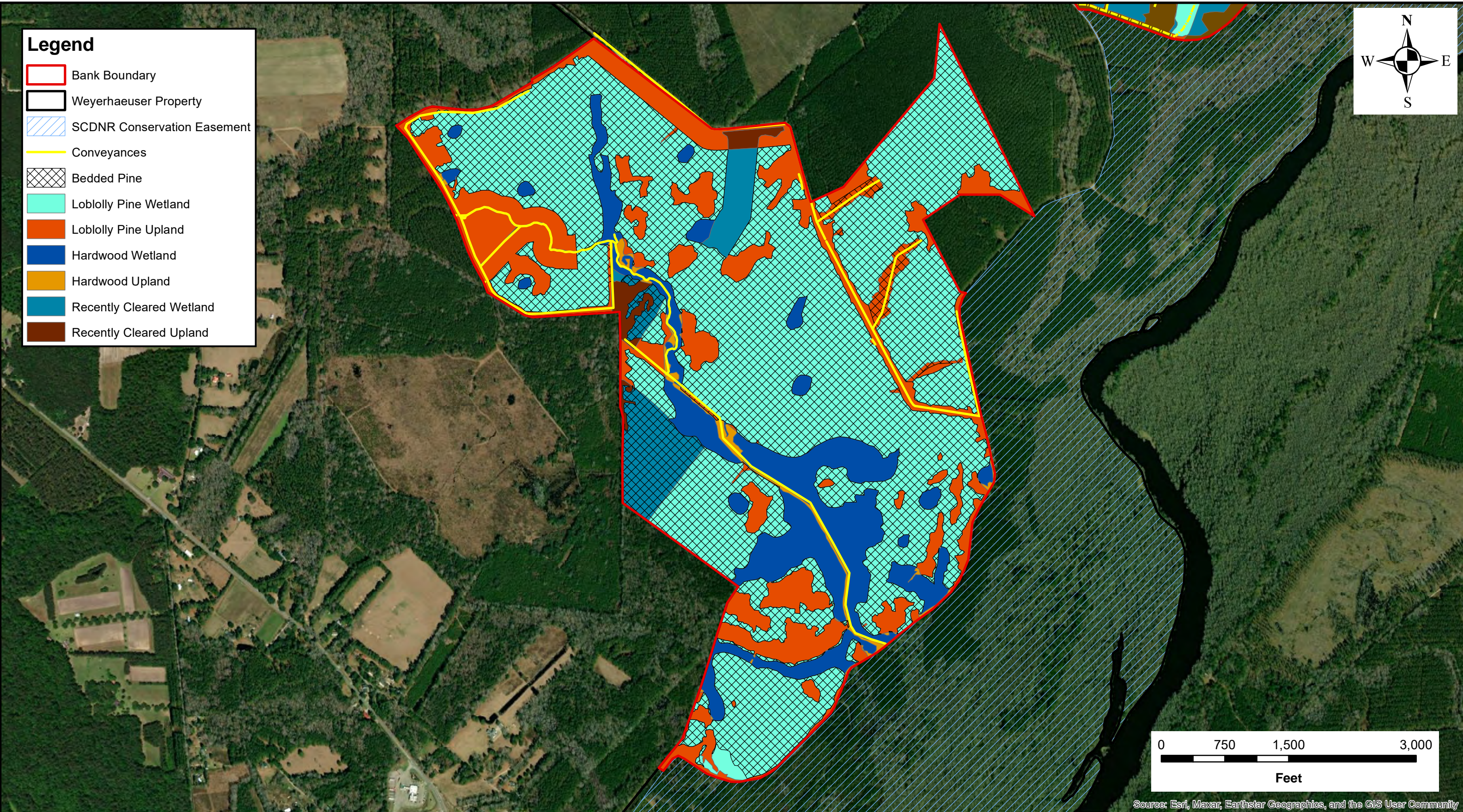


<p>Map Source: ESRI</p> <p>Boundaries are approximate and not meant to be absolute.</p>	<p>Prepared By:</p> <p>DAVEY  Resource Group</p>	<p>Prepared For:</p> <p> Weyerhaeuser</p>	<p>Ace Basin Mitigation Site Palmetto Umbrella Mitigation Bank Instrument Modification Document Appendix A</p>	<p>Figure 6B: NRCS Soil Survey Map</p> <p>Southern Area Ace Basin Site Colleton County, SC</p>
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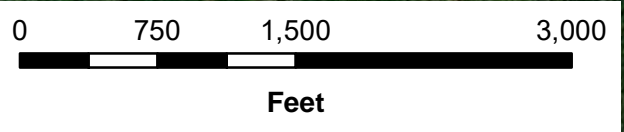
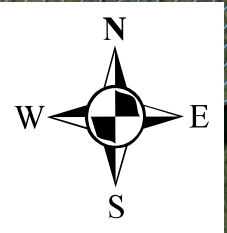


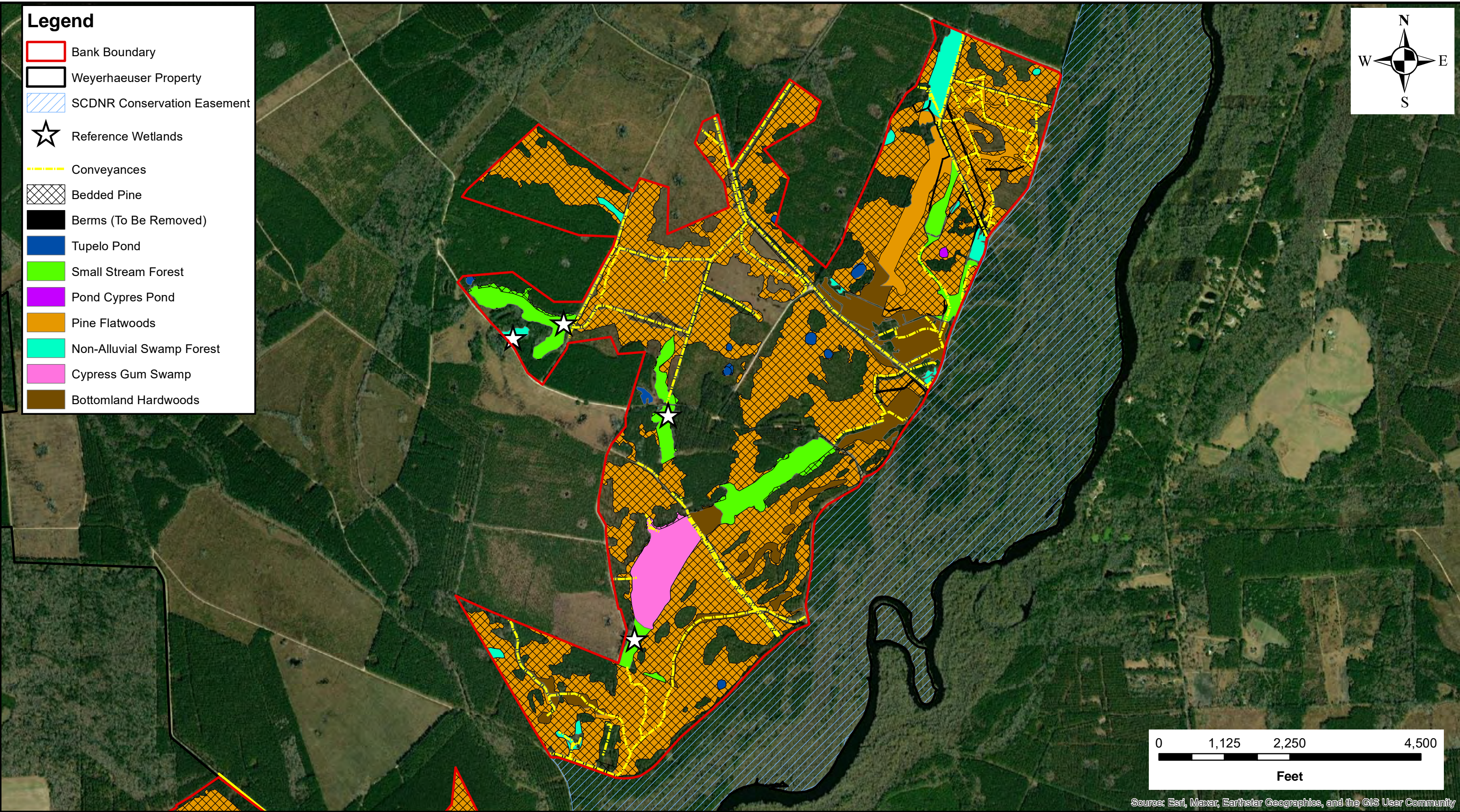


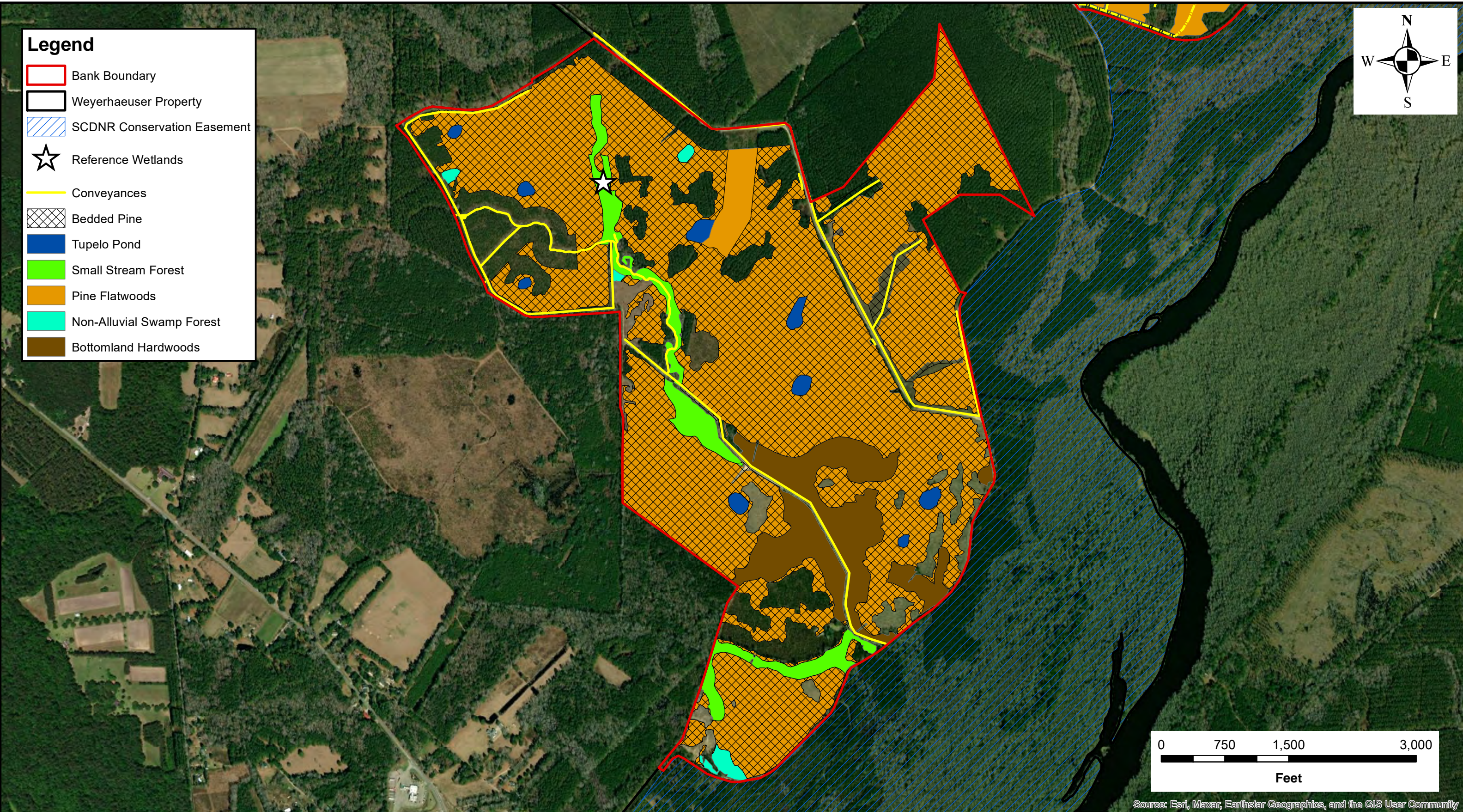


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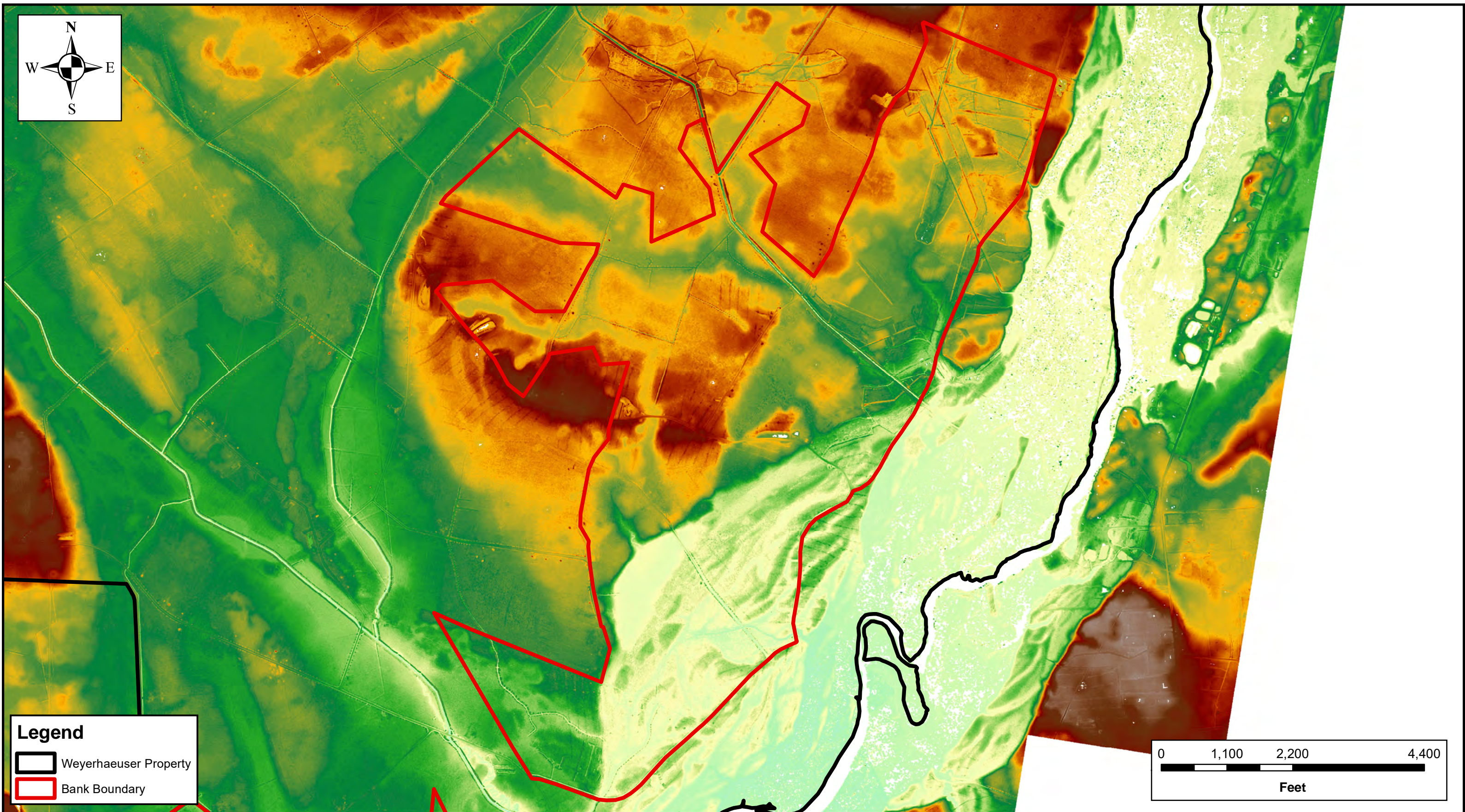
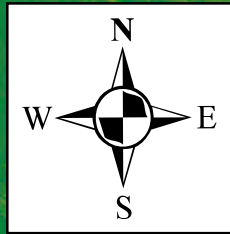
- Bank Boundary
- Weyerhaeuser Property
- SCDNR Conservation Easement
- Conveyances
- Bedded Pine
- Loblolly Pine Wetland
- Loblolly Pine Upland
- Hardwood Wetland
- Hardwood Upland
- Recently Cleared Wetland
- Recently Cleared Upland







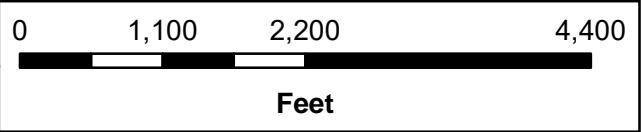
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



Legend

Weyerhaeuser Property

Bank Boundary



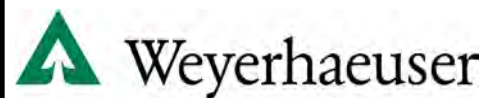
Map Source: USGS

Boundaries are approximate and not meant to be absolute.

Prepared By:



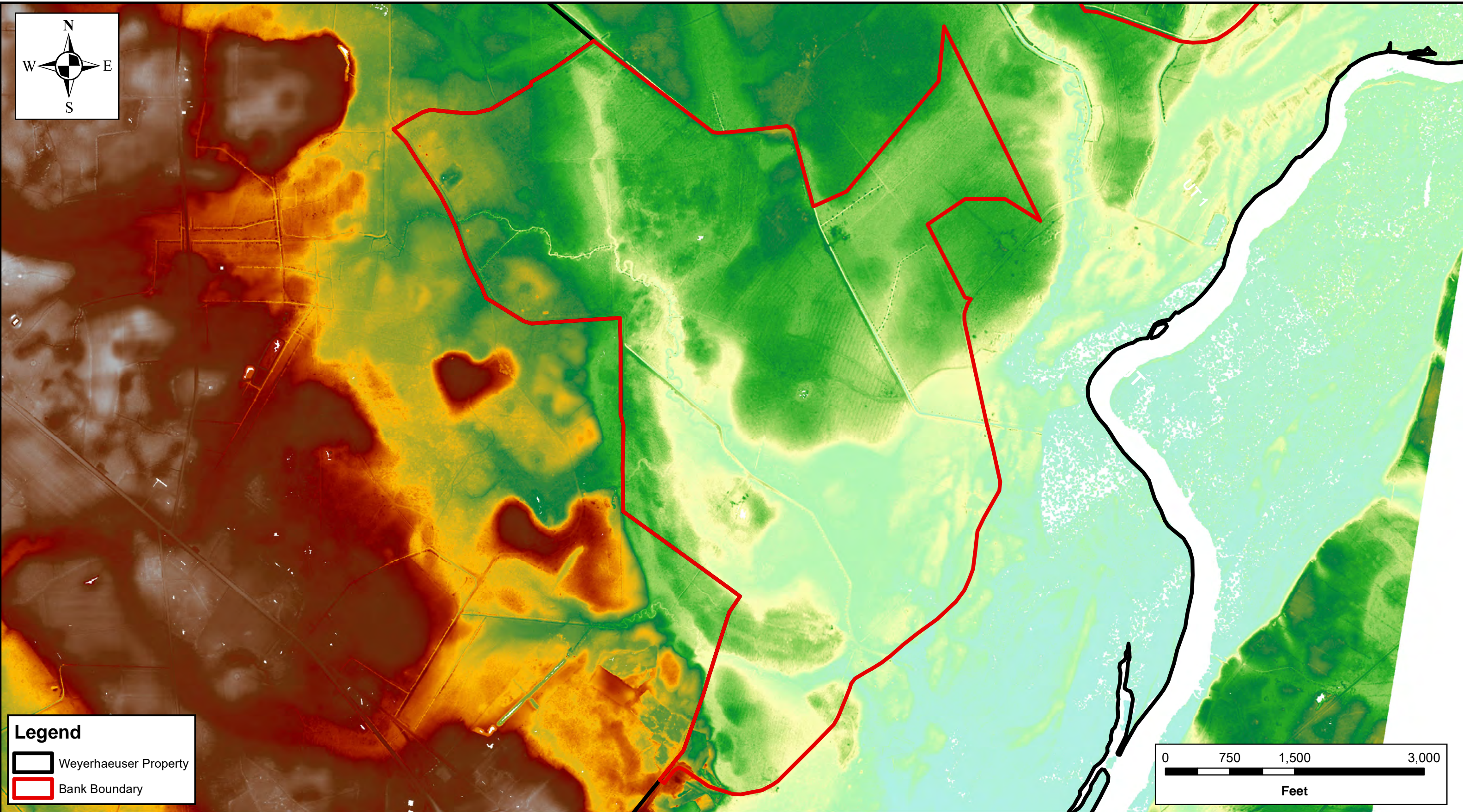
Prepared For:




**Ace Basin Mitigation Site
Palmetto Umbrella Mitigation Bank
Instrument Modification Document
Appendix A**


Figure 8A: DEM Map

**Northern Area
Ace Basin Site
Colleton County, SC**



Legend

 Weyerhaeuser Property

 Bank Boundary

Map Source: USGS

Boundaries are approximate and not meant to be absolute.

Prepared By:

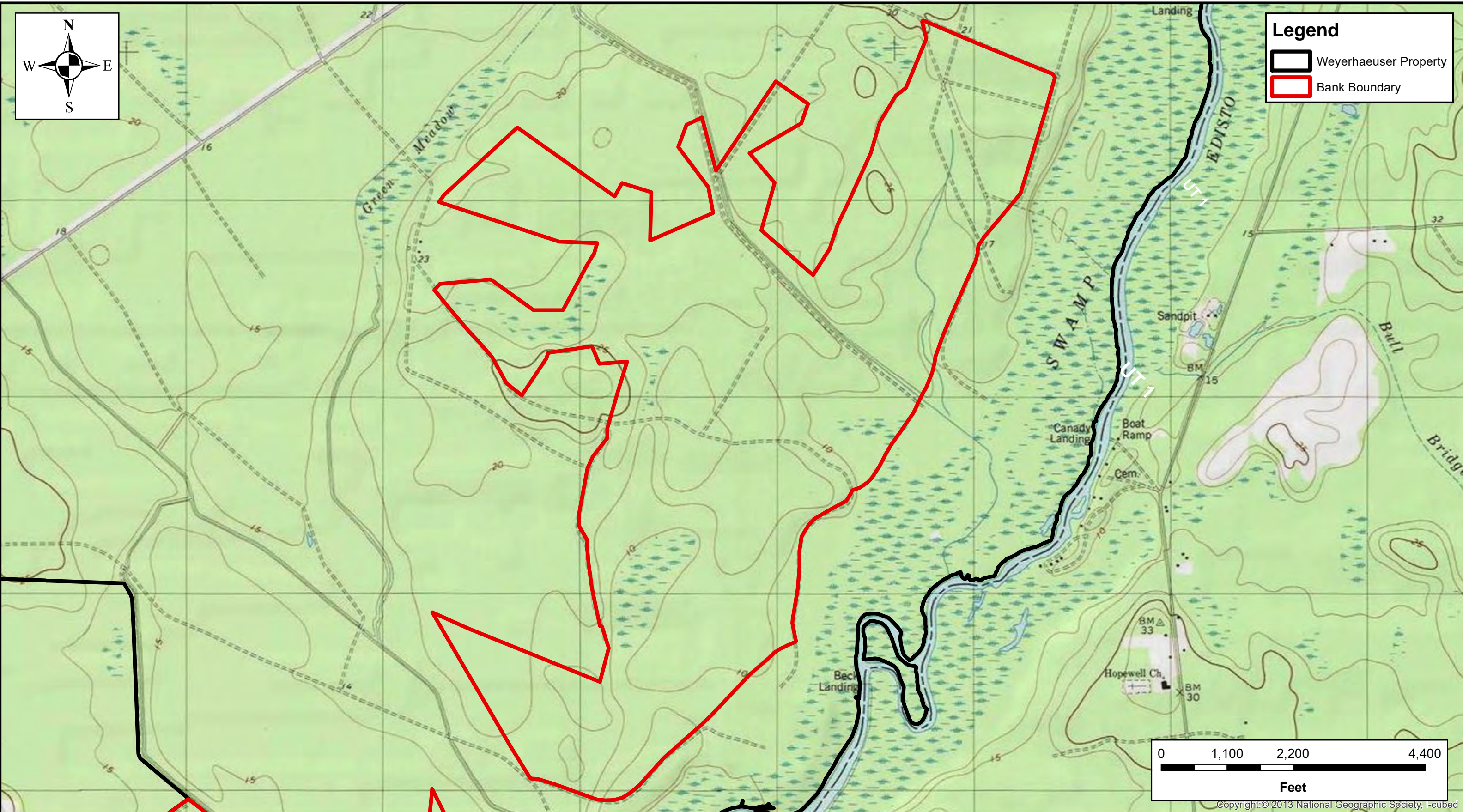


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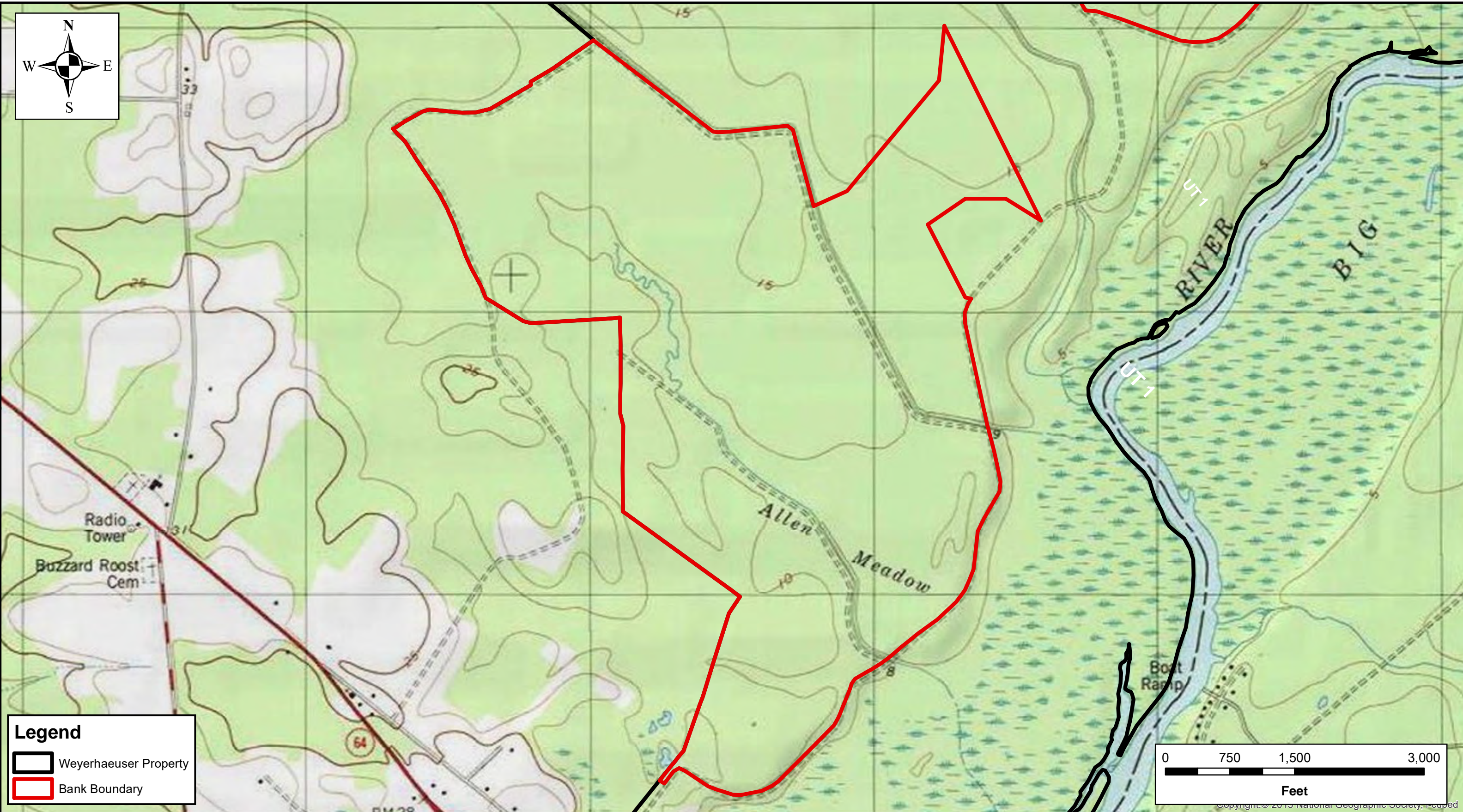
**Ace Basin Mitigation Site
Palmetto Umbrella Mitigation Bank
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Appendix A**

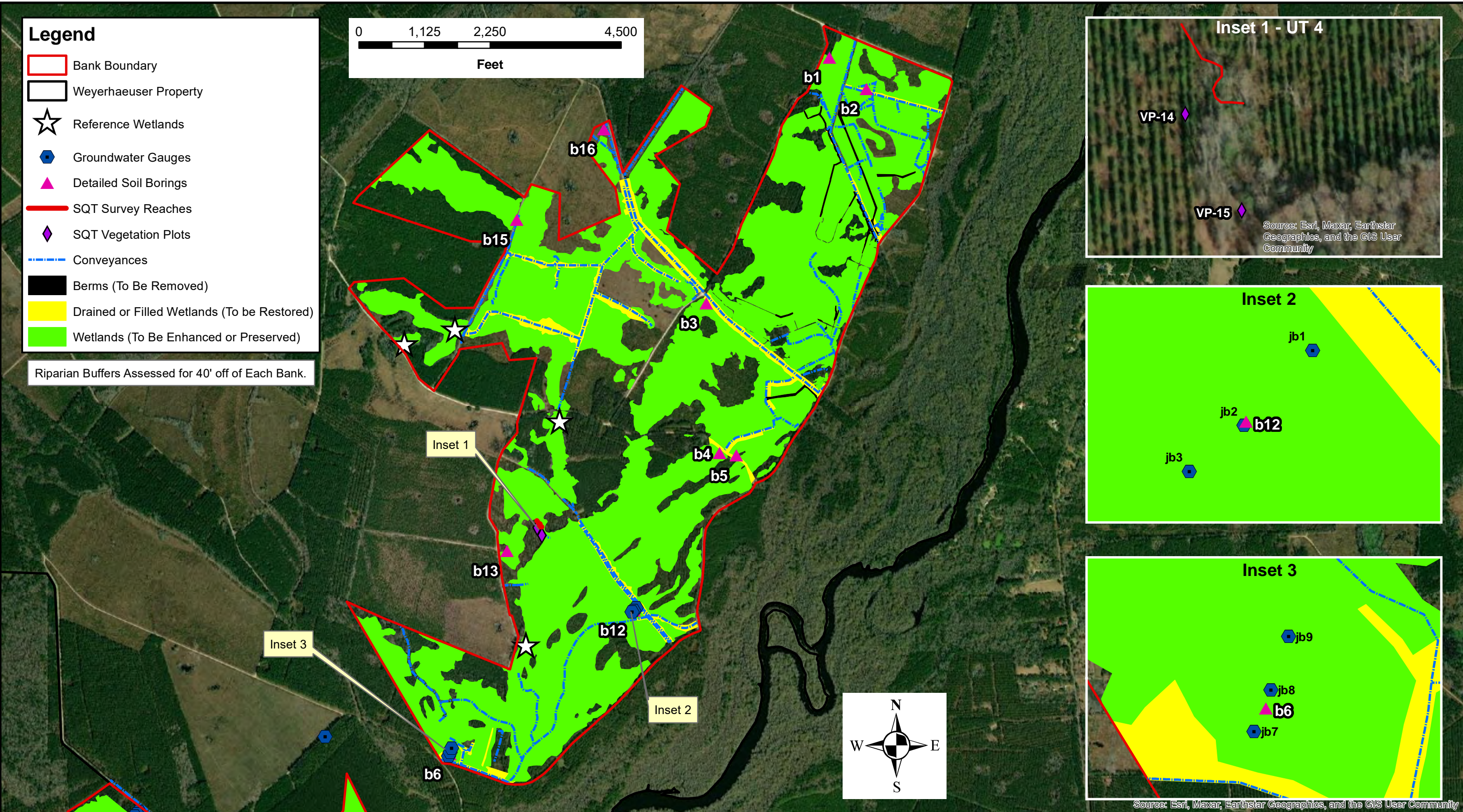
Figure 8B: DEM Map
Southern Area
Ace Basin Site
Colleton County, SC



Copyright © 2013 National Geographic Society, i-cubed

<p>Map Source: ESRI</p> <p>Boundaries are approximate and not meant to be absolute.</p>	<p>Prepared By:</p> <p>DAVEY Resource Group</p>	<p>Prepared For:</p> <p> Weyerhaeuser</p>	<p>Ace Basin Mitigation Site Palmetto Umbrella Mitigation Bank Instrument Modification Document Appendix A</p>	<p>Figure 9A: Topographic Map</p> <p>Northern Area Ace Basin Site Colleton County, SC</p>
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Legend

Bank Boundary

Weyerhaeuser Property

Reference Wetlands

Reference Reach (Relic Channel)

SQT Survey Reaches

SQT Vegetation Plots

Groundwater Gauges

Detailed Soil Borings

Existing Streams

Stream Reaches

UT1 Reach 1

UT1 Reach 2

UT1 Reach 3

UT1 Reach 4

UT2

UT3

UT4

Conveyances

Drained or Filled Wetlands (To be Restored)

Wetlands (To Be Enhanced or Preserved)

Riparian Buffers Assessed for 40' off of Each Bank.

The main map displays the Ace Basin Mitigation Site, a large area outlined in red. The site is divided into several reaches: UT1 Reach 1 (orange), UT1 Reach 2 (blue), UT1 Reach 3 (brown), UT1 Reach 4 (light blue), UT2 (pink), UT3 (dark brown), and UT4 (cyan). SQT Vegetation Plots (VP-1 through VP-13) are marked with purple diamonds. Groundwater Gauges (b7, b8, b9, b10, b11, jb10, jb11, jb12) are marked with blue hexagons. Detailed Soil Borings (b7, b10, b11) are marked with pink triangles. The map also shows Reference Wetlands (black stars) and Reference Reach (Relic Channel) (yellow circles). The background is a grayscale aerial photograph. Two insets, Inset 1 and Inset 2, provide detailed views of specific areas. Inset 1 shows the area around VP-1, VP-2, VP-3, VP-4, VP-5, VP-6, VP-7, VP-8, VP-9, VP-10, VP-11, VP-12, VP-13, b9, b11, and jb4, jb5, jb6. Inset 2 shows the area around b7, b10, b11, and jb10, jb11, jb12. The map is surrounded by a green border.

Inset 1 is a detailed view of the area around VP-1, VP-2, VP-3, VP-4, VP-5, VP-6, VP-7, VP-8, VP-9, VP-10, VP-11, VP-12, VP-13, b9, b11, and jb4, jb5, jb6. It shows the spatial arrangement of these features within the site boundary.

Inset 2 is a detailed view of the area around b7, b10, b11, and jb10, jb11, jb12. It shows the spatial arrangement of these features within the site boundary.

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Map Source: ESRI

Boundaries are approximate and not meant to be absolute.

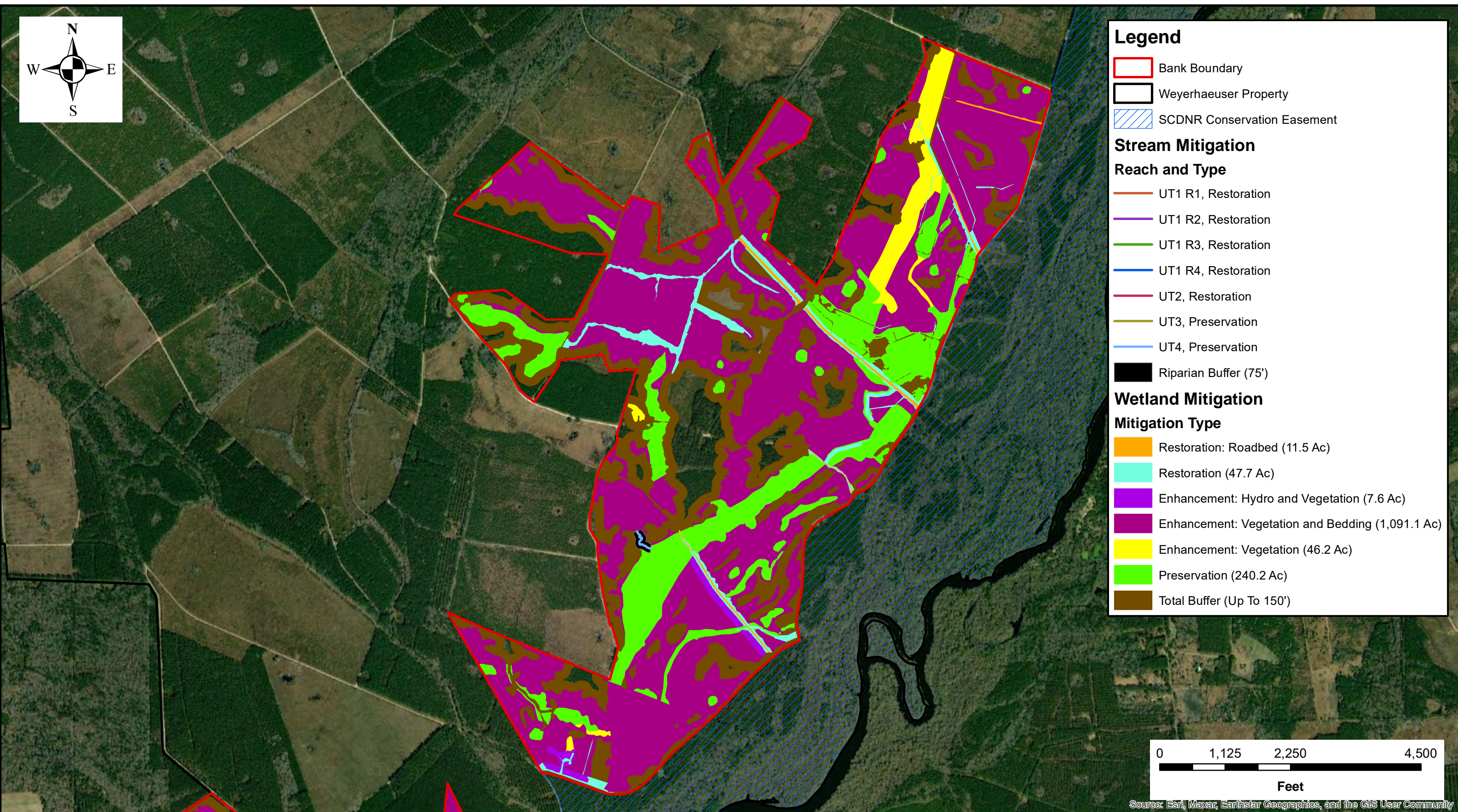
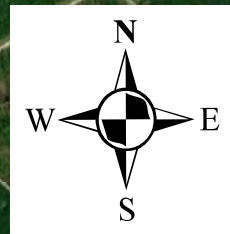
Prepared By:

Prepared For:

Ace Basin Mitigation Site Palmetto Umbrella Mitigation Bank Instrument Modification Document Appendix A

Figure 10B: Baseline Monitoring

Southern Area
Ace Basin Site
Colleton County, SC



Legend

Bank Boundary

Weyerhaeuser Property

SCDNR Conservation Easement

Stream Mitigation

Reach and Type

UT1 R1, Restoration

UT1 R2, Restoration

UT1 R3, Restoration

UT1 R4, Restoration

UT2, Restoration

UT3, Preservation

UT4, Preservation

Riparian Buffer (75')

Wetland Mitigation**Mitigation Type**Restoration: Roadbed (11.5 Ac)Restoration (47.7 Ac)Enhancement: Hydro and Vegetation (7.6 Ac)Enhancement: Vegetation and Bedding (1,091.1 Ac)Enhancement: Vegetation (46.2 Ac)Preservation (240.2 Ac)Total Buffer (Up To 150')

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Legend

Bank Boundary

Weyerhaeuser Property

SCDNR Conservation Easement

Stream Mitigation

Reach and Type

UT1 R1, Restoration

UT1 R2, Restoration

UT1 R3, Restoration

UT1 R4, Restoration

UT2, Restoration

UT3, Preservation

UT4, Preservation

Riparian Buffer (75')

Wetland Mitigation

Mitigation Type

Restoration: Roadbed (11.5 Ac)

Restoration (47.7 Ac)

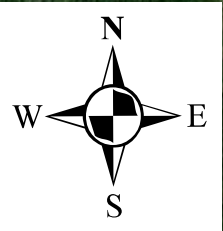
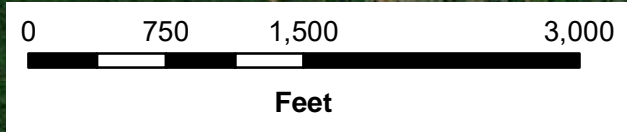
Enhancement: Hydro and Vegetation (7.6 Ac)

Enhancement: Vegetation and Bedding (1,091.1 Ac)

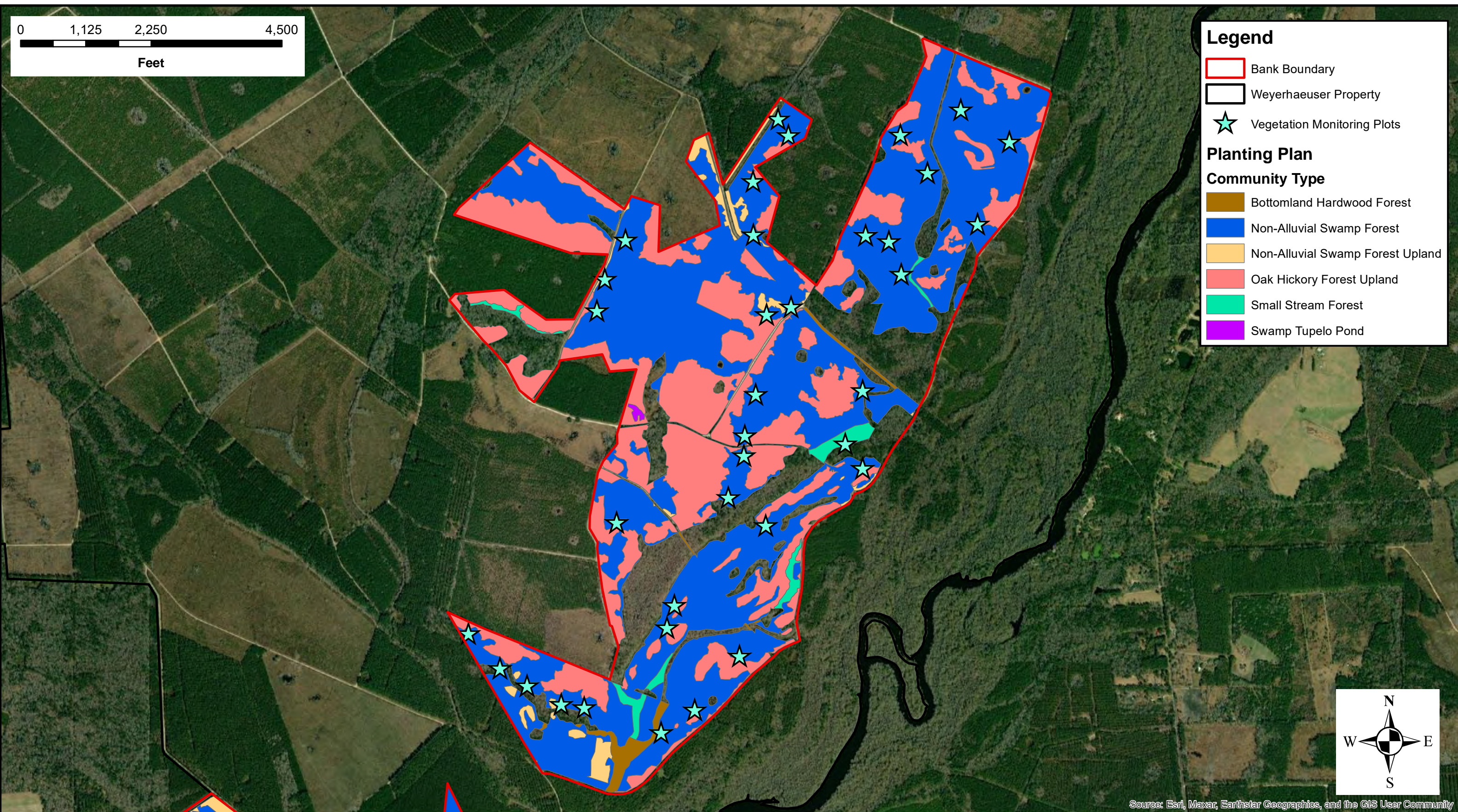
Enhancement: Vegetation (46.2 Ac)

Preservation (240.2 Ac)

Wetland Buffer (Up to 150')





Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community




Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Legend


 Bank Boundary


 Weyerhaeuser Property


 Vegetation Monitoring Plots


Planting Plan


Community Type


 Bottomland Hardwood Forest

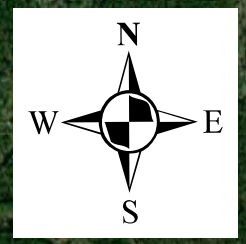
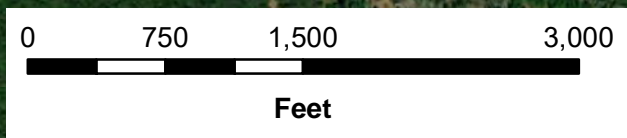
 Non-Alluvial Swamp Forest

 Non-Alluvial Swamp Forest Upland

 Oak Hickory Forest Upland

 Small Stream Forest

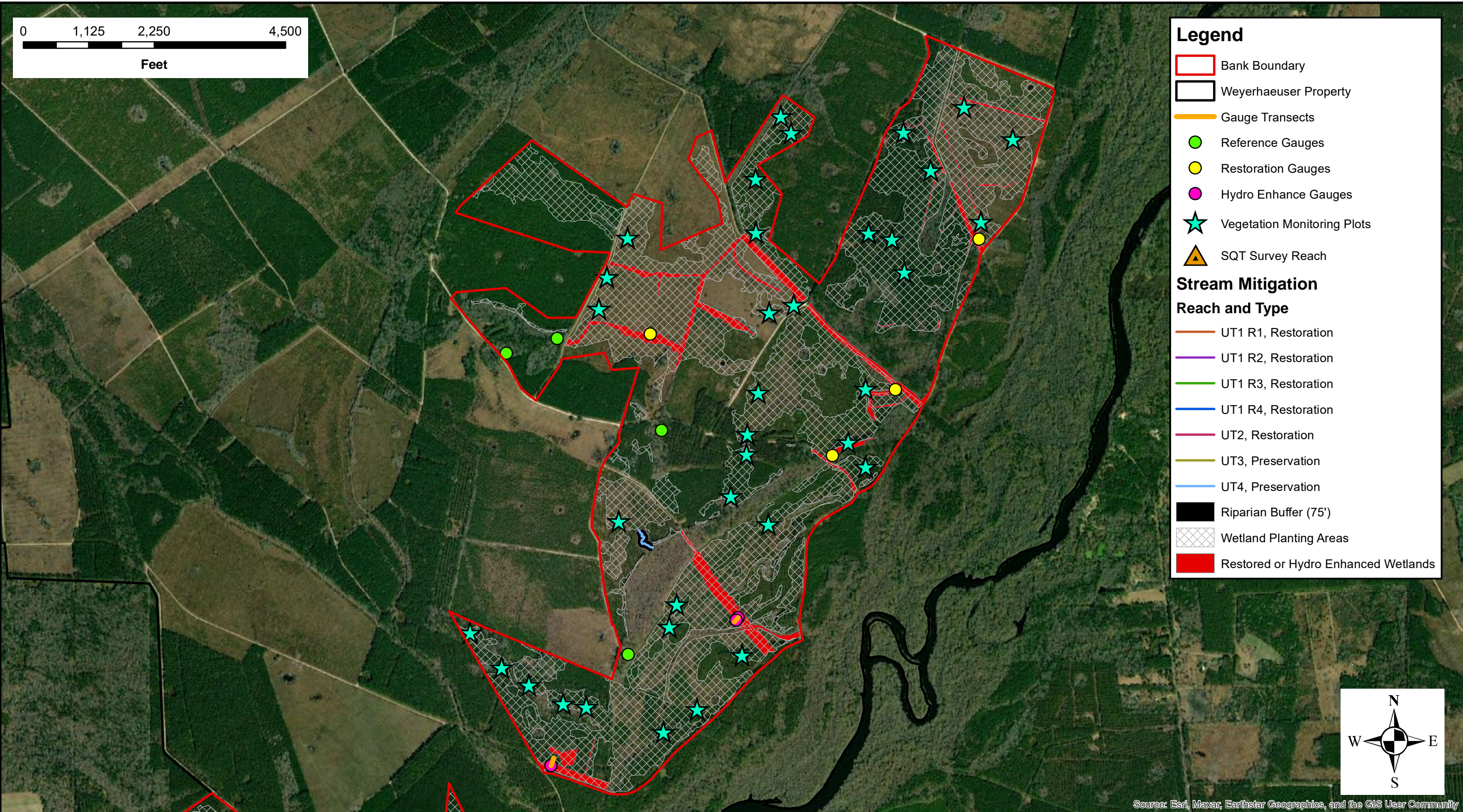
 Swamp Tupelo Pond



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

<p>Map Source: ESRI</p> <p>Boundaries are approximate and not meant to be absolute.</p>	<p>Prepared By:</p> 	<p>Prepared For:</p> 	<p>Figure 12B: Planting Plan</p> <p>Southern Area Ace Basin Site Colleton County, SC</p>
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**Ace Basin Mitigation Site
Palmetto Umbrella Mitigation Bank
Instrument Modification Document
Appendix A**



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Legend

Bank Boundary

Weyerhaeuser Property

Gauge Transects

Reference Gauges

Restoration Gauges

Hydro Enhance Gauges

Vegetation Monitoring Plots

SQT Survey Reach

Stream Mitigation

Reach and Type

UT1 R1, Restoration

UT1 R2, Restoration

UT1 R3, Restoration

UT1 R4, Restoration

UT2, Restoration

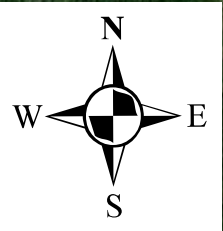
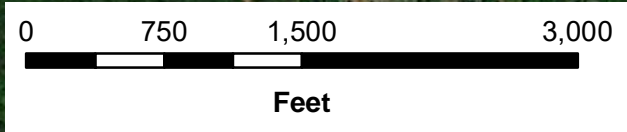
UT3, Preservation

UT4, Preservation

Riparian Buffer (75')

Wetland Planting Areas

Restored or Hydro Enhanced Wetlands



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Map Source: ESRI

Boundaries are approximate and not meant to be absolute.

Prepared By:

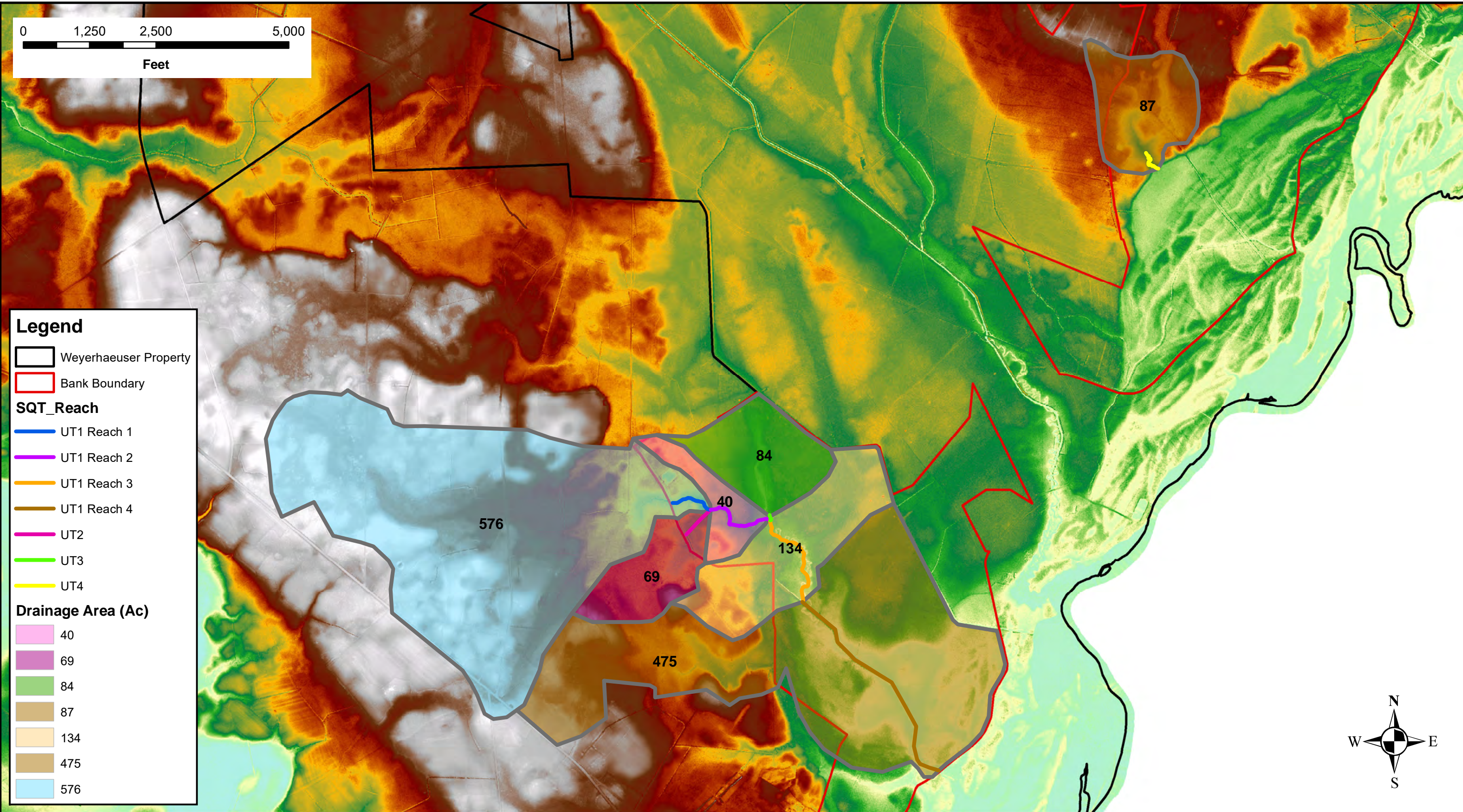


Prepared For:



Ace Basin Mitigation Site
Palmetto Umbrella Mitigation Bank
Instrument Modification Document
Appendix A

Figure 13B: Post Construction
Monitoring
Southern Area
Ace Basin Site
Colleton County, SC



Legend

Weyerhaeuser Property

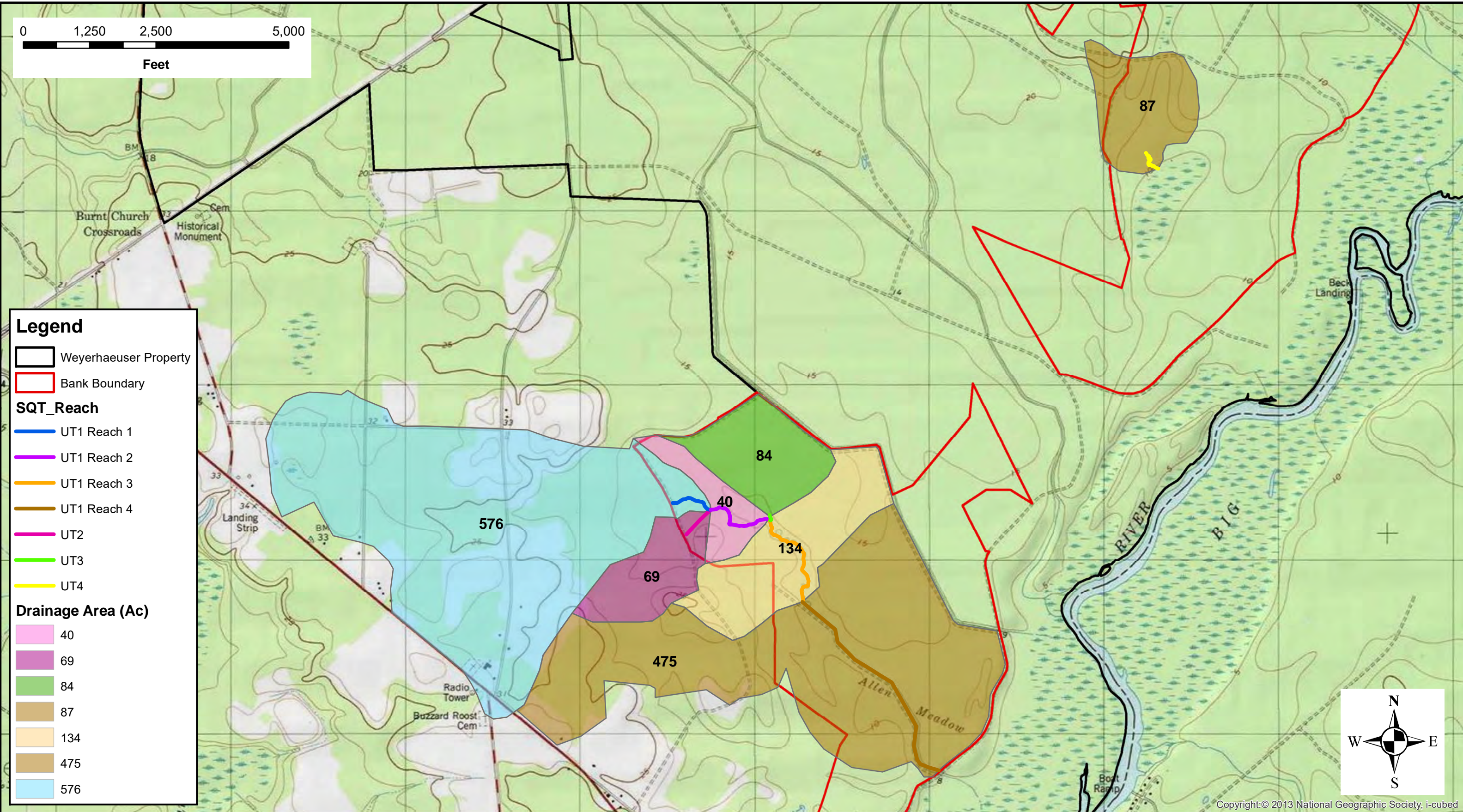
Bank Boundary

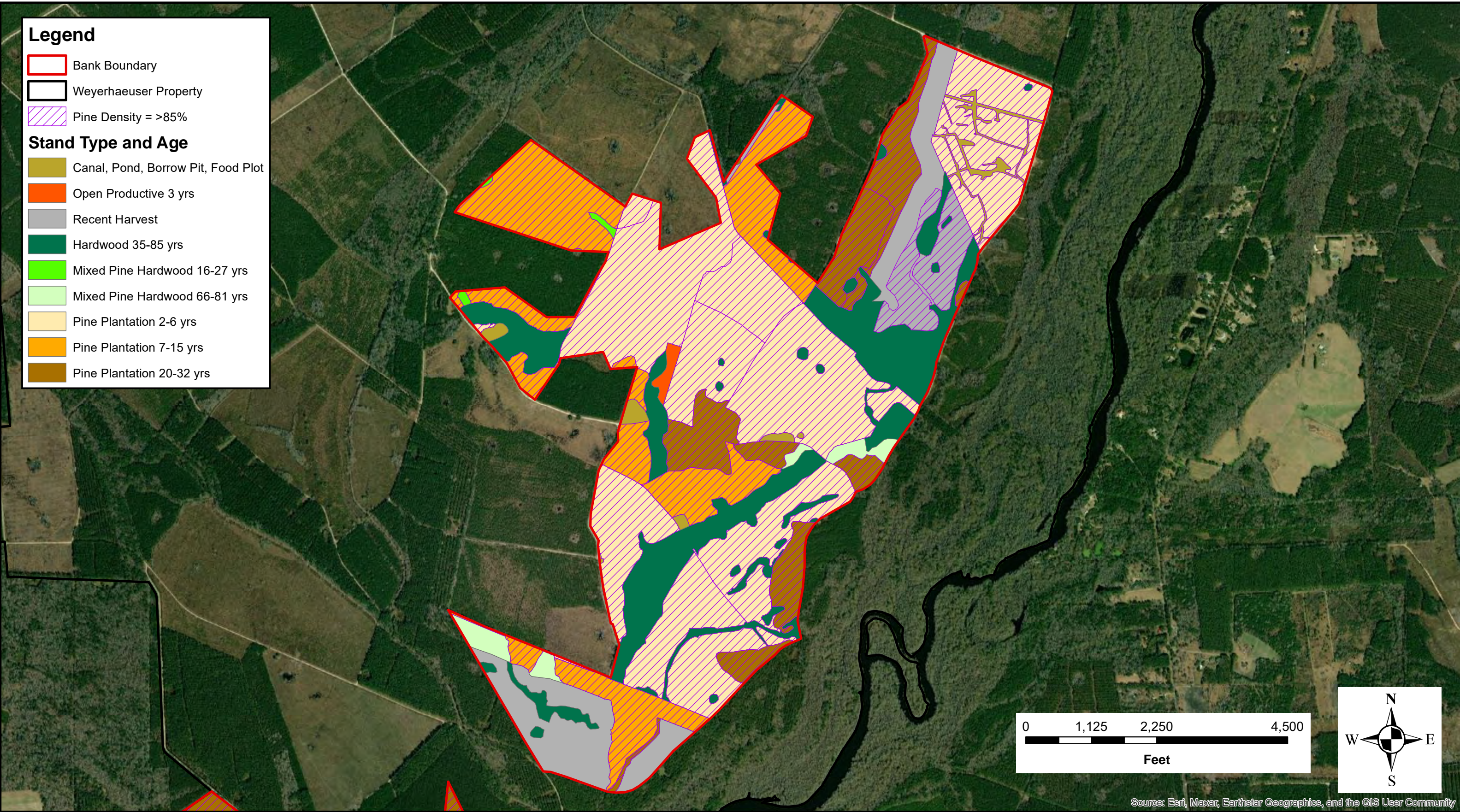
SQT_Reach

- UT1 Reach 1
- UT1 Reach 2
- UT1 Reach 3
- UT1 Reach 4
- UT2
- UT3
- UT4

Drainage Area (Ac)

- 40
- 69
- 84
- 87
- 134
- 475
- 576





Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

