

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 #SAC-2013-01087-2JU

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

ABENGOA ENERGY CROPS
C/O MR. BRATTON RILEY
MAYBANK INDUSTRIES, LLC.
525 EAST BAY STRET, SUITE 201
CHARLESTON, SOUTH CAROLINA 29403

for a permit to perform new work for the construction of a multimodal, import/export cargo and ship terminal cargo and associated dredging in the

COOPER RIVER

at 4900 Virginia Avenue, in the City of North Charleston, Charleston County, South Carolina (Latitude 32.8838°, Longitude -79.9709°).

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 performing new work and maintenance dredging over a 3.11 acre area, removing two existing dolphins, and constructing a new wharf in the Cooper River. The proposed project also consists of the construction of industrial facilities to include storage and warehouse facilities, office buildings, maintenance building, fuel storage facilities, a conveyor

system, a receiving facility, and associated infrastructure, to include the construction of a rail spur with 3 tracks. In detail, the initial dredging operation would remove approximately 45,000 cubic yards of material which would deepen the berth to -42' MLW plus 2' of overdepth, for a total deepening of -44' MLW. It is anticipated that maintenance dredging would be necessary every 1-2 years to remove approximately 7,000 to 10,000 cubic yards of material. As proposed, the dredged material would be pumped, via pipeline, to the Clouter Creek Upland Disposal Area. In addition, a new 470' x 50' wharf would be constructed, with the width of the wharf at the access area approximately 75' wide, as depicted on the attached proposed plans. The wharf would house a rail guided shiploader and hopper for transferring bulk materials. A 250' x 12' access runway would be constructed to allow for emergency or safety vehicle access. A 20' wide receiving and shipping conveyor system, which includes the conveyor, drip pans, and maintenance walkways, would be constructed to transfer bulk materials to and from vessels at the marine terminal. The proposed conveyor systems would traverse the site from the storage warehouse to the wharf on the Cooper River. Six structural support structures (bents) and several similar transfer structures would be constructed. The support structures are anticipated to be constructed with 12-inch precast driven pilings. The conveyor system also includes a shipping conveyor off the western edge of the proposed wharf. The conveyor system would contain both a stationary/shuttling ship loader and a travelling ship loader. Construction of an inbound/outbound access road is proposed for the southwestern corner and would allow access to the proposed wharf at all times. The applicant has indicated that the proposed work would permanently impact 0.82 acre of jurisdictional freshwater wetlands. The applicant has proposed to purchase 4.8 wetland mitigation credits from the Pigeon Pond Mitigation Bank for unavoidable impacts to jurisdictional wetlands.

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 of 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 approximately 3.11 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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.

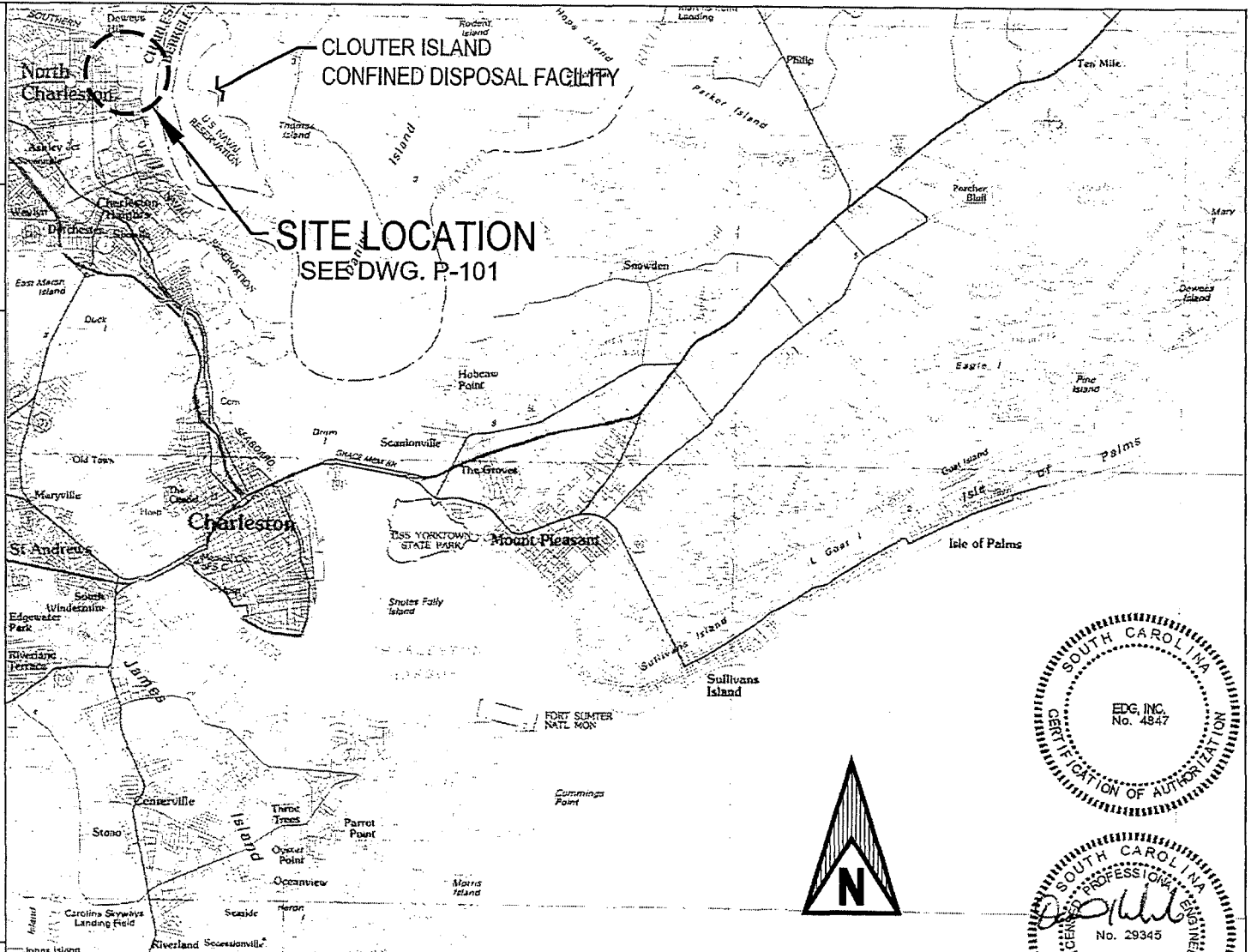
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered 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. Courtney Stevens at 843-329-8027 or toll free at 1-866-329-8187.



**CLOUTER ISLAND
CONFINED DISPOSAL FACILITY**

**SITE LOCATION
SEE DWG. P-101**

APPROVAL	DATE
DESIGN -	-
CHECK -	-

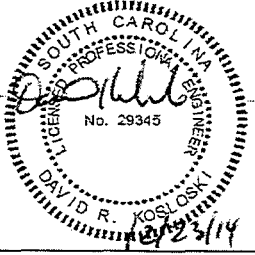
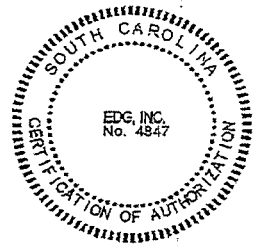
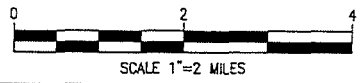
PROJECT USA II
NORTH CHARLESTON TERMINAL DEVELOPMENT
N. CHARLESTON, SC
VICINITY MAP

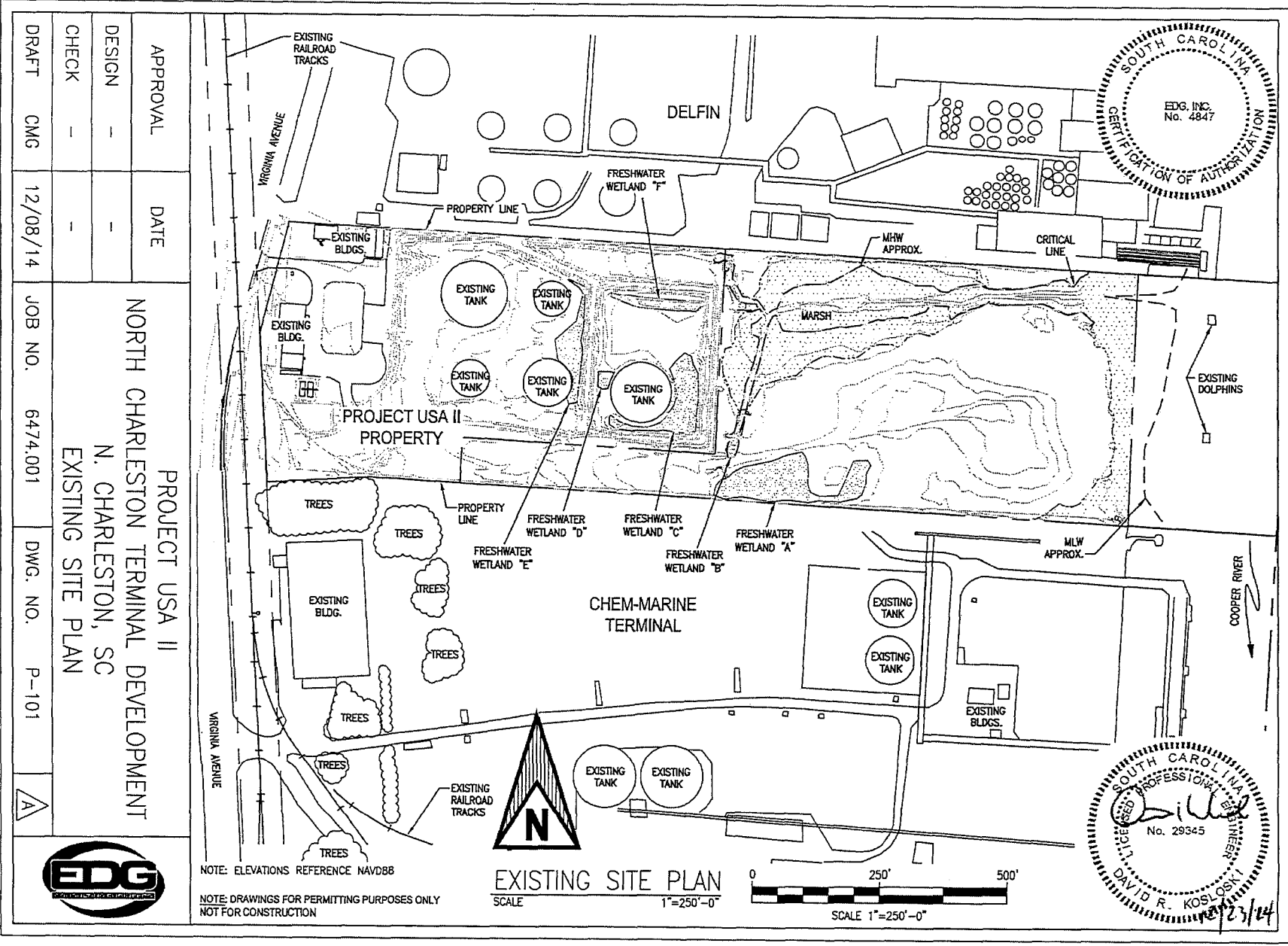
DRAFT	CWG	12/08/14	JOB NO.	6474.001	DWG. NO.	P-100
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BACKGROUND IMAGE SOURCES:
 USGS JAMES ISLAND PLANIMETRIC
 SOUTH CAROLINA 30x60 SERIES (1986)
 NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
 NOT FOR CONSTRUCTION

VICINITY MAP
 SCALE 1"=2 MILES

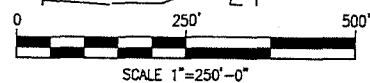




NOTE: ELEVATIONS REFERENCE NAVD88

NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION

EXISTING SITE PLAN
SCALE 1"=250'-0"



APPROVAL	DATE	PROJECT USA II NORTH CHARLESTON TERMINAL DEVELOPMENT N. CHARLESTON, SC EXISTING SITE PLAN
DESIGN	-	
CHECK	-	
DRAFT	CMG	JOB NO. 6474.001
		DWG. NO. P-101



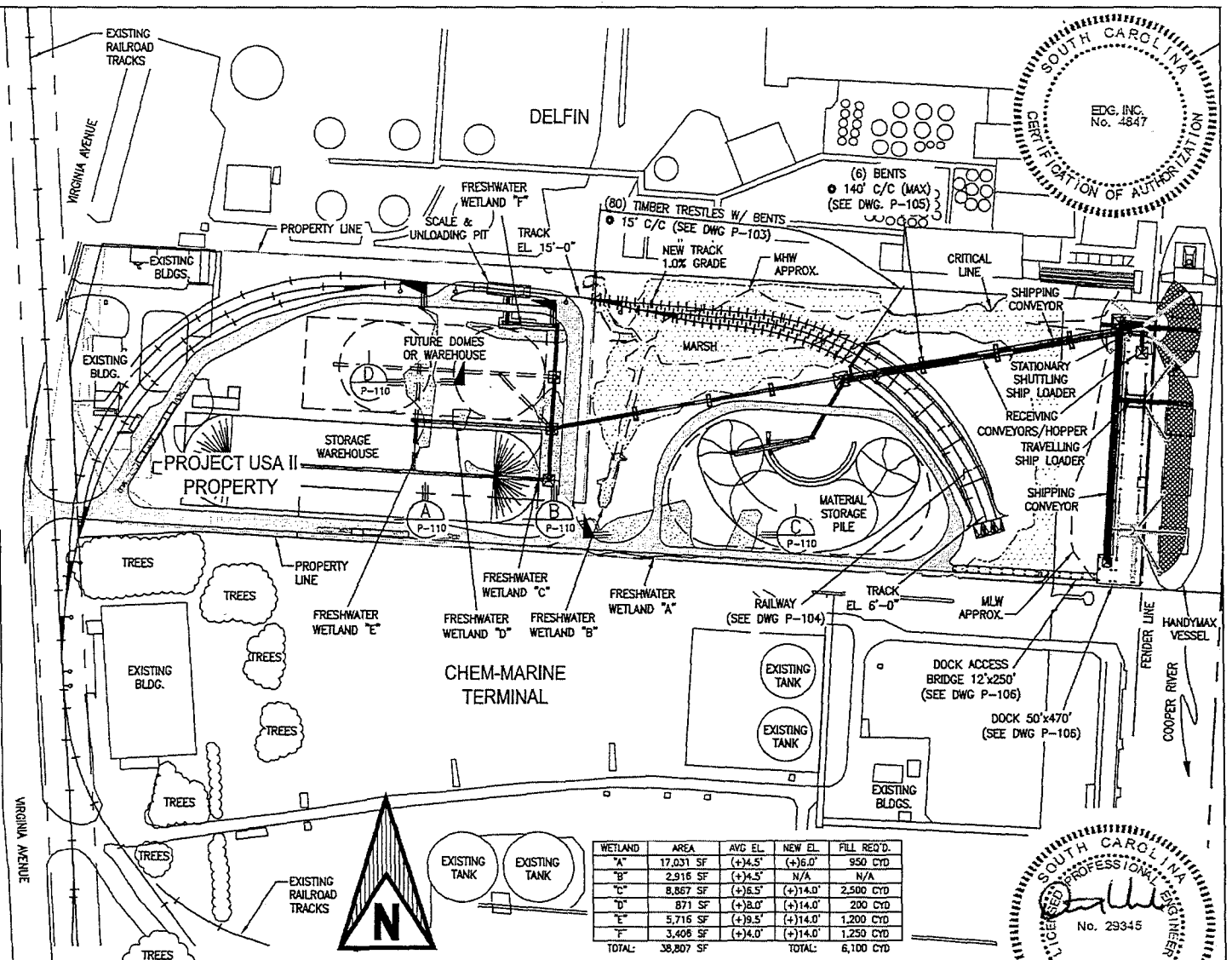
APPROVAL	DATE
DESIGN	-
CHECK	-
DRAFT	12/08/14



APPROVAL	DATE
DESIGN	-
CHECK	-
DRAFT	12/08/14

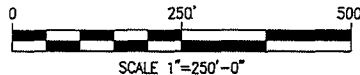
PROJECT USA II
 NORTH CHARLESTON TERMINAL DEVELOPMENT
 N. CHARLESTON, SC
 PROPOSED SITE PLAN

JOB NO. 6474.001
 DWG. NO. P-102



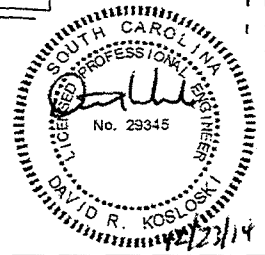
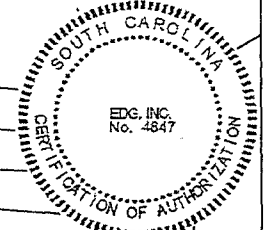
WETLAND	AREA	AVG EL.	NEW EL.	FILL REQ'D.
"A"	17,031 SF	(+14.5'	(+16.0'	950 CYD
"B"	2,916 SF	(+14.5'	N/A	N/A
"C"	8,867 SF	(+16.5'	(+14.0'	2,500 CYD
"D"	871 SF	(+18.0'	(+14.0'	200 CYD
"E"	5,716 SF	(+19.5'	(+14.0'	1,200 CYD
"F"	3,406 SF	(+14.0'	(+14.0'	1,250 CYD
TOTAL:	38,807 SF		TOTAL:	6,100 CYD

PROPOSED SITE PLAN
 SCALE 1"=250'-0"



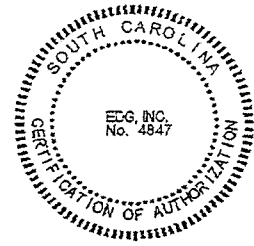
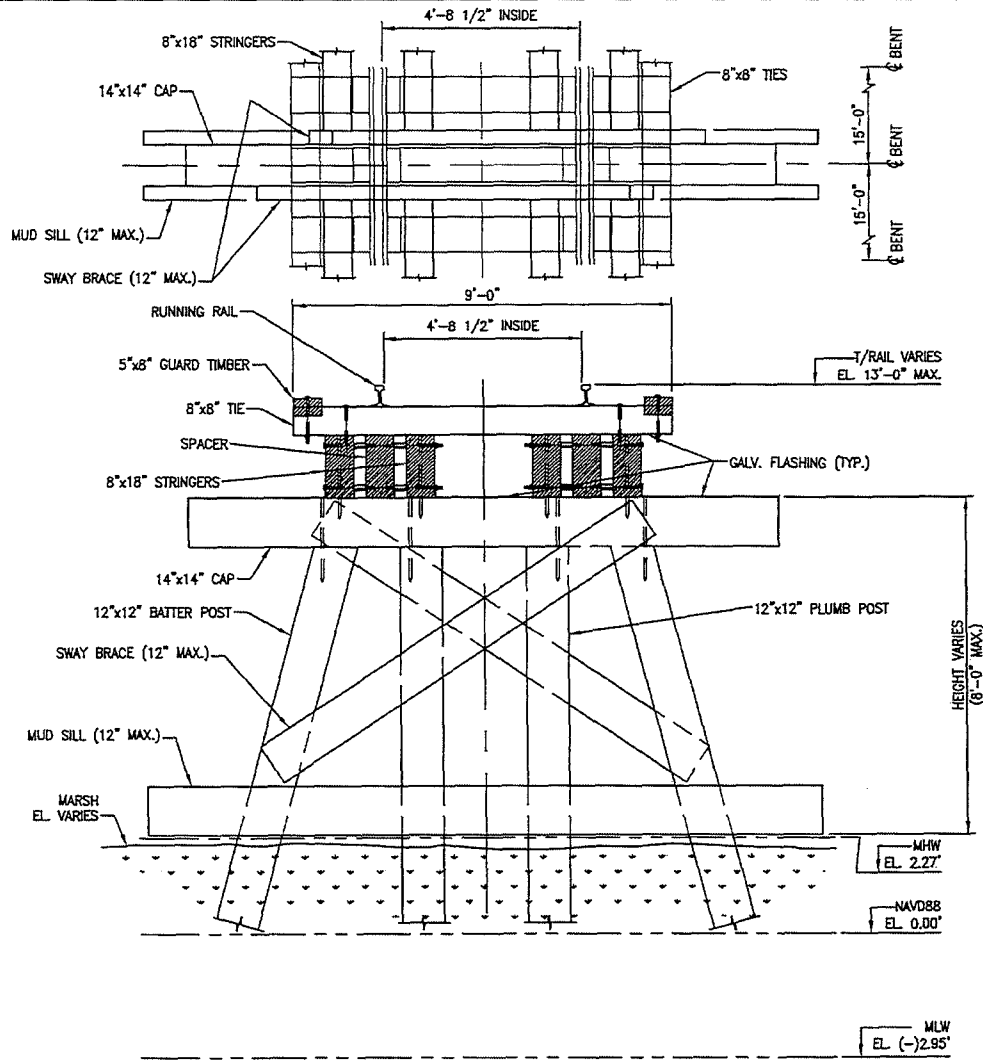
NOTE: ELEVATIONS REFERENCE NAVD88

NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
 NOT FOR CONSTRUCTION

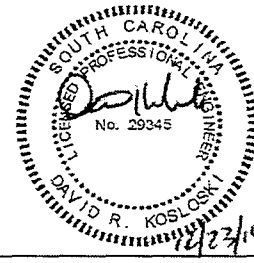
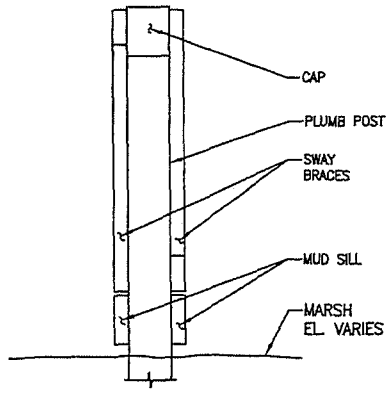


12/23/14

APPROVAL	DATE	PROJECT USA II NORTH CHARLESTON TERMINAL DEVELOPMENT N. CHARLESTON, SC
DESIGN -	-	
CHECK -	-	
DRAFT CMG	12/08/14	JOB NO. 6474.001
		DWG. NO. P-103
TYPICAL TRESTLE TIMBER BENT SECTION		

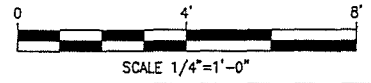


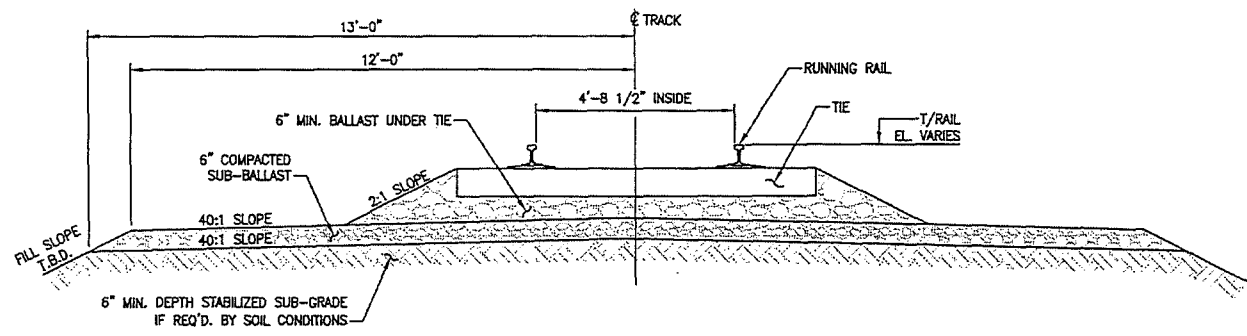
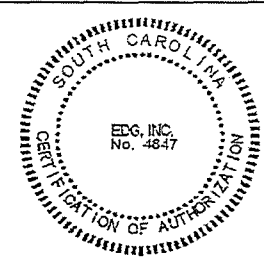
NOTE:
APPROX. 80 BENTS REQUIRED
ON 15' C/C SPACING STAGGERED
BETWEEN RAIL LINES



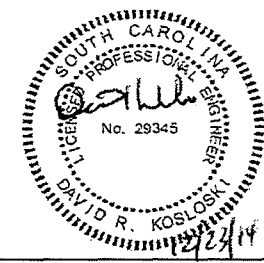
NOTE: ELEVATIONS REFERENCE NAVD88
NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION

TYPICAL TRESTLE
TIMBER BENT SECTION
SCALE 1/4"=1'-0"





NOTE: ROADBED INFORMATION BASED ON NORFOLK-SOUTHERN STANDARDS



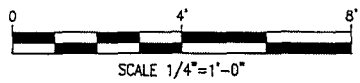
APPROVAL	DATE	PROJECT USA II NORTH CHARLESTON TERMINAL DEVELOPMENT N. CHARLESTON, SC TYPICAL RAILWAY SECTION
DESIGN -	-	
CHECK -	-	
DRAFT CMG	12/08/14	JOB NO. 6474.001
		DWG. NO. P-104



NOTE: ELEVATIONS REFERENCE NAVD88

NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION

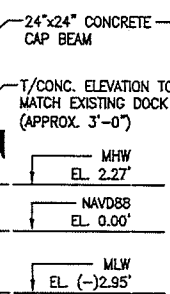
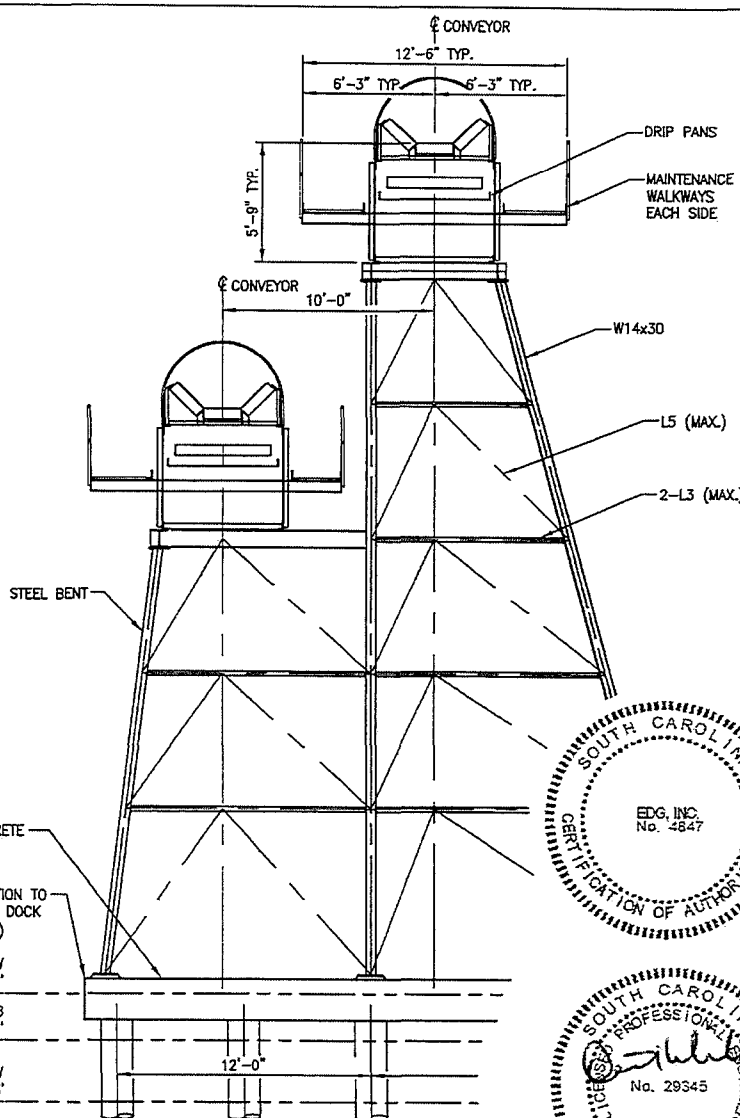
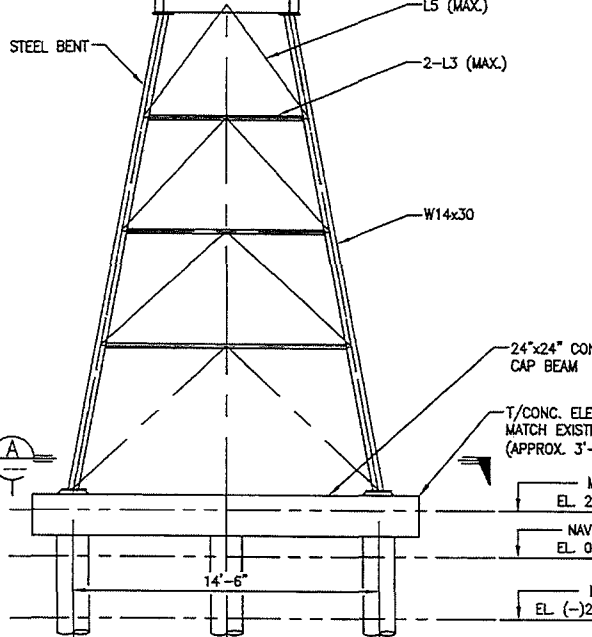
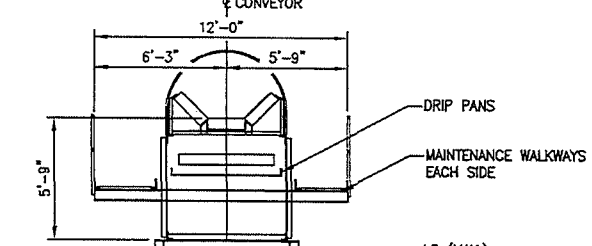
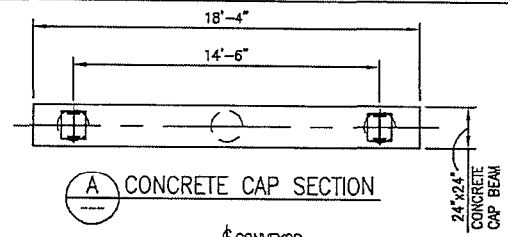
TYPICAL RAILWAY SECTION
SCALE 1/4" = 1'-0"



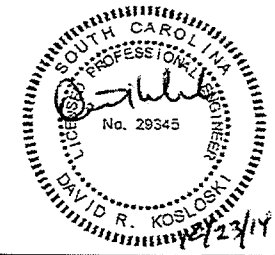
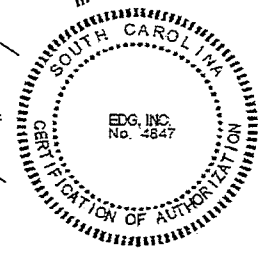
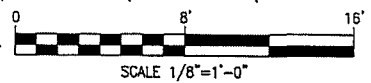
APPROVAL	DATE
DESIGN -	-
CHECK -	-
DRAFT CMG	12/08/14

PROJECT USA II
 NORTH CHARLESTON TERMINAL DEVELOPMENT
 N. CHARLESTON, SC
 TYPICAL CONVEYOR BENTS

JOB NO. 6474.001 DWG. NO. P-105



TYPICAL CONVEYOR BENTS

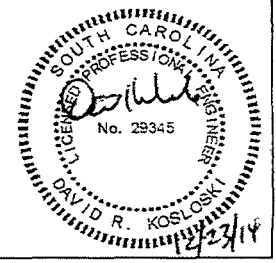
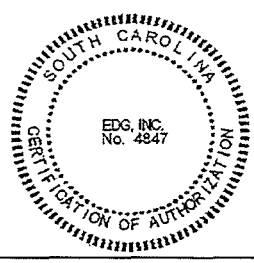
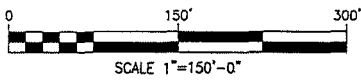
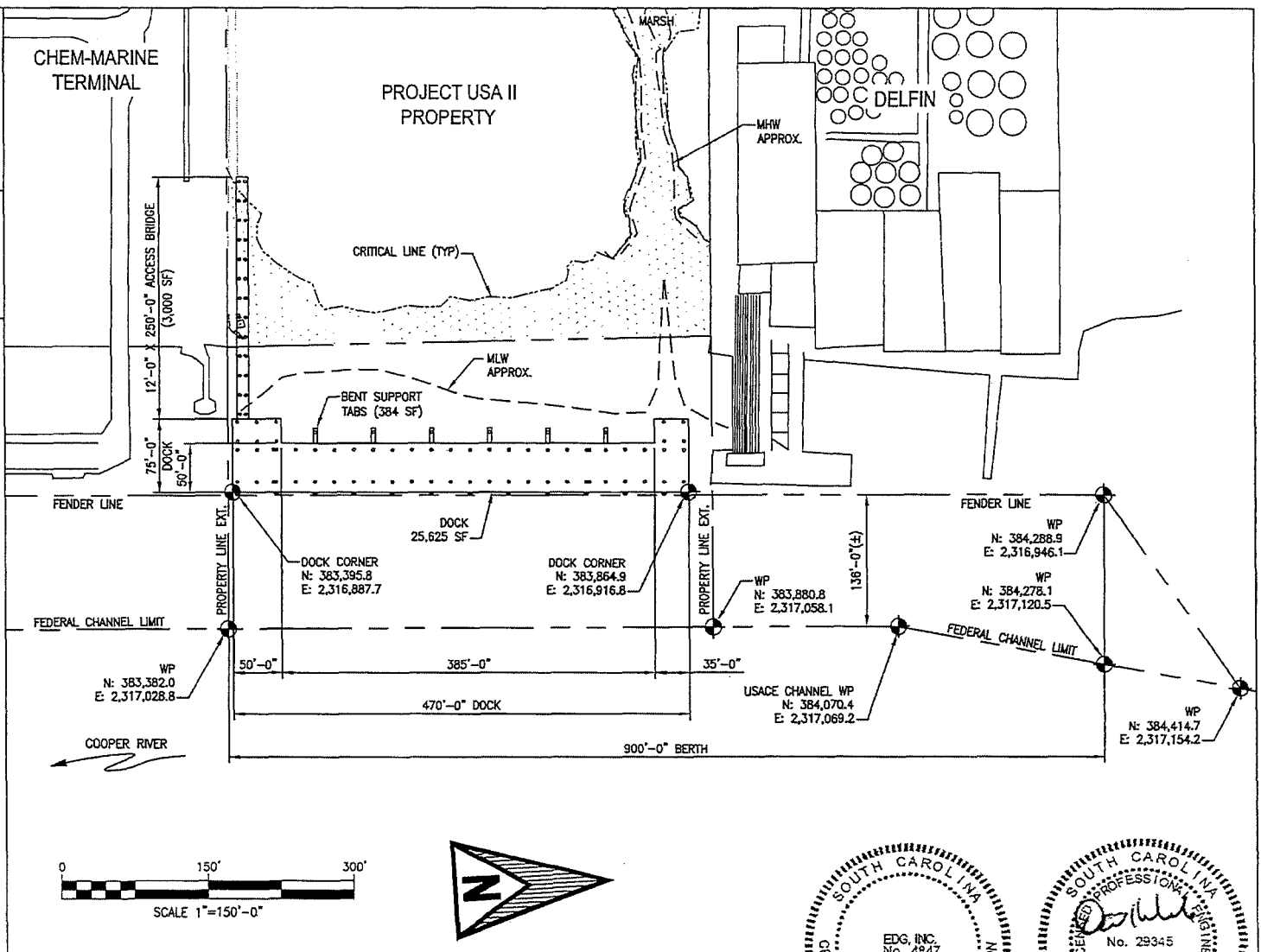


NOTE: ELEVATIONS REFERENCE NAVD88
 NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
 NOT FOR CONSTRUCTION

APPROVAL	DATE
DESIGN -	-
CHECK -	-
DRAFT CMG	12/08/14

PROJECT USA II
 NORTH CHARLESTON TERMINAL DEVELOPMENT
 N. CHARLESTON, SC
 PROPOSED DOCK PLAN

JOB NO. 6474.001 DWG. NO. P-106

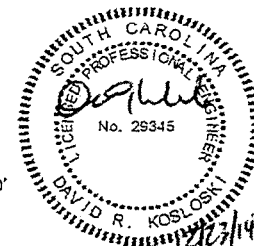
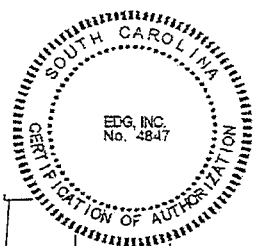
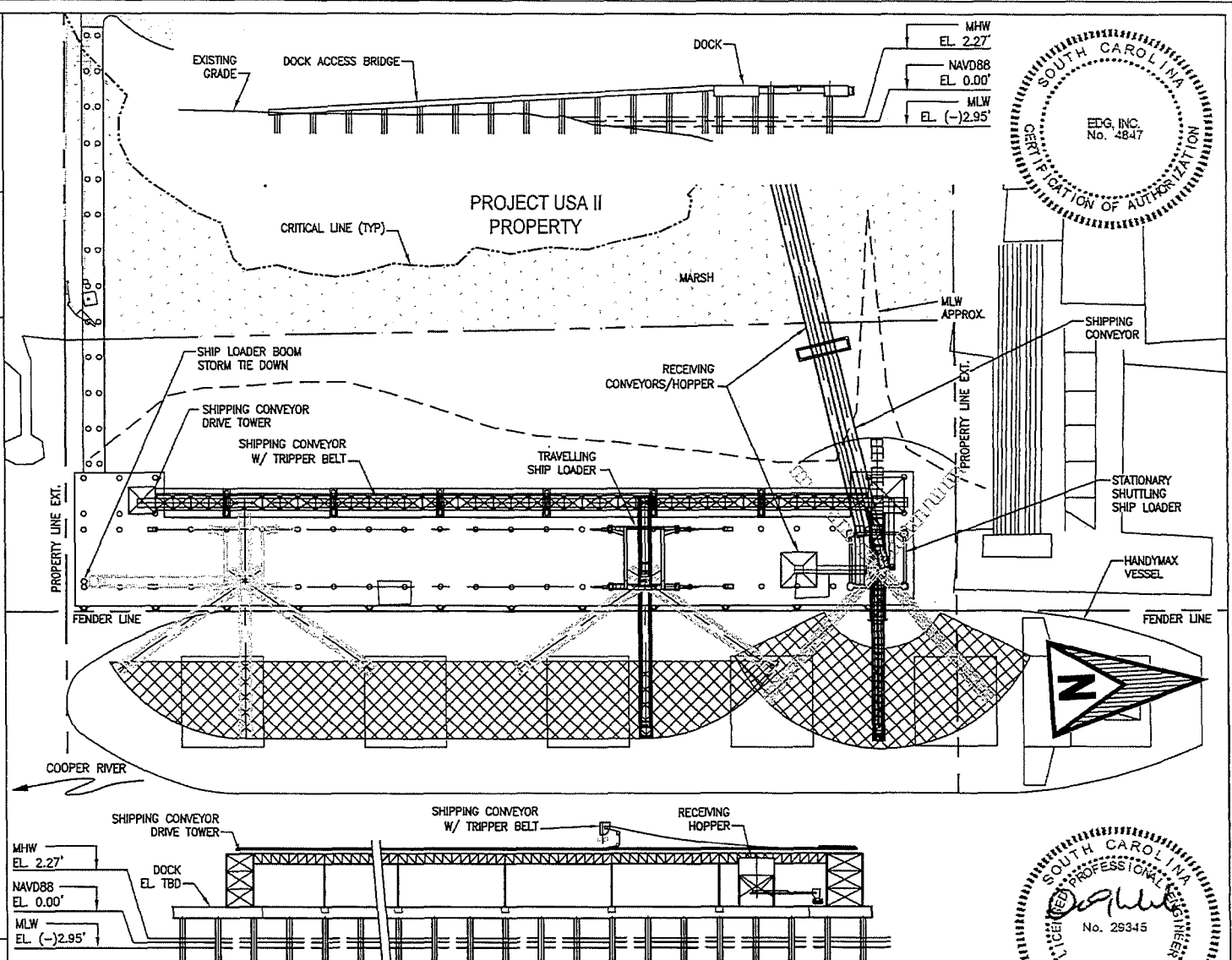


NOTE: ELEVATIONS REFERENCE NAVD88

NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
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PROPOSED DOCK PLAN
 SCALE 1"=150'-0"

APPROVAL	DATE	PROJECT USA II NORTH CHARLESTON TERMINAL DEVELOPMENT N. CHARLESTON, SC PROPOSED DOCK PLAN & ELEVATIONS	JOB NO.	DWG. NO.
DESIGN -	-		6474.001	P-107
CHECK -	-			
DRAFT	12/08/14			

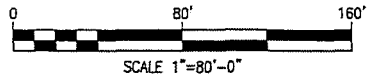


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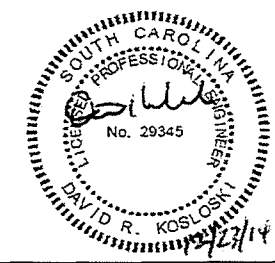
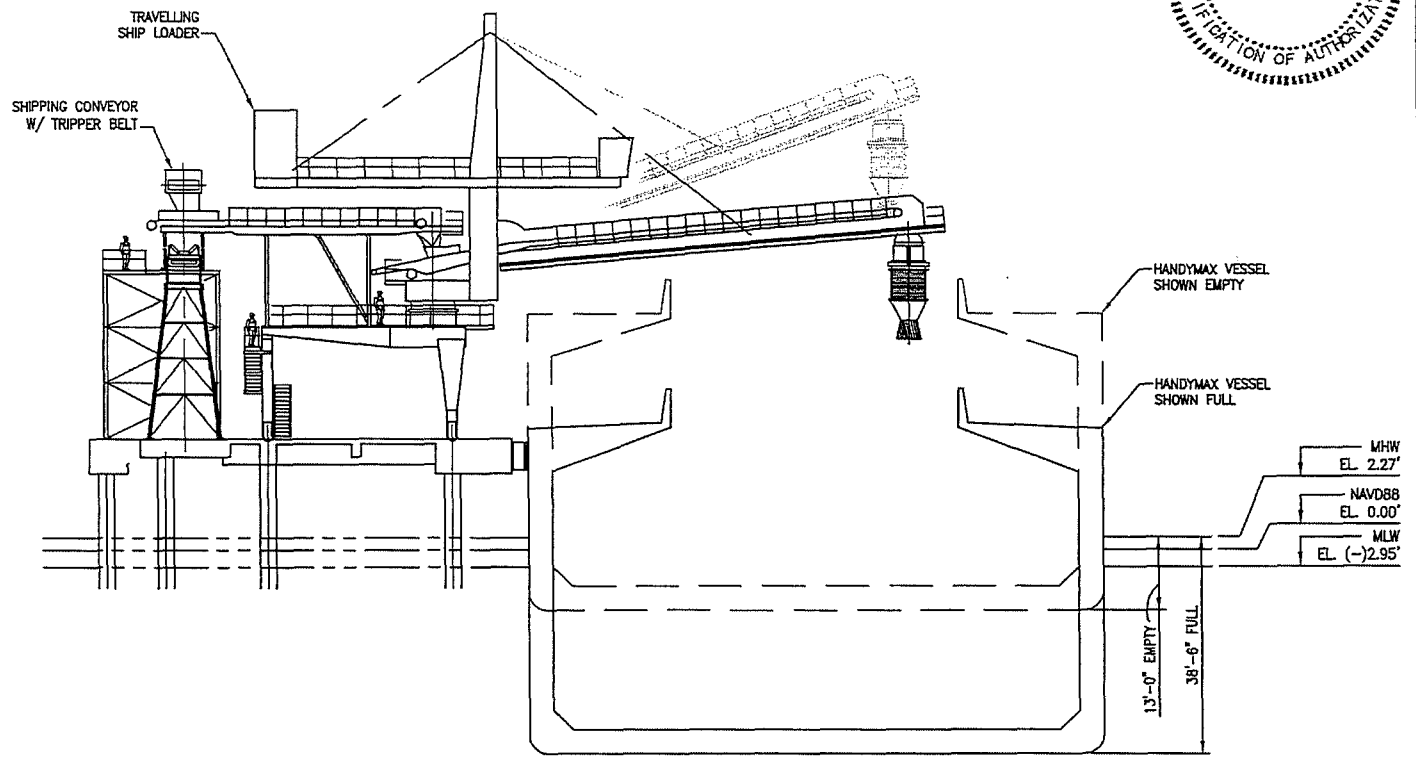
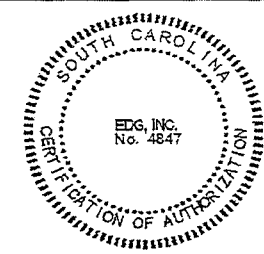
NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION

PROPOSED DOCK PLAN/ELEV

SCALE 1"=80'-0"



SCALE 1"=80'-0"



APPROVAL	DATE	PROJECT USA II NORTH CHARLESTON TERMINAL DEVELOPMENT N. CHARLESTON, SC PROPOSED DOCK SECTION	JOB NO.	DWG. NO.
DESIGN	-		6474.001	P-108
CHECK	-			
DRAFT	12/08/14			

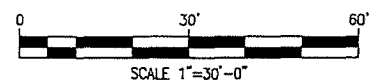


NOTE: ELEVATIONS REFERENCE NAVD88

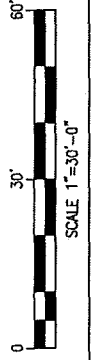
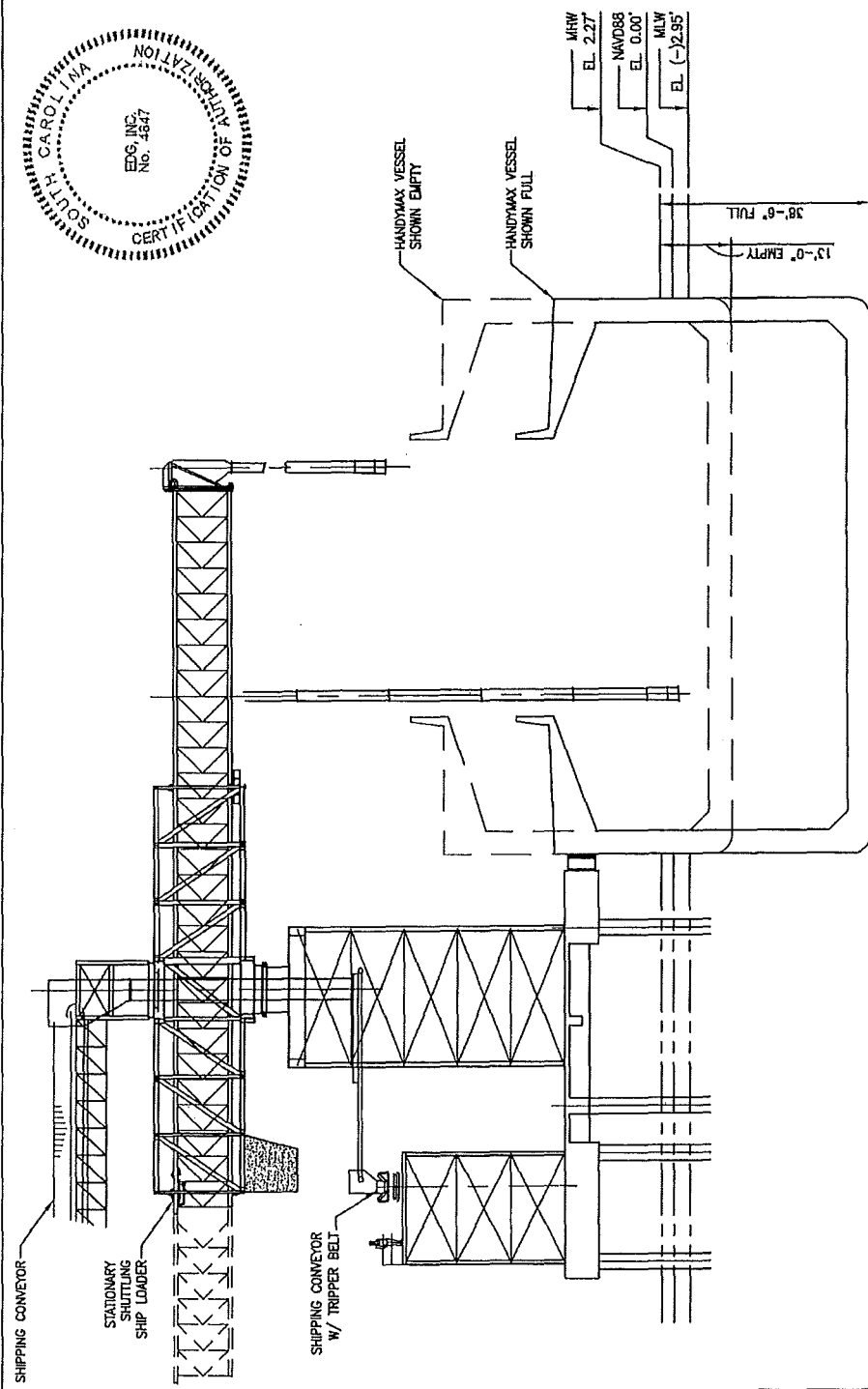
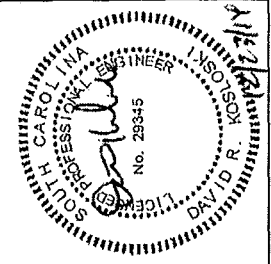
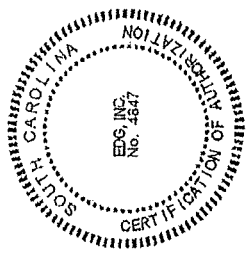
NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION

PROPOSED DOCK SECTION

SCALE 1"=30'-0"



SCALE 1"=30'-0"



PROPOSED DOCK SECTION
SCALE 1"=30'-0"

NOTE: ELEVATIONS REFERENCE NAVD88
 NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
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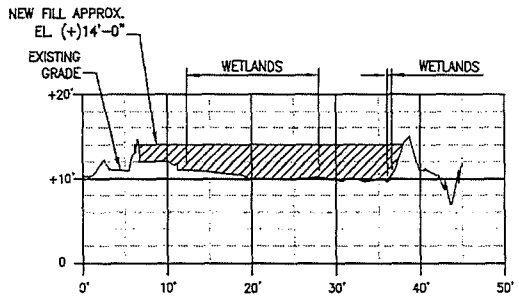
APPROVAL	DATE	PROJECT USA II NORTH CHARLESTON TERMINAL DEVELOPMENT N. CHARLESTON, SC PROPOSED DOCK SECTION			
DESIGN	-				
CHECK	-				
DRAFT	CMG	12/08/14	JOB NO. 6474.001	DWG. NO. P-109	▲



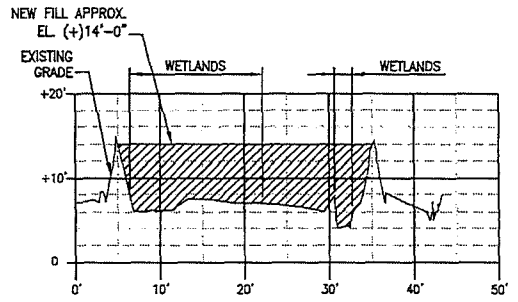
APPROVAL	DATE
DESIGN	-
CHECK	-
DRAFT	CMG
12/08/14	

PROJECT USA II
 NORTH CHARLESTON TERMINAL DEVELOPMENT
 N. CHARLESTON, SC
 PROPOSED WETLAND FILL SECTIONS

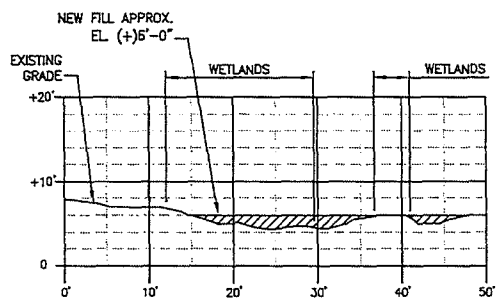
JOB NO. 6474.001
 DWG. NO. P-110



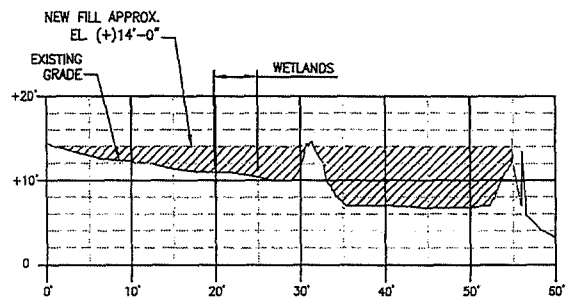
(A) SECTION THRU WETLAND "E"
 P-102



(B) SECTION THRU WETLANDS "C" & "F"
 P-102



(C) SECTION THRU WETLAND "A"
 P-102



(D) SECTION THRU WETLANDS "E"
 P-102

NOTE: ELEVATIONS REFERENCE NAVD88
 NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY
 NOT FOR CONSTRUCTION

