

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#2003-13026-2R (FKA P/N#2003-1W-007)

7 May 2013

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 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

SOUTH CAROLINA STATE PORTS AUTHORITY  
C/O ROBERT MITCHELL  
POST OFFICE BOX 22287  
CHARLESTON, SOUTH CAROLINA 29413-2287

for a permit to perform maintenance dredging in the

**COOPER RIVER**

at the South Carolina State Ports Authority (SCSPA) Union Pier Terminal located on Concord Street, in the City of Charleston, Charleston County, South Carolina.  
Latitude: 32.784261 N; Longitude: -79.923473 W.

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 maintenance dredging approximately 100,000 cubic yards of material over a 7.1 acre area. In detail, the dredged material will be hydraulically dredged to a project depth of -44.0' MLW with 1.0' of over depth for a total depth of -45.0'. (NOTE: This is the same depth as previous permit #2003-1W-007). The dredged material will be pumped via pipeline to an upland disposal site on Drum Island, Daniel Island, and/or Clouter Creek. No new work is proposed. The applicant is not proposing mitigation for this project, but is planning to conduct sediment sampling as per the "Charleston District Sampling and Analysis Plan". The purpose of

the proposed work is to provide adequate depth for berthing deep draft vessels at the Union Pier Terminal.

**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 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 7.1 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 species or result in the destruction or adverse modification of designated or proposed critical 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

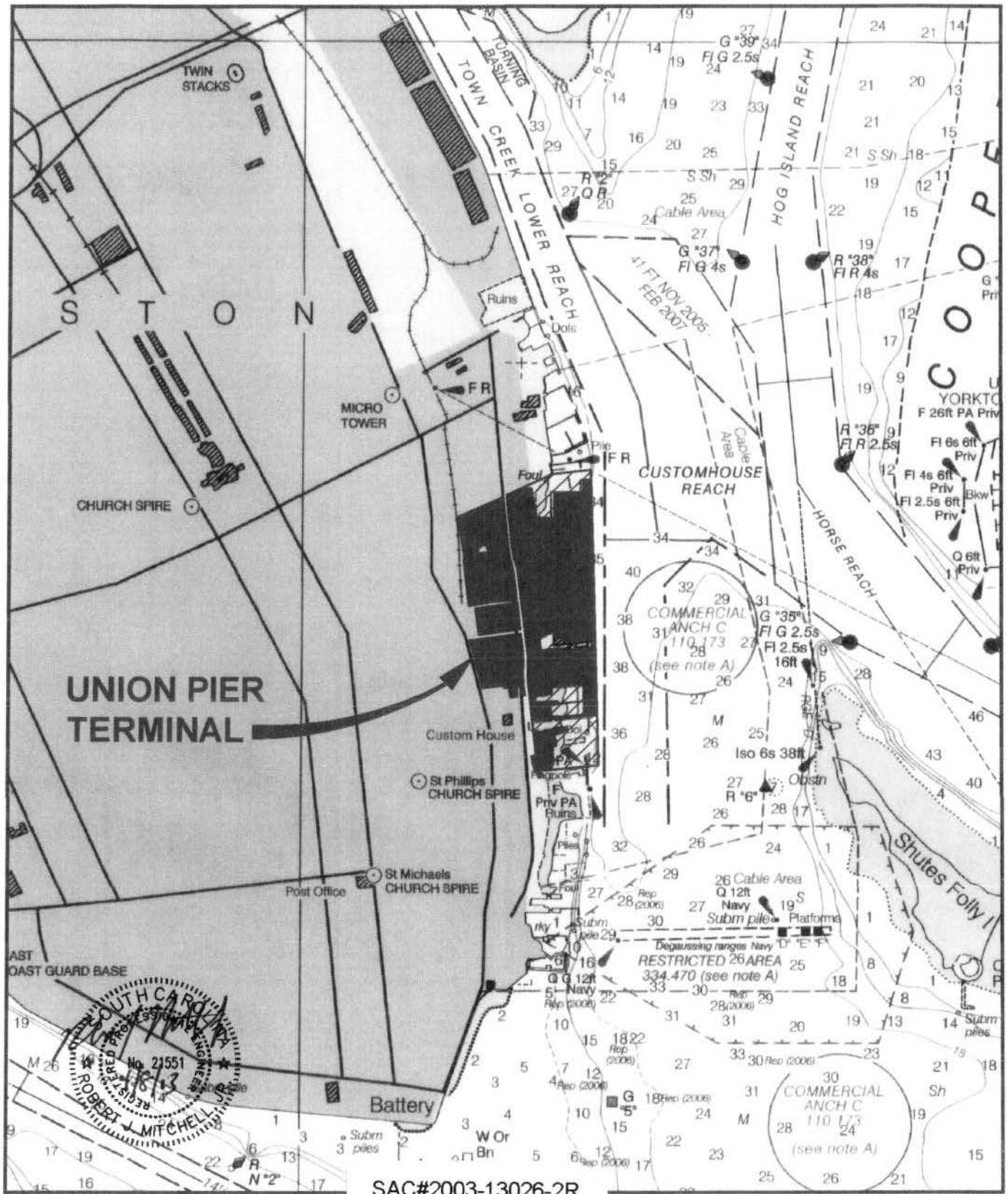
not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

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 Robin Coller-Socha at 843-329-8044 or toll free at 1-866-329-8187.



SAC#2003-13026-2R  
(FKA#2003-1W-007)

PROJECT NO. : MSC11E008  
FILE NAME : Upbmdp1-1

**PURPOSE:** Adequate Depth for Vessels

**DATUM:**

**ADJACENT PROPERTY OWNERS:**

1. N/A
2. N/A

### LOCATION

South Carolina State **PORTS AUTHORITY**  
176 CONCORD STREET  
P.O. BOX 22287  
CHARLESTON, S.C. 29413-2287

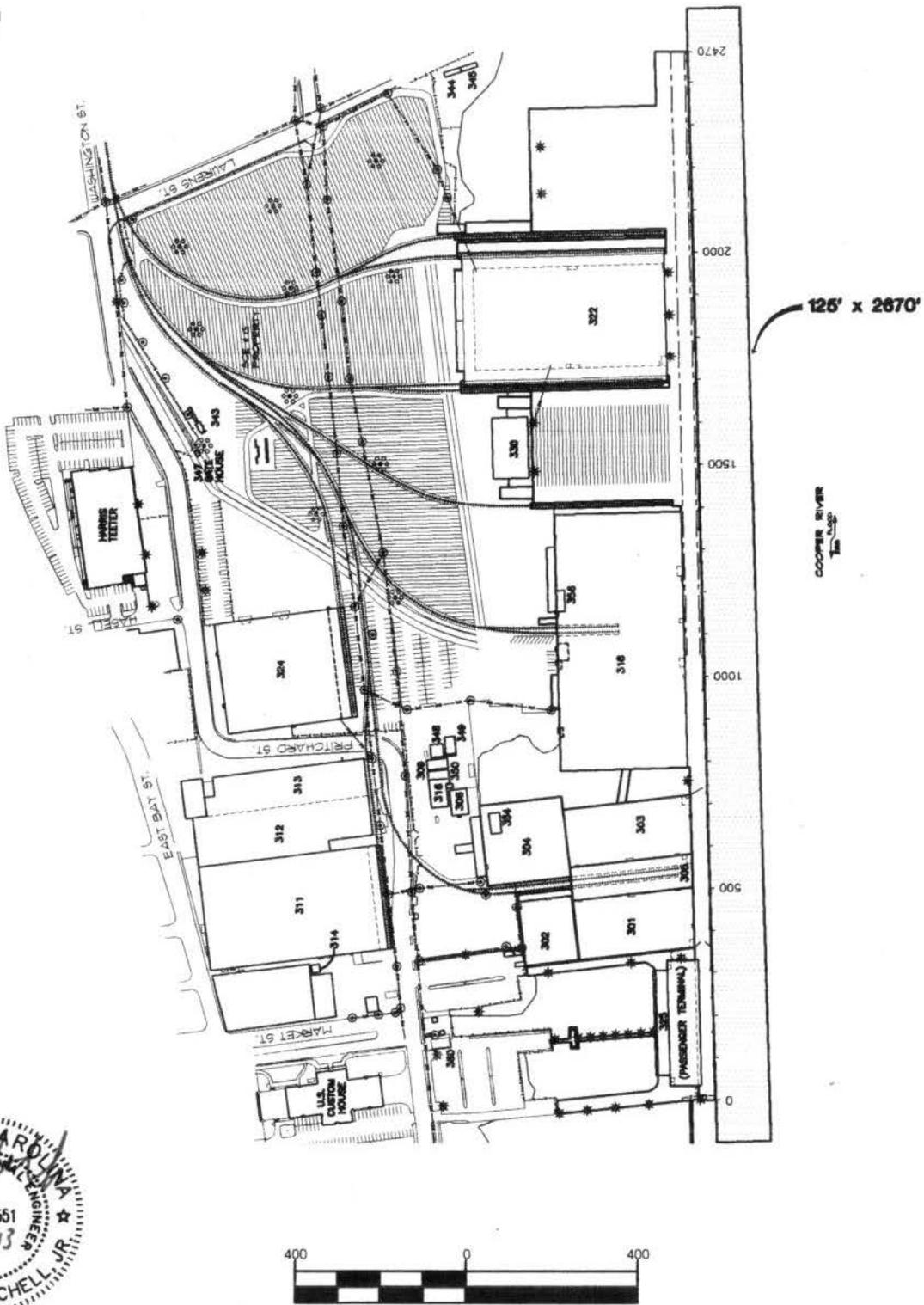
**PROPOSED:** Berth Maintenance Dredging

**IN:** Custom House Reach

**AT:** Union Pier Terminal - State Pier 2  
Charleston County, South Carolina

**APPLICATION BY:** SC STATE PORTS AUTHORITY

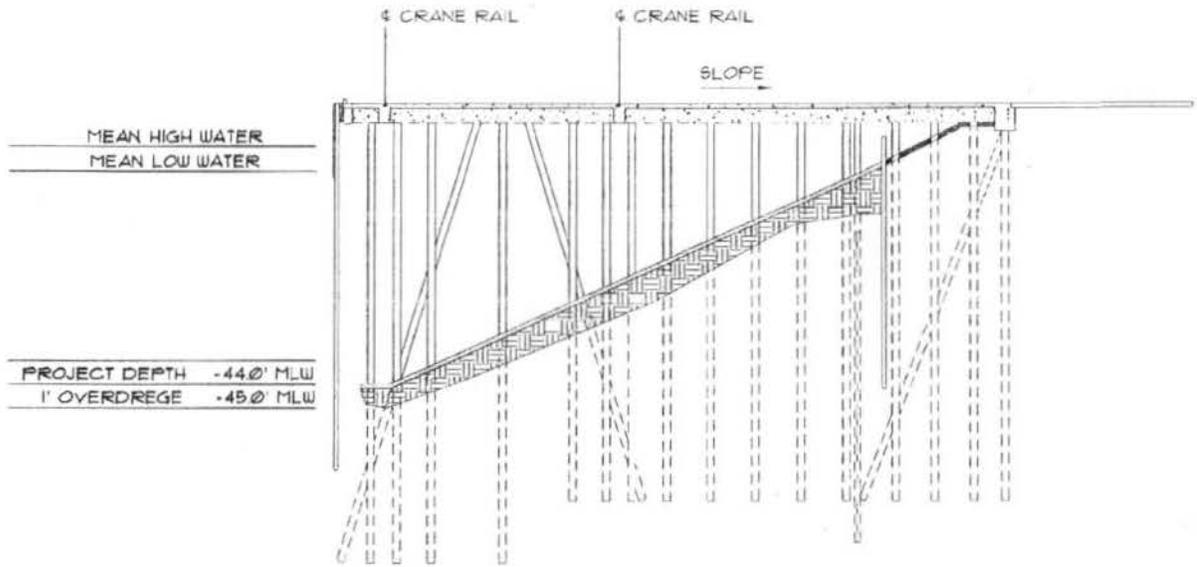
**SHEET:** 1 of 6 **DATE:** April 2013



SAC#2003-13026-2R  
(FKA#2003-1W-007)

PROJECT NO. : MSC11E008  
FILE NAME : Upbrmdp1-2

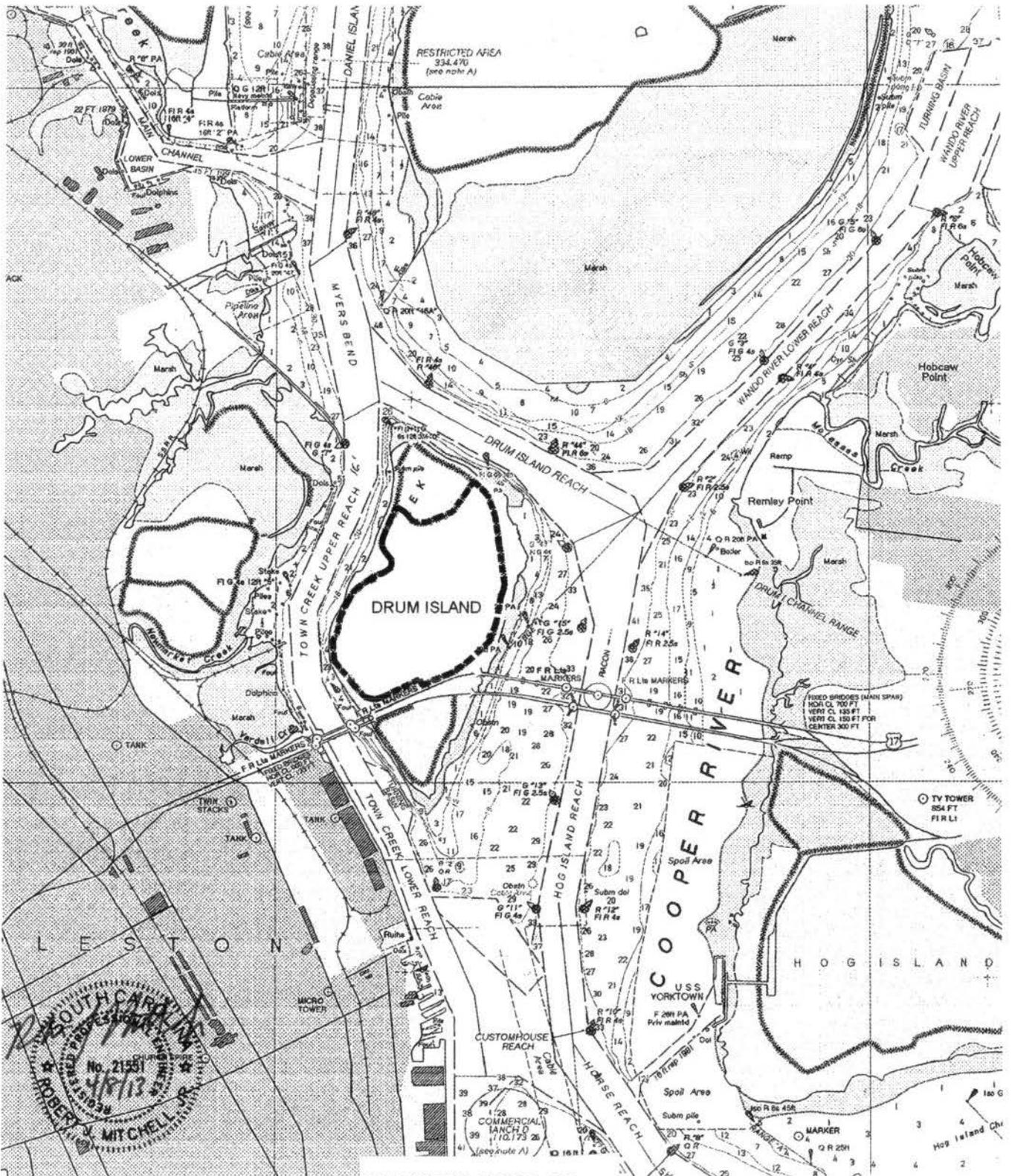
<p><b>PURPOSE:</b> Adequate Depth for Vessels</p> <p><b>DATUM:</b> GRAPHIC</p> <p><b>ADJACENT PROPERTY OWNERS:</b></p> <p>1. N/A 2. N/A</p>	<p><b>TERMINAL LAYOUT</b></p> <p>South Carolina State <b>PORTS AUTHORITY</b></p> <p>176 CONCORD STREET</p> <p>P.O. BOX 22287</p> <p>CHARLESTON, S.C. 29413-2287</p>	<p><b>PROPOSED:</b> Berth Maintenance Dredging</p> <p><b>IN:</b> Custom House Reach</p> <p><b>AT:</b> Union Pier Terminal - State Pier 2 Charleston County, South Carolina</p> <p><b>APPLICATION BY:</b> SC STATE PORTS AUTHORITY</p> <p><b>SHEET:</b> 2 of 6    <b>DATE:</b> April 2013</p>
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SAC#2003-13026-2R  
(FKA#2003-1W-007)

PROJECT NO. : MSC11E008  
FILE NAME : Upbmdp13

<p><b>PURPOSE:</b> Adequate Depth for Vessels</p> <p><b>DATUM:</b></p> <p><b>ADJACENT PROPERTY OWNERS:</b></p> <p>1. N/A</p> <p>2. N/A</p>	<p><b>WHARF CROSS SECTION</b></p> <p>South Carolina State <b>PORTS AUTHORITY</b></p> <p>176 CONCORD STREET</p> <p>P.O. BOX 22287</p> <p>CHARLESTON, S.C. 29413-2287</p>	<p><b>PROPOSED:</b> Berth Maintenance Dredging</p> <p><b>IN:</b> Custom House Reach</p> <p><b>AT:</b> Union Pier Terminal - State Pier 2 Charleston County, South Carolina</p> <p><b>APPLICATION BY:</b> SC STATE PORTS AUTHORITY</p> <p><b>SHEET:</b> 3 of 6     <b>DATE:</b> April 2013</p>
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SAC#2003-13026-2R  
(FKA#2003-1W-007)

PROJECT NO. : MSC11E008  
FILE NAME : Upbmdp1-4

**PURPOSE:** Adequate Depth for Vessels

**DATUM:**

**ADJACENT PROPERTY OWNERS:**

1. N/A
2. N/A

## DISPOSAL SITE

South Carolina State **PORTS AUTHORITY**  
176 CONCORD STREET  
P.O. BOX 22287  
CHARLESTON, S.C. 29413-2287

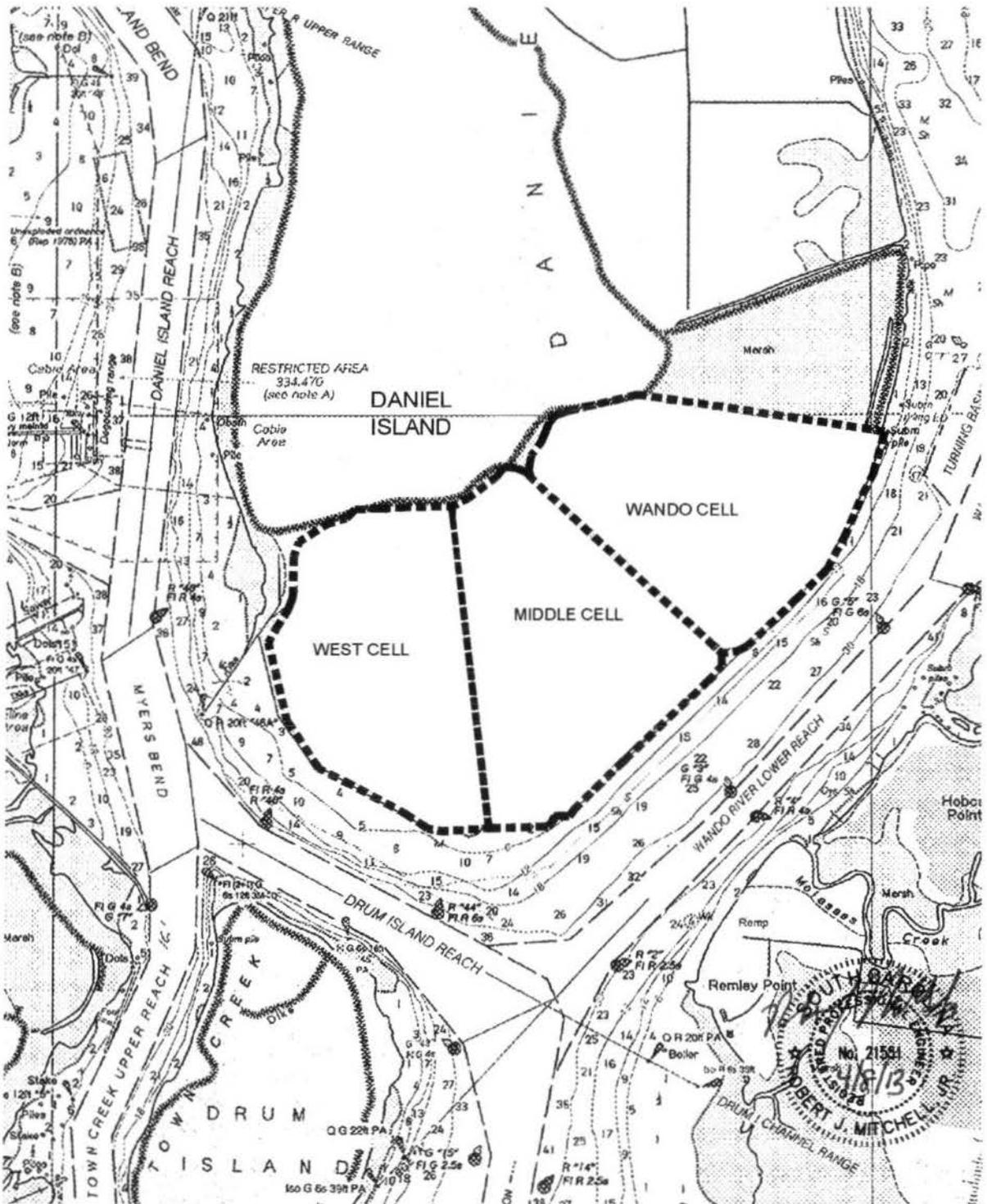
**PROPOSED:** Berth Maintenance Dredging

**IN:** Custom House Reach

**AT:** Union Pier Terminal - State Pier 2  
Charleston County, South Carolina

**APPLICATION BY:** SC STATE PORTS AUTHORITY

**SHEET:** 4 of 6      **DATE:** April 2013



SAC#2003-13026-2R  
(FKA#2003-1W-007)

PROJECT NO. : MSC11E008  
FILE NAME : Upbrmdp1-5

**PURPOSE:** Adequate Depth for Vessels

**DATUM:**

**ADJACENT PROPERTY OWNERS:**

1. N/A
2. N/A

## DISPOSAL SITE

South Carolina State **PORTS AUTHORITY**  
176 CONCORD STREET  
P.O. BOX 22287  
CHARLESTON, S.C. 29413-2287

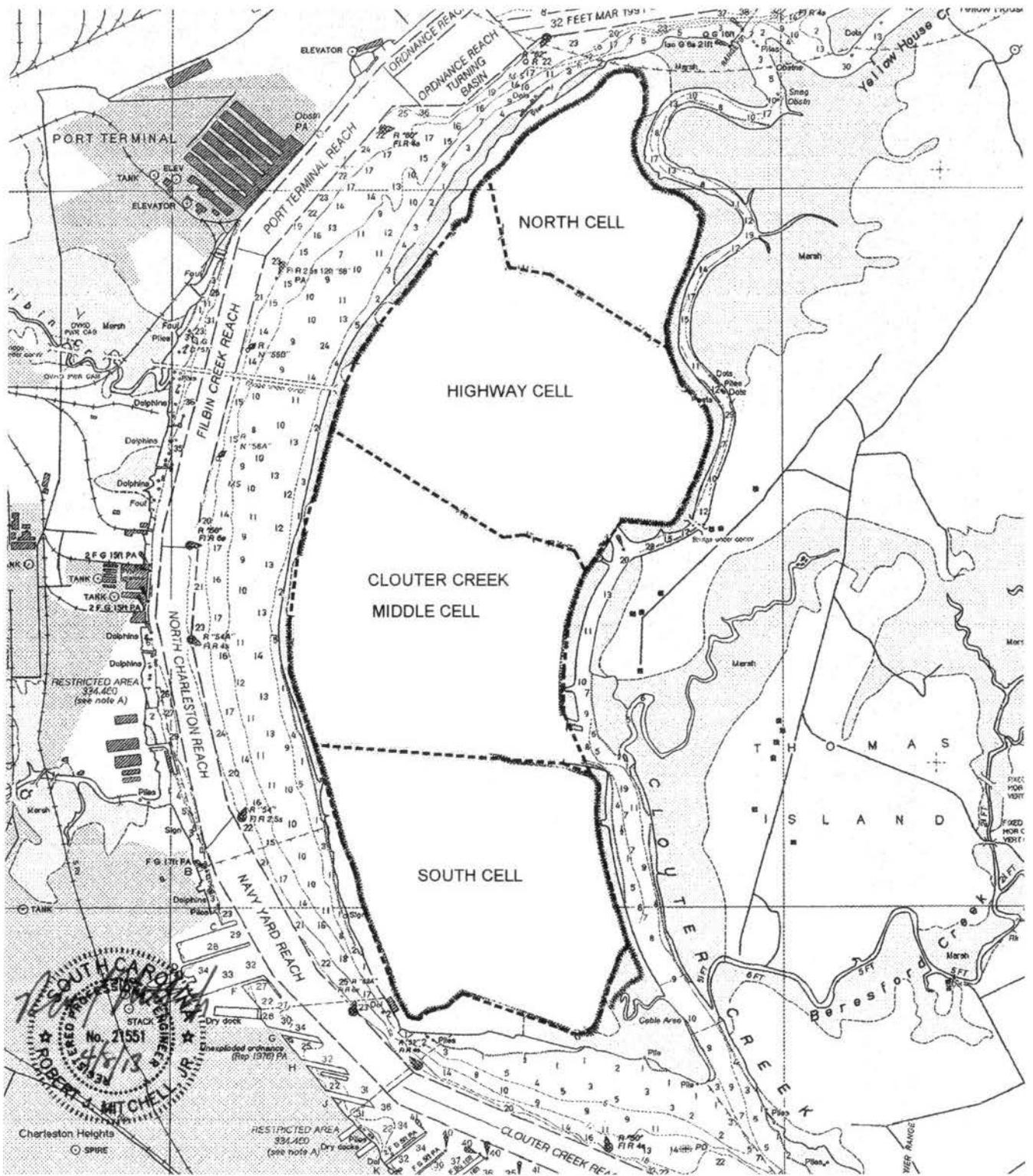
**PROPOSED:** Berth Maintenance Dredging

**IN:** Custom House Reach

**AT:** Union Pier Terminal - State Pier 2  
Charleston County, South Carolina

**APPLICATION BY:** SC STATE PORTS AUTHORITY

**SHEET:** 5 of 6 **DATE:** April 2013



SAC#2003-13026-2R  
(FKA#2003-1W-007)

PROJECT NO. : MSC11E008  
FILE NAME : Upbmd1-6

**PURPOSE:** Adequate Depth for Vessels

**DATUM:**

**ADJACENT PROPERTY OWNERS:**

- 1. N/A
- 2. N/A

### DISPOSAL SITE

South Carolina State **PORTS AUTHORITY**  
176 CONCORD STREET  
P.O. BOX 22287  
CHARLESTON, S.C. 29413-2287

**PROPOSED:** Berth Maintenance Dredging

**IN:** Custom House Reach

**AT:** Union Pier Terminal - State Pier 2  
Charleston County, South Carolina

**APPLICATION BY:** SC STATE PORTS AUTHORITY

**SHEET:** 6 of 6      **DATE:** April 2013