

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 # 2003-1H-359-P

12 December 2003

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

PATRIOTS POINT DEVELOPMENT AUTHORITY
ATTN: MR. ROBERT HOWARD
40 PATRIOTS POINT ROAD
MOUNT PLEASANT, SOUTH CAROLINA 29464

for a permit to perform maintenance dredging in

CHARLESTON HARBOR

at locations on an access channel and tour boat berthing area adjacent to Patriots Point Naval Museum and portions of Charleston Harbor Resort and Marina (Charleston Harbor Marina), Patriot's Point, Mount Pleasant, Charleston County, South Carolina (Latitude: 32.78786°, Longitude: 79.90985°).

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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 12 JANUARY 2004

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

The proposed work consists of dredging approximately 82,000 cubic yards of material from a 27.7-acre area. In detail, the proposed dredge depth in the access channel and tour boat berthing facility area is to elevation -13.0 feet MLW with a 2.0-foot over-dredge for a maximum dredge depth to elevation -15.0 feet MLW. The applicant estimates that approximately 70,000 cubic yards of sediments will be dredged to achieve the proposed depth in the access channel and berthing area. The proposed dredge depth in the Charleston Harbor Marina is to elevation -10.0 feet MLW. The applicant estimates that approximately 12,000 cubic yards of sediments will be dredged to achieve the proposed depth in the marina. The applicant intends to dispose of the dredged material in an upland Confined Disposal Facility (CDF). The applicant states they presently have permission from the South Carolina State Ports Authority (SCSPA) to dispose of

dredge sediments in either the Drum Island CDF or the Morris Island CDF. In addition, the applicant states that they have been authorized to dispose of dredge sediments in three of the SCSPA's CDFs, to include Daniel Island, for future maintenance dredging events. The applicant indicates that a sediment evaluation has been performed as authorized by the Corps in accordance with the approved Sampling and Analysis Plan for Patriots Point and Charleston Harbor Marina. The applicant indicates that a report will be provided to the Corps immediately upon completion. The purpose of the proposed work, as stated by the applicant, is to achieve safe operating for recreational and commercial vessels using the Patriots Point Tour Boat Facility and the Charleston Harbor Marina.

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 27.7 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.

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, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has 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. Consultation of the National Register

constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

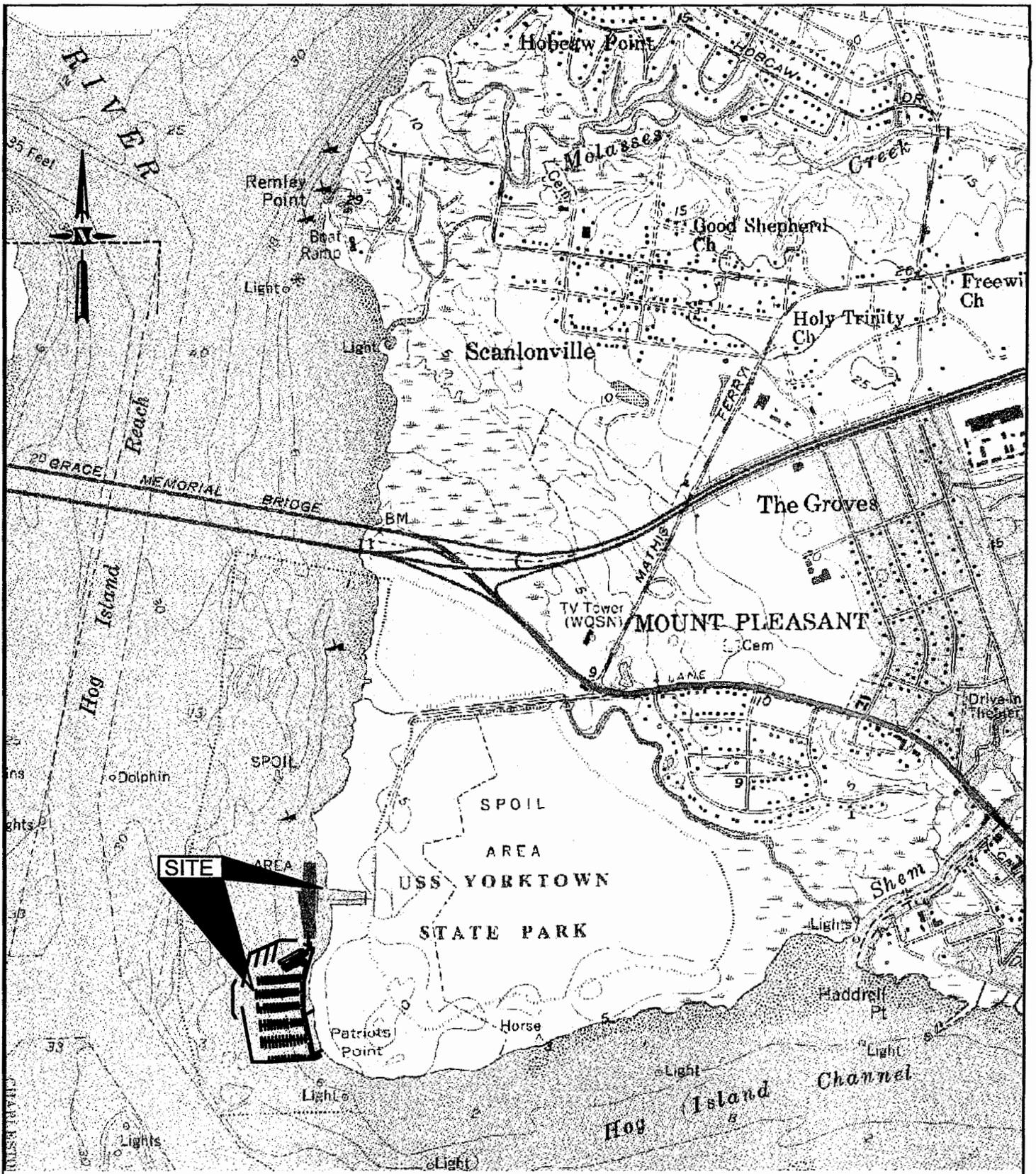
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 me at 843-329-8044 or toll free at 1-866-329-8187.

for Tracy Hurst
Travis Hughes
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



*DRAWING TAKEN FROM USGS 7.5 MINUTE TOPOGRAPHIC MAP (CHARLESTON, SOUTH CAROLINA QUADRANGLE)

PURPOSE: MAINTENANCE DREDGING

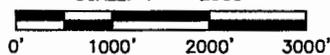
ADJACENT PROPERTY OWNERS
SEE ATTACHED LIST

SURVEY DATUM: MLW

P/N# 2003-11-359

FIGURE 1
LOCATION PLAN

SCALE: 1" = 2000'



PATRIOTS POINT DEVELOPMENT AUTHORITY
MT. PLEASANT, SOUTH CAROLINA

PROPOSED: MAINTENANCE DREDGING

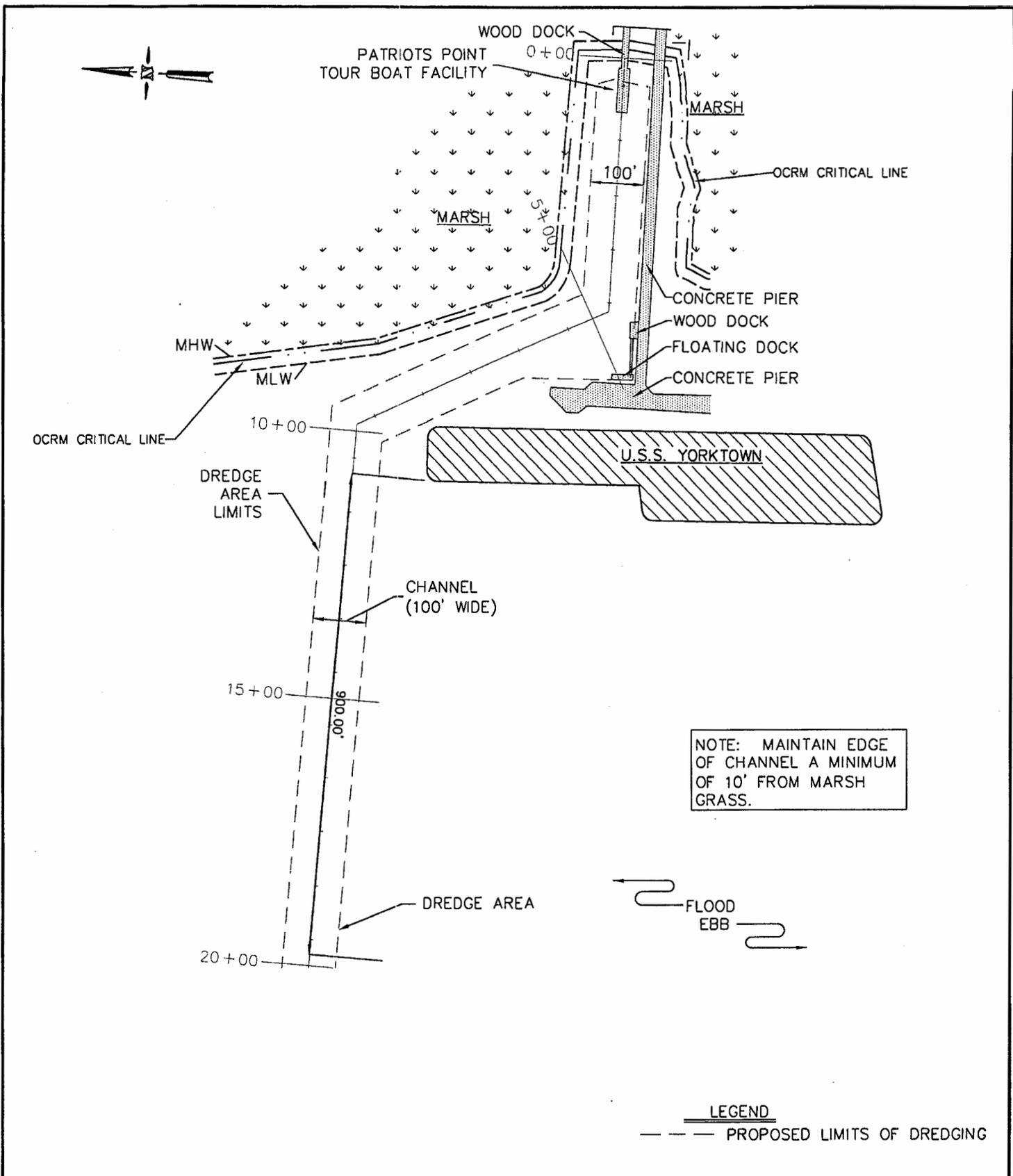
AT: PATRIOTS POINT
MT. PLEASANT

IN: CHARLESTON HARBOR

COUNTY OF: CHARLESTON
SOUTH CAROLINA

SHEET: 1 OF 9

DATE: 11/7/03

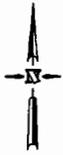


NOTE: MAINTAIN EDGE OF CHANNEL A MINIMUM OF 10' FROM MARSH GRASS.

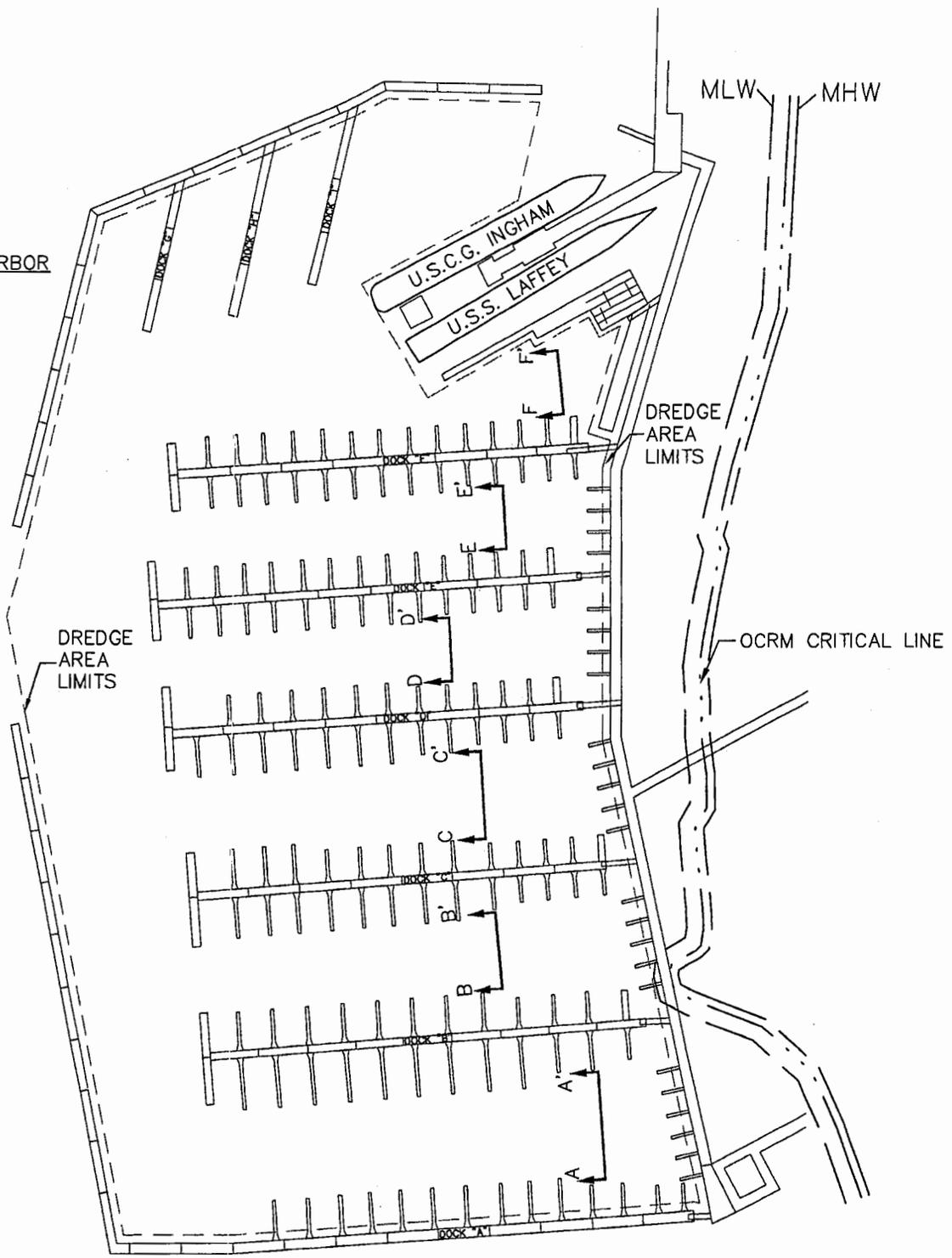
LEGEND

--- PROPOSED LIMITS OF DREDGING

<p>PURPOSE: MAINTENANCE DREDGING</p> <p>ADJACENT PROPERTY OWNERS SEE ATTACHED LIST</p> <p>SURVEY DATUM: MLW P/N# 2003-11-359 LATITUDE 32°47'32"N, LONGITUDE 79°54'33"W</p>	<p align="center">FIGURE 2 TOUR BOAT FACILITY AND APPROACH CHANNEL DREDGE AREA - PLAN VIEW SCALE: 1" = 250'</p> <p align="center">0' 125' 250' 375'</p> <p align="center">PATRIOTS POINT DEVELOPMENT AUTHORITY MT. PLEASANT, SOUTH CAROLINA</p>	<p>PROPOSED: MAINTENANCE DREDGING</p> <p>AT: PATRIOTS POINT MT. PLEASANT</p> <p>IN: CHARLESTON HARBOR</p> <p>COUNTY OF: CHARLESTON SOUTH CAROLINA</p> <p>SHEET: 2 OF 9 DATE: 11/7/03</p>
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CHARLESTON HARBOR



NOTE: MAINTAIN EDGE OF DREDGE AREA AT MINIMUM OF 10' FROM MARSH GRASS.

LEGEND

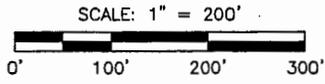
--- PROPOSED LIMITS OF DREDGING

PURPOSE: MAINTENANCE DREDGING

ADJACENT PROPERTY OWNERS
SEE ATTACHED LIST

SURVEY DATUM: MLW
P/N# 2003-14-359
LATITUDE 32°47'32"N, LONGITUDE 79°54'33"W

FIGURE 3
CHARLESTON HARBOR MARINA
DREDGE AREA - PLAN VIEW

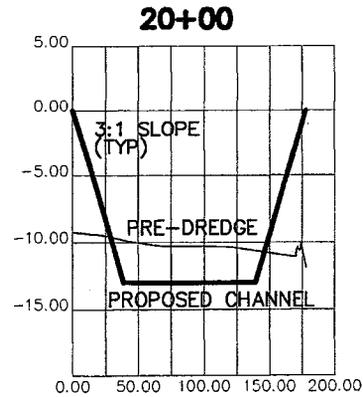
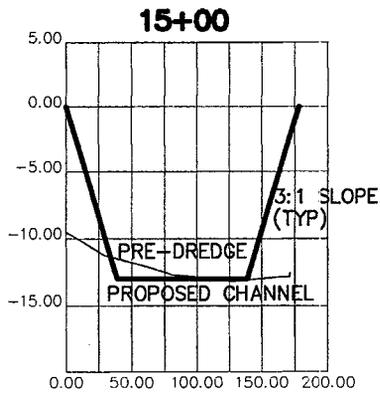
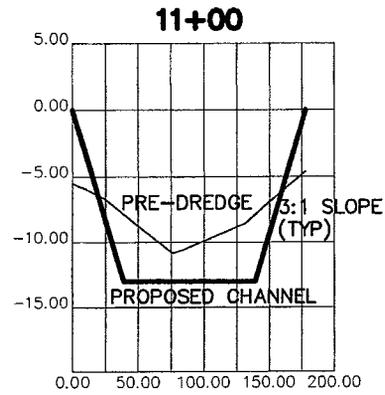
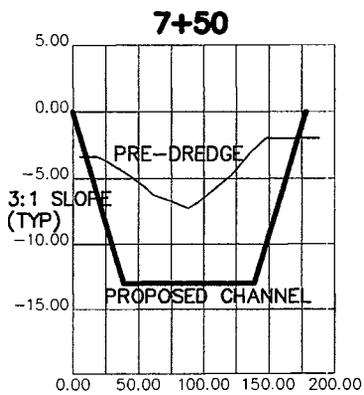
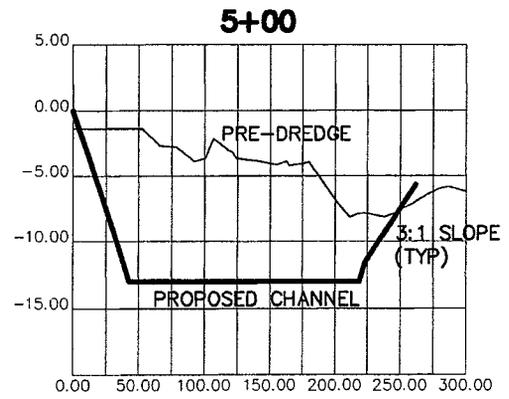
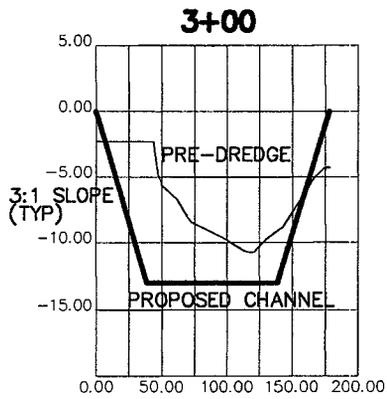


PATRIOTS POINT DEVELOPMENT AUTHORITY
MT. PLEASANT, SOUTH CAROLINA

PROPOSED: MAINTENANCE DREDGING

AT: PATRIOTS POINT
MT. PLEASANT
IN: CHARLESTON HARBOR
COUNTY OF: CHARLESTON
SOUTH CAROLINA

SHEET: 3 OF 9 DATE: 11/7/03



PURPOSE: MAINTENANCE DREDGING

ADJACENT PROPERTY OWNERS

SEE ATTACHED LIST

SURVEY DATUM: MLW

Plan# 2003-14-359

FIGURE 4
TOUR BOAT FACILITY
AND APPROACH CHANNEL
DREDGE AREA - CROSS SECTIONS
NOT TO SCALE

PATRIOTS POINT DEVELOPMENT AUTHORITY
 MT. PLEASANT, SOUTH CAROLINA

PROPOSED: MAINTENANCE DREDGING

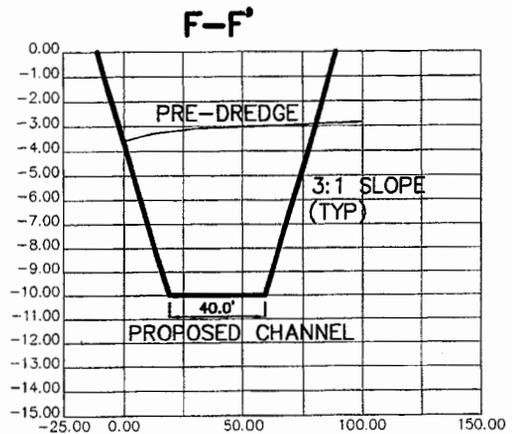
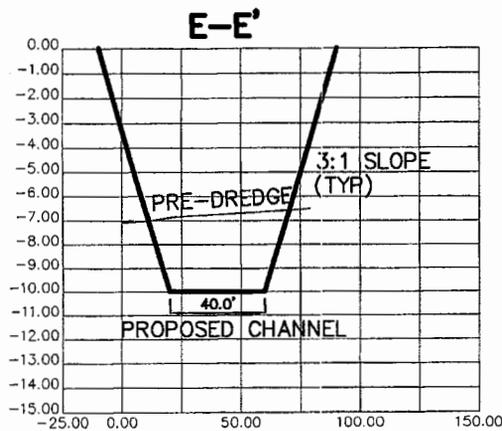
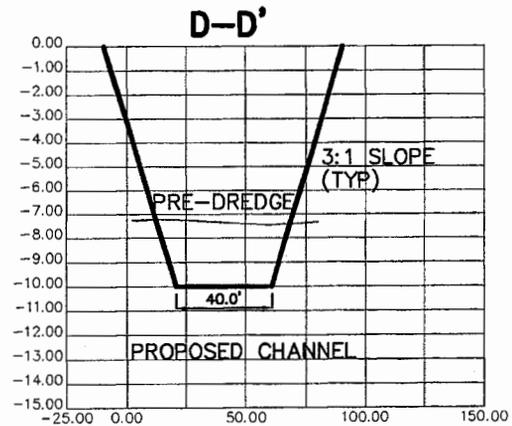
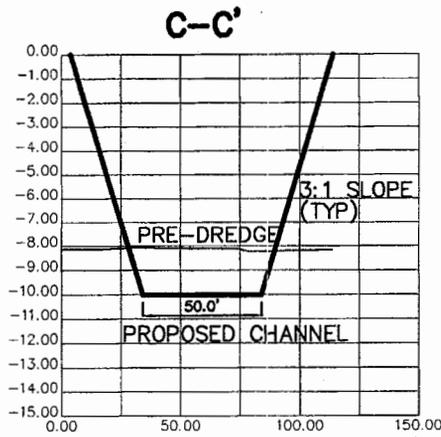
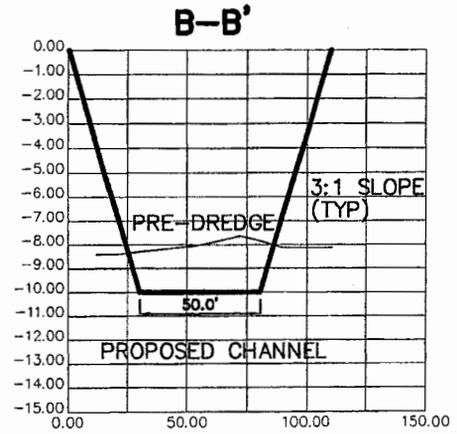
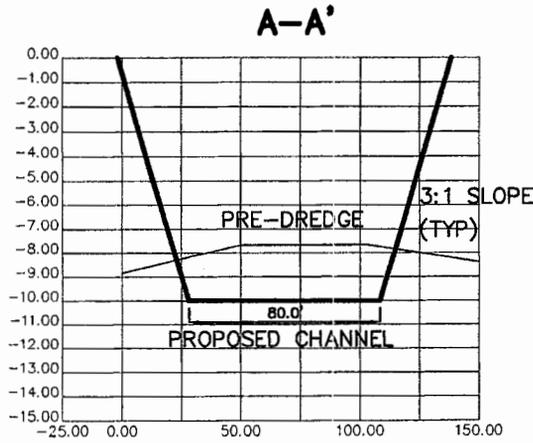
AT: PATRIOTS POINT
 MT. PLEASANT

IN: CHARLESTON HARBOR

COUNTY OF: CHARLESTON
 SOUTH CAROLINA

SHEET: 4 OF 9

DATE: 11/7/03



PURPOSE: MAINTENANCE DREDGING

ADJACENT PROPERTY OWNERS

SEE ATTACHED LIST

SURVEY DATUM: MLW

P/N#2003-114-359

FIGURE 5

CHARLESTON HARBOR MARINA
DREDGE AREA—CROSS SECTIONS

NOT TO SCALE

PATRIOTS POINT DEVELOPMENT AUTHORITY
MT. PLEASANT, SOUTH CAROLINA

PROPOSED: MAINTENANCE DREDGING

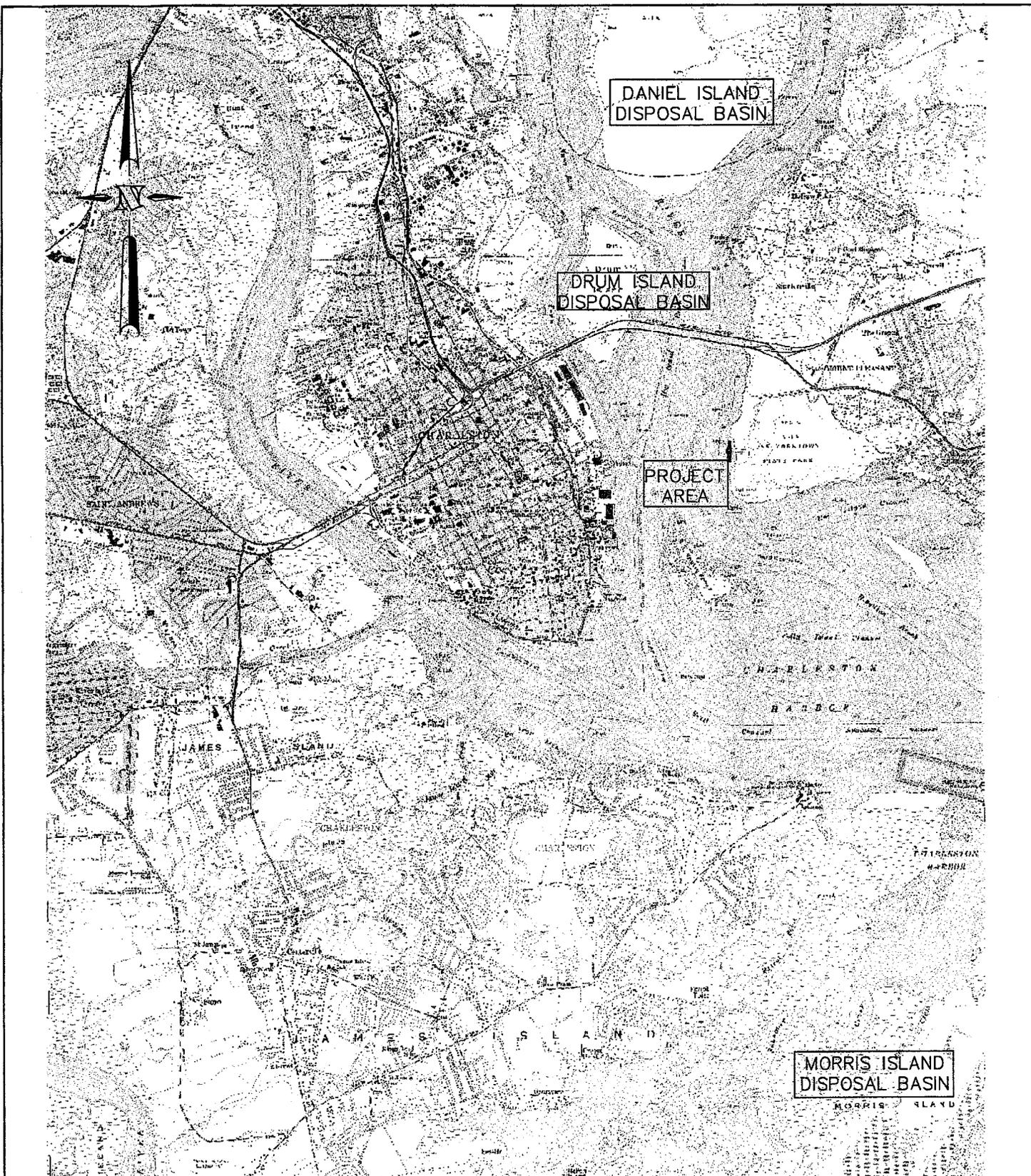
AT: PATRIOTS POINT
MT. PLEASANT

IN: CHARLESTON HARBOR

COUNTY OF: CHARLESTON
SOUTH CAROLINA

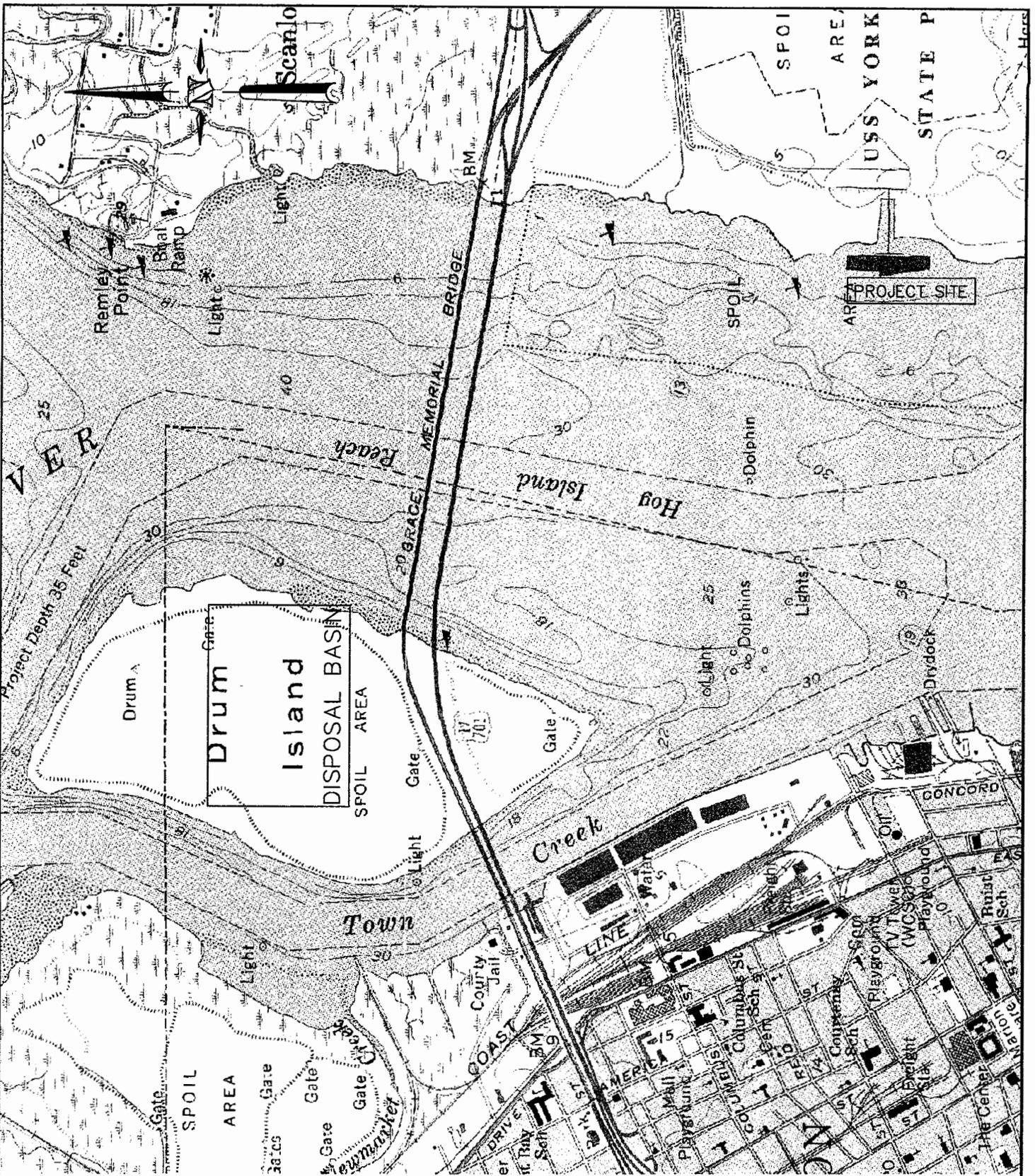
SHEET: 5 OF 9

DATE: 11/7/03



*DRAWING TAKEN FROM USGS 7.5 MINUTE TOPOGRAPHIC MAP (CHARLESTON, SOUTH CAROLINA QUADRANGLE)

<p>PURPOSE: MAINTENANCE DREDGING</p> <p><u>ADJACENT PROPERTY OWNERS</u> SEE ATTACHED LIST</p> <p>SURVEY DATUM: MLW</p> <p>D/N 2003-11-359</p>	<p align="center">FIGURE 6</p> <p align="center">DISPOSAL BASINS LOCATION PLAN</p> <p align="center">SCALE: 1" = 2000'</p> <p align="center"> </p> <p align="center">PATRIOTS POINT DEVELOPMENT AUTHORITY MT. PLEASANT, SOUTH CAROLINA</p>	<p>PROPOSED: MAINTENANCE DREDGING</p> <p>AT: PATRIOTS POINT MT. PLEASANT</p> <p>IN: CHARLESTON HARBOR</p> <p>COUNTY OF: CHARLESTON SOUTH CAROLINA</p> <p>SHEET: 6 OF 9 DATE: 11/7/03</p>
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PURPOSE: MAINTENANCE DREDGING

ADJACENT PROPERTY OWNERS

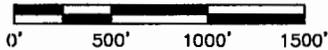
SEE ATTACHED LIST

SURVEY DATUM: MLW

P/N 2003-1H-359

**FIGURE 7
DRUM ISLAND DISPOSAL BASIN
LOCATION PLAN**

SCALE: 1" = 1000'



PATRIOTS POINT DEVELOPMENT AUTHORITY
MT. PLEASANT, SOUTH CAROLINA

PROPOSED: MAINTENANCE DREDGING

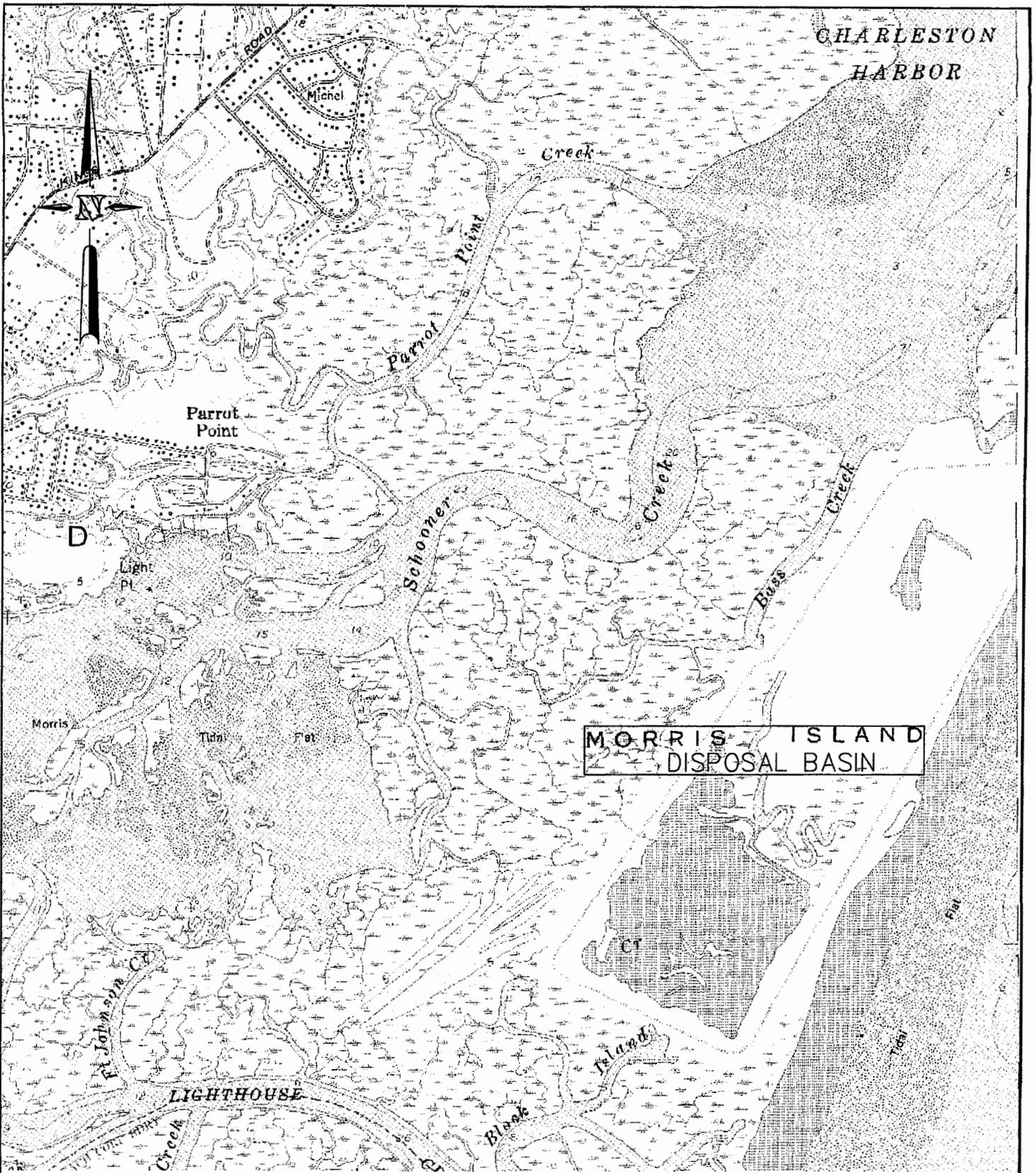
AT: PATRIOTS POINT
MT. PLEASANT

IN: CHARLESTON HARBOR

COUNTY OF: CHARLESTON
SOUTH CAROLINA

SHEET: 7 OF 9

DATE: 11/7/03



*DRAWING TAKEN FROM USGS 7.5 MINUTE TOPOGRAPHIC MAP (CHARLESTON, SOUTH CAROLINA QUADRANGLE)

PURPOSE: MAINTENANCE DREDGING

ADJACENT PROPERTY OWNERS
SEE ATTACHED LIST

SURVEY DATUM: MLW

P/N 2003-14-351

FIGURE 9
MORRIS ISLAND DISPOSAL BASIN
LOCATION PLAN

SCALE: 1" = 2000'

0' 1000' 2000' 3000'

PATRIOTS POINT DEVELOPMENT AUTHORITY
MT. PLEASANT, SOUTH CAROLINA

PROPOSED: MAINTENANCE DREDGING

AT: PATRIOTS POINT
MT. PLEASANT

IN: CHARLESTON HARBOR

COUNTY OF: CHARLESTON
SOUTH CAROLINA

SHEET: 9 OF 9 DATE: 11/7/03