

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 #2003-1W-375-P

19 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), Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended, (33 U.S.C. 1413) 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

THE SOUTH CAROLINA STATE PORTS AUTHORITY
c/o GENERAL ENGINEERING
POST OFFICE BOX 30712
CHARLESTON, SOUTH CAROLINA 29417

for a permit to perform clamshell dredging in waters of the

WANDO RIVER

at locations within the berthing area at the Wando Welch Terminal, Pier 41, 400 Long Point Road, Mt. Pleasant, Charleston County, South Carolina (Latitude 32.83277°, Longitude 79.89179°)

and to transport this maintenance dredged material by bottom-dump scows to the Charleston Ocean Dredged Material Disposal Site (ODMDS) located in the

ATLANTIC OCEAN

at a location adjacent to the Charleston Harbor Entrance Channel in Charleston County, South Carolina.

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, TUESDAY, 20 JANUARY 2004

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

19 DECEMBER 2003

The proposed project consists of dredging by clamshell dredge, approximately 60,000 cubic yards of clay and marl material from an area measuring 11.5 acres between the wharf and the adjacent Federal Channel including the berthing area of the Wando Welch Terminal every nine to ten months. The dredged material will be placed in bottom-dump scows and transported to the ODMDS. This office has determined that the runback from these barges are subject to Section 404 of the Clean Water Act. The ODMDS has been designated for use by the Administrator, EPA, pursuant to Section 103(c) of the Marine Protection, Research and Sanctuaries Act of 1972. Its location is shown on sheet 4 of 4 of the attached drawings. The ocean disposal site has been used in the past by the Corps of Engineers for disposal of material from Charleston Harbor and by the S. C. State Ports Authority for disposal of material from the Union Pier Columbus Street and Wando Welch Terminals. The exact location of the disposal within the ODMDS site will be determined at a later date. Chemical testing of the material and toxicity (bioassay) testing was performed for Department of the Army permit #99-1W-131-P-C as were modeling and bioaccumulation testing. Chemical testing only was performed for Department of the Army permit #2002-1W-521 which authorized the material to be dredged and placed in an upland disposal site. The applicant is currently seeking approval to perform new chemical testing of the material and to compare the testing results to the historic testing results for confirmation that the material is still suitable for ocean disposal. The results of these tests will be made available for review, **by appointment**, at the above referenced offices Monday through Friday, 8:30-3:00.

Department of the Army permit #2002-1W-521-P gave Federal authorization for hydraulic maintenance dredging for a period of ten (10) years from the date of issuance and upland disposal of the material into confined disposal sites. The applicant is required to present plans for maintenance dredging to the District Engineer a minimum of thirty (30) days prior to commencement of work. All maintenance dredging is to be performed in accordance with Federal and State regulations governing such activities at the time the maintenance dredging is undertaken. However, according to Corps of Engineers regulations, this permit which is for clamshell dredging and ocean disposal can only be valid for a three (3) year period. Therefore, if the permit is issued, it will only be valid for three years. The purpose of the project is to provide the South Carolina State Ports Authority with another way to perform maintenance dredging (clamshell dredging) and disposal of the material (in the ocean disposal site) for safe operating depths at the terminal to ~~50 feet MLW to maintain a project depth of 45 feet MLW~~.

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

19 DECEMBER 2003

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 11.5 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.

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

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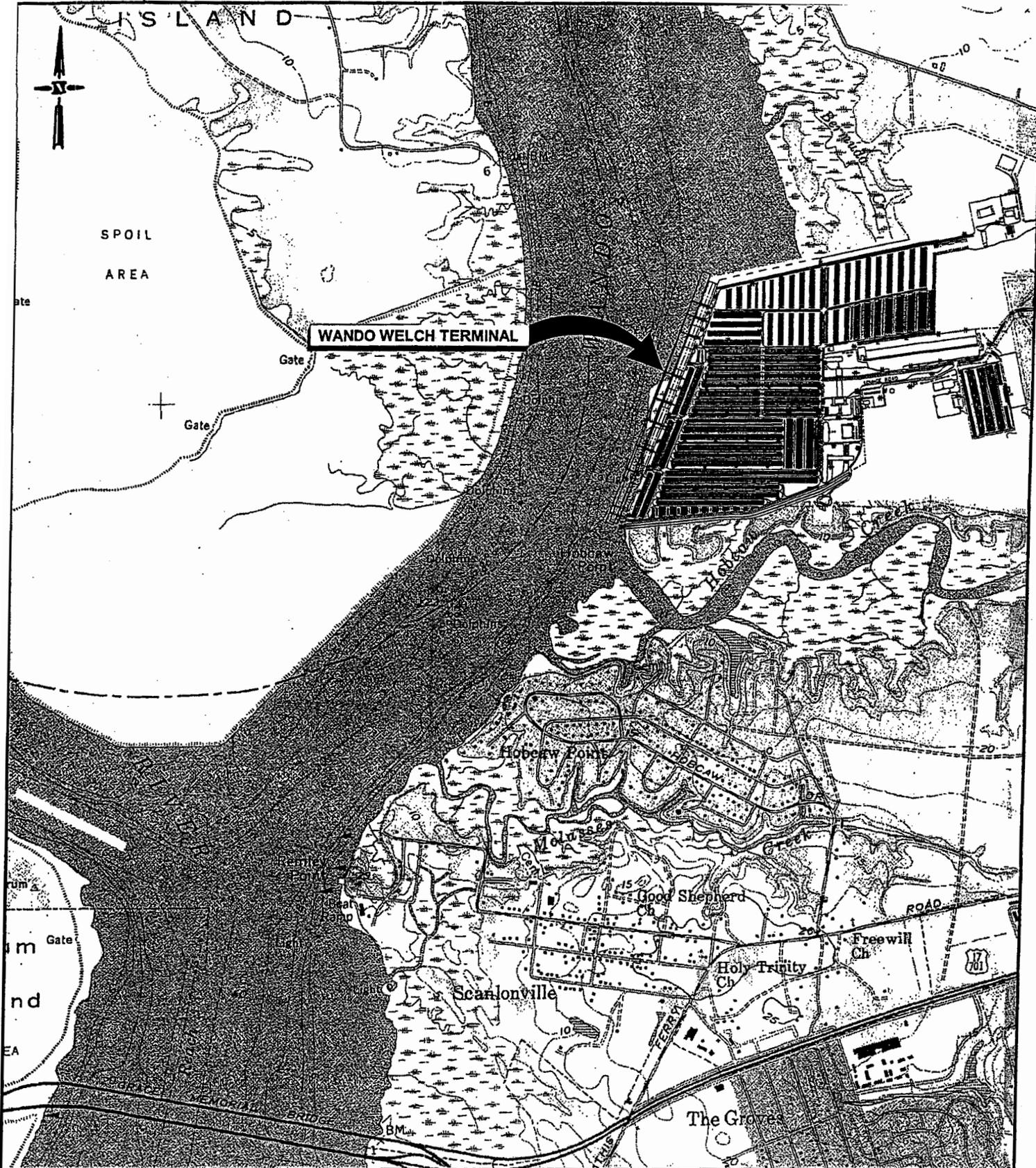
needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate 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.



Debra W. King
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

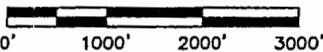


PURPOSE: ADEQUATE DEPTH FOR VESSELS
 P/N 2003-1W-375-P

ADJACENT PROPERTY OWNERS
 1. HOBCAW YACHT CLUB
 2. UNIVERSITY OF SOUTH CAROLINA
 SURVEY DATUM: GRAPHIC

DRAWING 1
LOCATION MAP

SCALE: 1" = 2000'



SOUTH CAROLINA STATE PORTS AUTHORITY
 176 CONCORD STREET
 P.O. BOX 22287
 CHARLESTON, SOUTH CAROLINA 29413

PROPOSED: BERTH MAINTENANCE DREDGING

AT: WANDO WELCH TERMINAL

IN: WANDO RIVER

COUNTY OF: CHARLESTON
 SOUTH CAROLINA

SHEET: 1



100' BUFFER ZONE

STORMWATER DETENTION POND



SEE TYPICAL CROSS SECTION DRAWING 3

AREA TO BE DREDGED

WANDO RIVER

4.000

125'

125'



LOUNGE ROAD

STORMWATER DETENTION POND

TRAC-LEASE

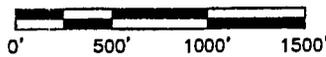
50' B

STORMWATER DETENTION POND

HOBCAW CREEK

DRAWING 2
SITE PLAN

SCALE: 1" = 1000'



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PURPOSE: ADEQUATE DEPTH FOR VESSELS
P/N 2003-1W-375-P

- ADJACENT PROPERTY OWNERS**
- 1. HOBCAW YACHT CLUB
 - 2. UNIVERSITY OF SOUTH CAROLINA
- SURVEY DATUM: GRAPHIC

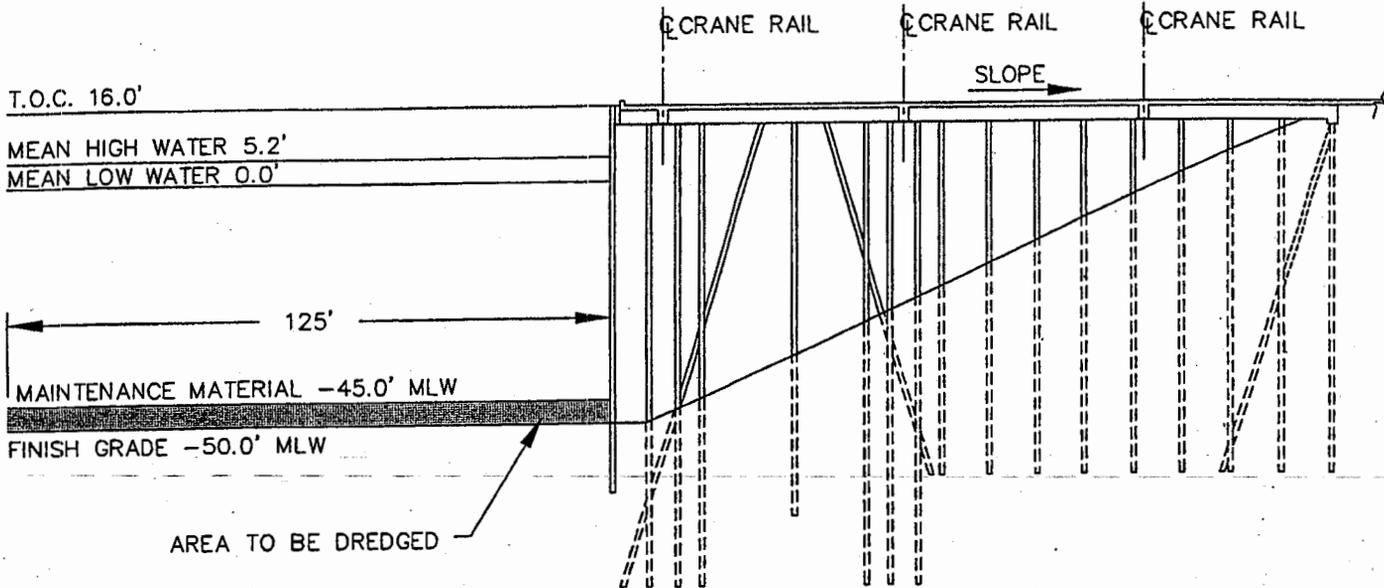
PROPOSED: BERTH MAINTENANCE DREDGING

AT: WANDO WELCH TERMINAL

IN: WANDO RIVER

COUNTY OF: CHARLESTON
SOUTH CAROLINA

SHEET: 2



TIDE RANGE APPROX. 5.2'
 ALL ELEVATIONS IN FEET
 AT MEAN LOW WATER (MLW)

PURPOSE: ADEQUATE DEPTH FOR VESSELS

P/N 2003-1W-375-P

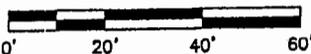
ADJACENT PROPERTY OWNERS

1. HOBCAW YACHT CLUB
2. UNIVERSITY OF SOUTH CAROLINA

SURVEY DATUM: GRAPHIC

DRAWING 3
TYPICAL CROSS SECTION

SCALE: 1" = 40'



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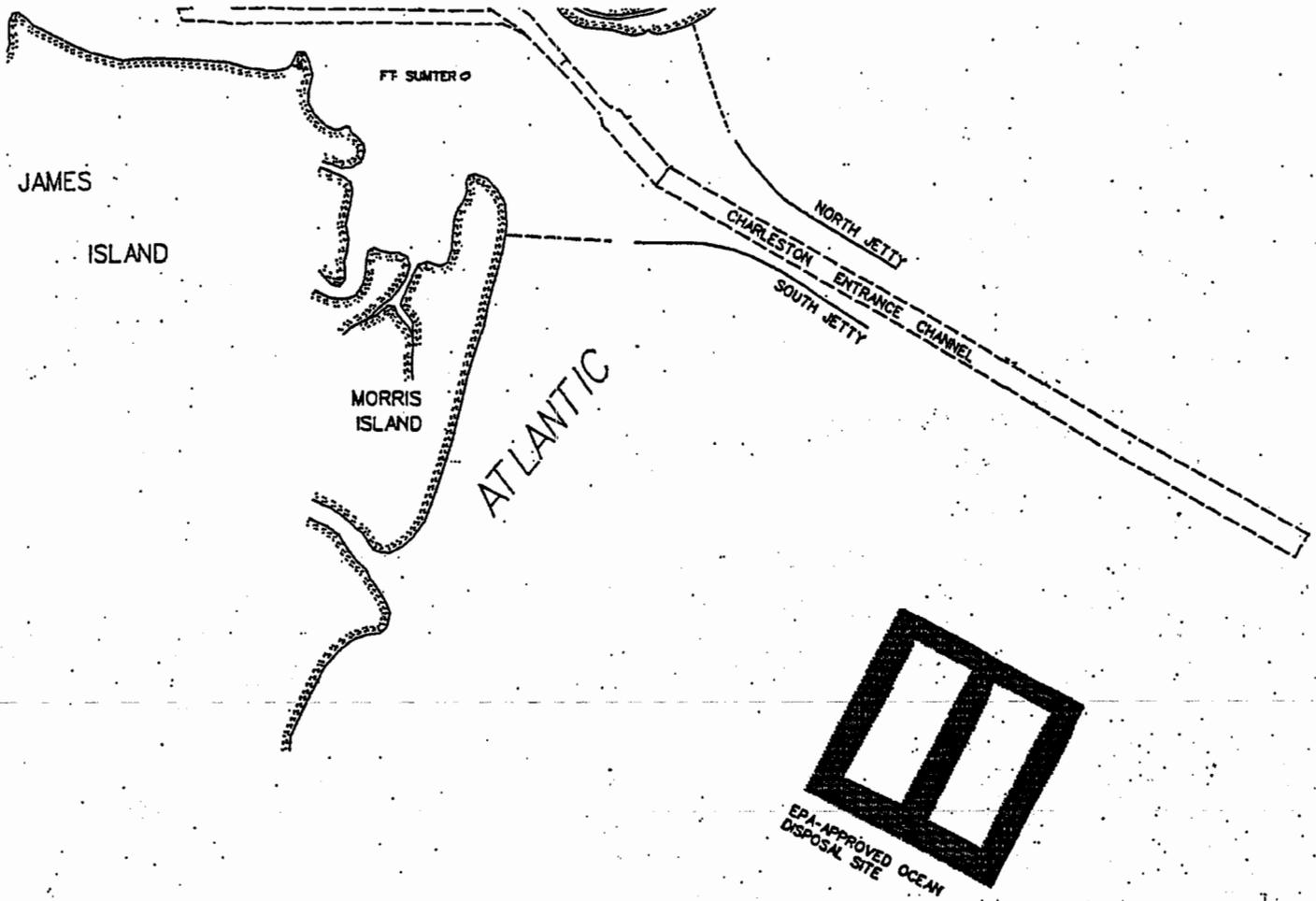
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COUNTY OF: CHARLESTON
 SOUTH CAROLINA

SHEET: 3



P/N 2003-1W-375-P

DISPOSAL

PURPOSE: Adequate Depth for Vessels

DATUM: Harbor Chart

ADJACENT PROPERTY OWNERS:

1. Hobcaw Yacht Club
2. USC

PROPOSED:

Maintenance Dredging

IN: Wando River

AT: Wando Welch Terminal

Charleston COUNTY, South Carolina

APPLICATION BY: SC State Ports Authority

SHEET 4