

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**

**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

September 22, 2016

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

**Mr. David Maybank**  
**High Point Associates II, LLC**  
**Post Office Box 62948**  
**Charleston, South Carolina 29419**

for a permit to construct an import/export terminal facility in the

**Cooper River**

at 4900 Virginia Avenue in the City of Charleston, Charleston County, South Carolina (Latitude: 32.8835 °N, Longitude: -79.9710 °W), North Charleston Quad.

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 the construction of a multimodal cargo and ship terminal and new wharf in the Cooper River. As shown on the attached drawings, the proposed facility would include material storage warehouses and/or storage domes, offices, maintenance building, fuel storage facilities, a shipping and transfer conveyor system, a truck receiving/loading facility, inbound/outbound associated road infrastructure, and wharf with ship-loader. In detail, the

proposed in water work would consist of construction of a new 470 feet by 50 feet wharf would be constructed, with the width of the wharf at the access area approximately 75 feet wide. In total, the approximate area of the wharf is 25,625 square feet, as depicted on the attached proposed plans. The wharf would house a stationary/shuttling ship-loader and a traveling ship loader and hopper for transferring bulk materials. A 250 feet x 12 feet access runway would be constructed to allow for emergency or safety vehicle access. The access runway, as proposed, would bridge the Critical Areas and not require the placement of fill material. The construction of all proposed in-water structures would require the placement of 110 piles of various types and sizes. The applicant has proposed noise attenuation measures that would be utilized during construction activities.

The proposed project would also consist of a material storage warehouses and/or storage domes, offices, maintenance building, fuel storage facilities, a shipping and transfer conveyor system, a truck receiving/loading facility, inbound/outbound associated road infrastructure. Impacts to waters of the U.S. would occur for the construction of a new inbound/outbound access road proposed for the southwestern corner and would allow 2-way access to the proposed wharf at all times. The applicant estimates that the facility would receive approximately 5 to 8 trucks per hour during normal working days and perhaps on weekends. The site would also consist of bulk material storage warehouses that would hold approximately 60,000 metric tons of materials. Additionally, the applicant proposed to construct an open materials storage area. A 20 foot wide elevated conveyor system, including shipping and receiving conveyors, 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 and the materials storage pile to the wharf on the Cooper River. The support structures will be constructed with 12-inch precast driven pilings. The applicant has proposed to permanently impact 0.891 acre of jurisdictional freshwater wetlands. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 4.8 wetland mitigation credits from the Pigeon Pond Mitigation Bank. The project purpose, as stated by the applicant, is to receive, store, and import/export bulk materials.

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

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). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. 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.

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 2.5 acres 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.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined, based on the most recently available information that the West Indian Manatee (*Trichechus manatus*), Shortnose Sturgeon (*Acipenser brevirostrum*), Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), and swimming sea turtles, Federally *endangered* species are present in the vicinity of the project. However, it has been determined that the project will have no effect on Shortnose Sturgeon (*Acipenser brevirostrum*), Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), or swimming sea turtles and will not result in the destruction or adverse modification of designated or proposed critical habitat. Additionally, the District Engineer has determined that the project is not likely to adversely affect the West Indian Manatee (*Trichechus manatus*) 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 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)(f)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. 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 any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

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.

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.

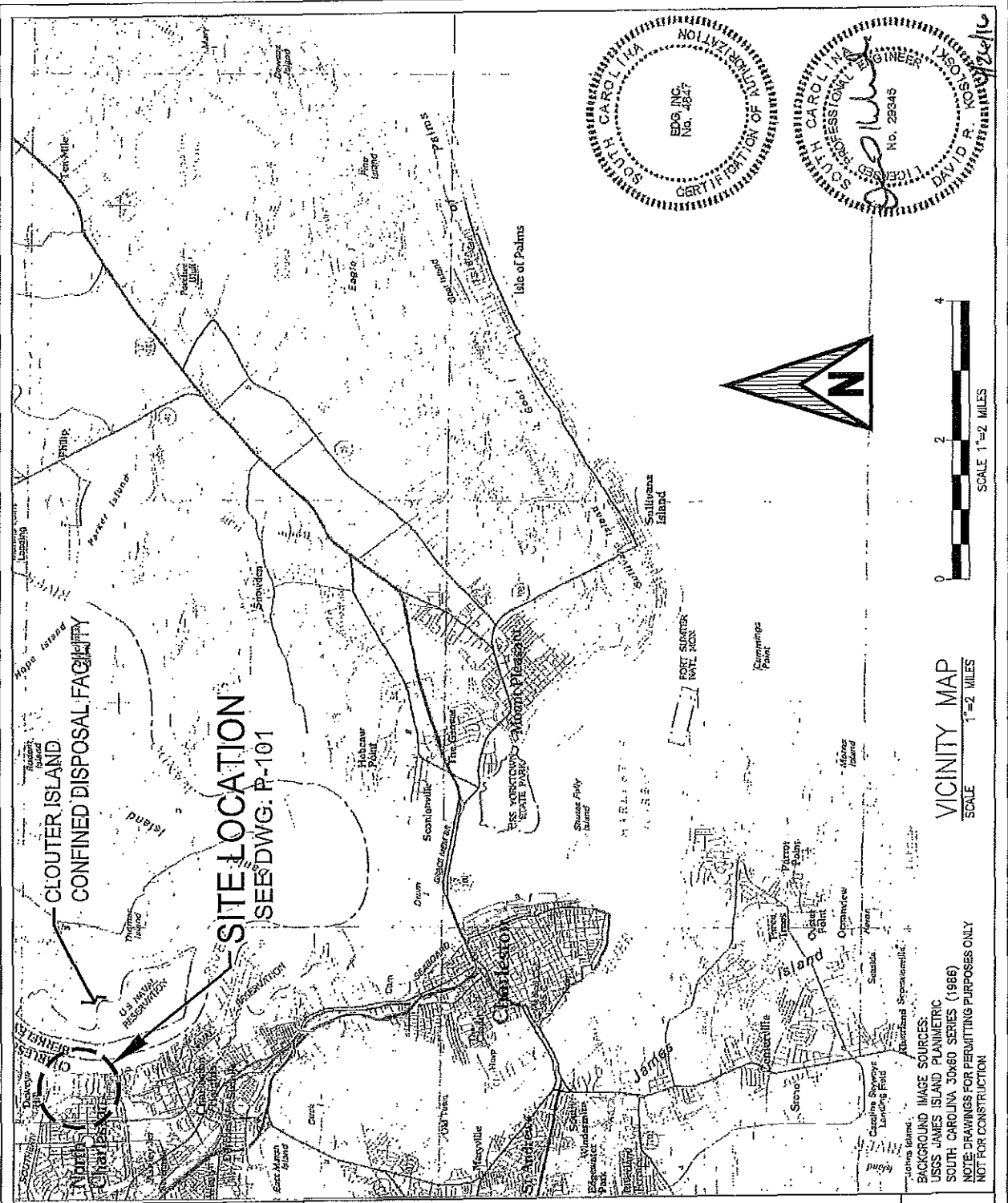
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 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 cannot undertake to adjudicate rival claims.

The Corps 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 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. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

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

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.



APPROVAL	DATE
DESIGN -	-
CHECK -	-
DRAFT CMG	04/20/16

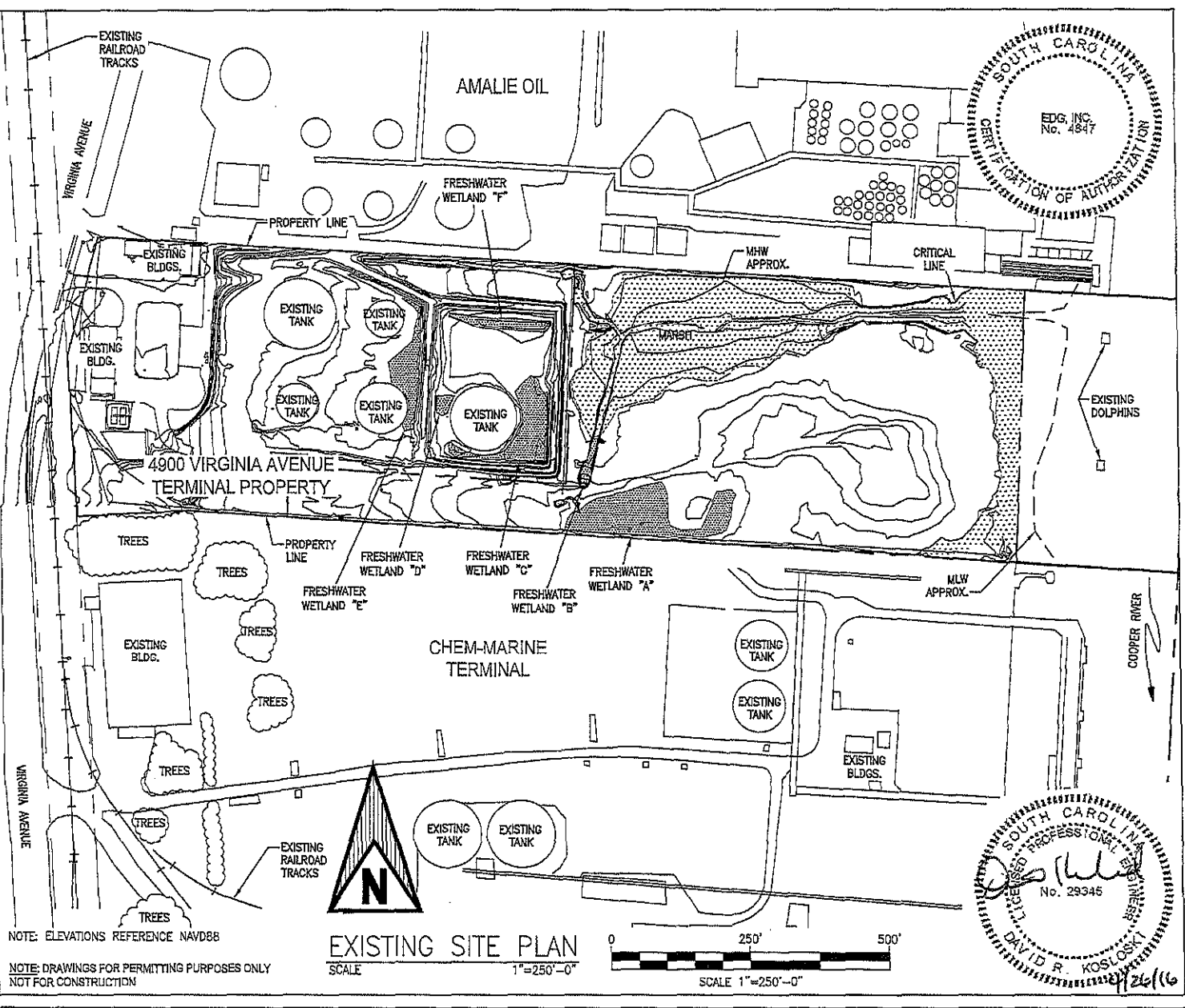
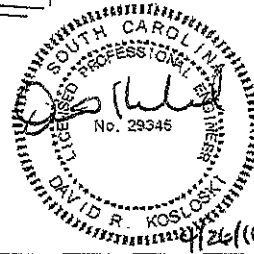
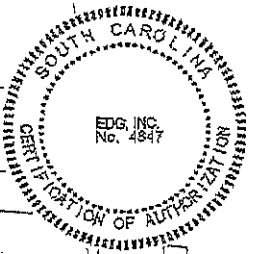
**4900 VIRGINIA AVENUE TERMINAL**  
**NORTH CHARLESTON TERMINAL DEVELOPMENT**  
**N. CHARLESTON, SC**  
**VICINITY MAP**

JOB NO. 6895.200      DWG. NO. P-100



BACKGROUND IMAGE SOURCES:  
 USGS JAMES ISLAND PLANIMETRIC  
 SOUTH CAROLINA 30x60 SERIES (1988)  
 NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY  
 NOT FOR CONSTRUCTION

**SAC 2013-01087**  
**4900 Virginia Avenue Terminal Development**  
 Sheet 1 of 9  
 April 20, 2016



APPROVAL	DATE
DESIGN	-
CHECK	-
DRAFT	CMG

4900 VIRGINIA AVENUE TERMINAL  
 NORTH CHARLESTON TERMINAL DEVELOPMENT  
 N. CHARLESTON, SC  
 EXISTING SITE PLAN

JOB NO. 6895.200 DWG. NO. P-101

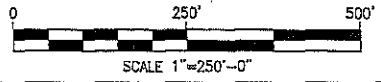
04/20/16



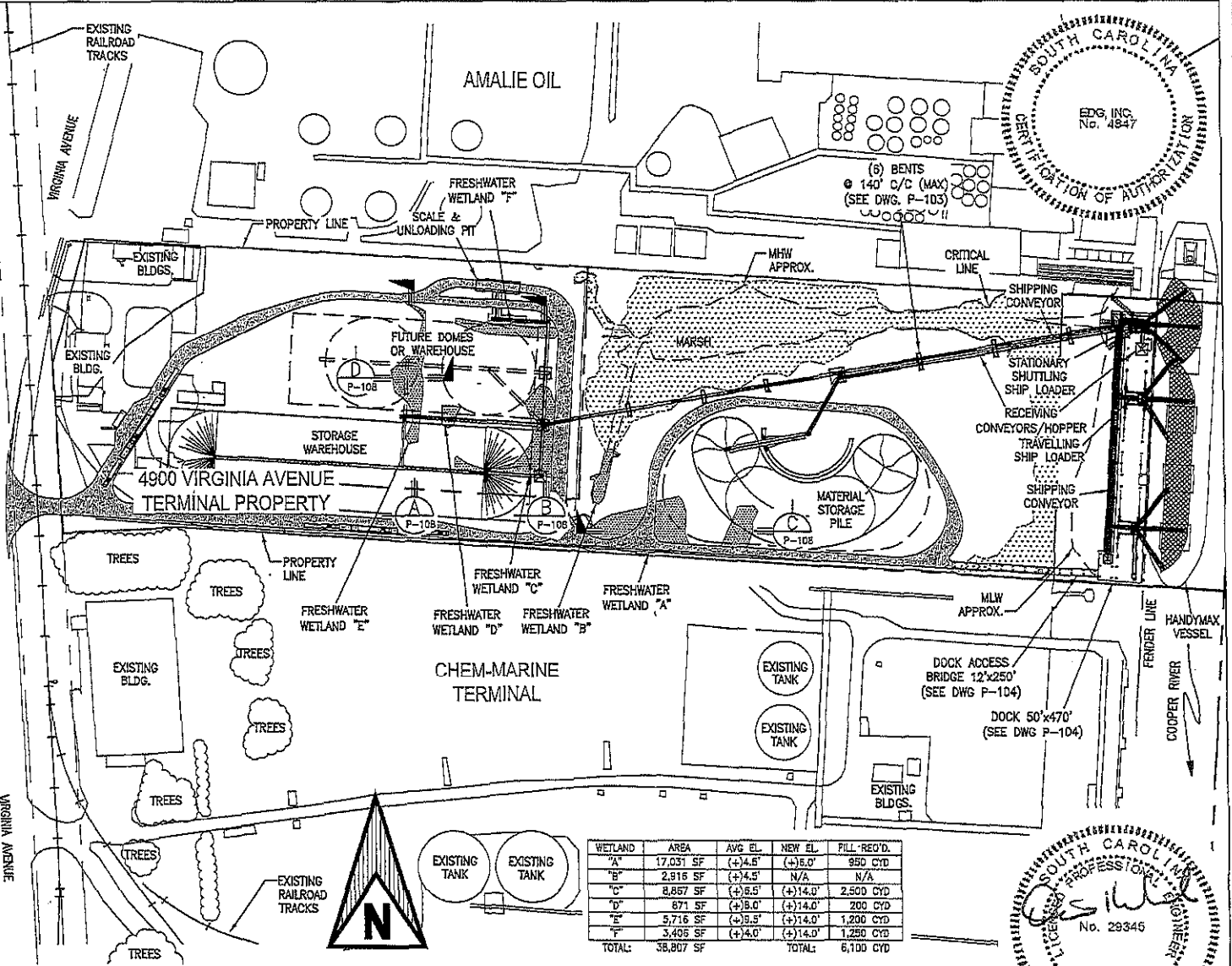
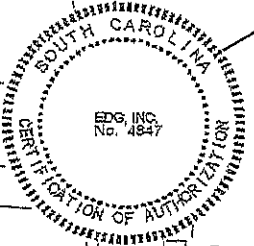
NOTE: ELEVATIONS REFERENCE NAVD88

NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY  
 NOT FOR CONSTRUCTION

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



SAC 2013-01087  
 4900 Virginia Avenue Terminal Development  
 Sheet 2 of 9  
 April 20, 2016



WETLAND	AREA	AVG EL.	NEW EL.	FILL 'REQ'D.
"A"	17,031 SF	(+4.6')	(+6.0')	950 CYD
"B"	2,915 SF	(+4.5')	N/A	N/A
"C"	8,667 SF	(+6.5')	(+14.0')	2,500 CYD
"D"	871 SF	(+8.0')	(+14.0')	200 CYD
"E"	5,716 SF	(+8.5')	(+14.0')	1,200 CYD
"F"	3,406 SF	(+4.0')	(+14.0')	1,250 CYD
TOTAL:	38,907 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

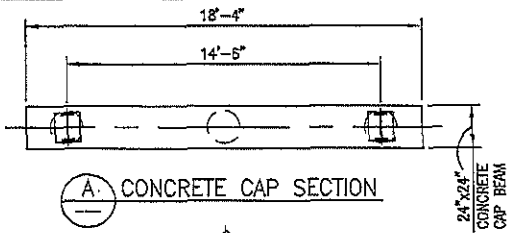
APPROVAL	DATE
DESIGN	-
CHECK	-
DRAFT	04/20/16

**4900 VIRGINIA AVENUE TERMINAL**  
**NORTH CHARLESTON TERMINAL DEVELOPMENT**  
**N. CHARLESTON, SC**  
**PROPOSED SITE PLAN**

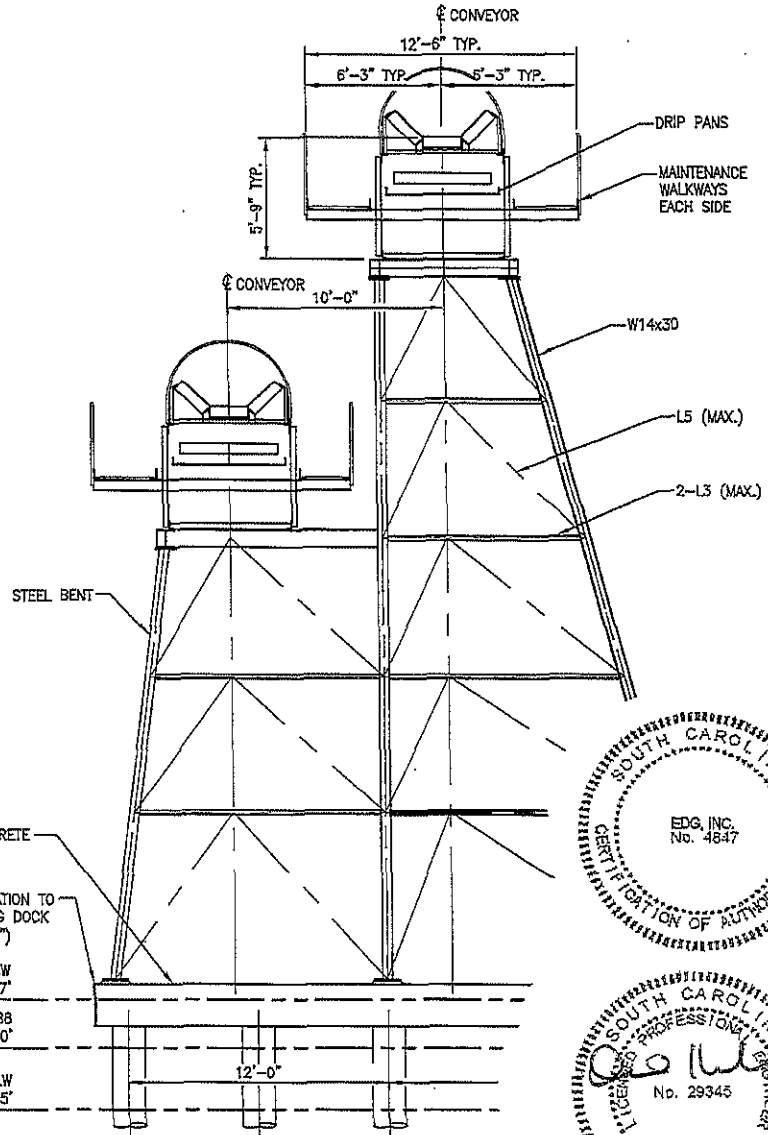
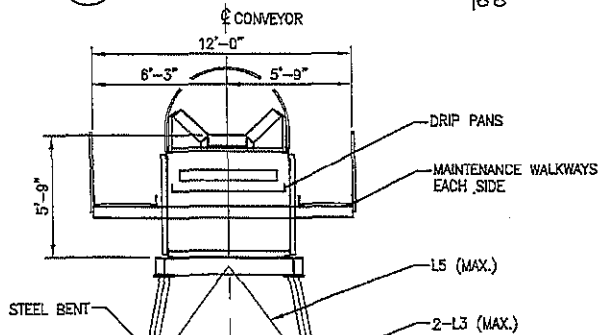
JOB NO. 6895.200 DWG. NO. P-102



**SAC 2013-01087**  
**4900 Virginia Avenue Terminal Development**  
 Sheet 3 of 9  
 April 20, 2016



A CONCRETE CAP SECTION



24" x 24" CONCRETE CAP BEAM

T/CONC. ELEVATION TO MATCH EXISTING DOCK (APPROX. 3'-0")

MHW EL. 2.27'

NAVD88 EL. 0.00'

MLW EL. (-)2.95'

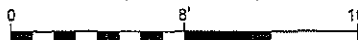
NOTE: ELEVATIONS REFERENCE NAVD88

NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY NOT FOR CONSTRUCTION

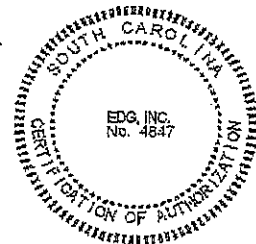
TYPICAL CONVEYOR BENTS

SCALE

1/8" = 1'-0"



SCALE 1/8" = 1'-0"



APPROVAL	DATE
DESIGN	
CHECK	
DRAFT	

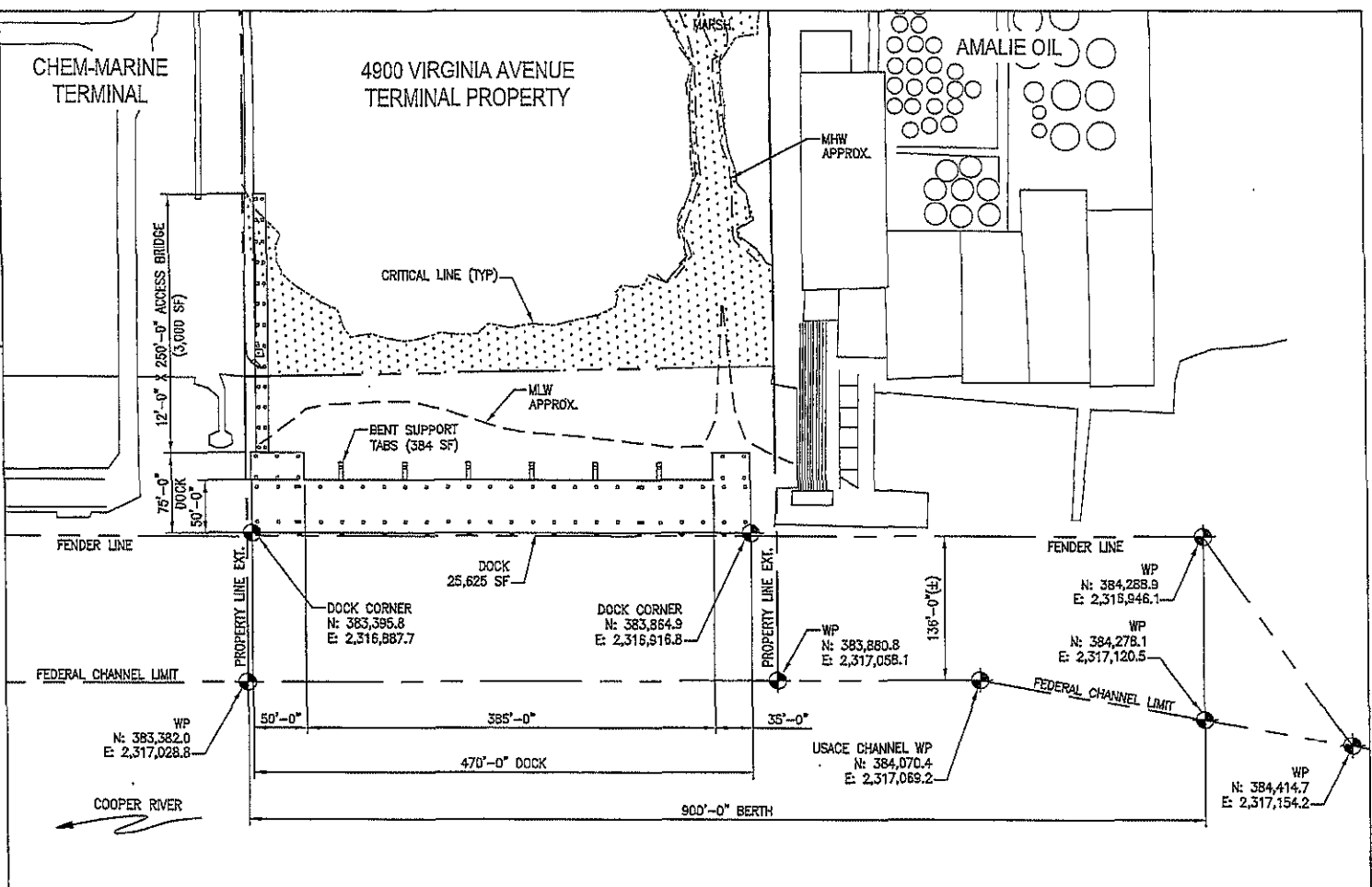
4900 VIRGINIA AVENUE TERMINAL  
NORTH CHARLESTON TERMINAL DEVELOPMENT  
N. CHARLESTON, SC  
TYPICAL CONVEYOR BENTS

JOB NO. 6895.200 | DWG. NO. P-103



SAC 2013-01087  
4900 Virginia Avenue Terminal Development  
Sheet 4 of 9  
April 20, 2016

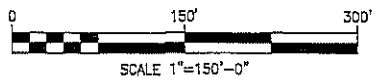




APPROVAL	DATE
DESIGN	-
CHECK	-
DRAFT	04/20/16

4900 VIRGINIA AVENUE TERMINAL  
 NORTH CHARLESTON TERMINAL DEVELOPMENT  
 N. CHARLESTON, SC  
 PROPOSED DOCK PLAN

JOB NO. 6895,200 DWG. NO. P-104



NOTE: ELEVATIONS REFERENCE NAVD88

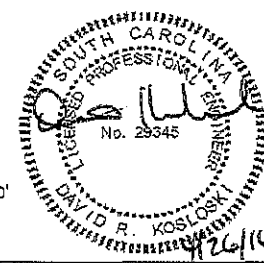
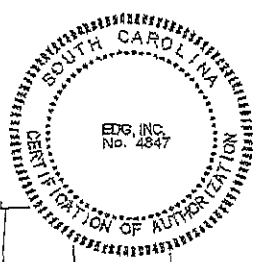
NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY  
 NOT FOR CONSTRUCTION

PROPOSED DOCK PLAN  
 SCALE 1"=150'-0"

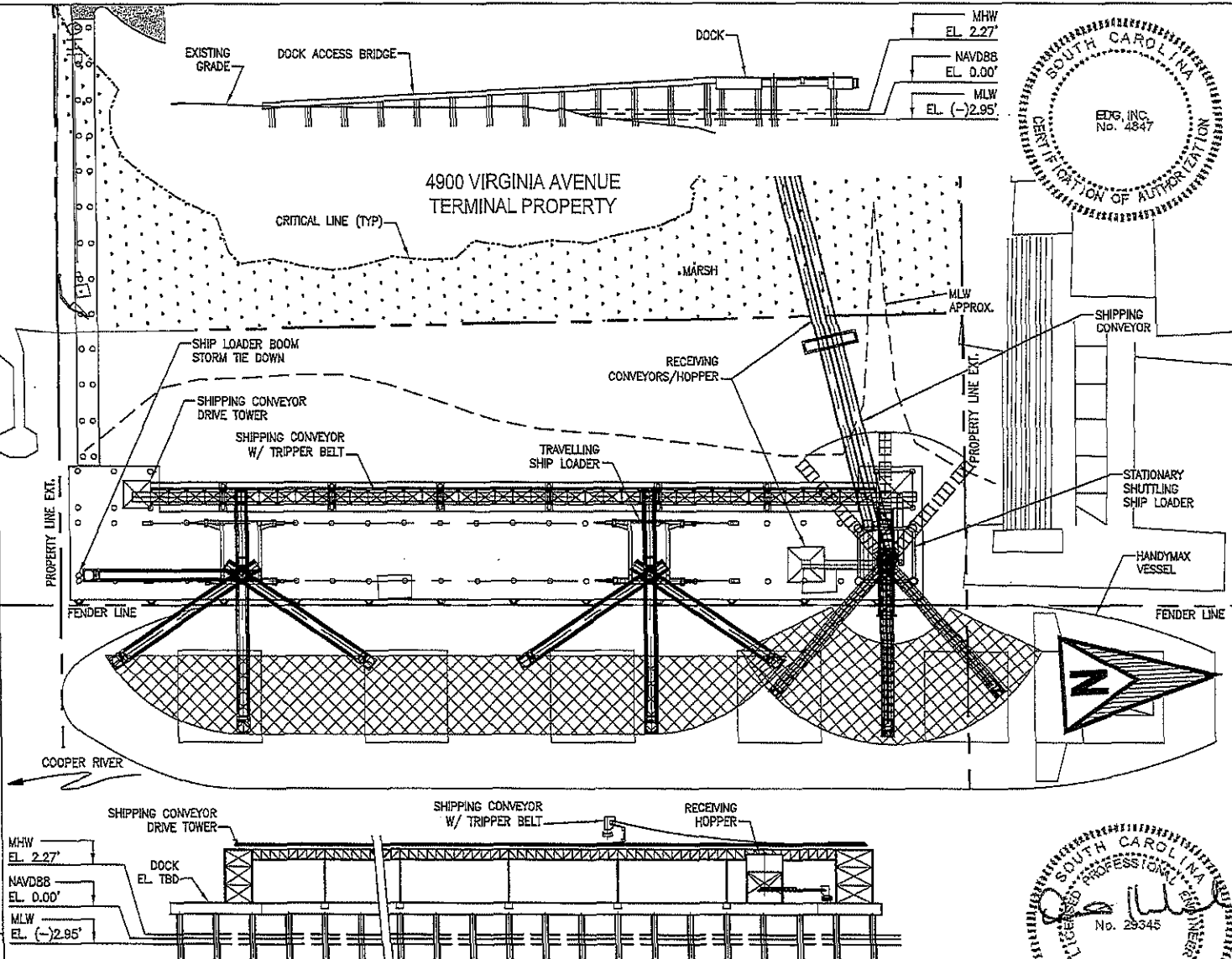
4/26/16

SAC 2013-01087  
 4900 Virginia Avenue Terminal Development  
 Sheet 5 of 9  
 April 20, 2016





MHW  
EL. 2.27'  
NAVD88  
EL. 0.00'  
MLW  
EL. (-)2.95'



APPROVAL	DATE
DESIGN	-
CHECK	-
DRAFT	CMG
	04/20/16

4900 VIRGINIA AVENUE TERMINAL  
NORTH CHARLESTON TERMINAL DEVELOPMENT  
N. CHARLESTON, SC  
PROPOSED DOCK PLAN & ELEVATIONS

JOB NO. 6895.200 DWG. NO. P-105

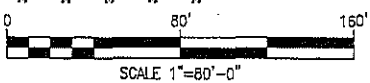


NOTE: ELEVATIONS REFERENCE NAVD88

NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY  
NOT FOR CONSTRUCTION

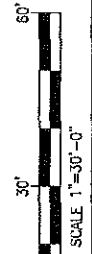
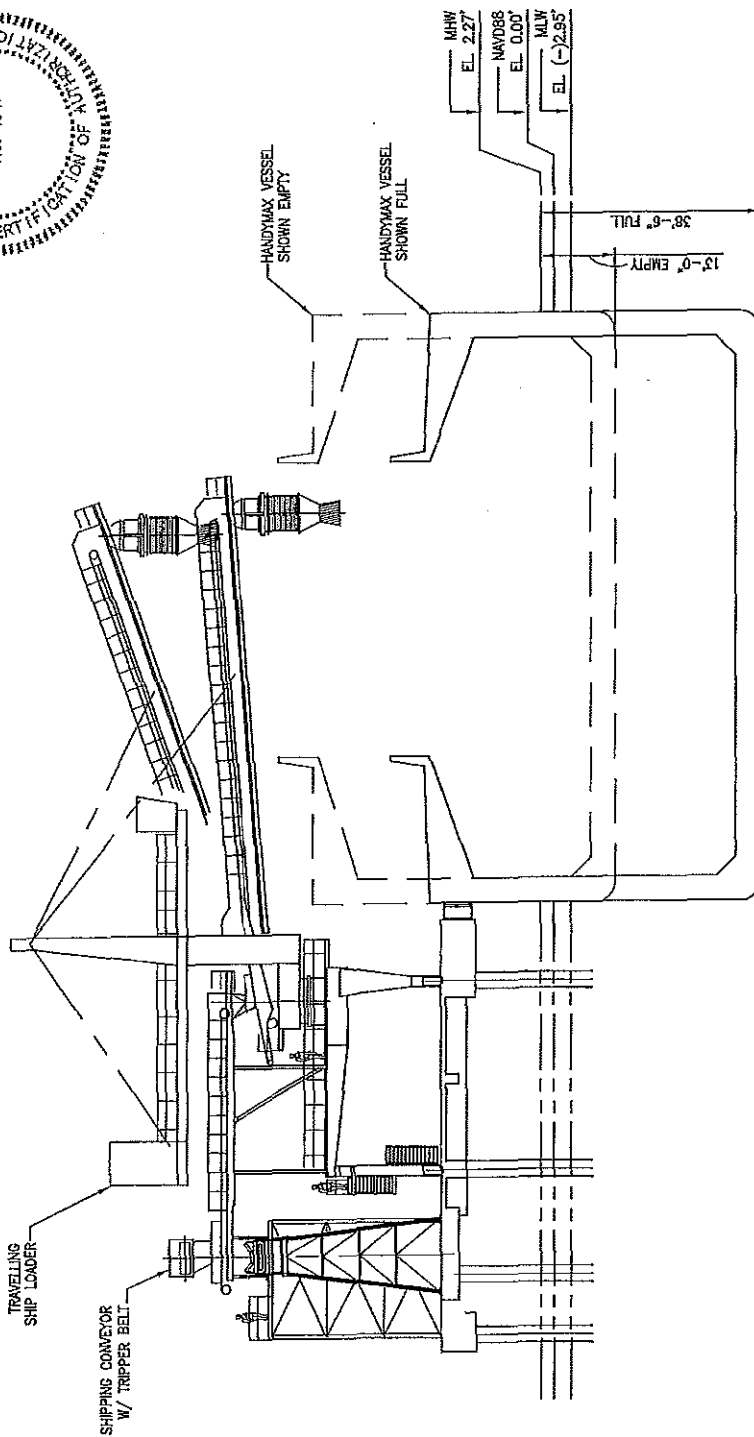
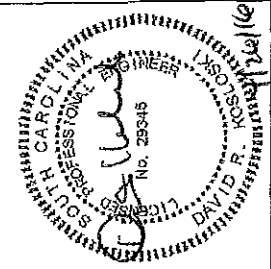
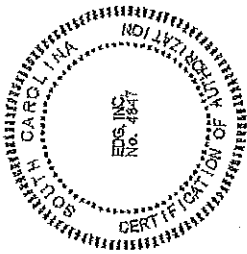
PROPOSED DOCK PLAN/ELEV

SCALE 1"=80'-0"



SCALE 1"=80'-0"

SAC 2013-01087  
4900 Virginia Avenue Terminal Development  
Sheet 6 of 9  
April 20, 2016



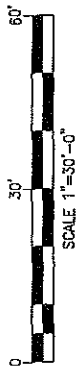
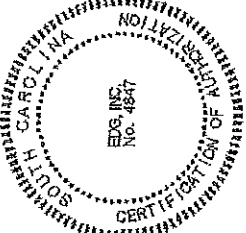
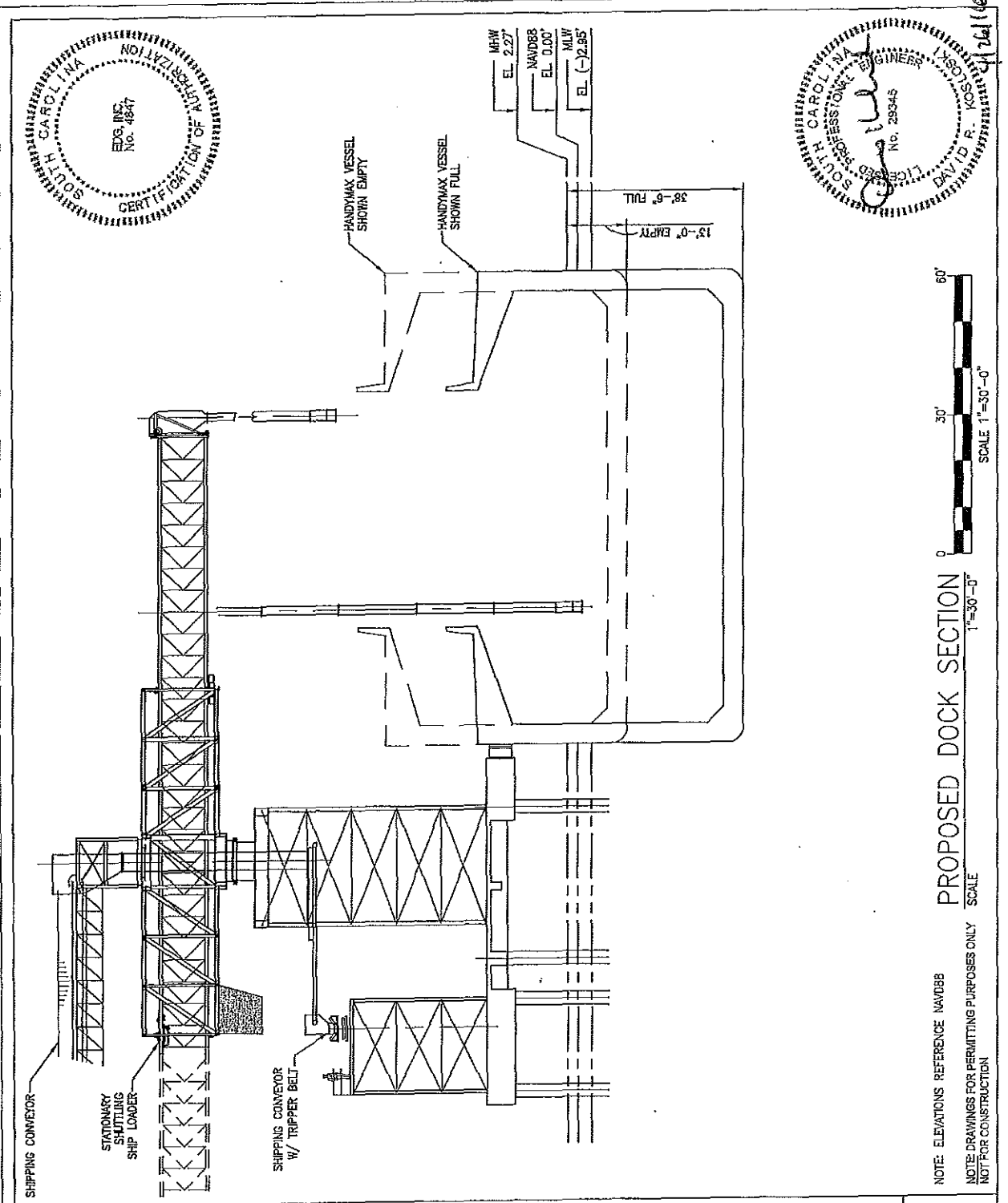
PROPOSED DOCK SECTION  
SCALE 1"=30'-0"

NOTE: ELEVATIONS REFERENCE NAVD85  
NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY  
NOT FOR CONSTRUCTION

APPROVAL		DATE	4900 VIRGINIA AVENUE TERMINAL NORTH CHARLESTON TERMINAL DEVELOPMENT N. CHARLESTON, SC PROPOSED DOCK SECTION		
DESIGN	-	-			
CHECK	-	-			
DRAFT	CMG	04/20/16			
JOB NO.		6895.200	DWG. NO.		P-106



**SAC 2013-01087**  
 4900 Virginia Avenue Terminal Development  
 Sheet 7 of 9  
 April 20, 2016



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

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

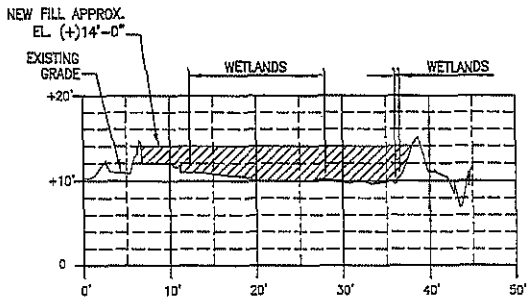
APPROVAL	DATE
DESIGN -	-
CHECK -	-
DRAFT CMG	04/20/16

4900 VIRGINIA AVENUE TERMINAL  
 NORTH CHARLESTON TERMINAL DEVELOPMENT  
 N. CHARLESTON, SC  
 PROPOSED DOCK SECTION

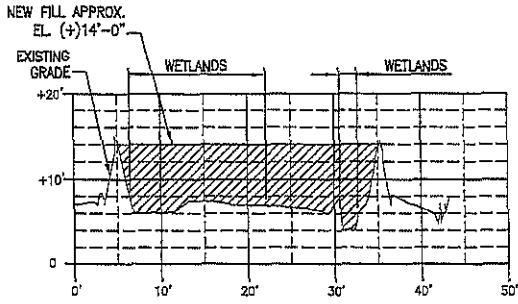
JOB NO. 6895.200    DWG. NO. P-107



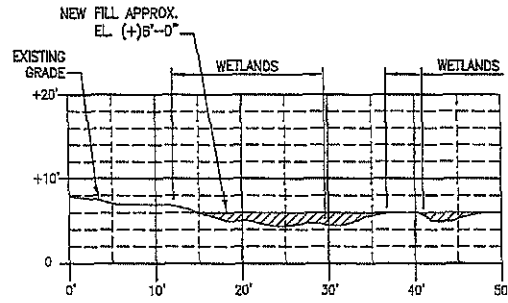
APPROVAL	DATE
DESIGN	-
CHECK	-
DRAFT	CMG
	04/20/16



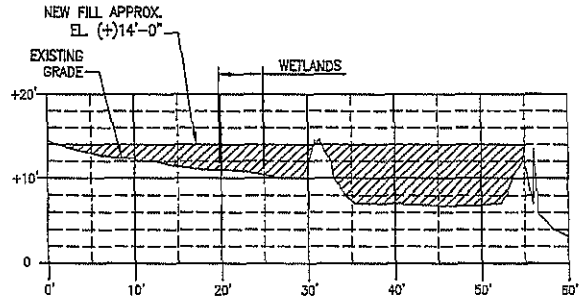
**A** SECTION THRU WETLAND "E"  
P-102



**B** SECTION THRU WETLANDS "C" & "F"  
P-102



**C** SECTION THRU WETLAND "A"  
P-102



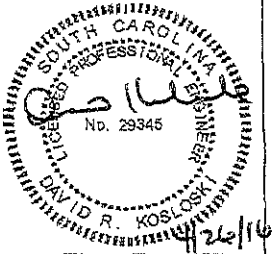
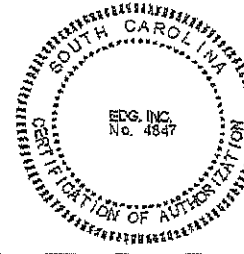
**D** SECTION THRU WETLANDS "E"  
P-102

4900 VIRGINIA AVENUE TERMINAL  
NORTH CHARLESTON TERMINAL DEVELOPMENT  
N. CHARLESTON, SC  
PROPOSED WETLAND FILL SECTIONS

JOB NO. 6895.200 DWG. NO. P-108



NOTE: ELEVATIONS REFERENCE NAVD83  
NOTE: DRAWINGS FOR PERMITTING PURPOSES ONLY  
NOT FOR CONSTRUCTION



4/26/16

SAC 2013-01087  
4900 Virginia Avenue Terminal Development  
Sheet 9 of 9  
April 20, 2016