

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, SC 29403-5107

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
North Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N SAC-2021-01271

July 29, 2021

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. Elliott Botzis
Chem-Marine of South Carolina, LLC
201 Brown Road
Piedmont, South Carolina 29673

for a permit to perform maintenance dredging and construct a wharf in the

Cooper River

at the shoreline in front of 1000 E. Montague Avenue and 4900 Virginia Avenue in North Charleston, Charleston County, South Carolina (Latitude: 32.8821 °, Longitude: -79.9676 °), Quad Sheet- North Charleston.

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 construction of a waterfront wharf and expansion of a previously permitted dredge footprint. In detail, the applicant is requesting a 15-year permit for a three-phased wharf construction. Phase 1 would include constructing a breasting dolphin and mooring dolphin which will allow the facility to receive its own vessel in the near term (Figure 3-5).

The breasting dolphin will be constructed with twelve 20" steel pipe piles with a 15' x 16' concrete cap. The breasting dolphin will be completed with an angled double bitt and paneled fender system. The proposed mooring dolphin will be one of two types to allow outside bids to construct the new dolphins after authorization is granted. It will either be a mooring dolphin with nine 90" steel pipe piles with a 15' x 16' concrete cap and bollard, or it will be constructed with two 60" steel pipe piles with steel cap and a bollard.

Phase 2 includes constructing a deck barge wharf with rail mounted hoppers and conveyors (Figures 6-7). The deck barge system will consist of two deck barges, each 195' long by 35' wide, for a total length of 390'. The barges will be constructed with reinforced decking to allow rail-mounted traveling hoppers to traverse the system. The deck barges will be anchored by six 60" steel pipe piles with guides. The hoppers will be connected to a conveyor system on the deck barge, which will transfer material from the barge to the uplands. A support bent, with two 14" pipe piles with a cap and hinge will support the conveyor system from the barge to the uplands. A walkway will be constructed alongside the conveyor to allow access from the uplands. The breasting dolphin and the mooring dolphin constructed in Phase 1 will remain for use during Phase 2.

Phase 3 includes construction of a pile-supported concrete wharf with concrete approach (Figures 8-10). Both dolphins from Phase 1 and the deck barge system and conveyor from Phase 2 will be removed in Phase 3. In Phase 3, the proposed concrete pile supported dock is 443.75' long by 55' wide (24,406 square feet). The dock will be supported by 23 bents, spaced 20' apart. Each bent will consist of eleven 20" piles. Dolphins will be constructed in the dock. The proposed concrete approach is 253.5' long and 20' wide. The approach will be supported by 22 bents, each with four 18" piles. Timber fender piles will be constructed on the downstream side of the approach. The dock will be constructed with rail-mounted travelling hoppers and conveyor, which will be connected to a conveyor located atop the concrete approach.

In addition, the applicant is proposing a ten-year maintenance dredging permit to expand their previously permitted 3.19 acre dredge footprint by an additional 0.54 acre to the north; thereby, resulting in a total dredge footprint of 3.73 acres (Figures 11-12). The applicant is proposing to dredge using either a hydraulic cutterhead dredge or a mechanical dredge with an environmental clamshell bucket. The applicant is proposing to deepen their previously authorized dredge depth of -40' MLLW with 2' allowable overdepth to -45' MLLW with 2' allowable overdepth. The applicant is requesting both forms of dredging to provide for greater flexibility when hydraulic dredging is not available. When hydraulically dredging, the material would be transported via pipeline to the Clouter Island Dredge Material Placement Facility (DMPF). When mechanical dredging, the material would be placed into a scow and transported to the Clouter Island DMPF, where the sediment would be liquefied by adding water and the resultant slurry would be pumped into the DMPF. Adequate freeboard will be maintained in the scows to allow for the addition of water without causing overflow. The applicant proposes an initial dredge event to remove approximately 35,000 cubic yards. Dredging the berth at approximately 18-month intervals thereafter is anticipated to remove approximately 20,000 cubic yards per event but the actual volume will vary based on siltation rates and dredging frequency. As there are no impacts to wetlands, the applicant is not proposing mitigation. The project purpose is to construct a waterfront facility in a phased approach and dredge an adequate area to serve its facility at all tidal stages. The phased approach will allow Chem-Marine to allow its company-owned ship to import aggregate material at a higher cost, rather than use its existing fleet.

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 4.78 acres of estuarine substrates 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 American wood stork, Eastern black rail, West Indian manatee, Atlantic sturgeon, shortnose sturgeon, green sea turtle, Kemp's Ridley sea turtle, leatherback sea turtle, and the loggerhead sea turtle have the potential to occur within the vicinity of the project area. However, it has been determined that the project will have no effect on the American wood stork, Eastern black rail and sea turtles and will not result in the destruction or adverse modification of their designated or proposed critical habitat. In addition, the District Engineer has determined that the project may affect but is not likely to adversely affect the West Indian manatee, the Atlantic Sturgeon and the shortnose sturgeon. 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 there are historic properties present, but they will not be affected; 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 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.

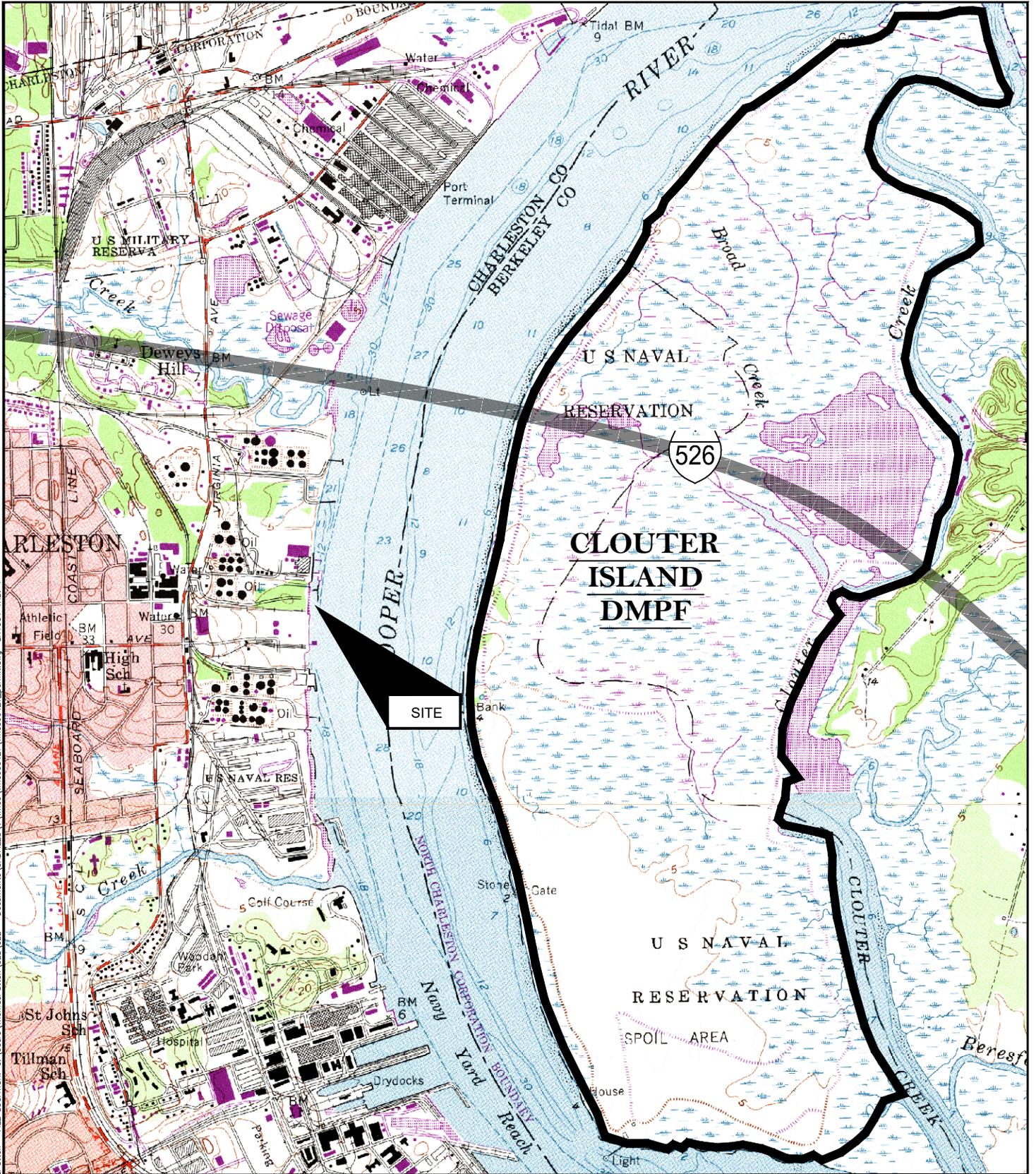
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. 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, SC 29403-5107**

If there are any questions concerning this public notice, please contact Chelsea B. Fannin, Project Manager, at (843) 329-8038, toll free at 1-866-329-8187, or by email at Chelsea.B.Fannin@usace.army.mil.



PURPOSE: CARGO HANDLING

ADJACENT PROPERTY OWNERS

1. AOC RE, LLC
2. DAVID MAYBANK, ET AL.

SURVEY DATUM: NAV88

FIGURE 1

SITE AND PLACEMENT AREA
LOCATION MAP

APPROXIMATE SCALE: 1"= 2000'



VULCAN MATERIALS COMPANY
4950 VIRGINIA AVE. &
1000 E. MONTAGUE AVE.
NORTH CHARLESTON, SC 29405

PROPOSED: BERTH MAINTENANCE DREDGING

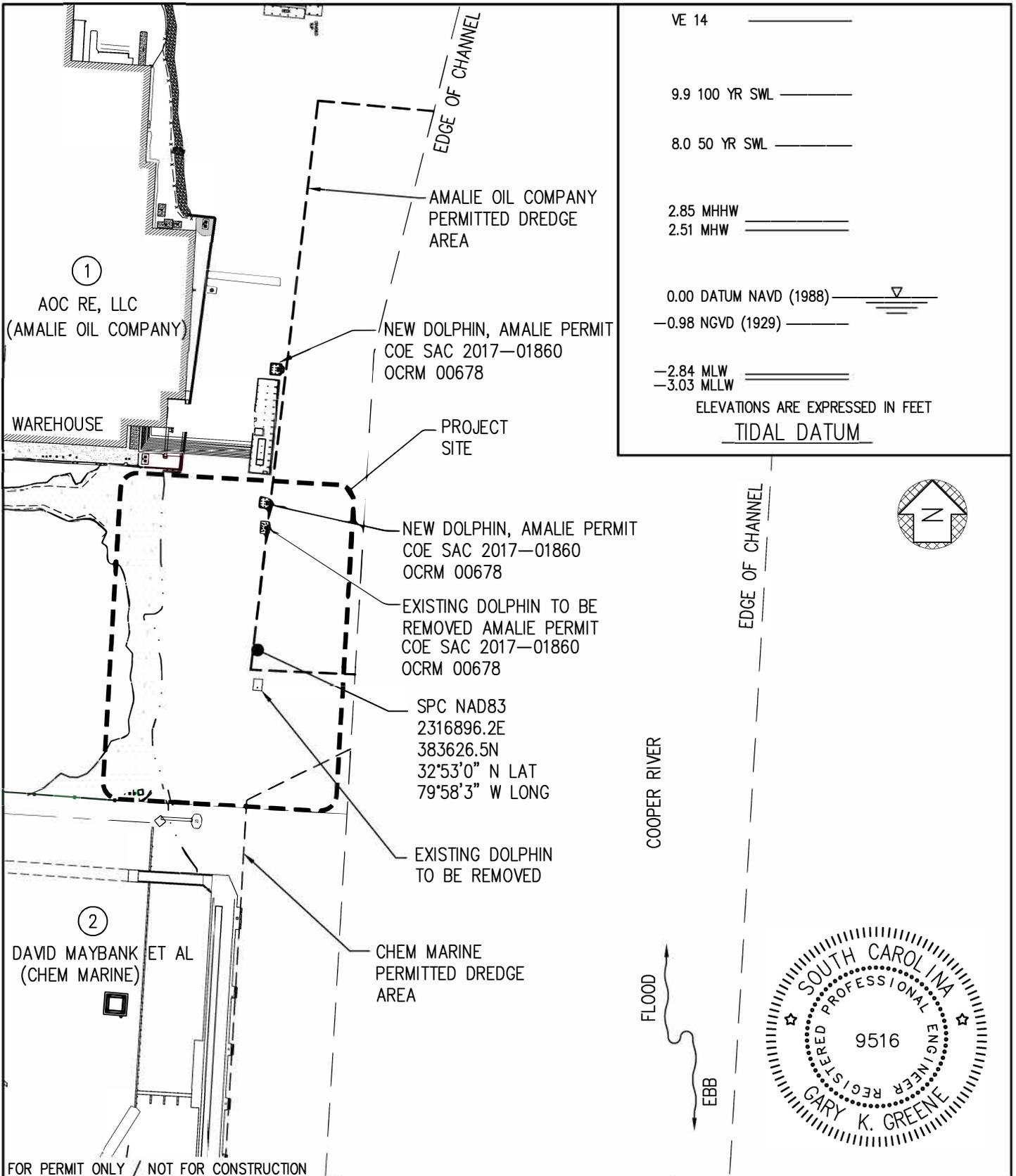
AT: CHEM-MARINE TERMINAL

IN: COOPER RIVER

COUNTY OF: CHARLESTON
SOUTH CAROLINA

DATE: 03/24/2021

PLOTTED: Apr 28, 2021 10:01am BY: ThomasPatton FILE LOCATION: C:\Users\ThomasPatton\GEL\GEE - Documents\CADFILES\VA\mco00421\mco00421_permit.dwg LAYOUT TAB: 1



VE 14 _____

9.9 100 YR SWL _____

8.0 50 YR SWL _____

2.85 MHHW _____

2.51 MHW _____

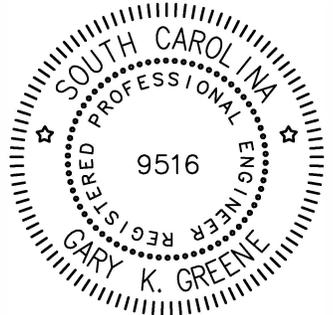
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-2.84 MLW _____

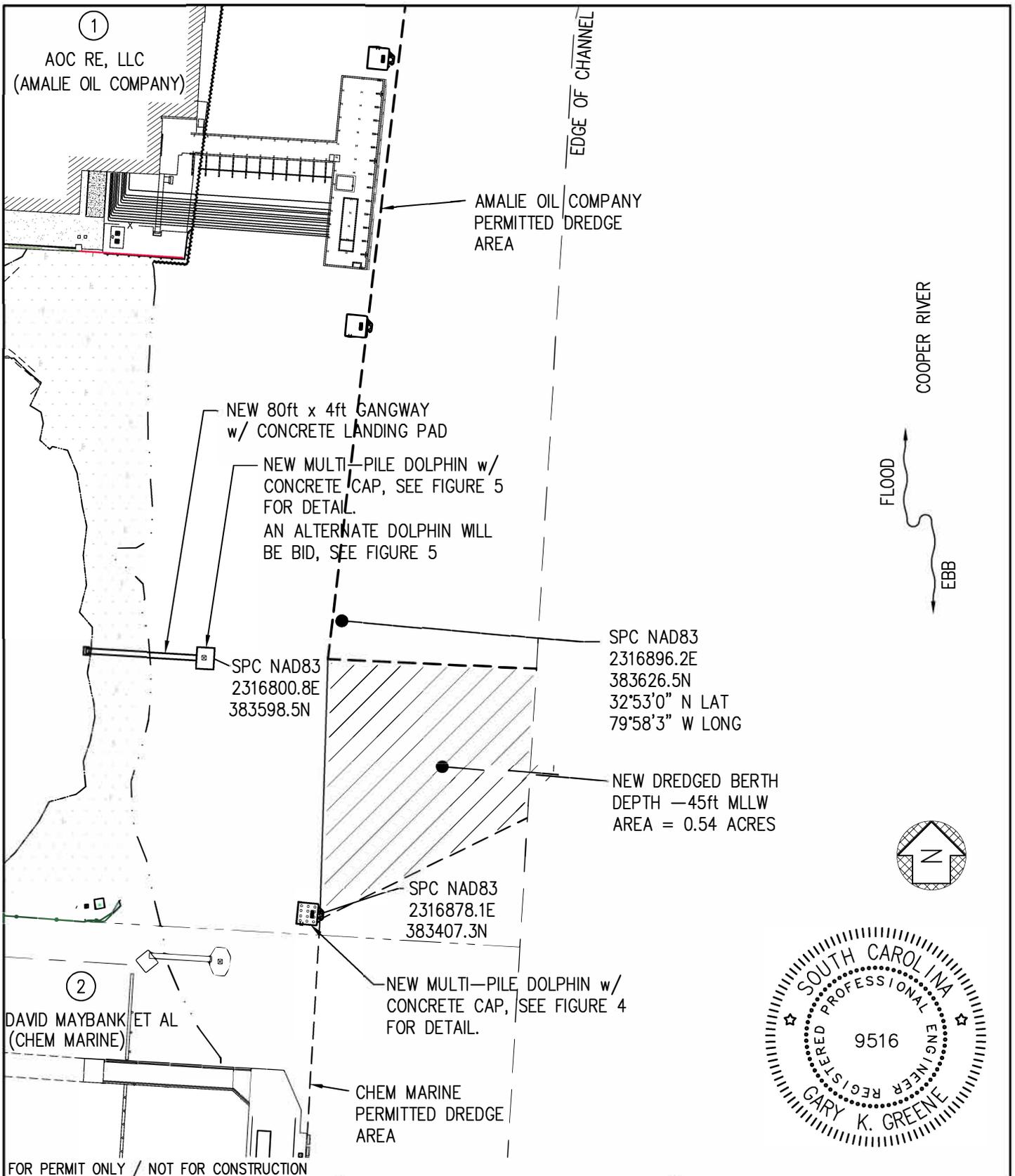
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ELEVATIONS ARE EXPRESSED IN FEET
TIDAL DATUM



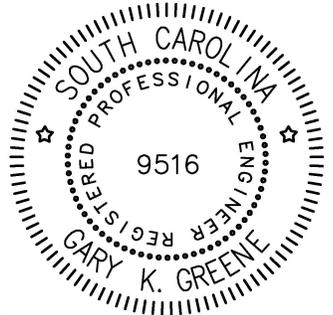
FOR PERMIT ONLY / NOT FOR CONSTRUCTION

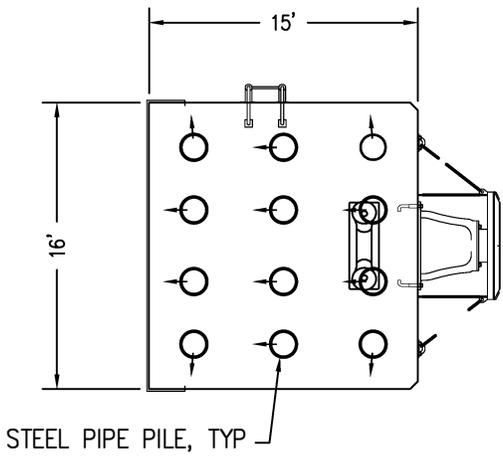
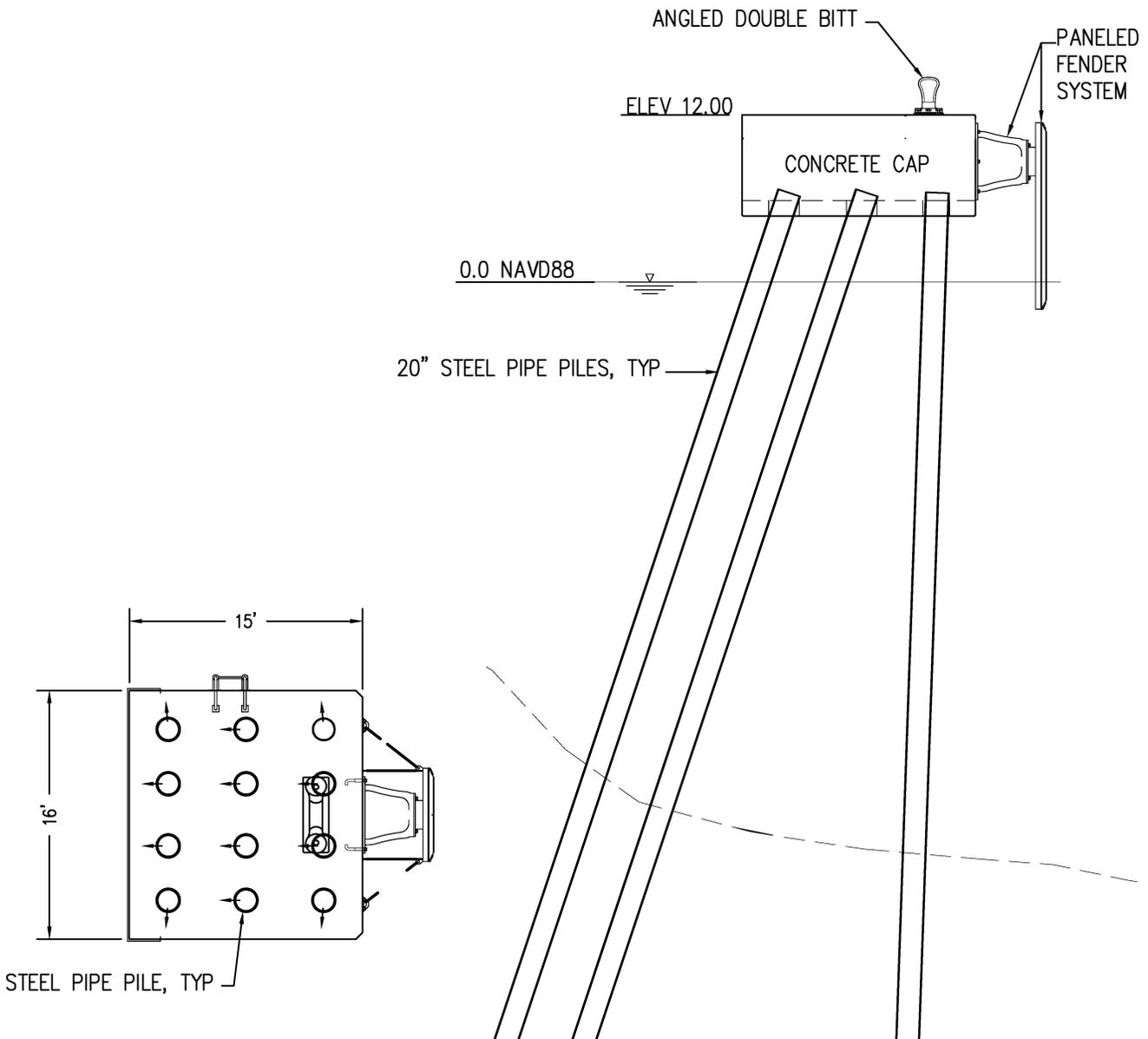
<p>PURPOSE: CARGO HANDLING DOCK</p> <p>ADJACENT PROPERTY OWNERS:</p> <p>1. AOC RE, LLC</p> <p>2. DAVID MAYBANK ET AL</p> <p>SURVEY DATUM: NAVD88</p>	<p>FIGURE 2 NEW BERTH DEVELOPMENT EXISTING SITE PLAN 1" = 200ft</p> <p>VULCAN MATERIALS COMPANY 4950 VIRGINIA AVENUE NORTH CHARLESTON, SC 29405</p>	<p>PROPOSED: PHASED DOCK WORK</p> <p>AT: 4900 VIRGINIA AVE, N CHARLESTON</p> <p>IN: COOPER RIVER</p> <p>COUNTY OF: CHARLESTON SOUTH CAROLINA</p> <p>SHEET 2 OF 12</p> <p>3/24/2021 GARY GREENE ENGINEERS</p>
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FOR PERMIT ONLY / NOT FOR CONSTRUCTION

<p>PURPOSE: CARGO HANDLING DOCK</p> <p>ADJACENT PROPERTY OWNERS:</p> <ol style="list-style-type: none"> AOC RE, LLC DAVID MAYBANK ET AL <p>SURVEY DATUM: NAVD88</p>	<p>FIGURE 3</p> <p>NEW BERTH DEVELOPMENT</p> <p>PHASE 1 SITE PLAN</p> <p>1" = 100ft</p> <p>VULCAN MATERIALS COMPANY</p> <p>4950 VIRGINIA AVENUE</p> <p>NORTH CHARLESTON, SC 29405</p>	<p>PROPOSED: PHASED DOCK WORK</p> <p>AT: 4900 VIRGINIA AVE, N CHARLESTON</p> <p>IN: COOPER RIVER</p> <p>COUNTY OF: CHARLESTON</p> <p>SOUTH CAROLINA</p> <p>SHEET 3 OF 12</p> <p>3/24/2021</p>
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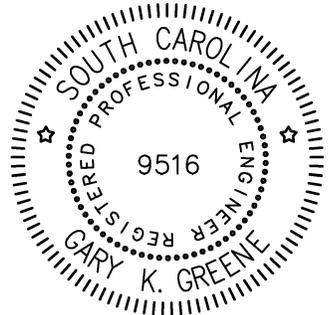


PLAN



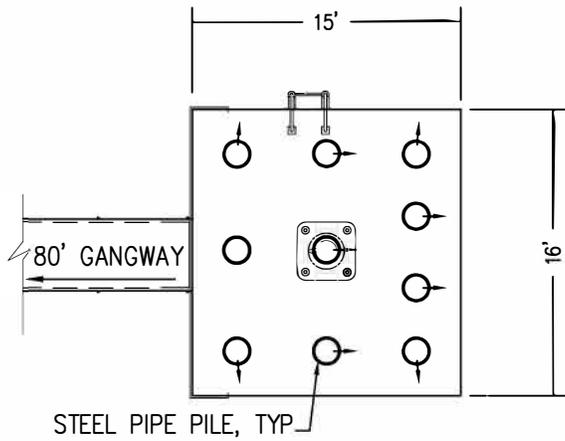
SECTION

MULTI PILE BREASTING DOLPHIN



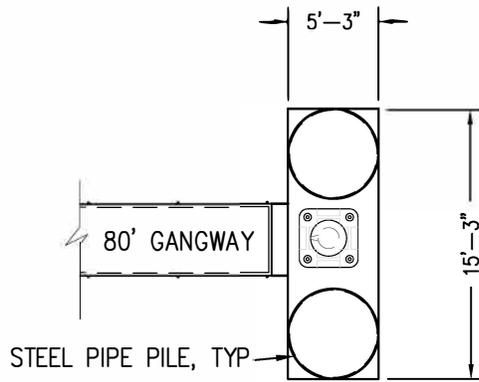
FOR PERMIT ONLY / NOT FOR CONSTRUCTION

<p>PURPOSE: CARGO HANDLING DOCK</p> <p><u>ADJACENT PROPERTY OWNERS:</u></p> <p>1. AOC RE, LLC</p> <p>2. DAVID MAYBANK ET AL</p> <p>SURVEY DATUM: NAVD88</p>	<p>FIGURE 4</p> <p>NEW BERTH DEVELOPMENT PHASE 1 BREASTING DOLPHIN</p> <p>3/32" = 1'-0"</p> <p>VULCAN MATERIALS COMPANY 4950 VIRGINIA AVENUE NORTH CHARLESTON, SC 29405</p>	<p>PROPOSED: PHASED DOCK WORK</p> <p>AT: 4900 VIRGINIA AVE, N CHARLESTON</p> <p>IN: COOPER RIVER</p> <p>COUNTY OF: CHARLESTON SOUTH CAROLINA</p> <p>SHEET 4 OF 12</p> <p>3/24/2021</p> <p>GARY GREENE ENGINEERS</p>
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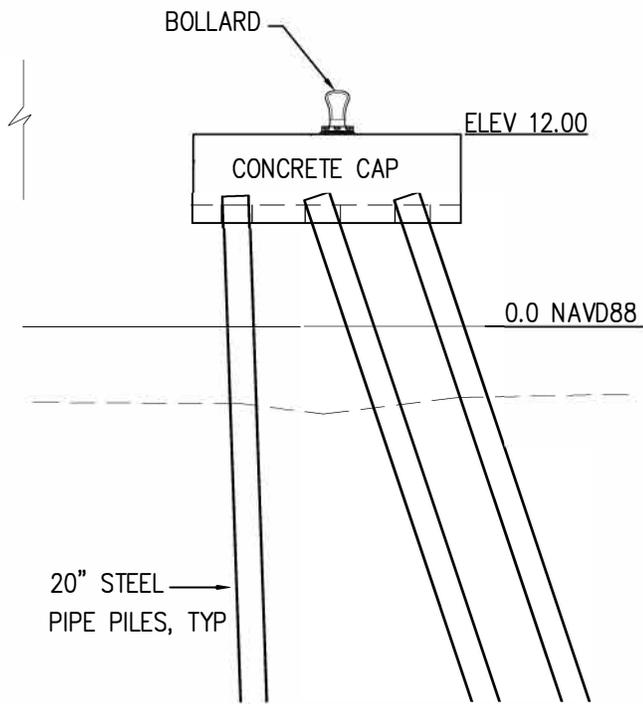
STEEL PIPE PILE, TYP

PLAN



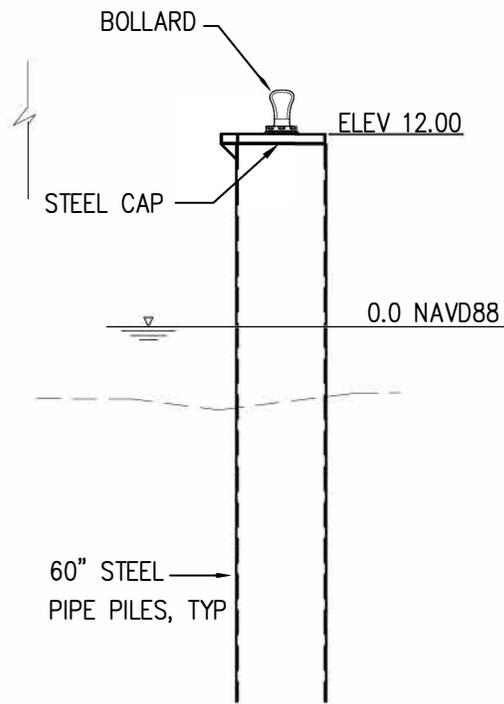
STEEL PIPE PILE, TYP

PLAN



20" STEEL PIPE PILES, TYP

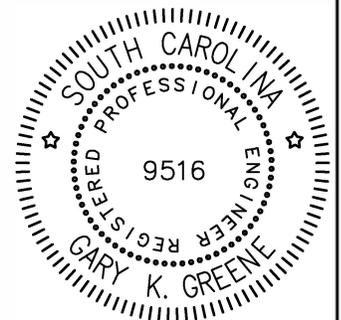
SECTION



60" STEEL PIPE PILES, TYP

SECTION

MOORING DOLPHIN ALTERNATES



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PURPOSE: CARGO HANDLING DOCK

ADJACENT PROPERTY OWNERS:

1. AOC RE, LLC
2. DAVID MAYBANK ET AL

SURVEY DATUM: NAVD88

SECTION

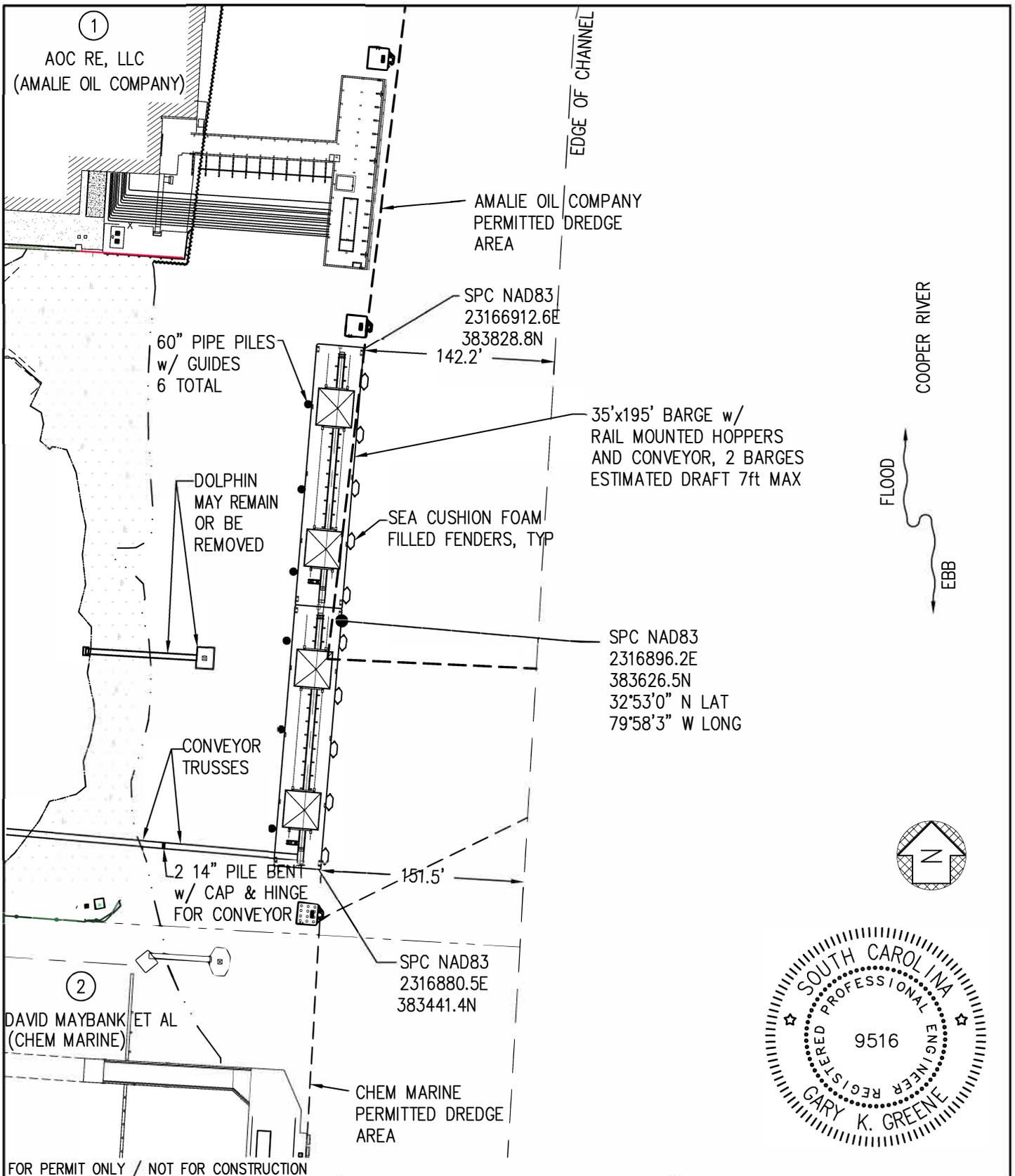
FIGURE 5
 NEW BERTH DEVELOPMENT
 PHASE 1 MOORING DOLPHIN
 $3/32" = 1'-0"$
 VULCAN MATERIALS COMPANY
 4950 VIRGINIA AVENUE
 NORTH CHARLESTON, SC 29405

PROPOSED: PHASED DOCK WORK
 AT: 4900 VIRGINIA AVE, N CHARLESTON
 IN: COOPER RIVER
 COUNTY OF: CHARLESTON
 SOUTH CAROLINA

SHEET 5 OF 12

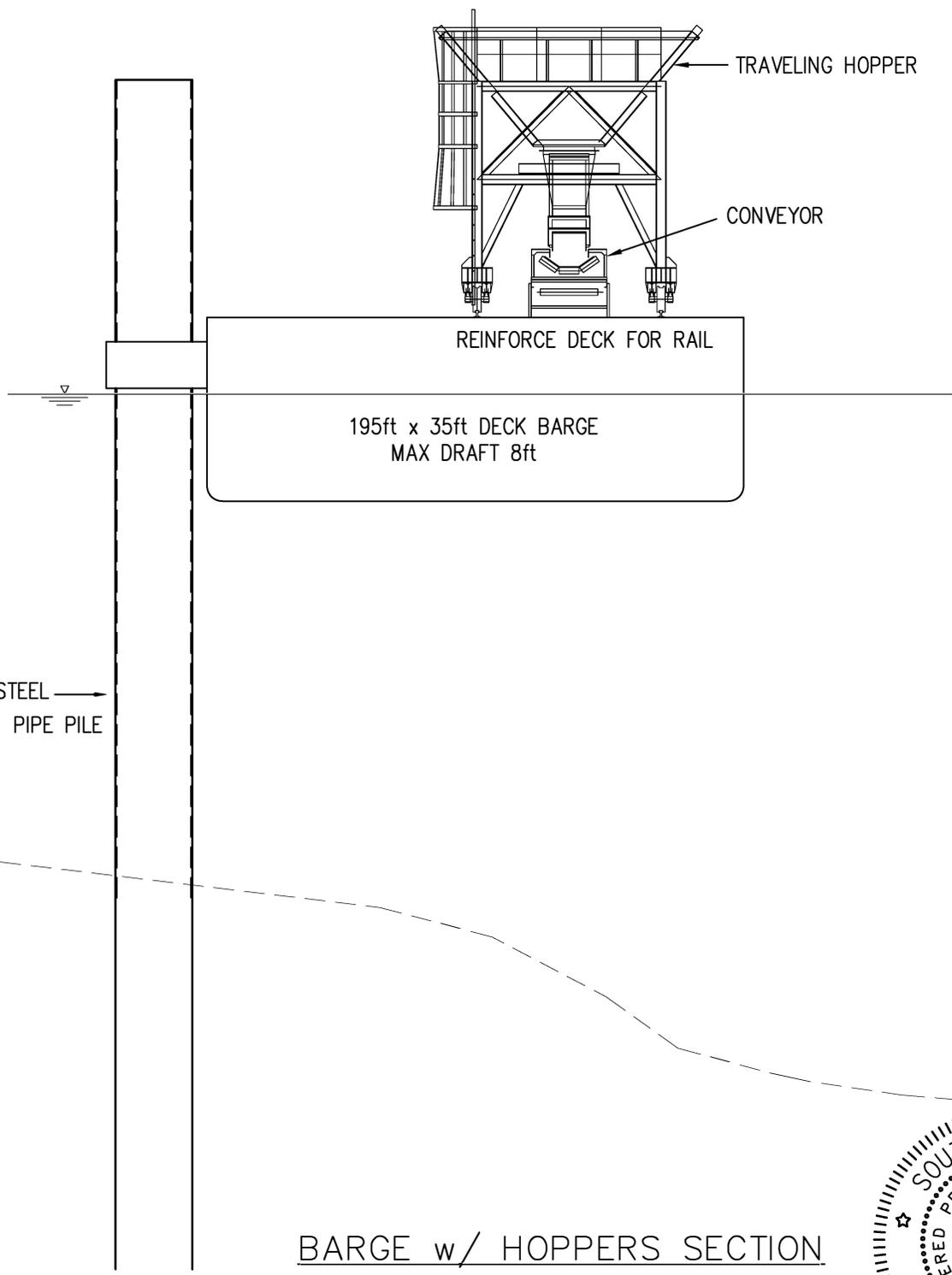
3/24/2021

GARY GREENE ENGINEERS

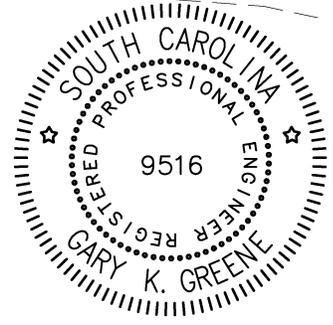


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<p>PURPOSE: CARGO HANDLING DOCK</p> <p>ADJACENT PROPERTY OWNERS:</p> <ol style="list-style-type: none"> AOC RE, LLC DAVID MAYBANK ET AL <p>SURVEY DATUM: NAVD88</p>	<p>FIGURE 6 NEW BERTH DEVELOPMENT PHASE 2 SITE PLAN 1" = 100ft</p> <p>VULCAN MATERIALS COMPANY 4950 VIRGINIA AVENUE NORTH CHARLESTON, SC 29405</p>	<p>PROPOSED: PHASED DOCK WORK</p> <p>AT: 4900 VIRGINIA AVE, N CHARLESTON</p> <p>IN: COOPER RIVER</p> <p>COUNTY OF: CHARLESTON SOUTH CAROLINA</p> <p>SHEET 6 OF 12</p>
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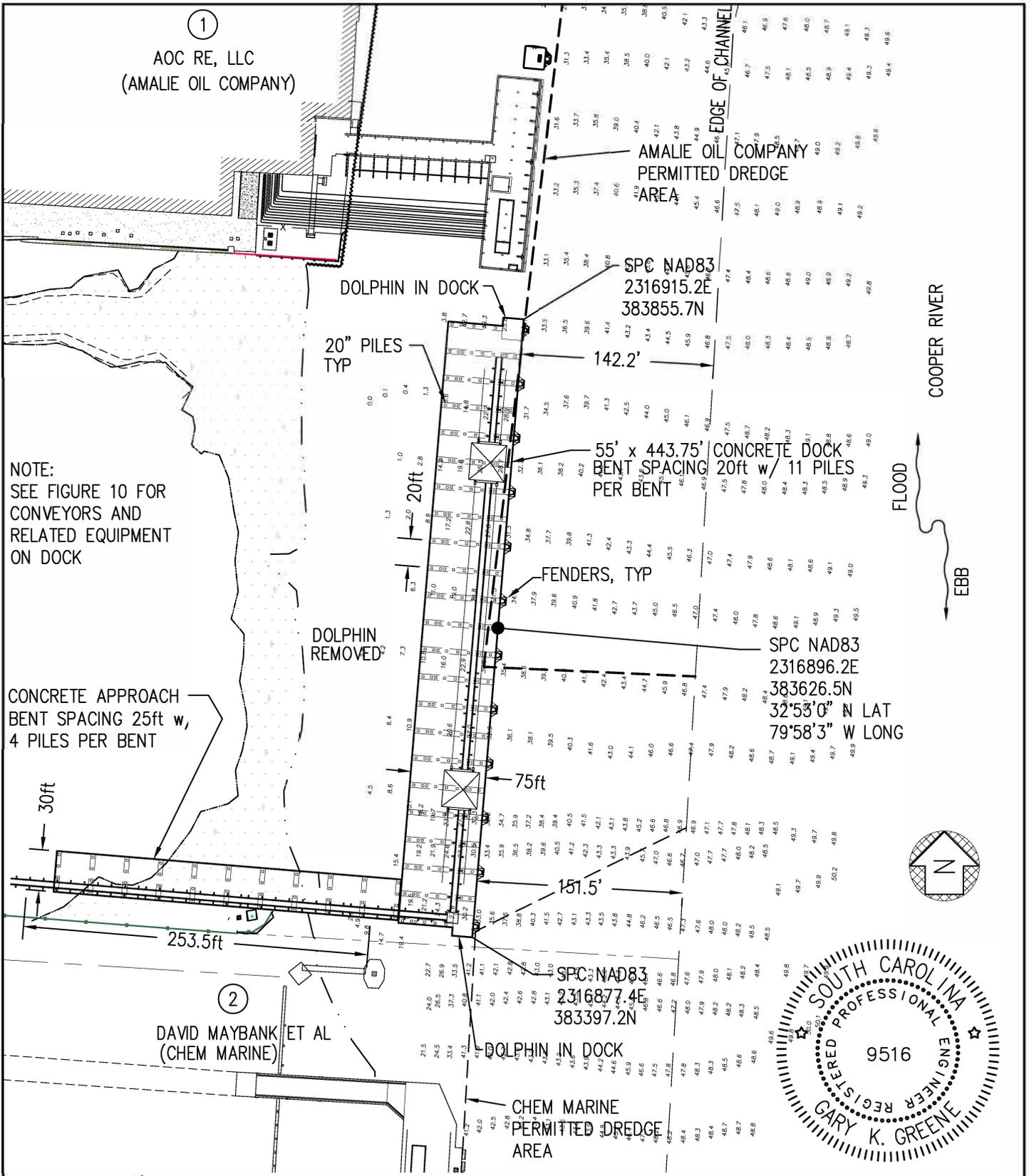


BARGE w/ HOPPERS SECTION



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<p>PURPOSE: CARGO HANDLING DOCK</p> <p><u>ADJACENT PROPERTY OWNERS:</u></p> <p>1. AOC RE, LLC</p> <p>2. DAVID MAYBANK ET AL</p> <p>SURVEY DATUM: NAVD88</p>	<p>FIGURE 7</p> <p>NEW BERTH DEVELOPMENT</p> <p>PHASE 2 195x35 BARGES w/ HOPPERS</p> <p>3/32" = 1'-0"</p> <p>VULCAN MATERIALS COMPANY</p> <p>4950 VIRGINIA AVENUE</p> <p>NORTH CHARLESTON, SC 29405</p>	<p>PROPOSED: PHASED DOCK WORK</p> <p>AT: 4900 VIRGINIA AVE, N CHARLESTON</p> <p>IN: COOPER RIVER</p> <p>COUNTY OF: CHARLESTON</p> <p>SOUTH CAROLINA</p> <p>SHEET 7 OF 12</p> <p>3/24/2021</p>
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NOTE:
SEE FIGURE 10 FOR
CONVEYORS AND
RELATED EQUIPMENT
ON DOCK

CONCRETE APPROACH
BENT SPACING 25ft w/
4 PILES PER BENT

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PURPOSE: CARGO HANDLING DOCK

ADJACENT PROPERTY OWNERS:
1. AOC RE, LLC
2. DAVID MAYBANK ET AL

SURVEY DATUM: NAVD88

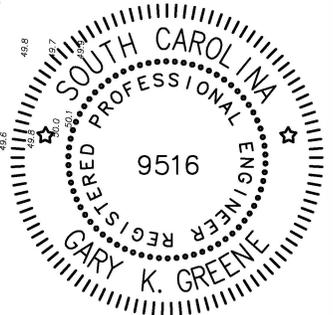
FIGURE 8
NEW BERTH DEVELOPMENT
PHASE 3 SITE PLAN
1" = 100ft
VULCAN MATERIALS COMPANY
4950 VIRGINIA AVENUE
NORTH CHARLESTON, SC 29405

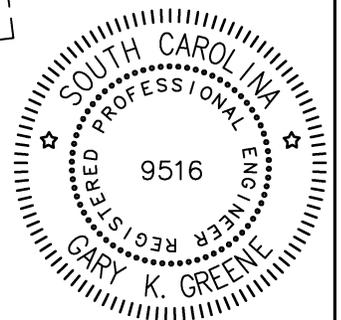
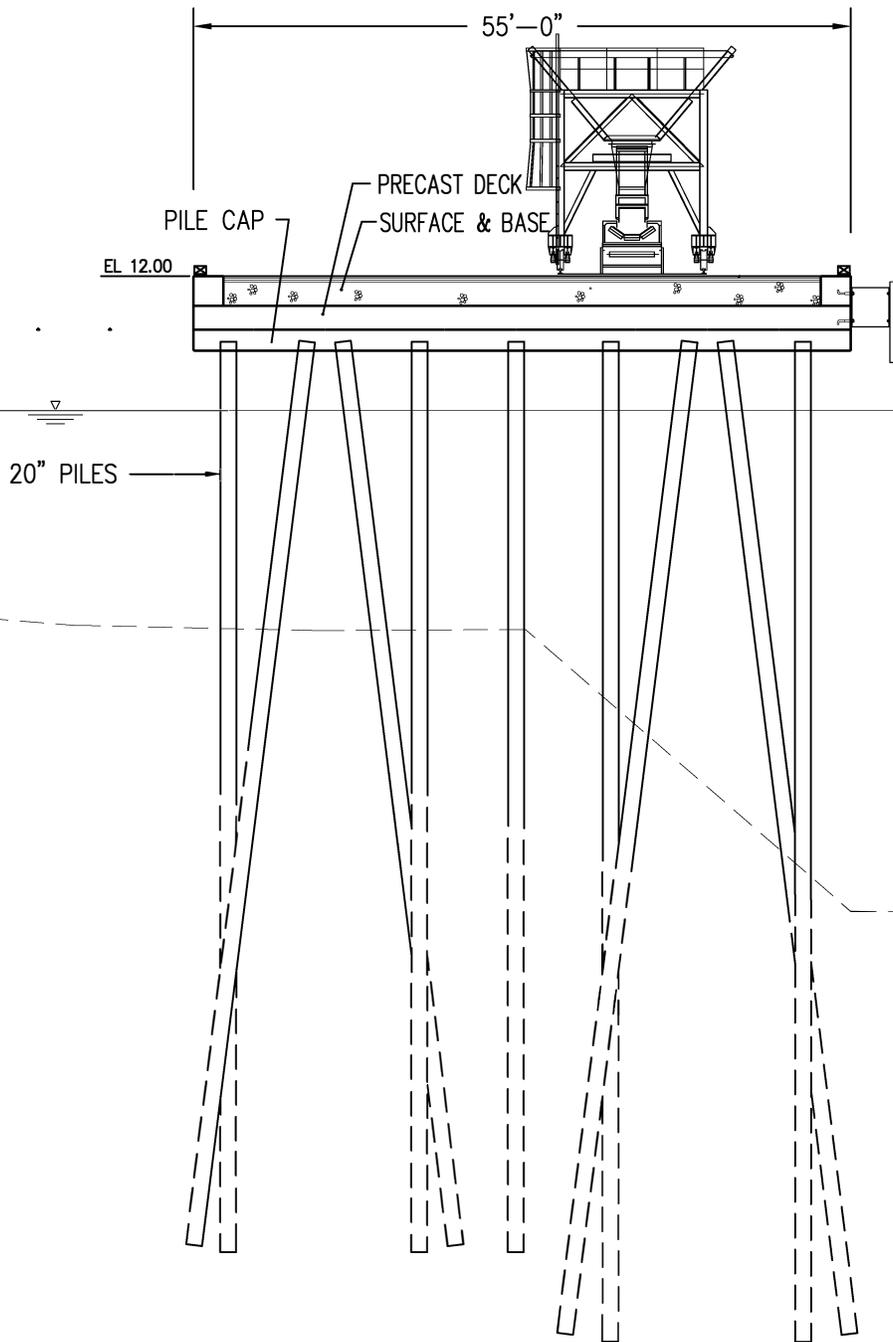
PROPOSED: PHASED DOCK WORK
AT: 4900 VIRGINIA AVE, N CHARLESTON
IN: COOPER RIVER
COUNTY OF: CHARLESTON
SOUTH CAROLINA

SHEET 8 OF 12

3/24/2021

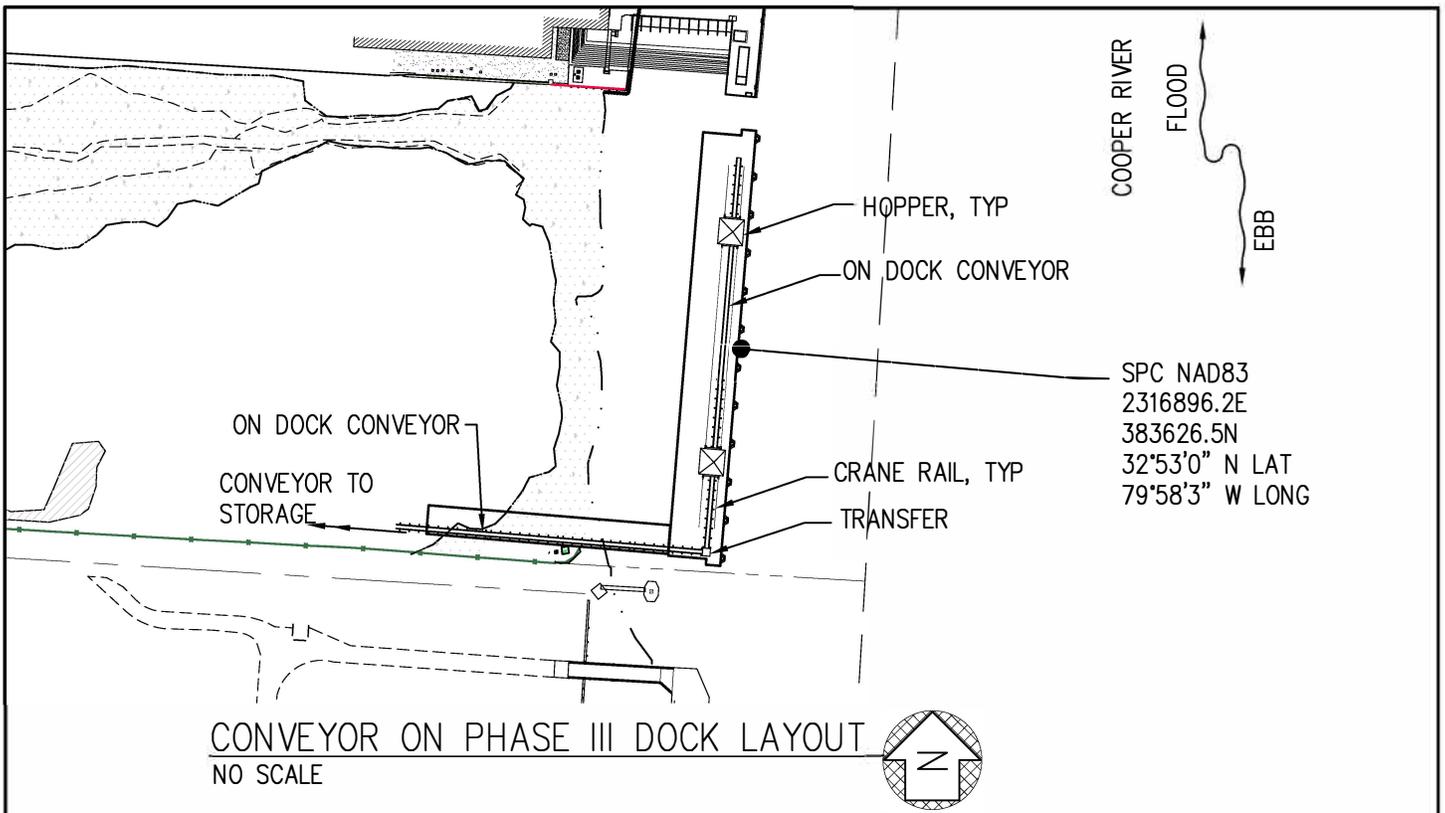
GARY GREENE ENGINEERS



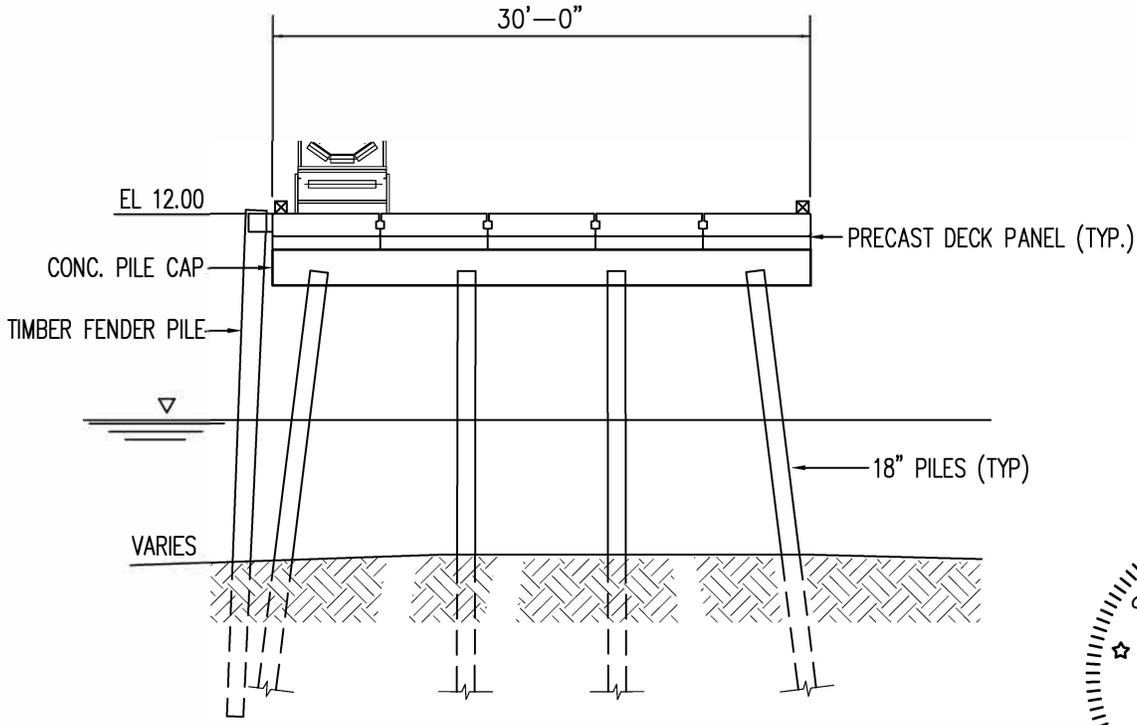


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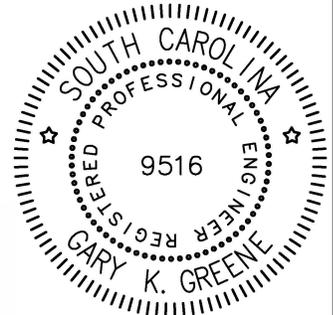
<p>PURPOSE: CARGO HANDLING DOCK</p> <p><u>ADJACENT PROPERTY OWNERS:</u></p> <p>1. AOC RE, LLC</p> <p>2. DAVID MAYBANK ET AL</p> <p>SURVEY DATUM: NAVD88</p>	<p>FIGURE 9</p> <p>NEW BERTH DEVELOPMENT PHASE 3 DOCK SECTION</p> <p>1/16" = 1'-0"</p> <p>VULCAN MATERIALS COMPANY 4950 VIRGINIA AVENUE NORTH CHARLESTON, SC 29405</p>	<p>PROPOSED: PHASED DOCK WORK</p> <p>AT: 4900 VIRGINIA AVE, N CHARLESTON</p> <p>IN: COOPER RIVER</p> <p>COUNTY OF: CHARLESTON SOUTH CAROLINA</p> <p>SHEET 9 OF 12</p> <p>3/24/2021</p>
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CONVEYOR ON PHASE III DOCK LAYOUT
NO SCALE



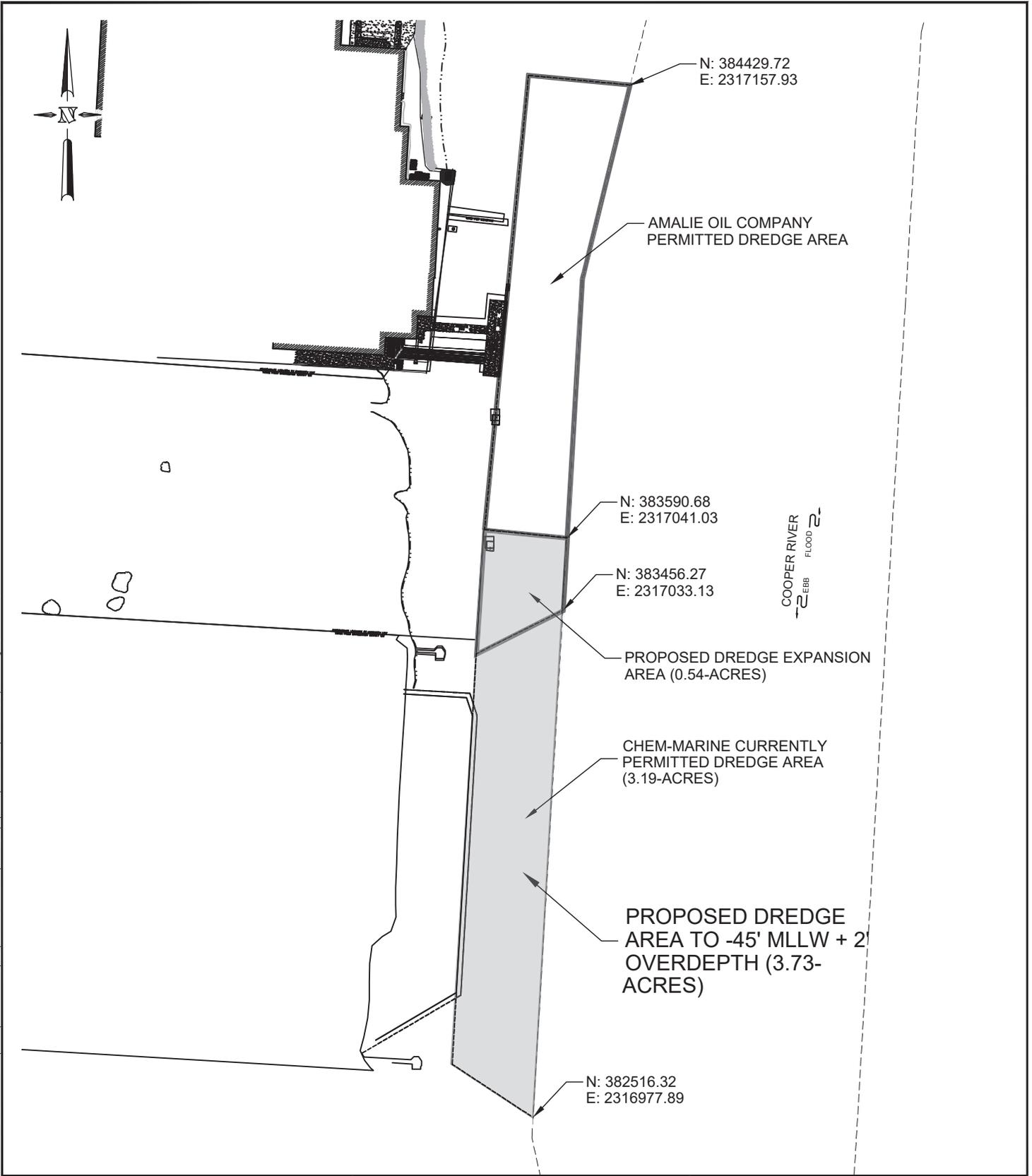
ACCESS TRESTLE TYPICAL SECTION



FOR PERMIT ONLY / NOT FOR CONSTRUCTION

<p>PURPOSE: CARGO HANDLING DOCK</p> <p>ADJACENT PROPERTY OWNERS: 1. AOC RE, LLC 2. DAVID MAYBANK ET AL</p> <p>SURVEY DATUM: NAVD88</p>	<p>FIGURE 10 NEW BERTH DEVELOPMENT PHASE 3 TRESTLE SECTION & CONVEYOR 3/32" = 1'-0"</p> <p>VULCAN MATERIALS COMPANY 4950 VIRGINIA AVENUE NORTH CHARLESTON, SC 29405</p>	<p>PROPOSED: PHASED DOCK WORK</p> <p>AT: 4900 VIRGINIA AVE, N CHARLESTON</p> <p>IN: COOPER RIVER</p> <p>COUNTY OF: CHARLESTON SOUTH CAROLINA</p> <p>SHEET 10 OF 12</p> <p>3/24/2021 GARY GREENE ENGINEERS</p>
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 BY: ThomasPatton
 PLOTTED: Apr 28, 2021 - 10:01am



PURPOSE: CARGO HANDLING

ADJACENT PROPERTY OWNERS

1. AOC RE, LLC
2. DAVID MAYBANK, ET AL.

SURVEY DATUM: NAV88

FIGURE 11

PLAN VIEW OF DREDGE AREA

APPROXIMATE SCALE: 1"= 250'



VULCAN MATERIALS COMPANY
 4950 VIRGINIA AVE. &
 1000 E. MONTAGUE AVE.
 NORTH CHARLESTON, SC 29405

PROPOSED: BERTH MAINTENANCE DREDGING

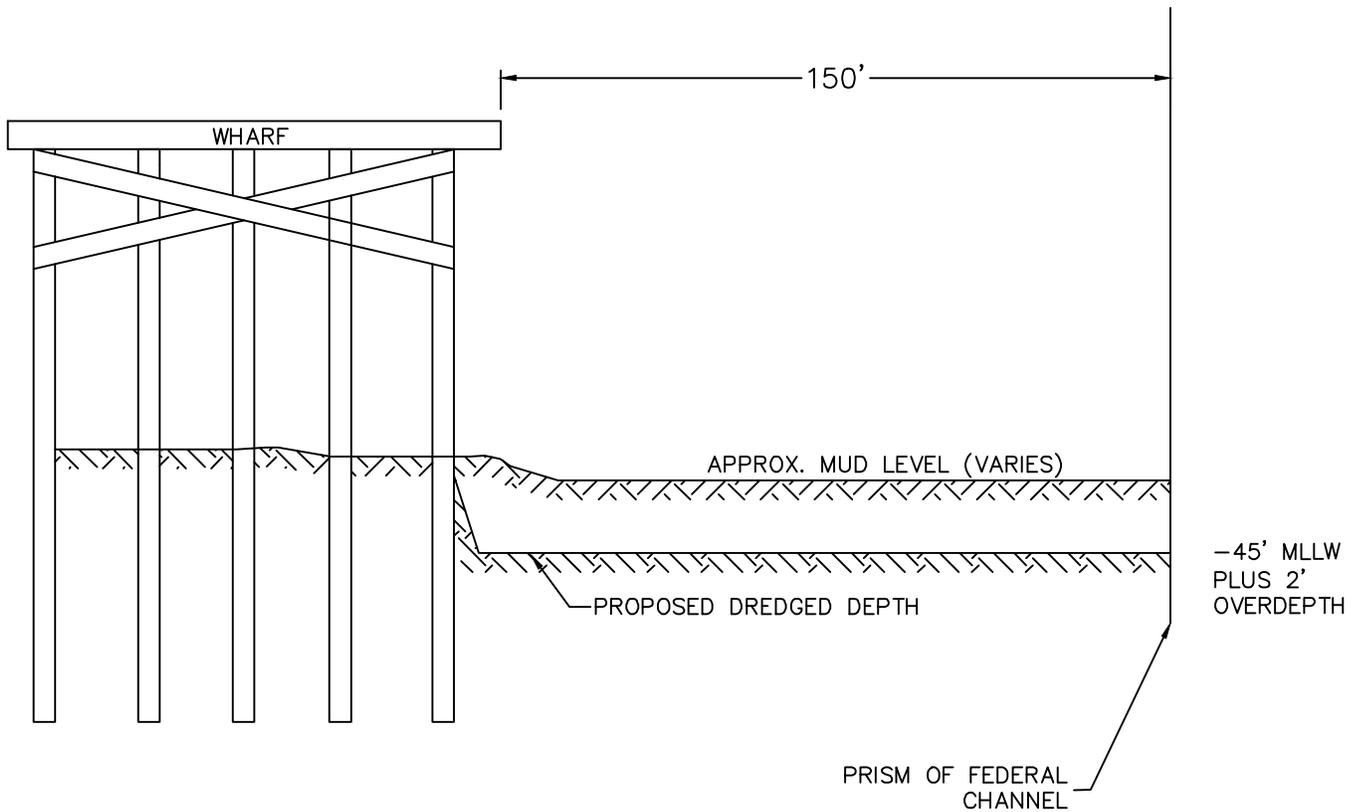
AT: CHEM-MARINE TERMINAL

IN: COOPER RIVER

COUNTY OF: CHARLESTON
 SOUTH CAROLINA

DATE: 03/24/2021

FILE LOCATION: C:\Users\ThomasPattton\GEL\GEE - Documents\CADFILES\VMCO\vmco00121\vmco00121_permit.dwg LAYOUT: TAB: 12
 PLOTTED: Apr 28, 2021 - 9:30am BY: ThomasPattton



PURPOSE: CARGO HANDLING

ADJACENT PROPERTY OWNERS

1. AOC RE, LLC
2. DAVID MAYBANK, ET AL.

SURVEY DATUM: NAV88

FIGURE 12
 TYPICAL CROSS-SECTION A - A'
 NOT TO SCALE

VULCAN MATERIALS COMPANY
 4950 VIRGINIA AVE. &
 1000 E. MONTAGUE AVE.
 NORTH CHARLESTON, SC 29405

PROPOSED: BERTH MAINTENANCE DREDGING

AT: CHEM-MARINE TERMINAL

IN: COOPER RIVER

COUNTY OF: CHARLESTON
 SOUTH CAROLINA

DATE: 03/24/2021