### 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-2011-00715

October 25, 2013

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

## JOINT BASE CHARLESTON C/O MR. GLENN EASTERBY 210 WEST STEWART AVENUE (628 CES/CEIEP) CHARLESTON, SOUTH CAROLINA 29404

for a permit to excavate and place fill material in waters of the United States in the

#### **COOPER RIVER**

at a location near the intersection of Old Tom Road and Wilkinson Way at the Naval Weapons Station-Charleston in Berkeley County, South Carolina (Latitude 32.944183, Longitude-79.930514)

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 constructing improvements to the existing infrastructure at the Nuclear Power Training Unit Charleston (NPTU Charleston). These improvements were designed to alleviate current overcrowding, to accommodate increased student throughput, to allow for uninterrupted student training during MTS transition, and to ensure all facilities meet Department of Defense, Navy, and Air Force security requirements. The proposed work in navigable waters of the United States includes the replacement of an existing 344-foot finger pier with a 300-foot long by 35-foot wide concrete wharf, the construction of a pile supported utility

REGULATORY DIVISION
Refer to: P/N # SAC-2011-00715

platform (approximately 2,100 square feet), extending the existing Port Security Barrier to accommodate new Moored Training Ships, and the installation of new mooring dolphins and hurricane survival mooring systems.

The berth where the new Moored Training Ship will be located will be dredged a depth of -42 feet MLW (approximately 36,000 cubic yards) in accordance with Joint Base Charleston's existing maintenance dredging permit (SAC-2009-00175). In addition to the maintenance dredging, approximately 780 linear feet of shallow trenches (an additional 900 cubic yards) will be dredged below the surface of the river bottom to install the anchors and chains associated with the new hurricane survival mooring system. Potential impacts associated with the upland portion of the proposed project include the placement of fill material in 6.48 acres of freshwater wetlands to relocate existing roadways, to construct additional parking areas, to install new storm water outfall structures, and to install new security fences and light poles.

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 6.48 acres of freshwater wetlands and 0.4 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 Federally threatened and/or endangered species, such as the West Indian Manatee (*Trichecus manatus*), shortnose sturgeon (*Acipenser brevirostrum*), and Atlantic sturgeon (*Acipenser oxyrinchus*), may be present in the vicinity of the proposed project. However, it has been determined that the proposed project is not likely to adversely affect these 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 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. MILH was placed on the

Refer to: P/N # SAC-2011-00715

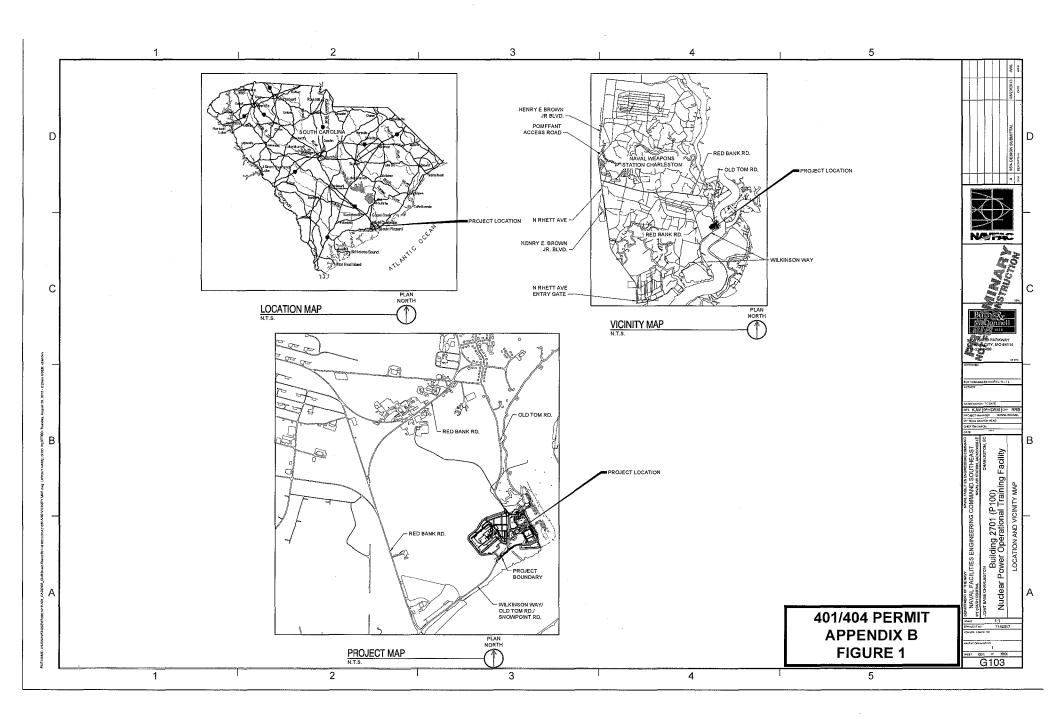
National Register of Historic Places in 1982. This public notice serves as a request to the State Historic Preservation Office to provide any additional information it may have with regard to historic and cultural resources in the vicinity of MILH.

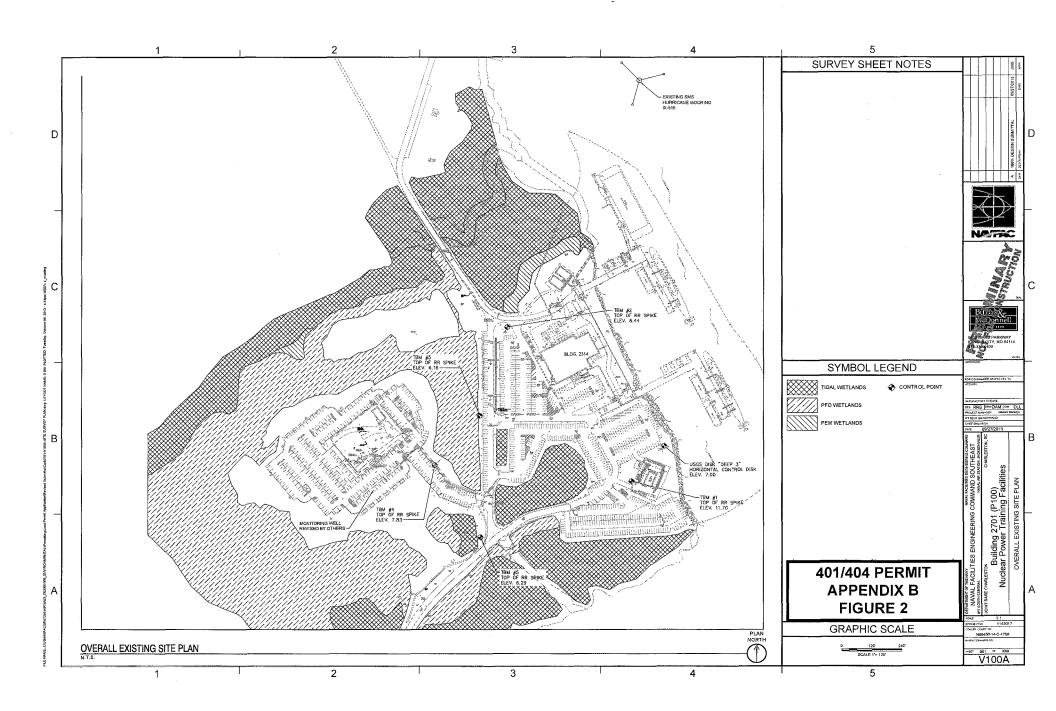
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

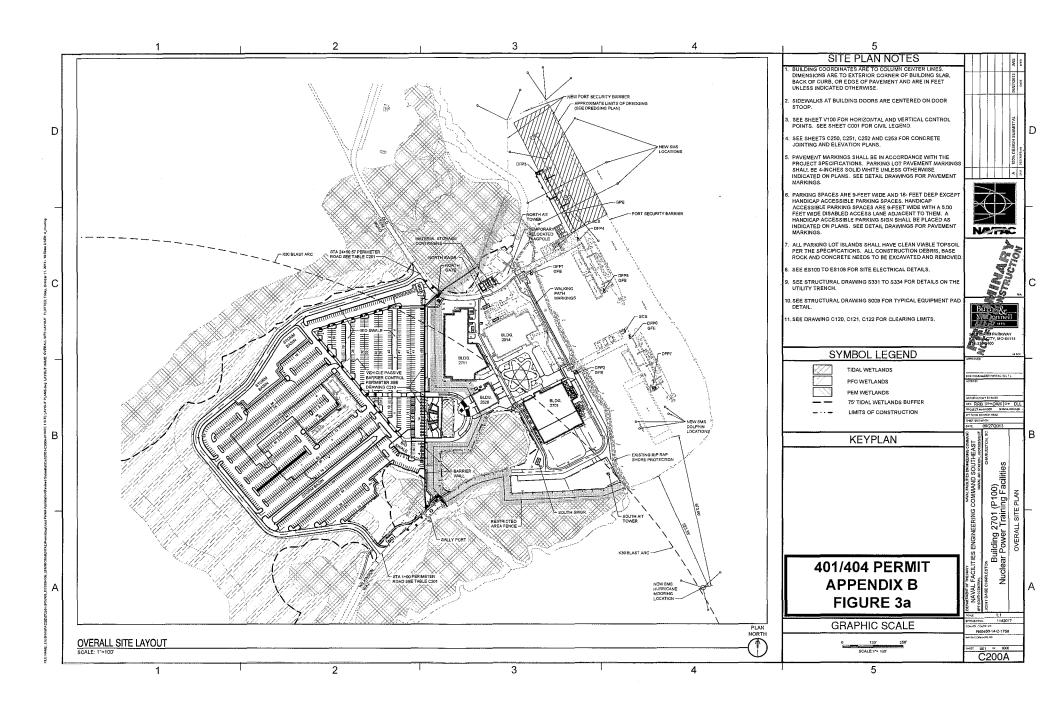
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 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.

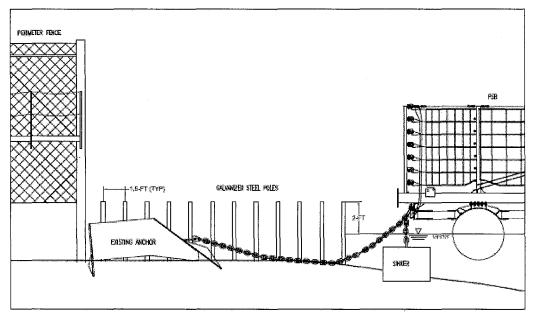
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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 Mr. Nat Ball at 843-329-8044 or toll free at 1-866-329-8187.









NORTH SHORE TERMINATION ELEVATION VIEW

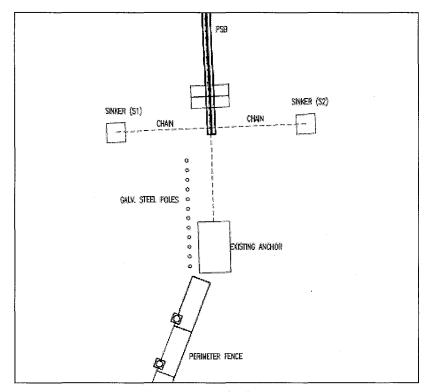


Figure 3b. Modified North Shore Termination

