



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
CHARLESTON DISTRICT, CORPS OF ENGINEERS  
69-A HAGOOD AVENUE  
CHARLESTON, SOUTH CAROLINA 29403-5107

September 2, 2014

Regulatory Division

Mr. Jae Mattox  
S.C. Department of Transportation  
Post Office Box 191  
Columbia, South Carolina 29202-0191

Dear Mr. Mattox:

I am writing in response to your letter dated August 19, 2014, regarding a Department of the Army permit (SAC 2005-1N-440) that was issued to the S.C. Department of Transportation (SCDOT) for the Port Access Roadway project. It is my understanding that SCDOT anticipates beginning the design build procurement for the Port Access Roadway project process within the next six months. In your letter, you request acknowledgement from the U.S. Army Corps of Engineers, Charleston District (Corps) that grade separating the portion of Stromboli Avenue that crosses an existing CSX right-of-way is acceptable under SAC-2005-1N-440.

It is my understanding the main line portion of the Port Access Road was proposed to be elevated to avoid conflicts with existing roadways (Meeting Street and Spruill Avenue) and the CSX right-of-way that provides access to Cooper Yard. However, the Stromboli Avenue portion of the Port Access Road was proposed to be at grade because it crosses an inactive CSX right-of-way at the same location as an existing at-grade crossing that provides access to the Charleston County incinerator on Shipyard Creek Road. CSX objected to this at-grade crossing because it would interfere with future rail terminal development and operations in the area.

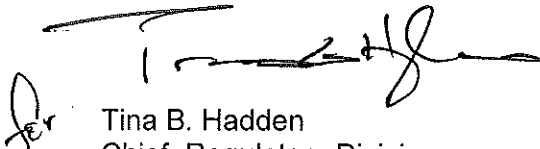
It has been more than seven years since the DA permit for the Port Access Road was issued in September 2007. During that time, the Charleston County incinerator has closed and Palmetto Railways has proposed to develop an Intermodal Container Transfer Facility (ICTF) at the former Charleston Navy Base. As you are aware, the Corps is preparing an EIS to evaluate the proposed ICTF. From the Corps' perspective, eliminating the at-grade crossing and constructing an overpass appears to address CSX's original concerns about the Port Access Road and also appears to eliminate conflicts with the proposed ICTF.

Based on a review of the permit drawings for SAC 2005-1N-440, the intersection of Stromboli Avenue and the existing CSX rail line is in fact located in uplands, and would not require any additional impacts to waters of the U.S. Accordingly, because the proposed grade separation occurs within the approved footprint of Stromboli Avenue, and does not deviate from the permitted plan or create additional environmental concerns, the proposed design changes are not considered substantial. Therefore, the proposed changes are found to be consistent with the terms and conditions of SAC 2005-1N-440, and do not warrant any action by the Corps to modify this DA permit pursuant to 33 CFR 325.7.



Your cooperation in the protection and preservation of our navigable waters and natural resources is appreciated. In all future correspondence concerning this matter, please refer to our file number SAC 2005-1N-440. A copy of this letter is being forwarded to certain State and/or Federal agencies for their information. If you have any questions concerning this matter, please contact me at 843-329-8044, or toll free at 1-866-329-8187.

Sincerely,



Tina B. Hadden  
Chief, Regulatory Division

Copy Furnished:

South Carolina Department of Health  
and Environmental Control  
Office of Ocean and Coastal  
Resource Management  
1362 McMillan Avenue, Suite 400  
Charleston, South Carolina 29405



South Carolina  
Department of Transportation

August 19, 2014

Mr. Nathaniel I. Ball  
United States Army Corps of Engineers  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107

RE: Port Access Road Project

Dear Mr. Ball:

Thank you for meeting with me and Will McGoldrick via conference call on July 15, 2014, to discuss the Port Access Roadway project and specifically the plan for the Stromboli Extension. As you know, all Federal and State approvals have been acquired for the Port Access Roadway project and recently the Municipal State Highway Project Agreement from the City of Charleston was obtained. The final approval that is needed to advance this project to construction is the municipal agreement from the City of North Charleston which the State Ports Authority is pursuing. The South Carolina Department of Transportation (SCDOT) anticipates beginning the design build procurement within the next six months upon authorization from the South Carolina Ports Authority.

The permitted plan for the Stromboli Extension is at-grade and includes a crossing of a CSX rail line. Throughout the project development, CSX has been opposed to an additional at-grade intersection in this area citing interference with potential future development of their rail terminal and operations. In addition, the current at-grade plan for Stromboli severely restrains operation and expansion opportunities for Palmetto Railway's proposed Intermodal Container Transfer Facility which is being pursued north of the project area. Based on the above, SCDOT and the South Carolina Ports Authority have determined that grade separating the Stromboli Extension between Spruill Avenue and the Bainbridge Connector better suits the needs of the project stakeholders.

We have determined that this modification can be accomplished within the current permitted footprint of Stromboli and will not require any changes to the permit drawings or approved right of way limits. It is my understanding that this does not contravene any terms or conditions of our permit or Final Environmental Impact Statement. Therefore, I am requesting acknowledgement from the United States Army Corps of Engineers that this notification of the design change is acceptable under our current approved permit.

I look forward to our continued involvement with this important project and please let me know if you need any additional information or clarification.

Sincerely,

James (Jae) H. Mattox, III, P.E.  
Program Manager

JHM:gg

cc: Barbara Melvin, State Ports Authority  
ec: Will McGoldrick, SCDOT Environmental Management  
File: PC/JHM

