



9.0 PUBLIC, AGENCY, AND STAKEHOLDER COORDINATION AND

9.1 PUBLIC AND STAKEHOLDER COORDINATION

The Corps provided several opportunities and mechanisms to share and receive information with the public, stakeholders, governmental agencies, tribes, and non-governmental organizations (NGOs). Opportunities and mechanisms for information sharing include:

- **Scoping process** that included two public scoping meetings followed by two 30-day comment periods to solicit input on the scope of the Project and/or analysis and alternatives to be evaluated as part of the EIS;
- **Public meetings** to present Project updates and receive feedback from the public and stakeholders, including distribution of **facts sheets and brochures** to provide information and facilitate public input;
- Participation in **community and stakeholder meetings**, including neighborhood association meetings, community meetings, and events;
- Development and maintenance of a **Project website** (www.NavyBaseICTF.com) that included pertinent Project information such as meeting announcements, copies of meeting materials, publicly released Project documents, Project status reports, and information and mechanisms for public comment;
- Distribution of “Navy Base ICTF EIS News,” the **Project-developed newsletter** designed to inform the public of progress during the preparation of the EIS, via hard copy mail-out and electronic distribution; and
- **Public hearing** to provide the public an opportunity to comment on the Draft EIS.
- Public notice and comment period on the Draft EIS and Department of the Army (DA) Permit Application.

A chronological summary of these activities is included in Table 9.1-1.

Table 9.1-1
Chronological Summary of Public and Agency Involvement Activities (2013–2018)

Activity	Date(s)
The U.S. Army Corps of Engineers (Corps) published a Notice of Intent (NOI) to prepare an environmental impact statement (EIS) for the Proposed Project in the <i>Federal Register</i> .	October 23, 2013
The Corps published a Public Notice to inform the public and to request comments about the proposal from the South Carolina Department of Commerce Division of Public Railways d/b/a Palmetto Railways (Palmetto Railways) for a Department of the Army (DA) permit.	October 25, 2013
The Corps mailed a Public Notice letter to adjacent landowners and other interested parties to announce the public scoping meeting.	October 25, 2013
The Corps initiated agency and tribal consultations by mailing the Public Notice to federal and state agencies and the Catawba Indian Nation.	October 25, 2013
The Corps launched the Navy Base Intermodal Container Transfer Facility (ICTF) EIS Project website to provide an opportunity for the public to sign up for the Project mailing list and submit written comments throughout the preparation of the EIS.	October 25, 2013
The Corps published a meeting announcement in the <i>Post and Courier</i> newspaper with information on the Proposed Project and the Public Scoping Meeting.	November 3 and 10, 2013
The Corps published a meeting announcement in the <i>Charleston Chronicle</i> newspaper with information on the Proposed Project and the Public Scoping Meeting.	November 6, 2013
The Corps held a public scoping meeting.	November 14, 2013
The Corps provided a public scoping comment period.	November 14, 2013 – December 14, 2013
The Corps held a meeting with the Berkeley Charleston Dorchester Council of Governments (BCDCOG), South Carolina Department of Transportation (SCDOT), and Palmetto Railways to discuss the scope of the Transportation Study for the EIS.	November 22, 2013
The Corps published a Public Notice to inform the public of the community meeting.	April 15, 2014
The Corps published a meeting announcement in the <i>Post and Courier</i> newspaper with information on the community meeting.	April 27 and May 4, 2013
Letter received from National Marine Fisheries Service (NMFS) identifying Essential Fish Habitat (EFH) in the Project site and EFH for the brown shrimp (<i>Farfantepenaeus aztecus</i>) and white shrimp (<i>Litopenaeus setiferus</i>).	April 23, 2014
The Corps published a meeting announcement in the <i>Charleston Chronicle</i> newspaper with information on the community meeting.	April 30, 2014
The Corps held a community meeting to discuss the studies and alternatives that will be included in the EIS.	May 6, 2014
The Corps published a Scoping Report on the Navy Base ICTF EIS website containing information on the scoping process and comments received.	May 6, 2014
The Corps held separate local interviews with BCDCOG, Low Country Alliance for Modal Communities (LAMC), Metanoia, and the City of North Charleston.	May 7, 2014
Reports of cultural, architectural and archaeological surveys undertaken for Palmetto Railways in 2011 were submitted to the State Historic Preservation Officer (SHPO) for review.	June 2014

Activity	Date(s)
The SHPO concurred with the identification of historic properties and the adequacy of the coverage of the areas examined in the cultural, architectural and archaeological surveys.	July 24, 2014
The Corps attended the Chicora-Cherokee Neighborhood Council meeting, provided a brief background on the Project, and listened to comments from the neighborhood residents.	July 28, 2014
The Corps attended the Union Heights monthly neighborhood meeting, provided a brief background on the Project, and listened to comments from the neighborhood residents.	August 12, 2014
The Corps attended the monthly neighborhood meeting for Olde North Charleston, Palmetto Gardens, Cameron Terrace, and North East Park Circle (combined meeting to discuss this Project), provided a brief background on the Project, and listened to comments from the neighborhood residents.	August 13, 2014
The Corps held a meeting with the BCDCOG, SCDOT, South Carolina Ports Authority (SCPA), City of North Charleston and Palmetto Railways to provide a status update on the Transportation Study for the EIS.	October 23, 2014
The Corps distributed the first issue of <i>Navy Base ICTF EIS News</i> , a newsletter designed to inform the public of progress during the preparation of the EIS.	October 31, 2014
2014 Cultural Resource Surveys undertaken for Palmetto Railways in support of the proposed ICTF were submitted to the SHPO for review.	November 2014
The SHPO concurred with the survey results and recommendations of eligibility for individual resources.	December 3, 2014
The U.S. Coast Guard determined that the proposed bridge project over Noisette Creek will not require a Coast Guard bridge permit.	January 14, 2015
The U.S. Coast Guard determined that the proposed bridge project over Shipyard Creek will not require a Coast Guard bridge permit.	August 12, 2015
Palmetto Railways submitted a revised proposal to the Corps which included the construction of two new connections to the local rail network.	September 8, 2015
The Corps distributed the second issue of <i>Navy Base ICTF EIS News</i> , a newsletter designed to inform the public of progress during the preparation of the EIS.	September 24, 2015
The Corps published a Public Notice to inform the public and to request comments about the revised proposal from Palmetto Railways.	September 25, 2015
The Corps distributed a Public Notice letter to members of the Navy Base ICTF mailing list to explain changes to the Proposed Project and to announce the second public scoping meeting.	September 25, 2015
The Corps held a meeting with the BCDCOG to provide an update on Palmetto Railways' revised proposal.	October 6, 2015
The Corps published a meeting announcement in the <i>Charleston Chronicle</i> newspaper with information on revisions to the Proposed Project and the second Public Scoping Meeting.	October 14 and October 21, 2015
The Corps published a meeting announcement in the <i>Post and Courier</i> newspaper with information on revisions to the Proposed Project and the second Public Scoping Meeting.	October 18 and October 25, 2015
The Corps held a second public scoping meeting on the revised Proposed Project.	October 27, 2015
The Corps provided a second public scoping comment period.	October 27, 2015 – November 27, 2015

Activity	Date(s)
The Corps met with the owners of Salmons Dredging Company and Marinex Construction.	December 10, 2015
The Corps granted consulting party status to the Historic Charleston Foundation, the Preservation Society of Charleston, and the Naval Order of the United States.	January 19, 2016
The Corps met with several tenants of the 1799 Meeting St Road professional complex (eLifespaces and Tecklenburg and Jenkins LLC).	January 27, 2016
The Corps attended a Hunley Waters Neighborhood Association meeting.	February 1, 2016
The Corps attended the annual Metanoia Town Hall meeting.	February 8, 2016
The Corps published an addendum to the Scoping Report on the Navy Base ICTF EIS website containing information on the second scoping process and comments received.	February 12, 2016
The Corps published the Draft EIS for review and comment. The Draft EIS was distributed to agencies and made available in several locations in the North Charleston area and placed on the Project website.	April 29, 2016
A Public Notice was issued to announce the availability of the Draft EIS and to inform the public about the public hearing scheduled for May 24, 2016. The notice was mailed to adjacent land owners and interested parties. The Corps provided a comment period for public comments on the Draft EIS through June 15, 2016.	April 29, 2016
The Corps issued a Public Notice to extend the comment period for the Draft EIS from June 15, 2016, until July 9, 2016.	May 18, 2016
A public hearing was held to receive comments on the Draft EIS. An informal open house was held prior to the hearing so that the public could review project information and discuss the Project with staff.	May 24, 2016
As a result of Palmetto Railways' September 2015 revised proposal, an additional cultural and architectural survey was submitted to the SHPO for review.	May 31, 2016
Comment period on the Draft EIS closed. Comments and responses can be found in Appendix O.	July 9, 2016
The Corps submitted a Request for Additional Information (RAI) to the Applicant to obtain supplemental details on the Project (SAC-2012-00960) for preparation of the Final EIS.	September 19, 2016
The Applicant submitted a Department of the Army (DA) Permit Application for the placement of dredge and fill material into waters of the U.S., including wetlands associated with Noisette Creek and Shipyard Creek for construction of Alternative 1 (Proposed Project) and a draft mitigation plan.	October 11, 2016
The Applicant provided responses to the Corps' RAI (see Appendix B).	October 17, 2016
The Applicant entered into a Memorandum of Agreement with the Community Mitigation Working Group. They worked collaboratively to develop the Community Mitigation Plan (included in Appendix N) and agreed to the scope of the mitigation and enhancement actions to compensate the communities impacted by Alternative 1 (Proposed Project).	October 18, 2016

Activity	Date(s)
The Corps issued a Public Notice on the DA permit application. The Corps provided a 30-day comment period. The comments on the DA permit application will be addressed in the Record of Decision (ROD). The Public Notice also announced that historic properties would be affected by the project and offered the opportunity for consulting parties in accordance with Section 106 of the National Historic Preservation Act (NHPA).	October 19, 2016
The Applicant entered into a Memorandum of Agreement (MOA) with the S.C. Department of Health and Environmental Control (SCDHEC) that commits to several air quality initiatives with regards to Alternative 1 (Proposed Project). A copy of this MOA can be found in the <i>Community Mitigation Plan</i> (included in Appendix N).	October 26, 2016
Comment period on the DA permit application closed.	November 19, 2016
The Corps sent letters notifying multiple Tribal Nations in the region of the DA Permit Application/EIS and again offered the Nations the opportunity to be a consulting party or obtain information/submit comments. The Nations that were notified include: Tuscarora Nation, Kialegee Tribal Town, Cherokee Nation, The Chickasaw Nation, Delaware Tribe of Indians, The Eastern Band of the Cherokee Nation, Poarch Band of Creek Indians, Eastern Shawnee Tribe of Oklahoma, Seminole Tribe of Florida, Shawnee Tribe, Muscogee (Creek) Nation, United Keetoowah Band of Cherokee Indians in Oklahoma, Alabama-Quassarte Tribal Town, Thlopthlocco Tribal Town, Catawba Indian Nation, Absentee-Shawnee Tribe of Indians of Oklahoma.	November 21, 2016
An updated Cultural Resource Investigation was prepared and submitted to SHPO (see Appendix G).	December 2016
The Corps submitted a second Request for Additional Information (RAI) to the Applicant on the Project (SAC-2012-00960)	December 13, 2016
The Applicant provided responses to the Corps' second RAI (see Appendix B).	January 11, 2017
The Corps notified the Advisory Council on Historic Preservation (ACHP) that the Project would have an adverse effect on historic properties and invited them to participate in the Section 106 Consultation.	January 27, 2017
The Preservation Society of Charleston, Historic Charleston Foundation, and Naval Order of the United States requested a formal consulting parties meeting regarding the Section 106 process for the Proposed Project.	February 13, 2017
Muscogee Creek Nation provided email confirmation that they would like to be a consulting party on the Section 106 process.	March 1, 2017
The ACHP requested to become participant in the Section 106 consultation.	March 7, 2017
The Corps issued a Preliminary Jurisdictional Determination.	March 15, 2017
A Section 106 consultation meeting was held. Attendees included the Applicant, the Corps, project consultants, and representatives from Historic Charleston Foundation, the Preservation Society of Charleston, and the Naval Order of the United States. Representatives from SHPO, ACHP, The Muscogee (Creek) Nation, and the FRA called in to the meeting and participated via phone.	April 7, 2017
The Applicant submitted an updated mitigation plan to the Corps for review.	May 2017
The FRA designated the Corps the lead agency for the Section 106 process.	July 10, 2017
The Corps and FRA had a conference call to discuss Section 4(f) coordination.	September 28, 2017

Activity	Date(s)
The U.S. Coast Guard provided an updated determination that the proposed bridges over Shipyard Creek and Noisette will not require Coast Guard bridge permits.	November 7, 2017
Cultural Resources MOA drafted and distributed for signature to the Corps, Applicant, FRA, SHPO, ACHP, and the Muscogee (Creek) Nation.	October 2017
The Applicant submitted the Kings Grant Mitigation Site Permittee Responsible Mitigation Plan to the Corps.	December 1, 2017
The Applicant submitted an updated Community Mitigation Plan to the Corps for review and incorporation into the Final EIS.	December 5, 2017
A draft Transportation MOA between the Applicant, SCDOT, South Carolina Department of Commerce, and the City of Charleston was submitted to the Corps.	December 6, 2017
The Corps provided a summary of FRA's comments on Section 3.18 and 4.18 of the PFEIS and requests for additional information to the Applicant.	January 3, 2018
The Corps distributed the third issue of Navy Base ICTF EIS News to inform the public of changes since the Draft EIS and to provide information on the Final EIS.	January 19, 2018
The Applicant provided responses to FRA's comments on Section 3.18 and 4.18 of the PFEIS and requests for additional information.	January 29, 2018
FRA requested information from the Applicant regarding engineering plans and cost estimates of Alternative 2.	February 15, 2018
The Applicant provided an exhibit showing the northern rail connection for Alternative 2.	February 27, 2018
FRA requested additional information from the Applicant regarding Alternative 1 (Proposed Project), Alternative 2, and Section 4(f) resources.	February 28, 2018
The Applicant provided responses to FRA's February 28, 2018, request for additional information.	March 8, 2018
The Applicant provided FRA additional information regarding Alternative 2.	March 26, 2018
The Applicant provided FRA additional information regarding engineering questions.	April 10, 2018
Cultural Resources MOA fully executed among the Corps, Applicant, FRA, SHPO, ACHP, and the Muscogee (Creek) Nation.	May 30, 2018

9.1.1 Scoping Process and Public Participation

Participation by the public, governmental agencies, tribes, and NGOs is critical to the NEPA process. The purpose of scoping under NEPA is to ensure participation of interested parties, such as federal, state, tribal, and local government agencies and officials, property owners, residents and other stakeholders to determine the scope of issues to be addressed and to identify the significant issues to be analyzed in depth related to the proposed action (40 C.F.R. 1501.7). This participation is intended to help identify resources and other issues that are of critical importance to agencies and the public. This process also serves to deemphasize insignificant issues, narrowing the scope of the EIS process accordingly (40 C.F.R. 1500.4[g]). Scoping results in the identification of the range of actions, alternatives, and impacts to be considered in the EIS (40 C.F.R. 1508.25). Furthermore, the scoping process is intended to:

- Encourage interested parties to participate in the preparation of the Navy Base ICTF EIS Project design and scope;
- Provide early public access to information about the Proposed Project;
- Solicit information and comments from interested parties; and
- Facilitate effective communication between the Corps and interested parties.

Multiple meetings were held during the Draft EIS development period to encourage public involvement in the planning and analysis of the project. A public scoping meeting was held on November 14, 2013, a large community meeting was held on May 6, 2014, and a second public scoping meeting was held on October 27, 2015. Additional small-scale community and stakeholder meetings were also held throughout the planning process for the development of the Draft EIS. A formal public hearing was also held after the publication of the Draft EIS. Details on each of these meetings and the hearing are discussed below.

Notice of Intent: A Notice of Intent (NOI) was published in Vol. 78, No. 205 *Federal Register* (78 FR 205, PP. 63169-63170), on October 23, 2013. The NOI announced the Corps' intention to prepare an EIS to assess the potential social, economic, and environmental effects of the proposed construction and operation of an ICTF by Palmetto Railways. The NOI provided the public with a description of the Proposed Project; an explanation of alternatives, the scoping and public involvement process, significant issues associated with the Proposed Project, and the review and consultation process; and the expected availability of the Draft EIS.

Public Notice and First Scoping Meeting: Following the initial NOI, approximately 450 state and federal agencies, elected officials, interest groups, and the general public were notified that a local Public Notice was available. In addition, a letter was mailed to adjacent landowners and other interested parties on October 25, 2013, providing information about the scoping meeting (scheduled for November 14, 2013) and encouraging recipients to attend and offer input. Meeting announcements were advertised in *The Post and Courier* (on November 3, 2013, and November 10, 2013) and the *Charleston Chronicle* (November 6, 2013).

The first public scoping meeting was held on November 14, 2013, at the Chicora School of Communications (former Ronald C. McNair Elementary School). One hundred and one people signed in at the welcome station for the scoping meeting; however, several individuals elected not to sign the attendance sheet. The meeting began with an informal open house during which the public could visit information stations with displays and handouts available for viewing. Subject matter experts from the Project Team (Corps, the third-party contractor, and staff from Palmetto Railways) were present to answer questions regarding the Proposed Project and NEPA process, and to solicit comments from the meeting participants. Boards were used to display information about the Proposed Project, potential environmental issues, and the NEPA process. In addition, a welcome

station and court reporter station were available to accept oral and written comments. Comment cards were available at several locations for attendees to fill out and submit during the meeting.

The formal part of the scoping meeting began with a presentation by the District Engineer for the Charleston District, Lt. Col. John T. Litz, and a welcoming by Mr. Jeff McWhorter, President and Chief Executive Officer (CEO) of Palmetto Railways. The former Corps Project Manager, Nat Ball, described the Proposed Project, the NEPA process, a general timeline for the preparation of the Draft EIS, and opportunities for public involvement and comment provided during the NEPA process. Following the presentations, members of the public were invited to make oral comments in the presence of a court reporter. A total of 13 people made oral comments. The 30-day scoping period was open from November 14, 2013, to December 14, 2013.

Second Public Notice and Scoping Meeting: On September 8, 2015, Palmetto Railways submitted a revised proposal that included the construction of two new connections to the local rail network. A Public Notice announcing the changes to the Proposed Project and a second public scoping meeting (scheduled for October 27, 2015) was issued on September 25, 2015. On the same day that the Public Notice was issued, the Corps distributed a newsletter to the approximately 485 members of the Navy Base ICTF mailing list to explain changes to the Proposed Project and to announce the second public scoping meeting. Meeting announcements were advertised in *The Post and Courier* (on October 18, 2015, and October 25, 2015) and the *Charleston Chronicle* (on October 14, 2015, and October 21, 2015).

The second public scoping meeting was held at the Military Magnet Academy Cafeteria on October 27, 2015. The meeting began with an informal open house from 5:00 p.m. to 7:00 p.m. Information stations with displays and handouts were available for viewing. Subject matter experts from the Corps and the third-party contractor (Atkins) were present to answer questions about the NEPA process and to solicit comments from meeting participants. Staff from Palmetto Railways were also present to answer questions about the Proposed Project. Boards were used to display information about the Proposed Project, potential environmental issues, and the NEPA process. A visual simulation showing key components of the revised Project site was projected on a screen in the center of the room. In addition, a welcome station and court reporter station were available to accept oral and written comments. Comment cards were available at several locations for attendees to fill out and submit during the meeting.

The Deputy District Engineer for the Charleston District, Major Nathan Molica, began the formal part of the scoping meeting with a presentation at 7:00 p.m. Major Molica's presentation introduced the NEPA process and the Corps' role in the process, gave a general timeline for the preparation of the DEIS, established the purpose of the scoping meeting, and explained the opportunities for comment that were available to the public during the scoping period. The former Corps Project Manager, Nat Ball, described the purpose and history of the Proposed Project, and elaborated on both the changes to the Proposed Project and the Corps' role in the NEPA process. Mr. Jeff McWhorter provided

additional information about the purpose of the Proposed Project and the changes to the plans since the 2013 scoping meeting. Following the presentations, members of the public were invited to make oral comments in the presence of a court reporter. A total of 18 people made oral comments. Additionally, 4 people signed up to speak but either had questions rather than comments, chose not to speak because someone else had already voiced their concerns, or chose to submit their comments in written format; 4 people signed up to speak but did not respond when their name was called. The meeting was attended by 197 interested parties. The 30-day scoping period meeting was open from October 27, 2015, to November 27, 2015.

During both the 2013 and 2015 scoping periods, comments received included written comments provided to the Corps via comment cards or flyers during the scoping meeting, formal verbal comments given at the public scoping meeting and transcribed by a court reporter, comments submitted through the Navy Base ICTF EIS Project website or emailed directly to the Corps, and comments mailed directly to the Corps. In total, approximately 120 comments were received during the first scoping period, and 123 comments were received during the second scoping period. Comments were received from residential community members, local business owners, and federal, state, and local agencies/officials such as the EPA, USFWS, SCDHEC, and the Cities of Charleston and North Charleston. NGOs such as the Charleston Motor Carrier Association, Charleston WaterKeeper, LAMC, Metanoia CCRAB, Maritime Association of South Carolina, Historic Charleston Foundation, the Preservation Society of Charleston, and the Naval Order of the United States also provided comments. Additional comments were received from local businesses, including CSX Transportation, Marinex Construction, Salmons Dredging Company, eLifespaces, and Tecklenburg and Jenkins, LLC.

Each comment was reviewed and then sorted into one of 24 categories, most of which corresponded to the resource categories to be evaluated in the EIS. The 24 categories were grouped into five larger categories (NEPA, Socioeconomics, Land Use and Infrastructure, Physical and Cultural Resources, and Natural Resources) for the purpose of summarization. Comments included an anticipation of both positive and negative impacts due to the Project and suggested that additional studies may be warranted. Details regarding the comments received during the scoping periods can be found in the Scoping Report and Addendum #1 to the Scoping Report (Appendix C). All comments received were considered both individually and collectively during preparation of the Draft EIS. Direct responses were not provided for each scoping comment.

Community Meetings: In addition to the scoping meetings, additional meetings were scheduled to solicit community input. A large community meeting was held May 6, 2014, from 6:00 p.m. to 8:00 p.m. at the Military Magnet Academy. The purpose of this community meeting was to update the public on the progress on the EIS, and allow for open and informal discussion between members of the community, interested parties, and the Project Team. The meeting topics included screening criteria to be used in the development of alternatives, and resource-specific studies to assess impacts of the Project. Information was presented on boards and the Project Team was available to discuss

Project details and answer questions. One hundred and thirteen people signed in at the welcome station for the scoping meeting; however, several individuals elected not to sign the attendance sheet. Written comments were accepted at the community meeting and via the website.

Additional small group community and stakeholder meetings were also held throughout the development of the Draft EIS. A Chicora-Cherokee Neighborhood Council Meeting was held on July 28, 2014, at Sterett Hall in North Charleston which allowed for sharing of information and a forum for discussion concerning the Proposed Project. The meeting was attended by 27 interested parties of which expressed concerns and raised questions. Statements were made by local residents as well as by SC Senator Marlon Kimpson, neighborhood president AJ Davis and Reverend Bill Stanfield of Metanoia.

The Navy Base ICTF Project was one of the last items for discussion at the regularly scheduled Union Heights neighborhood meeting on August 12, 2014. The Project display boards were set up for discussion purposes and former Corps Project Manager, Nat Ball, presented background information on the Proposed Project. The meeting was attended by 10 interested parties. Many questions and comments were raised which reflected concern about the impact of the Project on the community and its rich cultural history.

A combined meeting of the Olde North Charleston, Palmetto Gardens, Cameron Terrace, and North East Park Circle neighborhoods was held on August 13, 2014, at the Olde Village Community Center. This was an informational meeting with 25 attendees, including North Charleston Council Member Bob King, Ray Anderson from the Mayor's Office, and Charleston County School District Board Chair Cindy Coats. The discussion focused on the Navy Base ICTF Project display boards that were set up at the meeting.

The Corps met with the owners of Salmons Dredging Company and Marinex Construction in separate meetings that took place on December 10, 2015. The business owners were concerned about the September 2015 Project revision which resulted in the southern connection. The comments during the meeting focused on the current and future access to and from their businesses in the context of train schedules and intersection blockages at Pittsburgh Avenue and Cherry Hill Lane.

The Corps met with several tenants of the 1799 Meeting St Road professional complex, including eLifespaces and Tecklenburg and Jenkins LLC, in a joint meeting that took place on January 27, 2016. Dr. Richard Darden, the former Corps Project Manager, provided an overview of the Proposed Project. The remainder of the meeting consisted of a question and answer session. Questions and comments were expressed on a variety of topics related to the Proposed Project, including the NEPA process, Project alternatives, and traffic.

A Hunley Waters Neighborhood Association meeting took place on February 1, 2016, at a private home within the Hunley Waters Neighborhood. Richard Darden, the Corps Project Manager, provided

an overview of the Proposed Project. The remainder of the meeting consisted of a question and answer session. Questions and comments were expressed on a variety of topics related to the Proposed Project, including the NEPA process, air quality, noise, and land use.

A town hall meeting was held on February 8, 2016, by Metanoia at the Fellowship Hall of St. Matthew Baptist Church in North Charleston. Metanoia is an organization focused on building youth leadership, establishing quality housing and generating economic development in and around the Chicora Cherokee neighborhood in North Charleston. Approximately 40 Metanoia stakeholders asked questions about the Proposed Project and discussed concerns on topics including air quality, noise, traffic, and relocations.

Public Notice and Public Hearing on the Draft EIS: Following the development of the Draft EIS, a public hearing was held to allow the public to provide comments on the Draft EIS.

The Notice of Availability of the Draft EIS (SAC 2012-0960) was published in Vol. 81, No. 83 *Federal Register* (81 FR 83, PP. 2566) on April 29, 2016. Agencies and local governments were provided both hard copies and CD copies of the Draft EIS for review. The public was provided the Project website address and the complete Draft EIS was made available on the website on the Project Document Library. In addition, several printed copies of the Draft EIS were physically made available for review in the following locations:

- Cooper River Memorial Library (3503 Rivers Avenue, Charleston, SC 29405)
- Charleston Public (Main) Library (68 Calhoun Street, Charleston, SC 29401)
- North Charleston City Hall (2500 City Hall Lane, North Charleston, SC 29406)

The public was invited to submit comments via email, online at the Project website, and through the mail. A public meeting was also scheduled to allow for written, electronic and verbal comments. The original comment period was 45 days and the deadline was June 15, 2016. However, a formal extension request was made to allow the public to have more time to review the Draft EIS. As a result, the comment deadline was extended through July 9, 2016, to allow for a 72-day comment period. A second public notice was issued to extend the comment deadline.

The public notice also included information on the location and time for the public hearing. All adjacent property owners, elected officials and interested parties who has signed up to be part of the Project mailing list were also contacted by mail and email. Information on the mailing and email list are provided in the Administrative Record for the Project. In addition, signs were placed around local roadways in the Project area and ads were published in local newspapers advertising the public hearing for the Alternative 1 (Proposed Project). Please see Appendix O for copies of the public notices, ads, signs and mail out for the public hearing.

The public hearing was held on May 24, 2016, at the Military Magnet School located at 2950 Carner Avenue in North Charleston, SC. Technical staff from the Corps and consulting firms were made available during this time and large-scale project information boards were displayed. In addition, a court reporter was present to record spoken comments and translators were made available, upon request. The purpose of the meeting was to provide information and allow the opportunity for public comments. An information open house was held from 5:00–7:00 PM to allow attendees to review project information and ask questions. Please see Appendix O for the Project display boards that were made available at the public hearing. A formal public hearing began at 7:00 PM. The Commander and District Engineer Lieutenant Colonial Matthew Luzzatto and the former Project Manager Dr. Richard Darden provided an overview and history of the Project, discussed the EIS process and explained that the purpose of the hearing was to provide an opportunity for public input on the Draft EIS. Public officials and state representatives were offered an opportunity to speak. Jim Newsome, the President and CEO of the South Carolina Ports Authority (SCPA) spoke on the ICTF and Hugh K. Leatherman Sr. Terminal. Individuals who signed up to speak that evening were allowed to make comments on the Draft EIS for a maximum period of three minutes each. Approximately 200 people attended the public hearing. A total of 27 individuals spoke at the hearing and 17 comment forms were submitted that evening. A copy of the transcript from the public hearing is included in Appendix O.

Public comments on the Draft EIS were accepted from April 29 through July 9, 2016. Individual response letters were not provided to commenters; however, public input was carefully considered in the preparation of this document and the Community Mitigation Plan (included in Appendix N). Additional information on the comments received and responses to those comments can be found in Section 9.3 and Appendix O.

Consulting Parties: Consulting party status pursuant to Section 106 of the NHPA was requested by the Historic Charleston Foundation, the Preservation Society of Charleston, and the Naval Order of the United States in three separate letters received by the Corps during the 2015 public scoping period. The Corps granted these entities consulting party status on January 19, 2016. The Muscogee (Creek) Nation requested to become a consulting party in November 2016 and the ACHP became a consulting party in March 2017. The Public Notice issued by the Corps in October 2016 also offered the opportunity for individuals or groups to become a consulting party as part of the Section 106 process (Appendix G).

9.1.2 Project Website

A Navy Base ICTF EIS website (www.NavyBaseICTF.com) was developed for the Project on October 25, 2013. Information provided on the website includes Project updates, a Project overview, an explanation of the NEPA process, supporting documents, and information about the public's opportunities to participate in preparation of the EIS. The website also provided an opportunity for the public to sign up for the Project mailing list and submit written comments throughout the

preparation of the EIS. In addition, the Applicant maintains information regarding the ICTF on their website (www.palmettorailways.com).

9.1.3 Project Newsletter

A Project newsletter, *Navy Base ICTF EIS News*, was developed to assist in the dissemination of information and provide updates on the EIS. The newsletter is distributed as hard copy mail-outs and electronically to the Project email distribution list. The first issue, fall 2014, provided an update on the Project changes per Palmetto Railways' revised proposal. The second issue, fall 2015, provided an update on the Project changes per Palmetto Railways' revised proposal and announced the second scoping meeting. The third issue, January 2018, provided an update to inform the public of changes since the Draft EIS and to provide information on the Final EIS. Copies of the newsletters are available on the Project website (www.NavyBaseICTF.com).

9.1.4 Community Engagement

Throughout the scoping process and during preparation of the Draft EIS, several steps were taken to encourage the participation of local community members. Public and community meetings discussed earlier in this section were publicized through local media, by posting signs in the neighborhood, and through engagement with active local community organizations.

As identified in Section 3.16.2.5, approximately 40 percent of the population in several neighborhoods near the Proposed Project do not have a high school diploma (part of Chicora-Cherokee and River Place Apartments). To engage local community members with low levels of educational attainment at the scoping meetings, Corps representatives made themselves available to receive oral comments from citizens and wrote on large notepads, the concerns expressed by community members in attendance. The Corps also made hard copies of Project maps available to citizens that lacked means to access the Project web site.

As described in Section 3.16.2.4, the study area does not meet the U.S. Department of Justice's Safe Harbor threshold for presence of a LEP population. Therefore, translation of vital documents was not provided at community meetings or on the Project website.

After review of the Draft EIS, additional meetings were held by the Applicant with several community groups regarding potential mitigation for Alternative 1 (Proposed Project). The Applicant collaborated with multiple neighborhood organizations and established the Community Mitigation Working Group to develop various mitigation measures included in the Applicant's Community Mitigation Plan that help improve the quality of life in the surrounding community. Neighborhood organizations in the group included the Chicora-Cherokee Neighborhood Association, the Union Heights Community Council, the Lowcountry Alliance for Model Communities (LAMC), and the Metanoia Community Development Corporation. LAMC represents seven neighborhoods (Accabee,

Chicora/Cherokee, Union Heights, Howard Heights, Windsor Place, Five Mile, and Liberty Hill) nearby the proposed ICTF. The Applicant and the group entered into a Memorandum of Agreement (MOA) on October 18, 2016, regarding the scope of the mitigation and enhancement actions to compensate the communities impacted by Alternative 1 (Proposed Project). See Chapter 6 and the Community Mitigation Plan and MOA in Appendix N for additional details.

The Community Mitigation Plan also includes a measure for the establishment of a Community Advisory Panel. The panel includes members of the affected community, interested stakeholders, and businesses. The panel meets to gather feedback and keeps the public informed about Alternative 1 (Proposed Project). Information on the Community Engagement and Awareness Plan and the Community Advisory Panel is included in the Community Mitigation Plan in Appendix N. The Applicant's website, www.palmettorailways.com, has additional information on community engagement for the ICTF.

9.2 AGENCY COORDINATION AND CONSULTATION

9.2.1 Cooperating Agencies

Per CEQ regulation 40 C.F.R. 1508.5, a *Cooperating Agency* is any federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a Proposed Project or Project alternative. For the proposed Navy Base ICTF Project, the EPA and the FRA, under the USDOT, have agreed to act as cooperating agencies on the EIS. These agencies participate in bi-weekly Project team calls with the Corps and Palmetto Railways and in public/agency/stakeholder meetings as availability allows. As detailed in Section 1.3.4.2, Palmetto Railways submitted a Railroad Rehabilitation & Improvement Financing (RRIF) loan application to the FRA. At the time of submittal, the RRIF program was under FRA; however, the program is now administered by the Build America Bureau. The Build America Bureau was established in July 2016 and is responsible for driving transportation infrastructure development projects in the United States. Before the Proposed Project would be considered eligible for a RRIF loan, FRA would have to consider the potential environmental impacts resulting from the Proposed Project, and ultimately issue a Record of Decision (ROD) separately from the Corps as a condition of the funding. Additionally, the Corps met with the EPA at the beginning of the EIS to provide background and details about the Project and to discuss the scopes of work for the Community Impact Assessment and air quality study to be conducted. The Corps has also had bi-weekly conference calls with the EPA and FRA and have had additional conference calls regarding their comments on the EIS.

9.2.2 Agency Coordination and Consultation

The Corps initiated agency and tribal consultations on October 25, 2013, by sending a hard copy of the public notice to federal and state agencies and the Catawba Indian Nation.