



Homeland
Security

MEMORANDUM FOR: Record

FROM: Dr. Teresa R. Pohlman
Executive Director
Sustainability and Environmental Programs

SUBJECT: Adoption of *Final Environmental Impact Statement for the Proposed Intermodal Container Transfer Facility, North Charleston, SC (EIS Number 20180148)* dated June 2018

Background

In 2013, the South Carolina Department of Commerce Division of Public Railways d/b/a Palmetto Railways (Palmetto Railways) submitted a permit application to the U.S. Army Corps of Engineers (USACE) to construct the Navy Base Intermodal Container Transfer Facility (ICTF) at the former Charleston Naval Complex (CNC) in North Charleston, South Carolina. The USACE, Charleston District completed a Final Environmental Impact Statement (FEIS) and issued a Record of Decision (ROD) on September 20, 2018. The FEIS entitled *Final Environmental Impact Statement for the Proposed Intermodal Container Transfer Facility, North Charleston, SC (EIS Number 20180148) (June 2018)* was prepared in accordance with: (1) Section 102(2)(c) of NEPA (42 U.S.C. Section 4321 et seq.); (2) the Council on Environmental Quality (CEQ) regulations for implementing the procedural provisions of NEPA (40 C.F.R. Parts 1500-1508); (3) Section 404 of the Clean Water Act on permitting disposal sites for dredged or fill material (33 U.S.C. 1344), as amended; (4) USACE NEPA "Implementation Procedures for the Regulatory Program" (33 C.F.R. 325, Appendix B); and (5) the Federal Railroad Administration (FRA) procedures for considering environmental impacts (23 C.F.R. Parts 771 and 774). USACE was the lead agency for this FEIS, with the FRA and the Environmental Protection Agency serving as cooperating agencies.

Discussion

The USACE FEIS evaluated Palmetto Railways' Proposed Action to build and operate a state-of-the-art ICTF at the former CNC including a facility site and off-site roadway and rail improvements. An ICTF is a location where containerized cargo is transferred from one mode of transport (such as truck) to another mode (such as rail). The intermodal facility generally consists of processing and classification railroad tracks, wide-span gantry cranes, container stacking areas, administrative buildings, and vehicle driving lanes. The entire proposed project would occur on 231.28 acres

Alternative 1 (Proposed Action/Preferred Alternative) includes, but is not limited to, processing and classification railroad tracks, wide-span gantry cranes, container stacking areas, administrative buildings, and vehicle driving lanes. The off-site infrastructure improvements include building: (1) a private drayage road approximately 1 mile long connecting the ICTF to the Hugh K. Leatherman Sr. Terminal (HLT) that would require a right of way easement across land under the jurisdiction and control of DHS; (2) rail improvements to the north and south of the ICTF; and (3) several roadway improvements and modifications, including the construction of a new overpass. Figure ES-1 in the EIS identifies specific details of the Preferred Alternative. Operations would take place 24 hours a day, 7 days a week.

Chapter 2 of the FEIS includes a detailed discussion of the Proposed Action (Preferred Alternative), the No Action Alternative, and six other action alternatives representing various siting locations. Variations of the alternatives are primarily based on differing arrival/departure track alignments. The FEIS also discusses alternatives that were considered but dismissed.

The alternatives analyzed in the FEIS adequately address the wide range of resource considerations in compliance with NEPA and were assessed using a robust set of screening criteria. The selection of the Preferred Alternative by the USACE, based upon the analysis in the FEIS, provided a decision that was responsive to all substantive resource issues identified both internally and through public and interagency participation for the project.

Decision

DHS has conducted an independent review and determined that the FEIS was prepared in a manner that complies with all requirements of NEPA and all related policies of the Department of Homeland Security (DHS) for the preparation of NEPA documents including DHS Directive 023-01, Revision 01 and Instruction Manual 023-01-001-01, Revision 01, *Implementation of the National Environmental Policy Act*. In accordance with 40 CFR Part 1506.3 and DHS Instruction 023-01-001 Revision 01, DHS had determined all portions of the DHS action, including evaluation and consideration of the environmental impacts associated with granting of easement(s) to facilitate the Proposed Action, are appropriately evaluated within the FEIS.

With this memo, DHS formally adopts the 2018 USACE FEIS. Since DHS was not a cooperating agency on the FEIS, the FEIS must be recirculated as provided for by 40 C.F.R. Part 1506.3. DHS will notify the U.S. Environmental Protection Agency of its intent to adopt the FEIS and EPA will publish a notice in the Federal Register. The FEIS is available at <http://palmettorailways.com/intermodal/eis/>.

DHS intends to issue a Record of Decision to facilitate decisions affecting DHS or Component-managed property within the former CNC. Additional environmental analysis will be conducted, as needed, for any future proposed actions affecting DHS or Component-managed property within the former CNC that are not covered by the FEIS.

Dr. Teresa R. Pohlman
Executive Director
Sustainability and Environmental Programs
U.S. Department of Homeland Security

Date