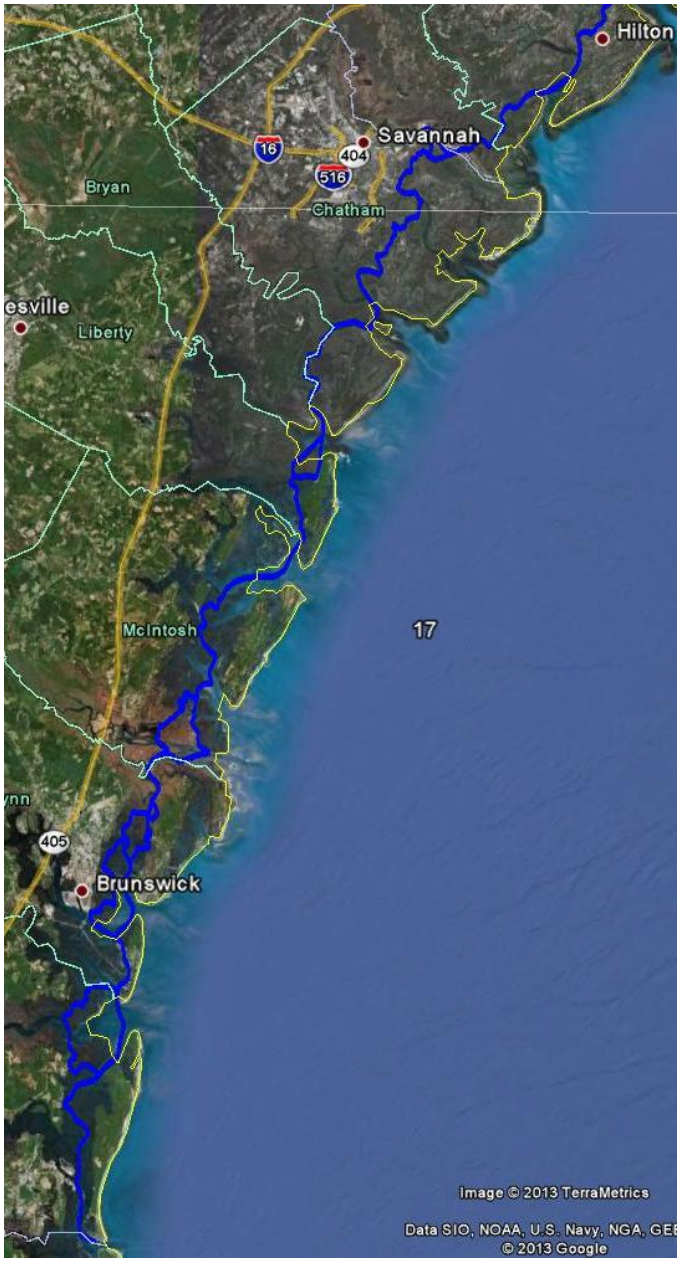
Draft Dredged Material Management Plan
Atlantic Intracoastal Waterway
Port Royal Sound, South Carolina to Cumberland Sound, Georgia
March 2014

Appendix K: Cultural Resources Programmatic Agreement



US Army Corps of Engineers®
South Atlantic Division
Savannah District

PROGRAMMATIC AGREEMENT
AMONG
THE SAVANNAH DISTRICT, US ARMY CORPS OF ENGINEERS,
THE GEORGIA STATE HISTORIC PRESERVATION OFFICER,
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

FOR PORTIONS OF THE
ATLANTIC INTRACOASTAL WATERWAY, GEORGIA AND SOUTH CAROLINA
MANAGED BY THE
SAVANNAH DISTRICT, US ARMY CORPS OF ENGINEERS
2013

WHEREAS, the Savannah District, US Army Corps of Engineers (Savannah District), maintains the Atlantic Intracoastal Waterway (AIWW) between Port Royal Sound/Hilton Head Island (AIWW Mile 552) and the Cumberland Sound/Florida state line (AIWW Mile 713) which is located in Chatham, Bryan, Liberty, McIntosh, Glynn, and Camden Counties, Georgia and the portion of Beaufort County, South Carolina, located between Port Royal Sound and Savannah River (Figures 1-7); and

WHEREAS, Skull Creek, Fields Cut, Elba Cut, Hells Gate, Florida Passage, Bear River, Creighton Narrows, Little Mud River, Buttermilk Sound, Mackay River, St. Simons Sound, Jekyll Creek, and Cumberland River comprise the 13 major and previously defined reaches within the 161-mile AIWW portion; and

WHEREAS, there are approximately 71 disposal tracts for dredged material along the AIWW, totaling approximately 14,251 acres; and

WHEREAS, the Savannah District portion of the AIWW and the disposal tracts became the responsibility of Savannah District prior to the passage of the National Historic Preservation Act (P.L. 89-665, as amended) and the majority of the lands were not surveyed for historic properties prior to maintenance activities; and

WHEREAS, maintenance dredging to a depth of 12 feet Mean Low Water has occurred as needed to keep the waterway operational; and,

WHEREAS, the Savannah District proposes to develop a dredged material management plan (DMMP) for the Savannah District portion of the AIWW for the next 20 years and the effects of the implementation of the management plan upon historic properties are unknown; and,

WHEREAS, two cultural resources investigations have been conducted on portions of the AIWW channel with the results found in Appendix B; and

WHEREAS, the Savannah District recognizes the activities proposed in the DMMP may have an effect upon historic properties included in or eligible for inclusion in the National

Register of Historic Places and has consulted with the Advisory Council on Historic Preservation (Council), the Georgia State Historic Preservation Officer (Georgia SHPO), the South Carolina State Historic Preservation Officer (South Carolina SHPO), and Native American Tribes pursuant to regulation 36 CFR, Part 800, implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470h-2(f); Section 110(f) of the same Act (16 U.S.C. Section 470h-2[f]), and Section 111 of the same Act (16 U.S.C. Section 470h-3); and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), Savannah District has notified the Council of its adverse effect determination, providing the specified documentation, and the Council has chosen to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, the Savannah District has identified 15 Federally recognized Indian tribes (Tribes) to include Seminole Nation of Oklahoma, Kialegee Tribal Town, Absentee Shawnee Tribe of Oklahoma, Muscogee (Creek) Nation of Oklahoma, Cherokee Nation of Oklahoma, Seminole Tribe of Florida, Poarch Bank of Creek Indians of Alabama, Chickasaw Nation, Alabama-Quassarte Tribal Town, Eastern Shawnee Tribe of Oklahoma, Thlopthlocco Tribal Town, Shawnee Tribe, United Keetoowah Bank of Cherokee Indians in Oklahoma, Catawba Indian Nation, and Tuscarora Nation of New York that may attach traditional religious and cultural importance; and

WHEREAS, none of the tribes have expressed an interest to consult on this Programmatic Agreement;

NOW THEREFORE, the Savannah District, the Consulting Parties composed of the Georgia SHPO, the South Carolina SHPO, and the Council agree that the project shall be administered in accordance with the following stipulations to satisfy Savannah District's Section 106 responsibilities for all individual aspects of the project.

STIPULATIONS

The Savannah District, subject to the availability of funds, shall reinitiate consultation under Section 106 with the Georgia SHPO, South Carolina SHPO, and Native American Tribes and shall ensure that the following measures are carried out:

1. Savannah District and the consulting parties shall identify the need for and scope of archeological surveys of areas that are affected by the dredged material management plan. The surveys shall be conducted in a manner consistent with the Secretary of Interior's Standards and Guidelines for Identification (48 F.R. 44720-23) and any standards and guidelines developed by the Georgia SHPO and the South Carolina SHPO. The surveys shall be conducted in consultation with the Georgia SHPO and the South Carolina SHPO and reports of the survey shall be submitted to the Georgia SHPO and the South Carolina SHPO for review and comment.

2. The Savannah District shall evaluate properties identified through the surveys in accordance with 36 CFR, Part 800.4. If the survey results in the identification of properties that are eligible for, or included in, the National Register of Historic Places, Savannah District shall determine the effect of the proposed project upon those resources in accordance with 36 CFR, Part 800.5.

3. The Savannah District shall identify and evaluate alternatives to avoid and/or mitigate adverse effects to properties determined eligible for inclusion, or included in, the National Register of Historic Places in accordance with 36 CFR, Part 800.6.

4. The Savannah District shall ensure that all mitigation measures are developed in consultation with the Georgia SHPO or South Carolina SHPO as appropriate for the recovery of archaeological or historical data from properties determined eligible for inclusion in the National Register of Historic Places. Mitigation activities may consist of, but are not limited to, data recovery, Historic American Building Survey/Historic American Engineering Record recordation, other built environment documentation, archival research, and protection of historic structures and engineering elements. Research designs shall be consistent with the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 FR 44716) and take into account the Council's publication, *Treatment of Archeological Properties* (Advisory Council on Historic Preservation 1980), and any standards and guidelines set forth by the Georgia SHPO and South Carolina SHPO. The plans shall specify, at a minimum:

a. the property, properties, or portions of properties where data recovery is to be carried out;

b. any property, properties, or portions of properties that will be destroyed without data recovery;

c. the research questions to be addressed through the data recovery, with an explanation of their relevance and importance;

d. the methods to be used, with an explanation of their relevance to the research questions;

e. the methods to be used in analysis, data management, and dissemination of data, including a schedule;

f. the proposed disposition of recovered materials and records;

g. proposed methods for involving the interested public in the data recovery;

h. proposed methods for disseminating results of the work to the interested public;

i. proposed methods by which local historic sites and historic preservation agencies and individuals will be kept informed of the work and afforded the opportunity to participate; and,

j. a proposed schedule for the submission of progress reports to the Savannah District, the Georgia SHPO, the South Carolina SHPO, and the Council.

5. The data recovery plans and/or mitigation plans shall be submitted by the Savannah District to the Georgia SHPO and/or South Carolina SHPO, as appropriate, and the Council for 45 days review. Unless the Georgia SHPO, South Carolina SHPO, or Council objects within 45 days after receipt of a data recovery plan, the Savannah District shall ensure that it is implemented.

6. The Savannah District shall ensure that all archeological survey, testing, and data recovery work carried out pursuant to this Programmatic Agreement is carried out by or under the direct

supervision of a person or persons meeting, at a minimum, the standards for archeologists set forth in the Secretary of the Interior's Standards and Guidelines for Archeological Documentation (48 F.R. 44716-42).

7. The Savannah District shall ensure that all materials and records resulting from survey, testing, and data recovery are curated in accordance with 36 CFR, Part 79.

8. The Savannah District shall ensure that all final archeological reports resulting from actions pursuant to this agreement will be provided to the Georgia SHPO and the South Carolina SHPO. The Savannah District shall ensure that all such reports are responsive to the contemporary professional standards, and to the Department of Interior's Format Standards for Final Reports of Data Recovery Programs (42 F.R. 5377-79).

9. Any party to this Programmatic Agreement may request that it be amended, whereupon the parties will consult in accordance with 36 CFR, Part 800.6(c)(7) to consider amendment.

10. The Georgia SHPO and the South Carolina SHPO may monitor activities carried out pursuant to this Programmatic Agreement, and the Council will review such activities if so requested. The Savannah District will cooperate with the Georgia SHPO and the South Carolina SHPO in carrying out their monitoring and review responsibilities.

11. The parties to this agreement shall consult to review implementation of the terms of this agreement and determine whether revisions are needed. If revisions are needed, the parties to this agreement will consult in accordance with 36 CFR, Part 800 to make such revisions.

12. Any party to this agreement may terminate it by providing 30 days notice to the other parties, provided that the parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the Savannah District will comply with 36 CFR, Parts 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

13. Should the Georgia SHPO, South Carolina SHPO, or Council object within 45 days to any actions proposed pursuant to the agreement, the Savannah District shall consult with the objecting party to resolve the objection. If the Savannah District determines that the objection cannot be resolved, the Savannah District shall request further comments of the Council pursuant to 36 CFR, Part 800.7. Any Council comment provided in response to such a request will be taken into account by the Savannah District in accordance with 36 CFR, Part 800.7 with reference only to the subject of the dispute; the Savannah District's responsibility to carry out all actions under this agreement that are not the subjects of the dispute will remain unchanged.

14. If any unanticipated archaeological sites and/or human skeletal remains are discovered during archaeological surveys, Savannah District shall secure the area in the immediate vicinity of the discovery and shall notify the Georgia SHPO or the South Carolina SHPO, as applicable, and interested Native American Tribes, by telephone, followed by written communication, as soon as practicable. Savannah District, the Georgia SHPO or South Carolina SHPO, as applicable, and Native American Tribes shall assess the situation and recommend a course of action within two business days after such notification.

15. Until such time as all surveys have been completed in accordance with the terms of this agreement, Savannah District will provide an annual status report to the Council, Georgia and South Carolina SHPOs, and affiliated Federally-recognized Native American Tribes to review implementation of the terms of this agreement and to determine whether amendments are needed. If amendments are needed, the signatories to this agreement will consult, in accordance with Stipulation 9 of this agreement, to make such revisions. The first status report will be submitted to the consulting parties one year after the date this agreement is ratified. Alternatively, an annual meeting may occur to review implementation of the terms of this agreement and to determine whether amendments are needed, and will serve in lieu of an annual report.

16. At any time during implementation to the measures stipulated in this agreement, should an objection to any such measure be raised by a Native American Tribe or another member of the public, the Savannah District shall take the objection into account and consult as needed with the objecting party, the Georgia SHPO, the South Carolina SHPO, and the Council to resolve the objection.

17. In the event the Savannah District does not carry out the terms of the Programmatic Agreement, the Savannah District will comply with 36 CFR Parts 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

18. This Agreement shall be effective when all signatories have signed it and will automatically terminate on the tenth anniversary thereof, unless each of the signatories agrees to extend the term hereof through an amendment per Stipulation 9. All signatories will meet prior to the termination date to discuss extending the term.

19. Execution and implementation of this Programmatic Agreement evidences that the Savannah District has satisfied its Section 106 responsibilities for all individual undertakings of the program.

20. Nothing herein shall constitute, or be deemed to constitute, an obligation of future appropriations by the United States.

SIGNATORY PARTIES

SAVANNAH DISTRICT, US ARMY CORPS OF ENGINEERS:

Jeff M. Hall DATE: 27 FEB 2013

JEFFREY M. HALL
Colonel, EN
Commanding

GEORGIA STATE HISTORIC PRESERVATION OFFICER:

DATE: 21 MAR '13

David Crass, Ph.D.
Division Director and Deputy State Historic Preservation Officer

SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER:

Elizabeth M. Johnson DATE: 4/8/2013

Elizabeth M. Johnson
Deputy State Historic Preservation Officer

ADVISORY COUNCIL ON HISTORIC PRESERVATION:

John M. Fowler DATE: 5/6/13

John M. Fowler
Executive Director

Atlantic Intracoastal Waterway (AIWW) - A 739-mile inland waterway system between Hampton Roads, Virginia, and St. John's River, Florida, which offers a continuous, sheltered passage between these two destinations. Congress authorized the AIWW through various laws passed between 1919 and the 1930's. The waterway has an authorized project depth of 12 feet and width varying from 90 – 250 feet. The AIWW's original purpose was to support commercial navigation for interstate commerce, offer safe harbor from inclement weather, and protect shipping from wartime enemy attacks. At present, the AIWW primarily serves recreational vessels throughout its entire length. A few reaches serve commercial vessels on a regular basis, while some reaches serve the Department of Defense and US Coast Guard vessels.

Five US Army Corps of Engineers Districts manage AIWW. From north to south, these Districts include Norfolk, Wilmington, Charleston, Savannah, and Jacksonville.

Dredging Reach - A segment of the channel/waterway defined by river mile stations and designated by the body (or bodies) of water in which the channel or waterway runs.

Disposal Tract – A parcel of land acquired for placement of dredged material, maintenance activities, and/or access to the AIWW. The 71 sediment disposal tracts are held through easements with the land owners and are not owned in fee title by the Government. Titles to all necessary rights-of-way and sediment disposal areas for the 12-foot channel between Savannah, Georgia, and Beaufort, South Carolina, were accepted as satisfactory on March 27, 1939. Rights-of-way and disposal areas needed for initial work and for subsequent maintenance of the 12-foot channel between Savannah, Georgia, and Fernandina, Florida, were approved by the Chief of Engineers on April 4, 1940.

Mean Low Water (MLW) - A tidal datum. The average of all the low water heights observed over the National Tidal Datum Epoch.

Operational Reach - A unique designator for a segment of the channel/waterway defined by river mile stations. For operational reaches in the Savannah District portion of the AIWW, reaches are notated as SAV (Savannah) followed by a number. Reaches are numbered in ascending order from north to south. Each operational reach corresponds with a dredging reach. SAV-1 is the northernmost reach and corresponds with Port Royal to Ramshorn Creek dredging reach, which begins at mile 552. There are a total of 36 operational reaches within the Savannah District portion of the AIWW.

Reach - A segment of the channel/waterway defined by river mile stations

Savannah District Portion of the AIWW – That portion of the AIWW situated between Port Royal Sound, South Carolina, (mile 552) on the north and Cumberland Sound (mile 713) on the South, which is located at the Georgia-Florida border. The 161-mile section of the AIWW within Savannah District is comprised of a 24-mile section in the State of South Carolina with the remaining 137 miles located in the State of Georgia. The Savannah portion of the AIWW was initially authorized by the River and Harbor Act of 1882 and modified in 1892, 1896, and 1936. Dredging of the 12-foot deep channel between Beaufort, South Carolina, and Fernandina,

Florida, was initiated in 1940. The widths of the AIWW were to be 90 feet in land cuts and narrow streams and 150 feet in open waters. Dredging reach Cumberland River to Cumberland Sound (SAV-36), Mile 707-713, is located near Naval Submarine Base Kings Bay and is maintained by the US Navy.

Appendix B
Results of Investigations

1979-1980 Survey

A reconnaissance level terrestrial and underwater archaeological investigation of Savannah District's portion of the AIWW was conducted by Texas A&M University in 1979-1980 (Garrison and Tribble 1981). Seventeen areas containing archaeological sites were identified or re-recorded. A review of the maps and tract locations reveals that eight of the locations are not associated with any disposal tract, but were areas noted in the river bank. These areas are outside of the authorized AIWW navigation channel and project area. Three locations were noted as redeposited material (CRL-10-AIWW, CRL-11-AIWW and CRL-12-AIWW), and two sites (CRL-01-AIWW and CRL-02-AIWW) are listed as within tract SC-3, but are actually located just east of the boundary. Only two locations, CLR-04-AIWW and CRL-16-AIWW, are located within disposal or easement tracts. Neither of these two locations has an official site number or form associated with it. No further investigations of any kind were conducted at any of the sites. Figures 8-12 show the locations of the sites in relation to the tracts.

SITE NAME/NUMBER	DISPOSAL AREA	LOCATION	DESCRIPTION	NRHP STATUS
CRL-01-AIWW	Adjacent to SC -3	Ramshorn Creek, Beaufort Co., SC	Shell scatter and ballast	undetermined
CRL-02-AIWW	Adjacent to SC-3	Ramshorn Creek, Beaufort, Co, SC	Shell scatter/shell deposits in bank	Undetermined
CRL-03-AIWW	none	Lands End Point, Beaufort, Co., SC	Shell lens with cultural material	Undetermined
CLR-04-AIWW	In Parcel 4	Cumberland Island, Camden Co., GA	Dense shell midden	Undetermined
CRL-05-AIWW	Adjacent to Parcel 4	Cumberland Island, Camden Co, GA	N/A	Undetermined
CRL-06-AIWW	None	Fort Frederica, Glynn Co., GA	Shell scatter with historic cultural material	Undetermined
CRL-07-AIWW	None	Front River/Sapelo River, McIntosh Co., GA	Ballast stone, historic artifacts such as flint nodules, ceramic fragments	Undetermined
CRL-08-AIWW	None	Front River/Sapelo River, McIntosh Co., GA	Ballast stone, historic artifacts such as flint nodules, ceramic fragments	Undetermined

Site Name/Number	Disposal Area	Location	Description	NRHP Status
CRL-09-AIWW	None	Front River/Sapelo River, McIntosh Co., GA	Ballast stone, historic artifacts such as flint nodules, ceramic fragments	Undetermined
***CRL-10-AIWW**	**Tract 24A**	**Front River, McIntosh Co., GA**	**Ballast stone, historic artifacts such as flint nodules, ceramic fragments**	**Undetermined**
***CRL-11-AIWW**	**Tract 24 A**	**Disposal Tract 24-A, McIntosh Co., GA**	**Ballast stone, historic artifacts such as flint nodules, ceramic fragments**	**Undetermined**
***CRL-12-AIWW**	**Tract 24 A**	**Disposal Tract 24-A, McIntosh, Co., GA**	**Ballast stone, historic artifacts such as flint nodules, ceramic fragments**	**Undetermined**
CRL-13-AIWW	None	Burnside River/Moon River, Chatham Co., GA	Shell Scatter/tabby/mortar	Undetermined
CRL-14-AIWW	None	Burnside River/Moon River, Chatham Co., GA	Tabby	Undetermined
CRL-15-AIWW	Adjacent to 13 – A	Skidaway Narrows, Chatham Co., GA	Historic grave marker dated 1900/shell scatter	Undetermined
CRL-16-AIWW	In 11-C	Skidaway Narrows, Chatham Co., GA	Shell scatter mixed with historic material	Undetermined
CRL-17-AIWW	none	Ramshorn Creek, Beaufort Co., SC	Historic material	Undetermined

*Located within areas surveyed in 2012. Areas identified in 1979 as redeposited material

2012 Survey

Savannah District contracted with Panamerican Consultants, Inc. in 2012 to conduct a remote sensing survey of the navigation channel in 12 reaches, which make up approximately 40 miles of the 151-mile AIWW maintained by the District. The reaches selected for investigation were those that have been and are most likely to be dredged. The reaches included:

- St. Augustine Creek (AIWW Mile 577.4-578.2)
- Wilmington River (AIWW Mile 578.2-585.5)
- Hells Gate (AIWW Mile 600.8-602.4)
- Creighton Narrows (AIWW Mile 640-642.9)
- Doboy Sound (AIWW Mile 648.2-649.5)
- North River Crossing (AIWW Mile 649.5-651.4)
- Rockedundy River (AIWW Mile 651.4-652.7)
- South River (AIWW Mile 652.7-653.5)

- Little Mud River (AIWW Mile 653.5-656.4)
- Altamaha Sound (AIWW Mile 656.4-660.1)
- Buttermilk Sound (AIWW Mile 660.1-664.5)
- Jekyll Creek (AIWW Mile 680.9-685.9).

A review of the sites identified by Garrison and Tribble (1981) revealed that only three of the recorded sites were located in the 2012 survey areas. All were within the Creighton Narrows reach. The sites include CRL-10, 11, and 12. The areas were scrutinized for historic resources based on the descriptions in the 1981 report, but none were recorded during the 2012 investigation. However, several odd positive relief features were discovered near the previously recorded locations. More detail about these sites is below.

A total of 473 magnetic anomalies, 575 sidescan sonar contacts, and 156 subbottom features were identified during the 2012 survey. After review of the survey data combined with archival research, five anomaly clusters were considered to potentially represent significant historic cultural resources and four sonar contacts and two subbottom features were considered to potentially represent significant prehistoric cultural resources.

Target #	Location	Potential Target Type
M-378, M459, 494	St. Augustine Creek	Shipwreck/historic
SS Contact 200	Creighton Narrows	Shipwreck/historic
M244, 246, 250, SS-175	Doboy Sound	Shipwreck/historic
M150, 176	Altamaha Sound	Shipwreck/historic
M126, 53, 54, 96	Jekyll Creek	Shipwreck/historic
SS Contact 282	St Augustine Creek	Prehistoric
SS Contact 57	St Augustine Creek	Prehistoric
SS Contact 23	Creighton	Prehistoric
SB feature 7 and 20	Rockedundy, South & Little Mud River	Prehistoric
SB feature 49	Rockedundy, South & Little Mud River	Prehistoric
SS contact 41	Jekyll Creek	Prehistoric

Historic Targets

The above targets were investigated by divers in June 2012. Magnetic anomaly cluster M-378, M-459, and M-494 correlated on maps with the location of a Civil War obstruction. Investigation of the cluster, however, revealed a large area of miscellaneous debris that included a solid 1 ft x 3 ft long piece of iron, a 3 ft x 3 ft metal plate, an iron rebar-reinforced concrete block and a large coil of wire rope. There was no evidence of a Civil War obstruction. The investigation of the remaining magnetic anomalies thought to represent shipwrecks or other historic sites were determined to be modern debris, were not relocated as the target source had been removed, or represented the hard clay bottom.

Sidescan sonar Contact 23 in Creighton Narrows was considered a possible shell midden that possibility correlated with the sites recorded by Garrison and Tribble (1981). Diver inspection confirmed only live oysters growing in place. No cultural material was located.

Prehistoric Targets

Four sonar contacts and two subbottom features were considered to potentially represent significant prehistoric cultural resources. Diver investigations revealed that none of the targets contained prehistoric cultural material. However, sidescan sonar contacts 282 and 57 appear to be a large paleo-landform that may or may not be conducive for the presence of prehistoric sites. Tree stump samples collected from the targets resulted in a date of 6000-8000 years old. Avoidance of the areas is recommended. Additional mapping, sampling, and probing is recommended if avoidance is not possible.

Subbottom features 7/20 and 49 in the Rockedundy, South and Little Mud Rivers are similar features consisting of alternating layers of gray silty clay, oyster shell, gray silty clay, and oyster shell. No prehistoric or historic cultural material was found in either location. No definitive interpretation of the features was made. Additional sampling by geoarchaeological vibracore and radiocarbon age is recommended if the features cannot be avoided during dredging.

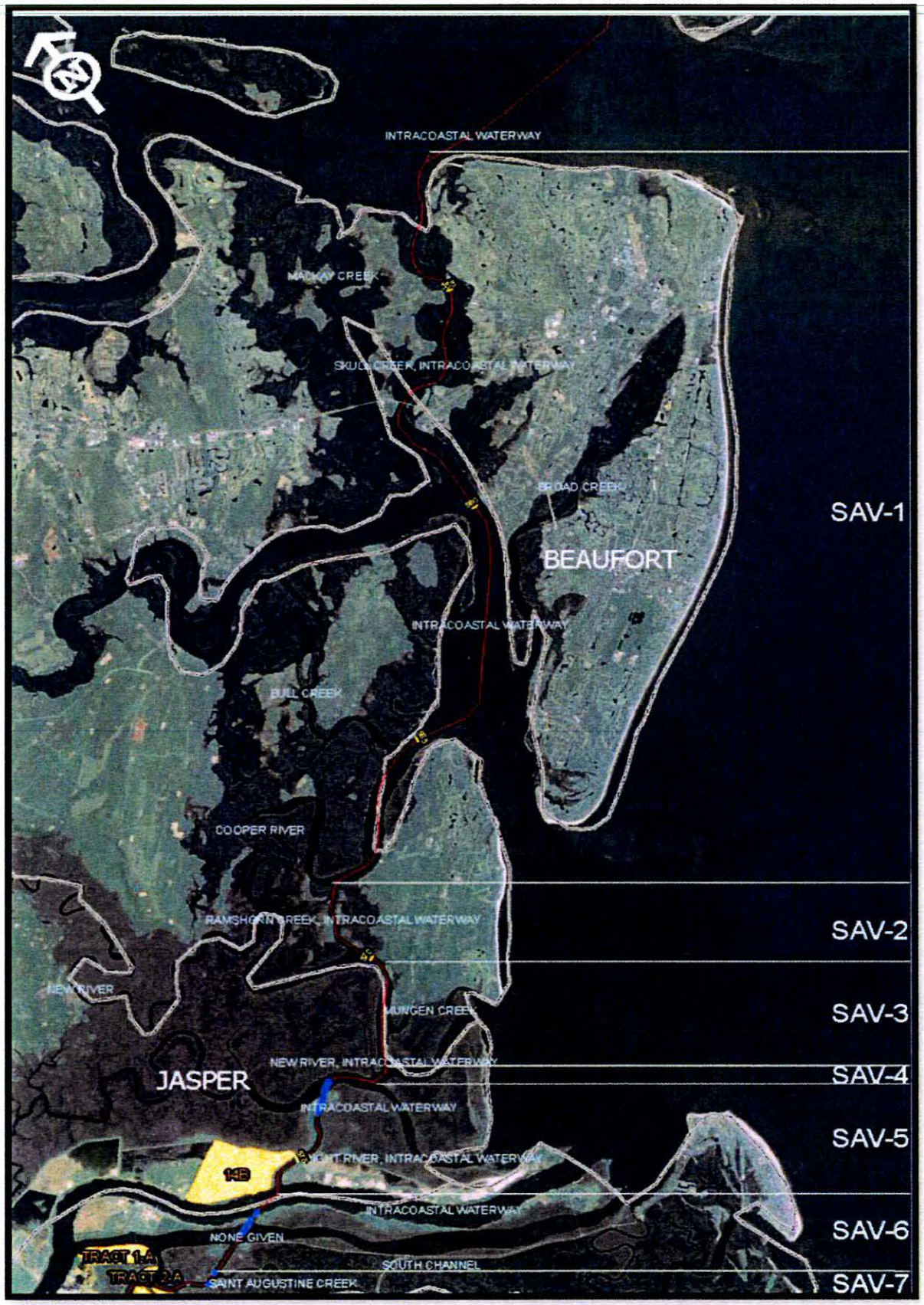


Figure 1. Operational Reaches SAV-1 - SAV-7

Figure 2. Operational Reaches SAV-8 - SAV-14

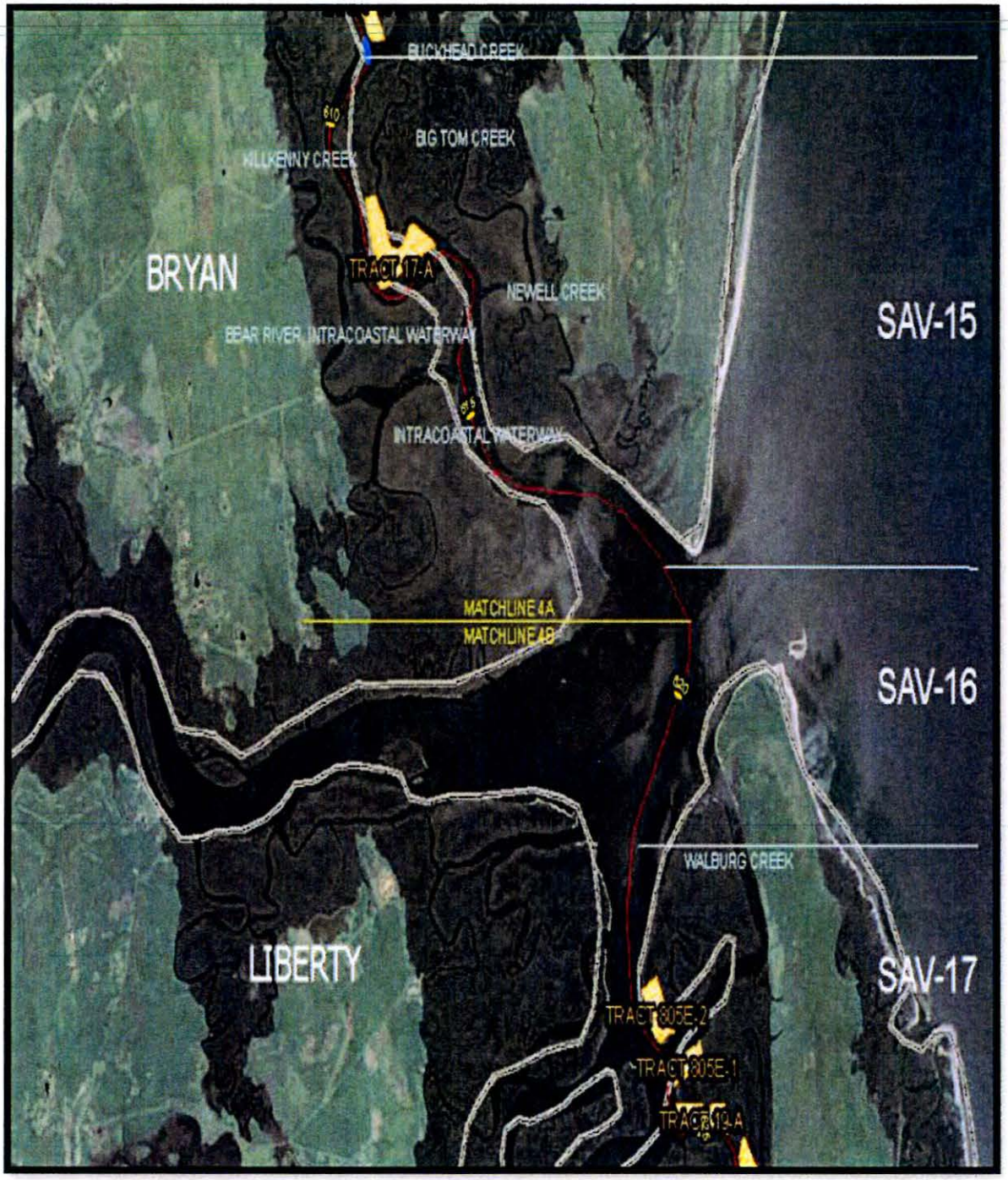


Figure 3. Operational Reaches SAV-15 - SAV-17

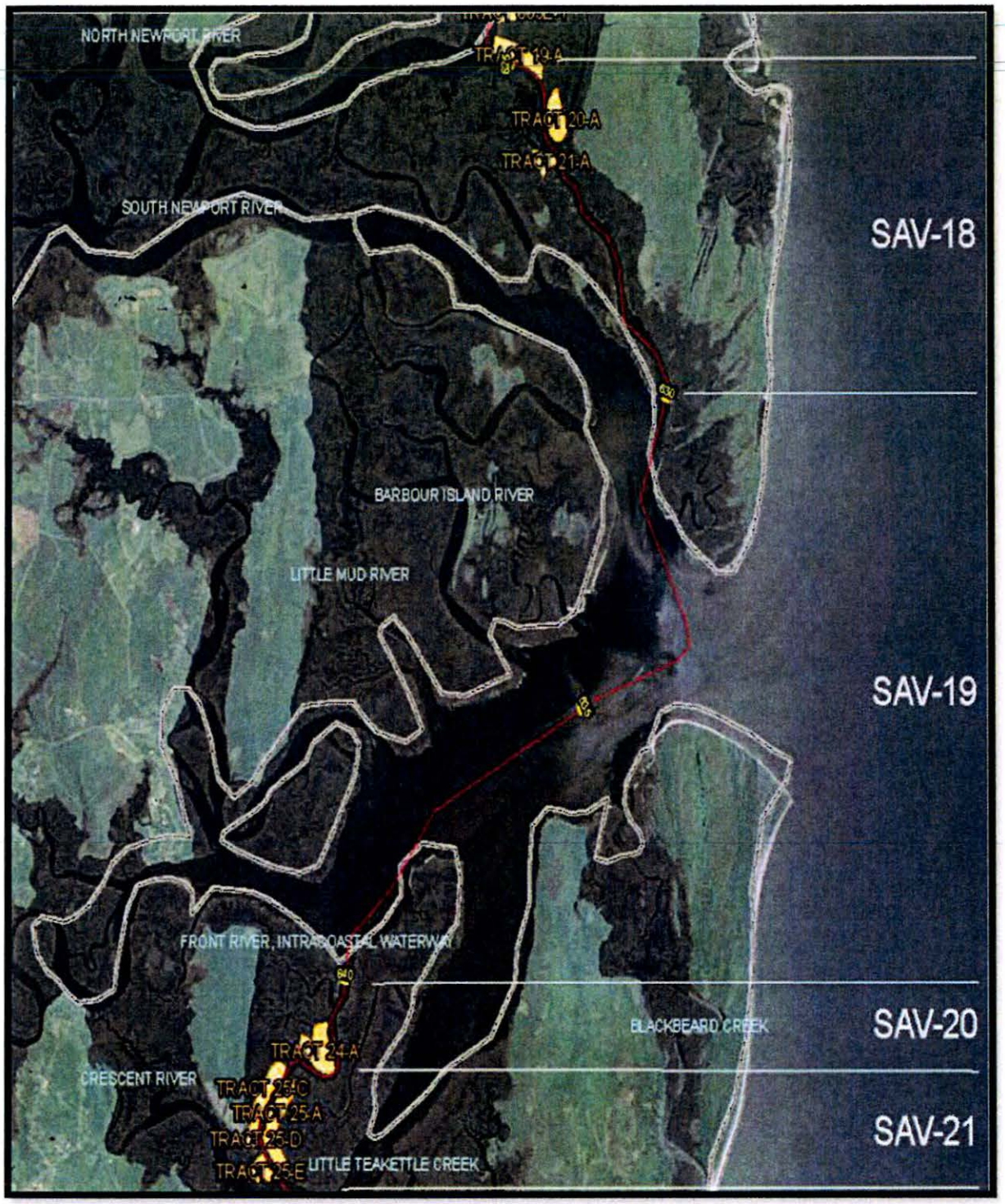


Figure 4. Operational Reaches SAV-18 - SAV-21

Figure 5. Operational Reaches SAV-22 - SAV-30

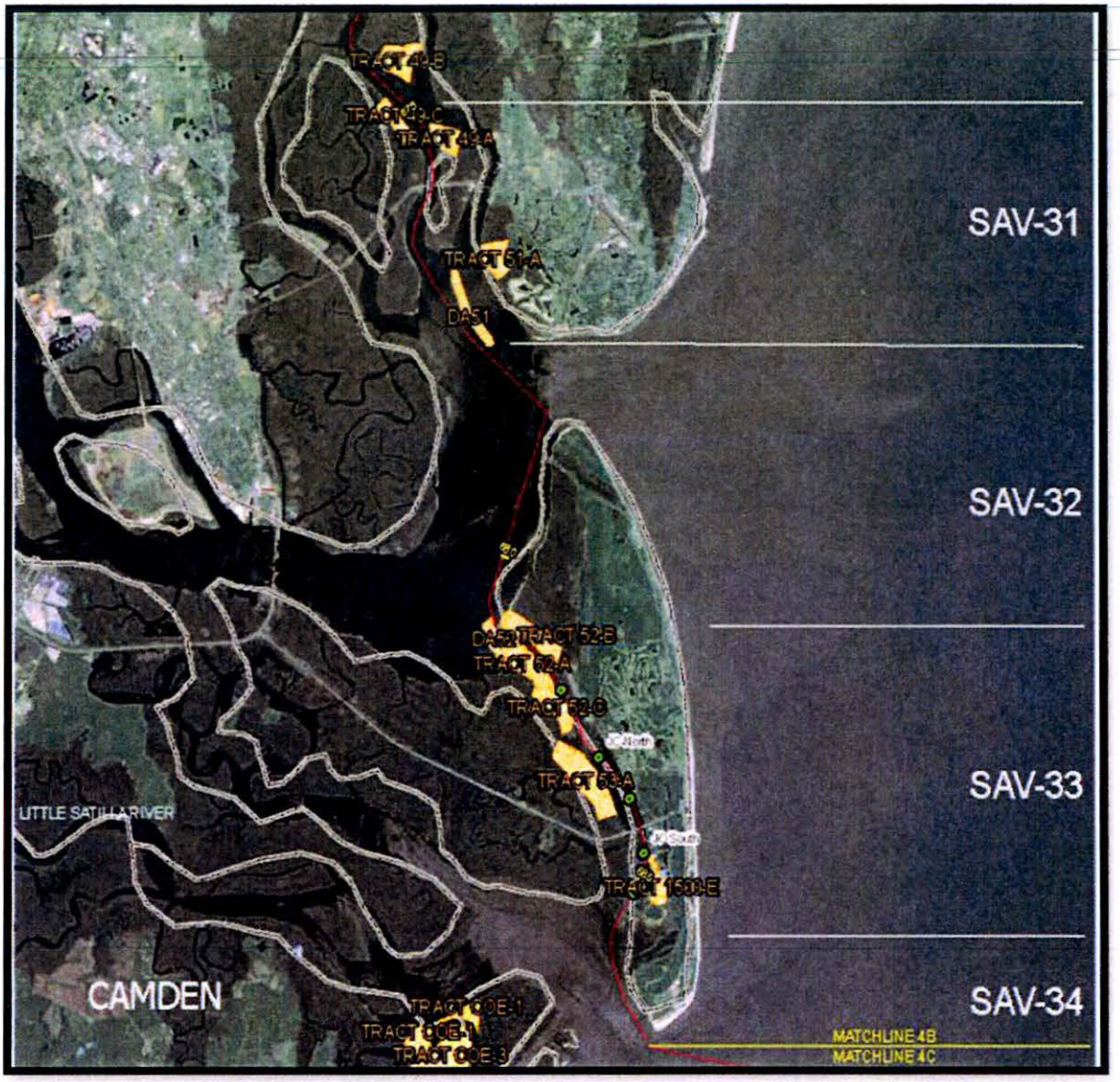


Figure 6. Operational Reaches SAV-31 - SAV-34

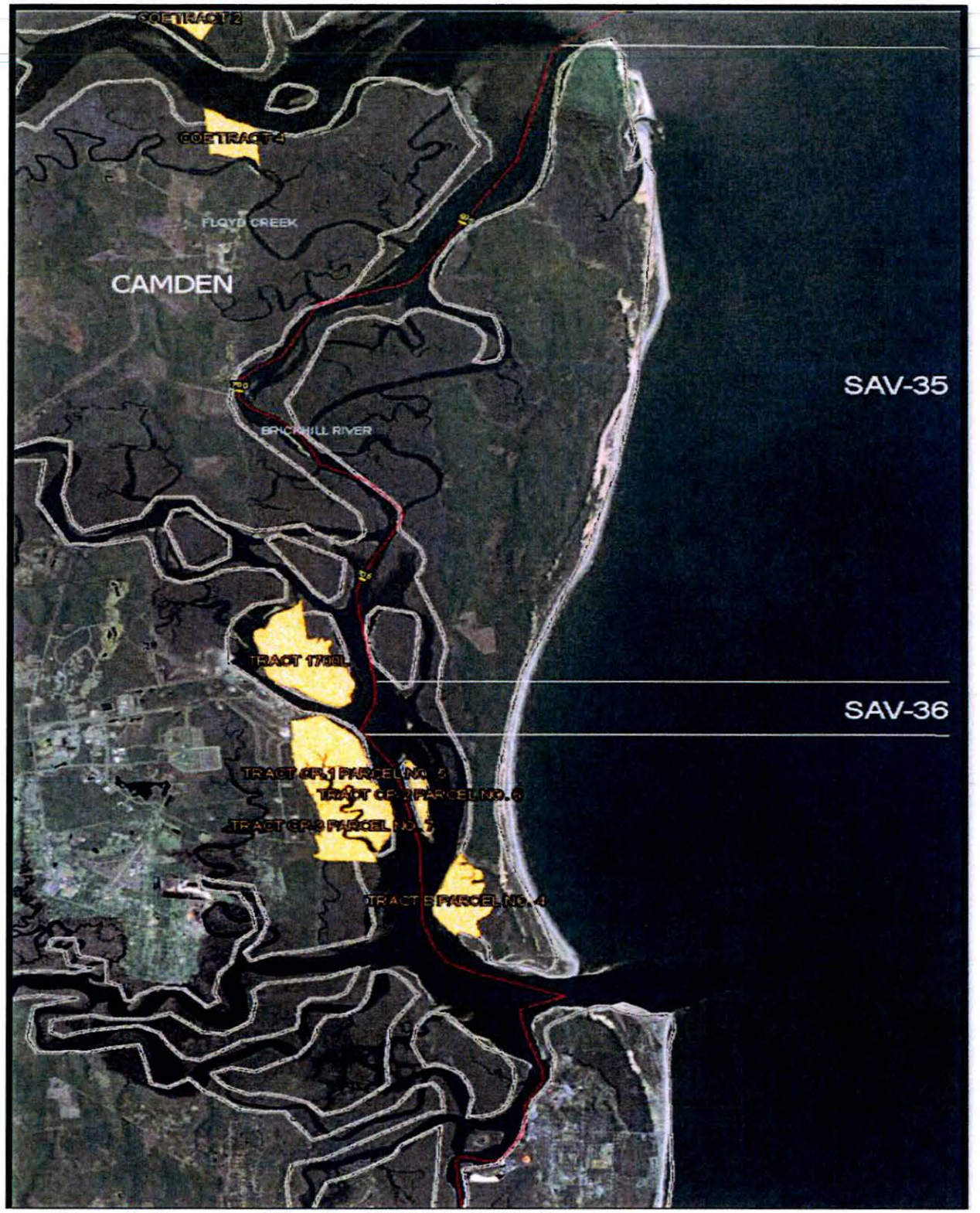


Figure 7. Operational Reaches SAV-35 - SAV-36

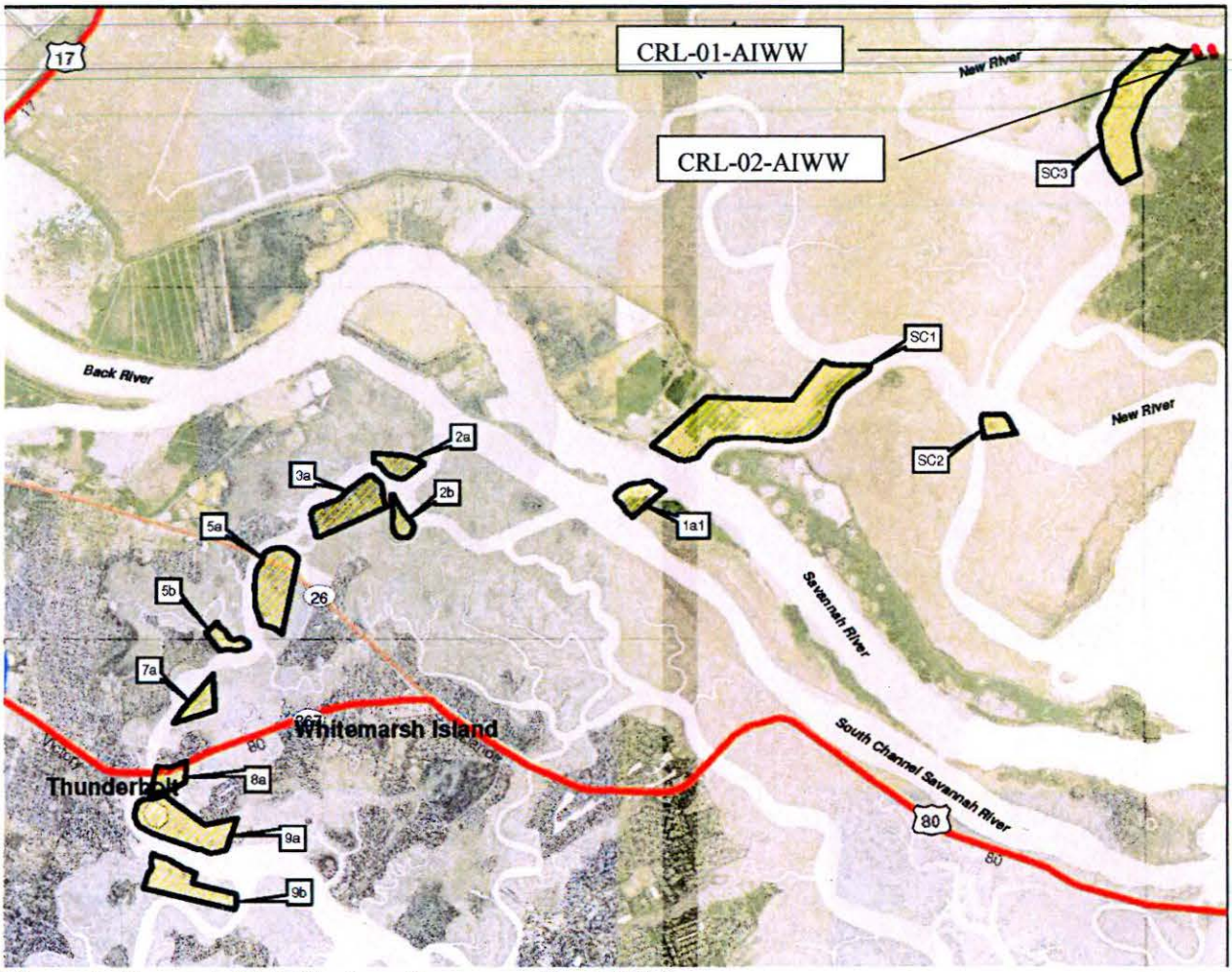


Figure 8. Texas A&M Site Locations near Tract SC-3

Figure 9. Texas A&M Site Locations in and near Parcel B4

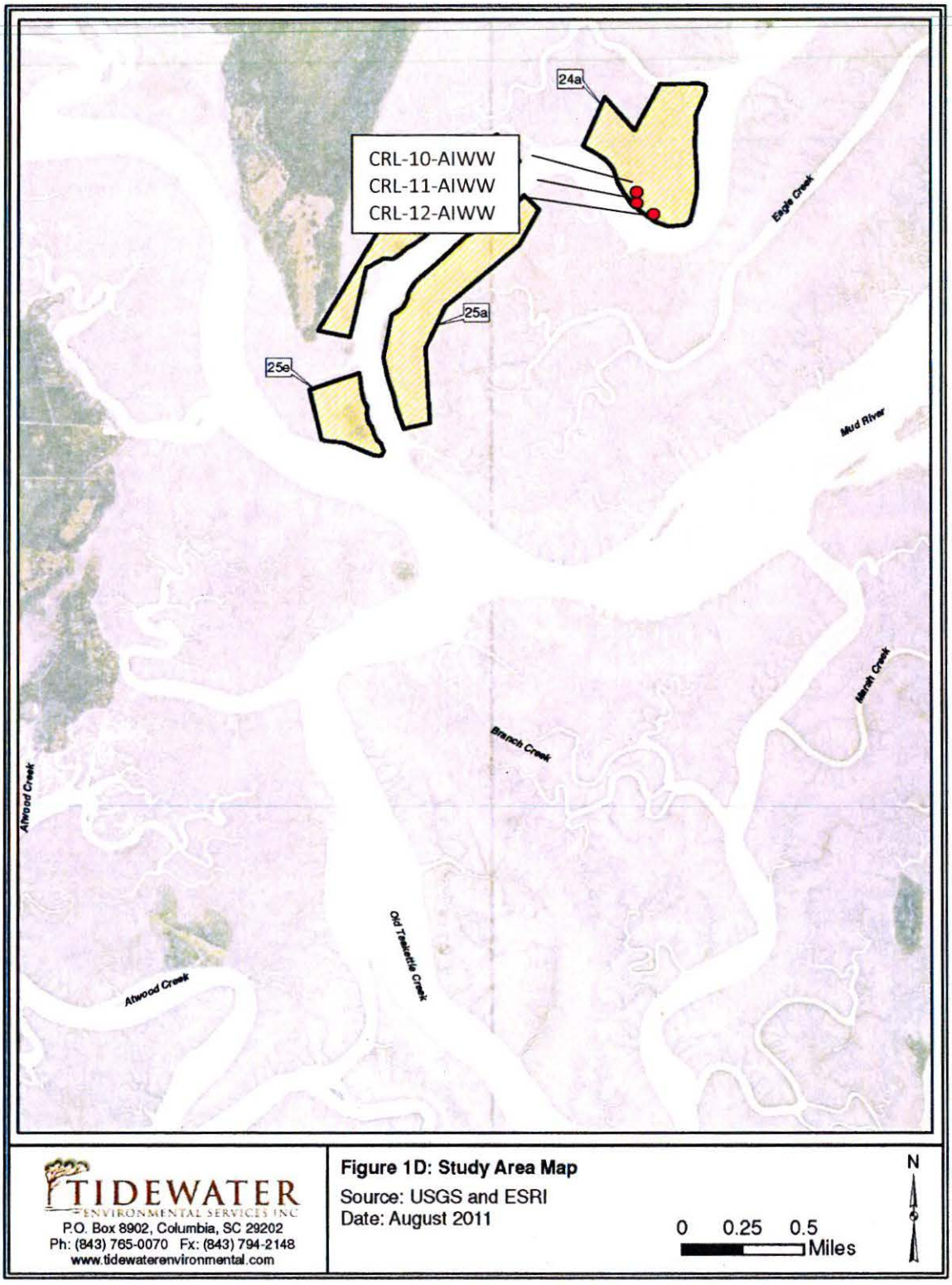


Figure 10. Texas A&M Site Locations in Tract 24-A

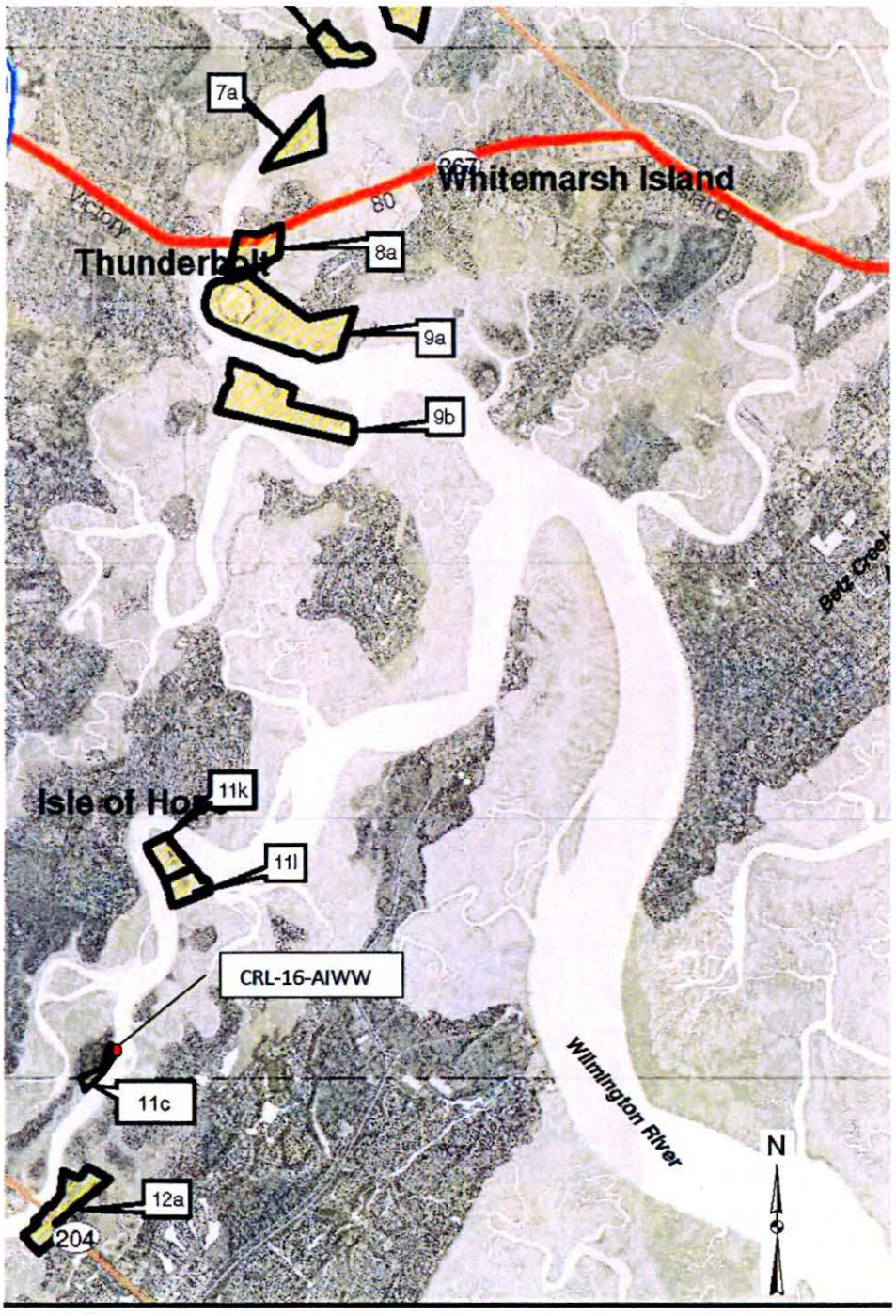


Figure 11. Texas A&M Site Location in Tract 11-C

Figure 12. Texas A&M Site Location near Tract 13-A