



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3640

JANUARY 25 2012

Regulatory Division

JOINT PUBLIC NOTICE
Savannah District/State of Georgia

The Savannah District has received applications for Department of the Army Permits, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Numbers: SAS-2005-01453; SAS-2001-15890; SAS-2001-12060;
SAS-2001-12750; SAS-2001-11820; SAS-2001-12670; SAS-2001-12080; SAS-2001-12680;
SAS-2001-11950; SAS-2001-12450; SAS-2001-13120; SAS-2001-13110; SAS-2001-12760;
SAS-2008-00883; SAS-2001-12360; SAS-2001-12370; SAS-2001-12380; SAS-2012-00043

Applicants: There are 20 applicants included in this Joint Public Notice; their names and addresses are attached at Enclosure 2.

Agent: MGA Associates
Attention: Mr. Matt Goodrich
Post Office Box 2221
Mount Pleasant, South Carolina, 29461

Location of Proposed Work: The project sites are located in the Savannah Harbor, in Savannah, Chatham County, Georgia. For more detailed project locations, please see Table 1 and 2 below.

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers (USACE): The applicants propose to annually remove accumulated sediment from 37 existing berthing facilities. For more detailed information, including annual dredge volumes and maintained depths please see Table 1 and 2 below.

Table 1. Annual Maintenance Dredging for the Upper Savannah Harbor

Permit	Applicant	Latitude (°N)	Longitude (°W)	Annual Dredge Volume (CY)	Depth at MLW
SAS-2001-15890	Georgia Pacific Gypsum, LLC	32.0792	-81.0525	6,000	-42'
SAS-2001-12060	Imperial Sugar Co.	32.1441	-81.1428	64,000	-30'
SAS-2001-12750	Southeast Maritime Services	32.1133	-81.1292	54,000	-36'
SAS-2001-11820	Conoco Phillips Co.	32.0797	-81.0444	27,000	-34'
SAS-2001-12670	Georgia Kaolin Terminals	32.1125	-81.1261	100,000	-42'
SAS-2001-12080	Colonial Terminals	32.0961	-81.1089	47,000	-42'
SAS-2001-12680	Colonial Terminals	32.1017	-81.1158	72,000	-42'
SAS-2001-01950	Enmark Properties	32.0978	-81.1108	8,500	-28'
SAS-2001-12450	NuStar Asphalt Refining LLC	32.1100	-81.1239	37,500	-42'
SAS-2001-13120	NuStar Energy LP	32.0800	-81.0425	7,000	-32'
SAS-2001-13110	NuStar Energy LP	32.0792	-81.0469	30,000	-38'
SAS-2001-12760	East Coast Terminal Associates	32.0789	-81.0663	15,000	-38'
SAS-2012-00043	Savannah Bulk Terminal, LLC	32.0794	-81.0639	25,000	-38'
SAS-2008-00883	Liberty Terminals	32.0783	-81.0694	42,000	-38'
SAS-2005-01453	Chatham County Slip 1	32.0833	-81.0833	20,000	-11.4'
SAS-2007-01444	Georgia Trade & Convention Center	32.0868	-81.0887	3,000	-8'
SAS-2010-00812	Myrick Marine	32.0822	-81.0642	1,630	-8'

Table 2. Annual Maintenance Dredging for the Georgia Ports Authority (GPA): Newport, Garden City and Ocean Terminals

Permit	Applicant	Berth	Latitude (°N)	Longitude (°W)	Annual Dredge Volume (CY)	Depth at MLW
SAS-2001-12370	GPA	Newport Terminal	32.1525	81.1517	12,000	-36'
SAS-2001-12360	GPA-Garden City Terminal	1	32.1325	-81.1422	17,000	-42'
SAS-2001-12360	GPA-Garden City Terminal	2	32.1325	-81.1422	44,374	-48'
SAS-2001-12360	GPA-Garden City Terminal	3	32.1325	-81.1422	7,217	-48'
SAS-2001-12360	GPA-Garden City Terminal	4	32.1325	-81.1422	4,668	-42'
SAS-2001-12360	GPA-Garden City Terminal	5	32.1325	-81.1422	24,715	-42'
SAS-2001-12360	GPA-Garden City Terminal	6	32.1325	-81.1422	50,801	-42'
SAS-2001-12360	GPA-Garden City Terminal	7	32.1325	-81.1422	55,600	-42'
SAS-2001-12360	GPA-Garden City Terminal	8	32.1325	-81.1422	17,105	-48'
SAS-2001-12360	GPA-Garden City Terminal	9	32.1325	-81.1422	17,105	-48'
SAS-2001-12360	GPA-Garden City Terminal	50	32.1325	-81.1422	15,415	-36'
SAS-2001-12380	GPA-Ocean Terminal	1	32.0911	-81.1030	95,000	-42'
SAS-2001-12380	GPA-Ocean Terminal	2	32.0911	-81.1030	7,000	-42'
SAS-2001-12380	GPA-Ocean Terminal	12	32.0911	-81.1030	6,300	-42'
SAS-2001-12380	GPA-Ocean Terminal	13	32.0911	-81.1030	5,000	-42'
SAS-2001-12380	GPA-Ocean Terminal	14, 15, 16 & 17	32.0911	-81.1030	14,100	-40'
SAS-2001-12380	GPA-Ocean Terminal	18	32.0911	-81.1030	36,200	-42'
SAS-2001-12380	GPA-Ocean Terminal	19	32.0911	-81.1030	8,200	-42'

BACKGROUND

Between 2001 and 2011, the USACE issued 20 maintenance dredging permits to remove accumulated sediments within berths located in the Upper Savannah Harbor. These permits are all set to expire by March of 2013. The applications referenced above request Department of the Army approval to continue to perform maintenance dredging via the use of agitation, hydraulic and/or clamshell dredging. No new construction projects (i.e. deepening) or new dredging methods are proposed. There are two methods of agitation dredging proposed that are presently allowed in the upper harbor: one method involves dragging an I-beam or similar device behind a tug, thereby suspending sediments to be swept from the berth on an ebb and/or flood tide; the other method involves dredging with a small hydraulic dredge and open water disposal near the river bottom at the margin of the federal navigation channel.

In advance of the current permits expiration, the USACE initiated several meetings to discuss permit renewal and the information required to support a new permit decision by the state and federal agencies. The first meeting was an interagency meeting with the Savannah Harbor berth operators held on August 10, 2011. This meeting included a presentation of a summary of the 2002 study titled "Agitation Dredge Evaluation, Savannah Harbor Ecosystem Restoration Project" completed by Applied Technology and Management to evaluate the effects of agitation dredging in the harbor. This study evaluated the effects of agitation dredging on aquatic resources, and it included measurement of dredging effects on turbidity, suspended sediment concentration and dissolved oxygen. It also evaluated the effects from potential pollutants present in the maintenance dredging sediments.

In addition, follow up meetings between the agencies and berth owners were held to discuss the data and analysis that were generated from the 2002 study. The report entitled, "Summary of Available Turbidity, Suspended Sediment and Dissolved Oxygen Monitoring Data, Lower Savannah River Estuary," prepared by MGA Associates and dated December 1, 2011, further analyzed the existing data to determine the effects of agitation dredging on the Savannah Harbor. These applications are being reviewed concurrently with the maintenance dredging applications submitted by Southern Liquid Natural Gas for their Elba Island facility (USACE files SAS-2010-00754 and SAS-2011-00060).

This Joint Public Notice announces a request for authorizations from both the US Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local governmental approval.

STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify these projects at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required for a Federal Permit to conduct activity in, on, or adjacent to the waters of the State of Georgia. Copies of the applications and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 4220 International Parkway,

Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of application in writing and state the reasons or basis of objections or request for a hearing. The application can be reviewed in the Savannah District, US Army Corps of Engineers, Regulatory Division, 100 W. Oglethorpe Avenue Savannah, Georgia 31401-3640.

State-owned Property and Resources: The applicants may also require assent from the State of Georgia, which may be in the form of a license, easement, lease, permit or other appropriate instrument.

Marshland Protection: This notice also serves as notification of a request to alter coastal marshlands (under the provision of the Coastal Marshlands Protection Act, Georgia Laws, 1970, p. 939 and as amended), if required. Comments concerning these actions should be submitted to the Ecological Services Section, Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523-8600 (Telephone 912-264-7218).

Georgia Coastal Management Program: Prior to the Savannah District Corps of Engineers making a final permit decision on these applications, the projects must be certified by the Georgia Department of Natural Resources, Coastal Resources Division, to be consistent with applicable provisions of the State of Georgia Coastal Management Program (15 CFR 930). Anyone wishing to comment on Coastal Management Program certification of these projects should submit comments in writing within 30 days of the date of this notice to the Federal Consistency Coordinator, Ecological Services Section, Coastal Resources Division, Georgia Department of Natural Resources, One Conservation Way, Brunswick, Georgia 31523-8600 (Telephone 912-264-7218).

US ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicants' proposed work, prior to a decision on issuance of a Department of the Army Permit.

Cultural Resources Assessment: Review of the latest published version of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion are located at the site or in the areas affected by the proposed work. Presently unknown archaeological, scientific, prehistorical or historical data may be located at the sites and could be affected by the proposed work.

Essential Fish Habitat (EFH): This notice initiates the EFH consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicants' proposals may result in the destruction or alteration of EFH utilized by various life stages of species comprising the red drum, shrimp, bluefish or snapper-grouper management complexes. Our initial determination is that the proposed actions would not have an individual or cumulatively

substantial adverse impact on EFH or federally managed fisheries in the Atlantic Ocean. Our final determination relative to project impacts to EFH and the need for mitigation measures are subject to review by and coordination with the NMFS and the South Atlantic Fisheries Management Council.

Endangered Species: The project areas are specific to the proposed dredging areas. Therefore, impacts to the West Indian Manatee are being considered with respect to the proposed projects. This species is known to inhabit Georgia's coastal waters and estuaries. Since the proposed projects consist of agitation, hydraulic cutterhead and/or clamshell dredging of existing berthing facilities, the US Army Corps of Engineers would include "Standard Manatee Conditions and Procedures for Aquatic Construction" as special conditions of any permit that would be issued by this office. With these conditions included, the USACE has determined that the projects may affect, but are not likely to adversely affect the West Indian Manatee.

Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request information from the US Department of the Interior, Fish and Wildlife Service, the US Department of Commerce, the National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service; or, any other interested party, on whether any other species listed or proposed for listing may be present in the area.

Public Interest Review: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. 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 proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal 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, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Consideration of Public Comments: The US Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the US Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. 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 proposed activity.

Application of Section 404(b)(1) Guidelines: The proposed activities involve the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider these applications for a Department of the Army Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, US Army Corps of Engineers, Savannah District, Attention: Mrs. Sarah E. Wise, 100 W. Oglethorpe Avenue Savannah, Georgia 31401-3640, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

If you have any further questions concerning this matter, please contact Mrs. Sarah E. Wise, Regulatory Specialist, Coastal Branch at 912-652-5550.

2 Encls

1. Figure 1. Location of Terminals and Slips along the Front River
2. Applicants Mailing Addresses and Points of Contact

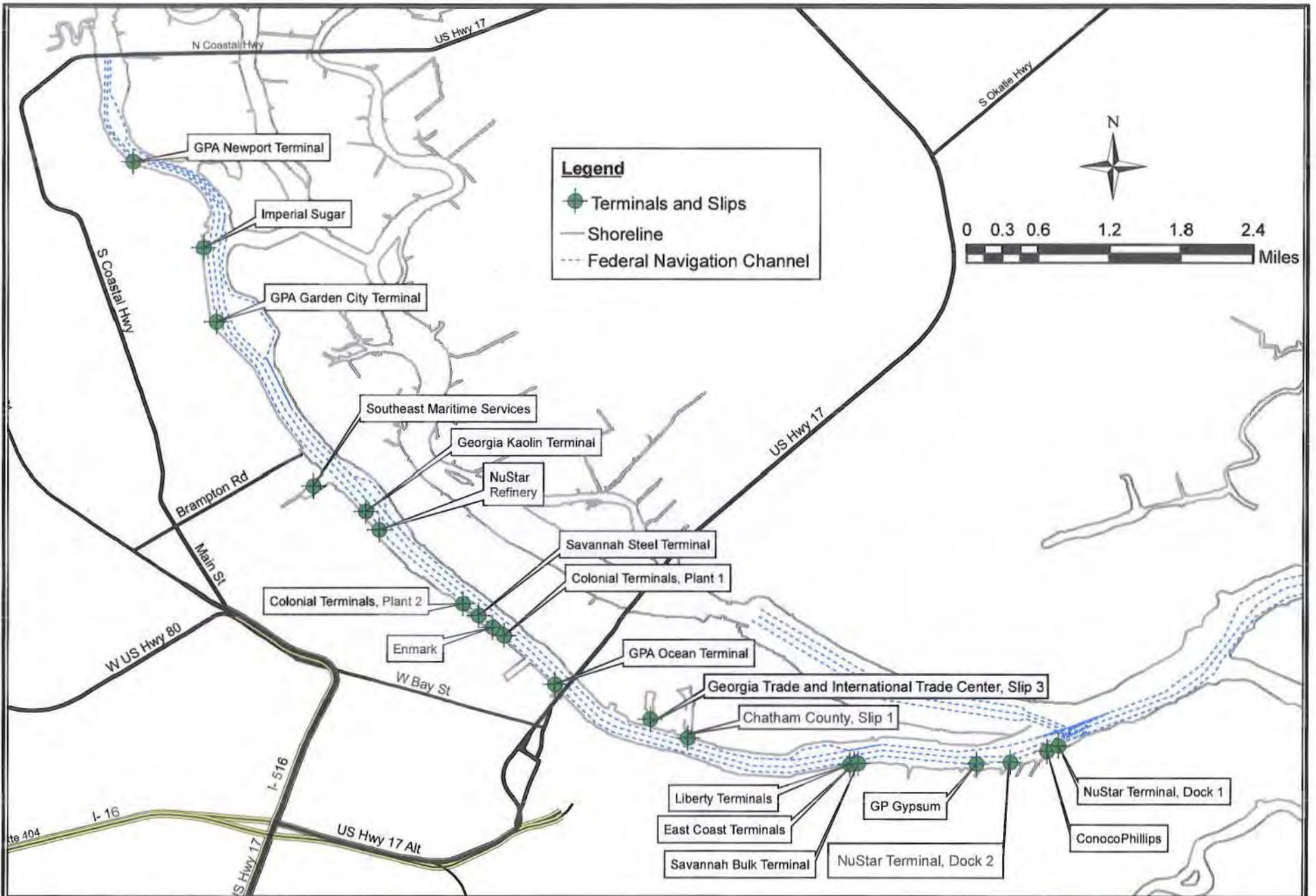


Figure 1. Location of Terminals and Slips along Front River

Enclosure 1

Enclosure 2-Applicants Mailing Addresses and Points of Contact

Application Number: SAS-2005-01453
Applicant: Chatham County
Attention: Mr. Pat Monahan
124 Bull Street, Suite 220
Savannah, Georgia 31410

Application Number: SAS-2012-00043
Applicant: Savannah Bulk Terminal, LLC
Attention: Mr. Frank K. Peeples
Post Office Box 2253
Savannah, Georgia 31402

Application Number: SAS-2001-12360
Applicant: Georgia Ports Authority
Attention: Mr. H. Wilson Tillotson
Post Office Box 2406
Savannah, Georgia 31402

Application Number: SAS-2001-12380
Applicant: Georgia Ports Authority
Attention: Mr. H. Wilson Tillotson
Post Office Box 2406
Savannah, Georgia 31402

Application Number: SAS-2001-12370
Applicant: Georgia Ports Authority
Attention: Mr. H. Wilson Tillotson
Post Office Box 2406
Savannah, Georgia 31402

Application Number: SAS-2001-12750
Applicant: Southeast Marine Services Terminal
Attention: Mr. John Cantera, Jr.
Post Office Box 7706
Savannah, Georgia 31418

Application Number: SAS-2001-12450
Applicant: NuStar Asphalt Refining, LLC
Attention: Ms. Cathlin Mills
7 Foundation Drive
Savannah, Georgia 31408

Application Number: SAS-2001-13120
Applicant: NuStar Energy LP
Attention: Mr. Mike Northcutt
2 Wahlstrom Road
Savannah, Georgia 31404

Application Number: SAS-2001-13110
Applicant: NuStar Energy LP
Attention: Mr. Mike Northcutt
2 Wahlstrom Road
Savannah, Georgia 31404

Application Number: SAS-2008-00883
Applicant: Liberty Terminals
Attention: Mr. David Parrott
Post Office Box 2253
Savannah, Georgia 31402

Application Number: SAS-2001-12060
Applicant: Imperial Sugar Company
Attention: Ms. Katherlin Wall
201 Oxnard Drive
Port Wentworth, Georgia 31407

Application Number: SAS-2001-15890
Applicant: Georgia-Pacific Gypsum, LLC
Attention: Mr. Adam Stefanoni
151 Wahlstrom Boulevard
Savannah, Georgia 31404

Application Number: SAS-2001-12670
Applicant: Georgia Kaolin Terminal, Inc.
Attention: Mr. Andy Calhoun, Jr.
Post Office Box 576
Savannah, Georgia 31402

Application Number: SAS-2001-01950
Applicant: Enmark Properties, LLC
Attention: Mr. Andy Calhoun, Jr.
Post Office Box 576
Savannah, Georgia 31402

Application Number: SAS-2001-12760
Applicant: East Coast Terminal Associates Ltd.
Attention: Mr. Frank K. Peeples
Post Office Box 2253
Savannah, Georgia 31402

Application Number: SAS-2001-11820
Applicant: ConocoPhillips Company
Attention: Mr. Randy Cornwell
110 Forbes Road
Savannah, Georgia 31404

Application Number: SAS-2001-12080
Applicant: Colonial Terminals, Inc.
Attention: Attention: Mr. Andy Calhoun, Jr.
Post Office Box 576
Savannah, Georgia 31402

Application Number: SAS-2001-12680
Applicant: Colonial Terminals, Inc.
Attention: Attention: Mr. Andy Calhoun, Jr.
Post Office Box 576
Savannah, Georgia 31402

Application Number: SAS-2007-01444
Applicant: Georgia International and Maritime Trade Center Authority
Attention: Mr. Bob Coffee
One International Drive
Savannah, Georgia 31412

Application Number: SAS-2010-00812
Applicant: Myrick Marine
Attention: Mr. Bob Myrick
Post Office Box 60697
Savannah, Georgia 31420