



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
SAS-2010-00754
SAC-2010-01424-1IW

JOINT PUBLIC NOTICE

Savannah and Charleston Districts U.S. Army Corps of Engineers
Georgia Department of Natural Resources
and
South Carolina Department of Health and Environmental Control

The Savannah and Charleston Districts have received a request for a Department of the Army Permit, pursuant to Section 10 of the Rivers and Harbors Act (RHA) of 1899 (33 U.S.C. 403) and Sections 404 and 401 of the Clean Water Act (CWA) (33 U.S.C. 1344) as follows:

Savannah District Application Number: SAS-2010-00754

Charleston District Application Number: SAC-2010-01424-1IW

Applicant: Southern LNG
Attention: Mr. Jeff Green
Post Office Box 1367
Savannah, Georgia 31404

Agent: GeoSyntec Consultants, Inc.
Attention: Mr. Andrew Whorton
1255 Roberts Boulevard, Northwest
Suite 200
Kennesaw, Georgia 30144

Location of Proposed Work: The project site is located directly across from the existing Southern LNG (SLNG) facility, on the north bank of the Savannah Harbor, approximately between River Mile 6.3 and 7.9, in Jasper County, South Carolina (Latitude 32.0839° north and Longitude -80.9852° west).

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: SLNG has requested Department of the Army authorization to annually dredge approximately 800,000 cubic yards of accumulated sediment from navigable waters of the United States (i.e. the Savannah River) for maintenance of an existing turning basin. The turning basin is approximately 2,300' long and 550' wide and would be maintained at a depth of -42 mean low water (MLW). All dredge material would be removed via the use of a hydraulic cutterhead dredge and disposed of (via pumping through a pipe) onto SLNG's dredge material containment

areas (DCMAs). The DCMAs are located on the north end of Elba Island, in Chatham County, Georgia. Effluent from the DCMAs would be discharged into the Savannah River. The proposed work was previously authorized under Savannah District permit 200016440 and Charleston District permit 20011P007. Authorizations for maintenance dredging activities were extended in October of 2006 and are set to expire on February 28, 2013.

In addition, SLNG has applied for Department of the Army authorization to perform annual maintenance dredging of an existing ship slip at the Elba Island facility. The ship slip is located entirely within the authority of the Savannah District and subject to permitting by the Savannah District. The turning basin is within the Savannah River located in both Georgia and South Carolina waters, a separate application and permit requiring authorizations from both the Savannah and Charleston Districts would be required, resulting in two JPNs (i.e. one for the turning basin and one for the ship slip). The proposal to perform maintenance dredging of the ship slip is being reviewed concurrently with this proposal under USACE permit SAS-2011-00060. In addition, this project is being reviewed concurrently with the proposed maintenance dredging permits for the Upper Savannah Harbor.

BACKGROUND

The Savannah Harbor Navigation Channel is a Federal Project maintained by the Savannah District. The subject turning basin is located adjacent to the navigation channel. Proposed dredging work would occur in both Georgia and South Carolina waters. Since the project would impact Georgia and South Carolina waters, both states have jurisdiction pursuant to the Coastal Zone Management Act.

The subject project would likely result in the discharge of effluent that could affect South Carolina waters. This discharge requires South Carolina Water Quality Certification (WQC), pursuant to Section 401 of the CWA. Discharges of effluent resulting from maintenance dredging activities in the Savannah Harbor were evaluated by the South Carolina Department of Health and Environmental Control (SCDHEC) as part of the review of the Savannah Harbor "Long Term Management Strategy Environmental Impact Statement (LTMS EIS)." SCDHEC issued WQC for the LTMS EIS on May 10, 1996. Any release of effluent resulting from the placement of dredged material into a Federal CDF is subject to the conditions contained in this WQC, and to water quality standards and water quality monitoring contained in the LTMS EIS.

The applicant sampled and tested the sediments to be dredged from the existing turning basin in accordance with Savannah and Charleston District protocols. On January 3, 2011, the applicant's agent, GeoSyntec Consultants, Inc., submitted a report entitled "Tier II Sediment Report, Elba Island Maintenance Dredging Program," stating "placement of the dredged material

in the CDF would produce only minimal environmental effects, if any at all.” The applicant’s agent also stated that “placement of the dredged material into the CDF and the subsequent discharge from the facility will not exceed acute water quality standards.”

The applicant has provided copies of the above sediment reports to the SCDHEC, the South Carolina Department of Natural Resources, the Georgia Department of Natural Resources, the U.S. Fish and Wildlife Service (FWS) the U.S. Environmental Protection Agency, the National Marine Fisheries Service (NMFS) and the Charleston District. This Joint Public Notice announces a request for authorizations from both the US Army Corps of Engineers and the State of Georgia and the State of South Carolina. 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 this project 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 application 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 applicant 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 this action 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 this application, the project 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 this project 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).

STATE OF SOUTH CAROLINA

The Savannah District Engineer has concluded that the discharge of effluent into the Savannah River that would result from pumping dredged material into the Elba Island DCMA should be reviewed by SCDHEC in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this work would comply with applicable effluent limitations and water quality standards. SCDHEC will review this request and notify the Savannah District as to whether the proposed effluent discharges associated with the placement of dredged material in the Elba Island DCMA complies with the terms and conditions of the Savannah Harbor Long Term Management Strategy Environmental Impact Statement (LTMS EIS) Water Quality Certification, issued by SCDHEC on May 10, 1996.

The proposed effluent releases associated with the dredged material disposal work shown on this request must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The Savannah District Engineer will not process this permit application to a conclusion until such certifications are received. The proposed effluent releases may also require evaluation for compliance with the South Carolina Construction in Navigable Waters Permit Program. The State of South Carolina review, permitting and certification is conducted by the SCDHEC. The permittee is hereby advised that supplemental information may be required by the State of South Carolina to facilitate review. Persons wishing to comment or object to State of South Carolina certification or the navigable waters permit must submit all comments in writing within thirty (30) days of the date of this notice to the South Carolina Department of Health and Environmental Control, Office of Environmental Quality Control, Water Quality Certification and Wetlands Program Section, 2600 Bull Street, Columbia, South Carolina, 29201.

US ARMY CORPS OF ENGINEERS

The Savannah and Charleston Districts must consider the purpose and the impacts of the applicant's 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 area affected by the proposed work. Presently unknown archaeological, scientific, prehistorical or historical data may be located at the site 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 applicant's proposal 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 action 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 area is specific to the proposed dredging area. Therefore, impacts to West Indian Manatee are being considered with respect to the proposed project. This species is known to inhabit Georgia's coastal waters and estuaries. Since the proposed project is the hydraulic dredging of a turning basin at an existing berthing facility, 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 project may affect, but is 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 that the US Department of the Interior, Fish and Wildlife Service and the US Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service provide concurrence with this determination of effect.

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 activity involves 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.

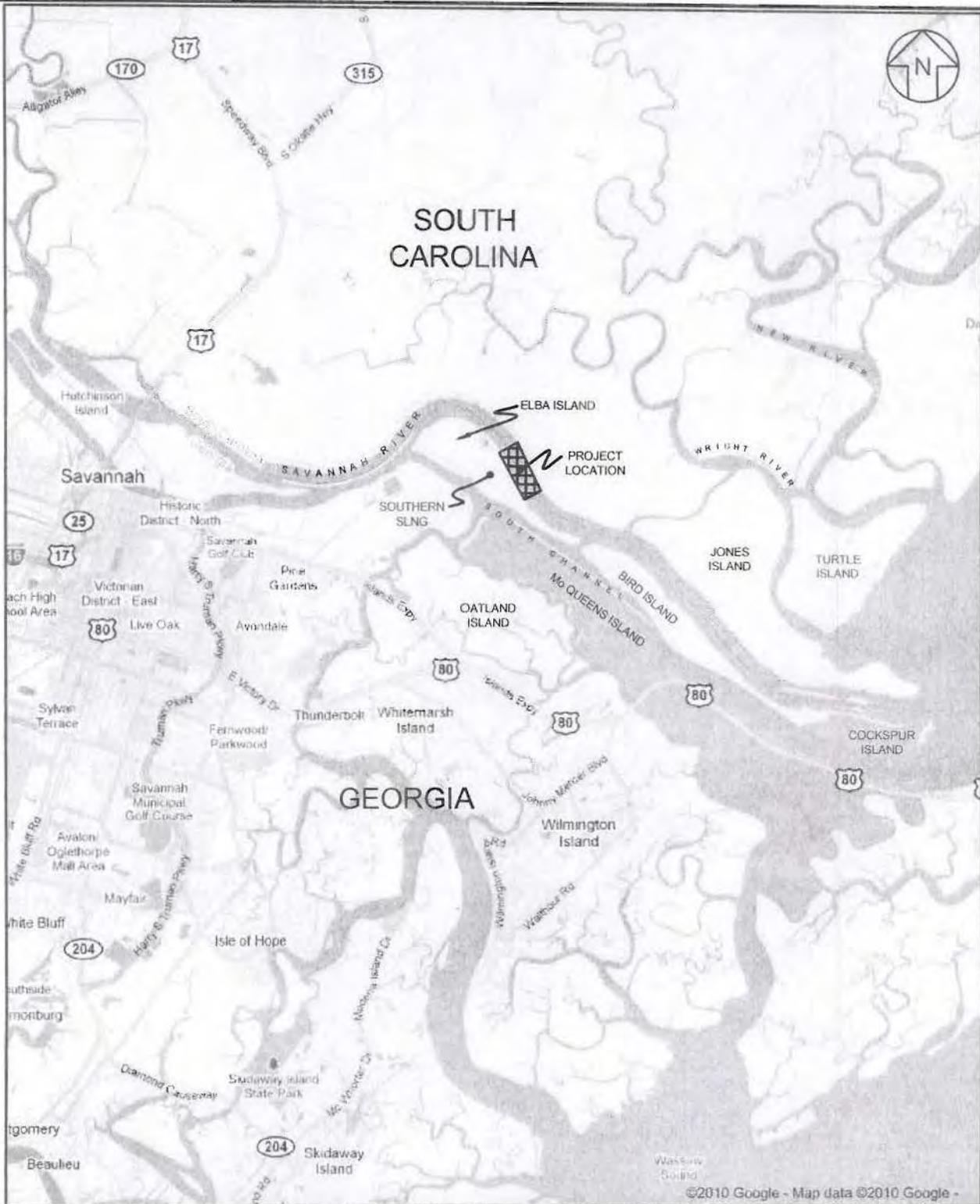
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. 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: , 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 only the disposal of the dredged material, please contact Sarah E. Wise, Regulatory Specialist, Savannah District, Coastal Branch at 912-652-5550. If you have any questions concerning the hydraulic dredging of material from the turning basin please contact either Debra W. King, Project Manager, Charleston District, Regulatory Division at 843-329-8044 or Sarah E. Wise, Regulatory Specialist, Savannah District, Coastal Branch at 912-652-5550.

Enclosures

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LOCATION MAP

SOUTHERN LNG
ELBA ISLAND, GA

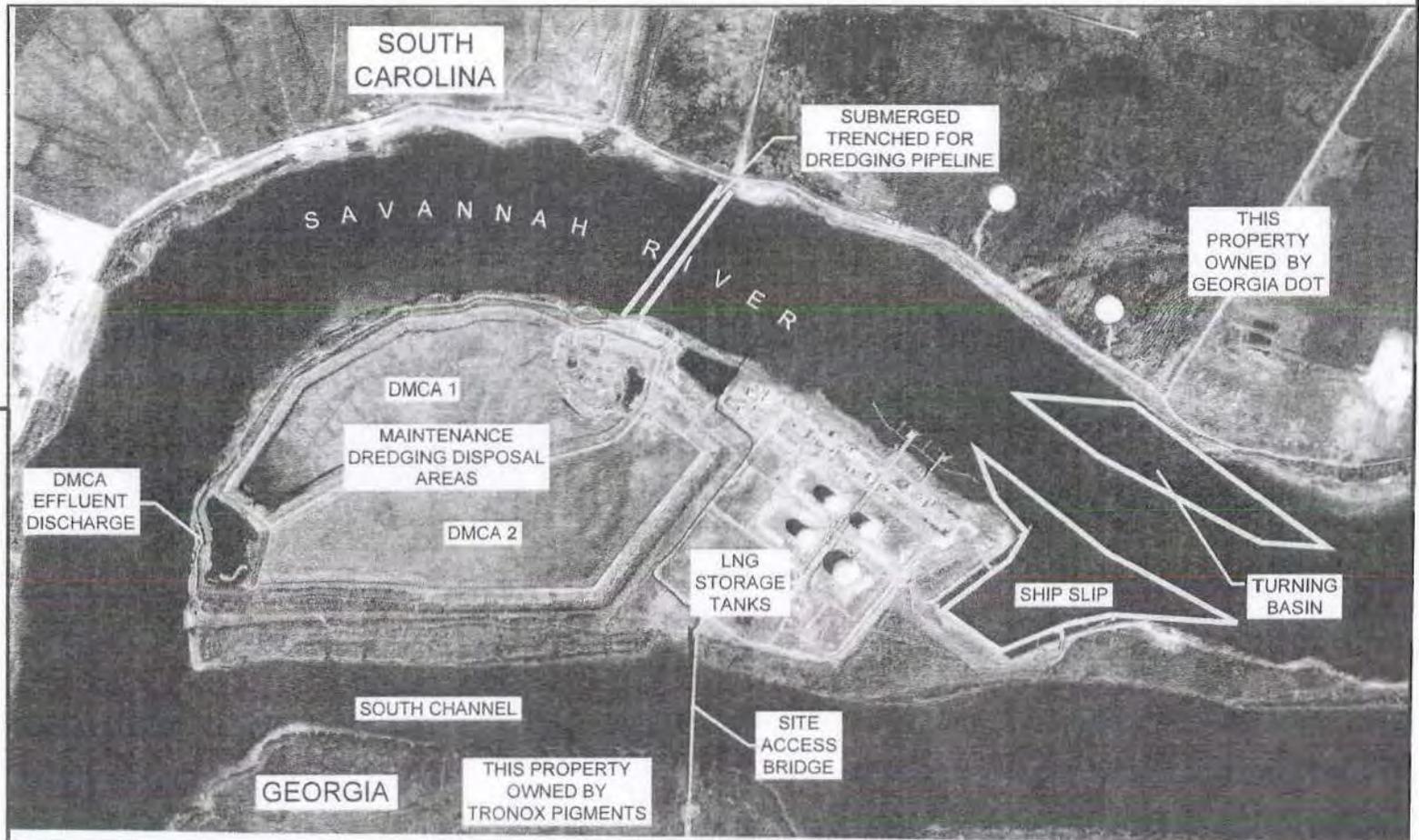
Geosyntec[®]
consultants

FIGURE
1



Jacksonville, Florida

30-Nov-11



FACILITY LAYOUT

SOUTHERN LNG
ELBA ISLAND, GA

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Jacksonville, Florida

30-Nov-11

FIGURE
2

