

**Atlantic Intracoastal Waterway Federal Navigation Channel
Cumberland Dividings Maintenance Dredging
Camden County, Georgia
Environmental Assessment and Finding of No Significant Impact**

Appendix A

**Endangered Species Act
Biological Assessment
U.S. Fish and Wildlife Service**

**U.S. ARMY CORPS OF ENGINEERS
SAVANNAH DISTRICT
100 WEST OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401
January 2023**



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Cumberland Dividings Maintenance Dredging
Camden County, Georgia
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A.1

Correspondence

**U.S. ARMY CORPS OF ENGINEERS
SAVANNAH DISTRICT
100 WEST OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401
January 2023**





DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3604



U. S. Fish and Wildlife Service

RG Stephens, Jr. Federal Building
 355 E. Hancock Ave, Room 320, Box 7
 Athens, GA 30601
 706-613-9493

2023-0019851

FWS Log No.

Planning Branch

Mr. Peter Maholland
 Field Supervisor
 U.S. Fish and Wildlife Service
 RG Stephens Jr. Federal Building
 355 East Hancock Avenue
 Athens, Georgia 30601

Based on information provided, we concur with your determination that the project is not likely to adversely affect federally-listed species. No further action is required under Section 7(a)(2) of the Endangered Species Act. However, consultation should be resumed if the project changes, a new species is listed, or new data shows impacts to listed species may occur.



January 19, 2023

Dear Mr. Maholland:

Peter Maholland, Field Supervisor

Date

The U.S. Army Corps of Engineers (USACE), Savannah District (Corps) is proposing to conduct maintenance dredging of shoaled areas within the Cumberland Dividings of the Atlantic Intracoastal Waterway (AIWW) river mile 704.5-709.5. USACE has developed placement alternatives that prioritize beneficial use of dredged material placement area within the Cumberland Dividings in Camden County, Georgia. These alternatives will support the efforts of the USACE to maximize beneficial use of dredged materials in accordance with the implementing guidance for Section 125 of the Water Resources Development Act of 2020. The dredged material has historically been placed in Big Crab Island; a confined upland facility located on Naval Submarine Base Kings Bay.

Through a robust process of screening placement sites, the Corps is proposing placement of the dredged material on a highly eroded bird island (BU-E). Placement at BU-E will add additional material to the eroding bird island providing elevation and stabilization for the shoreline and restoring foraging and roosting habitat for birds. The enclosed biological assessment provides figures showing the location of these placement sites.

The Corps has prepared an Environmental Assessment (EA) in accordance with the National Environmental Policy Act (NEPA). The draft EA and draft Finding of No Significant Impact (FONSI) are now available for a 30-day public comment at: <http://www.sas.usace.army.mil/About/Divisions-and-Offices/Planning-Division/Plans-and-Reports/>. In accordance with the provisions of the NEPA, your comments on the Draft EA and FONSI are hereby solicited. A Public Notice has also been sent to all the parties on the Corps' Regulatory mailing list in Georgia for the project area and is available at: <https://www.sas.usace.army.mil/Missions/Regulatory/Public-Notices/>.

The Corps, in accordance with the Section 7 of the Endangered Species Act (ESA) has made effects determinations for ESA-listed species that may occur in the project area. Our findings are detailed in the enclosed biological assessment and summarized below:

- No effect determination for the following species: nesting sea turtles, piping plover (*Charadrius melodus*), and rufa red knot (*Calidris canutus*).

- May affect, not likely to adversely affect determination for the West Indian manatee (*Trichechus manatus*) with implementation of Savannah District In-Water Construction Manatee Conditions as agreed upon between the Corps and your office.
- May affect but not likely to adversely affect wood stork (*Mycteria Americana*). While the project location is not located near existing rookeries, it is within the core foraging area of at least one rookery and may contain foraging habitat. However, there are large quantities of high-quality foraging habitat in proximity to the project area.
- May affect, but not likely to adversely affect Eastern Black Rail, as there are large quantities of higher quality habitat in proximity to the project area.

We are also requesting review of this action under the Fish and Wildlife Coordination Act. Please provide any comments you maybe have within 30 calendar days to CESAS-Planning@usace.army.mil. If you have any questions, you may contact Mr. Alexander Gregory via email, Alexander.b.Gregory@usace.army.mil or (912) 515-5148.

Sincerely,



Kimberly L. Garvey
Chief, Planning Branch

Enclosure

From: [Wikoff, Bill](#)
To: [Hill, Suzanne CIV USARMY CESAS \(USA\)](#)
Cc: [Armetta, Robin E CIV USARMY CESAS \(USA\)](#); [Gregory, Alexander B CIV USARMY CESAS \(USA\)](#)
Subject: [Non-DoD Source] Re: [EXTERNAL] Cumberland Dividings Beneficial Use- Draft ESA Consultation
Date: Wednesday, December 14, 2022 10:09:35 AM
Attachments: [Draft Biological Assessment USFWS 12_06_2022_w BW cmts.docx](#)

Hi Suzy,

Please find attached my suggested edits and a comment.

I do plan to include FWCA comments with our ESA review / concurrence for this project. At this point, I do not plan to advocate for a human recreational boater use island as a part of this project specifically. I still feel strongly that there will be an increase in recreational boaters in the St. Marys area. Marinas are planned. I further opine that they will cause issues as a portion of the boaters look for party beaches to recreate on. The south end of Cumberland Island is the closest available beach and has limited space. The next closest beach is another 20 miles away. This will put pressure on any available sandy spot that these boaters can find. Could part of the beneficial use initiative be to 'restore' an island somewhere for them so that they do not cause problems (or lessen the problems that they create) for coastal birds? As I see it, we have a resource, sand, and the beneficial use mandate, that can benefit coastal birds by lessening the impact of recreational boaters on them and provide the boaters a place to go recreate.

Best wishes to all for Happy Holidays!

Bill

Bill Wikoff fish & wildlife biologist
bill_wikoff@fws.gov (preferred)
cell 912-230-7227

U.S. Fish and Wildlife Service
Ecological Services - Coastal Georgia Sub Office
4980 Wildlife Drive, NE
Townsend, Georgia 31331
912-832-8739 ext.5
Project Planning and Review Procedures: <https://www.fws.gov/office/georgia-ecological-services/project-planning-review>

NOTE: This email correspondence and any attachments to and from this sender is subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

From: Hill, Suzanne CIV USARMY CESAS (USA) <Suzanne.Hill@usace.army.mil>

Sent: Monday, December 5, 2022 11:52 AM

To: Wikoff, Bill <bill_wikoff@fws.gov>

Cc: Armetta, Robin E CIV USARMY CESAS (USA) <Robin.E.Armetta@usace.army.mil>; Gregory, Alexander B CIV USARMY CESAS (USA) <Alexander.B.Gregory@usace.army.mil>

Subject: [EXTERNAL] Cumberland Dividings Beneficial Use- Draft ESA Consultation

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Bill

Before we send this over officially want to give you an opportunity to review and provide comments. We are anticipating the Draft EA be made available for public comment on January 9th for 30-days and would like your feedback if possible in the next two weeks so we can discuss and incorporate any changes.

Also is it safe to assume that USFWS will be provide FWCA comments as part of the review and comment on the Draft EA?

As always, happy to discuss and let us know if you would like a meeting set up to discuss.

Thanks,

Suzy

Suzanne Hill
NEPA Team Lead
USACE Savannah District, Planning Branch
Ph. 912.423.2324

**Atlantic Intracoastal Waterway Federal Navigation Channel
Cumberland Dividings Maintenance Dredging
Camden County, Georgia
Draft Environmental Assessment and FONSI**

A.2

USFWS Section 7 ESA Consultation

**U.S. ARMY CORPS OF ENGINEERS
SAVANNAH DISTRICT
100 WEST OGLETHORPE AVENUE
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January 2023**



1. Description of the Action Being Considered

The proposed action involves dredging located in the Cumberland Dividings within the Atlantic Intracoastal Waterway, AIWW river mile 704.5-709.5, in Camden County, Georgia (Figure 1). This section of the AIWW has not been dredged since 2001, and based on a June 2022 bathymetric survey, approximately 316,000 cy of material has accumulated within the channel's authorized depth of -12 ft. Within this reach there are three sections being dredged: AIWW miles 704.5-706.5, 707.25-708, and 709.25-709.5. Hydraulic cutterhead dredges have historically performed the dredging work on the Atlantic Intracoastal Waterway (AIWW) and the Savannah District would continue to use this method of dredging for the proposed action. This dredge type is most efficient for placing material in upland, saltmarsh, or open water placement sites. Typically, material is pumped through a 16-inch pipeline to the placement site. There is no constraint on time of year to perform the work.

Placement of the material will be prioritized for beneficial use (BU). Agencies and stakeholders were involved in the selection of the potential beneficial use areas. The proposed locations were chosen with considerations toward cultural, environmental, economic, and recreational resources. The Corps initially identified six placement sites for BU (BU-A through BU-F), and confined upland site Crab Island. Based on best and most recent available data, the Corps has eliminated placement sites BU-A, BU-B, BU-C, BU-D, BU-F, and the upland placement site as they are not feasible or other constraints prohibit placement at these sites.

Placement at BU-E is carried forward as the Preferred Alternative as it meets the navigation mission and need for dredging. BU-E is the least cost, environmentally acceptable alternative. In consideration of applicable factors listed in 33 CFR section 320.4, the Corps has determined this proposed plan is not contrary to public interest and is therefore, carried forward as the Preferred Alternative.

BU-E: Direct Placement for Habitat Restoration:

The purpose of direct placement is to renourish areas that have lost sediment from coastal storm events, tidal extremes, wave energy, and sea level rise. Returning sediment in previously degraded subtidal to intertidal zones will restore historic footprint and provide protection from wave energy to provide more nesting/foraging habitat. Placement will be pumped out from a cutterhead dredge. The pipe will be moved around to spread placement and material will be pushed with heavy equipment. The material will be placed in shallow areas that previously existed, but lost elevation due to erosion or have experienced sea level rise and lost upland acreage.

Placement of dredged materials at the proposed BUDM areas will temporarily elevate the topography of the area and provide additional substrate to the existing estuarian habitat. The additional substrate will provide more growth opportunity for marsh and upland vegetation, thus further stabilizing the existing topographic landscape. The additional sediments will be subject to tidal influence. Overall, there will be a long-term

beneficial effect to the topography and soils of the proposed areas for bird habitat restoration due to the additional material providing more elevation and stabilization for the shoreline and restoring foraging and roosting habitat for birds.

Table 1. Placement Sites and Locations

BU Placement Site	Channel Location (Source Material)	Deci-degree Location	Dimensions/Size
			(acres)
BU-E (Habitat Restoration)	704.2-709.5 River Miles	30.885314°N -81.512761°W	27.1

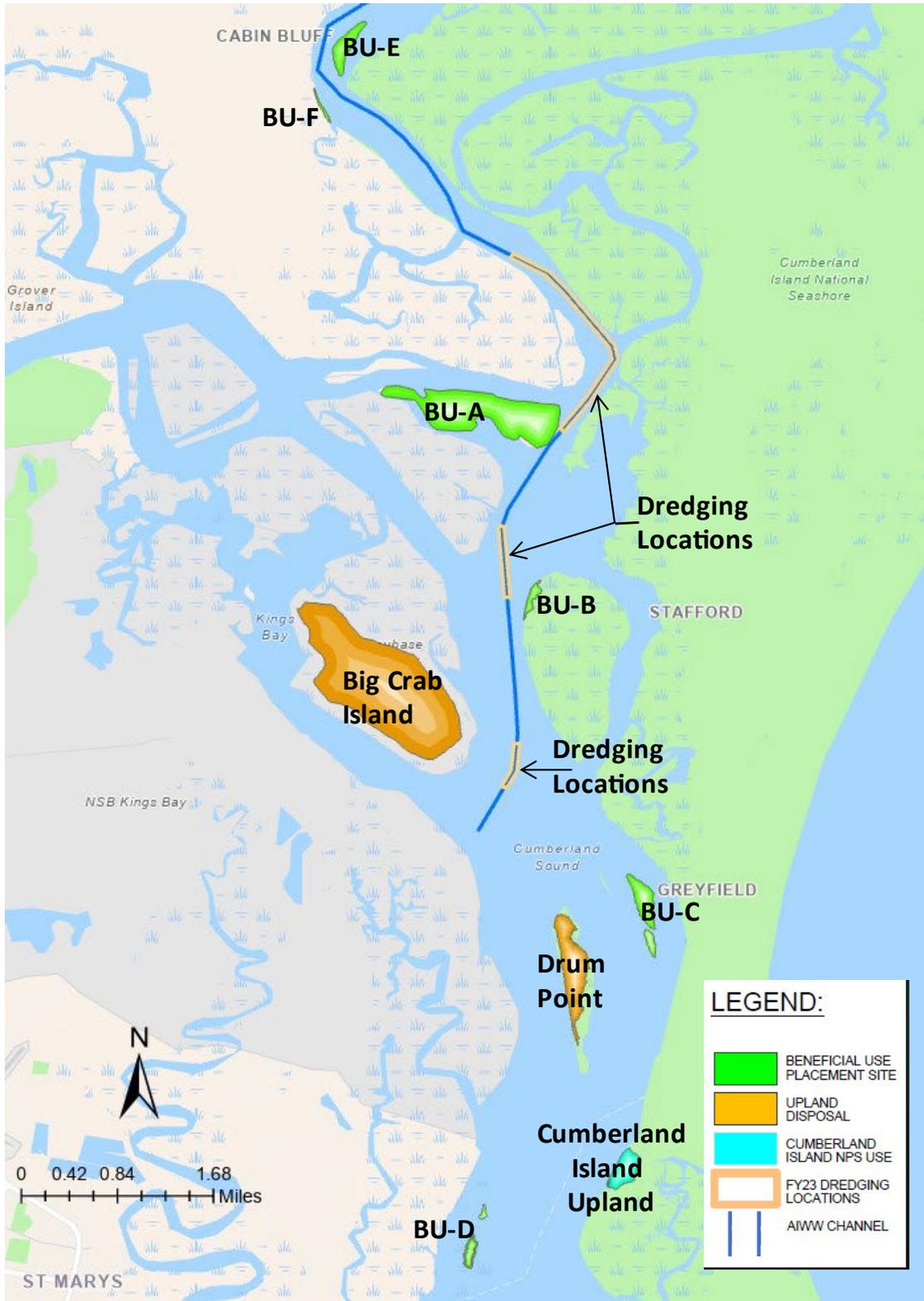


Figure 1. Cumberland Dividings O&M high shoal locations and placement site alternatives.

2. Description of the Specific Area that May be Affected by the Action

The proposed action involves dredging and placement activities located in the Cumberland Dividings within the Atlantic Intracoastal Waterway, in Camden County, Georgia. Cumberland Dividings is the network of channels between Cumberland Island and the eastern coast of Georgia. The project area occurs in the Cumberland River portion of the Dividings between AIWW river miles 704.3 to 709.6. This section of the Cumberland River is unconsolidated bottom with salt marsh on either side and many tidal creeks and inlets converging into the mainstem.

3. Description of any listed species or critical habitat that may be affected by the Action

The USACE Corps has assessed the listed species and critical habitat that may be present in the action area and made a determination of the effects to listed species and critical habitat in the action area. Effects are summarized in Table 2.

Table 2. Effects Summary

Category	Common Name	Scientific Name	Federal Status	Critical Habitat Designated (Yes/No)	Effect Determination
Birds	Eastern Black Rail	<i>Laterallus jamaicensis ssp. jamaicensis</i>	Threatened	No	MANLAA
Birds	Piping Plover	<i>Charadrius melodus</i>	Threatened	Yes Dredging and Placement Areas are outside designated critical habitat	No Effect, preferred habitat is not located within proposed dredging and placement sites.
Birds	Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened	Yes Proposed Listing: 86 FR 37410 July 15, 2021 Dredging and Placement Areas are outside designated critical habitat	No Effect, preferred habitat is not located within proposed dredging and placement sites.
Birds	Wood Stork	<i>Mycteria americana</i>	Threatened	No	MANLAA
Mammals (Marine)	West Indian Manatee	<i>Trichechus manatus</i>	Threatened	No	MANLAA

Reptiles	Eastern Indigo Snake	<i>Drymarchon couperi</i>	Threatened	No	No Effect, preferred habitat is not located within proposed dredging and placement sites.
Reptiles	Gopher Tortoise	<i>Gopherus polyphemus</i>	Candidate	No	No Effect, preferred habitat is not located within proposed dredging and placement sites.
Reptiles	Green Sea Turtle*	<i>Chelonia mydas</i>	Threatened	No	No Effect, no known nesting areas located within project area
Reptiles	Hawksbill Sea Turtle*	<i>Eretmochylis imbricata</i>	Endangered	No	No Effect, no known nesting areas located within project area
Reptiles	Kemp's Ridley Sea Turtle*	<i>Lepidochelys kempii</i>	Endangered	No	No Effect, no known nesting areas located within project area
Reptiles	Leatherback Sea Turtle*	<i>Dermochelys coriacea</i>	Endangered	No	No Effect, no known nesting areas located within project area
Reptiles	Loggerhead Sea Turtle*	<i>Caretta caretta</i>	Threatened	Yes Dredging and Placement Areas are outside designated critical habitat	No Effect, no known nesting areas located within project area
Insects	Monarch Butterfly	<i>Danaus plexippus</i>	Candidate	No	No Effect, preferred habitat is not located within proposed dredging and placement sites.

Please note: abbreviations used in Table 1: MANLAA = may affect, not likely to adversely affect

* asterisks - NOAA has jurisdiction for species when in the water and the USFWS had jurisdiction on land.

4. Discussion of Potential Impacts

4.1 Listed Species with No Effect Determination

The proposed dredging of AIWW river miles 704.5-706.5, 707.25-708, and 709.25-709.5 and placement activities associated with BU-E are outside known nesting sea turtle habitat (Figure 2), as all activity will occur on the western side of the island and nesting only occurs on the eastern, ocean facing side. Therefore, no impacts to nesting sea turtles are expected from either the dredging or placement activities associated with the proposed action.

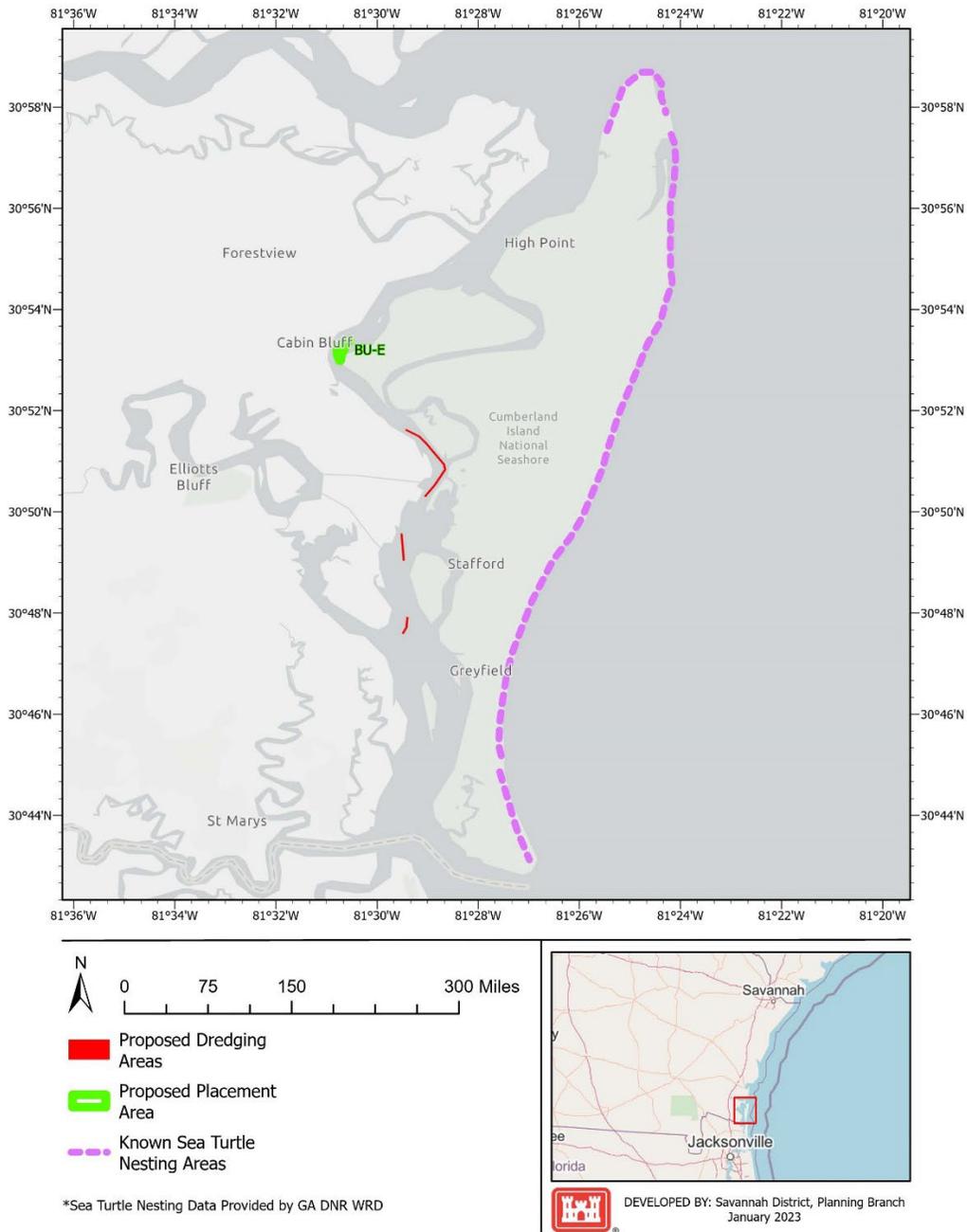


Figure 2: Known Sea turtle nesting areas on Cumberland Island, GA.

No effects to Piping plover and rufa red knot because they do not nest in the areas the proposed dredging and placement activities. Additionally, the proposed dredging and placement locations do not possess their preferred feeding or resting habitats. As part of the proposed dredging activities, cutterhead dredging will occur at the edge of the

navigation channel, which is a sufficient distance from bird usage areas such that no disturbance should occur from this part of the action.

4.2 Eastern Black Rail

The Corps has made a finding of may affect, not likely to adversely affect Eastern black rail from the proposed dredging and placement activities. The Eastern Black Rail typically occupies higher areas of emergent wetland with or near very shallow water, and “overhead cover” that permits little to no view of bare ground. Although sections of the project area do possess their preferred feeding or resting habitats and the area is considered part of their historical range, no Eastern Black Rails were identified on the Georgia coast during surveys conducted by the US Fish and Wildlife Service (USFWS) in 2017 and 2018.. Additionally, as there are large quantities of higher quality habitat in proximity to the project area, should there be any birds present in the area, any impacts may be considered insignificant.

4.3 West Indian Manatee

The West Indian manatee inhabit rivers and coastal waters where they feed on sea grass, algae, marsh grass, and other aquatic plants. In Georgia, this species can be found in March to October in any tidally influenced waters (coastal, tidal creeks, estuaries, and lower portions of rivers). During the winter months manatees move to warm water refuges including warm springs, warm water discharges from power plants, and subtropical waters of south Florida. In the Savannah River, manatees have been observed as far north as the Savannah National Wildlife Refuge.

The proposed dredging of AIWW river miles 704.5-706.5, 707.25-708, and 709.25-709.5 and placement activities associated with BU-E may affect manatees because the species does occur in the general vicinity of the action area but are not likely to adversely affect manatees because any construction contract issued would include the following Savannah District In-Water Construction Manatee Conditions as agreed upon between the USACE Savannah District and the USFWS:

- Personnel associated with dredging activities shall be advised of the civil and criminal penalties for harming, harassing, or killing manatees, or other species protected under the Endangered Species Act of 1973 and the Marine Mammal Protection Act of 1972. The Contractor may be held responsible for manatees, whales, sea turtle, or sturgeon harmed, harassed, or killed as a result of project activities.
- A minimum of 2 temporary manatee awareness construction signs that are 3 feet by 4 feet will be provided and maintained at prominent locations within the construction area prior to initiation of construction/dredging and removed upon completion of the project. Signs shall be posted prior to and during construction and dredging activities to remind personnel to be observant for manatees during active construction/dredging operations and within vessel movement zones (i.e., the work area), and at least one sign shall be placed where it is visible to the

vessel operator. One additional temporary sign will be installed in a location prominently visible to water-related construction crews.

- To prevent a crushing hazard to manatees or other protected species, pipelines used to transport dredged material shall be secured to the river bottom or to a fixed object along their length to prevent movement with tides or wave action.
- Vessels associated with dredging projects shall operate at “no wake/idle” speed while in the immediate project area and while in water where the draft of the vessel provides less than four feet of clearance from the bottom. Vessels shall follow routes of deep water when possible.
- If a manatee is sighted within 100 yards of the active work zone, special operating conditions shall be implemented, including: In-water operations, including vessels and moving equipment, shall be shut down if one or more manatees comes within 50 feet of the operation; vessels shall operate at no wake/idle speeds within 100 yards of the work area. In-water operations shall not resume until the manatees have moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatees have not reappeared within 50 feet of the operation. Animals shall not be herded away or harassed into leaving. Once the manatee has left the 100-yard buffer zone around the work area of its own accord, special operating conditions are no longer necessary, but careful monitoring shall resume.
- Collisions with manatees or other Federally listed species shall be immediately reported to the Corps of Engineers, Corps (912-652-6086 or 912- 652-5020) and the USFWS Coastal Suboffice (912-832-8739). The above offices shall be notified upon locating a dead, injured, or sick endangered or threatened species specimen. Care shall be taken in handling dead specimens to preserve biological materials for later analysis of cause of death. Dead manatees found in the project area shall be secured to a stable object to prevent the carcass from being moved by the current. The finder shall ensure that evidence intrinsic to the specimen is not unnecessarily disturbed. In the event of injury or mortality of any protected species, aquatic activity in the project area shall cease, pending Section 7 consultation under the Endangered Species Act between the USFWS and the Corps.
- A log shall be kept detailing sightings, collisions, and injury to manatees, sea turtles, sturgeons, and whales which have occurred during the Contract period. Within 15 days following project completion, a report shall be submitted to the Contracting Officer or Contracting Officer Representative summarizing sightings and incidents. Reports shall be signed by the Contractor or its representative and shall include the name of the person making each sighting.

By requiring the contractor to follow the standard in-water work conditions as outlined above, it is anticipated that the proposed dredging and in-water placement of sediment associated with placement location BU-E “**may affect but not likely to adversely affect**” this species.

4.4 Wood Stork

Wood storks are known to frequent the more protected estuarine areas of the region for both feeding and nesting. Wood stork rookeries and nesting areas are located on hammocks and along the edges of the marsh behind the barrier islands. These birds have a unique feeding technique and require higher prey concentrations than other wading birds. Optimal water regimes for the wood stork involve periods of flooding, during which prey (fish) populations increase, alternating with drier periods during which receding water levels concentrate fish at high densities. Within coastal Georgia, GADNR has identified approximately 23 coastal colonies that have been active at least one year within the last ten years. This is consistent with how USFWS defines active colonies.

It is anticipated that the proposed dredging and in-water placement of sediment associated with placement location BU-E would not impact nesting wood storks as there are no known active wood stork rookeries present within 2,500 feet of the project area. However, during construction activities associated with dredging and placement of dredged material for BU-E, there is a potential for short-term interruptions of wood stork foraging within the core foraging habitat for the coastal wood stork colonies (13-mile radius around active wood stork colonies), and therefore **“may affect, but not likely to adversely affect”** wood storks. As there is there are large quantities of higher quality foraging habitat in proximity to the project area, any impacts would be insignificant, short-term and minor, and would only occur during construction activities. During that timeframe there will be other suitable foraging/roosting habitat available for wood storks in adjacent areas. Once construction activities are completed, it is anticipated that wood storks would resume their normal foraging/roosting activities with no long-term impacts. The proposed beneficial use of dredged material to restore lost foraging/roosting habitat for bird species as well as beneficial use of dredged material to restore eroded shoreline habitat is expected to provide long term benefits for woods storks within the action area by adding to and enhancing existing suitable foraging and roosting habitat.

5. Conclusion

The Corps has reviewed the proposed project and made a determination of the effects to ESA-listed species and designated critical habitat. Based on the analysis above, and by following the proposed minimization/advisory conditions/measures as outlined in Section 4, the Corps has determined that proposed dredging and beneficial use of dredged material activities as outlined in this assessment is not likely to adversely affect any listed species under USFWS jurisdiction. Therefore, informal consultation sufficiently addresses Section 7 ESA requirements for the proposed action. We have used the best scientific and commercial data available to complete this analysis. We request your concurrence with this determination.