

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

**Appendix D**

**Draft Federal Consistency Determination for the  
Georgia Coastal Zone Management Program**

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



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**D.1**

**Correspondence**

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





COASTAL RESOURCES DIVISION  
ONE CONSERVATION WAY • BRUNSWICK, GA 31520 • 912.264.7218  
COASTALGADNR.ORG

MARK WILLIAMS  
COMMISSIONER

DOUG HAYMANS  
DIRECTOR

February 16, 2023

Mr. Alex Gregory  
USACE Savannah District Planning  
[Alexander.B.Gregory@usace.army.mil](mailto:Alexander.B.Gregory@usace.army.mil)

RE: Federal Consistency Determination **Concurrence:** AIWW Cumberland Dividings Maintenance Dredging and BUDM DEA & FONSI - Restoration of Bird Habitat at BU-E, Camden County, Georgia

Dear Mr. Gregory:

Staff of the Georgia Coastal Management Program (the Program) has reviewed your January 10, 2023 request, Atlantic Intracoastal Waterway Federal Navigation Channel, Cumberland Dividings Maintenance Dredging, Camden County, Georgia Draft Environmental Assessment (DEA), and Findings of No Significant Impacts (FONSI); and Appendix D: Federal Consistency Determination for Georgia Coastal Zone Management Program, that was received on January 11, 2023. Approximately 316,000 cy of material will be dredged via pipeline from three sections of the Atlantic Intracoastal Waterway (AIWW) between river miles 704.5 and 709.5 and used to restore an eroded island habitat (BU-E) to help offset bird island habitat lost in coastal Georgia.

The proposed project is consistent with the applicable enforceable policies of the Georgia Coastal Management Program and the Program **concurs** with your consistency determination. Note that concurrence with your consistency determination for this project does not imply concurrence with your characterization of the relevant enforceable policies as described in your determination document. Per 15 CFR 930.36(b), you do **NOT** have to wait until April 10<sup>th</sup> (90 days from notification) to proceed with this activity. Please feel free to contact Kelie Moore or me if we can be of additional assistance.

Sincerely,

Doug Haymans  
Director

Ref: FDC20230033

MARK WILLIAMS  
COMMISSIONER

DOUG HAYMANS  
DIRECTOR

December 13, 2022

Ms. Kimberly Garvey, Chief  
USACE Savannah District Planning  
[Kimberly.L.Garvey@usace.army.mil](mailto:Kimberly.L.Garvey@usace.army.mil)

RE: Federal Consistency Determination Submission Incomplete: USACE AIWW Cumberland Dividings Maintenance Dredging, Camden County, Georgia

Dear Ms. Garvey:

Staff of the Georgia Coastal Management Program (GCMP, The Program) has reviewed the December 6, 2022 Atlantic Intracoastal Waterway (AIWW) Federal Navigation Channel Maintenance Dredging Federal Consistency Determination and cover letter. The draft environmental assessment (DEA) and draft findings of no significant impact (DFONSI) will be made available for 30-day public comment in January 2023 but has not yet been provided to the Program. While the Program cannot require inclusion of NEPA documents in federal consistency determinations (15 CFR 930.37), a detailed description of the activity, their coastal effects, and comprehensive data and information sufficient to support the consistency statement must be submitted [930.39(a)] before GCMP can begin review.

We are notifying you pursuant to 15 CFR 930.41(a) that your December 6, 2022 determination and supporting information contained insufficient details to determine the reasonably foreseeable effects to coastal resources and uses and that our 60-day review period will not begin until we receive additional information. Both DNR Wildlife Resources Division and DNR Coastal Resources Division have been in discussions for some months with the Corps to identify viable beneficial use placement sites and designs that will minimize negative impacts to coastal resources (e.g. live oyster beds and vegetated saltmarsh), while maximizing positive impacts to other coastal resources (e.g. shorebirds). As recently as our discussion on December 9, 2022, placement site options had not been fully discussed and preliminary designs did not minimize impacts. Hydrologic data has been collected but not yet shared with our agency.

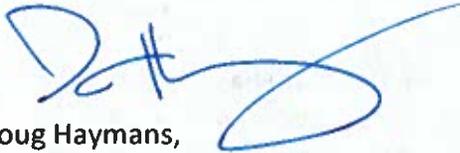
Premature submission of incomplete documentation cannot be used to force a State to accept a shorter effective review period. Our 60-day review period will begin when additional data and information, including anticipated effects on Georgia's coastal uses and resources, has been submitted. Pursuant to 15 CFR 930.41(c), you may not take action sooner than 90 days from our receipt of the necessary data and information required under 15 CFR 930.39(a) unless both of

our agencies agree to an alternative period. At this point, it is even unclear what the “no action alternative” is and what impacts are anticipated from the currently-authorized project.

We are aware beneficial placement of dredge material from the maintenance of Cumberland Dividings may not occur during the next round of maintenance dredging if engineering and environmental clearances are not obtained in a timely manner. We look forward to having additional discussions as more information and documentation becomes available and will strive to shorten our review in support of beneficial use.

Please feel free to contact Kelie Moore, Federal Consistency Coordinator, or me if we can be of further assistance.

Sincerely,



Doug Haymans,  
Director

DH/km

cc: Mr. Alex Gregory, [Alexander.B.Gregory@usace.army.mil](mailto:Alexander.B.Gregory@usace.army.mil)  
Ms. Suzy Hill, [Suzanne.Hill@usace.army.mil](mailto:Suzanne.Hill@usace.army.mil)  
Mr. Tim Keyes, [Tim.Keyes@dnr.ga.gov](mailto:Tim.Keyes@dnr.ga.gov)  
Ms. Kelie Moore, [Kelie.Moore@dnr.ga.gov](mailto:Kelie.Moore@dnr.ga.gov)

**From:** [Moore, Kelie](#)  
**To:** [Garvey, Kimberly L CIV USARMY CESAS \(USA\)](#)  
**Cc:** [Lopes, J M CIV USARMY CESAS \(USA\)](#); [Gregory, Alexander B CIV USARMY CESAS \(USA\)](#); [Hill, Suzanne CIV USARMY CESAS \(USA\)](#); [Keyes, Tim](#); [Haymans, Doug](#); [Andrews, Jill](#)  
**Subject:** [Non-DoD Source] RE: Cumberland Dividings Maintenance Dredging Coastal Zone Management Consistency Determination  
**Date:** Wednesday, December 14, 2022 10:08:52 AM  
**Attachments:** [USACE Cumberland Dividings FCD Insufficient Information 121322.pdf](#)

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The information submitted December 6<sup>th</sup> was inadequate for us to begin our 60-day CZM review. We look forward to receiving additional data and details to begin our official review and will continue coordination to move the project forward in the meantime. Please refer to attached letter.

**Kelie Moore**  
Federal Consistency Coordinator  
**Coastal Resources Division**  
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**From:** Hill, Suzanne CIV USARMY CESAS (USA) <Suzanne.Hill@usace.army.mil>  
**Sent:** Tuesday, December 6, 2022 5:21 PM  
**To:** Moore, Kelie <Kelie.Moore@dnr.ga.gov>  
**Cc:** Lopes, J M CIV USARMY CESAS (USA) <Jared.M.Lopes@usace.army.mil>; Garvey, Kimberly L CIV USARMY CESAS (USA) <Kimberly.L.Garvey@usace.army.mil>; Gregory, Alexander B CIV USARMY CESAS (USA) <Alexander.B.Gregory@usace.army.mil>  
**Subject:** Cumberland Dividings Maintenance Dredging Coastal Zone Management Consistency Determination

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kelie-

Please find attached for review and concurrence the Cumberland Dividings Maintenance Dredging Consistency Determination. Please let me know if you would like me to transmit via email directly to Doug Haymans.

We really appreciate all of your help on this project! We will keep you updated and provide notification for the Draft EA public comment period.

Please let us know if you have any questions. Looking forward to continued partnership on this project and many more BU opportunities to come,

Suzy

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

## Gregory, Alexander B CIV USARMY CESAS (USA)

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**From:** Moore, Kelie <Kelie.Moore@dnr.ga.gov>  
**Sent:** Wednesday, November 30, 2022 2:38 PM  
**To:** Hill, Suzanne CIV USARMY CESAS (USA)  
**Cc:** Gregory, Alexander B CIV USARMY CESAS (USA); Lopes, J M CIV USARMY CESAS (USA)  
**Subject:** [Non-DoD Source] RE: Draft CZMA for AIWW Cumberland Reach  
**Attachments:** Cumberland Dividings Draft CZM GA\_11.28.22\_ KM.docx

I had a few minor comments/suggestions. Thank you for the opportunity to review before publishing.

Kelie Moore  
Federal Consistency Coordinator  
**Coastal Resources Division**  
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**From:** Hill, Suzanne CIV USARMY CESAS (USA) <Suzanne.Hill@usace.army.mil>  
**Sent:** Monday, November 28, 2022 4:28 PM  
**To:** Moore, Kelie <Kelie.Moore@dnr.ga.gov>  
**Cc:** Gregory, Alexander B CIV USARMY CESAS (USA) <Alexander.B.Gregory@usace.army.mil>; Lopes, J M CIV USARMY CESAS (USA) <Jared.M.Lopes@usace.army.mil>  
**Subject:** Draft CZMA for AIWW Cumberland Reach

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kelie-

Attaching for your review the draft CZMA consistency determination for O&M dredging for Cumberland Dividings. Currently, we are planning on providing the draft EA for public comment on January 9<sup>th</sup> for 30-day public comment period ending on Feb. 8<sup>th</sup>.

We are happy to address and revise any comments on the draft. If possible to get the clock started, we would like to provide our final consistency determination prior to the start of draft EA public comment period and request formal comments by the end of the comment period. We are hoping to have all compliance for AIWW completed by end of February, which would allow for inclusion in the dredging contract for FY23.

Please let us know of any comments and how you would like us to proceed regarding finalizing consultation for CZMA.

Thank you,

Suzy

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

**D.2**

**CZMA Determination**

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



**Federal Consistency Determination  
for the  
Georgia Coastal Zone Management Program**

**1.0 INTRODUCTION**

The Federal Coastal Zone Management Act (CZMA), 16 U.S.C. 1451 et seq., as amended, requires each federal agency activity performed within or outside the coastal zone (including development projects) that affects land or water use, or natural resources of the coastal zone to be carried out in a manner that is consistent with the enforceable policies of approved state management programs. A direct federal activity is defined as any function, including the planning and/or construction of facilities, which is performed by or on behalf of a federal agency in the exercise of its statutory responsibilities. A federal development project is a federal activity involving the planning, construction, modification or removal of public works, facilities or other structures, and the acquisition, use or disposal of land or water resources.

To implement the CZMA and to establish procedures for compliance with its federal consistency provisions, the U.S. Department of Commerce (Department), National Oceanic and Atmospheric Administration (NOAA), has promulgated regulations which are contained in 15 C.F.R. Part 930. This Consistency Determination is being submitted in compliance with Part 930.30 through 930.44 of those regulations.

The U.S. Army Corps of Engineers, Savannah District (Corps) has prepared this evaluation to determine if the proposed operation and maintenance (O&M) dredging and associated placement of dredged material for shoaled areas in river miles 704.5-709.5 of the Atlantic Intercoastal Waterway Federal Navigation Channel (AIWW) in the Cumberland Dividings is consistent with the Georgia Coastal Management Program (GCMP).

For purposes of the CZMA, the enforceable policies of the Georgia Coastal Management Plan constitute the approved state program. In accordance with the CZMA, the Corps has determined that the proposed action would be carried out in a manner which is fully consistent with the enforceable policies of the Georgia Coastal Management Program.

**2.0 BACKGROUND**

The purpose and need for the O&M of the AIWW is to continue to provide a safe, reliable, efficient, and environmentally acceptable navigation channel in order to achieve the economic benefits upon which federal participation was based and in accordance with Congressional authorizations. The Corps has identified highly shoaled reaches of the Cumberland Dividings that are impeding navigation for commercial and recreational vessels, there is a need to perform maintenance dredging of these shoals in order to provide efficient and reliable navigation of the AIWW.

The Corps conducts as-needed maintenance dredging in AIWW to maintain commercial operations and recreational opportunities. The maintenance dredged material from Cumberland Dividings and surrounding areas has historically been placed in the Big Crab Island DMMA, owned by King's Bay Naval Submarine Base. The last maintenance dredging in Cumberland Dividings was conducted in 2001.

The initial placement sites evaluated include placing sediment in a Dredged Material Management Area (DMMA), such as Big Crab Island, or keeping the sediment in the coastal system through beneficial use (BU) methods. Many habitats within the Cumberland Dividings have been impaired due to erosion from coastal storms, sea level rise, and the tidal ebb and the flow over time. Criteria used to evaluate sites included technical feasibility, and environmental acceptability. The Corps, through coordination with other agencies and stakeholders, have identified dredged material placement sites that includes incorporating beneficial use opportunities in the Cumberland Dividings area into the fiscal year 2023 maintenance dredging contract.

Section 125 of the Water Resources Development Act (WRDA) of 2020 requires the Assistant Secretary of the Army, Civil Works (ASA(CW)) to maximize the Beneficial Use of Dredged Material (BUDM) obtained from construction or O&M of the Corps' water resource development projects. BUDM is an important component of Corps' dredged material management strategy, which aims to environmentally and economically utilize sediment to benefit local communities, provide coastal storm risk management benefits, and reduce the input of dredged material into dredged material management areas (DMMA's), which brings value to the nation. Use of dredged material to enhance and/or restore vulnerable/degraded habitats within the Cumberland Dividings to preserve cultural, ecological, and recreational resources in the project area also supports USACE's effort to have 70% of dredged material be applied to BU and limit use of DMMA's.

After careful screening of placement sites for dredged material, the Corps has identified a preferred site. This site is described in more detail in Section 4.0. The Corps has prepared an Environmental Assessment (EA) that evaluates the environmental impacts of the O&M dredging and the preferred placement site. Additionally, a No Action Alternative (NAA) is evaluated, which would involve no dredging or placement action within the Cumberland Dividings.

### **3.0 GCMP JURISDICTION**

The proposed actions have placement locations that are located within the Coastal Zone of Camden County, Georgia: thin layer placement, habitat restoration, and infrastructure support.

### **4.0 PROJECT DESCRIPTION**

The proposed action is the maintenance dredging of AIWW river miles 704.5-709.5, located in Cumberland Dividings 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 for AIWW and the Corps 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 are no time of year constraints for in-water work related to cutterhead dredging.

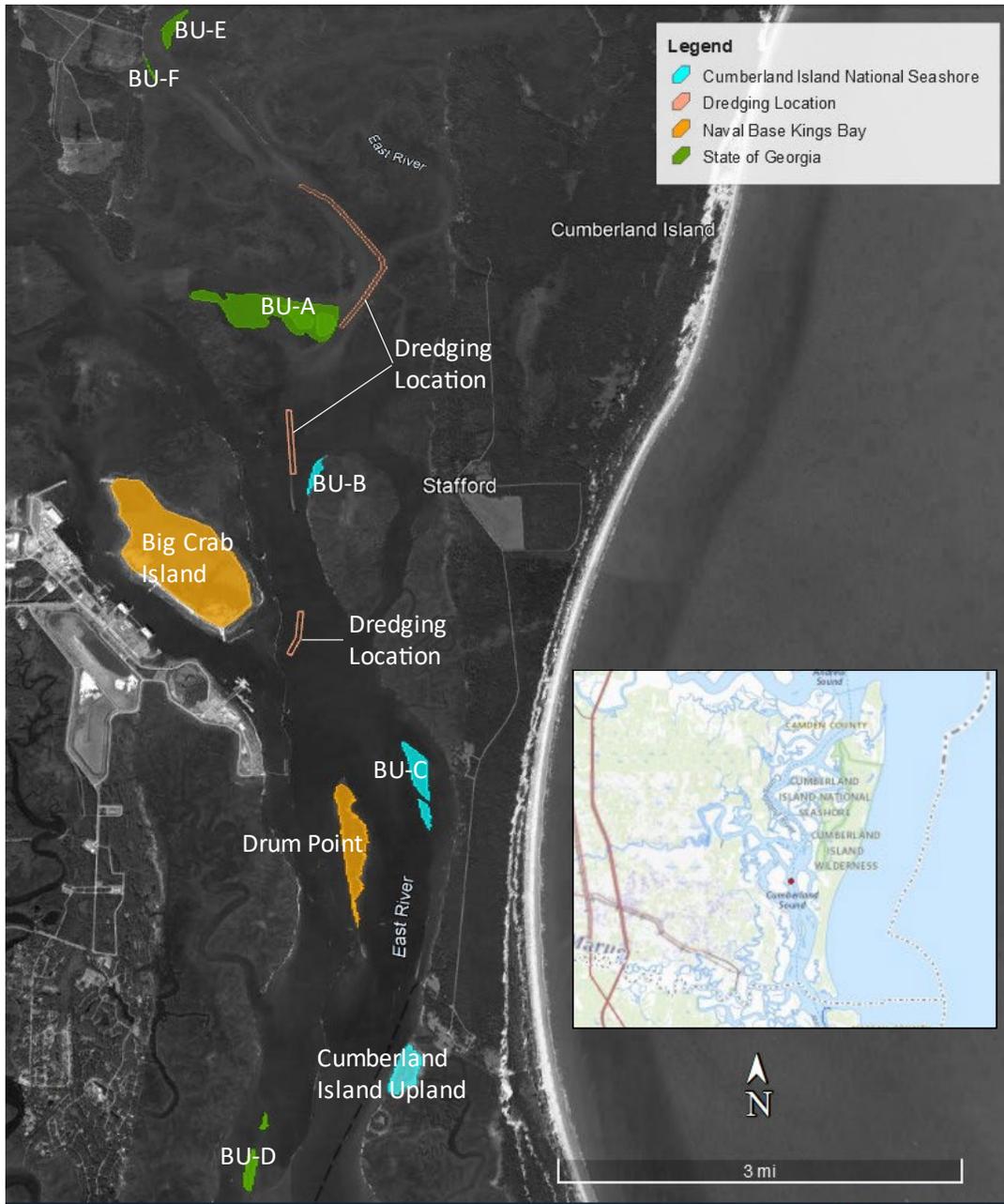


Figure 1: Dredging locations and placement options

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 BU placement (BU-A through BU-F) and three upland sites Crab Island, Drum Point, and unconfined placement on Cumberland Island to provide road maintenance material. Based on best available data, the Corps has eliminated placement sites BU-A through BU-D, as well as the upland placement sites as they are not feasible or other constraints prohibit placement at these sites. The full array of placement sites is shown in Figure 1.

Placement of dredged material at the proposed BU site (BU-E) will temporarily elevate the topography of the area and provide additional substrate or the existing estuarian habitat (Figures 2). 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 area due to the additional material providing more elevation and stabilization for the island habitat. The Corps proposes to conduct bathymetric monitoring on the restored island to assess changes in elevation immediately following, six months, and one year post construction.

#### **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 for shorebirds. 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 to 7.7 – 9.9 ft MLLW 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 nesting and foraging habitat for shorebirds (American Oystercatcher, Wilson's Plover) and Seabirds (Least Tern, Gull-billed Tern, Black Skimmer).



Figure 2: Placement site BU-E

## 5.0 EFFECTS OF PROPOSED PROJECT

Relevant Enforceable Policies:

The River and Harbor Development Act (O.C.G.A. 52-9-1 et seq)

The River and Harbor Development Act states that:

"there shall be no net loss of sand from the state's coastal barrier beaches resulting

from dredging activities to deepen or maintain navigation channels within tidal inlets, as well as the entrances to harbors and rivers."

The proposed action is not expected to result in a net loss of sand from the states coastal barrier beaches. The proposed action within the Cumberland Dividings will result in sediment placed within the system. Therefore, restoration efforts within the study area will not result in a loss of sand to these barrier beaches as a result of the maintenance dredging and placement activities. Any dredging that will occur will be done by cutterhead pipeline, and material that will be removed and used beneficially within the same estuarine system.

#### Coastal Marshlands Protection Act– O.C.G.A. 12-5-280 & 12-5-295(3)

Coastal Marshlands Protection Act does not apply to the Corps due to our "responsibility of keeping the rivers and harbors of this state open for navigation.... including areas for utilization for spoilage designated by such agencies" [O.C.G.A. 12-5-295(3)]. However, the proposed action is in keeping with the guiding principles to safeguard the loss of values and functions [of coastal marshlands and tidal water bottoms]..

The addition of the dredged material onto the unvegetated mudflats and nearshore area in the Cabin Bluff area will benefit in the long term. By adding the additional material and through passive and natural sediment migration, tidal marsh elevation will be raised and coastal marsh resiliency will be increased. This will also provide support for tidal marsh vegetation growth, making the marsh more stable and more resilient to sea level rise.

#### Georgia Endangered Wildlife Act (GEWA) – O.C.G.A. 27-3-130

The implementing rule for the GEWA, Rule 391-4-10 protection of endangered, threatened, rare, or unusual species is applicable to this project, and the Corps is fully consistent. Specifically, there are four Prohibited Acts detailed in Rule 391-4-10.06. These acts are:

1. Any activities which are intended to harass, capture, kill, or otherwise directly cause death of any protected animal species are prohibited, except as specifically authorized by law or by regulation as adopted by the Board of Natural Resources.
2. The sale or purchase of any protected animal species or parts thereof is prohibited and the possession of any such species or parts thereof is prohibited unless the possession is authorized by a scientific collecting, wildlife exhibition, or other permit or license issued by the Department.
3. The destruction of the habitat of any protected animal species on public lands is prohibited.

4. The authorization to take certain nongame animal species set forth in O.C.G.A. Section 27-1-28 shall not apply to any protected species whether on public or private land.

Prohibited Act 1, the proposed action is not “intended” to harass, capture, kill, or otherwise directly cause death of any protected animal species. The Endangered Species Act (ESA) is incorporated by reference in this GA Rule. Therefore, the Corps’ proposed action is in compliance as the Corps will conduct the action in accordance with completed ESA Section 7 consultation and any applicable conditions.

Prohibited Act 2 does not apply to this project.

Prohibited Act 3 does not apply as there is no “destruction” of habitat proposed.

Prohibited Act 4 references TITLE 27 - GAME AND FISH, CHAPTER 1 – GENERAL PROVISIONS, § 27-1-28 - Taking of nongame species indicates that “(a) Except as otherwise provided by law, rule, or regulation, it shall be unlawful to hunt, trap, fish, take, possess, or transport any nongame species of wildlife, except that the following species may be taken by any method except those specifically prohibited by law or regulation.”

The Corps activities are specifically authorized by the ESA. The ESA is incorporated by reference in this GA Rule; therefore, the Corps proposed activity is fully consistent with this rule.

#### Georgia Environmental Policy Act – O.C.G.A. 12-16-1

“The Georgia Environmental Policy Act (GEPA) requires that all State agencies and activities prepare an Environmental Impact Report as part of the decision-making process.”

An environmental assessment (EA) for the proposed project is currently being prepared in accordance with the National Environmental Policy Act of 1969, as amended. The EA evaluates impacts to xxx and draft EA is being provided for a 30-day public comment period.

#### Georgia Erosion and Sedimentation Act – O.C.G.A. 12-7-1

“One provision of the Erosion and Sedimentation Act requires that land-disturbing activities shall not be conducted within 25 feet of the banks of any State waters unless a variance is granted (O.C.G.A 12-7-6-(15)).”

The proposed action involves dredging and placement of material below MHHW. No upland work is included in this action and there will be no impact to wrested vegetation.

Therefore, a stream buffer variance for the proposed action will not be required prior to the construction of the proposed action.

#### Georgia Water Quality Control Act – O.C.G.A. 12-5-20

“This Act makes it unlawful for any person to dispose of sewage, industrial wastes, or other wastes, or to withdraw, divert, or impound any surface waters of the State without a permit.”

A Spill Pollution Prevention Plan would be developed and implemented prior to the start of any construction activities. Therefore, the proposed action is consistent with the Georgia Water Quality Control Act.

#### Georgia Administrative Procedures Act – O.C.G.A. 50-16-61

This Act establishes permit requirements for use of state-owned tidal water bottoms. GA DNR CRD is responsible for issuing revocable licenses.

The proposed action will not include the construction or addition of any permanent stabilization measures, such as rock. Therefore, revocable licenses will not be needed for the proposed action and the action is consistent with the Georgia Administrative Procedures Act.

### **Conclusion**

The proposed project will have localized, minor adverse impacts on coastal resources within the existing previously disturbed project area. The proposed project will have beneficial impacts to coastal uses by increasing tidal marsh area, protecting recreational resources, and restoring wildlife habitat within the Cumberland Dividings area. In accordance with Section 307(c)(1) of the Federal Coastal Zone Management Act of 1972, as amended, the Corps has determined that the proposed action is fully consistent with the enforceable policies of Georgia’s approved coastal management program.

### **Conformity**

This application is submitted to ensure conformity with NOAA’s Federal Consistency provisions (15 CFR 930), under which federal agencies must determine if their proposed project directly affects Georgia’s coastal zone. Georgia’s coastal zone includes Camden County.

## **6.0 ACTIONS TO REDUCE IMPACTS**

### **6.1 SEDIMENT QUALITY**

The areas where work will occur are located away from industrial or commercial facilities that would generate high risk of contaminants; however, a hazardous, toxic, and radioactive wastes (HTRW) Tier 1 desktop evaluation was completed for this project. The purpose of the evaluation was to provide a review of historical information for the project area and assess sediment samples collected within the dredge activity areas (Table 1) to determine if there are potential contamination issues and then determine if there is a need for any sediment testing in the area.

**Table 1. Grain Size Distribution.**

<b>Sample Number</b>	<b>Gravel (%)</b>	<b>Sand (%)</b>	<b>Silt (%)</b>	<b>Clay (%)</b>	<b>Organic Content LOI (%)</b>
<b>32</b>	<b>0.00</b>	<b>99.80</b>	<b>0.20</b>	<b>0.00</b>	<b>0.27</b>
<b>33</b>	<b>0.00</b>	<b>78.30</b>	<b>17.10</b>	<b>4.60</b>	<b>1.48</b>
<b>34</b>	<b>0.00</b>	<b>99.80</b>	<b>0.20</b>	<b>0.00</b>	<b>0.29</b>

Samples 32, 33, and 34 were also analyzed for organic content. All three had organic content of less than 2%. No pesticides, PAHs, and PCBs were detected above the screening levels in the three boring samples. Due to the high sand content the sediment is highly unlikely to contain contaminants and a Tier II analysis was not deemed necessary.

The conclusion from the HTRW Tier 1 desktop evaluation was that the proposed restoration efforts are not expected to significantly degrade or endanger human health, welfare, or amenities, the marine environment, ecological systems, or economic potentialities by beneficially re-using sediment.

Construction and equipment related contaminants would be controlled by implementation of best management practices. No contaminant related impacts from the proposed action are anticipated.

## **6.1 GROUNDWATER**

Placement activities associated with the proposed action is mainly focused on placement of dredged material within the AIWW and will not impact the groundwater aquifer.

## **7.0 CONCLUSIONS**

In accordance with the CZMA, it has been determined that the proposed action would be carried out in a manner that is fully consistent with the enforceable policies of the GCMP. This determination applies to the proposed action and the effects of the proposed action on the land or water uses or natural resources of the coastal zone.