

**Brunswick Harbor Modifications Study, Glynn County, GA  
Draft Integrated Feasibility Report and Environmental Assessment**

**Coastal Zone Management Federal Consistency Determination**

**DRAFT Appendix J**

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



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**Georgia Department of Natural Resources,  
Coastal Resources Division,  
Coastal Zone Management Federal Consistency  
Determination**

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

### **1.0 SUMMARY DETERMINATION**

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 which is consistent to the maximum extent practicable 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 US Department of Commerce, 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.

This evaluation was prepared to determine if the proposed Brunswick Harbor Modification Study (BHMS) is consistent with the Georgia Coastal Management Program (GCMP).

In accordance with the CZMA, the Corps has determined that the proposed BHMS would be carried out in a manner which is fully consistent with the enforceable policies of the Georgia Coastal Management Program to the maximum extent practicable.

### **2.0 BACKGROUND**

#### **2.1 Purpose**

The purpose of the BHMS is to investigate existing and future conditions and analyze modifications with the purpose of contributing to National Economic Development. The study focuses on vessels transiting to the Colonel's Island facility which is the second busiest "roll-on/roll-off" (RO/RO) port in the United States. RO/RO vessels transport automobiles and construction equipment to/from Colonel's Island.

On 8 September 2019, the Golden Ray capsized while transiting from Colonel's Island. Following this incident, the harbor pilots requested that the PDT investigate a vessel meeting area in St. Simon's Sound, which is an area of naturally deep water adjacent to the Federal channel. In response, the Project Delivery Team (PDT) added additional Alternatives including a meeting area at St. Simon's Sound alone and in combination with previously described \_\_\_\_\_

Alternatives. A Ship Simulation was completed for each Alternative at the ERDC Coastal Hydraulics Lab (CHL) in Vicksburg, MS from 2-6 Dec 2019. Two Brunswick Harbor pilots completed 44 simulated runs under a variety of environmental conditions (including extreme conditions), with data collected on transit time, run difficulty, and run safety. Results from Ship Simulation were used to optimize the design of the various Alternatives, resulting in an overall project cost saving. A preliminary cost estimate and economic analysis were completed for each Alternative. Average annualized equivalent (AAEQ) net benefits and benefit cost ratios (BCRs) were determined for each Alternative and will be used to determine the National Economic Development (NED) Plan.

Preliminary results indicated that of the 9 proposed Alternatives, Alternative 8 (Bend Widener, Turning Basin, and Meeting Area at St. Simon's Sound) has the greatest net benefit. Costs have not yet been certified by the Cost Engineering Center of Expertise (MCX). For purposes of the CZMA, the enforceable policies of the Georgia Coastal Management Plan constitute the approved state program.

## **2.2 GCMP Jurisdiction**

Brunswick Harbor is located in Glynn County, GA approximately 70 miles south of Savannah, GA. It is a deep-draft navigation harbor that serves three distinct commercial facilities. Glynn County is one of the six Georgia counties lying adjacent to the coast and is included in the Georgia Coastal Management Plan as one of the eleven counties that are within the coastal area. The GCMP lists dredging, channel improvements, and other navigational works conducted by the Corps as being direct Federal activities that are subject to Federal Consistency.

## **3.0 PROJECT DESCRIPTION**

Description of the Recommended Plan can be found on Section 5.1 of the BHMS draft report.

## **4.0 EFFECTS OF PROPOSED PROJECT (BHMS- ALTERNATIVE #8)**

Relevant Enforceable Policies:

Coastal Marshlands Protection Act– O.C.G.A. 12-5-280

“The Coastal Marshlands Protection Act provides the Coastal Resources Division with the authority to protect tidal wetlands... Erecting structures, dredging, or filling marsh areas requires a Marsh Permit administered through the Coastal Management Program.” The proposed project includes dredging 205,000 cubic yards of material at the bend widener, 346,000 cubic yards at the turning basin expansion, and 0 cubic yards at the meeting area at St. Simons Sound for a total of approximately 551,000 cubic yards of dredged material. All the dredged material would be placed in the Andrews Island DMCA. Approximately 2.5 acres of non-vegetated intertidal flats will be impacted at the turning basin and converted to unconsolidated bottom habitat. The values and functions of coastal waters and natural habitats would not be impaired. A Marsh permit would be obtained prior to starting construction of the proposed action.

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#### Endangered Wildlife Act – O.C.G.A. 27-3-130

“Endangered Wildlife Act provides for identification, inventory, and protection of animal species that are rare, unusual, or in danger of extinction.” A list of 33 species of concern was provided by the Georgia Department of Natural Resources for Glynn County. Some of the species included the Atlantic Sturgeon, Shortnose Sturgeon, Green sea turtle, American oystercatcher, bald eagle, Red knot, diamondback terrapin, Northern right whale, and West Indian manatee. The proposed action may affect but is not likely to adversely affect a few of these species. Consultation with the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration has been completed.

#### 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 EA for the proposed project has been prepared in accordance with the National Environmental Policy Act of 1969, as amended.

#### 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)).” Dredge activity for this project is anticipated to be exclusively within the south Brunswick river and St. Simons sound. No land disturbance activities beyond moving dredge material to the Brunswick DMCA are anticipated. A variance for this activity would not be required prior to the construction of the proposed action.

#### Mountain and River Corridor Protection Act – O.C.G.A. 12-2-1

Provisions of the Act include a requirement for a 100-foot vegetative buffer on both sides of rivers and consistency with the Georgia Erosion and Sedimentation Act. The proposed action may require dredge activity within the 100-foot buffer due to the nature of the action. An erosion and sediment control plan would be developed and implemented during construction. The proposed action is consistent with the Georgia Erosion and Sedimentation Act.

#### 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.

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## Required State, Federal, and Local Permits

Permits are anticipated to be required from the U.S. Army Corps of Engineers (Clean Water Act Section 494 Permit – Nationwide), DNR-Coastal Resources Division (Coastal Marshlands Protection Permit and Clean Water Act Section 401 Water Quality Certification).

## 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 maintaining pilot safety as well as reducing transportation cost inefficiencies resulting from navigation maneuverability limitations due primarily to the existing width of a channel bend near the Cedar Hammock Range and turning basin near Colonel's Island Terminal. In accordance with Section 307(c)(1) of the Federal Coastal Zone Management Act of 1972, as amended, the NPS and FHWA have determined that the proposed action is consistent to the maximum extent practicable with the enforceable policies of Georgia's approved coastal management program. This determination is based on the review of the proposed project's conformance with the enforceable policies of the State's coastal 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 Glynn County.

The Corps will follow the Reasonable and Prudent Measures and the Terms and Conditions per the NMFS 2020 SARBO for any activities under Alternative #8.

## **4.1 ACTIONS TO REDUCE IMPACTS**

The NMFS issued on March 27, 2020, the SARBO 2020 (the Opinion) includes Project Design Criteria (PDC) that were developed during consultation with the Corps and the Bureau of Ocean Energy and Management (BOEM). The PDCs include measures necessary to avoid or minimize impacts to ESA-listed species and designated critical habitat. The Opinion considered dredging and material placement activities under the jurisdiction of the Corps Civil Works and Regulatory Programs. As such, this project will abide by all appropriate PDCs identified in the Opinion as well as other applicable laws, including the MMPA, MSA, FWCA, and other federal, state, or local requirements.

## **5.0 Sediment Quality**

A detailed description of the sediment quality can be found on section 2.4 of the BHMS draft report.

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## **5.1 Beach Erosion**

For impacts specific to the areas to be dredged under Alternative 8, no impact to the St. Simons and Jekyll Island shorelines are anticipated. The closest project location to the mouth of St. Simons sound is at the St. Simons meeting area of which, with the selection Alternative 8, 0 cubic yards of dredged material will be taken. Since the vessel meeting area located at St. Simon's Sound near the entrance channel to Brunswick Harbor is naturally deep water (>38' MLLW), no dredging would be required. Creating a meeting area at St. Simon's Sound would re-locate the north toe of the existing channel approximately 800 feet to the north from stations -6+800 to 4+300. The existing navigational channel centerline would not change. In addition, the project is not anticipating an increase in the frequency of vessels, more so improving the maneuverability of vessels that will already call.

## **5.2 Groundwater**

The proposed activity under Alternative #8 focuses more so on widening rather than deepening. Normal O+M dredge operations occur on an annual basis in the south Brunswick River area and no impacts to the aquifer have been documented. No deeper dredge activity beyond the annual O+M dredge operations occurring in the South Brunswick River area is expected.

## **6.0 CONCLUSIONS**

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

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