

September 10, 2019

# PUBLIC NOTICE REQUEST FOR PERMISSION TO ALTER A U.S. ARMY CORPS OF ENGINEERS PROJECT PURSUANT TO 33 U.S.C. SECTION 408

## PUBLIC NOTICE/FILE NUMBER: 5th Street Bridge Levee

Interested parties are hereby notified that a request for permission to alter a U.S. Army Corps of Engineers (USACE) project pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408) has been received and will be evaluated by the Savannah District. Written comments, including any objections to the proposed alteration, stating reasons therefor, are being solicited from anyone having an interest in the requested alteration. Comments must be mailed or emailed by or before the last day of the comment period and must reference the file number of this public notice. Comments will become part of the record and will be considered in the decision on the request. See below for contact information and address. The proposed action could alter Tybee Beach.

## **COMMENT PERIOD EXPIRES: October 10, 2019**

**REQUESTED ALTERATION:** The proposed modification is to rehabilitate the 5<sup>th</sup> Street Bridge over the Savannah River. One of the tasks is to construct concrete steps on the slope of the levee from Marina Road to the Access Road on top at approximate levee station 164+75. The concrete steps will be constructed onto the grade of the levee slope with no gaps between the steps and the levee surface. Erosion prevention will be provided along the sides of the stairway. The stairway will have foundations constructed directly on the levee soils. No change to the flow of the Savannah River is anticipated because of the construction. No work in or on the River is planned. No debris from construction activities on the bridge will be allowed to fall into the river and containment systems will be used during bridge painting.

The existing 8'-0" jumper span connecting the existing Abutment 1 (south) with the cantilevered end of the built-up steel girder is in a structurally poor condition with significant spalling and structural cracking. Field inspection showed structural retrofit measures taken in the past to support the jumper span. As per field inspection findings, it recommends removing and replacing the existing jumper span with a new one. The replacement consists of an 8'-0" span x 12" deep simple span cast-in-place concrete slab. To provide adequate bearing along the existing cantilevered concrete diaphragm, the steel sections fastened to the backface of concrete diaphragm and the deteriorated concrete corbels will be removed and replaced with a continuous corbel supporting the new jumper span.

A brick masonry retaining wall is east of Boring B1. This existing retaining wall is in poor condition with deep wide cracking due to settlement and rotation due to earth surcharge. The wall will be underpinned utilizing helical underpins. The main objective will be to stabilize the wall to prevent any further damaging settlement. The wall will then be pressure grouted and if needed, a lateral drain will be installed to reduce water pressure.

## **REQUESTER**: City of Augusta

**PERMISSION AUTHORITY**: The authority to grant permission for temporary or permanent use, occupation or alteration of any USACE civil works project is contained in Section 14 of the Rivers and Harbors .Act of 1899, as amended, codified at 33 USC 408 ("Section 408"). Section 408 authorizes the Secretary of the Army to grant permission for the alteration or occupation or use of a USACE project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project.

## ADDITIONAL INFORMATION: The City of Augusta

**LOCATION OF PROPOSED ACTION:** The construction of concrete steps is on the slope of the levee from Marina Road to the Access Road on top at approximate levee station 164+75. Also, a brick masonry retaining wall is east of Boring B1 will be underpinned utilizing helical underpins which will then be pressure grouted.

## WRITTEN COMMENTS MAY BE MAILED TO:

Department of the Army Corps of Engineers, Savannah District ATTN: Cynthia Gose (CESAS-PM-P) 100 W. Oglethorpe Ave. Savannah, GA 31401

#### WRITTEN COMMENTS MAY BE E-MAILED TO: cynthia.a.gose@usace.army.mil

## ALL comments must contain the full name and address of the individual commenting and must be received by the USACE by the expiration of the public notice period.

**EVALUATION:** This request will be reviewed pursuant to Section 408 and USACE Engineering Circular (EC) 1165-2-220, which provides policy and procedural guidance for processing requests to alter USACE civil works projects.

The decision whether to grant permission for the requested alteration will be based on several factors. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a USACE technical review team considering the following factors:

- Potential to Impair the Usefulness of the Project. Proposed alterations will be reviewed to determine whether the alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes or outputs. If USACE determines that the usefulness of the authorized project would be impaired, the request will be denied.
- 2) Potential to be Injurious to the Public Interest. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. I f the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.
- 3) <u>Environmental Compliance</u>. A decision on a Section 408 request is a Federal action and is subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. USACE is preparing an Environmental Assessment to evaluate the potential impacts of the proposed alteration on important resources. Comments received on this public notice will be used in the evaluation. The EA will not be published for public comments as this notice fulfills NEPA requirements for public participation. Any comments regarding the proposed alteration should be submitted during the current public comment period.

While ensuring environmental compliance is the responsibility of USACE, the requester is responsible for providing all information that USACE identifies as necessary. Environmental compliance requirements that will be considered in this evaluation include but are not limited to the following:

- a. Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) directs all Federal agencies to insure that any action they authorize, fund, or carryout does not jeopardize the continued existence of an endangered or threatened species including adverse modification of their critical habitat.
- b. In accordance with Section 106 of the National Historic Preservation Act (NHPA), the USACE is required to take into account the effects of any permitted action to historic properties, which includes both archaeological resources on the surface or below ground, as well as historic buildings and structures that are listed in or are eligible for listing in the National Register of Historic Places. If determined necessary, the USACE will also consult with Indian Tribes in accordance with Section 101(d)(6)(B) of the NHPA, the USACE Tribal Consultation Policy, and Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments."

c. The Coastal Zone Management Act ("CZMA") requires that "each federal agency conducting or supporting activities directly affecting the coastal zone shall conduct or support those activities in a manner which is, to the maximum extent practicable, consistent with approved state management programs.

All factors that may be relevant to the proposal will be considered, including the potential cumulative effects associated with the proposed project. The review will consider the potential impact to the usefulness of the Federal project and whether the proposed alteration would be injurious to the public interest. Policy and legal compliance will also be considered.

USACE is soliciting comments from interested parties to evaluate the potential impacts of the proposed alteration. Comments will be considered to assess impacts on the public interest factors listed above, as well as endangered species, historic properties, water quality, and general environmental effects. Comments will be used for environmental compliance coordination as required by NEPA.

**COORDINATION:** This public notice will be coordinated with the relevant State, Federal and Tribal entities as appropriate.

Issuance of this notice does not imply USACEW endorsement of the project as described.

If you have any questions, please contact Cynthia Gose, Section 408 Project Manager, by telephone at 912-652-6017 or via email at Cynthia.A.Gose@usace.army.mil.

FOR THE DISTRICT COMMANDER:

Enclosures

Rebecca Weiss Chief, Project Management Planning Branch

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	CITY OF AUGUSTA STATE OF GEORGIA
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