



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

May 25, 2023

Regulatory Division

**JOINT PUBLIC NOTICE**  
**Savannah District/State of Georgia**

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) and Section 404 of the Clean Water Act (33 U.S.C. § 1344), as follows:

Application Number: SAS-2011-00060

Applicant: Mr. Jeffrey Green  
Southern LNG Company, LLC,  
Post Office Box 1367  
Savannah, Georgia 31402

Agent: Mr. David Vance  
Geosyntec Consultants  
1255 Roberts Boulevard NW, Suite 200  
Kennesaw, Georgia 30144

Project Purpose as Proposed by Applicant: The applicant's stated project purpose is to maintain the depth within the existing ship slip to provide sufficient under-keel clearance (working safe draft) for the vessels that call on the facility.

Location of Proposed Work: The project site is located directly adjacent to the existing Southern LNG (SLNG) facility, on the south bank of the Savannah Harbor, between River Mile 7.0 and 7.9, on Elba Island, in Chatham County, Georgia (Latitude 32.0817, Longitude -80.9889).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: To annually dredge 425,000 cubic yards (CYs) from the Ship Slip and dispose of the material within SLNG's existing Elba Island Dredged Material Containment Areas (DMCAs). Dredging techniques consist of the utilization of hydraulic cutterhead dredging with upland disposal into the Elba Island DMCAs. Effluent would be discharged from the DMCAs into the Savannah River.

## **BACKGROUND**

Southern LNG Company, L.L.C. operates a liquified natural gas (LNG) import and export terminal at Elba Island in Chatham County, Georgia. The Elba Island Terminal was placed in service in 1978, maintained in standby mode from 1982 through 2000, and reactivated in 2001. The Elba Island Terminal was expanded between 2001 and 2010. These expansions included excavation of a Ship Slip into Elba Island, the creation of a new Turning Basin in the Savannah River adjacent to the Federal Channel and installation of other supporting infrastructure. Between 2014 and 2018, the terminal underwent a further conversion to produce LNG for export. The main change in facility operations following completion of the LNG export modifications was the increase in follow-on ship berthings in the Ship Slip due to the global demand for LNG.

Elba Island maintains two authorized dredging footprints (Ship Slip and Turning Basin) in the Lower Harbor between river stations (39+300 and 34+000). Both the Ship Slip (subject of this permit application) and Turning Basin abut opposite sides of the federal navigation channel. Subsequently, due to Elba Island's position in the Lower Harbor it receives a substantial suspended sediment load from the Upper Savannah River Harbor (Upper Harbor) that settles out into SLNG's two basins with the greatest impact of sedimentation being on the Ship Slip. The Turning Basin located in the main channel of the Savannah River is a similar sediment trap.

The Ship Slip, located entirely within the State of Georgia, was authorized in 2002 (Savannah District Regulatory No. SAS 2002-00640). The existing Ship Slip permit (SAS-2010-00060) was issued on March 10, 2014, and will expire on February 28, 2024. The existing permit covers maintenance dredging operations using hydraulic cutterhead equipment combined with upland disposal in on-site Dredged Material Containment Areas (DCMAs) located on Elba Island. The permitted depth for the Ship Slip is -44 feet (ft) Mean Lower Low Water (MLLW) and 2 ft of over dredge.

Authorization to construct the Ship Slip which was excavated from the interior of Elba Island (solely within the State of Georgia-adjacent to Savannah Harbor Stations 35+000 to 38+000) was issued by the Corps Savannah District under SAS-2002-00640 on January 24, 2003. Modifications to the dimensions of the Ship Slip and an extension of the maintenance dredging period were issued by the Corps on November 15, 2007. Further, the maintenance dredging permit for the Ship Slip (Savannah District Regulatory No. SAS-2011-00060) was reissued on July 1, 2011, and on March 10, 2014.

The applicant sampled and tested the sediments to be dredged from the existing ship slip in accordance with Savannah 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.”

This Joint Public Notice announces a request for authorizations from both the US Army Corps of Engineers and the State of Georgia. 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 will review the proposed project for Water Quality Certification, in accordance with the provisions of Section 401 of the Clean Water Act. The applicant has yet to request a Water Quality Certification from the State of Georgia. Prior to issuance of a Department of the Army Permit for a project located in, on, or adjacent to the waters of the State of Georgia, review for Water Quality Certification in accordance with Section 401 of the Clean Water Act is required. A reasonable period of time, which shall not exceed one year, is established under the Clean Water Act for the State to act on a request for Water Quality Certification, after which, issuance of such a Department of the Army Permit may proceed. This public notice serves as notification to the Administrator of the U.S. Environmental Protection Agency (USEPA) pursuant to section 401(a)(2) of the Clean Water Act for neighboring jurisdiction review and begins the 30-day clock for USEPA to notify affected states.

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 Marsh and Shore Management 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, Coastal Management Program, Coastal Resources Division, Georgia Department of Natural Resources, One Conservation Way, Brunswick, Georgia 31523-8600 (Telephone 912-264-7218).

## U.S. ARMY CORPS OF ENGINEERS

The Savannah District 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: Review of the latest published version of the National Register of Historic Places and the Georgia Natural, Archeological and Historic Resources GIS database, indicates that no registered properties or properties listed as eligible for inclusion are located on the project site. 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: A preliminary review the U.S. Fish and Wildlife Service's (FWS) Information for Planning and Consultation (IPaC) database indicates the following listed species may occur in the project area: Northern Long-eared Bat (*Myotis septentrionalis*); West Indian Manatee (*Trichechus manatus*); Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensis*); Piping Plover (*Charadrius melodus*); Red-cockaded Woodpecker (*Picoides borealis*); Wood Stork (*Mycteria americana*); Eastern Indigo Snake (*Drymarchon couperi*); Green Sea Turtle (*Chelonia mydas*); Kemp's Ridley Sea Turtle (*Lepidochelys kempi*); Leatherback Sea Turtle (*Dermochelys coriacea*); Loggerhead Sea Turtle (*Caretta caretta*); Frosted Flatwoods Salamander (*Ambystoma cingulatum*); Monarch Butterfly (*Danaus plexippus*); American Chaffseed (*Schwalbea americana*); Canby's Dropwort (*Oxypolis canbyi*) and Pondberry (*Lindera melissifolia*). In addition, the project sites consists of habitat that supports the Shortnose sturgeon (*Acipenser brevirostrum*) and Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) as well as listed critical habitat for the Atlantic sturgeon.

Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 et seq.), we request information from the U.S. Department of the Interior, Fish and Wildlife Service, the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service; or, any other interested party, on whether any species listed or proposed for listing may be present in the area.

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 Corps 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 Corps 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.

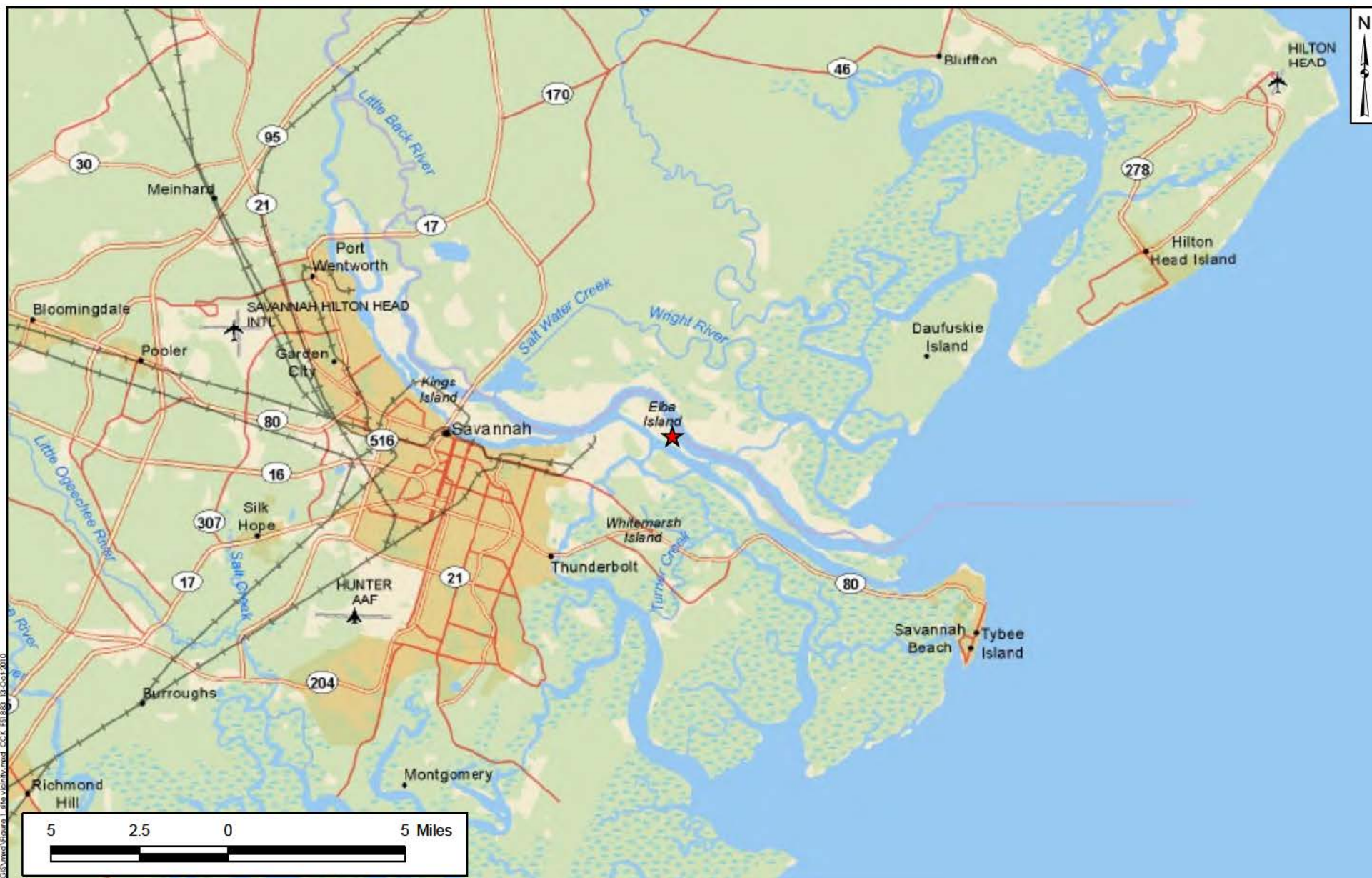
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. 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 by email to [sarah.e.wise@usace.army.mil](mailto:sarah.e.wise@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Sarah Wise, 100 West Oglethorpe Avenue, Savannah, Georgia 31401, 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 this matter, please contact Sarah Wise, Lead Biologist, Coastal Branch at 912-652-5550 or by email at [sarah.e.wise@usace.army.mil](mailto:sarah.e.wise@usace.army.mil).

Enclosure:

1. Project Drawings



<p>Legend</p> <p>★ SLNG Facility</p>	<p><b>Geosyntec</b> consultants</p> <p>Atlanta, Georgia      October 2010</p>		<p><b>SLNG Facility, Elba Island</b> Savannah, Georgia</p>	<p>Figure <b>1</b></p>
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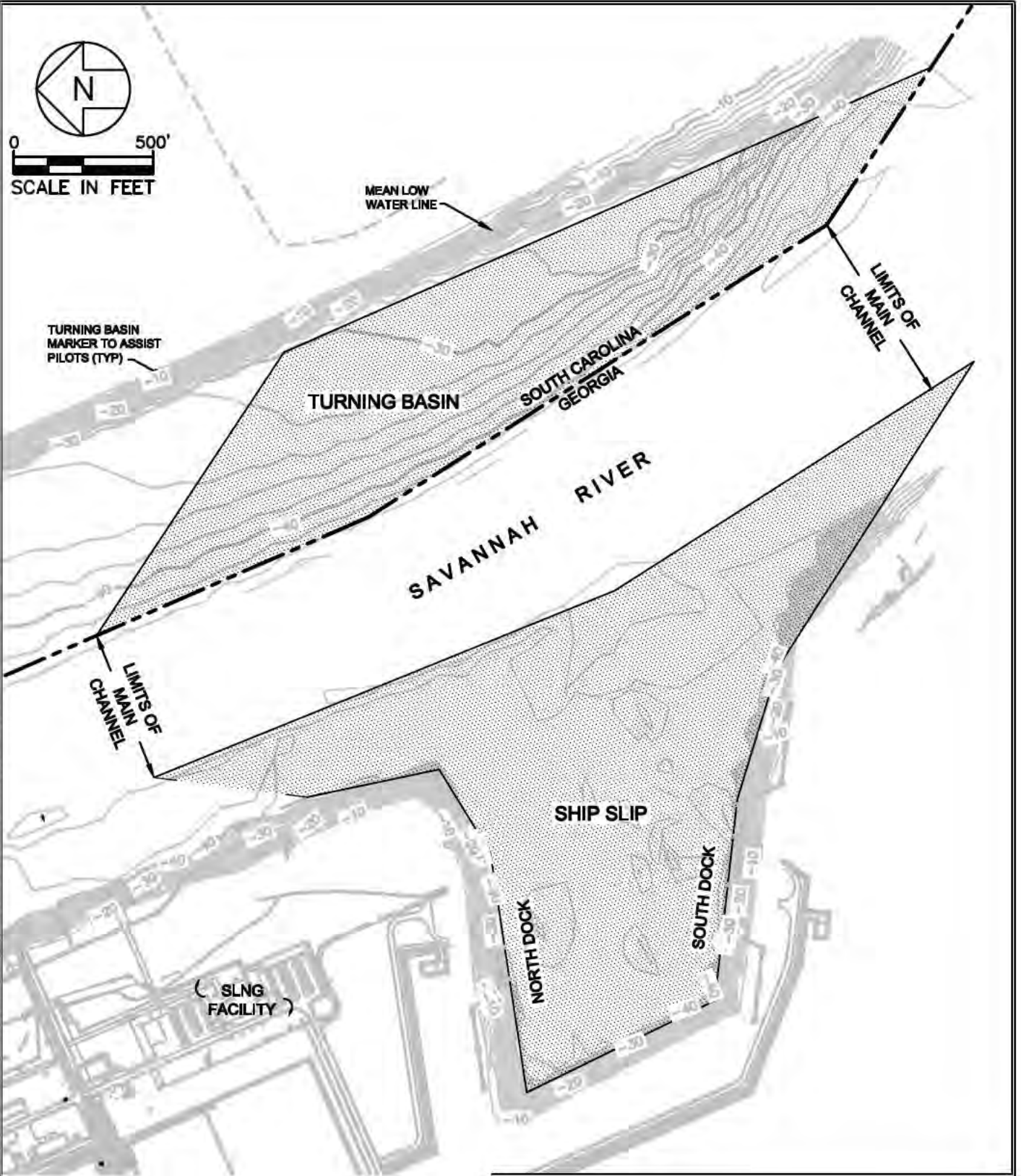


<p>Legend</p> <p>★ SLNG Facility</p>	<p><b>Geosyntec</b> consultants</p> <p>Atlanta, Georgia      October 2010</p>		<p><b>SLNG Facility, Elba Island</b> Savannah, Georgia</p>	<p>Figure <b>2</b></p>
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N:\SLNG Elba Island Sediment GIS\mxd\Figure 2 - Site location\_COC\_#1880\_13-Oct-2010



P:\JAX-CAD\SLNG ELBA ISLAND\SLNG SEDIMENT INVESTIGATION FS1883.01.01\DRAWINGS\FS1883.01.01-F003



**EXISTING CONDITIONS**

SLNG, INC.  
ELBA ISLAND, GA

**Geosyntec**  
consultants

Jacksonville, Florida

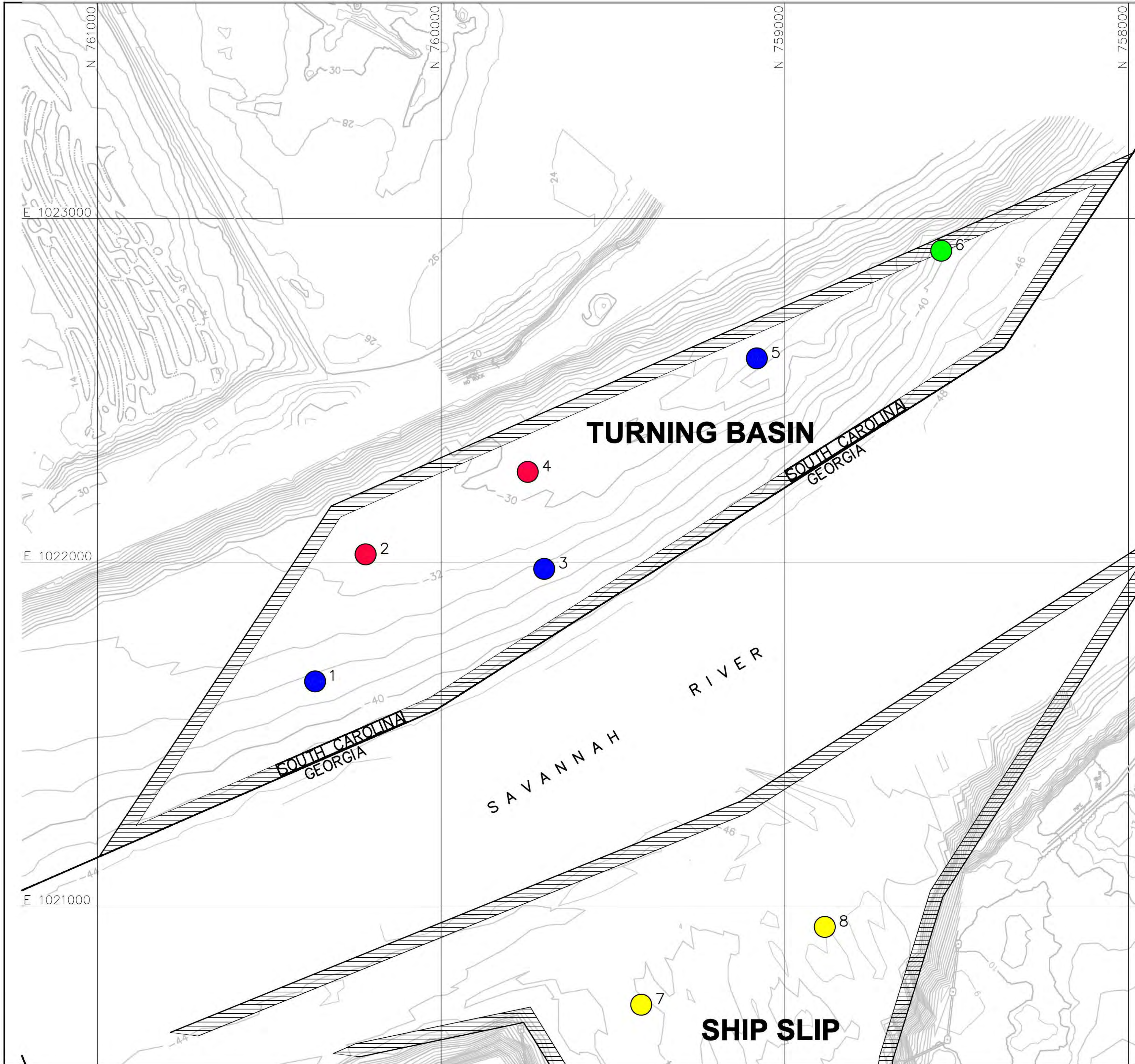
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Figure

3



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TURNING BASIN CORE CONTROL DATA				
POINT NUMBER	NORTHING	EASTING	LATITUDE	LONGITUDE
1	760366.06	1021653.25	N032° 05' 06.30"	W080° 59' 11.64"
2	760219.23	1022022.91	N032° 05' 04.81"	W080° 59' 07.36"
3	759699.67	1021980.58	N032° 04' 59.67"	W080° 59' 07.92"
4	759747.67	1022262.76	N032° 05' 00.12"	W080° 59' 04.64"
5	759081.28	1022592.92	N032° 04' 53.49"	W080° 59' 00.88"
6	758544.78	1022906.14	N032° 04' 48.14"	W080° 58' 57.31"

- 4' CORE
- 6' CORE
- 15' CORE
- 18' CORE



SITE INVESTIGATION SAMPLES  
TURNING BASIN

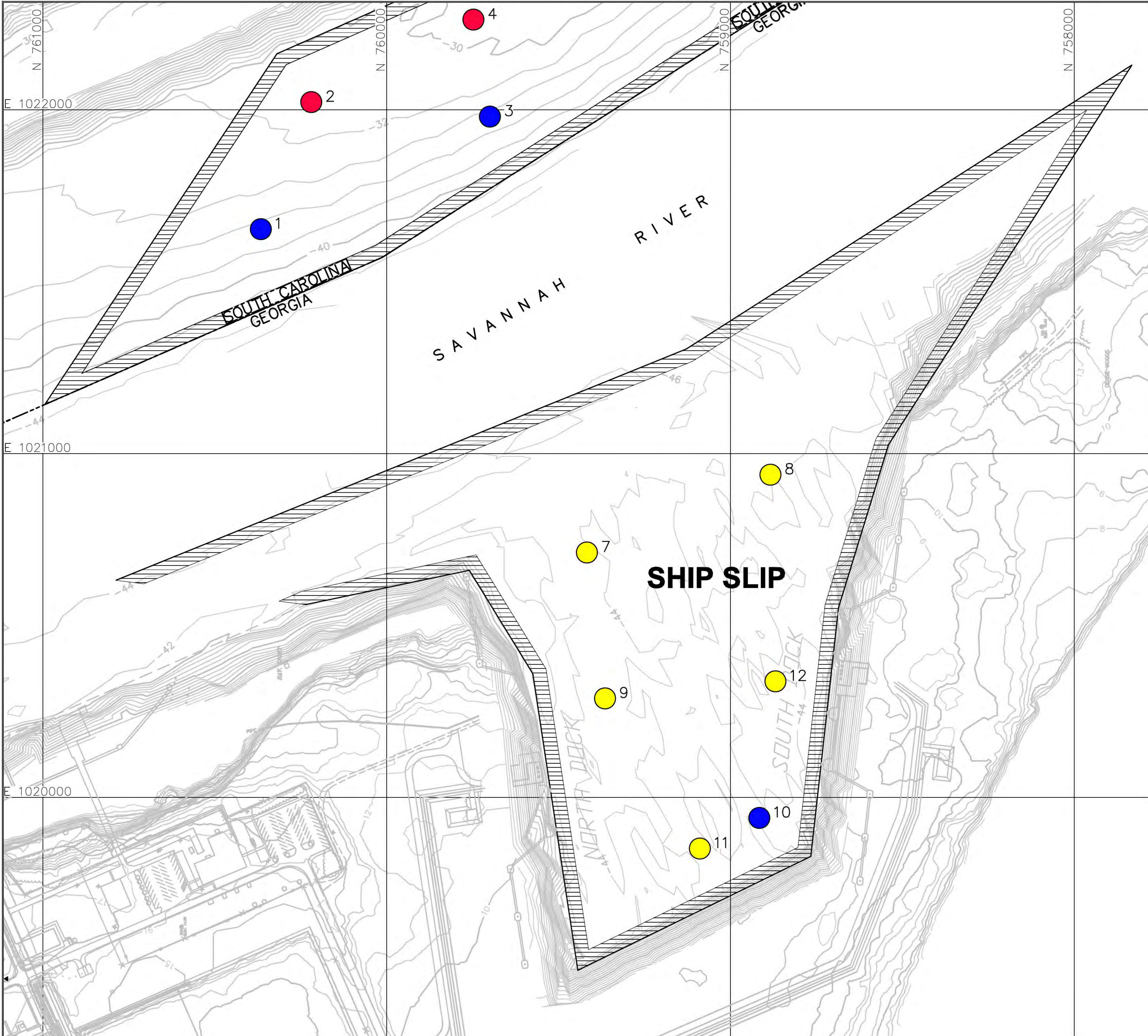


Jacksonville, Florida

8-Dec-10

Figure  
4





TURNING BASIN CORE CONTROL DATA				
POINT NUMBER	NORTHING	EASTING	LATITUDE	LONGITUDE
7	759417.56	1020712.77	N032° 04' 57.02"	W080° 59' 22.69"
8	758883.67	1020939.12	N032° 04' 51.71"	W080° 59' 20.13"
9	759364.98	1020288.36	N032° 04' 56.54"	W080° 59' 27.63"
10	758916.03	1019940.75	N032° 04' 52.14"	W080° 59' 31.73"
11	759089.03	1019851.83	N032° 04' 53.86"	W080° 59' 32.74"
12	758869.26	1020337.99	N032° 04' 51.63"	W080° 59' 27.12"

- 4' CORE
- 6' CORE
- 15' CORE
- 18' CORE



SITE INVESTIGATION SAMPLES  
SHIP SLIP



Jacksonville, Florida

8-Dec-10



