



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

January 29, 2020

Regulatory Division
SAS-2003-10710

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 404 of the Clean Water Act (33 U.S.C § 1344), as follows:

Application Number: SAS-2003-10710

Applicant: Mr. Terry Brown
Savannah Steel Terminal, LLC
355 North Lathrop Avenue
Savannah, Georgia 31415

Location of Proposed Work: The project site is located in the Savannah River, at the Savannah Steel Terminal at 355 North Lathrop Avenue, in Savannah, Chatham County, Georgia (Latitude 32.0995 and Longitude -81.1128). This project is on the Savannah River which is a Traditional Navigable Waterway (TNW).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers:

The applicant is proposing to annually remove approximately 12,500 cubic yards of accumulated sediment from the Savannah Steel Terminal berth. The berth is approximately 650 feet long, from 120 to 140 feet wide, and maintained at a depth of -38 feet Mean Low Water (MLW), with 2 feet of allowable overdredge (-40 feet MLW maximum depth). Sediments will be removed using any of the following methods: (1) agitation dredging, which is performed by dragging an I-beam or similar device behind a tug, thereby suspending sediments to be swept from the berth on an ebb and/or flood tide; or (2) by clamshell dredge, with placement in an appropriate upland CDF.

BACKGROUND

In September 2015, the Corps issued a maintenance dredging permit to the applicant to remove accumulated sediments from within the Savannah Steel berth via the above dredging methods. However, the permit expired on March 31, 2018. The applicant is requesting Department of the Army (DA) approval to continue to perform maintenance dredging via the use of agitation, and/or clamshell dredging. No new construction projects (i.e. deepening) or new dredging methods are proposed.

During the Corps' evaluation of the 2013 Savannah Harbor maintenance dredging applications (which included the applicant's previous DA authorization), a 2002 study titled "Agitation Dredge Evaluation, Savannah Harbor Ecosystem Restoration Project" completed by Applied Technology and Management was reviewed to evaluate the effects of agitation dredging in the harbor. This study evaluated the effects of agitation dredging on aquatic resources, and it included measurement of dredging effects on turbidity, suspended sediment concentration and dissolved oxygen. It also evaluated the effects from potential pollutants present in the maintenance dredging sediments. In addition, the report entitled, "Summary of Available Turbidity, Suspended Sediment and Dissolved Oxygen Monitoring Data, Lower Savannah River Estuary," prepared by MGA Associates and dated December 1, 2011, further analyzed the existing data to determine the effects of agitation dredging on the Savannah Harbor. Based on the information and analyses performed in these reports, the Corps determined that the dredging of the maintenance material would result in minimal impacts to turbidity, total suspended solids and dissolved oxygen.

With respect to contaminants, the maintenance material was evaluated using the protocols established within the Inland Testing Manual. A Tier I level sediment quality evaluation was completed during the previous permit evaluation. This evaluation concluded that based on review of readily available existing information (including sediment physical characteristics, spill and discharger information, and previous chemical and toxicity testing), contaminants in recently deposited sediments in the upper Savannah Harbor would not cause unacceptable adverse environmental impacts during maintenance dredging operations.

This Joint Public Notice announces a request for authorizations from both the Corps 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. Prior to issuance of a Department of the Army permit for a project location in, on, or adjacent to the waters of the State of Georgia, review for Water Quality Certification 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.

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 Assessment: Review of the latest published version of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion are located at the site or in the areas affected by the proposed work. The project is located within a berth that is routinely dredged. In addition, this site has been maintained at the current depths for the last 10 years with no impacts to cultural resources. No new work (i.e. deepening) is proposed. Therefore, the proposed projects would have no potential to cause effects to cultural resources and/or historic properties.

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 (FWS) list of Endangered and Threatened Species (IPaC) indicates the following listed species may occur in the project area: West Indian Manatee (*Trichechus manatus*), Eastern Indigo Snake (*Drymarchon corais couperi*), Green sea turtle (*Chelonia mydas*), Hawksbill sea turtle (*Eretmochelys imbricata*), Leatherback sea turtle (*Dermochelys coriacea*), Loggerhead sea turtle (*Caretta caretta*), and Kemp's Ridley sea turtle (*Lepidochelys kempi*), Piping Plover (*Charadrius melodus*), Red knot (*Calidris canutus rufa*), and Wood stork (*Mycteria americana*). In addition, the Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*) and Shortnose Sturgeon (*Acipenser brevirostrum*), also have the potential to be within the project area.

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.

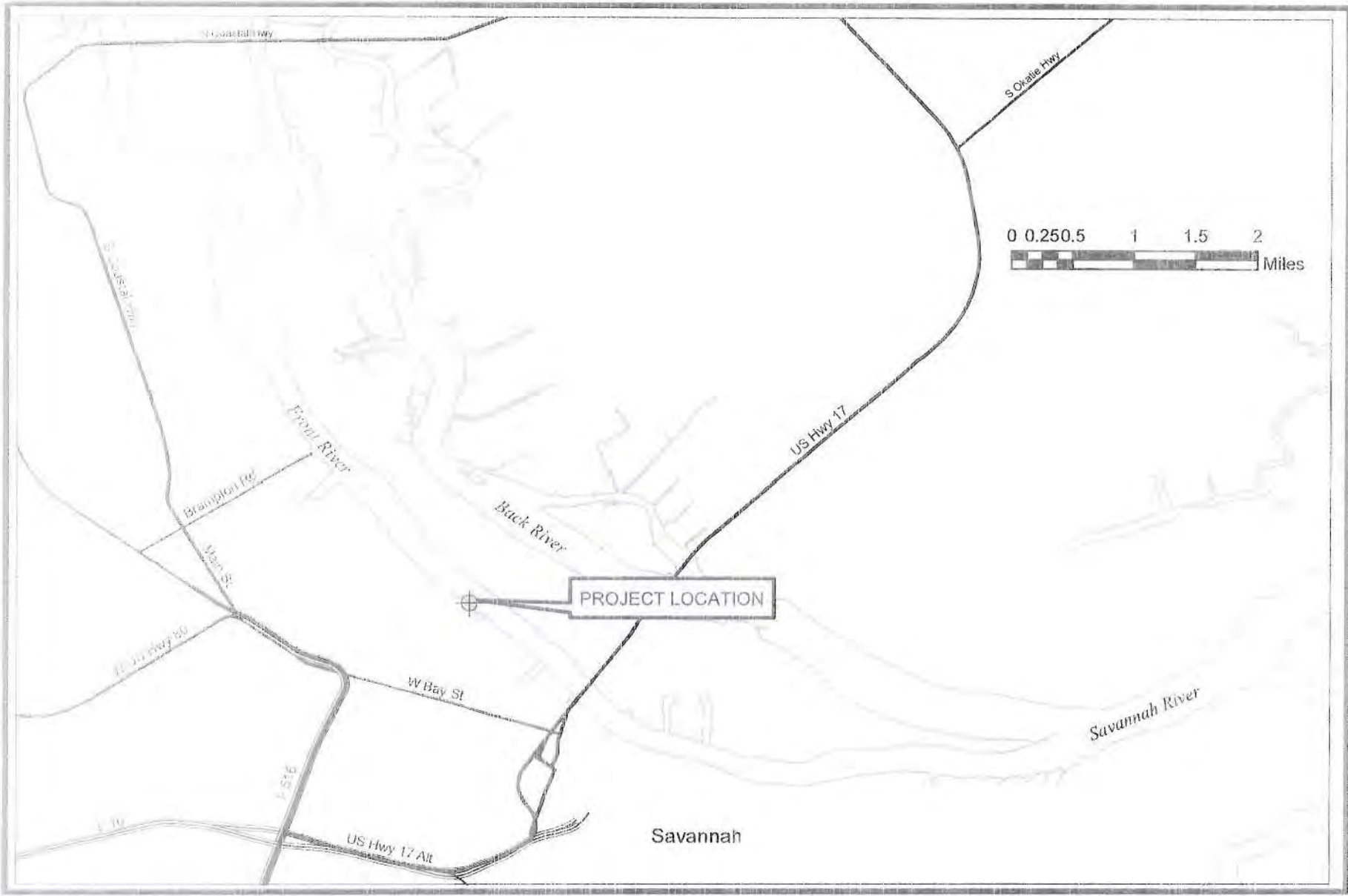
Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by 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. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Ms. Sarah E. Wise, 100 West Oglethorpe Avenue Savannah, Georgia 31401-3604, 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 Ms. Sarah E. Wise, Team Lead, Coastal Branch at 912-652-5550.

Enclosures:

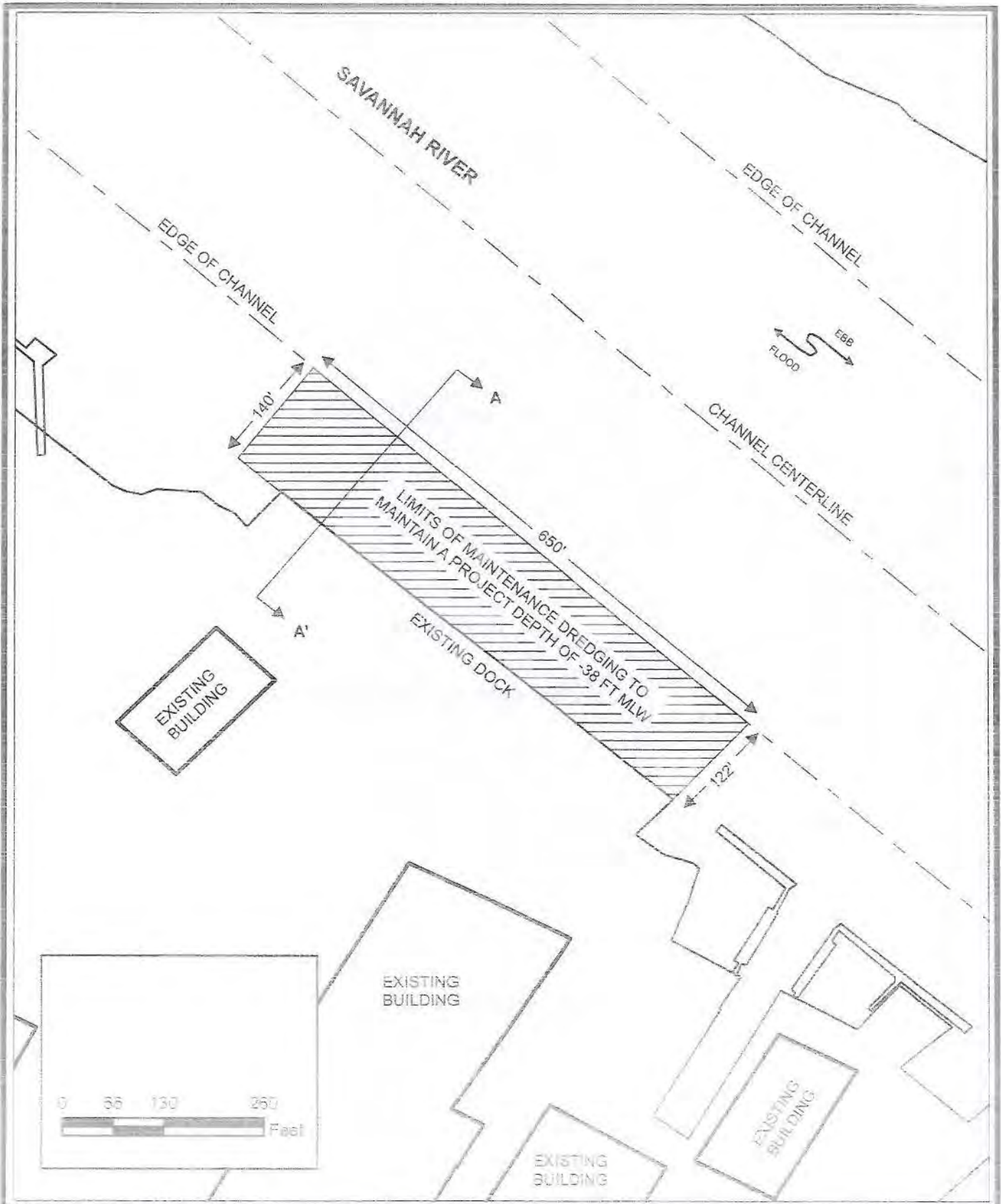



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LOCATION MAP

SAVANNAH STEEL TERMINAL, LLC

SHEET NUMBER: 1 OF 3
PURPOSE:
MAINTENANCE DREDGING OF SAVANNAH STEEL'S BERTH



MAINTENANCE DREDGING PLAN VIEW

SAVANNAH STEEL TERMINAL, LLC

SHEET NUMBER: 2 OF 3

PURPOSE:
MAINTENANCE DREDGING OF
SAVANNAH STEEL'S BERTH