

**Requests for an extension to the comment period for the Savannah Harbor Expansion Project Draft EIS and GRR were received from the following:**

- **Attorney General of South Carolina**
- **South Carolina Department of Health and Environmental Control**
- **South Carolina Department of Health and Environmental Control – Office of Coastal Resource Management**
- **South Carolina Department of Natural Resources**
- **The Senate of South Carolina Transportation Committee, Review and Oversight on the South Carolina State Ports Authority**
- **The Senate of South Carolina Agriculture and Natural Resource Committee**
- **Office of the Jasper County Administrator**
- **Charleston Metro Chamber of Commerce**
- **Savannah River Maritime Commission**
- **Georgia Department of Natural Resources, Coastal Resources Division**
- **Georgia Chapter of the Sierra Club**
- **The Georgia Conservancy**
- **Southern Environmental Law Center**
- **United States Department of the Interior**
- **Keck School of Medicine, University of Southern California**
- **Savannah Riverkeeper**
- **Harambee House**

**Response:** The public notice announcing the availability of the Draft Environmental Impact Statement (EIS) and the General Reevaluation Report (GRR) for the Savannah Harbor Expansion Project (SHEP) was published on November 17, 2010. As required by the National Environmental Policy Act, a 45-day review period was provided with the comment-due date set at December 30, 2010. However, the District received numerous requests for a time extension. Most requests were based on the amount/complexity of material involved, together with difficulties in reviewing the EIS over the Christmas and New Year's holidays. In response, the District Commander extended the public comment period until January 25, 2011. The District received some comments after the end of the extended comment period. They were accepted for several months and considered in the Final EIS preparation.



HENRY McMASTER  
ATTORNEY GENERAL

#20 DE  
PD  
y: DE  
DP  
DX  
PM-C

December 10, 2010

Jeffery M. Hall, Colonel, US Army, Commanding  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia, 31401

Re: Duration of Comment Period, SHEP

Dear Colonel Hall:

The purpose of this letter is to request that the Corps of Engineers extend the comment period for the Savannah Harbor Expansion Project Draft Environmental Impact Statement from 45 days to 120 days.

This extension is requested for the following reasons:

1. This is an extremely complex project with significant implications for Southeastern South Carolina and the State as a whole. It will directly affect lands and waters of the State and it is imperative that South Carolina have the opportunity to adequately evaluate and consider its implications. Given this complexity and the sheer volume of the documents that must be reviewed, 45 days is not sufficient time to complete the needed evaluations.
2. This DEIS is being released during the Holiday Season. During the 45 days from the middle of November to the end of December, nearly three weeks are effectively lost because of legal holidays and staff vacations. The 45 day period is thus reduced to a practical 30 days.

3. This project and its DEIS has been under development by the Corps and the Georgia State Ports Authority for nearly ten years. The documentation resulting from numerous ancillary studies and investigations is voluminous and can only be thoroughly reviewed by extending the comment period significantly.

I appreciate your consideration of this important request.

Very truly yours,



Henry McMaster

cc: William D. "Dean" Moss, Jr., Chairman

HMCM:tph

BOARD:  
Paul C. Aughtry, III  
Chairman  
Edwin H. Cooper, III  
Vice Chairman  
Steven G. Kisner  
Secretary



C. Earl Hunter, Commissioner

*Promoting and protecting the health of the public and the environment*

# 18  
BOARD:  
Henry C. Scott  
M. David Mitchell, MD  
Glenn A. McCall  
Coleman F. Buckhouse, MD

December 3, 2010

Jeffrey M. Hall, Colonel, US Army, Commanding  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia 31401

Dear Colonel Hall:

The South Carolina Department of Health and Environmental Control (Department) is in receipt of the Joint Public Notice issued by the Savannah District on November 15, 2010, regarding the Notice of Availability of the Draft Environmental Impact Statement for the improvements and continued maintenance of the Savannah Harbor Federal Navigational Project. This notice announces that authorization is required from the Department in accordance with the South Carolina Coastal Zone Management Program and Section 401 of the Clean Water Act. The notice further provides for comment periods of 45 days for individuals interested in commenting on the Coastal Zone Management Consistency Certification and 60 days for commenting on the 401 Water Quality Certification respectively. It is also understood based on your November 4, 2010 letter to the Department, that these certifications will be required from the Department at the end of these public comment periods.

As the Department explained in our prior correspondence of September 29, 2010, this is an extremely complex project with significant implications for the State of South Carolina and we do not believe that this short period of time will allow us adequate time to receive public comment and review the application and all supporting documents. As you are aware, Section 401 of the Clean Water Act allows the State a reasonable period of time not to exceed one year to act upon an application for a 401 Water Quality Certification and the Department has determined that one full year is needed. Furthermore, the Federal Coastal Zone Management Act in 930.41(a) allows for 60 days for State concurrence and an additional 15 days pursuant to 930.41(b) if requested by the State in writing. Please take this letter as the Department's formal request under 930.41(b) for additional time to review this project. Furthermore, the Department has concerns about the appropriateness of a federal agency deeming an activity consistent with our Coastal Zone Management program based on a Draft EIS.

Please note that the Department would be required to deny these certifications if adequate time is not provided for complete review of this project.

Sincerely,

Earl Hunter, Commissioner  
SC Department of Health and Environmental Control

CC: Robert (Bob) King, Deputy Commissioner, EQC  
Carolyn Boltin-Kelly, Deputy Commissioner, OCRM  
David Wilson, Chief, EQC Bureau of Water

**SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

2600 Bull Street • Columbia, SC 29201 • Phone: (803) 898-3432 • [www.scdhec.gov](http://www.scdhec.gov)



C. Earl Hunter, Commissioner

*Promoting and protecting the health of the public and the environment*

January 21, 2011

Jeffrey M. Hall, Colonel, US Army, Commanding  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia 31401

Re: Savannah Harbor Expansion Project (SHEP)

Dear Colonel Hall:

I am writing you to determine whether the Department of the Army, Savannah District, Corps of Engineers letter dated, January 13, 2011, allows the South Carolina Department of Health and Environmental Control Office of Ocean and Coastal Resource Management (SCDHEC OCRM) additional time to review the SHEP DEIS for consistency with the South Carolina Coastal Zone Management Program. The Savannah District - COE response allows for SCDHEC to have until November 2011 to conduct its review as allowed by the Clean Water Act. Does this timeframe also apply to the concurrence of the consistency determination by SCDHEC OCRM?

If the consistency review is not included, I am requesting that you allow more time for SCDHEC OCRM to conduct a thorough review of the DEIS pursuant to Federal Regulation Part 930.42(b). Specifically, this regulation states "In considering whether a longer or additional extension period is appropriate, the Federal agency should consider the magnitude and complexity of the information contained in the consistency determination." Given the complexity and the magnitude of the documentation provided in the DEIS, the SCDHEC OCRM feels that 75 days (60 + 15 day extension previously requested in a December 3, 2010, letter to you) is not a sufficient amount of time to review the document. SCDHEC OCRM requests that you offer the same amount of time for review of the DEIS for consistency with the South Carolina Coastal Zone Management Program as you have allowed for the review for DHEC's water quality Certification program.

I look forward to your response. If you would like to discuss this issue or have any questions, please contact Blair Williams of my staff at (843) 953-0232.

Sincerely,

Carolyn Babin-Kelly, Deputy Commissioner  
Office of Ocean and Coastal Resource Management

cc: William G. Bailey, Corps of Engineers, Savannah District  
Heather Preston, SCDHEC BOW

**SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**Ocean and Coastal Resource Management**

**Charleston Office • 1362 McMillan Avenue • Suite 400 • Charleston, SC 29405 • Phone: (843) 953-0200 • Fax: (843) 953-0201 • [www.scdhec.gov](http://www.scdhec.gov)**



# South Carolina Department of Natural Resources

#9 DE  
PD  
cf: DE  
DP  
DX  
PM-C

**John E. Frampton**  
Director

November 18, 2010

Col. Jeffery M. Hall  
Commander, Savannah District  
US Army Corps of Engineers  
Post Office Box 889  
Savannah, Georgia 31402-0889

REFERENCE: Formal Request for Extension of Comment Period for the Draft Tier II Environmental Impact Statement and Draft General Reevaluation Report for the Savannah Harbor Expansion Project

Dear Colonel Hall,

The South Carolina Department of Natural Resources (DNR) has received the Joint Public Notice (JPN) for the above referenced project dated November 15, 2010 and issued by US Army Corps of Engineers, Savannah District, Georgia Department of Natural Resources and the South Carolina Department of Health and Environmental Control. The JPN indicates the comment period for the important review of these documents is 45 calendar days closing at noon on December 30, 2010.

As the Director of DNR, I am writing to formally request the Savannah District Corps of Engineers, as the lead federal agency, extend the comment period for the Savannah Harbor Expansion Project (SHEP) Draft Environmental Impact Statement (DEIS) and Draft General Reevaluation Report (DGRR) from 45 days to 120 days. This extension is requested for the following reasons:

1. This proposed project is extremely complex and potentially will impact land and water resources of the State of South Carolina. It is imperative that the agencies and general public have the opportunity to adequately evaluate and consider the implications of the proposed project. Given this complexity and the sheer volume of the documents that must be reviewed, 45 days is not sufficient time to complete the needed evaluations.
2. The SHEP DEIS and DGRR have been released at the beginning of the Thanksgiving and Christmas holiday seasons. The JPN comment deadline places a significant hardship on agency employees by requiring the review of these complex documents during a period that is effectively reduced to a practical 30 days, or less given on-going responsibilities. Due to economic downturn and resulting staff reductions without replacement, DNR currently is operating with fewer staff available for review and comment on proposed projects such as this.

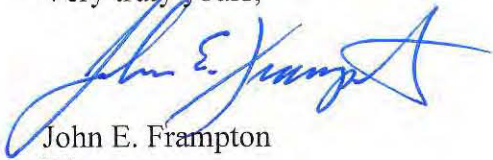
Rembert C. Dennis Building • 1000 Assembly St • P.O. Box 167 • Columbia, S.C. 29202 • Telephone: 803/734-4007

Col. Jeffery M. Hall, Commander, Savannah District USACE  
Request for Extension of Comment Period for the SHEP DEIS and DGRR  
November 18, 2010

3. The proposed project and its DEIS and DGRR have been under development by the Savannah District Corps of Engineers and the Georgia State Ports Authority for nearly 10 years. The documentation resulting from numerous ancillary studies and investigations is voluminous and can only be thoroughly reviewed by extending the comment period by an additional 90 days.

DNR has participated fully in the SHEP Stakeholder Evaluation process since its inception by providing hundreds of staff days to attend meetings, review preliminary assessments and produce follow-up assignments. I believe my staff, and the staff of the other agencies, have proven to be of value in assisting your staff and many others during the long process that has brought us to this point. In my opinion, the request for the extension is a deserved matter of comity and reciprocity for the substantial efforts of the many agencies and stakeholders over a very long period of time. Thank you in advance for your kind and favorable consideration of this important request.

Very truly yours,



John E. Frampton  
Director

- c: Hon. Mark Sanford, Governor  
Hon. Henry McMaster, Attorney General  
C. Earl Hunter, Commissioner, SC DHEC  
Dean Moss, Chairman, Savannah River Maritime Commission  
DNR Board Members  
Bob Perry, DNR

## Transportation Committee

LAWRENCE K. GROOMS  
CHAIRMAN



THE SENATE OF SOUTH CAROLINA  
SUITE 203, GRESSETTE OFFICE BUILDING  
P.O. BOX 142  
COLUMBIA, SOUTH CAROLINA 29202-0142  
(803) 212-6400

November 18, 2010

Colonel Jeffery M. Hall, US Army, Commanding  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia, 31401

### Re: Extension of SHEP Comment Period

Dear Colonel Hall:

I write to ask that the Corps of Engineers extend the comment period for the Savannah Harbor Expansion Project Draft Environmental Impact Statement from 45 days to 120 days. Because of the scope and complexity of this project, and because it has highly significant economic and environmental impacts, 45 days is an unreasonable amount of time.

I make this request as Chairman of the Senate Transportation Committee and as Chairman of the Review and Oversight Commission on the South Carolina State Ports Authority. The extension should be granted for the following reasons:

First, this complex project will have significant implications for South Carolinians. It will directly affect the people, lands and waters of the State and it is imperative that South Carolinians have sufficient opportunity to carefully review and consider these implications. Given this complexity and the volume of documentation that must be reviewed, 45 days is not sufficient time.

Secondly, the Thanksgiving and Christmas holidays are upon us. Nearly three weeks are effectively lost because of legal holidays and staff vacations during the 45 days from the middle of November to the end of December. This effectively reduces these 45 calendar days to only 30, and means stakeholders have a little more than 20 business days for review.

Finally, this project and its DEIS have been under development by the Corps and the Georgia State Ports Authority for nearly ten years. Numerous ancillary studies and investigations have resulted in voluminous material that can only be thoroughly reviewed by extending the comment period.

I appreciate your consideration, and reiterate my request that the review period be extended from 24 days to 120 days. If you have any questions, please do not hesitate to contact me.

Sincerely

A handwritten signature in blue ink, appearing to read "Lawrence K. Grooms", written over a horizontal line.

Lawrence K. Grooms

#10 DE  
PD

DAVID J. OWENS  
RESEARCH DIRECTOR  
LILY COGDILL  
ADMINISTRATIVE ASSISTANT

cf. DE  
DA  
dx  
PMc

#11 DE  
PD  
G. DE  
DA  
DX  
PM-C

# Review & Oversight Commission On the South Carolina State Ports Authority

SENATOR LAWRENCE K. GROOMS  
Chairman  
REP. HARRY F. CATO  
Vice Chairman

SENATOR HUGH K. LEATHERMAN, SR.  
SENATOR ROBERT FORD  
SENATOR TOM DAVIS  
SENATOR PHILLIP SHOOPMAN  
REP. JAMES H. HARRISON  
REP. WILLIAM E. SANDIFER  
REP. JAMES H. MERRILL  
REP. J. DAVID WEEKS



POST OFFICE BOX 142  
COLUMBIA, SOUTH CAROLINA 29202-0142  
(803) 212-6400

DAVID J. OWENS  
SENATE STAFF

KENNETH M. MOFFITT  
COUNSEL

PATRICK DENNIS  
HOUSE JUDICIARY COUNSEL

ANDY FIFFICK  
HOUSE LEGAL COUNSEL

LILY COGDILL  
EXECUTIVE ASSISTANT

November 18, 2010

Colonel Jeffery M. Hall, US Army, Commanding  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia, 31401

**Re: Extension of SHEP Comment Period**

Dear Colonel Hall:

I write to ask that the Corps of Engineers extend the comment period for the Savannah Harbor Expansion Project Draft Environmental Impact Statement from 45 days to 120 days. Because of the scope and complexity of this project, and because it has highly significant economic and environmental impacts, 45 days is an unreasonable amount of time.

I make this request as Chairman of the Senate Transportation Committee and as Chairman of the Review and Oversight Commission on the South Carolina State Ports Authority. The extension should be granted for the following reasons:

First, this complex project will have significant implications for South Carolinians. It will directly affect the people, lands and waters of the State and it is imperative that South Carolinians have sufficient opportunity to carefully review and consider these implications. Given this complexity and the volume of documentation that must be reviewed, 45 days is not sufficient time.

Secondly, the Thanksgiving and Christmas holidays are upon us. Nearly three weeks are effectively lost because of legal holidays and staff vacations during the 45 days from the middle of November to the end of December. This effectively reduces these 45 calendar days to only 30, and means stakeholders have a little more than 20 business days for review.

Finally, this project and its DEIS have been under development by the Corps and the Georgia State Ports Authority for nearly ten years. Numerous ancillary studies and investigations have resulted in voluminous material that can only be thoroughly reviewed by extending the comment period.

I appreciate your consideration, and reiterate my request that the review period be extended from 24 days to 120 days. If you have any questions, please do not hesitate to contact me.

Sincerely

A handwritten signature in blue ink, appearing to read "Lawrence K. Grooms", is written over a horizontal line.

Lawrence K. Grooms



Andrew P. Fulghum  
County Administrator

[afulghum@jaspercountysc.gov](mailto:afulghum@jaspercountysc.gov)

**OFFICE OF THE JASPER COUNTY ADMINISTRATOR**

358 Third Avenue – Courthouse Square – Post Office Box 1149  
Ridgeland, South Carolina 29936 – 843-717-3690 – Fax 726-7800 – TDD 726-7519

#12 DE  
PD

gi DE  
AP  
JX  
PM-C

23 November 2010

Jeffrey M. Hall, Colonel, US Army, Commanding  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia 31401

RE: Savannah Harbor Expansion Project Draft Environmental Impact Statement

Dear Colonel Hall:

I am writing this letter in my capacity as County Administrator for Jasper County, South Carolina. Jasper County borders the Savannah River for the entire nineteen and one-half miles of the river channel of the proposed Savannah Harbor Expansion Project. As such, the potential impact of this project on the County is extraordinary.

We have recently received the Savannah Harbor Expansion Project Draft Environmental Impact Statement. As I am sure you are aware, the draft EIS with its appendices and the draft General Re-evaluation Report contain well over 2000 pages. The draft EIS, by its sheer volume, is a comment upon the complexity of the issues. In order for our County, with its limited resources, to examine and comment upon this document, even focusing only on areas of our particular interest and expertise, we will need well over the forty-five days which have been provided. While Jasper County does not wish to prolong the comment period, we would request that you extend that period to one hundred twenty days.

Jasper County is a relatively small governmental unit with limited staff and financial resources. Indeed, just to illustrate, the budget for this draft EIS could pay the entire administrative costs of Jasper County for almost two years. As a practical matter, in order for Jasper County to have an opportunity to comment in a meaningful way even an extension to one hundred twenty days will strain our resources.

Colonel Hall  
23 November 2010  
Page two

We very much appreciate the work of the Corps and the benefits of your efforts that accrue to all of us. Please allow me to thank you for your careful consideration of this request.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'APF', with a long horizontal flourish extending to the right.

Andrew P. Fulghum  
Jasper County Administrator

cc: Members, Jasper County Council  
Honorable William D. Moss, Jr., Chairman Savannah River Maritime Comm.  
Marvin C. Jones, Jasper County Attorney

#13 ~~AS~~  
PD

## Agriculture and Natural Resources Committee

DANIEL B. VERDIN, III  
CHAIRMAN



THE SENATE OF SOUTH CAROLINA  
SUITE 404, GRESSETTE OFFICE BUILDING  
P.O. BOX 142  
COLUMBIA, SOUTH CAROLINA 29202-0142  
(803) 212-6230

GENE HOGAN  
RESEARCH DIRECTOR

VIVIAN McDOWELL  
ADMINISTRATIVE ASSISTANT

November 23, 2010

Colonel Jeffery M. Hall, US Army, Commanding  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia, 31401

**Re: Savannah Harbor Expansion Project Comment Period**

Dear Colonel Hall:


This letter is sent to you concerning the comment period for the Savannah Harbor Expansion Project Draft Environmental Impact Statement. Due to the nature of this project, being not only significant in terms of economic development, but also in regard to environmental impact, I feel that an extension of the comment period from 45 days to 120 days would be highly beneficial.

I bring this request to the Corps of Engineers for a couple of reasons. The first of these has to do with the enormous volume of data that must be considered in relation to this project. This includes an impact statement which took ten years to develop in addition to other related studies that are worthy of consideration. Because of South Carolina's proximity to the area under study, these proceedings are of great importance to our state. 45 days seems inadequate considering these factors.

Secondly, the aforementioned circumstances are compounded by the season in which they occur. Legal holidays, as well as staff vacation days taken in connection with Thanksgiving and Christmas, effectively minimize the comment period further. The holidays also limit opportunities for study and comment by the various stakeholders.

Again, I believe an extension to 120 days could only be helpful in this process. This is a complex and critical issue and deserves a thorough analysis. Thank you for your time and consideration in this matter.

Sincerely,

  
Danny Verdin  
SC Senate, Dist. 9  
Greenville & Laurens Counties



**CHARLESTON METRO  
CHAMBER OF COMMERCE**

P.O. Box 975  
Charleston, SC 29402-0975  
843.577.2510  
843.723.4853 fax  
[www.charlestonchamber.net](http://www.charlestonchamber.net)

November 24, 2010

Col. Jeffery M. Hall  
Commanding Officer  
US Army Corps of Engineers  
PO Box 889  
Savannah, GA 31402- 0889

Dear Colonel Hall:

We are writing to urge you to extend the comment period on the Draft General Re-evaluation Report (GRR) and Environmental Impact Statement (EIS) on a proposal to deepen the Savannah Harbor from its current depth of 42 feet up to a maximum depth of 48 feet. The current public comment period on the proposals for 45 days which ends on January 10, 2011, provides an insufficient amount of time to thoroughly digest the draft report and make adequate comments. With the holidays and end of the year included in the current public comment period, it exacerbates the ability to make adequate and accurate comments due to leave requests by staff during this time period.

We urge you to extend the comment period from 45 days to a minimum of 180 days. A project of this magnitude deserves an adequate amount of time for the various agencies and organizations involved and impacted to be able to study the draft report and make comment.

Please call me at 843-805-3043 if you have any questions.

Sincerely,

Mary Graham, CCR, IOM, CCE  
Senior Vice President  
Public Policy/Regional Advancement

F/4 DE PD  
G: DE  
JP  
JX  
PAI-C

c/o BEAUFORT-JASPER WATER & SEWER AUTHORITY  
6 SNAKE ROAD, OKATIE, SC 29909-3739  
Phone 843.987.9211 FAX 843.987.9293  
Direct Line 843.987.9210  
deanm@bjwsa.org

WILLIAM D. "DEAN" MOSS, JR., CHAIRMAN

SAVANNAH RIVER MARITIME COMMISSION

November 17, 2010

Jeffrey M. Hall, Colonel, US Army, Commanding  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia, 31401

Re: Duration of Comment Period, SHEP

Dear Colonel Hall:

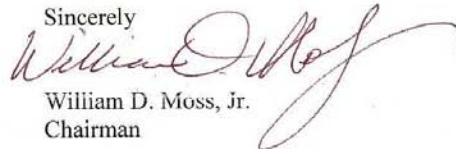
The purpose of this letter is to resubmit my request that the Corps of Engineers extend the comment period for the Savannah Harbor Expansion Project Draft Environmental Impact Statement from 45 days to 120 days. The DEIS was released on November 15, 2010 with a due date for comments of December 30, 2010.

I have attached my October 29<sup>th</sup> letter formally requesting the extension.

I make this request as Chairman of the Savannah River Maritime Commission, the entity charged by the South Carolina General Assembly to represent the State's interests in this matter.

I appreciate your consideration of this important request.

Sincerely



William D. Moss, Jr.  
Chairman

WILLIAM D. "DEAN" MOSS, JR., CHAIRMAN  
SEN. LAWRENCE K. "LARRY" GROOMS  
MICHAEL G. WICKIWE  
HENRY "HANK" SCOTT

COLDEN BATTEY, ESQ.  
MIVEL L. HADDER  
REP. JAMES H. MERRILL  
ROBERT L. WALDREP, JR., ESQ.

CATHERINE CEIPS  
REP. WILLIAM G. "BILL" HERRKEDSMAN  
MARTY CALDWELL  
W.D. "BILL" WORKMAN

DE  
PM-C

of: DE  
DP  
DX

S: 3 Dec 10

c/o BEAUFORT-JASPER WATER & SEWER AUTHORITY  
6 SNAKE ROAD, OKATIE, SC 29909-3739  
Phone 843.987.9211 FAX 843.987.9293  
Direct Line 843.987.9210  
deanm@bjwsa.org

WILLIAM D. "DEAN" MOSS, JR., CHAIRMAN

## SAVANNAH RIVER MARITIME COMMISSION

October 29, 2010

Jeffery M. Hall, Colonel, US Army, Commanding  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia, 31401

Re: Duration of Comment Period, SHEP

Dear Colonel Hall:

The purpose of this letter is to request that the Corps of Engineers extend the comment period for the Savannah Harbor Expansion Project Draft Environmental Impact Statement from 45 days to 120 days. It is my understanding that the DEIS will be released for public comment during November.

I make this request as Chairman of the Savannah River Maritime Commission, the entity charged by the South Carolina General Assembly to represent the State's interests in this matter. I have attached for your information a copy of the statute creating the Commission.

This extension is requested for the following reasons:

1. This is an extremely complex project with significant implications for Southeastern South Carolina and the State as a whole. It will directly affect lands and waters of the State and it is imperative that South Carolina have the opportunity to adequately evaluate and consider its implications. Given this complexity and the sheer volume of the documents that must be reviewed, 45 days is not sufficient time to complete the needed evaluations.
2. This DEIS is being released at the beginning of the Thanksgiving and Christmas holiday seasons. During the 45 days from the middle of November to the end of December, nearly three weeks are effectively lost because of legal holidays and staff vacations. The 45 day period is thus reduced to a practical 30 days.
3. This project and its DEIS has been under development by the Corps and the Georgia State Ports Authority for nearly ten years. The documentation resulting from numerous ancillary studies and investigations is voluminous and can only be thoroughly reviewed by extending the comment period by an additional 90 days.

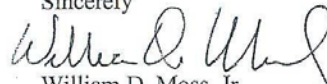
WILLIAM D. "DEAN" MOSS, JR., CHAIRMAN  
SEN. LAWRENCE "LARRY" GROOMS  
MICHAEL G. McSHANE  
HENRY "HANK" SCOTT

COLDEN BATTEY, ESO  
MIKEEL HARPER  
REP. JAMES H. MERRILL  
ROBERT L. WALDREP, JR., ESO.

CATHERINE CEIPS  
REP. WILLIAM G. "BILL" HERBERSMAN  
MARTY SAULS  
W.D. "BILL" WORKMAN

I appreciate your consideration of this important request.

Sincerely

A handwritten signature in dark ink, appearing to read 'William D. Moss, Jr.', with a large, stylized flourish extending from the end of the signature.

William D. Moss, Jr.  
Chairman

Copies to: Members, SRMC  
Governor Mark Sanford  
Attorney General Henry McMaster  
Glen F. McConnell, President *Pro Tempore*, S.C. Senate  
Robert W. Harrell, Jr., Speaker, S.C. House of Representatives  
South Carolina Congressional Delegation  
Executive Director, Georgia State Ports Authority



MARK WILLIAMS  
COMMISSIONER

A.G. 'SPUD' WOODWARD  
DIRECTOR

December 13, 2010

Mr. William Bailey  
ATTN: PD, US Army Corps of Engineers  
Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia 31401-3640

RE: Consistency Determination for Tier II DEIS & DGRR for SHEP, Savannah River,  
Chatham County, Georgia

Dear Mr. Bailey:

Staff of the Georgia Coastal Management Program has reviewed your November 15, 2010 letter and attached Tier II Draft Environmental Impact Statement (EIS) and Draft General Reevaluation Report for the Savannah Harbor Expansion Project (SHEP). The Corps of Engineers must allow the State 60 days to respond to the consistency determination before they may presume concurrence [15 CFR §930.14(a)], rather than the 45 days listed in your letter.

The Program intends to submit their findings by midnight January 15, 2011, rather than by noon December 30, 2010. By this letter, the DNR requests that the official comment period for all parties be extended to midnight, January 15, 2011.

Please feel free to contact Brad Gane, Coastal Resources Division's Assistant Director (912-262-3130), if you have questions regarding this matter.

Sincerely,

A.G. "Spud" Woodward  
Director

SW/km

cc: Todd Holbrook, GaDNR Deputy Commissioner  
Dan Forster, Wildlife Resources Division Director  
Allen Barnes, Environmental Protection Division Director

ONE CONSERVATION WAY | BRUNSWICK, GEORGIA 31520-8686  
912.264.7218 | FAX 912.262.3143 | WWW.COASTALGADNR.ORG

**From:** [judyjennings](#)  
**To:** [Bailey, William G SAS](#); [Bailey, William G SAS](#)  
**Subject:** Comment extension on SHEP  
**Date:** Tuesday, December 14, 2010 3:15:26 PM

---

Mr. Bill Bailey  
U.S. Army Corps of Engineers  
Savannah District  
Savannah, GA

Bill, On behalf of Georgia Chapter Sierra Club, I request an extension of the comment period on the DEIS and GRR for the SHEP.

I appreciate the Corps releasing the documents in a timely manner. But, on the calendar, that timing was right before and during the holiday season when many of us are engaged with guests, travel, and the seemingly unavoidable colds/flu.

I am a volunteer, and so are the other Sierrans who might assist me in reviewing the documents. We are devoted to a healthy environment for Savannah and the Savannah River, but as I alluded previously, this time of the year is packed with other commitments.

I don't know if there is a legally prescribed amount of time which you could allow, but as many days in January that could be allotted for public comment would be greatly appreciated. I believe the Corps has brought diligence to the many years devoted to the DEIS and GRR, and I also believe you want the most valuable comments possible from the public. Time to study the book and comment with best intentions can be aided by more time on the comment deadline. I am not asking for time that would slow down the process, but just an appropriate amount of consideration given the document's timing coincides with an already very busy time for the public.

Sincerely,  
Judy Jennings  
Harbor Issue Leader, Georgia Chapter Sierra Club  
7609 La Roche Avenue  
Savannah, GA 31406  
912-352-0122 home  
912-655-6574 cell  
912-356-3070 fax  
[judyjennings@comcast.net](mailto:judyjennings@comcast.net)

**From:** [Will Berson](#)  
**To:** [Bailey, William G SAS; McIntosh, Margaret \(Mackie\) SAS](#)  
**Cc:** [hmoorer@gaports.com](mailto:hmoorer@gaports.com)  
**Subject:** Request for 15 Day Comment Extension  
**Date:** Tuesday, November 16, 2010 2:05:24 PM

---

Bill and Mackie,

It is my understanding that there is a provision for a 15-day extension to the 45-day comment period for the Corps Notice.

As a long-standing member of the Stakeholder Evaluation Group (SEG), the Georgia Conservancy formally requests the 15-day extension. We firmly believe extending the deadline from Thursday, December 30, 2010 to Friday, January 14, 2011 is appropriate given the complexity of the information covered by the Public Notice (including some information not yet reviewed by the SEG), as well as the time constraints posed by the end of the calendar year

Thank you for considering this request. Please let me know if a more formal effort is required.

[http://georgiaconservancy.org/images/issueImages/2004\\_GC\\_Logo1.gif](http://georgiaconservancy.org/images/issueImages/2004_GC_Logo1.gif)  
<<http://georgiaconservancy.org/Home/Home.asp>>

Will Berson

Interim Director, Coastal Office

428 Bull Street, Suite 201

Savannah, GA 31401

(912) 447-5910

(912) 447-0704 facsimile

wberson@gaconservancy.org <<mailto:wberson@gaconservancy.org>>

www.georgiaconservancy.org <<http://www.georgiaconservancy.org>>

twitter.com/GaConservancy

facebook.com/georgiaconservancy

# SOUTHERN ENVIRONMENTAL LAW CENTER

Telephone 843-720-5270

43 BROAD STREET, SUITE 300  
CHARLESTON, SC 29401-3051

Facsimile 843-720-5240

November 19, 2010

VIA E-MAIL AND U.S. MAIL

Jeffrey M. Hall, Colonel, US Army, Commanding  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia, 31401  
CESAS-DE@usace.army.mil

**Re: Notice of Availability of a Draft Tier II Environmental Impact Statement and  
Draft General Reevaluation Report for Savannah Harbor Federal Navigation  
Project, Chatham County, GA and Jasper County, SC**

Dear Colonel Hall:

We are in receipt of the Joint Public Notice ("JPN") relating to the above-referenced project. According to the JPN, written comments regarding the draft environmental impact statement ("Draft EIS") and the draft general reevaluation report ("Draft GRR") will be received by the Savannah District of the U.S. Army Corps of Engineers ("Corps") until noon on December 30, 2010. For the reasons provided below, we respectfully request that the Corps extend the comment period by an additional 90 days.


The deepening of the Savannah Harbor is a project that involves a number of potentially significant and wide-ranging impacts in South Carolina and Georgia, including, but not limited to, impacts to the Savannah National Wildlife Refuge, federally-protected species, fisheries, benthic communities, birds, marine mammals, wetlands, water quality, air quality, environmental justice, historic properties, and potable surface and groundwater resources. Evaluating the extent to which the proposed project will impact many of these resources involves a very complicated and technical inquiry. In fact, due to the variety of substantial and complex issues associated with this project, the Draft EIS and Draft GRR comprise three large binders and compact discs, which include hundreds of pages of material. According to the shipping invoice that accompanied these studies, the Draft EIS and Draft GRR together weigh about 29 lbs. By any measure, this is a very large volume of material, and it would be difficult for any interested member of the public to digest this information and offer meaningful comments within the 45-day comment period as set forth in the JPN, especially in light of the upcoming Thanksgiving and Christmas holidays. For these reasons, we believe the extension we have proposed is necessary in order to allow for a sufficient opportunity for public comment.

Charlottesville • Chapel Hill • Atlanta • Asheville • Charleston • Richmond • Washington, DC

100% recycled paper

Thank you for considering this request.

Sincerely

Christopher K DeScherer  


Christopher K. DeScherer

cc (via email and US mail):

William G. Bailey, U.S. Army Corps of Engineers  
Andrea Malloy, Coastal Conservation League  
David Kyler, Center for a Sustainable Coast  
Ben Gregg, South Carolina Wildlife Federation  
Jim Murphy, National Wildlife Federation  
Bill Sapp, SELC



## United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, D.C. 20240

DEC - 7 2010

Colonel Jeffrey M. Hall  
U.S. Army Corps of Engineers  
Savannah District  
100 W. Oglethorpe Avenue  
Savannah, Georgia 31401-3640

Dear Colonel Hall:

The Department of the Interior respectfully requests an extension to January 28, 2011 (an additional 18 days), of the comment period for the Corps' Savannah Harbor Federal Navigation Project General Reevaluation Report (GRR) and Draft Tier II Environmental Impact Statement (DEIS). The Corp's Federal Register Notice dated November 26, 2010 (75 FR 72823), announced a 45-day comment period closing January 10, 2011 for these documents, which is the minimum public review time for a DEIS under federal regulations (40 CFR §1506.10). The Corps' regulations provide District Commanders the discretion to extend comment periods based in part on the requesting agency's prior involvement in the proposed action, and the action's scope and complexity (33 CFR §230.19).

Several of the Department's bureaus (Fish and Wildlife Service, National Park Service, Geological Survey) have been actively engaged for many years in the studies and planning efforts associated with the Project. The nature of the potential impacts to federal trust resources of the Department and the broad range of options explored to mitigate those impacts make the Project one of the most complex and challenging civil works projects that our agencies have handled. An extension of the comment period to not sooner than January 28, 2011, will give us enough time to prepare comments that will adequately inform your plan selection and also our Secretary's determination under the Water Resources Development Act of 1999 (Public Law 106-53, Section 102(b)(9)(B)(ii)) as to whether the selected plan and associated mitigation plan adequately address the potential environmental impacts of the Project.

We appreciate your cooperation with our request.

Sincerely,

Vijai N. Rai, Ph.D.  
Team Leader, Natural Resources Management  
Office of Environmental Policy and Compliance

#19 DE  
PD  
y: DE  
DP  
DX  
PM-C

**From:** [Andrea Hricko](#)  
**To:** [CESAS-PD\\_SAS](#)  
**Cc:** [Holland, Robert G SAD](#)  
**Subject:** Savannah DEIS - conflict in comment period dates & request for extension  
**Date:** Saturday, December 18, 2010 1:27:34 PM

---

Dear Mr. William Bailey: First, thank you for "unlocking" the posted .pdf of the Savannah River DEIS, making it easier for the public to comment. That is appreciated.

I have several questions.

Your deadline for comments on the "Draft Tier II Environmental Impact Statement and Draft General Reevaluation Report is stated as "Noon on December 30, 2010." <http://www.sas.usace.army.mil/shexpan/Home.html#ColHall>

The following notice, however, is posted in the (legally authoritative) Federal Register:

EIS No. 20100453, Draft EIS, USACE, 00, Savannah Harbor Expansion Project, Navigation Improvement to the Federal Navigation Channel, Chatham County, GA and Jasper County, SC, Comment Period Ends: 01/10/2011, Contact: William G. Bailey 912-652-5781.

<http://www.federalregister.gov/articles/2010/11/26/2010-29827/environmental-impact-statements-notice-of-availability#p-10>

Can we therefore assume that the deadline for comments is formally January 10, 2011 as opposed to NOON on December 30, 2010?

Please note that with the weekends and holidays since the official start of the comment period which is November 26, 2010, the business days that are included in the comment period of December 30th are somewhere between 19-23. For most persons, that means a total of 19 days to comment, since many offices are closed between Christmas Day and New Year's Day. Even if the comment period is extended to January 10th, this would provide only 6 more work days to comment -- for a total of 30 days.

Such a short period for commenting is completely unacceptable, in my opinion, for a project with such serious environmental implications. The Joint Port Authority for the San Pedro Bay Ports has already committed to a 90-day comment period for a set of DEIS's coming out in 2011 that pertain to rail yards, because of the community interest in, and importance of, the projects.

I hereby respectfully request that the comment period be extended until March 1, 2011, to allow those in the public health community (and certainly community residents and organizations) additional time to comment on a document and environmental evaluation that is more than 1000 pages long and which the Army Corps of Engineers describes in a press release as having cost more than \$40 million to produce.

Please advise if we can EMAIL comments to your attention at this address: CESAS-PD@usace.army.mil as opposed to sending them.

Thank you for your consideration of my request. Sincerely yours, Andrea Hricko, USC

Andrea M. Hricko  
Prof of Prev Med  
Keck School of Med, USC &  
Director, Community Outreach and Education  
Southern CA Env Health Sciences Ctr  
1540 Alcazar Street CHP 236  
L.A. CA 90033  
323-442-3077

-----Original Message-----

From: Holland, Robert G SAD [<mailto:Robert.G.Holland@usace.army.mil>]  
Sent: Wednesday, December 15, 2010 1:02 PM  
To: Andrea Hricko  
Subject: RE: Urgent request to unlock .pdf of Savannah DEIR

They are working this in our Savannah District, but it will take a little time. Will let you know when it is unlocked.

-----Original Message-----

From: Andrea Hricko [<mailto:ahricko@usc.edu>]  
Sent: Tuesday, December 14, 2010 6:04 PM  
To: Holland, Robert G SAD  
Subject: Urgent request to unlock .pdf of Savannah DEIR

Dear Mr. Holland: I am writing to ask if you can request the ACE to "unlock" the .pdf for the Savannah River dredging project. It is impossible to write comments when you cannot "copy and paste" parts of the report into the comment letter.

Please let me know how quickly this will be possible. I urge you to have the ACE unlock the .pdf so that community, environmental and public health organizations can more effectively write comments. Thank you. Andrea Hricko

Andrea M. Hricko  
Prof of Prev Med  
Keck School of Med, USC &  
Director, Community Outreach and Education  
Southern CA Env Health Sciences Ctr  
1540 Alcazar Street CHP 236  
L.A. CA 90033  
323-442-3077

**From:** [tbonitatibus@gmail.com](mailto:tbonitatibus@gmail.com) on behalf of [Tonya Bonitatibus](#)  
**To:** [CESAS-PD\\_SAS](#)  
**Subject:** Request for extension of EIS public comment  
**Date:** Tuesday, January 18, 2011 10:39:36 AM

---

Dear Mr. Bailey,

I would like to request an extension on the Savannah Harbor Environmental Impact Statement public comment period. As you have heard from South Carolina DHEC, and from representatives of the environmental community such as Southern Environmental Law Center, adequate time is not being permitted for those trying to digest this massive document. I would venture to say that **South Carolina's DHEC stating that they don't have enough time to review the document adequately, despite their significantly larger staff, should be a clear message to the Corps of Engineers that adequate review time has not been provided for stakeholders.**

**The Corps of Engineers has not provided all of the materials needed to properly assess the document.** An example of this is the lack of documentation provided to properly review the hydrodynamic salinity model. If we are not properly provided with the materials needed to adequately review documents, we can not provide thoughtful and educated comments. Is that the purpose of this comment period, to not allow for thoughtful and meaningful public comment?

**I would like to request the public comment period be extended at least 15 days, but preferably 30 days.** The corps of engineers has had over 5 years (11 for the entire project) to develop this document, and we should in turn be provided with at least 90 days to absorb and comment on such a significant document. This project is expected to cause significant damage to the Savannah River, and proper review is a must. We must also be provided with appropriate documentation in a timely manner to make comments.

Thank you for your consideration and understanding. Our concerns are made only to ensure the best possible solution for the Savannah River and the over 1.4 million people who rely on her fresh drinking water daily. TB

Tonya Bonitatibus  
Riverkeeper/ Executive Director  
Savannah Riverkeeper  
O: 706 826-8991  
C: 706 755-4839  
[www.savannahriverkeeper.org](http://www.savannahriverkeeper.org)

It's Your River, Protect it!



US Army Corps  
of Engineers  
Savannah District

## Comment on the Savannah Harbor Expansion Project

The Savannah District, U.S. Army Corps of Engineers welcomes your comments on the Savannah Harbor Expansion Project. Once completed, place the card in the "comments" box or add postage and mail it back to us. Comments can also be provided online at [CESAS-PD@usace.army.mil](mailto:CESAS-PD@usace.army.mil).

From: (optional)

Rev Vernell Cutler [Harambee House, Inc]

Comments:

On your notice of Availability of a Draft Tier II Environmental Impact Statement (EIS) closing comments are said to end on Dec. 30<sup>th</sup>. However, on your News Release it is stated that closing comment is Jan 10<sup>th</sup>.

Which date is correct?