

7.00 PUBLIC INVOLVEMENT, REVIEW AND COORDINATION

7.01 Public Involvement and Review

Substantial efforts were made to inform and listen to the public, the local community, and State and Federal resource agencies regarding the proposed harbor deepening. After the project was authorized in WRDA 1999, GPA formed the Stakeholders Evaluation Group (SEG) in 1999 to provide a public forum and to assist in identifying scientific studies and analyses that should be performed to identify and quantify environmental impacts that may result from proposed deepening of the harbor. The SEG was comprised of environmental groups, municipalities, State and Federal agencies, and private citizens. The body typically met on a bi-monthly basis and all meetings were open to the public. The SEG had as its principal charge the development of consensus amongst the participants regarding:

A. the scope and content of the scientific investigations and analyses to be performed pursuant to the development of the Final EIS,

B. the appropriate increment of channel depth, and the appropriate mitigation measures.

Since its inception, the SEG provided input to GPA, Federal and State agencies on all aspects of the scientific investigations, analyses, and mitigation options for the proposed action. The input from the SEG provided invaluable information for the development of the project's mitigation, monitoring and adaptive management plans. The full SEG met approximately 70 times, which does not include numerous interim and committee meetings. As part of their efforts, the SEG produced a Summary Report documenting the processes by which the group operated, a summary of its 12-year involvement with the project, and lessons learned. The SEG Summary Report is included as Appendix Y.

A Notice of Intent (NOI) to prepare an EIS for this project was filed with the USEPA on January 22, 2002. With the NOI, the public and agencies were notified that a scoping meeting would be conducted for the proposed project. On February 21, 2002, Savannah District held a scoping meeting for the proposed action at the Savannah International Trade and Convention Center. Additionally, a NEPA scoping meeting was held on April 12, 2002. Comments on these scoping meetings were received from the following:

- U.S. Fish and Wildlife Service
- National Marine Fisheries Service
- Department of Health and Human Services, Atlanta, GA
- Georgia Chapter of the Sierra Club
- Harbor Committee, Savannah Area Chamber of Commerce
- Georgians for Clean Energy, Savannah Office
- City of Savannah
- Ogeechee Audubon Society
- National Park Service, Fort Pulaski National Monument
- Coastal Heritage Society
- Southern Bulk Industries

- City of Tybee Island
- Savannah Mill
- Southern Environmental Law Center
- Historic Savannah Foundation
- Tybee Island Beach Task Force
- Sons of the Revolution in the State of Georgia
- Historic Talbotton Foundation, Inc.
- Patsiliga Museum, Inc.
- Tybee Island Historical Society
- Hyatt Regency, Savannah
- Georgia Battlefields Association, Inc
- Convention Consultants Historic Savannah Foundation
- L. Scott Barnard and Associates Architects
- International Paper, Savannah, GA
- Coastal Engineering - Olsen Associates, Inc.
- City of Savannah, Water and Sewer Bureau
- Tom Crites and Associates International, Inc.
- Private Citizens

Comments and concerns expressed in these comments and letters, as well as the SEG were used in the preparation of the DEIS.

A Notice of Availability of the DEIS was published in the Federal Register on November 15, 2010 for 45-day period and advertised in local newspapers in both Georgia and South Carolina. In response to several requests, the District extended the review and comment period an additional 15 days until January 25, 2011 to provide the agencies and the public additional time to review the document. A summary of the mailing list for the DEIS is included as Table 7-1. In addition, copies of the DEIS were made available at public libraries, and the documents were posted on the Savannah District website. A public information meeting on the project was also held at the Savannah Civic Center on December 15, 2010. Participants were provided detailed information on the project and its associated mitigation plan and provided the opportunity to ask questions and submit oral or written comments.

For the Final EIS, a Notice of Availability will be published in the Federal Register and advertised in local newspapers. The documents will be mailed to those listed in Table 7-1, and they can be provided to additional parties upon request. The Final EIS will also be made available in public libraries and on the Savannah District website.

7.01.1 Summary of Comments Received on Draft EIS and GRR

Upon distribution of the Draft EIS and GRR on November 15, 2010, the Savannah District received over 1,100 written letters, e-mails, and dictated responses from Federal and State agencies, environmental groups, civic organizations, and private citizens. The comment letters and the Corps' responses are included as Appendix A to the Final EIS.

The majority of the 684 commenters provided general statements supporting the harbor deepening project. A demographic summary of the statements of support is shown in Figure 7-1.

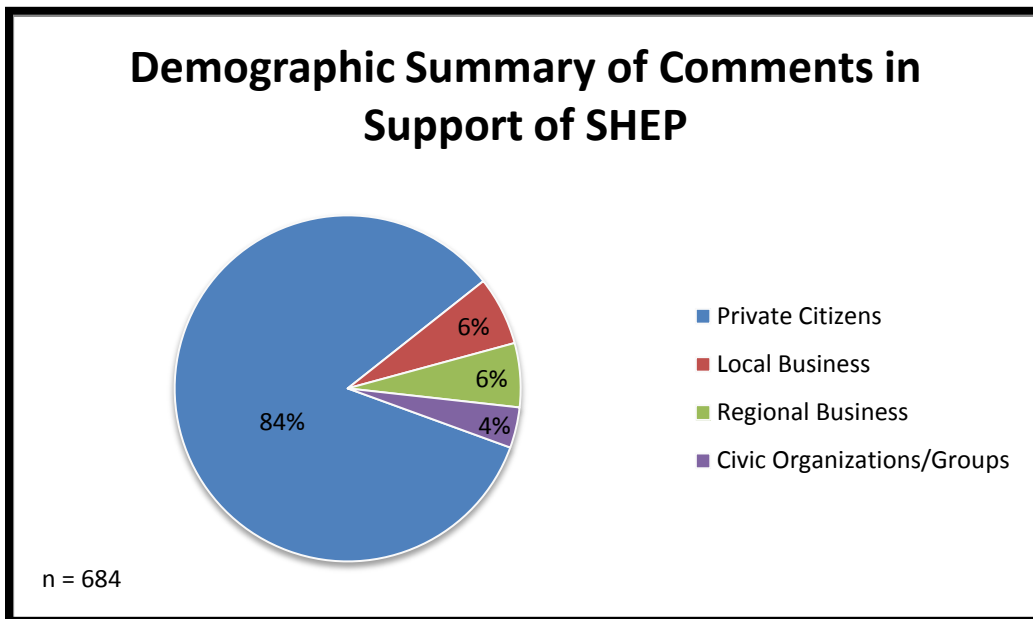


Figure 7-1. Demographic summary of comments in support of SHEP.

The remainder of the commenters submitted comments related to the environmental impacts, the economic analyses, and engineering studies associated with the proposed project. The comments contained in the letters were generally grouped into three broad categories (despite some overlap) as follows: Environmental (1,247), Economics (356), and Engineering (258). A summary of the comments by subject area including the 684 comments in support of the project is shown in the following figure:

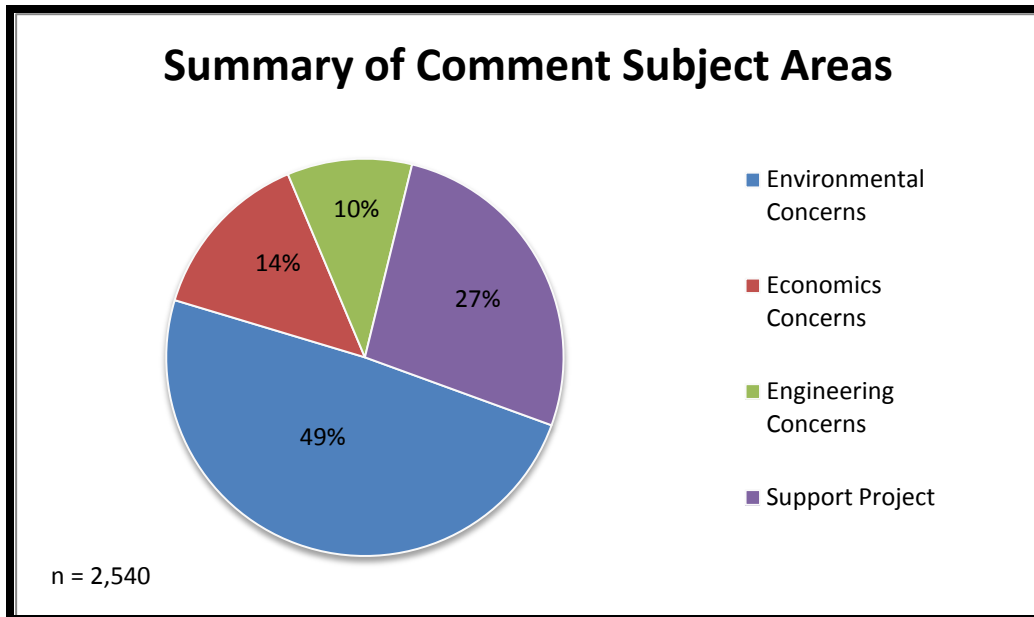


Figure 7-2. Summary of comment subject areas.

As illustrated in Figure 7-2 above, the majority of the comments were related to the environmental analyses and predicted impacts associated with the proposed project. In general, the environmental comments focused on two major issues: the proposed monitoring and adaptive management plan and the impacts to endangered species, specifically the Shortnose sturgeon. The District received comments from all the Federal Cooperating Agencies (Department of Interior (DOI), Department of Commerce (DOC), and the Environmental Protection Agency (EPA)) regarding the post-construction monitoring period. Both the DOI and EPA requested that the monitoring period be extended to as much as 10 years. The Federal Cooperating Agencies and the State resource agencies, with the Georgia Department of Natural Resources - Environmental Protection Division (GA DNR-EPD) in particular, requested additional elements be included in the monitoring plan to ensure the actual impacts do not exceed those expected for a particular resource.

Several resource agencies expressed concern that a 5-year monitoring period may be too short to adequately test the performance of the mitigation features. Some of the mitigation features are designed to address impacts that only become evident during low river flows. River flows are entirely dependent upon climate conditions, and it is possible to go through a 5-year monitoring period without experiencing low flows that would test the performance of the mitigation features. The risk of not observing significant low-flow data during a 10-year monitoring period is greatly reduced. Historic records from the Savannah River at the Clyo streamflow gage indicate that 5 years of above-average flows are not uncommon, but even during so-called "wet decades" there have always been a few years of below normal flow.

To address these concerns, the Corps added elements to the monitoring plan and lengthened the monitoring period for some elements to as much as 10 years. Elements added to the plan include determinations of the location of the freshwater interface, addition of a twelfth wetland monitoring site, expanded monitoring of CDF effluent, and additional biological monitoring in the CDFs. The Corps believes the adaptive management plan, as proposed, would allow it to make necessary changes to the project should the environmental impacts exceed what is predicted or the mitigation features do not function as intended.

A number of commenters expressed concern about funding assurance for both the construction and operation and maintenance of the proposed mitigation features and any adaptive management features. To address their concerns, the State of Georgia has indicated that it would place costs for mitigation feature monitoring and adaptive management in an escrow account so the funds would be available if/when needed. The District will seek the Federal share of the adaptive management funds (estimated at \$2 million a year) for the entire duration of the monitoring period and for any action needed based on the monitoring results. Any project funds that are not used during the year due to unforeseen circumstances would be carried forward as needed and justified. With regard to operation and maintenance of the mitigation features, the Corps' highest budget ranking is given to funding requests for operation of mitigation features.

In addition to the monitoring plan, a large number of comments, particularly from the DOC, were concerned with the proposed mitigation for impacts to Shortnose sturgeon habitat. A mitigation feature proposed in the Draft EIS to compensate for adverse impacts to Shortnose sturgeon habitat was construction and operation of a horseshoe rock ramp fish bypass around the New Savannah Bluff Lock and Dam, near Augusta, Georgia. In their comments, the DOC indicated that the proposed design was inadequate because the percentage of river flow passing through the structure (5%) did not provide adequate assurance that Shortnose sturgeon could find or use the structure. Based on these comments, the Corps held a fish passage workshop and invited representatives from the Federal and State natural resource agencies, fishway engineers, and academic experts to review the design. As a result of the input provided at the workshop and a follow-up site visit arranged by NMFS, the Corps revised the rock ramp design to accommodate 100% of the river flow a majority of the spring spawning season, while not increasing flooding upstream and maintaining an acceptable pool level. The revised design is presented in EIS Section 5 and Appendix C.

Both the GA DNR-CRD and the City of Tybee Island submitted comments regarding the proposed beneficial use of dredged materials, i.e. nearshore placement of new work sediments from the entrance channel. GA DNR-CRD's initial finding was that the SHEP is generally consistent with the enforceable provisions of the Georgia Coastal Management Program. However, certain changes were requested regarding the dredged sediment placement plan, viz., the State expressed concern about the proposed deposition in the nearshore sites and the two offshore [fish enhancement] sites. In light of GA DNR-CRD and the City of Tybee Island's concerns about the quality of the sediments, the Corps revised the dredged sediment placement plan and now intends to deposit all

sediments from the entrance channel in either the Ocean Dredged Material Disposal Site or approved upland confined sediment placement sites. Consequently, proposed dredged sediment placement areas: Site MLW 200, Site MLW 500, ERDC Nearshore, Site 2 Mound, Site 2 Extension, and Sites 3, 4, 5, 6, 11, and 12, were deleted from the proposed action and the Corps would not deposit dredged sediments in those locations as part of the Savannah Harbor Expansion Project.

The City of Savannah submitted comments concerning the potential impacts of increased chlorides to their water supply intake on Abercorn Creek. As a result of their comments, the Corps, Georgia Ports Authority, and the City of Savannah closely coordinated to perform additional impact analyses. The results of those analyses are summarized in Section 5.02 of the Final EIS. The analyses indicated that during drought conditions and high tide, the increased chloride concentrations would cause an increase in lead corrosion and disinfection byproducts, both of which are regulated by the EPA, at the City's municipal and industrial plant. Based on the outcome of the updated studies, the Corps has added a raw water storage impoundment to mitigate for these expected impacts.

A number of comments were also submitted concerning the engineering and design of the channel, in particular the Ocean Bar Channel (entrance channel) and channel extension. Respondents were concerned that the channel design presented in the Draft documents was not adequate to allow safe transit of the larger ships expected to call after the harbor is deepened. The preliminary channel design was determined using the Corps of Engineers' design standards and procedures outlined in EM-1110-2-1613, Hydraulic Design of Deep Draft Navigation Projects. In accordance with ER-1110-2-1403, final channel dimensions and navigation requirements were developed using the Corps' state-of-the-art ship simulator with input from the Savannah Harbor Pilots Association (SHPA). The use of ship simulators to establish final design parameters for deep-draft navigation channels is the standard practice worldwide and ensures that channels are safe and economical and result in minimal environmental impact and long term maintenance requirements. The use of ship simulators also provides the harbor pilots that work in the channel on a daily basis with the opportunity to provide input into the design and ensure the navigability and safety of the channel. The ship simulation study verified that the channel could be deepened and widened at three bends to maintain two-way traffic capability for the design vessel and a smaller vessel. Two meeting areas are also included to provide for meeting of two design vessels.

Currently the Savannah Harbor Pilots safely bring in vessels with a minimum of 4-foot underkeel clearance (UKC). The Corps expects this practice to continue with the deepened channel. The vertical motion study, which included the channel extension out to a maximum of Station -98+600B, showed that the pilots can safely navigate the design vessel through the deepened Ocean Bar Channel at a ship speed of 14 knots or less. Documentation for both the ship simulation and vertical motion studies can be found in Engineering Appendix Supplemental Materials.

With respect to economics, most respondents commented or asked questions about how deepening the harbor is economically justified if the cargo volume growth rate remains

the same in both the with- and without-project conditions. As indicated by the commodity forecast discussed in Section 5 of the GRR, under both the without- and with-project conditions, the District expects the Garden City Terminal to reach its build-out capacity near 2030 when the total number of TEUs processed reaches 6.5 million. The Corps anticipates that without deepening, more vessels would be required to transport a given volume of cargo, when compared to the with-project condition in which the vessels could load more completely (thereby requiring fewer vessels).

No increase in cargo is expected to occur as a result of the proposed harbor deepening. As a result, the number of containers that transit the areas that surround the port would not change as a result of a deeper harbor. The project's economic benefits accrue from the use of larger, more cost-effective container ships, not an increase in the number of containers moving through the port. These transportation cost savings are predicted to result in an average net benefit of over \$170 million annually to the Nation.

Documentation of the Corps' responses to all comment letters, e-mails, and dictated comments is included as Appendix A of this EIS.

7.02 Required Coordination

Cultural resources investigations have been coordinated with the Georgia and South Carolina Division of Archives and History, Underwater Archaeology Unit, and with the Georgia and South Carolina State Historic Preservation Officers (SHPOs), pursuant to the National Historic Preservation Act of 1966, as amended. The SHPOs have reviewed reports that have been prepared that assess the condition of cultural and historic resources that could be impacted by the proposed project. A Programmatic Agreement has been developed that describes the actions the Corps would take to comply with the National Historic Preservation Act. That Agreement is included as Appendix G. The SHPOs officially commented on Savannah District's Section 106 determination when they reviewed the Draft EIS. The District has agreed to further coordination with the SHPOs as further investigations are conducted.

This Final EIS contains Savannah District's Federal Consistency Determination with the Georgia Coastal Management Program. The determination was provided to the GA DNR Coastal Resources Division, which administers the Georgia CZM Program, for review and concurrence, in compliance with the Coastal Zone Management Act (CZMA), 16 U.S.C. 1451 et seq., as amended. The concurrence letter from the Georgia DNR Coastal Resources Division is included in Appendix Z.

This Final EIS contains Savannah District's Federal Consistency Determination with the South Carolina Coastal Management Program. The determination was provided to the Office of Ocean and Coastal Resource Management of the South Carolina Department of Health and Environmental Control, which administers the South Carolina CZM Program, for review and concurrence, in compliance with the Coastal Zone Management Act

(CZMA), 16 U.S.C. 1451 et seq., as amended. The concurrence letter from the OCRM of the SC DHEC is included in Appendix Z.

This Final EIS contains Savannah District's Section 404(b)(1) Evaluation on the proposed project. That evaluation was provided to the Georgia Department of Natural Resources, Environmental Protection Division. GA DNR-EPD administers the Section 401 water quality certification program in Georgia under the authority of the Clean Water Act. The Corps requested water quality certification as part of GA DNR EPD's review of the DEIS. GA DNR-EPD issued a water quality certification for the project on February 16, 2011; it is included in Appendix Z.

Savannah District's Section 404(b)(1) Evaluation was also provided to the South Carolina Department of Health and Environmental Control. SC DHEC administers the Section 401 water quality certification program in South Carolina under the authority of the Clean Water Act. The Corps requested water quality certification as part of SC DHEC's review of the DEIS. SC DHEC issued a water quality certification for the project on November 15, 2011; it is included in Appendix Z.

EPA administers the Section 103 ocean disposal program in the southeast under the Marine Protection, Research, and Sanctuaries Act. Excavation, transport and deposition of sediments into the Savannah Ocean Dredged Material Disposal Site require EPA approval under Section 103 of MPRSA. At the request of EPA, the Corps is performing biological testing of new work sediments in the entrance channel. When the results of that testing are available, the District will prepare a Section 103 Evaluation and submit it to EPA Region 4 for review and approval prior to initiating dredging.

Consultation under Section 7(c) of the Endangered Species Act of 1973, as amended, was conducted with the US Department of the Interior, USFWS and the US Department of Commerce, NMFS. The Biological Assessment (BA) addressing these issues is included in Appendix B. The Concurrence Report of the USFWS and the Biological Opinion of NMFS are included in Appendix Z of this EIS.

The coordination required under the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661, et seq), was conducted. The Draft Coordination Act Report provided by the USFWS in November 2008 was included in the Draft EIS. The Final Coordination Act Report provided in April 2011 is included in Appendix E of this EIS. Appendix E also includes the Corps' response to the recommendations in the Final Fish and Wildlife Coordination Act Report.

Table 7-1. Mailing List for the EIS

Federal Agencies

US Environmental Protection Agency
US Environmental Protection Agency, Region 4
US Environmental Protection Agency, Region 4 Office of Federal Activities
US Department of the Interior
US Department of the Interior, Regional Environmental Officer
US Department of the Interior, Fort Pulaski National Monument
US Fish and Wildlife Service, Region 4
US Fish and Wildlife Service, Ecological Services Office, Athens, GA
US Fish and Wildlife Service, Ecological Services Office, Charleston, SC
US Fish and Wildlife Service, Savannah Coastal Refuges
US Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Habitat Conservation Division
National Marine Fisheries Service, Protected Species Division
Advisory Council on Historic Preservation
Forest Service, USDA
Federal Emergency Management Administration
HUD, Atlanta Regional Office
Natural Resources Conservation Service
Department of Health and Human Services
US Coast Guard, Captain of the Port
US Coast Guard, Navigation Aids
US Geological Survey, Columbia, SC
US Geological Survey, Georgia Fish and Wildlife Cooperative Research Unit
US Geological Survey, South Carolina Fish and Wildlife Cooperative Research Unit
US Geological Survey, Florida Fish and Wildlife Cooperative Research Unit
Federal Highway Administration
Naval Historical Center

Georgia

Department of Natural Resources, Environmental Protection Division
Department of Natural Resources, Coastal Resources Division
Department of Natural Resources, Wildlife Resources Division
Department of Transportation
Georgia Ports Authority
State Historic Preservation Officer

Table 7-1. Mailing List for the EIS (Continued)

South Carolina

Department of Natural Resources

Department of Health and Environmental Control, Division of Water Quality

Department of Health and Environmental Control, Office of Ocean and Coastal
Resources Management

State Historic Preservation Officer

Savannah River Maritime Commission

Local Government

Chatham County, GA

City of Savannah

City of Savannah, Water and Sewer Department

City of Savannah, Engineering Department

Metropolitan Planning Commission

Jasper County, SC

Hilton Head, SC

Tybee Island, GA

Other

Coastal Heritage Society

Savannah Chamber of Commerce

Savannah Chamber of Commerce, Maritime Committee

Savannah Maritime Association

Savannah Pilots Association

Navy League, Savannah Council

The Propeller Club, Port of Savannah

Table 7-1. Mailing List for the EIS (Continued)

Conservation Groups

Georgia Conservancy
Sierra Club
Ogeechee Audubon Society
The Nature Conservancy
National Wildlife Federation
National Audubon Society

Elected Officials

Senator Saxby Chambliss (R-GA)
Senator Johnny Isakson (R-GA)
Representative John Barrow (D-GA 12th)
Representative Jack Kingston (R-GA 1st)
Senator Lindsey Graham (R-SC)
Senator Jim DeMint (R-SC)
Representative Joe Wilson (R-SC 2nd)

Libraries

Chatham County Public Library, Main Library
Chatham County Public Library, Mall Branch
Chatham County Public Library, Port Wentworth Branch
Chatham County Public Library, Port City Branch
Chatham County Public Library, Ola Wyeth Branch