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Begin forwarded message:

From: Jamie McCurry <JMCCURRY@gaports.com>
Date: August 12, 2016 at 11:47:38 AM EDT
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Cc: Hope Moorer <hmoorer@gaports.com>, "bobhurt@hurtnorton.com" <bobhurt@hurtnorton.com>
Subject: WRDA

Guys,

The document attached is a summary from our perspective of the fish by-pass issue that the Savannah Riverkeeper has raised. While this is last minute in terms of WRDA's progress, if you were to request language from the Corps' legislative drafting service, it should be easy to deliver and they may even have something drafted already as it is an issue they've been contemplating as well. We would support this change if it can be accomplished.

We'd also very much like to know what the new cost and benefit estimates are for the project if the Corps would share them. WRDA is the vehicle for accomplishing a change to the authorized cost and the narrow window before WRDA moves is precious. If the cost isn't adjusted in WRDA '16, we will likely be scrambling for a solution in '17 or '18.

John, we've not had a chance to visit with you on this directly but these items have come up in recent conversations with the Corps and the other guys. I can explain to you more clearly over the phone if this all looks foreign and we will be able to spend some time on it when you are down here later this month.

Thanks!
Jamie

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Water Resources Development Act 2016

Issue:

Language is needed in WRDA 2014 for the Savannah Harbor Expansion Project (SHEP) for the following purposes: to solve the authorization problems with the New Savannah Bluff Lock and Dam (NSBLD) and to update the project cost to current levels.

NSBLD Background:

The NSBLD, completed in 1937 is located 187 miles above the mouth of the Savannah River, approximately 13 miles downstream from Augusta, Georgia. The project was authorized for commercial navigation. However, the last commercial shipments were in 1979 which is also when the Corps of Engineers ended maintenance of the river for navigation above Savannah. Other than pleasure craft, only very limited special-use barge traffic has used the river since 1978. While the structure is no longer serving its original purpose, it does serve other purposes such as water supply and recreation which are not authorized.

The lock and dam is an obstacle to migration of spawning fish, including endangered Atlantic and Shortnose sturgeon. A study by the Corps dated September 2000, recommended the removal of the structure. After the report was released, local interests expressed their desire to keep the structure in place and petitioned their Congressional representative for such legislation. In WRDA 2000, as amended, Congress provided authorization for transfer of the project to North Augusta/Aiken County, SC, after repair of the structure and addition of a fish passage, all to be done at federal expense. The City of North Augusta and Aiken County indicated their willingness to accept the structure after the rehabilitation and construction is complete. Neither rehabilitation nor construction has been funded by the federal government to date. Efforts to contribute the funds to the federal government by the local entities have also not been successful.

In Spring 2014, a periodic inspection and assessment of the structure indicated continuing deterioration under the riverside lock wall. The Savannah District closed public access to the NSBLD and operation of the lock when the deterioration was discovered. Continuing erosion under the wall has exposed supporting timber piles making them vulnerable to water damage and decay. Additionally, ongoing channel scour in the area of the structure also increases instability and the risk associated with possible collapse.

SHEP Mitigation:

Deepening the Savannah Harbor will allow additional saltwater to enter the harbor and travel further upstream into areas currently used by the endangered Shortnose and Atlantic sturgeon. The increased salinity will reduce the suitability of some of these areas for the fish. To compensate for these impacts, the Savannah District included a fish passage around the lock and dam to enable the endangered species and other fish to reach historical spawning habitat at the Augusta Shoals upstream of the NSBLD.

Subsequent to the approval of the deepening project which included the passage as one of the mitigation components, the Corps discovered the damages to the NSBLD. To continue moving forward with the fish passage, the NSBLD will need to be repaired. The estimate for the minimum amount of repair to hold the dam in place is \$20 million. The danger is if the minimum repair does not hold and the dam fails. If that occurs, the \$35 million to construct the fish passage would have been wasted.

The Corps has studied various alternatives to constructing the bypass to achieve SHEP mitigation. Each of those potential alternatives involves changing or removing the NSBLD which is not allowed under the current authorizations that exist for the structure.

WRDA Language:

Under the normal Corps process, the Corps would prepare a Post Authorization Change Report that would go to Congress for approval and inclusion in authorizing legislation... a process which can take two years or longer. The Biological Opinion for the SHEP from the National Marine Fisheries Service states that the fish passage construction must begin prior to or concurrently with inner harbor dredging. If the Corps follows the normal process for reauthorization of the NSBLD, the start of inner harbor dredging will be delayed. Therefore, language is needed in WRDA 2016 which achieves the following:

- Deauthorizes the NSBLD and any other laws directing the turnover of the NSBLD
- Constructs a device to maintain the pool for water supply and recreational activities which also allows safe passage of the Shortnose and Atlantic sturgeon and other migratory fish to historic spawning grounds
- Provides for the removal of the dam if necessary
- Conveys the park and recreation area next to the NSBLD to Augusta-Richmond County without consideration
- Allows these activities to be completed as part of SHEP
- Directs that O&M of any feature constructed under this authority be a Federal responsibility
- Updates the cost of the SHEP

Request:

We respectfully request the Corps be engaged to provide legislative drafting service to achieve the necessary work associated with the NSBLD and the updated cost recently completed by the Corps.