

# OPINION

## Augusta's access to the sea must be protected

By J. Noel Schweers III  
Guest Columnist

Augusta's joining with the state of South Carolina in its lawsuit against the U.S. Army Corps of Engineers is a very positive development. Hopefully, this united front will encourage the Corps to reconsider its plan to remove the New Savannah Bluff Lock and Dam and replace it with a big pile of rocks.

When I penned a column Feb. 24 describing the legal history of the battle over the Lock and Dam ("Was Augusta's river input thwarted intentionally?"), I naively believed that the Corps, the Georgia Ports Authority (GPA) and our elected officials would change course once the deceptive back-room maneuverings involved in getting the 2016 Water Infrastructure Improvements for the Nation Act (the WIN Act) became public.

Clearly, that was not to be. The Corps' resolve remains unshaken by such things as public outcry, clear technical errors, shame, common sense or the plain language of the new law. They apparently intend to ignore any facts that do not support their position.

For example, I wrote the Corps in October to point out that the commencement of final dredging in the Savannah Harbor, without simultaneously commencing construction of an out-of-channel fish passage, violated the court-approved agreement to comply with the 2011 National Marine Fisheries Service Biological Opinion. The only response was what appeared to be a form letter, thanking me for my interest.

Therefore, when I discovered another overlooked or ignored problem, I decided to raise my concerns in this forum, in the hope that public disclosure will encourage the Corps to comply with the law. While this column may not deter the Corps, it will at least alert them that we are aware of their erroneous actions.

As is now well-known, the protections then—U.S. Rep. Charlie Norwood obtained for the Lock and Dam from Congress in 2000 were reversed through the clandestine efforts of the Savannah Riverkeeper, the GPA and the Corps. The objective they sought, and achieved in the WIN Act, was the "deauthorization" of the Lock and Dam. The impact of this ambiguous legal term must be understood to appreciate our current plight.

When Congress determines that a civil works project is worthy of federal support, it "authorizes" the project to be eligible for federal funding. Deauthorization involves revoking this approval, and normally follows a regimented two-year public evaluation of the merits of the project called a disposition study, which requires public comment.

After deauthorization, the project is ineligible to receive federal funding or protection. The calculated actions taken to get the WIN Act provision enacted intentionally deprived us of our ability to object. In fact, the parties working on the law did not even notify the congressional representatives for the impacted areas, Rick Allen and Joe Wilson, until the Senate had it quietly added to large infrastructure bill destined for passage.

People opposing the Lock and Dam, the loudest of which has been Riverkeeper Tonya Bonitatibus, lecture us that the deauthorization is a done deal and we need to get over it. Unfortunately, they may be correct, at least as to the deauthorization. The deauthorization, the self-proclaimed legal and scientific experts claim, means that we must either choose Option A (accept a rock weir that results in a lower river level, or Option B (spend up \$27 million to fund a higher weir, which will cause increased flooding, but still not maintain the pool). Fortunately, they are

wrong. While the Lock and Dam deauthorization has occurred, there remains an authorized project that should block the anti-Lock-and-Damners' scheme.

In 1736, Gen. James Oglethorpe sent a detachment of soldiers from Savannah to establish Fort Augusta at the river's navigable limits. At the time, the river was subject to significant unpredictable fluctuations. These fluctuations caused flooding during the rainy season and very shallow areas during dry spells. This made year-round navigation difficult. Over the next 200-plus years, many improvements were made at great expense to remedy these problems.

One such improvement was made when the Lock and Dam was built. Congress authorized certain dredging to create a 6-foot-deep channel from Savannah to Augusta to accommodate the vessels in use at the time. This project was dubbed Savannah River Below Augusta, or SRBA.

In 1950, Congress modified the SRBA authorization to require the Corps to create and maintain a 9-foot deep, 90-foot wide navigation channel from downtown Augusta to Savannah, to support a renewed interest in commercial river traffic. As part of these improvements, the channel was straightened to overcome some of the river's most meandering sections. This shortened the route between the two cities by about 30 miles.

Not surprisingly, the Corps ceased maintaining the channel based upon its opinion that commercial traffic had declined to an extent that they should be freed from this burden. Despite this, the channel is still a congressionally authorized and a reliable mode of transportation.

In fact, the GPA's top man, Executive Director Griff Lynch, extolled the river's virtues in a June 11, 2016, article ("Barge delivers first

cargo up Savannah River in 40 years") in the Savannah Morning News. In the article, which reported the successful barge transport of a 700,000-pound piece of equipment to PSC Nitrogen's Augusta plant, Mr. Lynch boasted how the trip "demonstrates Savannah's ability to move super-sized cargo inland via river barge." He went on to describe the River as "a useful option when a cargo's size and weight complicate overland transit."

The SRBA's channel is important today because it uses the still-repairable lock to permit navigation from Savannah to Augusta upstream of the 3rd Street Bridge. This is the same route taken by Oglethorpe's soldiers 243 years ago. In an apparent violation of its commission of ensuring rivers remain navigable, the Corps plans to permanently block any navigation on the congressionally-mandated channel with an ill-conceived rock weir.

While it is possible that this issue is unknown to the Corps, the facts suggest otherwise. Just last year, two years after the authorization law, the Corps approved the Savannah Riverkeeper as the sole sponsor of a little-known study to determine the feasibility of returning the river to its original, circuitous route. The Corps is likely to rely on this study as a justification for the commencement of the two-year-long Disposition Study, which they evaded on the Lock and Dam.

It is important to know that, as the nonfederal sponsor, the Riverkeeper is required to pay 50% of the cost of the approximately \$3 million study. The balance of the cost is to be funded by the Corps.

The Riverkeeper has apparently convinced governmental officials in Augusta, Savannah and Columbia County to fund, or commit to fund, at least a substantial portion of her \$1.5 million share of the project.

So far, the city of Savannah has paid \$300,000. Columbia County has paid \$120,000 and committed to pay another \$60,000 next year. The amount of Augusta's commitment is currently unavailable. However, the city's website discloses multiple payments made to the Riverkeeper for unknown reasons totaling \$92,702.26 over the years.

Giving large amounts of public funds money to a private, nonprofit corporation—which is not subject to regulation of public scrutiny—should not be done. Allowing the Riverkeeper to control public funds is especially troubling considering that, at least as to the WIN Act, the organization has engaged in direct lobbying activities. This is despite the fact that tax-exempt organizations are prohibited from engaging in such activities, if a substantial part of its activities. However, a determination of the scope of the Riverkeeper's lobbying activities cannot be made because the required disclosure details were not included in its annual tax filing.

It is clear that the Corps must not block the channel, nor take any actions to jeopardize its 9-foot minimum depth, as long as it remains officially authorized.

We must do everything possible to halt the proposed deauthorization of the channel. This includes informing our federal officials that another deauthorization is unacceptable, and demanding our local officials cease funding the Riverkeeper's feasibility study.

The actions to date may not be completely reversible, but we can stop those who wish to alter our river, without regard to the communities' wishes.

The writer is General Counsel for Morris Communications Co. LLC, the previous owner of The Augusta Chronicle.

## Cancer Center aims to improve physical, mental health

Dr. Lance Evans, Zach Klaassen and Martha Tingen  
Guest Columnists

The holidays are here. It is supposed to be a time to make happy memories that will last a lifetime—a time of laughter with parents, siblings, other family members and all of the friends we make along the way in this journey called life.

However, not every person experiences this so-called "holiday joy" that is supposed to start just before Thanksgiving Day and end just after we ring in the New Year. And when you add a cancer diagnosis on top of mental health concerns, it can make for a disruptive and distressing situation.

However, do not lose hope. It is OK to talk about your feelings with family, friends, caregivers and your medical team, including physicians, health psychologists and social workers.

In fact, it could save your life. At the Georgia Cancer Center, we are building a robust program aimed at improving both the physical

and mental health of the cancer patients we serve. Our team members include physicians, health psychologists, social workers, nurses and a host of other support personnel committed to holistic and integrative care.

Results from several studies have shown that patients with cancer who have unaddressed psychiatric and psychosocial needs have less successful outcomes than those who receive holistic care that integrates the mind and the body.

We know there are many emotions a person feels after hearing the words "you have cancer" from their doctor, and no one wants to wear the label of being someone who has cancer. However, it is important to pay attention to the emotional aspects of a cancer diagnosis as it can activate or exacerbate anxiety, depression or other psychosocial concerns that can put someone at a higher risk for suicide.

Earlier this year, the Georgia Cancer Center created the role of associate director of cancer prevention, control and population health. Dr. Martha Tingen, who serves in this role, says there is one mission

for this program: "The Cancer Center wants to educate people about the risk factors for the various forms of cancer and enable them in making lifestyle choices that can prevent the disease from ever occurring or at a minimum decrease their behavioral risk factors for getting cancer to include participation in screening for early detection."

While there are physical and behavioral changes we can make, good mental health is also a very important aspect of helping our cancer patients handle a cancer diagnosis in the best way possible, Dr. Tingen said.

In one study by Dr. Zachary Klaassen, a urologic oncologist at the Cancer Center, he and his team followed people with a variety of genitourinary cancers, including bladder cancer. Overall, bladder cancer does not have as high a survival rate as other more common cancers such as breast or prostate. It is not uncommon for people who develop bladder cancer to have other ongoing health problems including diabetes, heart disease and a smoking

habit. Then, they are hit with a potentially life-threatening and life-altering cancer.

The study results showed those patients have upwards of about two to three times the risk of suicide compared to the general population just based on their diagnosis. "The time for active management of these patients, not just from their cancer standpoint but also their mental health as they move through treatment and follow-up, is now," Dr. Klaassen said.

Studies have shown that elderly, single white males are at the highest risk of suicide in general. Bladder cancer is more common in this population. This is why family support, friend support, church support—any support structure—is so crucial. These are all really important in terms of helping patients get through their treatments with a good mental attitude. However, just as important is going forward with follow-up visits once the treatment plan is finished.

At the Georgia Cancer Center, our oncologists have the opportunity to assess patients' mental health as

soon as they walk into the room. Many times, it is the body language we look for when we meet the patients for the first time.

However, it is more than that. We develop a relationship with these patients built on trust when it comes to making sure the treatment option is the right one for each person's diagnosis. You talk through side effects, you talk through life impacts from the treatment, and you talk through the emotions and the feelings that can creep up throughout the treatment process. We are here to help our patients get through that in a comprehensive and holistic manner. Part of that process can involve working with a member of the psycho-oncology program run by health psychologist Dr. Lance Evans.

Whether you are preparing for a surgical procedure, chemotherapy, radiation treatment or a combination of treatments, psycho-oncology can augment medical care for improved quality of life, adaptive psychological adjustment and reduction in suicide risk.

### BIBLE VERSE

Say to them that are of a fearful heart, Be strong, fear not: behold, your God will come with vengeance, even God with a recompense; he will come and save you. - Isaiah 35:4

### QUOTE OF THE DAY

The illiterate of the 21st century will not be those who cannot read and write, but those who cannot learn, unlearn, and relearn. - Alvin Toffler