



DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

CECW-PE (10-1-7a)

06 OCT 1998

SUBJECT: Brunswick Harbor, Georgia

THE SECRETARY OF THE ARMY

1. I submit for transmission to Congress my report on the Brunswick Harbor, Georgia, navigation improvements. It is accompanied by the report of the district and division engineers. These reports are in final response to a resolution adopted by the Committee on Public Works and Transportation of the U.S. House of Representatives on 25 August 1960. This resolution requested a review of the report on Brunswick Harbor, Georgia, published in House Document No. 110, Eighty-first Congress, and other reports, to determine if modifying the existing Federal project is advisable, particularly with respect to increasing the depths of the channel. Preconstruction engineering and design activities for the recommended improvements will continue under authority of this resolution.
2. The reporting officers recommend a plan to modify the existing Federal navigation project for Brunswick Harbor. The plan of improvement consists of the following:
 - a. Deepening the existing Brunswick Harbor navigation channel from a depth of 30 feet below mean low water (mlw) to 36 feet below mlw within the inner and upper harbor, and from a depth of 32 feet below mlw to 38 feet below mlw in the ocean entrance channel;
 - b. Widening the channel at the new Sidney Lanier Bridge from 200 feet to 400 feet; widening approximately 10,000 feet of the Turtle River Lower Range from 300 feet to 400 feet; and widening approximately 5,750 feet in the upper East River Channel from 350 feet to 400 feet;
 - c. Expanding the Lower Turtle River turning basin to approximately 2,500 feet by 1,150 feet;
 - d. Constructing a new turning basin in the Upper East River to approximately 1,100 feet by 1,100 feet and deauthorizing the existing East River turning basin;
 - e. Raising the dikes at Andrews Island disposal site from +26 feet mlw to +35 feet mlw to accommodate an estimated 7,848,000 cubic yards (CY) of new work material;

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f. Disposing of approximately 7,019,000 CY of new work material in the EPA ocean disposal area and placing 1,015,000 CY in a nearshore disposal area off Jekyll Island with total annual maintenance requirements estimated to be 1.6 million cubic yards; and

g. Restoring a 45-acre site on Jekyll Island to compensate for the loss of high quality Spartina saltmarsh and additional wetland loss, including a five-year monitoring program to ensure that the restoration action is functioning as intended.

3. The recommended plan is the national economic development plan and would reduce waterborne transportation costs by allowing optimum use of the current vessel fleet since vessels utilizing the channel are capable of handling more tonnage.

4. Project costs are allocated to the commercial navigation project purpose. Based on October 1997 prices, the estimated cost of the general navigation features (GNF) of the recommended plan is \$49,175,000. The GNF costs include dredging of the channels, construction of dredged material disposal facilities and wetland mitigation. In accordance with Section 101 of WRDA 1986, as amended by Section 201 of WRDA 1996, the Federal and non-Federal share of the GNF are estimated to be \$31,989,000 and \$17,186,000, respectively. In addition, the Federal government would incur the costs of navigational aids currently estimated to be \$93,000. The non-Federal portion includes a repayment of 10 percent of the construction costs of the GNF over a period not to exceed 30 years, less allowable credits for the value of lands, easements, rights-of-way and relocations (LERR) necessary for the Federal project, currently estimated as \$26,000. The non-Federal interests would also be responsible for all the costs of local service facilities including dredging of the berthing areas and associated disposal area capacity. Total estimated costs for the additional non-Federal responsibilities are \$211,000. Total costs for all features necessary to obtain the projected navigation benefits, including GNF, LERR, local service facilities and aids to navigation are estimated to be \$49,505,000 of which \$32,082,000 would be Federal and \$17,423,000 would be non-Federal. The equivalent average annual benefits and costs, at 7.125 percent discount rate and 50-year period of economic analysis, are estimated at \$6,651,000 and \$4,185,000, respectively. Net benefits are estimated at \$2,466,000 annually. The benefit-cost ratio is 1.6 to 1.

5. The Washington level review indicates that the proposed plan is technically sound, economically justified and environmentally and socially acceptable. The proposed project was formulated in accordance with applicable U.S. Army Corps of Engineers planning procedures and regulations. Also, the views of interested parties, including Federal, State, and local agencies have been considered.

6. Accordingly, I recommend that improvements to the existing Brunswick Harbor project be modified to provide navigation improvements generally in accordance with the reporting officers' recommended plan, with such modification as in the discretion of the Chief of Engineers may be advisable. My recommendation is subject to cost sharing, financing, and other applicable requirements of WRDA 1986 and WRDA 1996 for this kind of project. Also, this

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recommendation is subject to the non-Federal sponsor agreeing to comply with applicable Federal laws and policies, including the following requirements:

- a. Enter into an agreement which provides, prior to construction, 25 percent of design costs;
- b. Provide, during construction, any additional funds needed to cover the non-Federal share of design costs;
- c. Provide, during the period of construction, a cash contribution equal to the following percentages of the total cost of construction of the general navigation features (which include the construction or improvement of land-based and aquatic dredged material disposal facilities that are necessary for the disposal of dredged material required for project construction, operation, or maintenance and for which a contract for the facility's construction or improvement was not awarded on or before October 12, 1996): 25 percent of the costs attributable to dredging to a depth in excess of 20 feet but not in excess of 45 feet;
- d. Pay with interest, over a period not to exceed 30 years following completion of the period of construction of the project, up to an additional 10 percent of the total cost of construction of general navigation features. The value of lands, easements, rights-of-way, and relocations provided by the non-Federal sponsor for the general navigation features, described below, may be credited toward this required payment. If the amount of credit exceeds 10 percent of the total cost of construction of the general navigation features, the non-Federal sponsor shall not be required to make any contribution under this paragraph, nor shall it be entitled to any refund for the value of lands, easements, rights-of-way, and relocations in excess of 10 percent of the total cost of construction of the general navigation features;
- e. Provide all lands, easements, and rights-of-way, and perform or ensure the performance of all relocations determined by the Federal Government to be necessary for the construction, operation, maintenance, repair, replacement, and rehabilitation of the general navigation features (including all lands, easements, and rights-of-way, and relocations necessary for dredged material disposal facilities);
- f. Provide, operate, maintain, repair, replace, and rehabilitate, at its own expense, the local service facilities, i.e., berthing areas, local access channels, etc., in a manner compatible with the project's authorized purposes and in accordance with applicable Federal and State laws and regulations and any specific directions prescribed by the Federal Government;
- g. Pay the proportional cost of construction of any dredged material disposal facilities and maintenance thereof, necessary to dispose of dredged or excavated material for the local service facilities during the initial construction of the local service facilities and the operation, maintenance, repair, replacement and rehabilitation of the local service facilities;

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h. Accomplish all removals determined necessary by the Federal Government other than those removals specifically assigned to the Federal Government;

i. Grant the Federal Government a right to enter, at reasonable times and in a reasonable manner, upon property that the non-Federal sponsor owns or controls for access to the general navigation features for the purpose of inspection, and, if necessary, for the purpose of operating, maintaining, repairing, replacing, and rehabilitating the general navigation features;

j. Hold and save the United States free from all damages arising from the construction, operation, maintenance, repair, replacement, and rehabilitation of the project, any betterments, and the local service facilities, except for damages due to the fault or negligence of the United States or its contractors;

k. Keep and maintain books, records, documents, and other evidence pertaining to costs and expenses incurred pursuant to the project, for a minimum of 3 years after completion of the accounting for which such books, records, documents, and other evidence is required, to the extent and in such detail as will properly reflect total cost of construction of the general navigation features, and in accordance with the standards for financial management systems set forth in the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and local governments at 32 CFR, Section 33.20;

l. Perform, or cause to be performed, any investigations for hazardous substances as are determined necessary to identify the existence and extent of any hazardous substances regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601-9675, that may exist in, on, or under lands, easements, or rights-of-way that the Federal Government determines to be necessary for the construction, operation, maintenance, repair, replacement, or rehabilitation of the general navigation features. However, for lands that the Government determines to be subject to the navigation servitude, only the Government shall perform such investigation unless the Federal Government provides the non-Federal sponsor with prior specific written direction, in which case the non-Federal sponsor shall perform such investigations in accordance with such written direction;

m. Assume complete financial responsibility, as between the Federal Government and the non-Federal sponsor, for all necessary cleanup and response costs of any CERCLA regulated materials located in, on, or under lands, easements, or rights-of-way that the Federal Government determines to be necessary for the construction, operation, maintenance, repair, replacement, and rehabilitation of the general navigation features;

n. To the maximum extent practicable, perform its obligations in a manner that will not cause liability to arise under CERCLA;

o. Comply with the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended by Title IV of the

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o. Comply with the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended by Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987, and the Uniform Regulations contained in 49 CFR Part 24, in acquiring lands, easements, and rights-of-way, required for construction, operation, maintenance, repair, replacement, and rehabilitation of the general navigation features, and inform all affected persons of applicable benefits, policies, and procedures in connection with said act;

p. Comply with all applicable Federal and State laws and regulations, including, but not limited to, Section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d), and Department of Defense Directive 5500.11 issued pursuant thereto, as well as Army Regulation 600-7, entitled "Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army";

q. Provide a cash contribution equal to the non-Federal cost share of the project's total historic preservation mitigation and data recovery costs attributable to commercial navigation that are in excess of 1 percent of the total amount authorized to be appropriated for commercial navigation; and

r. Do not use Federal funds to meet the non-Federal sponsor's share of total project costs unless the Federal granting agency verifies in writing that the expenditure of such funds is expressly authorized.

7. The recommendations contained herein reflect the information available at this time and current departmental policies governing formulation of individual projects. They do not reflect program and budgeting priorities inherent in the formulation of a national civil works construction program nor the perspective of higher review levels within the Executive Branch. Consequently, the recommendations may be modified before they are transmitted to the Congress as a proposal for authorization and implementation funding. However, prior to transmittal to Congress, the sponsor, the Georgia Port Authority; the State of Georgia; interested Federal agencies; and other parties will be advised of any modifications and will be afforded an opportunity to comment further.


JOE N. BALLARD
Lieutenant General, U.S. Army
Chief of Engineers