APPENDIX B: DRAFT FEDERAL CONSISTENCY DETERMINATION

Federal Consistency Determination
United States National Park Service – Fort Pulaski National Monument
Federal Highway Administration – Eastern Federal Lands Highway Division

Fort Pulaski Bridge
Fort Pulaski National Monument
Chatham County, Georgia

Draft – February 20, 2015

The Coastal Zone Management Act of 1972 requires that a Federal agency provide the State of Georgia with a Consistency Determination when a Federal agency proposes any activity inside or outside of the coastal zone that will have any reasonably foreseeable effect on any coastal resource or uses within the coastal zone.

The National Park Service (NPS), in cooperation with the Federal Highway Administration (FHWA), proposes to replace to the Fort Pulaski Bridge. The proposed project would have reasonable foreseeable effects on coastal resources and uses within the project area.

The NPS and FHWA seek concurrence with the determination that the proposed project (as described below) is consistent to the maximum extent practicable with the enforceable policies of Georgia's approved coastal management program.

Project Description

The existing bridge would be replaced with a new bridge that meets current AASHTO specifications with regards to lane width, shoulder width, live load capacity, and crash worthy railing system. A new two-lane bridge would be built adjacent to the existing bridge. The bridge would be approximately 29 feet wide (including the railing width) with two 11-foot wide travel lanes and a five-foot shoulder.

Concrete piles would be driven into the river bottom. There would be a total of 114 concrete piles installed to construct the bridge. Eighteen piles would be installed in the banks of the River for the abutments and wingwalls. There would be six piles driven per bent, except for bents 3,6,7 and 10, which would have 12 piles per bent. The pile caps would be constructed, upon which a concrete beam would be placed. The bridge deck would be cast offsite and then set in place with a crane positioned on a barge in the River. The intermediate spans of the bridge would be built to a length of 105 feet, and the length of the end spans would be 70 feet. There would be 13 spans and 12 piers. The existing bridge would remain open to traffic during construction.

Riprap would be placed at each of the bridge abutments in order to protect the abutments from scour. It is estimated that 4,000 cubic yards of riprap would be placed at both ends of the bridge.

The bridge would be constructed in one construction phase. After construction is completed and the new bridge is open, the existing bridge would be removed.

NEPA Compliance

An Environmental Assessment (EA) for the proposed project has been prepared in accordance with the National Environmental Policy Act of 1969, as amended; regulations of the Council on Environmental Quality (40CFR 1508.9); and NPS Director's Order #12: Conservation Planning,

Environmental Impact Analysis, and Decision-Making. This EA also complies with Section 106 of the National Historic Preservation Act of 1966, as amended. The EA presents alternatives for the proposed bridge improvements and analyzes the potential impacts that these alternatives would have on the natural, cultural, and human environment.

The EA has been published on the NPS's website, Planning, Environment and Public Comment (http://parkplanning.nps.gov/fopu) for a 30-day public review and comment period.

Relevant Enforceable Policies:

Coastal Marshlands Protection Act– O.C.G.A. 12-5-280

"The Coastal Marshlands Protection Act provides the Coastal Resources Division with the authority to protect tidal wetlands… Erecting structures, dredging, or filling marsh areas requires a Marsh Permit administered through the Coastal Management Program." The proposed project would construct a new bridge on a new alignment adjacent to the existing bridge and place riprap at the abutments of the bridge. The new bridge would fill approximately 0.40 acres of tidal marsh. The bridge approaches have been designed to minimize impacts to the extent possible. The widths of the travel lanes and parallel parking spots were reduced, and the slopes were steepened to minimize wetland impacts. The new bridge would be built adjacent to the existing bridge, and a portion of the existing roadway approaches would be utilized as the approaches for the new bridge. The placement of riprap is necessary in order to protect the new bridge abutments from scour. The amount of riprap proposed to be placed has been minimized to the extent possible. In order to mitigate for the impacts to tidal marsh, the roadway approaches of the existing bridge would be removed and restored. Upland areas south of U.S. Highway 80 are available for potential mitigation. The installation of living shorelines in high erosional areas has also been identified as potential mitigation. Coordination with NMFS, the Corps and Georgia Department of Natural Resources – Coastal Resources Division would continue throughout the development of the project to ensure proposed mitigation is acceptable. The values and functions of coastal waters and natural habitats would not be impaired. A Marsh Permit would be obtained prior to starting construction of the proposed action.

Endangered Wildlife Act – O.C.G.A. 27-3-130

"Endangered Wildlife Act provides for identification, inventory, and protection of animal species that are rare, unusual, or in danger of extinction." A list of species of concern was provided by the Georgia Department of Natural Resources. These species included the sweet acacia, Florida wild privet, American oystercatcher, bald eagle, northern yellow bat, diamondback terrapin, false killer whale, and West Indian manatee. Coordination with National Marine Fisheries Service indicates that shortnose sturgeon, Atlantic sturgeon, and loggerhead, Kemp's ridley and green sea turtles may be present in the project area. Measures would be implemented to minimize the potential for impacts to endangered wildlife. These measures include implementation of the 2007 Standard Manatee Conditions for Boating Facilities during construction and a restriction prohibiting in-water work between April 15 and May 31 and September 1 and November 30. Best Management Practices such as turbidity curtains and silt fence would be used to minimize sedimentation. Noise attenuation during pile-driving activities would include ramping up of the pile-driving hammer and using cushion blocks. The proposed action would have no to negligible impacts to these species. Consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service has been completed.

Georgia Environmental Policy Act – O.C.G.A. 12-16-1

"The Georgia Environmental Policy Act (GEPA) requires that all State agencies and activities prepare an Environmental Impact Report as part of the decision-making process." An EA for the proposed project has been prepared in accordance with the National Environmental Policy Act of 1969, as amended.

Georgia Erosion and Sedimentation Act – O.C.G.A. 12-7-1

"One provision of the Erosion and Sedimentation Act requires that land-disturbing activities shall not be conducted within 25 feet of the banks of any State waters unless a variance is granted (O.C.G.A 12-7-6-(15))." The construction of a bridge on a new alignment would disturb land within 25 feet of the banks of the South Channel of the Savannah River; however, this activity must be conducted along the River bank. Best Management Practices, such as the installation of a turbidity curtain and silt fence, would minimize sedimentation. An erosion and sediment control plan would be developed for the project. A variance for this activity would be obtained prior to the construction of the proposed action.

Historic Areas – O.C.G.A. 12-3-50

The Department of Natural Resources has the authority to promote and increase knowledge and understanding of the history of this State by adopting and executing general plans, methods, and policies for permanently preserving historic structures. The Fort Pulaski Bridge was built by the Civilian Conservation Corps and Public Works Administration in 1938. Although it has undergone considerable rehabilitation and repair, it retains its integrity of location, feeling, association, workmanship, design and setting. The Fort Pulaski Bridge is listed on the Cultural Landscape Inventory for the Fort Pulaski National Monument and contributes to the cultural landscape. The demolition of the existing bridge would remove a contributing feature from the cultural landscape. Consultation with the Georgia State Historic Preservation Office has been completed and a Memorandum of Agreement was developed and signed to document the resolution of the adverse effect. Historic American Engineering Record documentation would be completed for the bridge prior to its demolition.

Mountain and River Corridor Protection Act – O.C.G.A. 12-2-1

Provisions of the Act include a requirement for a 100-foot vegetative buffer on both sides of rivers and consistency with the Georgia Erosion and Sedimentation Act. Chatham County has adopted a Regional River Corridor Protection Plan for the Savannah River. The proposed action requires construction within the 100-foot buffer due to the nature of the action. An erosion and sediment control plan would be developed and implemented during construction. The proposed action is consistent with the Georgia Erosion and Sedimentation Act.

Georgia Water Quality Control Act – O.C.G.A. 12-5-20

"This Act makes it unlawful for any person to dispose of sewage, industrial wastes, or other wastes, or to withdraw, divert, or impound any surface waters of the State without a permit." A Spill Pollution Prevention Plan would be developed and implemented prior to the start of any construction activities.

Required State, Federal, and Local Permits

Permits are anticipated to be required from the U.S. Army Corps of Engineers (Clean Water Act Section 404 Permit – Nationwide), DNR-Coastal Resources Division (Coastal Marshlands Protection Permit, 25 Foot Vegetative Buffer Encroachment Variance, and Clean Water Act Section 401 Water Quality Certification).

Conclusion

The proposed improvements to the Fort Pulaski Bridge would have reasonable foreseeable impacts on coastal resources and uses within the project area. The proposed project would have localized, minor adverse impacts on coastal resources within the existing previously disturbed project area. The proposed project would have localized, beneficial impacts to coastal uses by improving the public's safe access to historic and recreational resources within the coastal zone. In accordance with Section 307(c)(1) of the Federal Coastal Zone Management Act of 1972, as amended, the NPS and FHWA have determined that the proposed action is consistent to the maximum extent practicable with the enforceable policies of Georgia's approved coastal management program. This determination is based on the review of the proposed project's conformance with the enforceable policies of the State's coastal program.

Conformity

This application is submitted to ensure conformity with National Oceanic and Atmospheric Administration's Federal Consistency provisions (15 CFR 930), under which Federal agencies must determine if their proposed project directly affects Georgia's coastal zone. Georgia's coastal zone includes Chatham County.

The NPS and FHWA believe that the proposed project is consistent to the maximum extent practicable with the relevant enforceable policies of the GCMP document.

The proposed activity complies with the enforceable policies of Georgia's approved management program and will be conducted in a manner consistent with such program.

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Name

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Date