

Congress of the United States
Washington, DC 20515

April 9, 2019

The Honorable R.D. James
Assistant Secretary of the Army (Civil Works)
108 Army Pentagon
Washington, DC 20310-0108

Lieutenant General Todd T. Semonite
Commanding General and Chief of Engineers
U.S. Army Corps of Engineers
441 G. Street, NW
Washington, DC 20314-1000

Dear Secretary James and General Semonite:

We write to you to express our concerns regarding the future of the New Savannah Bluff Lock and Dam (NSBL&D) and express the intent of Congress for Public Law 114-322, the 2016 Water Infrastructure Improvements for the Nation Act (WIIN). It is our hope that by clarifying the Congressional intent and highlighting our concerns regarding the impact of Alternative 2-6d on the water pool level, which is vital for municipal and industrial water supply for the surrounding area and recreational activities for the citizens of North Augusta, Augusta and surrounding communities, the U.S. Army Corps of Engineers can arrive at a solution that benefits both the communities along the Savannah River and the Corps.

On November 15, 2018, the Corps announced Alternative 2-6d, which would remove the lock and dam and construct a fixed weir with a dry floodplain bench, as their preferred option for the future of the NSBL&D. On February 9, 2019, the Corps began a simulated drawdown test in order to demonstrate the effects of Alternative 2-6d on the pool levels, which are vital for water supply and recreational activities for the surrounding communities. On February 15, 2019, the Corps halted the drawdown simulation after effects of the river drawdown resulted in instability of the Georgia riverbank in the residential neighborhood of Goodale Landing. In addition, the simulation resulted in numerous docks becoming useless for recreational activities while they sat in the mud given the reduced pool level. Clearly these results do not reflect the intent of Congress.

The WIIN Act of 2016 allows for the modification or removal of the NSBL&D to allow for the passage of shortnose sturgeon, Atlantic sturgeon, and other migratory fish in order to mitigate the environmental impacts of the Savannah Harbor Expansion Project (SHEP) while also taking into consideration that the Corps must maintain the river conditions that were in place on the date of enactment. Congress clearly intended for the Corps to seek out a solution that would benefit both SHEP and the local communities. Unfortunately, as the recent drawdown test has proven, Alternative 2-6d does not appear to meet the requirements of the plain text of the legislation or the intent of Congress when it passed the WIIN Act. Communities like North Augusta and Augusta have invested millions in improvements along their waterfront and to say that Congress

intended to thwart the economic growth by eliminating or severely hampering access to the river would be wrong. We encourage the Corps to consider the intent of Congress and to only pursue an alternative that fulfills the environmental requirements of SHEP while also protecting the investments of our riverfront communities.

We would also like to address the Corps' stance regarding the impact of the new structure on the depth of the pool. The 2016 WIIN Act mandates that the Corps build a structure that is "able to maintain the pool for water supply and recreational activities, as in existence on the date of enactment of this Act." The Corps' stated that their implementation guidance "interprets the language to mean the current functionality of the pool must continue to allow for water supply, recreation and navigation as it did on the date of the enactment" and further argues that the alternatives currently being considered "maintain[s] this functionality." However, we find this statement to be inaccurate given the reduced river level prohibited individuals from utilizing their docks for recreational activities, such as fishing, boating, kayaking. In addition, local industry has expressed concern that the preferred alternative will not maintain the pool necessary to supply their water intakes. We would like to understand how the Corps can justify that the preferred alternative maintains the functionality of the pool given the results of the recent drawdown and the fact that the test was aborted.

In closing, we ask that the Corps take into close consideration the intent of Congress as you select the final alternative. We must protect our riverfront communities and ensure the Corps follows the law to ensure that the water supply and recreational activities are functional as they were on date of enactment.

We look forward to continued engagement with you regarding the future of the NSBL&D and we appreciate your cooperation as we work together to ensure that our riverfront communities continue to prosper.

Sincerely,

A blue ink signature of Lindsey O. Graham, written in a cursive style.

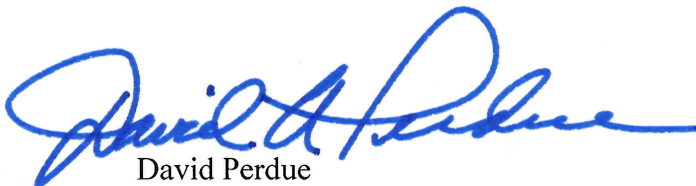
Lindsey O. Graham
United States Senator

A blue ink signature of Johnny Isakson, written in a cursive style.

Johnny Isakson
United States Senator

A blue ink signature of Tim Scott, written in a cursive style.

Tim Scott
United States Senator

A blue ink signature of David Perdue, written in a cursive style.

David Perdue
United States Senator



Joe Wilson
Member of Congress



Rick W. Allen
Member of Congress

Cc: Brigadier General Diana M. Holland, Commander, South Atlantic Division, U.S. Army
Corps of Engineers