

Senate Resolution 439

By: Senators Thomas of the 2nd, Hill of the 4th and Williams of the 6th

A RESOLUTION

1 Expressing the sense of the Senate with respect to a proposed taking of certain property of
2 the State of Georgia by the government of Jasper County, South Carolina; and for other
3 purposes.

4 WHEREAS, the State of Georgia, its businesses, and its residents prosper as a direct result
5 of international trade and maritime commerce; and

6 WHEREAS, more than 80,000 jobs in the state are directly or indirectly supported by port
7 sector operations in Georgia; and

8 WHEREAS, jobs associated with that activity produce \$1.8 billion in wages annually; and

9 WHEREAS, approximately 1,800 businesses in all areas of the state import and export goods
10 to and from markets around the world via the ports of Georgia; and

11 WHEREAS, trade related activity through Georgia ports generates \$585 million in state and
12 local tax receipts each year which are used to help fund critical services to Georgia
13 communities such as education, health care, public transportation, and public safety; and

14 WHEREAS, containerized cargo handled through the Port of Savannah represents more than
15 70 percent of the total economic impact of Georgia ports; and

16 WHEREAS, domestic and international trade through Georgia ports requires regular
17 maintenance of navigation channels; and

18 WHEREAS, the Georgia Department of Transportation is the nonfederal sponsor of the
19 Savannah River Federal Navigation Channel, required by federal law to provide dredged
20 material containment areas to the U.S. Army Corps of Engineers for regular maintenance of
21 the navigation channel; and

1 WHEREAS, the Georgia Department of Transportation, in fulfilling its role as nonfederal
2 sponsor of the Savannah River Federal Navigation Channel, currently owns 10,471 acres of
3 land located in the State of South Carolina and lands provided under federal easements to the
4 U.S. Army Corps of Engineers for the express purpose of dredge material disposal; and

5 WHEREAS, the State of Georgia, by and through its Department of Transportation, has
6 funded more than \$126 million to improve said land as containment areas suitable to recover
7 dredge disposal from regular maintenance operations; and

8 WHEREAS, the Georgia Department of Transportation funds a wildlife habitat program
9 involving the use of said containment areas as part of a mitigation plan and long-term
10 management strategy to assure adequate containment area capacity; and

11 WHEREAS, the wildlife habitat program and mitigation plan are certified in compliance
12 with the Coastal Zone Management Program and the Clean Water Act; and

13 WHEREAS, Jasper County, South Carolina, has initiated a condemnation action on 1,776
14 acres of the land owned by the Georgia Department of Transportation in South Carolina; and

15 WHEREAS, Jasper County seeks to condemn such real property for the purpose of leasing
16 a large portion of the land to a private company for the construction of a container port
17 terminal; and

18 WHEREAS, the loss of any portion of land designated for dredge material disposal severely
19 compromises federal and state responsibilities for ensuring that the navigation channel is
20 properly maintained at project depth; and

21 WHEREAS, the taking of said property by Jasper County will cause the Georgia Department
22 of Transportation to breach its local sponsor obligations and will violate the National
23 Environmental Policy Act and Clean Water Act; and

24 WHEREAS, the taking of said property by Jasper County will severely compromise the
25 approved wetland mitigation plan for the containment system, substantially compromising
26 the system's wildlife value; and

27 WHEREAS, the taking of said property by Jasper County will increase the cost of
28 maintenance disposal and may represent severe encumbrances to normal maintenance of a

1 channel utilized for rapid military deployment operations as well as by private businesses
2 whose employees depend upon ocean commerce for their jobs.

3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the State of Georgia
4 opposes the taking of its property by Jasper County and reaffirms its support for development
5 and operations of terminal facilities in Savannah by the Georgia Ports Authority on behalf
6 of businesses and residents of the States of Georgia and South Carolina and the entire
7 Southeast.