



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3640

Regulatory Division
SAS-1997-15260

JUNE 12 2014

**JOINT PUBLIC NOTICE
Savannah District/State of Georgia**

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Number: SAS-1997-15260

Applicant: Mr. Dan Bruce
RealtiCorp, LLC
225 North Main Street
Greenville, South Carolina 29601

Agent: Mr. Alton Brown
Resource and Land Consultants (RLC)
41 Park of Commerce Way, Suite 303
Savannah, Georgia 31405

Location of Proposed Work: The project site is located west of U.S. Highway 17, approximately 0.5 mile north of the intersection of Berwick Boulevard and Highway 17, in Savannah, Chatham County, Georgia (Latitude 32.0323, Longitude -81.2218).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The applicant is proposing to impact 6.36 acres of wetlands and 1.04 acre of ditch to facilitate the completion of a master planned mixed use community. The wetlands and waters within the project area are associated with Salt Creek. The applicant proposes to purchase 50.1 wetland mitigation credits from Margin Bay Wetland Mitigation Bank to mitigate for impacts to wetlands and waters resulting from the project.

BACKGROUND

In August 2001, the Corps issued a Section 404 Permit for the Berwick Plantation development. The permit authorized impacts to 20.86 acres of wetlands to facilitate the construction of a 1,911 acre master planned, mixed use community. The subject 54.01 acre tract was a component of the larger Berwick Plantation development.

A wetland delineation was completed for the subject property in February 2014. The delineation identified 2.13 acres of man-made ditch and 7.02 acres of wetlands. The

applicant is proposing to impact 1.04 acres of ditch and 6.36 acres of wetlands. Additional information regarding the scope of the project is included in attached project description.

The wetland boundaries shown on the project drawings have not been verified by the Corps. If the Corps determines that the identified boundaries of the wetland/waters are substantially inaccurate a new public notice may be published.

This Joint Public Notice announces a request for authorizations from both the Corps and the State of Georgia. The applicant's proposed work may also require local governmental approval.

STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required for a Federal Permit to conduct activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of application in writing and state the reasons or basis of objections or request for a hearing. The application can be reviewed in the Savannah District, U.S. Army Corps of Engineers, Regulatory Division, 100 W. Oglethorpe Avenue Savannah, Georgia 31401-3640.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia, which may be in the form of a license, easement, lease, permit or other appropriate instrument.

Georgia Coastal Management Program: Prior to the U.S. Army Corps of Engineers making a final permit decision on this application, the project must be certified by the Georgia Department of Natural Resources, Coastal Resources Division, to be consistent with applicable provisions of the State of Georgia Coastal Management Program (15 CFR 930). Anyone wishing to comment on Coastal Management Program certification of this project should submit comments in writing within 30 days of the date of this notice to the Federal Consistency Coordinator, Ecological Services Section, Coastal Resources Division, Georgia Department of Natural Resources, One Conservation Way, Brunswick, Georgia 31523-8600 (Telephone: 912-264-7218).

US ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

Cultural Resources Assessment: As a component of the permit application, the applicant provided a copy of a Cultural Resources Survey titled, "Intensive Cultural Resources Survey of the 1,900 Acre Berwick Tract Chatham County, Georgia" dated May 1999. Based on our review of this document, as well as a Georgia Department of Natural Resources, Historic Preservation Division letter dated March 27, 2001, it has been determined that the proposed project would have no effect on historic properties listed or eligible for listing under Section 106 of the National Historic Preservation Act.

Endangered Species: Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request information from the U.S. Department of the Interior, Fish and Wildlife Service, the U.S. Department of Commerce, the National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service; or, any other interested party, on whether any species listed or proposed for listing may be present in the area.

The permit application stated that a threatened and endangered species survey was conducted for the project area to determine the potential for the occurrence of animal and plants species (or their preferred habitats) currently listed as threatened or endangered by state and federal regulations. Neither the listed species nor habitat typically associated with these species was observed during the survey. As a result of the condition and location of the project area, as well as the absence of habitat and listed species, the applicant stated that the proposed project is not likely to adversely impact any threatened or endangered species.

After review of the application and observing on-sight habitats during the January 2014 field review, the Corps has determined that the proposed project would not affect any Federally listed threatened or endangered species that are under the purview of the U.S. Department of the Interior, Fish and Wildlife Service.

Public Interest Review: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs,

safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Consideration of Public Comments: The Corps is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Corps evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Mr. Brian Moore, 100 W. Oglethorpe Avenue, Savannah, Georgia 31401-3640, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

If you have any further questions concerning this matter, please contact Mr. Brian Moore, Regulatory Specialist, Coastal Branch at 912-652-5349.

Enclosures

1. Project Description
2. Location Map
3. Proposed Project Layout
4. Wetland Impact Exhibits

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3. National Wetlands Inventory Exhibit
4. NRCS Soils Survey Exhibit
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B : JD Request

C : Site Photographs

D : Permit Drawings

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The Exchange At Berwick Plantation

Realticorp, LLC

Chatham County, Georgia

Project Description

May 2014

1.0 INTRODUCTION:

Realticorp, LLC is seeking authorization to impact 6.36 acres of wetland and 1.04 acre of ditch to facilitate completion of a mixed use development within Berwick Plantation. The 54.01 acre project site is located northwest of Highway 17 and southeast of Berwick Boulevard within Savannah, Chatham County, Georgia (32.032266°, -81.221768°)(Appendix A).

2.0 BACKGROUND/PROJECT HISTORY:

RealtiCorp, LLC ("RealtiCorp") is the Manager of two limited liability companies: RIF 501, LLC and RIF 502, LLC (collectively referred to as the "LLCs"). RealtiCorp and International Paper Realty Corporation ("IPRC") entered into a Joint Venture Agreement in 2002 for the development and sale of certain real estate containing approximately 84 acres in Chatham County, Georgia on U. S. Highway 17, being part of a large development known as Berwick Plantation. RealtiCorp, through the LLCs, as part of the Joint Venture, acquired title to approximately 84 acres and sold various parcels and tracts of land. Currently RIF 502, LLC owns the 54.01 acres which is the subject of this application as survivor under the Joint Venture. IPRC through its management, The Branigar Organization, obtained from the U.S. Army Corps of Engineers ("USACE") 404 Permit for the entire Berwick tract of 1,911.35 acres in August 2001, which was presented to RealtiCorp under the Joint Venture. This USACE permit authorized 20.86 acres of wetland impact to facilitate the development of a 1,911.35 acre master planned community known as Berwick Plantation including the subject 54.01 acre tract and verified that the subject tract contained 1.929 acres of jurisdictional wetland and that all 1.929 acres were authorized for fill and had been mitigated. As depicted in the attached 2001 404 permit (see Sheets 5 and 6), the 1.929 acres including four wetlands identified as WETLAND BBB (0.336 ac), WETLAND EEE (0.288 ac), WETLAND W (1.107 ac.) and WETLAND HHH (0.198 ac.). To date WETLAND BBB and WETLAND EEE have been impacted as part of the tract development but WETLAND W and WETLAND HHH remain.

Following purchase of the property, Realticorp initiated land planning, engineering design, and development of the site but development of this property slowed to a halt with the collapse of the economy. For several years, development interest was all but absent from the Savannah market. In early 2013 and following several inquiries regarding property availability, Realticorp realized that the 404 permit expired in 2011. In December 2013, Resource & Land Consultants (RLC), on behalf of the applicant, submitted a jurisdictional determination request to the USACE. Within this package, it was noted that WETLAND BBB and WETLAND EEE had been impacted and based on the previous USACE determination, only 1.305 acres of wetland would remain today including WETLAND W and WETLAND HHH. On 13 January 2014, the USACE conducted a site visit and identified additional wetland areas within the property. The USACE requested that a new wetland delineation be performed, a revised jurisdictional determination request and a new Individual Permit Application be submitted if impacts to the revised wetlands were required. In February 2014, RLC complete a new delineation in accordance to the request of the USACE and based on that revised wetland delineation, the project site contains 2.13 acre of man-made ditch and 7.02 acre of wetland. Table 1. provides a comparison of summary of the 2001 wetland and 2014 wetland limits.

Table 1. Jurisdictional Area Comparison Table

	1997 JD/2001 IP	2013 JD/2014 IP
Project Area	54.01 acres	54.01 acres
Upland	52.705	44.81
Jurisdictional Waters of the U.S. (wetland & ditch)	1.305 acres	9.20
Proposed Wetland Impact Required to Facilitate Development	1.305* acres	7.4
Compensatory Mitigation	9.3** credits	50.1 credits

*1.305 acres of Impact were previously permitted in the 2001 USACE Permit

**Compensatory mitigation requirements had been met by IP prior to purchase by Realticorp

Because the permit expired in 2011, Realticorp was aware that a new permit would be required to complete the development. It was assumed that this permit application would include a description of the project history and a request for authorization to impact the remaining 1.305 acres of wetland (previously authorized for impact in the 2001 permit). Under this plan, no additional compensatory mitigation would be required. The results of this 2014 delineation drastically changed the plan for the property. While there are others that could be noted, the change in wetland limits and additional mitigation requirements have had a tremendous impact on the overall project pro forma both from a schedule and economic perspective.

3.0 PROJECT PURPOSE:

The purpose of the proposed project is to obtain a permit from the USACE to complete development of Berwick Exchange which was previously authorized under the expired USACE permit.

4.0 EXISTING SITE CONDITIONS:

The project site contains habitats typical for Chatham County and the Coastal Plain of Georgia. Based on the current/2014 wetland delineation, the 54.01 acre project area contains 44.81 acres of upland, 2.17 acres of stormwater ditch/canal, and 7.03 acres of jurisdictional wetland. The following provides a brief description of each habitat present and photographs depicting typical conditions of each habitat have been included in this application package (Appendix C).

4.1 Upland: General species composition consists of loblolly pine (*Pinus taeda*), southern magnolia (*Magnolia grandiflora*), southern red oak (*Quercus falcate*), sweet gum (*Liquidambar styraciflua*), water oak (*Quercus nigra*), live oak (*Quercus virginiana*), American holly (*Ilex opaca*), red bay (*Persea borbonia*), red maple (*Acer rubrum*), giant cane (*Arundinaria gigantea*), American beautyberry (*Callicarpa Americana*), fetterbush (*Lyonia lucida*), wax myrtle (*Myrica cerifera*), inkberry (*Ilex glabra*), greenbrier (*Smilax spp.*), blackberry (*Rubus spp.*), bracken fern (*Pteridium aquilinum*), cinnamon fern (*Osmunda cinnamomea*), etc.

4.2 Wetland: In consideration of the surrounding development and changes in the adjacent landscape, the wetland areas within the site act as depressional wetlands and slope wetlands. These areas are dominated by sweet gum, red maple, swamp tupelo (*Nyssa biflora*), swamp chestnut oak (*Quercus machauxii*), red bay, water oak, giant cane, greenbrier (*Smilax rotundifolia*), Virginia chain-fern (*Woodwardia virginica*), netted chain-fern (*Woodwardia aerolata*), royal fern (*Osmunda regalis*), Chinese privet (*Ligustrum sinense*), Chinese tallow tree (*Triadica sebifera*) and blackberry. Evidence of past wetland alterations associated with the historic land use have been observed within the project site and include rutting, filling, excavation etc.

4.3 Ditch: The site contains man made ditches currently used for stormwater management. Several of these ditches were constructed prior to initiation of development in association with silvicultural activities

while others were constructed in association with the development authorized by the 2001 permit. These features consist of bed and bank habitat with herbaceous vegetation scattered along the edge.

5.0 PROPOSED PROJECT:

The proposed project will require 6.36 acres of jurisdictional wetland fill and 1.04 acre of ditch fill to accommodate the mixed use master plan development. As depicted in the attached permit drawings (Appendix D), the project will include construction of buildings, installation of access roads, a floodplain mitigation area, extension of utilities, construction of parking area, and all other attendant features typically associated with development of a master planned mixed used development. Including both the previously issued IP and the proposed project, the overall master plan will require 7.40 acre of wetland and ditch impact.

6.0 ALTERNATIVE ANALYSIS:

As part of the overall project, the applicant completed a thorough alternatives analysis. A review of the 404(b)1 guidelines indicates that "(a) Except as provided under section 404(b)(2), no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences." The guidelines define practicable alternatives as "(q) The term *practicable* means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes."

The guidelines outline further consideration of practicable alternatives: "(1) For the purpose of this requirement, practicable alternatives include, but are not limited to: (i) Activities which do not involve a discharge of dredged or fill material into the waters of the United States or ocean waters; (ii) Discharges of dredged or fill material at other locations in waters of the United States or ocean waters; (2) An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. If it is otherwise a practicable alternative, an area not presently owned by the applicant which could reasonably be obtained, utilized, expanded or managed in order to fulfill the basic purpose of the proposed activity may be considered."

Prior to preparation of the permit application and during design of the project, the applicant considered both off-site and on-site alternatives. The following provides a description of off-site alternatives considered during the development plan review process.

6.1 Site Screening Criteria: As part of the alternative site analysis, the following site screening criteria were applied to the overall project.

- **Geographic Location.** The proposed project was and is intended to satisfy the retail and multifamily needs of Berwick Plantation. However, if the review was conducted for only the area immediately adjacent to Berwick Plantation, no alternatives would be afforded. In an effort to provide consideration of alternative sites, a geographic location was assigned which included all of Chatham County, Georgia.
- **Size.** The project site totals approximately 54.01 acres. The size restriction placed on the project was a minimum of 20 acres and a maximum of 100 acres.
- **Location & Zoning.** Land use restrictions associated with current zoning are a major consideration in all mixed use projects. Residential and commercial traffic, road frontage (visibility for commercial/retail), adjoining land use, buffers, etc. make the location of the project and the current zoning a critical component. For this site screening criteria, tracts that are currently zoned for the intended use or that could be reasonably re-zoned to accommodate the proposed project were considered practicable.

- **Utilities.** With any development project, utility services or access to utility services (water, sewer, electrical, gas, phone, cable, etc.) are required. For this reason, location of existing utilities and cost associated with servicing the project site if those utilities were not already available was a consideration in the site screening criteria.
- **Access.** Because commercial/retail and multifamily sites include a high volume of mixed traffic, access must accommodate for public safety and traffic management. For this project, suitable access would be defined as direct access to the property/development site from a paved road suitable to support heavy truck traffic (semi-trailer truck) associated with commercial retail as well as standard residential traffic.
- **Availability.** Only sites listed for sale or available for purchase were considered as part of the alternatives analysis. The applicant contracted with Gilbert and Ezelle Real Estate Services to provide a comprehensive list of available sites within Chatham County.
- **Land Acquisition Cost.** The applicant purchased the subject tract for \$4.1 million in 2007. Considering the proposed land use plan associated with the project, development cost, timeframe for construction, project build out, etc., the maximum cost for land acquisition for this project is \$5,000,000.

6.2 Summary of Alternative Sites Screened for Practicability: Considering the site screening criteria above, the applicant reviewed development alternatives for 11 tracts. These alternatives include 10 alternative sites which are currently listed for sale and as well as the applicant's preferred alternative (proposed site). The following provides a summary of each alternative site and application of the project site screening criteria.

6.2.1 Applicants Preferred Alternative: The applicant's preferred alternative is located adjacent to and northwest of Highway 17 within the commercial area of Berwick Plantation. This site is located within the identified geographic area of review and falls within the size limit criteria. The property is currently zoned for the intended use and re-zoning would not be required. Water, sewer and electrical services are provided to the property. Access to the site is suitable to support the proposed land use. This parcel was purchased by the applicant in 2007 for \$4,100,000 and is currently owned by the applicant. The applicants preferred alternative meets all site screening criteria and was determined to be a practicable alternative.

6.2.2 Alternative Site 1. This property totals 160 acres and is known as Savannah Quarters Commercial. This site is located within the identified geographic area of review and is located in the Southeast Quadrant of Interstate 16 and Pooler Parkway, Pooler, Chatham County, GA. This alternative is fully entitled and consists of a mixed-use commercial parcel planned for development of medical, multi-family and retail uses. The site has excellent access from Interstate 16 and the Pooler Parkway and is served with Pooler water and sewer to boundary of parcel. The property is currently zoned for mixed use and re-zoning would not be required. Alternative 1 is available and can be purchased however the purchase price is not published. It is estimated that the acquisition cost would exceed \$21,000,000.00. While this site meets most of the site screen criteria, the land acquisition cost and tract acreage exceeds the maximum established for the project. Thus, Alternative Site 1 was site was determined to be impracticable.

6.2.3 Alternative Site 2. This property totals 99.4 acres and is identified as Gateway West @21. The site is located in the southwest quadrant of the intersection of Highway 21 and Interstate 95 within Port Wentworth, Chatham County. This site is located within the identified geographic area of review and falls within the size limit criteria. The property is currently zoned for mixed use and re-zoning would not be required. Water, sewer and electrical services are provided to the property. Access to the site is suitable

to support the proposed land use. Alternative 2 is available and can be purchased for \$9,950,000. While this site meets most of the site screen criteria, the land acquisition cost exceeds the maximum established for the project. Thus, Alternative Site 2 was site was determined to be impracticable.

6.2.4 Alternative Site 3. This property totals 33.89 acres and is known as Chatham Center. The site is located in the southeast quadrant of Chatham Parkway and Interstate 16. This site is located within the identified geographic area of review and falls within the size limit criteria. The property is properly zoned and re-zoning would not be required. Water, sewer and electrical services are provided to the property. Access to the site is suitable to support the proposed land use. Alternative 3 is available and can be purchased for \$8,472,000. While this site meets most of the site screen criteria, the land acquisition cost exceeds the maximum established for the project. Thus, Alternative Site 3 was site was determined to be impracticable.

6.2.5 Alternative Site 4. This tract totals 97 acres located on the north side of Jimmy DeLoach Parkway and east of Benton Boulevard within Chatham County Georgia. This site is located within the identified geographic area of review and falls within the size limit criteria. The property is properly zoned and re-zoning would not be required. Water, sewer and electrical services are provided to the property. Access to the site is suitable to support the proposed land use. Alternative 4 is available and can be purchased for \$9,700,000. While this site meets most of the site screen criteria, the land acquisition cost exceeds the maximum established for the project. Thus, Alternative Site 4 was site was determined to be impracticable.

6.2.6 Alternative Site 5. This tract totals 58 acres and is located at the Terminus of Oxnard Drive on the Savannah River in Port Wentworth, Chatham County, Georgia. This site is located within the identified geographic area of review and falls within the size limit criteria. The property is currently zoned for industrial use and re-zoning would be required. Water, sewer and electrical services are provided to the property. Access to the site is suitable to support the proposed land use. Alternative 5 is available and can be purchased for \$22,000,000. While this site meets most of the site screen criteria, the land acquisition cost exceeds the maximum established for the project. Thus, Alternative Site 5 was site was determined to be impracticable.

6.2.7 Alternative Site 6. This tract totals 100 acres and is located in the southeast quadrant of Interstate 95 and Highway 21. This site is located within the identified geographic area of review and falls within the size limit criteria. The property is currently zoned for industrial use and re-zoning would be required but appears feasible. Water, sewer and electrical services are provided to the property. Access to the site is suitable to support the proposed land use. Alternative 6 is available and can be purchased for \$950,000. This alternative meets all site screening criteria and was determined to be a practicable alternative.

6.2.8 Alternative Site 7. This tract totals 350 acres located in the southwest quadrant of Highway 204 and Interstate 95. This site falls within the identified geographic area of review and meets the size limit criteria. Water, sewer and electrical services are provided to the site and could easily be extended into the property. Access to the site is suitable to support the proposed land use. The property is currently zoned for industrial use and re-zoning would be required. Because the site exceeds the size limit for the proposed project and because the tract is currently zoned industrial Alternative Site 7 was determined to be impracticable.

6.2.9 Alternative Site 8. This tract totals 59 acres and is located in the on the western terminus of SH Morgan Parkway and Pooler Parkway. This site is approximately 1 mile north of Interstate 16 within Chatham County. This site is located within the identified geographic area of review and falls within the size limit criteria. The property is currently zoned for industrial use and re-zoning would be required. Water, sewer and electrical services are provided to the property. Access to the site is suitable to support

the proposed land use. Alternative 8 is available and can be purchased for \$7,500,000. While this site meets most of the site screen criteria, the land acquisition cost exceeds the maximum established for the project. Thus, Alternative Site 8 was site was determined to be impracticable.

6.2.10 Alternative Site 9: This property totals 151 acres and is located in Chatham County. The site is not zoned for commercial/retail use and as a result of the location and access to the site, re-zoning would likely be a challenge. The site does not afford paved road frontage. Accessing the property requires traveling from Highway 80 approximately 1.95 miles down a dirt road through a rural residential area. Due to the location of the site, this tract was not a practicable alternative.

6.2.11 Alternative Site 10. This tract totals 67 acres located adjacent to Highway 204 within Chatham County. This site is located within the identified geographic area of review and falls within the size limit criteria. The property is not currently zoned for retail and multifamily use however, re-zoning is not prohibited. Water, sewer and electrical services are provided to the property. Access to the site is suitable to support the proposed land use. Alternative 12 is available and can be purchased for \$234,920. This alternative meets all site screening criteria and was determined to be a practicable alternative.

Based on the site analysis above, a total of five sites were determined to be practicable including the Preferred Alternative, Alternative Site 6 and Alternative Site 10. Table 3. provides an overall summary of site screening criteria to each alternative site.

Table 3. Summary of Practicable Alternative Assessment

Site Screening Selection Criteria	Applicant's Preferred	Alt1	Alt 2	Alt 3	Alt 4	Alt 5	Alt 6	Alt 7	Alt 8	Alt9	Alt10
Geographic Location	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Size	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Zoning	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Utilities	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Access	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Availability	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Land Acquisition Cost	Yes	No	No	No	No	No	Yes	No	No	Yes	Yes
Practicable Alternative	Yes	No	No	No	No	No	Yes	No	No	No	Yes

6.3 Review of Practicable Alternatives: Following consideration of alternative sites based on the site screening criteria, the applicant completed an analysis of practicable alternatives to identify the least environmentally damaging practicable alternative pursuant to 40 CFR 230.7(b)(1). The purpose of the below analysis is to ensure that “no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem”. The applicant evaluated potential environmental impacts that would result from construction of the proposed facility. This evaluation was completed by considering environmental factors which could impact development of the site. The environmental factors included:

Environmental Factors:

- **Stream Impacts (quantitative).** The estimated linear footage of potential stream impact was evaluated for each practicable alternative.

- Stream Impacts (qualitative). The functional value of potential stream impact areas were evaluated for each practicable alternative. A low, medium, high value was assigned based on current structure and hydrologic conditions. Examples of high value would be stable geomorphology and diverse biological community. Examples of low value would be evidence of full impairment such as extensive culverting, piping, or impoundment within the stream.
- Wetland Impacts (quantitative). The estimated acreage of potential wetland impact was evaluated for each practicable alternative.
- Wetland Function (qualitative). The functional value of potential wetland impact areas were evaluated for each practicable alternative. A low, medium, high value was assigned based on current vegetative structure and hydrologic conditions. Examples of high value would be mature canopy, no evidence of ditching, rare habitats, etc. Examples of low value would be evidence of habitat manipulation through ditching, clear cutting, diking, fragmentation, etc.
- Impacts to Other Waters (quantitative). The acreage of open water impact for each site was considered during review of each practicable alternative.
- Other Waters Functions (qualitative). The functional value of any open water impact areas were evaluated for each practicable alternative. A low, medium, high value was assigned based on habitat type and condition. Examples of high value would be lakes, impoundments, and/or features occurring naturally. Examples of low value would be man-made features which have not naturalized and provide little to no biological support (i.e. borrow pit).
- Federally Listed Threatened or Endangered Species. A preliminary assessment of each practicable alternative was conducted to determine the potential occurrence of animal and plants species (or their preferred habitats) currently listed as threatened or endangered by state and federal regulations [Federal Endangered Species Act of 1973 (16 USC 1531-1543)]. The U.S. Fish and Wildlife Service (USFWS) lists the following plant and animal species as endangered or threatened in Chatham County, Georgia (Appendix E):

Plants

- Pondberry (*Lindera melissifolia*)

Mammals

- Humpback Whale (*Megaptera novaeanglie*)
- Northern Atlantic Right Whale (*Eubalaena glacialis*)
- Manatee (*Trichechus manatus*)

Birds

- Bachman's Warbler (*Vermivora bachmanii*)
- Piping Plover (*Charadrius melodus*)
- Red-Cockaded Woodpecker (*Picoides borealis*)
- Wood Stork (*Mycteria americana*)

Reptiles

- Eastern Indigo Snake (*Drymarchon corais couperi*)
- Green Sea Turtle (*Chelonia mydas*)
- Hawksbill Sea Turtle (*Eretmochelys imbricate*)
- Kemp's Ridley Sea Turtle (*Lepidochelys kempii*)
- Leatherback Sea Turtle (*Dermochelys coriacea*)
- Loggerhead Sea Turtle (*Caretta caretta*)

Amphibians

- Flatwoods Salamander (*Ambystoma cingulatum*)

Fish

- Shortnose Sturgeon (*Acipenser brevirostrum*)

- **Cultural Resources.** A preliminary assessment of cultural resources was conducted for each site by reviewing available State Historic Preservation Office information at <http://www.nr.nps.gov/> (Appendix F). Potential impacts to sites listed or eligible for listing on the National Register of Historic Places was noted for each alternative.
- **Flood Plain Impact.** The estimated acreage of potential flood plain impact was evaluated for each practicable alternative.
- **Stream Buffer Impact.** The estimated linear footage of potential stream buffer impact was evaluated for each practicable alternative.

As stated above, total of three sites were determined to be practicable and each environmental factor was assessed and considered for each practicable alternative. Preliminary consideration of alternatives included review of site screening by parcel size, geographic location, zoning, access, and utilities. The applicant then evaluated other practicable alternatives that fit within the parameters prescribed above for construction of an industrial site. This evaluation was conducted to confirm that the project complies with Section 404(b)(1) Guidelines. The guidelines are sequential and require that permit applicants avoid unnecessary environmental impacts by preparing an analysis of available off-site alternatives that would potentially result in less adverse impacts than the proposed project to the maximum extent practicable. A summary of the review of environmental factors for each alternative is provided below.

6.3.1 Proposed Action or Applicant's Preferred Alternative: As noted above, the applicant's preferred alternative totals 54.01 acres. The site contains habitats typical of Chatham County and the Coastal Plain of Georgia. The following provides an assessment of factors associated with the proposed and preferred alternative.

Environmental Factors:

- **Stream Impacts (quantitative).** No stream impacts are associated with this alternative.
- **Stream Impacts (qualitative).** No stream impacts are associated with this alternative.
- **Wetland Impacts (quantitative).** The applicant's preferred alternative includes 6.36 acres of jurisdictional wetland impact.
- **Wetland Function (qualitative).** Based on the field delineation, review of the NWI, topographic survey, and historic aerial photography the wetland areas have experienced minor impacts associated with fragmentation from historic land management practices (timber harvesting, single lane access road construction and maintenance, etc.). Because these actions may have resulted in the minor degradation of these wetlands, the overall function and value of the wetlands would be medium.
- **Impacts to Other Waters (quantitative).** 1.04 acres of ditch impact area associated with this alternative.

- Other Waters Functions (qualitative). The existing ditches were constructed for stormwater management. For this reason, the function and value from an ecological perspective would be relatively low.
- Federally Listed Threatened or Endangered Species. RLC conducted a threatened and endangered species survey to determine the potential occurrence of animal and plants species (or their preferred habitats) currently listed as threatened or endangered by state and federal regulations [Federal Endangered Species Act of 1973 (16 USC 1531-1543)]. Neither the listed species nor habitat typically associated with these species was observed during the survey. As a result of the condition and location of the project area, as well as the absence of habitat and listed species, the proposed project is not likely to adversely impact any threatened or endangered species.
- Cultural Resources. A Phase I Cultural Resources Survey was completed by Brockington & Associates during the 2001 USACE permitting exercise. Based on this survey and concurrence from the SHPO and USACE, the proposed project will not impact cultural or archeological resources.
- Flood Plain Impact. FEMA flood map 13051C0140F indicates that 37 % of the property is within Zone X and 34 acres of impacts within the 100 year flood zone would be associated with the applicants preferred alternative.
- Stream Buffer Impact. No stream buffer impacts are associated with this alternative.

6.3.2 Alternative Site 6: This tract totals 100 acres and is located in the southeast quadrant of Interstate 95 and Highway 21. This property is bisected by Hendley Road and a large transmission line which effectively fragments the 100 acres into three smaller parcels.

Environmental Factors:

- Stream Impacts (quantitative). No stream impacts are associated with this alternative.
- Stream Impacts (qualitative). No stream impacts are associated with this alternative.
- Wetland Impacts (quantitative). This tract contains an estimated 46.96 acres of wetlands. Because the site is fragmented by an existing public road as well as a large transmission line, development of the tract while avoiding wetlands is not feasible. Considering the proposed site plan, it is likely that wetland impacts would total around 40 acres.
- Wetland Function (qualitative). Based on review of the NWI, topographic survey, and aerial photography, wetlands within the property may have been impacted by standard silviculture practices on the tract and construction of large drainage ditches. In addition, Hendley Road and large power lines bisect the property and have likely fragmented the wetlands. Thus, the functional value of the wetland would be in the low range.
- Impacts to Other Waters (quantitative). No other waters are present within the property.
- Other Waters Functions (qualitative). No other waters are present within the property.
- Federally Listed Threatened or Endangered Species. Based on location of the tract and current site conditions, neither listed species nor habitat typically associated with these species are present within Alternative Site 6. Therefore, no adverse impacts to federally listed threatened and endangered species are expected.

- Cultural Resources. Based on a query of the NHR database, no sites are known to occur within this site. Thus, impacts to sites listed or eligible for listing would be anticipated during development of this tract.
- Flood Plain Impact. Based on estimated area from FEMA maps, development of this alternative would not require any flood plain impacts.
- Stream Buffer Impact. The project does contain a jurisdictional ditch/canal which would be classified as State Waters. Impacts to approximately 0.70 acre of stream buffer would be required during development of the site.

6.3.3 Alternative Site 10: This tract totals 67 located adjacent to Highway 204 within Chatham County. Based on review of aerial photography the tract consists of forested upland and wetland and it appears that the tract has been managed for timber production.

Environmental Factors:

- Stream Impacts (quantitative). No stream impacts are associated with this alternative.
- Stream Impacts (qualitative). No stream impacts are associated with this alternative.
- Wetland Impacts (quantitative). This tract contains approximately 37.84 acres of wetlands. For the size and configuration of the tract, it contains a large amount of jurisdictional wetland. Considering the proposed site plan, all 37.84 acres of wetland would be impacted by the project.
- Wetland Function (qualitative). Based on review of the NWI, topographic survey, and aerial photography the historic limits of the wetlands may have been impacted by standard silviculture practices on the tract. The functional value of the wetland would be in the medium range.
- Impacts to Other Waters (quantitative). No other waters are present within the property.
- Other Waters Functions (qualitative). No other waters are present within the property.
- Federally Listed Threatened or Endangered Species. Based on location of the tract and current site conditions, neither listed species nor habitat typically associated with these species are present within Alternative Site 10. Therefore, no adverse impacts to federally listed threatened and endangered species are expected.
- Cultural Resources. Based on a query of the NHR database, no sites are known to occur within this site. Thus, impacts to sites listed or eligible for listing would be anticipated during development of this tract.
- Flood Plain Impact. Based on estimated area from FEMA maps, 100% of Alternative Site 10 falls within the 100 year flood plain. Thus, 67 acres of 100 year flood plain would be impacted.
- Stream Buffer Impact. No stream buffer impacts are associated with this alternative.

6.4 Summary of Off-Site Alternatives Analysis: When comparing the practicable alternatives, the Applicant's Preferred Alternative requires less wetlands, open water, floodplain impact than alternative sites and when considering environmental impacts, the Applicant's Preferred Alternative represents the least environmentally damaging. Table 4 provides a summary of the practicable alternatives and the values for each factor.

Table 4. Summary of Least Environmentally Damaging Practicable Alternative Assessment

FACTORS	No Action Alternative	Applicant's Preferred	Alt 6	Alt 10
Environmental Factors				
Stream Impacts (Linear Feet)	None	None	None	None
Loss in Stream Function	None	None	None	None
Wetland Impacts (Acres)	None	9.55 ac	40 ac	37.84 ac
Functional Value of Impacted Wetland	None	Medium/Low	Medium/Low	High/Medium
Impacts to Other Waters (Acres)	None	None	None	None
Loss of Other Waters Functions	None	None	None	None
Federal Endangered Species	N/A	No	No	No
Cultural Resources	N/A	No	No	No
Flood Plain	N/A	No	No	Yes/67 ac
Stream Buffer	N/A	No	Yes	No
LEDPA	No	Yes	No	No

6.5 No Action Alternative: The proposed project has been initiated to facilitate development of a mixed use site to support Berwick Plantation. The current owner entered into a development agreement in 2002 following completion of a wetland delineation and issuance of an individual permit by the USACE. While the "no-action alternative" avoids impacts to wetland resources, the result of the no-action alternative would be economically devastating to the applicant and the project site. Due to the economic impacts, the "no-action" alternative is not feasible.

6.6 On-Site Alternatives: In addition to considering off-site alternatives/alternative properties, the applicant considered on-site alternatives in an effort to further avoid and minimize jurisdictional area impacts to the greatest extent practicable. The proposed project includes the development of a master planned mixed use site. Specifically, three alternate site plans were drafted and studied in an effort to avoid or minimize impacts to wetland resources identified within the property.

The following provides a summary of each alternative considered during the design review process.

6.5.1 Alternative 1: Alternative 1 requires impacts to 100 percent of the jurisdictional area within the property. This plan includes construction of buildings, installation of access roads, a floodplain mitigation area, extension of utilities, construction of parking area, and all other attendant features typically associated with development of a master planned mixed use development. Including both the previously issued IP and the proposed project, the overall master plan will require 7.03 acres of wetland and 2.17 acres of ditch impact. If economics were the sole consideration, Alternative 1 would be the preferred alternative.

6.5.2 Alternative 2: Alternative 2 requires impacts to 90 percent of the jurisdictional area within the property. This design includes construction of buildings, installation of access roads, a floodplain mitigation area, extension of utilities, construction of parking area, and all other attendant features typically associated with development of a master planned mixed use development. Including both the previously issued IP and the proposed project, the overall master plan will require 7.03 acres of wetland and 2.17 acres of ditch impact.

6.5.3 Alternative 3: Alternative 3 requires impacts to 83 percent of the jurisdictional area within the property. This design includes construction of buildings, installation of access roads, a floodplain mitigation area, extension of utilities, construction of parking area, and all other attendant features typically associated with development of a master planned mixed use development. Including both the previously issued IP and the proposed project, the overall master plan will require 6.68 acres of wetland and 1.04 acres of ditch impact.

6.5.5 Applicant's Preferred Alternative: The applicants preferred alternative requires impacts to 80 percent of the jurisdictional area within the property. This plan includes construction of buildings, installation of access roads, a floodplain mitigation area, extension of utilities, construction of parking area, and all other attendant features typically associated with development of a master planned mixed use development. Including both the previously issued IP and the proposed project, the overall master plan will require 6.36 acres of wetland and 1.04 acres of ditch impact.

Table 5. Summary of On-site Alternatives/Avoidance

Alternative	Development Area (acres)	Undisturbed Jurisdictional Area (acres)	Wetland Fill (acres)	Ditch Fill (acres)	Total IP Proposed Jurisdictional Wetland Impact (acres)
1	54.01	0.0	7.03	2.17	9.2
2	54.01	0.86	6.68	1.66	8.34
2	54.01	0.86	6.68	1.04	7.72
Applicant's Preferred	54.01	1.8	6.36	1.04	7.4

In summary, the applicant and design team considered a variety of alternatives which would avoid and minimize impacts to wetlands to the greatest extent practicable while satisfying the overall project purpose. Through three development plan reviews, the applicant was able to substantially reduce the overall wetland impact and has proposed to avoided 1.8 acres of mature hardwood wetland.

7.0 STORM WATER MANAGEMENT:

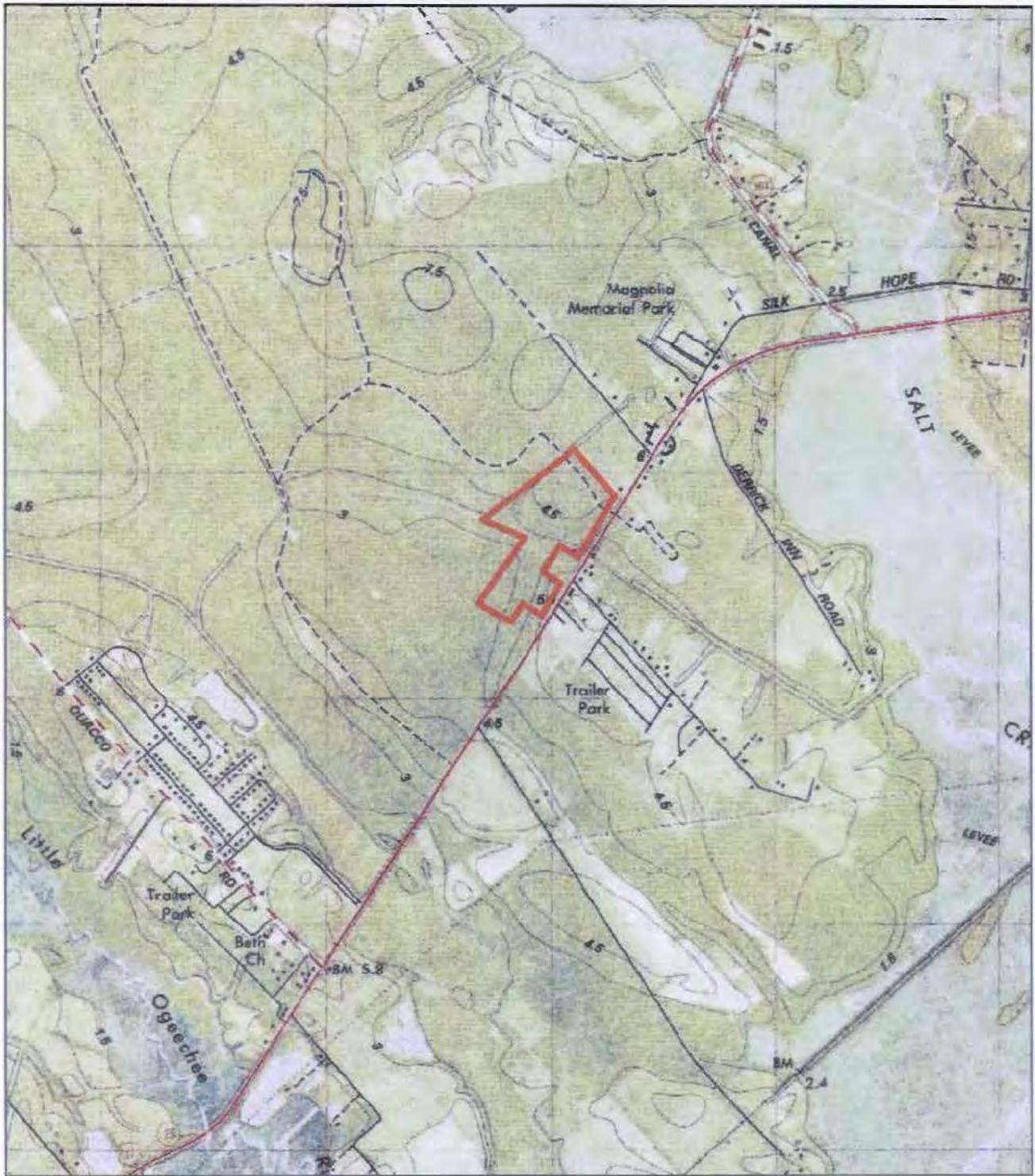
A storm water management plan has been designed and implemented as part of the overall Berwick Plantation Master Plan Development. This master storm water management plan accommodates for any development associated with this parcel. In addition to meeting the storm water management requirements for the project, the applicant has proposed flood plain mitigation. No impact to wetland is proposed as a result of the construction of the storm water detention ponds.

8.0 COMPENSATORY MITIGATION:

Using the Savannah District Standard Operating Procedure for Compensatory Mitigation, SOP calculations indicate that 45.2 credits are required to compensate for jurisdictional wetland impacts and 4.9 mitigation credits are required to compensate for the jurisdictional ditch impacts. (Appendix G). The applicant is proposing to acquire a total of 50.1 credits from a USACE approved primary service area mitigation bank. Credits will be purchased from one of the following primary service area bank: Black Creek, Margin Bay, Yam Grandy, Old Thorn Pond, or Wilhelmina Morgan. Upon approval of the proposed project and prior to initiation of authorized wetland impacts, the applicant will provide documentation of credit conveyance to the USACE.

9.0 CONCLUSION:

In summary, RealtiCorp is proposing to complete the development of Berwick Exchange. In 2006 and at the time property purchase, this project was authorized under the existing master plan permit for Berwick Plantation. Since that permit expired in 2011, the applicant was required to obtain a new jurisdictional determination during the USACE re-verification request, the USACE revised the limits of jurisdictional wetland. This unexpected adjustment in limits of and jurisdictional nature of the wetlands required submittal of this Individual Permit Application. As compensatory mitigation for unavoidable wetland impacts, the applicant has developed a compensatory mitigation plan using the Savannah District mitigation credit calculation SOP and has proposed to purchase 50.1 wetland mitigation credits from a USACE approved mitigation bank.



 PROPERTY LIMITS

USGS TOPOGRAPHIC SURVEY
CHATHAM COUNTY, GEORGIA

EXHIBIT DATE: 20 NOVEMBER 2013

MAP SCALE: 1 INCH = 2000 FEET

PREPARED BY: BW

RLC PROJECT NO. 13-187

**THE EXCHANGE AT BERWICK PLANTATION
SAVANNAH, CHATHAM COUNTY, GEORGIA**

PREPARED FOR:
REALTCORP



0 1,000 2,000 4,000
Feet

 RLC

**RESOURCE+LAND
CONSULTANTS**

41 Park of Commerce Way, Ste. 303
Savannah, Georgia 31405
912.443.5285 www.rlandc.com



 PROPERTY LIMITS

2010 ORTHO PHOTOGRAPH
CHATHAM COUNTY, GEORGIA

EXHIBIT DATE: 20 NOVEMBER 2013

MAP SCALE : 1 INCH = 400 FEET

PREPARED BY: BW

RLC PROJECT NO. 13-187

THE EXCHANGE AT BERWICK PLANTATION
SAVANNAH, CHATHAM COUNTY, GEORGIA

PREPARED FOR:
REALTICORP



RLC RESOURCE+LAND
CONSULTANTS
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Savannah, Georgia 31405
912.441.5895 www.rlandc.com



 PROPERTY LIMITS

USFWS NATIONAL WETLAND INVENTORY
CHATHAM COUNTY, GEORGIA

EXHIBIT DATE: 20 NOVEMBER 2013

MAP SCALE: 1 INCH = 400 FEET

PREPARED BY: BW

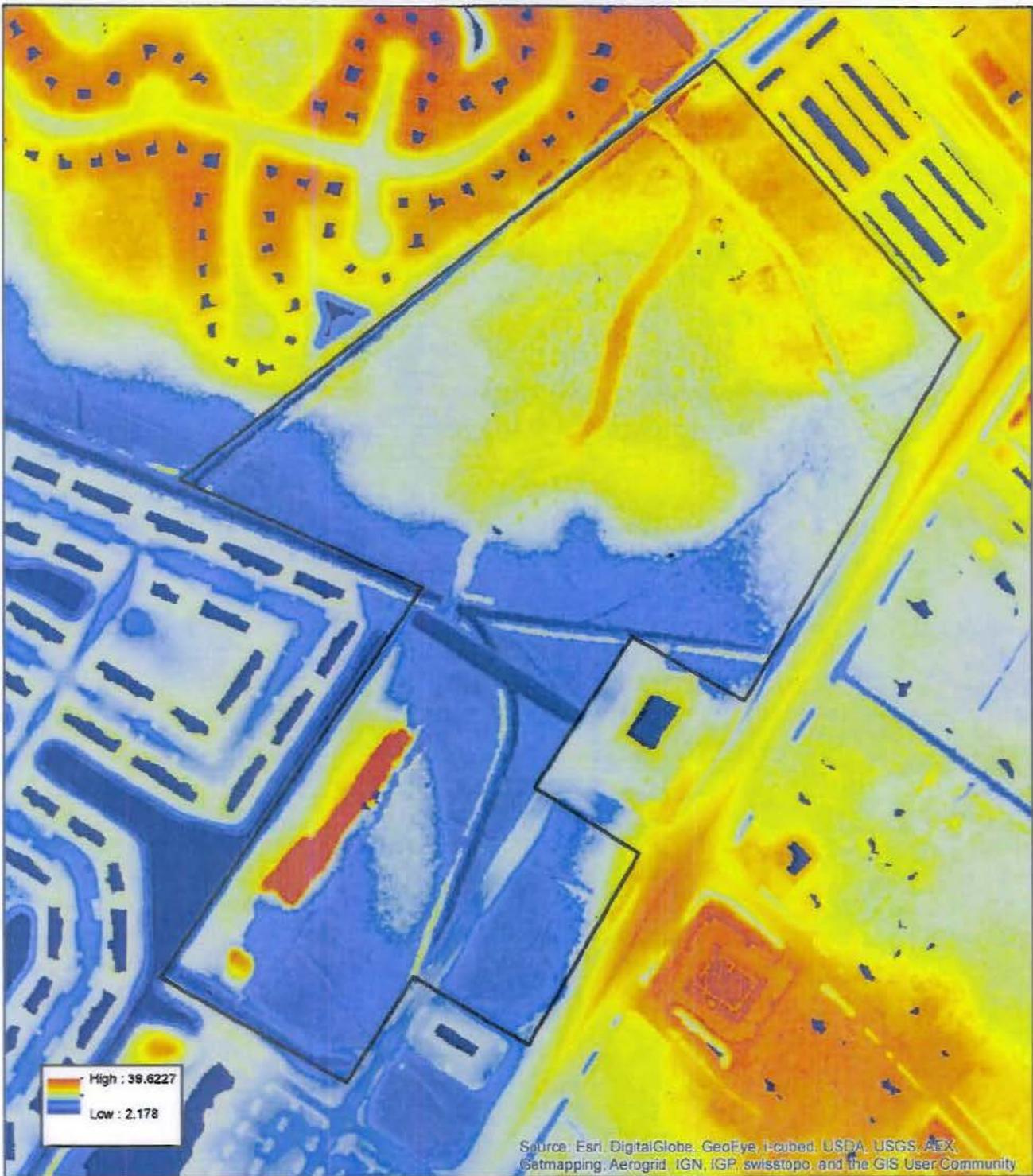
RLC PROJECT NO. 13-187

THE EXCHANGE AT BERWICK PLANTATION
SAVANNAH, CHATHAM COUNTY, GEORGIA

PREPARED FOR:
REALTICORP



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Savannah, Georgia 31405
912.448.5895 www.rlcinc.com



High : 39.6227
 Low : 2.178

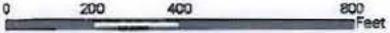
Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

PROPERTY LIMITS

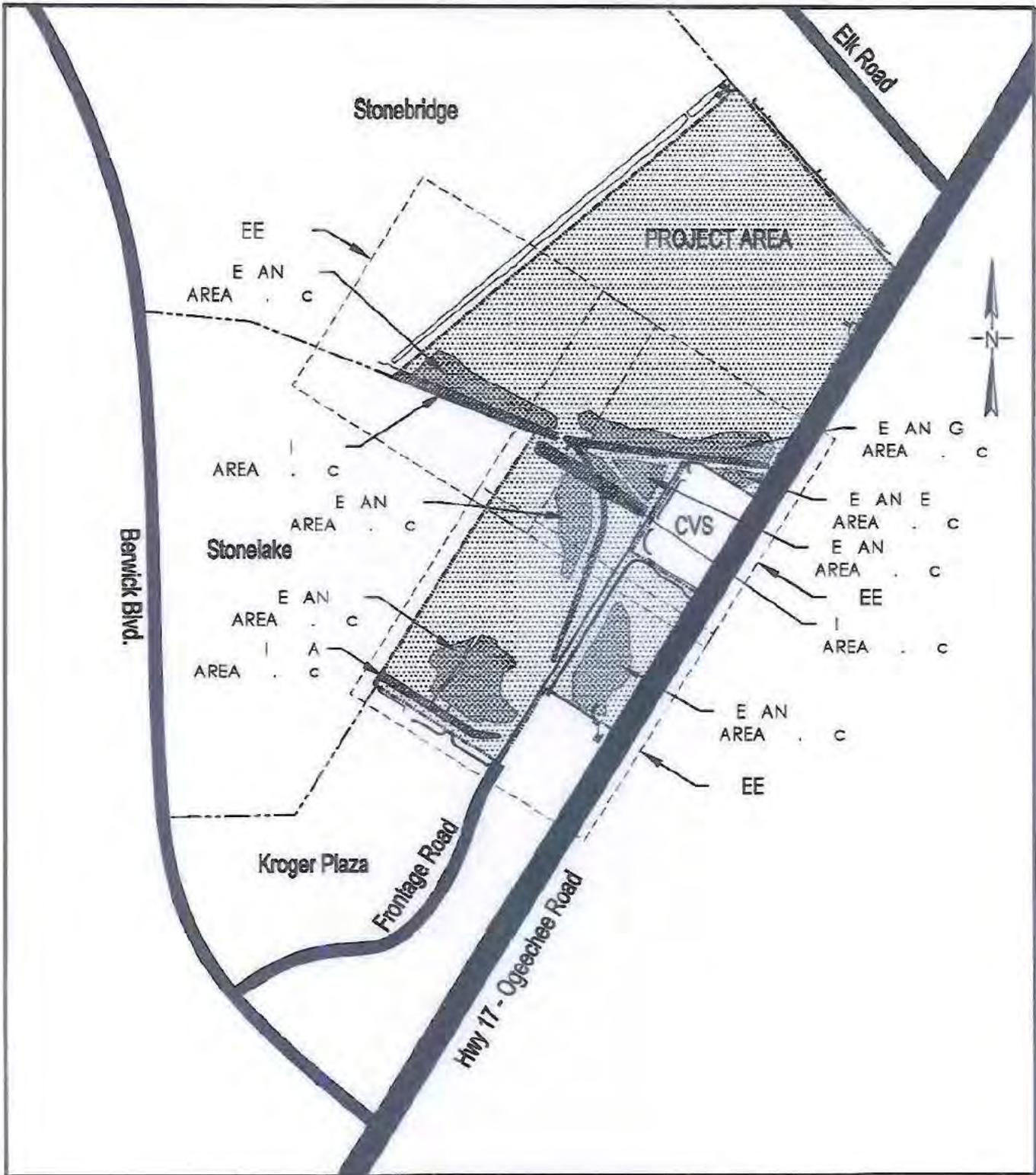
LIDAR
 CHATHAM COUNTY, GEORGIA
 EXHIBIT DATE: 20 NOVEMBER 2013
 MAP SCALE : 1 INCH = 400 FEET
 PREPARED BY: BW
 RLC PROJECT NO. 13-187

**THE EXCHANGE AT BERWICK PLANTATION
 SAVANNAH, CHATHAM COUNTY, GEORGIA**

PREPARED FOR:
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MAUPIN ENGINEERING, inc.



PO BOX 30685
SAVANNAH, GA 31410

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f: 866.209.4236

www.maupinengineering.com

SHEET: LOCATION MAP

PROJECT: 5700 OGEECHEE ROAD

LOCATION: CHATHAM COUNTY, GA

CLIENT: RIF 502, LLC
225 N. Main Street
Greenville, SC 29601

SHEET #: 1

DATE: 4/30/14

JOB #: 275-13-01

SCALE: 1" = 400'



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SHEET: QUAD SHEET

PROJECT: 5700 OGEECHEE ROAD

LOCATION: CHATHAM COUNTY, GA

CLIENT: RIF 502, LLC
225 N. Main Street
Greenville, SC 29601

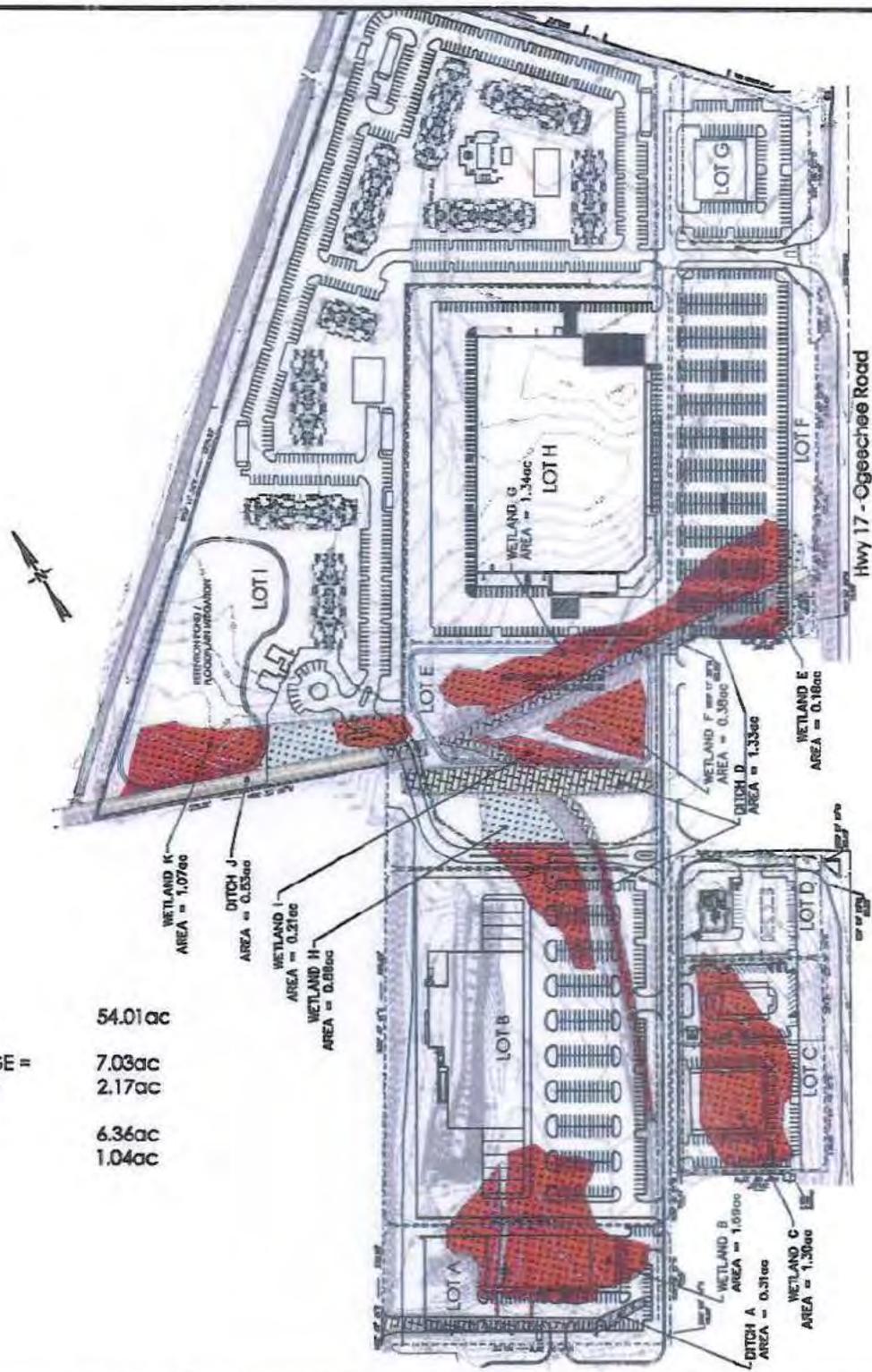
SHEET #: 2

DATE: 4/30/14

JOB #: 275-13-01

SCALE: 1" = 300'

-  DITCH UNDISTURBED
-  WETLAND UNDISTURBED
-  DITCH FILL
-  WETLAND FILL



TOTAL PROJECT AREA =	54.01ac
TOTAL WETLAND ACREAGE =	7.03ac
TOTAL DITCH ACREAGE =	2.17ac
TOTAL WETLAND FILL =	6.36ac
TOTAL DITCH FILL =	1.04ac

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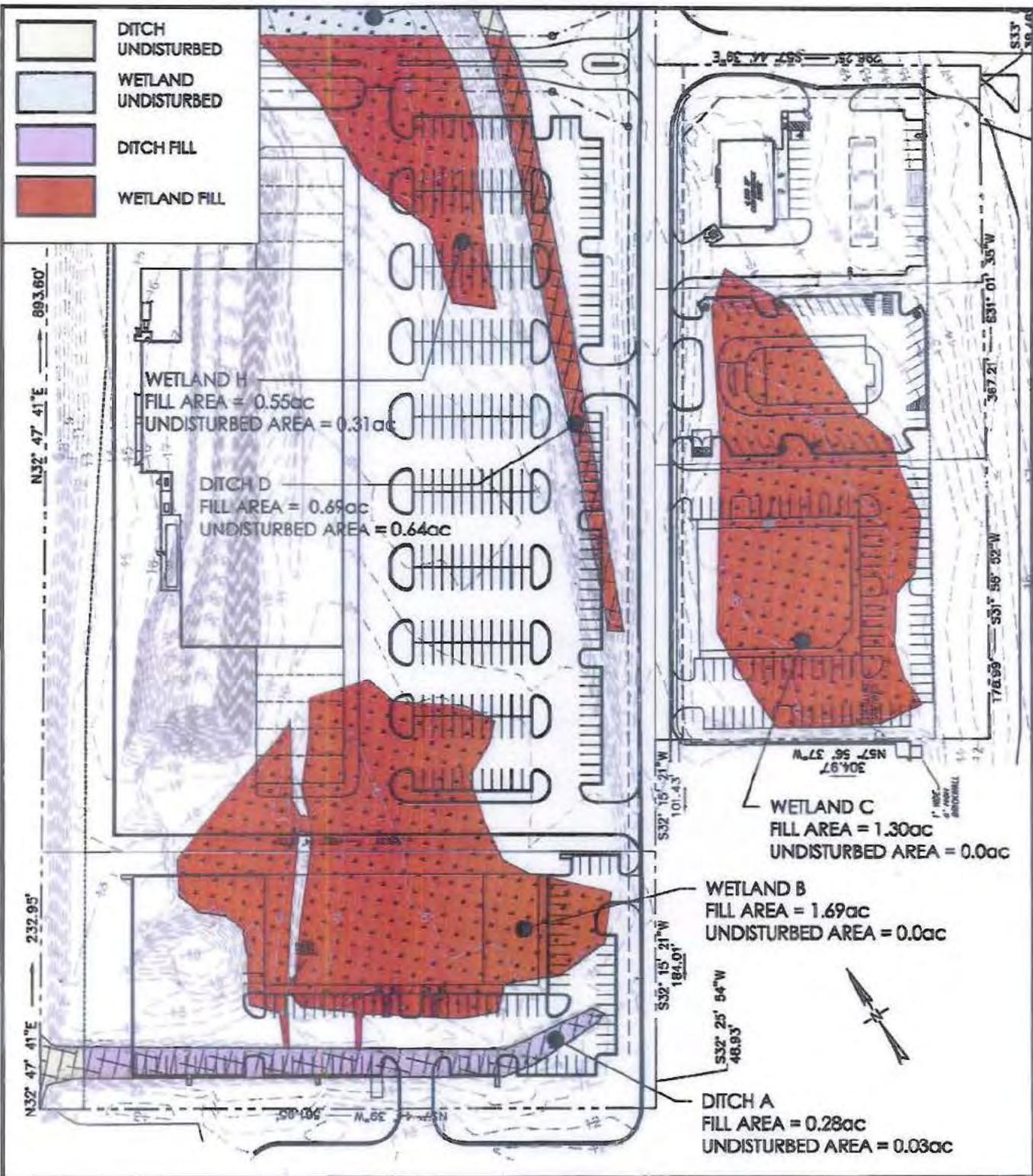
SHEET: **OVERALL DEVELOPMENT PLAN**

PROJECT: **5700 OGEECHEE ROAD**

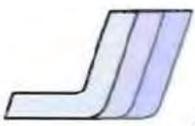
LOCATION: **CHATHAM COUNTY, GA**

CLIENT: **RIF 502, LLC**
 225 N. Main Street
 Greenville, SC 29601

SHEET #: **3**
 DATE: **4/30/14**
 JOB #: **275-13-01**
 SCALE: **1" = 300'**



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SHEET: OVERALL DEVELOPMENT PLAN

PROJECT: 5700 OGEECHEE ROAD

LOCATION: CHATHAM COUNTY, GA

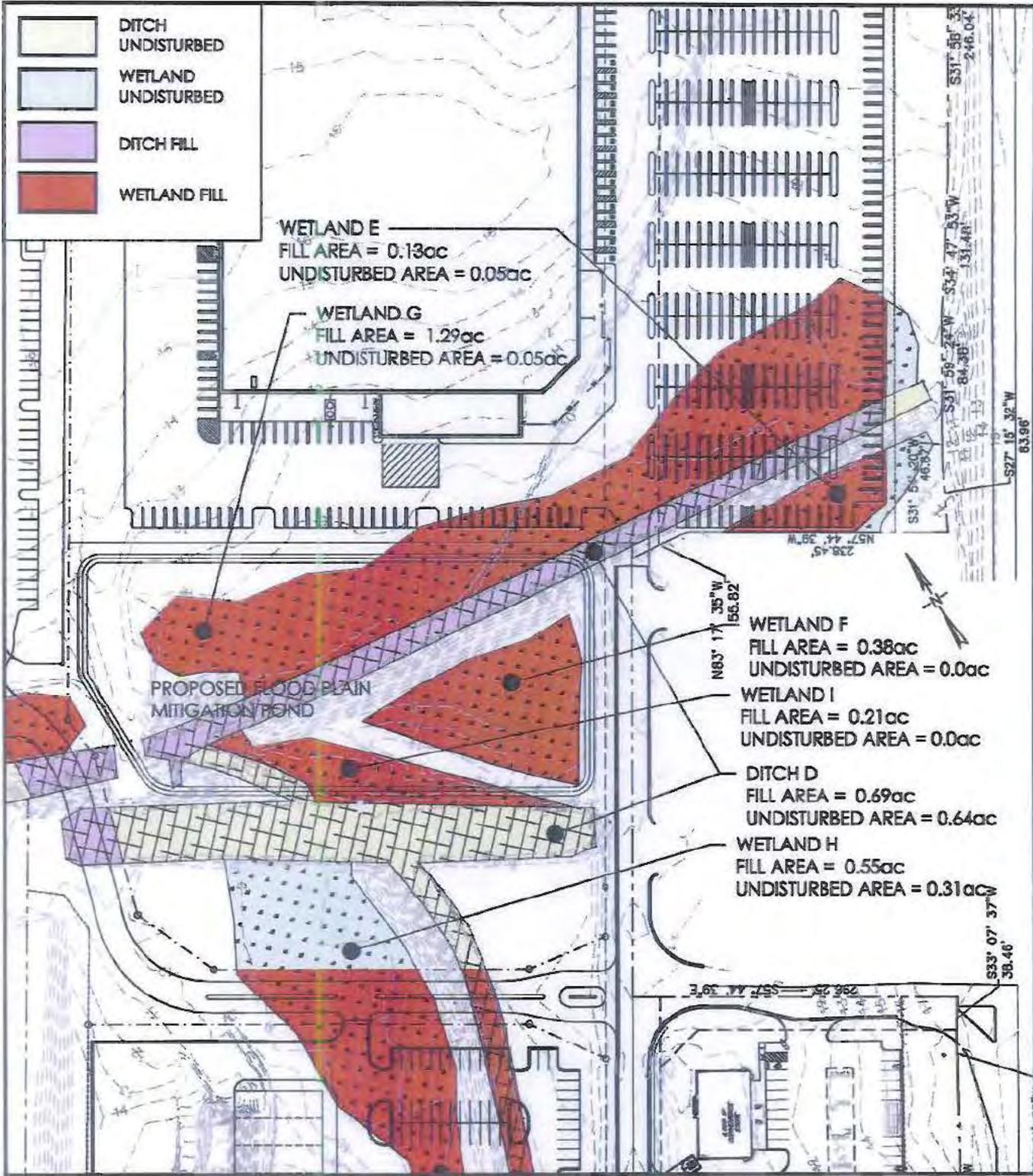
CLIENT: RIF 502, LLC
 225 N. Main Street
 Greenville, SC 29601

SHEET #: 4

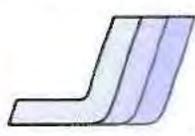
DATE: 4/30/14

JOB #: 275-13-01

SCALE: 1" = 120'



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SHEET: ENLARGEMENT - SHEET #5

PROJECT: 5700 OGEECHEE ROAD

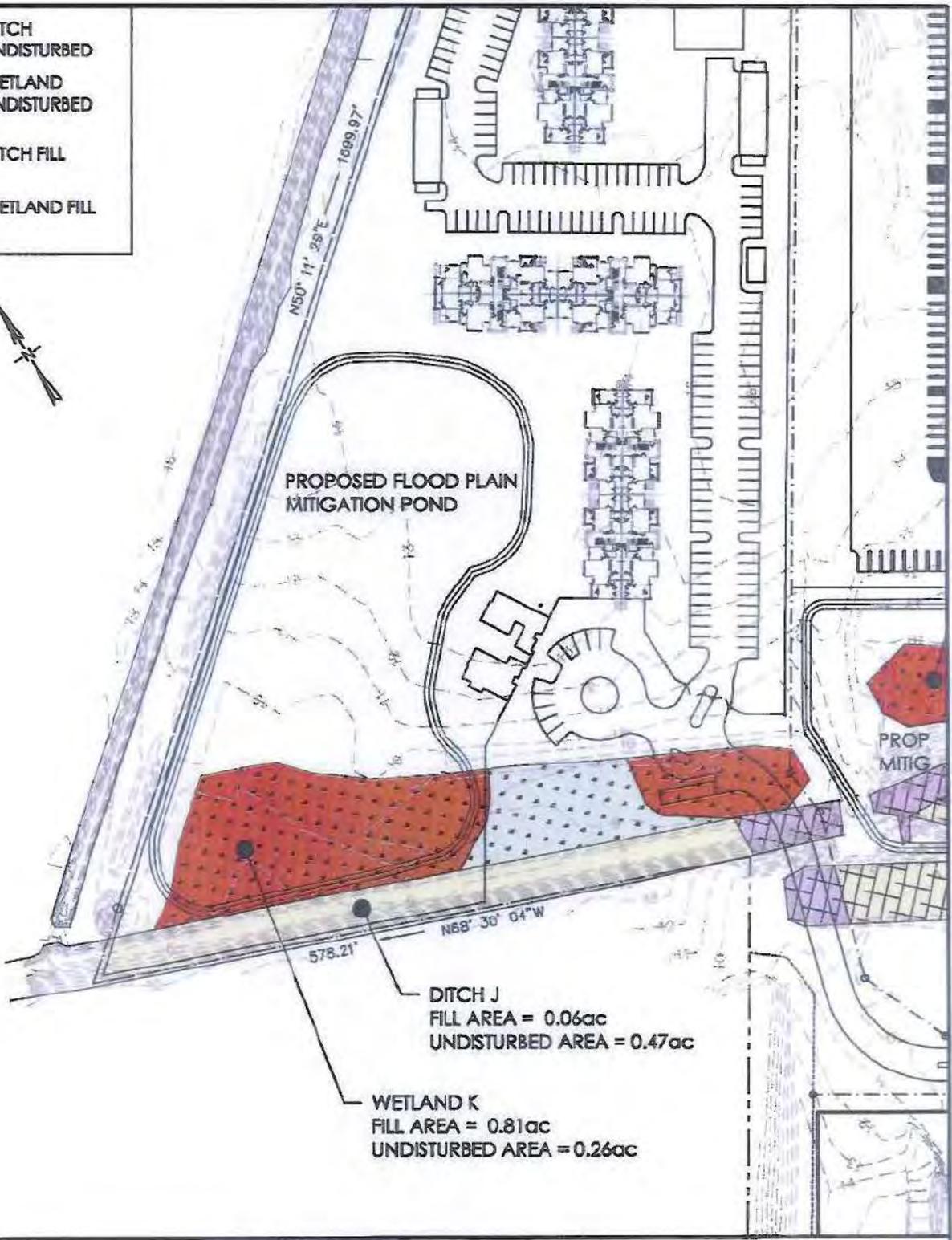
LOCATION: CHATHAM COUNTY, GA

CLIENT: RIF 502, LLC
 225 N. Main Street
 Greenville, SC 29601

SHEET #: 5

DATE: 4/30/14
 JOB #: 275-13-01
 SCALE: 1" = 120'

-  DITCH
UNDISTURBED
-  WETLAND
UNDISTURBED
-  DITCH FILL
-  WETLAND FILL



DITCH J
 FILL AREA = 0.06ac
 UNDISTURBED AREA = 0.47ac

WETLAND K
 FILL AREA = 0.81ac
 UNDISTURBED AREA = 0.26ac

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SHEET: **ENLARGEMENT - SHEET #6**

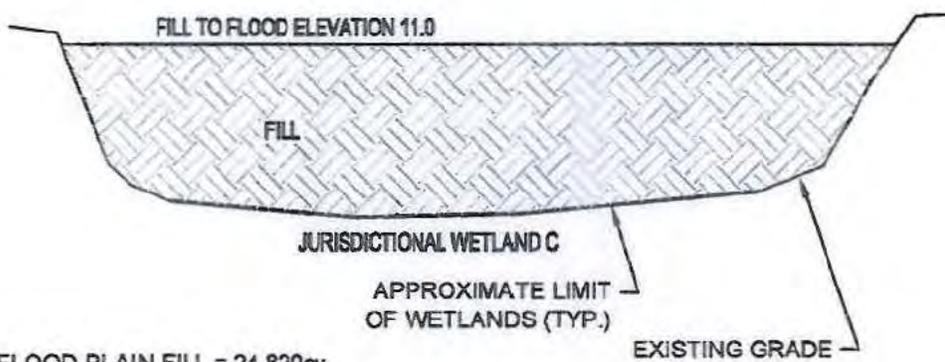
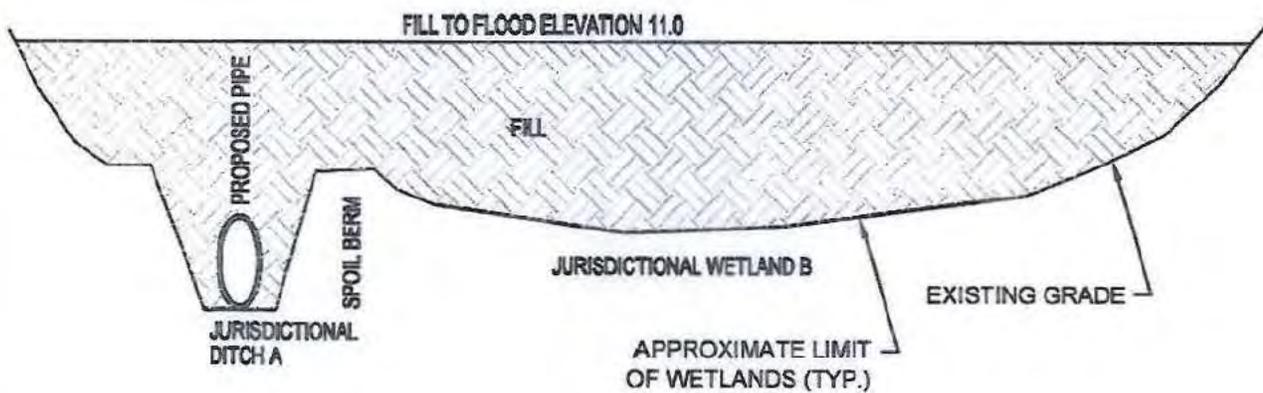
PROJECT: **5700 OGEECHEE ROAD**

LOCATION: **CHATHAM COUNTY, GA**

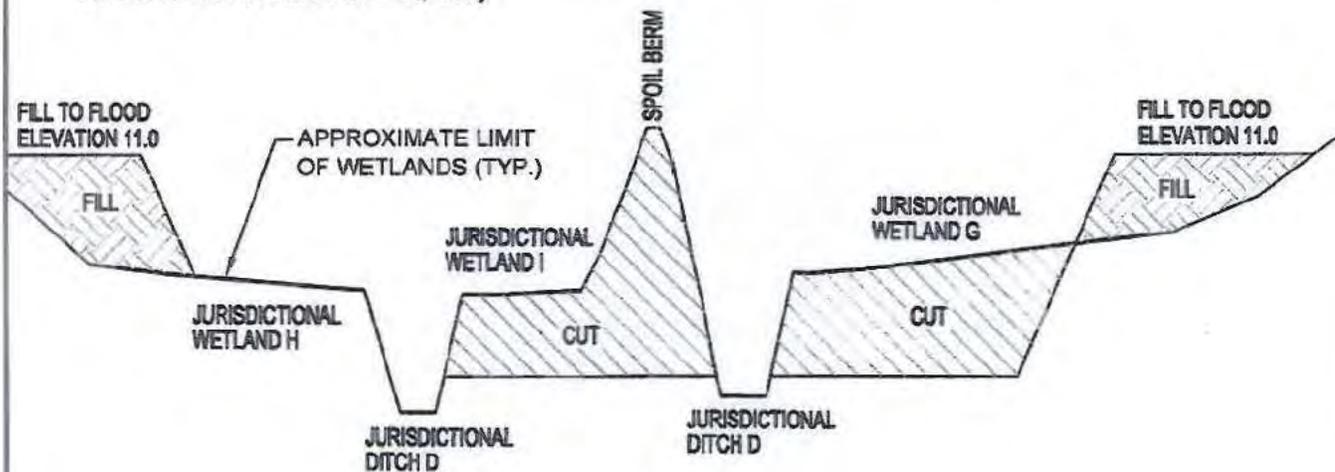
CLIENT: **RIF 502, LLC**
 225 N. Main Street
 Greenville, SC 29601

SHEET #: **6**

DATE: **4/30/14**
 JOB #: **275-13-01**
 SCALE: **1" = 120'**



TOTAL FLOOD PLAIN FILL = 24,820cy
 TOTAL FLOOD PLAIN CUT = 25,750cy



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 SAVANNAH, GA 31410
 o: 912.667.7757
 f: 906.209.4239
 www.maupinengineering.com

SHEET: WETLAND FILL SECTIONS

PROJECT: 5700 OGEECHEE ROAD

LOCATION: CHATHAM COUNTY, GA

CLIENT: RIF 502, LLC
 225 N. Main Street
 Greenville, SC 29601

SHEET #: 7
DATE: 4/30/14
JOB #: 275-13-01
SCALE: 1" = 300'