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-2019-00535

**Applicant:** Mr. Gary Wiggin
GW Investments, LLC Tract 1
660 East 39th Street
Savannah, GA 31401

**Agent:** Mr. Daniel Bucey
Resource and Land Consultants
41 Park Commerce Way, Suite 101
Savannah, Georgia 31405

**Project Purpose as proposed by applicant:** The overall project purpose is the construction of a two-lane asphalt access road within an eighty foot (80') right-of-way road to provide access to an upland residential development site. No other impacts to waters of the U.S. are proposed for the residential development.

**Basic:** Roadway

**Overall:** Construct a portion of a two-lane road to provide access to develop upland along GA HWY 21, in Port Wentworth, Georgia.

**Location of Proposed Work:** located west of Georgia Highway 21, approximately 0.4 mile south of Rice Mill Road, in Port Wentworth, Chatham County, Georgia (32.2189°, -81.2038°). The project is located within the lower Savannah Watershed (03060109).

**Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers:** Resource and Land Consultants, on behalf of GW Investments, LLC, is proposing to impact 0.70 acre of depressional flat wetland to construct a road to provide access for an upland residential development.

The applicant’s stated compensatory mitigation plan proposal is as follows:
Mitigation credits will be purchased for all impacts being proposed by this applicant, who is the current landowner. The Savannah Districts 2018 Standard Operating Procedure for Compensatory Mitigation (2018 SOP) was used to calculate the required wetland compensatory mitigation credits to offset the proposed project impacts. To offset the proposed impacts, the applicant will purchase 4.24 grandfathered credits (0.53 credits for 2018 SOP approved mitigation banks) from a USACE approved compensatory mitigation bank that services the project area and provides appropriate functional replacement credits. Credit requirements were calculated using the 2018 SOP worksheets.

**BACKGROUND**

The wetland delineation was verified by letter of August 5, 2019 (SAS-2019-0535). The 105.14 acre site contains 40.79 acres of upland, 1.18 acre of man-made ditches, and 63.17 acres of wetland. The timber on the majority of the site was harvested in 2010. A large wetland is located between the highway and the developable uplands, necessitating the need to fill wetlands for access.

The subject property is comprised of typical forested wetlands and upland pine plantation that have been managed for timber production. The majority of the timber on the property was harvested in 2010. Black Creek, which borders the property on the north, was channelized during silvicultural operations many decades ago. The property currently consists of naturally regenerating pine and hardwoods such as slash pine (Pinus elliottii), loblolly pine (Pinus taeda), red maple (Acer rubrum), and sweetgum (Liquidambar styraciflua).

This Joint Public Notice announces a request for authorizations from both the U.S. Army Corps of Engineers 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 will review the proposed project for water quality certification, in accordance with the provisions of Section 401 of the Clean Water Act. Prior to issuance of a Department of the Army permit for a project location in, on, or adjacent to the waters of the State of Georgia, review for Water Quality Certification is required. A reasonable period of time, which shall not exceed one year, is established under the Clean Water Act for the State to act on a request for Water Quality Certification, after which, issuance of such a Department of the Army permit may proceed. The applicant did not request a pre-certification meeting with Georgia EPD prior to submitting their application for a permit under Section 404 of the Clean Water Act.
Act. The applicant must still request a meeting with EPD at least 30 days prior to any request they make for 401 Water Quality Certification.

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 Savannah District 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 Part 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).

U.S. 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: A Phase II Archeological testing was conducted September 2020 by Brockington Cultural Resources Consulting to evaluate three archeological sites. A portion of one site is recommended to be eligible for inclusion on the NRHP. The remaining two areas are not eligible for the NRHP and additional management is not recommended. Based on this information, the ACOE will coordinate with the Georgia Department of Natural Resources Historic Preservation Division (HPD).

Endangered Species: A preliminary review of the endangered and threatened species list generated by the U.S. Fish and Wildlife Service’s (FWS) Information for Planning and Consultation (IPaC) website indicates the following listed species may occur in the project area: wood stork (Mycteria americana), eastern indigo snake (Drymarchon corais couperi), frosted flatwoods salamander (Ambystoma cingulatum) and pondberry (Lindera melissifolia).

No habitats are located on the subject property that would be suitable for species listed in Chatham County, Georgia. Coordination with US Fish and Wildlife Service’s (USFWS) Information for Planning and Consultation (IPaC) was conducted to assess potential impacts to federally protected species on the project site.

Per the Effects Determination Guidance for Endangered and Threatened Species (EDGES), the Corps has determined that the proposed project would Not Likely
Adversely Affect the eastern indigo snake and the wood stork, pending FWS concurrence that there are no active wood stork nesting colonies within 2,500 feet. The project area does not contain freshwater marshes, seasonally flooded roadside or agricultural ditches, narrow tidal creeks or shallow tidal pools, managed impoundments, and depressions in cypress heads and swamp sloughs.

Per the Effects Determination Guidance for Endangered and Threatened Species (EDGES), the Corps has determined that the proposed project would have “no effect” on the pondberry and the frosted flatwoods salamander.

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 U.S. Army Corps of Engineers 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 U.S. Army Corps of Engineers 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 Savannah District’s 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 by email to allison.c.murphy@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Ms. Allison Murphy, 100 West Oglethorpe Avenue, Savannah, Georgia 31401-3604, 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 Ms. Allison Murphy, Project Manager, Coastal Branch via email at allison.c.murphy@usace.army.mil or via phone at (912) 652-5133.

Enclosures:
1. Appendix 1: Drawings (6 pages)
GW Investments, LLC
Tract 1
Chatham County, Georgia

USGS Topographic Map
Prepared For: Gary Wiggins

RESOURCE + LAND CONSULTANTS
47 Park of Commerce Way, Ste. 303
Savannah, Georgia 31405
912.443.3896 www.landc.com
GW INVESTMENTS TRACT 1

PROPOSED ACTIVITY:
WETLAND MANAGEMENT PLAN

CLIENT:
GARY WIGGIN

LOCATION: PORT WENTWORTH, GEORGIA

DATE: 8/9/19 DRAWN BY: MCS SHEET: 3 OF 5
JOB NUMBER: J-27121 REVIEWED BY: JLM SCALE: 1" = 300'

EXISTING ACCESS ROAD

WETLAND B
0.70 AC. IMPACT

THOMAS & HUTTON
50 Park of Commerce Way
Savannah, GA 31405 • 912.234.5300
www.thomasandhutton.com
GW INVESTMENTS TRACT 1
PROPOSED ACTIVITY:
WETLAND MANAGEMENT PLAN
CLIENT:
GARY WIGGIN
LOCATION: PORT WENTWORTH, GEORGIA
DATE: 8/9/19
JOB NUMBER: 27121.0000
DRAWN BY: MCS
REVIEWED BY: JLM
SHEET: 4 of 5
SCALE: N.T.S.

THOMAS & HUTTON
50 Park of Commerce Way
Savannah, GA 31405 • 912.234.5300
www.thomasandhutton.com
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<th>Description</th>
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<td>Total Tract Acreage</td>
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<tr>
<td>Total Upland Acreage</td>
<td>40.79 AC.</td>
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<tr>
<td>Total Jurisdictional Wetland Acreage</td>
<td>63.17 AC.</td>
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<tr>
<td>Total Jurisdictional Ditch Acreage</td>
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<td><strong>Jurisdictional Wetland Impacts</strong></td>
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