



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
SAVANNAH DISTRICT
100 WEST OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3604

January 29, 2021

Regulatory Division
SAS-2007-01143

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-2007-01143

Applicant: Bell Holmes
R-6 Savannah, LLC
329 Commerical Blvd. Suite 200
Savannah, GA 31406

Agent: Jeremy Plauger
Resource and Land Consultants
41 Park of Commerce Way, Suite 101
Savannah, GA 31405

Project Purpose as Proposed by Applicant: The applicant's stated project purpose is "The purpose of the proposed project is to obtain a permit from the USACE authorizing jurisdictional wetland impacts required for completion of a residential subdivision which was previously permitted by the USACE in 2008."

Location of Proposed Work: The project site is located south of Highgate Boulevard, and northeast of Highway 204 within Savannah, Chatham County, Georgia (Latitude 32.069951 and Longitude -81.340307). The aquatic resources located on-site drain to Ogeechee River, a Traditional Navigable Waterway (TNW).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers:
The applicant is proposing to "0.94 acre of wetland and 0.02 acre of ditch to facilitate to completion of The Palms Residential Subdivision. To offset the loss in aquatic function associated with the above impacts, the applicant has proposed the purchase of 5.68 grandfathered wetland credits" from a U.S. Army Corps of Engineers approved mitigation bank servicing the project area. The project is hydrologically connected to the "Ogeechee River."

BACKGROUND

In 2008, the applicant obtained an individual permit from the U.S. Army Corps of Engineers(USACE) for the subject development. The permit authorized 1.95 acres of wetland impact associated with construction of four road crossings, 0.74 acre of wetland impact associated with two utility crossings and 0.09 acre of ditch impact associated with general development activities. Due to the economic recession in 2008, the project was not initiated, and the permit expired in 2013.

In April of 2015, the applicant obtained an Nationwide Permit Concurrence for 0.42 acre of impact associated with installation of two road crossings and 0.03 acre of ditch impact associated with general development. Following receipt of PCN concurrence, the project was initiated, and authorized activities were completed in 2016. As compensatory mitigation the permittee purchased 3.0 wetland credits from Yam Grandy Mitigation Bank. Lastly, because the jurisdictional determination (JD) for the site expired, a new JD was obtained from the USACE for the southern portion of the permit area. This JD was issued in a letter dated 9 December 2019. This application has been submitted requesting authorization for remaining wetland and ditch impacts necessary to complete the project.

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 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. 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.

Marshland Protection: This notice also serves as notification of a request to alter coastal marshlands (under the provision of the Coastal Marshlands Protection Act, Georgia Laws, 1970, p. 939 and as amended), if required. Comments concerning this action should be submitted to the Marsh and Shore Management Section, Coastal

Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523-8600 (Telephone 912-264-7218).

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 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, Coastal Management Program, 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: Review of the latest published version of the National Register of Historic Places and the Georgia Natural, Archeological and Historic Resources GIS database, indicates that no registered properties or properties listed as eligible for inclusion are located on the project site. Presently unknown archaeological, scientific, prehistorical or historical data may be located at the site and could be affected by the proposed work.

Endangered Species: A preliminary review the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service's Protected Resource Divisions (NMFSPRD)'s list of Endangered and Threatened Species (IPaC) indicates the following listed species may occur in the project area: redcockaded woodpecker (*Picoides borealis*), wood stork (*Mycteria americana*), Eastern indigo snake (*Drymarchon corais couperi*), frosted flatwoods salamander (*Ambystoma cingulatum*), pondberry (*Lindera melissifolia*).

Not Likely to Adversely Affect:

Per the Effects Determination Guidance for Endangered and Threatened Species (EDGES), the Corps has determined that the proposed project may affect, but is not likely to adversely affect the red-cockaded and eastern indigo snake

No Effect:

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

With regards to the wood stork, the Corps requests that the FWS confirm if the proposed project site is within 2,500 feet of an active wood stork nesting colony. The Corps will make an effects determination for the wood stork upon receipt of the requested information.

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, National Oceanic and Atmospheric Administration, National Marine Fisheries Service; or, any other interested party, on whether any species listed or proposed for listing may be present in the area. In addition, we are requesting information from the USFWS whether the project is within 2,500 feet of an active wood stork nesting colony.

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 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

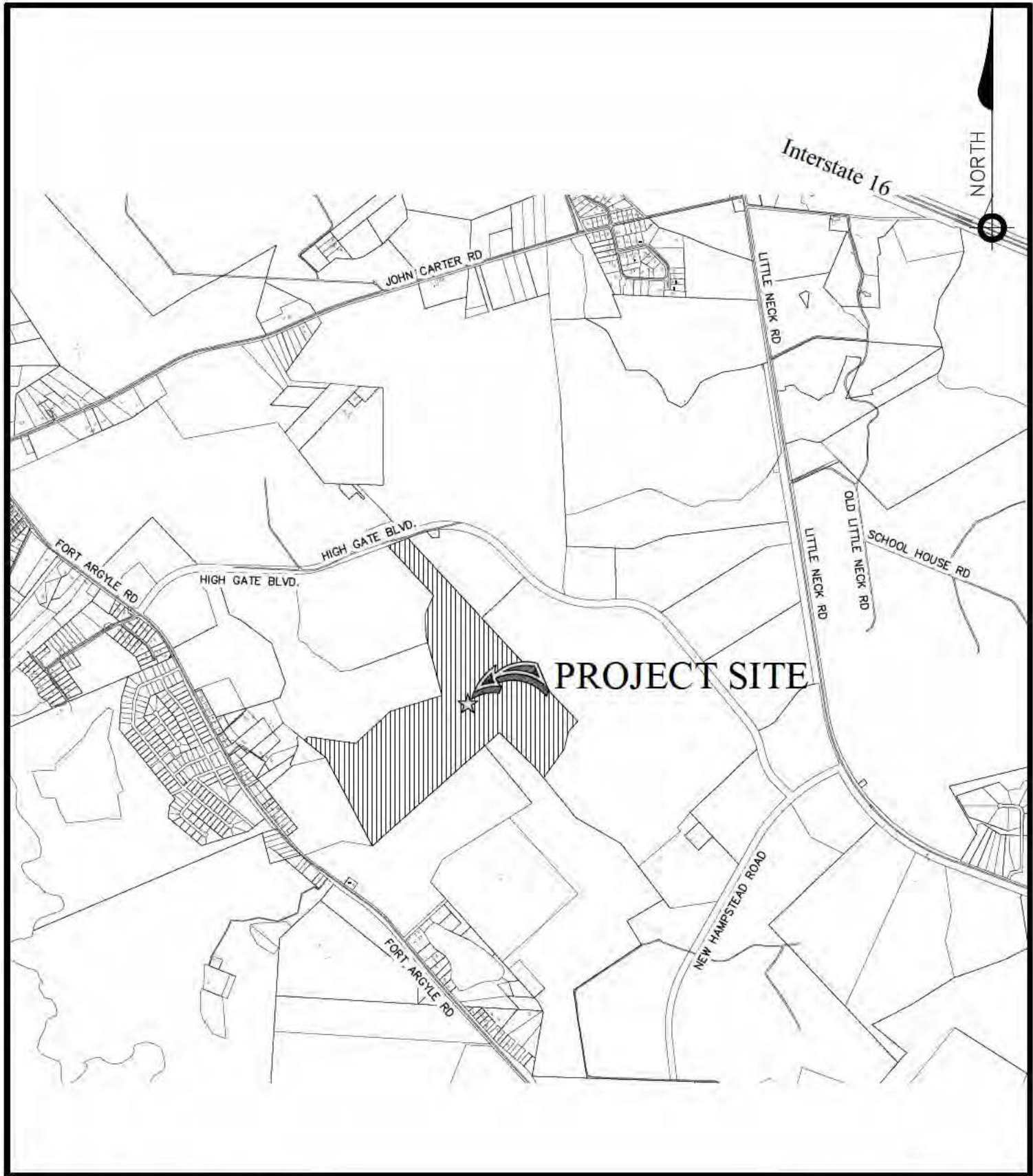
Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial 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: Allison C. Murphy, 100 Oglethorpe Avenue, Savannah, GA 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 Allison C. Murphy, Environmental Engineer, 912-652-5133.

Enclosures:

1. Figure 1 – Vicinity Map
2. Plan and Profile Drawings



NEW HAMPSTEAD TRACT R-6
THE PALMS SUBDIVISION
SAVANNAH CHATHAM COUNTY, GEORGIA
 APPLICANT:
 R-6 Savannah, LLC
 SOURCE:
 Hussey Gay Bell - Consulting Engineers

VICINITY MAP



SCALE: 1" = 2 Miles

SHEET NO. 1
 DATE: JANUARY 13, 2021

HIGHGATE BLVD.

LEGEND:

ROAD CROSSING



DITCH IMPACT



WETLAND IMPACT



NORTH



WETLAND

WETLAND

WETLAND

PROJECT AREA

WETLAND

3

4

6

5

NEW HAMPSTEAD TRACT R-6
THE PALMS SUBDIVISION
SAVANNAH CHATHAM COUNTY, GEORGIA

APPLICANT:
R-6 Savannah, LLC

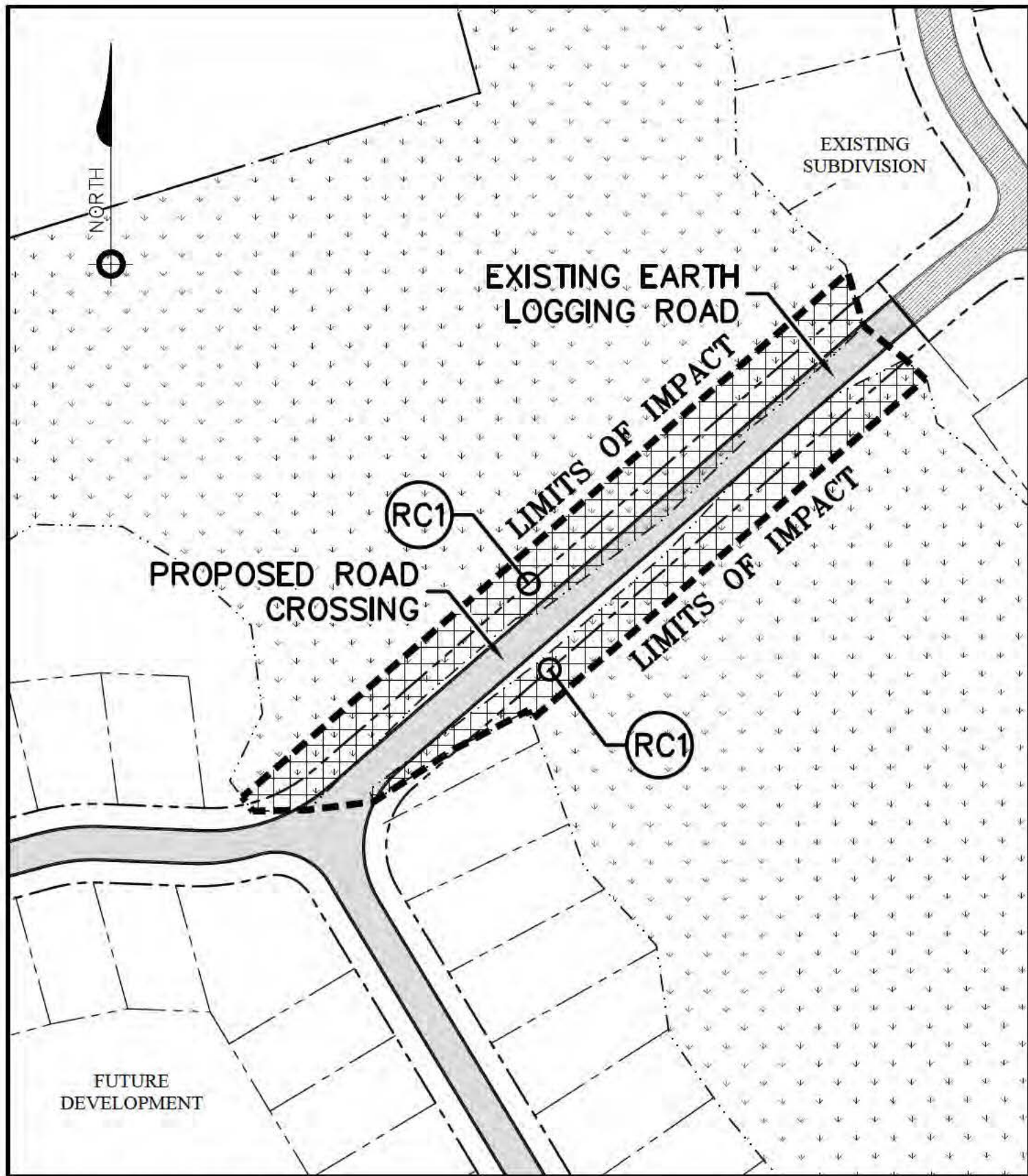
SOURCE:
Hussey Gay Bell - Consulting Engineers

3000 1500 0 3000 6000

SCALE: 1"=600'

PROJECT MAP

SHEET NO. 2
DATE: JANUARY 13, 2021



**NEW HAMPSTEAD TRACT R-6
THE PALMS SUBDIVISION
SAVANNAH CHATHAM COUNTY, GEORGIA**

APPLICANT:
R-6 Savannah, LLC

SOURCE:
Hussey Gay Bell - Consulting Engineers

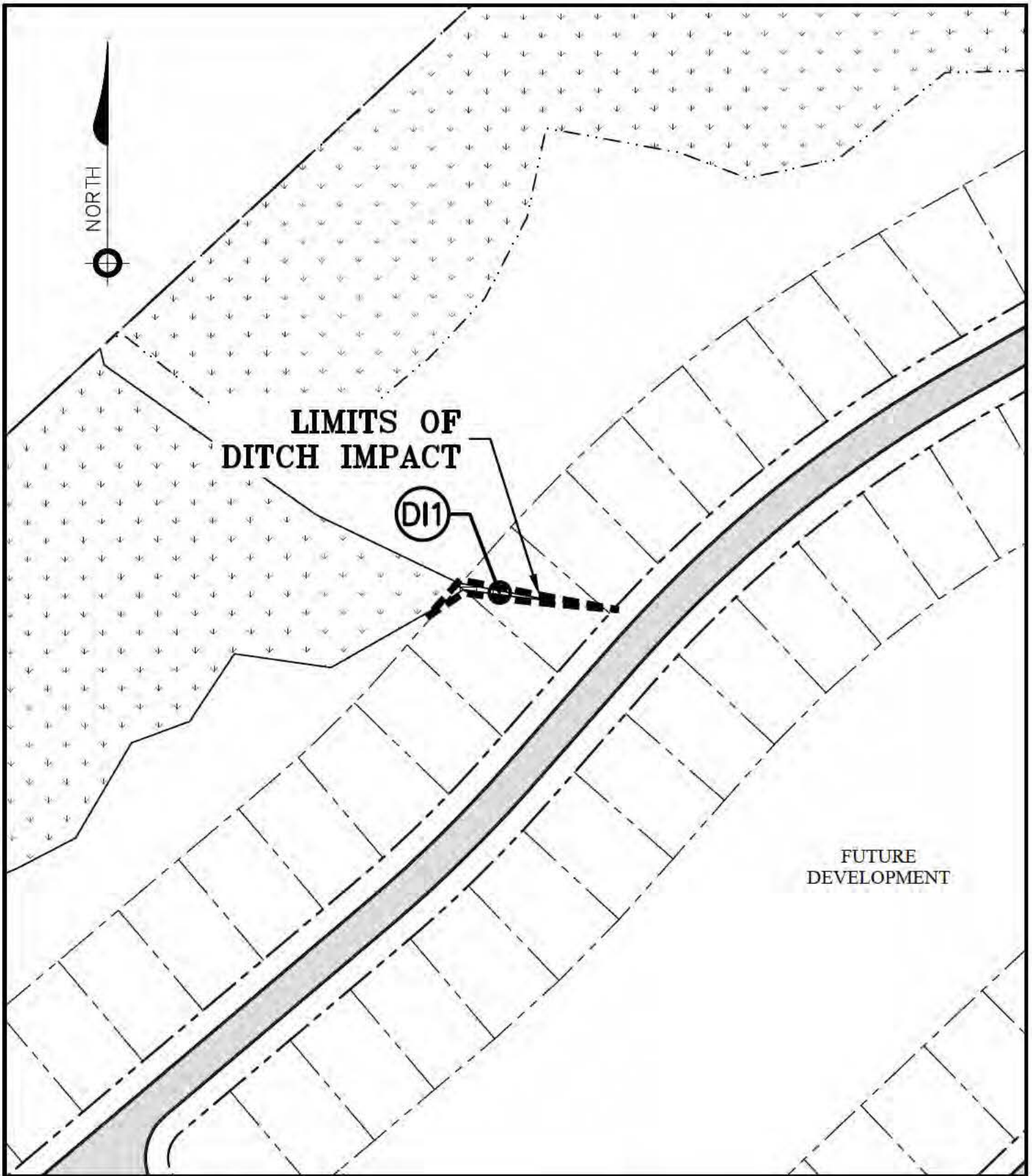
ACTIVITIES:

ROAD CROSSING IMPACT RC1 = 0.89 AC.
= 38,768 SQ. FT.



SCALE: 1"=100'

SHEET NO. 3
DATE: JANUARY 13, 2021



**NEW HAMPSHIRE TRACT R-6
THE PALMS SUBDIVISION
SAVANNAH CHATHAM COUNTY, GEORGIA**

APPLICANT:
R-6 Savannah, LLC

SOURCE:
Hussey Gay Bell - Consulting Engineers

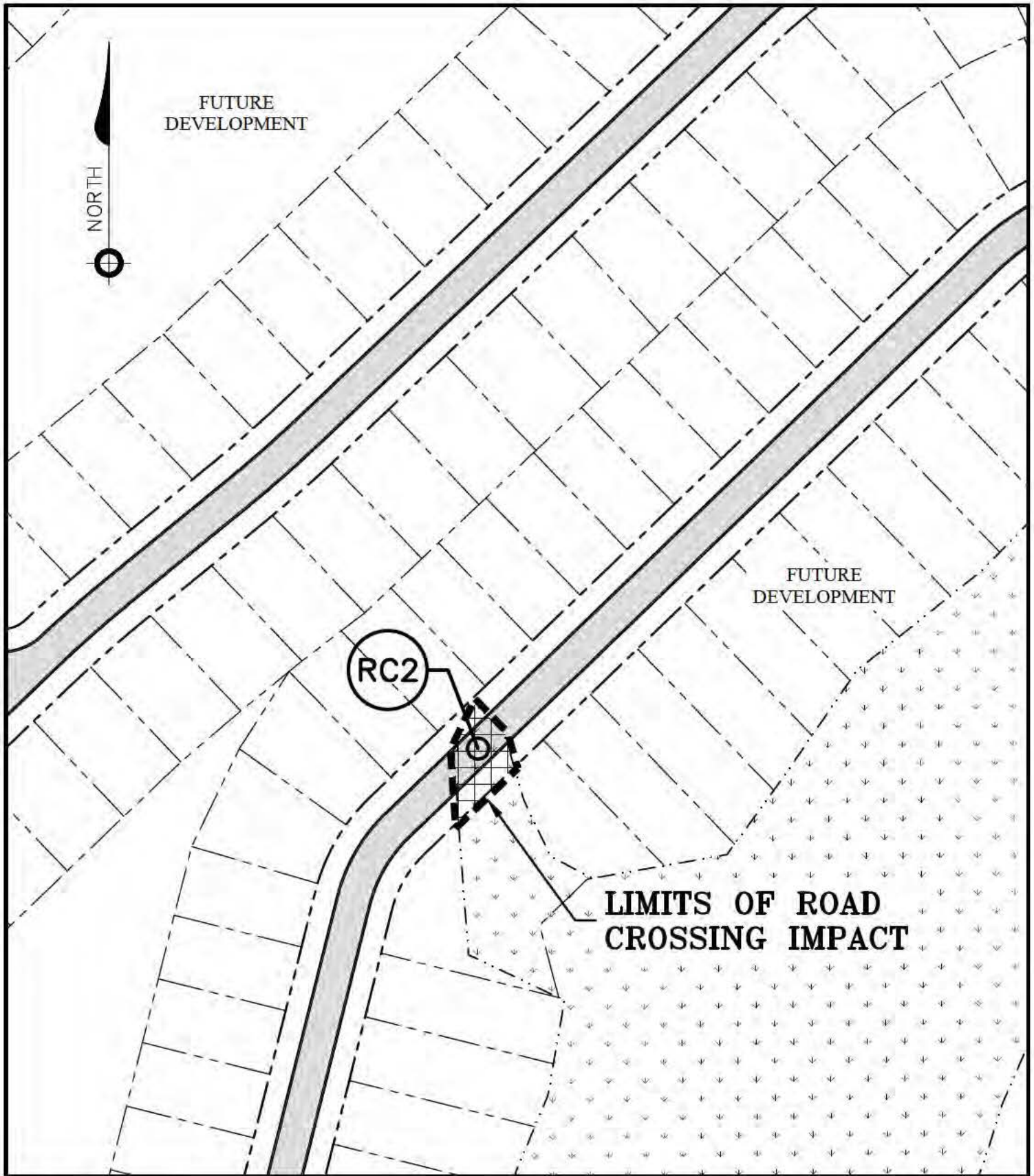
ACTIVITIES:

**DITCH IMPACT DI1 = 0.01 AC.
= 211 SQ. FT.**



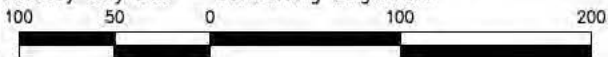
SCALE: 1"=100'

SHEET NO. 4
DATE: JANUARY 13, 2021



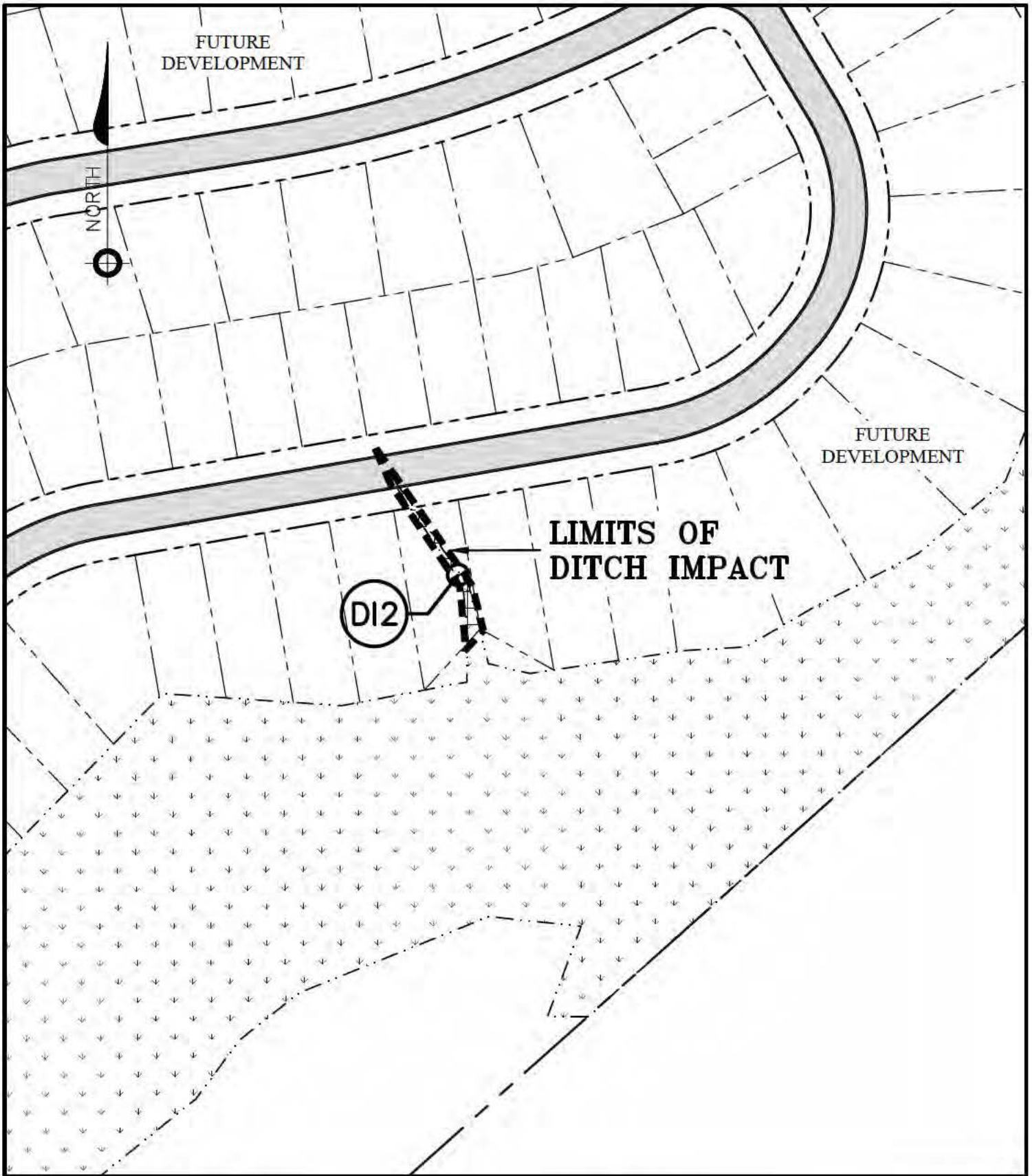
NEW HAMPSHIRE TRACT R-6
THE PALMS SUBDIVISION
SAVANNAH CHATHAM COUNTY, GEORGIA
 APPLICANT:
 R-6 Savannah, LLC
 SOURCE:
 Hussey Gay Bell - Consulting Engineers

ACTIVITIES:
ROAD CROSSING IMPACT RC2 = 0.05 AC.
= 2,352 SQ. FT.



SCALE: 1"=100'

SHEET NO. 5
 DATE: JANUARY 13, 2021



NEW HAMPSTEAD TRACT R-6
THE PALMS SUBDIVISION
SAVANNAH CHATHAM COUNTY, GEORGIA

APPLICANT:
 R-6 Savannah, LLC

SOURCE:
 Hussey Gay Bell - Consulting Engineers

ACTIVITIES:

DITCH IMPACT DI2 = 0.01 AC.
= 529 SQ. FT.



SCALE: 1"=100'

SHEET NO. 6
 DATE: JANUARY 13, 2021

WETLAND IMPACTS

RC1	0.89 AC.
RC2	0.05 AC.
DI1	0.01 AC.
DI2	0.01 AC.

WETLAND IMPACT TOTAL	0.96 AC.
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TOTALS:

TRACT AREA	252.67 AC.
WETLAND AREA (JURISDICTIONAL)	73.08 AC.
WETLAND AREA (NON-JURISDICTIONAL)	0.83 AC.
WETLAND IMPACT	0.96 AC.

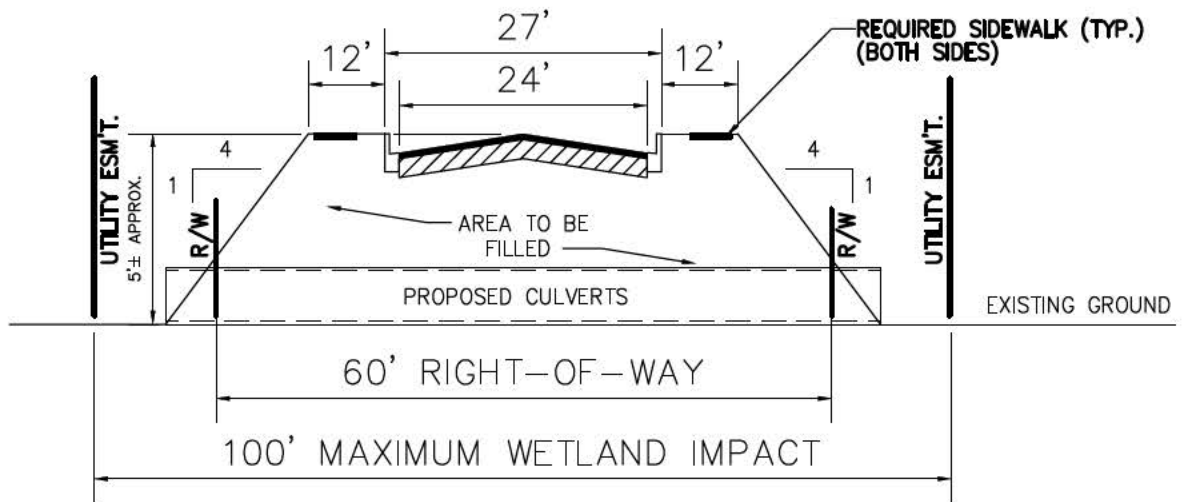
NEW HAMPSTEAD TRACT R-6
THE PALMS SUBDIVISION
SAVANNAH CHATHAM COUNTY, GEORGIA

APPLICANT:
R-6 Savannah, LLC
SOURCE:
Hussey Gay Bell - Consulting Engineers

IMPACT SUMMARY SHEET

SCALE: NONE

SHEET NO. 7
DATE: JANUARY 13, 2021



ROAD CROSSING (RC1)
NOT TO SCALE

NEW HAMPSTEAD TRACT R-6
THE PALMS SUBDIVISION
SAVANNAH CHATHAM COUNTY, GEORGIA
APPLICANT:
R-6 Savannah, LLC
SOURCE:
Hussey Gay Bell - Consulting Engineers

ROAD CROSSING
SECTION



SCALE: AS SHOWN

SHEET NO. 8
DATE: JANUARY 13, 2021