



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

July 9, 2021

SAS-2020-00661

**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-2020-00661

Applicant: Mr. DD Patel  
NRN Properties, LLC.  
215 Westbrook Lane  
Pooler, GA 31322

Agent: Mr. Jeffrey Williams  
Sligh Environmental Consultants, Inc.  
31 Park Commerce Way, Suite 200B  
Savannah, Georgia 31405

Project Purpose as proposed by applicant: "According to the Section 404(b)(1) Guidelines of the Clean Water Act, the U.S Army Corps of Engineers must define the basic and overall purpose of the project. The basic purpose must be known to determine if a project is water dependent. The overall purpose for the proposed project is to expand an existing mixed-use commercial development which is not a water dependent activity."

Basic Project Purpose: Commercial development.

Overall Project Purpose: Expand an existing commercial development south of I-16, Bloomingdale, Georgia.

Location of Proposed Work: The project is located east of and adjacent to Little Neck Road, south of I-16, within the City of Bloomingdale, Chatham County, Georgia (32.093308°, -81.321281°). The project is located within the lower Little Ogeechee Watershed (03060204).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: Mr. DD Patel - NRN Properties, LLC. (applicant) proposes to impact 1.13 acres of forested freshwater wetland to construct a commercial 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 District 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 proposes to purchase 6.80 grandfathered credits from a USACE approved compensatory mitigation bank that services the Ogeechee River Coastal watershed and provides appropriate functional replacement credits.

## **BACKGROUND**

The 18 acre project area was a portion of the New Hampstead Tract (formerly Carter Adams Tract) which was originally delineated by Sligh Environmental Consultants, Inc. (SECI) in 2004 and verified on January 10, 2005 (SAS-2004-11310). The wetland delineation for the 50 acre property was reverified on April 17, 2013 (SAS-2008-00560). A Nationwide Permit #18 was authorized for a 3 acre portion of the property located at the intersection of DOT Barn Road and Little Neck Road which authorized the impact of 0.03 acre for the construction of a Shell gas station (SAS-2019-001670). In September of 2020, SECI delineated the remaining 46.74 acre property, and the on-site wetlands were verified by letter dated September 19, 2020 (SAS-2020-00661).

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. The applicant requested a meeting with EPD on July 7, 2021, and the state determined "a pre-filing meeting will not be required for this project" and the Corps determined 90 days is a reasonable time to issue a 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 cultural resources survey has not been completed within the project area; however, an on-line database search of the National Register of Historic Places and Georgia's Natural, Archeological, and Historic Resources GIS (<https://www.gnahrgis.org/gnahrgis/main.do>) yielded no known listings of eligible sites within or near the project area. The Corps was able to determine that based upon the information that the applicant has provided, in addition to the background review, the nature, scope, and magnitude of the work, and/or structures to be permitted are such that there is little likelihood that a historic property exists or may be affected. Therefore, the Corps has determined that this action has no potential to cause effects, and it has fulfilled its Section 106 responsibilities in accordance with 36 CFR 800.3(a)(1) and 33 CFR 325 Appendix C, paragraph 3.b.

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*), Eastern Black Rail (*Latrallus jamaicensis*), 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 applicant, no wood stork nests, or wading bird rookeries were observed during the field survey, and suitable nesting habitat is not present.

Per the applicant, although the property contains forested wetland, no xeric sandhill habitat or gopher tortoise burrows are present on-site. The soils onsite are Wahee sandy loam, therefore, the property does not contain suitable soils to support the eastern indigo snake.

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 eastern black rail, and the frosted flatwoods salamander and there is no suitable habitat for pondberry.

While Chatham County is known for expansive salt, brackish, and freshwater marsh habitat, the property does not contain the necessary dense understory wetlands utilized during the black rail's life cycle. It is therefore determined that the proposed project does not have the required habitat to support the black rail and should have no effect on this species.

The property does not contain pine flatwoods or isolated depressional wetlands, and the wetland and upland habitats are thickly vegetated throughout and lack prescribed fire. Therefore, it was determined that the property does not contain the upland or wetland habitat necessary to support the flatwoods salamander, and that the proposed project should not no effect on populations of flatwoods salamander.

There are no sandy sinks or cypress domes within the property which are typically associated with pondberry. The property does not contain depressional cypress/ gum ponds, is not maintained by prescribed fire, and the habitat associated with the species is not present. It is therefore likely that the proposed project should have no effect on any populations of pond berry.

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](mailto:allison.c.murphy@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District Regulatory Division, 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](mailto:allison.c.murphy@usace.army.mil) or via phone at (912) 652-5133.

Enclosures:

1. Appendix 1: Drawings (4 pages)



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

 Approximate Project Area (+/- 18.00 acres)

**sligh**environmental consultants, inc.  
 31 Park of Commerce Way, Suite 200B  
 Savannah, Georgia 31405  
 phone (912) 232-0451  
 fax (912) 232-0453

**Location Exhibit - World Street Map  
 Little Neck Road Commercial Development  
 Chatham County, Georgia**

0.5 Miles
Exhibit Date: May 4, 2021
Drawn By: JPW
Reviewed By: BWW
Job Number : 01-17-095



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

 Approximate Project Area (+/- 18.00 acres)

**sligh**environmental consultants, inc.  
31 Park of Commerce Way, Suite 200B  
Savannah, Georgia 31405  
phone (912) 232-0451  
fax (912) 232-0453

Location Exhibit - Aerial Photograph  
Little Neck Road Commercial Development  
Chatham County, Georgia

500

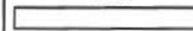
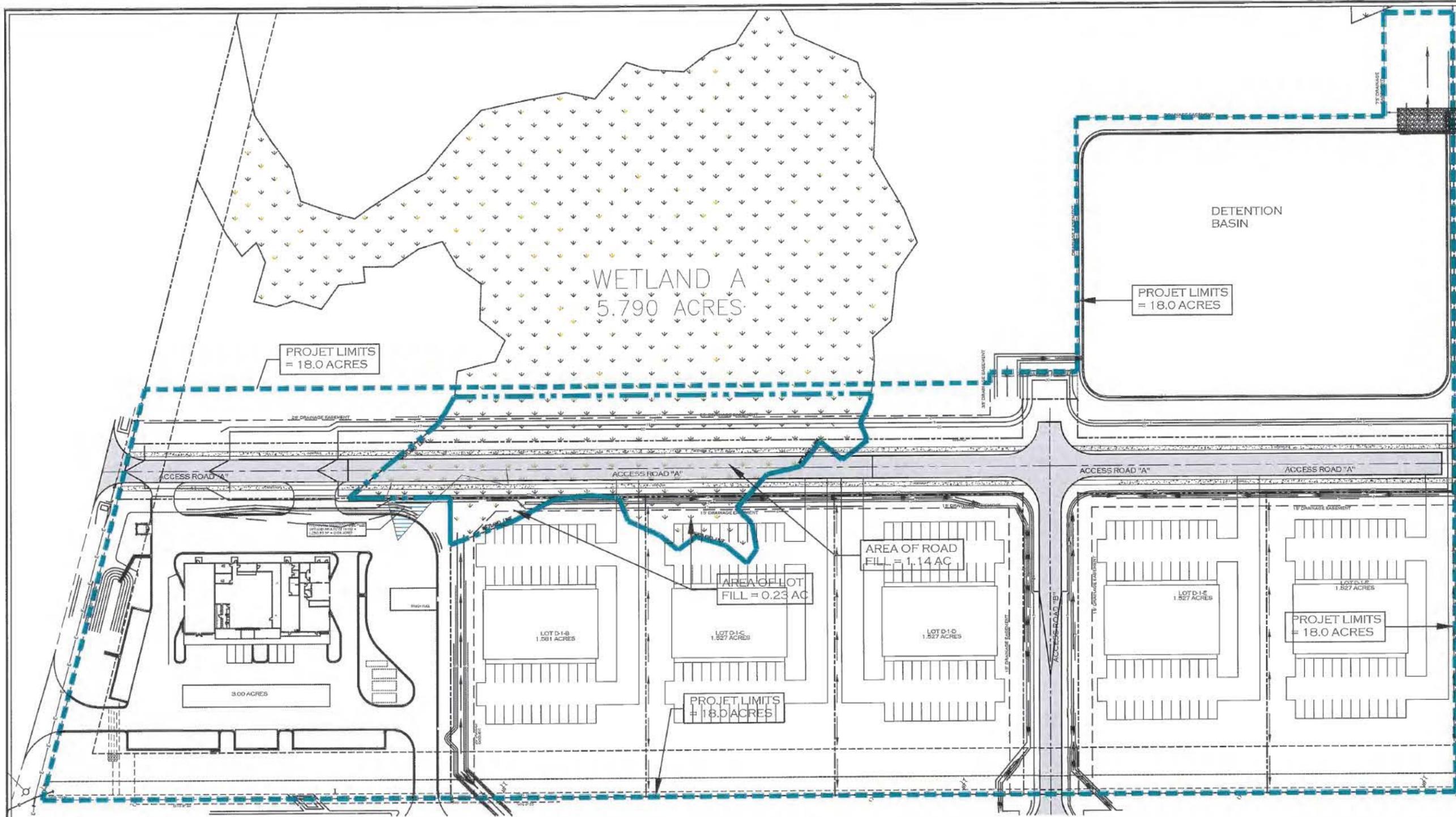
 Feet

Exhibit Date: May 4, 2021

Drawn By: JPW

Reviewed By: BWW

Job Number : 01-17-095



**ALTERNATE WETLAND EXHIBIT**  
1" = 50'

- FRESHWATER WETLAND IMPACT NOTES :**
1. TOTAL PROJECT LIMITS = 18.0 ACRES
  2. TOTAL WETLANDS WITHIN PROJECT LIMITS = 8.01 ACRES ON SITE
  3. WETLAND IMPACT = 59,700 SF
  4. WETLAND IMPACT = 1.37 ACRES
  5. WETLAND AVOIDANCE = 6.64 ACRES (WITHIN PROJECT AREA)



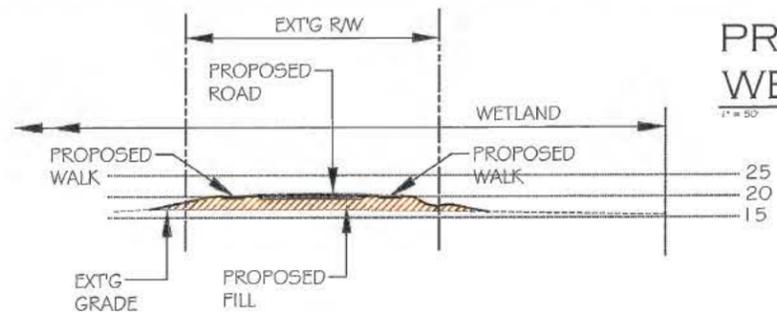
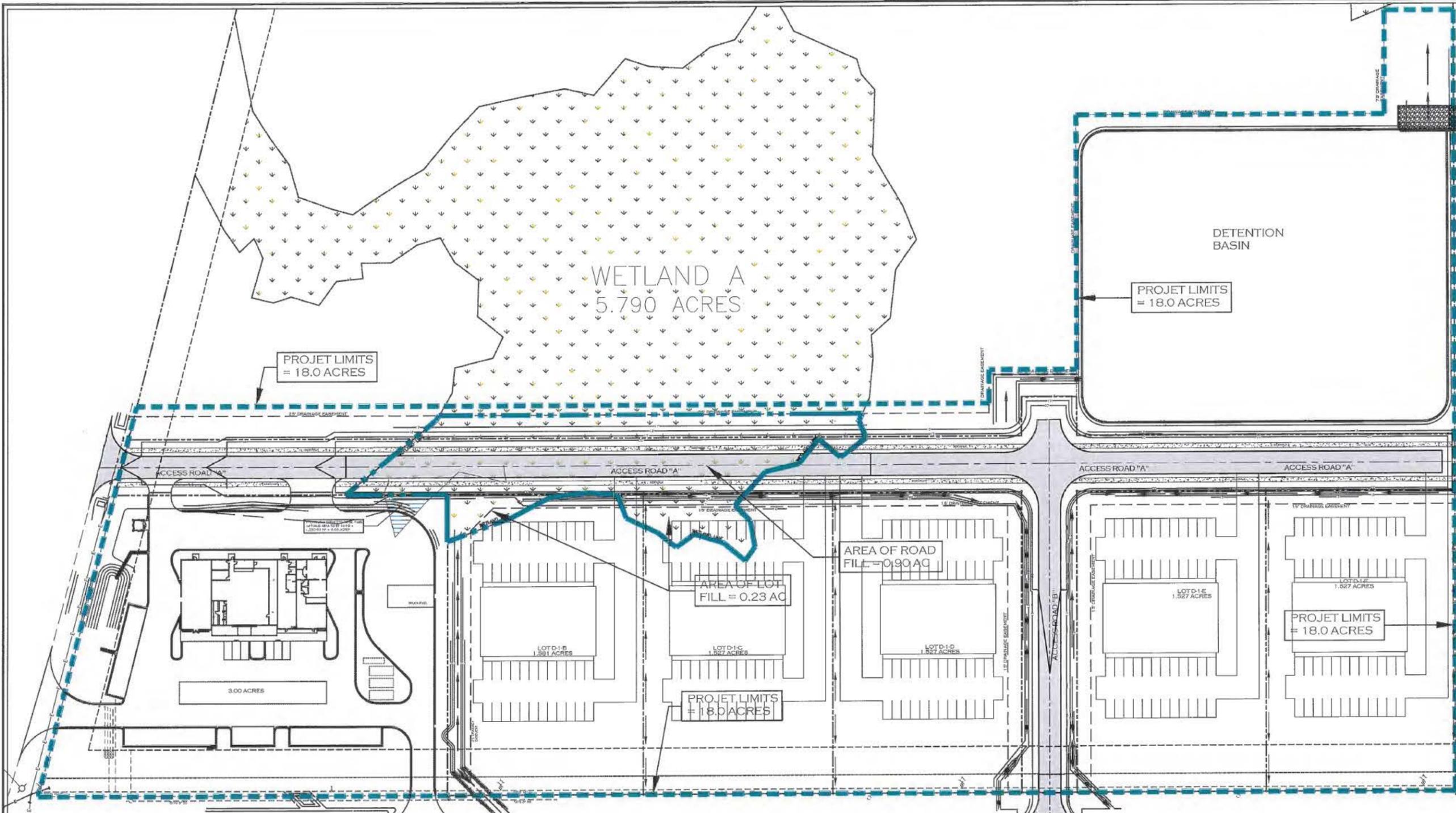
**BOSWELL DESIGN SERVICES, INC.**  
OFFICE: 4700 EAST HIGHWAY 80  
MAILING: 103 NASSAU DRIVE  
SAVANNAH, GEORGIA 31410  
912-897-6932  
LAHBOS@bellsouth.net

DATE: February 23, 2021  
JOB NO.:  
SCALE: as shown

ACCESS ROADS "A" AND "B"  
LITTLE NECK ROAD  
BLOOMINGDALE, GEORGIA  
FOR  
NRM MANAGEMENT, LLC  
POOLER, GEORGIA



ALTERNATE WETLAND IMPACT EXHIBIT

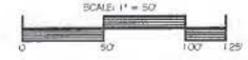


TYPICAL SECTION  
NOT TO SCALE

PREFERRED ALTERNATE WETLAND EXHIBIT

FRESHWATER WETLAND IMPACT NOTES :

1. TOTAL PROJECT LIMITS = 18.0 ACRES
2. TOTAL WETLANDS WITHIN PROJECT LIMITS = 8.01 ACRES ON SITE
3. WETLAND IMPACT = 48,605.99 SF
4. WETLAND IMPACT = 1.13 ACRES
5. WETLAND AVOIDANCE = 6.88 ACRES (WITHIN PROJECT AREA)



REVIEWS

**BOSWELL DESIGN SERVICES, INC.**  
 OFFICE: 4700 EAST HIGHWAY 80  
 MAILING: 103 NASSAU DRIVE  
 SAVANNAH, GEORGIA 31410  
 912-897-6932  
 LAHBOS@bdsouth.net

DESIGNED BY: MAB  
 DRAWN BY: MAB  
 DATE: February 23, 2023  
 JOB NO.:  
 SCALE: as shown

ACCESS ROADS "A" AND "B"  
 LITTLE NECK ROAD  
 BLOOMINGDALE, GEORGIA  
 FOR  
 NRM MANAGEMENT, LLC  
 POOLER, GEORGIA

PREFERRED ALTERNATE WETLAND IMPACT EXHIBIT

CONTACT A MEMBER OF THE BOARD  
 PRIOR TO USINGS

UTILITIES PROTECTION CENTER  
 1-800-282-7411