

May 4, 2022

Regulatory Division SAS-2003-20390

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-2003-20390

- <u>Applicant</u>: Savannah Industrial Development, LLC Attn: Mr. Ron Corsentino 252 Clayton Street Denver, Colorado 80206
- <u>Agent</u>: Sligh Environmental Consultants, Inc. Attn: Mr. Jeffrey P. Williams 31 Park of Commerce Way, Suite 200B Savannah, Georgia 31405

<u>Project Purpose as Proposed by Applicant</u>: The applicant's stated project purpose is "to provide a distribution center with warehousing and manufacturing facilities to service the long-term needs of doing business with the Port of Savannah. More specifically, the purpose of the proposed project is to expand an existing large scale, master planned, dual rail served distribution center that offers warehouse, manufacturing, and logistics within the vicinity of major highways to support Class-A distribution and support needs associated with the current market demand and projected future growth of the region and the Port of Savannah."

Location of Proposed Work: The project site is located west of U.S. Highway 21, bisected by McCall Road and the Norfolk-Southern Railroad, northeast of Hodgeville Road and approximately two miles southwest of the City of Rincon, Effingham County, Georgia (Latitude 32.2505 and Longitude -81.2634). The aquatic resources located onsite drain to the Savannah River, a Traditional Navigable Waterway (TNW).

<u>Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers</u>: The applicant is proposing to permanently discharge fill material into 37.39 acre of nontidal wetlands and 2.53 acres of potentially jurisdictional ditch necessary to construct a large industrial park and logistics hub, being called the Savannah Gateway Industrial Hub, along with associated infrastructure such as roads, parking, and stormwater management facilities. The industrial warehouse proposed for the site range in size from 75,000 to 1,300,000 square feet. Specifically, the applicant proposes to permanently impact 31.62 acres of nontidal wetland to construct buildings and associated parking pads/stormwater management facilities, 3.79 acres of nontidal wetland for internal access roads, and 1.98 acres of nontidal wetland for rail infrastructure. The proposed 2.53 acres of ditch impacts would occur throughout the project area. To offset the loss in aquatic function associated with the above wetland impacts, the applicant has proposed the purchase of 224.32 compensatory wetland mitigation credits from a U.S. Army Corps of Engineers approved mitigation bank servicing the project area. However, the Applicant has proposed to phase the proposed project and purchase compensatory mitigation prior to conducting the impacts associated with each phase. The Applicant proposes to construct the project in six phases as depicted in the "Proposed Master Development Plan Preferred Alternative 3". The project is hydrologically connected to the Savannah River.

BACKGROUND

The table below outlines the permitting and jurisdictional determination (JD) history for the project site:

Permitting and JD History for Corps Project Number SAS-2003-20390		
Date Issued	Action	Notes
May 19, 2005	Combined Delineation Concurrence and Approved JD	Covered the entire project site. The Approved JD is expired.
February 27, 2015	Combined Delineation Concurrence and Approved JD	Covered the entire project site. The Approved JD is expired.
January 2, 2020	Nationwide Permit (NWP) 14 verification letter	This verification authorized permanent impacts to 2.5 acres of wetland for the construction of an access road and railroad crossings associated with the development of the Savannah Gateway Industrial Hub. The impacts have not all been completed, but the required compensatory mitigation (10 grandfathered wetland mitigation credits) has been purchased from AA Shaw Wetland Mitigation Bank.
November 12, 2020	Approved JD	Approved JD issued for small area of total project site east of McCall Road and north of Blandford Elementary School. The Approved JD identified one non-jurisdictional wetland that has since been impacted by the development of a large industrial warehouse facility.

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

<u>Water Quality Certification</u>: 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.

<u>State-owned Property and Resources</u>: 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.

<u>Marshland Protection</u>: 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).

<u>Georgia Coastal Management Program</u>: 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.

<u>Cultural Resources</u>: The Applicant submitted a Phase I cultural and archeological resources survey for the project area. This report is currently being reviewed by the Corps and will be coordinated with the State Historic Preservation Office and any Tribal Historic Preservation Officer as needed upon completion of the review.

<u>Endangered Species</u>: A review of the U.S. Fish and Wildlife Service (FWS) Information for Planning and Consultation (IPaC) project planning tool indicates the following federally-listed threatened or endangered species may occur in the project area: Eastern indigo snake (*Drymarchon corais couperi*), frosted flatwoods salamander (*Ambystoma cingulatum*) and pondberry (*Lindera melissifolia*).

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 Eastern indigo snake and would have no effect on the frosted flatwoods salamander. The Applicant's agent did not observe any suitable habitat for pondberry during their review of the project site.

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.

<u>Public Interest Review</u>: 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.

<u>Consideration of Public Comments</u>: 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.

<u>Application of Section 404(b)(1) Guidelines</u>: 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.

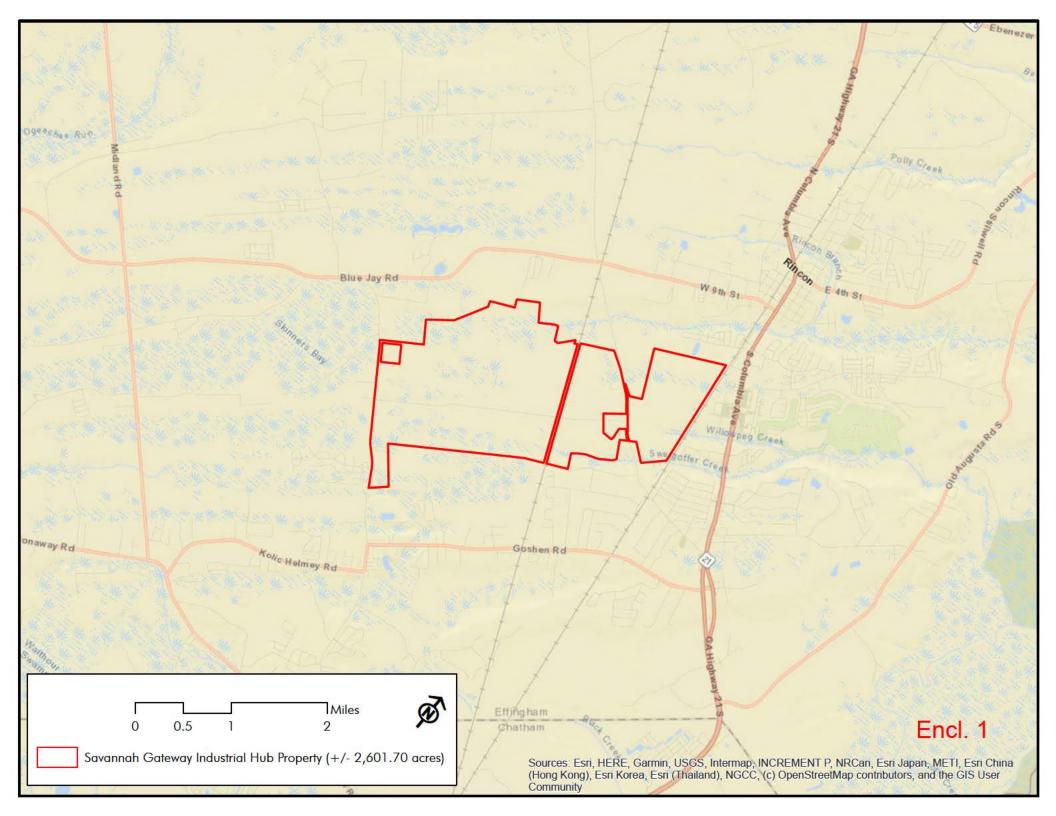
<u>Public Hearing</u>: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public 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.

<u>Comment Period</u>: Anyone wishing to comment on this application for a Department of the Army permit should submit comments by email to <u>sarah.e.wise@usace.army.mil</u>. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Ms. Sarah E. Wise, 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.

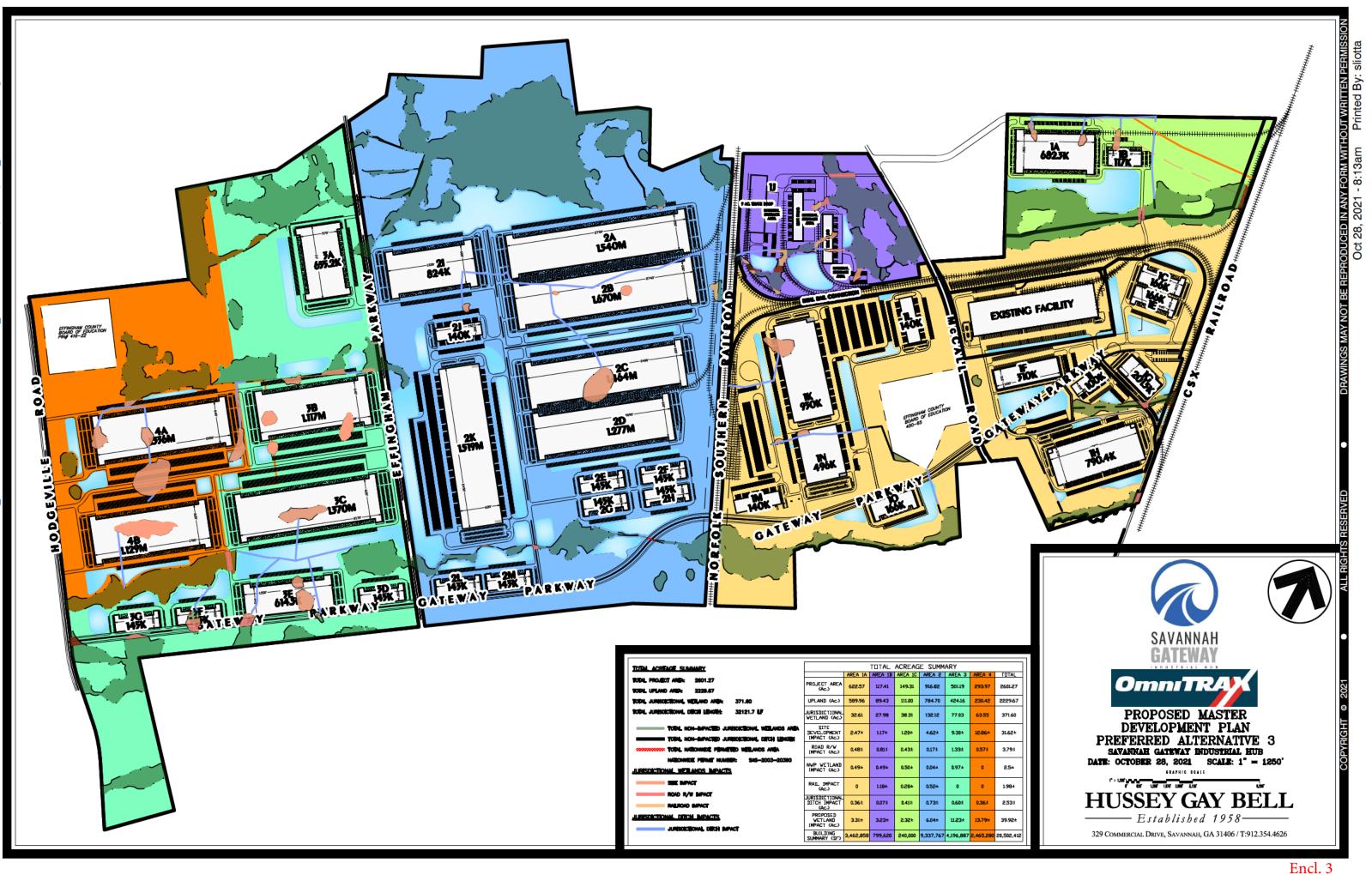
If you have any further questions concerning this matter, please contact Ms. Sarah E. Wise, Team Lead, Coastal Branch at 912-652-5550.

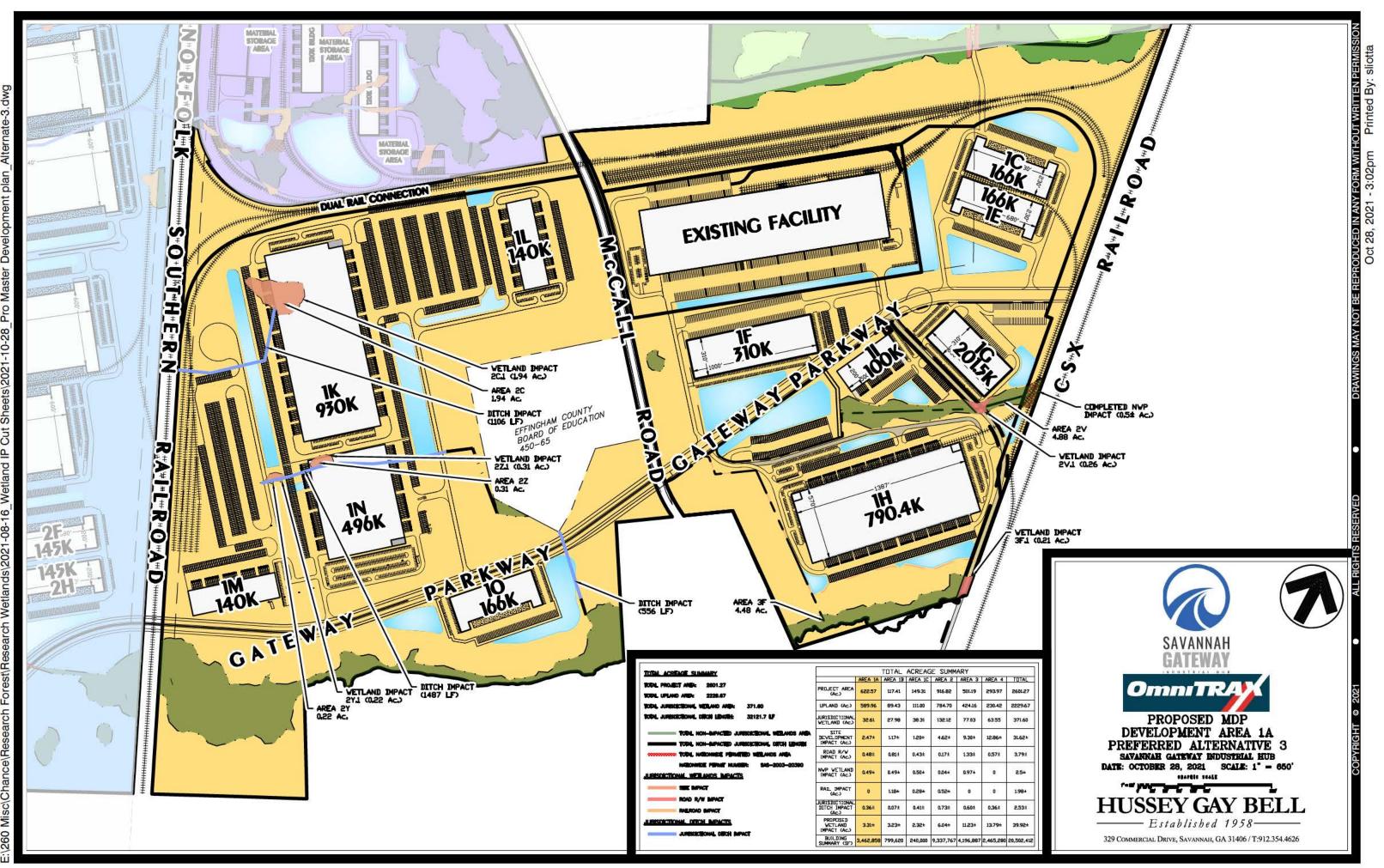
Enclosures:

- 1. Vicinity Map
- 2. Aerial Image
- 3. Permit Drawings









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