



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

December 21, 2022

Regulatory Division  
SAS-2014-00576

**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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) and Section 404 of the Clean Water Act (33 U.S.C. § 1344), as follows:

Application Number: SAS-2014-00576

Applicant: Mr. Christopher Novack  
Georgia Ports Authority  
Post Office Box 2406  
Savannah, Georgia 31402

Agent: Mr. Brandon Wall  
Sligh Environmental Consultants, Inc.  
31 Park of Commerce Way, Suite 200B  
Savannah, Georgia 31405

Project Purpose as Proposed by Applicant: The applicant's stated project purpose is "to modify Ocean Terminal's existing truck gate configuration and capacity and provide additional chassis storage to meet the demands of GPA's growing container business at the terminal."

Location of Proposed Work: The project site is located within the Georgia Ports Authority's (GPA) Ocean Terminal, north of Louisville Road, in Chatham County, Georgia (Latitude 32.0797, Longitude -81.1078).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers:  
The applicant proposes to impact 2.85 acres of freshwater wetland during the expansion of an existing cargo yard at the Ocean Terminal. As proposed, the project would consist of the construction of 12.6 acres of paved storage area as well as infrastructure such as roadways and stormwater detention facilities.

To offset the loss in aquatic function associated with the proposed impacts, the applicant has proposed the purchase of 18.76 wetland credits from the AA Shaw Wetland Mitigation Bank.

## **BACKGROUND**

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.

Ocean Terminal has historically been GPA's mixed-use terminal, handling a variety of bulk, breakbulk, Ro-Ro, military, and container cargos. By letter dated August 26, 2014, the Corps verified the use of Nationwide Permit 39 to fill 0.19 acre of wetland to expand the existing cargo yard south of the Georgia State Highway 25 viaduct. To offset the loss in function associated with the impacts, GPA purchased 0.80 wetland mitigation credits from AA Shaw Wetland Mitigation Bank on September 29, 2014.

In February 2017, the Corps issued a DA permit (SAS-2014-00576) to the applicant to develop the project site as a Ro-Ro cargo storage yard due to increased demand for Ro-Ro capacity at the time. A modification to the permit was issued in 2020 for revisions to the site plan and realignment of the permitted access road into the terminal. In total, the permit authorized 3.35 acres of wetland impact. The project site was cleared in 2018 after issuance of the permit, and the access road into the terminal from Louisville Road was installed; however, not all of the wetlands were filled, and the property not fully developed. To-date, a total of 0.5 acre of permitted impact has been completed, and 2.85 acres of wetland impact still remain. The permit expired in March 2022.

According to the applicant, since issuance of the permit, increases in container demand has resulted in GPA exploring new ways of providing more container capacity in Savannah and accommodating this growing cargo trend. In September 2022, the Corps issued a DA permit to perform wharf improvements at Ocean Terminal to convert the terminal from mixed use to containerized cargo. Once complete, the terminal will be able to handle two Ultra Large Container Ships simultaneously. Now that the wharf permit has been issued, the need for Ro-Ro cargo storage is no longer valid, and improved backlands facilities are required throughout the terminal to process the projected increase in containerized cargo throughput. As proposed, the project would result in the fill of the remaining (previously authorized) wetland impacts (2.85 acres) as well as conversion of the storage yard from primarily Ro-Ro to containerized cargo.

## **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. The applicant has requested a Water Quality Certification from the State of Georgia. Prior to issuance of a Department of the Army Permit for a project located in, on, or adjacent to the waters of the State of Georgia, review for Water Quality Certification in accordance with Section 401 of the Clean Water Act 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. This public notice serves as notification to the Administrator of the U.S. Environmental Protection Agency (USEPA) pursuant to section 401(a)(2) of the Clean Water Act for neighboring jurisdiction review and begins the 30-day clock for USEPA to notify affected states.

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 indicates the following listed species may occur in the project area: Northern Long-eared Bat (*Myotis septentrionalis*); Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensis*); Wood stork (*Mycteria americana*); Eastern Indigo Snake (*Drymarchon couperi*); Frosted

Flatwoods Salamander (*Ambystoma cingulatum*); Monarch Butterfly (*Danaus plexippus*) and Pondberry (*Lindera melissifolia*).

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.

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.

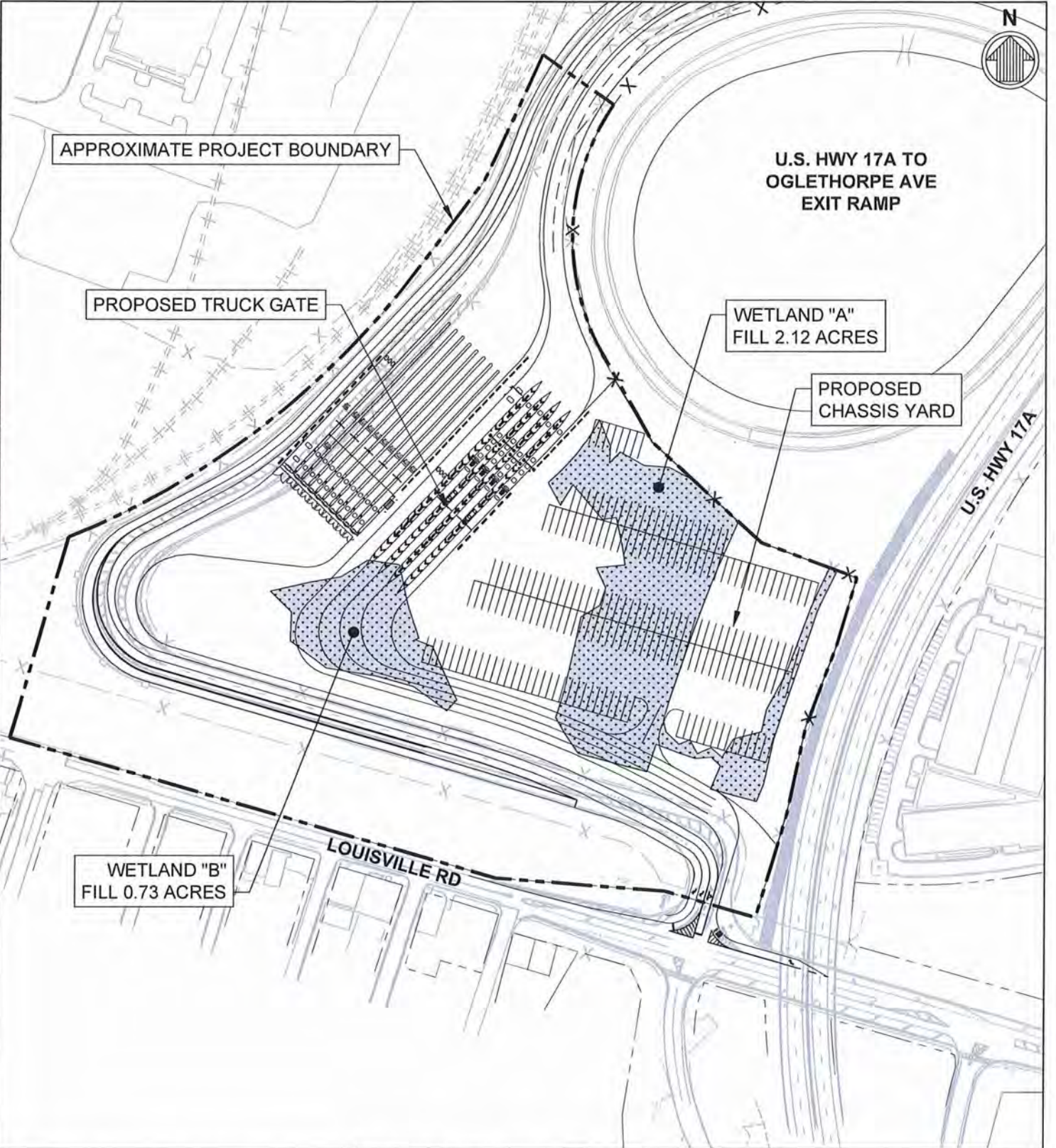
Comment Period: Anyone wishing to comment on this application for a Department of the Army permit should submit comments by email to [sarah.e.wise@usace.army.mil](mailto:sarah.e.wise@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Sarah Wise, 100 West Oglethorpe Avenue, Savannah, Georgia 30401, 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 Sarah Wise, Lead Biologist, Coastal Branch at 912-652-5550.

Enclosures:

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

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PROPOSED ACTIVITY: WETLAND FILL  
 DATUM: NAVD88  
 BODY OF WATER: SAVANNAH RIVER  
 RIVER MILE: 15.0  
 COUNTY: CHATHAM STATE: GEORGIA

**OCEAN TERMINAL EXPANSION**  
 0' 200' 400'  
 1" = 200'  
 GEORGIA PORTS AUTHORITY  
 P.O. BOX 2406 SAVANNAH, GA  
 31402

**SITE PLAN**  
 APPLICANT: GEORGIA PORTS AUTHORITY  
 SOURCE:  
 PROJECT NUMBER: 5531-278  
 SHEET 1 OF 1 DATE: 10/17/22