



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT  
1025 BUFORD DAM ROAD  
BUFORD, GEORGIA 30518

March 16, 2022

Regulatory Division  
SAS-2022-00215

**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:

The comment period for the Department of the Army Permit application will close 30 days from the date of this public notice. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit, and must be submitted so as to be received on or before the last day of the comment period. Written comments concerning the Department of the Army Permit application must reference the Applicant's name and the Permit Application Number and be forwarded to the US Army Corps of Engineers (Corps) at the above address.

Application Number: SAS-2022-00215

Applicant: Mr. Klay Simpson  
Seabrook Capital Partners  
110 Foxbrush Circle  
Johns Creek, Georgia 30022

Agent: Ms. Pam Tutten  
Contour Environmental, LLC  
4462 Bretton Court NW, Suite 14  
Acworth, Georgia 30101

Location of Proposed Work: The project is proposed on an approximately 285-acre site located south of Wilson Bridge Road, east of Georgia Highway 63, and northwest of Interstate 85 near Commerce, Banks County, Georgia. The central site coordinates are latitude 34.3013 north and longitude -83.4141 west. The nearest named waterbody is The Hudson River, which is located along the western property boundary. The site is located within the Broad River Watershed, Hydrologic Unit Code (HUC) 03060104.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The proposed project involves construction of a 1,305,720 square foot (sf) warehouse distribution facility and a 646,380-sf warehouse distribution facility, and associated infrastructure. The proposed project would result in unavoidable impacts to 172 linear feet (lf) of perennial stream channel, 985 lf of intermittent stream channel, and 0.081 acre of wetland. The applicant has proposed to purchase 0.48 legacy wetland mitigation credits and 6,887 legacy stream mitigation credits to offset proposed impacts to aquatic resources.

## **BACKGROUND**

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. 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 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.

## **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: The Applicant contracted a Phase I cultural resource survey of the proposed project site, in order to assess if potential archaeological sites, historic structures, or cultural resources may be present within the general vicinity of the proposed work area. The

Corps is presently reviewing the accompanying report in conjunction with the current application submittal. Presently unknown archaeological, scientific, prehistorical or historical data may also be located at the site and could be affected by the proposed work.

Endangered Species: 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. The applicant provided the Information, Planning, and Conservation System report (IPaC) from the U.S. Fish and Wildlife Service, which indicated potential presence of Smooth Coneflower (*Echinacea laevigata*). The Corps is presently reviewing available information pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 et seq.).

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.

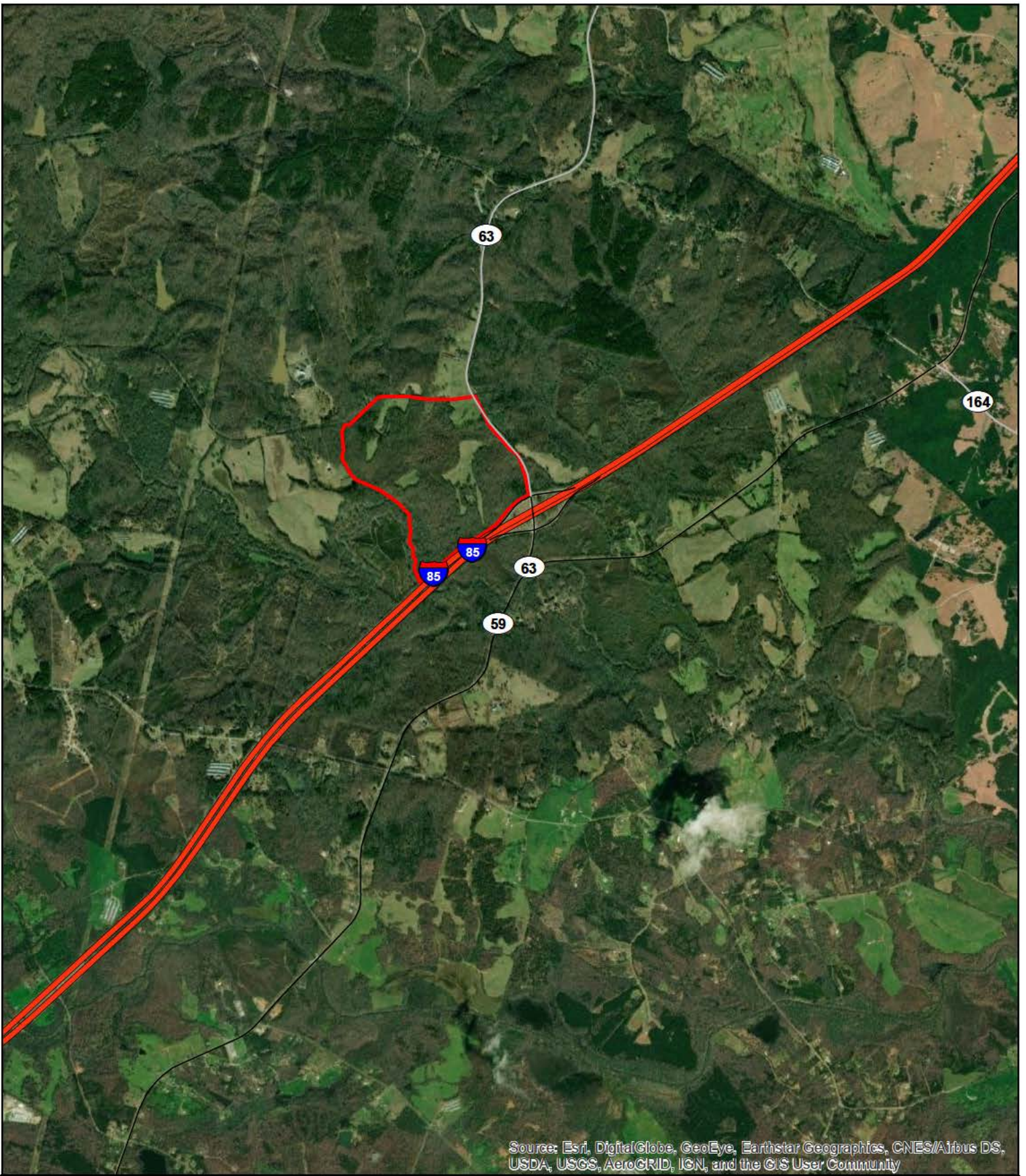
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. 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 in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Mr. Blake Brannon, 1050 Buford Dam Road, Buford, Georgia 30518 or via email at: [steven.b.brannon@usace.army.mil](mailto:steven.b.brannon@usace.army.mil), no later than **30 days** from the date of this notice. Please refer to the applicant's name (Seabrook Capital Partners) and the assigned Regulatory file number (SAS-2022-00215 ) in your comments.

If you have any questions concerning this public notice, please contact Mr. Blake Brannon, Project Manager, at (678) 422-6570.

Enclosures

1. Location Map
2. Aquatic Resources Map
3. Plan Sheet/Drawing



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

Produced By:




Contour Environmental LLC  
 4462 Bretton Court NW, Suite 14  
 Acworth, Georgia 30101

**FIGURE 1: VICINITY MAP**

Martins Bridge Logistics  
 Banks County, Georgia  
 For  
 Seabrook Capital Partners  
 CE21HGA:04  
 February 2022

**LEGEND**

 Property Boundary

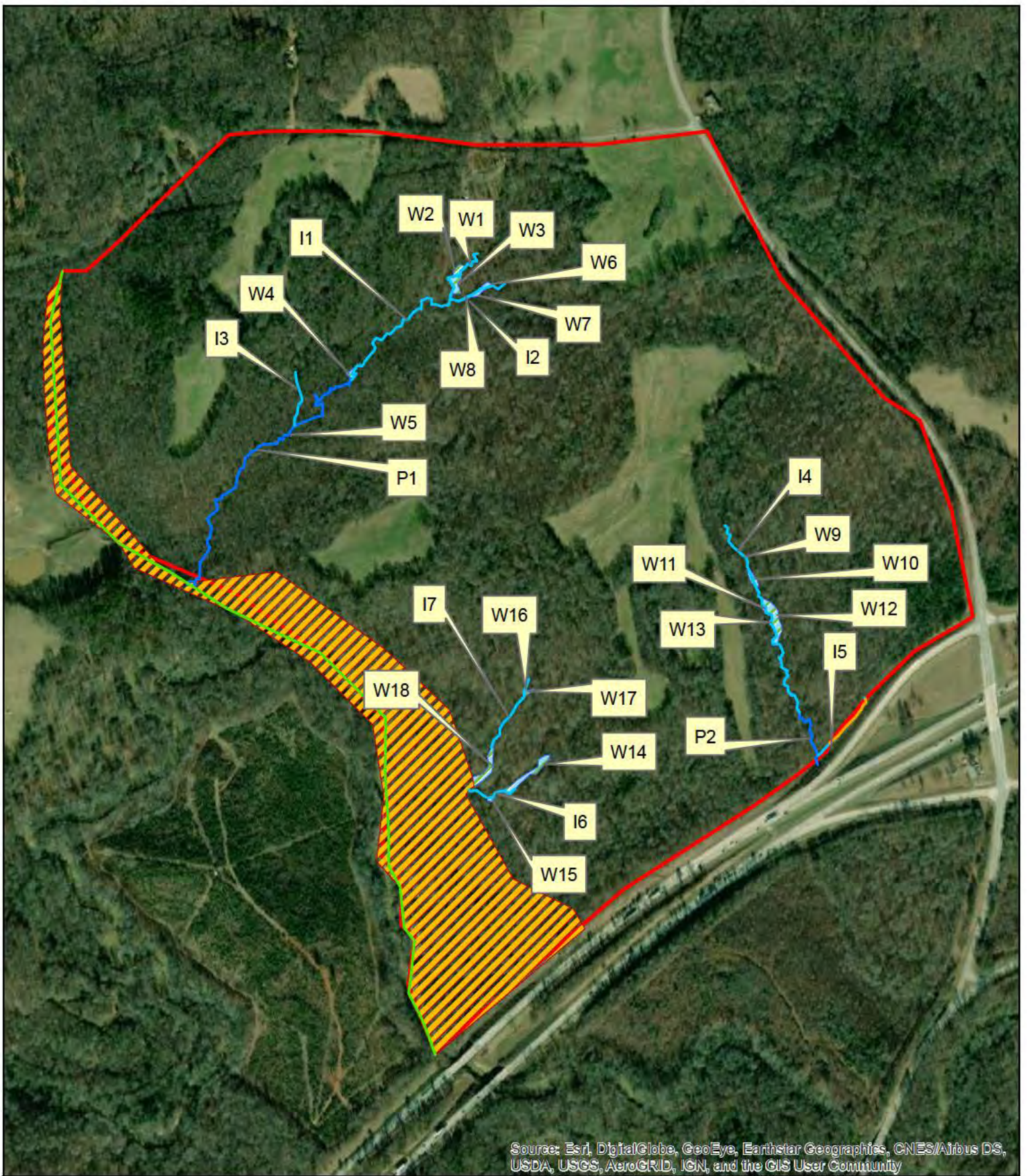
N



3,300



Feet



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

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**FIGURE 2: AQUATIC RESOURCE  
DELINEATION MAP**

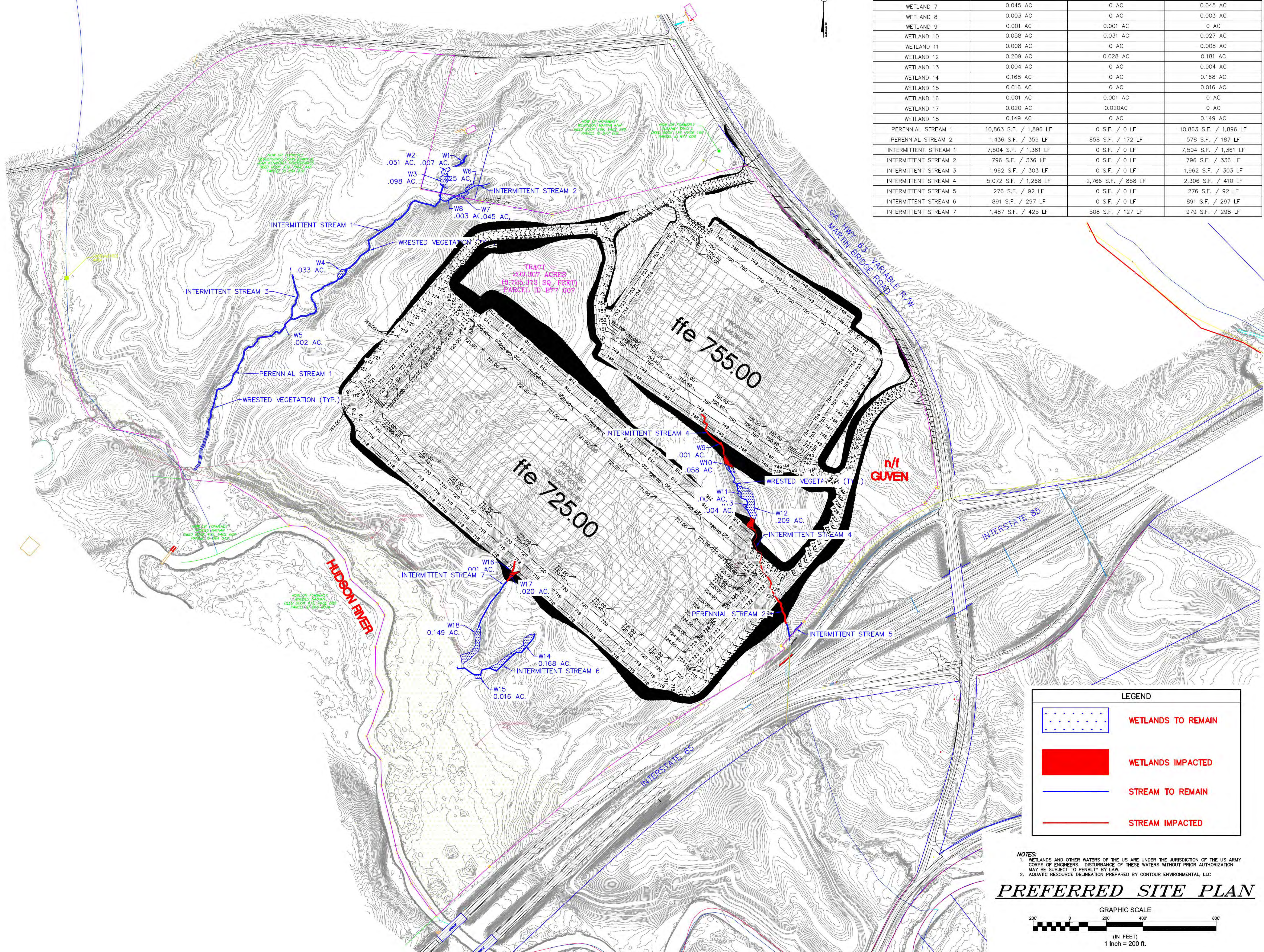
Martins Bridge Logistics  
Banks County, Georgia  
For  
Seabrook Capital Partners  
CE21HGA:04  
February 2022

**LEGEND**

-  Property Boundary
-  Perennial Stream
-  Intermittent Stream
-  Undelineated Perennial Stream
-  Offsite Feature
-  Wetland
-  Undelineated Area



670  
  
Feet



JURISDICTIONAL IMPACT DATA (AS SHOWN)

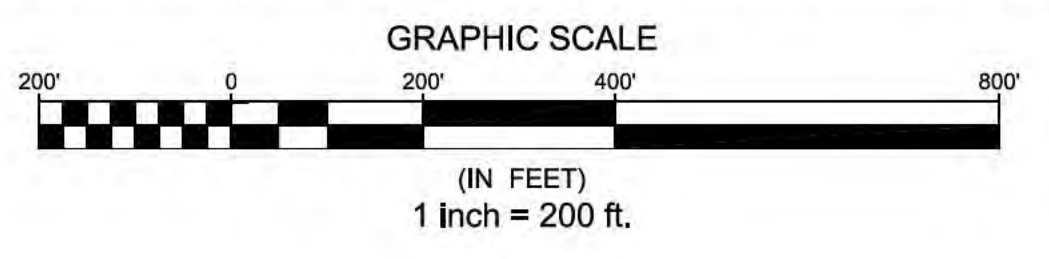
RESOURCE NUMBER	RESOURCE AREA/LENGTH	IMPACTED	TO REMAIN
WETLAND 1	0.007 AC	0 AC	0.007 AC
WETLAND 2	0.051 AC	0 AC	0.051 AC
WETLAND 3	0.098 AC	0 AC	0.098 AC
WETLAND 4	0.033 AC	0 AC	0.033 AC
WETLAND 5	0.002 AC	0 AC	0.002 AC
WETLAND 6	0.025 AC	0 AC	0.025 AC
WETLAND 7	0.045 AC	0 AC	0.045 AC
WETLAND 8	0.003 AC	0 AC	0.003 AC
WETLAND 9	0.001 AC	0.001 AC	0 AC
WETLAND 10	0.058 AC	0.031 AC	0.027 AC
WETLAND 11	0.008 AC	0 AC	0.008 AC
WETLAND 12	0.209 AC	0.028 AC	0.181 AC
WETLAND 13	0.004 AC	0 AC	0.004 AC
WETLAND 14	0.168 AC	0 AC	0.168 AC
WETLAND 15	0.016 AC	0 AC	0.016 AC
WETLAND 16	0.001 AC	0.001 AC	0 AC
WETLAND 17	0.020 AC	0.020 AC	0 AC
WETLAND 18	0.149 AC	0 AC	0.149 AC
PERENNIAL STREAM 1	10,863 S.F. / 1,896 LF	0 S.F. / 0 LF	10,863 S.F. / 1,896 LF
PERENNIAL STREAM 2	1,436 S.F. / 359 LF	858 S.F. / 172 LF	578 S.F. / 187 LF
INTERMITTENT STREAM 1	7,504 S.F. / 1,361 LF	0 S.F. / 0 LF	7,504 S.F. / 1,361 LF
INTERMITTENT STREAM 2	796 S.F. / 336 LF	0 S.F. / 0 LF	796 S.F. / 336 LF
INTERMITTENT STREAM 3	1,962 S.F. / 303 LF	0 S.F. / 0 LF	1,962 S.F. / 303 LF
INTERMITTENT STREAM 4	5,072 S.F. / 1,268 LF	2,766 S.F. / 858 LF	2,306 S.F. / 410 LF
INTERMITTENT STREAM 5	276 S.F. / 92 LF	0 S.F. / 0 LF	276 S.F. / 92 LF
INTERMITTENT STREAM 6	891 S.F. / 297 LF	0 S.F. / 0 LF	891 S.F. / 297 LF
INTERMITTENT STREAM 7	1,487 S.F. / 425 LF	508 S.F. / 127 LF	979 S.F. / 298 LF

LEGEND

	WETLANDS TO REMAIN
	WETLANDS IMPACTED
	STREAM TO REMAIN
	STREAM IMPACTED

NOTES:  
 1. WETLANDS AND OTHER WATERS OF THE US ARE UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS. DISTURBANCE OF THESE WATERS WITHOUT PRIOR AUTHORIZATION MAY BE SUBJECT TO PENALTY BY LAW.  
 2. AQUATIC RESOURCE DELINEATION PREPARED BY CONTOUR ENVIRONMENTAL, LLC

**PREFERRED SITE PLAN**



NO.	BY	DATE	DESCRIPTION

DRAWN BY	CHECKED BY
RCL	RCL
DATE	12-13-2021
SHEET TITLE	PREFERRED SITE PLAN
SHEET NUMBER	C-10