



DEPARTMENT OF NATURAL RESOURCES
COASTAL RESOURCES DIVISION
ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON
COMMISSIONER

DOUG HAYMANS
DIRECTOR

**COASTAL MARSHLANDS PROTECTION ACT
STAFF'S FINDINGS & RECOMMENDATIONS**

February 27, 2026

TO: Coastal Marshlands Protection Committee:
Commissioner Walter Rabon, Chairman
Mr. Brad Brookshire
Mr. Davis Poole
Dr. Valerie Hepburn
Mr. Bart Gobeil

FROM: Department Staff to the Committee

APPLICANT: Rockingham Farms, LLC
Jack Wardlaw
2702 Whatley Avenue
Savannah, GA 31404

AGENT: Asher Howell
Newkirk Environmental
73 Sea Island Parkway, Suite 23
Beaufort, SC 29907

LOCATION: 120 Landmark Boulevard West, Savannah, Chatham County, Georgia

PROJECT: The proposed project is the relocation of an existing tidal drainage canal.

ARMY CORPS NUMBER: SAS-2024-00227

APPLICABLE LAW: O.C.G.A. §12-5-280 *et seq.*, as amended, Coastal Marshlands Protection Act (CMPA) of 1970.

SUMMARY OF PUBLIC COMMENTS: The Public Notice of the Coastal Marshlands Protection Committee (CMPC) ran from January 10, 2026 to February 12, 2026. One comment inquiring about the project location was received in response to the public notice.

FINDINGS: Department Staff to the CMPC make the following findings regarding this application:

Project Scope and Justification: O.C.G.A. § 12-5-286(b): O.C.G.A § 12-5-286 (b) (8) requires a discussion of why the permit should be granted.

1. Rockingham Farms is a 1,000-plus acre industrial and logistics park in Savannah developed through a public-private partnership between Rockingham Farms, LLC, the City of Savannah, and the Savannah Economic Development Authority (SEDA).
2. The Rahn Dairy tract is approximately +/- 106 acres, consisting of +/-83 acres of unimproved upland.
3. An existing 100ft. wide powerline and associated easement occupies the southeastern property boundary.
4. The parcel is adjacent to an existing CSX Transportation rail line along its western border.
5. The proposed project includes the relocation of an existing tidal drainage canal.
6. The applicant proposes placement of approximately 10,180 CF (377CY) of fill in an existing tidal drainage canal.
7. Impacts to CMPA jurisdiction total approximately 1.82 acres.
8. The applicant proposes to construct a new drainage canal on the parcel by excavating approximately 2.78 acres of upland and 0.19 acre of freshwater wetlands.

O.C.G.A. § 12-5-286 (b) (8) requires a discussion of why the permit should be granted.

9. The applicant has stated the proposed project is necessary to provide access to the parcel which is currently bisected by tidal and freshwater wetlands.

Application Form, Applicant Name and Address, Project Plans, Plat, Deed or other instrument, Written permission to carry out project by owner of land, O.C.G.A. § 12-5-286(b)(1-4):

10. Applicant has submitted the application form, name and address, project plans, plats, and deed.

Adjoining Landowners, Non-refundable application fee, O.C.G.A. § 12-5-286 (b)(5,7):

11. Applicant has submitted names and addresses of adjoining property owners as well as the non-refundable application fee.

Local Government Zoning, O.C.G.A. § 12-5-286(b)(6):

12. A letter has been received from the Planning and Urban Design Department for the City of Savannah, Georgia stating that the proposed project does not violate any local zoning laws. The letter is not conditioned.

Alternative Sites Description and Feasibility 12-5-286 (b)(8):

13. The parcel currently has vehicular access. The applicant proposes filling an approximately 10ft. wide tidal ditch within CMPA jurisdiction on the property to access the northern portion of the parcel.

Landfill, Hazardous Waste Inquiry, O.C.G.A. § 12-5-286(b)(9):

14. Applicant has reviewed the Hazardous Site Index maintained by the Georgia Environmental Protection Division for Chatham County and stated that there are no landfills or hazardous waste sites near the proposed project location.

Water Quality Certification, O.C.G.A. § 12-5-286(b)(10):

15. A 401 Water Quality Certification was issued July 30, 2025 for the proposed project.

Adherence to Erosion and Sediment Control Responsibilities, O.C.G.A. § 12-5-286 (b)(11):

16. Applicant has stated their intention to adhere to building, land disturbing and storm-water management permit as required by Planning and Urban Design Department for the City of Savannah.

Notification of Proposed Project, O.C.G.A. § 12-5-286(d)(e):

17. Adjacent property owners and interested parties who have requested to be placed on the mailing list were notified in writing of the proposed project. The Public Notice of the CMPC ran from January 10, 2026 to February 12, 2026. One comment inquiring about the project location was received in response to the public notice. The agent responded to the comment.

Public Interest Considerations, O.C.G.A. § 12-5-286(g):

18. In passing upon application for a permit, the CMPC shall consider the public interest.

- a) **The design of the project is such that no unreasonably harmful obstruction to or alteration of the natural flow of navigational water within the affected area will arise as a result of the proposal.** The applicant stated that purpose of the manmade canal was for stormwater drainage of the upland areas and that the drainage canal is not navigable. The proposed construction of the new drainage canal does not impact a navigable waterway.
- b) **The design of the project is such that no unreasonably harmful or increased erosion, shoaling of the channels, or stagnant areas of water will be created.** The existing Rahn Dairy Drainage Canal drains approximately 550 acres in Chatham County. Tidal flooding in the existing drainage canal has the potential to result in slower upland drainage during heavy rain events at high tidal stages. Additionally, the existing canal has a 36-inch Reinforced Concrete Pipe (RCP) culvert under an existing road crossing. The 36-inch culvert restricts flow at higher tidal stages. The proposed relocated drainage canal will be graded to prevent tidal backflow by excavating to true grades that will allow stormwater to fall naturally while not increasing turbidity during heavy rain events. Based on submitted plans, the applicant proposes to construct a drainage canal with a 2:1 slope. The base of the canal will be 12ft. wide. Tidal flow will minimize stagnation. The applicant has stated that the side slopes of the constructed drainage canal and immediate surrounding area will be maintained by an established Property Owners Association (POA) in accordance with the established maintenance plan to include bi-annual inspections, and debris/vegetation removal. The road crossing over the relocated canal will include two (2) 60-inch Corrugated Metal Pipe (CMP) culverts. This constructed drainage canal will potentially result in larger flow capacity and the reduction in the water surface elevations in the upstream reach by 0.20ft. (on average).
- c) **The proposal will not unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, and clams or any marine life or wildlife or other natural resources including but not limited to water and oxygen supply.** Staff has observed tidal influence in the area proposed to be filled, including inundation by saltwater and jurisdictional vegetation, and active crab burrows. The proposed project includes the filling of vegetated, tidally influenced coastal marshlands. While clean fill will be placed in a tidal drainage canal, this habitat is still considered Essential Fish Habitat. GADNR's 2008 fisheries management plan states that upper marsh estuarine areas are considered to be critical blue crab habitat in Georgia. Loss of coastal marshlands may have an adverse effect on marine life. The construction of the new tidal canal is expected to offset these potential losses.

Leasing of state owned marshland or water bottoms, O.C.G.A. § 12-5-287:

19. The proposed project will not require a waterbottoms lease.

Restriction on granting of permits; size restriction; activities and structures considered contrary to the public interest, O.C.G.A. § 12-5-288 (a) and (b):

20. Impacts to CMPA jurisdiction associated with the proposed project includes the fill an existing tidal drainage canal. Total impacts to coastal marshlands for the proposed project are approximately 1.82 acres.
21. The applicant states that impacts to CMPA jurisdiction and construction of a new drainage canal will improve regional drainage, reduce the risk of flooding, and water damage. Improved infrastructure including roads, utilities, and public transportation could benefit the local community and would help to mitigate potential damage caused by severe weather events.
22. The applicant states that access to the existing rail line will help minimize truck traffic on local roads.
23. The applicant states the project has been designed to minimize impacts to coastal marshlands and improve drainage for the 550 acres of surrounding rural and developed land in Chatham County.

Determining Project Boundaries, Rule 391-2-3-.02(3):

24. The applicant has stated in their response to staff's request for additional information, dated November 18, 2025, that the marshlands component includes the proposed impact areas associated with fill of the existing drainage canal.
25. The upland component associated with the proposed project includes the construction of a new 2.78-acre drainage canal in the upland to handle onsite stormwater and accommodate Chatham County's contributing area of 550 acres within the reconfigured drainage basin.

Marshlands Buffer For Upland Component, Rule 391-2-3-.02(4):

26. The 50ft. marshlands buffer applicable to the upland component of the project has been delineated as shown on the submitted plans and drawings.
27. Current conditions on the tract include unimproved, wooded upland areas and both coastal marshlands and USACE non-tidal freshwater wetlands. The existing upland component is nearly 100% pervious.
28. The proposed upland component includes all temporary and permanent activities for the project. The 50ft. marshlands buffer for the tract totals 2.98 acre and is within the existing utility easement on the parcel.
29. Land disturbance and construction within the 50ft. marshlands buffer in the upland component of the project is limited to:
 - a. **Construction and maintenance of temporary structures necessary for construction of the marshland component of the project.** Temporary impacts in the upland component will occur as a result of construction of the new drainage canal. Once the drainage canal is constructed, buffers will be built per mandated vegetative buffer regulations provided with the NPDES plan. The new canal will have clean 3:1 side slopes and all disturbed areas will be stabilized in accordance with an approved Erosion, Sedimentation, and Pollution Control Plan, pursuant to the NPDES permit and approved by the Local Issuing Authority (LIA Savannah).
 - b. **Construction and maintenance of permanent structures that are required for the functionality of and/or provide permanent access to the marshlands component of the project.** No permanent structures are proposed.

- c. **Planting and grading with vegetated materials within the marshlands buffer to enhance stormwater management, such as erosion and sediment control measures, and to allow pedestrian access for passive recreation.** Installation of canal shoulder/slopes and a pervious maintenance road along the canal within the coastal marshlands buffer are proposed to enhance stormwater management.

Impervious Surface, Rule 391-2-3-.02(6):

30. The applicant has stated that the upland component will be 100% pervious following construction of the proposed project.

RECOMMENDATIONS: Should the Committee determine that the proposed project is in the public interest, Department staff recommends the following **STANDARD and SPECIAL conditions:**

COASTAL MARSHLANDS PROTECTION ACT STANDARD CONDITIONS

1. The project must comply, as applicable, for areas permitted herein, with all other federal, state, and local statutes, ordinances, and regulations and the applicant must obtain all licenses and permits prior to commencement of construction.
2. This permit does not resolve actual or potential disputes regarding ownership of, rights in or over the property upon which the subject project is proposed and shall not be construed as recognizing or denying any such rights or interests.
3. All plans, documents, and materials contained in this permit application, required by Coastal Marshlands Protection Act of 1970, as amended O.C.G.A. § 12-5-280 *et seq.* are a part of this permit and conformance to such plans, documents, and materials are a condition of this permit. No change or deviation from these plans, documents, and materials shall be permitted without prior notification and approval by the Department or CMPC.
4. No further encroachment or construction shall take place within state jurisdiction, except as permitted by the CMPC. Any modification of the plans or structure in the jurisdictional area must be reviewed and approved by the Department or the CMPC, as necessary, prior to construction.
5. No construction or alteration of a project may commence until the expiration of 30 days following the date on which the application is approved; provided however that if a timely appeal is filed, no construction or alteration may commence until all administrative and judicial proceedings are terminated.
6. The permit must be posted onsite within twenty-four (24) hours of beginning construction.
7. A copy of these and all permit conditions must be supplied to the person in charge of construction. All contractors and subcontractors are responsible for strict adherence to all permit conditions.
8. All Best Management Practices (BMPs) should be used to prevent any erosion and sedimentation at the site. No unauthorized equipment, materials, or debris may be placed in, disposed of, or stored in jurisdictional areas. Any visible alterations in the marsh topography will be restored immediately using low-impact hand tools. Any damage to the marsh vegetation that has not recovered naturally during the next growing season will be repaired by a method acceptable to the Department.
9. If the permitted improvements are damaged, fall into disrepair, become dilapidated, or are not meeting their expected usefulness and are not maintained at a serviceable level, it is the responsibility of the owner to remove the improvements. A new permit will be required to retain and repair the structure, improvement, or asset if it loses its structural integrity and is no longer serviceable.

10. The CMPC is not bound in the future to protect any improvement or asset authorized by the permit.

SPECIAL CONDITIONS

1. Permittee must install an appropriate sediment barrier in the existing drainage canal prior to commencing with fill of the canal.
2. Permittee must utilize clean fill obtained from an upland source to fill the existing drainage canal.
3. Permittee must dispose of all excavated material from the new drainage canal at an approved upland facility.
4. Permittee must install Corrugated Aluminum Alloy Pipe (CAP), Reinforced Concrete Pipe (RCP) or High-Density Polyethylene (HDPE) pipe to minimize corrosion from coastal saltwater and/or brackish conditions at the road crossing within the constructed drainage canal.
5. Permittee shall provide a post-construction survey that includes elevations and profiles of the constructed drainage canal.