



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

WALTER RABON
COMMISSIONER
JUN 10 2024

DOUG HAYMANS
DIRECTOR

Alton Brown, Jr.
41 Park of Commerce Way
Suite 101
Savannah, GA 31405

Re: Letter of Permission, Revocable License, and Federal Consistency, Maintenance of an Existing Bulkhead in Coastal Marshlands Protection Act (CMPA) Jurisdiction, East Coast Terminal Berth 4, Savannah River, Chatham County, Georgia (SAS-2010-00139)

Dear Mr. Brown:

This Letter of Permission (LOP) is in response to your request to maintain the existing bulkhead associated with Berth 4 at East Coast Terminals, Savannah River, Chatham County, Georgia. The project will begin no sooner than fifteen (15) days from the receipt of this letter and be completed within six (6) months.

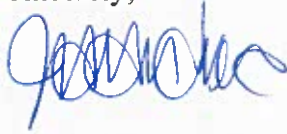
The project will include the maintenance of approximately 395 linear feet of existing bulkhead. The bulkhead will be installed under an existing warehouse on the concrete deck at this location. To allow installation of the bulkhead, a section of the existing concrete deck will be cut and removed. All construction debris will be disposed of at an approved upland facility. Most of the maintenance activities associated with this bulkhead have been completed under previous authorizations, all but the remaining 395 linear feet for which this letter is granted.

The Department authorizes the maintenance of the existing structures as depicted in the attached description and drawings. No unauthorized equipment, materials, or debris may be placed in, disposed of, or stored in jurisdictional areas. All material removed must be disposed of at an appropriate upland disposal area. Any visible alterations in 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.

Any change in the use, location, dimensions, or configuration of the approved project, without prior notification and approval from this office could result in revocation of this permission and in the required removal of the related structures.

This authorization does not relieve you from obtaining any other required federal, state, or local permits. Tidal water bottoms and marshlands of coastal Georgia are public trust lands controlled by the State, except for such lands where a validated Crown Grant or State Grant exists. Please contact Deb Barreiro at 912.266.3695 should you require more information or assistance.

Sincerely,



Jill Andrews
Chief, Coastal Management Section

Enclosures: Revocable License, Federal Consistency Certification Statement, LOP-July 14, 2014, PCN, Plans

cc: Frank Peeples, Jr.
Savannah Bulk Terminal, LLC
P.O. Box 2253
Savannah, GA 31402

Sarah.E.Wise@usace.army.mil

Marcus Lotson, Chatham County Building and Safety

LOP20240016

FEDERAL CONSISTENCY CERTIFICATION STATEMENT

Printed Name of Applicant(s): East Coast Terminals LTD Frank Peeples, Jr.

Applicant Email: fpeeplesjr@peeplesind.com Phone: 912.239.1339

Agent Name (if applicable): Alton Brown Jr. Phone: 912.659.0084

To Whom It May Concern:

This is to certify that I have made application to the U.S. Army Corps of Engineers (USACE) for authorization to impact Waters of the United States and that such proposed work is, to the best of my knowledge, consistent with Georgia's Coastal Management Program.

I understand I must provide this Consistency Certification Statement, along with a copy of my permit application submitted to USACE, to the Georgia Department of Natural Resources Coastal Resources Division (CRD) before they can begin evaluating my proposed project for consistency with Georgia's enforceable policies. I understand additional information may be required to facilitate review.

Once any required authorizations or permits from CRD have been issued, and CRD has concurred with my findings by signing this Consistency Certification Statement, CRD must submit it to USACE in order for them to issue any required federal permits or authorizations, or to validate any provisional authorizations they have already issued. A USACE provisional authorization or permit will not be valid until they receive this Certification Statement signed by CRD.

Attached is a copy of my application to USACE (required)

Signature of Applicant: [Handwritten Signature] Date: 5-10-2024

FOR AGENCY INTERNAL USE ONLY:	Date Received (Commencement Date): _____
USACE Authorization/Permit Number (assigned by USACE):	<u>SAS-2010-00139</u>
USACE Authorization Type (select one):	<input type="checkbox"/> Individual Permit <input type="checkbox"/> General Permit # _____ <input checked="" type="checkbox"/> NWP # <u>3</u>
USACE Project Manager:	<u>Sarah Wise</u>
CRD Authorization/Permit Number (assigned by CRD):	<u>LOP20240016</u>
CRD Project Manager:	_____

CRD CONCURS WITH THIS CONSISTENCY CERTIFICATION STATEMENT TO THE EXTENT THAT USACE AUTHORIZATION IS CONSISTENT WITH THE PROJECT AS DESCRIBED IN ANY CRD AUTHORIZATION.

CRD Signature: [Handwritten Signature] Date: JUN 10 2024
Printed Name: Jill Andrews Title: Chief

For questions regarding consistency with the Georgia Coastal Management Program, please contact the Federal Consistency Coordinator at (912) 264-7218 or visit www.CoastalGADNR.org.

STATE OF GEORGIA

REVOCABLE LICENSE FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANT NAME(S): East Coast Terminal Associates, L.T.D.
MAILING ADDRESS: 21 East Broad Street, Savannah, GA 31401
(Street) (City) (State) (Zip)
PROJECT ADDRESS/LOCATION: Berth 4 East Coast Terminals, Marine Terminal Drive, Savannah
COUNTY: Chatham WATERWAY: Savannah River
LOT, BLOCK & SUBDIVISION NAME FROM DEED: Unnumbered Wharf Lot Lamar Ward

The State of Georgia hereby grants you a revocable license not coupled with an interest¹. This area may now or in the future be utilized by boats employing power drawn nets under the provisions for commercial or sport bait shrimping. In its occupancy and use of the premises, licensee shall not discriminate against any person on the basis of race, gender, color, national origin, religion, age, or disability. This covenant by licensee may be enforced by termination of this license, by injunction, and/or by any other remedy available at law to the Georgia Department of Natural Resources.

Attached hereto and made a part of this license are the project description, drawing(s), and terms and conditions that are the subject of this license. The project approved for this license must be constructed and completed within the specified timeframe noted in the terms and conditions and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke this license and all structures must be removed immediately at the licensee's expense.

STATE OF GEORGIA
Office of the Governor

By:


For: Walter Rabon
Commissioner-DNR

Date: JUN 10 2024

Enclosures:

LOP20240016

¹ Tidal water bottoms and marshlands of coastal Georgia are public trust lands owned by the State, except where ownership of such lands is demonstrated through an unbroken chain of title to a valid Crown or State Grant, which explicitly conveys the beds of such tidewaters. The Revocable License authorizes use of lands presumed to be owned by the State of Georgia, and which are under control of the State. This Revocable License is issued with the understanding and condition that it could be rendered invalid should another person demonstrate ownership to such lands pursuant to a valid Crown Grant or State Grant. This Revocable License is issued with the understanding that such lands are subject to the public trust doctrine.

STATE OF GEORGIA

REQUEST FOR A REVOCABLE LICENSE FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANT NAME(S): East Coast Terminal Associates, LTD Attn: Frank K. Peeples Jr.

MAILING ADDRESS: 21 East Broad Street Savannah Georgia 31401
(Street) (City) (State) (Zip)

PROJECT ADDRESS/LOCATION: Berth 4 East Coast Terminals, Marine Terminal Drive in Savannah

COUNTY: Chatham WATERWAY: Savannah

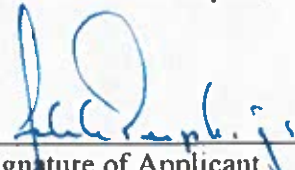
LOT, BLOCK & SUBDIVISION NAME FROM DEED: UNNUMBERED WHARF LOT LAMAR WARD

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

I am requesting that I be granted a revocable license from the State of Georgia to encroach on the beds of tidewaters, which are state owned property. Attached hereto and made a part of this request is a copy of the plans and description of the project that will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

I understand that if permission from the State is granted, it will be a revocable license and will not constitute a license coupled with an interest. I acknowledge that this revocable license does not resolve any actual or potential disputes regarding the ownership of, or 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. I acknowledge that such a license would relate only to the property interests of the State and would not obviate the necessity of obtaining any other State license, permit, or authorization required by State law. I recognize that I waive my right of expectation of privacy and I do not have the permission of the State of Georgia to proceed with such project until the Commissioner of DNR or his/her designee has executed a revocable license in accordance with this request.

Sincerely,

By: 
Signature of Applicant

Date: 2024-01-24

President, E.C.T.A.
Title, if applicable

By: _____
Signature of Applicant

Date: _____

Title, if applicable

Attachments



MARK WILLIAMS
COMMISSIONER

A.G. 'SPUD' WOODWARD
DIRECTOR

JUL 14 2014

Mr. Alton Brown
Resource and Land Consultants,
41 Park of Commerce Way
Suite 303
Savannah, GA 31305

RE: Letter of Permission (LOP), East Coast Terminal Associates, LTD, Maintenance of an Existing Wharf, East Coast Terminal, Berth 4, Savannah River, Chatham County, GA. COE# 2010-00139

Dear Mr. Brown:

This LOP is in response to your request dated July 2, 2014, on behalf of East Coast Terminal Associates, LTD for authorization to continue with maintenance and rehabilitation of Berth 4 at the East Coast Terminals facility. The existing berth consists of timber piles, cap, stringers, and decking with a concrete overlay on the deck. Authorization for the rehabilitation of the berth was given via LOP from this office on July 28, 2011. That authorization has since expired so the applicant is requesting further permission to complete a remaining section of bulkhead to be replaced. Work is to begin no sooner than 15 days from the date of this letter and will be completed no later than six months from the date of this letter.

The proposed project involves the continued installation of a new sheetpile bulkhead on the landward side of Berth 4 to replace a deteriorated timber structure. A section of the previously installed concrete deck will be cut to allow for the bulkhead installation. The total length of the completed bulkhead will be approximately 395'.

The Department authorizes the proposed activity as depicted in the attached drawings and description. All activities will be performed using best management practices to prevent demolition material from entering into the adjacent water bodies. This LOP is not meant to exempt the above referenced activity from future environmental laws. No debris may be disposed of, or stored in jurisdictional areas.

Please find enclosed a fully executed revocable license for the above-described project. This license serves as authorization to utilize state owned tidal water bottoms for your project as per the dimensions and configuration described. Any change in the use, location, dimensions, or configuration of the approved project, without prior notification and approval from this office could result in the revocation of this license and in required removal of the materials and related structures.

JUL 14 2014

This authorization does not relieve you from obtaining any other required federal, state, or local permits. Tidal water bottoms and marshlands of coastal Georgia are public trust lands controlled by the State, except for such lands where a validated Crown Grant or State Grant exists. If you have any questions you may contact Lisia Kowalczyk @912-262-3109

Sincerely,



A.G. "Spud" Woodward
Director

Enclosures: Project Description and Drawings, Revocable License

cc: USACE
LOP20140144

STATE OF GEORGIA
3-YEAR REVOCABLE LICENSE REQUEST

APPLICANTS NAME(S) East Coast Terminal Associates, LTD. Attn: Frank K. Peoples, Jr.

MAILING ADDRESS 21 East Broad Street Savannah GA 31401
(Street) (City) (State) (Zip)

PROJECT ADDRESS/LOCATION: Booth 4, East Coast Terminal, Marine Terminal Drive in Savannah, Chatham County, Georgia.


COUNTY: Chatham WATERWAY: Savannah River DATE: 6/28/2014

LOT, BLOCK & SUBDIVISION NAME FROM DRED: _____

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

I am making application for a permit with the U.S. Department of the Army, Corps of Engineers, Savannah District. I understand that the issuance of such a permit will not relieve me of the obligation to obtain authorization from the State of Georgia since the proposed project would constitute an encroachment on the beds of tidewaters which are State-owned property. Accordingly, I hereby request that I be granted a revocable license from the State of Georgia. Attached hereto and made a part of this request is a copy of the plans and description of the project which will be the subject of such license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

I understand that if permission from the State is granted, it will be a revocable license and will not constitute a license coupled with an interest. I acknowledge that this revocable license does not resolve any actual or potential disputes regarding the ownership of, or 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. I further acknowledge that such a license would relate only to the property interests of the State and would not obviate the necessity of obtaining any other State license, permit or authorization required by State law. I recognize that I waive my right of expectation of privacy and I do not have the permission of the State of Georgia to proceed with such project until the Commissioner of DNR has signed a copy of this request.

Sincerely,

By: _____
Mr. Frank K. Peoples, Jr. - Savannah Bulk Terminal, LLC

Attachment

The State of Georgia hereby grants you a revocable license not coupled with an interest as provided in your request. This area may now or in the future be utilized by boats employing power drawn nets under the provisions for commercial or sport bait shrimping. In its occupancy and use of the premises, licensees shall not discriminate against any person on the basis of race, gender, color, national origin, religion, age, or disability. This covenant by licensee may be enforced by termination of this license, by injunction, and by any other remedy available at law to the Department. The project proposed for this license must be completed within 3 years of the date of issuance of the license and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke the license and all structure must be removed at the licensee's expense.

STATE OF GEORGIA
Office of Governor

By: 
For: Mark Williams, Commissioner-DNR
DATE: 7/16/14

JUL 14 2014



2 July 2014

Mr. Karl Burgess
Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way, Suite 300
Brunswick, Georgia 31520

**Subject: Letter of Permission Request
East Coast Terminal Berth 4 Maintenance
Chatham County, Georgia**

RLC# 14-138

Dear Mr. Burgess:

In an LOP dated 28 July 2008, the Georgia Department of Natural Resources-Coastal Resources Division issued a 3 year Letter of Permission and Revocable License to East Coast Terminal Associates, LTD authorizing maintenance activities on East Coast Terminal Berth 4 located on the Savannah River, Chatham County, Georgia (32.078416°, -81.066946°). While the majority of the maintenance activities authorized in the LOP have been completed, a section of previously approved bulkhead installation could not be completed prior to expiration of the LOP. As such, East Coast Terminal Associates, LTD is requesting another Letter of Permission and Revocable License for completion of the project. For your review and use we have included the following:

- Copy of the 28 July 2011 GADNR-CRD LOP
- Permit Drawings
- USGS Topographic Survey
- National Wetlands Inventory
- NRCS Soils Survey

Please do not hesitate to contact us at (912) 443-5896 if you have any questions or require any additional information.

Sincerely,

Alton Brown, Jr.
Principal
Resource & Land Consultants

Enclosures

cc: Mr. Frank Peeples-East Coast Terminal Associates
Ms. Kim Garvey – USACE



2 July 2014

U.S. Army Corps of Engineers
Savannah District
Attn: Ms. Kimberly Garvey
100 West Oglethorpe
Savannah, Georgia 31401

**Subject: Nationwide Permit Authorization #3
East Coast Terminal Berth 4 Maintenance
Chatham County, Georgia**

RLC# 14-138

Dear Ms. Garvey:

In an letter dated 14 October 2011, the U.S. Army Corps of Engineers issued a Jurisdictional Determination and coordinated a Nationwide Permit (NWP) No. 3 authorizing maintenance activities on East Coast Terminal Berth 4 located on the Savannah River, Chatham County, Georgia (32.078416°, -81.066946°). While the majority of the maintenance activities authorized in the NWP have been completed, a section of previously approved bulkhead installation was not completed prior to expiration of the NWP. As such, East Coast Terminal Associates, LTD is submitting a new PreConstruction Notification to facilitate installation of the remaining section of bulkhead. The project will include installation of approximately 395 linear feet of bulkhead. The new bulkhead will be installed under an existing warehouse and deck. A section of the existing concrete deck will be cut to allow installation of the bulkhead.

For your review and use, the attached application includes the following information.

- PCN Checklist
- All required maps
- PCN Form
- Project Description with General and Regional Conditions
- Exhibits depicting proposed project

A review of the Nationwide Permit 3. "Maintenance" indicates that "The repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized." The proposed project includes repair of a currently serviceable structure that will not be put to different uses and construction activities require only minor deviations in the configuration to adhere to structural safety standards, and to prevent continued erosion under the existing facility. Thus, East Coast Terminals Associates is requesting a letter of concurrence that the proposed activities are authorized under Nationwide Permit No. 3.

We greatly appreciate your assistance with this project. If you have any questions or require any additional information, please do not hesitate to contact us at (912) 443-5896.

Sincerely,



**Alton Brown, Jr.
Principal
Resource & Land Consultants**

Enclosures

**cc: Mr. Frank Peoples – East Coast Terminals Associates
Mr. Karl Burgess – GADNR-CRD**

**US ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
2012 PRE-CONSTRUCTION NOTIFICATION (PCN) FORM
FOR USE OF CERTAIN NATIONWIDE PERMITS (NWP)**

USE OF NWP NUMBER(s) #3 Date 2 July 2014

APPLICANT/PROPERTY OWNER East Coast Terminal Associates, LTD Attn: Mr. Frank Peoples

Phone(hm/bus) 912-239-1339 FAX _____ E-Mail _____

Address 21 East Broad Street City Savannah State GA Zip Code 31401

AGENT/CONSULTANT Resource & Land Consultants Attn: Alton Brown, Jr.

Phone(hm/bus) 912-443-6896 FAX 912-443-6898 E-Mail abrown@rlandc.com

Address 41 Park of Commerce Way 303 City Savannah State GA Zip Code 31405

PROJECT LOCATION/ADDRESS Adjacent to and south of the Savannah River

City Savannah County Chatham Subdivision _____ Lot _____

Latitude 32.078416 Longitude -81.066946 Hydrologic Map Cataloging Unit 03060109

Nearest Named Stream, River or Other Waterbody Savannah River

PROJECT DESCRIPTION See attached.

PROJECT AREA AND IMPACT INFORMATION

	PROJECT AREA		IMPACTS TO US WATERS	
	ACRES	LINEAR FEET	ACRES	LINEAR FEET
TOTAL PROJECT AREA	N/A	N/A	N/A	N/A
UPLAND	N/A	N/A	N/A	N/A
WETLAND	N/A	N/A	N/A	N/A
OPEN WATER	N/A	N/A	N/A	N/A
PERENNIAL STREAM	N/A	N/A	N/A	N/A
INTERMITTENT STREAM	N/A	N/A	N/A	N/A
EPHEMERAL STREAM	N/A	N/A	N/A	N/A
MAN-MADE DITCHES	N/A	N/A	N/A	N/A

WETLAND/STREAM IMPACT AVOIDANCE/MINIMIZATION (RC C.3)

The applicant has avoided and minimized impacts to the greatest extent practicable by restricting impacts to within the existing project footprint. No encroachment beyond the footprint of the existing facility nor expansion of the facility is proposed.

WATER QUALITY MANAGEMENT PLAN STATEMENT (RC C.7) The project will comply with Federal, State, and local water quality management regulations.

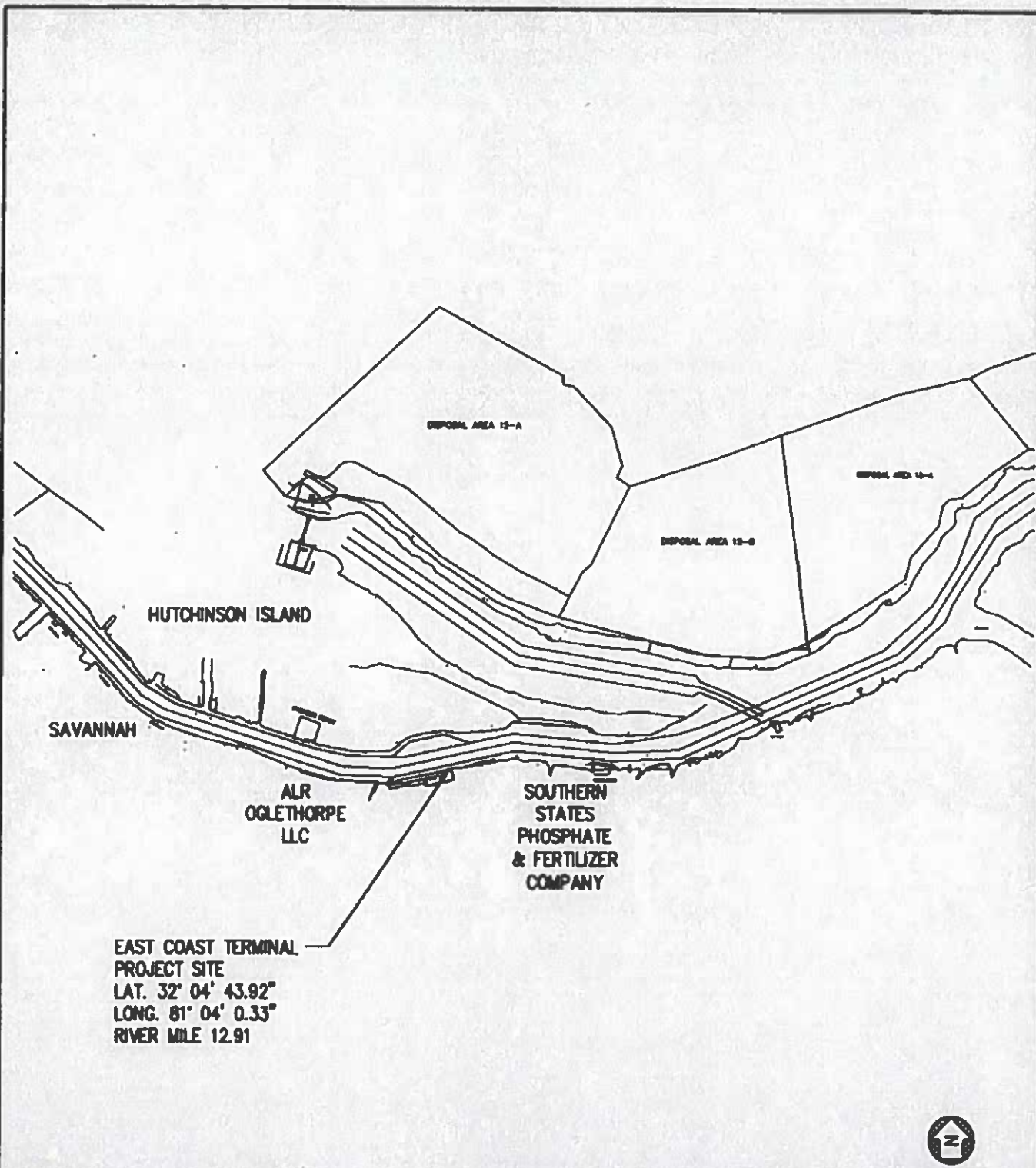
FLOODPLAIN MANAGEMENT STATEMENT (RC C.8) The project will comply with all FEMA floodplain management regulations.

MAPS, DRAWINGS AND OTHER SUPPLEMENTAL INFORMATION. For the following questions include information with the PCN necessary to adequately comply with the referenced RC or explain/address the answer provided.


- | | | | | | | |
|---|-----|-------------------------------------|----|-------------------------------------|-----|--------------------------|
| 1. PCN submitted to the Georgia EPD? (RC A and Appendix A) | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | | |
| 2. PCN submitted to the Georgia CRD? (RC A and Appendix A) | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| 3. Has Georgia EPD or the appropriate Local Issuing Authority (LIA) determined whether or not a buffer variance is required for the project? (RC A and Appendix A) | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | | |
| 4. Are federally protected species present on the project area? (RC C.4) | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | | |
| 5. Will EFH be impacted by the project? (RC C.5) | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | | |
| 6. Are cultural resources located on or near the project area? (RC C.6) | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | | |
| 7. Is the project area located in, adjacent to, or upstream and within 10 linear miles of a 303(d) listed water? (RC C.9) | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | | |
| 8. Is the project area located in or adjacent to a trout stream? (RC C.10) | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | | |
| 9. Is compensatory mitigation required? (RCs C.11 and F.1-9) | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | | |
| 10. Are culverts proposed in streams and/or wetlands? (RC C.12 and E.1-8) | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | | |
| 11. In-stream/wetland storm water management proposed? (RC C.13) | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | | |
| 12. Will the project be phased (additional wetland/stream impacts in the future)? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | | |
| 13. Have authorized wetland/stream impacts occurred in the project area? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | | |
| 14. Have unauthorized wetland/stream impacts occurred in the project area? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | | |
| 15. Is the project area located within 5 miles of an airport? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | | |
| 16. Is the project area in a USEPA Priority Watershed?
http://www.epa.gov/region4/water/watersheds/priority.html | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | | |

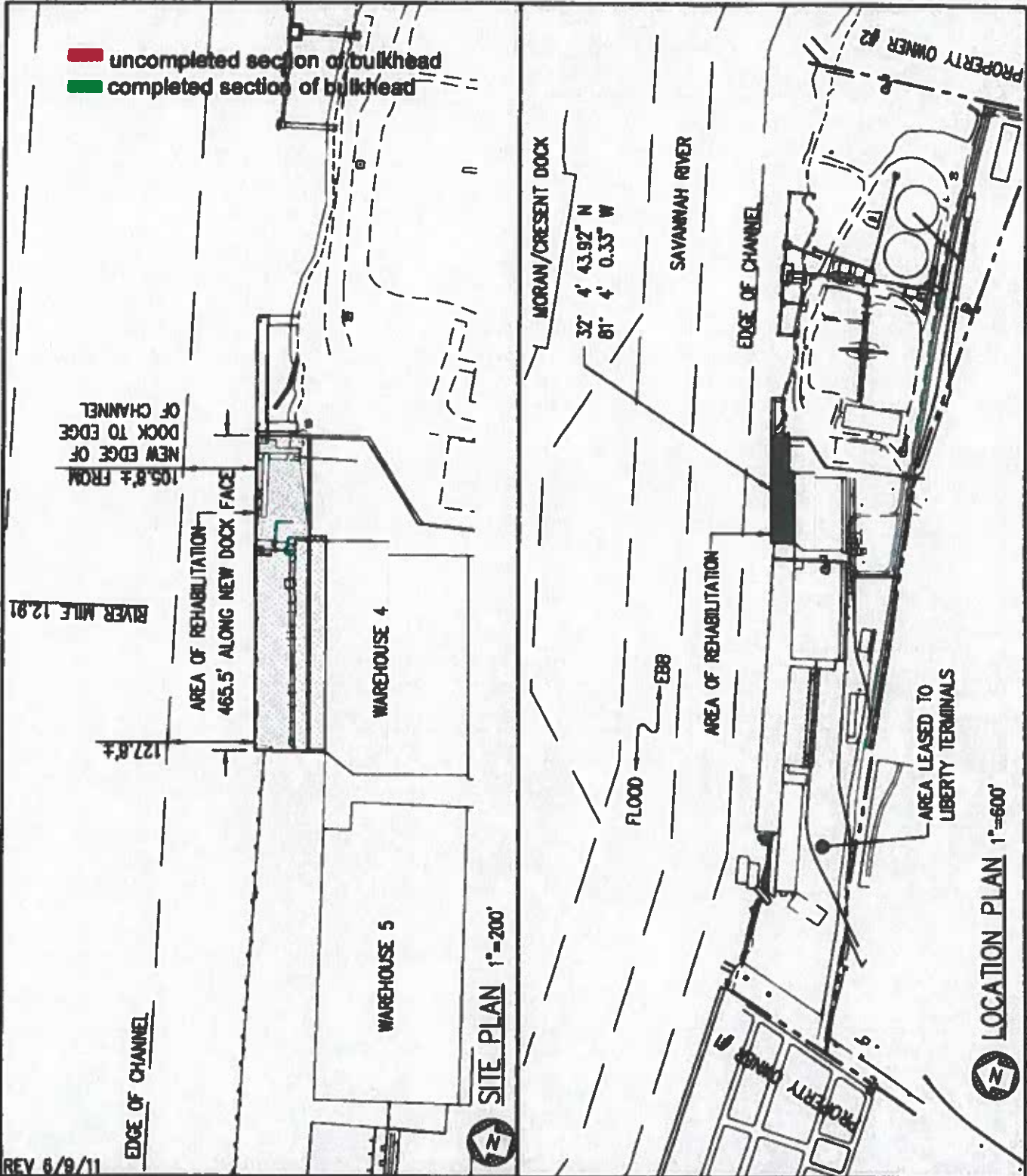
IMPORTANT NOTES:

1. Refer to Section "C" of the Savannah District 2012 Nationwide Permit Regional Conditions for a complete list of all information that must be submitted as an attachment to this PCN.
2. All maps and drawings that are attached to this PCN must be submitted on 8 1/2 X 11-inch paper. Supplemental maps and drawings larger than 8 1/2 X 11 may also be submitted for clarity.




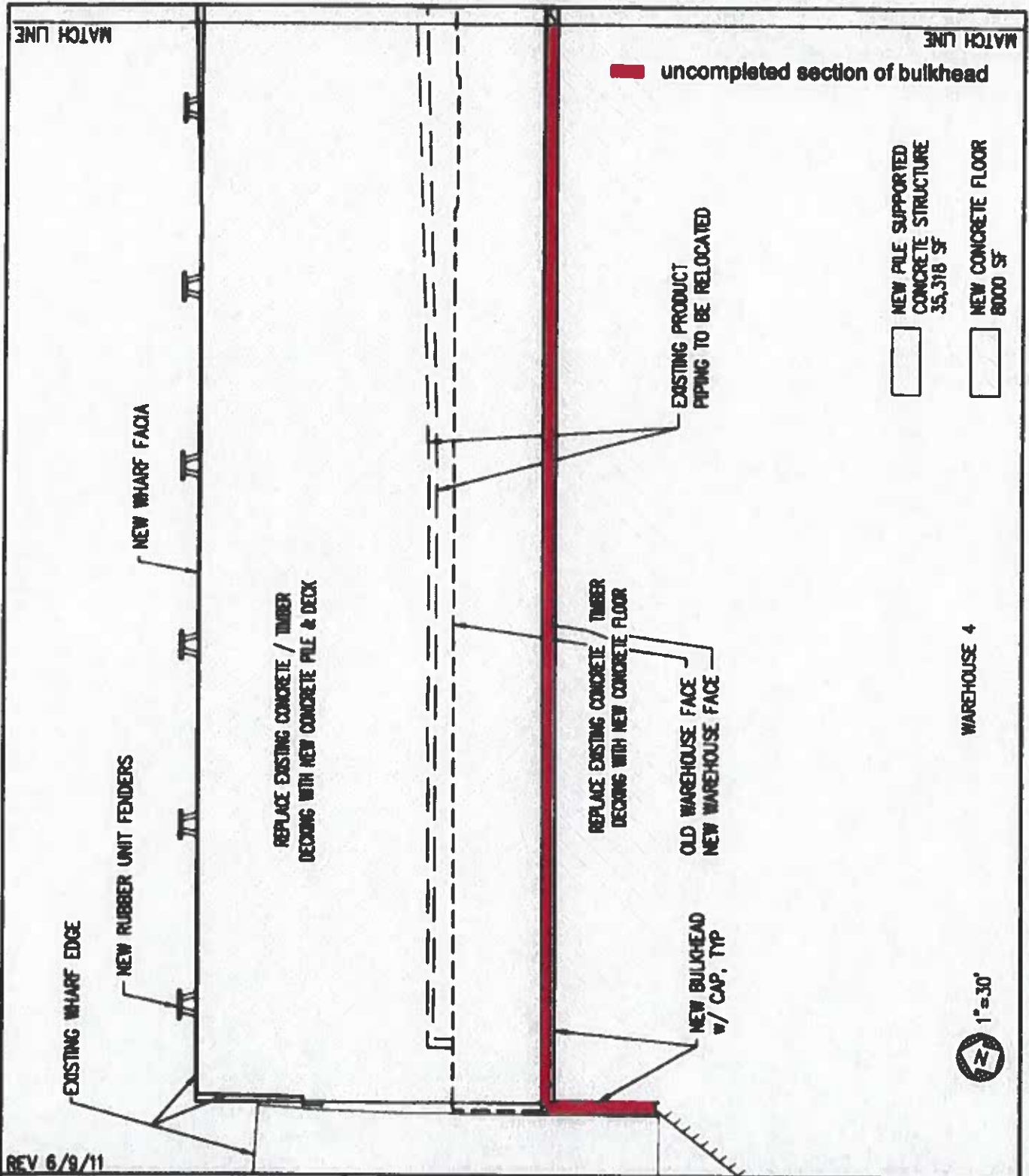
REV 6/9/11

PURPOSE: WHARF UPGRADES/REPAIR SCALE: 1" = 4000'	VICINITY MAP BERTH 4 REHABILITATION	
DATUM: NAVD	APPLICANT: EAST COAST TERMINAL ASSOC. 148 MARINE TERMINAL DRIVE SAVANNAH, GA 31404	IN: SAVANNAH RIVER RIVER MILE: 12.91 COUNTY OF: CHATHAM STATE: GA. DATE: 4/11 SHEET 1 OF 5
ADJACENT PROPERTY OWNERS: 1. ALR OGLETHORPE LLC 2. SOUTHERN STATES PHOSPHATE & FERTILIZER COMPANY		



REV 6/9/11

PURPOSE: WHARF UPGRADES/REPAIR SCALE: AS NOTED	LOCATION AND SITE PLANS BERTH 4 REHABILITATION	
DATUM: NAVD	APPLICANT: EAST COAST TERMINAL ASSOC. 148 MARINE TERMINAL DRIVE SAVANNAH, GA 31404	IN: SAVANNAH RIVER RIVER MILE: 12.91 COUNTY OF: CHATHAM STATE: GA. DATE: 4/11 SHEET 2 OF 5
ADJACENT PROPERTY OWNERS: 1. ALR OLETHORPE LLC 2. SOUTHERN STATES PHOSPHATE & FERTILIZER COMPANY		



REV 6/9/11

PURPOSE: WHARF UPGRADES/REPAIR
 SCALE: AS NOTED

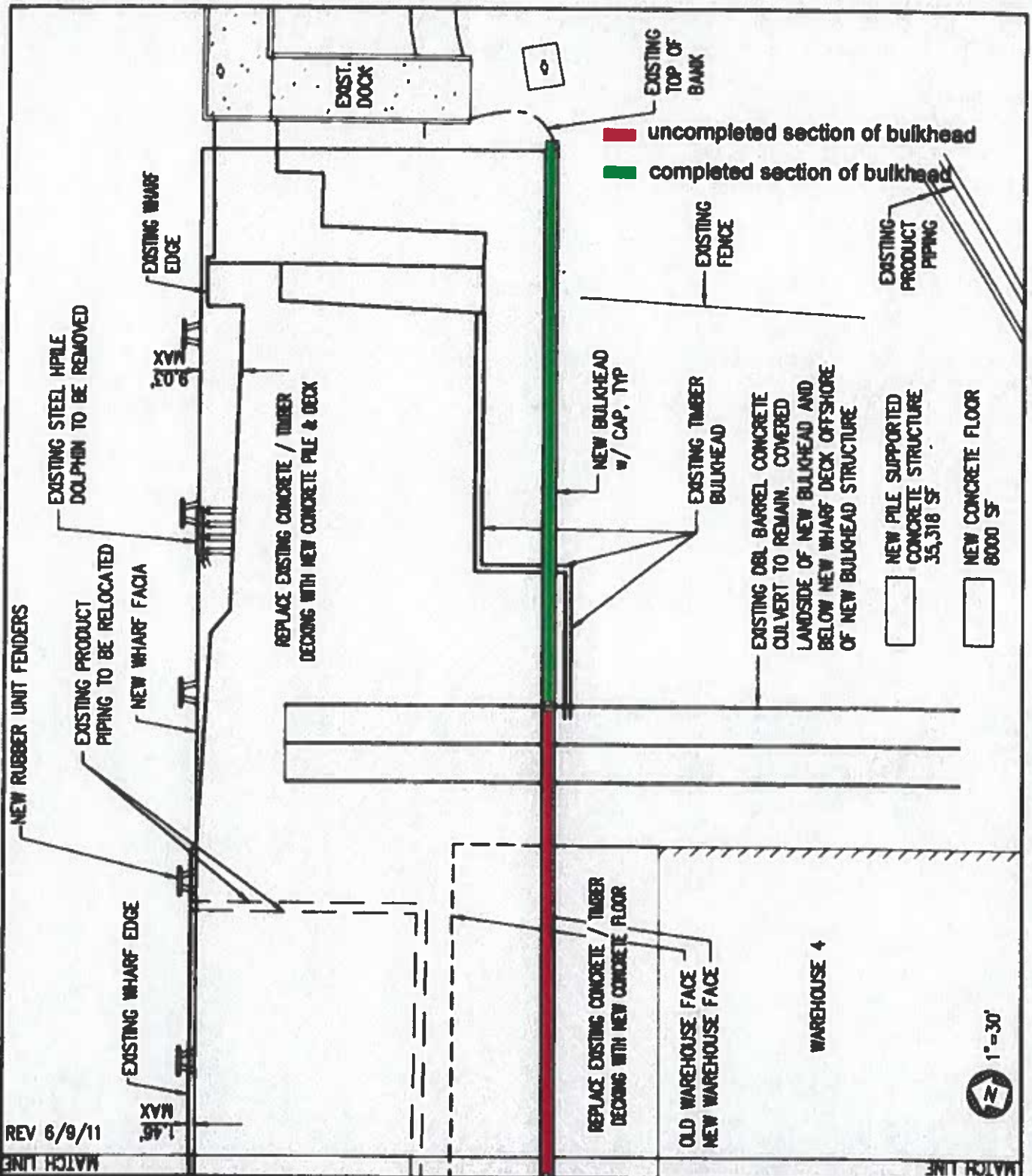
WHARF PLAN, SHT 1 OF 2
 BERTH 4 REHABILITATION



DATUM: NAVD
 ADJACENT PROPERTY OWNERS:
 1. ALN OGLETHORPE LLC
 2. SOUTHERN STATES PHOSPHATE & FERTILIZER COMPANY

APPLICANT: EAST COAST TERMINAL ASSOC.
 148 MARINE TERMINAL DRIVE
 SAVANNAH, GA 31404

IN: SAVANNAH RIVER
 RIVER MILE: 12.91
 COUNTY OF: CHATHAM STATE: GA.
 DATE: 4/11 SHEET 3 OF 5



REV 6/9/11


1.46
MAX

MATCH LINE

MATCH LINE

PURPOSE: WHARF UPGRADES/REPAIR	
SCALE: AS NOTED	
DATUM: NAVD	
ADJACENT PROPERTY OWNERS:	
1. ALR OLEFINORP LLC	
2. SOUTHERN STATES PHOSPHATE & FERTILIZER COMPANY	

WHARF PLAN, SHT 2 OF 2
BERTH 4 REHABILITATION
APPLICANT: EAST COAST TERMINAL ASSOC.
148 MARINE TERMINAL DRIVE
SAVANNAH, GA 31404

	
IN: SAVANNAH RIVER	
RIVER MILE: 12.91	
COUNTY OF: CHATHAM	STATE: GA.
DATE: 4/11	SHEET 4 OF 5



MARK WILLIAMS
COMMISSIONER

A.G. 'SPUD' WOODWARD
DIRECTOR

JUL 28 2011

Mr. Frank Peeples, Jr.
East Coast Terminals Associates, LTD
148 Marine Terminal Drive
Savannah, GA 31404

RE: Letter of Permission (LOP), Repair and Maintenance to an Existing Serviceable Wharf, Berth 4, East Coast Terminals, Marine Terminal Drive, Savannah River, Savannah, Chatham County, Georgia (ACOE #2010-00139, NWP3)

Dear Mr. Peeples:

This LOP is in response to the May 4, 2011 request submitted on behalf of East Coast Terminals by Gary Greene Engineers for repairs, maintenance and rehabilitation to the existing serviceable Berth 4 at the East Coast Terminals facility. The existing berth consists of timber piles, cap, stringers and decking along with a concrete overlay on the deck.

The proposed project will involve the installation of a new steel sheetpile structure on the landward side of Berth 4 to replace a deteriorated timber structure. In addition the proposed project also includes the replacement of deteriorated timber pilings with concrete piles followed by the reconstruction of the existing concrete deck. The footprint of the rehabilitated structure will not exceed that of the original structure and there will be no new impacts to jurisdictional coastal marshlands.

The Department authorizes the proposed activity as described in the plans submitted by Gary Greene Engineers. All applicable Best Management Practices must be employed to protect coastal marshlands and water quality. The contractor will be required to take measures to prevent any dropping of debris into the river during demolition and subsequent reconstruction. The new steel sheetpile will be installed prior to backfilling to minimize potential discharge of fill into the river.

This LOP and the enclosed fully executed Revocable License serves as authorization to utilize State owned tidal water bottoms for your project as per the dimensions and configuration depicted in your request. Tidal waterbottoms and marshlands of coastal Georgia are public trust lands controlled by the State, except for such lands where a validation Crown Grant or State Grant exists.

Any change in the use, location, dimensions, or configuration of the approved project without prior notification and approval from this office could result in the revocation of this LOP and in required removal of the materials and related structures.

JUL 28 2011

This Letter of Permission (LOP) is not meant to exempt the above referenced activity from future environmental laws. No construction materials or debris may be placed, disposed of, or stored in jurisdictional areas. Any incidental impacts associated with this project must be rectified by fully restoring areas to their pre-construction topographic and vegetative status. This authorization does not relieve you from obtaining any other federal (Army Corps of Engineers), state, or local permits.

Staff of the Coastal Management Program has reviewed the above referenced application pursuant to Section 404 of the Clean Water Act and/or Section 10 of the River and Harbors Act of 1899 for consistency with the Georgia Coastal Management Program (GCMP). Program concurs with the applicant's consistency certification. This ensures that the proposed project has been designed to comply with the applicable enforceable policies of the GCMP and that all applicable state permissions have been obtained prior to issuance of this federal permit.

Please feel free to contact John Wynne at 912-266-0277 if we can be of further assistance in this matter.

Sincerely,



Brad Gane
Chief
Ecological Services Section

Enclosures: Project Description and Drawings

Cc: Brian Moore, ACOE Savannah District

Gary Greene Engineers, PO 99213, Raleigh, NC 27624

File (101488.120100PM)

STATE OF GEORGIA
3-YEAR REVOCABLE LICENSE REQUEST

APPLICANTS NAME(S): EAST COAST TERMINAL ASSOCIATES, LTD.
ADDRESS: 148 MARINE TERMINAL DRIVE, SAVANNAH, GEORGIA 31404
(Street) (City) (State) (Zip)
PROJECT ADDRESS / LOCATION: BERTH 4, EAST COAST TERMINALS, 148 MARINE TERMINAL DRIVE, SAVANNAH
COUNTY: CHATHAM WATERWAY: SAVANNAH RIVER DATE: FEB 10, 2011
LOT, BLOCK & SUBDIVISION NAME FROM DEEDS: _____

A. G. "Spud" Woodward, DIRECTOR
Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

Dear Mr. Woodward:

I am making application for a permit with the U.S. Department of the Army, Corps of Engineers, Savannah District. I understand that the issuance of such a permit will not relieve me of the obligation to obtain authorization from the State of Georgia since the proposed project would operate an encroachment on the beds of tidewater which are State-owned property. Accordingly, I hereby request that I be granted a revocable license from the State of Georgia. Attached hereto and made apart of this request is a copy of the plans and description of the project that will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

I understand that if permission from the State is granted, it will be a revocable license and will not constitute a license coupled with an interest. I acknowledge that this revocable license does not resolve any actual or potential disputes regarding the ownership of, or rights in, or over the property which the subject project is proposed, and shall not be construed as recognizing or denying any such rights or interests. I further acknowledge that such a license would relate only to the property interests of the State and would not obviate the necessity of obtaining any other State license, permit or authorization required by State law. I recognize that I waive my right of expectation of privacy and I do not have the permission of the State of Georgia to proceed with such project until the Commissioner of DNR has signed a copy of this request.

Sincerely,

By: [Signature]
(Applicant), title if applicable Ray W. Williams, Inc. as General Partner

By: _____
(Applicant), title if applicable

Attachment

The State of Georgia hereby grants you a revocable license not coupled with an interest as provided in your request. This area may now or in the future be utilized by boats employing power driven motors under the provisions for commercial or sport boat docking. In its occupancy and use of the premises, license shall not discriminate against any person on the basis of race, gender, color, national origin, religion, age or disability. This covenant by license may be enforced by termination of this license, by injunction, and by any other remedy available at law to the Department. The project proposed for this license must be completed within 3 years of the date of issuance of the license and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke the license and all structure must be removed immediately at the licensee's expense.

STATE OF GEORGIA
Office of the Governor

By: [Signature]
For: Mark Williams, Commissioner-DNR
DATE: 2/23/11

Revised 12/2009

Project involves the rehabilitation of a deteriorated wharf used for servicing ocean going ships. Existing construction consists of timber piles, cap, stringers and decking along with a concrete overlay on the deck. In order to provide more durable construction and to minimize pile density, concrete pile and deck construction components will be utilized. The footprint of the rehabilitated structure is approximately the same as original timber structure and will not create any additional shading. A new steel sheetpile structure will be constructed on the landside portion of the project to replace a deteriorated timber structure.

Contractor will be required to take measures to prevent any dropping of debris during demolition. Installation of piling and formwork for placement of concrete will not impact or be detrimental to water quality. For bulkhead rehabilitation, new sheeting will be installed prior to placement of any backfill thus minimizing any discharge of fill into the water body.



23 January 2024

US Army Corps of Engineers
Savannah District / Regulatory Division
Attention: William Rutlin
100 West Oglethorpe Avenue
Savannah, Georgia 31401-3640

**Subject: Nationwide Permit Authorization #3
 East Coast Terminal Berth 4 Maintenance
 Chatham County, Georgia
 SAS-2010-00139**

RLC# 14-138

Dear Mr. Rutlin:

In a letter dated 14 October 2011 and 13 August 2014, the U.S. Army Corps of Engineers issued Nationwide Permit (NWP) No. 3 verification for maintenance activities on East Coast Terminal Berth 4 located on the Savannah River, Chatham County, Georgia (32.078616°, -81.067029°). While most of the maintenance activities authorized in the NWP have been completed, a section of previously approved bulkhead installation was not completed prior to expiration of the most recent NWP verification. As such, East Coast Terminal Associates, LTD is submitting a new PreConstruction Notification to facilitate installation of the remaining section of bulkhead. The project will include installation of approximately 395 linear feet of bulkhead. The new bulkhead will be installed under an existing warehouse and deck. A section of the existing concrete deck will be cut to allow installation of the bulkhead.

For your review and use, the attached application includes the following information.

- NWP Pre-Construction Notification Form
- Figures/Site Maps/Site Photographs produced by RLC
- Wetland Impact Plans produced by Gary Greene Engineers
- Threatened & Endangered Species Documentation, IPaC Database & Edges Information
- GNAHRGIS Cultural & Archaeological Resources Documentation
- 2011 & 2014 USACE Correspondence

A review of the Nationwide Permit 3. "Maintenance" indicates that "The repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized." The proposed project includes repair of a currently serviceable structure that will not be put to different uses and construction activities require only minor deviations in the configuration to adhere to structural safety standards, and to prevent continued erosion under the existing facility. Thus, East Coast Terminals Associates is requesting a letter of concurrence that the proposed activities are authorized under Nationwide Permit No. 3.

We greatly appreciate your assistance with this project. If you have any questions or require any additional information, please contact us at (912) 443-5896.

Sincerely,

Alton Brown, Jr.
Project Manager
Resource & Land Consultants

cc: Mr. Frank Peeples, Jr. - East Coast Terminal Associates, LTD
 Mr. Josh Noble – GADNR-CRD

RLC

23 January 2024

Georgia Department of Natural Resources
Coastal Resources Division
Attn: Mr. Josh Noble
One Conservation Way, Suite 300
Brunswick, Georgia 31520

**Subject: LOP Request
East Coast Terminal Berth 4 Maintenance
Chatham County, Georgia**

RLC# 14-138

Dear Mr. Noble:

In an LOP dated 28 July 2011 and 14 July 2014, the Georgia Department of Natural Resources-Coastal Resources Division issued a Letter of Permission and Revocable License to East Coast Terminal Associates, LTD authorizing maintenance activities on East Coast Terminal Berth 4 located on the Savannah River, Chatham County, Georgia (32.078616°, -81.067029°). While the majority of the maintenance activities authorized in the LOP's was completed, a section of previously approved bulkhead installation could not be completed prior to expiration of the LOP. As such, East Coast Terminal Associates, LTD is requesting another Letter of Permission and Revocable License for completion of the project. For your review and use we have included the following:

- Revocable License Request
- Figures/Site Maps/Site Photographs produced by RLC
- Project Plans produced by Gary Greene Engineers
- Copy of the 28 July 2011 and 14 July 2014 GADNR-CRD LOP

We greatly appreciate your assistance with this project. If you have any questions or require any additional information, please contact us at (912) 443-5896.

Sincerely,



Alton Brown, Jr.
Project Manager
Resource & Land Consultants

cc: Mr. Frank Peeples, Jr. - East Coast Terminal Associates, LTD
Mr. Bill Rutlin - USACE



RESOURCE+LAND
CONSULTANTS

APPENDIX A:
USACE NWP Pre-Construction Notification Form &
GADNR Revocable License Request Form

25. Is any portion of the nationwide permit activity already complete? Yes No If Yes, describe the completed work:

26. List the name(s) of any species listed as endangered or threatened under the Endangered Species Act that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. (see instructions)
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. The results of this consultation, the Official Species List, is attached to this document. Additional summary of species and potential impacts is provided in the supplemental attachment.

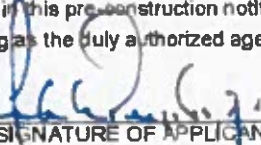
27. List any historic properties that have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic property or properties. (see instructions)
The project consists of maintenance of an existing berth within an existing marine terminal. No impacts to historic properties will occur in association with the maintenance activities.

28. For a proposed NWP activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, identify the Wild and Scenic River or the "study river":
The proposed project does not occur within a component of the National Wild and Scenic River System or a river officially designated as a "study river" for possible inclusion in the National Wild and Scenic River System.

29. If the proposed NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, have you submitted a written request for section 408 permission from the Corps district having jurisdiction over that project? Yes No
If "yes", please provide the date your request was submitted to the Corps district:

30. If the terms of the NWP(s) you want to use require additional information to be included in the PCN, please include that information in this space or provide it on an additional sheet of paper marked Block 30. (see instructions)
N/A

31. Pre-construction notification is hereby made for one or more nationwide permit(s) to authorize the work described in this notification. I certify that the information in this pre-construction notification is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.


SIGNATURE OF APPLICANT

2024-01-24
DATE


SIGNATURE OF AGENT

2024-01-24
DATE

The pre-construction notification must be signed by the person who desires to undertake the proposed activity (applicant) and, if the statement in Block 11 has been filled out and signed, the authorized agent.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**Instructions for Preparing a
Department of the Army
Nationwide Permit (NWP) Pre-Construction Notification (PCN)**

Blocks 1 through 4. To be completed by the Corps of Engineers.

Block 5. Applicant's Name. Enter the name and the e-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the preconstruction notification, please attach a sheet of paper with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the PCN. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant's Telephone Number(s). Please provide the telephone number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by the applicant, if an agent is to be employed.

Block 12. Proposed Nationwide Permit Activity Name or Title. Please provide a name identifying the proposed NWP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

Block 13. Name of Waterbody. Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the NWP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Activity Street Address. If the proposed NWP activity is located at a site having a street address (not a box number), please enter it in Block 14.

Block 15. Location of Proposed Activity. Enter the latitude and longitude of where the proposed NWP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area requiring evaluation. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality where the site is located.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide a description of the location of the proposed NWP activity, such as lot numbers, tract numbers, or you may choose to locate the proposed NWP activity site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed NWP activity site if known. If there are multiple locations, please indicate directions to each location on a separate sheet of paper and mark as Block 17.

Block 18. Identify the Specific Nationwide Permit(s) You Propose to Use. List the number(s) of the Nationwide Permit(s) you want to use to authorize the proposed activity (e.g., NWP 29).

Block 19. Description of the Proposed Nationwide Permit Activity. Describe the proposed NWP activity, including the direct and indirect adverse environmental effects the activity would cause. The description of the proposed activity should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal. Identify the materials to be used in construction, as well as the methods by which the work is to be done.

Provide sketches when necessary to show that the proposed NWP activity complies with the terms of the applicable NWP(s). Sketches usually clarify the activity and result in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed NWP activity (e.g., a conceptual plan), but do not need to be detailed engineering plans.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 19.

Block 20. Description of Proposed Mitigation Measures. Describe any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed NWP activity. The description of any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or additional mitigation measures.

Block 21. Purpose of Nationwide Permit Activity. Describe the purpose and need for the proposed NWP activity. What will it be used for and why? Also include a brief description of any related activities associated with the proposed project. Provide the approximate dates you plan to begin and complete all work.

Block 22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by the Proposed Nationwide Permit Activity. For discharges of dredged or fill material into waters of the United States, provide the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained by the proposed NWP activity. For structures or work in navigable waters of the United States subject to Section 10 of the Rivers and Harbors Act of 1899, provide the amount of navigable waters filled, dredged, or occupied by one or more structures (e.g., aids to navigation, mooring buoys) by the proposed NWP activity.

For multiple NWPs, or for separate and distant crossings of waters of the United States authorized by NWPs 12 or 14, attach an extra sheet of paper marked Block 21 to provide the quantities of wetlands, streams, or other types of waters filled, flooded, excavated, or drained (or dredged or occupied by structures, if in waters subject to Section 10 of the Rivers and Harbors Act of 1899) for each NWP. For NWPs 12 and 14, include the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained for each separate and distant crossing of waters or wetlands. If more space is needed, attach an extra sheet of paper marked Block 22.

Block 23. Identify Any Other Nationwide Permit(s), Regional General Permit(s), or Individual Permit(s) Used to Authorize Any Part of Proposed Activity or Any Related Activity. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. For linear projects, list other separate and distant crossings of waters and wetlands authorized by NWPs 12 or 14 that do not require PCNs. If more space is needed, attach an extra sheet of paper marked Block 23.

Block 24. Compensatory Mitigation Statement for Losses of Greater Than 1/10-Acre of Wetlands When Pre-Construction Notification is Required. Paragraph (c) of NWP general condition 23 requires compensatory mitigation at a minimum one-for-one replacement ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation is more environmentally appropriate or the adverse environmental effects of the proposed NWP activity are no more than minimal without compensatory mitigation, and provides an activity-specific waiver of this requirement. Describe the proposed compensatory mitigation for wetland losses greater than 1/10 acre, or provide an explanation of why the district engineer should not require wetland compensatory mitigation for the proposed NWP activity. If more space is needed, attach an extra sheet of paper marked Block 24.

Block 25. Is Any Portion of the Nationwide Permit Activity Already Complete? Describe any work that has already been completed for the NWP activity.

Block 26. List the Name(s) of Any Species Listed As Endangered or Threatened under the Endangered Species Act that Might be Affected by the Nationwide Permit Activity. If you are not a federal agency, and if any listed species or designated critical habitat might be affected or is in the vicinity of the proposed NWP activity, or if the proposed NWP activity is located in designated critical habitat, list the name(s) of those endangered or threatened species that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 7 of the Endangered Species Act.

Block 27. List Any Historic Properties that Have the Potential to be Affected by the Nationwide Permit Activity. If you are not a Federal agency, and if any historic properties have the potential to be affected by the proposed NWP activity, list the name(s) of those historic properties that have the potential to be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

Block 28. List the Wild and Scenic River or Congressionally Designated Study River if the Nationwide Permit Activity Would Occur in such a River. If the proposed NWP activity will occur in a river in the National Wild and Scenic River System or in a river officially designated by Congress as a "study river" under the Wild and Scenic Rivers Act, provide the name of the river. For a list of Wild and Scenic Rivers and study rivers, please visit <http://www.rivers.gov/>.

Block 29. Nationwide Permit Activities that also Require Permission from the Corps Under 33 U.S.C. 408. If the proposed NWP activity also requires permission from the Corps under 33 U.S.C. 408 because it will temporarily or permanently alter, occupy, or use a Corps federal authorized civil works project, indicate whether you have submitted a written request for section 408 permission from the Corps district having jurisdiction over that project.

Block 30. Other Information Required For Nationwide Permit Pre-Construction Notifications. The terms of some of the Nationwide Permits include additional information requirements for preconstruction notifications:

- * NWP 3, Maintenance –information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
- * NWP 31, Maintenance of Existing Flood Control Facilities –a description of the maintenance baseline and the dredged material disposal site.
- * NWP 33, Temporary Construction, Access, and Dewatering –a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions.
- * NWP 44, Mining Activities –if reclamation is required by other statutes, then a copy of the final reclamation plan must be submitted with the pre-construction notification.
- * NWP 45, Repair of Uplands Damaged by Discrete Events –documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.
- * NWP 48, Commercial Shellfish Aquaculture Activities –(1) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area (a detailed survey is not required).
- * NWP 49, Coal Remining Activities –a document describing how the overall mining plan will result in a net increase in aquatic resource functions must be submitted to the district engineer and receive written authorization prior to commencing the activity.
- * NWP 50, Underground Coal Mining Activities –if reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre-construction notification.

If more space is needed, attach an extra sheet of paper marked Block 30.

Block 31. Signature of Applicant or Agent. The PCN must be signed by the person proposing to undertake the NWP activity, and if applicable, the authorized party (agent) that prepared the PCN. The signature of the person proposing to undertake the NWP activity shall be an affirmation that the party submitting the PCN possesses the requisite property rights to undertake the NWP activity (including compliance with special conditions, mitigation, etc.).

DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. The 45 day PCN review period will not start until the delineation is submitted or has been completed by the Corps.

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient drawings should also be included. Please submit one original, or good quality copy, of all drawings on 8½x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.

ADDITIONAL INFORMATION AND REQUIREMENTS

For proposed NWP activities that involve discharges into waters of the United States, water quality certification from the State, Tribe, or EPA must be obtained or waived (see NWP general condition 25). Some States, Tribes, or EPA have issued water quality certification for one or more NWPs. Please check the appropriate Corps district web site to see if water quality certification has already been issued for the NWP(s) you wish to use. For proposed NWP activities in coastal states, state Coastal Zone Management Act consistency concurrence must be obtained, or a presumption of concurrence must occur (see NWP general condition 26). Some States have issued Coastal Zone Management Act consistency concurrences for one or more NWPs. Please check the appropriate Corps district web site to see if Coastal Zone Management Act consistency concurrence has already been issued for the NWP(s) you wish to use.

Supplemental Attachment:

26. 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. The results of this consultation, the Official Species List, is attached to this document. In addition to the database query, a pedestrian survey was conducted on-site and no federally listed species were observed.

Northern Long-eared Bat (*Myotis septentrionalis*)

The northern long-eared bat is a medium-sized bat about 3 to 3.7 inches in length but with a wingspan of 9 to 10 inches. This bat is distinguished by its long ears, particularly as compared to other bats in its genus, *Myotis*, which are bats noted for their small ears. White-nose syndrome, a fungal disease known to affect bats, is currently the predominant threat to this bat, especially throughout the Northeast where the species has declined by up to 99 percent from pre-white-nose syndrome levels at many hibernation sites. Most summer roosts occur in tree cavities and under exfoliating bark, but this species has also been found in buildings and behind shutters. During the winter, northern long-eared bats hibernate in tight crevices in caves and mines. Foraging is done primarily on forested hillsides and ridges. The northern long-eared bat is found across much of the eastern and north central United States and all Canadian provinces from the Atlantic coast west to the southern Northwest Territories and eastern British Columbia. The species range includes 37 states.

The project area consists of an industrial site on the Savannah River and the proposed project consists of maintenance of an existing berth. Habitat required to support this species is not present and the project will have no effect on this species.

West Indian Manatee (*Trichechus manatus*)

The West Indian manatee is a large aquatic mammal whose habitat consists of warm coastal and spring fed waters. It is listed as endangered under both its state and federal status. They are large, gray aquatic mammals with bodies that taper to a flat, paddle-shaped tail. They have two forelimbs, called flippers, with three to four nails on each flipper. Their head and face are wrinkled with whiskers on the snout. During winter months these mammals are primarily confined to the coastal waters of the southern half of Florida and the spring fed rivers of Florida and Georgia. During the summer months as the water temperature rises, the manatees' range expands as far north as Virginia and it is during these months that the "manatees" may occasionally utilize the estuaries of coastal Georgia. Critical habitat for this species has been identified as large portions of coastal Florida including the St. Mary's River.

The project site does contain tidal waters habitat which could support the manatee. However, the project includes maintenance of an existing berth within an existing marine terminal. Additionally, all construction activities will be conducted in accordance with established Savannah District manatee protection guidelines to minimize potential hazards. Post construction operation of the facility will include adherence to the standard manatee conditions. For this reason, the proposed project will not adversely affect the West Indian Manatee.

Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensis*)

The Eastern black rail is a small bird living in salt and freshwater marshes in portions of the United States, Central America, and South America. Males and females are similar in size and adults are generally pale to blackish-gray, with a small blackish bill and bright red eyes. Eastern black rail habitat can be tidally or non-tidally influenced, and range in salinity from salt to brackish to fresh. Tidal height and volume vary greatly between the Atlantic and Gulf coasts and therefore contribute to differences in salt marsh cover plants in the bird's habitat. Diet includes Insects, snails, seeds, etc. Loss of habitat is the main threat to this species however where habitat is projected numbers are likely stable.

The project area consists of an industrial site on the Savannah River and the proposed project consists of maintenance of an existing berth. Habitat required to support this species is not present and the project will have no effect on the black rail.

Wood Stork (*Mycteria americana*)

Wood storks use freshwater and estuarine wetlands as feeding, nesting, and roosting sites, and annual population fluctuations are closely related to the year-to-year differences in the quality and quantity of suitable habitat. The overall decline in wood stork numbers is attributed to the loss or degradation of essential wetland habitat primarily in southern Florida. The adult is a large bird 33-45 inches tall and 58-71 inches in wingspan. Males typically weigh 5.5-7.3 lbs; females weigh 4.4-6.2 lbs. They appear all white on the ground, with blackish-gray legs and pink feet. In flight, the trailing edge of the wings is black. The head is dark brown with a bald, black face, and the thick down curved bill is dusky yellow. Juvenile birds are a duller version of the adult, generally browner on the neck, and with a paler bill. They nest colonially with up to twenty-five nests in one tree. Breeding once a year, a female lays 3-5 eggs in the typical clutch. The eggs are incubated 27-32 days by both sexes.

The project area consists of an industrial site on the Savannah River and the proposed project consists of maintenance of an existing berth. Habitat required to support this species is not present and the project will have no effect on the wood stork.

Eastern Indigo Snake (*Drymarchon corais couperi*)

The Eastern indigo snake is a large nonvenomous, stout bodied snake averaging six to seven feet in length. The snake is smooth scaled and uniform glossy blue-black throughout its body except for some reddish orange or cream color suffusion on its throat, cheeks and chin. This coloration varies with some individuals having distinct coloration and others with no coloration. In the extreme southern reaches of its range (South Florida), the snake is less restricted and inhabits flatwoods, tropical hammocks, dry glades and moist bogs. In this region of its range, overwintering sites include tree stumps and other underground dens. In the northern portion of its range, including south Alabama, the indigo snake requires deep sand ridges and is often associated with the gopher tortoise. The indigo snake is dependent upon the deep burrows dug by the gopher tortoise and uses them as a refuge from the extreme hot and cold temperatures. This restricted habitat is even more isolated by the snakes' preference for the interspersed wet lowlands and cypress ponds.

Habitat required to support this species is not present within the project area and the proposed project will have no effect on the eastern indigo snake.

Pondberry/Pond Spicebush (*Lindera melissifolia*)

Pondberry is state and federally listed as endangered. Shrub up to 6 feet (2 meters) tall, forming dense colonies of green or brown stems with yellowish bases. Leaves 2 - 6 inches (5 - 16 cm) long, drooping, deciduous, alternate, widest at or below the middle, with a rounded base and sharply pointed tip; both surfaces of the leaf with conspicuous netted veins and short, soft hairs; leaves smell spicy (like sassafras) when crushed. Male and female flowers on separate plants, appearing before leaves, borne in clusters of 2 - 6 flowers, each with 6 pale yellow, petal-like tepals. Fruit about ½ inch (1 - 1.2 cm) long, bright red, oval to round, on a stout stalk about ½ inch (0.9 - 1.2 cm) long with a blunt tip. The stalk persists through the winter following fruiting. Pondberry occur in shallow depression ponds within wetlands, along margins of cypress ponds, and in forested floodplain areas in the southeastern United States.

The project area consists of an industrial site on the Savannah River and the proposed project consists of maintenance of an existing berth. Habitat required to support this species is not present and the project will have no effect on the pondberry.

STATE OF GEORGIA

REQUEST FOR A REVOCABLE LICENSE FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANT NAME(S): East Coast Terminal Associates, LTD Attn: Frank K. Peeples Jr.

MAILING ADDRESS: 21 East Broad Street Savannah Georgia 31401
(Street) (City) (State) (Zip)

PROJECT ADDRESS/LOCATION: Berth 4 East Coast Terminals, Marine Terminal Drive in Savannah

COUNTY: Chatham WATERWAY: Savannah

LOT, BLOCK & SUBDIVISION NAME FROM DEED: UNNUMBERED WHARF LOT LAMAR WARD

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

I am requesting that I be granted a revocable license from the State of Georgia to encroach on the beds of tidewaters, which are state owned property. Attached hereto and made a part of this request is a copy of the plans and description of the project that will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

I understand that if permission from the State is granted, it will be a revocable license and will not constitute a license coupled with an interest. I acknowledge that this revocable license does not resolve any actual or potential disputes regarding the ownership of, or 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. I acknowledge that such a license would relate only to the property interests of the State and would not obviate the necessity of obtaining any other State license, permit, or authorization required by State law. I recognize that I waive my right of expectation of privacy and I do not have the permission of the State of Georgia to proceed with such project until the Commissioner of DNR or his/her designee has executed a revocable license in accordance with this request.

Sincerely,

By: _____
Signature of Applicant

Date: _____

Title, if applicable

By: _____
Signature of Applicant

Date: _____

Title, if applicable

Attachments

APPENDIX B:
Figures/Site Maps/Site Photographs Produced by RLC



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

RLC Project No.: 14-138.1
 Figure No.: 1
 Prepared By: AB
 Sketch Date: 1/23/2024
 Map Scale: 1 inch = 2000 feet

**East Coast Terminal
 Berth 4 Maintenance**
 Chatham County, Georgia

Site Location
 Prepared For: East Coast Terminal Associates, LTD

**RESOURCE + LAND
 CONSULTANTS**
 41 Park of Commerce Way, Ste 101
 Savannah, GA 31405
 tel: 912.443.5896 fax: 912.443.5898



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

 Project Area

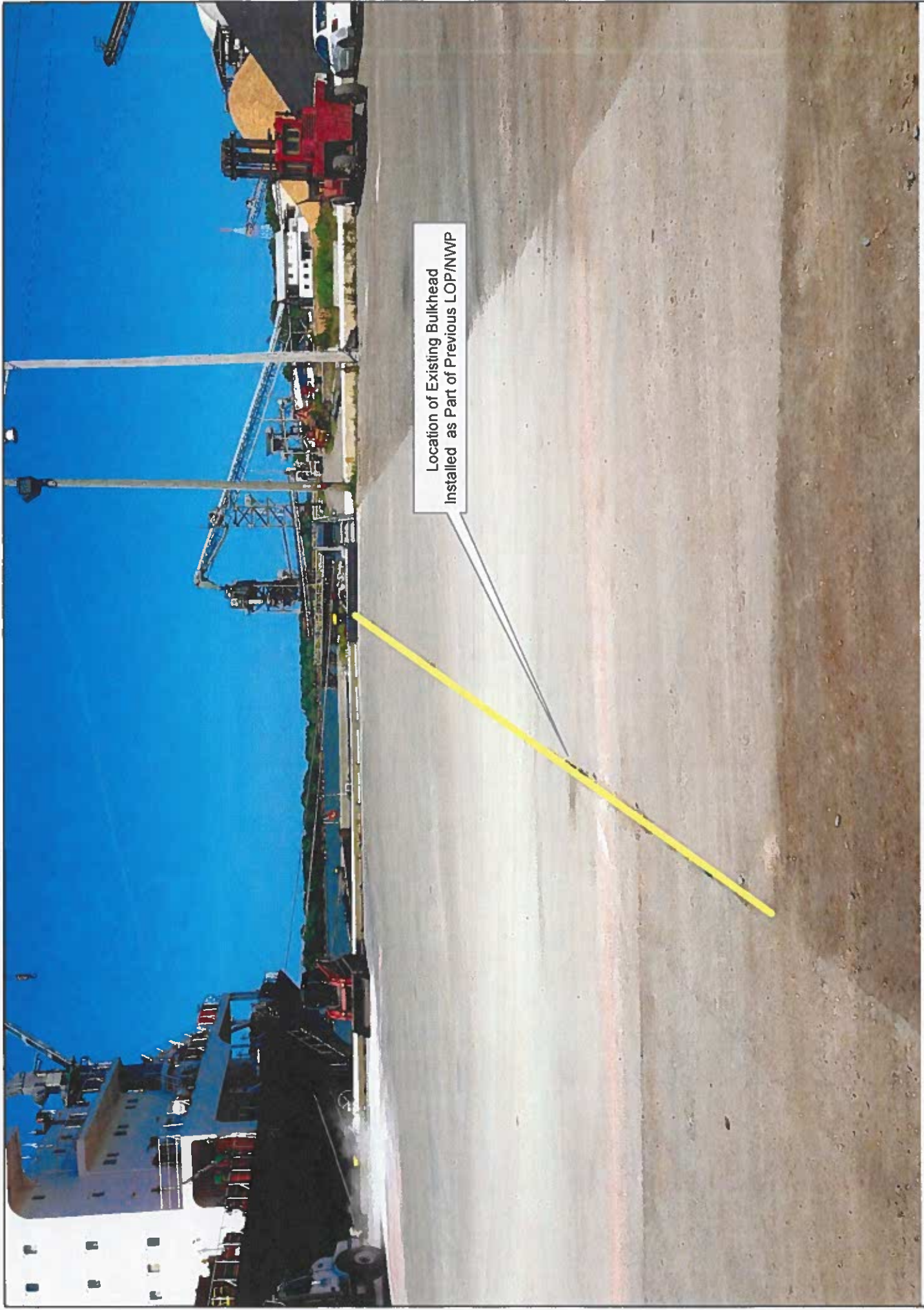
RLC Project No.:	14-138.1
Figure No.:	2
Prepared By:	AB
Sketch Date:	1/23/2024
Map Scale:	1 inch = 2000 feet

**East Coast Terminal
Berth 4 Maintenance**
Chatham County, Georgia

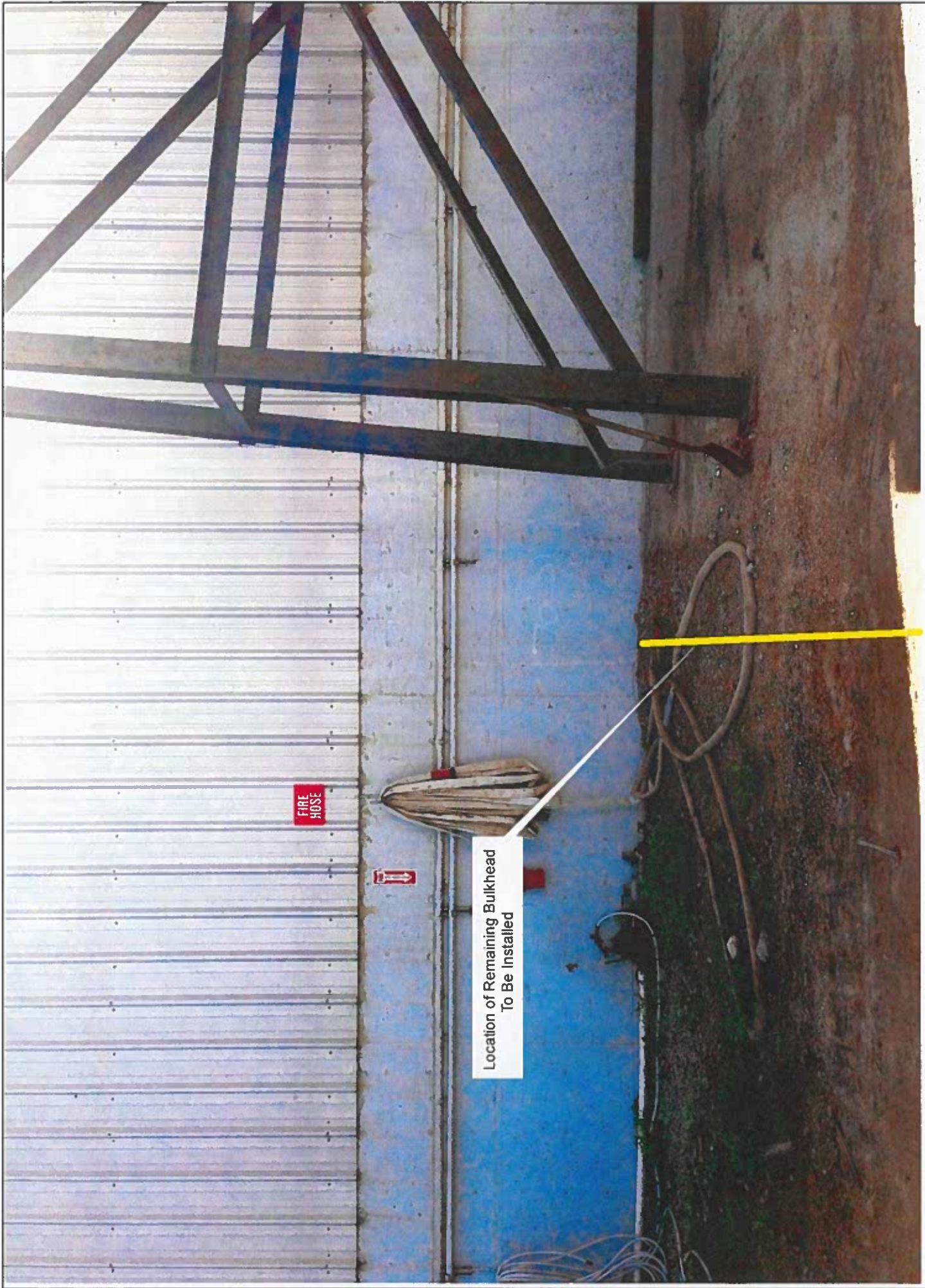
Ortho Photograph
Prepared For: East Coast Terminal Associates, LTD



**RESOURCE + LAND
CONSULTANTS**
41 Park of Commerce Way, Ste 101
Savannah, GA 31406
tel 912.443.5896 fax 912.443.5898



Photograph 1: This photograph was taken on the eastern portion of the project area and depicts the location of new bulkhead installed as part of the previously issued GADNR LOP and USACE NWP.

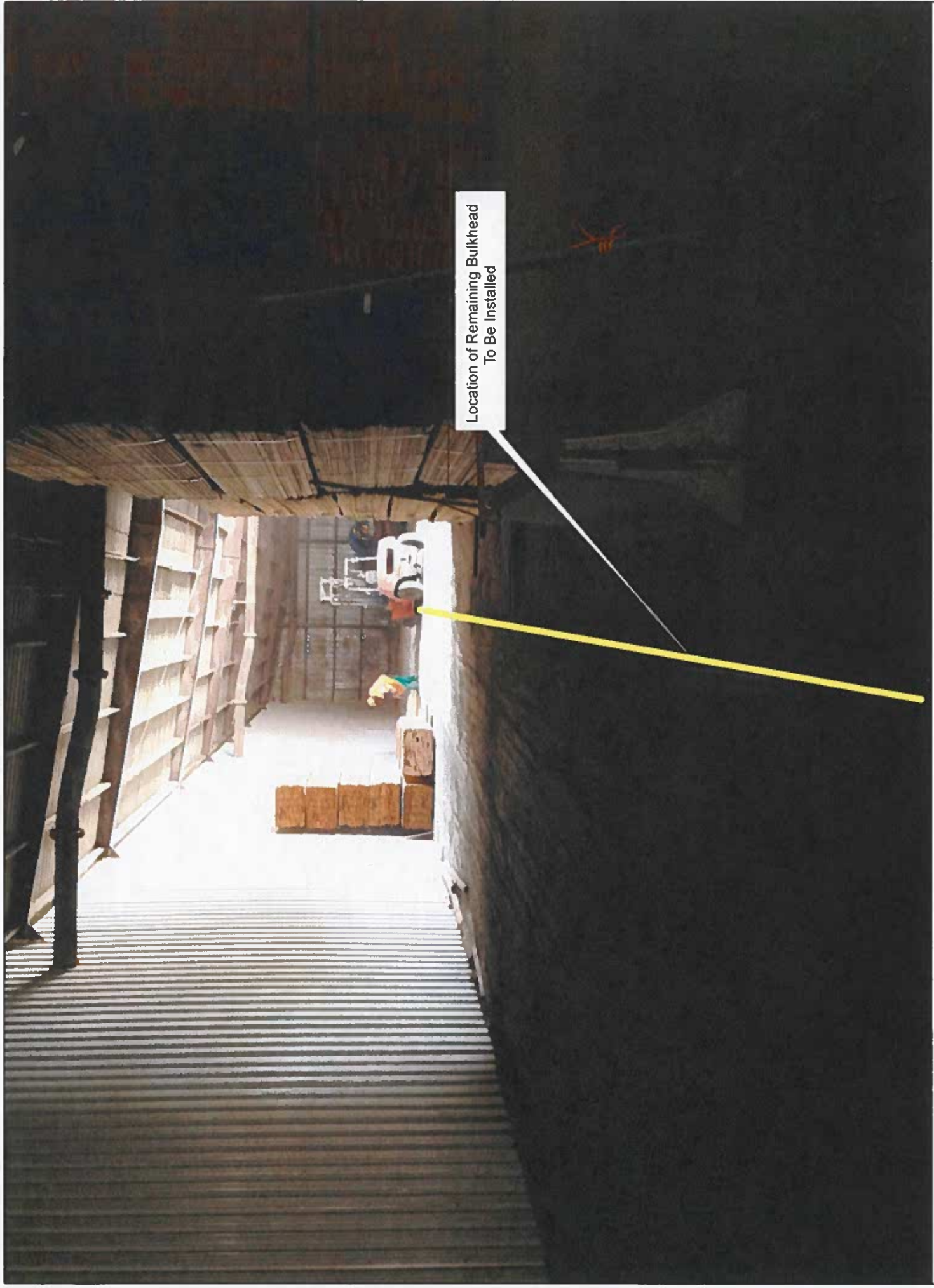


Location of Remaining Bulkhead
To Be Installed

Photograph 2: As seen in this photograph, the remaining bulkhead, which was not installed prior to expiration of the LOP/NWP, will be installed under an existing warehouse.



Photograph 3: This photograph was taken facing west and depicts the warehouse underwhich the bulkhead will be installed.



Location of Remaining Bulkhead
To Be Installed

Photograph 4: This photograph was taken within the warehouse and depicts the location of the bulkhead that will be installed to complete the project.