# CESAS Form 19 Support Documentation Islands Expressway at Oatland Island Road Operational Improvements Chatham County, Georgia

The following information is submitted as support documentation in association with the attached application requesting authorization to impact waters of the U.S. pursuant to Section 10 of the Rivers and Harbors Act of 1899 and the Coastal Marshlands Protection Act of 1970 pursuant to the Official Code of Georgia Annotated, Part 12-5-286 (OCGA).

### 1.0 Project Description

The Chatham County Department of Engineering (applicant) is proposing operational and safety improvements to Islands Expressway. The project corridor is centered along Islands Expressway on Oatland Island, east of Savannah in Chatham County and extends eastward from the Georgia Department of Transportation's (GDOT) Wilmington River Bridge Replacement project to the Richardson Creek Bridge (+/- 0.66 mile long). The project will improve the efficiency of the existing roadway while increasing the reliability and safety of the transportation system operation.

### 2.0 Site Conditions & Background

Islands Expressway is one of two major roadways that connect Chatham County's populated islands (Tybee, Wilmington, Whitemarsh, Talahi, and Oatland) with the mainland. It is heavily utilized daily by residents as a primary route between work and home. It is also heavily utilized from spring through the fall by tourists accessing the beaches on Tybee Island. The existing highway consists of four 12-foot wide travel lanes separated by a 25-foot wide grassed median for most of the alignment. On the east side of the corridor, turn lanes are present to access Barley Drive and Oatland Island Road from the east bound lane. The majority of the corridor consists of paved road or maintained emergent right-of-way. Vegetation includes bahia grass (Paspalum notatum), St. Augustine grass (Stenotaphrum secondatum), dog fennel (Eupatorium capillifolium), vasey grass (Paspalum urvillei), and other emergent right-of-way species. Along the road shoulder, vegetation includes live oak (Quercus virginiana), loblolly pine (Pinus taeda), palmetto (Sabal palmetto), wax myrtle (Myrica cerifera), red cedar (Juniperus virginiana), yaupon holly (Ilex vomitoria), and other species.

Jurisdictional area consists of vegetated marsh associated with the Wilmington River and Richardson Creek. The Wilmington River is 530 feet wide and located approximately ½ mile west of the western project terminus. The eastern project terminus is at Richardson Creek which is approximately 90 feet wide. The vegetated marsh habitat within the project corridor is typical for Chatham County and consists of smooth cordgrass (*Spartina alterniflora*), spike rush (*Juncus roemeranus*), and sea oxeye (*Borrichia frutescens*). A wetland delineation was completed by SECI in 2019 and certified by the U.S. Army Corps of Engineers (USACE) (SAS-2019-00246) and the Georgia Department of Natural Resources – Coastal Resources Division (CRD). The 28.59 acre project corridor contains 7.61 acres of jurisdictional saltmarsh. Since it has been over one year, another request for marshline verification to CRD is attached to this application.

### 3.0 Proposed Activities in Jurisdiction

The applicant is proposing operational and safety improvements to the existing roadway to improve efficiency, safety, and reliability of the road. Along the entire Islands Expressway alignment, 2-foot wide paved shoulders will be added to both the inside and outside of each travel surface, and the existing pavement will be milled and overlaid. Currently, the paved travel lane

directly abut the grassed shoulder which can present safety and traffic flow concern especially during high volume periods. On the west side of the project, some corrections to the super elevation are required by raising the edges of the pavement in some areas. Improvements to the median include closing some existing median openings and adding other openings. The project will also provide some drainage improvements including cleaning inlets, adding rip-rap to existing outlets, etc., but the majority of the drainage improvements will occur within the median. On the eastern end of the project, several guardrails will be replaced along Islands Expressway and Oatland Island Road, and Oatland Island Road will be milled and overlaid with some minor re-grading of existing roadside ditches. In all, the project requires 0.165 acre (7,188 sq. ft.) of marsh fill for improvements to the existing road shoulders and 0.661 acre (28,794 sq. ft.) of temporary marsh disturbance during construction.

### 4.0 Upland Component:

It is SECI's opinion that there is no upland component associated with this linear transportation improvements project. The proposed impacts are necessary to enhance the safety, reliability, and efficiency of an existing public road.

### 5.0 Needs Assessment

In order to protect the public, roadways must be maintained and updated periodically to comply with current American Association of State Highway and Transportation Officials (AASHTO) and GDOT safety standards. This includes not only the structural integrity of the roadways, but also the safety and efficiency. The existing 12-foot travel lanes are adequate, but the lack of paved road shoulder leaves little margin of error for wayward motorists. Also, paved shoulders promote faster and more efficient traffic flows as opposed to a road having no paved shoulders. More efficient turning lanes and median openings also promote enhanced traffic flow without significantly altering the road cross section or profile. The proposed project is needed to ensure the continued safe and efficient operation of Islands Expressway and to improve the reliability and efficiency of the road. Islands Expressway is one of only two connector roads between the islands of Chatham County and the mainland, and it is a major hurricane evacuation route. It is therefore imperative that the road be maintained to current safety and efficiency standards for public safety reasons.

### 6.0 Alternatives and Avoidance/Minimization Measures

The proposed impacts are minimal and necessary for the proposed project. Because the proposed project is an improvement to an existing major public roadway, alternative sites are not applicable, but two general alternatives were evaluated:

The No Action alternative would maintain the existing road in its current state. As population and tourism growth continues in Chatham County, traffic volumes on Islands Expressway will continue to grow. As more motorists use the road each day, deterioration of the existing travel surface will continue and traffic flow and efficiency concerns will continue to be manifested during high flows because of the inadequacies of the current configuration and lack of adequate road shoulder. Therefore, the No Action alternative would not improve the efficiency of the roadway and would eventually lead to traffic congestion and safety concerns.

The construction alternative to enhance traffic flow is to widen the existing road to six lanes. This alternative, however, would impact significantly more marsh that the preferred alternative. Without providing significantly more functionality. Furthermore, bridge replacement or additional bridge construction at Wilmington River and Richardson Creek would be necessary as well as additional widenings east and west along Islands Expressway and U.S. Highway 80; all

result in additional environmental impacts. For all of these reasons, road widening is not the preferred alternative for the proposed project.

With the preferred alternative chosen, alternative design measures to reduce impacts were limited. The majority of fill impacts, specifically, are required for the addition of 2-foot paved shoulder along the outside of each travel surface. Steeper slopes along the grassed shoulder were considered but would either not meet current safety standards or would require the use of guardrails which could actually require more impact and at a higher construction cost.

### 7.0 Threatened and Endangered Species

The property was assessed for the potential occurrence of threatened and endangered species and habitats suitable to sustain these listed species for Chatham County, Georgia. The habitats found on site consist of vegetated marsh and maintained right-of-way. The upland habitat is heavily used by daily traffic and is not suitable to support any protected species. The Wilmington River and Richardson Creek could support protected species such as west Indian manatee, wood stork, and potentially the Atlantic sturgeon and sea turtles but neither of these waterways will be impacted by the project. Some areas of the marsh habitat that are sparsely vegetated could potentially support wood stork foraging at high tide, but any minor impacts along the existing road shoulder would not adversely affect wood storks. A print-out of the IPaC is attached to this application.

#### 8.0 Essential Fish Habitat

The proposed waterside activities are located within tidal marsh habitats which are considered Essential Fish Habitat (EFH). The proposed project, however, only requires construction activities within the existing road right-of-way and will not adversely affect the estuarine water column...only vegetated marsh immediately adjacent to an existing major highway. All temporarily disturbed areas during construction will be allowed to naturally revegetate. Though there will be some impacts to EFH, it was determined that the proposed project would not adversely affect any fish species managed by National Marine Fisheries Service (NMFS) or any regional fisheries management councils.

### 9.0 Section 404 Mitigation

According to the SOP Worksheets, 1.28 saltwater wetland credits are required to offset the 0.16 acre of marsh fill. Because the temporary disturbed areas are currently herbaceous habitats that will be disturbed during construction and will revegetate quickly, no mitigation is proposed for these areas. Upon issuance of the Nationwide Permit, and prior to initiation of impacts, the applicant will withdraw 1.28 credits from an appropriate mitigation bank and will provide the USACE with a proper receipt.

#### 10.0 Supplemental Information

This additional information is provided for compliance with Coastal Marshlands Protection Act of 1970 information requirements:

#### OCGA 12-5-286. Permits to fill, drain, etc., marshlands.

(b) Each application for such permit shall be, properly executed, filed with the department on forms as prescribed by the department, and shall include:

(1) The name and address of the applicant-

Chatham County Department of Engineering Attn: Ms. Suzanne Cooler – County Engineer P.O. Box 8161 Savannah, Georgia 31412

(2) A plan or drawing showing the applicant's proposal and the manner or method by which such proposal shall be accomplished. Such plan shall identify the coastal marshlands affected-

See attached drawings from VHB

(3) A plat of the area in which the proposed work will take place-

A wetland plat of the property is attached.

(4) A copy of the deed or other instrument under which the applicant claims title to the property or, if the applicant is not the owner, then a copy of the deed or other instrument under which the owner claims title together with written permission from the owner to carry out the project on his land. In lieu of a deed or other instrument referred to in this paragraph, the committee may accept some other reasonable evidence of ownership of the property in question or other lawful authority to make use of the property; The committee will not adjudicate title disputes concerning the property which is the subject of the application; provided, however, the committee may decline to process an application when submitted documents show conflicting deeds-

The project corridor includes a public highway that is owned and maintained by Chatham County. Attached is the GENERAL HIGHWAY MAP CHATHAM COUNTY GEORGIA prepared by the Georgia Department of Transportation (DOT). This is an official map produced by DOT that depicts federal, state, and county owned roadways and depicts Islands Expressway as a County Road.

(5) A list of all adjoining landowners together with such owners' addresses, provided that if the names or addresses of adjoining landowners cannot be determined, the applicant shall file in lieu thereof a sworn affidavit that a diligent search, including, without limitation, a search of the records of the county tax assessor's office, has been made but that the applicant was not able to ascertain the names or addresses, as the case may be, of adjoining landowners-

Harry & Jimmy McCarthy 101 Riverview Road Savannah, Georgia 31410

Helen Rolfes 102 East Pines Road Savannah, Georgia 31410 Woodlawn Water System Inc. 117 W. Oglethorpe Avenue Savannah, Georgia 31401

James & Kathleen Wrenn 98 Oatland Island Road Savannah, Georgia 31410 Lawrence Graves, Jr 132 Oatland Island Road Savannah, Georgia 31410

Tyler Wilson 312 Montclair Boulevard Savannah, Georgia 31419 Robert Wilson 305 Sandy Springs Savannah, Georgia 31410

Board of Education 208 Bull Street Savannah, Georgia 31401

(6) A letter from the local governing authority of the political subdivision in which the property is located, stating that the applicant's proposal is not violate of any zoning law;

Attached is the letter from the Chatham County Planning and Zoning Department certifying that the proposed activities are not in violation of the zoning ordinances of the County.

(7) A non-refundable application fee to be set by the board in an amount necessary to defray the administrative cost of issuing such permit. Renewal fees shall be equal to application fees, which shall not exceed \$1,000.00 for any one proposal and shall be paid to the department.

The appropriate application fee will be provided to DNR upon request.

(8) A description from the applicant of alternative sites and why they are not feasible and a discussion of why the permit should be granted-

The proposed project is required for public safety and transportation improvements to an existing roadway. See above project description for details.

(9) A statement from the applicant that he has made inquiry to the appropriate authorities that the proposed project is not over a landfill or hazardous waste site and that the site is otherwise suitable for the proposed project-

To the best of the applicant's knowledge, the property is suitable for the uses/structures proposed by this application. According to a review of the EPD Hazardous Site Inventory, there are no known landfill or hazardous waste materials present.

(10) A copy of the water quality certification issued by the department if required for the proposed project-

It is anticipated that the project would be authorized by Nationwide Permit from the U.S. Army Corps of Engineers (USACE), and a 401 Water Quality Certification would not be required.

(11) Certification by the applicant of adherence to soil and erosion control responsibilities if required for the proposed project-

The project will conform to all required land disturbing and stormwater management permits as required by Chatham County.

(12) Such additional information as is required by the committee to properly evaluate the application.

This application has been prepared with consideration for the interests of the general public of the State of Georgia as defined in OCGA 12-5-286(g). OCGA 12-5-288(b) lists eight activities that are normally considered contrary to the public interest. They include 1) marsh fill for residential, commercial, industrial uses; 2) marsh fill for private parking lots or private roadways; 3) construction of dump sites; 4) ditch/canal construction for draining marsh; 5) mining; 6) construction of lagoons or impoundments; 7) construction of structures which constitutes an obstruction of view to adjoining riparian landowners including signs and enclosures; and 8) occupying a live-aboard vessel for more than 30 days. The proposed project does not include activities that would fall within any of these categories. The proposed project will improve a public roadway in Chatham County which serves as the major hurricane evacuation route and access to the islands east of Savannah. This public safety project is not contrary to the public interest.

### OCGA 12-5-286. Permits to fill, drain, etc., marshlands.

- (g) In passing upon the application for permit, the committee shall consider the public interest, which, for purposes of this part, shall be deemed to be the following considerations:
- (1) Whether or not 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 proposed project will not alter natural flow of navigable waters nor will it obstruct public navigation. The proposed impacts will occur immediately adjacent to the existing road shoulder and will occur within vegetated marsh, not within a navigable waterway.

(2) Whether or not unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water will be created-

The proposed project will not increase erosion, shoaling of channels, or create stagnant areas of water.

(3) Whether or not the granting of a permit and the completion of the applicant's proposal will unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, or wildlife, or other resources, including but not limited to water and oxygen supply-

The proposed project will not interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, or wildlife, or other resources, nor affect water and oxygen supply.



# CHATHAM COUNTY DEPARTMENT OF BUILDING SAFETY & REGULATORY SERVICES



1117 Eisenhower, Savannah, GA 31406 PO Box 8161, Savannah, GA 31412-8161 912-201-4300 – Fax 912-201-4301

Gregori S. Anderson, CBO Director

Clifford Bascombe, CBO, CFM Assistant Director

March 24, 2021

Mr. Brandon W. Wall Project Biologist Sligh Environmental Consultants, Inc. 31 Park of Commerce Way Suite 200B Savannah, GA 31405

Sent via email: b\_wall@slighec.com

RE: Islands Expressway Operational Improvements

Dear Mr. Wall:

The proposed improvements to the Islands Expressway at the intersection of Oatland Island Road do not represent a violation to the Chatham County Zoning Ordinance.

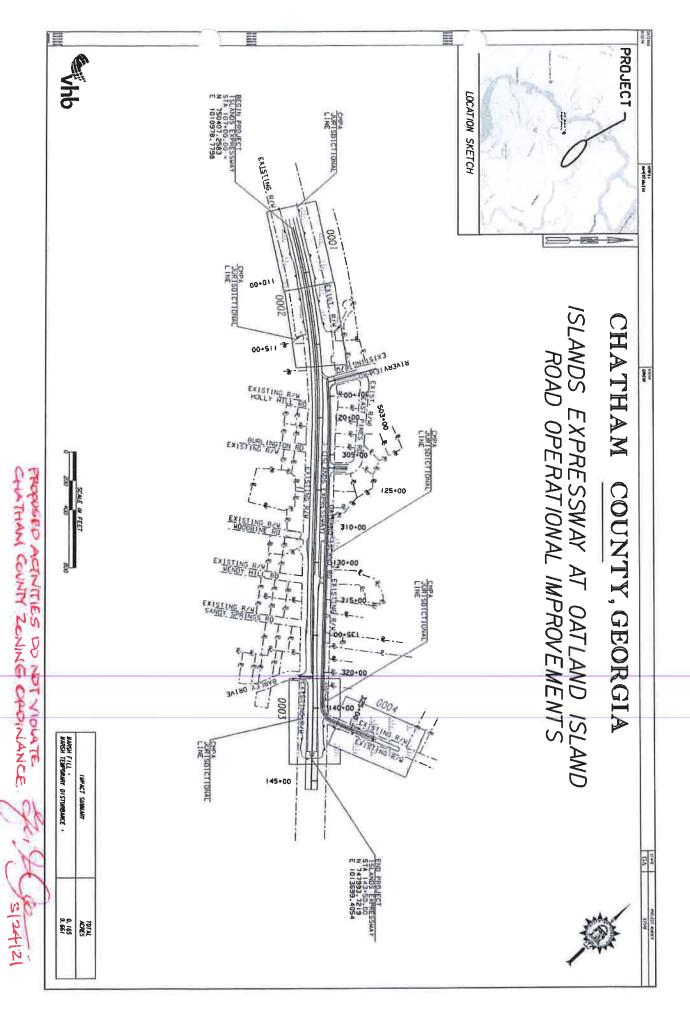
If there are any questions, contact this office at (912) 201-4320.

Sincerely,

Gregori S. Anderson, CBO

Director, Building Safety and Regulatory Services

**GSA**/jb



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**IPaC** 

**U.S. Fish & Wildlife Service** 

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IPaC is experiencing performance issues. We are working on the issue and hope to have it resolved soon. We apologize for any inconvenience this may cause.

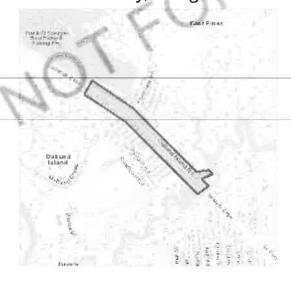
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area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Chatham County, Georgia



### Local office

Georgia Ecological Services Field Office

**4** (706) 613-9493

**(706)** 613-6059

355 East Hancock Avenue Room 320 Athens, GA 30601

# Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact <u>NOAA Fisheries</u> for <u>species under their jurisdiction</u>.

- 1. Species listed under the <u>Endangered Species Act</u> are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the <u>listing status</u> <u>page</u> for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
- 2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an

office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

### **Mammals**

NAME

**STATUS** 

West Indian Manatee Trichechus manatus

Wherever found

Threatened
Marine mammal

There is **final** critical habitat for this species. The location of the critical habitat is not available.

https://ecos.fws.gov/ecp/species/4469

### **Birds**

**NAME** 

STATUS

Eastern Black Rail Laterallus jamaicensis ssp. jamaicensis

Wherever found

Threatened

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/10477

Piping Plover Charadrius melodus

Threatened

There is **final** critical habitat for this species. The location of the critical habitat is not available.

https://ecos.fws.gov/ecp/species/6039

Red Knot Calidris canutus rufa

**Threatened** 

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/1864

Wood Stork Mycteria americana

Threatened

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/8477

## Reptiles

NAME

**STATUS** 

Eastern Indigo Snake Drymarchon corais couperi

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/646

is species

Gopher Tortoise Gopherus polyphemus

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/6994

Candidate

**Threatened** 

Green Sea Turtle Chelonia mydas

There is **final** critical habitat for this species. The location of

the critical habitat is not available.

https://ecos.fws.gov/ecp/species/6199

Threatened

Hawksbill Sea Turtle Eretmochelys imbricata

Wherever found

There is **final** critical habitat for this species. The location of

the critical habitat is not available.

https://ecos.fws.gov/ecp/species/3656

Endangered

Kemp's Ridley Sea Turtle Lepidochelys kempii

Wherever found

There is **proposed** critical habitat for this species. The

location of the critical habitat is not available.

https://ecos.fws.gov/ecp/species/5523

Endangered

Leatherback Sea Turtle Dermochelys coriacea

Wherever found

There is final critical habitat for this species. The location of

the critical habitat is not available.

https://ecos.fws.gov/ecp/species/1493

Endangered

Loggerhead Sea Turtle Caretta caretta

There is final critical habitat for this species. The location of

the critical habitat is not available.

https://ecos.fws.gov/ecp/species/1110

**Threatened** 

**Amphibians** 

NAME STATUS

Frosted Flatwoods Salamander Ambystoma cingulatum

**Threatened** 

Wherever found

There is **final** critical habitat for this species. The location of the critical habitat is not available.

https://ecos.fws.gov/ecp/species/4981

# Flowering Plants

NAME STATUS

Pondberry Lindera melissifolia

**Endangered** 

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/1279

### Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

# Migratory birds

Certain birds are protected under the Migratory Bird Treaty  $Act^{1}$  and the Bald and Golden Eagle Protection  $Act^{2}$ .

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described <u>below</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <a href="http://www.fws.gov/birds/management/managed-species/">http://www.fws.gov/birds/management/managed-species/</a>
  - birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds <a href="http://www.fws.gov/birds/">http://www.fws.gov/birds/</a>
   /management/project-assessment-tools-and-guidance/

## sligh environmental consultants, inc

March 26, 2021

Mr. Josh Noble Georgia Department of Natural Resources Coastal Resources Division One Conservation Way, Suite 300 Brunswick, Georgia 31520-8687

Subject:

Coastal Marshlands Protection Act Permit Application

Islands Expressway at Oatland Island Operational Improvements

Chatham County, Georgia

Dear Mr. Noble:

On behalf of the Chatham County Department of Engineering (applicant), Sligh Environmental Consultants, Inc. (SECI) is pleased to submit the attached application for a Coastal Marshlands Protection Act Permit for the operational improvements to Islands Expressway at Oatland Island. The project corridor is located along Islands Expressway from Wilmington River to Richardson Creek on Oatland Island east of Savannah. The applicant proposes to improve the safety, efficiency, traffic flow, and reliability of the existing road by installing 2-foot paved shoulders along each travel surface, provide drainage improvements, replacing guardrails, improvement the superstructure, and improving the median. In all, the project requires 0.165 acre (7,188 sq. ft.) of marsh fill for improvements to the existing road shoulders and 0.661 acre (28,794 sq. ft.) of temporary marsh disturbance during construction. The temporarily disturbed areas will be allowed to naturally re-vegetated after construction.

The permit application includes:

- Joint Application Form
- Revocable License Request Form
- Request for Marshline Verification Form
- Project Area Maps & Permit Exhibits
- CESAS Form 19 and Supporting Documentation
- CRD Marshline Verification dated December 5, 2019
- IPaC Print-Off

Following your review of this information, please contact us at (912) 232-0451 should you have any questions or require any additional information.

Sincerely,

Brandon W. Wall Project Biologist

Sligh Environmental Consultants, Inc.

Enclosures

cc:

Ms. Pamela Bernard - Chatham County Department of Engineering

Ms. Candice Thomas – VHB Ms. Deb Barreiro – CRD

USACE E-Submittal – (under separate cover) Mr. Bradley Smith – EPD (under separate cover) Ms. Kelie Moore – CRD (under separate cover) RECEIVED

MAR 29 2021

GA DNR