



12 July 2021

Army Corps of Engineers Savannah District  
Attn: Mr. William Rutlin  
100 West Oglethorpe Avenue  
Savannah, Georgia 31402-0889

**Subject: Coastal Marshlands Permit Application  
Savannah Bulk Terminal Breasting Dolphins  
Chatham County, Georgia**

**RLC# 13-135.2**

Dear Mr. Rutlin:

Resource & Land Consultants (RLC), on behalf of Savannah Bulk Terminal, LLC, is submitting the attached Pre-Construction Notification requesting Nationwide #3 concurrence to facilitate installation of a breasting dolphin. The subject property is located adjacent to and south of the Savannah River and east of Marine Terminal Drive in Savannah, Georgia (32.079344°, -81.063729°). For your review and use, the attached information includes the following:

- GADNR Permit Application Forms & Project Description
- 2014 USACE & GADNR Permit Actions
- RLC Figures & Permit Drawings
- CMPA Checklist
- Hazardous Waste Site Index
- Property Ownership Documentation
- Adjacent Landowner Information
- Zoning Request Letter
- Threatened & Endangered Species Information
- GNAHRGIS Exhibit

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Alton Brown, Jr.", is positioned above the typed name.

Alton Brown, Jr.  
Principal  
Resource & Land Consultants

Enclosures

cc: Mr. Frank Peebles – Savannah Bulk Terminal, LLC  
Mr. Bradley Smith – GADNR-EPD  
Mr. Josh Noble – GADNR-CRD



12 July 2021

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

**Subject: Coastal Marshlands Permit Application  
Savannah Bulk Terminal Breasting Dolphins  
Chatham County, Georgia**

**RLC# 13-135.2**

Dear Mr. Noble:

Resource & Land Consultants (RLC), on behalf of Savannah Bulk Terminal, LLC, is submitting the attached information requesting Coastal Marshlands Permit Act authorization to facilitate installation of a breasting dolphin. The subject property is located adjacent to and south of the Savannah River and east of Marine Terminal Drive in Savannah, Georgia (32.079344°, -81.063729°). For your review and use, the attached information includes the following:

- GADNR Permit Application Forms & Project Description
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Enclosures

cc: Mr. Frank Peebles – Savannah Bulk Terminal, LLC  
Mr. Bill Rutlin - USACE

**ATTACHMENT A**

USACE PCN, GADNR PERMIT APPLICATION FORMS  
& PROJECT DESCRIPTION

**U.S. Army Corps of Engineers (USACE)**  
**NATIONWIDE PERMIT PRE-CONSTRUCTION NOTIFICATION (PCN)**  
 33 CFR 330. The proponent agency is CECW-CO-R.

Form Approved -  
 OMB No. 0710-0003  
 Expires: 02-28-2022

**DATA REQUIRED BY THE PRIVACY ACT OF 1974**

**Authority** Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Regulatory Program of the Corps of Engineers (Corps); Final Rule 33 CFR 320-332.

**Principal Purpose** Information provided on this form will be used in evaluating the nationwide permit pre-construction notification.

**Routine Uses** This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of the agency coordination process.

**Disclosure** Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

The public reporting burden for this collection of information, 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at [whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil](mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

**PLEASE DO NOT RETURN YOUR RESPONSE TO THE ABOVE EMAIL.**

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see *sample drawings and/or instructions*) and be submitted to the district engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

**(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)**

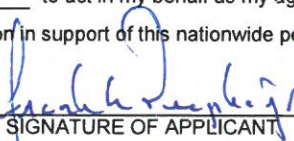
1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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**(ITEMS BELOW TO BE FILLED BY APPLICANT)**

<p><b>5. APPLICANT'S NAME</b>          First - Frank                      Middle -                      Last - Peoples, Jr.          Company - Savannah Bulk Terminal, LLC          Company Title - Owner          E-mail Address - fp Peoples, Jr. @ Peoples Ind. com</p>	<p><b>8. AUTHORIZED AGENT'S NAME AND TITLE (<i>agent is not required</i>)</b>          First - Alton                      Middle -                      Last - Brown, Jr.          Company - Resource &amp; Land Consultants          E-mail Address - abrown@rlandc.com</p>																
<p><b>6. APPLICANT'S ADDRESS</b>          Address- 21 East Broad Street          City - Savannah                      State - GA                      Zip - 31401                      Country -</p>	<p><b>9. AGENT'S ADDRESS</b>          Address- 41 Park of Commerce Way, Suite 101          City - Savannah                      State - GA                      Zip - 31405                      Country -USA</p>																
<p><b>7. APPLICANT'S PHONE NOS. with AREA CODE</b></p> <table style="width:100%"> <tr> <td style="width:25%">a. Residence</td> <td style="width:25%">b. Business</td> <td style="width:25%">c. Fax</td> <td style="width:25%">d. Mobile</td> </tr> <tr> <td></td> <td>912-239-1339</td> <td></td> <td>912-313-3189</td> </tr> </table>	a. Residence	b. Business	c. Fax	d. Mobile		912-239-1339		912-313-3189	<p><b>10. AGENT'S PHONE NOS. with AREA CODE</b></p> <table style="width:100%"> <tr> <td style="width:25%">a. Residence</td> <td style="width:25%">b. Business</td> <td style="width:25%">c. Fax</td> <td style="width:25%">d. Mobile</td> </tr> <tr> <td></td> <td>912.443.5896</td> <td></td> <td>912.659.0084</td> </tr> </table>	a. Residence	b. Business	c. Fax	d. Mobile		912.443.5896		912.659.0084
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a. Residence	b. Business	c. Fax	d. Mobile														
	912.443.5896		912.659.0084														

**STATEMENT OF AUTHORIZATION**

11. I hereby authorize, Alton Brown, Jr. to act in my behalf as my agent in the processing of this nationwide permit pre-construction notification and to furnish, upon request, supplemental information in support of this nationwide permit pre-construction notification.

  
 \_\_\_\_\_  
 SIGNATURE OF APPLICANT

7.12.21  
 \_\_\_\_\_  
 DATE

**NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY**

12. PROJECT NAME or TITLE (*see instructions*)  
 Savannah Bulk Terminal Breasting Dolphin





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)  
See 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 proposed project is located within an existing industrial site. No impacts to cultural or archaeological sites will occur in association with the proposed project.

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)  
Not Applicable.

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

7-12-21  
DATE

  
SIGNATURE OF AGENT

7/12/2021  
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.

## 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.

**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.

While the project site contains habitat known to support the manatee, the proposed project will comply with the Savannah District Manatee Special Conditions; therefore, the proposed project may affect but is not likely to adversely affect this species.

**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 protected numbers are likely stable.

The project area consists of an industrial site with open water. Neither this species nor habitat required to support this species is present within the project site.

**Wood Stork (*Mycteria americana*):** The wood stork was listed endangered by the USFWS on 28 February 1984 (Federal Register 49 (4):7332-7335). It is listed as endangered under both its state and federal status. 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.

No forested or non-forested area suitable for wood stork nesting, feeding or roosting was observed within the project area; therefore, the project will have no effect on the wood stork.

**Eastern Indigo Snake (*Drymarchon corais couperi*):** The Eastern indigo snake is a large nonpoisonous, stout bodied snake averaging six to seven feet in length. Its federal status is listed as Not Applicable and its state status is listed as threatened. 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.

**Frosted Flatwoods Salamander (*Ambystoma cingulatum*):** The flatwoods salamander is a small (9-13.5 cm total length), elongate species of mole salamander. It is listed as threatened under both its state and federal status. It has a small, indistinct head, short legs, and a long, rounded tail. Typical coloration consists of a background of brownish black to purplish black overlaid with narrow gray or silvery white reticulations (net-like markings), bands, or diffuse spotting. The gilled aquatic larvae are distinctly colored, having a series of bold brown and yellow longitudinal stripes. The range of the flatwoods salamander is confined to the southeastern coastal plain of the United States. It inhabits seasonally wet pine flatwoods and savannas. They breed within isolated, depression wetlands within the wiregrass dominated pine plantations. Their habitat destruction is a result of agricultural and silvicultural practices, fire suppression and development.

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

**Pondberry (*Lindera melissifolia*):** Pondberry or pond spicebush, is a stoloniferous, deciduous, aromatic shrub in the laurel family. This federally listed endangered species is native to the southeastern United States, and its demise is associated with habitat loss from extensive drainage of wetlands for agriculture and forestry. Pondberry occurs in dense thickets with erect or ascending shoots up to 2 m tall and few branches; stems are connected underground by stolons. Pondberry occurs in shallow depression ponds in wetland habitats with hydric soils, along margins of cypress ponds, and in seasonally wet, low areas among bottomland hardwoods. At present there are some 36 populations in Alabama, Arkansas, Georgia, Mississippi, Missouri, North Carolina, and South Carolina. Many of the existing colonies of pondberry are small, and occupy only a portion of the apparently suitable habitat.

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

**Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*):** Atlantic sturgeon live in rivers and coastal waters from Maine to Florida. Hatched in the freshwater of rivers, Atlantic sturgeon head out to sea as juveniles, and return to their birthplace to spawn, or lay eggs, when they reach adulthood. The Atlantic sturgeon has five rows of bony plates known as scutes that run along its body and a snout with four slender, soft tissue projections, called barbels, in front of its mouth. The tail is like a shark's where one side, or lobe, is larger than the other. Atlantic sturgeon are slow-growing and late-maturing, and have been recorded to reach up to 14 feet in length and up to 60 years of age. Threats to this species are identified as entanglement in fishing gear, habitat impediments, habitat degradation, and vessel strikes.

While the project site contains habitat known to support this species, the proposed project will limit construction activities to October 1-December 31; therefore, the proposed project may affect but is not likely to adversely affect this species.

**Shortnose Sturgeon (*Acipenser brevirostrum*):** Shortnose sturgeon live in rivers and coastal waters from Canada to Florida. They hatch in the freshwater of rivers and spend most of their time in the estuaries of these rivers. Shortnose sturgeon can grow to approximately 4.5 feet long and weigh up to 60 pounds. They are yellowish-brown and generally have a black head, back, and sides. Their bellies are white to yellow. They have five major rows of scutes and a protruding snout with four barbels (fleshy, whisker-like projections). Spawning adults generally migrate upriver

in spring, from January to April in the South. The most significant threats to the species are dams that block access to spawning areas or lower parts of rivers, poor water quality, dredging, water withdrawals from rivers, and unintended catch in some commercial fisheries.

While the project site contains habitat known to support this species, the proposed project will limit construction activities to October 1-December 31; therefore, the proposed project may affect but is not likely to adversely affect this species.

**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.

JOINT APPLICATION  
 FOR  
 A DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS PERMIT,  
 STATE OF GEORGIA MARSHLAND PROTECTION PERMIT,  
 REVOCABLE LICENSE AGREEMENT  
 AND REQUEST FOR  
 WATER QUALITY CERTIFICATION  
 AS APPLICABLE

INSTRUCTIONS FOR SUBMITTING APPLICATION:

Every Applicant is Responsible to Complete The Permit Application and Submit as Follows: One copy each of application, location map, drawings, copy of deed and any other supporting information to addresses 1, 2, and 3 below. If water quality certification is required, send only application, location map and drawing to address No. 4.

1. For Department of the Army Permit, mail to: Commander, U.S. Army Engineer District, Savannah ATTN: CESAS-OP-F, P.O. Box 889, Savannah, Georgia 31402-0889. Phone (912)652-5347 and/or toll free, Nationwide 1-800-448-2402.

2. For State Permit - State of Georgia (six coastal counties only) mail to: Habitat Management Program, Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.

3. For Revocable License - State of Georgia (six coastal counties plus Effingham, Long, Wayne, Brantley and Charlton counties only) - Request must have State of Georgia's assent or a waiver authorizing the use of State owned lands. All applications for dock permits in the coastal counties, or for docks located in tidally influenced waters in the counties listed above need to be submitted to Real Estate Unit. In addition to instructions above, you must send two signed form letters regarding revocable license agreement to: Ecological Services Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.

4. For Water Quality Certification State of Georgia, mail to: Water Protection Branch, Environmental Protection Division, Georgia Department of Natural Resources, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354 (404) 675-1631.

The application must be signed by the person authorized to undertake the proposed activity. The applicant must be the owner of the property or be the lessee or have the authority to perform the activity requested. Evidence of the above may be furnished by copy of the deed or other instrument as may be appropriate. The application may be signed by a duly authorized agent if accompanied by a statement from the applicant designating the agent. See item 6, page 2.

1. Application No. \_\_\_\_\_

2. Date \_\_\_\_\_

3. For Official Use Only \_\_\_\_\_

4. Name and address of applicant.  
 Savannah Bulk Terminal, LLC  
 21 East Broad Street  
 Savannah, GA 31401  
 Attn: Mr. Frank Peeples

5. Location where the proposed activity exists or will occur.

Savannah River

Lat. 32.079334° Long. -81.063729°

<u>Chatham</u>		
County	Military District	In City or Town
<u>Savannah</u>		
Near City or Town	Subdivision	Lot No.
<u>Georgia</u>		
Lot Size	Approximate Elevation of Lot	State
<u>Savannah River</u>		
Name of Waterway	Name of Nearest Creek, River, Sound, Bay or Hammock	



14. Description of operation: (If feasible, this information should be shown on the drawing).

A. Purpose of excavation or fill To facilitate the installation of two berthing dolphins

1. Access channel : length \_\_\_\_\_ depth \_\_\_\_\_ width \_\_\_\_\_

2. Boat basin : length \_\_\_\_\_ depth \_\_\_\_\_ width \_\_\_\_\_

3. Fill area : length \_\_\_\_\_ depth \_\_\_\_\_ width \_\_\_\_\_

4. Other: length \_\_\_\_\_ depth \_\_\_\_\_ width \_\_\_\_\_

(Note: If channel, give reasons for need of dimensions listed above.)

B. 1.If bulkhead, give dimensions N/A

2.Type of bulkhead construction (material)N/A

Backfill required: Yes \_\_\_\_\_ No X Cubic yards \_\_\_\_\_

Where obtained \_\_\_\_\_

C. Excavated material :

1.Cubic yards N/A

2.Type of material N/A

15.Type of construction equipment to be used Standard marine construction associated with construction

A. Does the area to be excavated include any wetland? Yes \_\_\_\_\_ No \_\_\_\_\_

B. Does the disposal area contain any wetland? Yes \_\_\_\_\_ No \_\_\_\_\_

C. Location of disposal area N/A

D. Maintenance dredging, estimated amounts, frequency, and disposal sites to be utilized:N/A

E. Will dredged material be entrapped or encased? N/A

F. Will wetlands be crossed in transporting equipment to project site? N/A

G. Present rate of shoreline erosion (if known) N/A

16. WATER QUALITY CERTIFICATION: In some cases, Federal law requires that a Water Quality Certification from the State of Georgia be obtained prior to issuance of a Federal license or permit. Applicability of this requirement to any specific project is determined by the permitting Federal agency. The information requested below is generally sufficient for the Georgia Environmental Protection Division to issue such a certification if required. Any item which is not applicable to a specific project should be so marked. Additional information will be requested if needed.

A. Please submit the following:

1. A plan showing the location and size of any facility, existing or proposed, for handling any sanitary or industrial waste waters generally on your property.

2. A plan of the existing or proposed project and your adjacent property for which permits are being requested.

3. A plan showing the location of all points where petro-chemical products (gasoline, oils, cleaners) used and stored. Any above-ground storage areas must be diked, and there should be no storm drain catch basins within the diked areas. All valving arrangements on any petro-chemical transfer lines should be shown.

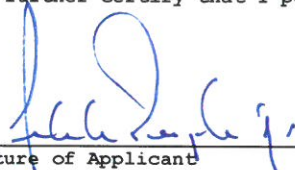
4. A contingency plan delineating action to be taken by you in the event of spillage of petro-chemical products or other materials from your operation.

5. Plan and profile drawings showing limits of areas to be dredged, areas to be used for placement of spoil, locations of any dikes to be constructed showing locations of any weir(s), and typical cross sections of the dikes.

B. Please provide the following statements:

1. A statement that all activities will be performed in a manner to minimize turbidity in the stream.
2. A statement that there will be no oils or other pollutants released from the proposed activities which will reach the stream.
3. A statement that all work performed during construction will be done in a manner to prevent interference with any legitimate water uses.

17. Application is hereby made for a permit or permits to authorize the activities described herein, Water Quality Certification from the Georgia Environmental Protection Division is also requested if needed. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.



\_\_\_\_\_  
Signature of Applicant

18. U.S.C. Section 1001 provides that: Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined no more than \$10,000 or imprisoned not more than 5 years or both.

#### PRIVACY ACT NOTICE

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972. These laws require permits authorizing structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Information provided will be used in evaluating the application for a permit. Information in the application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary, however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

#### SUPPORTING REMARKS:

See Attached.



**Savannah Bulk Terminal Breasting Dolphin  
Chatham County, Georgia  
Project Description  
SAS-2012-00043**

**1.0 Proposed Project**

The subject property is located on the Savannah River east of the terminus of Marine Terminal Drive in Savannah, Chatham County, Georgia (32.079344°, -81.063729°).

The applicant, Savannah Bulk Terminal, LLC., is seeking authorization to perform facility maintenance installation of a new 23.5-foot by 28-foot breasting dolphin. The proposed dolphin was previously approved by the U.S. Army Corps of Engineers in a Nationwide Permit Concurrence dated 11 July 2014 (SAS-2012-00043) and by the Georgia Department of Natural Resources Coastal Resources Division in the Coastal Marshlands Permit dated 13 June 2014 (CMPA Permit #391). The permittee was not able to complete installation prior to expiration of the permit.

**2.0 Marshlands & Upland Component:**

As defined by the GADNR, the marshlands component of a project means the part of the project in an estuarine area or any structure on or over an estuarine area requiring a permit under the Coastal Marshlands Protection Act (CMPA). The upland component is defined as all those service areas, amenities, and recreational areas located inland of the Coastal Marshlands Protection Act jurisdiction line that serve or augment the function of the marshlands component of the project. For this project, the upland component is comprised of the existing terminal. No changes to the existing terminal are proposed as part of the overall project.

**3.0 ALTERNATIVES ANALYSIS/AVOIDANCE & MINIMIZATION**

The project is proposed to maintain the integrity of the existing dock and to provide necessary structural support of the berthing and material loading operations which occur within this facility on a daily basis. The applicant has avoided and minimized impacts to jurisdictional waters while satisfying the overall project purpose. Because the project includes maintenance of an existing serviceable structure, any alternative to the proposed project would require greater impacts (i.e. construction of a new facility on an alternative site, reconfiguration of the existing facility, etc.).

**4.0 THREATENED AND ENDANGERED SPECIES:**

RLC conducted a threatened and endangered species survey to determine the potential occurrence of animal and plant species (or their preferred habitats) currently listed as threatened or endangered by state and federal regulations [Federal Endangered Species Act of 1973 (16 USC 1531-1543)]. The following provides a brief assessment of species that are known to occur within the Savannah River.

**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.

While the project site contains habitat known to support the manatee, the proposed project will comply with the Savannah District Manatee Special Conditions; therefore, the proposed project may affect but is not likely to adversely affect this species.

**Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*):** Atlantic sturgeon live in rivers and coastal waters from Maine to Florida. Hatched in the freshwater of rivers, Atlantic sturgeon head out to sea as juveniles, and return to their birthplace to spawn, or lay eggs, when they reach adulthood. The Atlantic sturgeon has five rows of bony plates known as scutes that run along its body and a snout with four slender, soft tissue projections, called barbels, in front of its mouth. The tail is like a shark's where one side, or lobe, is larger than the other. Atlantic sturgeon are slow-growing and late-maturing, and have been recorded to reach up to 14 feet in length and up to 60 years of age. Threats to this species are identified as entanglement in fishing gear, habitat impediments, habitat degradation, and vessel strikes.

While the project site contains habitat known to support this species, the proposed project will limit construction activities to October 1-December 31; therefore, the proposed project may affect but is not likely to adversely affect this species.

**Shortnose Sturgeon (*Acipenser brevirostrum*):** Shortnose sturgeon live in rivers and coastal waters from Canada to Florida. They hatch in the freshwater of rivers and spend most of their time in the estuaries of these rivers. Shortnose sturgeon can grow to approximately 4.5 feet long and weigh up to 60 pounds. They are yellowish-brown and generally have a black head, back, and sides. Their bellies are white to yellow. They have five major rows of scutes and a protruding snout with four barbels (fleshy, whisker-like projections). Spawning adults generally migrate upriver in spring, from January to April in the South. The most significant threats to the species are dams that block access to spawning areas or lower parts of rivers, poor water quality, dredging, water withdrawals from rivers, and unintended catch in some commercial fisheries.

While the project site contains habitat known to support this species, the proposed project will limit construction activities to October 1-December 31; therefore, the proposed project may affect but is not likely to adversely affect this species.

## **5.0 CULTURAL RESOURCES**

The project includes maintenance activities to an existing terminal located within the Savannah Port of Savannah. As a result of the current site conditions and proposed activities, no impacts to cultural or archeological resources is anticipated.

## **6.0 COMMERCIAL BAIT SHRIMP, OYSTER, AND CRABBING AREAS**

The proposed project is not located in a designated bait shrimp zone according to Georgia Department of Natural Resources *Commercial and Recreational Bait Shrimp Zones, Coastal Georgia* map. The project area is not listed on the *Georgia Harvester Reported Crabbing Areas* list, and the project area is not located in designated commercial or recreational oyster harvest areas.

## **7.0 IMPAIRED WATERS**

The Savannah River is not listed on the U.S. Environmental Protection Agency (EPA) 303(d) list for impaired water bodies for the section of river abutting the subject property.

## **8.0 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-**  
Savannah Bulk Terminal, LLC  
Attn: Mr. Frank Peeples  
21 East Broad Street  
Savannah, GA 31401
- (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-** Please refer to attached drawings produced by Thomas & Hutton.
- (3) A plat of the area in which the proposed work will take place-** See 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-** Deeds for subject property and referenced plat are attached.

- (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 for 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-** See attached.
  - (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 in violation of any zoning law;** The proposed plans have been submitted to the City of Savannah Development Services Department and a copy of the submittal is attached.
  - (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.** Check for \$100.00 is attached.
  - (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-** Please refer to Section 3.0 for alternative analysis.
  - (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-** A review of the Hazardous Site Index for Chatham County, Georgia indicates that the subject property does not contain hazardous waste sites or landfills. A copy of the listed sites are attached.
  - (10) A copy of the water quality certification issued by the department if required for the proposed project-** 401 certification is not 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 state, federal, and local sedimentation/erosion, building, land disturbing, and stormwater management regulations.
  - (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 12-5-286. 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 navigational waters or obstruct public navigation.
  - (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 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.

STATE OF GEORGIA

REVOCABLE LICENSE REQUEST FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANTS NAME(S): Savannah Bulk Terminal, LLC c/o Frank K. Peeples, Jr.

MAILING ADDRESS: Post Office Box 2253 Savannah Georgia 31401
(Street) (City) (State) (Zip)

PROJECT ADDRESS/LOCATION: 136 Marine Terminal Drive Savannah Georgia 31404

COUNTY: Chatham WATERWAY: Savannah River DATE: 6/22/21

LOT, BLOCK & SUBDIVISION NAME FROM DEED:

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 signed a copy of this request.

Sincerely,

By: [Handwritten Signature] (Applicant), title if applicable

By: (Applicant), title if applicable

\*\*\*\*\*

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, 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 by any other remedy available at law to the Department. The project proposed for this license must be constructed and completed within the specified timeframe associated with the authorization and/or transmittal letter associated with this revocable license 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: Mark Williams, Commissioner-DNR

Date:

**ATTACHMENT B**

2014 USACE & GADNR PERMIT ACTIONS





DEPARTMENT OF THE ARMY  
SAVANNAH DISTRICT, CORPS OF ENGINEERS  
100 W. OGLETHORPE AVENUE  
SAVANNAH, GEORGIA 31401-3640

REPLY TO  
ATTENTION OF:

JULY 11 2014

Regulatory Division  
SAS-2012-00043

Mr. Frank Peeples  
Savannah Bulk Terminal, LLC  
21 East Broad Street  
Savannah, Georgia 31401

Dear Mr. Peeples:

I refer to the Pre-Construction Notification submitted on September 19, 2013, requesting verification for use of Nationwide Permit (NWP) No. 3 to remove an existing breasting dolphin, install two new breasting dolphins and remove and replace the existing walkway connecting the breasting dolphins. The project site is located in the Savannah River, at the Savannah Bulk Terminal, in Chatham County, Georgia (Latitude 32.0794, Longitude -81.0639). The request was submitted on your behalf by Mr. Alton Brown of Resource and Land Consultants. This project has been assigned number SAS-2012-00043 and it is important that you refer to this number in all communication concerning this matter.

We have completed coordination with other federal and state agencies as described in Part C (31)(d) of our NWP Program, published in the February 12, 2012, Federal Register, Vol. 77, No. 34, Pages 10184-10290 (77 FR). The NWPs and Savannah District's Regional Conditions for NWPs can be found on our website at <http://www.sas.usace.army.mil/Missions/Regulatory/Permitting/GeneralPermits/NationwidePermits.aspx>. During our coordination procedure, no adverse comments regarding the proposed work were received.

As a result of our evaluation of your project, we have determined that the proposed activity is authorized under NWP 3, as described in Part B of the NWP Program. Your use of this NWP is valid only if:

a. The activity is conducted in accordance with the information submitted and meets the conditions applicable to the NWP, as described at Part C of the NWP Program and the Savannah District's Regional Conditions for NWPs.

b. You shall obtain and comply with all appropriate federal, state, and local authorizations required for this type of activity. A stream buffer variance may be required from the Georgia Department of Natural Resources, Environmental Protection



Division (Georgia EPD), as defined in the Georgia Erosion and Sedimentation Control Act of 1975, as amended. Information concerning variances can be obtained at the Georgia EPD's website at [www.gaepd.org](http://www.gaepd.org), or by calling (404) 675-6240.

c. All work conducted under this permit shall be located, outlined, designed, constructed and operated in accordance with the minimal requirements of the Georgia Erosion and Sedimentation Control Act of 1975, as amended. Utilization of plans and specifications contained in the "Manual for Erosion and Sediment Control," (Latest Edition), published by the Georgia Soil and Water Conservation Commission, will aid in achieving compliance with the aforementioned minimal requirements.

d. You shall install and maintain erosion and sediment control measures in upland areas of the project site, in accordance with the Georgia Erosion and Sedimentation Control Act of 1975, as amended, to minimize the introduction of sediment into and the erosion of streams, wetlands and other waters of the United States. This permit does not authorize installation of check-dams, weirs, riprap, bulkheads or other erosion control measures in streams, wetlands or other waters of the United States. Authorization would be required from the U.S. Army Corps of Engineers prior to installing any erosion control measures in waters of the United States.

e. You shall install and maintain erosion and sediment control measures for all fill material that is authorized to be discharged in streams, wetlands and other waters of the United States, in accordance with the Georgia Erosion and Sedimentation Control Act of 1975, as amended, and permanently stabilize fill areas at the earliest practicable date.

f. You shall notify the Corps, in writing; at least 10 days in advance of commencement of work authorized by this permit.

g. You fill out and sign the enclosed certification and return it to our office within 30 days of completion of the activity authorized by this permit.

h. Regarding the protection of the West Indian manatee that have the potential to be in the project vicinity, the following special conditions would be included in the NWP verification:

1. The permittee agrees that all personnel associated with the project will be advised that there are civil and criminal penalties for harming, harassing or killing manatees, which are protected under the Endangered Species Act of 1973 and the Marine Mammal Protection Act of 1972. The permittee and contractor will be held responsible for any manatee harmed, harassed or killed as a result of construction activities.

2. Siltation barriers will be made of material in which manatees cannot become entangled, are properly secured, and are regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to or exit from essential habitat.

3. All vessels associated with the project will operate at "no wake/idle" speeds at all times while in the construction area. All vessels will follow routes of deep water whenever possible.

4. All on-site project personnel are responsible for observing water-related activities for the presence of manatees. All construction and activities in open water will cease upon sighting of manatees within 50 feet of the project area. Construction activities will not resume until the manatees have left the project area for at least 30 minutes.

5. Extreme care will be taken in lowering equipment or materials, including, but not limited to piles, sheet piles, casings for drilled shaft construction, spuds, pile templates, anchors, etc., below the water surface and into the stream bed; taking any precaution not to harm any manatee(s) that may have entered the construction area undetected. All such equipment or materials will be lowered at the lowest possible speed.

6. The permittee agrees that any collision with a manatee shall be reported immediately to the U.S. Army Corps of Engineers (912-652-5347), the U.S. Fish and Wildlife Service, Ecological Services Field Office, (912-832-8739), and Georgia Department of Natural Resources (Georgia DNR) (Weekdays 8:00 a.m.-4:30 p.m.: 912-264-7218 or 1-800-272-8363; (nights and weekends: 1-800-241-4113). Any dead manatee(s) found in the project area must be secured to a stable object to prevent the carcass from being moved by the current before the authorities arrive. In the event of injury or mortality of a manatee, all aquatic activity in the project area must cease pending section 7 consultation under the Endangered Species Act with the U.S. Fish and Wildlife Service and the lead Federal agency.

7. The permittee agrees that the contractor shall keep a log detailing sightings, collisions, or injury to manatees, which have occurred during the contract period.

8. The permittee agrees that following project completion, a report summarizing the above incidents and sightings will be submitted to the U.S. Fish and Wildlife Service, Ecological Services Field Office, Coastal Georgia Sub-Office, 4980 Wildlife Drive, NE Townsend, Georgia 31331.

9. All temporary construction materials will be removed upon completion of the work, and salt marsh areas will be restored. No construction debris or trash will be discarded in the water.

10. The permittee shall regularly maintain all hoses, faucets, and/or freshwater discharges to prevent freshwater leakage into manatee habitat. This minimizes attraction of manatees to the marina where boats are concentrated and a potential for increased boat/manatee collisions exists. Oil and sewage spill contingency plans should be in place for the marina to protect manatees.

11. The permittee shall identify a person, marina operator, or Homeowners Association who will be the contact for reporting manatee sightings, boat strikes or other manatee concerns with the U.S. Fish and Wildlife Service and Georgia DNR.

12. The permittee agrees to install and maintain a minimum of two 3-foot by 4-foot temporary manatee awareness construction signs labeled "Manatee habitat - Idle Speed in Construction Area" shall be installed and maintained at prominent locations within the construction area/docking facility prior to the initiation of construction. One temporary sign will be located prominently adjacent to the construction permit and, if required, a second temporary construction sign will be installed in a location prominently visible to water related construction crews. Also, a minimum of two "Caution - Manatee Area 1-800-2 SAVE ME" temporary construction signs should be placed facing upstream and downstream of the project site. Georgia DNR (912-264-7218) can assist in correct sign design and placement. Temporary construction signs will be removed by the permittee upon completion of construction.

This proposal was reviewed in accordance with Section 7 of the Endangered Species Act. Based on the information we have available, we have determined that the project may affect but is not likely to adversely affect the West Indian manatee (*Trichechus manatus*). The project would have no effect on any other Federally listed threatened or endangered species or critical habitat. Authorization of an activity by a NWP does not authorize the "take" of threatened or endangered species. In the absence of separate authorization, both lethal and non-lethal "takes" of protected species are in violation of the Endangered Species Act. See Part (C) of 77 FR for more information.

This verification is valid until the NWP is modified, reissued or revoked. All of the existing NWPs are scheduled to expire on March 18, 2017. It is incumbent upon you to remain informed of changes to the NWPs. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

This authorization should not be construed to mean that any future projects requiring Department of the Army authorization would necessarily be authorized. Any new proposal, whether associated with this project or not, would be evaluated on a case-by-case basis. Any prior approvals would not be a determining factor in making a decision on any future request.

Revisions to your proposal may invalidate this authorization. In the event changes to this project are contemplated, I recommend that you coordinate with us prior to proceeding with the work.

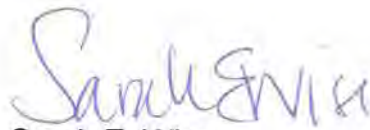
This communication does not relieve you of any obligation or responsibility for complying with the provisions of any other laws or regulations of other federal, state or local authorities. It does not affect your liability for any damages or claims that may arise as a result of the work. It does not convey any property rights, either in real estate or material, or any exclusive privileges. It also does not affect your liability for any interference with existing or proposed federal projects. If the information you have submitted and on which the Corps bases its determination/ decision of authorization under the NWP is later found to be in error, this determination may be subject to modification, suspension, or revocation.

A copy of this letter is being provided to the following party: Mr. Alton Brown, Resource and Land Consultants, 41 Park of Commerce Way, Suite 303, Savannah, Georgia 31405.

Thank you in advance for completing our on-line Customer Survey Form located at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey). We value your comments and appreciate your taking the time to complete a survey each time you have interaction with our office.

If you have any questions, please call me at 912-652-5550.

Sincerely,



Sarah E. Wise  
Regulatory Specialist, Coastal Branch

Enclosures



Regulatory Division

CERTIFICATION OF COMPLIANCE  
WITH  
DEPARTMENT OF THE ARMY  
NWP 3

PERMIT FILE NUMBER: SAS-2012-00043

PERMITTEE ADDRESS: Mr. Frank Peeples, Jr., Savannah Bulk Terminal, LLC,  
21 East Broad Street, Savannah, Georgia 31401

LOCATION OF WORK: The project site is located in the Savannah River, at the  
Savannah Bulk Terminal, in Chatham County, Georgia (Latitude 32.0794,  
Longitude -81.0639).

PROJECT DESCRIPTION: To remove an existing breasting dolphin, install two new  
breasting dolphins and remove and replace the existing walkway connecting the  
breasting dolphins.

ACRES AND/OR LINEAR FEET OF WATERS OF THE US IMPACTED: 0.016 acres

DATE WORK IN WATERS OF US COMPLETED:

COMPENSATORY MITIGATION REQUIRED: N/A

DATE MITIGATION COMPLETED OR PURCHASED (include name of bank):

I understand that the permitted activity is subject to a U.S. Army Corps of Engineers' Compliance Inspection. If I fail to comply with the permit conditions at Part C of the Nationwide Permit Program, published in the February 12, 2012, Federal Register, Vol. 77, No.34, Pages 10184-10290, it may be subject to suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit as well as any required mitigation (if applicable) has been completed in accordance with the terms and conditions of the said permit.

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date





VICINITY MAP

**PEEPLES INDUSTRIES**

SAVANNAH, GEORGIA

APPLICANT:  
PEEPLES INDUSTRIES

DATE: AUG. 16, 2013

COUNTY: CHATHAM

JOB #: J-24331

PROPOSED ACTIVITY:  
EAST COAST TERMINALS  
BREASTING DOLPHIN INSTALLATION

SCALE:  
1"=1000'

SHEET NO: 1 of 5

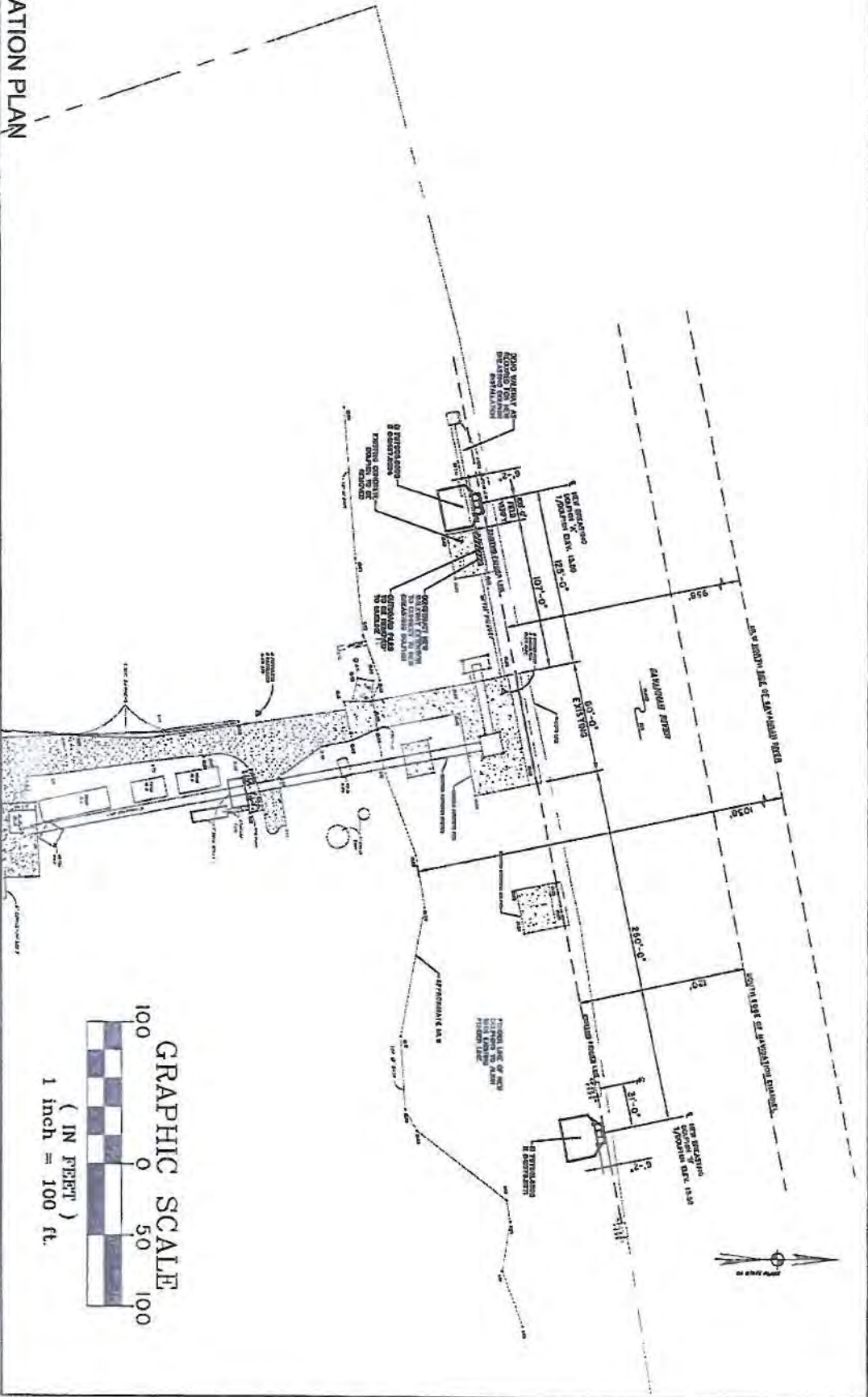
1000 500 0 500 1000  
( IN FEET )  
1 inch = 1000 ft.

**THOMAS & HUTTON**  
50 PARK OF COMMERCE WAY • PO BOX 2727  
SAVANNAH, GA 31402-2727 • 912.234.5300  
www.thomosandhutton.com

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**LOCATION PLAN**



**PEEPLER INDUSTRIES**

SAVANNAH, GEORGIA  
 APPLICANT:  
 PEEPLES INDUSTRIES  
 DATE: AUG. 16, 2013  
 COUNTY: CHATHAM

JOB #: J-24331

**PROPOSED ACTIVITY:**  
 EAST COAST TERMINAL'S  
 BREASTING DOLPHIN INSTALLATION

**SCALE:**  
 1"=60'

**SHEET NO: 2 of 5**

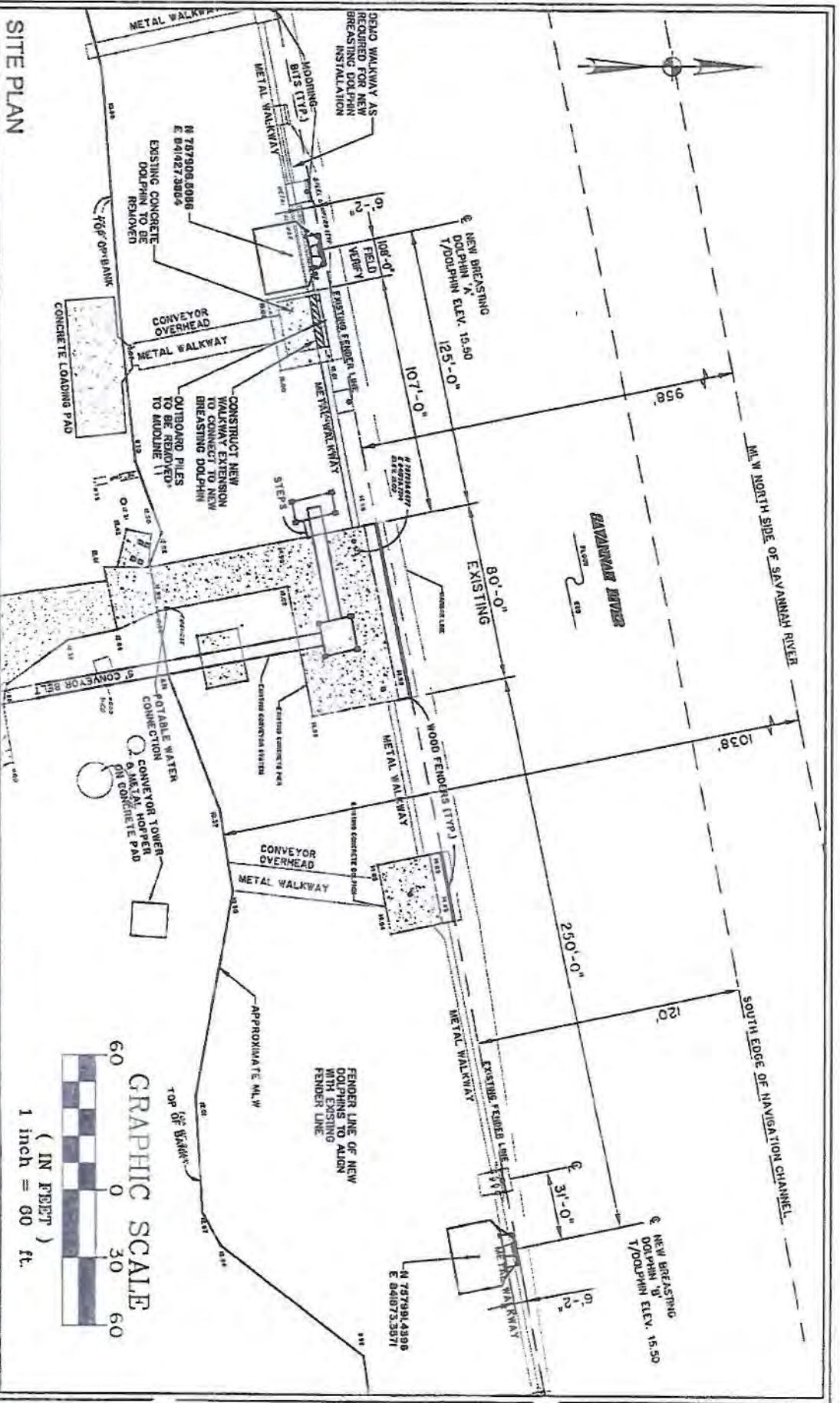


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 www.thomasandhutton.com

BRUNSWICK, GA | CHATTAHOOCHEE, SC | MYRTLE BEACH, SC | WILMINGTON, NC

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SITE PLAN

**PEEPLER INDUSTRIES**

SAVANNAH, GEORGIA

APPLICANT:  
PEEPLER INDUSTRIES

DATE: AUG. 16, 2013

COUNTY: CHATHAM

JOB #: J-24331

**PROPOSED ACTIVITY:**  
EAST COAST TERMINAL'S  
BREASTING DOLPHIN INSTALLATION

DATUM  
M.L.W.

SCALE:  
1"=60'

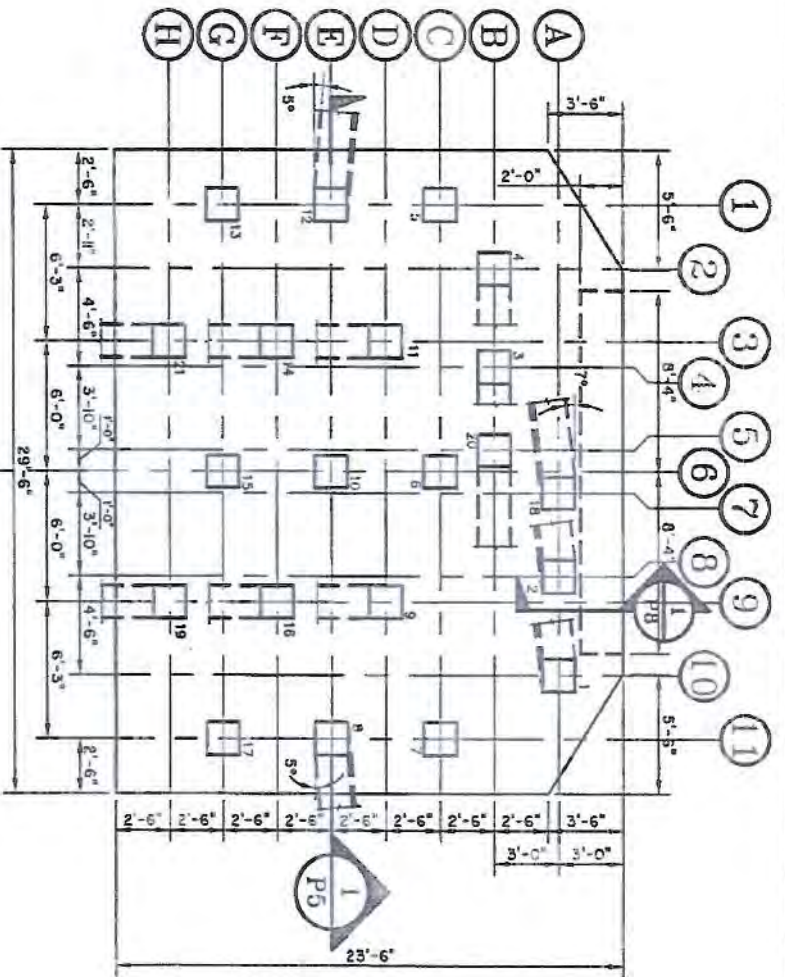
SHEET NO: 3 of 5



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
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1 BREASTING DOLPHIN PLAN  
P4

SCALE: 1/4" = 1'-0"

- NOTE:
1. ALL BATTERS 3 1/2":2.
  2. ALL NEW PILES ARE 18" SQUARE PRECAST CONCRETE. PILES SHALL BE DRIVEN TO 80 TON CAPACITY. ESTIMATED PILE LENGTH = 80 FT.
  3.  - INDICATES BATTER PILE.

BREASTING DOLPHIN PLAN

PEEPLER INDUSTRIES

SAVANNAH, GEORGIA

APPLICANT:

PEEPLER INDUSTRIES

DATE: AUG. 16, 2013

COUNTY - CHATHAM

JOB #: J-24331

PROPOSED ACTIVITY:  
EAST COAST TERMINALS  
BREASTING DOLPHIN INSTALLATION

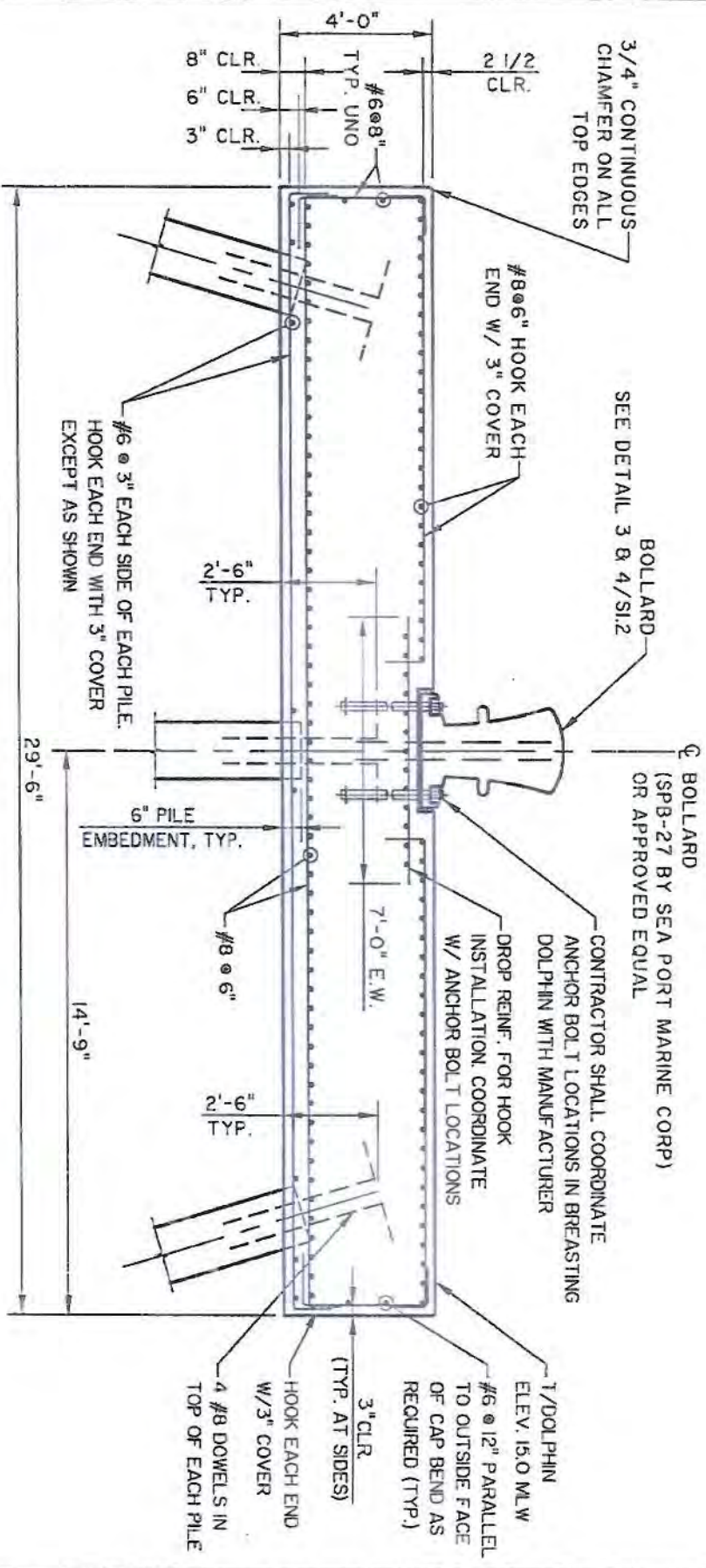
DATUM:  
M.L.W.

SCALE:  
AS SHOWN

SHEET NO: 4 of 5

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1 SECTION  
P5  
SCALE: 1/4" = 1'-0"

BREASTING DOLPHIN SECTION

PEEPLER INDUSTRIES

SAVANNAH, GEORGIA

APPLICANT:  
PEEPLER INDUSTRIES

DATE: AUG. 16, 2013

COUNTY - CHATHAM

JOB #: J-24331

PROPOSED ACTIVITY:  
EAST COAST TERMINALS  
BREASTING DOLPHIN INSTALLATION

DATUM:  
M.L.W.

SCALE:  
AS SHOWN

SHEET NO: 5 of 5

**THOMAS & HUTTON**  
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MARK WILLIAMS  
COMMISSIONER

A.G. 'SPUD' WOODWARD  
DIRECTOR

JUN 13 2014

Alton Brown  
Resource & Land Consultants  
41 Park of Commerce Way, Ste.303  
Savannah, Georgia 31405

**RE: Coastal Marshlands Protection Act Permit # 691, Savannah Bulk Terminal, L.L.C.,  
Modification to an Existing Commercial Wharf, Savannah River, Chatham County,  
GA**

Dear Mr. Brown:

The Coastal Marshlands Protection Committee considered and approved permit #691 referenced above under the Coastal Marshlands Protection Act O.C.G.A. 12-5-280 *et seq.* The permit and permit conditions are attached to this letter. All decision documents, as well as all other plans, documents and materials submitted during the application process become terms of this permit and are now enforceable conditions.

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 or 1899 for consistency with the Georgia Coastal Management Program (GCMP). The Program concurs with the applicant's consistency certification to the extent that the project adheres to all conditions and restrictions of Coastal Marshlands Protection Act Permit #691. Issuance of a federal permit that does not contain the same conditions and/or restriction, as any issued state permit, does not alleviate the permittee from adhering to all components of state permits.

This letter and attachments are to be held by you for your files and for inspection by any authorized persons. The expiration date for the permit is five (5) years from the date of issuance. However, no construction may commence within the area of jurisdiction of the Act until the expiration of thirty (30) days following the date of issuance, provided there is no legal appeal of this permit, you have all other necessary federal, state and local authorizations and you have met all of the standard and special conditions as required by this permit.

**Permitted Project Description:**

Modifications to an existing commercial wharf structure. The modifications will add approximately 239.5 sq. ft. (0.005 acres) of new net impacts for a total impact of approximately 10,544 sq. ft. (0.24 acres) to coastal. **Standard and Special conditions apply to this permit.**

**Marsh Component:**

The modifications include the demolition of an approximate 21' x 21' (441 sq. ft.) metal mooring dolphin, two 4' x 23.5' (188 sq. ft.) metal walkways, and a 10' x 70' (700 sq. ft.) metal



JUN 13 2014

walkway for a total of 1,329 sq. ft. from within coastal marshlands. The modifications also include the addition of two approximate 23.5' x 29.5' (1,386.5 sq. ft.) concrete pile breasting dolphins, a 4' x 23.5' (94 sq. ft.) metal walkway, and a 4' x 22' (88 sq. ft.) metal walkway for a total of 1,568.5 sq. ft. of impacts. The modification impacts will add approximately 239.5 sq. ft. (0.005 acres) of coastal marshlands for a total of approximately 10,544 sq. ft. (0.24 acres) sq. ft. of jurisdictional impacts.

Upland Component:

There is no upland area meeting the definition of "upland component" as defined in Rule 391-2-3-.02 "Regulation of Upland Component of a Project. Amended."

Permit Placard:

Enclosed is the permit placard to be posted at the work site (within 24 hours) for the duration of the construction activity.

Post Construction Requirements: Compliance Certification and File Maintenance

Also enclosed is a *Certification of Compliance* that must be submitted to us within 30 days following completion of the permitted activity. Please include this compliance form with the post-construction survey, if required under the special conditions. Department staff will assess compliance and provide you with a written verification of project completion and compliance.

Conveyance of Ownership Interest:

If you as the permit holder sell, lease, rent, or otherwise convey the land or any portion of the land for which the permit was issued, you must notify the Department within 30 days of this transfer or conveyance. The permit shall continue in force in favor of the new owner, lessee, tenant, or other assignee so long as there is no change in the use of the land as set forth in the original application. The Department will transfer the permit to the new owner with all of the original terms and conditions.

We ask that you carefully read through this document and attachments and comply with the terms and conditions of this permit. Feel free to contact me if you need clarification of any of these conditions or for assistance with this project.

Sincerely,



Brad Gane  
Chief  
Ecological Services Section

Enclosures: CMPC Permit #691 and Permit Conditions, Compliance Certificate, Permit Placard, Drawings

Savannah Bulk Terminal, L.L.C. - Modification to an existing commercial wharf  
CMPA Permit #691  
Page 3 of 3

cc: Savannah District Corps of Engineers  
ATTN: Sarah Wise  
100 West Ogelthorpe Avenue  
Savannah, GA 31401

File #CMP20130049



MARK WILLIAMS  
COMMISSIONER

A.G. 'SPUD' WOODWARD  
DIRECTOR

## Coastal Marshlands Protection Committee Permit #691 Final Conditions June 12, 2014

### **Savannah Bulk Terminal, L.L.C. Modification to an Existing Commercial Wharf Savannah River, Chatham County, Georgia**

**Project Description:** Modifications to an existing commercial wharf structure. The modifications will add approximately 239.5 sq. ft. (0.005 acres) of new net impacts for a total impact of approximately 10,544 sq. ft. (0.24 acres) to coastal. Standard and Special conditions apply to this permit.

#### Marsh Component:

The modifications include the demolition of an approximate 21' x 21' (441 sq. ft.) metal mooring dolphin, two 4' x 23.5' (188 sq. ft.) metal walkways, and a 10' x 70' (700 sq. ft.) metal walkway for a total of 1,329 sq. ft. from within coastal marshlands. The modifications also include the addition of two approximate 23.5' x 29.5' (1,386.5 sq. ft.) concrete pile breasting dolphins, a 4' x 23.5' (94 sq. ft.) metal walkway, and a 4' x 22' (88 sq. ft.) metal walkway for a total of 1,568.5 sq. ft. of impacts. The modification impacts will add approximately 239.5 sq. ft. (0.005 acres) of coastal marshlands for a total of approximately 10,544 sq. ft. (0.24 acres) sq. ft. of jurisdictional impacts.

#### Upland Component:

There is no upland area meeting the definition of "upland component" as defined in Rule 391-2-3-.02 "Regulation of Upland Component of a Project. Amended."

### **COASTAL MARSHLANDS PROTECTION ACT STANDARD CONDITIONS**

1. The project must comply, as applicable, for areas permitted herein, with all other federal, state, and local statutes, ordinances, and regulations and the applicant must obtain all licenses and permits prior to commencement of construction.
2. This permit does not resolve actual or potential disputes regarding ownership of, rights in or over the property upon which the subject project is proposed, and shall not be construed as recognizing or denying any such rights or interests.
3. All plans, documents and materials contained in this permit application, required by Coastal Marshlands Protection Act of 1970, as amended O.C.G.A. § 12-5-280 *et seq.* are a part of this permit and conformance to such plans, documents, and materials are a condition of this

- permit. No change or deviation from these plans, documents, and materials shall be permitted without prior notification and approval by the Department or CMPC.
4. No further encroachment or construction shall take place within state jurisdiction, except as permitted by the CMPC. Any modification of the plans or structure in the jurisdictional area must be reviewed and approved by the Department or the CMPC, as necessary, prior to construction.
  5. No construction or alteration of a project may commence until the expiration of 30 days following the date on which the application is approved; provided however that if a timely appeal is filed, no construction or alteration may commence until all administrative and judicial proceedings are terminated.
  6. The permit must be posted onsite within twenty-four (24) hours of beginning construction.
  7. A copy of these and all permit conditions must be supplied to the person in charge of construction. All contractors and subcontractors are responsible for strict adherence to all permit conditions.
  8. All Best Management Practices (BMPs) should be used to prevent any erosion and sedimentation at the site. No equipment, materials, or debris may be placed in, disposed of, or stored in jurisdictional areas. Any visible alterations in the marsh topography will be restored immediately using low-impact hand tools. Any damage to the marsh vegetation that has not recovered naturally during the next growing season will be repaired by a method acceptable to the Department.
  9. If the permitted improvements are damaged, fall into disrepair, become dilapidated, or are not meeting their expected usefulness and are not maintained at a serviceable level, it is the responsibility of the owner to remove the improvements. A new permit will be required to retain and repair the structure, improvement, or asset if it loses its structural integrity and is no longer serviceable.
  10. The CMPC is not bound in the future to protect any improvement or asset authorized by the permit.

### **SPECIAL CONDITIONS**

1. Permittee may be required to provide a post-construction survey. Such survey shall comply with the Georgia Plat Act O.C.G.A. 15-6-67 et. seq.



# Georgia Coastal Marshlands Protection Committee

## PERMIT

Issued Pursuant to O.C.G.A. 12-5-280

To: Savannah Bulk Terminals, L.L.C.

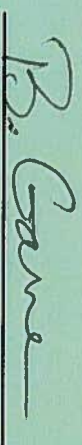
For: Modifications to an existing commercial wharf structure. The modifications will add approximately 239.5 sq. ft. (0.005 acres) of new net impacts for a total impact of approximately 10,544 sq. ft. (0.24 acres) to coastal. **Standard and Special conditions apply to this permit.**

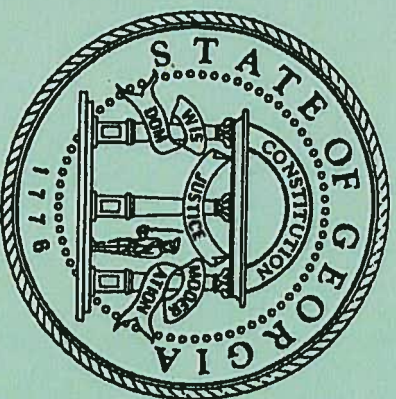
Date: June 12, 2014

Expiration Date: June 12, 2019

Permit Number: 691

Authorized By:





For further information, please contact the DNR Coastal Resources Division at (912) 264-7218



STATE OF GEORGIA  
REVOCABLE LICENSE REQUEST

IN CONNECTION WITH A COASTAL MARSHLANDS PROTECTION COMMITTEE PERMITTED PROJECT  
PERMIT # \_\_\_\_\_

GA DNR / HMP

FEB 03 2014

APPLICANT NAME: Savannah Bulk Terminal, L.L.C. c/o Frank K. Peeples, Jr.  
MAILING ADDRESS: Post Office Box 2253 Savannah, GA 31401  
PROJECT ADDRESS/LOCATION: 136 Marine Terminal Drive, Savannah, GA  
COUNTY: Chatham, 5<sup>th</sup> G.M. District WATERWAY: Savannah River

DATE: November 19, 2013

LOT, BLOCK & SUBDIVISION NAME: For tidelands or water bottoms appurtenant to all those certain lots, tracts or parcels of land, situate, containing 29.851 acres, lying and being in the 5<sup>th</sup> G.M. District, Chatham County, Georgia, as conveyed by a Warranty Deed recorded at Deed Book 281H, Page 323, in the Chatham County, Georgia land records. Said lots, tracts or parcels of land are known as Parcel 1 or the remaining portion of Lot 1, as described and identified on surveys and plats dated October 30, 1989 and March 12, 1999 by Bert S. Barrett, Sr., GRLS. on file with the GDNR/CRD.

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

Dear Sir:

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 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 further acknowledge that I will have no live aboards, nor allow them to occur, at this structure. 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,

  
SAVANNAH BULK TERMINAL, L.L.C.

By: \_\_\_\_\_  
FRANK K. PEEPLES, JR., MANAGER

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, 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 by any other remedy available at law to the Department. The project proposed for this license must be completed within 5 years of the date of issuance of this license 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

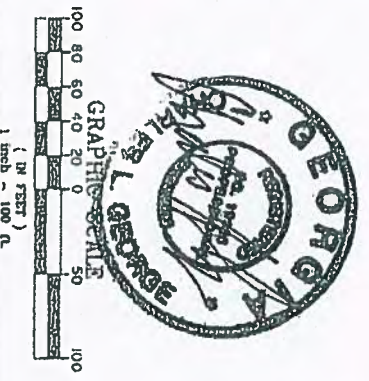
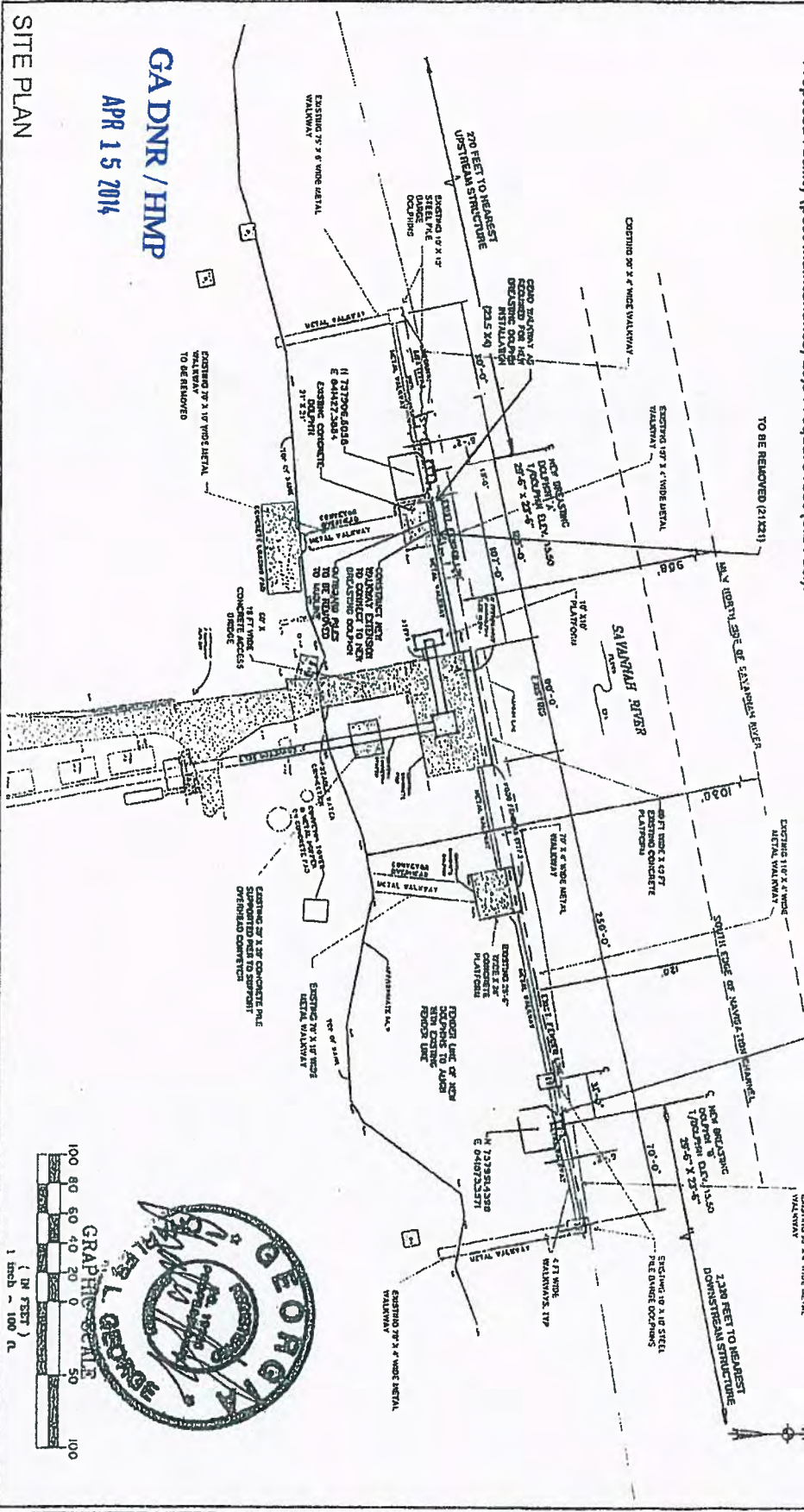
By:   
For: Mark Williams, Commissioner-DNR

Date: \_\_\_\_\_  
Site #02012006\_123000PM

JUN 13 2014



Existing Facility: 10,303 square feet (0.23 ac)  
 Structure to be Removed: 1,329 square feet (0.03 ac)  
 Proposed New Structure: 1570 square feet (0.03 ac)  
 Proposed Facility (post maintenance) 10,544 square feet (0.24 ac).



**GADNR / HMP**  
**APR 15 2014**

**PEEPLER INDUSTRIES**

SAVANNAH, GEORGIA  
 APPLICANT:  
 PEEPLES INDUSTRIES  
 DATE: AUG. 16, 2013  
 COUNTY. CHATHAM

Revised: 4/15/2014

JDR #. 1-24331

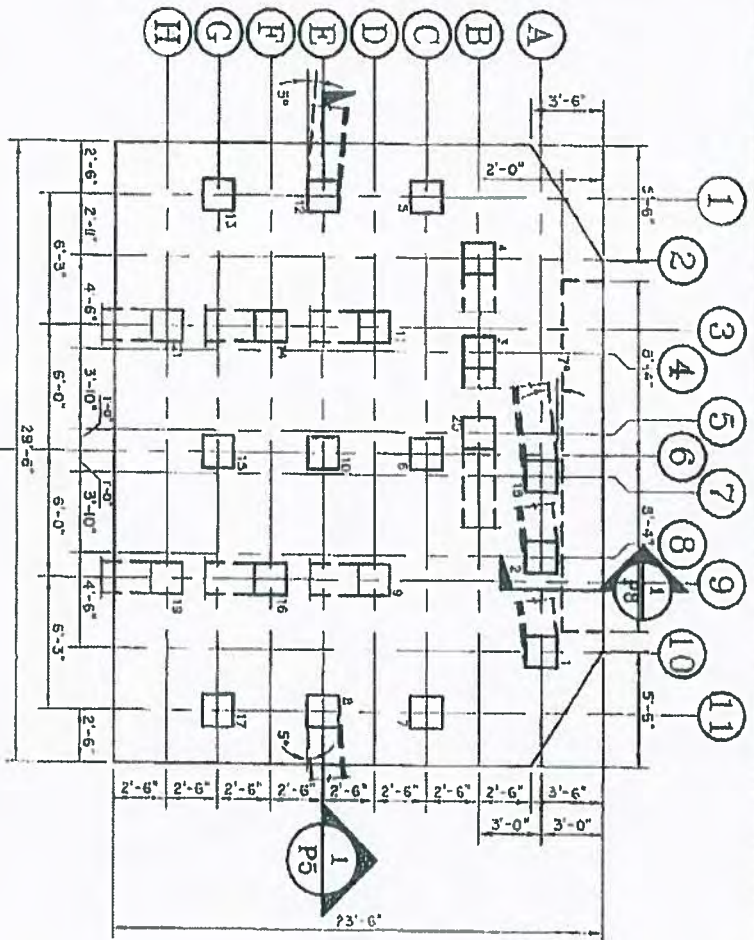
PROPOSED ACTIVITY:  
 EAST COAST TERMINALS  
 BREASTING DOLPHIN INSTALLATION

DATUM  
 M.L.W.  
 SCALE:  
 1"=100'

SHEET NO. 3 of 5

**THOMAS & HUTTON**  
 50 PARK OF COMMERCE WAY • PO BOX 2727  
 SAVANNAH, GA 31402-2727 • 912.234.5300  
 www.thomasandhutton.com


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**1 BREASTING DOLPHIN PLAN**

P4

SCALE: 1/4" = 1'-0"

- NOTE:
1. ALL BATTERS 3/24:2.
  2. ALL NEW PILES ARE 18" SQUARE PRECAST CONCRETE. PILES SHALL BE DRIVEN TO 80 TON CAPACITY. ESTIMATED PILE LENGTH = 80 FT.
  3.  - INDICATES BATTER PILE.

BREASTING DOLPHIN PLAN

**PEEPL'S INDUSTRIES**

SAVANNAH, GEORGIA

APPLICANT:

PEEPL'S INDUSTRIES

DATE: AUG. 16, 2013

COUNTY: CHATHAM

*[Signature]*  
2/3/14/14

JOB #: J-24331

PROPOSED ACTIVITY:  
EAST COAST TERMINALS  
BREASTING DOLPHIN INSTALLATION

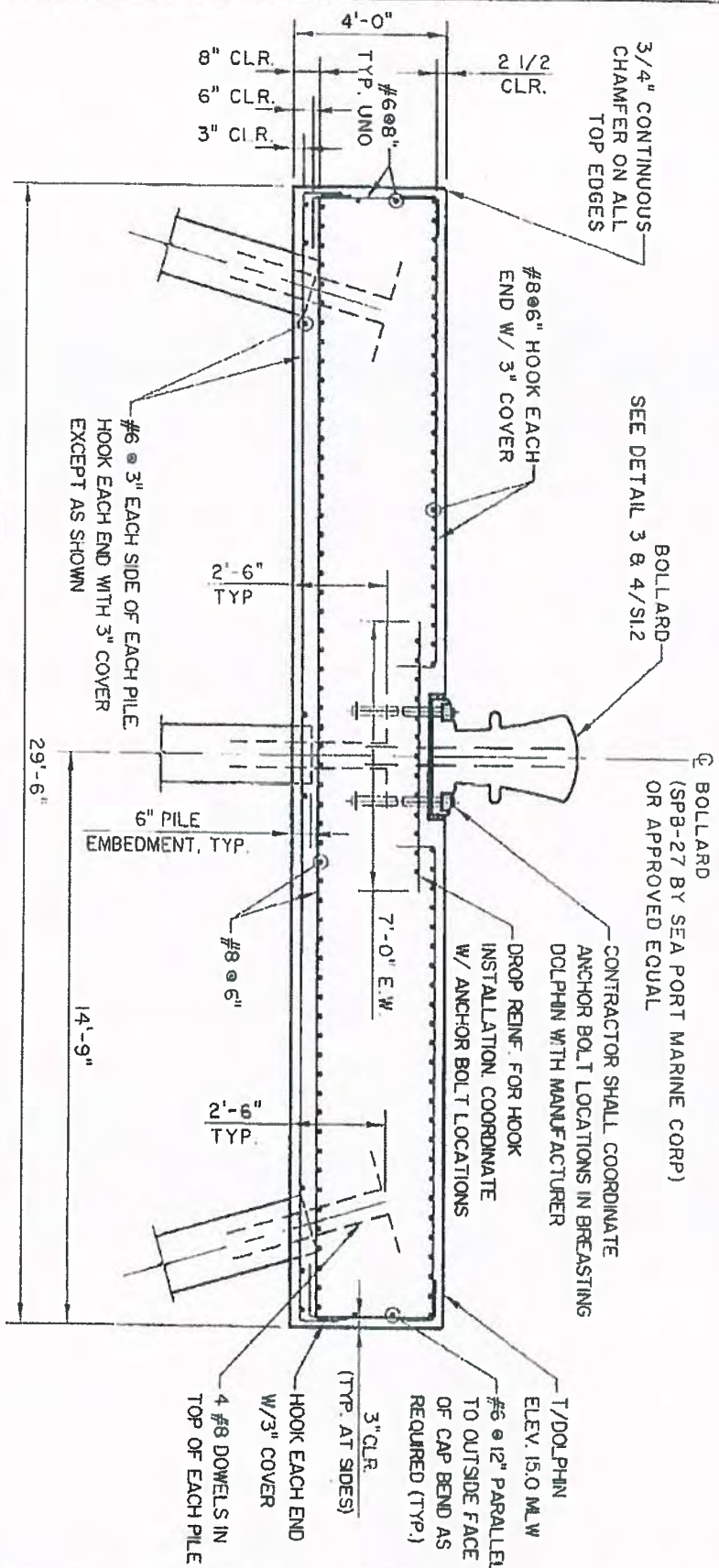
DATUM:  
M.L.W.

SCALE:  
AS SHOWN SHEET NO: 4 of 5

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1 SECTION  
P5

SCALE: 1/4" = 1'-0"

BREASTING DOLPHIN SECTION

**PEEPL'S INDUSTRIES**  
SAVANNAH, GEORGIA  
APPLICANT:  
PEEPL'S INDUSTRIES  
DATE: AUG. 16, 2013  
COUNTY: CHATHAM

*[Signature]*  
03/14/14

JOB #: J-24331

PROPOSED ACTIVITY:  
EAST COAST TERMINALS  
BREASTING DOLPHIN INSTALLATION  
DATUM:  
M.L.W.  
SCALE:  
AS SHOWN  
SHEET NO: 5 of 5

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MARK WILLIAMS  
COMMISSIONER

A.G. 'SPUD' WOODWARD  
DIRECTOR

CERTIFICATION OF COMPLIANCE  
FOR THE CONSTRUCTION AND MAINTENANCE  
OF PROJECTS PERMITTED UNDER  
THE COASTAL MARSHLAND PROTECTION ACT

PERMITTEE:

Name: Savannah Bulk Terminal, L.L.C.

City or Town: Savannah

Island or Waterway: Savannah River

County: Chatham

Permit Number: 691

Within 30 days of completion of the activity authorized by this permit, sign this certification and return to the Habitat Management Program of the Ecological Services Section at the address listed below.

Please note that your permitted activity is subject to compliance inspections by DNR representatives before and after completion of the project. If you fail to comply with the permit terms and conditions it may be subject to suspension, modification, or revocation.

Permittee Statement

*"I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit."*

Signature of Permittee:

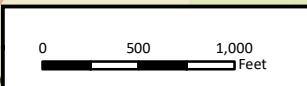
\_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT C**

RLC FIGURES & PERMIT DRAWINGS





RLC Project No.:	13-135.2
Figure No.:	1
Prepared By:	AB
Sketch Date:	6/24/2021
Map Scale :	1 inch = 1,000 feet

**Breasting Dolphin  
Installation**

Chatham County, Georgia

**Site Location**

Prepared For: Savannah BulkTerminals

**RLC**

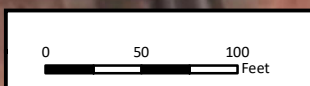
**RESOURCE+LAND  
CONSULTANTS**

41 Park of Commerce Way, Ste. 101  
Savannah, Georgia 31406  
912.443.8396 www.rnlc.com





Proposed Breasting Dolphin  
23.5'x29.5' (0.016 ac)

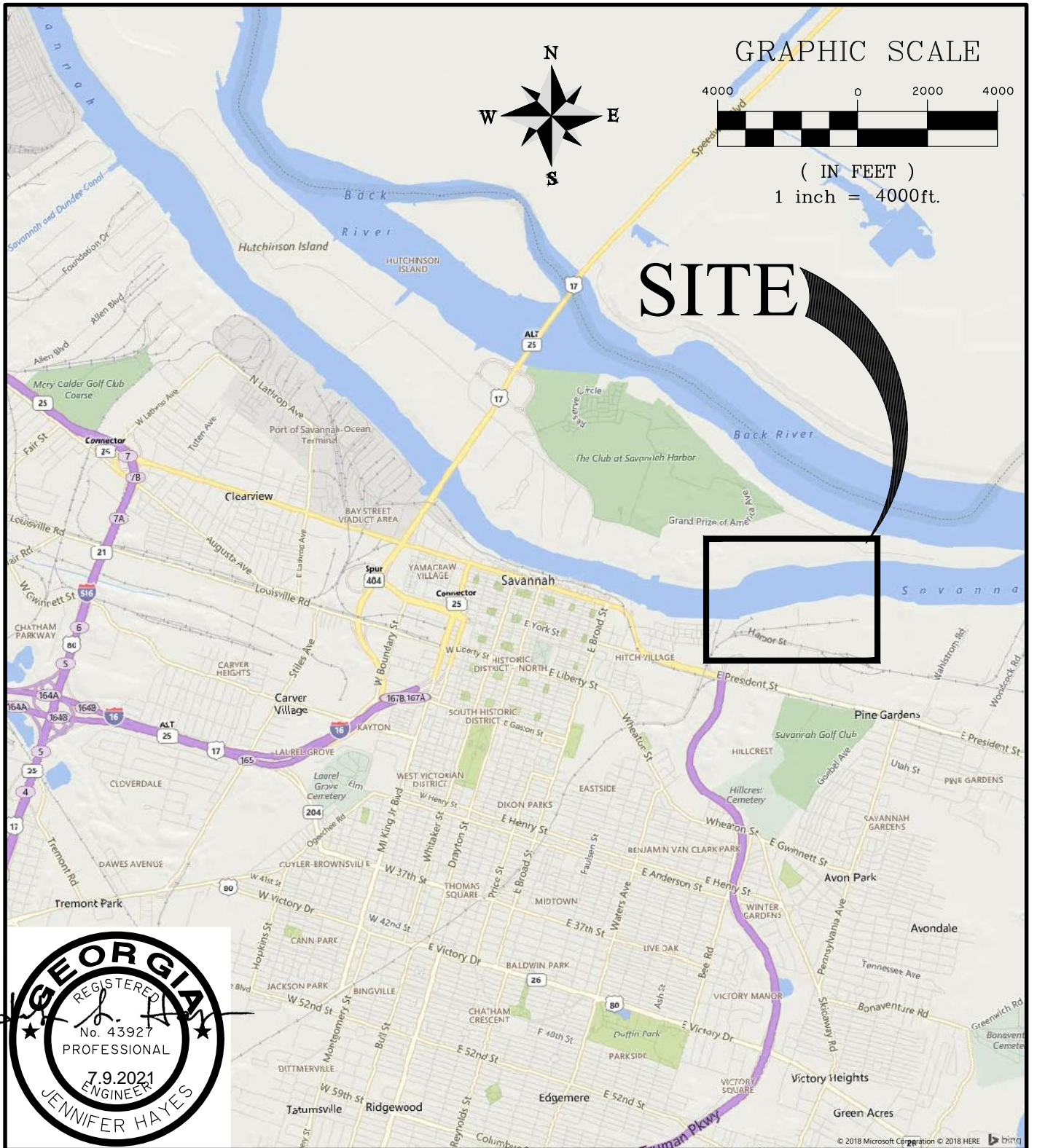


RLC Project No.:	13-135.2
Figure No.:	2
Prepared By:	AB
Sketch Date:	6/24/2021
Map Scale :	1 inch = 100 feet

**Breasting Dolphin  
Installation**  
Chatham County, Georgia

**Ortho Imagery**  
Prepared For: Savannah BulkTerminals

**RLC**  
**RESOURCE+LAND  
CONSULTANTS**  
431 Park of Commerce Way, Ste. 101  
Savannah, Georgia 31406  
912.443.8396 www.rlc.com



### SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:  
VICINITY MAP

APPLICANT:  
SAVANNAH BULK TERMINAL

LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

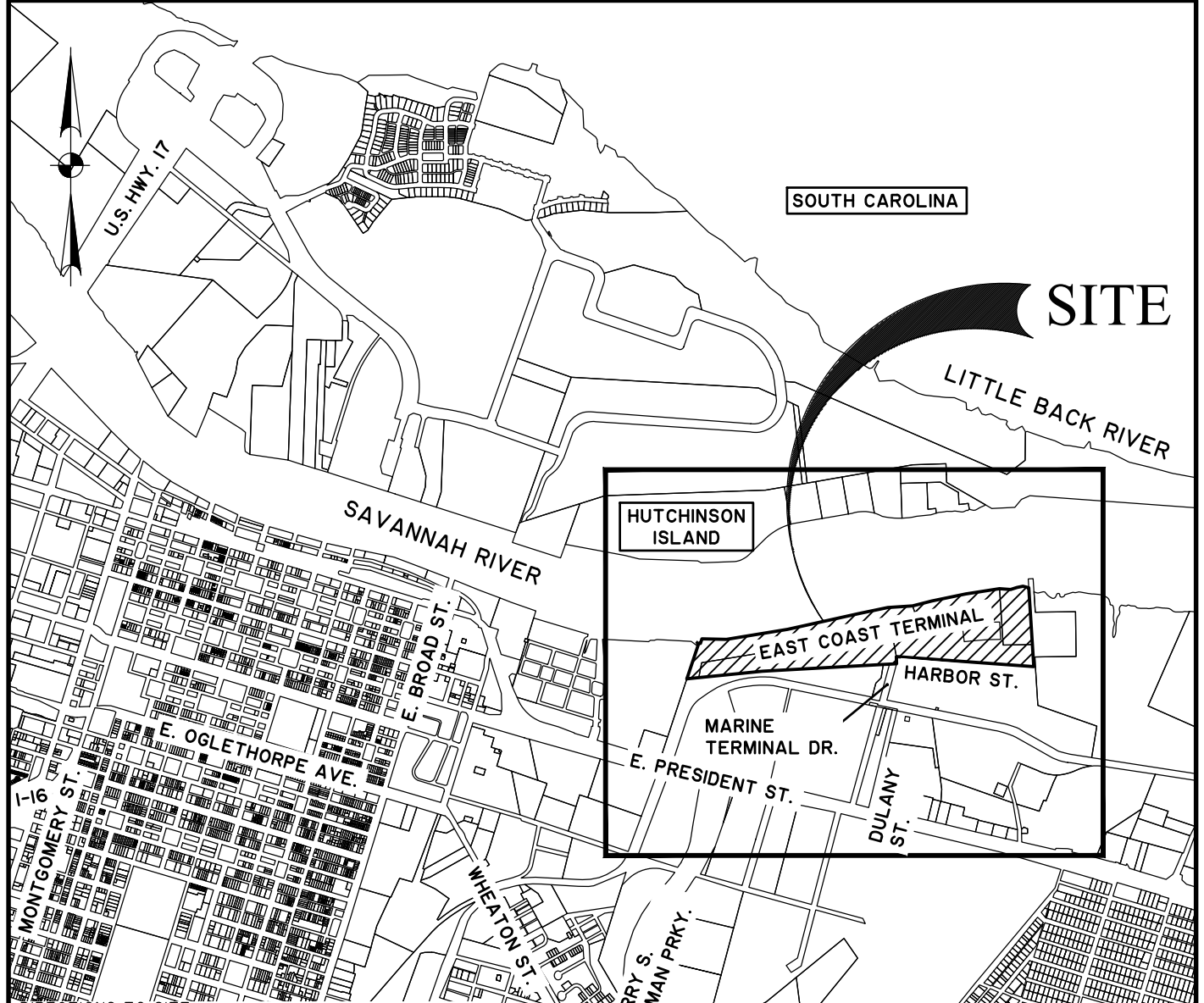
SHEET: 01  
SCALE: 1"=4000'

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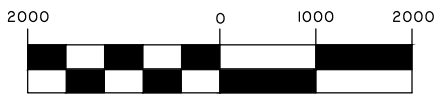




**DIRECTIONS TO SITE:**  
 STARTING ON I16 EASTBOUND TOWARD SAVANNAH. TAKE EXIT 167B FOR MONTGOMERY STREET TOWARD SAVANNAH/CIVIC CENTER/DOWNTOWN FOR .3 MILES. MERGE ONTO MONTGOMERY STREET FOR 300 FEET AND THEN TURN RIGHT ONTO WEST LIBERTY STREET. CONTINUE FOR 0.7 MILES THEN MAKE TURN LEFT ONTO EAST BROAD STREET. TRAVEL 0.2 MILES AND TURN RIGHT ONTO EAST PRESIDENT STREET. GO 1.2 MILES AND TURN LEFT ONTO DULANY STREET. PROCEED 0.2 MILES THEN TURN LEFT TOWARD MARINE TERMINAL DRIVE. TRAVEL 250 FEET TURN RIGHT ON MARINE TERMINAL DRIVE. PROCEED 0.1 MILES AND MAKE A RIGHT ONTO HARBOR STREET AND TRAVEL 0.2 MILES. THE SITE IS ON YOUR LEFT.



**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 2000ft.

**SAVANNAH BULK TERMINAL - BREASTING DOLPHIN**

SHEET NAME:  
**LOCATION MAP**

APPLICANT:  
**SAVANNAH BULK TERMINAL**

LOCATION: SAVANNAH (CHATHAM), GA  
 DATE: 7/9/2021  
 JOB NUMBER: J - 25340.0000

SHEET: 02  
 SCALE: 1"=2000'

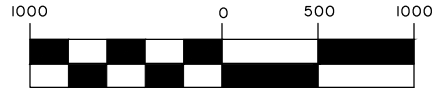


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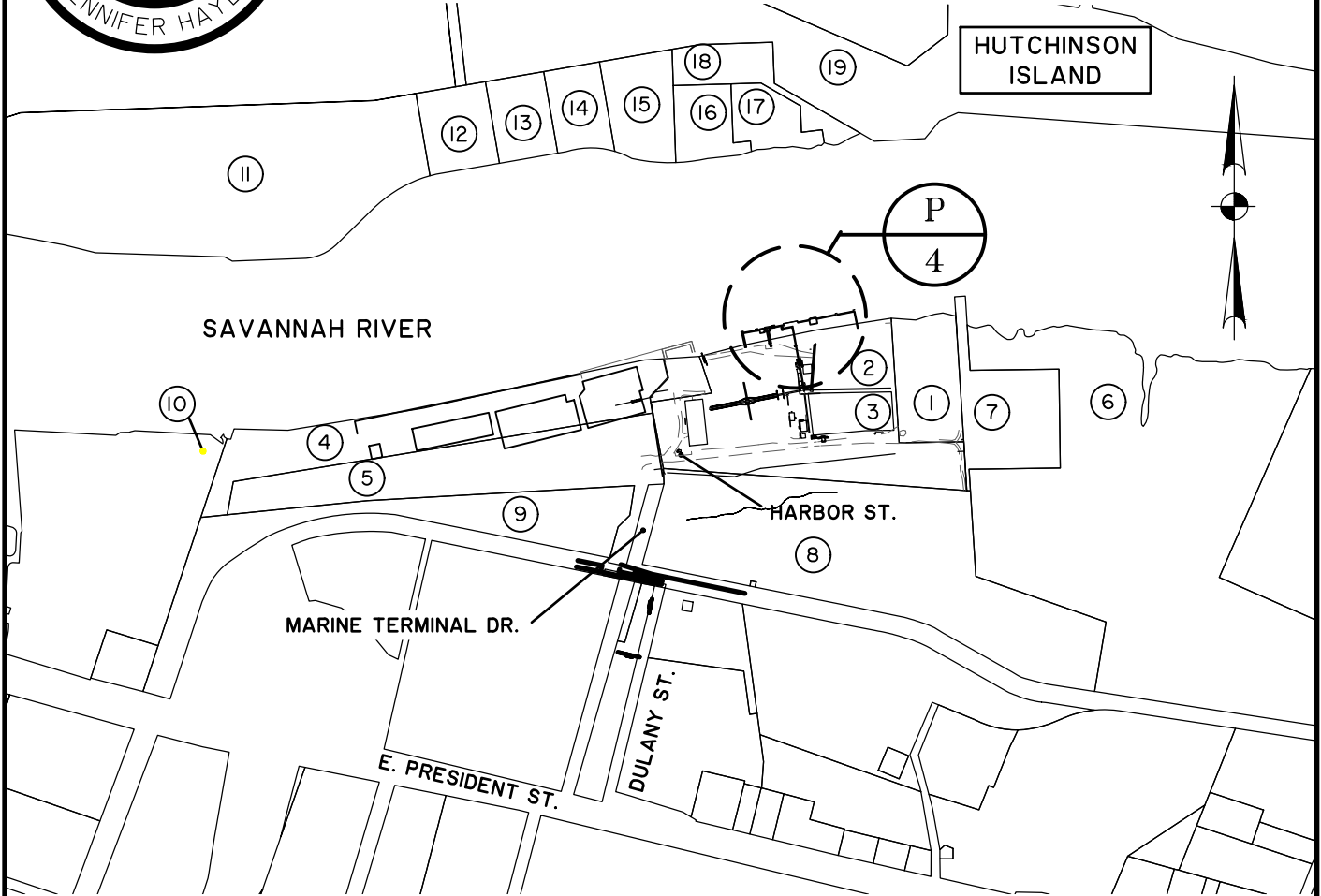


GRAPHIC SCALE



( IN FEET )  
1 inch = 1000 ft.

- ⑩ TMS 2-0163 -01-007 CRESCENT TOWING & SALVAGE CO I
- ⑪ TMS 2-0163 -01-008 MORAN TOWING CORPORATION
- ⑫ TMS 2-0163 -01-008 COASTAL MARINE CONSTRUCTION CO
- ⑬ TMS 2-0436 -01-012 CSX REALTY DEVELOPMENT CORP



- ① TMS I-0369 -01-005 SAVANNAH BULK TERMINAL LLC
- ② TMS I-0369 -01-004 SAVANNAH BULK TERMINAL LLC
- ③ TMS I-0369 -01-006 SAVANNAH BULK TERMINAL LLC
- ④ TMS 2-0006 -02-002 EAST COAST TERMINAL ASSOCIATES
- ⑤ TMS I-0373 -02-005 EAST COAST TERMINAL ASSOCIATES
- ⑥ TMS I-0287 -01-007 CSX TRANSPORTATION INC

- ⑦ TMS I-0287 -01-009 SEAGATE TERMINALS SAVANNAH LLC
- ⑧ TMS I-0287 -01-008 SEAGATE TERMINALS SAVANNAH LLC
- ⑨ TMS I-0373 -02-006 GA MARINE WAREHOUSE CO
- ⑩ TMS 2-0006 -05-005 UPPER EAST SIDE LLC, & CARSWELL, META G

- ⑪ TMS 2-0163 -01-001 GEORGIA PORTS AUTHORITY
- ⑫ TMS 2-0163 -01-003 LOW COUNTRY MARINE RESOURCES
- ⑬ TMS 2-0163 -01-004 HUTCHINSON ISLAND DEVELOPMENT
- ⑭ TMS 2-0163 -01-005 HUTCHINSON ISLAND DEVELOPMENT
- ⑮ TMS 2-0163 -01-006 HUTCHINSON ISLAND DEVELOPMENT

SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:  
SITE MAP  
APPLICANT:  
SAVANNAH BULK TERMINAL  
LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

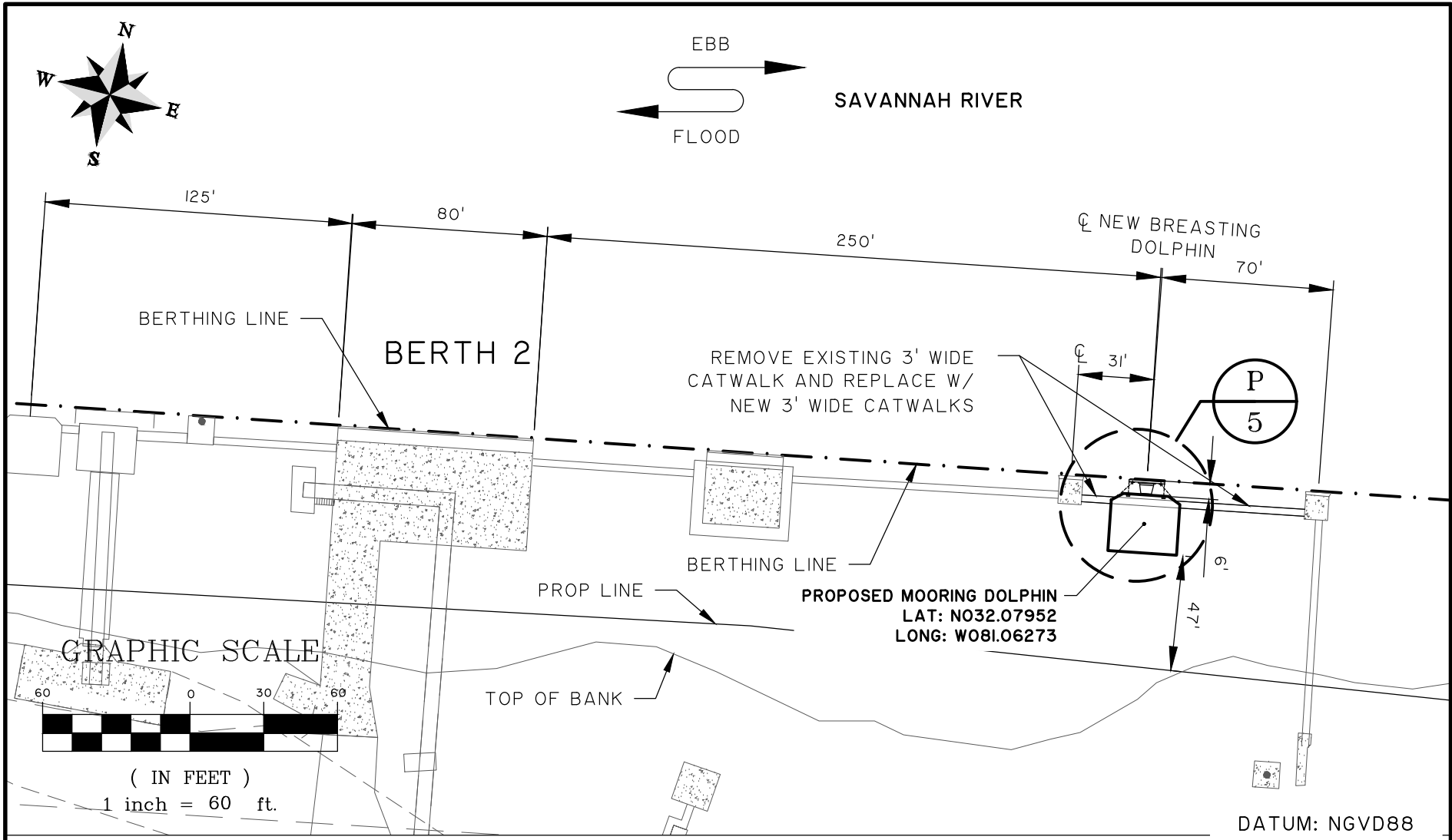
SHEET: 03  
SCALE: 1" = 1000'



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Z:\24331\24331.0001\ENGINEERING\DRAWINGS\PERMIT\24331.0001 - 04 SITE PLAN.DWG - Jul 9, 2021 - 9:29 AM



DATUM: NGVD88

# SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET TITLE:  
SITE PLAN

APPLICANT:  
SAVANNAH BULK TERMINAL

LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

SHEET: 04  
SCALE: 1" = 60'

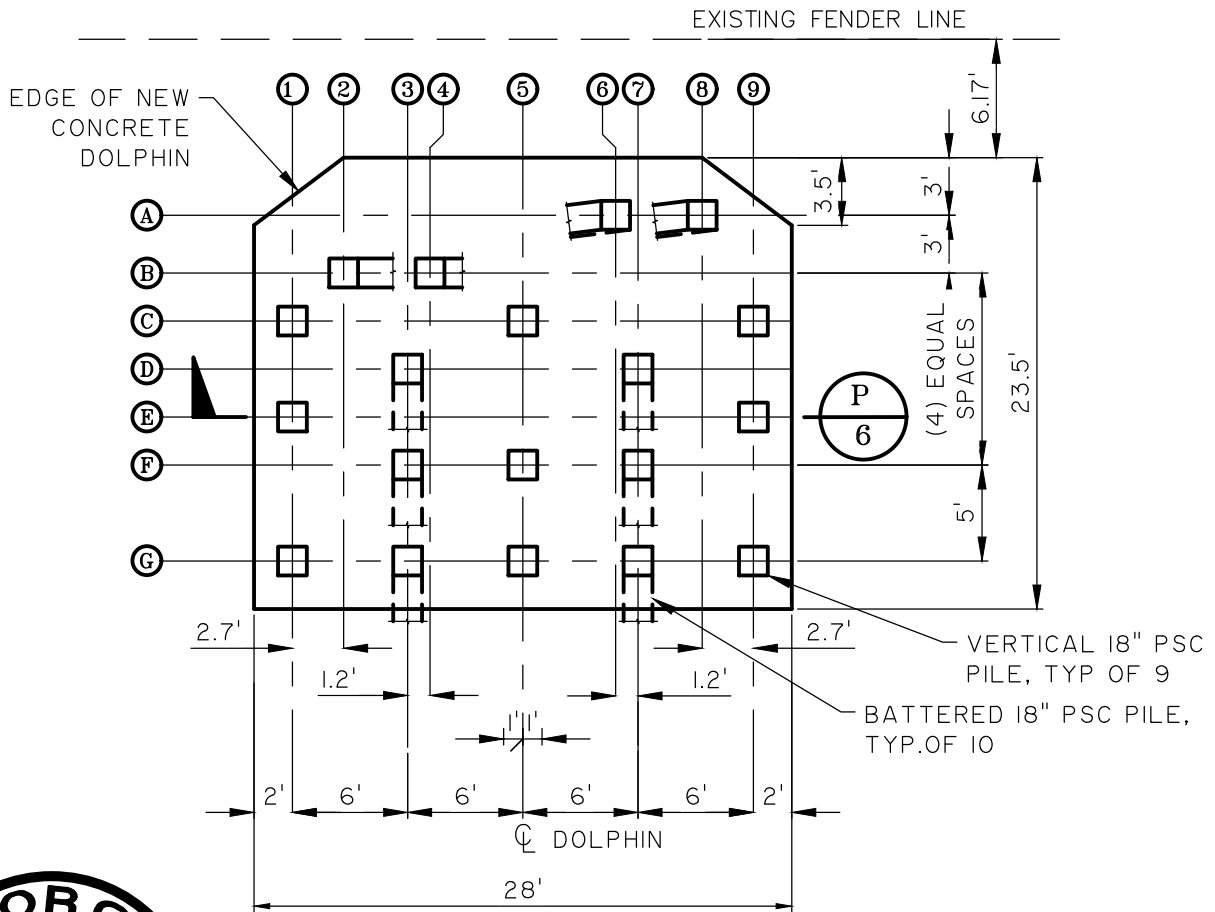
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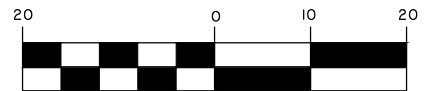
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Savannah, GA | Brunswick, GA | Myrtle Beach, SC | Wilmington, NC





GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:

DOLPHIN PLAN

APPLICANT:

SAVANNAH BULK TERMINAL

LOCATION: SAVANNAH (CHATHAM), GA

DATE: 7/9/2021

JOB NUMBER: J - 25340.0000

SHEET: 05

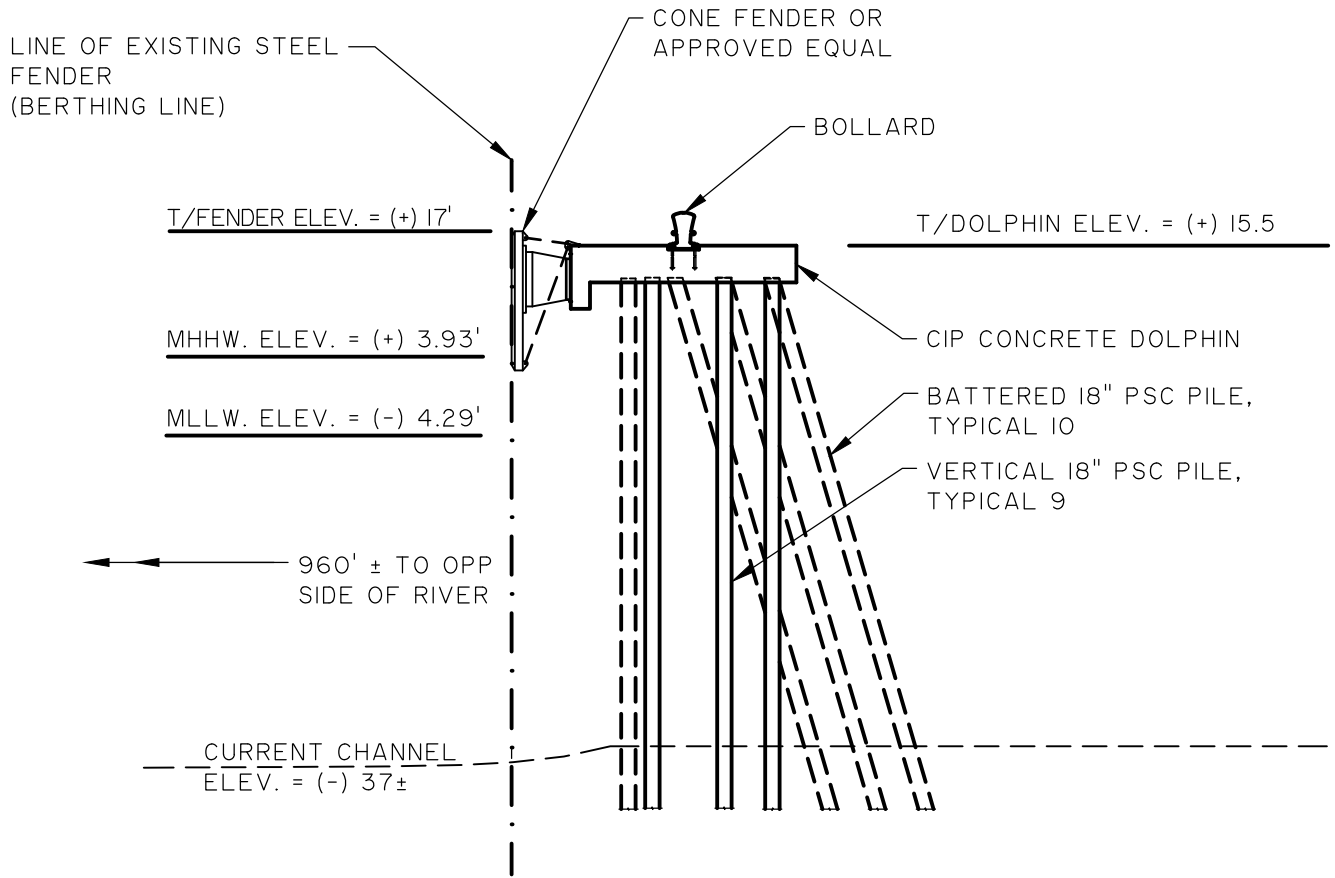
SCALE: 1" = 10'



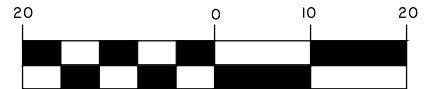
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GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:  
**DOLPHIN CROSS SECTION**  
 APPLICANT:  
**SAVANNAH BULK TERMINAL**  
 LOCATION: SAVANNAH (CHATHAM), GA  
 DATE: 7/9/2021  
 JOB NUMBER: J - 25340.0000

SHEET: 06  
 SCALE: 1" = 20'



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**ATTACHMENT D**

**CMPA CHECKLIST**

# INSTRUCTIONS FOR COMPLETING A GEORGIA COASTAL MARSHLANDS PROTECTION PERMIT APPLICATION

Applicants proposing to impact areas below the ordinary high water mark need to complete these application forms. Each and every blank must be filled in completely. For questions that are not applicable to your project, write N/A in the blank. Only those applicants proposing to impact areas below the ordinary high water mark in Effingham, Long, Wayne, Brantley, Chatham, Glynn, Camden, McIntosh, Bryan, Liberty, or Charlton Counties need to complete the Revocable License request. This form requests permission to use publicly owned submerged lands. The Army Corps of Engineers can help you determine if you will need a water quality certification for your project. Contact the Ecological Services Section of the Coastal Resources Division, Georgia Department of Natural Resources at (912) 264-7218 for assistance with state requirements.

## ➤ Forms:

Joint Application for an ACOE Permit and GA CMPA Permit

Revocable License Request

Coastal Marina, Community or Commercial Dock Checklist

Request for JD line

---

## ➤ Project Summary:

Narrative with project details and dimensions, construction method(s), materials, and access points/locations. Narrative should identify all areas that are planned to be used in connection with the project.

Distance of the project into the waterway from MLW.

Distance of the project from the navigable channel.

Depths of the waterway at MLW.

Total width of the waterway from MLW to MLW.

Distance to the next structure to either side of the proposed project.

## ➤ Project Drawings:

X Plan or drawing showing the applicant's proposal and the manner or method by which such proposal shall be accomplished. Such plan shall identify all coastal marshlands, as verified by CRD staff, within the extended property lines of the project area.

\*All drawings should be:

- a. Submitted on a registered survey (signed, stamped and dated) or on the recorded plat of the property.
  - b. Submitted on 8 1/2 " by 11" paper or 11" by 17" (if needed to see details clearly), leave a 1" margin on the long side of each page for binding purposes.
  - c. Drawn to scale. Include a bar scale or other graphic scale and a North arrow.
- 

## ➤ Site Plans:

X Vicinity map that shows the location of the project, latitude and longitude, name of waterway, distance to nearest town or interstate highway and a North arrow.

### Marshland Component of Project

X DNR Marsh Jurisdiction Line (this line must be surveyed in by a registered surveyor), high and low waterlines and the method used to establish the waterlines. DNR staff must verify the Marsh Jurisdiction Line within the project area. Marsh jurisdiction line is validated for one year.

X Existing features such as structures, boardwalks, etc. within jurisdiction.

X Proposed features such as structures, boardwalks, etc. within jurisdiction.

X Dimensions of the proposed structure/project that is the marshland component of the project. Marshland component is defined as the part of the project in an estuarine area or any structure on or over an estuarine area. The dimensions must consist of the distance the project will extend into the waterway, distance from the navigable channel, and the total width and depths of the waterway from MLW to MLW. Label existing structures in the navigable waters near the proposed activity.

X Total square footage of proposed project footprint within jurisdiction and total square footage over vegetated marshlands.

X Section/Elevation view showing a cross-section view of the project using the same water elevations as the Site Plan.

X Depth of water at the water-ward face of the proposed project, the dimensions and names of structures supported on floats or piles, the distance between pilings, the number of pilings, and types of materials used.



- \* Include additional CONSTRUCTION DRAWINGS as needed to clearly show the proposed project and how the project will be completed. For SHORELINE ENGINEERING ACTIVITIES (bulkheads, revetments, etc.) show typical construction methods with respect to mean, sea level for tiebacks, footings/foundations, type of material, slope of face, etc. For Boardwalks (walkways, decks, etc.) and BRIDGES show typical arrangement of posts/beams/decking, height above the marsh vegetation, and height above any waters at both MLW and MHW.

### Upland Component of the Project

N/A Delineation of the upland component of the project- Upland component is defined as, all those service areas, amenities, and recreational areas located inland of the CMPA jurisdiction line that serve or augment the functioning of the marshlands component of the project. Include any facilities adjacent to or in proximity to the marshlands component of the project that will serve exclusively or primarily the users of the marshlands component of the project.

X Existing features such as structures, roadways, parking areas, dry-stack storage, fueling facilities, etc.

X Proposed features such as structures, roadways, parking areas, dry-stack storage, fueling facilities, etc.

### Marshlands Buffers for Upland Component

N/A Delineation of 50-foot marshlands buffer applicable to the upland component of the project as measured horizontally inland from the coastal marshlands-upland interface (verified JD line).

N/A Documentation of existing condition of delineated buffer.

N/A Description of buffer design, installation, and maintenance plans. Applicant should refer to the current edition of the Georgia Stormwater Management Manual for technical specifications and standards specific to buffers.

N/A Description and identification on site plan of any temporary structures proposed within the delineated buffer that are necessary for the construction of the marshlands component of the project.

N/A Description and identification on site plan of any permanent structures proposed within the delineated buffer that are necessary for the function of the marshlands component of the project.

X Description and identification on site plan of any permanent structures proposed within the delineated buffer that are required to provide permanent access to the marshlands component of the project.

N/A Description and identification on site plan of any vegetated plantings or grading of vegetation within the delineated buffer. Applicant is referred to the Georgia Stormwater Management Manual and the “Riparian Buffers in Your Backyard”. Note: Planting and grading within the buffer must be designed and installed to enhance stormwater treatment.

N/A Description and identification on site plan of pedestrian access for passive recreation to be located within the delineated buffer.

X Description including dimensions and identification on the site plan of any existing impervious surfaces or structures pre-existing within the delineated buffer.

Stormwater Management Plan of the Upland Component

N/A Description of Stormwater Plan for upland component of the project. Note: No discharge of untreated stormwater is allowed from developed or disturbed areas, whether surface or piped, to coastal marshlands from the upland component of the project, unless waiver is granted by Committee

N/A If waiver is being requested, detailed description of the site or project characteristics that prohibit treatment, why there is no practicable alternative, and documentation demonstrating how the stormwater runoff will have minimal adverse impact.

Impervious Surface Calculations of the Upland Component

N/A Description and delineation of the pervious surfaces and impervious surfaces proposed for the upland component of the project. Note: Pervious surfaces shall be used to the maximum extent practicable, and total impervious area shall be minimized with the goal of achieving no more than 15% effective impervious cover where practicable taking in account existing structures that are a part of the project and that available land area that is part of the upland component of the project.

N/A Detailed documentation of the calculation of Effective Impervious Cover rate.

-----

➤ **Deed or other legal instrument:**

X A copy of the deed, or other legal conveyance, putting title to or an interest in the real property, into the name of the applicant, together with any plat(s) referenced in the deed or conveyance that show the boundaries of the real property conveyed.

N/A Any later deed or conveyance whereby any full or partial interest, such as, an inter-spousal transfer, trust agreement, lease agreement, partnership, corporation, limited liability company or executor or decedent's estate took an ownership interest in the real property.

N/A If the applicant is not the owner of the property, then provide a copy of the owner's deed or other legal conveyance AND the written permission from the owner to carry out the project on his/her land. The owner must acknowledge that it is aware of the application and that it is familiar with the applications plans for the property and that the owner gives permission to the applicant to carry out the project on his/her land as outlined in the application.

N/A Specific plat(s) referenced in the vesting deed showing the upland boundary of the project area in relation to the natural resource coastal marshlands and tidal waterbottoms.

N/A Identification of any marshlands within project area designated as Natural Heritage Preserve.

N/A If the property was subdivided after the applicant acquired the property, then the new subdivision plat, in addition to the plat referenced in the vesting deed.

N/A Corporate owners must submit their Articles of Organization or other legal documentation to show signatory's capacity to bind the corporation to the permit and/or waterbottoms lease.

N/A Homeowners Association By-laws and Restrictive Covenants pertaining to the project area (upland and marsh component).

N/A Conservation Easements or other easements pertaining to the project area (upland and marsh component).

N/A Deed restrictions if applicable.

---

➤ **Adjoining Land Owners:**

List of all adjoining landowners together with such owners' addresses.

N/A If the names or addresses of adjoining land owners cannot be determined, a sworn affidavit that a diligent search, including 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 of adjoining landowners.

---

➤ **Zoning Letter & Signed Drawings from Local Gov:**

Letter from the local zoning authority stating that this proposal is in compliance with any zoning laws. This letter must be specific to the project and cannot be conditional in any way.

Copy of the most current version of plans, signed and dated by the local zoning authority. If the project is redesigned, the zoning authority must sign the latest plans to ensure there is no confusion about which "version" of the project is approved.

---

➤ **Non-refundable Application Fee:**

Check or money order made payable to the GEORGIA DEPARTMENT OF NATURAL RESOURCES is required. Include the amount listed below for the type of project you are proposing. Renewal fees will be equal to application fees. This list does not include all possible projects and should be used only as a guide.

\$100 Routine: Simple modification, research, simple pier, bridge (no fill), deck, etc.

- \$250 Moderate: Community dock, boat ramp, bridge (minor fill), culverts/gates, pier, etc.
  - \$500 Complex: Marina, marina modification, roadway, mosquito ditching, dredging, wastewater treatment, commercial dock, etc.
- 

➤ **Alternative Analysis:**

N/A Brief description of alternative sites the applicant considered and why they are not feasible. Include a discussion of why the permit should be granted. Describe water dependent nature of project.

---

➤ **Landfill or Hazardous Waste Statement:**

X Statement from the applicant that he has made inquiry to the appropriate authorities that the proposed project is not over landfill or hazardous waste site and that the site is otherwise suitable for the proposed project. Contact your local government engineer to find out if your site is over a hazardous waste site or landfill. If your county engineer is unable to answer your question, contact the State Hazardous Sites Response Program at (888) 373-5947, or check the Internet at: [www.dnr.state.ga.us/dnr/environ](http://www.dnr.state.ga.us/dnr/environ) then select Georgia Environment followed by Hazardous Sites. Provide a statement that you have inquired about location of your site with respect to hazardous waste or landfills.

---

➤ **Water Quality Certification:**

N/A Copy of the water quality certification issued by EPD, if required for the proposed project. The USCAE determines whether a proposed project requires water quality certification under their 401 regulations.

(Note: If required, certification MUST be issued prior to CMPC consideration of the project.)

---

➤ **Erosion and Sedimentation Statement:**

X Statement certifying that the project will be conducted in compliance with applicable erosion and sediment control responsibilities. Please refer to the section above regarding marshland buffers, stormwater management, and impervious surface calculations.

---



X Documentation how the project is not contrary to the public interest, specific to the following public interest considerations:

- a. 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.
- b. Whether or not unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water will be created.
- c. 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, wildlife, or other resources, including but not limited to water and oxygen supply.

# Coastal Marina, Community or Commercial Dock Checklist

(fill in the blanks as indicated or answer yes or no)

## LOCATION:

County Chatham Landmarks Existing Savannah Bulk Terminal  
Municipality City of Savannah Waterway Savannah River

## FACILITY:

Facility Type  Private  Public  Commercial  Other  
Dock Space  Leased  Sold  Rented  Other

Size of Upland Area (sq. ft.) +/-27 acres Size of Submerged Area (sq. ft) +/-1.26 acres

## WATERWAY INFORMATION:

open water  river  creek  basin

Tidal Range (ft MLW) +/- 7 feet Water Depth (ft. MLW) > 10 feet

Channel Width (ft. MLW) +/- 958 feet Depth of Dredging (ft. MLW) N/A

Distance facility will extend into the waterway beyond MLW Existing limits of facility will not change

## EXISTING OR PLANNED SERVICES IN JURISDICTION:

<input type="checkbox"/> boat ramp	<input type="checkbox"/> hoist	<input type="checkbox"/> mobile lift	<input type="checkbox"/> vessel TV hookup
<input type="checkbox"/> railway	<input type="checkbox"/> fuel	<input type="checkbox"/> propeller repair	<input type="checkbox"/> electrical repair
<input type="checkbox"/> pump-out vessels	<input type="checkbox"/> hull repair	<input type="checkbox"/> engine repair	<input type="checkbox"/> vessel electric hookup
<input type="checkbox"/> boat building	<input type="checkbox"/> ship's store	<input type="checkbox"/> dockmaster's office	<input type="checkbox"/> fire protection
<input type="checkbox"/> restrooms	<input type="checkbox"/> showers	<input type="checkbox"/> restaurant	<input type="checkbox"/> laundromat
<input type="checkbox"/> hotel	<input type="checkbox"/> # of vehicle (only) parking spaces		<input type="checkbox"/> # of trailer parking spaces

## DREDGING/FILLING/ShORELINE STABILIZATION:

No Will dredging be required for the access channel?  
No Will dredging be required for boat basin?  
No Is filling proposed in tidal wetlands?  
No Is filling proposed in open water?  
No Will dredge disposal sites be required?  
NA Have future dredge disposal sites been identified?  
NA Have future dredge spoil sites been set aside with deeds or easements?  
No Is shoreline stabilization proposed? If so, what type?  
No Is the project in or near a US Army Corps of Engineers maintained channel or basin with an authorization depth of 12 feet or greater? (if so, contact the Corps of Engineers)

**HABITAT/WILDLIFE/CULTURAL RESOURCES:** (contact GADNR Wildlife Resources Division, US Fish & Wildlife Service, GADNR Coastal Resources Division- Marine Fisheries, National Marine Fisheries Service OR GADNR Historic Resources)

---

Yes Is this site located near a wildlife refuge, wilderness area, special management area, or other area specifically located for the protection of fish and wildlife?  
If yes, what is the distance? 3 Miles

Yes \*Is this habitat identified as “**essential fish habitat**”?

Yes Are rare, threatened, endangered or otherwise designated unique or outstanding aquatic or terrestrial species or their habitats known to be present at or near the project site?

No Do oyster or clam beds occur in or near the project site or access channels?  
If yes, what is the distance? \_\_\_\_\_ If yes, what is the acreage? \_\_\_\_\_

No \*Is project site near active crabbing areas?

No \*Is the project site in designated bait zones?

No Is the project site in or near an area of historic, archeological, or scenic value?  
If yes, explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* GA DNR Coastal Resources Division’s Marine Fisheries staff can direct the applicant to appropriate source materials.

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**ATTACHMENT E**

HAZARDOUS SITE INDEX, CHATHAM COUNTY, GEORGIA



## List of Sites on HSI by County

HSI ID	Site Name	Site County
10711	Candler County S.R. 121 Metter # 021-001D(SL)	Candler
10060	Southwire - Copper Division	Carroll
10061	Southwire - Wire & Cable Division	Carroll
10360	Douglas & Lomason Company	Carroll
10413	Muse Scrap Metals	Carroll
10604	Trent Tube Division	Carroll
10648	Carroll County / Carrollton SR 166 LF	Carroll
10780	Dixie/Candlewick Hurst Yarn Mill (Former)	Catoosa
10218	Union Camp Corp - DBA Thomas Treating	Charlton
10003	CSX Transportation - Savannah (Tremont Road)	Chatham
10018	Atlantic Wood Industries	Chatham
10045	Colonial Terminals, Plant #1	Chatham
10091	Travis Field/Savannah International Airport	Chatham
10095	Central of GA RR/Bernuth-Lembcke Site	Chatham
10098	Colonial Terminals, Plant #2	Chatham
10101	CSX Transportation - Powell Duffryn	Chatham
10114	Union Camp Corp - Former Amoco Property	Chatham
10128	Atlanta Gas Light Company - Savannah MGP Site	Chatham
10162	Ashland Chemical Company	Chatham
10179	Deptford Tract Landfill	Chatham
10208	139 Brampton Road	Chatham
10241	Union Camp Corp - Allen Blvd Landfill	Chatham
10351	ARAMARK Uniform Services	Chatham
10371	Southern States Phosphate & Fertilizer Co.	Chatham
10372	Truman Parkway, Phase II	Chatham
10395	Hunter Army Airfield, Fire Training Area	Chatham
10406	McKenzie Tank Lines, Inc.	Chatham
10415	Savannah Electric - Plant Kraft	Chatham
10440	Blue Ribbon Dry Cleaners	Chatham
10464	Vopak Terminal Savannah	Chatham
10497	Southeastern Family Homes, Inc.	Chatham
10521	Hunter Army Airfield - MCA Barracks	Chatham
10553	Georgia Air National Guard/Savannah/Site 8	Chatham
10579	Abercorn & Largo Development	Chatham
10590	Central of Georgia Railroad Company - Battlefield Park	Chatham
10591	Southern Motors of Savannah, Inc.	Chatham
10611	CSXT Depriest Signal Shop	Chatham
10641	Kerr McGee Pigments, Inc.	Chatham
10649	Chatham County Landfill	Chatham
10696	Hercules, Inc.	Chatham
10698	Norfolk Southern - Natrochem, Inc., Site	Chatham
10764	Martha's Dry Cleaner	Chatham
10788	Southside Cleaners	Chatham
10789	Dry Clean, USA	Chatham
10849	Toto Distribution (Former)	Chatham
10867	Coastal Concrete, Inc.	Chatham
10873	Dry Clean USA	Chatham
10903	Hunter Army Airfield/TCE Plume	Chatham
10905	CSXT Property on Feeley Avenue	Chatham
10919	2217 West Bay Street	Chatham

## List of Sites on HSI by County

HSI ID	Site Name	Site County
10454	Chattooga County - Penn Bridge Rd Ph 1 (SL)	Chattooga
10650	Cherokee County - Blalock Road Landfill	Cherokee
10918	Chart Inc.	Cherokee
10014	Westinghouse Electric Corp	Clarke
10052	Georgia Power - Athens Foundry Street Property	Clarke
10153	Atlanta Gas Light Company - Athens MGP Site	Clarke
10269	University of Georgia - Milledge Avenue Site	Clarke
10277	Athens-Clarke County - Dunlap Rd (SL) MSWL	Clarke
10354	Barnett Shoals Road	Clarke
10355	General Time Corporation	Clarke
10376	Loef Company, Inc. (The)	Clarke
10491	Athens/Clarke Co. Willow Street Landfill & Incinerator	Clarke
10009	U.S. Army - Fort Gillem - North Landfill Area	Clayton
10392	Clayton Co. SR3- Lovejoy Site #2 MSWL	Clayton
10563	Hana Convenience Store Property	Clayton
10583	Pavilion Cleaners, Riverdale Mall	Clayton
10798	Tara Shopping Center	Clayton
10808	Lowe's Home Improvement Warehouse	Clayton
10816	Rolling Hills Landfill	Clayton
10005	G. C. Lee Site	Clinch
10032	Brockway Standard - Homerville Plant	Clinch
10140	Union Timber	Clinch
10157	Manor Timber Company	Clinch
10191	Barlow Creosote	Clinch
10246	Morgan Post Treating Impoundment	Clinch
10275	Clinch County - Smith Road Landfill Phase 1 (SL)	Clinch
10626	St. Regis Wood Treating Site (Former)	Clinch
10731	BWAY Drum Site	Clinch
10115	Phibro-Tech (fka C P Chemicals)	Cobb
10116	Georgia Metals	Cobb
10146	Air Force Plant 6	Cobb
10271	Cheatham Road Landfill (Phase 2 Cobb County)	Cobb
10326	Corners Shopping Center	Cobb
10333	Apollo Industries, Inc.	Cobb
10427	Vulcan Performance Chemicals (Former)	Cobb
10435	Diversey - Olympic Manufacturing Inc. (Former)	Cobb
10466	Baychem, Inc.	Cobb
10505	Station at Vinings (The)	Cobb
10508	Aladdin Cleaners	Cobb
10513	Circle K Store #5259	Cobb
10518	North Park Pavilion Shopping Center	Cobb
10519	Fabricare Cleaners	Cobb
10530	Encore Dry Cleaners (Former)	Cobb
10538	Flags Village Shopping Center	Cobb
10695	Junction Cleaners	Cobb
10790	Love Your Clothes Cleaners	Cobb
10792	AMREP, Incorporated	Cobb
10813	Franklin Street Site	Cobb
10814	Jack's Cleaners	Cobb
10824	HTC Group LLC	Cobb
10864	Cobb County Tool and Engineering, Former (aka Cooper Lake Proper	Cobb

**ATTACHMENT F**

PROPERTY OWNERSHIP DOCUMENTATION

12/31/2004 01:13pm

STATE OF GEORGIA )  
 )  
COUNTY OF CHATHAM )

Prepared by and return to:  
Edwin W. King, Jr. PAID: 22.00  
Post Office Box 9873  
Savannah, GA 31412  
Susan O. Prouse, Clerk  
Superior Court of Chatham County  
Chatham County, Georgia

Real Estate Transfer Tax

WARRANTY DEED

PAID \$\*4365.90

THIS INDENTURE, made this 30<sup>th</sup> day of December, 2004, between FOREST

COMMODITY CORPORATION, a Georgia corporation, of the State of Georgia, and County of Chatham, party of the first part, and SAVANNAH BULK TERMINAL, L.L.C. a Georgia limited liability company, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of TEN AND NO 100'S DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed unto the said party of the second part, its successors and assigns its interest in that tract or parcel of land lying and being in Chatham County, Georgia, described on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of it, the said part of the second part, its successors and assigns forever, IN FEE SIMPLE

AND THE SAID PARTY of the first party, for its successors and assigns will warrant and forever defend the right and title to the above described property unto the said property of the second

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part, its successors and assigns, against the lawful claim of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and affixed its seal, the day and year above written.

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Signed, sealed, and delivered  
in the presence of:

[Signature]  
Witness

FOREST COMMODITY CORPORATION

By: [Signature] (CEO)  
Frank K. Peeples, Jr.

Attest: [Signature]  
[CORPORATE SEAL]  
[CORPORATE SEAL] SEAL

[Signature]  
Notary Public  
My Commission Expires  
[NOTARIAL SEAL] **JEAN L. McCULLOUGH**  
Notary Public, Chatham County, GA  
My Commission Expires February 4, 2008



LEGAL DESCRIPTION

PARCEL 1:

ALL that certain tract or parcel of land situate, lying and being in the 5<sup>th</sup> G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

COMMENCING at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757,753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point; running thence South 18 degrees 26 minutes East a distance of 42.43 feet to a point on the approximate high water line of the Savannah River which is the Point of Beginning.

Running thence with the approximate high water mark line of the Savannah River South 83 degrees 23 minutes 10 seconds East a distance of 141.31 feet to a point; thence North 78 degrees 3 minutes 20 seconds East a distance of 691.73 feet to a point; thence South 84 degrees 49 minutes 20 seconds East a distance of 250.57 feet to a point; thence North 87 degrees 24 minutes 50 seconds East a distance of 248.87 feet; thence South 55 degrees, 5 minutes 40 seconds East a distance of 91.14 feet; thence South 03 degrees 36 minutes 45 seconds East a distance of 851.09 feet to a point; running thence North 85 degrees 51 minutes 25 seconds West a distance of 1675.00 feet to a point; thence North 10 degrees 35 minutes 50 seconds West a distance of 404.42 feet to a corner of lands now or formerly of East Coast Terminal Associates, Ltd.; running thence with said lands of East Coast Terminals the following 2 courses:

North 81 degrees 34 minutes East a distance of 341.15 feet to a point and thence North 18 degrees 28 minutes West a distance of 227.57 feet to the point of Beginning.

Said tract contains 29.851 acres, more or less, according to survey and plat thereof dated October 30, 1989, by Bert S. Barrett, Sr., Georgia R.L.S., which is hereby incorporated as a part hereof by references.

PARCEL 2:

ALL that certain tract or parcel of land situate, lying and being in the 5<sup>th</sup> G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

Commencing at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757,753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point, which is the Point of Beginning.

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Running thence along the harbor line of the Savannah River the following courses:

North 75 degrees 42 minutes 08 seconds a distance of 240.78 feet to harbor line point No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to harbor line point No. P-115; thence North 81 degrees 04 minutes 13 seconds East a distance of 602.87 feet to harbor line point No. P-117; thence North 85 degrees 56 minutes 29 seconds East a distance of 179.46 feet to a point;

Running thence South 03 degrees 36 minutes 45 seconds East a distance of 228.8 feet, more or less, to a point located on the approximate high water line of the Savannah River; running thence with the approximate high water line of the Savannah River generally in a Northerly and Westerly direction a distance of 1540 feet, more or less, to the Point of Beginning of Parcel 1; running thence North 18 degrees 28 minutes West a distance of 42.43 feet to the Point of Beginning.

PARCEL 3:

A perpetual non-exclusive right and easement over and across the hereinafter described property situate, lying and being in the 5<sup>th</sup> G.M.D., Chatham County, Georgia, which contains 2.273 acres, more or less.

Beginning at a point on the East line of Bilbo Canal where it intersects the Southwestern corner of property now or formerly of East Coast Terminals Associates, Ltd., as shown on the afore referenced survey dated October 30, 1989, made by Bert S. Barrett, Sr., Georgia R.L.S., and running thence North 84 degrees 07 minutes East a distance of 503.49 feet to a point; running thence North 73 degrees 16 minutes East a distance of 147.33 feet to a point; running thence North 80 degrees 43 feet East a distance of 458.33 feet to a point; running thence North 84 degrees 02 minutes 30 seconds East a distance of 1431.80 feet to a point; running thence South 10 degrees 35 minutes 50 seconds East a distance of 40.13 feet to a point; running thence South 84 degrees 02 minutes 30 seconds West a distance of 149.53 feet; running thence South 84 degrees 07 minutes West a distance of 527.26 feet to a point on the East line of the Bilbo Canal; running thence along said East line North 20 degrees 39 minutes East a distance of 44.71 feet to the Point of Beginning.

PARCEL 4:

A perpetual nonexclusive right and easement over and across the hereinafter described property:

ALL that certain tract or parcel of land situate, lying and being in the City of Savannah, Chatham County, Georgia, in Lamar Ward, containing 1.88 acres, more or less, being a former portion of Harbor Street (formerly known as St. Julian Street) and being described as follows:

Beginning at the point of intersection of the West right-of-way street, as the same existed on January 13, 1980, which point is marked by a concrete monument and running thence South 83

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degrees 49 minutes West a distance of 877.15 feet to a point on the right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 60 degrees 11 minutes West along the Easterly right-of-way line of Harbor Street a distance of 90.91 feet to a point on the North right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 83 degrees 49 minutes East along the right-of-way line of Harbor Street, as the same existed on January 13, 1980, a distance of 926.30 feet to a point on the West right-of-way line at Bilbo Canal, which point is marked by a concrete monument; thence running South 22 degrees 13 minutes West along the West right-of-way line at Bilbo Canal a distance of 103.35 feet to the point of beginning.

Said tract as shown on a plat of survey dated January 31, 1980 made by Bert S. Barrett, Georgia RLS, and recorded in Plat Record Book DD, Folio 133 of the Records of Chatham County, Georgia, and on a plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS, to both of which surveys reference is hereby made for a more complete description.

PARCEL 5:

ALL right, title and interest of Grantor under and by virtue of that certain irrevocable easement granted by the Georgia State Properties Commission dated March 21, 1979, recorded in Deed Book 112-M, page 739 of the records of Chatham County, Georgia in and to the following described property:

ALL that certain portion of river bottom and inter-tidal land situate, lying and being in Chatham County, Georgia, on the south bank of the Savannah River, and being bounded as follows: On the South by the high water line or mark of the Savannah River, which form the Northernmost land portion of a tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation under Lease dated July 26, 1977; on the North by the South Harbor on pier line of the Savannah River (as designated by the U.S. Army Corps of Engineers); on the East by the Northward projection of the Eastern property line of the tract described in said lease from said high water line to harbor line marker P-117; and on the West by the northward projection of the Western property line of the tract described in said Lease from said high water line to harbor line marker P-107; the land portion of said leased tract being shown on Seaboard Coast Line Railroad Company drawing S-891 dated August 19, 1975, last revised July 20, 1977, which is recorded in Plat Book BB, Folio 13, of the records of Chatham County, Georgia.

Said easement area is also shown on that certain plat dated January 26, 1976, entitled "Proposed Bulk Handling Facility, East Coast Terminal", a copy of which is in the files of the Commissioner of the Georgia Department of Natural Resources and in the files of the State Properties Commission and as shown on the afore-referenced plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS.

It is recognized that the exact location of the high water line or mark of the Savannah River fluctuates with the tide, and may vary from the aforesaid plats, however, it is the intention of the foregoing description to include, during the period for which the easement is granted, all land

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between said high water line or mark (adjacent to said tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation, its successors and assigns), wherever its exact location, and the south harbor or pier line of the Savannah River, wherever its exact location.

The property described in said irrevocable easement is the same property described as Parcel 2.

LESS AND EXCEPT FROM PROPERTY DESCRIBED IN SCHEDULE "A"

ALL that certain lot, tract, or parcel of land situate, lying and being in the 5<sup>th</sup> G.M.D. of Chatham County, Georgia and being known and designated as Lot 2 of a recombination (showing all access easements) of a portion of Lot 1 and Lot 2, Forest Commodity Corporation ("FCC"), on a Recombination Plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, Kern-Coleman & Co., Inc., dated October 7, 2003, which has been recorded in the Office of the Clerk of Superior Court of Chatham County, Georgia in Subdivision Map Book 29-S, at page 42. Said Lot 2 contains 5.659 acres and is bounded on the North by the lower low water line of the Savannah River, on the East by lands now or formerly of CSX Transportation, Inc. ("CSX"), and on the South and West by Lot 1 as shown on said Recombination Plat. Specific reference is hereby made to the aforesaid Recombination Plat for better determining the metes, bounds, courses and distances of said property. This is a portion of the same property which was conveyed to FCC by deed from CSX dated November 6, 1989, recorded in Deed Book 143-Z, Page 540, in said Clerk's office.

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AND ALSO, all of the Grantor's right, title and interest in and to the property lying to the North of the aforesaid Lot 2, said property being bounded as follows: On the North by the harbor line of the Savannah River as shown on the aforesaid Recombination Plat, on the East by the extension of the Eastern boundary line of the aforesaid Lot 2 North to said harbor line, on the South by the aforesaid lower low water line of the Savannah River line of the Savannah River, and on the West by the extension of the Western boundary line of the aforesaid Lot 2 North to said harbor line.

AND ALSO, for the benefit of Cement Consumers Association, LLC ("CEMPAC"), a Georgia limited liability company, (which is purchasing said Lot 2 from Grantee) and CEMPAC'S successors and assigns;

- (1) A permanent, non-exclusive access and utility easement as shown on said Recombination Plat which extends in a general westerly direction from the southwest corner of said Lot 2 over, under and across the adjoining Lot 1 now owned by FCC and extending westward over, under and across lands now or formerly of CSX and East Coast Terminals Association to Harbor Street, a public street in the City of Savannah.
- (2) A permanent, non-exclusive wharf and access easement, subject to the conditions contained within that certain Wharf and Access Easement Agreement dated as of November 6, 2003 between FCC and CEMPAC, connecting said Lot 2 with the



wharf or dock located on said adjoining Lot 1, as shown on said Recombination Plat, to be used for the purpose of installing, uninstalling, maintaining, replacing and operating a belt conveyor or pneumatic system which will transport cement in bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement areas shown on said plat.

- (3) A permanent, non-exclusive easement over that portion of said Lot 1 located adjacent to the southern property line of said Lot 2, as shown on said Recombination Plat, to be used for the installation, maintenance and operation of all switches, tracks and related equipment which may be necessary for the proper loading and unloading at CEMPAC's terminal to be built on said Lot 2 of bulk cement and related products using railroad cards and to provide ingress and egress of said cars to and from the CSX main line servicing said Lot 2.

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Clock#: 615666  
FILED FOR RECORD

12/31/2004 01:13pm

STATE OF GEORGIA )  
                          )  
COUNTY OF CHATHAM )

Prepared by and return to:  
Edwin W. King, Jr. PAID: 22.00  
Post Office Box 9873  
Savannah, GA 31412  
Susan D. Prouse, Clerk  
Superior Court of Chatham County  
Chatham County, Georgia

Real Estate Transfer Tax

**WARRANTY DEED**

PAID \$4365.90

THIS INDENTURE, made this 30<sup>th</sup> day of December, 2004, between FOREST

COMMODITY CORPORATION, a Georgia corporation, of the State of Georgia, and County of Chatham, party of the first part, and SAVANNAH BULK TERMINAL, L.L.C. a Georgia limited liability company, party of the second part.

**WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of TEN AND NO 100'S DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed unto the said party of the second part, its successors and assigns its interest in that tract or parcel of land lying and being in Chatham County, Georgia, described on Exhibit "A" attached hereto and made a part hereof.

**TO HAVE AND TO HOLD** the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of it, the said part of the second part, its successors and assigns forever, **IN FEE SIMPLE**

**AND THE SAID PARTY** of the first party, for its successors and assigns will warrant and forever defend the right and title to the above described property unto the said property of the second

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part, its successors and assigns, against the lawful claim of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and affixed its seal, the day and year above written.

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PAGE 324

Signed, sealed, and delivered in the presence of:

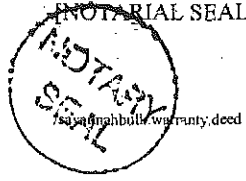
[Signature]  
Witness

FOREST COMMODITY CORPORATION

By: [Signature] (CEO)  
Frank K. Peoples, Jr.

Attest: [Signature]  
[CORPORATE SEAL] SECRETARY [CORPORATE SEAL] SEAL

[Signature]  
Notary Public  
JEAN L. McCULLOUGH  
My Commission Expires February 4, 2008  
Notary Public, Chatham County, GA  
[NOTARIAL SEAL]



LEGAL DESCRIPTION

PARCEL 1:

ALL that certain tract or parcel of land situate, lying and being in the 5<sup>th</sup> G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

COMMENCING at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757.753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point; running thence South 18 degrees 26 minutes East a distance of 42.43 feet to a point on the approximate high water line of the Savannah River which is the Point of Beginning.

Running thence with the approximate high water mark line of the Savannah River South 83 degrees 23 minutes 10 seconds East a distance of 141.31 feet to a point; thence North 78 degrees 3 minutes 20 seconds East a distance of 691.73 feet to a point; thence South 84 degrees 49 minutes 20 seconds East a distance of 250.57 feet to a point; thence North 87 degrees 24 minutes 50 seconds East a distance of 248.87 feet; thence South 55 degrees, 5 minutes 40 seconds East a distance of 91.14 feet; thence South 03 degrees 36 minutes 45 seconds East a distance of 851.09 feet to a point; running thence North 85 degrees 51 minutes 25 seconds West a distance of 1675.00 feet to a point; thence North 10 degrees 35 minutes 50 seconds West a distance of 404.42 feet to a corner of lands now or formerly of East Coast Terminal Associates, Ltd.; running thence with said lands of East Coast Terminals the following 2 courses:

North 81 degrees 34 minutes East a distance of 341.15 feet to a point and thence North 18 degrees 28 minutes West a distance of 227.57 feet to the point of Beginning.

Said tract contains 29.851 acres, more or less, according to survey and plat thereof dated October 30, 1989, by Bert S. Barrett, Sr., Georgia R.L.S., which is hereby incorporated as a part hereof by references.

PARCEL 2:

ALL that certain tract or parcel of land situate, lying and being in the 5<sup>th</sup> G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

Commencing at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757,753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point, which is the Point of Beginning.

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Running thence along the harbor line of the Savannah River the following courses:

North 75 degrees 42 minutes 08 seconds a distance of 240.78 feet to harbor line point No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to harbor line point No. P-115; thence North 81 degrees 04 minutes 13 seconds East a distance of 602.87 feet to harbor line point No. P-117; thence North 85 degrees 56 minutes 29 seconds East a distance of 179.46 feet to a point;

Running thence South 03 degrees 36 minutes 45 seconds East a distance of 228.8 feet, more or less, to a point located on the approximate high water line of the Savannah River; running thence with the approximate high water line of the Savannah River generally in a Northerly and Westerly direction a distance of 1540 feet, more or less, to the Point of Beginning of Parcel 1; running thence North 18 degrees 28 minutes West a distance of 42.43 feet to the Point of Beginning.

PARCEL 3:

A perpetual non-exclusive right and easement over and across the hereinafter described property situate, lying and being in the 5<sup>th</sup> G.M.D., Chatham County, Georgia, which contains 2.273 acres, more or less.

Beginning at a point on the East line of Bilbo Canal where it intersects the Southwestern corner of property now or formerly of East Coast Terminals Associates, Ltd., as shown on the afore referenced survey dated October 30, 1989, made by Bert S. Barrett, Sr., Georgia R.L.S., and running thence North 84 degrees 07 minutes East a distance of 503.49 feet to a point; running thence North 73 degrees 16 minutes East a distance of 147.33 feet to a point; running thence North 80 degrees 43 feet East a distance of 458.33 feet to a point; running thence North 84 degrees 02 minutes 30 seconds East a distance of 1431.80 feet to a point; running thence South 10 degrees 35 minutes 50 seconds East a distance of 40.13 feet to a point; running thence South 84 degrees 02 minutes 30 seconds West a distance of 149.53 feet; running thence South 84 degrees 07 minutes West a distance of 527.26 feet to a point on the East line of the Bilbo Canal; running thence along said East line North 20 degrees 39 minutes East a distance of 44.71 feet to the Point of Beginning.

PARCEL 4:

A perpetual nonexclusive right and easement over and across the hereinafter described property:

ALL that certain tract or parcel of land situate, lying and being in the City of Savannah, Chatham County, Georgia, in Lamar Ward, containing 1.88 acres, more or less, being a former portion of Harbor Street (formerly known as St. Julian Street) and being described as follows:

Beginning at the point of intersection of the West right-of-way street, as the same existed on January 13, 1980, which point is marked by a concrete monument and running thence South 83

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degrees 49 minutes West a distance of 877.15 feet to a point on the right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 60 degrees 11 minutes West along the Easterly right-of-way line of Harbor Street a distance of 90.91 feet to a point on the North right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 83 degrees 49 minutes East along the right-of-way line of Harbor Street, as the same existed on January 13, 1980, a distance of 926.30 feet to a point on the West right-of-way line at Bilbo Canal, which point is marked by a concrete monument; thence running South 22 degrees 13 minutes West along the West right-of-way line at Bilbo Canal a distance of 103.35 feet to the point of beginning.

Said tract as shown on a plat of survey dated January 31, 1980 made by Bert S. Barrett, Georgia RLS, and recorded in Plat Record Book DD, Folio 133 of the Records of Chatham County, Georgia, and on a plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS, to both of which surveys reference is hereby made for a more complete description.

PARCEL 5:

ALL right, title and interest of Grantor under and by virtue of that certain irrevocable easement granted by the Georgia State Properties Commission dated March 21, 1979, recorded in Deed Book 112-M, page 739 of the records of Chatham County, Georgia in and to the following described property:

ALL that certain portion of river bottom and inter-tidal land situate, lying and being in Chatham County, Georgia, on the south bank of the Savannah River, and being bounded as follows: On the South by the high water line or mark of the Savannah River, which form the Northernmost land portion of a tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation under Lease dated July 26, 1977; on the North by the South Harbor on pier line of the Savannah River (as designated by the U.S. Army Corps of Engineers); on the East by the Northward projection of the Eastern property line of the tract described in said lease from said high water line to harbor line marker P-117; and on the West by the northward projection of the Western property line of the tract described in said Lease from said high water line to harbor line marker P-107; the land portion of said leased tract being shown on Seaboard Coast Line Railroad Company drawing S-891 dated August 19, 1975, last revised July 20, 1977, which is recorded in Plat Book BB, Folio 13, of the records of Chatham County, Georgia.

Said easement area is also shown on that certain plat dated January 26, 1976, entitled "Proposed Bulk Handling Facility, East Coast Terminal", a copy of which is in the files of the Commissioner of the Georgia Department of Natural Resources and in the files of the State Properties Commission and as shown on the afore-referenced plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS.

It is recognized that the exact location of the high water line or mark of the Savannah River fluctuates with the tide, and may vary from the aforesaid plats, however, it is the intention of the foregoing description to include, during the period for which the easement is granted, all land

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between said high water line or mark (adjacent to said tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation, its successors and assigns), wherever its exact location, and the south harbor or pier line of the Savannah River, wherever its exact location.

The property described in said irrevocable easement is the same property described as Parcel 2.

LESS AND EXCEPT FROM PROPERTY DESCRIBED IN SCHEDULE "A"

ALL that certain lot, tract, or parcel of land situate, lying and being in the 5<sup>th</sup> G.M.D. of Chatham County, Georgia and being known and designated as Lot 2 of a recombination (showing all access easements) of a portion of Lot 1 and Lot 2, Forest Commodity Corporation ("FCC"), on a Recombination Plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, Kern-Coleman & Co., Inc., dated October 7, 2003, which has been recorded in the Office of the Clerk of Superior Court of Chatham County, Georgia in Subdivision Map Book 29-S, at page 42. Said Lot 2 contains 5.659 acres and is bounded on the North by the lower low water line of the Savannah River, on the East by lands now or formerly of CSX Transportation, Inc. ("CSX"), and on the South and West by Lot 1 as shown on said Recombination Plat. Specific reference is hereby made to the aforesaid Recombination Plat for better determining the metes, bounds, courses and distances of said property. This is a portion of the same property which was conveyed to FCC by deed from CSX dated November 6, 1989, recorded in Deed Book 143-Z, Page 540, in said Clerk's office.

AND ALSO, all of the Grantor's right, title and interest in and to the property lying to the North of the aforesaid Lot 2, said property being bounded as follows: On the North by the harbor line of the Savannah River as shown on the aforesaid Recombination Plat, on the East by the extension of the Eastern boundary line of the aforesaid Lot 2 North to said harbor line, on the South by the aforesaid lower low water line of the Savannah River line of the Savannah River, and on the West by the extension of the Western boundary line of the aforesaid Lot 2 North to said harbor line.

AND ALSO, for the benefit of Cement Consumers Association, LLC ("CEMPAC"), a Georgia limited liability company, (which is purchasing said Lot 2 from Grantee) and CEMPAC'S successors and assigns;

- (1) A permanent, non-exclusive access and utility easement as shown on said Recombination Plat which extends in a general westerly direction from the southwest corner of said Lot 2 over, under and across the adjoining Lot 1 now owned by FCC and extending westward over, under and across lands now or formerly of CSX and East Coast Terminals Association to Harbor Street, a public street in the City of Savannah.
- (2) A permanent, non-exclusive wharf and access easement, subject to the conditions contained within that certain Wharf and Access Easement Agreement dated as of November 6, 2003 between FCC and CEMPAC, connecting said Lot 2 with the

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wharf or dock located on said adjoining Lot 1, as shown on said Recombination Plat, to be used for the purpose of installing, uninstalling, maintaining, replacing and operating a belt conveyor or pneumatic system which will transport cement in bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement areas shown on said plat.

- (3) A permanent, non-exclusive easement over that portion of said Lot 1 located adjacent to the southern property line of said Lot 2, as shown on said Recombination Plat, to be used for the installation, maintenance and operation of all switches, tracks and related equipment which may be necessary for the proper loading and unloading at CEMPAC's terminal to be built on said Lot 2 of bulk cement and related products using railroad cars and to provide ingress and egress of said cars to and from the CSX main line servicing said Lot 2.

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PAID: 26.00

Daniel W. Massey, Clerk  
Superior Court of Chatham County  
Chatham County, Georgia

Real Estate Transfer Tax

PAID \$1844.90

*Cheri Phillips*  
For Clerk of Superior Court

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STATE OF GEORGIA            )  
  )  
COUNTY OF CHATHAM        )

RETURN TO: (JPG)  
OLIVER MANER LLP  
P. O. Box 10186  
Savannah, GA 31412  
(912) 236-3311

LIMITED WARRANTY DEED

THIS INDENTURE made and entered into as of the 16th day of August, 2012, by and between CEMPAC PROPERTIES, LLC, F/K/A CEMENT CONSUMERS ASSOCIATION, LLC, a limited liability company organized and existing under the laws of the State of Georgia, as Party of the First Part, and SAVANNAH BULK TERMINAL, LLC, a limited liability company organized and existing under the laws of the State of Georgia, as Party of the Second Part;

WITNESSETH:

THAT the said Party of the First Part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable consideration to it in hand paid by the said Party of the Second Part, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said Party of the Second Part, its successors and assigns, all the following described tract or parcel of land, to-wit:

**Parcel 1 (Lot 2):**

ALL that certain lot, tract, or parcel of land situate, lying and being in the 5th G.M.D. of Chatham County, Georgia, being known and designated as Lot 2 of a recombination of a portion of Lot 1 and Lot 2, Forest Commodity Corporation ("FCC"), on a Recombination Plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, Kern-Coleman & Co., Inc., dated October 7, 2003, which has been recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 29-S, Page 42. Said Lot 2 contains 5.608 acres and is bounded on the North by the lower low water line of the Savannah River, on the East by lands now or former of CSX Transportation, Inc. ("CSX"), and on the South and West by Lot 1 as shown on said Recombination Plat. Specific reference is hereby made to the aforesaid Recombination Plat for better determining the metes, bounds, courses, and distances of said property. This is a portion of the same property which was conveyed to FCC by deed from CSX dated November 6, 1989, and recorded in the aforesaid Clerk's Office in Deed Record Book 143-Z, Page 540.

**Parcel 2 (Area North of Lot 2):**

ALSO, all right, title and interest in and to the property lying to the North of the aforesaid Lot 2, said property being bounded as follows: On the North by the harbor line of the Savannah River as shown on the aforesaid Recombination Plat; on the East by the extension of the Eastern boundary line of the aforesaid Lot 2 North to said harbor line; on the South by the aforesaid Lot 2; and on the West by the extension of the Western boundary line of the aforesaid Lot 2 North to said harbor line.

**Parcel 3 (Access and Utility Easements):**

(a) A permanent, non-exclusive forty (40') foot wide access and utility easement as shown on said Recombination Plat which extends in a general westerly direction from the Southwest corner of said Lot 2 along and parallel to the southern boundary line of Lot 1 and along and within the easternmost 186.17 feet of the southern boundary line of lands now or formerly owned by East Coast Terminals Associates, Ltd.

(b) Non-exclusive access easements and utility easements, on, over or across two (2) strips of property of varying widths now or formerly owned by CSX Transportation, Inc., a Virginia corporation ("CSX"), which property strips are located in the 5th G.M. District of Chatham County, State of Georgia, are individually referred to as "Parcel 4 (a/k/a Legal 2): Track Crossing South End" and "Parcel 5 (a/k/a Legal 4): Track Crossing North End", and are shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to



Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Page 23-A, said plat being incorporated herein by reference and being made a part hereof for better determining the metes, bounds, courses, and distances of the easement premises which are described therein as follows:

Parcel 4 (a/k/a Legal 2)  
Track Crossing South End

Commencing at the intersection of the northern right-of-way of President Street (R/W varies) and the eastern right-of-way of Dulany Road (60' r/w), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 354.74' to a point; thence crossing through property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point, and being the Point of Beginning; thence continuing through said property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 38.99' to a point; thence parallel and distant 25.00' northerly from the center of the northernmost railroad track crossing property of n/f CSX Transportation, Inc., and Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°14'01"E for a distance of 100.19' to a point; thence S15°18'26"W for a distance of 38.83' to a point; thence N78°19'42"W for a distance of 100.20' to the Point of Beginning; and containing 0.089 acre.

Parcel 5 (a/k/a Legal 4)  
Track Crossing North End

Commencing at the intersection of the northern right-of-way of President Street (R/W varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°49'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through the property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 281.17' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point, and being the Point of Beginning; thence continuing through the property of n/f CSX Transportation, Inc., N8°59'56"E for a distance of 34.06' to a point on the southern boundary of property of n/f East Coast Terminals Associates, Ltd., and being on the south side of an existing access & utility easement; thence along the common line of property of n/f CSX Transportation, Inc., and n/f East Coast Terminals Associates, Ltd., N84°02'30"E for a distance of 88.83' to a point; thence crossing through the property of n/f CSX Transportation, Inc.,

S15°18'26"W for a distance of 35.39' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad track crossing property of n/f CSX Transportation, Inc., S84°05'30"W for a distance of 84.78' to the point of beginning; and containing 0.066 acre.

The terms and conditions of the above-described easements are set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 332, which includes a Private Road Grade Crossing Agreement of which the holder of the easement is a party.

(c) Perpetual non-exclusive rights and easements for access over and across that certain all those certain lots, tracts or parcels of land situate, and being located in the 5th G.M. District of Chatham County, Georgia, being two property strips of varying widths across property of n/f CSX Transportation, Inc., as shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Pages 23A & 23B, being more particularly described below:

(i) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 75.16' to a point, and being the Point of Beginning; thence continuing through said property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 206.01' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad tract crossing property of n/f CSX Transportation, Inc., N84°05'30"E for a distance of 84.78' to a point; thence 15°18'26"W for a distance of 526.96' to a point; thence parallel and distant 25' northerly from the center of the northernmost railroad track crossing the property of n/f CSX Transportation, Inc., and Lot 2, CSX Transportation Inc. Subdivision (Subdivision Map Book 13-S, Page 73) N78°14'01"W for a distance of 100.19' to the Point of Beginning; and containing 0.969 acre.

(ii) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W), and corner for property of n/f CSX Transportation, Inc., and being the Point of Beginning; thence along the southern boundary of property of n/f CSX Transportation, Inc., and being the south side of an existing 20' private road right-of-way, N78°19'42"W for a distance of 345.74' to a point; thence crossing said 20' private road right-of-way and through the property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point; thence S78°19'42"E for a distance of 100.20' to a point; thence S15°18'26"W for a distance of 15.06' to a point; thence crossing through said property of n/f CSX Transportation, Inc., and along the line of Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°18'30"E for a distance of 244.20' to a point; thence crossing said 20' private road right-of-way S11°39'57"W, for a distance of 20.98' to the Point of Beginning; and containing 0.201 acre.

The terms and conditions of the above-described easements are set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.

Parcel 4 (Wharf and Access Easement):

ALSO, a permanent, non-exclusive wharf and access easement, subject to the conditions contained within that certain Wharf and Access Easement Agreement dated as of November 6, 2003, between Forest Commodity Corporation and Cement Consumers Association, LLC, connecting said Lot 2 with the wharf or dock located on said adjoining Lot 1, as shown on said Recombination Plat, to be used for the purpose of installing, uninstalling, maintaining, replacing and operating a belt conveyor or pneumatic system which will transport cement in bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement areas shown on said plat.

Parcel 5 (Railroad Track Easement):

ALSO, a permanent, non-exclusive easement having a width of ten (10') feet on either side of the railroad tracks located in that portion of said Lot 1 lying adjacent to the southern property line of said Lot 2, as shown on said Recombination Plat, to be used for the installation, maintenance and operation of all switches, tracks and

related equipment which may be necessary for the proper loading and unloading at a terminal located on said Lot 2 of bulk cement and related products using railroad cars and to provide ingress and egress of said cars to and from the CSX main line servicing said Lot 2.

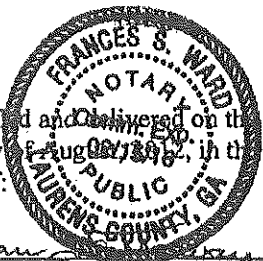
TO HAVE AND TO HOLD the said premises, together with all and singular the rights, members, hereditaments, and appurtenances thereof, to the same being or in anywise appertaining, to the only proper use, benefit, and behoof of the said Party of the Second Part, its successors and assigns forever, IN FEE SIMPLE, subject only to the matters set forth in the attached Exhibit "A" which is incorporated herein and made a part hereof ("Permitted Exceptions").

AND PARTY OF THE FIRST PART WILL WARRANT and forever defend the right and title to the above-described property unto PARTY OF THE SECOND PART against the claims of all persons owning, holding, or claiming by, through, or under the Party of the First Part, except for claims arising under or by virtue of the Permitted Exceptions.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be executed by its duly authorized officers and its seal affixed thereto all as of the day and year first above written.

CEMPAC PROPERTIES, LLC, f/k/a  
CEMENT CONSUMERS ASSOCIATION, LLC

By: *Ben H. Hall*  
Ben H. Hall, Manager



Signed, sealed and delivered on the  
16<sup>th</sup> day of August, 2016, in the  
presence of:

*Diana*  
Witness

*Frances Ward*  
Notary Public

Exhibit "A"  
Permitted Exceptions

1. All taxes for year 2012 and subsequent years, which constitute liens but are not yet due and payable.
2. Those special assessments by governmental entities which become due and payable subsequent to the effective date of the policy to be issued pursuant hereto.
3. Those certain easement rights reserved by CSX Transportation, Inc., in that certain deed between CSX Transportation, Inc., and Forest Commodity Corporation, dated November 6, 1989, filed for record and recorded on November 16, 1989, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 143-Z, Page 540, specifically being a twenty (20') foot wide easement running 10 feet in each direction from the center of railroad tracks crossing the subject property, for the maintenance, use, repair, replacement, and removal of said trackage, together with the right of ingress and egress to and from said trackage.
4. That certain covenant contained in the deed from CSX Transportation, Inc., to Forest Commodity Corporation, dated East Coast Terminals Associates, Ltd., dated November 6, 1989, filed for record and recorded on November 16, 1989, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 143-Z, Page 540, obligating the owner of the subject property to maintain the existing drainage on the subject property in such a manner as to not impair existing railroad right-of-way drainage or redirect or increase the quantity or velocity of any surface water run-off or streams into said drainage or upon the right-of-way or lands and other facilities of CSX Transportation, Inc.; and in the event the existing drainage is modified or improved, obligating the owner of the subject property to construct and maintain, in accordance with all applicable statutes, ordinances, building codes, subdivision covenants and restrictions, an adequate drainage system from the subject property to the nearest public or third party owned drainage or storm sewer system in order to prevent the discharge of roof, surface, stream, and other drainage waters upon the right-of-way or lands and other facilities or properties of CSX Transportation, Inc.
5. That certain permanent, non-exclusive wharf and access easement agreement dated November 6, 2003, by and between Forest Commodity Corporation and Cement Consumers Association, LLC, filed for record and recorded on November 7, 2003, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 261-O, Page 235, connecting Lot 2 of a recombination of a portion of Lot 1 and Lot 2, Forest Commodity Corporation, on a recombination plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, dated October 7, 2003, and recorded in the aforesaid Clerk's Office in Subdivision Map Book 29-S, Page 42, with the wharf or dock located on Lot 1 as shown on said recombination plat, to be used for the purpose of installing, uninstalling, maintaining, replacing, and operating a belt conveyor

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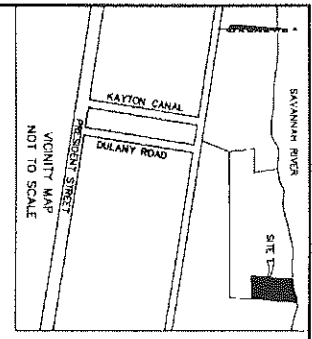
or pneumatic system which will transport cement and bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement area shown on said plat. Said easement is set forth in that certain limited warranty deed from Forest Commodity Corporation to Cement Consumers Association, LLC, dated November 6, 2003, filed for record and recorded on November 7, 2003, in the aforesaid Clerk's Office in Deed Record Book 261-O, Page 229.

6. That certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.
7. That Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 332, which includes a Private Road Grade Crossing Agreement of which the holder of the easement is a party.
8. Those certain restrictive covenants set forth in the limited warranty deed from Forest Commodity Corporation to Cement Consumers Association, LLC, dated November 6, 2003, filed for record and recorded on November 7, 2003, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 261-O, Page 229, as amended by that certain Amendment to Limited Warranty Deed dated January 31, 2005, filed for record and recorded on February 4, 2005, in the aforesaid Clerk's Office in Deed Record Book 282-Y, Page 680.
9. That certain Memorandum of Agreement between Southern States Phosphate and Fertilizer Company and Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 361, re-filed for record and re-recorded on July 3, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-R, Page 99, evidencing the existence of an Indemnification Agreement between the parties, dated June 24, 2008, involving the easement premises described in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.
10. Terms and conditions of an unrecorded Lease Agreement between Cement Consumers Association, LLC, as Landlord, and Carbo Ceramics, as Tenant, dated July 22, 2009,

commencing September 16, 2009, and terminating September 15, 2011, with automatic six month renewal terms.

11. Matters of survey shown on a plat of survey of the subject property dated May 16, 2002, made by Wright C. Powers, Jr., Georgia Registered Land Surveyor No. 2612, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 26-S, Page 42, including a railroad easement running in a westerly/easterly direction over the southern portion of the subject property.
12. Matters of survey shown on a plat of survey of the subject property dated October 30, 1989, revised June 22, 1995, made by Bert B. Barrett, Jr., Georgia Registered Land Surveyor No. 1239, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 14-P, Page 42, including railroad tracks running in a westerly/easterly direction across the southern portion of the subject property with ten (10') foot wide railroad easements running on either side.
13. Matters of survey shown on that certain recombination plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, dated October 7, 2003, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 29-S, Page 42.
14. Such facts as may be shown on that certain plat entitled "Remaining Portion of Lot 1, Forest Commodity Corporation Savannah River Wharf Property," prepared by Wright C. Powers, Jr., Georgia Registered Land Surveyor No. 2612, of Thomas & Hutton Engineering Co., dated December 7, 2009, and last revised January 7, 2010, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 43-P, Page 42A-G.
15. Such state of facts as shown on plat recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Historical Map Book 1, Page 51, Subdivision Map Book 13-S, Page 73, Plat Record Book 38-P, Page 23 A&B.
16. Title, rights or claims of the State of Georgia to any part of the premises which is or may be alleged by the State to be, or is hereafter deemed to be, salt marsh, tidclands or meadowland or land now or formerly flowed by the waters of the ocean or any bays, rivers, streams, creeks, or their tributaries, or which is marshland as defined in the Coastal Marshlands Protection Act of 1970.
17. Rights of the United States, other governmental entities, the public or other riparian owners in that part of the land which extends beyond the mean high water mark of the Savannah River.

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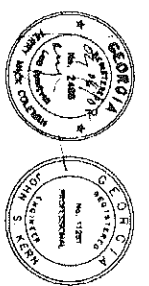


LEGEND  
 ■ CONC. MONUMENT FOUND  
 ● IRON ROD FOUND  
 ○ IRON PIPE SET  
 □ CONC. MONUMENT SET  
 ○ CONC. MONUMENT SET  
 ■ IRON PIPE SET  
 ○ IRON ROD FOUND  
 ■ CONC. MONUMENT FOUND

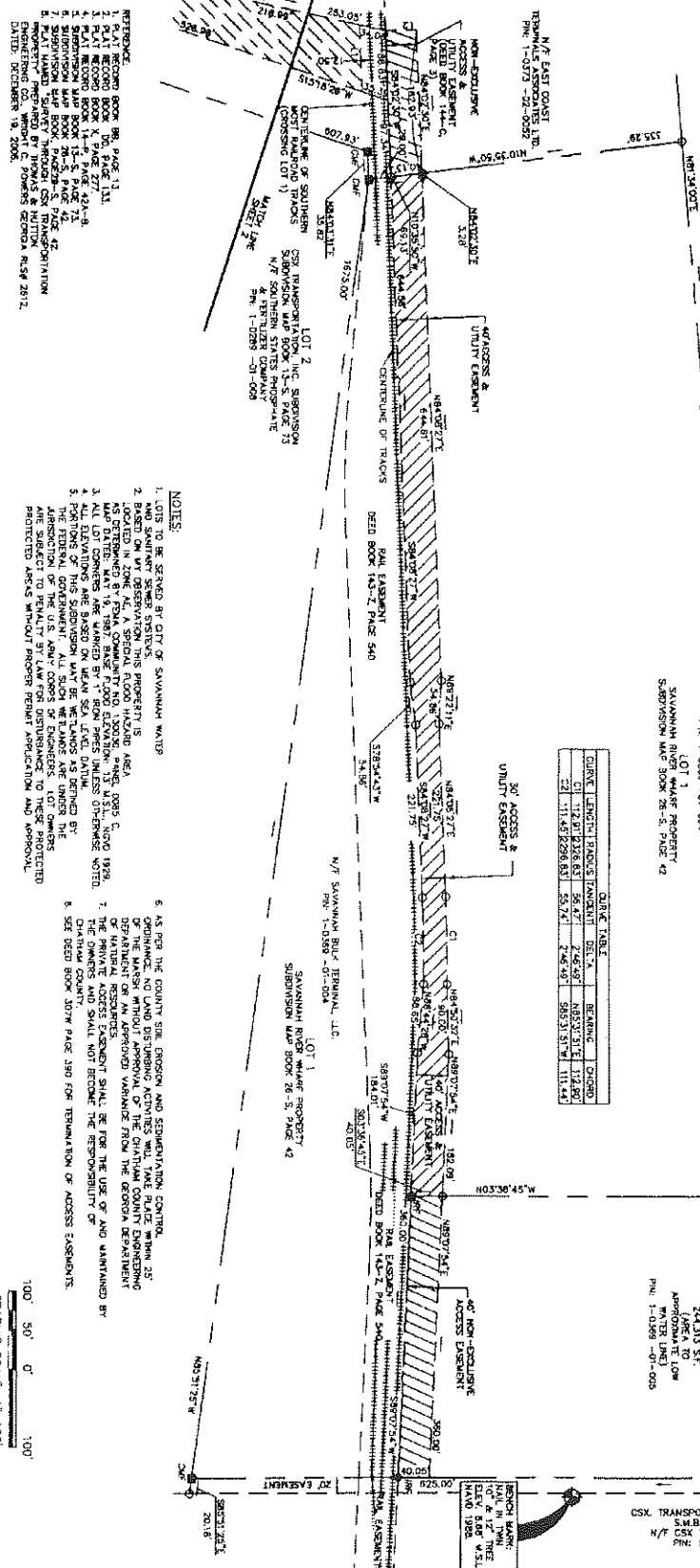
LINE	LENGTH	BEARING
1	66.78	N84°28'W
2	40.00	N03°37'07"W

LINE	LENGTH	BEARING
1	66.78	N84°28'W
2	40.00	N03°37'07"W

1. CERTIFY THAT UNDER THE O.C.G.A., CHAPTER 13, SECTION 5, SUBSECTION 6(D), THIS PLAT PLANNING COMMISSION IN ORDER TO BE RECORDED I CERTIFY THAT IN MY OPINION AND AS A TITLE AND RESERVE PROPERTY IN CONFORMANCE WITH THE URBAN STANDARDS AND REQUIREMENTS OF GEORGIA LAW AND IS SUITABLE FOR RECORDATION.



STARTED DATE: 7/19/02  
 SURVEYED DATE: 7/19/02  
 EQUIPMENT USED: LEITZ SET & TOTAL STATION  
 ALL MEASUREMENTS MADE IN THE FIELD  
 ADJUSTED BY COMPASS RULE  
 PLAT ERROR OF CLOSURE: 1/100000  
 FIELD ERROR OF CLOSURE: 1/100000



LINE	LENGTH	BEARING
1	11.45	N82°21'36"W
2	11.45	N82°21'36"W

N/7 SAVANNAH RIVER TERMINAL, LLC  
 SAVANNAH RIVER WHARF PROPERTY  
 SUBDIVISION MAP BOOK 28-S, PAGE 42

LOT 2  
 SAVANNAH RIVER WHARF PROPERTY  
 SUBDIVISION MAP BOOK 28-S, PAGE 42  
 5.609 ACRES  
 148'5" WIDE  
 APPROXIMATE LOW WATER LINE (SEE PLAN)

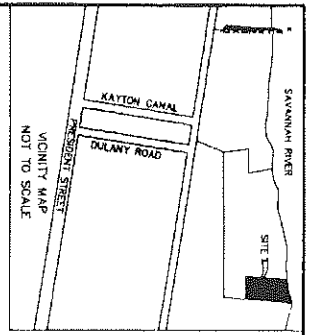
- NOTES:
- LOTS TO BE SERVED BY CITY OF SAVANNAH WATER
  - PROPOSED WATER SYSTEMS
  - LOCATED IN ZONE AS A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY FEMA COMMUNITY FLOOD ZONING MAP 1983
  - ALL LOT CORNERS ARE MARKED BY IRON PIPES UNLESS OTHERWISE NOTED
  - ALL ELEVATIONS ARE BASED ON MEAN SEA LEVEL DATUM
  - THE FEDERAL GOVERNMENT HAS A SPECIAL INTEREST IN THE JURISDICTION OF THE U.S. NAVY CORPS OF ENGINEERS. LOT OWNERS ARE SUBJECT TO PENALTY BY LAW FOR INTERFERENCE TO THESE PROTECTED RIGHTS WHICH PROHIBIT FROM FURTHER APPLICATION AND APPROVAL
  - AS PER THE COUNTY ZONING AND SUBDIVISION CONTROL ORDINANCE, NO UNLAWFUL DISTURBANCES WILL TAKE PLACE WITHIN 20' OF THE BOUNDARIES OF ANY ADJACENT PROPERTY UNLESS APPROVED BY THE DEPARTMENT OF AN APPROVED VARIANCE FROM THE COUNTY DEPARTMENT OF NATURAL RESOURCES
  - THE PRIVATE ACCESS EASEMENT SHALL BE FOR THE USE OF AND MAINTAINED BY CHATHAM COUNTY
  - SEE BEED BOOK 307W PAGE 390 FOR TERMINATION OF ACCESS EASEMENTS

100' 90' 0'  
 GRAPHIC SCALE: 1"=100'

3870004  
 EASEMENT PLAT  
 1/2

A PLAT OF ACCESS AND UTILITY EASEMENTS  
 EXTENDING FROM DULANY ROAD TO VARIOUS WHARF LOTS  
 5TH G.M. DISTRICT, CHATHAM COUNTY,  
 STATE OF GEORGIA  
 PREPARED FOR: SAVANNAH BULK TERMINAL, LLC.

**Kern-Coleman & Co. LLC.**  
 Consulting Engineers • Land Surveyors • Land Planners  
 Architects • Landscape Architects • Environmental Scientist  
 7 N. Main Street, Savannah, Georgia 31401  
 Telephone: (912) 354-8800 Fax: (912) 356-1865 E-mail: info@kerncoleman.com



- LEGEND**
- CONC. MONUMENT FOUND
  - IRON ROD FOUND
  - IRON PIPE FOUND
  - IRON PIPE SET
  - CONC. MONUMENT SET
  - RAILROAD TRACK

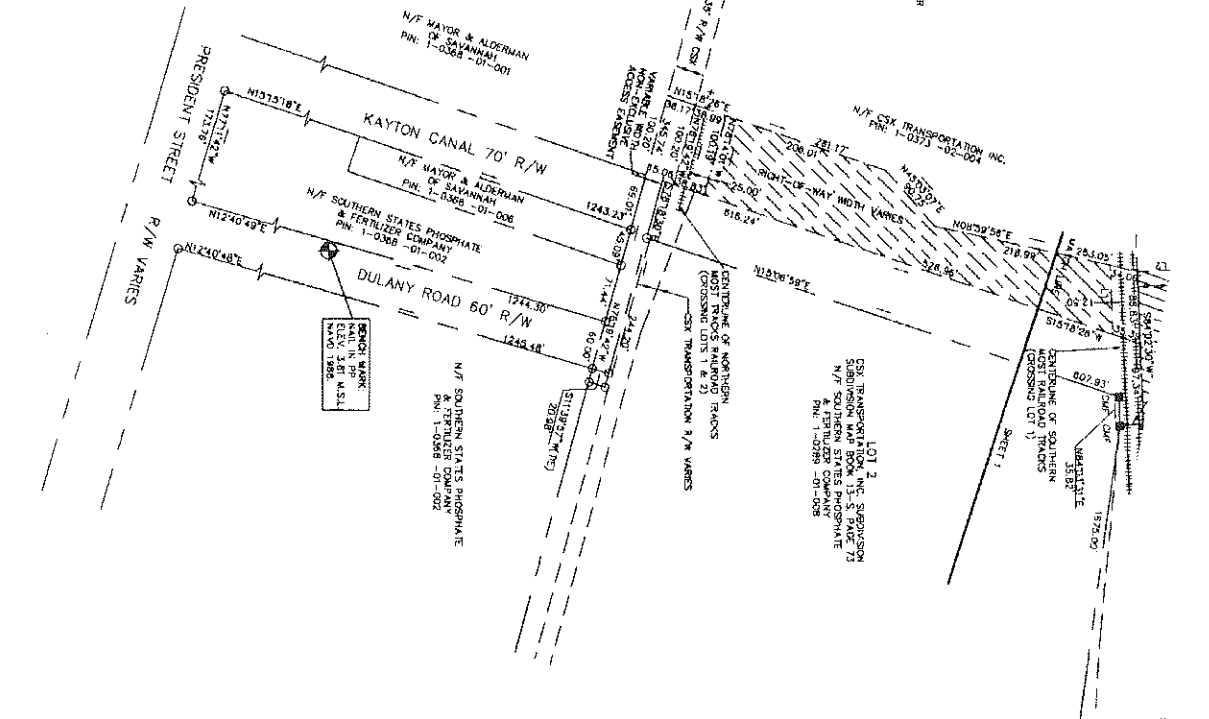


I CERTIFY THAT UNDER THE O.G.C.A. CHAPTER 13, SECTION 6, SUBSECTION 670, THIS PLAT DOES NOT REQUIRE APPROVAL OF A RECORDING OFFICER. I CERTIFY THAT IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE COMPENSATION TO THE SURVEYOR AND REQUIREMENTS OF GEORGIA LAW AND IS SO FINE FOR RECORDING.

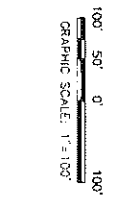
TRACY LARRY CALDWELL  
 CIVIL ENGINEER  
 LICENSE NO. 2486

- NOTES:**
1. LOTS TO BE SERVED BY CITY OF SAVANNAH WATER AND SANITARY SYSTEMS.
  2. LOCATED IN THE 5TH G.M. DISTRICT, CHATHAM COUNTY, GA. AS DETERMINED BY FIELD SURVEY AND 1500X PHOTO AERIAL PHOTOGRAPHY.
  3. ALL LOT CORNERS ARE MARKED BY CONCRETE MONUMENTS SET IN CONCRETE.
  4. ALL ELEVATIONS ARE BASED ON MEAN SEA LEVEL DATUM.
  5. PORTIONS OF THIS SUBDIVISION MAY BE SETBACKS AS ORDERED BY AN ORDINANCE OF THE CITY OF SAVANNAH.
  6. APPROVED ASHED WITH PROPER PERMIT APPLICATION AND APPROVAL.
  7. THE PRIVATE ACCESS EASEMENT SHALL BE FOR THE USE OF AND MAINTAINED BY THE OWNERS OF AND SHALL NOT BECOME THE RESPONSIBILITY OF SET RED BOOK 307M PAGE 280 FOR TERMINATION OF ACCESS EASEMENTS.

- REFERENCE:**
1. PLAT RECORD BOOK 89, PAGE 13.
  2. PLAT RECORD BOOK 89, PAGE 13.
  3. PLAT RECORD BOOK 147, PAGE 133.
  4. PLAT RECORD BOOK 147, PAGE 133.
  5. SUBDIVISION MAP BOOK 135, PAGE 21.
  6. PLAT MAP BOOK 135, PAGE 21.
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 Telephone: (912) 354-8440 • Fax: (912) 556-1865 • E-mail: info@kerncoleman.com

**A PLAT OF ACCESS AND UTILITY EASEMENTS  
 EXTENDING FROM DULANY ROAD TO VARIOUS WHARF LOTS  
 5TH G.M. DISTRICT, CHATHAM COUNTY,  
 STATE OF GEORGIA**

PREPARED FOR: SAVANNAH BULK TERMINAL, L.L.C.

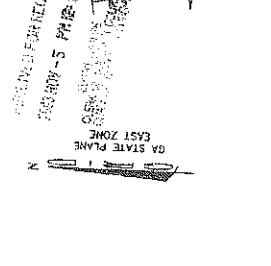
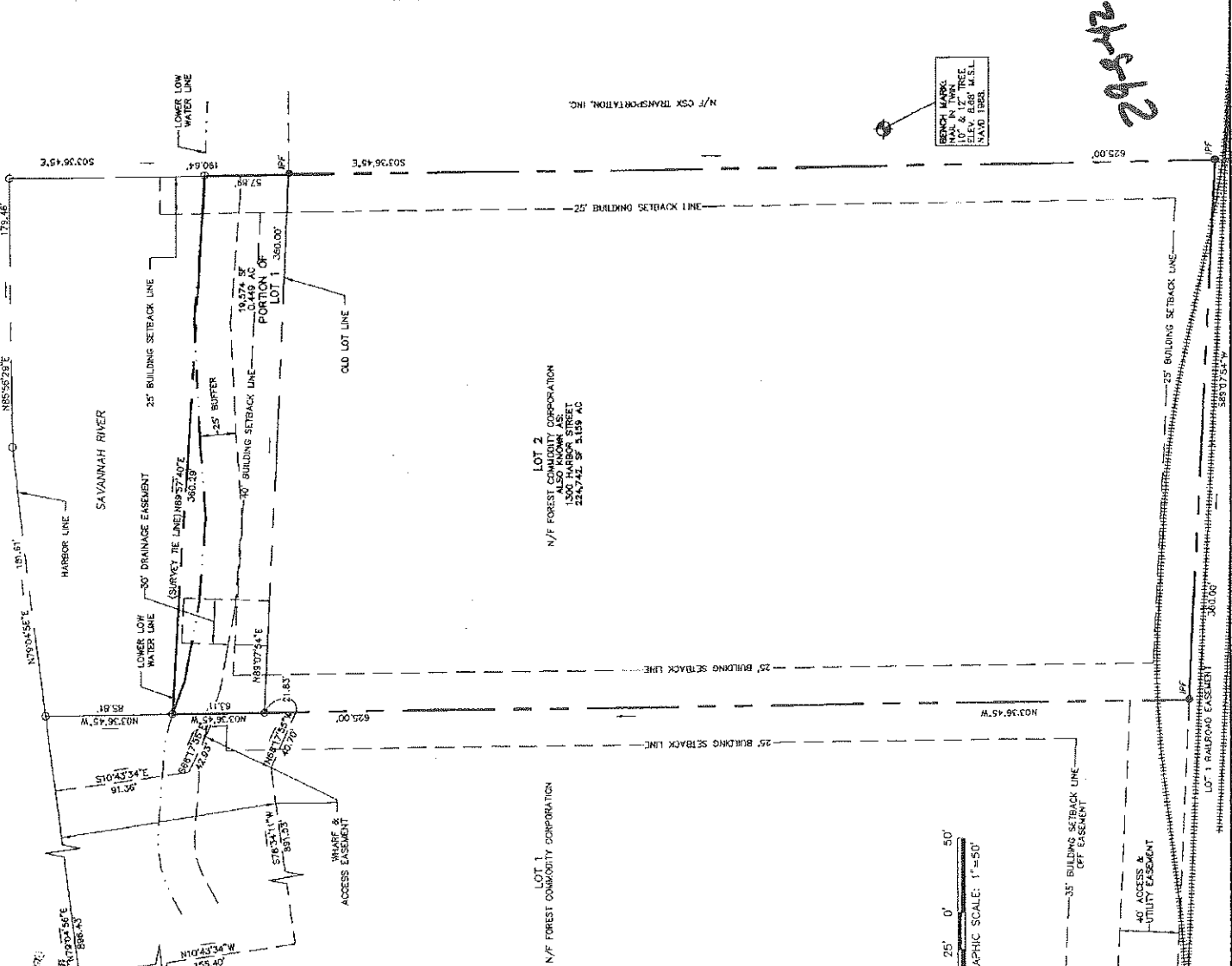
**EASEMENT PLAT**

DATE: 9/25/07  
 DRAWN BY: JMC  
 CHECKED BY: JMC  
 APPROVED BY: JMC

2/2

**A RECOMBINATION OF A PORTION OF LOT 1 & LOT 2, FOREST COMMODITY CORPORATION, 5TH C.M. DISTRICT, CHATHAM COUNTY, STATE OF GEORGIA**  
 SURVEYED FOR: CEMPAAC

DRAWING TITLE:	RECOMBINATION PLAT
PROJECT NO.:	002396
DATE:	10/21/03
DRAWN BY:	JBT
CHECKED BY:	JAR/J
SHEET NO.:	1/1



LEGEND:  
 ■ C.M.F.  
 ● I.R.F.  
 ○ I.R.S.  
 ● I.P.F.  
 ○ I.P.S.  
 □ C.M.S.  
 ##### RAILROAD TRACK

CONC. MONUMENT FOUND  
 IRON ROD FOUND  
 IRON PIPE FOUND  
 IRON PIPE SET  
 CONC. MONUMENT SET  
 RAILROAD TRACK

VICINITY MAP NOT TO SCALE  
 GA STATE PLANE  
 N  
 720.00' - S 71.25' - 588.45'  
 100' - 100' - 100'

I CERTIFY THAT IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE SURVEY AND THAT THE SAME IS MADE IN CONFORMITY WITH THE MEASUREMENTS AND REQUIREMENTS OF GEORGIA LAWS AND IS SUITABLE FOR RECORDING.

*[Signature]*  
 JAMES L. GUNN  
 D.L. REG. AND SURVEYOR NO. 2486

APPROVED BY THE CHATHAM COUNTY ENGINEER,  
 COUNTY ENGINEER *[Signature]* P.E., DATE 3/16/03  
 APPROVED BY THE METROPOLITAN PLANNING COMMISSION,  
 DATE 4/16/03  
 APPROVED BY THE CHATHAM COUNTY DEPARTMENT OF PUBLIC HEALTH,  
 DIVISION OF ENGINEERING AND SANITATION,  
 DIRECTOR *[Signature]*, DATE 11/3/03

**SUBDIVISION NOTES:**  
 1. THIS SUBDIVISION CONTAINS 1 LOT.  
 2. LOTS TO BE SERVED BY CITY OF SAVANNAH WATER AND SANITARY SEWER SYSTEMS.  
 3. BASED ON METROPOLITAN PLANNING COMMISSION OBSERVATION PERIOD FLOOD HAZARD AREA AS DETERMINED BY FEMA COMMUNITY NO. 130000, PANEL 0085 C, MAP DATED MAY 19, 1997, BASE ELEVATION 19' M.S.L., NAD 1983.  
 4. ALL LOT CORNERS ARE MARKED BY 1" IRON PIPES.  
 5. ALL ELEVATIONS ARE BASED ON MEAN SEA LEVEL DATUM.  
 6. PORTIONS OF THIS SUBDIVISION MAY BE WETLANDS AS DETERMINED BY THE U.S. ARMY CORPS OF ENGINEERS. LOT OWNERS ARE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE PROTECTED AREAS WITHOUT PROPER PERMIT APPLICATION AND APPROVAL.  
 7. ALL DISTURBANCE ACTIVITIES WILL TAKE PLACE WITHIN 25' OF THE MARSH WITHOUT APPROVAL OF THE CHATHAM COUNTY ENGINEERING DEPARTMENT OR AN APPROVED VARIANCE FROM THE GEORGIA DEPARTMENT OF NATURAL RESOURCES.  
 8. THE OWNERS OF LOTS 1 & 2 AND SHALL NOT BECOME THE RESPONSIBILITY OF CHATHAM COUNTY. THIS EASEMENT WAS CREATED BY A MINOR SUBDIVISION PREPARED BY CONNOR & ASSOCIATES, INC. ON 10-20-02 FOR THE PURPOSES OF PUBLIC USE AND HEREBY DEDICATED FOR THE USE INTENDED.

OWNER: *[Signature]*  
 SURVEY DATE: 7/18/02  
 EQUIPMENT USED: LEITZ SET 1 OF  
 ADJUSTED BY COMPASS RULE:  
 PLAT ERROR OF CLOSURE: 1/10,000  
 FIELD ERROR OF CLOSURE: 1/10,000

REFERENCES:  
 1. CORPORATION SAVANNAH RIVER WARE PROPERTY PREPARED BY CONNOR AND ASSOCIATES, INC. 5-19-02  
 2. A PLAT OF 29.85- ACRE PORTION OF C.S.X. SYSTEMS SAVANNAH RIVER WARE PROPERTY BY BARRETT LAND SURVEYING, INC. DATED MARCH 12, 1999.  
 3. A SUBDIVISION OF 26.83 ACRE PORTION OF CSX TRANSPORTATION, INC. AND HUTTON ENGINEERING CO. DATED NOVEMBER 30, 1993 AND RECORDED IN S.M.B. 13 S. PAGE 71.  
 4. CHATHAM COUNTY TAX MAPS, PLAN: 1-0268 -01-003.

**ATTACHMENT H**

**ADJACENT LANDOWNER INFORMATION**



Adjacent Property Owners

Downstream  
CSX TRANSPORTATION INC  
ATTN: RAE AKERS  
500 WATERS ST  
JACKSONVILLE FL 32202

Upstream  
MMA/PSP SAVANNAH RIVER LLC  
744 S VILLAGE CIR  
TAMPA FL 33606

**ATTACHMENT I**

ZONING LETTER REQUEST



12 July 2021

Chatham County  
Mr. Gregori Anderson  
[gsanderson@chathamcounty.org](mailto:gsanderson@chathamcounty.org)

**RE: GADNR CMPA Application  
Savannah Bulk Terminal Breasting Dolphin  
Chatham County, Georgia**

**RLC#: 13-135.2**

Dear Mr. Anderson:

Savannah Bulk Terminal, LLC, has applied for a permit, under the Coastal Marshlands Protection Act of 1970, O.C.G.A. §12-5-280 requesting Coastal Marshlands Permit Act authorization to facilitate installation of a breasting dolphin. The subject property is located adjacent to and south of the Savannah River and east of Marine Terminal Drive in Chatham County, Georgia (32.079344°, -81.063729°). In accordance with O.C.G.A. § 12-5-286(6), the applicant must submit a letter from the local issuing authority in which the property is located stating that the proposed activity does not conflict with any zoning laws. In addition, it is the Georgia Department of Natural Resources, Coastal Resources Division policy to request that you also initial and date the attached plans so that they can insure that the final permitted facility is consistent with your initial review.

At your earliest convenience, please provide a letter or email stating that the applicant's proposal does not violate the zoning laws associated with the project location. Please forward your letter, along with the initialed copies of the permit drawings, to our office.

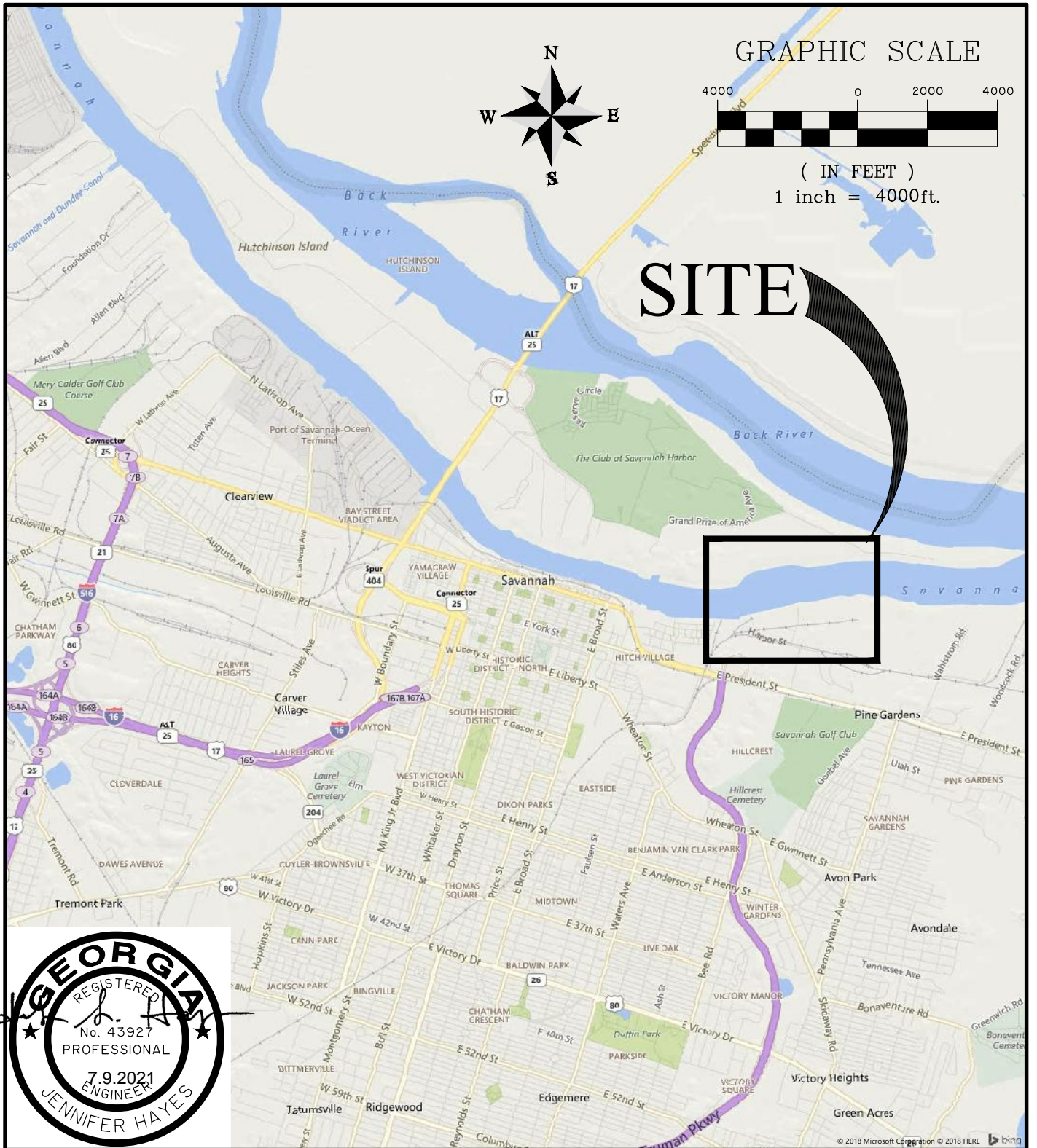
We appreciate your timely response to this request. If you should have any questions or require additional information, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alton Brown, Jr.", is positioned above the typed name.

Alton Brown, Jr.  
Principal  
Resource & Land Consultants

Enclosures



### SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:  
VICINITY MAP

APPLICANT:  
SAVANNAH BULK TERMINAL

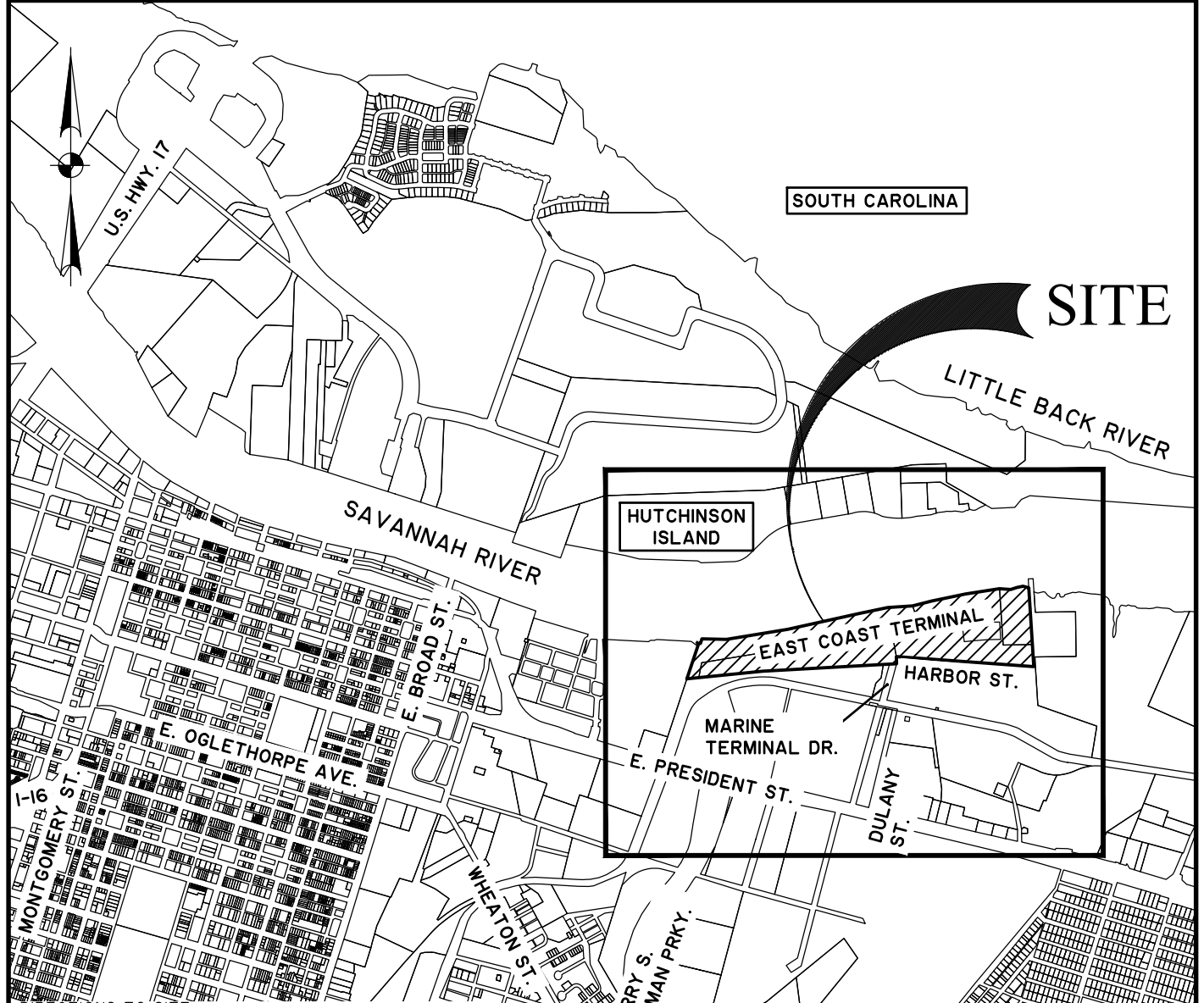
LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

SHEET: 01  
SCALE: 1"=4000'

**THOMAS & HUTTON**  
Engineering | Surveying | Planning | GIS | Consulting

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Savannah, GA 31405 • 912.234.5300

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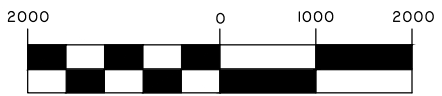


**DIRECTIONS TO SITE:**

STARTING ON I16 EASTBOUND TOWARD SAVANNAH. TAKE EXIT 167B FOR MONTGOMERY STREET TOWARD SAVANNAH/CIVIC CENTER/DOWNTOWN FOR .3 MILES. MERGE ONTO MONTGOMERY STREET FOR 300 FEET AND THEN TURN RIGHT ONTO WEST LIBERTY STREET. CONTINUE FOR 0.7 MILES THEN MAKE TURN LEFT ONTO EAST BROAD STREET. TRAVEL 0.2 MILES AND TURN RIGHT ONTO EAST PRESIDENT STREET. GO 1.2 MILES AND TURN LEFT ONTO DULANY STREET. PROCEED 0.2 MILES THEN TURN LEFT TOWARD MARINE TERMINAL DRIVE. TRAVEL 250 FEET TURN RIGHT ON MARINE TERMINAL DRIVE. PROCEED 0.1 MILES AND MAKE A RIGHT ONTO HARBOR STREET AND TRAVEL 0.2 MILES. THE SITE IS ON YOUR LEFT.



**GRAPHIC SCALE**



( IN FEET )  
1 inch = 2000ft.

**SAVANNAH BULK TERMINAL - BREASTING DOLPHIN**

SHEET NAME:  
**LOCATION MAP**

APPLICANT:  
**SAVANNAH BULK TERMINAL**

LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

SHEET: 02  
SCALE: 1"=2000'

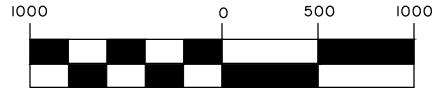


682 Johnnie Dodds Blvd. • Suite 100  
Mt. Pleasant, SC 29464 • 843.849.0200

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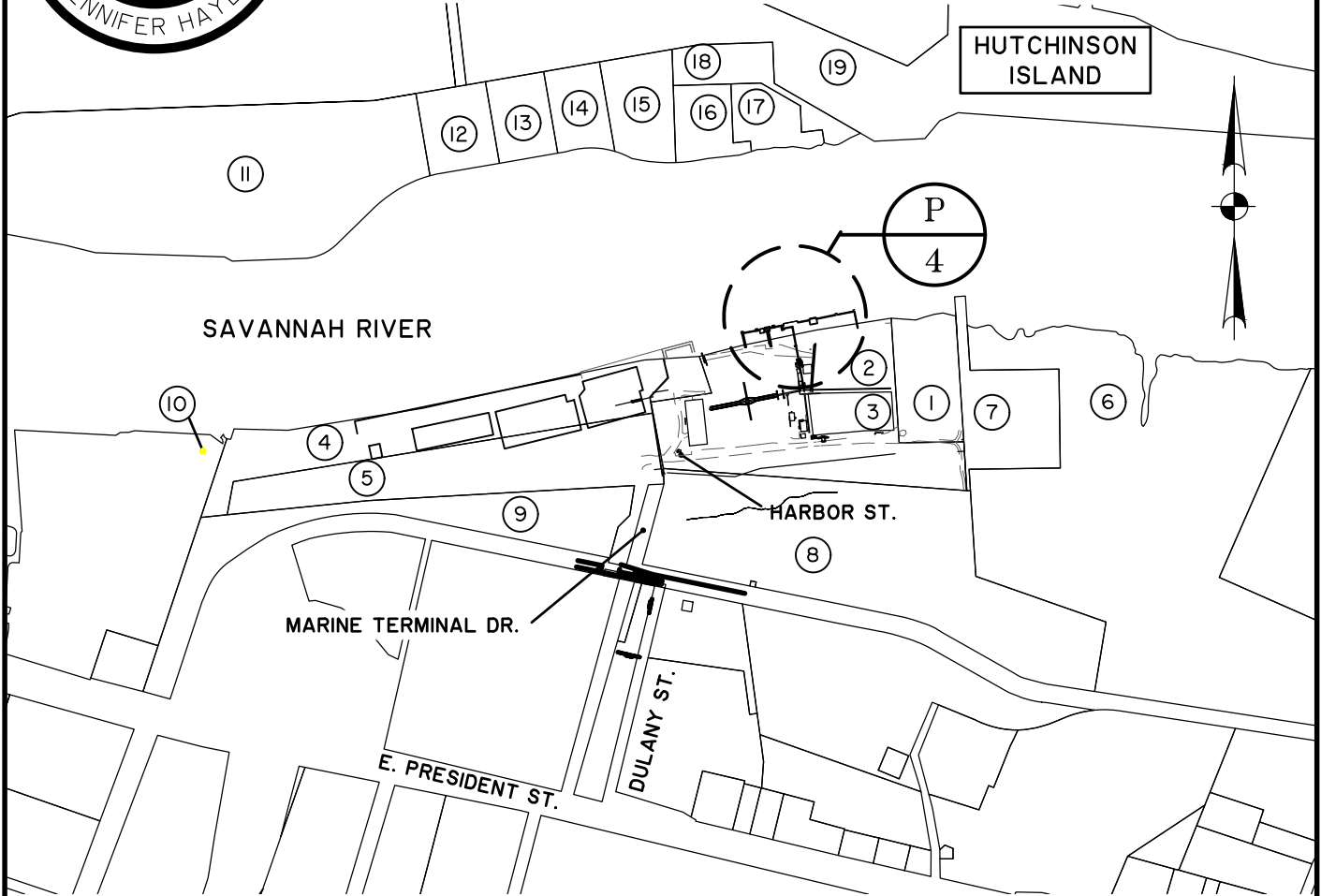


GRAPHIC SCALE



( IN FEET )  
1 inch = 1000 ft.

- ⑩ TMS 2-0163 -01-007 CRESCENT TOWING & SALVAGE CO I
- ⑪ TMS 2-0163 -01-008 MORAN TOWING CORPORATION
- ⑫ TMS 2-0163 -01-008 COASTAL MARINE CONSTRUCTION CO
- ⑬ TMS 2-0436 -01-012 CSX REALTY DEVELOPMENT CORP



- ① TMS I-0369 -01-005 SAVANNAH BULK TERMINAL LLC
- ② TMS I-0369 -01-004 SAVANNAH BULK TERMINAL LLC
- ③ TMS I-0369 -01-006 SAVANNAH BULK TERMINAL LLC
- ④ TMS 2-0006 -02-002 EAST COAST TERMINAL ASSOCIATES
- ⑤ TMS I-0373 -02-005 EAST COAST TERMINAL ASSOCIATES
- ⑥ TMS I-0287 -01-007 CSX TRANSPORTATION INC

- ⑦ TMS I-0287 -01-009 SEAGATE TERMINALS SAVANNAH LLC
- ⑧ TMS I-0287 -01-008 SEAGATE TERMINALS SAVANNAH LLC
- ⑨ TMS I-0373 -02-006 GA MARINE WAREHOUSE CO
- ⑩ TMS 2-0006 -05-005 UPPER EAST SIDE LLC, & CARSWELL, META G

- ⑪ TMS 2-0163 -01-001 GEORGIA PORTS AUTHORITY
- ⑫ TMS 2-0163 -01-003 LOW COUNTRY MARINE RESOURCES
- ⑬ TMS 2-0163 -01-004 HUTCHINSON ISLAND DEVELOPMENT
- ⑭ TMS 2-0163 -01-005 HUTCHINSON ISLAND DEVELOPMENT
- ⑮ TMS 2-0163 -01-006 HUTCHINSON ISLAND DEVELOPMENT

SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:  
SITE MAP  
APPLICANT:  
SAVANNAH BULK TERMINAL  
LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

SHEET: 03  
SCALE: 1" = 1000'

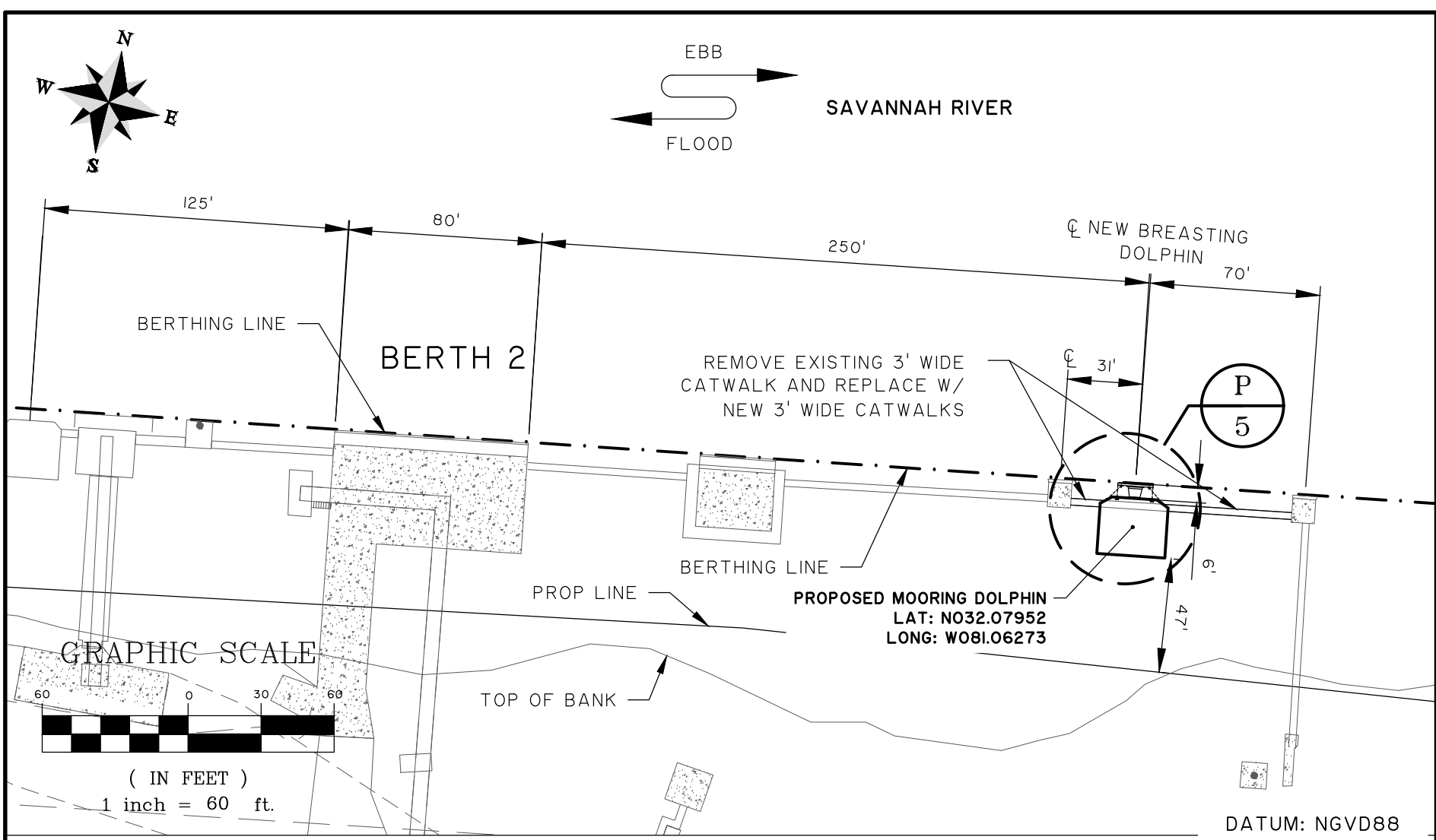


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Z:\24331\24331.0001\ENGINEERING\DRAWINGS\PERMIT\24331.0001 - 04 SITE PLAN.DWG - Jul 9, 2021 - 9:29 AM



# SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET TITLE:  
SITE PLAN

APPLICANT:  
SAVANNAH BULK TERMINAL

LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

SHEET: 04  
SCALE: 1" = 60'

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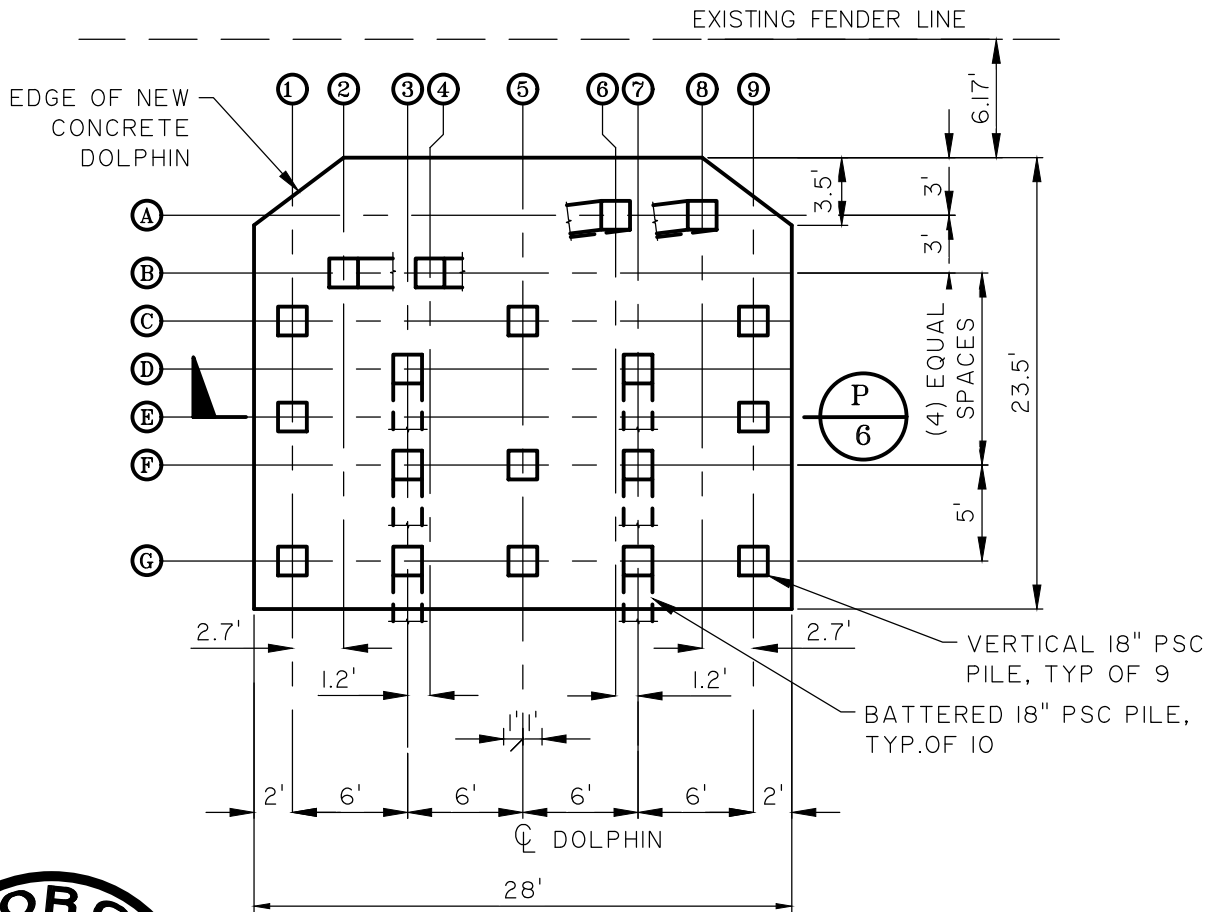
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PO Box 1522  
Mt. Pleasant, SC 29465-1522 • 843.849.0200

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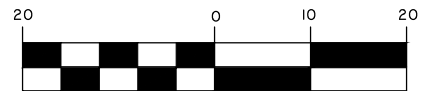
Savannah, GA | Brunswick, GA | Myrtle Beach, SC | Wilmington, NC



DATUM: NGVD88



GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:  
DOLPHIN PLAN

APPLICANT:  
SAVANNAH BULK TERMINAL

LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

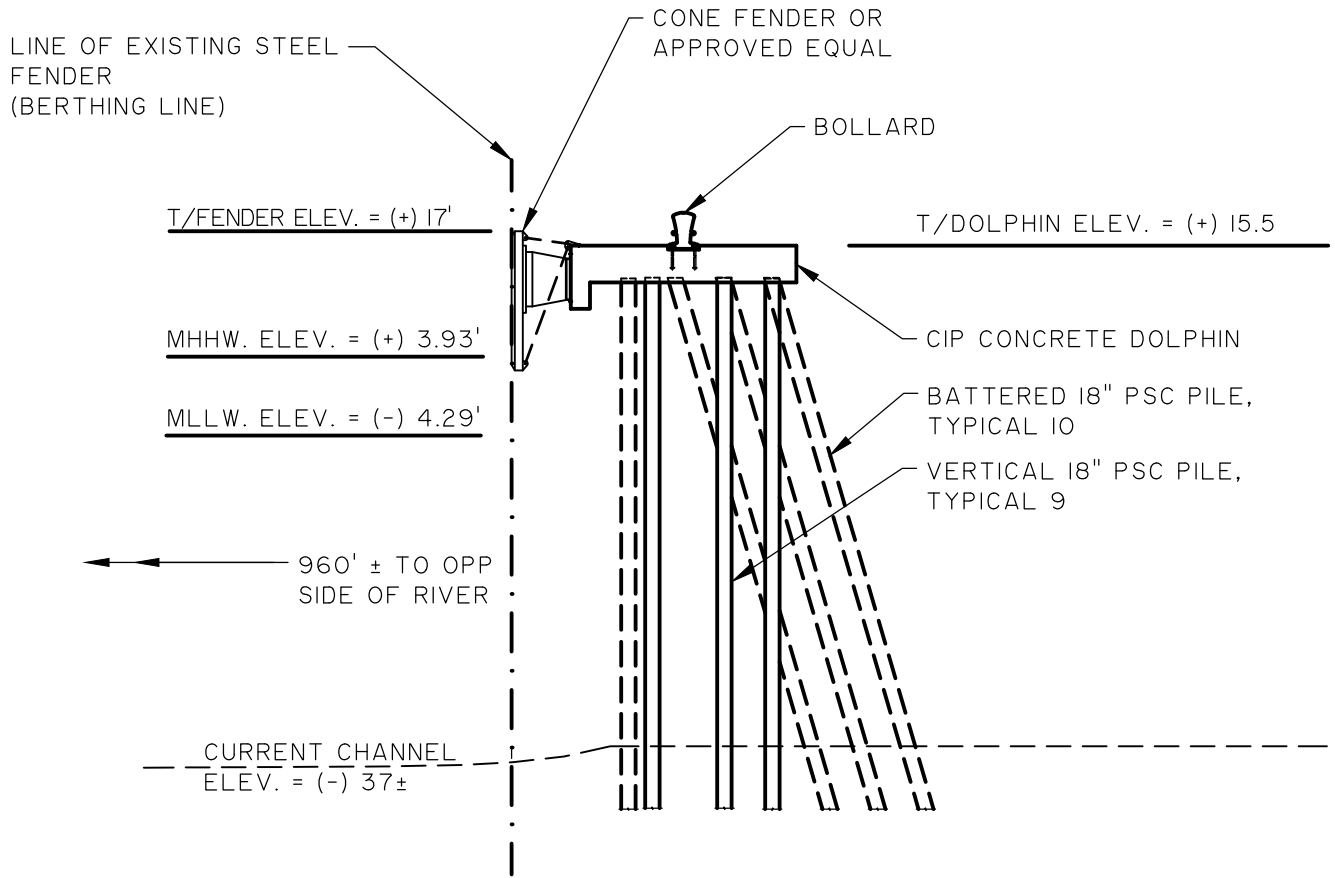
SHEET: 05  
SCALE: 1" = 10'



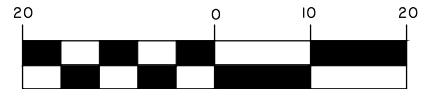
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GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:  
DOLPHIN CROSS SECTION  
APPLICANT:  
SAVANNAH BULK TERMINAL  
LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

SHEET: 06  
SCALE: 1" = 20'



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**ATTACHMENT J**

**THREATENED & ENDANGERED SPECIES INFORMATION**

# DRAFT – Flatwoods Salamanders -- DRAFT

## Effects Determination Guidance for Endangered & Threatened Species (EDGES)

Baker, Bryan, Charlton, Chatham, Decatur, Dougherty, Early, Evans, Lanier, Lee, Liberty, Long, McIntosh, Miller, Screven, and Seminole Counties

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**Species Covered by This EDGES:** Frosted flatwoods salamander (*Ambystoma cingulatum*, threatened) and Reticulated flatwoods salamander (*Ambystoma bishopi*, Endangered)

These flatwoods salamanders are found only in the Georgia and South Carolina coastal plain and the Florida panhandle. They occur in isolated populations scattered across the historical range in remnants of their suitable habitat.

Flatwoods salamanders are pond-breeding amphibians that have aquatic larval stages and terrestrial juvenile and adult stages. Adult flatwoods salamanders migrate in the fall to seasonally-flooded depressional wetlands, where they breed in small, isolated ephemeral ponds. Eggs hatch into larvae in the winter and metamorphose between March and May. Juveniles disperse from ponds to terrestrial habitat after metamorphosing. The terrestrial adults and juveniles spend much of their time below ground in crayfish burrows or root channels until it is time to return to their natal pond to breed. Breeding wetlands are located in the same mesic longleaf pine-wire grass dominated flatwoods, where adults and juveniles reside outside of the breeding season.



Frosted (above) and reticulated flatwoods salamanders



Habitat loss is the primary cause of the rapid decline of these species throughout their ranges. Agriculture and silviculture have altered much of Georgia’s longleaf pine-flatwoods ecosystem and eliminated adult habitat and their breeding wetlands. Fire suppression in the Coastal Plain has reduced suitable habitat by allowing midstories and closed canopies to develop which shade and suppress herbaceous groundcover.

**This EDGES covers (1) existing structure maintenance and (2) new development, including subdivisions, commercial development, roads, pipelines and powerlines, stream and wetland**



**restoration/ stabilization, and similar projects. It does not cover new drinking water reservoirs, airports, or similar large-impact projects.**

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### Endangered Species Act Consultation Checklist:

#### Applicant:

1. IPAC indicates one of these flatwoods salamanders may occur in the project area (see range map on Page 2).
  - a. No.....No effect. Provide IPaC information to the Savannah District with application/PCN.
  - b. Yes.....Go to #2.
2. The Fish and Wildlife Service-Georgia Field Offices (FWS-GA) provided documentation evaluating habitat, potential presence of species, suitable survey methodology and/or potential project impacts (FWS-GA signed letter or sticker, T&E survey where FWS-GA provided concurrence with negative findings, or similar documentation).

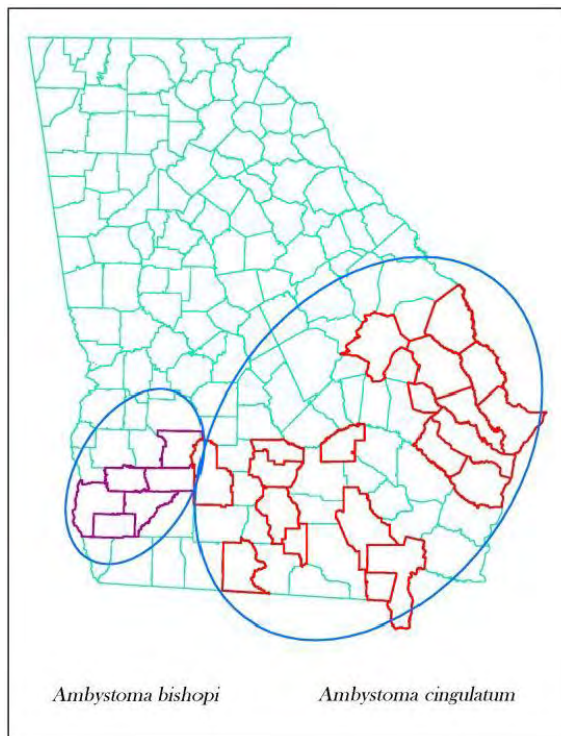
- a. No.....Provide completed EDGES Applicant Coordination Slip and supporting documentation to the Savannah District with 404 application/PCN.
- b. Yes.....Provide FWS-GA project review documentation and/or survey data to the Savannah District with application/PCN.

**Savannah District:**

- 3. The project occurs in Baker or Miller Counties, where Critical Habitat for the reticulated flatwoods salamander has been designated (Critical Habitat for the frosted flatwoods salamander has not been identified in Georgia).
  - a. No.....Savannah District has determined “No adverse modification to Critical Habitat.” Go to #4.
  - b. Yes.....Contact FWS-GA to determine if consultation is needed.
- 4. The project will impact longleaf pine–wiregrass flatwoods or slash pine flatwoods (not managed pine plantations).
  - a. No.....No effect. FWS-GA concurrence is not needed.
  - b. Yes.....Go to #5.
- 5. Project information listed below is provided to assist the Savannah District and FWS-GA evaluate T&E impacts:
  - a. No.....Request the information and, once received, continue with 6b.
  - b. Yes.....Share data with FWS-GA and continue consultation. If Consultation results in a Corps’ determination of:
    - i) NLAA, and FWS-GA concurs, consultation complete.
    - ii) LAA, and FWS-GA concurs, initiate formal consultation.

**Information to be Provided the Savannah District for Endangered Species Act Review**

- A map detailing the size and location of pine flatwoods and isolated depressional wetlands on the site.
- A description of each wetland and flatwoods habitat that will be impacted by the project, keyed to the map.
- An evaluation of the effects of the project on fire frequency on the site.





# DRAFT – Eastern Indigo Snake -- DRAFT

## Effects Determination Guidance for Endangered & Threatened Species (EDGES)

### South Georgia Coastal Plain Counties

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**Species Covered by This EDGES:** Eastern indigo snake (*Drymarchon couperi*) - Threatened

The Eastern indigo snake (EIS) in Georgia is closely associated with the gopher tortoise (*Gopherus polyphemus*), a reptile that excavates extensive underground burrows that provide the snake shelter from winter cold and summer desiccation. Gopher tortoises are a characteristic species of the longleaf pine and wiregrass community, which includes sandhills, dry flatwoods, and turkey oak scrub. Historically, this community was found in open-canopied forest that allowed abundant sunlight penetration and conditions favorable for a rich growth of herbaceous vegetation. Little of this habitat still exists; many tortoises have been forced into artificial habitats, such as roadsides and old fields that retain the three key habitat



requirements: sandy soil for burrowing, sunlight, and abundant herbaceous vegetation.

During the warmer months, EIS during the day forage on the edge of wetlands where frogs and other snakes typically are abundant. In Georgia, adult EIS may range 1-4 mi from the overwintering sandhill, although they typically return to the same sandhills in winter. Breeding occurs November - April, and females often place eggs in the moist sand of tortoise burrows. Threats to EIS include loss and fragmentation of sandhill habitats that support tortoises, removal of prescribed fire, which maintains suitable understory habitat, and declining gopher tortoise populations.

**This EDGES covers maintenance of existing structures and new development, including subdivisions, commercial development, roads, water supply infrastructure, and sewer mains, pipe and powerlines, stream restoration and stabilization (including mitigation banks) and similar projects. It does not cover new drinking water reservoirs, airports, or similar large-impact projects.**

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## Endangered Species Act Consultation Checklist:

### Applicant:

1. IPAC indicates EIS may occur in the project area.
  - a. No.....No effect. Provide IPaC information to the Savannah District with application/PCN.
  - b. Yes.....Go to #2.
2. The Fish and Wildlife Service’s Georgia Field Office (FWS-GA) provided documentation stating project impacts to EIS were likely to be minimal (FWS-GA signed letter or sticker, T&E survey where FWS-GA provided concurrence with negative findings, or similar documentation).
  - a. No.....Provide completed EDGES Applicant Coordination Slip, with supporting documentation, and a soil map with the project site clearly marked, to the Savannah District with 404 application/PCN.
  - b. Yes.....Provide FWS-GA project review documentation and/or survey data to the Savannah District with application/PCN.

**Savannah District:**

3. A soil map, with the site clearly marked (provided by applicant), shows suitable soils for gopher tortoise burrows on site (see list of suitable soils list below).
  - a. No.....NLAA. Consultation complete. FWS-GA concurrence not needed.
  - b. Yes.....Go to #4.
  
4. There are gopher tortoise burrows on site.
  - a. No.....NLAA. Consultation complete. Further review from FWS-GA not needed.
  - b. Yes or Don't Know.....Go to #5.
  
5. The area has an open tree canopy AND abundant forb groundcover (see photos below) OR is on a right-of-way, fence row, orchard edge, golf course, old field, or pastureland.
  - a. No .....NLAA. Consultation complete. FWS concurrence is needed, in writing, for JPNs, but is assumed for other Savannah District actions if FWS-GA does not respond.
  - b. Yes.....May affect. Consult with FWS-GA



Best Gopher Tortoise Soils	Moderate Gopher Tortoise Soils	Marginal Gopher Tortoise Soils
Bonifay	Bonneau	Ailey
Centenary	Fuquay	Albany
Foxworth	Hurricane	Cowarts
Lakeland	Luch	Norfolk
Lucknow	Mandarin	Orangeburg
Troup	Meldrim	Tifton
Valdosta	Ridgewood	Vaucluse
	Stilson	
	Uchee	



# DRAFT – Wood Stork -- DRAFT

## Effects Determination Guidance for Endangered & Threatened Species (EDGES)

### South Georgia Coastal Plain Counties

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#### Species Covered by this EDGES: Wood stork (*Mycteria americana*) – Threatened

The wood stork is a large, bald-headed wading bird that stands more than 3 feet tall, has a 5-foot wing spread, and weighs 4 to 6 pounds. It is the only stork that breeds in the United States. It eats primarily fish, foraging in a variety of open, shallow freshwater and estuarine wetlands. It favors areas with falling water levels (when fish and other prey are likely to be more concentrated in pools). Birds forage mainly by wading in shallow water with their bills partly open in the water, so they can quickly snap them shut when contact is made with prey.

The wood stork is a highly colonial species usually nesting in large rookeries and feeding in flocks. Colony size in Georgia has ranged from fewer than 12 to more than 500 nests. Nests may be located in



small trees (3-7' above ground) or large trees (60' or more above ground), but the trees must be in standing water or on islands surrounded by water to protect from predators. Nesting periods vary geographically. In north and central Florida, Georgia, and South Carolina, storks lay eggs March-late May, with fledging occurring July-August. Wood storks have also nested in man-made structures. Storks occasionally use the same rookeries for years, but most colonies are shorter lived. Loss of foraging and breeding wetland habitat is the primary cause for declines.

**This EDGES covers any project that might affect freshwater or estuarine wetlands.**

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### Endangered Species Act Consultation Checklist:

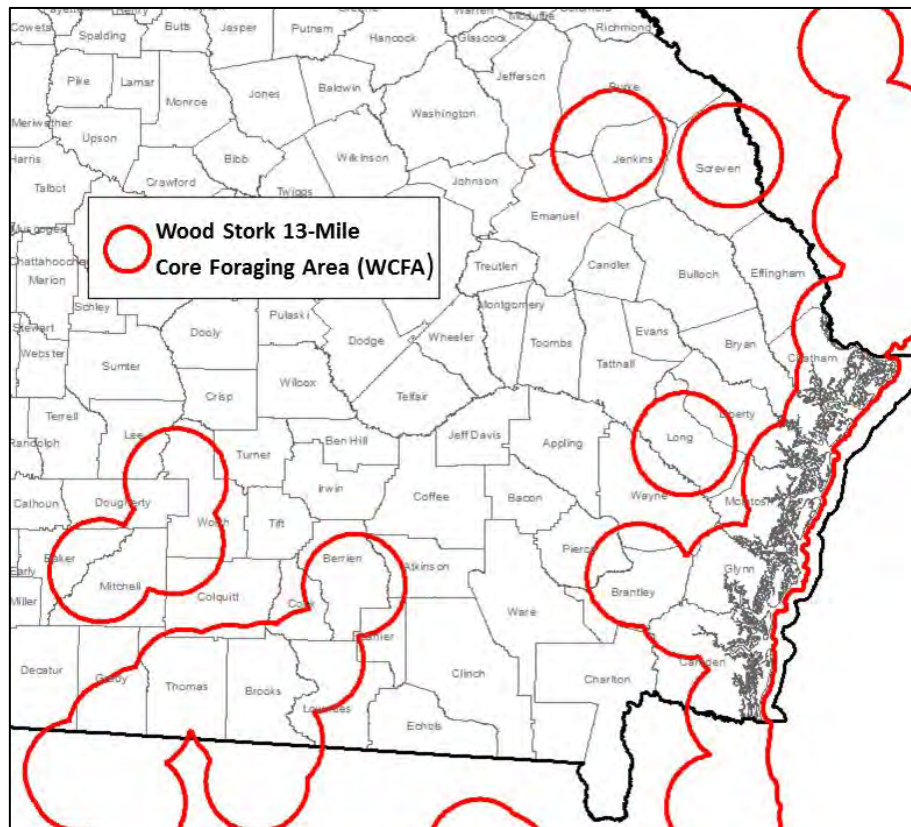
#### Applicant:

1. IPAC indicates wood storks may occur in the project area.
  - a. No.....No effect. Provide IPaC information to the Savannah District with application/PCN.
  - b. Yes.....Go to #2.
  
2. The Fish and Wildlife Service’s Georgia Field Office (FWS-GA) provided documentation stating project impacts to listed wood storks were likely to be minimal (FWS-GA signed letter or sticker, T&E survey where FWS-GA provided concurrence with negative findings, or similar documentation).
  - a. No.....Provide completed EDGES Applicant Coordination Slip, with supporting documentation, to the Savannah District with 404 application/PCN.
  - b. Yes.....Provide FWS-GA project review documentation and/or survey data to the Savannah District with application/PCN.

#### Savannah District

3. The project is within 2,500 feet of an active wood stork nesting colony (see GIS layer).
  - a. No.....Go to #4.

- b. Yes.....May affect. Consult with FWS-GA.
4. The project will affect suitable wood stork foraging habitat (SFH). SFH contains patches of relatively open (< 25%) aquatic vegetation, calm water, and a permanent or seasonal water depth between 2 and 15 inches. Examples of SFH include, but are not limited to, freshwater marshes, seasonally flooded roadside or agricultural ditches, narrow tidal creeks or shallow tidal pools, managed impoundments, and depressions in cypress heads and swamp sloughs.
    - a. No.....NLAA. Consultation complete. FWS-GA concurrence not needed.
    - b. Yes.....Go to #5.
  5. Project impacts to SFH are greater than 0.5 acre.
    - a. No.....NLAA. Consultation complete. FWS-GA concurrence not needed.
    - b. Yes.....Go to #6.
  6. The project will impact SFH within a Wood Stork Core Foraging Area (WSCFA) for a known colony (see map below) OR wood storks have been documented foraging in the wetland. WCFAs in Georgia include SFH within a 13-mile radius of a colony.
    - a. No.....NLAA. Consultation complete. FWS concurrence is needed, in writing, for JPNs, but is assumed for other Savannah District actions if FWS-GA does not respond.
    - b. Yes.....May affect. Consult with FWS-GA



August 16, 2018

February 5, 2018

**DRAFT – West Indian Manatee – DRAFT**  
**Effects Determination Guidance for Endangered & Threatened Species**

**(EDGES)Bryan, Camden, Chatham, Glynn, Liberty, and McIntosh Counties**

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**Species Covered by This EDGES:**

West Indian manatee (*Trichechus manatus*)

West Indian manatees are found in tropical and subtropical coastal and river waters along the southeast U.S. coast, the Caribbean coast of Central and South America, and locally throughout the West Indies. The Florida manatee subspecies is a year-round resident in Florida. During the warm months, an unknown portion of the Florida manatee population migrates northward into Georgia and the Carolinas, and westward along the Gulf coast into Alabama, Mississippi, and Louisiana -- manatees are most frequently sighted in Georgia waters from April through October in tidal waters of Camden, Glynn and McIntosh counties.



Habitats in Georgia include nearshore ocean waters, tidal creeks, estuaries, and the lower reaches of the St. Mary's, Satilla, Altamaha, Ogeechee, and Savannah Rivers. Manatees are difficult to spot in Coastal Georgia's dark turbid waters. Manatees have been sighted as far north as Massachusetts. During winter, manatees are attracted to warm water refuges in Florida. Natural refuges include warm springs in the central part of the state and subtropical waters in south Florida. Manatees are also attracted to warm water discharges at industrial sites, such as power generating plants and factories. Manatees have been documented at multiple industrial warm water sites north of Florida, including in Georgia. Note: there is no 'Critical Habitat' designated in Georgia for manatees.



**This EDGES covers all activities proposed in Georgia tidal waters that are accessible to manatees.**

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**Endangered Species Act Consultation Checklist:**

**Applicant:**

1. IPAC indicates manatees may occur in the project area.
  - a. No..... No effect. Provide IPaC information to the Savannah District with application/PCN.
  - b. Yes..... Go to #2.



2. The project will occur in tidal waters that are accessible to manatees (see map on the following page). Lakes and other water bodies upstream of structures such as dams, weirs, grated culverts, and fish ladders are normally not considered accessible to manatees.
  - a. No..... No effect. Provide this information to the Savannah District with application/PCN
  - b. Yes..... Go to #3.
  
3. The Fish and Wildlife Service's Georgia Field Office (FWS-GA) provided documentation evaluating habitat, potential presence of species, and/or potential project impacts (FWS-GA signed letter or sticker, T&E survey where FWS-GA provided concurrence with negative findings, or similar documentation).
  - a. No..... Provide completed EDGES Applicant Coordination Slip and supporting documentation to the Savannah District with 404 application/PCN.
  - b. Yes..... Provide FWS-GA project review documentation and/or survey data to the Savannah District with application/PCN.

**Savannah District:**

1. The project is in tidal waters accessible to manatees (see #2).
  - a. No..... No effect – ESA section 7 consultation complete.
  - b. Yes..... Go to #5.
  
2. The project will require any of the following activities:
  - o blasting or other detonation activity (e.g., for channel deepening and/or widening, geotechnical surveys or exploration, bridge and structure removals, movies, military shows, or special events, etc.)
  - o modification or construction of warm or fresh water discharges from industrial sites, power plants, water treatment facilities, etc., or natural springs or artesian wells.
  - a. No..... Go to #6.
  - b. Yes..... May affect. Consult with FWS-GA regarding project.
  
3. Project work involves dock or marina facilities and will follow conditions in the Savannah District/FWS-GA programmatic manatee agreement (page 3).
  - a. No..... Go to #4.
  - b. Yes ..... MA NLAA - 'May affect, not likely to adversely affect' is appropriate and no further consultation with the FWS-GA for the manatee is necessary.
  
4. The project involves a public water access facility other than a dock or marina facility (e.g. public boat ramp, fishing pier, etc.) and project will be conditioned with Manatee Special Permit Conditions a through m from the PA.
  - a. No ..... Go to #5
  - b. Yes ..... MA NLAA - 'May affect, not likely to adversely affect' is appropriate and no further consultation with the FWS-GA for the manatee is necessary.
  
5. Project involves in-water construction other than as described above (e.g. bulkhead construction or repair, rip-rap, bridge, dredging, mooring buoys, etc.) and project will be conditioned with Manatee Special Permit Conditions a through k from the PA.
  - a. No ..... Go to #6
  - b. Yes ..... MA NLAA - 'May affect, not likely to adversely affect' is appropriate and no further consultation with the FWS-GA for the manatee is necessary.
  
6. If the Corps or applicant does not elect to incorporate manatee protection guidelines according to the guidance of this key or the project directly or indirectly affects manatees and is not covered by this key then the appropriate determination is May Affect and consultation with the FWS-GA is required.



**Programmatic Agreement  
U.S. Army Corps of Engineers  
U.S. Fish and Wildlife Service Section 7 of the Endangered Species Act  
Manatee Consultation Procedures  
Dock and Marina Facilities in Coastal Georgia Waters**

The U.S. Army Corps of Engineers, Savannah District, and the U.S. Fish and Wildlife Service, Georgia Ecological Services (FWS) agree to the consultation procedures outlined in this Programmatic Agreement (PA), pursuant to Section 7 of the Endangered Species Act, concerning effects on the West Indian Manatee (*Trichechus manatus*) (manatee), from construction, modification, maintenance and use of dock and marina facilities, in Brantley, Bryan, Camden, Charlton, Chatham, Effingham, Glynn, Liberty, Long, McIntosh and Wayne Counties, Georgia.

**CONSULTATION PROCEDURES:**

1. The Corps will coordinate permit actions with FWS, as follows:
  - a. **Individual Permits (IP)**: The Corps will include the following statement in joint public notices advertising Department of the Army IP applications for proposed dock and marina facilities, "Any permit that may be issued by the Corps for the proposed project will include the applicable manatee special permit conditions: (1) for single and multi-family private recreational docks, special conditions a thru j; or (2) for private community docks and commercial marinas, special conditions a thru p. The facility types will follow the definitions the Georgia Department of Natural Resources (Georgia DNR) uses in their facility permitting. With inclusion of the applicable special conditions in the permit, and with the requirement for the permittee to implement and adhere to these conditions, the Corps has determined that the project may affect, but is not likely to adversely affect the manatee."
  - b. **Letters of Permission (LOP)**: The Corps will include the following statement in the agency coordination email for all LOP for proposed dock and marina facilities, "Any permit that may be issued by the Corps for the proposed project will include the applicable manatee special permit conditions: (1) for single and multi-family private recreational docks, special conditions a thru j; or (2) for private community docks and commercial marinas, special conditions a thru p. With inclusion of the applicable special conditions the permit, and with the requirement for the permittee to implement and adhere to these conditions, the Corps has determined that the project may affect, but is not likely to adversely affect the manatee."
  - c. **Nationwide Permit 3(a) (NWP 3(a))**: The Corps will include the following statement in agency coordination email for all Pre-Construction Notifications proposing use of NWP 3(a) to repair, rehabilitate or replace a previously authorized, currently serviceable dock or marina facility, "Any verification for use of NWP 3(a) that may be issued by the Corps for the proposed project will include the applicable manatee special permit conditions: (1) for single and multi-family private recreational docks,

special conditions a thru j; or (2) for private community docks and commercial marinas, special conditions a thru p. With inclusion of the applicable special conditions in the NWP 3(a) verification letter, and with the requirement for the permittee to implement and adhere to these conditions, the Corps has determined that the project may affect, but is not likely to adversely affect the manatee."

- d. Programmatic General Permit 83 (PGP 83): PGP 83 authorizes the construction, maintenance and modification of certain private recreational dock facilities in the tidal waters of Georgia. The Corps has delegated authority to the Georgia Department of Natural Resources, Coastal Resources Division (Georgia CRD) to review PGP 83 applications, and verify whether proposed dock facilities comply with the terms and conditions for authorization under the PGP. All dock facilities authorized by PGP 83 must comply with manatee special permit conditions a thru j. With inclusion of these special conditions in PGP 83 verifications issued by Georgia CRD, and with the requirement for the permittee to implement and adhere to these conditions, the Corps has determined that private single family docks authorized by PGP 83 may affect, but are not likely to adversely affect the manatee.
2. FWS: For IP, LOP and NWP 3.a, the FWS will respond in writing (letter or email) to the Corps' public notice or email notification during the specified comment period when there is a project specific issue that would preclude FWS' concurrence with the Corps' may affect but not likely adversely affect determination for the project. The Corps will initiate Section 7 consultation with the FWS for such a project. However, if FWS does not disagree in writing with the Corps' determination within the specified comment period; the FWS is thereby concurring with the Corps' determination for the project. For private recreational dock facilities authorized by PGP 83, the FWS concurs with the Corps' may affect but not likely adversely affect determination.

#### MANATEE SPECIAL PERMIT CONDITIONS:

1. Single and multi-family private recreational docks, conditions a thru j.
2. Private community docks and commercial marinas, conditions a thru p.
3. Special Permit Conditions:
  - a. The permittee shall ensure that all personnel associated with construction of the authorized dock facility are informed of the civil and criminal penalties for harming, harassing or killing manatees, which are protected under the Endangered Species Act of 1973 (ESA) and the Marine Mammal Protection Act of 1972. The permittee and the permittee's contractor(s) (contractor) will be held responsible for any manatee harmed, harassed or killed as a result of construction activities.

- b. The use of siltation barriers in waters of the United States, below the high tide line, is not allowed in association with the construction of the authorized dock facility.
- c. All vessels associated with project construction shall operate at "no wake/idle" speeds at all times while in the project area. All vessels will follow routes of deep water when entering or exiting the project area, and while operating in the project area, whenever possible. For the purposes of compliance with manatee conditions, the project area is defined as all areas of shoreline, marsh and open waters within 100 feet of the outermost perimeter of the authorized dock facility.
- d. All contractors and other on-site personnel are responsible for observing for the presence of manatees in or near the project area. All in-water construction activities shall cease upon sighting of a manatee within 50 feet of any ongoing work in the marsh or open waters. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Extreme care shall be taken when lowering equipment and materials below the water surface and/or to the water bottom. Equipment and materials include, but are not limited to: piles; sheet piles; casings for drilled shaft construction; spuds; pile templates; and anchors. All such equipment/material shall be lowered as slow as possible, to avoid injury to any manatee that may have entered the project area undetected.
- f. In the event of injury to or mortality of a manatee in the project area, the permittee or contractor shall immediately notify the Georgia Department of Natural Resources (Georgia DNR) at 912-264-7218 or 1-800-272-8363 on weekdays between 8:00 a.m. to 4:30 p.m., or 1-800-241-4113 on nights and weekends. Within one hour of a manatee injury or mortality the permittee or contractor shall notify the Corps at 1-800-448-2402 and the US Fish and Wildlife Service, Georgia Ecological Services Field Office at 912-832-8739. Any dead manatee found in the project area shall be secured to a stable object to prevent the carcass from moving with the current. In the event of a manatee injury or mortality, all open water construction activity shall cease pending completion of consultation between the Corps and the FWS, pursuant to Section 7 of the ESA.
- g. The permittee shall ensure that the contractor keeps a log of sightings, collisions or injury to manatees that occur during construction of the dock facility.
- h. Within 30 days of project completion, the permittee shall submit a report summarizing manatee sightings or incidents that occurred during project construction, to the FWS, Ecological Services Field Office, Coastal Georgia Sub-Office, 4980 Wildlife Drive NE, Townsend, Georgia 31331. Submission of a

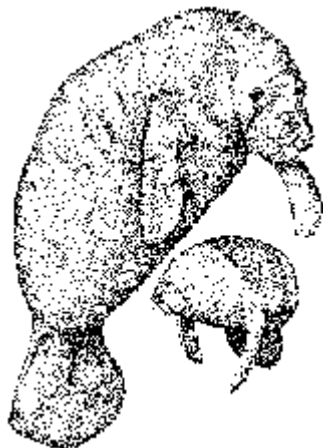
negative report is not required.

- i. All temporary or unused construction materials shall be removed from the project area upon completion of the work, and any impacted area of salt marsh shall be restored. No construction debris or trash is to be discarded in project area.
- j. The permittee shall regularly inspect and maintain all hoses, faucets, and other potential sources of freshwater, to ensure that any freshwater leak is stopped and immediately repaired. Manatees are attracted to freshwater leaking from dock facilities, where boats are concentrated and there is an increased risk for manatee collisions.
- k. Prior to initiating authorized construction activities, the permittee shall contact Georgia DNR at 912-264-7218 for assistance with development of temporary manatee awareness sign plan for the project area. The plan will include the types and number of signs; and locations where signs will be installed to be prominently visible to contractors entering the project area from uplands and from the water. The permittee shall install temporary manatee awareness signs in accordance with the Georgia DNR approved plan. See attached Appendix A for information about the size and appearance of temporary manatee awareness signs. Within 30 days of project completion, the permittee shall remove all temporary manatee signs.
- l. Once construction activities are completed, and prior to use of the facility, the permittee shall contact Georgia DNR at 912-264-7218 for assistance with development of permanent manatee awareness sign plan. The plan will include the types and number of signs; and locations where signs will be installed to be prominently visible to all facility users entering the project area from uplands and from the water. The permittee shall install permanent manatee awareness signs in accordance with the Georgia DNR approved plan. See attached Appendix A for information about the size and appearance of permanent manatee awareness signs.
- m. Within 30 days of installation, the permittee shall submit a notarized letter to the Corps confirming that required permanent manatee signs have been installed in compliance with the Georgia DNR approved plan. The permittee shall maintain all permanent manatee signs in a clearly visible condition for the life of the facility.
- n. The permittee shall utilize the Georgia DNR video, "Georgia Wildlife - Sharing the Coast - Manatee" as a manatee education awareness program; available at [www.youtube.com/watch?v=whD8KX4P8NA](http://www.youtube.com/watch?v=whD8KX4P8NA). This video program focuses on educating boaters on manatee biology, how watercraft can adversely affect the manatee, and detail actions that boaters can take to avoid impacts to the manatee. The permittee shall insure that all boat operators view this video before using the permitted facility. The permittee shall continue a manatee education awareness program for the life of the facility. The permittee may develop and use a comparable manatee education awareness program upon approval by the Corps, FWS, and

Georgia DNR.

- o. After project completion, the permittee shall identify the individual, facility operator or homeowner's association representative to be responsible for reporting manatee sightings, boat strikes or other manatee concerns to the FWS and Georgia DNR.
- p. For facilities with oil/gas pumps and/or sewage pump-out equipment, the permittee shall develop and maintain spill contingency plans in accordance with the requirements of the Georgia DNR, Coastal Resources Division.

**PRIVATE COMMUNITY DOCK AND COMMERCIAL MARINAS  
MANATEE SIGNS  
PLACEMENT PROCEDURES**



The West Indian manatee (*Trichechus manatus*) is an endangered species protected at the Federal level by the Endangered Species Act of 1973, as amended and the Marine Mammal Protection Act of 1972, as amended. In Georgia they inhabit coastal estuaries and rivers primarily from March through November. Increasing coastal development and associated watercraft facilities are expected to increase boat traffic and the probability of collisions between manatees and watercraft. Raising boater awareness of this threat and educating the public about manatees in general are important components of manatee conservation within Georgia waters. Signage has and will continue to play a key role in informing the boating community and general public about the species and how best to protect it from adverse impacts .

Manatee signage may be temporary or permanent. Temporary signs are most often associated with the construction phase of in-water structures and facilities. They are intended to remind those involved with the construction of the potential presence of manatees within the project area. Although the project permit usually mandates their use, they are informative and non-regulatory in nature. Two examples of such signage are included in this Appendix under the “Temporary Construction Sign” section. Permanent signs are intended to provide long-term boater awareness and public education about manatees in Georgia waters. Examples of permanent signage include, "Manatee Basics for Boaters" and waterway display sign, “Protect Georgia’s Manatees”, and are included in this Appendix under the “Permanent Signs” section. Both “Manatee Basics for Boaters” and “Protect Georgia’s Manatees” permanent signs are required for all private community docks and commercial marinas. Private single or dual family docks are not required to have manatee signs.

**Procedure for Approval of Sign Installation:**

1. The applicant should forward a project site plan, including the proposed location for the permanent signs to: Manatee Sign Approval, Nongame Conservation Section, Department of Natural Resources, One Conservation Way, Brunswick, GA 31520. The applicant should also



include a chart indicating the location of the facility in relation to waterways, location within a given county (specify county name), Contact person with phone number, and the Permit and/or Lease number associated with the project

2. The Nongame Conservation Section of the Georgia Department of Natural Resources (GDNR) will review the proposed sign placement site plan and will respond to the applicant within 30 days. If the proposed location is unacceptable, guidance on an alternate site will be provided. The contact person should notify the Nongame Conservation Section when sign placement has been completed (912-264-7218). A photograph(s) of the posted manatee signage at your facility must be submitted with the required permit compliance form to the Marsh and Shore Regulatory Program of the Coastal Resources Division/GA Department of Natural Resources.

3. If during a site visit, approved signs and their locations are found not to be in compliance with the instructions given in this document, relocation or addition of signs will be required. Annual site visits will be conducted to document sign placement and condition. All signs locations will be recorded in the GDNR manatee database.

**Approved Suppliers of Manatee Signs:** Signs are available through the companies listed below and may also be available from other local suppliers throughout the state. Permit/lease holders, marinas, and boat docking/launching facilities should contact sign companies directly to obtain pricing information and arrange for shipping and billing.

Grafix, Inc.  
455 Montgomery Street  
P.O. Box 1028  
Savannah, GA 31402  
912-691-1117

Image Sign Company  
785 King George Blvd., Bldg. 3  
Savannah, GA 31419  
912-961-1444

Doug Bean Signs, Inc.  
160 Dean Forest Rd  
Savannah, GA 31408  
912-964-1900

Fendig Signs  
411 Arnold Rd  
St. Simons Island, GA 31522

Good & Associates  
St. Simons Island, GA  
(912) 638-7664

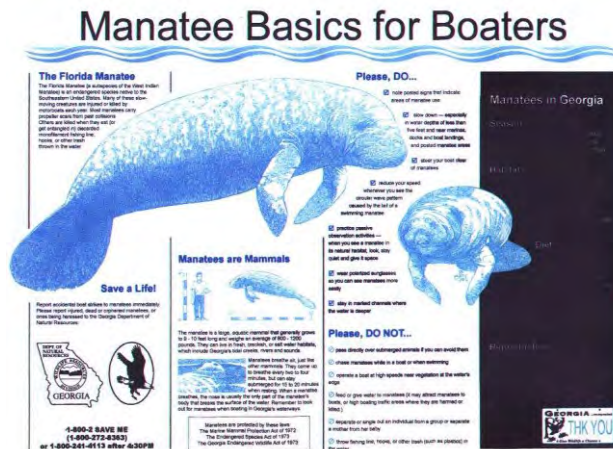
Temporary Construction Signs



## Permanent Signs



“Protect Georgia’s Manatees” sign – At least one sign will be required to face the waterway for each facility. This is dependent upon the size of the facility and the number of docks/piers present. The number and placement of signs will be determined on a site-by-site basis by GDNR biologists. Each approach to the marina from the waterway to the facility will need a visible sign. This sign is intended to alert any passing boater that may or may not be associated with the facility that manatees may be present and again raise awareness of this endangered species.



“Manatee Basics for Boater” sign – One sign is required for each entry point to any dock /pier space. It should be placed where anyone boarding or launching a boat will easily see the sign. This sign is intended to provide detailed information about manatees, how to avoid negative impacts to manatees, and to raise awareness of their presence in Georgia to any person using the facility. Sign placement approval by the Nongame Conservation Section is required.

**Savannah District EDGES Applicant Coordination Slip**

Project: Savannah Bulk Terminal  
 Applicant: Savannah Bulk Terminal, LLC  
 Consultant: Resource & Land Consultants  
 FWS-GA Review of Project or Survey Data (yes/no): no  
 Project Modifications After FWS-GA Review (including changes in timing): \_\_\_\_\_

County: Chatham  
 Coordinates: 32.079334, -81.063729  
 Date of Consultants Assessment: 6/22/2021  
 Date of FWS-GA Review: n/a  
 \_\_\_\_\_

Species IPaC Indicated May Occur on Site	Ipac Status	Critical Habitat (yes / no)	Applicable EDGES	Species Habitat(s), as Described in the EDGES (e.g., wetland, stream, forested, flatwoods, sandhills)	Does this Habitat occur on Project Site (yes / no)	Will this Habitat be Altered by the Project (yes / no)	Determination	
							EDGES	RLC
West Indian Manatee ( <i>Trichechus manatus</i> )	Threatened	No	West Indian Manatee	tidal marine waters	Yes	No	NLAA	-
Wood Stork ( <i>Mycteria americana</i> )	Threatened	No	Wood Stork	relatively open aquatic vegetation, calm water, permanent or seasonal water depths 2-15"	No	No	No Effect	-
Eastern Indigo Snake ( <i>Drymarchon corais couperi</i> )	Threatened	No	Eastern Indigo Snake	longleaf pine and wiregrass community	No	No	No Effect	-
Frosted Flatwoods Salamander ( <i>Ambystoma cingulatum</i> )	Threatened	No	Flatwoods Salamander	longleaf pine wiregrass flatwoods or slash pine flatwoods (not managed pine plantatins)	No	No	No Effect	-
Eastern Black Rail ( <i>Laterallus jamaicensis</i> )	Threatened	No	n/a	tidal and freshwater marsh	No	No	n/a	No Effect
Pondberry ( <i>Lindera melissifolia</i> )	Endangered	No	n/a	pond margins and wet savannas	No	No	n/a	No Effect

Please provide this form, the IPaC map and printout of listed species/Critical Habitat that may occur on site, and any FWS-GA comments on the project to the Savannah District with your application/PCN.



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Georgia Ecological Services Field Office  
355 East Hancock Avenue  
Room 320  
Athens, GA 30601  
Phone: (706) 613-9493 Fax: (706) 613-6059

In Reply Refer To:  
Consultation Code: 04EG1000-2021-SLI-2601  
Event Code: 04EG1000-2021-E-04889  
Project Name: Savannah Bulk Terminal

June 23, 2021

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

### To Whom It May Concern:

Thank you for your recent request for information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 et seq.), the Migratory Bird Treaty Act (MBTA) as amended (16 USC 701-715), and the Bald and Golden Eagle Protection Act (BGEPA) as amended (16 USC 668-668c). We are providing the following guidance to assist you in determining which federally imperiled species may or may not occur within your project area and to recommend some conservation measures that can be included in your project design if you determine those species or designated critical habitat may be affected by your proposed project.

### **FEDERALLY-LISTED SPECIES AND DESIGNATED CRITICAL HABITAT**

Attached is a list of endangered, threatened, and proposed species that may occur in your project area. Your project area may not necessarily include all or any of these species. Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

If you determine that your proposed action may affect federally listed species, please consult with the Service. Through the consultation process, we will analyze information contained in a biological assessment or equivalent document that you provide. If your proposed action is associated with Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a Habitat Conservation Plan) may be necessary to exempt harm or harass federally listed threatened or endangered fish or wildlife species. For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at [www.fws.gov/endangered/esa-library/index.html#consultations](http://www.fws.gov/endangered/esa-library/index.html#consultations).

**Action Area.** The scope of federally listed species compliance not only includes direct effects, but also any indirect effects of project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations). The action area is the spatial extent of an action's direct and indirect modifications to the land, water, or air (50 CFR 402.02). Large projects may have effects to land, water, or air outside the immediate footprint of the project, and these areas should be included as part of the action area. Effects to land, water, or air outside of a project footprint could include things like lighting, dust, smoke, and noise. To obtain a complete list of species, the action area should be uploaded or drawn in IPaC rather than just the project footprint.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

If you determine that your action may affect any federally listed species and would like technical assistance from our office please provide the following information (reference to these items can be found in 50 CFR§402.13 and 402.14):

A description of the proposed action, including any measures intended to avoid, minimize, or offset effects of the action. Consistent with the nature and scope of the proposed action, the description shall provide sufficient detail to assess the effects of the action on listed species and critical habitat, including:

1. The purpose of the action;
  2. The duration and timing of the action;
  3. The location of the action;
  4. The specific components of the action and how they will be carried out;
  5. Description of areas to be affected directly or indirectly by the action;
-



6. Information on the presence of listed species in the action area;
7. Description of effects of the action on species in the action area;
8. Maps, drawings, blueprints, or similar schematics of the action; and
9. Any other available information related to the nature and scope of the proposed action relevant to its effects on listed species or designated critical habitat (examples include: stormwater plans, management plans, erosion and sediment plans).

**Please submit all consultation documents via email to [gaes\\_assistance@fws.gov](mailto:gaes_assistance@fws.gov)** or by using IPaC, uploaded documents, and sharing the project with a specific Georgia Ecological Services staff member. If the project is on-going, documents can also be sent to the Georgia ES staff member currently working with you on your project. For Georgia Department of Transportation-related projects, please work with the Office of Environmental Services ecologist to determine the appropriate USFWS transportation liaison.

## **WETLANDS AND FLOODPLAINS**

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. These habitats should be conserved through avoidance, or mitigated to ensure that there would be no net loss of wetlands function and value.

We encourage you to use the National Wetland Inventory (NWI) maps in conjunction with ground-truthing to identify wetlands occurring in your project area. The Service's NWI program website, [www.fws.gov/wetlands/Data/Mapper.html](http://www.fws.gov/wetlands/Data/Mapper.html) integrates digital map data with other resource information. We also recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands.

## **MIGRATORY BIRDS**

The MBTA prohibits the taking of migratory birds, nests, and eggs, except as permitted by the Service's Migratory Bird Office. To minimize the likelihood of adverse impacts to migratory birds, we recommend construction activities occur outside the general bird nesting season from March through August, or that areas proposed for construction during the nesting season be surveyed, and when occupied, avoided until the young have fledged.

We recommend review of Birds of Conservation Concern at website [www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html) to fully evaluate the effects to the birds at your site. This list identifies birds that are potentially threatened by disturbance and construction.

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Information related to wind energy development and migratory birds can be found at this location: <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/wind-energy.php>.

## **BALD AND GOLDEN EAGLES**

The bald eagle (*Haliaeetus leucocephalus*) was delisted under the ESA on August 9, 2007. Both the bald eagle and golden eagle (*Aquila chrysaetos*) are still protected under the MBTA and BGEPA. The BGEPA affords both eagles protection in addition to that provided by the MBTA, in particular, by making it unlawful to “disturb” eagles. Under the BGEPA, the Service may issue limited permits to incidentally “take” eagles (e.g., injury, interfering with normal breeding, feeding, or sheltering behavior nest abandonment). For information on bald and golden eagle management guidelines, we recommend you review information provided at <https://www.fws.gov/birds/management/managed-species/bald-and-golden-eagle-information.php> and <https://www.fws.gov/birds/management/managed-species/eagle-management.php>. Additionally the following site will help you determine if your activity is likely to take or disturb bald eagles in the southeast (<https://www.fws.gov/southeast/our-services/eagle-technical-assistance>).

## **NATIVE BAT COMMENTS**

If your species list includes Indiana bat or northern long-eared bat and the project is expected to impact forested habitat that is appropriate for maternity colonies of these species, forest clearing during the winter. Federally listed bats could be actively present in forested landscapes from April 1 to October 15 of any year and have non-volant pups from May 15 to July 31 in any year. Non-volant pups are incapable of flight and are vulnerable to disturbance during that time.

Additional information on bat avoidance and minimization can be found at the following link: [https://www.fws.gov/athens/transportation/pdfs/Bat\\_AMMs.pdf](https://www.fws.gov/athens/transportation/pdfs/Bat_AMMs.pdf).

Additional information that addresses at-risk or high priority natural resources can be found in the State Wildlife Action Plan (<https://georgiawildlife.com/WildlifeActionPlan>), at Georgia Department of Natural Resources, Wildlife Resources Division Rare Species and Natural Community Portal (<https://georgiawildlife.com/conservation/species-of-concern>), Georgia's Natural, Archaeological, and Historic Resources GIS portal (<https://www.gnahrgis.org/gnahrgis/index.do>), and Georgia Ecological Services Watershed Guidance portal (<https://www.fws.gov/athens/transportation/coordination.html>).

Thank you for your concern for endangered and threatened species. We appreciate your efforts to identify and avoid impacts to listed and sensitive species in your project area. For further consultation on your proposed activity, please email [gaes\\_assistance@fws.gov](mailto:gaes_assistance@fws.gov) and reference your Service Consultation Tracking Number (Consultation Code).

This letter constitutes Georgia Ecological Services' general comments under the authority of the Endangered Species Act.

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Attachment(s):

- Official Species List
  - Migratory Birds
-

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Georgia Ecological Services Field Office**

355 East Hancock Avenue

Room 320

Athens, GA 30601

(706) 613-9493

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## Project Summary

Consultation Code: 04EG1000-2021-SLI-2601

Event Code: 04EG1000-2021-E-04889

Project Name: Savannah Bulk Terminal

Project Type: DEVELOPMENT

Project Description: Maintenance

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@32.07937695,-81.06346334224092,14z>



Counties: Chatham County, Georgia

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## Endangered Species Act Species

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [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.

## Mammals

NAME	STATUS
West Indian Manatee <i>Trichechus manatus</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. <b><i>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</i></b> Species profile: <a href="https://ecos.fws.gov/ecp/species/4469">https://ecos.fws.gov/ecp/species/4469</a>	Threatened

## Birds

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10477">https://ecos.fws.gov/ecp/species/10477</a>	Threatened
Wood Stork <i>Mycteria americana</i> Population: AL, FL, GA, MS, NC, SC No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8477">https://ecos.fws.gov/ecp/species/8477</a>	Threatened



## Reptiles

NAME	STATUS
Eastern Indigo Snake <i>Drymarchon corais couperi</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/646">https://ecos.fws.gov/ecp/species/646</a>	Threatened
Gopher Tortoise <i>Gopherus polyphemus</i> Population: eastern No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6994">https://ecos.fws.gov/ecp/species/6994</a>	Candidate

## Amphibians

NAME	STATUS
Frosted Flatwoods Salamander <i>Ambystoma cingulatum</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/4981">https://ecos.fws.gov/ecp/species/4981</a>	Threatened

## Flowering Plants

NAME	STATUS
Pondberry <i>Lindera melissifolia</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1279">https://ecos.fws.gov/ecp/species/1279</a>	Endangered

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

## Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

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 [below](#).

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Kestrel <i>Falco sparverius paulus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9587">https://ecos.fws.gov/ecp/species/9587</a>	Breeds Apr 1 to Aug 31
Bachman's Sparrow <i>Aimophila aestivalis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/6177">https://ecos.fws.gov/ecp/species/6177</a>	Breeds May 1 to Sep 30

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NAME	BREEDING SEASON
<p><b>Bald Eagle <i>Haliaeetus leucocephalus</i></b>            This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.  <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a></p>	Breeds Sep 1 to Jul 31
<p><b>Black Skimmer <i>Rynchops niger</i></b>            This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/5234">https://ecos.fws.gov/ecp/species/5234</a></p>	Breeds May 20 to Sep 15
<p><b>Clapper Rail <i>Rallus crepitans</i></b>            This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Apr 10 to Oct 31
<p><b>Common Ground-dove <i>Columbina passerina exigua</i></b>            This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Feb 1 to Dec 31
<p><b>Dunlin <i>Calidris alpina arcticola</i></b>            This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds elsewhere
<p><b>Golden Eagle <i>Aquila chrysaetos</i></b>            This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.  <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a></p>	Breeds elsewhere
<p><b>Gull-billed Tern <i>Gelochelidon nilotica</i></b>            This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/9501">https://ecos.fws.gov/ecp/species/9501</a></p>	Breeds May 1 to Jul 31
<p><b>Kentucky Warbler <i>Oporornis formosus</i></b>            This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Apr 20 to Aug 20
<p><b>Least Tern <i>Sterna antillarum</i></b>            This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Apr 20 to Sep 10
<p><b>Lesser Yellowlegs <i>Tringa flavipes</i></b>            This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a></p>	Breeds elsewhere
<p><b>Prairie Warbler <i>Dendroica discolor</i></b>            This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 1 to Jul 31

NAME	BREEDING SEASON
<b>Prothonotary Warbler</b> <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
<b>Red-headed Woodpecker</b> <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
<b>Ruddy Turnstone</b> <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
<b>Seaside Sparrow</b> <i>Ammodramus maritimus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 20
<b>Semipalmated Sandpiper</b> <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
<b>Short-billed Dowitcher</b> <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9480">https://ecos.fws.gov/ecp/species/9480</a>	Breeds elsewhere
<b>Swallow-tailed Kite</b> <i>Elanoides forficatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/8938">https://ecos.fws.gov/ecp/species/8938</a>	Breeds Mar 10 to Jun 30
<b>Whimbrel</b> <i>Numenius phaeopus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9483">https://ecos.fws.gov/ecp/species/9483</a>	Breeds elsewhere
<b>Willet</b> <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 5
<b>Wood Thrush</b> <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

## Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

### No Data (—)

A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

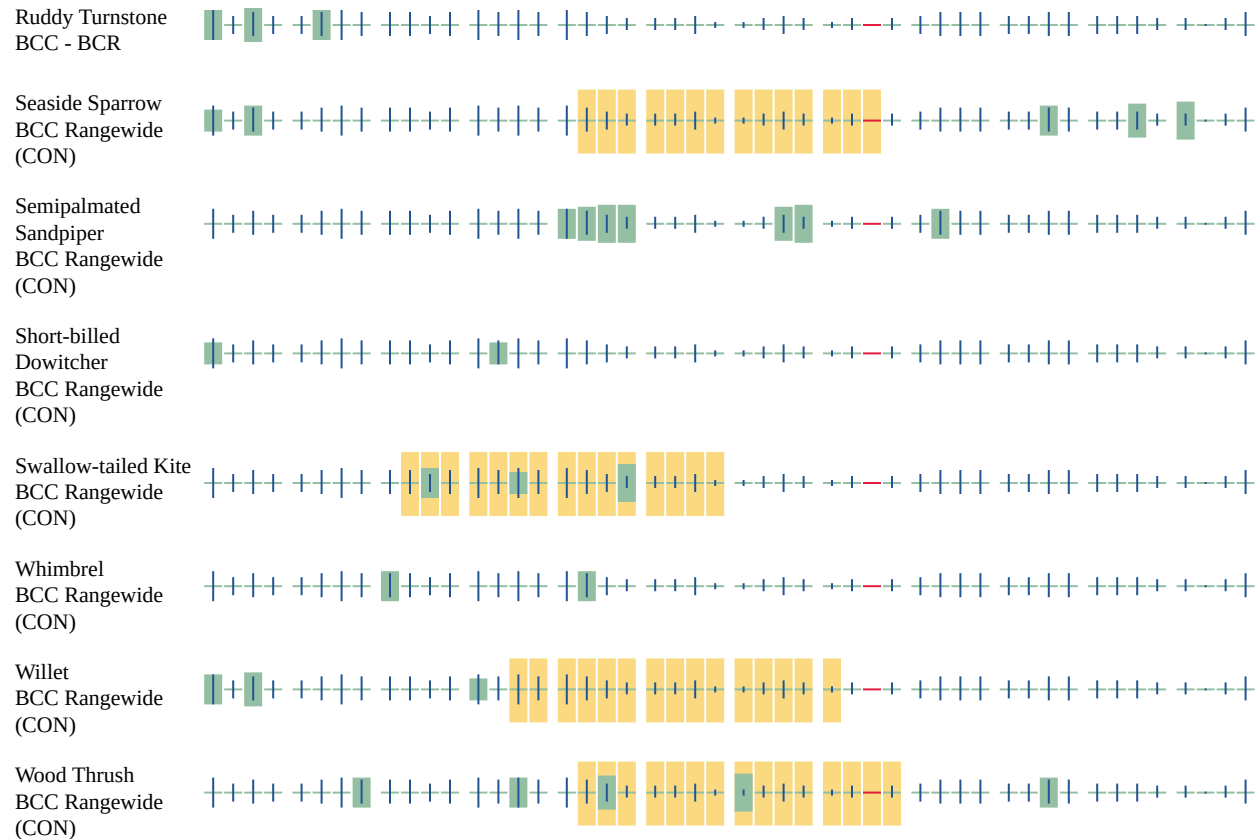
---

■ probability of presence   ■ breeding season   | survey effort   — no data

---







Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#)

may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### **What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);

2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities,

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should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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**ATTACHMENT K**

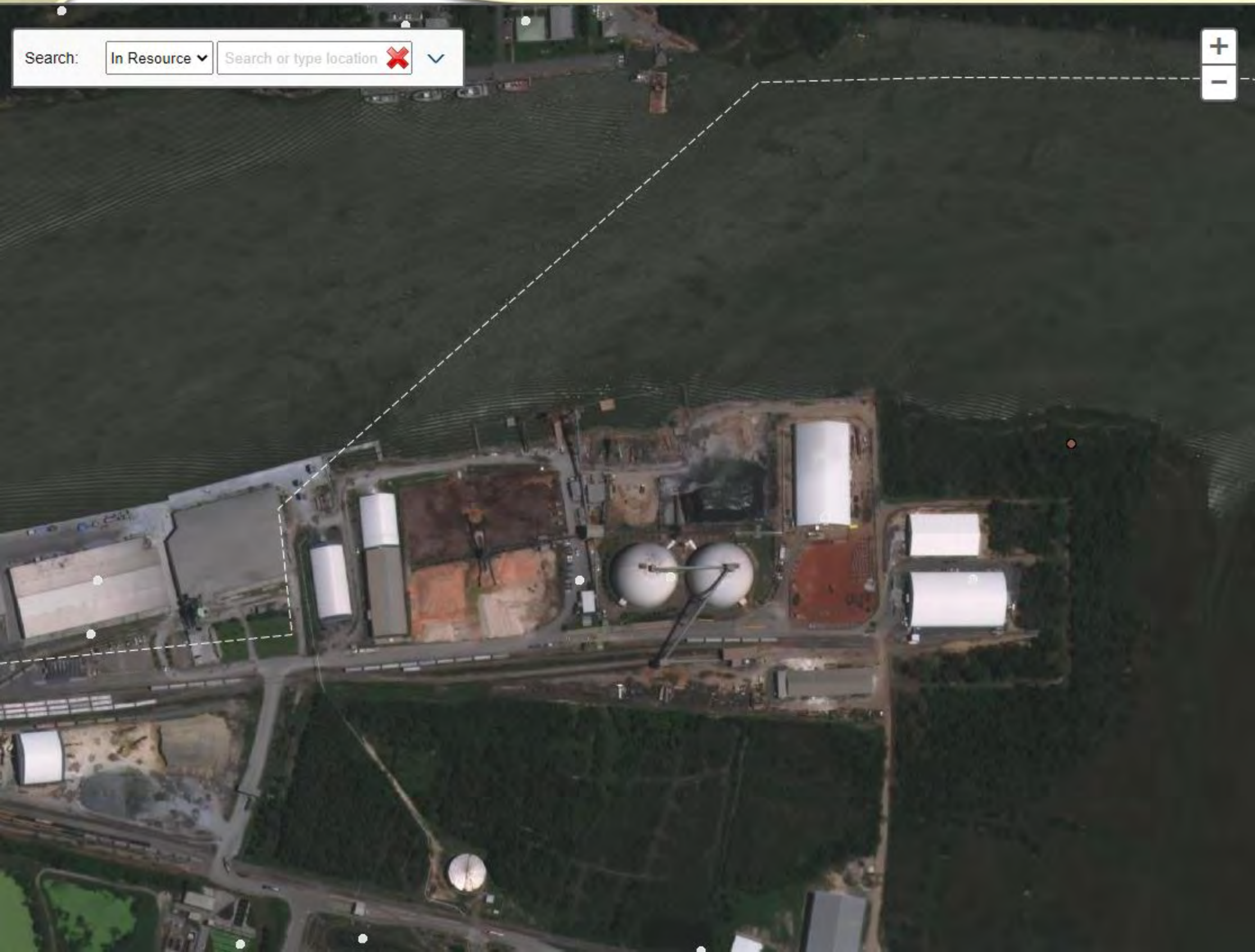
GNAHRGIS DATABASE EXHIBIT



Search:

In Resource ▾

Search or type location 







COASTAL RESOURCES DIVISION  
ONE CONSERVATION WAY • BRUNSWICK, GA 31520 • 912.264.7218  
COASTALGADNR.ORG

MARK WILLIAMS  
COMMISSIONER

DOUG HAYMANS  
DIRECTOR

July 26, 2021

RLC  
c/o Mr. Alton Brown  
41 Park of Commerce Way Suite 101  
Savannah, GA 31405

**Re: Coastal Marshlands Protection Act (CMPA) Permit Application, Savannah Bulk Terminal, LLC, Savannah River, Chatham**

Dear Mr. Brown:

This letter is in response to your CMPA application for the above referenced project, received by our office on July 12, 2021. Our permitting and legal staff will be reviewing your application simultaneously. Our legal staff may contact you to clarify ownership interests.

In the interest of expediting your application to construct a portion of the previously permitted project, I have reviewed the file for the proposed construction and maintenance of a breasting dolphin.

The proposed project was previously permitted under CMPC Permit # 691. Additionally, CMPA Permit #765 was issued November 26, 2019 (attached). CMPC #765 authorized the construction of nine (9) SEDCON Units, associated platforms for each of the 9 SEDCON Unit, and catwalks. A review of aerial photos appears to indicate that some structures were constructed as authorized under CMPC Permit #691, others were **not** demolished as authorized, and no action appears to have been taken on CMPA #765. Please review Sheets 4 dated July 9, 2021 submitted with your July 12, 2021 CMPA Application and provide a revised project description, and a revised project plan for staff review.

To date, our files contain the following items:

1. Signed application that includes pertinent information related to the project as well as the signature of the applicant;
2. A signed Revocable License request;
3. Basic project description;
4. Discussion on why the permit should be granted;
5. Adjoining landowner addresses;
6. An Alternative Site Description;
7. Marina Checklist;
8. A statement certifying that the project is not over a hazardous waste site or landfill;

Staff has identified additional information that is needed before the application can be placed on public notice. Keep in mind that an application needs to be “substantially complete” before it can be presented to the Coastal Marshlands Protection Committee (CMPC), and considering the fact we are waiting on updated plans, this request may change. To date the following items are required before the application can be placed on Public Notice:

1. Revised application plans:
  - a. Please identify all existing structures on a site plan;
  - b. Please identify all structures permitted (constructed and not constructed) under CMPA #765 on the revised site plan;
  - c. Please remove all demolished structures from the site plan;
2. Please provide a final site plan identifying all existing, permitted and proposed structures on property boundary plat based on the current, verified, CMPA Jurisdiction Line;
3. Quantify impacts to coastal marshlands for:
  - a. Existing platforms, catwalks, breasting dolphin, and existing bank stabilization on the parcel;
  - b. All structures permitted under CMPA #765 (identify as constructed or not constructed);
  - c. Proposed breasting dolphin including piling dimensions, piling quantity, caps and bends;
4. Width of the waterway at MLW;
5. Width of the waterway at MHW;
6. Distance of seaward most face of existing and proposed structure into the waterway at MLW;
7. Provide the distance to extended property lines for the existing (and proposed if different) in-water structure;
8. A revised project description to provide clarification for existing structures, permitted but not constructed structures and proposed structures;
9. A letter from the local governing authority or authorities of the political subdivision in which the property is located stating that the applicant's proposal is not violative of any zoning law;
10. Plans signed by the local zoning authority;
11. Provide proof that a Buffer Variance has been applied for, if required for the project;
12. Please provide additional discussion on how the proposed project design addresses the State’s Public Interest consideration specifically related to the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, wildlife, or other resources, including but not limited to water and oxygen supply.;
13. An application fee for \$100.00 made payable to the Georgia Department of Natural Resources.

Our permitting and legal staff is reviewing your application simultaneously. Our legal staff may contact you to clarify ownership interests or to request additional information. Once these materials have been received, and the application is substantially complete, we will begin the public notice process. During the public comment period, the committee will be reviewing the project. We will identify any additional information requested by them as provided in the Official Code of Georgia Annotated (O.C.G.A.) 12-5-286. Public comments and questions about your project will be forwarded to you for a response. Staff will assist you throughout the process.

We appreciate your assistance in working with staff to provide a substantially complete permit application to the Coastal Marshlands Protection Committee for their consideration. Please feel free to contact me at 912.266.3695 with any questions or comments.

Sincerely,

*Deb Barreiro*

Deb Barreiro  
Coastal Permit Coordinator

cc: Frank Peeples, Jr.

CMP20210011



30 July 2021

Georgia Department of Natural Resources  
Coastal Resources Division  
Attn: Ms. Deb Barreiro  
One Conservation Way, Suite 300  
Brunswick, Georgia 31520

**Subject: Coastal Marshlands Permit Application  
Savannah Bulk Terminal Breasting Dolphins  
Chatham County, Georgia**

**RLC# 13-135.2**

Dear Ms. Barreiro:

In a letter dated 26 July 2021, you requested additional information required by Coastal Resources Division prior to issuance of the public notice for the proposed project. The following provides an outline of your request and a response to each item.

**Comment 1.** *Revised application plans:*

- a. Please identify all existing structures on a site plan;*
- b. Please identify all structures permitted (constructed and not constructed) under CMPA #765 on the revised site plan;*
- c. Please remove all demolished structures from the site plan;*

**Response 1.** Since the project will include modification to CMPC Permit #765, the permit drawings for that project have been revised and updated to incorporate all required items including all existing structures and all structures permitted (constructed and not constructed) under CMPC Permit #765. Any structures that have been demolished in the past are not depicted on the revised permit drawings and no structures have been demolished since issuance of CMPC Permit #765.

**Comment 2.** *Please provide a final site plan identifying all existing, permitted and proposed structures on property boundary plat based on the current, verified, CMPA Jurisdiction Line;*

**Response 2.** As noted above, the permit drawings for that project have been revised and updated to incorporate all required items including all existing structures and all structures permitted (constructed and not constructed) under CMPC Permit #765. The extent of existing structures has not changed within the property since application for and issuance of CMPC Permit #765 and no work authorized under CMPC #765 has been initiated.

**Comment 3.** *Quantify impacts to coastal marshlands for:*

- a. Existing platforms, catwalks, breasting dolphin, and existing bank stabilization on the parcel;*
- b. All structures permitted under CMPA #765 (identify as constructed or not constructed);*
- c. Proposed breasting dolphin including piling dimensions, piling quantity, caps and bends;*

**Response 3.** The drawings that were permitted under CMPC Permit #765 have been updated to include the proposed dolphin and dimensions of the breasting dolphin including piling dimensions, piling quantity, caps and bends. The extent of existing structures has not changed within the property since application for and issuance of CMPC Permit #765 and no work authorized under CMPC Permit #765 has been initiated.

**Comment 4.** *Width of the waterway at MLW;*

**Response 4.** See attached revised drawings.

**Comment 5.** *Width of the waterway at MHW;*

**Response 5.** See attached revised drawings.

**Comment 6.** *Distance of seaward most face of existing and proposed structure into the waterway at MLW;*

**Response 6.** See attached revised drawings.

**Comment 7.** *Provide the distance to extended property lines for the existing (and proposed if different) in-water structure;*

**Response 7.** See attached revised drawings.

**Comment 8.** *A revised project description to provide clarification for existing structures, permitted but not constructed structures and proposed structures;*

**Response 8.** As noted above, the extent of existing structures has not changed within the property since issuance of CMPC #765. No work authorized under CMPC Permit #765 has been initiated.

**Comment 9.** *A letter from the local governing authority or authorities of the political subdivision in which the property is located stating that the applicant's proposal is not violative of any zoning law;*

**Response 9.** See attached.

**Comment 10.** *Plans signed by the local zoning authority;*

**Response 10.** See attached.

**Comment 11.** *Provide proof that a Buffer Variance has been applied for, if required for the project;*

**Response 11.** The proposed modification includes installation of a breasting dolphin. Due to the geographic location of the breasting dolphin (in the Savannah River), no buffer variance is required.

**Comment 12.** *Please provide additional discussion on how the proposed project design addresses the State's Public Interest consideration specifically related to the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, wildlife, or other resources, including but not limited to water and oxygen supply.;*

**Response 12.** As noted in the project description submitted with the package, the committee is required to consider 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 includes installation of a new 23.5-foot by 28-foot breasting dolphin within an existing industrial facility currently located in the Savannah River. Existing development, the majority of which is industrial/ports related development, is located within and adjacent to the Savannah River for over 8 miles upstream and 7 miles downstream of the project. This industrial section of the Savannah River totals 2,629 acres. Considering the Savannah River basin is approximately 9,850 square miles and 301 miles long and the project requires 0.01 acre of impact within a maintained section of river associated with the Savannah Port surrounded by industrial and commercial development, it is clear that the project will not 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.

**Comment 13.** *An application fee for \$100.00 made payable to the Georgia Department of Natural Resources.*

**Response 13.** The \$100.00 application fee was via FedEx next day delivery to the Brunswick Office on 27 July 2021.

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

Sincerely,

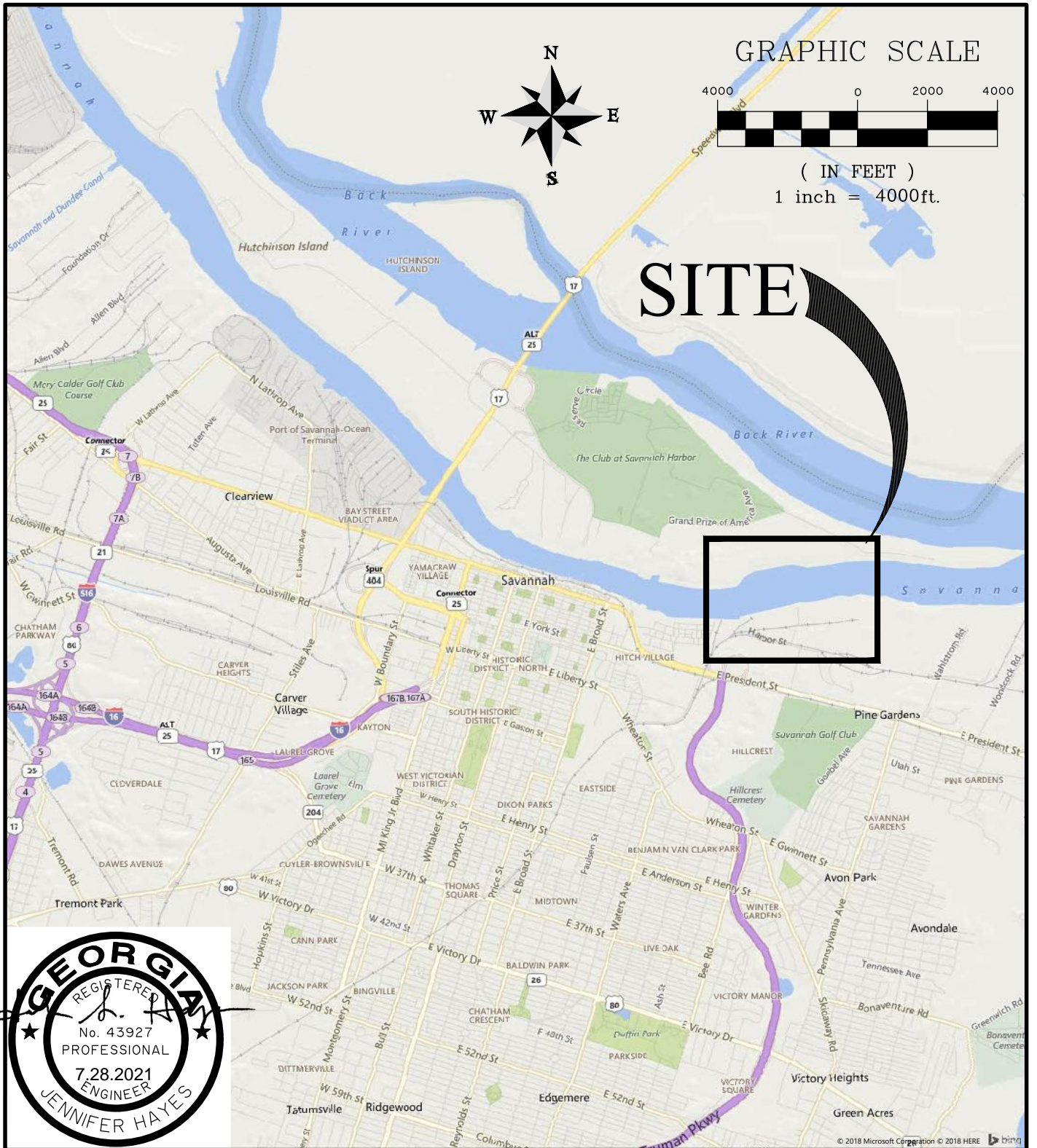


Alton Brown, Jr.  
Principal  
Resource & Land Consultants

Enclosures

cc: Mr. Frank Peeples – Savannah Bulk Terminal, LLC  
Ms. Jen Hayes – Thomas & Hutton





**EAST COAST TERMINAL PERMIT CMPC #765 AMENDMENT**

SHEET NAME:  
VICINITY MAP

APPLICANT:  
EAST COAST TERMINALS LLC

LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/28/2021  
JOB NUMBER: J - 25340.0000

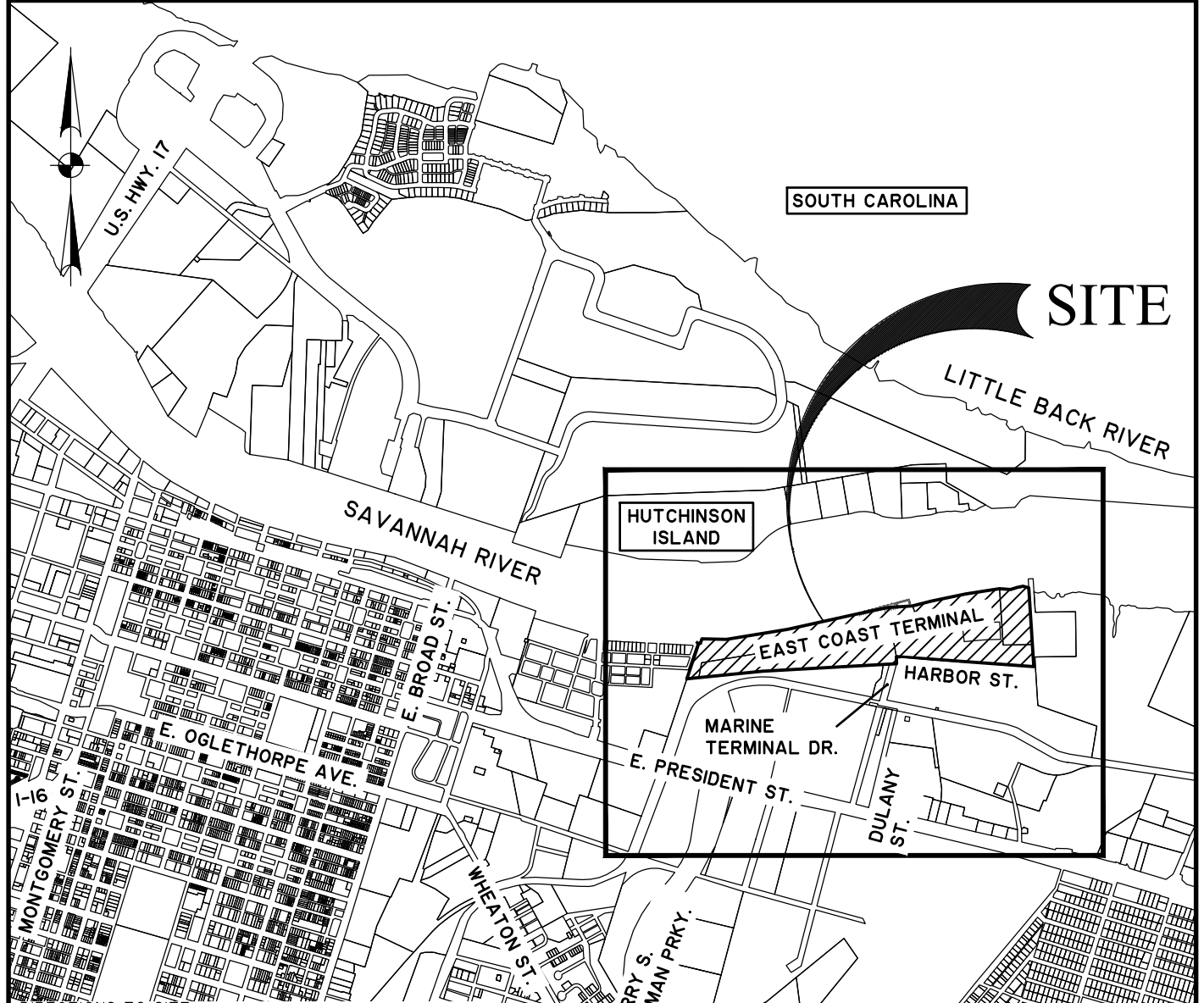
SHEET: 1  
SCALE: 1"=4000'



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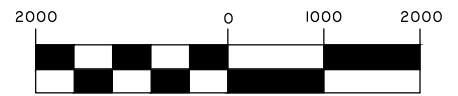


**DIRECTIONS TO SITE:**

STARTING ON I16 EASTBOUND TOWARD SAVANNAH. TAKE EXIT 167B FOR MONTGOMERY STREET TOWARD SAVANNAH/CIVIC CENTER/DOWNTOWN FOR .3 MILES. MERGE ONTO MONTGOMERY STREET FOR 300 FEET AND THEN TURN RIGHT ONTO WEST LIBERTY STREET. CONTINUE FOR 0.7 MILES THEN MAKE TURN LEFT ONTO EAST BROAD STREET. TRAVEL 0.2 MILES AND TURN RIGHT ONTO EAST PRESIDENT STREET. GO 1.2 MILES AND TURN LEFT ONTO DULANY STREET. PROCEED 0.2 MILES THEN TURN LEFT TOWARD MARINE TERMINAL DRIVE. TRAVEL 250 FEET TURN RIGHT ON MARINE TERMINAL DRIVE. PROCEED 0.1 MILES AND MAKE A RIGHT ONTO HARBOR STREET AND TRAVEL 0.2 MILES. THE SITE IS ON YOUR LEFT.



**GRAPHIC SCALE**



( IN FEET )  
1 inch = 2000ft.

**EAST COAST TERMINAL PERMIT CMPC #765 AMENDMENT**

SHEET NAME:  
**LOCATION MAP**

APPLICANT:  
**EAST COAST TERMINALS LLC**

LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/28/2021  
JOB NUMBER: J - 25340.0000

SHEET: 2  
SCALE: 1"=2000'

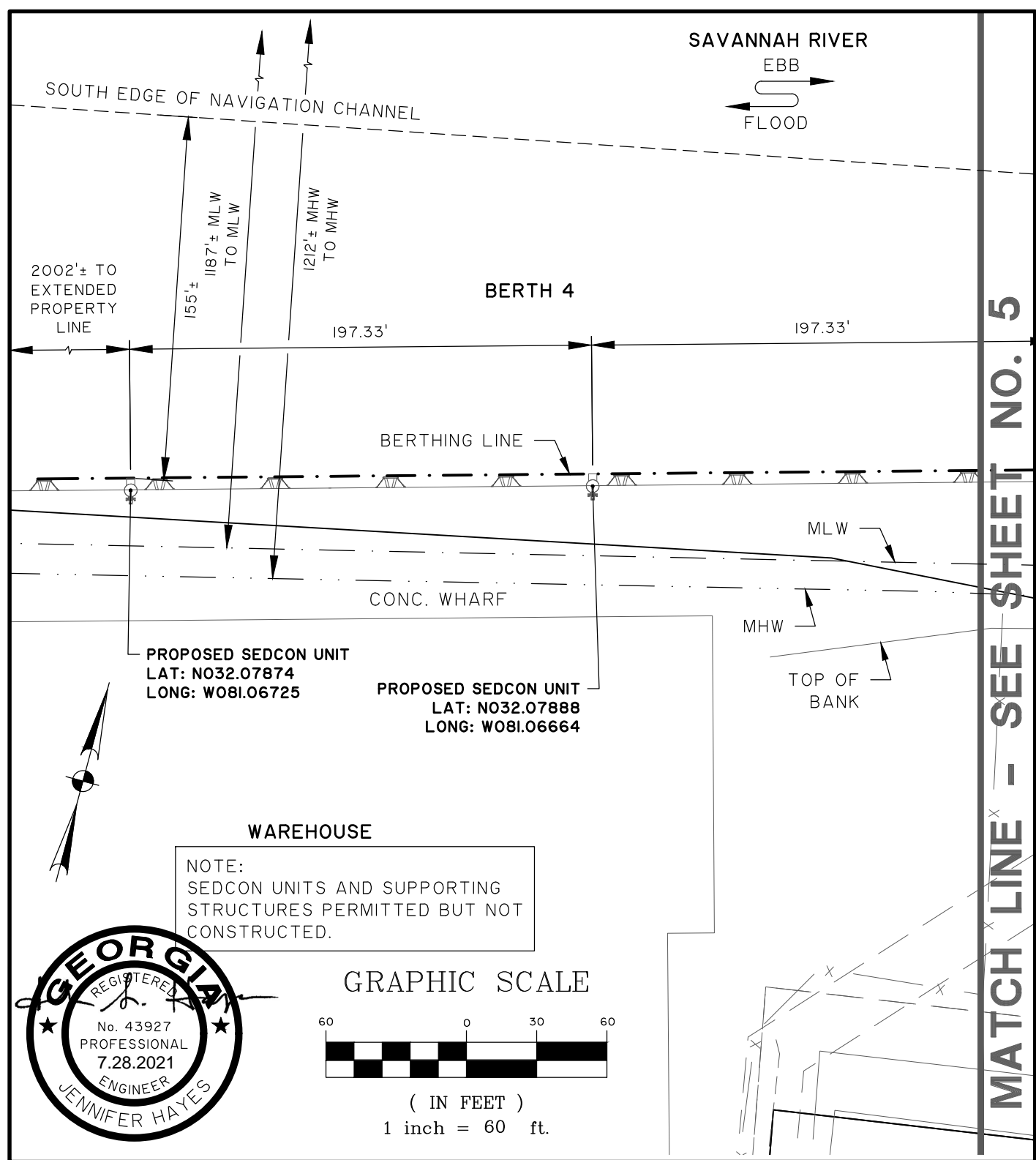


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Z:\25340\25340.0000\Engineering\Drawings\Permit\Amendment\25340.0000 04a Site Plan.dwg - Jul 28, 2021 - 8:08:11 AM



MATCH LINE - SEE SHEET NO. 5

### EAST COAST TERMINAL PERMIT CMPC #765 AMENDMENT

SHEET NAME:  
**SITE PLAN**  
 APPLICANT:  
**EAST COAST TERMINALS LLC**  
 LOCATION: SAVANNAH (CHATHAM), GA  
 DATE: 7/28/2021  
 JOB NUMBER: J - 25340.0000

SHEET: 4  
 SCALE: 1" = 60'



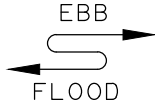
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MATCH LINE - SEE SHEET NO. 4

MATCH LINE - SEE SHEET NO. 6

SAVANNAH RIVER



SOUTH EDGE OF NAVIGATION CHANNEL

BERTH 4

200'

236.94'

NEW 3' WIDE CATWALK

BERTHING LINE

CONC. WHARF

PROPOSED SEDCON UNIT  
LAT: N032.07902  
LONG: W081.06602

PROPOSED SEDCON UNIT  
W/SUPPORT PLATFORM  
LAT: N032.07916  
LONG: W081.06540

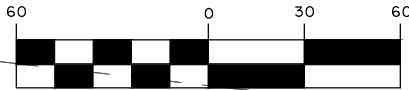
MLW

TOP OF BANK

MHW

NOTE:  
SEDCON UNITS AND SUPPORTING  
STRUCTURES PERMITTED BUT NOT  
CONSTRUCTED.

GRAPHIC SCALE



( IN FEET )

1 inch = 60 ft.



EAST COAST TERMINAL PERMIT CMPC #765 AMENDMENT

SHEET NAME:  
SITE PLAN

APPLICANT:  
EAST COAST TERMINALS LLC

LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/28/2021  
JOB NUMBER: J - 25340.0000

SHEET: 5  
SCALE: 1" = 60'



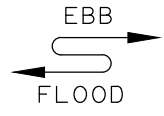
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MATCH LINE - SEE SHEET NO. 5

MATCH LINE - SEE SHEET NO. 7

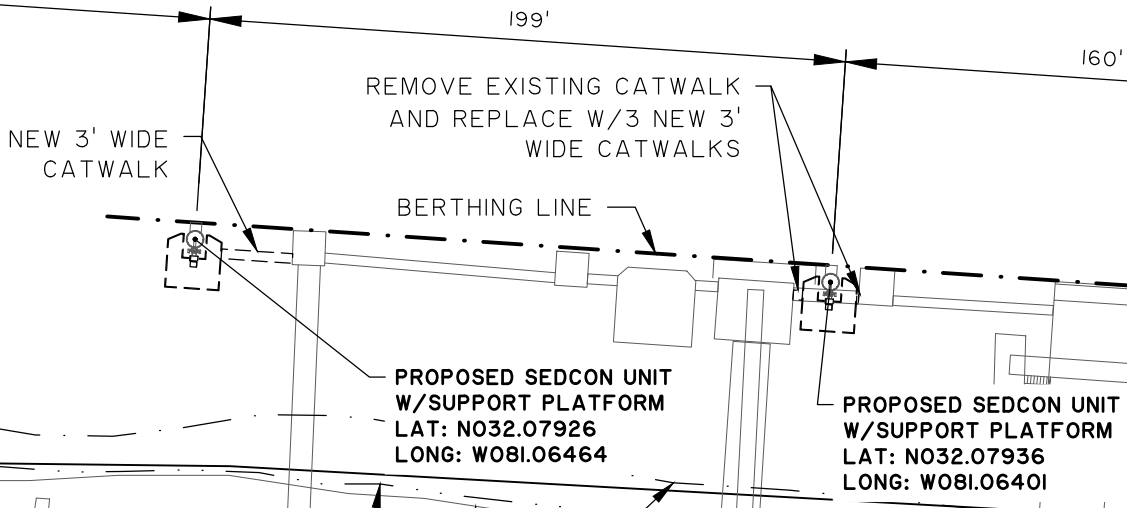
SAVANNAH RIVER



NOTE:  
SEDCON UNITS, SUPPORTING  
STRUCTURES AND CATWALKS  
PERMITTED BUT NOT CONSTRUCTED.  
NONE OF THE EXISTING CATWALKS  
HAVE BEEN REMOVED.

SOUTH EDGE OF NAVIGATION CHANNEL

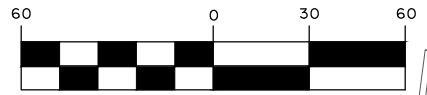
BERTH 2



MHW  
MLW  
TOP OF BANK



GRAPHIC SCALE



( IN FEET )  
1 inch = 60 ft.

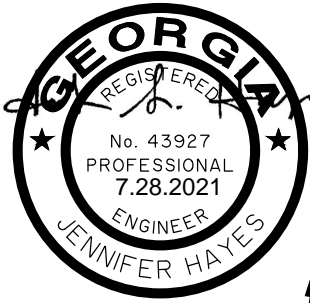
EAST COAST TERMINAL PERMIT CMPC #765 AMENDMENT

SHEET NAME:  
SITE PLAN  
APPLICANT:  
EAST COAST TERMINALS LLC  
LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/28/2021  
JOB NUMBER: J - 25340.0000

SHEET: 6  
SCALE: 1" = 60'



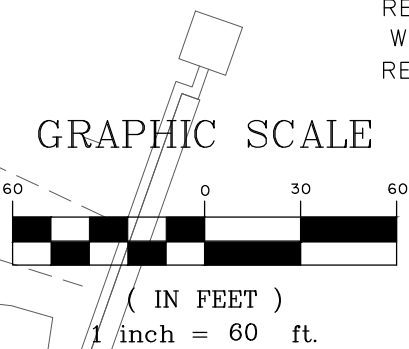
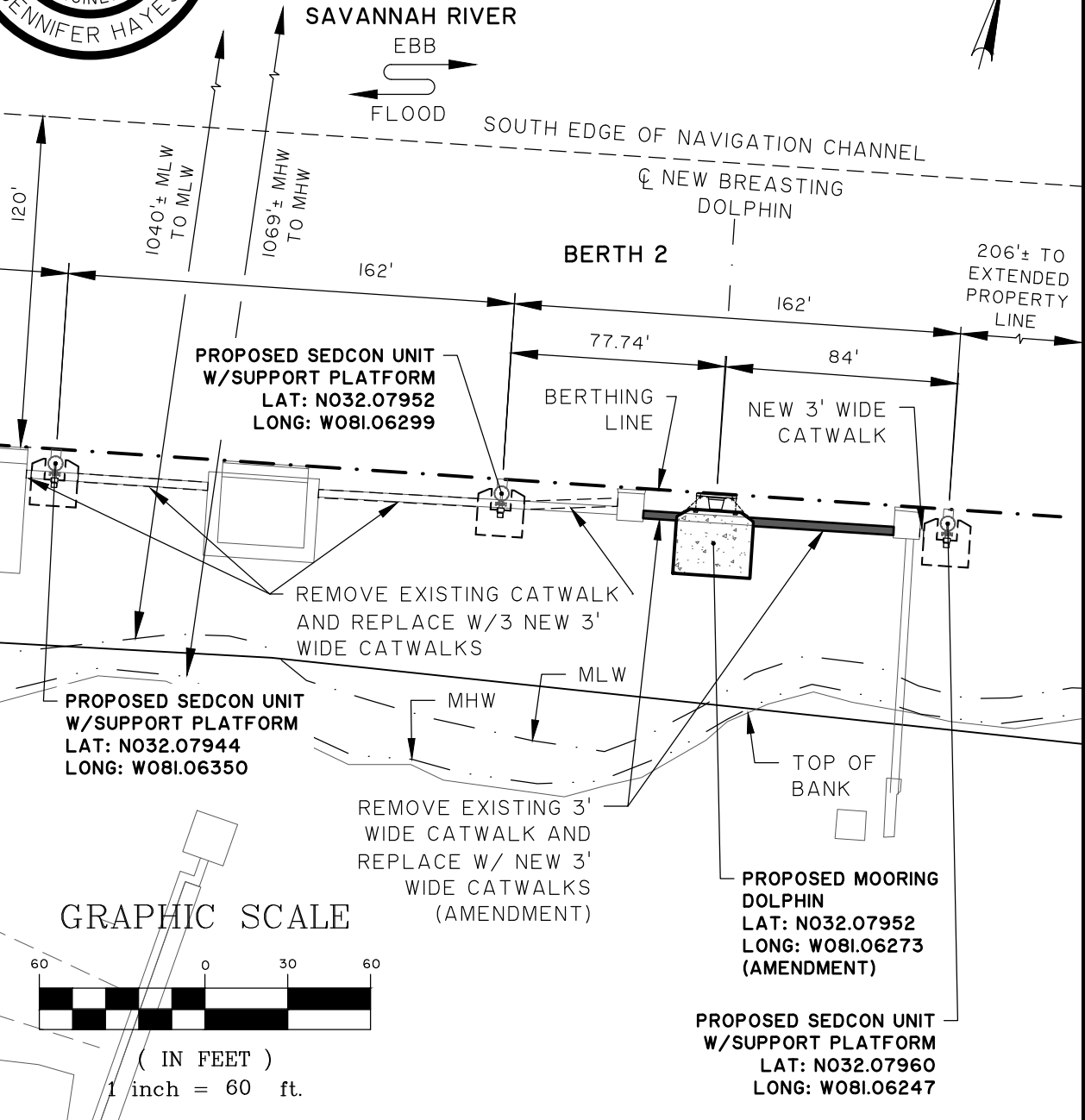
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**NOTES:**  
 1. SEDCON UNITS, SUPPORTING STRUCTURES AND CATWALKS PERMITTED BUT NOT CONSTRUCTED. NONE OF THE EXISTING CATWALKS HAVE BEEN REMOVED.  
 2. THE AMENDMENT IS FOR THE NEW BREASTING DOLPHIN AND ASSOCIATED CATWALKS.



**MATCH LINE -- SEE SHEET NO. 6**



**EAST COAST TERMINAL PERMIT CMPC #765 AMENDMENT**

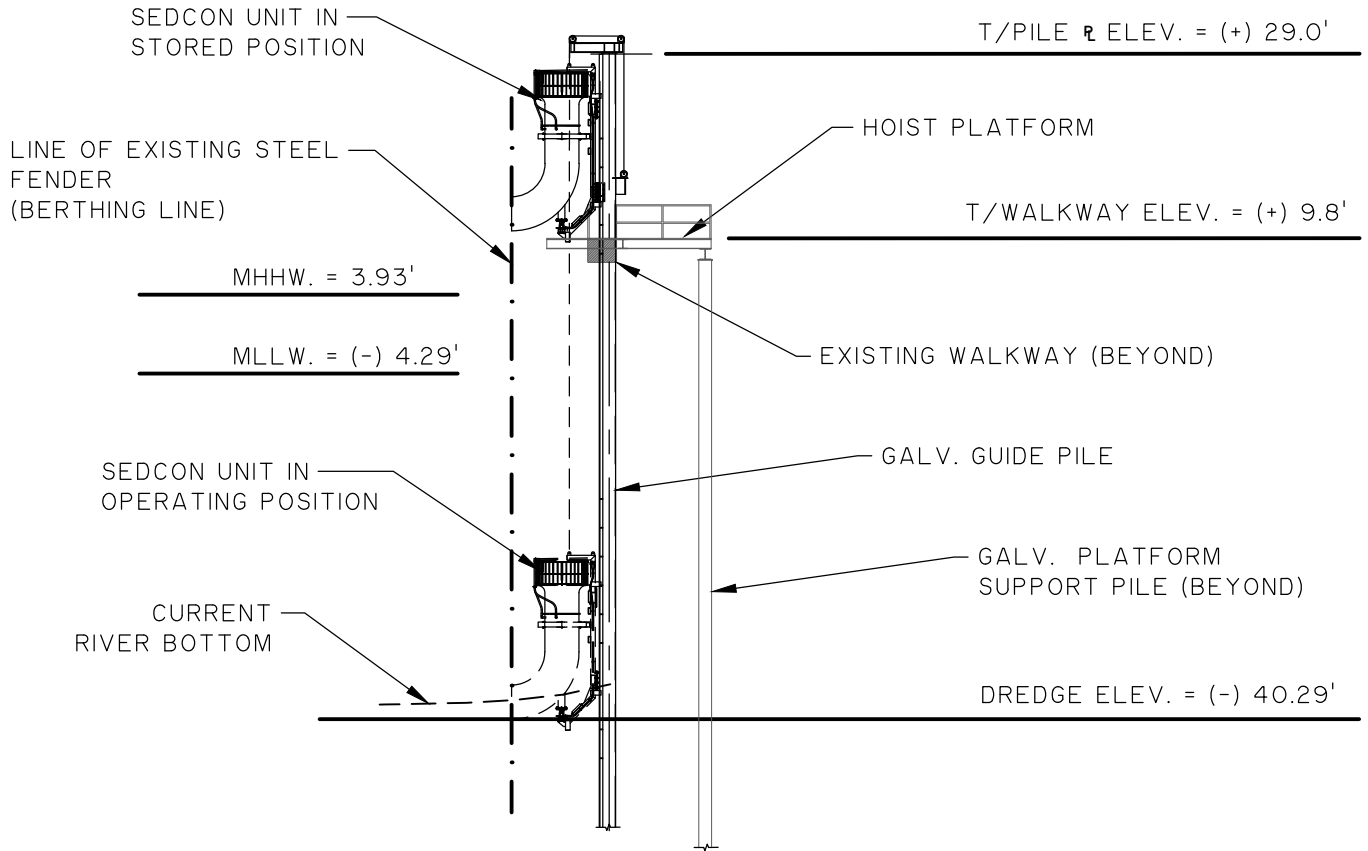
SHEET NAME:  
**SITE PLAN**  
 APPLICANT:  
**EAST COAST TERMINALS LLC**  
 LOCATION: SAVANNAH (CHATHAM), GA  
 DATE: 7/28/2021  
 JOB NUMBER: J - 25340.0000

SHEET: 7  
 SCALE: 1" = 60'

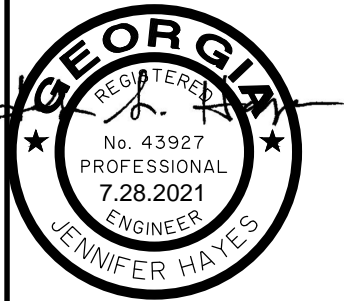


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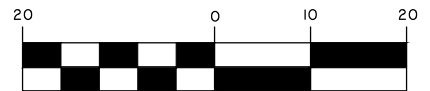




PERMITTED BUT NOT CONSTRUCTED



GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

EAST COAST TERMINAL PERMIT CMPC #765 AMENDMENT

SHEET NAME:  
 BERTH 2 CROSS SECTION  
 APPLICANT:  
 EAST COAST TERMINALS LLC  
 LOCATION: SAVANNAH (CHATHAM), GA  
 DATE: 7/28/2021  
 JOB NUMBER: J - 25340.0000

SHEET: 8  
 SCALE: 1" = 20'



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SEDCON UNIT IS REMOVED  
WHEN NOT IN USE.

LINE OF EXISTING RUBBER  
FENDER SYSTEM  
(BERTHING LINE)

EXISTING CONC. DECK

TOP DOCK ELEV. = (+) 9.0'

MHHW. = 3.93'

MLLW. = (-) 4.29'

EXISTING CONC. PILE  
CAP (BEYOND)

SEDCON UNIT IN  
OPERATING POSITION

GALV. GUIDE PILE

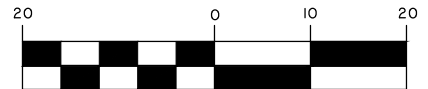
EXIST. 18" CONC. PILING

CURRENT  
RIVER BOTTOM

DREDGE ELEV. = (-) 40.29'

PERMITTED BUT NOT CONSTRUCTED

GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.



EAST COAST TERMINAL PERMIT CMPC #765 AMENDMENT

SHEET NAME:

BERTH 4 CROSS SECTION

APPLICANT:

EAST COAST TERMINALS LLC

LOCATION: SAVANNAH (CHATHAM), GA

DATE: 7/28/2021

JOB NUMBER: J - 25340.0000

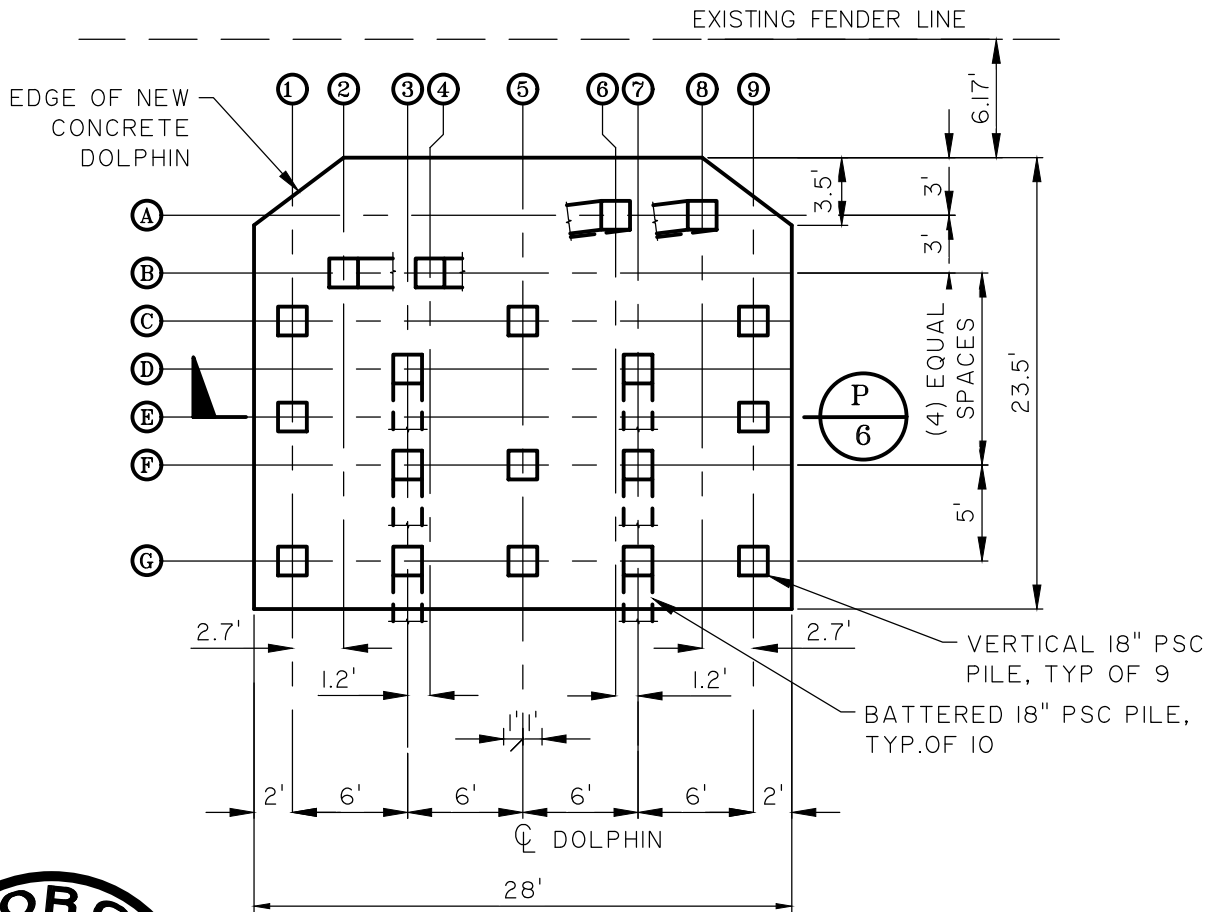
SHEET: 9

SCALE: 1" = 20'



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EAST COAST TERMINAL PERMIT CMPC #765 AMENDMENT

SHEET NAME:

DOLPHIN PLAN

APPLICANT:

EAST COAST TERMINALS LLC

LOCATION: SAVANNAH (CHATHAM), GA

DATE: 7/28/2021

JOB NUMBER: J - 25340.0000

SHEET: 10

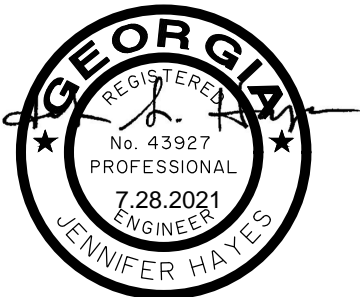
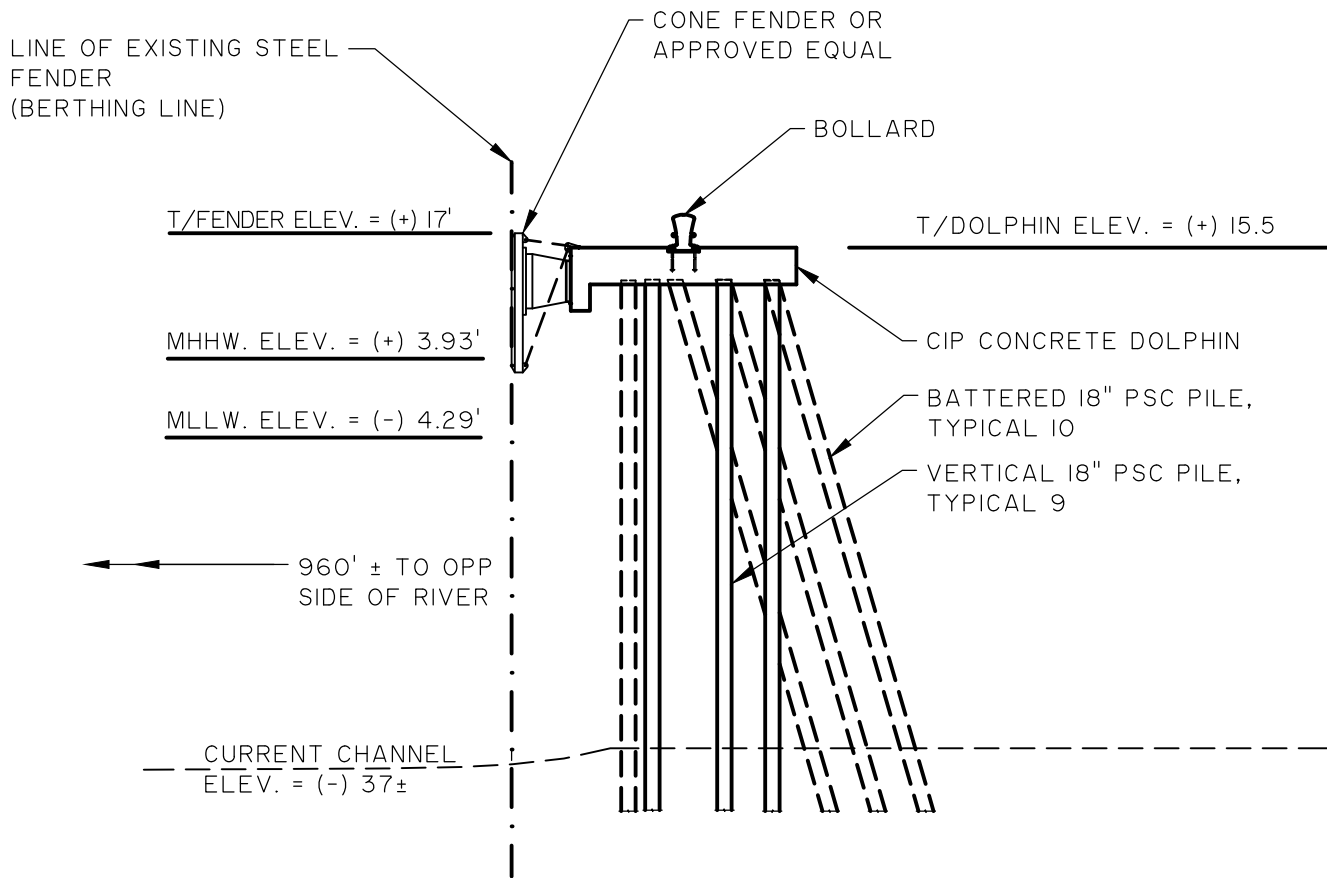
SCALE: 1" = 10'



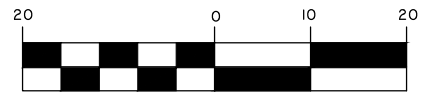
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GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

EAST COAST TERMINAL PERMIT CMPC #765 AMENDMENT

SHEET NAME:  
DOLPHIN CROSS SECTION  
APPLICANT:  
EAST COAST TERMINALS LLC  
LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/28/2021  
JOB NUMBER: J - 25340.0000

SHEET: 11  
SCALE: 1" = 20'



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**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

July 13, 2021

Mr. Alton Brown, Jr  
Principal  
Resource + Land Consultants

Sent via email: [abrown@rlandc.onmicrosoft.com](mailto:abrown@rlandc.onmicrosoft.com)

RE: Savannah Bulk Terminal Breasting Dolphin  
Chatham County, GA  
Parcel 10369 01004

Dear Mr. Brown:

The above referenced property is located within the I-H, Heavy Industrial zoning district. According to the Chatham County Zoning Ordinance, the proposed terminal activity does not violate the allowed uses within the I-H zoning district.

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

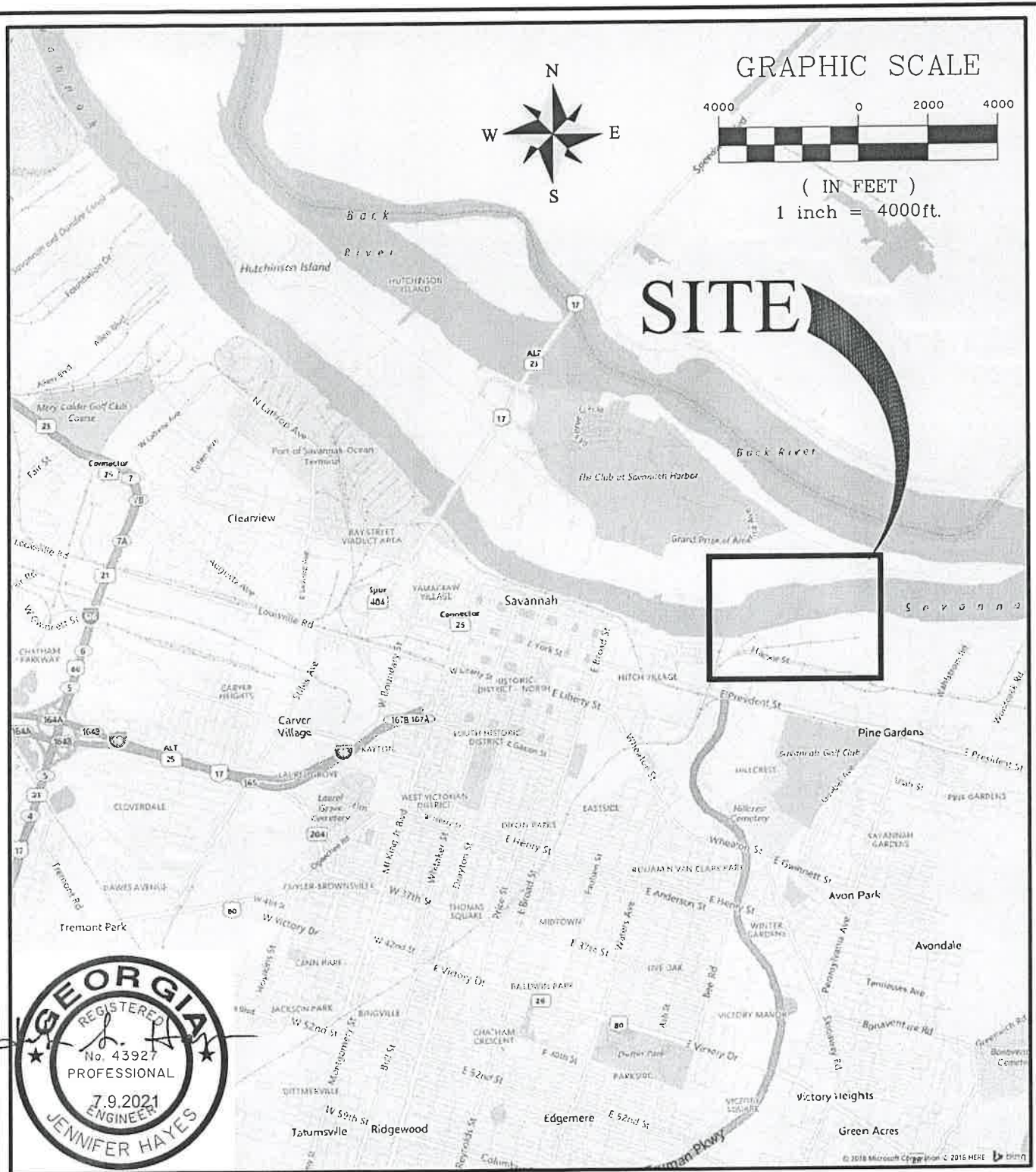
Sincerely,

Gregori S. Anderson, CBO  
Director, Building Safety and Regulatory Services

GSA/jb

c.c. Mr. Larry Myers, Zoning Administrator

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**SAVANNAH BULK TERMINAL - BREASTING DOLPHIN**

SHEET NAME:  
VICINITY MAP

APPLICANT:  
SAVANNAH BULK TERMINAL

LOCATION: SAVANNAH (CHATHAM), GA

DATE: 7/9/2021

JOB NUMBER: J - 25340.0000

GA 7/12/21

SHEET: 01  
SCALE: 1"=4000'

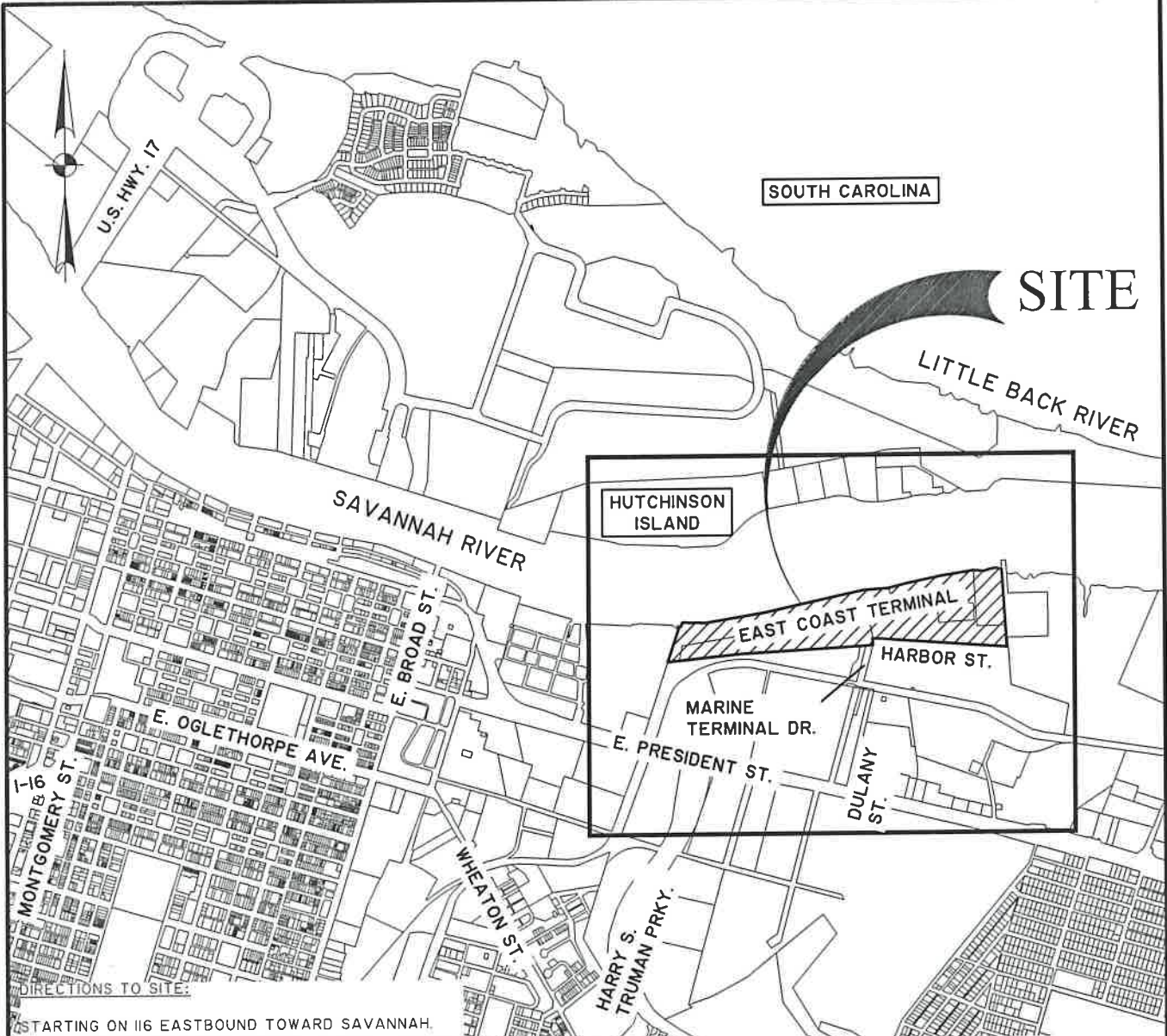
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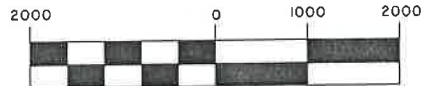


**DIRECTIONS TO SITE:**

STARTING ON I16 EASTBOUND TOWARD SAVANNAH. TAKE EXIT 167B FOR MONTGOMERY STREET TOWARD SAVANNAH/CIVIC CENTER/DOWNTOWN FOR .3 MILES. MERGE ONTO MONTGOMERY STREET FOR 300 FEET AND THEN TURN RIGHT ONTO WEST LIBERTY STREET. CONTINUE FOR 0.7 MILES THEN MAKE TURN LEFT ONTO EAST BROAD STREET. TRAVEL 0.2 MILES AND TURN RIGHT ONTO EAST PRESIDENT STREET. GO 1.2 MILES AND TURN LEFT ONTO DULANY STREET. PROCEED 0.2 MILES THEN TURN LEFT TOWARD MARINE TERMINAL DRIVE. TRAVEL 250 FEET TURN RIGHT ON MARINE TERMINAL DRIVE. PROCEED 0.1 MILES AND MAKE A RIGHT ONTO HARBOR STREET AND TRAVEL 0.2 MILES. THE SITE IS ON YOUR LEFT.



**GRAPHIC SCALE**



( IN FEET )  
1 inch = 2000ft.

**SAVANNAH BULK TERMINAL - BREASTING DOLPHIN**

SHEET NAME:  
LOCATION MAP *GA 7/12/21*  
APPLICANT:  
SAVANNAH BULK TERMINAL  
LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

SHEET: 02  
SCALE: 1"=2000'

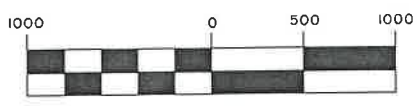


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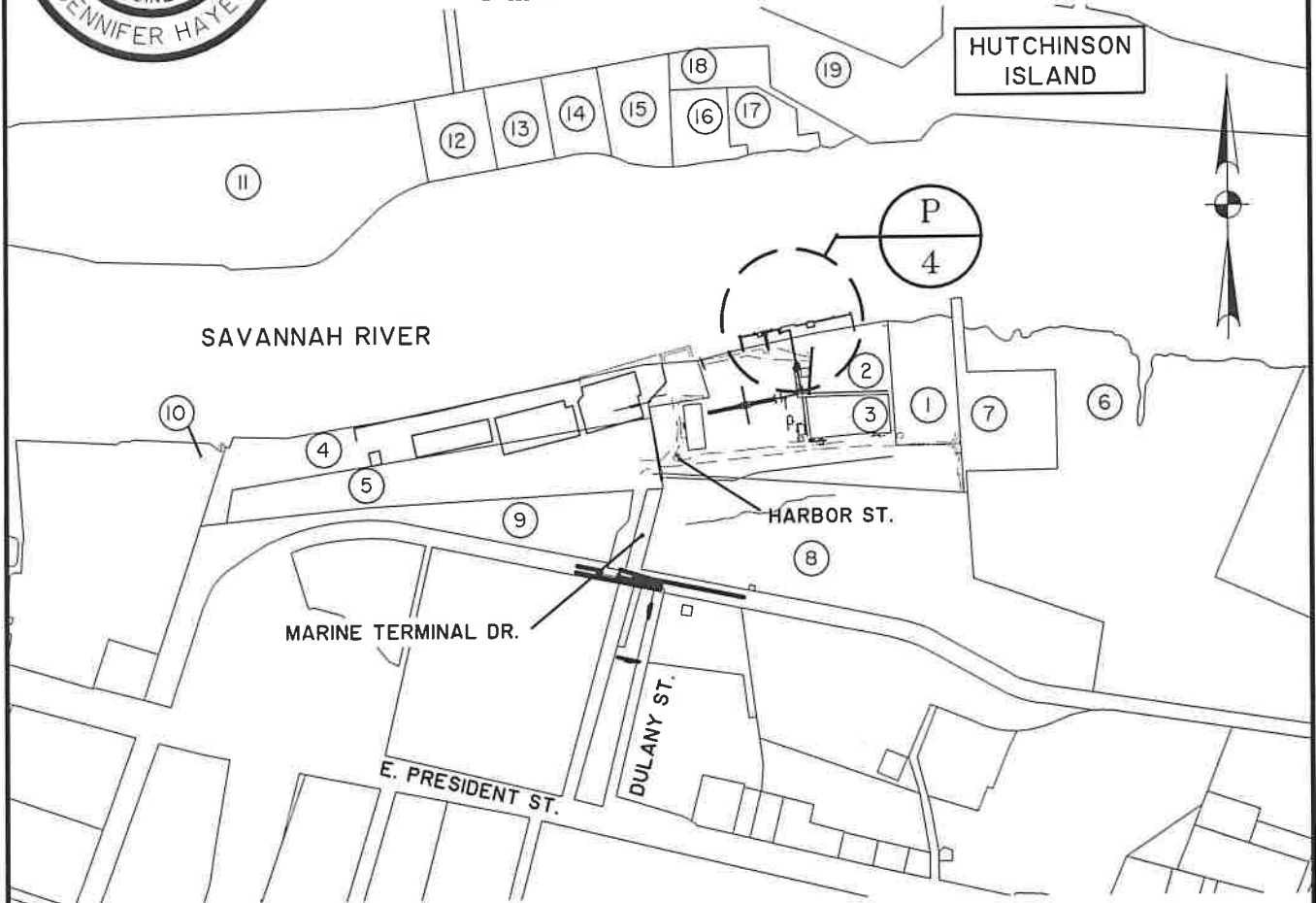


GRAPHIC SCALE



( IN FEET )  
1 inch = 1000 ft.

- ⑩ TMS 2-0163 -01-007 CRESCENT TOWING & SALVAGE CO I
- ⑪ TMS 2-0163 -01-008 MORAN TOWING CORPORATION
- ⑫ TMS 2-0163 -01-008 COASTAL MARINE CONSTRUCTION CO
- ⑬ TMS 2-0436 -01-012 CSX REALTY DEVELOPMENT CORP



- ① TMS I-0369 -01-005 SAVANNAH BULK TERMINAL LLC
- ② TMS I-0369 -01-004 SAVANNAH BULK TERMINAL LLC
- ③ TMS I-0369 -01-006 SAVANNAH BULK TERMINAL LLC
- ④ TMS 2-0006 -02-002 EAST COAST TERMINAL ASSOCIATES
- ⑤ TMS I-0373 -02-005 EAST COAST TERMINAL ASSOCIATES
- ⑥ TMS I-0287 -01-007 CSX TRANSPORTATION INC

- ⑦ TMS I-0287 -01-009 SEAGATE TERMINALS SAVANNAH LLC
- ⑧ TMS I-0287 -01-008 SEAGATE TERMINALS SAVANNAH LLC
- ⑨ TMS I-0373 -02-006 GA MARINE WAREHOUSE CO
- ⑩ TMS 2-0006 -05-005 UPPER EAST SIDE LLC, & CARSWELL, META G

- ⑪ TMS 2-0163 -01-001 GEORGIA PORTS AUTHORITY
- ⑫ TMS 2-0163 -01-003 LOW COUNTRY MARINE RESOURCES
- ⑬ TMS 2-0163 -01-004 HUTCHINSON ISLAND DEVELOPMENT
- ⑭ TMS 2-0163 -01-005 HUTCHINSON ISLAND DEVELOPMENT
- ⑮ TMS 2-0163 -01-006 HUTCHINSON ISLAND DEVELOPMENT

SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:  
SITE MAP

GA 7/12/21

APPLICANT:  
SAVANNAH BULK TERMINAL

LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

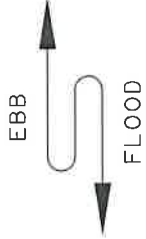
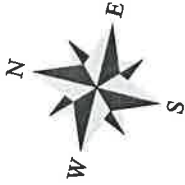
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SCALE: 1" = 1000'



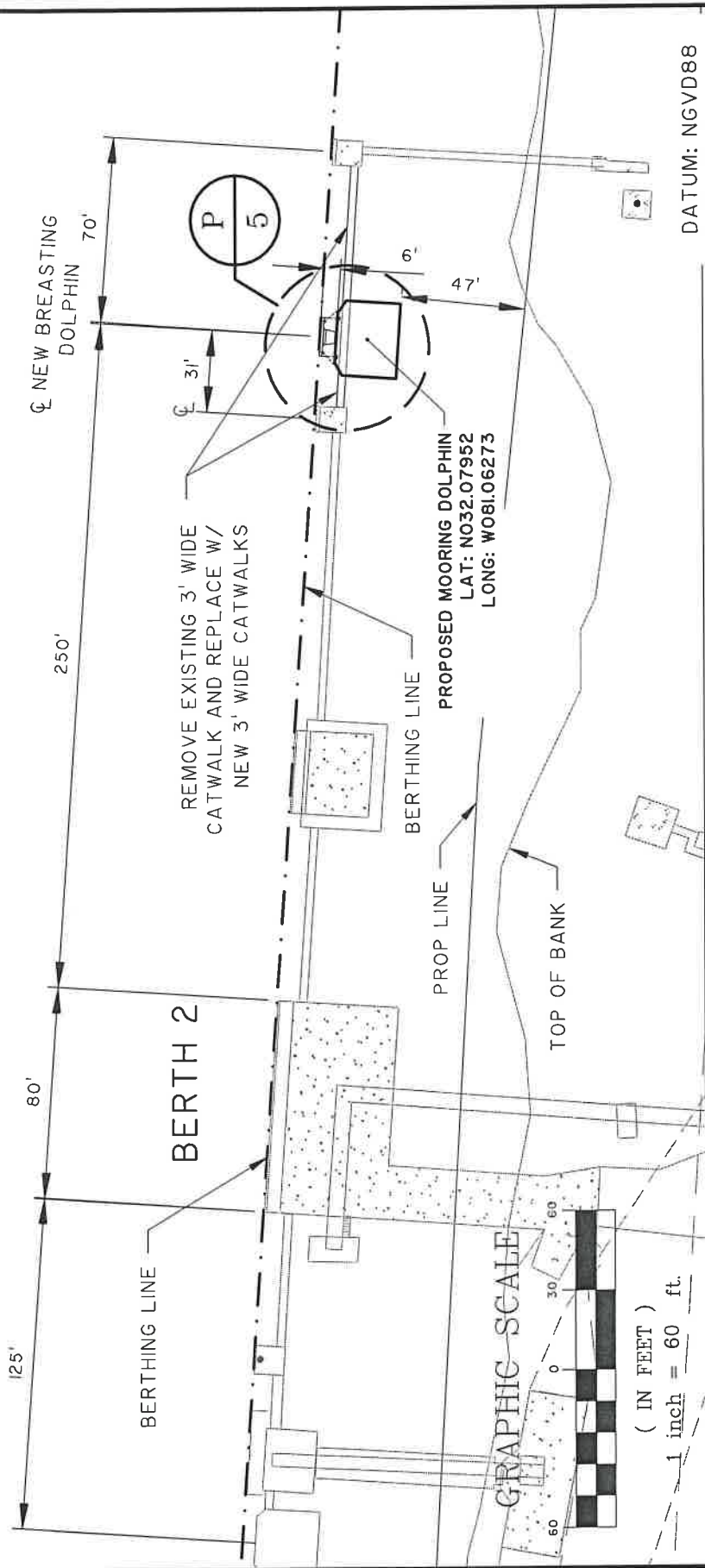
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SAVANNAH RIVER



DATUM: NGVD88



**SAVANNAH BULK TERMINAL - BREASTING DOLPHIN**

*EA 7/12/21*

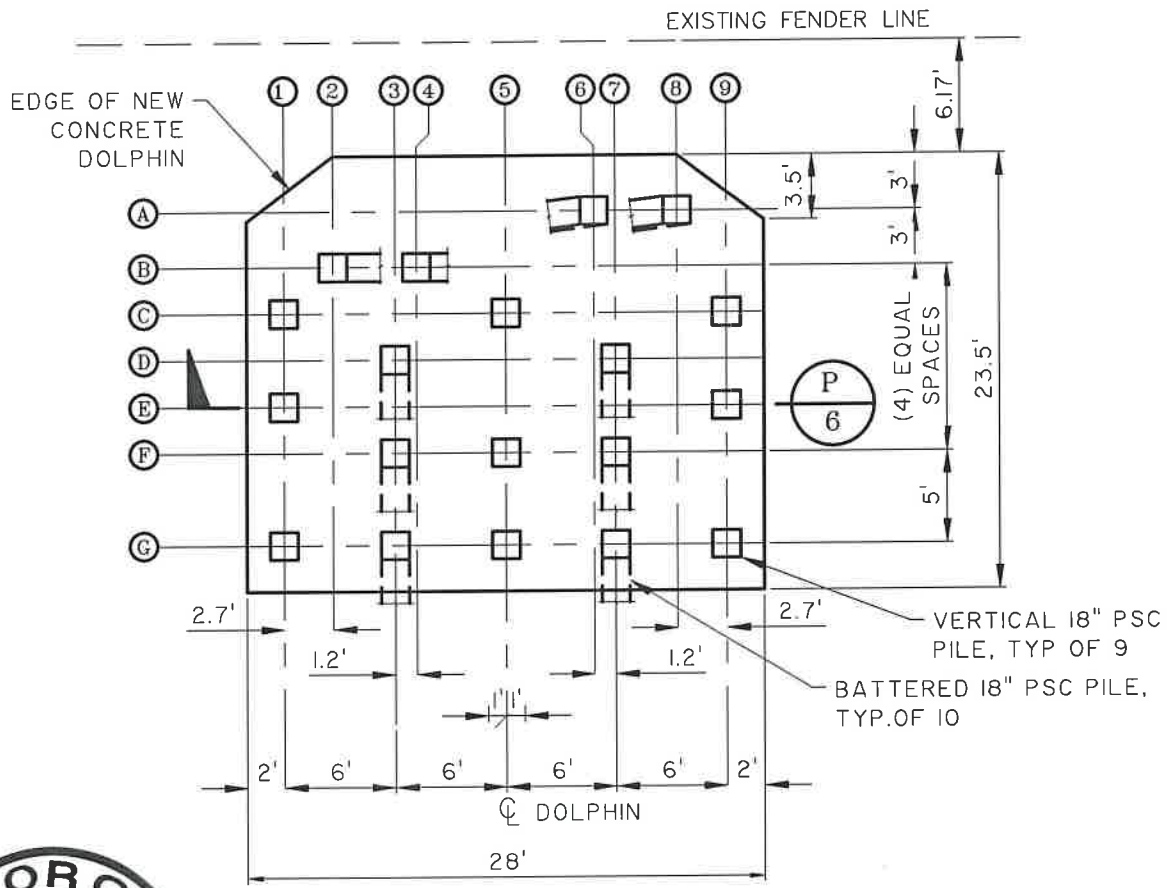
SHEET TITLE:  
SITE PLAN  
APPLICANT:  
SAVANNAH BULK TERMINAL  
LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

SHEET: 04  
SCALE: 1" = 60'

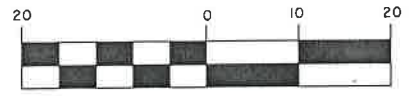
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GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

### SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:  
DOLPHIN PLAN

*GA 7/12/21*

APPLICANT:  
SAVANNAH BULK TERMINAL

LOCATION: SAVANNAH (CHATHAM), GA  
DATE: 7/9/2021  
JOB NUMBER: J - 25340.0000

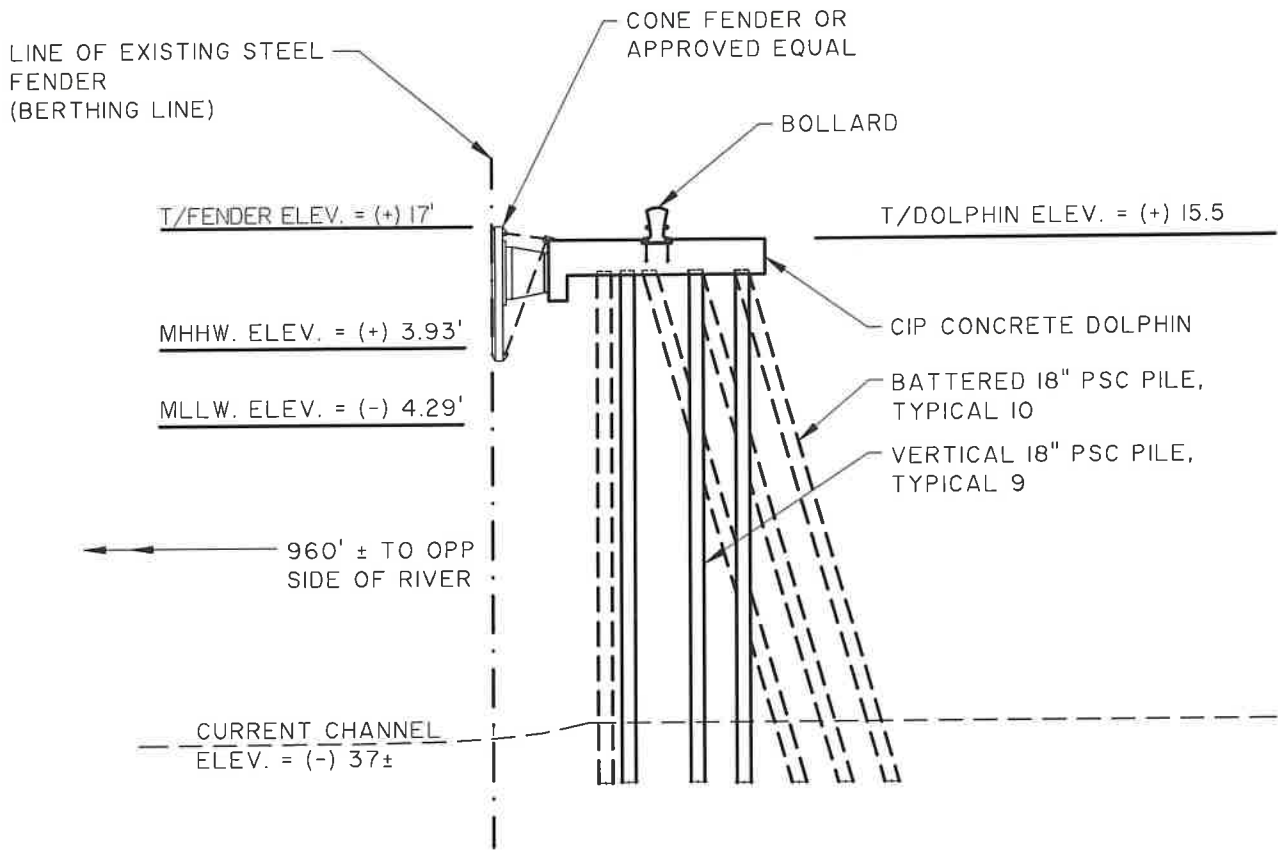
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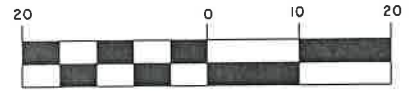
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GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

SAVANNAH BULK TERMINAL - BREASTING DOLPHIN

SHEET NAME:  
 DOLPHIN CROSS SECTION *GA 7/12/21*  
 APPLICANT:  
 SAVANNAH BULK TERMINAL  
 LOCATION: SAVANNAH (CHATHAM), GA  
 DATE: 7/9/2021  
 JOB NUMBER: J - 25340.0000

SHEET: 06  
 SCALE: 1" = 20'



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