

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.

Mr. Philip Rowland
Sulco, LLC
118 East 35th Street
Savannah, Georgia 31401

5. Location where the proposed activity exists or will occur. Lat. 32.084110° N Long. -81.022792° W

<u>Chatham</u> County	<u>5th</u> Military District	<u>N/A</u> In City or Town
<u>Savannah</u> Near City or Town	<u>N/A</u> Subdivision	<u>N/A</u> Lot No.
<u>226 ac of 755 ac Parcel</u> Lot Size	<u>+/- 14 Feet</u> Approximate Elevation of Lot	<u>Georgia</u> State

Savannah River
Name of Waterway
CESAS Form 19

Savannah River
Name of Nearest Creek, River, Sound, Bay or Hammock

6. Name, address, and title of applicant's authorized agent for permit application coordination.

Sligh Environmental Consultants, Inc.
Attn: Stuart F. Sligh
31 Park of Commerce Way, Suite 200B
Savannah, GA 31405

phone (912) 232-0451
fax (912) 232-0453

Statement of Authorization: I Hereby designate and authorize the above named person to act in my behalf as my agent in the processing of this permit application and to furnish, upon request, supplemental information in support of this application.



Signature of Applicant

10/7/19

Date

7. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any to be erected on fills, piles, of float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance. If more space is needed, use remarks section on page 4 or add a supplemental sheet. (See Part III of the Guide for additional information required for certain activities.)

See attached project description

8. Proposed use: Private _____ Public _____ Commercial _____ Other X (Marine Terminal)

9. Names and addresses of adjoining property owners whose property also adjoins the waterway.

State of Georgia
Martin Luther King, Jr. Drive
SE, 1454E
Atlanta, GA 30334

Coastal Heritage Society
303 Martin Luther King, Jr. Blvd.
Savannah, GA 31402

10. Date activity is proposed to commence. Upon Permit Authorization to Proceed

Date activity is expected to be completed. Within five years of authorization

11. Is any portion of the activity for which authorization is sought now complete ___Y___ X___N___

A. If answer is "Yes", give reasons in the remarks in the remarks section.

Indicate the existing work on the drawings.

B. If the fill or work is existing, indicate date of commencement and completion.

C. If not completed, indicate percentage completed.

12. List of approvals or certifications required by other Federal, State or local agencies for any structures, construction discharges, deposits or other activities described in this application. Please show zoning approval or status of zoning for this project.

<u>Issuing Agency</u>	<u>Type Approval</u>	<u>Identification No.</u>	<u>Date/Application</u>	<u>Date/Approval</u>
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13. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? ___Yes___ X___NO (If "yes", explain).

Note: Items 14 and 15 are to be completed if you want to bulkhead, dredge or fill.

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

A. Purpose of excavation or fill To create a deep water multi-purpose deep water shipping terminal. See Project Description attached to this application for details

1. Access channel	length	depth	width
2. Boat basin	length <u>+/- 3,000'</u>	depth <u>42 MLW</u>	width <u>+/- 500'</u>
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 Proposed bulkhead (King Pile Wall) will be installed in existing upland area.
2. Type of bulkhead construction (material) Steel Sheetpile
Backfill required: Yes ☐ No ☒ Cubic yards _____
Where obtained _____

C. Excavated material

1. Cubic yards 2.7 Million Cubic Yards
2. Type of material Sand and Clay

15. Type of construction equipment to be used Mechanized earth moving equipment and Hydraulic Dredge

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 On-Site DMCA - See attached Permit Drawings

D. Maintenance dredging, estimated amounts, frequency, and disposal sites to be utilized: Annual Maintenance Dredging of 250,000 CY per year via agitation, hydraulic, or clamshell with disposal in On Site DMCA.

E. Will dredged material be entrapped or encased? No - Stored and Managed in on-site DMCA

F. Will wetlands be crossed in transporting equipment to project site? No

G. Present rate of shoreline erosion (if known) None

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 Project Description and Permit Plans

STATE OF GEORGIA
5-YEAR REVOCABLE LICENSE REQUEST

APPLICANTS NAME(S): Sulfoo, LLC – Attn: Mr. Philip Rowland

MAILING ADDRESS: 118 East 35th Street Savannah Georgia 31401
(Street) (City) (State) (Zip)

PROJECT ADDRESS/LOCATION: 100 SeaPoint Boulevard, Savannah, GA 31404

COUNTY: Chatham WATERWAY: Savannah River DATE: October 5, 2019

LOT, BLOCK & SUBDIVISION NAME FROM DEED: See Attached Exhibit A to Quitclaim Deed Legal Description of Property

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

I am making application for a permit with the U.S. Department of the Army, Corps of Engineers, Savannah District. I understand that the issuance of such a permit will not relieve me of the obligation to obtain authorization from the State of Georgia since the proposed project would constitute an encroachment on the beds of tidewaters which are State-owned property. Accordingly, I hereby request that I be granted a revocable license from the State of Georgia. Attached hereto and made a part of this request is a copy of the plans and description of the project which will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that the 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 recognize that I will have no liveaboards, 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 the DNR has signed a copy of this request.

Sincerely,

By: 
Philip Rowland – Sulfoo, LLC

By: Vice President - Operations
(Applicant), title if applicable

Attachment

The State of Georgia hereby grants you a revocable license not coupled with an interest as provided in your request. This area may now or in the future be utilized by boats employing power 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 the license and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke the 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: _____

Revised 3/2012

Coastal Marina, Community or Commercial Dock Checklist

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

LOCATION:

County Chatham Landmarks SeaPoint Industrial Complex
Municipality N/A Waterway Savannah River

FACILITY:

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

Size of Upland Area (sq. ft.) 19.7 Acres Size of Submerged Area (sq. ft.) Approx. 50 acres

WATERWAY INFORMATION:

open water ☒ river ☒ creek ☐ basin ☐

Tidal Range (ft MLW) +/- 7 feet Water Depth (ft. MLW) +/-10 feet
Channel Width (ft. MLW) +/- 2,300feet Depth of Dredging (ft. MLW) to -42 Feet

Distance facility will extend into the waterway beyond MLW 0 feet

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 checked="" type="checkbox"/> The Proposed Shipping Terminal is to be constructed from upland.		

DREDGING/FILLING/ShORELINE STABILIZATION:

☒ Y Will dredging be required for the access channel?
☒ Y Will dredging be required for boat basin?
☒ NO Is filling proposed in tidal wetlands?
☒ NO Is filling proposed in open water?
☒ Y Will dredge disposal sites be required?
☒ Y Have future dredge disposal sites been identified?
☒ NO Have future dredge spoil sites been set aside with deeds or easements?
☒ NO Is shoreline stabilization proposed? If so, what type?
☒ Y 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, National Marine Fisheries Service, GADNR Coastal Resources Division Marine Fisheries, OR GADNR Historic Resources Division)

<u>Yes</u>	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? <u>Savannah River Habitat for Sturgeon</u>
<u>YES</u>	Is this project in an area identified as “ essential fish habitat ”? (contact GADNR CRD Marine Fisheries). <u>The project is located within tidal waters which have been identified as essential fish habitat. The applicant has coordinated with the USACE and NMFS for a determination of effect.</u>
<u>YES</u>	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? <u>The project is located within Section 10 tidal waters which may support the West Indian manatee, Atlantic sturgeon, shortnose sturgeon, and sea turtles. Construction will abide by standard manatee conditions, and the project is not expected to affect the other species.</u>
<u>NO</u>	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? _____
<u>NO</u>	Is the project site near active crabbing areas? (contact GADNR CRD Marine Fisheries) _____
<u>NO</u>	Is the project site in designated bait zones? (contact GADNR CRD Marine Fisheries) _____
<u>NO</u>	Is the project site in or near an area of historic, archeological, or scenic value? If yes, explain <u>Applicant has coordinated with USACE Archaeologist. Preliminary findings conclude no effect to a historic resource.</u>
