

ENVIRONMENTAL PROTECTION DIVISION
PUBLIC NOTICE
WATERSHED PROTECTION BRANCH

June 4, 2026
Notice Issue Date

Chatham County
City / County

July 4, 2026
Notice Close Date

SAS-2023-00432
Control Number

Sec. 401 Water Quality Certification
Buckhalter Tract Warehouse- US Army Corps of Engineers Sec. 404 Permit Application

This notice is issued to inform the public that a request has been received for water quality certification (WQC) in accordance with Section 401 of the Clean Water Act. The public is invited to comment during this 30-day period on the proposed activity. Information pertaining to the project is attached to this notice. Since the request is specific to 401 WQC, only comments pertaining to water quality are considered under the certification review process. Comments may be submitted via e-mail to: EPD.WQC@dnr.ga.gov. Comments may also be provided in writing to: Program Manager, Wetlands Unit, 2 Martin Luther King, Jr. Dr. SE, Suite 1052 East, Atlanta, GA 30334. Include the words "Water Quality Certification Comment" and the Control Number above in the e-mail subject line or on the top of the first page of written comments to ensure that your comments will be forwarded to the appropriate staff. For additional information, contact DJ Fontenot at donald.fontenot@dnr.ga.gov.

Type of Permit Application: 401 Water Quality Certification

Applicable Law: Federal Clean Water Act, 33 U.S.C. § 1341

Applicable Rules: 40 CFR part 121

Description and Location of Proposed Activity:

Capital Development Partners is seeking a Section 401 Water Quality Certification for the construction of a warehouse and distribution facility. The 56-acre project area is located at 331 Buckhalter Road in Savannah, Chatham County, Georgia (32.02823, -81.17939). As proposed in the March 26, 2026 USACE Public Notice, the project would construct a 408,240 square foot warehouse facility and associated infrastructure.

The project, as currently proposed, requires a USACE Section 404 permit and entails impacting 0.31 acre of wetland and 1.32 acres of canal. To offset unavoidable impacts to wetlands, the applicant has proposed to purchase 1.84 legacy wetland mitigation credits from a USACE approved mitigation source that services the Ogeechee Coastal Watershed (HUC 03060204). The applicant does not propose mitigation for the canal impacts.

Name and Address of Permit Applicant: John Knox Porter Jr.
Capital Development Partners
1480 Chatham Parkway
Suite 150
Savannah, GA 31405



26 May 2026

Dewey Richardson
Environmental Specialist
Wetlands Unit
Watershed Protection Branch
Email: dewey.richardson@dnr.ga.gov

**RE: Buckhalter Tract
Chatham County, Georgia
USACE Project No. SAS-2023-00432**

RLC#: 24-426

Dear Mr. Richardson:

Resource & Land Consultants (RLC), on behalf of Capital Development Partners, is submitting this information requesting a 401 certification in association with the Section 404 Permit Application to facilitate construction of a warehouse facility with associated infrastructure located at 331 Buckhalter Road in Savannah, Chatham County, Georgia (32.02823 °, -81.17939 °). In accordance with the 2023 WQC Improvement Rule that became effective on November 27, 2023, we are providing the following information as part of the request package:

(1) If the request for certification is for an individual Federal license or permit, it shall be in writing, signed, and dated and shall include the following:

- (i) A copy of the Federal license or permit application submitted to the Federal agency; and*
- (ii) Any readily available water quality-related materials that informed the development of the application.*

A complete copy of the 404 Permit Application was provided to EPD via email on 24 March 2026.

(2) If the request for certification is for the issuance of a general Federal license or permit, it shall be in writing, signed, and dated and shall include the following:

- (i) A copy of the draft Federal license or permit; and*
- (ii) Any readily available water quality-related materials that informed the development of the draft Federal license or permit.*

Not applicable.

(b) Where a project proponent is seeking certification from the Regional Administrator, if not already included in the request for certification in accordance with paragraph (a) of this section, a request for certification shall also include the following, as applicable:

(1) A description of the proposed activity, including the purpose of the proposed activity and the type(s) of discharge(s) that may result from the proposed activity;

Capital Development Partners is seeking authorization to impact aquatic resources associated with the construction of a warehouse and distribution facility. The proposed activity includes standard site construction activities associated with this type of development, including clearing, grading, filling, and installation of supporting infrastructure necessary to facilitate horizontal and vertical construction of the proposed industrial facility. The development will include construction of a warehouse building, access roads, employee and truck parking areas, utilities, and stormwater management pond. Discharges associated with the project will include post-construction stormwater designed to meet applicable local and state stormwater management requirements.

(2) The specific locations of any discharge(s) that may result from the proposed activity.

The proposed warehouse and distribution facility will occur within the approximately 52.86-acre project area located at 331 Buckhalter Road in Savannah, Chatham County, Georgia. The proposed project generally includes construction of site access, buildings, parking, utilities, and stormwater infrastructure. Specifically, the site design includes access directly from the adjoining industrial development to the south as well as from an adjoining road located west of the project area. One warehouse building totaling approximately 408,240 square feet will be constructed within the project area. The building will include truck docking areas, employee parking, and truck parking located along the perimeter of the building. Supporting infrastructure will generally include internal access roads connecting to the south and west, utility installation, grading activities, and construction of a stormwater management pond.

The proposed site plan requires approximately 0.31 acres of wetland impact and 1.32 acres of canal impact associated with construction of the proposed development and supporting infrastructure. The existing canal will be relocated west of the proposed development parallel to the western property boundary. Permit drawings depicting the proposed project are provided in Appendix C of the previously provided permit application.

(3) A map or diagram of the proposed activity site, including the proposed activity boundaries in relation to local streets, roads, and highways;

See maps, exhibits, drawings, etc. provided in the 404-permit application.

(4) A description of current activity site conditions, including but not limited to relevant site data, photographs that represent current site conditions, or other relevant documentation;

The project area totals 56.863 acres and consists of habitat typical for Chatham County and the Coastal Plain of Georgia. An Approved Jurisdictional Determination was completed by Newkirk Environmental Inc. within the project area and verified by the U.S. Army Corps of Engineers in a letter dated 12 April 2024. Based on these determinations, the project area contains 52.353 acres of upland, 1.65 acres of jurisdictional wetland, 0.06 acres of non-jurisdictional wetland, 0.83 acres of pond, 1.43 acre of canal, and 0.54 acres of ditches.

Based on the Supreme Court's decision in *Sackett v. Environmental Protection Agency* and the March 12, 2025, "Memorandum to the Field Between the U.S. Department of the Army, U.S. Army Corps of Engineers, and the U.S. Environmental Protection Agency Concerning the Proper Implementation of 'Continuous Surface Connection' Under the Definition of 'Waters of the United States' Under the Clean Water Act," it is our opinion that the previously verified jurisdictional Wetlands A on the attached exhibit labeled "Buckhalter Wetlands Survey" dated "5-17 2023" does not have a continuous surface connections to regulated Waters of the US and therefore is not regulated under Section 404 of the CWA.

(5) The date(s) on which the proposed activity is planned to begin and end and, if known, the approximate date(s) when any discharge(s) may commence;

The project is scheduled to commence upon receipt of U.S. Army Corps of Engineers 404 Permit Authorization and is scheduled to end within 5 years of permit issuance.

(6) A list of all other Federal, interstate, Tribal, state, territorial, or local agency authorizations required for the proposed activity and the current status of each authorization; and

The permittee will obtain a USACE Individual Permit and Stormwater and Land Disturbance Permit from the local municipality.

(7) Documentation that a pre-filing meeting request was submitted to the certifying authority in accordance with applicable submission procedures, unless the pre-filing meeting request requirement was waived.

A pre-filing meeting request was submitted to EPD via email on 24 March 2026. A complete copy of the USACE 404 Permit Application package was provided at that time.

(c) Where a project proponent is seeking certification from a certifying authority other than the Regional Administrator, and that certifying authority has identified contents of a request for certification in addition to those identified in paragraph (a) of this section that are relevant to the water quality-related impacts from the activity, the project proponent shall include in the request for certification those additional contents identified prior to when the request for certification is made.

Not Applicable.

(d) Where a project proponent is seeking certification from a certifying authority other than the Regional Administrator, and that certifying authority has not identified contents of a request for certification in addition to those identified in paragraph (a) of this section that are relevant to the water quality-related impacts from the activity, the project proponent shall include in the request for certification those additional contents identified in paragraph (b) of this section.

Not Applicable.

Additionally, the contact information for the applicant and agent is:

Applicant:

Capital Development Partners
Attn: John Knox Porter Jr.
1480 Chatham Parkway, Suite 150
Savannah, GA 31405
knoxporter@cap.partners
404-229-4852

Agent:

Resource & Land Consultants
Attn: Chase Spotts
41 Park of Commerce Way, Suite 101
Savannah, Georgia 31405
cspotts@rlandc.com
912-443-5896

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,



Chase Spotts
Project Manager
Resource & Land Consultants

