



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3604

South Atlantic Division
Regulatory Technical Regional
Execution Center
SAS-2023-00353

Mr. Doug Haymans
Georgia Department of Natural Resources
1 Conservation Way
Brunswick, Georgia 31520

Dear Mr. Haymans:

I refer to the Pre-Construction Notification submitted on your behalf by Cameron Brinton, requesting verification for use of Nationwide Permit (NWP) No. 27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities) for impacts to 1,500 square feet of waters for installation of five (5) 300-square-foot oyster pallets. The project is located in Cabretta Creek and Big Hole Creek in the backbarrier marsh area of Sapelo Island, McIntosh County, Georgia 31327 (Latitude: 31.428394, Longitude: -81.250592). This project has been assigned number SAS-2023-00353 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 (32)(d) of our NWP Program, published in the January 13, 2021, Federal Register, Vol. 86, No. 8, Pages 2744-2877 (86 FR) and/or the December 27, 2021, Federal Register, Vol. 86, No. 245, Pages 73522-73583 (86 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 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. The project shall be constructed in accordance with the enclosed plans and drawings entitled "SAS-2023-00353 Cabretta Oyster Reef Restoration," sheets 1-3, dated 05/07/2025.

c. The permittee shall notify the Corps, in writing, at least 10 days in advance of commencement of work authorized by this permit.

d. 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.

e. To ensure the protection of the West Indian manatee (*Trichechus manatus*) that have the potential to be in the vicinity of the project, the permittee shall comply with the following special condition(s):

1. 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.
2. 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.
3. 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.
4. 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) have 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.

5. Extreme care will 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.
6. 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 USFWS, pursuant to Section 7 of the ESA.
7. 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.
8. 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.
9. 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.
10. 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.

11. 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.

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, wood stork, and Eastern indigo snake; and would have no effect on any other threatened or endangered species nor any critical habitat for such species. 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 86 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 14, 2026. 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.

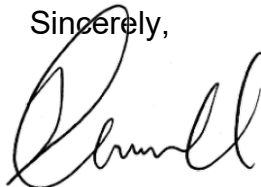
This communication does not relieve you of any obligation or responsibility for complying with the provisions of any other laws or regulations of other federal, state or local authorities. It does not affect your liability for any damages or claims that may arise as a result of the work. It does not 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.

An electronic copy of this letter is being provided to the following party: Mr. Cameron Brinton, Georgia Department of Natural Resources

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. 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 Kristopher Maedke-Russell, Project Manager, at 912-856-8203.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Russell', written over a horizontal line.

Kristopher Maedke-Russell
Project Manager

CERTIFICATION OF COMPLIANCE
WITH
DEPARTMENT OF THE ARMY
NATIONWIDE PERMIT 27

PERMIT FILE NUMBER: SAS-2023-00353

PERMITTEE/ADDRESS: Mr. Doug Haymans
Georgia Department of Natural Resources
1 Conservation Way
Brunswick, Georgia 31520

LOCATION OF WORK: The project is located in Cabretta Creek and Big Hole Creek in the backbarrier marsh area of Sapelo Island, McIntosh County, Georgia 31327 (Latitude: 31.428394, Longitude: -81.250592).

PROJECT DESCRIPTION: The installation of five (5) 300-square-foot oyster pallets.

ACRES AND/OR LINEAR FEET OF WATERS OF THE UNITED STATES IMPACTED:
1,500 square feet

DATE WORK IN WATERS OF UNITED STATES COMPLETED: _____

COMPENSATORY MITIGATION REQUIRED: n/a

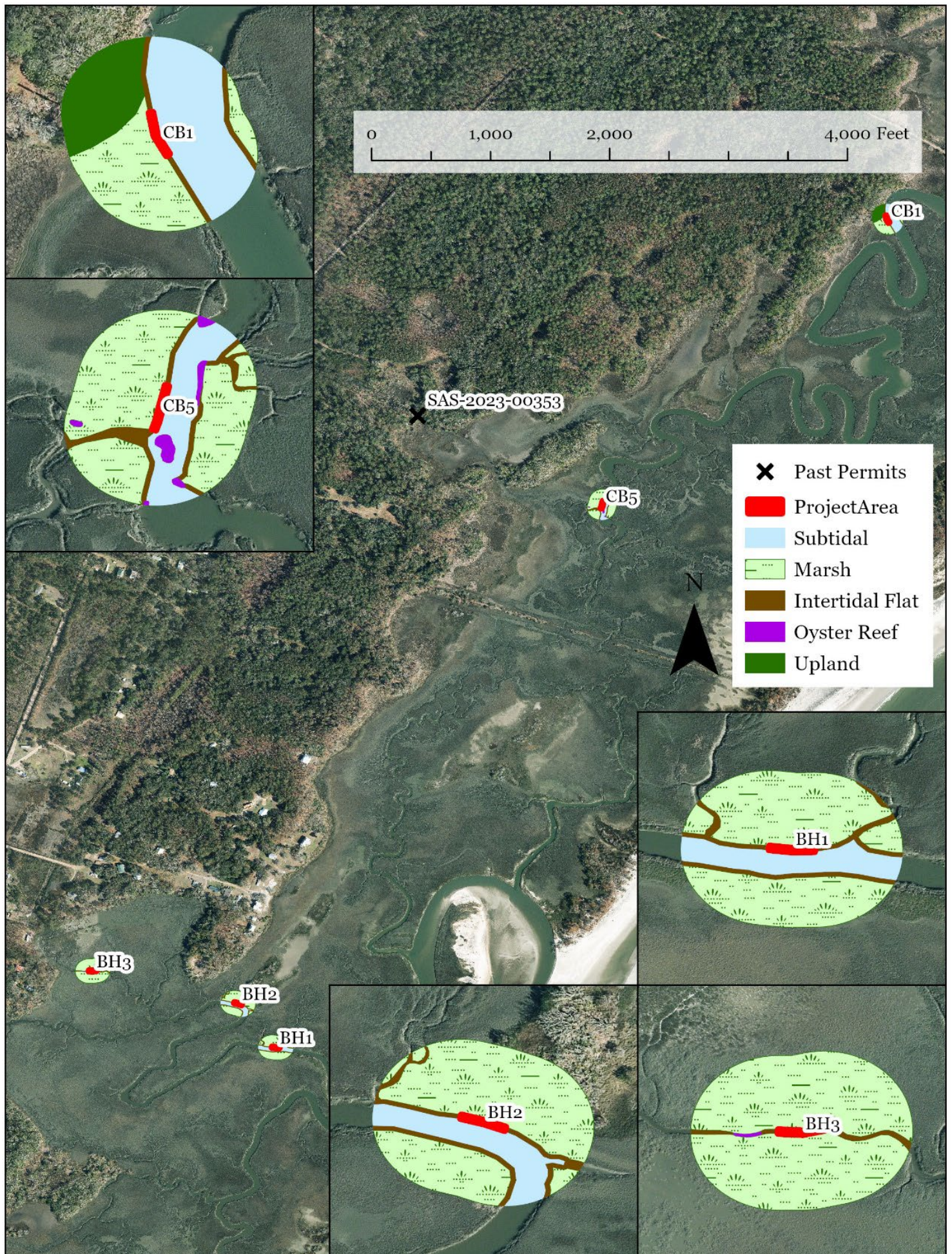
DATE MITIGATION COMPLETED OR PURCHASED (include name of bank):

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 January 13, 2021, Federal Register, Vol. 86, No. 8, Pages 2744-2877 (86 FR) and/or the December 27, 2021, Federal Register, Vol. 86, No. 245, Pages 73522-73583 (86 FR), 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



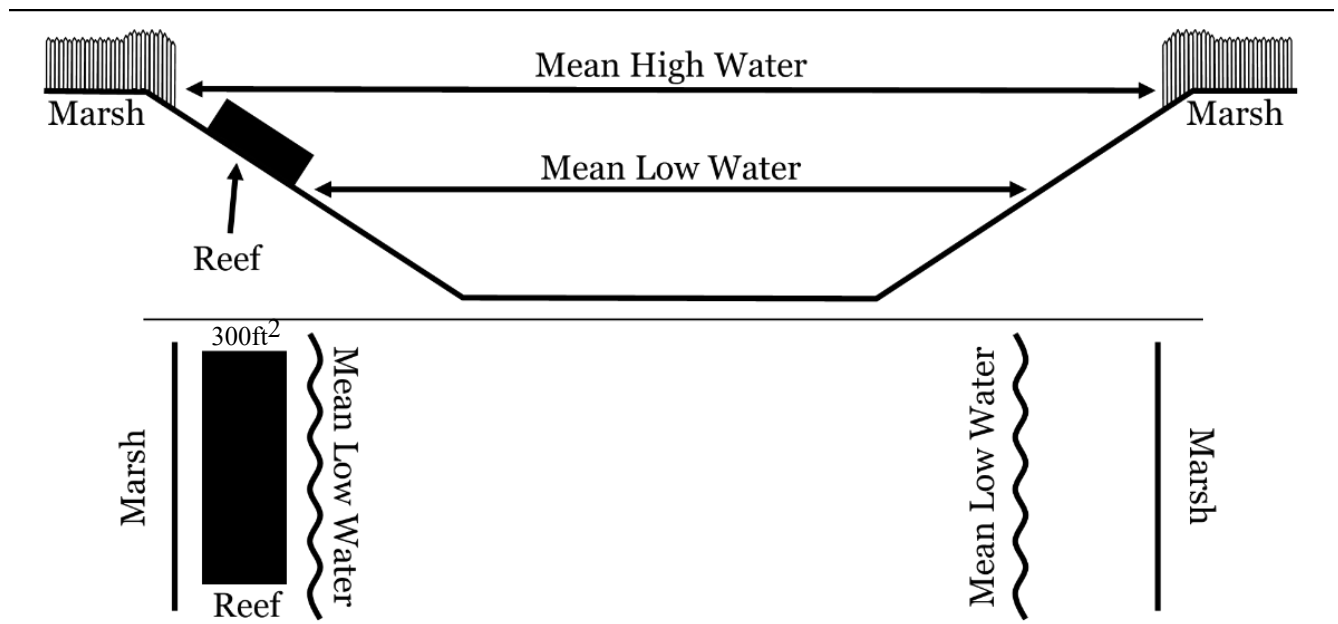


Table 1. Locations of test plots in Cabretta and Big Hole Creeks.

ID	Name	Latitude	Longitude	Creek Width at MLW	Creek Depth at MLW
BH1	Big Hole 1	31.41986	-81.25636	31	3
BH2	Big Hole 2	31.42090	-81.25721	35	3
BH3	Big Hole 3	31.42161	-81.26057	5	1
CB1	Cabretta 1	31.43888	-81.24236	84	5
CB5	Cabretta 5	31.43234	-81.24887	38	3