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www.ogeecheeriverkeeper.org
Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers

July 17, 2024

Via E-Mail

Commander, U.S. Army Corps of Engineers, Savannah District
ATTN: Terry C. Kobs, Project Manager, Coastal Branch
1104 North Westover Boulevard, Unit 109
Albany, Georgia 31707
Terry.c.kobs@usace.army.mil

Re: Morgan Tract Permit Application - Permit No.: SAS-2021-00139

Dear Mr. Kobs,

Ogeechee Riverkeeper 501(c)(3) (ORK) works to protect, preserve, and improve the water quality of the Ogeechee River basin, which includes the Canoochee River, tributary streams, and all of the streams flowing out to Ossabaw Sound and St. Catherine's Sound. The Ogeechee River system drains more than 5,500 square miles across 21 counties in Georgia. ORK works with local communities to retain the ecological and cultural integrity of rivers, streams, wetlands, and related habitats throughout the Basin. One of ORK's primary roles is as watchdog on new land development projects throughout the watershed that could pose a significant threat to its water quality and aquatic environments.

ORK offers these comments on application from Mr. Alton Brown, Jr. (Resource and Land Consultants) and Mr. David Burch (Inlight Real Estate Partners) under Clean Water Act (CWA) Section 404 for the Morgan Tract, located at the northwest quadrant of Interstate 16 and Jimmy Deloach Parkway in Chatham County, Georgia (32.105617°, -81.327443°). Our comments concern (1) the purpose and need for this development, (2) the need to seriously consider the "No Action" alternative, and (3) the need to preserve wetlands and mitigate on-site if the permit is accepted. Ultimately, ORK urges the U.S. Army Corps of Engineers to select the "no action" alternative as the most practicable alternative and to deny this permit.

1. No demonstrated 'need' for the development's proposed 'purpose'

The Savannah regional market does not have a demonstrable need for another large warehousing and distribution development. Warehouse development continues at an unprecedented rate, leading to an oversupply of space. Looking specifically at the Savannah-area warehousing market, vacancy rates have continued to rise for more

than a year. As of 2024 Q1, the last with full data, the vacancy rate was 8.36%.¹ This is an increase from 2023 Q4's rate of 7.23%,² which itself was an increase from 2023 Q3's vacancy rate of 4.23%.³ The vacancy rate has increased in every quarter since 2022 Q4's rate of less than 1%.⁴ The 2024 Q1 report attributes the latest increase to "several bulk spec deliveries."

With this increasing rate of warehouse vacancy, the purpose of "provide a warehousing and distribution facility within the regional market of Savannah" does not have a clearly demonstrated "need." Based on the 8.36% vacancy rate of the Savannah Region's existing 128,359,416 square feet,⁵ there is currently 10,730,847 square feet of already-existing and unoccupied warehouse and distribution space. Another 13,387,773 square feet was under construction as of 2024 Q1, with millions more square feet rezoned and permitted but not yet under construction. An example of rezoned, permitted, and unbuilt warehouse space is the Seaport 16 Trade Center development, whose construction is on hold based on a slow down in the tenant market.⁶ The Morgan Tract's 1,876,500 square feet of additional space would only add to the existing and growing oversupply of warehouse space, contributing to the current over-build and its related environmental damage.

The Morgan Tract development's stated purpose does not respond to any existing need. As such, the need for this development does not outweigh the negative impact to the waters of the U.S. and the environmental and public uses it supports. The U.S. Army Corps should deny this permit application on these grounds.

2. The 'No Action' alternative is the Least Environmentally Damaging Practicable Alternative

To achieve the purpose of the proposed action, the 'no action' alternative will be the least environmentally damaging practicable alternative. The applicant's stated purpose of "provid[ing] a warehousing and distribution facility within the regional market of Savannah" is already being achieved by multiple other projects that would achieve this project's addition of available space multiple times over. Because the purpose and goals of this project are already being achieved, additionally space at the cost of 3.29 acres of open water, 21.49 acres of jurisdictional wetlands, and likely dozens more acres of nonjurisdictional wetlands⁷ is not the least environmentally damaging practicable alternative. As such, ORK asks the U.S. Army Corps of Engineers to deny this permit.

As noted above, more than 10 million square feet of warehouse and distribution space is currently built, unoccupied, and available to meet the purpose of this proposed project. This project would add around 12% to the available and vacant warehouse and distribution space, raising the vacancy rate to around 9.68%. When including the 7.7 million square feet of speculative warehouse construction cited in the Colliers Report, the total vacant space rises to more than 20 million square feet and the vacancy rate increases to around 14.72%. As the supply of warehouse and

¹ Colliers International. Q1 2024 | Savannah Industrial Market Report. See:

<https://www.colliers.com/en/research/savannah/2024q1industrial>

² See <https://www.colliers.com/en/research/savannah/2023q4industrial>

³ See <https://www.colliers.com/en/research/savannah/2023q3industrial>

⁴ See <https://www.colliers.com/en/research/savannah/2022q4industrial>

⁵ See Note 1.

⁶ Savannah Morning News. "Industrial Park in Bryan County empty nearly two years after groundbreaking." May 30, 2024. See: <https://www.savannahnow.com/story/news/2024/05/30/seaport-16-trade-center-in-north-bryan-has-not-gone-vertical-yet/73773238007/>

⁷ See Attachment A below.

distribution space increases with construction completed and coming onto the market, the vacancy rate will also continue to climb, making the need for this project less and less clear.

Likewise, the environmental damage that would result from this project clearly outweighs the unnecessary addition of 1.8+ million square feet that this project proposes. Between January 2020 and November 2023, more than 800 acres of wetlands have been filled in Bryan, Chatham, and Effingham counties due to warehouse developments.⁸ This number is almost certainly larger now more than half a year later. In that context, the 21.49 acres of jurisdictional wetlands and 3.29 acres of open water that will be destroyed by this project alone outweighs the nonexistent benefit from this project. When also considering the many acres of nonjurisdictional wetlands that will also be destroyed, the harm to the environment grows. Wetlands provide important environmental functions, including but not limited to pollution filtration, fish and wildlife habitat, groundwater recharge, and flood control. Losing these important natural resources threatens the water quality of the Little Ogeechee River, the habitats and health of the fish and wildlife that rely directly and indirectly on these wetlands, and could lead to increased pollution-laden flooding. These major, long-term impacts to the environment outweigh any benefit that would come from adding additional warehouse space to an already-saturated market. As such, the 'no action' alternative is the least environmentally damaging alternative while still meeting the stated purpose and the goal of meeting warehousing and distribution needs. ORK strongly urges the Army Corps to select the 'no action' alternative and to deny this project.

3. Should the permit be approved, on-site mitigation should be prioritized over mitigation credits

If the U.S. Army Corps, despite the lack of need and the clear environmental damage, still chooses to permit these wetlands to be filled, ORK urges that on-site wetlands mitigation be prioritized over the use of mitigation credits.

On-site mitigation provides the best option for reducing the direct environmental impacts resulting from a project. The gold standard with any mitigation efforts is to preserve as many acres of wetlands as possible, avoiding their filling in the first place. Short of preserving all wetland, which the project, as proposed, fails to do, on-site mitigation and restoration is the next-best option. Rather than relying on mitigation credits to preserve resources in a geographically-distant location, the pollution reduction services and habitat loss resulting from wetlands fill can be directly reduced by on-site restoration projects. Likewise, mitigation focused on restoration, rehabilitation, and creation of wetlands goes a step further to add new resources to the environment rather than simply preserving already-existing resources and balancing those against the lost wetlands. On-site restoration projects can more successfully approach net-neutral wetlands impact, or even a net-positive, where the use of mitigation credits guarantees a net-loss of wetlands. ORK urges the Army Corps to prioritize wetlands preservation and on-site mitigation and restoration over relying on mitigation credits for this, and all, projects.

⁸ Savannah Morning News. "Warehouse boom threatens coastal Georgia communities, environmental groups say." November 6, 2023. See: <https://www.savannahnow.com/story/news/environment/2023/11/06/environmental-maps-show-how-warehouse-development-impacts-coastal-georgia/71471422007/>

See also: Attachment B, showing "Warehouse Expansion Map - Chatham County" for a visual representation.

Thank you in advance for your time and consideration; please let me know if you have any questions:
ben@ogeecheeriverkeeper.org.

Ben Kirsch, Legal Director
Ogeechee Riverkeeper

Attachment A

U.S. Fish and Wildlife Service's
National Wetlands Inventory
for the
Morgan Tract development

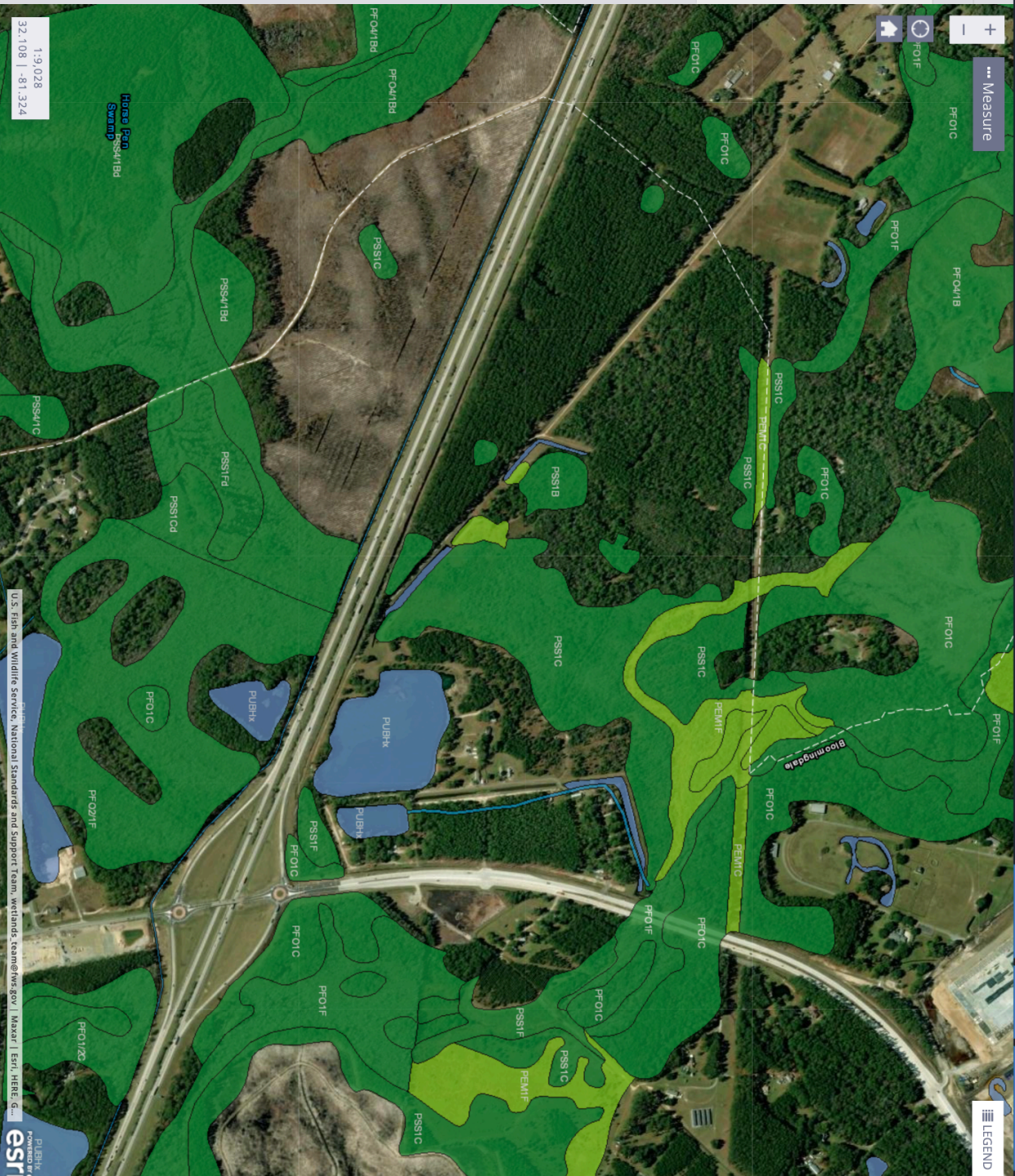
BASEMAPS >

MAP LAYERS >

- ☒ Wetlands 1 2
- ☒ Riparian 1 2
- ☐ Riparian Mapping Areas 1 2
- ☒ Data Source 1 2
 - ☐ Source Type
 - ☐ Image Scale
 - ☐ Image Year
- ☐ Areas of Interest 2
- ☐ FWS Managed Lands 1 2

Measure

LEGEND



1:9,028
32.108 | -81.324

Attachment B

Warehouse Expansion Map - Chatham County

Available at:

(<https://savrk.maps.arcgis.com/apps/instant/nearby/index.html?appid=fe9842acff4046a49628da7c6eca4d51>)

Warehouse Expansion Map - Chatham County

