

April 24, 2019

Andrew Wheeler
Administrator
United States Environmental Protection Agency
William Jefferson Clinton Bld.
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Mary Walker
Acting Administrator
United States Environmental Protection Agency, Region IV
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

RE: Notice of Intent to Sue for Violation of Clean Water Act

Dear Administrator Wheeler and Region IV Administrator Walker,

This letter is submitted on behalf of the Center for a Sustainable Coast (the “*Center*”), which is an environmental advocacy group committed to promoting responsible use of Georgia natural resources and sustainable economic growth. This letter serves as a sixty-day notice under the citizen suit provision of the Federal Water Pollution Control Act, 33 U.S.C. § 1365 (“*Clean Water Act*”). This letter communicates the intent of the Center to sue the Administrator of the United States Environmental Protection Agency and Acting Administrator of the United States Environmental Protection Agency, Region IV (“*U.S. EPA*” or “*Agency*”) in accordance with Section 505 of the Clean Water Act, 33 U.S.C. § 1365, and 40 C.F.R. Part 135. The basis for this intent to sue is the U.S. EPA’s failure to perform its nondiscretionary duty of monitoring Sea Island Acquisition, LLC’s (“*Sea Island*”) actions under Clean Water Act Section 404 Permit and corresponding Section 401 Certification related to construction projects on or near the spit on Sea Island. *See* 33 U.S.C. § 1365(a)(2). If the U.S. EPA had exercised its nondiscretionary duty and monitored Sea Islands’ operations under the above mentioned permits, the Agency would have taken enforcement action against Sea Island’s violations detailed in this Notice Letter.

I. INTRODUCTION

The Army Corps of Engineers (the “*Corps*”) issued Sea Island a permit under Section 404 of the Clean Water Act, being Permit Number SAS-2015-00742 (the “*404 Permit*”), “to construct and maintain a new T-head groin south of the existing southern groin and place sand along approximately 17,000 linear feet (LF) of beach located between an existing north groin,

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and the proposed new T-head groin” (the “**Project**”).¹ The State of Georgia, through its Department of Natural Resources (“**GaDNR**”), issued a 401 Water Quality Certification for the same Project (the “**401 Certification**”). The 404 Permit and the 401 Certification grant Sea Island permission to construct the new southern groin and to dredge between 1,315,000 and 2,500,000 cubic yards of sand from an offshore source and use dredged sand to renourish two areas: (1) the existing groin cell between the pre-existing northern and southern groins (the “**Primary Groin Cell**”) and (2) the New Groin Cell between the pre-existing southern groin and the new groin (the “**New Groin Cell**”, together the Primary Groin Cell and the New Groin Cell shall be known as the “**permitted project area**”).

Sea Island’s stated purpose for the Project is “to restore the Sea Island (GA) beach to provide storm protection for adjacent uplands, restore wildlife habitat, restore recreational functions, and to provide a reservoir for sand recycling to address existing erosion patterns.”² In issuing the permit, the Corps concluded “that the overall project purpose is to protect upland lots and development located along the shoreline of Sea Island from storm damage.”³

This Notice addresses violations of the Clean Water Act related to Sea Island’s actions on or near the New Groin Cell. At this time, this Notice does not allege any violations related to the Primary Groin Cell, but the Center reserves its right to allege additional violations that would require enforcement should they become known.

Based upon information and belief, Sea Island dredged sand from the offshore location and placed a portion of that sand outside of the permitted project area. It is believed that the areas landward of the permitted project area for the New Groin Cell are being illegally filled with the dredged sand. Sea Island is not permitted to dredge sand and fill areas outside of the permitted project area. By dredging material from “waters of the United States,” as defined in 44 C.F.R. § 230.3(s), and using that dredged material for purposes other than as permitted by the Corps’ Permit and outside the scope of the permitted project area, Sea Island is violating Sections 301(a), 401, and 404 of the Clean Water Act, and the U.S. EPA has taken no related enforcement action. *See* 33 U.S.C. §§ 1311(a), 1344 and 1341(a)(1).

Sea Island’s construction of the new groin was justified by the beach renourishment that was to occur in the New Groin Cell. Accordingly, the 404 Permit and the 401 Certification require the New Groin Cell to be filled to capacity. The purpose of filling the New Groin Cell to capacity is to allow sand to bypass the new groin and create a neutral impact on the sand sharing system and the downdrift areas from the new groin (i.e., the spit on Sea Island and East Beach on Saint Simons Island). Sea Island’s failure to properly fill the New Groin Cell violates Sections 301(a), 401, and 404 of the Clean Water Act because Sea Island has failed to comply with the 404 Permit and the 401 Certification. 33 U.S.C. § 1344(p). This deficit in the New Groin Cell causes sand to be trapped by the new groin and prevents sand sharing to the downdrift areas from

¹ September 6, 2018, CESAS-OP-R (File Number SAS-2015-00742), MEMORANDUM FOR RECORD, SUBJECT: Department of the Army Environmental Assessment and Statement of Findings for the Above-Referenced Standard Individual Permit Application.

² *Id.*

³ *Id.*

the new groin; thereby causing additional erosion and degradation of beaches and waters of the United States. The 404 Permit specifies that if “the new groin is trapping sand, the applicant would be required to submit a corrective action plan (i.e. sand bypass, adjustment/removal of the new groin, etc.).”⁴

Sea Island is and will continue to be in violation of Sections 301(a), 401, and 404 of the Clean Water Act for the above-identified activities that are outside the scope of the 401 Certification and the 404 Permit until such as time as the Agency, or court, takes action.. Therefore, the Agency should require Sea Island to immediately remedy these ongoing violations in the following ways:

1. Apply for a new or modified 401 certification and a new or modified 404 permit to cover the actual construction occurring outside the permitted project area;
2. Provide the right of the public to participate in and comment on any permit modifications, regardless if they are considered minor modifications;
3. Restore the upland areas and waters of the United States to their pre-construction condition;
4. Replenish sand taken from public beaches and waters of the United States used to reestablish private property;
5. Comply with the terms of the 401 Certification and the 404 Permit by dredging additional sand and placing the dredged sand in the New Groin Cell to facilitate sand bypass that adequately allows sand sharing to occur to the south of the newly constructed groin;
6. Submit a corrective action plan (i.e. sand bypass, adjustment/removal of the new groin, etc.) to the Corps and GaDNR for approval pursuant to Condition 1(b)(8)(e) of the 404 Permit and then implement said approved plan; and
7. Publicly disclose all monitoring and reporting for the Project and fund an independent third party monitor acceptable to the Center to review and report on the impact of the Project on the sand-sharing system and the erosion of areas south of the newly constructed groin to minimize future degradation of the water quality for the areas south of the newly constructed groin.

II. SITE HISTORY

On or around October 9, 2015, Sea Island submitted an application to the Corps seeking permission to construct a T-head groin immediately south of the proposed Reserve at Sea Island development, as well as authorization to construct dunes and build a beach along 1,200 linear

⁴ *Id.* at 7 and 26.

feet between an existing groin and the proposed groin. Pursuant to the application, the proposed groin would be located approximately 1,200 feet south of the existing groin and would be approximately 350 feet in crest length with a “T” head section, parallel to the shoreline, of 120 feet in crest length. The application further provided that the proposed dune construction and beach development project would involve the removal and placement of approximately 120,000 cubic yards of sand from the northern side of the pre-existing southern groin to the project area.

On or around March 6, 2018, Sea Island submitted an amended application. The amended application included the construction of the T-groin in front of the Reserve at Sea Island, but not the proposed excavation and discharge of sand. Instead, the revised project included dredging a larger volume of sand from an offshore location, and placing the dredged sand along a greater area of the Sea Island coast. The amended application sought to authorize the (1) construction of the new T-head groin; (2) dredge between 1,315,000 to 2,500,000 cubic yards of sand from an offshore location; and (3) renourishment of more than 17,000 feet of beach on Sea Island, being the Primary Groin Cell and the New Groin Cell.

On June 8, 2018, the GaDNR issued the 401 Certification. The plans and specifications for the 401 Certification were identical to those submitted for the issuance of the 404 Permit. On September 11, 2018, the Corps issued the 404 Permit authorizing Sea Island to construct the Project.

III. VIOLATIONS OF CLEAN WATER ACT

A. Unpermitted dredging of sand and fill in waters of the United States

Section 301(a) of the Clean Water Act states: “Except as in compliance with this section and sections 1312, 1316, 1317, 1328, 1342, and 1344 of this title, the discharge of any pollutant by any person shall be unlawful.” 33 U.S.C. § 1311(a). Section 404 of the Clean Water Act allows an applicant to obtain a permit to dredge and fill waters of the United States. 33 U.S.C. § 1344. “Compliance with a permit issued under [Section 404] . . . shall be deemed compliance, for purposes of [Citizen Suits under Section 505(a)], with [Section 301(a) of the Clean Water Act]. 33 U.S.C. § 1344(p).

Furthermore, Section 401(a) of the Clean Water Act specifically states:

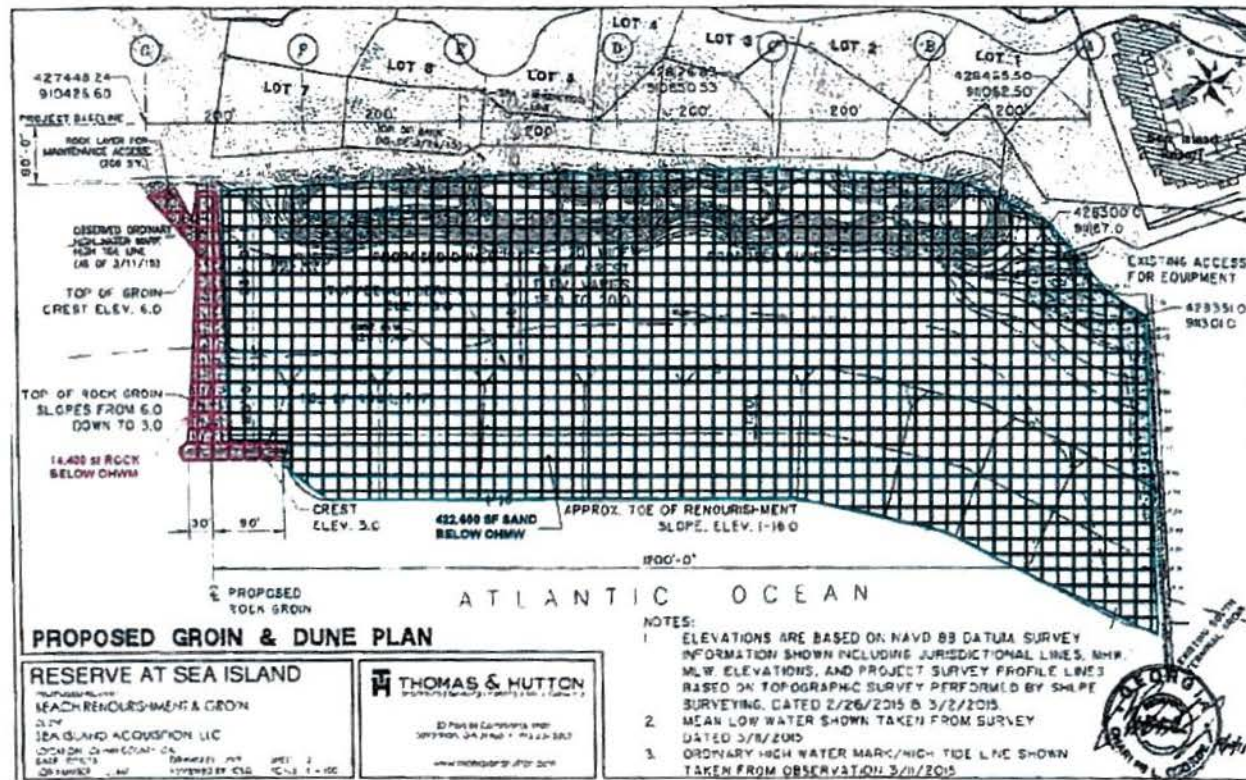
- (1) Any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into navigable waters, shall provide the licensing or permitting agency a certification from the State in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate, that any such discharges will comply with the applicable provisions of section 1311, 1312, 1313, 1316, and 1317 of this title.

33 U.S.C. §1341(a)(1).

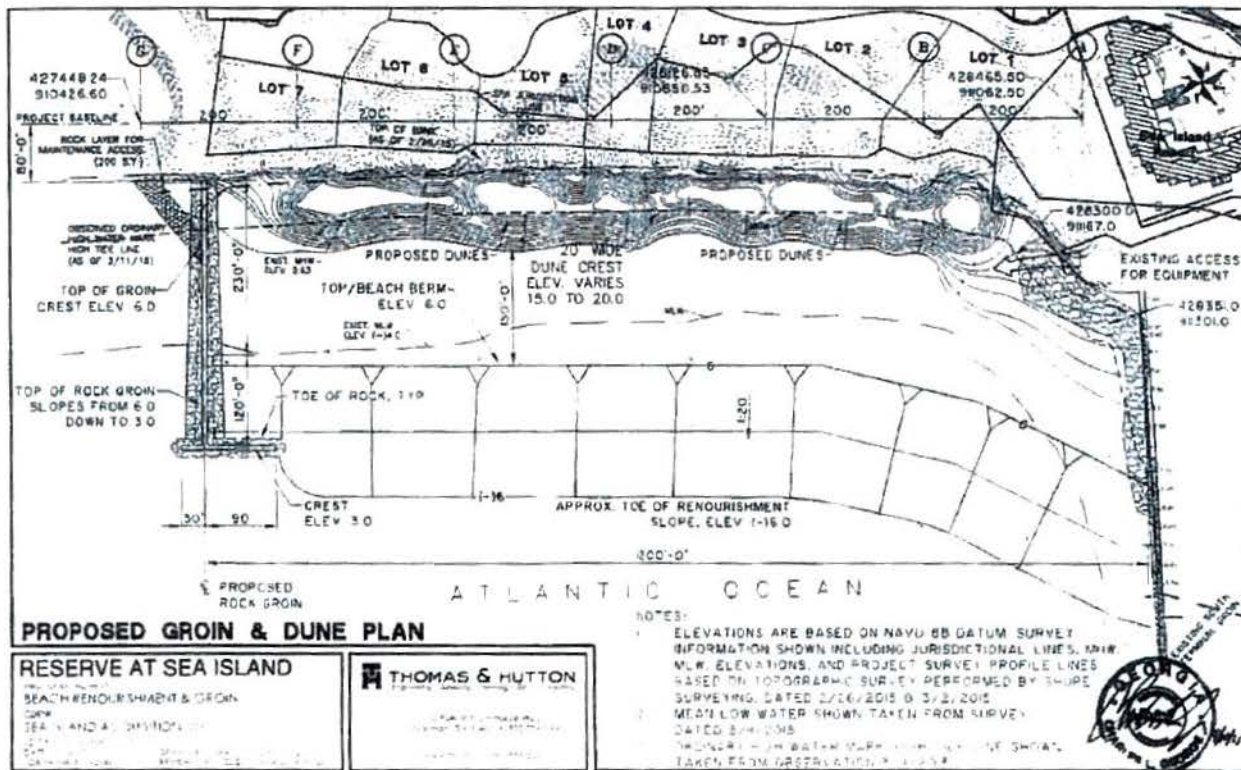
Pursuant to the above Clean Water Act authority, Sea Island's construction activities in waters of the United States outside the scope of the 401 Certification and the 404 Permit are unlawful discharges of pollutants into waters of the United States in violation of Section 301(a) of the Clean Water Act. Because the Agency has failed to monitor Sea Island's actions under the above mentioned permits or take any enforcement action against Sea Island relating to these violations, it is subject to the Citizen Suit provision contained in Section 505 of the Clean Water Act.

The 404 Permit includes drawings, as shown below, limiting the scope of the permitted activities within the New Groin Cell. The 401 Certification and the 404 Permit do not allow for the filling of areas landward of the proposed dunes and the Observed Ordinary High Water Mark (“OHWM”) as of March 11, 2015.

Drawing No. 1 – The Proposed Groin & Dune Plan specifies that the entire permitted project area for the New Groin Cell is below the OHWM as of March 11, 2015.

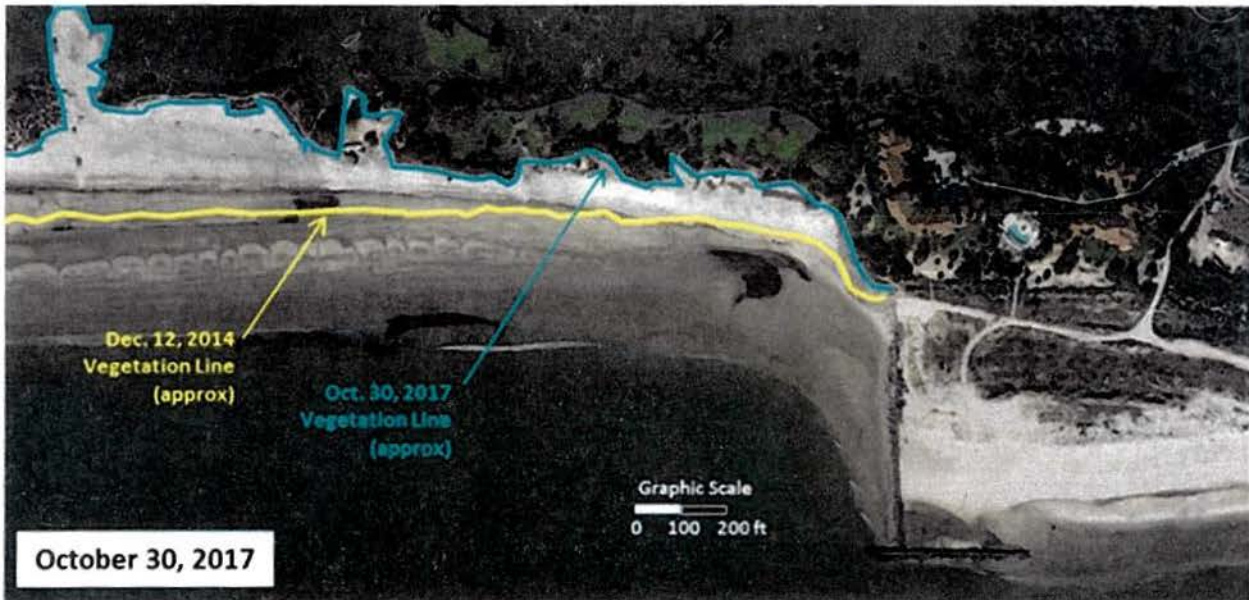
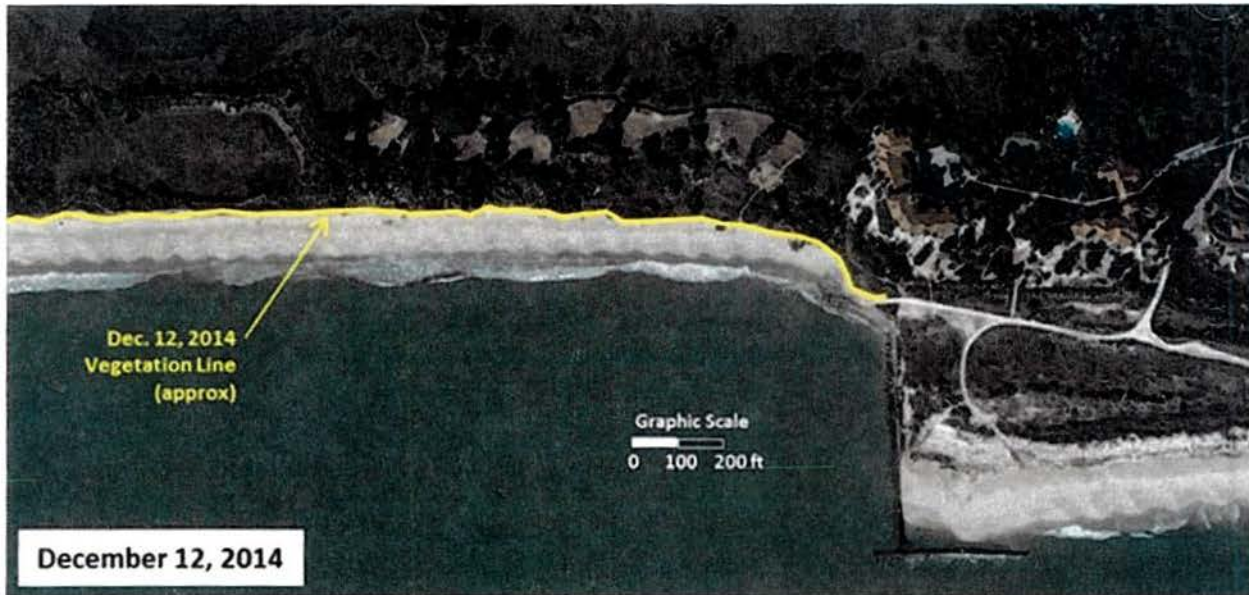


Drawing No. 2 – The Proposed Groin & Dune Plan permits the construction of dunes in the New Groin Cell and beach nourishment within the New Groin Cell. This construction was to use the dredged sand from the offshore borrow site. The most landward portion of this construction aligns with the base on the new groin and is below the OHWM as of March 11, 2015.



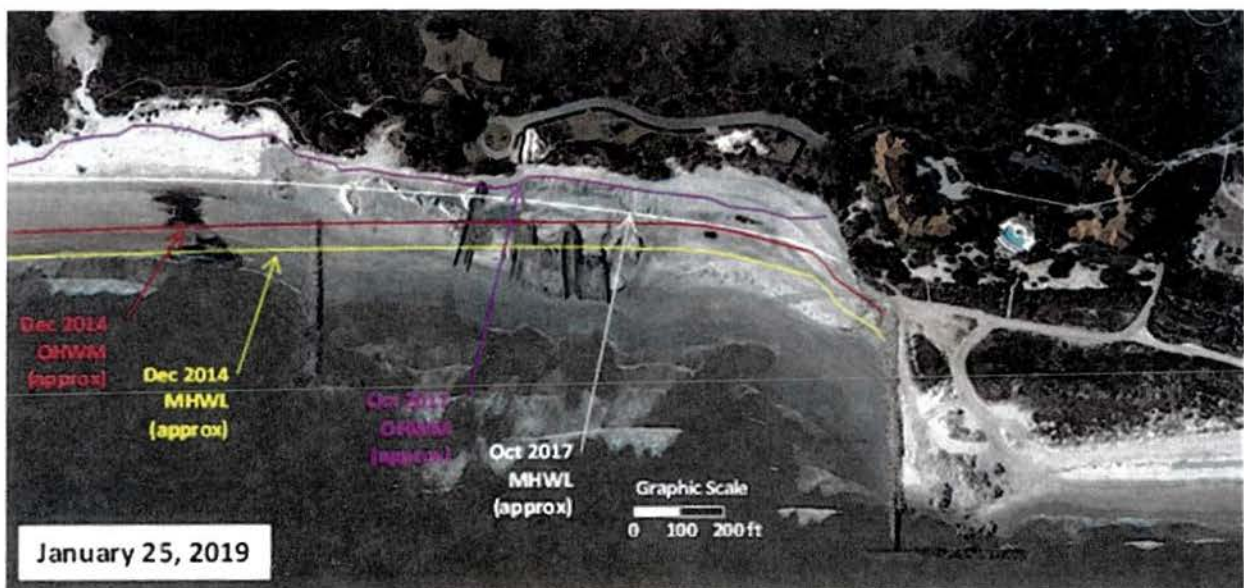
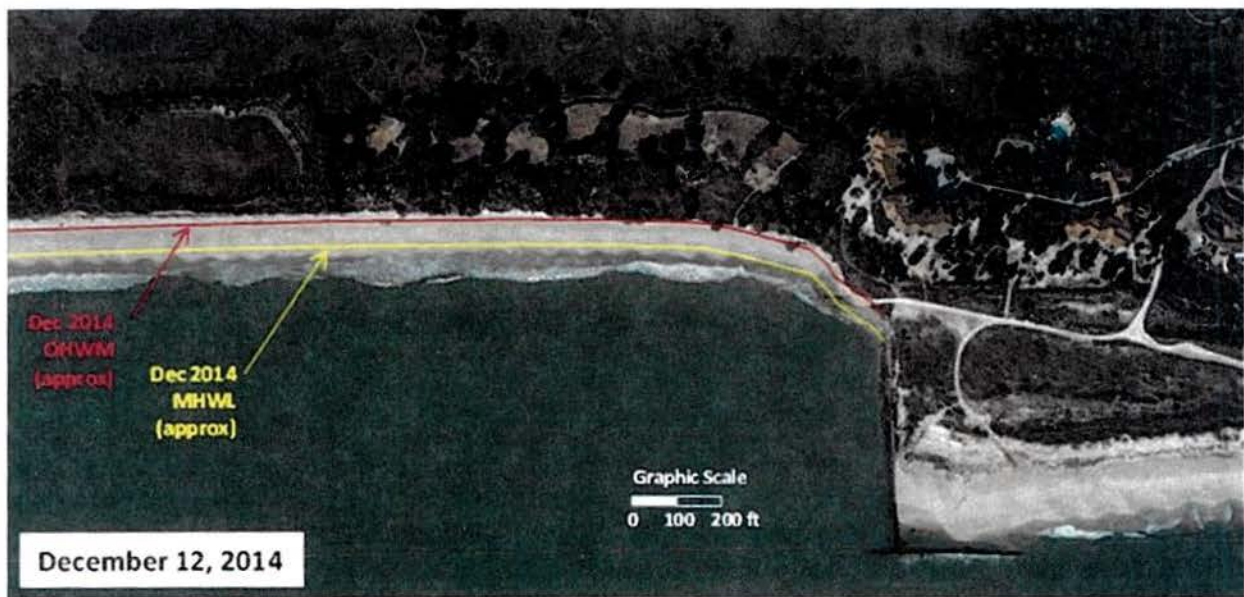
The OHWM and the jurisdictional boundaries of waters of the United States and the Georgia Shoreline Protection Act, O.C.G.A. §§ 12-5-230, *et seq.*, were dramatically impacted by Hurricane Matthew in October 2016 and by Hurricane Irma in September 2017.

Photo Series No. 1 – The yellow line reflects the approximate location of the established vegetation line as of December 2014 and the blue line reflects the approximate location of the established vegetation line as of October 2017. The yellow and blue lines also represent the general location of the OHWM, as approximated information from Drawing No. 2 as a guide, at the time of each photograph. Comparison of the yellow and blue lines in Photo Series No. 1 evidences the amount of erosion that occurred south of the pre-existing southern groin from December 2014 to October 2017.



The below series of three Google Earth images from 2014, 2017, and 2019 (the “**Photo Series No. 2**”) further demonstrate the dramatic shift of the Mean High Water Line (“***MHWL***”) and OHWM caused by the hurricanes Irma and Matthew and show that Sea Island’s construction has gone well-beyond the scope of the 401 Certification and the 404 Permit. In the top image, the yellow line is the estimated MHWL as of December 2014, and the red line is the estimated OHWM as of December 2014, based on the observed physical characteristics of the beach and tide and which relatively corresponds to the boundary line of the permitted project area in Drawings Nos. 1 and 2 (i.e. the OHWM, as of March 11, 2015). In the middle image, the white line is the estimated MHWL for October 2017, and the purple line is the estimated OHWM as of October 2017, based on the observed physical characteristics of the beach and tide. The bottom image suggest that dredged sand from the borrow site in the Atlantic Ocean (i.e., the grey colored sand) has been placed on upland property and used to fill in the waters of the United States between the uplands and the March 11, 2015 OHWM. The 401 Certification and the 404 Permit do not permit the dredging of sand for upland fill or to fill of waters of the United States outside the permitted project area.

Photo Series No. 2 shows that Sea Island is not only trying to reestablish the beach areas and protective dunes in accordance with the 401 Certification and the 404 Permit, but is also trying to reestablish private property by reclaiming jurisdictional lands in violation of the Clean Water Act and the Georgia Shoreline Protection Act.



These violations are further evidenced by photos taken on March 13, 2019, where Sea Island has used dredge sand from the borrow site in waters of the United States to fill areas that are outside of the permitted project area.

Photo No. 1 – This March 13, 2019, photo shows sand has been placed as far landward as the road to reestablish private property outside of the permitted project area.

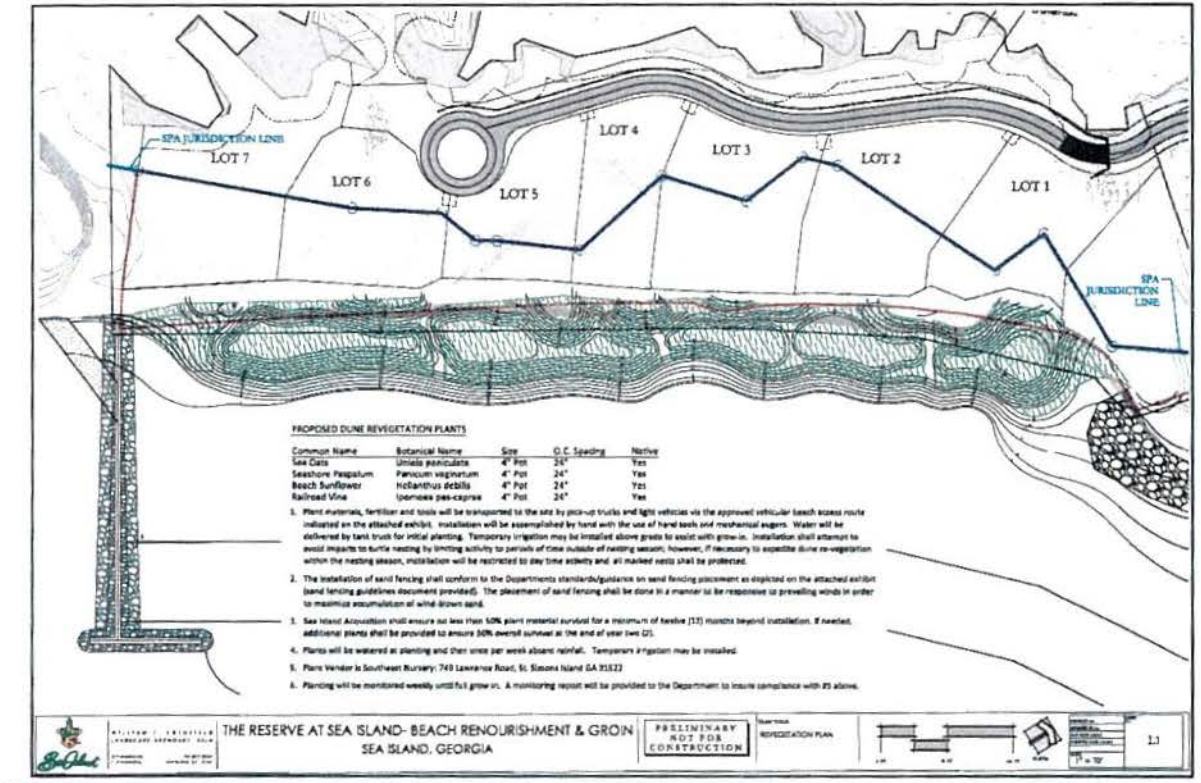


As shown by comparing Photo No. 1 to Drawings Nos. 1 and 2, Sea Island is using dredged sand to fill in areas outside of the permitted project area. Sand is being used to fill all the way to the road. Drawing Nos. 1 and 2 were submitted to GaDNR and the Corps and showed that no activity was to take place near the road or between the March 11, 2015 OHWM and the March 2015 SPA-JL, which is clearly shown in Drawing #3 below.

Photo No. 2 – This April 13, 2019, photo shows sand being placed as far landward as the road to reestablish private property outside the permitted project area.



Drawing No. 3 – This drawing shows the March 11, 2015 OHWM in red and the March 2015 SPA-JL in purple. Drawing No. 3 is not a construction plan document but includes the same survey information shown on Drawing Nos. 1 and 2. Drawings Nos. 1, 2, and 3 show that no construction was to occur between the March 11, 2015 OHWM (red), and the March 2015 SPA-JL (purple).



When responding to the Corps regarding a specific public comment about the reestablishment of property for residential development, Sea Island stated:

Contrary to some of the comments, the project purpose is not residential development. The applicant is not seeking a § 404 permit to develop The Reserve. Indeed, the company has already completed infrastructure development of the upland property at The Reserve— construction of roads and bridges, installation of utilities—without the need for any permit from the Corps. Although no dwellings have yet been constructed at The Reserve, the subdivision has been approved by Glynn County and the lots are available for sale. The applicant has expended significant resources to obtain relevant zoning approvals and construction permits for access roads and utilities to service the upland development, all of which have been constructed. Construction of the homes on the upland will be above and outside of any Corps jurisdiction and will not require any Corps permits."

Despite, Sea Island’s response to the Corps, evidence to the contrary indicates that Sea Island is in fact using this project to reestablish land within the jurisdiction of the GaDNR and the Corps without obtaining proper permits. This is a violation of Section 301(a) of the Clean Water Act because it is not permitted in accordance with Sections 401 and 404 of the Clean Water Act.

The amended permit application submitted by Sea Island stated that approximately 1,315,000 to 2,500,000 cubic yards of sand would be dredged from the Atlantic Ocean for use in the construction of the dunes and beach nourishment. The permits issued by GaDNR and the Corps provide that the dredged sand would be deposited in the Primary Groin Cell and the New Groin Cell of the permitted project area. The permit does not allow for the dredged materials to be used on any other lands or in any other waters of the United States. Based upon photos taken between January 14, 2019 and April 13, 2019, it appears that the dredged sand is being used to raise the level of the residential lots, which is not an approved activity under the 401 Certification or 404 Permit.

Photo No. 3 – This February 22, 2019, photo shows sand being stored on Lot Nos. 1 and 2 in close proximity to the road and outside of the permitted project area.



Photo No. 4 – This January 14, 2019, photo shows sand being stored near the road outside of permitted construction area for Lot Nos. 3, 4, and 5.



Photo No. 5 – This February 22, 2019, photo shows sand being pushed into upland areas outside of the permitted project area and used to fill Lot Nos. 4, 5, 6, and 7.



By comparing Photo Series No. 2 and Photo Nos. 2, 3, 4, and 5 to Drawings Nos. 1, 2, and 3, it is apparent that dredged sand is being deposited outside of the permitted area and is being used to construct the residential lots of the Reserve. The use of dredge material for any purpose other than those purposes approved under the 401 Certification and 404 Permit are violations of both. Sea Island's violations effectively turn what was intended to be borrowed sand, from and for the sand sharing system, into stolen sand, used to stabilize and recreate upland lots for private development. The Agency should have been aware of such violations and taken appropriate enforcement action against Sea Island.

B. Taking Sand from Public Beach Areas to Create Uplands

In its 2015 permit application, Sea Island stated that approximately 120,000 cubic yards of beach quality sand will be excavated from the Primary Groin Cell and will be placed in the New Groin Cell to create a constructed dune ridge 150 feet wide. However, the 2018 application amendment stated that all sand would be dredged from a borrow site in the Atlantic Ocean and removed all reference to dredging sand from the Primary Groin Cell.

Based upon photographic evidence, Sea Island appears to be taking sand from the public beach and using this sand to create uplands and fill waters outside the permitted project area.

Photo No. 6 – This March 1, 2019, photo shows sand excavation and movement from public beach area to uplands. Notably, on March 1, 2019 there was no dredging of sand from the Atlantic Ocean into the New Groin Cell; therefore, the sand being excavated and moved is sand of the intertidal beach and part of the sand sharing system. Such activity was not permitted.

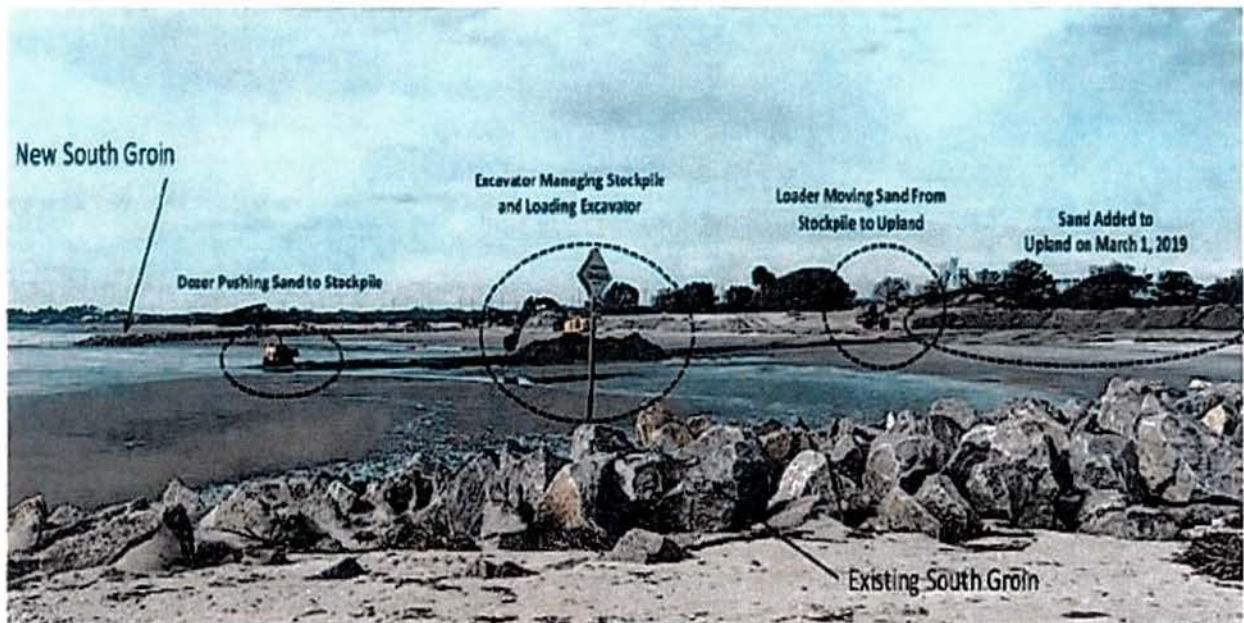
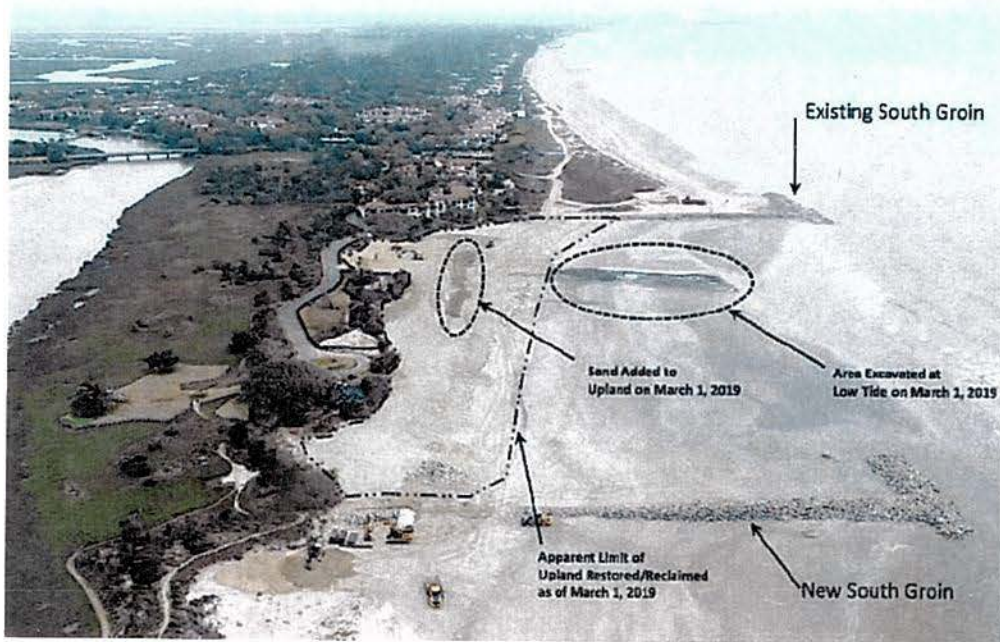


Photo No. 7 – This March 1, 2019, photo shows the results of sand excavation and movement from public beach area to upland. This photo shows that no dredging activity was taking place from the Atlantic Ocean borrow area; however, Sea Island appears to be excavating sand from the public beach area and moving it to the upland areas outside of the permitted project area.



The 401 Certification and the 404 Permit do not permit Sea Island to conduct sand recycling in the New Groin Cell; moreover, the 401 Certification and 404 Permit certainly do not permit the use of beach sand to reconstruct private property outside the scope of the permitted project area. Because the use of sand from the intertidal (public) beach seaward of the OHWM is not permitted under either the 401 Certification or the 404 Permit, Sea Island is in violation of Sections 301(a), 401, and 404 of the Clean Water Act.

In addition to the above-identified violations, Sea Island appears to be taking intertidal beach sand from the Primary Groin Cell and using it to construct the New Groin Cell and to stabilize and recreate the upland residential lots. The 401 Certification and the 404 Permit allows for sand recycling in the Primary Groin Cell subsequent to the project's completion, but the 401 Certification and the 404 Permit do not allow Sea Island to take sand from the intertidal beach of the Primary Groin Cell and use it to construct the New Groin Cell or to stabilize and recreate the upland lots. Photos Nos. 8 and 9 evidence that Sea Island is taking intertidal beach sand from the Primary Groin and using it to construct the New Groin Cell and the upland lots.

Photo No. 8 – This April 13, 2019, photo shows that Sea Island is excavating sand from the intertidal beach in the Primary Groin Cell by using excavators and dump trucks.



Photo No. 9 – This second April 13, 2019, photo shows the dump trucks from Photo No. 8 transporting beach sand from the Primary Groin Cell and placing the sand into the New Groin Cell and in the recreated upland lots, which were recreated in waters of the United States and within the jurisdictional area of the Georgia Shoreline Protection Act.

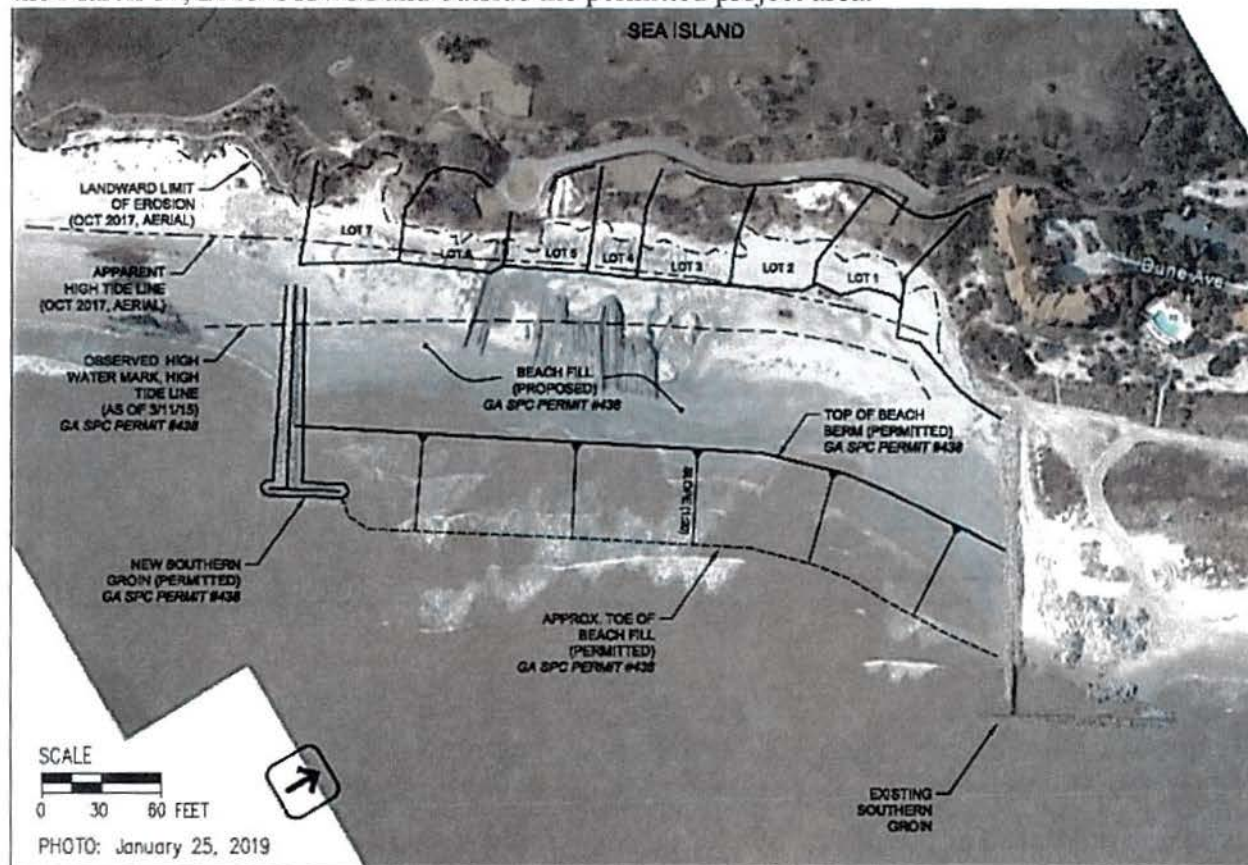


Sea Island's excavation and fill activities are not in compliance with the 401 Certification or the 404 Permit and are violations of Sections 301(a), 401, and 404 of the Clean Water Act. The Agency should have been aware of such violations and taken appropriate enforcement action against Sea Island.

C. Failure to properly fill Beach Nourishment Area

Sea Island proposed dredging approximately 1,315, 000 to 2,500,000 cubic yards of sand to be used to for the beach nourishment project. The 401 Certification and the 404 Permit both state that sand from offshore would be used to supplement the sand sharing system. "It is likely that the introduction of this additional sand would allow the beach between the groins to eventually reach an equilibrium state and thus allow some sand to bypass the groins and travel downdrift to the spit and potentially to St. Simon's Island, including East Beach." However, based upon expert opinion from a licensed coastal engineer, the volume of sand dredged from the Atlantic Ocean and placed in the New Groin Cell appears to be far less than Sea Island stated in their permit application and which was ultimately permitted. Between the decreased volume of sand and what appears to be the removal of sand from the beach to fill the residential lots, there is not enough sand within the groin area to allow for a proper sand sharing system to function. As a result of this violation of the 401 Certification and 404 Permit, the new groin will trap sand and prevent sand from being shared south of the new groin, which will increase the erosion of property to the south along the spit on Sea Island and may eventually impact Gould's Inlet and East Beach on Saint Simons Island.

Photo No. 10 – A comparison of this Google Earth photograph, dated January 25, 2019, and the permitted dimensions of the beach fill with this New Groin Cell, shows that the New Groin Cell is not filled to capacity. Upon information and belief, dredging was complete in the New Groin Cell at the time of this photo. Drawing No. 2, as overlaid, shows that the beach fill berm was to extend more than two-thirds the distance of the new groin and the toe of the nourishment would extend well-beyond the new groin. However, from this photograph, it is clear that the actual fill of the New Groin Cell does not extend to the permitted dimensions of the beach fill. This photograph also demonstrates the extent of Sea Island’s activities that are occurring landward of the March 11, 2015 OHWM and outside the permitted project area.



Sea Island does not appear to have properly filled the areas between the two groins; therefore, it has not complied with the 401 Certification and the 404 Permit and is in violation and will continue to be in violation of Sections 401 and 404 of the Clean Water Act until remedied. The Agency should have been aware of such violations and taken appropriate enforcement action against Sea Island.

D. Sea Island’s Violations Are Willful and Malicious

Upon information and belief, Sea Island appears to be willfully in violation of the Clean Water Act and the Georgia Shoreline Protection Act as detailed above. Sea Island, through its CEO, Scott Steilen, and General Counsel, William McHugh, drafted legislation that would exempt the above-detailed violations from regulation under the Georgia Shoreline Protection

Act. *See* Georgia House Bill 445 (2019), which was introduced by Representative Hogan at the request of Sea Island. HB 445, as introduced, contained language attempting to exempt the New Groin Cell from regulation under the Georgia Shoreline Protection Act. *See* Section 2 of HB 445 (“The area of operation of this part shall not include any area landward of the most recent seaward platted lot line, if roadways, bridges, or water and sewer lines have been extended to such lot prior to July 1, 2019, on the updrift side of a groin permitted under the Shoreline Protection Act within a distance from the groin of 5,000 feet or ten times the length of the groin, whichever is less.”).

Upon information and belief, this carve-out only pertained to the New Groin Cell on Sea Island and was special legislation introduced to allow Sea Island to avoid its public obligations under the Shoreline Protection Act and remove known violations from regulatory oversight. The above-cited language in HB 445 was removed from HB 445 by the Georgia Senate after it became public that Sea Island had drafted the carve-out. Sea Island’s drafting and lobbying of HB 445 demonstrates that Sea Island is acting willfully and maliciously in violation of the Clean Water Act and Shoreline Protection Act and has taken actions to cover-up these known violations. The Agency should have been aware of such violations and taken appropriate enforcement action against Sea Island.

IV. POTENTIAL LITIGATION: INTENT TO SUE

This letter is based on publicly available information. Additional information, including information in the Agency’s possession, may reveal other violations. This letter only addresses publicly identifiable violations related to Sea Island’s continued failure to comply with its 404 Permit and 401 Certification, and the U.S. EPA’s failure to monitor Sea Island’s actions under the above mentioned permits. This letter does not preclude the Center from making any additional claims.

Because the Center intends to sue the U.S. EPA, the Agency is advised not to destroy any information or documents that are relevant to the allegations set forth above, including, but not limited to, environmental data, construction documents, contract documents, monitoring documents, enforcement documents, regulatory filings, business plans, emails and other digital files, communications, photographs, videos, invoices, bills, and documents sent to or obtained from third parties hired by the Agency. The Agency’s documents should be secured immediately to avoid spoliation.

V. IDENTITY AND ADDRESS OF PARTY GIVING NOTICE

a. The Center for a Sustainable Coast

The Center was formed in 1997 by a group of environmental professionals and concerned citizens. The purpose of this non-profit organization is to improve the responsible use, protection, and conservation of coastal Georgia’s resources – natural, historic, and economic. The Center’s agenda includes protecting coastal wildlife, water quality, tidal marshes, and freshwater, as well as improving the transparency, impartiality, and accountability of governing

agencies.

b. *Contact Information*

The Center's contact information, as well as their counsel's contact information, is included below:

David C. Kyler
Center for a Sustainable Coast
221 Mallory Street, Suite B
Saint Simons Island, Georgia 31522

Michael D. Caples
Butler Snow, LLP
P.O. Box 6010
Ridgeland, Mississippi 39158

VI. CONCLUSION

The Center hopes the Agency will take prompt action to remedy the violations identified in this notice letter. Please direct all correspondence to the undersigned counsel via the addresses and telephone numbers above.

Sincerely,

BUTLER SNOW LLP



Michael D. Caples

cc: General William Barr
United States Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001