



COASTAL RESOURCES DIVISION
ONE CONSERVATION WAY • BRUNSWICK, GA 31520 • 912.264.7218
COASTALGADNR.ORG

MARK WILLIAMS
COMMISSIONER

DOUG HAYMANS
DIRECTOR

MAY 27 2021

Tony Thaw, Chairman
DownTown Development Authority
City of Darien
104 E 1st Street
Darien, GA 31305

Re: Letter of Permission (LOP) for Maintenance to Settler's Bluff Waterfront Development Public Dock Facility, Coastal Marshlands Protection Act Permit #458, Darien River, McIntosh County, Georgia. (GPS: 31.36803N/-81.43733W)

Dear Mr. Thaw:

This Letter of Permission (LOP) is in response to your request dated February 16, 2021 for repairs to the Settler's Bluff Waterfront Development Dock on the Darien River, McIntosh County, Georgia. This project involves maintenance of two sections of the dock: Section A and Section B. Sections A and B will be removed and replaced with new materials within the existing footprint as permitted under Coastal Marshlands Protection Act (CMPA) Permit #458.

Section A involves the removal of 5ft. x 90ft. of dock walkway railing and pilings to be replaced with sixteen (16) 50ft. pilings, cross braces, and caps within the existing and permitted footprint. Section B is located east of Section A and involves the removal of a 5ft. x 30ft. section of dock walkway to be replaced with six (6) 50ft. pilings, cross braces, and caps within the existing and permitted footprint. The project will begin no sooner than fifteen (15) days from the receipt of this letter and be completed within (6) months.

The Department authorizes the maintenance of the community dock facility and piling replacement in its originally permitted footprint as depicted in the attached description and drawings, provided best management practices are used to protect coastal marshlands. **No unauthorized equipment, materials, or debris may be placed in, disposed of, or stored in jurisdictional areas.** All material removed must be disposed of at an appropriate upland disposal area. Any visible alterations in marsh topography will be restored immediately using low-impact hand tools. Any damage to the marsh vegetation that has not recovered naturally during the next growing season will be repaired by a method acceptable to the Department.

This authorization does not relieve you from obtaining any other required federal, state, or local permits. Tidal water bottoms and marshlands of coastal Georgia are public trust lands controlled by the State, except for such lands where a validated Crown Grant or State Grant exists. Please contact Dillon Richter at 912.602.3277 should you require any more information.

Sincerely,



Doug Haymans
Director

Enclosures: Project Description, CMPA Permit #458, Revocable License
File: LOP20210023

STATE OF GEORGIA

REVOCABLE LICENSE REQUEST FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANTS NAME(S): Downtown Development Authority City of Darien
 MAILING ADDRESS: 104 E 1st St. Darien GA 31305
 (Street) (City) (State) (Zip)
 PROJECT ADDRESS/LOCATION: Settler's Bluff Water Front Development
 COUNTY: McIntosh WATERWAY: Darien River DATE: 2/16/2021
 LOT, BLOCK & SUBDIVISION NAME FROM DEED: Settler's Bluff -

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

I am requesting that I be granted a revocable license from the State of Georgia to encroach on the beds of tidewaters, which are state owned property. Attached hereto and made a part of this request is a copy of the plans and description of the project that 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 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 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 DNR or his/her designee has signed a copy of this request.

Sincerely,
 By: [Signature]
 (Applicant), title if applicable
 By: _____
 (Applicant), title if applicable

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 constructed and completed within the specified timeframe associated with the authorization and/or transmittal letter associated with this revocable license and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke this license and all structures must be removed immediately at the licensee's expense.

STATE OF GEORGIA
 Office of the Governor
 By: [Signature]
 For: Mark Williams, Commissioner-DNR
 Date: MAY 27 2021

DARIEN DOWNTOWN DEVELOPEMT AUTHORITY

TO: STATE OF GEORGIA DNR, COASTAL RESOURCES DIVISION

SCOPE OF WORK TO DOCK PERMIT # 458

SECTION A

REMOVE WALKWAY RAILS & PILINGS WITH ON 90FT LONG SECTION X 5FT WIDE OF DOCK AND REPLACE WITH 16 NEW 50FT PILING, CROSS BRACES, CAPS. DECKING & RAIL SAME AS EXISTING FOOT PRINT, SHOWN ON GOOGLE EARTH MAP SECTION A

SETION B

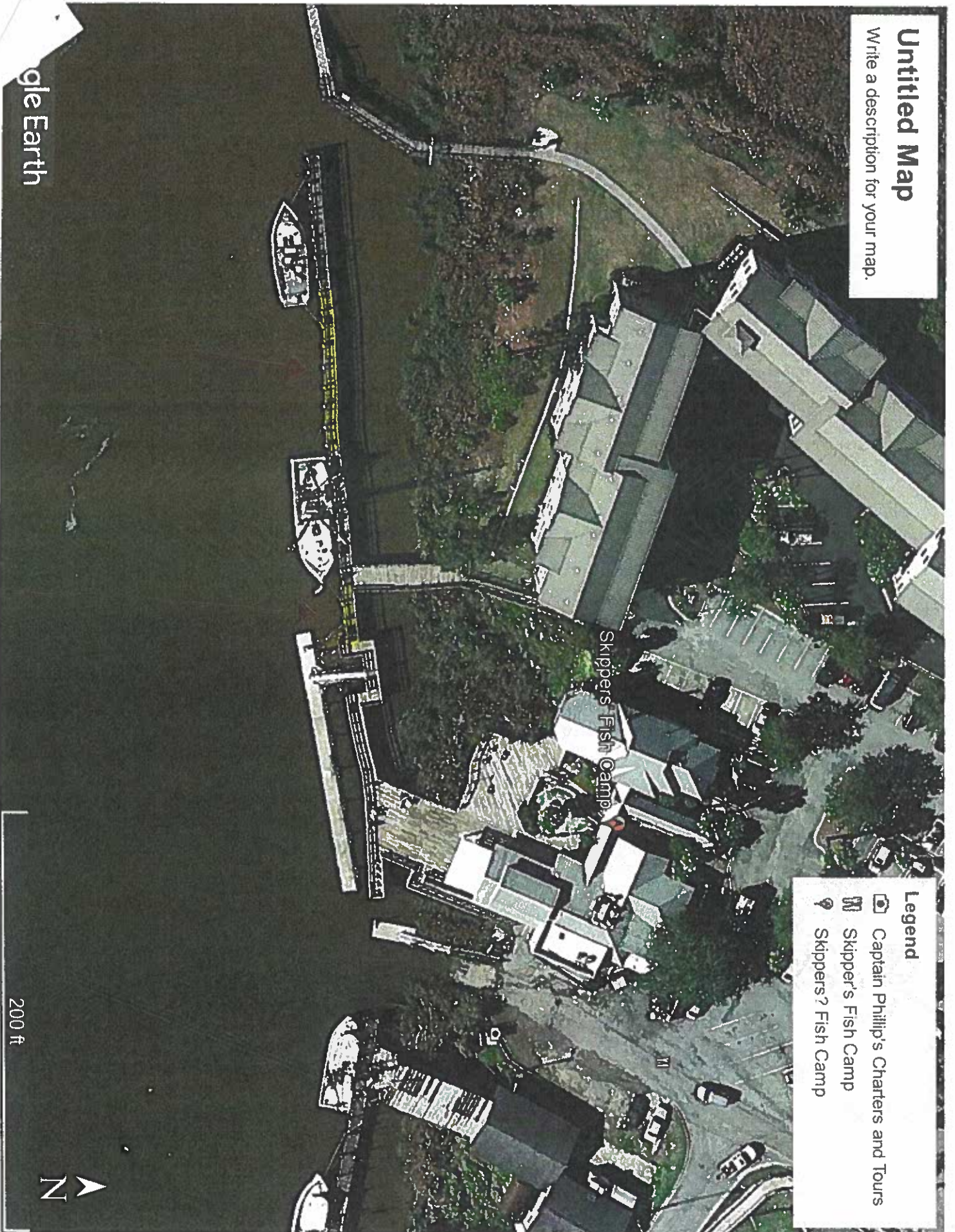
REMOVE WALKWAY RAILS & PILINGS ON 30 FT X 5 WIDE SIDE SECTION OF DOCK & REPLACE WITH 6 NEW 50FT PILING, CROSS BRACES, CAPS. DECKING AND RAIL SAME AS EXISTING FOOT PRINT SHOWN ON GOOGLE EARTH MAP SECTION B






TONY THAW
CHAIRMAN
DARIEN DOWNTOWN DEVELOPMENT AUTHORITY
(912) 230-6025

Untitled Map

Write a description for your map.



Legend

-  Captain Phillip's Charters and Tours
-  Skipper's Fish Camp
-  Skippers? Fish Camp

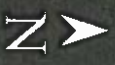
Skippers Fish Camp

Google Earth

SECTION A

SECTION B

200 ft





October 15, 2003

Karen Moore
Downtown Development Authority
PO Box 452
Darien, GA 31305

RE: Coastal Marshlands Protection Act Permit #458, Downtown Development Authority of the City of Darien a/k/a Darien Downtown Development Authority, Handicap Access Ramp and Floating Dock Facilities, Darien River, McIntosh County, Georgia

Dear Ms. Moore:

The Coastal Marshlands Protection Committee considered and approved permit #458 referenced above on October 6, 2003 under the Coastal Marshlands Protection Act O.C.G.A. 12-5-280 et. seq. All decision documents (attached), as well as all other plans, documents and materials submitted during the application process become terms of this permit and are now enforceable conditions. Please note that the Committee has approved the proposed project under the combination of the original standard and special conditions as well as the additional special conditions for this request.

The permit is also conditioned as follows:

STANDARD COASTAL MARSHLANDS PROTECTION ACT CONDITIONS:

1. The project must comply, as applicable, for areas permitted herein, with all other Federal, State, and local statutes, ordinances, and regulations and the applicant must obtain all licenses and permits prior to commencement of construction.
2. This permit does not resolve actual or potential disputes regarding ownership of, 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.
3. All plans, documents and materials contained in this permit application, required by Coastal Marshlands Protection Act O.C.G.A. of 1970 12-5-280 et seq. are a part of this permit and conformance to such plans, documents, and materials are a condition of this permit. No change or deviation from these plans, documents and materials shall be permitted without prior notification and approval by the Department or Committee.
4. No further encroachment or construction shall take place within State jurisdiction, except as permitted by the Coastal Marshlands Protection Committee. Any modification of the plans or structure in the jurisdictional area must be reviewed and approved by the Department prior to construction.

**Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, GA 31520-8687
(912) 264-7218
FAX: (912) 262-3143**

5. The exact location and configuration of this project must be reviewed onsite and approved by Department staff immediately prior to beginning construction. Minor changes to the location may be allowed or required in areas that have eroded or accreted subsequent to the original jurisdictional determination.
6. Adequate sedimentation control barriers must be properly installed prior to land disturbance to prevent silting and sedimentation from impacting jurisdictional marshlands.
7. No construction materials or debris may be placed, disposed of, or stored in jurisdictional marshland.
8. A construction placard will be required to be obtained from the Department up to 30 days prior to the start of project construction and must be posted on site. This placard will include certain steps in the construction of the permitted project that must be approved by the Department prior to construction.
9. The permit must be posted onsite within twenty-four (24) hours of beginning construction.
10. Any incidental impacts associated with construction of this project must be rectified by restoring areas to their pre-construction topographic and vegetative states.
11. If the permitted improvements are damaged, fall into disrepair, become dilapidated, are not meeting the expected usefulness, or are not maintained at a serviceable level, then it is the responsibility of the owner to remove the improvements. A new permit will be required to retain and repair the structure, improvement or asset if it loses its structural integrity and is no longer serviceable.
12. The Coastal Marshlands Protection Committee is not bound in the future to protect any improvements or assets authorized by the permit.
13. A copy of the above conditions must be supplied to the person in charge of construction.

COASTAL MARSHLANDS PROTECTION ACT O.C.G.A. 12-5-280
STANDARD PERMIT CONDITIONS FOR MARINAS AND COMMUNITY DOCKS

1. No permanent live-on resident vessels can be moored at the facility according to O.C.G.A. §12-5-288(b)(8). Community docks are limited to use by community charter boats and recreational vessels. Floating homes, adobes, dwellings, and sea planes are specifically prohibited.
2. The applicant/permittee is encouraged to build onshore restrooms, shower and laundry facilities at or near the land portion of the pier. The applicant/permittee must take specific measures (such as, but not limited to, signs or dock regulations) to encourage boaters to use the washrooms, laundromat and restrooms onshore.
3. No person shall operate a marine toilet at any time so as to cause or permit to pass or to be discharged into the waters adjacent to the project any untreated sewage or other waste matter or contaminant of any kind. Any such violation shall be an infraction as defined by the Georgia Water Quality Control Act, as amended, O.C.G.A. §12-5-20 et seq., O.C.G.A. §12-5-280 et seq. and the Official Rules of the State of Georgia Chapter 391-3-9, particularly Rule 391-3-6-.04. Each day in violation shall be considered a separate offense and subject to separate citation.
4. The applicant/permittee must install, for collection of solid wastes, a dumpster or other suitable containers in compliance with The Act to Prevent Pollution from Ships (33 USCA

- 1901 and 33 CFR 158). It shall be a violation of State and Federal water quality laws and regulations to discharge any refuse, waste matter, boat scraping, petroleum product or by product, paint, varnish, or other debris into the waters adjacent to the project.
5. If the Department determines that there may be violations of condition 3 and/or condition 4 the applicant must provide pump-out facilities and dockside wastewater collection systems for sanitary wastes from vessels and require their use by boats using the community dock. The applicant must prominently display a sign at the community dock showing the location of the nearest pump out facility. Wastewater is to be disposed of in an approved disposal system.
 6. If fueling facilities are installed the applicant/permittee must insure installation is according to the USEPA and GADNR/EPD laws and regulations. The following requirements must be met. Fuel storage tanks and fuel lines between tank, dock, and vessels shall be equipped with emergency shut off valves. To further minimize the possibility of fuel spills, dispensing nozzles shall be the automatic closing type without a hold-open latch. The dock operator shall prepare an 'Operations Manual' containing the following:
 - a. Description of how the applicant meets the conditions of this permit,
 - b. The geographic location of the dock,
 - c. A physical description of the facility showing mooring areas, fuel storage and dispensing areas, and locations of safety equipment,
 - d. The names and telephone numbers of the facility, Coast Guard MSO, EPD Emergency Response Center, and other personnel who may be called by employees of the facility in an emergency, including fire and police,
 - e. A description and the location of each emergency shut-off system and
 - f. Names and telephone numbers of available hazardous spill clean-up contractors nearest the dock.
 7. The Operation Manual must be maintained current and readily available in a conspicuous location for examination by employees of the dock and the Department.
 8. The Operations Manual must be submitted to the Department prior to operation of the dock.
 9. The applicant must operate and maintain the dock in a manner that will not unreasonably obstruct navigation to and from neighboring properties.
 10. If the Department determines through its own water quality sampling or other resource analyses that there are perceptible environmental impacts associated with the dock development, the Department may require the applicant/permittee at applicant/permittee's expense, to have water, substrate, and/or tissue samples collected and analyzed for metals, petroleum hydrocarbons, or other constituents. Sample collection and analyses must be according to methods approved by the Department. All results from such sampling results must be provided to the Department as obtained and may be used by the Department to further restrict the dock to reduce water quality impacts.
 11. The applicant/permittee must amend its bylaws or take other measures to establish sufficient power and authority to enforce the conditions of the permit.
 12. The permittee shall permanently post and maintain the informational display sign, "Manatee Basics for Boaters." Instructions for the installation and placement procedure of this sign are enclosed.

13. In its occupancy and use of the premises, permittee shall not discriminate against any person on the basis of race, gender, color, national origin, religion, age or disability. This covenant by permittee may be enforced by termination of the permit, by injunction, and by any other remedy available in the law to the Department.

SPECIAL CONDITIONS:

1. Prior to construction, permittee must develop and submit rules for Department approval regarding the use of the public dock facility as well as a detailed plan for enforcing the rules. The rules must include an identification of restricted activities paying particular attention to non-water dependent activities, and hours of operation. The enforcement plan must identify a responsible party for contact and appropriate sanctions if there are violations or problems at the dock site.
2. Permittee must install temporary Manatee Basics for Boaters signage during construction of the facility and permanent signage post-construction.
3. Permittee shall provide a post-construction survey that locates the facility as indicated in the application materials. Such survey shall comply with the Georgia Plat Act, O.C.G.A. §15-6-67 et. seq.
4. Permittee must provide removal of pollutants from stormwater run-off through filtration or best management practices in consultation with the Environmental Protection Division and GA DNR staff.

Enclosed is a permit placard to be posted at the work site (within 24 hours) for the duration of the construction activity.

Pursuant to O.C.G.A. 12-5-293, if you as the permit holder sell, lease, rent, or otherwise convey the land or any portion of the land for which the permit was issued, and if you as the permittee notify the Department within 30 days of the change of ownership, this permit shall continue in force in favor of the new owner, lessee, tenant, or other assignee so long as there is no change in the use of the land as set forth in the original application. The Department will be unable to transfer a permit if we are not notified by the permittee within the 30 days prescribed by the Act.

Please note that you will also need to notify the Department when you are within 10-30 days of beginning your project to obtain a *construction placard*. DNR staff will arrange a site visit to confirm the project footprint before construction begins and to initial the construction placard at the identified intervals during the project. This placard will also need to be posted on the site during construction.

This letter and attachments are to be held by you for your files and for inspection by any authorized persons. The expiration date for the permit is five (5) years from the date of issuance (i.e. October 6, 2008). However, no construction may commence within the area of jurisdiction of the Act until the expiration of thirty (30) days following the date of issuance. You may start

Downtown Development Authority of the City of Darien Permit Approval
October 15, 2003
Page 5 of 6

construction as soon as November 5, 2003. Also enclosed is a *Certification of Compliance* that must be submitted to us within 30 days *following* completion of the permitted activity. Please include this compliance form with the post-construction survey, as required under the special conditions.

Please read carefully and comply with the terms and conditions of this permit. Feel free to contact me if you need any additional assistance with this project.

Sincerely,



Jeannie L. Butler
Marsh and Shore Regulatory Program Manager
Ecological Services Section

Enclosures: CMPA Permit #458
Decision documents
Certification of Compliance

cc: Mark Padgett
Savannah District Corps of Engineers
PO Box 889
Savannah, GA 31402

Mayor David Bluestein
City of Darien
PO Box 452106
Washington Street
Darien, GA 31305

Daniel H. Bucey
Sligh Environmental Consultants, Inc.
49 Park of Commerce Way, Suite 203
Savannah, GA 31405

Melvin Amerson
McIntosh Co. Building & Zoning
P.O. Box 584
Darien, GA 31305

Rhonda Knight, Dept. of Natural Resources

JLB/khb

Georgia Coastal Marshlands Protection Committee

PERMIT

Issued Pursuant to O.C.G.A. 12-5-280

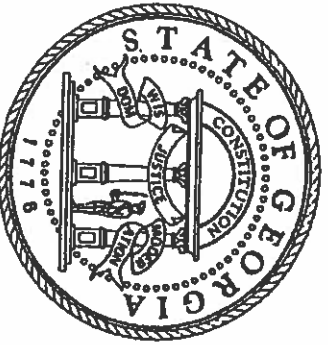
To: Downtown Development Authority of the City of Darien
a/k/a Darien Downtown Development Authority

FOR: Construction and maintenance of a handicap access ramp and floating dock facilities located on the Darien River, in the City of Darien. The dock structure will be a public recreational use facility with temporary mooring. Applicant is to add a 5' x 47'6" wooden ADA access ramp and a 6' x 126' concrete floating dock connected to the existing dock and deck. In addition the applicant proposes a minor modification of the existing dock, adding 12 linear feet of walkway to accommodate a ramp to the new floating dock. The Darien River at the project site is approximately 335' from MLW to MLW. The proposed floating dock will extend approximately 46' into the Darien River at a location that varies from 15' to 25' in depth.

Date: October 6, 2003

Permit Number: 458

Authorized By:

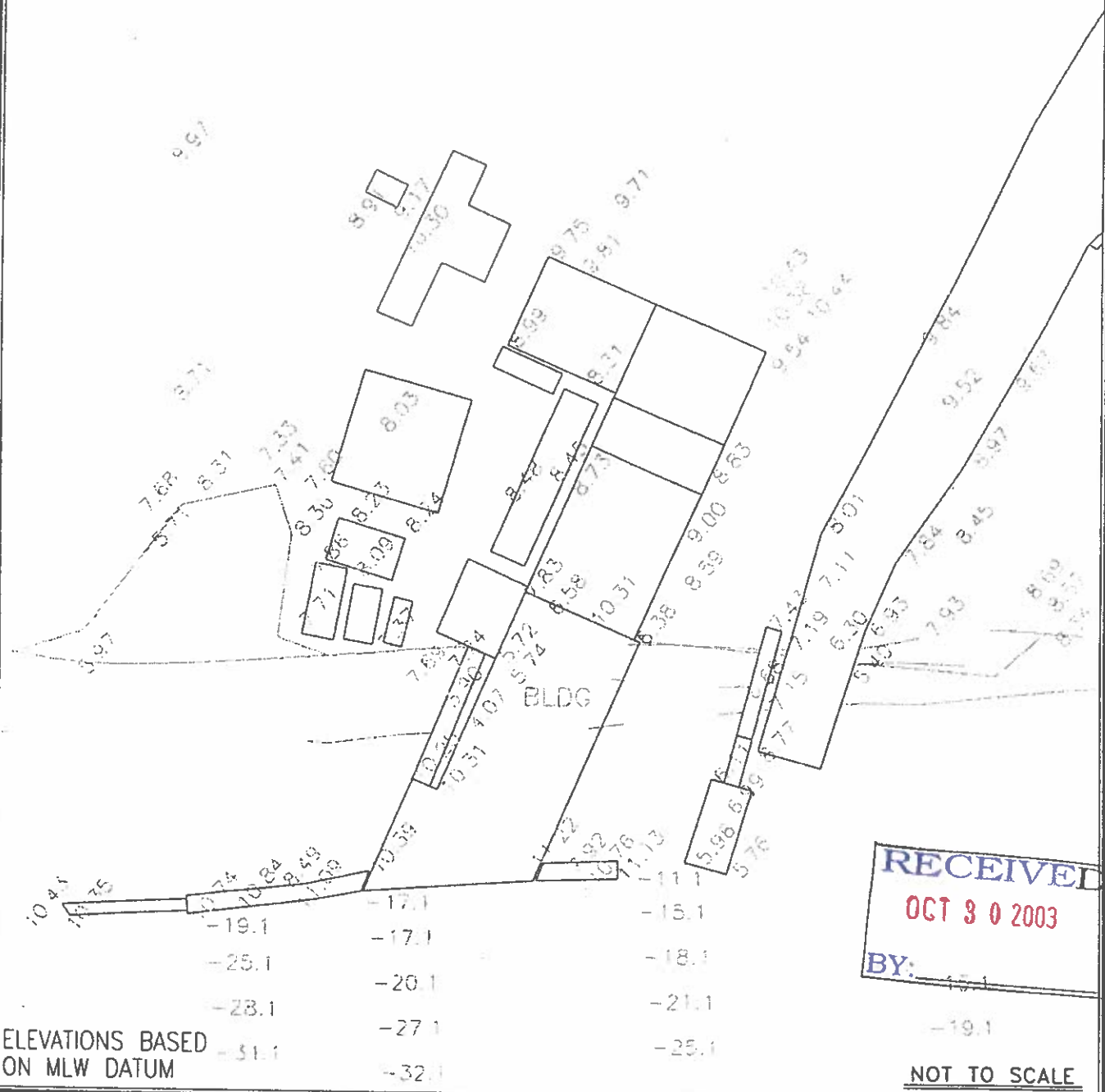


For further information, please contact the DNR Coastal Resources Division at (912) 264-7218



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APPROVED JUL 17 2003
David M. Miller
Admin
W. Dennis



RECEIVED
OCT 30 2003
BY: _____

ELEVATIONS BASED ON MLW DATUM

NOT TO SCALE

HUSSEY, GAY, BELL & DEYOUNG INC.
CONSULTING ENGINEERS
POST OFFICE BOX 14247
SAVANNAH, GEORGIA 31416-1247
329 COMMERCIAL DRIVE
OFFICE (912) 354-4828
TELEFAX (912) 354-6754



SETTLER'S BLUFF
WATER FRONT DEVELOPMENT
FOR THE CITY OF DARIEN
EXISTING SITE PLAN

DATE 07/07/03
DRAWN BY: KRW
CHECKED BY: MDZ
APPROVED BY: RTH

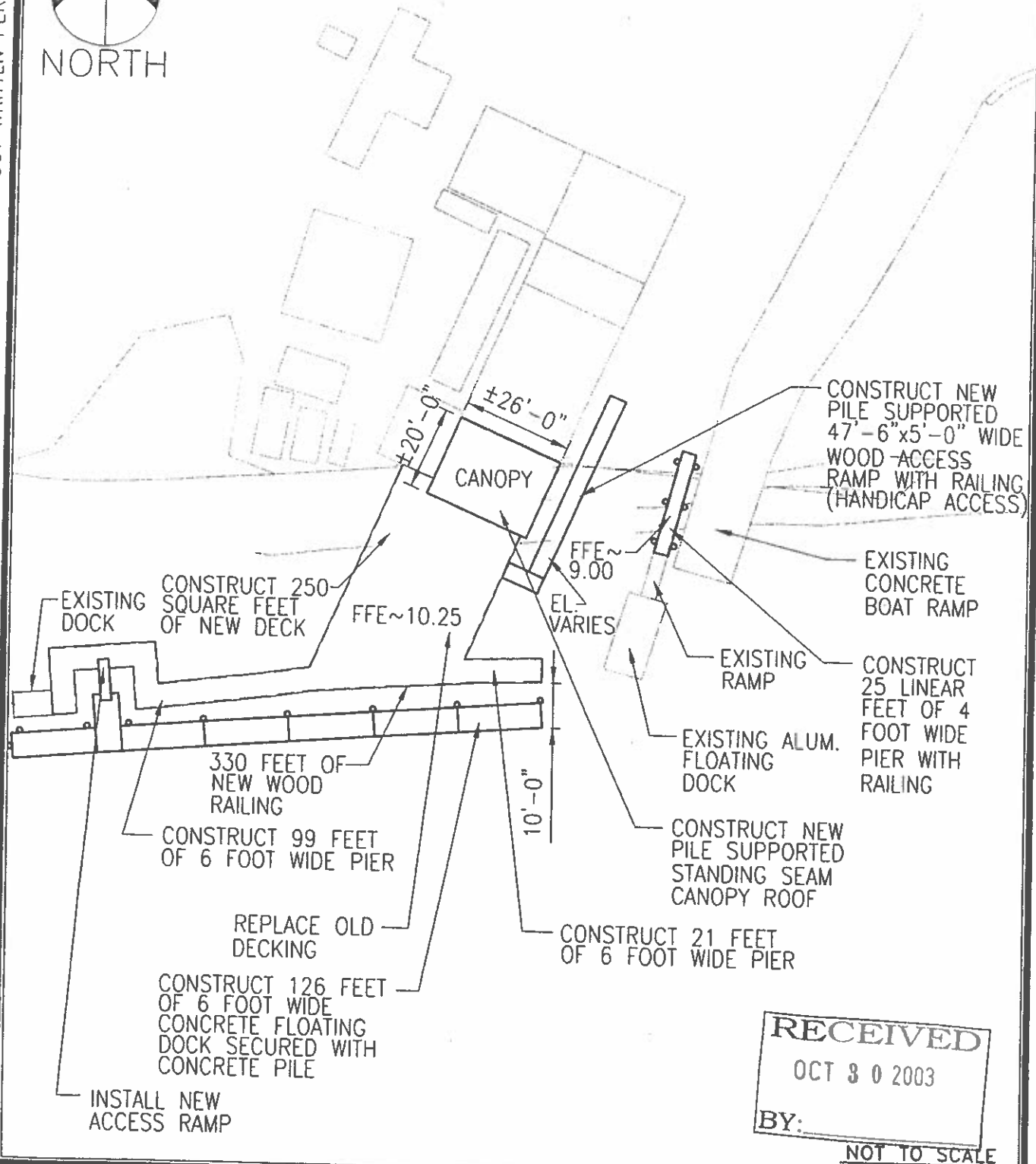
SHEET NUMBER
2
2 OF 8 SHEETS

APPROVED JUL 17 2003

*April M. Kelly
Project Manager
City of Darien*



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 OCT 30 2003
 BY: _____
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HUSSEY, GAY, BELL & DEYOUNG INC.
 CONSULTING ENGINEERS

POST OFFICE BOX 14217
 SAVANNAH, GEORGIA
 31416-1217

329 COMMERCIAL DRIVE
 OFFICE (912) 354-4626
 TELEFAX (912) 354-6754

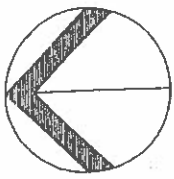


SETTLER'S BLUFF
 WATER FRONT DEVELOPMENT
 FOR THE CITY OF DARIEN

PROPOSED NEW CONSTRUCTION

DATE: 07/07/03
 DRAWN BY: KRW
 CHECKED BY: MDZ
 APPROVED BY: RTH

SHEET NUMBER
 4
 4 OF 8 SHEETS



NORTH

APPROVED JUL 17 2003

Douglas Mally
Franklin M. Jones
Aug 03

HANDICAP ACCESS RAMP

MARSH

APPROXIMATE SHORELINE

BOAT RAMP

CANOPY BLDG

NEW DECKING W/RAILING

15'-0" MARSH

APPROXIMATE SHORELINE

EXIST. DOCK

NEW FLOATING DOCK

-11.1
-15.1
-18.1
-21.1
-25.1

-17.1
-17.1
-20.1
-27.1
-32.1

-15.1
-19.1

Flood Ebb

NOTE 1: DATA TAKEN FROM USGS QUAD MAP "DARIEN"
NOTE 2: AREA OF MARSH GRASS COVERED PREMODIFICATION = 537 SQ. FT.
NOTE 3: AREA OF MARSH GRASS COVERED POST MODIFICATION = 627 SQ. FT.

RECEIVED
OCT 30 2003
BY:



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CONSULTING ENGINEERS
POST OFFICE BOX 14247
SAVANNAH, GEORGIA
31416-1247
329 COMMERCIAL DRIVE
OFFICE (912) 354-4826
TELEFAX (912) 354-6754



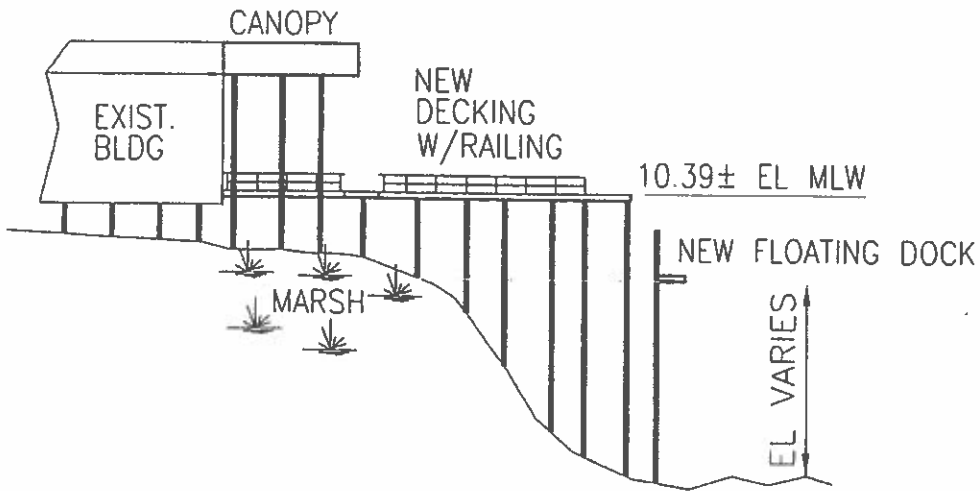
SETTLER'S BLUFF
WATER FRONT DEVELOPMENT
FOR THE CITY OF DARIEN
PROPOSED NEW CONSTRUCTION

DATE 07/07/03
DRAWN BY KRW
CHECKED BY MDZ
APPROVED BY RTH

SHEET NUMBER
6
6 OF 8 SHEETS

APPROVED JUL 17 2003

Daniel S. Marking
John S. Adams
City of Darien



SECTION



NTS

RECEIVED
 OCT 30 2003
 BY: _____

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CONSULTING ENGINEERS

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31416-1247

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OFFICE (912) 354-4626
TELEFAX (912) 354-6754



SETTLER'S BLUFF
WATER FRONT DEVELOPMENT
FOR THE CITY OF DARIEN

PROPOSED NEW CONSTRUCTION

DATE 07/07/03
 DRAWN BY: KRW
 CHECKED BY: MDZ
 APPROVED BY: RTH

SHEET NUMBER

8

7 OF 8 SHEETS