

## CESAS Form 19 Support Documentation

### **Georgia Ports Authority Colonel's Island Terminal Berth 1 Floating Dock Glynn County, Georgia**

The following information is submitted as support documentation in association with the attached application requesting authorization to impact waters of the U.S. pursuant to Section 10 of the Rivers and Harbors Act of 1899 and the Coastal Marshlands Protection Act of 1970 pursuant to the Official Code of Georgia Annotated, Part 12-5-286 (OCGA).

#### **1.0 Introduction**

The Georgia Ports Authority (GPA) is proposing to install a floating dock on the upstream side of Berth 1 at Colonel's Island Terminal (CIT). The new float will be used by the Brunswick Bar Pilots for pilot vessel mooring and staging. The project area is located in the South Brunswick River just upstream of the confluence with the Turtle River in southern Glynn County. Landside access to the site is via Joe Frank Harris Drive from U.S. Highway 17, approximately 2.5 miles east of Interstate-95. The center coordinates of the project area are approximately 31.13543° N, 81.54023° W.

#### **2.0 Project Need & Purpose**

In Brunswick, the CIT is GPA's base of operations for import and export of automobile cargo. The facility consists of three berths (with a fourth berth under construction) and has a total area of over 1,700 acres. The Brunswick Bar Pilots are responsible for getting ocean going cargo vessels to and from CIT and other port facilities. They operate pilot boats which carry the pilots to and from the cargo vessel where they board and captain the vessel to and from the berths. Their two pilot boats consist of 50-foot diesel-powered jet boats. The boats primarily operate from the Mayor's Point Terminal located on the East River, but the proposed floating dock at CIT will provide the pilots with another mooring location that allows them to stage their vessels at the facility for more efficient day-to-day operations.

#### **3.0 Proposed Activities in Jurisdiction**

All activities proposed for the project are water dependent and necessary to improve the functionality of Bar Pilot operations at CIT. The proposed structure will consist of an L-shaped floating dock. Extending off the upstream (eastern) end of Berth 1 will be a 72' x 15' float with a perpendicular 15' x 12' finger on the eastern side extending channelward (1,260 square feet total). The float will be supported by six (18") concrete piles. Access to the float will be from the upstream end of Berth 1 via a ladder attached to the berth.

The proposed float will extend approximately 80 feet into the waterway from MLW and approximately 212 feet from MHW where the waterway is 1,075 feet and 1,260 feet wide, respectively. The float will extend no further channelward than the existing fender line of Berth 1.

#### **4.0 Avoidance and Minimization:**

In order to minimize the effects of the proposed project, all development activities will be performed using best management practices to further avoid and minimize impacts to upstream and downstream waters. In order to minimize the effects to protected species and habitats, use of impact hammer on the proposed 18" concrete piles will include a few low energy taps at the start of each pile driving to disperse nearby aquatic species so they are not harmed by noise levels. A cushion block will also be used on top of the piles to further reduce noise levels. It is estimated that all piles will be driven in a day. All work will be performed from the existing Berth 1 structure or waterborne barge. The applicant will ensure that no release of oils or other pollutants into the waterway occurs during construction.

#### **5.0 Threatened and Endangered Species**

The property was assessed for the potential occurrence of threatened and endangered species and habitats suitable to sustain these listed species for Glynn County, Georgia. All work will occur within the waterway which may support shortnose sturgeon, Atlantic sturgeon, west Indian manatee, and sea turtles during

certain times of the year. As mentioned above, low energy taps and a cushion block will be used for the concrete pile driving. The concrete piles will be 18," and it is widely accepted that driving piles under 20" produces much lower noise propagation into the waterway. Only six piles are required for the project, and it is expected that all will be installed in a single day. The applicant will follow USACE's Standard Manatee Conditions during construction, so the project should have no adverse effect on manatees. Any lighting installed on the floats will be low level and follow the standards outlined in the existing Colonel's Island Terminal Light Management Plan. Based on these avoidance and minimization measures, it was determined that the proposed project would have no adverse effect on any listed species.

## **6.0 Essential Fish Habitat**

The proposed waterside activities are located within coastal waters identified as Essential Fish Habitat (EFH). The proposed activities will occur over deep open water. No dredging, fill, or loss of aquatic habitat will occur. It was therefore determined that the proposed project would not adversely affect EFH.

## **7.0 Impaired Waters**

The South Brunswick River at the project site is listed on the 303(d) list of impaired waters (in 2024). The project will result in a minimal amount of floating dock structure, and no dredging or other activities which may affect water quality will occur.

## **8.0 Upland Component:**

It is the applicant's opinion there is no upland component for the project. Upland access to the float is already provided by the existing port landside infrastructure. No additional upland improvements are required to support the marshlands component of the project.

## **9.0 Supplemental Information**

This additional information is provided for compliance with Coastal Marshlands Protection Act of 1970 information requirements:

### **OCGA 12-5-286. Permits to fill, drain, etc., marshlands.**

*(b) Each application for such permit shall be, properly executed, filed with the department on forms as prescribed by the department, and shall include:*

*(1) The name and address of the applicant-*

Georgia Ports Authority  
Attn: Mr. Chris Novack, P.E.  
P.O. Box 2406  
Savannah, Georgia 31402

*(2) A plan or drawing showing the applicant's proposal and the manner or method by which such proposal shall be accomplished. Such plan shall identify the coastal marshlands affected-*

See attached drawings.

*(3) A plat of the area in which the proposed work will take place-*

See attached recorded plat which was provided for the original Berth 4 application as well as other CMPA actions at CIT.

*(4) A copy of the deed or other instrument under which the applicant claims title to the property or, if the applicant is not the owner, then a copy of the deed or other instrument under which the owner claims title together with written permission from the owner to carry out the project on his land. In lieu of a deed or other instrument referred to in this paragraph, the committee may accept some other reasonable evidence of ownership of the property in question*

*or other lawful authority to make use of the property; The committee will not adjudicate title disputes concerning the property which is the subject of the application; provided, however, the committee may decline to process an application when submitted documents show conflicting deeds-*

Attached is the general warranty deed to the property. The deed was recorded in Deed Book 10X, Page 166 of the office of the Clerk of Superior Court of Glynn County.

*(5) A list of all adjoining landowners together with such owners' addresses, provided that if the names or addresses of adjoining landowners cannot be determined, the applicant shall file in lieu thereof a sworn affidavit that a diligent search, including, without limitation, a search of the records of the county tax assessor's office, has been made but that the applicant was not able to ascertain the names or addresses, as the case may be, of adjoining landowners-*

State of Georgia  
Martin Luther King, Jr. Dr.  
SE 1454E  
Atlanta, GA 30334

Adolfo Correia  
P.O. Box 2154  
Brunswick, GA 31521

*(6) A letter from the local governing authority of the political subdivision in which the property is located, stating that the applicant's proposal does not violate any zoning law;*

The GPA was created in 1945 by an Act of the General Assembly and is codified in O.C.G.A. 52-2-1 through 52-2-39. As an instrumentality of the State of Georgia, the GPA is not bound by county ordinances, including zoning ordinances of Glynn County. As stated in O.C.G.A. § 1-3-8; 1958-59 Op. Att'y Gen. p. 5., even a general power granted to a county does not apply to the state or its instrumentalities in the absence of express language in the grant. Instead, the GPA is responsible for making all necessary rules and regulations for its own government as stated in O.C.G.A. 52-2-7. The local zoning issue was specifically addressed in a 1985 Opinion from the Georgia Attorney General, being No. U84-11, where the Attorney General stated that real estate of the GPA is not subject to local zoning ordinances of Glynn County.

The proposed dock upgrades conform to the existing land use at the terminal, but as illustrated by state law and the official Opinion from the Georgia Attorney General, no letter from the Glynn County Zoning & Planning Division is required.

*(7) A non-refundable application fee to be set by the board in an amount necessary to defray the administrative cost of issuing such permit. Renewal fees shall be equal to application fees, which shall not exceed \$1,000.00 for any one proposal and shall be paid to the department.*

The applicant will provide the appropriate application fee once the amount is set/requested by CRD.

*(8) A description from the applicant of alternative sites and why they are not feasible and a discussion of why the permit should be granted-*

See above project description

*(9) A statement from the applicant that he has made inquiry to the appropriate authorities that the proposed project is not over a landfill or hazardous waste site and that the site is otherwise suitable for the proposed project-*

A review of the Hazardous Site Index for Glynn County, Georgia indicates that the subject property does not contain hazardous waste sites or landfills.

***(10) A copy of the water quality certification issued by the department if required for the proposed project-***

The project will be authorized by a Letter of Permission from the US Army Corps of Engineers. Because the project does not require a Section 404 action, no 401 Water Quality Certification will be required.

***(11) Certification by the applicant of adherence to soil and erosion control responsibilities if required for the proposed project-***

N/A – the project consists of installation of a floating dock. No land disturbance is required.

***(12) Such additional information as is required by the committee to properly evaluate the application.***

The GPA was created in 1945 to implement a constitutional mandate to construct and maintain state docks (See Ga. Const. 1945, Art. VII, Sec. II, Para. I(6); Ga. Const. 1983, Art. VII, Sec. III, Para. I(a)). The GPA performs "an essential governmental function" for public purposes for the "benefit of the people of this state" (O.C.G.A. § 52-2-37). With that in mind, this application has been prepared with consideration for the interests of the general public of the State of Georgia as defined in O.C.G.A. § 12-5-286(g). The project is clearly in the public's best interest as it will promote the growth and continuance of Georgia's deepwater ports which is a significant economic engine in the state all while minimizing environmental effects to the greatest extent practicable. The project will result in increased jobs, tax revenue, and income for residents of the state.

**OCGA 12-5-286. Permits to fill, drain, etc., marshlands.**

***(g) In passing upon the application for permit, the committee shall consider the public interest, which, for purposes of this part, shall be deemed to be the following considerations:***

***(1) Whether or not unreasonably harmful obstruction to or alteration of the natural flow of navigational water within the affected area will arise as a result of the proposal-***

The proposed project will not alter natural flow of navigable waters nor will it obstruct public navigation. The proposed structures will extend off the upstream side of Berth 1 and will extend no further into the waterway than the existing berth. The project will extend approximately 80 feet in the waterway from MLW where the waterway is approximately 1,075 feet wide.

***(2) Whether or not unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water will be created-***

The proposed project will not increase erosion, shoaling of channels, or create stagnant areas of water.

***(3) Whether or not the granting of a permit and the completion of the applicant's proposal will unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, or wildlife, or other resources, including but not limited to water and oxygen supply-***

The proposed project will not interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, or wildlife, or other resources, nor affect water and oxygen supply.