

Turners Creek Yachts Corporation, dba Donnelly Yacht Center
Chatham County, Georgia
Updated August 3, 2023

The following information is submitted in association with the attached application requesting authorization from the Coastal Marshlands Protection Committee (CMPC) and the U.S. Army Corps of Engineers (USACE) to remove existing structures and place new structures in 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 Project Description

The proposed project is to change the use of an existing commercial marina facility to a recreational marina facility with boat trailer parking, boat maintenance yard, and continued operation of an existing large boat rail hoist. The proposed project is located adjacent to Turner Creek in Chatham County, Georgia. Access to the site is off Johnny Mercer Boulevard (135 Johnny Mercer Boulevard). The applicant has purchased the project site from the previous owner who has owned and operated a commercial facility at this location for decades. The fish and shrimp processing facility building on a portion of the existing fixed deck structure burned a few several ago, but the fixed docks, pilings, and processing facility platform are still in place. Some commercial boats continue to use the docks for berthing, loading and unloading, and utilize the upland parking area for loading supplies to the boats. In addition to the commercial boats utilizing the facility, there is an existing 90' x 120' boat basin and marine railway which was constructed approximately 40 years ago. The marine railway is used for the hauling of commercial fishing boats for cleaning hulls, maintenance, and repair activities. The applicant is proposing to change the use of the facility to include recreational floating docks, boat trailer parking and maintenance yard, and maintaining the marine railway boat lift for commercial vessels to use for repairs.

2.0 Project Background:

The previous owners, Sasser Family Enterprises, LP, owned and operated a commercial facility at the location of the proposed project for decades. The docking facilities and rail haul out system facility were utilized by commercial shrimpers and fisherman where commercial vessels would be loaded, offloaded, and docked. The rail hoist was constructed in the 1960's and utilized for hauling shrimp boats and fishing vessels for maintenance, repairs, and cleaning. The rail haul out system remains active and operational.

On September 30, 2009, the Coastal Marshlands Protection Act (CMPA) Committee issued a permit (CMPA Permit No. 619) to Sasser Family Enterprises, LP for the change in use from a commercial facility to a public recreational marina facility. CMPA Permit No. 619 allowed for the installation of 2,428 linear feet of recreational dock, large

covered pier, large (31' X 73') marina office and ship store, pavilion area, icemaker, and live bait tanks. The new floating docks were connected to the fixed pier facility with 4' X 50' aluminum gangway connected to a 10' X 10' floating dock. Two large floating docks extended off a 8' X 60' connector float with the inside floating dock being 8' X 640' and the outboard floating dock was 8' X 590'. The approved facilities totaled 10,645 square feet or 0.24 acres and extended 60 feet into the waterway where Turner Creek was measured at 300 feet wide (MLW to MLW). This permit also included the removal of the marine railway. Unfortunately, the permit was issued during the economic recession, and construction on the approved and permitted project was never initiated. The permit expired on September 25, 2014, and the conditions of the facility remain similar to the conditions of the site prior to issuance of CMPA Permit No. 619.

The applicant, Donnelly Yacht Center, is a well known company in the marine industry with over 50 years of experience working on and fitting recreational fishing boats and large yachts in the Savannah Georgia market. The Donnelly Yachts team is the standard for perfection in the marine industry, and they have developed a longstanding and loyal customer base for the work they complete on boats and yachts. Their expertise includes extensive working knowledge of most high-end boat and yacht models and equipment, and they perform complete vessel retrofits, install state of the art electronic equipment, thruster installation on recreational fishing boats and large yachts, power generator installation, refrigeration systems, engine cooling systems, and more. Much of their work on recreational fishing boats and large yachts requires that the vessels be pulled from the water and into a boat yard for extensive repairs or retro-fitting, and due to recent closures of existing boat yards and new ownership of others, the applicant is in need of a new facility to continue their business operations as outlined above. This proposed project will serve their need and proposes to include recreational dock facilities for day use boaters and long term slip leases, a boat yard on the adjacent upland for boat maintenance work, and an operational rail hoist for shrimp boats and other large vessels to utilize for repairs. The project site fits the needs of the applicant for the recreational boat and yacht services they complete, and provides a public use component for recreational boaters and the shrimp boat community.

3.0 Site Conditions: Existing Structures and Square Footages.

The existing conditions of the site includes 3,100 square feet of concrete and steel fixed platforms associated with the previous commercial facility. There is an existing 6' X 355' fixed dock facility extending to the north from the fixed deck paralleling the shoreline which is attached to a 9' X 75' fixed dock in front of the existing concrete platform. The site also includes a 90' x 120' boat basin with inclined rail for hauling boats which was constructed in the 1960's. A concrete and rip-rap bulkhead fronts the water and marsh of the property. The total square footage of existing structures within jurisdiction totals approximately 6,000 square feet.

The upland portion of the property contains grassed and paved parking area, office building, paved access to the dock facility, scattered concrete and timber pilings, and is approximately 65% pervious. The motor and storage shed to support the rail hoist are still existing, as well as the concrete lined rail hoist and basin. In addition, there is one

sunken shrimp boat on the inside of the existing dock facility that is to be removed as part of the proposed project. A 16' X 16' concrete floating dock (historically served as floating access to the rail hoist and included in the above square footage calculations) is located slightly to the north of the existing fixed dock and is proposed to be removed as part of the proposed project. Some of the rail boat basin has re-vegetated with marsh grasses, but the rail hoist is currently serviceable.

4.0 Proposed Activities in Jurisdiction:

The applicant proposes to change the use of the existing commercial facility to a recreational marina facility and boat yard repair center. The proposed dock modifications include the removal of the existing 2,900 square feet of existing fixed docks and 3,100 square feet of fixed steel and concrete pier heads (Total existing structures in jurisdiction to be removed is 6,000 square feet.). The applicant proposes a covered 40' X 70' covered pierhead on the footprint of the existing concrete pierhead. A 4-foot wide by 80-foot long gangway will extend off the northern corner of the proposed covered pierhead and will connect to a 260 foot long by 10-foot wide floating dock extending upstream. Seaward of the cover pierhead, a 4-foot wide by 45-foot long ADA accessible gangway will lead seaward from the covered pierhead to a 12 foot wide by 50-foot long landing dock, and a 10-foot wide by 370 long floating dock will extend upstream and to the north from the landing dock and parallel to the landward 260 foot long dock. The floating docks will extend upstream and parallel to the MLW line and are proposed to be parallel to each other 75 feet apart for safe vessel navigation during approach and departing the docks.

In an effort to preserve and protect the existing rail hoist slip and eroding northern bank, the applicant is proposing 300 linear feet of sheet pile bulkhead on the northern bank of the rail hoist slip. This will include 74 cubic yards of backfill in jurisdictional area (162 square feet).

The proposed floating docks will offer approximately 1260 linear feet of docking space (approximately 42 recreational vessels). The total new structures associated with the proposed facility (floating docks, covered pierhead) is 9,762 square feet. Total impacts to jurisdiction for the proposed project is 0.08 acres (6,000 square feet to be removed and 9,762 square feet of new structures = 3,762 square feet of structures in jurisdiction) and should be considered a minor alteration under the Coastal Marshlands Protection Act. The docks will extend approximately 123' into the waterway where Turner Creek is approximately 361' wide from mean low water to mean low water (approximately one-third of the waterway). Water, electricity and sewage pump-out will service the docks.

The existing rail haul out system is partially located in jurisdictional coastal marshlands. The applicant proposes to keep the existing and serviceable rail hoist operational as part of the dock facility to allow shrimp boats, government work boats, barges, and tug boats to be pulled from the water for maintenance work.

It is the Applicant's understanding that the proposed project will require a Water Bottoms Lease for the additional dock facilities.

5.0 Upland Component:

The upland component of the proposed project will include the existing grassed area on the northern portion of the site (approximately 23,000 square feet) that will serve as the proposed boat trailer parking area and boat yard. The grassed yard is proposed to be graveled to allow trailer access. This area will remain pervious. There is an existing office building on the northeast side of the project area that will remain with asphalt driveway. The existing asphalt approach to the proposed covered pierhead will remain and serve as the pedestrian access to the pierhead and docks. South of the existing asphalt access area is a grassed area that will be graveled and serve as parking for the recreational boat use. The existing rail hoist and lift power shed will remain on the extreme southern portion of the site. There are no other improvements to the upland component proposed, and the entire perimeter of the uplands on the site are armored with existing bank stabilization features including rip/rap, concrete beams, and concrete retaining walls.

6.0 Storm Water Management:

The development activities associated with the upland component are not expected to have an adverse effect on jurisdictional area. No untreated stormwater from the upland component will be directly discharged to the marsh and the project would be compliant with the Georgia Stormwater Management Manual. The proposed project includes approximately 1.25-acres of uplands that will be upgraded to a pervious boat/trailer parking area. The project will offer various marine services to boat owners such as painting, overhauls, and other complete maintenance services. The stormwater management system will consist of collecting surface sheet flow in a centrally located catch basin that will be outfitted with filters that provide water treatment and spill contamination. The facility will require a stormwater pollution prevention plan and a spill prevention countermeasure and control plan to be approved by the Georgia Environmental Protection Division. Through a series of structural and non-structural best management practices, the project will be able to operate in a safe and environmentally sensitive manner. All stormwater generated on the site will be directed into the catch basin/treatment facility with no direct discharge into the adjacent marsh. In addition, during construction, proper BMP's such as silt fencing, grassed slopes, etc. will be utilized to prevent erosion and sedimentation.

7.0 Project Purpose and Need:

Donnelly Yacht Center has a history and mission of providing expert craftsmanship on small and large boats in the Savannah, Georgia market. With a 50-year family history of yacht service and a 22-year history of yacht sales, the proposed plan includes rehabilitation of the Sasser Family Enterprises commercial facility into a modern boat yard and marina with transient docks and facilities to support the recreational boating community. The applicant proposes to continue to offer their long standing services of recreational boat and yacht repairs, and expand their services to include haul-out capabilities for repairs, maintenance, and upfitting.

Need for additional recreational dock space:

Urban Realty Solutions conducted a market assessment and needs analysis for recreational dock space. Coastal Georgia region is a leisure-oriented environment attractive to tourists and residents due to the long boating season and many waterborne recreational opportunities. Since 2013 for instance, participation in recreational angling has increased. Boat registrations representing active boats in the area have increased steadily since 2011 to over 292,600 boat registrations in 2017. The analysis used data from 8 existing marinas in the Savannah area to determine the existing supply of wet slips and dry slips. The eight comparable facilities consist of public marinas with deep water access to the ICW and Atlantic Ocean, similar to the access afforded by the proposed project. These marinas offered a total of 404 wet slips and 754 dry slips. Of the available slips, a total of 381 wet slips were occupied annually (94%) and 692 dry slips were occupied (92%). This varies throughout the year, but seasonal occupancy was found to typically be 100%, and several marinas reported a waiting list for permanent slips. The three comparable marinas on Wilmington Island located just downstream of the proposed project indicate strong occupancy levels and rental rates. Of the 108 available wet slips in these three facilities, only 8 slips were available.

In order for a marina to function properly, vacancy should be approximately 10%. In other words, the ideal occupancy rate should be 90%. This allows for slip turnover, transient vessels needing a short term slip, and for vessels to transition into and out of the market. Within the Savannah market, however, wet slip occupancy is at an annual average of 94% meaning that demand exceeds wet slip supply by at least 4%. Based on the marinas surveyed for the market analysis, the total demand for wet slips in 2017 was estimated at 432. Considering the required 10% vacancy needed for proper marina operations, this equates to a total demand of 475. This is based on the required number of slips based on population. The current supply of wet slips is 404 representing an unmet demand for 71 new slips. This effect is further exacerbated by the growing trends in recreational boating in coastal Georgia. Future demand for marina facilities in the area is projected to increase to 525 by the Year 2027 as coastal populations increase. This coupled with the restricted supply and high occupancy rates of existing marinas, especially during the boating season, support the need for a new marina facility.

The proposed project is a redevelopment of an existing commercial facility into a recreational facility. The site has existing road access, utilities, and direct access to deep water and was a former commercial dock facility with existing infrastructure to support the proposed use. This site has existing docks, pierhead, shrimp boat rail haul out facilities, office building, and grassed/dirt open space that can be used for the proposed boat trailer yard. The proposed site is the best location for the proposed recreational facility and boat yard, and meets the needs of the site criteria and is proposed as the least environmentally damaging and most practicable alternative for the proposed project.

On-Site Avoidance and Minimization:

The applicant initially considered the installation of a large yacht travel lift for the site which would have required additional infrastructure within the waterway to include concrete pile supported travel lift runways, cat walks, additional staging docks, large wooden bulkhead with backfill, sheetpile boat basin with dredging within the boat basin for large vessel haul out. This proposed project was actually designed and reviewed with the regulatory agencies for consideration. While the proposed impacts for this larger facility were justified, the applicant has since reconsidered the proposed operation and decided to keep the recreational docks and basic boat maintenance operations and trailer parking on the upland. There is no proposed yacht haul out capabilities within the waterway. The recreational dock facilities remain consistent with the original proposal, although reduced to fit within the minor alteration definition of the CMPA.

8.0 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 Chatham County, Georgia. The habitats found on site consist of open water, vegetated marsh, maintained grassed area, asphalt driveway and an existing office building. The upland habitat is not suitable to support any protected species. Turner Creek could potentially support shortnose sturgeon, Atlantic sturgeon, west Indian manatee, and sea turtles. The project consists of dock construction and requires the installation of a relatively small number of small-diameter wood and concrete piles. The project will be phased over time resulting in two shorter construction periods instead of one longer, more significant construction period. The short construction periods will reduce the overall noise levels and disturbance to aquatic habitat. The small pile size, the small number of piles, and the phasing of the project (short construction periods) combined with the large size of the river indicate that the project would have no effect on either sturgeon species. Also, the pile driving and dock improvements will have no effect on sea turtles. To avoid adverse effects on the west Indian manatee, the U.S. Army Corps of Engineers (USACE) standard manatee conditions will be employed during construction and operations of the marina. All construction activities in the Turner Creek would be conducted in accordance with the Standard Manatee Conditions provided by Savannah District USACE. With the implementation of the Manatee Conditions, it is unlikely that the proposed project would affect this species.

9.0 Essential Fish Habitat

The proposed waterside activities are located within Turner Creek which has been identified as Essential Fish Habitat (EFH). The proposed project, however, only requires construction of a dock on a previous marina site. The proposed covered pierhead will utilize the footprint of the existing fixed deck structure. There are no new structures proposed over vegetated marsh. The remainder of the structures will be over open water. It is widely accepted that structures or shading over deep water is not known to have an adverse affect on the benthic community. Also, the proposed project will clean up existing debris and fixed structures in the waterway and coastal marshlands. The removal of a sunken shrimp boat and other derelict structures is proposed and should be

considered improvement to the marsh habitat in the area. It was therefore concluded that the proposed project would not adversely affect EFH.

10.0 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-

Turners Creek Yachts Corporation, dba Donnelly Yacht Center
Attn: Mr. Christopher Donnelly
208 Battery Circle
Savannah, GA 31410

(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 produced by Ball Maritime Group, LLC titled Donnelly Yacht Center dated June 14, 2022.

(3) A plat of the area in which the proposed work will take place- Plat and deed are submitted attached to this Application.

(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- See attached deed submitted with this application.

(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-

Georgia Department of Transportation
One Georgia Center
600 West Peachtree Street
Atlanta, Georgia 30308

Turners Creek Holdings, LLC
208 Battery Circle
Savannah, GA 31410

(6) A letter from the local governing authority of the political subdivision in which the property is located, stating that the applicant's proposal is not violate of any zoning law; Please see attached letter from Mr. Gregori Anderson dated July 29, 2021.

(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 application fee to the GADNR upon review of the application and notification of required fee.

(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- Please refer to supporting documentation 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 Chatham 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- Water Quality Certification for the proposed project, in accordance with Section 401 of the Clean Water Act, will be reviewed in conjunction with the U.S. Army Corps of Engineers Individual Permit process. A copy of this application will be forwarded to the Georgia Department of Natural Resources, Environmental Protection Division, for review.

(11) Certification by the applicant of adherence to soil and erosion control responsibilities if required for the proposed project- The project will conform to all required land disturbing and stormwater management permits as required by Chatham County.

(12) *Such additional information as is required by the committee to properly evaluate the application-* This application has been prepared with consideration for the interests of the general public of the State of Georgia as defined in OCGA 12-5-286(g).

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 obstruct public navigation. The application proposes a change in use of an existing dock facility from a commercial facility to a recreational facility. There should be no change in natural flow within the adjacent waterway.

(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.

Coastal Marina, Community or Commercial Dock Checklist

(fill in the blanks as indicated or answer yes or no)

LOCATION:

County Chatham Landmarks Wilmington Island – Sasser Marina
Municipality N/A Waterway Turners Creek

FACILITY:

Facility Type Private Public Commercial Other
Dock Space Leased Sold Rented Other

Size of Upland Area (sq. ft.) Approximately 1.5 Acres Size of Submerged Area (sq. ft) _____

WATERWAY INFORMATION:

open water river creek basin

Tidal Range (ft MLW) +/- 7 feet Water Depth (ft. MLW) +/- 3.5 to 10 feet
Channel Width (ft. MLW) +/- 361 feet Depth of Dredging (ft. MLW) to -10 Feet

Distance facility will extend into the waterway beyond MLW 130 feet

EXISTING OR PLANNED SERVICES IN JURISDICTION:

<input type="checkbox"/> boat ramp	<input type="checkbox"/> hoist	<input type="checkbox"/> mobile lift	<input type="checkbox"/> vessel TV hookup
<input checked="" type="checkbox"/> railway	<input type="checkbox"/> fuel	<input type="checkbox"/> propeller repair	<input type="checkbox"/> electrical repair
<input type="checkbox"/> pump-out vessels	<input type="checkbox"/> hull repair	<input type="checkbox"/> engine repair	<input checked="" type="checkbox"/> vessel electric hookup
<input type="checkbox"/> boat building	<input type="checkbox"/> ship's store	<input type="checkbox"/> dockmaster's office	<input checked="" type="checkbox"/> fire protection
<input type="checkbox"/> restrooms	<input type="checkbox"/> showers	<input type="checkbox"/> restaurant	<input type="checkbox"/> laundromat
<input type="checkbox"/> hotel	<input type="checkbox"/> Other		

DREDGING/FILLING/SHORELINE STABILIZATION:

N Will dredging be required for the access channel?
 N Will dredging be required for boat basin?
 Y Is filling proposed in tidal wetlands?
 N Is filling proposed in open water?
 N Will dredge disposal sites be required?
 N Have future dredge disposal sites been identified?
 N Have future dredge spoil sites been set aside with deeds or easements?
 N Is shoreline stabilization proposed? If so, what type? **Existing**
 N Is the project in or near a US Army Corps of Engineers maintained channel or basin with an authorization depth of 12 feet or greater? (if so, contact the Corps of Engineers)

HABITAT/WILDLIFE/CULTURAL RESOURCES: (contact GADNR Wildlife Resources Division, US Fish & Wildlife Service, National Marine Fisheries Service, GADNR Coastal Resources Division Marine Fisheries, OR GADNR Historic Resources Division)

No Is this site located near a wildlife refuge, wilderness area, special management area, or other area specifically located for the protection of fish and wildlife?
If yes, what is the distance? _____

YES Is this project in an area identified as “**essential fish habitat**”? (contact GADNR CRD Marine Fisheries). The project is located within tidal waters which have been identified as essential fish habitat. The applicant has provided a statement of no effect on EFH.

YES Are rare, threatened, endangered or otherwise designated unique or outstanding aquatic or terrestrial species or their habitats known to be present at or near the project site? The project is located within Section 10 tidal waters which may support the West Indian manatee. Construction will abide by standard manatee conditions, and the project is not expected to affect the other species.

NO Do oyster or clam beds occur in or near the project site or access channels?
If yes, what is the distance? _____ If yes, what is the acreage? _____

NO Is the project site near active crabbing areas? (contact GADNR CRD Marine Fisheries)

NO Is the project site in designated bait zones? (contact GADNR CRD Marine Fisheries)

NO Is the project site in or near an area of historic, archeological, or scenic value?

If yes, explain _____



**CHATHAM COUNTY DEPARTMENT OF BUILDING
SAFETY & REGULATORY SERVICES**

1117 Eisenhower, Savannah, GA 31406
PO Box 8161, Savannah, GA 31412-8161
912-201-4300 – Fax 912-201-4301



Gregori S. Anderson, CBO
Director

Clifford Bascombe, CBO, CFM
Assistant Director

July 29, 2021

Mr. Stuart F. Sligh
Sligh Environmental Consultants, Inc.
31 Park of Commerce Way
Suite 200B
Savannah, GA 31405

Email: s_sligh@slighec.com

RE: Donnelly Yacht Center
119 Johnny Mercer Boulevard

Dear Mr. Sligh:

The above referenced property is located within the C-M/EO, Marsh-Conservation zoning district with an Environmental Overlay. The proposed redevelopment activity does not represent a violation to the Chatham County Zoning Ordinance or development standards.

If there are any questions, contact this office at (912) 201-4320.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregori S. Anderson".

Gregori S. Anderson, CBO
Interim Zoning Administrator

GSA/jb

Attachment