

sligh environmental consultants, inc

May 20, 2024

Mr. Josh Noble
Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way, Suite 300
Brunswick, Georgia 31520-8687

**Subject: Coastal Marshlands Protection Act Permit Application
East River Street, LLC
Chatham County, Georgia
CMPA Permit #696**

SECI #01-13-027.2

Dear Mr. Noble:

Sligh Environmental Consultants, Inc. (SECI) is pleased to submit the attached application for a Coastal Marshlands Protection Act Permit for the above referenced project located at the eastern terminus of River Street, on the Savannah River, Savannah, Chatham County, Georgia. The project was previously approved under CMPA Permit #696 which was extended in 2019. Due to unforeseen circumstances, construction has been delayed but is set to start late 2024 or early 2025. Because the permit expires in December 2024, the applicant is requesting re-authorization under a new permit.

The project includes construction of a 360-foot long floating dock facility to provide water access and mooring space for boaters using the proposed hotel/commercial development located on the four acre adjacent upland site. The dock facility is proposed to be constructed in two phases, with Phase II being constructed as the project continues to expand pursuant to its approved development plan. The amount of all structures over jurisdictional waters for both phases totals 5,039 ft². No fill, dredging, or bank stabilization is required for the project. The permit application includes:

- Joint Application Form
- Revocable License Request Form
- Coastal Zone Management Consistency Form
- Community Dock & Marina Checklist
- CESAS Form 19 – Supporting Documentation
- Project Area Maps
- General Development Plan
- Permit Exhibits
- Property Deed

Following your review of this information, please contact us at (912) 232-0451 should you have any questions or require any additional information.

Sincerely,



Brandon W. Wall
Senior Project Manager
Sligh Environmental Consultants, Inc.

Enclosures

cc: Mr. Whip Triplett – Applicant

CESAS Form 19 Support Documentation

East River Street, LLC Chatham 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 Project Description

1.1 Site Conditions

East River Street, LLC (applicant), is proposing to install floating docks in front of the River Street East property located in downtown Savannah, Georgia. The project site is located near the eastern terminus of River Street, north of General McIntosh Blvd, just west of the Marriott Hotel, adjacent to the Savannah River. The site is located entirely within the Lower Savannah River Watershed (HUC 03060109), and the coordinates of the site are 32° 4.779' N, 81° 4.964' W.

The habitats within the footprint of the proposed waterside activities consist of open water. No vegetated salt marsh is located within or adjacent to the project area. Adjacent land uses consist of upstream and downstream commercial and industrial facilities with heavy bank armoring.

1.2 Proposed Site Development Plans

The applicant is working to re-develop and revitalize the SEPCO headquarters property located at the eastern terminus of River Street. Once completed, the project will include two new hotels on the approximately four acre site along with a parking garage, approximately 42,000 square feet of commercial space, and an urban park.

1.3 Proposed Activities in Jurisdiction

For public boat access to the development via the Savannah River, the applicant is proposing to construct a floating dock along the existing riverwalk. In order to minimize the amount of floating dock in the waterway, and to ensure that the amount of dock space does not exceed the demand, the applicant has proposed to phase the construction of the dock as outlined below:

Phase I:

A public access corridor located in the center of the site from River Street will lead to a 5' x 12' pile supported gangway access platform extending off the existing riverwalk. To the west (upstream) of the platform will be a 6' x 80' ADA-compliant aluminum gangway leading to 10' x 8' access float with 8' x 8' triangular extension attached to the landward side of the concrete floating dock. During Phase I, the applicant will construct only a 200' portion of the 11'4.5" wide float to the west of the gangway access platform. Once the demand for additional float space is demonstrated, the applicant will proceed with Phase II as outlined below. The area of all structures proposed within jurisdiction for Phase I totals 2,927 ft².

Phase II:

Phase II of the project will be constructed when the need arises for additional mooring space. A 30' x 6' ADA-compliant aluminum gangway will extend from the eastern (downstream) end of the gangway access platform off of the existing riverwalk. The gangway will attach to a 10' x 8' access float with a 8' x 8' triangular extension attached to the landward side of the concrete floating dock addition. The floating dock addition will total 160 feet long. The area of all structures proposed within jurisdiction for Phase II totals 2,112 ft².

The floats will be attached to 18-inch square concrete piles for stability and will contain appropriate mooring hardware on the channelward face. For safety reasons and because the floats are being located as close as possible to the riverwalk platform for navigation purposes, no mooring will be allowed on the inside of the dock (between the float and the riverwalk). With both phases of the project, all structures over jurisdictional waters total 5,039 ft². The amount of float space for both phases totals 4,095 ft². The 360 linear feet of floats provides enough docking space for only 10 – 12 boats assuming an average vessel length of 25 feet which is considered very conservative to accommodate the more than 450 room hotel development and commercial/restaurant areas. The below table outlines all activities proposed for the project:

| Phase I | Impact (sq feet) | Impact (acres) |
|------------------------|-------------------------|-----------------------|
| Access Platform | 60 | 0.0014 |
| Gangway | 480 | 0.0110 |
| Access Float | 80 | 0.0018 |
| Access Extension Float | 32 | 0.0007 |
| Float | 2,275 | 0.0522 |
| Phase II | | |
| Gangway | 180 | 0.0041 |
| Access Float | 80 | 0.0018 |
| Access Extension Float | 32 | 0.0007 |
| Float | 1,820 | 0.0418 |
| Total | 5,039 | 0.1157 |

Overnight tie ups will be allowed for boat owners who wish to stay at the hotels on-site, but no jet skis or live-aboards will be allowed. The floating dock will provide water and electricity for boat owners, but no fuel or pump-out facilities will be provided. No dredging is required for the project, and the proposed structures will be positioned no closer than 130 feet from the federally maintained navigational channel line. The proposed structures will extend approximately 20 feet into the waterway where the waterway is approximately 830 feet wide. All work will be conducted by waterborne crane and barge or from upland.

2.0 Project Justification

The purpose of the proposed project is to provide water access for the East River Street, LLC project and for general water access to the Riverfront Plaza. Currently, there is no mooring space for guests who wish to use the hotel or commercial facilities. The project is required to provide needed water access and mooring space. All structures are water dependent in nature. No bank stabilization or fill material is required for the project.

3.0 Alternatives Analysis

3.1 Potential Alternative Designs:

The project is water dependent, and as such, there are no alternative sites with less jurisdictional impact that would satisfy the project purpose. The proposed project will extend the existing River Street Riverfront Plaza to the east and will provide a great public benefit by providing additional commercial, dining, lodging, and water access opportunities all while contributing to the already significant social and economic benefits that the riverfront area has on the City of Savannah, Chatham County, and the State of Georgia. Landside access to and from the proposed water dependent activities will come via a centralized public access corridor off of River Street. The public access is located in the middle of the development and will lead to a single fixed 5'x12' access platform. The applicant minimized the amount of structures within jurisdiction by only including this single access point instead of multiple access points. The width of the floats was kept to a minimum, but they must be wide enough to withstand the strong currents and daily forces exerted by container ship traffic in the Savannah Harbor. The gangway widths were minimized as much as possible but must be wide enough to meet ADA standards. During site development planning, one potential alternative evaluated included constructing multiple floating docks along the existing riverwalk in a marina-like configuration. Although this configuration would provide additional

mooring space, it would have impacted additional jurisdictional area and also potentially posed a threat to navigation. A second alternative included constructing a floating dock along the entire +/- 600 feet of river frontage that is owned by the applicant. This alternative also provided additional mooring space, but the applicant decided to reduce the dock footprint to 360 feet in efforts to minimize structures in the waterway.

3.2 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. Also, the applicant will construct the proposed dock facility in two phases. The first phase will consist of only 200 feet of floating dock. When the need arises for additional mooring space, the applicant will construct Phase II of the dock. This measure will ensure that no excessive structures are placed in jurisdiction, and that all proposed activities are warranted.

4.0 Threatened and Endangered Species

SECI completed a threatened and endangered species survey within the project area where plant communities and habitats were observed and noted to determine if they match the habitat types where the listed species have potential to occur. The Savannah River is known to support the shortnose sturgeon, Atlantic sturgeon, and west Indian manatee. The applicant will comply with the USACE Savannah District standard manatee conditions. Also, given the minimal nature of the proposed project (constructing a floating dock immediately adjacent to the existing riverwalk) it is not anticipated that the project would affect the sturgeon species. No dredging, fill, or excavation is required. Due to the minimal nature of the proposed waterside activities, it was concluded that the proposed project should have no effect on any listed threatened or endangered species.

5.0 Essential Fish Habitat

The proposed waterside activities are located along the banks of the Savannah River which has been identified as Essential Fish Habitat (EFH). The project does not require any fill or dredge activities, and would not result in the shading of vegetated marsh or shallow water habitat. The only proposed activities in EFH consist of pile driving and the placement of floating docks. It was therefore concluded that the project would not significantly affect EFH.

6.0 Impaired Waters

The project site is located on the Savannah Harbor which is listed on the 303(d) List of impaired waters as not supporting the use of fishing based due to low dissolved oxygen. The project only consists of installing a floating dock which would not affect dissolved oxygen in the waterway. The project would not contribute to water quality degradation in the Savannah Harbor.

7.0 Upland Component

It is the applicant's opinion that the project does not contain an upland component. All proposed structures for which the permit is sought are water dependent and would exist without the proposed hotel development on-site. The floats will provide mooring space for not only guests of the proposed development, but also the general public who wish to shop, dine, and enjoy Savannah's Riverfront Plaza on a first-come-first-serve basis. The floats will not be restricted to private use. The proposed structures will not only enhance the productivity of the proposed development, but they will also serve a greatly needed public good for the City of Savannah.

8.0 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-

East River Street, LLC
Attn: Mr. Whip Triplett
411 West Bay Street
Savannah, Georgia 31401

(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 from Thomas & Hutton.

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

Property ownership was demonstrated in the 2014 application. Nothing has changed with regards to property ownership or property boundaries since then.

(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-

Property ownership was demonstrated in the 2014 application. Nothing has changed with regards to property ownership or property boundaries since then. Attached is the deed to the property transferring title from Georgia Power Company to East River Street, LLC. Also attached is an agreement between the City of Savannah and the SEPCO for a permanent docking easement along the northern side of the existing riverwalk platform. Rights under this agreement were conveyed to East River Street, LLC.

(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-

Columbia Properties Savannah, LLC
740 Centre View Blvd
Ft. Mitchell, KY 41017-5434

Mayor and Aldermen of Savannah
P.O. Box 1027
Savannah, GA 31402-1027

(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;

Attached is the letter from the City of Savannah Zoning Administrator certifying that the project does not violate any zoning ordinances.

(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 appropriate application fee will be provided upon request 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 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-

The project was originally authorized by Letter of Permission from U.S. Army Corps of Engineers, and no Water Quality Certification was required. A new Letter of Permission is being issued by the USACE. No 401 Certification is required.

(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, Georgia.

(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-

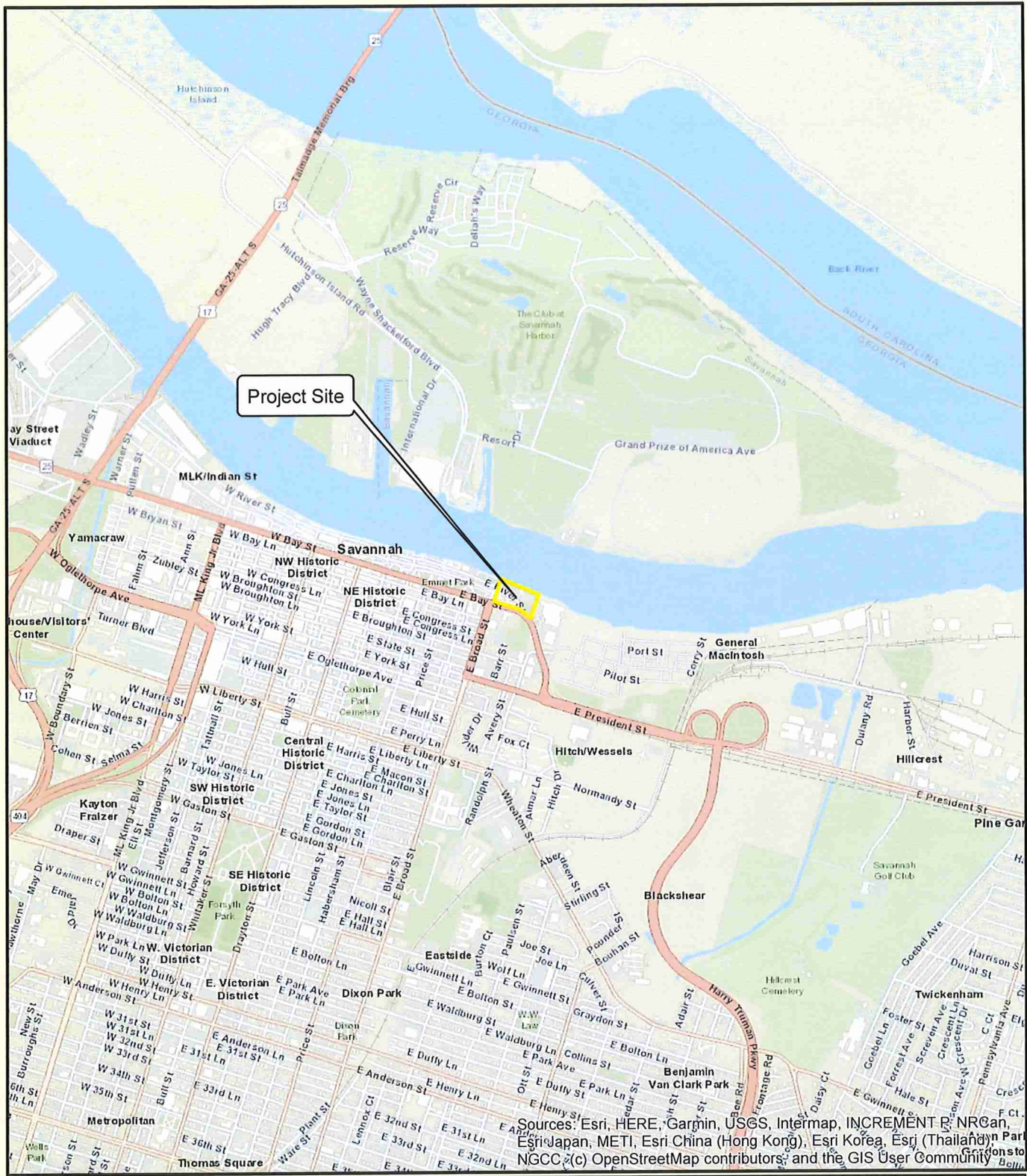
The proposed project will not alter natural flow of navigable waters nor will it obstruct public navigation. The proposed floating docks will conform to other floating dock facilities on the waterway and will extend no further channelward than the adjacent ferry dock located to the east. The project will also be located a minimum of 130 feet from the south edged of the federally maintained navigation channel.

(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.

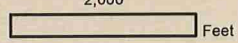
(3) Whether or not the granting of a permit and the completion of the applicant's proposal will unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, or wildlife, or other resources, including but not limited to water and oxygen supply-

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.



Project Site

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, EsriJapan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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| <p>Prepared By: sligh environmental consultants, inc. 31 Park of Commerce Way, Suite 200B Savannah, Georgia 31405 phone (912) 232-0451 fax (912) 232-0453</p> | <p style="text-align: center;">Location Map East River Street, LLC Chatham County, Georgia</p> | <p style="text-align: center;">2,000  Feet</p> <p>Exhibit Date: May 17, 2024 Drawn By: BWW Reviewed By: SFS Job Number : 01-13-027</p> |
|---|---|--|



Project Site

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Prepared By:
sligh environmental consultants, inc.
31 Park of Commerce Way, Suite 200B
Savannah, Georgia 31405
phone (912) 232-0451
fax (912) 232-0453

**Aerial Photograph
East River Street, LLC
Chatham County, Georgia**

400
Feet

Exhibit Date: May 17, 2024

Drawn By: BWW

Reviewed By: SFS

Job Number : 01-13-027



September 26, 2024

Brandon Wall
31 Park of Commerce Way, Suite 200B
Savannah, GA 31405
b_wall@slighec.com

RE: 620 E River Street (the Property)
PIN: 20005 02003

To Whom It May Concern:

Per your request, I hereby certify that I am a Planning Manager in the Planning and Urban Design Department for the City of Savannah, Georgia (the Jurisdiction); and I am responsible for the administration and interpretation of the Zoning Ordinance of the Jurisdiction. Furthermore, I have access to the information required to make the following certifications:

1. **Current Zoning Classification:** As of September 26, 2024, the Property is zoned D-W (Downtown Waterfront).
2. **Permissible Uses:** Per [Sec. 5.14.1](#), *"The D-W district is established to promote entertainment-oriented commercial development along River Street and Factors Walk. The D-W district emphasizes entertainment, lodging, and retail uses while also allowing an array of other compatible uses, including offices, upper story residential and marine-oriented businesses."*

The uses allowed in D-W zoning districts are identified in [Sec. 5.4 Principal Use Table](#) of the Zoning Ordinance. The proposed use is classified as a "Dock, Commercial" which is a permitted use in D-W zoning.

3. **Development Standards:** The general development standards that govern the parcel can be found in [Sec. 5.14.5 Development Standards for Permitted Uses](#), [Article 8.0 Use Standards](#), and [Article 9.0 General Site Standards](#).
4. **Overlay Districts:** The Property lies within the boundaries of [Short-term Vacation Rental Overlay District \(STVRD\)](#), [Savannah Downtown Historic Overlay District](#), and the [Hotel Development Overlay District \(HDO\)](#).
5. **Variances, Zoning Map Amendments, Special Use Permits, etc.:** An appeal of a decision by the Historic District Board of Review (HDBR) was filed in May 2019 under File no. 19-003205-ZBA. The appeal was withdrawn in June 2019.
6. **Zoning Violations:** I am not personally aware of any action or proceeding by the Jurisdiction pending before any court or administrative agency with respect to the zoning of the Property or any improvements located thereon.
7. **Code Violations:** I am not personally aware of any existing violations related to the zoning ordinance on the Property.

This confirmation is made as of the date of this letter and does not constitute any representation or assurance that the Property will remain in the current zoning district for any specified period or that the list of uses permitted in the

zoning district will remain in effect for any specific period.

The undersigned certifies that the above information contained herein is believed to be accurate and is based upon or relates to the information supplied by the requester. The Jurisdiction assumes no liability for errors and omissions. All information was obtained from public records, which may be inspected during regular business hours.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Anagnost".

John Anagnost
Planning Manager