



DEPARTMENT OF NATURAL RESOURCES  
COASTAL RESOURCES DIVISION  
ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON  
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## COASTAL MARSHLANDS PROTECTION ACT STAFF'S FINDINGS & RECOMMENDATIONS

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March 7, 2025

**TO:** Coastal Marshlands Protection Committee:  
Commissioner Walter Rabon, Chairman  
Mr. Chad Barrow  
Mr. Brad Brookshire  
Mr. Davis Poole  
Dr. Valerie Hepburn

**FROM:** Department Staff to the Committee

**APPLICANT:** East River Street, LLC  
c/o Mr. Whip Triplett  
411 West Bay Street  
Savannah, GA 31401

**AGENT:** Brandon Wall  
Sligh Environmental Consultants, Inc.  
31 Park of Commerce Way, Suite 200B  
Savannah, GA 31405

**LOCATION:** 620 East River Street, Savannah River, Chatham County, Georgia

**PROJECT:** The proposed project is for construction and maintenance of a public access boat dock seaward of the existing riverwalk located on Savannah River in Chatham County, Georgia. The project will be constructed in two phases.

**ARMY CORPS NUMBER:** SAS-2014-00407

**APPLICABLE LAW:** O.C.G.A. §12-5-280 *et seq.*, as amended, Coastal Marshlands Protection Act of 1970.

**SUMMARY OF PUBLIC COMMENTS:** The Public Notice of the Coastal Marshlands Protection Committee (CMPC) ran from November 7, 2024, to December 6, 2024. One comment was received with concerns of the need, the usage and the lack of an upland component for the dock. The agent provided a written response to the comment.

**FINDINGS:** Department Staff to the CMPC make the following findings regarding this application:

**Project Scope and Justification: O.C.G.A. § 12-5-286(b): O.C.G.A § 12-5-286 (b) (8) requires a discussion of why the permit should be granted.**

1. CMPA Permit #696 was issued December 12, 2014 and granted a 5-year extension on December 12, 2019. The project was not constructed and the applicant is proposing a new permit to complete the project.
2. Existing impacts in Coastal Marshlands Protection Act (CMPA) jurisdiction includes bank stabilization and a pile supported riverwalk. These structures were completed in the mid 1990's by the U.S. Army Corps of Engineers as part of the riverwalk extension project and will be retained.
3. Impacts from the existing approximately 13,300sq.ft. bulkhead and approximately 4,750sq.ft. riprap total approximately 18,050sq.ft. (0.414 acre).
4. The existing pile supported concrete riverwalk is located seaward of the bulkhead and measures approximately 950ft. x 14ft. (13,300sq.ft.).
5. Combined impacts to coastal marshlands for the existing bulkhead, riprap and riverwalk total approximately 31,350sq.ft. (0.719 acre).
6. The applicant is proposing phased construction and maintenance of 360 linear feet of floating dock. The floats will provide mooring space for not only guests of the proposed development, but also the general public on a first come-first serve basis.
7. Phase one will consist of a 5ft. x 12ft. (60sq.ft.) access platform extending from the riverwalk with a 6ft. X 80ft. (480sq.ft.) ADA compliant aluminum gangway that originates from the western side of the access platform.
8. The terminal end of the gangway will lead to an irregularly shaped access float (112sq.ft.) located on the landward side of a 11.375ft. x 200ft. (2,275sq.ft.) concrete floating dock which will be located to the west and parallel to the shoreline.
9. The floating dock will extend approximately 40ft. seaward of the existing bank stabilization and be no closer than 130ft. from the southern edge of the Savannah River Navigational Channel.
10. Proposed impacts for phase one of the project total approximately 2,927sq.ft. (0.0672 acre).
11. Phase two of the proposed project will consist of an additional gangway that originates from the eastern side of the access platform and measures 6ft. x 30ft. (180sq.ft.).
12. The terminal end of the gangway will lead to an irregularly shaped access float (112sq.ft.) located on the landward side of a 11.375ft. x 160ft. (1,820sq.ft.) concrete floating dock which will be located east and parallel to the shoreline.
13. This floating dock will extend approximately 40ft. seaward of the existing bank stabilization and be no closer than 130ft. from the southern edge of the Savannah River Navigational Channel.
14. The proposed impacts from phase two of the project total approximately 2,112sq.ft. (0.0484 acre).
15. As proposed, impacts for phase one and phase two of the dock facility total approximately 5,039sq.ft. (0.1157 acre). The applicant has stated that the project does not contain an upland component.

**O.C.G.A. § 12-5-286 (b) (8) requires a discussion of why the permit should be granted.**

16. Currently, there is no mooring space seaward of the existing riverwalk at this location for access to the planned developments and exiting commercial facilities. The project will provide water access for this area of the Riverfront Plaza.

**Application Form, Applicant Name and Address, Project Plans, Plat, Deed or other instrument, Written permission to carry out project by owner of land, O.C.G.A. § 12-5-286(b)(1-4):**

17. Applicant has submitted the application form, name and address, project plans, plats, and deed.

**Adjoining Landowners, Non-refundable application fee, O.C.G.A. § 12-5-286 (b)(5,7):**

18. Applicant has submitted names and addresses of adjoining property owners as well as the non-refundable application fee.

**Local Government Zoning, O.C.G.A. § 12-5-286(b)(6):**

19. A letter has been received from the City of Savannah Planning and Urban Design Department that the proposed project does not violate any local zoning ordinance. The letter is not conditioned.

**Alternative Sites Description and Feasibility 12-5-286 (b)(8):**

20. The proposed project is water dependent. There are no alternative sites with less jurisdictional impacts that would satisfy the project purpose.

**Landfill, Hazardous Waste Inquiry, O.C.G.A. § 12-5-286(b)(9):**

21. The applicant has reviewed the Hazardous Site Index for Chatham County, Georgia and stated that there are no landfills or hazardous waste sites at the proposed project location.

**Water Quality Certification, O.C.G.A. § 12-5-286(b)(10):**

22. A Water Quality Certification is not required for the proposed project.

**Adherence to Erosion and Sediment Control Responsibilities, O.C.G.A. § 12-5-286 (b)(11):**

23. The applicant has stated their intention to adhere to building, land disturbing and storm-water management permit as required by Chatham County.

**Notification of Proposed Project, O.C.G.A. § 12-5-286(d)(e):**

24. Adjacent property owners and interested parties who have requested to be placed on the mailing list were notified in writing of the proposed project. The Public Notice of the Coastal Marshlands Protection Committee (CMPC) ran from November 7, 2024 to December 6, 2024. One comment was received with concerns of the need, the usage and the lack of an upland component for the dock. The agent provided a written response to the comment.

**Public Interest Considerations, O.C.G.A. § 12-5-286(g):**

25. In passing upon application for a permit, the CMPC shall consider the public interest.

- a. **The design of the project is such that no 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 applicant has stated 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 location a minimum of 130 feet from the south edge of the federally maintained navigation channel.

- b. **The design of the project is such that no unreasonably harmful or increased erosion, shoaling of the channels, or stagnant areas of water will be created.** The applicant has stated that the proposed project will not increase erosion, shoaling of channels, or stagnant areas of water. The dock is pile-supported which has minimal impacts on the natural waterway.
- c. **The proposal will not unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, and clams or any marine life or wildlife or other natural resources including but not limited to water and oxygen supply.** The applicant has stated that the proposed project will not interfere with the conservation of fish, shrimp, oysters, crabs, clams or other marine life, wildlife, or other resources, nor affect water and oxygen supply. The West Indian Manatee is an endangered and federally protected species and is known to frequent Georgia's coastal waters.

**Leasing of state owned marshland or water bottoms, O.C.G.A. § 12-5-287:**

- 26. The proposed project will not result in a need for a waterbottoms lease because impacts do not exceed 500 linear feet.

**Restriction on granting of permits; size restriction; activities and structures considered contrary to the public interest, O.C.G.A. § 12-5-288 (a) and (b):**

- 27. The proposed project is water-dependent with no alternative sites with less jurisdictional impact that would satisfy the project purpose. The project cannot be satisfied using an alternative non-marshland site.
- 28. The proposed project has been minimized by not using the entire waterfront available to the property owner for floating docks space, and by breaking the project into two phases, where phase two will only be added if there is a proven need.

**Determining Project Boundaries, Rule 391-2-3-.02(3):**

- 29. The marshlands component consists of construction and maintenance of a public access boat dock totaling 5,039sq.ft. (0.1157 acre) after phases one and two.
- 30. The applicant states the proposed project does not contain an upland component.

**Regulation of Marinas, Community Docks and Commercial Docks, Rule 391-2-3-.03**

- 31. The proposed structure is considered a "Commercial Dock" in accordance with The Rules of The Georgia Department of Natural Resources Chapter 391-2-3-.03 "Regulation of Marinas, Community Docks and Commercial Docks."

**RECOMMENDATION:** Should the Committee determine that the proposed project is in the public interest, Department staff recommends the following **STANDARD and SPECIAL conditions:**

**COASTAL MARSHLANDS PROTECTION ACT STANDARD 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 of 1970, as amended O.C.G.A. § 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 CMPC.
4. No further encroachment or construction shall take place within state jurisdiction, except as permitted by the CMPC. Any modification of the plans or structure in the jurisdictional area must be reviewed and approved by the Department or the CMPC, as necessary, prior to construction.
5. No construction or alteration of a project may commence until the expiration of 30 days following the date on which the application is approved; provided however that if a timely appeal is filed, no construction or alteration may commence until all administrative and judicial proceedings are terminated.
6. The permit must be posted onsite within twenty-four (24) hours of beginning construction.
7. A copy of these and all permit conditions must be supplied to the person in charge of construction. All contractors and subcontractors are responsible for strict adherence to all permit conditions.
8. All Best Management Practices (BMPs) should be used to prevent any erosion and sedimentation at the site. No equipment, materials, or debris may be placed in, disposed of, or stored in jurisdictional areas. Any visible alterations in the 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.
9. If the permitted improvements are damaged, fall into disrepair, become dilapidated, or are not meeting their expected usefulness and are not maintained at a serviceable level, 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.
10. The CMPC is not bound in the future to protect any improvement or asset authorized by the permit.

**COASTAL MARSHLANDS PROTECTION ACT STANDARD CONDITIONS FOR  
COMMERCIAL DOCKS**

1. Floating docks may not rest on the bottom at low tide and must be supported on pilings or by cradle at least two feet above the mud.
2. No dredging is allowed in association with the initial community or commercial dock project.
3. The applicant must operate and maintain the dock in such a manner that will not unreasonably obstruct navigation to and from neighboring properties.
4. The community dock or its operation shall not cause or create a measurable adverse water quality impact to the waterbody in which it is built, as measured by dissolved oxygen, fecal bacteria, or nutrient enrichment.
5. 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.

- i. Sample collection and analyses must be according to methods approved by the Department.
  - ii. 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.
6. The applicant /permittee must post temporary manatee awareness signage during construction of the facility and permanent posting and maintenance of the informational display signage, "Manatee Basics for Boater's" post-construction.
7. Permittee must provide a post-construction survey that locates the Tier Three Community Dock or Commercial Dock as indicated in the applications materials. Such survey shall comply with the Georgia Plat Act, O.C.G.A. §15-6-67 et. seq.

### **SPECIAL CONDITIONS**

1. The floating docks will be constructed in two phases. Phase one will include an 11.5ft. x 200ft. concrete floating dock. Phase 2 will provide additional mooring space by adding a 11.5ft. x 160ft. concrete floating dock. Permittee must supply occupancy records deemed adequate for review and approval by the department prior to constructing phase two.
2. No mooring will be allowed on the inside of the floating dock, adjacent to the riverwalk.
3. As a Public Access Dock, the mooring space shall remain first come-first serve for guests of the hotel development and the general public.