260 WEST 10TH STREET SEA ISLAND SHORELINE STABILIZATION PROJECT

COASTAL MARSHLANDS PROTECTION ACT PERMIT APPLICATION NOVEMBER 2, 2022

APPLICANT: JOHN H. IRBY & SARAH C. IRBY



RESOURCE+LAND

CONSULTANTS

41 Park of Commerce Way, Ste 101
Savannah, GA 31405
tel 912.443.5896 fax 912.443.5898

Table of Contents

1.0 Introduction	
2.0 Existing Conditions	
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3.0 Marshlands Component	
4.0 Upland Component	
5.0 Alternatives Sites	2
6.0 Supplemental Information	

Attachments:

- A: State of Georgia Revocable License Request
- B: Warranty Deeds and Ownership Information
- C: Permit Drawings
- D: Zoning Letter
- E: Adjacent Landowners
- F: CMPA Jurisdiction Determination & Site Survey

1.0 Introduction

John H. and Sarah C. Irby are seeking authorization from the Coastal Marshlands Protection Committee (CMPC) to construct a bulkhead in tidal waters for the residence at 260 West 10th Street, Sea Island, Glynn County, Georgia (31.187865° latitude, -81.345379° longitude).

The project would result in the alteration of \pm 153 ft² (0.004-acre) of tidal waters subject to the jurisdiction of the Coastal Marshlands Protection Act of 1970 (CMPA). As the alteration would be less than one-tenth acre, it would be considered a minor alteration as defined at O.C.G.A. § 12-5-282(9). We respectfully request that authorization of the project be granted by the Commissioner of the Georgia Department of Natural Resources in accordance with O.C.G.A. § 12-5-283(d).

2.0 Existing Conditions

The limits of CMPA jurisdiction were verified by CRD staff via letter of December 14, 2021 (Attachment F). The project area is located at 260 West 10th Street adjacent to Black Bank River. An existing single-family residence is located on the lot. The jurisdiction line is located at the toe of the slope of the maintained yard and the high tide line.

3.0 Marshlands Component

As depicted on the exhibit titled *Proposed Bulkhead Plan 260 West 10th Street-Cottage 347 Street Sea Island, Georgia* Dated May 25, 2022 (Attachment C), the marshland component of the project consists of a +/-153 l.f. bulkhead. The bulkhead will require backfill of 153 ft² (0.003 acre). Total backfill below the high tide line is +/-1.89 cubic yards (0.012 cy/ft). The wall would be constructed from the uplands, and then backfilled to stabilize the existing shoreline. BMPs would be implemented during construction to minimize secondary impacts to tidal waters.

4.0 Upland Component

The upland component for the project consists of upland lawn area landward of the proposed bulkhead necessary for access and construction of the marshlands component of the project. Impacts to the upland component include access by construction equipment for construction of the bulkhead, staging of materials, and installation of the sub-surface tie-back system. Upon completion of the marshlands component, the upland component will be permanently stabilized with turf grass to match the existing upland vegetation.

5.0 Alternatives Sites Considered

The proposed shoreline stabilization will protect the existing shoreline at the subject lot location and cannot be located at an alternative site. Due to the need to protect the shoreline at the marsh/upland interface, there are no non-marsh alternatives that will satisfy the project requirements.

6.0 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-

John H. Irby & Sarah C. Irby 1035 Nawench Drive Atlanta, Georgia 30327

- (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- Please refer to attached drawing produced by Roberts Civil Engineering titled Proposed Bulkhead Plan 260 West 10th Street-Cottage 347 Street Sea Island, Georgia Dated March 25, 2022 (Attachment C).
- (3) A plat of the area in which the proposed work will take place- Attachment F contains a survey produced by Shupe Surveying Company, P.C. titled Lot 13, Block '31', Sea Island Subdivision No. 1 (Revised) and Additional Property dated July 22, 2010.
- (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- Attachment B contains the following documents:

- Warranty Deed conveying the property from Elizabeth F. Irby nka Elizabeth I. Jolley to John H. Irby and Sarah C. Irby dated April 28, 2006 recorded at Superior Court of Glynn County, Georgia in Deed Book 1933, page 463
- Warranty Deed dated July 29, 2010 conveying a strip of land from Sea Island Company to John H. Irby & Sarah C. Irby, recorded at Superior Court of Glynn County, Georgia in Deed Book 2476, page 359
- Quit Claim Deed dated September 7, 2022 conveying a strip of land from SIA PROPCO I, LLC to John H. Irby & Sarah C. Irby, recorded at Superior Court of Glynn County, Georgia in Deed Book 4738, page 431
- (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 for 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- Adjacent landowner information is provided in Attachment E.
- (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 in violation of any zoning law; A letter from Glynn County Community Development Department stating that the proposed bulkhead does not conflict with current Glynn County zoning regulations is provided at Attachment D.
- (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. An application fee in the amount of \$100.00 has been included with this application.
- (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 Section 5.0, page 2.
- (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- Water Quality Certification in accordance with Section 401 of the Clean Water Act will be reviewed during the processing of the federal Nationwide Permit that has been submitted to the Savannah District Corps of Engineers.
- (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 building, land disturbing, and stormwater management permits as required by Glynn 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 bulkhead is located immediately adjacent to the shoreline on the east side of the subject over 110' from the navigable waters of Black Bank River. No fill or other alterations are proposed that would unreasonably obstruct or alter navigable waters.
 - (2) Whether or not unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water will be created. The construction of the bulkhead will eliminate erosion and subsidence at the project location. The proposed bulkhead is not located along a navigable channel and would not alter existing flows that could increase erosion at other locations. The backfill to the marsh/upland interface would eliminate stagnant water landward of the wall and would not create areas of stagnant water seaward of the wall. Given the projects close proximity to the existing shoreline, distance from the navigable channel, and the fact that the project would eliminate erosion of sediments from the existing shoreline, the proposed project will not cause shoaling of nearby channels.
 - (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 structure 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. The proposed project is located immediately adjacent to the shoreline along a densely vegetated marsh that is only inundated for a short time at high tide and does not provide significant habitat for fish, oysters, clams, or other marine life. The project will merely result in a very minor seaward shift of the existing shoreline and will reduce the negative effects of the existing erosion and subsidence.

ATTACHMENT A

STATE OF GEORGIA

REQUEST FOR A REVOCABLE LICENSE FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANT NAME(S): John H. Irby & Sarah C. Irby			
	30327		
(Street) (City) (State)	(Zip)		
PROJECT ADDRESS/LOCATION: 260 W. 10th Street Sea Island Georgia			
COUNTY: Glynn WATERWAY: Black Banks River			
LOT, BLOCK & SUBDIVISION NAME FROM DEED: Lot 13 Bk 31 Sea Island SD No. 1 & Additional	Property		
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 e on the beds of tidewaters, which are state owned property. Attached hereto and made a par request is a copy of the plans and description of the project that will be the subject of such a I certify that all information submitted is true and correct to the best of my knowled understand that willful misrepresentation or falsification is punishable by law.	rt of this license.		
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 executed a revocable license in accordance with this request.			
By: Signature of Applicant Sincerely, Date: 10. 25. 20.	レン		
Title, if applicable By: Date: 10-26-2022 Title, if applicable			

Attachments

ATTACHMENT B

ER 1933PG 463

002173 GLYNN COUNTY, GEORGIA REAL ESTATE TRANSFER TAX
Paid \$ 3 | 20 S O
This 28 day of APR

Return Recorded Document to: James D. Benefield, III 1700 Frederica Road, Ste 207 St. Simons Island, Georgia 31522

Ha B. S Clerk of Superior Court 2006 APR 28 ₱ 4: 35

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OF COX CUPERIOR COURT

STATE OF GEORGIA

Parcel No. 05-00407

COUNTY OF GLYNN

Clerk Superior Court

FILE #: 06119

This Indenture made this 28th day of April, 2006 between Elizabeth F. Irby nka Elizabeth I. Jolley, of the County of Glynn, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and John H. Irby and Sarah C. Irby as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

All that certain lot, tract or parcel of land situate, lying and being on Sea Island, in Glynn County, Georgia, particularly described and identified according to "Plat B Proposed Layout", as shown on the plat of survey made by John H. Ringeling, Georgia Registered Engineer No. 751, on May 29, 1966, entitled "Resubdivision of Block 31, Sea Island, Ga.", and recorded in the public records of said County on September 12, 1968, in Plat Drawer No. 10, designated Map No. 370, (said plat being an amendment to the map and plan of Sea Island Subdivision No. 1, made by F.J. Torras, Civil Engineer, on July 25, 1928, and on this date of record in said public records in Plat Drawer No. 2, designated Maps Nos. 46-52, inclusive) as Lot Number Thirteen (13) of Block Number Thirty-One (31).

Said real property is the same real property that was conveyed by Sea Island Company, a Georgia corporation, to N. Stewart Robson by a Warranty Deed dated July 1, 1969, and recorded in July 21, 1969, in said public records in Deed Book 15-A, commencing at Page

Reference is hereby made to said Torras map and plan, said Ringeling plat and said warranty deed and to the respective record of each, for further description and identification of said rel property and for all other purposes.

This Deed is given subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in FEE SIMPLE, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above named Grantor.

IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this

Elizabeth F. Irby nka Elizabeth

t. Jolley

BK 1933PG 464

Return To: Return To:

James D. Benefield, III

JOUNIO

Strederica Road, Ste. 207

St. Simons Inland, Georgia 31522 GLYNN COUNTY, GEORGIA

REAL ESTATE TRANSFER TAX

Paid \$ This day of A Lola B. Jamsky

Clerk of Superior Court Lola B. Jamsky

2005 APR 28 P 4: 36

CLERK SUPERIOR COURT

STATE OF GEORGIA COUNTY OF GLYNN

QUITCLAIM DEED

THIS INDENTURE, made the 28th day of _____ April between Elizabeth F. Irby nka Elizabeth I. Jolley, of Glynn County, Georgia, as Party of the first part, hereinafter called Grantor, and John H. Irby and Sarah C. Irby, as Parties of the second part, hereinafter called the Grantees (the words "Grantor" and "Grantees" to include their respective successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantees, their heirs and or assigns, the following described property towit:

All of that certain lot, tract or parcel of land situate, lying and being on Sea Island, Georgia, more particularly described and identified according to a survey dated December 7, 2001, under seal of Gary R. Nevill, GRLS Number 2401, entitled "Boundary Survey for: Lot 13, Block 31, Sea Island Subdivision No. 1 (revised)", as All of Lot 13. Said property is more particularly described as follows, to-wit: Commence at the intersection of the westerly right of way line of Sea Clerk Superior Court

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Island Drive and the northerly right of way line of Delgado Street aka 10th Street (a fifty foot right of way); thence westerly 686.30 feet along said right of way of 10th Street to an iron pin that is located on the boundary line of said Lot 13 and Lot 14, said block and subdivision, which marks the beginning point of the land hereby conveyed; thence from said beginning point westerly along a curve which is the right of way line of said 10th Street as shown On the plat to an iron pin; thence North 45 degrees 42 minutes 02 seconds West a distance of 115.00 feet to an iron pin; thence North 54 degrees 21 minutes 37 seconds East a distance of 149.00 feet to a concrete monument; thence South 51 degrees 35 minutes 50 seconds East a distance of 141.43 feet to a concrete monument; thence South 44 degrees 53 minutes 50 seconds West a distance of 111.24 feet to the point of beginning. Reference is hereby made to said plat and to the record thereof for all purposes allowed by law.

TO HAVE AND TO HOLD the said described premises to Grantees, so that neither Grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantor has hereunto set her hand and affixed her seal, the day and year first above written.

Elizabeth F. Irby nka Elizabeth I Jolley

Wotary Public

My Commission expires/

(NOTARY SEAL)

PREPARED BY OR AT THE DIRECTION OF: GILBERT, HARRELL, SUMERFORD & MARTIN, P.C. 777 GLOUCESTER STREET, SUITE 200 BRUNSWICK, GEORGIA 31520

EXECUTED IN GLYNN COUNTY, GEORGIA

A CONVEYANCE, made this the 29th day of July, 2010 from SEA ISLAND COMPANY a Georgia corporation with a place of business in Glynn County, Georgia, as the First Party, to JOHN H. IRBY and SARAH C. IRBY both Georgia residents, as the Second Parties,

WITNESSETH:

FOR AND IN CONSIDERATION OF the sum of Ten Dollars (\$10.00), cash to First Party in hand paid by the Second Parties, at or before the sealing and delivery of these presents, the receipt of which is confessed, and of other good and valuable consideration, the First Party hereby grants, bargains, sells and conveys unto the Second Parties, as joint tenants with right of survivorship, as defined and created under Georgia laws, the following described real property, towit:

All of that certain lot, tract or parcel of land situate, lying and being on Sea Island, Glynn County, Georgia, more particularly described and identified as the upland area lying adjacent and to the northwest of Lot 13, Block 31, Sea Island Subdivision No. 1, and being described as the following real property, to-wit: Commence at the intersection of the westerly right of way line of Sea Island Drive and the northerly right of way line of Delgado Street a/k/a 10th Street (a fifty foot right of way); thence run westerly 686.30 feet along said right of way of 10th Street to an iron pin that is located on the boundary line of said Lot 13 and 14, said block and subdivision; thence run westerly along a curve which is the right of way line of said 10th Street to an iron pin located on the boundary line of said Lot 13 and Lot 12 of Block 28 in said Subdivision; thence run north 45 degrees 42 minutes 02 seconds west a distance of 115.00 feet to an iron pin marking the POINT AND PLACE OF BEGINNING; thence from said beginning point run north 54 degrees 21 minutes 37 seconds east a distance of 149.00 feet to a concrete monument; thence run north 51 degrees 36 minutes 50 seconds west for

Page 1 of 3

a distance of 20.76 feet to a 1/2 inch capped iron pin; thence run north 72 degrees 24 minutes 57 seconds east for a distance of 5.21 feet to a 1/2 inch iron pin found; thence run north 49 degrees 36 minutes 14 seconds east for a distance of 21.56 feet to a 1/2 inch iron pin found; thence run north 48 degrees 13 minutes 57 seconds east for a distance of 4.08 feet to a 1/2 inch iron pin found; thence run north 17 degrees 52 minutes 20 seconds east for a distance of 14.02 feet to a 1/2 inch iron pin found; thence run north 44 degrees 37 minutes 00 seconds east for a distance of 36.92 feet to a 1/2 inch iron pin found; thence run north 44 degrees 55 minutes 21 seconds east for a distance of 29.09 feet to a 1/2 inch iron pin found; thence run north 62 degrees 16 minutes 40 seconds east for a distance of 20.20 feet to a 1/2 inch iron pin found; thence run north 44 degrees 44 minutes 52 seconds east for a distance of 16.67 feet to a 1/2 inch iron pin found marking the place and point of beginning herein described. Said tract of land contains 1,262 square feet, more or less, being comprised of an area of land containing 1,211 square feet and another area of land containing 51 square feet, as shown on that certain plat of survey prepared by Robert N. Shupe, Georgia Registered Land Surveyor No. 2224, dated July 22, 2010, titled "EXPEDITED PLAT OF: LOT 13. BLOCK '31', SUBDIVISION NO. ONE (REVISED) AND ADDITIONAL PROPERTY", now or shortly to be recorded in the office of the Clerk of Superior Court of Glynn County, Georgia.

TO HAVE AND TO HOLD the real property above described and hereby conveyed, together with the improvements thereon, and all and singular the rights, members and appurtenances thereunto belonging or in any manner appertaining unto the Second Parties, as joint tenants with right of survivorship, as defined and created under Georgia laws, and to the survivor of them, and the heirs and assigns of said survivor, in fee simple.

AND THE FIRST PARTY HEREBY WARRANTS and will forever defend unto the Second Parties, their heirs and assigns, the right and title hereby conveyed in and to the real property above described as against the lawful claims and demands of those claiming by and through the First Party.

BE IT UNDERSTOOD that it is the intention of the First Party to convey to the Second Parties all of the upland adjacent and to the northwest of Lot 13, Block 31, Sea Island Subdivision No. 1, which upland area is bounded as follows: on the northeast by an extension of the boundary line dividing said Lot 13 and Lot 12, Block 31 of said subdivision; on the northwest by marshland, on the southwest by an extension of the boundary line dividing said Lot 13 and Lot 12, Block 28 of said subdivision; and on the southeast by said Lot 13, Block 31 of said subdivision; including without limitation the real property more particularly described in the metes and bounds legal description above.

IN WITNESS WHEREOF, the First Party, by and through its duly authorized representatives, has hereunto signed, sealed, and delivered these presents on this the day and year first above written.

SEA ISLAND COMPANY

(SEAL) Sanfor Vice-President, General Counsel

ATTEST:

Its: Assistant Secretary

(CORPORATE SE

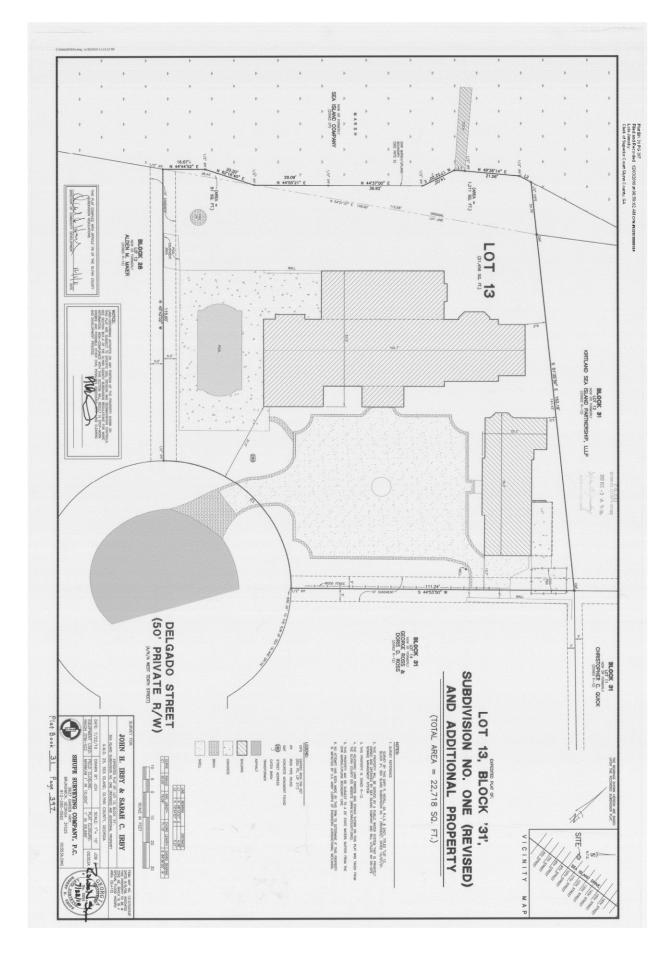
(SEAL)

Signed, sealed and delivered

My Commissi

(NOTARIAL SEAL)

Page 3 of 3



D: DEED B: 4738 P: 431

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0632022011494 Pages: 4 Recording Fee: \$25.00

Transfer Tax: \$35.00 Ronald M. Adams

Clerk of Superior Court, Glynn County, GA

AFTER RECORDING RETURN TO: Hunter, Maclean, Exley & Dunn, P.C. 455 Sea Island Road St. Simons Island, Georgia 31522

> TAX PARCEL INFORMATION: Portion of Glynn County Tax Parcel 05-00001

EXECUTED BY SIA PROPCO I, LLC IN GLYNN COUNTY, GEORGIA

QUITCLAIM DEED

A CONVEYANCE made this the <u>7th</u> day of <u>September</u>, 2022, from SIA PROPCO I, LLC, a Delaware limited liability company, as First Party, to JOHN H. IRBY, a Georgia resident, and SARAH C. IRBY, a Georgia resident, collectively, as Second Parties,

WITNESSETH:

FOR AND IN CONSIDERATION OF the sum of One Dollar (\$1.00), cash to First Party in hand paid by Second Parties, at or before the sealing and delivery of these presents, the receipt of which is confessed, and of other good and valuable consideration, First Party hereby releases and quitclaims to Second Parties, as joint tenants with rights of survivorship under the provisions of Georgia law, all of the right or interest, if any, First Party has in and to the following described real property, to-wit:

All of that lot, parcel or tract of land, lying and being adjacent to Lot 13 and Additional Property, Block 31, Sea Island Subdivision No. One (Revised), 25th Georgia Militia District, Sea Island, Glynn County, Georgia, such Lot 13 and Additional Property being shown on that certain Expedited Plat of Lot 13, Block '31', Subdivision No. One (Revised) and Additional Property, dated July 22, 2010, prepared by Shupe Surveying Company, P.C., bearing the seal and certification of Robert N. Shupe, Georgia Registered Land Surveyor No. 2224,

recorded in Plat Book 31, Page 397, Records of Glynn County, Georgia ("Adjacent Property"), and being more particularly described as follows:

Commencing at a point on the westerly right-of-way line of Delgado Street (50' Private R/W) (A/K/A West Tenth Street) at the common property corner of Lot 13 Block 31 and Lot 12, Block 28, Sea Island Subdivision No. One (Revised); thence leave said right-of-way line and proceed along the common property line of said Lots 12 and 13 N 45°42'02" W a distance of 115.00' to a ½" iron pipe found, said point also being the POINT OF BEGINNING; thence leave said common property line and continue along the property line of Lot 13 N 45°42'02" W a distance of 17.91' to a point; thence N 59°15'01" E a distance of 7.13' to a point; thence N 79°22'03" E a distance of 12.44' to a point; thence N 66°48'52" E a distance of 16.53' to a point; thence N 43°23'38" E a distance of 17.00' to a point; thence N 25°54'23" E a distance of 12.96' to a point; thence N 72°46'46" E a distance of 12.37' to a point; thence N 54°33'54" E a distance of 14.34' to a point; thence N 43°11'33" E a distance of 22.43' to a point; thence N 26°37'42" E a distance of 11.32' to a point; thence N 29°57'31" E a distance of 14.43' to a point; thence N 68°55'10" E a distance of 11.06' to a point; thence S 51°35'50" E a distance of 6.74' to a 1/2" capped iron pipe found on the common lot line between Lot 12, said Block 31, and Lot 13 of said block and subdivision; thence proceed along the western property line of the Adjacent Property the following courses and distances: S 72°24'57" W a distance of 5.21' to a 1/2" iron pipe found; S 49°36'14" W a distance of 21.56' to a 1/2" iron pipe found; S 48°13'57" W a distance of 4.08' to a 1/2" iron pipe found; S 17°52'20" W a distance of 14.02' to a ½" iron pipe found; \$ 44°37'00" W a distance of 36.92' to a ½" iron pipe found; S 44°55'21" W a distance of 29.09' to a 1/2" iron pipe found; S 62°16'40" W a distance of 20.20' to a 1/2" iron pipe found; and S 44°44'52" W a distance of 16.67' to the POINT OF BEGINNING; said lot, parcel or tract of land having an area of 1,166 square feet, more or less.

TO HAVE AND TO HOLD the real property above described so that none of First Party, nor any person or persons claiming under First Party, may at any time claim or demand any right, title, or interest in the real property above described, save and excepting any right, title, or interest of First Party arising by virtue of the permitted exceptions identified on Exhibit "A" attached hereto and incorporated herein by reference.

Signature Page Follows

D: DEED B: 4738 P: 433 09/07/2022 04:08 PM 0632022011494 Page 3 of 4

IN WITNESS WHEREOF, First Party has hereunto signed, sealed, and delivered these presents on this the day and year first above written.

SIA Propco I, LLC

By: Sea Island Acquisition II, LLC

Its: Sole Member

By: Scott Steilen

Its: President and Chief Executive Officer

(Seal)

sealed, and delivered in the presence of:

Unofficial Witness

Commission Expiration Date:

(Notary Seal)

11-18-2025

Exhibit "A"

Exceptions for the Quitclaim Deed from SIA Propco I, LLC, as First Party, to John H. Irby and Sarah C. Irby, collectively, as Second Parties

- All matters affecting the Property recorded in the Glynn County public records, including restrictions, covenants, conditions, limitations, agreements, reservations and easements, and all matters as would be discoverable following an accurate inspection or survey of the Property;
- All governmental laws, ordinances, and rules and regulations, including without limitation, all Glynn County, Georgia, zoning ordinances, and the Coastal Marshlands Protection Act, O.C.G.A. Section 12-5-280, et seq.;
- Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc., dated (c) September 26, 1928, recorded in the office of the Clerk of Superior Court of Glynn County, Georgia at Deed Book 4-B, Page 104, as amended and affected by the following instruments: (i) Instrument dated December 23, 1929, recorded in said Clerk's office at Deed Book 4-E, Page 304; (ii) Amendment to the Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc., dated July 21, 1969, recorded in said Clerk's office in Deed Book 15-H, Page 525; (iii) Notice, dated April 20, 1972, recorded in said Clerk's office at Deed Book 16-V, Page 506; (iv) Amendment to the Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc., dated March 21, 1975, recorded in said Clerk's office on March 24, 1975, in Deed Book 18-J, Page 178; (v) Amendment to the Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc., dated September 28, 1979, recorded in said Clerk's office on October 3, 1979 at Deed Book 21-L, Page 464; (vi) Amendment to the Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc., dated March 5, 1980, recorded in said Clerk's office at Deed Book 21-T, Page 407; (vii) Sixth Amendment to the Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc., applicable to the use of property in Sea Island Subdivision No. 1, dated June 30, 2008, and recorded in said Clerk's office at Deed Book 2457, Page 183, as affected by the Amendment to Sixth Amendment to the Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc. dated February 25, 2019, recorded in said Clerk's office at Deed Book 3999, Page 499; (viii) Seventh Amendment to the Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc., dated October 22, 2008, recorded in said Clerk's office at Deed Book 2498, Page 9; (ix) Assignment of Declarant's Rights, recorded in said Clerk's office at Deed Book 2809, Page 153; and (x) other instruments and agreements of record in the chain of title to the property, if any, acknowledging, adopting, extending or otherwise relating to the foregoing matters;
- (d) Riparian rights incident to the Property, if any; and
- Any easements encumbering the Property set forth or described on the original subdivision plat of the Property.

ATTACHMENT C

ATTACHMENT D



A Golden Past.
A Shining Future.

COMMUNITY DEVELOPMENT DEPARTMENT

1725 Reynolds Street, Suite 200, Brunswick, GA 31520 Phone: 912-554-7428/Fax: 1-888-252-3726

October 25, 2022

Josh Noble
Marsh and Shore Management Program Manager
Georgia DNR, Coastal Resources Division
One Conservation Way
Brunswick, GA 31520

RE:

260 W. 10th Street Sea Island, GA 31561 Parcel 05-00407

Dear Mr. Noble:

Pursuant to the request for a zoning certification letter (ZCL5275) by Daniel H. Bucey regarding 260 W. 10th Street, Sea Island, GA 31561, Parcel 05-00407, please find the following:

The proposed 153 LF bulkhead, as depicted in the attached plans, does not conflict with current Glynn County zoning laws.

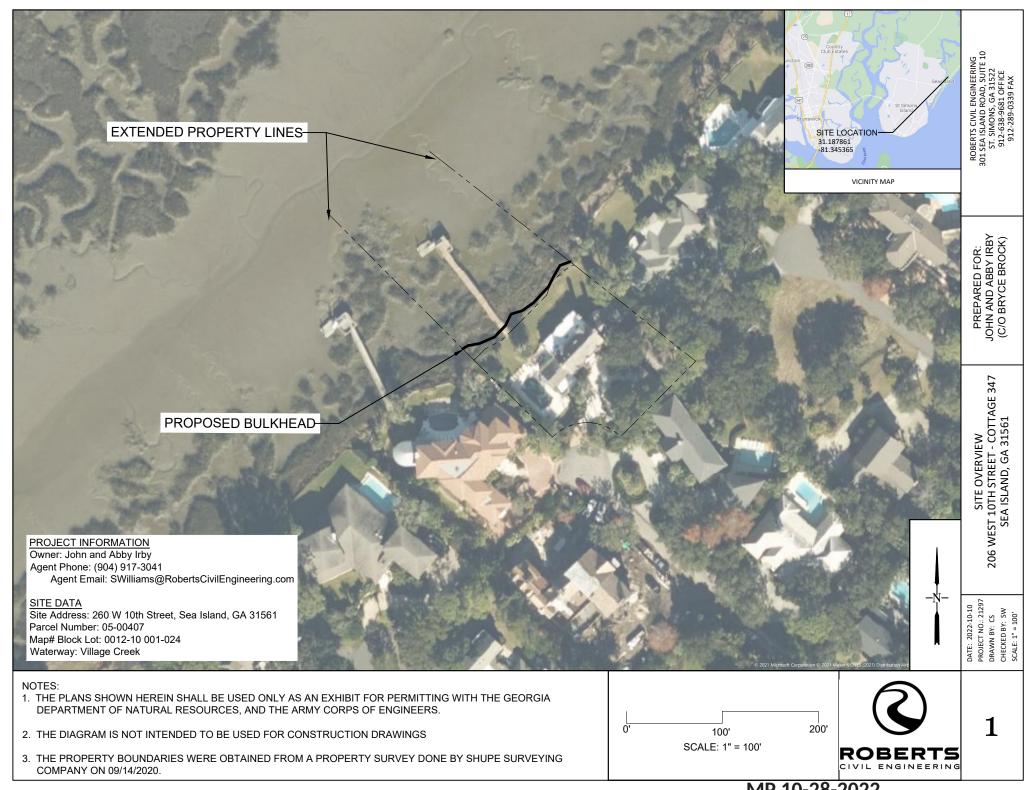
Should you have any additional questions, please feel free to contact me at mpostal@glynncounty-ga.gov.

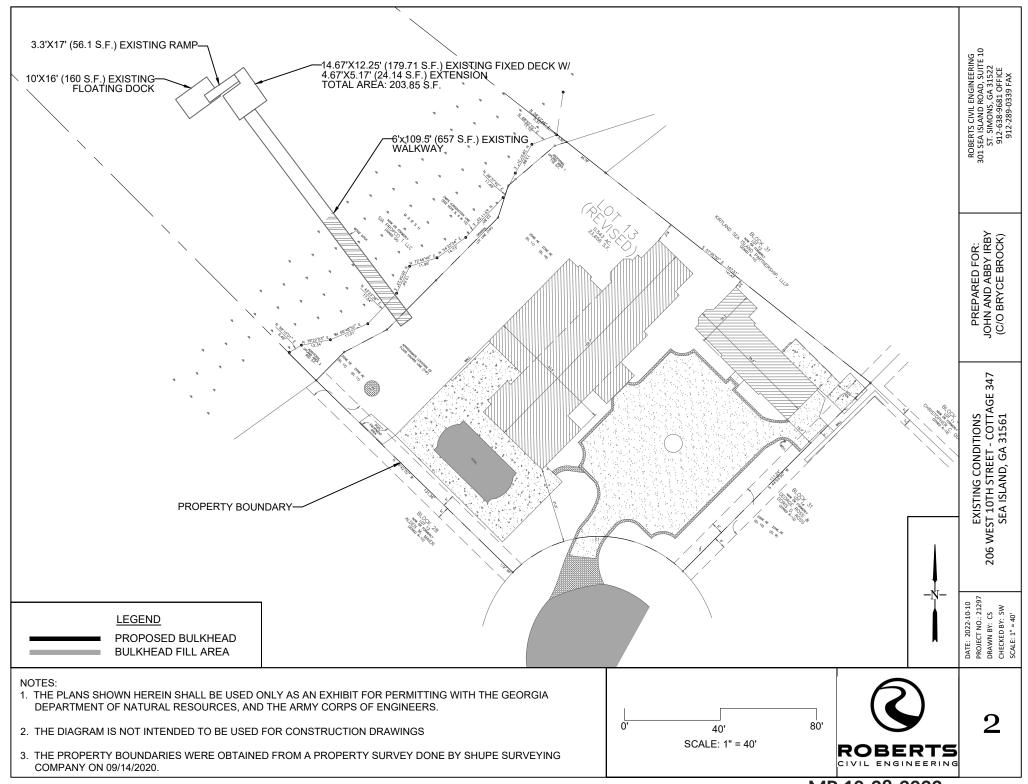
Sincerely,

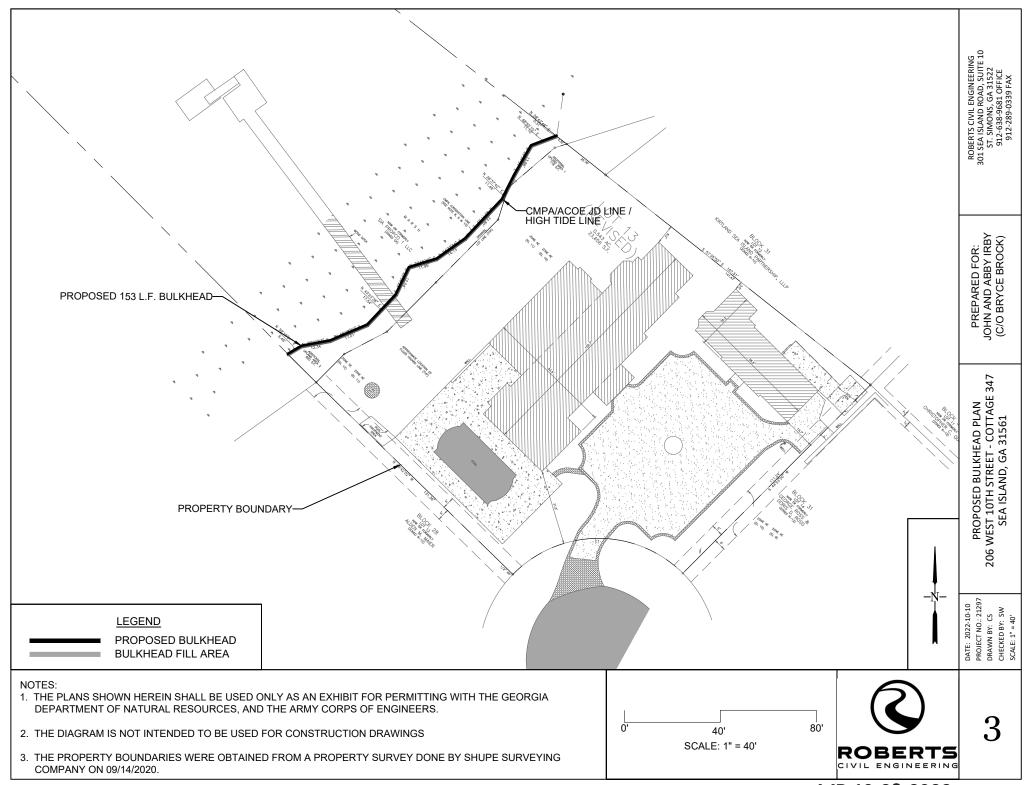
Maurice Postal

Maurice Postal, AICP Senior Planner

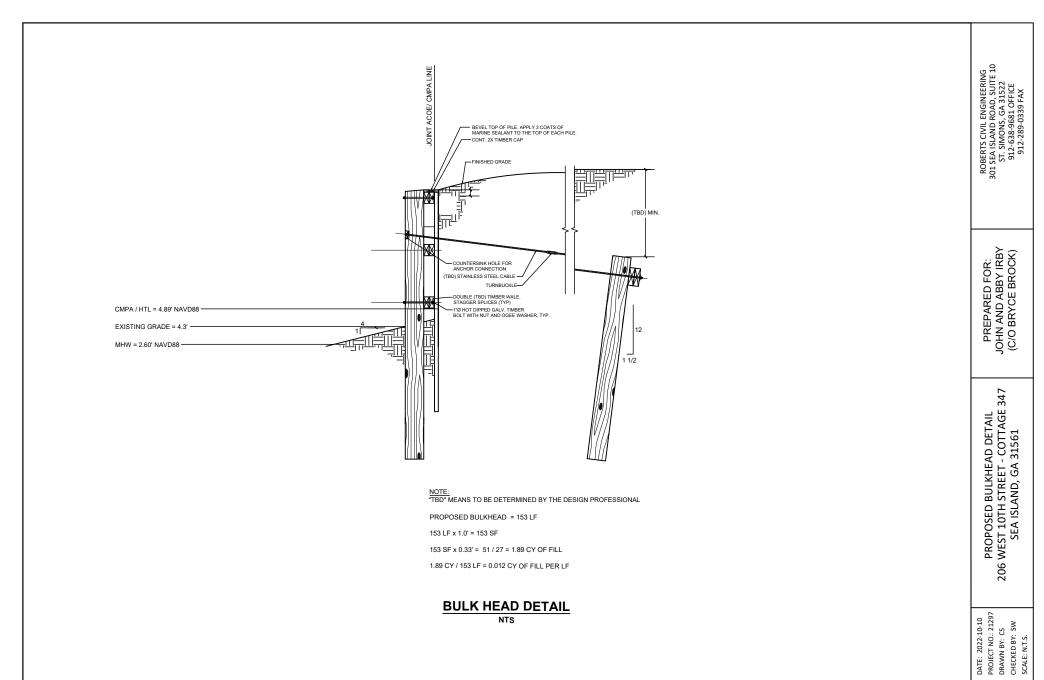
The Glynn County Planning and Zoning Division makes every effort to provide the most accurate interpretation possible based on the information available. No warranties, expressed or implied, are provided for the information herein, its use or interpretation. This letter addresses the zoning designation of the property only; other codes and ordinances which may affect the ability to develop this property may apply.







MP 10-28-2022



NOTES:

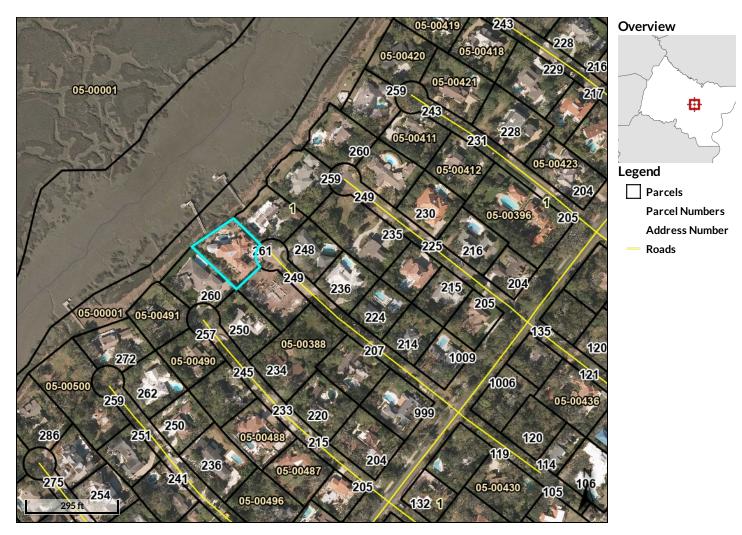
- 1. THE PLANS SHOWN HEREIN SHALL BE USED ONLY AS AN EXHIBIT FOR PERMITTING WITH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES, AND THE ARMY CORPS OF ENGINEERS.
- 2. THE DIAGRAM IS NOT INTENDED TO BE USED FOR CONSTRUCTION DRAWINGS
- 3. THE PROPERTY BOUNDARIES WERE OBTAINED FROM A PROPERTY SURVEY DONE BY SHUPE SURVEYING COMPANY ON 09/14/2020.

N.T.S.



4

ATTACHMENT E



Parcel ID 05-00403 C
Class Code Residential
Taxing District 05-Sea Island
SEA ISLAND F
Acres 0.57

Owner MAIER ALDEN M
ONE WINDSOR RD SW
ROME, GA 30165
Physical Address 261 W TENTH ST
Market Value \$4637800

 Last 2 Sales

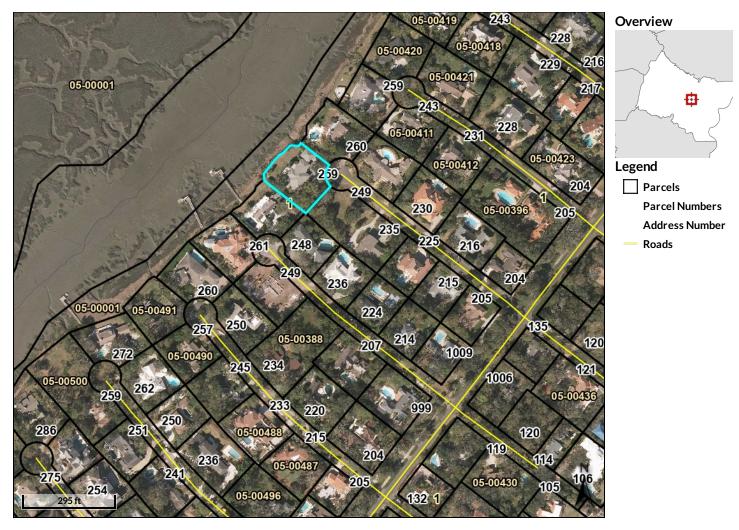
 Date
 Price
 Reason
 Qual

 1/4/2008
 \$3400000
 n/a
 U

 3/5/1986
 0
 n/a
 U

Date created: 10/24/2022 Last Data Uploaded: 10/22/2022 4:22:38 AM





Parcel ID 05-00408 **CAJUNDAWG LLC** Last 2 Sales Owner Class Code Residential 214 W ALEXANDRIA AV Date Price Reason Qual Taxing District 05-Sea Island ALEXANDRIA, VA 22302 8/24/2020 0 **GIFT SEA ISLAND** Physical Address 259 W ELEVENTH ST 8/24/2020 0 ADD'LLAND U 0.61 Market Value \$3135700 Acres

Date created: 10/24/2022 Last Data Uploaded: 10/22/2022 4:22:38 AM



ATTACHMENT F



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

MARK WILLIAMS
COMMISSIONER

DOUG HAYMANS DIRECTOR

December 14, 2021

John Irby 2849 Paces Ferry Road Atlanta, GA 30339

Re: Coastal Marshlands Protection Act (CMPA), Jurisdictional Determination Reverification, 260 W. 10th Street, Lot 13, Sea Island Subdivision No. 1, Village Creek Marshes, Sea Island, Glynn County, Georgia.

Dear Mr. Bell:

Our office received the survey and plat, dated July 14, 2020, prepared by Shupe Surveying Company, P.C., No. 3081 entitled "CMPA Jurisdiction Line Survey of: Lot 13, Block '31', Sea Island Subdivision No. One Revised and Additional Property 25th G.M.D., Sea Island, Glynn County, Georgia" prepared for John H. Irby and Sarah C. Irby. Based on my site inspection, on December 8, 2021, this plat and survey generally depict the delineation of the marsh/upland boundary as required by the State of Georgia for jurisdiction under the authority of the Coastal Marshlands Protection Act O.C.G.A. § 12-5-280 et seq.

The Coastal Marshlands Protection Act O.C.G.A. § 12-5-280 et seq. delineation of this parcel is subject to change due to environmental conditions and legislative enactments. This jurisdiction line is valid for one year from date of the delineation. It will normally expire on December 8, 2022 but may be voided should legal and/or environmental conditions change.

This letter does not relieve you of the responsibility of obtaining other state, local, or federal permission relative to the site. Authorization by the Coastal Marshlands Protection Committee or this Department is required prior to any construction or alteration in the marsh jurisdictional area. We appreciate you providing us with this information for our records. If you have any questions, please contact me at (912) 262-3134.

Sincerely,

Paul Tobler

Coastal Permit Coordinator

Marsh and Shore Management Program

Enclosure:

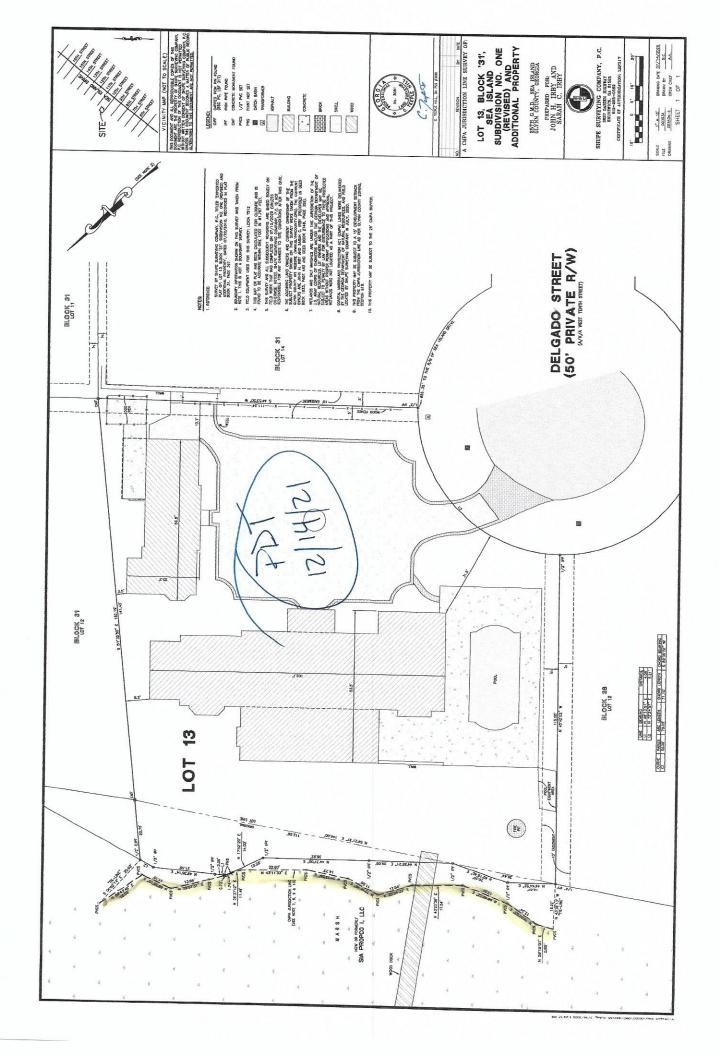
CMPA Jurisdiction Line Survey of: Lots 19, 20, A Portion of Lot 18 & Additional

Property, Block 36, Sea Island Subdivision No. 1 (G.M.D. 25, Sea Island, Glynn

County, Georgia)

File:

JDS20210493



JOINT APPLICATION

FOR

A DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS PERMIT,
STATE OF GEORGIA MARSHLAND PROTECTION PERMIT,
REVOCABLE LICENSE AGREEMENT
AND REQUEST FOR
WATER QUALITY CERTIFICATION
AS APPLICABLE

INSTRUCTIONS FOR SUBMITTING APPLICATION:

Every Applicant is Responsible to Complete The Permit Application and Submit as Follows: One copy each of application, location map, drawings, copy of deed and any other supporting information to addresses 1, 2, and 3 below. If water quality certification is required, send only application, location map and drawing to address No. 4.

- 1. For Department of the Army Permit, mail to: Commander, U.S. Army Engineer District, Savannah ATTN: CESAS-OP-F, P.O. Box 889, Savannah, Georgia 31402-0889. Phone (912)652-5347 and/or toll free, Nationwide 1-800-448-2402.
- 2. For State Permit State of Georgia (six coastal counties only) mail to: Habitat Management Program, Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.
- 3. For Revocable License State of Georgia (six coastal counties plus Effingham, Long, Wayne, Brantley and Charlton counties only) Request must have State of Georgia's assent or a waiver authorizing the use of State owned lands. All applications for dock permits in the coastal counties, or for docks located in tidally influenced waters in the counties listed above need to be submitted to Real Estate Unit. In addition to instructions above, you must send two signed form letters regarding revocable license agreement to: Ecological Services Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.
- 4. For Water Quality Certification State of Georgia, mail to: Water Protection Branch, Environmental Protection Division, Georgia Department of Natural Resources, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354 (404) 675-1631.

The application must be signed by the person authorized to undertake the proposed activity. The applicant must be the owner of the property or be the lessee or have the authority to perform the activity requested. Evidence of the above may be furnished by copy of the deed or other instrument as may be appropriate. The application may be signed by a duly authorized agent if accompanied by a statement from the applicant designating the agent. See item 6, page 2.

1. Application No.			
2. Date			
3. For Official Use Only_			
4. Name and address of app	plicant. John & Sarah Irby 2849 Paces Ferry Road Atlanta, GA 30339		
Location where the propos	ed activity exists or will occur.		
Lat.31.18797° L	ong81.34557°		
Glynn	G.M.D. 25	Sea Island	
County	Military District	In City or Town	
Brunswick	Sea Island No. 1	13	
Near City or Town	Subdivision	Lot No.	
+/-0.52 acre	12'	Georgia	
Lot Size	Approximate Elevation of Lot	State	
Blackbank River	Gould's Inlet		
Name of Waterway	Name of Nearest Creek, River,	Sound, Bay or Hammock	

6. Name, address, and title of applicant's authorized agent for permit application coordination.
Resource & Land Consultants, LLC Mr. Daniel H. Budey 41 Park of Commerce Drive, Suite 101 Savannar, Georgia 31405
Statement of Authorization: I Hereby designate and authorize the above named person to act in my in my behalf as my agent in the processing of this permit application and to furnish, upon request, supplemental information in support of this application. Signature of Applicant Date
7. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any to be erected on fills, piles, of float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance. If more space is needed, use remarks section on page 4 or add a supplemental sheet. (See Part III of the Guide for additional information required for certain activities.) Applicant proposes to construct a wood bulkhead to protect the existing shoreline at his private residence. Bulkhead would be 153' in length and require 1.89 CYD of backfill between the marsh/upland boundary.
8. Proposed use: Private X Public Commercial Other (Explain)
9. Names and addresses of adjoining property owners whose property also adjoins the waterway. Cajundawg LLC Alden Maier 214 W Alexandria Ave. Alexandria, VA 22302-4201 Rome, GA 30165-6674
10. Date activity is proposed to commence. Upon Approval Date activity is expected to be completed. 3 years
11. Is any portion of the activity for which authorization is sought now completeY XN
A. If answer is "Yes", give reasons in the remarks in the remarks section. Indicate the existing work on the drawings.
B. If the fill or work is existing, indicate date of commencement and completion.
C. If not completed, indicate percentage completed.
12. List of approvals or certifications required by other Federal, State or local agencies for any structures, construction discharges, deposits or other activities described in this application. Please show zoning approval or status of zoning for this project.
Issuing Agency Type Approval Identification No. Date/Application Date/Approval CMPC CMPA CMP20220048 11/2/2022 Pending
13. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?Yes _X _NO (If "yes", explain).

- 17. WATER QUALITY CERTIFICATION: In some cases, Federal law requires that a Water Quality Certification from the State of Georgia be obtained prior to issuance of a Federal license or permit. Applicability of this requirement to any specific project is determined by the permitting Federal agency. The information requested below is generally sufficient for the Georgia Environmental Protection Division to issue such a certification if required. Any item which is not applicable to a specific project should be so marked. Additional information will be requested if needed.
 - A. Please submit the following:
 - A plan showing the location and size of any facility, existing or proposed, for handling any sanitary or industrial waste waters generated on your property. N/A
 - 2. A plan of the existing or proposed project and your adjacent property for which permits are being requested. Please refer to drawings by Roberts Civil Engineering titled 206 West 10th Stree-Cottage 347 Sea Island GA 31561 dated 10/10/2022.
 - 3. A plan showing the location of all points where petro-chemical products (gasoline, oils, cleaners) used and stored. Any above-ground storage areas must be diked, and there should be no storm drain catch basins within the diked areas. All valving arrangements on any petro-chemical transfer lines should be shown. N/A.
 - 4. A contingency plan delineating action to be taken by you in the event of spillage of petro-chemical products or other materials from your operation. N/A
 - 5. Plan and profile drawings showing limits of areas to be dredged, areas to be used for placement of spoil, locations of any dikes to be constructed showing locations of any weir(s), and typical cross sections of the dikes. N/A
 - B. Please provide the following statements:
 - 1. A statement that all activities will be performed in a manner to minimize turbidity in the stream. ALL ACTIVITIES WILL BE PERFORMED IN A MANNER TO MINIMIZE TURBIDITY IN THE STREAM.
 - 2. A statement that there will be no oils or other pollutants released from the proposed activities which will reach the stream. NO OILS OR OTHER POLLUTANTS WILL BE RELEASED FROM THE PROPOSED ACTIVITIES.
 - 3. A statement that all work performed during construction will be done in a manner to prevent interference with any legitimate water uses. ALL WORK PERFORMED DURING CONSTRUCTION WILL BE DONE IN A MANNER TO PREVENT INTERFERENCE WITH LEGITIMATE WATER USES.
- 18. Application is hereby made for a permit or permits to authorize the activities described herein, Water Quality Certification from the Georgia Environmental Protection Division is also requested if needed. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

Signature of Apploant Chbi

Date

18. U.S.C. Section 1001 provides that: Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined no more than \$10,000 or imprisoned not more than 5 years or both.

PRIVACY ACT NOTICE

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972. These laws require permits authorizing structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Information provided will be used in evaluating the application for a permit. Information in the application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary, however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

SUPPORTING REMARKS: Please refer to CMPA application dated 11/2/2022 by RLC titled 260 West 10th Street Sea Island Shoreline Stabilization Project.



U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT 100 W. OGLETHORPE AVENUE SAVANNAH, GEORGIA 31401-3604

February 7, 2023

Regulatory Division SAS-2022-01059

Mr. John and Ms. Sarah Irby 1035 Nawench Drive Atlanta, Georgia 30327

Dear Mr. and Ms. Irby:

I refer to the Pre-Construction Notification requesting verification for use of Nationwide Permit (NWP) No. 18 for impacts to 0.003 acre of tidal waters for the construction of a 153 linear foot bulkhead. The project site is located in Village Creek, at 260 W. 10th Street, Lot 13, on Sea Island, Glynn County, Georgia (Latitude 31.1879, Longitude -81.3456). This project has been assigned number SAS-2022-01059 and it is important that you refer to this number in all communication concerning this matter.

We have completed coordination with other federal and state agencies as described in Part C (32)(d) of our NWP Program, published in the January 13, 2021, Federal Register, Vol. 86, No. 8, Pages 2744-2877 (86 FR) and/or the December 27, 2021, Federal Register, Vol. 86, No. 245, Pages 73522-73583 (86 FR). The NWPs and Savannah District's Regional Conditions for NWPs can be found on our website at http://www.sas.usace.army.mil/Missions/Regulatory/Permitting/GeneralPermits/NationwidePermits.aspx. During our coordination procedure, no adverse comments regarding the proposed work were received.

As a result of our evaluation of your project, we have determined that your proposed activity is authorized under NWP 18, as described in Part B of the NWP Program. However, at this time, the Georgia Department of Natural Resources, Coastal Resources Division (Georgia CRD), has denied Georgia Coastal Management Program (GCMP) certification, pursuant to the Coastal Zone Management Act, of 1972 (16 U.S.C. § 1455), as amended, for use of a NWP for your project.

This letter is the U.S. Army Corps of Engineers' provisional verification for your use of NWP 18, and does not authorize work in aquatic resources on the project site. Prior to beginning work in aquatic resources, you must obtain GCMP certification from the Georgia CRD for your project and submit a copy of this certification to this office.

Once you submit a copy of the GCMP Certification for your project to this office, you will have fulfilled this prerequisite for use of the NWP. You will not receive confirmation of receipt of the required certification from this office.

Please be advised that if you fail to obtain and submit the necessary GCMP Certification prior to beginning work, this action would be considered a willful and knowing violation of Section 404 of the Clean Water Act and appropriate enforcement action will be taken.

Your use of this NWP is valid only if you comply with all of the following conditions:

- a. The activity is conducted in accordance with the information submitted and meets the conditions applicable to the NWP, as described at Part C of the NWP Program and the Savannah District's Regional Conditions for NWPs.
- b. You shall notify the Corps, in writing, at least 10 days in advance of commencement of work authorized by this permit.
- c. You fill out and sign the enclosed certification and return it to our office within 30 days of completion of the activity authorized by this permit.
- d. The permittee shall ensure that all personnel associated with the construction of the bank stabilization are informed of the civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Endangered Species Act of 1973 (ESA) and the Marine Mammal Protection Act of 1972. The permittee and the permittee's contractor(s) (contractor) will be held responsible for any manatee harmed, harassed or killed as a result of construction activities.
- e. The use of siltation barriers in waters of the United States, below the high tide line, is not allowed in association with the construction of the authorized bank stabilization.
- f. All vessels associated with project construction shall operate at "no wake/idle" speeds at all times while in the project area. All vessels will follow routes of deep water when entering or exiting the project area, and while operating in the project area, whenever possible. For the purposes of compliance with manatee conditions, the project area is defined as all areas of shoreline, marsh and open waters within 100 feet of the outermost perimeter of the authorized bank stabilization.
- g. All contractors and other on-site personnel are responsible for observing for the presence of manatees in or near the project area. All in-water construction activities shall cease upon sighting of a manatee within 50 feet of any ongoing work in the marsh

or open waters. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.

- h. Extreme care shall be taken when lowering equipment and materials below the water surface and/or to the water bottom. Equipment and materials include but are not limited to: piles; sheet piles; casings for drilled shaft construction; spuds; pile templates; and anchors. All such equipment/material shall be lowered as slow as possible, to avoid injury to any manatee that may have entered the project area undetected.
- i. In the event of injury to or mortality of a manatee in the project area, the permittee or contractor shall immediately notify the Georgia Department of Natural Resources (Georgia DNR) at 912-264-7218 or 1-800-272-8363 on weekdays between 8:00 a.m. to 4:30 p.m., or 1-800-241-4113 on nights and weekends. Within one hour of a manatee injury or mortality the permittee or contractor shall notify the Corps at 1-800-448-2402 and the US Fish and Wildlife Service, Georgia Ecological Services Field Office at912-832-8739. Any dead manatee found in the project area shall be secured to a stable object to prevent the carcass from moving with the current. In the event of a manatee injury or mortality, all open water construction activity shall cease pending completion of consultation between the Corps and the FWS, pursuant to Section 7 of the ESA.
- j. The permittee shall ensure that the contractor keeps a log of sightings, collisions or injury to manatees that occur during the construction of the authorized bank stabilization.
- k. Within 30 days of project completion, the permittee shall submit a report summarizing manatee sightings or incidents that occurred during project construction, to the FWS, Ecological Services Field Office, Coastal Georgia Sub-Office, 4980 Wildlife Drive NE, Townsend, Georgia 31331. Submission of a negative report is not required.
- I. All temporary or unused construction materials shall be removed from the project area upon completion of the work, and any impacted area of salt marsh shall be restored. No construction debris or trash is to be discarded in project area.
- m. The permitee shall regularly inspect and maintain all hoses, faucets, and other potential sources of freshwater, to ensure that any freshwater leak is stopped and immediately repaired. Manatees are attracted to freshwater leaking from dock facilities, where boats are concentrated and there is an increased risk for manatee collisions.

- n. Prior to initiating authorized construction activities, the permittee shall contact Georgia DNR at 912-264-7218 for assistance with development of temporary manatee awareness sign plan for the project area. The plan will include the types and number of signs; and locations where signs will be installed to be prominently visible to contractors entering the project area from uplands and from the water. The permittee shall install temporary manatee awareness signs in accordance with the Georgia DNR approved plan. See attached Appendix A for information about the size and appearance of temporary manatee awareness signs. Within 30 days of project completion, the permittee shall remove all temporary manatee signs.
- o. All work shall be completed in accordance with the enclosed plans, "Site Overview" "Existing Conditions" "Proposed Bulkhead Plan" and "Proposed Bulkhead Detail" "206 West 10th Street-Cottage 347, Sea Island, GA 31561", pages 1-4, dated December 15, 2022.

This proposal was reviewed in accordance with Section 7 of the Endangered Species Act. Based on the information we have available, we have determined that the project may affect, but is not likely to adversely affect the West Indian manatee (*Trichechus manatus*), wood stork (*Mycteria americana*), and the Eastern indigo snake (*Dymarchon corais couperi*), and would have no effect on any other threatened or endangered species nor any critical habitat for such species. Authorization of an activity by a NWP does not authorize the "take" of threatened or endangered species. In the absence of separate authorization, both lethal and non-lethal "takes" of protected species are in violation of the Endangered Species Act. See Part (C) of 86 <u>FR</u> for more information.

This verification is valid until the NWP is modified, reissued or revoked. All of the existing NWPs are scheduled to expire on March 14, 2026. It is incumbent upon you to remain informed of changes to the NWPs. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

This authorization should not be construed to mean that any future projects requiring Department of the Army authorization would necessarily be authorized. Any new proposal, whether associated with this project or not, would be evaluated on a case-by-case basis. Any prior approvals would not be a determining factor in making a decision on any future request.

Revisions to your proposal may invalidate this authorization. In the event changes to this project are contemplated, I recommend that you coordinate with us prior to proceeding with the work.

This communication does not relieve you of any obligation or responsibility for complying with the provisions of any other laws or regulations of other federal, state or local authorities. It does not affect your liability for any damages or claims that may arise as a result of the work. It does not convey any property rights, either in real estate or material, or any exclusive privileges. It also does not affect your liability for any interference with existing or proposed federal projects. If the information you have submitted and on which the Corps bases its determination/decision of authorization under the NWP is later found to be in error, this determination may be subject to modification, suspension, or revocation.

Thank you in advance for completing our on-line Customer Survey Form located at https://regulatory.ops.usace.army.mil/customer-service-survey/. We value your comments and appreciate your taking the time to complete a survey each time you have interaction with our office.

If you have any questions, please call Ms. Amy Flowers, Project Manager, Regulatory Branch, at (912) 652-5048.

Sincerely,

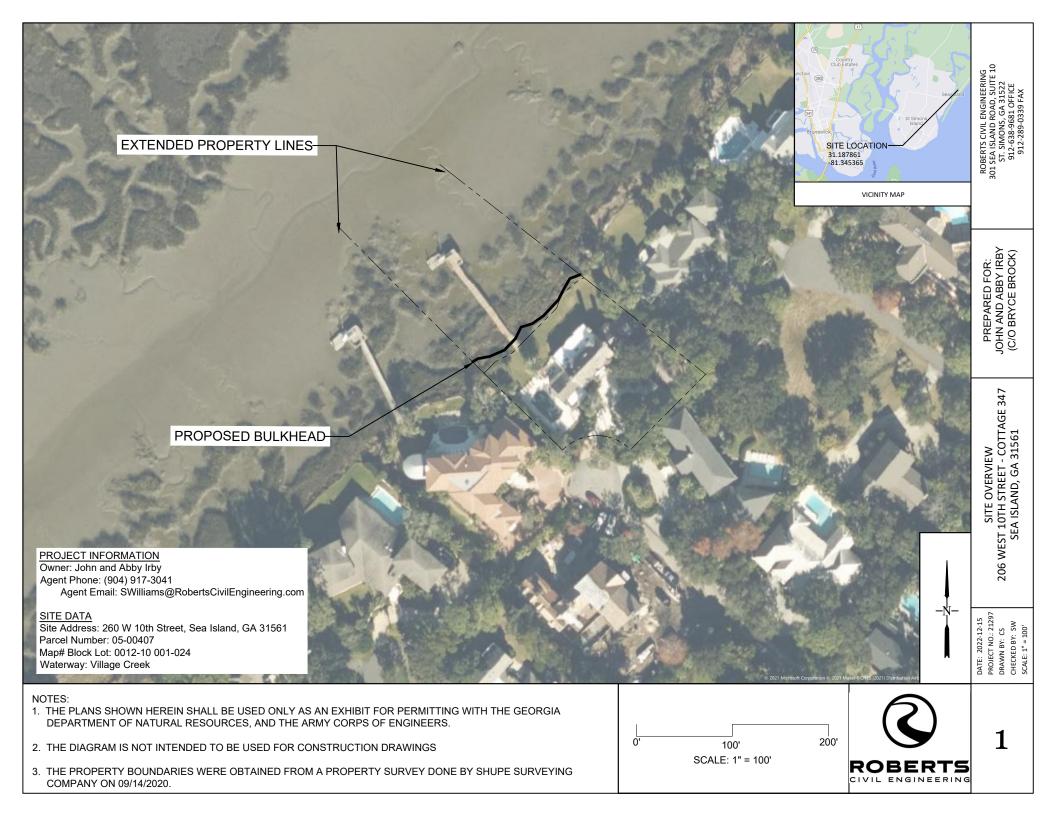
Sarah E. Wise

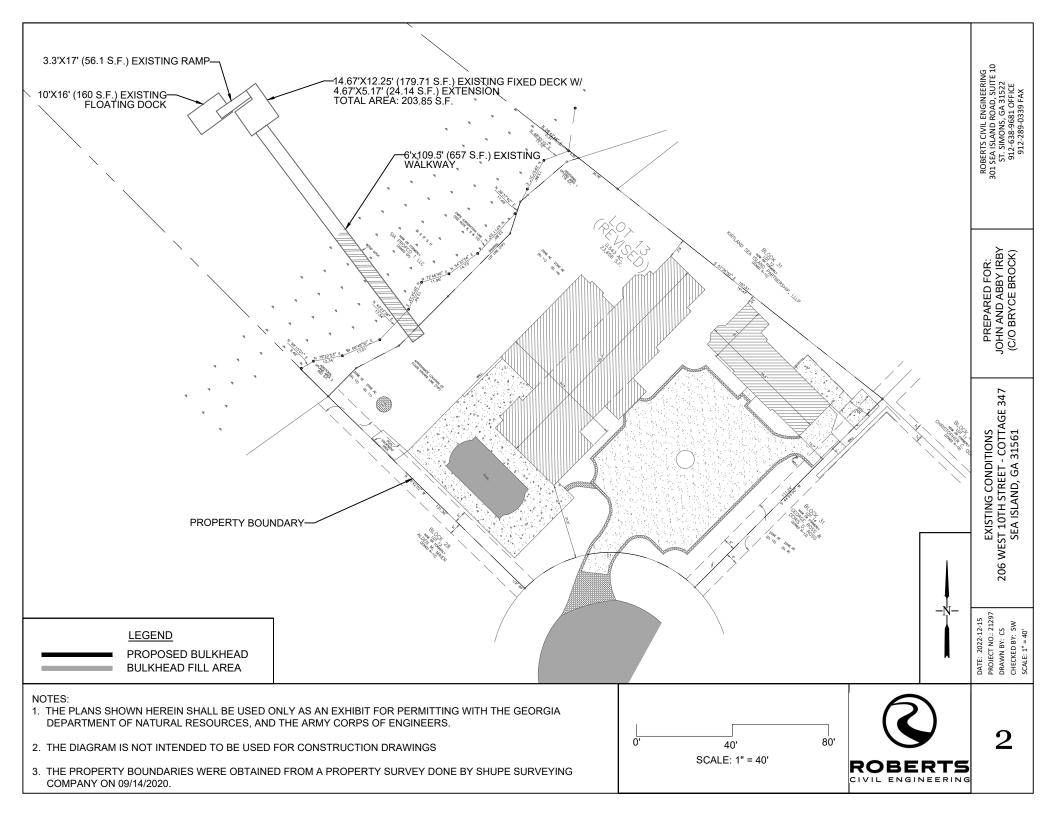
Lead Biologist, Coastal Branch

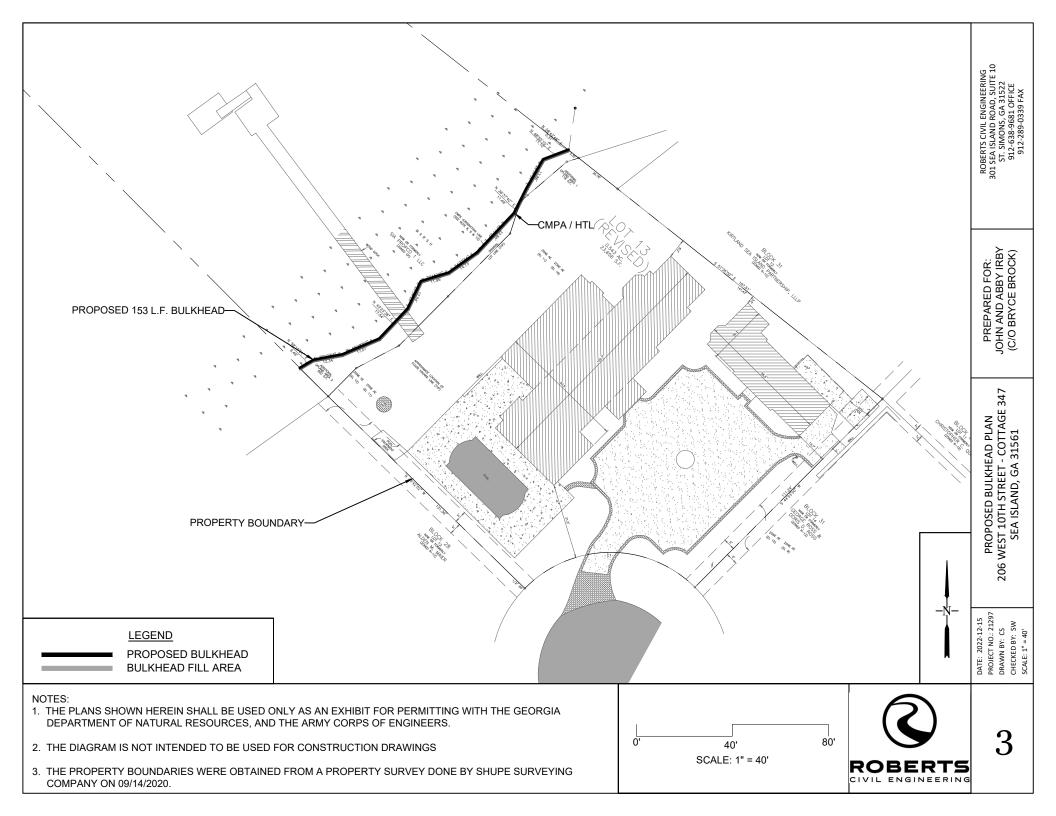
Enclosures

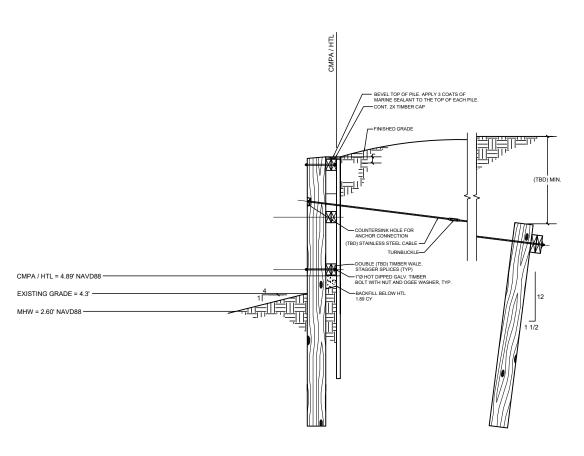
CERTIFICATION OF COMPLIANCE WITH DEPARTMENT OF THE ARMY NATIONWIDE PERMIT 18

PERMIT FILE NUMBER: SAS-2022-01059	
PERMITTEE/ADDRESS: Mr. John and Ms. Sarah Irby, 1035 Nawe Georgia 30327	ench Drive, Atlanta,
_OCATION OF WORK: The project site is located in Village Creek _ot 13, Sea Island, Glynn County, Georgia (Latitude 31.1879, Long	•
PROJECT DESCRIPTION: The minor discharge of approximetly 1 packfill during the construction of a 153 linear feet (0.003 acres) of	
ACRES AND/OR LINEAR FEET OF WATERS OF THE UNITED S 153 linear feet (0.003 acre)	TATES IMPACTED:
DATE WORK IN WATERS OF UNITED STATES COMPLETED:	
COMPENSATORY MITIGATION REQUIRED: N/A	
DATE MITIGATION COMPLETED OR PURCHASED (include nam	e of bank):
understand that the permitted activity is subject to a U.S. Army Co Compliance Inspection. If I fail to comply with the permit conditions Nationwide Permit Program, published in the January 13, 2021, <u>Fe</u> 36, No. 8, Pages 2744-2877 (86 <u>FR</u>) and/or the December 27, 202 Vol. 86, No. 245, Pages 73522-73583 (86 <u>FR</u>), it may be subject to modification or revocation.	at Part C of the deral Register, Vol. 1, <u>Federal Register</u> ,
hereby certify that the work authorized by the above referenced perequired mitigation (if applicable) has been completed in accordance conditions of the said permit.	_
Signature of Permittee	Date









 $\underline{\mathsf{NOTE}}_{:}$ "TBD" MEANS TO BE DETERMINED BY THE DESIGN PROFESSIONAL

PROPOSED BULKHEAD = 153 LF

153 LF x 1.0' = 153 SF

153 SF x 0.33' = 51 / 27 = 1.89 CY OF FILL

1.89 CY / 153 LF = 0.012 CY OF FILL PER LF

BULK HEAD DETAIL

NOTES

- 1. THE PLANS SHOWN HEREIN SHALL BE USED ONLY AS AN EXHIBIT FOR PERMITTING WITH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES, AND THE ARMY CORPS OF ENGINEERS.
- 2. THE DIAGRAM IS NOT INTENDED TO BE USED FOR CONSTRUCTION DRAWINGS
- 3. THE PROPERTY BOUNDARIES WERE OBTAINED FROM A PROPERTY SURVEY DONE BY SHUPE SURVEYING COMPANY ON 09/14/2020.

N.T.S.



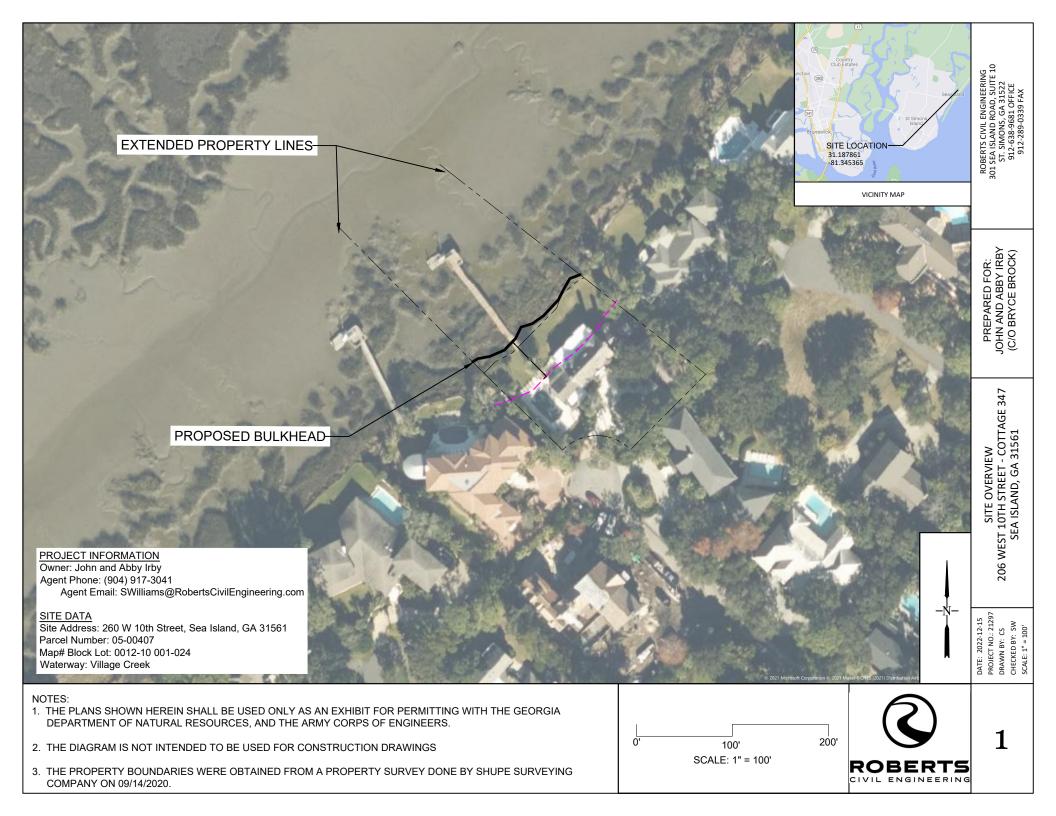
4

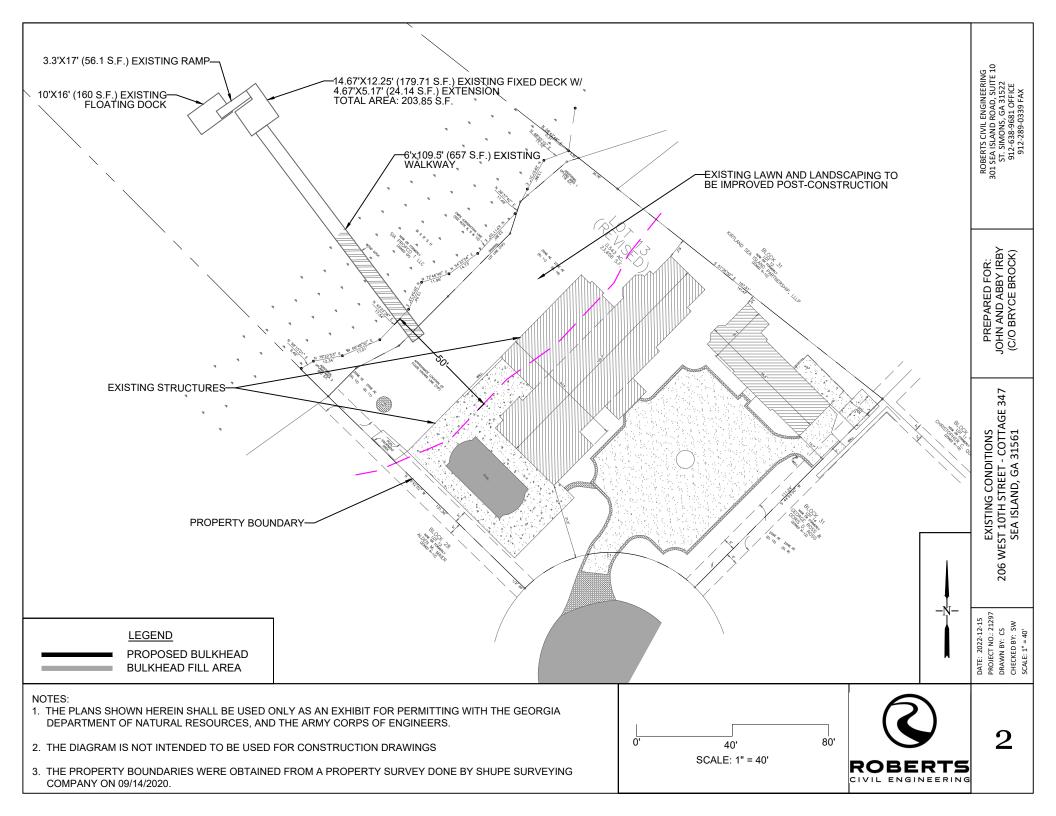
PREPARED FOR: JOHN AND ABBY IRBY (C/O BRYCE BROCK)

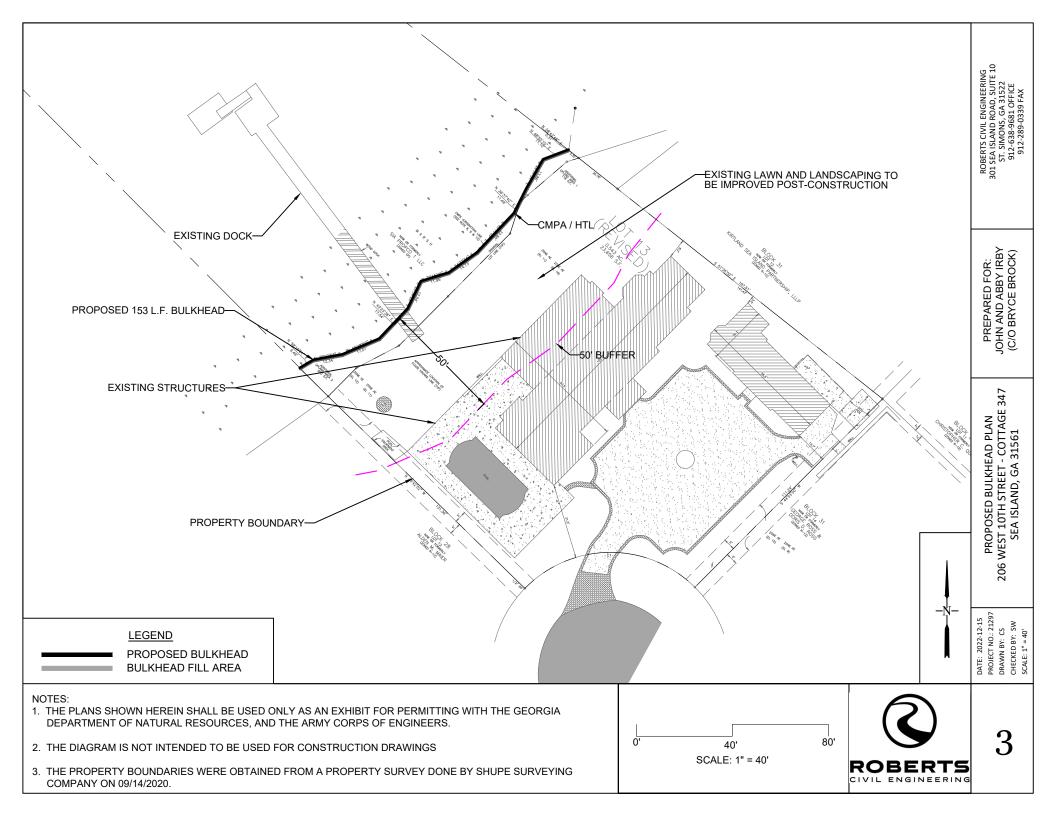
ROBERTS CIVIL ENGINEERING 301 SEA ISLAND ROAD, SUITE 10 ST. SIMONS, 62 31522 912-638-9681 OFFICE 912-289-0339 FAX

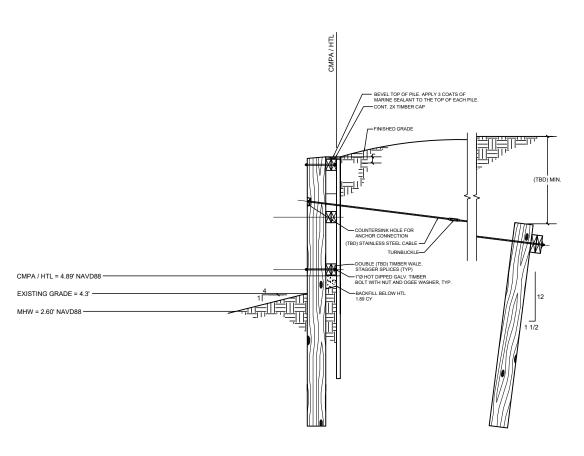
PROPOSED BULKHEAD DETAIL 206 WEST 10TH STREET - COTTAGE 347 SEA ISLAND, GA 31561

DATE: 2022-12-15 PROJECT NO: 21297 DRAWN BY: CS CHECKED BY: SW SCALE: N.T.S.









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