

1.0 Introduction

St. Marys Boat Services (the Applicant) is seeking Coastal Marshland Protection Act (CMPA) authorization to construct a culverted road crossing in a man-made tidal stormwater ditch to provide access to additional land associated with the Applicant's marine maintenance, repair, and storage operations. The project is located on the west side of Point Peter Road, approximately one mile south of North River Causeway, in St. Marys, Camden County, Georgia (30.74482, -81.52516, Attachment B).

As proposed, the modification will result in the filling of +/-770 ft² of man-made tidal stormwater ditch and the installation of 160 ft² of rip-rap for erosion prevention. The Applicant is requesting that the project be considered under the minor alteration provisions of the CMPA, O.C.G.A. §12-5-283(d).

2.0 Background & Existing Conditions

The existing marine services operation provides haul out and launch services on the North River for vessels up to 50 tons, fiberglass and wood repair, pressure washing and painting of hulls, mast removal, rigging repairs, and engine and generator repair/replacement. The operation was expanded in 2018 through the purchase of additional lands located north of the existing operations. To provide access to accommodate the 50-ton travel lift, the Applicant installed a culvert and fill in the ditch without the knowledge that it was tidal and regulated under the CMPA. At the direction of the Coastal Resources Division Enforcement staff, Applicant removed the culvert and fill and obtained a Letter of Permission to install a temporary bridge across the ditch while seeking a CMPA permit for a permanent culverted crossing that would support the 50-ton travel lift.

3.0 Project Description

The overall project purpose is to provide travel lift access to the expanded boat yard located north of the existing facilities. The engineered culverted crossing would require the following activities within the CMPA jurisdictional man-made stormwater ditch (please refer to project drawing Attachment C):

- Install two (2) 45' of 48" RCP culvert pipes at 0% slope
- Place 770 ft² of fill over pipe (55.4 cubic yards)
- Place 160 ft² of rip-rap at pipe ends for erosion control (2.96 cubic yards)

The proposed crossing would be contained within two (2) concrete headwalls to minimize the amount of impact in jurisdiction. The crossing within jurisdiction would be approximately 16' wide at the east limits and 21.59' wide at the west limits and would be +/-42.10 wide from headwall to headwall. The rip-rap would be placed on the upstream and downstream ends of the culverts. As proposed, the project would result in the alteration of +/-930 ft² of tidal man-made stormwater ditch.

3.1 Marshland Component

The marshlands component consists of the alteration of +/-930 ft² of tidal man-made stormwater ditch due to the installation of culverts, over-fill, and rip-rap for erosion protection.

3.2 Upland Component

The proposed project consist of the construction of a culverted road to access uplands to expand an existing marine services operation. The marshlands component, being an access road in jurisdiction to provide access to adjacent uplands, does not provide access to coastal marshlands. Therefore, there is no upland component associated with the project that would serve or augment the marshlands component as defined under the Rules of Georgia Department Of Natural Resources, Coastal Resources Division Chapter 391-2-3.02(2)(q).

4.0 Alternatives Considered

The proposed alterations in jurisdiction are located in a tidal man-made stormwater ditch and will provide access to adjacent uplands to expand the existing business. The overall project purpose cannot be satisfied by non-marsh alternatives or alternate locations. The Applicant considered a bridge option, but the size and load bearing capacity of a bridge to support a 50-ton travel lift would not be economically feasible. The existing conditions of the jurisdictional area, being a non-vegetated man-made stormwater ditch, do not warrant the expense that would be required for a bridge of that capacity. Access to the expansion area by using Point Peter Road is not feasible due to the size of the travel lift, which weights 40,000 pounds empty and up to 100,000 pounds with a vessel up to 60' in length. The presence of overhead power lines would impede the movement of large marine vessels with extensive rigging that exceed 50' in height. Standard National Electric Safety Code ground clearance utility line heights for public roadways are typically only eighteen feet (18'). Notwithstanding the vertical impediments, the lift travels at a very slow pace, which would require closing of Point Peter Road for extensive periods of time while the lift were in use. Given the weight limits, vertical clearance requirements, and difficulties associated with using a public road, the proposed project is only feasible as proposed.

5.0 Needs Assessment

The proposed project is necessary to provide access to recently acquired lands necessary to expand the existing marine services. The existing boat yard is at capacity and makes movement of vessels difficult, and new business must be turned away. The Applicant has invested significant resources to acquire the additional properties and has obtained zoning approval from the City of St. Marys to utilize the acquired land for the business expansion.

6.0 Project Justification

The proposed project is necessary to the operation of the existing marine services facility. The project will only result in the alteration of +/-930 ft² of a non-vegetated man-made tidal stormwater ditch. The culvert sizes have been calculated by Roberts Civil Engineering to meet flow requirements. The proposed project will not result in alteration of the navigable waters used for public navigation, create shoaling or areas of stagnant water, or have an adverse effect on aquatic life that would utilize the existing habitat.

7.0 Commercial Bait Shrimp, Oyster, and Crabbing Areas

The proposed project is not located in a designated bait shrimp zone according to Georgia Department of Natural Resources *Commercial and Recreational Bait Shrimp Zones, Coastal Georgia* map. The project area is not listed on the *Georgia Harvester Reported Crabbing Areas* list, and the project area is not located in designated commercial or recreational oyster harvest areas.

8.0 Supplemental Information

This additional information is provided for compliance with Coastal Marshlands Protection Act 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-

St. Marys Boat Services
Attn: Mr. Rocky Smith
P.O. Box 5038
St. Marys, Georgia 31558

(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 *St. Marys Boat Yard* dated May 18, 2021 (Attachment C). The work will be accomplished by equipment from uplands. No construction equipment will be placed in vegetated marshlands.

(3) A plat of the area in which the proposed work will take place- The project drawing was developed using survey work conducted by AKM Surveying Inc. as depicted on the survey titled *Map To Show Topographical Survey Of A Portion Of Lands of Rocky Smith, City Of St. Marys, 29th G.M.D., Camden County, Georgia* dated June 20, 2020 (Attachment C).

(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- Deeds for subject property are included in Attachment E.

(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 F.

(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; The proposed plans have been submitted to St. Marys Community Development (Attachment G).

(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. Check for \$500.00 is attached to the hard copy of the 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 4.0 for alternative site discussion. The proposed alteration will only result in +/-930 ft² of structure in a tidal man-made stormwater ditch. No feasible alternatives are available to satisfy the overall project purpose to provide access to adjacent upland property.

(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 Camden 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 obtained as part of the certification of the use of Nationwide Permit #18. A Pre-construction Notification for use of NWP #14 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 the City of St. Marys.

(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 has been engineered to maintain proper flow rates for the stormwater ditch.

(2) Whether or not unreasonably harmful or increased erosion shoaling of channels, or stagnant areas of water will be created- The proposed structure is engineered to maintain proper flow rates and includes erosion control measures. As designed, the alteration 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 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 structure will alter only +/-903 ft² of a non-vegetated man-made stormwater ditch, and upon completion, will maintain the existing level of marine life typically found in similar habitats.

From: [Dan Bucey](#)
To: [Noble, Josh](#)
Subject: St. Marys Boat Services
Date: Tuesday, December 20, 2022 10:11:12 AM
Attachments: [image001.png](#)

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Josh;

The following information was provided by the applicant:

St. Marys Boat Services has been in business nearly 30 years and we are able to accommodate the larger, heavier boats. A bridge is not feasible as its width and weight restrictions would limit us to moving only smaller boats to the new property. A "smaller" boat is less than 40' and 30,000 lbs.

However, over half of our business consists of hauling, storing, and launching larger boats, that is,

boats in excess of 40' and up to 60' in length and weighing up to 100,000 lbs. The equipment we have includes a 50-ton Travel Lift, which is required to haul and transport this larger category of boat.

Our Travel Lift weighs 40,000 lbs. empty and up to 140,000 lbs. when transporting a boat. The travel lift is 26' wide and given the weight load of up to 140,000 lbs. requires +/-8' of additional road shoulder on each side to disperse the weight.

Let me know if you have additional questions.

Thanks,

Daniel Bucey, PRINCIPAL

41 Park of Commerce Way, Suite 101

Savannah GA, 31405

P 912 443 5896 F 912 443 5898 C 912 659 0988

<http://www.rlandc.com>

