

1.0 Introduction

Sea Island Acquisition, LLC (SIA) is seeking authorization to modify Department of the Army (USACE) permit SAS-2005-01418 and Coastal Marshlands Protection Committee (CMPC) Permit #709 to relocate portions of the existing floating docks and to add additional floating docks for expansion of the SIA fleet and to provide for transient mooring space. The Cloister marina is located on the east side of the Black Banks River, north of the Sea Island Causeway, on Sea Island, Glynn County, Georgia (31.1806, -81.3519, Attachment B).

As proposed, the modification will result in the addition of +/-1,236 ft² of floating dock. Therefore, SIA is requesting that the modification 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 marina was last modified under CMPA Permit #709 issued September 23, 2015 and SAS-2005-01418 issued November 30, 2015. The existing structure occupies 6,532 ft² of tidal waters. The depths of the river at low tide have decreased in the northern portion of the facility near the shoreline, and therefore the floating docks located in this area no longer provide adequate depths to provide mooring of vessels at low tide.

3.0 Project Description

The overall project purpose is to modify the existing layout of the marina and to increase wet slip mooring space. Currently, SIA is utilizing all of the useable dock space with the existing fleet. Upcoming additions to the fleet, the need to provide additional mooring space for transient vessels, and the need for docking for contract vessels requires the relocation of some of the existing floating docks and the addition of additional floating docks. The applicant is seeking authorization to perform the following activities in jurisdiction:

- Eliminate two (2) existing mountable floats
- Eliminate existing 6' x 40' ramp
- Relocate seven (7) existing floating docks
- Relocate 25' x 5' floating dock
- Add +/-103' x 10'-3" floating dock
- Add +/-22'-5" x 8'-7" floating dock

The modified facility would extend approximately 106' beyond MLW at a location on the river that is approximately 251' wide from MLW to MLW (please refer to project drawing, Attachment C). Once constructed to the maximum authorized dimensions, the marina will possess over 500 linear feet of mooring space and will require a state waterbottoms lease. SIA will coordinate with GADNR staff when construction of mooring space reaches 500 linear feet to implement the lease agreement.

3.1 Marshland Component

The marshlands component consists of the removal of the mountable floats, removal of the existing 6' x 40' ramp, the relocation of seven (7) existing floating docks, relocation of a 25' x 5' floating

dock, and the addition of a 103' x 10'-3" floating dock and a 22'-5" x 8'-7" floating dock. The total area of the marina upon completion of the proposed modification will be +/-7,436ft².

3.2 Upland Component

The upland component of the project consists of the existing section of the walkway that transitions from the jurisdiction line to the upland walkways. No modification to the upland component is proposed.

4.0 Alternatives Considered

The proposed modifications are located over open water and will provide additional access and mooring to meet the project purpose. Non-marsh alternatives would fail to satisfy the project purpose as wet slips are necessary to provide boat access at this location. Use of alternate locations is also not feasible as the project location directly services residents and guests frequenting the Cloister, Beach Club, and other Sea Island venues. The modifications are individually and cumulatively minimal and would result in less impacts than constructing a new marina at an alternate location. The project is for water-dependent activities such as fishing and nature tours of the local waterways. The need for relocation of existing floating docks and the expansion of the floating dock facilities for mooring of watercraft cannot be satisfied by upland facilities, as dry dock and launching facilities do not exist in proximity to the existing facilities.

5.0 Needs Assessment

The proposed project will serve the existing Sea Island fleet, future fleet expansion, transient vessels, and contract vessels at the Cloister marina. Currently, the existing fleet occupies all of the existing useable dock space. Frequently there is no room for transient vessels or contract vessels to moor unless existing fleet vessels have left for the day. Additionally, the new Sea Island Explorer, at 71' in length, is using the existing 40' outer floating dock, which is insufficient to properly secure the vessel.

The current fleet includes the 71' Sea Island Explorer, a 39' center console offshore vessel, six (6)-27' near shore/inshore center console vessels, and an 18' inshore vessel. During peak season, two to three subcontracted fishing and touring vessels also use the marina daily, and there has been demand for transient space that currently cannot be accommodated. Currently useable mooring space is approximately 293', and current vessel lengths (hull length only; does not include outboard engines and required space between vessels for mooring) total 290'. With outboard engines raised, a typical vessel requires minimum of 4' off the bow and stern to effectively maneuver and moor on the floating dock. Therefore, the existing outboard powered fleet requires 296' of floating dock. The Sea Island Explorer, at 71', requires 110' of dock space to properly maneuver and secure the vessel, for a total need of 406' of floating dock just for the existing Sea Island fleet.

The relocation of +/-109' of existing floats when added to the existing 293' of useable floats would provide +/-402' of mooring space, enough to accommodate the existing Sea Island fleet, but would not provide for the impending fleet expansion, contract arrival and departures, or transient vessels. The proposed addition of 249.23' of floating dock would provide space for four transient vessels at 50' each with approximately 49' of space for contract vessel arrival and departure. Space for transient and contract vessels would be reduced if Sea Island expands its existing fleet.

6.0 Project Justification

The proposed modification will result in an additional 1,236 ft² (0.03-acre) of additional structure within jurisdiction. Upon approval of the requested modification, the marina will occupy only 7,435.87 ft² (0.17-acre) of jurisdictional area. The proposed modifications will allow for the permittee to reconfigure the existing facility to accommodate changes in the river depths and provide for a modest expansion to accommodate their existing fleet and additional needs for transient and contract vessels. All proposed modifications would occur in open water and will not result in alteration of the navigable waters, shoaling, creation of areas of stagnant water, or an adverse effect on aquatic life.

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-

Sea Island Acquisition, LLC
Attn: Mr. Yates Anderson
P.O. Box 30351
Sea Island, Georgia 31561

(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 titled *Cloister Dock* dated September 10, 2021 (Attachment C). The work will be accomplished by equipment from floating barge. 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 Shupe Surveying Company, P.C. including as-built dimensions (Attachment C). Also attached is a survey by Shupe titled *ALTA/ACSM Land Title Survey Of: Cloister Campus-West*, dated February 24, 2014 (Attachment D).

(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 approved by the Glynn County Office of 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 project will not require filling of coastal marshlands. The proposed modification will only result in an additional 1,235.93 ft² of structure within jurisdiction that is necessary for the safe and efficient operation of the marina facility.

(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 should not be required. The USACE will coordinate with the EPD as part of their permit process to determine if 401 WQC is required.

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

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

OCGA 12-5-286. Permits to fill, drain, etc. marshlands.

(g) In passing upon the application for permit, the committee shall consider the public interest, which, for purposes of this part shall be deemed to be the following considerations:

(1) Whether or not unreasonably harmful obstruction to or alteration of the natural flow of navigational water within the affected area will arise as a result of the proposal- The proposed modification of the authorized structure will not alter natural flow of navigable waters or obstruct public navigation. The outermost portion of the structure is existing and projects approximately 106' into the river at a location that is approximately 251' wide at MLW. Adequate depth and width is available for navigation upstream and downstream of the existing and proposed facilities.

(2) Whether or not unreasonably harmful or increased erosion shoaling of channels, or stagnant areas of water will be created- The existing and proposed structure is pile-supported and 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 existing and 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 majority of the structure is previously authorized and constructed, and the proposed additional structure will only add 1,235.93 ft² of structure within jurisdiction supported on pilings over open water. No fill or other alterations will occur from the project that would result in the loss or conversion of tidal waters that would negatively affect marine life.