

DOLPHIN ISLAND H.O.A. COMMUNITY BOAT LIFT

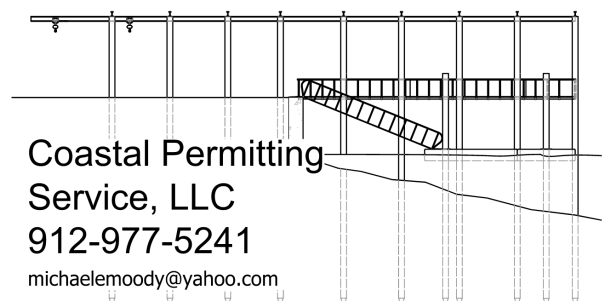
COASTAL MARSHLANDS PROTECTION ACT
& SECTION 10 OF THE RIVERS & HARBORS ACT
PERMIT APPLICATION



FEBRUARY 17, 2021 REVISED 06/20/21

APPLICANT:

DOLPHIN ISLAND HOME OWNERS ASSOCIATION, INC



Coastal Permitting
Service, LLC
912-977-5241
michaelemoody@yahoo.com

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1.0 Introduction

Dolphin Island Home Owners Association, Inc (Applicant) is seeking authorization under Section 10 of the Rivers & Harbors Act of 1899 (RHA) and the Coastal Marshlands Protection Act of 1970 (CMPA) to construct a community boat lift to service a residential development located on the Jerico River, east of U.S. I-95, in Midway, Liberty County, Georgia (31.48'58" N, 81.21'53" W).

The proposed community boat lift will provide water access for the residents of Dolphin Island Preservation. The upland component of the project consists of a 616ft² pile supported structure over previous area to access the marshlands component of the project. The marsh component of the project consists of a pile-supported lift and floating dock that would occupy 1496ft² (0.03-acre) of tidal waters, and thus qualifies as a minor alteration under 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 proposed project is located on the west shoreline of the Jerico River, approximately 365' northeast of the Isle of Wight. The subject property is approximately 190 acres in size. An existing community dock is located +/-190' upstream from the proposed community boat lift location. The CMPA jurisdiction limits were verified by CRD staff via letter of June 21, 2021. The CMPA limits were established by tidal elevation, as the area lacks salt-tolerant vegetation upon which the CMPA limits are usually delineated.

3.0 Project Description

In December of 2010, the Dolphin Island Preservation, LLC sold the subject property to Dolphin Island Home Owners Association, Inc. The proposed community boat lift will provide water access and mooring for the Dolphin Island residents. Upon launching their watercraft, the residents will be required to return their vehicle and trailer to their residence. The Coastal Marshlands Protection Committee issued permit #487 in 2005 to the Dolphin Island Preservation, LLC for the existing community docks that serve the residents.

4.0 Marshland Component

The marshlands component of the project would occupy 1496 ft² (0.03-acre) of tidal waters and consists of a 4' x 48' timber walkway (catwalk), a 14' x 48' boat lift/hoist, a 10' x 40'

floating dock that will connect to another 10' x 16' floating dock and 3' x 24' aluminum gangway. The structure would occupy 19% of the waterway at MLW, extending +/-40' beyond MLW at a location on the river that is +/-205' wide from MLW to MLW.

5.0 Upland Component

The upland component will consist of all activities within the 50ft. coastal marshlands buffer directly upland of the existing concrete bulkhead. The upland component will consist of a 14' x 44'ft. (616sq.ft.) portion of the pile supported hoist. The upland portion of the hoist will be located over a pervious area consisting of sparse vegetation and gravel. All temporary impacts within the upland component will be restored to the preconstruction state and will remain 100% pervious. No direct discharge of stormwater is proposed from the upland component.

6.0 Alternative Sites Considered

The applicant considered utilization of existing off-site alternative water access facilities to provide residents the opportunity to access coastal waters. The Dolphin Island development is designed and marketed to potential buyers that would desire waterfront living along with unrestricted access to coastal waters. There is a public boat ramp approximately 2 miles away at the Jones Creek park. This ramp is only accessible at high to half tide and requires a four wheel drive vehicle due to soft soil ramp condition. There is another public boat ramp approximately 12 miles away in Sunbury. However, this facility has limited parking and a tie-up limit. These limitations would not likely meet the requirements of the residents of Dolphin Island, who will require on-site wet slips as opposed to off-site launching and limited mooring time, as well as the off-site storage and commuting to such facilities that this alternative would require. Additionally, by providing on-site wet slips at the proposed project, it will free up space for boaters that may utilize these alternative facilities.

The project as proposed represents the most feasible option to provide necessary boat launching access for the residents/members and the increased demand that will occur in this area while protecting the general public's ability to continue to use existing public facilities without undue demand and crowding. Please see Attachment H, for a letter from the HOA confirming past and present approval for the lift site. This community has always intended to construct a lift on this site. At the end of the letter, we've included partial correspondence with the DNR in 2008 regarding the permitting of this lift.

7.0 Project Justification

The proposed project would provide water access for the current eight (8) residents and fifty (50) non-resident members of the Dolphin Island Home Owners Association as well as future members/residents. The proposed project will provide access with a very limited amount (0.03-acre) of impact to coastal marshlands. Restrictions on additional single-family docks through existing covenants addressed in the CMP permit #487 will ensure that the amount of structures in coastal marshlands are limited to community-based structures that will serve their needs with the minimum necessary impacts.

8.0 Supplemental Information

This additional information is provided for compliance with Coastal Marshlands Protection Act of 1970 information requirements:

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

(b) Each application for such permit shall be properly executed, filed with the department on forms as prescribed by the department, and shall include:

(1) ***The name and address of the applicant-***

Dolphin Island Home Owners Association, Inc
Attn: Mr. Allen Harwood
P.O. Box 885
Hinesville, Georgia 31310

(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 drawings produced by J L Vick Civil Engineering titled ***Boat Lift Exhibit Plan, Dolphin Island HOA, Midway Georgia***, Sheets 1&2, dated June 8, 2020 (Attachment C). The work will be accomplished by equipment from floating barge and from uplands; no equipment will be operated in vegetated marshlands.

(3) ***A plat of the area in which the proposed work will take place-*** Attachment F contains a plat produced by Brewer Land Surveying, titled ***Portions of Jerico River and Dolphin Island Subdivision***, Dated June 8, 2020.

- (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 is included in Attachment B.
- (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;* The County of Liberty issued a letter dated February 11, 2021 stating that the proposed structure does not violate applicable zoning regulations. The drawings were approved and signed by LCPC staff, building/codes department, on February 11, 2021 (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.* Check for \$250.00 is attached.
- (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 for discussion of alternative sites considered.
- (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 Liberty 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-* It is the Applicant's opinion that Water Quality Certification (WQC) is not required since no fueling facilities are proposed and no discharge of fill material is proposed as regulated under the Clean Water Act. If required, WQC will be initiated during processing of the proposed activity by the USACE.

(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 Midway and/or Liberty 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 structure is pile-supported and will not alter natural flow of navigable waters or obstruct public navigation. The structure would occupy 5% of the waterway at MLW, extending +/-40' beyond MLW at a location on the river that is +/-205 ' wide from MLW to MLW. Adequate depth and width is available for navigation around the proposed structure.

(2) Whether or not unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water will be created- The proposed facility will be pile-supported and will allow tidal waters to ebb and flood around and through the structure. The piles will not divert water in a manner that would increase erosion, cause shoaling of channels, or create areas of stagnant 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. Standard manatee protection measures will be implemented during and after construction.

Attachment A:

CESAS Form 19 & State of Georgia
Revocable License Request

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, Savannah District, US Army Corps of Engineers, ATTN: CESAS-RD, 100 W. Oglethorpe Avenue, Savannah, Georgia 31401-3640. 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 1-21-2021

3. For Official Use Only _____ Dolphin Island Home Owners Association, Inc
P.O. Box 855

4. Name and address of applicant. Hinesville, GA 31310

5. Location where the proposed activity exists or will occur.

Lat. 31° N Long. 81° W

| | | |
|-----------------------------------------|--------------------------------------------------------------------|----------------------------------|
| <u>Liberty</u> County | <u>1359TH</u> Military District | <u>Midway</u> In City or Town |
| <u>Midway</u> Near City or Town | <u>Dolphin Island</u> Subdivision | <u>Common Area B</u> Lot No. |
| <u>2.99 acres</u> Lot Size | <u>10'</u> Approximate Elevation of Lo | <u>Georgia</u> State |
| <u>Jerico River</u> Name of Waterway | <u>St Catherines Sound</u> Name of Nearest Creek, River, Sound, | <u></u> Bay or Hammock |

6. Name, address and title of applicant's authorized agent for permit application coordination.

Michael Moody
256 S Topi Trail
Hinesville, Ga 31313

Statement of Authorization: I hereby designate and authorize the above named person to act 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.

Allen K. Harwood 03-30-2021
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.)

8. Proposed use: Private ☒ Public ☐ Commercial ☐ Other ☐ (Explain)

9. Names and addresses of adjoining property owners whose property also adjoins the waterway.

Samuel D Turner
265 Preservation Crossing Ave
Midway GA 31320

Dolphin Island Home Owners Association Inc
PO Box 885
Hinesville, GA 31310

10. Date activity is proposed to commence. Upon receipt of authorization to proceed

Date activity is expected to be completed. Within 5 years of authorization to proceed.

11. Is any portion of the activity for which authorization is sought now complete ☐ Y ☒ N

- 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.

| <u>Issuing Agency</u> | <u>Type Approval</u> | <u>Identification No.</u> | <u>Date/Application</u> | <u>Date/Approval</u> |
|-----------------------|----------------------|---------------------------|-------------------------|----------------------|
|-----------------------|----------------------|---------------------------|-------------------------|----------------------|

13. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?
☐ Yes ☒ NO (If "yes", explain).

Note: Items 14 and 15 are to be completed if you want to bulkhead, dredge or fill.

14. Description of operation: (If feasible, this information should be shown on the drawing). N/A

a. Purpose of excavation or fill _____.

1. Access channel length _____ depth _____ width _____

2. Boat basin length _____ depth _____ width _____

3. Fill area length _____ depth _____ width _____

4. Other _____ length _____ depth _____ width _____

(Note: If channel, give reasons for need of dimensions listed above.)

b. If bulkhead, give dimensions _____

-- Type of bulkhead construction (material) _____

1. Backfill required: Yes _____ No _____ Cubic yards _____

2. Where obtained _____

c. Excavated material

1. Cubic yards _____

2. Type of material _____

15. Type of construction equipment to be used _____

a. Does the area to be excavated include any wetland? Yes ☐ No ☐

b. Does the disposal area contain any wetland? Yes ☐ No ☐

c. Location of disposal area _____

d. Maintenance dredging, estimated amounts, frequency, and disposal sites to be utilized: _____

e. Will dredged material be entrapped or encased? _____

f. Will wetlands be crossed in transporting equipment to project site? _____

g. Present rate of shoreline erosion (if known) _____

16. Description of Avoidance, Minimization and Compensation: Provide a brief explanation describing how impacts to waters of the United States are being avoided and minimized on the project site. Also, provide a brief description of how impacts to waters of the United States will be compensated for, or a brief statement explaining why compensatory mitigation should not be required for those impacts.

The project consists of pile-supported structures and a floating dock. No fill or dredging is associated with the project. The project will not result in the loss of waters of the U.S. and therefore no compensatory mitigation is required.

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:

1. A plan showing the location and size of any facility, existing or proposed, for handling any sanitary or industrial waste waters generally on your property. **N/A**

2. A plan of the existing or proposed project and your adjacent property for which permits are being requested. **Included with application**

3. A plan showing the location of all points where petro-chemical products (gasoline, oils, cleaners) used and stored. Any aboveground storage areas must be diked, and there should be no storm drain catch basins within the dike 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. **No petro-chemical products are proposed on site.**

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 released from the proposed activities wick will reach the stream.

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 under take the proposed activities.



19. 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 fills 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:

**U.S. Army Corps of Engineers
Regulatory Branch, Coastal Area Section
100 West Oglethorpe Avenue
Savannah, Georgia 31401-3640**

To Whom It May Concern:

This is to certify the work subject to the jurisdiction of the U.S. Army Corps of Engineers as described in my application dated 1-21-2021, is to the best of my knowledge, consistent with the Georgia Management Plan.

Since my project is located in the Coastal Area of Georgia, I understand the U.S. Army Corps of Engineers must provide this statement to the Georgia Department of Natural Resources, Coastal Resources Division, Ecological Services Section (GADNR-CRD) for its review, and a Department of Army permit will not be issued until the GADNR-CRD concurs with my findings. I also understand additional information may be required by the GADNR-CRD to facilitate its review of my project and the additional information certifications may be required for other Federal or State authorizations.

Signature of Application: Allen K. Harwood
Date: 03-30-2021
Printed Name of Applicant: Dolphin Island Home Owners Association Inc
Street Address: 155 Preservation Crossing Ave

City, State, Zip Code: Midway, GA 31320
Phone Number: 912-441-4761
Fax Number:
E-Mail Address: Allenharwood@yahoo.com

**For questions regarding consistency with the Georgia Coastal Management Program,
Please contact Kellie Moore, GADNR-CRD, (912) 264-7218.**

STATE OF GEORGIA

REVOCABLE LICENSE REQUEST FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANTS NAME(S): Dolphin Island Home Owners Association, Inc
MAILING ADDRESS: 155 Preservation Crossing Ave Midway GA 31320
(Street) (City) (State) (Zip)
PROJECT ADDRESS/LOCATION: 155 Preservation Crossing Ave Midway, Ga 31320
COUNTY: Liberty WATERWAY: Jerico River DATE: 1-21-2021
LOT, BLOCK & SUBDIVISION NAME FROM DEED: Common Area B

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 encroach on the beds of tidewaters, which are state owned property. Attached hereto and made a part of this request is a copy of the plans and description of the project that will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

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 signed a copy of this request.

Sincerely,

By: Allen K. Hawood, Secretary HOA
(Applicant), title if applicable

By: _____
(Applicant), title if applicable

The State of Georgia hereby grants you a revocable license not coupled with an interest as provided in your request. This area may now or in the future be utilized by boats employing power drawn nets under the provisions for commercial or sport bait shrimping. In its occupancy and use of the premises, licensee shall not discriminate against any person on the basis of race, gender, color, national origin, religion, age, or disability. This covenant by licensee may be enforced by termination of this license, by injunction, and by any other remedy available at law to the Department. The project proposed for this license must be constructed and completed within the specified timeframe associated with the authorization and/or transmittal letter associated with this revocable license and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke this license and all structures must be removed immediately at the licensee's expense.

STATE OF GEORGIA
Office of the Governor

By: _____
For: Mark Williams, Commissioner-DNR

Date: _____

Coastal Marshlands Protection Act

O.C.G.A. § 12-5-280

TITLE 12 Chapter 5 Article 4 Part 4 Note

PART NOTES:

ADMINISTRATIVE RULES AND REGULATIONS. --Coastal marshlands protection, Official Compilation of Rules and Regulations of State of Georgia, Department of Natural Resources, Chapter 391-2-3.

LAW REVIEWS. --For article, "Georgia's Environmental Law: A Survey," see 23 *Mercer L. Rev.* 633 (1972). For article, "Public Rights in Georgia's Tidelands," see 9 *Ga. L. Rev.* 79 (1974). For article, "Hazardous Waste Issues in Real Estate Transactions," see 38 *Mercer L. Rev.* 581 (1987). For article, "Georgia Wetlands: Values, Trends, and Legal Status," see 41 *Mercer L. Rev.* 791 (1990).

For notes, "Regulation and Ownership of the Marshlands: The Georgia Marshlands Act," see 5 *Ga. L. Rev.* 563 (1971). For note discussing the historical aspects and current law concerning the state's ownership rights in tidelands, see 17 *Ga. L. Rev.* 851 (1983). For note on 1992 amendment of this part, see 9 *Ga. St. U.L. Rev.* 205 (1992).

OPINIONS OF THE ATTORNEY GENERAL:

GEORGIA PORTS AUTHORITY EXEMPT FROM PART. --Because the Georgia Ports Authority, at time of enactment of O.C.G.A. Pt. 4, Art. 4, Ch. 5, T. 12, was empowered and charged with responsibility of development and improvement of rivers and seaports of this state, as a general matter, it is exempt from requirements of this part. 1981 Op. Att'y Gen. No. 81-85.

LIMITATION ON EXEMPTION OF GEORGIA PORTS AUTHORITY FROM THIS PART. --While the Georgia Ports Authority is generally exempt from provisions of O.C.G.A. Pt. 4, Art. 4, Ch. 5, T. 12, it must obtain prior written approval of the Coastal Marshlands Protection Committee for any proposed alteration of marshlands adjacent to Colonels Island which were conveyed to the Georgia Ports Authority pursuant to Ga. L. 1973, p. 747. 1981 Op. Att'y Gen. No. 81-85.

THE BRUNSWICK PORT AUTHORITY falls within terms of exception to O.C.G.A. Pt. 4, Art. 4, Ch. 5, T. 12 for state agencies responsible for navigation, and is, thus, exempt from provisions of this part. 1982 Op. Att'y Gen. No. 82-21.

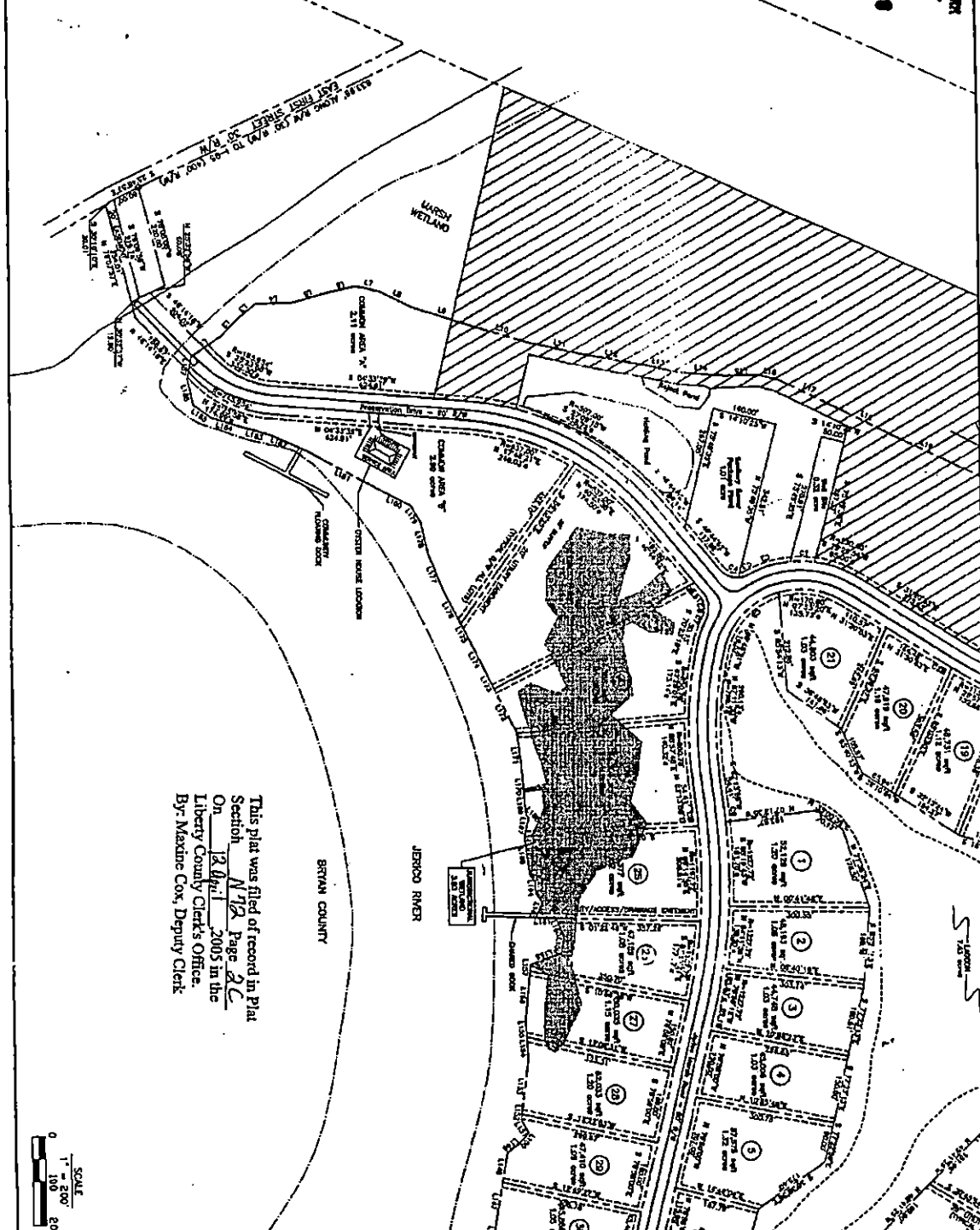
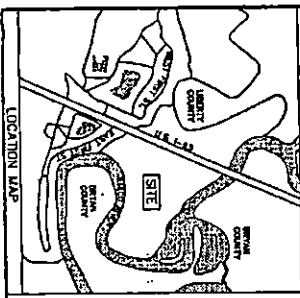
RESEARCH REFERENCES

ALR. --Conservation: validity, construction, and application of enactments restricting land development by dredging or tilling, 46 ALR3d 1422.

Attachment B:

Warranty Deed

FILED-OFFICE OF CLERK
LIBERTY COUNTY
STATE OF TEXAS
MAY 12 2005
2005-128



This plat was filed of record in Plat
Section N 12 Page 28
On 12 day of April 2005 in the
Liberty County Clerk's Office.
By: Maxine Cox, Deputy Clerk

AMENDMENT On

DEED Book 1757 Page 538 BOOK

PAGE

On 1/15/2013

01663 00698

FILED 106
LIBERTY CO. CLERK'S OFFICE

2011 FEB 17 AM 10:06

11-2011-242

-----ABOVE SPACE RESERVED FOR RECORDING INFORMATION-----

THIS INSTRUMENT PREPARED BY AND TO BE RETURNED TO:
CARL R. VARNEDOE - JONES, OSTEE & JONES
P. O. BOX 800 (31310) - 206 EAST COURT STREET
HINESVILLE, GEORGIA 31313
(912) 876-0111

STATE OF GEORGIA
COUNTY OF LIBERTY

DEED UNDER POWER

THIS INDENTURE, made this 31st day of December, 2010 by Dolphin Island Preservation, LLC, a Georgia Limited Liability Company (hereinafter collectively referred to as "Borrower"), acting through its duly appointed attorney in fact, Colony Bank as successor in interest to Colony Bank Southeast (hereinafter referred to as "Lender"), as Party of the First Part, and Dolphin Island Homeowners Association, Inc., as Party of the Second Part:

WITNESSETH:

WHEREAS, Borrower executed and delivered that certain Commercial Deed to Secure Debt and Security Agreement to Lender, dated February 13, 2005, recorded in Deed Book 1366, Page 272, of the records of the Clerk of the Superior Court of Liberty County, Georgia ("Security Deed"), conveying the after-described property to secure the payment of a promissory note dated July 1, 2008 (hereinafter referred to as the "Note") in the original principal amount of SIX MILLION TWO HUNDRED NINETY SEVEN THOUSAND EIGHT HUNDRED DOLLARS (\$6,297,800.00); and

WHEREAS, default in the payment of the said Note occurred, and by reason of said default, Lender elected to declare, pursuant to the terms of the Security Deed and Note, and did declare the entire principal and interest immediately due and payable; and

WHEREAS, said entire indebtedness still being in default, Lender on behalf of Borrower, and according to the terms of the said Security Deed, did advertise said property for sale once a week for four weeks immediately preceding said sale in a newspaper in Liberty County, Georgia, wherein the Sheriff carried his advertisements, namely the Coastal Courier, said dates of advertisement being July 9, 16, 23 and 30, 2010; and

WHEREAS, pursuant to O.C.G.A. Section 44-14-162.3 (a), notice was not required to be given in compliance with O.C.G.A. Section 44-14-162.2 because the property described in

2011 FEB 17 AM 10:06

Exhibit A was not to be used as a dwelling place by the Borrower at the time the Security Deed was entered into; and

WHEREAS, Lender, as attorney-in-fact for Borrower, did expose said property for sale to the highest bidder for cash on the first Tuesday in August, 2010, within the legal hours of sale at the usual place for conducting Sheriff's sales in Liberty County before the Courthouse door at Hinesville, Georgia, in said county, at which party of the second part was the highest and best bidder at and for the sum of TEN DOLLARS, (\$10.00) cash, and said property was then and there knocked off and sold for said sum.

NOW THEREFORE, in consideration of the premises and said sum of money and by virtue of and in the exercise of the power of sale contained in the Security Deed, the Party of the First Part has bargained, sold, granted and conveyed, and by these presents does hereby bargain, sell, grant and convey to the Party of the Second Part, its successors, representatives and assigns, the property described on Exhibit A attached hereto and incorporated herein by reference.

TOGETHER WITH all and singular the rights, members and appurtenances thereto appertaining; also all the estate, right, title, interest, claim or demand of Borrower, Borrower's representatives, heirs, successors and assigns, legal, equitable or otherwise whatsoever, in and to the same.

TO HAVE AND TO HOLD the said property and every part thereof unto said Party of the Second Part, its representatives, heirs, successors and assigns, to said its own proper use, benefit and behoof in FEE SIMPLE, in as full and ample a manner as Borrower or Borrower's representatives, heirs, successors and assigns did hold and enjoy the same.

IN WITNESS WHEREOF, Colony Bank as Agent and Attorney-in-Fact for Borrower has hereunto affixed its hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

Sabrina Auer
Witness
Andrea Griffin
Notary Public
My Commission Expires July 14, 2013
(Notary Seal)

Colony Bank, as Attorney in fact
for Borrower

By: [Signature]
Print name: LEE BAGWELL
Title: V.P.
Attest: [Signature]
Print name: Tammie Sheppard
Title: V.P.
(Bank Seal)

Liberty County, Georgia
Real Estate Transfer Tax
Paid 0
Date 02-17-11
David S. Best, Deputy
Clerk of Superior Court

BOOK PAGE
01663 00700

FILED
LIBERTY CO. CLERK'S OFFICE
2011 FEB 17 AM 10:06

EXHIBIT A

All that certain tract or parcel of land situate, lying and being in the 1359th G.M. District of Liberty County, Georgia, containing 182 acres, more or less, and being bounded now or formerly, on the North, on the East and on the South by the Jerico River, on the Southwest by a canal which separates the property herein conveyed from subdivided property on the Isle of Wight and on the West by the Easterly right-of-way of Interstate Highway 95 (Georgia Rte. 405); and also

All that certain tract or parcel of land situate, lying and being in the 1359th G.M. District of Liberty County, Georgia, containing 0.10 of an acre, more or less, and being bounded as follows: Northerly by Lot 76, Isle of Wight Subdivision; Easterly by Marshland; southerly by Lot 75 and Westerly by First Street all as shown on that certain plat of survey made and prepared by Joe P. Davis Ga. RLS #1436, dated July 17, 1993, such plat being recorded in Plat Section I-49, page 3 in the Office of the Clerk of the Superior Court of Liberty County, Georgia, same being incorporated herein by reference thereto.

This is the same tract of land conveyed by that certain warranty deed from Spivey Logging, Inc., and David H. Fritts also known as David Fritts to Dolphin Island Preservation, LLC, dated October 2, 2003, and recorded in Deed Book 1185, page 73, in the Office of the Clerk of the Superior Court of Liberty County, Georgia and which was conveyed by that certain commercial deed to secure debt and security agreement from Dolphin Island Preservation, LLC to Colony Bank Southeast, a Georgia Banking Corporation, dated February 13, 2005, and recorded in Deed Book 1366, page 272, in the Office of the Clerk of the Superior Court of Liberty County, Georgia; and also

All that tract or parcel of land lying and being in the 1359th G.M. District of Liberty County, Georgia, and on Isle of Wight Subdivision, known and designated as Lot No. 76, of said subdivision, said lot herein conveyed being bounded as follows: North by Lot No. 77 of said subdivision; East by the western edge of a canal on the eastern end of said lot; South by a 20 foot lot which leads a bridge onto Dolphin Island; West by First Street; the property herein conveyed fronting for a distance of 60 feet along Bluff line overlooking the canal above referred to and running back from said Bluff line in a western direction for a distance of 180 feet to First Street; it being understood that this measurement as to depth is made from a marker on the Bluff line overlooking said canal but it is agreed that the property herein conveyed shall run to the western edge of the canal, a plat of said Isle of Wight Subdivision having been made by John E. Dykes, surveyor in May 1950, which plat is recorded in the Office of the Clerk of the Superior Court of Liberty County, Georgia, in Plat Book 1, page 328-329, reference being

BOOK PAGE
01663 00700

FILED
LIBERTY CO. CLERK'S OFFICE
2011 FEB 17 AM 10:06

EXHIBIT A

All that certain tract or parcel of land situate, lying and being in the 1359th G.M. District of Liberty County, Georgia, containing 182 acres, more or less, and being bounded now or formerly, on the North, on the East and on the South by the Jerico River, on the Southwest by a canal which separates the property herein conveyed from subdivided property on the Isle of Wight and on the West by the Easterly right-of-way of Interstate Highway 95 (Georgia Rte. 405); and also

All that certain tract or parcel of land situate, lying and being in the 1359th G.M. District of Liberty County, Georgia, containing 0.10 of an acre, more or less, and being bounded as follows: Northerly by Lot 76, Isle of Wight Subdivision; Easterly by Marshland; southerly by Lot 75 and Westerly by First Street all as shown on that certain plat of survey made and prepared by Joe P. Davis Ga. RLS #1436, dated July 17, 1993, such plat being recorded in Plat Section I-49, page 3 in the Office of the Clerk of the Superior Court of Liberty County, Georgia, same being incorporated herein by reference thereto.

This is the same tract of land conveyed by that certain warranty deed from Spivey Logging, Inc., and David H. Fritts also known as David Fritts to Dolphin Island Preservation, LLC, dated October 2, 2003, and recorded in Deed Book 1185, page 73, in the Office of the Clerk of the Superior Court of Liberty County, Georgia and which was conveyed by that certain commercial deed to secure debt and security agreement from Dolphin Island Preservation, LLC to Colony Bank Southeast, a Georgia Banking Corporation, dated February 13, 2005, and recorded in Deed Book 1366, page 272, in the Office of the Clerk of the Superior Court of Liberty County, Georgia; and also

All that tract or parcel of land lying and being in the 1359th G.M. District of Liberty County, Georgia, and on Isle of Wight Subdivision, known and designated as Lot No. 76, of said subdivision, said lot herein conveyed being bounded as follows: North by Lot No. 77 of said subdivision; East by the western edge of a canal on the eastern end of said lot; South by a 20 foot lot which leads a bridge onto Dolphin Island; West by First Street; the property herein conveyed fronting for a distance of 60 feet along Bluff line overlooking the canal above referred to and running back from said Bluff line in a western direction for a distance of 180 feet to First Street; it being understood that this measurement as to depth is made from a marker on the Bluff line overlooking said canal but it is agreed that the property herein conveyed shall run to the western edge of the canal, a plat of said Isle of Wight Subdivision having been made by John E. Dykes, surveyor in May 1950, which plat is recorded in the Office of the Clerk of the Superior Court of Liberty County, Georgia, in Plat Book 1, page 328-329, reference being

BOOK PAGE
01663 00701

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LIBERTY CO. CLERK'S OFFICE
2011 FEB 17 AM 10:06

hereby made to said plat for a more complete description as to metes, bounds and distances; but

EXCLUDING THE FOLLOWING PROPERTY:

ALL those sixty-two (62) lots, tracts or parcels of land situate, lying and being in Liberty County, Georgia, and being shown and designated as Lots 1 through 62 of Dolphin Island Subdivision as shown on the map or plat of said Subdivision dated December 30, 2004, prepared by Quillie E. Kinard, Jr., Georgia Registered Land Surveyor # 1572 and recorded in Plat Section N72, Pages 2A through 2D of the records of the Clerk of the Superior Court of Liberty County, Georgia, reference being made to said map or plat for a complete description as to metes, bounds and distances and said map or plat being incorporated herein by reference.

Subject, however, to all valid restrictions, easements and rights-of-way of record.

Attachment C:

Permit Drawings

1. THE ELEVATION SHOWN ARE BASED ON NAVD84 DATA. THE CONTOUR INTERVAL IS 1 FOOT.
2. CORRELATION AND SECTIONS ARE BASED ON GEORGIA STATE PLANE COORDINATE SYSTEM (NAD83) EAST ZONE.
3. ACCORDING TO THE FLOOD INSURANCE RATE MAP 17130C02020E, A 1% AERF FLOOD HAZARD AREA BASE FLOOD ELEVATIONS AS SHOWN.
4. ONLY ABOVEGROUND, READILY ACCESSIBLE STRUCTURES WERE LOCATED FOR ELEVATION MEASUREMENTS.
5. GROUND, NON-VISIBLE UTILITIES OR STRUCTURES.
6. THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY, THERE ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
7. NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE CONDUCTED TO DETERMINE THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

SURVEYOR'S NOTES

LEGEND

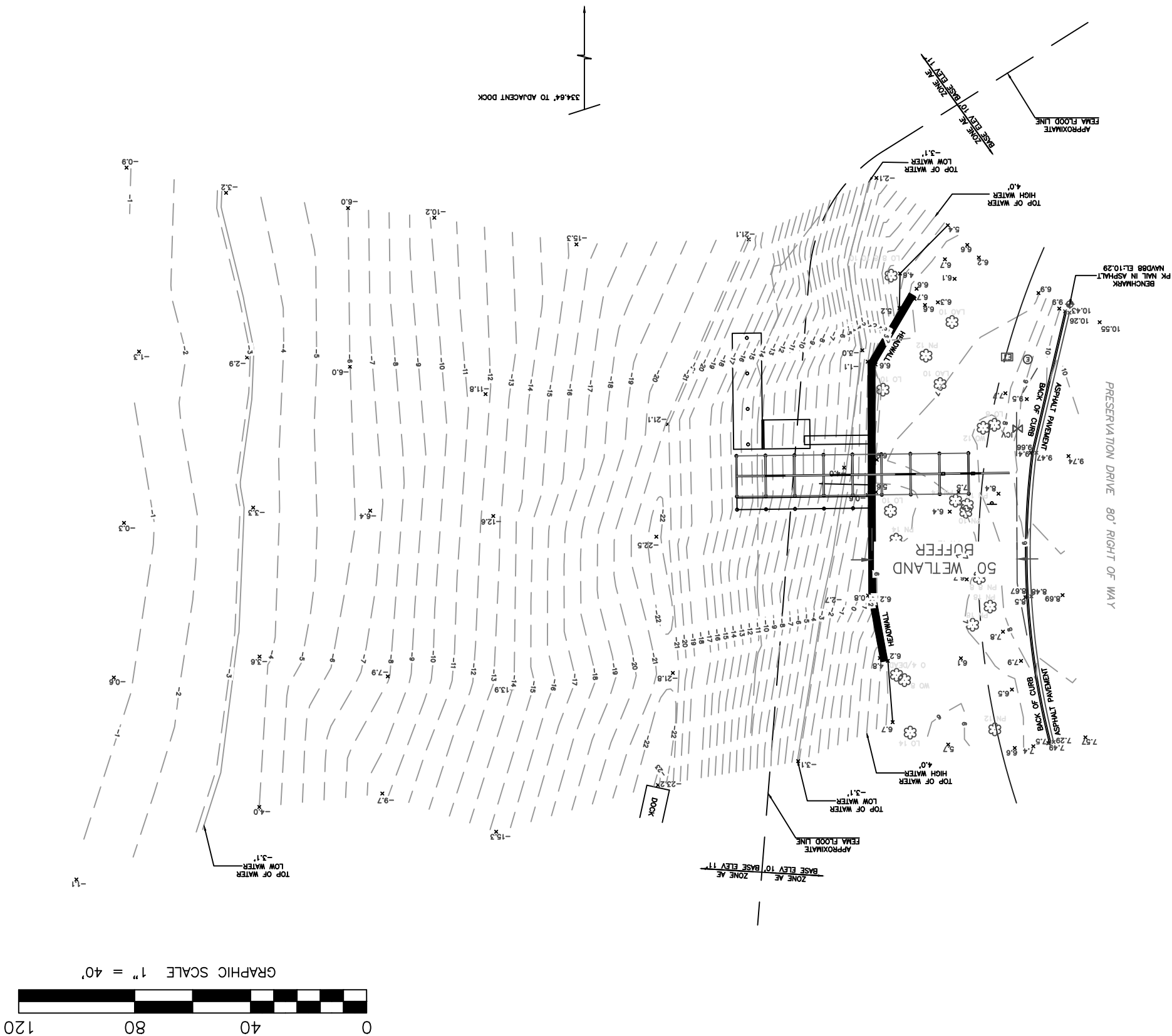
| | | |
|--------------------------|-----|--|
| IRRIGATION CONTROL VALVE | ICV | |
| ELECTRIC TRANSFORMER | | |
| ELECTRIC STUB OUT | | |
| TOP OF BANK | | |
| CONTOUR LINE AND LABEL | | |

TREE LEGEND

SIZE OF SYMBOL DOES NOT INDICATE
THE SIZE OF THE DRIP LINE/CANOPY LINE
TREE SIZE
LO 22
LOCATION OF TREE
(IN INCHES)

LO
WD
LIVE OAK
WATER OAK
OAK

REFERENCES




| | |
|---------------|---------------|
| PROJECT #: | 200368 |
| FIELD DATE: | 05/28/2020 |
| PLAT DATE: | 06/08/2020 |
| LAST REVISED: | 06/20/2021 JV |
| DRAWN BY: | CAL/SCH |
| SCALE: | 1"=40' |

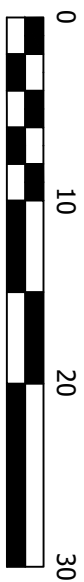
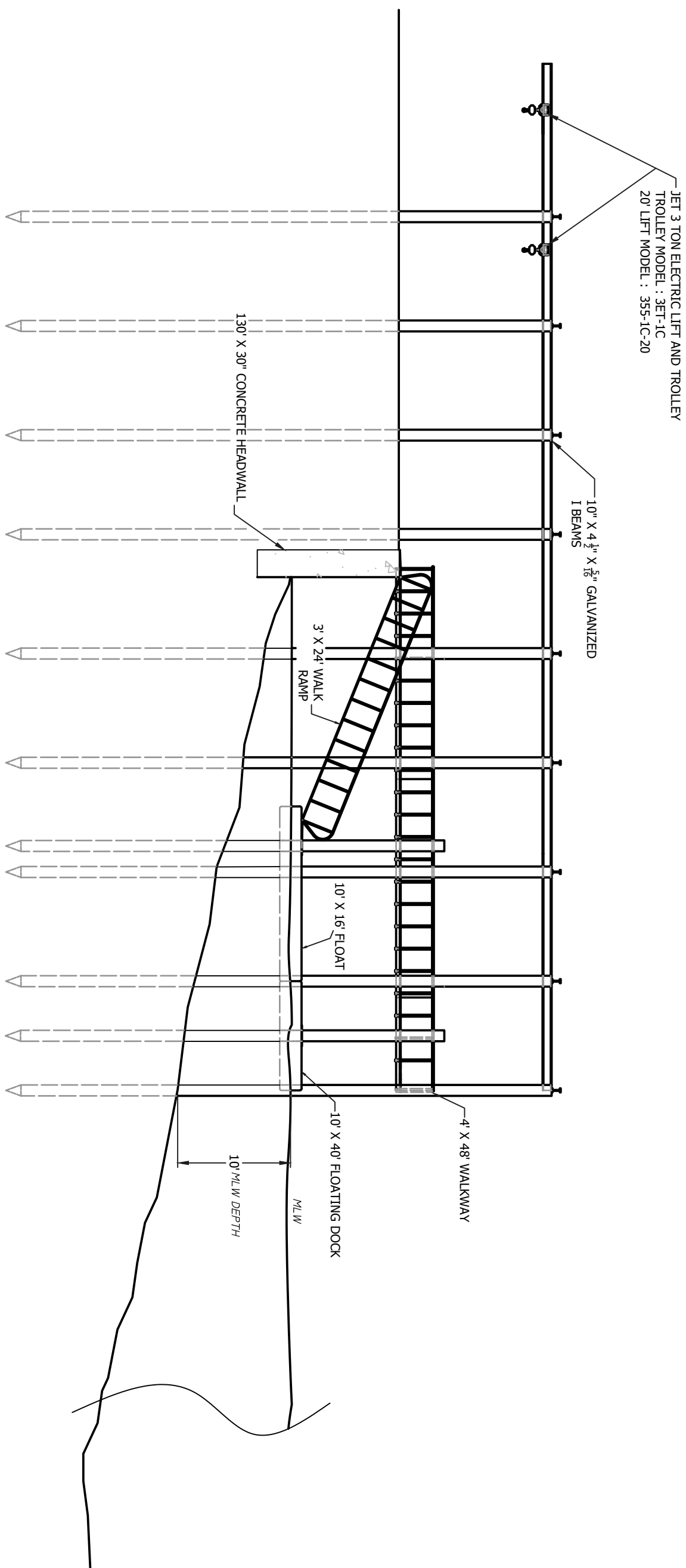
SHEET SIZE [B]

SCALED FOR 11"X17" PAPER

A TOPOGRAPHIC SURVEY OF
PORTIONS OF JERICO RIVER & DOLPHIN ISLAND SUBDIVISION
1359TH G. M. DISTRICT, LIBERTY COUNTY, GEORGIA
PREPARED FOR:
DOLPHINS ISLAND HOME OWNERS ASSOCIATION.



**Coastal Permitting
Service, LLC**
912-977-5241
michalsenpod@yahoo.com



PORTIONS OF JERICO RIVER & DOLPHIN ISLAND SUBDIVISION

1359TH G. M. DISTRICT, LIBERTY COUNTY, GEORGIA

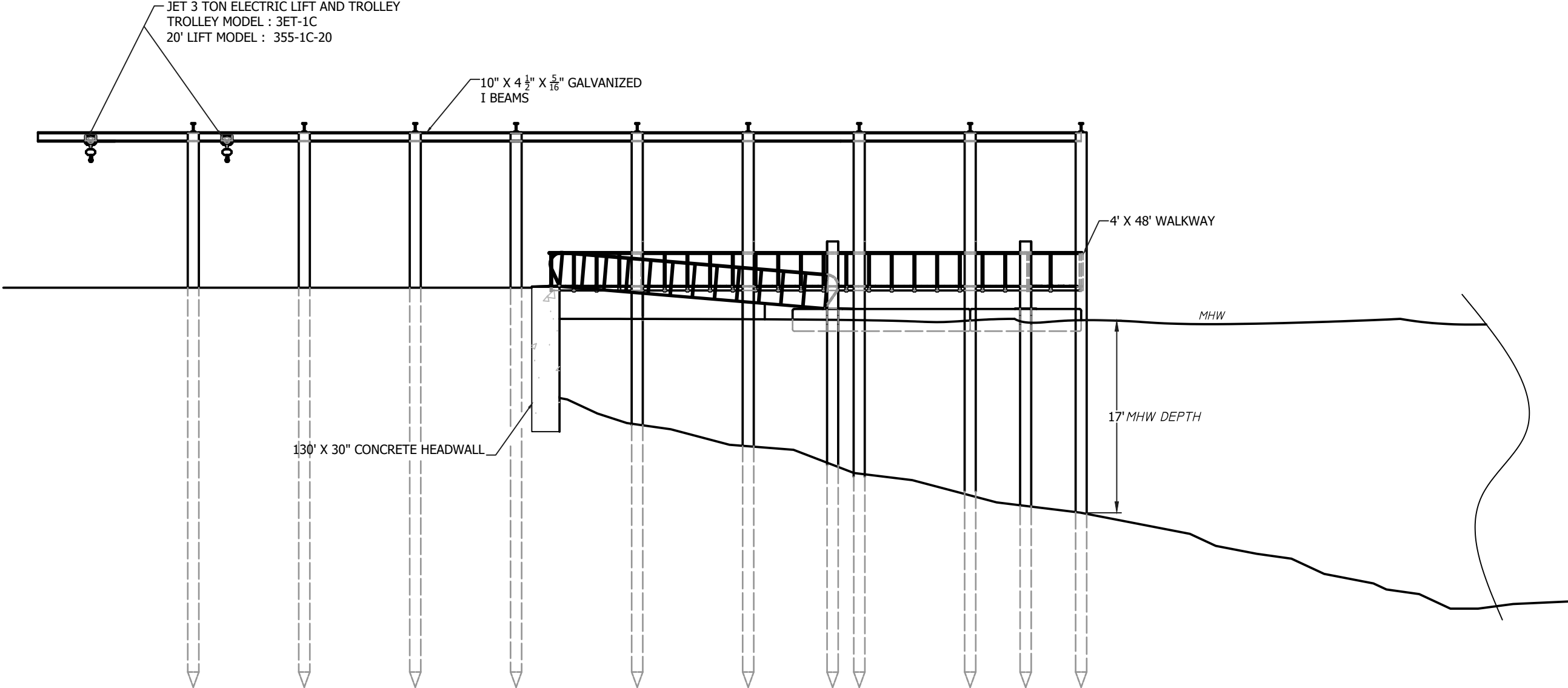
PREPARED FOR:

DOLHIPS ISLAND HOME OWNERS ASSOCIATION.

| | |
|---------------|---------------|
| PROJECT #: | 200368 |
| SHEET SIZE | B* (11"X17") |
| DRAWN DATE: | 08/04/2020 |
| LAST REVISED: | 08/04/2020 MR |
| DRAWN BY: | MSB |
| SCALE: | 1"=10' |

SHEET: 3 OF 4

This drawing is not intended for construction, and shall be for permitting purposes only.



This drawing is not intended for construction, and shall be for permitting purposes only.

PORTIONS OF JERICO RIVER & DOLPHIN ISLAND SUBDIVISION

1359TH G. M. DISTRICT, LIBERTY COUNTY, GEORGIA

DOLPHINS ISLAND HOME OWNERS ASSOCIATION.

| | |
|---------------|---------------|
| PROJECT #: | 200368 |
| SHEET SIZE: | 8" (11X17) |
| DRAWN DATE: | 08/04/2020 |
| LAST REVISED: | 08/04/2020 WB |
| DRAWN BY: | WSB |
| SCALE: | 1"=10' |
| SHEET: | 4 OF 4 |

Attachment D:
Zoning Letter

Liberty Consolidated Planning Commission

100 Main Street, Suite 7520
Hinesville, Georgia 31313
Phone: 912-408-2030
Fax: 1-888-320-8007



Jeff Ricketson, AICP
Executive Director

Zoning Permit

Tax Map & Parcel #: 280 D 004

You can obtain this number by calling the Tax Assessor's Office at 912-876-3568.

Property Owner: Dolphin Island HOA

Contact Name & Number: Michael Moody 912-977-5241

Contact Mailing Address: 256 S Topi Trail Hinesville GA 31313

Property Street Address (if existing): 155 Preservation Crossing Ave

Subdivision: Dolphin Island lot: _____ Jurisdiction: Liberty County

What are your permit plans? Community Boat Lift

Type of water and sewer: N/A If other explain: _____

What structures are on this property? Concrete Head Wall

I confirm that these statements are true: [Signature]

Jurisdiction

| | |
|----|-------------------------------|
| H | City of Hinesville |
| LC | Unincorporated Liberty County |
| M | Midway |
| W | Walthourville |
| A | Alenhurst |
| G | Grumbranch |
| R | Riceboro |
| F | Flemington |

LCPC Use Only

List Zoning Designation

Unincorporated Area of Liberty County A-1 City of Walthourville _____

City of Flemington _____ City of Midway _____ City of Riceboro _____

Town of Alenhurst _____ City of Grumbranch _____ City of Hinesville _____

Setbacks: Front X Rear: X Side: X Side Street: _____

Mobile Home Requirement: Size: _____ Skirting Type: _____

Comments: DMR APPROVAL REQUIRED

☒ Approved; meets Zoning Standards

☐ Disapproved, does not meet Zoning Standards

LCPC staff: [Signature]

Date: 11 Feb 2021

Floodplain Manager Use Only

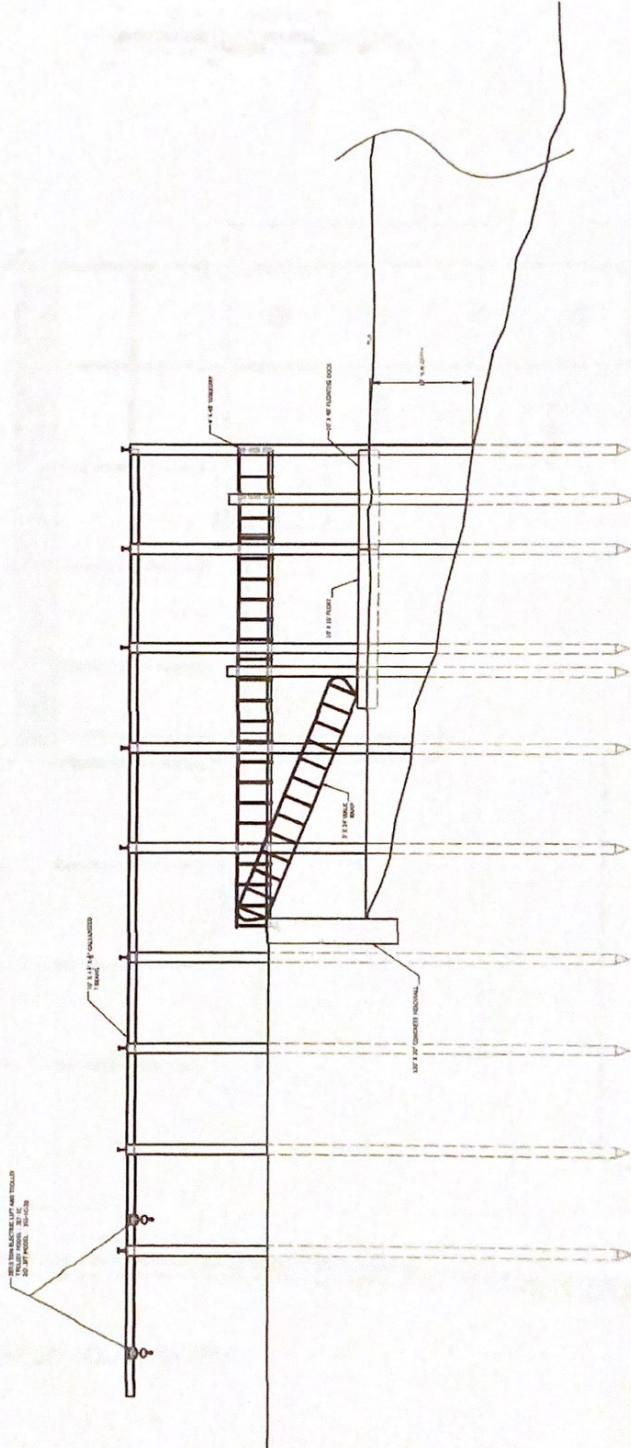
Flood Zone: _____ Elevation: _____

FEMA Map Date: _____

FIRM Map & Panel: _____

PORTIONS OF JERICHO RIVER & DOLPHIN ISLAND SUBDIVISION
 LIBERTY C. M. DISTRICT, LIBERTY COUNTY, GEORGIA
 PREPARED FOR:
 DOLPHINS ISLAND HOME OWNERS ASSOCIATION

| | |
|------------|--------------|
| DATE | 10/1/03 |
| BY | W. J. B. JR. |
| CHECKED BY | W. J. B. JR. |
| SCALE | 1" = 10' |



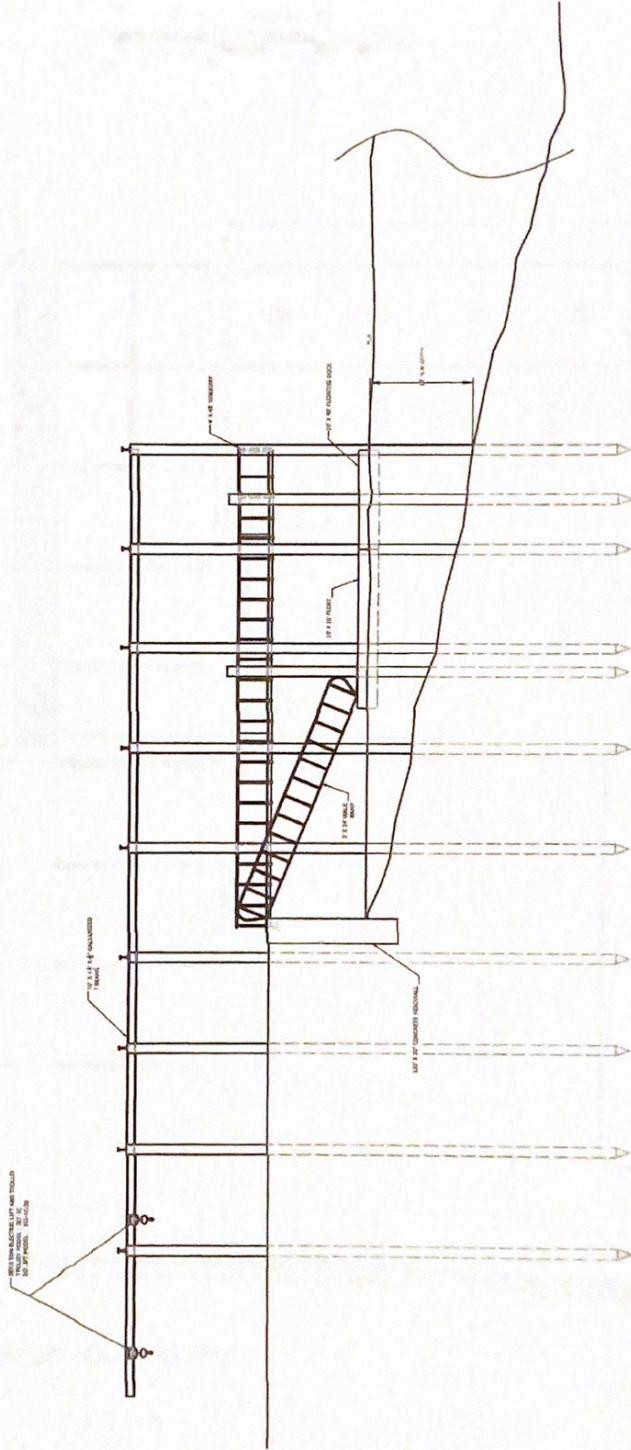
Liberty Consolidated Planning Commission
 100 Main St., Suite 7520
 Hinesville, GA 31313



W. J. B. JR.

PORTIONS OF JERICHO RIVER & DOLPHIN ISLAND SUBDIVISION
 LIBERTY C. M. DISTRICT, LIBERTY COUNTY, GEORGIA
 PREPARED FOR:
 DOLPHINS ISLAND HOME OWNERS ASSOCIATION

| | |
|------------|-------------|
| DATE | 10/1/03 |
| BY | W. J. BROWN |
| CHECKED BY | W. J. BROWN |
| SCALE | 1" = 10' |



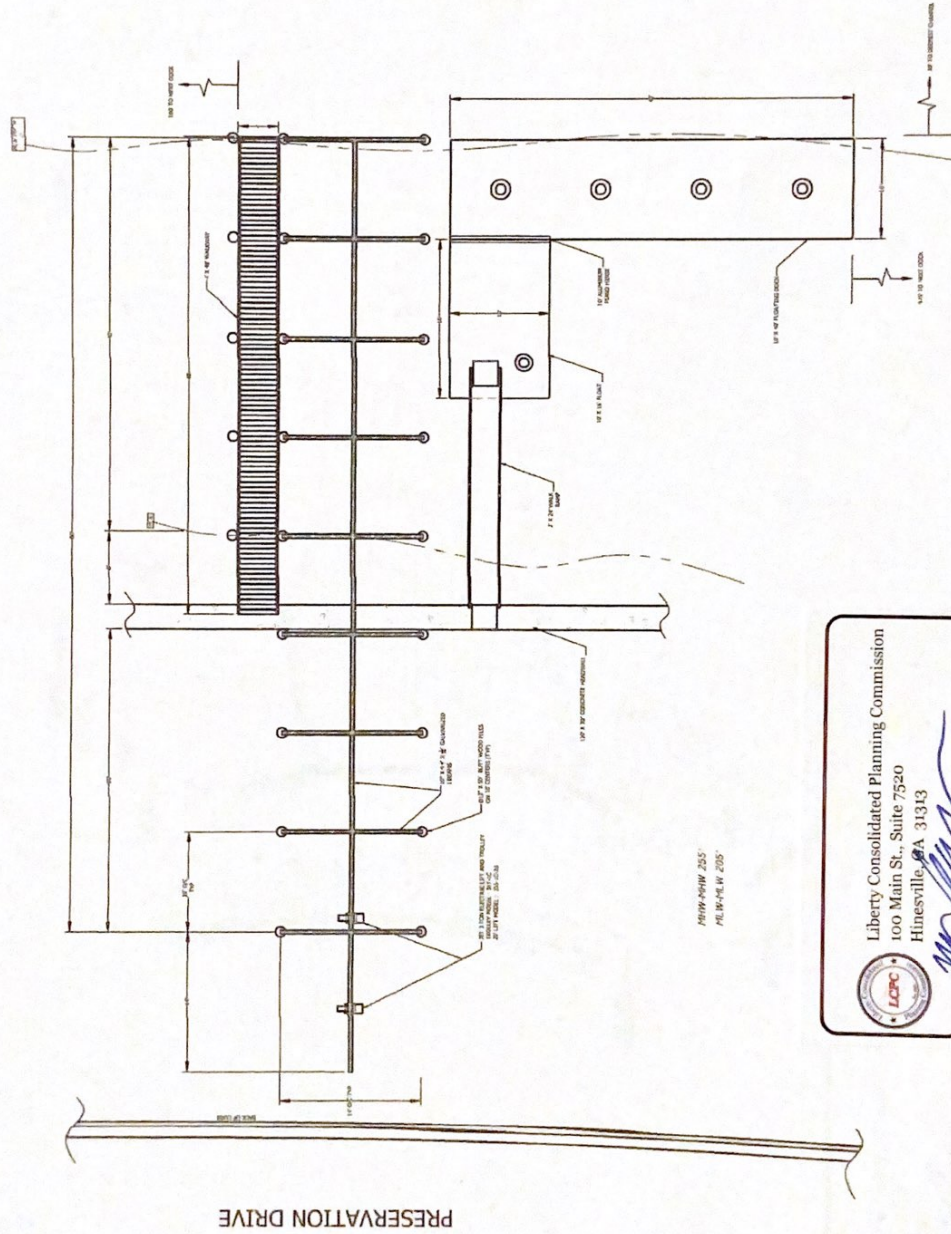
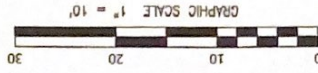
Liberty Consolidated Planning Commission
 100 Main St., Suite 7520
 Hinesville, GA 31313




W. J. Brown

PORTIONS OF JERICO RIVER & DOLPHIN ISLAND SUBDIVISION
 LIBERTY COUNTY, GEORGIA
 PREPARED FOR:
 DOLPHINS ISLAND HOME OWNERS ASSOCIATION


DATE: 11/11/2015
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT NO: 15-001

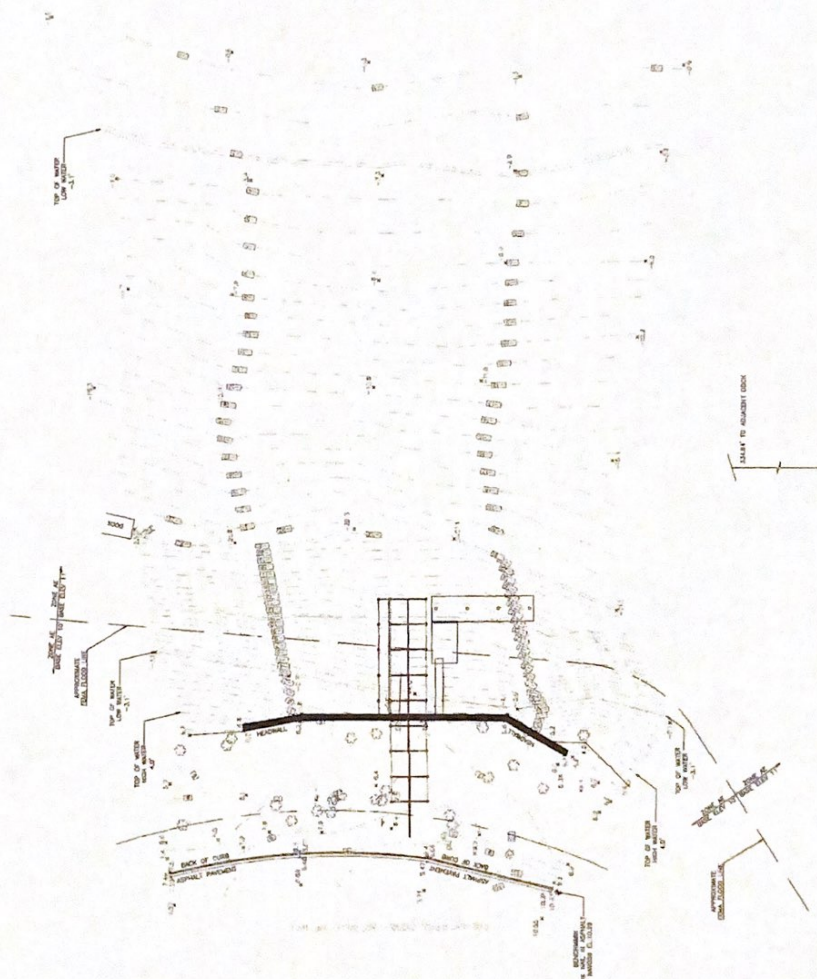
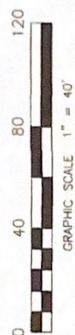
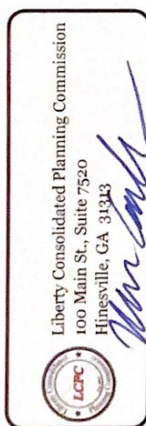


11/11/2015 2:55 PM
 PLW-HLW 2015



Liberty Consolidated Planning Commission
 100 Main St., Suite 7520
 Hinesville, GA 31313



[illegible]

| | |
|-------|-------------------------|
| 10-12 | IRIGATION CONTROL VALVE |
| 11 | ELECTRIC TRANSFORMER |
| 12 | ELECTRIC BRIDG CLIP |
| 13 | TOP OF BRIDGE |
| 14 | CONTOUR LINE AND LOT/L |

[illegible][illegible]

Attachment E:
Adjacent Landowners

**ADJACENT PROPERTY OWNER NOTIFICATION
NOTICE OF INTENT TO CONSTRUCT A
PRIVATE RECREATIONAL DOCK**

To: Adjacent Landowner Samuel David Turner
(name)

265 Preservation Crossing Ave Midway GA 31320
(address) (city) (state) (zip)

This notification is to advise you that I/we have applied for a recreational dock facility. The Georgia Department of Natural Resources and U.S. Army Corps of Engineers require that you, as an adjacent property owner, be notified. The applicant or agent for the applicant has been instructed to provide you with a copy of the project drawings along with this document.


From: Applicant Dolphin Island Home Owners Association
(name)

155 Preservation Crossing Ave Midway GA 31320
(project location address) (city) (state) (zip)

Common Area B Dolphin Island Plantation
(lot number) (subdivision)

☒ As an adjacent landowner, I have been notified of the proposed work, have reviewed the proposed plans, and **do NOT object** to the issuance of a permit for the project, as proposed.

☐ As an adjacent landowner, I have been notified of the proposed work, have reviewed the proposed plans, and **object** to the issuance of a permit for the project, as proposed, for the following reasons.


Adjacent Landowner Signature

03/31/2021
Date

Attachment F:

CMPA Jurisdiction Determination

& Site Survey

18-232



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

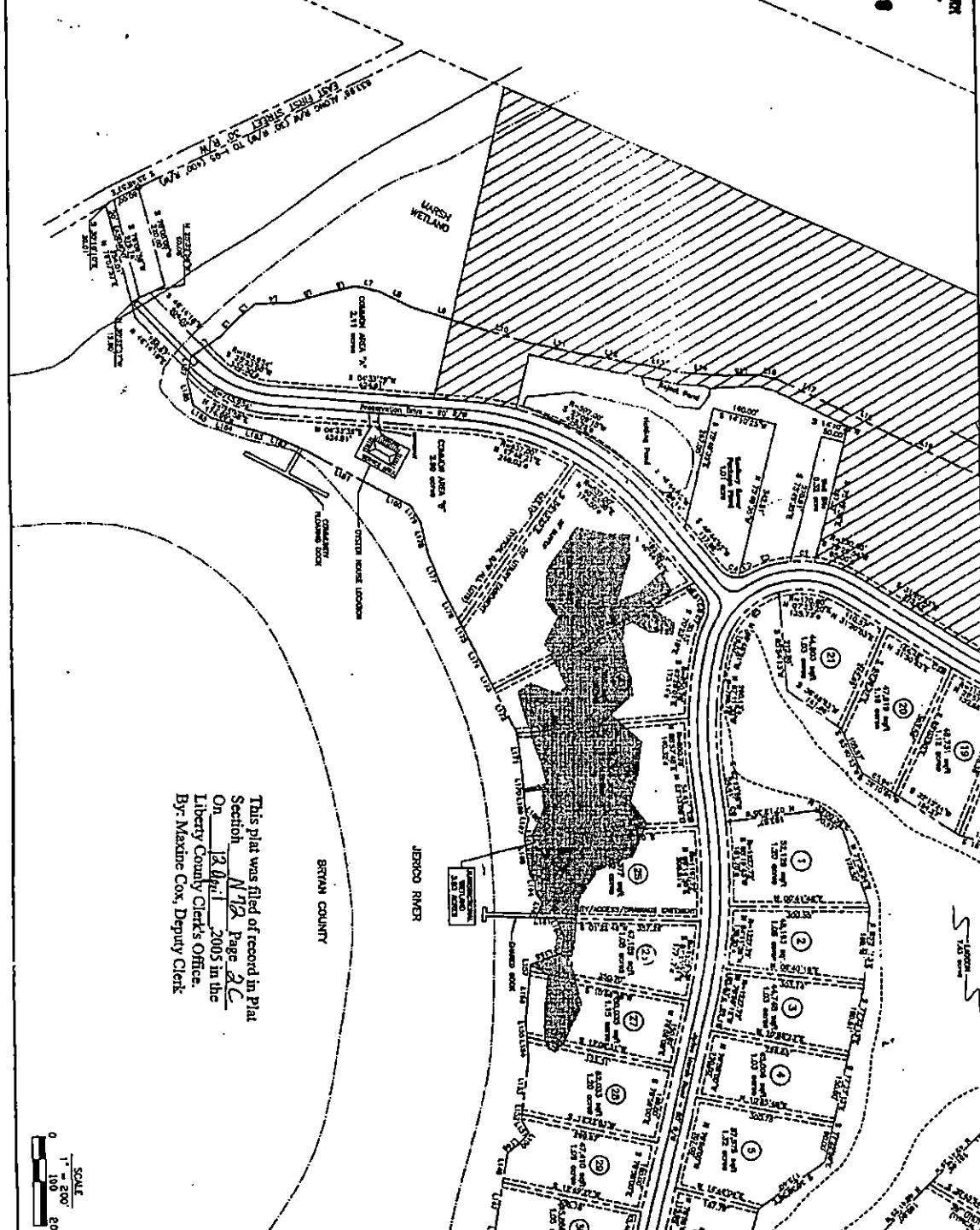
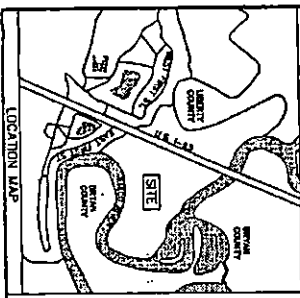
MARK WILLIAMS
COMMISSIONER

DOUG HAYMANS
DIRECTOR

Insert Upon Issue

Jordan

FILED-CLERK OF SUPERIOR
LIBERTY COUNTY, GA.
STATE OF GEORGIA
MAGISTRATE COURT
05 APR 12 AM 9:48
2005-128



This plat was filed of record in Plat
Section N 172 Page 2C
On 12 Apr 12 2005 in the
Liberty County Clerk's Office.
By: Maxine Cox, Deputy Clerk

SURVEYOR'S NOTES

- THE ELEVATIONS SHOWN ARE BASED ON NAVD88 DATUM. THE CONTOUR INTERVAL IS 1 FOOT.
- COORDINATES AND DIRECTIONS ARE BASED ON GEORGIA STATE PLANE COORDINATE SYSTEM (NAD83), EAST ZONE.
- ACCORDING TO THE FLOOD INSURANCE RATE MAP 13179C0280E, REVISED 12/07/2018, A PORTION OF THIS PROPERTY LIES IN ZONE AE, A 100 YEAR FLOOD HAZARD AREA. BASE FLOOD ELEVATIONS AS SHOWN.
- ONLY ABOVEGROUND, READILY VISIBLE STRUCTURES WERE LOCATED FOR THIS SURVEY. THIS SURVEYOR MAKES NO WARRANTY OR GUARANTEE AS TO THE LOCATION, EXISTENCE, OR NONEXISTENCE OF ANY BELOW GROUND, NON-VISIBLE UTILITIES OR STRUCTURES.
- THE PUBLIC RECORDS REFERENCED WERE USED FOR THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
- NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

LEGEND

- ICV IRRIGATION CONTROL VALVE
ET ELECTRIC TRANSFORMER
E ELECTRIC STUB OUT
TOP OF BANK
CONTOUR LINE AND LABEL

TREE LEGEND

SIZE OF SYMBOL DOES NOT INDICATE THE SIZE OF THE DRIP LINE/CANOPY LINE
LOCATION OF TREE
TREE SIZE (IN INCHES)

TREE TYPE ABBREVIATIONS:

LAO LAURAL OAK
LO LIVE OAK
WO WATER OAK
O OAK

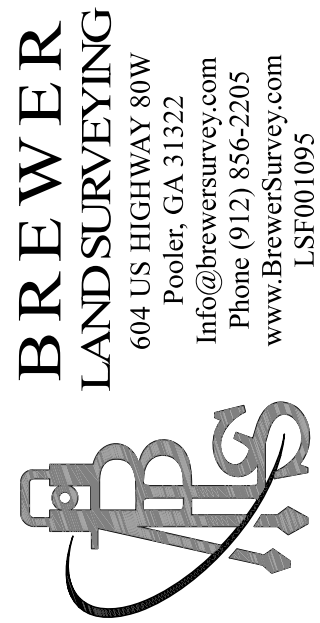
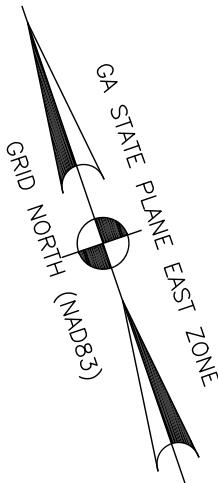
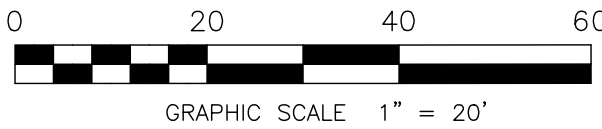
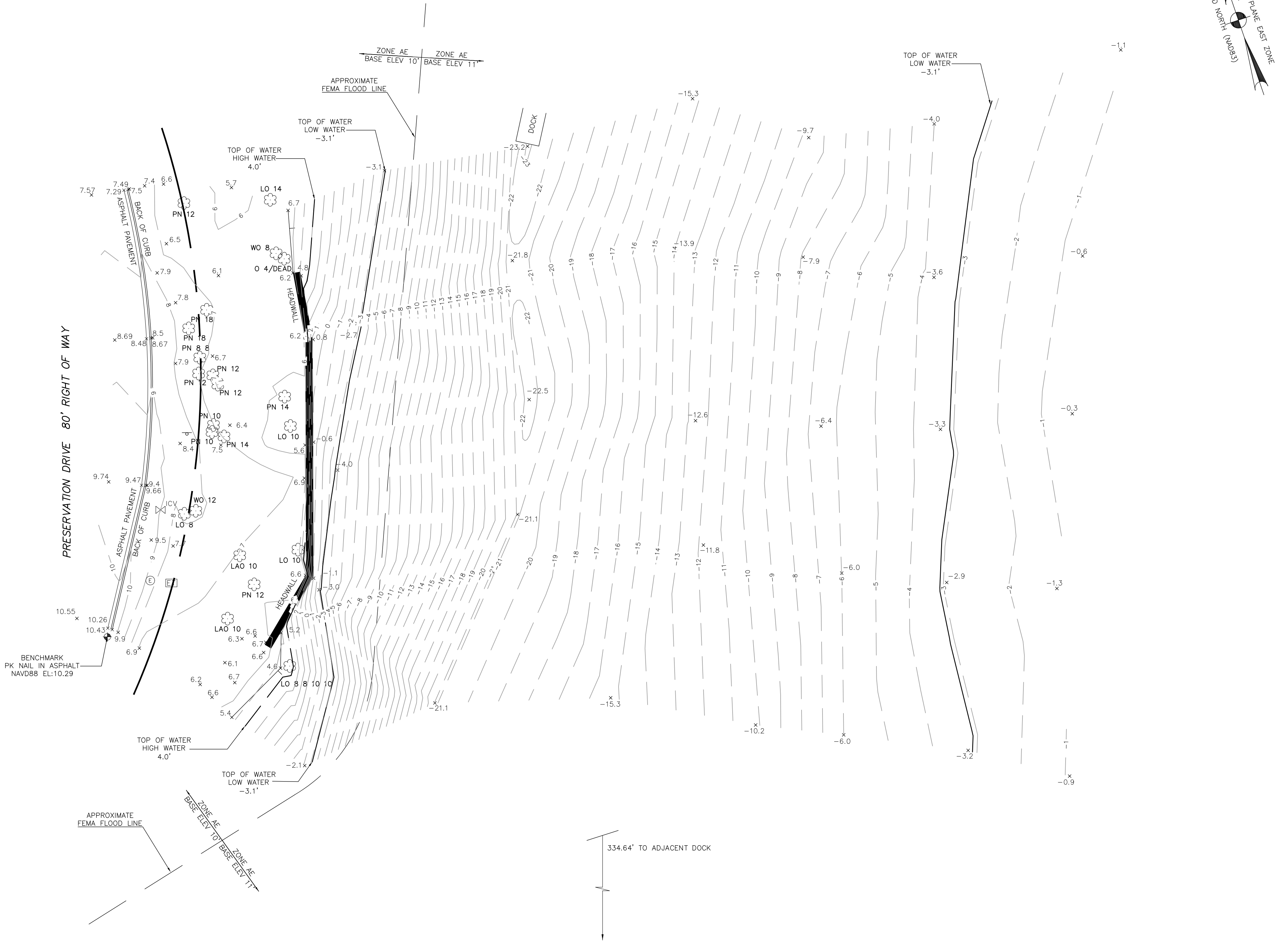
ALL OTHERS SPELLED OUT
MULTIPLE TREE SIZES INDICATES COMMON BASE

"/D" INDICATES DISEASED TREE

REFERENCES

- PB. N72 PG. 2A
- PB. N72 PG. 2C

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



PORTIONS OF JERICO RIVER & DOLPHIN ISLAND SUBDIVISION

1359TH G. M. DISTRICT, LIBERTY COUNTY, GEORGIA

DOLPHINS ISLAND HOME OWNERS ASSOCIATION.

| | |
|---------------|------------|
| PROJECT #: | 200368 |
| FIELD DATE: | 05/28/2020 |
| PLAT DATE: | 06/08/2020 |
| LAST REVISED: | N/A |
| DRAWN BY: | CAL/SCH |
| SCALE: | 1"=20' |

SHEET: 1 OF 1

Attachment G:

New Marina Checklist

Coastal Marina, Community or Commercial Dock Checklist

(fill in the blanks as indicated or answer yes or no)

LOCATION:

County Liberty Landmarks next to Club House & dock
Municipality Midway Waterway Jerico River

FACILITY:

Facility Type X Private Public Commercial Other
Dock Space Leased Sold Rented Other

Size of Upland Area (sq. ft.) 420 Size of Submerged Area (sq. ft.) 1512

WATERWAY INFORMATION:

open water river X creek basin

Tidal Range (ft. MLW) 8' to 10' Water Depth (ft. MLW) 10'
Channel Width (ft. MLW) 205' Depth of Dredging (ft. MLW) N/A

Distance facility will extend into the waterway beyond MLW 40'

EXISTING OR PLANNED SERVICES IN JURISDICTION:

| | | | | |
|--------------------------------|---------------|-------------------------------------------|-----------------------------------|-------------------------------------------|
| <u> </u> boat ramp | <u>X</u> | <u> </u> hoist | <u> </u> mobile lift | <u> </u> vessel TV hookup |
| <u> </u> railway | <u> </u> | <u> </u> fuel | <u> </u> propeller repair | <u> </u> electrical repair |
| <u> </u> pump-out vessels | <u> </u> | <u> </u> hull repair | <u> </u> engine repair | <u> </u> vessel electric hookup |
| <u> </u> boat building | <u> </u> | <u> </u> ship's store | <u> </u> dockmaster's office | <u> </u> fire protection |
| <u> </u> restrooms | <u> </u> | <u> </u> showers | <u> </u> restaurant | <u> </u> laundromat |
| <u> </u> hotel | <u>0</u> | <u> </u> # of vehicle parking spaces | <u>0</u> | <u> </u> # of trailer parking spaces |

DREDGING/FILLING/ShORELINE STABILIZATION:

No Will dredging be required for the access channel?
No Will dredging be required for boat basin?
No Is filling proposed in tidal wetlands?
No Is filling proposed in open water?
No Will dredge disposal sites be required?
No Have future dredge disposal sites been identified?
No Have future dredge spoil sites been set aside with deeds or easements?
No Is shoreline stabilization proposed? If so, what type? Concrete & sheet pile headwall already exists
No Is the project in or near a US Army Corps of Engineers maintained channel or basin with an authorization depth of 12 feet or greater? (if so, contact the Corps of Engineers)

HABITAT/WILDLIFE/CULTURAL RESOURCES: (contact GADNR Wildlife Resources Division, US Fish & Wildlife Service, GADNR Coastal Resources Division- Marine Fisheries, National Marine Fisheries Service OR GADNR Historic Resources)

- No Is this site located near a wildlife refuge, wilderness area, special management area, or other area specifically located for the protection of fish and wildlife?
If yes, what is the distance? _____
- Yes *Is this habitat identified as “essential fish habitat”?
- No Are rare, threatened, endangered or otherwise designated unique or outstanding aquatic or terrestrial species or their habitats known to be present at or near the project site?
- No Do oyster or clam beds occur in or near the project site or access channels?
If yes, what is the distance? _____ If yes, what is the acreage? _____
- Yes *Is project site near active crabbing areas?
- No *Is the project site in designated bait zones?
- No Is the project site in or near an area of historic, archeological, or scenic value?
If yes, explain _____

* GA DNR Coastal Resources Division’s Marine Fisheries staff can direct the applicant to appropriate source materials.

Attachment H:

HOA letter



Georgia Department of Natural Resources

c/o Jessica Moody

One Conservation Way, Suite 300

Brunswick, GA 31520-8687

Ms. Moody, this is a letter of support from the Dolphin Island Preservation Home Owners Association President, William Muse, for a boat hoist on Dolphin Island. The lot owners of Dolphin Island voted to pursue engineering and permitting of a boat hoist in 2018. It took some time to locate an engineer and construction contractor. We understand the permit is under consideration by DNR. We were asked to provide this letter and any supporting documentation that a hoist was planned for the Island by the developers. The development company has since gone bankrupt. The HOA is functioning as it should and continues to maintain the island, water facility, sewage facility, and maintenance. We are also involved in the process to stimulate more home construction on the island.

The first person to purchase a home on the island, Shakel Sulat, stated that he was under the impression from the developers that a boat hoist was planned. David Turner another early purchaser of a home on the island and Mr. Sulat remember a sign at the concrete bulkhead to the right of Preservation Drive just after crossing the bridge to the island, stating Future Site of Boat Hoist. We do not have a lot of written material from the developers. After a search of files remaining in the Clubhouse on Preservation Drive we were able to locate one document addressed to Ms. Susan Shipman dated September 16, 2008 regarding an application for a permit to modify three existing docks and expansion of the access bridge to the island. Please find this document attached. The second page of the document, Coastal Marina, Community, Or Commercial Dock Checklist has a section, Existing or Planned Services in Jurisdiction, has an option for a boat hoist. That box is clearly checked on the form.

Our Island is growing slowly but it is growing. The lot and homeowners clearly want to have access to a place to launch boats that is accessible to the residents. We only have two choices for launching a boat. The first is only a couple of miles away at Jones Creek. Only small boats may be launched there and only at high tide. The ramp is so narrow that a nine foot wide trailer will barely fit. Our second option is 12

miles away in Sunbury. There is good access there but no room to park more than 10 trailers. We need to have a boat hoist facility on the island.

Sincerely,



William Muse, President Dolphin Island Homeowners Association

Board Members

William Muse, President

David Turner, Vice President

Tiffiney Gambil, Treasurer

Allen Harwood, Secretary

Marcus Sack, Member

Terry Wheeler, Member

Ray Duff, Member



Environmental Science & Technologies, Inc.

Post Office Box 30548
Savannah, Georgia 31410
Office 912.898.4188
Fax 912.898.4177
main@est-savannah.com

September 16, 2008

Ms. Susan Shipman
Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way, Suite 300
Brunswick, GA 31520-8687

Re: Dolphin Island Preservation
Liberty County, Georgia
ES&T Project: 07-0038
GDNR-CRD Permit #487

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Dear Ms. Shipman,

Please find enclosed a permit application for proposed structures in state waters at Dolphin Island Preservation. Dolphin Island is a ~~20~~-acre residential community located off Isle of Wight Road in Midway, Georgia. The project includes the modification of three existing community docks and the expansion of the existing access bridge.

If you have questions regarding this project or should you need additional information to process this request, please do not hesitate to contact me.

Sincerely,

Tara R. Merrill
Environmental Consultant

Cc: Dolphin Island Preservation LLC
Attn: Robert Sales
22 East Liberty Street
Savannah, Georgia 31401

COASTAL MARINA, COMMUNITY, OR COMMERCIAL DOCK CHECKLIST

LOCATION

County: Liberty
Municipality: Midway

Landmarks: I-95, Isle of Wight Community
Waterway: Jerico River

FACILITY

Facility Type: ☒ Private ☐ Public ☐ Commercial ☐ Industrial
Dock Space: ☐ Leased ☐ Sold ☐ Rented Other
Size of Upland Area (sq. ft.): 0 Additional SF Size of Submerged Area (sq. ft.): 862 SF/0.02 Ac.

WATERWAY INFORMATION

☐ Open water ☒ River ☐ Creek ☐ Ship Basin ☐ Other
Tidal Range (ft MLW): 7.8 ft Water Depth (ft. MLW): 4 to 21 ft
Channel Width (ft MLW): 328-401 ft Depth of Dredging (ft MLW): N/A
Distance facility will extend into the waterway beyond MLW: Boat hoist will extend 60' and shared dock will extend 55' beyond MLW.

EXISTING OR PLANNED SERVICES IN JURISDICTION

| | | | |
|-------------------------------------------|-------------------------------------------|---------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> boat ramp | <input checked="" type="checkbox"/> hoist | <input type="checkbox"/> mobile lift | <input type="checkbox"/> vessel TV hookup |
| <input type="checkbox"/> railway | <input type="checkbox"/> fuel | <input type="checkbox"/> propeller repair | <input type="checkbox"/> electrical repair |
| <input type="checkbox"/> pump-out vessels | <input type="checkbox"/> hull repair | <input type="checkbox"/> engine repair | <input type="checkbox"/> vessel electric hookup |
| <input type="checkbox"/> boat building | <input type="checkbox"/> ships store | <input type="checkbox"/> dockmasters office | <input type="checkbox"/> fire protection |
| <input type="checkbox"/> restrooms | <input type="checkbox"/> showers | <input type="checkbox"/> restaurant | <input type="checkbox"/> laundromat |
| <input type="checkbox"/> hotel | # of vehicle parking spaces: <u>N/A</u> | | # of trailer parking spaces: <u>N/A</u> |

DREDGING/FILLING/ShORELINE STABILIZATION

| | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------|
| Will dredging be required for the access channel? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Will dredging be required for boat basin? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is filling proposed in tidal wetlands? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is filling proposed in open water? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Will dredge disposal sites be required? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Have future dredge disposal sites been identified? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Have future dredge spoil sites been set aside with deeds/easements? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is shoreline stabilization proposed? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| If so, what type? _____ | | |
| Is the project in or near a US Army Corps of Engineers maintained channel or basin with an authorization depth of 12 feet or greater? (if so, contact the US Corps of Engineers) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |