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CESAS Form 19 Support Documentation
Lightship Marina
Chatham County, Georgia
September 11, 2018
Revised: December 13, 2018

DEC 17 2018
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The following information is submitted as support documentation in association with the attached application requesting authorization to impact waters of the U.S. pursuant to Section 10 of the Rivers and Harbors Act of 1899 and the Coastal Marshlands Protection Act of 1970 pursuant to the Official Code of Georgia Annotated, Part 12-5-286 (OCGA).

1.0 Project Description

Wilmington Partners, LLC (applicant) is proposing to re-build the Lightship Marina at 618 Wilmington Island Road. The project will provide dockage for long term users, short term users, transient boaters, and temporary tie ups. The project site is located on the western side of Wilmington Island on Turner Creek, north of and adjacent to Wilmington Island Road in Chatham County, Georgia.

2.0 Site History & Background

The subject property was previously the site of the Lightship Tavern and Marina which consisted of a fully enclosed restaurant over the water, a marina dock, and ship's store/office. In its prime in the mid to late 1990's, the marina was large and always full with over 2,600 linear feet of dock space. By late 2002, however, the marina and restaurant closed, and the floating dock structures were removed. The only structures that remained were the enclosed restaurant, some fixed deck, a short walkway, a pierhead, and a 70' long float. Then, in October 2016, Hurricane Mathew destroyed the remaining walkway and pierhead and tore the roof off of the Lightship building. Today, the remnants of the walkway and pierhead remain submerged at the edge of the marsh, some pilings are left in the waterway, and the float remains in place. An uncovered deck remains in place and is in good, serviceable condition, but the restaurant building has deteriorated since the hurricane resulting in rotting boards and building materials falling into the waterway underneath it. In May 2017, Wilmington Partners, LLC purchased the property with the intent to restore the site to its former condition which served generations of Chatham County residents as well as transient boaters throughout the region.

3.0 Site Conditions

The upland property is a long, narrow lot extending north from Wilmington Island Road and measuring approximately 120' wide and 850 feet long. The site contains an asphalt driveway that accesses a house near the river that was previously used as the marina store/office. On the left (west) side of the driveway is a long gravel area along the marshline that was used for parking. Adjacent to Turner Creek, a boardwalk extends along the west side of the house to a pile-supported fixed deck located over the upland. A small dockmaster house still remains on the deck.

The upland is primarily gravel, asphalt, fixed decking, or house/patio. Along the marshline which borders the western and northern boundaries of the site is a narrow strip of natural vegetation including live oak (*Quercus virginiana*), loblolly pine (*Pinus taeda*), palmetto (*Sabal palmetto*), wax myrtle (*Myrica cerifera*), red cedar (*Juniperus virginiana*), and other species. The remainder of the lot is primarily open space/lawn consisting of either gravel or vegetated with bahia grass (*Paspalum notatum*).

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The marsh line on the site was previously delineated by others and was verified by CRD on April 18, 2017. A new survey of the marshline based on the 5.6' elevation (5.2' NAVD88 per the Coastal Marshlands Protection Act) was completed in November 2018 and has been submitted for CRD verification. The marsh is fully vegetated with smooth cordgrass (*Spartina alterniflora*). The northern marshline is protected with a wooden bulkhead. Turner Creek at the project site ranges from 500 to 660 feet wide and is 5 to 15 feet deep in most places. Immediately upstream of the project site is a parcel owned by the Savannah Police Department which contains a dock with a walkway, pierhead, and single float. Also upstream of the project site is the existing Sail Harbor Marina which contains floating docks, boatyard, and haul-in/haul-out facilities. No upland is located adjacent to the downstream border of the site. The nearest downstream structures are located on Turners Rock on the north side of Turner Creek approximately 0.3 mile downstream where there are a few private residences with docks. Around the bend of Turner Creek in the Wilmington River approximately 0.7 mile downstream are condominiums at Wilmington Plantation.

A Level I structural assessment was completed by a certified Professional Engineer (PE) for the waterside facilities on-site to determine their condition, structural stability, and service life. The structures consist of an uncovered deck, the fully enclosed restaurant building, and the remaining floating dock/gangway. Extending channelward from the marshline/bulkhead on-site is the uncovered decking situated along the western side of the restaurant building. The uncovered deck is made of treated materials and is the newest of all structures on-site. According to the Level I assessment, the design and construction of this 867 square foot deck appear to be suitable for standard commercial use, and the structure is in good, serviceable condition with an intact substructure and composite decking in good condition. In its current condition, the remaining service life of this deck is about 15 years, and improvements to it associated with the proposed project would extend the service life by 10 – 15 years. Based on the Level I assessment, this existing deck is still serviceable and useable by definition.

The existing restaurant building (1,150 square feet) previously contained fully functioning walls, roofing, heating and air conditioning, electricity, water, windows, tables, a bar, etc. According to the Level I assessment, today, the substructure is in good condition with about 15 years of service life left, however, the roof has been damaged by recent storms, and the floor and other superstructures are rotting. Consequently, electrical conduit and wires, broken glass, insulation, tin, and boards have fallen into the waterway below. The enclosure is no longer serviceable as a restaurant, but the substructure could still be used to support an elevated platform if new decking is used.

Channelward of the uncovered deck was a short, fixed walkway leading to an irregularly shaped pierhead – both totaling 1,006 square feet. These structures were destroyed by Hurricane Mathew in 2016, and they remain partially submerged at the marshline just downstream of the site. A gangway also previously existed totaling 208 square feet. Within the waterway, the only structures that remain are five pile bents where the pierhead was located and the 70' x 7.4' float supported by four single piles. These structures are no longer serviceable. The existing serviceable and non-serviceable structures within jurisdiction total approximately 3,750 square feet.

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4.0 Proposed Activities in Jurisdiction

The applicant is proposing to revitalize the Lightship Tavern and Marina. First, the existing unserviceable structures will be removed which will be a significant improvement to the environment and to aesthetics from the river. This includes removal of debris which has fallen off of the existing structures into the waterway. The applicant will also remove the uncovered deck located directly west of the restaurant and will replace the fully enclosed restaurant building with a new covered fixed deck. The covering will not be the fully enclosed set-up that exists today, but will be a simple roof typically allowed in the DNR rules not to exceed 12 feet in height. A fixed walkway will extend from the northeast corner of the deck to a fixed pierhead. A gangway will extend off the downstream side of the pierhead to access the floating docks. The docks will consist of several main floats with a small finger dock system on the eastern side. Attached to the inshore side of the main float will be either a covered kayak dock or jet ski/boat dock where these vessels can be rented. The main floats will be 11.5 feet wide (10' float plus rub-rail/fenders), and the finger floats will be 5.5 feet wide (4' float plus rub-rails). All floats will contain the appropriate mooring hardware and fender/rub-rail system along the edges. For the purposes of this application, all dimensions were rounded up to account for the fenders. In order to minimize the amount of dock structure in the waterway, and to ensure that the amount of dock space does not exceed the demand, the applicant has proposed a two-phase approach to construction as outlined below. Upon permit issuance, the applicant will complete Phase I of the project, but Phase II will not commence until the demand for additional dock space is demonstrated by the applicant. Based on the existing market demand for marina services, it is anticipated there will not be a long lag time between phases.

Phase I:

Phase I of construction includes removal of the existing structures, installation of the new fixed structures, and installation of a portion of the floats. Channelward of the CMPA jurisdiction line, the existing 867 ft² uncovered deck will be removed and the restaurant building will be replaced with a 26' x 43' (1,118 ft²) fixed deck within the footprint of the existing serviceable structure. A 10' x 52' (520 ft²) walkway will extend from the deck to a 30' x 30' (900 ft²) covered pierhead. On the channelward side of the pierhead, a 5' x 10' (50 ft²) platform will support a 80' x 4' (320 ft²) gangway. The gangway will connect to a 21.5' x 10.5' (225.75 ft²) float attached to the inside of the main 409.5' x 11.5' float (4,709.25 ft²) extending parallel with the bank. Just downstream of the gangway approach platform will be either a 15' x 120' (1,800 ft²) covered kayak dock where kayaks can be stacked, stored, and rented or a 15' x 120' jet ski dock where jet skis/boats can be stored and rented. The final decision on which structure is installed will depend on market factors and will be determined upon final design. On the downstream end of the main float will extend a 131.5' x 11.5' (1,512.25 ft²) float towards the channel. On the channelward terminus will be a 260' x 11.5' (2,990 ft²) and a 248.5' x 11.5' (2,857.75 ft² total) float will also extend upstream. A finger-float system will be installed on the upstream side of the marina off the eastern end of the main floating dock. This includes an approximately 129.5' x 11.5' (1,489.25 ft²) center float with three fingers extending from each side, each measuring 43' x 5.5' (1,419 ft² total). On the channelward terminus of the center float will be a 97.5' x 13.5' (1,316.25 ft²) float. Two 10' x 10' (200 ft² total) covered kiosks will be constructed on the end of the finger float dock and on the downstream end of the main channelward float for marina employees. In all, the structures proposed for Phase I of the project will total approximately 21,427.5 ft² (0.492 acre). It should also be noted that the existing footprint of the enclosed restaurant building will be used in order to minimize additional encroachment or new impact (footprint) to jurisdiction. No new structures will be built over vegetated marsh. Also included in Phase I is the installation of a pumpout facility, water, electricity, and fuel system. A new bulkhead will also be installed as part of Phase I, but it will be located landward of the DNR jurisdiction line with no impacts to jurisdiction.

Phase II:

Once the demand for additional float space is demonstrated, the applicant will proceed with Phase II of the project which simply includes extension of the three main floating docks. No modifications are proposed to the fixed deck structures or the finger float system. Three 248.5' x 11.5' (8,573.3 ft² [rounded up]) floats

will be installed on the downstream end of the facility. The main docking slips will be 60' wide to allow for the large vessels (up to 20' beam) that are anticipated to use this facility due to its proximity to the Intercoastal Waterway (ICW). The finger float basins will be approximately 33' wide for the smaller design vessels (10' beam and under). The area of new structures proposed within jurisdiction for Phase II totals 8,573.3 ft².

The proposed deck, walkway, and pierhead will be supported by either 12" timber or 12" concrete piles. All proposed floating docks will contain appropriate cleats, facias, bumpers, and other mooring hardware. Upon final buildout, all structures over jurisdictional waters will total 30,000.8 ft² (0.689 acre).

The marina will be governed by a set of clearly posted dock rules. The facility will allow long-term, short-term, transient, and temporary usage. The dock will provide water, electricity, diesel fuel, and gasoline for users. The above-ground fuel tanks will be installed on the eastern side of the property within the footprint of an existing wooden/tin shed. The tanks and fuel lines will be equipped with emergency shut-off valves, and dispensing nozzles will be the automatic closing type without a hold open latch. Also, the facility will provide the necessary cleanup materials and booms on-site in case a spill does occur. A proposed pumpout facility will be located at the marina. All water and pumpout components will be routinely inspected and maintained to ensure no leaks or other functional issues occur. No restrooms, laundry facilities, showers, etc. will be associated with the marshland component of the project. Any such facilities would be incorporated into the proposed marina store in the upland. No dredging, fill, bank stabilization, or anticipated future maintenance dredging is required for the project. No live-aboards will be occupied for longer than 30-days during a calendar year. The proposed structures will extend approximately 232 feet into the waterway where the waterway is approximately 636 feet wide. Though this is just slightly more than 1/3 the total width of the waterway, this distance is necessary to reach adequate depths and to maintain wide enough slips for larger vessels. It is not expected, however, that this will impact navigation as the proposed facility would conform to the existing alignment and distances of the adjacent upstream Sail Harbor Marina docks which currently do not affect navigation. All work will be conducted from upland or by waterborne crane and barge in a manner to minimize turbidity in the waterway, and the applicant will ensure that no oils or other pollutants are released into the waterway during construction.

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fuel, and gasoline for users. The above-ground fuel tanks will be installed on the eastern side of the property within the footprint of an existing wooden/tin shed. The tanks and fuel lines will be equipped with emergency shut-off valves, and dispensing nozzles will be the automatic closing type without a hold open latch. Also, the facility will provide the necessary clean up materials and booms on-site in case a spill does occur. A proposed pumpout facility will be located at the marina. All water and pumpout components will be routinely inspected and maintained to ensure no leaks or other functional issues occur. No restrooms, laundry facilities, showers, etc. will be associated with the marshland component of the project. Any such facilities would be incorporated into the proposed marina store in the upland. No dredging, fill, bank stabilization, or anticipated future maintenance dredging is required for the project. No live-boards will be occupied for longer than 30-days during a calendar year. The proposed structures will extend approximately 232 feet into the waterway where the waterway is approximately 636 feet wide. Though this is just slightly more than 1/3 the total width of the waterway, this distance is necessary to reach adequate depths and to maintain wide enough slips for larger vessels. It is not expected, however, that this will impact navigation as the proposed facility would conform to the existing alignment and distances of the adjacent upstream Sail Harbor Marina docks which currently do not affect navigation. All work will be conducted from upland or by waterborne crane and barge in a manner to minimize turbidity in the waterway, and the applicant will ensure that no oils or other pollutants are released into the waterway during construction.

5.0 Upland Component:

The upland component of the project is defined as all the services, amenities, etc. inland of the jurisdiction line that serve to augment the function of the marshlands component. For the proposed marina project, the upland component has been identified as the proposed marina store, parking/landside access to the marina, and pedestrian access to the dock. All of these upland facilities are necessary for the functionality of and/or permanent access to the marshlands component. When a 50' buffer is overlaid on the marsh line for the upland component, it takes up over half of the property. Nonetheless, the applicant took great care to minimize disturbance and new structures within the buffer by utilizing existing disturbed or developed areas almost exclusively. The configuration of the property and amount of buffer on-site, however, does present a hardship and prevents the applicant from totally avoiding using the buffer. A detailed description of each component is outlined below:

Existing Buffer Condition:

As mentioned above, the buffer takes up over half of the property. The majority of the buffer has been previously disturbed by the past commercial land use. A 5-10' wide strip of natural vegetation (live oak, cedar, pine) exists immediately adjacent to the marshline around the perimeter of the site. The exception is where the Lightship Tavern was constructed adjacent to the dock. The rest of the buffer along the western marshline is existing gravel area that was previously used for parking. Closer to Turner Creek, a portion of the existing asphalt driveway and cul-de-sac are located with 50' of the marsh. An at-grade boardwalk extends from the cul-de-sac along the western edge of the property to access the dock. The existing house/brick patio on site which was used for the marina store/office is partially located within the buffer, and there is an overgrown gravel pad around the house. An existing concrete walkway is located adjacent to the gravel pad near the bulkhead along Turner Creek and was used for access to the dock. The remainder of the buffer consists of grassed lawn.

Proposed Buffer Condition:

The proposed condition of the upland component buffer will be very similar to what it is today. Some improvements will be needed to utilize the existing structures in the buffer, but very little new activities are required.

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- **Marina Store**

The existing house and an adjacent concrete patio on-site will be removed as part of the project. This will remove approximately 1,391 ft² of impervious structure from the 50' buffer. A new marina store with surrounding gravel and landscaping will be built on the existing gravel pad around the existing house site. This structure will not require any clearing of new land and will utilize the footprint of existing disturbed (gravel) area. When considering the removal of the existing structures within the buffer, the new marina store would result in a decrease in impervious structures in the buffer.
- **Parking/Landside Access**

To access the marina by car, the existing asphalt driveway from Wilmington Island Road will be retained in its present location. The majority of the driveway is located outside of the 50' buffer along the western marshline, but approximately 6,290 ft² is within the buffer. Resurfacing and other minor improvements may be needed within the buffer, but any widening of the road and installation of additional asphalt would occur outside of the 50' buffer. Parking area will be provided on both sides of the road. Within the upland component buffer, the applicant will utilize the existing footprint of the old gravel parking area along the western side of the property. The applicant took care to not expand the parking area any closer to the marshline and disturb the natural vegetative strip. The parking area may require some improvements including overgrowth/grass removal, grading for proper stormwater management/treatment, or the addition of more gravel.
- **Access to the Dock**

The existing concrete sidewalk along Turner Creek, totaling 480 ft² will either be retained for access to the dock or replaced with a pervious pathway structure. This path will provide access between the marina store and fuel tanks and the dock. The path will be located in the same or very similar footprint within the existing maintained lawn, and no new clearing of natural vegetation will be necessary. The path will extend to a fixed deck located just landward of the proposed dock structure. The fixed deck will total 611 ft² and will be pervious, will require no additional clearing, and will be situated within the footprint of the existing landside structure.
- **Landscaping**

The applicant proposes to retain the ability to maintain and landscape the remainder of the buffer as needed for aesthetics, but no new clearing in the buffer is proposed as part of the upland component of the project. All landscaping would be conducted within existing maintained lawn or developed area. The applicant also proposes to conduct minor hand trimming of limbs and undergrowth to provide views to the marsh.

Proposed Stormwater Management:

The development activities associated with the upland component are not expected to have an adverse effect on jurisdictional area. No untreated stormwater from the disturbed areas in the upland component will be directly discharged to the marsh and the project would be compliant with the Georgia Stormwater Management Manual. Stormwater will be conveyed to a retention area on-site which will be located between the proposed parking area and the marsh on the west side of the property. The applicant chose this location because it will allow stormwater runoff from the parking area to be retained first prior to it entering the marsh. The alternative would be to put the parking lot directly adjacent to the marshline. The system will be designed so that post-construction discharges match pre-construction conditions. No ditches, pipes, or flumes are

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proposed that would result in a direct point source discharge of stormwater from the upland component directly into the marshlands component. During construction, proper BMP's such as silt fencing, grassed slopes, etc. will be utilized to prevent erosion and sedimentation.

As part of the upland component for the project, the applicant will not exceed the existing impervious structures in the buffer. The only new upland component structure within the marsh buffer is the proposed marina store which totals approximately 1,134 ft². When considered with the existing structures to remain, there will be an estimated 7,424 ft² and represents approximately 15% of the 48,100 ft² buffer. To offset any stormwater generated by the impervious structures in the upland component, whether existing or proposed structures, the applicant will incorporate a stormwater retention area on-site to capture and treat stormwater prior to being discharged.

6.0 Needs Assessment

Prior to purchasing the property and proceeding with the design/permitting stage of the project, the applicant completed their due diligence to ensure a new marina was needed and would be supported by the market. They contracted Urban Realty Solutions, a real estate advising firm out of Tampa, Florida to conduct a market assessment and needs analysis for the project. The analysis took a comprehensive look at the overall Savannah economic atmosphere and demographics, the overall marine industry of the area, the market of existing marinas, the demand for marine services, and the supply of marine services. To understand the local marina market, the analysis first evaluated demand generators. It found that the coastal Georgia region is a leisure-oriented environment attractive to tourists and residents due to the long boating season and many waterborne recreational opportunities. Since 2013 for instance, participation in recreational angling has increased. Boat registrations representing active boats in the area have increased steadily since 2011 to over 292,600 in 2017. The analysis also used data from 11 existing marinas in the Savannah area to determine the existing supply of wet slips and dry slips. It separated the data into those facilities that were directly comparable to the proposed Lightship Marina (8) and those facilities that were not considered directly comparable (3). The indirect facilities were included to gain a better understanding of the market area and existing supply of marina space. The eight directly comparable facilities consist of public marinas with deep water access to the ICW and Atlantic Ocean, similar to the access afforded by the proposed project. These marinas offered a total of 404 wet slips and 754 dry slips. Of the available slips, a total of 381 wet slips were occupied annually (94%) and 692 dry slips were occupied (92%). This varies throughout the year, but seasonal occupancy was found to typically be 100%, and several marinas reported a waiting list for permanent slips. Breaking it down even further, the three comparable marinas on Wilmington Island located just upstream of the proposed project indicate strong occupancy levels and rental rates. Of the 108 available wet slips in these three facilities, only 8 slips were available. It was also found that the facilities closer to the Wilmington River are more convenient to boaters due to the presence of a long no-wake zone in Turner Creek. This sets up favorably for the proposed project, as it would be the closest of all marinas to the Wilmington River, and boaters could avoid having to traverse this no-wake zone.

The three secondary comparable facilities were considered indirectly comparable to the proposed project due to their location/access. Two of them are located in a private, relatively rural community with restricted access. The other is also relatively rural from downtown Savannah, and channel access is winding and a significant distance from both the ICW and the ocean. Additionally, slips in this particular marina are configured to accommodate boats smaller than 35' in length. Although these secondary facilities do attract significant numbers of boaters, boaters choose these facilities based on different criteria than the directly comparative marinas. Therefore, the slips were not included in the local supply of competitive slips, and the boats were

not included in the demand analysis. Nonetheless, even these secondary facilities showed very strong demand for marina space and high occupancy rates.

In order for a marina to function properly, vacancy should be approximately 10%. In other words, the ideal occupancy rate should be 90%. This allows for slip turnover and for vessels to transition into and out of the market. Within the Savannah market, however, wet slip occupancy is at an annual average of 94% meaning that demand exceeds wet slip supply by at least 4%. Based on the marinas surveyed for the market analysis, the total demand for wet slips in 2017 was estimated at 432. Considering the required 10% vacancy needed for proper marina operations, this equates to a total demand of 475. This is based on the required number of slips based on population. The current supply of wet slips is 404 representing an unmet demand for 71 new slips. This effect is further exacerbated by the growing trends in recreational boating in coastal Georgia. Future demand for marina facilities in the area is projected to increase to 525 by the Year 2027 as coastal populations increase. This coupled with the restricted supply and high occupancy rates of existing marinas, especially during the boating season, support the need for a new marina.

7.0 Avoidance and Minimization of Impacts

Because the proposed structures are water dependent, alternative sites for the proposed project were not considered. It is assumed that alternative sites would still require structures within jurisdiction. The applicant has, however, evaluated multiple designs and incorporated a variety of measures to avoid and minimize impacts to coastal marshlands, navigation, etc.

Many different dock configurations were evaluated for the project. The applicant chose the one with the most efficient use of dock space to accommodate different users and a variety of vessel size classes with an emphasis on accommodating larger vessels that frequent the ICW. The dock will utilize a finger dock system to accommodate small and mid-sized vessels on the right-hand side of the facility. The longer contiguous floats will provide side-to mooring space for the larger vessels expected to use the marina. It is expected that a much larger sized facility would be justified based on the market research and expected increase in future demand as described above; however, the applicant still minimized impacts to the greatest extent practicable. First, the applicant will use the footprint of the existing serviceable 867 square foot uncovered deck. This structure is in good condition as determined by a certified marine engineer and can be used in its current condition for its intended use (though replacement of some or all of the materials may provide the longest possible service life and be the most practical option for this project). The applicant will also remove the existing Lightship building from the waterway and will not allow any non-water dependent activities to occur over jurisdiction (e.g. restaurant). This fully enclosed structure will be replaced with a simple covered deck for public enjoyment of the waterway, but the new deck will be smaller than the footprint of the existing building. All of the debris that has fallen off of the restaurant into the waterway will also be cleaned up. This is a vast improvement to the environment and will prevent any further degradation of the marsh in the future. All other dilapidated structures that were destroyed by Hurricane Mathew will also be removed from jurisdiction. The applicant designed the new fixed deck to fall within the footprint of the existing deck/restaurant instead of expanding the footprint. The pierhead was designed to only 400 square feet which is the typical size routinely permitted by DNR. The gangway was minimized in size while still remaining ADA-compliant. All floats will be supported by concrete piles instead of wood to withstand the winds and currents which can come up Turner Creek and to support the large vessels that will use the docks. The fixed structures may utilize wooden or concrete piles.

The applicant was also cognizant of other waterway features when designing the project. For instance, the floats will stop short of a small tidal creek just to the west of the property. Although

the creek is small, it could still be navigated by small boats at high tide, and the applicant took care not to impede access to it. The floats were also extended far enough into the waterway to ensure that no dredging is required. The most significant avoidance and minimization measure, however, is the applicant's proposal to phase construction. Though the need for the entire dock facility has been clearly demonstrated, phasing the project will ensure that the proposed structures do not exceed the actual demand for dock space and that the floating docks do not remain unused. Upon permit approval, the applicant will construct Phase I of the project but agrees to not construct the subsequent phases until the need arises for additional floating dock space. The applicant will provide appropriate documentation to DNR demonstrating the need/demand for additional dock space prior to initiating Phase II.

8.0 Threatened and Endangered Species

The property was assessed for the potential occurrence of threatened and endangered species and habitats suitable to sustain these listed species for Chatham County, Georgia. The habitats found on site consist of open water, vegetated marsh, and maintained area. The upland habitat is not suitable to support any protected species. Turner Creek could potentially support shortnose sturgeon, Atlantic sturgeon, west Indian manatee, and sea turtles. The project consists of dock construction and requires the installation of a relatively small number of small-diameter wood and concrete piles. The project will be phased over time resulting in two shorter construction periods instead of one longer, more significant construction period. The short construction periods will reduce the overall noise levels and disturbance to aquatic habitat. The small pile size, the small number of piles, and the phasing of the project (short construction periods) combined with the large size of the river indicate that the project would have no effect on either sturgeon species. Also, the pile driving and dock improvements will have no effect on sea turtles. To avoid adverse effects on the west Indian manatee, the U.S. Army Corps of Engineers (USACE) standard manatee conditions will be employed during construction and operations of the marina.

9.0 Essential Fish Habitat

The proposed waterside activities are located within Turner Creek which has been identified as Essential Fish Habitat (EFH). The proposed project, however, only requires construction of a dock on a previous marina site. The proposed fixed deck will utilize the footprint of the existing fixed deck and restaurant building. The only new footprint over vegetated marsh is the proposed walkway, but this is only 85 feet in total length. The remainder of the structures will be over open water. It is widely accepted that structures or shading over deep water is not known to have an adverse affect on the benthic community. Also, the proposed project will clean up existing harmful debris in the waterway such as insulation, electric wires, conduit, plumbing fixtures, wood, and glass which will be a considerable improvement in the area. It was therefore concluded that the proposed project would not adversely affect EFH.

10.0 Impaired Waters

The project site is located on Turner Creek, a tributary between Wilmington River and Bull River. Both of these larger waterways are listed by EPA as supporting their intended use. Betz Creek located on Wilmington Island is listed on the 303(d) List of impaired waters with high levels of fecal coliform from urban runoff. Betz Creek, however, is located east of and inland from Turner Creek and drains to the Bull River downstream of Turner Creek. Turner Creek itself is not listed. The development of the proposed marina would therefore not contribute to water quality degradation in an impaired waterway.

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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-

Wilmington Partners, LLC
Attn: Mr. Guy Davidson
17 Park of Commerce Boulevard, #105
Savannah, Georgia 31405

(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-

See attached drawings from Ball Maritime Group, LLC

(3) A plat of the area in which the proposed work will take place-

A plat of the property is attached.

(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-

Attached is a copy of the deed to the property.

(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 of 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-

Savannah Police Recreation Camp
P.O Box 8032
Savannah, Georgia 31412

No downstream adjoining property

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(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 violate of any zoning law;

Attached is the letter from the Chatham County Planning and Zoning Department certifying that the proposed activities are not in violation of the zoning ordinances of the County.

(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.

A check in the amount of \$500.00 is attached to this application.

(8) A description from the applicant of alternative sites and why they are not feasible and a discussion of why the permit should be granted-

All proposed structures are water dependent, and there is not a non-water dependent alternative to provide marina space in the area. It is therefore assumed that any other alternative site would require just as much or more impact. See above project description for details.

(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-

To the best of the applicant's knowledge, the property is suitable for the uses/structures proposed by this application. According to a review of the EPD Hazardous Site Inventory (Revised July 2018), there are no known landfill or hazardous waste materials present.

(10) A copy of the water quality certification issued by the department if required for the proposed project-

It is anticipated that the project would be authorized by Letter of Permission from the U.S. Army Corps of Engineers (USACE), and a 401 Water Quality Certification would not be 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 land disturbing and stormwater management permits as required by Chatham 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 12-5-288(b) lists

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eight activities that are normally considered contrary to the public interest. They include 1) marsh fill for residential, commercial, industrial uses; 2) marsh fill for private parking lots or private roadways; 3) construction of dump sites; 4) ditch/canal construction for draining marsh; 5) mining; 6) construction of lagoons or impoundments; 7) construction of structures which constitutes an obstruction of view to adjoining riparian landowners including signs and enclosures; and 8) occupying a live-aboard vessel for more than 30 days. The proposed project does not include activities that would fall within any of these categories. The proposed project will satisfy a public demand for marina space and is not contrary to the public interest.

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 will not alter natural flow of navigable waters nor will it obstruct public navigation. The proposed dock improvements will conform to the configuration and location of the Sail Harbor Marina located immediately upstream. The proposed structures will be offset from the extended eastern property line to allow for unimpeded access to the Sail Harbor Marina docks. The proposed structures will extend approximately 232 feet into the waterway where the waterway is 636 feet wide leaving ample room for vessels to navigate past the marina.

(2) Whether or not unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water will be created-

The proposed project consists of installation of a marina dock facility with no filling, dredging, or bank improvements. A new bulkhead will be installed as part of the project, but it will be located landward of the verified jurisdiction line. The proposed docks 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 project 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.