DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3640

REPLY TO
ATTENTION OF

APRIL 1 1 2012

Regulatory Division
200601154

JOINT PUBLIC NOTICE
PROPOSED REVISION AND REISSUANCE OF
PROGRAMMATIC GENERAL PERMIT 0083
for
RECREATIONAL DOCKS
in
Bryan, Brantley, Camden, Charlton, Chatham, Effingham, Glynn, Liberty,
Long, McIntosh and Wayne Counties, Georgia

The Savannah District, US Army Corps of Engineers (USACE) proposes to revise and reissue Programmatic General Permit 0083 (PGP0083) for a period of five years. This Programmatic General Permit currently authorizes construction of recreational docks in tidal navigable waters of the United States within the 11 coastal counties of Georgia, and is administered by the Georgia Department of Natural Resources, Coastal Resources Division (Georgia CRD). The existing PGP0083 is scheduled to expire on July 23, 2012, and would be revoked upon issuance of the revised PGP0083.

General Permits are authorized by the District Engineer for activities which are: (1) substantially similar in nature and cause only minimal individual and cumulative environmental impacts; and (2) would result in avoiding unnecessary duplication of the regulatory control exercised by another Federal, State, or local agency provided it has been determined that the environmental consequences of the action are individually and cumulatively minimal (33 Code of Federal Regulation, Parts 322.2(f), 325.2(e), and 330).

Proposed Revisions: Minor revisions to the "Project Description" section of PGP0083 are proposed; all revisions are shown in BOLD in the attached draft PGP0083. Two proposed substantive revision to PGP0083 involves a reduction in the maximum allowable size of the fixed dock from the current 400 square feet (sqft), down to a maximum of 300 sqft and capping the length of all fixed walkways to a maximum of 1,000 linear feet. The maximum sqft for the fixed walkway remains at 3,000 sqft. However for the purpose of calculating shading impacts with alternative decking (grating, for example), the reduction factor is proposed to change from 50% to 25%. The walkway factors are summarized in Table 1.

TABLE 1. Change to PGP0083 Walkway Length with Shading Factors

	Wood Decking				Grate Decking				Monorail
Walkway Widths Max 6' Wide	6'	5'	4'	3'	6'	5'	4'	3'	N/A
Existing PGP0083 Walkway Length (50% Grate Shade Reduction - No Max Linear Feet)	500'	600'	750'	1000'	1000'	1200'	1450'	2000'	No restriction
Proposed PGP0083 Walkway Length (25% Grate Shade Reduction - Max 1000 Linear Feet)	500'	600'	750'	1000'	650'	750'	1000'	1000'	1000'

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: PGP0083 would be re-issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), to authorize construction and maintenance of recreational dock facilities. This would include fixed walkways, fixed docks, boat hoists, connecting ramps, floating docks, piling and screened dock houses, for which a Revocable (Real Estate) License has been issued by the State of Georgia and a municipal or county Building Permit is obtained, if required.

Persons who intend to perform work under the authority of PGP0083 would be required to provide a request to the Georgia Coastal Resources Division for approval prior to beginning construction. The request procedures, required dock specifications and other terms and conditions are set forth in the attached draft PGP0083.

Background: During 1979, the USACE issued General Permits (GPs) to authorize construction and maintenance of private, noncommercial recreational dock facilities in coastal Georgia counties. These GPs were reissued at 5 year intervals up until 1996. Individuals that intended to construct a dock under the authority of these GPs were also required to obtain consent from the State of Georgia for use of State-owned lands (Revocable License).

Programmatic General Permits (PGPs) can be issued by the District Engineer to authorize activities that are substantially similar in nature, cause only minimal individual and cumulative environmental impacts, and avoiding unnecessary duplication of the regulatory control already exercised by a State agency. During the 1995 to 1996 time period, the USACE and the Georgia Coastal Resources Division determined that the development and use of a PGP for certain recreational docks in coastal Georgia would be appropriate.

In August of 1996 the USACE issued PGP0083 for the eleven coastal Georgia counties, and delegated authority to the Georgia Coastal Resources Division to administer use of this permit. As administrator of this permit, the Georgia Coastal Resources Division has the discretion to

authorize activities that comply with its permitting program and the terms and conditions of the PGP, or to refer the proposed action to the USACE for further review and final approval.

The originally issued PGP0083 contained the basic dock facility dimension limitations, specifications and permit conditions that were included in the preceding county GPs. Since 1996, PGP0083 has been reissued several times. With each reissuance of the PGP, revisions to dock facility dimension limitations, specifications and permit conditions have been made at the request of the Georgia Costal Resources Division. The primary reason for these revisions has been to maintain consistency of dock facility dimension limitations, specifications and permit conditions between PGP0083 and the Georgia Coastal Resources Division's Coastal Marshlands and revocable license programs. The USACE's primary area of concern with regard to recreational docks is to insure that authorized dock facilities do not interfere with the public's right to free navigation in navigable waters of the United States, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). Table 2 below reflects the historical changes to PGP0083 over the past 16 years, and current proposed revisions.

TABLE 2. Historical Trend Summary of Changes in RP and PGP Dock Facility Restrictions

	1979 - 1996	**1996 - 2001**	**2001 - 2007**	**2007 - 2012**	**PROPOSED**
Walkway Max Width	6' wide	6' wide	6' wide	6' wide	6' wide
Walkway Max SqFt	No restriction	No restriction	No restriction	3,000 (50% grate)	3,000 (25% grate)
Walkway Max Length Wood	No restriction	No restriction	No restriction	3' x 1,000'	3' x 1,000'
				4' x 750'	4' x 750'
				5' x 600'	5' x 600'
				6' x 500'	6' x 500'
Walkway Max Length Grate	Not Applicable	Not Applicable	Not Applicable	3' x 2,000'	3' x 1,000'
				4' x 1,450'	4' x 1,000'
				5' x 1,200'	5' x 750'
				6' x 1,000'	6' x 650'
Walkway Max Length Monorail	Not Applicable	Not Applicable	Not Applicable	No limit on length	1000'
Fixed Dock	576 sqft	576 sqft	864 sqft	400 sqft	300 sqft
Float Dock	288 sqft	288 sqft	576 sqft	576 sqft	576 sqft
Channel Extension	25' or 15% channel width	40' or 25% channel width	40' or 25% channel width	40' or 33% channel width	40' or 33% channel width
Boat Hoist	Not included	12' x 25'	16' x 30'	16' x 30'	16' x 30'

STATE OF GEORGIA

Georgia Coastal Management Program: Prior to the Savannah District Corps of Engineers making a final decision on this proposed Programmatic General Permit, the project must be certified by the Georgia Department of Natural Resources, Coastal Resources Division, to be consistent with applicable provisions of the State of Georgia Coastal Management Program (15

CFR 930). Anyone wishing to comment on Coastal Management Program certification of this project should submit comments in writing within 30 days of the date of this notice to the Federal Consistency Coordinator, Ecological Services Section, Coastal Resources Division, Georgia Department of Natural Resources, One Conservation Way, Brunswick, Georgia 31523-8600 (Telephone 912-264-7218).

US ARMY CORPS OF ENGINEERS

Cultural Resources Assessment: Review of the latest published version of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion are located at the site or in the area affected by the proposed work. Presently unknown archaeological, scientific, prehistorical or historical data may be located at the site and could be affected by the proposed work.

Essential Fish Habitat (EFH): This notice initiates the EFH consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed revisions to PGP0083 could potentially impact a minor amount of water bottoms that may be utilized by various life stages of species comprising the red drum, shrimp, bluefish or snapper-grouper management complexes. Our initial determination is that the proposed action would result in a minimal individual and cumulatively adverse impact on EFH and on federally managed fisheries in the Atlantic Ocean. Our final determination relative to impacts on EFH associated with PGP0083 is subject to review by and coordination with the NMFS and the South Atlantic Fisheries Management Council.

Endangered Species: The USACE has determined that dock facilities authorized by the proposed Programmatic General Permit may affect, but are not likely to adversely affect, the West Indian manatee (Trichechus manatus) provided the construction manatee conditions listed in the draft Programmatic General Permit are followed. Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request information from the US Department of the Interior, Fish and Wildlife Service, the US Department of Commerce, the National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service; or, any other interested party, on whether any other species listed or proposed for listing may be present in the area.

Public Interest Review: The decision whether to issue the proposed Programmatic General Permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Consideration of Public Comments: The USACE is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, or condition the proposed Programmatic General Permit. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the proposed Programmatic General Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

Comment Period: Anyone wishing to comment on the proposed Programmatic General Permit should submit comments in writing to the Commander, US Army Corps of Engineers, Savannah District, Attention: Mark J. Padgett, 100 W. Oglethorpe Avenue Savannah, Georgia 31401-3640, no later than 30 days from the date of this notice. Please refer to PGP0083 in your comments.

If you have any further questions concerning this matter, please contact Mark J. Padgett, Senior Project Manager, Coastal Branch at 912-652-5052.

2 Encls
1. Draft PGP0083 (8 pages)
2. Application Packet (8 sheets)

Programmatic General Permit No. PGP0083
200601154

Issued: Expiration:

This permit action supersedes Regional Permit RP0083 (960009050). This Programmatic General Permit shall be valid for 5 years from the date of issuance unless otherwise modified, suspended, or revoked by the District Commander. The construction period of individual docks authorized by the Programmatic General Permit shall be valid for 3 years from the date of each authorization.

AUTHORITIES: On the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbor Act of March 3, 1899 (33 U.S.C. 403), authority is hereby given to the State of Georgia, Department of Natural Resources, Coastal Resources Division (GADNR) to administer this Programmatic General Permit. As administrator of this permit, the GADNR has the discretion to authorize activities that comply with its permitting program and the terms and conditions of this permit, or to refer the proposed action to the US Army Corps of Engineers for further review.

PROJECT DESCRIPTION: This permit covers the following activities: (1) minor modifications or additions to existing permitted private residential, single-family, noncommercial recreational dock facilities for water-dependent activities; (2) docks built prior to December 18, 1968, which are grandfathered pursuant to 33 CFR 330.3b; (3) minor modifications or additions to grandfathered docks; and (4) construction and maintenance of new docks for water-dependant activities.

The above described activities include fixed walkways, fixed docks, boat hoists, connecting ramps, floating docks and piling, and screened dock houses, for which: 1) a Revocable Real Estate License has been issued by the State of Georgia; 2) the application/notification procedures herein are complied with; and 3) the project complies with the terms and conditions of this permit and the following specifications:

a. The dock facility must be for water-dependent activities that access a channel with defined banks and not ponded areas or mudflats. No fixed docks or floats shall be approved in waterways having a channel width of less than 20 feet. However, one "L" or "T" shaped walkway extension up to 6 feet wide by 14 feet long and perpendicular to the channel is allowable. Vessels may be stored over the walkway extension with davits but not stored over the water with a hoist. Channel width is measured from mean low water (MLW) to MLW or between marsh lines on opposite sides of the bank for waterways that are essentially dry at MLW.

b. **The fixed walkway maximum width is 6 feet, and the maximum length is 1,000 linear feet. The walkway width would include all relevant structures, inclusive of handrails, bumpers, and support structures.** The fixed walkway maximum area using traditional construction, such as with wood plank materials, may not exceed 3,000 square feet. Proposed walkways exceeding 3,000 square feet maximum area must use

alternative decking (grating, for example), or alternative design (monorail system, for example) so that walkway shading impact will not exceed that of a 3,000 square foot walkway using traditional construction. **For the purpose of calculating shading impacts, grating reduces shading impacts by 25%. If the applicant chooses to use an alternative decking, such as an open mesh grated material, the entire walkway must be constructed with the same material. It will not be permitted to use multiple decking materials for the walkway.** Walkways must be built at such a height as to clear all vegetation. Walkways across tributaries that can be bridged (those less than 10 feet wide) must have a minimum clearance of 6 feet above the mean high water line to the bottom of the bridge. Piling spacing must provide for safe navigation in the channel. The GADNR may, on an individual basis, increase or decrease the clearance restrictions as appropriate.

c. **One fixed deck with a maximum area (including screened and/or roofed sections) of 300 square feet is permissible. No fixed deck shall be located over marsh vegetation. Sections of walkway and catwalk do not count towards the total of 300 square feet of fixed deck for previously permitted or existing structures. Landings used for the sole purpose of gangway placement do count towards the total square footage. The overhang of the roof does not count as the total square footage, only the decking.**

d. **The floating dock maximum area is 576 square feet and is inclusive of PWC floats, run-up floats, and jet docks which must be indicated on the drawing.** Floating docks may not rest on the waterbottom at low tide and must be supported on piling or by a cradle at least two feet above the mud.

e. The channelward face, or any other portion of the structure(s), may be located channelward from the MLW line or vegetation line a maximum distance of 40 feet or 1/4 of the channel width, whichever is less.

f. The fixed dock house may be open-sided, partially or totally covered and enclosed with screen. The covered portions may be constructed either with walls of a single layer of woven screen wire or wainscot (lower 3 feet of the wall finished with wood, upper section finished in woven screen wire). The dock house shall not be fully enclosed with wood, glass, fiberglass, metal, or any other solid type materials.

g. **Only the fixed deck and the boat hoist may be roofed. Roofs must be indicated on the drawing, and do not count towards total square footages of structures. All covered areas of the dock are limited to a maximum height of 12 feet above the decking at the lowest deck height. Roof overhang (eaves) may not extend more than 12 inches beyond the structure to be covered. The use of the roof as a second story and/or storage and stairs to access a second story are prohibited.**

h. One boat hoist (roofed or open) with a maximum dimension of 16 feet by 30 feet is permissible. **The hoist is measured from piling to piling, not the roof dimensions. Over-dock storage systems, such as davits, are not considered boat hoists but must**

be indicated on the drawing. One catwalk whose exclusive use is to service a hoist, may not exceed 3 feet X 30 feet.

i. The use of utilities to service the permitted structure (such as water and electricity) must be noted and location identified on the submitted drawing. Lighting for non-navigable purposes must be minimal in nature and the light source capped and shielded. Freshwater outlets are permitted as long as routine monthly maintenance checks are performed. Any unattended free running fresh water is non-compliant.

j. A Construction Notification Form must be submitted no less than 10 business days prior to work commencing. All portions of the structure must be no less than 10 feet from the extended property lines/dock corridor lines on both sides of the proposed structure. All equipment used within the marsh for the construction of the dock must be operated from construction mats laid in single file immediately adjacent to the dock. Equipment can only be operated on one side of the structure.

k. No fixed or floating docks shall be constructed over marsh vegetation.

APPLICATION/NOTIFICATION PROCEDURES: Individuals intending to construct facilities under the authority of this Programmatic General Permit must submit an application to the GADNR in accordance with the Application/Notification Procedures (Encls 2), and obtain written confirmation from GADNR prior to beginning construction.

PROJECT LOCATION: In tidal, navigable waters of the United States within the eleven coastal counties of Georgia: Chatham, Bryan, Liberty, McIntosh, Glynn, Camden, Long, Effingham, Wayne, Brantley, and Charlton Counties.

LOCATIONS EXCLUDED: The Atlantic Ocean, Atlamaha River, Atlantic Intracoastal Waterway, Brunswick Harbor, Darien Harbor, St. Marys River, Sapelo Harbor, Savannah Harbor and the Savannah River are excluded from the Programmatic General Permit. This Programmatic General Permit also excludes dock sites located as follows: within 2,000 feet of properties registered in or properties listed as eligible for inclusion in the National Register of Historic Places, including the Town of Vernonberg in Chatham county; structures within 2,000 feet of areas listed in the Register of Natural Landmarks; in areas placed on the Wild and Scenic River Study List; within 2,000 feet of properties of National Wildlife Refuges (NWR), National Monuments (NM), and National Seashore (NS) to include Fort Pulaski NM, Fort Frederica NM, Cumberland Island NS, Savannah NWR, Wassaw NWR, Harris Neck NWR, Blackbeard Island NWR, and Wolf Island NWR; and in habitats commonly used by legally Protected or Special Concern Species (Endangered, Threatened, Rare, and/or Proposed for listing).

PERMIT CONDITIONS:

General Conditions:

a. All activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension, or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions "i" or "j" hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended, or revoked in whole or in part.

b. The permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife, and natural environmental values.

c. The permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

d. The permittee shall permit the District Commander or authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein. The permittee waives their right of the expectation of privacy.

e. The permittee shall maintain the structure or work authorized in good condition. If the structure becomes unserviceable, it must be removed at the permittee's expense.

f. This permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations.

g. This permit does not obviate the requirement to obtain state or local assent required by law for the activity authorized herein (i.e. local municipal city/county building permit).

h. This permit does not authorize the interference with any existing or proposed Federal project and the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or results from existing or future operations undertaken by the United States in the public interest.

i. This permit may be summarily suspended, in whole or in part, upon a finding by the District Commander that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by a permittee of a written notice thereof which shall indicate: (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken

by a permittee which are deemed necessary by the District Commander to abate imminent hazards to the general public interest. A permittee shall take immediate action to comply with the provisions of this notice. Within 10 days following receipt of this notice of suspension the permittee may request a hearing in order to present information relevant to a decision as to whether the permit should be reinstated, modified, or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the District Commander. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee, if no hearing is requested, the permit will be reinstated, modified or revoked.

j. This permit may be either modified, suspended, or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit, there has been a falsification of information, or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt of written notice of such action which shall specify the facts or conduct warranting same unless: (1) within the 30-day period a permittee is eligible to satisfactorily demonstrate that (a) the alleged violation of the terms and conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurance that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, a permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension, or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend, or revoke this permit in whole or in part, shall be pursuant to procedures prescribed by the Chief of Engineers.

k. Any modifications, suspensions, or revocation of this permit shall not be the basis for any claim for damages against the United States.

l. This permit does not authorize the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

m. If and when a permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which a permittee is transferring their interests herein to a third party, they must restore the area to a condition satisfactory to the District Commander. This includes removal of unsound structures at the permittee's expense. If transferred, the third party must obtain a new Revocable License from the State.

n. If the recording of this permit is possible under applicable State or local law, a permittee shall take such action as may be necessary to record this permit with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interest in real estate.

o. If the activity authorized herein is not completed on or before 3 years from the date of issuance of the notification, this permit if not previously revoked or specifically extended, shall automatically expire.

p. If the permittee during the prosecution of the work authorized herein encounters a previously unidentified archeological or other cultural resource that might be eligible for the National Register of Historic Places, they shall immediately notify the Savannah District Commander.

q. Permit shall become effective on the date of the District Commander's signature.

Special Conditions:

a. Use of the permitted activity must not interfere with the public's right to free navigation on navigable waters of the United States.

b. Permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by natural forces and by wave wash from passing vessels. The issuance of this Programmatic General Permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and natural forces, and a permittee shall not hold the United States or the State of Georgia liable for any such damage.

c. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

d. The flotation units of floating facilities shall be constructed of material that will not become waterlogged or sink when punctured.

e. The dock shall not be used for human habitation and there shall be no fuel or sewage discharge from the dock into the water. There shall be no toilet or fueling facilities allowed on the structures.

f. No other structure or covers, not specifically authorized herein, shall be constructed on the dock facility without prior Department of the Army approval.

g. The permittee must install and maintain, at his expense, any safety lights and signals prescribed by the United States Coast Guard (USCG), through regulations or otherwise, on the authorized facilities. The USGC may be reached at the following address and telephone number:

Commander
7th Coast Guard District (OAN)
Brickell Plaza Federal Building
909 S.E., First Avenue
Miami, Florida 33131-3050
Tel. (305) 415-6730

h. The work will be accomplished in accordance with the plan and drawings of each dock facility approved by the GADNR which will be incorporated in and made a part of the permit authorization.

i. The permittee shall comply with all of the following construction manatee conditions:

1. Set out under the Endangered Species Act of 1973 and the Marine Mammal Protection Act of 1972, are civil and criminal penalties for harming, harassing or killing manatees. The permittee and/or contractor will be held responsible for violations of these acts as a result of construction activities. The permittee shall advise all persons associated with the project of these laws and their consequences.

2. Siltation barriers will be made of material in which manatees cannot become entangled, are properly secured, and shall be regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to or exit from essential habitat.

3. All vessels associated with the project construction will operate at "no wake/idle" speeds at all times in the project area. All construction vessels will follow routes of deep water whenever possible.

4. If manatees are seen within 100 yards of the active construction/dredging operation or vessel movement, all personnel in the construction area will be alerted, and all construction and/or dredging activities in open water will cease upon the sighting of manatees within 50 feet of the project area. Construction activities will not resume until the manatees have left the project area for at least 30 minutes.

5. Extreme care will be taken in lowering equipment or materials, including, but not limited to piles, sheet piles, casings for drilled shaft construction, spuds, pile templates, anchors, etc., below the water surface and into the stream bed; taking precaution not to harm any manatee(s) that may have entered the construction area undetected. All such equipment or materials will be lowered at the lowest possible speed to prevent harm to any manatee(s) that may not have been detected.

6. Any collision with or take of a manatee shall be reported immediately to the Georgia Department of Natural Resources Brunswick Office (Weekdays 8:00 a.m.-4:30 p.m.: 912-264-7218); (nights and weekends: 1-800-241-4113). Any dead manatee(s) found in water should be secured to a stable object to prevent the carcass from being moved by the current. In the event of injury or mortality of a manatee, all aquatic activity

in the project area must cease pending section 7 consultation under the Endangered Species Act with the US Fish and Wildlife Service and the lead Federal agency.

7. The contractor shall keep a log detailing sightings, collisions, or injury to manatees, which have occurred during the contract period.

8. Following project completion, a report summarizing the above incidents and sightings will be submitted to the US Fish and Wildlife Service, 4270 Norwich Street, Brunswick, Georgia 31520.

9. All temporary construction materials will be removed upon completion of the work, and salt marsh areas will be restored. No construction debris or trash will be discarded in the water.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

_____ _____

for Jeffrey M. Hall Date
Colonel, US Army
Commanding

INSTRUCTIONS FOR COMPLETING A PGP83 PRIVATE RECREATIONAL DOCK PERMIT APPLICATION

FORMS TO SUBMIT

1. **SIGNED** Georgia Department of Natural Resources Application for Department of the Army, U.S. Army Corps of Engineers, State Programmatic General Permit #PGP0083 For Private, Single-Family, Recreational Docks In Chatham, Bryan, Liberty, McIntosh, Glynn, Camden, Long, Effingham, Wayne, Brantley, and Charlton Counties, Georgia.

2. **SIGNED State of Georgia Revocable License Request Form:** Applicants proposing to impact areas below the ordinary high water mark need to complete these application forms. Each and every blank must be filled in completely. For questions that are not applicable to your project, write N/A in the blank. The Revocable License Form requests permission to use publicly owned submerged lands. Contact the Ecological Services Section of the Coastal Resources Division, Georgia Department of Natural Resources at (912) 264-7218 for assistance with state requirements.

3. **SIGNED** Adjacent Property Notification Forms: Signed notification forms must be submitted for each adjacent property sharing your property line. If the names of these property owners cannot be determined, you must provide a sworn affidavit that you have diligently but unsuccessfully searched for this information. This search must include records of the local government's tax assessor's office.

SUPPORTING APPLICATION MATERIALS TO SUBMIT

Drawings of the Proposed Project:
All drawings should be submitted on an 8 ½" by 11" paper (or 11" by 17" if needed to show details clearly); leaving 1" margins; drawn to scale with a bar scale or other graphic scale; and include a North arrow on each page.

Plan View Drawings should depict:

a. The proposed dock drawn on a plat of the property.
b. Existing shorelines, including mean high water (MHW) lines and mean low water (MLW) lines on both sides of the channel and the distances between MHW to MHW and MLW to MLW (or marsh to marsh if no water at low tide).
c. Marshline indicating areas covered with vegetation and areas of non-vegetated mud-flat.
d. Property lines on the upland and their respective distances from the center of the proposed walkway.
e. Property lines extended into channel and their respective distances from the edges of the proposed dock.
f. Exact dimensions of any existing structures and any proposed structures. Show total square footage of proposed project footprint within jurisdiction.
g. Distance of the proposed structure into the waterway from MHW and MLW. Label existing structures in the navigable waters near the proposed activity.
h. Distance to adjacent docks from upstream and downstream ends of proposed dock
i. Additional drawings as needed to show the proposed project and how the project will be completed.

Profile View Drawings should depict:

a. A cross-section view of the project using the same water elevations as the Site Plan View.
b. The distance between pilings, number of pilings, and types of material used.
c. For boardwalks (walkways, decks, etc.) and bridges, show typical cross sections with arrangement of posts/beams/decking, height above marsh vegetation or mud flat, and height above water.

Deed or Other Instrument of Title or Permission and Property Plat:
Provide a copy of the warranty deed or other legal instrument under which you claim title to the property and a plat of the project area. If the applicant is not the owner of the property, provide a copy of the owner's deed and written permission from the owner to carry out the project on his land. If the deed references a specific plat, it must also be included.

Vicinity Map:
Include a vicinity map that shows the location of the project, latitude and longitude, name of waterway, distance to nearest town or interstate highway, and a North arrow.

Adjoining Property Owners
On a copy of the plat, please show the names and addresses of adjacent property owners (other than the applicant if the applicant owns other property adjoining the project). Include owners across the waterway.

WHERE TO MAIL COMPLETED APPLICATION PACKAGES

An application package cannot be considered until all of the items listed above are submitted. After the Department has reviewed your application materials, additional information may be required to fully evaluate your permit request. Once the permit application package is determined complete, the review process will begin.

Mail all application materials to: PGP Dock Permit Coordinator
Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way, Suite 300
Brunswick, Georgia 31520-8687

Or fax application materials to: Attention: PGP Dock Permit Coordinator at (912) 262-3131

For specific questions about the status of a pending application in all 11 coastal counties, contact the PGP dock Coordinator, Phone: (912) 264-7218

For general questions about dock permits in Effingham, Chatham, Bryan, Liberty or Long Counties, call (912) 266-3695

For general questions about dock permits in McIntosh, Wayne, Glynn, Brantley, Camden or Charlton Counties, call (912) 266-0642

GEORGIA DEPARTMENT OF NATURAL RESOURCES
APPLICATION FOR
DEPARTMENT OF THE ARMY, US ARMY CORPS OF ENGINEERS
PROGRAMMATIC GENERAL PERMIT #PGP0083
FOR PRIVATE, SINGLE-FAMILY RECREATIONAL DOCKS IN
CHATHAM, BRYAN, LIBERTY, McINTOSH, GLYNN, CAMDEN, LONG,
EFFINGHAM, WAYNE, BRANTLEY, AND CHARLTON COUNTIES, GEORGIA

Private docks for the exclusive noncommercial use of the owner or his or her invitees for recreational fishing and other recreational activities that do not have enclosures or create navigational hazards and abut a lot having a detached single-family residence or a lot with at lease 50 foot of marsh frontage suitable for the construction of such a residence are exempt from the Coastal Marshlands Protection Act of 1970 (CMPA - O.C.G.A. 12-5-280). All other types of docks must also obtain a CMPA permit.

This application form, and a State of Georgia Revocable License Request, must be completed and signed by the owner or owners of the upland property from which the proposed dock facility will originate.

Applicant: _____

Mailing Address: _____
(Street) (City) (State) (Zip)

Telephone No._____ **E-Mail Address:** _____

LOCATION OF PROPOSED DOCK FACILITY
Address (if different from Mailing Address):

_____

County: _____ **Waterway:** _____

Latitude: _____ **Longitude:** _____

Specific Driving Directions to Site from Interstate Highway 95 (I-95):

_____

Submit a complete copy of the descriptive deed to the upland property from which this proposed dock facility would originate. Include any plats of survey referred to in the deed. Submit a location map depicting the location of the project. Submit a detailed Site Development Plan depicting the exact location relative to the upland property, the exact configuration, and dimensions of the proposed dock facility. See sample drawing and drawing requirements enclosed. NOTE: No portion of the dock facility, other than the walkway access and "T" head , may be constructed over marshlands vegetation.

Is there an existing dock facility on this property? _____

If yes, supply: Name of Permittee _____

Date Permitted or Constructed_____

Existing facilities must be clearly identified on the detailed Site Development Plan.

Submit completed "Adjacent Property Owner Notification" form (attached) from each of the adjacent property owners. If a signed Notification form cannot be obtained, applicant must complete the following with a Certified Mail receipt showing adjacent property owner received the information:

Adjacent Upstream Property Owner

Name: _____ Telephone No.: _____

Address: _____

Adjacent Downstream Property Owner

Name: _____ Telephone No.: _____

Address: _____

Additional information may be required in order to make an appropriate decision concerning this permit application.

I certify that this dock facility will be used exclusively for private, single-family, recreational use by me or my invitees only. No commercial activities will occur and no commercial vessels will be moored at this proposed dock facility. I understand that this proposed dock facility, if approved and constructed, may not be leased to a third party. I understand that no persons may live aboard vessels moored at this proposed dock facility.

I certify that I will apply for a municipal or county Building Permit if one is required.

I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed project.

_____ _____

Applicant(s) Signature Date

Authorization for Agent: I (We) hereby designate the following 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.

Agent Name: _____ Telephone No.: _____

Address: _____

_____ _____

Applicant(s) Signature Date

ADJACENT PROPERTY NOTIFICATION
NOTICE OF INTENT TO CONSTRUCT A RECREATIONAL DOCK
DATE OF NOTICE _____

This notification is to advise you that _____ has applied for a recreational dock facility. The Georgia Department of Natural Resources and US Army Corps of Engineers require that you be informed, as an adjacent property owner,

Respond by signing and dating below within 5 days from the date of this notice.

PROJECT LOCATION:

PROJECT DESCRIPTION:
(see attached plans)

_____ As an adjacent property owner, I have been notified of the proposed work and reviewed the plans and do not object to the issuance of a permit for the project as proposed.

_____ As an adjacent property owner, I have been notified of the proposed work and reviewed the plans and object to the issuance of a permit for the proposed work for the following reason(s):

_____

_____

_____

_____

_____

NAME: _____

ADDRESS: _____

_____

_____

PHONE #: _____

_____ _____
ADJACENT PROPERTY OWNER SIGNATURE DATE

STATE OF GEORGIA
3-YEAR REVOCABLE LICENSE REQUEST

APPLICANTS NAME(S): _____

MAILING ADDRESS: _____
(Street) **(City)** **(State)** **(Zip)**

PROJECT ADDRESS/LOCATION: _____

COUNTY: _____ **WATERWAY:** _____ **DATE:** _____

LOT, BLOCK & SUBDIVISION NAME FROM DEED: _____

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

I am making application for a permit with the U.S. Department of the Army, Corps of Engineers, Savannah District. I understand that the issuance of such a permit will not relieve me of the obligation to obtain authorization from the State of Georgia since the proposed project would constitute an encroachment on the beds of tidewaters which are State-owned property. Accordingly, I hereby request that I be granted a revocable license from the State of Georgia. 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 further acknowledge that I will have no liveaboards, nor allow them to occur, at this structure. 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 has signed a copy of this request.

Sincerely,

By: _____
(Applicant), title if applicable

By: _____
(Applicant), title if applicable

Attachment

****

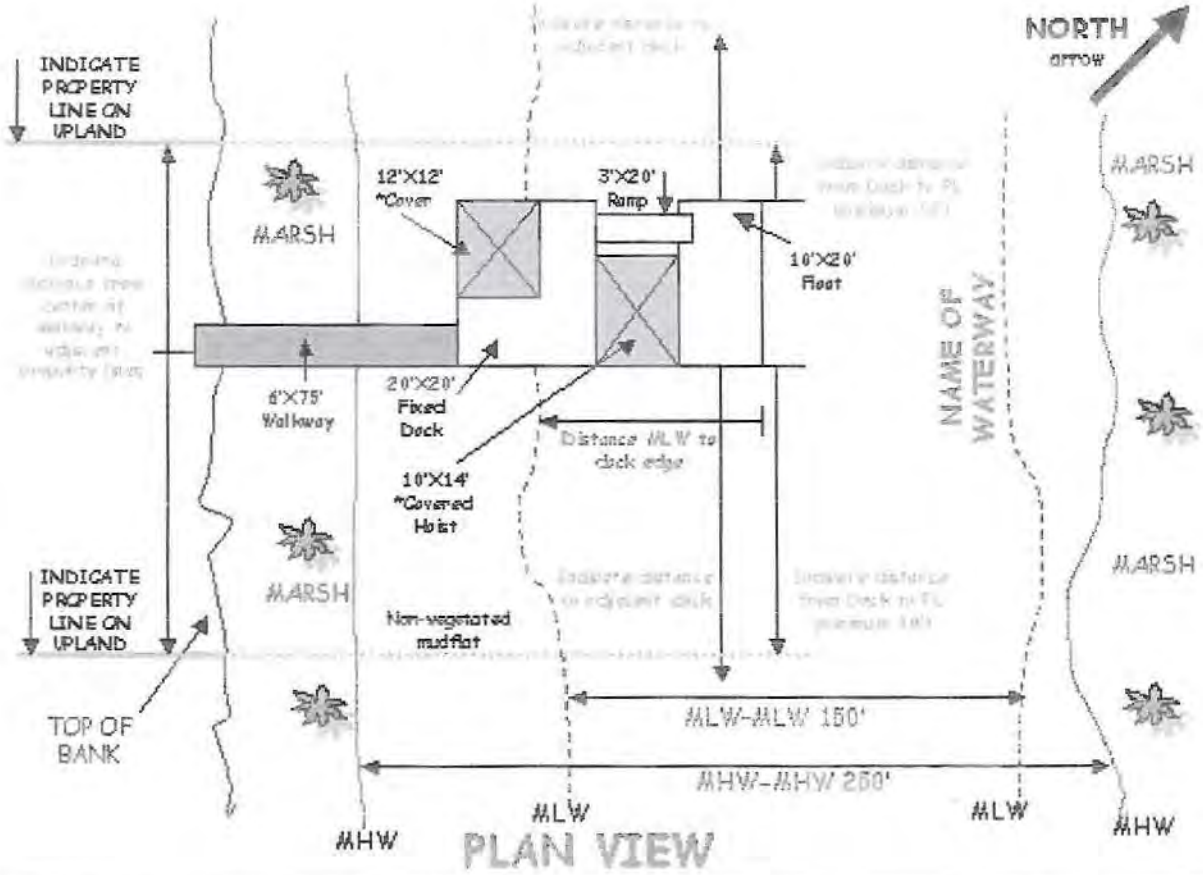
The State of Georgia hereby grants you a revocable license not coupled with an interest as provided in your request. This area may now or in the future be utilized by boats employing power drawn nets under the provisions for commercial or sport bait shrimping. In its occupancy and use of the premises, 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 completed within 3 years of the date of issuance of the license and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke this license and all structure must be removed immediately at the licensee's expense.

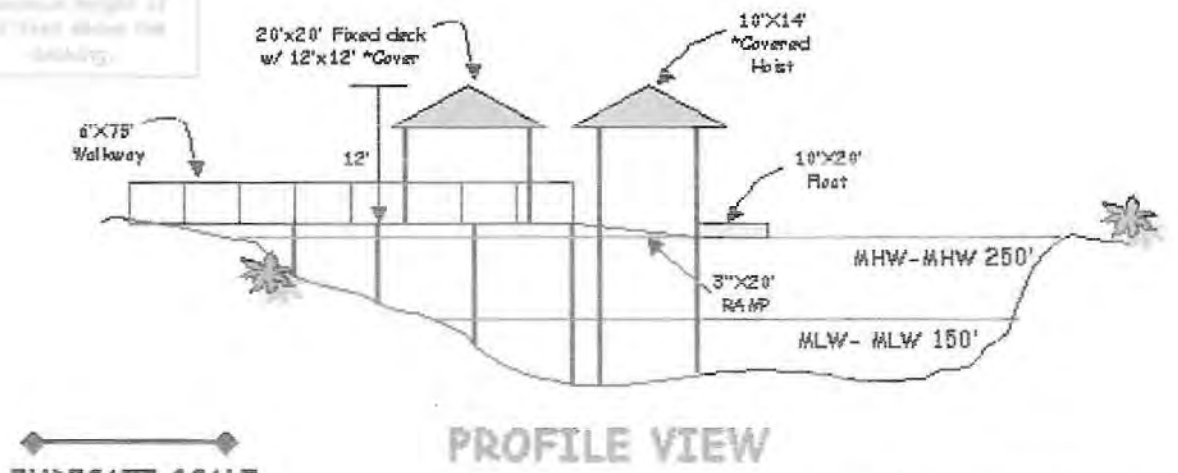
STATE OF GEORGIA
Office of the Governor

By: _____
For: Mark Williams, Commissioner-DNR

DATE: _____

Revised 3/2012





INDICATE SCALE

SAMPLE DRAWING

Please note that the measurements shown are not maximums. They are only used as an example of the information needed. Refer to the rules and regulations for dimension restrictions.