



DEPARTMENT OF THE ARMY  
SAVANNAH DISTRICT, CORPS OF ENGINEERS  
100 W. OGLETHORPE AVENUE  
SAVANNAH, GEORGIA 31401-3604

DECEMBER 15 2016

Regulatory Division  
SAS-2015-00318

**JOINT PUBLIC NOTICE**  
**Savannah District/State of Georgia**

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Number: SAS-2015-00318

Applicant: Mr. Mark Smith  
141 Fairwind Road  
Savannah, Georgia 31410

Agent: Mr. Stuart Sligh  
Sligh Environmental Consultants Inc.  
31 Park of Commerce Way,  
Suite 200B  
Savannah, Georgia 31405

Location of Proposed Work: The 1.29 acre project site is located in the Wilmington River, off of Fairwind Road, approximately 1300' downstream of Longfield Creek and approximately 600' downstream of the Savannah Yacht Club (SYC) dock structure, in the City of Wilmington Island, Chatham County, Georgia (Latitude 32.0156, Longitude -81.0167).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: Mr. Smith has requested Department of the Army authorization to dredge approximately 6,400 cubic yards of accumulated sediment from navigable waters of the United States (i.e. the Wilmington River) adjacent to his private single family dock structure. The current bottom elevation varies between -3' mean low water (MLW) to -8 MLW along the outer edge of the proposed dredge area. The proposed dredging would include a 3:1 slope on the inside portion of the project area, down to a target bottom elevation of -8 MLW within the Wilmington River. The applicant states that during low tide, access to the floating docks and covered boat hoist is minimized by depths of less than -1' to -2' MLW. Based on continual accretion of sediments adjacent to the dock structure, access to the navigable water from the dock structure may become inaccessible during low tide if the proposed dredging does not occur. All dredge material would be removed

via the use of an 8-inch hydraulic cutterhead dredge and disposed of (via pumping through a pipe) onto SYC's existing dredge confined disposal facility (CDF) located approximately 1700' north of the proposed dredge area. The SYC's CDF can currently accommodate a total of 51,000 cubic yards of dredge material. Based on the above capacity there will be 44,000 cubic yards left for accommodation of dredge sediment once all proposed work is complete. The CDF is located on the eastern side of Longfield Creek, across from the SYC in Chatham County, Georgia. The federally maintained channel in the Wilmington River is located approximately 300' linear feet from the proposed dredging area. There is no future maintenance dredging activity proposed with this application.

## **BACKGROUND**

The subject project would likely result in the discharge of effluent that could affect Wilmington River. This discharge requires Georgia Water Quality Certification (WQC), pursuant to Section 401 of the Clean Water Act (CWA).

On July 21, 2015, the applicant sampled and tested the sediments to be dredged in the Wilmington River in accordance with the U.S. Army Corps of Engineers "Evaluation of Dredged Material Proposed for Discharge in the Waters of the U.S. – Inland Testing Manual." On November 23, 2016, the applicant's agent, Sligh Environmental Consultants, Inc. submitted a report prepared by Terracon Consultants, Inc. entitled, "Tier I sediment Evaluation Report, Mark Smith Dock". The Terracon report states that "laboratory grain size distribution results indicate the sample classification is sandy silt" and "No sources of possible contamination or any contaminants of concern were identified therefore; Terracon does not consider the proposed dredge material to be a possible "carrier of contaminants"."

This Joint Public Notice announces a request for authorizations from both the U.S. Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local governmental approval.

## **STATE OF GEORGIA**

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required for a Federal Permit to conduct activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Watershed Protection Branch, 2 MLK Jr. Drive, Suite 418, Atlanta, Georgia 30334, during regular office hours. A copier machine is available for public use at a charge of 10 cents per page. All coastal projects are filed at our Brunswick office and will need to be requested

from Mr. Bradley Smith at [Bradley.Smith@dnr.ga.gov](mailto:Bradley.Smith@dnr.ga.gov). Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of application in writing and state the reasons or basis of objections or request for a hearing. The application can be reviewed in the Savannah District, U.S. Army Corps of Engineers, Regulatory Division, 100 W. Oglethorpe Avenue, Savannah, Georgia 31401-3640.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia, which may be in the form of a license, easement, lease, permit or other appropriate instrument.

Marshland Protection: This notice also serves as notification of a request to alter coastal marshlands (under the provision of the Coastal Marshlands Protection Act, Georgia Laws, 1970, p. 939 and as amended), if required. Comments concerning this action should be submitted to the Ecological Services Section, Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523-8600 (Telephone 912-264-7218).

Georgia Coastal Management Program: Prior to the Savannah District Corps of Engineers making a final permit decision on this application, 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**

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

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 applicant's proposal would result in the destruction or alteration of approximately 1.29 acres of EFH 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 not have an individual or cumulatively substantial adverse impact on EFH or federally managed fisheries in the Atlantic Ocean. Our final determination relative to project impacts to EFH and the need for mitigation measures are subject to review by and coordination with the NMFS and the South Atlantic Fisheries Management Council.

Endangered Species: The project area is specific to the proposed dredging area. There will be no effect on any listed endangered species for the project area with the exception of the West Indian Manatee (*Trichechus manatus*), which is being considered with respect to the proposed project. The West Indian Manatee is known to inhabit Georgia's coastal waters and estuaries. Since the proposed project is hydraulic dredging in an estuarine environment, the U.S. Army Corps of Engineers would include "Standard Manatee Conditions and Procedures for Aquatic Construction" as special conditions of any permit that would be issued by this office. With these conditions included, the Corps has determined that the project may affect, but is not likely to adversely affect the West Indian Manatee.

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 U.S. Department of the Interior, Fish and Wildlife Service, the U.S. Department of Commerce, the National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service; or, any other interested party, on whether any species listed or proposed for listing may be present in the area.

Public Interest Review: The decision whether to issue a 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 U.S. Army Corps of Engineers 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 U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. 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.

Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army 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.

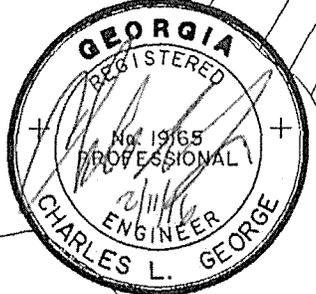
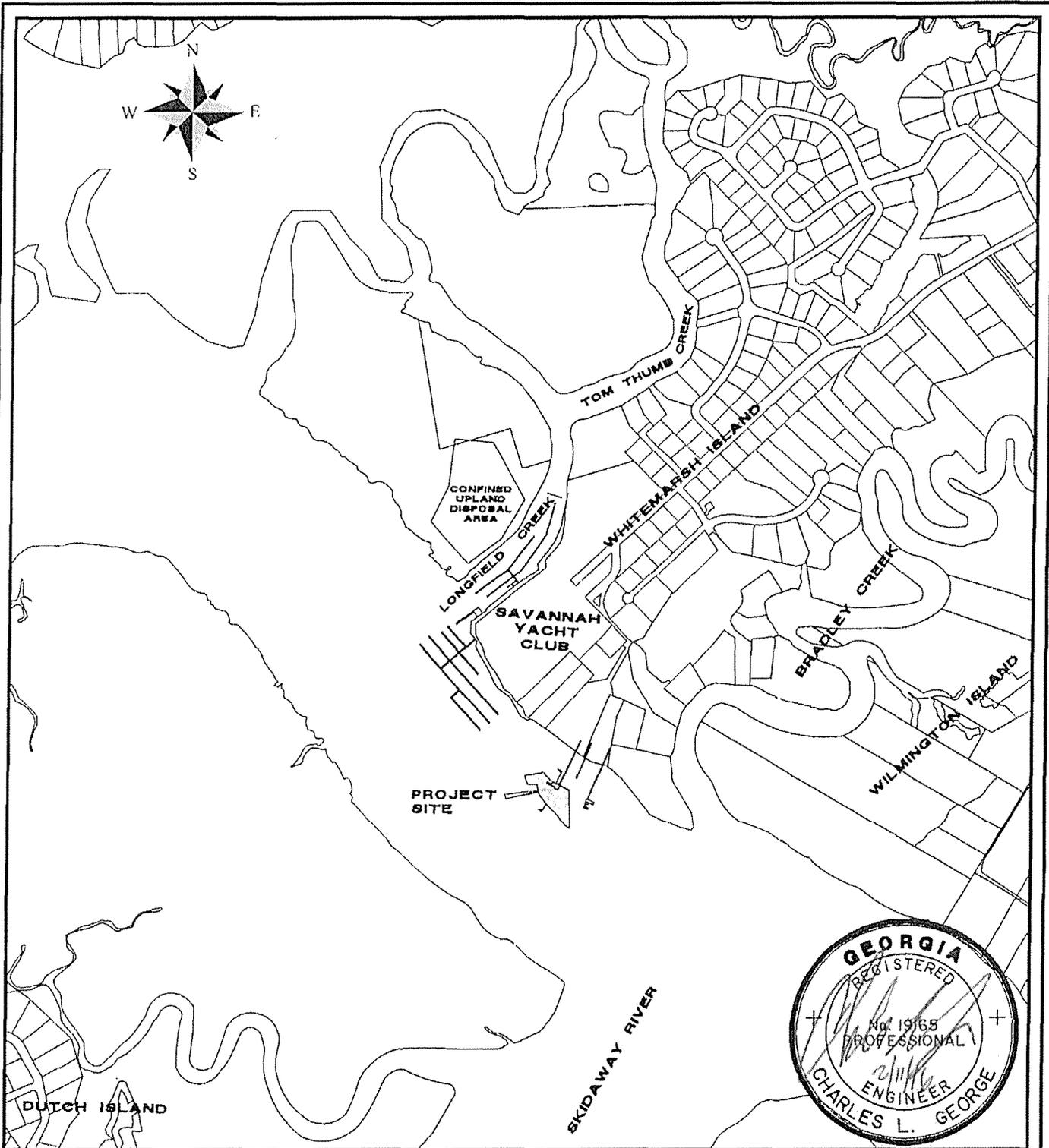
Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Jared M. Lopes, 100 W. Oglethorpe Avenue, Savannah, Georgia 31401-3604, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

If you have any further questions concerning this matter, please contact Mr. Jared M. Lopes, Regulatory Specialist, Coastal Branch at 912-652-5348.

Encls

1. Vicinity Map
2. Project Map
3. Dredging Plan – Wilmington River
4. Site Plan
5. Disposal Area
6. Dredge Section

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**VICINITY MAP**  
 PROPOSED ACTIVITY:  
 HYDRAULIC DREDGING OF EXIST. DOCK  
 CLIENT:  
 MARK SMITH  
 LOCATION: CHATHAM COUNTY, GEORGIA  
 DATE: JULY 28, 2015  
 JOB NUMBER: J - 25738

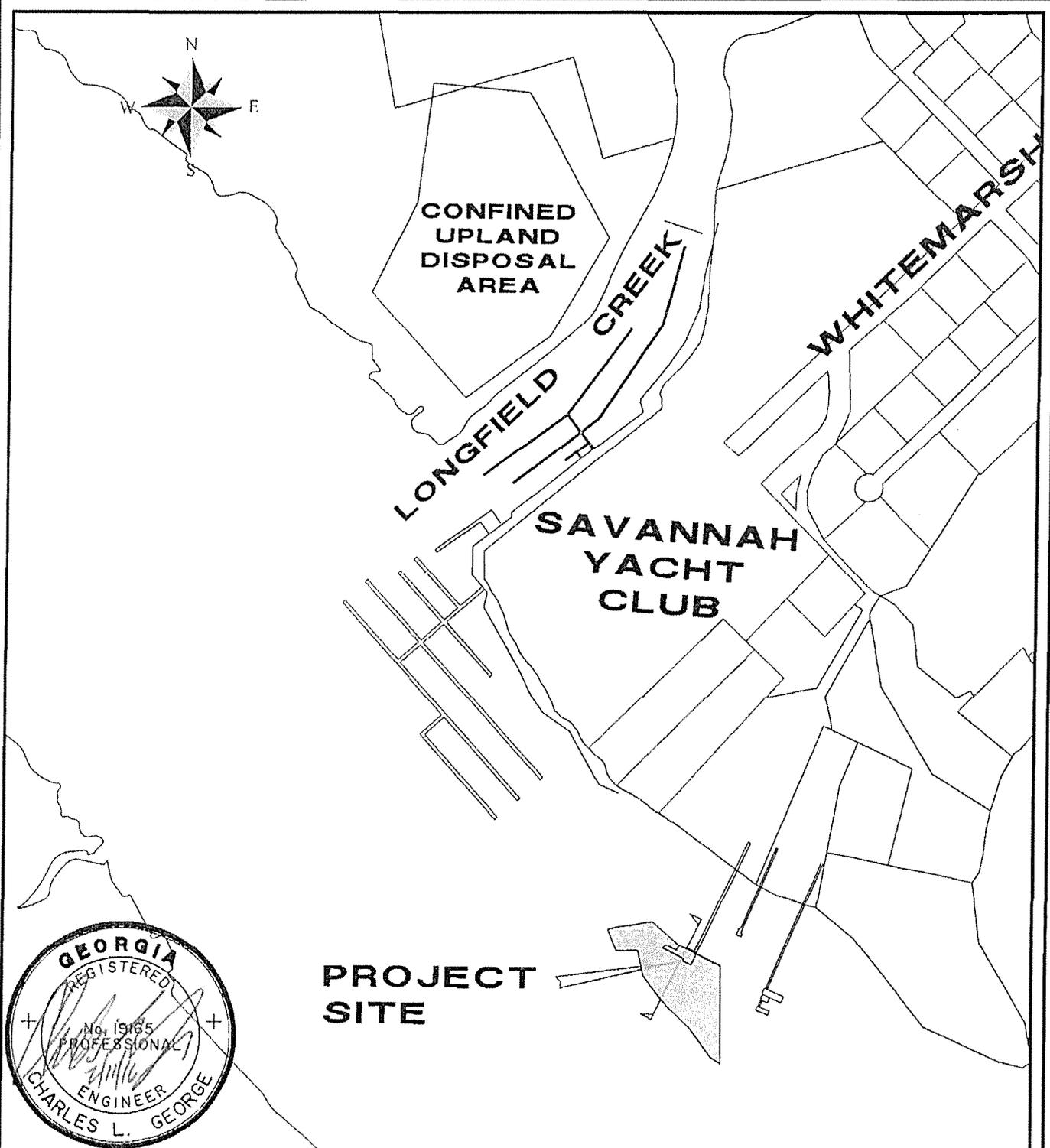
SHEET: P1  
 SCALE: 1" = 1000'

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### PROJECT MAP

PROPOSED ACTIVITY:  
HYDRAULIC MAINT. DREDGING OF EXIST. DOCK

CLIENT:  
MARK SMITH

LOCATION: CHATHAM COUNTY, GEORGIA  
DATE: JULY 28, 2015  
JOB NUMBER: J - 25738

SHEET: P2  
SCALE: 1" = 400.0002

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GRAPHIC SCALE



SAVANNAH YACHT CLUB

EXIST. BULKHEAD RETAINING WALL

ROBERTA P. THOMSON

MARK V. SMITH

EUGENE E. LYONS, JR.

WILMINGTON RIVER

EXIST. FLOATING DOCKS

N: 735098.2177  
E: 1012503.5968

N: 735075.5433  
E: 1012375.9555

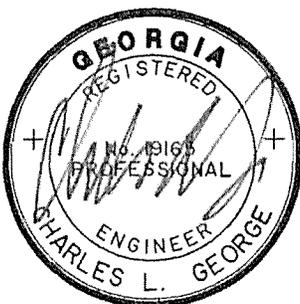
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E: 1012577.8485

N: 734970.5171  
E: 1012695.0106

3H:IV  
SIDESLOPES  
(TYP.)

N: 734689.1059  
E: 1012697.5240

PERFORM DREDGING TO A MINIMUM DEPTH OF (-) 8' MLW.  
APPROX. 6,400 CY OF MATERIAL TO BE PLACED IN  
CONFINED UPLAND DISPOSAL AREA.



HYDROGRAPHIC SURVEY  
PERFORMED BY BOTTOM LINE ECHO

### DREDGING PLAN - WILMINGTON RIVER

PROPOSED ACTIVITY:  
HYDRAULIC DREDGING OF EXIST. DOCK

CLIENT:  
MARK SMITH

LOCATION: CHATHAM COUNTY, GEORGIA  
DATE: AUG 24, 2015  
JOB NUMBER: J - 25738

SHEET: P3  
SCALE: 1" = 200'

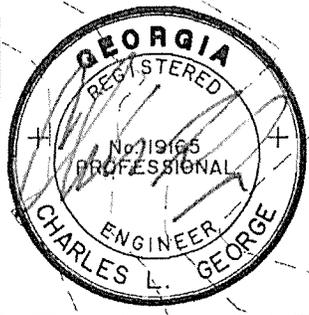
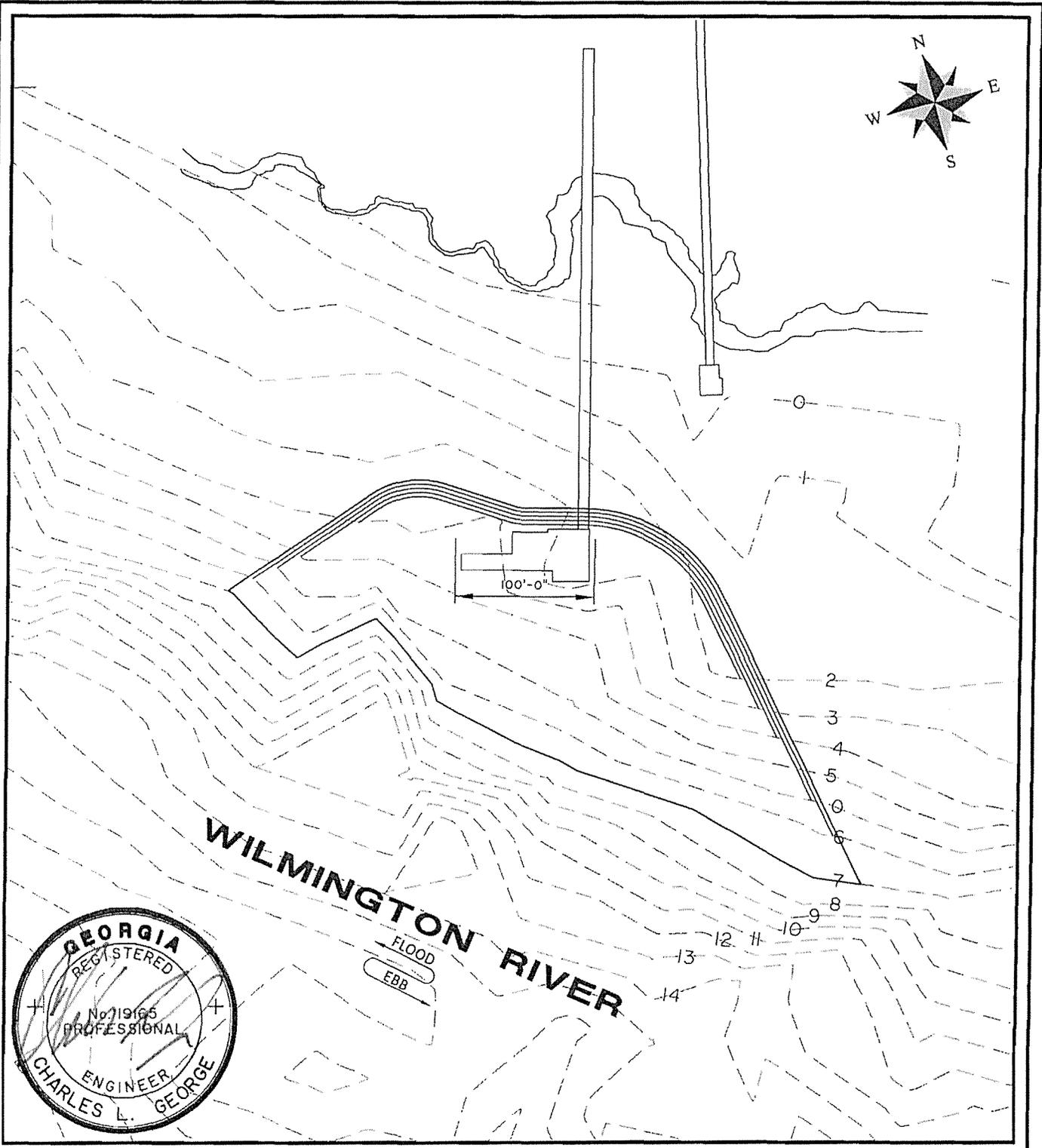


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**SITE PLAN**  
 PROPOSED ACTIVITY:  
 HYDRAULIC MAINT. DREDGING OF EXIST. DOCK  
 CLIENT:  
 MARK SMITH  
 LOCATION: CHATHAM COUNTY, GEORGIA  
 DATE: JULY 28, 2015  
 JOB NUMBER: J - 25738

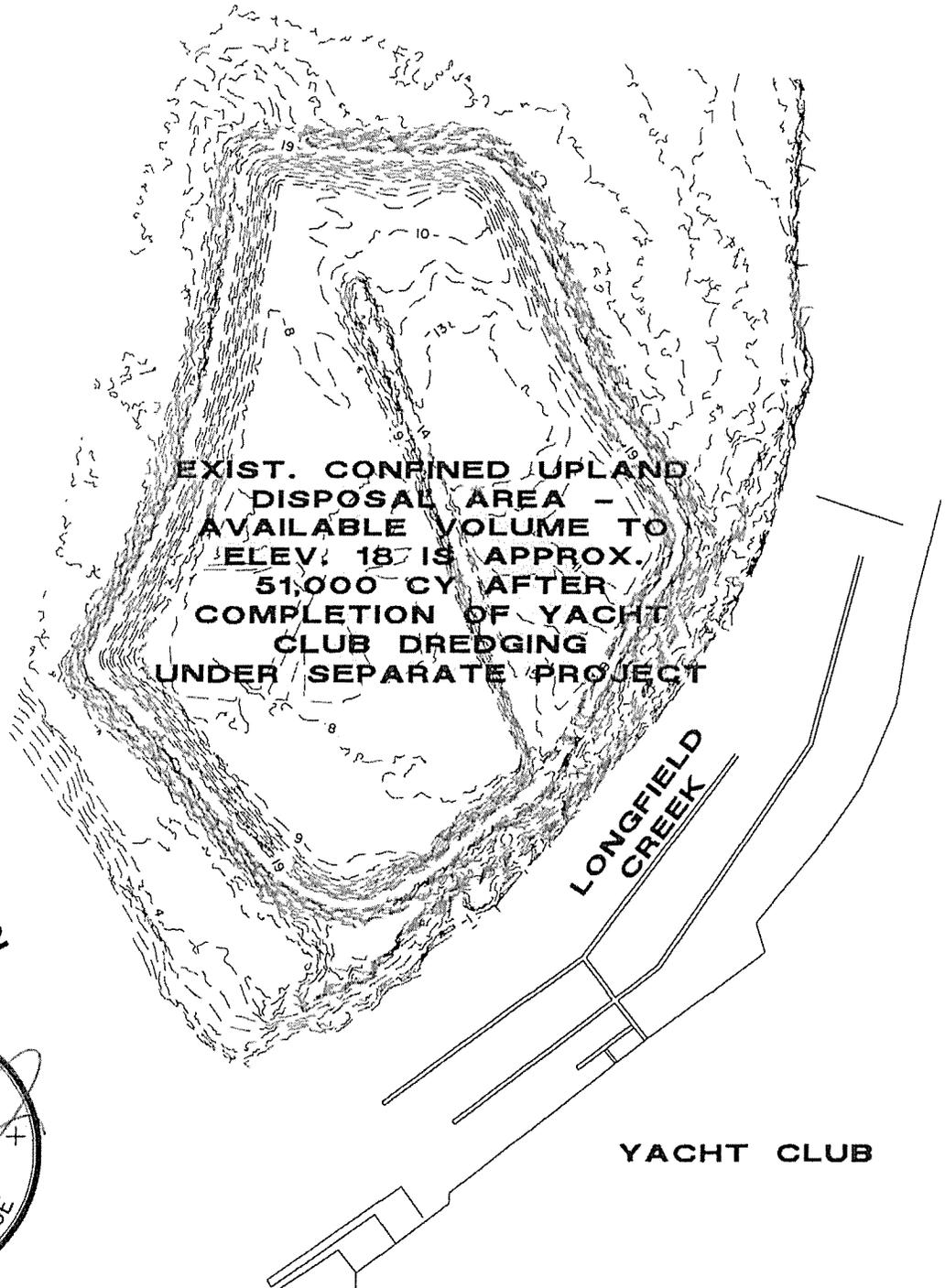
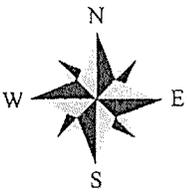
SHEET: P4  
 SCALE: 1" = 100'

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Z:\25738\25738.DDD\Engineering\Drawings\Bases\MARK SMITH DISPOSAL AREA DRAWING.dwg - Jun 25, 2016 - 9:40:51 AM

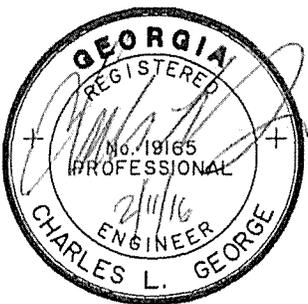


**EXIST. CONFINED UPLAND  
DISPOSAL AREA -  
AVAILABLE VOLUME TO  
ELEV. 18 IS APPROX.  
51,000 CY AFTER  
COMPLETION OF YACHT  
CLUB DREDGING  
UNDER SEPARATE PROJECT**

**WILMINGTON  
RIVER**

**LONGFIELD  
CREEK**

**YACHT CLUB**



**DISPOSAL AREA**

PROPOSED ACTIVITY:  
**HYDRAULIC MAINT. DREDGING OF EXIST DOCK**  
CLIENT:  
**MARK SMITH**  
LOCATION: CHATHAM COUNTY, GEORGIA  
DATE: JULY 29, 2015  
JOB NUMBER: J - 25738

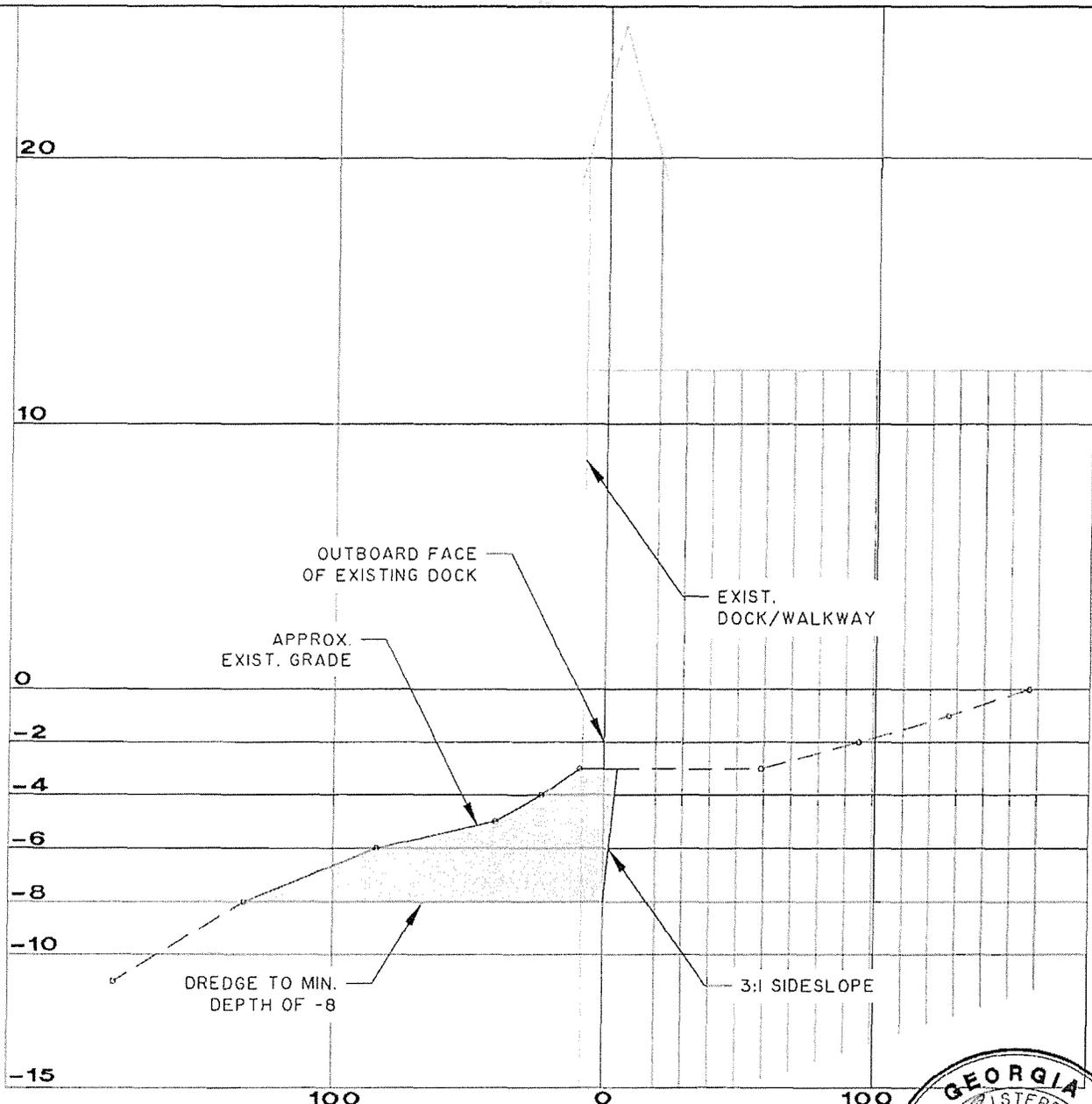
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## TYPICAL DREDGE SECTION

HORIZ: 1" = 60'  
VERT: 1" = 6'



### DREDGE SECTION

PROPOSED ACTIVITY:  
HYDRAULIC MAINT. DREDGING OF EXIST. DOCK  
CLIENT:  
MARK SMITH  
LOCATION: CHATHAM COUNTY, GEORGIA  
DATE: JULY 28, 2015  
JOB NUMBER: J - 25738

SHEET: P5  
SCALE: AS SHOWN



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