

**Mark Smith**  
**Proposed Maintenance Dredging**  
**Project Description**  
**November 14, 2016**

**Introduction/Background:**

Mark Smith is proposing to dredge recently deposited sediments within the Wilmington River adjacent to his single family dock located in the Wilmington River approximately 1,300 feet downstream of Longfield Creek and approximately 600 feet downstream of the Savannah Yacht Club Wilmington River Docks. The dredge area is located on Whitemarsh Island at 141 Fairwind Road, Savannah Georgia 31410. The proposed dredging project includes dredging recently deposited sediments from the waterway to provide access to the existing floating dock during all tides.

Over the past several years sediments have continued to accumulate in the waterway adjacent to Mr. Smith's floating dock to the point where access around and to the floating dock at low tide is difficult. Recently, the increasing sediments have accumulated to the point that access to the docks on an average low tides is not feasible. The proposed project includes dredging approximately 6,400 cubic yards of recently deposited sediments from the waterway adjacent to the dock and disposing of the sediments in the Savannah Yacht Club upland confined disposal facility to allow all tide access to the existing dock.

**Needs Assessment:**

The Applicant utilizes the private single family dock for recreational boating in the waterways around Savannah. Currently during low tide, access to the floating docks and covered boat hoist is minimized by shallow depths of less than 1 to 2 feet at mean low tide. The depth of the water at this location has continuously decreased over the past several years and continues to accrete beginning south of the Savannah Yacht Club docks and continuing downstream towards the entrance to Bradley Creek. Without the proposed dredging, and based on visual observations at the location of the docks over the past several years, the sediments will continue to silt in the waterway to the point that access around Mr. Smith's dock facility will be impossible. This siltation in the waterway will continue to the point that the floating docks will rest on the bottom during low tide if the proposed dredging does not occur.

**Proposed Dredging Project:**

The Applicants plans to remove/dredge approximately 6,400 cubic yards of recently deposited sediments from an approximately 1.29-acre area on the eastern bank of the Wilmington River south of the Savannah Yacht Club docks (see attached drawings). The current bottom elevation varies between -3.0 feet at mean low water to -8 feet at mean low water (MLW) on the outer edge of the dredge area. The proposed dredging will include a 3 to 1 slope on the inside portion of the project area down to a depth of -8 feet, which is to be maintained throughout the 1.29 acre dredge area.

The configuration of the dredge area footprint was designed to tie into the Savannah Yacht Club dredge area and force the current and new sediments toward the interior portion of the Wilmington River which should prevent the sediments from quickly refilling in the dredge area. Based on engineers estimate, the proposed dredge operation should allow at least 10 years of adequate water depth at the Applicant's dock.

The alternatives considered for the project included no action, agitation dredging to allow the sediments to flow directly into the Wilmington River on the outgoing tide (in water disposal), lengthen the dock walkway to extend the floating dock further into the waterway, or to dredge, as proposed utilizing the Savannah Yacht Club contained upland disposal facility to contain the sediments. The no action alternative was not feasible as it does not meet the proposed project need and purpose, which is to gain access to the floating dock during all tidal stages. Agitation dredging alternative was not feasible due to water quality concerns including turbidity and dissolved oxygen in the Wilmington River. Extending the dock walkway into the Wilmington River is not only cost prohibitive, but could create a navigation health and safety concern for boaters traveling in the waterway. The Wilmington River is approximately 1,300 feet wide at the location of the dredge area and this section of the River is part of the intracoastal waterway. Extending the dock further into the waterway at this location where the waterway makes a sharp turn into the Skidaway River would cause navigation issues for recreational boaters as well as any commercial boats using the Intracoastal Waterway. For this reason extending the dock walkway is not a feasible alternative.

The proposed dredging will be completed using an 8-inch hydraulic cutter head dredge on a floating barge. The dredge will have an articulated hydraulic dredging arm that will siphon the bottom while minimizing the suspension of solids. The dredged slurry will be pumped into an existing spoil area owned by the Savannah Yacht Club located approximately 1,700 feet north of the proposed dredge site. The target bottom elevation is -8 feet MLW throughout the project area. There will be no dredging within 25 feet of vegetated marsh. The 8-inch cutter head is expected to remove 330 cubic yards of material per hour. With a production rate of 80% on 10-hour workdays, approximately 2,640 cubic yards of material can be removed daily. Approximately 3.4% of the disposal site will be used daily with an average disposal depth of 2.3 inches. As indicated on recent survey of the spoil area by Thomas and Hutton, the SYC disposal site can currently accommodate a total of 51,000 cubic yards of dredged material. This proposed dredging will add approximately 6,400 cubic yards of material to the spoil area site, which leaves approximately 44,000 cubic yards for future Savannah Yacht Club maintenance dredging operations. Attached to this application is an agreement between Mr. Smith and the Savannah Yacht Club authorizing the Applicant's to dispose of the 6,400 cubic yards of material into the Savannah Yacht Club owned upland confined disposal area.

The spoil area is designed to allow the dredged sediments to be contained within the dikes, and for excess water to flow through a 31" HDPE pipe weir structure controlled by adjustable riser boards. The weir design is to facilitate natural detention and settlement of suspended sediments, and to allow natural infiltration where only sediment remains behind the structure. The dredging contractor will be required to monitor the outfall, and adjust the weir structure, if necessary, to ensure any discharge of water from the spoil area does not exceed acceptable turbidity levels set by the GADNR, or alter the existing marsh vegetation at the outfall pipe.

The federally maintained waterway/channel in the Wilmington River is approximately 300 linear feet from the proposed dredging project, so there will be minimal impact to navigation in the Wilmington River. Additionally, appropriate signage will be posted to aware boaters of the ongoing dredge operation. The proposed work is scheduled to follow the time constraints as specified in previous GADNR Permits, or all dredging activity conducted between December 1 and April 15. There is no future maintenance dredging activity proposed with this application.

The Applicant has completed a Tier 1 sampling event to document that the sediments are recently deposited and are within the acceptable limits (See attached Tier 1 Report). No additional sediment testing is proposed with this dredging proposal. Previous studies associated with

previous dredging events at the Savannah Yacht Club have shown that the adjacent historical land uses have been residential with no industry, landfill or other source that would potentially contaminate the sediments in the Wilmington River. Additionally, the sediments proposed for dredging are recently deposited silty sands that should not contain any contaminants from adjacent sources or the Wilmington River.

### **Threatened and Endangered Species:**

SECI has completed a threatened and endangered species survey within the proposed project area where plant communities and habitats were observed and noted to determine if they match the habitat types where the listed species have potential to occur. The jurisdictional areas consist of Section 10 waters which have been known to support west Indian manatees (*Trichechus manatus*). All project related construction activities will be conducted in accordance with the Standard Manatee Conditions provided by the USACE Savannah District. These conditions may include, but are not limited to:

- All personnel and contractors will be advised that there are civil and criminal penalties for harming, harassing, or killing manatees.
- Any silt barriers will be made of material in which manatees cannot become entangled, are properly secured, and are regularly monitored to avoid manatee entrapment. The barriers will not block manatee entry or exit from essential habitat.
- All vessels will operate at “no wake/idle” speeds while in construction areas. All vessels will follow routes of deep water when possible.
- All personnel are responsible for observing water-related activities for the presence of manatees. All construction activities will cease upon sighting of a manatee within 50 feet of the project area and will not resume until the manatees have left the project area for at least 30 minutes.
- All equipment or materials will be lowered at the lowest possible speed.
- Any collision with a manatee shall be reported immediately to the USACE USFWS, and GADNR. In the event of injury or mortality, all aquatic activity will cease pending Section 7 consultation.
- The contractor shall keep a detailed log of sightings, collisions, or injury to manatees. Upon completion of the project, a report summarizing any incidents or sightings of manatees will be submitted to USFWS.
- All fresh water supplies will be maintained to prevent freshwater leakage.
- The applicant will install and maintain appropriate manatee awareness signage at prominent locations within the construction area prior to construction.
- All temporary construction materials will be removed upon completion of the work, and no trash will be discarded in the water.

It is our opinion that the proposed dredging would have no adverse effect on threatened or endangered species.

### **Essential Fish Habitat**

Projects proposing impacts to tidal waters must be evaluated with respect to Essential Fish Habitat (EFH) as required by the Magnuson-Stevens Fishery Conservation and Management Act. The proposed project, being located in tidal waters, has the potential to impact the estuarine and marine water column, which is identified as EFH by the South Atlantic Fishery Management Council. The project involves maintenance dredging approximately 6,400 cubic yards of recently

deposited sediments using an 8-inch hydraulic cutter head dredge on a floating barge. Dredged material will be placed in an upland confined disposal site owned by the SYC. All activities will occur within open water and no impacts are proposed to vegetated marsh. The proposed dredging activity is to be completed between December 1 and April 15 to minimize impacts to fish species.

Based on the scientific literature and detailed studies completed within the nearby Savannah Harbor, the proposed maintenance dredging using a hydraulic cutterhead should have only a temporary and minimal effect to EFH. Based on much research conducted within the Savannah Harbor over the past 10 years, the ongoing harbor maintenance dredging, boat traffic, extreme tides, and storm events all contribute to the background water quality baseline. These same reports support the fact that the proposed dredging associated with this project will have only a short term minimal effect to a small area, and most likely, the water quality/TSS associated with the proposed dredging operation will not exceed baseline conditions. The spoil disposal site will not contribute to water quality degradation, and the applicant proposes to strictly monitor this activity to ensure there is no degradation. The applicant has utilized all the scientific data with respect to presence of protected fish species utilizing the waterway and designed a specific construction schedule and methodology to minimize impacts to these important species. There is no direct impact to vegetated marsh.

Based on the latest information and proposed dredge schedule, it is the Applicant's opinion that that the proposed project is not likely to adversely affect EFH, and therefore no additional mitigation is proposed for impacts to EFH.

#### **Impaired Waters**

The subject waterway is not listed on the U.S. Environmental Protection Agency 303(d) list for impaired water bodies.

#### **Upland Component**

The upland component for the proposed project is defined as the existing 9.3-acre confined upland disposal area owned by the SYC. The disposal area can accommodate an additional 51,000 cubic yards of dredge material, and the Applicants are currently proposing to dredge 6,400 cubic yards with this proposed maintenance dredging operation. The remaining capacity at the completion of this dredging operation will be approximately 44,000 cubic yards. There is no proposed land disturbance or grading activity within the existing upland confined disposal area associated with this maintenance dredging event.

#### **Conclusion:**

The Applicant is proposing to dredge approximately 6,400 cubic yards of recently deposited sediment from the dock within the Wilmington River to facilitate navigation to the existing private single family dock. The Applicant is planning to conduct this dredging project during the winter months in an attempt to minimize impacts to marine life. All dredged material will be pumped to an existing and approved confined upland spoil area where the dredged material will be contained.

The Applicant shall utilize all best management practices to minimize turbidity in the adjacent waters, avoid the release of oils and other pollutants to adjacent waters, and prevent interference with legitimate water uses.

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-

Mark V. Smith Revocable Trust  
Attn: Mr. Mark Smith, Trustee  
141 Fairwinds Circle  
Savannah, GA 31410

(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*

(3) A plat of the area in which the proposed work will take place- *See attached site plan and permit drawings.*

(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- *See Permit Application and Confirmation by Mr. Kevin Brady.*

(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-

Roberta B. Thompson  
149 Fairwind Road  
Savannah, GA 31410

Eugene E. Lyons, Jr.  
182 Fairwind Road  
Savannah, GA 31410

(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 – A copy of the permit drawings has been submitted to local zoning authority for their certification. *See Attached.*

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(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. The Applicant shall supply the fee as determined by DNR. *See attached check in the amount of \$500.00.*

(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- *See project description attached to the permit application.*

(9) A statement from the applicant that he has made inquiry to the appropriate authorities that the proposed project is not over a landfill or hazardous waste site and that the site is otherwise suitable for the proposed project- *A review of the Hazardous Site Index for Camden County, Georgia indicates that the subject property does not contain hazardous waste sites or landfills.*

(10) A copy of the water quality certification issued by the department if required for the proposed project. *401 Certification is being processed by GADNR-EPD.*

(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, Georgia.*

(12) Such additional information as is required by the committee to properly evaluate the application. Though exempt from permitting under the Coastal Marshlands Protection Act, this application has been prepared with consideration for the interests of the general public of the State of Georgia as defined in OCGA 12-5-286(g).

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

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

(1) Whether or not unreasonably harmful obstruction to or alteration of the natural flow of navigational water within the affected area will arise as a result of the proposal. *The proposed project will not alter natural flow of navigable waters nor will it obstruct public navigation. The proposed dredging will improve the navigation immediately adjacent to the applicant's dock, and all spoil from the dredge is to be disposed in an upland confined disposal site, so there should be no negative impact to the waterway.*

(2) Whether or not unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water will be created. *The proposed dock project will not increase erosion, shoaling of channels, or create stagnant areas of water. The proposed dredging is to remove an existing shoal area and place the material in an upland disposal site. The proposed dredging should improve navigation in the adjacent waterway for the public.*

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(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. The proposed dredging is to be completed during the winter months to avoid impacts to marine life.*

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Gregori S. Anderson, CBO  
Director

**CHATHAM COUNTY**  
**DEPARTMENT OF BUILDING SAFETY &**  
**REGULATORY SERVICES**

P.O. BOX 8161  
SAVANNAH, GEORGIA 31412-8161

Ph: 912-201-4300  
Fax 912-201-4301



Clifford Bascombe, CBO,CFM  
Assistant Director

November 17, 2016

Stuart F. Sligh  
31 Park of Commerce Way, Suite 200B  
Savannah, Ga. 31405

RE: Dredging adjacent to 141 Fairwind Rd.

Dear Mr. Sligh:

The activity above is allowable under the current Zoning and Building Codes of Chatham County.

If you have any questions, I can be reached at 912-201-4307.

Sincerely,

Robert Sebek, Zoning Administrator  
Chatham County

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