



**ENVIRONMENTAL
SERVICES, INC.**

A Terracon COMPANY

2201 Rowland Ave.
Savannah, Georgia 31404
P (912) 629 4000
F (912) 629 4001
environmentalservicesinc.com

7 May 2020

Mr. Sam LaBarba
Coastal Resources Division
Georgia Department of Natural Resources
One Conservation Way Suite 300
Brunswick, GA 31520

**Subject: Hayler Community Dock
Chatham County, Georgia
Floating Dock Reinstatement**

HM197026

Dear Mr. LaBarba,

On behalf of Mr. Mark Hayler, Environmental Services, Inc., (ESI) A Terracon Company, reached out to you on 5 November 2019 providing you with required items related to the Hayler community dock application. As you may recall this dock was to be replaced in the same configuration that existed prior to Mr. Haylers purchase of the property. However, since we last made contact, the Georgia Department of Natural Resources has required we modify the location of the prior floating dock to be located within the extended property boundary. This modification will require the floating dock along with the existing pilings to be shifted 10' south of the northern property line. Due to this change, figure 3 of the previous site plan has been modified while the other figures remained the same. Additionally, the support documentation for the joint application has also been updated.

Attached to this document:

1. Site plan with revised figure 3 as of March 2020 signed by Tybee Island Zoning Administrator
2. Updated Support Documentation for Joint Application
3. Signed Adjacent Property Owner Notification from Diane Kauffman
4. Signed Adjacent Property Owner Notification from City of Tybee Island

At your earliest convenience, we request that you review the attached material. Should you have any questions, please feel free to call me at the number listed above. In advance, we appreciate your assistance with this project.

Sincerely yours,

ENVIRONMENTAL SERVICES, INC.

Michael DeMell
Department Manager

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MD/cp
HM197026/ Sam LaBarba Ltr
(May 2020)

Document One

Site Plan with Revised Figure 3 as of March 2020

Signed by: *George Shaw - Tybee Island Zoning Administrator*

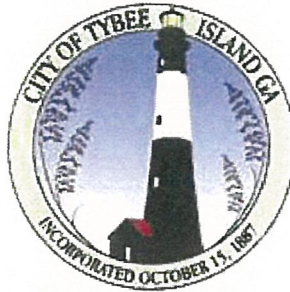
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MAYOR
Jason Buelterman

CITY COUNCIL
Barry Brown, Mayor Pro Tem
Wanda Doyle
John Branigin
Monty Parks
Julie Livingston
Shirley Sessions



CITY MANAGER
Shawn Gillen

CITY CLERK
Janet LeViner

CITY ATTORNEY
Edward M. Hughes

CITY OF TYBEE ISLAND

August 12, 2019

Re: Hayler Community Dock
5 & 7 Alley 3
Tybee Island, GA 31328

To Whom It May Concern:

Wendy and Mark Hayler of 5 & 7 Alley 3 on Tybee Island are located in the R-2 zoning district. This district allows for docks. The proposed dock replacement is in compliance with the zoning laws of Tybee Island, GA.

Sincerely,

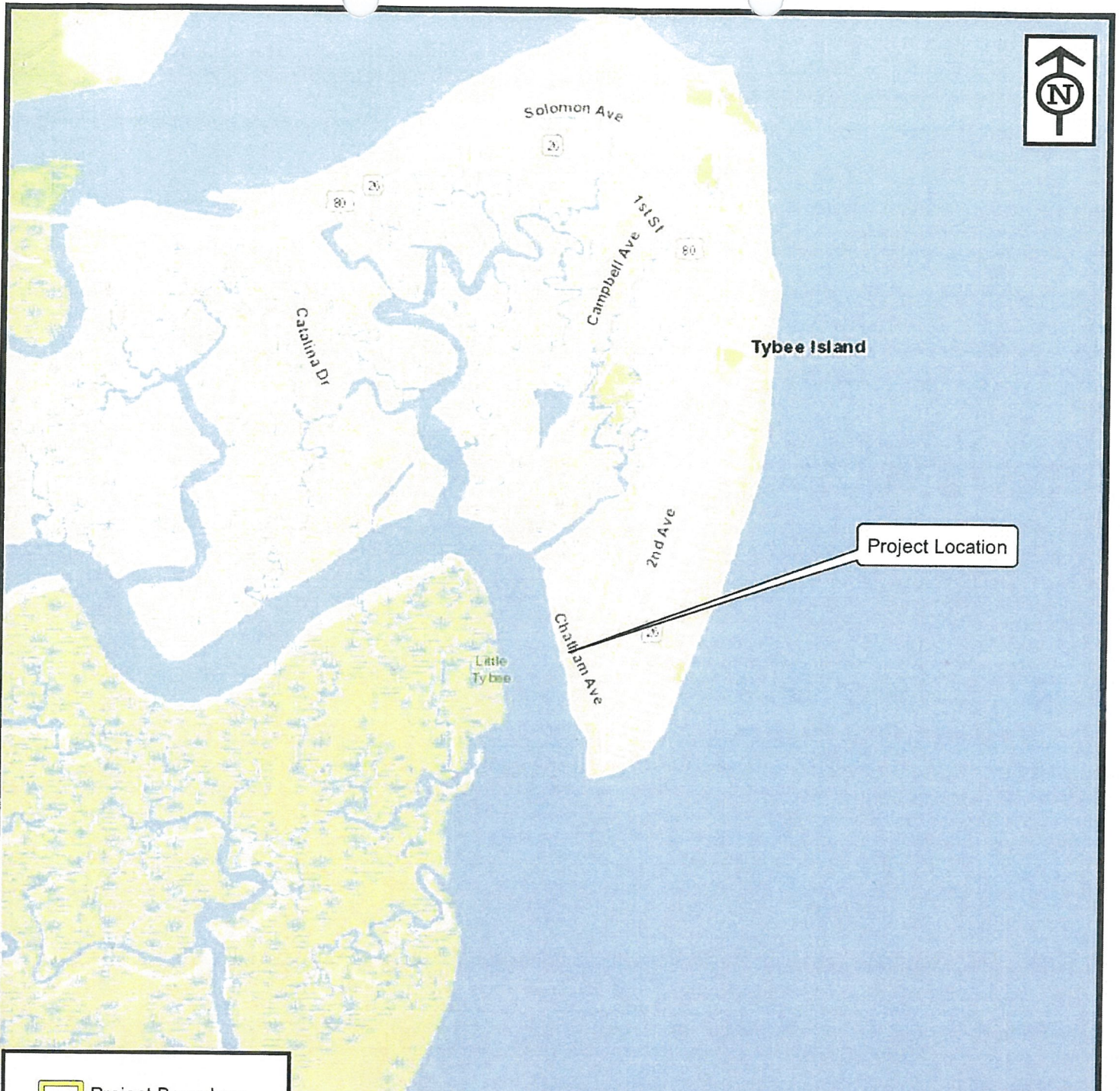
George Shaw
Community Development Director
912-472-5031
gshaw@cityoftybee.org

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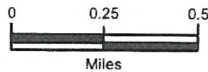
GA-DNR

P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749
(866) 786-4573 – FAX (866) 786-5737
www.cityoftybee.org



Project Location

 Project Boundary



Source(s): ESRI Basemap Streetmap

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Project Vicinity

Hayler Dock Reconstruction

Tybee Island, Chatham County, Georgia

Project: ES18013.00

Date: Aug. 2018

Drwn/Chkd: AMD/MJD

Figure: 1

3/12/2018



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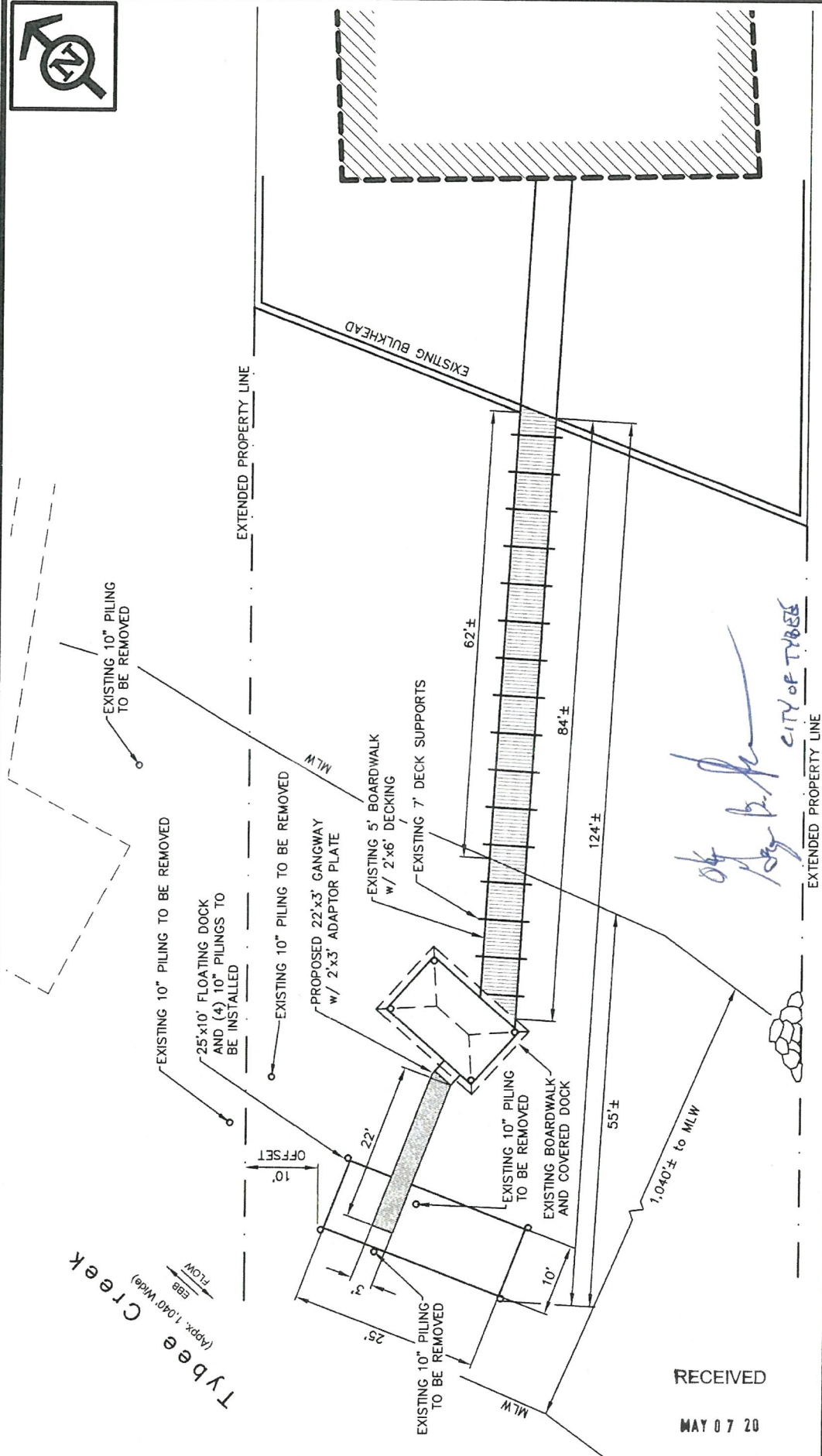
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Aerial Photograph
Hayler Dock Reconstruction
Chatham County, Georgia

Project:	ES18013.00
Date:	July 2019
Drwn/Chkd:	TLV/MJD
Figure:	2



0 10 20
Feet

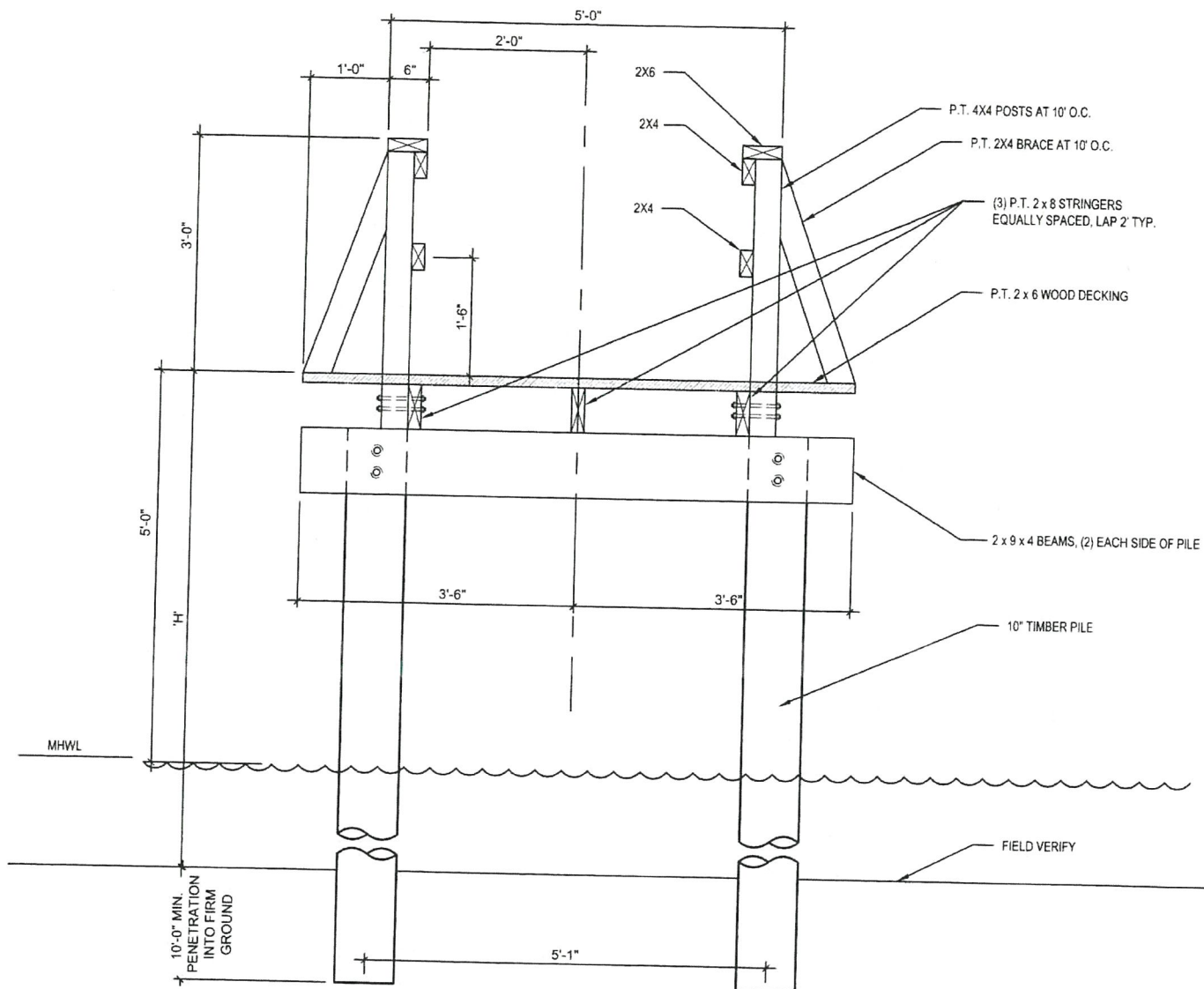
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(904) 470-2112 FAX
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Project:	ES18013.00
Date:	Mar 2020
Drwn/Chkd:	JRN/MJD
Figure:	3

Site Plan
Hayler Dock Reconstruction
Chatham County, Georgia

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GRADING NOTES:

1) ELEVATIONS SHOWN ABOVE ARE FOR REFERENCE ONLY, 0.0' = EXISTING GRADE ELEVATION. FINAL BOARDWALK ELEVATIONS SHALL BE BUILT TO CLEAR ALL VEGETATION.



ok
H. B. B.
9-12-19

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NOT TO SCALE

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Existing Fixed Dock Cross Section
Hayler Dock Reconstruction
Chatham County, Georgia

Project: ES18013.00
Date: July 2019
Drwn/Chkd: JRN/MJD
Figure: 4

Document Two
Updated Support Documentation for Joint Application

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HAYLER COMMUNITY DOCK

PROJECT DESCRIPTION AND SUPPORT DOCUMENTATION FOR THE JOINT APPLICATION FOR THE

HAYLER COMMUNITY DOCK Chatham County, Georgia

1. BASIC PROJECT DETAILS

Mr. & Mrs. Hayler are proposing to remove the three pilings from the previous float on the existing dock facility and replace with four 10' pilings, a 25' x 10' floating dock, a 22' x 3' gangway, and a 2' x 3' adaptor plate south from the previously exiting location. The reinstallation is needed due to damages suffered from prior storms. The shift to the original dock design was recommended by Georgia DNR due to the original design encroaching on the northern property boundary. The shift will move the floating dock 10' south of the existing northern property boundary. The project is located on the eastern shore of Tybee Creek in Tybee Island, Chatham County, Georgia (Appendix 1, Figure 1). The ~0.34-acre parcel is a duplex currently owned by Mark and Wendy Hayler. The property was formally owned by Eugenia and Harry "George" Spirides who previously built a "single-family" permitted dock in 1991. Later, the property was purchased by Mark and Wendy Hayler in 2015. The purpose of this request is to seek approval for the updated dock design which is still being labeled as a community dock because the current dock structure serves a duplex residential structure located on Lot 13, Ward 6, No's 5 & 7, Alley No. 3. The materials in this application provide specific details of prior use, existing site conditions, and pending reinstallation activities that will be employed because of this project.

The project will consist of a floating dock, adaptor plate, and ramp replacement to be added to an existing access walkway and covered platform that extends from the property. The general scope of the project includes the installation of a 10' x 25' floating dock to be connected to an existing 9'10" x 15'10" covered platform/dock by a 22' x 3' gangway, a 2' x 3' adaptor plate. The project will also shift the existing three 10" timber piles and add one 10" pile south of the preexisting position to secure the floating dock. The following information and attached materials are provided to pursue Coastal Marshlands Protection Act (CMPA) and Section 10 of the Rivers and Harbors Act permits.

1.1 *Existing Site Conditions:*

HAYLER COMMUNITY DOCK

General information pertaining to the existing site conditions for the site can be found in Appendix 1; Figures 1 thru 10. Included in this Appendix are Figure 1 Vicinity Map, Figures 2 and 3 illustrating project location with aerial imagery, Figures 4 and 5 illustrating the 86'-10" x 5' existing fixed walkway, Figures 6 and 7 which show the damages sustained to the fixed walkway from Hurricane Matthew, Figures 8 and 9 illustrating the project site and dimensions, and Figure 10 photo essay which shows various aerial images of the site over time.

For clarity purposes, the existing site conditions include and existing duplex residential structure from which the existing fixed walkway, fixed dock structure, and 3 of the 4 piles that used to support the floating dock.

1.2 Jurisdictional Determination:

On December 23, 2016 the Corps of Engineers issued a preliminary jurisdictional determination for the site. There are no freshwater wetlands located within the ~0.34-acre project boundary. The DNR performed a site inspection, in accordance with the *Coastal Marshlands Protection Act of 1970*, on August 27, 2018, determining the existing concrete wall on the property as the CMPS jurisdictional line, which expires August 26, 2019. DNR verified the delineation in a letter dated 4 September 2018 (Appendix 8). The delineation of the site is depicted on the plat prepared by Bert Barrett, Jr., Georgia Registered Land Surveyor License No. 2225 from August 26, 2008, with a mark from Deb Barreiro to note the JD line.

1.3 Proposed Impacts:

The project will result in no freshwater wetland impacts. Impacts associated with work located within tidal waters is limited to the shading footprint and pile installation of the floating docks and gangway associated with the access walkway. Details of this work can be found in Appendix 2 and in the table below.

Table 1.

Area Name	Activity Type	Habitat	Area of Impact (Acres)	Impact Type
Community dock	<ul style="list-style-type: none">Piles, floating dock installation	OW/WB	~320 sf. (floating dock and access ramp area)	<ul style="list-style-type: none">ShadingFloating dock: 25' x 10', with four 12" dia. timber piles

HAYLER COMMUNITY DOCK

	with ramp, and adapter plate.			<ul style="list-style-type: none">• Access ramp: 22' x 3'• Adapter plate 2' x 3'
--	-------------------------------	--	--	---

** *OW/WB = Open Water/Water Bottoms*

2. SITE PLANS

Appendix 2, Sheets 1-2; provide specific details associated with the project.

2.1 *Marshlands Component of Project:*

The marshlands component for this project, defined as the part of the structure on or over an estuarine area requiring a permit under The Coastal Marshlands Protection Act, consists of the proposed floating dock, access ramp, and timber pile.

Floating Dock with Timber Pile and Access Ramp details:

Proposed improvements along the eastern bank of the Tybee Creek, located over the river bottom, at the end of the existing fixed walkway and covered platform, include:

- **In water features:** One 25' x 10' floating dock, four ~12" diameter timber pile, one 22' x 3' gangway, and one 2' x 3' adapter plate. Three of the four necessary timber piles have remained standing from the original construction in 1991 but must be shifted 10' south of the extended property boundary.

2.2 *Upland Component of the Project:*

The upland component, is generally defined as all areas located inland of the Coastal Marshlands Protection Act jurisdictional line that serve or augment the functioning of the marshlands component of the project.

There is no upland component to this project. The existing fixed walkway connects to the existing backyard established by an existing concrete bulkhead that serves as the jurisdictional line. No further improvements are proposed in the upland component of this project.

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HAYLER COMMUNITY DOCK

2.3 Marshlands Buffers for Upland Component:

Appendix 1 is provided to document the existing site conditions and the photo essay is used to observe progression of the site since 1999. Appendix 2 provides an illustration of the property. A concrete bulkhead separates the upland portion of the property from the beach. No 50' buffer is required for this project.

2.4 Storm water Management Plan of the Upland Component:

The upland component of this project does not possess any of the proposed construction activity. No storm water management plan is required.

2.5 Pervious / Impervious Surface Calculations of the Upland Component:

The upland component of this project does not possess any of the proposed construction activity. No pervious/impervious surface calculations are required.

3. DEED INFORMATION

Appendix 4 provides the property deed and 23 October 2015 purchase and sales agreement.

4. ADJOINING LANDOWNERS

A list of adjoining landowners and their addresses is attached in Appendix 5.

5. ZONING AND LANDFILL/HAZARDOUS WASTE STATEMENT

In September 2018, ESI prepared letters to contact the appropriate City of Tybee Island officials regarding zoning and hazardous waste / landfills in the project area. In letters dated October 3, 2018 Community Development Director Mr. George Shaw confirmed the project is in accordance with the approved PD text and zoning ordinance and reports city records do not reveal any landfills or hazardous waste site exist on site. (Appendix 6 & 7 respectively).

6. DESCRIPTION OF ALTERNATIVES & MINIMIZATION OF IMPACT MEASURES

6.1 Alternatives:

HAYLER COMMUNITY DOCK

There are no alternatives to the proposed activity that would meet the needs of the project.

6.2 *No-Build Alternative:*

A no-build alternative would result in the subject site remaining as only the fixed walkway and fixed dock platform. A no-build alternative does not meet the purpose and need for this project.

7. EROSION AND SEDIMENTATION STATEMENT

Pursuant to CESAS Form 19; Question 16, B: 1,2,3.

- 1) All activities will be performed in a manner to minimize turbidity into river.
- 2) No oils or other pollutants will be released from the proposed activities which will reach the river.
- 3) All work will be performed in a manner necessary to avoid interference with any legitimate water uses.

8. PUBLIC INTEREST STATEMENT

The proposed repairs, outlined elsewhere in these materials, has been designed to meet the specific project purpose, while minimizing adverse impacts to the surrounding ecosystems wherever possible. In this application, documentation has been provided to discuss how the project is not contrary to the public interest, and the following public interest considerations are discussed:

Pursuant to the Coastal Marshland Protection Act 12-5-286. (12)(g):

- a. *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 project will not harm, obstruct, or alter the natural flow of any navigable waters. Site data collected and used in this application clearly defines the existing site conditions. The creek that the project location is approximately 1,200 feet wide. The proposed facility, when completed, will extend approximately 120 ft (~10%) into the waterway.

HAYLER COMMUNITY DOCK

- b. *Whether or not unreasonable harmful or increased erosion, shoaling of channels or stagnant areas of water will be created.*

The project is will not cause unreasonable or harmful erosion, shoaling of channels or stagnant areas of water. The configuration of the float and piles allows the current to continue to run parallel to the shoreline.

- c. *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, wildlife, or other resources, including but not limited to water and oxygen supply.*

The proposed project will employ Best Management Practices in accordance with local, state, and federal regulations. This project will not unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, wildlife, or other resources, including but not limited to water and oxygen supply.

9. LISTED SPECIES

All estuarine areas within coastal Georgia are considered to be suitable habitat for the West Indian Manatee. Normal manatee guidelines will be followed during construction.

10. CULTURAL RESOURCE ASSESSMENT

The lands that make up this property consist of a duplex residency with a small upland backyard that is separated from the beach/marsh area by a concrete wall. The likelihood that cultural resources exist in this area is low and impacts to cultural resources are not expected to occur as a result of this project.

HAYLER COMMUNITY DOCK

11. PURPOSE AND NEED STATEMENT

The Purpose and Need Statement is to satisfy 404 (b) (1) Guidelines and public interest review (33 CFR 320.4). The purpose of the project is to replace and install portions of an existing community dock to re-establish water access. The need for this project is driven by the fact that storm damage displaced the original float and ramp precluding access from the fixed dock to the water.

12. Needs Assessment

Pursuant to The Rules of the Department of Natural Resources, Chapter 391-2-3-.03(6)(c.), Coastal Marshlands Protection, the following information is provided to demonstrate the need for this project.

The specific project need and purpose is defined above. Considering the facility was originally permitted as a single-family dock, and re-construction of the damaged components remains consistent to the original structure, the only reason for applying for a CMPC permit is due to the parcel being a duplex, precluding permit issuance as a single-family dock. Therefore, a traditional needs assessment has not been prepared.

Document Three

Signed Adjacent Property Owner Notification

From: *Diane Kauffman*

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**ADJACENT PROPERTY OWNER NOTIFICATION
NOTICE OF INTENT TO CONSTRUCT A PRIVATE,
SINGLE/MULTI FAMILY RECREATIONAL DOCK**

DATE OF NOTICE 3/17/2020

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

PROJECT LOCATION Plot 13, Oceanfront, Alley 3, Tybee Island, GA 31328

PROJECT TYPE Remove three timber piles; Reinstate 4 timber piles and floating dock



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 project, as proposed, for the following reasons.

Name Diane Kaufman

Address P.O Box 2677

1517 Chatham Avenue

Tybee Island, Georgia 31328

Phone # 912-313-0784

Email

diane e mermaid
cottages. com

Diane W. Kaufman

Adjacent Property Owner Signature

3/18/20

Date

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Document Four
Signed Adjacent Property Owner Notification
From: *City of Tybee Island*

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**ADJACENT PROPERTY OWNER NOTIFICATION
NOTICE OF INTENT TO CONSTRUCT A PRIVATE,
SINGLE/MULTI FAMILY RECREATIONAL DOCK**

DATE OF NOTICE 3/17/2020

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

PROJECT LOCATION Plot 13, Oceanfront, Alley 3, Tybee Island, GA 31328

PROJECT TYPE Remove three timber piles; Reinstall 4 timber piles and floating dock



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 project, as proposed, for the following reasons.

Name City of Tybee Island

Address P.O. Box 2749

Tybee Island, Georgia 31328

Phone # 912-786-4573 Email _____



Adjacent Property Owner Signature

4-17-20

Date

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2201 Rowland Ave.
Savannah, Georgia 31404
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5 November 2019

Mr. Sam LaBarba
Coastal Permit Coordinator
Coastal Resources Division
Georgia Department of Natural Resources
One Conservation Way Suite 300
Brunswick, GA 31520

**RE: Hayler Dock
Chatham County, Georgia
SAS-1991-00075**

ES18013.00-HM197026

Dear Mr. LaBarba,

Pursuant to your letter dated 6 March 2019 Environmental Services, Inc. a Terracon Company provides the following required items. Please see the attached:

1. Detailed professional scaled project drawings signed by Mark Mobley with EMC Engineering Services, Inc. dated 31 July 2019.
2. A copy of the drawings signed by George Shaw with the City of Tybee Island Zoning Authority dated 12 September 2019.
3. A scanned copy of the \$100.00 check made out to the Georgia Department of Natural Resources for the record and the check itself for deposit.
4. A copy of an email provided by Bradley Smith with the Georgia Environmental Protection Division (EPD) regarding the 401-water quality certification.

Additionally, pursuant to item 4 in your March letter, we have been in communication with the Army Corps of Engineers (USACE), specifically Steve Fox regarding their review of the Joint Application for the Individual Permit dated 18 January 2019. We have provided him with the scaled drawings as well and clarified a few questions he had in regard to the joint application. On 4 November 2019 he confirmed they will continue review and processing this application as normal.

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Environmental



Facilities



Geotechnical



Materials



Lastly, during a recent meeting, Mr. Paul Tobler mentioned that the Hayler's were coordinating with your office in regard to the potential of raising the height of the existing retaining wall. Mr. Tobler suggested if activity was still under consideration, to include that in this current permit request. Following my discussions with the Hayler's they have confirmed they do not wish to pursue any retaining wall improvements at this time.

At your earliest convenience, we request that you review the attached material and continue processing this application. Should you have any questions, please feel free to call me at the number listed above. In advance, we appreciate your assistance with this project.

Sincerely yours,

ENVIRONMENTAL SERVICES, INC.

Michael DeMell
Department Manager

MD/tv
ES18013.00/ Ltr to CRD_Sam LaBarba_11 5 19
(Nov. 2019)

Xc. Mr. Mark Hayler, Owner

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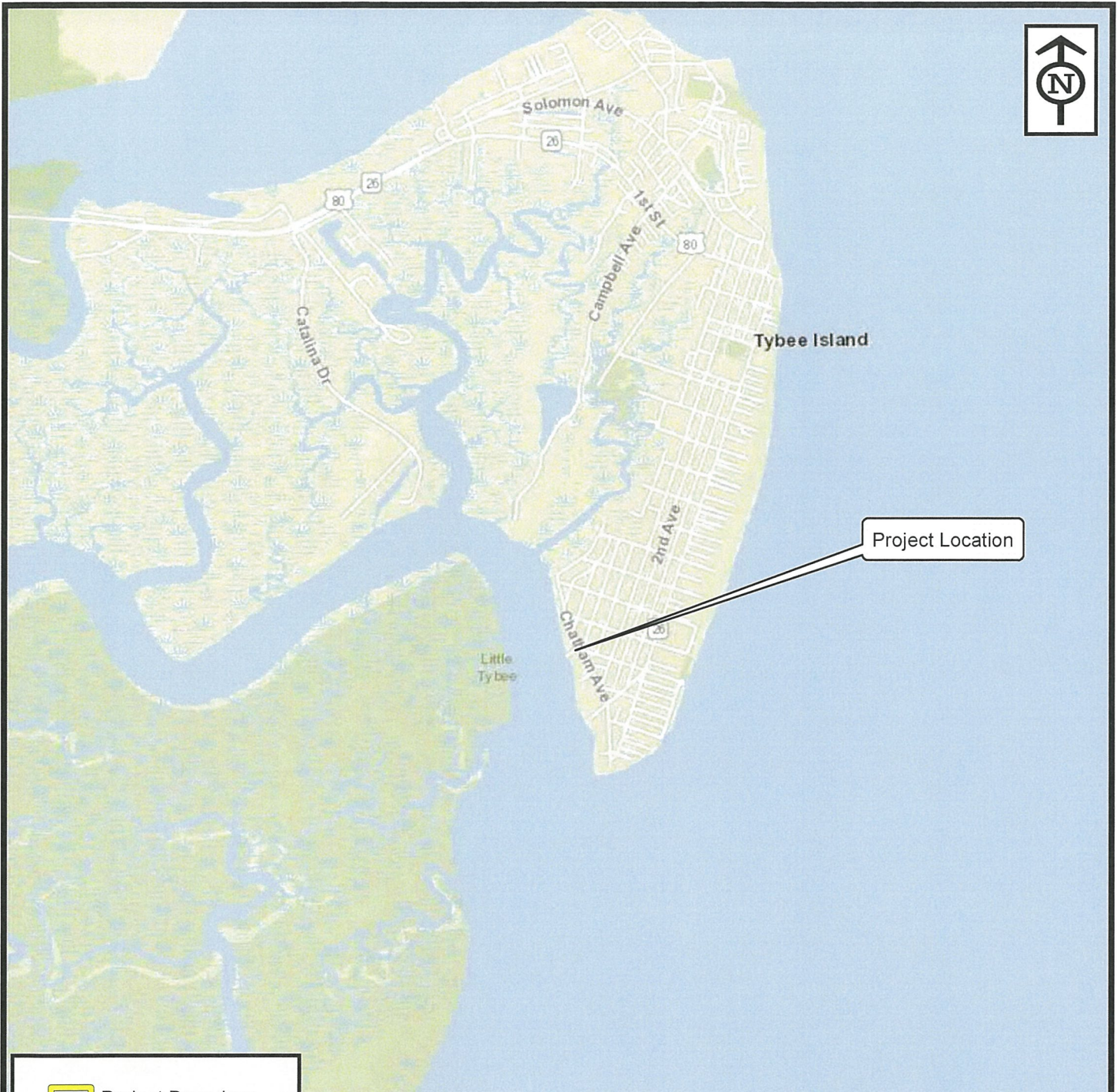
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Attachment 1
Professional Scaled Project Drawings

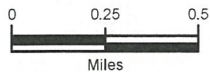
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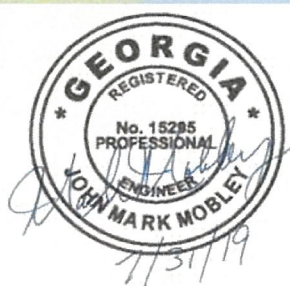


 Project Boundary



Source(s): ESRI Basemap Streetmap

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Project Vicinity

Hayler Dock Reconstruction

Tybee Island, Chatham County, Georgia

Project: ES18013.00

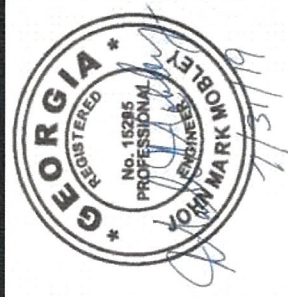
Date: Aug. 2018

Drwn/Chkd: AMD/MJD

Figure: 1



3/12/2018



Project:	ES18013.00
Date:	July 2019
Drwn/Chkd:	TLV/MJD
Figure:	2

Aerial Photograph
Hayler Dock Reconstruction
Chatham County, Georgia

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Tybee Creek
(Approx. 1,040' Wide)
Flow
EBE

EXISTING 10" PILING

10" PILING TO BE REPLACED
25'x10' FLOATING DOCK
TO BE REINSTALLED

EXISTING 10" PILING

MLW

EXISTING 5' BOARDWALK
w/ 2'x6' DECKING

EXISTING 7' DECK SUPPORTS

62'±

84'±

118'±

49'±

1,040'± to MLW

EXISTING 10" PILING
PROPOSED 24'x3' GANGWAY

EXISTING BOARDWALK
AND COVERED DOCK

EXISTING BULKHEAD

EXTENDED PROPERTY LINE

EXTENDED PROPERTY LINE

ALLEY STREET

SUPERCEDED

0 10 20
Feet

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Site Plan
Hayler Dock Reconstruction
Chatham County, Georgia

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Project: ES18013.00
Date: July 2019
Drawn/Chkd: JRN/MJD
Figure: 3

Attachment 2
Drawings signed by Zoning Authority

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MAYOR
Jason Buelterman

CITY COUNCIL
Barry Brown, Mayor Pro Tem
Wanda Doyle
John Branigin
Monty Parks
Julie Livingston
Shirley Sessions



CITY MANAGER
Shawn Gillen

CITY CLERK
Janet LeViner

CITY ATTORNEY
Edward M. Hughes

CITY OF TYBEE ISLAND

August 12, 2019

Re: Hayler Community Dock
5 & 7 Alley 3
Tybee Island, GA 31328

To Whom It May Concern:

Wendy and Mark Hayler of 5 & 7 Alley 3 on Tybee Island are located in the R-2 zoning district. This district allows for docks. The proposed dock replacement is in compliance with the zoning laws of Tybee Island, GA.

Sincerely,

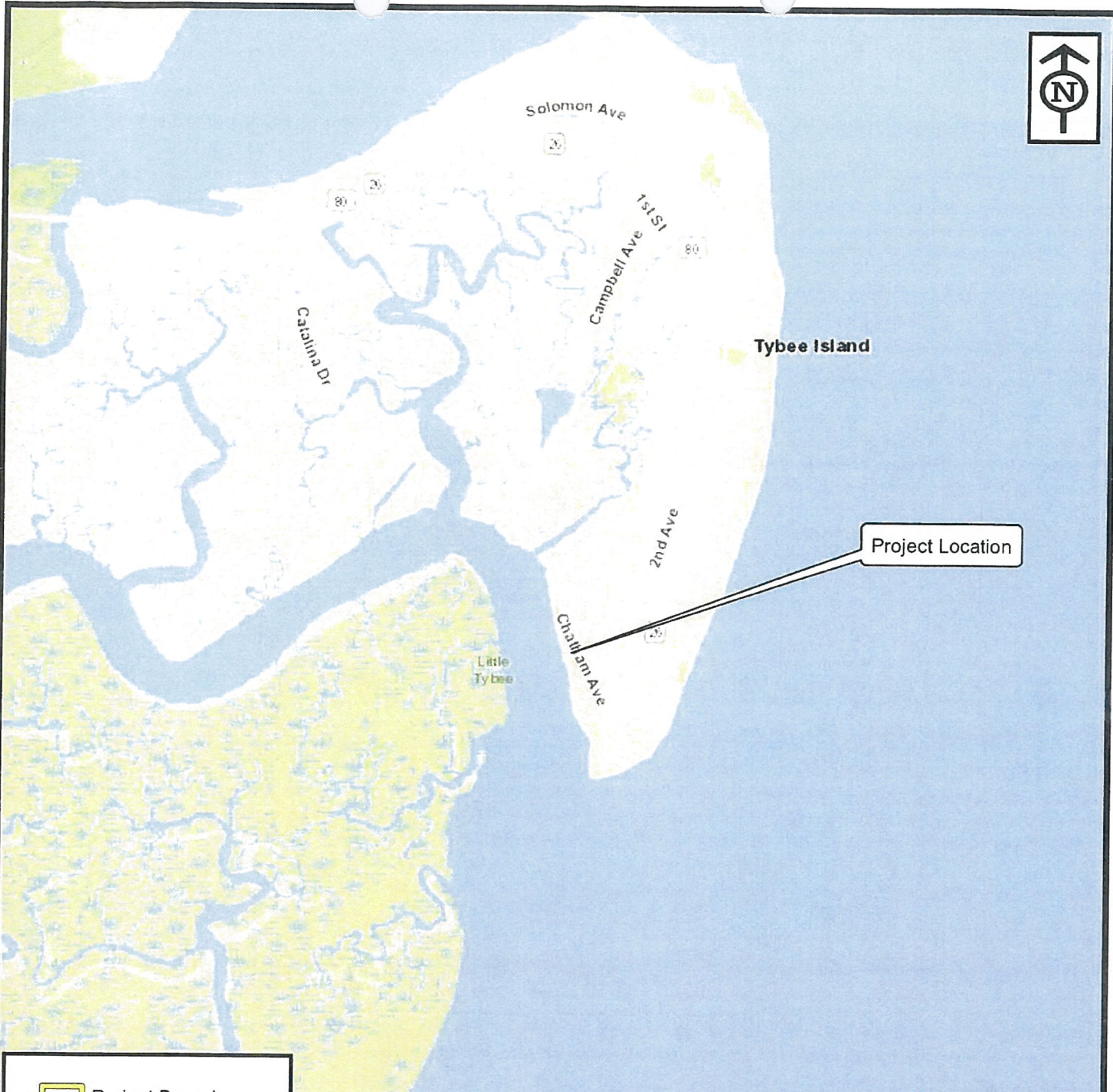
George Shaw
Community Development Director
912-472-5031
gshaw@cityoftybee.org

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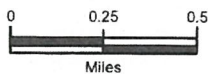
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 Project Boundary



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(912) 629-4001 Fax

www.environmentalservicesinc.com

Project Vicinity

Hayler Dock Reconstruction

Tybee Island, Chatham County, Georgia

Project: ES18013.00

Date: Aug. 2018

Drwn/Chkd: AMD/MJD

Figure: 1

3/12/2018



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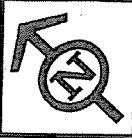
NOV 05 19

GA DNR

Aerial Photograph
Hayler Dock Reconstruction
Chatham County, Georgia

Project:	ES18013.00
Date:	July 2019
Drwn/Chkd:	TLV/MJD
Figure:	2





Tybee Creek
(Approx. 1,040' wide)
MLW

EXISTING 10" PILING

10" PILING TO BE REPLACED
25'x10' FLOATING DOCK
TO BE REINSTALLED

EXISTING 10" PILING

MLW

EXISTING 5' BOARDWALK
w/ 2'x6' DECKING

EXISTING 7' DECK SUPPORTS

EXISTING 10" PILING

PROPOSED 24'x3' GANGWAY

EXISTING BOARDWALK
AND COVERED DOCK

62' ±

84' ±

118' ±

49' ±

1,040' ± to MLW

EXISTING BULKHEAD

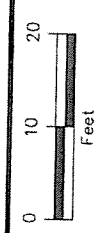
EXTENDED PROPERTY LINE

EXTENDED PROPERTY LINE

ALLEY STREET

Handwritten signature and date:
9-12-19

Disclaimer: The information depicted on this figure is for conceptual purposes only, serves to aid a licensed engineer or geologist in rendering professional services, and is subject to review and approval by appropriate regulatory agencies.



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Jacksonville, Florida 32236
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(904) 470-2122 FAX
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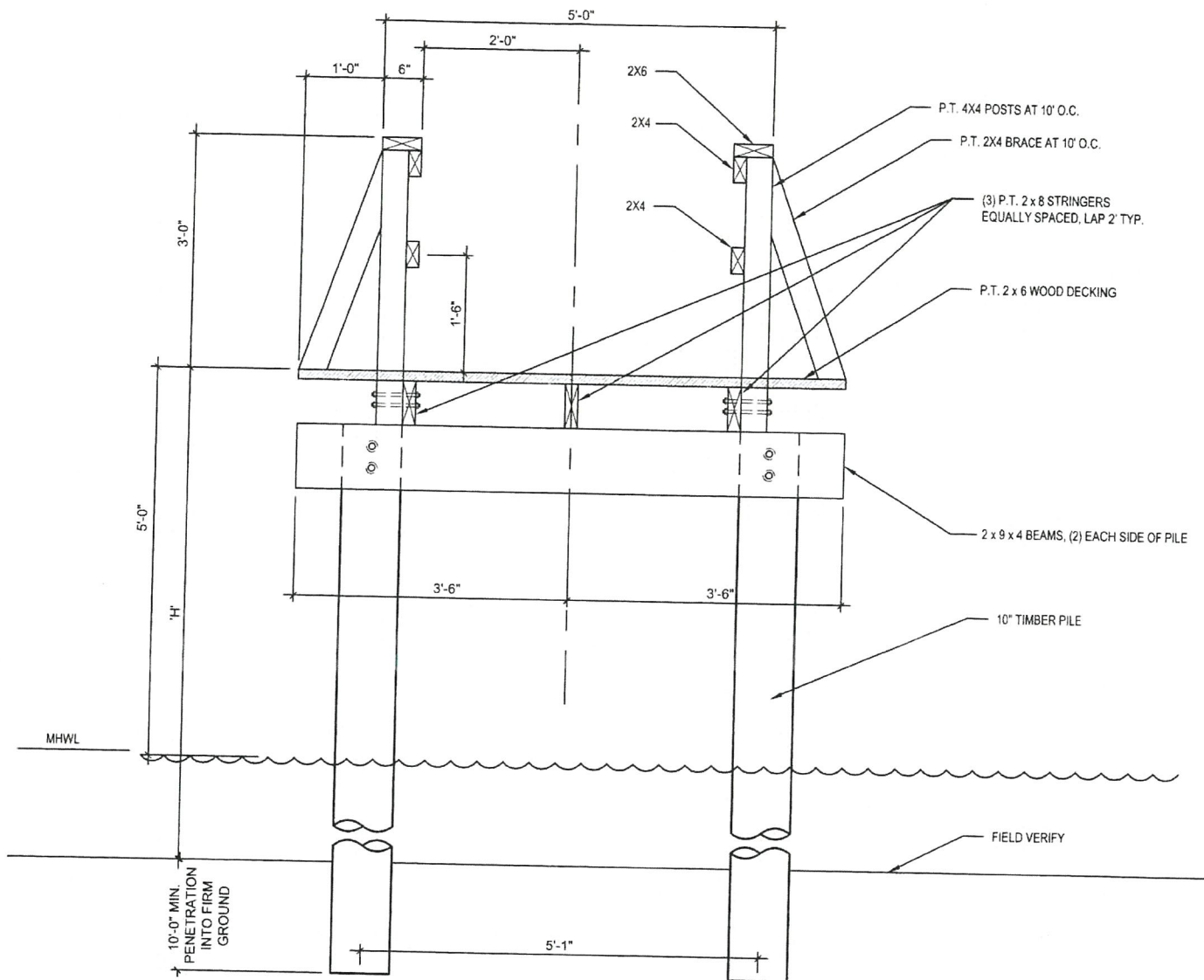
Site Plan

Hayler Dock Reconstruction

Chatham County, Georgia

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Project:	ES18013.00
Date:	July 2019
Drawn/Chkd:	JRN/MJD
Figure:	3



GRADING NOTES:

- 1) ELEVATIONS SHOWN ABOVE ARE FOR REFERENCE ONLY, 0.0' = EXISTING GRADE ELEVATION. FINAL BOARDWALK ELEVATIONS SHALL BE BUILT TO CLEAR ALL VEGETATION.

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NOT TO SCALE

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Existing Fixed Dock Cross Section
Hayler Dock Reconstruction
Chatham County, Georgia

Project: ES18013.00
Date: July 2019
Drwn/Chkd: JRN/MJD
Figure: 4

Attachment 3
Scanned copy of check

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Wendy P Hayler Or
Mark A Hayler
Salterns Acct

64-10/610

2140

Date 03/18/2019

GEORGIA
Pay to the Order of DEPARTMENT OF NATURAL RESOURCES \$100 = 00
ONE HUNDRED DOLLARS ONLY



SUNTRUST

ACH RT 061000104

MEMO

[Handwritten signature]

⑆061000104⑆1000191001634⑆ 2140

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Attachment 4
Email from Bradley Smith

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GA-DNR

Vick, Tarah L

From: Smith, Bradley <Bradley.Smith@dnr.ga.gov>
Sent: Thursday, July 25, 2019 6:47 AM
To: DeMell, Mike J
Subject: Hayler Community Dock

Good Morning,
I have reviewed the Hayler Community Dock project and determined that a 401 WQC will not be required from Ga EPD.
Thanks,

Bradley Smith
GA EPD - Wetlands Unit
Watershed Protection Branch
Coastal District Office
400 Commerce Center Drive
Brunswick, Georgia 31523

Office: 912.262.3196 Mobile: 912.399.6680
Email: Bradley.Smith@DNR.GA.GOV



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HAYLER COMMUNITY DOCK

PROJECT DESCRIPTION AND SUPPORT DOCUMENTATION FOR THE JOINT APPLICATION FOR THE

HAYLER COMMUNITY DOCK Chatham County, Georgia

1. BASIC PROJECT DETAILS

Mr. & Mrs. Hayler propose to reinstall 1 piling, a 10' x 28' floating dock, and one gangway to access the float from the existing dock facility. The reinstallation is needed to replace the same features following damage sustained in prior storms. The project is located on the eastern shore of Tybee Creek in Tybee Island, Chatham County, Georgia (Appendix 1, Figure 1). The ~0.34-acre parcel is a duplex currently owned by Mark and Wendy Hayler. The property was formally owned by Eugenia and Harry "George" Spirides who previously built a "single-family" permitted dock in 1991. Later, the property was purchased by Mark and Wendy Hayler in 2015. The purpose of this request is to seek approval for the same project, but now as a community dock because the current dock structure serves a duplex residential structure located on Lot 13, Ward 6, No's 5 & 7, Alley No. 3. The materials in this application provide specific details of prior use, existing site conditions, and pending reinstallation activities that will be employed because of this project.

The project will consist of a floating dock and ramp replacement to be added to an existing access walkway and covered platform that extends from the property. The general scope of the project includes the installation of a 28' x 10' floating dock to be connected to an existing 9'10" x 15'10" covered platform/dock by a small gangway/ramp, as well as reinstating one of the four necessary timber piles to secure the floating dock. The following information and attached materials are provided to pursue Coastal Marshlands Protection Act (CMPA) and Section 10 of the Rivers and Harbors Act permits.

1.1 *Existing Site Conditions:*

General information pertaining to the existing site conditions for the site can be found in Appendix 1; Figures 1 thru 10. Included in this Appendix are Figure 1 Vicinity Map, Figures 2 and 3 illustrating project location with aerial imagery, Figures 4 and 5 illustrating the 86'- 10" x 5' existing fixed walkway, Figures 6 and 7 which show the damages sustained to the fixed

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HAYLER COMMUNITY DOCK

walkway from Hurricane Matthew, Figures 8 and 9 illustrating the project site and dimensions, and Figure 10 photo essay which shows various aerial images of the site over time.

For clarity purposes, the existing site conditions include and existing duplex residential structure from which the existing fixed walkway, fixed dock structure, and 3 of the 4 piles that used to support the floating dock.

1.2 Jurisdictional Determination:

On December 23, 2016 the Corps of Engineers issued a preliminary jurisdictional determination for the site. There are no freshwater wetlands located within the ~0.34-acre project boundary. The DNR performed a site inspection, in accordance with the *Coastal Marshlands Protection Act of 1970*, on August 27, 2018, determining the existing concrete wall on the property as the CMPS jurisdictional line, which expires August 26, 2019. DNR verified the delineation in a letter dated 4 September 2018 (Appendix 8). The delineation of the site is depicted on the plat prepared by Bert Barrett, Jr., Georgia Registered Land Surveyor License No. 2225 from August 26, 2008, with a mark from Deb Barreiro to note the JD line.

1.3 Proposed Impacts:

The project will result in no freshwater wetland impacts. Impacts associated with work located within tidal waters is limited to the shading footprint and pile installation of the floating docks and gangway associated with the access walkway. Details of this work can be found in Appendix 2 and in the table below.

Table 1.

Area Name	Activity Type	Habitat	Area of Impact (Acres)	Impact Type
Community dock	<ul style="list-style-type: none">Pile and floating dock installation with ramp	OW/WB	~320 sf. (floating dock and access ramp area)	<ul style="list-style-type: none">ShadingFloating dock: 28 x 10 ft, with a 12" dia. timber pileAccess ramp: ~12 x 3 ft

** OW/WB = Open Water/Water Bottoms

HAYLER COMMUNITY DOCK

2. SITE PLANS

Appendix 2, Sheets 1-2; provide specific details associated with the project.

2.1 Marshlands Component of Project:

The marshlands component for this project, defined as the part of the structure on or over an estuarine area requiring a permit under The Coastal Marshlands Protection Act, consists of the proposed floating dock, access ramp, and timber pile.

Floating Dock with Timber Pile and Access Ramp details:

Proposed improvements along the eastern bank of the Tybee Creek, located over the river bottom, at the end of the existing fixed walkway and covered platform, include:

- **In water features:** One 28' x 10' floating dock, one ~12" diameter timber pile, and one gangway. Three of the original four necessary timber piles have remained standing from the original construction in 1991.

2.2 Upland Component of the Project:

The upland component, is generally defined as all areas located inland of the Coastal Marshlands Protection Act jurisdictional line that serve or augment the functioning of the marshlands component of the project.

There is no upland component to this project. The existing fixed walkway connects to the existing backyard established by an existing concrete bulkhead that serves as the jurisdictional line. No further improvements are proposed in the upland component of this project.

2.3 Marshlands Buffers for Upland Component:

Appendix 1 is provided to document the existing site conditions and the photo essay is used to observe progression of the site since 1999. Appendix 2 provides an illustration of the property. A concrete bulkhead separates the upland portion of the property from the beach. No 50' buffer is required for this project.

HAYLER COMMUNITY DOCK

2.4 Storm water Management Plan of the Upland Component:

The upland component of this project does not possess any of the proposed construction activity. No storm water management plan is required.

2.5 Pervious / Impervious Surface Calculations of the Upland Component:

The upland component of this project does not possess any of the proposed construction activity. No pervious/impervious surface calculations are required.

3. DEED INFORMATION

Appendix 4 provides the property deed and 23 October 2015 purchase and sales agreement.

4. ADJOINING LANDOWNERS

A list of adjoining landowners and their addresses is attached in Appendix 5.

5. ZONING AND LANDFILL/HAZARDOUS WASTE STATEMENT

In September 2018, ESI prepared letters to contact the appropriate City of Tybee Island officials regarding zoning and hazardous waste / landfills in the project area. In letters dated October 3, 2018 Community Development Director Mr. George Shaw confirmed the project is in accordance with the approved PD text and zoning ordinance and reports city records do not reveal any landfills or hazardous waste site exist on site. (Appendix 6 & 7 respectively).

6. DESCRIPTION OF ALTERNATIVES & MINIMIZATION OF IMPACT MEASURES

6.1 Alternatives:

There are no alternatives to the proposed activity that would meet the needs of the project.

6.2 No-Build Alternative:

A no-build alternative would result in the subject site remaining as only the fixed walkway and fixed dock platform. A no-build alternative does not meet the purpose and need for this project.

HAYLER COMMUNITY DOCK

7. EROSION AND SEDIMENTATION STATEMENT

Pursuant to CESAS Form 19; Question 16, B: 1,2,3.

- 1) All activities will be performed in a manner to minimize turbidity into river.
- 2) No oils or other pollutants will be released from the proposed activities which will reach the river.
- 3) All work will be performed in a manner necessary to avoid interference with any legitimate water uses.

8. PUBLIC INTEREST STATEMENT

The proposed repairs, outlined elsewhere in these materials, has been designed to meet the specific project purpose, while minimizing adverse impacts to the surrounding ecosystems wherever possible. In this application, documentation has been provided to discuss how the project is not contrary to the public interest, and the following public interest considerations are discussed:

Pursuant to the Coastal Marshland Protection Act 12-5-286. (12)(g):

- a. *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 project will not harm, obstruct, or alter the natural flow of any navigable waters. Site data collected and used in this application clearly defines the existing site conditions. The creek that the project location is approximately 1,200 feet wide. The proposed facility, when completed, will extend approximately 120 ft (~10%) into the waterway.

- b. *Whether or not unreasonable harmful or increased erosion, shoaling of channels or stagnant areas of water will be created.*

HAYLER COMMUNITY DOCK

The project is will not cause unreasonable or harmful erosion, shoaling of channels or stagnant areas of water. The configuration of the float and piles allows the current to continue to run parallel to the shoreline.

- c. *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, wildlife, or other resources, including but not limited to water and oxygen supply.*

The proposed project will employ Best Management Practices in accordance with local, state, and federal regulations. This project will not unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, wildlife, or other resources, including but not limited to water and oxygen supply.

9. LISTED SPECIES

All estuarine areas within coastal Georgia are considered to be suitable habitat for the West Indian Manatee. Normal manatee guidelines will be followed during construction.

10. CULTURAL RESOURCE ASSESSMENT

The lands that make up this property consist of a duplex residency with a small upland backyard that is separated from the beach/marsh area by a concrete wall. The likelihood that cultural resources exist in this area is low and impacts to cultural resources are not expected to occur as a result of this project.

11. PURPOSE AND NEED STATEMENT

The Purpose and Need Statement is to satisfy 404 (b) (1) Guidelines and public interest review (33 CFR 320.4). The purpose of the project is to replace and install portions of an existing community dock to re-establish water access. The need for this project is driven by the fact that

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HAYLER COMMUNITY DOCK

storm damage displaced the original float and ramp precluding access from the fixed dock to the water.

12 . Needs Assessment

Pursuant to The Rules of the Department of Natural Resources, Chapter 391-2-3-.03(6)(c.), Coastal Marshlands Protection, the following information is provided to demonstrate the need for this project.

The specific project need and purpose is defined above. Considering the facility was originally permitted as a single-family dock, and re-construction of the damaged components remains consistent to the original structure, the only reason for applying for a CMPC permit is due to the parcel being a duplex, precluding permit issuance as a single-family dock. Therefore, a traditional needs assessment has not be prepared.



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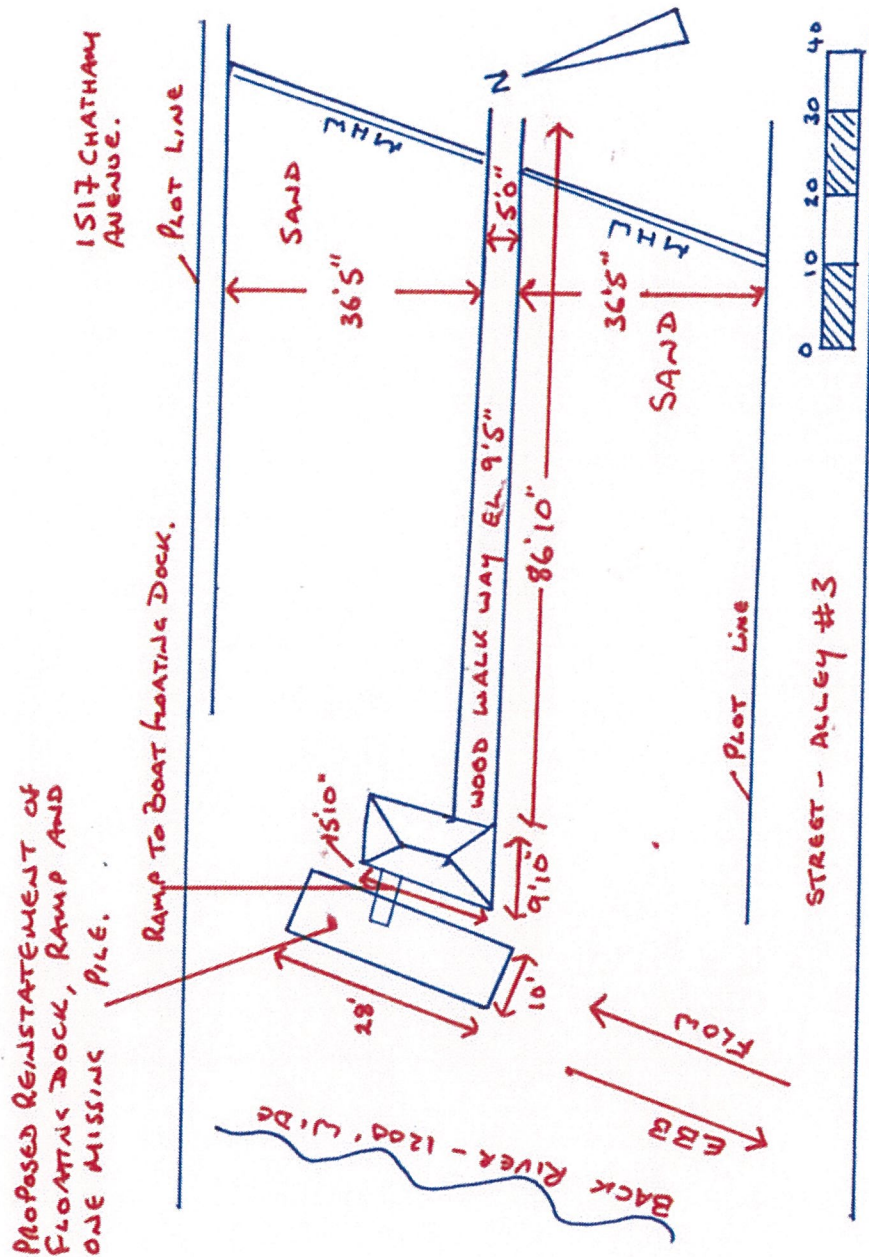
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(904) 470-2112 Fax
www.environmentalservicesinc.com

Project Vicinity

Hayler Tybee Dock

Tybee Island, Chatham County, Georgia

Project:	ES18013.00
Date:	Aug. 2018
Drwn/Chkd:	AMD/MJD
Figure:	1



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Appendix 6

Zoning Letter

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MAYOR
Jason Buelterman

CITY COUNCIL
Barry Brown, Mayor Pro Tem
Wanda Doyle
John Branigin
Jackson Butler
Monty Parks
Julie Livingston



CITY MANAGER
Shawn Gillen

CITY CLERK
Janet LeViner

CITY ATTORNEY
Edward M. Hughes

CITY OF TYBEE ISLAND

October 3, 2018

Re: Hayler Community Dock
5 & 7 Alley 3
Tybee Island, GA 31328

To Whom It May Concern:

Wendy and Mark Hayler of 5 & 7 Alley 3 on Tybee Island are located in the R-2 zoning district. This district allows for docks. The proposed dock replacement is in compliance with the zoning laws of Tybee Island, GA.

Sincerely,

George Shaw
Community Development Director
912-472-5031
gshaw@cityoftybee.org

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MAYOR
Jason Buelterman

CITY COUNCIL
Barry Brown, Mayor Pro Tem
Wanda Doyle
John Branigin
Jackson Butler
Monty Parks
Julie Livingston



CITY MANAGER
Shawn Gillen

CITY CLERK
Janet LeViner

CITY ATTORNEY
Edward M. Hughes

CITY OF TYBEE ISLAND

October 3, 2018

Re: Hayler Community Dock
5 & 7 Alley 3
Tybee Island, GA 31328

To Whom It May Concern:

Wendy and Mark Hayler of 5 & 7 Alley 3 on Tybee Island are located in the R-2 zoning district. This district allows for docks. The proposed dock replacement is in compliance with the zoning laws of Tybee Island, GA. To the best of our knowledge, this project is not located over a landfill or hazardous waste site. This site is suitable for the proposed project.

Sincerely,

George Shaw
Community Development Director
912-472-5031
gshaw@cityoftybee.org

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From: George Shaw <gshaw@cityoftybee.org>

Sent: Thursday, October 4, 2018 8:23 AM

To: Info <info@ESINC.CC>

Subject: Hayler dock

Mr. DeMell,

The email I was given for you did not work so I am sending the letters this way. Please let me know if you need anything else.

George

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ENVIRONMENTAL SERVICES, INC.

101 B Estus Drive
Savannah, GA 31404

Phone 912-236-4711 * Fax 912-236-3668

www.environmentalservicesinc.com

7 September 2018

Mr. George Shaw
Community Development Director/Zoning Administrator
403 Butler Ave
Tybee Island, GA 31328

RE: Hayler Community Dock
Chatham County, Georgia
Landfill / Hazardous Waste Statement

ES18013.00

Dear Mr. Shaw:

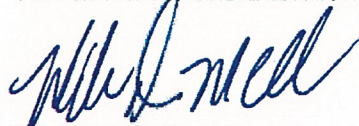
Environmental Services, Inc., as agent for Mark and Wendy Hayler, is submitting a permit application to the Coastal Marshlands Protection Committee (CMPC) and the U.S. Army Corps of Engineers (USACE) permit for the construction of a community dock. Overall, this project anticipates the construction of a gangway and floating dock to supplement the pre-existing wooden walkway that extends into Tybee Creek. This feature will be located along the eastern shore of Tybee Creek, within Tybee Island, in Chatham County, Georgia (See attached Figures 1-3).

As part of the application process, the applicant is required to provide a statement that an inquiry was sent to the appropriate authorities to confirm that the proposed project area is not located over landfill or hazardous waste site(s) and that the site is otherwise suitable for the proposed project.

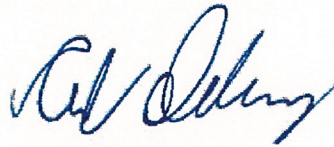
It should be noted that the site has previously been cleared for all necessary permits during the previous dock construction at this location by a different applicant.

At your earliest convenience, please provide written verification that to your knowledge, the proposed project site does not include areas used in waste disposal operations. If you should have any questions or require additional information, please do not hesitate to call. In advance, we thank you for your timely review of this request.

Sincerely yours,
ENVIRONMENTAL SERVICES, INC.



Michael J. DeMell
Sr. Vice President II & Technical Director



Anthony DiCostanzo
Project Scientist

MDJ/ad
ES18013_00/Draft/Letters/Landfill-Haz Waste Let.docx
cc: Mr. Mark Hayler

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Adjacent Land Owners

(Pre-typed address labels are also included in this submittal)

Diane Biron

1517 Chatham Avenue

Tybee Island, GA 31328

City of Tybee Island – Public Boat Ramp

403 Butler Ave

Tybee Island, GA 31328

Appendix 2

Landfill and Municipal Waste Data Tables

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