DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
P.O. BOX 889
SAVANNAH, GEORGIA 31402-0889

REPLY TO
ATTENTION OF:

OCT 12 2005

Regulatory Branch
200501807

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)

Application Number: 200501807

Applicant: Joseph Stanley Wigley
55 Falligant Ave.
Savannah, Georgia 31410

Agent: Boaen Marine Construction
Attention: Lee Boaen
PO Box 1975
Richmond Hill, Georgia 31324

Location of Proposed Work: The proposed dock site is located at latitude 32° 2' 17.87" north and longitude 80° 57' 54.86" west, on the Bull River, adjacent to Brannen Drive, on Talahi Island, near Savannah, in Chatham County, Georgia.

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: To remove an existing dock structure and construct a new, single-family dock for private recreational use. The proposed project would originate at 123 Brannen Drive. An existing dock is presently located at the site, and the proposed dock facility would utilize sections of the existing walkway. The existing main dock (including pile supports) and floating dock would be removed. The proposed dock facility would consist of a 6′ x 150′ walkway connected to a 48′ x 56′ covered, fixed deck. The height of the covered area would not exceed 16′ from the lowest part of the facility decking. Two 13′ x 27′ boat hoists would be constructed within the dimensions of the 48′ x 56′ fixed deck. A 3′ x 30′ aluminum ramp would connect the fixed deck to a 10′ x 36′ floating dock. On the landward side of the fixed deck, an additional 3′ x 24′ aluminum ramp would connect a 10′ x 24′ floating dock to the walkway. The entire project would extend approximately 82′ beyond the mean low water (MLW) line in an area of the Bull River that is approximately 325′ wide at MLW.

BACKGROUND

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

STATE OF GEORGIA

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 Engineer 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.

Essential Fish Habitat (EFH): This notice initiates the EFH consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal could potentially impact a minor amount of water bottoms in the Bull River 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 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.

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.

Endangered Species: Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request from the US Department of the Interior, Fish and Wildlife Service and the US Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, or any other interested party, information 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 US 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 US 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.

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, US Army Corps of Engineers, Savannah District, Attention: Regulatory Branch, P.O. Box 889, Savannah, Georgia 31402-0889, 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 Jeffrey K. King at (912) 652-5133.

Mark J. Padgett
Project Manager, Southern Section

Enclosures

1. Project Vicinity Map
2. Project Location Map
3. Existing Dock Drawing
4. Proposed Dock Drawing