



REPLY TO  
ATTENTION OF

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

DECEMBER 26 2012

Regulatory Division  
SAS-2012-00089

**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).

Application Number: SAS-2012-00089

Applicants: City of Tybee Island  
403 Butler Avenue  
Tybee Island, Georgia, 31328

Michael E. and Karen R. Leonard  
Post Office Box 386  
Tybee Island, Georgia 31328

Agent: Alton Brown  
Resource and Land Consultants  
41 Park of Commerce Way, Suite 303  
Savannah, Georgia 31405

Location of Proposed Work: The project site is located south of U.S. Highway 80 East, at Polk Street (Latitude 32.0179, Longitude -80.8529), on Tybee Island, Chatham County, Georgia.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The applicants propose to perform improvements to a public (City of Tybee Island) road right-of-way and a driveway to a private property owned by Michael and Karen Leonard. The existing road is 8 to 10 feet in width at approximately 4.5 feet mean sea level. The proposed road project would consist of an eight foot wide gravel drive at elevation 7.0 mean sea level, 2.0 feet grassed shoulders on each side of the drive and a 1.5:1 slope off each side, however, please see Figure C5 attached, which shows a stone stabilization on shoulders and slopes with oyster shell composition. Every 100 linear feet, the roadway would have a "french drain" style conduit from one side of the road to the other. For additional information, see the attached "Polk Street Improvements" supplied by the applicant. The opinions, views and or conclusions that are expressed by the applicant in this project narrative do not necessarily reflect those of the U.S. Army Corps of Engineers.

## BACKGROUND

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.

Part of the project area is located within a City of Tybee Island right-of-way (approximately 583' linear feet) and another part is a private access drive (approximately 141 linear feet) owned by Mr. and Mrs. Leonard. Therefore the City of Tybee and Mr. and Mrs. Leonard are joint applicants. The access way currently extends approximately 724 linear feet from US Highway 80 East to an upland hammock where the Leonard residence is located. Due to the existing elevations some of the project area is inundated by tidal waters twice a day. Portions of the impact area contain marsh vegetation and some of the area is unconsolidated water bottom. The proposed work areas located in tidal waters would be jurisdiction pursuant to both Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and/or Section 404 of the Clean Water Act (33 U.S.C. 1344) jurisdiction. A jurisdictional determination is being process for the proposed project area.

## 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, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. 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).

### **U.S. 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 0.25 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: 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 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.

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.

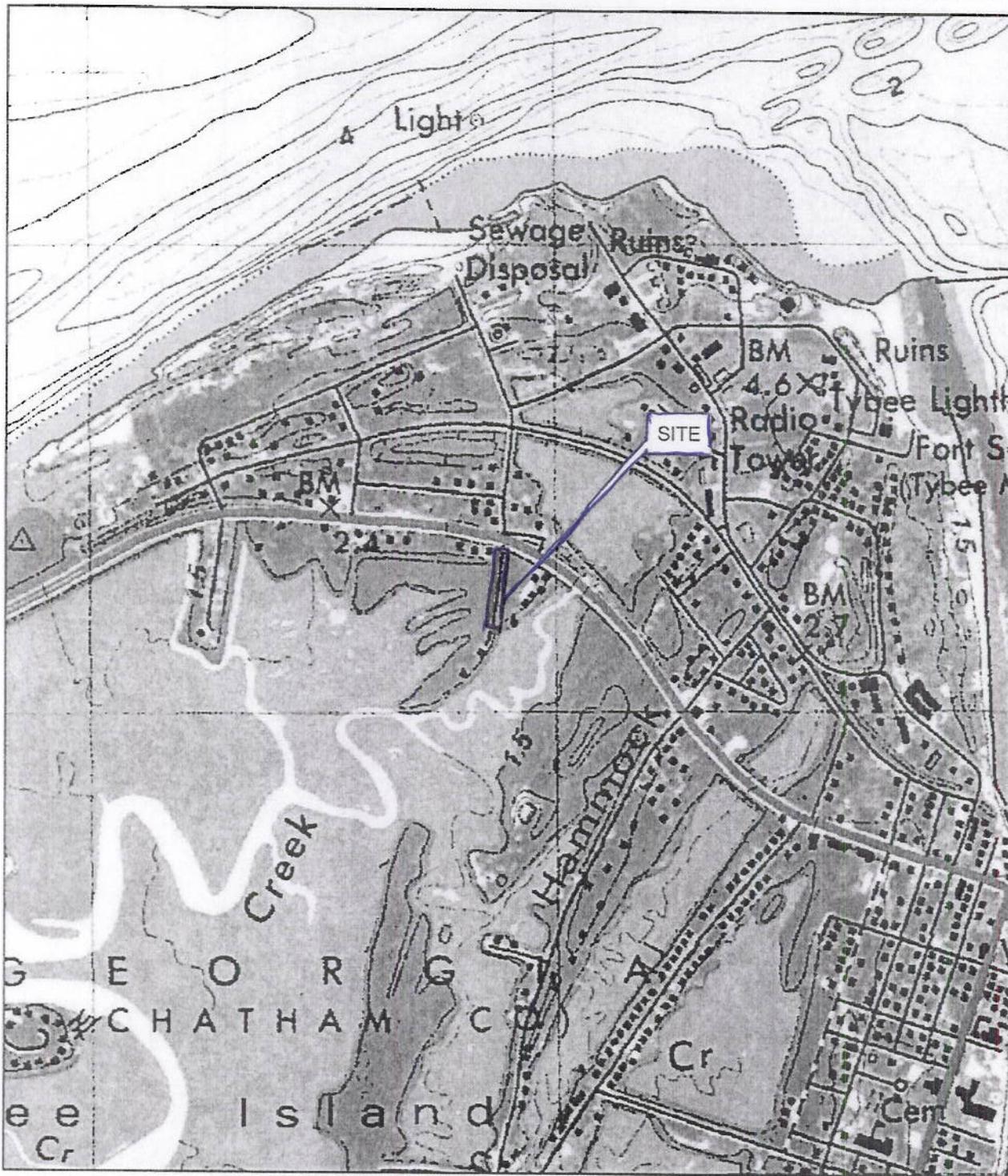
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. 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: Mark J. Padgett, 100 W. Oglethorpe Avenue Savannah, Georgia 31401-3640, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

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

6 Encls

1. Polk Street Location Map, dated October 11, 2011.
2. Polk Street Improvements Project Description, dated September, 2012 (7 pages).
3. Polk Street Alternative Routes, dated August, 2012.
4. Existing Typical Section, dated July 06, 2012.
5. Proposed Typical Section, dated July 06, 2012.
6. Construction drawings C1 through C6, dated July 06, 2012 (6 pages).



 Project Corridor

US GEOLOGICAL SURVEY;  
TYBEE ISLAND NORTH & SOUTH

18 OCTOBER 2011

MAP SCALE : 1 INCH = 500 FEET

PREPARED BY: JB

RLC PROJECT #08-028

POLK STREET  
TYBEE ISLAND,  
CHATHAM COUNTY, GEORGIA

PREPARED FOR:  
THE CITY OF TYBEE & LEONARD FAMILY

**F**

**RLC**

**RESOURCE+LAND  
CONSULTANTS**

41 Park of Commerce Way, Ste. 303  
Savannah, Georgia 31405  
912.443.5896 www.rlandc.com

# Polk Street Improvements

## Tybee Island, Chatham County, Georgia

Project Description  
September 2012

### 1.0 INTRODUCTION:

The City of Tybee and Mr. & Mrs. Michael Leonard are seeking authorization under Section 10 of the Rivers & Harbors Act of 1899 (RHA), Section 401 of the Clean Water Act (401), and the Coastal Marshlands Protection Act of 1970 (CMPA) for impacts to tidal wetlands necessary to facilitate the proposed Polk Street Project. The project corridor is located on Tybee Island, Chatham County, Georgia and extends from Highway 80 south to an existing single family residence (Figure 1). A portion of the existing access or road is located within City of Tybee right-of-way and the remaining road area is owned by Mr. Leonard. For this reason, the City of Tybee and Mr. Leonard are joint applicants. Resource & Land Consultants (RLC) is acting agent for the applicant and Davis Engineering is the consulting engineer.

### 2.0 BACKGROUND & PROJECT PURPOSE:

Polk Street currently extends from Highway 80 south approximately 724 linear feet to the Leonard residence (constructed between 1940 and 1950 according to Tax Assessors Office). Of the 724 linear foot road, approximately 583 linear feet is within City of Tybee right-of-way and 141 linear feet is within property owned by Mr. Leonard. Over time, from tidal action, weather and other causes, portions of the existing roadway are covered by tide water twice daily prohibiting both the City and Mr. Leonard from accessing their existing residence during a high tide. Currently, the Leonard's schedule travel and access to and from their home around tidal events. At low tide, the Leonards drive on the existing road. At high tide and spring high tide, the Leonard's park a vehicle on the shoulder of the road at the intersection of Highway 80 and Polk Street and walk the 724 linear feet to their home.

The overall purpose of the project is to perform road maintenance necessary to provide suitable, safe and improved access for Mr. Leonard as well as City of Tybee emergency and maintenance vehicles. The proposed maintenance will include improvements to approximately 520 linear feet of roadway. The remaining 204 linear feet of gravel road near Highway 80, which is not regularly covered by tide events, will remain in its current condition.

### 3.0 EXISTING SITE CONDITIONS:

The majority of the project corridor consists of a single lane dirt road approximately 8 to 10 feet in width. Tidal marsh is located immediately adjacent to the existing roadway. Due to the existing elevations and the twice daily tide water coverage of the road, the majority of the project corridor, including the existing road, consists of Coastal Marshlands and Section 10 Waters. The roadway falls within upland adjacent to Highway 80 on the northern end of the project corridor and on the southern end of the project corridor where it enters the hammock owned by Mr. Leonard.

Acreage and linear footage of existing roadway includes the following:

Table 1

Existing Conditions	Leonard	City	Total
Non-Jurisdictional Roadway	0.01 ac/47 lf	0.01 ac/50 lf	0.02 ac/97 lf
Jurisdictional Dirt Roadway	0.02 ac/94 lf	0.11 ac/379 lf	0.13 ac/473 lf
Jurisdictional Gravel Roadway	0.0 ac/0 lf	0.05 ac/154 lf	0.05 ac/154 lf
Total Roadway	0.03 ac/141 lf	0.17 ac/583 lf	0.20 ac/724 lf



**4.0 PROPOSED PROJECT:**

The proposed project includes improvement and maintenance of a single lane access road and the road surface width (drivable width) was reduced to the minimum 8 foot wide. The road surface will be constructed of gravel and pervious material. The area associated with the proposed road totals 0.28 acre and requires a 0.07 acre increase in footprint within jurisdictional area. The new road will contain an eight foot wide drive at elevation 7.0, 2.0 foot grassed shoulders on each side of the drive and slopes of 1.5:1. The driveway shoulders and slopes will be stabilized with stone or stone/oyster shell mixture as the fill is placed. During construction and until road maintenance is completed, the end section will be sloped at 10:1 and a light 1.5 to 2 inch covering of stone applied at the end of each day. Because the existing and improved road does not create an isolated marsh area (tidewater flows from Chimney Creek on each side of the road and island), raising of this roadway will not result in flow or hydrology impacts to adjacent marsh areas. However, every 100 feet, the roadway will consist of #57 limestone full depth for a length of 1 foot to create a "french drain" style conduit from one side of the road to the other. Following completion of the project, Polk Street will be restored to a safe, functioning, maintainable and usable single lane roadway.

A summary of impacts associated with the proposed road improvement project is as follows:

	Existing (ac)	Proposed (ac)	Net Increase/Impact (ac)
Road Foot Print Within Jurisdiction (Leonard Property)	0.02	0.04	0.02
Road Foot Print Within Jurisdiction (City Property)	0.16	0.21	0.05
<b>Total</b>	<b>0.18</b>	<b>0.25</b>	<b>0.07</b>

**4.1 Marshlands & Upland Component**

As defined by the Georgia Department of Natural Resources – Coastal Resource Division (GADNR-CRD), the marshlands component of a project means the part of the project in an estuarine area or any structure on or over an estuarine area requiring a permit under the Coastal Marshlands Protection Act. The upland component is defined as all those service areas, amenities, and recreational areas located inland of the Coastal Marshlands Protection Act (CMPA) jurisdiction line that serve or augment the function of the marshlands component of the project.

For this project, the marshlands component would include the proposed impact areas associated with the road improvements. The upland component would consist of all upland area within the project site.

For CMPA projects, GADNR rules require that pervious surfaces must be maximized and total impervious area minimized in the project area when practicable, with a goal of no more than 15% effective impervious cover, taking into consideration existing structures and available land within the upland component of the project area. The proposed road will consist of a gravel surface and will be 100% pervious exceeding the Percent Effective Imperviousness Goal of 15% established by CRD.

**5.0 BUFFER VARIANCE:**

The proposed project includes maintenance improvements of an existing roadway and required Local Issuing Authority and Environmental Protection Division state waters buffer coordination will be completed.

**6.0 PROJECT JUSTIFICATION:**

Currently, access is not afforded during high tide. Beyond limited access afforded by Mr. & Mrs. Leonard, any emergency event (i.e. health, fire, etc.) cannot be serviced by emergency responders vehicles. The proposed project is necessary to provide a safe, functioning, and usable roadway within the Polk Street right-of-way. The



project will not result in the alteration of any navigable waters, shoaling, creation of areas of stagnant water, or an adverse effect on aquatic life.

#### **7.0 ALTERNATIVE SITES & AVOIDANCE/MINIMIZATION:**

Due to the location of the road destination (existing residence on an island/hammock) and nature of the project (maintenance of an existing roadway), alternative sites or access corridors that required less marsh impacts were not afforded. The only two alternate access corridors would be from Cason Street or Eagles Nest Drive (Figure 2). Both roadways contain developed lots with existing homes adjacent to the roads. Creating a new access road corridor to the Leonard's property would require impacts to existing residences and would require construction of a new road within undisturbed marsh. Specifically construction of a road from Cason Street would require impacts to approximately 293 linear feet (0.17 acre) of undisturbed marsh and would impact private properties at the end of Cason Street. Accessing the site from Eagles Nest Drive would require impacts to approximately 948 linear feet (0.32 acre) of undisturbed marsh and bridging a tidal creek. Because the project includes maintenance to an existing road and alternative routes would require impacts to existing homes and undisturbed marsh, the proposed project was determined to be the only practicable and least damaging alternative.

In addition to alternative sites, the applicant considered opportunities to minimize impacts to jurisdictional area within the project corridor. Several design alternatives which would not require fill within the project corridor were reviewed including installation of a corduroy road and construction of a bridge.

The corduroy road design would include laying piles at grade perpendicular to the roadway and installing decking on top of the piles. Piles would be driven at locations along the corridor in an attempt to hold the corduroy road in place. While this alternative may be suitable for some temporary accesses, this type of road is not designed to provide permanent access and would not be suitable for the proposed project. A corduroy road at this location would rise and fall with the daily tide events. Continual movement of the road with the tide would require constant maintenance to make sure that the road remained in place and passable. Considering the location, proposed use, and temporary nature of this design, this alternative was determined to be unacceptable.

The applicant's also considered construction of a single lane bridge suitable to support the daily vehicular traffic of Mr. & Mrs. Leonard as well as emergency vehicles (fire truck, ambulance, etc.). The estimated cost associated with this alternative is \$2,500/linear foot or \$1,312,500 for the project. In addition, impacts (shading) associated with this alternative would be similar acreage to the proposed design. Because this alternative does not significantly reduce the overall footprint impact and construction costs are 75 times more expensive than the proposed maintenance project, bridging was not a practicable alternative.

Based on the design alternative review, the applicants proposed design is the only practicable alternative to satisfy the overall project purpose. The applicant has avoided and minimized impacts to the greatest extent practicable through the following design:

- The proposed project includes maintenance of a single lane access road rather than construction of a two lane road. Road width was reduced to the minimum 8 foot wide.
- The proposed design incorporates a minimal 2.0 foot grassed shoulders on each side of the drive and slopes of 1.5:1. It should be noted that both timber and gabion bulkhead along the edge of the road rather than 1.5:1 slopes was considered. However, 1040 linear feet of bulkhead would reduce the overall impacts by only 1700-1800 square feet and costs ranged from \$60 per linear foot upward (minimum of \$62,000). For this reason, bulkhead installation was not a practicable alternative.
- The proposed design utilizes the existing road footprint to the maximum extent practicable thereby greatly reducing and avoiding impacts to vegetated marsh.

- The project includes installation of gravel/pervious surface rather than a paved asphalt or concrete impervious surface.

#### **8.0 COMPENSATORY MITIGATION:**

The proposed project includes maintenance of an existing road. While jurisdictional area within the project corridor totals 0.25 acre, 0.18 acre consists of non-vegetated dirt roadway. Because the project will impact 0.07 acre (less than 0.1 acre) of vegetated wetland, no compensatory mitigation is proposed.

#### **9.0 ESSENTIAL FISH HABITAT:**

The proposed project is located within Section 10 and tidal waters, which has been identified as essential fish habitat for the shrimp, red drum, and snapper-grouper complexes and does require a small acreage of impact to essential fish habitat. However, the proposed impact area consists of an existing roadway which has already altered the natural condition of the corridor. Due to the current condition of the site, historic impacts, and nature of the project, any impacts to essential fish habitat will be minor.

#### **10.0 THREATENED AND ENDANGERED SPECIES:**

RLC conducted a threatened and endangered species survey to determine the potential occurrence of animal and plant species (or their preferred habitats) currently listed as threatened or endangered by state and federal regulations [Federal Endangered Species Act of 1973 (16 USC 1531-1543)]. The U.S. Fish and Wildlife Service (USFWS) lists the following plant and animal species as endangered or threatened in Chatham County, Georgia (Appendix E):

##### **PLANTS**

Pondberry (*Lindera melissifolia*)

##### **MAMMALS**

Humpback Whale (*Megaptera novaeanglie*)

Northern Atlantic Right Whale (*Eubalaena glacialis*)

Manatee (*Trichechus manatus*)

##### **BIRDS**

Bachman's Warbler (*Vermivora bachmanii*)

Piping Plover (*Charadrius melodus*)

Red-Cockaded Woodpecker (*Picoides borealis*)

Wood Stork (*Mycteria americana*)

##### **REPTILES**

Eastern Indigo Snake (*Drymarchon corais couperi*)

Green Sea Turtle (*Chelonia mydas*)

Hawksbill Sea Turtle (*Eretmochelys imbricate*)

Kemp's Ridley Sea Turtle (*Lepidochelys kempii*)

Leatherback Sea Turtle (*Dermochelys coriacea*)

Loggerhead Sea Turtle (*Caretta caretta*)

##### **AMPHIBIAN**

Flatwoods Salamander (*Ambystoma cingulatum*)

##### **FISH**

Shortnose Sturgeon (*Acipenser brevirostrum*)

Although the upland area associated with the project does not contain habitat required to support any listed species, the proposed project will require work in tidal waters. Several protected species frequent coastal waters of Georgia, including the Northern Right Whale (*Eubalaena glacialis*), West Indian Manatee (*Trichechus manatus*), five species of sea turtle, and the Shortnose Sturgeon (*Acipenser brevirostrum*). The following provides a brief discussion on the projects potential affect on these species.



#### **10.1 West Indian Manatee**

The proposed road maintenance activities will not occur within a tidal creek or riverine habitat. Thus, the project will not affect this species.

#### **10.2 Northern Right Whale**

The proposed project will improve existing public recreational facilities for Georgia residents. Since the project will not increase operation of vessels in off shore waters, the proposed project will have no impact on the Northern Right Whale.

#### **10.3 Sea Turtles**

The coastal waters near the proposed facilities also harbor several species of sea turtles, including the Loggerhead (*Caretta caretta*), Hawksbill (*Eretmochelys imbricata*), Kemp's ridley (*Lepidochelys kempii*), Green (*Chelonia mydas*) and Leatherback (*Dermochelys coriacea*). The Loggerhead is the only species that routinely nests on Georgia's barrier islands. The other species travel through Georgia waters on their way to tropical nesting locations to the south. Threats to sea turtles have been identified and separated into two categories: threats to nesting environments and threats to the marine environment.

The project consists of maintenance of an existing road and will have no affect on these species.

#### **10.4 Shortnose Sturgeon**

The Shortnose Sturgeon is found in Atlantic seaboard rivers, primarily in Georgia in the Altamaha, Ogeechee, and Savannah Rivers. Threats to the sturgeon include construction of dams, pollution leading to loss of habitat, habitat alterations from discharges, dredging or disposal of material into rivers, related development activities involving estuarine/riverine mudflats and marshes, and past commercial exploitation. Because the project includes improvements to an existing road and will not impact or alter habitat critical to the sturgeon, no impacts to this species are anticipated.

#### **11.0 CULTURAL RESOURCES:**

The project includes improvements to existing roadway. Due to the current condition of the site and proposed activities, no impacts to sites listed or eligible for listing is anticipated. A copy of the NRHP information is provided in Appendix F.

#### **12.0 COMMERCIAL BAIT SHRIMP, OYSTER, AND CRABBING AREAS:**

The proposed project is located in a designated bait shrimp zone according to Georgia Department of Natural Resources *Commercial and Recreational Bait Shrimp Zones, Coastal Georgia* map. The project area is not listed on the *Georgia Harvester Reported Crabbing Areas* list, and the project area is not located in designated commercial or recreational oyster harvest areas.

#### **13.0 IMPAIRED WATERS & WATER QUALITY:**

The project site is not listed on the U.S. Environmental Protection Agency 303(d) list for impaired water bodies (Appendix G). Please note that all activities will be performed in a manner to minimize turbidity in the stream. All work performed during construction will be done in a manner to prevent interference with any legitimate water uses. In addition, best management practices will be implemented during construction activities to avoid any secondary impacts to adjacent tidal wetlands.

#### **14.0 SUPPLEMENTAL INFORMATION:**

This additional information is provided for compliance with Coastal Marshlands Protection Act of 1970 information requirements:

*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 applicants-**

City of Tybee Island  
Diane Schleicher-City Manager  
403 Butler Ave  
Tybee Island, GA 31328

Mr. & Ms. Michael Leonard  
Post Office Box 386  
Tybee Island, Georgia  
31328-0386

- (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-** Please refer to attached drawings produced by Davis Engineering.
- (3) A plat of the area in which the proposed work will take place-** See attached.
- (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-** Deeds for subject property and referenced plat is included in Appendix C.
- (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 for 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-** Adjacent landowner information is provided in Appendix I.
- (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 in violation of any zoning law; See Appendix J.**
- (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. Check for \$500.00 was provided.**
- (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-** Please refer to Section 7.0 for alternative analysis.

- (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 Chatham County, Georgia indicates that the subject property does not contain hazardous waste sites or landfills. A copy is provided in Appendix K.
- (10) *A copy of the water quality certification issued by the department if required for the proposed project-* 401 Water Quality Certification will be required for the proposed project and will be provided to CRD upon receipt from 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 building, land disturbing, and stormwater management permits as required by the City of Tybee, Georgia.
- (12) *Such additional information as is required by the committee to properly evaluate the application-* 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 or obstruct public navigation.
  - (2) *Whether or not unreasonably harmful or increased erosion shoaling of channels, or stagnant areas of water will be created-* The proposed project will not increase erosion, shoaling of channels, or create stagnant areas of water.
  - (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 structure 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.



Google Earth Image (2011)
August 2012
MAP SCALE : NTS
PREPARED BY: AB
RLC PROJECT #08-028

**FIGURE 2**  
**POLK STREET ALTERNATE ROUTES**  
**TYBEE ISLAND, GEORGIA**

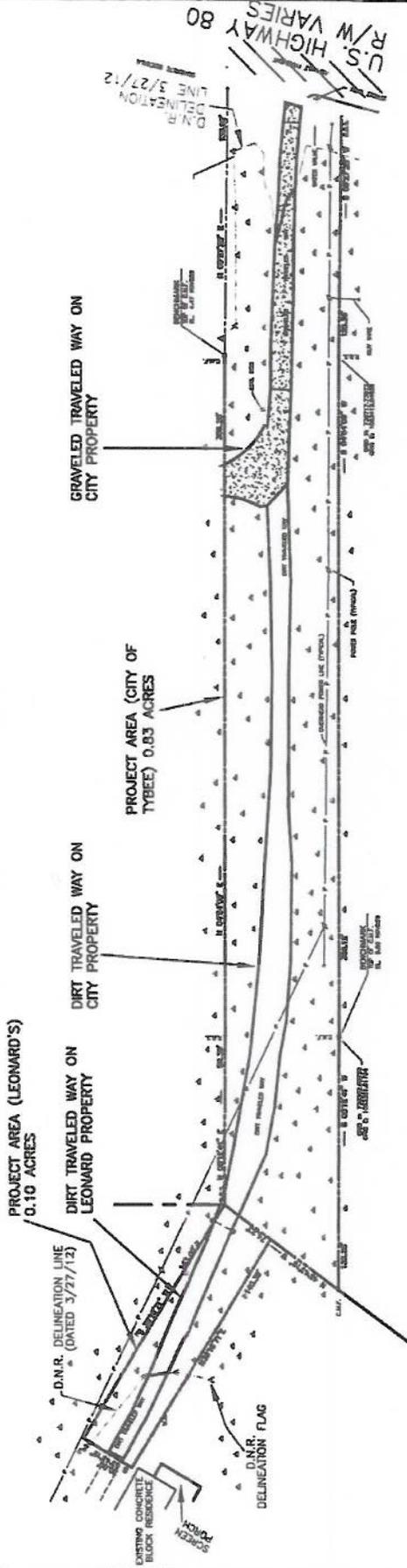
PREPARED FOR:  
 CITY OF TYBEE



	<b>RESOURCE+LAND</b> <b>CONSULTANTS</b>
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- EXISTING CONDITIONS**
- 0.01 ACRES DIRT TRAVELED WAY ON LEONARD PROPERTY NON-JURISDICTIONAL
  - 0.02 ACRES DIRT TRAVELED WAY ON LEONARD PROPERTY JURISDICTIONAL
  - 0.11 ACRES DIRT TRAVELED WAY IN CITY R.O.W. JURISDICTIONAL
  - 0.05 ACRES EXISTING GRAVELED CITY R.O.W. JURISDICTIONAL
  - 0.01 ACRES EXISTING GRAVELED CITY R.O.W. NON-JURISDICTIONAL
  - 0.20 ACRES TOTAL AREA OF EXISTING ROAD



DRAWING INDEX	SHEET NUMBER	DESCRIPTION
P1	EXISTING CONDITIONS	
P2	PROPOSED CONDITIONS	
C1	KEY MAP	
C2	POLK STREET SOUTH 2010 MAINTENANCE	
C3	POLK STREET SOUTH 2010 MAINTENANCE	
C4	POLK STREET SOUTH 2010 MAINTENANCE	
C5	NOTES & DETAILS	
C6	GENERAL NOTES	

THIS SHEET IS ONLY A PORTION OF THE COMPLETE SET OF PLANS. ONLY COMPLETE SETS OF PLANS SHALL BE USED.

REVISED: 07/19/11

REVISED: 10/19/11

<b>POLK STREET SOUTH MAINTENANCE</b>
<b>EXISTING CONDITIONS</b>
A PORTION OF POLK STREET SOUTH OF U.S. HIGHWAY 80, LOCATED IN GARDEN WARD, TYBEE ISLAND, GEORGIA.
FOR <b>THE CITY OF TYBEE ISLAND &amp; MR. &amp; MRS. MICHAEL LEONARD</b>
<b>DAVIS ENGINEERING, INC.</b>
PO BOX 1063 TYBEE ISLAND, GA 31326 PHONE: 912-695-7202 E-MAIL: DENG@DENGMAIL.COM
DRAWN: D.S. & B.B. DESIGN: D.D.
JOB NO: 20607000 DATE: 07-08-12
<b>P1</b>



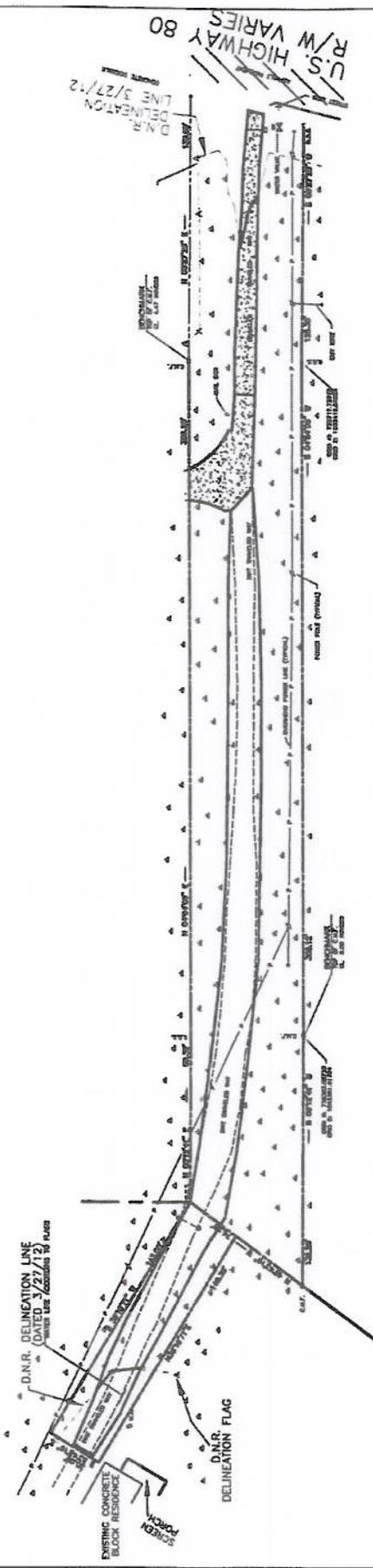
**EXISTING TYPICAL SECTION**  
(nts)



GRAPHIC SCALE

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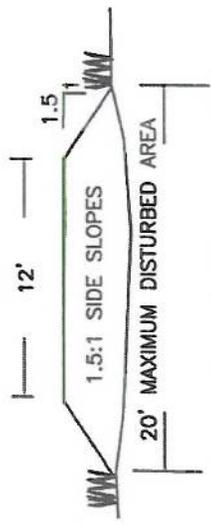
- PROPOSED CONDITIONS**
- 0.02 ACRES DIRT TRAVELED WAY ON LEONARD PROPERTY NON-JURISDICTIONAL
  - 0.04 ACRES DIRT TRAVELED WAY ON LEONARD PROPERTY JURISDICTIONAL
  - 0.16 ACRES PROPOSED GRAVEL WAY IN CITY R.O.W. JURISDICTIONAL
  - 0.05 ACRES EXISTING GRAVELED CITY R.O.W. JURISDICTIONAL
  - 0.01 ACRES EXISTING GRAVELED CITY R.O.W. NON-JURISDICTIONAL
  - 0.28 ACRES TOTAL AREA OF FINAL ROAD



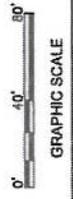
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REVISED: 07/19/12  
REVISED: 10/19/11

<b>POLK STREET SOUTH MAINTENANCE</b>
<b>PROPOSED CONDITIONS</b>
A PORTION OF POLK STREET SOUTH OF U.S. HIGHWAY 80, LOCATED IN GARDEN WARD, TYBEE ISLAND, GEORGIA.
FOR <b>THE CITY OF TYBEE ISLAND &amp; MR. &amp; MRS. MICHAEL LEONARD</b>
<b>DAVIS ENGINEERING, INC.</b>
PO BOX 1663 TYBEE ISLAND, GA 31328 PHONE: 912-895-7282 E-MAIL: DV08USG@GMAIL.COM
DRAWN: D.S. & B.B. DESIGN: D.D.
JOB NO: 20607000 DATE: 07-06-12



**PROPOSED TYPICAL SECTION (nts)**





ARD

LIMITS OF WORK

PORTION OF WOODBINE AVENUE (NOT OPEN)

ALL OF LOTS 19 & 20 & PORTIONS OF LOTS 9, 10 WOODBINE AVENUE, BLOCK 14, GARDEN WARD N/F CHARLES B. KICKLIGHTER D.B. 245R-699 P.R.B. S-80

BENCHMARK TOP OF C.M.F. EL. 4.47 NGVD29

D.N.R. DELINEATION LINE 3/27/12

CONCRETE SIDEWALK

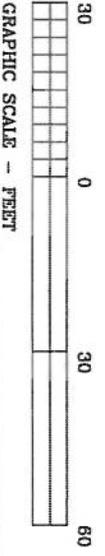
U.S. HIGHWAY 80 R/W VARIES

GRID N: 736717.73872  
GRID E: 1063412.04826

PORTION OF LOT 1  
CASON SUBDIVISION  
N/F LOUISE SASEEN

PORTION OF LOT 1  
CASON SUBDIVISION  
N/F ESTHER D. GUY

PORTION OF LOT 1  
CASON SUBDIVISION  
N/F PATRICIA WHITNEY & B. WILLARD  
D.B. 183Y-477



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**POLK STREET SOUTH MAINTENANCE**

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FOR THE CITY OF TYBEE ISLAND AND MR. & MRS. MICHAEL LEONARD

**DAVIS ENGINEERING, INC.**

PO BOX 1663 TYBEE ISLAND, GA 31328  
PHONE: 912-695-7262 EMAIL: DKDBUS@GMAIL.COM

DRAWN: D.S. & B.B. 07-08-12  
DESIGN: D.O. JOB NO: 20607000

C2

THE SOUTHERN MARSHLAND TRACT  
 OF TYBEE N/F WILLIAM A. DOWELL  
 IF THE PROPERTY

LOT 6  
 BLOCK 17, GARDEN WARD  
 N/F WILLIAM A. DOWELL

GA. GRID NORTH

TOE OF  
 SLOPE  
 (TYP.)

TOE OF  
 SLOPE  
 (TYP.)

TOE OF  
 SLOPE  
 (TYP.)

TOE OF  
 SLOPE  
 (TYP.)

LIMITS OF  
 WORK

2 ROWS TYPE "C"  
 SILT FENCE (TYP.)  
 Sd1-C

88.39' N 04°54'06" E

CENTER LINE OF  
 ENGINEERING AND  
 PROPOSED ROADWAY  
 (TYP.)

POLK STREET SOUTH  
 60' R/W

EDGE OF DRIVE LANE (TYP.)

TOE OF SHOULDER SLOPE (TYP.)

TOE OF DRIVE LANE SLOPE (TYP.)

TOE OF SHOULDER SLOPE (TYP.)

TOE OF DRIVE LANE SLOPE (TYP.)

TOE OF SHOULDER SLOPE (TYP.)

TOE OF DRIVE LANE SLOPE (TYP.)

TOE OF SHOULDER SLOPE (TYP.)

TOE OF DRIVE LANE SLOPE (TYP.)

TOE OF SHOULDER SLOPE (TYP.)

TOE OF DRIVE LANE SLOPE (TYP.)

BENCHMARK  
 TOP OF C.M.F.  
 EL. 5.00 NGVD29

TOE OF SLOPE IS  
 LIMITS OF WORK

PORTION OF LOT 1  
 CASON SUBDIVISION  
 N/F JAMES KELLY KIDD  
 &  
 MAUREEN GALLAGHER  
 D.B. 242H-390

PORTION OF LOT 1  
 CASON SUBDIVISION  
 N/F ROBERT T. GRISSOM  
 &  
 CHARLENE G. GOMEZ  
 D.B. 183J-370

PORTION OF CASON AVE.  
 30' R/W ABANDONED  
 N/F AMES KELLY KIDD &  
 MAUREEN GALLAGHER  
 D.B. 242H-390

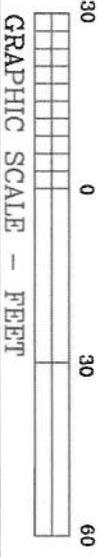
POLK STREET SOUTH MAINTENANCE

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 LOCATED IN GARDEN WARD, TYBEE ISLAND, GEORGIA.

FOR  
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 MR. & MRS. MICHAEL LEONARD

DAVIS ENGINEERING, INC.  
 PO BOX 1663  
 TYBEE ISLAND, GA 31328  
 PHONE: (912) 695-7262  
 EMAIL: DKD@DSE.COM

DRAWN: D.S. & B.B.  
 DESIGN: D.D.  
 07-05-12  
 JOB NO: 20607000



Sheet  
 C3

THIS SHEET IS ONLY A PORTION OF THE COMPLETE SET OF  
 PLANS. ONLY COMPLETE SETS OF PLANS SHALL BE USED.

GA. GRID NORTH

# D.N.R. DELINEATION LINE

(DATED 3/27/12)

WATER LINE ACCORDING TO FLAG

TRANSITION TO NATURAL GRADE 1.5:1 SLOPE (TYP.)

EDGE OF DRIVE LANE (TYP.)

EXISTING CONCRETE BLOCK RESIDENCE

SCREEN PORCH

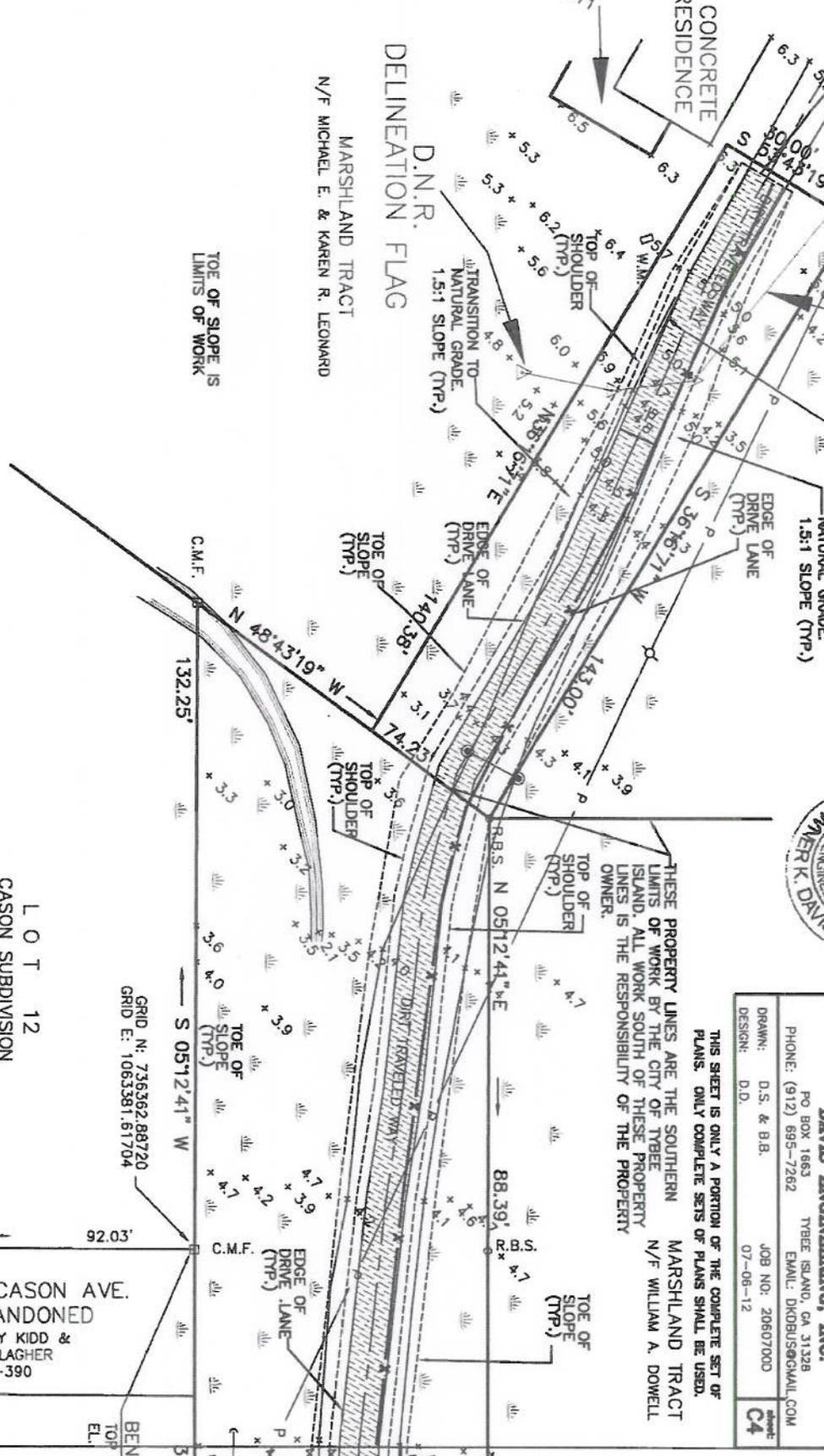
## DELINEATION FLAG

MARSHLAND TRACT  
N/F MICHAEL E. & KAREN R. LEONARD

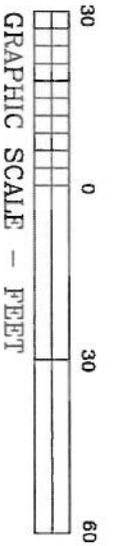


THESE PROPERTY LINES ARE THE SOUTHERN LIMITS OF WORK BY THE CITY OF TYBEE ISLAND. ALL WORK SOUTH OF THESE PROPERTY LINES IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

<b>POLK STREET SOUTH MAINTENANCE</b>	
A PORTION OF POLK STREET SOUTH OF U.S. HIGHWAY 80, LOCATED IN GARDEN WARD, TYBEE ISLAND, GEORGIA.	
FOR THE CITY OF TYBEE ISLAND AND MR. & MRS. MICHAEL LEONARD	
<b>DAVIS ENGINEERING, INC.</b>	
PO BOX 1663	TYBEE ISLAND, GA 31328
PHONE: (912) 695-7262	E-MAIL: DKD@DUSGMAIL.COM
DRAWN: D.S. & B.B.	JOB NO: 20607000
DESIGN: D.D.	07-06-12
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C4	



TOE OF SLOPE IS LIMITS OF WORK



LOT 12  
CASON SUBDIVISION  
N/F JAMES KELLY KIDD  
&  
MAUREEN GALLAGHER  
D.B. 242H-390

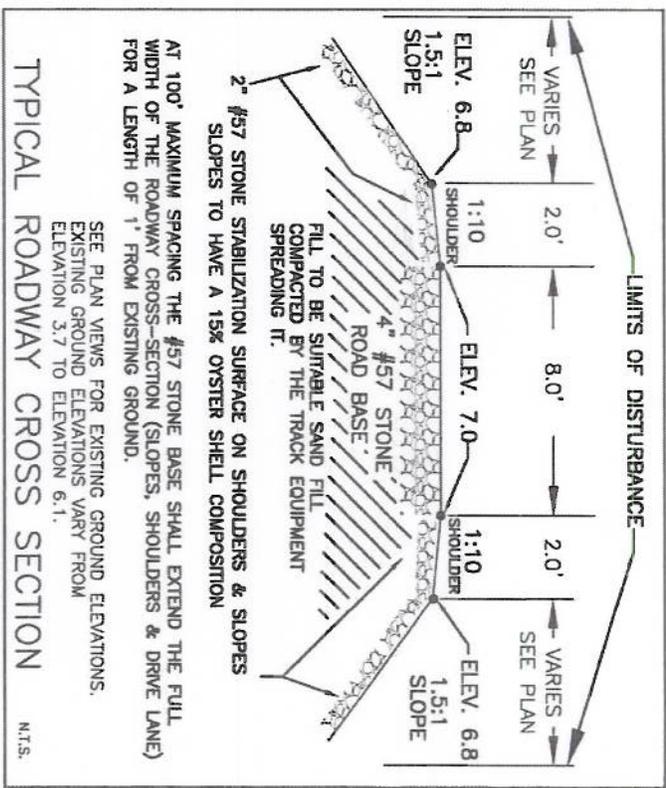
PORTION OF CASON AVE.  
30' R/W ABANDONED  
N/F AMES KELLY KIDD &  
MAUREEN GALLAGHER  
D.B. 242H-390

GRID N: 735362.88720  
GRID E: 1065381.61704

BENCH  
TOP C  
FL. 5

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**STABILIZATION & EROSION CONTROL:**  
 STABILIZATION WILL BE BY THE STONE SURFACES. THERE ARE NO VEGETATIVE STABILIZATION METHODS PROPOSED. WORK WILL PROGRESS WITH THE SEQUENTIAL PLACEMENT OF STONE AS THE FILL REACHES THE SUBGRADE HEIGHT. NO MORE THAN 50 LINEAR FEET OF FILL CAN BE EXPOSED AT ANY TIME AND NO MORE THAN 20' AT THE END OF THE DAY. AT THE END OF EACH WORKDAY EITHER THE UNFINISHED SURFACES ARE TO RECEIVE A 2" LAYER OF #57 STONE (TO REMAIN IN PLACE) OR 2 ROWS OF TYPE "C" SILT FENCE MAY BE PLACED AROUND THE UNFINISHED ROAD SECTION. THE SLOPES WILL BE A COMPOSITION OF 90% #57 STONE & 10% OYSTER SHELL



520 LF PROPOSED GRAVEL ROADWAY  
 @1.25 CY/LF = 650 CY PROPOSED FILL

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**DETAILS**

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FOR  
**THE CITY OF TYBEE ISLAND AND MR. & MRS. MICHAEL LEONARD**

**DAVIS ENGINEERING, INC.**

PO BOX 1663 TYBEE ISLAND, GA 31328  
 PHONE: (912) 695-7262 EMAIL: DKB@DSEMAIL.COM



DRAWN: D.S. & B.B. 07-06-12  
 DESIGN: D.L. JOB NO. 2000700

**CS**

