

**JOINT MEETING OF THE
COASTAL MARSHLANDS and SHORE PROTECTION COMMITTEE**

Friday, March 18, 2022

9:30 a.m.

**Georgia DNR Coastal Regional Office
Susan Shipman Environmental Learning Center
One Conservation Way
Brunswick, Georgia**

Debbie Gilbert, RPR, Certified Court Reporter, B-515

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APPEARANCES

COMMITTEE MEMBERS PRESENT:

**MARK WILLIAMS, Chairman
BRAD BROOKSHIRE
DR. VALERIE HEPBURN
DAVIS POOLE**

COASTAL RESOURCES STAFF PRESENT:

**MR. DOUG HAYMANS
MR. KARL BURGESS
MS. JILL ANDREWS
MR. JOSH NOBLE
MS. DEB BARREIRO**

ALSO PRESENT:

**MS. ANDREA HARTUNG (Videoconference)
Deputy Attorney General

MS. ROBIN LEIGH (Videoconference)
Assistant Attorney General 2**

PROCEEDINGS

* * *

CHAIRMAN WILLIAMS: I'd like to call the meeting to order and welcome everyone pretty much today. So y'all behave over there.

Like to thank David Brady for being in attendance with us today for our law enforcement division and also thank Debbie for being your court reporter today. Thank you.

First I would like to introduce Dr. Valerie Hepburn. She's got a long resume so I want to read a little bit of this. She's a long-time friend of mine since the days that I was in the legislature, but I would like to read a little bit about Valerie.

She's a resident of St. Simons Island. She retired in 2016 following over four decades as an academic, executive and non-profit roles specializing in public policy, research, financing and regulations.

She continues to serve as a policy adviser to the University of Georgia -- I say "Go Dawgs" -- as well as provide strategic planning and policy guidance to public sector and non-profit organizations.

1 Dr. Hepburn has held numerous leadership
2 positions in state government including visiting
3 professor of public policy at the University of
4 Georgia, the president and professor of public
5 policy at College of Coastal Georgia, division
6 director of state health planning at the
7 Department of Community Health and the chief
8 administrative officer and director of
9 government relations at the Office of Secretary
10 of State. I didn't know that.

11 COMMITTEE MEMBER HEPBURN: Uh-huh.

12 CHAIRMAN WILLIAMS: Wow. She holds a
13 bachelor of arts in political science from Agnes
14 Scott and master's of public administration from
15 Georgia State University and a PhD in public
16 policy and administration from the University of
17 Georgia.

18 Dr. Hepburn is a trustee and member of
19 several non-profit volunteer organizations and
20 has received many awards in recognition of that
21 service, and we just, Dr. Hepburn, that is an
22 impressive résumé. We welcome you aboard.
23 You've done a lot in 35 years.

24 COMMITTEE MEMBER HEPBURN: I can't keep a
25 job apparently.

1 CHAIRMAN WILLIAMS: Well, we appreciate
2 your service and we look forward to you serving
3 on the board and thanks again for being here
4 today and agreeing to serve.

5 At this time, the final -- the order for
6 the meeting is stated on the final agenda.
7 Today we have one project, a Coastal Marshlands
8 Protection Act application, "Coastal Marshlands
9 Protection Act, Chatham County Department of
10 Engineering, Construction and Maintenance of
11 Infrastructure and Improvements to an Existing
12 County Road, Walthour Road, Betz Creek, Chatham
13 County, Georgia."

14 At this time I would ask for a motion to
15 approve the November the 19th, 2021 meeting
16 minutes.

17 COMMITTEE MEMBER POOLE: Make a motion we
18 approve.

19 CHAIRMAN WILLIAMS: Have a motion. Is
20 there a second?

21 COMMITTEE MEMBER BROOKSHIRE: Second.

22 CHAIRMAN WILLIAMS: Second. Is there any
23 discussion. All in favor say aye.

24 SPEAKERS: Aye.

25 CHAIRMAN WILLIAMS: Any opposed? Minutes

1 passed.

2 First up, I call on Deb Barreiro -- I love
3 saying that name -- to introduce the project.

4 MS. BARREIRO: Thank you.

5 CHAIRMAN WILLIAMS: Let me back up. I
6 also want to thank Robin Leigh from the AG's
7 office from being on the teleconference with us.
8 Thank you, Robin. We see you.

9 MS. LEIGH: Thank you, and I've got Andrea
10 from our office on as well.

11 CHAIRMAN WILLIAMS: Thank you, Andrea.

12 MS. ANDREWS: Diana, on the Zoom, can you
13 share the screen?

14 MS. PATRICK: There we are, sorry. All
15 right.

16 SPEAKER: Bottom right.

17 MS. ANDREWS: Nope.

18 MS. PATRICK: Sorry.

19 MS. ANDREWS: Go up, right there. There
20 we go.

21 MR. HAYMANS: That's interesting.

22 MS. BARREIRO: Our first project today is
23 a project from the Chatham County Department of
24 Engineering. Next slide.

25 MS. PATRICK: Why is it not working?

1 MS. BARREIRO: There it is. The project
2 is located on Wilmington Island. It is utilized
3 by residents of the surrounding subdivisions and
4 it's primarily a commuter route for residents of
5 the area. The existing causeway consists of two
6 ten-foot travel lanes with grass shoulders. The
7 applicant is conducting improvements to the
8 existing public roadway and is proposing
9 activities to stabilize the road, improve
10 drainage and enhance public safety. Next.

11 The project corridor extends approximately
12 0.17 miles from the terminus of the existing
13 bridge over Betz Creek and south along the
14 Walthour causeway.

15 The proposed project includes construction
16 and maintenance of concrete bulkhead with
17 associated riprap toe; the installation of a
18 pedestrian sidewalk, curb and gutter system and
19 guardrails; and drainage improvements; and
20 riprap matting.

21 The public notice for the Coastal
22 Marshlands Protection Committee ran from
23 February 5th, 2022 to March 7th, 2022, and no
24 comments were received. At this time, I'd like
25 turn it over to Brandon Wall, the agent for the

1 project.

2 MR. BRANDON WALL: Thank you, Deb,
3 Commissioner Williams and the committee. It's
4 nice to be here again today. I hope everybody
5 is well.

6 As Deb said, the project is structural and
7 safety improvements to the existing Walthour
8 Road on Wilmington Island. The road is two-lane
9 ten-foot wide lane with grass shoulders.

10 The problem is over the years the tide and
11 storms have eroded the causeway, resulting in
12 insufficient and unsafe shoulder area.

13 As you can see here, Betz Creek is the
14 main culprit where it comes closest to the road
15 on the west side of the road.

16 The proposed project would utilize a
17 combination of riprap, revetment, adding a
18 bulkhead and backfill to stabilize the road for
19 structural stability. The project will also
20 install guardrails, curb and gutter and sidewalk
21 to improve safety for the residents in this
22 area. Next slide, please.

23 On the left side of the road the applicant
24 will install a 270-foot long cast-in-place
25 concrete bulkhead along the shoulder where Betz

1 Creek comes closest to the road.

2 Riprap will be placed at the toe of the
3 wall for added protection. Additional riprap
4 will be placed at a small storm water outfall
5 near the bulkhead.

6 Some backfill is required both behind the
7 wall and to the north and south of it to
8 reconstruct the safe shoulder.

9 On the east side where erosion is present
10 but not as severe, the applicant will restore
11 the shoulder with minor grading and replace the
12 concrete protective mat down for erosion
13 protection.

14 To try to manage the total slope, so it's
15 not undercut by high tide, about 4,000 square
16 feet of impact is required.

17 Total impacts associated with the bulkhead
18 fill and riprap are 8,231 square feet. And the
19 impact associated with the outfall are 53 square
20 feet and the impact associated with the matting
21 are just over 4,000 square feet. Next slide.

22 In total, the project will permanently
23 impact 12,301 square feet of coastal marshlands.
24 In addition to the permanent impacts, some
25 temporary impacts are necessary for minor

1 grading, erosion control measures and temporary
2 access during construction and those impacts
3 total 1,221 square feet.

4 I'll let Deb go over the special
5 conditions, but we appreciate the staff's help
6 with this project and we appreciate the staff's
7 guidance in this process.

8 CHAIRMAN WILLIAMS: Deb, if you'll do the
9 special conditions.

10 MS. BARREIRO: Should the committee
11 determine that the proposed project is in the
12 public interest, the department staff recommends
13 the standard and special conditions that follow.
14 Permittee may be required to provide a
15 restoration plan for any coastal marshlands
16 impacted by temporary activities associated with
17 the permitted project that have not naturally
18 recovered within 12 months of project completion
19 as determined by the department. Permittee may
20 be required to provide post-construction survey.

21 CHAIRMAN WILLIAMS: Thank you. We have no
22 public comments. Questions from the committee?
23 For either the applicant or Deb?

24 COMMITTEE MEMBER POOLE: I just have a
25 question. So given the condition of the roads

1 up there, does this road get flooded on the
2 extreme high tides and king tides?

3 MR. BRANDON WALL: Not to my knowledge. I
4 will let Deb answer that.

5 MS. BARREIRO: I haven't heard that's an
6 issue for this group of people.

7 COMMITTEE MEMBER POOLE: Knowing that the
8 creek comes so close to the road, is it starting
9 to undermine it today or is this a preventative?

10 MR. BRANDON WALL: It's pretty bad on the
11 west side of the road. There's maybe five feet
12 of shoulder in places. The drop right off the
13 pavement, it slopes down pretty hard and then
14 drops down vertically six or seven feet. It's
15 been going on a while. It's a repair for the
16 most part.

17 The matting on the east side is more of a
18 preventive-type activity, though they will
19 restore some erosion that's going on there as
20 well.

21 MS. BARREIRO: The right-of-way on the
22 right-hand side of the podium, it doesn't have a
23 creek coming up adjacent to the road as it does
24 on the west side of the road so the creek has
25 meandered and it's come up much closer to the

1 southbound lane, whereas the northbound lane has
2 a lot of marsh between it and the creek.

3 MR. BRANDON WALL: The picture doesn't
4 really do it justice. Right there where the
5 creek comes closest it's pretty severe.

6 COMMITTEE MEMBER POOLE: Pedestrian
7 walkway, is that an extension of what's already
8 existing on both sides?

9 MR. BRANDON WALL: Yes. So the bridge was
10 replaced five or six years ago, and they
11 incorporated a sidewalk into that, and so it
12 will tie it to that, which is on the west side
13 of the road.

14 COMMITTEE MEMBER POOLE: Thank you.

15 MS. BARREIRO: I was actually out there on
16 Friday to pick up the public notice signs and a
17 guy was walking facing traffic with a walker
18 that just made everybody absolutely pause and
19 everybody wanted to help him but he didn't want
20 any assistance.

21 MR. BRANDON WALL: You should have gotten
22 a picture of that.

23 MS. BARREIRO: I know. I couldn't do it.
24 I couldn't. I was too busy trying to help.

25 CHAIRMAN WILLIAMS: Any questions from

1 the committee? Dr. Hepburn.

2 COMMITTEE MEMBER HEPBURN: Quick question,
3 do you have a sense about how long you plan for
4 this to last? Are we going to see you in five
5 years again?

6 MR. BRANDON WALL: No, they are ready to
7 go to construction. They have to do some local
8 stuff and the permitting -- this permit is
9 required so they can move forward to the next
10 step.

11 COMMITTEE MEMBER HEPBURN: No, I guess in
12 terms of it being curative.

13 MR. BRANDON WALL: No, it's curative.
14 It's a cure-all.

15 COMMITTEE MEMBER HEPBURN: A long-term
16 fix.

17 MR. BRANDON WALL: Yes, ma'am.

18 CHAIRMAN WILLIAMS: Thank you, further
19 questions? Hearing none, the chair will
20 entertain a motion.

21 COMMITTEE MEMBER POOLE: I make a motion
22 to approve.

23 CHAIRMAN WILLIAMS: Have a motion to
24 approve from Mr. Poole.

25 COMMITTEE MEMBER BROOKSHIRE: Second.

1 CHAIRMAN WILLIAMS: Have a second from Mr.
2 Brookshire. Any further discussion? Hearing
3 none, all in favor say aye.

4 SPEAKERS: Aye.

5 CHAIRMAN WILLIAMS: Any opposed? Motion
6 carries unanimously. Thank you, Brandon. The
7 only other piece of business we got is our
8 annual water bottoms lease adjustment rate per
9 DNR Rule 391-2-3.04, and I will call on Josh to
10 present the resolution.

11 MR. NOBLE: Thank you, Commissioner. This
12 is an annual resolution presented to the
13 committee for consideration.

14 The 2022, 2022 rate was \$1,177.52. We
15 requested assistance, and as always, Dr. Don
16 Matthews, professor of economics over at the
17 College of Coastal Georgia, was kind enough to
18 assist us with this calculation for the Consumer
19 Price Index change. That amount for 2023 is
20 \$1,204.11.

21 MR. HAYMANS: So we have different numbers
22 on the resolution in front of us.

23 MR. NOBLE: You have what?

24 CHAIRMAN WILLIAMS: We've got 1290.34.

25 MR. NOBLE: That is not what I'm looking

1 at.

2 MS. PATRICK: Uh-oh, did I mess up?

3 MR. NOBLE: Diana, do you have access to
4 the M drive out here, or do you have the copy we
5 made on the thumb drive?

6 MS. PATRICK: Yeah, it's --

7 MR. NOBLE: If you could pull that up on
8 the screen. That would be the one --

9 MS. PATRICK: That's the one I just had
10 pulled up.

11 MS. ANDREWS: Amanda is here.

12 MR. NOBLE: So the previous amount is
13 \$1,223.62 and the current would be for '23 would
14 be 1,290.34.

15 CHAIRMAN WILLIAMS: Why don't you say that
16 for the record, correct your amount?

17 MR. NOBLE: Okay, so let's start over. So
18 the 2022 annual water bottoms lease rate was
19 \$1,223.62. The 2023 rate will be \$1,290.34.
20 That's based on the change in the Consumer Price
21 Index.

22 CHAIRMAN WILLIAMS: Thank you, Josh. Any
23 questions of Josh?

24 COMMITTEE MEMBER POOLE: I have one
25 question? Do we have to have this certified by

1 accountants or is this --

2 MR. NOBLE: Dr. Don Matthews, he's a PhD,
3 has a PhD in economics, and certifies this for
4 us annually.

5 COMMITTEE MEMBER POOLE: Thank you.

6 CHAIRMAN WILLIAMS: Hearing no further
7 questions, the chair will entertain a motion on
8 the resolution.

9 COMMITTEE MEMBER HEPBURN: I move the
10 resolution's approval.

11 CHAIRMAN WILLIAMS: We have a motion by
12 Dr. Hepburn.

13 COMMITTEE MEMBER BROOKSHIRE: Second.

14 CHAIRMAN WILLIAMS: Second from Mr.
15 Brookshire. Any further discussion? All in
16 favor say aye?

17 SPEAKERS: Aye.

18 CHAIRMAN WILLIAMS: Any opposed. Motion
19 carries unanimously. Seeing no further business
20 before the committee -- this was short and
21 sweet -- but thank everybody for their
22 attendance and meeting is adjourned.

23 (Hearing concluded at 9:47 a.m.)
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1 CERTIFICATE OF COURT REPORTER

2
3 STATE OF GEORGIA:

4 COUNTY OF GLYNN:

5
6 I hereby certify that the foregoing transcript
7 was reported as stated in the caption and the
8 questions and answers thereto were reduced to writing
9 by me; that the foregoing 16 pages represent a true,
10 correct, and complete transcript of the evidence
11 given on Friday, March 18, 2022.12 I certify that I am not disqualified for a
13 relationship of interest under O.C.G.A. 9-11-28(c); I
14 am a Georgia Certified Court Reporter here as an
15 employee of Gilbert & Jones, Inc. who was contacted
16 by Diana Patrick with DNR to provide court reporting
17 services for the proceedings; I will not be taking
18 these proceedings under any contract that is
19 prohibited by O.C.G.A. 15-14-37(a) and (b) or
20 Article 7.C. of the Rules and Regulations of the
21 Board; and by the attached disclosure form I confirm
22 that neither I nor Gilbert & Jones, Inc. are a party
23 to a contract prohibited by O.C.G.A. 15-14-37(a) and
24 (b) or Article 7.C. of the Rules and Regulations of
25 the Board.

This the 22nd day of March 2022.



20
21 DEBBIE GILBERT, CERTIFIED COURT
22 REPORTER, B-515
23
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1 DISCLOSURE OF NO CONTRACT
2

3 I, Debbie Gilbert, do hereby disclose pursuant
4 to Article 10.B of the Rules and Regulations of the
5 Board of Court Reporting of the Judicial Council of
6 Georgia that Gilbert & Jones, Inc. was contacted by
7 Diana Patrick with DNR to provide court reporting
8 services for these proceedings and there is no
9 contract that is prohibited by O.C.G.A. 15-14-37(a)
10 and (b) or Article 7.C. of the Rules and Regulations
11 of the Board for the taking of these proceedings.
12 There is no contract to provide reporting services
13 between Gilbert & Jones, Inc. or any person with whom
14 Gilbert & Jones, Inc. has a principal and agency
15 relationship nor any attorney at law in this action,
16 party to this action, party having a financial
17 interest in this action, or agent for an attorney at
18 law in this action, party to this action, or party
19 having a financial interest in this action. Any and
20 all financial arrangements beyond our usual and
21 customary rates have been disclosed and offered to
22 all parties.

23 This the 22nd day of March 2022.



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Debbie Gilbert, FIRM
REPRESENTATIVE
Gilbert & Jones, Inc.