



COASTAL RESOURCES DIVISION
ONE CONSERVATION WAY · BRUNSWICK, GA 31520 · 912-264-7218

WALTER RABON
COMMISSIONER

DOUG HAYMANS
DIRECTOR

COASTAL MARSHLANDS PROTECTION ACT STAFF'S FINDINGS & RECOMMENDATIONS

May 15, 2026

TO: Coastal Marshlands Protection Committee:
Commissioner Walter Rabon, Chairman
Mr. Brad Brookshire
Mr. Davis Poole
Dr. Valerie Hepburn
Mr. Bart Gobeil

FROM: Department Staff to the Committee

APPLICANT: Keith Danos
Cumberland Harbour Property Owners Association
354 Spinnaker Drive
St. Marys, GA 31558

AGENT: Matt Goodrich
Water Environmental Consultants
P.O. Box 2221
Mt. Pleasant, SC 29465

LOCATION: South Point Park, Cumberland Harbour Subdivision, Point Peter Creek, St. Marys, Camden County, Georgia

PROJECT: The proposed project is to construct and maintain a bank stabilization project.

ARMY CORPS NUMBER: SAS-2025-00528

APPLICABLE LAW: O.C.G.A. §12-5-280 *et seq.*, as amended, Coastal Marshlands Protection Act (CMPA) of 1970.

SUMMARY OF PUBLIC COMMENTS: The Public Notice of the Coastal Marshlands Protection Committee (CMPC) ran from March 25, 2026 to April 24, 2026. No comments were received during the public notice period.

FINDINGS: Department Staff to the CMPC make the following findings regarding this application:

Project Scope and Justification: O.C.G.A. § 12-5-286(b): O.C.G.A § 12-5-286 (b) (8) requires a discussion of why the permit should be granted.

1. South Point Park is comprised of 4 lots totaling 4.16 acres within the Cumberland Harbour subdivision. The property serves as a recreational area for property owners within the community. The three lots adjacent to Point Peter Creek have active shoreline erosion.
2. The marshlands component of the proposed project consists of constructing and maintaining a 244 linear foot bank stabilization project.
3. The bank of the creek will require minimal grading to establish a 5H:1V slope. The newly sloped bank will begin immediately seaward of the CMPA jurisdiction line.
4. Once the slope is established the shoreline will be stabilized with 11,844sq.ft. (218cu.yds.) of Articulated Concrete Block (ACB) mats installed on top of a layer of crushed stone (218cu.yds).
5. The ACB mats are approximately 8ft. wide and will range from 35ft. – 60ft. long.
6. No toe protection is proposed, as it is expected that the gradual slope combined with gravity and friction will be sufficient to keep the mats in the intended location.
7. Once the ACB mats are installed, a total of 357sq.ft. (26cu.yds) of recycled concrete flank protection will be installed on the north and south ends of the ACB mats to prevent scouring.
8. Topsoil will be placed in the openings of the ACB mats to facilitate native plantings. *Spartina alterniflora* will be replanted throughout the shoreline between elevations ranging from -1.5ft to 4.0ft. NAVD88.
9. A variety of high marsh and salt tolerant species will be planted above 4.0ft. NAVD88.
10. The project will extend approximately 15ft. beyond Mean Low Water (MLW) at a point where the waterway is approximately 175ft. wide.
11. Total impacts to coastal marshlands for the proposed bank stabilization project are 12,201sq.ft. (0.28 acre) and will include 244cu.yds. of fill.

O.C.G.A. § 12-5-286 (b) (8) requires a discussion of why the permit should be granted.

12. The shoreline is experiencing significant erosion and needs stabilization to prevent further loss of upland property.

Application Form, Applicant Name and Address, Project Plans, Plat, Deed or other instrument, Written permission to carry out project by owner of land, O.C.G.A. § 12-5-286(b)(1-4):

13. Applicant has submitted the application form, name and address, project plans, plats, and deed.

Adjoining Landowners, Non-refundable application fee, O.C.G.A. § 12-5-286 (b)(5,7):

14. Applicant has submitted names and addresses of adjoining property owners as well as the non-refundable application fee.

Local Government Zoning, O.C.G.A. § 12-5-286(b)(6):

15. A letter was received from City of St. Marys Community Development Office stating that the project is not violative of local zoning laws. The letter is not conditioned.

Alternative Sites Description and Feasibility 12-5-286 (b)(8):

16. There are no feasible alternative sites for the project, because the erosion is localized to the subject property.

Landfill, Hazardous Waste Inquiry, O.C.G.A. § 12-5-286(b)(9):

17. Applicant has reviewed the Hazardous Site Index maintained by Georgia Environmental Protection Division. There are no landfills or hazardous waste sites near the proposed project location.

Water Quality Certification, O.C.G.A. § 12-5-286(b)(10):

18. Water Quality Certification has been issued in conjunction with Nationwide Permit #13.

Adherence to Erosion and Sediment Control Responsibilities, O.C.G.A. § 12-5-286 (b)(11):

19. Applicant has stated the intention to adhere to soil and erosion control responsibilities.

Notification of Proposed Project, O.C.G.A. § 12-5-286(d)(e):

20. Adjacent property owners and interested parties who have requested to be placed on the mailing list were notified in writing of the proposed project. The public notice of the Coastal Marshlands Protection Committee (CMPC) ran from March 25, 2026, to April 24, 2026. No comments were received during the public notice period.

Public Interest Considerations, O.C.G.A. § 12-5-286(g):

21. In passing upon application for a permit, the CMPC shall consider the public interest.

- a) **The design of the project is such that no 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 construction of the proposed bank stabilization should not impede the navigability of Point Peter Creek. The project will extend approximately 15ft. beyond MLW at a point where the waterway is approximately 175ft. wide. The applicant contends that the extent of the project is a significant and safe distance to the navigable portion of the channel. Therefore, there will be no unreasonably harmful obstruction to or alteration of the natural flow of navigable waters as a result of the proposed project.
- b) **The design of the project is such that no unreasonably harmful or increased erosion, shoaling of the channels, or stagnant areas of water will be created.** The implementation of the bank stabilization is specifically designed to prevent erosion, minimize shoaling, and maintain natural water movement without causing harmful alterations. The addition of native plants to the ACB mats will further reduce the possibilities of erosion, shoaling, and stagnant areas being created.
- c) **The proposal will not unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, and clams or any marine life or wildlife or other natural resources including but not limited to water and oxygen supply.** The proposed bank stabilization project includes native plantings within the ACB mats and is designed to coexist with the surrounding natural environment and will not unreasonably interfere with the conservation of marine life, wildlife, or critical natural resources such as water and oxygen supply. The West Indian Manatee is an endangered and federally protected species and is known to frequent Georgia's coastal waters.

Leasing of state owned marshland or water bottoms, O.C.G.A. § 12-5-287:

22. The proposed project does not require a water bottoms lease.

Restriction on granting of permits; size restriction; activities and structures considered contrary to the public interest, O.C.G.A. § 12-5-288 (a) and (b):

23. The proposed project is for the construction and maintenance of a new bank stabilization project. The project cannot be satisfied by use of an alternative non-marshland site.

Determining Project Boundaries, Rule 391-2-3-.02(3):

24. The marshlands component consists of the construction and maintenance of a bank stabilization project. As proposed, the project will permanently impact 12,201sq.ft. (0.28 acre) and will include 244 cubic yards of fill.

25. The project does not have an upland component as it does not qualify under 391-2-3-.02, Regulation of Upland Component of a Project.

RECOMMENDATION: Should the Committee determine that the proposed project is in the public interest, Department staff recommends the following STANDARD and SPECIAL conditions:

COASTAL MARSHLANDS PROTECTION ACT STANDARD CONDITIONS

1. The project must comply, as applicable, for areas permitted herein, with all other federal, state, and local statutes, ordinances, and regulations and the applicant must obtain all licenses and permits prior to commencement of construction.
2. This permit does not resolve actual or potential disputes regarding ownership of, rights in or over the property upon which the subject project is proposed, and shall not be construed as recognizing or denying any such rights or interests.
3. All plans, documents and materials contained in this permit application, required by Coastal Marshlands Protection Act of 1970, as amended O.C.G.A. § 12-5-280 et seq. are a part of this permit and conformance to such plans, documents, and materials are a condition of this permit. No change or deviation from these plans, documents, and materials shall be permitted without prior notification and approval by the Department or CMPC.
4. No further encroachment or construction shall take place within state jurisdiction, except as permitted by the CMPC. Any modification of the plans or structure in the jurisdictional area must be reviewed and approved by the Department or the CMPC, as necessary, prior to construction.
5. No construction or alteration of a project may commence until the expiration of 30 days following the date on which the application is approved; provided however that if a timely appeal is filed, no construction or alteration may commence until all administrative and judicial proceedings are terminated.
6. The permit must be posted onsite within 24 hours of beginning construction.
7. A copy of these and all permit conditions must be supplied to the person in charge of construction. All contractors and subcontractors are responsible for strict adherence to all permit conditions.
8. All Best Management Practices (BMPs) should be used to prevent any erosion and sedimentation at the site. No unauthorized equipment, materials, or debris may be placed in, disposed of, or stored in jurisdictional areas. Any visible alterations in the marsh topography will be restored immediately using low-impact hand tools. Any damage to the marsh vegetation that has not recovered naturally during the next growing season will be repaired by a method acceptable to the Department.

9. If the permitted improvements are damaged, fall into disrepair, become dilapidated, or are not meeting their expected usefulness and are not maintained at a serviceable level, it is the responsibility of the owner to remove the improvements. A new permit will be required to retain and repair the structure, improvement, or asset if it loses its structural integrity and is no longer serviceable.
10. The CMPC is not bound in the future to protect any improvement or asset authorized by the permit.

SPECIAL CONDITIONS

1. Permittee may be required to provide a post-construction survey to the Georgia Department of Natural Resources, Coastal Resources Division upon completion of the permitted activity. Such survey shall comply with the Georgia Plat Act O.C.G.A. 15-6-67 *et seq.*
2. No dredging is permitted in association with the project.
3. The permittee must install manatee awareness signage during construction of the project and adhere to standard manatee conditions and procedures for aquatic construction as approved by the Savannah District Office of the US Army Corps of Engineers, US Fish and Wildlife Service, and the Georgia Department of Natural Resources.