



DEPARTMENT OF NATURAL RESOURCES
COASTAL RESOURCES DIVISION
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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: HGB Properties, LLC
c/o Fred F. Hassan
8003 James Island Road
Jacksonville, FL 32256

AGENT: Daniel H. Bucey
Resource and Land Consultants
41 Park of Commerce Drive, Suite 101
Savannah, GA 31405

LOCATION: 23 Elsa Drive, River Dock Homes Subdivision, South Brunswick River,
Glynn County, Georgia.

PROJECT: The proposed project is for the construction and maintenance of a private marina to serve a residential development of up to 28 single-family homes known as River Dock Homes Subdivision.

ARMY CORPS NUMBER: SAS-2022-00223

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

SUMMARY OF PUBLIC COMMENTS: The Public Notice of the Coastal Marshlands Protection Committee (CMPC) ran from April 3, 2026 to May 2, 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. The applicant is proposing phased construction and maintenance of a private marina to serve a residential development of up to 28 single-family homes known as River Dock Homes subdivision.
2. Currently, there are no existing structures, and the subdivision is undeveloped.
3. The marshlands component of the project is proposed to be constructed in two phases.
4. Phase I of the proposed private marina will include:
 - a. 690ft. x 4.33ft. (2990sq.ft.) walkway extending from the upland to a 20ft. x 20ft. (400sq.ft.) fixed deck.
 - b. Extending seaward from the fixed deck will be a 5ft. x 30ft. (150sq.ft.) gangway leading to an 8ft. x 8ft. (64sq.ft.) gangway landing connected to a 10ft. x 169ft. (1,690sq.ft.) floating dock parallel to the waterway.
 - c. Phase I of the proposed dock facility will extend approximately 77ft. into the waterway at a point where the waterway is approximately 850ft. at Mean Low Water (MLW).
 - d. The fixed terminal end of the dock facility will be constructed 152ft. from the Interstate 95 bridge to the southeast of the proposed structure and 750ft. from the State Route 303 bridge to the northwest of the structure.
 - e. Upon completion, Phase I of the proposed project will impact approximately 5,294sq.ft. (0.12 acre) of coastal marshlands.
5. Phase II of the proposed community marina will proceed once the demand for additional floating dock space is demonstrated and approved by the Department. This will consist of:
 - a. The addition of a 10ft. x 60ft. (600sq.ft.) floating dock extending perpendicularly from the landward float to a 10ft. x 169ft. (1,690sq.ft.) floating dock parallel to the waterway.
 - b. Upon completion of Phase II of the proposed project, the dock facility will extend approximately 147ft. into the waterway at a point where the waterway is approximately 850ft. at MLW.
 - c. Phase II of the proposed project will impact approximately 2,290sq.ft. (0.053 acre) of coastal marshlands.
6. Upon completion, Phase I and Phase II of the proposed project will impact a total of approximately 7,584sq.ft. (0.17 acre) of coastal marshlands.

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

7. The dock facility will serve up to 28 single-family residences of River Dock Homes Subdivision.
8. The applicant states that the location of the proposed dock facility, in close proximity to the Atlantic Ocean, will result in larger vessels that are difficult to tow and store, therefore on-site mooring will allow for additional space for non-waterfront and transient boaters to utilize the nearby public facilities.

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):

9. 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):

10. 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):

11. A letter has been received from the Glynn County Community Development Department stating that the proposed project does not conflict with current zoning laws. The letter is not conditioned.

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

12. The nearest downstream dock is located at Blythe Island Regional Park approximately 1 mile downstream. The public South Brunswick River boat ramp is located approximately 0.17 miles upstream of the proposed facility. The Blythe Island Beachside Drive boat ramp is located approximately 4.25 highway miles from the proposed facility. The Turtle River boat ramp is located 4.9 highway miles from the proposed facility. None of these have a dock facility or parking space adequate for the expected demand of the residents.
13. Phase II of the project will not begin until substantial evidence of need is provided to and approved by the Department.

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

14. The applicant has reviewed the Hazardous Site Index maintained by the Georgia Environmental Protection Division for Glynn County, Georgia and stated that the subject property does not contain hazardous waste sites or landfills.

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

15. A Water Quality Certification is not required for the proposed project.

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

16. The applicant has stated their intention to conform to all required building, land disturbing and stormwater management permits as required by Glynn County.

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

17. 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 April 3, 2026 to May 2, 2026. No comments were received during the public notice period.

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

18. 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 proposed structure is pile-supported will not alter natural flow of navigable waters or obstruct public navigation. The structure will occupy a maximum of 17% of the waterway at MLW after Phase II is complete. The waterway will retain sufficient depth and width for normal vessel navigation after construction.
 - 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 proposed facility is pile-supported and will allow tidal waters to ebb and flood around the structure.

The piles will not divert water in a manner that would increase erosion, cause shoaling of channels, or create areas of stagnant water.

- 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 pile-supported structure will not result in a loss of habitat and will not interfere with the conservation of fish, shrimp, oysters, crabs, clams or other marine life, wildlife, or other resources, nor affect 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:

19. Should Phase II of the proposed project be approved, a waterbottoms lease will be required upon completion and prior to operation of Phase II.

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):

20. The proposed facilities are water-dependent. The project cannot be satisfied using an alternative non-marshland site.
21. The proposed project is designed for phased construction. Phase I proposes to impact 5,294sq.ft. (0.12 acre) of coastal marshlands. If need is demonstrated, Phase II is proposed to impact an additional 2,290sq.ft. (0.053 acre) of coastal marshlands.

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

22. The marshlands component consists of construction and maintenance of the proposed dock facility in two phases.
23. The upland component for the proposed project consists of a 25,628sq.ft. common area that includes a gravel cul-de-sac for drop-off, pick-up and golf cart parking, and a 6ft. x 58ft. (203sq.ft.) gravel walkway that will provide access through the upland to the marshland component of the project.

Marshlands Buffer For Upland Component, Rule 391-2-3-.02(4):

24. The 50ft. marshlands buffer applicable to the upland component of the project has been delineated as shown on the submitted plans and drawings.
25. The 50ft. marshlands buffer totals 13,340sq.ft. and will consist of a 6ft. x 50ft. (175sq.ft.) portion of the gravel walkway and landscaping with vegetation native to coastal Georgia.
26. The 50ft. marshlands buffer is currently and will remain 100% pervious upon completion of the project.
27. Land disturbance and construction within the 50ft. marshlands buffer in the upland component of the project is limited to:
 - a. **Construction and maintenance of temporary structures necessary for construction of the marshlands component of the project.** Temporary impacts to the upland component include storage of materials and equipment needed for construction.
 - b. **Construction and maintenance of permanent structures that are required for the functionality of and/or provide permanent access to the marshlands component of the project.** Proposed permanent structure consists of the gravel walkway providing access to the marshlands component and will impact approximately 175sq.ft. of the 50ft. marshlands buffer.

- c. **Planting and grading with vegetated materials within the marshlands buffer to enhance stormwater management, such as erosion and sediment control measures, and to allow pedestrian access for passive recreation.** A pervious walkway will be constructed to provide pedestrian access between the parking and drop-off/pick-up area on the upland to the wooden walkway of the dock facility. The remainder of the 50ft. marshlands buffer will be landscaped with vegetation native to coastal Georgia to help prevent erosion and provide for stormwater filtering.

Stormwater Management Standards for Upland Component, Rule 391-2-3-.02(5):

28. The applicant states the project will conform to all stormwater management permits as required by Glynn County.

Impervious Surface, Rule 391-2-3-.02(6):

29. The total area of the 50ft. marshlands buffer is approximately 13,340sq.ft. which is and will remain 100% pervious.

Regulation of Marinas, Community Docks and Commercial Docks, Rule 391-2-3-.03

30. The proposed structure qualifies as a “Marina” in accordance with The Rules of The Georgia Department of Natural Resources Chapter 391-2-3-.03 “Regulation of Marinas, Community Docks and Commercial Docks.”

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 twenty-four (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 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.

**COASTAL MARSHLANDS PROTECTION ACT STANDARD CONDITIONS FOR
MARINAS**

1. Floating docks may not rest on the bottom at low tide and must be supported on pilings or by cradle at least two feet above the mud.
2. The marina proposed to be located in a manatee travel corridor or on a waterway where manatees may be found must have protective measures to minimize manatee/boat interactions to include:
 - a. An education plan for boaters using the marina
 - b. Regular monthly maintenance of dock facilities' hoses, faucets, or any apparatus or equipment capable of producing a stream of fresh water in close proximity to the access of the facility
 - c. A contingency plan for emergency repair of freshwater sources
 - d. Temporary manatee awareness signage during construction of the facility and permanent posting and maintenance of the informational display signage, "Manatee Basics for Boater's" post-construction and
 - e. Speed zones may be required if the marina is in a manatee travel corridor
3. No dredging of tidal waterbottoms or vegetated coastal marshlands is allowed in association with the initial marina project.
4. If the marina could require maintenance dredging in the future, a permanent, dedicated spoil site with the capacity for the initial dredge volume and anticipated maintenance needs must be identified at the time of application.
5. The marina should provide onshore restrooms, shower and laundry facilities in the upland component of the project. The applicant/permittee must take specific measures (such as, but not limited to, signs or dock regulations) to encourage boaters to use the washrooms, laundromat and restrooms onshore, if any.
- ~~6. The marina must have an approved disposal system for the disposal of wastewater generated by boats and upland facilities at the marina.~~
7. The marina must install, for collection of solid wastes, trashcans, dumpsters or other suitable containers in compliance with the Act to Prevent Pollution from Ships (33 USCA 1901 and 33 CFR 158). Adequate separate containers for toxic substances shall be available.

8. The marina shall not allow any person to operate a marine toilet at a marina at any time so as to cause or permit to pass or to be discharged into the waters adjacent to the marina any untreated sewage or other waste matter or contaminant of any kind.
 - ~~a. A marina must have a working pump-out facility and dockside waste collection system for the sanitary wastes from vessels adequate for the capacity of the marina (number and size of vessels) and require their use by boats using the marina, unless specific exceptions are allowed by the Coastal Marshlands Protection Committee.~~
 - ~~b. Pump-out facility maintenance logs must be kept.~~
 - ~~c. The marina must prominently display signage showing the location of the nearest pump-out facility.~~
9. If fueling facilities are installed the applicant/permittee must insure installation is according to the USEPA and GADNR/EPD laws and regulations. The following requirements must be met.
 - a. Fuel storage tanks and fuel lines between tank, dock, and vessels shall be equipped with emergency shut off valves.
 - b. Dispensing nozzles shall be the automatic closing type without a hold-open latch.
 - c. A marina must have adequate booms available either on-site or under contract to contain any oil spill.
 - d. The marina shall have a current 'Operations Manual' containing the following:
 - i. Description of how the applicant meets the conditions of this permit,
 - ii. The geographic location of the dock,
 - iii. A physical description of the facility showing mooring areas, fuel storage and dispensing areas, and locations of safety equipment,
 - iv. The names and telephone numbers of the facility, Coast Guard MSO, EPD Emergency Response Center, and other personnel who may be called by employees of the facility in an emergency, including fire and police,
 - v. A description and the location of each emergency shut-off system and
 - vi. Names and telephone numbers of available hazardous spill clean-up contractors nearest the dock.
10. The Operation Manual must be maintained current and readily available in a conspicuous location for examination by employees of the dock and the Department.
11. The Operations Manual must be submitted to the Department prior to operation of the dock.
12. All components of the marina must be designed, installed, operated and maintained in a manner that will not unreasonably obstruct navigation to and from neighboring properties.
13. The marina or its operation shall not cause or create a measurable adverse water quality impact to the waterbody in which it is built, as measured by dissolved oxygen, fecal bacteria, or nutrient enrichment.
14. If the Department determines through its own water quality sampling or other resource analyses that there are perceptible environmental impacts associated with the dock development, the Department may require the applicant/permittee at applicant/permittee's expense, to have water, substrate, and/or tissue samples collected and analyzed for metals, petroleum hydrocarbons, or other constituents.
 - a. Sample collection and analyses must be according to methods approved by the Department.

- b. All results from such sampling results must be provided to the Department as obtained and may be used by the Department to further restrict the dock to reduce water quality impacts.
15. The permittee shall permanently post and maintain the informational display sign, "Manatee Basics for Boaters." Instructions for the installation and placement procedure of this sign are enclosed.

SPECIAL CONDITIONS

1. Phase II of the proposed community marina may not be constructed until substantial evidence of demand and need for additional floating dock space is demonstrated and approved by the Department. Such evidence must demonstrate routine mooring of residents' vessels at the dock.
2. Upon completion of construction and modifications of Phase II of the private marina, the permittee must contact the Department for a waterbottoms lease prior to operation of the facility.
3. Should the current parcel be subdivided prior to construction of the facility, the permittee must apply for a permit modification. No construction may begin until a new permit is granted by the Committee.
4. Permittee must provide a post-construction survey to the Department upon completion of each phase of the permitted activity that locates the marina as depicted in the application materials. Such survey shall comply with the Georgia Plat Act, O.C.G.A. § 15-6-67 et seq.