



COASTAL RESOURCES DIVISION

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COMMISSIONER

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**COASTAL MARSHLANDS PROTECTION ACT
STAFF'S FINDINGS & RECOMMENDATIONS**

November 14, 2025

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

FROM: Department Staff to the Committee

APPLICANT: Mark Hanly & Kim C. Hanly
249 St. James Ave.
St. Simons Island, GA 31522

AGENT: Sam LaBarba
LaBarba Environmental Services
139 Altama Connector, #161
Brunswick, GA 31525

LOCATION: 1800 Blythe Island Drive, Hillery Creek, Brunswick, Glynn County,
Georgia

PROJECT: The proposed project is to construct and maintain a living shoreline at 1800
Blythe Island Drive, Hillery Creek, Brunswick, Glynn County, Georgia.

ARMY CORPS NUMBER: SAS-2025-00592

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 October 2, 2025 to October 31, 2025. Two comments
were received in support of the project.

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 project site is located at Hillery Island, a 13-acre privately owned island historically known as “Camp Glynn”. The shoreline is currently unprotected and is experiencing active tidal erosion.
2. There is an existing 10.49ft. x 20,744ft. causeway that leads to an existing 15.64ft. x 180ft. bridge that accesses the island.
3. Currently, approximately 100 linear feet (624sq.ft.) of riprap abuts the north side of the bridge and approximately 100 linear feet (414sq.ft.) of riprap runs along the western section of the shoreline below and adjacent to an existing private recreational dock.
4. The applicant proposes to construct and maintain a living shoreline along two distinct segments of the shoreline (southern bank and western bank) within CMPA jurisdiction.
5. The marshlands component of the proposed project consists of constructing and maintaining a living shoreline along two shoreline segments totaling approximately 1,373 linear feet.
6. Before the stabilization project can be constructed, the creek bank will be graded to establish a 2:1-3:1 slope.
7. The southern shoreline segment extends from the area adjacent to the existing bridge to the southwest corner of the island.
8. Approximately, 695sq.ft. of *Spartina alterniflora* will be harvested from the southern shoreline and stored for replanting once the shoreline is installed. Approximately 771sq.ft. (90cu.yds) of riprap will be placed on the existing riprap armoring the bridge abutment.
9. The proposed stabilization of the southern shoreline begins immediately west of the existing rip rap with the placement of 420 linear feet (3,904sq.ft.) of DredgeSox. The DredgeSox is pre-seeded with native vegetation species that will propagate once the material is secured.
10. The shoreline immediately west of and adjacent to the proposed DredgeSox will be stabilized with 680 linear feet (10,116sq.ft.) of Flexamat that will be planted with *Spartina alterniflora* that was harvested from the southern shoreline.
11. The toe of the proposed Flexamat will be protected with 680 linear feet (1,387sq.ft.) of riprap.
12. The western shoreline extends from the southwest corner of the island to the northwest corner of the island.
13. The area directly beneath the existing private recreational dock, located near the middle of the western shoreline, is protected by approximately 100 linear feet of existing rip rap.
14. The existing rip rap will be supplemented by placing an additional 725sq.ft. (55cu.yds) in the already impacted footprint.
15. The shoreline to the north and south of the existing dock and rip rap will be stabilized with 693 liner feet (5,617.47sq.ft.) of Flexamat.
16. Approximately, 1,595sq.ft. of temporarily harvested *Spartina alterniflora* will be replanted into the Flexamat.
17. The toe of the proposed Flexamat will be protected with 693 linear feet (1,425sq.ft.) of riprap.
18. Total impacts to coastal marshlands for the proposed project are 23,654.83sq.ft. (0.54 acre) and will include 145 cubic yards of fill.

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

19. The shoreline is experiencing significant tidal erosion and needs stabilization.

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):

20. 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):

21. Applicant has submitted names and addresses of adjoining property owners as well as the non-refundable application fee of \$250.00.

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

22. A letter was received from Glynn County Planning and Zoning department stating the project is not violative of any zoning law.

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

23. There are no feasible alternative sites for the project. The erosion is localized to the subject property.

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

24. 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):

25. 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):

26. 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):

27. The public notice of the Coastal Marshlands Protection Committee (CMPC) ran from October 2, 2025, to October 31, 2025. Two comments were received in support of the project.

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

28. 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 project involves the implementation of a Living Shoreline, which represents the most natural and environmentally beneficial approach to shoreline stabilization. Unlike hardened structures such as bulkheads or seawalls, a Living Shoreline is designed to work in harmony with natural coastal processes, promoting resilience while minimizing any adverse impact on water flow or navigation.
- 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 a Living Shoreline as part of this proposal is specifically designed to prevent erosion, minimize shoaling, and maintain natural water movement without causing harmful alterations. Unlike traditional shoreline

stabilization methods, such as bulkheads or seawalls, which can increase erosion and disrupt sediment transport, this approach enhances the shoreline resilience while supporting natural hydrodynamic processes.

- 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 Living Shoreline project is designed to work in harmony with the natural environment and will not unreasonably interfere with the conservation of marine life, wildlife, or critical natural resources such as water and oxygen supply. In fact, this approach actively enhances habitat quality and promotes ecological sustainability. 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:

29. 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):

30. The proposed project is for installation of a new living shoreline bank stabilization. The project cannot be satisfied by use of an alternative non-marshland site.

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

31. The marshlands component consists of the construction of a living shoreline. As proposed, the project will permanently impact 23,654.83sq.ft. (0.54acre) and will include 145 cubic yards of fill in CMPA jurisdiction.
32. 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 allowed 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.