GEORGIA
DEPARTMENT OF NATURAL RESOURCES
COASTAL RESOURCES DIVISION
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COASTAL MARSHLANDS PROTECTION ACT
STAFF'S FINDINGS & RECOMMENDATIONS

September 19, 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: Garrow Alberson
City of Brunswick
525 Lakewood Avenue
Brunswick, GA 31520

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

LOCATION: Tidal Ditches, Glynn County, Georgia

PROJECT: The project is to maintain stormwater drainage ditches and install three tide gates within the City of Brunswick, Glynn County, Georgia.

ARMY CORPS NUMBER: SAS-2013-00402

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 July 31, 2025 to August 29, 2025. Two positive comments were received during the public notice period. The agent has provided written responses.

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 existing drainage ditches, situated along the western boundary of Howard Coffin Park (HCP) and extending through the center of the park in an east-west alignment, have been identified as priority areas to ensure adequate stormwater conveyance and capacity, and to prevent upstream flooding within the Winsor Park neighborhood.
2. One section of the drainage ditch network is located parallel to and east of Lanier Boulevard, and the Lanier Boulevard outfall ditch is divided by the entrance to the soccer fields into a northern section that flows north to the Howard Coffin outfall ditch and a southern section that flows south into a vegetated marsh area.
3. The Howard Coffin outfall ditch runs perpendicular to Lanier Boulevard and bisects the park just south of the baseball fields. There is also a short section of ditch that is located north of the Howard Coffin outfall ditch that drains the Holly Avenue area.
4. The Holly Avenue outfall ditch flows to the south and drains into the Howard Coffin outfall ditch as well. The ditches convey stormwater from Winsor Park in an area from Gloucester Street to the north to Palmetto Avenue on the southern end and as far west as Lee Street.
5. The stormwater enters the system through inlets in the streets and discharges into the ditches from connection pipes under Lanier Boulevard. The ditches drain to the east under Glynn Avenue into Clubbs Creek.
6. Silt and debris have accumulated in the ditches, raising the bottom elevation and obstructing stormwater drainage and tidal flushing. The condition of the banks varies, with some areas exhibiting instability due to differing slopes.
7. There is an existing aluminum pedestrian bridge that crosses the Howard Coffin outfall ditch that impacts approximately 152sq.ft. of coastal marshlands.
8. The proposed project is to improve stormwater conveyance from residential areas to Clubbs Creek to the east. Proposed tide gates will prevent tidal flows from limiting capacity in the piped system upstream during higher tide cycles.
9. The marshlands component of the proposed project includes excavation of silt, debris, and vegetation from the ditches, bank reshaping, bank excavation for headwall installation, and installation of 3 tide gates on existing pipes.
10. The excavation of accumulated silts within the ditches will be performed from the upland by backhoe and hauled by truck to an approved upland disposal site.
11. Approximately 793cu.yds. of material will be excavated from the Howard Coffin outfall ditch resulting in approximately 18,316sq.ft. of impacts to coastal marshlands.
12. Approximately 436cu.yds. of material will be excavated from the Holly Avenue outfall ditch resulting in approximately 12,249sq.ft. of impacts to coastal marshlands.
13. Approximately 372cu.yds. of material will be excavated from the Lanier Boulevard North outfall ditch resulting in approximately 20,270sq.ft. of impacts to coastal marshlands.
14. Approximately 436cu.yds. of material will be excavated from the Lanier Boulevard South outfall ditch resulting in approximately 35,805sq.ft. of impacts to coastal marshlands. Total proposed impacts to coastal marshlands will be approximately 86,640sq.ft. (1.99 acres) with 2,037cu.yds. of material being removed.
15. Tide gates will be installed on the outlet side of three existing stormwater pipes. The 36in. pipe that flows into the ditch directly across from Holly Avenue will have a 21.4sq.ft. tide gate installed on the existing serviceable headwall.

16. The Elm Avenue 24in. stormwater drainage pipe will have a 10.9sq.ft. tide gate installed on the existing serviceable headwall.
17. The third pipe is associated with Ash Avenue and has been covered by silt. This 12in. clay pipe will be excavated and have a 7ft. section removed from the outlet side. The bank will then have approximately 29sq.ft. (9cu.yds) of soil excavated so that a GDOT 1001b headwall can be constructed.
18. The new headwall will have a 3.4sq.ft. tide gate installed on the ditch side within coastal marshlands. The installation of the three tide gates will impact approximately 64.7sq.ft. of coastal marshlands.
19. Total proposed impacts to coastal marshlands are approximately 86,705sq.ft. (1.99 acres).

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

20. The existing drainage ditches, situated along the western boundary of Howard Coffin Park (HCP) and extending through the center of the park in an east-west alignment, have been identified as priority areas to ensure adequate stormwater conveyance and capacity, and to prevent upstream flooding within the Winsor Park neighborhood. Silt and debris have accumulated in the ditches, raising the bottom elevation and obstructing stormwater drainage and tidal flushing. Maintenance to the drainage ditch system will restore capacity needed to flush tidal flows and enhance stormwater conveyance. Reshaping of the ditch banks is intended to decrease erosion and therefore reduce sediment build up in the channel. Tide gates will keep tidal waters from flowing into the drainage system within Winsor Park and decreasing the capacity of the piped system.

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)):

21. 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):

22. Applicant has submitted names and addresses of adjoining property owners. A non-refundable application fee of $500.00 was submitted with the application.

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

23. A letter has been received from the City of Brunswick Planning, Development, and Codes Department stating that the proposed project does not conflict with any zoning requirements. The letter is not conditioned.

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

24. The project cannot be accomplished at an alternate site. The applicant is proposing maintenance and improvements to the existing system. The existing stormwater ditch must be maintained and modified in order to function with its original purpose to convey stormwater from the adjacent residential neighborhood to the east.

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

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

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

26. A 401 Water Quality Certification has been issued in conjunction with two (2) Nationwide Permits, 3b and 7.

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

27. 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):

28. 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 July 31, 2025 to August 29, 2025. Two positive comments were received during the public notice period. The agent has provided written responses.

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

29. 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 is not located in navigable waters as the maintenance activities are confined to the drainage ditch system. The proposed project will not unreasonably obstruct or alter the flow of tidal waters in the existing ditches. Removal of accumulated materials will improve both tidal and stormwater flows. The installation of the tide gates will eliminate back-flow into the existing stormwater drainage pipes to improve stormwater functions.
    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 project is not expected to increase erosion, shoaling of channels, or create stagnant areas of water. The purpose of the project is to mitigate flooding and prevent scour and erosion of existing tidally influenced drainage ditches.
    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 project is not expected to interfere with the conservation of fish, shrimp, oysters, crabs, and clams or any marine life. The impacts during construction would be short-term and minor and the completed project would result in reduced erosion by stabilizing the banks and increased tidal flows that would improve water and oxygen supply and provide a net benefit to the marine ecosystem.

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 drainage improvement project cannot be satisfied using an alternative non-marshland site.

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

31. The drainage improvement project will not result in a need for a water bottoms lease.

O.C.G.A. § 12-5-288(b) requires that the amount of marshlands to be altered are minimum in size.

32. Approximately 793cu.yds. of material will be excavated from the Howard Coffin outfall ditch resulting in approximately 18,316sq.ft. of impacts to coastal marshlands.
33. Approximately 436cu.yds. of material will be excavated from the Holly Avenue outfall ditch resulting in approximately 12,249sq.ft. of impacts to coastal marshlands.
34. Approximately 372cu.yds. of material will be excavated from the Lanier Boulevard North outfall ditch resulting in approximately 20,270sq.ft. of impacts to coastal marshlands.
35. Approximately 436cu.yds. of material will be excavated from the Lanier Boulevard South outfall ditch resulting in approximately 35,805sq.ft. of impacts to coastal marshlands.
36. The installation of the three tide gates will impact approximately 64.7sq.ft. of coastal marshlands.

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

37. The marshlands component of the proposed project consists of excavating, grading, and stabilizing the banks of the ditches and installing a tide control system on 3 existing stormwater outlets within the ditches. Total proposed impacts to coastal marshlands will be approximately 86,705sq.ft. (1.99 acres) with 2,037cu.yds. of material being removed.
38. The upland component for the proposed project will encompass the 50ft. marshlands buffer for the entire project area. The 50ft. marshlands buffer totals 316,941sq.ft. (7.28 acres), which also includes 232,075sq.ft. (5.33 acres) which is mowed and maintained on a regular basis and 63,588sq.ft. (1.46 acres) of existing impervious surfaces such as roads, buildings, and walkways.

Marshland Buffers for Upland Component of the Project, Rule 391-2-3-.02(4):

39. The applicant has certified adherence to soil and erosion control responsibilities.
40. 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.** All proposed activities will occur within the 50ft. marshlands buffer. These activities will consist of temporary impacts during construction of the marshlands component for access and erosion control.
    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.** There are no permanent structures proposed as part of the project.

c) **Already existing impervious surfaces and structures within the marshlands buffer may remain and be maintained, provided the replacement, modification or upgrade does not increase any encroachment upon the required marshlands buffer in effect at the time of replacement, modification or upgrade.** Existing impervious cover within the upland buffer is limited to the existing paved ROW of Lanier Boulevard and access drives into the soccer field area, roof tops of existing structures and existing walking paths associated with the exercise park. The impervious area total is approximately 63,588sq.ft. (1.46 acres), or 20% of the total upland buffer area. The ditch maintenance will not have any impact on the area of impervious cover.

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

41. The purpose of the project is to reduce the likelihood of tidal flooding, enhance resilience, and optimize overall drainage of stormwater. Stormwater from the area directly adjacent to the project sites will continue to sheet flow into the new and existing drainage structures.

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

42. The proposed project will not increase impervious surface. The project site will remain approximately 80% pervious after completion of the 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 is required to provide a post-construction survey to the Department 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. Erosion control structures, such as silt fences, must be maintained during construction and removed immediately once construction is complete at each individual site.