

## **1.0 Introduction**

Alfred W. Jones, III seeking authorization from the Coastal Marshlands Protection Committee (CMPC) to construct a bulkhead in tidal waters for the residence at 135 Sinclair Plantation Drive, St. Simons Island, Glynn County, Georgia (31.23408° latitude, -81.34865° longitude).

The project would result in the alteration of +/- 444 ft<sup>2</sup> (0.01-acre) of tidal waters subject to the jurisdiction of the Coastal Marshlands Protection Act of 1970 (CMPA). As the alteration would be less than one-tenth acre, it would be considered a minor alteration as defined at O.C.G.A. § 12-5-282(9). We respectfully request that authorization of the project be granted by the Commissioner of the Georgia Department of Natural Resources in accordance with O.C.G.A. § 12-5-283(d).

## **2.0 Existing Conditions**

The limits of CMPA jurisdiction were verified by CRD staff via letter of June 5, 2023 (Attachment F) and are depicted on the survey by Shupe Surveying Co., P.C. titled *Wetland And CMPA Jurisdiction Line Survey Of: Lot 2 (REVISED), Oatland Plantation, And A Portion Of Lot 4 (REVISED), Sinclair Tract, 25<sup>th</sup> G.M.D., St. Simons Island, Glynn County, Georgia* dated April 13, 2023. An existing single-family residence is located on the lot.

## **3.0 Marshlands Component**

As depicted on the exhibit titled *Proposed Bulkhead Plan 135 Sinclair Plantation Drive Saint Simons Island, Georgia* Dated January 3, 2023 (Attachment C), the marshland component of the project consists of a +/-444 l.f. bulkhead. The bulkhead will require backfill of 444 ft<sup>2</sup> (0.01 acre). Total backfill below the high tide line is +/-5.43 cubic yards (0.012 cy/ft). The wall would be constructed from the uplands, and then backfilled to stabilize the existing shoreline. BMPs would be implemented during construction to minimize secondary impacts to tidal waters.

## **4.0 Upland Component**

The activities proposed to be undertaken within the upland component buffer include temporary impacts within 15' of the bulkhead location for construction of the bulkhead including equipment access and operation, material handling, and short-term material storage. Permanent impacts to the entire 50' upland component buffer include backfill to elevate the shoreline to provide protection from sea level rise. Upon completion of the bulkhead construction and backfill, the buffer will be permanently stabilized and planted with vegetation native to the Georgia coast.

## 5.0 Alternatives Sites Considered & Project Justification

The proposed bulkhead will protect the existing shoreline at the subject lot location and cannot be located at an alternative site. Due to the need to protect the shoreline at the marsh/upland interface, there are no non-marsh alternatives that will satisfy the project requirements.

The project is justified to protect the applicant's upland property from sea level rise which has risen between ten and eleven inches since 1935 and projected to rise one meter over current levels by 2110.<sup>1</sup> Other studies suggest that sea levels will rise by thirteen inches by 2050, and that the odds of a 100-year flood or worse by 2030 will increase by 83%.<sup>2</sup>

The bulkhead has been designed without a typical tie-back system to comply with U.S. Army Corps of Engineers Nationwide Permit General Condition 20 and will therefore minimize disturbance to the upland component of the project.

## 6.0 Supplemental Information

This additional information is provided for compliance with Coastal Marshlands Protection Act of 1970 information requirements:

OCGA 12-5-286. Permits to fill, drain, etc., marshlands.

(b) Each application for such permit shall be, properly executed, filed with the department on forms as prescribed by the department, and shall include:

**(1) *The name and address of the Applicant-***

Alfred W. Jones III  
135 Sinclair Plantation Drive  
Saint Simons Island, Georgia 31522

**(2) *A plan or drawing showing the Applicant's proposal and the manner or method by which such proposal shall be accomplished. Such plan shall identify the coastal marshlands affected-*** Please refer to attached drawing produced by Roberts Civil Engineering titled ***Proposed Bulkhead Plan 135 Sinclair Plantation Drive St. Simons Island, Georgia*** Dated January 3, 2023 (Attachment C).

**(3) *A plat of the area in which the proposed work will take place-*** Attachment F contains a survey produced by Shupe Surveying Company, P.C. titled ***Lot 2, Oatland Plantation, and Lot 4, Sinclair Tract dated*** November 10, 2022.

1. Dr. Larry Keating, FAICP & Dana Habeeb, PhD Candidate, "Tracking the Effects of Sea Level Rise in Georgia's Coastal Communities" (Georgia Institute of Technology 2012).
2. Climate Central, "Facts and findings: Sea level rise and storm surge threats for Georgia" (2012 Surging Seas Report)

**(4) A copy of the deed or other instrument under which the Applicant claims title to the property or, if the Applicant is not the owner, then a copy of the deed or other instrument under which the owner claims title together with written permission from the owner to carry out the project on his land. In lieu of a deed or other instrument referred to in this paragraph, the committee may accept some other reasonable evidence of ownership of the property in question or other lawful authority to make use of the property; The committee will not adjudicate title disputes concerning the property which is the subject of the application; provided, however, the committee may decline to process an application when submitted documents show conflicting deeds-** Attachment B contains the following documents:

- Warranty Deed conveying the property from James Macdonald Jones to Alfred W. Jones III dated May 3, 2021 recorded at Superior Court of Glynn County, Georgia in Deed Book 4449, page 170
- Warranty Deed conveying the property from Ann Jones Chandler to Alfred W. Jones III dated May 3, 2021 recorded at Superior Court of Glynn County, Georgia in Deed Book 4449, page 172

**(5) A list of all adjoining landowners together with such owners' addresses, provided that if the names or addresses of adjoining landowners cannot be determined, the Applicant shall file in lieu thereof a sworn affidavit that a diligent search, including, without limitation, a search of the records for the county tax assessor's office, has been made but that the Applicant was not able to ascertain the names or addresses, as the case may be, of adjoining landowners-** Adjacent landowner information is provided in Attachment E.

**(6) A letter from the local governing authority of the political subdivision in which the property is located, stating that the Applicant's proposal is not in violation of any zoning law;** A letter from Glynn County Community Development Department stating that the proposed bulkhead does not conflict with current Glynn County zoning regulations is provided at Attachment D.

**(7) A non-refundable application fee to be set by the board in an amount necessary to defray the administrative cost of issuing such permit. Renewal fees shall be equal to application fees, which shall not exceed \$1,000.00 for any one proposal and shall be paid to the department.** An application fee in the amount of \$250.00 has been included with this application.

**(8) A description from the Applicant of alternative sites and why they are not feasible and a discussion of why the permit should be granted-** Please refer to Section 5.0, page 2.

**(9) A statement from the Applicant that he has made inquiry to the appropriate authorities that the proposed project is not over a landfill or hazardous waste site and that the site is otherwise suitable for the proposed project-** A review of the Hazardous Site Index for Glynn County, Georgia indicates that the subject property does not contain hazardous waste sites or landfills.

**(10) A copy of the water quality certification issued by the department if required for the proposed project-** Water Quality Certification in accordance with Section 401 of the Clean Water Act will be reviewed during the processing of the federal Nationwide Permit that has been submitted to the Savannah District Corps of Engineers.

**(11) Certification by the Applicant of adherence to soil and erosion control responsibilities if required for the proposed project-** The project will conform to all required building, land disturbing, and stormwater management permits as required by Glynn County.

**(12) Such additional information as is required by the committee to properly evaluate the application-** This application has been prepared with consideration for the interests of the general public of the State of Georgia as defined in OCGA 12-5-286(g):

OCGA 12-5-286. Permits to fill, drain, etc. marshlands.

**(g) In passing upon the application for permit, the committee shall consider the public interest, which, for purposes of this part shall be deemed to be the following considerations:**

**(1) Whether or not 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 bulkhead is located immediately adjacent to the shoreline on the east side of the subject over 590' from the navigable waters of Brailsford Creek. No fill or other alterations are proposed that would unreasonably obstruct or alter navigable waters.

**(2) Whether or not unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water will be created-** The construction of the bulkhead will eliminate erosion and subsidence at the project location. The

proposed bulkhead is not located along a navigable channel and would not alter existing flows that could increase erosion at other locations. The backfill to the marsh/upland interface would eliminate stagnant water landward of the wall and would not create areas of stagnant water seaward of the wall. Given the projects close proximity to the existing shoreline, distance from the navigable channel, and the fact that the project would eliminate erosion of sediments from the existing shoreline, the proposed project will not cause shoaling of nearby channels.

- (3) ***Whether or not the granting of a permit and the completion of the Applicant's proposal will unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, or wildlife, or other resources, including but not limited to water and oxygen supply-*** The proposed structure will not interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, or wildlife, or other resources, nor affect water and oxygen supply. The proposed project is located immediately adjacent to the shoreline along a densely vegetated marsh that is only inundated for a short time at high tide and does not provide significant habitat for fish, oysters, clams, or other marine life. The project will merely result in a very minor seaward shift of the existing shoreline and will reduce the negative effects of the existing shoreline erosion and subsidence.