



September 5, 2024

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Re: Coastal Marshlands Protection Committee/NPS Construction and Maintenance of a Bank Stabilization Project, Plum Orchard, Brickhill River, Cumberland Island, Camden County Georgia

To Whom It May Concern:

Wild Cumberland appreciates the opportunity to provide feedback on the proposed issuance of a permit facilitating the *“Construction and Maintenance of a Bank Stabilization Project, Plum Orchard, Brickhill River, Cumberland Island, Camden County Georgia.”*

We appreciate that the National Park Service is taking a “soft” approach with a combination of rip rap, dredge fill, and native vegetation for this project instead of bulkhead installation. We understand the agency does have obligations to protect structures of historical significance; however, this does not supersede the agency’s obligations to protect naturally-functioning ecosystems.

Further, we find this application negligent in its environmental analysis.

We value the Coastal Marshlands Protection Committee’s consideration of public interest related to the following:

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;*

Duration and potential impacts to emergency services and public access (including recreational boaters and hunters) are undisclosed. *Application dates are listed as February-April 2023, which are no longer applicable.*

It is also unclear if access to the affected shoreline will *permanently* affect recreational boaters and/or kayakers, who retain the right to navigable waters to the mean high tide line.

*(2) Whether or not unreasonably harmful or increased erosion, shoaling of channels, or stagnant areas of water will be created; and*

*(3) Whether or not the granting of a permit and the completion of the applicants proposal will unreasonably interfere with the conservation of fish, shrimp, oysters, crabs, clams, or other marine life, wildlife, or other resources, including but not limited to water and oxygen supply.*

It is unclear if impacts to marine ecosystems and wildlife, including protected species known to frequent this specific area, have been properly evaluated:

- Inaccurate timelines are provided for evaluation of potential impacts to affected species and/or migratory patterns.
- This is a known aggregation area for West Indian manatees and as such, consultation under Section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et seq.), should be initiated.
- Recent observations (June 2024) of National Park Service staff operating boats within immediate proximity to federally-protected species indicate that the agency does not understand or feels it is appropriate to disregard federal regulations enacted to protect this animal.
- The take of manatees, incidental or otherwise, is not presently authorized under the Marine Mammal Protection Act (MMPA) of 1972, as amended (16 U.S.C. 1461 et seq.), this project should include conservation measures to ensure potential effects to manatees are avoided or minimized to an insignificant and discountable level.
  - In-water work will occur where manatees are known to congregate. The agency should implement "[Standard Manatee Conditions for In-Water Work](#)" (2011).
  - The use of dedicated observers, limiting work to specific months, etc. should also be considered.
- Consultation under Section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et seq.), should be initiated, as well as NOAA's "Sea Turtle and Small-tooth Sawfish Construction Conditions" (2006) due to the presence of these species at the project area.
- Consultation under Section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et seq.), should be initiated for the wood stork, due to the presence of this species at the project area.

While proper Wilderness Management may be the responsibility of our federal agencies, we would be remiss not to point out that **the proximity of this project to the Wilderness and Potential Wilderness boundaries of Cumberland Island National Seashore warrant a separate and thorough analysis**, as does the additional weekly road maintenance and increased vehicular traffic it requires — which, we should point out, are imposed on a road that is a designated National Historic Site and bisects a federally-protected Wilderness.

Wild Cumberland requests clarification from the agency that any collection of vegetation for relocation is occurring only outside the Wilderness boundary and/or has been authorized under a proper Minimum Resource Analysis. It is also unclear from the documentation how much vegetation will be removed or eliminated north of existing rip rap.

Wild Cumberland recommends the National Park Service revisit and/or consults with the Coastal Marshlands Protection Committee on ways it can minimize its own contributions to erosion in this area, including but not limited to:

- Establishing a “No Mow” area adjacent to the shoreline;
- Addressing the steep increase in recreational boat traffic, much of which operates at speeds exceeding state limits, and is a contributing factor to erosion in this area;
- Repositioning the service road at Plum Orchard Dock.

Wild Cumberland has concerns about a lack of proven efficacy for living shorelines in our state and respectfully point out that at other NPS-managed units, relocation of buildings has been a course of action.

The insufficient application and analysis provided for public review illustrates a limited understanding of Wilderness requirements, minimum resource decision analysis, and/or the agency’s responsibility for proper environmental analysis.

Finally, we urge the Coastal Marshlands Protection Committee and the National Park Service to approach this project with the diligence it deserves and are happy to answer any questions you may have.

Sincerely,



Jessica Howell-Edwards  
Executive Director  
Wild Cumberland

cc:

Regional Superintendent, Mark Foust

The office of Sen. Raphael Warnock