

# Man Head Marina

## Permit Revoked for Commercial Marina near St. Simons Island

### Brunswick, Georgia

In a rare move, an administrative law judge has overturned a permit for the Man Head Marina, citing concerns about contaminated wastewater and other environmental impacts from the proposed commercial facility on a small island on the Mackay River. Conservation groups who challenged the permit heralded the decision as an important signal to the state Coastal Marshlands Protection Committee that it must review more thoroughly the environmental consequences of building proposals for the coast's upland areas, which are under increasing development pressure as the region continues to grow.

“To allow a development like this would be a travesty of the Coastal Marshlands Protection Act,” said Derb Carter, a senior attorney with the Southern Environmental Law Center (SELC) which filed the permit appeal on behalf of five environmental organizations. “The judge recognized the problems with this proposal, which the committee failed to see.” Administrative Law Judge Jessie Altman issued her decision August 16.

Last August, the committee granted a permit to Man Head Marina, Inc., to build a marina on a 1-acre upland area on the western bank of the Intracoastal Waterway adjacent to the Torras Causeway, which connects Brunswick and St. Simons Island. The permit authorized 109 wet slips, a 785-foot transient fueling dock, an 11,000-square foot dry dock and boat maintenance yard, a storm drainage system that would discharge directly into the marsh, a store and office building, a septic system, and a 42-space paved parking lot. The facility would have covered the entire island, leaving no buffer between the development and the marsh.

In addition, the permit included a lease for 10.5 acres of publicly owned marshlands adjacent the island. Because of the lease, the Act requires the developer to show that he has sufficient land to properly service the proposed marina. “Man Head Marina Inc. does not have enough land to build this project without posing serious threats to publicly owned waters,” Carter said. “Clearly, the size and scope of this project would have overwhelmed the small island and marsh habitat.”

SELC appealed the permit in September on behalf of five groups - the Center for a Sustainable Coast, the Sierra Club, the Altamaha Riverkeeper, the Glynn Environmental Coalition, and Residents United for Planning and Action. They argued that the developer lacked an adequate plan to handle sewage from boats and from the facility itself, posing a potentially serious threat to water quality in the marsh. They also showed that the developer did not have an adequate plan



for dealing with traffic to and from the marina. During the three-day hearing before Judge Altman in April, the Georgia Department of Transportation testified that modifying the Torras Causeway to provide safe access to the marina would entail filling between 1,800 and 2,400 square feet of marshlands.

Carter said the judge's decision to revoke the permit on these two issues sets a key precedent to discourage the committee from allowing developers to “segment” their projects - in other words, getting a permit without divulging the full scope of potential impacts, and so preventing the committee from reviewing the environmental consequences of the entire project. “They knew that access and sewage disposal were going to be problematic, so they failed to offer any adequate solutions, and the committee let them get away with it,” Carter said.

The Man Head Marina case is part of a broader effort by SELC and other groups to strengthen the enforcement of Georgia's Coastal Marshlands Protection Act by the committee. SELC is representing several of the groups [including the Center for a Sustainable Coast] in challenging the Emerald Pointe project near Savannah. In that case, the committee issued a permit for construction of three bridges linking three privately owned marsh hammocks. The groups argued that the committee should have considered impacts to the marsh from the residential development that would result. That case is pending in Fulton County Superior Court.

*(This summary provided by SELC as public information.)*

**Note: As we go to press, the state has filed a challenge to the ruling on the Man Head permit.**

**About the Southern Environmental Law Center**  
Founded in 1986, SELC is the only non-profit, regional organization dedicated solely to protecting the South's environment and outstanding natural areas. SELC's conservation projects include native forests, wetlands, the coast, clean air, rivers and streams, wildlife habitat, rural landscapes and livable communities. SELC works through legal advocacy and policy reform in partnership with more than 100 other groups in Alabama, Georgia, North Carolina, South Carolina, Tennessee and Virginia.