



Advocating responsible decisions that sustain coastal Georgia's quality of life.

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January 17, 2014

Commissioner Preston Kirkendall (pwkirkendall@comcast.net)
Commissioner Robert Ussery (russer@urarch.com)
Commissioner John A. Dow, Jr.
Commissioner Stan Humphries (stan@itsagoodlife.net)
Commissioner William Lawrence (ltclawrence@comcast.net)
Commissioner Paul H. Sanders (appraisalcenter@bellsouth.net)
Commissioner Oliver Seabolt (oliverseabolt@altaplanning.com)

Re: **PP2713 Cloister Residences East**
To: Glynn County Islands Planning Commission

Dear Commissioners:

The following questions and comments are being provided in regard to the referenced project to supplement comments being submitted on behalf of Center for a Sustainable Coast by Steve Caley of GreenLaw.

Questions

1. Has there been any EPD delineation of the marsh buffer under the Georgia Soil Erosion and Sedimentation Act?
2. Are bulkheads proposed along the marsh or shoreline of any lots or easements within this project?
3. What provisions are planned to monitor and assess surrounding water quality as affected by this project?
4. How much will the site be filled – to what elevation and how much above existing grade?
5. How will erosion and stormwater be controlled and monitored?
6. What are the drainage plan requirements, procedures for enforcing them, and penalties for violations?
7. Wastewater from the site is proposed to be treated at the Dunbar Creek plant, which is at or very near capacity at peak use, causing periodic contamination in surrounding waters. What provisions are being made to expand that treatment plant to prevent worsening pollution of waters and wetlands?
8. What, if any, provisions are there for public beach access along the project site? How would such access be accommodated by the proposed development?



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Comments

1. Sea level is rising and erosion is already a problem on the site. Conditions at the site are not suitable for locating permanent structures and these conditions are likely to get significantly worse within the project's lifespan (30 – 40 years). Historic erosion rates are likely to continue or increase due to dynamic factors affecting the area. These factors include rising sea level, storm conditions, and historic erosion trends.
2. The site is at very low elevation – on the order of 6 – 8 feet MSL. To properly evaluate the proposed development, contour elevations of the land above the tide based on Mean Sea Level are needed, along with recalculated acreage figures for each lot. A new topographic map should be prepared for the site to clarify elevation issues, and such features should be overlaid on the plat map.
3. The site's low elevation presents serious risks to the site from continuing erosion, sea level rise, and storm surges. Such hazards impose threats on property and public safety, and when a major storm event occurs, would be likely to result in added disaster recovery costs being imposed on the general taxpayers.
4. Likewise, the “building envelope,” delineating zoning setbacks, should be shown on the plat map for each lot so that decision-makers clearly understand the relationship between building sites and regulatory jurisdictions for shore and marsh protection as well as marsh buffers.
5. We recommend that Glynn County officials direct the Community Development Department to use its Geographic Information System (GIS) to overlay the National Wetlands Inventory mapping on the plat of Tract IX Cloister Residences East, and then seek assistance from the Corps of Engineers to conduct new site inspections to locate land boundaries as related to the marsh in adjacent areas.
6. Note number 12 on the plat map suggests that the property “*may* be subject to the 25-foot state waters buffer from the CMPA line” [italics added], yet there is every reason to believe that the buffer would apply, as it does along all “waters of the state.” The road alignment as shown on the plat map does not allow adequate area to meet buffer requirements under the Georgia Erosion and Sedimentation Control Act. Glynn County has elected to enforce that law as a “local issuing authority” and it is the county's obligation to honor that responsibility by not approving the proposed road easement.
7. Until the impacts of any proposed sea walls or other engineered structures are evaluated, including possible accelerated erosion of adjacent shoreline areas affecting other property owners, no project approval decision should be granted.
8. Review of federal flood-zone (FEMA) mapping indicates that “velocity zones” are conspicuously absent, likely due to an error in mapping. It is likely that a corrected map would indicate that a portion of the project site or even the entire area is in a velocity zone, raising further public safety concerns.



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Conclusion:

Given the project site's current features, as well as trends affecting its continuing dangerous exposure to erosion, sea-level rise, and storm surge, the Center for a Sustainable Coast strongly opposes approval of this project. We also have concerns about threats to water quality posed by this project – both stormwater controls and reliable wastewater treatment under all foreseeable conditions.

Fundamental problems are raised by unanswered questions related to the presence of wetlands, marsh buffer, flood-zone mapping, and delineation of the shore protection jurisdiction. Risks related to low elevation and questions about use of fill material, engineered shorelines and control of erosion, as well as a range of related hazards, are also significant.

Until these questions are properly answered and all associated problems can be accountably solved, no approval of the project should be considered, much less granted. In any case, the site is extremely unsuitable for development.

Thank you for considering our comments on this critical issue.

Sincerely,

David C. Kyler

David C. Kyler
Executive Director
Center for a Sustainable Coast

Cc: Dave Hainley