

Jekyll permit

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whenever they saw a need. If granted, the general permit would allow work in those areas without having to go through the SPC permitting process on a project by project basis.

The permit request presentation was made to the SPC by Ben Carswell, JIA Director of Conservation.

At the JIA March 20, 2017 meeting the Authority voted in favor of submitting the general permit application. Notes from the March 20 JIA meeting summary report state, "From the beginning, DNR has been involved in the permit application process. An informational briefing was presented to the SPC, a formal application was submitted to the committee, and public notice was issued."

According to SPC documents 45 public comments were received during the comment period preceding last week's meeting.

Those public comments and questions included:

- Area limits for projects not defined.
- How will BMPs (Best Management Practices) that relate to a cumulative term be included in permit?
- How will BMP details be developed and stated for projects covered in the application?
- How would adaptive management alterations be processed and incorporated into permit?
- No public input was accepted prior to application. No way to comment on a permitted activity before it takes place and no mechanism for external evaluation after a permitted activity takes place.

The public was lined up Friday to comment against allowing the general permit.

The first speaker was Helen Barnes, an attorney from the Southern Environmental Law Center in Atlanta.

Barnes said, "A general permit for a wide range of unspecified projects in unspecified areas does not conform with the law (the Shore Protection Act / SPA)."

"The SPA doesn't contemplate general permits. There is no provision in this law for general permits," she continued.

She also pointed out that the JIA permit request does not meet the SPA requirements including construction documents, a plat and site plan.

Barnes recommended denial saying, "If details and location information are submitted, I would support this permit."

Next up was Jekyll Island resident and representative of Initiative to Protect Jekyll Island Mindy Egan.

Egan's comments concerned the fact that the permit request disregarded the JIA's own Conservation Plan which was developed six years ago.

Egan said, "Page 48 of the Jekyll Island Conservation Plan deals with the Beach and Inter-dunal Swale area of the island."

"The number one and over-arching Management Strategy prescribed for that community is: To establish a Beach Management Working Group that will develop a comprehensive

beach management plan for the Island."

"We are six years out and the Comprehensive Plan is due for renewal and no beach management plan has been developed," she continued.

"This permit should be denied and a recommendation made by the committee (SPC) for the JIA to develop a comprehensive Beach Management Plan, as prioritized in the JIA's own Conservation Plan six years ago," Egan said.

Egan also noted that a general permit would be precedent setting.

James Holland, former Altamaha Riverkeeper, spoke next.

"I agree with the previous speakers. Who will enforce this permit? The CRD doesn't enforce BMPs (Best Management Practices). The JIA has the poorest environmental practices in the county other than Glynn County itself," Holland said.

Alice Keyes, Associate Director of One Hundred Miles, commented on the request's lack of information required by law.

"The permit doesn't comply with the SPA," Keyes said. "The scope of the request is too broad. Take the responsible route and deny this permit request."

David Kyler, Center for Sustainable Coast, stated his concerns about BMPs. "There is no cited source in the permit request for Best Management Practices," he said, "so the term (BMP) is in doubt. The BMP term is misleading especially when virtually no citations were provided and no research was done to validate those practices (methods) by neither CRD staff nor the applicant. Deny the permit. Develop a beach management plan first. This request is comparable to trying to use a building permit instead of a blueprint to build a house. The permit should not be considered until the JIA adopts a beach management plan, as it is obligated to do according to the conservation plan adopted by JIA in 2011."

Kyler was asked by one of the SPC members to suggest a BMP source.

Kyler's response was, "I could probably find any number of BMP sources in five or 10 minutes of searching on the internet. However, that's your (SPC) staff's job as well as the JIA's job."

Julian Smith, S.L.E.A.T. representative, was the final speaker.

Part of the JIA's permit request is to

manage "nuisance" sand. They want to be able to remove it from an area, store it, and reuse it in a restoration area.

The JIA request stated "a limitation capping any single beneficial use of material from the proposed sand bank at no more than 100 cubic yards."

Smith commented that 100 cubic yard of sand is about 10 small dump truck loads.

Smith also said, "The whole concept of nuisance sand is unreasonable."

Except for making the presentation there were no staff comments.

No staff member was asked or chose to comment on the legality of the JIA's permit request. Nor did the attorney in attendance at the meeting from the attorney general's office, Jim Coats, make any comments on the legality of the permit request.

The committee did have questions for Carswell.

During his presentation to the SPC Carswell said Jekyll Island received about two million visitors annually and that number was increasing.

"We need to manage people's interaction with the beach and dunes," he said.

The committee wanted to know what the two million visitor figure was based on.

Carswell answered generally the figure was based on car count and hotel statistics.

Carswell was then asked the land size of the jurisdictional area.

He said, "About 15 kilometers long

(9.3 miles) but I don't know the width."

Another committee question: how will you transport the 100 cubic yards of material?

Carswell: dump trucks on a case by case basis. He said that no road through the dunes would be created.

Carswell asked that the possibility be left open to use heavy equipment responsibly. "There will be no disturbance to dunes not already impacted by humans," he said.

Committee question: can you be comfortable with a limitation on the amount of material moved?

Carswell: yes - five or six cubic yards. "We'll see how it goes. We can start smaller and amend the permit if we need to."

There was further discussion by the SPC and Carswell about posting an activity log on the internet and concerns about BMPs.

The SPC wanted specific BMPs referenced to support each project the JIA planned to do.

The committee also asked Carswell if he had a list of projects ready to go.

Carswell: No.
Committee: What about specific areas for projects.

Carswell: "Well those are two different questions. We can quickly prioritize them (areas) for you."

Then SPC member Henry Morgan wanted to know if any members from the Beach Management Group referred to in the JI Conservation Plan

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