



PRESS RELEASE

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August 16, 2018

Sustainable Coast Files Legal Complaint Against Glynn County

The Center for a Sustainable Coast has filed an official complaint in the Superior Court of Glynn Georgia, challenging Glynn County's amendment of its Beach and Dune Protection ordinance, Section 727, which was approved by the Glynn County Board of Commissioners on May 17.

The lawsuit charges the County with violating numerous conditions of its own Code as well as other laws and constitutional protections in enacting the amendment to the Beach and Dune Protection ordinance. Most significantly, the lawsuit challenges the County's process in enacting the amendments as violating mandatory public notice and comment requirements.

The lawsuit also raises claims of procedural violations associated with the manner in which the amendment was initiated, including allegations that the Amendment was made solely to benefit a single private entity – Sea Island Acquisition – which is seeking to conduct a large-scale beach development project on Sea Island to support the development of eight high-end homes.

The lawsuit seeks a declaratory judgment confirming that the Beach and Dune Protection Ordinance Amendment is void. Additional relief is also sought to invalidate a certificate of compliance the County issued under the new Amendment on behalf of Sea Island Acquisition in support of its beach development project, because the amendment process violated required procedures.

Before approving the amendment on May 17, the county failed to provide the public with required content of the proposed changes in the ordinance. As alleged in the lawsuit, the language of the proposed amendment did not even exist until a few days before it was approved by the Board of Commissioners. Moreover, the amendment text that was available to the public for a few days prior to the hearing was radically changed just before the Commission vote on May 17.

"We're very concerned that county officials took such an important action without meeting vital legal requirements to ensure public awareness and involvement in the decision," explained David Kyler, the Center's executive director and co-founder.

Regulations affecting beach and dune areas are important because they control activities that can damage other shorefront property beyond the bounds of any particular project. If the ordinance is vaguely worded, too permissive, or weakly enforced, it can result in the approval of projects that harm other property-owners as well as the general public's access to, and use of, beaches for recreation.

These considerations gain added importance due to hurricanes. In 2016 and 2017, two hurricanes, Matthew and Irma, caused extensive damage to beaches and beachfront property on Glynn County's barrier islands. That damage could have been far more severe if ill-advised activities had been approved under a Beach and Dune ordinance that was compromised by inadequately reviewed amendments. Climate scientists warn that such major storms and the damage they cause will worsen with ongoing climate change and rising sea-level.

The Center's complaint is joined by a fellow plaintiff, Frances Zwenig, a resident and property-owner living on East Beach on Saint Simons Island. David Kyler represents the Center as executive director and also supports the action as Saint Simons Island resident and property-owner. The plaintiffs are represented by attorney Kasey Sturm of Weissman P.C. in Atlanta.

The Center for a Sustainable Coast is a non-profit organization established in 1997 that serves the public interest in Georgia's coast by taking actions supporting the conservation, protection, and responsible use of the region's natural, historic, and economic resources. The Center is supported by foundations and individual tax-deductible donations, maintaining an office on Saint Simons Island.

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