

# Georgia



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**MONDAY**  
JULY 16, 2007  
THE TIMES-UNION

# Environmentalists praise ruling on marina

Judge says state EPD improperly OK'd a variance for Brunswick Landing project

By **MIKE MORRISON**  
Times-Union correspondent

**BRUNSWICK** — Environmentalists are praising a Georgia administrative law judge's ruling this month that the

In response to a lawsuit by two Riverkeeper organizations, Judge John Gatto decided that Brunswick Landing Marina workers failed to properly maintain silt fences and take other steps to protect the marsh front as it

Director Carol Crouch improperly authorized the issuance of a variance rather than force the marina to comply with EPD rules, Gatto said.

The marina, a popular and growing fixture of the Brunswick waterfront, is owned by Robert M. Torras Sr.

Gatto found that Brunswick Landing had not taken reasonable steps to avoid or minimize impact in a buffer zone between a marina facility

As a result, Crouch improperly granted a variance on the work, Gatto ruled.

Torras views Gatto's decision with dismay.

"All this stuff has been misrepresented," he said. "I've read his decision and a lot of it is wrong."

The project at the heart of the dispute was the preparation of 2-acre Aiken Island for open-air boat stor-

Department of Natural Resources' Coastal Resources Division.

Torras pointed out that the land has an unsavory past, having served at various points in history as a sailing ship dock and a city garbage dump, and as an outfall for effluent from the Academy Creek wastewater treatment facility.

Now, he contends, it is a well-maintained boat storage facility with no

repeatedly failed to protect the buffer and illegally filled marshland.

The EPD and Coastal Resources Division "are responsible for protecting our natural resources such as salt marshes but it took the judges' ruling to enforce the law," Holland said.

Satilla Riverkeeper Gordon Rogers agreed.

"The EPD regional staff made recommendations that strong enforcement action should be taken against the developer beginning in 2004," Rogers said.

Normally, the EPD would have ordered some enforcement action, but in this case the EPD leadership allowed the damage to state waters to continue, Rogers said.

Torras said he is awaiting word from the EPD on whether it will appeal Gatto's ruling.

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land.

"The EPD routinely visited the site after each of Mr. Holland's complaints and found that damage to the silt fences had already been corrected," Torras said. "Letters were written to Mr. Holland by the EPD advising him that the Aiken Island site was being properly maintained during the construction period."

"The administrative judge's decision in this case is not consistent with the actual facts," Torras said. "Brunswick Landing Marina has been in continuous compliance with the requirements of its permit for construction at the Aiken Island site."

Holland, however, contends the ruling was justified, coming after Brunswick Landing