

State looks into proposed wastewater treatment system on Union Island

By Sandy Pharr

Southeast Georgia Land and Development Company intends to develop 18 vacation homes on Union Island, but that's not the problem.

"The problem is that the Georgia Environmental Protection Division (EPD) has decided to allow a wastewater treatment facility as part of the residential development on this small marsh hammock in McIntosh County," said Deborah Sheppard, executive director of the Altamaha Riverkeeper (ARK). "We have had no choice but to appeal the permit."

The state Office of Administrative Hearings agreed to review the EPD's decision last Friday, and an administrative law judge will decide the matter within 90 days.

ARK's attorney, Catherine Wannamaker with the Southern Environmental Law Center,

explained the seriousness of this issue.

"The EPD decided to allow a development company to construct and operate an onsite sewage plant that will not properly treat the waste before it enters the groundwater, the marsh and the estuarine system," said the attorney, noting that the proposed Union Island Plantation will be serviced by a sewage management system that will process nearly 8,000 gallons of wastewater a day. "The treatment system approved by the EPD is too small to handle the anticipated wastewater."

The proposed sewage facility is a land application system, in which the wastewater flows into a drainfield, instead of emptying into a stream or river, according to Nicole Nichols, an environmental engineer with the EPD.

The sandy, porous soil and shallow water table on the 8.4-

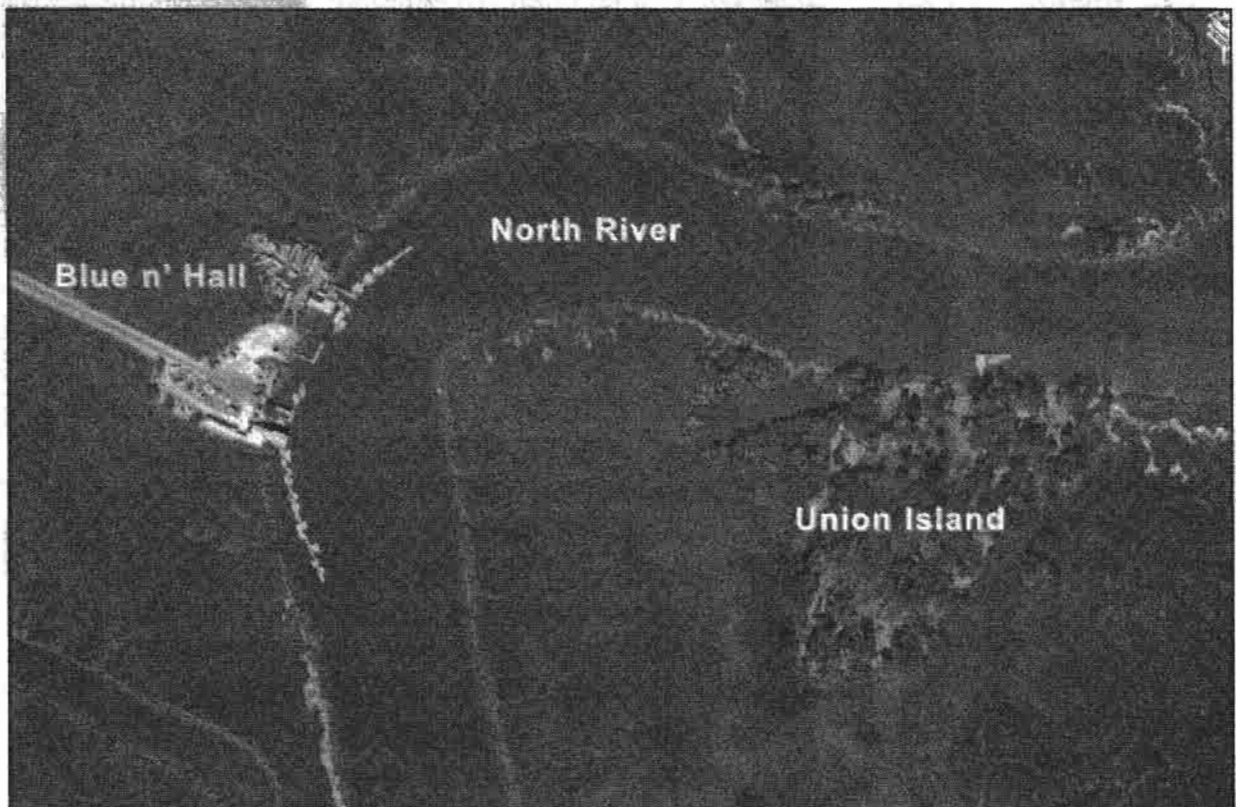
acre Union Island will result in increased pollution of the marshes, said Wannamaker, adding that the direct discharge of fecal coliform, E. coli and other pathogens will be directly discharged because of the high tides and flooding that are common on the low-lying marsh hammock.

Sheppard says it's clear the state can not be entrusted with the environment.

"With the granting of this wastewater permit by the Georgia EPD, we see that the state is not willing or able to protect water quality for the public on Union Island and other sensitive marshfront properties," she said.

Sheppard is also critical of the county's "lack of foresight" when it comes to rezoning matters. Take for instance 1,300-

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Provided by the McIntosh County Tax Assessors Office, this aerial view of Union Island shows that the 8.4-acre marsh hammock is located on North River, about one-third of a mile from Blue n' Hall Marina.

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acre Julienton Plantation, which the county rezoned from A-F (Agriculture-Forestry) to residential a year ago.

"Here we have a proposed development that is much, much larger than Union Island Plantation, as well as much greater densities," said Sheppard, adding that Julienton Plantation is being proposed adjacent to Georgia's largest clam aquaculture and shellfish harvesting area.

"If the state and local governments can't handle a small development on Union Island in a way that does not compromise public health and safety, then why would anybody believe they are prepared to protect the public's interest in larger developments, like the proposed Julienton Plantation in Harris Neck?" she asks. New developments are being allowed in tidal and fresh water wetland areas without proper evaluation of how their wastewater will be managed, Sheppard contends.

"Developers seek out these areas to increase their profits," she said. "Sooner or later, the citizens of McIntosh County will be paying the price for those profits that the county is granting to a few private developers."

Angry citizens weighed in on how they felt about developing Union Island when the County Commission rezoned it to residential in 2006.

"Many people took the time to get involved, expressing well-founded concerns about how developing a small marsh hammock at maximum density would affect water quality and community infrastructure," said Sheppard, recalling that the county assured citizens the state would not allow the water to be contaminated and endanger fishing, swimming and boating activities in the area.

If the EPD's granting of the wastewater permit on Union Island is the state's way of "pro-

protecting" the environment, then something's wrong with this picture, according to Sheppard.

"Georgia's priceless saltmarsh estuary deserves better regulation," she said.

State law assigns the responsibility of permitting wastewater facilities to county health departments, according to Wannamaker. The law assigns the authority for setting standards governing such systems to the state Department of Human Resources (DHR), she said.

EPD claims to have permitting authority over the proposed system on Union Island through a "memorandum of agreement" with the Georgia DHR, according to Wannamaker, who explained that under the memorandum EPD can permit large, community-based wastewater systems using less stringent standards, while county health departments must permit residential systems using DHR's tougher standards.

"The Southern Environmental Law Center contends that this memorandum of agreement was not only misapplied, but is invalid under Georgia law," said

Wannamaker. "Allowing the EPD to exercise permitting and standard-setting authority over wastewater management on Union Island, not only threatens the health of this beautiful marsh hammock so valued by the people of McIntosh County. It also sets a dangerous precedent that could drive the destruction of these fragile marsh hammocks and result in perilous decisions that guide future development for generations."

It is not just about protecting the environment for future generations, said Sheppard. In light of the growth and development coming McIntosh County's way, there are huge infrastructure issues that are not being sufficiently addressed, she said.

"Nobody knows who will pay for services like water, sewer, roads and fire protection," she pointed out. "Questions about how these services will be provided are being put off into the future to be decided by somebody else. Well, the future is now, and county taxpayers are the 'somebody' who is left holding the bag."