



Coastal Advisory Council
August 1, 2019 - Coastal EMC, Midway
Meeting Summary

Welcome and Introductions

The meeting was called to order by Chairwoman Ashby Worley and round table introductions were made. Ms. Worley welcomed the new Council and reminded members that their membership will align with Governor's term.

Old Business

Meeting Summary

There were no comments on the Winter 2019 meeting summary.

New Business

Coastal Incentive Grants

Lori Harlin provided an update to the Council on the Cycle 22 Award notification stating that NOAA awarded the grant yesterday. Ms. Harlin provided an overview of the Cycle 23 Coastal Incentive Grant themes, criteria, 306A (construction) guidelines, terms and funding and timeline. See below for details.

- *Themes-* The themes from last year were provided and recommended as themes for Cycle 23. Those themes are Oceans and Wetlands, Sustainable Communities, Disaster Resiliency/Coastal Hazards, Public Access and Land Conservation, and Nonpoint Source Pollution. Clay Montague made a motion to accept the themes. Ben Carswell seconded. The motion passed with no opposition.
- *Criteria*
Information is on our website at <https://coastalgadnr.org/CIGApplying>. All criteria are unchanged from Cycle 22. Mr. Montague made a motion to approve the criteria. Charles McMillan seconded. The motion passed with no opposition.
- *306A Updates*
NOAA has not approved final guidance changes so the 306A guidance remains the same from Cycle 22; Jan Mackinnon stated that any project that is "collecting" data and disturbing soil will also have to go through a more rigorous environmental compliance review by NOAA; discussion continued on how these types of projects will be reviewed. GCMP staff will be available to discuss restrictions with applicants once final NOAA guidance is received.
- *Terms and Funding Updates*
The same terms were proposed as last year; Maximum award of \$80,000 per year and 2-year maximum project length. The Cycle 22 Year 2 carryover projects total \$279,768.
- *CIG Process*
The application process is unchanged as of last year. A Request For Proposals will be released in September, pre-proposals due in November and the deadline for applications January 2020. The Review Committee will evaluate proposals in February/March and

the successful proposals will be recommended to NOAA in the GA CZM application in May 2020. A tentative notification will be provided to applicants in May 2020. NOAA approval and subsequent contracts will be issued in August/September 2020. CIG awards can begin with fully executed contracts on October 1, 2020.

Dorset Hurley asked how we can highlight the overall success of the projects. Staff referenced the online grants database at <https://coastalgadnr.org/GCMPGrantsDatabase> as well as attending Brownbag presentations from grant recipients. In addition, staff will provide a list of all funded projects to the CAC when NOAA approves the awards.

Legislative Update- Jill Andrews

Jill Andrews gave an overview and update on 3 pieces of legislation that were active during the 2019 session that directly impact GCMP.

- Shore Protection Act (House Bill 445) - Representative Don Hogan sponsored legislation (not DNR) which included removing the language referencing a 20ft. tree and instead using markers such as a functional shoreline structure, the landward toe of the landward stable dune, or the ordinary high-water mark (OHWM). State jurisdiction would be established 25 feet landward from that point/line on private property and 100 feet landward from the OHWM on state-owned lands. The original language in HB 455 included an exemption from SPA permitting within a certain distance from a permitted groin. The exemption, which would have applied to Tybee and Sea Islands, did not get included in the final bill. HB 445 also allows smaller projects to be processed as “minor” activities that require a public notice but not necessarily a committee/public hearing. DNR feels the final outcome represents the original piece of legislation written in 2013. GCMP has been busy training staff on marking the new jurisdiction line (i.e. defining “crest” of a rock revetment, putting together an in-house guidance document). A concession was made that for a certain period of time prior to January 1, 2020 (when the law becomes effective) GCMP would mark both old and new lines. Mr. Hurley asked for staff to provide an overview of how these different lines appear according to how staff are marking them during the overlap period. This would be good information to present at a future CAC meeting.

Mr. Hurley asked for the definition of ordinary high water. Ms. Andrews stated that the new law mirrors the Army Corps of Engineers guidance and is based on field indicators to visually estimate high water at a particular location. An internal policy ensures that staff avoid marking jurisdictional lines on astronomical tides in order to approximate “ordinary” as best as possible. Dr. CJ Jackson stated that wave runup can push the wrack line up, depending on the slope, and there will be issues with consistency.

Dr. Montague stated that some areas see a big difference in one direction and other areas are much closer. Ms. Andrews stated that staff did a heads-up analysis of Jekyll, St. Simons, and Tybee and there seemed to be an overall balance up and down coast. Mr. Hurley asked if this will impact FEMA guidelines? Ms. Andrews stated there are no other impacts besides SPA. Ms. Worley asked if staff are seeing extra requests for lines in anticipation of the upcoming changes? Ms. Andrews responded, not yet. The CAC is the first group to know about the upcoming approach but CRD staff are planning on outreach to other groups.

- Liveaboards (HB 201) - Representative Don Hogan sponsored legislation (not DNR) to revisit issues related to liveaboard vessels, understanding the definition in GA includes houseboats and transient/cruisers, whether overnighing one night or multiple nights. The new legislation is intended to address problem boats without needing 24-hour surveillance of vessels for 90 days to prove that they are breaking the law. This legislation moved the issue out of the Coastal Marshlands Protection Act and into Title 52, allows for criminal (not civil) penalties and is combined with all other boating regulations, therefore it is more enforceable. Also, the legislation requires no discharge of treated or untreated waste from liveaboard vessels. A pumpout log is required and has been met with opposition from the cruiser community. The legislation re-created the ability for the Department to establish anchorage areas and the authority of the DNR Board to establish anchorage permits.

GCMP developed draft rules for anchorage permits and recommended they be obtained through the same process as hunting and fishing licenses with nominal fees. A public notice was issued after the DNR board meeting in May and a public hearing was held in June. Over 240 written comments and 68 verbal comments at the public meeting were mostly in opposition to requiring a permit. GCMP is not moving forward with the current draft rules in order to gain additional feedback from stakeholder groups before reworking those.

DNR will move forward with establishing anchorage areas before January 1, 2020. Anchorage will probably be more of an exclusionary approach to include a certain distance from shellfish beds, outside of navigational channels, and some distance from structures. It remains to be seen if Representatives Hogan or Stephens will bring this back to the legislature to address issues with anchorage permits and pumpout logs.

Dr. Montague asked what is rule versus law? Ms. Andrews stated that the law says liveaboards must be in an eligible facility or anchorage area. There is a pumpout requirement in the law. This does not apply to grey water. Ms. Andrews stated that we did have a stakeholder group when working on this with Representative Hogan but cruiser groups were not engaged at that point. There has been a lot of misinformation spread so staff are working to clarify those questions with stakeholder groups. Good points were made that this law does not get at true issue of abandoned and derelict vessels without hindering the cruising community.

Mr. Hurley asked if there is a time constraint for being at anchor or anticipation of this? Ms. Andrews stated that we are trying to get away from this for enforcement reasons but the cruising community is wanting a minimal time proposed for not needing a permit. Christi Lambert asked if there are density limitations? Ms. Andrews stated there are not but given the Georgia tidal range it might be more self-limiting in most areas based on how many boats can fit in an area. Dr. Montague asked if the centerline of the St. Marys River defines these rules. Ms. Andrews answered “yes”.

- Oyster Mariculture (HB501/SB182) – Representative Jesse Petrea and Senator William Ligon (not DNR) sponsored identical bills for oyster mariculture. The intent of the House/Senate bill was to bring oyster farming to the Georgia coast. The biggest hurdle

was that the existing law focused on wild harvest only. HB501/SB182 were explicit for clam and oyster farming. Representative Jeff Jones also brought forward a jumpstart bill called the GA Mariculture Act. His version conflicted with the National Shellfish Sanitation Program guidelines that DNR manages through the Food and Drug Administration (FDA) and HB501/SB182 had terms that DNR felt could better manage oyster mariculture with existing regulations. Ultimately, HB501/SB182 both passed their Chambers while Rep. Jones' bill did not pass out of Committee. Oyster farming options will include floating cages in tidal creeks, a different leasing structure, and it allows for seed importation based on criteria set by the DNR Board. It allows for summer harvest of oysters with the Board to set criteria to allow for such. The lease term was set in law as up to 10 years and the Board can set criteria for those terms. The law requires an Operational Plan for mariculture which helps DNR to enforce the FDA ordinance. The Shellfish and Mariculture Advisory Panel (AP) is having its first meeting tonight, August 1 at 5:30 in the Susan Shipman building at CRD. They plan to tackle a strawman for all rules needed and the group will look to other states for guidance. The goal is to offer the first lease in Spring 2020.

Rulemaking process: Ms. Lambert asked the timeframe for rule making. Ms. Andrews responded that rules will go to the Board in October for leases in 2020, but there is still a lot of work that needs to be done on criteria, therefore they may not be ready in October. Stacia Hendricks asked if summer harvest is for aquaculture and wild animals? Ms. Andrews noted that summer harvest is only intended for shellfish in floating cages due to submergence requirements. Mr. Hurley asked about the seed importation criteria; specifically, are there limitations on states where seed can be imported from? Ms. Andrews said DNR may wind up with different criteria for clams versus oysters; oysters may end up with ecoregion; there is no in-state hatchery currently. Mr. Hurley stated that when looking at genetic differences, subtidal oysters may not survive here and also reintroducing new genetic strain should be handled with caution. He then asked who the scientific advisors for the Shellfish AP are. Ms. Andrews said we do not have a seed criteria committee. The AP would like a committee to address seed but GA does not have an in-state seed geneticist. DNR is talking to SC who does have that capacity and we are hoping to engage a pathology lab out of UGA to do some work in coastal GA. We may have an issue with the lack of oyster seed; we need a hatchery first, but the hatchery will be driven by the market.

Dr. Montague asked who writes the Operational plans? Ms. Andrews stated that the applicant for the lease does. Dr. Montague asked if other technologies are allowed besides shellfish cages? Ms. Andrews responded that yes, the law is intended to be inclusive of all shellfish native species so other technologies can be proposed by grower.

Ms. Lambert asked what is driving the October timeline? Ms. Andrews answered that the Board does not like to hear rules during the legislative session so they will prioritize adopting the National Shellfish Sanitation Program model ordinance, setting minimum seed size requirements and importation guidelines, etc. Shellfish leasing in intertidal areas will follow the current process as leases become available. For floating gear (subtidal) leases, since there are none currently, it will be a new lottery system vetted

through the AP. Ms. Lambert stated that GA has the opportunity to do it right especially with seed importation and siting issues. There are great stakeholder processes in other states that GA should mimic, for example, Rhode Island. Ms. Andrews said it is the Department's priority to do a more detailed stakeholder process in localities that may come up for this process first.

Alton Brown asked about the market for oysters in GA restaurants. He mentioned that GA is not marketed for oysters; are these singles that growers are trying to produce? Mr. Hurley stated that the UGA hatchery individually sets oysters and manipulates them to grow as a single. Spat is still an issue once put into the water but they are working on that. It will be interesting to see if it is economically viable. Ms. Andrews agreed and stated that this is a heavy lift for law enforcement because of increased patrols and a commitment for more staff. Ms. Worley asked how to find out who the members of the AP are and what the general thoughts are from the current lease holders? Ms. Andrews stated she isn't sure who will be on it for certain and it has been a mixed reaction from existing lease holders. There are concerns that growers/future growers have raised about seed importation and summer harvest. The outcomes may not meet everyone's expectations through rule but they will, at a minimum, have a chance to provide input through a public process.

NOAA 312 Evaluation- Jill Andrews

The NOAA Office of Coastal Management administers the Coastal Zone Management Act and is required to evaluate state programs on a 5-8 year timeline. The NOAA Evaluation team will be visiting Georgia the week of August 26th where they will spend time learning about our program. Prior to their visit staff compiled a program summary document including background information on our program status, identified opportunities, gaps, needs etc. NOAA staff came back with three focus areas to discuss during the evaluation in more detail: Enhancing Shoreline Resilience, Communication and Stakeholder Engagement, and Community Capacity Building. The agenda will include a site visit to Tybee Island, several stakeholder meetings, and a public meeting on August 28th at 5:30 at Susan Shipman Center at the Brunswick office. After the public meeting NOAA will also be accepting written comments into September. Evaluations in the past have been very helpful. NOAA will produce a report to include recommendations based on their visit and stakeholder input, as well as any necessary actions to address program deficiencies. This report can give GCMP something to take to DNR leadership to show the need to address certain program areas.

Committee Reports

- Communications Committee- Stacia Hendricks
Discussed the updated GCMP Communications Strategy to increase visibility of GCMP. Jan Mackinnon gave an overview of two recent projects that aimed to focus on GCMP communications: a communications strategy and needs assessment survey. GCMP worked with an artist to create a GCMP icon, worked with Marbury Creative Group to develop a Comprehensive Marketing Plan and an Areas of Service graphic, as well as guidance on newsletter and public interaction templates to be used online.

The Needs Assessment Survey focused on 11 county coastal area, contracted with UGA CVIOG who released the survey in 2018. 12,073 individuals were invited to take survey and 331 completed responses to the survey. Focus group meetings were also held in three locations. Many comments focus around coordination among similar groups and

this is something that we will continue to look at and address. GCMP is hoping to continue getting the word out about what we do through several mechanisms including our new CAC newsletter, The Coastal Current, to update you on programmatic activities. CRD also hired a new communications staff Tyler Jones.

- Legislative Committee – Dorset Hurley

There are current openings on the Committee for a local government and research representative. The Georgia Outdoor Stewardship Act (GOSA) grant was discussed. The pre-application deadline is Sept 1- Oct 31st 2019. \$33 million available this year. Stewardship is included. Ms. Andrews asked if there a sense that this opportunity is well known or do we need to facilitate communication and outreach? John Hunter stated that it may be difficult for a city to meet the regional significance qualification. There have been things with Glynn County that could be considered such as the Altamaha Canal and Greenway ideas. TNC and Georgia Conservancy are part of the advisory group that can assist with outreach. Ms. Andrews mentioned that CIG could also be seed money to help identify potential projects. GOSA is a sliding scale with minimum of 25% match with in-kind accepted as well as federal match accepted.

FEMA floodplain management was discussed and it was stated that each coastal county has an assigned floodplain manager – they are not always certified. Chatham, Glynn, Camden and Bryan do have CFPM. Jennifer Kline stated that if a county does not have CFM on staff they contract with one. Mr. Hurley discussed the Community Rating System program and how site- specific changes can be requested.

Mr. Hurley states that the Legislative Committee had a discussion on their call around the benefits of CRD staff having greater interaction with this committee especially given the timing of legislative issues so they (the Committee) can help communicate amongst constituents and understand needs prior to legislative session. It was also encouraged that all CAC committees collaborate and communicate more.

Mr. Hurley also stated that he understood there is a letter to be signed by the DNR Commissioner thanking previous CAC members for their commitment and time served on CAC. Ms. Mackinnon stated that letter will be going out once the Commissioner signs them.

Bylaws Discussion (Attach draft revisions)

Ms. Worley stated that the Bylaws Revision Committee convened, and she thanked each of the participants and their time spent working on these revisions. An updated version of the bylaws was provided to the members including 3 documents providing Policies/procedures and guidelines.

Dr. Montague stated that one of the main reasons this took place was that the operation of Council did not match current bylaws and they also did not have enough details to provide guidance. The goal was to keep bylaws similar in length but to present details in the Policies and Procedures guidance documents to allow for easier updates and changes to these guidance documents. Dr. Montague walked through the changes one by one. Some errors and corrections were noted in the current drafts that will be corrected prior to the final draft. There was a motion by Dr. Montague to approve the Bylaws with discussed edits. Mr. Carswell seconded. The motion passed unopposed. Dr. Jackson suggested that the CAC Chairperson make a point to call

attention to an annual review of the bylaws each year. The winter meeting was suggested as a time to have that discussion each year. There was a motion by Dr. Montague to approve all 3 Policies and Procedures documents with discussed edits. Mr. Brown seconded and the motion passed unopposed.

Tate Holbrook requested an updated list of CAC Members. Ms. Mackinnon will send that out.

Other Announcements

Beach Week Update- Jennifer Kline

CRD hosted its 14th year of Beach Week, July 1-3 on Jekyll, St. Simons and Tybee Islands. There were approximately 2,000 people that visited Beach Week displays from federal and state education and outreach programs.

Climate Conference- Jennifer Kline

2016 GCMP hosted first Climate Conference; GA Climate Road Map hosting one November 7/8 in Athens; GCMP submitted proposal to present; CRD has extended invitation to Representative Buddy Carter to speak. GCMP is also funded to host next conference in November 2020. Planning for the 2020 conference will begin in October 2019.

Green Infrastructure/LID Stormwater Trainings- Kelly Hill

CRD has received EPD 319 funding to adopt/implement Urban components of the Coastal Nonpoint Source Program. Part of that includes funding for Green Infrastructure/Low Impact Development Stormwater Training. Permeable Pavement Training with Panel and Exhibitors and site tour was held in Savannah on June 11th. Bioretention Design Training and Tour will be held on Jekyll on August 14th and the Bioretention Construction Training will be held in St Marys in October to highlight an existing 319 project underway installing pervious pavers and bioretention.

Member Announcements

None