



Coastal Advisory Council
November 2, 2020
Virtual meeting via Go To Webinar due to COVID 19
Meeting Summary

Welcome and Introductions:

The meeting was called to order by the new Chairman, Mark McClellan. Mr. McClellan welcomed everyone to our fall meeting.

Old Business:

Meeting Summary

There were no comments on the July 2020 meeting summary. Motion to approve by Shawn Jordan seconded by Stacia Hendricks.

New Business:

Committee Reports

Communications Committee, Stacia Hendricks

In April 2015, the Communication and Outreach Committee was created, which has since been condensed to Communication Committee, to provide a level of communication. The mission statement is “the Committee will work to effectively communicate the opportunities, issues, and concerns of the CAC to the CRD staff, facilitate communication among the CAC and foster communication amongst stakeholders.” Since the committee was created, CRD has added Tyler Jones to their staff who has created the Coastal Current. The Communication Committee is currently comprised of the following members: Charles McMillian, Shawn Jordan, Katy Smith, Buddy Sullivan, and Stacia Hendricks. The committee has been in discussion about whether or not the mission is still relevant and expects that the Executive Committee will follow up to determine if the Communication Committee should continue.

Legislative Committee, Charles McMillan

In a typical year the Legislative Committee would be talking about some of the pre-legislative agenda items. At this time, the committee has nothing to report but we hope that after the election and at the winter meeting, there will be more of a deliberate effort to provide an update.

DNR Legislative Outlook for 2021 Session, Jill Andrews

Coastal Resources Division (CRD) is not anticipating any legislative initiatives this year. We are still working on rolling out changes from the 2019 session. Those were the changes related to the Shore Protection Act and Georgia Shellfish Maricultural legislative changes. We are still assisting with the transition of the oversight of some legislation related to live aboard vessels that came out of the Coastal Program’s purview and moved into Law Enforcement Division’s purview.

News from the Hill, Jill Andrews

We have one budget out of house/senate. It is still very favorable to Coastal Programs across the country in spite of the White House Administration's recommendation for zero funding across the board, which has been consistent for the last 4 years. We won't hear anything more about the budget until after election day when things are all settled.

SB1730/HB3115: We are watching a piece of legislation that is known as the Living Shoreline Act. It was cosponsored by Kamala Harris. It was originally introduced in 2019, but it did pass out of Senate Committee in June/July 2020. It is a bill to support a grant program administered by NOAA, the same federal administration that we are operating under. It is a new multimillion-dollar grant program to support living shoreline planning and installation with a special emphasis on areas that have a Stafford Act or emergency declaration or areas that have known history of coastal erosion.

Staff are working with the United States Army Corps of Engineers (ACOE) on Nationwide Permits (NWP) that are issued by ACOE. Every 5 years the ACOE puts out permits for projects that are going to have minimal or negligible impacts to waters of the US. We were expecting to have these NWPs reviewed and updated in 2022, but the Administration has requested that they be expedited to be issued by December 2020. There are multiple NWPs that apply to the coastal zone and a few that intersect with our state's ownership of waterbottoms and the Coastal Marshlands Protection Act. These NWPs are good for 5 years unless the timeline gets expedited again.

Dorset Hurley commented that he is glad to hear about traction made with the Living Shoreline Act and looking forward to it potentially passing.

Mr. McClellan mentioned the YouTube video of the CMPA 50-year mark. If it wasn't for the protection act, we'd be living on a different coast today.

Presentations:

Coastal Marshlands Protection Act Permitting Overview, Josh Noble, CRD, Marsh and Shore Management Program

Josh Noble provided a detailed overview of the permitting program and how the Coastal Marshlands Protection Act (CMPA) is administered. The CMPA establishes a committee of five members, which is the permitting issuing authority. The DNR Commissioner is the chair of the Committee. There are four additional members, three of which must be coastal residents. In 2004, the CMPA legislation updated and expanded the committee by two members. Currently, all four members are coastal residents. Zach Harris is on his second term. Bill Hodges is just completing his first term along with Chad Barrow and Brad Brookshire. Committee staff include the following:

- Doug Haymans-Director
- Jill Andrews- Section Chief
- Kelie Moore-Federal Consistency Coordinator

- The Marsh and Shore Management Team is Committee staff that process applications, conduct site visits and compliance inspections, and also delineate jurisdiction lines of the CMPA.
- Compliance and Enforcement Unit, led by Buck Bennett. They investigate unauthorized activities and resolve compliance issues that relate to the permitted projects.
- The Committee is represented legally by the Attorney General's (AG) Office.

Activities generally approved by the CMPA are water dependent and have no non-marsh alternatives. The public interest considerations are evaluated for each project by the Committee when making their decisions. Staff delineate the jurisdiction of the CMPA at no cost. The estuarine area defined in the CMPA as all tidally influence waters, marshes, and marshland lying within the tide-elevation range from 5.6 feet above mean tide level and below. Staff use the 14 jurisdictional plants identified in the CMPA as well as other indicator to locate the 5.6ft. elevation line. There are multiple ways to verify a CMPA jurisdiction line. We conduct 250-300 jurisdiction delineations each year on average.

The CMPA permitting process typically begins with a pre-application meeting between staff and the applicant and/or agent. Often projects are modified or reconsidered after pre-application meetings. Once applications are submitted to our office, we review those and ensure that they are substantially complete. Substantially complete is identified in the CMPA. There are 11 items used to evaluate the application. Once the application is substantially completed, it is then placed on Public Notice (PN) for up to 30 days for projects that are to fill, dredge, drain or otherwise alter coastal marshlands. There is an opportunity for folks to minimize impacts to less than 1/10th of an acre. This is an expedited permit process to encourage applicants to minimize their project footprint. Comments received during PN are forwarded to the applicant for a written response. These responses are incorporated into Staff's Findings and Recommendations that is submitted to the Committee to be reviewed.

Projects typically considered contrary to public interest that are explicit in the law include filling of marsh for residential, commercial, and industrial use. Staff review the applications that fall within these categories and do our best to recommend denial before the committee.

There are sites along the coast that include both CMPA and Shore Protection Act (SPA) jurisdiction. If areas are within CMPA & SPA jurisdiction, the committee may apply either or both statues to fully protect the public's interest in conservation of coastal resources.

In addition to permits, the CMPA was modified in 2013 to include Letters of Permission (LOP). The LOPs are very helpful in affording temporary activities in areas already impacted or for projects temporary in nature that leave a site the same or better than before project construction. LOPs have a 15-day Public Notification.

In 2013, rules were adopted to set forth a criterion for community and commercial docks, the 391-3.03, Regulation of Marinas, Community Docks, & Commercial Docks. There are three (3) criteria for these docks under these rules.

Also in 2013, CMPA-Upland Rules were established according to 391-2-3-.02. These regulate project boundaries for the upland component. The rules require that the applicant determines these boundaries which are subsequently verified by CMPA staff. There is a 50-foot marsh buffer for the upland component of these projects. The upland component only includes activities/structures which only serve to function or augment the marsh component. These rules also establish the Stormwater Management Standards for the upland component and an impervious surface rule for which an impervious surface calculation tool for engineers was developed a few years ago as well.

Scott Hendricks asked if the 250 CMPA jurisdiction delineations are the same number as CMPA applications CRD receives? Mr. Noble responded that the 250 number is for jurisdiction delineations alone. Typically, 30-50 CMPA applications are received each year.

Clay Montague asked if activities such as mowing and pruning were allowed within the 50 ft. marsh buffer? Mr. Noble responded that the upland component for the project only exists when there is a marshland component to the project. For example, a community dock's upland component would include the walkway and parking. CMPA marsh buffers do not include mowing or pruning. Those would be regulated under the Erosion and Sedimentation Act which affords applicants to cut grass, do landscaping and other minor activities, but this is not regulated in the CMPA. The 50 ft. marsh buffer only exists when there is a CMPA project.

Dr. Montague asked when property owners should stay put and when do they need to abandon their coastal property due to encroaching marsh and sea level rise? He also asked if there has been talk about how to resolve these issues in policy to provide to the public? Mr. Noble responded that we evaluate each project separately and make sure that it aligns with the public considerations. As it relates to policy, currently causeways that have been maintained are no longer within CMPA jurisdiction and are no longer regulated by us. For those that have filled marsh in the past, maintenance is key so that they are kept at 5.6 MTL or higher. If maintenance issues arise, we work closely with the applicant to manage it.

St. Simons Sound Incident/Golden Ray Update, Dan Donavon, SSI Response Liaison Officer, U.S. Coast Guard

The VB 10,000, the crane that will lift sections of the ship, will be arriving soon. The Anchor mooring was completed last week to allow the VB 10,000 to arrive. Responders are working on installing the gates to the environmental protection barrier (EPB). Initially, there was a 50-yard safety zone around the EPB, but now it has been extended out to 150 yards. A protective boom has been installed around Bird Island and St. Simons Sound in preparation for the cutting and lifting of the sections. There is approximately 20,000 feet of boom pre-staged and set up to mitigate oil and debris threats to geographically sensitive areas and shorelines throughout the removal operation. The geographically sensitive areas have been identified through the area contingency plan. Sound levels are one of the most common questions received from the community. Sound monitoring systems have been placed on the Jekyll and St. Simons Island Piers that will monitoring the cutting operations to ensure the safety of the workers and the public. Sound levels are expected to be negligible at the shoreline.

In the field, the Environmental Unit has teams that perform rapid assessments in the sound on both St. Simons and Jekyll, specifically looking for traces of new oiling. Full Shoreline Cleanup Assessment Technique (SCAT) teams (State, Federal, and Responsible Party) are performing surveys of the previously oiled areas to document existing oiling in the environment. The Environmental Unit has not found any oiling in any recently inspected areas. Teams continue to conduct periodic water sampling looking for any indications the Golden Ray may have undetectable leaks. There have not been any data indicating that the Golden Ray has caused any water quality issues. Removal of each section is expected to take a week if not longer to cut, lift, and load onto the barges and exit the environmental protection barrier safely. Unified Command expects weather and other unknown conditions to continue to impact the response. Estimates for a completion date change with every setback. The public is kept informed of the progress through our website at www.SSIresponse.com.

Dr. Montague asked if the week removal timeframe is for each section or for all of the sections. Mr. Donavon responded that it will take a week to remove each section. The cut itself is estimated to take 24 hours.

Dr. Montague asked for Mr. Donavon to clarify his statement that there were no water quality issues. Mr. Donavon responded that currently the ship has not been cut open yet, it is at its safest right now and a benchmark with the current water sampling and SCAT assessments is being established for a baseline.

Ben Carswell asked when the cutting will commence? Mr. Donavon responded that it was intended to start this week. Prep work is still taking place. The initial cut may take place tomorrow or Wednesday.

Jan Mackinnon stated that there are five CRD staff members that are participating in SCAT. They have been in the field for about four weeks now and will continue throughout the removal. A subset of that team will also be participating in UAV activities periodically.

Other Announcements:

Cycle 24 Coastal Incentive Grants Request for Proposal, *Beth Tasciotti*

Cycle 24 of the Coastal Incentive Grant (CIG) program was released in September. CRD released the announcement to the newspaper, our website, and gov delivery. In October, there were three virtual CIG workshops where 28 individuals participated from local governments and educational institutions. The pre-applications are due Friday December 4th. Full applications will be due in February. This year there is a new online submission portal.

Online Portal Stakeholder Survey, *Colby Peffer*

GCAMP and GWRAP geospatial data portals now have a survey that went live last month. The purpose of the survey is specifically to understand who the stakeholders of these portals are and the future addition of data and to evaluate who is using them and how these portals are being used. There is a link to these data portals on our website if you are interested.

CoastFest, *Jan Mackinnon*

CoastFest 2020 was completely virtual due to COVID-19 and held online Sept 30-Oct. 2. Tyler Jones produced nine unique videos that highlight different aspects of our Georgia Coastal Management Program (GCMP) and Marine Fisheries. This included Green Growth, Coastal Hazards, Living Shorelines, Beach Water Quality, Marine Fisheries, and other topics. People logged in from around the state. The videos are still available on our website. Children of CRD staff were brought in to introduce speakers and staff answered questions from students, teachers, and the public.

Low Impact Development Inventory Update, *Kelly Hill*

In 2016, CRD funded a project to inventory the low impact stormwater best management practices that were installed in public and local government managed areas in the eleven coastal counties. This was completed through a partnership with UGA Marine Extension, Georgia Sea Grant, and the Center of Watershed Protection and GMC. The inventory was a snapshot in time. This web map is still available on our website through the Green Growth page. Another inventory is to be funded with UGA Marine Extension and Georgia Sea Grant to update the inventory with existing practices, maintenance needs and new practices. They will also be looking at a cost analysis with local engineers and local consultants and develop an outreach plan to start promoting the online app.

2021 Climate Conference, *Jennifer Kline*

We are all set to host the conference on April 28-29, 2021 at Jekyll Island Convention Center. We have confirmed that representative Lynn Smith, who is the chair for the House Natural Resources and Environment Committee, is giving the welcome. Registration will open January 1st. Visit our website: <https://conference.georgiaclimatconference.org/>. We have a call for posters out now on our website as well as our list for becoming sponsors. If for some reason COVID-19 changes things we have a contingency plan for the end of June.

Climate Literacy Project, *Meghan Angelina*

Over the next year, Meghan Angelina will be working on a flood literacy project. This project entails working with a task force to investigate the scope of flood terms being used across the board by media, educators, local governments, state and federal agencies, emergency managers, and NGO partners. There will be several deliverables for a wide audience of stakeholders and multiple generations of the general public. These could include a glossary of terms, fact sheets, website content, newsletters, and social media posts. Part of this process is distributing a stakeholder survey to gain input on topics such as current terms used, issues, and new terms. Ms. Angelina will also be working on inventorying climate related projects that have been completed over the 22 years through the CIG program.

Member Announcements

None

Council Discussion

None

Mr. McClellan adjourned the meeting.