



# Coastal Marshlands Protection Act Permitting Overview

**November 2, 2020**

**Josh Noble**

# Committee Members

- Zach Harris- An attorney from St. Simons Island (2016-2018, 2019-2022)
- Bill Hodges- An engineer from St. Simons Island (2017-2020)
- Chad Barrow- CEO of a logistics company (2018-2021)
- Brad Brookshire- A banker and Bryan County Commissioner (2020-2023)

The Board of Natural Resources appoints the Committee Members. In 2004, legislation was passed expanding the Committees by 2 members. Three of the five members must be from the coast. The DNR Commissioner is an obligated seat.

# Committee Staff

Doug Haymans- CRD Director  
Jill Andrews- Chief, Coastal Management Section  
Kelie Moore- Federal Consistency Coordinator

## **Marsh & Shore Management Program**

Josh Noble- Program Manager  
Diana Taylor- Administrative Assistant  
Cindy Ridley- Associate Permit Coordinator/Beach  
Driving Coordinator  
Deb Barreiro- Coastal Permit Coordinator  
Paul Tobler- Coastal Permit Coordinator  
Amy Flowers- Coastal Permit Coordinator  
Dillon Richter- Coastal Permit Coordinator

## **Compliance & Enforcement Unit**

Buck Bennett- Unit Manager  
Katherine Cummins- Compliance and Enforcement  
Specialist

## **Attorney General's Office**

Peggy Eckrote- Deputy Attorney General  
Robin Leigh- Chief, Environment and Natural  
Resources

# Coastal Marshlands Protection Act

“The coastal marshlands of Georgia comprise a vital natural resource system. The estuarine area of Georgia is the habitat of many species of marine life and wildlife that cannot survive without the food supplied by the marshlands. The estuarine marshlands of coastal Georgia are among the richest providers of nutrients in the world.”

(O.C.G.A. 12-5-280, et seq.)



Generally, projects may be permitted if they:

- Are water dependent
- Do not have a non-marshland alternative site
- Do not unreasonably harm or alter the natural flow of navigational water
- Do not unreasonably increase erosion, shoaling of channels or create stagnant pools
- Do not unreasonably interfere with conservation of marine life, wildlife or other resources

# CMPA Jurisdictional Determinations

**“Coastal marshlands” or “marshlands” means any marshland intertidal area, mud flat, tidal water bottom, or salt marsh in the State of Georgia within the estuarine area of the state, whether or not the tidewaters reach the littoral areas through natural or artificial watercourses.**



**Staff conducts marsh delineation at no cost using the 14 marshland plants used to identify vegetated marshlands and other indicators as identified in the Coastal Marshland Protection Act (O.C.G.A. 12-5-280, et seq.)**

**“Estuarine area” means all tidally influenced waters, marshes, and marshlands lying within a tide-elevation range from 5.6 feet above mean tide level and below.**





# CMPA Permitting Process

In most cases, staff works with applicants/agents prior to an application being filed. These meetings are typically called “pre-application” meetings. It is in these meetings where staff informs applicants/agents the requirements of the CMPA as well as provide technical assistance and recommendations.



All CMPA applications are placed on public notice once staff has determined the application to be substantially complete.



In the case of CMPA proposals qualified as a “Minor Alteration” (impacts less than 1/10 of an acre), the staff provides all CMPC Members a copy of the decision documents and staff’s findings and recommendations.



CMPA permits granted by the Committee become final upon issuance, but no construction or alteration may commence until the expiration of 30 days following the date of issuance.

# CMPA- Marina & Dock Rules

## 391-2-3-.03, Regulation of Marinas, Community Docks, & Commercial Docks

- Tier One Community Crab Dock
- Tier Two Community Dock
- Tier Three Community Dock or Commercial Dock
- Marinas
- Community Dock, Commercial Dock, or Marina Modification



# CMPA- Upland Rules

## 391-2-3-.02, Regulation of Upland Component of a Project

- Procedure for Determining Project Boundaries
- 50' Marshlands Buffers for Upland Component
- Stormwater Management Standards for the Upland Component
- Impervious Surface (Goal of 15% Effective Impervious Surface)





# CMPA Projects

The following items are typically contrary to the public interest:

- Filling of marshlands for residential, commercial, and industrial uses
- Filling of marshlands for private parking lots or private roadways
- Construction of dump sites and depositing any waste materials or dredge spoil
- Dredging of canals or ditches for the purposes of draining coastal marshlands
- Mining
- Construction of lagoons or impoundments for waste treatment, cooling, agriculture, or aquaculture which would occupy or damage coastal marshlands and life forms
- Construction of structures constituting an obstruction of view to adjoining riparian landowners, including signs and enclosures



# CMPA & SPA Projects



If an area has *both* coastal marshlands and dynamic dune Fields, the Committee may apply either or both statutes to fully protect the public's interest in conservation of coastal resources.