



Coastal Advisory Council  
November 13, 2019 – DNR Coastal Resources Division, Brunswick GA  
Meeting Summary

### **Welcome and Introductions**

The meeting was called to order by Chairwoman Ashby Worley. Jan Mackinnon introduced new CRD staff member Colby Pepper, GIS Coordinator, as well as Lindy Betzhold, SE CZMP Coordinator from NOAA’s Office of Coastal Management in Charleston, SC. Ms. Betzhold then introduced her two colleagues John McCombs, SE/Caribbean Regional Geospatial Coordinator, and Dave Stein, SE/Caribbean Regional Lead, who will be in this role for the next 3 months. Round table introductions were made.

### **Old Business**

#### Meeting Summary

There were no comments on the Summer meeting summary.

### **New Business**

#### Committee Reports:

##### *Communications Committee – Katy Smith*

During the April Committee meeting, the needs assessment survey that had been conducted by GCMP was discussed. Further discussion is needed about the survey and the outcome, specifically focusing on spreading the messages that were the results of the survey. The Committee will follow up with GCMP staff.

##### *Legislative Committee – Dorset Hurley*

- Discussed HR 811: *Passed*, House resolution recognizing the unique economic and natural resources of coastal Georgia and the need to carefully study and consider the impacts a commercial spaceport may have on such resources; and for other purposes.
- Discussed HB 93: A introduction of a bill in relation to surface-water pollution and water quality control, was introduced to require that notice to local governing authorities and the public be given in the event a facility would do coal ash impoundment dewatering.
- Discussed HB 682: *Passed*; the bill allows for the creation of a Camden County Spaceport Authority.
- Discussed HB 201: *Passed*; Proclamation of rules for anchored vessels in estuarine waters, to be established by the Department of Natural Resources. Rulemaking update later in the meeting by Jill Andrews. Goes into effect on Jan 1, 2020.

- Discussed HB 382: Outdoor Stewardship Act: *Passed*; Redefining eligible applicants for and recipients of grants. Redistributing trust monies available for administration purposes to 5% or 1 million. Implemented began on July 1<sup>st</sup>, 2019. Preapplications are currently in review. Ms. Mackinnon proposes a speaker on this in the future.
- Discussed HB 592, Surface Mining Exemptions to the Forest Land Protection Act: Introduced in 2019 session; Would provide that short-term mineral surface mining shall not be a breach of covenant on properties that are under the Forest Land Protection Act (FLPA) covenant, provided that the property is returned to its pre-mining condition within three years.
- Discussed HB 445, Shore Protection Act: HB 445 seeks to redefine and clarify the jurisdictional line by using three methods:
  - 1) A line 25 feet landward on private and public land from the landward most toe of the most landward sand dunes. This method would be used when there is an existing dune field at the upland/sand sharing system interface.
  - 2) A line 25 feet landward on private and 100 feet on state land from the crest of a visible and functional shoreline or stabilization structure. This method would be used when there is a rock revetment, bulkhead or seawall at the upland, sand sharing system interface.
  - 3) A line 25 feet landward of the ordinary high water mark on private land and 100 feet landward of the ordinary high water mark on state-owned land. This method would be used when there is an eroding shoreline and no dune field present at the upland sand sharing interface.

There was a request for a future presentation by staff to clarify new rules. Ms. Andrews responded that on January 1, 2020 there will be new delineation methods utilizing the new regulations. The jurisdictional determinations (JD) will be established using ordinary high water, landward toe of the landward dune, or an existing revetment. The only time a JD using the old rules is valid based on 20 ft tree will be if you have that marked line within the last year. CRD will honor this for one year for the JD.

- HB 501: Oyster Mariculture. This legislation passed in 2019 and allows for the development of shellfish (oyster and clam) mariculture on the Georgia coast. Ms. Andrews provided an update later in the meeting (see below).
- Federal Legislation: U.S. Congress House Bill 1568, Senate Bill 2453: Introduced; Scientific Assistance for Very Endangered North Atlantic Right Whales Act of 2019. Bills seek funding research for reduction of impacts and recovery for North American Right Whale.

Chairwoman Worley reminded the Council that the Legislative Committee is looking for one or two more members, needing academia and local government additions or anyone who is interested.

As of right now, CRD is not aware of initiatives that may affect DNR, but CRD staff will continue to track upcoming legislation. The Legislative Committee is encouraged to continue to track legislation outside of the GCMP but note that some legislation is not in the DNR purview.

- **HB 201: Liveaboard Legislation: *Passed***; This bill was intended to get a handle on transient vessels and how they operate in our state waters, as well as manage abandoned vessels which very often becoming sunken, derelict. The bill allows the Department to establish where these vessels can live on anchor, allows permitting, requires a pump out log, and establishes no discharge requirements. CRD proposed rules pursuant to HB201, however we heard numerous concerns about the law and proposed rule so those efforts have been discontinued while we gather more public input.
- **Shellfish: HB 501: Oyster and Clam Mariculture and *Proposed Rules***; Law and proposed rules will be effective March 1, 2020. The Shellfish Advisory Panel has met 4-5 times since August 2019, and consists of growers, restaurateurs, shellfish dealers, etc. The proposed rules put into place management requirements of the program and are currently open for public comment (until November 21). A public hearing on Nov 6<sup>th</sup>, 2019 had low turnout and mostly positive feedback. Rules were vetted within the Panel, so positivity within the panel. The rules to for final approval to the DNR Board for their December meeting.

Dorset Hurley asked if the new shellfish harvesting areas expand from traditional, already established areas. Ms. Andrews responded that we are first looking to stay within currently growing areas and will determine, down the road, if additional areas need to be opened – a process that takes at least 3-years. DNR wants to optimize space while avoiding user conflict. As of now, boaters and other waterway users have not experienced results of new rules, and so it will potentially change experiences for them. Dorset Hurley commented that there is a potential to increase recreational fisheries species habitat by floating shellfish habitat creation, so the changing experience might be beneficial to some other waterway users and provide positive anecdotes for the state. Charles McMillan asked is there potential for a McIntosh County presentation and meeting with community? Jill responded that that was a good idea and would potentially move forward.

#### Presentation: Coastal Nonpoint Source Management Program Update: Kelly Hill

Ms. Hill presented on the history of the Coastal Nonpoint Source Program and final approval in November of 2018 as well as how this program will now be addressed in the Statewide Nonpoint Source Management Plan which is updated every 5 years. GCMP has been implementing a GAEPD Section 319(h) grant over the past year to draft coastal priorities and recommended Coastal Activities for the 2019 Statewide Plan Update. GCMP worked with UGA's Carl Vinson Institute of Government to gather input from the Coastal Nonpoint Source Advisory Committee, represented by a wide array of coastal stakeholders, who provided hours of time drafting revisions and updates for the Coastal Section of the 2019 Statewide Plan Update. The Committee's recommendations have been included in the final plan which was officially adopted in October of 2019. This plan provides a framework of priority activities that can be completed

to help reduce nonpoint source pollution statewide. Applicants of the Section 319(h) grants program implemented by EPD will benefit from addressing activities identified in this plan. The final plan can be accessed online at <https://epd.georgia.gov/watershed-protection-branch/nonpoint-source-program>. The 319 grant program can be a great complement to GCMP's Coastal Incentive Grants, as it funds many of the construction based implementation projects that the CIG program cannot.

Ms. Hill also highlighted two projects as part of a Section 319(h) grant that CRD has been implementing this year. The first is a series of Green Infrastructure/Low Impact Development (GI/LID) Trainings that have focused on Permeable Pavement and Bioretention. The final training was held in October in the City of St Marys and focused on LID/GI Construction Sequencing and Best Management Practices. This training was able to utilize an ongoing 319 project in downtown St Marys as a site tour example that highlighted permeable pavement and bioretention. A video of the installation process of Permeable Interlocking Concrete Pavers in St Marys was also shown. The GCMP intends to continue to seek funding to host additional GI/LID trainings in the future.

A second part of this grant is funding a Better Back Roads BMP project. The Better Back Roads (BBR) Field Manual was developed as a field guide of best management practices for dirt and gravel roads to reduce sedimentation of adjacent waterbodies. CRD has subcontracted with McIntosh County to make repairs according to the BBR Field Manual on Rossville Road, which experiences washouts regularly due to undersized and misplaced culverts and poorly maintained drainage easements. This project will be a great training tool for county public works staff as they construct most of this project with county staff.

And a final highlight of this grant is work that has been done to update the WelSTROM Coastal Mapper. WelSTROM is an online septic and well mapping site that is now directly linked to the Statewide Digital Health Database for an up to date inventory of septic tanks in an online mapping platform. GCMP contracted with the Southern Georgia Regional Commission to create this updated platform and UGA to provide outreach and education. You can access WelSTROM Coastal at [www.WelStrom.com/Coastal](http://www.WelStrom.com/Coastal). And UGA will be hosting a training at the Coastal Regional Commission in Darien on Dec 18<sup>th</sup>, 2019.

Ms. Hill also mentioned that the GCMP has some funding set aside this year to begin a stakeholder process to update the Clean Marina Program to address Resiliency efforts. The intent of these meetings will be to update any existing management measures that are outdated as well as provide additional measures for resiliency. The group will also discuss potential future implementation of the Program. This was an Activity included in the Coastal section of the Statewide NPS Plan, so the GCMP hopes that these discussions will help spur discussions that could lead to an applicant to pursue a Section 319(h) grant to address this activity.

Ben Carswell asked if the language included in the Statewide NPS Plan could be clarified on the Clean Marinas program. Ms. Hill responded that it can be for anyone who wants to apply to EPD for Section 319(h) funding. Mr. Carswell asked what help is there available to navigate these grants. Ms. Hill responded that there are EPD staff available to assist with applications and that mandatory training is now offered for all potential applicants. Ms. Hill also offered to provide assistance with project development if needed. Chairwoman Worley asked who the WelSTROM training is intended for. Ms. Hill responded it is for anyone who will ultimately find the

information and the database useful. Vice Chair McClellan asked what the endgame is for this type of septic tank data. Ms. Hill responded that one benefit of the data is for it to be used for research purposes.

#### Presentation: The Big Boat: Golden Ray Update: Jan Mackinnon

Ms. Mackinnon passed around oiled and non-oiled pieces of *Spartina alterniflora* to the group for exhibit purposes. The incident with the Golden ray is currently in Day 67. The incident is being handled by a Unified Command authority structure in which the incident commander role is shared between DNR, the responsible party (represented by Gallagher Marine Systems), and the U.S. Coast Guard. The operation headquarters was initially at the DNR CRD building but quickly moved to the Embassy Suites in the Brunswick Mall to allow for more space. Boat operations for the incident also forced the Lanier public boat ramp to close. It has since reopened as of last week. The fuel onboard the vessel was approximately 320,000 gallons of primarily marine diesel oil. The capsizing of the vessel initially caused the release of fuel of an unknown quantity and subsequent releases without explanation. The last major release was Sept 30<sup>th</sup>. Initially the biggest concern was Bird Island considering the proximity of the island to the source as well as the quantity of birds nesting and roosting at the site. Boom was placed there soon after the incident, and some around local marinas, with the intent of trying to protect wildlife and prevent the transferability from recreational vessels at the marinas. Ongoing monitoring includes 22 water quality stations and several air quality stations, daily, all samples which have come back clean so far.

Mr. Hurley asked why weren't there booms out the first few days and why there was a lag in response? Ms. Mackinnon responded that booms were placed initially but the high tidal range and strong tidal flow presented challenges for the boom placements. Mr. Hurley asked who is responsible for placing boom. Ms. Mackinnon responded that the responsible party, represented by Gallagher Marine, is responsible for placing boom. Ms. Andrews included that every decision made in regards to this incident needs to be signed of by the state representative, the federal representative and the responsible party representative, therefore lending extra complexity to decision making. Ms. Andrews added that the response time has been astoundingly short despite these added complexities, however DNR staff do not know how this response time compares to other incidents. Also, the Georgia Port Authority (GPA) did assist with providing some boom and resources right after the incident to improve response time. Boom is typically designed to be used in environments with 1-2 knot tidal currents, whereas the Saint Simons Sound experiences up to 6 knot currents, adding challenges to the boom placing process. They attempted to offset this with boats equipped with booms skimming oil of the surface. Also, the response looks different from the containment point-of-view than from other points-of-views. Ben Carswell added that there were rescue operations that prevented boom from encircling the ship during the early days of the incident. Ms. Andrews responded that this was a learning experience for everyone working on the response, and that the response was very reactive from the State's point-of-view. Mr. Hurley asked where the EPD, and the U.S. EPA fit into the response equation. Ms. Andrews confirmed that EPD has been apart of the response from day one, but CRD supported a lot because EPD had another incident going on concurrently on the other side of the state. Despite that, EPD staff have been active in helping to fill Shoreline Cleanup Assessment Teams. Mr. Hurley also asked if GPA should be more involved in future oil spill responses and contributing more resources to the effort. Ms. Mackinnon responded the GPA did

assist with immediate offering of booms on hand but there was not enough to handle the magnitude of the incident. Alton Brown commented that it would be like having enough equipment on hand all the time for a snow storm in Savannah, not realistic to ask to have all of that. Mr. Hurley stated there is little history of oil response here, but it seems like because we have two major ports in a very small area, GPA should be responsible to have greater response resources available in shorter periods of time. There could be an improvement in response. John Hunter responded that this could be said about any situations, like when City of Brunswick had to deal with the recent hurricanes. You can learn from it for the next time it happens. I don't think you can ask for any more than that from DNR or GPA. Mr. Brown added especially when you are dealing with all levels of government and multiple agencies in one incident. Mr. Carswell expressed that, considering that these ships carry the dirtiest fuel they can burn, and climate impacts associated with that, he's hoping that at some level it should be looked at that they are allowed to even carry this heavy fuel oil. Savannah Pilots Association also have commented that this is not an incident they train for. In subsequent weeks a similar power outage happened on a carrier in Savannah River North channel. The ship ran aground but did not tip over.

Dave Stein asked what the salvage plan is for the Golden Ray. Ms. Mackinnon responded that this is still not yet decided and there are multiple options being explored by the salvage team. Ms. Andrews added that this particular salvage operation has had a lot of really qualified people from around the world looking at the plan, and it has been challenging to figure out a salvage plan, especially with the 6 knot current environment, and the ship's lack of stability. Responsible party said on the radio that they hope to remove everything by end of 2020.

Chairwoman Worley asked that an update on the Golden Ray be provided at subsequent meetings until the ship and has been removed.

Ben Carswell asked if the maps of oiled areas become pertinent on a Natural Resources Damage Assessment (NRDA)? Ms. Mackinnon responded that at present, a NRDA has not been opened, and it is unclear if one will be in the future. The discussion on NRDA will continue.

Alice Keyes asked if staff time will be reimbursed by the responsible party. Ms. Mackinnon responded that the DNR staff are tracking their time when working on Golden Ray operations in preparation for that very question, but at the moment it is uncertain if the reimbursement will happen.

Chester Jackson asked if the vessel is insured, and if it is, is the insurance agency present at Incident Command. Ms. Mackinnon responded that yes, the insurance company is present and active in the conversation. Ms. Andrews stated that the insurance company has stated that there is money to cover the operations currently planned, and they are supervising the entire process of the response. Dr. Jackson asked if they have any influence over decisions. Ms. Mackinnon responded that they are not involved in any decisions being made in the field but that they did have influence over declaring the vessel a wreck or a total loss.

Vice Chair Mark McClellan asked if GEMA has any involvement in the response. Ms. Andrews responded that she didn't believe so and that it was EPD who was involved.

Clay Montague asked if there were any peripheral damages to recreation and local industry. Ms. Mackinnon responded that there is a separate side of the Joint Information Center that is set up

for people to report damages and losses. *If* a NRDA is opened, then there will be a full economic analysis. Dr. Montague asked if DNR staff know how many claims have been filed. DNR staff does not know how many claims have been filed. DNR staff have been mainly involved in the Environmental Unit operations.

Chairwoman Worley asked that an update on the Golden Ray be a continuing agenda item for future meetings until the Golden Ray impacts are over.

### **Other Announcements**

#### Jill Andrews: Coastal Marshlands Protection Act 50<sup>th</sup> Anniversary (July 1<sup>st</sup>, 2020)

The CMPA protects really vital resources and DNR CRD wants to celebrate this important piece of legislation, including maybe some events centered around wetlands and coastal marshes, and also release more information on these habitats. The celebration is being kicked off with a video, currently in production, that interviews CRD past directors and others who were influential in making the CMPA happen. DNR CRD has reached out to some partners to contribute to a possible birthday celebration. Senator Reid Harris, Jr., Jane Yarn and the Georgia Garden Club are just a few of the influential people and groups behind this Act.

#### Jan Mackinnon – Coastal Incentive Grant RFP Release

The list of Coastal Incentive Grants that went through the competitive CIG process and have been funded has been released. There were 10 projects funded starting on October 1<sup>st</sup>, 2019. Some projects have already begun, while some are still in the approval process from NOAA. The next RFP cycle is on the DNR CRD website, with preapplications due Dec 6, 2019, at 4:30pm. Full applications, for those invited to submit, will be due by Feb 14<sup>th</sup>, 2020. The website has more information. Thanks to Kelly Hill and Jennifer Kline for helping to host two preapplication CIG workshops.

Chairwoman Worley asked for clarification on whether the Georgia Research Foundation was inclusive of UGA Marine Extension or Skidaway Institute of Oceanography. And can a primary investigator be added on that description. Ms. Mackinnon confirmed that will be done.

#### Jennifer Kline:

CoastFest celebrated its 25<sup>th</sup> Anniversary this year during the first Saturday in October. It was planned primarily by DNR CRD's new public relations coordinator, Tyler Jones, and he made it the best CoastFest ever. There were more than 12,000 attendees, which is the most ever that have been counted for attendance. There was also a new art exhibit in air-conditioned public library across the street from Mary Ross Waterfront Park. There was a tent for the Golden Ray, hosted by the Joint Information Center. There is a highlight on the event in this month's Coastal Current newsletter.

#### Georgia Climate Conference

The GCC was hosted last week in Atlanta. Ashby Worley, Jan Mackinnon, Kelly Hill, and Jennifer Kline all presented on various projects. There were not as many coastal issues at this event as previously, because the event was not hosted on the coast. Next year the conference will be held at on the coast by DNR CRD in order to bring coastal issues back into the focus. There

will be some requests for steering committee to the CAC. The conference will be funded with a Coastal Resiliency Grant.

Member Announcements:

- Chairwoman Worley: The optional boat trip scheduled for today has been cancelled due to weather. Jan Mackinnon states that it can be rescheduled for future meetings if there is interest.
- Katy Smith: The Coastal Science Symposium is being hosted at the College of Coastal Georgia from 9 am to 12 pm on Friday, November 15<sup>th</sup>.
- Chairwoman Worley asked the CAC what presentations would be of interest at future meetings. Responses included: Taylor Brown presenting on GOSA; Updates on the Marsh and Shore Protection Act Jurisdictional lines by Josh Noble; Clark Alexander and Merryl Alber presenting on recent research on marshes and sea level rise; the recent CAC communications survey; plastics in our estuary. Ben Carswell suggested that the new jurisdictional lines rules be prioritized.