

Coastal Advisory Council
October 25, 2021
Virtual meeting via Zoom
Meeting Summary

Welcome and Introductions:

The meeting was called to order by Chairman Chester Jackson. All CAC members, guests, and CRD staff introduced themselves during a round robin session. Kelly Hill introduced CRD's new Georgia Sea Grant State Fellow, Shannon Matzke. Shannon will be working on coastal nonpoint source projects including the Clean Marina Program and the LID inventory.

Old Business:

Meeting Summary

There were no comments on the Summer 2021 meeting summary.

Committee Reports

Communications Committee, *Katy Smith (filling in for Stacia Hendricks)*

No report

Legislative Committee, *Charles McMillan*

There is currently no state legislation update on the Coastal Program. Funding opportunities for resilience and environmental regulatory are increasing.

Scott Hendricks

The EPA and the USACE have recently announced a new rulemaking to redefine waters of the United States (WOTUS). The Clean Water Act gives these federal agencies the discretion to define this term which determines where federal jurisdiction ends.

- Rapanos Decision (2006): "The phrase 'the waters of the United States' includes only those relatively permanent, standing or continuously flowing bodies of water 'forming geographic features' that are described in the ordinary parlance as streams, oceans, rivers and lakes, and wetlands with a continuous surface connection to a relatively permanent body of water connected to traditional interstate and navigable waters." Justice Kennedy agreed with this, but also concluded that "to constitute navigable waters under the Clean Water Act, a water or wetland must possess a significant nexus to waters that are or were navigable in fact or that could reasonably be so made." He provided context for what this requisite nexus would be, and these ideas went into additional guidance for the Rapanos.
- Clean Water Rule (2015): clarified some of the things in the Rapanos Decision and expanded federal jurisdiction. After many lawsuits across the United States, the pre-2015 rules were in place in half the states and the Clean Water Rule was in place in the other half.
- Navigable Waters Protection Act (2020): reduced federal jurisdiction even beyond what the pre-2015 established.

- June 2021: The Biden Administration announced their decision to redefine WOTUS by repealing the Navigable Waters Protection Rule and replacing it with some pre-2015 components, while updating it based on applicable supreme court decisions. This “act” will be durable so that it will resist any Supreme Court challenges. The EPA and the USACE are already in the process of this, and the comment period is open.

Alton Brown added:

- The Navigable Waters Protection Rule provided clarity and consistency, and the hope is that this goal will be maintained. There may be some gray areas with the Rapanos.
- Previous administration issued a memorandum that said the states were encouraged to take on the roles of the 404 programs (i.e., Florida). The impact that the Navigable Waters Protection Rule had on these states was different than the impact it had on Georgia because of their (i.e., Florida’s) interaction between the USACE and the state.

Jill Andrews added:

- Upcoming legislation session: the agency is not planning to propose any bills.
- News from the Hill: Federal budget values have been put forward by the House and the Senate. The breakdown for Coastal Programs, NERRs, and Sea Grant is promising with an expected, modest increase in base funding, which means there is a potential for additional funding for the Georgia Coastal Program. It is currently unknown how they want the money spent, but these extra dollars are being considered for coastal resilience and the need for additional resources to protect our coastlines from immediate and long-term hazards.
- Bi partisan infrastructure bill and the \$2 trillion infrastructure bill: a lot of funding could be offered to coastal states through the Coastal Programs (\$200 million over the next 5 years) for resilience projects involving acquisition or restoration.

Presentation

Jan Mackinnon introduced today’s speakers:

- Cole Mullis of the Coastal Regional Commission presented on the Coastal Georgia Regional Plan’s Vision and Goals. For more information or to leave a comment, visit crcplanning.org/regional-plan. They will be soliciting input for at least the rest of this year.
- Michael Himes of the United States Coast Guard presented on the Golden Ray status. The final piece of the Golden Ray was transported away from the wreck site 10/25/21 and a press conference occurred on 10/26/21. Next step will be to remove debris (mostly metal) from the EPB (3 weeks of cleanup). Shoreline operations will occur for the next few months. ssiresponse.com
 - All the vehicles that were removed will be sent to local auto recycling facility. Ship parts are sent to a Louisiana recycling facility.
 - TNT has maintained a weekly survey of the wreck site, and this will continue through the debris removal process. We don’t have pre-bathymetric surveys

besides what USACE would have taken. 2 “bowls” have formed near bow and stern but now that the wreck is removed, this landscape may be changing.

New Business

Interactive poll to help in planning other meetings: What do you think is the biggest challenge facing the Georgia coast today?

Responses:

- Coastal flooding
- Pollution
- Erosion
- Sea level rise dynamics
- Planning for Development
- Sea level rise
- Long term development planning
- Development of current or future flood prone areas
- Striking a sustainable balance between the needs of a growing human population and the preservation of natural resources
- Climate
- Balancing development with ecological needs and future risks
- Long term development planning
- Maintaining access to coastal infrastructure for accessing coastal resources as sea level rises. Such resources include docks, access roadways, boat building and seafood businesses, and residences.
- Development and rising sea level
- Investing in resiliency
- Impacts from SLR and development practices

Other Announcements

Cycle 25 CIG RFP Release

Beth Tasciotti (CRD Staff)

The Cycle 25 Request for Proposals is published. There were 3 virtual workshops that provided general information about the CIG, as well as information about the application process. 37 people attended these workshops. Staff have already had several contacts for potential projects for Cycle 25.

Coastfest

Tyler Jones (CRD Staff)

Virtual Coastfest took place on October 5-7, and the 9 livestream videos can be found at dnrcoastfest.org We are hoping to have Coastfest in person next year.

Webinar series

Jennifer Kline (CRD Staff), Lindy Betzhold (NOAA OCM)

Building a Resilient Georgia: Funding Opportunities

Webinar Series beginning on 11/10 at 1-3 pm

Flyer attached: To register, go to <https://bit.ly/3jPuvZ9>

Chairman Jackson adjourned the meeting at 11:22 am