General Assembly declared sand dunes, beaches, sandbars, and shoals comprise a “vital natural resource system...”:

- Buffer from winds, tides, and erosion;
- Unparalleled natural recreational resource vital to the economy of the entire state;
- Costly, if not impossible, to reconstruct; and
- Essential to health, safety, and welfare of citizens.

Allows activities and alterations:

- In the best interest of the state;
- Do not substantially impair the values and functions of the sand-sharing system.
-Based on the landward boundary of the “dynamic dune field:”

- First occurrence of live, native trees 20 feet in height or greater, or

- A structure existing on July 1, 1979.
  - Jurisdictional points were no more than 250 feet apart and also took into consideration site characteristics such as:
    - Topography
    - Dune stability
    - Vegetation
    - Lot configuration
    - Existing structures
    - Distance from the OHWM
    - Other relevant information

This photo of Driftwood Beach is courtesy of TripAdvisor
Changing the Law

- **2012-2014 General Assembly**
  - DNR agency legislation
  - House Bill 402
  - House and Senate approved changes for LOPs

- **2016-2018 General Assembly**
  - DNR agency legislation
  - House Bill 271 as drafted by DNR
  - Passed House unanimously
  - Stalled in Senate Committee

- **2019 General Assembly**
  - Sponsored by Rep. Hogan (Glynn Co.)
  - House Bill 445 - included new exemptions
  - Passed House and Senate without exemptions
Shore Protection Act: HB 445 Highlights

- Redefines “dynamic dune field”:
  - Does not include stable sand dunes
  - Landward boundary of the jurisdictional area changed to first occurrence of:
    - Seaward portion of a structure existing July 1, 1979, or
    - 25 feet landward of most landward sand dune, or
    - 25 feet landward from the crest of a functional shoreline stabilization feature (e.g., rock revetment, bulkhead, or seawall), or
    - A distance landward from the ordinary high water mark:
      - 25 feet on non-State lands, or
      - 100 feet on State-owned lands
- Redefines “stable sand dune” as a dune not within the sand sharing system.
Shore Protection Act: HB 445 Highlights
Shore Protection Act: HB 445 Highlights

- Adds a “minor activity” category of permit:
  - Construction of decks, patios, porches, or native landscaping that impacts less than 1/3 of jurisdictional area
  - Elevated crosswalks to access the beach
  - Allows for public comment periods commensurate with the complexity of the project, but not less than 15 days

- Set maximum fees for permit renewals

- Allowed current and new property owners to transfer permits

- General housekeeping measures to replace archaic/obsolete terms

- Became effective December 31, 2019
Thank you

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