JOINT MEETING OF THE
COASTAL MARSHLANDS and SHORE PROTECTION COMMITTEE

May 21, 2021
10:00 o'clock A.M.

GEORGIA DNR COASTAL REGIONAL OFFICE
SUSAN SHIPMAN ENVIRONMENT LEARNING CENTER
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5-21-2021
APPEARANCES

COMMITTEE MEMBERS PRESENT:

MARK WILLIAMS, CHAIRMAN
BRAD BROOKSHIRE
ZACH HARRIS
DAVIS POOLE

COASTAL RESOURCES STAFF PRESENT:

KARL BURGESS
JILL ANDREWS
JOSH NOBLE
DOUG HAYMANS

Also in Attendance:

MS. MARGARET KEMMERLY ECKROTE
Assistant Attorney General

MS. ROBIN LEIGH, Section Chief
Attorney General Office

MS. ANDREA HARTUNG, Attorney
Attorney General Office
MS. ANDREWS: All right, Commissioner, at this time, we have three additional Committee members. We have Brad, Zach, and Davis all on the line.

CHAIRMAN WILLIAMS: Well, thank you, Jill. And thanks for putting this together.

I will call the meeting to order. And welcome, everybody. It is a beautiful day down here on the coast. And it looks like we're going to have a gorgeous weekend, busy weekend down on the coast.

The meeting business is stated on the final agenda. We have no projects for consideration today, but there's other business needing Committee attention.

So at this time, I would like to ask for a motion to approve the April 16th, 2021 meeting minutes.

MR. POOLE: This is Davis, I make a motion to approve the minutes of the meeting.

CHAIRMAN WILLIAMS: We've got a meeting from Mr. Poole. Is there a second?

MR. HARRIS: Second.

CHAIRMAN WILLIAMS: I've got a second from Mr. Harris.

Any discussion?

[NOTE: No response.]
CHAIRMAN WILLIAMS: All in favor say aye.

MR. HARRIS: Aye.

MR. BROOKSHIRE: Aye.

MR. POOLE: Aye.

CHAIRMAN WILLIAMS: Thank you. That motion carries.

At this time, for our other business, I'm going to turn it over to Josh Noble to go over with us some emergency orders.

MR. HARRIS: Mr. Chairman, this is Zach.

CHAIRMAN WILLIAMS: Yes, sir.

MR. HARRIS: At the time appropriate time, I would like to make a motion.

CHAIRMAN WILLIAMS: All right.

MR. HARRIS: I would like to move to adjust, to amend the agenda to address the emergency orders as discreet agenda items per order.

CHAIRMAN WILLIAMS: Okay. Explain that to me, Zach.

MR. HARRIS: Well, instead of one agenda item to address all fourteen orders, you know, I would like to be able to address each order with an individual vote so that the record is clear for each order that the Committee deliberated on the order and voted on the order.

CHAIRMAN WILLIAMS: All right. We have a motion. The Chair will accept that motion, Mr. Harris. Is there a second?

[NOTE: No response.]

CHAIRMAN WILLIAMS: Hearing no second -- I'm sorry. I'm
having trouble hearing. Was that a second?

[NOTE: No response.]

CHAIRMAN WILLIAMS: Mr. Harris, hearing no second, that motion would fail for lack of a second. So we will move on and proceed to Josh Noble to present the orders.

And please know, Mr. Harris, he’s going to go through these one by one, and we’ll address questions. And certainly if you want to make some amendments to any of the motions after his presentation, those will be accepted as well.

MR. NOBLE: Okay. Thank you, Commissioner.

Both the Coastal Marshlands Protection Act and the Shore Protection Act have language that enables the power of this Committee to do orders such as this resolution is proposing today.

So we’re asking Committee consideration for a resolution for all fourteen emergency orders. We’ve been doing these since 2000. And just like a Coastal Marshlands and Shore Protection Act permit, these orders have a life of five years. So we’re at the end of that five-year cycle.

So today we would like to present to you the resolution that has the fourteen specific categories of emergency orders that refer to both the marsh and the shore jurisdictions.

Again, this is not out of anything that you or previous committees have seen or authorized.

It is important to note is that this resolution empowers the
staff to have a tool in its toolbox to be responsive to a natural
disaster or a natural or other emergency that would create a
situation where staff would need to act quickly, and in your
stead within a temporary standpoint.

I believe we have the resolutions available on the screen.
So if we could make it a full screen so everyone can see it.

MR. HAYMANS:  Jill, do you have the resolution to post?
MS. ANDREWS:  I’m thinking I’m sharing my screen. Can you
not see it, folks?

MR. HAYMANS:  All we see is your cover slide.
MS. ANDREWS:  Can you see it now?
MR. HAYMANS:  Just the cover slide.
MS. ANDREWS:  Give me just a minute. Sorry, folks. I
thought I had it figured.

[Pause.]

MS. ANDREWS:  Anything yet?
MR. HAYMANS:  No, ma’am.

There you go.

MR. NOBLE:  So before you have the resolution for the
emergency orders. And, Jill, if you would, if you would please
as I move forward, advance to Emergency Order No. 1, and I’ll
start from there.

Okay. So Emergency Room Orders No. 1 and 2 are identical
the only difference is one is related to the Coastal Marshlands
Protection Act and the other is the Shore Protection Act.
What this is, is in the event, based upon the nature of the emergency event, this gives us the ability to put a moratorium on nonessential permitting. Nonessential permitting would be any sorts of new structures. We would be focusing solely on emergency authorization pursuant to these orders.

I’d like to give you a little background here. Hurricane Irma, we enacted an Emergency Orders No. 1 and 2 on September 17th of that year. That was effective for 60 days. So the moratorium, as you’ll see at the end of the last sentence, *unless shortened or extended for good cause.*

I’d also like to mention that the nonessential moratorium, we may not need those orders. So we may be responding to disaster events that don’t require us to enact Emergency Orders No. 1 and 2 at all. We just want to make sure that we have that tool should we need it.

CHAIRMAN WILLIAMS: Let’s stop there and take questions on these. These two orders are basically the same, one for each, one for Shoreline Protection and one for Coastal Marshlands. So the Chair will entertain questions on these two.

MR. HARRIS: Mr.Chairman, I have a question. This is Zach.

CHAIRMAN WILLIAMS: Mr.Harris.

MR. HARRIS: I have a question for staff obviously. What typically is nonessential versus essential? And how does the staff make that determination?

MR. NOBLE: So that is any form of new application for a
structure that would be received in the form of an application
after a declared emergency related to the storm.

MR. HARRIS: Would that include LOPs?

MR. NOBLE: Yes.

MR. HARRIS: And as you answer, I'm going to have a
follow-up question.

MR. NOBLE: Okay.

MR. HARRIS: So you said it was new permits, but the
language in the resolution is permit period. So is it your
interpretation that you're applying this resolution only to new
permits or new requests for some authorization during the
moratorium period? And specifically, I'm asking do you envision
that this is going to -- that staff applies this or will apply it
to like new structures or any sort of authorization whether a
structure is new or existing?

MR. NOBLE: To answer your question, yes. It would be
deemed new construction or any authorizations related to
modification of existing structures, anything that is not
emergency related. And that's really based upon the type of
event. Like Hurricane Irma was 60 days, and a very similar
situation with Matthew.

We've been very fortunate here on the coast not to have a
seen a severe disaster. But in that case, that's why the
moratorium is written for up to 180 days. And then should -- we
hope to never have this sort of an event, but if we have an event
MR. HARRIS: Do you envision that the application of these two resolutions would prohibit somebody from -- and I know there's some additional renovation, repair order at No. 7, but do you envision to application of these two resolutions for shore and marsh would prohibit somebody from going out there and reconstructing a dock pursuant to the -- or changing the format of a dock?

Let's say you had a grandfathered dock, or a noncompliant dock. Would that prohibit somebody from going out there and reconstructing something pursuant to a request, whether it be an LOP, or just an authorization letter, of something that was already out there for six months?

MR. NOBLE: No.

MR. HARRIS: In other words, how do you envision these two resolutions interacting with the reconstruction or the repair order? I'm sorry -- these two emergency orders.

MR. NOBLE: So I think it's important to know that this is going to allow staff to be able to focus on the storm events and getting property cleaned up and getting them whole. That's what we saw with Hurricane Irma.

So we opened up a call center. I'm not sure if -- I know we did a follow-up presentation to the Committee, and I'm not sure if you were a member then, Mr. Harris, but one of the things was
we had a call center, and that really was a mechanism to allow us
to gauge how many emergency requests, and it really told us to
reaching to point to where we could then begin shifting back to
nonessential permitting activities; i.e, new reconstruction.

And if you are talking docks specifically, keep in mind the
private docks are not included under the jurisdiction of these
orders. They are exempt talking about the Coastal Marshland
Protection Act. And those are managed at the department level.

CHAIRMAN WILLIAMS: Thank you. Just following up on
Mr. Harris, talk about the difference between hard and fast of the
180 days, and how that period could be shortened.

I think where we're headed here is we may be worried about
we're just setting a hard and fast 180 days, but yet we may only
do 60.

MR. NOBLE: No. Yes, sir. And with both hurricanes,
Matthew and Irma, we did not state that the moratorium was going
to be in place for 60 days or for 180, if you will. We took the
opportunity to try to assess the damage, the hundred being less
we were going to be responding to. What that assessment resulted
in was the orders were no longer implemented beyond 60 days.

CHAIRMAN WILLIAMS: But with this document, how could it be
shorten?

Am I headed down the right line, Zach?

MR. HARRIS: Yes, I think it's important to understand the
interaction between the moratorium emergency orders and the
permitted emergency -- the emergency order that permits renovations and repairs of structures. I mean, and not to jump ahead, but you have language in No. 7 suggesting that a letter of authorization is required before the work can begin.

And I just want to make sure, one, that we're using -- we're all understanding the same terminology between and across these orders permit versus an authorization, and, you know, we're not putting a hard and fast rule in that says that somebody can't go out there and fix what needs to be fixed until, you know, six months.

MR. BURGESS: Zach, this is Karl. Maybe I can help with this conversation a little bit.

So keep in mind, again the purpose behind this order and Order No. 2, one for the Marsh Act and one for the Shore Act, obviously, is the difference, you know, the difference between the staff being able to focus on requests or need of constituents out there that have been impacted by the event of the storm.

It is differentiating that versus someone who might have got an application in hand that has nothing to do with a reaction from an storm.

So for example, if someone is working on a community dock request that doesn't exist, that is not connected to a storm. So that would be put in moratorium standpoint until which time the staff has felt that they have been responsive to making those that have been impacted by the storm whole, and they are able to
So I think in regard to No. 7, which speaks to ability to reconstruct something that have been impacted by a storm that obviously would fall into the essential response; not a nonessential response, because the staff is back again trying to provide service to those that are impacted by the event.

MR. HARRIS: Thank you.

Let me ask a follow-up, sort of a specific hypothetical. Let’s say you have a property owner that’s in the process of submitting a permit request for some sort of engineering control or stabilization project on their property, and an emergency -- a storm event happens. The emergency orders go into effect. Is that property owner then subject to a moratorium on submitting an application for a new project that is not in existence prior to the emergency order taking effect?

In other words, would they be delayed an indefinite time up to six months in submitting their application?

MR. BURGESS: I think the way to look at that is if you have a property owner that has had a history of losing property and needing to do something before the storm, and there doesn’t seem to be any worsened from the storm, that might be different than if somebody has a piece of property that has been worsened by the storm. We would then be able to do a response to that by giving them the authorization to use sandbags to help prevent further erosion, which would be a quick fix, and then work with them to
get a long-term fix there.

I think an erosion response probably can saddle both sides of a scenario on a case-by-case basis based on the situation in which they're doing that.

I guess when I think of it as being -- the example I try to deal with and maybe I didn't articulate this well, is if you had an application for a dock, say a community dock, obviously you need a CMPA permit. And we're working that request that's coming in, but that request has nothing to do with being responsive to the storm, or in response to the storm, or have that put on the back burner, if you will, until staff can make sure that everyone that has been truly impacted by that event.

So to me, that's more of an example of where you have situation where someone is asking for something that's not in response to an activity that's created by the storm, that would be an example of something that would be considered nonessential, and would be put on the back burner if you will.

As the Commissioner explained, or Josh explained, this order only gives the staff the ability to issue this moratorium up to 180 days.

In both the cases of Matthew, and the example that Josh gave of Irma, we do not need to utilize that because the staff was able to be responsive to those needs related to the storm before having to used that entire 180 days.

As Josh said, it was 60 days for Irma. So again, this is
under the umbrella of giving staff the tool to being able to,
one, to assess what the impact to our coastal constituents are;
and two, get them back up and running while maybe back burning
some things that aren’t so driven by the storm event itself.

MR. HARRIS: Thank you, Karl. That’s helpful to understand.
Given that -- let me ask this then, and then I’ll -- I think I’ve
exhausted my time.

If in the last two storms, major storm events, which have
been the worse events that the Georgia Coast has seen since -- I
think it was Dora in the 1960s -- and the staff only utilized 90
days of the moratorium. Do you think that reasonably 90 days is
a more appropriate number in this emergency order than 180?

And the reason I’m asking this is not to beat up on y’all,
but, you know, we’ve seen in the last year various governments
all over the country utilize emergency powers for one reason or
another. And it boils down to the discretion of the individuals
who are implementing the emergency orders.

And it goes without saying that I have the utmost confidence
in the staff of DNR, but you guys aren’t always going to be
there.

MR. HAYMANS: Zach, this is Doug. And that’s certainly is a
point that I have heard on many fronts for many years about who
is the current or new administration. And though, I agree things
can change with the administration change. We’ve proven over the
last twenty plus years that we always work for our constituents’
good. And the last two the storms being the case.

I think 180 days provides staff the flexibility to be able
to respond to the constituents' needs.

We've proven through the last two uses of these emergency
orders that we didn't need 180 days. But we haven't gotten a
direct strike yet. We've had brushes of hurricanes. And heavens
forbid that we ever take we direct hit, but the damage could be a
whole lot worse, and we may need the extra time. And we just
felt like this gives flexibility.

But you are the Committee. If you feel like it doesn't need
to be 180 days, make that motion. But I just, on the record, I
think the staff has done a great job in the past of showing
appropriate use of these emergency orders.

MR. BURGESS: Can I add something, Doug, if you don't mind?

I want to just a point of a clarification, Zach. And I know
you know this, but I think it's worth saying it on the record.

Keep in mind that this is an order specific to the
jurisdiction of the Marsh Protection Act and the Shore Protection
Act. Along with the impact associated with both Irma and Matthew
that we saw were not to feature the structures that were under
that jurisdiction. They were private docks. They were small
scale, elevation projects which are exempt or generally exempt
from the Coastal Marshlands Protection Act.

So I think that it's worth saying that to make sure we don't
lump in, when we look out on the marsh, all those docks that are

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out on the marsh that were and could be impacted from such an
event aren’t subject to this moratorium based on the jurisdiction
of that Act.

MR. HARRIS: Okay.

CHAIRMAN WILLIAMS: Further questions on Emergency Orders 1
and 2?

[NOTE: No response.]

CHAIRMAN WILLIAMS: I think that brings us to 3, Josh.

MR. NOBLE: Okay. So Emergency Orders 3 and 4 are related
to the removal of boats and debris from within the jurisdiction
of the Marsh and Shore Act. Both of these orders are also 180
days. So any activities conducted within those, if it needed to
be extended, we’ll certainly do so as needed.

CHAIRMAN WILLIAMS: That’s 3 and 4.

MR. NOBLE: Yes, sir.

CHAIRMAN WILLIAMS: Any questions on 3 and 4? Basically
this gives people the right to -- this is for the removal of
boats and -- to remove debris and work in the jurisdictional
areas without having to come before the Committee up to 180 days.

MR. NOBLE: Yes.

CHAIRMAN WILLIAMS: All right. Let’s go to 5.

MR. NOBLE: Yes. Emergency Orders No. 5 and 6 are for
erosion control, placement of sandbags on shorelines within CMPA
jurisdiction and also SPA jurisdiction.

CHAIRMAN WILLIAMS: This is sort of addresses preparedness
without having to come before the Committee. And they set forth in the materials being used.

MR. NOBLE: And also, thank you. After that, I think I would like to refer for everybody’s awareness, the implementation of these during hurricanes Irma and Matthew, we were -- these afforded the ability for folks to get sandbags deployed before the storm got here. Right.

CHAIRMAN WILLIAMS: Yes.

MR. NOBLE: So as the Commissioner said, it’s all about the preparedness. And we were, you know, the staff was taking calls for local governments and private landowners on the way out during the evacuation. So these two were very helpful.

MR. HARRIS: All right.

CHAIRMAN WILLIAMS: Just jump in if you’ve got a question. Or, I’m going to keep Josh moving.

MR. NOBLE: Okay. Emergency Order No. 7 is -- .

MR. HARRIS: No questions.

CHAIRMAN WILLIAMS: Okay, Zach.

MR. HARRIS: I was saying no questions from me on those two.

MR. NOBLE: No. 7 is for the renovation and repairs of structures on the shoreline, engineering activities or land alterations, not damaged beyond repair, within the jurisdiction of the SPA. This is relative to all types of permits or projects authorized under the SPA. So all the shoreline engineering, your crosswalks, private residence, amenities, backyards, and that
sort of thing.

And this does require a potential for as in 12-5-237(b)(1) the requirement for assessment of a total loss greater than 80% by property appraisal.

CHAIRMAN WILLIAMS: Questions on 7?

MR. HARRIS: I have a question, Mr.Chairman.

CHAIRMAN WILLIAMS: All right.

MR. HARRIS: Josh or Karl, can y'all describe how the department addressed and implemented this emergency order and its predecessor after the storms?

MR. BURGESS: I think you see here is you having a piece of property -- I'm trying to think of a real example --

MR. HAYMANS: Did we implement 7 or 8 after the last storm.

MR. BURGESS: I can't think of an example on the top of my head, Doug or Zach, specifically for No. 7, jurisdiction of the Shore Act. I can think of an example that we did do on a localized event. So what I mean by that is you had an act of God event, a fire, that took down a house. And that house was not destroyed more than 80%. So we used this Emergency Order, No. 7, for them to be able to rebuild that house in the same footprint where it was prior to that event.

Because again, it being an emergency and them not increasing that footprint, and also it not being destroying more than 80%.

And that was on St. Simons Island back in the mid 2000.

I think the key here is that language of 80% runs parallel
with the existing language in the Shore Protection Act, and gives
the ability for that to be assessed by an appropriate
professional to do that.

MR. NOBLE: I have a note from a press release which was
done back in 2017 as it relates to this emergency order. It was
a guidance document that was sent out to all landowners, and this
one said beach front property owners or land managers should
first secure homes, condos, businesses, and/or amenities, prior
to making major repairs or reconstructing, proper coordination
with the department is required. In order to facilitate that
review, the property owners, managers should document existing
conditions by taking photos, locating any pre-storm photos,
working with the department to locate trees, permits and
assembling what is needed to conduct an assessment or what form
of authorization, if any, is needed.

So that was the DNR response documents to Hurricane Irma.

MR. BURGESS: And I would add actually another example that
I can think of that came up in Matthew, that was the Glynn County
coming before us and asking for the replacement of crossovers at
several of their street-end public access points. And we were
able to do that with their documentation of being able to
articulate what was there before, what was permitted, and what
was being replaced consistent with this order.

MR. NOBLE: And also, too, in 2018 Glynn County realized
that they needed to fend up a lot of work on the crosswalks and
improvements. So they received a permit from the Shore Protection Committee for all 24 crosswalks on St. Simons. So we have that reference document to immediately go to in that example.

MR. BURGESS: I think this is a perfect example where because of that exercise of Matthew showing there were several permits over several periods of time, it was putting that puzzle together. Like Josh said, it was an opportunity to learn from it, if you will, having a cumulative plan plan in place so moving forward that if that event occurred again we had one document to go back to and see what was authorized.

MR. HARRIS: So let me ask you this. So a hypothetical scenario, you've got an HOA or you've a municipal marina or some structure that it has to be permitted in order to be out there under the Act, or I guess under the -- well, I guess I'm jumping ahead to No. 8.

So if you've got something that's more than 80% destroyed from a storm event, they have to submit a permit to rebuild it, if it's a permitted structure under the SPA.

MR. BURGESS: I think that's the key words. I think the keyword, Zach, is 80% applies specifically to the Shore Protection Act, because we obviously we, the Committee, the department, we can't do something that's not consistent with the Shore Protection Act when they enact a resolution like this.

My understanding of the logic behind that Act is to do more
with the ability for people to rebuild a habitable structure, the 
80% part of it. So if you look back to the law, that kinda ties 
back to determine the structure as related to that -- having a 
structure of a pre '79 structure, a house, a condo.

MR. HARRIS: Right.

MR. BURGESS: There is not that threshold in the Marsh 
Protection Act. Therefore, that threshold is not in Emergency 
Order 8 in 80%.

MR. HARRIS: Got it. Thanks.

CHAIRMAN WILLIAMS: All right. Any more questions on 7 and 
8?

[NOTE: No response.]

CHAIRMAN WILLIAMS: If not, we've move to 9.

MR. NOBLE: No. 9 is reconstruction or repair to commercial 
docks and marinas. And so if you will look about halfway down 
through the order, the three points talks about the structure may 
only be restored to its original size and configuration. No 
additions or enlargements.

No non-water dependent buildings may be built or rebuilt 
over the marsh.

And, a drawing of proposed work must be provided to 
department staff prior to commencing the work.

MR. BURGESS: And I think it's important, too, to note that 
this order is speaking to all those commercial docks and marinas 
which have been previously permitted by the Committee. I think
that's important, too, because you've got to remember we can only
do things in this order that is consistent with the Marsh Act.
And we are confined to those that have gone through the
permitting process.

CHAIRMAN WILLIAMS: So if you had an old structure prior to
1976, you can rebuild it.

MR. BURGESS: We may have to look at a different tool to do
that. This emergency order is specifically for something
permitted. If you had a structure that was impacted by a storm
that predated '79, we would have to look at a Letter of
Permission or something like that to see if that's a tool in the
toolbox.

CHAIRMAN WILLIAMS: Is everybody pretty clear on that?
All right.

MR. NOBLE: Emergency Order No. 10 is for the reconstruction
or repair to erosion control structures under the CMPA
jurisdiction, which is very similar to -- and also, No. 11 is for
the repair of dykes within the CMPA jurisdiction.

MR. HAYMANS: We used that one for the WMA water fowl area;
right? It received extensive damage from the storm, and they
used this emergency order to allow them to repair that quicker.

MR. NOBLE: That's right. And a portion of that WMA was
upstream of the CMPA where we used the Revocable License
Authority for authorization of the reconstruction of those.

MR. HARRIS: Okay.
MR. BURGESS: We had a lot of folks talking in the room here. To restate what they said is the department actually used this emergency order to fix and Butler and Rhett Island—after the storm, repair the dykes .... a little quicker.

We appreciate the work of CRD on that, the order side of the house.

CHAIRMAN WILLIAMS: All right. Keep going, Josh.

MR. NOBLE: Emergency Order No. 12 is for the removal of sand from private property and roads within the jurisdiction of the Shore Protection Act. This was a very valuable -- this proved to be very valuable during hurricane Irma. A lot of sand was displaced, up in folks' backyards, and, you know, on roadways. And this order allowed for an immediate response for that to be placed back within seaward of their property.

CHAIRMAN WILLIAMS: Questions?

[NOTE: No response.]

CHAIRMAN WILLIAMS: All right. Moving on.

MR. NOBLE: Emergency Order No. 13 is for the reconstruction and repair of public roads, public bridges, roads, and causeways within the jurisdiction of the CMPA. And keep in mind that these are only subject to the jurisdiction of CMPA.

So these would not be your DOT regulated activities and the like. So it would be only those roads that are permitted through the CMPA, most likely private entities, if you will.

MR. HAYMANS: Railroad, power companies.
MR. NOBLE: Yes. Some Georgia Ports Authority activities.-
No. 14 is the same order but under the Shore Protection Act.
CHAIRMAN WILLIAMS: This would be like back end of -- like
the causeway to Jekyll. Well, every one of those power poles got
took down.
MR. BURGESS: That was covered in the Marsh Act, because the
Shore Protection Act is -- this is probably less used now of the
change of jurisdiction of the Shore Protection Act.
There's a couple of those that are probably still Marshlands
protection act, like on St. Simons at Fifth Street. But the
majority of these are probably out of the jurisdiction of the
Shore Protection Act.
MR. NOBLE: And that was it. That's all fourteen.
CHAIRMAN WILLIAMS: Okay. Thank you, Josh.
That certainly gives us a lot of good questions and points,
but are there any other questions from any other Committee
members? Some of the folks are, some of our members are
relatively new. So there is not a dumb question, but now is the
time for us to talk about it, and make suggestions. We've got a
good understanding of these orders.
MR. POOLE: This is Davis. I have no questions. I think
they're all reasonable.
CHAIRMAN WILLIAMS: Thank you, Mr. Poole.
Any other questions?
MR. HARRIS: I've got a question, Mr. Chairman.
CHAIRMAN WILLIAMS: All right. Mr. Harris.

MR. HARRIS: On the reconstruction of the bridges and roads and causeways, sort of the thrust of the other orders is that the rebuilding has to be within the same design and configuration and footprint. When staff is looking at rebuilding or repairing these roads if you’ve got a bridge or a road that's, you know, decades old, I mean, when you're evaluating that, are you going to look at sorta what the current engineering best practices are? Is that sort of the -- like you’re going to allow them to rebuild the road that should be built if it were to be built today; or, do they to rebuild the old road, essentially?

MR. BURGESS: I think that's excellent question, Zach. And to answer your question, if the road is impacted by one of these events, it's probably going to need to be relayed out anyway. And whether that's elevated or readjusted some way. A real life situation that's occurred, there's a bridge crossing on Little St. Simons that was impacted by, I believe it was Irma, which I'm going to say roughly the bridge was 40 feet long, and when they came in after the storm event that water way, that creek need for that bridge was a lot wider. So therefore, they came back with a longer bridge because that was what was needed to keep getting across that creek now.

So those are the opportunities where we would need to have a little bit of reasonableness, flexibility to ensure that the road or the bridge will be placed in the most appropriate location.
MR. HARRIS: Okay.

MR. HAYMANS: You’ll also notice, Zach, that there’s a comment -- there’s part in that which says use the best practice to minimize further impact in coastal Marshlands. And I would take that to mean that is if there’s better construction method to put the bridge or road back in the way that has less impact on the marsh, we would certainly evaluate that.

We would hope that the rebuild would incorporate the better practice.

MR. HARRIS: Okay.

CHAIRMAN WILLIAMS: Further questions?

MR. HARRIS: I just have a general question, Mr.Chairman. Are these orders, to what extent were these orders put out for public review or comment before today's meeting?

MR. NOBLE: These are placed on our seven-day public notice.

MR. HARRIS: Did y'all get any the feedback on them?

MR. NOBLE: No, sir.

MR. HARRIS: Any public comment?

MR. NOBLE: No, no comments were received.

MR. BURGESS: There’s been no major rewriting of these since the last time they were enacted.

MR. NOBLE: We cleaned up the formatting. There was really no changes from those that were approved in 2016. And when we evaluated these, we found out, based on a large scale with Hurricanes Irma and Matthew.
MR. HARRIS: Right.

MR. HAYMANS: Zach, the biggest thing is we didn't have any major complaints over the moratorium that we put in place during the last period. And to me, that speaks volumes that we were doing the right thing for our constituents; not the wrong thing.

MR. HARRIS: That's good. Thank you, Doug.

MR. HAYMANS: You're welcome.

CHAIRMAN WILLIAMS: And I would say on the 180 days, via this immediate action, it was staff's recommendation if we see in the future that days should be adjusted -- we don't have to wait for the five years.

Any further questions?

MR. HARRIS: No further questions on my side.

MR. POOLE: None from me.

CHAIRMAN WILLIAMS: All right. At this time, the Chair will entertain a motion.

MR. HARRIS: I move to adopt the emergency orders. I move to adopt the resolution with the staff's recommendation.

What is the form --

CHAIRMAN WILLIAMS: All right. Is there a second?

MR. BROOKSHIRE: Second.

CHAIRMAN WILLIAMS: I have a second. Is there any discussion?

MR. HARRIS: Just one comment, Mr. Chairman. I've asked a lot of questions today, and it's not because I have any doubt
about staff's confidence or ability to implement these reasonably and professionally. I think it's important that as a Committee if we are essentially authorizing emergency orders to be put into place in the event of an emergency that we carefully review them and get a thorough understanding of the staff's interpretation of the language of the order before we're saying, okay, well, this is what you've got to work with.

From my comment earlier, I think granting emergency powers for emergency authorizations to individual members of the executive branch of a government is an important and serious undertaking. And I know that staff has an excellent track record in the last, you know, two storms, major storm events that we've had on the Georgia coast. And you know, I mean to imply no doubt about that their of ability to manage an emergency. But I do think it's important that the system, that the regime of these orders be thoroughly explored before we're authorizing them.

I think we've done a job of that today.

CHAIRMAN WILLIAMS: Thank you, Zach, and a great comment. And the Chair certainly agrees with the comments and the discussions, especially in light of the climate we're in this past year with emergency orders being executed all over the nation. Lots of times I can't think back of a legislative session where emergency orders were not discussed with the Georgia General Assembly. But I think it was a great discussion and a further discussion. And I really appreciate all the
questions.

    If there are no other questions, the Chair calls for a vote.
    All in favor say aye.
    
    MR. HARRIS:  Aye.
    MR. POOLE:  Aye.
    MR. BROOKSHIRE:  Aye.
    
    CHAIRMAN WILLIAMS:  Any opposed?
    
    [NOTE:  No response.]
    
    CHAIRMAN WILLIAMS:  Hearing none, the motion carries. And gentlemen, I want to thank you for your time, your thorough discussions, and I want to thank the staff for the thoughts and process of putting these together.

    We all know and, we're praying for -- I heard on the yesterday of I heard on the radio yesterday they were talking about a pretty active hurricane season. We hope that those predictions from most weathermen are not like the other ones, not as accurate.

    We hope for peaceful season. Thank you, guys, for your time on a Friday. And I hope you all have a great weekend.

    I'll call this meeting adjourned.

    MR. HARRIS:  Thank you.
    MR. POOLE:  Thank you.
    MR. BROOKSHIRE:  Thank you.
    MR. HARRIS:  Thank you, staff.

    [Proceedings adjourned.]
STATE OF GEORGIA,  
GLYNN COUNTY. 

CERTIFICATE 

I, Lora H. Carter, do hereby certify that the above and foregoing pages is a true and complete transcript of the proceedings adduced in the hearing of the captioned matter prepared from a Webex recording to the best of my ability. 

This the 7th day of July, 2021. 

Lora H. Carter 

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