

# DEVELOPING A COASTAL MANAGEMENT PROGRAM: GEORGIA'S EXPERIENCE

Tiffany T. Lutterman<sup>1</sup> and Stuart A. Stevens<sup>2</sup>

---

*AUTHORS:* <sup>1</sup>Program Manager, Georgia Coastal Management Program; <sup>2</sup>Chief, Ecological Services Section, Department of Natural Resources, Coastal Resources Division, Brunswick, Ga 31523.

*REFERENCE:* *Proceedings of the 1995 Georgia Water Resources Conference*, held April 11 and 12, 1995, at The University of Georgia, Kathryn J. Hatcher, Editor, Carl Vinson Institute of Government, The University of Georgia, Athens, Georgia.

---

**Abstract.** Georgia's water resources are subject to many conflicting uses and pressure from coastal development. Many industries important to Georgia's economy, as well as coastal residential communities, require continued access to clean and abundant water resources. Increasing demands on coastal resources, including water resources, has lead to the effort to develop a federally approved Georgia Coastal Management Program. This program is based upon Georgia's laws as well the participation of local governments, the public, and existing state and federal agencies. The public hearing draft of the management plan scheduled for public review in Summer 1995 will reflect the goals and recommendations of the coastal community and enhance the state's ability to manage effectively it's coastal water resources. If Georgia can develop a management plan that meets the needs of the citizens of Georgia and can complete all requirements of the federal Coastal Zone Management Act and the National Environmental Protection Act, Georgia will have a federally approved coastal management program in Fall 1996.

## HISTORY OF COASTAL MANAGEMENT

The federal Coastal Zone Management Act (CZMA) was passed into law in 1972 as an effort to increase state management of coastal resources and to recognize the importance of both economic development and natural resource protection. Recognizing water resources as both a critical habitat for many species and an important asset for economic growth and stability, one goal of the CZMA is to enhance and to protect water quality in coastal areas. Under this law, each coastal state has the opportunity to develop its own individual program, based upon its own management priorities and laws. The National Oceanic and Atmospheric Administration (NOAA) reviews and approves state coastal management programs, provides technical support, and administers the states' grants.

In 1976 the State of Georgia the Department of Natural Resources began development of a state coastal management program based upon the existing State laws, to submit for federal approval and to qualify for those benefits as defined in the Coastal Zone Management Act. When Georgia submitted its program for preliminary federal review,

however, there were several aspects of the proposed program which NOAA considered insufficient for approval. NOAA expressed serious reservations about the adequacy of Georgia's environmental laws and the ability of the proposed program to implement and to enforce its policies. In 1979 this situation, and the politics which surrounded it, caused Georgia to angrily withdraw its program from the review process and ended its effort to enter the federal program (Reimold and Connally, 1980).

This experience, however, induced Georgia to evaluate its environmental laws and to strengthen its influence on coastal development, which resulted in the passage of an important addition to the State's coastal environmental laws: the Shore Protection Act of 1979 to regulate activities in beach areas. With the Coastal Marshlands Protection Act of 1970, this law offered the State of Georgia more comprehensive authority to influence coastal development. These state laws created a permit program for commercial docks and marinas, established limits on activities and structures in beach and saltmarsh areas, and required consideration of their impacts on the environment. Despite these laws, however, coastal Georgia did not have a comprehensive management plan comparable to a federally approved coastal zone management program.

In the early 1990's, NOAA established an ambitious goal: All eligible states will develop and will implement coastal management programs. In pursuit of this goal, NOAA approached Texas, Illinois, Ohio, Minnesota, Indiana, and Georgia as the only states without approved programs. In response to this overture and the clear benefits of participation in the federal program, the Georgia Department of Natural Resources sought and received federal grant funding to develop a coastal management plan.

The objectives for developing the Georgia Coastal Management Program, and for receiving federal approval, are listed here: 1) to develop a long term management plan for the coast; 2) to increase coordination and communication among government agencies at the local, state, and federal level; 3) to ensure that projects carried out by federal agencies and other states are consistent with Georgia's goals and priorities; 4) to avoid duplication of effort between permit programs; 5) to provide better service, enforcement, and a local location for coastal programs.

Georgia is better positioned in the 1990's to achieve federal approval because its existing environmental laws are stronger. The addition of the Shore Protection Act as well as the State Planning Act and the amendments to the Erosion and Sedimentation Act provide Georgia with more authority to enforce the policies of a coastal management program.

## GEORGIA'S WATER RESOURCE LAWS

The Georgia Coastal Management Program's (GCMP) water resource policies will be based upon Georgia's laws and existing programs and agencies. The Constitution of the State of Georgia gives local governments the sole authority to regulate land uses and zoning control. Therefore, the GCMP will focus on activities in the coastal zone, not land use, and the impacts of those activities on water quality and other resources. Many State laws are applicable to coastal management issues, but the foundation of the program's water resource management authorities are the Coastal Marshlands Protection Act and the Shore Protection Act. These laws, along with permits for state-owned tidal water bottoms, the federal Clean Water Act, and the Endangered Species Act, offer Georgia the ability to develop a wide range of management policies.

In order to coordinate programs among agencies and to decrease duplication of paperwork, several water resource programs will be reorganized and administered by the Coastal Resources Division of the Georgia Department of Natural Resources (DNR-CRD). Already transferred to DNR-CRD is the Revocable License Program, which leases state-owned tidal water bottoms for marinas and docks. In addition, it has been proposed that the State's 401 Water Quality Certification Program be administered by Coastal Resources Division for projects within the coastal zone as well as applicable State General Programmatic Permits. Currently, the Environmental Protection Division of DNR (DNR-EPD) administers all State 401 certifications, and the Army Corps of Engineers administers the General Programmatic Permits. Several formal agreements between DNR-CRD and other agencies, called Memorandums of Understanding (MOUs), will be signed to address common issues and to coordinate coastal programs. Finally, technical assistance will be provided to local governments, who are crucial to the success of this program, so that local projects and programs can be properly implemented.

## POLICY DEVELOPMENT

The policy development process has received public input through the coordinated efforts of the Coastal Zone Advisory Committee (CZAC). This committee was appointed by Governor Zell Miller for a two year term to provide expertise and input into the goals and policies of the coastal management program. These individuals established

goals for various natural resources and created nine task forces for interested individuals to make policy recommendations for the management plan. Goals established for Georgia's coastal water resources include the following: 1) A coastal zone in which surface waters of the state meet or exceed recreation use water quality standards. 2) A coastal zone in which water supply aquifers are managed at levels needed to provide adequate, potable drinking water in perpetuity. 3) A coastal zone in which the groundwater is managed to meet demands other than drinking water on a sustainable basis, while achieving some restoration of the resource. 4) A coastal zone in which the area and functional integrity of coastal wetlands are maintained (ICAD, 1994).

Along with providing protection for water resources, the CZMA requires that state programs recognize the importance of economic development. Important state industries such as forestry, tourism, transportation and fisheries are dependent upon both consistent sources of clean water and the quality of that water, Georgia's program is committed to ensuring that both water usage and water resource protection can co-exist. Specific water resource issues about which the public was particularly concerned are listed here: 1) the dependence of coastal communities and industries on diminishing aquifers; 2) the restoration and maintenance of healthy finfish and shell fisheries; and 3) the promotion of Best Management Practices (BMPs) use in agriculture and silviculture operations (ICAD, 1994).

The proposed Georgia Coastal Management Program is designed to enhance the long term planning of coastal development and water use, to ensure that permit programs comply with water resource policies and goals, to assure that regional and federal projects are consistent with Georgia's management plan, and to focus more effort on field assessment, enforcement, and local implementation of existing environmental laws.

These objectives are to be accomplished through the following actions of the Georgia Coastal Management Program: 1) Transferring the Revocable License Program to the coast; 2) Administering the State 401 Water Quality Certification Program; 3) Increasing staff for field assessment and enforcement activities; 4) Providing technical assistance to local governments; 5) Improving interagency coordination and consistency through formal agreements.

## FUTURE ACTIVITIES

A new advisory body has been appointed by Commissioner of the Department of Natural Resources Joe Tanner to assist with review of the program document and policies, to provide technical expertise, and to participate with outreach and educational activities in the coastal community.

The proposed program document is in the draft stage and is scheduled for public release during the summer of 1995. The program document will contain all enforceable policies, the recommendations of the Coastal Zone Advisory Committee, an explanation of the management authorities upon which the program is based as well as the requirements of the federal Coastal Zone Management Act such as the conflict resolution process, implementation strategy, and federal consistency process.

The program document will be reviewed by several different groups. The program staff, the public advisory committee, NOAA, and the public will all have the opportunity to comment on the proposed management plan. The Coastal Advisory Committee will review the document in May 1995 and provide comments. When their comments are incorporated into the document, it will be considered a Public Hearing Draft Document. This draft will be available for public review during the summer of 1995 and a number of public meetings will be scheduled to discuss the proposed program. Once the public's comments are addressed, the document will be submitted to NOAA for threshold review in December 1995.

The National Environmental Policy Act (NEPA) requires that all federally funded programs prepare an Environmental Impact Statement and hold a formal public hearing on the resulting document. The Environmental Impact Statement (EIS), prepared with the help of NOAA, will be prepared in early 1996; the public hearings required on the Environmental Impact Statement will occur when the draft EIS is complete.

Georgia can complete the revisions on the program document and complete the NEPA process by November 1996. If the program meets federal approval, Georgia will be a member of the federal Coastal Management Program and will be eligible for all associated benefits.

Through the development of the Georgia Coastal Management Program it is critical to educate the public on coastal management issues. Through increased awareness of natural resource issues, particularly those impacting water resources, the goals and objectives of the coastal management plan are more easily achieved. Further discussion of both coastal management policies and an understanding of how those policies may impact Georgia's local coastal communities and industries will create a more effective program.

## CONCLUSION

Georgia is addressing its coastal resource protection and economic development issues by developing a comprehensive management plan and planning to enter the federal Coastal Zone Management Program. This program is important to both economic development and water resource protection and addresses Georgia's specific priorities and development issues. The Georgia Coastal

Management Program, which is presently in the draft stage, is based upon cooperation with local governments, existing state and federal laws, and formal agreements with other agencies. The policies of the program will reflect long term management goals for water resources as well as the public's policy recommendations. Through more explicit coastal policies, more efficient and effective administration and enforcement, increased interagency coordination, and more local level assistance, a comprehensive coastal management program will be created. Through continued public input and review and increased public awareness of coastal issues, Georgia will complete its management plan and will participate in the federal Coastal Zone Management Program.

## LITERATURE CITED

- ICAD: Institute for City and Area Development, 1994. Coastal Zone Management Program Public Policy Recommendations, Unpublished. Athens, Georgia.
- Reimold, R. J. and L. D. Connally, 1980. Georgia's Approach to Coastal Zone Management. *Transactions of the 45th North American Wildlife and Natural Resources Conference*, Wildlife Management Institute, Washington D.C. pp. 181-187.