

\_\_\_\_\_ offers the following amendment:

1 *Amend SB 367 by revising lines 1 through 3 of page 1 to read as follows:*

2 To amend Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to  
 3 water resources, so as to extend the duration and scope of regulation of various coastal area  
 4 constructions; to provide an effective date; to provide for applicability; to repeal

5 *By revising lines 7 and 8 of page 1 to read as follows:*

6 Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water  
 7 resources, is amended by revising Code Section

8 *By redesignating Section 2 as Section 4 and adding new Sections 2 and 3 to read as follows:*

9 **SECTION 2.**

10 Said chapter is further amended in subsection (a) of Code Section 12-3-243, relating to  
 11 subdivision, improvement, lease, or sale of Jekyll Island, disposition of proceeds, creation  
 12 of reserve fund, and signing of conveyances, by adding a new paragraph to read as follows:

13 "(1.1) The following described area on Jekyll Island shall be considered part of the  
 14 improved and developed land area of the island authorized by paragraph (1) of this  
 15 subsection; but such following described area shall be free and open to the general public,  
 16 and no additional project, development, or other improvement shall be constructed or  
 17 made within such following described area on or after the effective date of this paragraph,  
 18 except for public picnic tables, bathhouses, and restrooms: beginning on the eastern right  
 19 of way of Beach View Drive at a point due east of the northernmost point of the  
 20 convention center, thence northward along the eastern right of way of Beach View Drive  
 21 until it reaches a point on such right of way which is due east from the centerline at the  
 22 eastern end of Old Shell Road, thence due east to the Atlantic Ocean, thence southward  
 23 along the Atlantic Ocean shore to a point due east of the point of beginning, thence due  
 24 west to the point of beginning. This paragraph shall not prohibit the maintenance or  
 25 repair of improvements existing within such described area as of the effective date of this  
 26 paragraph. For purposes of the area described by this paragraph, the roads, rights of way,  
 27 and convention center specified shall be as the same existed on January 1, 2008."

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**SECTION 3.**

1  
2 This Act shall become effective upon its approval by the Governor or upon its becoming law  
3 without such approval. Section 2 of this Act shall not be applied to impair an obligation of  
4 any valid contract entered into prior to such effective date.



## LEGISLATIVE IMPACT STATEMENT SB 367

### Reauthorization of Georgia Coastal Management Program

**DNR Position:** DNR strongly supports this legislation.

**Description of Current Law:** The Georgia Coastal Management Act, O.C.G.A. 12-5-320 *et seq.* authorizes Georgia's participation in the federal Coastal Zone Management Program. The Act contains language that will sunset the state program in 2009 unless it is continued by the General Assembly.

**Description of Proposed Change:** SB 367 rescinds the language to sunset the state program in the Georgia Coastal Management Act, thereby reauthorizing Georgia's continued participation in the federal Coastal Zone Management Program.

**Overall Impact:** Failure to authorize Georgia's Coastal Management Program will result in Georgia's withdrawal from the federal coastal management program. Withdrawal from the federal program will remove the State's ability to ensure that federal permits, licenses, and activities are consistent with Georgia law, using federal consistency provisions. In addition, the State would forfeit substantial federal dollars annually. Federal coastal management dollars are critical to:

- Protect vital areas of Georgia's coast through permitting, compliance and enforcement under the Coastal Marshlands Protection and Shore Protection Acts;
- Provide technical assistance to municipalities and local governments in the 11 county coastal service area;
- Conduct critical water quality monitoring of Georgia's extensive estuaries to aid EPD's efforts;
- Develop coastal non-point source pollution strategies;
- Provide education and outreach to foster a coastal conservation ethic;
- Preserve sensitive coastal lands; and
- Administer the Coastal Incentive Grant component of the program, through which DNR provides a substantial portion of the federal dollars received annually to local governments, regional entities, and research institutions for priority coastal management projects.

**Financial Impact:** The Coastal Management Program is the largest source of federal funding for DNR's Coastal Resources Division. The Program receives about \$2.3 million annually. Approximately 60 percent of these funds (\$1.1 million) are passed through to local governments, regional entities, and research institutions through competitive Coastal Incentive Grants. Since entering the federal coastal management program in 1998, DNR has provided \$10,240,665 through Coastal Incentive Grants. In 2007, DNR received \$1.14 million for the acquisition of sensitive coastal lands, through the Coastal Estuarine and Land Conservation Program of the federal coastal management program. Funds for programs such as these will not be available if DNR is unable to participate in the federal Coastal Zone Management Program.