

PROTECT GEORGIA COAST WITH COASTAL ZONE MANAGEMENT PROGRAM

Becky Shortland

AUTHOR: Vice President for Coastal Office, The Georgia Conservancy, 711 Sandtown Road, Savannah, Georgia 31410.

REFERENCE: *Proceedings of the 1993 Georgia Water Resources Conference*, held April 20 and 21, 1993, at The University of Georgia, Kathryn J. Hatcher, Editor, Institute of Natural Resources, The University of Georgia, Athens, Georgia.

INTRODUCTION

From Savannah's busiest streets to the solitude of Cumberland Island's southernmost shore, Georgia's coast possesses a wealth of commerce and natural areas. Georgia is widely known as a state with exceptionally unspoiled barrier islands and vast marshes. A thriving port, diverse habitats, historic areas, manufacturing and military activities and more make Georgia one of the most attractive destinations for tourists and new residents. However, Georgia is one of only two states (Texas being the other) with a saltwater border that does not participate in a federal program designed to help states manage coastal resources.

In 1972, Congress established the voluntary Coastal Zone Management (CZM) program, which encourages states to manage coastal development effectively while protecting natural resources. Legislation creating CZM states, "There is a national interest in the effective management, beneficial use, protection and development of the coastal zone."

Participating states must develop federally-approved management programs which incorporate federal standards. In return, those states are eligible for federal funds to support planning and implementation. States also gain more control (known as consistency authority) over federal actions affecting their coastal regions. The program is administered under the National Oceanic and Atmospheric Administration (NOAA).

CZM was reauthorized in 1990 with an eye toward bringing the program in line with current coastal issues. Included in the reauthorization amendments was a strengthening of the consistency authority, which clearly includes federal activities such as ocean dumping or offshore lease sales which may occur outside a state's boundaries but affect a coastal zone. Encouragement is offered to states to continue to improve their programs in such areas as public access, ocean resources planning, and the siting of energy facilities. States are now required to address nonpoint source pollution in coastal waters. Program development grants were also reinstated, giving non-participating states another shot at inclusion in the

CZM program.

From 1974 to 1979, Georgia tried to produce a coastal management program, but Governor George Busbee withdrew Georgia from the planning process in 1979; the draft plan would not have been enforceable. Although Georgia didn't join the CZM program, the state derived important benefits from the development process, such as the establishment of the Sapelo Island National Estuarine Sanctuary, now a Research Reserve.

When Commissioner Joe Tanner returned to the Georgia Department of Natural Resources in 1990, one of his first directives was to re-evaluate Georgia's participation in the CZM program. In January 1992, the State of Georgia applied to OCRM for a program development grant. OCRM determined that Georgia is indeed eligible. The two-year planning project will be managed under Georgia DNR Coastal Resources Division. Three new staff members began the process on October 1, 1992. Governor Miller then named an advisory board; this council is drawn from government, industry, academic, business and private sectors. TGC has been asked to participate as a voting member.

The Georgia Conservancy strongly supports this new effort to join the CZM program and has promoted Georgia's participation since the early 1970s. This is the best remaining opportunity for Georgia to join CZM. Up to 80 percent of the U.S. population may soon reside in coastal counties, on less than 10 percent of the nation's land. Much of this growth will occur in the Sunbelt. Georgia's coastal population is expected to increase more than 40 percent in the 20 years between 1980 and 2000, placing tremendous pressure on the coastal zone and its resources.

While the Georgia Planning Act of 1989 provides guidelines and some incentives for comprehensive planning, the intricacies of balancing development and preservation require broader programs. CZM could help Georgia plan effectively for the coast's future, preserving and protecting sensitive habitats while encouraging appropriate economic development.

Georgia's "home rule" statute, which gives local governments pivotal land use authority, was a significant

impediment to the state's ability to enforce CZM in the 1970s. This still may be the case today. But while each state must demonstrate sufficient statutory, regulatory or other authority to enforce its policies, there is some flexibility. New laws and authorities, such as the 1991 Environmental Policy Act, have been established. Others, such as the Coastal Marshlands Protection Act, have been strengthened since Georgia withdrew its CZM application in 1979. While these regulations will help make a CZM plan more enforceable, adequate protection of key resources (specifically freshwater wetlands and river corridors) is questionable. A CZM program must encompass these valuable resources while managing development in flood-prone areas.

The consistency authority would provide a significant benefit; Georgia would become an equal player in border disputes concerning environmental issues. Federal actions, such as proposed offshore mineral mining, which could have purely adverse impacts on Georgia while benefiting others, would not go forward without concurrence from the state. Currently, Georgia is not in a position to effect such changes. The Georgia Conservancy supports CZM in Georgia if it is designed with clear and enforceable goals. TGC intends to play an active role as the program's development moves forward.

ACKNOWLEDGMENT

This paper was originally published in *Panorama*, the newsletter of The Georgia Conservancy, Vol. 23, No. 1, January - February, 1993.