

House Bill 1021

By: Representatives Day of the 153rd, Murphy of the 18th, Walker of the 141st, Skipper of the 137th, Rogers of the 20th and others

A BILL TO BE ENTITLED
AN ACT

1 To provide a short title; to amend Title 52 of the Official Code of Georgia Annotated,
2 relating to waters of the state, ports, and watercraft, so as to repeal certain provisions
3 regarding river and harbor development; to provide for the regulation of maintaining
4 navigation inlets, harbors, and rivers; to provide an effective date; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Coastal Georgia Beach Preservation and
9 Maintenance Act."

10 **SECTION 2.**

11 Title 52 of the Official Code of Georgia Annotated, relating to waters of the state, ports, and
12 watercraft, is amended by striking Chapter 9, relating to river and harbor development, and
13 inserting in lieu thereof the following:

14 "CHAPTER 9

15 ~~52-9-1.~~

16 ~~The Department of Natural Resources shall have the power and authority to sponsor and~~
17 ~~participate in projects for the deepening, widening, and improving of river channels for~~
18 ~~navigational and other purposes and to receive from the General Assembly appropriations~~
19 ~~therefor and to disburse such funds for such purposes, such projects contributing to the~~
20 ~~general welfare and benefit of this state and being projects approved by the Congress of the~~
21 ~~United States of America.~~

~~52-9-2.~~

~~Prior to execution, such proposed contracts or agreements shall be approved by the Attorney General of this state and shall not contravene any laws and statutes of this state.~~

52-9-1.

The General Assembly recognizes the need for maintaining navigation inlets, harbors, and rivers to promote commercial and recreational uses of our coastal waters and their resources. The General Assembly further recognizes that activities to maintain navigation inlets, harbors, and rivers alter the natural drift of beach-quality sand resources, which often results in these sand resources being deposited within the navigation channel instead of providing natural nourishment to the adjacent coastal beaches.

52-9-2.

(a) With regard to all construction and maintenance dredging of beach-quality sand in coastal waters:

(1) Beach-quality sand shall be placed on the adjacent coastal beaches, if possible; or, if placed elsewhere, an equivalent quality and quantity of sand from an alternate location shall be placed on the adjacent coastal beaches;

(2) The disposition of sand shall be completed by the person undertaking the dredging and shall be completed in cooperation with and with the approval of the local governing authority and the Department of Natural Resources according to the requirements of Part 2 of Article 4 of Chapter 5 of Title 12, the 'Shore Protection Act'; and

(3) All such activities shall provide protection to coastal marshlands as defined in paragraph (3) of Code Section 12-5-282 and to nesting sea turtles and hatchlings and their habitats.

(b) In the event the Department of Natural Resources determines that sediment originating from the construction or maintenance of navigation related projects is unsuitable for direct beach placement, the department shall retain the option to require nearshore disposal in a manner which is considered to be beneficial to the adjacent coastal beaches."

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.