

**Minutes**  
**Coastal Committee**  
2 Martin Luther King, Jr. Drive, S. E.  
Suite 1252 East Tower  
Atlanta, GA 30334

**January 27, 2009**

**Attending:**

Committee Members

Jenny Lynn Bradley, Chairman  
Bill Archer  
Earl Barrs  
Mabel Jenkins  
Bob Rutland  
Loyce Turner  
Jim Walters  
Tom Wheeler  
Phyllis Johnson, Board Chairman, ex-officio

Board Members

Warren Budd  
Bill Carruth  
Joe Hatfield  
Walter Hudson  
Ray Lambert  
Jim Tysinger  
Philip Watt

Visitors

Tony Kiene, Stateside Capital, LLC  
Rick Beacham, Stateside Capital, LLC  
Ronny Just, Georgia Power  
Carol Hassell, Georgia Piedmont Land Trust  
Thomas Farmer, The Nature Conservancy  
Bettie Sleeth, Home Builders Association of Georgia  
Phil Zinsmeister, Sierra Club  
Katie Kirkpatrick, Metro Atlanta Chamber of Commerce  
Scott Hitch, Balch & Bingham

Staff Members

Noel Holcomb  
Chris Clark  
Paul Burkhalter  
Carol Couch  
Susan Shipman  
Steve Friedman  
Dan Forster  
Marlin Gottschalk  
Becky Kelley  
Ray Luce  
Jim Ussery  
Doralyn Kirkland  
Linda MacGregor  
David Crass  
Todd Holbrook  
Jac Capp  
Mark Whitney  
Wally Woods  
Kristina Sorensen  
Sarah Dearman  
Emily Hitchcock  
Kyle Pearson  
Mary Ann Evans  
Hellen Harris

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Kelly Clark, Office of Planning and Budget  
Doug Fulle, Oglethorpe Power  
Shirl Parsons, Georgia Wildlife Federation  
Shana Udvardy, Georgia Conservancy  
Steve Chapman, Georgia Forestry Commission  
Frank Green, Georgia Forestry Commission  
Abit Massey, Georgia Poultry Federation  
Jim Stokes, Sustainable Solutions Georgia

The January 27, 2009 meeting of the Coastal Committee was called to order by Board Chairman Phyllis Johnson. Chairman Johnson called on Jenny Lynn Bradley, Chairman of the Coastal Committee.

Mrs. Bradley called on Susan Shipman, Director, Coastal Resources Division (CRD), to present an action item on Proposed Amendments to Rules for Saltwater Finfishing, Chapter 391-2-4-.04.

Ms. Shipman presented the proposed amendments relating to saltwater finfishing and stated that the proposed amendments would change the definition of “Sharks,” to prohibit the harvest of an additional 20 species, and revise the species allowed for harvest, the creel and size limits, and would include no sale provisions for Atlantic coastal sharks. She further stated that the amendments address the recently adopted interstate fishery management plan for sharks to prevent overfishing. She added that sharks are generally slow growing, long lived, late to mature, and have low reproductive rates, which make them susceptible to overfishing. She further added that there is no commercial harvest in state waters and that the majority of sharks caught by recreational anglers and fishing guides are released; thus, the economic impact of the rule change is estimated to be minimal.

She stated that the Board had been briefed on the proposed amendments in October and that a written public comment period was held through November and December with only one comment, which related to managing sharks by species by area and the size of bonnetheads. Ms. Shipman explained that it would not be feasible to manage sharks by species by area because of their migratory nature, and that bonnetheads do reach the proposed size limit. She added that she was requesting the Committee’s favorable consideration of the proposed amendments.

Discussion ensued.

A motion was made by Mr. Archer, seconded by Mr. Rutland, and carried unanimously that the Committee recommends that the Board adopt the Resolution regarding Proposed Amendments to the Rules for Saltwater Finfishing, Chapter 391-2-4-.04. (Resolution attached and made a part hereof).

Mrs. Bradley called on Ms. Shipman to present a brief overview of the Public Trust Doctrine.

Ms. Shipman explained the history, purpose and scope of the Public Trust Doctrine and how it applies to management of marine resources and the State’s stewardship responsibility to public interests. She stated that assets of the Public Trust include the lands subject to the ebb and flow of the tides up to the ordinary high water mark, the living resources within the tidal zone, and the “navigable waters” of the state. She further stated that it is the duty of the Governor and the Department of Natural

Resources to preserve and protect the Trust's assets for the public, who are the beneficiaries of the Trust. She added that the purpose of the Trust provides for present and future generations to fully enjoy these lands, waters, and resources for commerce, passage, fishing, recreation, swimming and related activities.

She described the State's responsibility and powers over these lands and the unique titling of Public Trust lands relating to Public Property Rights and Private Property Rights. She listed the State's limitations on conveying or revoking private interests in Public Trust lands, and she concluded by citing contemporary application of the Public Trust in Georgia during modern times with specific references to the Coastal Marshlands and the Altamaha River.

Discussion ensued.

There being no further business, the meeting was adjourned.