

The Coastal Marshlands Protection Act created the Coastal Marshlands Protection Committee which evaluates proposed construction or development projects which might affect these areas. The committee grants or denies permits for these projects based on their environmental impacts and the public interest. Projects must be water-dependent with no alternatives available.

When You Need a Permit

A Coastal Marshlands Protection Act permit is required for any project which involves removing, filling, dredging, draining or other-wise altering any marshlands. Once a permitted project is constructed, it can be maintained without a permit as long as maintenance does not alter natural vegetation or topography of the site.

When Permits Are Issued

In general, projects will be permitted if they do not harm or alter the natural flow of navigational waters; do not increase erosion, shoaling channels or create stagnant pools; and do not interfere with conservation of marine life, wildlife or other resources. Public notice procedures, local zoning regulations and notification of adjacent property owners may also apply.

For a complete description of Georgia's Coastal Marshland Protection Act (O.C.G.A. 12-5-280, et seq.) and for applications and guidelines, contact the Habitat Management Program, Ecological Services Section of the Georgia Department of Natural Resources, Coastal Resources Division.



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Georgia's Coastal Marshlands Protection Act



Coastal Marshlands Protection Act (O.C.G.A. 12-5-280, et seq.)

The coastal marshlands of Georgia comprise a vital natural resource system. The estuarine area of Georgia is the habitat of many species of marine life and wildlife and, without the food supplied by the marshlands, such marine life and wildlife cannot survive. The estuarine marshlands of coastal Georgia are among the richest providers of nutrients in the world. Such marshlands provide a nursery for commercially and recreationally important species of shellfish and other wildlife, provide a great buffer against flooding and erosion, and help control and disseminate pollutants. The coastal marshlands provide a natural recreation resource which has become vitally linked to the economy of Georgia's coastal zone and to that of the entire state.

This coastal marshlands resource system is costly, if not impossible, to reconstruct or rehabilitate once adversely affected by man. It is important to conserve this system for the present and future use and enjoyment of all citizens and visitors to this state. Activities and structures in the coastal marshlands must be regulated to ensure that the values and functions of the coastal marshlands are not impaired and to fulfill the responsibilities of each generation as public trustees of the coastal marshlands for succeeding generations. (Code 1981, § 12-5-281, enacted by Ga. L. 1992, p. 2294, § 1.)

General Description

The Coastal Marshlands Protection Act provides the Coastal Resources Division with the authority to protect tidal wetlands. The Coastal Marshlands Protection Act manages certain activities and structures in marsh areas and requires permits for other activities and structures. Erecting structures, dredging, or filling marsh areas requires a Marshlands Protection Committee Permit administered through the Coastal Resources Division. In cases where the proposed activity involves construction on State-owned tidal water bottoms, a Revocable License issued by the Coastal Resources Division may also be required.

The estuarine area is defined as all tidally influenced waters, marshes, and marsh-lands lying within a tide-elevation range from 5.6 feet above mean tide level and below. The jurisdiction of the Coastal Marshlands Protection Act includes marshlands, intertidal areas, mudflats, tidal water bottoms, and salt marsh areas within estuarine areas of the state.

Permits for marinas, community docks, boat ramps, recreational docks, and piers within the jurisdiction of the Coastal Marshlands Protection Act are administered by the Coastal Resources Division. A lease is required to construct a marina. Private-use recreational docks are exempt from the Coastal Marshlands Protection Act but must obtain a Revocable License and a U.S. Army Corps of Engineers dock permit.

Few states can claim the rich resources of Georgia's coastal marshlands - nearly 700,000 acres of thick vegetation, picturesque and serene from a distance, but up close teeming with life.

The Coastal Marshlands Protection Act of 1970, amended in 1992, recognizes the state's marsh-lands as vital natural resources that provide:

- Habitat for many species of marine life and wildlife
- Food for the survival of these species
- A nursery area for commercially and recreationally important fish and shellfish
- A buffer against flooding and erosion
- A filter to help control and disseminate pollutants

Coastal Marshlands Protection Act Major Provisions

- Protects tidal wetlands
- Requires permit for structures, dredging, filing
- Establishes Coastal Marshlands Protection Committee