



House Study Committee on Fishing Access

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It's Who We Are

- Fishing is a socially and economically important part of Georgia's culture and heritage that generates \$1.5 billion in retail sales in Georgia, annually.
- It is responsible for 14,840 jobs, and \$622 million in salaries/wages/earnings.
- Over 1.1 million licensed anglers in Georgia
- In the past 10 years, over \$85 million in federal sportfish funding has come to Georgia



The Role of WRD Fisheries Management

2023 Stocking:

- Fish Stocked – 9.2 million
- 4.4 million sportfish stocked that support riverine fisheries.

Boating Access:

- DNR built and maintains 259 boat ramps and access areas across the state.

Fish Surveys:

- Over 250 surveys and research projects annually, from fish population monitoring to regulation evaluations, research, genetics, water quality and fish kills.

Public Fishing Areas:

- Over 800,000 visitors per year
- 11 Public Fishing Areas
- 130 Lakes

Habitat:

- Attractors – 600
- Plants – 15,000

Outreach and Education:

- Go Fish Education Center hosts thousands of visitors and school trips.
- Gateway to Fishing program works in Parks in metro areas.



GEORGIA CONSTITUTION: Paragraph XXVIII

“Fishing and hunting. The tradition of fishing and hunting and the taking of fish and wildlife shall be preserved for the people and shall be managed by law and regulation for the public good.”

Resource Management

Public Resource

- The State has ownership of all wildlife. O.C.G.A 27-1-3(b)
 - Wildlife is any vertebrate or invertebrate animal life indigenous to this state or any species introduced or specified by the board and includes fish...O.C.G.A 27-1-2(77)
- The state's wildlife resources are managed in accordance with sound principles of wildlife management, using all appropriate tools, including hunting, fishing, and the taking of wildlife.



O.C.G.A. 44-8-5

- *Rights of adjoining landowners in navigable streams.*
 - (a) As used in this chapter, the term "navigable stream" means a stream which is capable of transporting boats loaded with freight in the regular course of trade either for the whole or a part of the year. The mere rafting of timber or the transporting of wood in small boats shall not make a stream navigable.
 - (b) The rights of the owner of lands which are adjacent to navigable streams extend to the low-water mark in the bed of the stream.

Landowner Stream Rights

Navigable (O.C.G.A. 44-8-5)

- The rights of the owner of land that is adjacent to a navigable stream extend only to the low-water mark in the bed of the stream.
- The Georgia legislature described historical navigable streams by many declarations of navigability:
 - Toll Rates
 - Illegal to block passage
 - Commissioners named to oversee improvements

Non-Navigable (O.C.G.A. 44-8-2)

- The owner of land that is adjacent to a non-navigable stream owns to the center of the stream, with exclusive fishing rights to the center of the stream.
- If the owner owns both sides of the stream, then he or she owns the entire stream bed.

U.S. Corps of Engineers

U.S. Corps of Engineers

- The USCOE has a specific list of navigable tidal and non-tidal waters in Georgia that are subject to Corps' jurisdiction.
- The USCOE has a general description of “Traditional Navigable Waters.”
- “Major Navigable Rivers” list
- “Traditional Navigable Waters”
- There is federal case law supporting public use of both types of streams.

Economics and Access

Economics

- The state has invested millions of dollars collected through license fees and federal funds (excise taxes on fishing equipment) to establish fisheries and boat ramps and to manage recreational fishing populations in Georgia rivers.
- DNR produced sportfish are stocked in rivers and reservoirs to maintain popular fisheries.

Access

SB 115 affirmed that all navigable streams continue to be open to the public for fishing, hunting, passage and more.

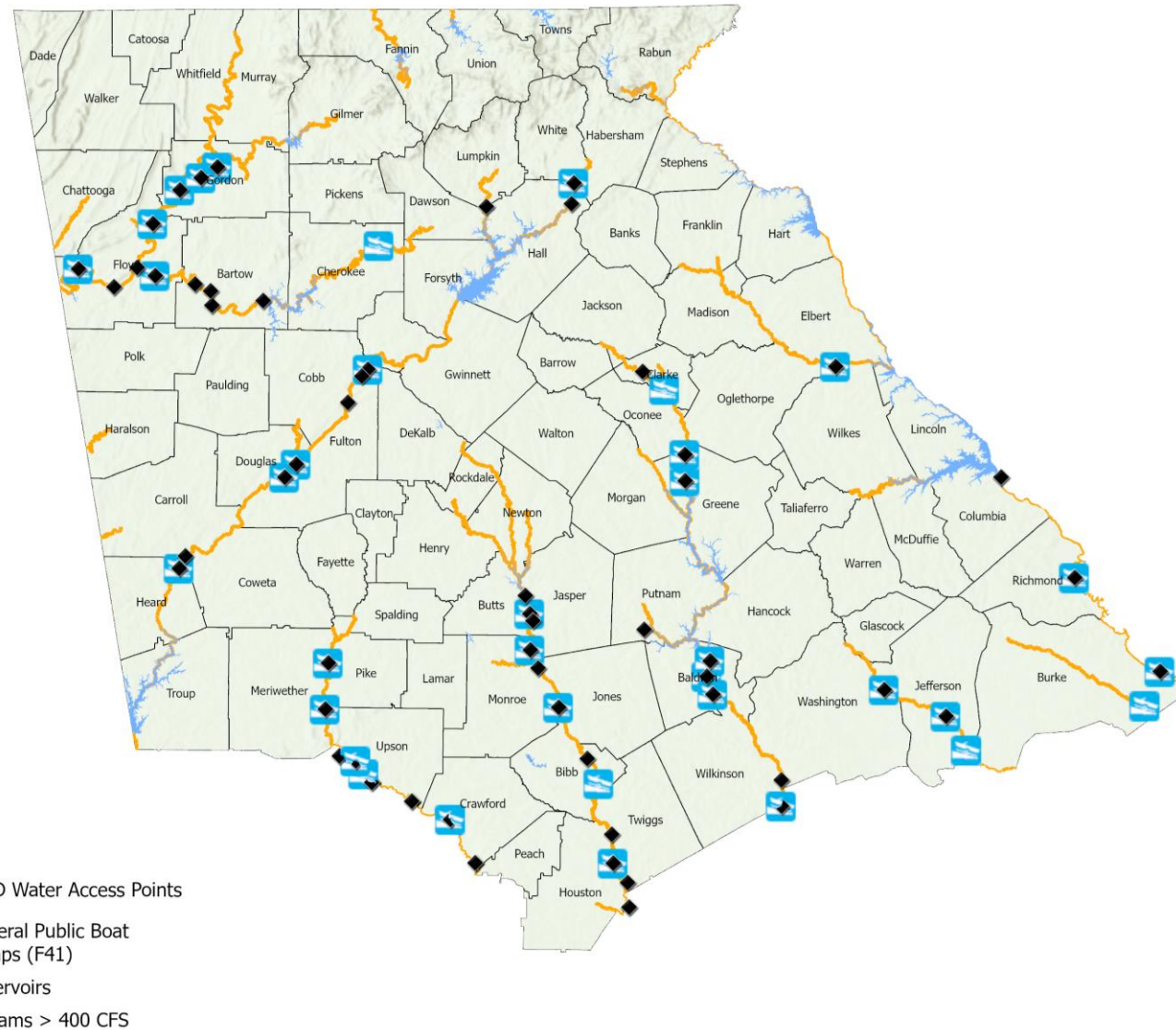


Determinations

Many factors guide whether DNR believes a stream is open to public access:

- Current state and federal law
- Court cases
- Georgia Attorney General opinions
- Research on traditional use
- Past state and federal legislative documents
- Historical documents
- Stream characteristics
 - Examples - stream width, cubic feet per second (cfs)
- Rivers defined for federal Section 10 regulatory purposes are open for public use.
- Streams with state-owned boat ramps are open for public use.

North Georgia Rivers and Access Points



South Georgia Rivers and Access Points

