

opened in 2011 five years after initial state grants were approved.¹⁰ Strong efforts by the park and volunteers have allowed the park to welcome many visitors and develop plans for further expansion, increasing public access to in-state and out-of-state outdoor enthusiasts. McIntosh Reserve is an effort by Carroll County and the Trust for Public Land, with noted financial assistance from private philanthropy and state grant money, to preserve greenspace and increase outdoor recreation opportunities.¹¹ Recent expansion opportunities saw the initial 527-acre park add 429 acres in 2023 and an additional 467 acres in 2024.¹² This project protects miles of Chattahoochee riverfront and is a key part of the Chattahoochee Riverlands Initiative spearheaded by the Trust for Public Land to connect metro Atlanta residents to the outdoors along the Chattahoochee River.¹³

The study committee also heard testimony from other conservation groups who have done notable work in protecting lands and increasing access through a variety of tools: conservation easements, Georgia Outdoor Stewardship Program grants, and land acquisitions. These groups, in addition to DNR, have safeguarded lands for generations while opening the outdoors to those generations.

Recent Legislative History

Flint River Litigation and Senate Bill 115 (2023)

Recent discussion of this issue commenced as a result of litigation that concerned property along the Flint River. More than 344 miles long, the Flint River is one of Georgia's largest and is home to both historic commercial river traffic and current outdoor recreation opportunities. A number of landowners along the river have deeds that state they own to the center of the Flint River. One example pertains to a stretch of the Flint River known as Yellow Jacket Shoals, a shoal bass hotspot whose adjoining landowners barred anglers from fishing on that section of the river without permission. DNR, though, considered that part of the river to be navigable and did not issue citations for fishing. This discrepancy has boiled over into riverside confrontations between landowners, boaters, and fishermen.¹⁴ One landowner, Four Chimneys LLLP, sued and the two parties (Four Chimneys and the State of Georgia) later entered into an agreement where DNR, while not determining navigability, nevertheless concluded: "the landowner holds title to a portion of the riverbed by virtue of valid [s]tate grants issued prior to 1863 to the adjoining upland property, and therefore under Georgia law the landowner and its successors in title hold the exclusive right to fishing on that property to the center of the river."¹⁵ As part of the settlement, the landowner did not contest or oppose the public's ability to float through the section of the river in question. Additional litigation similar to this case was filed soon after.

¹⁰ <https://bendfriend.org/the-bend>

¹¹ <https://www.chattahoocheeriverlands.com/stories/history-culture/mcintosh-reserve-site-visit/>

¹² <https://metroatlantaceo.com/news/2024/04/trust-public-land-acquires-additional-467-acres-mcintosh-reserve/>

¹³ <https://www.chattahoocheeriverlands.com/explore-the-riverlands/where-are-the-riverlands/>

¹⁴ <https://gon.com/news/state-weighs-in-on-flint-river-access-controversy>

¹⁵ State of Georgia and Four Chimneys, LLLP Joint Press Release (April 3, 2023): <https://gadnr.org/state-georgia-and-four-chimneys-lllp-joint-press-release>