

for permitting landowners to assert ownership of the beds of navigable streams. The legislation was passed and signed into law by Governor Kemp on May 6, 2024.

House Bill 1397 was also introduced during the legislative session. The bill provided a list of streams presumed to be navigable. Proponents cited the additional clarity the legislation would provide landowners, paddlers, and fishermen, while opponents of the legislation cited legal issues as well as the dozens of Georgia waterways used for outdoor recreation not included in the list. The legislation did not pass out of committee, but the discussion around the legislation helped spur the creation of this study committee.

## **COMMITTEE RECOMMENDATIONS**

Upon the conclusion of its meetings and following discussion among committee members, the House Study Committee on Navigable Streams and Related Matters makes the following recommendations:

1. Maintain the definition of navigability set forth in O.C.G.A. §44-8-5(a) and the right of passage for navigable streams as found in O.C.G.A. §52-1-31;
2. Refrain from a statutory delineation of navigable and non-navigable streams;
3. Incentivize and strengthen tools to foster collaboration and partnerships between landowners, nonprofits, and local/state government that increase opportunities for public access and conservation of Georgia's waterways;
4. Preserve the Georgia Outdoor Stewardship Program;
5. Urge the Department of Natural Resources to further publicize and fund new technologies that assist in tracking and resolving disputes on waterways; and
6. Protect Georgia's fishing, hunting, trapping, and outdoor recreation traditions, as well as those reliant on waterways such as logging and farming, by carefully analyzing the impact of any potential legislation on these sectors.

**Speaker Burns, these are the findings and recommendations of your Study Committee on Navigable Streams and Related Matters.**

Respectfully Submitted,



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The Honorable Lynn Smith  
Representative, 70<sup>th</sup> District  
Chairman