

WALTER RABON
COMMISSIONER

CHRIS HARPER
DIRECTOR

January 13, 2026

MEMORANDUM

To: Members, Board of Natural Resources

FROM: Chris Harper *CH*

SUBJECT **Action on Proposed Amendments to Bird Island Rule 391-4-7.03**

Enclosed for your review are proposed changes to Rule 391-4-7.03, Shorebird and Seabird Habitat Protection, also known as the Bird Island Rule.

The board was briefed on the proposed changes in October. The proposed rules reflect the need to update the original 1998 rule to protect habitats that are currently important to birds from public access and pets. We propose to remove one site from the original list and add two newly created dredge spoil islands and one naturally accreted island. The proposed rules also clarify that certain nesting islands are completely closed to boat landing during the nesting season, including the intertidal zone.

The proposed rules were publicly announced on the department's website on October 30th, 2025. An in-person public meeting was held on November 12, 2025, at the DNR Coastal Headquarters office and written comments were accepted through November 30th. All comments received supported the proposed amendments, while some encouraged the department to increase protections above and beyond what was proposed. A summary of public comments is available on page A-8; the complete set of comments and outreach efforts used to publicize the rule change and solicit comments are available here: <https://bit.ly/BirdIslandRules>

We plan to make a brief presentation to the Board on January 30, 2026, and will request Board adoption at that time. Please do not hesitate to contact Tim Keyes (Tim.Keyes@dnr.ga.gov) if you have questions or need more information about the proposal in advance of the meeting.

CH/tk