

WALTER RABON
COMMISSIONER

TED WILL
DIRECTOR

October 29, 2025

MEMORANDUM

To: INTERESTED PERSONS AND ORGANIZATIONS

FROM: Ted Will

SUBJECT **NOTICE AND SYNOPSIS OF PROPOSED RULE MAKING**

Notice is hereby given that, pursuant to authority contained in O.C.G.A. §§ 12-3-74(A)(1), 12-3-90 et seq., 27-1-6(1)(B), and 27-1-33, the Board of Natural Resources proposes to amend its rules governing the protection of coastal islands that provide important bird habitat. The proposed amendments (copy attached hereto) are to Rule 391-4-7-.03. The Board of Natural Resources will consider the proposed amendments and any comments received in the hearing process at its meeting on January 30, 2026, at 9:00 AM, at the A.W. Jones Heritage Center, 610 Beachview Drive, St. Simons Island, GA 31522.

SYNOPSIS

The purpose of Rule 391-4-7-.03 is to protect several critical offshore islands and bars that are used by nesting seabirds and shorebirds, many of which are species of high conservation concern. These sites are highly sensitive to human and canine disturbance, and the proposed amendments give the Department of Natural Resources (DNR) the ability to close all or portions of these sites. Offshore bars and islands are also dynamic features that can accrete and erode with storms and tides. One of the sites listed in original Rule has become less important, while other sites, both man-made and natural, have become more important. Without being listed explicitly in the Rule, DNR Law Enforcement cannot effectively enforce seasonal closure efforts.

The proposed amendments will update the sites listed in the original Rule by:

- Removing a natural bar, Pelican Spit, from the Rule. Pelican Spit has migrated and eroded to the point that birds no longer nest there.