

To: Upper Flint Water Planning Council

From: Kristin Rowles, GWPPC, and Steve Simpson, Black & Veatch

cc: Tim Cash, Assistant Branch Chief, GA EPD

Subject: Meeting Summary: Council Meeting 11 on September 21, 2011

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The council meeting was held on September 21, 2011, at the Griffin Commissioner's Meeting Room in Griffin, Georgia. The list of attendees is attached. In addition to this summary, all the presentations (slides) discussed in this meeting will be posted on the Upper Flint Council's web portal (<http://www.upperflint.org/>).

#### **Welcome, Introductions and Chairman's discussion**

Chairman Donald Chase called the meeting to order and thanked everyone for attending. Dick Morrow welcomed attendees to Griffin. Donald Chase led the group in an invocation.

Chairman Chase reported on activities since the last meeting, including submitting the plan to EPD and the public comment and direction received from EPD. Chase also briefed members on his meeting with Gary Black (Agriculture Commissioner), Senator Ross Tolleson, Senator Tom McCall, and others in Macon, GA in July to discuss regional water planning issues. Chase said that he reported to that group that additional water storage was the number one priority. He said that funding and continuation of the councils was also discussed as important.

Chase briefed the council on the panel presentation that he and other chairs attended at the Georgia Environmental Conference in Savannah in August. Chairs of the Middle Chattahoochee, Lower-Flint Ochlockonee, and other representatives were in attendance and participated on a panel discussion. Chase said that most of the questions asked of the panel concerned reservoirs and locations.

The meeting agenda was reviewed and the meeting summary from CM10 was discussed; however, action on these items was deferred as the meeting was one member short of a quorum (17 voting members).

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### **Discussion of EPD Direction to the Councils**

Chairman Chase asked Tim Cash of EPD to discuss the letter from EPD regarding direction on completion of the plan. The letter, signed by Linda McGregor, is included in the pre-meeting packet (see page 18). Tim Cash summarized that the letter advised that additional detail on conservation was needed and that the public comments received needed to be considered. EPD's review was directed at ensuring that the plan was developed in accordance with existing statewide water planning legislation and EPD guidance. Cash added that EPD appreciates the work of the Council. Donald Chase said that he appreciated all of the Council's work on the plan.

### **Review of comments on plan**

Kristin Rowles said that she would be reviewing comments on the plan from the state and regional agencies and from the public. She said that the detailed agency comments, primarily from EPD, start on page 20 of the plan. In addition to EPD, the plan was reviewed by GEFA and the River Valley Regional Commission, but these agencies had very few comments. The comments from EPD include the general comments in the letter included in the pre-meeting packet from Linda McGregor, but also include more detailed comments from EPD reviewers, which are also included in the pre-meeting packet (starting on page 20). Slides summarizing the review of the agency comments are included on the council website. After considering the agency comments, Rowles will review and facilitate discussion of the public comments on the plan.

### ***Section 7.4***

Rowles said that in Section 7.4 there was an editing error by which an old and a new version of a recommendation were both included in the plan. The older version (3<sup>rd</sup> full bullet point on page 7-18) had been replaced with the newer version (2<sup>nd</sup> full bullet point on page 7-18) based on the Council's discussion and decision at its April council meeting. Rowles said that council member Randy Starling had pointed out this error in his comments submitted on the plan. Rowles said that her recommendation was to delete the 3<sup>rd</sup> full bullet point on page 7-18. There were no objections to this recommendation, and it was adopted by consensus. However, Rowles noted that based on discussion with council members, it seemed there might be a need to discuss the wording of the 2<sup>nd</sup> full bullet point on page 7-18 further. She asked Randy Starling to comment.

Council member Randy Starling presented his concern that the recommendation states that "revenue raising authority should be considered for these councils." Starling said that after further reflection on the issue and follow-up discussion with other council members, he is concerned that the current language may lead to unintended consequences. Starling recommended that the language be changed to read something like: revenue raising authority, though not necessarily recommended, should be considered...." Randy

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Starling offered this proposed change as a motion to continue discussion of this issue, and Mike Donnelly seconded the motion. Chairman Chase noted that the Council did not have a quorum yet (one person short), but could proceed with discussion to explore the issue.

Dick Morrow said that he was not in favor of this change, because local control of planning will require funding to accomplish, and the proposed change weakens the recommendation. Cliff Arnett said that the language in the plan (2<sup>nd</sup> bullet point) was previously approved by consensus with much discussion. Moreover, he said that he is not in favor of the proposed change as history has indicated that no action happens without funding. Raines Jordan said that the “revenue raising” language includes a number of funding options and that local funding is needed for local control. Buddy Leger said that he understands the concern, and respects Starling for raising it, but he thinks that the existing language is good. Lamar Perlis questioned whether stronger language was needed. Brant Keller advised that he is not supportive of the change. Terrell Hudson said that he is concerned that the recommendation, as written, provides for a new level of bureaucracy. Chairman Chase said that the Council’s philosophical differences will not be resolved in the meeting, and he is in favor of the current language. Hays Arnold said that the critical water issues in the state will require that all options should be on the table and therefore the existing language to “consider...” is appropriate. Frank Keller noted that the plan is a recommendation, so the language as currently proposed is fine.

Chairman Chase noted that the council was still lacking a quorum. He asked for a straw poll on the motion. The straw poll indicated that council members Randy Starling, Mike Donnelly, Frank Keller, and Terrell Hudson were in favor of Starling’s proposed modification. Mike Donnelly noted that he has received negative feedback on the current language from outside the council, and he also thinks that it is unlikely that the councils would be granted revenue raising authority by the legislature. Donnelly said that he would withdraw his second for the motion, and the motion died for lack of a second.

Joel Wood joined the meeting by teleconference, and the council had a quorum.

### ***Section 6 - DM2***

EPD: Page 6-4, DM2, and subsequent references to DM2: The current wording of DM2 is not consistent with current state law, which obligates the Director to require involuntary suspension of irrigation under certain circumstances. Consider revising to read primarily through voluntary means or other wording that reflects the Council’s intent but is consistent with state law.

RECOMMENDATION: Suggest that the Council move this management practice to the Recommendations to the State section since it is a recommendation for modification of current policy, which does allow for involuntary suspension. While implementation of

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the recommendation would not require a statutory change, it does set preferences for how current law and policy are implemented (e.g., avoid involuntary suspension).

***Following discussion, there was a consensus to approve the recommended change to move this item from the management practices section to the recommendations section.***

### ***Conservation***

EPD comments are included in the pre-meeting packet on pages 23 & 24. Rowles reviewed several points related to the EPD comments:

- Specific conservation practices are clearly listed in the description column of Table 6-1 for Management Practices DM3, DM5, DM6, and DM7.
- The selection process, key points, calculations, and decisions are described in the Water Conservation Technical Memorandum (Supplemental Document 15).
- The Council states in DM6 on page 6-6, “A focus on desired performance outcome will support increased conservation while allowing farmers to select what practices will work best for their own operations.” □
- The DM6 description lists conservation practices that might be used to meet the stated conservation benchmark.
- This is the Council’s preferred approach to conservation in agricultural water use.
- Page 1 of the Water Conservation Technical Memorandum explains the heavy focus on agricultural uses: “Table 1 shows the current (2005) and forecast future (2050) water withdrawals in the region. Agriculture is the largest water use sector. Much of the Council’s discussion focused on this sector, but other sectors were also discussed, and management practices were included in the plan to address all sectors.”
- While the Council focused most heavily on agricultural uses due to their predominance, it addresses conservation for non-farm uses (municipal, industrial, energy) in DM3 and DM4. Specific practices from the DNR Rules, State Water Plan, and Water Stewardship are cited in the description column of Table 6-1 for these management practices. The plan also addresses the need for information on baseline implementation of these practices by non-farm uses in the Recommendations in Section 7.4.
- Cost information considered is given in Table 7-2. Estimates are largely based on the Supplemental Guidance on costs, with several modifications and corrections made in discussions with the contractor that developed that document.
- It was not possible to estimate total costs for many practices because the extent of current implementation is unknown. The need for baseline implementation information is described in the plan, and the plan includes recommendations to address this information need. The costs of irrigation suspension are estimated in the Water Conservation Technical Memo (Supplemental Document 15).

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- Calculating water savings for the practices listed in Table 6-1, DM3 and DM4, would be very rough estimates, given the lack of available baseline implementation information. Some would also be limited by the qualitative nature of the practices (e.g., submittal of conservation plans by withdrawal permittees).

RECOMMENDATION: Add the following to the Water Conservation Technical Memorandum in Section 2:

Costs for demand management practices and other types of management practices are estimated in Table 7-1 of the plan. Cost estimates are for broad categories of practices, but allow for some cost comparison. The total costs of implementation were not possible to estimate because of the lack of baseline implementation information. The Council recommends the assessment of baseline implementation of conservation practices in Section 7.4 of the plan. Cost is an important factor in selecting management practices, but the Council did not use this information to set a preference for one type of practice over another, because the Council recognizes that all types of management practices will be needed in the region.

Furthermore, for agriculture, the Council recognizes that costs for management practice implementation can vary widely depending on location specific conditions, and therefore the Council recommends benchmark performance targets for agricultural water conservation rather than calling for the use of specific practices. Selection of the most appropriate, specific practices for agricultural water conservation is left to the farmer.

Cliff Arnett suggested that the technical memorandum be modified to state that the planning process is an iterative process, and future iterations would be expected to have better cost definition. ***Following discussion, there was a consensus to approve this recommendation with Arnett's suggested modification.***

RECOMMENDATION: Add a new last paragraph on page 1 on the Water Conservation Technical Memorandum as follows:

In Section 3, this memorandum calculates water savings to the extent possible for several conservation management practices listed in Section 2. Water savings estimates are focused on those areas where the best information to support estimates was available. However, the Council's plan includes management practices that address all water use sectors, and it addresses the need for better information on baseline implementation of conservation practices and the effectiveness of those practices.

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***Following discussion, there was consensus to approve this recommendation.***

RECOMMENDATION: Add new water savings estimates for selected non-farm water conservation practices to the Water Conservation Technical Memorandum.

Steve Simpson explained that the B&V team can add some estimates for water savings from specific municipal and industrial conservation practices included in the Water Stewardship Act. Simpson explained that the suggested recommendation came from comparing our technical memorandum with those of other councils. At least one other council included an estimate of cooling tower and multi-family sub-metering conservation savings. This amount of detail was not included as these savings are expected to be very small and the council chose to focus largely on agricultural water conservation as this component of water use is greater for the council. Simpson noted that the estimates would be for these Water Stewardship Act required practices going forward.

Various council members questioned the need to add this level of detail to the technical memo. ***Following discussion, the consensus was for Black & Veatch to develop the estimate and provide the draft language for review by Randy Starling, Brant Keller, Cliff Arnett, and Hays Arnold prior to finalization.***

### ***Section 3***

RECOMMENDATION: To address some of the public comments, need to clarify in the notes to Figures 3-1 through 3-4 (page 3-2) and 4-1 and 4-2 (page 4-6) that demand estimates and forecasts are for the planning region, not to a specific watershed.

Rowles recommended this change for clarification based on comments; ***there was consensus to make this change.***

### ***Executive Summary***

EPD suggests (see pages 20 & 26 of the pre-meeting packet):

(1) In the table titled "Resource Assessment Results -UF Region", for Surface Water Quality under the column titled Summary of Model Results, it states that "results indicated decreasing availability of assimilative capacity in streams as discharge flows increase". EPD recommended that it should be noted here that in certain segments of the Flint watershed the model indicates that no assimilative capacity is left.

(2) In the column titled "Council Plan to Address Results", suggest wording could be changed to: "Collect more complete information to confirm model results and to support the targeting of management practices for water quality in the future."

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RECOMMENDATION: Adopt these suggested changes.

*Council consensus was NOT to add the suggested note in item 1, because the model-identified areas with no assimilative capacity left are not in the UF region. For item (2), the council consensus was to reword the suggested change in item 2, as follows: “Collect more complete information to support refinement of the model to reflect actual conditions and to support the targeting of management practices for water quality in the future.”*

### *Section 3*

Several comments from EPD are included on pages 20 and 21 of the pre-meeting packet.

RECOMMENDATION: Adopt suggested changes. For page 3-8, modify the last paragraph as follows:

Figure 3-5 shows the in-stream dissolved oxygen (DO) model results for current discharges given critical low flow (7Q10), high temperature conditions. Stream segments that were predicted by the model to have exceeded the available assimilative capacity are shown in red. Streams that are at the allowable DO levels are shown in pink, and those predicted to have DO levels in excess of state water quality standards are shown in blue. Naturally low DO waters (below 5.0 mg/L in the summer) are typically in the yellow to red range. It is important to note that some streams are naturally low in DO, but these streams cannot necessarily be discerned from in Figure 3-5 because the map indicates the effects of discharges as well as natural conditions for all streams. Assimilative capacity appears to be available for stream reaches in the region based on dissolved oxygen modeling results. The number of stream miles where assimilative capacity was exceeded or unavailable under current conditions in the model was 8.80 miles (as a whole).

*After discussion, there was consensus to approve these recommended changes.*

### *Section 4*

A comment from EPD regarding Section 4.4 is included on page 22 of the pre-meeting packet.

RECOMMENDATION: Delete “for EPD by CDM, Inc.”, so that the 1st sentence of Section 4.4 reads: “Forecasts of water use in thermoelectric power production were made

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~~for EPD by CDM, Inc.,~~ with the guidance of an advisory panel that included power industry representatives and the Georgia Environmental Facilities Authority.” □

***There were no objections to this recommendation, and it was approved by consensus.***

### ***Section 5***

Comments from EPD regarding Section 5 are included on page 22 of the pre-meeting packet.

EPD:

- (1) The estimated 2050 groundwater withdrawal numbers for the Cretaceous Aquifer in Table 5-1 (page 5-3) should be 267-303 mgd (and the equivalent cfs numbers should be adjusted accordingly).
- (2) Page 5-4, last paragraph in Section 5.2, modify 1<sup>st</sup> sentence as follows: “As discussed in Section 3, the sustainable yield results for the Upper Floridan aquifer in the Dougherty Plain were determined based upon the impact of groundwater withdrawals on groundwater contributions to stream baseflows, ~~surface water flows~~, rather than on the condition of the aquifer itself.
- (3) Page 5-5, Figure 5-1, in the table that compares current and future assimilative capacity, the “at assimilative” and “exceeds assimilative capacity” stream segments are added together so it appears things get worse in the future. In several 2050 models there is a decrease in segments that “exceed assimilative capacity.” Recommend adding a column to the table to show “at” and “exceed” as separate categories. Also note, the 2050 model represented the scenario whereby all the facilities had permit limits adjusted so as not to exceed the assimilative capacity of the streams into which they discharged - which resulted in no red zones.

***Following discussion, the consensus was to adopt these suggested changes.***

### ***Section 7***

GEFA suggested that in Table 7-2 (on page 7-7), the Council should consider adding the Georgia Land Conservation Program as a responsible party for item WQ-2 (Improve Implementation of Nonpoint Source Controls).

***Following discussion, the consensus was to adopt this suggested change.***

EPD suggested that the footnote b in Table 7-2 should be clarified. Rowles recommended deleting the word “saved” in the first line of note (b). The note applies to

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both “saved” and “yielded” water, and if so described, the note is appropriately placed throughout the table.

***The consensus was to adopt this suggested change.***

### ***Section 8***

EPD commented that on page 8-4, “triennial” should actually be “biennial”. ***After clarification, the consensus was to adopt this correction.***

### ***Formatting and Presentation***

Comments on formatting and presentation from EPD are included on page 25 of the pre-meeting packet.

RECOMMENDATION: Planning contractor will incorporate suggested changes and corrections into final plan. Planning contractor will review document for consistency with style templates.

***There were no objections to this recommendation, and it was approved by consensus.***

***Following the review of the agency comments, Dick Morrow made a motion to approve all of the approved changes, with modifications as discussed above, for incorporation into the finalized plan. Frank Keller seconded the motion, and the motion was approved by consensus.***

### ***Public Comments***

Next, Rowles reviewed the public comments on the plan. She said that members had been sent the full comment document, with over 280 pages of comments on all ten regional plans. She also referred to a summary notes documents prepared by the planning contractor review team in their review of the public comments. This was provided to the council to assist them in their review, but not to substitute for the comments themselves. Rowles noted that the public comments reflected a substantial amount of work on the part of the reviewers. She provided the following as a list of reviewers in the public comments whose comments applied to the UF region:

The public comments were discussed. Comments were received from a number of sources, including:

- Ross King, Association of County Commissioners
- Jenny Hoffner and Gordon Rogers, Flint Riverkeeper and American Rivers

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- Stephen McCullers, Cobb County Water System
- Zippy Duvall, GA Farm Bureau
- Tammy Wyles, GA Industry Environmental Coalition
- Tanya Blalock, GA Power
- Katie Kirkpatrick, GA Water Alliance
- GA Water Coalition
- James Phillips, Middle Chattahoochee Water Coalition
- Sara Barczak, Southern Alliance for Clean Energy
- Shelly Lakly, Nature Conservancy
- Billy Turner, Tri Rivers Waterway Development Association
- Sandy Tucker, U.S. Fish and Wildlife Service
- Sally Bethea on behalf of several GA Riverkeepers
- Jack Gleason
- Deborah Phillips, GA Industry Environmental Coalition
- Bryan Tolar, GA Agribusiness Council
- Randall Starling
- William Moore

Next, Rowles reviewed the major themes in the public comments:

- Implementation concerns
- Continuation of regional planning
- Resource assessment data, approach, targets
- Forecasts (growth scenarios, energy)
- Conservation priority
- Storage concerns
- Gap closure
- Council membership
- In-stream flow needs
- Water quality concerns

Rowles noted that many comments addressed concerns that were beyond the Council's control. For example, many comments addressed the resource assessments, and these were mostly directed at EPD. The Council also had concerns about the resource assessments, in many cases similar to those raised in the public comments. Rowles noted that the Council was directed by EPD to consider the public comments and determine if it wanted to modify the plan based on the public comments.

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The Council discussed the public comments received. Dick Morrow noted that comments came from a number of specific and varied interests. Hays Arnold said that he did not see a need to change the plan. Similarly, Raines Jordan said that he did not see any issues raised in the public comments that the Council had not considered. Cliff Arnett noted that the public comments are appreciated, and that the council agreed with many of the comments, but that he feels the council has done an admirable job of considering issues and developing the plan. Buddy Leger stated that public comments are appreciated.

The Council discussed that no formal response to comments is required by the Council; however, the Council would like to express its appreciation to commenters. ***Buddy Leger made a motion to convey the council's appreciation to commenters on the website and in the meeting summary. Frank Keller seconded, and the motion was approved by consensus.***

Dick Morrow said that he disagreed with some comments; examples were comments that "aggressive water conservation was not considered" and the council had made an "unbalanced jump to additional storage". Dick expressed that the Council had considered water conservation and other options, but believes that additional storage is needed to address the gap the lower Flint basin. Cliff Arnett voiced his agreement with Dick. Frank Keller noted the USFWS comments on endangered species. Lamar Perlis suggested that an appreciation letter be sent to the commenters. Randy Starling noted that commenters did a good job representing their perspectives in the comments. A council member asked for clarification of how the New Mexico per capita water use calculation works. Steve Simpson said that the planning contractors had reviewed the New Mexico method, and it is very similar to that used (in terms of factors considered) in this planning process.

Donald Chase agreed that the council should send a letter to commenters; the letter should cover the following points:

- The council appreciates the time and efforts of commenters in reviewing the plan and providing written comments.
- The council does not believe the planning effort is complete; additional work needs to be done.
- The council has requested additional information to improve future planning.
- The council is in favor of the planning process continuing forward.
- The council asks commenters to continue their involvement in the future planning process efforts.

***The planning contractor will work with Chairman Chase to prepare and distribute such a letter to commenters.***

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*Following this discussion, Cliff Arnett made a motion to make no further changes in the plan based on the public comments. Brant Keller seconded the motion, and the motion was approved by consensus.*

*Dick Morrow made a motion to approve the CMI0 meeting summary. The motion was seconded, and the motion was approved by consensus.*

Cliff Arnett commented that one of the best decisions that the council made was to elect Donald Chase as chairman and Dick Morrow as vice chairman.

Raines Jordan asked about the future of the regional water planning councils. Tim Cash (EPD) said that Black & Veatch surveyed the councils for their interest in reappointment, and the results were provided to the EPD director for sharing with the state leadership team. Cash said that discussions were currently on-going regarding planning continuance and budgeting for this effort in the future. Beth English advised that the GA Municipal Association has the continuation of the water councils and regional water planning on its legislative agenda.

Lamar Perlis and Buddy Leger announced to the council that Cordele is now officially an "Inland Port", connected by rail to Savannah, and the first shipment has been made.

Kristin Rowles thanked everyone for their efforts. The meeting was adjourned.

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**Attachment 1:**

**Upper Flint Water Planning Council  
Council Meeting Attendance – September 21, 2011**

**Council Members**

Cliff Arnett  
Hays Arnold  
Gene Brunson  
Donald Chase  
Mike Donnelly  
Beth English  
Harold Fallin  
Terrell Hudson  
Raines Jordan

Frank Keller  
Brant Keller  
Buddy Leger  
Dick Morrow  
Lamar Perlis  
Bill Sawyer  
Randy Starling  
Joel Wood (by telephone)

**Council Members Not In Attendance**

Greg Barineau  
Mike Beres  
Michael Bowens  
Tommy Burnsed  
William Culpepper  
Eddie Freeman

Jack Holbrook  
George Hooks  
Lynmore James  
Gary Powell  
Jim Reid  
Charles Rucks

**Planning Consultants**

Steve Simpson, B&V

Kristin Rowles, GWPPC

**Georgia EPD**

Tim Cash, Assistant Branch Chief  
Bill Morris

