

To: Lower Flint-Ochlockonee Water Planning Council

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

cc: Tim Cash, Assistant Branch Chief, GA EPD

Subject: Meeting Summary: Council Meeting 11 on September 20, 2011

The council meeting was held on September 20, 2011, at the Bridge House in Albany Georgia. The list of attendees is attached. In addition to this summary, the presentation (slides) discussed in this meeting will be posted on the Lower Flint-Ochlockonee Council's web portal (<http://www.lowerflint.org/>).

Welcome, Introductions and Chairman's Discussion

Chairman Richard Royal opened the meeting and thanked everyone for attending. Council member John Bridges led the group in an invocation.

Council member Chuck Lingle commented that Richard Royal's remarks as a part of a panel on the regional water plans at the Georgia Environmental conference in Savannah were excellent. Royal said he thought the panel went well. Royal said he tried to focus on major themes, such as the lack of trust in the models that hindered making far reaching decisions. Chairman Royal said he heard similar concerns from other council chairs.

Next, Chairman Royal asked Council members to think about Council member Bob Hanner who is recovering from heart surgery. Royal introduced members of the public attending. A list of attendees is an attachment to this meeting summary.

Chairman Royal said he wanted to brief the Council on discussions he has had with USFWS, EPD, GWPPC, and others about the endangered and threatened mussels in Spring Creek. He said that a group has been meeting on about a monthly basis over the past several months. The group includes Allen Barnes (Director, EPD), Sandy Tucker (USFWS), Sandy Abbott (USFWS), Gary Black (Agriculture Commissioner), and Kristin Rowles (GWPPC). Chairman Royal noted that the GWPPC, including Doug Wilson, Mark Masters, and Kristin Rowles, has helped support these discussions and resulting efforts tremendously.

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Chairman Royal noted there are several studies that show a decline in mussel populations in Spring Creek. There is concern about potential for a third party ESA lawsuit. He said that the group has worked to pilot an augmentation effort in Spring Creek, and he asked Doug Wilson to report on that initiative.

Wilson said that very low flows in Spring Creek this year led to an attempt to try provide for augmentation to improve habitat conditions in-stream by pumping water into the creek. In July, efforts were made to work with irrigators to pump water to the creek, but it was decided that due to contractual difficulties that two new wells would be drilled to provide for augmentation. The City of Colquitt provided a site on city-owned land for the well. The Golden Triangle Resource Conservation and Development Council provided \$85k and the USFWS provided \$35k in funds to support the project. EPD provided well drilling equipment and personnel. The project has required the efforts of a number of different people. The effort has been permitted, and water quality has been tested. The first well (second well has been drilled but the pump is not yet operational) could start pumping later this week. If the project proves successful, it may prove augmentation is a viable tool. It is not expected that the pumping will be able to provide for significant flows, but it is hoped that it can provide for some habitat improvement (mussel assemblage just north of the Colquitt wastewater treatment plant discharge) under dry conditions.

Chairman Royal thanked Wilson. Next, he explained that the group is also working to develop an initiative to evaluate the potential for a Habitat Conservation Plan (HCP). Currently, the draft proposal is for a \$433,000 project. He noted that this project would affect everyone, and stakeholders would have to buy in. Chairman Royal noted there could be management practices that result from this plan, such as restrictions on irrigation. Royal reminded the Council members that this plan will require commitment from all stakeholders to develop a solution. He said that he thinks it is best that if there are going to be difficult hurdles ahead that the stakeholders have a say in how things proceed. Royal noted that he believes Allen Barnes is a friend of the Council and agriculture, but, he knows that Barnes is hearing complaints about agricultural water use this year.

Council member Jimmy Webb asked if Barnes understands the agriculture's economic impacts. Royal said that he does. Webb noted the great importance of agriculture to the regional economy. Royal agreed, but also noted that agriculture's voice in the legislature may be diminished in the future.

Howard Small said that some cities may have wells that are inadequate and not suffering from the effects caused by agricultural water use. Council member Bill Yearta said that he has not heard anything about problems with wells, but as mayor of Sylvester, he knows how important agriculture is.

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Next, Royal asked Kristin Rowles to explain the HCP project proposal. Rowles noted that a HCP is a tool provided under the Endangered Species Act that can provide for some predictability and flexibility in implementation of the ESA. Rowles explained that a HCP is an agreement between stakeholders affecting an endangered species and the USFWS. A HCP prescribes certain agreed upon activities to support habitat mitigation and protection in exchange for a waiver of liability for “incidental” takes of listed species. Rowles said that the proposed project has the following five components:

1. Evaluate the feasibility of establishing a basin-wide HCP.
2. Develop a HCP Partnership to conduct outreach and develop participation by farmers and other stakeholders and from technical experts in a support and advisory role for this project.
3. Assess baseline implementation of agricultural water conservation practices to support benefit calculation and prioritization for future conservation investments in the LFRB.
4. Establish stream flow criteria for federally protected freshwater mussel species.
5. Prepare a draft Habitat Conservation Plan (if determined to be feasible and beneficial).

If the project goes forward, Rowles said that some Council members are likely to be lead stakeholders in the project. She said this process will require commitment from the stakeholders. Rowles said they will be fine-tuning the proposal in the next few weeks and then looking for funding options. Golden Triangle Resource Conservation and Development Council will be the lead organization for the project.

Council member Howard Small asked if would be possible to build a small dam upstream of Colquitt to provide water for the mussels. Royal said he had not heard of this possibility. Rowles commented that many augmentation and storage options, as well as conservation practices, would be considered as a part of the HCP project. Council member Jimmy Webb noted that he feels that farmers are an endangered species.

Last, Chairman Royal asked for the Council members to adopt their previous meeting summary. ***The Meeting Summary was approved with no objections.*** Chair Royal asked if any council member had any changes to today's meeting agenda. ***The meeting agenda was approved with no objections.***

Discussion of GA EPD Direction to the Councils

A letter with the EPD direction to the Council regarding agency review and completion of the plan is included in the pre-meeting packet. The primary comment from EPD was to include more information on conservation in the plan.

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Review of comments on plan

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 agency comments, primarily from EPD, start on page 13 of the plan. In addition to EPD, the plan was reviewed by GEFA and the Southwest Georgia Regional Commission, but these agencies did not have any 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 13). Slides summarizing the review of the agency comments are included on the council website. After considering the agency comments, the council would review and discuss the public comments on the plan.

Section 6 - DM6

EPD: On page 6-6, DM6, and subsequent references to DM6, the current wording of DM6 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 to Council to 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 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).

After some discussion about whether to wait until the end of the comments to approve, the council decided to approve each of the changes individually.

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

Conservation

EPD comments are included in the pre-meeting packet on pages 16 & 17. 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 DM2, DM4, DM5, 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 DM5 on page 6-5, "A focus on desired performance outcome will support increased conservation while allowing farmers to select what practices will work best for their own operations."

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- The DM5 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 DM2 and DM3. 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).
- Calculating water savings for the practices listed in Table 6-1, DM2 and DM3, 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.

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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.

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

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.

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

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. The water savings from these practices will be small in this region.

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

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 said this modification would address misinterpretation of the water user charts in Sections 3 and 4. The change is a clarification

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

Executive Summary

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EPD suggests:

- (1) (not in packet) In the table titled “Resource Assessment Results - LFO 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. 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: “Collect more complete information to confirm model results and to support the targeting of management practices for water quality in the future.”

RECOMMENDATION: Adopt these suggested changes.

Council member Steve Bailey asked whether the modification in item (1) should refer to the watershed or region. Kristin said that this is a good point and noted it should be region, not watershed.

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

Section 3

Several comments from EPD are included on pages 13 and 14 of the pre-meeting packet.

RECOMMENDATION: Adopt suggested changes. For page 3-11, modify the first 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

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8.80 miles in the Flint River Basin (as a whole) and 13.77 miles in the Ochlockonee River Basin.

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

Section 4

A comment from EPD regarding Section 4.4 is included on page 15 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 ~~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 pages 15 & 19 of the pre-meeting packet.

EPD: Page 5-7, 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. This was mentioned for the Ochlockonee but not for the Flint discussion (page 5-5).

RECOMMENDATION: Adopt suggested changes.

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

EPD: Pages 5-1 & 5-2, Section 5 - Montezuma is shown as having 0% of time below sustainability criteria. RA report says 0.01% of time. Table 3-1 does say 0.01% of time, not 0. Also, table 5-1 has value and %, table 3-1 just has value with no use of “%” sign. Need to ensure consistency between the tables.

RECOMMENDATION: Use non-rounded numbers here. Change 0% to 0.01% in Tables 3-1 and 5-1. Add “%” symbols to Table 3-1. On page 5-1, 0% is not stated; rather the

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text reads that the sustainability criteria were “met almost 100% of the time”. This is consistent with the EPD Tech Memo on the resource assessment results that read “The percentage of time when there is a flow shortage is almost 0%.”

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

EPD: Page 5-2, Section 5 - is the footnote 3 in text and in footer about Chattahoochee or Suwannee-Satilla? Both are mentioned in text and footer. Confusing wording?

RECOMMENDATION: Modify the wording of the footnote as follows: “As noted in Section 3, small portions of the Lower Flint-Ochlockonee Region occur in the Suwannee and Chattahoochee River Basins. Chattahoochee resource assessment results are summarized in this plan. Results for the Suwannee are not included in this plan, but can be found in the plan for the Suwannee-Satilla Council. The Lower Flint-Ochlockonee Council...”

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

EPD: Page 5-4, 1st paragraph under Table 5-3, modify 1st sentence as follows: “As discussed in Section 3.2.2, in the Upper Floridan (Dougherty Plain), the sustainable yield results 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.

RECOMMENDATION: Adopt suggested change.

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

Section 7

A comment from EPD is included on page 16 of the pre-meeting packet.

RECOMMENDATION: Delete the word “saved” in first line of note (b). It applies to both “saved” and “yielded”, and if so described, the note is appropriately placed throughout the table.

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

Section 8

A comment from EPD is included on page 16 of the pre-meeting packet.

RECOMMENDATION: Adopt suggested change.

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

Formatting and Presentation

Comments on formatting and presentation from EPD are included on page 18 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.

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 LFO region:

- Ross King, Association of County Commissioners
- Jenny Hoffner and Gordon Rogers, Flint Riverkeeper and American Rivers
- Brad Currey
- 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
- Boyd Austin, Metro North GA Water Planning District
- James Phillips, Middle Chattahoochee Water
- 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

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- Bryan Tolar, GA Agribusiness Council
- Neil Fleckenstein, Tall Timbers Land Conservancy
- Jim McClatchey

Next, Rowles reviewed a list of 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. Chairman Royal asked if the Council wished to address anything in the public comments. Bill Yearata advised that the Council appreciated the public comments. The council members did not offer any concerns or modifications for discussion. ***With no objections, the plan was approved by consensus for finalization, with the modifications discussed above.***

Local Elected Official and Public Comments

No one signed up for public or local official comment. Chairman Royal asked if anyone would like to provide any comments. Doug Wilson said that on behalf of the Golden Triangle Resource Conservation and Development Council, he would like to ask for the Council's support for a 319 grant proposal for the Ichawaynochaway sub-basin. This proposal would be for a project similar to the Spring Creek Partnership in the Ichawaynochaway. ***There were no objections, and the submittal of the letter of support was approved by consensus.*** There were no further comments from the public or elected officials.

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Final Discussion of Plan for Submittal to EPD

Rowles said that the planning contractor team would work to finalize the plan next week and submit it to EPD in time for the September 30th deadline. Tim Cash, EPD, noted that he thought the Council did a great job.

Jimmy Webb asked Cash if EPD will be revising the plans based on the public comments. Cash said no; he said that he thought that most of the comments were recommendations for future actions by EPD, but did not require modification of the current plans. Cash was asked if he knew anything about the possible future of the regional water councils. Cash said that the planning contractors had surveyed council members, and about 95% want to be reappointed. Cash said this information has been forwarded to the EPD Director, and there have been discussions with OPB regarding funding for the continuation for water planning efforts.

Chairman Royal thanked everyone for their efforts. Several council members thanked Chairman Royal and Vice-Chair Haddock for their service to the Council. The meeting was adjourned.

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Attachment 1:

**Lower Flint-Ochlockonee Water Planning Council
Council Meeting Attendance – September 20, 2011**

Council Members

Steve Bailey
John Bridges
Jimmy Champion
Hal Haddock
John Heath
Huddy Hudgens
Gary Leddon
Jerry Lee
Chuck Lingle

T.E. Moye
Greg Murray
Richard Royal
Steve Singletary
Howard Small
Steve Sykes
Jimmy Webb
Bill Yearta

Council Members Not In Attendance

John Bulloch
Dean Burke
Jerry Chapman
Terry Clark
Bob Hanner
Josh Herring
Chris Hobby

George McIntosh
Doyle Medders
Rick Moss
Mike Newberry
Jim Quinn
Will Vereen

Planning Consultants

Steve Simpson, B&V
Mark Masters, GWPPC

Kristin Rowles, GWPPC
Robert Osborne, B&V

Georgia EPD

Tim Cash, Assistant Branch Chief
Bill Morris

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LOWER FLINT-OCHLOCKONEE
 WATER COUNCIL

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 Public Sign-In

Name	Organization
Bryan Tolar	GA Agribusiness Council
GARY MOREFIELD	ALBANY WATER GAS & LIGHT
SHANE KELSEY	SWGA RC
Jeffrey Harvey	GA Farm Bureau
John Kilpatrick	GA DNR
Jim Lamy	Grady Co.
Bill Morris	GA EPD
Tim Cash	Ga. EPD
Mark Masters	GWPPC
FRANK BEDMOND	SEN. ZASLON'S OFFICE

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