

Georgia Department of Natural Resources

2 Martin Luther King Jr., Drive, Suite 1152 East, Atlanta, Georgia 30334

Chris Clark, Commissioner
Carol A. Couch, Ph.D., Director
Environmental Protection Division
(404) 656-4713

October 16, 2009

Memorandum

To: Council Chairs and Vice Chairs

From: Carol A. Couch

RE: Meeting Summary

Regional Water Planning Council Leadership Conference Call
October 16, 2009

Carol Couch, Director of the Environmental Protection Division (EPD), welcomed the participants and outlined an agenda with three major topics: the Governor's Water Task Force, an update on population projections, and information on Georgia water law. She also requested that participants provide any additional topics they wished to discuss. Before addressing the first agenda item, however, Dr. Couch offered her condolences on the passing of the Upper Oconee Council's Chair, David Bennett. She also noted his work with the Georgia Soil and Water Conservation Commission and contributions toward environmental preservation.

Governor's Water Task Force – Carol Couch requested that attendees share their comments on the Governor's Task Force Kick-Off meeting and reminded them that it is significant that the Governor called on the Water Council Chairs as participants. Dr. Couch reminded participants that, as members of the Task Force, they have the opportunity to vet materials and share their perspectives. Therefore, she encouraged Council Members to be engaged throughout the Task Force's work and offer their viewpoints and expertise.

Richard Royal expressed his concern that Task Force members have not been given enough data to make informed decisions. Carol Couch responded by reminding the participants that the main goal of the Task Force is to make sense of the recent legal rulings and to examine the available options. She also noted that it is highly unlikely the Task Force will be able to create an in-depth, all-inclusive plan by December. Instead, the plan will more likely be an outline of ideas and what needs to be accomplished. Therefore, Carol Couch suggested that Council Members stay engaged with the Task Force's progress and discuss any questions or concerns with the Governor.

Several participants noted that while a PowerPoint presentation was delivered to them, there was not enough data included for them to make an informed opinion. One participant likewise noted that the Task Force does not seem to realize Georgia already has a number of large reservoirs and, in some areas, available water without building more storage systems. In response to these concerns, Carol Couch suggested that the Council Members share their comments with the Task Force.

Carol Couch noted that at the January meetings, EPD will provide the Councils with information on the capacity of water resources across the state.

John Bennett expressed his opinion that the Governor is asking the Task Force to come up with a short-term, three-year plan. Mr. Bennett likewise noted that it would be beneficial to come up with a back-up plan should Congress decide Georgia legally cannot continue withdrawals from Lake Lanier. Moreover, while the Task Force is expected to provide a short-term plan, the Regional Water Councils will create long-term, forty-year plans. The Regional Water Councils will also be able to be more factual and look at more data as they develop their recommended plans.

In response to John Bennett's and Ron Cross' suggestions that the Task Force and Regional Water Councils appear to have different goals, Carol Couch recommended that Regional Water Council Chairs provide their full voice and participate as much as possible in the Task Force.

Population & Employment Forecasting – Carol Couch explained that EPD is currently waiting for the Governor's Office of Planning and Budget (OPB) to release population forecasts. While EPD acknowledges that it is important for the same data to be used across all state agencies, EPD is preparing to use an alternative set of forecasts (Woods & Poole data set) if there continues to be a delay. Carol Couch noted that it would be ideal to use OPB's projections along with other credible projections that have been developed; however, the Woods & Poole data set, which is currently used by several major businesses, provides a plan B. Regardless of the data set used, Carol Couch noted that EPD will provide the water and wastewater forecasts as soon as possible, with some data to be ready by the next set of Council Meetings.

While the population forecasts have yet to be released, Carol Couch assured the participants that other projections are coming along well. Forecasts of industrial water needs, agricultural water use for categories not included in the agricultural irrigation projections, and energy projections are all on track. She invited participants to review the final forecasts and make sure the data are credible and provide a solid basis for regional planning.

Georgia Water Law – In response to a Council's request for information on water law in Georgia, Carol Couch explained that the Law Department in the Attorney General's office prepared a briefing paper a few years ago covering surface water and ground water

law. The briefing paper covers permits and land owners' rights and may be beneficial to the Council Members as they prepare their regional water plans. EPD will provide copies of the briefing paper to the Council Chairs and Vice Chairs for their use as an information resource. Carol Couch also noted that, while there are many views and interpretations of riparian rights and water law, the regional water plans needs to adhere to and reflect the current statutes. Therefore, Council Chairs may want to park any comments that go beyond current laws, since the regional water plans cannot incorporate what Council Members believe should be the law.

Dick Morrow expressed some concern that the local service delivery strategies will trump the regional water plans. In response, Carol Couch confirmed that EPD cannot issue permits that are in conflict with service delivery strategies. But, she noted, the regional plans are not expected to say that a particular group of communities have to join together in a regional solution. Instead, the regional water plans are expected to identify opportunities for multi-jurisdictional or regional action. As such, they will become the basis from which changes in service delivery strategies can be developed. Once the regional water plans are adopted, the EPD Director will consider both service delivery strategies and the regional water plans when evaluating permits.

Other Questions and Concerns – John Bennett noted that Population forecasts are frequently brought up in Council Meetings. In order to calm fellow Council Members, Mr. Bennett suggested that Members remember that while Population forecasts are important, they are not the only forecasts the Councils can use. Furthermore, they are only part of the information that will be used to develop projections and complete the regional water plans. Likewise, there are several ways to get the information needed for regional planning.

Richard Royal suggested that Councils utilize Council Members whose areas of expertise can help fill in the gaps in the agricultural water use forecasts for specific commodities.

David Ashburn notified Carol Couch and other participants that a local quarry owner in his region is promoting his quarry as a water storage solution.

In closing, Carol Couch thanked the participants for all of their hard work and reminded them that they are helping lead the State into a better future.

Meeting Attendees

Tomas Ratcliffe, Vice Chair, Coastal North Georgia
David Ashburn, Vice Chair, Coosa-North Georgia
John Bennett, Chair, Coosa-North Georgia
Richard Royal, Chair, Lower Flint-Ochlockonee
Harry Lange, Vice Chair, Middle Chattahoochee
Matt Windom, Chair, Middle Chattahoochee

Elmo Richardson, Chair, Middle Ocmulgee
Dick Morrow, Vice Chair, Upper Flint-Ochlockonee
Ron Cross, Chair, Savannah-Upper Ogeechee
Darvin Eason, Chair, Suwannee-Satilla
Richard McSpadden, Vice Chair Upper Oconee