



**Metropolitan North Georgia Water Planning District
GOVERNING BOARD
Minutes
August 28, 2013**

The Metropolitan North Georgia Water Planning District Governing Board met on Wednesday, August 28, 2013 at 10:00 a.m. in the Allen S. Hardin Amphitheater at the R. Charles Loudermilk Center for Regional Community in Atlanta, Georgia.

Members Present

Hon. Boyd Austin, Chairman
Ms. Katie Kirkpatrick, Vice Chair
Hon. Buzz Ahrens
Hon. Tim Lee
Hon. Steve Brown
Hon. Pete Amos
Hon. Robert Hamrick
Ms. Kit Dunlap
Mr. Brad Currey
Mr. Reggie Prime
Mr. Chuck Huling

Mr. Tim Thoms
Bartow County Designee: Mr. Gene Camp
Clayton County Designee: Mr. Mike Thomas
Coweta County Designee: Mr. Eric Smith
DeKalb County Designee: Mr. Charles Lambert
Douglas County Designee: Mr. Pete Frost
Fulton County Designee: Mr. Nick Ammons
Gwinnett County Designee: Mr. Ron Peters
Henry County Designee: Mr. Lindy Farmer
Rockdale County Designee: Mr. Terrell Gibbs

Members Not Present

Mr. Birdel Jackson, Secretary/Treasurer
Hon. Kasim Reed

Mr. Gerald Pouncey
Mr. William Thomas Craig

Chairman Boyd Austin called the meeting to order.

Approve Meeting Minutes

Chairman Austin called for a motion to approve the minutes. A motion to approve the June 6, 2013 meeting minutes was made by Katie Kirkpatrick, seconded by Hon. Robert Hamrick and passed without opposition.

Chairman's Report

Chairman Austin recognized new members Hon. Robert Hamrick (Hall County) and Hon. Lee May (DeKalb County, not present) to the Governing Board. Mr. Kelly Randall (Hall County) is a newly appointed designee. Chairman Austin recognized Ms. Jill Stachura the Oconee BAC Chair who was in attendance.

Chairman Austin introduced Mr. Danny Johnson as the new District Manager and Mr. Chris Faulkner as the new Wastewater Planner and welcomed them on behalf of the Board.

Ms. Katherine Zitsch gave a brief update on lake levels and rain accumulation. Year to date, we have received 51 inches of rainfall whereas the average yearly rainfall is only 49 inches. Lake Lanier is currently at 1073.38 and over two feet above full pool. At this time, the US Army Corps of Engineers is attempting to evacuate the flood storage volume above full pool and has caused some minor flooding upstream of Morgan Falls. There have been no reports of flooding exceeding the 100 year flood elevations in these areas.

Ms. Katherine Zitsch provided an update on the anticipated Florida lawsuit against Georgia. Florida has stated they will be filing an equal apportionment lawsuit in September 2013. This lawsuit would be heard at the Supreme Court and there is nationwide precedence that the case would be heard. The case is expected to last 7-10 years.

Ms. Katherine Zitsch provided an update on the Water Resources Development Act (WRDA). At this time, the WRDA bill has passed the Senate and is in the House of Representatives subcommittee. We anticipate the bill will reach the floor of the House in late September to early October for a vote. We will continue to track the bill's progress.

Ms. Zitsch also reported that she attended the Senate hearing in Apalachicola Bay. The panel discussion presented multiple reasons why oyster production in the bay has fallen off in recent years, including overharvesting after the BP oil spill. Much of the discussion focused on methods to reseed the oyster substrate to promote new growth. Mr. Brad Currey added that the lawsuit from Florida appears to be a political move from Governor Scott to improve his falling approval ratings. Chairman Austin noted that the District staff works diligently to address public media information when misinformation is presented. The District's hope is that we can negotiate instead of litigate.

Chairman Austin announced that the 2013 Water Essay Contest is underway. This year's topic is water conservation. Students are asked to answer the question "Why is water conservation important to you and our region?" The District winner prize is \$500. City of Atlanta and county-level winners' prizes are \$100. The deadline for entry is October 18th. City of Atlanta and county winners will be notified on November 1st. An awards reception will be held in the South Wing of the Georgia Capitol on Thursday, November 14th from 10 am -12 pm. The District-wide winner and runner-up will be announced at the awards reception.

Chairman Austin reminded board members that, per the 2009 Water Supply and Conservation Management Plan Action Item 5.11, local governments should initiate a retrofit schedule and program by 2014 to replace all toilets greater than 3.5 gpf with High Efficiency toilets and all urinals greater than 1.0 gpf by 2020. The reminder was provided as a courtesy given the number of years that have passed since the last plan update.

Executive Committee Report

Chairman Austin announced that the BAC Membership Drive took place this year during April and May, and the Executive Committee approved 172 members at the last meeting in June. Since that time, five new applications were submitted. The Executive Committee approved the five

individuals for membership this morning, bringing our total BAC membership up to 177. The District is looking forward to starting the plan update with such a large and diverse BAC group.

District Staff proposed a few modifications to the Amendment Guidelines that would remove the language that requires major plan amendments to be held until the end of the year when a full plan review and update is performed. Given that an annual plan review and update has historically not been needed or performed, District staff does not see the merit in holding major plan amendments for up to nine months to process. Major amendments would still require a 30-day public comment period, but could be voted on by the next board meeting instead of requiring the community to wait up to nine months to receive a decision by the District Board. Mr. Tim Thoms made a motion to approve the proposed revisions to the Plan Amendment Guidelines. The motion was seconded by Hon. Robert Hamrick and passed unanimously.

Chairman Austin opened discussion on the plan amendment to the Wastewater Management Plan from Henry County Water and Sewerage Authority to convert the Indian Creek Land Application System (LAS) with no discharge into a discharge only facility, as well as a change in timeline for expansions. The amendment had been categorized by District staff as a minor amendment and was posted for a 15-day public comment period. No comments were received. Ms. Kit Dunlap made a motion to approve the plan amendment. The motion was seconded by Pete Frost and passed unanimously.

Chairman Austin opened discussion on the plan amendment from Clayton County Water Authority. The plan amendment request to the Wastewater Management Plan consists of including a discharge from the W.B. Casey Water Reclamation Facility (WRF) to the Flint River. Currently reclaimed water from W.B. Casey WRF is discharged to the Ocmulgee River basin. The amendment had been categorized by District staff as a minor amendment and was posted for a 15-day public comment period. One comment was received that noted an incorrect reference to a publication by American Rivers. The actual document produced by American Rivers is called "Americas Most Endangered Rivers 2013" and references concerns over low flow within the Flint River and the need to reduce external interbasin transfers. The proposed plan amendment by Clayton County Water Authority will bring up to 6 MGD of flow back into the Flint Basin and will help to reduce the overall interbasin transfer impact. Mr. Eric Smith made a motion to approve the amendment. The motion was seconded by Michael Thomas. The motion passed without opposition.

Chairman Austin opened discussion on the plan amendment from the City of Dallas. The request for a major amendment to the Wastewater Management Plan includes extending the period of operations at a new, merged (to be merged from two currently existing plants in 2011-2015 planning period) wastewater treatment plant in the City of Dallas through the entire planning period (through 2035). Additional modifications would include reducing the expansion of Paulding County's Pumpkinvine Creek WRF to a total capacity of 27 mgd instead of 30 mgd in the 2026 to 2035 planning period. The amendment had been categorized by District staff as a major amendment and was posted for a 30-day public comment period. No comments were received. Ms. Kit Dunlap made a motion to approve the plan amendment. The motion was seconded by Mr. Brad Currey and passed unanimously.

Chairman Austin announced that the Executive Committee voted to approve the Forsyth County amendment request as a minor amendment, requiring a 15-day public comment period and the City of College Park and Hall County amendment request as major amendments, requiring a 30-day public comment period. The Governing Board will be voting on the Forsyth County, City of College Park and Hall County amendment requests at the December meeting.

Chairman Austin opened discussion on the revisions to the Model Floodplain Management/ Flood Damage Prevention Ordinance. The District received a request from FEMA last year to amend the model ordinance. The amendment went out for public comment and several comments were received. Steve Haubner stated that he has been working with FEMA and the Stormwater Technical Coordinating Committee to work with the comments and make changes to the ordinance. The Executive Committee voted to approve the Revised Final Draft of the Model Floodplain Management / Flood Damage Prevention Ordinance amendment request made by Federal Emergency Management Agency (FEMA).

Mr. Tim Thoms noted his concerns with the Model Floodplain Management/Flood Damage Prevention Ordinance. While the ordinance is presented as a model, if a community wishes to modify language in the ordinance, the government staff often resists out of fear that the revised ordinance will be in conflict with the District. Additionally, the model ordinance should not exclude capable professionals from the work they are capable of conducting. In the future, the District should convey to jurisdictions that the model ordinance can be adapted to meet local needs. Chairman Austin noted that on a local level, elected officials often don't have enough money or staff to modify ordinances as desired but the model ordinance *is* a template. Chairman Austin added that he would be open to further conversation related to professional registration requirements in the model ordinance since the District has added some new staff this year. Mr. Tim Lee made a motion to approve the amendment. The motion was seconded by Vice Chair Katie Kirkpatrick. The motion passed with one objection by Mr. Tim Thoms.

EPD Audit Process Update

Ms. Gail Cowie provided an overview of the EPD audit process. The audit process began in 2005 and is a means to certify a jurisdiction's "good faith" effort for complying with the Metro Water District's Plans. To date, 154 audits have been performed. Audits are triggered based on a five year rotation or at major permitting actions such as increased capacity requests, MS4 permit renewals, and GEFA loan requests. Jurisdictions have an opportunity to attend an optional pre-audit meeting with EPD. The EPD Audit Checklist is the heart of the process and guide to compliance. EPD is currently in the second round of audits and is taking a posture of encouragement rather than enforcement. During Round 1, EPD wanted to make sure the checklist items were in place. During Round 2, EPD is trying to determine how well the action items are working for the jurisdiction. Mr. Mike Thomas asked if Ms. Cowie could address the concerns of Mr. Tim Thoms related to modified model ordinances. Ms. Cowie stated that EPD looks to make sure the ordinances were at least as effective as the model ordinance. Mr. Reggie Prime asked what common problems were seen and if the audit results are public record. Ms. Cowie stated that the problems vary between jurisdictions and that the results are public record.

District Approach to Green Infrastructure

Mr. Steve Haubner briefed the Board on green infrastructure initiatives that are part of the District's water resource management plans. Mr. Haubner introduced the concept of green infrastructure as including both constructed and conservation approaches that use vegetation, soil and natural processes to manage rainwater where it falls. Communities can utilize green infrastructure to maintain healthy waters with the advantage of lower construction costs, reduced ongoing maintenance needs and more sustainable systems. In addition, there are ancillary benefits which can include recreation, walkability and more desirable communities. The Metro Water District supports green infrastructure implementation through both the adopted Watershed Management Plan and design guidance from the Georgia Stormwater Management Manual. This includes several of the required and optional model ordinances, management measures and other plan provisions. Mr. Haubner concluded by providing several examples of successful green infrastructure projects in the metro area. A Board Member recommended that District staff consider developing model ordinance language that will protect green infrastructure like bioswales and porous pavement when property is sold. Mr. Haubner suggested the use of permanent easements that would be established to protect the BMP.

Governor's Water Supply Program Status Update

Mr. Matt Harper presented an overview of the Governor's Water Supply Program. In 2012, the Program provided approximately \$100,000,000 in loans for 10 different water supply projects. A normal GEFA loan will have a 20 year term, approximately 2.82% interest rate with a 1% closing fee. However, GEFA will work with communities to adopt a repayment plan to meet the financial goals of the project. GEFA has received 11 applications totaling \$131,171,720 in requested funding through a combination of loan and State Direct Investment. Mr. Harper discussed a stream flow augmentation pilot project through aquifer storage and recovery (ASR) that is being funded and implemented by the State of Georgia. The ASR pilot project will be implemented in the Elmodel Wildlife Management Area in Baker County, Georgia.

Other

The next meeting will be held on Wednesday, December 4th, followed by the ARC Board meeting.

There being no further business, the meeting was adjourned.