



## Metropolitan North Georgia Water Planning District

International Tower | 229 Peachtree St., NE | Suite 100 | Atlanta, GA 30303

# **BOARD MEETING AGENDA**

**September 13, 2023 – 10:00 a.m.**

**In-Person: Harry West Board Room**

**International Tower Suite 100, 229 Peachtree Street, NE Atlanta, Georgia**

**Virtual Option: [Click here to join the meeting](#)**

**Or call in (audio only)**

**[+1 470-419-6063](tel:+14704196063), [582968873#](tel:+14704195829)**

- I. Welcome**
- II. Public Comment Period\*\***
- III. Approve Meeting Minutes (*Action Item*)**
- IV. Chairman's Report**
  - *Reflections on the Retreat*
  - *Schedule for 2023/2024*
  - *District staffing update*
- V. Staff Updates**
  - *Education and Outreach*
- VI. Water Supply Status - Litigation Update**
- VII. Website Redesign Walkthrough**
- VIII. District Guidance on Embedding Stormwater Best Management Practices (*Action Item*)**
- IX. Aging Infrastructure – Repair and Replacement Planning**
- X. Adjourn**

\*\*A 10-minute period for public comments is designated as needed at each Governing Board meeting during a time deemed appropriate by the Chairman. Each speaker must sign-up at least two (2) days prior to the meeting start time by emailing [Chairman@northgeorgiawater.com](mailto:Chairman@northgeorgiawater.com). The 10 minute period will be divided by the number of people wishing to address the Board. No single speaker shall have more than five (5) minutes to address the Board. Comments should also be provided in writing, with supporting material. The Chairman reserves the right to limit or extend the speaking time or total number of speakers at any meeting.



**Metropolitan North Georgia Water Planning District  
GOVERNING BOARD  
Minutes  
May 12, 2023**

The Metropolitan North Georgia Water Planning District Governing Board met on Friday, May 12, 2023, at 9:35 a.m. at CoveyRise in Camilla, GA.

**Members Present**

Mr. Glenn Page, Chairman

Dr. Mark Berry, Secretary/Treasurer

Hon. Harry Johnston

Hon. Lisa Cupid

Hon. Carlotta Harrell

Ms. Pamela Burnett

Mr. Gerald Pouncey

Mr. Tim Thoms

Douglas County Designee: Mr. Gil Shearouse

Forsyth County Designee: Mr. Barry Lucas

Fulton County Designee: Mr. Nick Ammons

Gwinnett County Designee: Ms. Rebecca Shelton

Rockdale County Designee: Mr. Vaughn Jamison

**Members Not Present**

Ms. Katie Kirkpatrick, Vice Chair

Hon. Andre Dickens

Hon. Matt Santini

Hon. Jeff Turner

Hon. Dub Pearman

Hon. Mike Thurmond

Hon. Edward Johnson

Hon. Richard Higgins

Hon. James Kelly

Mr. Birdel Jackson

Ms. Kit Dunlap

Chairman Glenn Page called the meeting to order.

**Public Comment Period**

No public comments were provided.

**Approve Meeting Minutes**

Chairman Page presented the December 14, 2022, meeting minutes for approval. No revisions were offered. Mr. Gerald Pouncey made a motion to approve the meeting minutes. The motion was seconded by Hon. Lisa Cupid and passed without opposition.

## **Chairman's Update**

### **Remaining Schedule for 2023**

Chairman Page noted the next Board meeting will be held on September 13, 2023, and presented the remaining schedule of Board, BAC, and TCC meeting dates for 2023.

## **Executive Committee Report**

### **Basin Advisory Council Membership Drive and New Member Approval**

Chairman Page announced that 94 applicants for Basin Advisory Council (BAC) membership were approved during the Executive Committee meeting.

### **2022 Comprehensive Annual Financial Report**

Treasurer Dr. Mark Berry provided an overview of the 2022 Comprehensive Annual Financial Report.

### **2023 Budget Revision**

Treasurer Berry presented the 2023 Budget Revision for approval. Mr. Pouncey made a motion to approve the 2023 Budget Revision. The motion was seconded by Hon. Cupid and passed without opposition.

### **2024 Budget and Work Program**

Treasurer Berry presented the 2024 Budget and Work Program for approval. Hon. Cupid made a motion to approve the 2024 Budget and Work Program. The motion was seconded by Ms. Pam Burnett and passed without opposition.

### **Election of Chairman, Vice-Chairman, and Secretary/Treasurer**

Hon. Harry Johnston presented the Nominating Committee's recommendations for the District Chair, Vice Chair, and Secretary/Treasurer. The committee recommended Mr. Glenn Page as Chair, Hon. Nicole Love Hendrickson as Vice Chair, and Dr. Mark Berry as Secretary/Treasurer. A motion to approve the slate of board members for election was made by Hon. Johnston. The motion was seconded by Hon. Carlotta Harrell and passed without opposition.

### **Water Supply Status / Litigation Update**

Ms. Katherine Zitsch provided an overview of rainfall and lake levels across the District. Ms. Zitsch also presented an update on litigation within the Apalachicola-Chattahoochee-Flint River basin and the Alabama-Coosa-Tallapoosa River basin as well as Georgia Senate Bill 115.

### **District Guidance on Embedded Stormwater Best Management Practices**

Ms. Katherine Atteberry provided an overview of a guidance document prepared by District Staff addressing embedded stormwater best management practices. District staff will follow up with local stormwater managers and provide an update to the Governing Board during the September 13, 2023, Board Meeting.

**Chairwoman Carlotta Harrell**

Hon. Harrell expressed her reservations regarding the existing local stormwater management regulations in the Shoal Creek watershed within Henry County.

**Agriculture and Water Connections in Georgia with Video Presentation – The Flint River – A Georgia Treasure**

Mr. Robin Singletary, Mr. Gordon Rogers, Mr. Mark Masters, and Ms. Katherine Zitsch held a panel discussion to discuss the connections between urban and agricultural water management in the Flint River.

**Staff Updates**

Ms. Sarah Skinner announced the winners of the 2023 High School Video Contest and shared the new opportunity where the District will begin working with Georgia Public Broadcasting to develop a “Virtual Learning Journey” website in Q3 2023.

Mr. Danny Johnson presented an overview of the District’s Smart Leak Detector Rebate Program launch scheduled for July 1, 2023.

There being no further business, Chairman Page adjourned the meeting.

MW1702

**AMENDED AND RESTATED  
ADMINISTRATIVE AND STAFF SERVICES AGREEMENT**

This Agreement made this 7<sup>th</sup> day of June, 2017 by and between the Metropolitan North Georgia Water Planning District ("the District") and the Atlanta Regional Commission ("ARC").

WHEREAS, the District was created by the Metropolitan North Georgia Water Planning District Act (the "Act") for the purpose of developing regional and watershed - specific plans for storm-water management, waste-water management, water supply, water conservation, and the general protection of water quality for the metropolitan North Georgia region identified in the Act; and

WHEREAS, the District is governed by the Metropolitan North Georgia Water Planning District Governing Board (the "Board") in accordance with the Act; and

WHEREAS, the Act provides that the District staff shall consist initially of the existing staff of the Environmental Protection Division of ARC; and

WHEREAS, the parties entered into a prior agreement on July 20, 2001 setting forth the terms and conditions under which ARC shall provide administrative and technical staff support to the District.

WHEREAS, the parties wish to amend and restate the prior agreement in its entirety to reflect the ongoing relationship between the parties.

NOW, THEREFORE, for and in consideration of the premises, the parties hereby agree as follows:

1. ARC agrees to provide administrative, financial, and technical staff support to the District in accordance with the terms of this Agreement. Such support shall be adequate to enable the District to accomplish the work program adopted by the District for the term of this Agreement.
2. ARC's Executive Director shall administer this contract; provided, however, that ARC's Executive Director hereby designates and appoints the Manager of the ARC Natural Resources Division, as his authorized agent for purposes of administering this contract.
3. The Board shall establish policy for the District. The Board, or its committees and officers, acting in accordance with the policy of the Board, shall provide direction to the staff in carrying out the policy of the Board. Such direction shall be provided to ARC's Executive Director, or to those ARC employees designated by ARC's Executive Director. Such direction may be given verbally or in written form.
4. The Board shall establish an annual budget which shall provide for payment to ARC for its services as provided herein. ARC shall be reimbursed for the expenses of its employees assigned to provide services to the District and for direct expenses related to services provided to or on behalf

of the District. Reimbursement rates shall be sufficient to cover the costs attributable to such employees, including salary, payroll taxes, and fringe benefit costs. It is contemplated that certain employees shall be dedicated to providing staff assistance to the District on a full-time basis, and the District shall reimburse ARC for the entire foregoing costs associated with such employees. Other employees of ARC may devote only a portion of their time to providing services for the District, and such employees shall maintain accurate time records which reflect the portion of time so spent. The District shall reimburse ARC for such employees' time as appropriate.

5. This Agreement shall be effective beginning as of the date first above written, and shall automatically renew on January 1 each year unless either the District Board or the ARC Board, or an ARC committee authorized to act on behalf of the ARC Board on such matters, takes a formal vote to terminate this Agreement and provides written notice to the other party at least 180 days in advance of January 1.

6. Services to be provided by ARC for the District may include, but shall not be limited to, the following:

- (1) planning and other technical services, including the conduct of studies;
- (2) budgeting, accounting and bookkeeping services;
- (3) conducting research and preparing reports;
- (4) preparing and administering contracts between the District and third party contractors;
- (5) applying for and administering grants;
- (6) providing administrative and staff support to the District Board and Committees;
- (7) providing administrative and staff support to advisory councils;
- (8) managing the public involvement and communications program;
- (9) consulting and providing advice to the Board as well as third parties;
- (10) providing financial services such as depositing moneys on behalf of the District and paying the District's bills; and
- (11) providing rented office space and computer support to the District.

7. The District shall compensate ARC on an equitable basis for a portion of ARC's direct and indirect costs in providing the above Services; provided, however, that the ARC will contribute rent and computer support costs to the District without compensation from the District. The District's contribution to ARC's indirect costs shall be charged based on the prevailing indirect rates used by ARC in the usual course of business.

8. ARC shall bill the District on a monthly basis. Such monthly invoices shall detail the work and services performed and the computation of overhead and indirect costs, and shall be presented to the District by the 10<sup>th</sup> day of the month following the month for which the invoiced services were performed. The District shall review, approve and pay such invoice by the end of the month in which the invoice is received.

9. The Board shall be kept fully informed concerning the progress of the work and services to be performed hereunder. The Board may require ARC staff to meet with the Board or its representatives from time to time to review such work. Reasonable prior notice of such meetings shall be given to ARC.

10. ARC shall report on progress to the Board at Board meetings or by furnishing other reports in such form and with such frequency as may be specified by the Board, which reports shall outline the work accomplished by ARC and the current status of any ongoing projects for such period of time as may be requested by the Board.

11. This Agreement shall be deemed to have been executed and performed in the state of Georgia, and all questions of interpretation and construction shall be governed by the laws of such state.

12. This Agreement may only be modified by an instrument in writing executed by the District and ARC. Notwithstanding the foregoing, the District and ARC acknowledge that this Agreement may be revised or refined from time to time during its term. The District and ARC agree to cooperate with each other by executing such documents as may be necessary to evidence such modifications and refinements.

IN WITNESS WHEREOF, the District and ARC, through their duly authorized representatives, have executed this Agreement as of the date first written above.

Metropolitan North Georgia  
Water Planning District

  
Boyd Austin  
Chairman and CEO

Atlanta Regional Commission

  
Douglas R. Hooker  
Executive Director



## Metropolitan North Georgia Water Planning District

International Tower | 229 Peachtree St., NE | Suite 100 | Atlanta, GA 30303

TO: Metropolitan North Georgia Water Planning District (District) Board Members

FROM: District Staff

DATE: September 6, 2023

RE: Board Action Item: Optional Guidance For Designs That Embed Post-Construction Stormwater Best Management Practices (BMPs) Within Each Other

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Based on an analysis of information currently published in the Georgia Stormwater Management Manual Volume 2 (GSMMv2), the District would like to provide optional guidance to local jurisdictions about stormwater management system designs that embed post-construction stormwater BMPs within each other.

### Background:

- The 2019 Model Ordinance for Post-Construction Stormwater Management requires stormwater management systems to be designed for a new runoff reduction standard (i.e., retain the first 1.0 inch of rainfall on the site) rather than the previous water quality standard (i.e., remove at least 80% of the total suspended solids load for runoff from a 1.2-inch rainfall event).
- To date, the most common stormwater BMP used in development is a detention basin, which meets the water quality standard, but not the runoff reduction standard. To meet the runoff reduction standard, some designers propose embedding an infiltration practice within a detention basin.
- When approved and installed, embedded stormwater BMPs have a high likelihood of failure and above-average operation and maintenance costs. See Figure 1.
- At the District's Joint Technical Coordinating Committee (TCC) Meeting in May 2022, this question was raised: "How are local jurisdictions in the District addressing stormwater post-construction best



Figure 1: Embedded stormwater BMP installed at a local jurisdiction within the District



management practice (BMP) designs that include infiltration practices in the bottom of detention basins?”

- District staff conducted research, including a survey distributed to all Watershed/ Stormwater TCC members, and found there was an inconsistent process across local jurisdictions within the District. Some approved the practice and others prohibited it. Notably, 81% of survey respondents requested some form of additional guidance from the District.

### **Logic Behind the District Recommendation**

- There is no single statement in the GSMMv2 prohibiting system designs that embed post-construction stormwater BMPs within each other. This has caused confusion for both designers and for plan reviewers at the local level.
- The attached District Guidance memorandum identifies constraints in design parameters between infiltration and detention that is currently published in the GSMMv2.
- The District Guidance is only a recommendation. It has been shared and discussed with the Stormwater/Watershed TCC at three separate meetings and at the District Board Retreat in May 2023.

### **Design Options Other Than Embedding Practices**

Local jurisdictions implementing a prohibition on designs with embedded practices can maintain flexibility in stormwater BMP designs that meet the requirements of the 2019 post-construction stormwater management ordinance.

- Using the local jurisdiction’s practicability policy, jurisdictions may waive or reduce the runoff reduction requirement for proposed site development on a case-by-case basis.
- The District’s Model Policy on Practicability Analysis for Runoff Reduction (model practicability policy) was developed to be adopted locally and provide guidance about the site conditions and supporting documentation that could justify a “Determination of Infeasibility” for the runoff reduction requirement. It includes the following conditions that may warrant a Determination of Infeasibility:
  - soil infiltration rate
  - water table
  - shallow bedrock
  - extreme topography
  - karst topography
  - hotspots/contamination
  - historic resources
  - site constraints
  - economic hardship

The attached memorandum is proposed as an action item by the District Board and, if approved, will be posted to the District website.



## Metropolitan North Georgia Water Planning District

International Tower | 229 Peachtree St., NE | Suite 100 | Atlanta, GA 30303

TO: Local Jurisdictions within the Metropolitan North Georgia Water Planning District (District)

FROM: District Staff

DATE: September 13, 2023

RE: Optional District Guidance About Designs That Embed Post-Construction Stormwater Best Management Practices Within Each Other

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The District is providing guidance to local jurisdictions regarding stormwater management system designs that embed post-construction stormwater Best Management Practices (BMPs) within each other.

### **Background:**

At the District's Joint Technical Coordinating Committee (TCC) Meeting in May 2022, the following question was raised: "How are local jurisdictions in the District addressing stormwater post-construction BMP designs that include infiltration practices in the bottom of detention basins?" District staff conducted research, including a survey distributed to all Watershed/ Stormwater TCC members with 40 respondents, and found the following information about current practice within the District.

- In 2022, local jurisdictions within the District have a wide range of responses to designs that include infiltration practices in the bottom of detention basins. Some approve them and other prohibit "embedding stormwater facilities within each other" in their development code.
- 80% of survey respondents had received designs for review that included an infiltration practice at the bottom of a detention basin.
- 42% of survey respondents stated that their jurisdiction has an unwritten, but consistent approach to designs with infiltration practices in detention basins and are evaluated individually and may be approved. An additional 34% had other reference materials (i.e., Georgia Stormwater Management Manual) or local policies that would allow approval.
- 81% of survey respondents requested some form of additional guidance from the District (e.g., optional design guidelines, model ordinance, or minimum standards)

Due to the frequency of designs that include infiltration practices in the bottom of detention basins being submitted to local jurisdictions; the wide variety of responses; and the interest of watershed TCC members in receiving additional guidance, the District is providing this clarifying technical memorandum.

**Supporting Documentation**

Table 1 identifies constraints in design parameters between infiltration and detention that is currently published in the Georgia Stormwater Management Manual Volume 2 (GSMMv2). The Practices in Table 1 are commonly embedded in stormwater management system designs. Local jurisdictions choosing to prohibit stormwater management system designs that embed post-construction stormwater BMPs within each other may use Table 1 to assess compatibility for the proposed designs.

Design Parameter	Infiltration		Detention
	Bioretention Areas (Practice 4.2)	Infiltration Practices (Practice 4.12)	Dry Detention Basin (Practice 4.5)
Maximum Ponding Depth	12" maximum 9" recommended	12" maximum 9" recommended	None listed, but depth of the basin should not exceed 10'
Site Drainage Area	5 acres maximum	5 acres maximum 2500 sq ft – 2 acres preferred	10 acres minimum
Soils	Native soils if they have at least 0.5 in/hr infiltration ability or engineered media	No C or D Drain in 72 hours	All – with minor adjustments for karst or rapidly percolating soils such as sand
Runoff Reduction Credit	Yes	Yes	No

*Table 1: Infiltration and Detention Design Parameter Comparison*

In addition, the following text from GSMMv2 identifies constraints to embedding BMPs.

**Practice 4.5: Dry Detention Basin**

- ...dissipate energy in the stormwater runoff it receives and provide opportunities for some sedimentation of suspended solids. (p. 183)
- Runoff Reduction: Another BMP should be used in a treatment train with dry detention basin to provide runoff reduction as they are not designated to provide RRV as a stand-alone BMP. (p. 185)
- Should be located downstream of other BMPs providing runoff reduction and/or additional treatment of the water quality volume. (p. 186)

**Practice 4.2: Bioretention Area**

- Generally, have a maximum drainage area of 5 acres or less because of design constraints including limited ponding depths and inlet velocities (p. 156)
- Includes overflow, diversion or bypass structure to safely route larger storms through or around the bioretention area (p. 158)

**Practice 4.12: Infiltration Practice**

- Infiltration practices are not intended to trap sediment and must always be designed with ...appropriate pretreatment measures to prevent clogging and failure. (p. 246)
- Due to their high potential for failure, these facilities must only be considered for sites where upstream sediment control can be ensured. (p. 246)

**Implementation of Guidance**

The District's 2019 Model Ordinance for Post-Construction Stormwater Management (2019 Model Ordinance) requires stormwater management systems to first be designed for a runoff reduction standard (i.e., retain the first 1.0 inch of rainfall on the site) rather than the water quality standard (i.e., remove at least 80% of the total suspended solids load for runoff from a 1.2-inch rainfall event). Local jurisdictions implementing a prohibition on designs with embedded practices can maintain flexibility in stormwater BMP designs that meet the requirements of the 2019 Model Ordinance. The local jurisdiction is responsible for the review of land development applications and determination that it is infeasible to apply the runoff reduction standard on part or all of a proposed site development. Using their practicability policy, local jurisdictions may waive or reduce the runoff reduction requirement for proposed site development on a case-by-case basis.

The District's Model Policy on Practicability Analysis for Runoff Reduction (model practicability policy) identifies the site conditions and supporting documentation that could justify a "Determination of Infeasibility." It states that if any of the stormwater runoff volume generated by the first 1.0" of rainfall cannot be reduced or retained on the site, due to site characteristics or constraints, the remaining volume shall be increased by a multiplier of 1.2 and shall be intercepted and treated in one or more BMPs that provide at least an 80 percent reduction in total suspended solids. The following conditions may warrant a Determination of Infeasibility: soil infiltration rate, water table, shallow bedrock, extreme topography, karst topography, hotspots/contamination, historic resources, site constraints, and economic hardship. Local jurisdictions may adopt and customize the model practicability policy and use it in conjunction with their post-construction stormwater management ordinance, which is equivalent or more stringent than the 2019 Model Ordinance.