



Metropolitan North Georgia Water Planning District
LEGISLATIVE COMMITTEE
Meeting Summary
March 12, 2014

The Metropolitan North Georgia Water Planning District's Legislative Committee met via conference call on Thursday, March 12, 2014, at 4:00 p.m.

Members Present

Hon. Boyd Austin, Committee Chair
Ms. Katie Kirkpatrick, District Vice-Chair
Mr. Brad Currey
Mr. David Kubala
Mr. Charles Lambert
Mr. Ron Peters

Members Not Present

Mr. Birdel Jackson, District Treasurer
Ms. Kit Dunlap
Ms. Jo Ann Macrina
Mr. Gerald Pouncey

Meeting Summary

Chairman Austin opened the meeting. Kevin Kelly, District staff, gave specifics on each of the bills being followed by the District.

The committee discussed the following legislation:

- SB 213 relating to the Flint River Drought Protection Act. This bill passed the House March 12, 2014 with amendments. The Senate is expected to accept the revised House version. The committee will continue to support this bill.
- HB 549 relating to the establishment of emergency response procedures. The bill has passed out of the Senate Natural Resources and Environment Committee and is waiting to get on the Senate Rules calendar. The committee will continue to track this bill.
- HB 741 relating to sludge land application permits. This bill passed out of the Senate Natural Resources and Environment Committee on March 11, 2014 and is waiting to get on the Senate Rules calendar. The committee will continue to track this bill.
- HR 1279 relating to the Savannah River basin and the development of a water management plan. This resolution to encourage the appropriate agencies of Georgia and

South Carolina along with the US Army Corps of Engineers to explore a management program for the Savannah River Basin was adopted by the House on March 7, 2014.

- SB 117 relating to blasting or excavating near utility facilities. This bill amended the definition of “excavating” as well as other terms and addresses several aspects of utility locate requests related to utility owners and operators and excavators. The bill passed the House on March 7, 2014.
- SB 255 relating to the Partnership for Public Facilities and Infrastructure Act. The bill specifically excludes water reservoir projects which would still be governed by existing P3 law for water supply projects (implemented through SB 122 in 2011). The committee will continue to track this bill.
- SB 299 relating to providing flexibility to the Department of Natural Resources for establishing watershed protection standards. This bill passed the House on March 12, 2014.

Additionally, the District discussed the status of water infrastructure appropriations. Kevin Kelly noted that Governor Deal made a commitment to fund the Georgia Water Supply Program at \$300 million over four years. There are numerous funding sources involved. The bond appropriations commitments included \$100 million for state direct investment through DCA and \$83 million for loans through GEFA. The current budget picture reflects a shortfall in funding for GEFA in the amount of \$20,750,000.

There being no further business, the meeting was adjourned.



Metropolitan North Georgia Water Planning District
2014 Legislative Agenda
March 12, 2014

Tracking for 2014 Legislative Session

ALIVE & ACTIVE

Support [SB 213](#) “Flint River Drought Protection Act”; clarify legislative intent; revise definitions; expand programs – Sen. Ross Tolleson (R – Perry)

This bill updates the existing act by addressing tributaries, agricultural irrigation efficiency, flow augmentation, needed studies, and flexibility of the EPD director regarding annual prediction of severe drought conditions.

Introduced – 2/25/2013

Status – Passed by Senate in 2013. Passed by House 3/12/14.

Track [HB 549](#) Water Pollution; establish water emergency response procedures – Rep. Jon Burns (R – Newington)

This bill would establish emergency response procedures for discharges or spills of a pollutant into a waterway that would endanger the health or property of downstream users of the water.

Introduced – 3/5/2013

Status – Passed by the House on 2/26/14. Passed out of the Senate Natural Resources and Environment Committee 3/6/14. Waiting to get on Senate Rules calendar.

Track [HB 741](#) Water Resources; Issuance of Sludge Land Application Permits – Rep. Kevin Tanner (R – Dawsonville)

This bill would establish new requirements for EPD’s permitting of wastewater sludge land application systems. EPD would require an applicant to demonstrate that the facility is in compliance with local zoning. Additionally, the bill would require that any permit hearings take place within the affected jurisdiction.

Introduced – 1/14/2014

Status – Passed by the House on 2/10/14. Passed out of the Senate Natural Resources and Environment Committee 3/11/14. Waiting to get on Senate Rules calendar.

Track [HR 1279](#) Savannah River Basin; development of water management plan; encourage – Rep. Alan Powell (R – Hartwell)

The resolution encourages the appropriate agencies of Georgia and South Carolina, along with the United States Army Corps of Engineers to explore, develop, assess, and implement a flexible, adaptive water management program for the Savannah River Basin.

Introduced – 2/6/2014

Status – Adopted by the House on 3/7/14.

Track [SB 117](#) Blasting or excavating near utility facilities; revise/add definitions – Sen. Rick Jeffares (R – McDonough)

This bill would amend the definition of “excavating” as well as other terms, and addresses several aspects of utility locate requests related to utility owners and operators and excavators.

Introduced – 2/6/2013

Status – Passed by Senate in 2013. Passed by the House on 3/7/14.

Track [SB 255](#) Partnership for Public Facilities and Infrastructure Act – Sen. Hunter Hill (R – Atlanta)

This bill would set up a guidance committee and a process concerning how public-private partnership (P3) projects are procured / executed in the state. The current version of the bill uses a definition of "qualifying project" that specifically excludes water reservoir projects as defined in paragraph (10) of code section 12-5-471, a portion of the “Georgia Water Supply Act of 2008.” The referenced paragraph lays out the definition of a "project," which includes new reservoirs, reservoir conversions and reservoir expansions. Procurement for such water reservoir projects would still be governed by existing P3 law for water supply projects (implemented through SB122 in 2011).

Introduced – 3/18/2013

Status – Passed by Senate on 2/24/14. Passed out of the House Government Affairs Committee by committee substitute 3/5/14. Waiting to get on House Rules calendar.

Track [SB 299](#) Natural Resources; Provide Flexibility for Establishing Watershed Protection Standards – Sen. Steve Gooch (R – Dahlonega)

Under the Georgia Planning Act, EPD/DNR is required to set minimum standards for watershed protection to be followed by local governments. This bill would permit local governments to submit watershed protection plans that may include smaller buffers than required under current DNR regulations. There are two other sections of code that provide for stream buffers: the Georgia Erosion and Sedimentation Act and the Metropolitan River Protection Act. This bill does not affect those code sections.

Introduced – 1/17/2014

Status – Passed by Senate on 2/21/14. Passed by House 3/12/14.

ALIVE & DORMANT

Track [HB 199](#) Expand Georgia Reservoir Fund – Rep. Edward Lindsey (R – Atlanta)

This bill would expand the uses of GEFA’s Reservoir Fund to include conservation and leak detection.

Introduced – 2/4/2013

Status – Passed House in first year. Recommitted in Senate. No activity since.

Track [HR 1305](#) CEBLA Water Supply Task Force; create – Rep. Ron Stephens (R – Savannah)

This resolution would create a water supply task force focused on Chatham, Bryan, and Liberty counties and that portion of Effingham County south of Highway 119. The Task Force would identify funding sources to facilitate the development of infrastructure to supply the region's water supply need and it would consider all options to eliminate salt water intrusion into the Floridan aquifer.

Introduced – 2/10/2014

Status –Assigned to House Natural Resources and Environment Committee. No activity since second reading on 2/17/14.

DEAD FOR THE SESSION

Track [HB 41](#) Water Rates – Rep. Wendell Willard (R – Sandy Springs)

This bill would prohibit a service provider in a political subdivision created after January 1, 2000 from charging higher water or sewer fees for similar services to customers outside of the provider's geographic boundaries unless otherwise provided by a contract.

Introduced – 1/14/2013

Status – Did not cross-over in first year. Recommitted (returned to committee) at end of year one. No activity since.

Track [HB 159](#) Ad Valorem Taxation of Property – Rep. Bret Harrell (R – Snellville)

This bill provides that property tax bills shall not include any non- related fees or assessments including storm water services fees and solid waste service fees.

Introduced – 1/30/2013

Status – Did not cross-over in first year. Recommitted at end of year one. No activity since.

Track [HB 225](#) EPD Rules – Rep. Tom Kirby (R – Loganville)

This bill holds that no new rule or regulation to be administered by the Environmental Protection Division shall be effective unless first approved by joint resolution of the General Assembly.

Introduced – 2/6/2013

Status – Did not get out of committee in first year. No activity since second reading on 2/8/2013

Track [HB 403](#) “Municipal Option Sales Tax for Water & Sewer Improvements Act” – Rep. Amy Carter (R – Valdosta)

This bill would allow any municipality that provides water and sewer service and is under a legal order to improve its water and sewer infrastructure or is located within a federal disaster area to impose a one percent sales tax to fund water and sewer system improvements.

Introduced – 2/19/2013

Status – Did not cross-over in first year. Recommitted at end of year one. No activity since.

Track [HB 408](#) Water Rates on Master Meter – Rep. Mike Jacobs (R – Brookhaven)

This bill would ensure that, if a building containing residential dwellings is served by a master meter, the rates charged to a customer by a public water provider shall be prorated among the number of dwellings served by the master meter and shall be no greater than rates charged to single family residential users for the same usage.

Introduced – 2/20/2013

Status – Did not get out of committee in year one. No activity since second reading on 2/22/2013.

Track [HB 515](#) Exemption for Certain IBTs into Metro District – Rep. Harry Geisinger (R – Roswell)

This bill would provide an exemption from the current prohibition that the Metro District shall neither study nor include in any plan any interbasin transfer of water from outside the District. The exemption would be for any interbasin transfer from a river with an annual average flow of at least 15 billion gallons per day at the withdrawal point.

Introduced – 2/28/2013

Status – Did not get out of committee in first year. No activity since second reading on 3/4/2013.

Track [HB 855](#) Counties and municipalities; implementation of local government service delivery strategy; revise procedures – Rep. Andy Welch (R – McDonough)

This bill revises the procedures for the implementation of a local government service delivery strategy.

Introduced – 1/27/2014

Status – Passed out of the House Government Affairs Committee on 3/3/14.

Track [HB 864](#) Water Conservation Act of 2014 – Rep. Johnnie Caldwell (R – Thomaston)

This bill would require every governmental withdrawal permit holder to report monthly surface water withdrawal and discharge volumes (returns to the same source as the withdrawal). The bill also establishes various sanctions to be imposed upon the permit holder by the director of EPD if the permit holder's reported return volume is less than 25% or 50% or 75%.

Introduced – 1/27/2014

Status – Assigned to House Natural Resources and Environment Committee. No activity since second reading on 1/31/14.

Track [HB 926](#) Local government; requiring transfer of ownership of privately constructed water or sewage systems under certain circumstances; prohibit – Rep. Ron Stephens (R – Savannah)

This bill would prohibit local governments from requiring transfer of the ownership of privately constructed water or sewage systems under certain conditions. This bill would explicitly not apply to any municipality, county or local authority within the Metro District.

Introduced – 2/5/2014

Status – Assigned to House State Planning and Community Affairs Committee. No activity since second reading on 2/7/14.

- Track [HB 980](#) Water and sewer projects; change a definition – Rep. Virgil Fludd (D – Tyrone)
This bill would amend the existing municipal option sales tax law to allow more cities within the Atlanta metro region to impose such a sales tax to finance sewer system improvements.
Introduced – 2/10/2014
Status –Assigned to House Ways and Means Committee. No activity since second reading on 2/17/14.
- Track [HB 1025](#) Conservation and natural resources; soil erosion and sedimentation; revise minimum standards – Rep. David Knight (R – Griffin)
This bill amends the existing Georgia Erosion and Sedimentation Act. The bill removes references to descriptions of best management practices in the Manual for Erosion and Sediment Control In Georgia.
Introduced – 2/18/2014
Status –Assigned to House Small Business Development Committee. No activity since second reading on 2/19/14.
- Track [HB 1057](#) Prohibiting a county, municipality, or public authority from introducing into a public water supply any chemical or agent not directly related to purification process – Rep. Sam Moore (R – Macedonia)
This bill prohibits any local government from adding to the local water supply any chemical or agent not directly related to and necessary for the purification of the water for human consumption.
Introduced – 2/21/2014
Status –Assigned to House Health and Human Services Committee. No activity since second reading on 2/25/14.
- Track [HR 1087](#) General Assembly; Revenue Dedication – Rep. Andrew Welch (R – McDonough)
This resolution proposes an amendment to the Constitution that would authorize the General Assembly to dedicate the revenues derived from fees or assessments to the purpose for which they were imposed. The resolution includes a provision that redirection of the revenues from these fees (e.g. redirection of Environmental Trust Fund revenues to the general fund) could occur by the approval of two-thirds of the elected members of each branch of the General Assembly.
Introduced – 1/21/2014
Status – Assigned to House Ways & Means Committee. No activity since second reading on 1/23/14.
- Track [SB 306](#) Water Well Standards; permanently extend the moratorium on well or borehole construction – Sen. William Ligon (R – Brunswick)
This bill would make permanent the current moratorium on injecting water into the Floridan aquifer in any county governed by the coastal zone management program. It would also broaden the restriction to include the use or conversion of any existing well or borehole for the purpose of such injections and would expand the prohibition to cover the injection of groundwater.
Introduced – 1/22/2014
Status – Assigned to Senate Natural Resources and Environment Committee. Tabled by Chair of Senate NR&E on 2/25/14.