



Metropolitan North Georgia Water Planning District

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Public Notice October 8, 2020

Re: Proposed Amendment to the Water Resource Management Plan – Action Items

Submitted By: District Staff

General Description: At the District's board meeting in May 2020, the question was raised whether there are any action items that no longer fit the present circumstances of increasingly tight budgets and stretched staff, especially given COVID-19. Based on this question, District staff reviewed the action items in the District's 2017 Water Resources Management Plan (2017 Plan) and propose the following changes:

- **WSWC-9: Pre-Rinse Spray Valve Replacement Program (See Exhibit 1)** – The proposed plan amendment would sunset this action item based on new, mandatory federal high-efficiency standards, COVID-19 impacts on change-out program structures, and high natural change-out rates.
- **WSWC-8: Commercial Water Use Assessments (See Exhibit 2)** – Due to COVID-19 business impacts and public health considerations associated with in-person audits, the proposed plan amendment would suspend the requirement for local water providers to implement this action item except to provide education materials upon request. This action item would then be reevaluated as part of the 2022 plan update process.
- **WSWC-6: Toilet Replacement Program (See Exhibit 3)** – The proposed plan amendment would change this action item to require 1.1 gallon per flush (gpf) or less toilets instead of the current, less efficient 1.28 gallon per flush (gpf) toilets. This change would apply to both the single and multi-family programs. The District and local water providers would have until July 1, 2021 to finalize these changes. District staff is recommending a rebate amount of \$75 per 1.1 gpf or less toilet. These changes would increase the efficiency of the toilets being rebated, reduce program costs, and decrease local and District staff time needed to administer the program. These changes are consistent with other nation-leading toilet rebate programs across the United States.
- **Watershed-11: Macroinvertebrate Bioassessment (See Exhibit 4)** – The proposed plan amendment would remove this action item from the 2017 Plan. Watershed-11 requires benthic macroinvertebrate and habitat monitoring of wadable streams at permanent representative stations. This action item is duplicative for communities who are subject to Georgia Environmental Protection Division's (EPD) requirement for implementation of a Watershed Protection Plan (WPP), which includes benthic macroinvertebrate, fish, and habitat monitoring of wadable streams at permanent stations. For other communities, the action item is duplicative in practice as described in the additional background information in Exhibit 4.

- Small Communities (See Exhibit 5) – The proposed plan amendment would change all action items to voluntary recommendations for small communities. District staff would continue to provide technical assistance to small communities upon request. Small communities for this amendment are those that meet at least one of the following conditions: (a) small water systems that depend primarily on groundwater and serve less than 3,300 people, (b) wastewater collection only systems that serve less than 3,300 people, and (c) local governments that don't have a Municipal Separate Storm Sewer System (MS4) permit. This change reduces the administrative burdens faced by small communities, EPD staff, and District staff and has a de minimis impact on planning outcomes given these small communities consist of less than 1/3 of one percent of the District's population.

Following the 30-day public notice period, the amendment will then be presented to the Executive Committee and full Governing Board on December 2, 2020 for final consideration. These plan amendments would be effective Jan. 1, 2021, and District staff would work with EPD to update the audit spreadsheet.

Exhibit 1
Pre-Rinse Spray Valve Replacement Amendment

Description. This proposed plan amendment would sunset Action Item WSWC-9: Pre-Rinse Spray Valve Replacement Program based on new, mandatory federal high-efficiency standards, COVID-19 impacts on change-out program structures, and high natural change-out rates. At the time the 2017 Plan was being developed, the mandatory federal standard for Pre-Rinse Spray Valve (PRSV) efficiency was 1.6 gallon per minute (gpm) and WaterSense, which is a voluntary water efficiency program, labeled PRSVs that used 1.28 gpm or less. The PRSV action item was developed to facilitate replacement of older, inefficient PRSVs with high-efficiency WaterSense models.

The following conditions have changed since the 2017 Pan was developed. First, in January 2019 WaterSense sunsetted its program for PRSVs. While some WaterSense labeled PRSVs were still available for a time after this date while sellers worked through their existing inventory, WaterSense-labeled PRSV are no longer readily available.

Second, in January 2019, the Department of Energy’s nationwide, mandatory standard took effect requiring all classes of new PRSV meet or exceed the previous WaterSense standard. The effect of the new standard is that any time a PRSV is replaced at the end of its useful life, the new PRSV will be a high-efficiency model. The new standard is as follows:

Product Class by Spray Force	Maximum Flow Rate (gpm)
Product Class 1 (≤ 5.0 ozf)	1.00
Product Class 2 (> 5.0 ozf and ≤ 8.0 ozf)	1.20
Product Class 3 (> 8.0 ozf)	1.28

Third, due to business impacts and public health considerations, PRSV replacement programs that involve in-person visits are no longer advisable. One common replacement program structure under this action item involved local water providers purchasing PRSVs in bulk and then offering them to restaurant owners, often through in-person visits. Additionally, many restaurants are closed, some permanently, and others are focusing on take-out orders to reduce COVID-19 exposure risks.

Even after the business impacts and public health considerations of COVID-19 pass, it may not be worth promoting a PRSV replacement program given their very short useful lives and the resulting high rate of natural replacement. For example, California Energy Wise determined the natural turnover rate of 5 years for PRSVs based upon collected performance data from products on the California Energy Wise Qualifying Product List. Replacement programs make more sense when they meaningfully accelerate product replacement. Toilets are generally considered to have a useful life of between 30 and 50 years, and so accelerating the replacement of these products provides years of water savings before natural replacement would have otherwise occurred.

The District provides technical assistance for this action item through bulk purchases, outreach efforts and education material distribution. Information about PRSV efficiency and water saving practices when using a PRSV will be incorporated into District education materials as appropriate, but bulk purchases and individual outreach efforts will cease.

Proposed Amendment Language. This proposed amendment will be made by deleting the text of the action item and replacing it with the following text: **“Based on new, mandatory high-efficiency standards, the action item on pre-rinse spray valve replacement programs will sunset effective January 1, 2021. No further action is required by local water providers regarding this action item.”**

Exhibit 2
Commercial Water Use Assessments Amendment

Description. Due to COVID-19 business impacts and public health considerations associated with in-person audits, this proposed plan amendment would suspend Action Item WSWC-8: Commercial Water Use Assessments except to provide education materials upon request.

This action item will be reevaluated as part of the 2022 plan update process once the impacts of COVID-19 on businesses are known. The immediate economic hardships facing businesses due to Covid-19 are likely to consume their attention for the foreseeable future and deplete any capital for mid- to long-term investments, like those in water efficiency. Additionally, many businesses are closed or are otherwise trying to limit the number of people on-site for public health reasons. If there is interest in increasing water efficiency from a local business, education materials will be provided to them by District staff. These materials will be self-guided in nature to continue to promote reduction in water use. Education materials include but are not limited to:

My Drop Counts Business Pledge. This is a program created by the District where businesses can pledge to conserve water through various Water Saver statuses ranging from Platinum to Bronze. Pledging requires employers and employees to actively discuss the significance of water efficiency within the workplace, perform water use assessments, inspect for leaks and increase the efficiency of fixtures where appropriate. There are pledges for both indoor and outdoor efficiency steps of action.

WaterSense Simple Water Assessment Checklist for Commercial and Institutional Facilities. The EPA WaterSense program offers a list of water efficient practices and projects that can be evaluated, implemented, and completed by the business. There is an accompanying “WaterSense at Work: Best Management Practices for Commercial and Institutional Facilities” handbook detailing information and calculations to determine potential water savings.

Water Project Screening Tool. The Federal Office of Energy Efficiency and Renewable Energy provides a water project screening tool created by the Federal Energy Management Program. Based upon data input by the user, the tool provides quantitative values for potential water savings.

EDF-GEMI Water Efficiency Toolkit. This toolkit provides three tools to evaluate a business’s water efficiency: a water scorecard, water efficiency calculator and a cycles of concentration estimator. Together these tools help to determine the property’s current water efficiency, estimated water and financial savings and assessments on cooling tower efficiency.

These resources will be compiled and made readily available in a digital format for easy accessibility to businesses. Any later additional resources and information can also be added. In this way, the information becomes a living document that can continually reflect the latest standards in efficiency to heighten awareness and integration with local businesses in the region.

Proposed Amendment Language. The following text will be added in red under responsible party for WSWC-8: “Effective January 1, 2021: Due to COVID-19 business impacts and public health considerations, this action item has been suspended and no action is required by the responsible party. Education materials will be available by the District upon request by commercial water users.”

Exhibit 3
Toilet Replacement Program Amendment

Description. This amendment would update Action Item WSWC-6: Toilet Replacement Program to require 1.1 gallon per flush (gpf) or less toilets. This would apply to both the single and multi-family programs. The District and local water providers would have until July 1, 2021 to finalize these changes. District staff is recommending a rebate amount of \$75 per 1.1 gpf or less toilet, to be standardized across the District and local water providers. Additionally, as a matter of customer service, rebates of 1.28 gpf may still be allowed when a customer in good faith purchases a dual-flush toilet with one flush at 1.1 gpf or less or uses an outdated paper rebate application form provided by a retailer.

The District gathered in store retail product availability at Home Depot and Lowe's in 2019 and 2020. 7 out of 8 stores stocked at least one toilet model using 1.1 gpf or less. The average customer satisfaction with 1.28 gpf versus 1.1 gpf toilets was 4.4 out of 5.0 and 4.9 out of 5.0, respectively. In addition to toilets stocked in stores, there are more than 500 models available in the marketplace based on a review of the MaP PREMIUM list for residential and light commercial toilets. Online market research performed by District staff in 2020 confirm current availability of these models.

Currently, some local water providers run their own toilet rebate programs. The District manages a regional single-family toilet rebate program on behalf of 25 local water providers for an administrative fee of \$10 per toilet.

For the District-managed single-family rebate program, from June 2019 to May 2020, the District processed an average of 130 rebates per month for 1.28 gpf toilets at a \$50 rebate value, and 11 toilets per month using 1.1 gpf or less at a \$100 rebate value. The average total monthly amount for rebates and fees is \$9,010.

Based on experience and review of other rebate programs across the United States, the District estimates that rebating only 1.1 gpf or less toilets will result in an increase in the number of 1.1 gpf toilets being rebated somewhere between two and four times the current average the first year or two following the change. At four times the number of 1.1 gpf or less toilets being rebated at \$75 each plus a \$10 administrative fee, the average total monthly amount for rebates and fees would be \$3,740. Under the revised program, local water providers in the District program would collectively see an estimated average annual reduction in program costs of \$63,240, plus whatever savings would be achieved for those managing their own programs. This change would also reduce administration time at both the District and local levels.

To date, every application the District has received for its multi-family rebate program has included 1.1 gpf toilets or less. While eliminating the 1.28 gpf option in the multi-family program will not result in cost savings, it will bring the District's program in line with other nation-leading programs.

Proposed Amendment Language. The existing language of WSWC-6 would be revised as shown on the following page:

WSWC-6: Toilet Replacement Program

Intent	Responsible Party	In Coordination With
<p>To reduce indoor water use and speed the conversion of older, inefficient toilets toward WaterSense labeled ultra-high-efficiency toilets in single- and multi-family homes.</p> <p>Points of Integration</p> <p>This measure should result in decreased water demands, as well as decreased wastewater flows.</p>	<p>Local Water Provider</p>	<p>Local Government Local Wastewater Provider</p>

Action Item: Implement a program to replace older, inefficient toilets with WaterSense labeled [ultra](#)-high-efficiency toilets [using 1.1 gpf or less \(WaterSense UHET\)](#) in single- and multi-family homes. [WaterSense labeled toilets using 1.28 gpf will no longer be eligible for rebates after July 1, 2021.](#)

Sub-Tasks: Each local water provider shall:

1. Establish a program to replace 3.5 gpf or greater toilets in single- and multi-family homes constructed prior to 1994 with [WaterSense UHETs high-efficiency WaterSense labeled toilets](#).
2. Provide information on opportunities to recycle any toilet being discarded pursuant to the toilet replacement program by linking to the Metro Water District website or other local resources.

Description: Single- and multi-family homes built prior to 1994 may contain inefficient toilets. While new toilets meet high efficiency standards, the replacement of older, inefficient toilets is needed to address existing stock and reduce indoor water use.

Implementation Guidance: Before the 1950s, new toilets typically used 7 gpf. By the end of the 1960s, new toilets typically used 5.5 gpf; in the 1980s, new toilets typically used 3.5 gpf. The federal Energy Policy Act of 1992 required all new toilets use no more than 1.6 gpf by 1994. In 2010 the Georgia Water Stewardship Act required that local governments adopt or amend local ordinances to require, among other things, that all new construction, on or after July 1, 2012, use WaterSense labeled toilets. WaterSense is a voluntary program of the EPA designed to identify and promote water efficient products and practices. WaterSense labeled toilets are independently certified to meet rigorous criteria for both performance and efficiency. [Today, WaterSense UHETs are increasingly available with efficiency levels of 1.1 gpf or less.](#)

This Action Item calls for a program to replace toilets in single and multifamily homes constructed prior to 1994 with WaterSense [UHETs labeled toilets](#). [As of the date of this Plan, the WaterSense efficiency criteria is 1.28 gpf or less for toilets, and in the future, the WaterSense label may become more stringent. If a more stringent criterion is adopted, it will apply as of the date of its adoption for the purposes of this Plan.](#)

The toilet replacement program must specifically address toilet replacement rather than provide toilet retrofit devices. Examples of acceptable toilet replacement programs include the following:

- Rebate incentive program: Customer receives a water bill credit, cash or voucher to offset the cost of a new WaterSense [UHET labeled toilet](#) to be installed in a pre-1994 single- or multi-family home. [Rebates shall be \\$75.](#)
- Direct install program: Customer exchanges a toilet from pre-1994 single- or multi-family homes for a WaterSense [UHET labeled toilet](#) with discounted installation through the local water provider.

- Other: Local water providers may create their own programs as long as the program actually results in the replacement of toilets in pre-1994 single- and multi-family homes [with WaterSense UHETs](#). These programs may take a variety of forms, including but not limited to on-bill financing programs for toilet replacements and programs requiring that toilets using 3.5 gpf or more be replaced as a condition of a customer establishing water service.

If a local water provider chooses to have a single replacement program covering both single and multi-family homes, funds may be made available on a first come, first served basis.

[As a matter of customer service, rebates of 1.28 gpf may still be allowed as a hardship exception when a customer in good faith purchases a dual-flush toilet with one flush at 1.1 gpf or less or uses an outdated paper rebate application form provided by a retailer.](#)

Due to the high value of rebate programs for multi-family homes, it is recommended that the local water provider include an inspection element in any multi-family rebate program to prevent possible fraud. This can be done through a physical inspection or by reviewing billing data post-installation.

The local water provider should provide information on available toilet recycling opportunities. There are recycling facilities in the region that will recycle crushed porcelain for various uses, such as a concrete aggregate or bathroom tile. Many homeowners may not be aware of recycling options when replacing a toilet.

Considerations for Enhanced Implementation: The optional considerations for enhanced implementation include the following:

- Add an additional requirement that program participants provide documentation or other proof that the replaced toilet uses 3.5 gpf or more, such as requiring a section on the rebate application form for the customer to record the gallons per flush of the old toilet or including a customer self-certification.
- ~~Encourage customers to purchase WaterSense labeled ultra-high efficiency toilets that use 1.1 gpf or less through a tiered rebate incentive with a higher rebate tier for toilets meeting these standards.~~
- ~~Limit rebates to only WaterSense labeled ultra-high efficiency toilets that use 1.1 gpf and discontinue rebates on 1.28 gpf toilets.~~
- Low-income and disadvantaged customers often live in pre-1994 single- and multi-family homes and spend a greater percentage of their income on utility bills. These customers may experience financial difficulties participating in a rebate incentive program if they cannot afford to purchase the new plumbing fixture before the rebate money is received. A voucher or direct install program for customers with a lower household income would encourage indoor water efficiency in in pre-1994 single- and multi-family homes. As an example, the City of Atlanta’s Care and Conserve program provides payment assistance to qualified customers.
- Local water providers may also consider placing toilet recycling containers at other local government buildings. The City of Atlanta provides free toilet recycling to its residential water customers at the Center for Hard to Recycle Materials. Gwinnett County Water Resources offers free toilet recycling to its residential customers by providing a recycling container for old toilets at its building. Gwinnett County Water Resources covers the cost of transporting the container to a local recycler. This free service is promoted to customers participating in the toilet replacement program and has kept hundreds of tons of porcelain from the landfill.
- Require recycling for all toilets replaced through the multi-family toilet replacement program. Some local water providers require the customer to agree to transport the used porcelain toilets to an

approved recycler within the Metro Water District area. The customer must provide documentation from the recycler that the toilets were disposed properly before the rebate credit will be issued to the account.

Opportunities for Technical Assistance: The Metro Water District's Technical Assistance Program may provide support for implementation of this Action Item through the following types of activities:

- Administering a regional rebate program for single-family homes
- Creating and administering a regional rebate program for multi-family homes
- Offering a regional program for low-income and disadvantaged customers using grant funding
- Developing a regional list of toilet recycling facilities



Resources:

- EPA, WaterSense Toilets, information page, <https://www3.epa.gov/watersense/products/toilets.html>
- Cobb County, toilet recycling information (see Item No. 16), https://cobbcounty.org/index.php?option=com_content&view=article&id=3445&Itemid=1544
- MaP Testing Premium Ultra-High-Efficiency Toilet page, <http://www.map-testing.com/content/info/menu/map-premium.html>

Exhibit 4
Water Quality Monitoring Plan Amendment

Description. The proposed plan amendment would remove Watershed Action Item 11 – Macroinvertebrate Bioassessment (WA-11). WA11 requires benthic macroinvertebrate and habitat monitoring of wadable streams at permanent representative stations. This action item is duplicative for communities who are subject to Georgia Environmental Protection Division’s (EPD) requirement for implementation of a Watershed Protection Plan (WPP), which includes benthic macroinvertebrate, fish, and habitat monitoring of wadable streams at permanent stations. For other communities, the action item is duplicative in practice as further discussed below.

EPD requires WPPs to be developed by any permittee holding a permit for a wastewater treatment facility designed for one million gallons per day or greater. WA-11 allows local jurisdictions with WPPs to submit the WPP bioassessment data to fulfill the action item. For local jurisdictions without a WPP, habitat and biological monitoring must be conducted at permanent representative stations established using 2017 Plan Table 5-4: *Minimum Number of Permanent Stations for Long-Term Trend Monitoring*, or they may establish an agreement with another local jurisdiction that will conduct monitoring on their behalf.

A macroinvertebrate bioassessment can be costly for local jurisdictions and, unlike water quality monitoring, is rarely conducted by internal staff. Scientists that conduct monitoring are required to have a Collecting Permit issued by the Wildlife Resources Division. It is common for scientists that conduct the monitoring to preserve collected specimens and outsource their taxonomic classification. Additional training and equipment are required to identify macroinvertebrates to a species level, which includes close examination of the specimen features with a hand lens or microscope.

The most common way local jurisdictions meet requirements of WA-11 is to submit WPP bioassessment data. The second most common way is to establish an agreement with another local jurisdiction, often one with a WPP, to conduct monitoring on their behalf. In that way, WA11 implementation is generating limited new data to measure watershed health.

By contrast, WA-11 does generate administrative burden. For local jurisdictions with a WPP, data must be submitted for both WPP and 2017 Plan compliance. For local jurisdictions that have established an agreement for macroinvertebrate bioassessments, data sharing and coordination must be formalized through a MOA or MOU and may include legal review to establish timeframes, compensation (if any), and other parameters for cooperation between jurisdictions.

Removing WA-11 will allow local jurisdictions to continue collecting and submitting WPP bioassessment data without impacting EPD data collection or analysis. Additionally, removing the administrative burden of duplicative submittals and monitoring agreements, will allow limited funding and staff time to be focused on issues of local importance.

Proposed Amendment Language. This proposed amendment will be made by deleting the text of the action item and replacing it with the following text: “**This action item will sunset effective January 1, 2021 because it was duplicative with EPD requirements and/or otherwise duplicative in practice. No further action is required by local entities regarding this action item.**”

Exhibit 5
Small Communities Amendment

Description. The proposed plan amendment would change all action items to voluntary recommendations for small communities defined as: (a) small water systems that depend primarily on groundwater and serve less than 3,300 people, (b) wastewater collection only systems that serve less than 3,300 people, and (c) local governments that don't have a Municipal Separate Storm Sewer System (MS4) permit. Whether a community is a small community will be reviewed again with each future plan update. District staff would continue to provide technical assistance to small communities on action item voluntary recommendations upon request.

The scope of small communities' involvement in water, wastewater, and stormwater management is very limited. Small communities collectively make up less than 0.3% of the total population and 0.7% of the land area in the District. Nonetheless, small community staff, District staff, and EPD staff spend significant time and resources implementing action items, providing technical assistance, and auditing small communities. Furthermore, it is often unclear how and to what extent action items are relevant given the limited scope of small communities' operations. At the same time, community budgets and staff are already stretched in their effort to meet critical health, safety, and environmental needs and maintain their physical infrastructure. This situation is more challenging today given COVID-19 and its direct and indirect impacts on the staffing, budgets, and operations of communities.

There is precedent in state and federal regulatory programs to tailor requirements based on size for these very same reasons. The 3,300-person threshold is used in many drinking water-related regulations and the MS4 permitting program uses a threshold of "urbanized area."

Changing action items to voluntary recommendations will allow District staff and EPD staff to focus on the areas of greatest regional need for technical assistance and plan compliance auditing.

Proposed Amendment Language. Insert the language on the following page immediately before Section 5.1 on page 5-2 in the June 2017 Water Resources Management Plan:

“For the small communities listed in the table below, the action items in this plan are voluntary recommendations. The District encourages these small communities to take those actions from the plan that are most relevant to local areas of need. The District’s Technical Assistance Program is available to all small communities. Small communities will not be audited by EPD.

<u>Small Local Governments</u>	<u>Service(s) Provided</u>	<u>2014 Population</u>
Clermont (Hall County)	SW	915
Gillsville (Hall County)	SW	246
Lula (Hall County)	W, WW, SW	2,867
Haralson (Coweta County)	SW	173
Moreland (Coweta County)	SW	418
Sharpsburg (Coweta County)	SW	351
Turin (Coweta County)	W, SW	336
Kingston (Bartow County)	W, SW	651
Taylorville (Bartow County)	SW	213
White (Bartow County)	W, SW	674
Ball Ground (Cherokee County)	W, WW, SW	1,658
Nelson (Cherokee County)	SW	1,342
Waleska (Cherokee County)	W, SW	871
Brooks (Fayette County)	W, WW, SW	540
Woolsey (Fayette County)	SW	2,086
Rest Haven (Gwinnett County)	SW	62
Braswell (Paulding County)	SW	379
	Total	13,782
	% of District	0.29%

This list was prepared based on the following definition of small communities: (a) local water providers that depend primarily on groundwater and serve less than 3,300 people, (b) wastewater providers that are collection only systems that serve less than 3,300 people, and (c) local governments that don’t have a Municipal Separate Storm Sewer System (MS4) permit. In the column titled “Service(s) Provided,” the letters correspond with the following responsible parties from the action items: W stands for local water provider, WW stands for local wastewater provider, and SW stands for local governments.

This list is based on 2014 population numbers, which is the baseline for this plan. The small communities list will be updated during the next plan update based on the baseline population numbers and MS4 permits that have been issued at that time.”