B&V Project 164139
B&V File C-1.4
September 20, 2010

To: Middle Chattahoochee Water Planning Council

From: Jim Hawkins, Steve Simpson, & Robert Osborne, Black & Veatch

cc: Tim Cash, Assistant Branch Chief, GA EPD

Subject: Meeting Summary: Council Meeting 7 on September 14, 2010

The council meeting was held on September 14, 2010 at the Franklin, GA. The list of attendees is attached. In addition to this summary, all the presentations (slides) discussed in this meeting will be posted on the Middle Chattahoochee web portal (http://www.middlechattahoochee.org/). The public sign-in sheet is included as an attachment.

Welcome, Introductions, and Chairman's Discussion

Council Chair Matt Windom welcomed members and thanked everyone for attending. Paul Chappell provided the invocation. Matt thanked Jimmy Knight for the facilities. Matt then provided an opportunity for the public attending the meeting to introduce themselves. Matt described public comments he has received thus far from stakeholder groups regarding Georgia's instream flow policy as well as a letter from the City of West Point discussing flood protection and the September 2009 flood event in letters of correspondence between the City and the US Army Corps of Engineers. These comments are attached to these meeting minutes.

Chair Windom said that he and Vice-Chair Harry Lange attended a joint council meeting on September 3rd. Matt said it was a productive meeting. He said Councilman Richard Royal had spoken to Senator Ross Tolleson about extending the process planning another six months. Council member Joe Maltese concurred. Joe said that the revised Army Corp of Engineers Water Control Plan will be released next year. Joe said it is hard to plan without this document and the Council needed an extra year.

Matt Windom said that all the councils will meet in Macon Georgia on October 6th. There will be four topics with panel discussions. Matt said topics have not been set yet. He encouraged council members to give him topic suggestions by the end of the week. Current topics include:

- Federal project operations,

- Funding
- Data needs and,
- Interbasin transfers.

Council member Joe Maltese asked the council to consider adding instream flow. Chair Windom said he thought this was already included as a part of the funding data topic. Again, Matt reminded council members to submit topic ideas directly to Steve Simpson.

Matt discussed the following calendar of events:

Completion Date	Milestone
September 14, 2010	Council Meeting 7
September, 2010	Plan Review Committee Meeting
October 6, 2010	Joint Meeting in Macon
October, 2010	Plan Review Committee Meeting
October 15, 2010	Draft WDCP Sections 6, 7, 8 Delivered to GA EPD
November, 2010	Council Meeting 8
November, 2010	MCH Receives Water Quality Modeling Results
December, 2010	Plan Review Committee Meeting
January, 2011	Council Meeting 9
January 31, 2011	Recommended Plan to GA EPD
March, 2011	Plan Review Committee Meeting
March, 2011	Council Meeting 10
March-May, 2011	Public Notice of Draft Plan
June, 2011	Final Production of Adopted WDCP
June 30, 2011	GA EPD Approves MCH Regional WDCP

Council member Joe Maltese emphasized that the council would be really “shooting in the dark” without extending our deadline by a year so the Council could review the updated Army Corps of Engineers Revised Water Control Plan. Joe Maltese made a motion to ask the General Assembly to extend the deadline by a year. Jimmy Knight seconded this. Matt asked the Council if there were any other comments. Council member Steve Davis agreed that by extending the milestone deadline that this increase our chances for more viable plan.

Council member Robert Watkins asked the Council if they thought the Army Corps of Engineers would consider our plan in the development of their plan. Joe Maltese said that he thought we would be able to inject comments only during the public comment portion of the update.

Council member Paul Chappell said he agreed with trying to extend the deadline by twelve months.

Council member Jim Woods said it was the Council's responsibility to provide a good plan. He said if the plan becomes immediately invalid then the Council has wasted its time. Jimmy Knight also commented that we would be remised (remiss?)if we did not make comments to the revised Army Corps of Engineers Water Control Plan.

Council member Gordon Moss asked Tim if he knew how much administrative cost would be involved if we had more time for this process.

When asked, Tim Cash responded to the Council's discussion regarding the time extension by asking them to consider the following:

- An extension would probably require more money, but we don't know how much, and would probably require appropriations by the General Assembly in a less than favorable budget climate; and

- There are nine other councils that would also probably get the extension which means this will be a continued statewide effort and not simply limited to one or two councils; and

- In response to the Council's discussion about waiting to finish their plan until after the Corps has issued its water control manual so that the Council could comment directly to the Corps on the water control manual, Tim reminded the Council that the primary responsibility of the Council, as embodied in the State Water Plan and the Memorandum of Agreement, is to recommend a Regional Water Development and Conservation Plan to the Director of EPD for approval; and

- In response to comments that the Regional Water Development and Conservation Plan cannot be completed until the Water Control Manual and the lake and watershed model results are completed, Tim commented that it is unlikely that we will ever have enough information to answer every question in the first round and some of those questions will have to be answered in subsequent rounds and that until we have had resolution on the issue of whether an extension will be forthcoming, we should try to stay on track to write the best plan we can with the best information we have within the current schedule; and

- The idea of an extension is being discussed at higher levels.

There were no other comments and Matt asked the Council if they had reached consensus on asking EPD to extend their deadline. There were no objections.

Matt asked the Council to approve the previous Council's meeting minutes. Jimmy Knight made a motion to approve and Joe Maltese seconded the motion. They were approved unanimously.

Draft WDCP Section 1-5

Jim Hawkins reviewed the status of the WDCP Section 1-5 and said the Work Group provided clear instructions to describe the uncertainties, such as the 1989 Water Control Plan update, State of Alabama data, and thermoelectric demands. He said they were also working to define the scenarios that would show what the world would look like in 2050.

Council member Joe Maltese said Scenario 5 with the Water Control Plan update is problematic for him. Joe said he does not understand why we can't just talk about the future with Dr. Georgakakos's model.

Council member Steve Davis thought the Council needed move beyond Scenario 5 or at a minimum just point out the problems with Scenario 5. Matt Windom said he wasn't quite sure how the Council could not include Scenario 5.

Tim Cash reminded the Council that the Memorandum of Agreement between EPD and the council stated that council was to plan based on the resource assessments. Tim said the state plans (the 10 WDCPs) in the state need to be based on the same data for consistency.

Joe Maltese said he was worried with this concept. Council member Jeff Lukken was worried that the Council has asked to sign off on a plan that will not be relevant next year following the issuance of a new Water Control Plan. Council member Bill Gregory reminded the council that not all councils have to deal with the federal lakes and other unique circumstances that this council has to deal with.

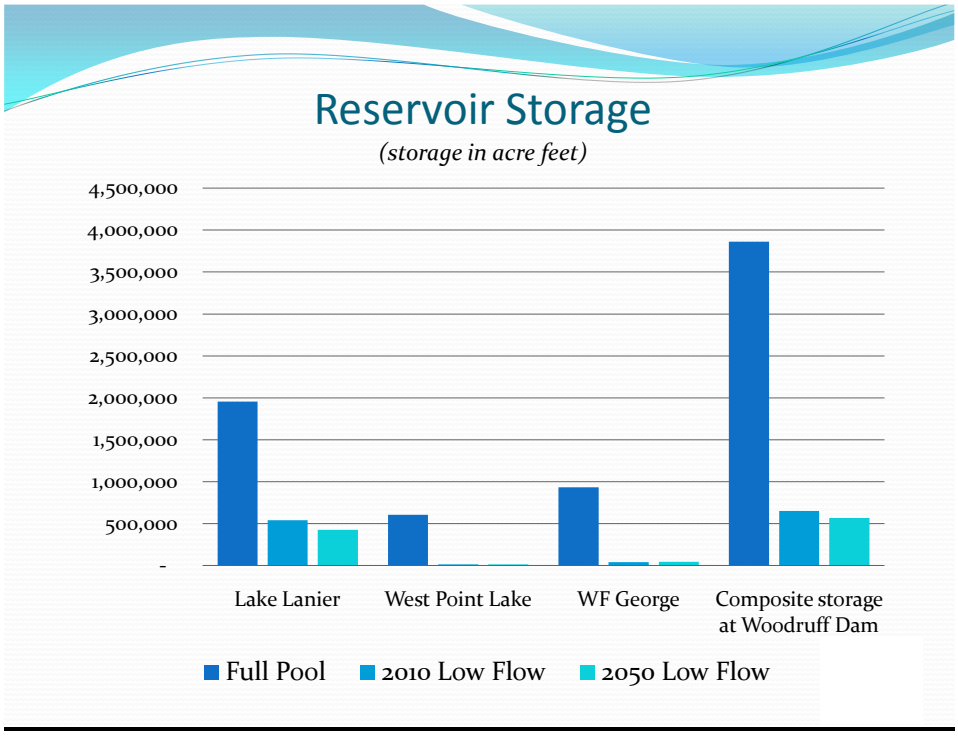
Council member Ken Penuel asked if the Army Corps of Engineer was basing their revisions to their Water Control Plan on the same data that this council is using. Council member Joe Maltese said he is wrestling whether it is our plan or EPD's Plan. Joe

questioned whether the council accepts there assumption or does the council "body slam" EPD.

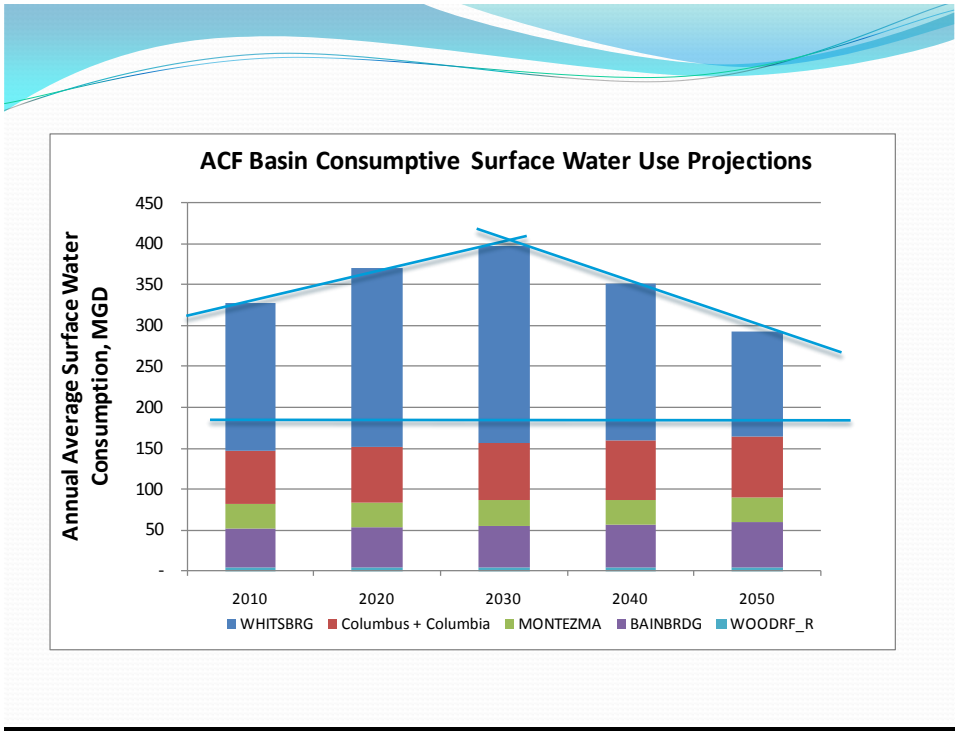
Tim Cash noted that the Council will receive the comments from EPD this week. Chair Windom thanked everyone for the good discussion.

Surface Water Availability Recommendations

Jim Hawkins reviewed surface water availability results and also showed two new figures shown below. This first figure shows the differences in the reservoir storage between the 2010 low flow and 2050 low flow.



Jim then explained another new figure which shows composite storage contributions of annual average surface water consumption from all the planning nodes by time.



Next, Jim reviewed the initial model run of surface water quantity assessment under drought conditions for the ACF basin. He said there were the following impacts:

- Shortfalls in the Flint are compensated by the Chattahoochee at Woodruff Dam*
- Severe impacts on West Point Lake recreation, fish & wildlife
- Regime flow (environmental flows) not maintained at Columbus or Columbia
- To numerous to count …the Work Group [critical] comments about the '89 WCP

Next, Jim reviewed the initial model run of surface water quantity assessment under drought conditions for the Tallapoosa basin. He said there was there was significant demand gaps at Newell & Heflin nodes and that storage is needed.

Jim encouraged everyone to read the water quality "strawman" document. Chair Windom said would encourage everyone to read this. Avoid mandates and more than encourage. Looking for a happy medium

Jim reviewed existing water quantity practices (already in place) that address water quantity in the region. These include permit requirements for surface water and groundwater withdrawals greater than 100,000 gallons per day (monthly average basis) and, new permits must include conservation planning requirements.

Next, Jim reviewed water demand management practices include measures to conserve by reducing water use, water waste, and water loss. Several practices have been identified which could involve additional costs on local governments, industries, and individuals. These practices include:

- Support implementation of Tier 1 and 2 conservation activities 23 of 36
- Require all water providers to implement conservation oriented rate structures
- Encourage all water providers to implement education and outreach programs
- Encourage local providers to prepare drought contingency plans

Wastewater return management practices decrease regional consumptive water use by increasing the quantity of treated wastewater effluent returned to surface waters. These practices also include water reuse. Returns practices could involve additional costs to utilities providing central sewerage, industries, and individuals.

These practices include:

- Encourage communities to decommission septic systems and connect to centralized treatment
- Eliminate further land application system discharges for major (greater than 1 mgd) facilities
- Encourage utility providers to determine potential opportunities and development of non-potable reuse

Water supply management practices include those which would augment existing water supply and water quality needs. These practices include:

- Study the development of new surface water storage reservoirs
- Implement new surface water storage as necessary
- Encourage the use of farm ponds
- Study the development of additional regional groundwater use
- Encourage interconnection of regional supply systems

An additional category of water quantity management practices aimed at enhancing the regions ability to meet instream water uses is considered. These practices include:

- Advocate for modification to the current operation of the federal reservoirs in the ACF basin by the U.S. Army Corps of Engineers.

- Establish a new instream flow targets for protection of water quality past the Columbus node to maintain a daily average flow at or above 1,350 cubic feet per second.

- Prevent reservoir levels from dropping below critical levels to meet authorized recreational use in West Point Lake such that normal operation is maintained between 632.5 – 635 feet NVGD. Induced flood storage between elevation 635 – 641 feet NVGD will be utilized when needed.

- Modify the RIOP to allow the federal reservoir projects to recover more rapidly after drought conditions.

- Encourage the use of privately-owned storage in the ACF basin to meet the flow requirements below Woodruff Dam during drought periods,

- Study the scientific justification for requirement that greater than 5,000 cubic feet per second flows be maintained below Woodruff Dam

- Study modeling scenarios in the ACF basin under extreme hydrologic conditions (i.e. 2009 data for extreme flood and 1920s data for extreme drought)

- Advocate for the U.S. Army Corps of Engineers to reconsider the uses and stated purposes for the all the Federal reservoirs to improve the balance and priorities for uses and stated purposes (i.e. hydropower, flood control, water supply, recreation, fish & wildlife habitat) and/or optimize the uses within the context of the Federal Operating Permit

Next, Jim talked about the near-term water management practices which included:

- Support implementation of Tier 1 and 2 conservation activities.

- Require all water providers to implement conservation oriented rate structures.

- Encourage all water providers to implement education and outreach programs.

- Encourage local providers to prepare drought contingency plans.

- Eliminate further land application system discharges for major (greater than 1 mgd) facilities.

- Study the development of new surface water storage reservoirs.

- Encourage the use of farm ponds.

- Advocate for modification to the current operation of the federal reservoirs in the ACF basin by the U.S. Army Corps of Engineers.

- Establish a new instream flow targets for protection of water quality past the Columbus node to maintain a daily average flow at or above 1,350 cubic feet per second.

- Prevent reservoir levels from dropping below critical levels to meet authorized recreational use in West Point Lake such that normal operation is maintained between 632.5 – 635 feet NVGD. Induced flood storage between elevation 635 – 641 feet NVGD will be utilized when needed.

- Modify the RIOP to allow the federal reservoir projects to recover more rapidly after drought conditions.

- Study the scientific justification for requirement that greater than 5,000 cubic feet per second flows be maintained below Woodruff Dam.

- Study modeling scenarios in the ACF basin under extreme hydrologic conditions (i.e. 2009 data for extreme flood and 1920s data for extreme drought)

- Advocate for the U.S. Army Corps of Engineers to reconsider the uses and stated purposes for the all the Federal reservoirs to improve the balance and priorities for uses and stated purposes (i.e. hydropower, flood control, water supply, recreation, fish & wildlife habitat) and/or optimize the uses within the context of the Federal Operating Permit.

- Implementation of these water management practices adopts conservation to continue to foster stewardship over the region's water resources.

- Recommendations for changes to the U.S. Army Corps of Engineers operation of the ACF basin reflect the council's goal to help resolve the issues pertaining to water resources management and competing interests. Desired changes in reservoir and instream flow requirements identified have been shown to be a viable alternative from a modeling perspective. Adaptive reservoir management practices should be further investigated to illustrate the advantages of this approach for the ACF basin.

Jim discussed long-term water management practices which address supply augmentation and reliability and represent greater regional collaboration and permitting efforts. These which included:

- Implement new surface water storage as necessary
- Encourage interconnection of regional supply systems

- Advocate for changes to biological flows below Woodruff Dam based upon scientific justification study.

As a part of the interregional implications of selected management practice, Jim noted the selected management practices all involve additional resources (time, effort, money). The costs of these programs should be shared equitably between the state, local jurisdictions, individuals, and industries. Recommended changes in operation of federal reservoirs require further interregional coordination and planning between the Middle Chattahoochee.

Council member Joe Maltese advised the council about FERC relicensing Bartletts Ferry

One Council person requested that public/private development of groundwater be added to the list. There was also a discussion about the value of expanding sewer service into the older neighbors on the fringes of development. A market may exist and there may be a way to encourage communities. Council member Alan Bell said in rural Georgia cost is prohibitive.

Chair Windom suggested letting the workgroup make one more revision to the strawman and asked council members to submit comments to Steve Simpson.

Matt then asked if the council could post the draft chapters to the plan to the website. After some discussion, the consensus was that after an additional review from EPD, the draft for the first 1-5 chapters could be posted online within the next two months.

Council member Ken Penuel asked Black & Veatch to provide the next iteration of the plan with strikeouts so members could see the edits.

Desired State Water Quantity Modeling

Dr. Georgakakos , Georgia Tech, presented the modeling runs performed for the Middle Chattahoochee Water Coalition. A copy of the PowerPoint presentation with detailed flow data was provided to the Council and is available on the council website.

Three main modeling scenarios were presented, each having modeled runs for current and future demand conditions:

- Current IOP operation with current and future 2050 demands
- MCWC-1: Modifications to the IOP with current 2007 and future 2050 demands
- MCWC-2: Modifications to the IOP with current 2007 and future 2050 demands

Dr. Georgakakos said that the current operation of the federal reservoirs on the Chattahoochee River can be improved because the seasonal inflow targets below which water can be held back for storage are exceedingly stringent. He also said the operation of many reservoir systems throughout the country work to refill reservoirs as soon as possible after drought conditions, whereas the Chattahoochee reservoirs are not allowed to refill as soon as possible. This has had the effect of prolonging storage deficits on the order of three or more years to come back to near full pool based upon past hydrological conditions.

Each of the modeled scenarios had different assumptions. In the modeled scenarios MCWC-1 and -2, the minimum system inflow was reduced to allow the reservoirs to refill sooner. This increased the composite storage of the reservoir at lower basin inflows and allowed a more rapid recovery of the reservoir after drought. This also reduced the overall drawdown of the reservoirs during historic drought conditions.

Dr. Georgakakos' found by modifying the IOP modification (the first version of which is described in the presentation), one could meet all existing instream flow and water supply requirements, and have higher Lake Lanier and West Point levels during droughts. He said his modified IOP should be further investigated as a possible approach for the ACF basin and help promote the desired modifications in the Army Corps of Engineers Operating Manual. For example, he said it may be good to extend the period of record for his models to include the last drought.

Dr. Georgakakos explained that much complexity exists within biological systems, that it becomes impossible to quantify the health of that system down to a given flow requirement. He defended his models use of weekly time scales by saying ecology and management decision could still be made on a daily basis as long as they maintained the weekly average. He said the IOP does not define if ecological conditions are sustainable.

Council member Jeff Lukken discussed the flood of 2009 and how it was 500 year flood event. They had suggested to the Army Corps of Engineers to keep the reservoirs three to four feet lower before a storm to help alleviate downstream flooding.

Judge Magnuson Ruling

Jim Hawkins provided a synopsis of Judge Magnuson’s ruling. Last year, Judge Magnuson issued a ruling (Phase 1) that stated water supply was not an originally authorized purpose of Lake Lanier and water supply from Lanier exceeded Corps’ authority. This ruling would go into effect on July 2012.

On July 21, 2010, Judge Magnuson issued Phase II ruling which focused on the flow over Jim Woodruff Dam, the Endangered Species Act (ESA), and NEPA (National Environmental Policy Act) .

Florida had argued for more water for sturgeon and two species of mussels by using the ESA. Judge Magnuson ruled the ESA claims are without merit and must be dismissed. The judge also recognized that the Army Corps of Engineers violated its obligations under NEPA by implementing the initial 2006 IOP prior to seeking FWS advice. Also, others argued that the Corps should have prepared an EIS for the 2006 IOP or the 2008 IOP. The judge said these NEPA claims are prudentially moot. In other words, it makes little practical sense for the Corps to develop an EIS for a plan that is destined to be replaced within two years.

Next Jim highlighted the following quotes from Judge Manuson's Phase 2 ruling. He encouraged the council to the read the actual ruling and said it was actually not too bad read.

> *"The Corps's rather cavalier attitude toward its duties under NEPA is distressing, to say the least. The Court is troubled by the Corps's refusal to take responsibility for its utter failure to conduct any sort of environmental analysis whatsoever on the plan by which it has operated the ACF basin for more than 20 years*."
>
> *"Had the Corps been less recalcitrant over the past 20 years, it is possible that such a step (preparing a water control plan) might have forestalled this phase of the litigation altogether. But given the contentious history in the ACF Basin, it is not surprising that no party is willing to trust the Corps to do its job in accordance with the law."*
>
> *"Nor will this Court, or future courts considering the Corps's actions, look favorably on the Corps's stubborn insistence on excluding from its analysis all reasonable alternatives in the ACF basin. For instance, an EIS that does not at least consider the effects of current and future water supply is….for all intents and purposes, a useless document."*
>
> *"The Georgia parties are correct that all decision makers would benefit from the comprehensive analysis of a range of potential activities in the ACF basin, and it is likely that the Corps's failure to conduct such an analysis would be an abuse of the Corps's discretion under the [Administrative Procedure Act] APA."*

There were no questions.

Endangered Species Act

Sandy Tucker, supervisor of the Georgia Ecological Services Office for the U.S. Fish and Wildlife Service (USFWS), gave a presentation to the Council about the Endangered

Species Act (ESA). Tucker said that the law was enacted in 1973, and it is implemented jointly between USFWS and the National Oceanic and Atmospheric Administration (NOAA). Tucker explained how the various sections of the Act apply in the context of water planning.

Tucker stated that mussels need fish and water to reproduce. She noted that ESA prohibits "taking" of endangered or threatened animals by killing, shooting, harming, injuring, or harassing. Federal agencies have to ensure that their actions do not jeopardize the continued existence of listed species or adversely modify critical habitat. Jeopardize is an important term under the Act; it means causing the listed species to go extinct sooner. To protect listed species, federal agencies consult with USFWS. Any exceptions to takings prohibition must be covered by a permit with USFWS. Permits require protective actions to counterbalance potentially adverse actions.

Tucker provided examples of federal activities that could affect listed species, such as U.S. Army Corps of Engineers (COE) operation of reservoirs on the Chattahoochee River, federal funding for road building, and USDA FSA financial incentives and programs. For each of these activities, the federal agency must consider the impact of its actions and the ESA listed species.

Tucker said that low water years are bad for ESA listed mussels in the region. She said that the Council's plan will address listed species. She said that the plan could include drought contingencies that protect flows and allow for shared pain across users in drought years. She said that withdrawals permitted by GAEPD have made conditions worse in drought years.

Tucker said that the ESA is a federal statute, but it is addressed at all of us. It gives us a responsibility to conserve species in trouble. The role of the USFWS is to try to strike a balance between people and listed species.

Council member Jeff Lukken asked if we knew the exact flows to meet particular species. Sandy said this would be nice, but we don't. She said we do know there is a range of flows needed over time to sustain the species.

Council member Steve Davis asked if you could protect and keep species elsewhere, aka sturgeon. Sandy said this would be difficult the species has to be self-sustaining.

Council member Joe Maltese said there was a disconnect with the Georgia USFWS and Florida USFWS. In Florida, there seems to be a rapid implementation very intense science on places such as the Apalachicola river and it is not as intensive here in Georgia. Sandy said she did not see the discrepancy. She said the USFWS works on the best available data.

Council member Jeff Lukken asked if there was a specific tipping point and if there was, couldn't you add a conservative buffer to come up with the required minimum flow. Sandy said they didn't exactly know.

Council member Paul Chappell asked about the movement of mussels. Sandy said that you can see trails left in the sand near creeks as water levels decrease. Some mussels travel across the stream bottom, while others burrow straight down into the sediment.

Joe Maltese commented that he had seen a study where instead of more water needed downstream of Jim Woodruff dam, more sediment is actually really needed in the water.

Chairman Windom thanked Sandy Tucker for her presentation.

Conservation

Jim Hawkins discussed what he considered the big three; Conservation Development Plan Tiers of Conservation, Water Conservation Implementation Plan (WCIP), and the Water Stewardship Act of 2010.

First, Jim discussed the four plan tiers of conservation which included the following:

- Tier ONE practices – mandatory through rules or law
- Tier TWO practices – options addressed through rule
- Tier THREE practices – optional, basic
- Tier FOUR practices – optional, beyond basic to help "close the gap"

Next, Jim discussed the Georgia's Water Conservation Implementation Plan (WCIP) which was updated and released in March 2010. The WCIP incorporates improvements suggested by Georgia citizens, businesses and organizations, including:

1. A summary chart of critical elements of the plan: the sector-specific conservation goals, benchmarks, best practices and implementation actions;
2. Updated language regarding Georgia's drought conditions; and
3. Enhanced benchmarks, definitions and references.

Jim said the WCIP was intended to create a culture of conservation and guide Georgians toward more efficient use of our state's finite water resources. He said it will help to guide decisions on water use and management:

1. Educating water users about water conservation practices and the goals they can accomplish,

2. Informing regional water plan preparation that will be overseen by regional water planning councils,
3. Helping water use sectors collectively improve water use efficiency, and
4. Informing DNR rule-making regarding water conservation requirements in permitting.

Next, Jim explained the Water Stewardship Act of 2010. He said it directs agencies to examine their practices and identify enhanced programming and incentives for voluntary water conservation and enhanced water supply by local water providers. It also gives EPD authority to establish minimum standards and best practices for public water systems to address leakage, water loss audits, and leak detection.

Jim said the act also gives EPD authority to revoke, suspend, or modify a local government authority's water withdrawal or waste treatment permit for violations of outdoor water restriction guidelines. Some other points Jim made includes:

- Farm use surface water/groundwater withdrawal permits
- Multi-tenant sub-metering beginning July 1, 2010
- High efficiency fixtures required in new construction beginning July 1, 2012
- High efficiency cooling devices in new industrial buildings beginning July 1, 2012
- Creates Joint Committee on Water Supply

There were no questions.

Water Quality Management Practices Recommendations

Steve said water quality management practices were based on reviewing material from EPD such as TMDLs, water quality modeling schedule & approach and regional water quality related efforts. We have gathered additional data fromForestry Commission BMP Survey information, and BMPs for nurseries.

Steve they consolidated the strawman into bullet points and sorted the practices between near-term and long-term. Steve said near-term projects were projects that could be implemented within five years. They include the following:

- Near-term
  - Support existing plans & practices and improved enforcement
  - Improved land use planning, particularly stream buffers
  - Improve BMP implementation and documentation
  - Create and fund a stream buffer land acquisition program
  - Require Georgia Stormwater Management Manual adoption
  - Eliminate additional LAS for large discharges

  - Increased water quality monitoring & coordination
- Long-term
  - Reduce permitted utilization of assimilative capacity
  - Advocate for equitable nutrient criteria throughout the region
  - Additional state regulation requiring stormwater utilities

Other recommendations include:
- Increased State Funding for GA EPD Advocated
- Creation of a Program for Stream Buffer Land Acquisition
- Increased grant funding for water quality improvement projects
- Additional funding needs to be defined for long-term water quality management practices

Steve Simpson said through the Section 319(h) Grant program, there is a funding set aside of approximately $1 million for council recommended projects. This funding will be divided among the ten regional councils. There is a 40% match requirement for funding from the entity administering the project. Funding can be used for projects such as stormwater controls and stream restoration. The committee will be reviewing this opportunity.

Steve also said the committee is planning to reconsider recommendation following review of water quality modeling results anticipated in November 2010

Joe Maltese noted that the committee needs to add the Metropolitan North Georgia Water District plans as a source. Steve said yes they should and reminded everyone that if there are more sources of data to let him know.

Council member Ken Penuel noted that the Army Corp of Engineers Corp shoreline management plan could have tremendous impacts. After the meeting, Ken said that the schedule for the shoreline management plan has been changed and the “draft” plan will not be out until January of 2011.

Council member Robert Watkins said he was concerned about addition regulations, such as for subdivision, he said they were already very detailed already for erosion and control plans. Joe Maltese said he thought the intent was not for additional regulations, but an attempt to level the “playing field” from county to county.

Chair Windom said he still does not understand the costs involved with these practices. Jim Hawkins suggested the council may need to look at the Chesapeake Bay as an example. Steve Simpson said the costs can be investigated more. Ken Penuel suggested ranking the costs and Joe Maltese suggested development of a cost matrix.

Jim Hawkins asked Jack Dozier to give his opinion. Jack said he would be very careful discouraging LAS. He thought there were not water quality impacts with these. He said that may put the economy at a competitive disadvantage.

Steve Simpson said they were still looking for additional input for Section 6 of the plan.

Groundwater Sustainable Yields Update

Steve Simpson reviewed the groundwater sustainable yield updates from GAEPD. A hand-out of the results was distributed, and the slides are available on the Council website. Steve reviewed the prioritized aquifers map, the sustainable yield modeling metrics, and the model results for the prioritized aquifers.

The sustainable yield results were compared to groundwater use estimates. Steve said that the updated results do not change the sustainable yield estimates, but the use information that is compared to the sustainable yields has been updated. The prior use estimates have been updated with the Hook estimates of agricultural water use, and these estimates substantially increased the use estimates in this region.

The Council discussed the Dougherty Plain results in detail. The updated results show that the growing season average use of groundwater is above the sustainable yield for this aquifer in a median year and a dry year. Modeling results indicate that groundwater drawdown in this aquifer, as caused by groundwater use, is very limited. The modeling results therefore reflect similar findings to the surface water availability results already considered by the Council: groundwater withdrawals impact surface water flows in the region. Steve Simpson noted that GAEPD is not planning to re-calibrate the model for this aquifer because it is a USGS model.

WDCP Sections 6-8 Development

Jim Hawkins described how the October draft would be developed. Jim said the strawman documents will be combined and form the basis for Section 6.

Jim reviewed the Table of Contents for Sections 6, 7, and 8 of the regional plan. The Table of Contents is included in the pre-meeting packet. In addition to the strawman recommendations, these sections will include discussions of: fiscal implications, implementation responsibilities and schedules, recommendations to the state, alignment with other plans, and plan implementation benchmarks.

Wrap-Up

Chair Windom asked the Council to set a date for the next meeting. The Council selected November 10th. The location in the Columbus-LeGrange area would be finalized from Council suggestions to Matt Windom after the meeting.

Matt indicated that he has appreciated the efforts of the council in furthering the planning effort.

Attachment 1:
Middle Chattahoochee Water Planning Council
Council Meeting Attendance – September 14, 2010

Council Members

Alan Bell
Paul Chappell
Steven Davis
Larry Dillard
Gardiner Garrard
Bill Gregory
Joe Griffith
Jimmy Knight
Harry Lange
Jeff Lukken
Joe Maltese
Aaron McWhorter
Gordon Moss
Ken Penuel
Denney Rogers
Jimmy Thompson
Robert Watkins
Don Watson
Matt Windom
Robie York

Council Members Not In Attendance

Jimmy Bradley
Larry Clark
Phillip Eidson
Thomas Ellis
Garrard Gardiner
Gerald Greene
Bill Heath
Walter Rosso
Randy Simpkins
Jim Woods
Brad Yates

Planning Consultants

Jim Hawkins, B&V
Robert Osborne, B&V
Steve Simpson, B&V
Mark Masters, GWPPC

Georgia EPD

Tim Cash, Assistant Branch Chief
Bill Morris

Georgia State Agencies

Patti Lanford, DNR-WRD
Luke Crosson, GASWCC
Joe Krewr, GADCA

Attachments:
Public Comment

-----Original Message-----
From: Matt Windom [mailto:mwindom@ccwageorgia.com]
Sent: Thursday, August 12, 2010 5:24 PM
To: 'April Ingle'
Cc: 'langeci@mchsi.com'
Subject: RE: Region Council Assessments

Ms. Ingle,

I appreciate you sharing your concern related to the current instream flow planning standard. I agree there are many demands on the water resources within our region and state and a balancing of these demands is appropriate. I have forwarded your email to our region's planning contractor to insure that they are aware of your concern.

Sincerely,

Matt Windom
-----Original Message-----
From: April Ingle [mailto:ingle@garivers.org]
Sent: Wednesday, August 11, 2010 5:11 PM
To: mwindom@ccwageorgia.com
Cc: langeci@mchsi.com
Subject: Region Council Assessments

Dear Chairman Windom:

Georgia River Network represents citizens across Georgia who are interested in the protection and conservation of our water resources and therefore in the regional water planning process you are leading. We recognize that water is a critical issue not only for the future growth of Georgia's economy, but also for the preservation of our state's heritage of boating, fishing, swimming and hunting and our unique and valuable natural resources. For that reason, we are deeply concerned that the current instream flow planning standard being used in the regional councils' water planning process is not sufficiently protective of these things we all value.

We realize that the planning process is well underway and that time is critical. Therefore, we are recommending that your council immediately consult with the Science and Engineering Advisory Panel. EPD formed the Science and Engineering Advisory Panel (SEAP) for advice and input in addressing technical concerns during the water planning process. It is composed of some of the nation's leading authorities on riparian ecology and hydrology. We are confident that they have the knowledge to help your council develop water plans that ensure there will be enough flow in the streams to protect fish, wildlife, and other values important to us all.

If the information provided by the SEAP scientists leads your council to conclude that there is a need for a more protective standard, we ask you to request EPD and its contractors to modify the surface water assessments accordingly.

In order to avoid this issue with future water plan updates, we also ask that your council recommend funding be made available immediately for research that would allow formation of a more sound instream flow policy.

We understand that as Chairman your Regional Water Council you have a difficult job of balancing all sorts of different demands for water. We thank you for your efforts and pledge to cooperate any way we can to finalize an appropriate water plan for your region and the state as a whole. If I can be of service to your council in any way, please call me at the number below. I look forward to hearing how your council plans to address this important issue.

Sincerely,

April Ingle

April Ingle
Georgia River Network
Executive Director

126 South Milledge Ave., Suite E3
Athens, GA 30605
706-549-4508
http://www.garivers.org

Click Here to Join GRN Today!

GEORGIA CHAPTER OF THE AMERICAN
FISHERIES SOCIETY

2024 Newton Road
Albany, Georgia 31701

Dear Chairman Windom:

The Georgia Chapter of the American Fisheries Society represents fisheries professional within Georgia that have a keen interest in water conservation and stewardship. We recognize that the availability of surface water is important for the preservation of our state's unique and valuable aquatic resources. For that reason, we would like to comment on the current instream flow planning standard being used by the Environmental Protection Division (EPD) and its contractors. We recognize the currently used monthly 7 Q 10 methodology may provide may provide insufficient flows for the maintenance of habitat critical to many of our aquatic organisms.

When the Board of Natural Resources passed the currently used instream flow policy in 2001, the monthly 7 Q 10 flow was one of several options. The Board recognized the imperfections of its interim policy (i.e., 7 Q 10 may not adequately protect aquatic biota) and urged funding of studies to improve and modify it. The DNR Board recognizes that better standards should be developed and utilized through research, and that their 2001 policy stood as a good starting point. We suggest now as an important time to update this 7 Q 10 methodology to a more appropriate standard that is based on sound science of providing protective flows.

We realize that the planning process is well underway and that time is critical. Therefore, we are recommending that your council immediately consult with the Science and Engineering Advisory Panel. EPD formed the Science and Engineering Advisory Panel (SEAP) for advice and input in addressing technical concerns during the water planning process. It is composed of some of the nation's leading authorities on riparian ecology and hydrology. We are confident that they have the knowledge to help your council develop water plans that ensure there will be enough flow in the streams to protect fish, wildlife, or other flow-dependent natural resources.

We desire that the regional water plans be of adequate scientific merit and be able to withstand outside scrutiny. This may not be the case if planning proceeds using antiquated model inputs about what constitutes adequate instream flows for protection of aquatic resources. In order to ensure a thorough process, we also ask that your council recommend to EPD that sufficient funding be made immediately available for research that would allow formation of a biologically-sound instream flow policy.

We recognize that as Chair of the Middle Chattahoochee Council, you are charged with the difficult task of balancing competing demands for water. The purpose of this letter is not to complicate your task, but to simply suggest alternative modeling inputs that may better serve the citizens of Georgia in the future. We thank you for your efforts and urge you to consider updating current instream flow methodology for ongoing water planning.
Sincerely,

Thanks!
-jk

John Kilpatrick
President
Georgia Chapter of the American Fisheries Society

John Kilpatrick

GEORGIA WILDLIFE FEDERATION℠

August 26, 2010

Dear Regional Water Council Member:

The Georgia Wildlife Federation represents more than 50,000 members throughout Georgia who encourage the intelligent management and wise use of land and water and its dependent wildlife. We recognize that the availability of surface water is critical to the future growth of Georgia's economy as well as the survival of many aquatic species. Without an adequate supply of clean surface water, our rivers can no longer provide habitat for species or a reliable supply of water for human consumption.

We have been following the water planning process and are very concerned about the current instream flow policy of 7 Q 10. Many aquatic experts around the country agree that the instream flow level under 7 Q 10 is not adequate to protect aquatic species, which need seasonally variable volumes of water to live, grow and reproduce. When the current instream flow policy was put into place in 2001 the DNR Board urged funding of studies to improve the policy and had the understanding that the 7 Q 10 policy would be in place only until a better policy could be established.

Since the planning process is well underway and time is critical your council should immediately consult with the Science and Engineering Advisory Panel (SEAP) which was formed by EPD. SEAP is composed of some of the nation's leading authorities on riparian ecology and hydrology and can advise you on technical concerns during the planning process. If it is determined by the SEAP scientists that the present instream flow policy does not provide the needed protection you should request EPD and its contractors to modify the surface water assessments in order to establish a more protective standard. To prevent the instream flow policy from becoming an issue in future water plan updates, research will be needed in order to develop a more sound policy. Therefore, your council should recommend to EPD that funding be made immediately available for the needed research.

We appreciate the effort by your council and will cooperate with you in any way as you work to develop an appropriate protective water plan for your region and the state as a whole. I look forward to hearing how your council will address this important issue.

Sincerely,

Jerry McCollum
President and CEO

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WEST POINT GEORGIA
Welcome Home

Office of City Manager

P.O. Box 487
West Point, Georgia 31833

Telephone 706-645-3500
Fax 706-643-8150
emoon@cityofwestpointga.com

July 20, 2010

Mr. Matt Windom
Executive Director
Carroll County Water Authority
Chair, Middle Chattahoochee Regional Water Planning Council
P.O. Box 739
Carrollton, Georgia 30112

Dear Matt:

I wanted to follow up on our conservation at the Regional Water Council meeting. I have attached two letters for you review that should document our position on lake levels and flood control. This is an important issue to our city, but our voice is not as strong as our neighbors to the north. I do not think, and I believe you and other council members would agree, the entire conversation of regional water should revolve around the level of West Point Lake and how it impacts recreational use. We value West Point Lake for all of its purposes and every purpose has an impact on our city.

I will attend as many meetings as I can and be as involved in the planning process as possible. I appreciate your leadership on the council and ask that you keep our position in mind as you and the council make decisions that will have a dynamic impact on our future.

Please let me know if I can assist you in any way.

Sincerely,

Ed Moon

CITY OF
WEST POINT

Office of City Manager

P.O. Box 487
West Point, Georgia 31833

Telephone 706-645-3500
Fax 706-643-8150
emoon@cityofwestpointga.com

October 8, 2009

Colonel Byron Jorns
District Commander
US Army Corps of Engineers
PO Box 2288
Mobile, AL 36628-0001

Dear Colonel Jorns:

Due to record rain fall in the Chattahoochee River basin the Chattahoochee River at West Point reached the flood elevation of 17 feet on September 23, 2009. The lake and river continued to rise until the lake reached its crest September 24, 2009 at 639.26 feet and the river reached its crest on September 25, 2009 at 18.89 feet. During this time the Corps of Engineers released as much as 56,000 cubic feet per second of water from West Point Lake that had a direct impact on downstream communities.

There was some minor flooding in West Point along the river. The City Police Department and Fire Department had to be relocated due to rising water around the buildings. The City recreation area was flooded including several ball fields and play areas. Water reached many private residences and one city street was closed. City storm water drains were backed up and a few were overflowing. The city's levee was beginning to backfill and had to be pumped out. The City was at the saturation point and any additional increase in the release rate from West Point Dam on September 25, 2009 would have had large scale impacts.

During my tenure at West Point the City has had a good working relationship with Steve Logan and other staff at West Point Lake. The Corps staff has always been responsive to the Cities issues concerning the lake and river. The Corps was well represented by David Barr in West Point during the September 2009 event. David listened to our concerns and passed those concerns along the chain of command. We hope that these communications were helpful to the Corps as decisions were made concerning water releases at West Point Dam. David also helped alleviate the fears of the community by communicating with the media as the water continued to rise in the river. The City staff is pleased overall by the response and cooperation of the Corps, but there are a few concerns and questions that we would like addressed.

For the majority of 2009 West Point Lake has been at a higher than average level. The city has been apprehensive about the West Point Lake level and in light of the September flood event we are even more concerned. We ask that the Corps examine the following questions concerning the situation. Is West Point Lake being managed at a safe level for those downstream during historically flood prone seasons? Is West Point Lake being lowered in anticipation of storm events in a timely manner to protect downstream communities? Is the top of conservation pool a safe level for West Point Lake to be operated June through November for those communities downstream? Is the desire by some to have West Point Lake at full pool for recreational purposes affecting the flood control decision of the Corps?

Coastal communities make up approximately 52% of the population in the United States. Many of these inhabitants live in the flood plain of rivers, creeks and streams. The work done by the Corps of Engineers is important in protecting many of the people from the waters that draw them to their shores. The way we work together to manage our communities and resources has a direct impact on the lives and property of those we serve.

I look forward to your response and working with the Corps in the future.

Sincerely,

Ed Moon
City Manager, West Point Georgia

Copy: All elected officials representing West Point, federal, state and local
Mayor City of Valley and Lanett, City Manager Columbus, Steve Logan,
David Barr, Department Directors

DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, AL 36628-0001

JAN 15 2010

REPLY TO
ATTENTION OF

Engineering Division

Mr. Ed Moon, City Manager
P.O. Box 487
West Point, GA 31833

Dear Mr. Moon:

This is in response to your letter dated October 8, 2009 (enclosed), regarding concerns about the West Point Dam flood control operations. First, I regret that it has taken so long to respond to your letter. I would also like to thank you for your kind words about Steve Logan and David Barr. The relationships established by our project personnel with local communities are essential to our ability to provide quality services to the stakeholders in the basin.

Flood damage reduction is a primary purpose of the West Point reservoir project, and the reservoir regulation plan ensures that the operation of the project meets this purpose. Deviations to the reservoir regulation plan are implemented to best manage the reservoir storage in compliance with water resource conservation practices such as when forecasts indicate drier than normal wet seasons or for system storage capacity during the typical dry season. However, the purpose of flood control is always considered when making these decisions, and the West Point lake level is managed in consideration of downstream impacts during all time periods.

The Top of Conservation lake level was established by engineering analyses of historical data to derive the optimum daily lake levels to best meet the multiple project purposes throughout the year. The established guide curve for the June through November time period is considered to be adequate for flood risk management during that time of year.

Water management decisions for flood control are made in accordance with provisions of the project reservoir regulation plan. The lake level is managed to balance all of the project purposes and to maintain as full lake level as possible subject to hydrologic conditions. However, I must emphasize that no dam can prevent damages from every flood event. A major flood may eventually occur that exceeds the design criteria for a dam. Typically, in a major flood, the dam will help reduce the peak flow of a flood and help reduce the amount of damages that may have occurred if the dam was not there.

The Corps appreciates the City of West Point's interests in protecting its citizens from catastrophic flooding. We look forward to continued coordination with the city in regard to the West Point flood operations and efforts to enhance our communication plans.

Sincerely,

Byron Jorns
Colonel, Corps of Engineers
District Commander

Enclosure