

Georgia Department of Natural Resources

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May 14, 2009

MEMORANDUM

TO: Council Members

FROM: David Ashley, JJG

SUBJECT: Council Meeting Summary
Middle Ocmulgee Water Planning Council Meeting

CC: Kevin Farrell, GA EPD
Charlotte Weber, JJG
Eric Nease, JJG
Tai-Yi Su, JJG

Georgia Comprehensive Statewide Water Management Plan Regional Water Planning

Council Meeting 1 Summary

Meeting Date: May 14, 2009
Location: Macon- Frank C. Amerson Water Treatment Plant
Attendees: See list

1) Council Member Introduction

Council members introduced themselves and gave brief descriptions of their respective backgrounds.

2) Agency Member Introduction

David Ashley introduced the consultants for the Council, including Charlotte Weber (Council Facilitator), Kimberly Shorter (Water Resource Engineer), and himself (Council Coordinator). Kevin Farrell (GA EPD Assistant Branch Chief) was also introduced.

Ashley walked through the agenda with the Council. There was a quick re-cap of the kick-off meeting, including a review of the “35” Exercise Summary. Ashley highlighted that Council leadership would be nominated and elected towards the end of the meeting.

3) Water Planning Process

An overview of the water planning process was provided to the Council members, including the roles and responsibilities of the Water Planning Council (WPC). The timeline for the Council meetings was summarized.

The different elements that will feed into the plans were discussed including the forecasts.

Question: A Council member asked if the Carl Vinson Institute of Government was doing both the agricultural and the land cover projections.

Answer: The Extension Service is also supporting the agricultural forecasts, per Farrell and Ashley.

4) MOA

Farrell thanked everyone for their participation and the great turnout. He stressed to the Council to make sure to ask questions throughout the day, even if the topic does not fit specifically with the agenda.

Question: There was a question about the local government advisory body (LGAB) – how they would relate to the Council and how they would be informed. Some of the counties had not yet heard (from EPD). **Response:** The LGAB will be getting a DVD with the population and employment forecast data soon. The forecasts will be distributed to the Councils as well.

Question: Will the forecasts be available to the public?

Response: Forecasts will eventually be available on the website. Not certain of the timing.

Follow up statement: The public may feel that there might be a problem with the public process if they do not also get the latest and greatest information.

Follow up response: Everything is available under the Open Records Act. EPD thinks that the process will include an initial review by the Council – but the Council will not have exclusive access to data. The public will also have a chance to comment at the meeting.

Question: If there is a discrepancy in the population and employment data; who has the final say in finalizing these numbers? The Council, EPD, the LGAB?

Response: EPD will have the final decision.

Statement: It is one member’s understanding that the RDCs will be involved in looking at the population and employment forecasts as well. So the local governments will also be involved through the RDC’s.

Question: There was a question about how the data will be tied into the census data?

Response: Not certain. The plan is for the Georgia OPB to update the population and employment every other year.

Question: It looks like the process puts the cart before the horse, because the population and employment forecasts are done simultaneously. Will there be an opportunity for growth management suggestions based on water availability?

Response: Yes, this is important and will be considered.

Farrell walked the Council members through the MOA.

Statement: There were some concerns that there were design professionals that were excluded from the MNGWPD process. Before we accept any rules we need to have another discussion about that controversy. There is a lot to be said for the MNGWPD, but it is exclusionary. (He was referencing the Georgia Stormwater Management Manual and the requirement for certain elements to be stamped by a professional engineer).

Response: Farrell said that this was the opportunity to make sure that the exclusionary practices were not present in this process.

Farrell continued walking through the documents. He mentioned that if Council members needed additional data, he would work to provide them with the requested data.

DCA representative Adriane Wood spoke briefly about the integration of Comprehensive Land Use Plans and that they were revising the timeline for the updates for the communities in the region. The hope is that any changes can be accomplished through the scheduled update or amendment to the existing Comp Plans.

Discussion: There was a discussion about the Council's recommendation and EPD's authority to adopt the plans.

Response: Farrell reminded the group that Georgia EPD is still responsible for permitting and cannot allow a plan that does not protect water resources. It is EPD's intent to work cooperatively through issues during the planning process. All of the Water Planning Regions are different. Agriculture is a big part of the State; we want to make sure that agriculture is not forgotten. EPD does not have any upfront vision about how these plans will look – that is the role of the Council.

Question: Will this plan have a homeland security element?

Response: Farrell has not heard of that. It is definitely an important issue and we can talk about whether this is the right forum.

Question: Would there be a Development of Regional Impact (DRI) process if a county wasn't to have a development with a reservoir?

Response: The DRI process will work beyond the purview of this plan because it is a different law. The thresholds for the DRI process are being revised at this point. If the reservoir were for water supply it would be included in this plan. If it were a private impoundment, it probably would not be in this plan. If it were something to eventually be turned over to the local water agency – then it is something to discuss. For DRI's, the Water Planning Council could become a reviewer of these development projects.

5) Achieving Results through Consensus Decision Making

Ashley confirmed that everyone received the packets ahead of the meeting. If there are

problems, let Weber and/or Ashley know.

Weber introduced the first exercise on consensus building. The group was asked to think about what consensus means and how it would be used as a Council. The Council members were asked the following questions:

1. What does consensus mean? How is it measured? Should “consensus” mean all members can say they are at a 7 (references a scale of 1 to 10 - 1 being hate the option and disagree and 10 being love the option)? What other options are suggested by the diagram?
2. Do you think the consensus-based process described here, with 2/3 majority vote as a fallback, will be workable for this Council? If not, what changes would you recommend?
3. How will we know when we’ve reached a consensus decision? How should it be recorded? Should the concerns of those not in agreements (minority opinion) be documented?

The groups reported back on their results:

Star Group:

- Consensus is a warm, fuzzy room – never know how someone is going to vote until they vote; don’t have any way to measure except for a vote
- A two-thirds vote is a good way to go
- Democratic process and the majority rules, no need to document the minority opinion

Blue Group:

- Consensus is reaching general agreement after healthy discussion and debate realizing that all decisions are not someone’s first choice
- Need to vote to determine if consensus is achieved
- Can invite minority opinions; Supreme Court decisions sometimes have them; if there are feelings that are very strong, it is OK for the group to document

Yellow Group:

- Agreement of the majority after discussion; two-thirds majority is required
- Vote to shows that consensus is reached
- Needs to be a formal call for the vote

Green Group:

- As long as 60% of quorum agrees, then it meets consensus; think that the two-thirds vote and majority rule are a good way to go
- Would document the minority opinions

Red Group:

- Everyone has an opportunity to express their opinion, without anyone in extreme opposition
- 50% +1 is quorum, as long as there is a quorum then two-thirds vote is sufficient

Summary:

- The two-thirds vote will be the consensus; minority opinions would be documented in

meeting summaries and/or submitted in writing for the meeting summary by the minority opinion

6) Operating Rules and Procedures

Weber led an exercise on the review and suggested recommendations of the Council's Operating Procedures/Rules for Meetings Broad Issue Areas. Each table had been assigned a color or star upon the start of the meeting. For the exercise, each table was assigned a portion of the Operating Procedures or Rules that they would be responsible for discussing. The Council was asked to consider and discuss how the provisions would work for the Middle Ocmulgee Council. If there were sections that caused concern or needed to be adjusted, they were to make note and be prepared to share with the entire Council. Each table was asked to designate a spokesperson to lead discussion.

Weber reconvened the groups for discussion on the Operating Procedures/Rules for Meetings Broad Issue Areas.

Red Group (Section 4 of Operating Procedures) – Council Leadership – Section IV, including General Powers, Number and Qualifications, The Chair of the Council, the Vice Chair of the Council, and the Selection of Chair and Vice Chair.

Recommendations:

- Under the heading General Powers; after the word “shall” before “follow” – “shall prepare a recommended plan to EPD and follow the recommended guidance provided by EPD”
- Second line – numbers and qualifications – after “vote” add “provided that quorum is met”
- In lieu of a 6-month term, recommend a one-year term
- First sentence of The Chair of the Council: remove because redundant – Coosa- North Georgia is a typo
- First sentence of The Vice Chair of the Council: remove because redundant
- Selection of chair and vice chair – insert the provision, “as long as a quorum is met”; change 6 months to one year
- As to how the Chair or vice-Chair would be nominated; allow for members interested to nominate themselves

Green Group (Operating Procedures - meeting governance, Section VI, part one, including regular meetings, other meetings, open meetings, and meeting summaries)

- No concerns were voiced from the group.

Weber provided a summary of the sections for the Council to ensure that there were no other concerns that weren't addressed by the Council as a whole. Additional discussion follows.

- Question about who picks the meeting time: it will be done by the group
- Question about meeting notices and the strict interpretation of the Sunshine rule: we will follow EPD's procedures for all meetings
- Agenda will be posted on the website

- There will be processes to obtain feedbacks from the local governments
- Heading is open meeting – is this a reference to the fact that all of the Council meetings are open to the process?
- Some of the concerns about public notification will be handled in the Public Involvement Plan to be presented at the next meeting
- The Council members have an informal obligation to keep the public informed of Council activities

Star Group (Operating Procedures – meetings and governance, Section VI, part two, including quorum, subcommittees, presumption of assent, resignation of Chair, Vice Chair and Members, participation by non-members and amendments)

Recommended Changes

- Quorum - add a phrase that alternate members would be considered when counting quorum
- Sub-committee – not clear how those are appointed; shall be appointed by following Roberts Rules of Order
- Presumption of assent – recording; assenting member must ask to have his vote recorded
- Resignation – a little unclear whether the Chair or Vice Chair are resigning their seat and/or membership; delete any Chair or Vice Chair reference. Add a phrase that the Chair or vice-Chair can resign their respective offices at any time.
- Participation by non-members – add that public members will have to be recognized per Roberts Rules before speaking
- Rules for meetings – delete by consensus (because 2/3 is consensus) ; add if a quorum is present
- Amendments – first sentence – majority of Council members “present” – clarify

Discussion comments:

- Typo – Quorum – definitions in Section II not III
- Amendments – don’t think it is appropriate to have a simple majority vote; it is a 2/3 vote of those that are present; discussion – the change was supported
- Under rules of meetings – take out the consensus; don’t need a formal vote but just a nod of heads; if that is left in then there can be informal votes as well as the formal vote – you want call for the vote if you don’t think that you have consensus; some feel that anyone could call for a vote at any time
- There are some that suggested using Roberts Rules so that there isn’t a problem
- Decision-making – were there any changes suggested to that section?
- Leave consensus in there, because there may be some administrative items that don’t need to be voted upon; may not want to vote for every little thing, may get bogged down
- Add a sentence, unless otherwise stated Roberts Rules of Order will be followed

Blue Group (Rules for Meetings - Rules 1-4: purpose of rules, meeting roles, communications and meeting agendas and summaries)

- Rule 4 meeting agenda and summaries, item C – posting of the meetings on the EPD Regional Water Planning Council website

- There was some discussion about information provided by contractors that the Council disagrees with;
 - **Question:** Can the Council invite someone else to speak?
 - **Response:** Farrell said the more information, the better – but Georgia EPD would not pay for a second opinion. Farrell reiterated that if the Council wants additional data, they should ask EPD first – because EPD may have that data. This is similar to Rule 5, the first C.
 - **Question:** Under item C – is that the same method for presenting information/issues to the group – such as inclusion of homeland security. Unclear of the procedure.
 - **Response from other Council:** Council members approve/disapprove agenda so it can be added at that time, if there is consensus.

Yellow Group (Rules for Meetings – Rules 5, 7, and 8 – discussion of issues, public notice and comment and ending the meeting)

- Item A or Item D – may need to put a time limit on the length of time that each person speaks, maybe 5 minutes? Otherwise it will be up to the chairman to cut off discussion. Is there a time limit or a number of opportunities to speak or like a public meeting? If any member feels like the discussion has drawn on, under Roberts, any member can call for the question and the Chair can decide whether it is appropriate or not. There was confusion about public comment versus comments from Council. The question was withdrawn.
- Think that the Chairman should be responsible – don't like the idea of time limits. Some people have expertise in a certain area – don't want to cut them off on talking about their expertise if it is of value.

There was a reminder that leadership nominations would be accepted on the front board or in the voting box.

7) Website Introduction

Ashley provided an overview of the new and existing Georgia EPD websites.

8) Regional Geography, Facilities and Resources Overview

Ashley provided a brief overview of the region.

Comment on agriculture and irrigation – only runs 2 to 3 times per year – it looks like a lot of water, but it is not year round.

Question about agricultural meters; not everyone has a meter yet. An audience member stated that below the fall line approximately 60% are metered. This data was provided to EPD and UGA. The UGA model will be used to develop agricultural water use forecasts. The majority of this region is not yet metered.

9) Trends, Forces, and Factors Activity

Ashley and Weber then moved on to trends, forces, and factors and the implications. Weber asked each Council table to generate 5 to 7 ideas as to what current trends, forces, and factors will be affecting the future of water in the region (1 idea per sheet).

The ideas were grouped together and the clusters were named based on the types of ideas as follows:

Political, Economic, Environmental, Technology, Social (the group was given several opportunities to change the cluster titles while going through the exercise).

The following are the ideas generated by the Council

- Strict code enforcement – water conservation/sprinkler use (Political)
- Regional stormwater management (Political)
- Public awareness and education (Social)
- Industrial and manufacturing technology advancements (Technology)
- Increase impervious areas (Economic)
- Growth; development, urban sprawl – someone added disparities in population (Economic)
- Population growth (Economic)
- Rainfall amounts (drought) (Environment)
- Periodic drought (Environment)
- Reservoirs (Economic)
- Land use changes (Political)
- Economic growth (Economic)
- Inconsistent water management (water rights) (Political) – several different people controlled water rights so there were turf wars – the right were being divided – there are three water systems; there is one person that has a well that serves neighbors – new county-wide system that not everyone wants; There should be a county-wide system and not have so many small local providers – miss-management
- Competing interests from various users – economics farm uses versus industrial versus municipal (Economic)
- Stormwater management – impact of impervious surfaces (Environment)
- Economic impacts of competition for water, increases prices, thereby cost of living (Economics)
- Increasing regulation due to decreasing supply of resources (Political)
- Need for land conservation to protect water quality (Environment)
- Floods (Environment)
- Weather/Drought (Environment)
- Regional water issues, such as those with Alabama and Florida; interbasin transfers (Political)
- Land use – development/agricultural (Economics)
- Metro Atlanta, industrial and commercial uses spin off from Atlanta (Political)
- Agricultural issues – nonpoint source pollution (Environment)
- Impaired streams (Environment)
- Better education of public on use versus consumption (Social)
- Technology – agriculture of water for irrigation (Technology)
- Growth of impervious surfaces (Environment)
- Growth of environmental regulation (Political)

- Cost restraints on utilities – unfunded mandates, social pressures to increase costs, etc (Economic)
- Residential irrigation (Economic)
- Fluctuation of supply and demand - Water revenues – declining use due to drought – more supply than demands; one size fits all water conservation doesn't work (Political)
- Intergovernmental agreement of selling water is a positive thing; that was one of the positive recommendations made (Political)

One Council member stated that he was not comfortable with the categories. Everything is interrelated. It is difficult to take issues and place them in a category, because most fall across boundary lines. The Council agreed that this exercise should note that all issues fall under multiple categories.

The Council was then asked the question: What is the story? What does this mean for the Middle Ocmulgee region?

Council Response: What jumps out is that there are a lot of issues and factors that impact management of water resources, they are inter-related. Creating a water plan with all these factors is going to be a challenge.

Question – should we also be looking at Atlanta and how they almost ran out of water? Shouldn't we forecast and better prepare for our needs as a region?

10) Population and Workforce Trends

Ashley provided an overview of the population and workforce numbers.

The following are questions and discussions from the Council members.

What brought on the growth in the 1970's? The effect of air conditioning was mentioned by a Council member as what brought growth to the hot south.

Think that looking back on population back to the 1970's would be better. Don't think they will change the methodology, but it is a better way to look at the trend. If you start in 90's you will miss some of the trend.

When the projections are done; will there be a discussion of uncertainty?

Manufacturing and service industry – need to decide whether the trends continue as this will impact water use.

Given the example of Atlanta, if historical data is used to make projections in the future – isn't this going backwards? Shouldn't we figure out how to do things better in the future and be more sustainable?

Want to look at projections because that allows the Council to see the potential impacts on water resources. One way to lessen the impact on water resources is to manage growth, but we have to see the projected growth and then look at the resulting impacts on water supplies. Have to have

the dialogue.

It makes more sense not to pipe water across counties but to manage growth within the limits of the resources.

Need a growth moratorium in Atlanta to encourage development in areas where there is water.

When the resources of the geographic area cannot support the impact of projected growth, then you need to start to mitigate that growth. Conservation is not a solution; land use is an important part of the water scarcity issue.

Are land use controls going to be included in this Plan? Aren't there going to be problems if land use solutions aren't in the Plan? This is the opportunity to recommend/suggest changes.

Some of these issues may be in a watershed protection plan and will continue to be important elements of these plans.

Solid waste landfill act in the 1980's – it became costly to put in landfills after this act. Similarly we should be thinking ahead to plan for growth.

11) Leadership Voting

Initially seven candidates were nominated for Chair/Vice Chair. Three candidates asked to be removed from their nominations. The three candidates nominated who were interested in serving provided a “stump speech”. Tony Rojas provided the stump speech for Elmo Richardson, as he left early.

The planning Council members decided that they want to have two votes; the first round to elect the chair and the second round to elect the vice-chair. The results of the election are as follow:

- Chair: Elmo Richardson
- Vice-Chair : Ben Copeland

Ashley mentioned the next Council meeting dates need to fall between June 10th to 12th or June 15th to 19th. The Council discussed the date and location. Unfortunately, there was not a date where all Council members could attend; therefore, the Council decided to select date based on greatest participation. The meeting date and location was set for Thursday, June 11th – at the Amerson Water Treatment Plant in Macon.

There was a comment that over the 2 to 3 years, the meeting locations should rotate around the region. After the meeting several members asked about the obligations of hosting a meeting.

Everyone was provided an evaluation sheet to complete.

12) Public Comment

Shana Udvardy – introduced herself and role at the Georgia Conservancy. They are very excited about the process and look forward to working with everyone. She hopes to hear from anyone who is interested. The Georgia Conservancy is interested in providing drinking water and

protecting habitats, as well as planning on a watershed basis with public participation and based on sound science. Shana urged everyone to consider the activities upstream and downstream of the region. The Georgia Water Coalition is 174 diverse groups and will be sending the 2008 report to everyone, which states their platform on many issues that will be discussed throughout the planning process.

Karol Kelly – Bibb County Extension Service – wanted to offer services and support on a local level. If there are questions that UGA can assist with, they are happy to help. Their agricultural water use forecasts are posted at <http://www.nespal.org/>.-

Patti Lanford – Fisheries biologist with DNR. Their main concerns are the fisheries resources and there are great resources in the basin. Quality of life, fishing and recreational boating are important and have an economic impact in the area. If there are data needs regarding fishery resources, please ask.

13) Action Items

- Planning Contractor to notify Council members of schedule and location for next meeting.

Meeting adjourned at 3:30 PM.

Meeting Attendees

Council Members

Russ Adams
Tony Bass
John Bembry
Jason Briley
Blair Cleveland
Ben Copeland Jr.
Keith Dalton
Jerry Davis
Robert Dickey
Richard Haddock
Jim Ham
Bobby Hamby
Charlie Harris

William Lazenby
Paul Leath
Larry McSwain
Eva Persons
Barry Peters
Robert Ray
Elmo Richardson
Tony Rojas
Terry Scarborough
Van Whaller
William Whitten
Thomas Whicker

Partnering Agencies and General Public

Les Ager
Nolton Johnson
Tim Amida
Bernard Kendrick
Hoke Thomas
Lou DuFresne

Jacob Poole
Shana Udvardy
Amanda Marshall
Heather Duncan
Bob Hargrove
Tim Allen
Harrietta Allen
Ronnie Barentine
Mark Freeman
Bobby Lancaster
Brooks Bailey
*John Colberg (Georgia Forestry Commission (GFC))
*Try Clymer (Georgia Forestry Commission)
*Keegan Malone (Georgia SWCC)
*Karol Kelly (UGA Cooperative Extension – Bibb County)
*Ben Mosley (Georgia SWCC)
*Adriane Wood (Department of Community Affairs (DCA))
*Patti Lanford (DNR Fisheries)

*Indicates attendee represented an agency