

# **Statewide Water Management Plan**

Association County Commissioners of Georgia  
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## **Introduction**

Coupled with Georgia's continued economic and population growth, the historically-severe drought of 2007-08 has instilled the reality that Georgia is indeed vulnerable to water limitations and has underlined the urgency that the state adopt a comprehensive statewide water management plan (Water Plan). Encouragingly, this plan has been proposed by the State Water Council and adopted by the General Assembly this year. This article provides an outline of the plan's major components, particularly as they relate to Georgia counties. As counties will be greatly impacted by the water plan, it is important they be aware of what is being implemented; stay involved in the planning process; remain vigilant in seeking a long-term, dedicated source of funding for the plan; and discourage future legislation sought by special interests seeking to undermine water planning and conservation goals.

## **Background**

In 2004, the Georgia General Assembly passed House Bill 237, the Comprehensive Statewide Water Management Act (O.C.G.A. § 12-5-520 through 525). Its purpose, according to statute, is to guide Georgia in managing water resources in a sustainable manner "to support the state's economy, to protect public health and natural systems, and to enhance the quality of life for all citizens." The State Water Council was established, consisting of state agency heads, legislators, the EPD Director and two citizen appointees, and it submitted a draft plan for the General Assembly's consideration on the first day of the 2008 legislative session. The 2008 General Assembly passed House Resolution 1022 early in the session, adopting the water plan as it was passed by the Water Council. On February 6, 2008, Governor Sonny Perdue signed HR 1022 into law.

## **The Water Plan**

The State of Georgia has traditionally not regulated water withdrawals and wastewater discharges in an integrated fashion. The Water Plan's purpose is to integrate the process, consider the full impacts of water withdrawals and discharges on a stream or water body, and employ water management practices to ensure that current and future needs for water supply and assimilative capacity are met throughout the state. Water management practices – to be selected and implemented at the local and regional levels – will apply in such areas as stormwater management, wastewater treatment, water supply and water conservation.

## **Water Resource Assessments**

To begin the planning process, it is essential that the Georgia Environmental Protection Division (EPD), or whomever the state may wish to contract with, assess each water resource in Georgia for its ability to meet current and projected water supply and assimilative capacity needs. This is the heart of the Water Plan as the EPD will have to provide sustainable yield determinations for each water source in a planning region and, in making water withdrawal permitting decisions, evaluate the extent to which cumulative present and forecasted consumptive uses of surface or groundwater can be supplied within the sustainable yield of that source.

The Water Plan acknowledges that these resource assessments will require a substantial information base, a comprehensive monitoring program and a well-coordinated system for information management. While the plan calls on the state to invest substantial resources in this assessment process, a major concern has been that the plan does not indicate the amount of money that will be needed over the long term. Encouragingly, the EPD has requested that the Governor propose about \$30 million – \$10 million for each of the next three fiscal years – to fund these initial assessments. For the first year, FY 2009, the Georgia Environmental Facilities Authority was able to pull together about \$11 million in funds from State Revolving Loan Fund for planning; however, this is likely a one-time opportunity.

Unless a permanent, dedicated source of funding is established, the General Assembly will have to appropriate monies out of the state's general fund to cover subsequent years' assessments and planning. It is of paramount importance that counties pay close attention to upcoming years' budget processes to ensure that the Governor's budgets and legislative appropriations keep this funding a priority. Without comprehensive and continual monitoring to assess the health and yield of Georgia's streams and waters, there can be no plan.

### **Water Planning Regions**

The plan has designated 11 water planning regions that keep counties in tact and reflect, to a large extent, hydrologic boundaries and economic interconnections. These are not necessarily the same boundaries as will be set for water assessment regions as the stated purpose is to accomplish the water monitoring based on river basin boundaries. Also, it is important to note that these planning boundaries had to be consistent with, and could not alter, the boundaries of the Metropolitan North Georgia Water Planning District (Metro District). Cities and counties within the Metro District will be able to participate in contiguous Water Planning Councils (see below). Similarly, local jurisdictions outside the Metro District that rely on water resources that lie in more than one water planning region will have the option of contributing to the preparation of more than one regional water development and conservation plan. Counties that wish to be in another planning region are able to petition the EPD to opt out of their current one and join an adjacent region, but must do so by June 16, 2008. Letters went out to approximately 80 Georgia Counties on April 4, 2008, informing them that they are eligible for this option.

### **Planning Councils and Regional Water Plans**

Following the final determination of regional boundaries, Regional Water Planning Councils (consisting of local government officials, water-related interests and select others in each planning region) will be established – with the target date being January 2009. These regional councils will develop regional forecasts of water supply, storm flows, and assimilative capacity needs based on current and future population, economic and employment estimates. These councils will each consist of 25 members who must be residents of that region. Thirteen members are to be appointed by the Governor, six by the Lieutenant Governor and six by the House Speaker. The Governor must appoint at least four (4) local elected officials to each, half city and half county, and the Lt. Governor and Speaker must appoint two (2) elected local government officials each, again half city and half county. This ensures that local governments will represent at least 8 of the 25 seats (or 32 percent) on each council. Additionally, a local government advisory council will be established within each region, with every city and county having a representative on it. This council will provide input pertaining to population, economic and employment forecasts and other technical aspects prior to regional plans being submitted to the EPD.

The primary purpose of the regional water councils is to identify areas that may face water challenges in the future, then recommend management practices (tailored to local needs and resource conditions) to be implemented in that region to ensure that the forecasted regional water and wastewater needs can be met without exceeding the water quantity and water quality capacities identified in the resource assessments – or to ensure that consumptive use stays within the sustainable yield for that water source.

The compilation of data and recommendation of management practices will take the form of a Water Development and Conservation Plan (WDCP), or “regional water plan.” The development of regional water plans will be overseen by the EPD and public comment will be taken into consideration. Each regional water plan must be consistent with the vision for water management established by Georgia law, ensure that long-term needs for water use and water protection in the water planning region will be met, and cannot cause undue adverse impacts on other water users or water uses. Once complete, the regional water plan will be submitted to the EPD for review. The EPD can adopt it, advise the regional council as to additional measures that should be taken to complete a recommended plan, or adopt a recommended plan with conditions. If a water planning region does not submit a regional water plan by the specified date, the EPD will prepare the region’s plan and identify necessary management practices.

**Table I: Regional Water Plan Principle Elements**

<p>Regional Water Plans shall include the following principal elements, which shall be developed according to guidance that is to be issued by the EPD:</p> <ol style="list-style-type: none"><li>1) Local governments lying in whole or in part within the water planning region;</li><li>2) Planning for regions at the periphery of the water planning region;</li><li>3) Major water users;</li><li>4) Surface water and groundwater sources and their conditions;</li><li>5) Forecasts of 10-, 20-, 30- and 40-year population expectations, water demands, wastewater returns, land surface types and distribution and employment characteristics, developed in consultation with EPD;</li><li>6) Forecasted uses of water bodies for water supply, wastewater discharge, and storm flows for each forecast period;</li><li>7) Comparisons of those forecasts with the sustainable yields and assimilative capacities of water resources as determined by the water quantity and water quality assessments;</li><li>8) Water quantity and quality management objectives for 10-, 20-, 30-, and 40-year time horizons;</li><li>9) Recommendations for appropriate management practices for stormwater management, wastewater treatment, water supply, water conservation, and the general protection of water quality within the planning region. Practices should also ensure the sustainable use of assimilative capacity on a watershed basis, the restoration of impaired waters and protection of waters currently meeting water quality standards;</li><li>10) Consideration of the intersection with current and future state plans which impact water resources such as the State Energy Plan;</li><li>11) Proposals for addressing data and information needs;</li><li>12) Benchmarks for assessment of plan effectiveness and identification of required revisions;</li><li>13) Actions required of the state to support objectives in the recommended water development and conservation plan; and</li><li>14) Other elements established by guidance issued by the Director.</li></ol>
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**Table II: Water Conservation Practices\***

<p>The EPD Director is authorized to require city, county and private water utilities and water providers to develop a water conservation plan and implement some or all of the following water conservation practices:</p> <ol style="list-style-type: none"><li>1) Conduct regular water system audits following methods approved by the EPD Director;</li><li>2) Implement a tiered conservation-oriented rate structure for all customers;</li><li>3) Adopt a water loss control program;</li><li>4) Meter all water uses (current and future), including all outdoor water uses that are not currently metered (i.e., public uses);</li><li>5) Adopt a meter calibration, repair and replacement program;</li><li>6) Adopt a program to collect info on water use by the largest water users/customers and target steps to increase efficiency of their water use;</li><li>7) Enforce [state and local] current outdoor water use schedule(s);</li><li>8) Meter and report all uses of reclaimed reuse water;</li><li>9) Conduct reuse feasibility studies on at least a five-year basis;</li><li>10) Consider the use of grey water, where appropriate, as a substitute for higher quality water;</li><li>11) Consider programs to replace or retrofit inefficient plumbing fixtures; and</li><li>12) Update water conservation plans on a regular basis.</li></ol> <p><i>* Industrial water withdrawal permit applicants are subject to similar conservation requirements. Agriculture is exempt from any conservation measures under the plan.</i></p>
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The Water Plan stresses that water conservation shall be a priority for implementation in all water planning regions. Important to note, regional water plans will specify conservation measures to be implemented in the region so that withdrawals can be effectively managed. Measures include conservation water rates, limiting outdoor watering, regular audits of public water and irrigation systems, water reuse, encouraging the use of centralized sewer systems and discouraging the use of individual septic tanks and land application systems where it is appropriate to do so. To assist the regions, EPD will develop a water conservation implementation plan “toolbox” to provide a list of regulatory and non-regulatory practices that can be used to help meet water conservation goals. ACCG and Georgia counties must remain vigilant in opposing future legislation put forth by special interests seeking exemptions from conservation measures in these regional plans.

### **On-site Sewage Management and Land Application Systems**

The Water Plan recognizes the appropriate role of on-site sewage management practices in meeting Georgia’s wastewater management needs. The plan does, however, stress that managing their effects on the quantity of water returned to surface water sources must be a component of managing consumptive use. Accordingly, the EPD may develop region-specific benchmarks for return flows from on-site systems to respective water sources and mechanisms for meeting those benchmarks. During the preparation of regional water plans, mechanisms to adjust the future use of septic systems as necessary to meet benchmarks for return flows will be considered following guidance to be provided by EPD.

To better ensure their proper function and reduce potential hazards, the plan calls on EPD to work with local governments to enhance requirements for septic system inspection and maintenance. While no additional actions are required, the EPD Director will evaluate the effect of local inspection and maintenance ordinances, monitoring and management of existing on-site sewage management systems, implementation of voluntary guidelines for septic system management, and the proper disposal of septage.

### **Permit Implications**

Of great significance, once adopted, EPD will use regional water plans as a basis for making future water permitting decisions. Applicants for new or modified water withdrawal permits or permit modifications (for non-farm use) must demonstrate progress toward water conservation and efficiency goals. The Water Plan calls for flexibility to be provided in demonstrating progress on implementing conservation measures and that the state will be required to consider existing water use efficiency in its permitting decisions. Also, the EPD will take into account any conservation measures already in place as well as those scheduled to be implemented. If an applicant is unable to demonstrate compliance with conservation goals, the EPD may include within the permit a schedule for the implementation of conservation practices.

The EPD Director is authorized to assess the “reasonableness” of water need in determining whether to issue surface or groundwater permits. A major factor to be taken

into consideration is whether the water source is capable of yielding water while preserving water-related opportunities for present and future uses for the water source and those hydrologically connected. The regional water plans will also guide decisions regarding state grants and loans from the Georgia Environmental Facilities Authority.

Encouragingly, the plan recognizes that while our information base is being improved through water assessments, water use and management – including decisions regarding water permits – permit decisions will proceed based on the best information available and on the laws, rules plans and administrative procedures in place at the time of the application.

### **Water Quality and Watershed Protection Plans**

The Water Plan calls on both the state and local governments to make a concerted effort to better control both point and non-point source pollution on a watershed basis. The primary means by which local governments will be compelled to do this is by conducting watershed assessments and developing watershed protection plans prior to requesting a point-source discharge or land application permit – something the plan maintains that local governments are already required to do. These plans must address water quality standards violations; develop and implement best management practices to prevent future water quality standards violations; and provide ongoing monitoring to either verify the effectiveness of the BMPs or provide information necessary to modify those practices to achieve water quality standards. In review of water withdrawal and drinking water permit applications, the EPD also will evaluate the information in, and status of, any watershed assessment and watershed protection plans affected by the water use and associated discharge.

The state, for its part, will make recommendations to enhance compliance inspection and enforcement capabilities of existing laws, rules and regulations across Georgia and among local issuing authorities. The Water Plan also calls on the state to review current state and local non-point source pollution controls and make recommendations for their enhancement.

On a positive note, the Water Plan calls for water quality standards for bacteria to be reviewed and updated based on current research to ensure that the best available criteria are used to protect public health. It also calls for standards for dissolved oxygen to be updated to reflect the natural variability in Georgia's waters.

### **Metropolitan North Georgia Water Planning District (Metro District)**

Existing state statute requires that the Metro District's plans be revised every five years based on EPD guidance. At the time of this report, 2008 revisions were already well under way. However, extra time had been allotted so that these updates would be consistent with the provisions of the state Water Plan. When the Metro District again revises its plans by 2013, EPD guidance for those revisions will again be consistent with that provided for the preparation of the regional water plans, to include assessments of water supply capabilities and assimilative capacities for the Metro District's water resources.

### **Table III Water Quality Actions at State and Local Levels**

In addition to the Watershed Protection Plans, the following actions will be undertaken by EPD, and Regional Water Planning Councils:

- 1) Update the Georgia Stormwater Management Manual;
- 2) Encourage local stormwater utilities [fees] as a method of funding;
- 3) EPD will develop guidance for local government programs to manage fertilizer for lawn use in areas where phosphorus loading is an issue;
- 4) EPD will work with stakeholders to develop industry-specific best management practices and provisions for self monitoring and enforcement;
- 4) EPD will work with stakeholders to develop watershed education programs to address non-point source pollution in the urban and home setting; and
- 5) Regional planning shall include elements that address stormwater management, including projections of storm-flows, evaluation of stormwater permitting requirements, and assessment of practices to promote infiltration and control non-point source pollutant loading.

In consultation with state and local government agencies involved in land and water management, the EPD Director will evaluate the following actions:

- 1) Watershed limitations on effective impervious surfaces;
- 2) Innovative programs for protection of riparian buffers as well as requirements for revegetation of buffers;
- 3) State and local requirements related to low impact development, improved site design, and growth management;
- 4) Enhanced incentives or requirements for land conservation;
- 5) Requirements for implementation of best management practices to restore waters and watershed currently impacted by non-point sources of pollution; and
- 6) Closer coordination between state and local government agencies with respect to land use decisions and the protection of water resources.

### **Interbasin Transfers**

Interbasin Transfers (IBTs) of raw water will not be permitted until sustainable yield determinations have been completed for the affected water sources and regional water plans have been completed for the affected water planning regions. The plan provides for an extensive list of factors, for both the donor and receiving basins, that the EPD Director should consider in regulating IBT permit applications in order to protect the reasonable use of water in donor basins.

*For questions or concerns, please contact Todd Edwards at ACCG at [tedwards@accg.org](mailto:tedwards@accg.org)  
For more information on the Water Plan, please visit the Water Council's Web site at:  
<http://www.georgiawatercouncil.org/>*