

Georgia Department of Natural Resources

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May 12, 2009

MEMORANDUM

TO: Council Members

FROM: Doug Baughman, CH2MHILL

SUBJECT: CM#1 Meeting Summary
Upper Oconee Water Planning Council Meeting

CC: Kevin Farrell, GA EPD
David Ashley, JIG
Marcy Davis, JIG
Tai-Yi Su, JIG

Georgia Comprehensive Statewide Water Management Plan Regional Water Planning

Council Meeting 1 Summary

Meeting Date: May 8, 2009
Location: Rock Eagle 4H Center

~~1) Council Member Introduction~~

Each Council member introduced themselves and gave a brief description of their background.

~~2) Agency Member Introduction~~

Doug Baughman introduced the consultants for the Council including Doug Baughman (Council Coordinator), Marcy Davis (Council Facilitator), David Ashley (Senior Water Resource Planner), and Kimberly Shorter (Water Resource Engineer). Kevin Farrell (GA EPD Assistant Branch Chief) was also introduced.

Baughman pointed out that nomination and election of Council leadership would happen towards the end of the meeting. He walked through the day's agenda with the Council and then re-capped the kick-off meeting. Council had no questions or comments. Next, Baughman summarized the "35" exercise from

the kick-off meeting and listed the recommended themes and key concepts from that exercise the Council would focus on as they work together to develop the water development and conservation plan.

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 WPC meetings was also summarized.

Council members asked when data would be provided from the resource assessments. The Council was told that the resource assessments would be available at the end of this year and early next year.

Question: When does the “planning” begin?

Response: The population and employment data will be available soon for the WPC to review and that data will be used to develop the water/wastewater forecasts. The water/wastewater forecasts will be the primary area of focus over the next few months. This information will be key to the overall planning process and will drive the development of the future water supply and wastewater needs across the planning area.

Farrell reminded everyone that the interim steps related to how the Council will operate are important and will be essential for the WPC to effectively work together in development of the Plan once the resource assessment data is available.

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

Question: Why are the UGA numbers on population and employment being used versus the existing DCA [Department of Community Affairs] numbers?

Response: UGA is preparing the forecast from scratch but will look at existing numbers. Part of the reason for the new population numbers is that these figures are often calculated differently throughout the state for the various RDCs (Regional Development Centers), and EPD wants this important data to be consistent.

Some members commented that the DCA projections were inadequate in certain sub-regions within Georgia and needed to be revised or updated. After further discussion regarding DCA and the RDCs’ role in the development of the population and employment forecasts, Baughman indicated that the team would get additional clarification from EPD and respond to the WPC by email before the next meeting.

4) Memorandum of Agreement, Operating Procedures, and Rules for Meetings

Farrell went through the MOA with Council members and copies were distributed during the discussion.

Question: Is the MOA a summary and does it have to be approved today?

Response: The WPC will have the opportunity to review the MOA, the operation procedures, and meeting rules and provide comments and suggestions for EPD to consider. State law dictates the contents of the MOA so it cannot be changed, but it is not a contract. The operating procedures and rules will be discussed in more detail after the MOA, but none of them will be approved today.

5) Achieving Results Through Consensus Decision Making

Davis introduced the first exercise. Council members were divided into five working groups. Davis noted that the groups were solely for the purpose of today’s exercise and would not establish permanent

working groups.

The exercise included the following consensus scale as a suggestion

1	2	3	4	5	6	7	8	9	10
I hate			I have			I could agree			I love this
this option			substantial			to this to move			option
and would			reservations			the process			
never agree						forward, but			
to it						there are parts			
						I don't completely			
						agree with			

In their groups, Council members answered the following questions:

- What is consensus?
- How is it measured? How will we know it is reached?
- How do we handle minority opinions?

The groups reported out randomly, therefore the results below are not in order.

Group 2

- Consensus would be somewhere between 67% or higher.
- Debate, negotiation and listening will get to the 67% point – discussion will indicate that consensus is reached.
- Minority opinions will be heard and the group will look for opportunities for compromise, but it is OK for some people to not agree.
- Minority opinions should be captured as part of meeting summaries, especially if the decision is a close one.

Group 1

- Everyone agrees that they can live with the decision, can avoid a vote in getting everyone to agree to “live” with the decision.
- It is important to have the vote as a backup with a 67% majority, if agreement is not easily achieved.
- Chair will lead the process for determining whether an issue is ready for a vote.
- Minority opinion requires a vehicle for recognition; it should be documented and should include a description of the opinion.
- The group agrees with Group 3.

Group 5

- Trying to get to a “7” without having a “3” or a “2” (based on suggested consensus scale)
 - Consensus vote of two-thirds would identify consensus
- Trust of members in the group is important, passionate members in discussion should be respected and trusted.
- The “2s” and “3s” should be heard, but at some point the decision needs to be made for moving forward; however, the group did not feel the need to document the minority opinions.

Group 4

- The group arrived between a “5” to “6” (based on suggested consensus scale).
 - Did not feel that a two-thirds vote is achievable because of the diversity of the basin.
 - Did not want to end up at a stand-still where decisions can't get made.

- Would accept a 50% +1 majority vote
- The group would like the minority opinions recorded.
- With the Metro Water District, there were several close votes that used 50% + 1 and these tough discussions were expected.
- Discussion up to one vote: if it passes, it passes, if it doesn't it, doesn't.

Question: What happens if new information is brought to light after the vote? Is there an opportunity for reconsideration?

Response: This is something that we can add to the operating procedures. Some commented that the Chair would bring the motion forward to re-vote. There is nothing that prohibits reconsideration of a decision.

Group 3

- Everyone is at a level “7” (based on suggested consensus scale), can live with it and move forward
 - Realize that reaching consensus will be very difficult, but think that is the goal of the group
- Consensus is achieved when there is compromise, agreement and willingness to work together with everyone agreeing they can live with the decision
 - The vote would be a backup, but less desirable because there are always disenfranchised people, which can hinder the planning process
 - The group did not determine if the vote was two-thirds or a simple majority (50% +1)
 - 100% of the Council ready to move forward
- Two levels of maturity with minority position; the minority recognizes they are in the minority, but can live with the decision and move forward

After the working groups reported out, Davis led the discussion to reach “consensus” among the Council based on the individual reports. This generated additional questions and discussion, but as a body the Council agreed on the following:

Upper Oconee Water Planning Council Consensus Approach:

- The goal is to achieve a two-thirds vote.
- After one stalemate vote (defined as between 50% and two-thirds of voting members present), the item carries over to the next meeting. If a two-thirds vote is not achieved at the next meeting, a second vote will be taken with the goal of reaching 50%+1 votes. There must be a quorum as defined in the Operating Procedures when voting.
- The minority opinions should be documented in the meeting summary; however, names will not be attached to ideas and similar opinions may be grouped.
- The process should be summarized to make sure everyone has clear understanding.

Question: If the vote was changed slightly is that a new vote?

Discussion: Everyone agreed to follow Roberts’ Rules, where the person making the motion accepts a minor amendment, so it is considered the same vote and not a new motion.

Davis encouraged members to write down additional suggestions regarding reaching consensus. The following note was left by one Council member:

Regarding documentation of the minority opinion(s) –rather than automatically documenting the dissenting opinions, first ask if the person(s) want it documented and then require the dissenter(s) to submit in writing their opinion(s). This ensures the opinion was documented as the dissenter expressed it. In addition, the dissenter may not want the opinion in writing. One may wish to abstain, rather than going on record in writing.

6) Review of Operating Rules and Procedures

After the Consensus Building exercise, Davis led the Council in a second exercise where they reviewed the Operating Rules and Procedures and were charged with either accepting the items as written or making suggested changes subject to EPD approval. She stressed the importance of setting rules and procedures specific to the Council as it would guide the Council for the duration of the planning process.

Group 1: Operating Procedures Section IV, Council Leadership (General Powers, Number and Qualifications, the Chair of the Council, the Vice Chair of the Council, and Selection of Chair and Vice Chair)

- No term limits for chair or vice-chair – would still hold vote every six months, but chair/vice-chair could serve if interested and were voted in by other Council members

Group 2: Operating Procedures Section VI, Meetings and Governance, Part One (Regular Meetings, Other Meetings, Open Meetings, and Meeting Summaries)

- Meeting summaries should be available within two weeks of the meeting

Group 3: Operating Procedures Section VI, Meetings and Governance, Part Two (Quorum, Subcommittees, Presumption of Assent, Resignation of Chair, Vice Chair and Members, Participation by Non-Members and Amendments)

- Requirements on attendance at meetings - any member missing three consecutive meetings or four meetings in two years should resign or be removed, alternates to take the place

Group 4: Rules for Meetings (Purpose of rules, Meeting Roles, Communications and Meeting agenda and summaries)

- Council members will be actively involved - liked Group 3's recommendations on meeting attendance
- Chair or Vice - chair should be provided an opportunity to speak on behalf of Council at public meetings as well as EPD representative
- Agenda - identify beginning and "tentative" end time (to prevent ending meeting before business is finished because a set time has been published)

Group 5: Rules of Conduct (Discussion of Issues, Public Notice and Comment, and Ending the Meeting)

- Public notice – 24 hours seen as possibly not enough time. Agreed that it would be 2 weeks on the website versus the physical posting at the meeting site
- **Question:** Would meeting notice have to be posted in legal organ?
Response: Since recommendations have to be approved by EPD, the Council is not a legal group in the sense of a governing body so there is no requirement to post in legal organs.
- **Question:** Agenda changes after the meeting – concerned about changes after the agenda has been posted to the website. It might prevent some people from attending and participating.
Response: This will be covered in the Public Involvement Plan. EPD stated that they will look at this further.

7) Website Introduction

Shorter and Baughman provided an overview of the new and existing EPD web sites for the Water

Planning Councils. Shorter noted that the official web site should be on-line in the next 2-3 weeks. It was also pointed out that each Council would have its own website and unique url address.

8) Regional Geography, Facilities and Resources Overview

Baughman provided a brief overview of the Upper Oconee water planning region touching specifically on the geography, the number and types of existing facilities, and a look at the available resources within the Council area. Farrell mentioned that the Upper Oconee has very few cross jurisdictional water resources issues with neighboring regions. Ashley pointed out that Farrell had brought several copies of the 1998 Oconee River Basin Management Plan that provides some information, although it is less specific than what will be developed through this process. The presentation generated additional comments and questions.

Question: Are there businesses who are reusing industrial water? If it was clean enough to discharge into the stream, then it is clean enough to reuse.

Response: There is one paper recycling company in Dublin that receives municipal wastewater and reuses it for process water. Some other pulp companies recycle water approximately 5-6 times before discharge. [information from other Council members]

Question: Can you clarify information on agricultural water use permits?

Response: Breakdown of permits in the presentation is based on actual number of permits not percentage of water used. Usage information will be provided in forthcoming agricultural forecasts. Ted Hendrickx with EPD added that land application system (LAS) permits are state-issued permits and not discharge permits; they were included in the same data set, but are not direct discharges to surface waters.

Question: Is the chart showing major/minor wastewater facilities based on number of facilities or percent of volume treated?

Response: Confirmed that chart showed breakdown based on number of facilities not treatment volume.

Information on private systems produced a brief discussion on their impact to the planning region. Baughman explained that private systems include subdivisions, mobile home parks, etc. It was noted that the planning contractors need to look at the number and volume of private systems, but that they appear to be substantial for planning purposes.

Question: Do the number take into consideration mobile home parks that have gone out of business?

Response: These are active permits from the database as of two weeks ago. Someone could have closed a park but not rescinded the permit, because they are 5-year permits.

Question: Will today's presentations be posted on the website?

Response: They can be posted and at the request of members today, they can be e-mailed to individuals. These were not originally distributed because the Planning Contractors did not want to overwhelm Council members.

Finally, Baughman noted that this information provided an historical snapshot and that EPD will be providing new data that will lead decision making. Farrell added that most of the permittees in the basin are all in some phase of expansion planning and that will need to be considered as the planning process moves forward.

9) Trends, Forces, and Factors Exercise

Baughman and Davis explained the exercise which was focused on getting discussion started on the key trends that will influence the development of the water development and conservation plans for the Upper

Oconee Basin. Each work group developed a list of suggestions and presented to them to the group. Then Baughman and Davis helped the Council sort the ideas in to categories of Environmental, Social/Political, Technology, Economic, and Regulatory.

Environmental

- Heavier regulatory standards, with monitoring and enforcement – 303(d) list, watershed assessments, etc.
- Quality issues: Lakes Oconee and Sinclair, high nutrient loading and algae concerns; erosion and sedimentation and phosphorus loading moving from mesotrophic to eutrophic levels
- Bigger nonpoint source challenges; more impervious surfaces and fewer forests
- Water Reuse
- More impaired streams
- Xeriscape – requirements that industry and residents use low water use plants
- Use of groundwater vs. surface water
- Non-point source identification
- Reuse, return, recycle water in the region

Social/Political

- Interbasin transfers; remove from the Oconee to another basin
- Increase in public interest and scrutiny over stewardship of water resources and influence on elected officials
- Conservation efficiencies (education)
- Reservoir permitting process is TOO LONG! It can take decades, the trend is for it to take longer
- Wells limits and concerns Ag. vs Residential
- Demand for recreation
- Recreation, environmental, clean water preservation
- Costs using pricing as a containment to use
- Increase education on water reuse management
- Shortage of critical water personnel

Regulatory

- Higher treatment standards for wastewater discharge
- Define consumptive use – how is it defined by the industry and for public – negative image → increase in water use, we can't achieve everything by conservation (some would say water through a dam, some would say cooling is consumptive – but that water is returned)

Economic

- Population growth in the northern counties
- I-20, I-16, I-85, and 316 growth of industry along that corridor; new industrial park and growth coming from Savannah
- Need for new storage facilities below Sinclair – has to come to capture water to provide needed supplies
- Reservoir storage
- Population growth – along water resources
- Kaolin Industry will use less water in the future – because of declining industry
- New power plants will be water users
- Energy production
- Growth - industrial and residential
- Industrial development

- Incentives for water conservation (rebates/ tax reduction)
- Multi-tiered cost/use punishing good behavior
- Water and sewer rate structures - changing rate structures to meet revenue needs

Technology

- Technology changes in irrigation (more efficient)

The group noted that education was not listed but it certainly is important. They also observed that many of the issues/trends will fall back to economics. In coming up with the “water story” for the region, the following headlines were suggested:

Summary

- It is a water management, not a water shortage problem.
- Protection, promotion, and expansion of the resources we already hav

10) Population and Workforce Trends

Baughman provided an overview of the historic trends and the proposed methods that UGA staff will be used to develop the population and workforce forecasts.

Question: What is the RDCs’ involvement in development of the population forecasts?

Response: The DCA will be involved in the process, which is good because they are so closely involved with the local governments. EPD will help clarify the role of DCA and the RDCs for the Council.

EPD will be sending out a CD that will have the draft population and forecast information for review by the Council and local governments in the planning area. At the next meeting, there will be a discussion about the data that is submitted. UGA is looking for feedback from a number of different entities that will be integrated into the final population and workforce numbers.

11) Leadership Voting

Throughout the day, nominations for Leadership were open. They were written down on a large pad. The four candidates nominated that were interested in serving provided a short “stump speech” prior to voting. As a group, the Council agreed to hold two votes – the first for Chair with the remaining nominees in the running for Vice Chair. After the round of voting, the final results were:

Chair: David Bennett

Vice-Chair: Richard McSpadden

12) Public Comment

Shana Udvardis – 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 Water Coalition is made up of 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.

Council members were then provided a meeting evaluation sheet to complete.

13) Action Items

- Planning Contractor to schedule next meeting and notify Council members
- Planning Contractor to get clarification on DCA and RDCs role in development and review of the population and employment forecasts
- EPD staff to look into requirements for public notice on meetings and potential process for changing meeting agendas after they are posted

The group agreed to set the next meeting for **Friday, June 12**. Tentative location is Reynolds Plantation; Rabun Neal will confirm that meeting space is available.

Meeting Attendees

Council Members

James Andrews	Sandersville
Charles S. Armentrout	Athens
William D. Bennett	Milledgeville
Hunter Bicknell	Jefferson
Vincent Ciampa	Eatonton
Stuart A. Cofer	Watkinsville
Melvin Davis	Watkinsville
Jennifer Davis	Dublin
Larry J. Eley	White Plains
Roger L. Folsom	Dublin
Alan Foster	Eatonton
Linda S. Gantt	Watkinsville
Patricia Graham	Braselton
Partick H. Hard, Sr.	Madison
Dana M. Heil	Athens
Allen M. Hodges	Sandersville
Danny Hogan	Dexter
Dennis W. Holder	Irwinton
Charles H. Jordan	Sandersville
Kevin Little	Monroe
Drew Marczak	Athens
Richard McSpadden	Bogart
W. Rabun Neal	Greensboro
Bill Ross	Statham

Benjamin R. Tarbutton
Greg Thompson
Rep. Terry England
Sen. Bill Cowser

Sandersville
Monroe
Ex-Officio
Ex-Officio

Partnering Agencies and General Public

Marilyn Johnson

Citizen/Property Owner in basin

Harold West

Georgia Forestry Commission

Bryan Tolar

Georgia Agribusiness Council

Susan Varlamoff

University of Georgia, College of Agriculture
and Environmental Sciences
Environmental Protection Division (EPD)

Ted Hendrickx

Eatonton Messenger

Rufus Adair

GA Department of Community Affairs (DCA)

Joseph Krewer

Ethan Armentrout

Armentrout Roebuck Matheny Consulting
Group

Robert Amos

GA Soil and Water Conservation Commission
(GASWCC)

Ralph Hilliard, Jr.

Georgia Onsite Wastewater Association
(GOWA)

Jed Evans

Georgia Farm Bureau

Scott Cole

Carlton Fields (Attorneys at Law)

Keegan Malone

GA Soil and Water Conservation Commission
(GASWCC)

Rob McDowell

Environmental Protection Division (EPD)

Shana Udvardy

Georgia Conservancy

Danny Johnson

Hayes | James (Engineering Firm)

Midge Sweet

Citizen