

The logo features a blue outline of the state of Georgia on the left. To its right, the text "Georgia's" is in a smaller blue font, and "State Water Plan" is in a larger, bold blue font. A horizontal blue brushstroke underline is positioned below the text.

Georgia's State Water Plan

TO: Upper Oconee Council members
FROM: Doug Baughman, Planning Contractor Council Coordinator
RE: Upper Oconee Council Meeting 1
DATE: April 23, 2009

We are looking forward to our first individual council meeting where we will begin the detailed work that will lead to a recommended regional water plan. Toward that purpose, we are forwarding materials for your review prior to the Upper Oconee Council meeting on May 8, 2009, from 9:00 am to 4:30 pm at the Rich Building, **Rock Eagle 4H Center in Eatonton** (350 Rock Eagle Rd., Eatonton).

Five documents are enclosed:

- Pages 1-2 Cover Memorandum
- Page 3 Proposed Council Meeting 1 agenda
- Pages 4-15 Executive Summary of the Regional Water Planning Guidance
- Pages 16-22 Memorandum of agreement to participate in regional planning
- Pages 23-27 Operating procedures (EPD recommendations)
- Pages 28-32 Rules for meetings (EPD recommendations)

As you review these documents, EPD has asked that you consider the following:

- The purpose of the Regional Water Planning Guidance is to provide a framework for preparing regional water plans that will ensure the plans are created within a consistent scientific, statutory, and operational context across the state. The regional water plans, although developed in a consistent fashion, will reflect the unique water resources characteristics of the water planning region and the vision and goals (objectives) established by the regional water planning council. The Regional Water Planning Guidance in its entirety will be available in advance of our second meeting.
- The MOA, operating procedures and rules for meetings, once adopted by the Council, will define the expectations, roles and responsibilities of all those involved in the development of a regional water plan.
- The MOA is intended to establish a good-faith agreement among EPD, DCA, and members of the Water Planning Council. It clarifies roles and responsibilities so that all participants in regional water planning know what to expect. The language of the MOA is

largely drawn from the State Water Plan, state law, and regulations that govern EPD and DCA responsibilities and procedures.

- The operating procedures and rules for meetings are intended to guide the Council in their deliberations. The Council will adopt the operating procedures and rules for meetings as part of the MOA. The attached drafts are recommendations from EPD. They include provisions shown to be effective for groups like the Water Planning Council and were designed by EPD to support the Council's development of a regional water plan that is adoptable and implementable.
- During our first meeting, the Council will discuss the operating procedures and rules for meetings and may identify revisions that would make the documents more workable for the Council. The Council will receive input from EPD at the second meeting and the Council will work to finalize and adopt the MOA, operating procedures and rules for meetings at that time.

We will schedule Council Meeting 2, which is expected to occur on or around June 15, at our first meeting.

If you have any questions or comments before Council Meeting 1, please contact me at 678-530-4031 or by email to Doug.Baughman@CH2M.com.

Thank you for your consideration.

DB/mrh

Cc: Kevin Farrell, Assistant Branch Chief, GA EPD
Diana Jackson, Assistant Council Coordinator
Marci Davis, Planning Contractor Facilitator
Keith Fielder, Putnam County Extension Coordinator

The Comprehensive State-wide Water Management Plan (State Water Plan) calls for the preparation of regional Water Development and Conservation Plans (regional water plans) throughout the state by regional water planning councils. The State Water Plan was developed over a three-year period under the oversight of the Georgia Water Council and with an extensive public involvement process, as mandated by the 2004 Comprehensive State-wide Water Management Planning Act (O.C.G.A. §12-5-522(a)). The Georgia Senate and House of Representatives adopted the State Water Plan in January 2008, which serves as the foundation for this Planning Guidance. The State Water Plan recognizes that the characteristics of water resources and water users vary significantly in differing regions across Georgia. Protecting the ability of the state's water resources to meet the needs for water supply and the assimilation of wastewater will require regional, resource-based plans that identify the management practices appropriate to the resources and users in each water planning region.

To achieve full coverage of the state, the State Water Plan creates ten new water planning regions that join the existing Metropolitan North Georgia Water Planning District (Metro Water District), Figure ES-1. Under the regional water planning council's direction, recommended regional water plans will be prepared to promote the sustainable management of water resources to support the water planning region's (and state's) economy, protect the public health and natural systems, and enhance the quality of life for all citizens.

The purpose of this Planning Guidance is to provide a framework for preparing regional water plans that will ensure a consistent scientific, statutory, and operational context across the state. The regional water plans, although developed in a consistent fashion, will reflect the unique water resources characteristics of the water planning region and the vision, goals, and objectives established by the regional water planning council.

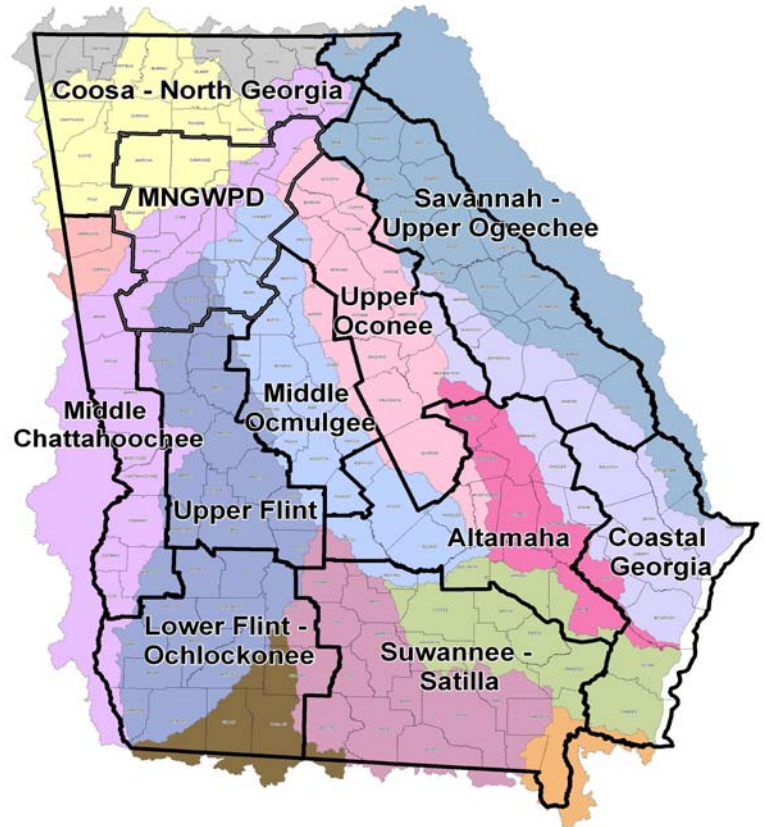


Figure ES-1: Water Planning Regions

This Planning Guidance outlines the major sections that will comprise the regional water plans and how the sections will be developed by regional water planning councils and their regional planning contractor. Important elements of the regional water plans include:

- Regional visions and goals (objectives);
- Water and wastewater forecasts;
- Comparison of resource assessments to forecasts; and
- Water management practices.

The elements of the regional water plan will be consistent with the regional vision and developed within the context of current and future water availability and water quality.

The State Water Plan established a three-year schedule for the completion of regional water plans that is provided in Appendix A. Consistent with this schedule, the regional water planning councils will recommend a draft regional water plan to Georgia EPD no later than January 31, 2011 and will recommend a final regional water plan to Georgia EPD no later than June 30, 2011. If a regional water planning council does not recommend a regional water plan to Georgia EPD within the allotted time, Georgia EPD will develop the regional water plan and associated water management practices. Once approved, Georgia EPD will use the regional water plans to guide permitting decisions, and by Georgia Environmental Facilities Authority (GEFA) to guide state grants and loans decisions.

The regional water planning councils are responsible for completing a number of activities throughout the regional water planning process. The major regional water planning council activities that are important to the development of the regional water plan, summarized in Table ES-1, are listed at the end of the appropriate section in the Executive Summary and further discussed in the full Planning Guidance.

TABLE ES-1: Regional Water Planning Council Activities

COUNCIL ACTIVITY	PLANNING GUIDANCE REFERENCE SECTION(S)
Regional Water Planning Roles and Responsibilities	
#1: Attend and actively participate in regional water planning council meetings	Section 2: Regional water planning roles and responsibilities
#2: Sign a MOA and follow operating procedures	Section 1: Background and purpose
Public Involvement and Council Coordination	
#3: Finalize and follow the Public Involvement Plan	Section 3: Public involvement and council coordination Appendix C: Public Involvement Plan
#4: Receive and incorporate input from the Local Government Advisory Body and public	Section 3: Public involvement and council coordination Appendix C: Public Involvement Plan
Regional Vision	
#5: Draft regional vision and updates	Section 4: Regional visioning and goal setting Appendix A: Master State Water Plan schedule (line 31)
Planning Information Compilation and Evaluation	
#6: Understand the water resource assessments	Section 5: Planning information compilation and evaluation Section 7: Comparing resources and future need Appendix A: Master State Water Plan schedule (line 33)
Water and Wastewater Forecasts	
#7: Understand and finalize forecasted water and wastewater needs	Section 5: Planning information compilation and evaluation Section 6: Water and wastewater forecasts Appendix A: Master State Water Plan schedule (line 32)
Future Water Management Practices	
#8: Select, refine, and finalize selection of management practices	Section 8: Water management practices Appendix A: Master State Water Plan schedule (line 35, 37, 39)
#9: Coordinate with neighboring regional water planning councils regarding the selected water management practices	Section 3: Public involvement and council coordination Appendix C: Public Involvement Plan
Water Development and Conservation Plan	
#10: Prepare a draft Water Development and Conservation Plan and submit to the Georgia EPD Director for review and approval. Make revisions based on comments from Georgia EPD and the public.	Section 9: Water development and conservation plan Appendix A: Master State Water Plan schedule (line 34, 39, 41, 42, 43, and 44)

Regional Water Planning Roles and Responsibilities

The regional water planning process is consensus-driven, meaning that regional water planning council members create a compilation of ‘best’ suggestions with decisions based on agreement through debate, dialogue, and the resolution of differences. The regional water planning process hinges on the regional water planning councils resolving differences and progressing to the next decision. Participants in the consensus-based regional water planning process, include the following:

- **Regional water planning councils** guide the development of the regional water plan including selection of management practices and benchmarks to assess progress toward the regional vision and goals and the purpose of the State Water Plan. The regional water planning councils are composed of 25 members and three alternates and represent local governments, water users and other water-related interests in the water planning region. Regional water planning councils also include a non-voting ex officio member from the Georgia House and Senate.
- **Regional planning contractors** will provide technical and planning support to the regional water planning councils and prepare the regional water plan following regional water planning council guidance.
- A **local government advisory body** and the **public** will provide input during the planning process. The local government advisory body is composed of one representative from each county and city located within the water planning region and will provide implementation experience as well as a permittee-perspective. The members of the local government advisory body will provide input on elements of the regional water plan that impact the fiscal responsibilities of local governments and other relevant data and information required for preparation of the regional water plans. Feedback from stakeholders and the public will also be solicited throughout regional water plan development.
- **Other water planning councils** will coordinate regarding shared water resources.
- **Georgia EPD**, in consultation with a number of partnering state agencies, will ensure consistency with the State Water Plan so that the Director can approve the regional water plans. Georgia EPD also maintains the schedule and budget for regional water plan development. A number of additional **contractors** and other state agencies will support Georgia EPD and the regional water planning process by providing specific supporting information, such as the resource assessments, forecasting, and training.

The roles and responsibilities of the regional water planning council, Georgia EPD, and Georgia Department of Community Affairs (DCA) throughout the plan development process will be formally established in a Memorandum of Agreement (MOA). The new regional water planning councils will execute a MOA by June 30, 2009. In compliance with the MOA, the new regional water planning councils will have operating procedures that outline the governance structure, decision-making procedures, joint meeting schedules, procedures for open meetings, and rules of conduct.

The Georgia General Assembly created the existing Metro Water District in 2001 (O.C.G.A. §§ 12-5-571 et seq.). The Metro Water District has adopted three integrated water resource plans: Water Supply and Water Conservation Management Plan, Long-term Wastewater Management Plan, and District-wide Watershed Management Plan. While the Metro Water District will continue implementing their currently adopted plans, the provisions of the State Water Plan will be included in the revisions to future Metro Water District management plans. The Metro Water District currently has an existing governance structure that will continue to serve as the water planning council for the 15-county area. The roles, responsibilities and regional water plan development for this first planning process applies to the ten new water planning regions, since the Metro Water District is already implementing their management plans.

Regional Water Planning Council Activities:

#1: *Attend and actively participate in regional water planning council meetings* – Regional water planning council members are expected to participate in regional water planning council meetings to provide the background needed to create a draft regional water plan.

#2: *Sign a MOA and follow operating procedures* – The MOA formally outlines the regional water planning responsibilities of the regional water planning council, Georgia EPD, and Georgia DCA.

Public Involvement and Council Coordination

The regional water planning council's Public Involvement Plan provides the opportunity for stakeholder participation from the local government advisory body, other regional water planning councils, and the public during the regional water planning process. The regional water planning councils will schedule a minimum of quarterly meetings during the regional water planning process. The meetings will serve as a regional forum for education and discussion with a consensus-driven process outlined in the MOA and operating procedures. All regional water planning council meetings will be open meetings and announced at least 24-hours in advance of the meeting.

Regional water planning councils and their regional planning contractors will coordinate with other regional water planning councils throughout the regional water planning process on issues such as protection of shared resources and coordinated selection of management practices. In the event conflicts occur between regional water planning councils, all parties will follow dispute resolution procedures as outlined in Appendix D.

Regional Water Planning Council Activities:

#3: *Finalize and follow the Public Involvement Plan* – Regional water planning councils will finalize and follow the Public Involvement Plan to provide for an open process.

#4: *Receive and incorporate input from the Local Government Advisory Body and the public* - As part of the open process, regional water planning councils will receive and incorporate input from the Local Government Advisory Body and the public.

Regional Vision

Regional water planning councils will initiate the planning process by creating a regional vision that summarizes long-term economic, population, environmental, and water use guiding goals and principles. The regional water planning councils will further articulate the initial vision by setting action-oriented goals. The regional vision and subsequent goals will guide the selection of water management practices.

Visioning is not a static process, and as the planning process advances, each regional water planning council may modify their regional vision based on a greater understanding of the water planning region's water resources and resource use. Specifically, the vision will be revisited following completion of the population and employment forecasts, water and wastewater forecasts, comparison of resource assessment to forecasted needs, and during the management practice selection process.

Regional Water Planning Council Activities:

#5: Draft regional vision and updates - Regional water planning council members will develop a regional vision to guide the regional water planning process and update the vision as necessary.

Planning Information Compilation and Evaluation

The regional water plans will be developed using available information provided by Georgia EPD and their contractors and supplemented with information compiled by the regional water planning councils and the regional planning contractors. Data and information provided by Georgia EPD, or their contractors, during the plan development process include: population and employment forecasts, existing and forecasted land cover, and resource assessments. Resource assessments will analyze the water quality, water availability, and groundwater availability within each watershed and aquifer. The resource assessments will be used to evaluate current and future impacts to water resources within the water planning region.

Additionally, regional water planning councils and their regional planning contractors will incorporate existing regional and local plans, as appropriate, to augment information provided by Georgia EPD and other contractors.

Regional Water Planning Council Activities:

#6: Understand the water resource assessments - Regional water planning council members will participate in joint regional water planning council meetings to understand the current water resource assessments and their impact on future water use.

Water and Wastewater Forecasts

Water and wastewater forecasts for municipal, industrial, agricultural, and energy water use categories establish the future demand on the water planning region's water resources and quantify future water and wastewater needs.

Based on population and employment forecasts, with input from regional water planning councils, the regional planning contractors will develop municipal and industrial water and wastewater forecasts through 2050 for each water source. Georgia EPD and their contractors will provide the forecasts for agriculture and energy demands. The regional water planning councils may adjust the regional vision as necessary to align with the water and wastewater forecasts.

Regional Water Planning Council Activities:

#7: Understand and finalize forecasted water and wastewater needs - Regional water planning council members will work with the regional planning contractor to forecast future municipal and industrial water and wastewater needs and understand energy and agriculture forecasted needs.

Compare Water Resources and Needs

The regional water planning councils with support from the regional planning contractor will compare the resource assessments with the total water and wastewater forecasted need. The shortfall between the resource assessments and forecasted needs, or "gaps", will become water quantity and water quality management objectives. The water quantity and water quality management objectives guide the initial selection of water management practices by the regional water planning councils. If there are no "gaps", the regional vision and goals may still drive the selection of management practices to increase water efficiency, protect water quality, and avoid future water resources "gaps".

Water resource gaps may not be evenly distributed geographically. Regional water planning councils and their regional planning contractors will identify the specific sub-basins and stream reaches with the most critical water availability and water quality gaps. Analysis of the gaps and their locations in the water planning region will guide the regional water planning councils' initial selection of management practices. The final selection of water management practices will be refined using the future resource model results. The regional vision and goals may be adjusted as necessary to align with the forecasted resource gaps and the water management practices.

Future Water Management Practices

Regional water planning councils will select a suite of water management practices that consider all water uses: offstream uses including agricultural, energy, municipal and domestic, commercial, and industrial as well as instream uses including waste assimilation, hydropower, recreation, maintenance of aquatic habitats, and support of biological integrity. Impacts to the resources used by surrounding regional water planning councils will also be considered. Management practices may include those for stormwater management, wastewater treatment, water supply, water conservation, education, and other practices necessary to manage water resources sustainably to support all water uses, both natural and human. This Planning Guidance suggests methods for evaluating and selecting management practices.

Water conservation will be a priority water availability management practice. Water conservation will be practiced by all water use sectors to help meet water needs. Regional water planning councils, with input from the local government advisory body, will consider the fiscal impacts to the water planning region as well as impacts on shared water resources while evaluating water management practices.

The selection of water management practices will be an iterative process with opportunity for public comment and input from the local government advisory body. The initial set of water management practices selected by the regional water planning councils will be evaluated using the Georgia EPD resource assessment models. The output from the resource assessment models will show whether the selected water management practices are sufficient to close the previously identified resource gaps without adverse impacts on other water uses. Regional water planning councils and Georgia EPD will work together to refine and finalize the management practices.

Technical guidance in addition to this Planning Guidance will be issued throughout the planning process to support selection and evaluation of management practices. For example, return flows guidance will be developed to assist with calculations of return flows from septic systems and land application systems to supplement available water supplies. Similarly, the Water Conservation Implementation Plan (WCIP) that is being developed by Georgia EPD will be available to guide the selection of appropriate water conservation management practices.

Regional Water Planning Council Activities:

#8: *Select, refine, and finalize selection of management practices* - Regional water planning council members will identify water management practices that lead to sustainable water use.

#9: *Coordinate with neighboring regional water planning councils regarding the selected water management practices* - Water management practices will be coordinated with neighboring water planning regions, especially in terms of shared water resources.

Water Development and Conservation Plan

The future management practices will be documented in the draft regional water plan, to be written by the regional planning contractors on behalf of the regional water planning council. The regional water plan will follow the template provided by Georgia EPD to ensure completeness and consistency across the state. The regional water plan will include a summary of the results of the planning process as well as a schedule for implementation of the water management practices.

While the regional water planning councils will select water management practices, the regional water plans will be implemented by water users, including local governments and entities who apply for water permits, grants, and loans. Each regional water plan will include a schedule for implementation actions required to realize the regional vision and sustainably manage regional water resources. Regional water planning councils and their regional planning contractors will assess the implementation costs for the selected water management practices based on methodology in this Planning Guidance or as approved by Georgia EPD.

Each regional water planning council will identify quantitative and qualitative benchmarks that facilitate a long-term assessment of the water planning region's progress toward achieving their regional vision and goals and the guiding policies of the State Water Plan.

Regional Water Planning Council Activities:

#10: Prepare draft Water Development and Conservation Plan and submit to the Georgia EPD Director for review and approval. Make revisions based on comments from Georgia EPD and the public - Regional water planning council members will develop a draft regional water plan and make the necessary changes to develop an adoptable regional water plan.

Conclusion

The preparation of the first regional water plans is an historic undertaking to protect Georgia's natural resources while sustaining economic prosperity and quality of life for Georgia's citizens. Water management challenges have become more complex as population has increased, new employment opportunities have been created, and as trends in climate and environmental conditions have changed. The regional water plans establish the foundation to maintain opportunities for current and future use of Georgia's precious water resources.

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**MEMORANDUM OF AGREEMENT FOR PARTICIPATION IN
REGIONAL WATER PLANNING**

**BETWEEN
GEORGIA ENVIRONMENTAL PROTECTION DIVISION
AND
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS
AND
UPPER OCONEE WATER PLANNING COUNCIL**

FOR

**COOPERATION RELATING TO THE PREPARATION OF A REGIONAL WATER
DEVELOPMENT AND CONSERVATION PLAN**

THIS MEMORANDUM OF AGREEMENT is made and entered into this _____ day of _____, 2009, by and between the Environmental Protection Division of the Georgia Department of Natural Resources (hereinafter referred to as EPD); the Georgia Department of Community Affairs (hereinafter referred to as DCA); and the *Upper Oconee* Water Planning Council (hereinafter referred to as *Upper Oconee* WPC).

WHEREAS, during its 2004 session, the General Assembly passed the “Comprehensive State-wide Water Management Planning Act” (O.C.G.A. §12-5-520) that declared the need for a comprehensive state-wide water management plan and set forth policies to guide regional water planning efforts; and

WHEREAS, during its 2008 session, the General Assembly passed and Governor Sonny Perdue signed HR 1022, the Georgia Comprehensive State-wide Water Management Plan to help guide the stewardship of Georgia’s precious water resources to ensure that those resources continue to support growth and prosperity statewide while maintaining healthy natural systems; and

WHEREAS, water resources availability and water needs vary widely over geographic regions in Georgia, and future population growth and economic development will occur in manners unique to each geographic region; and

WHEREAS, the Comprehensive State-wide Water Management Plan provides a framework for: 1) assessing the capacities of water resources, 2) forecasting future water supply and assimilative capacity needs, and 3) identifying and documenting – via a Water Development and Conservation Plan - regional water management solutions that will allow future water needs to be met in a sustainable fashion; and

WHEREAS, O.C.G.A. §§ 12-5-31, 12-5-96, and 12-5-522 call for the preparation of regional water development and conservation plans; and

WHEREAS, the Comprehensive State-wide Water Management Plan provides for the creation and execution of a Memorandum of Agreement (MOA) between each regional water planning council and EPD and DCA; and

WHEREAS, the subject MOA is to establish procedures for the said entities relative to development of the Water Development and Conservation Plans; and

WHEREAS, the *Upper Oconee WPC* needs to establish operating procedures, goals and objectives to govern its actions and decisions, and

WHEREAS, the *Upper Oconee WPC* is to develop and submit a recommended regional Water Development and Conservation Plan (WDCCP) to the EPD Director and that responsibilities and procedures for development of the recommended plan need to be clarified; and

WHEREAS, the ultimate success of the Regional Water Development and Conservation Plan is to be found in its successful implementation; and

WHEREAS, this agreement will have at a minimum a three-year term and can be renewed and amended upon written approval of all parties; and

WHEREAS, execution of this Memorandum Of Agreement shall be a condition precedent to issuance of the EPD Director's letter of delegation to the *Upper Oconee WPC* per Rules for Regional Water Planning, Section 391-3-32-.01(4)(b).

NOW, THEREFORE, EPD, DCA AND *Upper Oconee WPC* agree as follows:

- 1. Responsibilities of the *Upper Oconee Water Planning Council* include:**
 - A. Following regional planning guidance developed by EPD, the *Upper Oconee WPC* will submit a recommended Regional Water Development and Conservation Plan to the EPD Director. The *Upper Oconee WPC* will be required to submit early drafts of Water Development and Conservation Plan elements and quarterly progress reports as described in the planning guidance.
 - B. Adopting a Public Involvement Plan based on a template provided by EPD and actively seeking the input and advice of affected local governments, water providers, and other interested stakeholders.
 - C. Providing a regional forum for involving and coordinating with local governments within the planning region as well as with local governments outside the region boundaries that rely on, or impact, water resources within the planning region. Involvement may include (but not be limited to) education, discussion, and technical analyses.
 - D. Coordinating with adjacent water planning councils and/or water planning councils that share water resources.

- E. Conducting open meetings. A reasonable amount of time must be provided to solicit and collect public comment during the meetings.
- F. Directing the Regional Planning Contractor in establishing meeting schedules and agendas, developing plan content, and identifying and selecting management practices and other key elements of the Regional Water Development and Conservation Plan. The above must be done in accordance with guidance, budget and schedule provided by EPD.
- G. Using data and information provided by EPD and other appropriate sources and in cooperation with on-going statewide water management planning initiatives, prepare a recommended Regional Water Development and Conservation Plan for adoption by the EPD Director. Identify management practices that will be used to ensure that forecasted water resource needs are met.
- H. With support from their Regional Planning Contractor, coordinating with DCA to ensure the Regional Water Development and Conservation Plan is developed in concert with the regional and local government comprehensive planning process; to identify inconsistencies between local government and regional Comprehensive Plans and the Regional Water Development and Conservation Plan; and to recommend a timeline for reconciling any inconsistencies.
- I. Coordinating with EPD to address and respond to comments received during the 45-day public comment period associated with their Water Development and Conservation Plan.
- J. The Operating Procedures and Rules for Meetings of the *Upper Oconee WPC* are shown in Attachment A and adopted as part of this Memorandum of Agreement.

2. Responsibilities of EPD include:

- A. Providing *Upper Oconee WPC* a Regional Planning Contractor who will assist *Upper Oconee WPC* with specifying Operating Procedures that will address at a minimum council leadership, decision-making, meetings, and governance. The Regional Planning Contractor will assist *Upper Oconee WPC* with planning, organizing, preparing, and writing a recommended Regional Water Development and Conservation Plan.
- B. Providing technical and planning guidance documents to assist *Upper Oconee WPC* and their Regional Planning Contractor with the preparation of the Regional Water Development and Conservation Plan.
- C. Providing a template for a Public Involvement Plan that establishes the basic public involvement activities to be undertaken by all regional water planning councils. Basic activities will actively seeks the input and advice of affected local governments, water providers, and other interested stakeholders. The Public Involvement Plan will include provisions for an advisory body of elected officials who will provide

recommendations and input on regional population, economic and employment forecasts, impacts of fiscal responsibilities, and other data and information required for the preparation of the Water Development and Conservation Plan.

- D. Providing *Upper Oconee WPC* and their Regional Planning Contractor with the following types of information:
- i. The current sustainable water quantity capacity of the major rivers, streams, and lakes, within the *Upper Oconee WPC* (surface water availability assessment)
 - ii. The current assimilative capacity of the major rivers and streams within the *Upper Oconee WPC* (surface water quality assessment).
 - iii. Determination of the characterization of groundwater resources in the region (groundwater quantity and quality assessment).
 - iv. Forecasts of 10-, 20-, 30-, and 40-year population projections
 - v. Employment projections
 - vi. Projected Water Withdrawal
 - vii. Energy water use
 - viii. Land surface types and distribution
- E. In cooperation with federal agencies, local governments, and other partners, continuing to monitor water resources conditions within the *Upper Oconee WPC* to maintain and update data and information on the status of the region's waters.
- F. Reviewing drafts of the *Upper Oconee WPC's* Water Development and Conservation Plan to ensure it is consistent with planning guidance to be provided by EPD in accordance with the Comprehensive State-wide Water Management Plan.
- G. Ensuring coordination of water planning across the boundaries of adjoining water planning regions.
- H. Providing fiscal oversight and contract management of the Regional Planning Contractor assigned to the *Upper Oconee WPC*.
- I. Consulting with DCA to ensure that the planned implementation of the Water Development and Conservation Plan is done in concert with the regional and local government comprehensive planning process.
- J. Providing public notice of the recommended Water Development and Conservation Plan and a comment period of at least forty-five days.
- K. Adopting the *Upper Oconee WPC's* Regional Water Development and Conservation Plan if it is complete and consistent with EPD guidance.

3. Responsibilities of DCA include:

- A. Upon request of the *Upper Oconee WPC*, in meeting its responsibilities identified in Section 1.H. above, providing guidance to the Councils, on land use planning and existing regulatory tools that will lead to identifying inconsistencies between the local government and Regional Commission Comprehensive Plan(s) and the Regional Water Development and Conservation Plan.
- B. Upon request of the *Upper Oconee WPC*, assist in preparing a timeline, based on priorities established by the Council, in consultation with local governments within its region and DCA, to be used by these local governments, Regional Commissions, and the *Upper Oconee WPC* to establish deadlines by which inconsistencies between the individual local government and Regional Commission Comprehensive Plans and the Regional Water Development and Conservation Plan will be reconciled.
- C. As jointly agreed upon by DCA and the *Upper Oconee WPC*, DCA will revise DCA's local government and regional Comprehensive Planning 'Recertification Schedule' to incorporate the agreed upon deadlines for local government and Regional Commission Comprehensive Plans to be revised, updated, etc. to eliminate identified inconsistencies between these local government and Regional Commission Comprehensive Plans and the Regional Water Development and Conservation Plan.
- D. As local government and Regional Commission Comprehensive Plans are being revised, updated, etc. during the 2009-2011 timeframe, DCA will provide the *Upper Oconee WPC* an opportunity to review and comment on the local or Regional Commission Comprehensive Plan's consistency with the Council's Regional Water Development and Conservation Plan.

IN WITNESS WHEREOF, the parties have hereunto, acting by and through their duly authorized officers and agents, set their hands upon this _____ day of _____, 2009.

ENVIRONMENTAL PROTECTION DIVISION

BY: _____
Carol A. Couch, Director

DEPARTMENT OF COMMUNITY AFFAIRS

BY: _____
Mike Beatty, Commissioner

UPPER OCONEE WATER PLANNING COUNCIL

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ATTACHMENT A

**UPPER OCONEE WATER PLANNING COUNCIL
OPERATING PROCEDURES**

I. NAME AND PURPOSE

The name of this organization shall be the Upper Oconee Water Planning Council.

The purpose of the Upper Oconee Water Planning Council is to prepare a recommended regional Water Development and Conservation Plan that promotes the sustainable use of the water resources of the planning region, through the selection of an array of management practices, that will support the region's and state's economy, protect public health and natural systems, and enhance the quality of life for all citizens. The Water Development and Conservation Plan will identify management practices that will be used to ensure that forecasted water resource needs are met.

II. DEFINITIONS

Advisory body of local elected officials – Group composed of one representative from each county and city in the water planning region, to provide recommendations and input on regional population, economic and employment forecasts and on other data and information required for preparation of the water development and conservation plan.

Chair – The individual responsible for presiding at council meetings.

Consensus – Cooperative development of mutually acceptable decisions. A consensus decision is understood to mean that Upper Oconee Water Planning Council members have had an opportunity to express their views, understand the decision and, given the efforts made to address different interests, are willing to live with the specified course of action.

Council members – Individuals who have been appointed by the Governor, Lt. Governor, and Speaker to serve on the Upper Oconee Water Planning Council through the process specified in the Georgia Comprehensive State-wide Water Management Plan.

EPD – Environmental Protection Division.

Operating Procedures – The procedures by which the Upper Oconee Water Planning Council will handle their activities.

Quorum – The minimum number of Council members required to be present at a meeting before any business can be transacted. In the case of the Upper Oconee Water Planning Council, 50 percent plus one of the filled appointee positions shall constitute a quorum.

Regional Planning Contractor – EPD provided Contractor who will assist and support the Upper Oconee Water Planning Council with planning, organizing, preparing, and writing a water development and conservation plan.

Rules for Meetings – The rules guiding Council members during Council meetings and deliberations.

Two-thirds majority vote – Sixty-seven percent or more of the Council members present at a meeting.

Vice-Chair – Individual selected by the Council that in the absence of the Chair performs the duties of the Chair.

Water Council Leadership – Chair and Vice Chair

Water Planning Regions – Those regions established by the Georgia Comprehensive State-wide Water Management Plan.

III. COUNCIL MEMBERSHIP

Council Members. Individuals that represent interests such as agriculture, forestry, industry, commerce, local governments, water utilities, regional development centers, tourism, recreation and the environment. The Governor appointed thirteen members plus one alternate; the Lieutenant Governor appointed six members plus one alternate and the Speaker of the House appointed six members plus one alternate. The Lieutenant Governor and Speaker also each appointed a non-voting ex officio member from among the membership of the Senate and House.

Term of Office. Members shall have a three-year term with re-appointment at the pleasure of the initial appointing authority. Ex-officio members appointed by the Lieutenant Governor and Speaker shall serve two-year terms. In the event of a vacancy, the official who made the initial appointment shall appoint a replacement to serve the remainder of the applicable term.

IV. COUNCIL LEADERSHIP

General Powers. The Upper Oconee Water Planning Council Leadership shall function within existing State laws and regulations and shall follow guidance provided by EPD.

Number and Qualifications. The Upper Oconee Georgia Water Planning Council shall have one Chair and one Vice Chair. The Chair and Vice Chair shall be selected by a two-thirds majority vote and shall serve a six-month term.

The Chair of the Council. The Upper Oconee Georgia Water Planning Council shall select a Chair. The Chair shall preside at all meetings of the Upper Oconee Water Planning Council. The Chair shall work with the Regional Planning Contractor to ensure that all meeting notices are provided in a timely manner. The Chair shall also work with the Regional Planning Contractor to identify the purpose and necessary outcomes for each meeting and ensure that those outcomes are achieved. The Chair shall convey requests of the Council to EPD and DCA.

The Vice-Chair of the Council. The Upper Oconee Water Planning Council shall select one Vice Chair. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair. The Vice Chair shall be responsible for reviewing and keeping written copies of meeting summaries and decisions recorded by the Regional Planning Contractor. The Vice-Chair may convey requests of the Council to EPD and DCA.

Selection of Chair and Vice-Chair. The initial Chair and Vice-Chair shall be selected by two-thirds majority vote of the members present at the first regular meeting of the Upper Oconee Water Planning Council. At the end of the first six-month term and every six months thereafter, the Council shall select a Chair and Vice Chair by two-thirds majority vote.

V. DECISION MAKING

Decision-Making. The Upper Oconee Water Planning Council shall attempt to reach consensus in its decision making, as described in its Rules for Meetings. In the event consensus on a decision cannot be reached in a reasonable time period, the Council may make decisions by a two-thirds majority vote. The Chair, after a reasonable discussion period, may initiate a vote on a decision, unless over-ruled by a simple majority (50 percent plus one) of the members present at the meeting.

Participation in decision making. All members of the Upper Oconee Water Planning Council who are present at a meeting may participate in discussion and efforts to reach consensus. For purposes of voting on Council decisions, each member shall have one vote. Alternate members will be eligible to vote if counted to constitute a quorum. If any alternate members are counted to constitute a quorum, all alternates present at the meeting shall be eligible to vote. Ex-officio members are non-voting members of the Council. Any member can send a designee to a meeting for information purposes only, but that designee will not participate in Council deliberations or voting.

Non-Represented Interests. Government agencies, individuals, local governments, and other organizations not directly represented by a water planning council member are encouraged to participate during designated public comment periods during

Council meetings, however, non-represented interests will not act as voting members of the Upper Oconee Georgia Water Planning Council.

VI. MEETINGS AND GOVERNANCE

Regular Meetings. A regular meeting of the Upper Oconee Water Planning Council shall be held once per quarter in 2009, 2010, and 2011 (time period might be shortened if the Water Development and Conservation Plan is completed and adopted by the Director prior to June 2011). The notice of the meeting must be posted on the Council website and local newspaper(s) and distributed in such a manner so as to allow for public participation. The Upper Oconee Water Planning Council is encouraged to schedule its regular meetings on days and times that allow for full and diverse participation.

Other Meetings. Joint meetings with other water planning councils and additional meetings of the Upper Oconee Georgia Water Planning Council will be held as determined by the Council or EPD. The notice of these meeting must be posted and distributed in such a manner so as to allow for public participation.

Open Meetings. The Upper Oconee Water Planning Council shall conduct open meetings. The Council shall give at least 24-hour notice of any meeting and post the announcement in a public place(s). A meeting agenda or summary of topics shall be published with the notice. The Upper Oconee Water Planning Council is intended to be a public endeavor, with input from all who want to contribute.

Meeting summaries. The Regional Planning Contractor working with the Council shall keep accurate meeting summaries of all Upper Oconee Water Planning Council meetings. All meeting summaries shall be subject to approval at the subsequent Upper Oconee Water Planning Council meeting. The meeting summaries shall be made available to the public.

Quorum. A majority of the total membership of the Upper Oconee Georgia Water Planning Council shall be present before specifying consensus agreement or voting on any major decisions at each meeting. If a quorum is not present (see definition in Section III), a majority of the members present may adjourn the meeting without further notice.

Subcommittees. The Upper Oconee Water Planning Council shall have the ability to establish subcommittees made up of Council members to facilitate dialogue and resolution of issues and conflicts within the water planning region, with adjacent water planning regions, or with water planning regions that rely upon shared resources.

Presumption of Assent. A member of the Upper Oconee Water Planning Council who is present at a meeting at which action on any matter is taken shall be presumed to have assented to the action unless the dissent of such Member is recorded by being entered in the summary of the meeting.

Resignation of Chair, Vice Chair and Members. Any Chair, Vice Chair or Member may resign at any time by submitting a resignation in writing to the State official that made that member's initial appointment with a copy to the Director of EPD. Such resignation takes effect from the time of its receipt by State officials unless a date or time is fixed in the resignation, in which case it will take effect from that time. Acceptance of the resignation shall not be required to make it effective.

Participation by Non-Members. Public participation in the Upper Oconee Water Planning Council process is encouraged by expressing views and opinions to the council Members. The Chair may adopt special rules of discussion consistent with the Public Involvement Plan on a case-by-case basis, however a reasonable amount of time must be provided to solicit and collect public comments during each meeting.

Rules for Meetings.

After EPD review and comment, the Upper Oconee Water Planning Council will, by consensus or a two-thirds majority vote, adopt Rules of Meeting based on a template provided by EPD. Once adopted, the Rules for Meetings shall be the regular meeting method of the Council and any subcommittees it establishes.

VIII. AMENDMENTS

These operating procedures and the Council's Rules for Meetings shall be reviewed annually. After EPD review and comment, the procedures may be altered, amended, or replaced by new operating procedures by consensus or by a two-thirds majority vote of the Upper Oconee Water Planning Council members. All Members shall have received written notice of any and all proposed changes to the operating procedures at least two weeks prior to the date such changes are to be acted upon.

Approved:

____ / ____ /2009

Rules for Meetings Recommended by EPD for Council Consideration

Rule 1: Purpose of rules

A. These rules of conduct specify expectations and meeting processes to guide Water Planning Councils and their members in development of recommended Water Development and Conservation plans. The rules are subordinate to (1) regional water planning guidance provided by EPD, (2) the MOA between the Upper Oconee Council, EPD, and DCA, and (3) the Operating Procedures adopted by the Upper Oconee Council.

Rule 2: Meeting Roles

A. The Chair of the Council will preside at Council meetings. The Chair's responsibilities include working with the Regional Planning Contractor to prepare draft agenda, facilitate Council deliberations, and ensure productive discussion at Council meetings. The Chair will also work with the Regional Planning Contractor to guide the Council through consensus decision-making and voting processes.

B. The Vice Chair of the Council will perform the Chair's duties in that person's absence and will be responsible for reviewing and keeping copies of meeting summaries and decisions recorded by the Regional Planning Contractor.

C. Council members will actively participate in Council deliberations, following guidelines for communications listed below. Any member can offer verbal or written proposals for the group's consideration. Members are responsible for communicating their opinions on proposals under discussion and offering revisions to make proposals more acceptable.

D. Regional Planning Contractors will support the Council in development of the WDCP. Contractors will provide technical resources and neutral facilitators to work with the Chair and assist Council members in finding mutually acceptable solutions. As specified in consultation with the Council Chair, planning contractors may facilitate Council meetings, guide consensus decision-making and/or voting processes, and work with members during and outside of meetings to resolve differences. Contractors will also serve as recorders during the meeting and produce meeting summaries for review and approval by the Council.

E. EPD Representative. Each Council will have a designated representative from EPD who will attend Council meetings as an information resource. The EPD representative will be available to answer questions about the planning process and provide feedback on Council progress to date, as requested. The representative is also available to talk with members of the media. Finally, the representative can access other resources within EPD to answer technical questions that may arise during Council deliberations.

Rule 3: Communications

A. In order to have open and productive discussions, Council members agree to the following rules and will follow them in Council meetings and other communications regarding Council business:

1. One person will speak at a time. Members will refrain from interrupting each other and from side conversations that distract others from listening to the person speaking.
2. Each person will speak for themselves rather than attempting to speak for others at the table.
3. Members will strive to listen, be open-minded and maintain a sense of humor.
4. Each person will make every effort to stay on track with the agenda and avoid grandstanding or digressions.
5. Members will seek a better understanding of different interests and perspectives and try to find common ground.
6. Members will refrain from personal attacks, statements blaming others for specific actions or outcomes, and aggressive verbal or nonverbal behavior or sarcasm.
7. Members will seek to resolve differences and disputes within the Council's planning process, with assistance from the Regional Planning Contractor, rather than attempting to use external channels to influence Council deliberations.

Rule 4: Meeting agenda and summaries

A. The Council Chair will work with the Regional Planning Contractor to prepare a draft agenda. Each agenda will state the meeting's purpose and include a checklist of intended results. Meeting agenda will focus on the elements of WDCP development specified in the regional planning guidance.

B. Agenda will include the beginning and end times for the meeting, discussion topics and action items, estimated time limits in minutes for each topic, and the name of the person leading each topic.

C. The agenda and any supporting or background material will be distributed in advance of each meeting (electronically or by regular mail). Materials will be delivered in sufficient time for review prior to each meeting.

D. Members will be given a chance to read and modify the agenda at the beginning of each meeting. Before proceeding, the group will reach agreement on the agenda, including meeting purpose, intended results, and anticipated decision points.

E. The Planning Contractor will produce written summaries of each meeting, documenting all decisions and highlights of the discussion that led to those decisions. Summaries will be distributed to Council members for review before the next meeting.

F. The summary of the previous meeting shall be subject to approval at each meeting. The summary and any action items that do not require individual consideration may be placed on the agenda at the beginning in a "consent agenda" section. This information will be provided ahead of time or before the start of the meeting.

G. Consent agenda items will not be discussed individually unless any member requests that they be removed from this section and placed on the regular agenda as a separate item for discussion.

Rule 5: Discussion of issues

A. Any item that is on the agenda as approved at the beginning of the meeting may be discussed. A motion or a second is not required. The Chair or Planning Contractor will introduce the item or topic and, when appropriate, lead the Council in open discussion to identify potential actions or solutions.

B. To assist in developing WDCP content, planning contractors will produce background information and may propose alternatives for Council review and consideration.

C. Any Council members may make verbal or written proposals to the Council. Written proposals should state the problem or concern to be addressed and then state the proposed solution.

C. Whenever possible, written proposals should be provided to the Chair and Planning Contractor so they can be distributed for review prior to each meeting.

D. All members will be given an opportunity to speak or ask questions. Any member can suggest changes to a proposal, and the proposal can be modified with group agreement.

F. The Chair or the Planning Contractor's facilitator will ensure that pros and cons are discussed and that all points of view are encouraged.

Rule 6: Decision making

- A. After a proposal has been presented, the Chair or the Planning Contractor will lead the Council through open discussion of pros and cons. All members will be given an opportunity to speak at least once on each proposal.
- B. After thorough discussion, the Chair or Planning Contractor will re-state the proposal with any modifications made as a result of the discussion. The Chair or Planning Contractor will then test for consensus: *“Who can’t live with this agreement or course of action as modified to meet the all of the interests expressed so far?”*
- C. The Chair or Planning Contractor may ask members to indicate their level of agreement or disagreement.
- D. Members who do not agree with a proposal will be asked to offer modifications that are acceptable to them and include the elements that other members have said are necessary for their concurrence: *“What improvements can you suggest that will make it more acceptable to you while continuing to meet the interests of everyone else with a stake in the issue?”*
- E. The Chair or Planning Contractor may also offer modifications to meet outstanding interests.
- F. Following further discussion, the Chair or Planning Contractor will again test for consensus. If consensus has not been reached after a reasonable discussion period, the Chair or the Planning Contractor may recommending tabling the item to allow the Planning Contractor to work with individual members or a subcommittee to develop an alternate proposal that addresses their concerns.
- G. The Chair may, after a reasonable discussion period and effort to address outstanding concerns, call for a vote on the proposal. A simple majority (50 percent plus one of the members present) can over-rule the Chair’s call for a vote.
- H. If the Chair’s call for a vote is over-ruled, the Chair may appoint a sub-committee to revise the proposal or develop an alternate proposal that meets the outstanding concerns.
- I. When voting on a proposal, approval by a two-thirds majority is required for its acceptance. Votes may be by show of hands or written ballot. Any member may request a written ballot.
- J. All decisions made by consensus and by voting will be recorded in the summary of each meeting.

Rule 7: Public notice and comment

- A. The Regional Planning Contractor will advertise Council meetings as specified in the Public Involvement Plan adopted by the Upper Oconee Water Planning Council.
- B. A period for public comment will be provided at each regular Council meeting and will be included in meeting agenda. Written comments will also be accepted at each regular

Council meeting. The Council may adopt time limits or other guidelines for public comment as needed.

Rule 8: Ending the meeting

A. There will be time on the agenda at the end of the meeting for the Chair or Planning Contractor to summarize the progress made at the meeting in relation to development of the draft WDCP. The summary will include any follow-up action steps agreed to by the group, clarifying the tasks, responsible parties and time limits.

C. Council members may suggest improvements for future meetings. The Chair or Regional Planning Contractor will implement feasible ideas at the next meeting.

D. Standard procedure will be for the Chair to close the meeting when the agenda is complete or the scheduled ending time is reached. Meetings will only be extended if there is a need that cannot be met through other means (e.g., subcommittee work between meetings) and if there is substantial agreement among the members present to do so.