



Responses to Comments on:

**Middle Ocmulgee Regional Water Planning Council's
Regional Water Plan**

As provided in the Comprehensive Statewide Water Management Plan, before taking action to adopt any regional water development and conservation plan, the Director shall provide public notice of the recommended plan and a comment period of at least forty-five days. EPD provided this comment period from May 9, 2011 to June 23, 2011.

Comments were received via EPD's interactive comment collection website, via e-mail, fax and mail. All comments received are available on Georgia's water planning website here: http://www.georgiawaterplanning.com/documents/CombinedComments8-22-11_000.pdf

This document provides a summary of comments and responses specific to the Middle Ocmulgee Regional Water Planning Council's plan received during the public comment period. The summary of comments and responses directed to EPD or that apply to multiple plans can be found here:

http://www.georgiawaterplanning.org/pages/regional_water_planning/EPD_Responses_to_EPDCentered_Public_Comments.php

Comment: With regard to point source contribution for nutrients (particularly nitrogen) above Lake Jackson discussed in Middle Ocmulgee Council's Plan, commenter urges caution in regard to costly nitrogen removal suggestions at wastewater plants when phosphorus is the controlling factor for algae and chlorophyll-a growth in the lake.

Response: The Middle Ocmulgee Council discussed this comment. Section 7.4 as written addresses this concern.

Comment: The Middle Ocmulgee Council's Plan should recommend that the State fund further study to evaluate the impacts to water quality in upper basin and Lake Jackson of high nitrogen levels. Additional nutrient monitoring in Lake Jackson and upstream watersheds should also be recommended.

Response: The Middle Ocmulgee Council discussed this comment. Section 7.4 as written addresses this concern.

DRAFT Response to Public Comments on Draft Regional Water Plan

Comment: The Middle Ocmulgee Council's Plan should recommend studies on emerging contaminants and that these studies be conducted on a statewide basis.

Response: The Middle Ocmulgee Council discussed this comment. The Council's plan identifies several areas of study that should be conducted and funded at a statewide level, including those related to water quality and nutrients.

Comment: The Middle Ocmulgee Council's Plan should call for research to more clearly define constraints to set a sustainable instream flow, as DNR interim instream policy does not adequately protect instream natural resources.

Response: The Middle Ocmulgee Council discussed this comment. The Council's plan contains extensive recommendations on instream flow policy and research (E.g. pilot stream specific studies).

Comment: The Middle Ocmulgee Council's plan should incorporate the following general recommendations: raise Buford Dam by 2 ft., limit economic impact to downstream communities from inter-basin transfers, need better power forecast information, prioritize aggressive water conservation measures statewide.

Response: The Middle Ocmulgee Council discussed this comment. No revisions to Plan were recommended.

Comment: The Middle Ocmulgee Council's plan appropriately plans for population increases over the next 40 years. The plan should recommend continued State funding for agriculture conservation and planning for reservoirs. Commenter also commends the GSWCC for their work.

Response: The Middle Ocmulgee Council discussed this comment. No revisions to Plan were recommended.

Comment: The Middle Ocmulgee Council's recommendations to analyze the possibilities of new reservoirs, best management practices for agricultural permit holders, and the development of farm ponds are supported by commenter.

Response: The Middle Ocmulgee Council discussed this comment. No revisions to Plan were recommended.

Comment: The Middle Ocmulgee Council's recommendations to implement new agricultural permit processes under SB 370 are supported by commenter.

Response: The Middle Ocmulgee Council discussed this comment. No revisions to Plan were recommended.

Comment: The Middle Ocmulgee Council's plan is deficient in addressing residential users who are on surficial aquifer wells. The plan should address drought periods and issues not reflected in "gaps."

Response: The Middle Ocmulgee Council discussed this comment. To address residential wells, Management Practice ED1 was modified to include language regarding the development of regional educational materials for adoption or further customization by local governments or utilities on the topic of "Proper technique for residential well drilling and construction."

DRAFT Response to Public Comments on Draft Regional Water Plan

Comment: The Middle Ocmulgee Council's plan should include the 2010 census data.

Response: The Middle Ocmulgee Council discussed this comment. 2010 Census data has been included in the plan.

Comment: The Middle Ocmulgee Council's plan states the importance of reclaimed water use. Gwinnett County is completing \$22M upgrade to 22 MGD Yellow River Water Reclamation facility.

Response: The Middle Ocmulgee Council discussed this comment. No revisions to Plan were recommended.

Comment: The Middle Ocmulgee Council's plan indicates that the "Technical Subcommittee" consisted of 11 members when in fact only 7 council members served on the committee. Commenter also expressed concern regarding bias introduced by council appointments and particularly subcommittee appointments that may have resulted in a lack of adequate consideration of ecosystem concerns as relates to water supply and instream flow needs for wildlife protection.

Response: The Middle Ocmulgee Council discussed this comment. The membership of all ten regional water planning councils was established by the Governor, Lt. Governor, and the speaker of the house as provided in Section 14 of the State Water Plan. Regarding subcommittee membership, the Council Chair invited members outside the Council membership to participate so the Council would benefit from their technical expertise. It is important to note however that while subcommittees did provide information and insight to the Council at large, only Council members voted on any and all decisions impacting the plan.

Comment: The Middle Ocmulgee Council's goals are ambiguous and vague. The Council should clearly define the protection objective of each goal. Furthermore, goal 5 seems to contradict itself and should be reworded to indicate the intended meaning

Response: The Middle Ocmulgee Council discussed this comment. The Council developed its goals via an iterative process that involved extensive discussions and refinement by the Council. The goals are intended to be of a broad, general nature on which the specific management practices recommendations in the Plan are based. The adopted goals represent the final consensus of the Council. Regarding goal 5, a wastewater treatment plant can discharge a portion of its treated effluent and reuse a portion of its treated effluent (for example, golf course or green space irrigation) when it is cost effective, and proper treatment of wastewater is maintained. Therefore, no change to this goal was made.

Comment: The Middle Ocmulgee Council's plan references that Lloyd Shoals Dam influences the flow regime in the Ocmulgee River well past Macon without giving references for this assertion.

Response: The Middle Ocmulgee Council discussed this comment. The resource assessment for this waterbody defines the lower Ocmulgee River as "semi-regulated," while the portion above Macon is "regulated."

Comment: The Middle Ocmulgee Council's plan indicates that Juliette Dam isolates 17 miles of the Ocmulgee River. Section 2 of the plan also references "Juliette." This language should be clarified.

Response: The Middle Ocmulgee Council discussed this comment. The plan language related to Lake Juliette and Juliette Dam has been revised. The language related to the "isolation" of the Ocmulgee River has been revised to accurately reflect the characteristics of the Juliette Dam.

Comment: The Resource Assessments were not made available in final form to the councils until very late in the process, this seriously flawed the planning process and as a result the plan is lacking in many respects.

Response: The Middle Ocmulgee Council discussed this comment. The Council has included recommendations and perspectives regarding the timing of the resource assessments as well as the data used to develop the modeling in Section 5 as well as in the recommendations to the state section.

Comment: The Middle Ocmulgee Council plan's description of the surface water assessment only provides discussion of the surface waters as they relate to chemical standards. The region's surface waters fail to meet their classified use for reasons other than chemical. This information should have been included in the Plan.

Response: The Middle Ocmulgee Council discussed this comment. Section 3 of the Council's plan and supplemental documents discuss impaired waters and provide a complete set of maps showing impaired waters (including biological parameters). included in the

Comment: The Middle Ocmulgee Council plan's reliance on resource assessments that use only two planning nodes within the Ocmulgee River Study Basin introduced a clear and important bias, and it would be appropriate to mention that both planning nodes used in assessing surface water availability in this region were considered regulated nodes.

Response: The Middle Ocmulgee Council discussed this comment. The Council included a recommendation to the State to address this issue.

Comment: The Middle Ocmulgee Council plan indicates over 120,000 acres of protected land managed by federal and state governments. A significant portion of it is leased to the state by other landowners and is therefore afforded no long-term protection. This statement should be revised to provide a more accurate characterization of the amount of protected land management by government agencies.

Response: The Middle Ocmulgee Council discussed this comment. The discussion of wildlife resources of the Middle Ocmulgee region included in the plan includes language and information provided by the Wildlife Resources Division of the Georgia DNR.

Comment: The Middle Ocmulgee Council plan omitted the Ocmulgee Public Fishing Area in Pulaski County from the list of sport fisheries in the region.

Response: The Middle Ocmulgee Council discussed this comment. The Ocmulgee Public Fishing Area was added to the list of sport fisheries.

Comment: The Middle Ocmulgee Council plan indicates fish and wildlife are abundant and diverse in the region. The presence of endangered wildlife within the region is not an indication of good fish and wildlife abundance and diversity, rather it indicates the opposite. Characterizing wildlife and fish abundance and diversity as diminished and threatened would be more accurate. The plan should address diminished wildlife resources of the region by identifying a resources recovery water level and prioritizing protection and improvement of aquatic natural resources. The potential effects that projects and management actions in the plans pose to migratory fish, especially with regard to impingement and entrainment of all life stages of fish, should be considered.

Response: The Middle Ocmulgee Council discussed this comment. The maps of impaired stream segments for Biota (for fish communities and for macroinvertebrate communities) are based on information published by EPD in 2008. Many of the proposed management practices are designed to reduce non-point source pollution, protect and restore watersheds, and preserve sensitive lands that will directly or indirectly improve conditions for aquatic life in the streams. The discussion of wildlife resources of the Middle Ocmulgee region included in the plan includes language and information provided by Georgia DNR's Wildlife Resources Division.

Comment: Regarding the Middle Ocmulgee Council Plan's discussion of inter-basin transfer discharge flows from the Ocmulgee to the Chattahoochee basin, EPD needs to confirm the need for the District to return discharge flows from the Ocmulgee to the Chattahoochee basin.

Response: The Middle Ocmulgee Council discussed this comment. The Plan includes a recommendation that the State conduct updated resource assessments if changes in discharge conditions in the Upper Ocmulgee basin are proposed.

Comment: The language in the Middle Ocmulgee Council plan stating, "The Ocmulgee River offers excellent sport fishing at a number of lakes in the region" is both confusing and contradictory.

Response: The Middle Ocmulgee Council discussed this comment. This Plan language was revised.

Comment: The Middle Ocmulgee Council plan's characterization of anadromous species as having "experienced declines in the past" while accurate is misleading. It would be appropriate to include a broader discussion of the details of these declines and their reasons considering that the attainment of the council's stated goals could reasonably be measured by the trends experienced by these species in the future.

Response: The Middle Ocmulgee Council discussed this comment. No revisions to Plan were recommended.

Comment: The language in the Middle Ocmulgee Council plan referencing the reintroduction of robust redhorse is incorrect.

Response: The Middle Ocmulgee Council discussed this comment. This Plan language was revised.

Comment: The Middle Ocmulgee Council plan should, given the importance of sport fishing, commercial fishing and commercial fish farming in the region and in particular in the Ocmulgee River, provide more discussion of these resources.

Response: The Middle Ocmulgee Council discussed this comment. The plan references a website where the reader can obtain more information about specific species.

Comment: The Middle Ocmulgee Council's plan indicates that there are no projected gaps in meeting projected future surface water needs and required flow regimes for either node in the region. In Table 5-1, one-third of the counties listed are not projected to meet their water demands in the year 2050. This inconsistency should be explained. The lack of gaps in water supply in the region is largely reflective of the masking of the effects of water demand centers and the variability of surface water availability across the region by the nodes used in the model. Projects such as the Bear Creek reservoir project for meeting the future water supply needs of Newton County (for a supply gap not occurring until 2040) seem somewhat premature. It is a costly and environmentally sensitive project to be based on such uncertain projections (population projections, energy needs, and industrial growth).

Response: The Middle Ocmulgee Council discussed this comment. Table 5-1 was included to show that, although there are no gaps at the planning node, there are potential gaps in water supply at the county level based on current permitted withdrawals. The plan was revised to emphasize the reasoning behind the table's contents. Additional information on the comparison is included in the Plan's supplemental documents.

Comment: The Middle Ocmulgee Council's plan indicates that any future use of Lake Jackson's storage capacity for water supply would have to be approved by Georgia Power and EPD. However, the Federal Energy Regulatory Commission would also be required to approve any such change to the use of the project. This should be reflected in the plan.

Response: The Middle Ocmulgee Council discussed this comment. Information in Section 2 of the Council's Plan identifies both Lake Jackson and Lake Juliette as FERC regulated projects.

Comment: The Middle Ocmulgee Council plan's description of the Surface Water Availability Assessment indicates that minimum instream flows are based on EPD policy. 2001 DNR Board said it is flawed. The Council should have presented with flow regime alternatives. It would seem appropriate in section 3 of plan to mention that the vast majority of water withdrawal permits within the region currently do not comply with the current instream flow policy. The use of withdrawals that are not compliant with existing instream flow policy without noting such in the Surface Water Assessments invalidates the assumptions of the model (if you assume that the compliance with the current policy is necessary to protect aquatic life). The fact that the Surface Water Resource Assessments analyzed conditions based on the current minimum instream flow policy and did not consider nor provide analysis on any other alternatives is a serious deficiency in the plan.

DRAFT Response to Public Comments on Draft Regional Water Plan

Response: The Middle Ocmulgee Council discussed this comment. The Plan includes the Council's recommendations to the State regarding instream flow policy. These recommendations were developed in part on information and presentations at Council meetings by DNR's Wildlife Resources Division on the three instream flow options under the current policy and the concept of environmental flow policy. The Council also benefited from the December 2011 EPD hosted joint meeting focused on instream flow protection issues.

Comment: The Middle Ocmulgee Council's future conditions assessment evaluated assimilative capacity based solely on modeling of DO conditions and nutrient loading. However the water quality problems in the region are not typically related to these chemical parameters but to other degradations to water quality. Management of the TMDL program has resulted in little improvement to degraded streams within the region. While the listing of 5 major water quality issues for the region is accurate it might be appropriate to list and prioritize them in the order in which they are common across the region.

Response: The Middle Ocmulgee Council discussed this comment. The Council's Plan recognizes the need for water quality management, and included management practices that specifically address issues related to nonpoint source pollution.

Comment: The Middle Ocmulgee Council's plan states that diverse stakeholders were involved but not enough was done to reflect opinions of recreational interests, environmental groups, fishermen, and others whose interests in water resources are not solely consumptive or economic in nature.

Response: The Middle Ocmulgee Council discussed this comment. All meetings were open to the public and public notice was posted in advance of all Council meetings. Public comments were welcomed in every Council meeting. Extensive stakeholder coordination took place throughout the development of the plan. The details of this process and additional information on stakeholder contributions can be found in the Public Outreach Technical Memorandum.

Comment: The Middle Ocmulgee Council's plan groups management practices into 4 groups. However, the distinction between "enhanced water quality standards and monitoring" and "enhanced pollution management" is not clear and should be combined.

Response: The Middle Ocmulgee Council discussed this comment. The water quality management practices were divided into two categories to specify those related to point sources and non-point sources. The terms were used to be consistent with management practices in the State Water Plan.

Comment: The Middle Ocmulgee Council's plan should provide definitions for the abbreviations used in table 6-1.

Response: The Middle Ocmulgee Council discussed this comment. Abbreviations for each major category of management practice have been included in the title of the tables and also in the table footnotes.

DRAFT Response to Public Comments on Draft Regional Water Plan

Comment: The Middle Ocmulgee Council's recommendations regarding planning and monitoring activities do nothing to address the improvement of water quality. The planning and monitoring management practices should either be moved to a lower priority or combined with other management practices.

Response: The Middle Ocmulgee Council discussed this comment. The management practices recommended in the plan represent a consensus of the Council resulting from a thorough process of management practice consideration and prioritization. The Council recognizes the important of planning and monitoring in order to measure progress. If implemented, these practices will result in improvement of water quality.

Comment: The Middle Ocmulgee Council should be commended for recommending that the state study and evaluate the current instream flow policy. In fact this was a DNR Board recommendation a decade ago. This should be a common thread across all water plans

Response: The Middle Ocmulgee Council discussed this comment. The recommendations to the state presented represent a consensus of the Council.

Comment: The Middle Ocmulgee Council's Plan should include a recommendation that the state should re-evaluate the necessity of "grandfathered" withdrawal permits with inadequate protective instream flow limitations.

Response: The Middle Ocmulgee Council discussed this comment. The recommendations to the state presented represent a consensus of the Council.

Comment: Table 5-1 in the Middle Ocmulgee Council's Plan does not provide information on the ultimate users of each withdrawal. Commenter does not want to show allocation to Newton County that is committed to other entities. Furthermore, commenter does not want the Plan's narrative that states demand will exceed supply in 2040, to be interpreted as limiting the availability of additional supplies until that date. Additionally, the OPB population projections and gcpd for the Middle Ocmulgee Council's plan are different than the Section 404 Permit application completed in support of the Bear Creek Reservoir.

Response: The Middle Ocmulgee Council discussed this comment. The planning contractor on behalf of the Council prepared an itemized spreadsheet of the permitted withdrawals by County to be provided to Newton County.

Comment: Commenter expressed concerns about the impacts of future water withdrawals in the Middle Ocmulgee Water Planning Region, particularly during natural low flow conditions.

Response: The Middle Ocmulgee Council discussed this comment. No revisions to Plan were recommended.