



A SECTION OF THE GEORGIA ASSOCIATION OF WATER PROFESSIONALS
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Mr. James A. Capp
Chief, Watershed Protection Branch, EPD
2 Martin Luther King Jr. Drive, Suite 1152 East
Atlanta, GA 30334

August 18, 2014

RE: Drought Management Rule – Stakeholder Meeting #2

Dear Mr. Capp:

The Georgia Water Wise Council (GWWC) appreciates the opportunity to again comment on the proposed amendments to Georgia’s Drought Management Rule. As a Section of the Georgia Association of Water Professionals, GWWC brings water industry and green industry professionals, as well as Environmental NGOs together to promote sound water efficient policy and practices in Georgia. The Council met on August 11, 2014 and our diverse membership came to consensus on multiple issues regarding the current Stakeholder Draft and update process. We appreciate the opportunity to provide feedback on the following topics:

Applicability

Times of drought require commitment from all water uses in order to protect our water resources. GWWC believes several applicability definitions should be revised and clarified:

- Recreational turf should not be exempt as a “farm use,” regardless of geography. Differing definitions for upstream and downstream of Peachtree Creek seems arbitrary and would be very difficult for a utility to manage if parts of a single service area were subject to different rules. A more manageable approach would be to treat all recreational turf irrigation like golf courses and have some set of rules and restrictions at each declared drought level.
- “Processing of perishable agricultural products” needs to be further defined in order to be exempt from drought rules as a “farm use.” For example, many poultry processing plants purchase water from municipal water utilities; water providers need further clarification and guidance on how to address “farm use” customers during periods of mandated water use reductions.
- The blanket exemption of water users withdrawing less than 100,000 gallons per day should be reconsidered to recognize the cumulative impacts smaller systems have on our water resources. By Drought Level 3 all permittees, regardless of size, should have some responsibility to reduce water use.

Drought Indicators and Triggers

Georgia needs a comprehensive system of climatic and hydrological triggers to evaluate and use to make drought declaration decisions. As stated in our first comment letter on this draft rule, GWWC would again recommend reviewing examples of such indicators and triggers from other states. Additionally, the following process changes could strengthen public understanding of drought conditions:

- Allow local jurisdictions to identify and set their own indicators and triggers. This would ensure drought declarations are made on fact-based hydrological conditions rather than political realities. Local triggers could potentially be required and communicated to EPD through local drought contingency plans. EPD could then evaluate local triggers at a regional or watershed level to determine the appropriateness of a statewide drought declaration.
- Include triggers for stepping back drought levels when local hydrological conditions improve, and allow for an incremental improvement process that results in levels being partially stepped back.

Drought Declaration Process

Having appropriate local indicators and triggers in place will allow the drought declaration process to be less politicized. GWWC encourages the updated rules to:

- Reduce the discretion given to the EPD Director to independently declare drought.
- Include details on how and when utilities and other permit holders will be notified of drought declaration.

Drought Response Committee

GWWC strongly supports a diverse Drought Response Committee. As the primary entity responsible for the successful evaluation and declaration process during a drought, it is vital for specifics of the committee to be clarified during the rule update process. GWWC recommends the following structure for the drought response committee:

- Regional representation, based upon watersheds or river basins rather than political jurisdictions. This regional representation is consistent with state water planning and would result in more accurate declarations.
- Representatives from all sectors affected by drought in each region, including members from water utilities, agriculture, industry, and environmental interests.
- Explicitly defined roles and responsibilities.

Record Keeping and Reporting

Timely and accurate information is critical to decision making during times of drought. In order for EPD to have access to the best information possible, GWWC recommends the following for record keeping and reporting:

- Tweak existing reporting (such as the MOR) rather than create new reports. Any reports should dovetail with existing Water Use and Efficiency reporting.
- Online applications should be developed to make all reporting faster to submit and easier for the public to understand and access the information submitted.

Drought Response Strategies

The resources affected by drought are shared resources and therefore, preserving them during drought is a shared responsibility. GWWC advocates appropriate response strategies that apply to the basin or watershed affected, and are not delineated solely along political boundaries. The following issues should also be considered at all levels of drought response:

- All stakeholders should be taken into account, including power generation, industrial permittees, and agriculture, as well as the municipal sector. Implementation and mitigation strategies cannot be placed solely upon municipal providers and those that depend upon municipal supply. This causes a disproportionate amount of harm to those entities, while not providing a comprehensive resource-wide response strategy.
- Outdoor watering regulations and conservation pricing implemented in recent years have significantly lowered Georgia's peaking factor. Any updated drought rules must recognize this reality and not require unrealistic percent reduction rules that are based on peaking factors found in drier arid regions.
- The proposed response levels penalize utilities and permittees that are already operating efficiently. The rules need to be more incremental and account for the permanent conservation progress already made since the last major drought.
- Further clarification and education is needed on a variety of issues, including how to calculate baseline water use, the use of odd/even water days during non drought, and the appropriate level and extent of limiting use of fire hydrants and efficient irrigation methods such as drip irrigation and hand watering.

Drought Surcharge

Under certain circumstances drought surcharges can be an appropriate tool for local utilities to maintain revenue during times of drought. However, GWWC feels mandated drought surcharges are unnecessary and inappropriate as part of a statewide rule. We encourage this provision be removed from any future proposed drought rules for multiple reasons:

- Local water rate setting is not a state level issue.
- The mechanics of implementing a surcharge – billing changes, extra meter readings, etc. – are unfeasible for many smaller utilities.
- Surcharges equate to a “double hit” for utilities with increasing block/conservation rate structures. Requiring all utilities to have increasing block rate structure sends a stronger message to consumers and may be a more appropriate response statewide.

As the statewide organization representing conservation and efficiency in the state, GWWC remains vested in helping EPD develop appropriate and effective drought management rules. We appreciate and value the opportunity to participate in this vital process.

Sincerely,

Georgia Water Wise Council