

To: Middle Chattahoochee Water Planning Council
From: Jim Hawkins and Steve Simpson, Black & Veatch
cc: Tim Cash, Assistant Branch Chief, GA EPD
Subject: Meeting Summary: Council Meeting on May 13, 2009

The council meeting was held on May 13, 2009, at Callaway Gardens in Pine Mountain, GA. The list of attendees is attached. Steve Simpson, planning consultant project manager, briefly introduced the planning consultant team.

Welcome and Introductions / Approve Agenda

Jim Hawkins welcomed the Council members, and then asked the Council members to introduce themselves. Next, Jim introduced planning consultant team members, Robert Osborne (Black & Veatch, B&V), Kristin Rowles (Georgia Water Planning & Policy Center, GWPPC), and Nils Thompson (LBG). Jim asked state agency representatives in attendance to introduce themselves. Afterwards, Jim asked members of the general public to introduce themselves.

Jim reviewed the agenda which included:

- Understanding our commitments and obligations
- How we will move forward: The planning process and timelines
- The story of water in our region: Trends, forces, and factors influencing the future of water
- Governance: Who will lead?

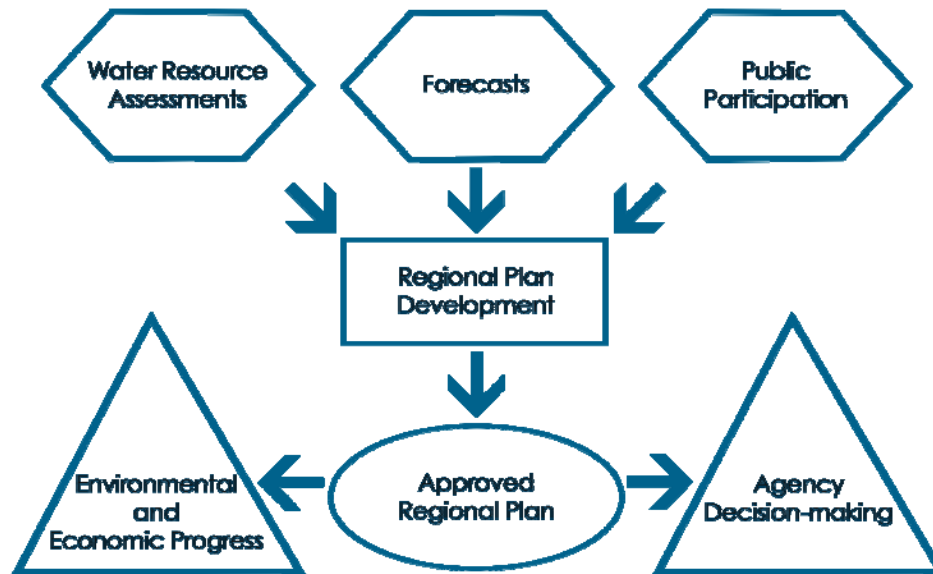
Jim suggested that agenda be changed to cover the planning process material earlier in the day.

What Needs to be Accomplished: Process, Timeline, and Report Outline

Jim gave an overview of the planning process and explained each of the components of the figure below and also discussed the timeline for the planning process.

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Jim asked if anyone had any questions. The following questions were asked:

- Who is doing the resource assessments? *Steve said the University System of Georgia, other research institutions, and contractors, such as Tetra Tech and CDM, are working on water resource assessments to determine surface water availability, groundwater availability, and assimilative capacity of surface water resources.*
- How is our groundwater quality? *Groundwater quality varies; however, part of the resource assessment will be about quality.*
- Who will integrate our plan with the other plans from around the state? *Tim stated the coordination between the Council is a shared responsibility between EPD and the Council. Jim said this will be a challenge, but that it was important to note that each Council will have their own plan.*
- One member noted that the council should have a concerted effort to bring eastern Alabama representation into our discussions.

MOA, Operating Procedures, and Rules for Meetings

The next section of the agenda dealt with the Memorandum of Agreement (MOA), Operating Procedures and Rules for Meetings. Jim noted that we would start with a presentation of the

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MOA by the Environmental Protection Division (EPD) and that presentation would be followed by two group exercises focused on parts of the MOA.

Tim Cash, Assistant Branch Chief for the Georgia Environmental Protection Division (EPD), outlined to the Council key roles and responsibilities for each of the parties in the MOA. The parties to the MOA are the Georgia Environmental Protection Division, the Georgia Department of Community Affairs (DCA), and the Council members. Tim pointed out Joe Krewer with DCA in the audience and said he will be at every planning meeting and will help to ensure the water plan is in line with existing regional comprehensive plans.

Tim emphasized that the MOA was not a contract, but an agreement to participate. The MOA was developed based on existing state water planning rules and the statewide water plan.

Tim stated that EPD will be on the sidelines, but will help coach as needed. Tim explained that the Operating Procedures and Rules for Meetings documents were designed to help guide the Councils through the water planning process. Tim stated that this segment of the agenda today would be spent identifying desired changes to the Operating Procedures and Rules for Meetings. Tim said that EPD would provide feedback on these suggested changes with the hope that the Council could finalize the documents and sign the MOA at the next Council meeting.

After Tim's presentation, Council members asked several questions:

- If we need more support from EPD, will we get it? *Tim stated yes, but the Council needed to be aware of budget expectations.*
- How will we ensure our plan is legal? *Tim said basically this is EPD's job to ensure. Tim explained that the Council's recommended plan, when adopted by EPD, would be used to guide permit decisions that are legally enforceable and subject to administrative process under state laws.*
- Where does the Army Corps of Engineers fit into our plan? *Tim said that the Army Corps of Engineers is a federal agency and does not have to participate; however, Tim realizes that changes to how the Corps operates their lakes may influence the Council's plan. He pointed out that this is why the plan is a "living" document.*
- Can we invite the Army Corps of Engineers to the meetings? *Tim said yes; however, he suggested the Council may want to wait until we have identified key points at which input from the Corps are better identified. He also said that the Council needed to keep in mind that the agenda for these Council meetings are fairly full and there will be already lots of required information for the Council to assimilate.*

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- Will the resource assessments be final when the Council sees them? *No, Tim said EPD will ask for feedback from the Council.*
- One Council member asked how the water-sharing relationship between upstream-downstream regions will be addressed. *Tim said that information related to how much water is available for each region will be presented later this year. He reassured the Council that they will determine the management of their water resources.*

Next, Jim passed out a handout titled “Achieving Results through Consensus Decision Making.” He explained that the MOA emphasizes the use of consensus, and therefore, we would use this worksheet to talk about how to define and use consensus in this group. He divided the Council members into five small groups and gave them time work through the handout. When the groups were finished, Jim asked each group to report back the main points of their discussions.

A summary of the groups’ reports is as follows:

- The first group said that consensus does not mean that we all agree about everything, but that we can live with it. Consensus involves vetting key issues, and having leadership take a strong position that opinions are heard and there is proper time for discussion.
- The second group emphasized the need to recognize and hear dissenting opinions and opposing views.
- The third group agreed that 2/3 agreement was a good measure of consensus and that it is important for council members to speak up, as well as to respect differing views.
- The fourth and fifth groups were in general agreement that consensus was desirable, and that a 2/3 vote provides a better standard than simple majority.
- Several comments were made about voting. One group noted that they did not want to use simple majority vote as a fallback to consensus. They thought that could be used to railroad ideas. Other groups noted that a two-thirds majority vote would be necessary (and preferable to a simple majority) as a fallback sometimes when consensus could not be attained.
- One group noted that the Chair can evaluate and test for consensus. Another group said that they liked the idea of having members use the 1-10 scale in the worksheet to evaluate consensus.
- There was discussion about concern of council members talking to the chair or planning consultant outside the council meetings.

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- There was a question about notification regarding resignation. The suggestion was that anyone resigning would notify EPD.

Next, Jim separated the Council members again into the same small groups and gave each group the “Operating Procedures/Rules for Meetings Broad Issue Areas” Small Group worksheet. The purpose of the worksheet was to encourage discussion on each section of the Operating Procedures and Rules for Meetings. The groups reported the following suggestions:

- Group #1 (Council Leadership – Section IV including General Powers, Number and Qualifications, the Chair of the Council, the Vice-Chair of the Council, and Selection of Chair and Vice-Chair)
 - Change “Shall follow” in General Powers section to “Shall consider.”
 - The initial Chair and Vice-chair should serve the rest of this calendar year (2009). Then elections of Chair and Vice-Chair should be held in the first Council meeting of each calendar year.
 - Change the second to last sentence in the Chair of the Council section to read “the Chair shall also work with the Regional Planning Contractor to identify the purpose and desired outcomes for each meeting and ensure that those outcomes are addressed.”
 - Discussed staggering the terms of the Chair and Vice Chair, but the consensus of the group was that the structure was acceptable as written.
- Group #2 (Meeting and Governance, Section VI: Regular Meetings, Other Meetings, Open Meetings, and Meeting Summaries)
 - Need to assign Council meeting dates well in advance.
 - For joint Council meetings, we may want to be able to assign a subcommittee to represent the Council. The subcommittee might be the Chair and Vice-Chair, or other size group, consistent with the other councils.
 - One member noted the importance of agreement with other regional Councils on how to operate Joint Meetings.
 - Another member noted that the Other Meetings section is broad and asked for clarification.
- Group #3 (Meetings and Governance, Section VI: Quorum, Subcommittees, Presumption of Assent, Resignation of Chair/Vice-Chair and Members, Participation by Non-members, Rules for Meetings; and Amendments, Section VIII)

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- A quorum should be 17 voting Council members (including all alternates present if needed to make a quorum). It was discussed that this means that a 2/3 vote would be agreement by 12 voting members.
 - Subcommittees should be assigned by Chair.
 - Council members noted that they would like for the planning contractor to assess in advance whether or not a quorum will be able to attend a Council meeting.
 - For non-member participation, the Chair should have the discretion to determine when to provide for non-member participation and to set time limits on it.
 - Under the Quorum section, one member noted that the language needs to be modified, because if a quorum is not present, the meeting will not actually begin, and therefore, it cannot be officially adjourned.
 - The Council members clarified that the Chair will vote in Council decisions.
- Group #4 (Rules for Meetings – Purpose of Rules, Meeting Roles, Communications and Meeting Agenda and Summaries)
 - No concerns or edits to these sections.
 - Group #5 (Rules of Conduct – Discussion of Issues, Public Notice and Comment, and Ending the Meeting)
 - There was concern over the language that the “rules are subordinate to EPD guidance”, as this has not been provided yet.
 - Regarding Rule #5: Discussion of Issues, the Chair and the planning contractor should provide the agenda for review by the Council one week prior to the Council meeting so everyone has time to comment.
 - For Rule #6: Decision making, the Chair should be able to call for a vote using the 1 through 10 scale described in the consensus worksheet in order to gauge the level of consensus during a discussion.
 - For Rule #7: Public notice and comment, some Council members noted that it may be advantageous on some occasions to have public comment before a vote and not strictly at the end of a Council meeting.
 - For Rule #7, the Council would like clarification of what the proper public notice procedure is for Council meetings.
 - For Rule #7, one member asked that there be specific time limits set for public comment, to be determined by the Chair.

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Council members also asked several questions about the Operating Procedures and the Rules for Meetings:

- If EPD calls a Council meeting, is EPD bound by the same public notice requirements as the Council? *Yes.*
- Are proxy votes allowed at Council meetings? *As drafted, Steve said the Operating Procedures prohibit proxy votes.*
- The Rules for Meetings state that they are subordinate to the regional water planning guidance, but that is not yet complete. What is the intent of that document – so we understand what these rules are subordinate to? *An executive summary of the planning guidance was included in the meeting packet. Jim Hawkins and Tim Cash noted that the planning guidance was intended to address format of the plans, rather than to provide directives.*
- What happens if we don't get a quorum? *The council discussed whether a meeting would still be productive, and several preferred that a meeting not be held (for discussion purposes/no voting) without a quorum. The Council members asked that the planning consultant notify the members in advance of the meeting if the quorum could not be attained.*
- Do the Operating Procedures and Rules for Meetings have to be the same for every council? *Jim said no, but the process has to be similar.*

Jim noted to the Council if they thought of any more concerns with these documents they could email him in the next couple of weeks. The suggestions, comments, and questions from the Council will be provided to EPD to seek feedback and clarification. Potential changes to address the concerns raised will be discussed at the next Council meeting.

Present Website Capabilities

Robert Osborne, planning consultant team member, gave a presentation after lunch on the present website capabilities. He demonstrated how to find council information and other water planning resources at the Georgia water planning portal site (<http://www.georgiawaterplanning.org>).

Robert indicated that EPD would soon have a new site design which will make finding information easier. He showed a demonstration snapshot of this site. He noted that the Middle Chattahoochee Water Planning Council will have its own website that will be accessible from main portal site. The address for this site will be: <http://www.MiddleChattahoochee.org>

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Regional Geography, Facilities and Resources Overview

Steve presented an overview of region and water resources for the Middle Chattahoochee region. Steve handed out a copy of Middle Chattahoochee Water Planning Region's Resources Map to each council member. The presentation included a summary of the following:

- Census and population breakdowns
- Wildlife resources,
- Impaired waters/ Total maximum daily loads
- Power plants
- Permitted water use in the region
- 2005 Water withdrawal breakdowns for the region

Steve noted that a county by county breakdown of water use, NPDES permits, and storm water was included in the presentation, but in the interest of keeping on schedule, he would not review every county. Steve noted a copy of this presentation will be posted on the website along with other material from today's presentation.

The Council members had the following questions and comments:

- The permitted agriculture use is ridiculous. There is no way we used that much water. *Steve pointed out that the agriculture use presented on that slide was permitted water use, which could be a lot higher.*
- How much water can Georgia Power take?
- Consumptive use is the most important but probably least known.
- How far out in the tributaries will the water resource assessments examine? *Steve said he was unsure the extent of the scope, but that this would be the topic of a future presentation.*
- What does NPDES stand for? *National Pollution Discharge Elimination System.*

Trends, Forces, and Factors that will Affect the Future of Water in the Region / Implications of Trends for the Region and Regional Plan

Next, Jim asked the Council members to generate some ideas on what are the trends, forces, and factors that will affect the future of water in our region. He asked them to include social, technological, economic, environmental, and political factors. During this discussion, a broad range of factors and trends were identified. During a short break, the planning consultants with

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help from a few Council members “clumped” the items listed into groupings and developed some themes that they reported back to the group. The following is a summary of the “clumps”:

Political

- Trend toward increased water supply cost due to regulation
- Atlanta’s increasing population and political forces
- Tri-State water wars
- As water becomes more scarce, water use will need to be reallocated
- Water use reallocation has economic impacts on land owners

Uncertainties

- Drought variability
- Increased economic uncertainty
- Climate change

Power

- Growing demand for power
- Increasing water use to generate more power
- Trend toward nuclear power

Land Use Changes

- Increasing tax value of land reduces trend for land conservation
- Increasing urbanization – less natural forests
- Decreasing agriculture reduces water use
- Moving from agricultural to tourist land use in the South
- Trend toward forest conservation

Water Balance

- Impact of consumptive use metric on allowable development
- Need for better understanding of water balance/consumptive use
- More concern about returns to surface water
- Lack of water storage to meet needs
- Increasing trend to groundwater for specific uses and locations

Population

- Increased water for increasing population
- Increased population at Ft. Benning due to BRAC

Increased Population Growth

- Increased uncertain water supply reliability in Tallapoosa
- Harris County increased growth

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Atlanta

- Increased stormwater quantity upstream in Atlanta
- Water quality concern from Atlanta
- Atlanta Region water demand increase

Conservation / Green

- Re-greening forest
- Trend to biomass power plant
- Do more with less resources
- Increased green trend
- Increased water conservation
- Trend for industrial water conservation
- Increased protection of resources

Jim said that the results will prepare the Council as they develop their own vision for the region.

Introduction to Population and Employment Forecasts

Next, Kristin Rowles (planning consultant, Georgia Water Planning & Policy Center) provided an introduction to the forthcoming population and employment forecasts. First, she noted that the Council members would be receiving these forecasts in the coming weeks and that the forecasts would be discussed in more detail at the next Council meeting. Next, she provided an overview of population and employment trends in Georgia, and then she explained the methodology being used to forecast population and employment for the region. The population and employment forecasts will help to determine future water and wastewater needs for the region. The presentation slides will be available on the website.

Kristin explained that the Population and Employment forecasts will be sent to Council members on a DVD in the next few weeks. This material will also be shared with local governments in the region, who will be asked to comment on the forecasts and to share the information with interested stakeholders. She noted that along with the forecast materials, local governments would receive an invitation to participate in the Local Government Advisory body for the Council.

Kristin noted that the Council's roles with respect to the Population and Employment forecasts would be to review the forecasts that they will receive later this month; to encourage local governments and other stakeholders to submit comments; and to discuss the forecasts at the Council's next meeting in June.

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The Council members had the following questions about the population and employment information and forecasts:

- Is county level population and employment data available in order to evaluate trends/implications within the region and at the borders of our region? *Kristin and Steve noted that this information was expected to be included in the population and employment materials that the Council members would soon be receiving.*
- What is the source of the data for the forecasts? *Kristin noted that the population forecasts are based on census data from 1990 and 2000 and from 2007 census estimates. She noted that the employment forecasts are based on GA Department of Labor data from 1990 to 2007.*
- Will the forecasts include consideration of BRAC-related population and employment increases at Fort Benning? *Kristin noted that the forecasting effort is supposed to identify this sort of event, but that it would be important for the Council members and local governments in the region to be sure that the forecasts that they receive include consideration of this type of information.*

Election of Chair and Vice-Chair

Council members nominated the following people for the position of Chair:

- Harry Lange
- Jeff Lukken
- Bill Gregory
- Steve Davis
- Matt Windom
- Robert Watkins

Each nominee briefly addressed the Council about their interest in serving as the Chair. Robert Watkins withdrew his nomination. Eligible council members were asked to vote by paper ballot. After the ballots were collected and counted, the results were as follows:

- 10 for Matt Windom
- 4 for Harry Lange
- 4 for Jeff Lukken
- 1 for Steven Davis
- 1 for Bill Gregory

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Because a two-thirds majority is needed to elect the Chair, the Council then discussed the process. One member moved that the Council vote on the leading nominee, Matt Windom, by a show of hands. Other members concurred, and a hand vote was held. In this vote, Matt Windom was unanimously elected by the Council as Chair. Matt thanked the Council.

Next, the Council discussed the election of the Vice-Chair. The two nominees that received the next highest number of votes were asked if they would serve as Vice-Chair. Harry Lange said he would serve. The second nominee, Jeff Lukken, then asked to be removed from consideration and for the Council to vote on Harry Lange as Vice-Chair. The Council unanimously elected Harry Lange as Vice-Chair.

Local Elected Officials and Public Comments

Jim provided time for local elected officials and the general public to address the Council. There were no elected officials who spoke. One member of the general public spoke to the council: Patti Lanford, Georgia Wildlife Resources Division. She said Fisheries will be supporting this effort and providing resources to council. She was concerned with fisheries aspects of water resources and the impact to quality of life and natural resources. She asked the Council to let her know of any needs for assistance.

Wrap-Up and What to Expect Next Meeting

The Council set dates for its meetings for the remainder of 2009 as follows:

- June 24, 2009 at Callaway Gardens
- Sept 16, 2009
- Nov 11, 2009

Jim said they would try to start the next Council meeting the same time between 9:00 and 9:30.

Action List

- See questions and comments in MOA section above for areas where clarification and responses are needed to finalize the MOA documents.
- Invite presentation from U.S. Army Corps of Engineers for a future meeting.

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Attachment 1:

**Middle Chattahoochee Water Planning Council
Council Meeting Attendance – May 13, 2009**

Council Members

Alan Bell
Paul W. Chappell
Steven R. Davis
Larry F. Dillard
Tony A. Ellis
Gardiner W. Garrard
Bill C. Gregory (Alternate)
Joe B. Griffith
Bill Heath (Ex-Officio)
James Knight
Harry Lange
Jeff Lukken

Aaron McWhorter
Gordon Moss
Ken Penuel
Denney Rogers
Walt Rosso
Jimmy Thompson (Alternate)
Robert Watkins
Matt Windom
James R. Woods
Brad Yates
Robbie York

Council Members Not In Attendance

Jimmy Bradley
Jeffrey Brown
Larry Clark
Phillip Edison
Gerald Greene (Ex-Officio)
Randy Simpkins
Don A. Watson (Alternate)

Georgia EPD

Tim Cash, Assistant Branch Chief
Rob McDowell
Mork Wynn
Ted Hendrickx

Planning Consultants

Jim Hawkins, B&V
Robert Osborne, B&V
Steve Simpson, B&V
Kristin Rowles, GWPPC
Nils Thompson, LBG