



**GEORGIA**  
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

# Agricultural Water Withdrawal Update

November 12, 2024





# AGRICULTURAL WATER WITHDRAWAL

- Agricultural water withdrawal permitting – 1988
- Water withdrawal permitting moratorium – 1999
- Flint River Drought Protection Act – 2000
- Flint River Basin Regional Water Development and Conservation Plan – 2006
- Original Regional Water Plans for Upper & Lower Flint – 2011
- Water withdrawal permitting suspension – 2012
- Florida v. Georgia – 2013
- First update of the RWP for Upper & Lower Flint – 2017
- Florida v. Georgia – 2021
- Agricultural Water Source Conversion for Streamflow Resilience (ASU and EPD ARPA grant) – 2022
- Second update of the RWP for Upper & Lower Flint – 2023

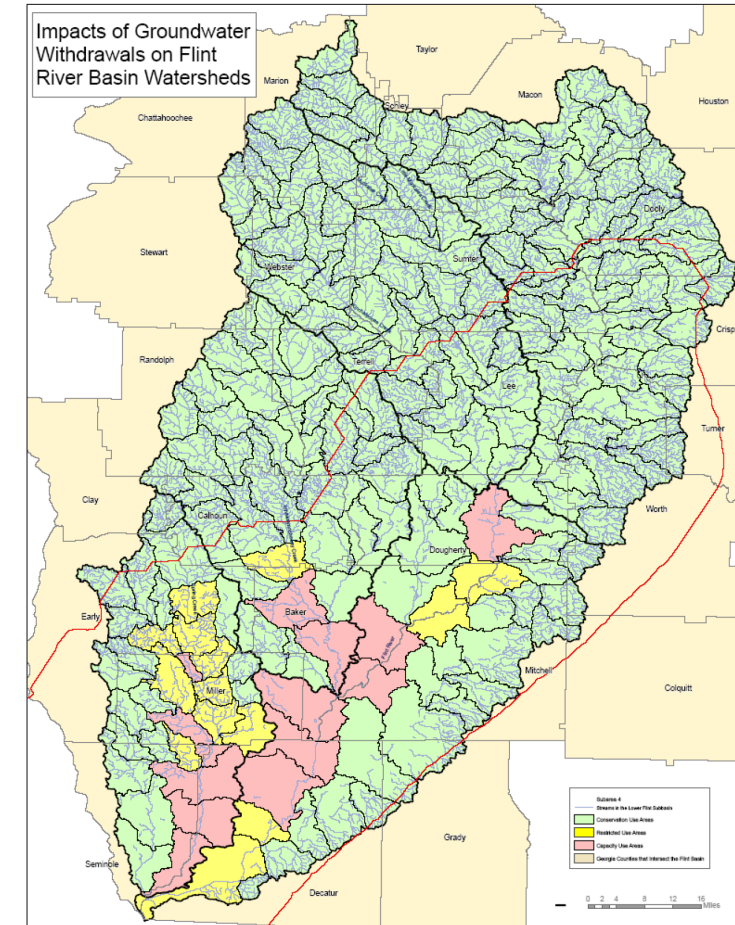
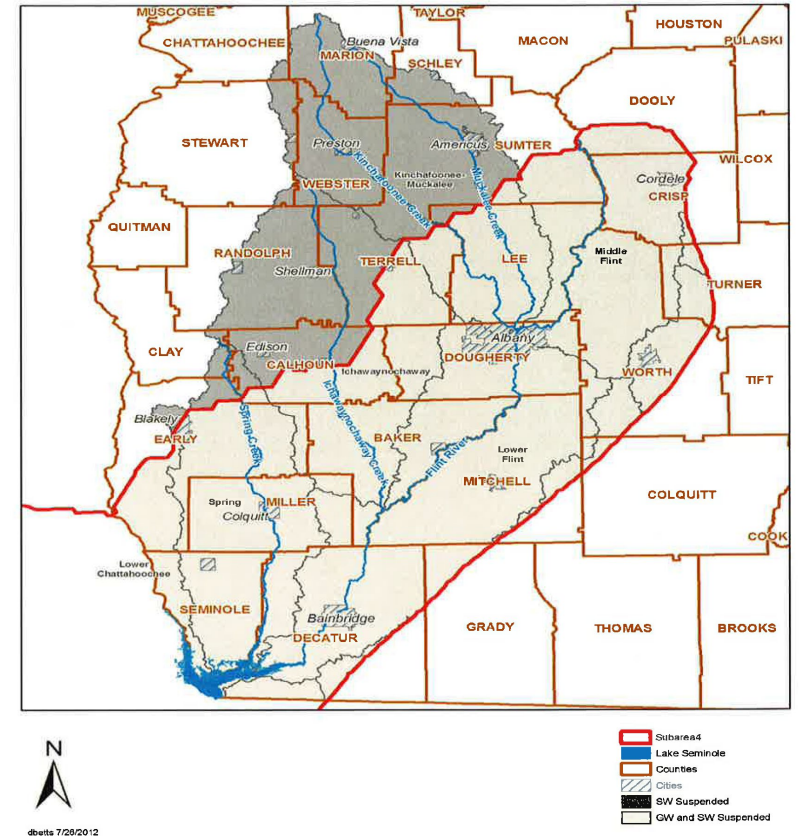


Figure 0.2. Classification of HUC-12 watersheds in the lower Flint River Basin.



# AGRICULTURAL WATER WITHDRAWAL

- EPD is working with ASU-GWPPC on the development of an Incidental Take Permit and associated Habitat Conservation Plan to address threatened and endangered mussels in the Lower Flint River Basin.
- Because water withdrawals directly from the Flint River, its tributaries, and the Floridan Aquifer can affect flows throughout the Lower Flint River Basin, EPD's farm use water withdrawal permitting program is the activity covered by the Incidental Take Permit.
- The inclusion of EPD's water withdrawal permitting and compliance program in the HCP offers the opportunity to set expectations and allows EPD to evaluate new and expanded permits, as well as compliance tools.





# AGRICULTURAL WATER WITHDRAWAL

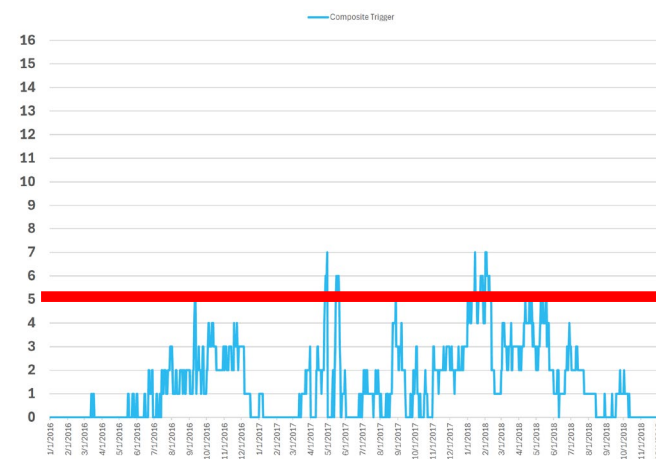
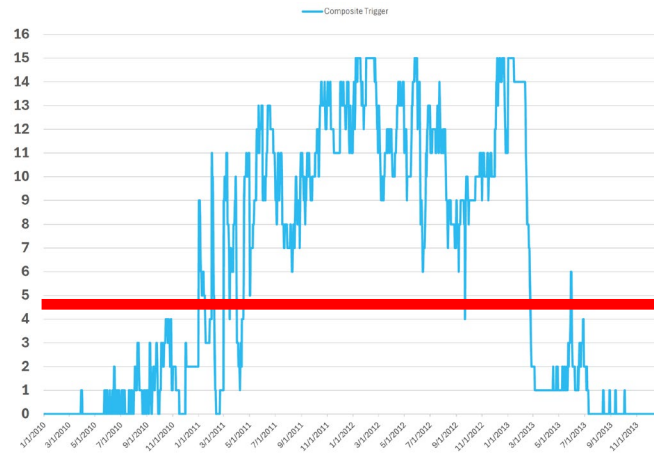
- One central objective is to limit the overall burden onto the Floridan Aquifer to levels equivalent to what was experienced in the 2011 and 2012 critical drought.
- EPD recommends maintaining the suspension on surface water withdrawals.
- EPD is exploring modifying the suspension to allow new or modified permits for Floridan wells in the suspension area.
- EPD would include specific conditions in the permits to ensure protection of flows in the Flint River and its tributaries, particularly during times of drought, including:
  - 25-year terms
  - Irrigation efficiency requirements
  - Water conservation plans
  - Restriction on aesthetic and recreational uses
  - Telemetry
  - Drought conditions





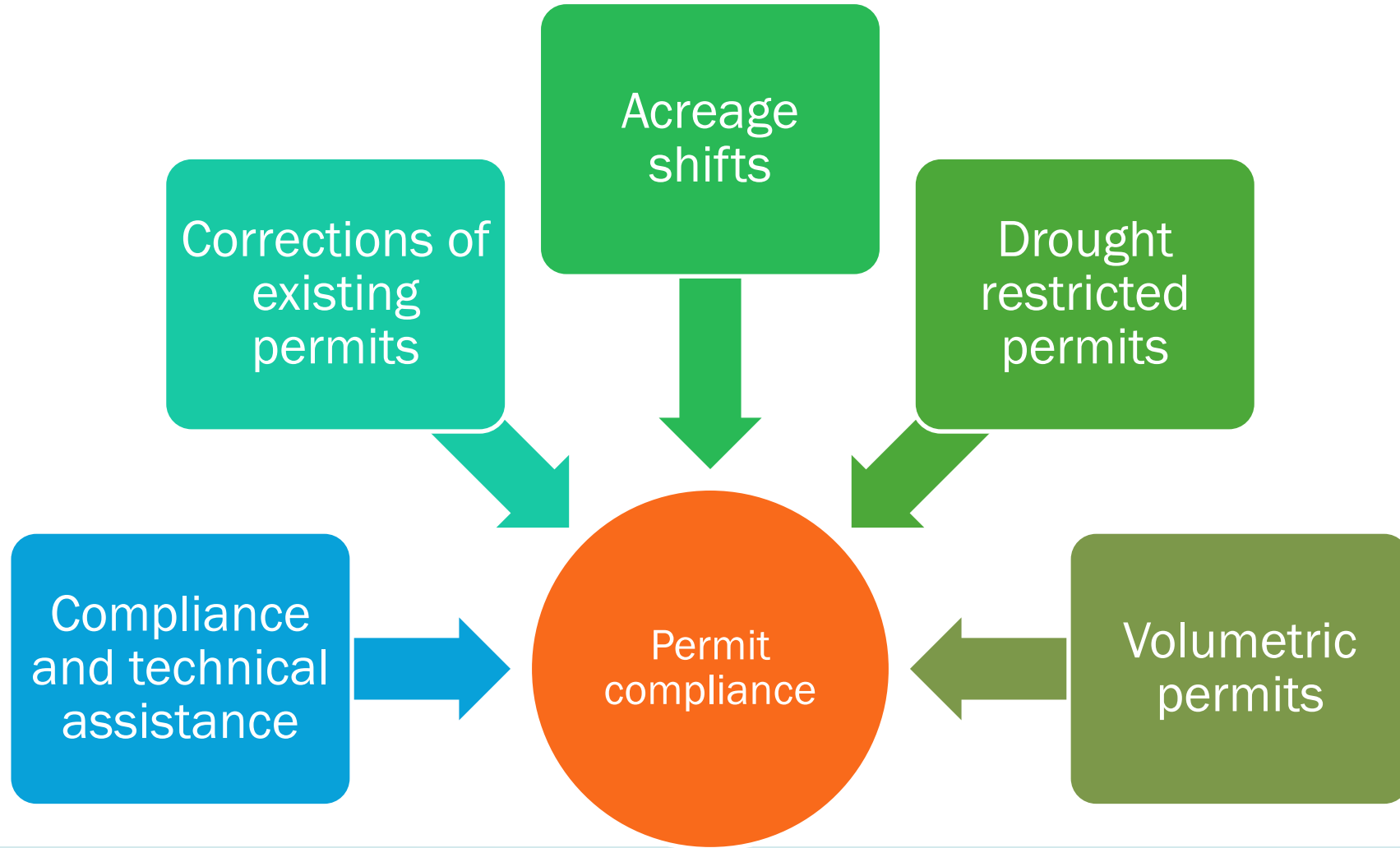
# AGRICULTURAL WATER WITHDRAWAL

- EPD will make a drought restriction determination daily. This determination will be posted to the EPD website and shared through text and email.
- Permittees must check daily whether a drought restriction is in place.
  - If a drought restriction is not in place, the permittee may withdraw water from the Floridan aquifer.
  - If a drought restriction is in place, the permittee may not withdraw water from the Floridan aquifer. Permittees must complete any irrigation application initiated before drought restrictions are put in place within 24 hours of a drought restriction being put in place.





# AGRICULTURAL WATER WITHDRAWAL COMPLIANCE





# AGRICULTURAL WATER WITHDRAWAL

- EPD led a series of meetings in the affected area throughout 2024 to further develop these permit conditions and compliance tools.
  - April 18 – Bainbridge
  - May 23 – Albany
  - June 13 – Dawson
- EPD has received comments from 10 commenters.



Georgia Recorder photo by Jill Nolin



## COMMENT SUMMARY

- Several commenters expressed confusion about who could receive volumetric permits and under which conditions.
  - Volumetric permits are not an option for new users or for someone irrigating without a permit.
  - EPD expects that volumetric permits will be used primarily as a compliance option.
- Several commenters requested that EPD consider granting permits without drought-restrictions to those people who were withdrawing water prior to the 2012 suspension.
  - For acres put into irrigation pre-2012 suspension in green or yellow zones or pre-1999 suspension in red zone, EPD will issue permits consistent with the 2006 Flint River Basin Plan and current statutes and rules.
- Several commenters requested that “entities,” not just the same person, be allowed to engage in acreage shift compliance options.
  - Persons, as defined by the Ground-water Use Act and the Georgia Water Quality Act, can be considered “the same” for permit consolidation and acreage transfer purposes both entities have the same Beneficial Owner.





# AGRICULTURAL WATER WITHDRAWAL

- EPD will begin accepting applications for new and expanded withdrawals from the Floridan aquifer for permits with drought restrictions on **April 1, 2025**.
- EPD will begin accepting compliance-related applications for agricultural water withdrawal permits on **April 1, 2025**.
  - For those users applying for non-drought-restricted permits acres put into irrigation pre-2012 suspension in green or yellow zones or pre-1999 suspension in red zone, the applications must be submitted within one year.
  - For other compliance-related permitting actions, EPD will work with the farmer on an appropriate pathway and timeline.
  - The window for applications for new and expanded withdrawals from the Floridan aquifer for permits with drought restrictions will remain open indefinitely.



# AGRICULTURAL WATER WITHDRAWAL

- Each year, the Watershed Protection Branch must re-evaluate the 2012 suspension and make a recommendation to the EPD Director. The 2024 recommendation includes:
  - Retaining the suspension of new or expanded surface water withdrawals in the suspension area.
  - Accepting applications for drought-restricted water withdrawals from the Floridan aquifer.
  - Issuing permits for acres put into irrigation pre-2012 suspension in green or yellow zones or pre-1999 suspension in red zone that are consistent with the 2006 Flint River Basin Plan and current statutes and rules.
  - Emphasizing the importance of addressing noncompliance and a commitment to implementing compliance activities.
  - Continuing to support the development and review of the Habitat Conservation Plan.
- EPD will make the recommendation memo and response to comments available on its website.



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