



Chattahoochee River Designated Use Change Stakeholder Meeting

Gillian Gilbert-Wason

Water Quality Standards Coordinator

June 29, 2021

Welcome to this Public Meeting



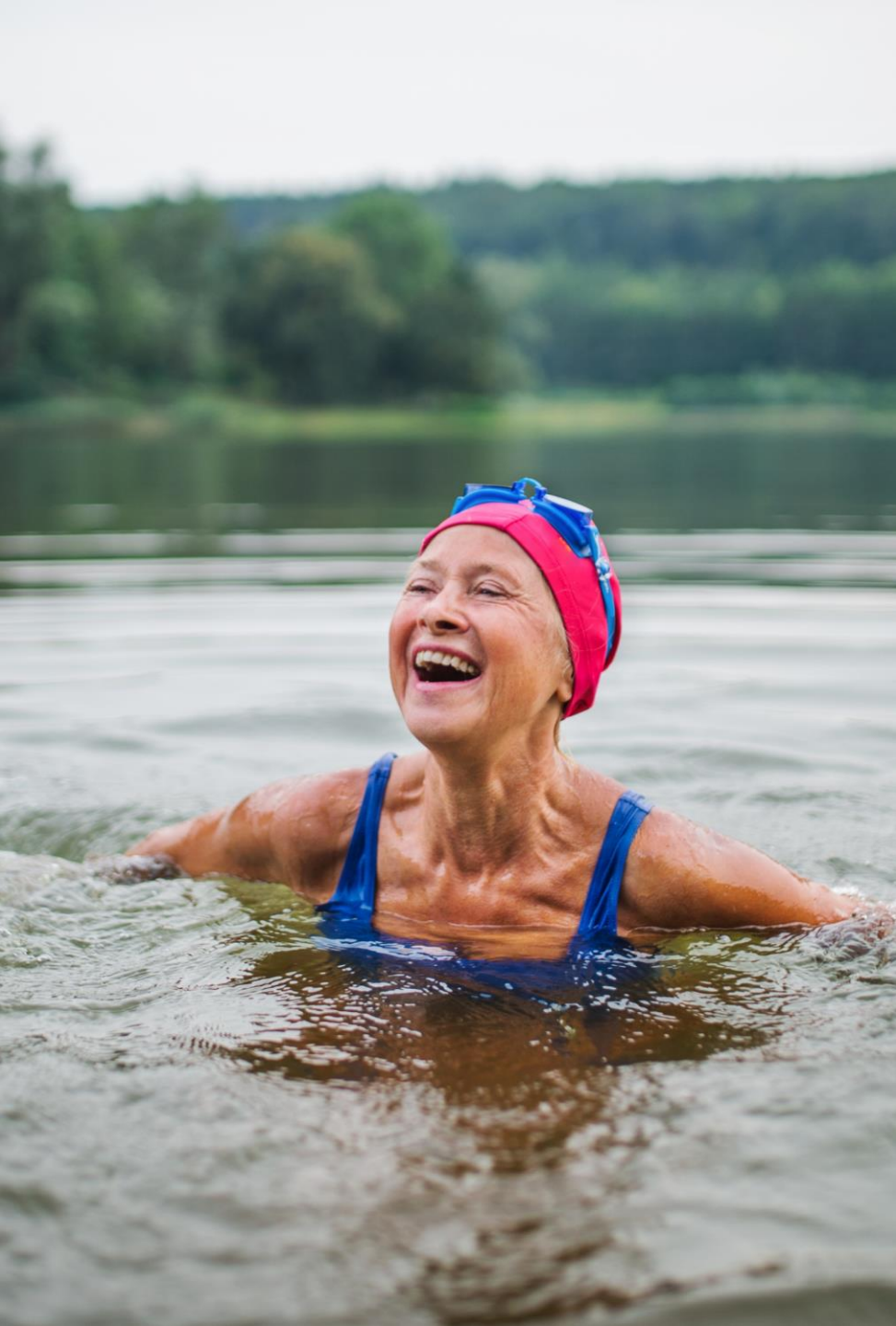
GEORGIA
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

- Please note that everyone is entering the meeting with their microphones muted.
- Please **keep your microphones muted** except when you are speaking. This will help us minimize background noise and feedback.
- Please take a moment to **open the Participants list and rename yourself** to show your full name and affiliation, so we have that for our records. You should see a “Rename” option next to your name (or click on “More” to find this option).
- **This meeting is being recorded** to document any questions or comments received during our time together.
- To make a comment or ask a question, please either:
 - Indicate you would like to make a comment using the Chat feature.
 - In the “Reactions” menu, select the “raise hand” option. The host will call on you to ask your question or make your comment.

Meeting Agenda

- Review of Clean Water Act and EPA's Water Quality Standards Handbook
- Review of primary and secondary contact recreation and GA's designated uses
- Map of Chattahoochee River segment and nearby dischargers
- Next steps
- Questions, comments, discussion



Clean Water Act

- Goal of the CWA is that all waters be “fishable/swimmable”
- Georgia’s designated uses as of 1986:
 - a) Drinking water supplies
 - b) Recreation
 - c) Fishing, propagation of fish, shellfish, game, and other aquatic life (“Fishing”)
 - d) Wild river
 - e) Scenic river
 - f) Coastal fishing
- All of Georgia’s waters meet the fishable/swimmable goal

EPA Water Quality Standards Handbook

• Section 2.1.3: Recreation

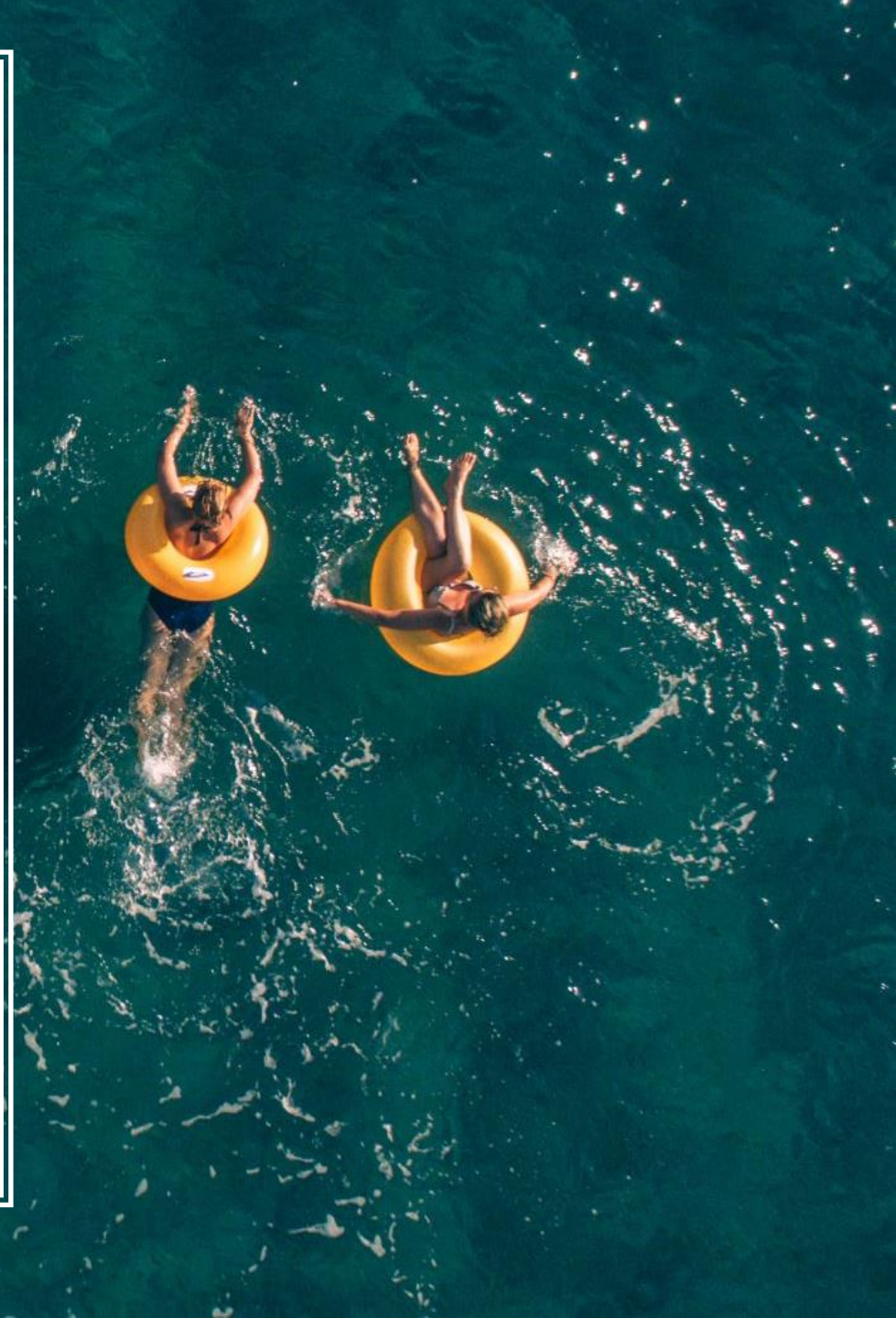
- EPA recommends three different options for recreational use categories.
 - Option 1: Designate primary contact recreational uses for all waters of the State.
 - Option 2: Designate either primary or secondary contact recreational uses, with bacteriological criteria sufficient to support primary contact recreation.
 - Option 3: Designate waters as in Option 2 or conduct a use attainability analysis to demonstrate that fishable/swimmable uses are not attainable for all waters.
- Georgia utilizes Option 2:
 - “Designate either primary contact recreational uses or secondary contact recreational uses for all waters of the State and, where secondary contact recreation is designated, set bacteriological criteria sufficient to support primary contact recreation. EPA believes that a secondary contact recreational use (with criteria sufficient to support primary contact recreation) is consistent with the CWA section 101(a)(2) goal.”
 - Georgia’s Designated Uses “Fishing,” “Coastal Fishing,” and “Drinking Water Supplies” all include secondary contact recreational uses, which have bacteriological criteria sufficient to support primary contact recreation in the summer.



EPA Water Quality Standards Handbook

- Section 2.6: Seasonal Uses

- 40 CFR 131.10(f)
- “.... EPA recognizes seasonal uses in the Water Quality Standards Regulation. States may specify the seasonal uses and criteria protective of that use as well as the time frame for the ‘. . . season, so long as the criteria do not prevent the attainment of any more restrictive uses attainable in other seasons.’”



Primary and Secondary Recreation

- Definitions being amended for clarification as part of 2019 Triennial Review:
 - "Primary Contact Recreation" is full immersion contact with water where there is significant risk of ingestion that includes, but is not limited to, swimming, diving, white water boating (class 3+), tubing, water skiing, and surfing.
 - "Secondary contact recreation" is incidental contact with the water not involving a significant risk of water ingestion such as canoeing, fishing, kayaking, motor boating, rowing, splashing, wading, and occasional swimming.



Bacteria Criteria for Recreation Designated Use:

- Primary contact recreation bacteria criteria year round
 - E. coli: not to exceed 30-day geometric mean of 126 counts per 100 mL. No more than 10% excursion frequency of 410 STV
 - Enterococci (coastal and estuarine waters): not to exceed 35 counts per 100 mL. No more than 10% excursion frequency of 130 STV.





Bacteria Criteria for Designated Uses:

- Recreation designated use currently has E. coli and enterococci criteria.
- EPD is proposing E. coli and enterococci criteria for Fishing and Drinking Water uses as part of the 2019 Triennial Review.
- These proposed criteria were calculated based on a study in EPA's [Exposure Factors Handbook, Chapter 3](#). Based on the water ingestion rates from this study, bacteria criteria for winter time secondary contact recreation are 2.1 times higher than bacteria criteria for primary contact recreation.
- The following slide lists the **proposed** bacteria criteria for Fishing and Drinking Water designated uses that would replace the seasonal fecal coliform criteria currently in the rules.



Bacteria Criteria for Fishing and Drinking Water Designated Uses:

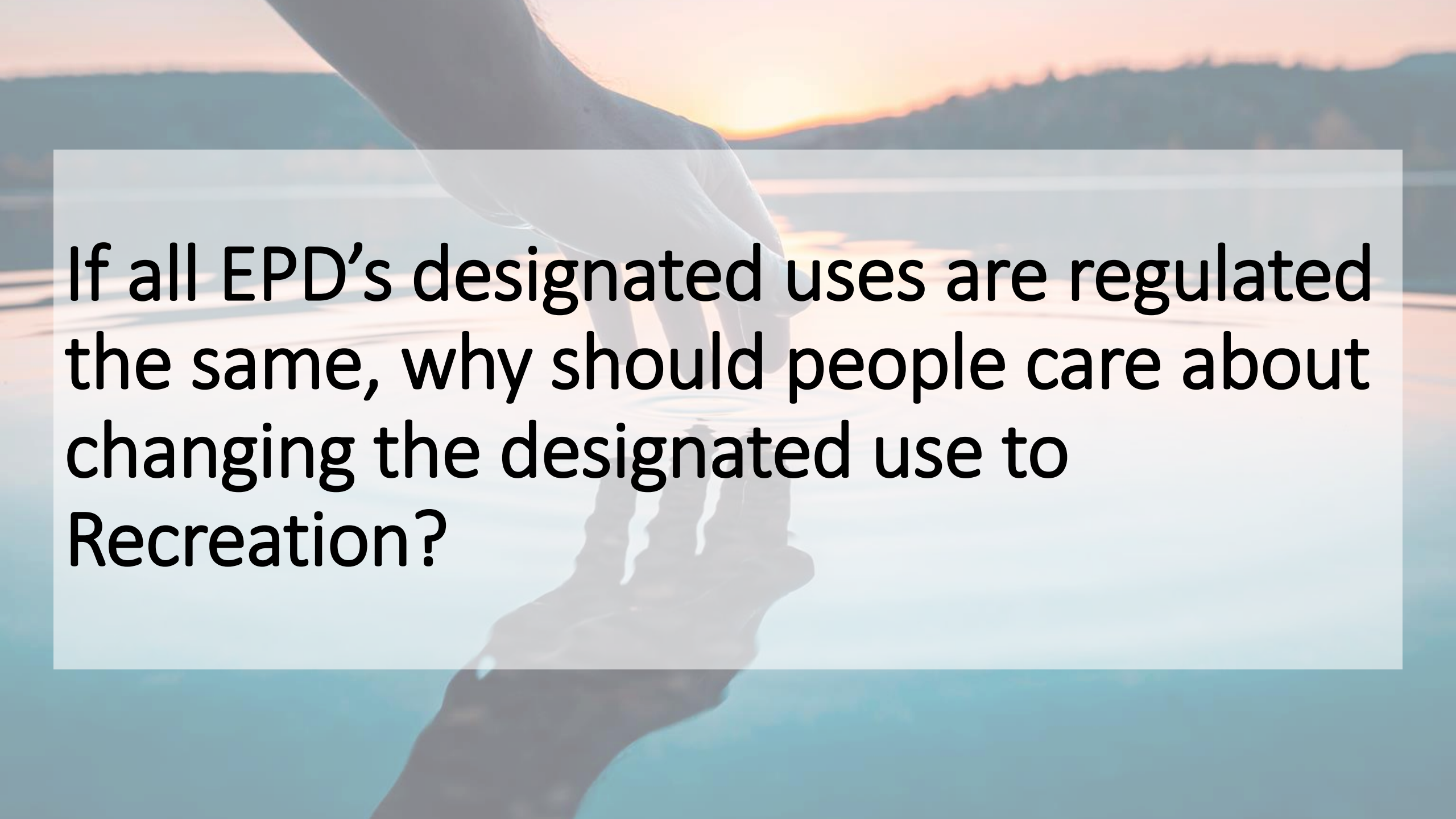
- Primary contact recreation bacteria criteria in May-October
 - E. coli: not to exceed 30-day geometric mean of 126 counts per 100 mL. No more than 10% excursion frequency of 410 STV
 - Enterococci (coastal and estuarine waters): not to exceed 35 counts per 100 mL. No more than 10% excursion frequency of 130 STV.
- Secondary contact recreation bacteria criteria in November-April:
 - E. coli: not to exceed 30-day geometric mean of 265 counts per 100 mL. No more than 10% excursion frequency of 861 STV.
 - Enterococci (coastal and estuarine waters): not to exceed 74 counts per 100 mL. No more than 10% excursion frequency of 273 STV.

Antidegradation Policy

- All waters in Georgia are Tier 2 high quality waters meeting the goal of the CWA.
- All Tier 2 waters require an antidegradation analysis be performed before a discharge of pollutants can be allowed.
- The discharge of any pollutants will have to meet the State's water quality criteria.
- 391-3-6-.03 (2)(b)(ii)
 - When... “lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located ... the division shall assure water quality adequate to protect existing uses fully.”
- 391-3-6-.03 (2)(b)(ii)2.
 - “The analysis of alternatives shall evaluate a range of practicable alternatives that would prevent or lessen the degradation associated with the proposed activity.”

Permit Limits and Regulations

- EPD regulates existing, new, and modified NPDES and LAS municipal and industrial permittees the same regardless of designated use.
 - (Except designated uses of “Wild River” and “Scenic River,” which are rare and generally limited to wilderness areas with no human development)
- Changing a designated use from Fishing or Drinking Water to include Recreation will not change the regulation of NPDES and LAS municipal and industrial permittees.
 - The premise that EPD will regulate existing and/or new pollution sources more stringently or that pollution levels in the water body will decrease via some other process is not appropriate justification for a change in the designated use.

A hand is shown dropping a coin into a body of water. The background is a sunset over a lake or sea, with mountains visible in the distance. The text is overlaid on a semi-transparent white box.

If all EPD's designated uses are regulated the same, why should people care about changing the designated use to Recreation?



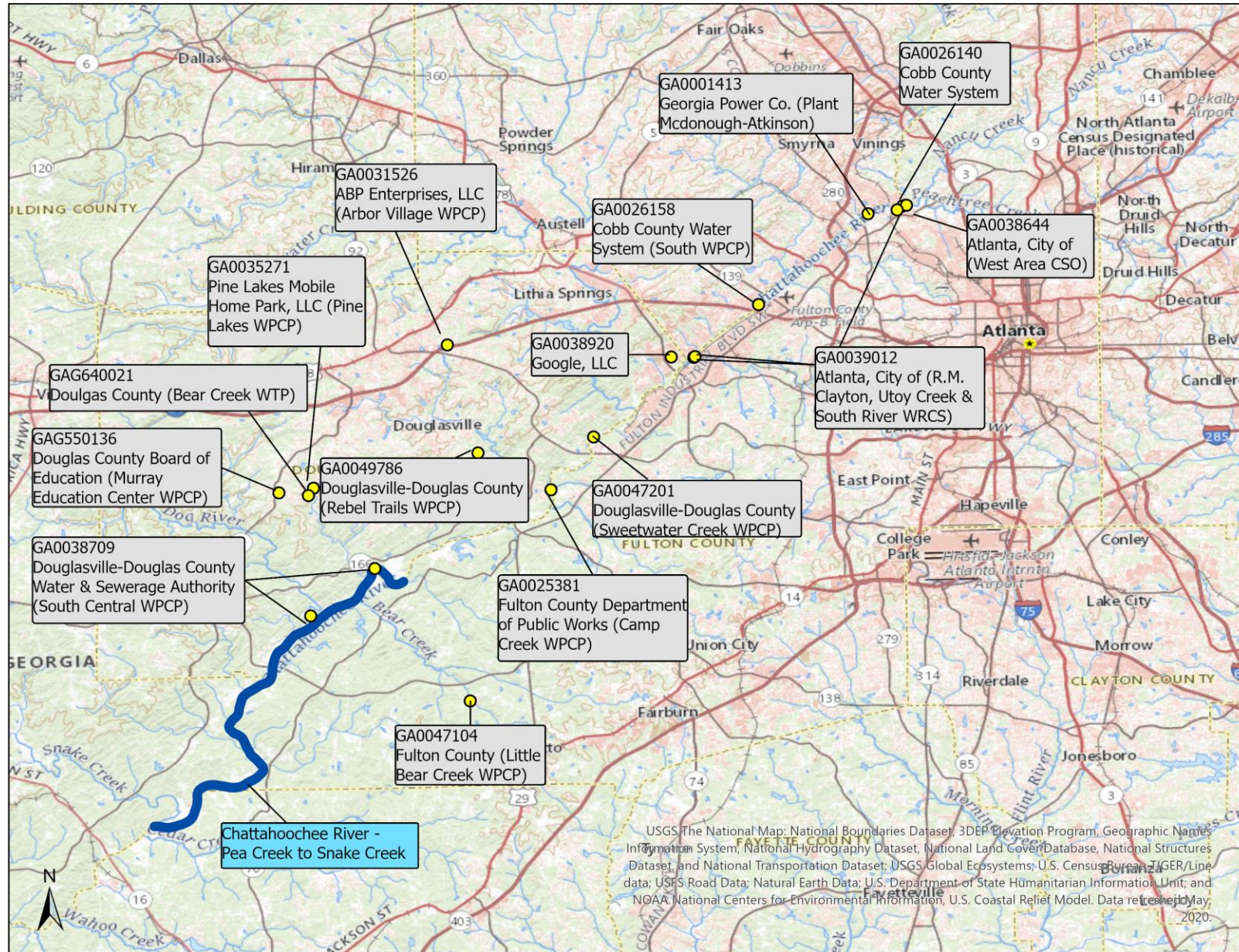
Reasons to Designate a Waterbody as Recreation

- A. To recognize the current use is primary recreation.
- B. There is broad community support for continued use of the water body for primary recreation. This also means that there is no significant stakeholder opposition to the change in designated use to recreation.
- C. The community has made or plans to make financial investments to promote the use of the water body for primary recreation and an official change to the designated use will affirm those investments and affirm their promotion of the water body.

Public Input

- As part of the Triennial Review process, EPD solicits and considers public comment regarding potential changes to water quality standards.
- This includes the potential changes in designated uses to Recreation.
- EPD staff continues to provide guidance to the public as to how they can provide meaningful input to the process.
- EPD will consider all discussions and comments received during the stakeholder process
- Nonetheless, the final decision to make changes to the State's water quality standards will be made by the EPD Director and the DNR Board.

Dischargers to and upstream of Chattahoochee River – Pea Creek to Snake Creek



A scenic landscape photograph featuring a sunset over a rocky terrain. The sun is low on the horizon, casting a warm, golden glow across the sky and reflecting in a small, calm pond in the middle ground. The foreground consists of rugged, brownish-grey rocks. The sky is filled with soft, wispy clouds, and the overall atmosphere is serene and peaceful.

Questions/Comments

Comments, Contacts, and WQS Webpage

- EPD is asking dischargers to provide letters of support or concern to Gillian Gilbert-Wason at Gillian.Wason@dnr.ga.gov by July 22, 2021
- The EPD webpage dedicated to Water Quality Standards can be found at: <https://epd.georgia.gov/watershed-protection-branch/georgia-water-quality-standards>
- A map of the waterbody segments currently under consideration can be found at <https://arcg.is/1uDSeH>