

Richard E. Dunn, Director

Watershed Protection Branch

2 Martin Luther King, Jr. Drive
Suite 1152, East Tower
Atlanta, Georgia 30334
404-463-1511

Elizabeth Carr-Hurst
Mayor, City of Fairburn
56 Malone Street SW
Fairburn, GA 30213

Jul 27, 2020

J. Clark Boddie
Mayor, City of Palmetto
509 Toombs Street
Palmetto, GA 30268

Vince Williams
Mayor, City of Union City
5047 Union Street
Union City, GA 30291

RE: Surface Water Withdrawal Permit Application (New)
Name: Cities of Fairburn, Palmetto, and Union City (Joint Application)
Permit # 060-1291-10, Source: Chattahoochee River, County: Fulton
Permit Limits: 11.40 mgd max 24-hr day/8.55 mgd monthly average/7.12 mgd annual average

Dear Mayors Carr-Hurst, Boddie, and Williams:

In accordance with the Georgia Water Quality Control Act, as amended, the above referenced new permit to withdraw surface water from Chattahoochee River has been issued by the Division and is hereby enclosed. The conditions of compliance are provided in this permit. Standard Condition number (4)(b) requires the permit holder to submit to the Division within the first 10 days of the calendar month, a monthly Surface Water Withdrawal Report for the previous month, showing daily raw water withdrawals associated with this permit. A copy of this reporting form is included.

If you have any questions, please do not hesitate to contact me at (470) 898-3891 or Wei.Zeng@dnr.ga.gov

Sincerely,

Wei Zeng

Wei Zeng, Ph.D., Professional Hydrologist
Manager, Water Supply Program
Watershed Protection Branch
Georgia Environmental Protection Division
470-898-3891
Wei.Zeng@dnr.ga.gov

Attachments:

PERMIT NO. 060-1291-10

ISSUANCE DATE: 07/27/2020



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

PERMIT TO WITHDRAW, DIVERT OR IMPOUND SURFACE WATER

PERMIT HOLDER'S NAME **Cities of Fairburn, Palmetto, and Union City**
PERMIT HOLDER'S ADDRESS **South Fulton Municipal Regional Water and Sewer Authority**
P. O. Box 190, Palmetto, GA 30268
COUNTY: **Fulton County**

In accordance with the provisions of the Georgia Water Quality Control Act, (O.C.G.A. § 12-5-20 et seq.) as amended, and the Rules and Regulations for Water Quality Control, Chapter 391-3-6, promulgated pursuant thereto, this permit is issued to **withdraw** surface water from **Chattahoochee River in Chattahoochee River Basin** for the purpose of **municipal water supply**.

The Cities of Fairburn, Palmetto, and Union City the "Member Cities" (Permittee) must comply with the following limitations:

- (1) Maximum 24 hour: Withdrawal 11.40 MGD; Impoundment ____ MGD; Diversion ____ MGD
- (2) Not to exceed a monthly average of 8.55 MGD
- (3) Not to exceed an annual average of 7.12 MGD

This Permit is conditioned upon the permit holder complying with the attached **Standard Conditions** (1 through 5) and the additional **Special Conditions** (13 through 20) which are hereby made a part of this Permit.

In accordance with the application dated 12/5/2018 and in conformity with the statements and supporting data entered therein or attached thereto, all of which are filed with the Environmental Protection Division of the Department of Natural Resources and are hereby made part of this Permit.

This Permit is effective from the date first above written and is subject to revocation pursuant to the Georgia Water Quality Control Act, as amended, O.C.G.A. § 12-5-31 (k).

Absent prior revocation in accordance with the above language, this Permit will expire **ten (10) years** from the issuance date on this permit.



Director
Environmental Protection Division

This permit is conditioned upon the permittee complying with the provisions of the Water Quality Control Act, as amended, or any of the Rules and Regulations promulgated thereto;

STANDARD CONDITIONS

1) GENERAL PERMIT CHARACTERISTICS

- a) The use of surface water is limited to the quantities and purposes as specified herein;
- b) Water associated with this Permit must not be withdrawn by, released for, or otherwise utilized by any other entity or for any other purpose without first modifying this Permit;
- c) This permit must not be transferred except with the approval of the Georgia Environmental Protection Division (EPD);
- d) This permit supersedes any and all previous permits of the same permit number.

2) PERMIT RENEWAL

All permittees desiring to renew a permit shall submit an application for renewal to the Director within six (6) months prior to its expiration.

3) PERMIT MODIFICATION

- a) The permittee may seek modification of any of the terms of an unexpired permit upon written request to the Director.
- b) EPD has the authority to modify any surface water withdrawal permit at any time.

4) MONITORING AND REPORTING

- a) The permittee must submit annually to the EPD, within 30 days of completion of the calendar year, a report listing for each month of the previous year:
 - 1. The gallons per day withdrawn, based on an average of the daily withdrawals for the month;
 - 2. The maximum 24 hour withdrawal;
- b) In addition to Condition 4a, the permittee must submit to EPD within 10 days of completion of the calendar month, a monthly Surface Water Withdrawal Report for the previous month showing daily raw water withdrawals associated with this Permit.

5) WATER PLANNING REQUIREMENTS

- a) The permittee must abide by all applicable water conservation requirements, which may include but are not limited to submission of a Water Conservation Plan for EPD approval and submission of a five-year Water Conservation Progress Report in accordance with 391-3-6-.07. The Progress Report must include all actions and improvements made to conserve water and reduce water loss and shall be submitted for EPD review no later than five years from the issuance date of this permit.
- b) The permittee must abide by all applicable drought response requirements, which include but are not limited to the Georgia Drought Management Rule (391-3-30) and the permittee's Drought Contingency Plan.
- c) The permittee must maintain ongoing compliance with applicable "Metropolitan North Georgia Water Planning District Water Resources Management Plan" requirements.

SYSTEM INFORMATION

- 6) The South Fulton Municipal Regional Water & Sewer Authority (the "Authority") was created in 2000 by the Georgia General Assembly (House Bill 1421) for the purpose of developing water supply and sewer capacity for the cities of Fairburn, Palmetto, and Union City ("Member Cities").
- 7) On March 11, 2003, the Authority, and the Member Cities entered into the "Operations and Finance Agreement" ("Operations Agreement"). According to the Operations Agreement, the control of daily operations of the water and sewer projects is allocated to the Authority. The Member Cities have committed to collectively "acquire all of their respective potable water requirements from the Authority."
- 8) The Authority signed a resolution on November 13, 2018, regarding the Joint Water Withdrawal Permit Application submission by the Member Cities to EPD. Once the Fulton County Service Delivery Strategy ("SDS") is approved by the Georgia Department of Communities Affairs (DCA) the Authority shall submit to EPD a request to modify this permit to become the permittee.
- 9) The Authority will construct, own and operate the intake on the Chattahoochee River, pumps, pipelines, water treatment plant and distribution lines to each Member City. The Authority will operate a wholesale water system and be responsible for overall compliance with all EPD water withdrawal permit conditions.
- 10) EPD shall revoke the existing surface water withdrawal permit issued to the City of Palmetto (Permit No: 060-1218-01) upon the issuance of this permit, completion of construction of the infrastructure described in Condition #9, and confirmation of said infrastructure becoming operational.
- 11) The Member Cities are approved for an annual average water supply need of up to 13.25 MGD by the year 2065 as established in the September 13, 2017 EPD Certification of Need Letter. The

limits in this permit reflect water supply needs over a ten-year period from the date of permit issuance.

- 12) The water withdrawal permitted under this permit shall be shared by the Member Cities namely Fairburn, Palmetto, and the Union City.

SPECIAL CONDITIONS

- 13) The permittee's raw water intake is located on the eastern bank of Chattahoochee River about 3900 feet south of Rivertown Road. All water withdrawn must be metered at or immediately upon leaving the intake structure or pump station. The Authority must monitor daily, record, and keep on file at the water treatment plant the amount of water withdrawn from the Chattahoochee River.
- 14) Within 3 months of the approval of a new Fulton County Service Delivery Strategy, which includes the South Fulton Municipal Regional Water & Sewer Authority, the Authority shall submit to EPD a request to modify this permit to become the permittee.
- 15) Within two years after the issuance of this permit, the Authority must install, immediately upstream or downstream of the intake location, a United States Geological Survey (USGS) approved gage or equivalent to facilitate compliance with Condition 16. The details of the gage type, location, and USGS approval documentation must be submitted to EPD within the timeframe cited above. Daily streamflow records collected from the gage must be kept on file and be made available online to EPD.
- 16) The Authority must ensure that its withdrawal of water from the Chattahoochee River does not cause flow immediately downstream of its intake location to be lower than instream flow protection thresholds as determined using gage measurements required in Condition 15. Instream flow protection thresholds are defined for each month in Table 1 below, or inflow, whichever is less.

Table 1. Monthly low flow requirements on Chattahoochee River immediately downstream of Authority's intake location

Month	Low Flow Requirements (cfs)
January	1024
February	1073
March	1113
April	1152
May	1051
June	996
July	969
August	949
September	943
October	956
November	870
December	931

- 17) The Member Cities must obtain a Section 404 Permit from the U.S. Army Corps of Engineers and submit confirmation to EPD before beginning to withdraw water under this permit.
- 18) In accordance with 391-3-33-.05, any future modification is conditioned upon the demonstration of progress towards improved water efficiency. The Authority and each Member City, as applicable, must submit an annual Water Audit by March 1 of each year and maintain ongoing compliance with the following:
 - a) Establishment of a Water Loss Control Program and associated goals to set measures of water supply efficiency
 - b) Demonstration of progress toward improved water efficiency using the measures established.
- 19) Due to the levels of Non-Revenue Water (NRW) and variability of the data reported in the Member Cities' annual water loss audits, each Member City must provide the following documentation:
 - a) Within six (6) months of the issuance date of this permit, a Water Loss Control Program designed to address priorities identified in the Member City's water loss audits and any other issues believed to contribute to current Non-Revenue Water (NRW) levels. The Water Loss Control Program must contain concrete actions to improve water efficiency and deadlines for implementation. Once submitted, the goals and associated deadlines will become enforceable through this permit.
 - b) A progress report every year starting one (1) year from the permit issuance date, based on the Member City's Water Loss Control Plan, on efforts made to reduce Water Loss within the system. The progress reports must provide a description of implemented measures and how the implemented measures have reduced the system's NRW. This annual report must be submitted every year to ensure continued progress.
- 20) The Authority must submit annually to EPD, before March 1 of the calendar year for the previous year, a report for an annual average estimate of all water transferred out of or into the Chattahoochee River Basin (in million gallons per day). The estimate should include the following:
 - a) Water that originates in the Chattahoochee River Basin but is transferred by the permit holder, or an entity that purchases water from the permit holder, into another river basin and discharged or consumed, broken down by the individual recipient of the transferred water and the river basin into which it is transferred.
 - b) Water that is returned to the Chattahoochee River Basin by the permit holder, or an entity that purchases water from the Authority, broken down by individual who returned the transferred water.
 - c) Water that does not originate in the Chattahoochee River Basin but is transferred into and consumed and/or discharged within the Chattahoochee River Basin by the Authority, broken down by individual supplier of the transferred water and the river basin in which the water originates.