

Georgia EPD

**Drought Management & Water
Efficiency Rules Stakeholder Meeting**

October 22, 2014

Stakeholder Meeting

- Agenda
 - Welcome & Introduction
 - Draft Drought Management Rule (391-3-30)
 - Recap of Purpose of Rule;
 - Significant Changes from Previous Draft;
 - Questions/Comments
 - Draft Water Efficiency Rule (391-3-33)
 - Summary of Statutory Authority and Purpose of Rule;
 - Water Loss Audit Program -.03;
 - Water Use Efficiency and Effectiveness Improvement -.04;
 - Questions/Comments
 - Wrap Up

Welcome & Introduction

- Overview of Meeting
 - EPD previously held public stakeholder meetings on the development of the Drought Management Rule on May 13, 2014 and July 15, 2014
 - EPD is having a stakeholder meeting that addresses both rules in response to comments requesting us to do so
 - EPD requests that any input in response to this stakeholder meeting be submitted to EPD by November 14, 2014
 - EPD is not formally proposing any rule changes at this time
 - There is no set schedule for making any changes at this time
 - Proposed Rule(s) in early 2015 is a possibility
 - Any proposed rule changes in the future would involve public notice, public hearing, and opportunity to comment

Drought Management Rule

- Primary Goals:
 - Protect water supplies in order to ensure that public water systems have sufficient water to meet public health needs during droughts
 - Implement OCGA § 12-5-7 and § 12-5-8
- Notes:
 - Completely replaces the Rules for Outdoor Water Use and the 2003 Drought Management Plan (see OCGA § 12-5-8)
 - State law does not give EPD authority to regulate water withdrawals less than 100,000 gallons per day

Significant Changes to Previous Draft

- Drought Indicators, Triggers, and Declaration
 - More information provided to water systems and public regarding drought indicators and potential for declaration before declaration is made.
 - Periodic public reports of indicators – similar to 2003 Drought Plan
 - Reports become at least monthly if any part of state is in Severe Drought according to U.S. Drought Monitor
 - Example report posted
 - Requirement for public water systems to notify EPD if their drought contingency plan is triggered;
 - EPD to hold conference call for permittees before declaration;
 - EPD to hold periodic conference calls w/ permittees impacted by drought declaration.

Significant Changes to Previous Draft

- Record Keeping and Reporting of Water Usage
 - Requirement within this rule to keep records, and submit reports, regarding water usage has been removed.
 - EPD is proposing minor adjustments to existing water withdrawal permit record keeping and reporting form that water systems are already familiar with.
 - This will satisfy concerns that this rule could result in duplicative reporting.

Significant Changes to Previous Draft

- Drought Response Strategies
 - Level 1 – Public Education Campaign
 - Level 2
 - Two day a week regular outdoor watering;
 - Some mandated measures;
 - Some menu items public water systems can choose from;
 - Menu includes option of drought surcharge or conservation pricing.
 - Level 3
 - No regular outdoor watering;
 - Implement all measures from menu;
 - Percent reduction in water usage requirements not automatically required but may be instituted by EPD. EPD to take into consideration economic and climatic conditions during the baseline period and also consider the public water system's peaking factor.
 - Removed connection to Water Audit performance for percent reduction
 - Removed adjustments to percent reduction based on stream or reservoir levels (use Variance process instead)
 - Would not apply to industry

Significant Changes to Previous Draft

- Drought Response Strategies
 - Level 3 Continued
 - Drought surcharge or tiered conservation rates required
 - Drought surcharge not required for industrial customers
 - If billing system does not allow - exemptions from requirements (regarding Drought surcharge):
 - » to have rates be distinct from established rates; or
 - » to have rates apply only to volumetric water usage
 - Some uses listed under O.C.G.A. §12-5-7(a.1)(2) subject to time of day and/or best management practices:
 - food gardens, new turf/seed, hand watering, athletic fields, golf courses, reclaimed water, installation of irrigation systems
- Professional Exemptions

Significant Changes to Previous Draft

- Variance Program
 - Allow variances for systems who get water from US COE operations, but higher burden to demonstrate variance is warranted because these systems have little control over the management of their water supply source

Questions/Comments – Drought Management Rule

Water Efficiency Rule – Statutory Authority & Summary

- O.C.G.A. §12-5-4.1. “Adoption of minimum standards and best practices for improving efficiency and effectiveness of water use; requirements”
 - DNR Board shall adopt rules for the minimum standards and best practices for monitoring and improving the efficiency and effectiveness of water use by public water systems to improve water conservation. Including:
 - Establishment of infrastructure leak index
 - Annual water loss audits
 - Water loss detection program

Water Loss Audit Program

- Codifies existing annual water loss audit program
- Key issues:
 - What level of qualification/training/expertise should be required to submit a water loss audit?
 - Should there be an independent (third party) review of the audit before (or after) it is submitted to EPD?
- **NOTE: Language in draft rule regarding “Certified Water Loss Auditor” intended as a placeholder only in order to solicit comment on this issue**
- Principle: It is best interests of EPD, public water systems, and public that these audits are (and perceived to be) reliable and accurate

Water Loss Audit Program

- Validation by “Certified Water Loss Auditor”
 - EPD and/or GEFA have funded 3rd party reviews of the water loss audits to help get this program successfully started with high level of confidence
 - Cost has been ~ \$1,000 per audit
 - Substantial changes made to some audits based on the review
 - Additional funds not available for this purpose

Water Loss Audit Program

- Pros/Cons of Highly Qualified and/or 3rd Party Review:
 - Pros:
 - Water Loss Audits are complex and subjective.
 - Some water systems may not have internal resources to do them well
 - Subjectivity of process could lead to bias (regardless of intent) in results without independent review
 - Note: Vast majority of other environmental reports submitted to EPD are highly objective (i.e. water withdrawal data, DMR data)
 - Cons:
 - Time & Cost to train and/or hire highly qualified and/or 3rd party
 - Perception that public water systems unable to do it on their own
 - Perception that EPD doesn't trust public water systems to do it on their own

Water Loss Audit Program

- OPTION: EPD could establish a “fee for service” arrangement similar to the Drinking Water lab services program to have 3rd party review of the audits
 - Would be voluntary
 - Each system would pay a fee to EPD for the service
 - In lieu of public water system contracting with 3rd party, EPD would handle all of those arrangements
 - Possible better pricing due to bundled purchase for services
 - Consistency
 - Participating public water systems avoid time consuming contracting process
 - Public water systems that choose to not participate would have to make arrangements on their own

Water Use Efficiency and Effectiveness Improvement

- Water Loss Control Program
 - Develop and implement program
- Individualized Goals
 - Each system shall establish individual goals to set measures of, and improve, water use efficiency
- Annual reports submitted to document efforts to improve water use efficiency

Water Use Efficiency and Effectiveness Improvement

- Demonstrable Progress
 - Public water systems shall make demonstrable progress toward improving water use efficiency. Do so by:
 - Improvement in ILI and Data Validity Score;
 - Improvement in Operational Basic Real Losses;
 - Improvement in Operational Basic Apparent Losses;
 - Economic Level of Leakage has been achieved.
 - Demonstrable progress considered when evaluating permit applications to:
 - Renew a water withdrawal permit;
 - Increase withdrawal allowed by water withdrawal permit;
 - Increase number of service connections in drinking water permit.
 - Failure to make demonstrable progress may result in denial of permit application to increase water withdrawal or drinking water service connections or reduction in permitted water withdrawal quantity

Questions/Comments – Water Use Efficiency Rule

- Specific areas where comment is requested:
 - Validation/Certified Water Loss Auditor
 - Qualifications to submit
 - Independent/3rd Party Review
 - Demonstrable Progress
 - Time period of review
 - Metrics for consideration
 - Anything else

Wrap Up

- Thank you for your interest, attendance, and participation
- Please provide any comments by November 14, 2014
 - Mail: James A. Capp
Chief, Watershed Protection Branch, EPD
2 Martin Luther King Jr. Drive, Suite 1152 East
Atlanta, GA 30334
RE: Drought Management & Water Efficiency Rules
Stakeholder Meeting
 - E-mail: tim.cash@dnr.state.ga.us; Subject: Drought Management & Water Efficiency Rules Stakeholder Meeting
- Note: When commenting, please be clear which rule the comment(s) pertains to
- To ensure that you are notified of any future EPD Watershed Branch stakeholder meetings and/or public hearings on this subject, please email Tim Cash: tim.cash@dnr.state.ga.us

END