

Cash, Tim

From: Bryan Tolar <btolar@ga-agribusiness.org>
Sent: Monday, November 24, 2014 11:10 AM
To: Cash, Tim
Cc: Pennington, Russ; Turner, Jud; 'Mary Kay Woodworth'; Chris Butts
Subject: Drought comments
Attachments: Joint comments on Drought Planning - 11182014.pdf

Tim –

Hope all is well. Sorry for the delay in getting these to you. I touched base with Russ to let him know it was in process.

Attached is a joint letter for GAC, UAC and GGIA regarding the drought rules stakeholder meeting #3.

Please feel free to contact us if we can be of assistance. Best wishes for a restful Thanksgiving.

Thank you,

Bryan

Bryan Tolar, President



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November 18, 2014

James A. Capp, Chief, Watershed Protection Branch, EPD
2 Martin Luther King Jr. Drive, Suite 1152 East
Atlanta, GA 30334

RE: Drought Management Rule – Stakeholder Meeting #3

Mr. Capp:

The Georgia Agribusiness Council, Georgia Urban Agriculture Council and Georgia Green Industry Association have consolidated our comments into this joint letter for your use. We thank you for this additional opportunity to submit comments regarding the draft State Drought Management Rule contemplated by the Georgia EPD Watershed Protection Branch.

We recognize the numerous adjustments made to the earlier draft to help accommodate industry and marketplace needs. Thank you for your understanding of these issues. While much progress has been made during this process, we offer these additional observations for your consideration as the stakeholder discussions move forward.

We believe the most recent draft contemplates much of what is contained in the Water Stewardship Act (WSA) of 2010. Our particular interests are contained in the water use allowances listed in law to help protect jobs and the economic viability of various urban agriculture industry sectors. As mentioned in previous letters from our respective organizations, drought planning impacts are a huge concern for our industry as the economic consequences and public reaction to state drought provisions have proven devastating in the recent past.

Confusion lies with outdoor water use restrictions placed upon uses that appear in law not to have any limitations. Here is the list for your reference:

1. Commercial agricultural operations as defined in Code Section 1-3-3;
2. Capture and reuse of cooling system condensate or storm water in compliance with applicable local ordinances and state guidelines;
3. Reuse of gray water in compliance with Code Section 31-3-5.2 and applicable local board of health regulations adopted pursuant thereto;
4. Use of reclaimed waste water by a designated user from a system permitted by the Environmental Protection Division of the department to provide reclaimed waste water;
5. Irrigation of personal food gardens;
6. Irrigation of new and replanted plant, seed, or turf in landscapes, golf courses, or sports turf fields during installation and for a period of 30 days immediately following the date of installation;
7. Drip irrigation or irrigation using soaker hoses;
8. Handwatering with a hose with automatic cutoff or handheld container;
9. Use of water withdrawn from private water wells or surface water by an owner or operator of property if such well or surface water is on said property;

10. Irrigation of horticultural crops held for sale, resale, or installation;
11. Irrigation of athletic fields, golf courses, or public turf grass recreational areas;
12. Installation, maintenance, or calibration of irrigation systems; or
13. Hydroseeding.

At Drought Level 3, the newest proposal limits the time of watering for some of these operations. While we are understanding of the importance of conservation and use reduction, especially at critical times, it appears to be in conflict with the provisions of the law. Should added restrictions be placed on any of these 13 items, it signals that added restrictions could be placed on any or all of these 13 items. It is our desire to continue working with EPD to clarify any proposed rule so that the intent of the law is met, while also seeking opportunities to advance water use reductions that are sought.

As for the limitations set on the “irrigation of new and replanted plant, seed, or turf in landscapes, golf courses, or sports turf fields during installation and for a period of 30 days immediately following the date of installation,” the water savings would be minimal, but loss of plant materials could be substantial. In addition, such actions send the wrong message to consumers and landscape professionals – which is exactly what we sought to prevent and why this was listed as an exemption to outdoor water use restrictions in Georgia law. We ask that the water use on this issue be left untouched.

Thank you again for your consideration of our comments. We all seek to develop a final draft that meets the needs for water conservation during times of scarcity and economic sustainability of one of our state’s historic and growing economies.

Sincerely,



Bryan R. Tolar, President
Georgia Agribusiness Council



Mary Kay Woodworth, Executive Director
Georgia Urban Agriculture Council



Chris Butts, Director of Legislative, Environmental and Public Affairs
Georgia Green Industry Association

