

Meeting Notes

Etowah HCP Steering Committee Retreat
February 20, 2003
Old Historic Courthouse, Canton, GA
Notes prepared by Libby Ormes 02/26/2003

Participants:

Participants included members of the HCP Steering Committee and representatives from US Fish and Wildlife Service, GA Department of Natural Resources, The Nature Conservancy, and University of Georgia.

Each participant received a notebook with background information and reports, a survey analysis, an agenda and meeting notes from the first Steering Committee meeting on January 10, 2003, and contact information for Steering Committee and Advisory Committee members.

Meeting purpose:

The purpose of this meeting was to provide more background information and research about HCPs and the Etowah River and its endangered species, to discuss the Etowah watershed survey results, and to begin looking more closely at the details of an HCP for the Etowah watershed, discussing regulations and permits, those that are both in place and possibilities, and activities that can be covered in the HCP. This meeting was also conducted to discuss a general timeline and what steps should be taken next to move forward with this process.

These meeting notes, along with all of the power point presentations given at this meeting are available on the website at: www.EtowahHCP.org.

1. Etowah watershed public survey results (powerpoint available on website)

Libby Ormes and Elizabeth Pate, from the University of Georgia Institute of Ecology, and Department of Science Education, presented the results from the Etowah Watershed Public Survey that was put together by The Nature Conservancy, the University of Georgia, and Upper Etowah River Alliance, and conducted by Kennesaw State University. The purpose of the survey was twofold: 1) to learn more about the general public in the Etowah watershed, and their knowledge about the Etowah River, their opinions about issues involved, and their sense of empowerment to be involved with these issues, and 2) to serve as baseline information for the public education and involvement campaign for the Etowah HCP. The discussion of the survey included components, demographics, and highlighted results of the survey, as well as short term and long term goals and initial recommendations for the public education and involvement plan, based on the survey results.

Suggestions for general education in the Etowah watershed include: providing more information and programs in schools, and working with existing programs (with UERA, for example), educational signs, near drinking water sources, for example, and providing information on water and other appropriate bills and annual water quality reports (both general about the Etowah watershed and the HCP and specific about drinking water source and pollutants, for example)- these could be in the form of inserts included with

the bills and/or reports, and to address some concern about additional costs to the billing agency, could possibly be provided by appropriate HCP participants (like UGA, for example).

In response to our initial recommendations for moving forward with the education and involvement plan, one participant pointed out that we should pay close attention to the significant number of respondents (60%) who believe that restrictions of what people can do with their land is a violation of property rights, referring to possible concerns some may have about further regulations and permitting set forth in the Etowah HCP.

The meeting participants were given a copy of highlighted results of the survey and representatives from UGA agreed to mail complete survey results documents to each steering committee member.

2. A little natural history and What we do and don't know about how development affects fishes (powerpoint available on website)

Mary Freeman, from the University of Georgia Institute of Ecology, and United States Geological Survey (USGS), spoke about the natural history of the endangered (aquatic) species in the Etowah River, including fishes, mussels, and one aquatic insect that are either federally or state listed as threatened or endangered, or listed as likely to become candidates for federal listing. This discussion included distributions, general lifestyles and habitat requirements for these species.

Mary continued with how development impacts streams and aquatic life, discussing different types of disturbances and working through how these directly and indirectly change the physical aspects of streams and how this affects fishes. Her talk ended with directions and questions for future research like what measures (for road crossings, for example) are possible, or which are less harmful, and suggesting that this is the type of information that can be used to guide requirements included in the HCP.

Questions and discussions on these topics included:

Why are caddis flies imperiled if they are abundant?

They have a limited distribution in the watershed, and their habitat is threatened with increased development (For example, the area between Lake Allatoona and Rome does not support many of the listed species due to altered downstream flow)

Is there a technical solution to problems with culverts and pipes?

There are other ways to bridge streams: clear spanning, for ex. is one of the least harmful.

There are a lot (of culverts and pipes) out there already- is there a solution for those that are already there?

Robin Goodloe, from US Fish and Wildlife Service, provided some suggestions for retrofitting: gradually raise water from hole to pipe to increase possibility of fish-movement; rock ramps, for example.

Other suggestions included opportunities for replacement, with road movement projects, for example, and bottomless culverts (to try something different)

An engineer in the group pointed out that replacement issues include closing roads, which can be a hassle to the county or city, but replacement can happen in a few days, with increases in technology that can make it faster; Other suggestions: oversize the opening of box culvert to depress the current rate, include regulations in design, or using a pipe arch which is effective for spanning or clear spanning for minimal change in stream flow.

Also pointed out that counties can mandate design standards, but engineers need to know these rules beforehand (being proactive rather than be reactive) and need designs that work.

Have there been any efforts to restore fishes relative to low flow in streams and where run-off would be possibly be more?

Sandy Tucker from US Fish and Wildlife Service pointed out that FWS will have restorations programs in the future.

Mary Freeman talked about some of her research on low-flow streams (from drought conditions) and water withdrawal areas: Fish communities in reference streams in low-flow, drought situations have scored very well, relative to abundance, diversity, etc. when compared to studies that had low-flow from water withdrawals. Many times in drought situations, there is a large increase in young reproductions: A strong storm may kill of a lot of young, and occasional dry years are times in which fish can produce a lot of young; these communities may be evolved to tolerate (and take advantage of) drought conditions.

3. What measures (ordinances and regulations) are already in place and what can be used in the Etowah watershed? (powerpoint available on website)

Laurie fowler, from UGA Institute of Ecology and School of Law spoke about biodiversity protection tools currently in place in the Etowah watershed. Her discussion included erosion and sedimentation, riparian buffer, and progressive stormwater management ordinances, conservation subdivisions and conservation planning, greenspace planning, restrictions on road crossings, and reservoir management. Laurie also talked about current research (student projects) that are taking place to help address concerns and questions about the Etowah HCP development and implementation process.

Some suggestions for additional student projects included:

storm water utility

erosion control techniques that work

BMPs: innovative techniques, federal regulations regarding payment, cost comparisons with other measures

Some concerns were expressed about the likelihood of implementing impact fees (one of the student research projects), but there was general support to move forward with

research into other areas that are using impact fees and what they have experienced politically (feasibility, political sell, etc.).

Other suggestions included taking advantage of the help that is available for greenspace planning and use these types of measures, along with water quality to pitch (and promote) the idea of the HCP to others, and using sources such as SPLOST for funding

4. Developing an Etowah HCP mission statement

Libby Ormes and Elizabeth Pate provided the steering committee members with three examples of an Etowah HCP mission statement, for participants to work with or develop their own mission statement about the overall goal of the Etowah Habitat Conservation Plan. Many different options were discussed and the group agreed on the following:

The Etowah Habitat Conservation Plan (HCP) strives to enhance the Etowah watershed through protection of aquatic species and water resources, ensuring continued economic prosperity and quality of life for future generations.

5. Activities that are or can be covered by a regional HCP (powerpoint available on website)

Robin Goodloe, from US Fish and Wildlife Service spoke about some background information on HCPs and FWS guidelines to avoid individual HCPs, actions that might take listed species and activities that can be covered in the Etowah HCP, and examples of how an HCP could be set up to cover to these activities.

Some expressing concern about mitigation requirements and the amount of money these types of measures would cost the counties. In response, Robin spoke about other options for mitigation, like incorporating greenspace programs into mitigation, changing ordinances or building codes for county government mitigation, or the possibility of not having mitigation as part of the HCP, stressing that there a lot of options for the Etowah HCP that are important to consider, but do not have to be part of the plan.

Some questions included:

What county authorizations do subdivisions need?

Subdivisions experience problems like overgrowth and running out of sewer capacity, but often meet other goals (sometimes by accident) by fitting large houses on small lots that have relatively little impervious surface. Someone also pointed out that lower cost houses are easier to build using the concepts of sprawl, and that larger developers may be more willing to go with conservation measures than smaller, because they have the expertise, time, more upfront money, etc. to do so.

Someone asked what do we should do about the smaller developers, or trailer homes, who cannot afford to take the conservation measures.

With a regional HCP we can account for differences between urban and rural communities. This is where the opportunity for regional TDR will work and can

make the TDR program more successful and market driven. TDRs adopted regionally will hopefully discourage sprawl.

Robin's talk continued with a discussion about reservoirs and whether or not they should be included in the Etowah HCP. There were some suggestions to leave reservoirs as individual cases: it may be best for FWS to review them separately. There will be more subdivisions and other activities that may require more attention, and reservoirs may be too complicated. And some suggested considering incorporating minimum BMPs for reservoirs for something to have out there while we're putting together all of the other options.

The discussion included farm ponds, and how much authority the county and local governments have over them (need to find out more information), and also smaller impoundments.

Additional suggestions for activities to cover included:

golf courses

amenity ponds and lakes

encouraging detention ponds, or subdivision ponds for stormwater run-off and recycling this water for irrigation systems

mining activities/rock quarries

land fills

septic tanks

possibly separate stormwater from subdivisions

The steering committee members voted on a list of options provided by Robin to find out which were highest priority. The most popular were:

subdivisions and commercial developments

roads

underground utility

riparian clearing

forestry

Consensus was to address all suggestions at some time, and maybe consult other departments and let them provide regulations.

6. Timeline and committees

Seth Wenger, from the UGA Institute of Ecology, spoke about a general timeline for the development and implementation of the Etowah HCP and the public outreach plan. The discussion included plans for future research and what that might be, including using previous research and data, developing a monitoring program, which is required by FWS as part of an HCP. Seth also lead a discussion about the governance of the steering committee, and more details about the stakeholder involvement and technical committees and who would serve on these.

Someone asked about the possibility of submitting the HCP in parts or phases, which Sandy Tucker, from USFWS, pointed out is possible and depends on the plan. The phasing could include a package that describes phases and plans for future phases, with

agreements on discussing more about future phases, which helps move the process forward. She also suggested to go ahead and get permits for levels of activities, because you have to authorize a certain amount of take and therefore need some specifics. For example, something like road crossings may be easier to come up with criteria before others and may be approved before others, but each will go through the same process.

Some expressed concern about the phasing process from an outreach perspective, suggesting that the HCP might be easier to sell as one package, but others pointed out that the outreach program can focus on the big picture, and explain the implementation as a phased process.

Some also expressed concern about local governments agreeing to the phasing process, with concern about the process not following to completion, but all agreed to consider these details of the process more as things move forward.

In the discussion of the governance of the steering committee, all agreed that the sizes of the steering and advisory committees are manageable enough right now to not need particular measures or appointees in place for the sake of communication and information flow, but that they would keep this in mind as things move forward and possibly put them into place later.

The discussion included those jurisdictions that would like to be a part but have not yet appointed a representative, and the best way to get them involved. All agreed to keep them abreast of what is going on, and maybe the RDC and ARC of these areas could serve on the steering committee. For the small municipalities, UGA agreed to find out more about whether or not they are administering their own policies or going with the counties.' If they are going with the counties', then maybe they don't need to be directly involved, and we can just keep them up to speed; we should involve as many counties as possible, especially in consideration of restoration and mitigation, even if they don't have large tributaries. Everyone also agreed to address the larger cities first, who have not sent anyone to participate, and someone suggested posting a list of participants, possibly on the website, to let everyone know who is and is not participating.

In regards to the stakeholder involvement committee, someone suggested to have individual meetings in each district, with county subcommittees. Their job will be to reach out to all interests and stakeholders, and all agreed that UGA representatives and others involved with the education program (The Nature Conservancy, LAPA, UERA, for example), will present all outreach programs to the steering committee (like posters or press releases) before putting them out to the general public.

All also agreed that there is no need to have a large stakeholder involvement committee, that includes all interested parties, right now, but that there should be targeted meetings (at Chambers of Commerce, for example), to provide information about the general concepts, focusing on the general stakeholders first, and later targeting farm bureaus, home builders associations, etc.; we need to get the information out there quickly and efficiently before rumors get started or people begin to get concerned about being

affected by the HCP. Someone also pointed out that we should address the top problems first, with the stakeholders that we are familiar with, and work our way out from there, and that we should have a menu of presentation items that we can work from when we have recommendations for presentations to different groups upon request by steering committee. Someone also suggested inviting stakeholders to attend the steering committee meetings, and pointed out that we need to eventually sit down at the table and get the stakeholders' input into the mechanisms of the HCP for storm-water, road crossings, etc. that we are considering now.

A discussion about possible stakeholders and interested parties included ARC and RDC's (someone involved with water and/or land-use in particular), EPD (targeting state erosions and control lab), Forest Service (less of a focus), utility companies, Soil and conservation districts, DOT environmental representatives, and the development community.

Some suggested the Army Corps and land trusts as non-voting steering committee members, but all agreed to wait on getting them involved until everyone is more clear on the role they would play.

There was a suggestion to have speakers come in from outside the Steering and Advisory committees to talk about nationwide approaches (or research on) topics, such as:

Erosion and sedimentation control

Bridges

Stormwater

Greenspace

The concern is that there may be a lot of research going on about these that we do not know about, but could benefit from, and that an expert on these could assess situations in other jurisdictions, provide recommendations on technologies that do and do not work.

All participants voted on several activities to decide which to focus on first, and the top three chosen to move forward with first are:

- 1) erosion and sedimentation programs
- 2) road crossing
- 3) riparian buffers

7. Next steps

Members of the Advisory Committee agreed to develop an education plan to present to the Steering Committee at the next meeting on May 1, from 9:00-12:00 and LAPA headquarters or in Canton again.

Possibly organize members of the Technical Committee, and meet with them at least twice before a meeting in June to discuss specific recommendations (relative to priority activities).

Determine an effective way to get governing authorities to agree to the HCP and moving forward in the process. We need to go to them soon and talk about the HCP process, and can do this several times throughout the development process.

8. Review of the ACCG meeting

The meeting concluded with a review by Bud Freeman (UGA, Institute of Ecology) of the ACCG meeting that took place during this meeting. Attendees in the ACCG meeting included the Army Corps, US EPA, representative from the Mobile district, consulting engineers, EPD, water authorities, county commission, and Ross King. The Colonel from the Corps did most of the talking in the meeting. LAPA has been working with the Corps to address needs for a project management plan (PMP) for Lake Allatoona, which does not specifically mention the Etowah but does refer to waters above Lake Allatoona. Once PMPs are authorized, there is a short time frame for matching funds and the Corps is interested in water resources.

Concerns about the PMP include watershed management activities delivering excessive sediment, and the Corps not getting enough money fast enough to move forward. They are trying to get additional partners in the watershed to provide money to help with the PMPs. Some relative information about Lake Allatoona: gets 5.9 million visitors to the lake, and brings 6 billion to the area. Hydropower generation from the lake is not too significant, but the lake supplies water for about 700,000, and it is necessary to address additional water supply need. ACCG expressed that this meeting was not convened in order for the Corps to build more reservoirs, but to focus more on sediment and landscape development on a broad scale, and identifying folks who are willing to put money into the project (looking for \$2.5 million).

Bud mentioned that he had an opportunity to speak for about 3 minutes, relative to the regional Etowah HCP. The main point was that many efforts so far have been vertical in nature and scattered, and that this is more of a horizontal approach.

General comments about the meeting were that ACCG had the power to mobilize a lot of governments very quickly to get them to the table. ACCG wanted FWS to know that they were trying to compete with the HCP and just wanted first to get commissioners up to speed on the project. They made it clear that they think we can work closely together cooperatively. Commissioners asked for suggestions about options to address not having any money. ACCG mentioned that they are looking at specific priority sites on the lake in great need of restoration, and construction projects throughout the watershed. They want to make the Etowah their case study (amongst 52 sub-basins or major watersheds), and mentioned pulling together data and knowing which projects to work on. The Corps does not own continuous buffers around the entire lake and would like to have 330 feet for improving water quality conditions. The project is apparently focused on Lake Allatoona watershed, not the Etowah River Basin.

The management plan is available on the website, www.northgeorgiawater.org.