

Etowah HCP Steering Committee Meeting
Lumpkin County Community Center
August 14, 2003

Present: Steve Blackburn, *US EPA*; Kevin Flanagan, *Lumpkin County*; Laurie Fowler, *UGA*; Bud Freeman, *UGA*; Beth Gavrilles, *UGA*; Sharon Hall, *Dahlonega Nugget*; Tiffanie Hill, *GA Mtns RDC*; Mike Hobbs, *US FWS*; Mark Hutcheson, *City of Woodstock*; Ron James, *Cherokee County*; Susan Kidd, *Georgia Conservancy*; Louise McPherson, *UERA*; Heidi Millington, *UGA*; Jimmy Moore, *City of Dawsonville*; Doug Parsons, *Georgia Conservancy*; Ginger Rayburn, *LAPA*; Julia Reed, *UGA*; Charles Richards, *City of Roswell*; Mike Tuller, *Cobb County*; Lynn Tully, *Dawson County*; Aaron Valenta, *US FWS*; Seth Wenger, *UGA*.

- **Report on hiring Outreach Coordinator.**

Susan Kidd described the process and status of hiring the HCP Outreach Coordinator. She thanked the Committee for recommending several excellent applicants. The position was widely advertised, with over 80 applications received so far. Georgia Conservancy staff handled the incoming applications, and Susan Kidd, Laurie Fowler and Bud Freeman conducted interviews with the top 7 candidates. They will schedule second interviews with the best of these candidates for late August; they would like to have the decision made by September 1.

- **Outreach Coordinator office space**

Laurie Fowler reported that LAPA offered to provide office space in their office suite in Acworth, as part of the cost-sharing required by our Habitat Conservation Planning grant from US FWS. She noted that the Outreach Coordinator will be traveling a good deal, and will need satellite office space – at least a desk and phone – throughout the watershed. Kevin Flanagan offered the use of his office in Dahlonega as a satellite office for the upper watershed. There was general agreement to accept these offers of space. Laurie Fowler and/or the Outreach Coordinator will solicit other satellite office space throughout the watershed as needed.

- **Status of local Stakeholder Committees and public meetings**

Laurie Fowler will follow up with each individual county about their Stakeholder Committees. She anticipates that the first task of the Outreach Coordinator will be to meet with each county's Stakeholder Committee.

- **Discussion of Message Statement**

Susan Kidd read through the draft HCP message statement. The purpose of the message statement is to make sure that all HCP communications convey a simple, consistent theme, although aspects of it can be highlighted when talking to different audiences. Secondary messages that address specific interests of various constituencies can be developed (e.g. the benefits of having/risks of not having an HCP in place, for developers; cost/benefit of an HCP for landowners, etc.) She asked for input from the group. Suggestions included:

- adding a phrase like “we risk stopping that engine of growth that’s bringing a higher quality of life.”
 - answering the question that’s sure to be asked “what’s it going to cost me?” right up front.

- making sure people realize this HCP will allow development; otherwise people might feel like they've been stabbed in the back.
- changing "buffer against noise and stress"; the people from the city who move in here bring the city noise and stress with them.

Susan Kidd will coordinate coming up with a new version. Laurie Fowler said that we won't start using the message statement until everyone is comfortable with it.

- **Presentation/Discussion of North Georgia Metro Water District Plan**

Seth Wenger presented an overview of the NGMWDP, which will affect a majority of the jurisdictions in the watershed (all except for Lumpkin, Dawson and Pickens). A key difference between the NGMWDP and the HCP is that the NGMWDP is dictated by the state, while the HCP is based on voluntary participation by the local jurisdictions. Many of the water resource management policies will, however, likely overlap. The watershed management strategies listed in Section 5 of the NGMWDP include model ordinances for: stormwater management; floodplain management; conservation subdivisions; and illegal discharge control.

- The NGMWDP stormwater management model ordinance is progressive, with multiple goals including water quality protection and runoff volume reduction. UGA is conducting research into the effects of runoff on the endangered aquatic species, and based on results so far, the NGMWDP ordinance looks like a good base. Some things, *e.g.* incentives to encourage infiltration, might need to be added.
- The floodplain management ordinance is similar to what some of the Etowah jurisdictions already have on the books.
- Conservation subdivision ordinance is good and is similar to what is likely to be recommended for the HCP.
- Illicit discharge and illegal connection ordinance is reasonable.
- Riparian buffer ordinance is reasonable, although not yet finalized (also see below).

The implementation schedule for adoption of the NGMWDP ordinances varies: June 2004 for Phase I (large metro) communities; 2005 for Phase II communities, and 2006 for small, outlying communities.

Other recommendations include creating an environmental judiciary or environmental court; better erosion and sedimentation control; and mandatory septic tank pumpouts every five years. TMDLs and Source Water Protection and their interactions with these other tools will have to be considered too.

Many of the policies implemented by local governments as part of the NGMWDP will also support the HCP. The HCP Technical Committee will make its recommendations consistent with those of the NGMWDP to the maximum extent possible. For policies not addressed thoroughly in the NGMWDP, such as road crossings and comprehensive planning, the HCP Technical Committee will make additional recommendations. Seth presented a chart showing the various policies that are included in the NGMWDP and that might be included in the HCP.

Charles Richards said that he thought the illegal discharge ordinance would be important to the HCP, especially for the more urbanized areas. This will be added to the chart.

- **Update/Discussion of Management Tools**

Seth presented research by UGA on some of the priority areas identified at previous meetings.

- **Riparian Buffers**

Many Etowah jurisdictions have buffer ordinances that exceed the state minimum requirements. The NGMWDP has a decent buffer ordinance, although it is not yet finalized. The current version requires a 50' undisturbed buffer, with a 25' additional impervious surface setback. It also provides a definition of a stream as anything that drains 25 acres or more, unless shown otherwise. It lacks any agriculture or forestry exemptions. Kevin Flanagan said that those exemptions should be added; Charles Richards said that they should be very well-defined exemptions. Lynn Tully said it would be difficult to convince people in Dawson and Lumpkin Counties to accept 50' buffers. Aaron Valenta said that the HCP could be written to allow developers to apply for their own HCP if they don't want to follow the buffer requirements. The group also discussed the pros and cons of fixed-width vs. variable width buffers (fixed width buffers don't require any engineering, but may either under- or over-protect.) There was also a suggestion that a mix of different rules for different jurisdictions, based on their level of urbanization, might work. Charles Richards suggested basing the definition of urban or rural on the percentage of impervious surface, which could trigger stricter regulations. Laurie Fowler suggested setting up a meeting with the three non-NGMWDP counties, as well as those without their own buffer ordinances, to discuss the issue further before the next Steering Committee meeting. The Steering Committee agreed to this, with the goal of finalizing recommendations on riparian buffers at that meeting.

- **Erosion and Sedimentation Control**

State government has made a number of changes to the E&S rules.

- Fee system implemented
- Training and certification for inspectors and on-site workers required
- Turbidity monitoring requirements relaxed
- Use of stop-work orders clarified; they can be issued on the spot.

These may result in some improvement in E&S enforcement, but will not be sufficient to resolve all problems. The Technical Committee has been meeting with E&S staff in the Upper Etowah to develop additional strategies for improvement. Problems identified at those meetings include a lack of political support (the HCP may help), an insufficient number of inspectors, mass grading, repeat offenders, and other issues. There was a discussion about how to determine the necessary number of inspectors, and whether that was the best approach; the consensus of the Steering Committee was not to make staffing recommendations. Some Steering Committee members suggested that the greatest problem was judiciary who waive penalties for E&S violations. Laurie Fowler suggested that offering a free Continuing Judicial Education course (judges are required to earn a number of CJE credits each year) might help. Louise McPherson pointed out that solicitors need training as well as judges. Charles Richards mentioned that the Roswell inspector was very good, and

might be able to help with the judicial/solicitor training; he also suggested looking into idea of setting up an environmental court for the Etowah, as Fulton County has done. Louise McPherson suggested contacting the Fulton County solicitor for information. The Committee directed UGA to develop judicial training in this area.

- **Stream Crossing Guidelines**

Heidi Millington, a graduate student in Environmental Engineering, presented her research to date on the effects of road crossings, particularly pipe and box culverts, on the imperiled fishes of the Etowah. The goal of the research is to develop a set of engineering guidelines for stream crossings to minimize impacts on fishes. The major problem with culverts is that they act as barriers, inhibiting upstream movement. Pipe culverts appear to be worse than box culverts, because they cause lots of scour, leading to the culvert overhanging the stream. This prevents the fishes from moving through them. Some factors that need to be considered are culvert size relative to stream hydrology; on-site installation; and maintenance. Aaron Valenta suggested recommending use of best technology available but making sure there is monitoring and adaptive management language included, so that improved technology can be used as it is developed.

- **Discussion of Next Management Tools to be Studied**

The Technical Advisory Committee will continue working on research in the area of stream crossings and erosion and sedimentation control strategies and will prepare a brief report on the model NGMWDP floodplain control ordinance. Seth Wenger asked for suggestions from the Steering Committee for next research topics to be undertaken. The Committee determined that stormwater control and subdivision regulations (beyond conservation subdivisions) be addressed next. Draft results in these areas will be presented to the Steering Committee at its next meeting.

Laurie Fowler asked the Steering Committee if they would like her Etowah Practicum students to begin drafting the framework of the HCP. There was general consensus that it would be a good idea to start this process.

- **Scheduling Next Steering Committee Meeting**

Mark Hutcheson volunteered the City of Woodstock to host the next Steering Committee meeting, which will take place on Oct. 16, 10am – 1 pm. The agenda will include:

- Public involvement process/introduction of new Outreach Coordinator
- Talk by Aaron Valenta about adaptive management.
- Reports by Technical Advisory Committee on research topics