

November 1, 2006

Dr. Carol A. Couch, Chair
The Water Council
c/o Georgia Environmental Protection Division
2 Martin Luther King Jr. Drive SE, Suite 1152
Atlanta, Georgia 30334

Dear Dr. Couch:

As you know, the Georgia Industry Environmental Coalition (GIEC) is a consensus-based technical organization representing a diverse group of industries throughout the State of Georgia. We have been following closely the work of the Statewide Water Planning Process and have member company representatives participating on the Basin Advisory Committees and the State Advisory Committee and GIEC's Technical Advisor is a member of the Target Flow Regimes Technical Advisory Committee.

We commend the Georgia Environmental Protection Division (EPD) for the inclusiveness of the committee memberships and the attempt to hear all voices. We appreciate the way EPD has made space for constructive engagement by all the different stakeholders in the State. It is vital that the end product be a document that includes input from all the various interests. In the spirit of this constructive engagement, we are writing this letter to provide comment and input in three areas based on our understanding of where the process is currently headed. In articulating these concerns, we are trying to follow the vision of the planning process contained in the 2004 Comprehensive Statewide Water Management Planning Act:

"Georgia manages water resources in a sustainable manner to support the state's economy, to protect public health, and natural systems, and to enhance the quality of life for all citizens" OCGA 12-5-522(a)

First, we are concerned that not enough attention has been given to meeting the needs of the State. The concept of consumptive use budgets has included a lot of discussion on the downstream and instream uses, as well as the remaining amount available for consumptive use. However, little discussion has occurred on an appropriate needs assessment to determine the "budget" needed. Certainly the budget is not limitless, but an accurate assessment of the "needs" for the given area must be a key component of the policy framework. Without this assessment, our concern is that this framework provides no clear path to meet the current and future needs of the State. The legislative vision mentions "the state's economy", "public health", "natural systems", and "quality of life". These are all needs. We recommend that EPD consider incorporating a vision of meeting future needs into the water policy framework.

Second, it is critical to differentiate between consumptive needs. The current plan envisions multiple sub-basin areas around the State, each with their own consumptive-use budget. As EPD evaluates withdrawal permit applications for new consumptive uses in these sub-basins, there must be a guiding policy included in the framework to define "responsible use". Additionally, the plan must avoid creating intrastate competition for

water resources to the detriment of the whole State by including policies for evaluation of water resources and uses, first at a basin level, but ultimately at the state level.

Our final comment concerns the evaluation of inter-basin transfers. We commend EPD for making inter-basin transfers part of the water framework toolkit. As the State grows, we believe inter-basin transfers will be an important part of meeting the needs of the State's economy as mentioned in the legislative vision. While we understand that the final framework may include additional non-environmental criteria for inter-basin transfers, we do not believe that inter-basin transfers should require a different or additional environmental evaluation hurdle from other consumptive uses in the donor basin.

The budget for a particular sub-basin should be based on an evaluation of all the environmental factors limiting water withdrawals from that sub-basin. Once the budget is established, no additional environmental evaluations should be needed on the donor basin in evaluating inter-basin transfer requests. From the donor basin environmental perspective, inter-basin transfers are simply another consumptive use that should be evaluated on its own merits based on a responsible-use doctrine. Consumptive use budgets that do not take all limiting environmental factors into account are incomplete. If all environmental factors in the donor basin have been included in determining the budget, then a request for an inter-basin transfer should not trigger any additional environmental impact evaluations in the donor basin.

Thank you for the opportunity to offer these comments. We hope you find them constructive and helpful. We look forward to further discussions on this vital issue.

Best regards,

GEORGIA INDUSTRY ENVIRONMENTAL COALITION, INC.

Katie Kirkpatrick, P.E.
Chairman of the Board

Deborah A. Phillips
Executive Director

cc: Members of The Water Council
Mike Beatty, Commissioner, Georgia Department of Community Affairs
Gus Bell, Savannah
Senator John Bulloch, District 11
Paul Burks, Executive Director, Georgia Environmental Facilities Authority
Brent Dykes, Acting Director, Georgia Soil and Water Conservation
Noel Holcomb, Commissioner, Georgia Department of Natural Resources
Tommy Irvin, Commissioner, Georgia Department of Agriculture
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Representative Lynn Smith, District 70
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