

**Minutes of the South Fulton Municipal Regional Water And
Sewer Authority Meeting Held on March 18th, 2019,
At 509 Toombs Street, Palmetto, GA**

BOARD MEMBERS PRESENT: J. Clark Boddie, Vince R. Williams, Elizabeth Carr Hurst, Sonja Fillingame, Shayla J. Nealy, Laura Mullis and James Whitmore

BOARD MEMBERS ABSENT: None

Consultants Present: Dennis Davenport, Dan Post, Laura Benz and Andrea Gray

Others Present: None

Call To Order: Chairwoman Shayla J. Nealy called the meeting to order at 7:00 PM.

Approval Of The Minutes: A motion was made by Elizabeth Carr Hurst to approve the minutes of the February 12th, 2019 meeting, seconded by James Whitmore. A vote was taken, the motion passed unanimously.

New Business: None

Old Business: None

Reports:

Legal – Dennis Davenport stated that he had received multiple calls from citizens confusing The South Fulton Municipal Regional Water & Sewer Authority with the City of South Fulton's water department.

Chairwoman Shayla J. Nealy suggested researching changing the Authorities name.

Finance – Dan Post reviewed with the Board:

1. The February 2019 financial statement.

2. Requested approval for draw number 189 in the amount of \$21,953.69 from the construction account.

J. Clark Boddie made a motion to approve draw number 189 in the amount of \$21,953.69 from the construction account seconded by Vince R. Williams. A vote was taken, the motion passed unanimously.

Project Managers – Laura Benz and Andrea Gray reviewed with the Board:

See attached memorandum for details

1. EPD:
 - a. Updated the Board on the Water Withdrawal Permit
 - b. River/Lake agreement
2. Treatability Analysis
3. SWAP
4. Next Step
 - a. Preliminary engineering work
 - b. Cost estimates
 - c. Sources of funds
5. Preliminary engineering
 - a. Chairwoman Shayla J. Nealy recommended this be put out for bid

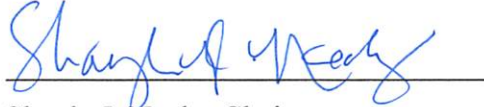
Elizabeth Carr Hurst made a motion that the Project Managers have a draft RFP for Preliminary engineering for multi services at the April meeting seconded by Vince R. Williams. A vote was taken, the motion passed unanimously

6. Compensatory Mitigation
 - a. Site Specific Sites
 - b. Resale of Mitigation Credits
 - c. Resale of property purchased by the Authority

Executive Session: None

Elizabeth Carr Hurst made a motion to adjourn the meeting, seconded by Vince R. Williams. A vote was taken, the motion passed unanimously.

The meeting adjourned at 7:30 PM



Shayla J. Nealy, Chairwoman

April 09th, 2019

Date Minutes Approved by Board

MEMORANDUM

To: S. Fulton Municipal Regional Water & Sewer Authority Member Cities Councils
(Fairburn, Palmetto and Union City)

From: Laura Benz & Andrea Gray

Date: March 18, 2019

Re: S. Fulton Authority Project Update

Water Withdrawal Application/Process: The revised three-party water withdrawal application was submitted on December 5, 2018 and preliminary draft conditions were provided on January 25, 2019. The permit conditions were finalized on February 20, 2019 and all three cities accepted the terms of the draft permit and submitted the requested forms to EPD on March 4, 2019.

On March 8, 2019 EPD published the Notice of Intent to issue the permit to the three cities (attached), with a thirty (30) day comment period. The public notice period will expire on April 8, 2019. If EPD does not receive any substantive comments regarding the permit during the public notice period, the permit will be signed by the Director. If EPD does receive substantive comments, the Authority may be asked to respond accordingly and EPD has the authority to hold a public hearing to discuss concerns raised within the comment period. To date, EPD has not notified us of any comments.

The draft permit includes general conditions, system information and special conditions. Some of the conditions to note are as follows:

1. The permit reflects a phased withdrawal approach which EPD has adopted as a result of the Supreme Court ruling in the tri-state water wars litigation. The permit is for a 10-year term and associated need of 7.12 mgd. The permit includes language acknowledging the 50-year certified need of 13.25 mgd and the September 13, 2017 EPD Certification of Need Letter. It further acknowledges the Authority's 13.25 mgd allocation is accounted for in the State of Georgia's 2015 water supply request which was approved by the U.S. Army Corps of Engineers ("Corps") and documented in its Water Control Manual of the Apalachicola-Chattahoochee-Flint River Basin.
2. The permit is conditioned on the Cities' participation in the "Agreement for River/Lake Information Management Services" (the "River/Lake Agreement") effective January 1, 2020. As reported last month, EPD analyzed the Authority's withdrawal using the Hec-Res model created by the Corps to reflect the new operational conditions in the 2017 ACF Water Control Manual (the "Corps Model"). The Corps Model accounts for the Authority's 13.25 mgd need and includes a new node (aka point of measurement of stream flows) at the confluence of the Chattahoochee River and Bear Creek to better predict flows. EPD updated its modeling following coordination with the Authority's consultants and concluded that there are less than 14-days that the Authority would need to request additional releases from Lake Lanier to meet its full demands. The process by which it will request releases is through the River/Lake Agreement which is a contract between the Atlanta Regional Commission ("ARC") and the four main entities that withdraw water from the Chattahoochee River downstream of Lake Lanier: Atlanta, Atlanta/Fulton County's joint venture, Cobb County-Marietta Water Authority and DeKalb County. Under this Agreement, ARC serves as the point of contact between these entities, the Corps and Georgia Power to regulate releases from Lake Lanier which promotes efficient management of water resources. The reporting requirements and costs associated with participation in the agreement were outlined in detail in the February Memo.

3. The permit conditions require the Cities to take steps necessary to transfer the water withdrawal permit to the Authority within three months of the Fulton County Service Delivery Strategy being amended to include the Authority.
4. The permit sets specific monthly low flow requirements on the Chattahoochee River immediately downstream of the Authority's intake location.
5. The permit also includes specific record keeping, monitoring and reporting requirements in addition to those generally required under the Georgia Rules for Safe Drinking Water, Georgia Minimum Standards for Public Water Supply Systems and other regulations.

If signed by the Director of EPD before the April Authority meeting, a full copy of the final permit will be attached to the April Memorandum.

In the upcoming weeks the Cities should expect to see another letter from EPD outlining the requirements of future modifications/renewals. EPD is in the process of modifying the water withdrawal application process and anticipates rolling out the new application and associated requirements in the next 2-3 months. It will require items such as a water loss control program, self-imposed goals with timelines for meeting implementation of said goals and demonstrated improvement in water loss audit elements. Your permit is being issued prior to the effective date of this application overhaul, however requests in the future for additional water or permit renewals will be required to meet these criteria. EPD wants to assure that each City is aware of these requirements so you can start looking at addressing these items as you develop/refine your system.

Treatability Analysis: An engineering report will be required as a part of the Water System Permit (a separate permit required to operate the system which is issued upon construction of the facilities).

SWAP: ARC is continuing to assemble data and anticipates another update meeting for the parties in the next several months. Its analysis will continue over the next 9 months with the anticipation of meeting the January 1, 2020 deadline.

Next Steps: The next steps are to conduct preliminary engineering work to refine the budget and cost estimates and evaluate sources of funds including additional GEFA loans.

Compensatory Mitigation

Site Specific Sites: The Mitigation Bankers continue to work through the mitigation bank authorization process and the coordination with new regulatory guidance. The Prospectus for the Mulberry Creek site was submitted in January.

Resale of Mitigation Credits: The Authority purchased the required stream and wetland credits associated with the proposed Bear Creek Reservoir from three mitigation banks: Chattahoochee (4,495 stream and 3.74 wetland credits), Blue Creek (108,532.55 stream credits) and the Monastery (42.54 wetland credits). The Authority entered into contracts with the respective bank sponsors for the Blue Creek and Monastery mitigation banks for the remarketing and sale of the previously purchased credits. The Blue Creek ledger was modified to reflect the availability of the credits for purchase. The Monastery's ledger shows the 42.54 available wetland credits but the bank status has not yet been changed to "active".



Richard E. Dunn, Director

Watershed Protection Branch
2 Martin Luther King, Jr. Drive
Suite 1152, East Tower
Atlanta, Georgia 30334
404-463-1511

**Notice of Draft Surface Water Withdrawal Permit –
Cities of Fairburn, Palmetto, and Union City– March 6, 2019**

The Georgia Environmental Protection Division (EPD) announces its intent to issue a New Surface Water Withdrawal Permit No. 060-1291-10 for water withdrawal of 11.40 MGD/ 8.55 MGD/ 7.12 MGD (Max Day / Monthly Average / Annual Average in million gallons per day) from Chattahoochee River for the purpose of municipal water supply.

NEW SURFACE WATER WITHDRAWAL PERMIT

Permittees Name: Cities of Fairburn, Palmetto, and Union City (Joint Application)

Permittee's Addresses: Mayor, City of Fairburn, 56 Malone Street SW, Fairburn, GA 30213
Mayor, City of Palmetto, 509 Toombs Street, Palmetto, GA 30268
Mayor, City of Union City, 5047 Union Street, Union City, GA 30291

River Basin: Chattahoochee

Comment Period Expires: April 8, 2019

Additional Information: The draft permit and all information used to develop the draft permit are available for review. The information includes the application and all relevant supporting materials available to the permitting authority used in the permit review process. This information is available for review at the office of the Watershed Protection Branch, 2 Martin Luther King Jr. Dr., S.E., East Floyd Towers, Suite 1152, Atlanta, Georgia 30334.

All comments received prior to or on the comment period expiration date above will be considered in the formulation of final determinations regarding the permit.

Persons wishing to comment on the draft Permit are required to submit their comments, in writing, to Johanna.Smith@dnr.ga.gov or the following address:

Johanna Smith, P.E., Unit Manager
Water Supply Program – **Surface Water Withdrawal Unit**
2 Martin Luther King Jr. Dr., S.E.
East Floyd Towers, Suite 1362
Atlanta, Georgia 30334 .

A public hearing may be held if the Director of the EPD finds a significant degree of public interest in the draft permit.