

Flint RIVERKEEPER®

Points



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From your Flint Riverkeeper®: Counting Our Blessings

Believe it or not, once water is taken out of a river system, whether it was withdrawn from a tributary creek, a sustaining aquifer, or the river itself, it is really hard to get it back. This is particularly true if the withdrawal and return infrastructure was not designed to return the water in the first place. In the case of the Flint, as we have detailed in this newsletter series previously, the situation is almost as if the withdrawal/return system was designed to dry up the system. While in fact this is not true, the system was certainly NOT designed to sustain healthy flows. The management of withdrawals and returns by the Georgia Environmental Protection Division (GAEPD) is at the heart of this problem.

In the upper Flint GAEPD in fact promulgated a policy of 'no returns' in order to protect water quality from poorly treated wastewater returns. GAEPD also has operated a policy of reservoir releases that is only minimally protective of low flows. And, the vast suburban sprawl of southwest Metro Atlanta is serviced in large part by (water) wasteful septic fields and land application systems (LAS's, or, sprayfields). The results have been astounding, with upper Flint flows during dry periods diminished by in excess of 50%, and in some places fully depleted (100%). During average and wet periods we frequently witness flows in the upper Flint that are identical to what were formerly drought flows. GAEPD claims that the policy of 'no returns' is no longer in force, but, the memorandum they issued in 1988 to create the policy has not been rescinded, and GAEPD staff describes the 'new' policy in various ways, depending upon who you talk to.

In the lower Flint GAEPD has pursued a policy of giving out surface water and groundwater (connected to surface water) permits to the point that creek flows have been diminished during dry periods between 70% and 100%. Some areas of the lower Flint have been under a withdrawal moratorium for years, and in 2012 GAEPD placed a full moratorium on lower-Flint agricultural withdrawals from surface waters and from the Floridan Aquifer. While some might label such as 'good' management, our view is that moratoria by definition usurp the property use rights (withdrawal rights) of any private property owner who wishes to exercise their use rights for beneficial purposes. Further, GAEPD continues to grant permits to withdraw from deeper aquifers, with little to no scientific knowledge of what the sustainable yield of those aquifers may be. Thus we are witnessing low flows (and no flows) during normal and drought years that are

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The mission of the Flint Riverkeeper® (FRk) is to restore and preserve the habitat, water quality, and flow of the Flint River for the benefit of current and future generations and dependent wildlife. FRk is a fully-licensed member of the Waterkeeper Alliance, an EarthShare of Georgia member group and participates in the Georgia Water Coalition.



Report wildlife violations
to DNR Law Enforcement: **800-241-4113**;
report pollution issues
to FRk at **229-435-2241**

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virtually institutionalized, plus truncated property rights, a 'regulatory' agency operating in the dark as they issue permits in deeper aquifers, not only without knowledge of sustainable yields, but also not knowing if or to what degree those deeper aquifers are connected to overlying resources.

So, where is the good news? Believe it or not, there is some.

Flint Riverkeeper has been working on these issues since it was founded, and others have been working on the issues even before there was a Flint Riverkeeper. Here are some blessings we can count:

- At least GAEPD says, verbally (several different mid-level managers), that the 'no return' policy (see page 40 of the "Running Dry" report at www.americanrivers.org/newsroom/resources/running-dry-restoring-upper-flint-river-basin/) for the upper Flint is no longer the policy. Halleluia. Yet when faced with re-permitting the TenCate facility in Upson County GAEPD was not willing to convert the facility from a LAS to a direct discharge. It is time for GAEPD to start practicing what they preach, and to put the 'new' policy into written form.
- Clayton County has been working on a permit to return a portion of the treated wastewater that they currently send to the Ocmulgee (Altamaha) watershed for several years. They have now completed the engineering, the wasteload research, and the permitting process. GAEPD has granted the permit. Flint Riverkeeper has supported this work since we became aware of it in 2010. We applaud both Clayton County for initiating this conservative initiative and GAEPD for granting the permit, and we anxiously await the budget and construction process to lead us to several million gallons per day of Flint water returned to the Flint.
- Fayette County has recognized the injustice of the situation at Lake Peachtree, where NO releases are made from the dam during low-flow periods. And, they have recognized the inefficiencies in operation of the Lake Kedron/Peachtree complex, not only depriving downstreamers of rightful flow, but also wasting taxpayer dollars (isn't it funny how environmental harm and waste of taxpayer resources go hand in hand so frequently?). We are informed that they will soon apply for a revised permit for releases at the dam, and will follow and comment on the application process, closely.
- Both the City of Griffin and Clayton County have made phenomenal progress on cutting down on the number of leaks in their pure water supply systems. Fewer leaks mean fewer withdrawals.
- Forward looking and thinking agricultural growers are continuing to retrofit their irrigation equipment and install new equipment that is increasingly stingy on water use. While there has not yet been a measureable increase in surface water flows, conservation is always a good thing. Just as fixing leaks in municipal supply systems saves on withdrawals, so does more efficient irrigation equipment.
- A citizens group known as ACF Stakeholders Inc., including agricultural permit holders, representatives of other water-use interests throughout the system, and conservation groups including Flint Riverkeeper has produced a water-sharing plan (see article on page 6) calling for, among many other recommendations, agricultural users in the lower Flint, lower Chattahoochee, and upper Apalachicola to achieve conservation such that a 15% increase in measureable stream-flows is produced. Other recommendations are made for other users, including particular targets in the upper Flint.

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Cont'd: So, yes, some of these blessings are 'just talk' or 'just paper' at this point. But some are real, and all will eventually produce results. Flint Riverkeeper has been hard at work in many venues using many methods to produce actual flow results for you, and we will keep at it.

Thank you for your continued support,



Gordon Rogers, Executive Director & Flint Riverkeeper

Tencate Permit Update

Most readers will recall Flint Riverkeeper's multi-year involvement in attempting to get the Georgia Environmental Protection Division (GAEPD) to correct the numerous problems at the TenCate protective fabrics manufacturing facility in Upson County. Adjacent landowners are experiencing chronic, continuous water pollution in perennial streams on their private property, impairing their use rights. These streams are both 'waters of the state' and 'waters of the US' under the law, and it is illegal to pollute them.

Other neighbors, as far away as Pleasant Valley experience noxious odors on a routine basis. Close to the property line, including on public roads, the fumes from the facility's land application systems (LAS's, 'sprayfields') occasionally yield a slight burn to eyes and nostrils.

TenCate officials deny these problems, and instead have published information touting the high functioning, 'award winning' nature of their LAS's, their systems' supplement of the spring flow in the area, and their importance to the community and nation.

We agree that the jobs and economic impact of the TenCate facility are important to the Upson and remainder of the west middle Georgia area. Over 200 jobs and

over \$6 million in payroll are worth protecting. And, their product saves the lives and diminishes injuries of our first responders and military personnel, worldwide. These benefits can be preserved, AND our environment can be protected, simultaneously. Flint Riverkeeper and private citizens have officially commented to GAEPD on two rounds of permit renewals for the TenCate waste-treatment system. We asked for a structured conversion of the LAS-based approach to a highly-treated direct-discharge approach. This would eliminate the odors, eliminate the pollution of adjacent streams, and return some (clean) flow to the Flint River that is withdrawn from her tributary, Thundering Springs (now impounded). LAS's are upwards of 70% consumptive of water, primarily through evaporation. In the case of the TenCate systems, since there is direct pollution of adjacent streams, there is probably less evaporative loss, but there is still a loss. GAEPD went as far as to determine an allowable 'wasteload allocation' for a direct discharge to the Flint adjacent to the plant, but in the end renewed the LAS permits with some very slight improvements. Since the renewed permit went into effect, foul odor off of TenCate property continues, and water pollution continues.

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New Flint Riverkeeper Board Members

When Flint Riverkeeper was established its founding Board members wisely set up a good set of bylaws that included mandatory rotations of Board member service terms. A Board member can serve two consecutive three-year terms then must 'lay off' for at least a year prior to rejoining the Board. Additionally, the Flint Riverkeeper Board adheres to a policy of keeping Board membership keenly balanced between 'upper' and 'lower' Flint membership, with a few devotees of the Flint who live outside the watershed, helping to insure good organizational policy, financial health, communications, and community/government relations.

At the beginning the Board also 'staggered' founding and early new-member terms so that the organization would not experience a wholesale turnover all at once. Additionally, folks have to leave the Board for various personal reasons. Thus we have several original, founding Board members who are in the last of their six-year service, experienced Board members who have come on during the intervening time, and several brand new Board members.

When you have the opportunity, please welcome and thank: Les Ager of Hawkinsville, Richard Candler of Sharpsburg, Janet Morgan Mapel of Meriwether County (Buzzard Roost), Hal Rahn of Griffin, and Polly Sattler of Atlanta. The Board now has 18 of its 19 authorized slots filled, and both new and older Board members are actively engaged in



our programs and fundraising. You can see a complete list of Board members and their biographies on our website. If you have an interest in Board service or know someone who does, please get in contact with Jayme or Gordon, or our current Board President, Robin Singletary.

New Flint Riverkeeper Board member Janet Morgan Mapel with her first shoalie, captured at Yellow Jacket Shoals, as a guest of veteran Board member Dr. Sam Brewton and his wife Martha, May of 2015. Janet was tutored by professional guide Randy Vining, a charter member of Flint Riverkeeper, and Gordon Rogers. Once she had the fine shoalie in hand, she quipped "this should be required of all new Board members!". Dr. Brewton seconded that motion. – photo credit, Gordon Rogers.

FRk Board Member Appointed to State Water Basin Planning Council

Flint Riverkeeper Board Vice-President David Dixon has been appointed to the Lower Flint-Ochlockonee Water Planning Council. This marks the first time that Flint Riverkeeper has been asked to participate on an active council for completing, publishing and updating the State Water Management Plan.

The Georgia State-wide Water Management Plan (State Water Plan) enabling process was adopted by the Georgia General Assembly in January 2008. The State Water Plan called for the formation of ten water councils in regions across the state that represents all or part of the 14 river basins in Georgia. The State Water Plan requires the preparation of regional water development and conservation plans (Regional Water Plans) to manage water resources in a sustainable manner through 2050. The State Water Plan provides a framework for regional planning consistent with the policy statement that “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.”

The original Lower Flint-Ochlockonee Regional Water Planning Council was charged with developing the Regional Water Plan. The Council members were 30 individuals from throughout the planning region, which includes 14 counties and 50 towns and cities. The current plan was completed by the Lower Flint-Ochlockonee regional water planning council in September 2011. It describes the regionally appropriate water management practices to be employed in Georgia’s Lower Flint-Ochlockonee Region over the next 40 years. The State water management plan calls for a review of the plan every five years. The next phase of the council, which now includes Dixon of Flint Riverkeeper, consists of 28 people from the same fourteen-county region. The first meeting of the council was June 1, 2015 in Albany. It is the intention that the council to review, revise, and publish the plan by sometime in late 2016. Members of the new council include farmers, agribusiness, bankers, scientists, educators, environmentalists, government employees, state, city and county elected officials and others.

Dixon stated, “We appreciate the state including Flint Riverkeeper on this council so that we can contribute our thoughts and values to the important process of conserving and managing our natural water systems in the Flint River Basin”.

Dixon is a retired industrial wastewater and air quality engineer, with a long history of employment in executive positions overseeing environmental quality and compliance in the lower Flint region. He resides in Lee County.

The entire current plan can be found at:

Lower Flint-Ochlockonee Regional Water Plan (2011):

http://flintochlockonee.org/pages/our_plan/Lower_Flint_Ochlockonee_Regional_Water_Plan.php

Private Citizens Develop a Water Plan While Interstate Lawsuits Continue

A group of 56 stakeholders from all across the Apalachicola-Chattahoochee-Flint (ACF) watershed organized themselves into a private non-profit planning group named ACF Stakeholders Inc. (ACFS) with their first meeting held in Albany back in 2010. This approach was conceived by a smaller group from across the watershed many months prior. Each of the founders believed that nearly two decades of litigation had failed to reach a water sharing agreement for the ACF and that a new approach was needed. They designed a body that was and is widely representative of all of the users and other interest groups that depend and focus on the ACF.

Governed by the 56-member Board and an Executive Committee, interest areas were drawn from the Apalachicola, upper Chattahoochee (above West Point Reservoir), lower-middle Chattahoochee (below West Point Reservoir), and the Flint. Each of the geographic units had 14 representatives drawn from: agriculture (farm and 'urban'), hydropower, thermal energy, industry and manufacturing, seafood industry, conservation and environment, water supply (utilities), local government, water quality, recreation, navigation, historic and cultural resources, and 'at large' (aka 'other'). The effort was funded by donors large and small, including private foundations and citizens, corporate interests, public utilities, local governments, and stakeholder annual dues. Flint Riverkeeper had four of its staff or its own Board members in the original ACF Stakeholder membership. Two ACF Board members became Flint Riverkeeper Board members during the 5-year process. Thus Flint Riverkeeper and Flint interests were well-represented in the final plan.

Published in late May and available on the ACF Stakeholder website, the plan has several key features of interest to conservationists, and other folks who view water resources as simultaneously critical to economic and other interests, 'offstream' uses and 'instream' uses. Here are a few of them likely interesting to 'Flint' readers, broken down into overall and major geographic categories:

Basinwide

- Use adaptive management as the approach to basin decision making & planning. For a very good discussion of what 'adaptive management' is and is not, see the ACFS Plan: www.flintriverkeeper.org/images/acfs-draft-plan.pdf
- Establish a transboundary (watershed) institution responsible for implementing any ACF water management plan.
- Continue to improve the body of reported data, science and modeling that supports ACF basin planning and management, building on the tremendous body of new science produced by ACFS and its contractors.
- The US Army Corps of Engineers (Corps) has the ability to and should implement a suite of operational changes that may improve conditions in the basin by accommodating flow needs for fisheries, avoiding adverse salinity conditions in Apalachicola Bay and satisfying future water supply demands. The analyses used by ACFS showed that no new reservoirs or other new water supply projects (such as aquifer storage and recovery) are needed in order to achieve these purposes. Management changes recommended for the states (AL, FL, GA) will benefit local tributaries and river reaches, and will make easier the Corps' tasks.

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- The states (AL, FL, GA) and Corps should collaborate and finalize a regional drought management plan in a Memorandum of Understanding that relies on scientific criteria to define drought, monitors and delineates triggers for drought actions, requires responses by use sectors, and documents changes in operational strategies.
- All use sectors should reduce consumptive use. Specific recommendations are presented in the SWMP in areas that Board members were able to agree on.

Apalachicola

- The Corps should consult with appropriate federal and state agencies to address the ecological freshwater needs of Apalachicola River, Floodplain, and Bay.
- The Corps should provide pulses (specified high flows during low water periods) to mimic natural spring spawning and summer conditions that “inoculate” the Bay with freshwater and nutrients. This recommendation should, as all recommendations, be addressed in an adaptive way to learn from the effects of pulsing and adjust management as necessary to improve environmental conditions in the Floodplain and Bay.
- The Corps should time flow releases to benefit the environment and navigation.
- Hydrologic, hydrodynamic and geomorphic studies of the River and Bay should be conducted; and, follow-on monitoring and reporting of conditions in the River, Floodplain, and Bay accomplished to evaluate the benefits of management actions.

Chattahoochee

- The Corps should raise the winter pool of West Point Lake by 4.5 feet to provide more operational flexibility, local benefits, and to help enable pulses to the Bay.
- The Corps should study raising the overall storage pool of Lake Lanier by 2 feet. Such study should include understanding the costs and benefits to all users in the system. Additional storage in Lanier will provide more operational flexibility, provide local benefits, and help enable pulses to the Bay.

Flint

- Not peculiar to, though certainly important in the Flint, agriculture in all three states should incorporate measures that attain a 15% increase in base flows in the areas where agricultural use has affected streamflows. Additionally, agriculture should achieve 80% irrigation efficiency by 2020. Reduced consumptive use means more water left in the creeks and river.
- Georgia should retrofit the return of interbasin transfers (IBTs) throughout the system, and minimize those transfers in lieu of retrofits. The upper Flint in particular would benefit from retrofitted IBT returns, which would increase baseflow by 20% at Griffin and 7% at Carsonville (Thomaston/Culloden). More baseflow means more water left in the creeks and river throughout the year.
- Integral to drought management, GA should use existing storage in existing municipal reservoirs, particularly in the upper Flint, to augment low streamflows. There are 11 such reservoirs in the upper Flint, and there is a high probability of operational efficiency that will result in the ability to assist with flow needs, without building any new reservoirs.

Meanwhile, litigation over these important river resources continues, in the form of a ‘direct action’ in the US Supreme Court filed by Florida against Georgia, seeking an allocation of river flows. The Court agreed to hear the suit and assigned it to a ‘Special Master’ skilled and experienced in such conflicts. Originally expected to take 7 to 10 years to unravel, the Special Master has placed the case on an expedited schedule, now clicking along at less than 2 years to ‘complete’. One hope is that the Special Master will take note of the ACFS plan and incorporate some or all of its features to his recommendations to the Court.

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Continued from page 7: Also, ACFS is pursuing an engagement strategy with the three states and the Corps to ask them to embrace the plan and set aside all conflict, instead engaging in meaningful negotiation and implementation. ACFS representatives are reaching out on two fronts: direct contact with the Governors of the three states plus the Corps, and seeking appointments by these entities and others to a 'transitional council' organized under the auspices of ACFS to help organize a truly functional 'transboundary institution' with the charge and authority to manage the ACF system in an adaptive, fair, and sustainable way.

ACFS is not the only front that Flint Riverkeeper is working on in order to restore and sustain flows in the Flint, but it is an important one. We believe that this citizen-based effort, outside of the courtroom and outside of the legislatures, is an effective way to influence all three branches of our government. ACFS may not be a grand-slam homer, but it is certainly not a strike-out or even a walk. Significant progress has been made in these 5 years of work, and Flint Riverkeeper, staff and Board, intends to remain engaged in the process.

Working Together to Share a Common Resource



For more information about the ACF Stakeholders, [visit www.acfstakeholders.org](http://www.acfstakeholders.org)

Tencate continued from page 3: Flint Riverkeeper is working directly with private landowners and legal counsel to remedy the situation. Our position remains that a highly-treated direct discharge to the river is the best solution for the multiple problems at this site, preserving millions of dollars in economic impact, profits for the shareholders, and eliminating air and water pollution. Stay tuned.

Flint Riverkeeper Merchandise

Show off your support of the Flint with a FRK t-shirt (\$15; offering ladies and regular cut) available in Riverkeeper® blue featuring a Shoal bass. And FRk logo magnets (\$5) that will look fabulous on your fridge or filing cabinet!

Ball-point pens (\$2.50) with FRk logo also available.

Contact our office to order yours today!

FISH FRY

Join your Flint Riverkeeper
for a delicious fish fry and learn of updates
about our work protecting the Flint River.

Saturday, June 27 • 5 – 7:30 p.m.

Knights of Columbus Banquet Hall
2009 Gillionville Road, Albany

\$15 per person; cash bar available



For tickets visit
www.flintriverkeeper.org
or jessica@flintriverkeeper.org
or 229.435.2241

UPCOMING EVENTS

Please check flintriverkeeper.org for more details and other events, or call 229.435.2241 with any questions.

June 27: Albany Fish Fry Membership Meeting, 5-7:30pm @ Knights of Columbus Banquet Hall, 2009 Gillionville Road, Albany 31707; \$15 Tickets available at www.flintriverkeeper.org or call 229.435.2241

July 18: Lee County Rivers Alive Cleanup, Hwy 18 (Smithville/Bronwood) Kinchafoonee Creek downstream to Flint River. Sign up with Lee County Chamber of Commerce: (229) 759-2422; Bluegrass and BBQ for volunteers at Chehaw Park afterwards

August 29-30th: River Tubing and Overnight Camping Trip at Morgan's Buzzard Roost Farm, Woodbury, GA

September 25: Annual Dinner Event, private riverside location, Thomaston, GA

October 8-12: Paddle Georgia's 2nd Annual Fall Float on the Flint, Albany to Bainbridge, GA; registration opens July 2015, www.garivers.org/paddle_georgia/fallfloat

Other Flint paddle trips, clean-ups and meetings throughout the year will be announced. Sign up for email alerts at www.flintriverkeeper.org/become-a-member to receive information.

Become a Member to Protect YOUR Flint River!

Can you give a generous tax-deductible donation today, to make certain one of Georgia's most treasured waterways can be saved for current and future generations? To make a donation, visit www.flintriverkeeper.org OR make checks payable to Flint Riverkeeper® and mail this form to 211 N. Jefferson Street, Ste. 8, Albany, GA 31701, or return this form with your credit card information for a secure transaction. Flint Riverkeeper® is a 501c3 charitable organization. THANK YOU for your support!

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Flint RIVERKEEPER®

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www.flintriverkeeper.org

Flint Riverkeeper was established in 2008 to address the various issues that are threatening the Flint River and its tributaries. We are working to restore and protect the quality and flow of this immensely valuable resource.

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Your Flint Riverkeeper *Points* is designed and edited by Jayne Smith, with contributions from staff, and guest submissions as noted. If you have an issue, article or pictures to share, please contact jayne@flintriverkeeper.org

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Lower Flint River Boating Maps Available

This endeavor began as a project of the FRk Board's Natural Resources Committee, chaired by Marilyn Royal, in response to numerous inquiries from the public for a resource to assist paddlers planning trips down the lower Flint. This guide begins at the Lake Blackshear dam (mile 133) and ends at Lake Seminole's Woodruff Dam (mile 0).

Maps are available for purchase at a cost of \$10 per map from Flint Riverkeeper. Call 229.435.2241 or email jessica@flintriverkeeper.org.

This project was made possible through a grant from the Mitchell EMC "Round Up" project; an in-kind printing donation from Georgia Power's

Land Division; the GIS talent and passion for paddling of Professor Tom Weiland of Georgia Southwestern University; the dedication and expertise of Brandon Rutledge; and the work of Jeff Hamilton at the Southwest Regional Commission. In addition, historical maps and knowledge passed down from generations of Flint River users were gathered from FRk board members and dedicated members.

This map has been a labor love to empower paddlers and boaters to explore and understand the beautiful natural treasure we know as the lower

Flint River. FRk is working to extend this mapping project up stream to include the middle and upper sections of the Flint.

