



Keeping Watch Over Our Waters

3 Puritan Mill 916 Joseph Lowery Blvd. Atlanta, GA 30318 404-352-9828 Fax 404-352-8676 www.chattahoochee.org

**Comments submitted via email to: [info@gawatertaskforce.com](mailto:info@gawatertaskforce.com)**

**Copied: [Hodell.martin@bcg.com](mailto:Hodell.martin@bcg.com); [lowe@loweengineers.com](mailto:lowe@loweengineers.com);  
[kkirkpatrick@macoc.com](mailto:kkirkpatrick@macoc.com); [lbarrett@gov.state.ga.us](mailto:lbarrett@gov.state.ga.us); [dougmiell@gmail.com](mailto:dougmiell@gmail.com)**

**November 13, 2009**

**Dear Georgia Water Contingency Task Force Members:**

On behalf of Upper Chattahoochee Riverkeeper (UCR), I would like to thank you for the opportunity to provide information to help guide the Task Force's efforts to address the potential gap in our 2012 water supply due to a recent federal judge's ruling which invalidated Georgia's use of Lake Lanier for water supply.

As you know, we have worked with the Georgia Water Coalition (GWC) to draft an essentials document which outlines what we believe the priorities are for addressing the gap and moving Georgia into a sustainable future (attached). We also have worked with GWC to generate a comprehensive list of conservation and efficiency measures which we believe must be fully exhausted in concert with serious efforts to renegotiate a reallocation agreement authorizing use of Lanier for Georgia water supply *prior* to any efforts to expand or add other water supply sources (attached). Our comments here are supplemental to those submitted by the GWC which we also helped draft and strongly support.

**Conservation and Efficiency then Reallocation Before Seeking New Supplies**

The Task Force has been presented with information suggesting that by 2012 we will have a water shortfall of 251 MGD in light of the judge's ruling. The GWC has presented information illustrating that we can achieve a savings of roughly 210 MGD through proven, cost-effective conservation and efficiency measures, which significantly closes that gap. We also note that time, money, and the need to secure enough clean water for all users throughout the ACF basin all indicate that reallocation of Lake Lanier to allow for water supply is the cheapest, quickest, and most sustainable means of closing the rest of the "gap."

Accordingly, we again strongly urge the Task Force to focus on conservation, efficiency, and reallocation first and foremost, and disregard expensive, destructive, time-intensive, and unsustainable alternatives including construction of development/amenity lakes, aquifer storage and recovery (ASR), desalinization,

and piping water from the Tennessee River. In light of the severe economic downturn, Georgians simply cannot afford these risky alternatives in this generation or the next.

### **Accurately Characterizing the “Gap”**

For several reasons, the “gap” the Task Force has derived is an erroneous one. First and foremost, in spite of a judicial ruling deciding that water supply is not an authorized purpose for Lake Lanier, the Task Force is assuming that Metro Atlanta can and will continue to grow at an accelerated rate as it grew back in the early 1990s. This assumption is entirely unreasonable. In fact, one “option” that does not appear to be on the table is a moratorium on growth for Metro Atlanta. From a business perspective, this solution would and should precede any other solution. A simple analogy makes this point—a business going bankrupt does not continue to add inventory and personnel and otherwise overextend itself in order to get out of bankruptcy. Rather, a business in trouble makes tough decisions that include scaling back. To our amazement, this solution is getting no attention from the Task Force.

Even if we assume that future rapid growth in the short-term can and will occur, the “gap” is derived by relying on the significantly flawed water demand projections found in the Metro North Georgia Water Planning District’s 2009 Water Supply and Water Conservation Management Plan. These projections overstate future demand due to flawed input and assumptions, as outlined and discussed in these attached documents:

- Letter dated April 16, 2009 from UCR to the Metro District Governing Board regarding the 2009 draft Metro District Water Supply and Water Conservation Management Plan.
- Letter dated January 30, 2009 from UCR to Metro District Governing Board regarding the 2009 draft Metro District Water Supply and Water Conservation Management Plan.
- Report dated August 2006 by Pacific Institute, A Review of Water Conservation Planning for the Atlanta, Georgia Region.

One of the fundamental assumptions underlying the overstated water projections is the “adjusted base year profile” which is essentially the starting point for the projections. Simply stated, the projections are sensitive to that starting point because the higher the starting point, the higher the end point. The Metro District uses the year 2006, which they allege was “unnaturally depressed as a result of the

ongoing drought.” Our criticisms aside as to the irrational nature of using what they themselves admit is an outlying point and their subsequent arbitrary adjustment to inflate its value, we note that nothing could be further from the truth.

- Water use in 2006 was anything but “depressed.” We have attached a review conducted by the U.S. Army Corps of Engineers that shows water use in Metro Atlanta with respect to Lake Lanier and the Chattahoochee River (clearly relevant to the scope of work before the Task Force) was among the highest on record since 1990. In fact, only the year 2000 surpassed 2006 in terms of water use.
- We also note that the U.S. Geological Survey has released information on 2005 water use by sector and by county; Georgia county-specific data is available online at <http://water.usgs.gov/watuse/data/2005/> as well as in Appendix C of the attached USGS Report, *Water Use in Georgia by County for 2005; and Water-Use Trends, 1980-2005*. Summing across the 15-county region, you get a total of 583 MGD for publically supplied water, which is roughly 100 MGD less than the ~690 MGD adjusted baseline water use on which the Metro District based its water demand projections.
- These two pieces of information cast considerable doubt on the validity of the base year chosen as well as the subsequent adjustment.

The other fundamental assumption underlying the overstated water projections is the high rate of population and employment growth. Simply stated, the projections also are sensitive to the slope over time because the higher the slope, the higher the end point.

- The Metro District fails to provide a range of growth scenarios, even in spite of the recent, severe economic downturn which has brought new construction and development to a virtual standstill in the region.
- In fact, a recent Atlanta Regional Commission report (attached) states that Metro Atlanta growth is the **lowest** it’s been in twenty years.
- Again, the fact that growth is actually at a record low level rather than high, belies the fact that the Metro District projections grossly overstate future water demand.

A simpler and more valid approach to estimating water demand in 2012 is simply to look at water use dating back to 2004, the first full year following implementation of the Metro District water plans, and then project forward. For example, using the

Corps' historical annual average water use data (2004-2007) and forecasting forward, you project a 430 MGD need in 2012 (Lanier and Chattahoochee), leaving a shortfall of 200 MGD.

Alternatively, using EPD's water use data and selecting the monthly high water withdrawals for each facility in each year and then summing those, again focusing on the years following adoption of the 2003 Metro District water plans (2004-2008), you project a 428 MGD need in 2012 (Lanier and Chattahoochee), leaving a shortfall of 198 MGD.

By either accounting, the "gap" is overstated by at least 50 MGD.

### **Ensure Adequate Flows Protective of Instream Uses**

As the Task Force considers water supply options for Metro Atlanta, a critical component of all water management decisions must be a commitment to adequate instream flows in the Chattahoochee River to protect designated uses, including drinking water, recreation, and ecological health.

Although water levels for Lake Lanier and West Point Lake have received considerable attention, the 120-mile stretch of river from Buford Dam to the headwaters of West Point Lake in Franklin, including the Chattahoochee River National Recreation Area and several state and local parks, has not received as much attention or analysis to determine flows sufficient to protect important instream values. There is one instantaneous flow requirement of 750 cubic feet per second (cfs) in this river section just upstream of the confluence of Peachtree Creek (PTC) and the Chattahoochee River that has been a part of Georgia's water quality regulations since the 1970s.

The PTC flow requirement was adopted to protect designated uses for downstream waters, and all wastewater discharge (NPDES) permits issued by the Georgia EPD assume that this flow will be met *at all times* for dilution purposes. In addition, the Corps of Engineers' operating guidelines for Buford Dam state that releases from the dam must consider this downstream requirement and release enough water to meet the flow target.

On several occasions in the past two years, the state has asked the Corps to reduce the target flow to 650 cfs in order to hold more water up in Lake Lanier—a difference of 65 million gallons per day at this location. As UCR has noted several times (attached), the state has yet to provide adequate water quality and flow monitoring at the compliance point *or* downstream of PTC to ensure that designated uses are met. Neither has an Environmental Impact Statement (EIS) been prepared

to assess the potentially significant impacts of the flow reduction on the human environment as required by the National Environmental Policy Act (NEPA).

To address these deficiencies, the state must undertake a comprehensive study, working with federal resources agencies, to determine if the 750 cfs flow is sufficiently protective now and will be sufficiently protective in the future given growth projections, to ensure that designated downstream uses will be met at all times. Until such time as an independent, peer-reviewed study is completed and a new regulation is adopted by the state, the 750 cfs flow at PTC must be met **at all times**, even during droughts; in addition, the state must establish sufficient flow and water quality monitoring stations to ensure that target is met, and the data collected must be made easily available to the public.

### **Conclusion**

The federal judicial ruling has provided the Metro Atlanta area with an unprecedented opportunity to demonstrate good water stewardship to our downstream neighbors. UCR strongly urges the Task Force to seize this opportunity by embracing aggressive water conservation and efficiency measures and then pursuing Lake Lanier reallocation for water supply at sustainable levels.



### **Sally Bethea**

Executive Director and Riverkeeper  
Upper Chattahoochee Riverkeeper  
916 Joseph Lowery Blvd.  
3 Puritan Mill  
Atlanta, GA 30318