

Minutes
Board of Natural Resources
2 Martin Luther King, Jr. Drive, S. E.
Suite 1252 East Tower
Atlanta, GA 30334

May 27, 2009

Attending:

Board Members

Bill Carruth, Chairman
David Allen
Bill Archer
Jenny Lynn Bradley
Joe Hatfield
Walter Hudson
Ray Lambert
Bob Rutland
Loyce Turner
Jim Tysinger
Jim Walters
Philip Watt
Tom Wheeler

Visitors

Ronny Just, Georgia Power Company
Bryan Tolar, Georgia Agribusiness Council
Debbie Phillips, GA Industry Environmental Coalition
Andy Fleming, Friends of Georgia State Parks
Kelly Jordan, The Georgia Conservancy
Mike Giles, Georgia Poultry Federation
Abit Massey, Georgia Poultry Federation
Laura Hartt, Upper Chattahoochee RiverKeeper
Shana Udvardy, The Georgia Conservancy
Kelly Clark, Office of Planning and Budget
Will Wingate, The Georgia Conservancy
Richard Steughton, GA Golf Superintendents Association
Jimmy Geter, GA Golf Superintendents Association
Mike Crawford, GA Golf Superintendents Association
George Martin, Georgia Power Company
Jeanette Gayer, Environment Georgia
Teresa Tamburello, Environment Georgia

Staff Members

Chris Clark
Carol Couch
Paul Burkhalter
Todd Holbrook
Dan Forster
Marlin Gottschalk
Becky Kelley
Ray Luce
Steve Friedman
Linda MacGregor
John Bowers
Doralyn Kirkland
Jim Ussey
Connie Buck
Dave Crass
Paul Nelson
Emily Hitchcock
Lauren Curry
Sarah Dearman
David Freedman
Becky Marshall
Bryan Alexander
Suzanne Burnes
Alice Keyes
Dianna Trettin
Dominic Weatherill
Jeff Weaver
Sally Winchester
Kim Hatcher
Mary Ann Evans
Hellen Harris

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Doug Fulle, Oglethorpe Power

Doug Miell, Georgia Chamber of Commerce

Katie Kirkpatrick, Metro Atlanta Chamber of Commerce

Jon Huffmaster, Georgia Farm Bureau

Tom Leslie, American Council of Engineers

Todd Edwards, Association County Commissioners ofGA

The May 27, 2009 meeting of the Board of Natural Resources was called to order by Chairman Bill Carruth. Chairman Carruth called for a motion to approve the minutes of the April 2009 meeting.

A motion was made by Dr. Turner, seconded by Mr. Wheeler and carried unanimously that the Board approve the minutes of the April 2009 meeting.

Chairman Carruth called on Chris Clark, Commissioner of the Department of Natural Resources (DNR) for the Commissioner's Report.

Commissioner Clark called attention to the Board Survey that had been placed at their seats and asked them to complete it and return it to Mary Ann Evans, Executive Assistant to the Board.

Commissioner Clark called attention to a memorandum regarding Financial Disclosure Forms, and encouraged Board members to complete the form electronically and if they serve on both the Board of Natural Resources and the North Georgia Mountains Authority to make sure both are listed.

Commissioner Clark called attention to the Financial Reports that had been handed out and stated that this is an interim step to the final format of the document that will be placed in the Board package each month.

Commissioner Clark presented a PowerPoint presentation to update the Board on the DNR Budget. He stated that he had personally met with leadership from the House and Senate to explain the actions that the Department is taking regarding budget cuts. He stated that at the end of his presentation to the Board, DNR staff will be notified as well as a press release sent statewide. He added that he and Becky Kelley, Director of Parks, Recreation and Historic Sites Division (PRHSD) would begin meeting with communities to discuss partnerships and to inform them of how DNR plans to move forward.

Commissioner Clark stated that DNR's budget had been cut 18% for FY-2009 and 24% in FY-2010. He further stated that as reduced revenues continue, additional cuts may be expected.

Commissioner Clark stated that DNR's plan for rebuilding in the future will include increasing the percentage of operating budget that is generated, investing in sites, building stronger relationships with legislators, investing in DNR employees, partnering with the public and private sector, and marketing efforts to promote Get Outdoor Georgia and the Go Fish / Go Hunt programs, and to launch the Go Outside Georgia campaign. (Copy of PowerPoint presentation attached hereto and made a part hereof)

Chairman Carruth called on Bill Archer, Chairman of the Wildlife Resources Committee.

A motion was made by Mr. Archer, seconded by Mr. Wheeler and carried unanimously that the Board approve the proposed amendments to the Hunting Regulations, Chapter 391-4-2; Firing Ranges, Rule 391-4-9-.02 and Public Fishing Areas, Rule 391-4-3-.09. (Hunting Regulations attached hereto and made a part hereof)

Chairman Carruth called on Loyce Turner, Acting Chairman of the Land Acquisition Committee.

A motion was made by Dr. Turner, seconded by Mr. Walters and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to request the Governor of the State of Georgia to execute the proposed Executive Order transferring custody and control of 3.03± acres of real property, Radium Springs from the Department of Administrative Services to the Department of Natural Resources, Radium Springs, Dougherty County. (Resolution attached hereto and made a part hereof)

A motion was made by Dr. Turner, seconded by Mr. Rutland and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to dispose of 73± acres of real property owned by the Department of Interior, U. S. Fish and Wildlife Service, Magnolia Springs State Park, Bo Ginn National Fish Hatchery, Jenkins County and assign the existing Memorandum of Agreement to Jenkins County Development Authority. (Resolution attached hereto and made a part hereof)

Chairman Carruth called on Walter Hudson, Chairman of the Environmental Protection Committee.

A motion was made by Mr. Hudson, seconded by Mr. Wheeler and carried unanimously that the Board approve the proposed Grant Criteria for the 319 Grant Program. (Copy of 319 Grant Criteria attached hereto and made a part hereof)

Chairman Carruth called on Carol Couch, Director of Environmental Protection Division (EPD) for an update on the Statewide Water Plan.

Dr. Couch stated that she would first like to offer a few comments on EPD's budget. She further stated that EPD's budget for 2009 shows that 25% of their final allocation for the year will be withheld and they will, therefore, reconsider and implement a reduction of approximately \$600,000 from their budget. She added that it is not feasible at this time to do this through personal services adjustments, although that will be reevaluated in the future.

Dr. Couch stated that concerning the FY-2010 budget, EPD is likely to be affected by further direction from the Office of Planning and Budget (OPB) for additional reductions. She further stated that while they are adapting to rapidly changing revenue circumstances in the short term, EPD has been working to reexamine efficiency and effectiveness within the division.

Dr. Couch presented a PowerPoint presentation on the Statewide Water Plan. She stated that the Statewide Water Plan (SWP) was adopted by the General Assembly in 2008 and she was giving an update on the status of this issue. She further stated that the SWP addresses a number of different components of advancing not only policies for water within the State of Georgia and making fundamental changes in some very foundational policies for the state, but also sets forth new work that EPD is executing to ensure that these new policies can be implemented using information facts science. She added that it also puts in place a series of expectations regarding advancement in management practices.

Dr. Couch stated that one important element of the SWP is the identification and implementation of management practices that are in line with policies developed in the SWP, that articulate very clearly how the work of EPD will ensure that we have a sustainable water future that integrates more fully the management, leadership and permitting of water supply activities, as well as water quality. She further stated that regional planning is also a major activity and that she is very pleased to participate in a process that is unfolding to place in the hand of local leadership designated by the Governor and Lieutenant Governor examination of what the future areas of the state will require for water quality, quantity and resources. These Councils are basically commissioned to develop a regional water plan that will, for the first time, provide a wall-to-wall inventory and assessment of regional water resources throughout the State of Georgia and long term plans that address water issues. She added that this will be the foundation, upon approval, of how decisions made within State Agencies, including EPD, will be conducted. (Copy of PowerPoint attached hereto and made a part hereof)

Discussion ensued.

Chairman Carruth called on Katie Kirkpatrick, Atlanta Metro Chamber of Commerce, representing the Georgia Water Alliance (GWA), for comments.

Ms. Kirkpatrick stated that she had provided board members with a letter from members of the GWA. She further stated that the GWA is a coalition of 35 plus entities that have been pulled together for the past three years to work on not only the development of the SWP, but also the advocacy for its passage through the General Assembly. She added that GWA represents entities such as municipal business industry, utilities, golf courses, water professionals, etc.

Ms. Kirkpatrick stated that she would like to commend Dr. Couch, Commissioner Clark and others who served on the Water Council to develop the SWP. She further stated that now that the SWP had been passed and implemented, the GWA remains together to work on implementation of the plan, the funding of the plan and the regional council activities.

Ms. Kirkpatrick stated that most important to GWA was the development of the water conservation implementation plan. She further stated that she appreciated EPD including a wide variety of stakeholders in the initial process. She added that after the public comment period ended in January, more than 350 public comments were received and that EPD has made extensive revisions to the plan. She further added that she felt that release of the plan without another review by the stakeholders was premature.

Ms. Kirkpatrick stated that although the document does not set forth rulemaking or regulatory standards, the plan will inform rulemaking that may come before the Board. She further stated that GWA is pleased to continue to work with EPD on this issue and would request another 30 days to look over the document.

Chairman Carruth called on Todd Edwards, Association County Commissioners of Georgia (ACCG) for comment.

Mr. Edwards stated that he would like to make a comment concerning remarks made by both Dr. Couch and Commissioner Clark with regard to looking forward in the Department and Division on efficiencies and ensuring that certain fees are raised in areas to pay for services, particularly the National Pollutant Discharge Elimination System (NPDES) fees. He further stated that although ACCG does not object to the concept behind fees paying for services provided, he would like to remind the Board that other states who collect such fees dedicate those fees specifically to go toward their statutory or intended purpose.

Mr. Edwards stated that in Georgia there are two examples of fees that are in statute that were intended to be used for certain purposes, such as the Solid Waste Trust Fund and the Hazardous Waste Trust Fund, but unfortunately as the State has addressed the budget issues over the past five years, these fees have been substantially redirected. He further stated that these are funds that local governments, businesses, stakeholders all pay into

Mr. Edwards stated that ACCG is willing to work with the Board, the General Assembly, DNR and EPD to study the fee issue, as it is indeed valuable for fees to go to the services provided. He further stated that he would urge consideration for moving

forward with this process to include a Constitutional Amendment that would ensure that fees raised would be appropriated to the services provided.

Discussion ensued.

Chairman Carruth asked Dr. Couch to address the request for a 30-day extension, the permit fee Constitutional Amendment question, and the incentive question.

Dr. Couch stated that in regard to the 30-day extension, this is an on-going process and that changes would continually be made. She further stated that regarding the issue of the Constitutional Amendment, the Legislature has through two budget periods redirected funds for other purposes and this issue will be addressed in the future. She added that regarding the question of incentives, water is no longer as economical as it once was and utilities and industries had revenue shortfalls as a consequence of the diminished sale of water. She further added that an evaluation of how water is priced in the State to ensure that you don't have a wide swing in water pricing needs to take place.

There being no further business, the meeting was adjourned.

Bill Carruth, Chairman

ATTEST:

Earl D. Barrs, Secretary