

Etowah HCP Steering Committee Meeting
February 24, 2006
Funk Heritage Center, Reinhardt College, Waleska

Present:

Steering Committee, Voting members: Steve Bradley, *Bartow County*; Geoff Morton, *Cherokee County*; Norman Pope, *Pickens County*; Ben Skipper, *Paulding County*; Mike Tuller, *Cobb County*.

Steering Committee, Non-voting member: Robin Dake, *UERA*.

Advisory Committee members and Interested Parties: Steve Blackburn, *EPA*; Amanda Blowers, *City of Acworth*; Stacey Bouma, *EPA*; Bob Bourne, *Etowah Water & Sewer Authority*; Sam Breyfogle, *TI*; Rodney Buckingham, *Pickens County*; Tim Carter, *UGA*; Mike Castagna, *City of Jasper*; Shane Cochran, *Paulding County*; Patty Durand, *GA Sierra Club chapter*; Laurie Fowler, *UGA*; Emily Franzen, *UGA*; Bud Freeman, *UGA*; Mary Freeman, *USGS*; Beth Gavrilles, *UGA*; Curt Gervich, *HCP*; Stan Hall, *Cherokee Count*; Lamont Kiser, *Bartow County*; Jen Linehan, *UGA*; Dorothy McDaniel, *TGC*; Tom Neff, *Sierra Club*; James Norman, *UGA*; Eric Prowell, *USFWS*; Dan Rothwell, *Holly Springs*; Candace Stoughton, *TNC*; Sandy Tucker, *USFWS*; Steve Turner, *City of Kennesaw*; Seth Wenger, *UGA*.

Timeline for remaining HCP planning

Laurie gave a brief overview of the planning process and presented a timeline showing the status of HCP policies (completed, in process, and yet to start.)

Policies completed: Stream buffers, conservation subdivisions, stormwater management, and erosion and sedimentation control.

Policies in process: Road crossings – UGA science staff has been working with DOT as instructed by the Steering Committee. They're still waiting for DOT's comments on the latest draft and, once those are received, will convene a Technical Committee with county transportation staff and representatives from DOT state and local offices.

Mass grading – this is the most controversial policy so far. A mass grading ordinance will be part of the HCP; right now the Mass Grading Technical Committee is working toward a consensus on what form it should take. At their last meeting, the Technical Committee asked the UGA staff to investigate more strategies. Staff engaged planner Jerry Weitz and an engineering firm to come up with alternative strategies, and will present these at the next Technical Committee meeting. There was a remark that Fulton County is in the late stages of developing a mass grading ordinance.

HCP Implementation – The Implementation Technical Committee hasn't met since the last Steering Committee meeting, but will meet soon.

Water supply – This Technical Committee is working on a water supply siting protocol that would avoid imperiled species conflicts.

The Advisory Committee expects all these policies to be ready for a vote by the next Steering Committee meeting.

Policies yet to start: Adaptive Management – Curt will be recruiting members for this Technical Committee soon.

The plan is to finish all these policy components in April. The Priority Area Protection portion of the HCP will take longer. Staff is working with individual cities and counties to develop specific plans, and those won't all be finished by April. The Steering Committee will need to meet a few more times in order to keep us on this tight schedule, probably in April and May.

Runoff Limits Program

Tim Carter gave an update on the Runoff Limits program. The Steering Committee tasked the Technical Committee with 2 things. First was to fill in Section 5 of the model stormwater ordinance (standards for the priority areas,) that the Steering Committee approved at the last meeting.

The other task was developing the Runoff Limits Manual, a companion to the Georgia Stormwater manual, for use by engineers and builders. The Runoff Limits Manual includes HCP background, information about HCP Priority Areas, and detail on how to do the calculations required by the Runoff Limits program and the BMPs that can be used as part of the program. Staff drafted the first two chapters, the Technical Committee made comments, and staff is now incorporating those.

The most significant questions about the program concern the development nodes – high density areas located within priority areas. One question that some Technical Committee members have raised is whether the standards of the Runoff Limits program can actually be met in these nodes. The standards require that sites within development nodes act as if they have half the impervious area that they actually have. To answer that question, staff has looked at BMP implementation in Georgia, and found that it can be done here. They are also consulting with a firm based in Pennsylvania that has engineered many sites in Georgia that accomplish infiltration successfully. The only cases in which the Runoff Limits standards could not be met would be those with site conditions, such as a high water table, that preclude infiltration. The staff is working on variance language for such cases.

Another question is whether the BMPs described in the manual are required or only recommended. Some Technical Committee members advocate letting the engineers be creative and come up with the best solutions they can; others prefer a sort of cook book with exact instructions. The staff recommends something in the middle. The manual will provide specific details but allow some flexibility. The BMPs outlined in the manual will be required in the development node areas, but with flexibility.

The manual will also include a process for introducing new BMPs as they are developed.

Another question concerns wet ponds. The problem is that the standard for wet ponds is a volume standard; but we want to recreate predevelopment conditions. The Technical Committee didn't feel the goals of the Runoff Limits Program are compatible with wet ponds, in most cases.

The Technical Committee will meet next week to look over the revised draft of the manual for approval.

Priority Area Protection

Seth gave a brief overview of the Priority Area Protection program. Priority 1 areas have the strictest runoff limits, while the runoff limits for Priority 2 areas are less strict. Within these Priority areas are designated "development nodes" where additional runoff (above pre-development forested condition) is permitted. These are areas for commercial development. Their number has to be limited to ensure the impacts to the imperiled species aren't too severe. Selecting the development nodes is a jurisdiction by jurisdiction process.

Seth explained the process used by the Runoff Limits Technical Committee to locate the development nodes. They start with local comprehensive plans, which show where the high density development exists currently and is expected to go in the future. Then they run models to predict the imperiled species' response to that planned development, particularly to impervious surface.

If the models show that the species will not have a negative response, then the Committee doesn't have to do much more.

If the models show that there will be a negative impact on the species, the Committee has to develop alternatives. These could include reducing the overall area for impervious surfaces or relocating the areas for high density development and high levels of impervious surface. Then they run the models for the alternatives and see how species will fare. If the species' response is not negative, they're done; otherwise, they try more alternatives until they find one that's acceptable to local government and protective of the imperiled species.

To make predictions, the Runoff Limits Technical Committee starts with GIS showing the 2001 (which is the most recently available) impervious cover. They update that information to include areas developed since 2001, conservation areas, and development nodes so they can predict impervious cover at buildout. Then they model the impacts to the imperiled species.

Seth gave a progress report on this process by county:

County	Alternative Scenarios	Recommendations
Pickens	complete	March
Dawson	in progress	March
Paulding	in progress	April
Bartow	not yet started	April
Cobb	not yet started	May
Forsyth	not yet started	May
Cherokee	delayed	June
Lumpkin	not yet started	unknown

He noted that Fulton County has no Priority areas, and pointed out that some counties have very few Priority areas, so the process of designating development nodes should be relatively quick.

Utility Stream crossings

James Norman gave an update on the development of Utility Stream Crossing guidelines. Utility line construction can alter the stream ecosystem, primarily due to sediment from construction. This can destabilize banks and change water temperatures, so can threaten the species covered by the HCP.

The conventional utility installation method is wet open trench construction. The utility workers use a backhoe. They don't divert the stream, they just dig a trench, lay a pipe, and cover it up. This method is not recommended much any more but is still used. It increases sediment in streams by large amounts and can completely alter the geomorphology of stream, so it impairs habitat. It can directly impact fish by impairing their breathing and breeding.

Alternatives to this technique are directional boring and isolation crossing methods.

Directional boring is a trenchless technology. It has a low environmental impact, causes virtually no sedimentation, requires no heavy equipment in the stream, keeps buffers mostly intact, is safer for workers, can be done year round, and makes it easier to avoid other utilities. Unfortunately it can't be done at all sites at all times.

Isolation crossing methods can be used on streams that are not overly wide and do not have too high a rate of discharge. These methods essentially move the stream flow out of the way of the utility construction. They include:

- Dam and pump, where workers dam a small section of the stream and pump the water out to allow the utility crossing construction.
- Flume method, where workers dig another trench and divert the stream away from the construction area.

These methods reduce downstream sedimentation; the sedimentation that does occur is usually related to construction and removal of dam and pumps.

The Technical Committee has met several times, and the Committee staff will present a revised draft report that incorporates Committee members' latest comments at their next meeting. Once the Technical Committee approves it, the report and recommendations will come to the Steering Committee for final approval.

Utility Crossings recommendations to date:

- a. use directional boring whenever possible
- b. if directional boring is not feasible, isolation crossing may be used, but can't create excessive velocities and can't dewater downstream reaches
- c. no open trenching unless there is no other option and it can be shown it won't harm the fish
- d. no open trenching during fish spawning periods and immediately afterwards
- e. keep equipment at least 25 feet away from the stream except during construction; then contact must be minimal
- f. by-products of construction must be properly disposed of
- g. stream buffers must be maintained, appropriate erosion and sedimentation controls must be maintained, and hydrologic characteristics must be restored

James said that the Technical Committee report will include a checklist to determine when directional boring can or can't be used.

Emily Franzen is drafting a Utility Crossings ordinance. Recommendations that affect stream buffers will be added as amendments to the HCP stream buffer ordinance already adopted. Other recommendations will be included in a stand-alone utility crossings ordinance.

FWS Update

Sandy Tucker gave an update on the Fish & Wildlife Service's activities. Robin Goodloe, FWS lead biologist in the Etowah basin, has been talking with developers working in the Etowah right now. With the concept of the HCP in the background, Robin is starting to let them know what they think the HCP will include – stormwater management, erosion and sedimentation control, etc. Robin is trying to advise developers how to put their developments on the ground now in ways that protect the HCP species. Sandy introduced Eric Prowell, who is working with Robin.

Eric reported that to date they've approved 4 projects that have met or are close to HCP standards. They are working with developers of another 9 or 10, encouraging them to meet stormwater infiltration guidelines. There are another 25 projects that have gone through the US Army Corps of Engineers permitting process that they have just learned about. The meetings with developers have gone well. Most are open to new ideas and willing to try. The E&S controls have been the easiest for them to accept so far. They have not had too much problem with the better site design guidelines, except that often county regulations are in conflict with BSD recommendations – so it's not that developers don't want to meet them, but they can't. The stormwater requirements are about half and half – some developers are meeting them with no problem.

Robin and Eric will hold 4 meetings in the basin. They'll talk with government employees about how they're addressing HCP recommendations and getting developers comfortable with it. Also,

they are asking the counties to notify FWS of other developments to level the playing field so they talk to developers other than just those who go through the Corps or DRI process. FWS will also hold a meeting on how to implement BMPs.

Environmental Impact Statement / Environmental Assessment

Laurie explained that from a legal perspective, the purpose of the HCP is allowing development to occur in the basin while protecting the imperiled species. The counties will receive an Incidental Take Permit from FWS, which acknowledges that some take of endangered species will occur, but recognizes that the Habitat Conservation Plan will lead to preservation and recovery of the species, and explains the impacts of the HCP and how they will be managed.

The federal National Environmental Policy Act requires that the federal government be aware of the consequences of the HCP – both good and bad. They have to weigh the alternatives, including the business as usual alternative. FWS has asked us to help do this environmental assessment. The assessment has to identify all the impacts, and four alternatives. The alternatives are:

1. No action;
2. all components of HCP that the Steering Committee has accepted (what we anticipate will be passed);
3. all provisions of HCP management policies, without the runoff limits program, but assuming the majority of all priority areas are bought for conservation purposes (in fee simple or easements);
4. all provisions of HCP management policies except the runoff limits/priority area protection component.

As part of the environmental assessment process, graduate student Jen Linehan asked the Steering Committee a series of questions. She explained that there are certain factors that must be considered when answering the questions. These factors are used in other EAs/EISs:

- Air quality
- Water quality
- Climate
- Topography
- Hydrology
- Vegetation
- Wildlife
- Existing land uses
- Cultural resources
- Socio-economics
- Noise
- Environmental justice

Steering Committee members suggested adding property owners' rights and economic impacts.

Questions and Answers:

1. What are some of the unavoidable impacts of development that the HCP will allow, and that will be difficult to mitigate?
 - a. Changes to property owners' rights
 - b. Acquisition alternative will have less impact on air quality, since large parts of the basin wouldn't be developed and therefore there'd be fewer car trips
 - c. Changes in traffic patterns
 - d. Won't mitigate effects on wide-ranging species like bears
2. Could increases in human population and watershed use have indirect effects?
 - a. might induce additional development later in time
 - b. road widenings
 - c. waste management – both solid and wastewater
 - d. Atlanta metro area shows that large densities can also change weather patterns – thermal, rainfall
 - e. Aesthetic impact in going from rural to non-rural
 - f. Political landscape will change – folks who don't like the development will become louder
 - g. People who have to work harder to get permits will get louder in opposition
 - h. Environmental community could rally and become a greater force
 - i. Demographics could change – issues that rural communities care about are different than those that suburban and urban areas care about
 - j. From local government standpoint, you have to take into account what's best for majority of citizens, in many cases involves public safety issues
 - k. Although the plan will affect where the growth occurs, the growth will occur anyway, so will it really have impact on growth?
 - l. Deep underground aquifer impacts
 - m. Struggle to retain Etowah's water in the basin, not send it to Atlanta (since it will be cleaner)
 - n. Slowing down growth means you won't see the house prices go sky-rocketing. Since we're not making anything anymore here, all we have going on is construction (largest industry in Pickens County by far)
 - o. Light pollution
 - p. Ongoing battle with property rights – could lead to change in elected officials who'll be friendlier to development
 - q. What's the impact of annexation? What if the county adopts the HCP and then a non-signatory city annexes?
 - r. Enforcement...
3. How will scenic values and aesthetics be maintained under the HCP?
 - a. We might have more "Archie Bunker"-looking houses – zero lot lines, closer houses
 - b. Conservation subdivisions will affect it
 - c. Preservation of greenspace is aesthetic
 - d. If you're using more vegetative techniques to control stormwater – raingardens vs. detention ponds – it's a positive impact

Next Meeting

ACCG annual conference is April 21

GMA-ACCG city/county managers meeting is in early April

First choice: April 7

Second choice/backup: April 28

Advisory Committee will finalize the date by mid-March and will look for a location in Canton.