Print Form

COUNTY DEPARTMENT AGENDA REQUEST

Department/Division: Water System

Department Head: Tony Parrott

Presenter, if needed: Tony Parrott

Preferred Meeting Date: May 22, 2008

Wording for the Agenda:

Request to submit an application to the Department of Natural Resources (DNR) to modify the water restrictions from the current Level 4 to Level 2 . Level 2 allows for outside water use three days a week (odd/even and no outside water use on Friday)

Background/History/Details:

DNR changed the Drought Water Restriction Level to Level 4 on September 28, 2007 and the Governor further restricted the Water System to 10% less than the winter average usage of 2006. The Water System's permit was modified and for November through April met the permitted amounts. The 10% reduction expired March 31, 2008 and the Drought Level 4 restriction was modified to allow some hand watering, some irrigation and pool filling.

Guidelines for petitioning to change from this current level will be provided to water utilities by close of business May 16th. Petitions for exemptions should be submitted to EPD by June 6th.

What action are you seeking from the Board of Commissioners?

Approval to submit an application to the Department of Natural Resources to request that they classify Fayette County as being under Level 2 water restrictions. Level 2 allows for outside water use three days a week (odd/even and no outside water use on Friday)

If this item requires funding, please describe:

Has this issue come before the Commissioners in the past? Yes

If so, when? May 7, 2008

Do you need audio-visual for the presentation? No

Back-up Material Submitted?

STAFF USE ONLY

Approved by Finance?

Reviewed by Legal?

Approved by Purchasing? Yes

Approved by Administrative Staff? Yes

Staff Notes

Administrator's Approval Yes

Confirmed Meeting Date Thursday, May 22, 2008

- ○ Recognition/ Presentation
- ○ Public Hearing
- ◉ Old Business
- ○ New Business
- ○ Consent
- ○ Report
- ○ Other

RULES OF
GEORGIA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

CHAPTER 391-3-30
OUTDOOR WATER USE

TABLE OF CONTENTS

391-3-30-.01 Definitions
391-3-30-.02 Applicability of Rule
391-3-30-.03 Outdoor Water Use Schedule During Non-Drought Periods
391-3-30-.04 Outdoor Water Use Schedule During Declared Drought Response Levels
391-3-30-.05 Exemptions
391-3-30-.06 Local and Regional Options

391-3-30-.01 Definitions

When used in this Chapter:

(1) "Address" means the "house number" (a numeric or alphanumeric designation) that, together with the street name, describes a physical location of a specific property. "Even numbered address" means a house number ending with the number 0, 2, 4, 6, 8, or no house number. "Odd numbered address" means a house number ending with the number 1, 3, 5, 7, or 9.

(2) "Declared Drought Response Level" means one of four levels of drought that can be declared based on the severity of drought conditions, with one being the least severe and four being the most severe.

391-3-30-.02 Applicability of Rule

These rules apply to any entity, and its customers, permitted by the Georgia Environmental Protection Division (EPD) for water withdrawal or for operation of a drinking water system.

391-3-30-.03 Outdoor Water Use Schedule During Non-Drought Periods

(1) Outdoor water use other than exempted activities shall occur only as follows:

(a) Odd-numbered addresses: outdoor water use is allowed on Tuesdays, Thursdays and Sundays.

(b) Even-numbered addresses: outdoor water use is allowed on Mondays, Wednesdays and Saturdays.

391-3-30-.04 Outdoor Water Use Schedule During Declared Drought Response Levels

(1) The Director of the Environmental Protection Division is authorized to make drought declarations.

(2) During declared drought conditions, outdoor water use other than activities exempted in 391-3-30-.05, shall occur only during scheduled hours on the scheduled days.

(3) Declared Drought Response Level One – Outdoor water use may occur on scheduled days within the hours of 12:00 midnight to 10:00 a.m. and 4:00 p.m. to 12:00 midnight.

(a) Scheduled days for odd-numbered addresses are Tuesdays, Thursdays and Sundays.

(b) Scheduled days for even-numbered addresses are Mondays, Wednesdays and Saturdays.

(c) Use of hydrants for any purpose other than firefighting, public health, safety or flushing is prohibited.

(4) Declared Drought Response Level Two – Outdoor water use may occur on scheduled days within the hours of 12:00 midnight to 10:00 a.m.

(a) Scheduled days for odd-numbered addresses are Tuesdays, Thursdays and Sundays.

(b) Scheduled days for even-numbered addresses and golf course fairways are Mondays, Wednesdays and Saturdays.

(c) The following uses are prohibited:

1) Using hydrants for any purpose other than firefighting, public health, safety or flushing.

2) Washing hard surfaces, such as streets, gutters, sidewalks and driveways except when necessary for public health and safety.

(5) Declared Drought Response Level Three – Outdoor water use may occur on the scheduled day within the hours of 12:00 midnight to 10:00 a.m.

(a) The scheduled day for odd-numbered addresses is Sunday.

(b) The scheduled day for even-numbered addresses and golf course fairways is Saturday.

(c) The following uses are prohibited:

1) Using hydrants for any purpose other than firefighting, public health, safety or flushing.
2) Washing hard surfaces, such as streets, gutters, sidewalks, driveways, except when necessary for public health and safety
3) Filling installed swimming pools except when necessary for health care or structural integrity.

4) Washing vehicles, such as cars, boats, trailers, motorbikes, airplanes, golf carts.
5) Washing buildings or structures except for immediate fire protection.
6) Non-commercial fund-raisers, such as car washes.
7) Using water for ornamental purposes, such as fountains, reflecting pools, and waterfalls except when necessary to support aquatic life.

(6) Declared Drought Response Level Four – No outdoor water use is allowed, other than for activities exempted in 391-3-30-.05, or as the EPD Director may order.

391-3-30-.05 Exemptions

(1) This rule shall not apply to the following outdoor water uses:

(a) Capture and re-use of cooling system condensate or storm water in compliance with applicable local ordinances

(b) Re-use of gray water in compliance with applicable local ordinances

(2) The following established landscape water uses are exempt from the outdoor water use schedules of this rule.

(a) Use of reclaimed wastewater by a designated user from a system permitted by EPD to provide reclaimed wastewater.

(b) Irrigation of personal food gardens.

(3) Newly (in place less than thirty days) installed landscapes are subject to the following:

(a) Irrigation of newly installed landscapes is allowed any day of the week, but only during allowed hours for the drought response level in effect, for a period of 30 days following installation. No watering is allowed during Drought Response Level Four.

(b) For new landscapes installed by certified or licensed professionals, commercial exemptions apply.

(4) The following golf course outdoor water uses are exempt from the outdoor water use schedules of this rule.

(a) Use of reclaimed wastewater by a designated user from a system permitted by EPD to provide reclaimed wastewater.

(b) Irrigation of fairways during times of non-drought and Declared Drought Response Level One.

(c) Irrigation of tees during times of non-drought and Declared Drought Response Levels One, Two and Three.

(d) Irrigation of greens.

(5) The following commercial outdoor water uses are exempt from the outdoor water use schedules of this rule.

(a) Professionally certified or licensed landscapers, golf course contractors, and sports turf landscapers: during installation and 30 days following installation only. Professional landscapers must be certified or licensed for commercial exemptions to apply.
(b) Irrigation contractors: during installation and as needed for proper maintenance and adjustments only.
(c) Sod producers.
(d) Ornamental growers.
(e) Fruit and vegetable growers.
(f) Retail garden centers.
(g) Hydro-seeding.
(h) Power-washing.
(i) Construction sites.
(j) Producers of food and fiber.
(k) Car washes.
(l) Other activities essential to daily business.
(m) Watering-in of pesticides and herbicides on turf.

391-3-30-.06 Local and Regional Options

(1) Local and regional water providers are authorized to implement additional outdoor water use restrictions within their jurisdictions. Action items to consider at the local/regional level include, but are not limited to, the following: developing system integration and interconnection to reduce drought vulnerability, placing additional water use restrictions on specific commercial uses, putting water conservation based rates in place (increasing block/summer surcharge) and placing additional restrictions on outdoor water use.

(2) Local and regional water providers may request approval of alternative days for outdoor water use for purposes of enforcement, peak water usage, timing of recovery days, and other valid reasons. Approval shall be contingent upon:

(a) Written notification to, and approval by, EPD of the alternate watering schedule; and
(b) Enactment of a local ordinance allowing no more than 3 days a week outdoor watering during time(s) of day consistent with the level of drought as set forth in sections 391-3-30-.03 and -.04 of this rule.
(c) Regional consistency.

Staff Report

Level 4 Drought Classification: Mr. Krakeel informed the Commissioners that the Environmental Protection Division for the State of Georgia issued a press release yesterday afternoon regarding certain modifications to the Level 4 Drought Advisory affecting various counties in the State. He said the press release reclassified a number of counties throughout the State of Georgia, but did not change the Level 4 Drought classification for Fayette County. He mentioned that Spalding County was reclassified from a Level 4 Drought to a Level 2 Drought. Mr. Krakeel stated that within the press release, the Environmental Protection Division is allowing for communities and counties to petition the EPD for modification to the current drought response classification, meaning Fayette County may have the potential, once the rules are published and disseminated around May 16th, to consider petitioning the Georgia Department of Natural Resources and Environmental Protection Division for consideration of reclassifying Fayette County from the current classification under the under Level 4 Drought Advisory to some other designation. He said doing so could possibly ease water restrictions on Fayette County residents, and said he has asked Tony Parrott to conduct an analysis to determine the feasibility on this issue, that the analysis will be completed prior to May 16thand it will be formally presented to the Board at the May 22nd meeting with a recommendation from staff. He added the County's reservoir are all at full pool with the exception of Lake Horton which is down by approximately one foot, and he thought the County was in excellent shape with respect to its water supply. He reiterated that a recommendation will be provided at the May 22nd meeting with respect to potentially easing water restrictions by petitioning EPD for reclassification of the County's current classification, and the recommendation would come from the Water Committee.