

Guidance for Drought Response Modification Petition Process
March 3, 2009

Contents

Instructions for Drought Response Modification Petitions	2
Eligibility	2
Instructions for Filing a Petition	2
Description of Drought Response Modification	3
Petition Review Criteria	4
Petition Submittal, Review and Response	5
Attachment A - Drought Response Modification Petition Form	6
Attachment B - Instructions for Completing Reservoir and Streamflow Analysis Spreadsheets	9
Table 1 - Summary of Drought Response Modifications	11

In accordance with House Bill 1281 signed by Governor Perdue on May 14, 2008, permitted water users may petition EPD to implement water use restrictions that differ from non-statutory water use restrictions established by the State (hereinafter “drought response modifications”). This guidance document describes the process permittees may use to petition EPD for drought response modifications.

Instructions for Filing Petitions for Drought Response Modifications

Eligibility

Water users seeking to file a petition must hold one of the following permits:

- Water Withdrawal Permit issued pursuant to the Water Quality Control Act; or
- Groundwater Use Permit issued pursuant to the Groundwater Use Act; or
- Safe Drinking Water Permit issued pursuant to the Safe Drinking Water Act; and

Instructions for Filing a Petition

Petitions must include the following:

- The form entitled “Petition for Drought Response Modifications” (Attachment A);
- For surface water systems with reservoirs, the spreadsheet named “Reservoir Worksheet” which may be found on EPD’s website at <http://www.gaepd.org/Documents/petition.html>. Data entered into this worksheet by the petitioner will generate a graph named “Reservoir Graph” that compares storage versus demand and shows when reservoir storage reaches critical thresholds. Instructions for completing this spreadsheet are found in Attachment B;
- For surface water systems without reservoirs, the worksheet named “Streamflow Worksheet” found on EPD’s website at <http://www.gaepd.org/Documents/petition.html>. Data entered into this worksheet by the petitioner will generate a graph named “Streamflow Graph” that compares streamflow versus demand and shows when critical thresholds are reached. Instructions for completing this spreadsheet are found in Attachment B;
- A one page narrative summary explaining how the data used to complete the worksheet(s) referenced above were derived;

- For surface water systems, a one page generalized schematic drawing of the water system showing how raw water gets from the source to the distribution system;
- For groundwater and spring systems, the form “Petition for Level IV Drought Response Modifications” (Attachment A); and
- For any water system seeking drought response modifications more stringent than those established by the State, the form entitled “Petition for Level IV Drought Response Modifications” (Attachment A), and the following information:
 - A description of the requested restrictions and the time period for their implementation;
 - A projection of water demands using the water restrictions imposed by the State;
 - A projection of water demands using the requested more stringent restrictions;
 - A projection of water availability (raw water or treated drinking water); and
 - A statement that water demand may exceed water availability (raw or treated, average or peak) without additional restrictions.

Description of Drought Response Modifications

The criteria that permittees must meet in order to be granted a drought response modification, and the outdoor water uses allowed under those modifications are summarized in Table I and are described below:

- **Level IV** – No outdoor watering except for exemptions provided for in Section 391-3-30-05 of the Rules for Outdoor Water Use (see note below);
- **Level IVa** - Odd/even watering 1 day per week between midnight and 10:00 am: At the discretion of the permittee, odd addresses may water on Sundays or Thursdays, even addresses water on Mondays or Saturdays (see note below);
- **Level IVb** - Odd/even watering 2 days per week between midnight and 10:00 am: Odd on Tuesdays and Thursdays, even on Mondays and Wednesdays. At the discretion of the permittee odd addresses may water on Thursdays and Sundays, even addresses may water on Wednesdays and Saturdays (see note below);
- **Level IVc** - Odd/even watering 3 days per week between midnight and 10:00 am: Odd on Tuesdays, Thursdays, and Sundays, even on Mondays, Wednesdays, and Saturdays (see note below.)

- **More Stringent Water Use Restrictions than those Established by the State:** As requested by water system.

NOTE: The following water uses are allowed under Drought Response Level IV and all drought response modifications:

- Uses exempted by Section 391-3-30-.05 of the Rules for Outdoor Water Use;
- The following uses authorized by the Director's Orders dated February 11, 2008 and March 3, 2009 or by HB 1281:
 - Hand-watering of existing landscaping for 25 minutes per day, three days per week, within the hours of 12:00 midnight to 10:00 a.m. as follows: Odd-numbered addresses may water Tuesdays, Thursdays and Sundays and even-numbered addresses may water Mondays, Wednesdays and Saturdays;
 - After registering with the Outdoor Water Use Registration Program (www.outdoorwateruse.com), watering of new landscaping three days per week, for a period not to exceed 10 weeks, within the hours of 12:00 midnight to 10:00 a.m. as follows: Odd-numbered addresses may water Tuesdays, Thursdays and Sundays and even-numbered addresses may water Mondays, Wednesdays and Saturdays;
 - Watering of existing landscape by drip irrigation and soaker hoses one hour per day three days per week, within the hours of midnight to 10:00 a.m. as follows: Odd-numbered addresses may water Tuesdays, Thursdays and Sundays and even-numbered addresses may water Mondays, Wednesdays and Saturdays; and
 - Filling of swimming pools without restrictions on day or time.

Petition Review Criteria

Water systems meeting the following criteria will be granted the following drought response modifications if:

For surface water systems with reservoir storage, the graph named "Reservoir Graph" shows projected reservoir storage for March 2009 – February 2010 based on March 2008 – February 2009 reservoir inflow, withdrawal, and release data:

- Falls below 30%: **Level IV**;
- Falls below 40% but does not fall below 30%: **Level IVa**;
- Falls below 50% but does not fall below 40%: **Level IVb**;
- Does not fall below 50%: **Level IVc**.

For surface water systems without reservoir storage, the graph named “Streamflow Graph” shows that March 2008 – February 2009 withdrawals as a percentage of March 2008 – February 2009 streamflow:

- Exceeds 10% of streamflow: **Level IV**;
- Exceeds 5% but is less than 10% of streamflow: **Level IVa**;
- Exceeds 1% but is less than 5% of streamflow: **Level IVb**.
- Does not exceed 1% of streamflow: **Level IVc**.

For spring and groundwater systems:

- The form entitled “Petition for Drought Response Modifications” (Attachment A) is completed and submitted to EPD: **Level IVb**.

Petition Submittal, Review and Response

For permits issued pursuant to the Georgia Safe Drinking Water Act, please submit two hard copies of the petition to:

Water Use Petitions Clerk
Drinking Water Compliance Program
Watershed Protection Branch
Environmental Protection Division
2 MLK Jr, Drive, S.W., Suite 1362
Atlanta, Georgia 30334

For permits issued pursuant to the Groundwater Use Act and Georgia Water Quality Control Act, please submit two hard copies of the petition to:

Water Use Petitions Clerk
Water Withdrawal Program
Watershed Protection Branch
Environmental Protection Division
4220 International Parkway, Suite 101
Atlanta, Georgia 30354-3902

EPD will render a decision on each petition and respond in writing within 5 business days of receipt as follows:

- If EPD determines an adequate demonstration has been made as described herein, approve the requested drought response modification; or

- If EPD determines the petition is incomplete, request additional information
- If EPD determines that an adequate demonstration has not been made as described herein, denial of requested drought response modification with a statement of basis for denial.

Attachment A Drought Response Modification Petition Form

Permittee: _____

Permittee address: _____

Water Withdrawal Permit No. _____

Groundwater Use Permit No. _____

Water Supply ID No. (Safe Drinking Water Permits) _____

Drought response modification requested (please circle one):

IV IVa IVb IVc More Stringent

Time period for which the requested drought response modification will be in effect:

	YES	NO
Water system served primarily by groundwater or springs?	<input type="checkbox"/>	<input type="checkbox"/>

Water system lies within the 55 county area subject to the current Level IV Drought Response?	<input type="checkbox"/>	<input type="checkbox"/>
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This water system depends on purchases of water from a supplier that withdraws water from Lake Lanier or the Chattahoochee River between Buford Dam and Peachtree Creek? If the answer to question is "yes", please provide the amount of water received from Lake Lanier or the Chattahoochee River between Buford Dam and Peachtree Creek as a percentage of your total monthly average production or purchases on a yearly basis for calendar year 2008 in Attachment B.	<input type="checkbox"/>	<input type="checkbox"/>
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Certification and Petition for Permittees Seeking Less Stringent Watering Restrictions than those Established by the State

Based on an assessment of the attached supporting documentation*, I have determined that:

- Our distribution system has adequate storage and delivery capacity to meet permitted potability and pressure standards during all demand periods;
- Our raw water sources have adequate storage and/or delivery capacity to meet our community water demands based on the attached documentation.

Therefore, I hereby certify that the attached supporting documentation and the forgoing statements constitute evidence sufficient to support a reasonable conclusion that the current non-statutory outdoor watering restrictions or water use reductions imposed by the state are not necessary and appropriate to avoid or relieve a local water shortage. I hereby petition to be allowed to operate our water system under the drought response modification circled above.

Signature
(Highest signing authority)

Title

Date

*Supporting documentation not required for spring and groundwater systems

Certification and Petition for Permittees Seeking More Stringent Watering Restrictions than those Established by the State

Based on an assessment of the attached supporting documentation, I have determined that:

- Our distribution system does not have adequate storage and delivery capacity to meet permitted potability and pressure standards during all demand periods;
- Our raw water sources do not have adequate storage and/or delivery capacity to meet our community water demands based on the attached documentation; and
- We will not be able to ensure the delivery of safe potable water supplies to our residential and commercial users.

Therefore, I hereby certify that the attached supporting documentation and the forgoing statements constitute evidence sufficient to support a reasonable conclusion that water use restrictions more stringent than those established by the State are necessary and appropriate to avoid or relieve a local water shortage. I hereby petition to be allowed to operate our water system under the drought response modifications described in the attached supporting documentation.

Signature
(Chief Elected or Executive Officer)

Title

Date

Attachment B

Instructions for Completing Streamflow Graph

1. Go to <http://www.gaepd.org/Documents/petition.html> . Scroll down and click on the link named “Reservoir and Streamflow Analysis Worksheet, March 3, 2009.” This will open a Microsoft Excel document. Download this document to your computer. Select the tab named “Streamflow Worksheet”. The data you enter into this worksheet will automatically plot a graph on the worksheet named “Streamflow Graph.”
2. Enter your name, title, system name, WSID or Permit No., and date.
3. In the row of blue boxes identified as “March 2008 – February 2009 Streamflow”, enter the average monthly stream flow (in cubic feet per second) for each month from March 2008 through February 2009.
4. In the row of green boxes identified as “March 2008 – February 2009 Withdrawals”, enter the average monthly withdrawal from the stream (in million gallons per day) for each month from March 2008 through February 2009. The form will automatically convert million gallons per day to cubic feet per second. You may adjust average monthly streamflow withdrawals to account for system expansion or extension, new customers, loss of existing customers, and other factors. Please document these adjustments in Attachment B.
5. The data you enter into “Streamflow Worksheet” will automatically plot lines on “Streamflow Graph” for average monthly withdrawal and lines representing 1%, 5% and 10% of monthly average streamflow.
6. Please password protect your completed worksheet, burn a copy to a compact disc, enclose in a jewel case and attach to your petition along with a printed color copy of the worksheet.

Instructions for Completing Reservoir Analysis Spreadsheet

1. Go to <http://www.gaepd.org/Documents/petition.html>. Scroll down and click on the link named “Reservoir and Streamflow Analysis Worksheet, March 3,2009.” This will open a Microsoft Excel document. Download this document to your computer. Select the tab named “Reservoir Worksheet”. The data you enter into this worksheet will automatically plot a graph on the worksheet named “Reservoir Graph.”
2. Enter your name, title, system name, WSID or Permit No., and date.

3. In the yellow box, "March 1, 2009 Storage", enter the amount of water in storage in your reservoir(s) (in acre feet) on March 1, 2009.
4. In the pink box, "Total Reservoir Storage" enter the total amount of water your reservoir(s) can hold (in acre feet).
5. In the line of blue boxes, "March 2008 – February 2009 Reservoir Withdrawals and Releases", enter the average monthly reservoir withdrawals and releases (in million gallons per day) for each month from March 2008 through February 2009. Average monthly reservoir withdrawals and releases may be adjusted to account for system expansion or extension, new customers, loss of existing customers, and other factors. Please document these adjustments in Attachment B.
6. In the line of orange boxes, "March 2008 – February 2009 Reservoir Inflow", enter the average monthly inflow (in cubic feet per second) that was pumped and flowed into your reservoir(s) for each month from March 2008 through February 2009.
7. In the grey box, "Functional Reservoir Limit," enter the amount of storage in your reservoir(s) (in acre feet). This is the storage remaining in your reservoir(s) when which withdrawals can no longer be made.
8. The data you enter into "Reservoir Worksheet" will automatically graph lines on "Reservoir Graph" for storage, functional reservoir limit, and the points at which reservoir storage reaches 30%, 40% and 50% of storage."
9. Please password protect your completed worksheet, burn a copy to a compact disc, enclose in a jewel case and attach to your petition along with a printed color copy of the worksheet.

**TABLE 1
SUMMARY OF DROUGHT RESPONSE MODIFICATIONS**

System Type	Criteria for Receiving Drought Response Modification	Drought Response Level	Outdoor Watering¹
Surface Water with Reservoir	<30% storage	IV	Only uses “allowed by Outdoor Water Use Rules, EPD Orders, HB 1281
	≥30% & <40% storage	IVa	Odd/even watering 1 day per week, midnight to 10:00 am
	≥40% & <50% storage	IVb	Odd/even watering 2 days per week, midnight to 10:00 am
	>50% storage	IVc	Odd/even watering 3 days per week, midnight to 10:00 am
	Unable to meet demand	More Stringent	As requested by water system
Surface Water without Reservoir	Demand >10% of streamflow	IV	Only uses allowed by Outdoor Water Use Rules, EPD Orders, HB 1281
	Demand ≥5% & ≤10% of streamflow	IVa	Odd/even watering 1 day per week, midnight to 10:00 am
	Demand ≥1% & <5% of streamflow	IVb	Odd/even watering 2 days per week, midnight to 10:00 am
	Demand <1% of streamflow	IVc	Odd/even watering 3 days per week, midnight to 10:00 am
	Unable to meet demand	More Stringent	As requested by water system

**TABLE 1 (Con't)
SUMMARY OF DROUGHT RESPONSE MODIFICATIONS**

System Type	Criteria for Receiving Drought Response Modification	Drought Response Level	Outdoor Watering¹
Groundwater and Springs	Complete petition submitted	IVb	Odd/even watering 2 days per week, midnight to 10:00 am
	Unable to meet demand	More Stringent	As requested by water system

¹Uses exempted by Outdoor Water Use Rules and EPD's February 11, 2008 and March 3, 2009 Order, and HB 1281 are allowed under all Drought Response Modifications