

**RULES OF
GEORGIA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION**

**CHAPTER 391-3-2
GROUNDWATER USE**

391-3-2-.16 Permitting Based on Regional Water Development and Conservation Plans.

- (1) Purpose. The purpose of Section 391-3-2-.16 is to provide minimum uniform statewide regulations for the issuance of any permit for the use of groundwater based on Regional Water Development And Conservation Plans. As authorized by O.C.G.A. §§12-5-31 and 12-5-96, in a manner consistent with O.C.G.A. § 12-5-520, et seq., and as provided in the Comprehensive State-wide Water Management Plan, Regional Water Development And Conservation Plans shall promote the sustainable use of Georgia's waters through the selection of an array of management practices, to support the State's economy, to protect public health and natural systems, and to enhance the quality of life for all citizens.
- (2) Policy. As provided in the Comprehensive State-wide Water Management Plan, the characteristics of water resources and water users vary significantly in differing regions across Georgia. Protecting the ability of the State's water resources to meet needs for water supply and assimilation of waterborne contaminants requires regional, resource-based plans that identify the management practices appropriate to the resources and users in each region.
- (3) Definitions. All terms used in this Section shall be interpreted in accordance with the definitions as set forth in this Paragraph, or in any other Paragraph of this Section:
- (a) "Comprehensive State-wide Water Management Plan" is the plan provided for by O.C.G.A. §12-5-520 et seq. whose purpose is to help guide the stewardship of Georgia's water resources to ensure that those resources continue to support the State's economy while maintaining healthy natural systems. The Comprehensive State-wide Water Management Plan mandates preparation of regional Water Development and Conservation Plans;
- (b) "Instream uses" means all those human and ecological uses of water which occur within the banks of rivers and streams, including, without limitation, waste assimilation, hydropower production, recreation, maintenance of aquatic habitats, and support of biological integrity;
- (c) "Offstream uses" means the purposes for which water is withdrawn from streams, rivers, lakes, or aquifers;
- (d) "Water Development and Conservation Plan," as provided in O.C.G.A. §§ 12-5-31(h) and 12-5-96 (e), means a regional resource-based plan, developed in accordance with O.C.G.A. § 12-5-520 et seq., that promotes the efficient use of water resources, promotes the conservation and reuse of water, guards against a shortage of water, and is consistent with the public welfare of the state, or an addendum to any statutorily

required water management plan(s) prepared to satisfy the purposes of this rule and the Comprehensive State-wide Water Management Plan. Such plans include water development, conservation, and sustainable use and are based upon detailed scientific analysis of water sources, the projected future condition of the resources, current demand, and estimated future demands on the resources. Furthermore, as provided in the Comprehensive State-wide Water Management Plan, such plans identify the water management practices to be employed in each Water Planning Region to ensure that current and future needs for water supply and assimilative capacity are met within the capacity of the water resources;

(e) "Water Planning Region" is a defined area that includes one or more water quantity and/or quality resources;

(f) "Water resource" is a body of surface water or groundwater that is available or potentially available for offstream and/ or instream use, including, without limitation, agricultural, industrial, residential, recreational, or environmental activities, among others. Water resources may include freshwater bodies, brackish waters, and ocean water;

(4) Use by Division of adopted Regional Water Development and Conservation Plans.

(a) As provided in O.C.G.A. §§ 12-5-31, 12-5-96, and 12-5-522, the Director shall ensure that the issuance of any permit for the use of water is based upon the Comprehensive State-wide Water Management Plan and all applicable Water Development and Conservation Plans. Additionally, any political subdivision or local water authority not in compliance with the Comprehensive State-wide Water Management Plan shall be ineligible for state grants or loans for water projects, except for those projects designed to bring such political subdivision or local water authority into compliance with the plan.

Authority: O.C.G.A. § 12-5-20 et seq.; O.C.G.A. § 12-5-31; O.C.G.A. § 12-5-90 et seq.; O.C.G.A. § 12-5-96; O.C.G.A. § 12-5-520 et seq.