

## VIOLATIONS FOUND AT MOST CONSTRUCTION SITES



Photo by: Tom Wilson

Georgia was the *fourth* fastest-growing state in the country between July 2005 and July 2006, according to the U.S. Census Bureau. This growth brought massive changes to the natural landscape through land disturbance activities—leveling and grading forests and fields.

Every day in metro Atlanta, 54 acres of trees are destroyed, while another 28 acres are covered with hard impervious surfaces like roads, rooftops and parking lots. When these construction activities are not adequately controlled with best management practices (BMPs), they send tons of muddy water into the rivers and lakes that serve as our drinking water supplies and recreational areas. The environmental and economic cost to our communities and to private property values can be staggering.

### EPA Grant Supports Get the Dirt Out Project

Upper Chattahoochee Riverkeeper received a grant from the U.S. EPA in 2005 to study the effectiveness of Georgia's erosion control program—the centerpiece of which is a regulation called the General Stormwater Permit for Construction Activities (General Permit), implementing federal and state stormwater control requirements.

Through our *Get the Dirt Out* (GTDO) project, we have been working for the past two years with watershed groups to investigate Georgia's implementation of the General Permit program. Focused on improving water quality, we developed educational materials and tools to document problems and evaluate the effectiveness of BMPs intended to prevent the flow of muddy water from construction sites. We identified construction sites for



This overflowing silt fence was poorly designed or not maintained, allowing muddy water to flow into nearby streams.

investigation through file analysis, observation and citizen complaints, deliberately focusing on sites with suspected stormwater problems.

GTDO partners visited more than 100 construction sites during the two-year study period, documenting compliance and logging complaints with local and state regulatory agencies. The project covered much of the state including portions of the following river basins: Altamaha River, Etowah River, Canoochee River, Savannah River, and Upper and Middle Chattahoochee River. (See Figure 1 on page 7.)

### Popular Dirt Workshops

In more than 30 workshops held around the state, GTDO partners provided information to 500 citizens, developers and local government officials about the purpose and

See **Erosion Violations**, page 7

## EROSION FUNDS USED FOR OTHER STATE SERVICES

Georgia employs a series of "user fees", paid by regulated parties such as developers, waste handlers, or tire dealers, to finance environmental cleanup, maintenance, education and enforcement. Often, these fees generate enough revenue to fully fund their designated duties; however, the fee monies are not always allocated in full by the state legislature



UCR Technical Programs Director Alice Champagne discusses erosion control at a construction site with the project supervisor and a county inspector.

for their intended purposes. One of these fees is the user fee for land disturbing activities.

Anyone disturbing more than one acre of land must pay a user fee to help support the costs of administering Georgia's erosion control program, pursuant to legislation that passed in 2003. This fee is paid by the permit applicant—the developer or landowner—at the rate of \$80 per acre of disturbed soil at a construction site.

### Less Than Half of Promised Inspectors Hired

If a city or county has been certified by the state EPD as a Local Issuing Authority (LIA) to review and enforce erosion control practices, the fee is split equally between the LIA and EPD. Where there is no LIA, EPD manages the soil and sediment control program and receives the total fee revenue of \$80 per acre. The intent of those who advocated and helped pass user fee legislation was to raise sufficient funds to hire at

least 80 more erosion inspectors in the state.

Four years after the initiation of the dirt fee, EPD has *less than half* of the 80 promised inspector positions dedicated to the erosion and sediment program. In FY 2005 and FY 2006, the Georgia Legislature appropriated only \$2.2 million of the \$3.7 million collected for its intended use—the administration and enforcement of erosion control laws.

Part of the problem lies in the Georgia Constitution, which prohibits the "dedication" of fees for a particular purpose. Instead, all fee money goes into the general state funds and must be allocated back to a particular program area by the legislature. Because the legislature has not fully allocated the fee revenue, EPD is unable to hire adequate support staff or field inspectors. With a lack of adequate funding support, EPD cannot effectively implement the General Permit as required by federal law.

## Riverkeeper Staff

**Alexandra Adams**  
Policy Director

**Sally Bethea**  
Executive Director and Riverkeeper

**Birgit Bolton**  
Programs Coordinator

**Alice Champagne**  
Technical Programs Director

**Bill Crawford**  
Business Manager

**Magnus Christon**  
Special Events Director

**Mary O. Harrison**  
Development Associate

**Darcie Holcomb**  
Headwaters Conservation Director

**Mary Manson**  
Receptionist

**Elizabeth Nicholas**  
General Counsel

**D.J. Strickland**  
Development Director

**Harlan Trammell**  
Boat Captain

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Our mission is to advocate and secure the protection and stewardship of the Chattahoochee River, its tributaries and watershed.

ATLANTA OFFICE  
3 Puritan Mill  
916 Joseph Lowery Blvd.  
Atlanta, GA 30318  
404-352-9828

GAINESVILLE OFFICE  
615 F Oak Street  
Suite 1000  
Gainesville, GA 30501  
770-531-1064

[www.chattahoochee.org](http://www.chattahoochee.org)  
[www.getthedirtout.org](http://www.getthedirtout.org)

# REFLECTIONS

On a warm Saturday afternoon in January, I put my kayak into the river at one of the new "step-down" ramps constructed in the past year at several park units in the **Chattahoochee River National Recreation Area**.

It reminded me, once again, how fortunate we are to have permanently protected public land to access the river for paddling, fishing and boating in the 48-mile park that ends at the confluence of Peachtree Creek in Atlanta.

Since the 1970s, many organizations, citizen activists and elected officials have helped make our urban river park a reality.

## Committed to River Access and Use

As a relative newcomer, Upper Chattahoochee Riverkeeper has been working since 1994 to get people out on the river—as well as to walk, run or just sit beside it. Each year, we help organize the *Back to the Chattahoochee Race and Festival* (see page 8) and a *Run for the River* in October. Working with the **National Park Service** and the **U.S. Geological Survey**, we also monitor the quality of the water for recreational users, providing real-time data on the internet.

In 2004, we worked with boaters, anglers and paddlers to ensure that the entire length of the river park will remain open for all users who respect the river and each other. To encourage more use, we are offering a *Chattahoochee Challenger Series* of paddling trips on the metro section of the river led by gonzo kayaker Richard Grove.



Photo credit: Beig Honorar/  
Atlanta Journal Constitution

Last summer, UCR became involved in a river access issue at **Old Riverside Road** in Roswell where paddlers and anglers had informally used a small access point for many years. Abuse of the site by a commercial outfitter led to its closure to all users by Fulton County, the property owner. UCR continues to support limited paddling and angler access at this area and hopes that Roswell, Fulton County, adjacent neighbors, and recreational users will be able to come to an agreement that respects all stakeholders and the river.

## Downstream River Coming to Life

Below Peachtree Creek, the Chattahoochee remains far less accessible. Apparently, this was the intention of state regulators who, decades ago, believed that the river between Atlanta and West Point Lake would always be too polluted for recreational use due to discharges of wastewater and polluted stormwater.

For many years, the only usable boat ramp between Paces Mill at Cobb Parkway and Highway 16 in Newnan—a distance of 45 miles—was Georgia Power's private ramp at Plant McDonough. Generously, **Georgia Power** has allowed UCR to launch our boat at this site to patrol the long-neglected section of the river.

Thanks to increasingly cleaner water below Atlanta and an investment in new local and state parks and new access points along the river, this section of the Chattahoochee is coming back to life. UCR will continue to advocate safe ways for all recreational users to enjoy our river.

*Sally Bethea*

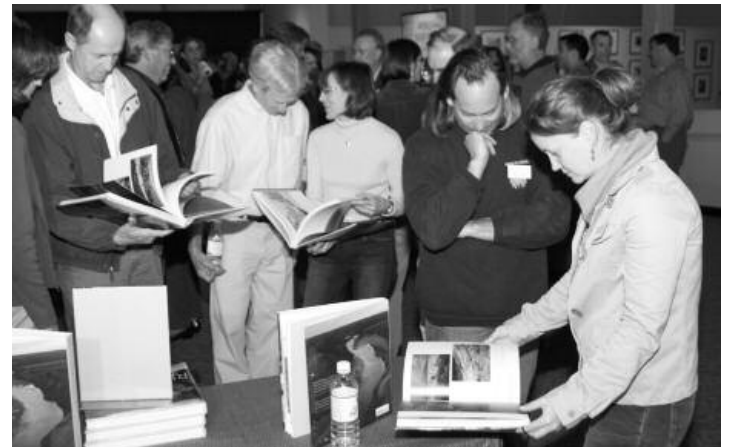
## SUBARU RUN FOR THE RIVER NETS \$5000!

The setting for the third annual *Subaru Run for the River* was a cold and blustery late October day in Gwinnett County. About 650 runners of all skill levels came out to support UCR and participate in the race organized by **ADventures LLC** and sponsored by **Subaru**. ADventures CEO **Jeff Espy** said, "We are proud to play a part in protecting the Chattahoochee River. Our support of

Upper Chattahoochee Riverkeeper's efforts will help keep north Georgia's drinking water safe and clean for everyone." The post-race festival featured Subaru cars, food from the new **Whole Foods Market** in Duluth and, of course, race awards. The overall female champion was Donna Garcia with a time of 17:21. Michael Green was the overall male champion with a time of 14:39.

## AUTHOR AND RIVER RUNNER INSPIRES AT ANNUAL MEETING

Award-winning author and photographer **Tim Palmer** gave a memorable lecture on his new book *Rivers of America* during UCR's annual membership meeting. Approximately 80 members and guests gathered at midtown Atlanta's famed Margaret Mitchell House last November to view the presentation. Palmer's book features stunningly beautiful photographs of waterways across the nation, including the Chattahoochee. Palmer spoke about his personal passion for rivers and presented slides showing the different faces of America's liquid lifelines. A limited number of signed copies of *Rivers of America* are available at [www.chattahoochee.org](http://www.chattahoochee.org).



UCR members and staff look through Tim Palmer's beautiful river book.

## EXPERIENCING THE ELEMENTS AT THE 12TH ANNUAL X-MAS PARTY

The **Captain Planet Foundation** put on another great celebration with its *12th Annual X-MAS Party* last December. The Supremes and a Little Richard impersonator set a great background for more than 1000 guests at The Tabernacle in Atlanta. UCR co-founders **Laura** and **Rutherford Seydel** served as event co-chairs



Ted on stage with Laura and Rutherford Seydel

with **Carol** and **Peter Abreu**. Special guests for the evening included **Ted Turner**, **Dr. Heidi Cullen** from **The Weather Channel**, and

**Philippe Cousteau**.

Forty UCR volunteers assisted with the silent auction. A portion of the proceeds of this event will benefit UCR's river education programs,

specifically our floating classroom on Lake Lanier. In past years, the Captain Planet Foundation's support has helped UCR distribute our award-winning *Waters to the Sea Program* to 1000 teachers who have been trained to introduce this interactive educational tool to their students.



## WATER PLANNING IN TRISTATE CONFLICT FINALLY BEGINS

After years of negotiation and litigation over water sharing between Georgia, Florida and Alabama, a new water planning effort is finally beginning. The **Corps of Engineers** (Corps) operates many dams throughout the Chattahoochee basin from Buford Dam to Apalachicola Bay. Water is released from these dams in accordance with a master control plan that the Corps has not updated in more than 50 years! Last summer, endangered species concerns in the Apalachicola River and the Corps' water release blunders at Buford Dam left many in all three states wondering when the Corps would finally update its control plan to reflect current water needs. As part of the updated plan, the Corps must prepare an Environmental Impact Statement to examine the impacts of any proposed new dam releases on downstream communities and the environment. The Corps held five public meetings in late 2006 to identify issues and concerns about topics such as municipal supply, hydropower, recreation, endangered species and navigation. UCR and other members of the **Tristate Conservation Coalition** submitted detailed written comments and attended the hearings.

## FORSYTH DEVELOPER TRIES TO MAKE STREAM DISAPPEAR

UCR investigated a site in Forsyth County after receiving a **HOTLINE** phone call and found a **Winmark Home** development called Champions Run in violation of multiple state and federal stormwater laws. A lengthy section of an intermittent stream that flows into the Chattahoochee River had been drained, covered with rock, and almost built on, when some angry neighbors discovered what the developer was up to and called the county and UCR. Forsyth issued a stop work order and a notice of violation and told the developer to repair the stream bed and restore the flow. The developer has submitted a restoration plan, but *no action* has been taken to restore the stream, to date. UCR contacted the state EPD, Corps of Engineers and the U.S. EPA to request enforcement action for the clear violations. Frustrated by the lack of progress, Adam Princenthal with **Andrews, Knowles & Princenthal** recently sent a letter to the developer on our behalf, describing the violations and demanding restoration.

## PROPOSED GAINESVILLE DISCHARGE PERMIT TOO WEAK

EPD has proposed issuing a new sewage discharge permit to the city of Gainesville allowing expansion of the **Flat Creek** plant to process and release 12 million gallons per day (MGD) of treated sewage into Flat Creek. It would also allow the city to further expand the discharge to 15 MGD and then 18 MGD into this impaired tributary of **Lake Lanier**. Flat Creek already has documented water quality problems including high bacteria levels and unhealthy conditions for aquatic life. In 2004, UCR appealed the proposed Flat Creek permit and it was withdrawn. The currently proposed permit contains the same pollution limits that were in the withdrawn permit—not the more stringent standards that we believe are required pursuant to our legal victory in the initial challenge. We also believe there are public notice issues concerning the future expansion of the discharge up to 18 MGD conditioned on an embayment study that will not be subject to public notice and comment. UCR submitted an extensive comment letter on these issues and attended a public hearing in January.

## ATLANTA ASKS FOR DELAY IN SEWER DEADLINE

The city of Atlanta has asked state and federal regulators for a one-year delay in a key compliance milestone set forth in the consent decree that settled UCR's lawsuit against the city for chronic sewage overflows. These spills had polluted the Chattahoochee and its tributaries for decades before UCR took action in 1995. In accordance with the decree, the city is to meet all water quality standards at its combined sewer overflows facilities (CSOs) by November 2007. Last summer, the city experienced equipment failure when a tunnel boring machine broke down; the process is also behind schedule because the granite that the machine is boring through is softer and more fractured than anticipated. Government regulators are reviewing the city's request for more time to complete the construction of the tunnel that will capture sewage and polluted stormwater during heavy rains, later releasing the mixture for treatment prior to discharge into the river. It is anticipated that the agencies will approve this request.



## STREAM BUFFER BATTLES CONTINUE

One of last year's greatest victories by the **Georgia Water Coalition** (GWC) was the defeat of Senate Bill 510, a bill aimed at reducing the effectiveness of the protective buffers along streams in drinking water supply watersheds. As the GWC legislative coordinator, UCR helped organize the successful fight to prevent rollbacks of this buffer regulation by the 2006 Legislature.

Last year's legislative buffer battle was driven almost exclusively by a state senator from Lumpkin County in the headwaters of the Chattahoochee River Basin. **Sen. Chip Pearson** and his colleagues initially attacked three different state laws that require buffer protections. Ultimately, they focused their proposed rollbacks on the regulations that protect small drinking water supply watersheds—our most sensitive and precious watersheds.

### **Legislative Defeat Hasn't Deterred New Attacks**

On the last day of the session, the Pearson bill (SB 510) was defeated by a landslide vote, 139-30. That has not, however, deterred the senator and his colleagues.

In August, EPD Director Dr. Carol Couch proposed amendments to the rules for water supply watersheds allowing for a variance to the buffer requirements. While a variance process may make sense, there were other problems with the proposed amendments. Specifically, the amendments allowed for the piping and paving of streams that feed a water supply reservoir. They also allowed septic tanks,

chemical factories and other inappropriate land uses to be located within 25 feet of a drinking water tributary.

UCR worked with our GWC colleagues to prepare comments and testify at public hearings, ultimately securing some improvements in the proposed rule. However, a coalition of North Georgia counties said that they would not be satisfied with a variance process and, instead, would seek to *reduce* the buffer width everywhere, so that drinking water supply watersheds received no greater protection than any other waterbody in the state.

This anti-buffer sentiment was amplified at the December Board of Natural Resources meeting where Sen. Pearson, undaunted by his resounding legislative loss last year, testified that he had a new version of SB 510 that he plans to introduce in the legislative session. In an effort to avoid legislation, EPD withdrew its proposed rule changes and convened two stakeholder groups to try and develop some agreement among the parties. UCR's general counsel Betsy Nicholas is serving on one of these groups.



*Buffers upstream of and adjacent to Yahoala Creek Reservoir in Lumpkin County have been the subject of significant legislative attention.*

## MARTA BUSES HELP PROMOTE CHATTAHOOCHEE RIVER PARK

Have you seen the river buses?

For the past nine months, two MARTA buses have traveled throughout metro Atlanta, each adorned with a photo of rafters on the Chattahoochee River. Taken by local photographer and UCR member **Tom Wilson**, the photo conveys an image of our urban river that may be new to many city dwellers unaware of the incredible recreational resource in our own backyard.



Tom Wilson stands proudly next to his photograph on a MARTA bus.

### "The Chattahoochee They Don't Expect to Find"

Wilson, who is the Director of Support Services at the Boy Scouts of America-Atlanta Area Council, has been photographing the Chattahoochee for the past three years in an effort to capture the beauty of the river and its wildlife. He says that his goal is to show people "the other Chattahoochee, the one they don't expect to find," and that the

bus image captures that beauty.

Tom was recognized at UCR's annual meeting last November for his photographic contributions to our newsletter, auctions and other projects. You can see his photographs at [www.betterphoto.com/gallery/gallery.asp?memberID=168896](http://www.betterphoto.com/gallery/gallery.asp?memberID=168896).

To learn more about recreational opportunities in the Chattahoochee River National Recreation Area, visit [www.nps.gov/chat](http://www.nps.gov/chat), or see "The Riverkeeper's Guide to the Chattahoochee", which can be ordered on-line at [www.chattahoochee.org/store.php](http://www.chattahoochee.org/store.php).

This attractive advertisement, paid for by **Unilever** as part of the **Healthy Parks-Healthy Living Campaign (HPHL)**, urges the public to emphasize wellness and vitality through outdoor recreation. Unilever, which internationally manufactures leading brands in foods like Lipton Tea, is a proud partner of America's National Parks and is the longest-standing corporate partner of the National Park Foundation. The main objective of the HPHL Program is to raise awareness of outdoor recreation resources in America's national parks and to create a greater appreciation of these parks as outdoor recreation resources.

## FALL CLEANUPS INVOLVE HUNDREDS OF VOLUNTEERS

Every October, in support of Georgia's Rivers Alive Month, UCR and dozens of watershed and community groups throughout the state tackle the tons of unsightly trash and debris that end up in our waterways. While some of the garbage is dumped directly into these waterways, much of it travels to streams, lakes and rivers in stormwater that flows across streets, yards and developed areas. The stormwater enters storm drains that empty into creeks and ultimately larger bodies of water.

Last fall, UCR helped coordinate three cleanups: the annual Shore Sweep on Lake Lanier, a Chattahoochee River cleanup just below Buford Dam, and a cleanup on a tributary to Proctor Creek in downtown Atlanta.

### Mountains of Styrofoam

Our Headwaters Conservation Director **Darcie Holcomb** is a five-year veteran of **Shore Sweep**, which is in its 19th year of operation on Lake Lanier. As usual, we used UCR's 44-foot pontoon boat to pick up large chunks of Styrofoam and other trash from islands in the lake. This year, more than 1000 volunteers collected 28 tons of trash. Unusual findings included: a water bed, a chunk of concrete with a candle in it, a king-sized pillow, and a submerged boat. Gwinnett County also contributed by providing a trash bin, as well as allowing free disposal of all the garbage collected at county landfills. Organized annually by the **Lake Lanier Association**, this cleanup was another great success thanks to the volunteers and sponsors.

### Diverse Organizers Tackle Buford Dam Area

In early October, two dozen volunteers paddled the Chattahoochee immediately below Buford Dam to remove trash from the river. UCR's Captain **Harlan Trammell** used our river patrol boat to pick up large pieces of trash, and Park Service Ranger **Susan Duke** contributed her "garbage truck". About 1.5 tons of trash was removed from the river. UCR provided barbecue for the volunteers, and special prizes were given for biggest piece of trash, bravest paddler and most garbage collected. **Bonny Putney** and her fellow volunteers said that they had a blast



UCR member Alan Burton displays a healthy turtle that he found in the stream.

and definitely plan on doing the event again in 2007.

In addition to UCR, sponsors for this cleanup included the **National Park Service, Corps of Engineers, Up the River Outfitters, Lake Lanier Association, The Dam Store, Board 'N Bike in Buford and Buford Trout Hatchery.**

### Urban Atlanta Stream Receives Attention

A small tributary to Proctor Creek flows under MLK Drive at the intersection of Burbank Drive in southwest Atlanta. For years, the **Mozley Park** and **Hunter Hills** communities have complained about the trash in this stream. Working with UCR, the city of **Atlanta's Department of Watershed Management** and the **Midtown Rotary Club**, neighborhood residents helped pull a wide variety of urban trash from the stream, including an air conditioning unit, a lawn mower and a sit-on bouncy ball. UCR's Programs Coordinator **Birgit Bolton** worked with neighbor **Jerry Riley** to organize the late October cleanup, which included a brief presentation by our general counsel, **Betsy Nicholas**, on industrial stormwater runoff problems in urban areas. For information on cleanups in the Chattahoochee River Basin, visit [www.chattahoochee.org/calendar.htm](http://www.chattahoochee.org/calendar.htm).



Willie Canidate with Atlanta's Watershed Department tackles a full garbage bag. She was nominated 'Volunteer of the Year' by her department.



Paddlers get ready to tackle the trash in the Chattahoochee below Buford Dam.

**UCR Hat**  
Show your support for UCR with this dark blue 100% cord cap washed for softness, with an unstructured style. It has a pewter buckle and grommet closure, one size fits all. The UCR logo is on a patch on the front with "Keeping Watch Over Our Waters" sewn on the back over the closure. Perfect for a day of boating or fishing or just running errands around town. A great way to say that you support one of our most treasured resources—the Chattahoochee. \$15



**UCR Blue and White Baseball T**  
The Women's T is 100% fine cotton jersey with contrasting stitching, a raw edge sleeve and a babydoll fit. The Men's T is 100% rugged cotton jersey with an athletic fit and contrasting neck and sleeve trim. Both have the UCR logo displayed proudly on the front of the shirt. Great for summer and winter wear and perfect for the gym or on your favorite Chattahoochee trail. \$15 member, \$17 non-member



# HEADWATERS OFFICE TO LEAD BLUEWAY INITIATIVE

## CANOE TRAIL MAY CONNECT PARKS FROM HELEN TO LANIER

Upper Chattahoochee Riverkeeper is working with local, state and federal partners to study the feasibility of creating a blueway, or paddling trail, to link public lands between Helen and Lake Lanier.

Under the direction of former Governor Roy Barnes, Georgia's Department of Natural Resources (DNR) developed a regional park strategy based on a vision to create a series of parks along the Chattahoochee River linked by greenways. The state's decision to develop the plan for a series of riverside parks, as part of the Chattahoochee Land Protection Campaign, grew out of the desire to provide the public with more river access. Barnes and other state leaders felt that DNR has a responsibility to the citizens of Georgia to provide recreational opportunities as well as land protection.

### Public Demands More Water Recreation

Last year, DNR began the process of updating its Statewide Comprehensive Outdoor Recreation Plan (SCORP). The SCORP allows Georgia to receive federal grants in support of state, county and city outdoor recreation projects in three categories: land acquisition, facility development and rehabilitation.

A significant part of the planning process includes the use of focus groups and public input opportunities. At a series of public meetings in late 2006, citizens indicated a strong desire for more water recreation and increased connectivity between parks.

### Rapids and Flat Water on the Upper Hooch

The upper section of the Chattahoochee River provides paddlers with an opportunity to experience both Class II-III rapids and stretches of flat water, while enjoying the scenic natural beauty of the river corridor. There are currently four land parcels on the river between Helen and Lake Lanier that are designated as state parks; however, none are open yet due to the lack of funds for planning, operation and management.

These state-owned lands, which are about ten miles apart, present an excellent opportunity for linkage with a "blueway" or paddling trail. Since all of these parks are currently in the planning/development stage, UCR contacted DNR's Parks Division to inquire about the possibility of



UCR member Robert Fuller paddles through high water near Buck Shoals State Park.

providing river access at each park and to discuss the feasibility of creating an Upper Chattahoochee River Blueway to link the state parks with two county parks. The trail would end on Lanier at Gainesville's Clarks Bridge Park, home of the 1996 Olympics.

### National Park Service Offers Help

UCR approached the National Park Service last year and received a commitment for technical assistance from the Service's River Trails and Conservation Assistance (RTCA) Program. With RTCA staff consultation, UCR has formed a Blueway Planning Committee and conducted an initial site assessment trip in January. We will continue our discussions with DNR, inventory resources and needs, identify project partners and ultimately develop a strategic plan for the Upper Chattahoochee Blueway.

As they become more common, greenway corridors and blueways are gaining recognition for their value as a conservation and watershed protection tool, in addition to their recreational benefits. Often referred to as "green infrastructure", these natural systems connect people and places along with valuable historical, cultural and ecological resources. By pursuing a blueway designation for a portion of the Upper Chattahoochee River, we hope to raise awareness of the resource, promote a stewardship ethic, and provide exceptional educational and recreational opportunities.

If you would like additional information about this project, please contact Darcie Holcomb at 770-531-1064 or via email at [dholcomb@ucriverkeeper.org](mailto:dholcomb@ucriverkeeper.org).

## FLOATING CLASSROOM PROGRAM NEEDS A BIGGER BOAT

We are getting closer to purchasing a new, larger boat for the aquatic education program that UCR has offered for the past six years on Lake Lanier in partnership with Elachee Nature Science Center. But, we haven't raised quite enough money yet and still need your help!



Elachee's Vicki Aycock shows students how to monitor water quality on the floating classroom.

Since 2000, UCR and Elachee have provided a hands-on learning experience for more than 12,000 students from across north Georgia and metro Atlanta. Aboard the *Chota Princess*, a 44-foot pontoon boat, students study lake ecology, measure oxygen levels and turbidity, trawl for plankton and use microscopes to identify the organisms.

Elachee naturalist Peter Gordon says, "Kids are so disconnected from the natural environment these days. Many have never been on a boat before, so this is a great experience for them. We also discuss watershed and water supply issues, focusing a lot on stormwater runoff and conservation." (*The Gainesville Times*, 11/20/06)

### Coast Guard Revised Capacity Regulations

After a tour boat capsized in upstate New York in 2005, killing half of its 47 passengers, the Coast Guard concluded

ed that a pontoon boat is not stable with that many people on board. As a result, we can only take half as many students on board the *Chota Princess* at one time, severely curtailing the effectiveness and reach of the program.

While the *Chota* is still in good condition, it is no longer adequate for the needs of this highly popular educational program. We plan to sell the pontoon boat this coming spring and purchase a new catamaran with a carrying capacity of 49 people and a glass bottom for underwater viewing. With a new boat, we will expand the program to reach at least 2,500 students and teachers every year.

Thanks to financial and in-kind support from **Honda Marine, Captain Planet Foundation, Vasser Woolley Foundation** and several other donors, we are getting close to our goal. If you would like to help us buy our new floating classroom, please contact our development director, DJ Strickland at [djstrickland@ucriverkeeper.org](mailto:djstrickland@ucriverkeeper.org) or call her at 404-352-9828 ext. 19.



Students get ready to set sail aboard the *Chota Princess* on a voyage of discovery.

## 2nd Annual Hemlockfest



The 2nd Annual Hemlockfest took place last November at Starbridge near Dahlonega; it included two days of music, arts and crafts, interpretive walks and rustic living demonstrations—in addition to informative sessions on the plight of Georgia's hemlocks. UCR again helped sponsor this important event to raise awareness and funds to protect the trees that grow beside and cool our headwater streams.

All of the proceeds from the festival are used to help save the Eastern and Carolina hemlocks from devastation by the woolly adelgid, an aphid-like insect.

To get involved with the Lumpkin Coalition and its efforts to protect the hemlocks, visit [www.lumpkincoalition.org](http://www.lumpkincoalition.org) or contact Forest Hilyer at 706-265-5282.

# BUILD NEW WATER SUPPLY RESERVOIRS AS A LAST RESORT

Georgia's remaining free-flowing streams and stream segments are vital for the people and wildlife of Georgia. UCR and the **Georgia Water Coalition** believe that the construction of new water supply reservoirs should be considered *only* as a last resort. Communities should look first to water efficiency and reuse as less expensive and less environmentally damaging sources of water supply.

The impoundment, or damming, of a waterway to build a reservoir can cause significant environmental damage to river systems by halting natural water flows, preventing fish and other aquatic organisms from following natural patterns and, in some cases, lead to species extinction. Scientists have determined that healthy river systems need variable flows (seasonal low and high flows), occasional floods and even droughts.

Reservoirs can also create downstream water quality problems, since they often reduce water available for diluting pollutants and sediment. Some rivers below dams flow as if they are always suffering from drought conditions because water is released year round at a minimum low flow.

UCR has been working to address issues and problems associated with three different reservoir projects in the upper Chattahoochee River basin.

## **Instream Flow Policy at Stake with Snake Creek Reservoir**

In the 1990s, the Carroll County Water Authority built a 600-acre water supply reservoir on Snake Creek. Originally permitted to withdraw 4 million gallons per day (MGD) and then increased to 8 MGD, the Authority has asked the state EPD to allow it to further increase its water withdrawal to 16 MGD to supply early phases of the massive Wolf Creek development.

The problem is that the reservoir does not appear to have the capacity to regularly supply this volume *and* meet state requirements to release adequate flows below the dam. Further, UCR members living below the dam have already noted water problems under existing withdrawals.

The Georgia Board of Natural Resources adopted an Interim Instream Flow Policy in 2001 that provides for additional flows downstream of water intakes to protect water quality, ecology, and other beneficial uses. While



EPD's decision on a pending water withdrawal increase from Snake Creek Reservoir could impact Georgia's instream flow protection policy.

the Snake Creek Reservoir was "grandfathered" for its original permit, any modification to this permit to take more water out of the lake must adhere to the state's flow policy. UCR submitted comments to EPD last fall, urging the agency to uphold the flow policy in its permit decision for this reservoir.

## **History of Problems at Lumpkin's Yahoola Reservoir**

Another Chattahoochee Basin reservoir initiated in the 1990s is the Yahoola Creek Reservoir, which was developed as a water supply source for Dahunega and Lumpkin County. Five years after the completion of the

lake, EPD has still not issued a water withdrawal permit because of the failure of the local governments to meet all requirements under the federal permit that allowed the construction of the dam.

Unresolved problems include the following: the dam was built higher than permitted; watershed protection measures required by the federal permit, including upstream buffers, have not been adopted; and mitigation requirements for lost wet-

lands and stream habitat have not been satisfied. In an effort to avoid the buffer requirement, local officials and some state legislators have been actively working to weaken buffer protection requirements for water supply watersheds. (See page 3)

## **Proposed Glades Reservoir Really an Amenity Lake**

During the height of Georgia's last drought, Hall County purchased land to build the 733-acre Glades Reservoir on Flat Creek, not far from the stream's confluence with Lake Lanier. The purported objective was to supply water for growth along the Highway 365 corridor and to augment lake levels during future droughts. Yet, as proposed, the reservoir would yield only 4.5 MGD and a stipulation in the agreement sets the maximum draw-down depth at only 10 feet, effectively limiting the benefit of this project for water supply.

In addition to permanently impounding Flat Creek, the county has requested an exemption from the required buffer for water supply watersheds which will only serve to further degrade water quality. Finally, a disproportionate burden of the project cost will be carried by the public, despite the fact that the reservoir's primary purpose will be as amenity lake for the proposed (gated) Glades Farm Development.



UCR's Boat Captain Harlan Trammell.

## **CAPTAIN'S CORNER** **WINTER, A GREAT TIME FOR BOATING**

Winter is a great time for boating on the Chattahoochee. Long after the summer crowds have moved inside, the river is transformed into a totally different and beautiful place. The monochromatic landscape with the leafless trees reflected in the clear water and the silence of a calm winter day add a whole new perspective to the river that most people see only during warmer months.

A boat trip on the river during a mild winter day can be spectacular. I make my 200-mile trip from Atlanta to West Point Dam and back during this time. The water is typically crystal clear and the wildlife very abundant during the quiet, crowdless winter months. Turkeys, otters and bald eagles that usually shy away from people are can be seen with regularity during this time.

With the leaves gone, you can usually see outside the buffer and up cliffs, out into the floodplain, and into river-front neighborhoods and adjacent park lands from your

boat. Land disturbance activities, such as construction projects, are much more visible in the winter. While on patrol in the winter, I have found many environmental problems including broken sewer lines.

## **Winter Fishing for Trout, Perch and Bass**

Because of the lack of any boat traffic, you will most likely have the entire river all to yourself on a weekday. This makes for incredible fishing as trout season on the Chattahoochee is open year-round and other desirable fish such as perch, bass, pickerel and an assortment of sunfish continue to bite quite well all through the winter. My best fishing trips have all been in the winter in the Morgan Falls area. Trolling small, bright-colored plugs on an overcast day and drifting worms on the bottom both work well.

Most ramps are open and the river channel is clear for boating all through the winter. A trip on the river during the winter offers many enjoyable opportunities that are not available during the summer. Just dress warm and dry, have good batteries and pick your days carefully and you will enjoy the Chattahoochee River in whole new way.

# EROSION VIOLATIONS

Continued from page 1

requirements of the General Permit. The project website ([www.get-the-dirtout.org](http://www.get-the-dirtout.org)) includes several printable documents including a training Manual and Workbook, a BMP Field Guide, and a two-page *Stormwater Permitting Guide to Land Disturbance Activities* for developers and local governments.

## What We Learned

Our case studies revealed that the vast majority of construction sites investigated were not in compliance with the terms of the General Permit. In the Chattahoochee River Basin, UCR investigated 30 sites with active land disturbance in White, Forsyth and Douglas Counties; we filed 14 complaints with local governments and 4 with the state Environmental Protection

Division (EPD) after observing multiple BMP violations at 60% of the sites visited.

These violations included failure to install and/or maintain BMPs, illegal stream buffer encroachments, poor or nonexistent BMP design plans, and sediment entering state waters. *None* of these sites had submitted the required monitoring data to EPD; therefore, 100% of the sites that UCR visited were out of compliance with the General Permit. Additionally, 72% of the sites had failed to file a complete Notice of Intent, essentially the permit applica-

tion. Other GTDO partners experienced similar results, demonstrating a statewide compliance problem.

The single biggest problem with the General Permit is the widespread failure by local governments and the state EPD to enforce the law, largely because of the lack of funding to hire trained personnel. EPD currently has only 35 inspectors statewide to administer and enforce Georgia's erosion control program—less than half of what the agency itself determined years ago was necessary to run an effective program. (See *User Fee article on page 1*)

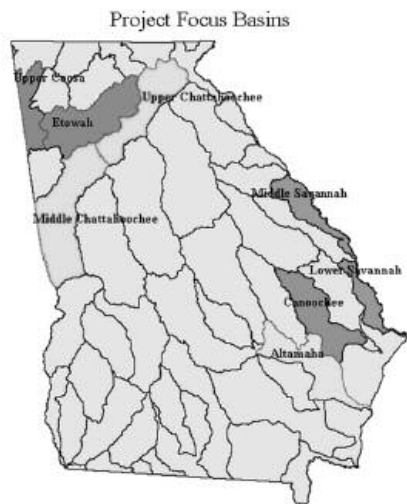


Figure 1



Sediment enters the street and storm drains in this Douglas County subdivision where best management practices do not meet state regulations.

## Recommendations

Based on our investigations, GTDO partners developed more than a dozen specific recommendations to improve Georgia's erosion control program, including the following:

- Inspection and enforcement by local and state agencies must be significantly improved. All user fees collected by the state (about \$4 million annually) must be appropriated back to EPD to hire additional personnel to administer and enforce the program.
- Erosion control plans need to be designed to a higher standard with site-specific BMPs and should incorporate innovative technologies and low impact design techniques (see *article below*). The *Manual for Erosion and Sediment Control in Georgia* (aka the "Green Book") should be revised to require these BMPs.
- EPD should impose limitations on mass grading (the amount of land disturbed at one time), since this activity was found to be a major stormwater problem throughout the state.
- EPD should develop a database to track records submitted by developers to comply with the General Permit, as well as to track site-specific complaints and agency actions.



# LOW IMPACT DEVELOPMENT TECHNIQUES PROTECT STREAMS

As noted in the cover story on our *Get the Dirt Out* project, we found that—throughout Georgia—best management practices (BMPs) are often poorly designed for erosion and sediment control. This is because engineers typically focus on a minimum checklist of control measures, instead of the needs of a specific construction site. This "traditional" way of designing BMPs is not protective of our drinking water supplies and the waterways where we fish, boat and swim.



This stormwater detention pond drains to constructed wetlands at the Silverbrooke development in Powder Springs.

Best management practices that are designed to high standards for specific sites and are adequately maintained, during and after construction, can protect nearby waterways from the dirty water that will otherwise flow from disturbed areas when it rains.

## Integrative Design Approach Needed

The first step to an integrated design approach for erosion control and stormwater management begins with better site design or low impact development (LID) practices. Erosion controls designed for a site should be "hand-in-glove" with the design of stormwater management standards as illustrated in the *Georgia Stormwater Management Manual*.

The difference between LID practices and other design methods is that LID is an ecosystem-based approach. LID seeks to develop a site design which minimizes impact and utilizes the natural systems for stormwater management.

The LID approach includes five basic strategies:

- encourage conservation measures,
- promote impact minimization techniques such as impervious surface reduction,
- provide for strategic runoff timing by slowing flow using the landscape,
- use an array of integrated management practices to reduce and cleanse runoff,
- incorporate pollution prevention measures to reduce the introduction of pollutants to the environment.

We also strongly recommend that the *Manual for Erosion and Sediment Control in Georgia* be

revised to include construction BMPs that will require higher design standards with performance measures. For example, polymer enhanced BMPs are extremely effective measures that should be mandatory during construction in Georgia; an application guide with design standards can be found at [http://www.siltstop.com/pdf/PEBMP\\_application\\_guide.pdf](http://www.siltstop.com/pdf/PEBMP_application_guide.pdf).

More attention should also be paid to the management of post-construction stormwater, as required by federal regulations. EPA has encouraged the adoption of a wide variety of BMPs to limit off-site transport of sediment during and after construction activities. See [www.epa.gov/npdes/stormwater](http://www.epa.gov/npdes/stormwater).

## LID Success in Powder Springs

A good example of the use of LID practices can be found at a mixed-use development known as **Silverbrooke** in Powder Springs (Cobb County). Pursuant to a negotiated settlement agreement with UCR, the developer agreed to design and install three constructed wetlands, two water quality ponds and one bio-retention cell. These LID practices, along with good erosion controls during land disturbance, have greatly reduced the amount of soil reaching nearby streams and wetlands, resulting in improved water quality.



## 5TH ANNUAL BACK TO THE CHATTAHOOCHEE RACE SET FOR JUNE 9 NEW PROFESSIONAL TEAM TO CLOCK RACE TIMES

The 5th Annual Chattahoochee Race and Festival will take place on Saturday, June 9 with the race start at 9am and the festival running from 10-2pm.

As in previous years, the event will be presented by the city of Roswell, National Park Service and Upper Chattahoochee Riverkeeper. We expect 250 boats and forty exhibitors



at this year's event. Registration will begin April 1, 2007 at [www.chattahoochee.org](http://www.chattahoochee.org) or call 404.352.9828 for a brochure.

Our race is a family event with race categories for most ages and abilities; Park Service rangers will be on the river for your safety. It is also a competitive event—the final in the Georgia Flatwater Series, now hosting five races.

Our 2007 Race Master is Larry Castillo, a veteran winner of the entire Flatwater Series. Larry has experience in race management, as well as a strong love of the sport. To volunteer to help with the conduct of the race, contact Larry at [lcastillo@mindspring.com](mailto:lcastillo@mindspring.com). We have hired the Lanier Canoe & Kayak Club this year to handle race timing.

If you wish to be an environmental exhibitor or volunteer for the Festival, please contact Birgit Bolton at [bbolton@ucriverkeeper.org](mailto:bbolton@ucriverkeeper.org) or 404.352.9828 ext. 24.

## Meet Kayaker Richard Grove and Challenge Yourself on the River!

Last September, Richard Grove stepped into his 12-foot kayak bound for the end of another major Georgia river. Taking very little with him on the 850 mile trip down the Etowah, Coosa, Alabama and Mobile Rivers, Richard arrived in good health and spirits 49 days later. His kayak contained just 25 pounds of food, 3 gallons of liquid, a few pieces of clothes, very light camping gear, toiletries, maps and a GPS unit.

When asked what he did when he arrived in the Gulf, he replied, "Smiled, shed a tear, and enjoyed a good meal." This 58-year-old grandfather and Eagle Scout has accomplished many other river-related adventures. His first trip in 2004—Buford Dam to the Gulf of Mexico—was 486 miles and took 26 days. The amazing thing about this excursion was that it was his first experience in a kayak! Since 2004, Richard has paddled over 5,000 miles; he donates most of his time to river recreation and environ-

mental groups. You can join UCR and this enthusiastic paddler, who has first-aid and CPR training, on one of our Chattahoochee Challenger Series paddles this year.

Bring your boats and outdoor gear and/or checkbook to the Boat & Gear Swap, which will take place concurrently with the festival. Contact Bubba Sloan at High Country for the details, 404-504-9472.

### Georgia Flatwater Series

Swallows in the Hollow will again be serving up their great BBQ and veggie sandwiches. Enjoy your lunch to the sounds of bluegrass music at center stage.

You must participate in three of the five races to be eligible to win an award. Awards are presented at the Back to the Chattahoochee Race and Festival, based on points earned. For information or questions regarding the Flatwater Series, contact Larry Castillo at [lcastillo@mindspring.com](mailto:lcastillo@mindspring.com) or 404-406-7367.

October 14: Suwannee River Challenge and Marathon  
Website: <http://www.ACA1.com>

March 24: Lula Bridge Race at Lake Lanier (10k and 20k)  
Website: <http://www.lckc.org>

March 31: Canoochee River Race (Rain Date April 21)  
Website: <http://www.ogeecheecanoocheeriverkeeper.org>

May 4: Coosa River Basin Initiative Race & Canoe-A-thon  
Website: <http://www.coosa.org>

June 9: Back to the Chattahoochee Race and Festival  
Website: <http://www.chattahoochee.org>

For other information and to register, visit [www.chattahoochee.org](http://www.chattahoochee.org) or contact Richard at [regroveatl@adelphia.net](mailto:regroveatl@adelphia.net) or [www.georgiakayaker.com](http://www.georgiakayaker.com).



Keeping Watch Over Our Waters

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## River Matters

Paying for Water Sustainable Infrastructure - Innovations for the 21st Century March 21-23  
Hilton Atlanta  
Visit: <http://www.payingforwater.com>

Georgia Water Resource Conference March 27-29  
University of Georgia Center for Continuing Education (Georgia Center)  
Visit [www.GWRC2007.org](http://www.GWRC2007.org)

EEA Annual Conference March 30 - April 1  
Jekyll Island Convention Center  
Visit [www.eealliance.org/conference.htm](http://www.eealliance.org/conference.htm)

5th Annual Down to Earth Day Kids Fest April 21  
Chattahoochee Nature Center  
Contact Rebecca Gilbert at [r.gilbert@chattnaturecenter.com](mailto:r.gilbert@chattnaturecenter.com) or 770-992-2055.

11th Annual River Revival May 10  
Park Tavern in Atlanta  
Contact Magnus Christon at [mchriston@ucriverkeeper.org](mailto:mchriston@ucriverkeeper.org)

5th Annual Back to the Chattahoochee River Race and Festival June 9  
Contact Birgit Bolton at [bbolton@ucriverkeeper.org](mailto:bbolton@ucriverkeeper.org)