

**Minutes of the South Fulton Municipal Regional Water And
Sewer Authority Meeting Held on August 13th, 2019,
Union City, City Hall, 5047 Union Street, Union City, GA 30291**

BOARD MEMBERS PRESENT: Vince R. Williams, J. Clark Boddie, Elizabeth Carr Hurst, Shayla J. Nealy, Laura Mullis, and James Whitmore

BOARD MEMBERS ABSENT: Sonja Fillingame

Consultants Present: Dennis Davenport, Dan Post, Laura Benz and Andrea Gray

Others Present: Lee Hausler with The City of Fairburn

Call To Order: Chairwoman Shayla J. Nealy called the meeting to order at 7:00 PM.

Approval Of The Minutes: A motion was made by Laura Mullis to approve the minutes of the July 09th, 2019 meeting, seconded by James Whitmore. A vote was taken, the motion passed unanimously.

New Business: None

Old Business: None

Reports:

Legal – Dennis Davenport discussed the name change for the Authority with the Board members.

Finance – Dan Post reviewed with the Board:

1. The July 2019 financial statement.
2. Requested approval for draw number 195 in the amount of \$26,107.06 from the construction account.

J. Clark Boddie made a motion to approve draw number 195 in the amount of \$26,107.06 from the construction account seconded by Vince R. Williams. A vote was taken, the motion passed unanimously.

1. Project Cash Needs
 - a. 36 month timeline

Project Managers – Laura Benz and Andrea Gray reviewed with the Board:

See attached memorandum for details

1. Compensatory Mitigation
 - a. Site Specific Sites
 - b. Resale of Mitigation Credits
2. Water Withdrawal Application Process:
 - a. Meeting with EPD on 7/29/19, comments and responses
 - b. Information needed from the three Cities
 - c. Treatability Analysis
 - d. Swap
 - e. Non depletable flow
 - f. Fisheries Study/alternative NDF Update

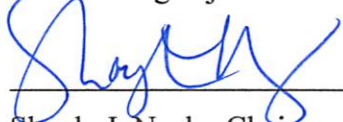
J. Clark Boddie made a motion to approve Fisheries Study at a cost of \$4995.00, seconded by Vince R. Williams. A vote was taken, the motion passed unanimously.

Chairwoman Shayla J. Nealy stated that she and Vince R. Williams have a meeting next week with Mayor Bottoms.

Executive Session: None

Elizabeth Carr Hurst made a motion to adjourn the meeting, seconded by James Whitmore. A vote was taken, the motion passed unanimously.

The meeting adjourned at 7:30 PM



Shayla J. Nealy, Chairwoman

September 10th, 2019

Date Minutes Approved by Board

MEMORANDUM

To: S. Fulton Municipal Regional Water & Sewer Authority Member Cities Councils
(Fairburn, Palmetto and Union City)

From: Laura Benz & Andrea Gray

Date: August 13, 2019

Re: S. Fulton Authority Project Update

Water Withdrawal Application/Process: EPD published the Notice of Intent to issue the permit to the three cities with a thirty (30) day comment period beginning March 8, 2019. The City of Atlanta requested a 30-day extension to the comment period, which was granted, resulting in the comment period expiring on May 8, 2019. EPD received three comments letters all dated May 8, 2019 submitted by the City of Atlanta, Atlanta Regional Commission and the Chattahoochee Riverkeeper.

The Authority's consultants met with EPD to discuss the response to comments on July 29, 2019. EPD requested the Authority focus its responses on providing facts to dispute Atlanta's accusations and defer to EPD's legal and policy responses. While we recognize EPD's position, to preserve all arguments within the administrative record for reference in any future legal challenge to the permit, the consultants recommend that the Authority include background information and some legal arguments supporting its position, particularly with regard to the interpretation of existing agreements and service delivery issues noted by Atlanta.

The July 29th meeting with EPD also included a discussion on addressing the e four days EPD's model shows it will not be able to withdraw a portion or all of the 13.25 mgd. One option is to obtain a contract with an adjacent water supplier, which is not realistic because none have an excess 13.25 mgd capacity during times of drought when the Authority would need the supply. Another option is utilizing the storage in Palmetto's existing reservoir which is feasible, but the cost of running pipelines to the water treatment plant may be excessive. There are other lakes closer to the water treatment plant with adequate storage, but the Authority would need to acquire rights to the storage and construct pipelines to the water treatment plant. The least-costly option is the adoption of a modified minimum instream flow in the Chattahoochee River that addresses the four days over the period of record. The Interim Minimum Instream Flow Protection Guidance is set out in the May 2001 White Paper which provides three minimum flows, including one option of a site-specific study. A site-specific study requires a review of potential impacts to fish and water quality as a result of modifying the minimum instream flow.

The three cities have worked to prepare the following information:

1. Updated water distribution system map illustrating the water infrastructure owned by each city
2. Information regarding any interruptions in service from Atlanta
3. Amended Metropolitan North Georgia Water Planning District Plan audit to reflect the requirements set forth in the 2017 Plan

EPD requested that these items be submitted prior to or simultaneously with the comment responses. The District Audits must have narrative responses and provide an explanation as to if a recommendation has not been implemented, the plan for future implementation. Additionally, if the data score within the water loss audit is less than 50, the municipality must set forth how it will gather better data in the future. EPD has provided guidance on demonstrating improving water efficiency (attached). The cities have provided initial drafts and will be revising their respective District audit responses by the end of August.

Treatability Analysis: An engineering report will be required as a part of the Water System Permit (a separate permit required to operate the system which is issued upon construction of the facilities).

SWAP: ARC continues to work towards the SWAP being completed by January 1, 2020. ARC has requested availability during the last two weeks of September to go over the preliminary information. Representatives on behalf of the Authority as well as each City should attend.

Next Steps: Obtain the final information needed to prepare the response to comments, update the responses based on input from EPD, evaluate site-specific study options, update the engineering RFP for the preliminary engineering work and refine the budget and cost estimates accordingly and evaluate sources of funds including additional GEFA loans.

Compensatory Mitigation

Site Specific Sites: The Mitigation Bankers continue to work through the mitigation bank authorization process and the coordination with new regulatory guidance. The Prospectus for the Mulberry Creek site was submitted in January and is moving forward with development of the mitigation banking instrument.

Resale of Mitigation Credits: Credits from the Monastery of the Holy Ghost are still pending, however USACE mitigation personnel is considering allowing the Monastery to move forward independent of the Monastery's other mitigation banking efforts. Attached is the credit ledger for the credits currently pending a Statement of Credit Availability executed and pledged towards a permit action from the Blue Creek mitigation bank.