

Draft Comprehensive Statewide Water Management Plan:
June 28th Draft, September 13th Revised Draft, and December 5th Revised Drafts

Responses to Major Themes in Comment Letters

December 9, 2007

Updated January 8, 2008

As provided by the 2004 Comprehensive Statewide Water Management Planning Act, the Georgia Environmental Protection Division submitted a draft statewide water plan to the Water Council on June 28th, 2007. Following direction from the Water Council, this draft was revised and re-submitted to the Water Council on September 13th, 2007. Public review and comment periods were conducted in July-August 2007 and in October 2007, with comments received through an interactive website and by mail. The Council reviewed comments and considered revisions at several meetings in November 2007 and another revised draft was adopted for public review and comment on December 5th. A third public comment period was held in December 2007, with comments again received through an interactive website and by mail.

Responses to comments received via the interactive website are presented in other files available on the Water Council's website. This document provides a summary of major themes in the letters received during the three public comment periods and responses to those themes.

General Comments

- **Comments:** The plan should strongly assert that the regulated riparian legal doctrine and provisions regarding reasonable use will continue to guide water management in Georgia.

Response: The foundation of the regulated riparian legal doctrine and provisions regarding reasonable use is explicitly stated at the outset of the plan (Purpose section). Minor revisions were made throughout the plan to make the language more consistent with the regulated riparian legal doctrine.

- **Comments:** References to state laws regarding water quality standards and permitting programs should include additional language from the statute. Other comments specifically proposed adding statutory language regarding consideration of economic and technical factors in decisions regarding standards and permits.

Response: Language was added or clarified in several sections of the plan in response to these comments, including language recognizing statutory provisions regarding consideration of economic and technical factors in permitting.

- **Comments:** Clarifications are needed on three related issues: a) that the definition of human use includes specific activities such as agriculture; b) that the plan does not change the existing priorities for water use during times of shortage, which are established by statute and rule; and c) the relationship between the comprehensive statewide water management plan and drought plan.

Response: Language was added or clarified in several sections of the plan in response to these comments. These revisions include clarifying the definition of human use and that the plan does not change existing statutory provisions, including those that establish water use priorities during times of shortage. The priorities established by statute are now listed.

- **Comments:** The plan should not establish a de facto moratorium on water use while proposed resource assessments are conducted and regional plans developed.

Response: A guiding policy was added to the September 13th draft to clarify that water management decisions will continue to be made, based on the best information available at the time and on the laws, rules, plans, and administrative procedures in place at the time.

- **Comments:** The draft water plan does not address the connections between water use, energy efficiency, and energy supply choices.

Response: Revisions to the December 5th draft include links to the State Energy Strategy in the guiding policy statements and in the provisions for regional planning. In addition, energy efficiency and energy conservation may be addressed in the water conservation and implementation plan that is currently under development. The draft plan also specifies that an assessment of major water users will be an element of the regional water plans; in some regions, the resource assessments and this aspect of the regional plan this may provide an opportunity to look at energy-related water use. Comments on this topic provide information that may be useful in development of guidance for regional planning, once the statewide plan is adopted.

- **Comments:** The Plan provides considerable authority for the EPD Director and seems to expand that authority beyond that he or she currently holds.

Response: The plan does not create new authority for the Director nor extend his or her authority beyond that already specified in state law. In all of the instances where the plan outlines specific authorities of the EPD Director, those authorities have already been established by existing state statutes, which are referenced in the plan. For some of these statutes, however, rules have not been promulgated and are needed to clarify and delimit the Director's authority. In this way, the revised draft plan provides additional checks on the Director's exercise of authority under current law. Rules of the Board will limit the Director's discretion through explicit decision criteria.

- **Comments:** A number of comments expressed concern about the Metropolitan North Georgia Water Planning District seeming to be exempt from the plan and called for language to clarify that the District will be subject to the provisions on the plan.

Revisions have been made in Section 1: Purpose, Section 14: Regional Water Planning and Implementation of Regional Water Planning to further clarify that the District will be subject to the statewide water plan, once it is adopted.

There are a number of provisions in the current draft that clearly state that the plan will apply to the Metropolitan North Georgia Water Planning District (MNGWPD). Under current law, the MNGWPD is required to develop regional water plans similar to those described in the draft State Water Plan. Those plans are subject to guidance from the Environmental Protection Division, and the resource assessment and forecasting provisions in the draft State Water Plan, when adopted by the Legislature, would be equally applicable to the MNGWPD as it revises its plans pursuant to its enabling legislation.

If the state plan is adopted as proposed, other elements of EPD's guidance for regional planning will be incorporated in guidance to the Metro District as well. The current draft also specifies that the 2008 updates of the Metro District's plan will be consistent with the provisions of the State Water Plan. It should also be noted that inclusion of specific management actions in the Metro District plans does not guarantee a permit for that action. Management practices in those plans will still be subject to regulatory review; inclusion in the Metro District plan is just one of the requirements for a permit.

- **Comments:** There are a number of current and potential water management practices that are not explicitly addressed in the draft State Water Plan, and multiple comments recommended that certain practices be added or emphasized more strongly.

Response: Discussion of management practices in the State Water Plan is not intended to be comprehensive, and there are a number of additional practices that can be implemented to help meet the state's long-term water needs. The draft plan explicitly states that viable water quantity and water quality practices include, but are not limited to, those listed in the plan.

As laid out in the draft plan, regional plans will be developed to identify the management practices that will be employed to ensure that forecasted water and wastewater needs can be met. Regional planning provides an opportunity to address region-specific issues and tailor the mix of practices to the specific needs and priorities of each region, and regional plans can and should consider practices beyond those explicitly discussed in the statewide plan.

- **Comments:** A number of comments raised issues of concern in certain regions of the state and recommended that the plan address them directly (e.g., springhead development, saltwater intrusion, etc.).

Response: The statewide water plan is not intended to identify or address all of the various issues of concern in different parts of the state. Rather, it is intended to provide a policy framework with which to identify the critical issues in each part of the state and identify the management practices to be implemented to address them. The regional planning process laid out in the draft plan will provide the opportunity for exploration of issues in each region and specification of the management practices best suited to the conditions of specific resources and the users of that resource,

- **Comments:** Limit the plan to Section 6 (Resource Assessment) and Section 14 (Regional Planning).

Response: This change was not made. All of the other sections of the draft plan are inter-related and need to be considered together. In total, the different sections of the plan provide the comprehensive approach called for in the 2004 Comprehensive State-wide Water Management Planning Act. Sections 1-13, collectively, establish the context for regional planning and, without them, regional planning would not be as clearly directed toward the vision and intent of that Act.

- **Comments:** Initial rule format of the plan and rulemaking roles of the DNR Board. A number of comments on the June 28th draft expressed concern about the rule format and confusion of rulemaking authority. A number of comments on the September 13th plan concerned the language regarding rulemaking by the DNR Board. In several sections of the plan, the implementation actions direct rulemaking by the Board of Natural Resources and include specific provisions for rules. A number of commentators questioned whether this is appropriate.

Response: The September 13 draft was changed from a rule format to a plan format, following the direction of the Attorney General. The current draft has also been revised to clearly recognize the rulemaking authority that current statutes give to the Board of Natural Resources, and provisions for Board rulemaking specify “consideration” by the Board.

- **Comments:** Some comments noted that agricultural water use is treated differently than municipal and industrial permit holders, and recommended that agricultural permit holders be subject to the same provisions as municipal and industrial permit holders.

Response: The 2004 Comprehensive Statewide Water Management Planning Act requires that the provisions of the draft plan be consistent with current state law. Provisions regarding agricultural water use follow the authority established by

current statutes and the language is consistent with those statutes. Comments regarding agricultural water use, or other issues, that called for actions beyond the authority provided by current state law are beyond the scope of the state water plan.

- **Comments:** Several comments noted the significance of the soil-water connections and recommended that the plan draw more attention to the importance of functional landscapes in preserving and protecting water quality and water quantity.

Response: *Section 13: Enhanced Pollution Management Practices* includes a discussion that broadly addresses the topics raised in these comments, although it does not use the specific language suggested. The comments, however, elaborate on that discussion and provide information that may be useful in implementation activities following adoption of the statewide plan, including preparation of guidance for regional planning and in development of regional water plans.

- **Comments:** In the second and third rounds of public comments, there were a number of comments that addressed the current drought, including questions or statements about the effect of outdoor watering restrictions and other aspects of the drought responses currently being implemented.

Response: These comments are beyond the scope of the statewide water plan. The statewide water plan is intended to guide long-term planning for Georgia's water resources and is not intended to address responses to extreme conditions, like drought, or emergency circumstances that may result. It will be implemented in conjunction with the State Drought Management Plan, the Flint River Drought Protection Act, and the other statutes and regulations that guide responses to drought or other emergency circumstances.

Changes to Section 1: Purpose

- **Comments:** The purpose section should clearly state the intent to meet all current and future water needs of the state.

Response: The guiding policies in *Section 1: Purpose* were revised in response to these comments.

- **Comments:** The September 13th revised draft does not address coordination with adjoining states and with federal entities that manage water resources in the state.

Response: A new guiding policy was added to *Section 1: Purpose* in response to these comments.

Changes to Section 2: Definitions

- **Comments:** A large number of comments called for additional definitions and/or clarification of many of the definitions in the draft water plan.

Response: In response to these comments, the definitions section has been substantially revised. It should be noted, however, that many of these comments called for definitions or clarifications best addressed in implementation steps following adoption of the statewide plan (e.g., factors to be addressed in the water conservation implementation plan). No changes were made in response to these comments.

Changes to Section 3: Integrated Water Policy

- **Comments:** The term “natural systems” and “biological integrity” are broad and it is not clear how statements about protection of natural systems and biological integrity might be interpreted and applied to permit holders.

Response: Language has been added to the December 5th draft to clarify that, for permit holders, compliance with the applicable standards and permit conditions will be considered to be consistent with protection of natural systems and biological integrity.

Changes to Section 4: Water Quantity Policy

- **Comments:** A number of comments suggested a need for clarification of several provisions related to consumptive use budgets, including specific questions: the relationship between consumptive use budgets, regional planning, and permitting decisions; the meaning of “values and opportunities provided by historic flow patterns;” and how water use would be planned and managed in normal or wet years, given that consumptive use budgets are based on dry year conditions.

Response: The term “consumptive use budget” has been changed to “consumptive use assessment” to more accurately reflect the ways in which the assessments will be used, and the definition revised to clarify the concept and its application. Language has been added in Section 4 to discuss use of additional water during normal and wet years, including that as a consideration to be addressed in regional planning. Revisions have also been made throughout the document to clarify the use of the terms noted above and related terms.

- **Comments:** The State Water Plan should incorporate language to require protection of drinking water sources (i.e., protection of water supply watershed and aquifer recharge areas).

Response: In response to these comments, the December 5th draft was revised to reference the state's program for protection of water supply watersheds and aquifer recharge areas.

- **Comment:** Water quantity provisions should recognize the potential impacts of groundwater use on surface water resources. The September 13 draft also states that, due to several factors, assessment of sustainable yield from groundwater sources may not be done for all aquifers. Comments suggested that additional use of these aquifers be limited to some defined quantity until data and models are available and yields are defined.

Response: The implementation actions in this section have been revised in response to these comments.

- **Comments:** Instream flow policy. The draft plan states that instream flow conditions for surface water withdrawal permits will be determined pursuant to the instream flow protection strategy adopted by the Board of Natural Resources on May 23, 2001 or any subsequent revisions (p. 60, paragraph g and p. 67, column 2, paragraph 4). Several comments proposed that the language be changed to call for, or to provide, a final instream flow policy.

Response: The Board of Natural Resources' instream flow policy is germane to individual withdrawal permits and operational characteristics of non-federal reservoirs. The policy is currently described as interim, and the Board has recognized the need to conduct scientific investigations here in Georgia that will be used as the foundation for a final instream flow policy. Those scientific investigations have not been conducted. It is appropriate to encourage the Board to include these investigations in future work programs of its Divisions. Implementation of the statewide water plan may contribute to the information base required for revision of the instream flow policy, and such scientific investigations could be written into work that is to be completed in the regional water planning process.

Changes to Section 8: Demand Management Practices

- **Comments:** In the first two rounds of public comment, this section received more comment than any other. Comments highlighted a range of questions and concerns, including the following:
 - The weight given water conservation as a solution to water supply needs;
 - The relationship between proposed permitting considerations and the water conservation implementation plan;
 - The relationship between statewide specification of standard or nondiscretionary practices and regional planning;
 - The need for standard or mandatory practices versus an emphasis on voluntary measures and incentives (some comments advocated the first, others the second);

- The need for flexibility in light of specific sector or regional conditions;
- The difference in treatment of municipal and industrial permittees in comparison to agricultural permittees;
- Contribution of water reuse to overall consumptive use and potential effects on water available for downstream users;
- Consideration of economic factors and cost-effectiveness of different practices; and
- Opposition to, or advocacy of, specific management practices (e.g., conservation-oriented rate structures, retrofit of inefficient plumbing fixtures, metering or reporting individual use from new multi-family residential buildings).

Response: This section was substantially revised in the September 13 revised draft. Changes in this section were intended to clarify two aspects. The first aspect is the purpose and anticipated content of the water conservation implementation plan, which has since been reinforced by the Governor’s October 24th Executive Order on water conservation.

The second clarification addressed the two tracks for compliance with recommended permitting considerations: those who seek or hold water withdrawal permits for non-farm uses can either implement the basic set of practices listed in the draft plan or they can demonstrate progress toward water conservation goals or a certain level of water efficiency, which will be identified in the water conservation plan.

In the December 5th draft, *Section 8: Demand Management Practices* was further revised to clarify how the water conservation implementation plan relates to the other provisions of this section. Revisions incorporated consideration of technical and economic feasibility of conservation practices, provided for consideration of existing conservation efforts, and clarified the ways in which flexibility is provided to water permit holders and applicants. Revisions also clarified that the benefits of reuse will depend on the conditions of the water source and should be considered during regional planning.

Finally, there were also a number of comments that made more specific suggestions that can be considered in development of the water conservation implementation plan and in action by the DNR Board following completion of that plan. No revisions were made in response to these comments, but they provide information that will be useful during implementation activities following adoption of the final plan.

Changes to Section 9. Water Return Management Practices

- **Comments:** This section should recognize that on-site sewage management and land application systems do return water. There is considerable scientific uncertainty about rates, etc., but they are not 100% consumptive. And, they can be cost-effective management tools. Recognize the need for case-by-case determinations and the extent to which return-related factors will vary between regions.

Response: In the September 13th draft, revisions to *Section 9: Water Return Management Practices* were intended to address this and related comments regarding returns from on-site sewage management systems and land application systems. A few additional changes were made in the December 5th draft to further clarify this section.

Changes to Section 10. Water Supply Management Practices

- **Comments: Water Supply and Water Supply Reservoirs.**
 - Need a stronger state role in identification of additional water supply sources.
 - Comments proposed that surface water storage be recognized as a critical management practice that should be implemented concurrently with water conservation. The permitting considerations would make it harder to permit new reservoirs, and some suggested deleting or substantially revising this subsection.
 - The 2nd draft of the State Plan indicates that 'state support' of water supply reservoirs should come only if the 'full yield' of the reservoir is to be used for water supply purposes. While the provision emphasizes the importance of storage for water supply purposes, it is likely to discourage or preclude public-private partnerships in development of reservoir or other cost-sharing opportunities. The language was also interpreted as prohibiting other uses such as recreation.
 - Provisions in the State Water Plan should be strengthened to ensure that new reservoirs are a last resort, after other water supply alternatives have been exhausted.

Response: The current draft addresses water supply reservoirs as a tool that will be needed to meet future water supply needs in areas identified through regional planning, and recognizes that, given the time required to plan and develop a reservoir, it would be impractical to “exhaust” other alternatives first. The subsection on surface water storage has been substantially revised to clarify the intent of streamlining the permitting process for projects identified through regional planning. More specifically, the current draft clearly defines a state role in provision of technical assistance to those developing multi-jurisdictional water supply projects identified in water development and conservation plans. It also specifies a state role in provision of financial support for certain types of water supply reservoirs. Finally, the provision regarding “full-yield” of reservoirs was revised to indicate a preference rather than state a prohibition.

Like to other management practices described in the draft State Water Plan, water supply reservoirs or other practices to augment water supply will be addressed in regional water development and conservation plans, which will be based on the water quantity resource assessments and forecasts of future demand. For those regions that do not have sufficient water supply, resources that have not

historically been used for water supply should be investigated during preparation of regional water development and conservation plans. The revisions in the December 5th draft are intended to clarify ways in which the state will act to facilitate the permitting process.

- **Comments: Interbasin Transfers.** A number of comments were received regarding interbasin transfers. Comments expressed a range of opinions and suggestions relative to interbasin transfers, which ran the gamut from continued allowance of such practices, allowing the practice only under certain conditions, to not allowing the practice at all. A number of comments specifically suggested that IBTs should only be allowed if the transferred water was returned to the donor basin.

Response: The draft state water plan includes restrictions on interbasin transfers beyond those currently provided. The Water Council considered revisions to the interbasin transfer section and ultimately concluded that the permitting criteria proposed in the draft plan, in conjunction with regional water planning, are sufficient to protect the reasonable use of water in donor basins through regulation of interbasin transfers. A few of the proposed permitting criteria were revised for clarification. Provisions regarding intrabasin transfers have also been added to clarify decision criteria for those types of transfers. Finally, several comments raised issues that can be addressed in rulemaking by the DNR Board; these comments provide information that may be useful in implementation activities following adoption of the final plan.

- **Comments:** A number of comments addressed aquifer storage and recovery and desalination, which are included in Section 7: Water Quantity Management Practices. Aquifer storage and recovery (ASR) is included as a potential water supply 'tool' for which the Division may eventually develop a protocol to assess the viability of its use in some locations within Georgia. Some comments indicate a preference to remove ASR in the Water Plan; others wish to retain it. The plan also references desalination as a potential tool. As with ASR, some suggest deleting the reference to desalination; others proposed that it be kept or enhanced.

Response: No changes have been made in response to these comments. ASR and desalination are among the management practices described in the draft plan that would require further definition, investigation, and regulatory approval prior to implementation. These practices, if not prohibited by Georgia law, should not be excluded from the plan because additional definition and investigation might be required before they could achieve regulatory approval and active use within the context of a regional water plan. If there are impediments to use of these practices, the proper place for these issues to surface and to be challenged is in the regulatory approval process, not by excluding such potential practices from the plan itself.

Changes to Section 12. Enhanced Water Quality Standards and Monitoring Practices

- **Comments:** A number of comments expressed concerns about the proposed new water use classification for significant natural resource waters. Some comments included recommendations that the rule to establish the designation provide better definition of criteria and waters to be affected and/or include an evaluation of costs and benefits. Others recommended that it be deleted entirely.

Response: The provision regarding Significant Natural Resource Waters has been revised to call for an assessment of need for the new water use classification. The questions raised in comments can be addressed in that process and subsequent rulemaking by the DNR Board, if that occurs.

Georgia's Rules and Regulations for Water Quality Control (Chapter 391-3-6) include six water use classifications or designated uses: fishing, recreation, drinking water, wild river, scenic river, and coastal fishing. Water use classifications for wild river, scenic river, and the special designation of outstanding natural resource waters are difficult to apply as implementation of these uses generally precludes any development in the watershed. For these designated uses, Georgia's rules and regulations for water quality state that "there shall be no alteration of natural water quality from any source" or that "existing water quality shall be maintained and protected. At the present time in Georgia, four stream segments are designated as wild and scenic and no waters are designated as outstanding natural resource waters.

A new water use classification of significant natural resource waters could provide an attainable level of protection for selected waters that is higher than that applied to most of the waters in the state. The draft State Water Plan calls for evaluation of the need for such a designation. Questions that would be addressed in the evaluation and subsequent rulemaking by the Board of Natural Resources, if it occurs, include the stream miles potentially affected and the water quality criteria that would apply to waters with that designation.

Changes to Section 13. Enhanced Pollution Management Practices

- **Comments:** The section with nonpoint source pollution implementation actions calls for evaluation of several practices but does not say what will be done with the evaluation.

Response: A new paragraph has been added to that section to clarify that the implementation actions discussed in this section will result in an evaluation of a number of potential management practices as well as guidance on the use of the management practices. This guidance will be made available to the Water Planning Councils for use in the development of regional Water Development and

Conservation Plans. This does not necessarily move toward establishing criteria or other requirements. Depending on the results of the evaluation that it calls for, these could be implemented in a variety of ways, ranging from local initiatives or incentives provided through regional planning to changes in state policies, rules and laws. Evaluation of these tools would have to address the actions that would be required to effectively apply the tools in support of the purposes of this plan.

- **Comments:** Implementation actions regarding on-site sewage management systems reference requiring inspection of systems at the sale of property. This would increase transaction costs and should be deleted.

Response: This paragraph was revised to clarify the intent of monitoring and managing existing systems.

- **Comments:** The plan includes watershed permitting and pollutant allocation trading as potential new tools for pollution management (p. 76). Several comments objected to the consideration of these tools in the plan and suggested this section be deleted. Several other comments supported the consideration of the potential use of these tools in Georgia.

Response: No changes have been made in response to these comments. Watershed permitting and pollutant allocation trading are among the management practices described in the draft plan that would require further definition, investigation, and regulatory approval prior to implementation. These practices, if not prohibited by Georgia law, should not be excluded from the plan because additional definition and investigation might be required before they could achieve regulatory approval and active use within the context of a regional water plan. If there are impediments to use of these practices, the proper place for these issues to surface and to be challenged is in the regulatory approval process, not by excluding such potential practices from the plan itself.

Changes to Section 14. Regional Water Planning and Implementation of Regional Water Planning

- **Comments:** In the third round of public comments, the majority of comments focused on boundaries for regional planning and/or the composition of regional water planning councils. Comments on boundaries for regional planning overwhelmingly called for boundaries that follow watershed lines.

Response: At their January 8 meeting, the Water Council adopted a map of water planning regions that generally tracks significant portions of major river basins in part of the state above the Fall Line and aquifers in the part of the state below the Fall Line. The eleven county-based water planning regions include one or more major surface or groundwater resources and the boundaries are generally aligned with the hydrology of those surface and groundwater sources.

- **Comments:** Composition of the regional water planning councils and selection of council members. Comments on this topic raised concerns that current statutes give the EPD director too much authority to name the entities that would develop the regional water development and conservation plans. There is a desire to have the Water Plan be more specific about how this will be done (i.e., describe selection criteria). Some comments stressed a need to ensure that members be residents of the affected region and that they bring sufficient local or grassroots knowledge; others emphasized a need to ensure sufficient technical capacity among the members of the planning councils. Comments also expressed a desire to afford the Water Council, the Board of Natural Resources and/or local legislative delegations a role in defining the membership of these entities. Finally, a large number of comments recommended that a significant portion or a majority of 'voting membership' of the regional planning councils be local elected officials. Some comments called for a “seat at the table” for all local governments, while others recommended a formal role for the Department of Agriculture, given the significance of Georgia’s agricultural sector.

Response: In the current draft, the regional planning material has been revised to detail a process for nomination and appointment of members of the regional water planning councils. The provisions regarding water planning councils have been revised to specify an process for pre-qualification by EPD, the Department of Community Affairs and the Department of Agriculture and a process for appointment by the Governor, Lt. Governor, or Speaker. It is expected that the Lt. Governor and Speaker will consult the legislative delegation from each region when considering their nominations.

Revisions also state that each council will be broadly representative of water-related interests, with representation tailored to reflect the differing economic and resource needs in differing regions. Finally, revisions provide a specific number of appointments for city and county officials, which mean that a third of the members appointed to each water planning council will be local elected officials.

- **Comments:** Clarify the intent that regional water plans will be jointly developed by EPD and regional water planning councils. Clarify how EPD and regional planning councils will interact in development of the regional water development and conservation plans, particularly regarding funding and oversight of contractors.

Response: Specific language changes were made in the Purpose section; Section 14: Regional Water Planning; and in the section titled Implementation of Regional Water Councils to clarify in response to these comments.

- **Comments:** The language regarding localities in the Metropolitan North Georgia Water Planning District and participation in preparation of other regional plans is problematic and should be deleted.

Response: The language referenced in these comments has been deleted and the current draft revised to clarify the plan’s applicability to the Metro District, including the 2008 revisions of the District’s plans. The current draft has also been revised to provide for consultation across planning areas for resources which are used by, or affected by, localities in another planning area.

- **Comments:** Public input on recommended regional water development and conservation plans is needed during plan development. Public input on recommended regional water development and conservation plans is also needed during EPD review of recommended plans.

Response: Language has been added to the December 5th plan to specify public review and comment periods during preparation of recommended regional water development and conservation plans and prior to EPD adoption of regional water development and conservation plans.

- **Comments:** The plan should more clearly state that water resource planning will be continuous with an ongoing role for water planning councils in periodic review and revision of regional water plans, on a clearly defined cycle.

Response: Language has been added to the December 5th plan to clarify that, like the statewide water plan, regional water development and conservation plans will be reviewed and revised on a five-year cycle. Review and revision will include the resource assessments provided as guidance for regional planning. This review and revision cycle will provide an opportunity to respond to new information and changing conditions.

- **Comment:** Need a dispute resolution process to address disputes that arise during regional planning.

Response: Language has been added to the December 5th plan to provide for guidance on dispute resolution alternatives.

- **Comments:** Regional population and employment forecasts should also reflect projected economic growth.

Response: Language was added to include “economic” references in discussion of forecasts. In addition, guidance for forecasting, to be developed after adoption of the statewide plan, will have to consider regional visions for the future.

- **Comments:** Formal benefit/cost analysis of each water development and conservation plan should be conducted prior to adoption.

Response: Language was added to the section on implementation of regional planning to address recommendations for estimating costs and benefits of options and alternatives for water management.

- **Comments:** Need for a phased approach to implementation with a specific timetable. Comments proposed a phased implementation that starts with developing assessments first which can then inform implementation of specific policies through rulemaking. Several suggested adding a more detailed implementation schedule.

Response: Language on phasing of implementation, with a timetable, has been added to the section on implementation of regional planning.

- **Comments:** Funding. Strong concerns about funding were evident in many of the comments received during the public comment on the June and September drafts. Specific concerns include the lack of definitive language describing a State commitment to funding the statewide plan's implementation. In addition, there are concerns that, if the State fails to fully fund implementation of the statewide plan, EPD will pass the costs on to water users through the water withdrawal, drinking water and wastewater permitting processes.

Response: Language regarding state funding has been added at the end of the section titled *Implementation of Regional Planning*. It should be noted that, under current statutes, it is not possible for EPD to charge fees for water withdrawal, drinking water, or treated wastewater permits to support water plan implementation.

The governor's fiscal 2009 budget request relating to the Water Plan, currently under development by the governor's staff with support from several state agencies, is expected to identify the sources of funds for the execution of work tasks associated with the State Water Plan. Details of the governor's budget request for the State Water Plan will be made available when it has been completed.