

**Minutes  
Environmental Protection Committee**

Columbus Marriott  
Empire Mills Room  
800 Front Avenue  
Columbus, GA 31901

**September 26, 2018**

**Committee Members**

Ray Lambert, Chairman  
William Bagwell, Vice Chairman – Via Conference Call  
Dwight Evans  
Duncan Johnson  
Rob Leebern  
Mark Mobley  
Brother Stewart  
Dee Yancey  
Aaron McWhorter, Board Chairman, Ex-Officio

**Board Members**

Nancy Addison – Via Conference Call  
Joe Hatfield  
Bill Jones  
Billy New  
Miki Thomaston

**Guests**

Mark Woodall, Sierra Club  
Brent Widener, Fort Benning Environmental Division  
Bill Hodges, Hodges Harbin Newberry & Tribble  
Mike Worley, Georgia Wildlife Federation  
Ronny Just, Georgia Power Company

**Staff Members**

Mark Williams, Commissioner  
Terry West  
Walter Rabon  
Kyle Pearson  
Wes Robinson  
Cathy Barnette  
Amber Carter  
Artica Gaston  
Jeff Cown  
Dave Crass  
Steve Friedman  
Rusty Garrison  
Doug Haymans  
Eddie Henderson  
Jeff Weaver  
Thomas Barnard  
Caleb Eubanks  
Greg Nelms  
Kim Piemme  
Scott Bardenwerper  
  
Richard Dunn, Director  
Jac Capp  
Karen Hays  
Chuck Mueller

The September 26, 2018 meeting of the Environmental Protection Committee was called to order by Chairman Aaron McWhorter.

Chairman McWhorter called on Ray Lambert, Chairman of the Environmental Protection Committee.

Mr. Lambert called on Karen Hays, Chief of the Air Protection Branch of the Environmental Protection Division, to present the proposed amendments to the Rules for Air Quality Control, Chapter 391-3-1.

Ms. Hays stated that the current rules generally prohibit open burning, with some exceptions, specifically to carry out recognized agricultural procedures necessary for the production or harvesting of crops. She further stated the phrase “necessary for the production or harvesting of crops” was being inconsistently interpreted. She added House Bill 885 was signed into law, which revises the Georgia Air Quality Control Act, and HB 885 allows for burning on any agricultural land more than five acres if the burning is limited to vegetative material, and HB 885 used a very broad definition for ‘agricultural’ and ‘agricultural operations’.

Ms. Hays stated that she is asking for the environmental committee’s consideration of the proposed amendments to the Georgia Rules for Air Quality Control to be consistent with the changes to the Georgia Air Quality Act. She further stated specifically, we are proposing to update the Rules for agricultural purposes, updating the “specific county restrictions” subparagraph to address the renumbered exemptions, and updating the definition of “prescribed burning” to remove language that was not consistent with HB 885. She added that she briefed the Environmental Committee at the June meeting, held a public hearing on August 13, the public comment period closed one week later with no comments received, and she requests favorable consideration of the proposed amendments.

A motion was made by Mr. Yancey, seconded by Mr. Leebern, and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed amendments to the Rules for Air Quality Control, Chapter 391-3-1, Pertaining to Open Burning, as presented.

Mr. Lambert called on Jac Capp, Chief of the Water Protection Branch of the Environmental Protection Division, for his briefing on the proposed amendments to Rules for Safe Drinking Water, Chapter 391-3-5 and Rules for Environmental Planning Criteria, Chapter 391-3-16.

Mr. Capp stated we are talking about two different rules, but they deal with the same issue, which is Reservoir Management Plans. He further stated Reservoir Management Plans are required under the Planning Act of 1989 and they are addressed once in our Safe Drinking Water Rules and once in our Rules for Environmental Planning Criteria. He added the current rules have been in effect since 1990, apply to governmentally owned reservoirs for the primary purpose of providing drinking water, and exclude multipurpose reservoirs or does not apply to

privately owned reservoirs or lakes that are not used for the primary purpose of providing drinking water.

Mr. Capp stated the purpose for the proposed changes includes: emphasizing that recreational uses of drinking water reservoirs are allowed provided that there is an adequate plan in place to protect that drinking water source. He further stated that specifically, we are proposing to: incorporate more positive language regarding the potential for recreational uses at these reservoirs, add a criterion for “adjacent property owner access”, as well as remove ground slope and soil types as the sole criteria for evaluation of proposed reservoir buffers and that the default bumper size remains at 150 ft., but it does allow for any relevant criteria to adjust the buffer size. He added that describing the reservoir management plans in both rules was duplicative and created potential for differing interpretations, so the Drinking Water Rules will reference the Environmental Planning Criteria Rules and the Reservoir Management Plan criteria will be in the Rules for Environmental Planning Criteria.

Mr. Capp stated we are briefing this morning, plan to go to public notice and comment shortly, and anticipate coming back to the Board and requesting action at the January Board meeting.

There being no further business, the meeting was adjourned.