logo

St. Marys River Management Committee

2021 Annual Report

To the County Commissioners:

Please accept this document as the Committee’s required Annual Report.

The St. Marys River Management Committee (SMRMC or Committee) is a quasi-governmental advisory panel established by interlocal agreement between Baker and Nassau counties in Florida and Camden and Charlton counties in Georgia. The Committee is composed of five voting representatives from each county: one county commissioner and four appointed members (if possible two riverfront landowners or representatives of corporations with riverfront property, and two at-large members). One representative from the St. Johns River Water Management District (SJRWMD) and one representative from the Georgia Department of Natural Resources (GDNR) Division of Environmental Protection (GEPD) serve as technical advisors. All meetings are open to the public with notice provided on the Committee’s website: [*www.saintmarysriver.org*](http://www.saintmarysriver.org).

***Presentations***

Summaries for the monthly presentations are available in appendix 2. For powerpoint files and additional information, comments, or discussion please refer to monthly minutes on the “news” tab of the SMRMC website [*www.saintmarysriver.org*](http://www.saintmarysriver.org).

***Land Use (including public access)***

**Baker**

**St. Marys Cove Boat Ramp**- Baker County received permits from Florida Department of Environmental Protection (FDEP) and United States Army Corps of Engineers (USACE) for their proposed renovations to the County Boat Ramp and put the project out for bids in April. When bids were received, they were considerably higher than the original estimates. The county continues to negotiate with the state and the contractor to pare down the project to something affordable that fits the contract.

**Shoals Park-** The county completed mid-rotation timber harvest and is updating the rules and regulations to assist with continued usage use.

**Reynolds Bridge-** Reynolds Bridge was closed indefinitely on February 24, 2021.

**Camden**

**Access at the Blue Bridge**- In June, the county was contacted by GDNR to expand and make upgrades to the boat ramp at US 17 Blue Bridge. The Camden County Board of Commissioners passed a resolution to proceed with acquisition of the adjacent property for the upgrades using eminent domain since the owner is deceased and the estate is unrepresented.

**Spaceport**- After the Federal Aviation Administration postponed issuing a final Environmental Impact Statement (EIS) and Launch Site Operators License (LSOL) for several months, the Record of Decision for the EIS and LSOL were issued on December 20, 2021. Litigation to attempt to stop the purchase was filed on December 14, 2021, in both the Probate and Superior Courts of Camden County. Hearings on the petitions will be held in January 2022. Barring an adverse decision to the county, the next step is land acquisition; the county currently holds an option on the proposed site property.

**Charlton**

**Traders Hill County Park-** Charlton County awarded bids for both the septic work and the upgraded RV electrical hookups. The repairs and renovations to other structures will be delayed until contractors are available to bid. Once the renovations are complete, the county will investigate funding for a trail along the old railroad spur through the park.

**Camp Pinckney Boat Ramp**- Charlton County is working with the landowner of the parcel surrounding the ramp on the donation of several acres surrounding the ramp for parking and restrooms.

**94 Bridge Boat Ramp**- A closer look at the county-owned property near the 94 bridge proved that it was too flood prone to install a trail system.

***Water Quality***

**Baker**

**Macclenny Waste Water Treatment Plant (WWTP) (Phase 1B) (see Appendix under September presentations)-** In December, the Macclenny City Council approved a $4.9 million contract for the 1B phase of the rehabilitation of their sewer system (see Appendix under September presentation). The city is also working with a consultant on ways to improve the efficiency of the WWTP itself.

**Nassau**

**Hilliard WWTP-** The Hilliard WWTP discharges into the Little St. Marys River a dissolved oxygen impaired tributary. In 2021, the Town of Hilliard reapplied for a Community Development Block Grant to repair their aging sewer lines. SMRMC reported incorrectly in 2020 that the town of Hilliard had been awarded a grant; they had applied for a grant.

**Development Review Committee (Nassau DRC)-** Michael Godwin, Environmental Health Service Director for Nassau and Baker Counties, will advise SMRMC of any properties within the St. Marys Watershed that are on the Nassau DRC agenda for review. Nassau county members will attend the meeting, if possible, when a property of concern is on the agenda. The meetings are held each Tuesday.

**Camden**

**Horsepen/Temple Creek 319 Septic Project (Phase 3)-** Last year, Camden County received funding through the EPA 319 program to repair/replace approximately 24 septic system repairs in the Temple Creek Watershed. Of the 29 sites inspected eight were functional or only required minor repair by the homeowner. The remaining 21 needed to have the drainfield and/or the tank replaced. Because of a significant increase in the cost of the septic hardware, there may not be enough funding to replace the projected 24 systems. As of December 31,2021, seven systems had been replaced. There is a waiting list of four homeowners. The project end date is October 2022.

**Charlton**

**Spanish Creek Project-** In 2020, Charlton County received a Coastal Incentive Grant from Coastal Resources Division to produce an EPA Nine Point Watershed Management Plan for Spanish Creek (fecal coliform impairment). The project was completed in 2021 under the guidance of Rob Brown from Godwyn, Mills, and Cawood, Inc. The final reports were delivered to the Charlton County Board of Commissioners, the City Councils of Folkston and Homeland, and to the granting agency in March 2021. With the plan approved, Charlton County and the cities of Folkston and Homeland are now eligible to apply for Section 319(h) grant funding from Georgia EPD to remediate fecal coliform impairments on Spanish Creek.

Intensive E. coli sampling by a group of high school teachers and students showed: (1) high levels of E. coli were correlated with rainfall events and wet periods, (2) the Folkston Water Pollution Control Plant (WPCP)WCPC was not a source of contamination, and (3) two sources of contamination were human and either wild or domestic swine.  A Watershed Advisory Committee made up of concerned citizens identified the short-term goal of continuing the Adopt-A-Stream E. coli sampling, with a focus on Clay Branch, and pursuing grant funding for intensive eDNA sampling. Two other short-term goals were restricting animals/livestock from accessing waterways and holding litter law enforcement training.

During the grant year, GEPD added impairments on Long Branch and Clay Branch within the watershed. In September a small working group met to begin discussing applying for a 319-grant similar to the Horsepen Creek grant in Camden County. Preliminary sampling in drainage ditches showed that there were high levels of E. coli. The City Council will contact landowners to demand they cap pipes and then retest the ditch before deciding whether to apply for a grant.

The City of Folkston returned money received in 2020 for a 75%/25% loan grant to upgrade the Folkston Water Pollution Control Plant. They have applied for funding (50% 50% loan grant) through the State Fiscal Recovery Fund (see under Partner reports GEPD).

**NPDES permits**

**Florida**- There are no updates for Florida NPDES permits.

**Georgia**- In April, SMRMC received notification that Twin Pines, LLC had applied for a groundwater permit in Charlton County.

In September, EPD released the edits for renewal of the statewide GDOT MS4 permit. As far as SMRMC could determine, there are no GDOT MS4 facilities in either Camden or Charlton County.

In October, there was one pretreatment renewal (GAP050303) for indirect discharge into the Kingsland Wastewater Pollution Control Plant (WPCP) in St. Marys River basin in Camden County. The renewal is for Synergy Recycling, a facility that recycles oil from used oil filters. Alice Vick (GEPD) said that this is a standard permit for non-contact cooling water which is administered out of Atlanta.  The contact is Ashwini Tambe.

***Water Quantity (Surface Water Withdrawals, Flooding and Stormwater)***

**Surface Withdrawals**

**Florida**- On November 16, 2021, SJRWMD held their first public meeting concerning additional revisions to their 2030 Water Supply Plan. The Florida half of the St. Marys River is under the purview of SJRWMD and has in the past been considered as a potential source of water for the district.

**Georgia**- The 2004 Comprehensive State-wide Water Management Planning Act authorized the development of the State Water Plan. The State Water Plan in turn, mandates regional water planning to provide local perspectives. The St. Marys River is split between two Water Plan Councils with Charlton County in the Suwanee-Satilla Region and Camden in the Coastal Region. The Suwanee-Satilla Regional Water Plan Council met April 15, 2021,to hear updates on a state study on water availability and population modeling. The model projects a 50% increase in population without a shortfall in water availability in the Suwanee-Satilla Region. The lack of shortfall was due to increases in efficiency across sectors, including agriculture, which uses 75% of the water. Prior to the meeting, SMRMC had sent a letter to the Council regarding the size of the St. Marys Watershed and its inappropriateness as a withdrawal basin. The Water Council did not mention the letter sent by the committee but did thank SMRMC for attending. Regional water plan revision will begin in 2022.

The Coastal Georgia Regional Water Council met July 15, 2021, to begin the 5-year review of their water plan. CDM Smith, the planning contractor, presented new data from higher resolution models. Water use by industry (pulp and paper, food processing, manufacturing, and mining) was predicted to remain the same or likely decrease due to increased efficiency. Energy water use was predicted to decrease because all coal-fired power plants had been replaced with lower water-demand natural gas plants since the 2011 model was run. The agricultural water use model was not complete but was not considered a major part of regional water use. The contractor said that once the council began revisions, meetings would be quarterly. They encouraged new members to visit the Georgia State Water Plan website to familiarize themselves with the current plan, visions and goals, and operating procedures.

**Stormwater and Flooding**

**Nassau- Revision of Stormwater Ordinance 99-17-** The Nassau County Board of Commissioners directed their Stormwater Engineer, Katie Peay, to revise Ordinance 99-17 to address volume sensitive areas, downstream capacity, long term maintenance of stormwater structures as well as to quantify phrases such as unreasonable impact and remove outdated language. No changes were made to the water quality requirements since they already satisfied the minimum design standards of the SJRWMD Environmental Resource Permit. Stormwater infrastructure is designed to efficiently remove water following rain events. It relies on detention/retention ponds as means for settling out pollutants. While there are some regulations pertaining to silt in stormwater, there is little reference to other water quality parameters including fecal coliform and petroleum products. The only regulatory recourse is if there is a complaint or if someone is caught dumping waste in a storm drain.

The revised ordinance has been reviewed by legal and development interests and is scheduled for a Board of Commissioners workshop on January 10 and for a vote on February 14.

**Camden- Camden Co Resiliency Plan (see Appendix under July presentation)-** As outlined in the July presentation, the centerpiece of the Camden County Resiliency Plan is an inundation map and emergency flood warning system.  Scott Brazell and Chuck White, the county staff members assigned to the plan, said that Camden County has circulated a survey to gather flood information from citizens and has posted a Request for Proposal for a consultant to work with the county to write the plan.  Once the plan is drafted, it will be presented to stakeholders and at public meetings. SMRMC will attend all meetings and report in 2022.

There are also two other related but separate grants for converting the old Georgia Power Building into a county Resiliency Center and for installing a public safety radio tower and associated infrastructure. Those have been awarded but the money has not yet been received. Chuck White is the county staff person assigned to those projects. SMRMC will continue to monitor and report.

**Charlton- Camp Pinckney area flooding-** Charlton County is working with GEPD and USACE to find solutions for flooding due to stormwater runoff in the Camp Pinckney area south of GA40. The county is also working with Southeast Georgia Regional Commission (SGRC) and the Center for Geospatial Research at the University of Georgia (UGA-CGR) to produce a LiDAR-based 1 ft contour layer for the interactive map produced by the University of Georgia students earlier in the year. SGRC has generated data for the map layers. UGA-CGR will populate the layer and add it to the interactive map by the end of January 2022. Charlton County will use the map to identify flood prone areas of the county.

***Federal, State and Local Regulations and County Comprehensive Plans***

**Baker**

**St. Marys Cove No Wake Zone-** SMRMC requested that Baker County be sure that no wake signage was a part of the improvements at St Marys Cove so that the committee did not have to request it after the fact.

**Nassau**

**No Wake Zone Signage-** In May, Nassau County Board of Commissioners voted to waive the application fee for the three no wake zones. In July, the committee submitted the applications and is awaiting notification from the county. The Nassau BOCC is considering expanding the Scott’s Landing no wake zone up to the 1/301 bridge.

***Administration***

**Budget**

Please see appendix 1.

**Governing Documents**

In February, Charlton County Administrator, Hampton Raulerson, sent a letter requesting a change in the interlocal agreement to remove the sentence stating that employees of the committee are employees of Charlton County. The committee made the revision and other minor changes including removing Charlton County as the fiscal agent, allowing counties to appoint at large candidates if riverfront owners or employees were not available, and changing the status of the state environmental agencies from non-voting members to technical advisors. The revised agreement was approved by the four counties and signed by the last county on November 24, 2021.

**Purpose Statement**

Several emails were received asking the committee about their position on the Twin Pines Mining application. The committee responded by putting the following statement of purpose on the website to clarify its role:

The St. Marys River Management Committee (SMRMC) is a quasi-governmental advisory council formed by an interlocal agreement of two Georgia (Camden and Charlton) and two Florida counties (Baker and Nassau) to facilitate the conservation and wise use of the St. Marys River. To that end, SMRMC engaged with the local communities as well as county and state governments to develop the St. Marys River Management Plan, which we now work to implement.

SMRMC is charged to act in good faith as an agent of due diligence on behalf of local governments and communities. As such, committee meetings serve as a public forum for the discussion of issues potentially impacting the river and its stakeholders, including such things as regulatory concerns, land use practices, and economic development projects. Current and continuing discussions include projects to address coliform bacteria contaminations, changes in Clean Water Act wetland definitions, and proposed industrial developments, including large-scale urban mixed-use projects, coal ash disposal in Chesser Island landfill and titanium dioxide sand mining operations.

**File Storage**

The 2014-2020 data stored on the committee administrator’s personal computer were migrated to the cloud and will be stored on Google Drive, which allows for 15GB of free storage. Going forward, the current year will be stored on the website and all previous years in cloud files with an embedded link on the website. All records prior to 2014 are stored as hardcopies in the Charlton County Records Depot.

**Covid response**

SMRMC intended to resume in person meetings in July but voted to remain virtual through November because of the rapid spread of the delta variant of Covid 19 and the approval of booster shots for vulnerable citizens. In person meetings resumed in December however there will still be options for joining the meeting virtually provided a quorum is present in person.

***Membership***

**Baker**

In May, Baker County appointed Danny Norton as a new representative on the Committee and reappointed Ed Barber to another term.

**Camden**

In April, Jim Wildes submitted his resignation letter to SMRMC. Camden County appointed Jay Smith to replace him.

**Nassau**

In October, Nassau County reappointed Thomas Ford to be the BOCC representative to the Committee.

***Partner Reports***

**St. Marys Riverkeeper (SMRK or the Riverkeeper)**

**River Cleanup-** The annual St. Marys River Cleanup was held April 24th. Due to continuing coronavirus concerns, White Oak was unable to host an after-event party this year, but site captains distributed prizes/souvenirs to 250 volunteers who picked up eight tons of trash and 45 larger items such as tires, carpets and mattresses. Participants noted that several sites were far cleaner than when SMRMC initiated the cleanup years ago and applauded the positive results. SMRK and SMRMC extend special thanks to Keep Nassau Beautiful and to the Camden and Charlton County commissioners and staff who provided trash pickup.

**Living Shoreline-** On May 1 students from the University of North Florida Coastal and Marine Biology Program and volunteers from SMRK added 70 recycled crab traps seeded with oyster shells to the Living Shoreline structures installed along the Amelia River just upstream of Fernandina Beach Old Town area in 2019. In June SMRK was informed that a group of business owners intend to build a pier and dock at the living shoreline site. SMRK sent a letter of concern but determined that the company proposing the dock does have the appropriate easement.

**Titanium mining-** Throughout 2021, St. Marys Riverkeeper has monitored and participated in the public review of the proposed Twin Pines Minerals sand mining operation in Charlton County and consulted with the operators of the existing Chemours mining site (also in Charlton County) regarding the environmental impacts of such projects. At year end, the Twin Pines proposal remains under regulatory review. Because federal jurisdictional issues regarding wetlands remain unresolved, Georgia Department of Natural Resources' Environmental Protection Division is the primary permitting agency. Relevant documents are available online at <https://epd.georgia.gov/twin-pines>.

**Spanish Creek-** The Riverkeeper incorporated time spent on an additional river cleanup with Georgia River Network into Charlton County’s Spanish Creek Project as matching hours.

**PFAS Research-** In May, SMRK Anna Laws worked with a University of Florida project to analyze rivers statewide for presence of per and polyfluroalkyl substances (PFAS). The results are not yet available. PFASs are manmade chemicals in use since the 1940s which cause wide-ranging health problems. The manufacture of some of the chemicals have been discontinued in the US though they may still be imported in goods such as carpet, leather, textiles, rubber, plastics, and packaging.

**Triennial Review-** After several months of study, EPD concluded that no waters within 10 miles of a NPDES discharge would be eligible for a swimming designation and that additional areas on the upper St. Marys were ineligible because of possible agricultural impacts.  The eligible segments include Deep Creek to Boone Creek and Prospect Landing Rd to Little St. Marys River.

**Staff-** Anna Laws resigned as St. Marys Riverkeeper to accept a job with Florida Fish and Wildlife monitoring and restoring freshwater habitats effective September 30, though she continued to assist SMRK until her replacement was hired. Emily Floore officially starts January 1, 2022, as the new Executive Director and St. Marys Riverkeeper, but has already begun to build upon the organization’s important relationship with SMRMC.

**University of Georgia**

**Mapping and Law Practicum Project-** Two students from a UGA Introduction to ArcGIS class completed the interactive map started during their fall project by editing their fall project, collecting additional layers, and migrating all layers to the UGA website. SMRMC and all four counties added a link to the map on their websites. Charlton County is working with the UGA-CGR to add a topographic layer that can be used for stormwater mapping.

Dr. Laurie Fowler, who oversaw the Land Conservation Clinic at the UGA Odum School of Ecology and River Basin Center, has worked with the committee since 2009 to identify water quality issues and methods to address them. In June 2020, Dr. Fowler retired from UGA faculty, but because of a COVID 19 induced hiring freeze was hired to teach the clinic in Spring 2021. Once again, SMRMC was fortunate to have several students chose projects studying state and county regulations that impact water quality. In May, the clinic students reported on their work to comparing the state and local regulations that impacted water quality in the St. Marys Watershed. In November, Dr. Fowler reported on SMRMC’s progress on regulatory oversight between 2004 and 2020 and made recommendations for further work. In December, she facilitated a workshop at which SMRMC and SMRK translated the recommendations into specific short term action items and timeline for 2022.

The university has recently secured funding from the Mildred Miller Fort Foundation for the position Dr. Fowler once held. SMRMC sent an endorsement letter to support the application. The hire will be announced soon. SMRMC looks forward to many more years of joint projects with the clinic students.

**SJRWMD**

Geoff Sample reminded Baker and Nassau counties about their opportunities for REDI funding through SJRWMD. Applications are due each year usually by mid-February.

In September, the committee thanked Geoff Sample for his decade of service as the advisor to SMRMC from SJRWMD and wished him the best in his new position as CRS coordinator for the City of Jacksonville. SJRWMD has selected Douglas Conkey as the new Intergovernmental Coordinator; he will begin attending SMRMC meetings in January.

In Florida, the water management districts are charged with ensuring adequate and sustainable water supplies are available to meet future needs while protecting the environment. The district is currently operating under a 20-year plan published in 2005. Because of rapid growth in central and coastal Florida, the plan is updated frequently. The last addendum was dated 2017. SJRWMD held its first information meeting on the next addendum November 16, 2021, in Palatka. Douglas Conkey will keep the committee abreast of developments.

**GEPD**

Alice Vick reported that due to financial disruptions caused by COVID-19, Georgia Environmental Finance Authority, which usually provides loans for water, sewer, and solid waste infrastructure, would provide grants instead in 2021. Funding was available for septic to sewer conversion. The application deadline was July 2, 2021. The information was sent to both counties and to the cities of Folkston and Homeland.

The American Rescue Act signed into law in March 2021 provided fiscal relief for state and local governments via State Fiscal Recovery Funds. Alice reported that GEPD had said that grant/loan opportunities were available to upgrade drinking water and wastewater infrastructure especially for municipalities with identifiable needs. The application deadline was August 1-August 31, 2021. The information was sent to both counties and the cities of Folkston and Homeland.

In November, Alice informed the committee that Bruce Foisey had retired, and the new District Manager was Beth Stevenson.

**APPENDICES**

**Appendix 1. 2022 Proposed Budget**

**Appendix 2. 2021 Presentations**

***Appendix 1. 2022 Proposed Budget***

**Anticipated County Revenue:**

Baker 700

Camden 700

Charlton 700

Nassau 700

Total 2800

**Allocated Expenses:**

Administrative Assistant 2220

Admin Mileage Reimbursement\* 370

Office Expenses (copies, mailing) \* 90

Website Hosting 120

Septic Think Tank Meeting 150

Land Use and Planning Think Tank 250

Total 3200

Difference -400

**12/31/2021 Cash on Hand $** 6,540.43

***Appendix 2. 2021 Presentations-***

***The information, opinions, and suggestions below are those of the presenters and do not necessarily represent the views of SMRMC.***

**January-** none

**February- St. Marys River Interactive Mapping Tool- Raquel Oliva and Grace Anne Ingham, Introduction to ArcGIS, students, Geography Department, UGA**

The UGA students who built the interactive GIS map, presented a step-by-step instructional program on using the mapping tool.  A YouTube tutorial videoed by the students is available at <https://www.youtube.com/watch?v=8lRFrbLKhaA&feature=youtu.be>

The map will be used by the upcoming UGA Environmental Law Practicum Class, the Committee, the Riverkeeper, the four counties and their cities, and the public.

**March- Overview of Regulations Protecting Water Quality of the St. Marys River in Georgia-**

**Scott Pippin, Public Service Associate, Carl Vinson Institute, UGA**

The main vehicles for water quality regulation in Georgia are the Georgia Stormwater Management Manual (GSMM) and its Coastal Supplement, the Manual for Erosion and Sedimentation Control in Georgia, and various EPD rules, specifically septic siting, that stem from the Georgia Planning Act.

The stormwater and erosion and sedimentation manuals are often called the Blue Book and the Green Book. The Blue Book is the rules manual resulting from the Georgia Water Quality Control Act, which is the state law which enforces the federal Clean Water Act (CWA). The origins of the CWA lay in the Federal Water Pollution Control Act of 1948. The modern CWA was passed in 1972 and revised in 1987 to include as stormwater via the Municipal Separate Storm Sewer System (MS4) Permit. The enforcement of this act is shared by the state [e.g., National Pollutant Discharge Elimination System (NPDES) permits, including the MS4 permit] and federal (e.g., 404 dredge and fill permits) governments. MS4 permitees are required to adopt the Blue Book; permitees in the 11 coastal counties are also required to adopt the Coastal Supplement. Municipalities not having high enough populations to require an MS4 permit for storm sewers may, but are not required to, adopt the Blue Book and the supplement.

The Green Book is the manual that describes how to comply with the Georgia Erosion and Sedimentation Act, which has no federal predecessor. It is enforced at the state (Environmental Protection Division) and county (Local Issuing Authority) level. The state statute regulates land disturbance activities of greater than 1 acre with certain exceptions which are regulated by their own approved Best Management Practice Manuals. The Erosion and Sedimentation Act also mandates 25-foot riparian buffers on all state waters with wrested (removed by water flow) vegetation, which is described in the Green Book. Local governments may and often do enact stricter requirements.

The Georgia Planning Act directs any local government that receives money from the state to adopt a plan to protect 100’ buffer along any rivers with a flow of 400cfs in their bounds. This includes regulating the siting of septic systems within the buffer. Septic tanks but not drainfields are allowed within the buffer. The plan is adopted and enforced locally.

**April- Land Disturbance Camden County - Scott Brazell, Camden County Erosion and Sedimentation Coordinator**

Erosion and Sedimentation Act of 1975 relegated the oversight of most land disturbing activities to Georgia EPD or certified local issuing authorities (county staff).

The purpose of regulations for erosion and sedimentation is to keep sediment out of the state waters. Currently, 22% of freshwater fish, 28% of mollusks and 36% of crayfish are imperiled because of sediment and other contaminants in the state waters.

A permit is required from the county if the disturbance is more than 1 acre in size, within 200 feet of State waters, is part of a common plan of development, or requires a 25-foot buffer to State waters or salt water marshes.

Disturbances that require permits from other agencies include:

1)Surface Mining which is permitted by EPD for more than 1.1 acres with material sold.

2)Shoreline protection including marsh development and docks are permitted by Coastal Resources Division of GA-DNR. In some cases, marsh development could require a permit from the county as well as the state.

3)All land disturbance associated with farming is permitted by USDA/NRCS

4)Timber harvesting activities are controlled by Georgia Division of Forestry through their Best Management Practices.

Certifications for developmental land disturbance practices are issued to inspectors, developers, and designers by the Georgia Soil and Water Conservation Commission.

If you see any land disturbance that appears to not be permitted, please call the Erosion and Sedimentation Office in Camden County 912-510-4320.

**May- Interim Law Clinic Project Report on Buffer, River Corridor, and E&S Regulations at State and Local Level- Kat Christie, law student, UGA**

In Georgia, water quality regulations of the Erosion and Sedimentation Control Act and the Mountain and River Corridor Protection Act are carried out by GA-EPD or a certified local issuing authority. In Florida, water quality is centralized in the Environmental Resources Permit process and is carried out by the FL-DEP and the Water Management Districts. At the county level in Georgia, Camden County has adopted several stricter regulations and has both St. Marys and Satilla River Overlays as well as a Coastal Marshland Protection Ordinance. Charlton enforces only the minimal standards required by the state. In Florida, Nassau County enforces a St. Marys Overlay as well as Wetland Protection Ordinance. Baker County has Wetland Protection Ordinance and several protected habitats within the watershed though none bordering the river.

**Septic Tank Regulations at the State and Local Level- Josh Rewis, law student, University of Georgia**

The septic regulations in Florida and Georgia are similar though in Florida the oversight of the systems are in the process of being switched from the Department of Health to the Department of Environmental Protection to reflect their concern for potential to contaminate the state’s waters. Georgia continues to enforce septic regulations by DOH. Currently both states enforce regulations at the time of installation or addition of a bedroom. Neither state enforces maintenance unless there is failure. One interesting difference in state regulations, in Florida, contamination of rising groundwater is not considered a system failure whereas in Georgia it is.

In both states, counties have the prerogative for responding to local concerns about water quality of rivers and streams. In Florida, the Big Bend Water Authority was able to secure funding in 2020 to plan and install an expansion of their sewer system thereby eliminating 145 septic systems along the Steinhatchee River. In Douglas County Georgia certain homes in the Dog River Basin are required to pump their septic tanks every five years. The Dog River is the primary drinking water source and is impaired for fecal coliform. In the St. Marys River Watershed, both Charlton and Camden counties require septic inspections with changes in the name on utilities, electric in Charlton and solid waste disposal in Camden.

Both states have access to USEPA monies channeled through the Clean State Water Quality Revolving Fund (CWSRF) and grants from section 319 (h) of the Clean Water Act. Florida appropriates additional state funding. 319 grants fund a variety of non-point source programs including septic upgrade and replacement. The CWSRF provides grants and low-interest loans to local governments to plan, design, and build or upgrade wastewater, stormwater, and nonpoint source pollution prevention projects. In Florida, the Non-Point Source Management Program also administers the **State Water-Quality Assistance (SWAG) Grants.** In Georgia, EPD administers the CWSRF and the 319 grant programs. Currently the only project in the St. Marys River Watershed is in Camden County where 319 monies are being used to correct septic problems in the Horsepen and Temple Creek tributaries of the St. Marys.

**June- Coastal Septic Mapping- Rationale, Methods, and Application- Courtney Balling, graduate student, UGA**

Courtney reviewed the design of septic tanks and what causes systems to fail. She pointed out that the projected 3–6-foot sea level rise would cause groundwater levels to rise and failure rates to increase.

In rural counties records of permitted septic systems prior to 2009 are on paper in file cabinets. On some of the older permits from the 1980s, there are only names and no addresses with which to match the permit. MAREX has been funded via Coastal Incentive Grants to try to accumulate the existing data. The project will be completed and all the data on WelSTROM by the close of the grant cycle this year. SERC receives the data and posts it to the WelSTROM site daily. Camden has been completed and Charlton should be completed by the end of September. Each tank will have an identifier number, the address, the owner, size, in-ground/raised mound, and the depth to water table.

The WelSTROM maps include permitted septic tanks, well, and impaired waterway layers and allows users to overlay layers to investigate potential interactions. Houses and other significant structures that do not have associated permits are listed in a separate file as potential or undocumented tanks; that information will not be available on WelSTROM but is available by request.

**July- Protecting Our Rivers with Stormwater Management Camden County- Shalana McNamee, Director of Public Works, Camden County**

Camden County considers proper management of stormwater runoff critical to protecting both their citizens and their environment, including the rivers and creeks. Current tools include:

* Stormwater Regulation (Georgia Stormwater Management Manual adopted in full)
* Erosion and Sedimentation Regulation (Manual for Erosion and Sedimentation control in Georgia, required by state and federal NPDES construction permits)
* Better Back Roads Manual (best management practices)
* Industrial Best Management Practices (especially forestry), and
* Special Projects and Grants

Stormwater Regulations are codified in Article 11 Division 2 of the Camden County Unified Development Code (UDC), which is available on the county website. There are regulations concerning:

* Illicit non-stormwater discharges and illegal connections (section 1112),
* Maintenance of existing stormwater facilities (section 1113), and
* Stormwater Management including permits, standards, design, construction, discharge management responsibilities, and inspection (section 1114).

Stormwater permits are in addition to NPDES land disturbance permits and, in general, are required for all development except single family or duplex residential lots not part of a subdivision, agricultural or silvicultural management activities, or repairs deemed necessary by the Public Works Director. Violations and Penalties are codified in section 1115.

For information on the Erosion and Sedimentation (E&S) regulations, including forestry BMPs, see Scott Brazell’s presentation from April 2021. The E&S regulations are codified in Article 11 Division 1 of the Camden County UDC.

Camden County maintains over 125 miles of unpaved roads and considers correction of stormwater carried sediments and non-point source pollutants to be a major focus of their stormwater management plan. County staff have been active in the revision of the Better Back Roads Manual in progress now. Their motor grader operators are trained according to the revised manual. The county currently has several pilot projects underway using aggregate filled geosynthetics at erosion hotspots on county roads and have applied for a NonPoint Source Implementation Grant (319(h)) to reduce sediment runoff into the stormwater drainage ditches in the White Oak Creek (Satilla River) watershed. There is also a grant to replace septic tanks and thereby reduce bacterial counts in stormwater ditches in the Temple/Horsepen/Mallets Creek watershed (St. Marys River).

**July- Camden Co Resiliency Implementation Workplan (NFWF grant)- Scott Pippin, Public Service Associate, Carl Vinson Institute, UGA**

With funding from National Fish and Wildlife Foundation, the Carl Vinson Institute of Government is partnering with The Nature Conservancy, Godwin, Mills, & Cawood, Inc., Naval Submarine Base Kingsbay, Camden County, Kingsland, St. Marys, and Woodbine to develop a resiliency workplan for Camden County. The stakeholder-driven workplan will be primarily focused on nature-based responses to flooding and coastal erosion caused by sea level rise and storm surge/stormwater flooding. The project will include updated sea level rise modeling, input from citizens to identify vulnerable areas, review of existing comprehensive and watershed plans, and research on applicable nature-based solutions to propose.

 Potential funding sources for implementation of the plan are additional NFWF support, Department of Homeland Security Federal Emergency Management Agency (FEMA) Building Resilient Infrastructure and Communities program (BRIC) and the US Army Corps of Engineers (USACE) Engineering with Nature program which earmarks 1.5 million dollars for nature-based infrastructure protection.

The steering committee has begun interviewing stakeholders and setting up focus groups. They have also posted a brief community survey. Please see link below for Camden constituents to participate in a survey to help the team gather important information.

[Camden County Resilience Implementation Workplan (arcgis.com)](https://survey123.arcgis.com/share/e67914c4126349ac90036d7f88fe8701)

**August-** no presentation

**September- City of Macclenny Sewer Rehab Project- Mike Griffis and Danny Norton, Assistant City Manager and City Council Member, Baker County, Florida**

Prior to the recent project, the Macclenny Water Treatment Plant processed 700,000 gallons per day.  Following heavy rain events, the flow could reach 1.3 million gallons meaning that the city was unnecessarily treating up to 600,000 gallons of rainwater that infiltrated the sewer system.  Through a series of loans from Florida Department of Environmental Protection’s Clean Water State Revolving Fund (SRF), the city has now repaired the most unsound part of the system.

The rehab project was composed of planning, design, and construction phases. During the $466,320 planning phase, the city evaluated all lines, laterals, and entry points via visual inspection, remote video, and smoke tests to identify the most decayed areas of the clay, iron, and PVC system.  Some lines were over 70 years old. With a map of the lines and manholes most in need of replacement and repair, the city began the design phase ($437,260). Mittauer and Associates of Orange Park FL proposed a menu of different repair options from full replacement to lining and pipe bursting (a trenchless replacement technology) based on the data and map from the planning phase.

During the year-long 1A construction phase, which began in August 2020, 130 manholes and 80,000 feet of lines were repaired or replaced.  The city was able to stretch the $4,011,460 budget to repair more than originally planned because more of the system was repairable using lining as opposed to the more expensive pipe bursting or most costly full replacement. Macclenny has applied for funding for phase 1B to continue the project. If funded, the next phase would begin in the fall of 2022.

 At a total cost to date of over $5 million, the project was well beyond the grasp of a small rural city such as Macclenny. However, by using the Florida SRF which funds loan forgiveness based on population, average income, and economic need, the city paid only 36% of the cost of the planning phase and 20% of the cost of the design and planning phases. With liberal state support the $5 million project cost the city under $1.1 million.  Griffis said that the repairs thus far have made a difference with the most notable improvement being how fast the system clears the facility load following rain events.

**October- Nassau and Baker County Septic Programs - Michael Godwin, Nassau and Baker County, Florida, Environmental Health Services Director, FDEP**

In Florida, the main tool to prevent septic runoff from reaching surface waters is the permit and inspection process associated with building permits. For most Florida surface waters there is a 75’ setback for both the tank and the drainfield. Nassau County Board of County Commissioners (BOCC) passed a local ordinance requiring a 100’ setback from the St. Mary’s River. Baker County has not passed the additional protection for the river. Florida requires a minimum 24” separation above the water table (For repairs the ESHWT can be 24”, 12”, or 6” based on the original date of septic install). Florida requires a ½ ac minimum usable lot area on properties platted after 1972.

Permits may be applied for in person, online, or by fax. A certificate of occupancy is not granted until after the completed system is inspected and approved. Addition of bedrooms also triggers an inspection. Addition of garages, patios and the like do not trigger an inspection.

Environmental Health does not conduct inspections for existing systems that have had no change in use. They rely solely on a Complaint Notification Process and receive approximately 30 complaints annually. If the system is found to be out of compliance Environmental Health works with the homeowner to voluntarily repair or replace the system with approved permit before submitting it to legal office.

Environmental Health encourages proper maintenance of septic systems through brochures distributed during the permitting process, recommendations on their website, and through periodic notices posted by Emergency Management. Environmental Health Nassau/Baker does not have their own social media presence.

Higher concentrations of septic tanks such as multi-home developments have an additional layer of review in the form of a Development Review Committee which Godwin attends. They meet every Tuesday to review replatting of existing parcels or development of commercial property.

The oversight of the Onsite Sewage Treatment and Disposal System administered by county Environmental Health was transferred from Department of Health to Department of Environmental Protection effective July 1, 2021. In Tallahassee some personnel moved offices but there was no change in personnel at the local level. Godwin said the transfer was on a five-year agreement basis and he did not anticipate any changes in regulations or procedures during the agreement period.

Godwin opened the floor for questions and discussion. The following is a summary of his answers and points made.

The average time between filing application and receiving notification is 5-12 workdays depending on the current workload. For Baker, the application is filed in Yulee and then goes back to the Baker County inspector, Terry Graham, for the site visit. Graham also performs inspections for western Nassau County. A decade ago, all applications had to be filed in person in Yulee. Homeowners repairing systems in the western part of the county, would replace their own systems rather than drive to Yulee to get the permit. Godwin suspected this was no longer common. For discussion concerning causes of systems failures and comparative inspection regulations please refer to October minutes.

**November- Water Quality Priorities based on UGA Law Practicum Study of State and Local regulations that Affect the Water Quality of the St. Marys River (Septic, Stormwater, and Buffer) – Dr. Laurie Fowler Professor Emeritus, UGA Law School and Odum School of Ecology**

Septic Goals from St. Marys River Management Plan

* Establish consistent and adequate septic setbacks
* Encourage proper maintenance of septic systems within river corridor

Current Setbacks

* Baker– 75 ft (state only)
* Nassau– 100 ft (county overlay)
* Camden– 100 ft (county overlay)
* Charlton– 100 ft but only on portions above 400 cubic feet per second (cfs) (state only)

Setback Recommendations

* Baker and Charlton pass 100 ft. overlay/ordinance with no drainfields on the entire main

stem for uniformity (don’t rely on state law)

* All counties add 50 ft. protection via overlay or ordinance for tributaries
* Encourage proper management
* Maintenance will be an ongoing issue, regardless of advances in technology and siting
* Need to solve maintenance issue before this becomes a health/environmental threat or

extreme economic hardship for your citizens when they need to replace systems bc of lack

of maintenance

Maintenance Recommendations

* Follow Camden County’s lead on addressing failing systems contributing to contamination of

the river by pursuing 319 grants like the three-phase program on Horsepen/Temple Creeks

* Pass county ordinances requiring 5-year pump-outs regardless of ownership status - good

start by Charlton then Camden where inspection required with change in name on

* electric/solid waste service note EPA now says that septic tank pump outs are necessary to

adequately inspect on-site septic systems

* Investigate the potential for septic utilities, at least at the subdivision scale
* Reconstitute the “Septic Think Tank” and meet at least annually.

Stormwater/Buffer goals from St. Marys River Management Plan

* Promote consistent regulations on both sides of the river

Current Buffer/Stormwater Regulations

* Massive amount of detail but no overall picture
* Confusion even between different departments of same county

Buffer/Stormwater Recommendation

* Setup and convene meetings one or several of appropriate county staff across the jurisdictions

to come to agreement on

* What programs are currently in place and how they work together (start w/ a strawman

like during early stages of septic think tank process)

* Gaps in protection
* Potential strategies for addressing these gaps

**December- Recommendations for Moving Forward to Further Protect the St. Marys River based on analysis by Spring 2021 UGA Environmental Law Practicum students (Facilitated Discussion) -**

**Dr. Laurie Fowler Professor Emeritus, UGA Law School and Odum School of Ecology**

Action Plan for 2022

Action Item #1- Recruit partners SMRK, Environmental Health staff, Environmental Health staff Planning/erosion and sediment control/stormwater staff, smart developers, septic pumping companies, regional commissions. Task SMRK with designing public and school education programs.

Action Item #2- recommends to the local jurisdictions the expansion of existing river corridor

protection (via overlay zone or other means) to 100 feet adjacent to the main stem and 50 feet

adjacent to perennial tributaries. Note that the inner counties rely on state regulations with Baker County having a 75 ft buffer and Charlton only protecting waters of at least 400 cfs. A St. Marys River overlay is the recommended method.

Action Item #3- Reconvene the Septic Think Tank and meet at least annually. Before first meeting have Georgia counties evaluate what difference the ordinances have made and have Florida counties list reasons why counties are hesitant to require inspections and pumpouts. At first meeting discuss:

1. whether Georgia septic inspection regulations adequately protect human health and the environment and if not, how they should be amended,
2. recommendations for motivating Florida counties to require septic maintenance, and
3. potential for extending maintenance requirements to all systems within the river and tributary corridor.

Also review the ARCGIS map to identify target areas for a project in each county.

Action #4- Based on the recommendations of the Septic Think Tank, decide on the best method to present to the various BOCCs. Be sure that education working in tandem. Camden paired ordinance with announcement of Horsepen Grant with maintenance ordinance requiring inspection and pumpout when there is a name change on the waste disposal account.

Action Item #5- Create a land use planning spreadsheet similar to the septic think tank spreadsheet and include relevant legislation as outlined by Kat Christie in her law practicum study.

Action item #6- Convene a group to advise the SMRMC on using and enhancing local planning tools to control erosion and sedimentation and other stormwater impacts to the river and its tributaries. The attendees would include E&S, Stormwater, building inspectors, other relevant local staff (sometimes Septic Think Tank). At the first meeting of the Think Tank:

1. review the spreadsheet,
2. identify gaps in current regulations that allow E coli to reach the St. Marys River,
3. discuss best ways to fill the gaps in each county.

Also review the ARCGIS map to identify target areas for a project in each county.

Action Item #7- Based on recommendations of the Land Use and Planning Think Tank, decide on the best method to present to the various BOCCs. Be sure that education working in tandem.

Action Item #8- Review progress in December 2022 and decide on plan for 2023.

PROPOSED TIMELINE for 2022

1. Jan 1 to March 30
	1. Update Septic Spreadsheet (last updated 2020),
	2. Generate list of summer meeting attendees (see Laurie’s list and recs) and decide on date
	3. Facilitate Camden/Charlton discussion of impact of inspection ordinances
		1. Limited to connections to electricity utilities/solid waste pickup & no pumpouts required—how serious are these omissions?  Need for at least requiring inspections for all properties w/n 100 feet of river and 50 feet of tributaries.
	4. Facilitate Nassau Baker discussion about reasons jurisdictions hesitant to have inspection ordinance (gather input from public and BOCC), would it work just within overlay?
2. Mid-June meeting
3. Go over UGA maps septic layer (gaps and can current info lead to some form of action e.g., testing locations)
4. GA report on impact
5. FL report on why hesitant
6. More discussion and develop recommendations on how to increase coverage in GA and introduce required management in FL
7. Discuss feasibility of a septic utility. Could the concept be piloted somewhere in the basin—i.e., a new subdivision or in an area where there are many tanks and ongoing maintenance problems?
8. Set goals and date for next meeting (mid Jan)

1. April 1- May 31
2. Create template for erosion and sedimentation spreadsheet similar to septic spreadsheet, start with data and relevant questions like we did for septic and use Kat Christie report as strawman
3. Circulate to county staff for editing
4. July 1- August 31
5. Add stormwater regs and questions to E&S spreadsheet
6. Circulate to county staff for editing
7. Generate list of fall meeting attendees and decide on date
8. Sep 1 – Sep 30 finish finetuning
9. Mid October meeting to discuss how each county is addressing these issues and strengths/weaknesses of these strategies with thought to moving toward recommendations about filling in gaps/providing some uniformity at the next meeting in mid-April 2023
10. Review strawman together; what are the gaps
11. Go over UGA map (with multiple layers)
12. Discuss to what extent various departments communicate across boundaries about management (how can Nassau County Tuesday meeting model be improved)