

**Minutes**  
**Environmental Protection Committee**  
**A. W. Jones Heritage Center**  
**610 Beachview Drive**  
**St. Simons Island, GA 31522**

**January 28, 2022**  
**9:00 a.m.**

**Attendees:**

**Committee Members**

Ray Lambert, Chairman  
Nick Ayers  
William Bagwell  
Dwight Davis  
Randy Dellinger  
Patrick Denney  
Duncan Johnson  
Bill Jones  
Rob Leebern  
Bodine Sinyard  
Dee Yancey, Board Chairman, Ex-officio

**Board Members**

Nancy Addison  
Joe Hatfield  
Tim Lowe  
Billy New  
Gary Vowell

**Guests**

Duane Harris  
Scott Tanner, Joe Tanner & Associates  
Jared DiVincent  
Rena Ann Peck, Georgia River Network  
Chris Bertrand, Satilla Riverkeeper  
Dr. Bill Clark, Okefenokee Swamp Park  
Ben Wall  
Maggie Van Cantfort, Altamaha Riverkeeper  
Tom Wheeler  
Brooks Schoen, The Environmental Resources Network  
Ronny Just, Georgia Power Company

**Staff Members**

Mark Williams, Commissioner  
Walter Rabon  
Kyle Pearson  
Cathy Barnette  
Donald Kirkland  
Thomas Barnard  
Taylor Brown  
Jeff Cown  
Steve Friedman  
Doug Haymans  
Ted Will  
Karl Burgess  
Tyler Jones  
Kathy Knowlton  
  
Richard Dunn, Director  
John Eunice  
Jac Capp  
Karen Hays  
Chuck Mueller  
Laura Williams

The January 28, 2022 meeting of the Environmental Protection Committee was called to order by Chairman Dee Yancey.

Chairman Yancey called on Ray Lambert, Chairman of the Environmental Protection Committee. Mr. Lambert called on Jac Capp, Chief of the Watershed Protection Branch, to present Proposed Amendments to the Rules for Water Quality Control, Chapter 391-3-6, pertaining to Triennial Review of Water Quality Standards.

Mr. Capp stated the Federal Clean Water Act requires States to review their water quality standards at least once every three years and revise if appropriate. He further stated the 2019 Triennial Review will resolve issues from the previous Triennial Review including removing the word “unreasonably” from the general criteria, revising and clarifying the state’s bacterial criteria, and updating pH criteria and removing Total Nitrogen and Total Phosphorus criteria for Lake Oconee and Sinclair. He added the Triennial Review will add definitions for primary and secondary contact recreation.

Mr. Capp stated the proposed changes will adopt EPA’s 2009 aquatic life acrolein and carbaryl criteria, add water effects ratio multiplier to the metal freshwater aquatic life criteria equations, and add language to allow site-specific metal criteria based on the Biotic Ligand Model or on water effect ratios. He further stated EPD is recommending 14 waterbody segments for a designated use change from fishing and/or drinking water to recreation based on evaluation of nomination packages received. He added waterbodies not prioritized for evaluation under the 2019 Triennial Review can be considered in the upcoming 2022 Triennial Review.

Mr. Capp stated there was a kickoff Public Hearing held on February 26, 2019, followed by 7 different Public and Stakeholder Meetings in 2021. He further stated after briefing the DNR Board Environmental Protection Committee on October 26, 2021, there was a Public Notice issued on October 27 and a Public Hearing held on December 13. He added no comments were received in opposition to the proposed changes.

Mr. Capp requested a favorable consideration.

A motion was made by Mr. Bagwell, seconded by Mr. Leebern, and carried unanimously that the Committee recommends the Board adopt the Resolution to approve the proposed amendments to the Rules for Water Quality Control, Chapter 391-3-6, pertaining to Triennial Review of Water Quality Standards.

Mr. Lambert asked Mr. Capp to continue with Item B, Proposed Amendments to the Rules for Erosion and Sedimentation Control, Chapter 391-3-7.

Mr. Capp stated to ensure consistency and compliance with the 2021 amendments to the Erosion and Sedimentation Act under HB 577. He further stated HB 577 required the adoption of rules by the Board relative to requests for variances for road construction and maintenance projects undertaken by the Georgia Department of Transportation. He added the proposed changes include other clarifying amendments to the Rules.

Mr. Capp stated a Public Stakeholder Meeting was held on December 16, 2021, with no comments received. He further stated after briefing the Environmental Protection Committee today, a 30-day comment period and public hearing will be scheduled for February and March 2022. He added he will request Board adoption of the proposed amendments at the meeting on April 26, 2022.

There being no further business, the meeting was adjourned.