

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM**

SUBJECT: Impaired Waters Sampling and Annual Reporting October 2021-February 2024

DATE: September 2, 2021

BUDGET INFORMATION:

REVENUES: \$1,268,774 FY22 Stormwater Utility Enterprise Funds

EXPENSES:

CAPITAL:	\$ 27,652	Expended Funds
	\$ 313,019	Encumbered Funds
	\$ 695,729	Designated Funds
	\$ 232,374	Total Available for Impaired Waters Monitored

FUNDING SOURCE: Stormwater Utility Enterprise Fund

COMMISSION ACTION REQUESTED ON: October 5, 2021

PURPOSE:

To request that Mayor and Commission approve contract services through Arcadis U.S., Inc. to undertake Clean Water Act requirements for Impaired Waters Monitoring beginning October 2021 through February 2024 for an amount not to exceed \$232,373.48. This includes implementing the Stormwater Quality Assurance Plan and providing Athens-Clarke County with annual sampling reports.

HISTORY:

1. In 1948, the Federal Water Pollution Control Act became the first major U.S. law to address water pollution.
2. In 1972, the Federal Water Pollution Control Act was amended and became commonly known as the Clean Water Act (CWA). The goal of the CWA is to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The primary focus of protection in 1972 was point sources of pollution from factories and from water reclamation facilities (which were known at that time as sewage treatment plants).
3. In 1987, the CWA was amended to require a National Pollution Discharge Elimination System program for controlling the discharge of stormwater. The amendments also granted some authority to the states to implement this program.

4. In 1999, the U.S. Environmental Protection Agency promulgated Phase II regulations for stormwater discharge. Athens-Clarke County became subject to the population requirements for a community that regulates municipal separate storm sewer systems (MS4). The stormwater pipes in Athens-Clarke County are considered separate because they discharge directly to waterways as opposed to being combined with water that is conveyed by pipes to ACCGov's water reclamation facilities. The Georgia Environmental Protection Division became the State governmental authority with jurisdiction over MS4 communities.
5. On February 4, 2003, Mayor and Commission (M&C) approved the ACCGov Stormwater Management Program (SMP) for compliance with the Clean Water Act. This program specified the level and scope of service and identified tasks that ACCGov would undertake to comply with regulations identified in the General Stormwater Permit with the Georgia Environmental Protection Division
6. On July 12, 2012, M&C approved an On-Call Civil Engineering Services Master contract. Arcadis U.S., Inc. was one of the firms included in the master contract. An item included within the scope of service was watershed management and planning services.
7. Starting in October 2015, ACCGov entered into a Professional Services Supplement with Arcadis U.S., Inc. for a two year period to begin monitoring impaired stream reaches within Athens-Clarke County to address each pollutant of concern in accordance with the 2012 General Stormwater Permit for Athens-Clarke County.
8. In June 2017, ACCGov entered into another Professional Services Supplement with Arcadis U.S., Inc. to continue required monitoring of impaired streams for another two years.
9. On June 6, 2017, M&C approved an On-Call Civil Engineering Services Master contract. Arcadis U.S., Inc. is one of the firms included in that master contract. An item included within the scope of service is watershed management and planning services. Some advantages of the on-call services approach include cost savings, time savings, and consistency.
10. On December 6, 2017, the latest General NPDES Stormwater Permit for Athens-Clarke County became effective. One of the requirements of this permit is that ACCGov must identify any impaired waters located within its permitted area using the latest approved 305(b)/303(d) list of waters which contain MS4 outfalls or are within one linear mile downstream of MS4 outfalls. For those impaired waters, ACCGov shall propose a Monitoring and Implementation Plan (Plan) addressing each pollutant of concern. ACCGov must report on all monitoring activities in subsequent annual reports. The permit specifies minimum reporting requirements for the Plan.
11. On October 1, 2019, M&C approved a Professional Services Supplement with Arcadis, U.S., Inc. to continue required monitoring of impaired streams for two years.

FACTS & ISSUES:

1. Section 305(b) of the Clean Water Act requires states to assess water quality in waterways every two years. Section 303(d) requires states to submit a list of all waters that are not supporting designated users. Georgia publishes a report titled “Water Quality in Georgia” that includes both 305(b) and 303(d) information. The primary purpose of the monitoring and implementation plan is to sample Athens-Clarke County’s impaired stream reaches and submit the results to the Georgia Environmental Protection Division for 305(b)/303(d) listing purposes.
2. The designated use for most waterways in Athens-Clarke County is being fishable. Since water quality standards are often exceeded for many streams in Athens-Clarke County, they are said to be impaired and therefore appear on the 303(d) list. The primary pollutant of concern in this area is fecal coliform. These bacteria are usually not pathogenic but they are easily sampled and may indicate the presence of pathogens. While fecal coliform bacterial normally come from animal feces, this is not always the case. Decay of vegetation and naturally occurring soil bacteria can also be sources.
3. It is possible that the Georgia Environmental Protection Division will replace fecal coliform with E. coli as an indicator bacteria at some point in the future. E. coli is a specific type of fecal coliform. It is thought to be the species of coliform bacteria that is the best indicator of fecal pollution. The change from fecal coliform to E. coli is not expected to affect the sampling regimen or protocols.
4. Water quality monitoring provides the objective evidence necessary to make sound decisions on managing water quality. Sources of fecal coliforms could include sanitary sewer overflows, pet wastes, wildlife, trash “juice” that finds its way onto sidewalks and streets, and other sources.
5. Arcadis U.S., Inc. will assist ACCGov in implementing the Impaired Waters Monitoring plan by conducting fecal coliform, pH, and other sampling for all county waters listed on the 303(d) list and will develop annual water quality reports to satisfy our General Stormwater permit requirements.
6. These recommendations support the following Mayor and Commission Strategic Commitments and Goals:
 - Healthy, Livable, Sustainable Athens-Clarke County
 - Safe and Prepared Community

OPTIONS:

1. Mayor and Commission approve contract services through Arcadis U.S., Inc. to undertake Clean Water Act requirements for Impaired Waters Monitoring beginning October 2021

through February 2024 for an amount not to exceed \$232,373.48. This includes implementing the Stormwater Quality Assurance Plan and providing Athens-Clarke County with annual sampling report.

2. Mayor and Commission do not approve contract services with Arcadis U.S., Inc.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1

DEPARTMENT: Transportation & Public Works

Prepared by: Todd Stevenson, P.E., Stormwater Division Administrator



Stephen Bailey
Interim Director

September 2, 2021

Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



Manager

September 14, 2021

Date: