



St. Marys River Management Committee

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St. Marys River Management Committee

2011 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 comprised of five voting representatives from each county: one county Commissioner and four appointed members (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 and one representative from the Georgia Department of Natural Resources serve as non-voting members. All meetings are open to the general public with notice provided on the Committee's website: www.saintmarysriver.org.

Summary of 2011 Committee Activity

Activity in 2011 focused on four major areas: water quantity (including many state and federal permits and regulations), water quality, land use and planning, and public outreach. Each of these focus areas has a subcommittee of three to four appointed members who track the issues between monthly meetings.

Water Quantity Subcommittee In early 2011, the subcommittee was focused on concerns about potential property damage from boat traffic when the river is flooded, and about inadequate wetland monitoring for excessive draw-down when pumping water from proposed wells in the Hawthorne Formation in the St. Marys River Basin. The proposed wells were part of the consolidated Consumptive Use Permit for JEA, a regional utilities service provider for northeast Florida, being reviewed by St. Johns River Water Management District (SJRWMD). The Committee requested that a University of Florida student, with the Conservation Clinic, continue to investigate how Georgia and Florida enforcement officials interpret existing boat wake regulations. The Committee also wrote a letter to the SJRWMD, urging them to require additional test wells as a condition of the permit.

These concerns were quickly eclipsed by the permit application to Georgia Environmental Protection Division (GEPD) from Miocene Holdings LLC (Miocene) to withdraw water from and discharge wastewater to the upper St. Marys River. Most of the year was spent gathering information about the Miocene request and passing it along to the appropriate counties.

At the Committee's June meeting, Emmet Noblitt (Miocene representative and facilities manager), Stuart Stevens (consultant, coastal ecology expert), and Chris Stovall (author of the permit application and an engineer with Thomas Hutton Civil Engineering) made a formal presentation and then answered questions. In short, the initial application was for withdrawal of up to 350,000 gallons-per-day (GPD) from the river and return of 349,000 GPD to the river of water from which tannins had been extracted. The discharge would also contain a small amount of extraction chemicals including potassium and chloride. The company representatives explained how their proposed project would work, where it would be located along the river, and for what the extracted tannins would be used.

County Commissioners from Baker, Camden and Charlton counties attended the meeting. The Committee voted to send a letter to GEPD voicing concerns over the volume of water to be extracted from a low-flow section of the river, the impact of discharge of higher pH water on the ecology of the blackwater ecosystem, and the implications of one state unilaterally approving withdrawal of water from a border river.

In July, Cliff Lewis, Acting Assistant Branch Chief for the Ochlockonee, Suwannee, Satilla, and St. Marys River Basins with GEPD, attended the SMRMC meeting to assure the Committee that the state would thoroughly investigate all aspects of the application before issuing the permit. He said GEPD would plan a site visit if necessary. He also said that Miocene was considering the option of increasing their agricultural activities in order to eliminate direct discharge to the river. Finally, he indicated that GEPD had requested additional information from Miocene in order to evaluate whether additional permits would be required. The Committee informed GEPD that some activity, including possible pumping and filtration, had been occurring at the Miocene property.

In October, GEPD explained that Miocene had canceled their withdrawal application. The Committee asked whether GEPD staff had found a withdrawal pipe while they were on the Miocene property. The GEPD representative said they had found a pipe and were reviewing whether current activity complied with the Georgia Water Quality Control Act.

In November, the Committee made a Georgia Open Records Act (GORA) request for original documents pertaining to the Miocene application. GEPD responded that the documents would be available in Atlanta at a cost of \$0.25/page when the case was resolved. As of December, the Committee's understanding was that GEPD had determined that Miocene needed a Land Application Systems permit to continue operation of the site as a research facility. The Committee is pursuing the possibility of partnering with the Southern Environmental Law Center to reduce photocopying costs of several hundred pages of original documents when they become available. Such cooperation would reduce the cost to SMRMC while still allowing it to provide accurate information to the four Boards of County Commissioners.

Water Quality Subcommittee The subcommittee continued summarizing the various contaminants in the St. Marys River with a presentation to the committee on dissolved

oxygen and fecal coliform impairments. In March, SMRMC hosted the second annual Water Quality Technical Meeting. The purpose of the annual meetings is to promote discussion of water quality measurements between the state and federal agencies including Georgia Environmental Protection Division, Florida Department of Environmental Protection (FDEP) and the United States Environmental Protection Agency (EPA). The 2011 meeting focused on fecal coliform, which is one of the most prevalent contaminants of the St. Marys River. Topics of discussion included comparative fecal coliform testing methods, septic tank regulations, agricultural/animal waste regulations, and methods of ranking streams and tributaries of the St. Marys River for fecal coliform levels.

FDEP volunteered to spearhead an effort to record existing Florida and Georgia data into a spreadsheet to do the comparisons. FDEP also committed to adding two new tributaries to their sampling list. By June, all of the data had been entered and it was clear that the mainstream of the river was clean and that the tributaries were largely unsampled or were listed as contaminated. Attempts were made to sample additional streams (Brandy Branch and the Little St. Marys) but the drought left most tributaries without any water to sample. Because of funding constraints, GEPA was not able to add any sampling sites in 2011.

The Water Quality Technical Committee suggested that the SMRMC ask the county commissions whether they would find an annual report on the health of the river helpful for making policy decisions.

In January 2011, Dr. Laurie Fowler with University of Georgia River Basin Center submitted an application for an EPA Section 319 grant to the Georgia Department of Natural Resources. The monies became available via a special allocation to each division of the Georgia Water Council. Fowler chose to apply for remediation of Horsepen Creek (Camden County), which has had a historically high fecal coliform level. The grant will fund pre- and post-remediation sampling, a remediation project, and policy meetings to discuss possible county-wide ordinances to prevent recurrence of the problem.

The grant was awarded in June with a proposed release of funding in November 2011. As of December no monies had been released and the Committee was waiting for a go-ahead from Fowler. Once funding is ready, the Committee will hold planning, analysis and policy meetings. The Committee will also be in charge of organizing a field day to introduce a demonstration project to local health officials.

The Septic Think Tank, a consortium of Environmental Health Department officials from each of the four counties, temporarily postponed activity in light of uncertainty in septic tank regulations in Florida. The same group will be involved in the policy meetings associated with the Section 319 grant for Horsepen Creek and will continue to partner with the Committee in spite of the current legislative climate.

SMRMC also continued to cooperate with St. Marys River Fisheries Restoration Project, a subunit of the Southeast Aquatic Resources Partnership. Atlantic white sturgeon are now being caught not only in Kings Bay but also upriver. One shortnose sturgeon was also caught. The fisheries project would like to be informed of any American shad being caught in the river.

Land Use and Planning Subcommittee Members of the Land Use and Planning Subcommittee are the SMRMC liaisons with the county commissions and city councils. There is a proposal before the subcommittee to create a four-county St. Marys River geographic overlay to assist county and city governments in determining what areas need to be included in promotion and protection plans.

The Committee wrote a letter to support the application by St. Marys, Georgia, for funding to repair the city dock so that citizens would have better access to the river. SMRMC also wrote a letter urging Nassau County to set aside funding to support the acquisition of 39 acres of land on the banks of the river near Kings Ferry. The land, which is mostly wetlands with 2/3-mile of river frontage, would be subject to a conservation easement. River Branch Foundation has agreed to buy the land but has asked the county to pay for \$10,000 in incidentals including title search fees and appraisals.

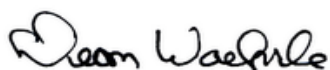
In 2012, the Land Use and Planning subcommittee will also be active in the Section 319 grant awarded for remediation of Horsepen Creek in Camden County. They will host a series of policy planning meetings in hopes of encouraging environmental health officials to design ordinances to prevent recurrence of the fecal coliform problems.

Public Outreach Subcommittee SMRMC hosted the Annual River Clean-Up and Celebration on March 19. Approximately 600 volunteers removed more than 17 tons of trash from the river and its tributaries. Each volunteer was given a t-shirt and following the Clean-Up, volunteers enjoyed hot dogs at Gilman Park in St. Marys, Georgia. "Keep Nassau Beautiful" and "Friends of the Earth - St. Marys" partnered with SMRMC to make the celebration a success. Other sponsors, including Nassau County Farm Bureau, Nassau County Soil and Water Conservation, Nassau Baptist Hospital, Sand Hill Recycling Center and State Line Disposal, provided financial support and in-kind donations. The Committee would like to expand the Celebration to other counties if suitable partnering organizations can be identified. Other promotional events such as a fish fry are also being considered.

Administrative In August, SMRMC began reviewing its by-laws, last amended in 2005, to clarify procedures and more accurately reflect current operation. The Committee approved revisions in December.

Boards of County Commissions appointed the following new members in 2011: Baker County: Chris Gazes; Camden County: Commissioner Gary Blount, Philip Jones, John Myers. Membership from Charlton and Nassau counties remained the same as in 2010.

Respectfully Submitted,



Dean Woehrle
Florida Co-Chair



Chip Campbell
Georgia Co-Chair

2011 Budget Information

In 2011 SMRMC received \$1,000.00 from the following counties, per the established Interlocal Agreement: Baker--\$500.00, Nassau--0, Camden--0, and Charlton--\$500.00. The Committee also received a \$1,500 grant from Rayonier to help with the annual St. Marys River Celebration Clean-up event, as well as \$2,750.00 in donations from various sponsors for the clean-up. Expenditures during 2011 included \$4,427.41 for the annual River Clean-Up, \$2,530.24 for the administrative assistant (including costs for mileage, postage and copying fees), and \$113.00 for lunch provided to the Water Quality Technical Committee.