

St. Marys River Management Committee

P.O. Box 251 Folkston, Georgia 31537

MINUTES OF MEETING

June 27, 2011

The St. Marys River Management Committee (SMRMC or committee) held a scheduled meeting on June 27, 2011, at the local Farm Bureau Insurance office in Callahan, Florida. *(Due to the regularly scheduled July meeting falling on the July Fourth holiday, the meeting was rescheduled to June 27.)* Committee members and visitors in attendance are listed at the end of the minutes. A quorum of members was present.

Call to Order

The meeting was called to order by Co-Chairman Dean Woehrle at 7:13 p.m. Committee members and visitors introduced themselves, including the committee members who were participating by conference call. The draft agenda was reviewed and approved. The minutes from the June 6 meeting were reviewed, amended, and approved. Committee treasurer Jeremy Flood explained that the committee's bank statement had not been received as of the date of the meeting and therefore he would present an updated Treasurer's Report at the next meeting.

Baker County Membership

Committee assistant Melinda Granlund informed the committee that Baker County member E. L. Padgett had stepped off the committee, therefore opening a spot for a new Baker County member (land owner) to be appointed. Baker County Commissioner Gordon Crews noted the vacancy.

Miocene Holdings Permit Application Discussion with Cliff Lewis

Mr. Cliff Lewis, Assistant Branch Chief with Georgia Environmental Protection Division (GEPD) for the Suwannee, Satilla, St Marys, and Ochlockonee River Basins, introduced himself to the committee and explained that his office had received the permit applications from Miocene Holdings (MH).

Camden County member Karen Chisholm asked how many withdrawal points MH had requested. Mr. Lewis said they had originally asked for three points, but may reduce that request to only one withdrawal point. He said the withdrawal permit is considered "non-consumptive" because MH will be returning most of the water to the river.

Mr. Lewis informed the committee that GEPD is waiting to receive more information and data from MH. He said that the MH contacts have been very willing to answer his questions. He said the company appears to have a legitimate entrepreneurial endeavor and that he has seen distributors for their other products for sale in different areas. He is scheduled to have a face-to-face meeting with the MH staff and consultants this Wednesday.

Mr. Lewis said he believes that MH is aware of the fact that they may only be able to withdraw water from the river for short periods of time (maybe four months, give and take) due to the low flow restrictions. He said he is interested in finding out what the extracted tannins will look like and also how much tannin they will be collecting. Mr. Lewis expressed some concern about the project's effects on the pH level in the river and said there does not appear to be any pertinent information available that will explain potential impacts on wildlife. He reiterated that there is a lack of data available for the St. Marys River.

Charlton County member Merrill Varn asked about getting data from the similar projects being done in Europe, and Mr. Lewis responded that he will also ask MH for that information.

Charlton County member Teresa Crawford said there is already a pipe going into the river on the MH property and wondered whether MH had permission for it. GEPD staff Bruce Foisy said they had looked at the property but did not see a withdrawal pipe. Mrs. Crawford said they are using the water to irrigate a grove of pecan trees.

Charlton County Commissioner Mitchell Crawford said that MH held an impromptu community meeting this past Saturday in which they explained that they had received permission for the 4-inch pipe that they had already placed in the river. Mr. Foisy said GEPD has not approved any withdrawal permits for MH, but also clarified that permits are only issued for withdrawals of more than 100,000 gallons per day.

Charlton County member Chip Campbell expressed concern that MH has asked to withdraw 350,000 gallons per day but that they could reduce their withdrawal to less than 100,000 gallons per day and then not need a permit. Mr. Lewis responded that the permit, if issued, would limit MH's withdrawals to a specific amount, and if the river hit an established low-flow volume, then MH would have to cease pumping, rather than just reduce the volume of withdrawal. Mr. Lewis said he is familiar with such potential loopholes and thinks the permits can be structured in a way as to address those concerns. He also said that multiple withdrawal sites would be considered one system.

Mr. Campbell expressed concern about the "newness" of the type of project and said he feels it is tantamount to mining from a public source. There was committee discussion about mining royalties. Mr. Lewis said the statutes address mining and extraction, but probably not the extraction of tannins, nor the extraction from a public water body.

Committee members questioned why MH is considering the St. Marys River, when there are other blackwater rivers or lakes with more volume. Mr. Lewis said the scope of MH's business plan is beyond the scope of GEPD's regulations. He also reminded members that the permit, if issued, will require MH to leave a certain amount of volume/flow in the river.

Mr. Campbell expressed his belief that this project could become a political mess, as it affects an interstate water body that could have impacts on the state of Florida.

Camden County member Philip Jones asked if GEPD could issue a "temporary permit" that would require extensive monitoring and data collection as a way to gather more information as to how the project will actually work and determine what impacts it will have on the river. Mr. Lewis said any permit issued for this project would require water use and discharge reporting, but at the current stage of application evaluation it is unclear what monitoring and/or data collection would exist.

Charlton County member Teresa Crawford asked about the timeframe for issuing the permit and for the public comment period. Mr. Lewis said GEPD does not have a specific time frame as far as issuing the permit. He said there will be a 30-day public comment period in the future, and said the committee would be notified when that period will begin. Committee assistant Melinda Granlund questioned whether the committee would need to resend their letter of concern, which was mailed before the beginning of the public comment period. Mr. Lewis said yes, it would need to be resubmitted to be considered public comment.

Charlton County member Merrill Varn questioned the use of the terms “tannins,” “tannic acid,” and “humate.” She said MH tends to use the terms interchangeably, and wondered if that is correct. She questioned whether there was another way to collect the desired tannins.

Nassau County member Dean Woehrle questioned the insurance and underwriting aspect of the project and said there are many unanswered questions.

Charlton County member Teresa Crawford asked Mr. Lewis if he would be able to visit the site property in the future. Mr. Lewis said yes. She also informed Mr. Lewis that the river volume fluctuates greatly in the area where MH wants to withdrawal, and said there are no tributaries that flow into that area to help increase volume.

Charlton County member Russell Barber raised questions about the color of the water to be returned to the river and also questioned the flow data that MH is using. He stated that the pH and color of the river water matter.

Camden County member Philip Jones encouraged committee members to be realistic about the permit request. He said that industry discharges (into water bodies) are generally permittable actions and that such discharges (effluent) can change the color and temperature of the receiving water body.

Charlton County member Chip Campbell said he isn't opposed to economic uses of the St. Marys River, but he is very concerned about an untested, unproven project being located in such an ecologically sensitive area. He also suggested that the lack of zoning regulations in Charlton County has allowed the project to be considered.

Baker County Commissioner Gordon Crews asked for clarification on withdrawal amounts.

Charlton County member Merrill Varn suggested that a flow meter should be placed at the withdrawal site and suggested that such a meter be a condition of the potential permit. She said more data is needed on how tannins affect aquatic organisms. Mr. Lewis agreed that more information is needed and said that some studies suggest a higher pH could actually help some of the river's organisms.

Charlton County member Chip Campbell said the presence of methylmercury in the river could mean that MH would be extracting mercury along with the tannins. He questioned how they would handle the substance.

Charlton County Commissioner Mitchell Crawford asked how the conditions of the permit would be monitored. Mr. Lewis said the permit would require monitoring and a site inspection, but that no staff would be on site for monitoring purposes.

Nassau County member Winifred Stephenson asked what the zoning was in Baker County, across from the MH property. Baker County member Mike Griffis said he thought the property was zoned agricultural.

Charlton County member Teresa Crawford questioned whether MH could change their business process in the future (e.g., use water for irrigation rather than for tannin extraction). Mr. Lewis said

they would need to modify their permits to make such changes. Mr. Lewis also said there would be a usage meter requirement and potentially a flow-level meter requirement as part of the permit.

Charlton County member Chip Campbell asked if the two applications (withdrawal and discharge) would be linked. Mr. Lewis said they would be two different permits but that they would be developed in conjunction with one another.

Camden County member Philip Jones suggested that a motion be made to give GEPD a list of specific data to collect from MH. Mr. Lewis said he already had a list of questions and data requests (some of which came from the committee's June 6 meeting and tonight's meeting) to give to MH. He said to email him if the committee or individuals come up with more questions.

Subcommittee Updates

Charlton County member Merrill Varn provided a brief water quality subcommittee update and informed the committee that Laurie Fowler had officially received the Section 319 grant (for \$100,000) to study fecal coliform issues along Horsepen Creek. She said the project will begin in January 2012 and reminded the committee that they had agreed to provide 400 volunteer hours to assist with the grant (convening and hosting the eight meetings and one field day associated with the project).

Committee Member Updates/Reports

Camden County member Philip Jones informed the committee that he has an occasional meeting conflict with the St. Marys City Council meetings, which fall on the first and third Monday of every month. He questioned whether the SMRMC meeting dates could be changed to another day. Charlton County member Chip Campbell suggested that the committee should review the meeting dates of other commissions/councils and determine if there might be a more suitable date for the committee to meet which wouldn't conflict with other events.

Camden County member Karen Chisholm asked for directions to the Miocene Holdings property.

Adjournment

The meeting was adjourned at 8:55 p.m.

St. Marys River Management Committee Attendance Log – June 27, 2011

Baker County Members

Gordon Crews, Commissioner (by telephone)
Mike Griffis
Kevin Shell (by telephone)
Greg Sheppard (by telephone)

Nassau County Members

Jeremy Flood (by telephone)
Winifred Stephenson
Earl K. Tindall
Dean Woehrle

Camden County Members

Gary Blount, Commissioner (by telephone)
Karen Chisholm
Philip Jones
Jay Lassiter

Charlton County Members

Mitchell Crawford, Commissioner
Russell Barber
Chip Campbell
Teresa Crawford
Merrill Varn

Non-voting Members

Bruce Foisy, GEPD
Geoff Sample, SJRWMD (by telephone)

Visitors

Alex Kearns
Rick Frey
Gale Zizana
Jo Beth Bird
Sever Cardin
Cliff Lewis

Administrative Assistant

Melinda Granlund