



**NOVEMBER 2013** 

# 2013's Worst Offenses Against GEORGIA'S WATER

# **GEORGIA WATER COALITION'S DIRTY DOZEN 2013:**

# A CALL TO ACTION

Georgia Water Coalition's "Dirty Dozen" list highlights the worst offenses to Georgia's waters. While the Dirty Dozen does identify some ongoing and serious pollution problems, it is not a list of the most polluted water bodies in Georgia. Nor is the list in any ranked order.

Instead, the Dirty Dozen shines a spotlight on state policies and failures that ultimately harm Georgia property owners, downstream communities, fish and wildlife, hunters and anglers, and boaters and swimmers.

These problems have their roots in inadequate funding for Georgia's Environmental Protection Division (EPD), a lack of political will to enforce existing environmental protections and ultimately misguided water planning and spending priorities that flow from the very top of Georgia's leadership.

Over the past decade, the health of Georgia's waterways and the health and safety of her citizens has been compromised as funding for EPD has not kept pace with population and economic growth.

Stormwater from industrial facilities pollutes a stream flowing into our state's most important lake (Item 5) largely because there are only two EPD staffers responsible for inspecting and monitoring more than 2,000 industrial sites. Aging dams in danger of failing are going without inspection (Item 9); these ticking time bombs threaten life, property and the health of our rivers.

Meanwhile, too often the priorities of giant corporations are more important than the rights of citizens to fish, swim and boat in clean water (Item 4). While the pulp fiber products giant Rayonier enjoyed profits of \$411 million in 2012, its paper plant in Jesup continued to foul the Altamaha, as it has done since the 1950s.

Finally, Governor Nathan Deal's administration continues a pattern of misguided funding priorities that invariably benefit the administration's political cronies. While EPD's budget is starved, creating multiple negative impacts on Georgia's citizens, Governor Deal has directed more than \$160 million during the past two years to expensive, unnecessary and environmentally damaging dam and reservoir projects (Item 2). These projects serve only to prolong Georgia's ongoing water conflicts with Alabama and Florida.

In comparison, funding for the most cost-effective alternatives for growing the state's water supply—water conservation and efficiency measures—has languished. During the past seven years, the state has spent an average of \$11 million anually to aid local communities in using their water more effectively—about six percent of what the Deal Administration has spent on high-cost, high-risk, speculative water supply projects in just two years.

The Georgia Water Coalition publishes this list as a call to action for our state's leaders and its citizens to come together to correct pollution problems, eliminate the wasteful use of our state and local tax dollars and restore our streams, rivers, lakes and coastal wetlands.

The Georgia Water Coalition is a consortium of more than 200 conservation and environmental organizations, hunting and fishing groups, businesses, and faith-based organizations that have been working to protect Georgia's water since 2002. Collectively, these organizations represent more than 300,000 Georgians.





Water Injection Schemes Gamble with South Georgia's Pristine Underground "Lake"

# **INTRODUCTION:**

Lying beneath South Georgia's communities, farms and industrial sites is a vast underground lake known as the Floridan Aquifer. Stretching from Savannah to Bainbridge, it is among the most productive aquifers in the country and is prized for its purity and abundance. But, this lifeblood of South Georgia and coastal communities is threatened by a highly speculative and potentially dangerous water supply scheme that involves injecting water from Georgia's rivers and streams (and other sources) into this pristine underground lake. In other places, "aquifer storage and recovery," as it is known, has contaminated groundwater rendering it unsuitable for human consumption. Unless Georgia's General Assembly expands the existing moratorium on aquifer storage and recovery to include all aquifers and all regions of the state during the 2014 session, the prized Floridan Aquifer and other aquifers could be fouled.

## THE WATER BODY:

Though it is hidden beneath layers of soil and rock, no other water body means more to the people of South Georgia. The Floridan Aquifer spreads beneath 100,000 square miles of land from South Carolina to Mississippi and south into Florida. Valdosta, Moultrie, Cairo, Brunswick, Savannah and a host of other communities in south Georgia get some or all of their drinking water from the Floridan. It supplies paper plants in Jesup and power plants in Baxley; in Southwest Georgia, it irrigates more than a million acres of crops each summer. In 2005, these agricultural and

industrial users pumped 658 million gallons per day from the Floridan. A workhorse for farms and factories, it is also responsible for some of our state's most breathtakingly beautiful places as it bubbles to the surface creating "blue holes" like Radium Springs in Albany--considered one of Georgia's Seven Natural Wonders.









Some say the solution to meeting Georgia's water needs lies beneath our feet in the Floridan aquifer. By injecting water from rivers and streams (and other sources) into it

during times of water abundance, these water speculators believe they can retrieve it during times of water scarcity. But, the reality is this is a risky business.

In other places aquifer storage and recovery experiments have contaminated groundwater and proven to be colossal wastes of money. In Florida, wells at more than 50 percent of the state's aquifer storage and recovery sites have been abandoned or operations suspended for reasons including arsenic mobilization or inability to recover the "stored" water. The latter are mostly brackish aquifers.

In California, a \$150 million aquifer storage and recovery scheme that promised to provide 100 billion gallons has failed because when water was pumped into the ground it simply disappeared.

Closer to home a privately funded experiment undertaken by Dalton Utilities and the Etowah Water Bank proved a failure because a suitable underground storage "lake" could not be identified. Now, Gov. Nathan Deal's administration is spending state tax dollars on a similarly speculative scheme. That project in Southwest Georgia involves pumping water from the upper level of the Floridan aquifer and into deeper aquifers beneath it in hopes of retrieving that water when flows on the Flint River get low. The initial proponents of this potential \$1.3 billion project touted it as a solution to Georgia's water war with Florida that will allow metro Atlanta to withdraw more water from the Chattahoochee River.



Fears over the potential contamination of the Floridan aquifer prompted legislators in 1999 to adopt a moratorium on aquifer storage and recovery projects in 11 coastal Georgia communities. That moratorium has been extended multiple times, most recently in 2009, but it is set to expire in July 2014.

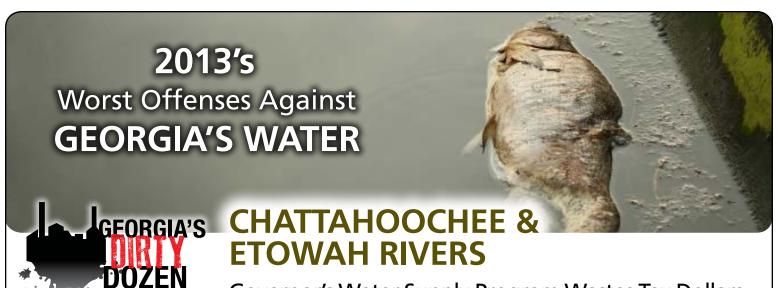
#### WHAT MUST BE DONE:

Georgia's General Assembly must expand the existing moratorium on aquifer storage and recovery projects along Georgia's coast to include all aquifers and all regions of the state. Aquifer storage and recovery is not the solution to meeting Georgia's water needs. Such projects come with high financial and environmental risks. Other communities experimenting with aquifer storage and recovery have been left with multi-million dollar debts and no water or, worse, contaminated water. Georgia should step away from this high stakes water game and invest in water supply projects for which the return on investment is more immediate and certain, including maximizing existing water supplies through increased efficiency and conservation.



For More Information Contact:

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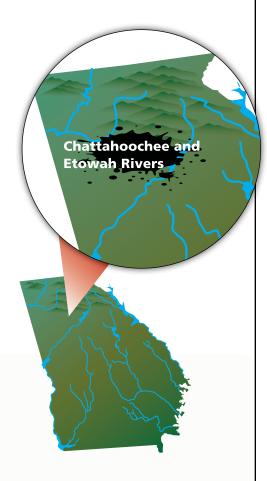
Governor's Water Supply Program Wastes Tax Dollars & Incites More Water Conflicts with Neighbors

# **INTRODUCTION:**

When Nathan Deal took office in 2011 he created the \$300 million Governor's Water Supply Program (GWSP) to fund "critical, cost-effective" water supply projects. After two years and more than \$180 million disbursed, the program has funded largely speculative and potentially unnecessary projects that are not cost-effective. In the latest awards, the Deal Administration has funded two unneeded reservoirs that are certain to complicate solving long-standing water conflicts with Alabama and Florida: Glades Reservoir in Hall County and Richland Creek Reservoir in Paulding County. Meanwhile, funding for water efficiency measures — among the most cost effective water supply options — languishes.

#### THE RIVERS:

The Chattahoochee River, site of Glades Reservoir, and the Etowah River, site of Richland Creek Reservoir, have one thing in common: each river forms a major federal reservoir that is at the heart of water conflicts with Alabama and Florida. Lake Lanier is visited by 7.5 million people annually, contributes \$200 million in annual recreational spending in the region and provides drinking water to more than four million people. Likewise Lake Allatoona is visited by six million people annually, pumps \$242 million into the local economy and provides drinking water to another one million people.







In 2011, a federal court decided that the U.S. Army Corps of Engineers which manages Lake Lanier has authority to operate the lake for water supply. The federal agency is now completing studies to decide how much water Georgia communities can take from the lake without adversely impacting other users. Similarly on Lake Allatoona, how much water will be available from the lake is very much in question.

Instead of waiting for the outcomes of these studies then working toward a water-sharing agreement with Alabama and Florida, the Deal Administration is spending millions on reservoir schemes to circumvent federal control of the river systems.

Glades Reservoir would impound Flat Creek, a small tributary of Lake Lanier. The 850-acre reservoir would be filled by piping up to 108 million gallons a day from the Chattahoochee, cutting off the river's natural flow to Lanier. Water would then be released from the \$130 million project back to Lanier during droughts to meet Hall County water demands. For this scheme to work, the state must assume ownership of the water flowing from Glades into Lake Lanier. Significantly, the Corps must approve of such use of its reservoir.

However, because Lanier is capable of meeting current and future Hall County water demands, Glades may sit unused until 2050 and beyond. Acknowledging this fact, before awarding funds to Glades, the Deal Administration changed the criteria used for evaluating funding proposals under the GWSP. It eliminated the requirement that applicants show a need for the proposed water supply. Now, it appears the Governor's home county will get a state-supported bailout of some \$15 million to reimburse the county for debts incurred purchasing land and paying private consultants.

Richland Creek is a similarly flawed project. Though Paulding County could get all of its future water from Lake Allatoona, the Deal Administration already has invested some \$50 million in loans for this reservoir. Now an unspecified amount of state direct investment funds will be funneled to the project which will supply a Paulding County water system that is losing one of every four gallons it distributes to leaky pipes and other inefficiencies.

Rather than focusing limited state funds to use existing water supplies more efficiently—a policy that would lead to more effective talks with Florida and Alabama—the Deal Administration is instead defying the federal government and fighting with its neighbors. This will only waste state funds and do additional harm to our rivers and downstream communities.

#### WHAT MUST BE DONE:

To resolve the tri-state water conflict and save tax dollars, the Deal Administration must withdraw support for the Glades, Richland Creek and other reservoirs until the Corps completes studies that will determine how much water can be taken from Lanier and Allatoona. The Deal Administration must return to the negotiating table and reach an equitable and sustainable water sharing agreement with downstream neighbors.

Until then, the state should seek more cost effective and timely water supply alternatives like water efficiency and conservation measures or increased storage in the federal reservoirs.



#### For More Information Contact:

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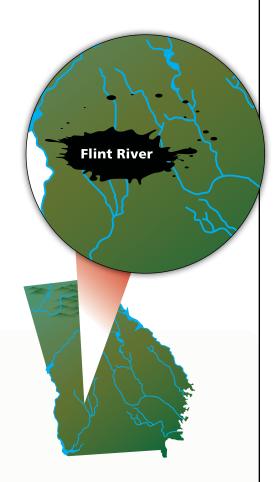
Pumps, Dams, Diversions & State Water Policy create man-made drought

# **INTRODUCTION:**

Fed by rainfall in North Georgia and the massive Floridan aguifer in the South Georgia, the Flint is used by one million people for drinking water and irrigates millions of acres of crops, but state water policy has allowed too much of the river to be pumped, dammed and diverted. Each year, water flows in the creeks that feed the Flint and the river itself shrink to a fraction of what they once were. Unfortunately, the state's latest effort to correct the wrongs of the past could lead to a dangerous change in how Georgia manages its water while still failing to address the root causes of the Flint's depleted flows.

# THE RIVER:

The Flint River originates in metro Atlanta and flows southwest to join the Chattahoochee River at the Florida state line, gathering tributaries over approximately 350 miles while draining an 8,460 square-mile river basin. More than one million Georgians depend upon it for drinking water, including many in metro Atlanta. The same river irrigates more than two million acres of crops, helping farmers in southwest Georgia grow billions of dollars worth of cotton and food crops. Along with the Chattahoochee, the Flint is at the heart of a two-decade-long battle over water rights between Georgia, Alabama and Florida. Meanwhile, the river is home to world-class fisheries, paddling sports that draw thousands and dozens of special and protected species.







Natural droughts have periodically impacted the Flint River, but beginning in the 1970s, a combination of demands upon the river and failed state water policies have resulted in almost perennial man-made drought. Too many water withdrawals from the river and the Floridan Aquifer, diversions of the Flint's flow to other rivers, conversion of forests and fields to shopping centers and subdivisions and wastewater treatment practices that fail to return water to the river have all impacted flows. In fact, flows on the Flint and its tributaries during drought conditions have declined between 30 and 100 percent since 1975. In some cases, creeks that once sustained the Flint simply cease flowing during prolonged droughts.

Unfortunately, the Deal Administration's solution to low flows on the Flint is to invest millions in a highly speculative and unproven flow augmentation experiment that attempts to refill river tributaries with groundwater sucked from the Floridan aquifer, the same water that has historically sustained the river during

drought conditions. What's worse, this experiment and the proposed legislation (Flint River Drought Protection Act) that supports it, changes Georgia water law, making it possible for the state to claim "ownership" of water and prevent downstream users with permits - including farmers, industries and cities - from withdrawing the water.

Still the Deal Administration fails to address the stressors that drain the Flint such as water diversions in metro Atlanta that send the Flint's flow to other rivers or spread it on land at suburban sewage treatment facilities. In fact, only 30 percent of the water taken out of the Flint in metro Atlanta is returned.



### WHAT MUST BE DONE:

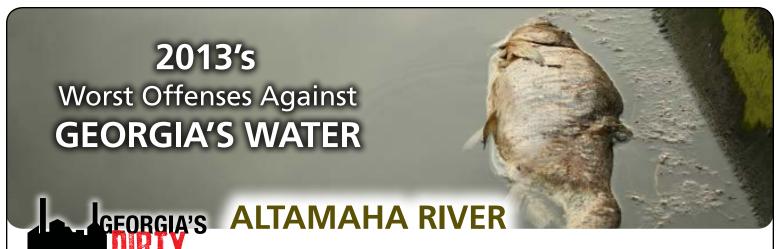
To keep the Flint flowing and alive, Gov. Nathan Deal's administration must look to more comprehensive solutions to perennial low flows on the Flint that address the root causes of the problem. Risky, high cost experiments in flow augmentation are unwarranted. During the 2014 legislative session, the Flint River Drought Protection Act must be defeated or amended to remove language authorizing "flow augmentation" schemes and "ownership" of water.

A comprehensive approach to restoring flows into the Flint - from the river's headwaters in metro Atlanta to the river's confluence with the Chattahoochee at the Florida state line – is what is needed.



For More Information Contact:

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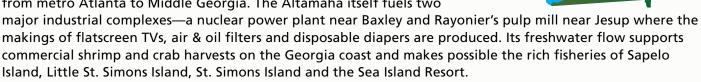
Pulp Mill in Jesup Continues to Foul Georgia's Largest River

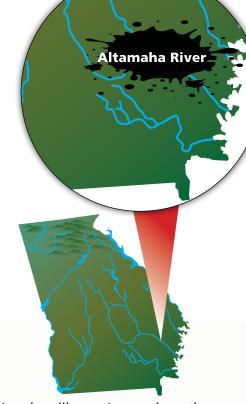
# **INTRODUCTION:**

For more than a half century, Rayonier's Jesup pulp mill has discharged noxious waste into the state's largest river, the Altamaha, that fouls the river for miles, completely altering its character by turning the water dark brown and pulpy and emitting a rancid odor. Fisheries, including the river's once prosperous commercial shad fishery, have been severely damaged. White sandbars are stained brown. Fishermen catch seemingly healthy fish only to find them reeking of nauseating pulp mill odors when they begin to clean them. After being listed among Georgia Water Coalition's Dirty Dozen for the second year in 2012, Rayonier's discharge got the attention of Georgia's Environmental Protection Division (EPD) which has now required the company to apply for a permit renewal for the first time in 10 years. While the pollution continues, the permit renewal process offers hope for the river and its dependents.

#### THE RIVER:

The Altamaha is Georgia's largest river and the third largest contributor of freshwater to the Atlantic Ocean on North America's eastern shore. It drains a 14,000-square mile basin stretching from north of Atlanta to Darien and is a place of unsurpassed beauty. Often called "Georgia's Little Amazon," The Nature Conservancy named it to its list of the 75 last great places on Earth. Formed by the confluence of the Ocmulgee and Oconee rivers, the Altamaha system provides drinking water for communities from metro Atlanta to Middle Georgia. The Altamaha itself fuels two









Rayonier has operated a pulp mill on the Altamaha at Jesup since the mid-1950s and the consequences for the river have been disastrous. A once-thriving commercial shad fishery has been greatly diminished. Anglers say fish caught from that area of the river are not edible because they reek of the mill. And, biologists suspect that the mill is responsible for making a long stretch of the river un-inhabitable for mussels, creatures that when found in abundance actually help keep rivers clean.

Rayonier's dark brown discharge discolors the river, staining white sandbars and carrying the mill's noxious waste and fumes downstream. The plant's 60 million gallon a day wastewater discharge completely changes the character of the river for some 50 miles to the Altamaha delta. In 2008, EPD and Rayonier entered into an agreement to fix this long-running pollution problem by reducing the color of the discharge by 50 percent over a period of eight years. Five years later, the pollution continues with little improvement. Now, EPD is preparing a new permit for the facility that could correct the problem once and for all.

According to Rayonier's 2012 Annual Report, the company's performance fibers business achieved record sales while total income at the company grew 15 percent to \$411 million—a third straight year of growing profits. And, while the company has opened a \$385 million conversion of the Jesup plant to a new acetate production line, the fouling of the Altamaha continues.

Experts say that similar pulp mills are able to operate facilities like this with virtually clear wastewater discharges, yet Rayonier has been allowed to discharge effluent using decades old technology.



#### WHAT MUST BE DONE:

After years of failed attempts to eliminate Rayonier's pollution, EPD now has the opportunity to correct the problem. Currently, state environmental regulators are developing a permit that will outline how much pollution the company can discharge to the river.

The permit should include strict and enforceable limits for color, odor, chemical, and biological pollutants that are currently being discharged to the river. If the new permit fails to protect the river, Altamaha Riverkeeper will work with legal counsel from Greenlaw and Stack and Associates to force EPD to do its job right.



For More Information Contact:

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GEORGIA'S DOZEN

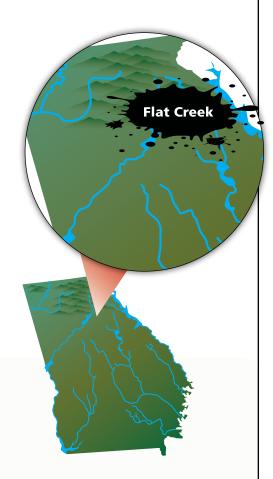
Polluted Runoff in Chicken Capital Sends Bacteria to Stream Feeding Lake Lanier

# **INTRODUCTION:**

Each day in Gainesville, some eight million pounds of chicken are sent out to market—the product of numerous processing facilities in the "Chicken Capital of the World" including the Pilgrim's Pride facility along Flat Creek. For years, this facility has polluted the creek—not via a pipe spewing poultry waste directly to the creek—but through stormwater runoff. When rains hit Hall County, bacteria, nutrients, oil, grease, and other pollutants can wash off the grounds and into nearby creeks. In fact, the facility has been cited twice by Georgia's Environmental Protection Division (EPD) for polluting the creek, once in 2009 following a fish kill immediately downstream of the facility and again in 2011. Today, the pollution continues and EPD has still not forced Pilgrim's Pride to clean up its act. Unfortunately, this facility is emblematic of the state's industrial stormwater program in which more than 2,000 industrial facilities go largely unchecked by EPD.

#### THE WATER BODY:

Flat Creek flows through and drains Gainesville's south side, carrying water and the run off from industrial facilities, neighborhoods and commercial areas to the Chattahoochee River and Lake Lanier. EPD includes the stream on its list of polluted creeks because of high bacteria levels—due, in part, to industrial stormwater. Nevertheless the polluted stream helps fill Lake Lanier—arguably Georgia's most important body of water. The lake provides drinking water for more than 4 million Georgians, is visited by 7.5 million people annually and is estimated to contribute more than \$200 million annually in recreational value alone to the local economy.







Every time it rains on an industrial facility with exposed operations and materials, stormwater washes over the grounds carrying pollutants into nearby streams and rivers. Stormwater flowing from chicken processing plants may carry bacteria, nutrients, oil and grease, and other pollutants. Other industrial facilities such as auto salvage yards may discharge oil and grease; metals manufacturing operations may discharge solvents, zinc, arsenic and chromium; and agricultural chemical production facilities may discharge nutrients and pesticides.

Federal and state laws require that these operators control and minimize polluted stormwater leaving their sites. Furthermore, they are required to monitor and test the water flowing off-site to ensure that their pollution controls are working.

Unfortunately, across Georgia many industrial sites fail to obtain state permits, while others, like Pilgrim's Pride, fail to comply with permit requirements.

Year after year, Pilgrim's Pride has reported failures to meet pollution elimination goals, discharged bacteria to Flat Creek that exceed safe levels, and failed to properly test its stormwater runoff. EPD has issued two notices of violation to Pilgrim's Pride, but despite the facility's poor record, in 2012, when the industrial stormwater general permit was renewed, EPD did not require the facility to comply with the most stringent new requirements.



That is unfortunately symptomatic of a statewide problem. EPD has just two staffers assigned to assist, inspect and manage more than 2,000 permitted facilities, not to mention those facilities that are currently operating without permits.

Thus, in Georgia, when it rains, something more than water pours into our rivers and streams: an industrial stormwater stew, contributing to unhealthy streams flowing through our neighborhoods.

#### WHAT MUST BE DONE:

EPD should direct Pilgrim's Pride to clean up its polluted stormwater. Under the 2012 permit, EPD should require Pilgrim's Pride to meet specific pollution limits, protect animal handling areas from rain exposure and capture all stormwater exposed to animal handling areas. These measures would provide relief for Flat Creek and Lake Lanier and help reduce high bacteria levels in the creek.

Importantly, EPD should invest in enough additional staff and technical resources to provide compliance assistance, inspections, and enforcement for permitted industries, as well as identify industrial facilities that are operating without permits. With 28 types of industrial facilities discharging a wide spectrum of harmful pollutants, reducing industrial stormwater pollution should be a state priority to protect clean water and public health.



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Coal ash threatens waterways and communities in the home of Fried Green Tomatoes

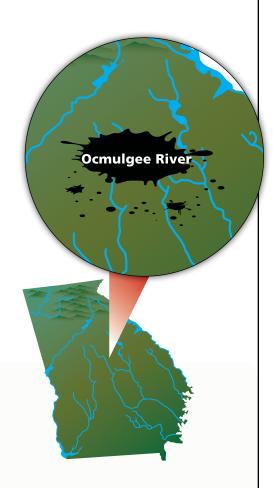
# **INTRODUCTION:**

DOZEN

Juliette is famous for fried green tomatoes and the movie of the same name that was filmed in the tiny hamlet along the Ocmulgee River in middle Georgia. Looming over Juliette's bucolic landscape is Georgia Power Co.'s Plant Scherer, where massive unlined lagoons hold billions of gallons of toxic coal ash that threatens residential well water, the health of neighbors and local waterways. Until federal and state environmental regulators finally classify coal ash (the remains of coal burnt in the production of electricity) as hazardous waste and begin regulating it as such, this kind of threat will continue at Scherer and hundreds of other coal-fired power plants across the country.

#### THE RIVER:

Formed by the Yellow, Alcovy and South Rivers that rise in metro Atlanta, the Ocmulgee begins its life at Lake Jackson, a man-made reservoir just north of Juliette formed by Lloyd Shoals Dam. From the dam it flows some 300 miles to its confluence with the Oconee River to form the Altamaha, Georgia's largest river. On its journey through middle Georgia, it supplies drinking water for more than 1.3 million people, including the people of Macon, located just 15 miles downstream from Plant Scherer. The river is also home to an effort to restore a population of Robust Redhorse, a rare fish that was rediscovered in the Altamaha River basin in 1991. A mecca for paddlers, boaters and anglers, communities along the Ocmulgee are now working to create a 54-mile long water trail stretching from Macon to Hawkinsville. Directly adjacent to Plant Scherer is 3,600-acre Lake Juliette which sits at the heart of the Rum Creek Wildlife Management Area.







In operation since the 1980s, Plant Scherer is considered the dirtiest power plant in the nation. In 2010, the facility released 22.8 million metric tons of the greenhouse gas carbon dioxide—more than any other power plant in the U.S. That's because the plant burns a lot of coal—about 11 million tons a year. In addition to releasing greenhouse gases, the power generation process annually creates some five million pounds of coal ash—a byproduct that contains toxic heavy metals including arsenic, mercury, and uranium. At any one time, more than five billion gallons of coal ash waste are stored at the plant in a 750-acre unlined impoundment that is separated from Lake Juliette by only a 100-foot tall dam.

Recently, toxic metals have been found in drinking water wells in the vicinity of Plant Scherer and its ash ponds. Many of these same metals are found in coal ash. While there

is no proven link between the metals in the ash and the metals in the wells, earlier this year, 123 residents filed suit against Georgia Power Co. claiming the plant's pollution has harmed their health and property. Tests conducted at some wells in the area registered the highest levels of uranium and radon ever recorded in Georgia with some samples registering at more than 50 times what is considered safe.

Despite the presence of this dangerous waste and links to human health and environmental problems, there are no state or federal limits on how much toxic heavy metals are discharged to Lake Juliette or the Ocmulgee River, nor are there requirements for Georgia Power to report heavy metal discharges, monitor groundwater, or safely line waste ponds to prevent heavy metal leaching. In fact, Georgia's Environmental Protection Division, which is responsible for protecting local residents from the plant's pollution, has not updated the plant's permit to discharge wastewater to local streams since 2006.



#### WHAT MUST BE DONE:

To protect human health and keep our rivers and streams clean, federal and state environmental regulators must implement stronger rules for handling coal ash waste. Because of the heavy metals contained in coal ash, it should be treated as hazardous waste and be disposed of likewise. Coal ash at Plant Scherer should be moved to lined landfills away from the Ocmulgee River and Lake Juliette to prevent continued leaching of contaminants into groundwater and contaminated groundwater should be cleaned. In the absence of federal coal ash regulations, Georgia should implement its own rules requiring adequate groundwater monitoring and reporting systems for both dry and wet storage coal ash facilities, and requiring all new coal ash ponds to install liners to keep heavy metals out of well water. Legislation has been introduced in the General Assembly, but the bill has been denied the hearing that it deserves, leaving Georgia rivers and communities like Juliette exposed to the toxic threat of coal ash.



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Toxic legacy in Waycross Needs Further Investigations, Cleanups

# **INTRODUCTION:**

Lurking within Mary Street Park, a tree-lined neighborhood park in Waycross, is a silent killer—toxic pollutants from a defunct industrial wastewater treatment facility known as Seven Out Tank. Opened in 2002, the industrial waste handler operated only two years before multiple environmental violations led to the facility's closure. Now, after eight years and a U.S. Environmental Protection Agency (USEPA) supervised cleanup of the industrial site, contamination still threatens the health of local residents, municipal drinking water supplies and tributaries to the Satilla River.

# THE RIVER:

Situated adjacent to neighborhoods of intown Waycross, the Seven Out Tank site is drained by intermittent streams that flow through the city to Tebeau Creek and ultimately to the Satilla River. These urban drainage ways provide multiple avenues for residents to come in contact with contaminated soil, water and air. A thriving sport fishery on the Satilla offers yet another way for humans to be poisoned by Seven Out Tank's toxic legacy—by eating contaminated fish. A blackwater river lined with sugar-white sandbars, the Satilla is a southeast Georgia treasure, flowing 260 miles through the coastal plain and skirting the towns of Waycross and Woodbine before emptying into the Atlantic Ocean at St. Andrew Sound and Cumberland and Jekyll Islands.







In 2002 when Seven Out Tank began processing industrial wastewater it discharged the treated water to the City of Waycross's sewer system. Within two years, the city terminated the facility's connection because of its failure to properly treat the waste. Rather than ceasing operations, Seven Out continued to accept hazardous substances, storing the toxins in on-site tanks that overflowed and spilled into adjacent neighborhoods and Tebeau Creek.

In 2005, USEPA took action against the facility, leading to a clean up of the site in 2008. A year later, USEPA declared the cleanup complete. But, today, concerns about contamination—both on the abandoned industrial site that still holds multiple storage tanks and off-site in adjoining neighborhoods—still linger.

On site, a toxic stew still exists that includes arsenic, mercury, benzene and a host of polycyclic aromatic hydrocarbons (PAHs) believed to cause cancer.

Local residents suspect the Seven Out Tank site is responsible for a cluster of diseases in the neighborhood near the site. With public water supply wells located within a half mile of the site, contamination of well water also remains a concern.

Off site, analysis of soil samples taken from an area downstream of the Seven Out Tank earlier this year showed elevated levels of PAHs, including benzo anthracene and benzo flouranthene, two PAHs that USEPA believes can cause cancer.

These tests suggest that leaks from the deteriorating facilities at the site may be continuing or that off-site contamination was not detected in USEPA's initial investigations.



## WHAT MUST BE DONE:

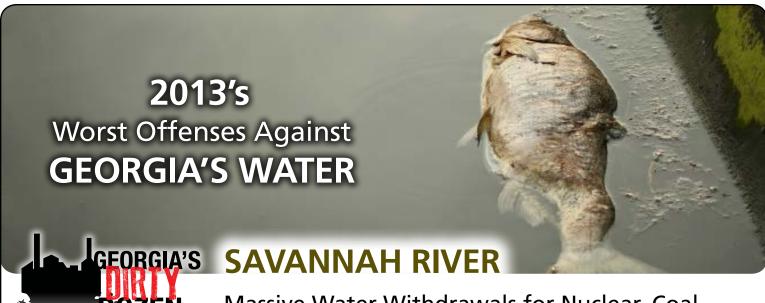
Prompted by Silent Disaster Group (a coalition of citizen advocates in Waycross), the Georgia Department of Public Health and USEPA have begun additional investigations to determine if contamination from the Seven Out Tank facility continues to pose risks to human health or the environment.

Those investigations should be robust with extensive tests of soil, streams, well water and air quality to identify the sources and movement of contaminants as well as risks to human health. The investigations should lead to a plan to clean up all contaminated areas and prevent any further toxic releases from the abandoned industrial site.



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Massive Water Withdrawals for Nuclear, Coal-Fired Power Plants Threaten River's Health, Drinking Water

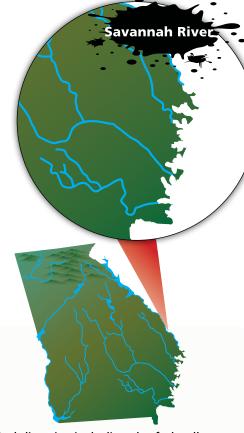
# **INTRODUCTION:**

The Savannah River is a workhorse, providing drinking water for millions, supporting Georgia's largest port and supplying critical water for countless industrial uses. But, this workhorse has problems—too much water is taken out of it and too many pollutants are dumped into it. The river has to dilute and carry away more than 6.8 million tons of pollutants annually, making it the fourth most toxic river in the U.S., according to a report by the non-profit advocacy group, Environment America. Compounding this problem is the addition of massive withdrawals from the river to feed two proposed new nuclear reactors at Plant Vogtle near Waynesboro and the continued operation of Plant McIntosh, a coal-fired power plant in Rincon. When depleted of additional flows, concentrations of pollutants in the river will increase and the ripple effect will be felt all the way to Georgia's coast.

#### THE RIVER:

Flowing more than 300 miles along the Georgia-South Carolina state line, the Savannah River is Georgia's second largest river basin. At the Georgia coast, it supports the fourth largest port in the United States. Up river, it is no less important, supplying drinking water for 1.4 million people, including its namesake city as well as Augusta, among other municipalities. Three federal reservoirs above Augusta provide recreational opportunities and hydropower for the region. Together Clarks Hill, Russell and Hartwell reservoirs attract 17.5 million

visitors annually. Meanwhile, beneath the river's surface is a treasure trove of biological diversity, including the federally protected Atlantic and shortnose sturgeons that spawn in the Savannah. The first river to be explored by Georgia's founders in 1733; 280 years later it remains a vital part of the state's economy and cultural and natural heritage.









Healthy rivers depend on enough water to dilute the waste that those living and working along it dump into it. Therein lies the rub for the Savannah. Water is being pumped from the Savannah at a rate that results in unhealthy concentrations of pollutants that stress fish and other river fauna and can even impact drinking water supplies downstream. And, the biggest users of the Savannah River are nuclear and coal-fired power plants along its shores.

With Georgia Power Company poised to build and operate two additional nuclear reactors at Plant Vogtle, a serious problem will be made worse. Already, Vogtle returns only one-third of what it withdraws for its two existing reactors. Adding new reactors will result in doubling the amount of water permanently removed from the river. If Georgia's Environmental Protection Division (EPD) provides a permit for the withdrawal, it

is estimated that Vogtle will prevent up to 84 million gallons a day (MGD) from flowing down river to reach the coast and Georgia's biggest port. That's enough water to provide for 1.1 million Georgia residents daily. Compounding the

situation is a 130 MGD permit renewal for Plant McIntosh, an outdated Georgia Power Co. coal-fired power plant downstream, which has discharged water as hot as 121°F that can reduce the Savannah's ability to assimilate waste and negatively impact oxygen levels in the river—a problem for fish and people.

Failure to limit withdrawals from the Savannah can have dire consequences. Aside from stressing aquatic ecosystems, these upstream withdrawals add to the problem of saltwater intrusion at the mouth of the river, affecting the city of Savannah's water supply.



#### WHAT MUST BE DONE:

To maintain a healthy Savannah River and reduce the possibility of saltwater intrusion into the City of Savannah's water supply, EPD should deny approval of water withdrawal permits for both Plant Vogtle and Plant McIntosh. If permits are issued, EPD must evaluate the long-term sustainability of the Savannah and require Georgia Power Co. to reduce their withdrawals from the river and implement mitigation measures to restore the Savannah.

Alternative cooling systems that withdraw less water are available and effective, and have the added benefit of being more reliable during drought conditions. Meanwhile, restoration efforts to re-connect the river with natural oxbow lakes, isolated by past man-made alterations, would greatly improve the river's ability to assimilate waste and mitigate the impacts of these massive water withdrawals.



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Dam Breach Disaster in Cumming Highlights Need for Better Dam Safety

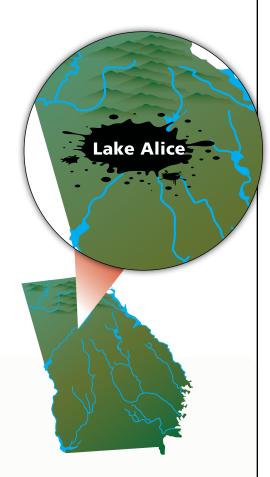
# **INTRODUCTION:**

DOZEN

On May 19, after four inches of rain fell in Cumming, a dam holding back the water of Little Ridge Creek at Lake Alice broke free, sending a torrent of water, sediment and trash rushing into Lake Lanier and turning the lake's blue-green water bright red. A month later, homeowners in the cove impacted by the busted dam still found their waterfront property effectively unusable because of thick sludge clogging the water. Tragic dam breaches like this have been repeated across the state. In fact, thousands of dams are deteriorating and only a fraction are regulated and inspected by the state. These ticking time bombs threaten human life, downstream property, wildlife habitat and our drinking water supplies.

#### THE WATER BODY:

Lake Alice, a 10-acre lake, is located in the city of Cumming and is jointly-owned by the city and a local family. Built in the 1930s when Cumming was mostly undeveloped, the dam holds back the water of Little Ridge Creek and impounds much of the rainwater run off from Cumming's now extensive urban center. Those large commercial developments upstream, covering the land with asphalt and concrete, have resulted in larger than normal volumes of rainwater flowing into the lake and contributed to the failure of the Lake Alice dam. Below the dam, Little Ridge Creek empties into Lake Lanier which provides drinking water for more than four million Georgians, is visited by 7.5 million people annually and contributes an estimated \$200 million in annual recreational spending in the region.









Unfortunately, Lake Alice's aging dam is not alone as a hazard. Of the nearly 4,300 dams inventoried in Georgia, the state can require maintenance by the owners at only 484 of them – Category I dams in which failure of the dams would result in "probable loss of human life." And, due to weakened dam safety rules adopted by the state in the 1980s, there are an additional 100 sites where a dam failure could result in the loss of human life that still go unregulated.

In fact, the Association of State Dam Safety Officials' data shows that less than a quarter of Georgia's dams that have been inspected have been deemed in satisfactory condition. Common problems include trees growing on the face of the dam, rotting and rusted spillways and pipes, severe erosion, and seepage. The dangers posed by

these dams are further increased as more of Georgia's forests and fields are converted to buildings and pavement. Rain water rushes off these hard surfaces quickly and is propelled toward

these dams like a ball fired from a cannon. A dam that could hold a slow steady flow of water after a 1950s thunderstorm can buckle under the stress of urban stormwater created by a 21st century thunderstorm.

As Lake Alice illustrates, dam breaches threaten more than human life. Sediment released during catastrophic dam breaches impedes recreational uses, destroys fisheries, fouls our drinking water sources and reduces property values.



#### WHAT MUST BE DONE:

To prevent future tragedies, Georgia must invest in the resources needed to adequately inspect all dams in the state and require their owners to fix their failing dams. Georgia's Environmental Protection Division should inspect a larger percentage of dams, take enforcement actions requiring maintenance and provide education to all dam owners across the state. This can only be accomplished through legislation, rulemaking and adequate appropriations. Meanwhile, local governments should adopt post-construction stormwater ordinances that require the use of green infrastructure practices that allow rain fall to naturally soak into the ground, thereby reducing the volume and force of stormwater flows.



For More Information Contact:

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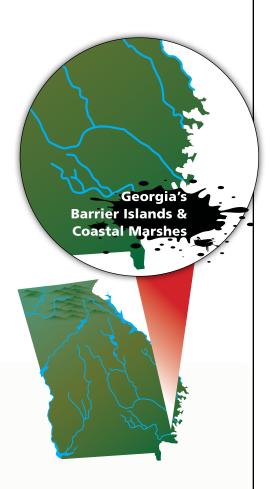
Proposed Changes to Coastline Laws Roll Back Long-standing Protections

# **INTRODUCTION:**

Georgia's coast stretches for only 100 hundred miles, but it includes fourteen unique and fragile barrier islands and one-third of all remaining tidal marshlands on the eastern coast. The place is so special that in the 1970s, the Georgia General Assembly enacted legislation that limits and regulates development along Georgia's coast. While most other coastal states have experienced unbridled development resulting in widespread destruction of tidal marshlands and beaches – with devastating consequences as best evidenced by Hurricane Sandy - Georgia has bucked that trend. Now, however, the state agency responsible for protecting our coastal treasures is seeking to pass legislation that could weaken these laws. At the state-owned Jekyll Island, the changes would open up the last remaining section of pristine beach to development

# THE COAST:

From Tybee in the north to Cumberland in the south, Georgia's barrier islands are one of the state's natural treasures. Behind them is a vast network of marshlands covering more than 400,000 acres. Together the barrier islands filled with beaches and dunes and the waving marsh grasses serve as a first line of defense to protect the Georgia shore and coastal communities from the damaging effects of floods, winds, tides, and erosion. What's more, these natural features serve as the Coast's economic engines: \$6 billion in economic benefits are linked to Georgia's salt marshes, with 70 percent of commercially harvested fish and shellfish depending on the salt marshes, while the barrier islands keep the tourists coming to the coast. For all the services they provide, these unique ecosystems are also very difficult and costly to replace once lost.







Georgia's Shore Protection Act (SPA) and Coastal Marshlands Protection Act (CMPA) are under attack. Georgia's Coastal Resources Division of the Department of Natural Resources (CRD) wants to roll back 30-year-old protections for Georgia's coast that in many cases will permit development closer to the very beaches and sand dunes that protect our property.

Rather than basing setbacks limiting development on the natural features and the dynamic nature of the ever-changing and shifting sands of the coast, CRD has instead proposed an arbitrary setback of 50 feet. Along a coast where natural erosion can take three to four feet of the shoreline each year, structures built within 50 feet of the shore could be obliterated in little more than a decade.

These proposed changes would dramatically impact what land can be developed along Georgia's coast and barrier islands. For instance, on Jekyll Island, the change would open up the last remaining pristine section of beach to a shopping center, hotel or line of condominiums.

While in the wake of east coast super storms and hurricanes, the U.S. Army Corps of Engineers and states agencies from South Carolina to Maine are now discouraging armoring shorelines with rock and metal. Georgia, however, is proposing an exemption in the CMPA that would make it easier to construct walls and other barriers along the shoreline, including some that are up to two–feet thick, 13-feet tall and 500-feet long.

Add to this the looming threat of rising seas, and the proposed changes could ultimately lead to coastal disasters. During the past century, sea levels have risen a foot and within the next 90 years, scientists predict ocean levels will rise another two feet.

#### WHAT MUST BE DONE:

Georgia's legislators should say "NO" to these proposed changes to the SPA and CMPA and uphold more than 30 years of protecting Georgia's coast from the kind of unbridled development that has destroyed beaches and marshes in other states and contributed to millions of dollars in property damage from hurricanes and other storms.

Any changes to shoreline protections should take into account the dynamic nature of the changing coastline and predicted changes in sea levels. These considerations should determine where structures are built, not an arbitrary 50-foot setback. Additionally, provisions in this legislation that make it easier to construct seawalls should be eliminated. With so many alternative approaches to shoreline stabilization now available, Georgia shouldn't encourage the most expensive, least effective, and most damaging form of shoreline stabilization.



#### For More Information Contact:

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Illegal playground for off-road vehicles sends mountains of sediment to trout stream

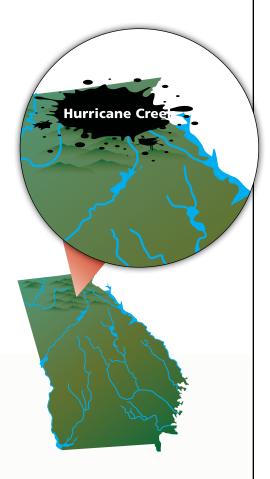
# **INTRODUCTION:**

DOZEN

Do an internet search for "Sheep Wallow Road in Lumpkin County" and you'll find dozens of photos and videos of off-road vehicles powering through rutted trails and muddy creeks. It may be all fun and games, but much of it is also illegal. Sheep Wallow is a Lumpkin County road that has not been maintained for more than two decades. In recent years it has attracted a growing number of motorized thrillseekers. Many don't stop at the boundaries of the public road, but venture off cutting new trails on private property, running up creeks and creating mud slides on steep slopes. Mud from the road and illegal trails has fouled springs feeding Hurricane Creek and is choking the life out of the mountain trout stream. Unfortunately, the Sheep Wallow area is just one example of hundreds of miles of illegal off-road vehicle trails on both public and private lands in Georgia.

#### THE WATER BODY:

With its headwaters on the eastern flank of Sheep Wallow Mountain, Hurricane Creek runs through a corridor of mountain laurel and rhododendron, providing refuge for trout and a host of other fish including the federally endangered Etowah darter and the state protected holiday darter. It empties into the Etowah River in Lumpkin County, ultimately filling Lake Allatoona, which provides some 10 percent of metro Atlanta's drinking water. The Etowah River basin is one of the most biologically diverse river systems of its size in the country, historically hosting 91 native fish species. Among those are the federally protected Cherokee, Etowah and amber darters, fish that are sensitive to large doses of mud and sediment in their streams.







From the sandbars of the Satilla River in south Georgia to the trout streams of the Etowah River in north Georgia, off-road vehicles have taken their toll on the state's landscape. Both legal and illegal trails on public and private lands are either poorly maintained or not maintained at all. The result: tons of sediment being washed into our rivers and streams, slowly choking the life out of them. In 2008 during testimony before Congress, one retired U.S. Forest Service agent called irresponsible and illegal off-roading as the single greatest threat to the American landscape.

At Sheep Wallow Road, off-road vehicle enthusiasts use an unmaintained county road to gain access to acres of steeply-sloped private property. In one spot, vegetation surrounding a mountain spring has been striped bare, leaving a swath of red-clay soil.

Landowners have asked the county to close the road (it is impassable and does not lead to any homes or businesses), but county leaders have refused, claiming that closure would impact funds it receives from the Georgia Department of Transportation (DOT).

In the Chattahoochee/Oconee National Forest, there are similar problems. The U.S. Forest Service has estimated that there are more than 500 miles of illegal trails in Georgia's national forests.

In an attempt to curtail trespass and protect water resources, the Georgia General Assembly in 2010 adopted a law that prohibits operating off-road vehicles in streams and rivers. Unfortunately, the young law is little known and has not been meaningfully enforced.



#### WHAT MUST BE DONE:

Lumpkin County must close Sheep Wallow Road, restrict access to it and work with private property owners to put controls in place that will keep dirt and mud from washing into Hurricane Creek.

In the Chattahoochee /Oconee National Forest, the Forest Service must adhere to its own Land and Resource Management Plan that mandates that the Service prevent sediment from reaching streams. This means cracking down on illegal trails and either closing or properly maintaining the more than 100 miles of legal off-road trails in the National Forest.

At the state and county level, more robust enforcement of Georgia's ATV laws will reduce trespass on private property and damage to land and water resources.

And, for their part, ATV users must drive responsibly, keeping out of streams, respecting private property and staying on designated trails on public lands.

For More Information Contact:

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OGEECHEE RIVERS

Dirty Coal-Fired Power Plant To Spew Mercury and Deplete South Georgia Rivers

### **INTRODUCTION:**

DOZEN

Airborne mercury from coal-fired power plants is the leading cause of mercury contamination in south Georgia streams. In fact, fish in most south Georgia streams contain mercury in levels to cause birth defects in babies whose mothers eat too many of these fish. Yet, despite these health effects, Power4Georgians, a company linked to indicted former Cobb Electric Membership Corporation (EMC) CEO Dwight Brown, continues to push to build a new coal-fired power plant in Washington County. Although no customers for the electricity from Plant Washington have been identified, one thing is certain: if built the plant will spew more mercury into our air and water and deplete flows on the continually stressed Oconee and Ogeechee Rivers.

## THE RIVERS:

The Oconee River rises in Hall County and flows southward some 220 miles to join the Ocmulgee River to form the mighty Altamaha River. The Oconee's 5,330 square miles constitute one third of the Altamaha's 14,000-square-mile watershed. The river provides drinking water for communities from Athens to Dublin. The Ogeechee, a blackwater ecosystem that has supported rural Georgians for centuries, rises in wetlands near the site of Plant Washington. This river is fed largely by springs. The Ogeechee flows some 245 miles, draining an area of 5,540 square miles before emptying into the Atlantic Ocean at Ossabaw Sound.







What's more, some of the organizers behind the plant have been just as dirty. So much so, that many of the 10 Electric Membership Co-Ops (EMCs) that originally partnered in the project with Power4Georgians have abandoned the controversial project.

Former Cobb EMC CEO Dwight Brown, who originally organized Power4Georgians, is currently awaiting trial on 31 counts, including racketeering and theft. Now, his associate,

Dean Alford, who received a no-bid contract to build the plant, continues to petition Georgia's Environmental Protection Division (EPD) to extend necessary permits. Alford's projects for Cobb Energy during Brown's tenure accumulated at least \$11 million in losses for Cobb EMC members.

Yet, Alford continues to advocate for this project that conservative estimates project could cost up to \$4 billion—even though there is currently no existing or projected need for the power from this plant in Georgia.

Coal-fired power plants are considered the leading contributor to mercury contamination in Georgia's rivers. Airborne mercury falls to our rivers where it enters the aquatic food chain and accumulates in the fish we eat. The threat is serious enough for EPD to issue fish consumption guidelines for those taken from the Ogeechee and Oconee rivers and provide women with special guidance because of the potential for birth defects in their babies.



Plant Washington would also have dramatic impacts on the Oconee and Ogeechee rivers. Water necessary to operate the plant—some 16 million gallons a day (MGD), would be taken from the Oconee River or groundwater that feeds the Ogeechee River. Less than two million gallons of that would be returned to the Oconee, meaning the plant would consume as much as the 14 MGD that Athens-Clarke County uses during times of peak demand.

#### WHAT MUST BE DONE:

EMCs must refuse to provide any additional funding for the development of Plant Washington.

Potential investors and customers should require an independent business analysis demonstrating the need for this plant along with construction and operating costs. Power4Georgians and the EMCs have said such a report does not exist.

EPD should protect Georgians from the pollution from another dirty coal-fired power plant and prevent the depletion of the Ogeechee and Oconee rivers by not renewing permits for this languishing project.



For More Information Contact:

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# 2013's Worst Offenses Against GEORGIA'S WATER

# **UPDATES FROM THE 2012 DIRTY DOZEN:**

**2012:** Ogeechee River: One Year After the Largest Fish Kill in State History, Pollution Continues
For the past two years, the 2011 Ogeechee River fish kill has been included on the Georgia Water Coalitions'
Dirty Dozen list because of unpermitted industrial wastewater discharge and a delayed response by Georgia's
Environmental Protection Division. Ogeechee Riverkeeper and citizens have fought for those two years to see the
state put a permit in place that is truly protective of the river. Numerous permit revisions have been driven by public
comment and litigation. The federal Clean Water Act lawsuit filed by Ogeechee Riverkeeper against King America
Finishing is near final resolution. A new permit is expected to be issued which will include stricter permit limitations
protective to the river. Resolution of the Clean Water Act lawsuit will include close monitoring and restoration
efforts.

2012: South River: Chronic Looting of Hazardous Waste Trust Fund by Legislators Leaves Hazardous Waste Site Cleanup for Another Day; and Pachitla Creek: Georgia Legislators Loot Trust Funds Intended for Cleanup of Tire Dumps, Leaving their Home Communities at Risk

House Bill 276 was introduced by Representative Chad Nimmer during the 2013 session of the Georgia Legislature to renew the sunset date for the Hazardous Waste Trust Fund. House Bill 127 was introduced by Representative Jay Powell to force the Governor and the Legislature to spend the fees collected under the Hazardous Waste and other "trust" funds on the programs under which they are collected. The two bills were combined and required fees collected under both the Hazardous and Solid Waste Trust Funds to either be fully appropriated to those funds, or the fees will be proportionately reduced in subsequent years and it was overwhelmingly passed by the legislature.

Gov. Deal signed HB 276 into law, but issued a statement indicating that he still objects to being forced to appropriate all the funds collected under the environmental trusts funds to the legally stated purposes, and urges the legislature to ignore this provision.

#### 2012: Chattahoochee River: State Fails to Ensure Critical Minimum Flows at Atlanta

In the 1970s, EPD established a minimum flow standard of 750 cubic feet per second (cfs) in the Chattahoochee at Peachtree Creek to dilute discharges from sewage treatment plants in metro Atlanta and protect downstream water quality. EPD has never provided real-time monitoring at this critical location, however, making compliance impossible to verify. In addition, EPD has not conducted a comprehensive, scientific study to confirm that the 750 cfs flow standard is still adequate to protect Georgia's most heavily-used river, particularly in light of growing demands placed on the waterway. The situation remains unchanged.

2012: Satilla River: Army Corps of Engineers Action Needed to Restore Fisheries in Coastal Waters

During the 2013 session of the Georgia Legislature, Senator William Ligon introduced Senate Resolution 267, which urges the United States Army Corps of Engineers to move forward on implementation of this project to plug Noyes Cut. Senate Resolution 267 was adopted by the Georgia Legislature, and following its overwhelming passage the Savannah District Commander of the Corps of Engineers assigned an engineer to lead a review. The Corps verified its responsibility, reviewed its past recommendations, suggested a mechanism for funding and is working with state and local officials, the Satilla Riverkeeper and others to identify additional funding. Satilla Riverkeeper is also working with its partners to develop a restoration plan.

#### 2012: Allen Creek: Politically-Connected Landfill Operators Threaten Streams, Minority Community

Residents in Gainesville's Newtown neighborhood have dealt with unacceptable industrial pollution for 50 years. In 2012, the stench from the nearby Georgia Waste and Recycling (GWAR) landfill became unbearable as its owner, business partner of Gov. Deal, Ken Cronan accepted biosolids and restaurant and commercial food waste from the Georgia World Congress Center and other sources. The GWAR site drains to Allen Creek, a tributary to the Oconee River on the state's list of polluted waters.

Media exposure and other attention resulted in an investigation and finding by Hall County that GWAR had violated zoning ordinances. Cronan agreed to stop accepting food waste for composting and the odor problems seem to have abated.

# 2012: Tired Creek: Unnecessary Fishing Lake Puts Taxpayers on the Hook, Threatens Downstream Communities

Grady County elected not to abandon the un-needed Tired Creek fishing lake. Instead, land clearing at the dam site began in 2013. Elected leaders also made government bigger and less accountable when they established the Grady County Lake Authority to manage the project. The Authority recently discussed the prospect of hiring paid staff. The money to pay for staff and pay back the existing \$15,000,000 debt will not come through the sale of fishing worms and crickets. The authority has the power to sell land around the lake for homes and golf courses if it chooses. The Authority also has the power to acquire and sell property – including asking the county commission to condemn land – to pay-off debt. Where this all will end is unclear, but considering Grady County's first plan was to ring the lake with houses, it would not be surprising if this project circles back to that first plan – a 960-acre amenity lake.

