

*file copy*

**Atlanta Regional Commission**  
200 Northcreek, Suite 300  
3715 Northside Parkway  
Atlanta, Georgia 30327-2809



**Harry West**  
Director

June 2, 1999

Honorable Jim Joyner, Chairman  
Henry County Commission  
345 Phillips Drive  
McDonough, GA. 30253

RE: Development of Regional Impact Review  
Tussahaw Reservoir

Dear Jim:

I am writing to let you know that the ARC staff has completed review of the Tussahaw Reservoir Development of Regional Impact (DRI). This reservoir is included in ARC's *Water Supply Plan* as a future source of water supply for the Atlanta region, and our finding is that the proposed DRI is in the best interest of the State.

However, as a part of our review we received the enclosed comments from Butts County and the McIntosh Trail Regional Development Center. These comments point out an intergovernmental conflict with the Butts County plan as well as a number of other questions and issues such as the allocation of water between the two counties that need to be resolved. Therefore, we feel it would be to the advantage of Henry and Butts Counties and their respective Water and Sewerage Authorities to undertake discussion in this matter which might include mediation.

We are available to assist the counties and authorities in selecting a mutually agreeable mediator if you choose this course. Beverly Rhea (404-364-2562) can work with you on this matter.

Sincerely,

**Harry West**  
Director

Enclosures



C Hon. Harry Marrett, Butts County  
Hon. Lanier Burford, City of Jenkinsburg  
Hon. R. G. Kelley, City of Stockbridge  
Hon. Jerry M. Elkins, City of Locust Grove  
Mr. Lanier Boatright, McIntosh Trail RDC  
Mr. Lindy Farmer, Henry County Water & Sewerage Authority  
Ms. Marcie R. Seleb, Butts County Water & Sewer Authority  
Mr. Jim Risher, Henry County  
Mr. A. J. Walsh, Henry County W&S Attorney  
Mr. Harold Reheis, Georgia EPD  
Mr. Rick Brooks, Georgia DCA

**Facility:** Tussahaw Reservoir  
**Preliminary Report:** May 4, 1999  
**Final Report:** June 2, 1999

## **DEVELOPMENT OF REGIONAL IMPACT**

### **REVIEW REPORT**

**PROPOSED DEVELOPMENT:** New water supply reservoir located in Henry County and Butts County

#### **GENERAL**

According to information on the review form or comments received from potentially affected governments:

**Is the proposed project consistent with the host-local government's comprehensive plan? If not, identify inconsistencies.**

The proposed Tussahaw water supply reservoir was planned by Henry County as far back as the 1960's to help meet its long-term needs. It was included in a County ordinance adopted in 1994 to establish water supply watershed districts. It was also included in Henry County's Comprehensive Plan submitted to ARC in 1993 and in the County's 1998 update as well as the Capital Improvements Program. In addition, the reservoir is included in ARC's Water Supply Plan. However, the reservoir is not included in the Butts County Comprehensive Plan.

**Is the proposed project consistent with any potentially affected local government's comprehensive plan? If not, identify inconsistencies.**

There is an intergovernmental conflict in that the proposed reservoir is not included in the Butts County Comprehensive Plan.

**Will the proposed project impact the implementation of any local government's short-term work program? If so, how?**

The reservoir is included in Henry County's Capital Improvements Program.

**Will the proposed project generate population and/or employment increases in the Region? If yes, what would be the major infrastructure and facilities improvements needed to support the increase?**

Concerning direct impact of the reservoir and related water treatment/distribution system, only 10 long-term jobs are likely to be generated. However, on indirect impact, as stated above, the reservoir has been planned to help meet Henry County's water needs for its projected population and jobs.

**What other major development projects are planned in the vicinity of the proposed project?**

None that ARC has reviewed.

**Will the proposed project displace housing units or community facilities? If yes, identify and give number of units, facilities, etc.**

Only silvaculture operations.

**Will the development cause a loss in jobs? If yes, how many.**

No.

## **LOCATION**

**Where is the proposed project located within the host-local government's boundaries?**

The site is in southeast Henry County and north central Butts County. 33°22'30"/84°00'

**Will the proposed project be located close to the host-local government's boundary with another local government? If yes, identify the other local government.**

Yes. As stated above, part of the reservoir as well as approximately 18 percent of the watershed is located in Butts County.

**Will the proposed project be located close to land uses in other jurisdictions that would benefit or be negatively impacted by the project? Identify those land uses which would benefit and those which would be negatively affected and describe impacts.**

Construction of a water supply reservoir can provide an amenity for the surrounding area. However the land used for the reservoir and associated wetland mitigation may reduce the potential tax base of the host local government.

## **ECONOMY OF THE REGION**

According to information on the review form or comments received from potentially affected governments:

**What new taxes will be generated by the proposed project?**

None.

**How many short-term jobs will the development generate in the Region?**

The number of short-term jobs for construction of the dam/reservoir is estimated at 50.

**Is the regional work force sufficient to fill the demand created by the proposed project?**

Yes.

**In what ways could the proposed development have a positive or negative impact on existing industry or business in the Region?**

No direct impact on existing industry and business. The reservoir is planned to meet Henry County's future water needs for projected population and jobs.

## **NATURAL RESOURCES**

**Will the proposed project be located in or near wetlands, groundwater recharge area, water supply watershed, protected river corridor or other environmentally sensitive area of the Region? If yes, identify those areas.**

**In what ways could the proposed project create impacts that would damage or help to preserve the resource?**

### **Wetlands**

According to information submitted with the review, the approximate 1500 acres for water, buffer, and mitigation include 350-400 acres of wetlands.

### Water Supply Watersheds

Development of the Tussahaw water supply reservoir will create a small water supply watershed of approximately 58.2 square miles with 82 percent lying in Henry County and the balance in Butts County. A small portion of McDonough, the area east of Highway 23 in Locust Grove, and the area north of the railroad in Jenkinsburg fall within the drainage area of the reservoir. Tussahaw, Wolf, Peeksville, and Malcolm Creeks all drain into the reservoir. Henry County has a watershed protection ordinance approved by Georgia Department of Community Affairs as meeting the Georgia Environmental Protection Division requirements for small water supply watershed protection. Other local governments in the watershed will become subject to EPD requirements.

### HISTORIC RESOURCES

**Will the proposed project be located near a national register site? If yes, identify site.**

No.

**In what ways could the proposed project create impacts that would damage the resource?**

Not applicable.

**In what ways could the proposed project have a positive influence on efforts to preserve or promote the historic resource?**

Not applicable.

### INFRASTRUCTURE

#### Transportation

**How much traffic (both average daily and peak am/pm) will be generated by the proposed project?**

The only direct traffic generation will be for the approximate 10 employees.

**What are the existing traffic patterns and volumes on the local, county, state and interstate roads that serve the site?**

Not applicable.

**What transportation improvements are under construction or planned for the Region that would affect or be affected by the proposed project? What is the status of those improvements (long or short range or other)?**

None.

**Will the proposed project be located in a rapid transit station area? If yes, how will the proposed project enhance or be enhanced by the rapid transit system?**

No.

**Is the site served by transit? If so, describe type and level of service.**

No.

**Are there plans to provide or expand transit service in the vicinity of the proposed project?**

Not at this time.

#### **INFRASTRUCTURE**

##### **Wastewater and Sewage**

**How much wastewater is the development likely to generate?**

None directly. However, the reservoir is proposed to meet projected water needs which will then generate wastewater and Henry County is addressing this need also.

**Which facility will treat wastewater from the project?**

Not applicable.

**What is the current permitted capacity and average annual flow to this facility?**

Not applicable.

**What other major developments will be served by the plant serving this project?**

Not applicable.

#### **INFRASTRUCTURE**

##### **Water Supply and Treatment**

**How much water will the proposed project demand?**

None. The reservoir's projected yield is 26.3 MGD.

**How will the proposed project's demand for water impact the water supply or treatment facilities of the jurisdiction providing the service?**

This reservoir is one component of Henry County's plan to meet projected water needs.

#### **INFRASTRUCTURE**

##### **Solid Waste**

**How much solid waste will be generated by the project? Where will this waste be disposed?**

None.

**Other than adding to a serious regional solid waste disposal problem, will the project create any unusual waste handling or disposal problems?**

Not applicable.

**Are there any provisions for recycling this project's solid waste.**

Not applicable.

## **INFRASTRUCTURE**

### **Other facilities**

**According to information gained in the review process, will there be any unusual intergovernmental impacts on:**

- **Levels of governmental services?**
- **Administrative facilities?**
- **Schools?**
- **Libraries or cultural facilities?**
- **Fire, police, or EMS?**
- **Other government facilities?**
- **Other community services/resources (day care, health care, low income, non-English speaking, elderly, etc.)?**

Not applicable.

## **HOUSING**

**Will the proposed project create a demand for additional housing?**

No direct demand. Conversely, the reservoir is for the purpose of meeting projected water demand related to development that is likely to occur in Henry County.

**Will the proposed project provide housing opportunities close to existing employment centers?**

Not applicable.

**Is there housing accessible to the project in all price ranges demanded?**

Yes.

**Is it likely or unlikely that potential employees of the proposed project will be able to find affordable\* housing?**

Likely.

\* Defined as 30 percent of the income of a family making 80 percent of the median income of the Region - 1996 median family income of \$52,100 for Atlanta MSA.



# City of Stockbridge

4545 North Henry Boulevard • Stockbridge, Georgia 30281  
Phone: (770) 389-7900 • Fax: (770) 389-7912

May 14, 1999

**MAYOR**

R. G. Kelley

**COUNCIL MEMBERS**

Harold Cochran  
G. W. Evans  
W. A. Gardner  
Ronnie Simmons  
Fletcher Turner, Jr.

**CITY MANAGER**

Ted Strickland

**CITY CLERK**

Merle Manders

Ms. Beverly Rhea  
Review Coordinator  
Atlanta Regional Commission  
200 Northcreek, Suite 300  
3715 Northside Parkway  
Atlanta, GA 30327-2809

Dear Ms. Rhea:

The Stockbridge City Council and I support the Tussahaw Reservoir to be built in Henry and Butts counties.

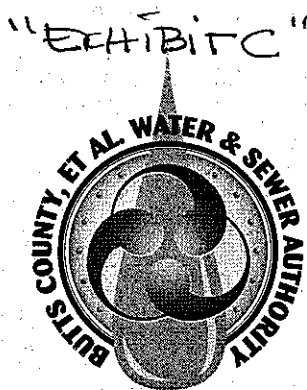
As one of the cities in the Southern Crescent we are very dependent upon future reserves of water to handle our ever expanding need of this precious resource.

We feel both Henry and Butts counties will benefit greatly from this project.

Sincerely,

R. G. Kelley  
Mayor





# BUTTS COUNTY

*City of Flovilla - City of Jackson - City of Jenkinsburg*

## WATER AND SEWER AUTHORITY

100 W. Second Street • P.O. Box 145 • Jackson, Georgia 30233

770-775-0042 office

770-775-5009 fax

### MEMORANDUM

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Wayne Phillips  
CHAIRMAN

Charles Carter  
VICE CHAIRMAN

B. R. Tyus  
SECRETARY-TREASURER

Emerson Burford  
George Smith  
MEMBERS

To:

Paul Penn  
Butts County Manager

From:

Marcie R. Seleb *MLS*  
General Manager

Subject:

Comments on DRI Document Concerning Proposed Tussahaw Reservoir

Date:

May 14, 1999

Marcie R. Seleb  
GENERAL MANAGER

Paul,

The following are brief comments concerning the DRI document submitted to the Atlanta Regional Commission by the Henry County Water Authority. I understand that you did not receive this document until May 11, 1999 and need my comments by the morning of May 14, 1999. This does not give me sufficient time to put together a complete response. The comments below are a beginning.

1. Referenced Documents We have not been given access to the many documents referenced in the DRI document. These are needed for further understanding of what is proposed. The Authority requests copies of each document and/or study referenced in the DRI document.

2. Percent of Reservoir in Butts County The DRI document indicates that most of the reservoir is in Henry County. That is not so. According to a conversation I had with Henry County Water Authority (HCWA) manager, Lindy Farmer, in November 1994, the reservoir would encompass approximately 2,000 total acres with 1,835 acres in Butts County. I understand that HCWA has acquired over 1,700 acres in Butts County. HCWA maintains that 18% of the watershed which would fill the reservoir is in Butts County, which has led to some confusion as to how much of the reservoir itself is in either county.

3. Intergovernmental Cooperation In the DRI document, HCWA has gone to some length to attempt to document its efforts at cooperation with Butts County. The fact is that HCWA representatives have established a record of repeated refusal to meet in an open forum to discuss the facts surrounding this proposed reservoir. Please refer to the attached news articles: 1. "Reservoir Rights", The Atlanta Journal-Constitution (8/24/97) and 2. "Paper trail shows Henry refusing to meet about Tussahaw reservoir" Jackson Progress-Argus (12/18/96). Our files have

Memorandum to Paul Penn  
May 14, 1999  
Page 2

documentation of attempts to intimidate, to damage the integrity of persons who seek to foster open discussion, and behind-the-scene efforts to manipulate events. I hate to get into a battle of words, but the HCWA is obviously trying to build a case for cooperation that differs from reality.

4. EPA Position In a February 26, 1999 letter to HCWA, John h. Hankinson, Jr., Regional Administrator of EPA, laid out that agency's position on a Tussahaw reservoir. We are in total accord with that position, which reads in part as follows:

*"EPA also continues to believe that there are alternatives that could supply the County's additional water needs with a reduced impact to wetlands, and other aquatic resources. While the County has expressed some effort in taking a regional approach to water supply, EPA believes there is a need for additional actions. This is particularly true if Henry County pursues construction of another water supply reservoir on Tussahaw Creek, an option originally proposed to EPA in March of 1996. EPA sees many environmental issues associated with a reservoir at this location and we believe a regional approach is the best way to examine other economically and environmentally advantageous alternatives. EPA would like to work with Henry County and other area governments to advance this approach. The competition among counties for water supply reservoirs highlights the need for a comprehensive and independent assessment of water supply needs and sources in the Atlanta South metro area."*

5. Conformance to Butts County's Comprehensive Plan, Impacts on Infrastructure and the Regional Economy The DRI document makes little or no attempt to address these matters. These issues go beyond the area of water supply, creating a potential for profound impacts on the future growth and development of Butts County. It is obvious that Butts County's citizens and officials should have every opportunity to determine the direction of the county's future.

**BOARD OF COMMISSIONERS  
BUTTS COUNTY, GEORGIA**

**COMMISSIONERS:**

Jimmy Moore  
Grover McIntyre  
Eddie Travis  
Paul S. Penn, Jr.  
County Manager, CFO

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Harry Marett  
Chairman  
Gerald Kersey  
Vice Chairman  
Jacqueline R. Cavender  
County Clerk, CFO, CCC

May 20, 1999

Beverly Rhea, Review Coordinator  
Atlanta Regional Commission  
200 Northcreek, Suite 300 3715 Northside Parkway  
Atlanta, Georgia 30327-2809

Re: Tussahaw Creek Water Basin Henry County W. & S. DRI

Dear Ms. Rhea,


Enclosed is a document labeled "Exhibit A" that addresses our thoughts about the proposed water basin reservoir. The comments are keyed to the DRI questions and the summary developed by Henry County.

We have entered into a suit against Henry County on several issues that we feel are pertinent to the method by which the Henry County Water and Sewerage Authority has handled the purchase and subsequent condemnation of property in Butts County, Georgia without involving this County in the process. A copy labeled "Exhibit B" is enclosed. We have also enclosed "Exhibit C" and "D" which are comments from the Butts County water and Sewerage Authority and the City of Jenkinsburg, Georgia.

As we understand from all of the information the agencies pass down to us and the numerous seminars and educational classes that have to be attended, the focus for quite a while has been toward a regional approach. Because of the impact on our county and the amount of Butts County property and our water resources involved, this sitting Board of Commissioners would be derelict in their duty if this project is allowed to proceed without this county's input and approval.

The objections and the comments that are noted do not mean that a joint agreement with the Henry County Board of Commissioners and the Henry County Water and Sewerage Authority would not be forthcoming. It is simply to state our position and the fact that this project should not proceed without our input and approval.

We appreciate the opportunity to be involved in this review process.

Yours truly,  
Butts County Board of Commissioners  
  
Harry Marett  
Chairman

**BUTTS COUNTY BOARD OF COMMISSIONERS  
TUSSAHAW WATER SUPPLY RESERVOIR  
DEVELOPMENTS OF REGIONAL IMPACT COMMENTS**

The following comments are being submitted on the Henry Tussahaw Reservoir Development of Regional Impact:

1. On page 3 under Local Government Information questions the question "Is the project consistent with your comprehensive plan?" is answered "YES" while this may be so in Henry County 18% of this project is in Butts County and is not so delineated nor designated in the Butts County Land Use Plan as a site for a reservoir.
2. Also on page 3 the question "What planned traffic improvements in your community would be impacted by the proposed project – is answered "NONE". This seems inconceivable that a project of this magnitude would not have any impact on the need for traffic improvements.
3. Also on page 3 the question "Will your public safety services be able to handle the increased demand?" is answered "YES" if this is true what are the public safety services that will be provided in Henry and Butts Counties.
4. Also on page 3 the question "What are the estimated tax revenues that will be generated by the proposed project ?"" is answered "N/A". Surely if there is a demand that has been identified there must be some development anticipated that will generate a proportionate amount of taxes. If this is not true then no demand now or future exists for the construction of a reservoir.
5. In the "Summary of Proposed Development Tussahaw Reservoir Henry County Water and Sewer Authority the following comments are made:
  - a. In the first paragraph it states "Currently, the Authority is purchasing land and developing information necessary to apply for the appropriate federal and state permits for the reservoir." This statement is flawed! Henry County purchased 1200 +- acres and condemned 400 +- acres in Butts County and utilized a Special Master to hear the cases. The Special Master was an attorney from Henry County appointed by a Henry County Judge and the appraiser employed to establish value was a Henry County appraiser only then was property purchased. Furthermore, it seemed Henry County should have applied for appropriate federal and state permits long before now.
  - b. In paragraph two reference is made to three (3) attachments that was not included in the packet submitted to Butts County for its review and comment. It would seem these three (3) attachments should be provided to Butts County as part of Henry County's submission to the ARC.
  - c. In paragraph three statements are made that the "AUTHORITY" recognizes the need for interjurisdictional cooperation. If this is so Henry County has obviously a different concept of what this means than Butts County has since Henry County has bulldozed their way through this whole process without regards to the concerns of Butts County.
  - d. Under "Cultural Resources:" paragraph two is stated: "Additional on-site, field investigations are underway within the boundaries of the proposed reservoir to determine the presence of unknown significant cultural resources eligible for

- listing on the National Register of Historic Properties.” The question Butts County has in this regard is who is conducting these investigations – staff or consultant – and is this investigation being conducted in both Henry and Butts Counties and – when will the results of these investigations be made known?
- e. Under “Wetland Resources:” paragraph one is stated “Presently, on-site investigations are underway to locate and determine the exact amount of these areas within the proposed footprint”. The question again is who is conducting these investigations and when will the results be known.
  - f. The last paragraph under “Wetland Resources:” states wetland mitigation will be assured. The question Butts County has is since 62% of the proposed reservoir is in Henry County will 62 % of the wetland mitigation be within Henry County. If this is unknown when will it be known and will Butts County have an opportunity to comment on what is proposed as wetland mitigation.
  - g. The acreage purchased by Henry County exceeds 1200 acres. Henry County additionally condemned 400+- acres. This represents approximately 1.3% of the total land area of Butts County. The total flooded acreage of water will cover approximately 952 acres which will not be subject to development. The remaining acreage will be subject to a watershed protection acts severely limiting development.
6. In the document provided entitled “Developments of Regional Impact” – “Review Report” under the “General” section of this report the question “Is the proposed project consistent with any potentially affected local government’s comprehensive plan? If not, identify inconsistencies”. Henry County’s response is “To be determined in the review process.” Obviously Henry County did not consult Butts County nor review Butts County’s Future Land Use Plan.
  7. Under – “Economy of the Region” the question asked “What new taxes will be generated by the proposed project? Was answered “NONE”, surely if the demand for this project can be documented it must be assumed that it will provide for additional and new development which surely will provide development from which the County (Henry) will receive additional taxes.(Subject to 5d)
  8. Under the same heading “Economy of the Region” the question asked “In what ways could the proposed development have a positive or negative impact on existing industry or business in the Region?” was answered “NO DIRECT IMPACT” if this is so only new development will be impacted which is hardly a true statement.
  9. Under – “Historic Resources” the questions asked “Will the proposed project be located near a national register site? If yes, identify site” was answered “NO”. It appears this answer is premature since in another section of this submission it is clearly stated that “Additional on-site, field investigations are underway within the boundaries of the proposed reservoir to determine the presence of unknown significant cultural resources eligible for listing on the National Register of Historic Properties”. The second question asked is “In what ways could the proposed project have a positive influence on efforts to preserve or promote the historic resource?” was answered “NOT APPLICABLE”. Either the investigations mentioned have been completed to determine this is so or more than one person authored this submission without consulting the other. In either case a clear explanation is in order! (See 5b)

10. Under – “Infrastructure – Transportation” the question asked “What transportation improvements are under construction or planned for the Region that would affect or be affected by the proposed project? What is the status of those improvements (long or short range or other)?” was answered “NONE”. It is hard to believe that no road improvements will be required if nothing more than temporary to construct a project of this magnitude requiring the movement of heavy equipment to build a reservoir. Butts County has abandoned several area roads. Henry County has requested that additional roads within the project be abandoned.
11. Also under – “Infrastructure – Waste Water and Sewage” the question asked “How much waste-water is the development likely to generate?” was answered “None directly. However, the reservoir is proposed to meet projected water needs which will then generate wastewater and the county is addressing this need also.” If wastewater is generated which County is proposed to receive the effluent and how will it be treated and disposed of. The next question asked was “Which facility will treat wastewater from the project?” was answered “NOT APPLICABLE.” Answers such as this seem inconsistent and an explanation is in order!
12. Under – “Infrastructure” – water supply and treatment – the question asked is “How will the proposed project’s demand for water impact the water supply or treatment facilities of the jurisdiction providing the service?” this was answered as “This reservoir is one component of Henry County’s plan to meet projected water needs.” If this is true Butts County would like to review the other components and to question what the total projected demand is for Henry County and if Henry County cannot provide within Henry County its demand needs why it (the County) does not impose a moratorium on development until it can provide for the projected demand within its own political jurisdiction.