

CONDENSED OVERVIEW OF WELL MITIGATION FUND

MISSION

The mission of the Bryan-Bulloch Groundwater Sustainability Program (GSP) is to conserve, preserve, and protect the Floridan aquifer groundwater resource in Bryan and Bulloch Counties. Furthermore, the GSP shall protect access to the Floridan aquifer and mitigate any existing eligible Floridan aquifer wells that experience significant impacts from the lowering of water levels due to withdrawals from the proposed Bryan and Bulloch wells permitted under Georgia Department of Natural Resources Environmental Protection Division (GA EPD) Permits No. 016-0013 and No. 016-0014 (hereinafter the “Bryan and Bulloch Wells”).

In order to comply with the requirements of Groundwater Use Permits, the GSP is created by the governing authorities of the Bryan County Board of Commissioners and the Bulloch County Board of Commissioners, with the expressed purpose of assessing claims of impacts to existing Floridan aquifer private residential drinking wells and non-drinking agricultural wells within the defined mitigation area.

MANAGERS

The Well Mitigation Managers shall be responsible for administering the GSP’s operations and execution of goals under the program to address significant impacts to existing eligible Floridan aquifer wells within the mitigation area to meet the conditions of the referenced Georgia EPD Groundwater Use Permits. In addition, each County shall impanel an Advisory Committee of up to three (3) persons, to make recommendations to the Well Mitigation Managers on program implementation, objectives, and other related matters. The Bryan and Bulloch Boards of Commission, upon mutual agreement to utilize fund monies, may hire additional staff and personnel to the GSP or to contract with outside consultants, as deemed necessary, to aid the Well Mitigation Managers fulfill their duties under the Program.

The GSP Well Mitigation Managers shall work collaboratively to administer to program and shall meet no less than quarterly, on the 3rd Tuesday of the first month in each quarter. The GSP Well Mitigation Managers and necessary staff shall also meet with the Advisory Committee periodically as necessary, but no less than annually. Meetings between the Advisory Committee and Well Mitigation Managers shall be noticed and open to the public, in accordance with Georgia Open Meeting law requirements.

QUALIFIED WELLS

Wells that qualify for potential mitigation through the GSP shall be limited to existing private residential drinking or permitted non-drinking agricultural wells, located in the mitigation area described above, that:

- were drilled on or before April 1, 2025, or the date in which the first of the four proposed Bryan and Bulloch Wells, is placed into operation, whichever occurred last;
- withdrawal water from the Floridan aquifer;
- experienced significant impacts from of well water level lowering caused by withdrawals from the proposed wells covered by the referenced Groundwater Use Permits,

- in the case of non-drinking agricultural wells, were permitted by GA EPD on or before April 1, 2025, or the date in which the first of the four proposed Bryan and Bulloch Wells, is placed into operation, whichever occurred last,
- do not produce water for a public water supply; and
- meet the criteria for mitigation under the GSP's Rules and Policies.

Wells located on land within the Mitigation Area, as determined by the Well Mitigation Manager(s) and meeting the criteria above shall qualify for mitigation from the Fund. Wells located outside the Mitigation Area, defined herein, do not qualify for mitigation from the Fund, however, wells located in close proximity to the Mitigation Area where the Well Mitigation Manager(s) determines there is significant impact from the lowering of the well water level due to withdrawals from the proposed Bryan and Bulloch Wells, warrants mitigation through the Fund, may qualify for migration from the Fund.

Privately-owned small community water system wells and municipal wells used for public supply are not covered by the GSP or the Mitigation Fund.

NON-MANDATORY WELL REGISTRATION

In addition to the mitigation measures described herein, the Well Mitigation Managers shall develop a non-mandatory well registration program by March 1, 2025. The purpose of registering wells is to create a baseline record for each well in the event of a future claim and to have the necessary information on file to identify at-risk wells. This can be particularly beneficial for drinking water wells, as many of these wells' construction, maintenance, and exact location are considered a data gap. Many existing drinking water wells in the Mitigation Area have not been permitted through either GA EPD or DPH, and therefore little information about these wells is currently known and the exact locations of most private domestic wells are not known to the GSP.

WELL DRILLER CONTRACTING

In order to facilitate expedited mitigation measures for qualifying affected wells, the GSP shall contract with multiple, at least three (3), responsive and experienced licensed local well drillers, to perform GSP approved mitigation measures on an on-call basis. The GSP should utilize 3-year on-call contracts, to allow for continuous access to the selected well drillers, but also allowing for advantageous competitive bidding in the future.

CLAIMS

Claimants who have lost access to drinking water or have experienced issues with their existing wells can contact GSP to initiate the mitigation application process. Claimants must submit an online claim application, which shall be available on the GSP website, or claimants can utilize the GSP hotline to speak with a representative for assistance with filing a claim. Within 24-hours of receiving a claim application, the Well Mitigation Managers shall commence with the steps below.

Step 1. Interim Drinking Water Supplies

Bottled water supplied by GSP. Additional water from water kiosks.

Step 2. Pre-Mitigation Assessment

Within 24-hours of receiving a claim application, the Well Mitigation Managers will select from the list of on-call well drillers, as provided in Section 2.5 of this document, to conduct an immediate assessment of the potentially impacted well.

Step 3. Identify Need for Mitigation

It must be demonstrated that water levels in the existing well have decreased below the existing pump setpoint/depth to qualify for mitigation. Based on the evaluation of data collected in Step 2, the Well Mitigation Manager, or his assign, will provide direction to the on-call well driller to proceed with Step 4 or to cease mitigation operations. Claimants determined not to be eligible for mitigation may file an appeal as detailed in Section 3.7.

Step 4. Mitigation Measure Selection and Mitigation Agreement

In cases where the claim meets the qualification criteria a drinking water well being impacted by Floridan aquifer groundwater use conditions and the impact occurring after April 1, 2025, or the date in which the first of the four proposed Bryan and Bulloch Wells, is placed into operation, whichever occurred last, the Well Mitigation Manager and on-call well driller will determine the mitigation measure to implement and prepare a report to the GSP, which outlines the proposed mitigation and costs associated with administering and implementing the mitigation (including interim supplies). The report shall include a summary of the pre-mitigation assessment findings and reason for mitigation measure selection as the most effective and efficient method to remediate the affected well.

Long-term mitigation for drinking water wells may include (but not necessarily be limited to):

1. Lower this existing pump below the anticipated long-term reduced well water caused by pumpage from the proposed Bryan and Bulloch Wells.
2. Modify existing pump equipment, as necessary, based on lowered setpoint/depth in well.
3. Deepen the well, and install existing, modified, or new pump equipment.
4. Construct a new well and abandon existing well in accordance with Georgia EPD standards.
5. Connect the impacted party with an existing public water system in the vicinity.
6. With the consent of the affected user, provide other acceptable means of mitigation as approved by GSP.

Prior to beginning any mitigation work, the well owner must sign the Mitigation Work Order and Agreement (MWOA) accepting the mitigation work selected and approved by the GSP. By signing the MWOA, the property owner also provides a right-of-entry and indemnification to the GSP and its contractors, agents, employees, and consultants to perform the mitigation work on their property. A copy of the GSP MWOA is included in Appendix D.

LIABILITY AND FUNDING

No member of the Bryan or Bulloch Board of Commissioners, the GSP, or any person acting on behalf of the GSP or respective board of commissioners shall be liable to any person for any damages arising out of the implementation of the well mitigation program except in the case of willful or malicious negligence. This limitation of liability shall apply to Bryan County, Bulloch

County, the members of the board, the employees of the board, employees of the GSP, and any person acting under direction of the board or GSP.

The GSP shall initially operate with funds provided by the Bulloch County Development Authority, the Bryan County Development Authority, Hyundai Motorgroup Metaplant America (HMGMA), and the Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA). Each of these entities have committed to contributing \$250,000 for a total of \$1 million to start the Mitigation Fund.

The GSP will develop policies and strategies for increasing the Fund balance based on a portion of proceeds from water service charges for water supplied by the Bryan and Bulloch Wells to be deposited into the Fund. The Well Mitigation Managers will determine the necessary portion of water service charges to transfer into the Fund, and shall make appropriate requests for additional funding from the respective Boards of Commission to approve any modifications to these amounts to maintain a sufficient Fund balance. The GSP shall also implement an investment policy which is in compliance with various provisions of Georgia law relating to the investment and security of municipally managed funds.