

House Resolution 533

By: Representatives Carter of the 159th, Bryant of the 160th, Burns of the 157th, Gordon of the 162nd, Stephens of the 164th, and others

A RESOLUTION

- 1 Requesting that the Environmental Protection Division lead efforts to evaluate the
2 appropriate deficit from natural for dissolved oxygen in the Savannah Harbor to allow for
3 protection of aquatic species and the economic viability of the region; and for other purposes.
- 4 WHEREAS, the existing total maximum daily load (TMDL) for dissolved oxygen (DO) for
5 the Savannah Harbor was adopted in 2006 and sets the biochemical oxygen demand
6 allowable inputs level at zero; and
- 7 WHEREAS, the current standard is generally recognized as unattainable, and development
8 of a new water quality standard and TMDL for the Savannah River is necessary for the
9 long-term environmental protection of the river basin and harbor as well as the communities
10 that are dependent on the river; and
- 11 WHEREAS, on December 3, 2008, the Board of Natural Resources adopted proposed
12 amendments to rules for water quality control pertaining to the Savannah Harbor's DO
13 standard; and
- 14 WHEREAS, the new water quality standard for the Savannah Harbor includes a provision
15 for allowing a DO deficit of 0.1 mg/L due to natural conditions and up to 10 percent of the
16 DO level which must be protective of aquatic life; and
- 17 WHEREAS, municipal and industrial point source discharges would bear a majority of the
18 burden to achieve the water quality standard even though such discharges contribute to only
19 a small percentage of the decreased DO levels in the harbor; and
- 20 WHEREAS, the current standard will prohibit any new discharges or expansion of existing
21 discharges unless offset by reduction of an existing permitted discharge and will seriously
22 threaten the economic vitality and development of the entire Savannah River Basin; and

23 WHEREAS, the Savannah Harbor is a highly modified system designed to support a
24 deepwater port, and modification of the harbor depth has essentially changed the use of the
25 harbor and the quality of habitat for the aquatic life present; and

26 WHEREAS, the DO standard adopted by the Board of Natural Resources could recognize
27 the change of the system by allowing a greater DO deficit in the deepwater portions of the
28 system rather than in the off-channel, shallow regions; and

29 WHEREAS, support for a DO deficit higher than 0.1 mg/L in harbor waters requires an
30 evaluation of how aquatic life may be affected, and much of the background work for this
31 analysis was done as part of the standard development process for the system; and

32 WHEREAS, it is important that any evaluation be focused on areas where temperature and
33 salinity are suitable for the species during the time of year in which the habitat is used; and

34 WHEREAS, there is flexibility incorporated into the proposed DO standard for Savannah
35 Harbor, and assessing how to utilize that flexibility, where DO deficit can vary from 0.1
36 mg/L to 10 percent of natural value, should balance protection of the environment with the
37 economic viability of the region.

38 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
39 the members of this body request that the Environmental Protection Division lead the efforts,
40 in coordination with stakeholders, to develop a process establishing an appropriate DO
41 deficit for the Savannah Harbor to allow for protection of aquatic species and the economic
42 viability of the region.

43 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
44 and directed to transmit an appropriate copy of this resolution to the director of the
45 Environmental Protection Division and the members of the Board of Natural Resources.