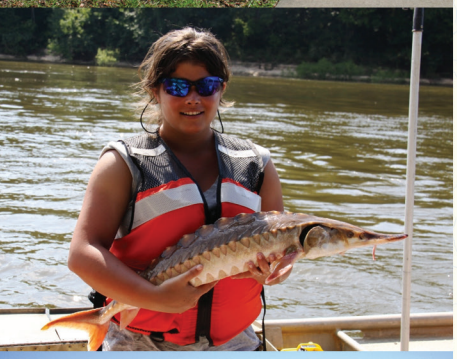

FINAL
Environmental Impact Statement

Update of the Water Control Manual for the Apalachicola-Chattahoochee-Flint River Basin in Alabama, Florida, and Georgia and a Water Supply Storage Assessment

December 2016 **Contract number: W91278-10-D-0014-0036**

US Army Corps of Engineers®
Mobile District

Prepared for:
U.S. Army Corps of Engineers
Mobile District
P.O. Box 2288
Mobile, AL 36628

Prepared by:
Tetra Tech
61 St. Joseph Street
Suite 550
Mobile, AL 36602

Appendix C

Pertinent Correspondence

This page intentionally left blank

September 19, 2008

Federal Register Vol. 73, No. 183

This page intentionally left blank

Method for Controlling Parachute Opening'' issued September 2, 2008. This patent has been assigned to the United States Government as represented by the Secretary of the Army.

FOR FURTHER INFORMATION CONTACT: Mr. Jeffrey DiTullio at U.S. Army Soldier Systems Center, Kansas Street, Natick, MA 01760, Phone; (508) 233–4184 or *e-mail: Jeffrey.Ditullio@us.army.mil.*

SUPPLEMENTARY INFORMATION: Any licenses granted shall comply with 35 U.S.C. 209 and 37 CFR Part 404.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. E8–21924 Filed 9–18–08; 8:45 am]

BILLING CODE 3710–08–P

DEPARTMENT OF DEFENSE

Department of the Army

Notice of Intent To Prepare an Environmental Impact Statement (EIS) for Disposal and Reuse of Fort Monroe, VA, Resulting From the 2005 Base Closure and Realignment Commission's Recommendations

AGENCY: Department of the Army, DoD.

ACTION: Notice of Availability.

SUMMARY: The Department of the Army intends to prepare an EIS for the disposal and reuse of Fort Monroe, Hampton, Virginia. Pursuant to the BRAC law, Fort Monroe is to close by September 14, 2011. Other actions included in the closing of Fort Monroe are relocating the Headquarters, U.S. Army Training and Doctrine Command (TRADOC); the Installation Management Command (IMCOM) Northeast Region; the U.S. Army Network Enterprise Technology Command (NETCOM) Northeast Region; and the Army Contracting Agency Northeast Region Office to Fort Eustis, Virginia. The U.S. Army Accessions Command and the U.S. Army Cadet Command will be relocated to Fort Knox, Kentucky. These relocations have been or will be addressed in separate National Environmental Policy Act (NEPA) documents for those locations.

DATES: The scoping meeting for the EIS will be held on October 28, 2008, 7 p.m. to 9 p.m., Northampton Community Center, 1435 Todds Lane, Hampton, VA 23666.

FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Guerrero; phone: (757) 788–5363; e-mail: *jennifer.lee.guerrero@us.army.mil.*

SUPPLEMENTARY INFORMATION: Fort Monroe is a 570-acre U.S. Army Garrison located at the southeastern tip of the Virginia Lower Peninsula between Hampton Roads and the Lower Chesapeake Bay. The hallmark of Fort Monroe is its stone fortress and moat.

The proposed action (Army primary action) is to dispose of the surplus property generated by the BRAC-mandated closure of Fort Monroe. Reuse of Fort Monroe by others is a secondary action resulting from disposal. The Army has identified two disposal alternatives (early transfer and traditional disposal), a caretaker status alternative, and the no action alternative (as required by NEPA). The EIS will analyze the impact of each reuse alternative upon a wide range of environmental resource areas including, but not limited to, air quality, traffic, noise, biological resources, water resources, geology and soils, cultural resources, socioeconomic, utilities, land use, aesthetics and visual resources, hazardous and toxic substances, and cumulative environmental effects.

The Army will conduct an environmental impact analysis that will focus on the effects of closure and reuse. One preliminary finding is that transportation impacts will have the most significant effect, with or without a major tourism component in the reuse plan. Also, at this early stage, impacts to air quality, infrastructure, and land use are not considered significant. With respect to cultural resources, significant adverse impacts are possible, but these can be mitigated by provisions contained in the Programmatic Agreement between the Army and the Virginia Department of Historic Resources.

Additional resources and conditions may be identified as a result of the scoping process initiated by this NOI. Other opportunities for public participation will be announced in the respective local news media. The public will be invited to participate in scoping activities for the EIS and comments from the public will be considered before any action is taken to implement the disposal and reuse of Fort Monroe.

Dated: September 12, 2008.

Addison D. Davis, IV,

Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health).

[FR Doc. E8–21807 Filed 9–18–08; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Public Scoping Meetings for Update of the Water Control Manual for the Apalachicola-Chattahoochee-Flint River Basin in Georgia, Florida, and Alabama

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Supplement to Notice of Intent.

SUMMARY: The U.S. Army Corps of Engineers (Corps), Mobile District, issued a Notice of Intent (NOI) in the **Federal Register** (73 FR 9780) published on February 22, 2008, describing the preparation of a Draft Environmental Impact Statement (EIS), as required by the National Environmental Policy Act (NEPA) to address the proposed update of the Water Control Manual (WCM) for the Apalachicola-Chattahoochee-Flint (ACF) River Basin located in Georgia, Florida, and Alabama. The Corps will hold five public scoping meetings during the month of October as part of its review and update of the WCM for the ACF River Basin. The public is invited to attend the scoping meetings which will provide information on the WCM update process and afford the opportunity to receive input from the public about their issues and concerns regarding that process. All five public meetings will be held using an open house format, allowing time for participants to review specific information and to provide comments to the resource staff attending the meeting.

DATES: *See* **SUPPLEMENTARY INFORMATION** section for meeting dates.

ADDRESSES: *See* **SUPPLEMENTARY INFORMATION** section for meeting addresses.

FOR FURTHER INFORMATION CONTACT: Questions about the manual update or NEPA process can be answered by: Mr. Brian Zettle, Biologist, Environment and Resources Branch, Planning and Environmental Division, U.S. Army Engineer District-Mobile, Post Office Box 2288, Mobile, AL 36628–0001; Telephone (251) 690–2115; or delivered by electronic facsimile at (251) 694–3815; or e-mail: *brian.a.zettle@.usace.army.mil.* You may also request to be included on the mailing list for public distribution of notices, meeting announcements and documents.

SUPPLEMENTARY INFORMATION: The meeting dates are:

1. October 20, 2008, 5 p.m.–8 p.m. (EDT), Apalachicola, FL.

2. October 21, 2008, 5 p.m.–8 p.m. (CDT), Dothan, AL.

3. October 22, 2008, 5 p.m.–8 p.m. (EDT), LaGrange, GA.

4. October 23, 2008, 4 p.m.–7 p.m. (EDT), Marietta, GA.

5. October 29, 2008, 5 p.m.–8 p.m. (EDT), Gainesville, GA.

The meeting locations are:

1. Apalachicola, FL—Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320, (850) 653–8861.

2. Dothan, AL—Dothan Convention Center, 4106 Ross Clark Circle, Dothan, AL 36303, (334) 712–9808.

3. LaGrange, GA—Callaway Center at West Georgia Technical College, One College Circle, LaGrange, GA 30240, (706) 845–4323.

4. Marietta, GA—Cobb County Government: Civic Center, Hudgins Hall, 548 S. Marietta Parkway SE., Marietta, GA 30060, (770) 528–8450.

5. Gainesville, GA—Georgia Mountain Center, 301 Main Street, SW., Gainesville, GA 30503, (770) 534–8420.

Additional information on the ACF River Basin and the Water Control Manual update process will be posted on the Mobile District Web page as it becomes available: *http://www.sam.usace.army.mil.*

Dated: September 12, 2008.

Byron G. Jorns,

Colonel, Corps of Engineers, District Commander.

[FR Doc. E8–21912 Filed 9–18–08; 8:45 am]

BILLING CODE 3710–CR–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC08–520–001, FERC–520]

Commission Information Collection Activities, Proposed Collection; Comment Request; Submitted for OMB Review

September 12, 2008.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice.

SUMMARY: In compliance with the requirements of section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507, the Federal Energy Regulatory Commission (Commission) has submitted the information collection described below to the Office of Management and Budget (OMB) for review of this information collection requirement. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission received no comments in response to an earlier **Federal Register** notice of April 15, 2008 (73 FR 20267–20269) and has made this notation in its submission to OMB.

DATES: Comments on the collection of information are due by October 20, 2008.

ADDRESSES: Address comments on the collection of information to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Federal Energy Regulatory Commission Desk Officer. Comments to OMB should be filed electronically, c/o *oira_submission@omb.eop.gov* and include the OMB Control No. 1902–0083 as a point of reference. The Desk Officer may be reached by telephone at 202–395–7345. A copy of the comments should also be sent to the Federal Energy Regulatory Commission, Office of the Executive Director, ED–34, Attention: Michael Miller, 888 First Street, NE., Washington, DC 20426. Comments may be filed either in paper format or electronically. Those persons filing electronically do not need to make a paper filing. For paper filings, such comments should be submitted to the Secretary of the Commission, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426 and should refer to Docket No. IC08–520–001. Documents filed electronically via the Internet must be prepared in an acceptable filing format and in compliance with the Federal Energy Regulatory Commission submission guidelines. Complete filing instructions and acceptable filing formats are available at (*http://www.ferc.gov/help/submission-guide/electronic-media.asp*). To file the document electronically, access the Commission's Web site and click on Documents & Filing, E-Filing (*http://www.ferc.gov/docs-filing/efiling.asp*), and then follow the instructions for each screen. First time users will have to establish a user name and password. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments.

All comments may be viewed, printed or downloaded remotely via the Internet through FERC's homepage using the ''eLibrary'' link. For user assistance, contact *ferconlinesupport@ferc.gov* or toll-free at (866) 208–3676 or for TTY, contact (202) 502–8659.

FOR FURTHER INFORMATION CONTACT: Michael Miller may be reached by telephone at (202) 502–8415, by fax at (202) 273–0873, and by e-mail at *michael.miller@ferc.gov.*

SUPPLEMENTARY INFORMATION: The information collected under the requirements of FERC–520 ''Application for Authority to Hold Interlocking Directorate Positions'' (OMB No. 1902–0083) is used by the Commission to implement the statutory provisions of section 305 of the Federal Power Act (FPA) as amended by Title II, section 211 of the Public Utility Regulatory Policies Act of 1978 (PURPA)(16 U.S.C. 825d). Section 305(b) makes the holding of certain defined interlocking corporate positions unlawful unless the Commission has authorized the interlocks to be held and, requires the applicant to show in a form and manner as prescribed by the Commission, that neither public nor private interests will be adversely affected by the holding of the position. The Commission implements these provisions through its filing requirements in the Code of Federal Regulations (CFR) 18 CFR part 45. The information required under Part 45 generally identifies the applicant, describes the various interlocking positions the applicant seeks authorization to hold, provides information on the applicant's financial interests, other officers and directors of the firms involved, and the nature of the business relationships among the firms.

Two types of FERC–520 applications are provided for, that which is described in 18 CFR 45.8 as a ''full'' application and that which is described in 18 CFR 45.9 as an ''informal'' application for automatic authorization. Section 45.8 ''full'' applications are made by (1) an officer or director of more than one public utility; (2) an officer or director of a public utility and of a public utility securities underwriter; or (3) an officer or director of a public utility and of an electrical equipment supplier to that utility. Section 45.9 ''informational applications'' are made by (1) an officer or director of two or more public utilities where the same holding company owns, directly or indirectly, wholly or in part, the other public utility; (2) an officer or director of two public utilities, if one utility is owned, wholly or in part, by the other; or (3) an officer or director of more than one public utility, if such person is already authorized under Part 45 to hold different positions where the interlock involves affiliated public utilities.

Without this information collection, the Commission and the public would not be able to inquire into and determine whether public or private interests will be adversely affected by the holding of such positions.

November 19, 2009

Federal Register Vol. 74, No. 222

This page intentionally left blank

The clause at DFARS 252.228–7005, Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles, requires the contractor to report promptly to the administrative contracting officer all pertinent facts relating to each accident involving an aircraft, missile, or space launch vehicle being manufactured, modified, repaired, or overhauled in connection with the contract.

The clause at DFARS 252.228–7006, Compliance with Spanish Laws and Insurance, requires the contractor to provide the contracting officer with a written representation that the contractor has obtained the required types of insurance in the minimum amounts specified in the clause, when performing a service or construction contract in Spain.

Amy G. Williams,

Editor, Defense Acquisition Regulations System.

[FR Doc. E9–27851 Filed 11–18–09; 8:45 am]

BILLING CODE P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[OMB Control Number 0704–0434]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement; Radio Frequency Identification Advance Shipment Notices

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Notice and request for comments regarding a proposed extension of an approved information collection requirement.

SUMMARY: In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), DoD announces the proposed extension of a public information collection requirement and seeks public comment on the provisions thereof. DoD invites comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of DoD, including whether the information will have practical utility; (b) the accuracy of the estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology. The Office of Management and Budget (OMB) has approved this information collection for use through December 31, 2009. DoD proposes that OMB approve an extension of the information collection requirement, to expire 3 years after the approval date.

DATES: DoD will consider all comments received by January 19, 2010.

ADDRESSES: You may submit comments identified by OMB Control Number 0704–0434, using any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

E-mail: dfars@acq.osd.mil. Include OMB Control Number 0704–0434 in the subject line of the message.

Fax: (703) 602–7887.

Mail: Defense Acquisition Regulations System, Attn: Ms. Cassandra R. Freeman, OUSD (AT&L) DPAP (DARS), IMD3D139, 3062 Defense Pentagon, Washington, DC 20301–3062.

Hand Delivery/Courier: Defense Acquisition Regulations System, Crystal Square 4, Suite 200A, 241 18th street, Arlington, VA 22202–3402.

Comments received generally will be posted without change to *http://www.regulations.gov,* including any person information provided.

FOR FURTHER INFORMATION CONTACT: Ms. Cassandra R. Freeman, at (703) 602–8383. The information collection requirement addressed in this notice is available on the World Wide Web at *http://www.acq.osd.mil/dpap/dars/dfars/index.htm.* Paper copies are available from Ms. Cassandra R. Freeman, OUSD (AT&L) DPAP (DARS), IMD3D139, 3062 Defense Pentagon, Washington, DC 20301–3062.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) Part 211 and related clause at 252.211; Radio Frequency Identification Advance Shipment Notices, OMB Control Number 0704–0434.

Needs and Uses: DoD uses advance shipment notices for the shipment of material containing RFID tag data. DoD receiving personnel use the advance shipment notice to associate the unique identification encoded on the RFID tag with the corresponding shipment. Use of the RFID technology permits DoD an automated and sophisticated end-to-end supply chain, which has increased visibility of assets and permits delivery of supplies to the warfighter more quickly.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Annual Burden Hours: 31,556.

Number of Respondents: 25,000.

Responses per Respondent: 3,981.

Annual Responses: 101,515,500.

Average Burden per Response: Approximately 1.1 seconds.

Frequency: On Occasion.

Summary of Information Collection

The clause at DFARS 252.211–7006, Radio Frequency Identification Advance Shipment Notices, requires the contractor to ensure that the data on each passive RFID tag are unique and conforms to the requirements that they are readable and affixed to the appropriate location on the specific level of packaging in accordance with MIL–STD–129 tag placement specifications. The contractor shall encode an approved RFID tag using the appropriate instructions at the time of contract award. Regardless of the selected encoding scheme, the contractor is responsible for ensuring that each tag contains a globally unique identifier. The contractor shall electronically submit advance shipment notices with the RFID tag identification in advance of the shipment in accordance with the procedures at *http://www.acq.osd.mil/log/rfid/advance_shipment_ntc.htm.*

Amy G. Williams,

Editor, Defense Acquisition Regulations System.

[FR Doc. E9–27853 Filed 11–18–09; 8:45 am]

BILLING CODE P

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Notice of Intent To Revise Scope of Draft Environmental Impact Statement for Updating the Water Control Manuals for the Apalachicola-Chattahoochee-Flint River Basin To Account for Federal District Court Ruling

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: Notice is hereby given that the U.S. Army Corps of Engineers (Corps), Mobile District, intends to revise the scope of the Environmental Impact Statement (EIS) for the Water Control Manuals updates for the Apalachicola-Chattahoochee-Flint (ACF) River Basin in Alabama, Florida, and Georgia, to account for a July 17, 2009 Federal court ruling. On July 17,

2009, Judge Paul A. Magnuson issued a memorandum and order in the case *In re Tri-State Water Rights Litigation* (M.D. Fla. No. 3:07-md-01), addressing the Corps' authority to provide water supply benefits through its operation of the Buford Dam/Lake Sidney Lanier project. The Corps solicits comments from interested persons regarding significant new information and circumstances introduced by the July 17, 2009, Order related to the scope of the EIS in connection with the water control manual updates. Public comments will be considered in preparation of the Draft EIS and updated water control manuals.

A Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) was published in the **Federal Register** (73 FR 9780) on February 22, 2008. In January 2009, after considering public comments, the Corps published a Final Scoping Report, Environmental Impact Statement, Update of the Apalachicola-Chattahoochee-Flint (ACF) River Basin, in Alabama, Florida, and Georgia, available at *http://www.sam.usace.army.mil/pa/acf-wcm/.* Any comments previously submitted will be reviewed and addressed in any scoping revisions. There is no need to resubmit comments previously provided during the 2008 scoping effort, unless in your opinion the above-cited district court decision necessitates additional comments from you.

DATES: The public comment period will commence with publication of this notice, and will end 45 days after its publication. This notice will also be distributed to those who commented during the original scoping period of October-December 2008. This distribution will occur by mail and/or e-mail on or about the date of this notice. No additional public scoping meetings are planned. Comments on the scope of the EIS, including concerns, issues, or proposed alternatives that should be considered in the EIS, should be submitted in writing to (see **ADDRESSES**) and will be accepted throughout the public comment period. Comments may also be submitted by using the electronic comment form at: *http://www.sam.usace.army.mil/pa/acf-wcm/mail_list.htm#form.*

ADDRESSES: To facilitate the Master Water Control Manual update, a support contract has been awarded to Tetra Tech, Inc. for preparation of the EIS and additional scoping. Please mail written comments to Tetra Tech, Inc., 107 Saint Francis Street, Ste. 1403, Mobile, AL 36602–9986.

FOR FURTHER INFORMATION CONTACT: Questions about the manual update or National Environmental Policy Act (NEPA) process should be directed to: Mr. Brian Zettle, Biologist, Environment and Resources Branch, Planning and Environmental Division, U.S. Army Engineer District-Mobile, Post Office Box 2288, Mobile, AL 36628–0001; Telephone (251) 690–2115; or delivered by electronic facsimile at (251) 694–3815; or e-mail: *brian.a.zettle@usace.army.mil.* You may also request to be included on the mailing list for public distribution of notices, meeting announcements and documents.

SUPPLEMENTARY INFORMATION: The Corps is updating the water control plans and manuals for the ACF Basin. This effort will include an updated Master Water Control Manual, containing plans for the coordinated operation of the five Federal reservoirs within the ACF basin as a system, and updated Water Control Manuals for each of those reservoirs, containing plans for the operation of those projects for their authorized purposes. Collectively, these documents may be referred to as the ''water control plans and manuals,'' ''water control manuals,'' or simply as the ''Master Water Control Manual,'' which includes the project-specific water control manuals. The water control plans and manuals will contain drought plans and action zones to assist Federal water managers in knowing when to reduce or increase reservoir releases and conserve storage in the Federal reservoirs and how to ensure the safety of dams during atypical conditions such as droughts and floods. The draft EIS will assess environmental impacts associated with these updated operating criteria and guidelines.

On July 17, 2009, Judge Paul A. Magnuson issued a memorandum and order in the Tri-State Water Rights litigation available at *http://www.sam.usace.army.mil/pa/acf-wcm/pdf/071709court_ruling.PDF.* The court's ruling has introduced new information and circumstances that bear upon certain determinations reflected in the Corps' January 2009 Final Scoping Report, to the extent that those determinations included operating the Lake Lanier/Buford Dam project to support present or increased levels of municipal and industrial water supply withdrawals.

The court determined that the Corps has exceeded its authority under the project authorization and the Water Supply Act of 1958 by operating the Buford Dam/Lake Lanier project to accommodate present levels of withdrawals for water supply. The court's order states that ''absent Congressional authorization or some other resolution of this dispute'' within three years of July 17, 2009, ''the operation of Buford Dam will return to the 'baseline' operation of the mid-1970s. Thus, the required off-peak flow will be 600 cfs [cubic feet per second] and only Gainesville and Buford will be allowed to withdraw water from the lake.'' The order states that until that time, ''the parties may continue to operate at current water-supply withdrawal levels but should not increase those withdrawals absent the agreement of all other parties to this matter.''

As a result of this ruling, the Corps is revising the scope of the EIS and water control manual updates in the following respects:

a. In updating the ACF water control plans and manuals, which are expected to be implemented in approximately three years, i.e., in July 2012, the Corps will consider only operations that are within existing authority. The Corps previously announced its intent to update the plans and manuals ''to reflect current operations.'' Because the court has held that the Corps lacks authority to continue to support present levels of water supply withdrawals at Lake Lanier or to reallocate storage to accommodate those or additional withdrawals, and because the court has ordered that most withdrawals from Lake Lanier must cease in 2012, the Corps will update the plans and manuals for operating the Lake Lanier project in a manner that reflects the court's order. Thus, the Corps will not continue to accommodate the present level of withdrawals beyond July 2012, nor will the Corps consider a reallocation of storage for water supply at Lake Lanier as part of the process for updating the ACF water control plans and manuals. Should the States and other interested parties to *In re Tri-State Water Rights Litigation* reach an agreement that involves reallocation of storage for water supply, the Corps would be prepared to submit that agreement to the Army and higher Executive Branch authorities for consideration and possible referral to Congress. Should Congress enact legislation authorizing additional water supply at Lake Lanier, the Corps would update its operations, plans and manuals accordingly.

b. Pursuant to the court's order, as of July 17, 2012, the updated manuals will reflect that water supply withdrawals from Lake Lanier will be limited to the amounts authorized by relocation agreements with the Cities of Gainesville and Buford, Georgia. Those agreements, which were executed at the

time of the reservoir's construction, authorize withdrawals of 8 million gallons per day (mgd) for Gainesville and 2 mgd for Buford, a combined 10 mgd.

c. Pursuant to the court's order, as of July 17, 2012, the updated manuals will reflect that ''the required off-peak flow [at Buford Dam] will be 600 cfs.'' Currently, peak hydropower demand at Buford Dam typically occurs on weekdays from 0500–0900 and 1500–2200 between October 1 and March 31, and on weekdays from 1300–1900 between April 1 and September 30. When the Corps is not generating hydropower to meet this peak demand, the Corps will not release more than 600 cfs from Buford Dam to support water supply withdrawals.

All other aspects described in the notice of intent published in the **Federal Register** (73 FR 9780) on February 22, 2008 remain the same. To satisfy its obligations under NEPA, the Corps will evaluate present circumstances as part of its EIS, while acknowledging that it currently lacks authority to continue to accommodate present levels of water supply at Lake Lanier beyond July 17, 2012.

Additional information on the ACF River Basin and the Master Water Control Manual Update process will be posted on the Mobile District Web page as it becomes available: *http://www.sam.usace.army.mil.*

R. Daren Payne,

Lieutenant Colonel, Corps of Engineers, Acting District Commander.

[FR Doc. E9–27787 Filed 11–18–09; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

The Release of the Draft Environmental Impact Statement (DEIS) for the Town of Nags Head Proposed Beach Nourishment Project in Dare County, NC

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice.

SUMMARY: The U.S. Army Corps of Engineers (COE), Wilmington District, Regulatory Division, has received a request for Department of the Army authorization, pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899, from the Town of Nags Head to dredge up to 4.6 million cubic yards of beach-quality sediment from an offshore borrow source, and deposit the material along approximately 10 miles of ocean shoreline in the Town of Nags Head.

The applicant proposes to utilize a self-contained hopper dredge during a proposed construction window from April through September to undertake the dredging operations and discharge the sand on the beach via submerged pipeline. The applicant's proposed borrow areas include sites identified as having beach quality material in the U.S. Army Corps of Engineers, Wilmington District's EIS, entitled *Final Feasibility Report and Environmental Impact Statement on Hurricane Protection and Beach Erosion Control,* dated September 2000 (USACE 2000).

DATES: Written comments on the Draft EIS will be received until December 30, 2009.

ADDRESSES: Copies of comments and questions regarding the Draft EIS may be addressed to: U.S. Army Corps of Engineers, Wilmington District, Washington Regulatory Field Office. ATTN: File Number 200640282, 2407 W. Fifth Street, Washington, NC 27889. Copies of the Draft EIS can be reviewed on the Wilmington District Regulatory homepage at, *http://www.saw.usace.army.mil/wetlands/regtour.htm,* or contact Ms. Sharon Barnett, at (910) 251–4555, to receive written or CD copies of the Draft EIS.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and DEIS can be directed to Mr. Raleigh Bland, Project Manager, Regulatory Division, telephone: (910) 251–4564.

SUPPLEMENTARY INFORMATION:

1. *Project Description.* The project site is located off NC Highway 12, adjacent to the Atlantic Ocean, in the Town of Nags Head, Dare County, NC. The proposed project totals approximately 10 miles of ocean shoreline beginning approximately 1 mile from the town's northern limit and extending south to the town line adjacent to the Cape Hatteras National Seashore. The proposed borrow area is located in the Atlantic Ocean approximately 2–3 miles offshore of the project site. The Town of Nags Head encompasses approximately 11 miles of ocean shoreline on a barrier island located at the northern end of North Carolina's Outer Banks. The width of the berm of the island's dune system varies considerably with location along the town's beach and with the season. Along most of the project area, the winter berm is non-existent due to continuing erosion processes. Dune habitat is currently decreasing due to excessive erosion of the base or toe of the dunes by waves that travel unimpeded over eroded wet beach to directly impact dunes. The Town of Nags Head proposes to excavate 4.6 million cubic yards of beach-quality sediment from an offshore borrow source, and deposit the material along approximately 10 miles of ocean shoreline owned by the Town of Nags Head.

2. *Proposed Action.* The purpose of the proposed action is to nourish the Town of Nags Head's ocean shoreline to restore a protective beach, replace sand lost during the period of delay in the implementation of the Federal *Dare County Hurricane Protection and Beach Erosion Control Project* (USACE 2000), and to help preserve property values and the tax base of Dare County.

The proposed borrow area includes portions of offshore areas identified by the Corps of Engineers in the 2000 Federal Dare County Project. The anticipated optimal equipment for excavations will include ocean-certified, self-contained hopper dredges. Such equipment typically excavates shallow trenches (approximately 2–3 foot sections) in each pass (leaving narrow undisturbed areas at the margin of each cut), then travels to a buoyed pipeline anchored close to shore. Discharge to the beach is via submerged pipeline across the surf zone, then by way of shore-based pipe positioned along the dry beach. Only a small area of the Corps borrow area will be required to provide up to 4.6 million cubic yards of beach quality material. The applicant is coordinating the specific area for use in the proposed project with the Corps with the following understanding: (1) The final borrow area required for the emergency beach nourishment project can be limited to the equivalent of a 0.9 square-mile (approximately 575 acres) area, (2) the borrow area used will be contiguous rather than a series of small impact areas, (3) once used, the borrow area will no longer be available for use, consistent with the Dare County Project, and (4) the borrow area will be delineated so as to avoid ongoing biological monitoring stations established by the Corps in connection with the Dare County Project. The project will be built in approximate 1–2 mile sections, optimizing the disposition of pipeline. Sections will be pumped into place with the aid of temporary dikes pushed up by bulldozers in the surf zone. Daily operations will impact approximately 500–1,000 linear feet of shoreline as work progresses in either direction from the submerged pipeline. Upon completion of a section, the submerged pipe and beach-building equipment will be shifted to the next section. As construction progresses, sections will be

This page intentionally left blank

October 12, 2012

Federal Register Vol. 77, No. 198

This page intentionally left blank

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Notice of Intent To Revise Scope of Draft Environmental Impact Statement for Updating the Water Control Manual for the Apalachicola-Chattahoochee-Flint River Basin To Account for the U.S. Court of Appeals for the Eleventh Circuit Ruling and a June 2012 Legal Opinion of the Corps' Chief Counsel Regarding Authority To Accommodate Municipal and Industrial Water Supply From the Buford Dam/Lake Lanier Project

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. Army Corps of Engineers (Corps), Mobile District, intends to revise the scope of the Environmental Impact Statement (EIS) for the Water Control Manual (WCM) updates for the Apalachicola-Chattahoochee-Flint (ACF) River Basin in Alabama, Florida, and Georgia, in light of a June 2011 decision of the U.S. Court of Appeals for the Eleventh Circuit and a June 2012 legal opinion of the Corps' Chief Counsel regarding authority to accommodate municipal and industrial water supply from the Buford Dam/Lake Lanier project. The Corps is updating the water control plans and manuals for the ACF Basin in order to improve operations for authorized purposes to reflect changed conditions since the manuals were last developed. The revised EIS will also consider, along with operations for all authorized purposes, an expanded range of water supply alternatives associated with the Buford Dam/Lake Lanier project, including current levels of water supply withdrawals and additional amounts that Georgia has requested from Lake Lanier and downstream at Atlanta. In all other respects, the scope of the EIS for the WCM updates will remain as described in the Updated Scoping Report, Environmental Impact Statement, Update of the Water Control Manual for the Apalachicola-Chattahoochee-Flint (ACF) River Basin, in Alabama, Florida, and Georgia (March 2010), available at *http://www.sam.usace.army.mil/pa/acf-wcm/docs.htm,* the Corps solicits comments from interested persons regarding the scope of the EIS for the WCM updates.

DATES: The public comment period will commence with publication of this notice, and will end 60 days after its publication. This notice will also be distributed to those who commented during the original scoping comment periods of October–December 2008 (see 72 FR 63561 [November 9, 2007], 73 FR 9780 [February 22, 2008], 73 FR 54391 [September 19, 2008]), and November–December 2009 (see 74 FR 59965 [November 19, 2009]). This distribution will occur by mail and/or email on or about the date of this notice. No additional public scoping meetings are planned. Comments on the scope of the EIS, including concerns, issues, or proposed alternatives that should be considered in the EIS, should be submitted in writing to (see **ADDRESSES**) and will be accepted throughout the public comment period. Comments may also be submitted by using the electronic comment form at: *http://www.sam.usace.army.mil/pa/acf-wcm/form.htm.*

ADDRESSES: To facilitate the Master Water Control Manual update, a support contract has been awarded to Tetra Tech, Inc. for preparation of the EIS and additional scoping. Please mail written comments to Tetra Tech, Inc., 61 St. Joseph Street, Suite 550, Mobile, AL 36602–3521.

FOR FURTHER INFORMATION CONTACT: Questions about the manual update or National Environmental Policy Act (NEPA) process should be directed to: Mr. Brian Zettle, Biologist, Environment and Resources Branch, Planning and Environmental Division, U.S. Army Engineer District-Mobile, Post Office Box 2288, Mobile, AL 36628–0001; Telephone (251) 690–2115; or delivered by electronic facsimile at (251) 694–3815; or email: *brian.a.zettle@usace.army.mil.* You may also request to be included on the mailing list for public distribution of notices, meeting announcements and documents.

SUPPLEMENTARY INFORMATION: The Corps is updating the water control plans and manuals for the ACF Basin in order to improve operations to reflect changed conditions since the manuals were last developed. As explained in a November 2009 **Federal Register** Notice of Intent, 74 FR 59965 (November 19, 2009), and in the March 2010 Updated Scoping Report, the Corps previously narrowed the scope of the EIS for the WCM update to exclude from consideration certain water supply operations at the Buford Dam/Lake Lanier project that would have violated a July 2009 district court order. In June 2011, the U.S. Court of Appeals for the Eleventh Circuit vacated that 2009 district court order and directed the Corps to determine its legal authority to operate the Buford Dam/Lake Lanier Project to accommodate water supply withdrawals. See *In re Tri-State Water Rights Litigation,* 644 F.3d 1160 (11th Cir. 2011). In compliance with the Eleventh Circuit's order, the Chief Counsel issued a legal opinion on June 25, 2012 (available at *http://www.sam.usace.army.mil/2012ACF_legalopinion.pdf*), concluding that the Corps has the legal authority to accommodate both current and increased levels of water supply withdrawals from Lake Lanier and downstream at Atlanta. The Chief Counsel's legal opinion does not dictate what operational decisions will be made, with regard to water supply or otherwise, but it does establish certain analytical principles that will be taken into account as the Corps makes its final operational decisions at the conclusion of the WCM update process. Such decisions will be made in light of all applicable authorities, and will be guided by the legal principles articulated in the Chief Counsel's June 25, 2012 opinion.

In light of this legal opinion and the Eleventh Circuit's ruling, it is appropriate for the Corps to consider a broader range of water supply alternatives, including both current levels of water supply withdrawals and increased withdrawals, from Lake Lanier and downstream at Atlanta, that have been determined to be within the Corps' legal authority to implement. All other scoping aspects described in the March 2010 Updated Scoping Report remain the same. Information on the ACF River Basin and the Master Water Control Manual Update process will be posted on the Mobile District Web page as it becomes available: *http://www.sam.usace.army.mil.*

Steven J. Roemhildt,

Colonel, Corps of Engineers, District Commander.

[FR Doc. 2012–25202 Filed 10–11–12; 8:45 am]

BILLING CODE 3720–58–P

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

[Recommendation 2012–2]

Hanford Tank Farms Flammable Gas Safety Strategy

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Notice, recommendation.

SUMMARY: Pursuant to 42 U.S.C. 2286a(a)(5), the Defense Nuclear Facilities Safety Board has made a recommendation to the Secretary of Energy concerning the Hanford Tank Farms flammable gas safety strategy.

This page intentionally left blank

October 2, 2015

Federal Register Vol. 80, No. 191

This page intentionally left blank

The following services are proposed for addition to the Procurement List for production by the nonprofit agencies listed:

Services

Service Type: Custodial Service
Service is Mandatory For: DoDEA, Domestic Dependent Elementary and Secondary Schools, Andersen Elementary and Middle Schools, Andersen AFB, 1600 Ponape Avenue, Yigo, GU
District Superintendent's Office, Naval Hospital Base, 101 Johnson Road, Agana Heights, GU
Guam High School, Naval Hospital Base, Agana Heights, GU
Commander William C. McCool Elementary/Middle School, US Naval Base Guam, 311 Amaryllis Avenue, Sumay, GU
Mandatory Source(s) of Supply: iCAN Resources, Inc., Dededo, GU
Contracting Activity: Dept of Defense Education Activity (DODEA), Dodds Pacific Director's Office, APO, AP
Service Type: Janitorial Service
Service is Mandatory For: USDA Forest Service, Salmon/Cobalt Ranger District, Salmon-Challis National Forest, 311 McPherson Street, Salmon, ID
Mandatory Source(s) of Supply: Development Workshop, Inc., Idaho Falls, ID
Contracting Activity: Department of Agriculture, Forest Service, Caribou-Targhee National Forest, Idaho Falls, ID
Service Type: Landscaping Service
Service is Mandatory For: GSA PBS Region 1, John F. Kennedy Federal Building, 25 New Sudbury Street, Boston, MA
Mandatory Source(s) of Supply: Work, Incorporated, Dorchester, MA
Contracting Activity: GSA/Public Buildings Service, Boston, MA

Deletion

The following service is proposed for deletion from the Procurement List:

Service

Service Type/Location: Custodial Service, Isle Royale National Park & Ranger III Vessel, 800 East Lakeshore Drive, Houghton, MI
Mandatory Source(s) of Supply: Goodwill Industries of Northern Wisconsin & Upper Michigan, Inc., Marinette, WI
Contracting Activity: Dept of the Interior, National Park Service, MWR Regional Contracting, Omaha, NE

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2015–25103 Filed 10–1–15; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Notice of Open House—Draft Environmental Impact Statement for Updated Water Control Manuals for the Apalachicola-Chattahoochee-Flint River Basin

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of Availability.

SUMMARY: Notice is hereby given that the U.S. Army Corps of Engineers, Mobile District (USACE), has released the Draft Environmental Impact Statement (DEIS) and will conduct open house style meetings and accept comments on the Draft DEIS for the update of the Apalachicola-Chattahoochee-Flint Basin (ACF) Water Control Master Manual (Master Manual).

DATES: Comments on the DEIS are due not later than December 1, 2015.

ADDRESSES: Submit comments as indicated in the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Mr. Lewis Sumner at telephone (251) 694–3857.

SUPPLEMENTARY INFORMATION: The Master Manual includes appendices prepared for individual projects in the ACF Basin and is the guide used by USACE to operate a system of five federal reservoir projects in the basin—Buford Dam and Lake Lanier, West Point Dam and Lake, Walter F. George Lock and Dam and Lake, George W. Andrews Lock and Dam and Lake, and Jim Woodruff Lock and Dam and Lake Seminole.

The purpose and need for the federal action is to determine how federal projects in the ACF Basin should be operated for their authorized purposes, in light of current conditions and applicable law, and to implement those operations through updated water control plans and manuals. The proposed action will result in an updated Master Manual and individual project water control manuals (WCMs) that comply with existing USACE regulations and reflect operations under existing congressional authorizations, taking into account changes in basin hydrology and demands from years of growth and development, new/rehabilitated structural features, legal developments, and environmental issues. The action includes updates to account for a June 28, 2011, decision of the 11th Circuit Court of Appeals.

On May 16, 2000, the Governor of the State of Georgia submitted a formal request to the Assistant Secretary of the Army (Civil Works) to adjust the operation of Lake Lanier, and to enter into agreements with the State or water supply providers to accommodate increases in water supply withdrawals from Lake Lanier and downstream at Atlanta over the next 30 years, culminating in total gross withdrawals of 705 million gallons per day (mgd)—297 mgd from Lake Lanier and 408 mgd downstream by the year 2030. The Assistant Secretary of the Army (Civil Works) in 2002 denied Georgia's request. The 2011 decision of the 11th Circuit Court of Appeals ordered USACE to reconsider whether it has the legal authority to operate the Buford project to accommodate Georgia's request. USACE provided a legal opinion concluding that it has sufficient authority under applicable law to accommodate that request, but noted that any decision to take action on Georgia's request would require a separate analysis. On January 11, 2013, the Governor of the State of Georgia provided updated demographic and water demand data to confirm the continued need for 705 mgd to meet Georgia's water needs from Lake Lanier and the Chattahoochee River to approximately the year 2040 rather than 2030 as specified in the 2000 request.

USACE's objectives for the Master Manual are to develop a Water Control Plan that meets the existing water resources needs of the basin, fulfills its responsibilities in operating for the authorized project purposes, and complies with all pertinent laws. The DEIS presents the results of USACE's analysis of the environmental effects of the Proposed Action Alternative (PAA) that the USACE believes accomplishes these objectives.

USACE evaluated an array of potential water management alternatives and optional water supply amounts during the Master Manual update process, resulting in the selection of the PAA. Additional information on the components of the PAA can be found at *http://www.sam.usace.army.mil/Missions/PlanningEnvironmental/ACFMasterWaterControlManualUpdate/ACFDocumentLibrary.aspx.* One alternative available to USACE is to continue with current operations. This approach is termed the No Action Alternative (NAA). The PAA would update the water control plans and manuals for the ACF Basin as directed by Secretary of the Army Pete Geren on January 30, 2008. Additionally, the PAA would provide for releases from Buford Dam to satisfy Georgia's 2040 need of

408 mgd from the Chattahoochee River for Metro Atlanta and would reallocate storage in Lake Lanier of 189,497 acre-feet to satisfy a portion of Georgia's 2040 need and support average annual water supply withdrawals of up to 165 mgd.

Document Availability

The DEIS and appendices are available to the public for review in the following formats:

- Online as PDF documents at *http://www.sam.usace.army.mil/Missions/PlanningEnvironmental/ACFMasterWaterControlManualUpdate/ACFDocumentLibrary.aspx*.
- As a CD when requested in writing to: Commander, U.S. Army Corps of Engineers, Mobile District, Attn: PD–EI (ACF–EIS), P.O. Box 2288, Mobile, AL 36628.
- A limited number of CD copies will also be available at the DEIS public meetings.

Public Review and Comment

The public comment period will commence with the publication of this notice and will end 60 days after its publication. USACE recognizes that the decisions made concerning revisions to the water control operations at USACE projects within the ACF Basin will have wide-ranging effects and encourages the public to submit comments on the content of the DEIS. All persons and organizations that have a potential interest in the proposed action, including minority, low-income, disadvantaged, and Native American groups, are urged to participate in this NEPA environmental analysis process by reviewing the DEIS and submitting comments for consideration.

Comments may be submitted via the following methods:

- Onsite at open houses through comment forms;
- Verbally through the court reporter at public meetings;
- By emailing *acf-wcm@usace.army.mil;*
- By letter addressed to: Commander, U.S. Army Corps of Engineers, Mobile District, Attn: PD–EI (ACF–DEIS), P.O. Box 2288, Mobile, AL 36628.

Further information regarding the update of the Master Manual, including all available documents, background and historical information, and updates is available online at the Web site given above.

Open Houses

Open houses are scheduled to be held at the following locations and times:

- Monday, October 26, 2015, 4:00 p.m.–7:00 p.m. Eastern time, Gainesville Civic Center, 830 Green Street NE., Gainesville, GA 30501.
- Tuesday, October 27, 2015, 4:00 p.m.–7:00 p.m. Eastern time, West Point Depot, 500 3rd Avenue, West Point, GA. 31833.
- Wednesday, October 28, 2015, 4:00 p.m.–7:00 p.m. Central time, James S. Clark Center, 333 E. Broad Street, Eufaula AL, 36027.
- Thursday, October 29, 2015, 4:00 p.m.–7:00 p.m. Eastern time, Bainbridge State College, Charles H. Kirbo Regional Center, 2500 E. Shotwell Street (US Highway 84), Bainbridge, GA 39819.
- Monday, November 9, 2015, 4:00 p.m.–7:00 p.m., Apalachicola National Estuarine Research Reserve, 108 Island Drive, Eastpoint, FL 32328.

Next Steps

All comments will be catalogued and reviewed after the 60-day public comment period. The final EIS (FEIS) is scheduled to be completed and filed with the USEPA in 2016. The Record of Decision, if appropriate, will be signed following the FEIS and the Master Manual is scheduled to be approved in March 2017.

Dated: September 23, 2015.

Jon J. Chytka,

Colonel, District Commander, Mobile District, U.S. Army Corps of Engineers.

[FR Doc. 2015–25057 Filed 10–1–15; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF ENERGY

Notice of Interim Approval for Southeastern Power Administration Cumberland System

AGENCY: Southeastern Power Administration, DOE.

ACTION: Notice of interim approval.

SUMMARY: The Deputy Secretary of Energy confirmed and approved, on an interim basis, Rate Schedules CBR–1–I, CSI–1–I, CEK–1–I, CM–1–I, CC–1–J, CK–1–I, CTV–1–I, CTVI–1–B, and Replacement-3. The rates were approved on an interim basis through September 30, 2020. The new rates take effect on October 1, 2015, and are subject to confirmation and approval on a final basis by the Federal Energy Regulatory Commission (Commission).

DATES: Approval of the rate schedules on an interim basis is effective October 1, 2015, through September 30, 2020.

FOR FURTHER INFORMATION CONTACT: Virgil G. Hobbs, III, Assistant Administrator, Finance & Marketing, Southeastern Power Administration, Department of Energy, 1166 Athens Tech Road, Elberton, Georgia 30635–6711, (706) 213–3838.

SUPPLEMENTARY INFORMATION: On December 22, 2011, the Commission confirmed and approved on a final basis Wholesale Power Rate Schedules CBR–1–H, CSI–1–H, CEK–1–H, CM–1–H, CC–1–I, CK–1–H, CTV–1–H, CTVI–1–A, and Replacement-3 for the period from October 1, 2011, to September 30, 2013 (137 FERC ¶ 62,249). On July 10, 2013, the Deputy Secretary approved an extension of the rate schedules through September 30, 2015 (78 FR 42764).

The Southeastern Power Administration's power marketing policy (58 FR 41762, Aug. 5, 1993) provides peaking capacity, along with 1500 kilowatt-hours of energy with each kilowatt of capacity, to customers outside the Tennessee Valley Authority (TVA) transmission system. Due to restrictions on the operations of the Center Hill Project imposed by the U.S. Army Corps of Engineers (Corps) as a precaution to prevent failure of the dam, Southeastern has not been able to provide full peaking capacity to these customers. A revised interim operating plan for the Cumberland System provides these customers with energy that includes a proportional percentage of normal marketed capacity.

A current repayment study using present rates shows that revenues will not be adequate to meet repayment criteria. A revised study with a revenue requirement increase of $3,900,000, or about seven percent, shows that the rates established in this notice will be adequate to meet repayment criteria. The rate schedules have been developed to cover the differing marketing arrangements in the Cumberland System under normal operation conditions. The Rate Schedules CBR–1–I, CSI–1–I, and CM–1–I, include rates for customers who receive 1500 kilowatt-hours of energy annually for each kilowatt of capacity. Rate Schedule CEK–1–I is for East Kentucky Power Cooperative, which receives a fixed quantity of energy annually from projects connected to the TVA transmission system plus the output of the Laurel Project. Rate Schedule CK–1–I is for customers in Kentucky who receive 1800 kilowatt-hours of energy annually for each kilowatt of capacity. Rate Schedule CC–1–J is for customers on the Duke Energy Progress, Western Division, (formerly Carolina Power & Light, Western Division). Rate Schedule CTV–1–I is for TVA and TVPPA. Rate Schedule CTVI–1–B is for customers inside the TVA system who choose a power supplier other than TVA.

Georgia Water Supply Request 2000

This page intentionally left blank

STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Roy E. Barnes
Governor

May 16, 2000

The Honorable Joseph W. Westphal
Assistant Secretary of the Army for Civil Works
The Pentagon
Room 2E
570 Department of the Army
Washington, D C. 20310

Re: Lake Lanier: Request for Final Agency Action

Dear Secretary Westphal:

I appreciate your taking the time to meet with me in Atlanta on March 7, 2000 to discuss the operation of Lake Lanier to meet the State's water supply needs. In addition, I understand that you had a productive follow-up meeting in Washington, D.C. on April 18, 2000 with representatives of the State.

The purpose of this letter is to request final agency action under 5 U.S.C. § 702 et seq. by the Army Corps of Engineers in the form of a response to the request by the State of Georgia relating to the operation of Lake Lanier. The State of Georgia requests that the Corps manage the resources of Lake Lanier so that water supply needs in Georgia may be met. Specifically, the State requests that the Corps take the following actions:

- Allow municipal and industrial water withdrawals from Lake Lanier to increase as necessary from the 1999 annual average of 131 mgd to the projected 2030 annual average of 297 mgd.

- Release sufficient water from Buford Dam to provide for municipal and industrial water withdrawals from the Chattahoochee River below the dam and upstream of Peachtree Creek to increase as necessary from the 1999 annual average of 278 mgd to the projected 2030 annual average of 408 mgd.

- Provide certainty for these municipal and industrial water withdrawals by entering into long-term contracts with the State of Georgia or municipal and industrial water users.

- Release sufficient water from Buford Dam for environmental quality purposes so that, in addition to meeting the needs described above, there is a minimum instantaneous flow of 750 cfs in the Chattahoochee River just upstream of its confluence with Peachtree Creek in the months of October through May, 850 cfs in the months of June and September, and 950 cfs in the months of July and August, starting in 2001.

- To the extent that hydropower generation at Buford Dam is reduced over time by operating to meet the needs described above and the Corps of Engineers must assess fees from municipal and industrial water users to ensure that the Federal government's project costs are repaid, that the Corps account for return flows, conjunctive use with other project purposes, and separable costs/remaining benefits in calculating such fees, and that the Corps charge such fees only as municipal and industrial water withdrawals increase over time.

The State of Georgia respectfully requests that the Corps take final action on this request as soon as possible.

The enclosed material is submitted in support of the State's request. In addition, we will make available any resources that are necessary to answer any questions that the Corps may have relating to this request. Please do not hesitate to call me with any questions or comments relating to this request or any other aspect of the Corps' operation of Lake Lanier.

Sincerely,

Roy E. Barnes

cc: Brigadier General Richard Capka, Commander
South Atlantic Division Office
U.S. Army Corps of Engineers
60 Forsyth Street
Room 9M15
Atlanta, GA 30303-8801

Georgia Water Supply Request 2013

This page intentionally left blank

STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Nathan Deal
GOVERNOR

January 11, 2013

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army for Civil Works
108 Army Pentagon
Washington, D.C. 20310-0108

Re: State of Georgia's Water Supply Request

Dear Secretary Darcy:

On May 16, 2000, Governor Roy Barnes submitted to the Assistant Secretary of the Army for Civil Works a request that the U.S. Army Corps of Engineers allow withdrawals and make releases from Lake Lanier to meet Georgia's projected water supply demands of 705 million gallons per day (mgd). In 2012, after years of litigation, the Corps determined that is has the legal authority to grant Georgia's request. The Corps is now preparing an Environmental Impact Statement and will decide whether and how it will satisfy Georgia's request.

More than 3.3 million Georgians in the Metropolitan Atlanta area now rely on withdrawals or releases from Lake Lanier for water supply. Approximately six million people will rely on Lake Lanier for water supply by the year 2040. Lake Lanier is the most economical and environmentally-protective source of water supply for these Georgians. Operating Lake Lanier as Georgia has requested represents the highest and best use of Lake Lanier. I am confident that the Corps' EIS will concur in this assessment.

To assist the Corps in making its review based on the best and most current information available, I enclose with this letter an Affidavit by Judson H. Turner, Director of the Georgia Environmental Protection Division. Mr. Turner's Affidavit contains updated demographic and water demand data that confirm the continued need for the action Georgia has requested of the Corps, as well as updated analysis of the impact of granting Georgia's request on other project purposes and waters downstream. At a later date, Georgia also will submit an updated analysis of the national economic development benefits of granting Georgia's request.

As reflected in Mr. Turner's affidavit, based on current demographic information and as a consequence of improved water conservation, Georgia now believes that 705 mgd will be sufficient to meet Georgia's water needs from Lake Lanier and the Chattahoochee River to approximately the year 2040. In addition, thanks to improved wastewater treatment, in most

months Georgia requires less flow than previously requested in the Chattahoochee River at the confluence with Peachtree Creek to meet applicable water quality standards.

To provide long-term certainty for all of those involved, Georgia continues to request that the Corps enter into agreements that document the parties' understanding as to how the Corps will operate in support of Georgia's water supply needs. We anticipate that for lake withdrawals that require allocation of storage, certainty will be provided in the form of storage contracts. For river withdrawals, which do not require an allocation of storage, other forms of agreement would be appropriate.

I ask that you act on Georgia's outstanding request at the earliest possible date. If you desire further information from Georgia, please let me know.

Sincerely,

Nathan Deal

Nathan Deal

cc: Colonel Donald E. Jackson, Commander, South Atlantic Division, U.S. Army Corps of Engineers
Colonel Steven J. Roemhildt, Commander, Mobile District, U.S. Army Corps of Engineers

Affidavit of Judson H. Turner

1. My name is Judson H. Turner. I am Director of the Georgia Environmental Protection Division ("EPD") of the Georgia Department of Natural Resources.

2. In May 2000, the State of Georgia submitted to the Assistant Secretary of the Army for Civil Works a request for reallocation of storage in the Lake Lanier conservation pool to provide sufficient water supplies to meet future municipal and industrial water supply needs of 705 million gallons per day (mgd). In support of that request, Georgia provided an Affidavit from then-EPD Director Harold Reheis discussing Metropolitan Atlanta's then-current and projected water supply needs and why Georgia needed a reallocation of storage in Lake Lanier to meet those needs. Georgia's water supply request remains pending with the Corps. The purpose of this Affidavit is to provide updated data and information that are relevant to that request.

3. The State of Georgia is responsible for managing the quantity and quality of the waters of the State for public and private water supply, and for agricultural, industrial, and recreational uses, while protecting the environment and human health. Georgia law provides that "the government of the state shall assume responsibility for the quality and quantity of such water resources and the establishment and maintenance of a water quality and water quantity control program adequate for present needs and designed to care for the future needs of the state." O.C.G.A. § 12-5-21(a).

4. EPD is the state agency to which state law delegates the responsibility for regulating withdrawals of water from, and discharges of pollutants into, the surface waters of the State. To fulfill this responsibility, EPD maintains data on the population of counties and municipalities within the State, and projections of the State's future population growth and water needs. EPD's expertise in hydrologic and water quality modeling allows it to assess the impact of water withdrawals and wastewater returns. EPD prioritizes water needs and evaluates alternatives for meeting these needs from the State's finite water resources.

GEORGIA'S NEED FOR WATER SUPPLY FROM LAKE LANIER

Current Population and Projections for Future Growth

5. More than 3.3 million Georgians currently rely upon withdrawals of water directly from Lake Lanier or withdrawals of water that the Corps releases from Lake Lanier to the Chattahoochee River to meet their water supply needs. Attached as Appendix 1 is a table that identifies the counties within which municipal and industrial water use customers are dependent in whole or in part on withdrawals and releases from Lake Lanier for their water supply.

6. Also shown in Appendix 1 are projected populations of the counties that will depend on significant amounts of water from Lake Lanier in the future. EPD projects that the number of Georgians who depend upon Lake Lanier for water supply will rise to more than 6 million by around 2040. The numbers in Appendix 1 come from the last published projections of the Georgia Office of Planning and Budget ("OPB"). EPD also reviewed the last published

projections generated by the Metropolitan North Georgia Water Planning District (the "Metro Water District").

7. Municipal water systems in six counties within the Chattahoochee River watershed above the confluence with Peachtree Creek currently withdraw water from the Lake Lanier/Chattahoochee River system. EPD projects that water systems in four additional counties that are riparian or tributary to Lake Lanier will depend upon withdrawals from Lake Lanier in the future. In addition, the following other counties rely on Lake Lanier for water supply: Bartow, Cherokee, Clayton, Douglas, Fayette, Henry, Paulding, Rockdale, and Walton.

8. Counties that rely on Lake Lanier for water supply comprise the majority of the population for the Atlanta Metropolitan Statistical Area ("MSA"), which, according to the U.S. Census Bureau, is the ninth largest MSA by population in the United States. From 2000 to 2010, the Atlanta MSA grew by 24%, a growth rate exceeded by only two other MSA's in the United States. Two counties in the Atlanta MSA (Forsyth and Paulding) were among the 10 fastest growing counties in the United States during this period, both growing at rates greater than 74% for the decade. Gwinnett County added almost 217,000 persons to its population over the decade; for the same period, only 16 counties in the United States added more people.

Municipal and Industrial Water Supply Needs

9. Attached as Appendix 2 and Appendix 3 are the 2011 statistics for water withdrawals by the permit holders who rely upon the Lake Lanier/Chattahoochee River system. The average rate of water withdrawn directly from Lake Lanier in 2011 was 115.2 mgd. *See* Appendix 2. The annual average rate of water withdrawn from the Chattahoochee River between Buford Dam and Peachtree Creek was 245.7 mgd. *See* Appendix 3.

10. Appendix 4 shows projected withdrawals from Lake Lanier and the Chattahoochee River above the confluence with Peachtree Creek for the year 2040. EPD developed its forecasts for future water supply need projections in cooperation with the Metro Water District. These forecasts are based on a number of factors, including population, employment, and commercial and residential consumption rates.

11. EPD and the Metro Water District project that the nine local water systems that currently withdraw water from Lake Lanier or the Chattahoochee River above the confluence with Peachtree Creek will continue to do so. These systems are: City of Gainesville, City of Buford, Gwinnett County Water and Sewerage Authority, Forsyth County, City of Cumming, Atlanta-Fulton Water Resources Commission, DeKalb County Public Works (Water and Sewer), Cobb County Marietta Water Authority, and City of Atlanta.

12. Of these, five systems – City of Gainesville, City of Buford, Gwinnett County Water and Sewerage Authority, Forsyth County, and City of Cumming – withdraw from Lake Lanier. The other four facilities – Atlanta-Fulton Water Resources Commission, DeKalb County Public Works (Water and Sewer), Cobb County Marietta Water Authority, and City of Atlanta – withdraw from the Chattahoochee River upstream of the Peachtree Creek confluence. In

addition, EPD projects that Habersham, White, Lumpkin, and Dawson Counties in the future will need to withdraw approximately 41 mgd from Lake Lanier by 2040.

13. The Metro Water District's most recent Water Supply & Conservation Management Plan includes projections for municipal and industrial water supply needs for 2035 and 2050. Based on these projections, adding the 41 mgd of withdrawals by Habersham, White, Lumpkin, and Dawson Counties, and assuming that growth in water usage between 2035 and 2050 will be roughly linear, water supply needs that are dependent on withdrawals and special releases from Lake Lanier will meet or exceed 705 mgd on an annual average basis by 2040. This includes direct withdrawals from Lake Lanier of 297 mgd and withdrawals of 408 mgd from the Chattahoochee River below Buford Dam and above the confluence of the Chattahoochee River and Peachtree Creek.

14. Note that in calculating its water supply projections, the Metro Water District used a population growth rate for the region that is lower than the rate of growth that OPB has projected. Taking into account differing population projections and other variables affecting demand, EPD projects that municipal and industrial water supply demands that are dependent upon withdrawals and special releases from Lake Lanier will reach 705 mgd (including 297 mgd lake withdrawals and 408 mgd river withdrawals) sometime between 2035 and 2045. It is reasonable to plan using the assumption that Georgia's water supply needs will be at least 705 mgd by 2040.

15. In light of Georgia's projections that its water supply needs from Lake Lanier will equal or exceed 705 mgd by 2040, if not a few years sooner, Georgia's request of the Corps is unchanged from what was requested in 2000: that the Corps operate Lanier to accommodate withdrawals of up to 297 mgd annual average from Lake Lanier and 408 mgd annual average from the Chattahoochee River between Buford Dam and the confluence with Peachtree Creek.

16. Georgia plans to help meet demands from Lake Lanier with water that will be stored in the proposed Glades Reservoir upstream of Lake Lanier on Flat Creek, released to Flat Creek, and will flow into Lake Lanier to be withdrawn from one or several of the intakes in Lake Lanier. The Glades Reservoir currently is in the permitting process. Based on reasonable assumptions regarding operation of Glades Reservoir, EPD projects a 30-40 mgd yield from Glades Reservoir. EPD plans to work with the Corps and the reservoir sponsors to ensure that the Glades Reservoir serves as a net benefit to the system yield, provided that the Corps will be able to meet water supply needs of 705 mgd from Lake Lanier. Because the 30-40 mgd released from Glades Reservoir will be withdrawn from Lake Lanier at the same rate that it enters Lake Lanier, no storage should be required for the withdrawal of that water.

Water Conservation

17. The per capita water use rate in the Metropolitan Atlanta Region has fallen in recent years, and the projected demand the region assumes that per capita water use within the region will continue to fall. The use rate is currently 148 gallons per capita per day (gpcd), and is expected to decline to 135 gpcd by the 2035-2040 timeframe. The decline in per capita water use has and is expected to continue to result from implementation of aggressive state and local

water conservation policies, explained in greater detail below. Note that per capita water use and total population are among the factors, but are not the only factors, used to calculated total projected water use in the areas that are to be supplied by withdrawals and releases from Lake Lanier.

18. In 2001, the Georgia General Assembly created the Metro Water District and charged it with developing and maintaining comprehensive long-term plans for water supply and conservation, wastewater management, and watershed management for metro Atlanta. The Metro Water District is comprised of 15 counties, 92 cities, and 56 water supply systems. The plans are implemented by local water systems and local governments and are enforced by the State of Georgia through water permits and through eligibility for grants and loans. The Metro Water District completed development of its initial set of plans in September 2003. The governments within the Metro Water District spent the ensuing five years implementing the plans. In 2009, the Metro Water District adopted the first major update of its plans largely based upon lessons learned during the 2004-2009 implementation period.

19. Water conservation is an important element of the Metro Water District's Water Supply and Water Conservation Plan. The water conservation measures in the Plan are the most aggressive in Georgia and among the most aggressive in the United States. The 2003 Plan, as amended, included ten conservation measures applicable to all water systems and/or local governments. The 2009 update retained all and strengthened three of those measures. The Water Supply and Water Conservation Plan was again amended in December 2010 and added seven measures – two measures applicable throughout the District and five that apply to water systems that withdraw from Lake Lanier or the Chattahoochee River (denoted with asterisk). The water conservation measures in the Metro Water District Plan include: 1) conservation pricing; 2) replace older, inefficient plumbing fixtures; 3) pre-rinse spray valve retrofit education; 4) rain sensor shut-offs on new irrigation systems; 5) sub-unit meters in new multi-family buildings; 6) assess water losses with IWA/AWWA water audit methodology and develop programs to reduce systems water loss; 7) residential water audits; 8) low-flow retrofit kits for residential; 9) commercial water audits; 10) education and public awareness activities; 11) high-efficiency toilets and urinals in government buildings; 12) new car washes to recycle water; 13) expedited water loss reduction*; 14) multi-family HET rebates*; 15) meters with point of use leak detection*; 16) private fire lines to be metered*; 17) maintain a water conservation program*; 18) water waste policy or ordinance; and 19) HET plumbing fixtures in new construction consistent with state legislation.

20. The Metro Water District has made water conservation a priority, and local water systems have shown a strong record of implementation of water conservation measures. In annual progress surveys, the District has found: that tiered water conservation rates are in place throughout the metro area; that water systems serving 96% of the population offer toilet rebates, and over 76,872 older toilets have been replaced since 2008; that the larger systems have implemented programs to reduce system water losses, and, in 2010, over 10,000 leaks were repaired; and 98% of the population of the metro area is targeted with educational and outreach programs by local governments.

21. In 2010, the Georgia Water Stewardship Act was passed by the Georgia General Assembly and signed by Governor Sonny Perdue. For those water users relying on Lake Lanier and the Chattahoochee River above Peachtree Creek, the Water Stewardship Act amplified and supplemented the 19 water conservation policies and programs identified in the Metro Water District's water supply and conservation plan. Among the Act's provisions that supplement the Metro Water District's demand management initiatives are: 1) requiring state government agencies to examine their programs, practices, and rules to identify opportunities to provide for voluntary water conservation; 2) requiring local governments to include water conservation measures in local comprehensive plans; 3) incentives for public water systems to use full cost accounting; and 4) technical assistance to local governments and public water systems for water loss abatement activities.

22. In 2012, EPD conducted an evaluation of the 2000-2010 rates of growth in water demand compared to rates of population growth in the counties with the 15 largest municipal surface water systems in Georgia. Six of the 15 largest municipal surface water systems are located in five counties (i.e., Fulton, DeKalb, Cobb, Gwinnett, and Hall) that rely upon withdrawals or water supply releases from Lake Lanier. The evaluation showed that water use in each of the five counties demonstrated a consistent decreasing trend over the decade, while population in each of those counties increased over the decade. Trends such as these in the five counties and beyond clearly indicate that the water conservation initiatives being implemented in the Atlanta region by the Metro Water District are significantly reducing per capita water demand.

Crediting of Return Flows

23. EPD projects that returns of treated wastewater to Lake Lanier and tributaries immediately upstream of Lake Lanier will mitigate the effect of withdrawals from Lake Lanier. EPD projects that the average annual return of treated wastewater to Lake Lanier and its tributaries in 2040 (assuming withdrawals of 297 mgd) will be approximately 165 mgd. *See* Appendix 4. The net withdrawal from Lake Lanier is therefore expected to be 132 mgd (297 mgd minus 165 mgd).

24. The State of Georgia will allocate the treated wastewater returned to Lake Lanier and its tributaries to particular users of water supply storage in Lake Lanier. This should increase the yield of the storage account or accounts to which the wastewater return is credited rather than count the same as natural inflows, which increase the yield of a water supply storage account only according to the percentage of total conservation storage owned by that user.

25. I am aware of no legal or legitimate policy reason why the Corps should not credit metered return flows to Lake Lanier or its tributaries exclusively to individual water supply storage accounts to which the State of Georgia has allocated such returns.

26. In accordance with federal law, the Corps has long recognized that it is the State, not the Corps, that determines and allocates water rights, and that the Corps should defer to the State's allocation of water rights. Allocation of wastewater return flows to individual users also is a matter of water rights that is best determined by the State.

27. The return of highly-treated wastewater to an existing reservoir increases the yield of that reservoir by reducing the net withdrawals. As a result, return flows keep reservoir levels higher and mitigate the impact of water supply withdrawals. Return flows to a water supply reservoir are a form of water reuse that Georgia's statewide water plan favors.

28. EPD-permitted discharges from wastewater treatment plants are a function of water use and not rainfall and runoff, and therefore are more consistent and reliable than natural inflows. Because they are metered and reported to EPD, wastewater discharges also are easily monitored and accounted for, ensuring that a user would not obtain credit for any returns than do not actually occur.

29. It is more expensive for local wastewater utilities to discharge wastewater to Lake Lanier than to the Chattahoochee River or its tributaries, because they must treat the wastewater to a higher degree to meet applicable water quality standards. To make it worthwhile for these utilities to return wastewater to Lake Lanier, there must be policies in place that incentivize those returns. Therefore, EPD desires to credit to individual water users the exclusive right to withdraw or store the wastewater returns that are made. The Corps should do the same, or should defer to the State's allocation.

30. Thus, consistent with federal law and good policy, in determining the yield of the storage space that is held by or for a water supply user, the Corps should count exclusively to that user's storage space such returns as the State has allocated to that user.

Net Municipal and Industrial Water Consumption

31. A large portion of the metro Atlanta area's treated wastewater is returned to the Chattahoochee River downstream of Buford Dam and upstream of the United States Geological Survey ("USGS") gaging station at Whitesburg, Georgia. In 2011, an annual average of 34.4 mgd of treated wastewater was discharged to the Chattahoochee River between Buford Dam and the Peachtree Creek confluence, and an annual average of 184.2 mgd of treated wastewater was discharged to the Chattahoochee River between the Peachtree Creek confluence and the USGS Whitesburg gage. EPD projects that by 2040 (or as of the date when water withdrawals reach 705 mgd), the amount of treated wastewater discharged to the Chattahoochee River between Buford Dam and the Whitesburg gage will be 385 mgd on an annual basis, including 94 mgd discharged to the reach between Buford Dam and the Peachtree Creek confluence, and 291 mgd to the reach between the Peachtree Creek confluence and the USGS Whitesburg gage. When combined with return flow directly into Lake Lanier, the total return of wastewater associated with the withdrawal of 705 mgd is projected to be 550 mgd, or 78% of the total withdrawal.

32. Therefore, Georgia projects that as of 2040, the total consumptive use from municipal and industrial water supply from Lake Lanier and from the Chattahoochee River above the Whitesburg gage will be approximately 155 mgd, or 239 cfs, on an annual average basis. To put this amount into perspective, it is a mere 1.1% of the 21,587 cfs annual average daily flow of the Apalachicola River just downstream of the Georgia-Florida state line.

In-Stream Demands for Water Quality

33. Metropolitan Atlanta local governments that discharge treated wastewater to the Chattahoochee River also rely upon releases from Lake Lanier to provide consistent flows in the river to assimilate those discharges.

34. EPD has developed a mathematical model, known as the Chattahoochee River Model, to simulate temperature, dissolved oxygen, and the concentrations of individual pollutants (biochemical oxygen demand, organic nitrogen, ammonia, nitrate, organic phosphorus, and ortho phosphate) under different flow, intake, discharge, and meteorological conditions.

35. Based on conditions that existed at the time of Georgia's 2000 water supply request, EPD determined that certain seasonally-varying flows in the Chattahoochee River at the confluence with Peachtree Creek would be needed to meet water quality standards. Thanks to improvements in wastewater treatment since 2000, the Chattahoochee River Model now shows the flows needed to assimilate wastewater in the Chattahoochee River and maintain water quality standards may be reduced.

Why Assurance of Long-Term Supply is Needed Now

36. If Lake Lanier were not available to satisfy the needs included in Georgia's water supply request, additional reservoirs and water resource projects would be needed to replace it. Due to the complexity and uncertainty associated with the permitting processes, planning for the development of new water supply reservoirs must generally begin 15 to 25 years, or even more, before there is a demand for the water.

37. The three major stages of the planning processes are 1) alternatives analysis and source evaluation; 2) detailed engineering and environmental studies; and, 3) state and federal permitting. The first stage includes forecasting future service area population and water demands; evaluating demand management and supply alternatives for meeting the demands; evaluation of source water capacity, quality, and reliability; and development of environmental, historic/archeological, and socio-economic assessments of impacts. In the second stage, detailed engineering and environmental studies must be conducted on the preferred alternatives, and funding sources must be identified and secured. In the third stage, if a new or expanded water supply reservoir is the preferred alternative, the applicant must apply for and secure a Federal Clean Water Act Section 404 permit (issued by the Corps of Engineers), a Clean Water Act Section 401 Water Quality Certification (issued by the State of Georgia), a Safe Dams permit and a water withdrawal permit (both issued by the State of Georgia), and a Safe Drinking Water Act Permit (also issued by the State of Georgia). Before the Corps of Engineers can issue a Section 404 permit, it must comply with provisions of the National Environmental Policy Act (i.e., prepare an Environmental Assessment and possibly an Environmental Impact Statement) and federal regulations. Of all the stages, the Section 404 permitting process generally requires the greatest amount of time and often is followed by legal challenges to the issued permit. As shown in Appendix 6, the process of studying, designing, permitting, financing, and constructing water supply reservoirs in Georgia has required a range of 5 to 25 years to complete, based upon six cases selected for illustration.

38. Georgia desires assurance of storage for direct lake withdrawals through storage contracts. As for water supply releases, the Corps coordinates those with the Atlanta Regional Commission on a weekly basis. According to the 2011 ruling of the United States Court of Appeals for the Eleventh Circuit, the Corps is authorized to provide these releases without reallocating storage to those water supply users downstream. Nevertheless, to assure long-term certainty for all concerned, it is important that the Corps, Georgia, and local governments that Georgia may designate enter into a written agreement documenting their understandings regarding how and when releases for water supply will be coordinated.

Why Lake Lanier Continues to be the Best Alternative

39. As discussed in the Reheis Affidavit, numerous studies dating back to the 1960s have consistently concluded that Lake Lanier and the Chattahoochee River provide the most economical and environmentally-protective alternative for meeting the water supply needs of the region. *See* Reheis Affidavit at ¶¶ 21-28. As the Reheis Affidavit explains, a number of alternatives were investigated up through 1999, and none of them was determined to be a reasonable alternative. *See id.*

40. As part of the planning process for its 2003 plans and 2009 update, the Metro Water District considered potential water supply source alternatives for the communities in the study area through the planning period. The District's *Water Supply and Water Conservation Management Plan* determined that "after reviewing alternatives to the use of the federal reservoirs, the Metro Water District has concluded that there are no alternatives to the Chattahoochee River and the Etowah River as major water supply sources for north Georgia."

41. A water study task force, comprised of metro Atlanta area government and business leaders and assisted by Boston Consulting Group and technical experts, reached the same conclusion in 2009. The Governor of Georgia convened the task force, known as the Water Contingency Planning Task Force, in response to a decision of the United States District Court that threatened to eliminate virtually all water supply withdrawals and releases from Lake Lanier. The task force studied the costs associated with developing alternative sources of water resources to replace Lake Lanier if the Lake were to cease operating for water supply. The task force concluded that "Lake Lanier is by far the best water supply source for the metro region. If the recommended contingency options were required instead, these options would impose significant incremental costs and environmental impacts the region does not currently face." *See Water Contingency Planning Task Force Findings and Recommendations, 21 December 2009.*

IMPACT OF GEORGIA'S MUNICIPAL AND INDUSTRIAL WATER WITHDRAWAL ON LAKE LANIER AND WATERS DOWNSTREAM

42. EPD has performed computer modeling of the reservoir operations and water withdrawals contemplated in Georgia's water supply request to determine the effects of those operations and withdrawals on Lake Lanier and the Chattahoochee River. EPD's mode ing is summarized below and discussed in greater depth in Exhibit A, the Memorandum of Dr. Wei Zeng, manager of EPD's Hydrological Analysis Unit. Although Dr. Zeng, for the purpose of his analysis, assumed that the Corps will continue to operate in accordance with the current version

of the Revised Interim Operation Plan ("RIOP"), the State of Georgia continues to believe that the ACF system can be operated more efficiently for the benefit of all Basin stakeholders and is proposing alternative to the RIOP in our comments on the ACF Water Control Manual EIS Scoping Comments.

Hydropower Production at Lake Lanier and within the ACF System

43. The projected water withdrawals and Corps operations necessary to support them will not have a material impact on the production of hydropower at Buford Dam or the federal reservoirs in the ACF Basin as a whole, and any impact will be gradual over the next several decades. EPD's modeling indicates that, if viewed in terms of hydropower generation for the federal reservoirs in the ACF Basin as a whole, when Georgia has reached demands of 705 mgd and year 2040 water supply needs are met throughout the rest of Georgia, average annual power generation will be 970,900 MWh, as compared with the 988,055 MWh of (simulated) annual average generation with 2011 water supply levels. Thus, EPD projects a mere 1.7% decrease in hydropower generation basin-wide. *See* Zeng Memorandum at Exhibit A.

44. When Georgia has reached demands of 705 mgd from Lanier and the Chattahoochee River above the Peachtree Creek confluence, and 2040 water supply demands exist throughout the remainder of the basin, the annual average energy generated at Lake Lanier is modeled to be 116,435 MWh, in comparison to the amount of 123,735 MWh under 2011 water use conditions. Thus, the amount of hydropower produced at Lake Lanier with 2040 demands will be only 6% less than the amount being produced with current water supply demands. The effect will be even less in the years before Georgia's water demand has reached 705 mgd. *See* Zeng Memorandum at Exhibit A.

45. Georgia's conclusions are consistent with those reached by the Corps in its assessment of the impact to hydropower from granting Georgia's water supply request as compared with a baseline that assumed virtually no water supply operations at all. Using that baseline of comparison, the Corps concluded that the water supply operations and lake withdrawals would result in less than a 1% reduction to ACF Basin dependable hydropower capacity, and that the lake withdrawals and water supply releases contemplated by Georgia's water supply request would result in reductions in basinwide hydropower value of 4.4% and less than 1%, respectively. *See* Zeng Memorandum at Exhibit A.

Recreation at Federal Reservoirs

46. The Corps has established three thresholds for assessing impact of reservoir elevation to recreation at Lake Lanier. The first threshold is called Initial Recreation Impact Level ("IIL"), which is the level at which falling reservoir elevation first has some adverse effect on recreation. The Corps has determined that the IIL at Lake Lanier is 1066 feet above mean sea level (msl). The second threshold, the Recreation Impact Level ("RIL"), is the level at which significant impacts to concessions and recreation occurs. The RIL at Lake Lanier is 1063 feet above msl. The third threshold is Water Access Limitation Level ("WAL"), which is the elevation at which more serious impacts to recreation are observed. The WAL at Lake Lanier is 1060 feet above msl.

47. As discussed at greater length in the attached Memorandum of Wei Zeng, under 2007 hydrologic conditions, with existing water supply demands, Lake Lanier is below RIL for 27 days during the primary recreational season in that year (May 1-September 8). EPD's modeling shows that this level of recreation impact will be increased by only 21 days under 2007 hydrologic conditions if Lanier is operated to meet the metro area's 2040 water needs of 705 mgd and Georgia's 2040 water supply needs in the remainder of the basin exist. EPD's modeling also shows that if Lanier is operated to meet Georgia's water supply request, metro area water supply needs from Lake Lanier reach 705 mgd, and 2040 water demands exist elsewhere in the basin, during the recreational season, the elevation of Lake Lanier would be below the ILL for only 5% more of the time, below the RIL for only 8% more of the time, and below the WAL 8% more of the time, than under the baseline condition. *See* Zeng Memorandum at Exhibit A.

48. At West Point Lake, the Corps has designated a ILL of 632 feet above msl, a RAL of 628 feet above msl, and a WAL of 627 feet above msl. If Lake Lanier is operated to meet water supply needs of 705 mgd, the number of days when West Point Lake falls below the RIL and ILL actually will be lessened, and there will be only a 1% increase in the number of days in which the elevation falls below the WAL.

49. For Lake Walter F. George, the ILL is 187 feet above msl, the RAL is 185 feet above msl, and the WAL is 184 feet above msl. With 2040 water supply demands imposed on the system, Lake Walter F. George will not experience elevations below RIL or WAL, and will see an increase of only 1% to 2% in the number of days below the ILL. *See* Zeng Memorandum at Exhibit A.

Navigation

50. As the ACF Basin reservoirs, for reasons unrelated to Georgia's water supply usage, are no longer used to support commercial navigation except under rare circumstances, Georgia's water supply request will not impact navigation.

Lake Lanier's Flood Control Function

51. The current request to reallocate the conservation storage to meet Georgia's projected future water supply needs does not involve changing the elevation of the top of conservation pool or the size of the flood control pool. Thus, reallocating part of the conservation storage to accommodate Georgia's increase water will have no impact on the flood control capability of Lake Lanier or the ACF system. Although changes to the size of the flood control pool are not necessary for the Corps to grant Georgia's request, Georgia may still recommend raising the conservation pool, at the appropriate time, if and when it determines that the benefits of doing so exceed any costs.

Impacts on Georgia/Florida State Line Flows

52. EPD's modeling indicates that the net water consumption associated with the municipal and industrial withdrawals contemplated in Georgia's water supply request is projected to have a

minor impact on the flow in the Apalachicola River at the state line. *See* Zeng Memorandum at Exhibit A.

CONCLUSION

53. The foregoing information affirms and updates Georgia's 2000 request that the Corps operate Lake Lanier to meet water supply needs of 705 mgd annual average gross withdrawal, including 297 mgd annual average gross withdrawal from Lake Lanier and 408 mgd annual average gross withdrawal from the Chattahoochee River between Buford Dam and the confluence of the Chattahoochee River and Peachtree Creek. Accordingly, the Governor of Georgia has asked that the Corps grant Georgia's request by taking the following actions:

(a) Accommodate water supply demands by providing for 297 mgd annual average gross withdrawal from Lake Lanier and by making releases to allow 408 mgd annual average gross withdrawal from the Chattahoochee River between Buford Dam and the confluence with Peachtree Creek.

(b) Provide certainty for those municipal and industrial water withdrawals from Lake Lanier that require an allocation of storage by entering into long-term contracts. No storage should be required for withdrawals covered by existing relocation contracts or withdrawals of water released to Lake Lanier from Glades Reservoir upstream. Returns to Lake Lanier or its tributaries of treated wastewater should be credited exclusively to the storage accounts of those whom Georgia EPD designates to receive such credit.

(c) Provide certainty for those municipal and industrial water withdrawals from the Chattahoochee River that rely upon special releases from Lake Lanier by entering into agreements that document the parties' understandings about assurance and coordination of releases.

(d) Release from Lake Lanier enough water to provide a flow in the Chattahoochee River at the confluence with Peachtree Creek as EPD may request to maintain applicable water quality standards.

FURTHER AFFIANT SAITH NOT.

This 10th day of January, 2013.

Judson H. Turner

Sworn to and subscribed
before me this 10th day
of January, 2013

YOLANDA P. FANNING NOTARY PUBLIC GEORGIA HENRY COUNTY EXPIRES SEPT. 29, 2013

Notary Public
My commission expires: Sept 29, 2013

APPENDIX 1

Historical and Forecasted Population of Counties Using Lake Lanier System for Water Supply

County	1990[1]	2000[1]	2010[1]	2020[2]	2030[2]	2040[3]
Cobb	447,745	607,751	688,078	800,469	909,747	1,033,943
Dawson[4]	9,429	15,999	22,330	27,029	32,022	37,937
DeKalb	545,837	665,865	691,893	761,537	817,276	877,096
Forsyth	44,083	98,407	175,511	256,307	383,258	573,089
Fulton	648,951	816,006	920,581	1,095,897	1,284,954	1,506,626
Gwinnett	352,910	588,448	805,321	1,019,098	1,270,020	1,582,724
Habersham[4]	27,621	35,902	44,553	48,705	54,623	61,260
Hall	95,428	139,277	179,684	226,172	282,164	352,018
Lumpkin[4]	14,573	21,016	29,966	38,075	47,960	60,411
White[4]	13,006	19,944	26,704	31,057	34,841	39,086
Totals[5]	2,199,583	3,008,615	3,584,621	4,273,267	5,116,865	6,127,000

[1]From US Census Bureau

[2]Georgia Office of Planning and Budget 2012 Projections

[3]Projection based upon assumption that 2030 – 2040 growth rate (in per cent) will be same as 2020 – 2030.

[4]Watershed counties not currently withdrawing from Lanier, but may withdraw in future.

[5]This total does not include the additional counties that purchase water from the water systems that withdraw water from Lake Lanier and the Chattahoochee River, such as Paulding County.

APPENDIX 2

Water Systems That Withdraw Directly from Lake Lanier

County	System Name	2011 Withdrawals (MGD)		
		Max. Month	Max. Day	Annual Average
Forsyth	City of Cumming	17.5	18.8	11.6
Forsyth	Forsyth County	11.8	12.8	8.6
Gwinnett	City of Buford	1.5	1.7	1.3
Gwinnett	Gwinnett County Water & Sewerage Authority	90.9	118.8	76.1
Hall	City of Gainesville	20.7	28.5	17.6
Total				115.2

APPENDIX 3

Water Systems That Rely on Water Supply Releases from Lake Lanier to the Chattahoochee River

County	System Name	2011 Withdrawals (MGD)		
		Max. Month	Max. Day	Average Annual
Cobb	Cobb County Marietta Water Authority	51.9	64.8	45.1
DeKalb	DeKalb County Public Works (Water and Sewer)	84.7	114.8	72.7
Fulton	Atlanta – Fulton Water Resources Commission	54.3	69.9	38.7
Fulton	City of Atlanta	101.8	123.4	89.2
Total				245.7

APPENDIX 4

Projected 2040 Water Withdrawals and Returns

(Annual Average)

Table 1 Current and Projected 2040 Water Withdrawals and Returns Above Buford Dam

Time Horizon	Withdrawal (mgd)	Return (mgd)	Net Consumptive Loss (mgd)
2011	120.6[1]	38.1	82.4
2040	297	165	132

Table 2 Current and Projected 2040 Chattahoochee River Water Withdrawals and Returns

Time Horizon	Withdrawal (mgd) (Buford Dam to Peachtree Creek)	Return (mgd)			Net Consumptive Loss (mgd)
		Atlanta Reach (Buford Dam to Peachtree Creek)	Whitesburg Reach (Peachtree Creek to Whitesburg gage)	Total	
2011	247.5[2]	34.5	185.3	219.8	27.7
2040	408	94	291	385	23

Notes:

[1] Including facilities upstream of Lake Lanier. These additional withdrawals are included to provide the sum of all consumptive loss above Buford Dam.

[2] Including facilities that withdrew from tributaries of the Chattahoochee River. These additional withdrawals are included to provide the sum of all consumptive loss below Buford Dam and above the Whitesburg gage.

APPENDIX 5

TIME REQUIRED TO PLAN, PERMIT, FINANCE, AND CONSTRUCT WATER SUPPLY RESERVOIRS IN GEORGIA [Note: Try to fit all on one page]

Project / Activity	Bear Creek Reservoir, Jackson Co.	Cedar Creek Reservoir, Hall Co.	Tussahaw Creek Reservoir, Butts Co.	Big Haynes Creek Reservoir, Rockdale Co.	Line Creek Reservoir (Lake McIntosh), Fayette Co.	Hickory Log Creek Reservoir, Cherokee Co.
Applicant's initial contact with EPD regarding a new reservoir.	2/2/1994	7/17/1996	9/22/2000	11/5/1987	10/27/1987	3/22/2000
Applicant initial contact with the Corps regarding 404 permit for reservoir.	2/2/1994	2/12/1997	9/22/2000	4/29/1991	1/6/1989	3/22/2000
Applicant submits water withdrawal permit application.	3/3/1997	4/2/2002	3/13/2001	6/21/1999	3/21/2001	10/4/2005
EPD comments on withdrawal application.	5/28/1997	4/22/2002	5/22/2001	12/7/1999	4/16/2001	11/22/2005
EPD provides confirmation of need (to the Corps).	4/20/1995	Information unavailable	11/3/2000	5/6/1991	11/20/2000	11/20/2000
Applicant submits 404 application to the Corps.	2/22/1995	8/26/1997	11/15/2000	5/28/1991	5/1/2002	4/27/2000
The Corps notifies public of the 404 application and requests comments.	5/26/1995	10/8/1997	12/27/2000	11/22/1991	10/3/2002	12/27/2000
The Corps responds to applicant's 404 application.	7/1/1995	11/13/1997	2/1/2001	12/28/1991	11/8/2002	2/28/2001
EPD issues 401 Water Quality Cert.	5/17/1996	8/21/1998	5/22/2001	8/31/1992	9/6/2006	8/2/2002
EPD issues withdrawal permit.	4/1/2002	8/1/2002	2/14/2003	3/22/2002	9/6/2006	9/12/2008
The Corps issues final 404 permit to applicant.	7/20/1996	11/16/1998	10/23/2002	10/2/1992	6/27/2007	5/24/2004
EPD issues Safe Dams permit.	10/1999	10/2001	8/25/2003	5/31/1994	12/9/2009	4/29/2008

Jurisdiction constructs dam.	04/2001	9/11/2003	June 2005	1/27/1997	April 2010	8/5/2005
Jurisdiction fills reservoir.	Spring 2002	8/11/2005	Sept. 2005	June 1998	Started November 1, 2012	6/30/2011

Exhibit 1 can be found in the Water Supply Storage Assessment Appendix A.

Georgia Water Supply Request 2015

This page intentionally left blank

Georgia Department of Natural Resources
Environmental Protection Division
2 Martin Luther King Jr. Drive, Suite 1456, Atlanta, Georgia 30334
Judson H. Turner, Director
(404) 656-4713

December 4, 2015

Via U.S. Mail and Electronic Mail
Colonel Jon J. Chytka
District Commander
Mobile District, U. S. Army Corps of Engineers
P.O. Box 2288
Mobile, Alabama 36628

RE: State of Georgia's Water Supply Request

Dear Col. Chytka:

As you are aware, on January 11, 2013, Governor Nathan Deal of the State of Georgia updated the State's Apalachicola-Chattahoochee-Flint ("ACF") Water Supply Request in a letter to the Honorable Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works. In that letter, Governor Deal requested that the U.S. Army Corps of Engineers meet projected water supply demands of 705 million gallons per day ("mgd"), with 297 mgd being withdrawn directly from Lake Lanier and 408 mgd being withdrawn from the Chattahoochee River below Buford Dam. This request was based on projected demands through approximately 2040 using the best information and data available to the State of Georgia at the time the request was made.

As you know, the Metropolitan North Georgia Water Plan District ("Metro District") revised its water demand projections for the Atlanta metro area in August 2015. Because the revised demand projections now constitute the best available information about future water supply needs in the area served by Lake Lanier, the State has decided to modify its water supply request to reflect this new information. Accordingly, the State of Georgia wishes to modify its January 11, 2013 water supply request as follows: to provide for withdrawals directly from Lake Lanier in the amount of 242 mgd (instead of 297 mgd) and to provide for releases from Buford Dam to accommodate withdrawals from the Chattahoochee River above the confluence with Peachtree Creek in the range of 355 to 379 mgd (instead of 408 mgd). The variability in river demands is driven largely by uncertainty regarding the supply available to the Cobb County-Marietta Water Authority from Allatoona Lake in the Alabama-Coosa-Tallapoosa Basin.

Additional details are provided in the two memoranda attached to this letter. The first is a memorandum from the Metro District outlining the District's water supply needs through the year 2050. The second addresses water supply needs for four counties located above Lake Lanier but outside of the Metro District.

The State of Georgia will present additional information as part of its comments on the Draft Environmental Impact Statement ("Draft EIS") for the Corps' ACF water control manual, which will be submitted to the Corps during the public comment period. If you require additional information prior to receiving Georgia's comments on the Draft EIS, please let me know.

Sincerely,

Judson H. Turner
Director

Enc.

Metropolitan North Georgia Water Planning District
40 Courtland Street NE | Atlanta, Georgia 30303

MEMORANDUM

Date: **December 2, 2015**

To: **Jud Turner, Director, Georgia Environmental Protection Division**

From: **Katherine Zitsch, Director**

RE: **Projected Future Water Supply Demands for the Chattahoochee River and Lake Lanier System**

The Metropolitan North Georgia Water Planning District (the Metro Water District) is currently updating its Water Supply and Water Conservation Management, Wastewater Management, and Watershed Management Plans for the 15-county metropolitan Atlanta area. The updated plans will supersede the prior versions of the plans, issued in 2009, that served as a basis for the Governor's 2013 updated water supply request to the U.S. Army Corps of Engineers. These updated plans are scheduled to be completed and approved by the Metro Water District's Board in November 2016.

The Metro Water District has prepared water demand projections for the current planning period extending to the year 2050.[1] These projections address water needs for residential, commercial, industrial and institutional uses that are supplied by municipal systems across the Metro Water District. The Metro Water District projections do not include thermoelectric uses.

As you requested, we are providing a summary of the projections for those jurisdictions that withdraw water from the Chattahoochee River and Lake Lanier system. The projections below incorporate the most recent information concerning regional population trends and future population and employment growth rates, the effects of existing and projected future water conservation measures, and economic activity. As such, they represent the best and most reliable

[1] The Metro Water District is also preparing corresponding projections of future wastewater returns. Because future water demand in each county is a key input to models developed to project future wastewater flows into each wastewater system, reliable projections of future wastewater returns cannot be developed until water demand projections have been developed. Thus, the Metro Water District uses a phased planning approach in which water demand projections are developed before projections of future wastewater returns. Additional information regarding future wastewater returns will be provided as that information becomes available.

projection of the range of future water supply demands for the Metro Water District, including the Chattahoochee River and Lake Lanier system.

1. WATER SUPPLY DEMANDS

The Metro Water District has contracted with CH2M Hill, Inc. (CH2M) to generate county-level water demand projections through 2050 for each of the 15 counties in the Metro Water District's planning area. The core methods used to project water demand in the Metro Water District are the same as in prior plan revisions. These methods are described in the Metro Water District's 2009 plan.[2] This memorandum will therefore provide only a summary of the methods used, with a focus on certain refinements developed in the current process to improve the quality of the Metro Water District's demand projections.

1.1. County-Level Projected Demands Through 2050

In general, county-level water demand projections are a function of two variables: (1) future population and employment and (2) future water use by residents and employees. This latter category includes specific projections of future per capita water use; future per employee water use; the impacts of water conservation measures, including codes and standards and the requirements of the Georgia Water Stewardship Act; and an adjustment to total demand to account for potential uncertainty in future projections. These variables are discussed in greater detail below.

1.1.1. Forecasted Future Population and Employment

The Metro Water District used two sets of population and employment forecasts to project future water demand: (1) population and employment forecasts prepared by the Atlanta Regional Commission's Research and Analytics Division (ARC Forecasts) and (2) population forecasts issued by the Office and Planning and Budget in 2015 and correlating employment forecasts prepared by ARC (OPB Forecasts).

ARC provided county-level population and employment forecasts that were calculated using a Regional Econometric Model (REMI model). County level forecasts were then presented to Metro Water District jurisdictions for their review, so that population forecasts could be adjusted to account for factors driving future growth that are not captured by the REMI model. The methodology used by ARC's Research and Analytics Division is set forth in the attached memorandum included as Attachment 1. The ARC Forecasts are included as Attachment 2 (population) and Attachment 3 (employment), respectively.

The OPB Forecasts were prepared by the University of Georgia's Carl Vinson Institute of Government. Because OPB and ARC use differing methodologies, OPB does not provide

[2] Metropolitan North Georgia Water Planning District, Water Supply and Water Conservation Management Plan (2009).

corresponding forecasts of future employment. Therefore, corresponding forecasts of future employment were developed by ARC's Research and Analytics Division and included in all water demand scenarios using the OPB Forecasts. The methods used by ARC's Research and Analytics Division to prepare correlating employment forecasts are described in Attachment 1. The OPB Forecasts are included as Attachment 4 (population) and Attachment 5 (employment), respectively.

The ARC Forecasts and OPB Forecasts are summarized below in Table 1 (population) and Table 2 (employment).

Table 1. Summary of ARC and OPB Population Forecasts

	ARC Population Forecasts				OPB Population Forecasts			
County	**2020**	**2030**	**2040**	**2050**	**2020**	**2030**	**2040**	**2050**
Bartow	130,924	160,133	178,780	189,569	108,763	118,274	125,461	131,085
Cherokee	270,994	336,152	394,907	437,370	265,020	331,015	406,740	494,713
Clayton	283,792	304,371	327,266	350,555	282,488	302,823	315,351	321,509
Cobb	726,369	799,383	893,279	969,932	781,311	863,236	930,414	984,089
Coweta	165,321	204,744	235,587	256,038	152,575	182,430	213,856	247,779
DeKalb	725,746	789,454	870,176	945,468	756,138	800,302	824,638	835,063
Douglas	148,812	175,224	201,144	220,545	155,959	185,446	215,834	247,930
Fayette	109,427	124,558	140,809	148,739	114,379	122,584	127,011	129,033
Forsyth	255,412	356,079	431,478	468,230	245,429	334,694	450,066	597,255
Fulton	1,050,286	1,143,594	1,235,645	1,310,110	1,104,788	1,278,928	1,453,507	1,631,265
Gwinnett	927,056	1,073,102	1,239,115	1,392,162	985,396	1,176,845	1,375,267	1,581,299
Hall	234,487	287,486	330,425	362,697	210,468	244,958	280,791	318,828
Henry	256,188	311,014	353,232	379,989	241,568	289,270	339,799	395,121
Paulding	169,951	213,806	259,524	297,884	170,901	209,745	253,980	304,621
Rockdale	96,909	113,320	129,993	145,344	95,285	106,944	116,872	126,086
TOTAL	**5,551,674**	**6,392,420**	**7,221,360**	**7,874,632**	**5,670,468**	**6,547,495**	**7,429,586**	**8,345,677**

Table 2. Summary of ARC and OPB Employment Forecasts

County	ARC Employment Forecasts				OPB Population-Based Employment Forecasts			
	2020	2030	2040	2050	2020	2030	2040	2050
Bartow	62,524	69,819	76,352	82,193	56,867	60,238	64,315	67,420
Cherokee	95,421	108,787	123,123	128,021	93,318	107,124	126,812	144,806
Clayton	187,706	201,227	216,228	231,625	186,843	200,204	208,356	212,433
Cobb	526,073	581,725	641,877	699,093	565,865	628,192	668,561	709,297
Coweta	64,037	71,972	79,668	86,453	59,100	64,128	72,319	83,664
DeKalb	524,712	573,647	625,031	679,851	546,685	581,529	592,322	600,463
Douglas	71,786	81,812	91,924	100,510	75,234	86,585	98,637	112,990
Fayette	84,908	93,954	102,838	111,192	88,750	92,465	92,761	96,461
Forsyth	85,801	100,872	115,834	134,805	82,447	94,814	120,824	171,952
Fulton	1,098,358	1,182,107	1,268,878	1,360,794	1,155,354	1,321,998	1,492,600	1,694,373
Gwinnett	488,390	549,702	611,597	671,565	519,125	602,845	678,798	762,803
Hall	118,756	133,564	147,120	160,535	106,591	113,806	125,021	141,118
Henry	96,029	107,685	118,775	127,670	90,549	100,156	114,258	132,754
Paulding	54,898	63,544	72,732	80,089	55,205	62,337	71,178	81,900
Rockdale	54,289	61,027	67,890	74,363	53,379	57,593	61,037	64,510
TOTAL	**3,613,688**	**3,981,444**	**4,359,867**	**4,728,759**	**3,735,312**	**4,174,014**	**4,587,799**	**5,076,944**

The ARC Forecasts and OPB Forecasts provide separate and independent forecasts of future population for each county in the Metro Water District. These independent forecasts were derived using different methodologies, thus improving the reliability of the Metro Water District's demand projections.

1.1.2. Baseline Water Use

CH2M calculated current and projected future water use for each county in the Metro Water District. CH2M collected demographic data from the US census, water withdrawal data from Georgia EPD, water audit information from Georgia EPD, and data from the Metro Water District regarding plumbing fixture stock. In addition, CH2M surveyed and collected customer billing data and water loss audit information from utilities in the Metro Water District. Responding utilities provided information regarding water use within their system, including water use by customer class (e.g., residential, multi-family residential, commercial, institutional),

water production, peak day demands, and water audit information. Customer class information was provided based on customer classes as defined in each individual utility's billing software.

Water use data were standardized and compiled on a county basis, reflecting the individual mix of water uses across each county (e.g., residential, multi-family residential, commercial, institutional, municipal, irrigation, other, and self-supplied). Base water demand was calculated for each county for the years 2010, 2011, 2012, and 2014, as available, to create a representative base year.[3] The base year water demand incorporates the effects of the Metro Water District's EPA award-winning conservation program and existing state codes and standards.

1.1.3. Baseline and Enhanced Efficiency Demand Scenarios

Base water demands for each county were then paired with corresponding county-level population and employment forecasts from the OPB Forecasts and ARC Forecasts, and analyzed using the Decision Support System (DSS) Water Demand and Conservation Model created by Maddaus Water Management Inc. This analysis yielded two "baseline" water demand scenarios for each county: "Scenario 1 Baseline" using the ARC Forecasts and "Scenario 2 Baseline" using the OPB Forecasts. Outputs from the DSS Model showing projected future water demand through 2050 for each of the "baseline" scenarios are included as Attachment 6 and Attachment 7, respectively.

Water conservation and efficiency measures adopted by the Metro Water District and the State of Georgia have dramatically decreased water demands within the Metro Water District. In fact, per capita water demand use has declined by over 30 percent since 2000. Similarly, total water withdrawals have decreased by over 10 percent, despite a 20-percent increase in total population. The accomplishments achieved to date are accounted for in the baseline scenarios described above.

The efficiency measures put in place are expected to continue to drive per capita water use lower into the future. Therefore, the DSS Model was then used to analyze the effects of existing State and Federal plumbing codes and laws, including the Georgia Water Stewardship Act, the National Energy Policy Act of 1992 and the US EPA Energy Star program. The analysis considered the replacement of toilets, urinals, showerheads, and clothes washing machines on a county-specific basis. This resulted in two additional sets of projections for each county in the Metro Water District: "Scenario 1 Enhanced Efficiency" and "Scenario 2 Enhanced Efficiency." Outputs from the DSS Model showing projected future water demand through 2050 for each of the "enhanced efficiency" scenarios are included as Attachment 8 and Attachment 9, respectively.

---

[3] Year 2013 was atypically wet and water demands were unusually low. In order to create a representative baseline demand, 2013 demand was removed from the baseline demand calculations.

Projected water demands were presented to Metro Water District jurisdictions for review and comment. Projections for certain jurisdictions were revised to account for county-specific factors that could influence future demand beyond modeled projections.

1.1.4. Uncertainty

Water demand projections used for planning purposes must be reasonably conservative, as it takes many years to plan, develop, and construct the infrastructure necessary to meet future water needs. There is uncertainty, however, associated with any projection of future water demand because drivers of water use (e.g., population, employment, per capita use) vary over time.

In the Metro Water District's current planning process, the projected water use from the DSS Model provides a projection of future water demands by county for each of the scenarios analyzed. Actual future water use over the long-term (35-year) planning horizon could be lower or higher than this projection. This is due to the variability of key drivers of water demand, including population growth, employment growth, and water use rates. For example, two key water demand drivers include potential shifts in employment sectors and job growth across the region.

Because the Metro Water District needs to provide reasonably conservative projections of water demands, an "uncertainty factor" was used to adjust water demand projections to account for potential variability. This uncertainty factor was derived by analyzing historical variability in four water demand drivers:

1. Population growth rate
2. Employment/population ratio
3. Per capita residential water use
4. Per employee commercial water use

Probability distributions based on historical data were created for each demand driver and truncated to remove unrealistic extremes. CH2M then used a Monte Carlo analysis (50,000 simulations) to determine future water demand probabilities based on the observed historical variability in demand drivers. The results of this Monte Carlo analysis were used to estimate the range of probabilities around the median "enhanced efficiency" projections described above.

The 65th percentile demand projection was used to calculate the uncertainty factor that was applied to each individual county. The 65th percentile was chosen based on the Metro Water District's professional judgment that it reflected the appropriate balance between the need for realistic planning projections and conservatism required for long-term infrastructure development. For each county, this resulted in an increase in water demands of approximately 3 percent for the 2016 projections, increasing to approximately 13 percent for the 2050 projections. These enhanced efficiency water demand projections incorporating the uncertainty factor are shown below in Table 3, and are included as Attachment 10 and Attachment 11, respectively.

Table 3. Adjusted 2050 Water Demands in the Metro Water District

County	ARC (Scenario 1) Water Demand Projection (AAD-MGD)			OPB (Scenario 2) Water Demand Projection (AAD-MGD)		
	2015	2025	2050	2015	2025	2050
Bartow	27.5	36.4	52.0	27.5	31.4	40.4
Cherokee	19.9	25.0	35.2	19.9	24.4	39.5
Clayton	25.0	28.9	37.6	25.0	29.1	33.6
Cobb	71.3	77.1	98.1	71.3	80.6	96.0
Coweta	13.7	17.4	23.7	13.7	16.0	23.5
DeKalb	73.0	77.5	95.4	73.0	78.7	83.2
Douglas	12.8	14.9	20.0	12.8	15.2	21.7
Fayette	11.8	12.9	16.7	11.8	12.8	14.0
Forsyth	22.7	31.5	47.9	22.7	29.5	59.6
Fulton	142.7	155.3	186.4	142.7	166.4	227.4
Gwinnett	84.4	96.2	132.1	84.4	101.2	145.2
Hall	20.2	25.0	33.9	20.2	22.7	31.0
Henry	23.7	29.6	39.4	23.7	28.1	41.5
Paulding	12.8	15.6	23.0	12.8	15.5	24.0
Rockdale	13.2	15.4	21.1	13.2	14.8	18.3
District Total	**574.5**	**658.6**	**862.5**	**574.5**	**666.5**	**899.0**

1.2. Isolating Demands for the Chattahoochee-Lanier System

Water demands described above were projected for each county in the Metro Water District without regard to water supply source. However, only a portion of the water demand in the Metro Water District is supplied through withdrawals from Lake Lanier or the Chattahoochee River below Buford Dam. At your request, the Metro Water District has isolated these demands to provide a projection of 2050 water demands from the Chattahoochee-Lanier system. Note that the water demand projections below utilize the highest forecasted population for each county to provide a conservative projection of future demand.

1.2.1. Lake Lanier Demands

Three counties (and their included cities and water systems) in the Metro Water District withdraw water directly from Lake Lanier: Hall County, Forsyth County, and Gwinnett County. With the exception of certain self-supplied sources and very limited municipal groundwater production within these counties,[4] direct withdrawals from Lake Lanier supply the water demands within these jurisdictions.

Projected water supply demands for jurisdictions that withdraw water from Lake Lanier are shown in Table 4. To be conservative, these demands reflect the higher of each county-level demand derived from the two enhanced efficiency scenarios, as adjusted by the uncertainty factor.

Table 4
Water Supply Projections – Lake Lanier

County	2050 Projected Demand (AADF – mgd)
Forsyth County[5]	59
Gwinnett County[6]	143
Hall County[7]	32
Total Lake Demand	**234**

The Governor's 2013 updated water supply request projected 41 mgd for counties located upstream of Lake Lanier (Dawson, Habersham, Lumpkin, and White) that currently withdraw water from the Chattahoochee River above the reservoir. These counties are outside of the Metro Water District's planning area and are not addressed in the current projections.

1.2.2. Chattahoochee River Demands – Above Peachtree Creek

Total projected water supply demands for jurisdictions withdrawing water from the Chattahoochee River and its tributaries above Peachtree Creek range from 355 mgd to 379 mgd. Projections for each jurisdiction are set forth in Table 5. Again, to be conservative, reported river

---

[4] Across all three counties, self-supply and municipal withdrawals from groundwater sources are projected to supply only 4.99 million gallons per day (mgd) of future demand. This includes water supplied by currently permitted municipal groundwater wells (1.2 mgd in Hall County and 2.0 mgd in Gwinnett County), water supplied by groundwater wells currently in the permitting process (0.53 mgd in Forsyth County) and amounts projected to be self-supplied by groundwater wells (0.37 mgd in Forsyth County and 0.89 mgd in Hall County). Projected future demands for these counties have been reduced by the amount projected to be supplied from these other sources.

[5] Includes Forsyth County and the City of Cumming.

[6] Includes Gwinnett County and the City of Buford.

[7] Includes Hall County and the City of Gainesville.

demands reflect the higher of each county-level demand derived from the two enhanced efficiency scenarios, as adjusted by the uncertainty factor.

Table 5
Water Supply Projections
Chattahoochee River Upstream of Peachtree Creek

County	2050 Projected Demand (AADF – mgd)
Cobb County[8]	37 to 61
DeKalb County	95
Fulton County	223
Total Chattahoochee River Demand	**355 to 379**

The variability in projected river demands is driven largely by uncertainty regarding the supply available to the Cobb County-Marietta Water Authority (CCMWA) from Allatoona Lake in the Alabama-Coosa-Tallapoosa (ACT) Basin, which is contested by the State of Alabama and others and is the subject of ongoing litigation against the U.S. Army Corps of Engineers. All Cobb County projections assume demands not met through withdrawals from Allatoona Lake will be met through withdrawals from the Chattahoochee River. The lower Cobb County projection (2050 = 37 mgd) assumes CCMWA withdrawals from Allatoona Lake in accordance with the permit issued by Georgia EPD on November 7, 2014. Demands in excess of this range are possible depending on the resolution of the issues in dispute.

Fulton County jurisdictions withdraw water from the Chattahoochee River and its tributaries both above and below the confluence with Peachtree Creek. The Fulton County projection provided above includes withdrawals upstream of Peachtree Creek for the Atlanta-Fulton Water Resources Commission, the City of Atlanta, the City of Roswell's Big Creek facility (from a tributary to the Chattahoochee River), and 6 mgd supplied by the City of Atlanta to Coweta County. The projected Fulton County demands for the Chattahoochee River upstream of Peachtree Creek do not include the City of Roswell's groundwater supply or water sold by East Point and Palmetto using water supply sources downstream of Peachtree Creek.

As with the Lake Lanier demands above, jurisdictions withdrawing water from the Chattahoochee River have extremely limited groundwater resources, and the amounts of self-supplied water and municipal groundwater withdrawals are accordingly very low. Total demands for each county shown above have been reduced to account for these alternative sources of supply.[9]

---

[8] Includes 4 mgd supplied to Douglas County and 1 mgd supplied to Cherokee County.

[9] For Fulton County, projected future demands for the Chattahoochee River upstream of Peachtree Creek have been reduced to account for currently permitted groundwater wells (0.17 mgd), amounts supplied by East Point (8.7 mgd) and Palmetto (0.4 mgd) and amounts projected to be self-supplied by groundwater wells (0.45 mgd). No other counties withdrawing water from the Chattahoochee River above Peachtree Creek utilize groundwater or self-supplied sources.

Attachment 1

Attachment 2

Attachment 3

Attachment 4

Attachment 5

Attachment 6

Attachment 7

Attachment 8

Attachment 9

Attachment 10

Attachment 11

Georgia Department of Natural Resources
Environmental Protection Division
2 Martin Luther King Jr. Drive, Suite 1456, Atlanta, Georgia 30334
Judson H. Turner, Director
(404) 656-4713

MEMORANDUM

TO: Judson H. Turner, Director

FROM: Nap Caldwell, Water Supply Section

SUBJECT: 2050 Water Needs of Dawson, Habersham, Lumpkin and White Counties

DATE: December 2, 2015

Please find attached a document entitled "Projected 2050 Water Needs of Dawson, Habersham, Lumpkin and White Counties, and Amount Likely Sourced to Lake Lanier." The document was prepared in the course of the staff's re-evaluation of projected 2050 water supply requirements that might be placed on Lake Lanier by the referenced counties. The re-evaluation takes into consideration the most recent 2050 population projections as produced by the Office of Planning and Budget, the best currently available data and information on per capita water use within the water service boundaries of water utilities within the respective counties, and the supplies currently available from non-Lake Lanier sources in those counties. In summary, our re-evaluation of water needs indicates that approximately 8 million gallons per day (mgd) are estimated to be needed from Lake Lanier in 2050 to meet the water needs that cannot reasonably be met from sources currently available to these four counties.

Attachment/

Projected 2050 Water Needs of Dawson, Habersham, Lumpkin and White Counties, and Amount Likely Sourced to Lake Lanier

Dawson County

- In 2015 the Office of Planning and Budget (OPB) projected a 2050 population of 40,003. This figure reflects an expected 17,673 increase over the 2010 US Census Bureau population of 22,330.
- In 2014 per capita water use amongst the facilities with Safe Drinking Water and water withdrawal permits was approximately 72 gpcd county-wide. This reflects a consistent decrease in county-wide per capita water use over the previous several years (e.g., 83 gpcd in 2012, 79 gpcd in 2013, and 72 gpcd in 2014). *This is based upon an October 2015 in-house investigation conducted by a team of Water Supply Section associates (for 144 counties in Georgia) using data submitted to EPD (as required by permit conditions) since 2010. These data were also used to estimate per capita water use for the remaining three counties.*
- While this 72 gpcd is already comparatively small, it also takes into account the almost 7 million annual non-resident water users frequenting the Tanger outlet mall on the north end of GA400 in Dawson County.
- Unless there is an even greater future play in industrial and/or commercial water use vis-à-vis domestic uses, tourism related water use, or other non-base population water use in the county over the next 35 years, it is reasonable to assume the per capita water use will likely stay in the 70-85 gpcd range save for modest changes having to do with continued water conservation efforts. If there is a significant uptick in these other uses, it could have a proportionate uptick impact on per capita as the base population is quite modest. Conclusion: Use an 80 gpcd figure with a 15% uncertainty factor for 2050, yielding 92 gpcd (i.e., 3.68 mgd)
- On the supply side, there's currently 0.50 mgd of permitted groundwater withdrawal in Dawson County, and it is anticipated that this supply will continue to be available at 2050. Additionally, there is currently 4.4 mgd of M&I withdrawal permitted in the county, and more than twice as much as that might become available if the proposed Russell Creek reservoir is granted a 404 permit. No 2050 deficit is expected to exist in Dawson County.

Habersham County

- In 2015 OPB projected a 2050 population of 64,860 for Habersham County. This estimate reflects an expected 20,307 increase over the 2010 US Census Bureau population of 44,553.
- In 2014 per capita water use amongst facilities with Safe Drinking Water and water withdrawal permits was approximately 174 gpcd county-wide. This relatively high number was partially driven by a per capita amount of some 445 gpcd for the City of Cornelia. This very high per capita rate for Cornelia is explained by the fact that the city

sells approximately 80% of its finished water to Fieldale Farms (in 2014 this represented 0.80 x 2.73 mgd ~ 2.18 mgd), a large poultry processing plant. Cornelia's residential per capita water use is approximately 55 gpcd, and if the county use rate were adjusted for the obvious skewing resulting from service to Fieldale Farms [i.e., (5.86 mgd – 2.18 mgd) / 33705], the resulting per capita use rate of 109 gpcd would represent a reasonable figure. However, one cannot discount the continued existence of Fieldale Farms, therefore there is a need to add 2 to 3 mgd to the population-based total 2050 needs.

- Gross 2050 need would therefore be as follows: [(109 x 64,860) x 1.15] + 3 mgd = 11.13mgd.
- On the supply side, there is 2.25 mgd (monthly avg) of permitted groundwater withdrawals in Habersham County, and it is assumed that this will continue to be available at 2050. There's 8 mgd of permitted M&I surface water withdrawal in the county, and it's safe to assume that at least this amount of permitted withdrawal will exist in 2050. The 2050 deficit is therefore ~ 0.88 mgd.

Lumpkin County

- In 2015 OPB projected a 2050 population of 44,201 for Lumpkin County. This estimate reflects an expected 14,235 increase over the 2010 US Census Bureau of 29,966.
- In 2014 per capita water use amongst facilities with Safe Drinking Water and water withdrawal permits was approximately 225 gpcd county-wide. While this is an admittedly high number, when consideration is given to the huge impact of Dahlonega's non-resident tourism and the presence of a branch of the University of North Georgia campus (much of which is also likely to be non-resident), this figure is not thought to be unreasonable. It is not unreasonable to assume continuation of the tourism influence on water use, and it is perhaps reasonable to assume that the non-resident student population may continue to grow vis-à-vis the resident population. Assuming a 200 gpcd figure for 2050 then results in a gross need of [(44,201 x 200) x 1.15] = 10.17 mgd.
- On the supply side, there are currently no permitted groundwater withdrawals in Lumpkin County, however the safe yield of the Yahoola Creek Reservoir is 5.7 mgd (*note that the Corps reports a Yahoola Creek reservoir yield of 25.5 mgd on page 2-49 of its ACF DEIS, but we can only substantiate 5.7 mgd of that from 404 records and our withdrawal permit*). The 2050 deficit is therefore ~ 4.47 mgd.

White County

- In 2015 OPB projected a 2050 population of 35,839 for White County. This estimate reflects an expected 9,135 increase over the 2010 US Census Bureau total of 26,704.
- In 2014 per capita water use amongst facilities with Safe Drinking Water and water withdrawal permits was approximately 138 gpcd county-wide. This use rate is likely influenced to the upside by the non-resident water use associated with tourism and conference business generated by the City of Helen. Let's leave the figure at 138 gpcd as the influence isn't likely to wane with an increase in resident population. The resulting 2050 gross demand is therefore [(35839 x 138 gpcd) x 1.15] = 5.69 mgd.

- On the supply side, there's currently 1.24 mgd (monthly average) of permitted groundwater in White County. No reason to think this availability will decrease. There's currently 1.8 mgd of permitted surface water (Turner Creek), but safe yield is 2 mgd. Total available currently is therefore 3.24 mgd, which suggests a current 2050 deficit of approximately 2.45 mgd.

Total 4-county estimated 2050 water supply need (0 + 0.88 + 4.47 + 2.45) is approximately 7.8 mgd.

Attachments can be found with this request as an Appendix to the Water Supply Storage Assessment (Appendix B of this EIS).

This page intentionally left blank