

Appendix P
2013 Scoping Comments by Issue Code

All Comments Sorted by Issue Code 2013

This appendix contains the all comments (broken out by issue code) found in each of the original letters received by the U.S. Army Corps of Engineers, Mobile District in response to the NOI posted in the Federal Register on October 12, 2012 regarding the intent of the Corps to revise the scope of the Environmental Impact Statement for the Water Control Manual updates for the Apalachicola-Chattahoochee-Flint 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. As seen in Table 1 below, a total of 322 letters were received and a total of 1118 comments were contained in those letters. One multi-signatory campaign was received – the Lagrange-Troup County Chamber Of Commerce West Point Lake Petition with a total of 2985 signatories.

For this document a “letter” is defined as the original document submitted by an author containing comments related to the revised scope posted in the Federal Register Notice. A “comment” is defined as the individual selection of text that pertains to one of the issue categories found below in Table 2. These Corps used these issue categories in each of the previous scoping efforts – both in 2008 and in 2009. A breakdown of all comments received through all iterations of the scoping process can be found in the main scoping report.

The comments in this appendix are organized by issue code. As a reference, the original letters can be found in Appendix O. Table 3 below lists the organization and/or affiliation of each letter writer and the pages on which all comments from the original letter can be found. The comment number is included in this table after the name of the letter writer. This number indicates the order in which comments were received by the Corps. The comment numbers begin at 0001 and end at 0322.

TABLE 1 - Document and Comment Submission Overview

Method	Letters Received	Total Comments Received
Electronic or U.S. Mail	322	1118
Campaigns	1	2985

TABLE 2 - Issue Categories

Category Code	Issue Category	Number of Comments
1.0	Biological Resources	3
1.a	Fisheries	78
1.b	Flow Concerns for Apalachicola Bay	73
1.c	Threatened and Endangered Species Related Issues	88
1.d	Other Biological Issues	23
2.0	Data, Studies, & Analytical Tools	37
3.0	Drought Operations	12
4.0	Flood Risk Management	71

TABLE 2 - Issue Categories

Category Code	Issue Category	Number of Comments
5.0	Hydropower	5
6.0	National Environmental Policy Act	0
6.a	Applicable Regulations	4
6.b	Baseline Conditions	15
6.c	Cooperating Agencies	1
6.d	General	11
6.e	Mitigation	0
6.f	Proposed Action & Alternatives	21
6.g	Schedule	0
6.h	Scoping/Public Involvement	30
7.0	Navigation	9
8.0	Socioeconomics & Recreation	0
8.a	Economics and Recreation	264
8.b	Environmental Justice	2
8.c	General	3
8.d	Population Growth	0
8.e	Safety Hazards	16
8.f	Shoreline Management	3
9.0	Water Management Recommendations	0
9.a	Alternatives	2
9.b	Conservation	10
9.c	Demand vs. Need	18
9.d	Existing Water Management Practices	119
9.e	Water Management Suggestions	153
9.f	Other	5
10.0	Water Quality	22
11.0	Water Supply	13
12.0	Other	2
12.a	Air Quality	0
12.b	Cultural Resources	1
12.c	Geology and Soils	3
12.d	Hazardous, Toxic, and Radioactive Waste	0
12.e	Multiple: Navigation and others.	1

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ACF Stakeholders, Billy Turner (0158)	90, 91, 91, 91, 114, 114, 178, 198, 199, 317, 355, 469, 469
Alabama Office Of Water Resources, J. Brian Atkins (0186)	83, 100, 160, 161, 173, 189, 209, 293, 314, 317, 328, 365, 424, 446, 449, 458
Atlanta Regional Commission, Douglas R. Hooker (0200)	105, 105, 111, 163, 191, 193, 427, 429, 459, 476
Atlanta Regional Commission, Douglas Hooker And Steve Haubner (0035)	196
Abbott, Jordan & Koon, LLC, CPAs, Wayne Abbott (0100)	69, 257, 257, 347, 399
Apalachicola Bay Chamber Of Commerce, Anita Grove (0001)	3
Apalachicola Riverkeeper, Ben Fusaro (0214)	40
Apalachicola Riverkeeper, William Hartley (0245)	47
Apalachicola Riverkeeper, Shannon Lease (0206)	205
Apalachicola Riverkeeper, Richard Nash (0237)	370
Apalachicola Riverkeeper, Dan Tonsmeire (0177)	2, 32, 34, 99, 187, 203, 309, 327, 423
Atlanta Junior Rowing Association, Dottie Cecil (0176)	308, 313
Atlanta Rowing Club, Charles Freed (0165)	92, 147, 154, 201, 290, 312, 312, 356, 415, 452, 453, 479, 481
Columbus Consolidated Government, Teresa Pike Tomlinson (0312)	462
Canopylegal, LLC, Lyza L. Sandgren (0004)	332
Chattahoochee Nature Center, Lynn Mcintyre (0137)	311
Chattahoochee Riverwarden, Inc., Roger Martin (0262)	117, 118, 164, 164, 165, 194, 206, 329, 435, 435, 435, 460, 478
Chattahoochee Riverkeeper, Sally Bethea (0167)	155, 168, 182, 201
City Of Lagrange, Department Of Economic Development, Mike Criddle (0153)	75, 284, 285, 354, 410
Columbus Water Works, Steven R. Davis (0263)	108, 142, 206, 212, 436, 461
Department Of Energy - Southeast Power Administration, Herbert Nadler (0080)	146
Douglasville-Douglas County Water And Sewer Authority, Peter J. Frost (0079)	239, 445, 452, 468
Efacec, ACS, Inc., Buddy Reneau (0056)	6, 61, 123, 229, 230, 230, 342, 391
Essential Skills, Tom Vizzini (0279)	296, 314, 330, 377, 377, 438, 438
Estimated Prophets LC, Duirwarren Boarland (0293)	53

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Franklin County Board Of County Commissioners, Alan Pierce (0132)	30
Friends Of Lake Eufaula, Brad Moore (0159)	199, 199, 209, 289, 289, 312, 315, 323, 412
Georgia Power, Tanya D. Blalock (0173)	186, 202, 326
Georgia Wildlife Federation, Todd Holbrook (0202)	25, 164, 294, 460
Georgia Council Of Trout Unlimited, Mack Martin, Et Al (0172)	21, 21, 454
Georgia Department Of Natural Resources, Environmental Protection Division (EDP), Judson H. Turner (0194)	102, 110, 425, 472
Georgia Department Of Natural Resources, Wildlife Resources Division, John Biagi (0171)	20, 20, 20, 453, 454
Georgia Reservoir Company, LLC, John Mcgrew (0012)	445
Georgia State Senate, Mike Crane (0108)	69, 258, 259, 350, 350, 400
Georgia Water Alliance, Katie Kirkpatrick (0169)	183, 202, 469
Gwinnett County Board Of Commissioners, Charlotte J. Nash (0164)	76, 91, 152, 153, 168, 200, 200, 290, 414, 415
Help Save The Apalachicola River Group, Marilyn Blackwell (0250)	50
Indian Hills Neighborhood Association, Brad Moore (0141)	278, 278, 311, 315, 323, 406
Lagrange Troup County Bureau Of Tourism, Laura R. Jennings (0057)	231
Lagrange-Troup County Chamber Of Commerce West Point Lake Petition, CAMPAIGN (0311)	382
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Lake Lanier Association, Kenneth Searl (0286)	297, 379
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Les Hassel Excursions, Inc., Lesley Cox (0220)	41
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Marks Insurance Agency, Inc., Chuck Marks (0013)	28
Meadwestvaco Corporation, L. Scott Fryer (0163)	356, 413
Metropolitan North Georgia Water Planning District, Mayor Boyd Austin (0203)	193, 320, 320, 476
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National Park Service Southeast Regional Office, Gordon Wissinger (0175)	24, 165, 293, 313, 421, 422, 422, 457, 479, 482
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Southern Nuclear Operating Company, Inc., Greg Elmore (0191)	210, 366, 424, 458
State Of Georgia House Of Representatives, District 69, Randy Nix (0093)	67, 251, 251, 346, 347, 397
State Of Georgia Office Of The Governor, Nathan Deal (0196)	103, 111, 475
Supporters Of St. Vincent NWR, Landy Luther (0243)	47
Tri Rivers Waterway Development Association, Billy V. Houston (0309)	109, 206, 212, 214, 297, 298, 331, 439, 440, 441
U.S. Environmental Protection Agency, Region 4, Heinz J. Mueller (0316)	88, 89, 109, 110, 118, 152, 153, 153, 165, 176, 194, 195, 195, 195, 206, 207, 208, 208, 307, 307, 314, 321, 321, 322, 442, 443, 443, 443, 463, 463, 463
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1.0 - BIOLOGICAL RESOURCES

Comment ID 0170.001.001

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

Dear Colonel Roemhildt:

The National Wildlife Federation appreciates the opportunity to comment on the revised scope of the Environmental Impact Statement to be drafted by the U.S. Army Corps of Engineers (Corps) for the proposed updated of the Master Water Control Manual for the Apalachicola-Chattahoochee-Flint River Basin (ACF) in Alabama, Florida, and Georgia.

The National Wildlife Federation (NWF) is the nation's largest conservation education and advocacy organization. NWF has more than four million members and supporters and conservation affiliate organizations in forty-eight states and territories. NWF has a long history of working to protect the nation's coastal and inland waters and the fish and wildlife that depend on those vital resources, and of working to modernize water resources planning.

Introduction

On behalf our more than four million members and supporters, NWF urges the Corps to conduct a comprehensive and robust analysis of the environmental consequences of potential management regimes for the ACF System and to develop and recommend a water management regime that will protect and restore the ecological health of the Apalachicola River and Bay and the entire ACF system.

Law and policy require the Corps to manage the ACF system in a manner that protects and restores the health of fish and wildlife populations and the ecological health of the Apalachicola River and Bay. A management regime that restores and maintains ecological flows will meet these requirements, protect a national ecological treasure, and support a vibrant economy.

Ecological flows are the instream flows needed to: (a) support and reestablish the chemical, physical, biological, and overall ecological integrity of the ACF system; (b) support and reestablish a thriving and resilient Apalachicola River, Apalachicola River floodplain, and Apalachicola Bay; and (c) restore and recover species that are endangered, threatened, or at risk. The Environmental Impact Statement (EIS) must evaluate the ecological flows and select an alternative that will ensure that those flows are established and protected.

<Portions of text bold and underlined. See original.>

Comment ID 0170.001.004

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

An Ecological Treasure In Crisis

The Apalachicola River is a national treasure and one of the most productive river systems in North America. The River harbors the most diverse assemblage of freshwater fish in Florida and supports one of the most diverse floodplain forests in North America. The River basin is also home to some of the highest densities of reptile and amphibian species on the continent. The importance of the River has led to its designation by the State of Florida as an Outstanding Florida Water, by the United States as a National Estuarine Research Reserve, and by the United Nations as an International Man in the Biosphere Reserve.

<Portions of the text bold and underlined. See original.>

Comment ID 0177.001.003

Author Name: Tonsmeire Dan

Organization: Apalachicola Riverkeeper

The ACF System Must Be Operated To Protect Fish and Wildlife And The Ecological Health of the Apalachicola River and Bay

The Corps is required as a matter of law to operate the ACF system to protect and conserve fish and wildlife and the ecological health of the Apalachicola River, Floodplain and Bay.

As clearly set forth in the June 2012 Legal Opinion of the Corps' Chief Counsel, fish and wildlife conservation is an authorized purpose of the ACF system of projects:

"The system-wide plan of development for the ACF basin was intended to provide benefits for the purposes of hydropower, navigation, and flood control, estimated in annual average dollar values, and also to provide benefits for the purposes of municipal and industrial water supply, recreation, and fish and wildlife conservation, which were not quantified in the same manner."

Legal Opinion at 27 and 31 (emphasis added). "Thus, in enacting the 1946 RHA, Congress expressed its clear intent that the ACF system of projects should be constructed and operated for the general purposes set forth in the Corps reports adopted in that act, and that the Buford Project would serve as the primary storage reservoir to regulate flows throughout the ACF system necessary for integrated system operations for multiple purposes." Legal Opinion at 26-27.

"Congress expected that the Buford Project would be operated as an integral part of the ACF system, to achieve the purposes Congress authorized for that system when it approved the ACF plan of development in the 1946 RHA." Legal Opinion at 38-39. Indeed, "the Buford Project cannot be understood in isolation, because the Buford Project was proposed and approved as one component in a system of projects, and Congress intended that storage in the Buford Project would be used to regulate flows throughout the system, in order to enable efficient operation of the downstream projects and to accomplish the authorized purposes of the ACF system." Legal Opinion at 39, note 167.

As a result, in assessing the impacts of water withdrawals, the Legal Opinion concludes that focusing on just the operations or impacts to Lake Lanier alone "would not comport with Congressional intent." Legal Opinion at 38-39. Instead, the Corps must assess the impacts on the ability to achieve the full suite of authorized purposes for the entire ACF system, including fish and wildlife conservation. Id.

Fish and wildlife protection and conservation is also a general purpose for the ACF projects pursuant to the Fish and Wildlife Coordination Act. The Corps must also comply with the requirements of the Federal Endangered Species Act in operating the ACF projects.

The National Water Policy established by Congress in 2007 also requires the Corps to operate the ACF projects to protect the Apalachicola River, Floodplain and Bay. That policy states that "all water resources projects" shall "protect[] and restor[e] the functions of natural systems and mitigate[e] any unavoidable damage to natural systems." 33 U.S.C 1962-3 (established by § 2031(a) of the Water Resources Development Act of 2007, and immediately applicable to all water resources projects).

Moreover, enhancement of the environment has been an important federal objective for water resources programs for decades. Corps regulations in place since 1980 state that:

"Laws, executive orders, and national policies promulgated in the past decade require that the quality of the environment be protected and, where possible, enhanced as the nation grows. . . . Enhancement of the environment is an objective of Federal water resource programs to be considered in the planning, design, construction, and operation and maintenance of projects. Opportunities for enhancement of the environment are sought through each of the above phases of project development. Specific considerations may include, but are not limited to, actions to preserve or enhance critical habitat for fish and wildlife; maintain or enhance water quality; improve streamflow; preservation and restoration of certain cultural resources, and the preservation or creation of wetlands.

33 C.F.R. § 236.4. (emphasis added).

Long-standing Corps guidance also requires the establishment of the minimum stream flow needed to address water quality, fish and wildlife, recreation, and aesthetic considerations when developing water control manuals, even where maintenance of minimum in-stream flows is not an authorized project purpose. EM 1110-2-3600, 30 Nov 87 (Management of Water Control Systems) at 2-3.

<Portions of the text bolded, underlined, and italicized. See original.>

1.A - FISHERIES

Comment ID 0001.001.001

Author Name: Grove Anita

Organization: Apalachicola Bay Chamber of Commerce

We were unable to submit our comments on the online form.

Apalachicola Bay is one of the last places in the US that harvests wild oysters. We have preserved hundreds of thousands of acres at a great cost to us to ensure the preservation of this great bay and river. Unmitigated growth for decades in the Atlanta/ Lake Lanier are heavily taxing the system and forcing all others downstream to pay the price. Please consider those of us downstream and do not continue to choke one of our state's most valuable resources.

Comment ID 0005.001.002

Author Name: Maltese Joe

Organization:

3. The Corps and USFWS have failed to recognize and accept that there are other factors contributing to stress on the Apalachicola. These include:

-the failure to recognize that scouring and dredging, and the blockage of naturally flowing sediments that would have been transported to the river bed below JWLD have lowered water levels in the river impacting sturgeon spawn and mussel populations.

Comment ID 0045.001.005

Author Name: Timmerberg Dick

Organization: West Point Lake Coalition

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0046.001.005

Author Name: Keeth Joey

Organization:

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Comment ID 0049.001.005

Author Name: Baker Donald

Organization:

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Comment ID 0050.001.005

Author Name: Baker Sophronia

Organization:

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Comment ID 0051.001.005

Author Name: Walters Wesley

Organization:

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Comment ID 0052.001.006

Author Name: Wylie Clarence

Organization:

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Comment ID 0053.001.005

Author Name: Unknown 1 (Illegible) Unknown 1 (Illegible)

Organization:

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Comment ID 0054.001.005

Author Name: Unknown 2 (Illegible) Unknown 2 (Illegible)

Organization:

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Comment ID 0055.001.005

Author Name: Alford Peter

Organization:

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Comment ID 0056.001.006

Author Name: Reneau Buddy

Organization: Efacec, ACS, Inc.

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increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0062.001.008

Author Name: McGowan O.W.

Organization:

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Comment ID 0063.001.006

Author Name: Starr Shane

Organization:

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Comment ID 0066.001.005

Author Name: Billingsley Randall

Organization:

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Comment ID 0067.001.005

Author Name: Glazier Richard and Debra

Organization:

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declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0071.001.001

Author Name: Lucas Barry

Organization:

Please accept the statement below as a public comment for the Update of the Master Water Control Manual (WCM) for the Apalachicola-Chattahoochee-Flint River Basin (ACF). I live and work in Forsyth County, Georgia.

The Water Control Manual for the ACF should not take into consideration the trout fishery below Buford Dam. This is an artificial trout fishery which consists entirely of non-native fish species which should not be present in this section of the Chattahoochee River. In fact, Buford Dam should be modified so that it will release warmer water, so that the natural warm water habitat/fishery can be restored in this section of river.

<Portions of text are underlined. Please see original document for details.>

Comment ID 0071.001.003

Author Name: Lucas Barry

Organization:

Please DO NOT CONSIDER the artificial trout fishery in the Update of the Master Water Control Manual for the ACF Basin. This is one factor that can be ignored. No US Government resources should be expended studying this issue, and the artificial trout fishery should not be considered in the management of ACF basin water. Restore the natural warm water habitat to the Chattahoochee River below Buford Dam.

<Portions of text are underlined. Please see original document for details.>

Comment ID 0074.001.005

Author Name: Lanett Lanett

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0075.001.005

Author Name: Nichols, Jr. Robert

Organization:

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Comment ID 0076.001.005

Author Name: Britt William

Organization:

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Comment ID 0082.001.005

Author Name: Morgan Ashley

Organization:

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Comment ID 0083.001.005

Author Name: Bice Bonita

Organization:

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Comment ID 0084.001.005

Author Name: Gay Brenden

Organization:

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Comment ID 0085.001.005

Author Name: Gay Brian

Organization:

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Comment ID 0086.001.005

Author Name: Abernathy Brittney

Organization:

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Comment ID 0087.001.005

Author Name: Eslinger Emma

Organization:

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Comment ID 0088.001.005

Author Name: E_____ (illegible) Frank

Organization:

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Comment ID 0089.001.005

Author Name: Maddox Greg

Organization:

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Comment ID 0090.001.005

Author Name: Mayfield Matthew

Organization:

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Comment ID 0091.001.005

Author Name: Gay Nichele

Organization:

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Comment ID 0092.001.005

Author Name: Payant Mike and Rebecca

Organization:

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Comment ID 0094.001.005

Author Name: Eslinger Rhonda

Organization:

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Comment ID 0095.001.005

Author Name: Mayfield, Jr. Robert

Organization:

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Comment ID 0096.001.005

Author Name: Stradcutter Charles

Organization:

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Comment ID 0098.001.005

Author Name: E_____ (illegible) Tom

Organization:

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Comment ID 0099.001.005

Author Name: Gay Trayten

Organization:

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Comment ID 0109.001.005

Author Name: Hornsby Angela

Organization:

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Comment ID 0110.001.005

Author Name: Terrell Ann

Organization:

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Comment ID 0111.001.005

Author Name: Foster Betty

Organization:

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Comment ID 0112.001.005

Author Name: Frazier Earl

Organization:

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Author Name: Camberlander Howard

Organization:

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Comment ID 0114.001.005

Author Name: Huerta James

Organization:

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Comment ID 0115.001.005

Author Name: McGee Jeremy

Organization:

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Comment ID 0116.001.005

Author Name: Vannes Joan

Organization:

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Comment ID 0117.001.005

Author Name: Nelson John

Organization:

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Comment ID 0118.001.005

Author Name: Clayton Justin

Organization:

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Comment ID 0119.001.005

Author Name: Terrell O.

Organization:

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Comment ID 0120.001.005

Author Name: T. (illegible) Oliver

Organization:

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Comment ID 0121.001.005

Author Name: McCurdy Ralph

Organization:

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Comment ID 0122.001.005

Author Name: Carter Shane

Organization:

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Comment ID 0123.001.005

Author Name: Deloach Tonya

Organization:

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Comment ID 0124.001.005

Author Name: Unknown 3 (Illegible) Unknown 3 (Illegible)

Organization:

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Comment ID 0125.001.005

Author Name: M. (illegible) Wendy

Organization:

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Comment ID 0149.001.005

Author Name: H. (illegible) D.

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0150.001.005

Author Name: Nelson Elizabeth

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0151.001.005

Author Name: Wilson Jessica

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0152.001.005

Author Name: Nelson John

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has

increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0154.001.005

Author Name: Foster Oliver

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0155.001.005

Author Name: Duncan Peggy

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0156.001.005

Author Name: Unknown Unknown

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0157.001.005

Author Name: Nelson Wanda

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has

declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0160.001.005

Author Name: McBride Mike

Organization:

As to the SPORTS FISHING AND WILDLIFE DEVELOPMENT ball, you've been very efficient, in a negative way. This spring you dropped the levels and ruined the spawning season. Further do our native bass, crappie, and mussels do better in such confined areas? Wait, who cares, they're not endangered species - yet. Of course you had to consider those endangered species in Florida, you know the ones they harvest and eat. Have you bothered to contact your Corps personnel there about how much water they've had?

Comment ID 0171.001.001

Author Name: Biagi John

Organization: Georgia Department of Natural Resources, Wildlife Resources Division

Thank you for the opportunity to provide scoping comments regarding updating water control plans and manuals for the Apalachicola-Chattahoochee-Flint (ACF) River basin. The Georgia Wildlife Resources Division (WRD), Fisheries Management Section, offers the following comments for your consideration:

Comment ID 0171.001.003

Author Name: Biagi John

Organization: Georgia Department of Natural Resources, Wildlife Resources Division

Both the hatchery and the tailwater trout fishery, one of Georgia's premier fisheries, are dependent upon cold, well-oxygenated water for the survival of resident trout, so water temperature and dissolved oxygen levels are of great interest. Potential impacts to water temperatures in these designated trout waters should be considered when making water control decisions. Depressed DO concentrations below Buford Dam from August through December adversely affect trout activity, angler success, and hatchery trout production in the upper tailwater. Enhancing DO at Buford Dam would benefit the hatchery operation and the sport fishery for both stocked and naturally reproducing trout in this upper river reach.

Comment ID 0171.001.005

Author Name: Biagi John

Organization: Georgia Department of Natural Resources, Wildlife Resources Division

Reservoir Fish Spawn

The USACE currently works to manage reservoir water levels for fish spawn four to six weeks within an eight-week window, during the spring. During this period, water levels are maintained, if possible, to prevent black bass nest exposure. We recommend that the fish spawn period be retained and look forward to continued coordination with USACE offices during the bass spawn.

Fish Passage

Since 2005, the USACE has operated the lock at Jim Woodruff Lock and Dam twice a day during the spring to pass migratory fish. This practice has resulted in a substantial increase in the population of juvenile and adult Alabama shad in the ACF. We encourage the USACE to continue to support and facilitate fish passage via conservation locking at this facility in the future.

<Portions of the text underlined. See original.>

Comment ID 0172.001.001

Author Name: Martin, et al Mack

Organization: Georgia Council of Trout Unlimited

Dear Col. Roemhildt:

Thank you for the opportunity to comment on the referenced Environmental Impact Statement during the extended scoping period. This letter is submitted by the Georgia Council of Trout Unlimited and the Metro Atlanta Trout Unlimited Chapters directly affected by Buford Dam Operations. We recognize the numerous and, at times, competing interests resident in the basin. Our comments herein are limited to those significant issues that are related to our mission of conserving, protecting and restoring Georgia's coldwater fisheries and their watersheds. Trout Unlimited's mission is directly related to Buford Dam/Lake Lanier's authorized purposes for Corps-owned projects of water quality, fish and wildlife conservation and recreation delineated in USACE Scoping Report for the ACF River Basin dated March 2010, Table 1 on page 9.

Notably, the Chattahoochee River Tailwater is named by Trout Unlimited as one of America's 100 Best Trout Streams. It is home to a robust, naturally reproducing population of wild brown trout, which sits in the backyard of a major metropolitan area with five million plus residents. It is a unique resource that provides economic benefits, recreation and drinking water to the ninth most populous metropolitan area in the country.

<Portions of the text italicized. See original.>

Comment ID 0172.001.002

Author Name: Martin, et al Mack

Organization: Georgia Council of Trout Unlimited

Dissolved Oxygen (DO)

GA DNR Environmental Protection Division (EPD) classifies the Chattahoochee River downstream of Buford Dam to the I-285 West bridge as secondary trout water in GA DNR EPD Rule 391-3-6-.03(15)(b).

GA DNR EPD Rule 391-3-6-.03(6)(a)(ii) establishes minimum DO water quality standards for trout streams:

"A daily average of 6.0 mg/L and no less than 5.0 mg/L at all times for waters designated as trout streams by the Wildlife Resources Division. A daily average of 5.0 mg/L and no less than 4.0 mg/L at all times for water supporting warm water species of fish."

USACE Engineer Regulation 1110-2-8154.6.a sets maintaining state water quality standards as policy:

"It is national policy that the Federal government, in the design, construction, management, operation, and maintenance of its facilities, shall provide leadership in the nationwide effort to protect and enhance the quality of our air, water, and land resources. Federal facilities shall comply with all Federal, state, interstate, and local requirements in the same manner and extent as other entities. Federal antidegradation policy maintains and protects existing high quality waters where they constitute an outstanding national resource. Where the quality of a water resource supports a diverse, productive, and ecologically sound habitat, those waters will be maintained and protected unless there is compelling evidence that to do so will cause significant national economic and social harm. No degradation is allowed without substantial proof that the integrity of the stream will not diminish. In all cases, the existing instream water uses and the water quality necessary to protect them will be maintained. This national policy is founded on the overall objective established in the Clean Water Act to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The thrust of this policy is to protect all existing and future uses including assimilative capacity, aquatic life, water supply, recreation, industrial use, hydropower, etc. Where uses are degraded, it is the national goal to restore those degraded waters to more productive conditions."

During low/minimum flows from Buford Dam in the fall and early winter months, DO levels have consistently been less than 5.0 mg/l for extended periods, often dropping and remaining below 3.0 mg/l. The exception was 2004 when sluicing was employed during repairs to the #3 turbine. During that time, DO levels exceeded 9.0 mg/l. Reduced DO in trout streams has been associated with decreased fish health and lower angler success. Other aquatic organisms that rely on DO are also negatively affected by low DOs. This impacts the overall health of the river, recreational opportunities and the associated economic benefits that anglers contribute to the local economy.

In a letter dated January 6, 2011, Upper Chattahoochee Chapter of Trout Unlimited (UCCTU), Chattahoochee Riverkeeper (CRK) and Chattahoochee Cold Water Fishery Foundation (CCWFF) expressed concern about low DO levels to USACE Buford Dam requesting that sluicing be evaluated as a method to meet Georgia's DO water quality standards. UCCTU followed up that initial correspondence with a second letter dated August 19, 2011 and a meeting of interested parties on November 17, 2011. Attending that meeting were USACE, GA DNR WRD, National Park Service - Chattahoochee River National Recreation Area (CRNRA), UCCTU, CRK and CCWFF. Due to scoping of the referenced

EIS and sluice gate repairs, this issue is unresolved. Some sluice testing during periods of low DO was accomplished recently with positive results.

Since extended periods of low DO are persistent below Buford dam and complying with state water quality standards is a matter of USACE policy, we request that maintaining minimum DO standards for trout water below Buford Dam as established by GA DNR EPD Rule 391-3-6-.03(6)(a)(ii) be incorporated into the ACF Master Water Control Manual.

Temperature

Cold, clean water is essential to maintain a wild trout fishery such as the Chattahoochee River Tailwater. Coldwater releases from Buford Dam and adequate instream flows are particularly important during the warm periods of late spring, summer and early fall to the brown trout fishery.

USACE Scoping Report for the ACF River Basin dated March 2010 states that "Commenters noted that trout fisheries, which are not part of the natural habitat of the ACF River Basin, should not be accommodated by releasing water out of the lake to maintain a specific water temperature." However, the construction of Buford Dam irrevocably and dramatically changed the historic habitat of the Chattahoochee River downstream of Buford Dam. As a matter of policy, through GA EPD Rule 391-3-6-.03(15)(b), Georgia designates and manages the Chattahoochee River Tailwater as a trout fishery. Wild brown trout now naturally reproduce and thrive in that section of the river.

In February 2001, GA DNR WRD proposed upgrading the secondary trout water classification to primary for the Chattahoochee River Tailwater from Buford Dam to GA 400 after documenting that trout were reproducing in that segment. In May 2002, the GA DNR Board authorized GA DNR EPD and WRD to conduct a 3-year study of temperature effects on trout below Buford Dam to develop an appropriate standard that would protect the fishery. Fieldwork began on these studies in 2003 and concluded in 2007. GA DNR EPD and WRD have proposed that the river from Buford Dam to Island Ford Shoals be known as the Upper Chattahoochee Tailwater Trout Stream. This classification and its accompanying temperature criteria would be designated to protect the year round trout fishing from Buford Dam to Island Ford Shoals where coldwater releases from Buford Dam exert their greatest influence. Proposed thermal management of the Upper Chattahoochee Tailwater Trout Stream by GA DNR would be modeled to ensure that water temperature not exceed 22°C maximum or 20°C as a 5-day average more than once in 30 days measured by USGS Gauge 02335450 at Eves Road.

We request that the ACF Master Water Control Manual support GA DNR's thermal management of the Chattahoochee River Tailwater. Volume and duration of releases are not the only variables affecting downstream water temperatures. During periods of elevated air temperatures, releasing in the late evening allows water to flow downstream and avoid solar heating. Extended periods of no releases, thirty six hours or more, during the late spring, summer and early fall allow water temperatures to rise. Timing releases during the warm weather periods is critical to the fishery's health and will become even more important as Metro Atlanta grows, increasing surface water runoff that contributes to thermal pollution of the Tailwater.

Sedimentation

Sedimentation from erosion is a significant issue in the Chattahoochee River Tailwater. While tributaries contribute a considerable amount of sedimentation to the system, accelerated erosion from bank-scouring and sloughing created by

fluctuating releases from Buford Dam is a major factor. Bank-sloughing causes sedimentation of trout spawning habitat and widens the river channel. Trout require a gravel substrate for successful spawning. Macroinvertebrates, which are a primary food source for trout, also need a rocky or gravelly habitat to thrive. As the river widens, it shallows and more large rocks are exposed acting as a heat sink raising water temperatures. Riverside lots are reduced in size from bank-sloughing resulting in lower property values. Important archaeological sites are also threatened by erosion and siltation.

We request that releases from Buford Dam be managed to minimize erosion from bank-sloughing.

<Portions of the text italicized and underlined. See original.>

Comment ID 0175.001.004

Author Name: Wissinger Gordon

Organization: National Park Service Southeast Regional Office

Ecology

The Chattahoochee River supports a diverse assemblage of species including native fishes, aquatic invertebrates, plants, and semi-aquatic vertebrates such as great blue heron, muskrats, and amphibians, and the EIS should evaluate the impact of various flow alternatives on these species, particularly those most directly affected by river flows. Among the river's notable native species is the shoal bass (*Micropterus cataractae*). A member of the black bass family shoal bass are native only within the Chattahoochee and Flint rivers, their range historically encompassing nearly the entire basin. Today, the species has been reduced to a handful of isolated populations due in large part to the development and operation of dams throughout the basin that have fragmented habitat and altered flows. Because of this modern condition, Sammons and Maceina (2009) suggest that the species is at risk of extinction unless immediate actions are taken to improve flows.

Porta (2006) points out that low water temperatures correlated with releases from Buford Dam have a negative effect on recruitment and survivorship of young shoal bass. Although water temperatures moderate somewhat moving downstream through CRNRA, particularly below Morgan Falls, cold temperatures during the spring and summer spawning period contribute to lackluster recruitment of shoal bass and likely other native species as well. Interannual discharge variability in free flow rivers has been shown to enhance species diversity by favoring one species in one year, a different species the next, and so on, depending on the flow characteristics within a given year. In a regulated system like the Chattahoochee, interannual variability is diminished, further contributing to decline of native species such as shoal bass. The Draft EIS should evaluate opportunities for varying discharges from Buford Dam to support a broad range of species within CRNRA, including shoal bass and other native species.

In addition to native species, the Chattahoochee River immediately below Buford Dam supports an introduced and naturally reproducing population of trout; the southeastern-most population in the United States and a popular recreational resource. A number of scientific studies have examined the effects of varying flow regimes on fish species within rivers. One study on trout reproductive success (Nestler, 1986) was completed by the USACE during an evaluation of a proposed reregulation dam at river mile 342. This report found that rainbow and brown trout habitat was optimal at flows of 1000 - 1500 cfs. A more recent report by Peterson and Craven (2007) stated that "discharge

characteristics affected riverine fishes recruitment ... during both spawning and rearing periods." During the spring spawning period, the study found that higher discharges (> 3500 cfs) positively influenced reproductive success and concluded that reproductive success could be increased if suitable discharges were maintained during critical time periods. However, the report also found that high flow pulses that do not mimic natural seasonal precipitation events have substantial negative influence on fish species, particularly during the summer rearing period. The high velocity of currents created by the pulses of water is detrimental to the survival of juvenile and young of year fishes because of the increased metabolic rate associated with swimming in these currents.

<Portions of the text bolded and italicized. See original.>

Comment ID 0202.001.002

Author Name: Holbrook Todd

Organization: GEORGIA WILDLIFE FEDERATION

There are three key threats to maintaining quality fisheries within the Apalachicola-Chattahoochee-Flint River Basin that should be given particular consideration throughout this process. They include adequate flows, dissolved oxygen, and sedimentation from erosion. Flows affect water temperatures, nutrient loads, and other water quality issues. The fish species that are dependent upon flowing water between the impoundments, particularly shoal bass, are very sensitive to flow velocities and shoal inundation, as well as insect and crustacean productivity for their population success. The shoal bass populations on the Chattahoochee River are isolated due to serial damming and their inability to traverse impounded waters. It is important to understand and manage conditions that enhance the success of the fish populations in the flowing waters between these impoundments.

Comment ID 0314.001.005

Author Name: Illegible Illegible

Organization:

5) Environmental harm to WFL needs to be documented. Due to wildly-vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0315.001.005

Author Name: Greer Robert

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has

suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0317.001.005

Author Name: Meacham Heather

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0318.001.005

Author Name: McDaniel Shane

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0319.001.005

Author Name: Presnel Cheryl

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0320.001.005

Author Name: Unknown 6 Unknown 6 (Illegible)

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0321.001.005

Author Name: Knox Gary

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

Comment ID 0322.001.005

Author Name: Knox Patti

Organization:

5) Environmental harm to WPL needs to be documented. Due to wildly vacillating lake levels, the fish spawn has suffered significantly in 3 of the last 5 years and the quality of the fishery, specifically the bass and crappie, has declined. Thousands, if not hundreds of thousands of mussels have been killed threatening water quality; erosion has increased the cost of water treatment; and siltation continues to eliminate valuable storage.

1.B - FLOW CONCERNS FOR APALACHICOLA BAY

Comment ID 0002.001.001

Author Name: Whitehouse Alan

Organization:

I don't think it can be any clearer that th Apalachicola Bay is dying. I know it is the people with the most money that write the laws, but I just think it is a shame that we can only stand by and watch it die.

Comment ID 0013.001.001

Author Name: Marks Chuck

Organization: Marks Insurance Agency, Inc.

I am very concerned about the lack of water flowing down the Apalachicola River to Apalachicola, FL

Comment ID 0015.001.001

Author Name: Shuler Jay

Organization:

Please stop Georgia from keeping the water in the Apalachicola River. The Apalachicola Bay, and our community, have been severely impacted by the lack of water flow in the river. Our oyster industry and our economy have been devastated. Please help us!

Comment ID 0017.001.001

Author Name: Taber Micheal

Organization:

I recently completed a complete 105-mile trip down the Apalachicola river and can speak first-hand to the problems I saw all along the river due to low water levels. Most concerning were the slews, swamps, and low lakes that have been separated from the main river preventing the ebb and flow of waters that replenish nutrients and life. Another shock was the significant growth of grasses and willows along sand bars where I had camped only a year ago where there was nothing but sand. Seasonal growth is one thing, but mature flora bears witness to a changing and troubled ecosystem. I encourage any action by the Corps that might return water flow to levels that might preserve this historic and important river to health.

Comment ID 0030.001.001

Author Name: Chapman Bruce

Organization:

Restore freshwater flows to the Apalachicola Basin to insure Apalachicola Bay health as measured by its oyster ecosystem.

Comment ID 0077.001.001

Author Name: Lemieux Monica

Organization:

I have lived in Apalachicola all of my life except for college and a short time while my husband was in the U S Navy. My family works on the water crabbing, shrimping and oystering. I was involved in the Seafood Workers Association as an officer for many years.

The river flow is critical to the health of Apalachicola River and Bay. In times of severe drought, Atlanta historically holds all of the water and all users below Lake Lanier feel the adverse affects of drought.

I know and realize that water is a precious resource and has to be managed. I do feel that there has to be some compromise so that all users have a fair and equitable allocation. I would like to see the dams removed from the rivers, but that will likely never happen. I do believe mother nature is our best historical user and man made structures only damage the resources.

Please do not allow the urban sprawl in Atlanta and the recreational interests on Lake Lanier to unfairly allocate the water resources to the detriment of the hard working and proud seafood workers in Apalachicola Bay.

Comment ID 0097.001.001

Author Name: Unknown 3 (Illegible) Unknown 3 (Illegible)

Organization:

Please allow more water to flow to Apalachicola Bay Florida

You know all the reasons. Please don't let the Atlanta developers kill a beautiful, productive or - rather - once productive gift of nature and [empowered?] those who live on the Bay.

You have so much power. Please use it wisely.

Comment ID 0103.001.001

Author Name: Ramos Sylvia

Organization:

These United States are governed by the principle of union and equality not first in line gets the most as Atlanta seems to believe.

Decreasing water flow to the coastal systems is damaging the ecology of the river and coastal areas of Florida downstream from Atlanta. The resulting loss of whole species of of sea life and way of life/jobs and income for residents is not only tragic in the present, but damage to the ecosystems may be irreparably harming or destroying our environment. It's time to look at the whole picture.

Comment ID 0105.001.001

Author Name: Jackson Bryan

Organization:

Please save Apalachicola Bay! This beautiful and pristine river ecosystem needs more freshwater from the north. The bay is dying. The town of Apalachicola--filled with wonderful people who rely on the bay for their livelihoods--will die with it if nothing is done. Please take action on this now and let the waters flow!

Comment ID 0132.001.001

Author Name: Pierce Alan

Organization: Franklin County Board of County Commissioners

The Apalachicola Bay in Florida is in desperate need of freshwater. The ACF water supply plan must take into account the needs of the Bay. The most productive oyster industry in the SE USA is being wiped out because of a lack of water.

Comment ID 0146.001.001

Author Name: Ackeman Georgia

Organization:

I am greatly concerned about the on-going drought and low flow on the Apalachicola River. We must find a sustainable water consumption long term plan for this basin.

Please consider the negative environmental and economic impact of the low flow. Greater release levels of water are needed for the survival of the Apalachicola River and Bay.

Comment ID 0168.001.006

Author Name: Barr Douglas

Organization:

The losses of inflow to Apalachicola River summarized above are primarily the result of increased demands in the Georgia portion of the basin over the period from 1976-2008. These are exacerbated by the "Improved" operations which preferentially store water when "Emergency" Drought Operations are in effect. As a result, during the 1981-82, 1986-1990 and 2000-2003 Emergency Drought Operations, the COE's GAIMP2030C simulated daily inflows to Apalachicola River were 1,043 cfs, 1,058 cfs and 178 cfs below the observed inflow to Apalachicola River, respectively.

The increase in demands and the frequency of drought operations have expanded the problem of reduced inflow to Apalachicola River beyond just low flow periods. The flow duration curves for June, July, August and September show substantial losses of inflow to Apalachicola River over much of the lower 50% of flow regime (Figure 14). Low-flow augmentation of the 5,000 cfs flow requirement is minimal and losses at higher percentile flows range up to 2,500 cfs. Even in May (an important river spawning month), flow losses range from approximately 800 to 1,100 cfs from the 80th to 98th percentile flows.

Figure 14 - Actual and Simulated Flow Exceedance Curves, June through and September, 1976-2008.

<Please refer to original document for figure.>

The magnitude of the simulated reductions of inflows to Apalachicola River resulting from increased demands in Georgia and the expansion of "Emergency" Drought Operations results in impacts that would extend over multiple years. The result is a progressively greater decline of the simulated inflows from the observed mean daily inflow over the period from 1976-2008 and losses that extend over a greater proportion of the historical flow regime of Apalachicola River.

In 2012 there was a well-documented and widely reported decline in availability of oysters in Apalachicola Bay. The decline, however, was not limited to oysters. Reportedly, the decline was unprecedented and extended too much of the biota of the bay including shrimp, crabs, bait fish and commercial/sport fish. As illustrated by Figure 15, the decline in the biota of the Bay coincided with a large deficit (negative departure) between the daily inflows to Apalachicola River and the 1976-2008 daily average inflow. Since inflow to Apalachicola River is the largest source of freshwater inflow to Apalachicola Bay, the cumulative loss of inflow to the river results in approximately an equivalent loss to the bay. Currently the deficit is approximately 9.9 million acre-feet. In comparison the total volume of Apalachicola Bay is approximately 1.34 million acre=feet based on the reported surface area of 214 square miles and an average depth of 9.83 feet. The only other instance in which this occurred was in 2008/09, however the duration and magnitude was much smaller than in 2012.

Figure 15. -- Cumulative Departure of Daily Inflows to Apalachicola River from Average Daily Inflows, 1976-2012.
<Please refer to original document for figure.>

Based on the COE simulations of the Georgia 2010 and 2030 requested demands and the "Improved" reservoir operations (COE alternatives GAIMP2010R and GAIMP2030C) the cumulative departure in 2008 would be substantially greater than during the 2012 event. Figures 15 and 16, illustrate the cumulative departure of the COE simulated inflows from the observed average daily flows for the period 1976-2008.

Figure 16. -- Cumulative Departure of Simulated Daily Inflows to Apalachicola River from Actual Inflows, 1976-2008. Improved Operations, 2010 Demands.
<Please refer to original document for figure.>

Figure 17. -- Cumulative Departure of Simulated Daily Inflows to Apalachicola River from Actual Inflows, 1976-2008. Improved Operations, 2030 Demands.
<Please refer to original document for figure.>

In the case of the 2030 demands, the departure in 2008 would increase from approximately 0.5 million acre-feet to almost 20 million acre-feet with the increased demands and reservoir operations. This is approximately double the inflow deficit that coincides with the 2012 decline in oysters, shrimp and fin fish in Apalachicola Bay. In addition, deficits would occur in the simulated equivalent 1988-1992 and continuously from 2001 to 2008. The COE simulations do not extend to 2012 but it is to be expected that simulation of this period would result in a greater inflow deficits than actually occurred in 2012.

Comment ID 0177.001.001

Author Name: Tonsmeire Dan

Organization: Apalachicola Riverkeeper

Dear Colonel Roemhildt:

On behalf of our Board of Directors and our 1,000+ members across the United States and our 400 members

throughout the ACF Basin, Apalachicola Riverkeeper is pleased to submit the following comments on the referenced Water Control Manual (WCM) scoping document. Our mission is to advocate for the protection and preservation of the Apalachicola River and Bay. All of our members use and enjoy the water resources of this system. We believe the Corps has a ethical and legal responsibility to include our interest in the update of the ACF WCM, particularly since this is the first revision since 1958. We hope these comments will further your aim to manage this resource responsibly.

The Apalachicola River, Floodplain, and Bay System is a national treasure and one of the most productive river systems in the North America. Its significance can not be overstated. It has been designated as an International Biosphere Reserve by the United Nations, as a National Estuarine Research Reserve by the United States, and as an Outstanding Florida Water by the State of Florida. The river harbors the most diverse assemblage of freshwater fish in Florida, the largest number of species of freshwater snails and mussels, and the largest number of endemic species in western Florida. The river basin is home to some of the highest densities of reptile and amphibian species on the continent and the river's floodplain boasts one of the most diverse floodplain forests in North America.

The Apalachicola River's waters and floodplain are also the biological factory that fuels the Apalachicola Bay - one of the most productive estuaries in the Northern Hemisphere. The Apalachicola Bay is home to one of the largest and most productive oyster harvesting areas in the Gulf of Mexico, one of the principal nurseries for Gulf shrimp and blue crabs, and major commercial fishing operations. Apalachicola Bay provides nearly 90 percent of Florida's oyster harvest and over 10 percent of the nation's oyster harvest. The river and bay provide thousands of commercial fishing, recreational fishing, and ecotourism jobs. These jobs form the cornerstone of the economy for the six Florida riparian counties along the Apalachicola River.

In a number of studies it has been shown that the freshwater flows and associated nutrients are also a driver of offshore fishing grounds up to 250 miles out into the Gulf of Mexico. The most recent report is entitled Connectivity of Apalachicola River flow variability and the physical and bio-optical oceanic properties of the northern West Florida Shelf by Morey et al (2009). As this and other earlier studies show, these flows affect fish and habitat in the Eastern Gulf of Mexico, adding to their relative importance in broader ecological and economic system.

The combinations of this unique natural environmental, cultural and economically important area are of national, regional, and local significance. A thorough and comprehensive assessment of impacts to this area from the alternative proposed actions should be accomplished in order to assure these functions and natural services provided within the Apalachicola Basin are sustained.

Despite its enormous ecological value, the Apalachicola River ecosystem has been severely degraded as a result of the construction and operation of the ACF reservoirs, the impoundment of water by additional non-Federal upstream reservoirs, consumptive uses of water upstream, and a long history of navigational dredging. These activities have altered the river's flow regime; reduced the river's hydraulic complexity and habitat diversity; smothered, displaced, and dried out habitat in the river's rich sloughs, floodplains, and channel margins; and destabilized and widened the river channel. The cumulative degradation now threatens this resource's survival.

A new paradigm is needed for managing the ACF system. It is critical that the revised WCM prioritize the protection and restoration of the ecological integrity of the Apalachicola River, Floodplain, and Bay and the entire ACF system.

<Portions of the text bolded and italicized. See original.>

Comment ID 0177.001.009

Author Name: Tonsmeire Dan

Organization: Apalachicola Riverkeeper

Conclusion

Our organization has repeatedly urged the Corps to develop a water management regime for the ACF system that will protect and restore the ecological health of the Apalachicola River and Bay and the entire ACF system. Fundamental to such a regime is the establishment and maintenance of the ecological in-stream flows needed to protect and restore the chemical, physical, and biological integrity of the ACF Rivers and the species that depend on them. We respectfully urge you to institute the planning process outlined above to ensure that this happens. Without the protection of these flows, the Florida citizens' livelihoods, cultural heritage and communities with economies that depend on the functioning of these natural systems will be lost forever.

Thank you for the opportunity to provide comments. We look forward to working with the Corps to accomplish a WCM that we can all live with.

<Portions of the text bolded and underlined. See original.>

Comment ID 0190.001.001

Author Name: Fay Virginia

Organization: NOAA National Marine Fisheries Service (NMFS) Southeast Regional Office

Dear: Colonel Roemhildt:

NOAA's National Marine Fisheries Service (NMFS) reviewed the Notice of Intent (NOI), dated October 12, 2012, that indicates the Mobile District is revising the Draft Environmental Impact Statement (DEIS) for the Apalachicola-Chattahoochee-Flint (ACF) River Basin Water Control Manual (WCM). The new scoping is necessary to accommodate a June 2011 decision of the U.S. Court of Appeals for the Eleventh Circuit and a June 2012 legal opinion by the Chief Counsel, US Army Corps of Engineers, regarding the Corps' authority to consider municipal and industrial water supplies at the Buford Dam/Lake Lanier Project. In addition to the NOI, NMFS has reviewed the 2011 Draft Fish and Wildlife Coordination Act Report, which includes recommendations from the U.S. Fish and Wildlife Service (FWS) for dam operations and flow improvements within the ACF basin. As the nation's federal trustee for the conservation and management of marine, estuarine, and diadromous fishery resources, the following comments and recommendations are provided pursuant to authorities of the Fish and Wildlife Coordination Act, Endangered Species Act, and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

NMFS supports the recommendations by FWS and other resource agencies to increase flows in the Apalachicola River

above the minimum 5000 cubic feet per second (cfs) in the WCM, and NMFS believes this could be done by developing a water control plan that more fully integrates all water storage projects within the ACF basin rather than relying almost exclusively on Lake Lanier. Minimum flows greater than 5000 cfs are more supportive of the essential fish habitat (EFH) within the Apalachicola estuary. Further, improved river flows during the migratory season for diadromous fish species (January to May) would also support restoration of spawning areas used by Alabama shad, Gulf sturgeon, and striped bass.

FWS in their Draft Fish and Wildlife Coordination Act Report and letter, dated January 11, 2013, responding to the NOI provide additional detail on seasonal water flows within the ACF basin that should be targeted. The FWS recommendations are based upon results from the hydrologic model of the ACF basin and a technical workshop FWS hosted on November 29 and 30, 2012, that included stakeholders representing multiple interest groups and the states of Alabama, Florida, and Georgia. NMFS supports the FWS recommendations and would like to work with the Mobile District to refine further the WCM to support flows for diadromous fish and EFH.

Thank you for the opportunity to provide these comments. Related correspondence should be directed to the attention of Mr. Prescott Brownell at our Charleston office, 219 Fort Johnson Road, Charleston, South Carolina, 29412. He also may be reached by telephone at (843) 762-8609 or by e-mail at Prescott.Brownell@noaa.gov.

Comment ID 0197.001.001

Author Name: Drennen Eileen

Organization:

Please do the right thing to preserve and protect the irreplaceable Apalachicola River Basin. I am writing to ask for increased water flow from Woodruff dam and to request a sustainable water management plan for the ACF Basin--for the protection of The, River, The Estuary, and The Bay.

Comment ID 0201.001.001

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

These comments are provided on the U.S. Army Corps of Engineers' ("Corps") proposed update of the Master Water Control Manual for the Apalachicola-Chattahoochee-Flint River Basin ("ACF") in Alabama, Florida and Georgia. [FN 1]

At the outset, the Corps must understand that Florida's earlier predictions about the impact of low flows in the Apalachicola River on the surrounding environment and way of life in the River and Apalachicola Bay (predictions long ignored by the Corps) have - unfortunately - turned out to be correct. Last year set a record for the least amount of water delivered to the Bay since records were started in 1923. This record is in spite of the fact that 2012 was not the year with the least rainfall. [FN 2] Another unfortunate record produced last year was lowest recorded oyster harvest in the Bay. The occurrence of these records over the same time period is no accident and is only a harbinger of further

environmental, economic, and cultural loss to come if the Corps fails to correctly revise its water control manuals.

[FN 1] See 77 Fed. Reg. 62,224, 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 (Oct. 12, 2012).

[FN 2] We recognize that the final six months of 2012 rainfall data remain provisional. However, final data from the first six months show that 2012 had the lowest average January-June flow in the 90-year period of record (by far), but ranked just tenth lowest in total January-June rainfall. The annual data, which include some provisional data, show exactly the same rankings. (See FDEP, 2013 in supporting documents).

<Portions of the text are italicized and underlined. Please see the original letter.>

Comment ID 0201.001.010

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

ADDITIONAL CONCERNS

Flow Metrics

In determining the appropriate flow regime in the Apalachicola River, we are aware that some Basin interests are advocating operations designed solely to meet arbitrarily selected habitat "metrics" such as the amount of spawning habitat for a single species inundated at a particular flow. This approach is untenable. There are nearly 1,000 fish, benthic macroinvertebrates, and plant species affected by low and medium flows in the Apalachicola River and floodplain alone; this number would be much more than 1,000 if amphibians, reptiles, mammals, and avian species were included along with fish, shellfish, or macroinvertebrates in Apalachicola Bay. [FN 11] It is not possible to handpick a random assortment of select species and assume that the broader ecosystem will be supported by flows designed to satisfy their limited needs. [FN 12] Moreover, as explained below, arbitrarily selected species-specific metrics can be misused to justify even greater departures from the natural flow regime with even less water being provided to an already distressed environment. Such a result is counter to riverine science and common sense.

A holistic approach to flow metrics is required to protect the overwhelming biological complexity of a large, productive river-floodplain-estuary ecosystem like the Apalachicola. Too many interests, including Apalachicola Bay oysters, will go unprotected if flows are designed to support a select few threatened or endangered species. In that regard, Atkins (2012) used what appears to be a sound approach by setting a percent reduction limit on the area of connected aquatic floodplain habitat to inform their percent-of-flow (POF) reduction recommendation. This approach effectively addresses the entire flow regime because it protects all aquatic habitats in the floodplain from the river and slough banks covered at minimum flow up to the high bottomland hardwoods inundated only during annual floods.

Recommended minimum flows proposed by Atkins were determined using a 15 percent reduction in connected aquatic habitat in the floodplain. Atkins noted that a 15 percent allowable reduction in habitat from the historic baseline condition has been used to limit impacts on many waterbodies in Florida over the years, and is recognized as a reasonable threshold beyond which damage to the ecosystem becomes significant. As the Corps' analysis proceeds, this aspect of the Atkins approach should be examined carefully to determine if this is acceptable. A final comment is needed to provide perspective regarding the holistic habitat metric and POF recommendations proposed by Atkins. Such an approach could result in minimum flow standards that may not be achievable in some years because of existing demands, even if reservoir operations are changed to balance flow augmentation and lake storage more equitably. However, setting minimums that represent what the system needs, not what it can get under current demands, is the only appropriate and responsible strategy for protecting this system.

Considering the devastating oyster mortality in the Bay that occurred this summer as well as declines in shrimp and crab harvests and freshwater fisheries, massive die-offs of endangered mussels, and drying of the floodplain forest that has occurred in recent years, there is no question that the system has suffered severe adverse impacts under current conditions. The extreme low spring flows and extended durations of minimum flows in summer and fall that have occurred frequently since 2000 have obviously crossed a threshold with regard to impacts on the ecosystem. The magnitude of upstream depletions indicates that the river is seriously overallocated and the Corps is not increasing augmentation from the reservoirs to help mitigate this problem. Recovery is needed, and some of the flows that have been depleted by water consumption need to be restored through aggressive conservation throughout the basin and greater use of available conservation storage in the reservoirs. Environmental flow standards that protect the basic flow needs of the ecosystem, regardless whether or not they can be met with existing demands, will provide an appropriate guide for this recovery process.

Georgia's Proposal

Presentations by USGS, FWS, Alabama, and the ACF stakeholders at the Eufaula workshop last month provided many positive contributions to the ongoing dialogue. Florida takes exception, however, to Georgia's presentation, which included a proposed operation based on narrowly considered metrics for limited species. Simply stated, Georgia misused Apalachicola River and Bay metrics to support a proposed operating regime that resulted in Lake Lanier levels about 3-4 feet higher than current operations most of the time, and lower flows in the Apalachicola River nearly half the time with the duration of flatline minimum flows almost doubled.

It is clear that the Apalachicola River needs more flow, not less, to help recover from the devastating mortality in the Bay that occurred this summer as well as previous massive die-offs of endangered mussels, decline in fisheries, and drying of the floodplain forest that has occurred in recent years. Using incorrect and/or uninformative Apalachicola River and Bay metrics to support a proposed operating regime that results in lower river flows defies common sense and is wholly unacceptable.

[FN 11] See FDEP, 2013 in supporting documents.

[FN 12] For example, the maintenance of minimal connections between the River and Swift Slough, while critical for the survival and recovery of endangered mussel species, does little to alleviate adverse salinity conditions in Apalachicola Bay. Should conditions experienced in 2012 be repeated this year, a complete collapse of the oyster population is within the realm of possibility. More must be done to prevent such an outcome.

<Portions of the text are italicized, underlined, and bolded. Please see the original letter.>

Comment ID 0205.001.001

Author Name: Thompson Tommy

Organization:

The water flow into the Apalachicola must remain high enough to allow for the natural balance of the ecosystem to be maintained. The over-harvesting of water from the northern Georgia, Atlanta metro area is damaging to every community and ecosystem between Atlanta region and the Gulf of Mexico. Please honor the science.

Comment ID 0207.001.001

Author Name: Zelznak Rick

Organization:

As you update your Master Water Control Manual, please ensure the restoration and sustainability of the flow on the Apalachicola River and the impacts on the Bay. Significant negative economic and biological impacts have been experienced along the Apalachicola for years. I hope you take this opportunity to address these impacts by increasing flows above and beyond the minimal amount of 5000 cfs from Woodruff Dam. Thank you for the opportunity to comment.

Comment ID 0208.001.001

Author Name: Rush Joyce

Organization:

Appalachee Bay is starving for water, please do not restrict flow. We need our seafood industry. Thanks for letting me comment.

Comment ID 0209.001.001

Author Name: Diaz de Villegas Rob

Organization:

The Apalachicola River Basin needs a higher flow of water to sustain its unique ecology and the economy it supports. There are not many places in this country where people rely on a natural resource like the people of Franklin County rely on Apalachicola Bay and the system that feeds it. There may be industries in other parts of the ACF basin that are

more profitable than our local seafood industry; I haven't done that research. But none of the other ACF stakeholders north of the Woodruff Dam are as dependent as these seafood workers are on this resource. They are the front line of a multibillion dollar seafood economy in Florida, yet locally the money is not concentrated in large corporations but spread among self employed fishermen and oystermen and small family owned businesses. This has been the way for over one hundred years, and it is a large part of this area's identity. Economically and culturally, the crisis centralized in Apalachicola and East Point will ripple through the area, changing it permanently. The dollars and cents side of this matters, and it is substantial. But families are suffering, longstanding traditions are on the verge of being broken, and a community is on the verge of being torn apart.

Comment ID 0210.001.001

Author Name: Cowles Ann

Organization:

I live on St. George sound, at the mouth of the Apalachicola. Whatever happens to the river directly impacts me. We need an impartial assessment of the fresh water needs of the Apalachicola river and bay to see what is necessary to keep them healthy and prevent the degradation of this important ecosystem. We have the last great pristine bay in the United States. Please help us save this great natural resource. We need survey doneto assess the vulnerability of the flora and fauna in the Apalachicola, Chatahoochee, Flint river systems to establish a base line for preserving this important area. We need an unbiased assessment of the relative need of more frequent fresh water releases from the Jim Woodruff dam when the Apalachicola river and bay are under stress. We can't destroy this irreplaceable resource!

Comment ID 0211.001.001

Author Name: Reid Carla

Organization:

I have lived in the North Florida region for the past 20 years, a transplant from Central Florida, and have had the opportunity to spend time in the Appalachicola Bay, one of the most beautiful and resource-rich areas around. To see this area starved for water is a travesty. We have an amazing natural resource here, as well as a community and oyster business that has a heritage. Please do what you can to protect these.

Comment ID 0213.001.001

Author Name: Shuler Krystal

Organization:

Please help out the Apalachicola bay. The water levels are so low and our whole community is suffering due to it. For over a hundred years we have lived off the water and the lack of fresh water coming to our bay is killing it. We have thousands of families effected by this. Apalachicola bay is the second largest estuary in the USA. I beg and urge you to

please release water from the Woodruff dam and asses the water needs of our bay. Our livelihood depends on it.

Comment ID 0214.001.001

Author Name: Fusaro Ben

Organization: Apalachicola Riverkeeper

Please consider the freshwater flow that will sustain the health of the Apalachicola River and Bay and embed the results in a long-range plan taht will ensure thatWoodruff Dam releases will be in synch with the maintenace of the rich bio-reproductive potential of theApalachicola River and Bay.

Comment ID 0215.001.001

Author Name: Geske Normie

Organization:

when we moved to franklin county in 2000, appalachicola bay area was considered one of the most ecologically healthy in the country. those who made a living through it's resources were flourishing...fish,oysters, etc. were plentiful.

sadly, since that time, we have witnessed the demise of this ecologically sound area and the ensual of poverty and desperation in our community. we no longer feel confident that our local oysters are fit for consumption.

it is crucial to the well being of franklin and surrounding counties that policies be considered and implemented to restore these once thriving coastal communities.

thank you for your attention to the dire need for restoration of appalachicola bay.

Comment ID 0216.001.001

Author Name: Gherardi Martha

Organization:

Our local seafood industry's crisis is a symptom of a far greater problem. I am not directly involved in the seafood industry, but as a Franklin county resident I am greatly concerned about the ecological damage caused to the area by not releasing sufficient fresh water into the Apalachicola River. I urge you to include the following provisions in your Water Control Management Plan EIS : 1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay. 2 Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay 3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0217.001.001

Author Name: Copeland Ron

Organization: Oyster Radio

We need a healthy supply of fresh water to feed our oyster beds with the correct mix of salinity. The oysters are crucial to the economy of the area and their water source should be protected.

Comment ID 0218.001.001

Author Name: Geske Tim

Organization:

This man made issue of water flow in the Apalachicola river has got to be resolved. Destroying habitat, the last pristine eco system in the area, jobs, food sources, the overall environment and local economies is deplorable.

We have set ourselves up like a third world country displaying their ignorance. We are to be an example not the problem.

Comment ID 0220.001.001

Author Name: Cox Lesley

Organization: Les Hassel Excursions, Inc.

Please protect the Apalachicola River and Bay by making sure the Water Control Management Plan EIS includes:

1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay.
2. Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay
3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0223.001.001

Author Name: Kebart Karen

Organization:

Please comply with the following 1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay. 2 Increased water release from Woodruff Dam at appropriate timing and

duration to sustain Apalachicola River and Bay 3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0224.001.001

Author Name: Teat Wanda

Organization:

Concern over any man made decisions to control water flow of the Apalachicola River.

Comment ID 0225.001.001

Author Name: Weiler Caroline

Organization:

All I know is that my town is very dependent on sufficient water coming down the river to keep the estuary alive and well. It seems very important, even to the world, to keep this system healthy. More important than lawns and swimming pools upstream. Yes, I know water is needed for drinking too, but isn't it possible to restrict water usage to only what is necessary? For the good of all? We should all be able to work together for the best outcome. I do so hope. There is much to lose if not. The livelihood of my community and a treasure for the planet.

Comment ID 0226.001.001

Author Name: Woodard Cre

Organization:

To protect the River and Bay, citizens can advocate for the scope of the Water Control Management Plan EIS to include:

1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay. 2 Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay 3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0227.001.001

Author Name: Smith Lori

Organization:

My family visits Apalachicola Bay and St George Island every year. I know the oystermen there are STRUGGLING.

Many have closed their business.

I am writing to request for the scope of the Water Control Management Plan EIS to include:

1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay.
2. Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay
3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

I appreciate consideration of my comments as you decide on the plan for the Apalachicola- Chattahoochee-Flint River (ACF) basin. This impacts the water release from Woodruff Dam into the Apalachicola River.

Comment ID 0228.001.001

Author Name: Long Ada

Organization:

I urge you to implement a water management plan for the ACF basin that provides a future for the Apalachicola Bay. As a resident of St. George Island, I am seeing the death of this great bay along with the essential sea life that lives and spawns here. Human as well as marine culture is in dire jeopardy unless adequate amounts of fresh water start to reach the bay--soon!

Comment ID 0229.001.001

Author Name: Dombrowski Michael

Organization:

Gentlemen, It is imperative that flow rates in the ACF be maintained at high enough levels to sustain the fishing industry of the Apalachicola area, particularly as relates to shell fisheries.

Comment ID 0230.001.001

Author Name: Haugdahl Eric and Melba

Organization:

Please protect Apalachicola Bay! It is a special place.

Comment ID 0231.001.001

Author Name: Derck Jim and Lynn

Organization:

We strongly urge all efforts to maintain the health of the Apalachicola River and Bay. The estuary is a vital link for marine life and human life and livelihood. A precious balance will maintain quality for all. We also support continuing research on water conservation methods for population centers. Thank you.

Comment ID 0232.001.001

Author Name: Baldino Mark

Organization:

1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay. 2. Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay. 3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0233.001.001

Author Name: Feaver Marylyn

Organization: Florida Panhandle Canoe and Kayak Connection

I kayak the Apalachicola River and streams and rivers within its watershed. I can see the water above the Jim Woodruff dam full and down river the land and river is suffering. I fear for the ecology of the Apalachicola floodplain -- it doesn't take much to forever change it. Please begin to develop a comprehensive study of this area and in developing flow policies please note that the land itself, and the non-human creatures have a right to survive. I go to Atlanta a lot and don't see much in the way of water conservation practiced there. In our place, we have rain barrels, try to use our secondary water and landscape with native plants to ensure hardier species for this area without watering. And we installed a minimum watering system in our vegetable garden, recommended by the Extension Service. If people, municipalities, commercial and agricultural interests upriver are less concerned about husbanding our water resources, perhaps policies which allow for more equitable draw downs at the Woodruff Dam will do so.

Comment ID 0234.001.001

Author Name: Rosenbaum Will

Organization: Veterinary Relief Services

I have been catching sharks at the railroad bridge 5 miles up river this an example of how saline the river has become. We need more fresh water released up river.

Comment ID 0235.001.001

Author Name: Hardin Delores

Organization:

Apalachicola Bay needs MORE WATER in order for the oysters and scallops to survive. My husband and I are a vegetarians who eat local seafood and have friends who rely on it for income. Please help keep our bay alive.

Comment ID 0236.001.001

Author Name: Gallant Peter

Organization:

Please note that the fresh water supply and nutrient scarcity in the Apalachicola basin is a serious ecological and economic issue for the entire biologic community.

Comment ID 0238.001.001

Author Name: Giknis Francis

Organization:

I lived in Atlanta for 23 years prior to relocating on St. George Island and was always discouraged that city did little or nothing to plan growth, developed no alternative sources for water and did little to creatively conserve the water they had, such as develop a greywater system or find other sources for golf course and land irrigation. This lack of effort is to the detriment of the river system and the Apalachicola Bay, its ecosystem and the communities which it supports now and in the future. Please assure that your plan includes 1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay. 2 Based on that assessment, increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay 3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0239.001.001

Author Name: Bolick Josh

Organization:

This fall I paddled the length of the Apalachicola River as part of a fundraising team for the Riverkeeper. Various experts on environment, ecology, and geology met us at points on the river to discuss the importance of the river's health and the need for more flow. At the end of the trip, we all understood that there are many reasons for the decline of the river and bay, and that there also many stakeholders, both above and below Woodruff Dam. But being at the end of the line, the Apalachicola River, the (often threatened, endangered, or endemic) flora/fauna it supports, and the people who depend on a healthy river and bay have suffered the most. We have the opportunity here to do something to stop all that, so that our children and grandchildren can know the beauty of wild places and healthy working coastal communities, and great oysters. Or we can look back on it all ruined and wish we had done differently. As such, I advocate the following: 1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay. 2 Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay 3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0240.001.001

Author Name: Gordon Robin

Organization:

To protect the Apalachicola River and Bay, I want to advocate for the scope of the Water Control Management Plan EIS to include:

1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay.
- 2 Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay
3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0241.001.001

Author Name: Humayun Jennifer

Organization:

Requesting increased water flow from Woodruff dam and sustainable water management plan for health and economy of River and Bay.

Comment ID 0242.001.001

Author Name: Evans Arthur

Organization:

One of the great bottomland and estuarine ecosystems is dying for lack of water. The people upstream can and ought to use less water from this system and find new sources for planned growth. Please maintain adequate flows to keep the Apalachicola basin and its estuary healthy.

Comment ID 0243.001.001

Author Name: Luther Landy

Organization: Supporters of St. Vincent NWR

I urge the Corps to include the following within the scope of its revised ACF Master Water Control Management Plan EIS:

- 1) A quantitative assessment of the downstream flows needed to sustain Apalachicola River and Bay ecosystems in an ecologically healthy condition;
- 2) Increased water releases from Woodruff Dam of appropriate timing and duration to sustain Apalachicola River and Bay ecosystems, in accordance with this assessment; and
- 3) Development of an ACF basin-wide sustainable water management plan which protects the ecological integrity of Apalachicola River and Bay, and equitably distributes ACF basin water resources.

I wholeheartedly agree with the data and comments submitted by Ms. Elizabeth Wright on this project.

Comment ID 0245.001.001

Author Name: Hartley William

Organization: Apalachicola Riverkeeper

As the co-founder of the Apalachicola Riverkeeper organization and having been the Apalachicola Riverkeeper for 5 years, I know well the need to keep adequate fresh water flowing down the Apalachicola River in order to allow the famous Apalachicola oysters to grow and thrive. Please study carefully the amount of fresh water needed to ensure the protection of these oysters and other seafood in this River and Bay. A sustainable plan for the ACF water basin and increased water from Woodruff Day should be on your agenda. Thank you for helping.

Comment ID 0246.001.001

Author Name: McMellen Brannigan Angela

Organization:

During the years I lived in Georgia completing a Ph.D. in Wildlife Ecology at the University of Georgia, I traveled to the Apalachicola area multiple times. Like many visitors to Apalachicola, I fell in love with the river and bay at first sight. The Army Corps of Engineers seemingly deliberate failure to protect the unique and remarkable ecosystem in the Apalachicola area is a slap in the face to all the visitors and residents of this area.

I urge the Corps to include the following within the scope of its revised ACF Master Water Control Management Plan EIS:

- 1) A quantitative assessment of the downstream flows needed to sustain Apalachicola River and Bay ecosystems in an ecologically healthy condition;
- 2) Increased water releases from Woodruff Dam of appropriate timing and duration to sustain Apalachicola River and Bay ecosystems, in accordance with this assessment; and
- 3) Development of an ACF basin-wide sustainable water management plan which protects the ecological integrity of Apalachicola River and Bay, and equitably distributes ACF basin water resources.

The "Last Great Bay" is dying of thirst! This remarkably pristine and productive estuarine ecosystem displays signs of mounting ecological stress due to lack of sufficient freshwater input. Both scientists and lifelong oystermen/women have reported a noticeable increase in abundance of marine predators in the bay resulting from increased salinity, as well as increasing prevalence of a devastating oyster disease (Dermo).

Comment ID 0246.001.004

Author Name: McMellen Brannigan Angela

Organization:

The Corps' current water management policies for this basin are rapidly driving Apalachicola River and Bay ecosystems to a tipping point: these ecosystems can still be saved and returned to functional integrity, but the time to act is now! Otherwise, it will be too late.

Comment ID 0247.001.001

Author Name: Wharton Ruth

Organization:

Please keep the health of the Apalachee Bay in mind before you dig in the Apalachicola River basin. The life of the

oysters and other sealife, not to mention the water quality of the gulf is very important to our area

Comment ID 0248.001.001

Author Name: Mitchell Kristina

Organization:

I urge the Corps to include the following within the scope of its revised ACF Master Water Control Management Plan EIS:

- 1) A quantitative assessment of the downstream flows needed to sustain Apalachicola River and Bay ecosystems in an ecologically healthy condition;
- 2) Increased water releases from Woodruff Dam of appropriate timing and duration to sustain Apalachicola River and Bay ecosystems, in accordance with this assessment; and
- 3) Development of an ACF basin-wide sustainable water management plan which protects the ecological integrity of Apalachicola River and Bay, and equitably distributes ACF basin water resources.

The "Last Great Bay" is dying of thirst! This remarkably pristine and productive estuarine ecosystem displays signs of mounting ecological stress due to lack of sufficient freshwater input. Both scientists and lifelong oystermen/women have reported a noticeable increase in abundance of marine predators in the bay resulting from increased salinity, as well as increasing prevalence of a devastating oyster disease (Dermo).

Comment ID 0248.001.005

Author Name: Mitchell Kristina

Organization:

The Corps' current water management policies for this basin are rapidly driving Apalachicola River and Bay ecosystems to a tipping point: these ecosystems can still be saved and returned to functional integrity, but the time to act is now! Otherwise, it will be too late.

Without increased freshwater flows, I predict they'll enter a state of irreversible decline like America's other great bays (most notably, the Chesapeake, with which I'm quite familiar). And then we'll spend tens of millions of taxpayer dollars pretending to "save" another bay, when in reality it will no longer be ecologically feasible.

Comment ID 0249.001.001

Author Name: Wright Elizabeth

Organization:

As a resident of Apalachicola, FL, wildlife biologist, and former congressional staffer who worked on energy and water development issues, I urge the Corps to include the following within the scope of its revised ACF Master Water Control Management Plan EIS:

- 1) An quantitative assessment of the downstream flows needed to sustain Apalachicola River and Bay ecosystems in an ecologically healthy condition;
- 2) Increased water releases from Woodruff Dam of appropriate timing and duration to sustain Apalachicola River and Bay ecosystems, in accordance with said assessment; and
- 3) Development of an ACF basin-wide sustainable water management plan which protects the ecological integrity of Apalachicola River and Bay, and equitably distributes ACF basin water resources.

The "Last Great Bay" is dying of thirst! This remarkably pristine and productive estuarine ecosystem displays signs of mounting ecological stress due to lack of sufficient freshwater input. Both scientists and lifelong oystermen/women have reported a noticeable increase in abundance of marine predators in the bay resulting from increased salinity, as well as increasing prevalence of a devastating oyster disease (Dermo).

Comment ID 0249.001.005

Author Name: Wright Elizabeth

Organization:

The Corps' current water management policies for this basin are rapidly driving Apalachicola River and Bay ecosystems to a tipping point: these ecosystems can still be saved and returned to functional integrity, but the time to act is now! Otherwise, it will be too late.

Without increased freshwater flows, I predict they'll enter a state of irreversible decline like America's other great bays (most notably, the Chesapeake, with which I'm quite familiar). And then we'll spend tens of millions of taxpayer dollars pretending to "save" another bay, when in reality it will no longer be ecologically feasible.

Comment ID 0250.001.001

Author Name: Blackwell Marilyn

Organization: Help Save the Apalachicola River Group

We have serious concerns regarding the Revised Water Management Manuel and the possibility of further damage to the Apalachicola River System. Following is a brief history of the damage caused to the river, floodplain and bay by past COE navigational management practices.

For over sixty years the river system has been severely degraded as a result of maintenance practices to facilitate barge traffic on the river. One such harmful practice involved the disposal of dredged spoil, first out on the floodplain, then on the banks of the river and beginning in the 1970s within the river. There were approximately 140 dredge spoil sites on the 106-mile long river and 27 dike fields. At each of these sites there has been opposite bank erosion, which caused more sediment in the river and thousands of trees to fall in. The majority of the spoil has, in the past several years washed into the river channel and resulted in sand shoals. A map of the distributaries and tributaries when overlaid with a map of the spoil sites reveals these sites were located just upstream of the sloughs. Spoil has filled the sloughs and plugged openings from the river. These sloughs were the life of the floodplain, carrying water to off river ponds and lakes. This spoil, together with spoil deposited in the floodplain during high water has degraded this vast floodplain. The number of tupelo trees have declined by at least half as they have no tap root and grow in moist soil. Reduction of water allowed to flow down the river has added to the destruction.

The Apalachicola River, once a narrow, deep river is now a shallow wide river. In 1946 the river was stated to be 112 miles long and is now stated to be 106 miles long (if measured today is more than likely even shorter). The difference is due to bends being cut from the river, bend easings, and further straightened by strategically placed spoil sites. The last of the commercial shippers pulled off the river years ago due to the unreliability of water depth. The projected availability of a shipping channel, when the project was first proposed was never met. Given the size of the Apalachicola River it was impossible for it to accommodate tugboats pushing two very large barges with a eight to nine foot draft and not be severely damaged. The river has a history of tens of thousands of trees cut from its banks, sections cut out, dynamited, and dredged. After so many years and so much damage, it is still not a reliable mode for commercial navigation which if resumed can only be labeled an environmental crime. As for jobs, more jobs have already been lost due to the reduction in flow since DEP denied the COE a Water Quality Permit and the COE reduced the amount of water than what a few barges per year will create.

Concerning the Apalachicola River Floodplain, little effort has been made by the State of Florida or the COE to determine what exist in this vast area. If something is not acknowledged, then no protection is required seems to have always been the game plan. The problem is that the floodplain is one third of the system. There is the river, floodplain and bay. Each works in conjunction with the others. Nutrients are picked up in the floodplain and carried to the bay for nourishment for the oysters and other aquatic life. Unique plant and animal species exist in the floodplain. Before this area was allowed to dry up common species like the alligator and otter had off river dens where they lived in the dry seasons. Big alligator snapping turtles lived in water holes around and under tussets. During annual flood season, these dens, sloughs, and off river lakes and ponds were washed clean and new water and food sources replaced the old. Acres of wild flowers bloomed and sprouting seed from upland vegetation was drowned out. Billions of crawfish came from underground tunnels and was food for birds, raccoons, fish, otters, turtles and others including not just a few of us River Rats. Fish from the river came in to forage and spawn. The crawfish have not been able to come from underground for several years now and the question is, Are they still alive? Historically the floodplain was inundated four to five months in the late winter and early spring and when the crawfish did emerge, they were lean and required two to three weeks to fatten.

The swamps and floodplains was a wonderland filled with life and a fair amount of mystery. All going, going and almost gone in order that the shippers and cargo owners (who are not poverty stricken) might gain more wealth and the COE can continue an ill fated project when they have a backlog of needed projects.

How can we possibly trust a bureaucracy who would allow desperately needed water for one of earth's treasures to be squandered upstream, seemingly with no qualms? It is not enough to say that the navigation project was authorized by the Federal Government. Because something can be done does not always mean that it should be done. While acknowledging that the COE is a powerful arm of the government and has many big and little guns behind it concerning this issue, it remains a moral issue. From the time when FDEP first required the COE to obtain Water Quality Permits, the requirements set forth by the Department in the issued permits was not followed through on. In the late 1970s and early 1980s FDEP acknowledged the damage resulting from the maintenance practices and demanded better. Point Polloway was to be opened, Corley Slough opened, and bend ways reconnected. At the mouth of Corley Slough is the famous two-story high Sand Mountain spoil site, Virginia Cut (which was at one time the main waterway from the Apalachicola River to the Chipola River) has a giant spoil site in its mouth. Bends were never reconnected and Point Polloway was never reconnected. Denial of the Water Quality Permit seems to be the only significant effort the State has made to protect this treasure; the Apalachicola River System.

What life remains in the system is due to the meager amount of water allowed to flow. Are we who love and respect this gift being faced with a trade off? Is the river being held hostage? Will the river system be allowed enough water only when a few barges a year use the river and then only if the brutal maintenance practices are allowed to resume?

There have been a fair number of Restoration Projects by the COE, FFWC, AND NFWFMD that were attempted to rectify damage that had been done on the river and all have been failures with many millions of taxpayer dollars spent. Only the system can heal itself and only then if it is given time. We ask that while developing the revised Water Management Plan, that it be done with respect for the Apalachicola River System.

Comment ID 0253.001.001

Author Name: Ficklen Susan

Organization:

Please include the following in the Water Control Mgmt Plan EIS: An assessment/consideration of the freshwater needs to sustain the health of the Apalachicola River and Bay. Increase the water released from the Woodruff Dam in timely manner. Develop ACF basin wide mgmt plan that protects the Apalachicola River and Bay and equitably shares the water of this basin. These waters are among the largest estuaries in the world, enhancing the production of oysters and all life support for our fisheries. Share the water!

Comment ID 0259.001.001

Author Name: Barton Cameron

Organization: Maclay School

Please protect our River and Bay! I advocate for the scope of the Water Control Management Plan EIS to include:

1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and

Bay. 2 Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay 3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

It matters.

For our "ONGOINGNESS".

Comment ID 0277.001.001

Author Name: Moran Chris

Organization:

lake Seminole does not seem to be suffering a drought situation at all, yet the apalachicola river is at aLL time lows. The river is suffering way more than almost all upstream users. More water has got to be released. OPEN UP THE DAM! The river and the backwoods around the river need water desperatly.

Comment ID 0291.001.001

Author Name: Wagner David

Organization:

I have had a property on St. George Island for over 40 years. I have seen the Bay under many different conditions. The condition of the Bay in 2013 is a great concern. For the first time I had a sinking feeling that the Bay will never be the same. My concerns obviously are that it is not getting enough fresh water. I am also concerned with the change in direction of the agriculture in SW Georgia and the increased use of Pivots to water crop land. This water use is virtually uncontrolled and is having a serious effect on the river levels. It is a complex issue but one thing remains clear. While others use water for many uses, water is critical to the Bay. No one can have as big a loss as the people of Franklin County. Priorities must be set and survival is the very highest of priorities.

Comment ID 0292.001.001

Author Name: Johnson Colette

Organization:

Humans upstream can reduce their water use. Apalachicola River and Bay ecosystems can't. It's as simple as that.

Thank you for considering my comments,

Comment ID 0293.001.001

Author Name: Boarland Duirwarren

Organization: Estimated Prophets LC

It is my informed opinion which necessitates me to advocate and demand Public representation by the USACOE for this 2013 scope of the Water Control Management Plan EIS to include without omission:

1. An scientifically formalize and Public assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay.
- 2 Assure an essentially fundamental Increase of water release from Woodruff Dam at appropriate timing and duration to sustain ecostsyem health and cultural viability of Apalachicola River and Bay and
3. An ACF basin-wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0294.001.001

Author Name: Lauricella Ellen

Organization:

I am advocating for: 1. Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay 2. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0295.001.001

Author Name: Talley Carol

Organization:

We are continuing to see a significant decline in the productivity of the Apalachicola Bay. This decline is affecting both sport fishing and the commercial fishing industry. My concern is that the Apalachicola Bay ecosystem is being destroyed and that we are approaching a point of "no return." That is, once this ecosystem is destroyed, there is no getting it back.

It is horrifying that we have to fight our own government to save the environment. ~Ansel Adams

I do not belong to any environmental groups but I feel compelled to write to you to beg you not to distroy the beautiful Apalachicola Bay.

Comment ID 0296.001.001

Author Name: Kincaid Susan

Organization:

Please include all measures needed to ensure the health of the Apalachicola River and Bay, including water releases from the Woodruff Dam and a plan for sustainability.

Comment ID 0298.001.001

Author Name: Wood Pearle

Organization:

Please update the manual in accordance with the best possible results for the Apalachicola River and Bay to stay healthy, including using best schedule practices for the Woodruff Dam, and remembering the water is shared.

Comment ID 0299.001.001

Author Name: Alderson Doug

Organization:

Being someone who has kayaked the entire Apalachicola River twice and has seen the environmental effects of low water first-hand, I would urge the Corps to take the following actions:

1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay.
- 2 Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay
3. An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0303.001.001

Author Name: Gentry Leah

Organization:

COMMENTS: Please consider the following: 1. An assessment and consideration of the freshwater needs that will sustain the health of the Apalachicola River and Bay. 2 Increased water release from Woodruff Dam at appropriate timing and duration to sustain Apalachicola River and Bay.

Comment ID 0305.001.001

Author Name: Swift Jesse

Organization: SNEI

COMMENTS: I urge the Corps to include the following within the scope of its revised ACF Master Water Control Management Plan EIS:

- 1) A quantitative assessment of the downstream flows needed to sustain Apalachicola River and Bay ecosystems in an ecologically healthy condition;
- 2) Increased water releases from Woodruff Dam of appropriate timing and duration to sustain Apalachicola River and Bay ecosystems, in accordance with this assessment; and
- 3) Development of an ACF basin-wide sustainable water management plan which protects the ecological integrity of Apalachicola River and Bay, and equitably distributes ACF basin water resources.

The "Last Great Bay" is dying of thirst! This remarkably pristine and productive estuarine ecosystem displays signs of mounting ecological stress due to lack of sufficient freshwater input. Both scientists and lifelong oystermen/women have reported a noticeable increase in abundance of marine predators in the bay resulting from increased salinity, as well as increasing prevalence of a devastating oyster disease (Dermo).

It's quite clear that our previously thriving oyster populations have declined as a result, threatening to topple the entire bay ecosystem by reducing the number of filter-feeders. We've seen this happen in the Chesapeake Bay -- please don't let Apalachicola Bay go the same way!

Humans upstream can reduce their water use. Apalachicola River and Bay ecosystems can't. It's as simple as that.

1.C - THREATENED AND ENDANGERED SPECIES RELATED ISSUES

Comment ID 0005.001.003

Author Name: Maltese Joe

Organization:

- the Corps and USFWS have inadequately explored other environmental factors (i.e. diminished water quality etc)that may impact threatened and endangered species on the Apalachicola

Comment ID 0007.001.001

Author Name: Matheny Anthony

Organization:

Sirs,

I have one statement and two questions about the lake levels at West Point Lake in Troup County GA.

Q1: What did the species that are endangered now do before the lake was impounded in 1974 when they only had a river running to the Gulf of Mexico at a much lesser rate of flow than now?

Comment ID 0026.001.003

Author Name: Houghton Daniel

Organization:

The mussels have been in the bay south of here for a million years before this lake was ever impounded. It is well past the time when we need to inject common sense .

Comment ID 0028.001.001

Author Name: Hale Scott

Organization:

The fact that you allow mussels and sturgeon to take precadent over the economic lively hood of Humans is nonsensical. These species were in existance before our rivers were damed and will be there after we are all dead and gone. But, with no scientific proof that these species are being harmed you have destroyed people businesses and lives. Can we have some Common Sense in Gov't?

Comment ID 0032.001.002

Author Name: Baker Donald

Organization:

It seems that the Corps of Engineers in conjunction with Fish and Game are more interested in the mussels and sturgeons, or should I say the oyster industry in Apalachicola (it appears that the Endangered Species Act is just something to hide behind).

Comment ID 0045.001.006

Author Name: Timmerberg Dick

Organization: West Point Lake Coalition

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0046.001.006

Author Name: Keeth Joey

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0049.001.006

Author Name: Baker Donald

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0050.001.006

Author Name: Baker Sophronia

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0051.001.006

Author Name: Walters Wesley

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0052.001.007

Author Name: Wylie Clarence

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0053.001.006

Author Name: Unknown 1 (Illegible) Unknown 1 (Illegible)

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0054.001.006

Author Name: Unknown 2 (Illegible) Unknown 2 (Illegible)

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0055.001.006

Author Name: Alford Peter

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they

be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0056.001.007

Author Name: Reneau Buddy

Organization: Efacec, ACS, Inc.

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

<Portions of the text are underlined, italicized, and in bold. Please see original document for details.>

Comment ID 0059.001.001

Author Name: Daniel Larry

Organization:

I've been " talking" to Mr Hathorn , the water mgr. in Mobile Al. a time or two lately, and asked him a question that I am now going to ask you (who ever you , is). He has not gotten back with me on this, but to be fair I just asked hi, this past Friday. I want documentation in the way of pictures, profiles, reproduction...etc.....on the supposed existence of no. 1- sturgeon; living, breathing ,reproducing, whatever in any way ; in the Appalachicola River No. 2- I want the dame documentation for these so called endangered mussels as well. You can send this to my email address that I have provided.....and it shouldn't take too long.

Comment ID 0061.001.004

Author Name: Spinks Tracy

Organization:

- Further study is requested for the requirement of 5000 cubic feet per second of water (CFS) at the Florida line, as is currently mandated by the Endangered Species Act and U.S. Fish and Wildlife Service. This study should include accurate population counts of the three endangered species of mussels to determine if each should still be included on the endangered species list. If inclusion is still directed, then a comprehensive recovery plan for each should be an integral part of the study.

Comment ID 0062.001.009

Author Name: McGowan O.W.

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0063.001.007

Author Name: Starr Shane

Organization:

9) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0066.001.006

Author Name: Billingsley Randall

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0067.001.006

Author Name: Glazier Richard and Debra

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0069.001.002

Author Name: Rich Lawrence

Organization:

2.) I think it should be the state in which an indangered (?) species is located should be responsible for the protection of said species. Florida has ample land in westen panhandle to build a reservoir to provide water flow for their fish. I have not heard of any plans for this other than taking a disporportionant amount from West Point.

Comment ID 0071.001.002

Author Name: Lucas Barry

Organization:

There are likely threatened or endangered species that would benefit from the re-establishment of their warm water habitat, which was destroyed by Buford Dam and the resulting cold water release.

Comment ID 0074.001.006

Author Name: Lanett Lanett

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less

Comment ID 0075.001.006

Author Name: Nichols, Jr. Robert

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0076.001.006

Author Name: Britt William

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0078.001.004

Author Name: Hanthorn Joshua

Organization:

A higher allocation of Lake Lanier's water to Atlanta may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA. The ESA requires formal consultation for federal actions that "may affect" listed species or critical habitats. There are at least three federally listed types of mussels and the Gulf sturgeon within the Apalachicola River that may be affected by the proposed action. Thus, the Corps must initiate formal consultation with the U.S. Fish and Wildlife Service on additional withdrawals. Moreover, because downstream impacts may influence operations extending as far as Apalachicola Bay, the Corps also must formally consult with the National Oceanic and Atmospheric Administration Fisheries Service as to impacts the proposed project may have on the federally listed Gulf sturgeon. Since higher allocation for Atlanta would possibly violate a protected species under the ESA, the Corps' EIS should consider an alternative to a higher allocation.

Comment ID 0082.001.006

Author Name: Morgan Ashley

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0083.001.006

Author Name: Bice Bonita

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered

species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0084.001.006

Author Name: Gay Brenden

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0085.001.006

Author Name: Gay Brian

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0086.001.006

Author Name: Abernathy Brittney

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0087.001.006

Author Name: Eslinger Emma

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0088.001.006

Author Name: E____(illegible) Frank

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0089.001.006

Author Name: Maddox Greg

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0090.001.006

Author Name: Mayfield Matthew

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0091.001.006

Author Name: Gay Nichele

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0092.001.006

Author Name: Payant Mike and Rebecca

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0093.001.005

Author Name: Nix Randy

Organization: State of Georgia House of Representatives, District 69

- Further study is requested for the requirement of 5000 cubic feet per second of water (CFS) at the Florida line, as is currently mandated by the Endangered Species Act and U.S. Fish and Wildlife Service. This study should include accurate population counts of the three endangered species of mussels to determine if each should still be included on the endangered species list. If inclusion is still directed, then a comprehensive recovery plan for each should be an integral part of the study.

Comment ID 0094.001.006

Author Name: Eslinger Rhonda

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0095.001.006

Author Name: Mayfield, Jr. Robert

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0096.001.006

Author Name: Stradcutter Charles

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0098.001.006

Author Name: E____(illegible) Tom

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0099.001.006

Author Name: Gay Trayten

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0100.001.004

Author Name: Abbott Wayne

Organization: Abbott, Jordan & Koon, LLC, CPAs

• Further study is requested for the requirement of 5000 cubic feet per second of water (CFS) at the Florida line, as is currently mandated by the Endangered Species Act and U.S. Fish and Wildlife Service. This study should include accurate population counts of the three endangered species of mussels to determine if each should still be included on the endangered species list. If inclusion is still directed, then a comprehensive recovery plan for each should be an integral part of the study.

Comment ID 0108.001.005

Author Name: Crane Mike

Organization: Georgia State Senate

• Further study is requested for the requirement of 5000 cubic feet per second of water (CFS) at the Florida line, as is currently mandated by the Endangered Species Act and U.S. Fish and Wildlife Service. This study should include accurate population counts of the three endangered species of mussels to determine if each should still be included on the endangered species list. If inclusion is still directed, then a comprehensive recovery plan for each should be an integral part of the study.

Comment ID 0109.001.006

Author Name: Hornsby Angela

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0110.001.006

Author Name: Terrell Ann

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper

water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0111.001.006

Author Name: Foster Betty

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0112.001.006

Author Name: Frazier Earl

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0113.001.006

Author Name: Camberlander Howard

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0114.001.006

Author Name: Huerta James

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered

species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0115.001.006

Author Name: McGee Jeremy

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0116.001.006

Author Name: Vannes Joan

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0117.001.006

Author Name: Nelson John

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0118.001.006

Author Name: Clayton Justin

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0119.001.006

Author Name: Terrell O.

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0120.001.006

Author Name: T. (illegible) Oliver

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0121.001.006

Author Name: McCurdy Ralph

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0122.001.006

Author Name: Carter Shane

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0123.001.006

Author Name: Deloach Tonya

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0124.001.006

Author Name: Unknown 3 (Illegible) Unknown 3 (Illegible)

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0125.001.006

Author Name: M. (illegible) Wendy

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0148.001.004

Author Name: Childress George

Organization:

• Further study is requested for the requirement of 5000 cubic feet per second of water (CFS) at the Florida line, as is currently mandated by the Endangered Species Act and U.S. Fish and Wildlife Service. This study should include accurate population counts of the three endangered species of mussels to determine if each should still be included on the endangered species list. If inclusion is still directed, then a comprehensive recovery plan for each should be an integral part of the study.

Comment ID 0149.001.006

Author Name: H. (illegible) D.

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0150.001.006

Author Name: Nelson Elizabeth

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0151.001.006

Author Name: Wilson Jessica

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0152.001.006

Author Name: Nelson John

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0153.001.004

Author Name: Criddle Mike

Organization: City of LaGrange, Department of Economic Development

- Further study is also requested for the requirement of 5000 cubic feet per second of water (CFS) at the Florida line, as is currently mandated by the Endangered Species Act. This study should include accurate population counts of the three endangered species of mussels to determine if each should still be included on the endangered species list. If inclusion is still directed, then a comprehensive recovery plan for each should be an integral part of the EIS.

Comment ID 0154.001.006

Author Name: Foster Oliver

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0155.001.006

Author Name: Duncan Peggy

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0156.001.006

Author Name: Unknown Unknown

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0157.001.006

Author Name: Nelson Wanda

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0164.001.009

Author Name: Nash Charlotte

Organization: Gwinnett County Board of Commissioners

- The Corps should incorporate the most recent information about the endangered species: Recent data provided to the Corps and FWS in 2012 by experts in the field demonstrate that the species promoted by Florida are in much better shape than previously assumed and this data must be incorporated into the EIS / ESA analysis for any revised operating plan for the ACF Basin.

Comment ID 0174.001.005

Author Name: Perry Val

Organization: Lake Lanier Association

Augmentation Flows are Not Required by the Endangered Species Act

The Association is sensitive to the impacts of low water levels downstream of Lake Lanier, including in the Apalachicola

River and Bay. We do not wish our comments to be misconstrued as being an attack on downstream stakeholders in any sense. But we believe the U. S. Fish and Wildlife Service ("Service") and the Corps misinterpret the Endangered Species Act ("ESA") to require that the ACF reservoirs - and in particular, Lake Lanier - must augment Apalachicola River flows above run-of-river levels. This is because nature herself - not discretionary Corps operations - is the predominant cause of low flows in the Apalachicola. Conversely, however, the Corps is obligated even during severe droughts to support the ACF facilities' legally authorized purposes, including recreation.

As addressed extensively in the Tri-State litigation, we believe the Service and the Corps used the wrong environmental baseline in determining what flow levels are required under the ESA. The correct baseline is run-of-river flows. Therefore, although we fully support the laudatory goal of the ESA, augmentation flows that raise Apalachicola River flows above run-of-river are not required by the ESA and should not be imposed by the new WCM.

<Portions of the text are in bold. Please see original document for details.>

Comment ID 0189.001.008

Author Name: Rogers Gilbert

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

Indirect effects may also encompass the effects of the WCM revision on threatened and endangered species in the ACF basin. Whether direct or indirect, these impacts are important for both the Corps and the public to evaluate in determining the best way to meet the water needs of communities in the Atlanta area and the rest of the ACF system. In addition, the Corps should examine the indirect effects of its management of the ACF system on water levels in the Oconee-Ocmulgee-Altamaha and Alabama-Coosa-Tallapoosa river systems, since there are a number of interbasin transfers taking place among these systems around metro Atlanta.

Comment ID 0248.001.003

Author Name: Mitchell Kristina

Organization:

And what about the federally-listed (ESA) mussel species found in this area? It seems they're simply being ignored in the Corps' water management decisions. What's happened to Section 7 here is no less than shameful.

Comment ID 0249.001.003

Author Name: Wright Elizabeth

Organization:

And what about the federally-listed (ESA) mussel species found in this area? It seems they're simply being ignored in

the Corps' water management decisions. What's happened to Section 7 here is no less than shameful.

Comment ID 0254.001.003

Author Name: Fineout Dennis

Organization:

Endangered species in Apalachicola and minimum flow rate to support. At some point, consideration needs to focus on the greater good; people versus mussels.

Comment ID 0270.001.007

Author Name: Fineout Mary Beth

Organization:

Regarding the endangered species in Apalachicola and minimum flow rate to support them; at some point, consideration needs to focus on the greater good; people versus mussels.

Comment ID 0314.001.006

Author Name: Illegible Illegible

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0315.001.006

Author Name: Greer Robert

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0317.001.006

Author Name: Meacham Heather

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0318.001.006

Author Name: McDaniel Shane

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0319.001.006

Author Name: Presnel Cheryl

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0320.001.006

Author Name: Unknown 6 Unknown 6 (Illegible)

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0321.001.006

Author Name: Knox Gary

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

Comment ID 0322.001.006

Author Name: Knox Patti

Organization:

6) USFWS needs to be challenged to provide their science and document the need for 5,000 cfs for endangered species. Why 5,000 cfs? Why not 2,000 cfs? How many of each endangered species are there? Do they exist in deeper water than previously thought? What is the Recovery Plan? Are they still endangered, threatened, or neither? Can they be relocated to other areas where water is more plentiful and the economic damages are less.

1.D - OTHER BIOLOGICAL ISSUES

Comment ID 0026.001.001

Author Name: Houghton Daniel

Organization:

The fish and wildlife people need to take a LONG look at West Point Lake if they are concerned about wildlife. For the past few years I have used my boat in the upper end of the river and seen the deverstation that this lake level has had on all the birds and thier ability to nest. They have never been up there to see what I see because they would have done something about the leael a time long ago.

Comment ID 0042.001.001

Author Name: Watkins Linda

Organization:

West Point Lake is a landing spot for waterflowl heading south for the winter. I have noticed significantly fewer numbers recently.

Comment ID 0102.001.005

Author Name: Anderson Wayne

Organization:

Additionally, Photos 5 & 6 show a small collection of large Mollusk shells found along a 100 ft area of shoreline in 2007 when we first experienced super low lake levels. Today, I have searched many miles of shoreline and have found NO such shells remaining. I can only assume that this species has been decimated. The environmental collapse of this fresh water filtration mollusk has had a profound negative effect on the water and wild life quality in West Point Lake.

Photos: 2 photos of Mollusk shells. Parts of the comment were bolded and other parts were underlined.

<Please refer to original document for photos and emphasis.>

Comment ID 0106.001.003

Author Name: Mulvany Gregg

Organization:

I'm no fisheries expert, but I would imagine that the small shellfish, panfish (Bream and Crappie) and Largemouth Bass would benefit from having more of these shallow coves filled with water again. Fallen trees and other natural debris, along with the hundreds of docks would provide for more protected breeding and growth areas. Having the coves full of water again would also be a boon for all of the birds... creating more places for wading birds to stalk their prey and the shallow, still water of the coves allows insects to multiply...hence attracting birds like the Purple Martin and a healthy population of nighttime-feeding bats.

Comment ID 0131.001.004

Author Name: Fogg Mike

Organization:

My other main comment relates to the minimum flow requirements set by the USFWS. I believe that USACE needs to challenge this requirement through whatever channels available and this criteria needs to be revisited. If lower river levels where the result of drought and reduced flow from upstream, could the endangered mussels survive by moving deeper? Are they still endangered or threatened? Environmentally, there has been a negative impact to West Point Lake by having reduced and fluctuating water levels in the spring and early summer to meet these downstream flow requirements. There have been times when lake levels were at 633-634 in the early spring and bass and crappie were spawning in the shallows. Then within a couple of weeks the lake level is dropped two feet or more to meet the flow requirements. This has a dramatically negatively impact on these species. The same thing happens later in the spring with bream and shad spawn. Does this impact to these species not matter versus the impact to the mussels? Ask the

taxpaying citizens which species they would prefer to have considerations made for.

Comment ID 0133.001.001

Author Name: Daniel Larry

Organization:

I've been in contact with several people in the Mobile District over the years, the the latest being the water management manger James Hathorn. i requested Mr. Hathorn to send me proof via. email, of what Florida is saying about the existence of sturgeon in the Appalachicola River, as well as proof of and endangered mussel; while mussels are laying dead every where here on West Point Lake from the water draw down that has occurred here 3 out of the last 5 yrs. As a fisherman, I can just about guarantee you there is no way a sturgeon lives, survives, or reproduces in this river..they only exist in a few rivers in the U. S.. At full pool (which you can count on one hand the # of days per year this lake is there, and have fingers left over; if it ever gets full in a years time) there is 11 1/2 ft. under my dock; it has sat on the ground 3 of the last 5 yrs.. Of course, I have never gotten anything from Mr. Hathorn or anyone else documenting the state of Florida's claims....maybe you will send me this documentation. Even though I have no water near my dock for what is now most of the year, guess what.....I still have to pay " lake front" taxes. i suggested to Mr Hathorn " Why don't you drain the lake....at least then I wouldn't have to pay these unreasonable taxes for " lake front " . i also told him that if there were ever a petition to " kick " the Corp. out of this state, I would be the first to sign it.

Comment ID 0186.001.010

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

11. Consideration of Impacts on Eufaula National Wildlife Refuge

The EIS also needs to take into account the impact of Corps operations in the basin on the Eufaula National Wildlife Refuge (ENWR). ENWR was established in 1964 on Walter F. George Lake. ENWR provides habitat for migratory waterfowl and other birds, provides habitat and protection for endangered and threatened species, and provides recreation and environmental education to the public. The refuge, which contains 4,260 acres of open water and 3,025 acres of wetlands, has 281 documented bird species, 36 mammal species, 95 reptile species, and roughly 30 fish species. Federally listed species that use the refuge are the bald eagle, peregrine falcon, American alligator, and wood stork.

Comment ID 0212.001.001

Author Name: Lang Deborah

Organization:

What ever is good for the Estuary is good for our dinner table.

Comment ID 0219.001.001

Author Name: Brock Mills

Organization:

The Apalachicola bay wold be much better served if the Bay seafood resources were better managed for the long term by harvesting at sustainable levels. For years the Bays Oysters have been routinely over harvested and miss managed. An Apalachicola Times article published in, I believe, May of 2012 heralded the start of the Oyster harvest season coming early that year due to an abundance of Oysters on the Beds also in that same time frame the FWC sent out a public notice announcing the expansion of legal days and hours in which Oysters could be harvested in the Bay.(<http://myfwc.com/news/news-releases/2012/may/24/acola-oysters/>). Here is a direct quote from the public notice, "The seven-day work week will allow Apalachicola Bay oyster harvesters the ability to make up for time lost harvesting. This action by the FWC was supported by the Florida Department of Agriculture and Consumer Services."

It seems very questionable to me that by the time late summer was here in 2012, the Apalachicola Oyster industry, Apalachicola River Keeper and various other government/Non govt. organizations were crying foul and blaming low water flow as the reason the bay was, by they're estimation, in decline. In just doesn't add up that the Bay was in good enough shape in May to increase the harvest of seafood from the bay only to have it at a near collapse 3 months latter. Sounds like miss management of the resource and unsustainable harvest levels to me.

Comment ID 0244.001.001

Author Name: Ake Robert

Organization:

I spent two weeks under the aegis of Emory University searching for Ivory-billed Woodpeckers in the area currently being considered for water management. It is an area with enormous wildlife potential. Water management is a key component. I urge you to weigh the interests of the natural environment as much as is reasonable in your deliberations.

Comment ID 0246.001.002

Author Name: McMellen Brannigan Angela

Organization:

In addition to oysters, crabs, shrimp, finfish, and other aquatic species, oyster die-off likely will contribute to a long-term decline in populations of a state-listed shorebird species, the American Oystercatcher (FL-threatened). As its name suggests, this species relies heavily on oysters as a food source, and uses exposed bars as places to rest, preen, and escape disturbance -- some even nest on the bars! Many other shorebird species also rely on oyster bars in similar

ways. If Apalachicola Bay's oysters continue to die off, multiple species of shorebirds whose populations are already in decline will lose critically important foraging, roosting, and breeding habitats.

Comment ID 0246.001.003

Author Name: McMellen Brannigan Angela

Organization:

Productivity of the bay also is no doubt being adversely affected by a lack of nutrient input from the backswamps upriver because, in the absence of sufficient mainstem flows, these areas have not experienced in several years their typical winter flood cycle. Thus, nutrients produced in the remarkably large and intact bottomland hardwood forests which buffer the Apalachicola River are not being transported to the Bay. In addition, backswamp tree species such as water tupelo, which need "wet feet" for a portion of the year, are clearly experiencing ecological stress y longtime observers say they're dying -- as a result of this lack of seasonal flooding.

<Portions of the text are accented. Please see the original letter.>

Comment ID 0248.001.002

Author Name: Mitchell Kristina

Organization:

It's quite clear that our previously thriving oyster populations have declined as a result, threatening to topple the entire bay ecosystem by reducing the number of filter-feeders. We've seen this happen in the Chesapeake Bay -- please don't let Apalachicola Bay go the same way.

In addition to oysters, crabs, shrimp, finfish, and other aquatic species, oyster die-off likely will contribute to a long-term decline in populations of a state-listed shorebird species, the American Oystercatcher (FL-threatened). As its name suggests, this species relies heavily on oysters as a food source, and uses exposed bars as places to rest, preen, and escape disturbance -- some even nest on the bars! Many other shorebird species also rely on oyster bars in similar ways. If Apalachicola Bay's oysters continue to die off, multiple species of shorebirds whose populations are already in decline will lose critically important foraging, roosting, and breeding habitats.

Comment ID 0248.001.004

Author Name: Mitchell Kristina

Organization:

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Comment ID 0249.001.002

Author Name: Wright Elizabeth

Organization:

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Comment ID 0249.001.004

Author Name: Wright Elizabeth

Organization:

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<Portions of the text are accented. Please see the original letter.>

Comment ID 0270.001.006

Author Name: Fineout Mary Beth

Organization:

In addition, from a geology and soils aspect a lower lake level results in greater wave generated undercutting of the bank.

Comment ID 0273.001.001

Author Name: Urbanick Burton

Organization:

Lake Lanier needs class action suit to protect the rights of citizens against the ABUSE we have suffered for the "Damage to our economy and our personal property". We need to hold the U.S. Govt liable for 30 years of "Negligence" in propagating careless management of Water levels behind the archaic laws that have been used to defend their indifference in Washington. Send Georgia some of the Ludicrous \$\$ you spend on third world countries for their building programs. FILE OUR CLASS ACTION SUITS IN WASHINGTON !

Comment ID 0283.001.001

Author Name: Dodgen Charles

Organization:

The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0285.001.001

Author Name: Crosby Gregory

Organization:

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Comment ID 0288.001.001

Author Name: Goldman Steven

Organization:

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Comment ID 0316.001.006

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Impoundments can fragment aquatic ecosystems, with impacts on many aspects of environmental integrity, particularly when the cumulative effects of multiple impoundments across a system are taken into account. Although the projects subject to the WCM are already in place, the allocations and uses allowed and established through the WCM revision can have significant influence on overall ACF system health by preventing further fragmentation. If managed to make the best use of these existing resources, further impacts of additional supply infrastructure development could be avoided or at least minimized.

Unimpeded physical continuity of the major ACF rivers with their floodplains, including riparian wetlands, is also controlled in large part by the management approach set forth in WCMs. Access to floodplains is critical to river sediment and chemical dynamics, hydrating riparian floodplains, and maintaining vegetation and habitat important in the lifecycles of many species, both aquatic and terrestrial, with characteristics adapted to such ecosystems. Managing flows for magnitude, seasonality, and variability that mimic natural conditions such that rivers have regular access to their floodplains is protective of riverine ecosystems and can reduce impacts to wetlands.

Comment ID 0316.001.017

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Aquatic plant and animal species have evolved life cycle patterns directly tied to the primary components of hydrologic variability frequency, magnitude, duration, timing and rate of change of natural flows. Every aspect of the lives of aquatic plants and animals is cued by and inextricably linked to the natural variability of our rivers and streams which are often absent in highly regulated systems.

2.0 - DATA, STUDIES, & ANALYTICAL TOOLS

Comment ID 0011.001.002

Author Name: Pine Bill

Organization: University of Florida

Note we have two new flow-fish papers for the basin that you might not have seen. Links are below.

<http://floridarivers.ifas.ufl.edu/Pine%20papers/Burgess%20-%20Apalachicola%20floodplain.pdf>

<http://floridarivers.ifas.ufl.edu/Pine%20papers/Dutterer%20et%20al%20-%20Fish%20recruitment%20related%20to%20river%20flows.pdf>

Comment ID 0143.001.002

Author Name: Leitman Steve

Organization:

<The commenter provided an additional document in support of his letter. The document title is "An Evaluation of The Causal Factors For The Lowering of Lake Lanier During Drought Events." Please refer to the original letter for a copy of this document.>

Comment ID 0143.001.003

Author Name: Leitman Steve

Organization:

<The commenter provided an additional document in support of his letter. The document title is "An Evaluation of the Use of Local Inflow as a Trigger in the Revised Interim Operating Plan for Managing Reservoirs in the Apalachicola-Chattahoochee-Flint Basin. " Please refer to the original letter for a copy of this document.>

Comment ID 0158.001.002

Author Name: Turner Billy

Organization: ACF Stakeholders

In addition, ACFS can serve as a source of in-depth and collaboratively developed information and analysis during the course of the Water Control Manual update. ACFS has already shared information with USACE on water demands and

consumptive use and a report concerning the unimpaired flow data set, generated as part of the ACFS Sustainable Water Management Plan initiative. Over the next 12 to 18 months, ACFS, with assistance from its consultants (Black and Veatch, Georgia Tech, and Atkins) anticipates producing a series of additional documents including: performance criteria based on stakeholder interests and concerns, existing conditions model runs, an instream flow assessment, and a range of water management alternatives. The chair of the ACFS Technical Oversight and Coordination Work Group will share this information with USACE as it is developed. Further, ACFS would be pleased to designate a liaison with USACE to coordinate the exchange of information.

Comment ID 0158.001.007

Author Name: Turner Billy

Organization: ACF Stakeholders

4. What time step(s) does USACE plan to use in modeling the system, when the system must be operated on a daily and hourly basis? Would recommendations to USACE based on models using monthly or weekly time steps be considered compatible or reliable enough for consideration?

Comment ID 0158.001.009

Author Name: Turner Billy

Organization: ACF Stakeholders

6. Will USACE re-investigate the unimpaired flow data set (UIF) to resolve questions raised in the recent document provided by ACFS and update it? The referenced UIF report is also enclosed for your convenience.

Comment ID 0158.001.013

Author Name: Turner Billy

Organization: ACF Stakeholders

<The commenter provided a report in support of its letter. The report is "Unimpaired Flow Assessment for the Apalachicola-Chattahoochee-Flint River Basin, Draft Technical Report," developed by The Georgia Water Resources Institute/Georgia Tech, developed for The ACF Stakeholders, dated October 2012. See original comment letter for a copy of this report.>

Comment ID 0164.001.003

Author Name: Nash Charlotte

Organization: Gwinnett County Board of Commissioners

- Update Models with Representative Basin Conditions: The Corps should update its modeling data to take into account recent shifts in rainfall and temperature patterns in the ACF Basin rather than relying on older, less representative data regarding basin conditions. It is widely recognized that drought conditions are becoming more frequent and widespread throughout the United States and the increased frequency and extent of drought need to be incorporated into the Corps' models. See Drought in the United States: Causes and Issues for Congress, Congressional Research Service, August 15, 2012 (<http://www.fas.org/sgp/crs/misc/RL34580.pdf>)(<http://www.drought.gov/drought!> and <http://www.gpo.gov/fdsys/pkg/PLAW-109publ430/pdf/PLAW-109publ430.pdf>)

Comment ID 0165.001.013

Author Name: Freed Charles

Organization: Atlanta Rowing Club

Figure 1: Peaking discharge patterns form Buford Dam (USGS 2334430)

Figure 2: Discharge patterns over 20 miles downstream from Buford Dam

Figure 3: Turbidity at Norcross for average flow of 1,170 cfs 10/19 - 10/28/2012

Figure 4: Turbidity at Norcross for average flow of 2,320 cfs 11/16 - 11/25/2012

Figure 5: Chattahoochee River Exposed Sandbar and Morgan Falls Dam Water Level (elevation) 6/30 - 7/4/2012 (USGS 2335810).

Figure 6: Effect of Buford Dam discharges on Bull Sluice Lake water levels 10/19 - 10/28/2012

Table 1: Upper Chattahoochee turbidity study - List of turbidity study data sets (Faye 1980)

Table 2: Indexed calculations of suspended sediment for a base discharge of 1,140 cfs using the average regression constants of the 14 data sets (Faye 1980) Table 3: Summary of Turbidity Changes at Norcross for 10 day intervals (USGS 2335000)

Table 4: Buford Dam Peak Discharge Timing 6/23 - 7/6/2012 (USGS 2334430) References: List of references cited in the document.

<Please refer to original document for figures and tables and references.>

Comment ID 0168.001.001

Author Name: Barr Douglas

Organization:

Below are comment on the updating of the Corps of Engineers (COE) Water Control Manuals and plans for the federal reservoirs in the Apalachicola-Chattahoochee-Flint River Basin (ACF) per the October 12, 2012 announcement. In part, these comments are based on review of the HEC ResSim simulations utilizing the "IMProved"operations as described in the 2012 report entitled "Apalachicola- Chattahoochee-Flint (ACF) Remand Technic al Modeling Report"(Remand Report). These simulations were run in support of modifying the May 2012 Revised Interim Operating Procedures by incorporating the changes specified in the Improved Operations. The Improved Operations were released in June 2012,

just one month after the May 2012 RIOP was approved by the U.S. Fish and Wildlife Service and became effective. Subsequently, the COE announced the reopening of the scoping process for updating the Water Control Manuals. The updated manuals will supersede the interim operating procedures.

It is assumed that the June 2012 "IMProved" operations reflect the modifications to the Water Control Manuals that are currently preferred by the COE. Therefore the comments below are primarily directed at the operations described in the June Remand Report, the simulations of the alternatives described on page 44 of the report and the adequacy of the HEC ResSim model used for the simulations. Comments on the June 2012 operations transmitted by letter of August 10, 2012 to Mr. Curtis Flakes, Mobile District and comments on the May RIOP transmitted by letter to Dr. Donald W. Imm, Panama City Field Office, U.S. Fish and Wildlife Service are included by reference as part the comments provided herein.

As stated in my previous letters, the May RIOP for the reservoirs and the June 2012 recommended reservoir operations are a de facto interstate allocation of the water in the ACF basin. The reservoir operations effectively prioritize water use in the ACF basin with releases to Apalachicola River having a lower priority than water demands in Georgia and refilling the federal reservoirs. The latter is especially beneficial to Lake Lanier since it contains significantly more active (useable) storage capacity than the combined active storage of West Point Lake, Lake Walter F. George and Lake Seminole.

Each version of the interim operating procedures have included a component covering releases to Apalachicola River during non-drought periods and a separate component describing releases during "drought". During non-drought periods, releases to Apalachicola River are specified in a table which lists the release requirement at different times of the year based on the combined volume of water stored in Lake Lanier, West Point Lake and Lake Walter F. George ("composite storage") and the basin inflow. In addition to the release requirement for Apalachicola River, the table also specifies the amount of the basin inflow that is available for reservoir storage. Attachment 1 is June 2012 Improved Interim Operations table of releases to Apalachicola River (=water releases from Jim Woodruff Dam). Each version of the interim operating procedures also describes the releases to Apalachicola River during "drought" periods, as defined by the COE. These are described as the Emergency Drought Operations (EDO). During drought, all releases to the river are suspended except for a daily release of 5,000 cfs. The COE's definition of drought and the trigger for reducing releases to Apalachicola River is based solely on the composite storage remaining in the upper three federal reservoirs (Lake Lanier, West Point Lake and Lake Walter F. George). Drought operations are triggered when the composite reservoir storage declines to the top of composite Zone 4. If composite storage declines to the top of a COE specified "Drought Zone", the required release to Apalachicola River is further reduced from 5,000 to 4,500 cfs. Under the recommended "Improved" Operations the release restriction to Apalachicola River remains in effect until the composite storage of the federal reservoirs is refilled to the top of Zone 2 or an average of 86% of full capacity (see below for refill requirement by month).

The Apalachicola-Chattahoochee-Flint River Basin interstate dispute has been ongoing for over 20 years. The dispute has always focused on how water is to be allocated under low flow conditions. At moderate to high flows there is sufficient water to meet all demands in the basin, maintain the reservoirs at or near full capacity and provide adequate freshwater inflow for the protection and preservation of Apalachicola River and Bay. Therefore, the comments below are primarily directed at the impact of reservoir operations on releases to Apalachicola River (and ultimately to Apalachicola Bay) during low flows.

The last of the federal reservoirs (West Point Lake) was filled and began operations in late 1975. Most comments are based on analysis and comparison of the actual flows, releases, reservoir levels, etc. with the COE model simulations for the period beginning January 1, 1976. This allows a direct comparison of observed data with the COE simulations of flow alterations due to the Improved Interim Operations and increasing water demands in Georgia. Finally, the COE simulations end on December 31, 2008. Therefore, comparison of observed data with the simulations utilize the period from January 1, 1976 to December 31, 2008.

HEC ResSim Simulations

The COE ResSim model of the ACF will undoubtedly have an important role in the revision of the Water Control Manuals and reservoir releases that will directly impact Apalachicola River and Bay. The model, however, has not been calibrated nor have simulations been made comparing the model results with observed data on reservoir levels or streamflow measured at U.S. Geological Survey monitoring stations. Likewise, no sensitivity analysis or systematic error analysis have been performed. As a result, no objective measures or analysis are available demonstrating that the model can accurately reproduce observed flows and reservoir levels that occurred in the past. This is an essential component in the development of any hydrologic model and especially for a model used to predict future flows and reservoir levels/storage in a large, complex basin such the ACF. If the model cannot replicate flows and reservoir levels that occurred in the past, then it cannot be expected to accurately predict future impacts resulting from new reservoir operations and increased demands. The lack of validation is a serious deficiency in the development of the current model especially given the importance of the modeling for updating the Water Control Manuals and examining the impact the changes in operating procedures will have on the future of Apalachicola River and Bay.

Although no systematic calibration and verification of the model has apparently been performed, there is a short period in the simulation entitled "Baseline" which corresponds to the actual operating procedures for the reservoirs in 2008 and part of 2007. These same procedures were in use until adoption of the May 2012 RIOP, however, the unimpaired flow data set needed for the ResSim modeling stops on December 21, 2008. Nevertheless, even this short record can at least provide some insight on the simulated versus observed flows. This is especially useful for examining the predictive capability of the model during low flow periods.

Previous analysis suggests that the COE began operating the reservoirs in a manner similar to the original Interim Operating Procedures in 2007. This is confirmed by correspondence transmitting comments by the Northwest Florida Water Management District to the Mobile District COE and U.S. Fish and Wildlife Service on the impact of the 2007 interim procedures on inflows to Apalachicola River. Specifically, the impacts examined were associated with the U.S. Fish and Wildlife Service February 28, 2007 approval of the COE request to operate the federal reservoirs under "Concept 5" of the Interim Operating Procedures as requested by the COE on February 27, 2007.

In 2007 the COE began operating the reservoirs under the first version of the Interim Operating Procedures. As a result, during the low flow event in 2007 releases from Lake Seminole were limited to 5,000 cfs and closely matched the simulated flows for the interim operations approved in February 2007. The 2012 COE simulation of the Baseline alternative also limited releases during this period to 5,000 cfs. Therefore, the actual releases from Lake Seminole during this period followed the requirements of the 07 interim procedures. In contrast, the low flow periods in 2001, 2002 and 2006 occurred prior to the 2007 IOP and formalization of the 5,000 cfs release limit. As a result, during the 2001-2002 drought the releases were generally much greater than 5,000 cfs. Therefore, during the period from mid-2007 through the end of 2008 the actual reservoir operations should be similar to the 2012 simulation of the

"Baseline" alternative performed by the COE for the "Remand" report. The 07/08 period, therefore, can be used to examine how well the ResSim Model simulated flows match the observed flows.

Figure 1 illustrates a standard calibration plot of the 2012 "Baseline" simulated flows versus the observed flows during low flow periods (i.e., flows 8000 cfs). The line at a 45 degrees angle from the x and y axis represents an exact match between the observed and simulated flows. These plots are intended as a check on whether the simulated flows accurately replicate the observed flows.

Figure 1. - 2007-08 Baseline Simulated Flow \leq 8,000 cfs versus Observed Flow.

<Please refer to original document for Figure.>

As illustrated, under low flow conditions the simulated flows are not well correlated with the observed flows. The linear regression trend line is significantly skewed from the line representing an exact match of simulated versus observed flows. In addition, the value of $R^2=0.45$ means only 45% of the variation in the simulated flow is accounted for by the linear regression with the observed flow. The Correlation Coefficient of $R=0.67$ means the simulated and observed flows are only weakly correlated. The "Baseline" model, therefore, does not accurately reproduce releases of 8,000 cfs or less to Apalachicola River in 2007-08 even though the Baseline operations were in use during this period.

Figure 2 illustrates the actual flow (reservoir releases) in 2007-08 when the simulated releases were 12,000 cfs or less. Again, observed flows vary over a wide range when the simulated flows are less than 12,000 cfs. The trend line deviates considerably from the line representing a one to one correspondence between the observed and simulated flows. In addition, the correlation coefficient is weak and only about 62% of the variance of the simulated flows is accounted for by observed flows. The model, therefore, does not very accurately replicate the releases that reservoir operators actually made in 2007-08. Significantly, when the actual releases were at or near 5,000 cfs, the simulated flows were generally higher suggesting the model is augmenting extreme low flows to a greater extent than actually occurred (i.e., the model understates the occurrence of flows at or slightly above 5,000 cfs).

Figure 2 - 2007-08 Baseline Simulated Flow \leq 12,000 cfs versus Observed Flow, 2007-08.

<Please refer to original document for Figure.>

Similar patterns are evident in a comparison of Observed and simulated low flows in 2008 (Figure 3). The actual reservoir operator releases were less than the model when flows were at 5,000 cfs but were greater than the model releases at flows up to 12,000 cfs. Generally, the model does not perform well in reproducing the actual low flow releases to Apalachicola River that occurred in 2008.

Figure 3 - 2008 Observed Flows \leq 12,000 cfs versus Simulated Flows.

<Please refer to original document for Figure.>

The releases to Apalachicola River under the "Improved" operations are specified in a single table (see Attachment 1) along with a brief description of releases during "Emergency Drought Operations". The reservoir operators, however, have considerable discretion in making releases to Apalachicola River. The ResSim simulations, however, cannot accurately replicate or predict the release decisions by the operators.

The model simulations require a complex decision tree of releases based on assumed water supply needs, hydropower

production, reservoir balancing and many others. Unless specified in the updated Water Control Manual the operators will not follow the operations used for the simulations. As a result, actual releases to Apalachicola River may (and likely will) differ significantly from the simulations. This reinforces the need for a rigorous examination of the accuracy and adequacy of the model simulations in predicting future releases to Apalachicola River, the composite storage of the reservoirs, reservoir levels, etc. This should include simulations that examine worst case scenarios in which operators release only the minimum required flow to Apalachicola River during drought periods.

On a related matter, the COE operated the reservoirs under variations of the interim operating procedures for the period from 2009-2012. The "Unimpaired Flows", therefore, should be updated through 2012 to allow simulation of this additional period of interim reservoir operations.

Calculation of Basin Inflow and Provision of 100% of Current and Future Demands in the Georgia Portion of the Basin

The 2007/08 and subsequent interim operations use basin inflow and composite reservoir storage as the basis for determining releases to Apalachicola River and the flows that will be diverted to storage in the reservoirs. The computational method used by the COE to determine basin inflow, however, fails to account for withdrawals of water for consumptive demands. These are primarily in Georgia and include direct surface water withdrawals from Lake Lanier, direct surface withdrawals from the Chattahoochee River and the Flint River and streamflow losses resulting from ground water withdrawals in the Flint River Basin. Therefore, the COE's calculated basin inflow is actually the hydrologic inflow minus Georgia's consumptive withdrawals. As a result, the releases to Apalachicola River during non-drought periods are determined only after 100% of Georgia water demands are met both now and in the future. Currently, these withdrawals exceed 1,000 cfs in net loss of flow during some periods each year and are generally highest during the summer dry season.

The Georgia consumptive demands always "come off the top" of the actual hydrologic inflow. Only the remainder is the "Basin Inflow" used by the COE in allocating water to reservoir storage and releases to Apalachicola Bay. As a result, the basin inflow available for release to Apalachicola River during nondrought periods will continuously decline as the Georgia demands increase. Effectively, therefore, the past and current Interim Operating Procedures and the recommended "Improved" procedures make Georgia water demands the highest allocation priority in the ACF Basin.

The methodology for computing basin inflow creates a fundamental inequity between water for Georgia's consumptive water demands and releases of water into Florida for Apalachicola River and ultimately Apalachicola Bay. The updating of the Water Control Manuals should eliminate this inequity and use the true hydrologic Basin Inflow for determining releases to Apalachicola River during nondrought periods.

As noted in my July 20, 2012 letter to Dr. Donald W. Imm of the U.S. Fish and Wildlife Service, approximately 500 cfs of inflow to the Apalachicola River was lost when the COE changed from using the outflow from Jim Woodruff Dam to measure compliance with the 5,000 cfs minimum flow to using the U.S.G.S. streamflow station on the Highway 90 Bridge near Chattahoochee, Florida. This change resulted in a loss of inflow to the Apalachicola River during low flow periods. During the 2000/02 drought event, the COE measured compliance using the discharge from Woodruff. During the 2006/08 drought the COE was using the Chattahoochee streamflow station to measure compliance with the 5,000 cfs minimum. When the streamflow station was at or slightly above 5,000 cfs, the measured Woodruff discharge was significantly below this value from 1999 to 2002. Unfortunately, the COE did not reset the minimum from 5,000 cfs at Woodruff to the higher corresponding flow at the USGS streamflow station. Instead the COE simply equated the

Woodruff discharge to the gage flow and thereby reduced the actual inflow to the river. Based on the Chattahoochee streamflow station, the loss in flow was on the order of 500 cfs (+/-). The loss of inflow to Apalachicola River, of course, reduced reservoir releases by an equivalent amount which aided the COE in conserving reservoir storage. Additional detail on this matter is provided in the July 2012 letter to Dr. Imm referenced above.

The determination of the impacts of modifications to the Water Control Manuals and modeling should account for this change in measurement of inflow to ensure the actual impacts to Apalachicola River are fully represented.

Comment ID 0168.001.010

Author Name: Barr Douglas

Organization:

1. There is no documentation demonstrating that the ResSim model of the ACF accurately simulates past flows and especially low-flows at the Chattahoochee streamflow station on the Apalachicola River (or other locations in the basin). Lacking this, the model cannot be considered as calibrated or verified based on comparison of the simulated versus past observed flows, reservoir elevations, composite reservoir storage, or reservoir releases. The adequacy of the model for simulating the impacts of future demands and alteration of the reservoir operations is unknown. The model used for simulation of the modifications incorporated into the updated Water Control Manuals should be validated by comparing simulation of past flows and operations with observed data. The results of this simulations should be documented and made available as part of the COE's decision record.

2. The simulation results for the COE "Baseline"(also referred to as "Current"operations) alternative should approximate the withdrawals and reservoir operations in 2007 and 2008. The simulated flows however, only weakly correlate (at best) with the observed flows during this period. In addition, there appears to be systematic error in the simulated versus observed inflows to Apalachicola River. The COE should analyze and document the magnitude and variation of the simulated versus observed flow including both random error and systematic error, if any, that would indicate bias in the model simulations.

Comment ID 0168.001.012

Author Name: Barr Douglas

Organization:

4. Currently, the unimpaired flows used for the ResSim model only extend through 2008. The four year period from 2009-2012 during which the COE was operating the reservoirs under an earlier versions of the interim Operation Procedures is not included in the current model simulations. The unimpaired flows should be updated through the end of 2012.

Comment ID 0168.001.017

Author Name: Barr Douglas

Organization:

12. The ResSim model simulation labeled GAIMP2030C appears to best represent Georgia's requested withdrawals, projected Lake Lanier and Chattahoochee River withdrawals in 2030 with the historic (current) return rates. A summary of the impacts of this alternative on inflows to Apalachicola River is provided below:

a. The simulated daily flow at the Chattahoochee Streamflow Station on the Apalachicola River is an average of 782 cfs below the observed flow on each day of the 31 years simulation period.

b. Much of the flow loss during drought periods when the required release to Apalachicola River was reduced to 5,000 cfs or less. The COE's Emergency Drought Operations were in effect for 3,691 days or approximately 31% of the 32 year period or a frequency of 1 in every 3 years.

c. The COE's Emergency Drought Operations are in effect continuously for 462 days (15.2 months) in 1981-82, 1447 days (47.6 months) in 1986-1990, 1187 days (39.0 months) in 2000-03 and 595 days (19.6 months) in 2007-2008 (and continued past the end of the simulation).

d. During the 1981-82, 1986-1990 and 2000-2003 Emergency Drought Operations, the GAIMP2030C simulated daily inflows to Apalachicola River were 1,043 cfs, 1, 058 cfs and 178 cfs below the observed inflow to Apalachicola River, respectively.

Comment ID 0170.001.003

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

The Corps also currently plans to rely on an inadequate and outdated "critical yield" methodology to establish the baseline for future water allocations rather than the ecological flows needed to maintain the health and integrity of the ACF system. Water resources experts have long recognized that "critical yield" is not appropriate as a basis for making water management decisions as it looks only at the amount of water that may be physically available and does not assess the economic, environmental, social, and political constraints on the use of that water. This analysis significantly overstates the amount of water that is physically available in the ACF Basin, setting the stage for continued conflicts among the many competing users in the ACF Basin.

Comment ID 0174.001.003

Author Name: Perry Val

Organization: Lake Lanier Association

A copy of the study accompanies this letter with the permission of the authors. It can also be downloaded at <http://academiccommons.columbia.edu/catalog/ac%3A145377> from Columbia University's Academic Commons program. The data is accessible at:
<ftp://ftp.ncdc.noaa.gov/pub/data/paleo/treering/reconstructions/northamerica/usa/seusa2012pdsi.txt>

We would ask that the Corps re-evaluate the minimum flow requirement in light of this study and the corroborating evidence of the last dozen years.

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0174.001.007

Author Name: Perry Val

Organization: Lake Lanier Association

<The commenter provided the following document in support of their letter. Please see the original letter for a copy of this document.

- Neil Pederson, et al. (2012), "A long-term perspective on a modern drought in the American Southeast">

Comment ID 0174.001.008

Author Name: Perry Val

Organization: Lake Lanier Association

<The commenter provided the following document in support of their letter. Please see the original letter for a copy of this document.

- Bleakly Advisory Group, et al. (2010), "Executive Summary - Lake Sydney Lanier Economic Impact Analysis Final Report">

Comment ID 0177.001.005

Author Name: Tonsmeire Dan

Organization: Apalachicola Riverkeeper

(3) The Corps should ensure that the ecological in-stream flow evaluation, the EIS, and the WCM are reviewed and assessed by the National Academy of Sciences pursuant to 33 U.S.C. § 2343(a)(3)(A)(iii).

(4) The unimpaired Flow Data Set used by the Corps for its modeling analysis should be revised and updated. A recent document ("Unimpaired Flow Assessment for the Apalachicola-Chattahoochee-Flint River Basin - Draft Technical Report") sent to the Corps by the ACF Stakeholders outlines a number of inconsistencies and errors that should be

addressed during the updating of the WCM.

(5) The water demands data used by the Corps for its determinations should be revised and updated. A recent document ("Unimpaired Flow Assessment for the Apalachicola- Chattahoochee-Flint River Basin - Draft Technical Report") sent to the Corps by the ACF Stakeholders outlines a number of inconsistencies and errors that should be addressed during the updating of the WCM.

(6) Evaporative losses used by the Corps should also be re-evaluated. The impact of the evaporation during droughts is enormous and is under-estimated.

(7) Comments and reports provided by the ACF Stakeholders should be considered as they are representative of a consensus by watershed based stakeholder organization of broad based interests. The reports anticipated include topics included UIF, Water Demands Report, Instream Flow Assessment, Bay Assessment, and Water Management Alternatives.

Comment ID 0186.001.001

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

To Whom It May Concern:

I submit these comments in my capacity as Director of the Alabama Office of Water Resources on behalf of the State of Alabama in response to the Notice of Intent ("NOI") published at 77 Fed. Reg. 62224 (Oct. 12, 2012). The comments concern the revised scoping process for the ACF River Basin Water Control Manual Update. Alabama has previously submitted comments in connection with the scoping for this manual update, and these comments supplement those previous comments.

1. Use of Accurate Model, Data, and Critical-Yield Calculation

At the outset of the manual-update process, it is essential that the Corps utilize an accurate model, accurate data, and an accurate critical-yield calculation. If any of these are flawed, the outcome of the process will be flawed. Alabama is concerned that there are major problems with the model, the underlying data, and the critical-yield calculation.

a. Accuracy of ResSim Model and Underlying Data

Alabama has previously noted that the ResSim model should be used in developing the EIS and the Water Control Manual only if the three States and the Corps of Engineers have confidence that the model and data can replicate the historical observations. Alabama's analysis of the output of the ResSim model being used by the Corps raises serious concerns about its accuracy.

Alabama attempted to validate the ResSim model by using historical data as inputs to see if the model results conform

to historical observations. Specifically, to perform this test, Alabama removed all operations for Buford and set the rule curve equal to observed lake elevations at Lake Lanier. Alabama also set the demands equal to actual historical demands contained in the ACFHEC_10.dss data file. Alabama did this for the portion of the model above Atlanta and simulated the 1980-2008 period. Using that approach, Alabama believes that the results of the model should have matched the conditions that occurred historically.

While the model did create daily elevations and monthly average discharges at Buford that matched closely with the historical values, the model did not produce flows at Atlanta that matched the historical values. In fact, the model produced daily flows at Atlanta that were an average of 117 cfs lower than what occurred historically. This is a significant deviation that totals approximately 2.4 million acre-feet over the simulated period.

Alabama believes that there are issues in the model between Buford and Atlanta either with the unimpaired flows or with data related to demands contained in ACFHEC_10.dss that were used as model inputs. Once these serious discrepancies with the model are resolved, a similar analysis will need to be undertaken to assess the model's accuracy for the area downstream of Atlanta.

Until a model can be run that replicates historical observations, it should not be employed in developing the EIS or the Water Control Manual.

Alabama also believes that the data used as inputs for the model should be agreed upon by the three States. The three States worked together through a very deliberate and transparent process on the development of the input data that covers the period 1939-1993. Data used by the Corps for 1994-2008, however, has not been similarly vetted by the three States. In fact, the data used for that period has varied without the Corps providing a full explanation of the changes. Until the input data's accuracy is the subject of consensus, it should not be used in the model.

b. Need to Recalculate Critical Yield

Alabama has significant concerns about the Corps' preferred method to calculate critical yield in the Corps' 2010 Critical Yield Report. "Method B," which the Corps has identified as its preferred manner of calculating critical yield for the ACF projects, removes water withdrawals from the system, even if those withdrawals require augmentation from the federal projects. Thus, the Atlanta Regional Commission's withdrawals between Lake Lanier and West Point Lake were subtracted from the inflow that was used in the calculation of the critical yield of West Point Lake and Lake Walter F. George. Similarly, Method B removes Lake Lanier's critical yield from the system, thereby reducing the yields of the downstream projects. That is based on the apparent assumption that the upstream project's yield is lost entirely to diversions and thus is unavailable to downstream users. That, however, is not an accurate assumption.

This flawed methodology resulted in a lower-than-actual yield calculation for the downstream projects, and results in an improper allocation of the yield of the federal projects to Atlanta-area water-supply interests instead of to the projects located in Alabama. In other words, this methodology is an attempt to "grandfather" water-supply withdrawals by calculating critical yield by assuming current water-withdrawal levels. Alabama is unaware of the Corps ever utilizing this "Method B" in calculating the critical yield at any other project. In fact, at page 6 of the 2010 Report, the Corps makes the remarkable assertion that "[m]aximizing the yield of the upstream reservoir is consistent with current state-issued water withdrawal permits and may not apply in other regions of the United States." That is an admission that Method B is a result-oriented methodology created for the sole purpose of favoring Atlanta-area water-supply interests

over downstream interests.

The fact that the Corps' selection of Method B is designed to favor Atlanta-area interests is underscored by the fact that while the method assumes that downstream withdrawals are occurring and should be deducted from the critical-yield calculation for the downstream projects, the direct water-supply withdrawals from Lake Lanier are not deducted for purposes of calculating Lake Lanier's critical yield. This results in a higher critical yield for Lake Lanier, thereby suggesting that more water is available for water-supply uses. The EIS should not be started until a neutral methodology for the critical-yield calculation is adopted.

In addition to the methodological problems with the Corps' critical-yield calculation, there also are concerns about the input data used in the calculation. Following the issuance of the 2010 Critical Yield Report, Alabama identified a data problem between the ACFCUM_8.dss file and the ACFCUM_9.dss file. While Alabama believes that some changes were made to address that issue in ACFCUM_10.dss, the details of those changes have not been documented or discussed. More importantly, the Corps never recalculated the yield of the reservoirs based on the new data set. Nor has the Corps ever released the model used to calculate the critical yield in 2010. The Corps must conduct an updated critical-yield analysis using an agreed upon input data set, and it must provide transparency in the process of doing so.

The EIS and the Water Control Manual should not be completed until an accurate, neutral critical-yield analysis is performed.

Comment ID 0189.001.004

Author Name: Rogers Gilbert

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

Additionally, the Corps must ensure that it is using reliable and up-to-date background data when evaluating alternatives. In particular, the Corps must review the adequacy of its unimpaired flow data set, as evaluated in the ACF Stakeholders' 2012 report by the Georgia Water Resources Institute and Georgia Tech: Unimpaired Flow Assessment for the Apalachicola-Chattahoochee-Flint River Basin. The Corps must also ensure that its current and future water demand data, particularly for the Metro District, is current and reliable. The Chattahoochee Riverkeeper's recent report, Filling the Water Gap: Conservation Successes and Missed Opportunities in Metro Atlanta, needs to be considered by the Corps as it analyzes flaws in current and future water demand data. Any flaws and gaps in this data increase the risk of negative consequences on water quality and flow for the entire ACF system and water users downstream of Lake Lanier.

Comment ID 0194.001.002

Author Name: Turner Judson

Organization: Georgia Department of Natural Resources, Environmental Protection Division (EDP)

B. Georgia Has Submitted Updated Information in Support of the Georgia Water Supply Request

The Georgia Water Supply Request included the best available information as of May 2000 on projected population growth and future water demands that would be dependent on Lake Lanier. As more than twelve years have passed since Georgia submitted the Request, Georgia has collected updated population, water use, projections for water supply use, as well as updated analysis of the effects of granting Georgia's Water Supply Request. The data that Georgia has collected confirms that Georgia's water demands from Lake Lanier will reach 705 mgd, including 408 mgd river withdrawal and 297 withdrawal from Lake Lanier, within a reasonable planning horizon of approximately 25-30 years. The State of Georgia submitted this information to the Assistant Secretary of the Army on January 11, 2013. A copy of Georgia's submission to the Assistant Secretary is attached as Exhibit A. In addition, Georgia is in the process of completing an economic analysis of the Georgia Water Supply Request. Georgia anticipates that the economic analysis will be completed by the end of the first quarter of 2013, at which time it will be provided to you for consideration for the EIS.

Comment ID 0196.001.002

Author Name: Deal Nathan

Organization: State of Georgia Office of the Governor

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.

See Commnet Letter for Affidavit.

Comment ID 0199.001.001

Author Name: Bonham C.

Organization: Southeastern Federal Power Customers, Inc. (SeFPC)

To Whom It May Concern:

The Southeastern Federal Power Customers, Inc., ("SeFPC" or "Hydropower Customers") hereby submit the following comments in response to the Notice of Intent to Revise Scope of Draft Environmental Impact Statement for Updating the Water Control Manual for the Apalachicola-Chattahoochee-Flint ("ACF") River Basin. The SeFPC has submitted prior comments on the scope of the draft Environmental Impact Statement ("EIS") and supports a comprehensive study to precede the development of a final water control manual for the ACF River Basin.

At the outset, the Hydropower Customers believe that the scope of the EIS should be revised to recognize certain legal

parameters that will govern the operation of the U.S. Army Corps of Engineers ("Corps") projects in the ACF River Basin. These fundamental legal understandings are set forth in Section I below. Second, the SeFPC encourages the Corps to review analytical and modeling assumptions that have been made by the Corps in the past including modeling in support of the legal memorandum that the Corps prepared in response to the opinion issued by the U.S. Court of Appeals for the Eleventh Circuit ("11th Circuit") in June, 2011. In our review of the materials prepared in support of the memorandum submitted to the 11th Circuit, we have noted several modeling inconsistencies and oversights that should be addressed before finalizing the EIS.

With the changes suggested by the SeFPC below, the scope of the EIS will account for important legal foundations for the legal operation of the Corps projects on the ACF while also addressing technical flaws in some of the modeling analysis performed by the Corps last year. We offer our comments with the intent of providing constructive guidance that will help the Corps ensure that the key constituency of hydropower is fully accounted for in the development of the scope of the EIS.

Comment ID 0199.001.005

Author Name: Bonham C.

Organization: Southeastern Federal Power Customers, Inc. (SeFPC)

Section II - Technical Modeling Needs

As the Federal Register notice observes, the process to revise the water control plans is building upon prior work that has been pursued to date. Certain technical assumptions have been utilized in the past, including the modeling to support the memorandum drafted by the Corps to respond to the 11th Circuit. Several analytical approaches have included erroneous assumptions that the Hydropower Customers believe should be corrected as the scope of the EIS is developed and EIS moves forward. Several of these assumptions relate to the calculation of the hydropower benefits that the Corps projects provide in the ACF River basin and are set forth in the bulleted points below.

- SEPA claims benefits from the Federal hydropower projects including reserve margins, spinning reserves, transmission support through VAR production, and potential for "Black Start" capability. Although ancillary to peak power, the Corps EIS should include any impact on economic value of these benefits as well in a hydropower impact assessment.
- The Corps' methodology for calculating replacement energy sources doesn't always account for replacing capacity during peak hours. The EIS should capture the value of replacement capacity during peak hours to reflect the true cost of diminished hydropower production.
- The Corps financial analysis of hydropower impacts uses a Federal Discount Rate to capture cost of money. Yet, the analysis does not use an inflation factor to capture the impacts of monetary policy over time. An inflation factor should be utilized to reflect the true cost of reallocating storage.
- The HEC ResSIM modeling that is currently used to analyze and support the memorandum submitted to the 11th Circuit and Corps positions on authority to operate the ACF system relies on inaccurate storage/elevation data for the

Morgan Falls Reservoir. The storage at Morgan Falls Reservoir should be revised for the EIS.

- Any and all known "off-system" reservoirs used for water supply or other purpose that are in the Corps of Engineers permitting process must be incorporated into the modeling. This includes the Glades Reservoir.
- There are ongoing questions regarding the unimpaired flow set within agencies and stakeholders. For example, the unimpaired flow continues to include the effects of Combined Sewer Operation in the Metro Atlanta Reach. This "double counts" for the amount of returned water. During rainfall events that occur during droughts, returns can be 100+% of withdrawals which is inaccurate. Throughout a period of record the stormwater influence accounts for 10-30% additional water in the return reach. This assumption must be resolved before developing a final scope for the EIS.
- The Corps needs to establish a legally founded position on the lower limits of Lake Lanier to recognize drought conditions. The Corps has limited the draw down to "no lower than previous droughts." A revised calculation should avoid arbitrary lake levels and should be set in light of revised operating parameters which should reflect a legal basis in operation.

Comment ID 0200.001.006

Author Name: Hooker Douglas

Organization: ATLANTA REGIONAL COMMISSION

Apalachicola Bay Salinity. Some stakeholders suggest that Lake Lanier be managed to control salinity in Apalachicola Bay. In the past, the Corps has used a flow-based proxy of 16,000 cfs as a measure of potential salinity impacts to Apalachicola Bay. This should be abandoned in favor of more accurate, direct measures of salinity performance.

Experts working on behalf of ARC have developed a 3-dimensional circulation model of Apalachicola Bay that can be used to evaluate salinity at different locations and depths under different operating rules. That modeling shows that the Corps' reservoir operations make little or no difference in expected salinity. Based on these results, there is no reasonable operation of the ACF projects which can mitigate the impact of drought conditions on salinities in the Bay.

We urge the Corps to utilize salinity models to evaluate the impacts of alternative operating rules on Apalachicola Bay salinity. Through these models, the Corps should examine how its operations could (or could not) alter bay salinities to achieve specific management objectives.

<Portions of the text are underlined. Please see the original letter.>

Comment ID 0200.001.009

Author Name: Hooker Douglas

Organization: ATLANTA REGIONAL COMMISSION

4. Suggestions Concerning Technical Modeling Assumptions and Considerations

In connection with the authority determination issued after the Eleventh Circuit's decision, the Corps developed a hydrologic model to analyze the potential effects of granting Georgia's Water Supply Request. Some of the assumptions in this modeling potentially overstate the likely impact of increased withdrawals. While this ultimately did not affect the Corps' determination as to its authority, we suggest that the Corps evaluate the following assumptions and inputs for modeling in support of the EIS and Manual update:

The Corps conservatively assumed that only 76% of the withdrawals from Lake Lanier and the Chattahoochee River would be returned in the Atlanta reach. This is the lowest historical return rate between 1994 and 2007, and is significantly lower than most years during this period. We suggest that the Corps use return rates calculated from the State of Georgia's Water Supply request for modeling to be performed under the EIS and Manual update.

A review of the RES SIM models released with the Remand Modeling Technical Report suggests that the full river demand is extracted at the Atlanta node. This modeling approach is likely to overstate the impact to Lake Lanier and flows in the Chattahoochee River, because the reuse of return flows by downstream withdrawers within the reach are not taken into account. The Corps should partition the river demands into three, or at the very least two, withdrawal points in order to appropriately evaluate the metropolitan Atlanta reach(es).

There appears to be an additional 20 mgd included in the Lake Lanier withdrawals, shown by a sum of two time-series in defining lake withdrawals.

Some of the simulations reduce system storage below the level of the Exceptional Drought Operations (EDO) zone, but the minimum flow requirement at Woodruff Dam is not reduced to 4500 cfs. While this could be caused by timing, as EDO operations are only changed on the first of the month, the Corps should verify the reason for this discrepancy.

5. Conclusion

In conclusion, we appreciate the Corps' careful consideration of these comments. Please do not hesitate to contact me or my staff if we can provide further assistance to the Corps during this NEPA process.

<Portions of the text are bolded. Please see the original letter.>

Comment ID 0201.001.009

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

THE CORPS' "REMAND ANALYSIS" AND FUTURE DEPLETIONS

A major question the Corps must address is the extent to which it should serve further water supply demands in the Atlanta metro-region. In light of its extensive modeling efforts, Florida has concluded further upstream consumption

unchecked by aggressive conservation efforts will continue to reduce both river flows and reservoir levels. This raises serious concerns about the analyses contained in Corps' ACF Remand Modeling Technical Report (June 2012) ("Remand Analysis") prepared to support the Counsel's Opinion. Current demands have already resulted in devastatingly low river flows, and reservoir levels will also drop to unacceptably low levels if demands continue to increase as projected. Aggressive conservation efforts are essential to maintaining the integrity of the river and reservoir system.

The Corps' ability to maintain the reservoir system is at risk, yet this issue was not addressed in the Remand Analysis. Possible strategies to require or encourage aggressive conservation should have been discussed. Because the river system is overallocated, any serious analysis of ACF reservoir operations must address this challenge and evaluate available mechanisms to protect inflows to federal reservoirs.

The information presented herein (and in our Eufaula presentation) demonstrates that the Apalachicola River and Bay cannot tolerate any additional depletions, and that current depletions must be reduced, through conservation, or permanent demand reduction. While it may be appropriate to evaluate the effect of unchecked consumption on Corps reservoirs, the Corps should reject any alternative that has the effect identified in the Remand Analysis. The needs of the River and Bay cannot be fully satisfied even under existing conditions.

As a purely technical matter, the Remand Analysis cannot be relied on to inform decisions about the Master Manual update because the Corps did not provide a realistic depiction of future operation and demands in this model. A new analysis is required and an updated model is needed for the States to evaluate flow and storage that could be expected if Atlanta's 2030 demands were accommodated.

Specifically, the June 2008 RIOP was assumed to be in place, even though a new RIOP was approved within a week of the Remand Analysis (May 2012). Thus the operational changes implemented by the 2012 RIOP have not been taken into account in the Remand Analysis. Moreover the demand data employed in the Remand Analysis is incomplete because 2030 demands included increases for the Atlanta area only. Agricultural demands and other demands outside the Atlanta metro region are fixed at 2007 levels.

Finally, the 2030 demand data is based on outdated numbers that were estimated 12 years ago. [FN 10] Updated numbers must be used in this analysis to more accurately reflect the latest estimates of Atlanta's projected water use.

Regardless of the specific problems with the Remand model itself, however, the Corps needs to address the extreme low flows that currently exist in the Apalachicola River and include proposed solutions in their analysis that will prevent these unacceptable conditions from being exacerbated by the accommodation of further water supply withdrawals.

To this end, the Remand Analysis reinforces Florida's long-held position that the Corps has discretion to utilize the entire conservation pool as necessary to meet authorized project purposes. To date, the Corps has never used conservation storage capacity in Lake Lanier between elevations 1035 and 1050. The Counsel Opinion clearly states that the full conservation pool at Lake Lanier is available for project operations, including, (at least in the Army General Counsel's view) to meet Georgia water supply demands. Moreover, as noted above, there is over one million acre feet of water in inactive storage from which water supply needs might be met. Thus, the Corps should dispel the apparent myth that Atlanta's water supply will be compromised if Lake Lanier were taken to 1035'.

The question squarely before the Corps in light of the Remand Analysis is whether it will sacrifice the needs of the Apalachicola River and Bay today, by setting aside upstream storage in its reservdirts to accommodate potential 2030 demands in Georgia. Florida maintains that any operating egime based on such an inequitable principle is indefensible.

[FN 10] The source of the 2030 demand amounts are described on page A-12 of Remand Modeling Technical Report, as follows: "The State of Georgia through the office of Governor Roy Barnes submitted a letter dated May16, 2000 to the Assistant Secretary ofthe Army (Civil Works) identifying Georgia's projected Chattahoochee River and Lake Lanier water withdrawals and returns thru the year 2030.

<Portions of the text are italicized and bolded. Please see the original letter.>

Comment ID 0263.001.006

Author Name: Davis Steven

Organization: Columbus Water Works

Data, Studies, Analytical Tools

The Remand Report (June 2012) recognized water demand projections from Lake Lanier that were developed in 2000 during a period of high growth and economic prosperity. Unfortunately, the recent and current economic climate are significantly subdued by comparison. Therefore, it seems appropriate to revise the Idemand projections to allow for marked improvements in water conservation in Metro North Georgia and a less aggressive growth forecast.

In regards to the unimpaired data set (1939-2008) the Corps is encouraged to pursue corrections to the errors in the dataset with other stakeholder interests. It is understood that the current dataset is the consensus data and is valuable for comparative analysis between model runs, but it has limited value in actual flow or level targets. Hence, it seems advisable to strive toward an improved dataset such that future models and flow management can be achieved with a higher degree of accuracy. This may be an issue beyond the scope of the work, but worthy of future pursuit.

The Corps is encouraged to continue consultation with the U. S. Fish & Wildlife Service to explore opportunities for greater system storage retention via lowering "target" flows to more closely match "minimum" flows especially in composite zones 1 and 21 with the potential to also extend spring/summer release periods to improve likelihood of achieving 30-day+ periods of flood plain inundation. CWW appreciates the Corps' responsiveness and cooperation in prior requests for information and minor flow assistance. CWW also appreciates the Corps' Herculean task in its role of "King Solomon" to appease conflicting interests within the scope of the Corps' authority. We wish you success in the current effort.

Comment ID 0302.001.001

Author Name: Ackerman Joel

Organization:

COMMENTS: The Corps should commit to using currently available and future technology to model and predict water flows and to control much more closely the volume of water being released from each dam in the system.

For example, heavy rain south of Atlanta will become predictable flow at all downstream points. Measuring this rainfall and applying it to an accurate model will allow water release to be reduced at Buford and other dams as (or even before) the rain falls.

Comment ID 0306.001.001

Author Name: Abruscato Denise

Organization:

COMMENTS: Lake Lanier needs a new study based upon current population and current weather trends. The lake and its purposes can be reviewed for the best use of land and resources.

Comment ID 0309.001.004

Author Name: Houston Billy

Organization: TRI RIVERS WATERWAY DEVELOPMENT ASSOCIATION

d. The Corps Should Implement Recommendations in the Joint Study of ACF Flows Completed by Tri Rivers and Apalachicola Riverkeeper

(i) Primary Goals and Findings

Tri Rivers and Apalachicola Riverkeeper ("Riverkeeper") recently completed a multiyear research effort with the release of a report titled An Evaluation of the Common Ground Between Environmental and Navigation Flows in the Apalachicola-Chattahoochee-Flint Basin ("Joint Report"). The Joint Report was prepared by Steve Leitman as a consultant to Riverkeeper and by Charles Stover and Stacey Graham, working on behalf of Alabama Power Company as consultants to Tri Rivers. Tri Rivers urges the Corps to review and use the Joint Report in the updating of the water control manual. A copy of the Joint Report is enclosed. We would be please to make our consultants available to the Corps for additional information and explanation.

<Portions of the text were bolded. Please see original document for details.>

<Portions of the text were italicized. Please see original document for details.>

Comment ID 0316.001.016

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Since the date of the last WCM revision, the science related to instream flows has evolved substantially. During that time, numerous licenses were negotiated and re-issued by the Federal Energy Regulatory Commission (FERC). Many renewed FERC licenses included advancements in water management and dam operations to better protect and maintain aquatic life which could be adapted for use on federally regulated rivers. For example, the FERC license issued to South Carolina Electric and Gas (SCE&G) for the operation of the Saluda River includes numerous updated provisions for protection of mussels, sturgeon, trout and rare plant and animal species. The revision of the WCM provides an opportunity to incorporate the latest science and successful practices for regulating flows to improve water quality, meet designated uses and, where possible, restore the hydrologic condition and ecological integrity of the river system. For instance, ecologists now understand that flows across the range of the natural hydrograph are important for maintaining structure and function of aquatic ecosystems rather than regulating a river to meet a static low flow target.

Comment ID 0316.001.031

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

EPA has incorporated preliminary screening maps that highlight areas with higher levels of minority or low-income populations within the Basin.

Figure: Potential EJ Areas w/i ACF

<Please refer to original comment letter for this figure.>

Figure: EJSEAT Scores <=3 w/i ACF

<Please refer to original comment letter for this figure.>

Comment ID 0194.001.004

Author Name: Turner Judson

Organization: Georgia Department of Natural Resources, Environmental Protection Division (EDP)

Attachment

From: Wei Zeng

Date: January 11, 2013

Subject: Alternative operation in the Apalachicola-Chattahoochee-Flint (ACF) River Basin

See Comment Letter for Attachment

Comment ID 0196.001.003

Author Name: Deal Nathan

Organization: State of Georgia Office of the Governor

Attachment

Affidavit of Judson H. Turner

See Comment Letter for Affidavit

Comment ID 0200.001.010

Author Name: Hooker Douglas

Organization: ATLANTA REGIONAL COMMISSION

ATTACHMENT 1

Performance Measures for Water Supply and Reservoir Levels

<Table showing Water Supply Performance Metrics, July 26, 2012. Please refer to the original document for table.>

Figure 1. Water supply performance metric #1
< Please refer to the original document for figure.>

Figure 2. Water supply performance metric #2.
< Please refer to the original document for figure.>

Performance Metric #2 details A simulation model of the ACF basin under RIOP operations was used to determine the 90% refill probability stage on the first day of each month. This was done by determining the initial conditions stage in Lake Lanier that results in 90% refill under historical hydrology (1940-2008). The resulting curve is shown below.

Figure 3. Water supply performance metric #3
< Please refer to the original document for figure.>

Figure 4. Water supply performance metric #4
< Please refer to the original document for figure.>

Figure 5. Water supply performance metric #5
< Please refer to the original document for figure.>

Figure 6. Water Supply performance metric #6
< Please refer to the original document for figure.>

Figure 7. Water Supply performance metric #7
< Please refer to the original document for figure.>

Figure 8. Water supply performance metric #8
< Please refer to the original document for figure.>

Figure 9. Water supply performance metric #9
< Please refer to the original document for figure.>

Figure 10. Water supply performance metric #10
< Please refer to the original document for figure.>

Figure 11. Water supply performance metric #11
< Please refer to the original document for figure.>

Figure 12. Water supply performance metric #12
< Please refer to the original document for figure.>

Figure 13. 90% refill probability threshold for Lake Lanier under RIOP operations, used in performance metric #2
< Please refer to the original document for figure.>

If alternatives developed by the stakeholder group result in large changes to the operations of Lake Lanier, this curve should be recreated in a simulation model of the operations in that alternative.

<Portions of this text are bolded. See original document for details.>

Comment ID 0201.001.011

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

<The author attached 17 reports to their comment letter. The titles of these reports are listed below. Please see the original document for copies of these reports.

- ACF Bibliography
- Addendum Report_Final DEP 2013
- Appendix III Species Lists Apalachicola River
- Burgess Et al 2012 Importance of Connectivity to Fish Populations

- Dutterer Et al 2012 Fish Recruitment Influenced by River Flows
- Edmisston 2008, A River Meets the Bay
- Ely, Young and Isely 2012, Alabama Shad Apalachicola River
- ESA PWA 2012, Apalachicola River Large Slough WQ Monitoring Report
- ESA PWA 2012, Apalachicola River Floodplain Monitoring Report
- State of Florida Presentation 2012, USFWS Workshop
- Fritts Et al 2012, Gulf Sturgeon as host for Purple Bankclimber mussels
- Grabowski Et al 2012, Apalachicola River Suckers
- Long Et al 2012, Restoration of Gulf Striped Bass
- Model Florida Alternative, Appendix A, B and C
- Model Florida Alternative, Explanation of Rules
- Model Florida Alternative, Output of 5 Demand Scenarios
- Ray 1999, FDEP Apalachicola River Old Growth Deadhead Logs>

3.0 - DROUGHT OPERATIONS

Comment ID 0072.001.001

Author Name: Longo, Jr. P.J. (Pat)

Organization:

First let me thank you for allowing the public to contribute to the new water usage plan for Lake Lanier. Being a person who has lived on the lake for the last 8 years, I consider myself fortunate to be able to enjoy The natural beauty that surrounds me.

I realize that droughts are naturally occurring weather patterns that no one has control over, however, I don't Believe that those who live on and around Lake Lanier should be the only people who must suffer the effects Of the drought.

Comment ID 0078.001.005

Author Name: Hanthorn Joshua

Organization:

A higher allocation of Lake Lanier's water to Atlanta may have unknown risks and a degree of uncertainty concerning the human environment. Given the uncertainty regarding the potential for future droughts and climate change, the magnitude of impacts downstream may, in fact, prove to be significant. Georgia just had its worst drought in history in 2007 and according to scientists; climate change will continue to have future ill effects on water resources. Therefore, the effects of future droughts and climate change should be considered in the Corps' EIS for a higher allocation of water for Atlanta.

Comment ID 0158.001.006

Author Name: Turner Billy

Organization: ACF Stakeholders

3. Given the significance of drought to stakeholders in the basin, how can USACE make better use of drought predication information and tools, factoring those into its water control manual, rather than relying only on current lake levels as triggers?

Comment ID 0158.001.011

Author Name: Turner Billy

Organization: ACF Stakeholders

8. What are the current triggers and procedures used by USACE for operational decisions in drought conditions?

Comment ID 0168.001.004

Author Name: Barr Douglas

Organization:

Composite Storage Levels Triggering "Drought" Operations and Levels of Reservoir Refill Required to End Release Restrictions to Apalachicola River

The "Improved" operations increase the volume of composite storage Zone 4. This change allows the COE to begin drought operations earlier than the previous interim operations. As a result, drought operations and the curtailing of releases to Apalachicola River begin when composite reservoir storage is at an average of 63% of full capacity and up to 77% of full capacity in some months. The "Improved" operations also increased the composite storage volume of Zone 2. This increased the volume of storage that must be refilled before drought operations are discontinued. The May 2012 revised interim operations already increased the refill requirement from the top of Zone 3 to the top of Zone 2. The "Improved" operations further increased the volume of composite Zone 2. Specifically, the active composite storage of the reservoirs must now be refilled to an average of 86% of full capacity (82-92% of full capacity depending on the month) before drought operations are discontinued. Especially troublesome, are the new requirements for the spring spawning period from March through the end of May. In each of these months, drought operations are triggered when the reservoirs are already at 70 to 77% of full capacity and are not discontinued until the reservoirs reach 90 to 93% of full capacity. Therefore, the required release to Apalachicola River during the river spawning period is reduced to 5,000 cfs even to allow the reservoirs to be filled from 70% of full capacity of over 90%. Figures 10 and 11 illustrate the composite storage by month which begin and end drought operations.

Figure 10. -- Percent of Filled Reservoir Capacity Remaining at Beginning of Drought Operations and Release Restrictions to Apalachicola River, IMPROVED Operations.

<Please refer to original document for Figure.>

Figure 11. -- Percent of Filled Reservoir Capacity Required to End Drought Operations and Release Restrictions to Apalachicola River, IMPROVED Operatons.

<Please refer to original document for Figure.>

The elevation of Lake Lanier is also of interest since it contains over 60% of the reservoir storage and is the source for water demands in the metro-Atlanta area either by direct withdrawals or releases that are withdrawn from the Chattahoochee River downstream of the lake. Figures 12 and 13 illustrate the actual elevation of Lake Lanier for the period 1976 through 2008 and the COE simulated elevations using the "Improved" operations and current Lake Lanier and Chattahoochee River withdrawals. During droughts, the "Improved" operations result in Lanier elevations that are typically two to seven feet higher than levels that actually occurred in the past (see, for example, 1981, 1993, and 2000). At the discretion of the reservoir operators, even higher elevations could be achieved under the "Improved" operations by reducing the release to Apalachicola River to 5,000 cfs during droughts or in December through February of non-drought periods when the required release to Apalachicola River is reduced to 5,000 cfs to for sole purpose of

refilling the reservoirs.

Figure 12 - Actual Lake Lanier Elevations, 1976-2008.

<Please refer to original document for Figure.>

Figure 13. - Simulated Lake Lanier Elevation, IMPROVED Operations, 2007 Georgia Demands, 1976-2008.

<Please refer to original document for Figure.>

As described above, each version of the interim operating procedures has increased the instances in which the required release to Apalachicola River can be reduced to 5,000 cfs. The 5,000 cfs release, however, is an extreme low flow that has very seldom occurred in the past. Over the 31 year period from 1976 (first complete operational year after completion the last federal reservoir) through 2006 (last complete year before the beginning of interim operational procedures) there were less than 100 days in which the flow at the Chattahoochee streamflow station on the Apalachicola River was less than 5,100 cfs (5,000 cfs minimum plus 100 cfs release buffer). This represents the lowest 0.82% of daily inflows to Apalachicola River. Equivalently this means the actual inflows to Apalachicola River exceeded 5,000 cfs over 99% of the time. A daily flow less than 4,600 cfs (4,500 cfs plus 100 cfs release buffer) occurred on only 31 days and is equivalent to the lowest 0.28% of daily inflows during the 31 period and was exceeded more than 99.5% of the time. Therefore, the required release to Florida's Apalachicola River is set at the lowest 1% of the flow regime while Georgia meets 100% of current and future water demands and the COE is refilling the reservoirs to an average of 86% of the full capacity. The "Improved" operations place the entire burden of drought on Florida and Apalachicola River and Bay.

Comment ID 0168.001.015

Author Name: Barr Douglas

Organization:

7. Since the first interim operating procedures were implemented in 2007, several revisions have been made to the "Emergency Drought Operations." These revisions have progressively increased the volume of composite reservoir storage that must be refilled before the drought operations are ended and the minimum release requirement to Apalachicola River increased above 5,000 cfs. The June 2012 Improved Operations continued this trend and recommended that the emergency operations end only after the volume of composite reservoir storage has been refilled to 81-92% of full capacity. This is especially beneficial to Lake Lanier since it contains over 60% of the active reservoir storage in the basin. The updated water control manuals should reduce the refill requirement to the levels specified in the 2007 interim operating procedures.

8. The beginning and ending of the emergency drought operations is solely a function of composite storage in the federal reservoirs all of which are located in the Chattahoochee River Basin. Therefore, as consumptive water use in the Chattahoochee Basin increases (primarily due to metro-Atlanta) the frequency and duration of drought operations and the 5,000 cfs minimum release to Apalachicola River will increase. As discussed in the preceding paragraph, the occurrence of drought operations also increased as the COE increased the reservoir refill requirement before ending drought operations. Analysis of COE simulations of "Improved" operating procedures using Georgia's requested 2030 water demands indicates that drought operations will be in effect on 3,691 days or 31% of the period from 1976-2008.

On average, drought operations will be in effect during 1 in every 3 years and will include all or part of several non-drought years. The current and recommended "Improved" operations place the adversity associated with drought on Florida. This inequity should be corrected in the update of the Water Control Plans and the impacts of drought should be shared equally by Georgia.

9. During drought operations, the required release to Apalachicola River is 5,000 cfs which is an extreme low flow. During the 31 year period prior to the interim operating procedures (1976 to 2006) there were only 99 days (0.4%) in which the flow was less than 5,100 cfs at the USGS streamflow station at Chattahoochee on the Apalachicola River. Therefore, a flow of 5,100 cfs was exceeded 99.6% of the time from 1976 through 2006 even though this period included three major drought events. As a result, under the proposed "Improved" interim operations, the required release to Apalachicola River is set at a level that occurs less than 1% percent of the time while simultaneously ensuring that 100% of the current and future water demands in Georgia are met and that the federal reservoirs will be refilled to an average of 86% of full capacity before lifting the release restrictions to Apalachicola River. The update of the Water Control Plans should equitably distribute drought adversity to all three states rather than placing the burden of droughts exclusively on Florida.

Comment ID 0170.001.007

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

Drought has added to the significant problems facing the Apalachicola River and Bay. The ACF Basin has been experiencing Extreme (D3) and Exceptional (D4) drought conditions with significant adverse impacts to the Apalachicola River and Bay, and the fish and wildlife, commercial fishing, recreational fishing, and ecotourism that rely on these waters.

A new paradigm is needed for managing the ACF system. It is critical that the new Water Control Manuals protect and restore the ecological integrity of the Apalachicola River and Bay and the entire ACF system by ensuring the maintenance of ecological flows in the Apalachicola River.

Comment ID 0260.001.001

Author Name: Granger Stede

Organization:

We would like to see more consideration given to the impact of drought conditions on Lake Lanier instead of always favoring the downstream locations in the ACF basin

Comment ID 0262.001.007

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

G.) Recognize that the dry weather patterns the Southeast has experienced in recent years will likely continue in the future and that management of water systems within the ACF River Basin must take that into account. Consider how climate change might affect ACF flow regimes and how to best adapt reservoir operations to the most likely foreseeable changes. Development operating plans based on hydrological forecasting methods developed by the U.S. Geological Survey (USGS) to optimize reservoir operations.

Comment ID 0262.001.011

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

O.) Currently the USACE manages the system in drought as if all droughts are the same. However, every drought is different. The USACE should use adaptive management practices in responding and managing the system during droughts.

Comment ID 0313.001.002

Author Name: Reed Morton

Organization:

Drought Operations

The ESA mandated 5000 cfs minimum release at Woodruff is hard to hit in a drought using daily flows that fluctuate from hydropower cycles. The Corps seems to over compensate by allowing Woodruff levels to rise while lowering WF George and causing head limits at Woodruff which then causes exceedance of the 5000 cfs to get the Woodruff tail water level to increase to counteract the head limit. WF George has a set head limit of 88 feet which is easy to control since there is no set release limit. Woodruff, on the other hand, has a variable rule curve that is followed based on the dam pool and the tail water elevation. Tail water is controlled by the release flows (Appendices E and G of the ACF manual). Surges in the dam pool have caused prolonged releases of over 6000 cfs in the 2012 drought season. This is significant in a drought given the 2030 Lanier net withdrawal of 294 cfs (190 mgd) and the Atlanta reach withdrawals of 631 cfs (408 mgd) which totals 925 cfs. This also assumes a minimum of 1381 cfs from Lanier and tributaries above the HWY 280 gage to meet the 750 cfs minimum flow after the 631cfs for withdrawal in the Atlanta reach. While the 1350 cfs daily minimum flow at Columbus is needed, exceeding the 5000 cfs minimum release at Woodruff takes away drought control upstream in West Point Lake and overcompensates for low flows in the Flint.

Comment ID 0316.001.021

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

In addition, EPA recommends that drought contingency plans be formally coordinated with dischargers (especially NPDES permit holders) and water intake permittees (including public drinking water suppliers, cooling water intakes, industrial users, etc.).

4.0 - FLOOD RISK MANAGEMENT

Comment ID 0045.001.001

Author Name: Timmerberg Dick

Organization: West Point Lake Coalition

On behalf of the West Point Lake Coalition, its 1,000+ members, and its Corporate Sponsors, I submit the following comments in the recently reopened public scoping period:

1) There is a definitive need for additional storage in the ACF Basin; and that storage is readily and safely available in West Point Lake. Recent studies submitted to the USACE demonstrate that West Point Lake (WPL) can be maintained at a minimum 632.5 MSL year round; and if managed differently, the risk of downstream flooding during major rain events can actually be reduced! Increased Storage + Better Management = Reduced Risk of Flooding and Increased Economic Development and Economic Impacts!

<Portions of this text were underlined. Please see original document for details.>

Comment ID 0046.001.001

Author Name: Keeth Joey

Organization:

I submit the following comments in the recently reopened public scoping period:

1) There is a definitive need for additional storage in the ACF Basin; and that storage is readily and safely available in West Point Lake. Recent studies submitted to the USACE demonstrate that West Point Lake (WPL) can be maintained at a minimum 632.5 MSL year round; and if managed differently, the risk of downstream flooding during major rain events can actually be reduced! The trifecta is there to be won: Increased Storage + Better Management = Reduced Flooding!

<Portions of this text were underlined. Please see original document for details.>

Comment ID 0049.001.001

Author Name: Baker Donald

Organization:

I submit the following comments in the recently reopened public scoping period:

1) There is a definitive need for additional storage in the ACF Basin; and that storage is readily and safely available in West Point Lake. Recent studies submitted to the USACE demonstrate that West Point Lake (WPL) can be maintained at a minimum 632.5 MSL year round; and if managed differently, the risk of downstream flooding during major rain events can actually be reduced! The trifecta is there to be won: Increased Storage + Better Management = Reduced Flooding!

<Portions of this text were underlined. Please see original document for details.>

Comment ID 0050.001.001

Author Name: Baker Sophronia

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of this text were underlined. Please see original document for details.>

Comment ID 0051.001.001

Author Name: Walters Wesley

Organization:

I submit the following comments in the recently reopened public-scoping period:

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<Portions of the text are underlined. Please see original document for details.>

Comment ID 0052.001.001

Author Name: Wylie Clarence

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of the text are underlined. Please see original document for details.>

Comment ID 0053.001.001

Author Name: Unknown 1 (Illegible) Unknown 1 (Illegible)

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of the text are underlined. Please see original document for details.>

Comment ID 0054.001.001

Author Name: Unknown 2 (Illegible) Unknown 2 (Illegible)

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of the text are underlined. Please see original document for details.>

Comment ID 0055.001.001

Author Name: Alford Peter

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of the text are underlined. Please see original document for details.>

Comment ID 0056.001.002

Author Name: Reneau Buddy

Organization: Efacec, ACS, Inc.

I submit the following comments to the recently reopened public scoping period:

1) There is a definitive need for additional storage in the ACF Basin; and that storage is readily and safely available in West Point Lake. Recent studies submitted to the USACE demonstrate that West Point Lake (WPL) can be maintained at a minimum 632.5 MSL year round; and if managed differently, the risk of downstream flooding during major rain events can actually be reduced! Increased Storage + Better Management = Reduced Risk of Flooding and Increased Economic Development and Economic Impacts!

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0062.001.004

Author Name: McGowan O.W.

Organization:

On behalf of the West Point Lake Coalition, its 1,000+ members, and its Corporate Sponsors, I submit the following comments in the recently reopened public scoping period:

1) There is a definitive need for additional storage in the ACF Basin; and that storage is readily and safely available in

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<Portions of the text are underlined. Please see original document for details.>

Comment ID 0063.001.002

Author Name: Starr Shane

Organization:

Comments about the way the Corps manages water resources:

4) There is a definitive need for additional storage in the ACF Basin; and that storage is readily and safely available in West Point Lake. Recent studies submitted to the USACE demonstrate that West Point Lake (WPL) can be maintained at a minimum 632.5 MSL year round; and if managed differently, the risk of downstream flooding during major rain events can actually be reduced! Increased Storage + Better Management = Reduced Risk of Flooding and Increased Economic Development and Economic Impacts!

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0066.001.001

Author Name: Billingsley Randall

Organization:

I submit the following comments in the recently reopened public scoping period:

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Comment ID 0067.001.001

Author Name: Glazier Richard and Debra

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of text are underlined. Please see original document for details.>

Comment ID 0074.001.001

Author Name: Lanett Lanett

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of text are underlined. Please see original document for details.>

Comment ID 0075.001.001

Author Name: Nichols, Jr. Robert

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of text are underlined. Please see original document for details.>

Comment ID 0076.001.001

Author Name: Britt William

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of text are underlined. Please see original document for details.>

Comment ID 0082.001.001

Author Name: Morgan Ashley

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of text are underlined. Please see original document for details.>

Comment ID 0083.001.001

Author Name: Bice Bonita

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of text are underlined. Please see original document for details.>

Comment ID 0084.001.001

Author Name: Gay Brenden

Organization:

I submit the following comments in the recently reopened public scoping period:

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Comment ID 0085.001.001

Author Name: Gay Brian

Organization:

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<Portions of text are underlined. Please see original document for details.>

Comment ID 0086.001.001

Author Name: Abernathy Brittney

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of text are underlined. Please see original document for details.>

Comment ID 0087.001.001

Author Name: Eslinger Emma

Organization:

I submit the following comments in the recently reopened public scoping period:

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<Portions of text are underlined. Please see original document for details.>

Comment ID 0088.001.001

Author Name: E_____ (illegible) Frank

Organization:

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Comment ID 0089.001.001

Author Name: Maddox Greg

Organization:

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Comment ID 0090.001.001

Author Name: Mayfield Matthew

Organization:

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Comment ID 0091.001.001

Author Name: Gay Nichele

Organization:

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Comment ID 0092.001.001

Author Name: Payant Mike and Rebecca

Organization:

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Comment ID 0094.001.001

Author Name: Eslinger Rhonda

Organization:

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Comment ID 0095.001.001

Author Name: Mayfield, Jr. Robert

Organization:

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Comment ID 0096.001.001

Author Name: Stradcutter Charles

Organization:

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Comment ID 0098.001.001

Author Name: E_____ (illegible) Tom

Organization:

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Comment ID 0099.001.001

Author Name: Gay Trayten

Organization:

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flooding!

<Portions of text are underlined. Please see original document for details.>

Comment ID 0102.001.002

Author Name: Anderson Wayne

Organization:

FLOOD CONTROL (# 1 Congressional Mandate

A full level of 635 feet is the only acceptable management control point. The lake has a 6-foot safety buffer above 635 feet. Modern day weather forecasting, lake level and river flow monitors are capable of ample water control information allowing 3-6 days of warning for flood control action.

Comment ID 0109.001.001

Author Name: Hornsby Angela

Organization:

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Comment ID 0110.001.001

Author Name: Terrell Ann

Organization:

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Comment ID 0111.001.001

Author Name: Foster Betty

Organization:

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Comment ID 0112.001.001

Author Name: Frazier Earl

Organization:

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Comment ID 0113.001.001

Author Name: Camberlander Howard

Organization:

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Comment ID 0114.001.001

Author Name: Huerta James

Organization:

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Comment ID 0115.001.001

Author Name: McGee Jeremy

Organization:

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Comment ID 0116.001.001

Author Name: Vannes Joan

Organization:

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Comment ID 0117.001.001

Author Name: Nelson John

Organization:

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Comment ID 0118.001.001

Author Name: Clayton Justin

Organization:

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Comment ID 0119.001.001

Author Name: Terrell O.

Organization:

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Comment ID 0120.001.001

Author Name: T. (illegible) Oliver

Organization:

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Comment ID 0121.001.001

Author Name: McCurdy Ralph

Organization:

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Comment ID 0122.001.001

Author Name: Carter Shane

Organization:

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Comment ID 0123.001.001

Author Name: Deloach Tonya

Organization:

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Comment ID 0124.001.001

Author Name: Unknown 3 (Illegible) Unknown 3 (Illegible)

Organization:

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Comment ID 0125.001.001

Author Name: M. (illegible) Wendy

Organization:

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Comment ID 0147.001.001

Author Name: Foster Betty

Organization:

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Comment ID 0149.001.001

Author Name: H. (illegible) D.

Organization:

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Comment ID 0150.001.001

Author Name: Nelson Elizabeth

Organization:

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Comment ID 0151.001.001

Author Name: Wilson Jessica

Organization:

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Comment ID 0152.001.001

Author Name: Nelson John

Organization:

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Comment ID 0154.001.001

Author Name: Foster Oliver

Organization:

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Comment ID 0155.001.001

Author Name: Duncan Peggy

Organization:

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Comment ID 0156.001.001

Author Name: Unknown Unknown

Organization:

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Comment ID 0157.001.001

Author Name: Nelson Wanda

Organization:

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Comment ID 0160.001.002

Author Name: McBride Mike

Organization:

I realize the Corps has to serve a wide area and has many balls to juggle. From what I understand, the biggest ball is FLOOD CONTROL. It is obvious you have either disregarded or ignored the vast amount of information provided to you from the last scoping process in 2009 including an extensive report by the West Point Coalition. Let's face it, over the past few years, even if Noah was building an ark along the now extended banks and it rained for forty days and nights,

there still would be no danger of flooding. In addition, since you last wrote your operational manuals, they have come up with things like water flow gauges, weather satellites, and even a TV channel that will let you know when, where, and how much water you're going to get

Comment ID 0263.001.005

Author Name: Davis Steven

Organization: Columbus Water Works

Flood Risk Management

The Corps is encouraged to review its flood management procedures to consider modifications to take advantage of technology in terms of utilizing real time USGS gauge data and imminent rainfall predictions to improve reservoir release response times. Improving flood management procedures could allow for adjustments to reservoir winter drawdowns, thus keeping more water available in the ACF system. In particular, a review of the fall floods of 2009 in relation to West Point Reservoir might provide insight for adjustments to the current flood management procedures which may be exceedingly conservative.

Comment ID 0313.001.001

Author Name: Reed Morton

Organization:

The following comments are submitted for input in the scoping process. The current ResSim-based model illustrates the operating plan and shows two rules that are used in drought management and flood control. These are the Induced-Surcharge rule for flood control and the Maximum Head Limit rule for dam structural safety.

Flood Control

The ACF Operations Manual is based on the ACF ResSim model given out in May of 2011. It is the RIOP framework. It explains how each reservoir will be operated. Items related to flood control that impact Columbus are channel capacity, induced surcharge and head limits. There are only two channel capacity rules in place. Buford has a MaxCC of 10,000 cfs, West Point has 40,000 cfs. Columbus does not have a channel capacity set but in view of recent developments such as the Whitewater River Restoration Project and the placement of a new water intake for Fort Benning, a maximum channel capacity and revised flood stages need to be established. The channel capacity at West Point has been exceeded in the 2003 and 2009 flooding. This is due in part to the non-real-time responses to floods and the "induced surcharge" rule curves which are part of the operations manual. The calls for higher West Point Lake Levels for recreation need to be based on the ability to control flooding downstream.

The logic can be seen on page 23 in the ACF operations manual where only Buford and West Point are part of the flood storage plan. Only West Point and WF George have "induced surcharge" rules which are supposed to help control floods but could be more effective if real-time updating was switched to during flood surges. Buford does not have an

induced surcharge rule since it is not supposed to store flood water like West Point. Induced surcharge is a set of rules that set how much water to store beyond the full pool based on what is coming to the dams. It is a good idea but it has a 1-day look-back and this is what causes the flooding to be worse than if real-time inflows, which are available from USGS gages upstream, were used during a flood. The Franklin gage now has real time flow that needs to be used instead of the computational 1-day delayed inflow used in Figure B.09.

Comment ID 0314.001.001

Author Name: Illegible Illegible

Organization:

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Comment ID 0315.001.001

Author Name: Greer Robert

Organization:

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Comment ID 0317.001.001

Author Name: Meacham Heather

Organization:

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Comment ID 0318.001.001

Author Name: McDaniel Shane

Organization:

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Comment ID 0319.001.001

Author Name: Presnel Cheryl

Organization:

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Comment ID 0320.001.001

Author Name: Unknown 6 Unknown 6 (Illegible)

Organization:

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Comment ID 0321.001.001

Author Name: Knox Gary

Organization:

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Comment ID 0322.001.001

Author Name: Knox Patti

Organization:

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5.0 - HYDROPOWER

Comment ID 0080.001.001

Author Name: Nadler Herbert

Organization: Department of Energy - Southeast Power Administration

Southeastern Power Administration (Southeastern) is pleased to have the opportunity to provide comments to the U.S. Army Corps of Engineers (Corps), Mobile District, on the planned update of the Water Control Manual for the Apalachicola-Chattahoochee-Flint (ACF) River Basin in response to the recent ruling of the U. S. Court of Appeals for the Eleventh Circuit and subsequent Corps of Engineers Chief Counsel legal opinion, which concluded that the Corps has the legal authority to accommodate water withdrawals from Lake Lanier and downstream to satisfy the current and future water supply needs of the City of Atlanta.

Southeastern is the Federal Power Marketing Administration that has the responsibility to market the electric power generated at the Buford, West Point, Walter F. George, and Jim Woodruff projects in the ACF River Basin. Southeastern markets peaking capacity and energy from the ACF River Basin as part of the Georgia-Alabama-South Carolina and Jim Woodruff Systems. The generation from this basin benefits more than 190 municipalities and cooperatives, our Preference Customers, located in Georgia, Alabama, Mississippi, Florida, South Carolina, and North Carolina, which equates to more than 3.5 million electric meters. Southeastern's customers have scheduling rights for their allocation of government power, and, ultimately schedule their deliveries to satisfy their daily peak power requirements, as this minimizes their exposure to higher alternative market prices.

The revenue collected from the sale of this generation is used to repay, with interest, the cost of the federal investment which has been assigned to hydropower. Project repayment obligations were developed and assigned based on authorized purposes receiving certain benefits from the projects, and such costs are to be repaid by the purpose in the utilization of project features such as available storage. Typically, the costs allocated to hydropower account for a very high percentage of the project costs.

The overall operation of the river basin is an integral part of power marketing in terms of the effect on power production and availability of generation to meet customers' schedules. Withdrawals for water supply and operational changes to accommodate withdrawals from the river basin could dramatically affect power production at the projects and result in a loss of power benefits available and may result in an increase in federal power rates. A number of Southeastern's customers have already expressed concerns relating to the continuing increase in cost of federal power, as well as the reduction in benefits available as a result of competing operating purposes.

Southeastern would encourage the District, in its update of the water control manual, to explore options which minimize impacts to power production, or alternatively develop a methodology which equitably redistributes project costs to purposes benefiting from changes in operation and the utilization of project storage. It is unreasonable to expect an authorized purpose to be responsible for a level of costs which do not correspond to the degree of benefits received. Ultimately, if these issues are not addressed, it may jeopardize the continued marketability of federal hydropower, as current costs are already approaching market rates.

Southeastern understands the many challenges ahead and looks forward to working with the Mobile District in its development of a water control plan which both enables authorized purposes to meet obligations and satisfies the needs of the basin.

Comment ID 0160.001.003

Author Name: McBride Mike

Organization:

HYDROELECTRIC POWER is another ball. Is it necessary to be generating regularly when we're in this severe drought as you constantly point out? Is electricity now the major reason for the lake? If that's so, then why do lakes run by Georgia Power routinely have higher and more constant and useable levels? Please advise me, "it isn't so," that private enterprise can run an operation more efficiently than a federal agency.

Comment ID 0165.001.010

Author Name: Freed Charles

Organization: Atlanta Rowing Club

7. Buford Dam's Role in Regional Power, On-Peak Power and Related Economics

Suggested Scope - Include a sensitivity study based on reducing Buford Dam's discharge peaks while maintaining the historical daily average power generated. The study would include effects on the power system, public safety, recreation and transported sediment.

Discussion, Generation Capacity - Power generated at Buford Dam appears to be a minor contribution to the public energy needs. The Southeastern Power Administration (SEPA) lists four "Systems" in the Southeast. Buford Dam is one of the ten dams in SEPA's GA-AL-SC System (SEPA web). The generation capacity of the Buford Dam hydro units is about 115 MW. Comparing Buford Dam's capacity to other electrical power sources in the SEPA GA-AL-SC System shows that Buford Dam's generating capacity is a relatively minor factor in the GA-AL- SC System and far less influence in that 3 state geographical area. Buford's capacity is:

- Less than 5% of SEPA's GA-AL-SC System hydro power capacity
- Less than 3% of the total Hydro generation capacity in GA, AL and SC
- Less than ½% of the total generating capacity in GA, AL and SC

Discussion, On-Peak Power - The timing of the 14 Buford Dam peak discharges that occurred during the hottest two weeks in 2012 (6/23 - 7/6/2102) is summarized below (see Table 4):

- The average daily elapsed time for all discharges was 3 hours. The weekday daily average was 3.4 hours.
- 18% of the weekday peak discharges were during the full 16:00 - 20:00 late afternoon times of on-peak demand
- 55% of the weekday peak discharges lasted for less than the full on-peak demand times
- 27% of weekday discharges occurred at off-peak demand times

- 36% of all discharges occurred at off-peak demand times such as midnight, or early afternoon

This pattern for the hottest time period in the year is similar to most other times, indicating that supporting peak power needs is not necessarily a priority for Buford Dam operations. Discharge from Buford Dam is often reduced on weekends causing severe lowering of the river levels affecting recreation on weekends and/or into the following week (See Figures 5 and 6). In these two weeks there was no discharge on Saturday 6/23.

Discussion, Power Generation Economics - The data in the USACE Hydropower Analysis indicates that the energy generated by Buford Dam has a baseline average annual energy value of \$9.3 million or 6% of the total value of the nine dams in the ACF Hydropower System. Only Morgan Falls Dam with 3% of the system's capacity has a lower annual energy value. Buford Dam's energy value per MWH is \$84/MW, the lowest of all 9 stations. The second lowest is West Point at \$153/MW, nearly twice that of Buford Dam (USACE 2012). This indicates that the variable cost of an alternative thermal generation resource to replace lost hydropower generation is significantly lower for Buford Dam than other hydropower stations on the AFC system. Therefore reducing the Buford Dam peak discharge levels, while maintaining the average daily power generation, should have a minimal effect on the power system.

The following is a consideration of the average daily price for the generated power at Buford Dam. The USACE Hydropower Analysis projected future average generation prices of one MWH of on-peak and off-peak electricity energy (USACE, 2012). These prices were used in combination with the average weekday daily peak discharge duration (3.4 hours) from Table 4 to examine the weighted daily generation price for two cases (present and reduced peak discharge patterns). The on-peak and off-peak prices per MWH used in these cases are the average prices from USACE 2012 for June, July & August. Discharges for Case 4 were set to produce the same total daily discharge, and therefore the same average power generated via the large turbines, as Case 3.

Case 3: (present pattern) 3.4 hours discharge of 10,000 cfs at on-peak price of \$96 and 20.6 hours of 600 cfs at off-peak price of \$59.

Case 4: (reduced peaks pattern) 3.4 hours discharge of 3,000 cfs at on-peak price of \$96, 9.9 hours discharge of 3,000 cfs at off-peak price of \$59 and 10.7 hours of 600 cfs at off-peak price of \$59.

For both cases the 24 hour average energy price was \$64 per MWH, confirming that reducing the discharge peaks to 3,000 cfs would result in the same average energy price. Since hydropower is a relatively constant low cost, the higher the price during generation results in more cost effective power to the consumer. Given the conservative approach used for these cases, it appears that generating for a longer period of time at 3,000 cfs could have better financial results than using 10,000 cfs peaks for short times because:

A. Case 3 assumed that all of the peak generation was at 10,000 cfs, averaged 3.4 hours daily and occurred at times of on-peak power prices. The data shows that the only 2 days had 10,000 cfs peaks, while peaks for the other 12 days averaged less than 6,000 cfs. The 14 day average peak generation lasted only 3.0 hours daily and only 64% of the discharges were during on-peak price time (see Table 4).

B. Case 4 assumed that all power generated beyond 3.4 hours was at the off-peak price. The 3,000 cfs discharges actually would span more hours of on-peak price time, thus producing more low cost hydropower when prices would be higher.

The above figures indicate that Buford Dam's generation is not a major factor in the supplying the system average power requirements and discharging at 10,000 cfs is not required to meet on-peak demands. This is supported by USACE comments that releases are determined to meet water supply and minimum flow of Peachtree Creek with hydropower not being a direct factor (Robbins 2012).

If necessary, much of the other 95% of the available hydro power in this geographic region could be used to meet peak demand without detrimental effects on the 36 mile section of the river above Morgan Falls Dam. Additionally, there are several alternatives for fast response peaking power sources in combustion turbine facilities. For example, in nearby Jackson County, GA, Southern Company operates Plant Dahlberg. This plant consists of 10 combustion turbine units, with a combined capacity of 810 megawatts, about 7 times Buford's generating capacity (Southern Company web).

Figure 5: Chattahoochee River Exposed Sandbar and Morgan Falls Dam Water Level (elevation) 6/30 - 7/4/2012 (USGS 2335810).

Figure 6: Effect of Buford Dam discharges on Bull Sluice Lake water levels 10/19 - 10/28/2012

Table 4: Buford Dam Peak Discharge Timing 6/23 - 7/6/2012 (USGS 2334430)

<Please refer to original document for figures and table.>

Comment ID 0199.001.003

Author Name: Bonham C.

Organization: Southeastern Federal Power Customers, Inc. (SeFPC)

A. Limitations in Operations Expressed in Congressional Intent

A single new variable for the Corps and the water control plan emerges from the 11th Circuit's opinion. In reviewing the Newman report that provides the foundation for the new-found interpretation of the Corps legal authorities for operations of the Buford Project, the 11th Circuit found that Congress intended that peak hydropower production would yield to increased water supply. With this new understanding of the Newman report, and Congressional intent at the time of the passage of the Rivers and Harbors Act, the Corps has a single "new" authorized project purpose at Lake Lanier. It is this legal authority that must now be accounted for in the EIS and water control plan.

The SeFPC encourages the Corps, however, to consider the extent of this legal authority and the context in which it was considered by the 11th Circuit. Indeed, there are two notable components to the Corps' authority to "accommodate both current and increased levels of water supply from Lake Lanier and downstream at Atlanta." First, there is the observation that optimal or peak power production would decrease to accommodate water supply downstream. Second, the Newman report envisioned a slight decrease in system power within the context of the overall authorization of projects to be prosecuted under the Rivers and Harbors Act. These distinctions remain vitally important in considering the scope of operations that the Corps may pursue in the context of the revised water control plans.

Decrease in Peak Power

The 11th Circuit recognized in several sections in its opinion that an increase in water supply operations would come at

the expense of peak or maximum hydropower operations. For purposes of developing the scope of the EIS, this understanding remains vital for purposes of measuring the lost hydropower and the attendant environmental consequences. Indeed, as Congress specified, as now interpreted by the 11th Circuit, peak hydropower production would yield to increased releases for downstream water supply for Atlanta. For purposes of developing the scope of the EIS, the loss of hydropower should focus on the identification of the lost peak hydropower rather than a generalized decrease in energy production.

System Power Value

The Newman report contemplated lost maximum hydropower production once water supply demands increased in the ACF River Basin, a point on which the 11th Circuit rested its fundamental findings. In particular, paragraph 80 of the Newman report noted that the benefits associated from an increase in water supply operations would be outweighed by a "slight decrease in system power value." The 11th Circuit attached great value to the phrase "slight decrease in system power value" in determining that water supply was an authorized project purpose. However, for purposes of developing the scope of the EIS for the water control plans, this operative phrase should be parsed for additional clarity and guidance.

In the context of the EIS, the Corps needs to honor the limitation suggested by a "slight decrease" that the Newman report envisioned when hydropower would diminish to allow for increased water supply. Indeed, the term "slight decrease" has legal significance in determining how far the Corps should diminish maximum power production to accommodate increased water supply. Any modeling of a drop in hydropower production should be measured against the benchmark established by the use of the term "slight decrease."

The term "system power value" also requires measured consideration in determining the scope of the EIS. In fact, the term itself requires further distillation to provide meaningful context. The word "system" must be evaluated in the context of the Rivers and Harbors Act and the projects that it authorized. Indeed, as the 11th Circuit has painstakingly determined the Congressional intent at the time of the passage of the Rivers and Harbors Act to determine that water supply was an authorized project purpose, the EIS must operate from the interpretation of "system" in the context it was written and at the time it was written.

If the appropriate interpretation of "system" is employed, the universe of projects in the system captures the West Point, George and Woodruff projects. This group of projects merits further culling because the power provided by the Jim Woodruff Project is marketed by the Southeastern Power Administration ("SEPA") under a separate delivery and rate schedule. Thus, in considering what projects should be included in the "system", it becomes clear that it is limited to the three projects envisioned in the Newman report that would provide power within the region. These should be the projects that should be considered in determining the system and the associated decrease in peak power production.

The 11th Circuit's emphasis on maximum or peak power production also provides context for the term "power value." Because the Newman report anticipated that there would be a loss of peak hydropower production to accommodate downstream water supply, "power value" must be viewed as a loss of both capacity and energy. This is a point that bears emphasis for the Corps because the term "capacity", i.e., ability to make energy, is occasionally overlooked in the Corps analysis. In fact, the term "power" is defined within the electric industry to include capacity. The Corps could commit a grievous error in developing the scope for the EIS if the evaluation of hydropower impacts is confined to decreases of energy only. A proper evaluation should focus on capacity losses as suggested by the Newman report's

use of the term "power."

The guidance provided by the Newman report is essential in determining the scope of EIS because the ability to provide water supply is limited as envisioned by Congress. As noted above, the restrictive factors include the expectation that the loss of hydropower would be "slight" and the type of hydropower that would be sacrificed would be peak hydropower production. To expand the scope of the EIS beyond these criteria delves the Corps into an inquiry that exceeds the legal authority for operations at the Buford Project.

Comment ID 0199.001.007

Author Name: Bonham C.

Organization: Southeastern Federal Power Customers, Inc. (SeFPC)

The Corps calculations of hydropower impacts should refrain from limiting the analysis to lost energy on a project by project basis. SEPA markets the power (capacity and energy) from these projects on a system wide basis. Impacts to hydropower benefits must include analysis from SEPA on replacement power costs to determine the "slight decrease in system power value."

Conclusion

The Hydropower Customers appreciate the opportunity to comment on the scope of the revised EIS for the water control plans. For many years, hydropower output at Lake Lanier has decreased to accommodate water supply operations. With the 11th Circuit's opinion, the uncertainty associated with these operations should dissipate and further clarity should emerge on how the Corps will operate the projects on the ACF for authorized project purposes. The approach that the Corps will take with the scoping of the EIS and its implementation will determine the success of the transition from the period of ambiguity that clouded the Corps operations in the ACF for the past two decades.

As long time stakeholders of the Corps hydropower projects in the Southeast, the SeFPC remains committed to working with the Corps and is available to contribute to the dialogue on moving forward.

6.0 - NATIONAL ENVIRONMENTAL POLICY ACT

No Comments are Applicable to this Issue Category, and Thus No Response is Necessary.

6.A - APPLICABLE REGULATIONS

Comment ID 0164.001.002

Author Name: Nash Charlotte

Organization: Gwinnett County Board of Commissioners

- Update Federal Authorities: Per the Eleventh Circuit decision, Public Law No. 84-841 (July 30, 1956) ("1956 Act"), authorizes the Corps to contract with Gwinnett County for withdrawals at a rate of 11,200 acre-feet (10 mgd) annually from Lake Lanier, and is additional authority by which the Corps may authorize water storage for withdrawals by the County for a secure and regulated water supply. Consequently, the Corps should update the list of "Federal Authorizations" in Section 1.2 of the 2010 Scoping Report to include the 1956 Act and note that such withdrawals are within the baseline established by Congress.

<Portions of the text are italicized. Please see original document for details.>

Comment ID 0316.001.005

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Wetlands and Streams

The Notice of Intent states that the EIS will consider operations for all authorized purposes, including an expanded range of water supply alternatives associated with the Buford Dam/Lake Lanier project. The scope of water supply alternatives considered can have significant influence on alternatives that entities can in turn consider when assessing how to meet water supply needs. With effective management, many allocations and uses can be met with existing resources, whereas new infrastructure or projects such as reservoirs could have greater impacts to environmental resources. When such projects require CWA Section 404 permits, they must meet the requirements of the regulations at 40 CFR Part 230, also known as the Section 404(b)(1) Guidelines. Among the key stipulations of the Section 404(b)(1) Guidelines are those that require that no such work shall be permitted if there is "a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences" (40 CFR § 230.10(a)), if it would "cause or contribute to significant degradation of the waters of the United States" (40 CFR § 230.10(c)), and "unless appropriate and practicable steps have been taken which will minimize potential adverse impacts of the discharge on the aquatic ecosystem" (40 CFR § 230.10(d)). In accordance with the Section 404(b)(1) Guidelines, the WCM should facilitate

holistic management of basin resources such that the total impact is minimized, and entities seeking water allocations and uses have access to alternatives that are the least environmentally damaging both in a local context and on a basin scale whenever possible.

Comment ID 0316.001.008

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Water Supply Efficiency/Conservation

Projects that impact hydrology, such as new or expanded water supply, development, and recreational or amenity impoundments, often require Clean Water Act (CWA) Section 404 permits, making them subject to review for compliance with the Section 404(b)(1) Guidelines.

Comment ID 0316.001.014

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Water Quality

State water quality standard programs include designated uses, criteria to protect those uses, and an antidegradation policy (CWA Section 303(c); 40 CFR § 131). Section 401 additionally protects these water quality standards, requiring state certification that federal activities which may result in any discharge will comply with state water quality standards. Further, Section 404(b)(1) Guidelines state that no such work shall be permitted if it would cause or contribute to "violations of any applicable State water quality standard" (40 CFR § 230.10(b)(1)), or if it would "cause or contribute to significant degradation of the waters of the United States" (40 CFR § 230.10(c)).

6.B - BASELINE CONDITIONS

Comment ID 0164.001.008

Author Name: Nash Charlotte

Organization: Gwinnett County Board of Commissioners

- The Corps should use an appropriate baseline: The Corps (and the Fish and Wildlife Service) should not inappropriately incorporate into the action being reviewed effects that would occur notwithstanding the action under review. The flow of a river depends upon the month, season, as well as multi-year precipitation patterns. A baseline flow regime should not include any of the discretionary federal actions such as rule curves, action zones, peaking

hydropower releases, or other aspects of the Corps' water control plan and ongoing operations the effects of which are being studied. The Corps (and the Fish and Wildlife Service) should use the "run-of-river" flow regime, that is, one that assumes the dams are in place but that the reservoirs simply release the water as it comes in without storing any of it for release later.

Comment ID 0165.001.003

Author Name: Freed Charles

Organization: Atlanta Rowing Club

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Introduction

This document requests items for inclusion in the scoping phase of the USACE ACF Master Control Manual Update. These remarks address the 36 mile section of the Chattahoochee between Buford Dam and Morgan Falls Dam with special focus on the 6.5 mile section above Morgan Falls Dam.

The timeframes for the USGS data that are used in the various figures were selected to represent typical recent data (October & November, 2012). In order to show consistency of data, a ten day timeframe with zero measured rainfall was selected. The same 10-day period was used for all examples with two exceptions. Figure 5 (June 2012) was selected to coordinate with a photograph of typical sandbar exposures seen with water levels on that day. The dates for Table 4 were selected to examine the hottest two weeks of 2012. Days 13 and 14 of this period had about 0.7" of precipitation which was not relevant to the point of that table.

This document will recommend reduction of the peak levels of Buford Dam's discharges. This would improve recreational safety and reduce ecological impacts, without affecting the daily average river flow rates or generated power required to satisfy the interests of other river stakeholders.

Background - Recreation on the Upper Chattahoochee

The 36 mile section of the Chattahoochee between Buford Dam and Morgan Falls Dam is part of the Chattahoochee River National Recreation Area (CRNRA). The CRNRA corridor provides 70% of the public green space in the metropolitan Atlanta area. More than 3 million people visit the CRNRA annually, with approximately 1 million of these visitors taking part in river-based recreational activities (KellerLynn, 2012). The 6.5 mile stretch of river from the GA400 Bridge to Bull Sluice Lake has adequate water depth for rowing, kayaking, canoeing and small motorized boat use.

The Chattahoochee River Water Trail was the first river to be designated as a National Water Trail by the US Department of Interior (USDI, 2012). The Georgia Department of Natural Resources Environmental Protection Division classifies the designated uses of the Chattahoochee River from Buford Dam to Peachtree Creek as Drinking Water and Recreation (GADNR 1997). The river and its highly utilized riverbank parklands also provide habitat for wildlife. The cold water output from Lake Lanier creates one of the southernmost trout streams in the United States (Chattahoochee

Riverkeeper web, 2012).

Background - Buford Dam Discharge Patterns

The daily discharges from Buford Dam typically follow a pattern of approximately 20 hours of low flow (600 cfs) followed by 3 or 4 hours of extremely high discharge rates between 5,500 cfs and 10,700 cfs. Discharge peaks can build to a maximum quickly at unpredictable times. The mean discharge rate at Buford Dam is 1,140 cfs (USGS Site 2334430). This type of discharge pattern is analogous to driving a car 15 miles in one hour using only 2 speeds - either 6 or 100 mph. In recent months the average flow rate has increased to 2,200 cfs with more frequent periods of high peak flows. (USGS Site 2334430) (See Figure 1).

High flow rates and irregular discharge cycles from Buford Dam result in the loss of valuable shore line, negative impacts on general recreation along the 36 river miles and unnecessary sediment deposits above Morgan Falls Dam. For rowers, low water levels and high currents result in increased safety risks, and the inability to plan consistent workouts for regional/national competitions. A rowing shell for 8 rowers is 60 feet long, weighs 200 pounds, has a 12" draft and costs \$35,000. Damages to boat hulls and equipment due to striking sandbars and underwater hazards that are normally under several feet of water costs tens of thousands of dollars annually.

Figure 1: Peaking discharge patterns from Buford Dam (USGS 2334430)

Figure 5: Chattahoochee River Exposed Sandbar and Morgan Falls Dam Water Level (elevation) 6/30 - 7/4/2012 (USGS 2335810).

Table 4: Buford Dam Peak Discharge Timing 6/23 - 7/6/2012 (USGS 2334430)

<Please refer to original document for figures and table.>

<Portions of the text are bolded. Please see original document for details.>

Comment ID 0167.001.002

Author Name: Bethea Sally

Organization: Chattahoochee Riverkeeper

(1) Baseline and Affected Environment

Any NEPA analysis should establish the magnitude and significance of impacts to the human environment by comparing the environment in its naturally occurring state with the expected impacts of other actions. Use of a baseline for comparing predicted effects of the proposed action and its reasonable alternatives is an essential part of the NEPA process. A description of the baseline condition should address "...how conditions have changed over time and how they are likely to change in the future without the proposed action." If unable to establish a "naturally occurring" condition, a description of a modified but ecologically sustainable condition can be used instead. "Ecologically sustainable" means the artificial system supports biological processes, maintains its level of biological productivity, functions with minimal external management, and repairs itself when stressed. (See EPA, 1999, Consideration of Cumulative Impacts in EPA Review of NEPA Documents, 315-R-99-002).

We have concerns over the validity of two baseline datasets which will feature prominently in the Corps decision making: (a) metro Atlanta water demands generated by the North Georgia Metropolitan Water Planning District and (b) unimpaired flow data developed by the Corps. We urge the Corps to carefully scrutinize both of these data sets before relying on them to any extent during the EIS process. In both cases, we recommend correcting the data prior to proceeding.

(A) Current & Future Water Demand Data

Before determining a reasonable range of alternatives for managing the ACF in general and Lake Lanier in particular for water supply and other authorized purposes, we strongly urge the Corps to ensure that all baseline data is based on the most recent and scientific information available. In particular, CRK remains strongly concerned over the inflated estimates of future water supply needs for metro Atlanta. We have raised this issue previously, but it is so critical to allocation of the ACF that we believe it bears repeating.

In fact, we have carefully analyzed the projected water demands published by the North Georgia Metropolitan Water Planning District (Metro District) in our new report: "Filling the Water Gap: Conservation Successes and Missed Opportunities in Metro Atlanta." See <http://www.ucriverkeeper.org/enews/documents/FTWG12.pdf>. As we noted in our report, "In 2009, the Metropolitan North Georgia Water Planning District (Metro District) projected future water demand out to 2035, relying on outdated data and invalid assumptions. As a result, those projections overstate the region's future water need." Our report identified the following flaws in the current and future water demand data:

(i) Economic Forecast

In 2009, the Metro District used a model to project 2035 water demand, assuming high population and employment growth.[FN 1] Those projections ignored the last severe economic recession (December 2007-June 2009), from which the nation is still recovering. [FN 2] In fact, between 2006 and 2010, the 15-county Metro District area lost more than 148,000 jobs. [FN 3]

To reach the number of jobs forecasted in the Metro District's 2009 plan, the 15- county region would have to add more than 650,000 jobs by 2015, 1,270,000 jobs by 2025, and 1,918,000 jobs by 2035. That amounts to 32%, 62%, and 93% job growth, respectively, a highly unlikely scenario.

[FN 1] Metro North Georgia Water Planning District, Water Supply and Water Conservation Management Plan (May 2009).

[FN 2] Data from National Bureau of Economic Research, <http://www.nber.org/>.

[FN 3] Data from U.S. Department of Labor, Bureau of Labor Statistics, <http://www.bls.gov/data/>.

(ii) Population Forecast

The Metro District's water demand projections also are overly optimistic with respect to population growth. The latest U.S. Census data reveals a population of roughly 4.8 million in 2010 for the 15-county Metro District area. This estimate is approximately 200,000 (or 4%) less than the 2009 forecasts generated by the state based on the 2000 U.S. Census. [FN 4]

[FN 4] Data from the U.S. Census Bureau, <http://2010.census.gov/2010census/>.

To reach the population sizes forecasted in the Metro District's 2009 plan, the 15-county region would have to add more than 460,000 people by 2015, 1.45 million people by 2025, 2.66 million people by 2035, and 4.17 million people by 2050. That amounts to 10%, 30%, 55%, and 86% population growth, respectively.

(iii) Water Use

The Metro District's 2035 projections also used 2006 as the baseline year for estimating future water demand. Water use in 2006 then was "adjusted" upward on the presumption that use in 2006 was "unnaturally depressed" due to the drought. [FN 5] In fact, the 2006 data preceded the drought and proved to be the second highest year of water use over a 17-year period. [FN 6]

2010 data from Georgia's Environmental Protection Division (EPD) [FN 7] shows that the total annual Chattahoochee water withdrawals for the nine utilities featured in our report have dropped to pre-drought levels. See Figure 1. Whether reduced water use is sustained in spite of our current drought remains an open question.

Figure 1: Total Withdrawals (MGD) over Time

<Please refer to original document for figure.>

[FN 5] Metro North Georgia Water Planning District, Water Supply and Water Conservation Management Plan (May 2009).

[FN 6] http://water.sam.usace.army.mil/Buford_Dam_Water_Supply_Analysis_23_Nov_08.pdf.

[FN 7] Data provided by W. Zeng, Hydrological Unit, Georgia Environmental Protection Division (EPD) (May 2012).

(iv) Conservation Savings Potential

Finally, the Metro District's 2035 water demand projections underestimated the region's ability and commitment to reduce water use. The 2009 plan estimates that by 2035 the region will reduce water use 8% through water conservation efforts and an additional 5% simply due to natural retrofitting in compliance with the latest plumbing code. [FN 8] The Metro District estimates that the approved 2010 amendments to the plan will save an additional 23 million gallons of water day (MGD), [FN 9] amounting to just slightly more than 2% of the region's projected 2035 water demand.[FN 10] In other words, the Metro District estimates the region can reduce water use by only 15% by 2035.

[FN 8] Metro North Georgia Water Planning District, Water Supply and Water Conservation Management Plan (May 2009).

[FN 9] K. Shorter (AECOM) Memorandum to P. Stevens (Metro North Georgia Water Planning District), Additional Conservation Measure Analysis (Aug. 2, 2010).

[FN 10] Metro North Georgia Water Planning District, Water Supply and Water Conservation Management Plan (May 2009).

For the nine utilities featured in our report, we see that water use already has declined by more than 14% since 2006. If this reduced water use is sustainable following our current drought, then greater water savings through conservation

must be feasible.

To summarize our findings, the Metro District projections rely on economic forecasts that predate the recent, severe economic recession. The Metro District projections also rely on population projections that pre-date the 2010 U.S. Census. Moreover, the Metro District projections use a high water use year as the initial condition for generating the forecasts, and adjust that initial condition upward on the erroneous assumption that water use was depressed when in fact it was a high use year. Finally, the Metro District vastly underestimates current and future water conservation efforts to assume a high rate of increase in water use over time. Any one of these invalid assumptions standing alone is enough to call into doubt the future demands the Metro District has generated. Before the Corps considers how to operate the ACF for future water supply, the Corps must require the Metro District to provide updated and scientifically defensible projections of future water demand.

(B) Unimpaired Flow Data

Through our involvement with the ACF Stakeholders, CRK has become more aware of some of the flaws and gaps in the unimpaired flows (UIF) data set which the Corps relies on to evaluate operation scenarios. Last year, the ACF Stakeholders commissioned an analysis of the UIF and provided the analysis to the Corps last November (Georgia Water Resources Institute/Georgia Tech, Unimpaired Flow Assessment for the Apalachicola-Chattahoochee-Flint River Basin, Draft Technical Report (Oct. 2012)). That report identified significant flaws and gaps in the UIF data set such as missing and negative stream flow values. There also appears to be insufficient adjustments made for consumptive uses in the UIF data set, particularly with respect to municipal and industrial withdrawals, agricultural withdrawals, and evaporative losses from reservoirs. As a result, the UIF data set includes stream flows that are lower than they might be if all consumptive uses were incorporated fully. In other words, the model suggests that historical flows were lower than they most likely were, thereby underestimating the impacts of consumptive use on the ACF basin and biasing efforts to set informed ecological flow targets. An additional problem arises from the extreme variability in the data set, where stream flows may vary by thousands or tens of thousands of cubic feet per second, in some cases in the negative direction.

The Corps has publically acknowledged these flaws and gaps but has dismissed them largely on the basis that the data is still valid for comparative purposes. While this may be true to some extent, we emphasize that reliance on a flawed or deficient UIF data set for purposes of either evaluating environmental impacts or establishing flow targets protective of the environment is ill-advised, particularly during low flow periods when greater confidence in the data is needed. We concur with U.S. Fish & Wildlife Service (FWS), who recommends using pre-dam flows for evaluating the impacts of operations on fish and wildlife in the Chattahoochee River. We direct the Corps to the FWS' ACF Planning Aid Letter and Addendum (attached) for further guidance. See letter from S. Tucker, Field Supervisor (FWS) to Colonel B. Jorns (Mobile District, Corps) (April 2, 2010) and letter from S. Tucker, Field Supervisor (FWS) to Colonel S.J. Roemhildt (Mobile District, Corps) (March 1, 2011).

We also strongly urge the Corps to work with the three states (Georgia, Alabama, and Florida) to correct the UIF. The October 2012 Georgia Water Resources Institute/Georgia Tech UIF report referenced above provides several recommendations for improvements, and we suggest the Corps review that document to gain further insight into how the dataset might be corrected. We further urge the Corps to work with the three states to improve transparency surrounding water use throughout the basin.

<The commenter provided additional documents in support of its letter. Please see original letter for copies of these

documents.>

<Portions of the text are bolded, underlined, or italicized. Please see original letter for details.>

Comment ID 0168.001.008

Author Name: Barr Douglas

Organization:

Use of "Baseline" Alternative to Determine Impacts of Drought Operations

It is my understanding that the COE will use the Baseline simulation to determine whether increasing the frequency and duration of 5,000/4,500 cfs releases to Apalachicola River to accommodate additional demands in the Georgia is acceptable. This determination, however, should be based on comparison with the observed inflows for the periods 1939-2006 and 1976-2006. The baseline simulation includes the 2007 Georgia demands and the 2008 Revised Interim Operating Procedures. Therefore, the baseline alternative already includes demands and reservoir operations that significantly reduce inflows to Apalachicola River. For example, the observed flow record includes only 99 days during the pre "interim" operations (1976 to 2006) in which in which inflows to Apalachicola River were less than 5,100 cfs. In contrast the simulated Baseline alternative includes 537 days in which the release to Apalachicola River was less than 5,100 cfs.

Figure 19 shows the departure of the Baseline simulated flows from the daily average inflow received during the period from 1976 to 2008. The deficit inflows to Apalachicola River in 1989, 2002-2004 and 2007-2008 result from the existing impacts of Georgia demands and the 2007/08 interim reservoir operations. Therefore, the update of the Water Control Manuals should utilize the observed flows at the Chattahoochee streamflow station on the Apalachicola River as the baseline for the simulation of new reservoir operations.

Figure 19. - Cumulative Departure of Simulated Daily Inflows from Actual Inflows to Apalachicola River, 1976-2008. Baseline Operations, Current Demands.

<Please refer to original document for Figure 19.>

Comment ID 0168.001.013

Author Name: Barr Douglas

Organization:

5. The baseline for determining the impacts of the update of Water Control Manual operating procedures should not be simulated flows for an earlier version of the interim operating procedures. These simulations already include substantial impacts from increased Georgia demands and impacts of reservoir operations which differ significantly from the actual operations used from 1976-2006. The impact analysis, therefore, should be based on comparing the simulated inflows to Apalachicola River with the actual (observed) flows at the USGS Chattahoochee streamflow station on the

Apalachicola River.

<Portions of the text are italicized. Please see original document for details.>

Comment ID 0170.001.010

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

C. The Proper Baseline for Analyzing Cumulative Impacts

In analyzing the cumulative effects of the activities discussed above, the Corps must define and utilize the historical flow conditions (pre-ACF Federal and pre-non-Federal dams and reservoirs) of the Apalachicola, Chattahoochee, and Flint rivers as the baseline, with particular attention to the historical flow regime of the Apalachicola River. Divergence from the historical flow conditions in the ACF have resulted in significant adverse impacts to Apalachicola River and Bay. As noted above, if this information is not currently available, the Corps must obtain this information unless the costs of doing so would be "exorbitant." 40 C.F.R. § 1502.22.

To establish the proper baseline, the Draft EIS should document and evaluate the historical changes in the ACF Basin with respect to the following indicators:

- Historical flows (i.e., the pre-dam and reservoir flow regimes), including the amount, timing, and quality of flows in the ACF rivers;
- Acres of river and floodplain wetlands lost;
- Acres of native upland habitats lost;
- Miles of streambed lost or modified;
- Changes in stream flows;
- Changes in ground water elevations;
- Changes in the concentrations of indicator water quality constituents;
- Changes in the abundance, distribution, and diversity of indicator fish communities; and
- Changes in rainfall, and reasonably foreseeable future changes.

<Portions of the text are bolded. Please see original document for details.>

Comment ID 0186.001.002

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

2. Appropriate NEPA Baseline

In order to develop a valid EIS under NEPA, the Corps must use an appropriate baseline for purposes of determining the effects of the proposed action and any alternatives. The only baseline that is appropriate here is one based on the existing ACF manual promulgated in 1958. Current operations in the basin, including the use of action zones as defined in the 1989 Draft Water Control Plan, should not be included in the baseline because they were never subjected to a complete NEPA analysis. Utilization of a baseline that includes current operations will render the EIS fatally flawed from the outset.

Comment ID 0186.001.015

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

15. Flawed Baseline for Water Supply Act of 1958 Analysis

The Legal Opinion also utilizes an incorrect baseline in determining whether either of the WSA triggers for congressional approval of a reallocation requires such approval in this case. The D.C. Circuit's opinion made clear that the correct baseline at Lake Lanier for purposes of performing the trigger analysis is the amount of storage originally allocated to water supply at Lake Lanier, which is zero. 514 F.3d at 1324. The D.C. Circuit rejected the Corps' position that any prior water-supply accommodations could be included in the baseline.

Notwithstanding that binding determination, the Legal Opinion relied upon a baseline that included current operations as well as some future demands and some future operational changes. The Corps must not repeat that mistake in preparing the EIS or the water control manual.

Comment ID 0199.001.004

Author Name: Bonham C.

Organization: Southeastern Federal Power Customers, Inc. (SeFPC)

B. Baseline Calculations

The establishment of a baseline remains important for the development of an EIS in several ways. First, it should provide the appropriate frame of reference for the study of proposed actions. As noted below, the establishment of a baseline will require research and historical analysis. Second, the baseline must account for key operational assumptions, particularly as the Corps identifies how to comply with the ESA.

Setting a Historically Accurate Baseline

The EIS must establish a baseline from which to measure proposed operations in the new water control plan. In theory, there is the assumption that the revised water control plans will now include the newly determined authorized project

purpose of water supply at Lake Lanier. However, as the Federal Register Notice indicates, the 11th Circuit found 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." [FN 5] Indeed, there is no real question whether the Corps has been supporting water supply operations at Lake Lanier to the detriment of hydropower operations before the ruling by the 11th Circuit.

[FN 5] Federal Register, Volume 77, No. 198, p. 62224 (emphasis added).

However, for purposes of the EIS, the Corps must study a change in operations and the impacts on the environment. While an appropriate study should focus on increasing water supply operations, limited by Congressional intent as discussed above, the draft EIS must also identify and set a baseline for the change in operations when water supply became a project purpose at Lake Lanier.

Arguably, the 11th Circuit ruled that water supply was always a project purpose at Lake Lanier. However, the question answered by the 11th Circuit was whether peak hydropower production should be adjusted to accommodate water supply operations. The 11th Circuit answered this question by noting Congressional intent as reflected in the Newman report that water supply operations would increase in the future at the expense of a "slight decrease in system power value" when there was a documented need by regional water supply utilities.

The need for increased water supply is clearly documented by reviewing the point in time when the Corps began to alter peak hydropower operations at Lake Lanier to accommodate water supply needs. To determine this point in time, the draft EIS can utilize standard Corps benchmarks such as the regulations that trigger Congressional authorizations when a request is made for reallocated storage at a Corps project. [FN 6] Alternatively, the Corps could request assistance from the Southeastern Power Administration ("SEPA") to identify the point in time in the past when peak hydropower began to diminish to accommodate water supply operations.

[FN 6] Engineer Regulation 1105-2-100 at 3-33. "Reallocation or addition of storage that would seriously affect other authorized purposes or that would involve major structural or operational changes requires Congressional approval. Provided these criteria are not violated, 15 percent of the total storage capacity allocated to all authorized project purposes or 50,000 acre feet, whichever is less, may be allocated from storage authorized for other purposes. Or, this amount may be added to the project to serve as storage for municipal and industrial water supply at the discretion of the Commander, USACE." See also *In Re MDL-1824 644 F.3d 1172-1173*, n. 9.

Segregating Storage

The development of an accurate baseline that reflects actual operations remains important in light of the instruction from the 11th Circuit. In considering the use of storage from the Buford Project to support downstream water supply operations, the 11th Circuit explained that "we conclude that water supply was an authorized purpose of the RHA and that the RHA authorized the Corps to allocate storage in Lake Lanier for water supply." [FN 7]

[FN 7] *In Re MDL -1824 644 F.3d* at 1192. To be clear, however, the Court's interpretation of the use of storage under the RHA only extended to downstream uses. See *id* 644 F.3d 1200, n. 35.

The baseline and EIS should identify the storage needed for downstream Atlanta for a few reasons. First, the 11th Circuit has delineated that storage could be used for downstream Atlanta. Second, the demarcation of storage for downstream uses captures in a quantified measurement the support for water supply that Congress envisioned in the passage of the Rivers and Harbors Act. In other words, setting aside storage fulfills Congressional intent for providing water supply from Lake Lanier.

The act of identifying the storage needed for downstream water supply purposes will assist the Corps in delineating operations that are subject to modification pursuant to the ESA. While the Corps must adjust discretionary operations to comply with ESA requirements, statutory obligations or Congressionally required activities are otherwise exempt. [FN 8] In the context of the 11th Circuit's decision, it has now become clear that water supply releases for downstream Atlanta are no longer the subject to the Corps discretion, but should be considered a statutory obligation, and thus exempt to adjustment to address ESA compliance. Therefore, for purposes of developing the scope of the EIS, the Corps should first delineate the storage used by and needed for downstream Atlanta as the use of this storage is now directly related to a statutory directive from Congress and not subject to modification at the Corps' discretion. This action will inform the Corps activities and ability to respond to ESA requirements within the ACF River Basin. [FN 9]

[FN 8] See Nat'l Ass'n of Home Builders v. Defenders of Wildlife, 551 U.S. 644, 666-67 (2007). (Affirming that ESA provisions are limited to "actions in which there is discretionary Federal involvement or control.")

[FN 9] Undoubtedly, the EIS process will be informed by the Revised Interim Operating Plan ("RIOP"). There has been some form of Interim Operating Plan ("IOP") in effect since the 2006-2008 timeframe. There has been sufficient time operating under the IOP and/or RIOP to determine if modifications pursuant to these plans have produced any beneficial changes to the populations of the protected species. The Hydropower Customers anticipate that the EIS will rely upon scientifically verifiable updates on the effects of the IOP and RIOP as part of the baseline development.

In noting the particular suggestions for the baseline that should be used for the EIS, the Hydropower Customers also recognize that there may be some temptation to use the 1959 water control plan as the baseline for the EIS. The discussion above highlights a few of the reasons why a revised baseline should be used and reflects in part why the 1959 water control plan would not provide an accurate foundation against which to measure future operations. Indeed, as the Newman report anticipated a shift in project operations which has already occurred, using a baseline founded in 1959 would simply ignore the changes that the Corps has already implemented at the Buford Project.

<Portions of the text are underlined or italicized. Please see original document for details.>

Comment ID 0200.001.003

Author Name: Hooker Douglas

Organization: ATLANTA REGIONAL COMMISSION

e. The proper baseline should be continuing existing operations.

ARC believes that the proper no action alternative should be continuing existing operations. This would include continued operations under the Corps' RIOP, as addressed in the U.S. Fish and Wildlife Service's February 2012 biological opinion, and existing levels of water supply withdrawals.

<Portions of the text are bolded. Please see the original letter for details.>

Comment ID 0202.001.004

Author Name: Holbrook Todd

Organization: GEORGIA WILDLIFE FEDERATION

In addition to the direct impact on sport fish, all of these water quality issues impact the invertebrate biota that are critical to the food chain supporting sport fish populations. We request that modifications to the ACF Master Water Control Manual be comprehensive in nature, recognize the importance of the sport fishery throughout the system, and contemplate management of all water quality issues. The EIS must evaluate all impacts to aquatic ecosystems and species throughout the ACF, particularly threatened and endangered species in the basins. The Corps must be sensitive to any flow regime's effects on fish populations and habitat availability.

Again, thank you for the opportunity to comment. Please keep me informed regarding proposed changes as this process progresses.

Comment ID 0262.001.002

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

We propose that the USACE consider the following ideas as they update the manuals.

A.) Use the 1958 Master Manual prepared for the ACF as the environmental baseline, not the 1989 draft water control plan or existing conditions. The draft manual established Action Zones and the 5,000-cfs flow "requirement" to the Apalachicola River, both of which the Corps unilaterally adopted without compliance with the Flood Control Act, its own regulations, NEPA, or the Endangered Species Act. NEPA does not allow the Corps to "grandfather" changes in water control operations that have not been subject to final NEPA review. All changes in reservoir operations since that time and their environmental impacts must be analyzed under NEPA as part of the proposed action.

<Portions of the text were italicized. Please see original document for details.>

Comment ID 0262.001.005

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

D.) We believe that the future population projections and water needs for the Metro Atlanta region are overstated and should be revised. Consideration should be given to the realistic population projections and increasing consumptive demands on the ACF river basin as a whole.

<Portions of the text are in bold. Please see original document for details.>

Comment ID 0262.001.008

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

H.) Hydrologic system interactions between aquifers, streams, reservoirs, floodplains, and estuaries should be modeled. Evaluate the effects of past and proposed project operations on flood durations and floodplain habitats in the Apalachicola Bay estuary system.

Comment ID 0316.001.027

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

The EIS should include a demographics analysis of the affected project area. Some of this information can be found at the U.S. Census Bureau, U.S. Bureau of Labor Statistics, LAUS, 2004-2006 and the U.S. Bureau of Economic Analysis, REIS, 2005. Publically available EPA Web-based tools like NEPAassist: <https://oasext.epa.gov/NEPA/> can also be used to conduct preliminary screening level EJ reviews. This information should be used in conjunction with information acquired during the public involvement and ground verification processes.

6.C - COOPERATING AGENCIES

Comment ID 0175.001.001

Author Name: Wissinger Gordon

Organization: National Park Service Southeast Regional Office

In accordance with the Notice of Intent (NOI) published in the Federal Register on October 12, 2012, the National Park Service (NPS) formally submits comments and requests participation as a cooperating agency in developing the Draft Environmental Impact Statement (EIS) for Updating the Water Control Manual (WCM) for the Apalachicola-Chattahoochee-Flint (ACF) River Basin, for all phases of the study which have the potential to affect the Chattahoochee

River National Recreation Area (CRNRA).

Regulations implementing the procedural provisions of the National Environmental Policy Act of 1969 (NEPA), call for agency cooperation in the NEPA process with the ultimate goal of "...decisions that are based on understanding of environmental consequences, and ... actions that protect, restore, and enhance the environment." 40 C.F.R. §1500.1. The regulations specifically define a cooperating agency as "...any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment." 40 C.F.R. §1508.5.

The NPS has special expertise regarding the resources and values of the CRNRA and the surrounding areas, which would aid the United States Army Corps of Engineers (USACE) in its environmental impact analysis and ultimate decision regarding the update of the WCM for the ACF River Basin. Specifically, the NPS requests cooperating agency status in developing the Draft EIS and WCM in order to ensure that pertinent NPS mission statements, legislative authorities, and policies are duly considered when developing any alternatives, related management actions, or options that could potentially effect units of the NPS. The NPS' cooperating agency status and level of involvement would not preclude our independent review and comment responsibilities under Section 102(2)(C) of NEPA. Similarly, our being a cooperating agency would not imply that the NPS would necessarily concur with all aspects of the USACE findings.

The NPS and CRNRA would like to submit the following attached preliminary scoping comments on the planned updates to the USACE WCM for the ACF River Basin. The purpose of the WCM updates is to identify operating criteria and guidelines for managing water storage and release of water from USACE reservoirs within the ACF Basin. The scope of the WCM includes Lake Lanier and the operation of Buford Dam, which forms the upper boundary of CRNRA. The attached comments provide relevant background on the CRNRA and highlight specific issues that should be evaluated and considered in the Draft EIS and WCM update. They are intended to supplement comments submitted by NPS during previous scoping periods in 2008 and 2009.

We appreciate your consideration of our comments and this request to become a full cooperating agency and partner in developing the Draft EIS. Should you have any questions, or need additional information concerning this request, please contact Patty Wissinger, Superintendent, Chattahoochee River National Recreation Area, by calling (678) 538-1211.

National Park Service Comments

Notice of Intent to Develop a Draft Environmental Impact Statement (EIS) for Updating the Water Control Manual (WCM) for the Apalachicola-Chattahoochee Flint (ACF) River Basin

January 14, 2013

We welcome the opportunity to cooperate with the United States Army Corps of Engineers (USACE) in preparation of the Draft Environmental Impact Statement (EIS) for Updating the Water Control Manual (WCM) for the Apalachicola-Chattahoochee-Flint (ACF) River Basin.

The National Park Service (NPS) offers the following comments on the subject Notice of Intent:

CRNRA Legislation and Authority

Chattahoochee River National Recreation Area (CRNRA) was established in 1978 when Congress determined that the "natural, scenic, recreation, historic, and other values of a 48-mile segment of the Chattahoochee River ... are of special national significance, and that such values should be preserved and protected from developments and uses which would substantially impair or destroy them." CRNRA consists of 48 miles of river and a series of 16 land-based park units located between Buford Dam and Peachtree Creek, just north of Atlanta, Georgia. The park provides over 70% of the public green space in the greater Atlanta area and outdoor recreation activities for over three million visitors per year. The Chattahoochee River forms the backbone of the park, and CRNRA has a vested interest in the operations of Buford Dam, as the timing of water releases and related flows in the river directly impact the ability of park managers to preserve the "natural, scenic, recreation, historic, and other values" of the park, as mandated by Congress.

Congress did not specifically identify the "values of special significance" to be preserved, but the NPS has identified and defined values of special significance within the recreation area, which serve as priorities for management action and protection. The values encompass seven categories of resources, including ecological, cultural and historic, recreational, scenic, geologic, water quality and water quantity (NPS, in draft). Most of these resource categories, including water quantity, ecology, water quality, recreation, geology, and culture and history are directly affected by the operation of Buford Dam. As such, our comments during this scoping period focus on these six categories of resources and highlight specific issues that should be evaluated and considered in the Draft EIS and WCM update.

6.D - GENERAL

Comment ID 0008.001.001

Author Name: Nelson, et al Bill

Organization: United States Senate

Dear Secretary Darcy and Lt. General Bostick:

We are writing concerning the Corps announcement that it will restart the process of updating the water control manuals for the Apalachicola-Chattahoochee-Flint (ACF) River Basin.

First, we continue to expect the Corps to adhere to its pledge of neutrality during this process. We believe the responsibility for achieving a permanent resolution of the controversy rests with the three governors.

Comment ID 0078.001.002

Author Name: Hanthorn Joshua

Organization:

National Environmental Policy Act

NEPA requires an administrative agency prepare an EIS for any major federal action that will significantly affect the quality of the human environment. 42 U.S.C. § 4332. To satisfy NEPA, the Corps must consider, among other things the degree (1) to which the proposed action affects public health or safety, (2) to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (the "ESA"), and (3) to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. Id. Moreover, the Corps must analyze the alternatives to a proposed action. Id.

<Portions of the text are bolded or italicized. Please see original document for details.>

Comment ID 0164.001.007

Author Name: Nash Charlotte

Organization: Gwinnett County Board of Commissioners

- Environmental Impacts:

- Environmental impacts to the region: Although much attention has been focused by Florida upon the perceived environmental impacts of basin management below Woodruff Dam, the Corps must incorporate into its analysis all of the potential environmental impacts of the alternatives it considers, including environmental impacts that would occur absent the availability of storage in the Buford Dam/Lake Lanier project for water supply or in any operating scenario that does not maximize storage for water supply from Lake Lanier. Such impacts could include the environmental impacts associated with efforts to obtain alternative water supplies that the region would need to undertake absent reliance on Lake Lanier for storage (e.g. reservoir construction/interbasin transfers), and downstream effects in proximity to the project. Maximizing lake levels promotes availability of adequate storage and ameliorates impacts of alternative storage methodologies.

<Portions of the text are italicized. Please see original document for details.>

Comment ID 0167.001.004

Author Name: Bethea Sally

Organization: Chattahoochee Riverkeeper

(3) Direct, Indirect, & Cumulative Impacts

During the EIS process, the Corps will have to examine the effects of its proposed actions on the human environment. We are most concerned about potential adverse impacts to ACF ecology, recreation, public safety, and water quality. Specifically, with respect to ecology, we urge the Corps to ensure that the preferred alternative does not adversely impact river flows and riparian habitat needed along the mainstem, headwaters, and tributaries for fish and wildlife. We strongly urge the Corps to work closely with the FWS and other federal agencies to avoid adverse impacts to fish,

wildlife, and habitat throughout the ACF basin. To the extent that data may be lacking, we urge the Corps to support and collaborate with its sister agencies, including FWS, NPS, U.S. Geological Survey, and U.S. Environmental Protection Agency (EPA), to collect and compile the necessary data to monitor the ecological impacts of ACF operations and to develop an adaptive management plan that protects the ACF ecosystem.

With respect to recreation, we strongly urge the Corps to work closely with the NPS to determine what flows are needed to support park purposes within the Chattahoochee River National Recreation Area. Regarding public safety, large, rapid releases coming out of Buford Dam continue to pose a lethal risk to river users. Low flows through Bull Sluice Reservoir also have proven dangerous to users above Morgan Falls Dam. We again urge the Corps to work with the NPS, Georgia Power, and the local rowing, paddling, boating, fishing, and wading community to improve its operations to maximize public safety. The Corps also should take this opportunity to assess its safety outreach programs as well as the efficacy of the warning system for protecting all users.

With respect to water quality, unless and until the state of Georgia institutes a new flow requirement for wastewater assimilation and all Chattahoochee withdrawal and discharge limits are adjusted to reflect that new requirement, the Corps must continue to operate the ACF system so as to achieve an instantaneous flow in the Chattahoochee River at Peachtree Creek of 750 cubic feet per second in order to ensure adequate wastewater dilution. We urge the Corps to work with the state, local governments, EPA, and Georgia Power to ensure this standard is met and water quality is monitored at all times.

We further note that West Point Lake suffers from chronic low lake levels and faces ongoing water quality challenges. We urge the Corps to carefully scrutinize the impacts its operations are having on West Point Lake water quality and recreation.

Finally, we remind the Corps of current and future proposed activities in the ACF basin that undoubtedly will lead to adverse cumulative impacts on the ACF basin and the Corps ability to operate the system for all uses. These activities include the proposed Glades Farm reservoir in Lake Lanier's headwaters, the proposed Bear Creek Reservoir in South Fulton County, Bartlett's Ferry hydroelectric (FERC) relicensing, and Georgia's regional water planning efforts. We strongly urge the Corps' Mobile District to coordinate with the Corps' Savannah District (Glades Farm & Bear Creek reservoirs), Federal Energy Regulatory Commission (Bartlett's Ferry), Georgia Environmental Protection Division (statewide water planning), and the Metro District (metro Atlanta water planning) as it evaluates the cumulative impacts of its proposed operations on the ACF basin.

Thank you for allowing us this opportunity to comment again on the scope of the EIS for the ACF Water Control Manual update. If you have any questions or concerns with our comments, please do not hesitate to contact Laura Hartt, CRK Water Policy Director at lhartt@chattahoochee.org or 404-352-9828, x15.

<The commenter attached five documents to the comment letter. The titles of these documents are listed below. Please see the original comment letter for copies of these documents.

- Letter from the Upper Chattahoochee Riverkeeper to the USACE, Mobile District, November 21, 2008
- Letter from the Upper Chattahoochee Riverkeeper to the USACE, Mobile District, December 23, 2009
- Letter from the USFWS to the USACE, Mobile District, April 2, 2010
- Letter from the USFWS to the USACE, Mobile District, March 1, 2011
- "Filling the Water Gap, 2012 Update," Chattahoochee Riverkeeper, September 2012>

<Portions of the text are bolded or underlined. Please see original document for details.>

Comment ID 0170.001.009

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

II. The EIS Must Fully Analyze Direct, Indirect, and Cumulative Impacts

In comparing and analyzing potential alternatives, the EIS must examine, among other things, the direct, indirect, and cumulative environmental impacts of alternatives, the conservation potential of those alternatives, and the means to mitigate adverse environmental impacts. 40 C.F.R. § 1502.16. This assessment is essential for determining whether less environmentally damaging alternatives are available.

Direct impacts are caused by the action and occur at the same time and place as the action. Indirect impacts are also caused by the action, but are later in time or farther removed from the location of the action. 40 C.F.R. § 1508.8.

Cumulative impacts are:

"the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time."

40 C.F.R. § 1508.7. A cumulative impact analysis ensures that the agency will not "treat the identified environmental concern in a vacuum." *Grand Canyon Trust v. FAA*, 290 F.3d 339, 346 (D.C. Cir. 2002).

Among many other things, the Corps must assess the magnifying and additive effects of global warming when evaluating the direct, indirect, and cumulative impacts of a particular flow regime for the ACF system:

"Climate change can increase the vulnerability of a resource, ecosystem, or human community, causing a proposed action to result in consequences that are more damaging than prior experience with environmental impacts analysis might indicate . . . [and] climate change can magnify the damaging strength of certain effects of a proposed action."

* * *

"Agencies should consider the specific effects of the proposed action (including the proposed action's effect on the vulnerability of affected ecosystems), the nexus of those effects with projected climate change effects on the same aspects of our environment, and the implications for the environment to adapt to the projected effects of climate change."

Council on Environmental Quality, Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions (February 18, 2010); see *Center for Biological Diversity v. Nat'l Hwy Traffic Safety*

Administration, 538 F.3d 1172, 1217 (9th Cir. 2008) (holding that analyzing the impacts of climate change is "precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct"); Center for Biological Diversity v. Kempthorne, 588 F.3d 701, 711 (9th Cir. 2009) (NEPA analysis properly included analysis of the effects of climate change on polar bears, including "increased use of coastal environments, increased bear/human encounters, changes in polar bear body condition, decline in cub survival, and increased potential for stress and mortality, and energetic needs in hunting for seals, as well as traveling and swimming to denning sites and feeding areas."). The CEQ guidance makes it clear that analyzing the impacts of climate change is not restricted to evaluating whether a project could itself exacerbate global warming. The magnifying and additive effects of global warming also must be evaluated.

Where, as here, the project area encompasses entire river basins, the cumulative impacts analysis must analyze the cumulative effects of other projects in those river basins. See, e.g., LaFlamme v. F.E.R.C., 852 F.2d 389, 401-02 (9th Cir. 1988); Natural Resources Defense Council v. Callaway, 524 F.2d 79, 94 (2d Cir. 1975). This includes an analysis of the cumulative effects of federal, state, and private projects and actions. The requirement to assess non-Federal actions is not "impossible to implement, unreasonable or oppressive: one does not need control over private land to be able to assess the impact that activities on private land may have" on the project area. Resources Ltd., Inc. v. Robertson, 35 F.3d 1300, 1306 (9th Cir. 1993).

A meaningful assessment of cumulative impacts must identify:

"(1) the area in which effects of the proposed project will be felt; (2) the impacts that are expected in that area from the proposed project; (3) other actions - past, present, and proposed, and reasonably foreseeable - that have had or are expected to have impacts in the same area; (4) the impacts or expected impacts from these other actions; and (5) the overall impact that can be expected if the individual impacts are allowed to accumulate."

TOMAC, Taxpayers Of Michigan Against Casinos v. Norton, 435 F.3d 852 (D.C. Cir. 2006) (quoting Grand Canyon Trust, 290 F.3d at 345); Fritiofson v. Alexander, 772 F.2d 1225, 1245 (5th Cir. 1985) (holding this level of detail necessary even at the less detailed review stage of an Environmental Assessment).

Importantly, as CEQ has made clear, in situations like those in the ACF where the environment has already been greatly modified by human activities, it is not sufficient to compare the impacts of the proposed alternative against the current conditions. Instead, the baseline must include a clear description of how the health of the resource has changed over time to determine whether additional stresses will push it over the edge. Council on Environmental Quality, Considering Cumulative Effects Under the National Environmental Policy Act at 41 (January 1997).

The EIS must provide "quantified or detailed information" on the impacts, including the cumulative impacts, so that the courts and the public can be assured that the Corps has taken the mandated hard look at the environmental consequences of the Project. Neighbors of Cuddy Mountain v. U. S. Forest Service, 137 F.3d 1372, 1379 (9th Cir. 1998); Natural Resources Defense Council v. Callaway, 524 F.2d 79, 87 (2d Cir. 1975). If information that is essential for making a reasoned choice among alternatives is not available, the Corps must obtain that information unless the costs of doing so would be "exorbitant." 40 C.F.R. § 1502.22 (emphasis added).

To conduct a meaningful assessment of the impacts of alternative water control manual management regimes on the ecological health of the Apalachicola River and Bay, the Corps should first determine the amount, timing, and variability of flows needed to maintain a healthy and vibrant river and bay. This information is essential to making a reasoned

choice among alternatives and as a result must be obtain by the Corps unless the costs of doing so would be "exorbitant." 40 C.F.R. § 1502.22.

A. Types Of Impacts That Must Be Analyzed

It is critical that the EIS analyze the direct, indirect, and cumulative impacts of proposed alternative management regimes on the:

- Hydrology, channel morphology, stream flow (including deviations from the historical water levels, timing of freshwater flows, and natural flood pulse), and water quantity in the Apalachicola River and the ACF Basin;
- Water quality, salinity levels, and nutrient composition in the Apalachicola River and Bay, and the ACF Basin;
- Fish and wildlife in the Apalachicola River, Floodplain, and Bay, the ACF Basin, and the Gulf of Mexico including impacts to commercially and recreationally harvested species, and to affected migratory species throughout their ranges;
- Species listed as threatened or endangered under the federal Endangered Species Act (including both impacts within the Apalachicola River and ACF Basin and population-wide impacts), and to areas designated as critical habitat under the federal Endangered Species Act in the Apalachicola River and ACF Basin;
- Riverine and floodplain wetlands, including the Apalachicola River floodplain wetlands, and the Apalachicola River floodplain forests and sloughs;
- Marine fish and species and their habitat which require nutrients and fresh water from Apalachicola River and Bay to sustain their offshore Gulf ecosystem, otherwise known as the "Green River" effect;
- Quality, quantity, and value of ecosystem services provided by a healthy Apalachicola River, Floodplain, and Bay;
- Duration, frequency, and intensity of red tide in Apalachicola Bay and the near Gulf of Mexico waters; and
- Commercial fishing, recreational fishing, and ecotourism industries that rely on a healthy Apalachicola River, Floodplain, and Bay.

B. Actions that Must Be Evaluated In The Cumulative Impacts Analysis

To comply with the cumulative impact assessment requirements, the Corps must analyze whether and how the proposed alternative management regimes could supplement, aggravate, or intensify the impacts of the following types of past, present, and reasonably foreseeable future actions throughout the entire ACF Basin:

- Past, present, and reasonably foreseeable future water withdrawals from the Apalachicola, Chattahoochee, and Flint Rivers from Federal, non-Federal, and private projects and actions;
- Past, present, and reasonably foreseeable future reservoir and dam operations;
- Past navigational dredging activities (with particular emphasis on changes in channel morphology, water levels, and floodplain forests and wetlands);
- Past, present, and reasonably foreseeable development, including commercial, residential, and road construction; and
- Reasonably foreseeable future changes in rainfall, water quantity, salinity, wetland losses, sea level rise, and storm events that will result from climate change.

<Portions of the text are bolded or italicized. Please see original document for details.>

Comment ID 0186.001.011

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

12. Evaluation of Other Potential Water-Supply Projects

The EIS must also evaluate the cumulative impacts of other planned sources for water-supply in the basin, especially in the Atlanta area. According to the 2009 North Georgia Water Supply and Water Conservation Management Plan, there are two reservoirs (Glades and Bear Creek) planned to be constructed in the upper part of the ACF Basin to meet the region's 2035 water needs. The plan states that four more reservoirs are proposed for construction to meet the region's post-2035 needs.

The Glades Reservoir, which is currently the subject of a Section 404 permit application being considered by the Savannah District, merits special consideration. That project is planned for the portion of the basin above Lake Lanier, so it could have a significant negative impact on flows into and the yield of Lake Lanier.

Comment ID 0189.001.001

Author Name: Rogers Gilbert

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

To Whom It May Concern:

The Southern Environmental Law Center ("SELC") submits the following scoping comments on behalf of the Tri-State Conservation Coalition ("TSCC" or "the Coalition"), including the Chattahoochee Riverkeeper, Flint Riverkeeper, Apalachicola Riverkeeper, American Rivers, Alabama Rivers Alliance, and the Georgia River Network, and on behalf of the Atlanta Rowing Club. The Coalition also adopts and incorporates by reference the comments submitted by the Chattahoochee Riverkeeper and the Apalachicola Riverkeeper.

SELC is a regional not-for-profit legal advocacy organization whose mission is to protect natural resources and special places throughout the Southeastern United States. The TSCC, a coalition of more than 50 organizations in Georgia, Alabama, and Florida, is committed to safeguarding the water quality, ecological, and recreational functions of the Apalachicola-Chattahoochee-Flint ("ACF") and the Alabama-Coosa-Tallapoosa ("ACT") River Basins. Five core principles guide the TSCC's work and inform its concerns regarding the ACF Water Control Manual Update: maintaining ecologically healthy instream flows in the ACF system; maximizing water and energy conservation and efficiency to meet current and future water demands; minimizing adverse impacts of interbasin transfers (IBTs); embracing adaptive management based on sound science and adequate monitoring and reporting; and ensuring transparent and accessible decision-making.

We submit these comments in response to the Army Corps of Engineers' ("the Corps") Oct. 12, 2012 Federal Register notice that it is reopening the scoping period for the ACF Master Water Control Manual ("WCM") update. [FN 1] The

Corps is revising the scope of its Environmental Impact Statement ("EIS") to account for the June 2011 decision by the U.S. Court of Appeals for the Eleventh Circuit [FN 2] and the Corps' June 2012 legal opinion [FN 3], both of which affirm that water supply is one of the authorized purposes of the Lake Lanier/Buford Dam project. The Corps' June 2012 legal opinion concludes that the Corps has the authority to consider Georgia's request for additional municipal and industrial water supply from Lake Lanier up to a net withdrawal of 190 million gallons per day ("mgd") and flow release of 1381 cubic feet per second ("cfs") from Buford Dam by the year 2030. This authorization alters the scope of the EIS by increasing the number of alternatives and impacts that must be considered by the Corps in its National Environmental Policy Act ("NEPA") analysis. We appreciate the opportunity to participate in this re-scoping process and offer the following comments concerning the proper scope of the EIS in light of this authorization.

[FN 1] 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, 77 Fed. Reg. 62,224 (Oct. 12, 2012).

[FN 2] Florida v. U.S. Army Corps Eng'r (In re MDL-1824 Tri-State Water Rights Litig.), 644 F.3d 1160 (11th Cir. 2011).

[FN 3] U.S. Army Corps of Engineers, Office of Chief Counsel, Memorandum for the Chief of Engineers: Authority to Provide for Municipal and Industrial Water Supply from the Buford Dam/Lake Lanier Project, Georgia (June 2012), available at http://www.sam.usace.army.mil/Portals/46/docs/planning_environmental/acf/docs/2012ACF_legalopinion.pdf

<Portions of the text are italicized. Please see original letter for details.>

Comment ID 0189.001.005

Author Name: Rogers Gilbert

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

Direct Impacts

Direct impacts are defined as those impacts which are caused by the action and occur at the same time and place. 40 C.F.R. § 1508.8(a). The Corps' regulation of its reservoirs can have immediate and pronounced effects throughout entire ACF system. For example, decisions made regarding flow into and out of Lake Lanier can affect communities and species that are located many miles downstream, as well as water quality in the lake itself. The Corps' engineers recognized these types of direct impacts more than a half-century ago. The U.S. Court of Appeals for the Eleventh Circuit Court's June 2011 determination that Buford Dam was authorized for water supply was based in large part upon a Corps' 1946 report designating that Buford Dam would provide regular flows to "ensure" a steady water supply for the City of Atlanta's drinking needs, "sanitation," "public health," and "to prevent damage to fish" downstream. [FN 6]

Revision of the WCM will have obvious consequences for the ongoing uses of Lake Lanier and other reservoirs, for the amount of water that may be released downstream, and for the aquatic habitat in the lake and the rest of the

Chattahoochee, Flint, and Apalachicola River basins. Because of these substantial direct impacts, the Corps must rely upon an objective and transparent body of scientific data to underpin its analysis of different water releases in the ACF system.

[FN 6] See Florida v. U.S. Army Corps Eng'r (In re MDL-1824 Tri-State Water Rights Litig.), 644 F.3d 1160, 1186 (11th Cir. 2011); H.R. Doc 80-300 (June 6, 1947), Brigadier General James B. Newman, Report of the South Atlantic Division Engineer, March 20, 1946, see pp. VIII, IX, and 34; see also U.S. Army Corps of Engineers, Office of Chief Counsel, Memorandum for the Chief of Engineers 8–9 (June 2012), available at http://www.sam.usace.army.mil/Portals/46/docs/planning_environmental/acf/docs/2012ACF_legalopinion.pdf.

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0189.001.007

Author Name: Rogers Gilbert

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

Indirect Impacts

NEPA's implementing regulations define indirect impacts as those impacts that are later in time or farther removed in distance from a given project, but still reasonably foreseeable. They may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems. 40 C.F.R. § 1508.8(b). Indirect impacts of the WCM revision are likely to be extremely significant in this case, particularly as they relate to growth made possible by any decision to increase water supply availability from Lake Lanier. Increased availability of water supply from Lake Lanier will fuel more growth, which will have impacts to water quality, the extent of impervious surfaces, and air quality, among other indirect impacts. The latter deserves particular note. With the Atlanta region continuing its struggle to attain national ambient air quality standards for both ozone and particulate matter, any federal action whose effect will be to increase growth - which will, in turn, increase the mobile sources of air pollutants via more vehicles on Georgia's roads - should be rigorously evaluated before, not after, the growth occurs.

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0189.001.009

Author Name: Rogers Gilbert

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

Cumulative Impacts

Cumulative impacts result from the incremental impacts on the environment from a project when added to past, present,

and reasonably foreseeable future actions in the same area. These impacts can arise from individually minor but collectively significant actions taking place over a period of time. 40 C.F.R. § 1508.7. Cumulative impacts are particularly significant in a highly-regulated system such as the ACF Basin. We would like to see an evaluation of the cumulative impacts of maintaining or increasing water withdrawals and flows out of Lake Lanier for the rest of the ACF system. The EIS must examine cumulative impacts of all reservoir and dam operations throughout the ACF system and the cumulative, incremental impacts from reasonably foreseeable future actions such as the following proposed projects: Glades Farm Reservoir in Hall County, Georgia; Bear Creek Reservoir in South Fulton County, Georgia; Bartlett's Ferry hydroelectric (FERC) relicensing; and Georgia's regional water planning efforts. The Corps should coordinate with other agencies in determining the cumulative impacts of its WCM updates. In particular, the Corps should evaluate cumulative impacts after consulting with the Federal Energy Regulatory Commission, the Corps' Savannah District, Georgia Environmental Protection Division, and the Metro District.

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0316.001.002

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

EPA understands that the USACE intends to update and revise the WCM for the Apalachicola-Chattahoochee-Flint (ACF) River Basin in order to improve operations for authorized purposes to reflect conditions that have changed since the current Manual was completed in 1958, and before many of the reservoir projects in the system were completed. Since then, reservoir regulation manuals for the projects that were constructed following the Manual's completion were attached, including the West Point Dam, Walter F. George Lock and Dam, and George W. Andrews Lock and Dam. Some reservoir manuals were updated, but the master WCM was not comprehensively updated. In conjunction with the updates to the WCM, an Environmental Impact Statement (EIS) will be prepared.

An updated Master WCM that includes water control plans for all the projects in the ACF River Basin is required. The ACF Basin provides water resources for multiple purposes and encompasses an area of approximately 19,600 square miles. There are 16 major dams and reservoirs (five federal and 11 non-federal) located in the basin. The federal projects owned and operated by the Corps include Buford Dam and Lake Lanier, West Point Dam and Lake, Walter F. George Dam and Lake, George W. Andrews Dam and Lake located on the Chattahoochee River; and Jim Woodruff Dam and Lake Seminole located on the Apalachicola River at the confluence of the Chattahoochee and Flint Rivers.

The authorized project purposes at the Corps reservoirs may include flood control, hydropower, navigation, water supply, water quality, fish and wildlife conservation, and recreation. Other non-Federal reservoirs located on the Chattahoochee River and Flint River include power projects owned and operated by the Georgia Power Company and Crisp County, Georgia. Operations between the Georgia Power and Crisp County projects, and the federal projects are coordinated as necessary to meet downstream water quality and quantity, as well as water supply demands. In 1989, a draft master manual for the ACF basin was proposed which described operations current at that time. Since that time Corps operations have continued to conform with the operations described in the 1989 draft manual and other more recently updated water control manuals for the various federal projects. The new manual will eventually replace any current manuals and will address the basin-wide management of those water resources. The revised EIS will 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.

6.E - MITIGATION

No Comments are Applicable to this Issue Category, and Thus No Response is Necessary.

6.F - PROPOSED ACTION & ALTERNATIVES

Comment ID 0078.001.006

Author Name: Hanthorn Joshua

Organization:

National Environmental Policy Act Alternatives

NEPA requires the government consider alternatives to the proposed action. 42 U.S.C. § 4332. All reasonable alternatives to the action must be described in adequate detail in the EIS for subsequent reviewers and decision makers. Id. The scope and goal of the project determines the number of alternatives needed in the statement. Id. The agency is not limited to those alternatives that the agency can adopt. Id. Long term alternatives must be included unless entirely beyond the scope of the action (see *Portland Cement v. Ruckelhaus*).

Specifically, a no action alternative must be considered. Water conservation is not limited to "dry years." The Chattahoochee River serves 3.5 million Georgians including seventy percent of metro Atlanta, yet the area of the watershed north of Atlanta is among the smallest to serve a major metropolitan area. Using water wisely year round, in wet years and dry years, is common sense. Since water conservation is the most cost-effective and environmentally sound way to control the demands on the rivers and streams, the best alternative to any allocation is to stay with the current allocation for Atlanta. This would force the city to come up with a comprehensive conservation plan and allow for present flow of the watershed.

Conclusion

Atlanta's need for water from Lake Lanier is evident. However, the Corps should ensure the connected watershed is also not severely affected and water is available in the future through conservation. We know we need clean drinking water in order to live, but rivers and lakes provide much more. They water our crops, give us fish to eat, light our homes and bring us joy. Choosing a 'no change of action' alternative is the best choice for the Corps because it is the only choice that ensures the sustained life of the watershed.

<Portions of the text are bolded or italicized. Please see original document for details.>

Comment ID 0158.001.003

Author Name: Turner Billy

Organization: ACF Stakeholders

Specifically, ACFS urges that the scope of the Environmental Impact Statement for the update to the USACE Water Control Manual for the ACF Basin address the concerns of all stakeholders. The ACFS Charter and By-Laws identified 14 general areas of stakeholder interest to be considered in its mission to provide sustainable water resources management in the ACF Basin.

These functional areas have been aggregated in ACFS planning documents into six major objectives as follows:

- A. Ensure and/or maintain adequate water supplies for public supply/municipal uses including wastewater assimilation needs of current and projected future populations.
- B. Maintain existing and promote future water availability and access for water dependent industries, power generation and recreational interests.
- C. Promote the optimization of the use of water for agricultural irrigation including: types of irrigation technology, selection of crops, sustainable and resource-based permitting and water withdrawal monitoring.
- D. Determine the nature and extent of commercial navigation that the ACF Basin can effectively support.
- E. Protect the natural systems and ecology of the ACF Basin by defining and implementing desired flow regimes and lake levels, water quality enhancements, including wastewater and storm water management and best management practices to maintain a healthy natural system and support a productive aquatic ecosystem in the Basin and estuary.
- F. Create and support relationships with local governmental institutions and other public bodies within the ACF Basin to promote sustainability of the water resources and also to enhance the historical and cultural resources of the basin related to the management of its water resources.

ACFS will consider many available water management practices and technologies as we work toward completion of our Sustainable Water Management Plan which will accomplish the above objectives. We look forward to providing additional formal input to USACE at that time.

Comment ID 0160.001.001

Author Name: McBride Mike

Organization:

Here is an additional letter for your consideration.

In early November I wrote a letter for consideration during the scoping process. It involved the negative economic impact your management, or in my opinion mismanagement, of the West Point Lake levels. Even though you have extended the scoping, I was not going to have any additional input until this new "guide curve" issue surfaced. The situation with the lake couldn't have gotten any worse I thought, but you did it. Suddenly the marbles in my head started bouncing around.

Comment ID 0166.001.001

Author Name: Tucker Sandra

Organization: USFWS

The U.S. Fish and Wildlife Service (Service) has reviewed the United States Army Corps of Engineers' (Corps) October 12, 2012, Notice of Intent (NOI). The NOI announces the Corps' plans to revise the scope of the Draft Environmental Impact Statement (DEIS) for updating the Water Control Manual (WCM) for the Apalachicola-Chattahoochee-Flint (ACF) River Basin. The new scoping is necessary to accommodate 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. Our comments at this time represent input from our Alabama, Florida, and Georgia Ecological Services Field Offices, as well as our Southeast Regional Office pursuant to the Service's authorities under the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The recommendations we provided in our June 2011 Draft Fish and Wildlife Coordination Act Report are still relevant and should continue to inform the scope of the DEIS. In addition to our previous input to the process, we wish to submit a concept for an alternative, described in the paragraphs below, to receive full consideration in the DEIS. This alternative would support flows in the Apalachicola and Chattahoochee rivers for the fish and wildlife purpose of the ACF projects. Apalachicola River flows are supported at levels greater than 5,000 cubic feet per second (cfs) as an environmentally-preferable substitute for the loss of flow support via the navigation purpose that occurred prior to the year 2000. Limited use of the ACF reservoirs when storage is available to support flows greater than the current minimum release of 5,000 cfs could reduce the occurrence of short-term declines in flows that either directly harm fish and wildlife or otherwise limit their populations. In addition, flow support in the Chattahoochee River would restore some natural flow regime components resulting in improvements in ecosystem elements that were lost or reduced as a consequence of flow regulation.

The focus of this alternative includes the regulated portion of the basin: Apalachicola River, Apalachicola Bay and the Chattahoochee River. The alternative we recommend supports monthly target and minimum releases from the system in a manner that is balanced with other project purposes and that avoids or minimizes some adverse effects of the current Revised Interim Operating Plan (RIOP), which uses system storage primarily to support the 5,000 cfs minimum release. We provide the following outline of such an alternative, but we believe that with more time and effort, this alternative can be improved upon to avoid or minimize adverse effects to fish and wildlife in the Apalachicola and Chattahoochee rivers. We fully expect the Corps to modify it as necessary to improve upon its potential to "avoid or minimize adverse effects" and to "restore and enhance the quality of the human environment," consistent with 40 CFR §1500.2(e) and §1500.2(f), respectively. We would like to work with you to further improve this alternative.

Reservoir Operations Alternative for Monthly Target and Minimum Flow Support

The governing features of the alternative we recommend are as follows:

1. Operate the system for target and minimum releases from Buford and Woodruff dams, consistent with current project-specific rules for flood-control, hydropower generation by storage zone, head limits, and maximum fall rates.
2. The targets and minimum releases are month- and zone-specific (Table 1 and 2).
3. Target releases are subject to zone-specific augmentation limits (Table 3).
4. Storage zones (1-4) are redefined for Lanier, West Point, and George, relative to the authorized top and bottom of the conservation pool.
5. Each storage zone contains a consistent year-round percentage of the total conservation storage at a project, but these percentages vary among the projects (Table 4).
6. Release decisions for Buford and Woodruff dams are based on the current composite storage zone (sum of storage in Lanier, West Point, and George), month, and the previous 7-day basin inflow.
7. If basin inflow exceeds the month/zone target, release the target flow from Buford and Woodruff dams. Basin inflow exceeding the target is available for storage.
8. If basin inflow does not exceed the month/zone target minus the zone augmentation limit, the release from Buford and Woodruff dams are the greater of: a) the month/zone minimum, or b) basin inflow plus the zone augmentation limit.
9. Each project makes daily releases to support its local operating requirements or to replenish storage in the project downstream, whichever is greater, so that all projects remain in the same operating zone.
10. Maximum fall rates and flow support for Woodruff Dam releases greater than 5,000 cfs are suspended when storage declines to Zone 4, and resumed when storage returns to a specified zone ("drought relief end zone").
11. When flows at Woodruff Dam have been less than 7,000 cfs for more than 30 days, maximum fall rates are suspended and resumed when flows have been greater than 10,000 cfs for 30 days.

Table 1. Target and minimum releases (cfs) from Woodruff Dam

Table 2. Target flows (cfs) for the Chattahoochee River at Peachtree Creek

Table 3. Target augmentation limits (cfs) by zone

Table 4. Allocation (percent) of conservation storage by zone

<Please refer to original document for tables.>

We have tested this alternative with a hydrologic model of the basin that is comparable to the Corps' ACF ResSim model (the daily time step ACF Stella model developed during the ACF Comprehensive Study) using the Corps' 1939-2008 unimpaired flows and existing consumptive water demands. We believe our preliminary results demonstrate for this type of alternative both: a) its feasibility, because simulated reservoir elevations are comparable to historic patterns; and b) its potential for reducing environmental impacts, because simulated flows represent modest to significant improvements relative to the RIOP for several biologically relevant, flow-based, performance measures in the Chattahoochee and Apalachicola rivers. Although we programmed the model to suspend support of Woodruff Dam releases greater than 5,000 cfs when storage enters Zone 4 and resume such support upon refill to a user-specified zone (feature 10 listed above), reservoir levels in simulations of the settings in Tables 1-4 resuming support in Zone 1 versus Zone 3 were not appreciably different. Therefore, it appears unnecessary under this alternative to delay the resumption of normal operations until a complete refill of reservoir storage, probably due to its zone-graduated flows and augmentation limits. However, we recommend testing the utility of this feature in any evaluation of alternative flows, augmentation limits, and zone definitions.

On November 29-30, 2012, the Service hosted a Technical Workshop for Alternatives to Reservoir Operations in the ACF. Over 50 people attended including stakeholders representing all three States, multiple interest groups, and two members of your staff. We presented an earlier version of this alternative and preliminary model results. We have since further refined our alternative by adding specific flow targets for Buford Dam to improve flows in the Chattahoochee River. We are willing and able to share the model with the Corps and others, and would welcome further discussions with your staff about modeling this concept in ResSim as an alternative for the DEIS. We view the values given in Tables 1-4 as flexible parameters, and we encourage the Corps to test different sets of values as necessary to achieve the best balance of results for project purposes that are dependent on river flows and reservoir levels. Our primary interest is in improving flows and levels for fish and wildlife resources, for which this alternative appears promising, but we acknowledge the need to examine significant effects on all environmental resources affected by the operations of the ACF reservoirs, including the National Park Service's Chattahoochee River National Recreation Area. We would like to work with you on potential improvements to this alternative, and we can quickly evaluate changes in model parameters in the ACF Stella model in conjunction with your work in ResSim. In addition, the States of Florida and Georgia also presented alternatives at the workshop in Eufaula, and some of their concepts could be incorporated to improve this alternative.

We have not yet examined how this alternative performs under scenarios of potential climate change, increasing consumptive demands, or its response to HEC-5Q water quality analyses, but we recognize the importance and necessity of doing so. Significant changes to the long-term patterns of basin inflow to the Corps' projects will affect flow regimes and reservoir levels. The minimum releases built into the alternative concept we propose, and to a lesser extent the targets and augmentation limits, would insulate to some degree flow-dependent resources from the adverse effects of continuing increases in consumptive demands and from some changes in precipitation/runoff patterns in the basin. However, this insulation is limited by the storage and refill capacity of the reservoirs, and we recommend that the Corps evaluate how its proposed action and all reasonable alternatives would distribute the impacts of potential declines in basin inflow between reservoir- and river-dependent resources.

During our workshop, the alternative presented by State of Georgia and the Atlanta Regional Commission included flow targets for mussels that were based on bathymetric modeling in ArcGIS. Essentially, the Georgia Environmental Protection Division (GEPD) used the Corps' bathymetric data from 2009-2010 to delineate all the areas in the channel with a slope of 0.1 to 0.4, assuming that this is the preferred channel slope for the fat threeridge. They then linked the flow to stage and delineated the habitat that was less than 3-ft of inundation, assuming that fat threeridge prefer these shallow areas. These areas of slope and depth were then combined and modeled under various flow values to determine how much habitat (acres) was available at various flows from 10,000 cfs to 2,000 cfs. They concluded that more mussel habitat was available when flows were lower, so they recommended flows of 5,000 cfs with some pulses depending on basin inflows. There are several issues with this approach:

- 1) This method identifies a large amount of low slope-habitat in the actively migrating center of the channel. These habitats are comprised of coarse, shifting, sandy substrate. Mussel sampling last summer confirms that listed mussels do not occupy these habitats.
- 2) Our 2012 biological opinion on the RIOP discusses how the moderately depositional fat threeridge habitat is generally characterized by slopes of 10-40%, and that mussels in this habitat are generally found at a depth of about 1-m regardless of flow. However, we also reported that fat threeridge are present in deeper, stable habitats in addition to

the moderately depositional habitat. Additional sampling this summer indicates that fat threeridge can be abundant in these deep-water habitats associated with large woody material, along outside bends of the river, and in areas upstream of point bars. Slope may not play an important role in distribution, and it is likely that fat threeridge occur in areas with stable substrate that provide refuge from high flows, regardless of slope and depth.

We are currently undertaking a large-scale mussel distribution study using side-scan sonar and bathymetric data coupled with mussel sampling to determine mussel distribution in the river. We are willing to cooperate with GEPD to use our information to refine their approach in the future, but we do not support the performance measure for mussel habitat that GEPD described at the workshop.

We appreciate the opportunity to comment and look forward to continued participation as the WCM update moves forward. If you have any questions about these comments, please contact me at 706-613-9493 ext. 230, or Don Imm at 850-769-0552 ext. 247. I have assigned staff biologists Alice Lawrence (706-613-9493 ext. 222) and Will Duncan (ext. 227) to this project, and Dr. Imm has assigned staff biologist Karen Herrington (850-769-0552 ext. 250).

Comment ID 0167.001.003

Author Name: Bethea Sally

Organization: Chattahoochee Riverkeeper

(2) Alternatives Analysis

The alternatives analysis is "the heart of the environmental impact statement." 40 CFR § 1502.14. Its purpose is to "[provide] a clear basis for choice among options by the decisionmaker and the public." *Id.* The analysis should include a thorough discussion of available alternatives to a project that fulfills the project's underlying purpose and need, including "reasonable alternatives not within the jurisdiction of the lead agency." *Id.* at § 1502.14(c). Some reasonable alternatives outside the Corps' jurisdiction ought to be considered, including more aggressive water conservation and efficiency measures adopted at both the Metropolitan North Georgia Water Planning District ("Metro District") and the state level. Our 2012 report, "Filling the Water Gap: Conservation Successes and Missed Opportunities" (attached) describes several such measures. In our report, we outline a set of modest water conservation measures that if implemented have the potential to supply water for up to 2.6 million Georgians annually.

During recent droughts, ACF management has focused on maintaining high reservoir levels in Lake Lanier in order to maximize water supply options for metro Atlanta to the detriment of downstream and lake communities. During the scoping phase, we strongly urge the Corps to explore other options that are more equitable in terms of drought mitigation. Specifically, the Corps should consider whether emergency conservation measures and/or reallocating more of the composite conservation storage to West Point Lake and the other downstream reservoirs could better alleviate adverse drought impacts.

Of course, water supply is not the only authorized purpose of the Corps ACF projects, nor is water supply superior to other purposes. Hydropower and recreation are other purposes for which the ACF is managed. In recent years, there have been repeated instances of large, rapid releases from Buford Dam in order to meet peak power demands which have posed serious risks to recreational safety at times leading to tragic results. There is also a new class-5 whitewater

course near Columbus, which will pose additional river safety challenges. We strongly urge the Corps to reevaluate its operations, placing public safety at the forefront. CRK has worked closely with the National Park Service (NPS) and the local rowing community on this issue, and we strongly urge the Corps to consult with these and other key stakeholders (boaters, paddlers, fishers, waders) as well as Georgia Power as your agency continues to reevaluate and adjust its operations.

<The commenter provided an additional document in support of its letter. Please see the original letter for a copy of this document.>

Comment ID 0169.001.002

Author Name: Kirkpatrick Katie

Organization: Georgia Water Alliance

The Georgia Water Alliance strongly supports the proposal of the U. S. Army Corps of Engineers to revise the scope of the Water Control Manual for the Apalachicola-Chattahoochee-Flint (ACF) River Basin to include municipal and industrial water supply from the Buford Dam/Lake Lanier Project. This revised scope would also pertain to the Environmental Impact Statement (EIS) being prepared in conjunction with the updating of the manual.

Comment ID 0170.001.008

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

Scoping Recommendations

I. The EIS Must Evaluate Alternatives That Will Protect Fish and Wildlife and Restore the Ecological Health of the Apalachicola River and Bay, and the Corps Must Select an Alternative that Will Achieve These Objectives

The Corps is required as a matter of law to operate the ACF system to protect and conserve fish and wildlife and the ecological health of the Apalachicola River and Bay. To do this, the EIS must assess and account for the ecological flows required to maintain a healthy and vibrant Apalachicola River and Bay. The updated water control manual must in turn ensure the reestablishment and protection of the flows needed to maintain a healthy and vibrant Apalachicola River and Bay.

As discussed above, ecological flows are the instream flows needed to: (a) support and reestablish the chemical, physical, biological, and overall ecological integrity of the ACF system; (b) support and reestablish a thriving and resilient Apalachicola River, Apalachicola River floodplain, and Apalachicola Bay; and (c) restore and recover species that are endangered, threatened, or at risk.

As clearly set forth in the June 2012 Legal Opinion of the Corps' Chief Counsel, fish and wildlife conservation is an

authorized purpose of the ACF system of projects:

"The systemwide plan of development for the ACF basin was intended to provide benefits for the purposes of hydropower, navigation, and flood control, estimated in annual average dollar values, and also to provide benefits for the purposes of municipal and industrial water supply, recreation, and fish and wildlife conservation, which were not quantified in the same manner."

Legal Opinion at 27 (emphasis added). Fish and wildlife protection and conservation are also general purposes for the ACF projects pursuant to the Fish and Wildlife Coordination Act.

The Legal Opinion goes on to state that "Congress expected that the Buford Project would be operated as an integral part of the ACF system, to achieve the purposes Congress authorized for that system when it approved the ACF plan of development in the 1946 RHA." Legal Opinion at 38-39. As a result, "the Buford Project cannot be understood in isolation, because the Buford Project was proposed and approved as one component in a system of projects, and Congress intended that storage in the Buford Project would be used to regulate flows throughout the system, in order to enable efficient operation of the downstream projects and to accomplish the authorized purposes of the ACF system." Legal Opinion at 39, note 167.

As a result, in assessing the impacts of water withdrawals, the Legal Opinion concludes that focusing on just the operations or impacts to Lake Lanier alone "would not comport with Congressional intent." Legal Opinion at 38-39. Instead, the Corps must assess the impacts on the ability to achieve the full suite of authorized purposes for the entire ACF system, including fish and wildlife conservation. Id.

The National Water Policy established by Congress in 2007 also requires the Corps to operate the ACF projects to protect the Apalachicola River and Bay. That policy states that "all water resources projects" shall "protect[] and restor[e] the functions of natural systems and mitigate[e] any unavoidable damage to natural systems." 33 U.S.C 1962-3 (established by § 2031(a) of the Water Resources Development Act of 2007, and immediately applicable to all water resources projects).

Moreover, enhancement of the environment has been an important federal objective for water resources programs for decades. Corps regulations in place since 1980 state that:

"Laws, executive orders, and national policies promulgated in the past decade require that the quality of the environment be protected and, where possible, enhanced as the nation grows. . . . Enhancement of the environment is an objective of Federal water resource programs to be considered in the planning, design, construction, and operation and maintenance of projects. Opportunities for enhancement of the environment are sought through each of the above phases of project development. Specific considerations may include, but are not limited to, actions to preserve or enhance critical habitat for fish and wildlife; maintain or enhance water quality; improve streamflow; preservation and restoration of certain cultural resources, and the preservation or creation of wetlands.

33 C.F.R. § 236.4. (emphasis added).

Long-standing Corps guidance also requires the establishment of the minimum stream flow needed to address water quality, fish and wildlife, recreation, and aesthetic considerations when developing water control manuals, even where

maintenance of minimum instream flows is not an authorized project purpose. EM 1110-2-3600, 30 Nov 87 (Management of Water Control Systems) at 2-3.

Critically, the alternative ultimately recommended by the EIS must also comply with the full suite of federal laws and policies designed to protect the environment. These include, the Endangered Species Act, the Clean Water Act, the Safe Drinking Water Act, the Magnuson-Stevens Fishery Conservation and Management Act, the Coastal Zone Management Act, and the mitigation requirements applicable to Corps civil works projects that were established by § 2036(a) of the Water Resources Development Act of 2007. These mitigation requirements must be satisfied, among other times, whenever the Corps will be recommending a project alternative in an EIS. 33 U.S.C. § 2283(d). The alternative ultimately recommend by the EIS must also comply with the Clean Water Act water quality certification requirements of Florida, Alabama, and Georgia. This includes compliance with Florida's strict instream flow protection requirements.

To achieve these objectives, the EIS must evaluate and select an alternative that will ensure the establishment and protection of the ecological flows required to reestablish and maintain a healthy and vibrant Apalachicola River and Bay. Ecological flows are the instream flows needed to: (a) support and reestablish the chemical, physical, biological, and overall ecological integrity of the ACF system; (b) support and reestablish a thriving and resilient Apalachicola River, Apalachicola River floodplain, and Apalachicola Bay; and (c) restore and recover species that are endangered, threatened, or at risk.

<Portions of the text are bolded. Please see original document for details.>

Comment ID 0170.001.011

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

III. The Corps Should Adopt a New Approach to Developing Alternatives for the EIS, Selecting a Recommended Alternative in the EIS, and Updating the Water Control Manuals

NWF recommends that the Corps undertake the following approach to preparing the EIS and updating the Water Control Manuals.

(1) The Corps should first initiate an evaluation of the ecological flows needed to protect and restore the chemical, physical, and biological integrity of the Apalachicola River and its floodplain, the Chattahoochee River, the Flint River, and the Apalachicola Bay; and the species that rely on those waters. The Corps should undertake this evaluation jointly with the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, and the U.S. Geological Survey. The ideal flow regime would mimic the quantity, timing, and quality of flows that existed prior to construction of the dams and reservoirs within the ACF system.

(2) The Corps should prioritize comprehensive review and implementation of a full range of alternatives that will ensure the maintenance of those ecological flows. The impacts of the proposed alternatives should be evaluated through a comparison to the environmental conditions present under historical flow conditions (pre-ACF and pre-non-Federal

dams and reservoirs) in the Apalachicola, Chattahoochee, and Flint rivers.

(3) As part of its evaluation, the Corps should: (a) update and correct the unimpaired Flow Data Set and the water demand data currently be used by the Corps for its modeling and analysis; (b) establish the sustainable limits of water use in the basin; (c) re-evaluate evaporative losses, including particularly the evaporation that occurs during droughts; and (d) evaluate any ongoing or completed ecological flow evaluations being conducted for rivers within the ACF system.

(4) The Corps should ensure that the ecological flow evaluation, the EIS, and the Water Control Manuals are reviewed and assessed by the National Academy of Sciences pursuant to 33 U.S.C. § 2343(a)(3)(A)(iii). [FN 5]

[FN 5] The EIS, Water Control Manuals, and any ecological flow evaluation are clearly covered by the statutory independent review requirements which apply to, among other things, “any other study associated with a modification of a water resources project that includes an environmental impact statement” and that study’s environmental impact statement. 33 U.S.C. § 2343(a).

Conclusion

The National Wildlife Federation urges the Corps to develop a water management regime for the ACF system that will protect and restore the ecological health of the Apalachicola River and Bay and the entire ACF system. Fundamental to such a regime is the establishment and maintenance of the ecological instream flows needed to protect and restore the chemical, physical, biological, and overall ecological integrity of the Apalachicola River, Apalachicola River floodplain, and Apalachicola Bay and the health of the species that depend on these resources. We respectfully urge you to institute the planning process outlined above to ensure that this happens.

<Portions of the text are bolded. Please see original document for details.>

Comment ID 0173.001.003

Author Name: Blalock Tanya

Organization: GEORGIA POWER

In light of these considerations Georgia Power supports the development of an environmental impact statement (EIS) that will consider Corps operations for all authorized purposes, including an expanded range of water supply alternatives associated with the Buford Dam project, and account for projected population growth in Georgia. Development of a robust EIS and updated WCM will help ensure that the region's water resources are managed in a sustainable manner to support the region's economy, to protect public health and natural systems, and to enhance the quality of life for all citizens.

Georgia Power appreciates the opportunity to submit these scoping comments and looks forward to continued participation in the Corps' process for updating the ACF WCM in the future. If you have questions or comments please feel free to contact me directly at (404) 506-7026 or tdblaloc@southernco.com, or George Martin of my staff at (404)

506-1357 or gamartin@southernco.com.

Comment ID 0177.001.002

Author Name: Tonsmeire Dan

Organization: Apalachicola Riverkeeper

A Full Range of Alternatives Should Be Assessed to Satisfy NEPA

The U.S. District Appeals Court ruled that the Corps has the authority to utilize the Buford Dam/Lake Sidney Lanier project for water supply purposes. In response to this ruling, the Corps updated the scoping report for the environmental impact statement (EIS) that is supposed to inform the development of the new Water Control Manual. We urge that the scoping process evaluate the amount, timing, and quantity of flows needed to maintain the extraordinary richness and productivity of the Apalachicola River, Floodplain and Bay ecosystem as part of the update to the WCM. We also urged the Corps to evaluate a full range of alternatives that would ensure maintenance of those ecological in-stream flows for the ACF system.

First, the updated scoping report properly acknowledges the need to assess an alternative that will comply with the Appeals Court's ruling, the report improperly restricts the EIS to a review to a very limited set of alternatives, none of which seek to evaluate or meet the ecological flow needs of the Apalachicola River, Floodplain and Bay. NEPA requires a rigorous evaluation of all reasonable alternatives, and an "intense consideration of other more ecologically sound courses of action [FN 1]." To satisfy these requirements, the EIS must evaluate alternatives that will maintain the ecological in-stream flows for the ACF system. Long-standing Corps guidance also requires the establishment of the minimum stream flow needed to address water quality, fish and wildlife, recreation, and aesthetic considerations when developing water control manuals, even where maintenance of minimum in-stream flows is not an authorized project purpose. [FN 2]

Second, the Corps is relying on an inadequate and outdated "critical yield" methodology to establish the baseline for future water allocations rather than the ecological in-stream flows needed to maintain the health and integrity of the ACF system [FN 3]. Water resources experts have long recognized that "critical yield" is not appropriate as a basis for making water management decisions as it looks only at the amount of water that may be physically available and does not assess the economic, environmental, social, and political constraints on the use of that water [FN 4]. The Corps' "critical yield" analysis also sets the stage for continued conflicts among the many competing users in the ACF Basin by significantly overstating even the amount of water that is physically available. [FN 5]

The recent drought has brought to the forefront the importance for the Corps to recognize the impacts its actions have on the water resources of the Apalachicola River, Floodplain and Bay. The EIS will not evaluate the full scope of the environmental consequences of the proposed alternatives as the Corps has improperly restricted its impacts analysis. Despite the long-term and significant adverse impacts caused by the construction and operation of the ACF system on the historic flow regime and the health of the ACF ecosystem, the Corps has opted to compare the impacts of alternative management regimes only to the presumed health of the ACF Rivers as of 1989. To properly analyze the impacts of the proposed WCM alternatives, the Corps must define and utilize the historical flow conditions (pre-ACF and pre-non-Federal dams and reservoirs) of the Apalachicola, Chattahoochee, and Flint rivers, with particular attention

to the historical flow regime of the Apalachicola River. [FN 6]

To satisfy NEPA and provide the information needed to develop a complete WCM, the EIS must assess the ecological flows needed to maintain the health of the system and evaluate alternatives that would achieve those flows.

[FN 1] Environmental Defense Fund, Inc. v. Corps of Engineers of U.S. Army, 492 F.2d 1123, 1135 (5th Cir. 1974); 40 C.F.R. § 1502.14(a). This includes an evaluation of “reasonable alternatives not within the jurisdiction of the lead agency.” 40 C.F.R. § 1502.14(c). Moreover, because the nature and scope of the revision to the Water Control Manuals will have significant, basin-wide impacts, the EIS must also examine a broad range of alternatives. Alaska Wilderness Recreation and Tourism v. Morrison, 67 F.3d 723, 729 (9th Cir. 1995).

[FN 2] EM 1110-2-3600, 30 Nov 87 (Management of Water Control Systems) at 2-3.

[FN 3] The Corps defines the ACF critical yield as “the maximum amount of water that can be consistently removed from

a reservoir through releases from the dam and/or withdrawals from the reservoir during the most severe drought in the period of record (1939-2008), without depleting the reservoir conservation storage. Conservation storage is the amount of water available in a reservoir to meet project purposes other than flood control. Critical yield is the amount of water available from a reservoir at any time under any conditions described in the hydrologic period of record.” The Corps’ states that critical yield “is important because it is the basis from which water stored in a reservoir is allocated to various project purposes. The amount or volume of water stored in a reservoir can be allocated to a specific project purpose, such as hydropower or water supply, based on a percent of critical yield. A change in critical yield could result in modifications of the allocations for a project purpose.” U.S.A.C.E., Federal Storage Reservoir Critical Yield Analysis, Alabama-Coosa-Tallapoosa (ACT) and Apalachicola-Chattahoochee-Flint (ACF) River Basins, February 2010 at 2-3.

[FN 4] The Regulated Riparian Model Water Code (Dellapenna, 1997) (water management decisions should be based on

an evaluation of safe-yield, which is defined as the “amount of water available for withdrawal without impairing the long-term social utility of the water source, including the maintenance of the protected biological, chemical, and physical integrity of the source”); see U.S.A.C.E. Institute For Water Resources, Managing Water For Drought, National Study Of Water Management During Drought, IWR Report 94-NDS-8 (September 1994) (recommending use of safe-yield). Indeed, we were unable to locate any Corps guidance identifying “critical yield” as an appropriate or necessary methodology for developing water control manuals.

[FN 5] The Corps’ critical yield analysis relies on an inaccurate unimpaired flow data set and is based on flawed assumptions regarding critical reservoir management practices, including that reservoir levels can be lowered far below the levels that have ever been reached, even during extreme drought years.

[FN 6] If it is not currently available, the Corps must obtain or develop this historical flow information unless the costs of doing so would be “exorbitant.” 40 C.F.R. § 1502.22.

<Portions of the text are underlined and in bold or italicized. Please see original document for details.>

Comment ID 0186.001.012

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

13. Evaluation of Alternatives

An important aspect of the NEPA process is the evaluation of alternatives. In fact, NEPA requires the Corps to "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources." 42 U.S.C. § 4332(2)(E). The implementing regulations for NEPA require the Corps to "rigorously explore and objectively evaluate all reasonable alternatives." 40 C.F.R. § 1502.14(a).

In undertaking the evaluation of alternatives, the Corps should not reward the failure of Atlanta-area entities to engage in water-supply planning over the last fifty years. Atlanta-area entities seem to have assumed that they would have access to ever-increasing amounts of water from Lake Lanier, and have failed to develop other alternatives. The mere fact that other water-supply options for the Atlanta-area are more expensive should not preordain a conclusion that those other alternatives are not better as a whole, especially when the interests of the entire ACF Basin are taken into account. Nor should the future water needs of the Atlanta-area take precedence over the needs of downstream communities in the basin. The Corps must also recognize that water-supply accommodation for the Atlanta area is not an "all-or-nothing" proposition where all of the area's water-supply needs to be met out of the federal reservoirs or none at all.

Instead of just including all of Atlanta's future water supply needs in the models, the Corps should consider a range of Atlanta-area water-supply alternatives. These include much more aggressive conservation measures and desalination. One other water-supply option that should be evaluated is lower population growth for Metropolitan Atlanta. If the hydrology of the region will not reasonably support the population-growth estimates for Metropolitan Atlanta without substantial harm to other interests, then the population estimates should be deemed infeasible and unattainable. Lake Lanier should not be regarded as available at all costs to meet unreasonable population growth in the region.

Comment ID 0189.001.003

Author Name: Rogers Gilbert

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

Alternatives Analysis

The alternatives analysis is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. Its purpose is to "[provide] a clear basis for choice among options by the decisionmaker and the public." *Id.* The analysis should include a thorough discussion of available alternatives to a project that fulfills the project's underlying purpose and need, even including "reasonable alternatives not within the jurisdiction of the lead agency." *Id.* One required alternative to consider is the alternative of taking no action. *Id.*

The Corps must look critically at every reasonable alternative for revisions to the WCM, including alternatives made available by the Eleventh Circuit's 2011 decision and the Corps' 2012 legal opinion authorizing greater water supply from the Lake Lanier/Buford Dam project. The Corps must consider all reasonable alternatives for operations during normal rainfall conditions and during times of drought. Management procedures considered for Lake Lanier/Buford Dam in times of drought should include analysis of each alternative's impacts on downstream users. Variations on the amount, timing, and quantity of water flows from Lake Lanier should be considered in light of potential impacts to downstream ecosystems and water users in Georgia, Alabama, and Florida. Emphasis should be placed on restoring natural flow volume and variation whenever possible.

Alternatives to providing water supply from Lake Lanier should specifically include aggressive water conservation and efficiency measures available to water users in the ACF system, particularly within the Metropolitan North Georgia Water Planning District ("Metro District") and the state of Georgia. The Corps must consider reasonable alternatives such as greater conservation and efficiency measures even if taking such measures are not within the Corps' jurisdiction. Alternatives which emphasize conservation and efficiency have impacts not only in the Lake Lanier/Buford Dam region, but also on flows within the entire ACF system and downstream users in Georgia, Alabama, and Florida. While north Georgia has made improvements in water conservation in response to the ongoing drought, Atlanta and the other members of the District could make more progress toward implementing aggressive water conservation measures, which could further reduce the need for much of the proposed future water allocations from Lake Lanier and other proposed water supply reservoirs in the Chattahoochee River Basin. The Corps must examine these other water supply alternatives and their effect on dam operations at Lake Lanier as part of the EIS process.

One specific alternative that the Corps should consider is requiring any municipal, industrial, or other entity in the ACF basin who holds a contract for water supply derived from federally financed (partially or in whole), authorized, and/or managed facilities to implement aggressive and accepted water conservation and efficiency methods and best management practices. Such a requirement would not be an anomaly. According to the Bureau of Reclamation's enabling legislation, the Secretary "shall...encourage the full consideration and incorporation of prudent and responsible water conservation measures in the operation of Nonfederal recipients of irrigation water from Federal reclamation projects, where such measures are shown to be economically feasible for such non-Federal recipients. [FN 4]" Furthermore, "each district that has entered into a repayment contract or water service contract pursuant to Federal reclamation law or the Water Supply Act of 1958...shall develop a water conservation plan which shall contain definite goals, appropriate water conservation measures, and a time schedule for meeting the water conservation objectives.[FN 5]" This water conservation and efficiency requirement would foster environmental protection and natural systems' restoration, and it would benefit users and stakeholders throughout the ACF basin who are dependent on healthy river flows.

[FN 4] See 43 U.S.C.S. § 390jj; U.S. Department of the Interior Bureau of Reclamation: Managing Water in the West, Section 210 (Jan. 2007), available at http://www.usbr.gov/rra/Law_Rules/public%20law%2097-293.pdf.

[FN 5] Id.

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0200.001.002

Author Name: Hooker Douglas

Organization: ATLANTA REGIONAL COMMISSION

1. The Corps Should Fully Consider and Evaluate Georgia's Water Supply Request.

a. The purpose and need for the EIS should include meeting Georgia's current and future water supply needs.

The "purpose and need" for the federal action should include meeting metropolitan Atlanta's water supply demands through 2040, as stated in Georgia's Water Supply Request. Multiple studies, including the Metropolitan Atlanta Water Resources Study, the Corps' 1989 Post Authorization Change and Reallocation Reports, and the Metropolitan North Georgia Water Planning District's water resources plans, all have concluded reallocating storage in Lake Lanier and operating Buford Dam to facilitate Chattahoochee River withdrawals is the best available alternative for meeting the region's water needs.

The Eleventh Circuit has established that water supply is a fully authorized purpose of Lake Lanier and that Congress intended for the project to meet the increasing needs of metropolitan Atlanta as the region developed. The opinion issued by the Corps' General Counsel, Earl Stockdale, confirms this broad authority to operate Buford Dam and Lake Lanier for water supply, finding that the Corps has ample authority to accommodate the increased levels of water supply withdrawals contemplated by Georgia's Water Supply Request. Completion of the required NEPA review, therefore, is the final remaining step for the Corps to determine whether and how it will meet metropolitan Atlanta's water needs as Congress intended.

b. Georgia's full Water Supply Request should be an action alternative.

The alternatives analysis for the EIS should include a variety of operating rules designed to meet Georgia's full Water Supply Request.

Georgia and the metropolitan Atlanta region, of course, remain committed to efficient and sustainable use of the water resources within the ACF Basin. As a result of water conservation efforts, per-capita water use in metro Atlanta has been trending downward since the year 2000 even though regional population has increased. [FN 1] Further, a survey of metro areas nationally illustrates that by 2006, the per-capita water use within the Metropolitan North Georgia Water Planning District was lower than most of the areas surveyed. [FN 2] Even with aggressive water conservation, however, additional water supply will be needed from Lake Lanier and the Chattahoochee River as the region continues to add population and jobs, as outlined by the Water Supply Request and updated information provided by Georgia.

Operations that accommodate Georgia's full Water Supply Request, therefore, must be among the action alternatives considered. In analyzing this request, the Corps should evaluate operational rules that accommodate metropolitan Atlanta's future water supply needs to the fullest extent. The Corps' previous NEPA studies show that using Lake Lanier for this purpose carries the fewest environmental impacts and provides the greatest net economic benefits.

c. The Corps should evaluate the economic benefits of granting the request.

The Corps should evaluate the national and regional economic development benefits that would result from granting Georgia's Water Supply Request. In this case, the Corps has repeatedly recognized, through years of study, that supplying water from Lake Lanier to meet the reasonable water supply needs of metropolitan Atlanta is the highest and best use of the resource. Indeed, it is for that reason that the Corps has repeatedly recommended that storage in Lake Lanier be reallocated to provide water supply for metropolitan Atlanta.

ARC has contracted with the firm Industrial Economics to provide an analysis of the relative value of using water from Lake Lanier for water supply compared to other purposes, as well as the national economic development (NED) and regional economic development (RED) benefits of granting the Water Supply Request. This information will be provided to the Corps once it becomes available. It is sufficient for these purposes, however, to state that water supply for metropolitan Atlanta remains by far the most economically beneficial use of Lake Lanier, and that the economic impacts resulting from the Corps' decision on the Water Supply Request must be fully evaluated.

d. The Corps should fully consider the indirect effects of granting anything less than the full Water Supply Request.

The Corps' analysis of water supply operations must include full and complete consideration of the reasonably foreseeable indirect effects of granting anything less than the entire Georgia Water Supply Request. Metropolitan Atlanta relies on Lake Lanier and the Chattahoochee River as its principal source of water supply. Although the region's adoption of aggressive conservation measures has slowed its growth in demand, these demands will continue to increase consistent with the State's Water Supply Request.

There are no reasonable and feasible alternatives to Lake Lanier available to meet these demands. As a result of its geographic location at the headwaters of several major river basins, the geology underlying the region, environmental considerations, and legal prohibitions on large-scale interbasin transfers, metropolitan Atlanta lacks any viable alternative sources of water supply. Metropolitan Atlanta must therefore rely almost exclusively on surface water to meet its reasonable needs, and these withdrawals come primarily from the largest water supply source, Lake Lanier and the Chattahoochee River.

Both the evaluation of the Water Supply Request and the EIS must recognize the absence of reasonable alternative water supply sources. To the extent the Corps was to grant anything less than the entire Water Supply Request, metropolitan Atlanta would have no choice but implement unreasonable, incredibly expensive, and environmentally damaging alternatives to satisfy the needs the Corps declined to meet. This would have serious economic and environmental implications for metropolitan Atlanta, the State of Georgia and the ACF Basin as a whole.

In short, Lake Lanier is the only alternative that will meet the reasonable needs of metropolitan Atlanta in a manner that is safe, reliable, economical, and that does not result in significant environmental impacts. Under NEPA, the Corps must fully evaluate the direct and indirect impacts of requiring metropolitan Atlanta to meet its needs through any other means. The Corps must also fully evaluate the economic, social and public health impacts that would result from any shortages resulting from unmet future needs.

[FN 1] Metropolitan North Georgia Water Planning District, Water Metrics Report (Feb. 2011). This report was provided by email from Pat Stevens to Brian Zettle of the U.S. Army Corps of Engineers on June 16, 2011.

[FN 2] Maddaus Water Management & CH2M Hill, National Water Use Per-Capita Survey, 2005-2007 Period at 4. This report was provided by email from Pat Stevens to Brian Zettle of the U.S. Army Corps of Engineers on June 16, 2011.

<Portions of the text are bolded. Please see the original letter for details.>

Comment ID 0200.001.008

Author Name: Hooker Douglas

Organization: ATLANTA REGIONAL COMMISSION

3. Structural Alternatives Should be Evaluated and Considered.

We continue to urge the Corps to consider structural alternatives to reduce release requirements and downstream demands. These structural alternatives are discussed in ARC's earlier comments, and include either closing or installing a lock at Sikes Cut, restoring the channel below Woodruff Dam, refurbishing the intake at Plant Farley, and renovating projects to reduce releases necessitated by head limits.

<Portions of the text are in bold. Please see the original letter for details.>

Comment ID 0203.001.002

Author Name: Austin Mayor

Organization: Metropolitan North Georgia Water Planning District

The District would ask the Corps to consider operational alternatives and contemplations presented by GAEPD on November 29, 2012 at the technical seminar convened by the U.S. Fish & Wildlife Service ("USFWS") in Eufala, Alabama. Some of the key considerations that the District would like to see the Corps include in its WCM development include: (1) evaluation of alternative levels for the rule curves and action zones in the ACF projects; (2) reconsideration of its policy of balancing the volume of water stored among the reservoirs based on percent of action zone; (3) reconsideration of Woodruff Dam release requirements, including minimum flows; and (4) the development of forecast-based operating rules which can improve the benefits derived from reservoir operating rules for all purposes.

All potential operational alternatives should be evaluated using a set of basin-wide performance measures that is as complete as possible to demonstrate trade-offs and help ensure that additional gains for one purpose cannot be achieved without substantial impact on other management objectives. We strongly encourage the Corps to focus on development of alternative performance measures which can assess the direct measures of benefits rather than rely on surrogates of impact. This is particularly important for the assessment of benefits and impacts to endangered species and other environmental considerations, including the health of the Apalachicola Bay. In addition, we would ask that specific performance measures be included that can evaluate the performance of various alternatives for water supply in the metro Atlanta area.

Comment ID 0262.001.003

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

B.) Currently, the FERC Middle Chattahoochee Project License (P-2177-053) provides the following terms regarding flow regimes: The Middle Chattahoochee Project would be operated to provide: (1) an instantaneous target minimum flow release of 800 cfs, or inflow, whichever is less, downstream of each development; (2) a daily average target minimum flow of 1,350 cfs, or inflow, whichever is less, downstream of the North Highlands development; and (3) a weekly average target minimum flow of 1,850 cfs, or inflow, whichever is less, downstream of the North Highlands development. These flows regimes should be a part to the new ACF Water Control Manual. These flow values were recommended by the States of Georgia and Alabama (Georgia DNR letter filed with application dated August 9, 2002, Alabama Office of Water Resources filed July 2, 2003).

Comment ID 0272.001.001

Author Name: Salo John

Organization:

It would be nice to understand why raising the lake level to 1072 seems to be such an issue when from all I can understand that- that would double the volume in the lake and seemingly give plenty of water to support the down stream requirements.

Comment ID 0316.001.003

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

EPA's scoping comments relate primarily to the potential water resource impacts, biological resource and socioeconomic/EJ impacts associated with the proposed action. In summary, EPA recommends that consideration be given to maximizing the use of existing infrastructure in the ACF basin in an effort to minimize aquatic resource impacts including impacts to wetlands and streams within the basin; requiring the implementation of water efficiency or conservation measures as the primary alternative before commitments are made for supply or storage uses; and analyzing the effects of the WCM operations on water quality standards, with a particular emphasis on physiochemical endpoints such as dissolved oxygen, biological endpoints such as sensitive aquatic species, and physical endpoints that protect the designated aquatic life use, including adequate flows to maintain the physical integrity of the habitat. EPA also recommends that the socioeconomic, environmental and human health impacts on low-income and minority populations, should be identified, analyzed and addressed, as appropriate, and new and innovative procedures to enhance warning systems that will improve public safety and recreation throughout the system should be reviewed. The EIS should consider these issues and others raised in our previous comment letter as part of the development of the

recommended alternative for the WCM.

Comment ID 0316.001.007

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Recommendations: EPA recommends that consideration be given to maximizing the use of existing infrastructure in the ACF basin - in balance with environmental uses such as protection of habitat, aquatic life, and water quality - such that impacts to aquatic resources as a whole are minimized within the basin. If modifications to the operations of the existing systems avoid impacts of new impoundments and additional infrastructure, overall impacts to the basin could be minimized with holistic management. We recommend that the Mobile District fully address and document the effects of the proposed actions on wetlands and streams.

Comment ID 0316.001.009

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

When reviewing such projects, EPA and the Corps must consider whether the applicant has demonstrated adherence to the mitigation sequence, with avoidance and minimization of impacts to aquatic resources as the first two steps, and then ensure that the applicant has evaluated an appropriate range of alternatives and selected the Least Environmentally Damaging Practicable Alternative.

Comment ID 0316.001.012

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Analysis should consider the cumulative impacts of these revisions on water stress in the basin (e.g. a list of all permitted/proposed reservoirs in the basin). An explanation of how provisions in the WCM interact with state water planning and withdrawal permitting would be informative. The WCM should account for, to the extent practicable, future predicted trends in inflows (e.g. long term decreases in baseflow corresponding to increased evapotranspiration, consumptive uses or impervious surface). Likewise, the likelihood of future trends in reuse (industrial reuse, graywater, direct or indirect potable reuse), particularly in the greater metropolitan Atlanta area, should be discussed.

6.G - SCHEDULE

No Comments are Applicable to this Issue Category, and Thus No Response is Necessary.

6.H - SCOPING/PUBLIC INVOLVEMENT

Comment ID 0008.001.003

Author Name: Nelson, et al Bill

Organization: United States Senate

Finally, the Corps noted in June that it has not made a final decision on the operation of the ACF but will do so at the conclusion of this manual update process and after a National Environmental Policy Act (NEPA) analysis is complete. We would strongly encourage the Corps to hold a robust public notice and comment process and to give full and careful consideration to the comments and concerns of our respective States and other stakeholders who depend upon reliable downstream flows. Until the Corps completes this public process, we fully expect there will be no substantive changes to the operation of ACF system.

Please keep us apprised as the process of updating the water control manuals continues.

Comment ID 0011.001.001

Author Name: Pine Bill

Organization: University of Florida

Thanks for the reply. I'll keep studying the documents then as I didn't realize that a new EIS was being drafted. That EIS will be based on the operations that are being "scoped" now correct? I'm pretty familiar with the process as it operates in the Colorado Basin as I've helped develop the basin states alternative to the BOR developed operations manual for the lower basin and have reviewed the BOR alternatives. Here it is a bit challenging because of the volume of material posted and it is confusing exactly what is being asked for review to be commented on. That is a question for your contractor I know who is running the process.

I will work through this over the next few weeks and give you a call if I can't figure out how to comment.

Comment ID 0035.001.001

Author Name: Steve Haubner Douglas Hooker

Organization: ATLANTA REGIONAL COMMISSION

The U.S. Army Corps of Engineers published a notice in the Federal Register on October 12, 2012, providing a 60-day period for the submission of scoping comments concerning the update of its Water Control Manual for the Apalachicola-Chattahoochee-Flint ("ACF") River Basin. The Atlanta Regional Commission ("ARC") requests that the public comment period be extended by 62 days, up to and including Monday, February 11, 2013.

This extension is necessary to allow ARC to complete and submit ongoing studies that will inform the Corps' National Environmental Policy Act ("NEPA") analysis. These include an economic analysis focused on water supply benefits, a review of potential environmental impacts of increased water supply, and proposed reservoir operations that would "expand the pie" for all users and reduce potential conflicts between uses. Although we understand that submissions of this type can be made after the scoping period closes, we believe that these submissions will assist the Corps by providing concrete information and by suggesting specific areas to be studied further during the NEPA process.

Finally, we believe that any delay resulting from the requested extension is negligible in light of the history of the ACF dispute and is far outweighed by the benefits of a comprehensive, properly scoped NEPA analysis. Disputes have troubled the Corps' management of its ACF reservoirs - and prevented the Corps from taking action to update its water control manual and address metropolitan Atlanta's water needs - for more than three decades. At the same time, misinformation concerning the impacts resulting from the Corps' operations and various water uses has negatively impacted the debate over the Corps' operations for far too long. In these circumstances, it is critical that the Corps' updated water control manual, and its decision regarding Georgia's water supply request, be based on the very best information available. Only a comprehensive NEPA analysis and a decision based on facts and sound science will suffice. We know this to be the Corps' goal, and we believe this requested extension will support that end.

As always, we appreciate the Corps' leadership and management of the ACF River Basin. If you have any question about this request, please contact me at (404) 463-3110.

<Portions of the text are italicized. Please see original document for details.>

Comment ID 0065.001.001

Author Name: Johnson Gregg

Organization:

Good way to keep the public informed as to what is happening currently on the status of water flows an decisions.

Comment ID 0069.001.003

Author Name: Rich Lawrence

Organization:

3.) The public info line for West Point Lake (706-645-2929) is the worst attempt of encouraging the public to use this asset. The tone of voice, the cript matter of fact message delivered in a monotone voice only amplifies the corps TAKE NO RESPONSIBILITY for the operation of this lake.

Comment ID 0078.001.001

Author Name: Hanthorn Joshua

Organization:

I am submitting a scoping comment for the allocation of Lake Lanier's water to Atlanta (Billing 3720-58). If there are questions concerning these comments, feel free to contact me at this email address or write to: Joshua Hanthorn at 50 South St. APT 2 South Royalton VT 05068. Thank you.

Public Comment on the Environmental Impact Statement for the Lake Lanier Allocation

This comment addresses the Army Corps of Engineers' (the "Corps") consideration of a broader range of water supply alternatives from Lake Lanier. After the 11th Circuit Court of Appeals ruled Atlanta's water supply was the original intended use of the manmade lake, the Corps decided to take public comment for the production of an Environmental Impact Statement ("EIS") to meet the requirements of the National Environmental Policy Act (the "NEPA"). The EIS will pertain to the allotment of water for Atlanta's use, along with other uses of Lake Lanier. I would like to make a comment on the Corps' action based on my experience as a law school student and my summer internship with the Chattahoochee Riverkeeper.

<Portions of the text are bolded. Please see original document for details.>

Comment ID 0101.001.001

Author Name: Joy Lauren

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

The Southern Environmental Law Center submits this request on behalf of the Tri-State Conservation Coalition, the Chattahoochee Riverkeeper, Flint Riverkeeper, Apalachicola Riverkeeper, American Rivers, Alabama Rivers Alliance, and the Georgia River Network. The Chattahoochee Riverkeeper, Flint Riverkeeper, and Apalachicola Riverkeeper are also members of the Apalachicola-Chattahoochee-Flint (ACF) Stakeholders group.

We appreciate the opportunity to comment on the ACF Water Control Manual re-scoping and would benefit from additional time to submit comments. Given the complexity of the issues at stake and new questions raised at Fish and Wildlife Service meetings held on November 29-30, the TSCC and affiliated groups would like to request an additional 30 days to submit scoping comments for the ACF Water Control Manual updates.

We remain committed to being involved in the NEPA process for the ACF Water Control Manual updates and plan to submit scoping comments as soon as possible to assist the Corps in determining the issues to be addressed in the Draft Environmental Impact Statement.

Thank you for considering this request and please feel free to contact me at (404) 521-9900.

Comment ID 0158.001.001

Author Name: Turner Billy

Organization: ACF Stakeholders

The ACF Stakeholders (ACFS) is a non-profit corporation created to provide a forum for diverse interests throughout the basin to work together to understand the water resources of the Apalachicola-Chattahoochee-Flint (ACF) River Basin and find collaborative solutions to their water management conflicts. The ACFS mission is to change the operation and management of the ACF Basin to achieve equitable and viable solutions among stakeholders that balance economic, ecological, and social values and ensure that the entire ACF Basin is a sustainable resource for current and future generations. Additional information about the ACFS's organizational history and operating procedures is attached.

ACFS formed after the previous scoping process in 2008-2009 and welcomes the opportunity to make comments now during this update to the original scoping document. These comments have been approved by consensus of the 56 member ACFS Governing Board.

The ACFS has appreciated hearing updates at its meetings from the U.S. Army Corps of Engineers (USACE), and looks forward to future similar opportunities to learn about progress on the Water Control Manual update and to serve as a truly basin-wide, multi-stakeholder sounding board.

Comment ID 0158.001.012

Author Name: Turner Billy

Organization: ACF Stakeholders

ACFS also requests that a meeting with USACE be scheduled in the near future so that we may follow-up on our Scoping comments as well as update USACE on our progress. Thank you very much for the opportunity to provide these questions and comments.

Comment ID 0159.001.001

Author Name: Moore Brad

Organization: Friends of Lake Eufaula

Dear Sirs, In that I could not be assured that my comments were submitted electronically on the USACE web site I am enclosing comments from Friends of Lake Eufaula per the attached letter below. Thank you for the opportunity to comment.

Comment ID 0159.001.009

Author Name: Moore Brad

Organization: Friends of Lake Eufaula

Hydrologic Model Runs

FOLE does not have the resources to perform detailed hydrologic model runs to evaluate various operational alternatives. We do wish to state our desire for the Corps to make their various model run results available to the public. This could allow public involvement in helping evaluate the alternative scenarios and ensure all stakeholder interests are represented. We recognize that the Corps must make the final decision on the best alternative; however, the insights gained from the model runs would be very much appreciated by FOLE.

Thank you again for this opportunity to comment. Please feel free to contact me at (334) 616-7888 if you have any questions.

<Portions of the text are bolded. Please see original letter for details.>

Comment ID 0164.001.001

Author Name: Nash Charlotte

Organization: Gwinnett County Board of Commissioners

Gwinnett County, Georgia ("Gwinnett County") appreciates the opportunity to provide additional comments for consideration by the U.S. Army Corps of Engineers (the "Corps") in supplement to its prior submissions of October 20, 2008, and December 22, 2009, relative to accommodating municipal and industrial water supply from the Buford Dam/Lake Lanier Project. 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) (the "2010 Scoping Report") reflects the County's prior comments. Given Gwinnett County's obligation to provide water supply and fire safety protection to more than 800,000 residents, as well as businesses, schools, and hospitals; the County's primary reliance upon the Buford Dam/Lake Lanier project for raw water; and the County's commitment of substantial public resources to supply the project with return flows that benefit lake and downstream users alike, the Corps' current effort to update the Water Control Manual is of significant importance to the County's citizens and the region.

Gwinnett County offers the following comments to be considered by the Corps in any revision to the 2010 Scoping Report based upon the decision of the Eleventh Circuit and the June 2012 Legal Opinion of its Chief Counsel:

Comment ID 0164.001.010

Author Name: Nash Charlotte

Organization: Gwinnett County Board of Commissioners

Thank you for the opportunity to amplify the comments which Gwinnett County has provided to the Corps relative to the

update of the Water Control Manual for the ACF Basin. Gwinnett County stands ready to assist the Corps in moving forward with this significant policy determination, hopes that expedited attention will be given to completing the manual, and is pleased to provide any additional feedback or respond to any question of the Corps arising out of the County's submission.

Comment ID 0165.001.011

Author Name: Freed Charles

Organization: Atlanta Rowing Club

Summary of reasons to include the above items in the scope tasks for the Upper Chattahoochee

The 600 members of the rowing clubs that use the Chattahoochee feel that we are witnessing the slow disappearance of a unique environment of the river above Morgan Falls Dam due to excessive sedimentary deposition. The present pattern of the Buford Dam discharges has serious impacts on rowing safety (people and equipment) and the ability to enjoy this venue, as well as long term impacts on the river's ecology. International rowers have commented that this is one of the best rowing venues anywhere due to the 6.5 mile length of relatively flat water, it's year round availability, the protection from most strong winds provided by the river valley and the beautiful scenery.

It is critical to take actions that will improve conditions for general recreation and mitigate the growth of sandbars and deposits that result from the Buford Dam discharge patterns. We therefore recommend the following changes in Buford Dam operations to preserve this unique resource.

<Portions of the text are bolded. Please see original document for details.>

Comment ID 0167.001.001

Author Name: Bethea Sally

Organization: Chattahoochee Riverkeeper

On behalf of Chattahoochee Riverkeeper (CRK), I submit the enclosed comments in response to the October 12, 2012 public notice concerning the U.S. Army Corps of Engineers (Corps) update of the Water Control Manual for the Apalachicola-Chattahoochee-Flint (ACF) river basin. CRK is a non-profit, environmental advocacy organization consisting of more than 6,000 members dedicated solely to the protection and restoration of the Chattahoochee River to ensure we have enough clean water for people and wildlife. These comments are supplemental to comments CRK has submitted previously on the issue, including those submitted November 21, 2008 and December 23, 2009 (both letters, attached). Our comments focus on three aspects of the Environmental Impact Statement (EIS) the Corps will prepare in conjunction with the Water Control Manual update: the (1) baseline and affected environment, (2) alternatives analysis, and (3) direct, indirect, and cumulative impacts.

<The commenter provided additional documents in support of its letter. Please see the original letter for copies of these

documents.>

Comment ID 0169.001.001

Author Name: Kirkpatrick Katie

Organization: Georgia Water Alliance

To Whom It May Concern:

The Georgia Water Alliance is a broad coalition of stakeholders representing business, local government, water service providers, utilities and agribusiness interests. The Georgia Water Alliance (Alliance) was formed in 2006 to provide a unified voice during the development and implementation of Georgia's Comprehensive Statewide Water Management Plan (State Water Plan). We fully support the Georgia legislature's water policy statement that "Georgia manages water resources in a sustainable manner to support the state's economy, to protect public health and natural systems, and to enhance the quality of life for all citizens."

<Portions of the text are italicized. Please see original document for details.>

Comment ID 0170.001.002

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

The Corps' most recent scoping report will not lead to an EIS that achieves these objectives or complies with the requirements of the National Environmental Policy Act. The most recent scoping report improperly restricts the EIS to a review of a very limited set of alternatives, none of which seek to evaluate or meet the ecological flow needs of the Apalachicola River and Bay. The report also improperly restricts the analysis of impacts in the EIS by opting to compare the impacts of alternative management regimes only to the presumed health of the ACF Rivers as of 1989, despite the long-term and significant adverse impacts caused by the construction and operation of the ACF system prior to that date. To properly analyze the impacts of the proposed Water Control Manual alternatives, the Corps must define and utilize the historical flow conditions (pre-ACF and pre-non-Federal dams and reservoirs) of the Apalachicola, Chattahoochee, and Flint rivers, with particular attention to the historical flow regime of the Apalachicola River. [FN 1]

[FN 1] If it is not currently available, the Corps must obtain or develop this historical flow information unless the costs of doing so would be "exorbitant." 40 C.F.R. § 1502.22.

Comment ID 0173.001.001

Author Name: Blalock Tanya

Organization: GEORGIA POWER

Georgia Power appreciates the opportunity to submit these comments and provide assistance in developing the scope of issues to be assessed in the update of the U.S. Army Corps of Engineers (Corps) Water Control Manual (WCM) for the Apalachicola-Chattahoochee-Flint (ACF) river basin. The Corps reopened public scoping for the ACF WCM update on October 12, 2012. Georgia Power previously provided scoping comments to the Corps on November 20, 2008, and is pleased to participate in this most recent scoping effort for the ACF WCM update.

Comment ID 0177.001.008

Author Name: Tonsmeire Dan

Organization: Apalachicola Riverkeeper

Stakeholder Involvement and Process

Serious consideration of public comments and continued involvement of stakeholders throughout the process is critical for any accurate and meaningful analysis. To accomplish this a facilitated stakeholder process should be a necessary component of the EIS process.

Independent Peer Review by the National Academy of Sciences (NAS) is Warranted

Independent review by the NAS is both appropriate and necessary. It is appropriate because the WCM update is undeniably a controversial project study as defined by law since there clearly "is a significant public dispute as to the size, nature, or effects of the project" and "there is a significant public dispute as to the economic or environmental costs or benefits of the project." As evidenced by the long history of litigation, the implications for the health of aquatic ecosystems in three states, and the strong opposition to the current planning approach, the WCM update is likely one of the Nation's most controversial projects. Review by the NAS is necessary to ensure that the WCM is based on the best available science, on a full understanding of the ecological needs of the ACF system, and on a comprehensive analysis of a full range of environmentally beneficial water management regimes. A NAS review is also necessary to give the public the confidence it needs to support the Corps' recommended alternative.

<Portions of the text were underlined and in bold. Please see original document for details.>

Comment ID 0189.001.002

Author Name: Rogers Gilbert

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

Scoping and Compliance with NEPA

NEPA requires a federal agency to prepare an EIS for any major federal action significantly affecting the quality of the

human environment. See NEPA § 102 (C), 42 U.S.C. § 4332 (C). By its very nature, NEPA is a forward-looking statute, requiring federal agencies to take a hard look at a particular project to assess its impacts and alternatives so that they will make an informed decision with full knowledge of a project's effects on the environment. As part of the NEPA process, the Corps must first determine the scope of the EIS, which "consists of the range of actions, alternatives, and impacts to be considered in an environmental impact statement." 40 C.F.R. § 1508.25. Actions include connected actions, cumulative actions, and similar actions. Alternatives include a no action alternative, other reasonable courses of action, and mitigation measures not included in the proposed action. Impacts refer to direct, indirect, and cumulative impacts. *Id.* Because of the length and complexity of the ACF system, from its headwaters in north Georgia to the Apalachicola Bay, the Corps must look comprehensively at the entire ACF system when determining the proper scope of the EIS and evaluating alternative management protocols for its reservoirs, and their associated impacts.

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0189.001.010

Author Name: Rogers Gilbert

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

Opportunity for Public Participation

Given the importance of the Corps' analysis of the impacts and alternatives in its ACF WCM EIS, we expect the NEPA process to generate broad public interest, from the upper Chattahoochee basin to downstream communities in southern Georgia, Alabama, and Florida. NEPA's purpose is to "ensure that environmental information is available to public officials and citizens before decisions are made and before actions are taken," 40 C.F.R. § 1500.1(b) (emphasis added). In keeping with this purpose, we look forward to a transparent process for drafting and revising the EIS associated with evaluating the impacts and alternatives to addressing the water needs of the entire ACF system while providing recreational opportunities and protecting aquatic habitats.

Conclusion

We look forward to participating in the NEPA process as it moves forward. Thank you for your consideration of these comments. Please contact us if you have any further questions.

<Portions of the text are underlined or italicized. Please see original document for details.>

Comment ID 0201.001.003

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

Florida understands the Corps is resuming prior efforts to revise the Master Manual largely as a result of the Eleventh

Circuit Court of Appeals' June 2011 ruling and subsequent Army Chief Counsel's Memorandum for the Chief of Engineers, Authority to Provide for Municipal and Industrial Water Supply from the Buford Dam/Lake Lanier Project, Georgia (June 25, 2012) ("Counsel's Opinion") addressing the Corps' authority to accommodate municipal and industrial water supply demands from Lake Lanier. Notwithstanding the narrow justification for additional Corps review, these comments are offered with the further understanding that, as part of the update process, the Corps still intends to review all reservoir regulation schedules, policies, data protocols and procedures as applied to all authorized operating purposes (e.g., recreation, navigation, hydropower, water quality, fish and wildlife, etc ...).

Since the Corps is engaged in "scoping" under the National Environmental Policy Act ("NEPA"), these comments will help focus the draft Environmental Impact Statement ("EIS") on significant areas of concern and proposed alternatives that should be considered in the final EIS. Scoping comments are necessarily general in nature, and we anticipate significant additional comments of a more technical and direct nature as the Corps' proposed action crystallizes over time. At this point, since no particular action has been proposed, we seek merely to ensure the issues of concern to Florida, as well as its proposed operating alternative, are taken into account.

Florida has previously submitted comments on issues material to the update process, which include:

- January 12, 2007 (RE: Response to Request for Comments on the Notice of Intent to Prepare Draft Environmental Impact Statement for the Proposed Implementation of Interim Water Storage Contracts Associated with the Southeastern Federal Power Customers Settlement Agreement, at Lake Sidney Lanier/Buford Dam, GA)
- November 20, 2008 (RE: Draft Environmental Impact Statement for Updated Water Control Manual for the Apalachicola-Chattahoochee-Flint River Basin)
- January 4, 2010 (RE: Revision of Scope of Environmental Impact Statement for Updated Water Control Manual for the Apalachicola-Chattahoochee-Flint River Basin)
- February 22, 2011 (RE: ACF Master Water Control Manual Update; Fish and Wildlife Coordination Act Comments)
- May 23, 2011 (RE: Florida Fish and Wildlife Conservation Commission's Comments on Draft Fish and Wildlife Coordination Act Report)
- January 6, 2012 (RE: ESA Section 7 Consultation Concerning "Modified Revised Interim Operations Plan")

The Corps has explained: "Any comments previously submitted will be reviewed and addressed in the current re-scoping so comments previously provided do not need to be resubmitted." See News Release, Water Control Manuals; USACE extends public scoping to next year (Dec. 6, 2012). Therefore, Florida simply incorporates its prior comments by this reference.

<Portions of the text are italicized. Please see the original letter for details.>

Comment ID 0206.001.001

Author Name: Lease Shannon

Organization: Apalachicola Riverkeeper

We have received several reports from citizens over the last several days that although they have tried to submit their comments to your website, they were not successful. Upon submission, an "error 404" web message appears. Due to the inability of these citizens to express their sentiments, We hope that this technical problem will be resolved soon. In

the interim, I respectfully recommend that the deadline for comment submission be extended by 2 weeks to allow citizens an opportunity to provide input. PS. I could not submit this message via your website. Thank you.

Comment ID 0262.001.004

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

C.) Currently the Glades Reservoir in Hall County, GA and Bear Creek Reservoir in South Fulton County, GA are in the 404 permitting process with the USACE. The impact of these potential reservoirs should be evaluated in the EIS scoping process. Both projects are dependent on waters from the Chattahoochee River or a tributary.

Comment ID 0263.001.001

Author Name: Davis Steven

Organization: Columbus Water Works

Columbus Water Works, once again, appreciates the opportunity to make public comments relative to the revisions to the Corps' ACF Operating Plan. The sustainability of a healthy (water quality) and abundant (water quantity) water flow in the Chattahoochee River is vital to the quality of life, aquatic and human, in the Columbus region.

Comment ID 0309.001.001

Author Name: Houston Billy

Organization: TRI RIVERS WATERWAY DEVELOPMENT ASSOCIATION

Dear Colonel Roemhildt:

This letter provides the comments of Tri Rivers Waterway Development Association ("Tri Rivers") regarding efforts of the Corps of Engineers ("Corps") to revise the scope of the Environmental Impact Statement ("EIS") for updating the water control manual for the Apalachicola-Chattahoochee-Flint ("ACF") River Basin. See 77 Fed. Reg. 62,224 (Oct. 12, 2012). Tri Rivers submitted comments dated November 21, 2008, and December 30, 2009, in response to previous scoping notices. For your convenience, we have enclosed copies of those comments for resubmittal. We have not included extra copies of the enclosures that accompanied our 2009 comments, but we incorporate those enclosures by reference as if reproduced in full herein. Thank you for your consideration of Tri Rivers' views.

Comment ID 0316.001.001

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Pursuant to Section 309 of the Clean Air Act (CAA) and Section 102(2)(C) of the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA) has reviewed the Notice of Intent for the proposed project and the previous scoping report. EPA previously provided scoping comments on December 8, 2008, and participated in two public scoping meetings held on October 22, 2008, and October 23, 2008, respectively. Subsequent to that scoping process, the Water Control Manual Update (WCM) and the Environmental Impact Statement (EIS) was put on hold so the U.S. Court of Appeals could hear the appeal of the District Court's decision concerning the allowable uses of Lake Lanier's water. As a result of the June 2011 ruling by the U.S. Court of Appeals for the 11th Circuit regarding the U.S. Army Corps of Engineers' (USACE) authority to accommodate municipal and industrial water supply from the Buford Dam/Lake Lanier project, the Mobile District of the Corps is revisiting the scoping process. This scoping letter is intended to supplement our previous scoping comments on the proposed project.

Comment ID 0316.001.004

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

We appreciate the opportunity to provide additional scoping comments on the proposed WCM Update and EIS for the ACF River Basin. If you have any question regarding our comments, please contact Ntale Kajumba (404/562-9620) of my staff or the Water Protection Division technical coordinator Paul Gagliano, P.E. at 404 404/562-9373.

Comment ID 0316.001.028

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

The Corps should continue to provide opportunities for meaningful community engagement in the NEPA process, including identifying potential effects (e.g., subsistence fishing), minimization and mitigation measures in consultation with affected communities. A summary of community concerns and agencies responses to those concerns should be included in the EIS.

Comment ID 0316.001.030

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Efforts should be made to meaningfully engage these stakeholder groups or individuals in the public involvement and decision-making process.

<This comment refers to environmental justice low-income and minority populations.>

7.0 - NAVIGATION

Comment ID 0159.001.003

Author Name: Moore Brad

Organization: Friends of Lake Eufaula

Communities in the Lower Portions of the Basin Depend on the Corps' Provision of Adequate Flows and Lake Levels.

Communities and businesses located and grew around Lake Eufaula with the full expectation that the Corps would operate the ACF reservoirs according to the laws authorizing their construction and operation. Those communities spent significant dollars to build public works projects as well as infrastructure including the Eufaula Inland Dock. Those facilities made it possible for local communities to sell and ship agricultural, silvicultural and mineral products in bulk and to receive large deliveries of fuels and fertilizers by barge.

Not only have these communities and businesses acted and invested in reliance on the Corps' lawful operation of the ACF reservoirs in the past, but they are counting on adequate flows and lake levels for their future survival. Industry and commerce will continue to grow in southeastern Alabama and southwestern Georgia with adequate flows and channel maintenance.

Comment ID 0160.001.004

Author Name: McBride Mike

Organization:

NAVIGATION: the Chattahoochee is not the Mississippi. Even so, it appears from what I've observed, the water is rushing down stream past the dam is just fine. In fact, it's so good, the Columbus area is now touting water rafting and kayaking. Of course north of the dam you've created a very formidable obstacle course. Can you now hear my marbles bouncing around?

Comment ID 0186.001.007

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

8. Consideration of Navigation

The EIS must take account of impacts of Corps operations on navigation in the Chattahoochee River. Navigation is one of the purposes for which Lake Lanier was constructed, but the current action-zone regime under which Buford Dam is operated largely ignores navigation interests except when the reservoir is nearly full.

Alabama constructed three state docks in the Chattahoochee River in reliance on consistent navigation flows. Those docks are located at Columbia (River Mile 49.1), Eufaula (River Mile 91), and Phenix City (River Mile 153). Alabama made significant investments in those facilities, but each has been rendered virtually useless by the lack of flows necessary for navigation during extended periods of time. The EIS and water control manual must take into account the economic issues related to these navigation-based facilities.

In addition, there are certain critical pieces of equipment for the Farley Nuclear Plant that can only be delivered by barge, so the water control manual must maintain the ability for releases to be made from upstream federal projects for navigation when such parts are required on an emergency basis.

Comment ID 0191.001.004

Author Name: Elmore Greg

Organization: Southern Nuclear Operating Company, Inc.

The Corps must support navigation on the Apalachicola and Chattahoochee Rivers.

In addition to flow assumptions, another primary factor in the siting of Plant Farley was the proximity to a federally authorized and maintained navigable river. Most of the large equipment for the original plant construction was delivered by barge. In 2000 and again in January of 2006, barge transportation to and from the plant was necessary for vital equipment replacement and maintenance activities. No other mode of transportation to Farley was adequate for those purposes. Inadequate provision for reliable navigation will increase costs for Plant Farley and limit the potential for future expansion.

Navigation is one of the principal authorized purposes of the ACE River Basin reservoir system as authorized by Congress. Each of the Corps' ACF reservoirs plays a critical role in maintaining navigation in the ACF River Basin. For example, the current reservoir regulation manual for Jim Woodruff Reservoir describes Woodruff as "a multi-purpose project created primarily to aid navigation in the Apalachicola River below the dam and in the Chattahoochee and Flint Rivers above the dam and to generate electric power." Apalachicola River Basin Reservoir Regulation Manual, Appendix A, Jim Woodruff Reservoir at A-10 (1972 & Rev. July 1985). To this end, the Corps is directed to maintain Woodruff at an elevation of approximately 77 ft MSL while continuously releasing inflows to the Apalachicola River in order to support a nine foot deep navigation channel. *Id.* at A-16, A-17. Continuous navigation operations are to be curtailed only during unusual low-flow events, consistent with static head limitations. *Id.* at A-18. Upstream, the George W. Andrews Reservoir is described in its Reservoir Regulation Manual as "a single purpose project designed to aid navigation by providing a 9-foot navigation channel and by maintaining a more uniform downstream flow." Apalachicola River Basin Reservoir Regulation Manual, Appendix D, George W. Andrews Reservoir at D-5 (Rev. Feb. 1978). Andrews, like Woodruff, is a run-of-river project, and it aids navigation primarily by passing inflows released from upstream projects. All efforts are to be made to ensure Andrew's tailwater does not drop below 77 ft MSL-the minimum needed to maintain a nine foot navigation channel. See *id.* at D-26. When Andrews can no longer support this tailwater elevation, "arrangements may have to be made for limited operation of the Walter F. George power plant, or for equivalent spillway discharges." *Id.* Indeed, all three of the upstream reservoirs-Lanier, Walter F. George, and West Point-are required to support navigation from Columbus, Georgia, to the Gulf of Mexico. As the Corps' 1989 Draft Water

Control Plan recognizes, "all three of the major storage projects will be utilized to provide the designated level of support" for navigation "for as long as possible and, of course, preferably year-round." ACF Basin Water Control Plan at 17-18 (Draft Oct. 1989).

West Point and Walter F. George are thus essential in maintaining adequate flows in the middle Chattahoochee and the Apalachicola River. The more depleted these reservoirs become, the less likely they can adequately provide that support. Therefore, lowering action zones at these reservoirs to protect storage at Lake Lanier negatively impacts downstream flow support. Any revision to the ACF water control manual must ensure that both West Point and Walter F. George are able to continue their important role in maintaining adequate flows in the middle Chattahoochee and Apalachicola Rivers. And the Corps should reject any alternatives that shift the burden of supporting Atlanta-area water supply to these downstream reservoirs.

As explained above, Plant Farley was designed and built on the assumption that the Corps would ensure a minimum elevation of 76 ft MSL between Andrews and Woodruff for as much of the year as possible. When the ACF reservoirs are operated to meet the elevation and flow targets specified in the Woodruff and Andrews Reservoir Regulation Manuals, Plant Farley's operational requirements are met. Any new operations to support Atlanta area water supply must take account of the downstream flow requirements of Plant Farley and the congressionally mandated navigation support function of the ACF reservoir system. The Corps has not consistently maintained the Apalachicola River to provide for safe and reliable navigation, largely due to the State of Florida's denial of authorization pursuant to Clean Water Act ("CWA") Section 401, the Coastal Zone Management Act ("CZMA"), and various state statutes and regulations. As a result, commercial barge traffic from Alabama and Georgia to the Gulf of Mexico has all but ceased. Nevertheless, the Corps is responsible for maintaining navigation in the ACF River Basin notwithstanding Florida's decision. CWA Sections 404(t) and 511(a) provide sufficient authority for the Corps to proceed with navigation maintenance despite Florida's denial of a Section 401 permit. In short, the Corps cannot use its failure to maintain the navigation channel and the subsequent reduction in barge traffic as a basis for not operating the reservoirs for navigation.

The Corps' revised water control manual for the ACF Basin must ensure adequate flows to support navigation. Support of navigation is among the primary congressionally authorized purposes of the ACF reservoirs. Accordingly, the Corps has no discretion to abandon navigation support or to disfavor it in support of other reservoir purposes. Nothing in the legislative history of the ACF system or the Eleventh Circuit's Tri-State opinion authorizes the Corps to subordinate navigation support to other project purposes. Rather, navigation support is a co-equal authorized functions of the ACF reservoir system; therefore, each purpose must be given adequate support by the Corps. As the Corps' original 1959 reservoir regulation manual for Buford Dam recognizes, "[a] storage of 1,049,400 acre-feet between elevations 1,035 and 1,070 [at Buford Dam] has been allocated for power and low-water flow regulation." Apalachicola River Basin, Reservoir Regulation Manual, Buford Reservoir at B-13, II 29 (Dec. 1959). (emphasis added). For this reason, as the Corps' 1991 Buford Dam water control plan states, maintaining the navigation channel sometimes requires "releases from storage in upstream reservoirs considerably in excess of the flow requirements to meet power contract commitments." Apalachicola River Basin, Reservoir Regulation Manual, Buford Reservoir at B7-1, II 7-01 (Feb. 1991) (emphasis added). We urge the Corps to include this requirement in the scope of its EIS and in any revisions of the water control plans and manuals for the ACF Basin. At a minimum, a reasonable amount of conservation storage in Lanier should be reserved for navigation support.

Thank you for your consideration of these comments. Should you have any questions or if you wish to receive

additional information, please contact me at 205-992-5264.

Comment ID 0254.001.001

Author Name: Fineout Dennis

Organization:

First, thank you to the USACE for the excellent work that have done managing this public asset. While not agreeing with every decision, my family and I have great appreciation for their efforts.

Following are a few areas that I would like to see given more attention.

Commercial waterway usage. The commercial barge traffic, an excellent alternative to over the road semi-truck wear and tear, is not currently feasible due to the lack of dredging in the Blounstown area. My understanding is that dredging requires a permit from Florida, which is not being granted. There must be some means of working through this issue.

Comment ID 0263.001.003

Author Name: Davis Steven

Organization: Columbus Water Works

Navigation

Columbus has been a port city since the 1800s and provides the most upstream commercial navigation dock on the Chattahoochee River. Since the Corps' navigation channel maintenance has declined, the barge traffic has been forced out of business. However, Columbus would prefer the Corps to restore navigation for commercial and recreational purposes. Consideration should be given to seasonal navigation that coincides with high spring releases for aquatic species.

Comment ID 0270.001.002

Author Name: Fineout Mary Beth

Organization:

We want to see barge and commercial traffic returned to our region. It is an excellent alternative to "over the road" semi-truck wear and tear and is not currently feasible due to the lack of dredging in the Blounstown area.

Comment ID 0309.001.002

Author Name: Houston Billy

Organization: TRI RIVERS WATERWAY DEVELOPMENT ASSOCIATION

1. Effect of 11th Circuit Decision and Corps Opinion

a. Navigation Remains an Authorized Project Purpose

The main difference from the time of the Corps' last round of scoping is the June 2011 decision of the U.S. Court of Appeals for the Eleventh Circuit, *In re Tri-State Water Rights Litigation*, 644 F.3d 1160 (11th Cir. 2011) ("11th Circuit Decision"). Also, in response to that case, the Corps in June 2012 issued a legal opinion, namely, Authority to Provide for Municipal and Industrial Water Supply from the Buford Dam/Lake Lanier Project, Georgia (June 25, 2012) ("Corp Opinion"). Tri Rivers' previous comments emphasized that the Corps must abide by the Congressionally authorized purposes of the ACF River System, including support of navigation. Neither the 11th Circuit Decision nor the Corps Opinion has in any way diminished the importance or legal effect of navigation among the several project purposes. The Corps must balance the project's authorized purposes in keeping with Congressional intentions and expectations. Corps Opinion at 27-28. Tri Rivers urges the Corps to ensure that revisions to the water control manual support navigation and recognize it as a Congressionally authorized purpose of the ACF System.

b. Navigation Remains Critical to Economic Development for Communities along the Middle Chattahoochee and Flint Rivers

Commercial navigation on the ACF River System has diminished in recent years. However, that is a direct result of the Corps' failure to properly maintain the channel. As recently as 1985, shippers moved well over 1 million tons per year (tpy) of goods on the ACF. Tonnage decreased when the Corps failed to maintain a navigable channel on a reliable basis. For that reason commercial transportation on the river system has all but ceased. The Corps should not use its own failure to fulfill its statutory duty to maintain the Apalachicola River as a basis for reordering the project purposes; navigation remains a primary project purpose and must be treated/as such.

We continue to receive inquiries indicating demand for river traffic on the ACF in volumes that approach or exceed historic highs. Recent examples include the following inquiries:

- Mineral Manufacturing: Barge 400,000 to 450,000 tpy of raw materials to Eufaula, Alabama, and barge out half-finished products, employing 40-50 employees plus 10-15 truck drivers.
- Alcoa: Barge 100,000 to 200,000 tpy of green petroleum coke from Catoosa, OK, and Baton Rouge to Eufaula.
- Continental Carbon Company: Barge 30,000 to 40,000 additional barrels of residual fuel oil for carbon black manufacturing to Phenix City, Alabama.

Ergon, Inc., which supplies Florida with a special asphalt blend, is operating at half capacity in Bainbridge, Georgia. That company has indicated readiness to double capacity and expand jobs if barge service is restored.

Other companies in our region work with higher-value products and components that are better suited to barge transportation due to their size weight. The Corps is well aware of the example of Steward Machine in Bainbridge, Georgia. The Corps contracted with Steward Machine to build lock gates for the Corps' own facilities, but without barge

service, those components were partially disassembled for shipment at additional cost. Southern Nuclear has had to rely on barge transportation for periodic shipments of oversized components. The known difficulties associated with larger shipments present a continuing barrier to siting larger industrial and manufacturing facilities in the middle portion of the ACF. The lost opportunities for economic development that result are substantial and are not captured by arbitrary thresholds developed to measure tonnage or ton-miles shipped.

<Portions of the text were bolded. Please see original document for details.>

<Portions of the text were italicized. Please see original document for details.>

Comment ID 0309.001.010

Author Name: Houston Billy

Organization: TRI RIVERS WATERWAY DEVELOPMENT ASSOCIATION

3. The Corps' Duty to Maintain the Navigation Channel

In addition to providing sufficient flows to support navigation, the Corps is also obligated to maintain the channel to achieve that project purpose. As discussed in our previous comments, the Corps has justified its failure to do so by citing a decision of the Florida Department of Environmental Protection to deny state-level authorizations for channel maintenance activities. The Corps should exercise its federal statutory preemptive authority to maintain the channel for navigation, even if the state refuses to grant approval on a reasonable basis. As Tri Rivers has explained previously, the Corps is authorized to dredge the channel regardless of state-level permitting procedures. In another setting, the Corps recently has taken a position consistent with that of Tri Rivers, and the federal courts have upheld and approved that interpretation of the law. *Del. Dep't of Natural Res. & Env'tl. Control v. Us. Army Corps of Eng'rs*, 685 F.3d 259,278-286 (3d Cir. 2012) (holding Corps' invocation of "maintain navigation" exemption in Clean Water Act Section 404(t) relieved it from permitting requirement with respect to dredging project in Delaware River).

Tri Rivers continues to believe we can develop a consensus-based plan to reopen the Apalachicola River to navigation. We are not suggesting that the Corps ignore the State of Florida or any other stakeholder. However, at the same time, the Corps is not bound by state efforts to thwart the Corps' statutory mission or impose unreasonable requirements as a condition of approval. For purposes of the immediate proceeding, we urge the Corps to include navigation maintenance among the issues to be included in the scope of its Environmental Impact Statement and fully accounted for in any revisions of its water control manual for the ACF River Basin.

Thank you for this opportunity to comment. Please feel free to contact Billy Houston at (334) 668-1000 if you have any questions.

<Portions of the text were bolded. Please see original document for details.>

<Portions of the text were italicized. Please see original document for details.>

8.0 - SOCIOECONOMICS & RECREATION

No Comments are Applicable to this Issue Category, and Thus No Response is Necessary.

8.A - ECONOMICS AND RECREATION

Comment ID 0005.001.004

Author Name: Maltese Joe

Organization:

4. The Corps of Engineers was instructed by Congress to create West Point Lake specifically for Recreational Purposes along with 4 other purposes, yet in total the Corps fails to maintain and operate the resource for that purpose in any form. This past year the Corps has focused more heavily in storing water in Lake Lanier while draining West Point Lake to support downstream demands. The financial impact has been devastating to the existing recreational industry associated with the WPL project and resulted in the effective denial of use for recreational purposes by the general public. Specifically this past year the Corps closed ALL camping areas at the WPL project even though it maintained camping facilities opened at other Corps projects on the ACF - projects which did not have a specific recreational authorization. Individuals that rent slips in Corps leased marinas are denied use of their slips and water craft due to low water levels. This represents direct financial impact and loss to business and individuals and has resulted in property damage also to watercraft owners and small businesses. The Corps seems to ignore this impact in order to address other non authorized demands along the river.

Comment ID 0005.001.006

Author Name: Maltese Joe

Organization:

6. The Corps should provide financial compensation for WPL users, especially those that have made business or personal investments in, or rent, a recreational asset associated with the project when the Corps fails to fulfill its mandate of operating the WPL project with adequate lake levels to sustain recreational use. The corps has other resources available for to sustain its artificially created flows that do not have a recreation authorization specifically, Seminole, Walter F George and Lanier- which remain underutilized.

Comment ID 0007.001.002

Author Name: Matheny Anthony

Organization:

Q2: Where are the supposed economic benefits to Troup County, (with lake levels so low 2/3rds of the year) to replace the property taxes lost with the impounding of the lake?

(Note:)Troup County was promised economic benefits from the lake (visitors/events, etc.) to offset the lost property taxes being paid at the current time of the lake impoundment

Comment ID 0007.001.004

Author Name: Matheny Anthony

Organization:

There have been national and local events cancelled here because of the low and dangerous levels of the lake. West Point Lake has ruined Troup County economically because of LOST PROPERTY TAX BASE. The lack of this revenue has driven Troup to be one of the poorest counties in the state of Georgia.

Comment ID 0016.001.001

Author Name: Garner Keith

Organization:

This is the 2nd year we can not duck hunt west point lake because the water is down 10foot. We pay very good money for hunting permits to hunt the corps lakes. This needs to be fixed

Comment ID 0023.001.001

Author Name: Lewis Michael

Organization:

Current issues pertaining to me, a homeowner on the Chattahoochee River:

Erratic release schedules of the Buford Dam adversely affect recreation downstream. The on/off releases multiple times per day results in highly silted waters that are poor for fishing.

Comment ID 0025.001.001

Author Name: Dykes Jimmy

Organization:

really need to get something done about the mudhole that use to be called westpoint lake. i cant even put my pontoon boat in the water at neither of the two boat ramps closest to my house. i would love to take my kids fishing but cant get the boat out the county is loosing money cause no one will come here to fish anymore. its ridiculous to have a lake that big you cant even use

Comment ID 0026.001.002

Author Name: Houghton Daniel

Organization:

The business people that have been victims of this current ploicy should be made hole again with federal funds that should come directly from the fish and wildlife budget. The fish and wildlife agency should be ashamed of the current practices that have gone on for the past several years. The current policy for this lake is a disgrace to the people that PAY TAXES and owen homes on this lake. Fish and wildlife has no HARD facts about the 5000 cfm mandate but continue to force this on the people that worked hard for a lifetime and though they might enjoy a lake home in their retirement. They have been fooled by a government agency that maes demands without facts and has caused many many people on this river system to go out of busniess.

Comment ID 0028.001.002

Author Name: Hale Scott

Organization:

I Built a house on the lake in 1995 and after 7 years of struggling with water levels, I finally sold. Well.... I bought a houseboat (\$200,000)thinking I would be immune to the low water. Our dock has over \$1,000,000 in Houseboats that are in physical danger of having major damage if the water level continues to drop. We already cannot use them due the the levels but if the water continues to drop, outrives could be damaged causing boats to sink, costing thousands of dollars and creating a terrible enviromental Hazard. Let's get some common sense and put the lively hood of Humans First over fish.

Comment ID 0032.001.001

Author Name: Baker Donald

Organization:

Years ago I moved to West Point Lake area to have an enjoyable retirement since the Lake was supposed to be used for recreational purposes.

I invested quite a bit of money into a nice dock and get very little use out of it with the fluctuating water level. Last year the water drops so rapidly over a short period of time that a log got caught under by dock and caused my boatlift to twist

the frame and tore the walkway away from the embankment. By the time the dock was repaired it had cost me \$2000 and the water was low again and I have not been able to use the dock for two years.

For the last two years I have had to take my houseboat out of the slip as Southern Harbor Marina and move it to deeper water. This should not have been necessary.

I had planned on relocating my company from Atlanta to the LaGrange area as my employees very much enjoy boating and the outdoors along with a lower cost of living. Needless to say that is not possible on West Point Lake.

The Corps of Engineers blames the low Lake level on the drought. However, the lake was never brought the full pool in the Spring.

Comment ID 0032.001.004

Author Name: Baker Donald

Organization:

People from out of the area do not come to the West Point Lake area because they do not know if there is going to be sand or mud at the beaches. Nor do they know if they will be able to launch their boats due to the water level. Consequently revenue is lost for the area.

Hopefully, common sense will start prevail.

Comment ID 0033.001.001

Author Name: Webb Brenda

Organization:

I read once again, the article about the low lake levels. In my particular case, it is WestPoint Lake. I am a recreational boater. I own a \$250,000 houseboat moored at Southern Harbor Marina. I love the lake, my houseboat, the friends who come to A dock for fun and relaxation. It troubles me each year as the ROLLER COASTER RIDE begins in August as to whether there will be enough water to float my boat in or even take it over to pump out. I think I have reached a point where it would be better to sell it than be concerned year round. However, selling is not an option because I cannot even pay \$5000-6000 to have a mover come pull the boat out since the ramp water is so low. I can only imagine those wishing to sell their homes on WPL.

Comment ID 0036.001.002

Author Name: McBride Mike

Organization:

What is at stake here, however, is not just aesthetics, but the economic viability of the community. Let's face it, the empty textile mills that dot the area are a thing of the past while the lake provides current and future positive economic potential. I have yet to speak with anyone in the community from those running restaurants, marinas, boat and fishing related businesses, and just my neighbors and friends who don't understand this. So why doesn't the Corps?

Comment ID 0042.001.002

Author Name: Watkins Linda

Organization:

We are creating a situation where LaGrange will no longer be a place for people to come for recreation, or fishing. Our docks are sitting in mud, people that built docks and bought boats have to go to Alabama for their water sports. Water will bring business and recreation for all. Our property values suffer because of a lake of mud. It will not be long before LaGrange is bypassed altogether because of the lack of water. Past management practices have not worked. Please correct this before it is too late.

Comment ID 0044.001.002

Author Name: Knox J.

Organization: Retreat on West Point Lake

As a small business owner, I can tell you with 100% certainty that the lake levels have a direct impact on my business as I have lost numerous potential sales due to low and unpredictable lake levels. I am in the real estate development business and have a significant amount of property bordering the Corps' West Point Lake project. The low and fluctuating lake levels have made it almost impossible for me to attract buyers who are looking for a lake side property which will give them access to a lake they can recreate and relax on. I have permitted 228 boat slips on West Point Lake (and paid all the necessary fees to the Corps to do so) and I can hardly give them away because of the inconsistent and low lake levels. Why would someone want to recreate on a lake with no water? The low lake levels are going to put me out of business!

As you go about revising the Master Control Manual, please consider the recreational use component of the authorized intended purpose of the lake when originally created.

<Photograph of a large expansive mud flat along West Point Lake. Please see the original document for the photo.>

<Portions of the text are italicized. Please see the original document for details.>

Comment ID 0044.001.004

Author Name: Knox J.

Organization: Retreat on West Point Lake

Bottom line, we need more water in West Point Lake. The benefits of higher and sustained lake levels are enormous. A lake with normal fluctuations and higher levels results in higher property values and more use. Higher property values increases the tax basis and more use equates to increased revenues for area businesses which means more tax and therefore more potential budget dollars for the USACE.

Please help. Help the small struggling business owner. If there is anything I can do to help the process, please do not hesitate to contact me.

Thank you for your consideration.

<The commenter provided an additional attachment in support of their letter. The attachment is a study ("Operational Changes to the West Point Lake Rule Curve") by Global Energy & Water Consulting, LLC. Please see the original document for a copy of this study.>

Comment ID 0045.001.002

Author Name: Timmerberg Dick

Organization: West Point Lake Coalition

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

Comment ID 0045.001.004

Author Name: Timmerberg Dick

Organization: West Point Lake Coalition

4) The economic damages to the WPL communities and the lack of economic development due to unnecessarily low and undependable lake levels need to be assessed and stopped. Small businesses have gone bankrupt and others have been stretched to keep their doors open. Major fishing tournaments have been cancelled damaging hotels, restaurants, marinas, and lake related businesses. Visitation is down and campgrounds have been closed. Land specifically set aside for a hotel, conference center, golf course, etc. has never been developed. We are blessed with a moderate climate and WPL should be managed as a 52 week a year lake with the corresponding benefit of a 52 week a year lake related economy! WPL needs a dependable and reliable lake level to provide for economic development and stop the economic harm.

Comment ID 0045.001.007

Author Name: Timmerberg Dick

Organization: West Point Lake Coalition

Who is looking out for the welfare of the small businessman? Common sense would seem to dictate that the needs of man should be balanced with the needs of the critters. The RIOP needs close analysis as part of the EIS to see what changes can be made to avoid destroying the economic, environmental, and recreational value of WPL during all times other than "extreme" drought!

We thank you for the opportunity to comment and ask that the above issues be submitted and studied during the EIS period. We look forward to a Revised WCM which will honor the WPL Congressional Authorizations and provide for the economic benefits envisioned by Congress and promised to the taxpayers!

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0046.001.002

Author Name: Keeth Joey

Organization:

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

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Author Name: Keeth Joey

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<Portions of the text are underlined. Please see the original letter for details.>

Comment ID 0047.001.002

Author Name: Lindow Charles

Organization:

As you must know, the economy of the area suffers from the low lake level to the tune of about \$300,00,000 a year. I ask myself, does the sale of electricity generated at the dam justify this loss? I think not.

Comment ID 0048.001.001

Author Name: Jackson Danny

Organization:

I'm writing to voice my opinion of the West Point Lake lake level. It looks pitiful. I fish in two different bass clubs and we fish at eight different lakes within a two hour drive. None of these lakes even comes close to looking as bad as West Point Lake. You can't even hardly put your boat in at West Point Lake. Most of the floating docks aren't even in the water. The Corp should give everyone their yearly parking pass money back since you can't use it at most ramps. The Corp has nice facilities but what good is that if you can't even launch your boat. I look at Highland Marina and Southern Harbor Marina and they are mostly just sitting in the mud. I know it's got to be killing their business.

Comment ID 0049.001.002

Author Name: Baker Donald

Organization:

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

Comment ID 0049.001.004

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Organization:

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<Portions of the text were underlined. Please see original document for details.>

Comment ID 0050.001.002

Author Name: Baker Sophronia

Organization:

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Comment ID 0050.001.004

Author Name: Baker Sophronia

Organization:

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Comment ID 0050.001.007

Author Name: Baker Sophronia

Organization:

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I thank you for the opportunity to comment and ask that the above issues be submitted and studied during the EIS period.

<Portions of the text were underlined. Please see original document for details.>

Comment ID 0051.001.002

Author Name: Walters Wesley

Organization:

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

Comment ID 0051.001.004

Author Name: Walters Wesley

Organization:

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Comment ID 0051.001.007

Author Name: Walters Wesley

Organization:

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<Portions of the text are underlined. Please see original document for details.>

Comment ID 0052.001.002

Author Name: Wylie Clarence

Organization:

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Comment ID 0052.001.005

Author Name: Wylie Clarence

Organization:

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Comment ID 0052.001.008

Author Name: Wylie Clarence

Organization:

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Comment ID 0053.001.002

Author Name: Unknown 1 (Illegible) Unknown 1 (Illegible)

Organization:

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Comment ID 0053.001.004

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Comment ID 0053.001.007

Author Name: Unknown 1 (Illegible) Unknown 1 (Illegible)

Organization:

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Comment ID 0054.001.002

Author Name: Unknown 2 (Illegible) Unknown 2 (Illegible)

Organization:

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Comment ID 0055.001.002

Author Name: Alford Peter

Organization:

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Comment ID 0056.001.003

Author Name: Reneau Buddy

Organization: Efacec, ACS, Inc.

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Comment ID 0056.001.008

Author Name: Reneau Buddy

Organization: Efacec, ACS, Inc.

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Comment ID 0057.001.001

Author Name: Jennings Laura

Organization: LaGrange Troup County Bureau of Tourism

I just got off the phone today with a tournament organizer for FLW. FLW wants to host a regional tournament on West Point Lake in mid-September to early October 2014. Such a tournament would have a significant economic impact on our community. However, the FLW leadership is reluctant to plan any tournament on West Point Lake because of its notoriously low level.

West Point Lake has the opportunity, because of its super location near so many metropolitan areas, to be the venue for many water sport tournaments and events. However, the low lake levels are hurting our ability to attract tourists and events. The tourism industry in our county accounts for 1,100 jobs, according to the state of Georgia. With West Point Lake being our number one tourism attraction, these jobs are at jeopardy if the lake level is not improved.

Please know that Troup County's tourism industry is financially dependent on the level of West Point Lake.

Comment ID 0061.001.001

Author Name: Spinks Tracy

Organization:

On behalf of the City of LaGrange, Troup County and the surrounding community, and in accordance with our responsibilities under the National Environmental Policy Act of 1969 (NEPA), I submit and request to have the following comments carefully considered and added to the public record for the Apalachicola Chattahoochee Flint River basin Master Water Control Manual Environmental Impact Statement (EIS). As part of the process for determining the scope of issues to be addressed in the EIS and for identifying the important issues related to the proposed actions, we request that the following important issues be thoroughly considered by your agency:

- West Point Lake is a key and critical economic driver for the City of LaGrange, City of West Point, and all of Troup County and surrounding area. Each year over 2.2 million visitors come to West Point Lake for recreational purposes, accounting for \$112 million in local economic impact. Without adequate lake levels, these economic opportunities are lost. Over the past few years fishing tournaments have been cancelled resulting in more lost income to an already economically stressed region. According to the 2010 U.S. Census, much of Troup County is contained in "less developed census tracts".

- In addition to the direct economic harm of low fish spawns, and lost fishing tournaments, the larger economic damage to the area is evident in the lack of any new developments that are in any way dependent upon the lake. Many other regional lake communities enjoy the year-round benefits of hotels, conference centers, and other developments on their properties. Examples of this type of development can be observed at Lake Martin, Alabama. The residents and

potential visitors to West Point Lake demand similar treatment.

Comment ID 0061.001.005

Author Name: Spinks Tracy

Organization:

As your agency begins the process associated with the new EIS for the Water Control Manual for the ACF basin, we respectfully ask that the congressional authorizations for West Point Lake be carefully and thoroughly considered. West Point Lake has been consistently used as the "work horse" of the ACF basin to the detriment of any Lake-related economic development in Troup County for many years. We are hopeful of positive change in the WCM that will allow our community to move forward economically.

Our community is prepared to work with the Corps in any way necessary to facilitate the EIS and WCM for the basin. If there is anything I can do to help the process, please do not hesitate to contact me.

Comment ID 0062.001.002

Author Name: McGowan O.W.

Organization:

It grieves me no end to know that my favorite event on the lake - the 13th annual Poker Run for Boats - was cancelled due to unpredictability of adequate lake level for safely holding the event. Not only was this a tremendous advertisement for the lake, but also the major fund raiser for obtaining funds to do the great work I've seen the Coalition do on behalf of the lake and the community.

Comment ID 0062.001.005

Author Name: McGowan O.W.

Organization:

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

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Author Name: McGowan O.W.

Organization:

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Comment ID 0062.001.010

Author Name: McGowan O.W.

Organization:

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Comment ID 0063.001.003

Author Name: Starr Shane

Organization:

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Organization:

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Comment ID 0063.001.008

Author Name: Starr Shane

Organization:

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Since I moved here in 2003, I have watched West Point Lake slowly become a sad testament to an unfathomable management objective. I am sincerely hopeful that we can restore some amount of common sense into the management of West Point Lake.

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0066.001.002

Author Name: Billingsley Randall

Organization:

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Comment ID 0066.001.004

Author Name: Billingsley Randall

Organization:

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Comment ID 0067.001.002

Author Name: Glazier Richard and Debra

Organization:

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Comment ID 0074.001.002

Author Name: Lanett Lanett

Organization:

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Comment ID 0074.001.004**Author Name:** Lanett Lanett**Organization:**

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Comment ID 0075.001.002**Author Name:** Nichols, Jr. Robert**Organization:**

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Comment ID 0076.001.002

Author Name: Britt William

Organization:

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Comment ID 0079.001.003

Author Name: Frost Peter

Organization: Douglasville-Douglas County Water and Sewer Authority

5. The Authority is concerned that the WCM update may impact how EPD's Environmental Planning criteria relates to drainage basins upstream of large water supply sources and that future regulations may have an economic impact on the current and/or future properties within the service area of the Authority which is tributary to the Chattahoochee River.

Comment ID 0082.001.002

Author Name: Morgan Ashley

Organization:

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Comment ID 0082.001.004

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Organization:

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Comment ID 0083.001.002

Author Name: Bice Bonita

Organization:

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Comment ID 0084.001.002

Author Name: Gay Brenden

Organization:

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Comment ID 0085.001.002

Author Name: Gay Brian

Organization:

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Comment ID 0085.001.004

Author Name: Gay Brian

Organization:

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Comment ID 0085.001.007

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Comment ID 0086.001.002

Author Name: Abernathy Brittney

Organization:

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Comment ID 0087.001.002

Author Name: Eslinger Emma

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Comment ID 0088.001.002

Author Name: E_____ (illegible) Frank

Organization:

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Comment ID 0089.001.002

Author Name: Maddox Greg

Organization:

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Comment ID 0090.001.002

Author Name: Mayfield Matthew

Organization:

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Comment ID 0090.001.004

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Comment ID 0091.001.002

Author Name: Gay Nichele

Organization:

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Comment ID 0092.001.002

Author Name: Payant Mike and Rebecca

Organization:

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Author Name: Payant Mike and Rebecca

Organization:

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Comment ID 0093.001.002

Author Name: Nix Randy

Organization: State of Georgia House of Representatives, District 69

On behalf of the City of LaGrange, and in accordance with our responsibilities under the National Environmental Policy Act of 1969 (NEPA), I submit and request to have the following comments carefully considered and added to the public record for the Apalachicola Chattahoochee Flint River basin Master Water Control Manual Environmental Impact Statement (EIS). As part of the process for determining the scope of issues to be addressed in the EIS and for identifying the important issues related to the proposed actions, we request that the following important issues be thoroughly considered by your agency:

- West Point Lake is a key and critical economic driver for the City of LaGrange, and all of Troup County and surrounding area. Each year over 2.2 million visitors come to West Point Lake for recreational purposes, accounting for \$112 million in local economic impact. Without adequate lake levels, these economic opportunities are lost. Over the past few years fishing tournaments have been cancelled resulting in more lost income to an already economically stressed region. According to the 2010 U.S. Census, much of Troup County is contained in "less developed census tracts".
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Comment ID 0093.001.006

Author Name: Nix Randy

Organization: State of Georgia House of Representatives, District 69

As your agency begins the process associated with the new EIS for the Water Control Manual for the ACF basin, we respectfully ask that the congressional authorizations for West Point Lake be carefully and thoroughly considered. West Point Lake has been consistently used as the "work horse" of the ACF basin to the detriment of any Lake-related economic development in Troup County for many years. We are hopeful of positive change in the WCM that will allow our community to move forward economically.

Our community is prepared to work with the USACE in any way necessary to facilitate the EIS and WCM for the basin. If there is anything I can do to help the process, please do not hesitate to contact me.

Comment ID 0094.001.002

Author Name: Eslinger Rhonda

Organization:

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Comment ID 0094.001.004

Author Name: Eslinger Rhonda

Organization:

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Comment ID 0095.001.002

Author Name: Mayfield, Jr. Robert

Organization:

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Comment ID 0096.001.002

Author Name: Stradcutter Charles

Organization:

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Comment ID 0098.001.002

Author Name: E_____ (illegible) Tom

Organization:

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Comment ID 0099.001.002

Author Name: Gay Trayten

Organization:

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Comment ID 0100.001.001

Author Name: Abbott Wayne

Organization: Abbott, Jordan & Koon, LLC, CPAs

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Comment ID 0100.001.005

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Organization: Abbott, Jordan & Koon, LLC, CPAs

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Comment ID 0102.001.006

Author Name: Anderson Wayne

Organization:

Economic Issues:

Locally funded Economic Studies show that a full pool of 635 at West Point Lake equates to over \$750,000,000 per year of local economical impact for West Georgia and East Alabama. Levels below 633 drastically reduce recreational and sporting activities and local revenue drops dramatically. Over the past 10 years, I have seen dozens of small businesses fail as the lake levels fluctuate and disappear. Residential home values have fallen 30-40% and desirability has dropped 50%. Significant residential & commercial development has stopped due to the uncertainty of lake usability and has cost the local economy additional millions of dollars in growth and job creation. My personal residence, located on a prime lake front location in a well-established private residential development, has lost 36% appraised value due to low desirability and lake level fluctuations.

<Portions of the text are bolded and underlined. Please see original document for details.>

Comment ID 0106.001.002

Author Name: Mulvany Gregg

Organization:

A full lake carries with it a list of benefits for the residents of the area, as well for the wildlife in the Lake. First, and perhaps most "superficial" is the aesthetic appeal of the lake. Quite honestly, the shores of the lake are unattractive when the lake level drops. Secondly, there is no doubt that the local economy is harmed by the inconsistent lake levels. Home sales, marina business, campgrounds, restaurants, hotels, fishing tournaments... all of these things would bring much needed financial activity to the region, creating jobs and breathing some new life into the ailing local economy. I am also a small business owner, and I am "on the fence" about opening an additional location in Lagrange. I would certainly be more willing if the local economy were a bit stronger. I do honestly believe that West Point Lake being managed as a 52-week per year lake at full level would be just what the region needed to allow for economic growth.

Comment ID 0108.001.002

Author Name: Crane Mike

Organization: Georgia State Senate

On behalf of the City of LaGrange, and in accordance with our responsibilities under the National Environmental Policy Act of 1969 (NEPA), I submit and request to have the following comments carefully considered and added to the public record for the Apalachicola Chattahoochee Flint River basin Master Water Control Manual Environmental Impact Statement (EIS). As part of the process for determining the scope of issues to be addressed in the EIS and for

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Author Name: Crane Mike

Organization: Georgia State Senate

As your agency begins the process associated with the new EIS for the Water Control Manual for the ACF basin, we respectfully ask that the congressional authorizations for West Point Lake be carefully and thoroughly considered. West Point Lake has been consistently used as the "work horse" of the ACF basin to the detriment of any Lake-related economic development in Troup County for many years. We are hopeful of positive change in the WCM that will allow our community to move forward economically.

Our community is prepared to work with the USACE in any way necessary to facilitate the EIS and WCM for the basin.

Comment ID 0109.001.002

Author Name: Hornsby Angela

Organization:

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

Comment ID 0109.001.004

Author Name: Hornsby Angela

Organization:

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Comment ID 0109.001.007

Author Name: Hornsby Angela

Organization:

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I thank you for the opportunity to comment and ask that the above issues be submitted and studied during the EIS period.

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Comment ID 0110.001.002

Author Name: Terrell Ann

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Comment ID 0111.001.002

Author Name: Foster Betty

Organization:

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Comment ID 0112.001.002

Author Name: Frazier Earl

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Author Name: Camberlander Howard

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Comment ID 0114.001.002

Author Name: Huerta James

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Comment ID 0115.001.002

Author Name: McGee Jeremy

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Comment ID 0116.001.002

Author Name: Vannes Joan

Organization:

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Author Name: Vannes Joan

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Comment ID 0117.001.002

Author Name: Nelson John

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Comment ID 0117.001.004

Author Name: Nelson John

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Comment ID 0118.001.002

Author Name: Clayton Justin

Organization:

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Author Name: Terrell O.

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Organization:

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Comment ID 0120.001.002

Author Name: T. (illegible) Oliver

Organization:

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Comment ID 0121.001.002

Author Name: McCurdy Ralph

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We thank you for the opportunity to comment and ask that the above issues be submitted and studied during the EIS period. We look forward to a Revised WCM which will honor the WPL Congressional Authorizations and provide for the economic benefits envisioned by Congress and promised to the taxpayers!

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Comment ID 0122.001.002

Author Name: Carter Shane

Organization:

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Comment ID 0123.001.002

Author Name: Deloach Tonya

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Comment ID 0124.001.002

Author Name: Unknown 3 (Illegible) Unknown 3 (Illegible)

Organization:

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Comment ID 0125.001.002

Author Name: M. (illegible) Wendy

Organization:

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Comment ID 0127.001.002

Author Name: Linch Carole

Organization:

The fishing tournaments and marinas suffer tremendously when the lake levels are low. This is a big source of income to our community. Our property values for our lake lot is probably not even what we paid for it 30 years ago which is very sad. Now I am shocked to learn of this new plan to further damage West Point Lake. This could be one of the most beautiful lakes in Georgia. It is so pretty with the natural state of most of the shoreline. I just don't understand the vendetta the Corps of Engineers has for this lake as they further destroy it. Our community needs this lake for recreation.

Comment ID 0128.001.002

Author Name: Beard Scott

Organization:

Extremely low lake levels also negatively impact our local economy. Lagrange is in danger of losing a Bass Masters Elite tournament planned for May due to the current mismanagement of lake water levels.

Comment ID 0131.001.005

Author Name: Fogg Mike

Organization:

The continued low lake levels have had a very negative economic impact to this area from property values being reduced to small businesses either going out of business or barely able to stay open due to reduced number of visitors to the lake. Hotels, marinas, campgrounds all have less business when the lake levels are down. The West Point Lake Coalition and the Chamber of Commerce have had economic impact studies done that prove this point. One of the Congressional Authorized uses of West Point Lake was recreation and I believe that this should be a major consideration in the modification of the operating procedures.

Comment ID 0139.001.001

Author Name: Gasaway Philip

Organization:

My wife and I returned to LaGrange in 1986. We were proud to be moving back to a city with a lake like West Point

Lake. We invested in a Lake Lot desiring to raise our children and grandchildren on the water. I invested in a Home, Dock, Pontoon Boat, Two Ports for PWCs, Two Waverunners and a lot of work maintaining our property. We purposely built our Home to retire in. We have enjoyed the lake and have paid higher taxes to live here but unfortunately the lake levels have reduced our Home values and our excitement about Lake West Point has diminished. Please consider the average Home Owner in your decisions concerning lake levels. I have worked all my life to have my home on the lake and cannot afford the reductions in property values with proposed lake level changes.

Please consider the average Lake Home Owner in your decisions to alter your decisions in lake levels for West Point Lake.

Comment ID 0141.001.003

Author Name: Moore Brad

Organization: Indian Hills Neighborhood Association

When lake level is below 187 ft then recreational activities on the lake are curtailed.

Comment ID 0141.001.005

Author Name: Moore Brad

Organization: Indian Hills Neighborhood Association

Walter F. George has the second highest amount of recreational activity on the ACF and this is an important driver in the local communities's economies.

Comment ID 0144.001.002

Author Name: Anonymous Anonymous

Organization:

I like the lakes lower levels in the winter. it makes the hunting and fishing around the lake better. Just to let you know the fishing is alot better when the lake has a lower level so i'm sure the BASSMASTERS fishermen will like it lower than full summer pool too. If the lakes fishing is better due to lower lake levels that means more people fishing which means more money to our local economy in TROUP county GA. Keep up the good work i love to walk around the lake in the winter time. I didn't go to college but I know yall cant control droughts, as some people think you can.

Comment ID 0145.001.001

Author Name: Nelson Alton

Organization:

I am hearing from local reputable sources West Point will only reach full pool 635' ASL during the months of June, July and August. As I understand WPL was created to be a recreational lake and the USACE original planned lake level would be controlled to 635' ASL in the summer months and lowered to 632' in the off season. Since moving here in 1990 I have made a considerable investment both in property and recreational facilities. Investments include a pontoon boat and a sail boat plus a dock which is now and has been for some time remains on dry land. When there was sufficient water I rented a dock for my sail boat. The marina does not have enough water most of the year to keep a boat there. My county taxes are higher because it is lakeside property. If the USACE continues to control lake levels my investment will be seriously eroded considering a planned three month lake level at 635' ABSL.

Comment ID 0147.001.002

Author Name: Foster Betty

Organization:

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

Comment ID 0148.001.001

Author Name: Childress George

Organization:

On behalf of the City of LaGrange, Troup County and the surrounding community, and in accordance with our responsibilities under the National Environmental Policy Act of 1969 (NEPA), I submit and request to have the following comments carefully considered and added to the public record for the Apalachicola Chattahoochee Flint River basin Master Water Control Manual Environmental Impact Statement (EIS). As part of the process for determining the scope of issues to be addressed in the EIS and for identifying the important issues related to the proposed actions, we request that the following important issues be thoroughly considered by your agency:

- West Point Lake is a key and critical economic driver for the City of LaGrange, City of West Point, and all of Troup County and surrounding area. Each year over 2.2 million visitors come to West Point Lake for recreational purposes, accounting for \$112 million in local economic impact. Without adequate lake levels, these economic opportunities are lost. Over the past few years fishing tournaments have been cancelled resulting in more lost income to an already economically stressed region. According to the 2010 U.S. Census, much of Troup County is contained in "less developed census tracts".

- In addition to the direct economic harm of low fish spawns, and lost fishing tournaments, the larger economic damage to the area is evident in the lack of any new developments that are in any way dependent upon the lake. Many other regional lake communities enjoy the year-round benefits of hotels, conference centers, and other developments on their properties. Examples of this type of development can be observed at Lake Martin, Alabama. The residents and potential visitors to West Point Lake demand similar treatment.

Comment ID 0148.001.005

Author Name: Childress George

Organization:

As your agency begins the process associated with the new EIS for the Water Control Manual for the ACF basin, we respectfully ask that the congressional authorizations for West Point Lake be carefully and thoroughly considered. West Point Lake has been consistently used as the "work horse" of the ACF basin to the detriment of any Lake-related economic development in Troup County for many years. We are hopeful of positive change in the WCM that will allow our community to move forward economically.

Our community is prepared to work with the Corps in any way necessary to facilitate the EIS and WCM for the basin. If there is anything I can do to help the process, please do not hesitate to contact me.

Comment ID 0149.001.002

Author Name: H. (illegible) D.

Organization:

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

Comment ID 0149.001.004

Author Name: H. (illegible) D.

Organization:

4) The economic damages to the WPL communities and the lack of economic development due to unnecessarily low and undependable lake levels need to be assessed and stopped. Small businesses have gone bankrupt and others have been stretched to keep their doors open. Major fishing tournaments have been cancelled damaging hotels, restaurants, marinas, and lake related businesses. Visitation is down and campgrounds have been closed. Land

specifically set aside for a hotel, conference center, golf course, etc. has never been developed. We are blessed with a moderate climate and WPL should be managed as a 52 week a year lake with the corresponding benefit of a 52 week a year lake related economy! WPL needs a dependable and reliable lake level to provide for economic development and stop the economic harm.

Comment ID 0149.001.007

Author Name: H. (illegible) D.

Organization:

Who is looking out for the welfare of the small businessman? Common sense would seem to dictate that the needs of man should be balanced with the needs of the critters. The RIOP needs close analysis as part of the EIS to see what changes can be made to avoid destroying the economic, environmental, and recreational value of WPL during all times other than "extreme" drought!

I thank you for the opportunity to comment and ask that the above issues be submitted and studied during the EIS period.

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0150.001.002

Author Name: Nelson Elizabeth

Organization:

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

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Author Name: Nelson Elizabeth

Organization:

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Comment ID 0151.001.002

Author Name: Wilson Jessica

Organization:

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Comment ID 0151.001.004

Author Name: Wilson Jessica

Organization:

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Author Name: Wilson Jessica

Organization:

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Comment ID 0152.001.002

Author Name: Nelson John

Organization:

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Organization:

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Comment ID 0153.001.001

Author Name: Criddle Mike

Organization: City of LaGrange, Department of Economic Development

On behalf of the City of LaGrange, Department of Economic Development, and in accordance with our responsibilities under the National Environmental Policy Act of 1969 (NEPA), we submit and request to have the following comments carefully considered and added to the public record for the Apalachicola Chattahoochee Flint River basin Master Water Control Manual Environmental Impact Statement (EIS). As part of the process for determining the scope of issues to be addressed in the EIS and for identifying the important issues related to the proposed actions, we request that the following important issues be thoroughly considered by your agency:

- West Point Lake is a key and critical economic driver for the City of LaGrange, Troup County and the surrounding area. Each year over 2.2 million visitors come to West Point Lake for recreational purposes, accounting for \$112 million in local economic impact. Without adequate lake levels, these economic opportunities are either partially or completely lost. Over the past few years fishing tournaments have been cancelled resulting in more lost income to an already economically stressed region. According to the 2010 U.S. Census, much of Troup County is contained in "less developed census tracts".

- In addition to the direct economic harm of low fish spawns, and lost fishing tournaments, the larger economic damage

to the area is evident in the lack of any new developments that are dependent upon the lake. Many other regional lake communities enjoy the year-round benefits of hotels, conference centers, and other developments on their properties. Examples of this type of development can be observed at Lake Martin, Alabama. The residents and potential visitors to West Point Lake demand and deserve similar economic and recreational opportunities.

Comment ID 0153.001.005

Author Name: Criddle Mike

Organization: City of LaGrange, Department of Economic Development

As your agency begins the process associated with the new EIS for the Water Control Manual for the ACF basin, we respectfully ask that the congressional authorizations for West Point Lake be carefully and thoroughly considered. West Point Lake has been consistently used as the "work horse" of the basin to the detriment of any economic development in Troup County for many years. We are hopeful of positive change in the WCM that will allow our community to move forward economically.

We are prepared to work with the Corps in any way necessary to facilitate the EIS and WCM for the basin. If there is anything we can do to help the process, please do not hesitate to contact us at the address listed below.

Comment ID 0154.001.002

Author Name: Foster Oliver

Organization:

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

Comment ID 0154.001.004

Author Name: Foster Oliver

Organization:

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Comment ID 0154.001.007

Author Name: Foster Oliver

Organization:

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I thank you for the opportunity to comment and ask that the above issues be submitted and studied during the EIS period.

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Comment ID 0155.001.002

Author Name: Duncan Peggy

Organization:

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Comment ID 0156.001.002

Author Name: Unknown Unknown

Organization:

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Author Name: Unknown Unknown

Organization:

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Comment ID 0157.001.002

Author Name: Nelson Wanda

Organization:

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<Portions of the text are underlined. Please see original document for details.>

Comment ID 0159.001.005

Author Name: Moore Brad

Organization: Friends of Lake Eufaula

When lake level is below 187 ft then recreational activities on the lake are curtailed.

Comment ID 0159.001.007

Author Name: Moore Brad

Organization: Friends of Lake Eufaula

Walter F. George has the second highest amount of recreational activity on the ACF and this is an important driver in the local communities's economies.

Comment ID 0160.001.006

Author Name: McBride Mike

Organization:

So finally that leaves GENERAL RECREATION. Your own literature describes the lake as "a recreation demonstration project," and "recreation (being) a prime benefit". The reality is the lake's recreational use has been severely curtailed by you in the past few years. In a 10/30/12 press release you advised "use caution due to unusually low water levels." Duh! Those of us who live along and try to use the lake knew that back in May. Last year any safe recreation was over by July. Come to think about it, maybe your new proposed guide curve might be an improvement; that is if you really kept the levels up. Your track record however, shows that's not going to happen. Always looking at the glass as half full however, if the Bassmaster Tournament is canceled, maybe it could be replaced with the first ever "Snag a Stump Event."

So here I sit at the end of my dock pondering the above and trying to get a glimpse of the water. I realize you have all the facts and figures and that's what troubles me even more. What is your true agenda? It certainly can't include SPORTS FISHING, WILDLIFE, and RECREATION as you have proven by your actions. If you've truly taken these two balls out of play then why not just admit it? Let us together let Congress know you failed in the "recreation demonstration project." Maybe they could have some Congressional hearings about it to insure the tax payers are not let down and misled in the future.

Please enlighten me and make these marbles stop bouncing.

Comment ID 0164.001.006

Author Name: Nash Charlotte

Organization: Gwinnett County Board of Commissioners

- Economic Impacts: The Corps must incorporate into its analysis all of the potential economic impacts associated with the alternatives that it evaluates, including the host of detrimental economic impacts that would be associated with either not exercising its authority to allocate storage for water withdrawals or not maximizing the provision of water supply through making storage available for lake withdrawals and releases for downstream users. Further, economic impacts previously associated with the Magnuson decision (reversed by the Eleventh Circuit) nonetheless still could occur to some extent due to the unavailability of raw water for storage for water supply purposes due to operational management of the Buford Dam/Lake Lanier project. A number of analyses have been performed that demonstrate that the economic impacts to the Atlanta area of not being able to rely on the Buford Dam/Lake Lanier project for the provision of the region's water supply would be devastating and would have numerous adverse economic impacts on the region. Moreover, in light of the transportation and economic benefits that the metropolitan area affords other areas of the State as well as the Southeast region more broadly, the detrimental economic impacts of inadequate operational support for water supply at Lake Lanier extend far beyond the metropolitan area itself. The Corps must consider these economic impacts in structuring its operations to assure the availability of storage to support water supply consistent with the authority outlined in the 2012 Legal Opinion of its Chief Counsel in review of the Georgia Water Supply Request.

<Portions of the text are italicized. Please see original document for details.>

Comment ID 0165.001.001

Author Name: Freed Charles

Organization: Atlanta Rowing Club

Thank you for the opportunity to share with the USACE the concerns of recreational users of the Upper Chattahoochee River. As stakeholders we ask the USACE to include our concerns within the scope of study as you prepare the ACF Master Control Manual Update process.

Six rowing clubs with over 600 members use the 6.5 mile section of the Chattahoochee between the GA400 Bridge and Morgan Falls Dam throughout the year. These rowers represent: The Atlanta Rowing Club, The Atlanta Junior Rowing Association, Georgia Tech Crew, Georgia State Crew, Saint Andrew Rowing Club and the Westminster Schools Rowing Club. These non-profit clubs work to ensure safety on the water, develop the skills of new young and adult rowers and compete locally and nationally. They collaborate in events that have raised over \$300,000 for the Susan G Komen for the Cure Foundation. The Atlanta Rowing Club has developed an adaptive rowing program for those who are physically or mentally challenged. The Atlanta Rowing Club sponsors and manages the largest rowing regatta in the Southeast, "Head of the Hooch". The 2012 two-day regatta hosted over 7,000 rowers of all ages, from 30 states and 4 foreign countries. This event generated an estimated economic impact of over \$4,000,000 for the Chattanooga area (Chattanooga, 2012).

We are very concerned over threats to recreation and the long term ecology of the river. When the elevation at Morgan Falls Dam is at or above 864 feet there is adequate depth for rowing the 6.5 mile section above the dam. The long term average water level (elevation) at Morgan Falls Dam is 865 feet (USGS 2335810). This is the only section of the Chattahoochee in the Atlanta area that is suitable for rowing. In addition to rowers, a large number of people use this section of the river to kayak, canoe, raft, tube, or fish. We are deeply concerned about the gradual loss of water depth in this area to sedimentary deposits and the loss of the ecosystem.

This special environment and its recreational use are threatened by the sedimentary deposits which have been related to the discharge patterns at Buford Dam. These patterns yield dramatic changes in flow rate and water levels, increased turbidity, riverbank erosion, unnecessary deposition of sediment and loss of capacity at Bull Sluice Lake.

Comment ID 0170.001.005

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

The Apalachicola River and its floodplain also form the biological factory that fuels the Apalachicola Bay and the eastern Gulf of Mexico. The Apalachicola Bay is one of the most productive estuaries in the northern hemisphere, and its commercial fishing industry contributes \$200 million annually to the regional economy and directly supports up to 85 percent of the local population. Recreational fishing in the Apalachicola River and Bay contributes an additional \$191 million to the local economy each year. The ecosystem services provided by the River and Bay have been valued at \$5 billion a year.

Comment ID 0174.001.001

Author Name: Perry Val

Organization: Lake Lanier Association

Dear Sir or Madam:

Thank you for the opportunity to submit comments regarding the Corps of Engineers' ("Corps") revision of the Water Control Manual ("WCM") for the Apalachicola-Chattahoochee-Flint River ("ACF") system. We understand that the scoping process has been re-opened due to the ruling by the U. S. Court of Appeals for the Eleventh Circuit in the Tri-State Water Rights Litigation that water supply storage is an authorized purpose of Lake Lanier.

The Lake Lanier Association ("Association") represents approximately 3,000 individuals and businesses whose lives, livelihoods, and profitability depend on Lake Lanier. Please accept this submission on behalf of all our constituents. We previously submitted scoping comments via letters of November 20, 2008, and January 2, 2010, and would appreciate your considering the contents of this letter in addition to our previous correspondence.

LAKE LANIER SHOULD BE MAINTAINED AT THE HIGHEST POSSIBLE WATER LEVEL TO SUPPORT THE RECREATION-BASED ECONOMY

The recreation-based economy of north Georgia relies heavily on a water level above 1060 MSL. Consistent with the Eleventh Circuit's reasoning, recreation is an authorized purpose of Lake Lanier, and the Corps has long recognized it as such. In the Corps' seminal Park Report submitted to Congress in 1939, the Corps listed recreational value as one of six direct benefits of constructing the ACF facilities and estimated the annual recreational benefit to be \$50,000. Since the creation of Lake Lanier, the annual value of recreation has vastly outstripped that estimate. Based on a December, 2010, economic impact study by the 1071 Coalition (a copy of which accompanies this letter), approximately \$290 million in annual economic impact derives directly from the Lake. An estimated \$87.6 million reduction in recreational spending was directly caused by low lake levels in 2008 alone. All of this underscores the importance of maintaining the highest levels possible on Lake Lanier.

Any water level below 1060 in Lake Lanier has a devastating impact on recreation and the regional economy that depends on it. We would urge the Corps to craft the WCM to maximize Lanier's levels to the greatest extent possible year-round, but especially in the critical Memorial Day-through-Labor Day time period.

THE 5,000 CFS OPERATING POLICY SHOULD BE ELIMINATED

The Corps currently mandates that a minimum flow of 5,000 cfs be maintained at the Chattahoochee Gage (by design, the lone exception for lowering the minimum to 4,500 cfs occurs only under conditions that are unlikely to occur). However, a 5,000 cfs minimum flow is not legally required and is unsustainable in the long run without substantial harm to recreation.

<Portions of the text are in bold or italicized. Please see original document for details.>

<The commenter included an attachment ("Lake Lanier Economic Impact Analysis") in support of its letter. Please see the original letter for a copy of the attachment.>

Comment ID 0175.001.003

Author Name: Wissinger Gordon

Organization: National Park Service Southeast Regional Office

The impacts of lower flows within the central reach of CRNRA are most visible and acute on Bull Sluice Lake, located just upstream of Morgan Falls Dam. Morgan Falls Dam, operated by Georgia Power, serves a key role in re-regulating flow from Buford Dam and other upstream sources to ensure that minimum flows at Peachtree Creek are maintained. However, because neither Buford Dam nor Morgan Falls Dam is geared toward regulating flows between the two facilities, there have been instances in which precipitous drops in water levels have occurred in Bull Sluice. On July 29, 2012, and again on October 18, 2012, gaps in communication and coordination between the USACE and Georgia Power, resulted in extremely low flows and a rapid drop in water levels in Bull Sluice Lake, leaving fish trapped on mud flats and resulting in stranded recreational paddlers and lost income for rental companies. These incidents highlight a disconnect between the decision-making framework that guides releases from Buford Dam and the on-the-ground affect those decisions have on flows within CRNRA. Establishing an intermediate flow standard or decision-making/modeling node within the central reach of the park would introduce an additional measure of reliability into the system, potentially improving recreational and ecological conditions in the process.

Comment ID 0186.001.008

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

9. Consideration of Recreation

It is essential that the EIS and water control manual take account of the effects of fluctuating and declining pool levels on recreation at the reservoirs below Lake Lanier in the ACF Basin.

The Corps' impoundments at Lake G.W. Andrews, Lake Walter F. George, and West Point Lake inundate land within Alabama's borders, and those impoundments provide significant recreational opportunities to the citizens of Alabama and other states. Recreation at these projects is a major industry, with the Corps having estimated the economic impact of the recreation industry at Walter F. George as exceeding \$25 million per year and at West Point Lake as exceeding \$16 million per year. Alabama has constructed Lakepoint Resort State Park on Walter F. George, and lower pool levels in that reservoir have a negative impact on tourism at the facilities in that state park.

Adverse recreational impacts occur in Walter F. George when the lake is one foot below normal pool elevation, and a four-foot drawdown results in 80% of the boat ramps at the lake being unusable.

Both West Point Lake and Lake Walter F. George support popular sport fisheries. Water level fluctuations substantially changing the area of shallow-water habitats and shoreline vegetation inundated can significantly influence the reproductive success of resident fish populations. Low or declining water levels can adversely affect reproductive success for largemouth bass, spotted bass, bluegill, crappie, and other littoral species by reducing the area of available spawning and rearing habitats.

Alabama believes that it is critical for the Corps to focus on the adverse effects of wildly fluctuating pool levels and catastrophic drawdowns at Lake Walter F. George. Because of that project's relatively small size and its location at the bottom of the system, the Corps has operated the system in a way that puts a great deal of stress on that project. The EIS should look to ways to smooth out the operational effects at Walter F. George.

Alabama also provides several public boat ramps on the Chattahoochee River. Low river flows in the river causes those ramps to become unusable, thereby negatively affecting recreational opportunities. That too should be considered in the EIS.

Comment ID 0202.001.001

Author Name: Holbrook Todd

Organization: GEORGIA WILDLIFE FEDERATION

Thank you for the opportunity to submit comments on Notice of Intent to Revise EIS Scoping - Apalachicola-Chattahoochee-Flint River Basin Master Water Control Manual Update. The management of flows in this system is critical to the communities who withdraw water from it, key to long term economic growth, and vital to the interests and passions of the members of the Georgia Wildlife Federation - namely cold water trout fishermen, warm water river anglers, and reservoir fishing enthusiasts. The Georgia Wildlife Federation offers the following input at this point in the process.

The Chattahoochee River Tailwater above Atlanta was named by Trout Unlimited as one of America's 100 best trout streams. It supports a very popular fishery for naturally reproducing brown trout (*Salmo trutta*) in addition to the routinely stocked rainbow trout that sustain over 83,000 trout fishing trips annually. Further downstream, as the water warms, the system supports quality fishing for shoal bass, largemouth bass, striped bass, various sunfish species, and other game fish. It would be difficult to overestimate the recreational value or economic impact of sport fishing to the people who live in and travel to this basin.

<Portions of the text are underlined. Please see the original letter for details.>

Comment ID 0248.001.006

Author Name: Mitchell Kristina

Organization:

Destruction of Apalachicola River and Bay ecosystems, in turn, will destroy the economy of my county (Franklin Co., FL) and its various municipalities including Apalachicola, Eastpoint, and St. George Island. Our county's economy relies heavily on the seafood industry and tourism (charter fishing, ecotourism, maritime heritage tourism, etc.) associated with our awe-inspiring river and bay. If we lose our world-famous oysters, our hospitality industry will collapse as well.

Also threatened is production of our world-famous tupelo honey, produced by local beekeepers who deliver their hives to the backswamps while the water tupelos are in bloom. Unhealthy tupelos mean less tupelo honey; dead tupelos mean no tupelo honey.

We don't have any large corporations here. All the businesses I mention above are true small businesses, mostly family-owned. Our watermen/women and honey producers learned their trades from their parents, grandparents, and great-grandparents. We produce marketable goods like oysters and honey in truly sustainable ways -- the way they used to do it "back in the day."

Comment ID 0249.001.006

Author Name: Wright Elizabeth

Organization:

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Comment ID 0270.001.001

Author Name: Fineout Mary Beth

Organization:

Communities and businesses located and grew around Lake Eufaula with the full expectation that the Corps would operate the ACF reservoirs according to the laws authorizing their construction and operation. Those communities spent significant dollars to build public works projects as well as infrastructure including the Eufaula Inland Dock. Those

facilities made it possible for local communities to sell and ship agricultural, silvicultural and mineral products in bulk and to receive large deliveries of fuels and fertilizers by barge.

Not only have these communities and businesses acted and invested in reliance on the Corps' lawful operation of the ACF reservoirs in the past, but they are counting on adequate flows and lake levels for their future survival. Industry and commerce will continue to grow in southeastern Alabama and southwestern Georgia with adequate flows and channel maintenance.

Comment ID 0270.001.005

Author Name: Fineout Mary Beth

Organization:

At lake levels nearing 185 ft some boat ramps become difficult to use. Walter F. George has the second highest amount of recreational activity on the ACF and this is an important driver in the local communities economies.

Comment ID 0274.001.002

Author Name: Anselmo Wayne

Organization:

The financial impact to my residential home has been greatly affected in a negative way. I am hard pressed to sell my home at anywhere near its original cost. One of the purposes of purchasing lakefront property was to find an instrument that would retain value and perhaps increase modestly in value. It has not and I believe in part due to rules and regulations that do not address current day requirements.

Comment ID 0279.001.005

Author Name: Vizzini Tom

Organization: Essential Skills

Thousands of jobs have been lost due to low lake conditions.

Comment ID 0281.001.001

Author Name: Dukes Michael

Organization:

As a Lake Lanier homeowner, I join the thousands of other interested individuals who own property surrounding Lake Lanier, and fully support the comments and efforts of the Lake Lanier Association- as has been detailed to you. The

operations of the Corps of Engineers has drastically impacted the value of my home and investment, that of every other property owner in the region, as well as hundreds of businesses in the region. In an economy like we have, it is simply devastating to be impacted like this by the misguided operations and priorities established by the Corps of Engineers as they relate to Lake Lanier and its priority when it comes to supposed water needs throughout the rest of the ACF.

Give us our lake back!

Comment ID 0286.001.002

Author Name: Searl Kenneth

Organization: Lake Lanier Association

- Also, the economy around the entire Lake Lanier basin is severely damaged with low water levels. Thousands of people rely on recreation to support their livelihood and families.

Comment ID 0306.001.002

Author Name: Abruscato Denise

Organization:

The lake is most importantly an ATL resource for water as the primary function. The residents and land surrounding the lake and the impact of shallow water, taxes, etc. is also an important consideration. Many North Lake Lanier homes were reduced over -\$100K in value due to shallow water. This impacts real estate taxes as well as county interests.

Comment ID 0308.001.001

Author Name: Atz Gary

Organization:

You are headed for a class action law suit for diminished property values as a result of your actions in maintaining the water level at Lake Lanier. Is this what it is going to take??

Comment ID 0309.001.007

Author Name: Houston Billy

Organization: TRI RIVERS WATERWAY DEVELOPMENT ASSOCIATION

e. The Corps' Efforts to Support Recreational Uses Are Appreciated and Should Continue Recreational boating, fishing, and other in-stream and lakeshore activities are a part of life along the Middle Chattahoochee River, and they also

provide an important source of economic activity in the region. The Corps' Mobile District has consistently shown interest in maintaining and enhancing recreational opportunities. Tri Rivers is grateful for the Corps' efforts In that regard.

<Portions of the text were bolded. Please see original document for details.>

Comment ID 0309.001.009

Author Name: Houston Billy

Organization: TRI RIVERS WATERWAY DEVELOPMENT ASSOCIATION

We also appreciate the Corps' support for other recreational projects, including especially the net whitewater course at Columbus, Georgia. We are optimistic that the outdoor recreation in and along this part of the Chattahoochee River will provide economic benefits for years to come. Cities along the Middle Chattahoochee and Flint Rivers have pursued other significant projects that are primarily for recreation, but which would provide substantial economic benefits, including especially proposals to develop new marinas. We look forward to working with the Corps and other stakeholders on projects of that nature. However, a navigation channel to the Gulf of Mexico is necessary to maximize the potential benefits associated with recreational boating.

Comment ID 0314.001.002

Author Name: Illegible Illegible

Organization:

2) WPL is specifically authorized by Congress for Recreation and Sport Fishing/Wildlife Development in addition to Flood Control, Navigation, and Hydropower. Flood Control can be improved as outlined in the Operations Study referred to in #1 above and which study has been previously submitted to the USACE. Hydropower and Navigation both benefit from the availability of increased storage. The USACE must deliver and honor the Recreation and Sport Fishing/Wildlife Development Authorizations stipulated under law by Congress.

Comment ID 0314.001.004

Author Name: Illegible Illegible

Organization:

4) The economic damages to the WPL communities and the lack of development due to unnecessarily low and undependable lake levels need to be assessed and stopped. Small businesses have gone bankrupt and others have been stretched to keep their doors open. Major fishing tournaments have been cancelled damaging hotels, restaurants, marinas, and lake related businesses. Visitation is down and campgrounds have been closed. Land specifically set aside for a hotel, conference center, golf course, etc. has never been developed. We are blessed with a moderate climate and WPL should be managed as a 52 week a year lake with the corresponding benefit of a 52 week a year lake related economy! WPL needs a dependable and reliable lake level to provide for economic development and stop the economic harm.

Comment ID 0314.001.007

Author Name: Illegible Illegible

Organization:

Who is looking out for the welfare of the small businessman? Common sense would seem to dictate that the needs of man should be balanced with the needs of the critters. The RIOP needs close analysis as part of the EIS to see what changes can be made to avoid destroying the economic, environmental, and recreational value of WPL during all times other than "extreme" drought!

I thank you for the opportunity to comment and ask that the above issues be submitted and studied during the EIS period.

<Portions of the text were underlined. Please see original document for details.>

Comment ID 0315.001.002

Author Name: Greer Robert

Organization:

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Comment ID 0317.001.002

Author Name: Meacham Heather

Organization:

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Comment ID 0318.001.002

Author Name: McDaniel Shane

Organization:

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Comment ID 0318.001.004

Author Name: McDaniel Shane

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Comment ID 0319.001.002

Author Name: Presnel Cheryl

Organization:

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Comment ID 0320.001.002

Author Name: Unknown 6 Unknown 6 (Illegible)

Organization:

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Comment ID 0321.001.002

Author Name: Knox Gary

Organization:

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Comment ID 0322.001.002

Author Name: Knox Patti

Organization:

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8.B - ENVIRONMENTAL JUSTICE

Comment ID 0316.001.026

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

EJ / Socioeconomic

Pursuant to the executive order 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (February 11, 1994), the EIS should examine the effect of the proposed actions on minority and/or low-income populations. The EIS should identify, analyze and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

Comment ID 0316.001.029

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Recommendations: EPA recommends that socioeconomic, environmental and human health impacts on low-income and minority populations should be identified, analyzed and addressed, as appropriate, as part of the EIS process.

8.C - GENERAL

Comment ID 0126.001.001

Author Name: Fletcher Dan

Organization: W.C. Bradley Farms, Inc.

I am writing on behalf of WC Bradley Farms, Inc. relative to the public scoping for the proposed update of the Master Water Control Manual for the Apalachicola--Chattahoochee-Flint River Basin (ACF) in Alabama, Florida and Georgia.

The Bradley family has been reliant on the Chattahoochee River for nearly 150 years. In the 1880's their steamboats were used to transport cotton and fertilizer from Columbus, Georgia to Apalachicola, Florida. Some years later, when the dam at Columbus was built, the power was used to support their cotton mills and iron works. More recently the family provided the impetus to have the dam removed in order to restore the natural flow of the river. In the early 1900's the family began their farming operation in Quitman and Stewart Counties in Georgia and for the past 36 years have irrigated approximately 1700 acres from 8 pump stations located on various tributaries leading to Lake George. We have in the past, and continue to make considerable investments in our irrigated farming operations and in conjunction

with our forest management program these activities provide the economic sustenance for our long history of protecting water quality/quantity and the biological resources of the ACF watersheds.

The Farm has a long-history of conservation accomplishments and partnerships which include:

- A perpetual easement on 4.7-acres of non-tidal wetland in 1996
- A 671-acre Wetland Reserve project (largest project in Georgia), in 2003
- The development of restoration of 123-acre long-leaf pine habitat in 2005
- Converting a 172-acre irrigated field into migratory bird habitat in 2010
- The establishment of a 5613-acre perpetual conservation easement in 2007.
- The development of a 371.7-acre Wetland Mitigation Bank which will soon be placed in a perpetual conservation easement.

The family has been united in the goal of obtaining economic and environmental sustainability by working toward a balance between the production of agricultural and forestry crops, employing 22 people in an economically distressed community while concurrently incorporating conservation projects in all aspects of farm management. Water supply for our agricultural irrigation is a vital link in our historical and future success.

We are very proud of our accomplishments. If new performance measures are needed to protect water supply, water quality, biological resources and water management within the ACF these changes should not impact historical and existing water uses which have allowed us to balance the successful production of agricultural and forestall crops while promoting conservation practices in all we do.

Thank you for your consideration our comments and we look forward in actively participating in the development of the USACE Water Control Manual. I look forward to hearing from you.

Comment ID 0176.001.001

Author Name: Cecil Dottie

Organization: Atlanta Junior Rowing Association

Gentlemen:

As president of Atlanta Junior Rowing Association (AJRA), I'm writing to ask you to consider the concerns of recreational users of the Chattahoochee River between Buford Dam and Morgan Falls Dam in the scope of study in the ACF Master Control Update. AJRA uses the 6.5 mile stretch of the Chattahoochee between GA400 and Morgan Falls on a daily basis throughout the year and is one of the six rowing clubs signing the comment letter to ACOE submitted by Charlie Freed of Atlanta Rowing Club.

Given that we are in full support of the recommendations and conclusions outlined in Mr. Freed's comments, the purpose of this letter is not to repeat that information but rather to tell you about our organization and why we believe our perspective should be taken into consideration as part of your study.

AJRA is a nonprofit organization dedicated to introducing middle and high school students throughout metro Atlanta to the Olympic sport of rowing. This spring, we will be completing our 25th year of rowing - all on the same stretch of the Chattahoochee. We are one of the oldest and currently the largest youth rowing group in the state of Georgia. More than 200 youth participated in our program this past fall from some 30 middle and high schools across Atlanta from south of the airport to Forsyth County. About 120 of those rowers compete at regattas throughout the Southeast with the remainder in our middle school development program. In addition, 250-300 students ages 12-18 participate in our Lean to Row program each summer, which we have offered for the past 15 years. AJRA also gives back to the community by offering rowing merit badge clinics to Boy Scouts and participating in service projects such as Adopt-a-Road and Row for the Cure. Finally, AJRA has a very active group of several hundred alumni who continue to follow and support the organization.

Each year, AJRA qualifies and sends boats to compete at the highest level of youth rowing in the United States as well as at select international regattas. Many AJRA rowers also go on to achieve on highly competitive collegiate crew teams at prestigious academic institutions. Recent AJRA alumni are currently rowing at the U.S. Naval Academy, the U.S. Coast Guard Academy, the U.S. Military Academy at West Point, Yale, Harvard, Stanford, Brown, Georgetown, the University of Virginia, the University of Pennsylvania, the University of Southern California, and UCLA among others.

Equally important, however, is that even those who do not go on to row on college teams have benefited from the structure and skills acquired from being an AJRA athlete. We take great pride in the fact that the discipline and perseverance required to row contribute to success in many different aspects of our rowers' lives.

AJRA's long-time daily presence on our home stretch of the Chattahoochee in Roswell gives us a valuable perspective in how the ACOE's operations are affecting the river. Our Varsity rowers spend several hours on the water six days a week in fall, winter, spring and summer programs. In addition, the vast majority of our 17-person coaching staff rowed throughout their high school years with AJRA and returned after college to coach. That means many of our staff have been on the same 6.5 mile stretch of the Chattahoochee almost daily year-round for as many as 15 consecutive years.

We recognize the Chattahoochee is a fragile environment and strive to be good stewards of the natural resource which is the only suitable rowing venue on the river in the Atlanta area. That is why we are very concerned that the discharge patterns at Buford Dam are threatening the recreational use of the river as well as its long-term ecology.

Comment ID 0177.001.007

Author Name: Tonsmeire Dan

Organization: Apalachicola Riverkeeper

Include All Socio-Economic Impacts to Ecosystem Services

The tremendous economic benefits to water uses on the Chattahoochee and Flint Rivers have been well documented by a number of economic reports. Much of that water use has resulted in negative economic impacts to users along the Apalachicola River, Floodplain and Bay, the region and the nation. Since the continued productivity and bio-diversity of the Apalachicola River, Floodplain and Bay are historically the economic and cultural backbone of the rural riparian counties and communities of the Apalachicola region, and has national significance, the EIS must include the socio-

economic impacts to those specific users and to ecosystem services provided by a healthy functioning Apalachicola ecosystem to the nation.

Ecosystem services considered must include outdoor recreational activity such as fishing and swimming, water purification, flood mitigation, cycling and movement of nutrients, atmospheric carbon reduction, maintenance of biodiversity, protection of coastal shores, and more as identified in ATTACHMENT 1. The NRC has developed guidelines and recommendations for consideration of the economic value of ecosystem services. Using a methodology respected by the NRC will ensure the most objective scientific assessment.

<The commenter included an attachment in support of its letter. Please see the original letter for a copy of the attachment.>

<Portions of the text were underlined and in bold. Please see original document for details.>

8.D - POPULATION GROWTH

No Comments are Applicable to this Issue Category, and Thus No Response is Necessary.

8.E - SAFETY HAZARDS

Comment ID 0003.001.001

Author Name: Cummings Paul

Organization:

No other lakes in Georgia suffer as bad as the Corp lakes in Georgia. The release rate on Lake Lanier renders the parks recreational activity of swimming unusable in the summer. The swim buoys remained dry over the past two years forcing swimmers into dangerous boat traffic. This is an accident waiting to happen.

Comment ID 0014.001.001

Author Name: Fields Ken

Organization:

Lanier begins to become dangerous when the level falls below 1065.

Comment ID 0060.001.003

Author Name: Longo Teresa

Organization:

Significant hazard for people on the lake as well with low levels.

Comment ID 0102.001.003

Author Name: Anderson Wayne

Organization:

Recreation (# 2 Congressional Mandate):

Multiple campgrounds, fishing activities and pleasure boating activities require a safe water level. A full pool is mandatory for boating safety and adequate recreation options. The West point Lake Coalition has funded solar powered navigation buoys throughout the lake, but the safety issues created by low water levels are impossible to avoid.

<Portions of the text are bolded and underlined. Please see original document for details.>

Comment ID 0137.001.001

Author Name: McIntyre Lynn

Organization: Chattahoochee Nature Center

I'm looking forward to seeing all comments about the recreational aspects of the waterway and the impacts of water releases on safety in the Chattahoochee River area.

Comment ID 0141.001.004

Author Name: Moore Brad

Organization: Indian Hills Neighborhood Association

Submerged stumps become uncovered at levels below 187 ft and present safety hazards to boaters.

Comment ID 0142.001.003

Author Name: Weeks Brian

Organization:

3. Lake WestPoint was created not only for conservation efforts, but for public recreation as well. The low lake levels create a hazardous environment for recreation for boaters, skiers, and fisherman due to the close proximity of stumps to

the surface during low lake level periods.

Comment ID 0159.001.006

Author Name: Moore Brad

Organization: Friends of Lake Eufaula

Submerged stumps become uncovered at levels below 187 ft and present safety hazards to boaters.

Comment ID 0165.001.002

Author Name: Freed Charles

Organization: Atlanta Rowing Club

Additional concerns for public safety and several impacts of turbidity levels will be presented. We recommend changes in the pattern of water releases at Buford Dam. More controlled, gradual discharges would reduce risks to public safety, enhance recreational use and could slow the deposition of sediment deposits in the area. Specific details are in the following sections.

Until the river can be dredged, we feel that it is critical to take actions that will mitigate the growth of sandbars and deposits to this section of the river as soon as possible. Therefore we request that the items that follow be considered in this scoping effort.

Thank you for the opportunity to comment on these important issues. We would welcome your visit to Atlanta to join us in touring this section of the Chattahoochee and discussing the relevant issues.

Comment ID 0165.001.004

Author Name: Freed Charles

Organization: Atlanta Rowing Club

1. Public Safety

Suggested Scope - Include development of a historical data base of incidents including rescues and fatalities on the Chattahoochee between Buford Dam and Morgan Falls Dam to measure progress in this critical area.

Discussion - Since approximately one million visitors to the CRNRA take part in river-based recreational activities, public safety should be a high priority for scope considerations. The Buford Dam discharges vary wildly on a daily basis (Southern Company 2006). Rescue operations and fatalities related to high peak discharges at Buford Dam have been documented. For example, Gwinnett's water rescue team responded to the river 7 times in 2008, 9 in 2009 and 11

times in 2010. They also responded to 2 fatalities in those years (Green, 2011). USACE has commented on how the Upper Chattahoochee can turn dangerous quickly, with gauge height increases up to 11 feet within minutes (Coghlin, 2011).

High variability in flow rate and gauge height also occurs throughout the 36 river miles above Morgan Falls Dam. The USGS Sites at Norcross and Above Roswell, which are over 20 miles downstream of Buford Dam, register current peaks in excess of 3,000 cfs. Rapid changes in flow rate (up to 5:1 increases) can pose risks to wading fishermen and other recreational users (See Figure 2).

Figure 2: Discharge patterns over 20 miles downstream from Buford Dam

<Please refer to original document for figure.>

<Portions of the text are bolded or underlined. Please see original document for details.>

Comment ID 0175.001.006

Author Name: Wissinger Gordon

Organization: National Park Service Southeast Regional Office

Recreation

CRNRA is a heavily used recreational resource that attracts over 3 million visitors a year; approximately a third of whom engage in some form of water-based recreation, including boating, fishing, canoeing, kayaking, rowing, tubing and swimming. The NPS' principal concern related to recreational use of the river is public safety. Over the past few years, the USACE and NPS have worked closely with other stakeholders to improve the safety of visitors engaged in water-based recreation within the CRNRA. A key component of this effort has been raising awareness of the hazards associated with the release of high flows from Buford Dam. A decrease in documented incidents and accidents in 2012 suggests that this effort may be working, but there will always be opportunities to do more. In light of the overriding importance of public safety, the Draft EIS should address the safety of water-based recreation within CRNRA, including an evaluation of alternatives for modifying dam operations to improve public safety.

Comment ID 0176.001.002

Author Name: Cecil Dottie

Organization: Atlanta Junior Rowing Association

For AJRA, inconsistent and unpredictable water levels are a consistent problem affecting our ability to have practice. Low river levels mean we must stay off the water or risk damaging our boats, with two incidences in the past year alone costing approximately \$11,000 each in repairs. Stumps, other debris, and sand bars regularly result in other minor damage to our fleet of more than 20 shells. High river levels and resulting stronger current create safety issues. Our experienced rowers generally can continue rowing during these times but we sometimes have to keep less experienced

and middle school rowers off the water for safety reasons. Of more concern is the accompanying higher sediment and debris which ultimately result in less navigable waters when the releases are reduced. Our coaches have observed increased sediment over the years that has resulted in a much more narrow and shallow river with the problems exacerbated when the river levels are low.

We believe a more controlled discharge plan from Buford Dam could be used to help address these issues, and we urge you to review the recommendations submitted by Charlie Freed of Atlanta Rowing Club on behalf of the rowing community.

Comment ID 0186.001.009

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

10. Consideration of Public Safety Issues

The Corps must also consider public safety needs as part of the EIS. Alabama maintains a marine patrol in the portion of West Point Lake located in the State. The ability of the patrol to reach several areas of the lake is precluded if lake levels drop due to low inflows.

Comment ID 0270.001.004

Author Name: Fineout Mary Beth

Organization:

When lake level is below 187.5 ft then recreational activities on the lake are curtailed. With lower lake levels submerged stumps become uncovered or lay just barely below the waters surface and present safety hazards

Comment ID 0279.001.006

Author Name: Vizzini Tom

Organization: Essential Skills

Also the lake has become more and more unsafe due to low water levels.

Comment ID 0316.001.024

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Public Safety and Recreation

FERC license renewals have recently resulted in negotiated agreements that include provisions to enhance the recreation and public safety on regulated rivers. For instance, the SCE&G license on the Saluda River included a Warning Safety Enhancement Plan and provisions for Recreational Flow Releases. These revisions were prompted, in part, by hazardous conditions that existed during flow releases that resulted in the loss of life in recreation areas. Similarly, this system includes many river miles that are designated as recreation, including for example, the Chattahoochee River National Recreation Area.

8.F - SHORELINE MANAGEMENT

Comment ID 0131.001.002

Author Name: Fogg Mike

Organization:

The low water levels and exposed shoreline also make the lake much less attractive. At full pool (or at least close to it) it is one of the most beautiful lakes in the Southeast.

Comment ID 0141.001.006

Author Name: Moore Brad

Organization: Indian Hills Neighborhood Association

In addition, from a geology and soils aspect a lower lake level results in greater wave generated undercutting of the bank.

Thank you again for this opportunity to comment. Please feel free to contact me at (334) 616-7888 if you have any questions.

Comment ID 0159.001.008

Author Name: Moore Brad

Organization: Friends of Lake Eufaula

In addition, from a geology and soils aspect a lower lake level results in greater wave generated undercutting of the bank.

9.0 - WATER MANAGEMENT RECOMMENDATIONS

No Comments are Applicable to this Issue Category, and Thus No Response is Necessary.

9.A - ALTERNATIVES

Comment ID 0158.001.010

Author Name: Turner Billy

Organization: ACF Stakeholders

7. What portions of the Water Control Manual can be changed without legislative action, and which committees have jurisdiction for portions that can't be changed without legislative action?

Comment ID 0186.001.013

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

Another important area in which the Corps must consider alternatives is with regard to the action zones utilized at the federal projects. The current actions zones have approximately 80% of the conservation storage pool at Lake Lanier in Zone 4. In Zone 4, the emphasis is placed on water supply, and hydropower is typically only generated when releases are made for water-supply purposes. This is not appropriate in light of the Eleventh Circuit's recognition that any accommodation of water supply must be balanced with the hydropower purpose. In no reasonable person's view can the essential elimination of hydropower operations except as an ancillary benefit of releases for water supply be deemed to be consistent with congressional intent. The Corps must consider alternative action zones that reflect a more balanced pursuit of the project's multiple purposes. In addition, the Corps must consider adjusting the action zones so that a significantly lesser percentage of the conservations storage pool is in Zone 4.

9.B - CONSERVATION

Comment ID 0030.001.002

Author Name: Chapman Bruce

Organization:

Conserve water usage upstream through methods already proven advantageous in other water-short areas found in California & other states & municipalities. We need a holistic approach that respects common needs among disparate

interests. But any approach would begin with conservation. Thanks!

Comment ID 0081.001.001

Author Name: Parmenas Gathana

Organization:

I have been a resident in Franklin County, Florida, near the mouth of the Apalachicola, since 1998. Prior to that, I lived in the high desert of Santa Fe, New Mexico for 25 years. One thing which seems to be missing from all discussions of water allocation from the ACF river basin is conservation measures, especially for the residential users of the metro Atlanta area.

Humans have the ability to enormously decrease their daily use of water. Having lived with water use restrictions in desert areas has proven to me that it is not a huge hardship for most Americans to cut their water consumption in half by simple measures. These measures include limited or no watering of private lawns, low flow plumbing fixtures, and drought resistant native plants for landscaping.

Unlike humans, the oysters and other sea life dependent on the flow of the Apalachicola have no conservation measures available to them. While a human can decide not to flush a toilet needlessly, an oyster cannot make do with less water.

The utter failure of the entire metropolitan area of Atlanta to address water conservation in any serious way should be a signal that it's time to reduce the water allotment for residential use.

I urge the decision makers to include strict water conservation requirements in planning for allotments to the use of the ACF flow.

Comment ID 0142.001.002

Author Name: Weeks Brian

Organization:

2. The new plan to maintain Lake West Point at Full Pool for 90 days each year June 1 to September 1, (while a drastic improvement over current fluctuations), is still a dramatic waste of fresh water, one of our shrinking global natural resources.

Comment ID 0201.001.004

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

Today's comments are intended to identify what the Corps can do to help arrest continuing degradation in the Apalachicola River and Bay ecosystem. Florida has long advocated operational changes that would seek to restore the pre-dam hydro graph under which the sensitive Apalachicola River and Bay ecosystem and related socioeconomic infrastructure evolved. Unfortunately, upstream consumption and related depletions have rendered a complete return to the pre-dam hydro graph infeasible. The most important thing the Corps can do now, given this reality, is to utilize all available authorities, programs and policies to curb consumption, which threatens not only to imperil Florida's interests, but to compromise all Corps operations and the myriad interests that rely on those operations.

Comment ID 0201.001.007

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

THE PROBLEM OF UPSTREAM CONSUMPTION

As shown in Figure 1, upstream depletions during droughts account for approximately 3,365 cfs in the May through September time frame. Considering that these depletion amounts represent two-thirds of the current minimum flow of 5,000 cfs under the Revised Interim Operations Plan ("RIOP"), the ACF system is clearly overallocated. Modeling conducted by Florida has demonstrated that increasing demands can have a disproportionately large negative effect on lake storage during severe drought periods. This is particularly true in the most severe drought of the modeling period in 2007. Reservoir operating rules in the Corps models are predisposed to maximize lake levels during the 2007 drought. Yet the large demands shown in Figure 1 drove lake storage down in 2007, resulting in a situation in which the magnitude of demands during this single drought event are directly controlling the amount of flow releases in the Apalachicola River during all dry years in the entire period of record.

In simple terms, this means that the Corps must draw substantially on reservoir storage to make up for upstream depletions simply to meet the minimum flow floor at the Chattahoochee gage. But for these substantial depletions, reservoir levels would not be impacted as dramatically in drought years. Nevertheless, the Corps has emphasized maintaining high lake levels but done nothing to promote conservation, leaving that matter entirely to the State of Georgia. Rather than continuing to accept the impact of upstream consumption on Federal reservoirs (and corresponding lake level and river flow reductions), it is time for the Corps to take a proactive role to promote conservation in the Basin. [FN 3]

Figure 1. 2007 Depletions Net 2007 depletions, in cfs, upstream of Woodruff Dam. Cross-hatched depletions (not accounted for in Corps Unimpaired Flow) were visually estimated from preliminary data in Figs 3.19.7 and B.2 in Draft UIF Report by GWRI/GT (2012). All other numbers are from Corps ProAction2 model, May 2012. Depletions may be higher than shown because of underestimated agricultural withdrawals in dry years and other uncertainties in Corps model (GWRI/GT, 2012). and large increases in impervious surfaces and other land use changes.

<Please refer to original document for figure.>

[FN 3] Unfortunately, it is not a simple matter of increasing reservoir storage capacity because evaporation is maximized in the summer months, so its impact is felt at the worst possible time. The structure, location and purpose of

any increased storage needs to be carefully weighed against the large evaporative losses that will occur during droughts.

<Portions of the text are italicized and bolded. Please see the original letter.>

Comment ID 0203.001.003

Author Name: Austin Mayor

Organization: Metropolitan North Georgia Water Planning District

The member local governments and utilities of the District realize that we share a common destiny with the entire ACF basin, and desire to work with other basin stakeholders to cooperate and collaborate on how best to share our precious water resources. During the past decade, the metro Atlanta region has become a national leader in water stewardship. The District's Water Supply and Water Conservation Management Plan includes an aggressive water conservation program that includes 19 measures that are implemented by local systems (provided as an attachment to this letter). The Atlanta region is the only major metropolitan area in the country with more than 100 jurisdictions that are implementing such a comprehensive water conservation program. Further, through the District's Wastewater Management Plan, we remain committed to responsible and sustainable water management through the goal of minimizing net consumptive use and maximizing reclaimed water returns back to the ACF basin.

We appreciate the Corps' leadership and management of the ACF River Basin. If you have any questions about this request, please contact me at (770) 443-8110.

Comment ID 0203.001.004

Author Name: Austin Mayor

Organization: Metropolitan North Georgia Water Planning District

The Metropolitan North Georgia Water Planning District (Metro Water District) is a leader in water conservation planning. The Metro Water District's Water Supply and Water Conservation Management Plan includes an aggressive water conservation program that includes 19 measures that are implemented by local systems. The Metro Water District is the only major metropolitan area in the country with more than 100 jurisdictions that are implementing such a comprehensive water conservation program.

The following is a list of the 19 water conservation measures required by the Plan. The first 12 measures are described in Section 5 of the 2009 Water Supply and Water Conservation Plan. The most recent measures (13 - 19) were added to the plan as an amendment in December 2010.

1. Conservation pricing
2. Replace older, inefficient plumbing fixtures
3. Pre-rinse spray valve retrofit education program
4. Rain sensor shut-off switches on new irrigation systems

5. Sub-unit meters in new multi-family buildings
6. Assess and reduce water system leakage
7. Residential water audits
8. Low-flow retrofit kits for residential users
9. Commercial water audits
10. Education and public awareness
11. Install high efficiency toilets and high efficiency urinals in government buildings
12. New car washes to recycle water
13. Expedite existing programs to identify and reduce both real and apparent water losses*
14. Multi-family high efficiency toilet rebate program*
15. Install meters with point of use leak detection*
16. Require private fire lines to be metered*
17. Maintain a water conservation program*
18. Water waste policy to reduce outdoor water waste
19. High efficiency plumbing fixtures consistent with state legislation

*Indicates that implementation of this measure is only required by the water systems that receive their water supply directly from Lake Lanier or the Chattahoochee River; this includes all of the water systems in Cobb, DeKalb, Forsyth, Gwinnett, and Hall Counties and those systems in Fulton County except for the cities of Palmetto, College Park, and East Point.

<Portions of the text are italicized and bolded. Please see the original letter.>

Comment ID 0316.001.010

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

For water supply project proposals, full implementation of conservation and efficiency measures, including water reuse options, is a primary alternative that could have a fraction of the impacts to aquatic resources of developing new supply infrastructure. The Corps should consider whether efficiency and conservation measures are in place to ensure that the overall use of Corps reservoirs minimizes impacts to aquatic resource when evaluating requests for allocations and uses related to the projects in the ACF WCM.

Comment ID 0316.001.011

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Minimizing supply withdrawals with conservation measures can also reduce conflicts among uses, easing pressure on the ACF system as a whole, and easing management of releases and flows for environmental protection. EPA Region

4's 2010 Guidelines on Water Efficiency Measures for Water Supply Projects in the Southeast ("WEGs") describes conservation and efficiency measures that can be expected of users seeking allocations or withdrawals from the system, and should be used to evaluate how well efficiency is being implemented before committing to new allocations or uses. EPA encourages entities' seeking allocations to demonstrate meaningful efforts to repair leaking or damaged infrastructure; use an integrated resource management approach across residential, industrial, agricultural, and commercial settings; implement full-cost pricing, conservation pricing, and metering of all water users; use low-impact development and green infrastructure; facilitate retrofit of all buildings; optimize water reuse; and facilitate landscaping to minimize demand and waste, and efficient irrigation practices. Protecting basin flows by requiring conservation and efficient use can reduce impacts to streams and riparian wetlands, aquatic life, habitat, and water quality, and ease management of system flows, particularly under low-rainfall conditions.

Comment ID 0316.001.013

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Recommendations: EPA recommends that demonstrated water efficiency/conservation implementation be required as the primary alternative before commitments are made for new supply/storage uses.

9.C - DEMAND VS. NEED

Comment ID 0130.001.001

Author Name: Edwards Peter

Organization: Lanier Luxury Homes

COMMENTS: Another waste of time, money and resources, since the issue of the missing storage facilities on the Flint River will be ignored again! To attempt to re-allocate an undersized resource among increased demands will yield the usual results of failure.

Comment ID 0134.001.001

Author Name: Robinson Kathy

Organization: Robinson Brothers Guide Service

The Apalachicola end of the ACF river system is the red headed step child of the entire thing. Choosing to allow North GA and Atlanta one more drop of water than they are already getting is not only a crime against the entire Gulf of Mexico, it is a sin against nature. The effects of the WRONG decision on this topic will have lasting ruinous effects to the delicate balance of one of the last estuaries to act as a nursery to the Gulf of Mexico. Stop the madness and stop taking money from whomever is greasing palms, STOP issuing water taps to anyone in cities along the river system -

say no to development and YES to responsible conservation. LET THE WATER FLOW!!!

Comment ID 0141.001.001

Author Name: Moore Brad

Organization: Indian Hills Neighborhood Association

This letter provides the comments of Indian Hills Neighborhood Association (IHNA) regarding the scoping process of the Corps of Engineers (Corps) to update its water control manual for the Apalachicola-Chattahoochee-Flint (ACF) River System. Thank you for the opportunity to comment and your consideration of IHNA's views.

IHNA's Interest in the ACF River Basin

IHNA represents of 24 homeowners that reside around Walter F. George lake (Lake Eufaula).

The Corps Must Acknowledge and Address the Needs of the Middle Portions of the ACF River System.

Congress authorized and instructed the Corps to build and operate the ACF reservoirs substantially for the benefit of those located in between those two ends of the ACF River System. For example Congress authorized the three storage reservoirs primarily for navigation support and hydropower production below the fall line. As the Corps develops revisions to its ACF water control manual, it must ensure its operations serve the communities and businesses of the ACF River System's middle regions.

Comment ID 0159.001.002

Author Name: Moore Brad

Organization: Friends of Lake Eufaula

This letter provides the comments of Friends of Lake Eufaula (FOLE) regarding the scoping process of the Corps of Engineers ("Corps") to update its water control manual for the Apalachicola-Chattahoochee-Flint ("ACF") River System. Thank you for the opportunity to comment and your consideration of FOLE's views.

FOLE's Interest in the ACF River Basin

FOLE represents over 200 homeowners, businesses and local governments that reside around Walter F. George lake (Lake Eufaula). FOLE's charter is to protect and promote the lake. In protecting the lake we have sponsored numerous lake clean up efforts and worked with the Corps to re-establish indigenous aquatic vegetation. One of our key promotional efforts is establishing the Chattahoochee River and the lake as a scenic river trail.

The Corps Must Acknowledge and Address the Needs of the Middle Portions of the ACF River System.

Congress authorized and instructed the Corps to build and operate the ACF reservoirs substantially for the benefit of those located in between those two ends of the ACF River System. For example Congress authorized the three storage reservoirs primarily for navigation support and hydropower production below the fall line. As the Corps develops revisions to its ACF water control manual, it must ensure its operations serve the communities and businesses of the ACF River System's middle regions.

Comment ID 0161.001.003

Author Name: Henry George

Organization:

Furthermore, your help is needed to influence the inflow of water with respect to both quality and quantity. Especially during current and prior severe drought conditions, competing demands for conserving and distributing the Chattahoochee's water make critical the formulas for equitable balance. The USACE should do all in its power to help protect flows into the system from its many sources. Efforts to impound and divert sources from Hall County and above are ill-considered and detrimental for Lake Lanier, Lake West Point, and the river's myriad supply needs both above and below Lake West Point. Furthermore, exchanges among river basins are ill-advised, especially considering the five-basin impact of the Atlanta metro area, which can send it's outflows elsewhere than along the Chattahoochee. Monitoring, regulating, and effectively enforcing water quality from industrial, agricultural, and development projects require strong oversight for which the USACE should provide advocacy and leverage.

Comment ID 0168.001.005

Author Name: Barr Douglas

Organization:

Reduction of Inflows to Apalachicola River

The "Improved" operations with Georgia's 2010 water demands results in substantial impacts on Apalachicola River. The impacts, of course, are even greater under the increased water demands requested by Georgia for 2020 and 2030. Table 1 provides a summary of the impact of the "Improved" Operations on inflows to Apalachicola River with Georgia's increased demands in comparison to what actually occurred during the period from 1976-2008.

Table 1 - Summary of Simulated Impacts on Inflows to Apalachicola River with "Improved" Reservoir Operations and current and future Georgia Demands

<Please refer to original document for Table.>

Comment ID 0168.001.007

Author Name: Barr Douglas

Organization:

Additional Impacts to Apalachicola River resulting from unrealistic depletion of Lake Lanier Conservation Storage

The simulations of Georgia's requested 2030 demands with the historical return flows results in depletion of the active storage in Lake Lanier (Figure 18). This would directly impact water supply withdrawals from Lake Lanier and releases to the Chattahoochee River for downstream water supply intakes for metro Atlanta and hydropower production.

Figure 18. --Simulated Elevation of Lake Lanier with Improved Operations and 2030 Georgia Demands, 1976-2008.
<Please refer to original document for Figure.>

Presumably, the COE will not realistically allow Lake Lanier to decline to the bottom of the conservation pool. The COE, therefore, would be forced to reduce releases from Lake Lanier to conserve storage. Ultimately, this would lead to reduction of releases to Apalachicola River much greater than represented by the COE simulations. For example, if the COE elected to hold the level of Lake Lanier at the lowest historical level of 1,050' then an estimate of the reduction in releases required to keep Lake Lanier at this level can be easily determined. To my knowledge, the COE has never stated an acceptable minimum level or duration for Lake Lanier. Therefore, Table 2 provides the additional reductions in releases to Apalachicola River required to prevent Lake Lanier from falling below elevations of 1,050', 1,045' and 1,040' with the requested Georgia 2030 projected withdrawals (COE alternative GAIMP2030C). These reductions would be in addition to the release reductions to Apalachicola River illustrated in Figures 16 and 17.

Table 2 -- Additional Reduction of Releases to Apalachicola River to maintain the level of Lake Lanier at Minimum Elevations of 1,050', 1045' and 1040', "Improved" Operations with 2030 Demands.
<Please refer to original document for Table.>

The impact, of course, would be further reduction of releases to Apalachicola River. The severity of the impacts would depend on how low the COE would lower Lake Lanier before reducing releases to Apalachicola River. Alternatively, the COE could recognize via the update of the Water Control Manuals that there is a limit on the amount of water that can be supplied by Lake Lanier without endangering Apalachicola River and Bay or reducing the level of the lake to near the bottom of the conservation pool.

Simulated Lake Lanier declines to at or near the bottom of conservation storage is not unique to alternative GAIMP2030C. The simulated Lake Lanier elevation for alternative GAIMP2030P also depletes conservation storage by allowing Lanier to decline to an elevation of 1,035'. Alternative GAIMP2030R allows the simulated level of Lanier to decline to an elevation of 1,040' which is 10 feet below the historical minimum elevation of the lake. Even at the 2020 demands, the simulated level of Lake Lanier declines to 1,040' (alternative GAIMP2020C) or 1,045' (alternative GAIMP2020R).

Comment ID 0168.001.018

Author Name: Barr Douglas

Organization:

13. The simulated flows include a much higher occurrence of extreme low flows in comparison to actual flows. Prior to implementation of the first set of interim operating procedures in 2007 (i.e., 1976-2006) there were 99 days in which the actual inflows to the Apalachicola River were less than 5,100 cfs. In comparison, under the "Improved" interim operation procedures, the simulation of the GAIMP2030C resulted in 541 days in which flows were less than 5,100 cfs. This equates to a 380% increase in the occurrence of extreme low inflows to Apalachicola River and illustrates the impact of the significantly longer duration of drought operations under the "Improved" interim operations. Further, over the six year period from 2007-2012 when interim operations have been in effect, inflows to Apalachicola River have been less than 5,100 cfs on 151 days. This compares to 99 days during the 31 year period from 1976 to 2006. The update of the Water Control Manuals should correct this inequity and recognize that there are limits on the level of consumptive withdrawals in the Georgia portion of the basin.

14. The COE simulation of the recommended "Improved" reservoir operations with Georgia's 2030 requested withdrawals from Lake Lanier and the Chattahoochee River results in long periods in which the level of Lake Lanier is below the historical low of 1,050 feet above NGVD. With the 2030 demands, the simulated level of Lake Lanier declines to the bottom of the conservation pool (1035' NGVD) during the 1985-1990, 2000-2003 and 2007-09 periods of Emergency Drought Operations. Since the COE has traditionally conserved storage in Lake Lanier, it seems very unlikely that the Lanier would be allowed to decline to these levels. The only alternative is to further reduce inflows to Apalachicola River to the minimum required release of 5,000 cfs or less. The impacts of the "Improved" reservoir operations on Apalachicola River and Bay, therefore, will be much more severe than indicated by the simulations. Since the improved interim operations would not prevent this from occurring, the COE simulations likely underestimate the inflow reductions to Apalachicola River and the loss of flow during periods of Emergency Drought Operations. The update of the Water Control Plan should be based on a realistic minimum acceptable level for Lake Lanier and should not use the Emergency Drought Operations to reduce the required inflow to Apalachicola River to offset the over-draft of Lake Lanier for Water Supply.

15. The flow reduction resulting from the GAIMP2030C alternative in comparison to the actual flows is not evenly distributed by month. Instead, the impact on low-flow durations is greatest in May, June, July, August and September. For example, the simulated August the median flow is 2,500 cfs less than the actual median flow for the period from 1976 through 2008. Since these are low flow months, losses of this magnitude change the hydrology of the river and the inflows to Apalachicola Bay during the dry season. In addition, the 2012 decline in the biota of Apalachicola Bay occurred at the same time as the largest cumulative deficit of daily flows from normal (average) flows to occur over the past 37 years. The only other deficit occurred in 2008 and was not of the magnitude or duration of the 2012 deficit. This event was considerably more severe than previous historical extremes and may have represented a cumulative loss of freshwater inflow that exceeded the tolerance levels of a broad range of species. The COE simulations of the "improved" operations and requested 2010, 2020 and 2030 Georgia withdrawals result in deficits of freshwater inflow to Apalachicola River and by extension to Apalachicola Bay that are considerably more severe than 2012 deficit. The update of the Water Control Plan must recognize that the limits on the reduction of inflows to Apalachicola River and Bay may have already been reached and possibly exceeded and any additional reductions must be minimized.

Comment ID 0173.001.002

Author Name: Blalock Tanya

Organization: GEORGIA POWER

Georgia Power is the largest subsidiary of Southern Company, one of the nation's largest generators of electricity. The company is an investor-owned, tax-paying utility with rates below the national average. Georgia Power serves 2.4 million customers in all but four of Georgia's 159 counties, and as such, water resources are vital to our core business activities.

Georgia Power operates a number of fossil fuel fired steam electric and hydroelectric generating facilities across the state, and within the ACF river basin, for a total generation capacity of approximately 16,588 megawatts of electricity. Facilities within the ACF river basin are critical components of this generating capacity which provides electricity throughout this region of the country. Accordingly, updating the WCM and its various water control plans should include assessment of the water use needs necessary to maintain generation at these Georgia Power facilities as part of the baseline conditions in the ACF basin.

Additionally, the state of Georgia is fortunate to be in a position of growth, and population increases are projected for Georgia in the coming years. As the State's population grows, so will its need for electricity to support expansion of municipal, industrial and other sectors. Georgia Power must plan for future generation of electricity to meet this growing demand throughout the State and region. In updating the ACF WCM, we respectfully request that the Corps contemplate these future needs.

Comment ID 0177.001.006

Author Name: Tonsmeire Dan

Organization: Apalachicola Riverkeeper

Define Sustainable Limits

Establishing water allocation (i.e., budgets) and compatible reservoir operations requires understanding the sustainable limits on the amount of water use within a basin. The first step is to determine the ecological flow needs to establish the sustainable limits of water available from a river system for current and future uses. Without such a determination of limits, increased water use will result in increased conflict for changes in water allocation and pit community against community and a final detriment to all users in the basin. When natural drought and low flows occur, compounded by unlimited water withdrawals and depletions, without consideration of alternatives, in particular, water conservation, the impact on this diverse, productive, worldclass river and bay can be catastrophic. Such events may include:

- Increased potential, duration, frequency, and intensity of red tide in Apalachicola Bay and the near Gulf of Mexico waters,
- Reduction and loss of wetlands, floodplain forest, fish and wildlife habitat and bio-diversity,
- Loss of traditional livelihoods resulting in impacts to the economic, social and cultural structure of the Apalachicola Basin.

Consideration of these and related impacts should be addressed through a comprehensive economic, environmental, social and cultural analysis.

Comment ID 0186.001.006

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

6. Consideration of Municipal and Industrial Water Supply

The EIS must consider the municipal and industrial water-supply needs of entities in the Alabama portion of the basin. Based on the 2005 Alabama Water Use Report published by the USGS and the State of Alabama, Alabama estimates that M&I water demand in its portion to be approximately 50 mgd, excluding thermoelectric demands. Domestic water supply in the area of southeast Alabama that is part of the basin will be a growing water-resource demand. That region has seen the groundwater table drop significantly in the last few decades. Alabama projects that some water-supply systems in that region will have to transition to the use of surface water as a source of supply in the future. Alabama estimates that approximately 55 mgd of additional water may be utilized for M&I supply in its portion of the basin by 2040.

Industrial need for reliable flows will only to continue to grow in that part of the basin. The Farley Nuclear Plant is located near Columbia, Alabama, and it a vital component of the region's electric supply. The Plant utilizes the Chattahoochee River for cooling and make-up water and is dependent in its operations on the availability of water of acceptable quantity and quality. Any Corps operating plan for the Basin that reduces the elevation or flow rates of the river adjacent to the Plant could adversely impact the ability of the Plant to maintain regular operations. Such restrictions on operations could impose significant costs in terms of replacement electric power and could cause environmental concerns.

The ability of other industries in the region to operate normally is also imperiled by reduced flows due to a diminution in wastewater assimilative capacity. Such a diminution also limits the ability of the region to meet its industrial-development potential. In addition, the impacts of upstream discharges and low flows also have the potential to impose higher costs on downstream industry as the downstream users will incur higher treatment costs to treat pollutant-laden water before it is used and higher costs to treat used water before it can be returned to a stream with reduced assimilative capacity.

7. Consideration of Agricultural Water Supply

Alabama's needs related to agricultural water supply must also be taken into account in the EIS. Alabama's agricultural water demand in the ACF Basin was 18.6 MGD in 1992 for crop irrigation of all types. In 1995, agricultural water usage in the Alabama portion of the ACF Basin was estimated at 22.5 MGD. That usage has been projected to increase to 74.8 MGD by the year 2050. Agricultural water use in the ACF Basin is expected to steadily increase throughout the basin, but is expected to increase most rapidly in the Alabama portion of the ACF Basin.

Comment ID 0201.001.002

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

Given that Florida's Governor Scott has requested a disaster declaration of the Bay on account of the oyster harvest, the Corps' update of its water control manuals is both timely and necessary. Florida recognizes that the Corps must manage the system in accordance with its authorized purposes. Increased upstream consumption coupled with reduced inflows to Corps reservoirs have predisposed the Corps to maximize upstream storage. However, this predisposition is neither justifiable nor equitable based on the historical record.

Under no circumstance since the reservoirs were filled has total conservation storage dropped below 500,000 acre feet. Lake Lanier, where most of the system's storage is located, has never fallen below 1,050' despite having the bottom of the conservation pool located at 1,035'. In short, since Lanier first filled, the Corps has maintained an operational "cushion" of over 400,000 acre feet (or about 130 billion gallons) in the conservation pool at Lake Lanier. Of course there is well over one million additional acre-feet of storage available to meet water supply demands below the bottom of the conservation pool, which the Corps has ignored entirely in its water supply analyses to date.

Meanwhile, downstream users face devastation as river levels have seen a steady erosion as each new demand placed on the system upstream is absorbed, not from the reservoir levels, but entirely from downstream river flows. After six decades steadfastly holding Lake Lanier above 1050', and in view of the predictable and avoidable devastation visited upon Florida, the Corps must now be less conservative in guarding that level and sharing the adversity of low flows at both ends of the river system. In addition, the Corps can no longer assume that all needs can be met without proactively insisting on more aggressive upstream conservation, as it is upstream use that has compromised the Corps' ability to meet its various obligations and contributed to the steady drop in river levels over the past three decades.

<Portions of the text are italicized. Please see the original letter.>

Comment ID 0221.001.001

Author Name: Antekeier Andy and Susan

Organization:

The way water is allocated by the Corps to the Atlanta metro area from Lake Lanier regardless of downstream impacts allow the residents of Georgia to avoid thinking about water as a limited shared resource. There should be in place permanent water restrictions in all of the heavily populated counties for lawn irrigation, car washing etc. similar to those in Florida counties which have water shortage issues due to unrestrained growth & development. As long as they have plentiful cheap water, local officials have no reason to act on restrictions & the downstream smaller population areas suffer. Apalachicola Bay is suffering now, and not a single county in Georgia has water restrictions in place that we know of. That is wrong.

Comment ID 0262.001.001

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

Chattahoochee RiverWarden, Inc. is a 501 c 3 non-profit organization whose mission is the use of science, education and advocacy for the protection and stewardship of the middle Chattahoochee River and its tributaries from West Point Dam to the Jim Woodruff Dam in Bainbridge, GA. Our organization represents over 650 members, businesses and affiliations. We greatly appreciate the opportunity to provide our comments and thought to the US Army Corps of Engineers regarding the EIS scoping for the updating of the ACF Water Control Manuals. The ACF basin has undergone great changes since the development of the original 1958 Master Manual. The changing dynamics of land use, population growth, increasing consumptive demand, lack of water conservation, industrial usage, agricultural irrigation, waste water assimilation, public water supply are stressing the system to the point that the ACF projects are unable to meet all its federally mandated authorizations. The proposed revision to the Basin Master Manual and individual federal lakes operating plan should be able to help fill some of the gaps of water availability that currently exist.

Comment ID 0265.001.001

Author Name: Sak Kim

Organization:

The drainage basin for Lake Lanier is grossly disproportionate to the demands of the ACF system. Lake Lanier is the water supply for Atlanta, the 9th largest Metro area in the US. This should come before all other demands.

Comment ID 0266.001.001

Author Name: Keelin James

Organization:

Water in Lake Lanier should primarily be used for water supply for the Atlanta Metropolitan Area. The reason is the drainage area of Lake Lanier is small and only 6% of the ACF Basin. Metro Atlanta had a population in 2010 of 5,475,213 people and is the 9th largest metro area in the USA. Atlanta's airport is the busiest in the world.

Comment ID 0279.001.001

Author Name: Vizzini Tom

Organization: Essential Skills

The water Management at Lake Lanier does not fill the needs of those around the lake or the Atlanta area.

We are currently trapped by 2 contradictory policies.

1 That Lake Lanier should be used to supply a demand that is not regulated down stream. The withdrawal of water in Alabama and Florida along with the increasing withdrawal from increasingly water dependent crops for down stream farming make using Lake Lanier and unsustainable lake. There is always going to be a higher demand for water than there is a supply for the lake.

Comment ID 0309.001.006

Author Name: Houston Billy

Organization: TRI RIVERS WATERWAY DEVELOPMENT ASSOCIATION

(ii) Demand Issues

As explained further in the Joint Report, changes to those assumptions can change projected outputs. Most notably, if consumptive withdrawals increase in an unrestrained manner (e.g., 4 % to 50% for the entire basin above Jim Woodruff), the reservoirs would be drawn to the bottom of their conservation pools. Therefore, consumptive demands cannot continue to increase indefinitely without having an impact on reservoir elevations and flow in the Apalachicola River.

The Corps does not directly control the factors that lead to increases in demand for water withdrawals. However, the Corps is within its rights and authority to define how much upstream consumption the Corps can facilitate while continuing to meet other Congressionally authorized purposes. The Corps should explicitly recognize the limits of what it can accomplish given the nature of its facilities and reasonably foreseeable inflows. A clear statement to that effect will protect stakeholders throughout the basin and provide guidance to water consumers, so they can develop plans for growth, alternative sources of supply, and conservation. We recognize that local consumption is, in a sense, outside the Corps' direct control. However, that does not mean it must be regarded as completely beyond influence. Where localized demand changes to a degree so as to impact other stakeholders, we urge the Corps to adjust action zone elevations so that the effects of increased demands are borne primarily by the zone responsible for the increases in demand.

The Corps has considered changing the way it calculates return flows, for purposes of calculating permissible withdrawal levels. Identification of the direction and quantity of return flows is a difficult task, and any calculations will be subject to significant uncertainty based on information currently available. However, to the extent calculations are used to justify increases in local withdrawals for consumptive purposes, the effects of such withdrawals are direct, clear, and immediate. The Corps should include impacts to downstream stakeholders and resources in its consideration of any possible changes to return flow calculation methods.

<Portions of the text were bolded. Please see original document for details.>

<Portions of the text were italicized. Please see original document for details.>

9.D - EXISTING WATER MANAGEMENT PRACTICES

Comment ID 0003.001.002

Author Name: Cummings Paul

Organization:

Rainfall in North Florida and South Alabama has been greater than the Lanier basin for the past two years but you continue to drain the lake. Why charge for dock permits if the docks are unusable. After the final settlements on the water wars are concluded there should be a push to classify Lake Lanier a recreational lake and take the decisions out of the Corps hands.

Comment ID 0004.001.001

Author Name: Sandgren Lyza

Organization: CanopyLegal, LLC

Dear Sir and/or Madam Corp Person,

This is an election year and people are fed up with incompetence. I understand that you are not elected by the public but I would also think you would be tired of hearing all the scathing jokes about Army Corp of Engineers ineptitude. Other than lack of rain, the only other thing the Chattahooche and Lake Lanier suffer from are the gross negligence and stupid mistakes made by the Corp. Do you realize how silly your excuses of miscommunication sound?! Hello, no one owns a cell phone? Unless there is a rule for that, no one thinks to ask a question?

If you all were on my staff, you all would have been fired by now. Thank your stars that you are not employed by the private sector because expectations of a minimum job performance are higher than the performances, or lack thereof, that we have seen from the Corp.

Come on! Get your act together. Turning on and off valves is not rocket science.

Comment ID 0005.001.001

Author Name: Maltese Joe

Organization:

It is important that the Corps be fully aware of its total ignorance and direct violation of the enabling legislation that specifically authorized the West Point lake project for General Recreation and Sport Fishing and Wildlife development. Since its inception the water resources for the West Point lake (WPL) project have been mismanaged and these resources have been directed for use for other ACF activities, interests and projects, many of which have never

received a specific Congressional authorization.

In particular:

1. The Corps seems to have ignored the adverse impacts of agricultural demand on the ACF- specifically the Flint River basin which has been stressed by agricultural uses during dry weather. The result has been lower than natural river flows on the Flint, resulting in the Corps using the limited stored waters in the Chattahoochee basin lakes to create an artificial and unnatural flow to the Apalachicola from Corps lakes on the Chattahoochee. Subsidizing lost flows to the Apalachicola from the Flint basin due to dry weather and agricultural use is not and never has been an authorized purpose of any Corps project on the ACF system.

2. The Corps has failed to mimic historic natural low flows on the Apalachicola, and instead has guaranteed unnaturally high flows in the face of extreme drought. This utilization of stored waters in West Point to create an unnatural flow regime is an example of mismanagement of the resource, and demonstrates how the Corps has destroyed the West Point lake project utilizing water essential to support general recreation and sport fishing to sustain other uses that were not authorized for the WPL project.

Comment ID 0005.001.007

Author Name: Maltese Joe

Organization:

7. The Corps seems intrigued by the demands of fishery interests in Apalachicola and that it must find ways to accommodate an industry stressed by so many other factors that have yet to be revealed. Ironically the Corps totally ignores socio economic interests on West Point Lake and seems to eagerly sacrifice the WPL project to accommodate those interests upstream and downstream that scream the loudest in the media and to politicians.

Mother nature doesn't continually drain West Point Lake, so hiding behind the verbiage that cries drought is a falsehood. Only humans at the Corps of Engineers have their hand on the valve that opens and closes the WPL dam and releases water.

The Corps must stop storing air at West Point and start storing water- and it must leave the lake alone. The Corps has used its assumed cart blanche (especially in the form of its self created action zones) to ignore Congress' authorized use of the project and has managed the resource for other purposes. Its time for the Corps to stop worrying about addressing the over hyped needs from Atlanta north and Apalachicola to the south. It's time to do the right thing for once and to fulfill the purposes authorized at West Point Lake. Take the hand off the valve.

Comment ID 0006.001.001

Author Name: Hudson Reggie

Organization:

I have lived next to West Point Lake for 22 years. In this 22 years I have questioned why water is released from the lake the way it is. I know all the different reasons I have heard. I do not understand why the USACE can not set Summer Pool on West Point Lake at 636' and Winter pool at 629'. One of the reason is all the argument to save the muscle's in Florida means that millions of muscle's in West Point Lake die each year when the water level is dropped. The banks are covered with dead muscle's. With the technology we have now I can not understand why this can not happen.

Comment ID 0007.001.003

Author Name: Matheny Anthony

Organization:

I live on West Point Lake in north Troup County. For the majority of the year we are not able to even use our docks because of the low lake levels. We have thousands of dollars tied up in docks that sit on the ground. There are 3 usable months during the year (June-Aug) if we have rain.

Comment ID 0008.001.002

Author Name: Nelson, et al Bill

Organization: United States Senate

Second, we are concerned that the Corps is increasingly exceeding the limits of its discretion to reprioritize water project purposes without the involvement of Congress. In updating the manual, the Corps must not make material changes to the uses for specific purposes of water resources projects. That is the proper domain of the Congress, not the Corps.

Comment ID 0009.001.001

Author Name: Morrison Bill

Organization:

I have lived on Lake Lanier since 1982 and have watched the lake levels fluctuate up and down for 30 years. It is sad to say that the current management of the lake level is causing irreparable damage to the lake and horrible erosion problems. Top soil and run off debris is filling up the lake. Damage is being done to wildlife and personal and public property - parks, boat docks, boats, marinas, etc.

Comment ID 0010.001.001

Author Name: Loveless G.E.

Organization:

The management of lake levels at West Point has always been a problem for the Corps of Engineers since it was impounded.

There have been less than three years when the lake was in good shape. I have long believed that the managers could not read a long range prog chart.

This year is the worst it has ever been. I realize the drought over the last two years has been a severe problem, but it could have been much better if only the winter pool level is raised.

The lake needs to be managed for it's primary intended uses and NOT for a Florida water source. The sea life that Fla complains about existed nicely long before West Point lake was here. Water for HUMAN use is MORE important than mussels.

Comment ID 0018.001.001

Author Name: Nelson Alton

Organization:

As a home owner on West Point Lake I am dissatisfied with the lake management by the Corps of Engineers. I purchased my home specifically to be on the lake for direct access to the water for general recreation and enjoy boating on the lake. Because the Army Corps of Engineers method of controlling the lake is flawed, I am denied the utility of the lake after having made a substantial investment to gain access to it for recreational use. My dock is of a very limited use, and the operation of boats at any level below 632 ASL is impaired based on the Corps established recreational impact level. West Point Lake according to the Corps was authorized by our Congress for five purposes and is the first being a designated for a General Recreation purpose. The COE is mis-managing the lake for other un-authorized purposes at a much lower level, than the 632 ASL, as the minimum lake level for recreational use.

Comment ID 0021.001.001

Author Name: Daniel Larry

Organization:

I've lived on this lake since Dec. 1998, until 2007 (one of the worst droughts in our regions history) my dock has NEVER sat on the ground....it has sat on the ground three times since then. I have 11 1/2 ft. of water under my dock at full pool, of which you can count on one hand and have fingers left over for the no. of DAYS per yr. this lake has ever been full. In 2008 they/you filled it in Feb., it stayed full till almost Nov., and only went down 3 ft. for winter pool that year. That alone tells me you can leave this lake full and only draw it down 3 ft. in winter. There are a lot of retired people on this lake, they enjoy fishing, though some can only fish from there dock. Outside of 2008, there hasn't been enough water under their docks for them to fish from them. My neighbor is a prime example. We have continuously

been under " water rationing" in Ga., but at any given time, even in 2007, you could go to Apalachicola Fl. and almost everyone would be watering there yards all day on any given day. Businesses went out of business here, but they had plenty of water there, our water, water that we pay taxes on to have under our docks.....but isn't there. I guess you could say we pay in more ways than one! It makes no sense to draw this lake down the way you do, especially in winter (you draw it down at least 7 ft.), especially if you intend to draw it down 12-14ft. I wish we could kick the Federal govt. OUT of the state of Ga.. I know I would stand in line to do so!

Comment ID 0022.001.001

Author Name: Stanford Katherine

Organization:

Please restore our lake. You are depriving our area of a vital resource. Our lake has proven to be useless for most of this year due to the levels being so low. It's gotten so bad that it effected our drinking water this year. This is unacceptable.

Comment ID 0023.001.002

Author Name: Lewis Michael

Organization:

Morgan Falls Dam has no published release schedule.

In the past, (Sept. 2009) Large water releases by Buford Dam combined with heavy rain results in an unnaturally high river level downstream.

It seems as if maintaining full water levels to Lake Lanier is a last priority.

I understand that these are difficult issues and there are many variables pulling all at one time. Thank you for your efforts.

Comment ID 0024.001.001

Author Name: Ellis Judy

Organization:

Our lovely lake access/dock has been high and dry for most of the summer and fall. Our family has been denighted recreationly activities specified in the lake's charter and a prime reason we bought the property in the first place. No need to invite visitors for an evening cruise. What a shame.

Comment ID 0031.001.001

Author Name: Ray John and Helga

Organization:

We are responding to an article in our local newspaper - LaGrange Daily News.

After attending meetings, completing surveys and writing letters in 2009, we realize this is most likely another wasted effort.

NOTHING has changed! The US Army CORP has managed to destroy our life-long dream of retirement on Lake West Point. Not to mention the damage to local businesses and dropping property values, all for the sake of sturgeons and mussels in Florida. It appears humans are secondary.

West Point Lake is the only congressionally authorized lake for recreation and sport in the system, but recreation, fishing etc. is almost non-existent due to the low water levels.

Comment ID 0033.001.002

Author Name: Webb Brenda

Organization:

As has been reported many times, there are endangered mussels and oysters and that is the reason or at least one of them that necessitates the lowering of the lake level. As Mr. Timmerberg said, the small business man is really the "endangered species" . Maybe, maybe not...it is not just the businesses, it is boat owners, house owners, those with and without boats and docks. We all suffer because we cannot use what we purchased.

I am so disappointed in the Corps, the Government, our legislators and even our WPLC. They all talk a good game but there are NEVER any results. We can put a man on the moon but we cannot figure out how to store and release water. Just saying...maybe it is the boat owners, house owners, small business man and others involved that should be asked what the solution is. I think it is a political issue and probably not one high on anyone's priority list. Believe me, it is high on my list. I went out yesterday to check my boat and I had 6 feet of water under a 16 by 80 foot, 3 bedroom, 2 bath boat that I cannot even use. I cannot use the baths because I cannot pump out which certainly limits staying more than a couple of hours. I often wonder how the mussels and oysters survived before the lake came to be developed!!!! Must have been a miracle....

Because I doubt this will even be read or moved upon, I will stop with my comments.

Comment ID 0036.001.001

Author Name: McBride Mike

Organization:

This letter is in response to the U.S. Corps of Engineers reopening of the "scoping" process for comments on the water control plan. In the past, I have written letters to the editor of the LaGrange Daily News critical of the Corps' management of the West Point Lake water levels. Initially, I thought, what is the use in writing something else only to have it be the victim of the delete button? On reflection, however, I decided I would be remiss if I didn't at least try one more time. I hope others do the same.

One of the main reasons I moved here a few years ago was to take advantage of living on the lake. To this end, I bought a lot, built an expensive house, got the dock permit, put in a dock, bought a boat, and pay high property taxes. Needless to say, I've had a positive economic impact on the area. If I had known then how the Corps would manage the lake levels, I would have never moved here. Furthermore, now, I would certainly not recommend others moving here; you tourist, go some place else.

While the Corps has managed the wooded shore line and recreational facilities in an exemplary manner, their handling of the water itself is abysmal at best. It appears the more water in, even more water out. Observing this past weekend's fishing tournament was depressing with the participants crowded into what is left of the lake. In fact, the greatly expanded shoreline with docks high and dry looked like a skeleton of something dying or maybe already dead.

Comment ID 0036.001.003

Author Name: McBride Mike

Organization:

A few months ago, a spokesman for the Corps stated "he got it," in response to the criticism received from the community. Unfortunately, I believe the Corps does "get it" but doesn't care and will continue to follow their outdated procedures. Having worked for the Federal government for 35 years I understand it's a lot easier and safer to just do the same old thing. After all, it's just a job to them, not their life.

Admittedly, over the past few years there have been drought conditions, but it appears those of us around West Point Lake are taking the brunt of the situation. Shouldn't there be some shared suffering? How really endangered are those Florida species? Just what are the possibilities of West Point being flooded, especially with the 21st century weather forecasting and water gauges now in place?

I can only hope and pray the Corps will listen to citizens such as me, the West Point Lake Coalition, and our community leaders as the Corps rewrites the water control manuals. Hopefully, we can all work together as opposed to becoming adversarial, but I'm afraid the latter path is what we're now going down.

Comment ID 0038.001.001

Author Name: Trotter Billy

Organization:

Please up our winter pool. You are killing us during the droughts. Use some common sense and not subject our lake to Sturgeons and Mussels. Now that Lanier can hold back water, where will at leave us?

Comment ID 0040.001.001

Author Name: Miller Willie

Organization:

My ubderstanding is that James Hathorne, Warer mgr. in Mobile, has not had any complaints about the water level on West Point Lake.....I am officially complaining. We have had adequate rain this year, but you startred dropping it in July, knowing Oct. is historically this regions driest month. We have to pay exhorbitant tazxes in this county, and tgey go up every year.....then we have to put up with unnecessary drawdown from you , on top of all this. Most of the people that live on this lake are retired, they fish off their docks.....some of them because physically they can't do otherwise. You have, over the last 5 yrs. in particular, have taken that away from them.....but yet our taxes are steady and increasing. It's like watching our tax dollars leave our dam. My neighbor recently cam back from the Seafood Festival in Appilachicola FI, and the " local" people are complaining about too much fresh water for the oysters, yet Mr. Hathorn recently said the Appilachicola Bay commision is complaining aboyut not enough water...something " stinks" here besides the dead and dieing mussels on W. Pt. Lake. I hope you people can sleep at night.

Comment ID 0041.001.001

Author Name: Grace Patricia

Organization:

LakeWest Point continues to be managed in a disappointing way. The lake should be allowed to reach full basin so that it can be used in the manner it was mandated to be when it was built.

Comment ID 0043.001.001

Author Name: Rogers Charles

Organization:

I am writing in regard to the ongoing issue of inadequate water level in West Point Lake. This has become an annual problem, and I fear an acceptable annual status quo situation for the Army Corps of Engineers, charged with maintaining the lake. I have discussed the issue on the phone with employees in the Corps Mobile office on two occasions who are quick to point out that the low levels are out of the Corps' control, but rather are results of environmental regulation constraints and 'acts of God' (in the form of drought); and therefore the Corps does not acknowledge any responsibility for this recurring problem ... all the blame goes to other factors. Although I have yet to

find rainfall data that supports the magnitude of water loss we are now annually experiencing, I will concede that in combination with government regulations, lack of rainfall and resulting drought conditions are the major contributors to the low lake levels, and yes, out of the control of the Corps. My question then becomes, what is the Corps doing to mitigate this clear and recurring obstacle to meeting its responsibility to manage the level in a manner that allows the lake to exist as designed? In my opinion, responsibility for management of many of our rivers, lakes, other natural or manmade resources is entrusted to the Corps because the Corps possesses the knowledge and tools to manage, not just monitor those resources. To do nothing about external influences and allow the lake to seek its own level is not managing, and simply 'opening or closing the faucet' to comply with another environmental regulation can be done by most anyone with minimum training. It takes a special expertise to understand the mission (management of the lake to acceptable water levels), identify and analyze problems that interfere with accomplishing the mission, and develop courses of action to overcome the challenges that prevent mission success ... rather than shirk responsibility because it's the easier course and there are no consequences for this mission's failure. I fear that the Corps has become like the hundreds of other agencies in our ever-growing expansive government bureaucracy, one that now exists for the purpose of sustaining itself, not for the purpose of serving the people.

As a retired military officer and defense contractor since retirement, when a job isn't getting done, I look to see if the person, team, unit, agency fully understand what the job is, and what their responsibility is for accomplishing it. In the military, units at each level develop a mission statement that describes what they realize their mission to be. Further, the US Army goes a step further to develop a vision statement that describes how they see themselves accomplishing the mission. Following are the Army Corps of Engineers' mission and vision statements as found on their official website, <http://www.usace.army.mil/About/MissionandVision.aspx>:

U.S. Army Corps of Engineers Mission:

Provide vital public engineering services in peace and war to strengthen our Nation's security, energize the economy, and reduce risks from disasters.

U.S. Army Corps of Engineers Vision: A GREAT engineering force of highly disciplined people working with our partners through disciplined thought and action to deliver innovative and sustainable solutions to the Nation's engineering challenges.

I respectfully ask that you provide us your vital public engineering services by delivering an innovative and sustainable solution to our recurring low lake level engineering challenge.

I believe it is time for a credible Corps spokesman to personally face the residents and other users of West Point Lake who pay taxes (some, extra taxes) to enjoy the pleasures of the lake, and tell us what efforts the Corps is expending to define, address, and find solutions to this ongoing problem. The explanation must address efforts specifically in terms of the operating budget of the Corps to manage this lake. I may be wrong, but my impression is that there is much wasted taxpayer money here funding a largely inefficient, ineffective operation that is not accountable to the people who pay for it.

"We [need] to put an end to the notion that the American taxpayer exists to fund the federal government. The federal government exists to serve the American people."

From Ronald Reagan's Acceptance speech at the Republican Convention, 17 July 1980

<Portions of the text are underlined or italicized. Please see original document for details.>

Comment ID 0044.001.001

Author Name: Knox J.

Organization: Retreat on West Point Lake

This letter comes from a small business owner in LaGrange, GA and recreational lake enthusiast. In conjunction with the reopening of the public scoping for the proposed update of the Master Water Control Manual, I submit the following comments/request to help revise the Environmental Impact Statement (IIEIS) for the Water Control Manual ("WCM").

In the public notice announcing the reopening of the public scoping you state that the "Corps is updating the water control plans and manuals for the ACF Basin in order to improve operations for authorized purposes". As stated in the Corps own Master Plan for the lake, "the lake was developed as a demonstration project for the purpose of providing a wider variety of recreational facilities and opportunities for the public than normally provided at Corps Lakes." The Master Plan further states that "as stewards of these lands in the public domain, the Corps of Engineers will continue to provide access and encourage use of the project to the fullest extent possible." With all due respect, the Corps is doing a lousy job. As I write this, the reported lake level was 623.16 feet MSL. That's 8.84 feet below the initial recreational impact level, 6.84 feet below the second recreational impact level and 11.84 feet below "normal summer pool". This is unacceptable!

I took the below photographs this week. How can the Corps provide access and encourage use of West Point Lake when people can't even access it?

<Portions of the text are underlined. Please see original document for details.>

<Please see the original document for photographs of dry Courtesy Dock at Sunny Point Park and the closed Courtesy Dock at Sunny Point Park.>

Comment ID 0047.001.001

Author Name: Lindow Charles

Organization:

Sirs, please read letter sent to Congressman Westmoreland regarding your management of Westpoint Lake and generation of power at the dam.

Dear Congressman Westmoreland, This is my first attempt to contact you regarding the lake level on Westpoint Lake. I understand your involvement and efforts to address these issues. I am very frustrated with the Corps of Engineers management of this lake. I live on it and watch it on a daily basis and I have come to the conclusion that the C.O.E's Mission must be, not as stated on their website but, should be" To Generate as much power as possible in order to pay

for these new generators with total disregard for the coincidences". When you look at the hydraulic graph(<http://water.weather.gov/ahps2/hydrograph.php?wfo=ffc&gage=wetg1>) you can not help but notice the drop in lake level every time they generate. The lake level remains fairly consistent without this generation. I question the need for this generation in our drought situation.

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0047.001.004

Author Name: Lindow Charles

Organization:

One more observation, when the C.O.E. is generating 8-10 hours a day, short of a tropical depression parked over the lake basin will keep up with the water going down stream, so we don't need to keep blaming the drought for the low lake levels. The main problem is over generation.

Comment ID 0048.001.002

Author Name: Jackson Danny

Organization:

The Corp always claims it's the drought causing the problem. Every time we get rain the Corp just pulls it out. Like I said earlier, no other lake around here looks as pitiful as West Point Lake, I'll be honest with you. I wish Georgia Power or Alabama Power ran the lake instead of the Corp of Engineers. I don't see it getting any better.

Comment ID 0052.001.004

Author Name: Wylie Clarence

Organization:

(3a) Why should more water ever be released from WPL (assuming min water levels) than comes into the basin from it's headwaters?

<Portions of the text are underlined. Please see original document for details.>

Comment ID 0056.001.001

Author Name: Reneau Buddy

Organization: Efacec, ACS, Inc.

My 15 years of public sector service gives me the experience and understanding of governing and the need for rules to govern by. However, anytime I directed my engineering staff to establish rules whether for land use, land development or water & stormwater management regulations I always told them to never make a rule without a reason and always make sure the supporting reason could stand the test of common sense and moral values. When people blindly enforce rules without applying common sense and/or moral values, history, in peacetime or wartime judges them very harshly.

One of my 5 life goals is to serve others and invest the resulting savings in a place of land and water that could be enjoyed by friends and family. Lagrange and West Point lake is that place. I invested carefully investigating the City, neighbors, water quality with DNR and water quantity with the Corp office. The Corp told me the rule: Water levels fluctuate 7 feet summer to winter with an occasional 10 foot drop for dam repair. Droughts occur but only twice had droughts taken the lake to the bottom level of 622' MSL since the lake's creation in 1970.

They say a picture is worth a thousand words. I hope these 4 pictures (taken today) are more effective in support of the comments I submit below than any additional words from me. These pictures represent my "winter lake level (read August through February)" for 3 of the past 5 years. I have not been able to share the lake with my friends and family for 3 of the last 5 "July 4th and Labor Day" holidays. I am 59; I hope the Corp of Engineers solve this before I die.

I do not understand how the application of the water management rules over the past 5 years has passed the test of common sense and/or moral values.

<Portions of the text are in bold. Please see original document for details.>

<Four photos of low lake level are embedded in the text. Please see original document for details.>

Comment ID 0061.001.002

Author Name: Spinks Tracy

Organization:

- As you are aware, West Point Lake was the first Corps project to have a specific authorization by the Congress of the United States of America for recreation as well as sport fishing, and wildlife development. The constant fluctuation of winter and spring lake levels over the past several years has had devastating impacts on the annual bass spawn, as well as other fish populations. The reduction of fish spawn directly affects the fish take, and therefore the reputation of West Point Lake as a sport fishing destination. We feel strongly that this authorization has not been upheld by the Corps.

Comment ID 0062.001.001

Author Name: McGowan O.W.

Organization:

I am a citizen of Troup County, Ga, and have been a member of the West Point Lake Coalition for over ten years. I am writing to express my extreme disgust at the total lack of progress during those years in maintaining West Point Lake at a reasonable minimum level, to maximize the favorable impact of this tremendous asset for Troup County and the whole river basin.

It has been proved several times during periods of extreme rainfall that the lake can be maintained at 632' MSL, OR MORE, without jeopardizing downstream needs and concerns.

Comment ID 0062.001.003

Author Name: McGowan O.W.

Organization:

It seems to me that most of the people assigned to manage the lake come in, spend their 2 or 3 year assignment, then move on, without giving a crap about what they are doing to the stake holders; by refusing to modify the rules, based on proven data, that would allow keeping the lake at a more usable minimum. Then maybe multiple residents around the lake wouldn't see their boats sitting in the mud much of the year.

I am attaching a copy of a letter written recently by the Executive Director of the West Point Lake Coalition, giving significantly more information for consideration. I thank you for the opportunity to comment, and look forward to some progress in correcting a dismal situation here in Troup County.

Comment ID 0063.001.001

Author Name: Starr Shane

Organization:

As an observer and participant in the ongoing dialogue between people with an interest in the way West Point Lake is managed, and the Army Corps of Engineers, the most positive thing I can say to date is that listening to the Corps makes me feel as close as I might ever come to the biblical phenomena of talking in tongues.

As such, I will divide my comments into two sections; those related to the way I wish the Corps would communicate to us, and those related to the way I wish the Corps would manage water.

Comments about the way the Corps communicates:

1) Please stop insisting that we do not understand "the big picture". We are not idiots; we are executives, military officers, professionals, and entrepreneurs, and we make our livelihoods from understanding the "big picture". The problem isn't that we don't understand the big picture, the problem is that the story about the "big picture" is so far from being compelling as to be insulting. If a field grade officer in the US Army cannot communicate a compelling, coherent reason for managing West Point Lake in a way that eliminates its use for recreation, then accept Occam's Razor, and

consider that the simplest answer is the one most likely to be correct: there is no compelling, coherent reason.

2) If you make a mistake, admit it and learn from it. Don't hold up the Water Control Manual and hide behind it, as if it arrived with the two stone tablets on Mt. Sinai. Borrow from the Hippocratic Oath: do no harm. One bad thing about living on a lake with no water (is that an oxymoron?) is that you learn far more about water management than you ever wanted to know. At some point, isn't anyone held responsible for saying the West Point Lake Water Control Manual is fatally flawed, and needs fixed? Any rational person listening to the mantra that the lake is being managed strictly according to the manual would logically conclude the manual was wrong.

3) Stop contending that West Point Lake is suffering for the "greater good". The people in my community are like all Americans: we believe in doing what is right, and we are more than willing to sacrifice for the greater good. But if you invoke the greater good argument frivolously - such as for mussels that may or may not be endangered and may or may not be sensitive to the amount of flow rate, or for draught regions which don't really appear to be in distress on the draught maps - then people will eventually conclude that the Corps is throwing out red herrings in the hopes we'll be distracted by them, rather than providing important explanations that its constituents can believe in and support.

I think it is both unfortunate and disturbing that we citizens cannot get - and apparently are not entitled to - a rational answer as to why it has been deemed necessary to eliminate recreation from West Point Lake for a substantial portion of the past three years.

Comment ID 0064.001.001

Author Name: Mitchell Mark

Organization:

I wish to document the extremely low water levels in LaGrange, Georgia at Lake West Point are of great concern to local residents and myself. We deserve better management of this reservoir than your agency has given us. When we see other lakes in our area that are managed by power companies maintain full pools during the same time periods, it just defies logic!

I urge you to request whatever changes in federal law you need to correct this problem. Common sense tells us, you can't release more water from the lake than comes into the lake but for so long!

Comment ID 0068.001.001

Author Name: Smallwood Greg

Organization:

I am very concerned about the status level of Lake Lanier. I have been on the lake since 1963. We have never had the roller coaster ride we have experienced since 2008. We are on the way to 2 of the lowest levels since 2008 in the history of the lake. I know we are in drought conditions, but we cannot continue to send more water out than is coming

in. I hope we are not going to let old manuals ruin the most beautiful fresh water lake in the U.S. There needs to be a new an updated manual to more accurately handle these conditions.

Comment ID 0070.001.001

Author Name: Callahan Patricia

Organization:

Please quit letting all our water out. Most all of the reasons in the original plan for this lake can't be met with these extreme low water levels. There is no pleasure in having your dock on dirt and all the launches unavailable due to low water levels. What more is there to say. Please let us keep our water.

Comment ID 0072.001.002

Author Name: Longo, Jr. P.J. (Pat)

Organization:

As I travel across this lake during lake levels lower than 10 ft. below full pool, one can't help but notice the Number of docks that are affected by the low water level. Serious structural damage occurs to docks that don't Rest on level land. A considerable expense is incurred constantly having to have a dock moved or repaired. Another more serious thing happens when water levels are permitted to fall below certain levels and that is The silt run-off every time it rains. These run-offs are slowly filling up the finger coves all over the Lake making The backs of some coves no longer able to accommodate a dock.

Comment ID 0073.001.001

Author Name: Lockhart Janie

Organization:

Or who ever, I just want to know if I need to fix my boat dock if I am not going to have water? And if I fix it or not will we have any water? If I don't fix it will the next person who buys by house will they be able to have a dock? If I don't pay the rest and don't fix it? You people want our name and address on the dock and I am the only one around here that done this in Yellow Jacket Creek 628 Water View Dr, La Grange, GA 30240 Thank you I would like to know about these questions.

Comment ID 0093.001.001

Author Name: Nix Randy

Organization: State of Georgia House of Representatives, District 69

As the Georgia General Assembly member who represents most of West Point Lake, I would like to submit the following for consideration. The Corps' current management plan is destroying West Point Lake! We must stop being forced to drain West Point Lake to supply an unnecessary and arbitrarily high flow at the Florida line.

Please, please, reconsider and be fair to all-stakeholders, businesses, residents, and species (including humans) in the new plan.

Comment ID 0093.001.003

Author Name: Nix Randy

Organization: State of Georgia House of Representatives, District 69

- As you are aware, West Point Lake was the first USACE project to have a specific authorization by the Congress of the United States of America for recreation as well as sport fishing, and wildlife development. The constant fluctuation of winter and spring lake levels over the past several years has had devastating impacts on the annual bass spawn, as well as other fish populations. The reduction of fish spawn directly affects the fish take, and therefore the reputation of West Point Lake as a sport fishing destination. We feel strongly that this authorization has not been upheld by the USACE.

Comment ID 0100.001.002

Author Name: Abbott Wayne

Organization: Abbott, Jordan & Koon, LLC, CPAs

- As you are aware, West Point Lake was the first USACE project to have a specific authorization by the Congress of the United States of America for recreation as well as sport fishing, and wildlife development. The constant fluctuation of winter and spring lake levels over the past several years has had devastating impacts on the annual bass spawn, as well as other fish populations. The reduction of fish spawn directly affects the fish take, and therefore the reputation of West Point Lake as a sport fishing destination. We feel strongly that this authorization has not been upheld by the USACE.

Comment ID 0102.001.001

Author Name: Anderson Wayne

Organization:

Please consider the attached letter as serious concerns from a West Point Lake property owner and a tax paying citizen of Georgia.

In 1978, I purchased Lake Front property on Lake West Point base on the Congressional Mandate to develop Lake West Point for Flood Control, Recreation and Fishing, and Hydroelectric Power generation. Shortly thereafter, we built a modest home to raise our children in a beautiful and safe residential area and to enjoy the terrific water sports and recreational activities provided by this lake. We immediately paid for several dock & land usage permits from the Corps. These permits have been paid for since 1978. We also invested in a recreational boat and a well-built and attractive boat dock. Later our Grandchildren were to find Lake West Point a wonderful place to visit and enjoy.

With a few minor exceptions, we enjoyed full or almost full pool water levels except in late winter. The lake was drawn down to accommodate expected spring rains and until early 1990, to accommodate Barge traffic 1-2 times a year. In every case, the Lake was refilled very quickly.

As you are aware, the current Operating Manual dictated Operating Protocol developed in the early 1960's. Over the past 8 years, the water levels in West Point have fluctuated drastically. A supposed concern for the habitat of several Northern Florida clam species and the desire to provide an over abundant supply of fresh water for oyster growth has turned West Point Lake into a cess-pool of mud, stumps, shore erosion, and the elimination of a healthy mollusk species. Additionally, the lake is not useable for many property and dock owners after July 4th. due to reckless and unconcerned water level management.

Comment ID 0102.001.004

Author Name: Anderson Wayne

Organization:

Environmental Issues:

I have provided photos, 1-4, showing a small portion of the devastated shoreline of West Point Lake. These photos were made in September 2012. The massive erosion is criminal and if a private citizen had inflicted even 4-wheeler tracks along the shoreline, they would have been prosecuted, fined, or even jailed. Yet the Army Corps of Engineers faces no such consequences. 1000's of Trees and millions of tons of silt wash into the lake each year due to the low water levels.

Photos: 4 photos of West Point Lake shoreline.
<Please refer to original document for photos.>

Comment ID 0104.001.001

Author Name: Barfield Tommy and Olga

Organization:

I moved here 12 years ago to live on and enjoy Lake West Point. Of those years I have been able to enjoy very few of them because the corp is releasing the water. I believe this lake was established for recreational pursuits and that is all.

Also, I had to do some upgrade on my dock. Why? Ever since I had it upgraded (at a cost of several thousand dollars, by the way) the dock has been sitting on dry land. A ranger came and took a picture when the work was completed to make sure I did it. I also think that this note will fall on deaf ears; that you will do just as you please disregarding the wishes of all who live here. I am frankly disgusted and thinking of moving away but I would I know I would have trouble selling this lake (?) house.

Comment ID 0106.001.001

Author Name: Mulvany Gregg

Organization:

I have heard some rumors that we may be close to some sort of policy that would allow for West Point Lake to be brought up to full pool and then left there. I got online to look for news articles on the subject, and found your e-mail address in an article discussing how the ACE has reopened public comments on the issue of the lake level.

I live in Newnan, GA, and I am contemplating purchasing a second home down in Lagrange... particularly a Lake Front home. However, I have some trepidation, because after enjoying this last summer down at the lake, a recent visit had me scratching my head about how the lake level could be allowed to drop so low.

I do not proclaim to have any great degree of knowledge about managing lake levels and water flow and river basins, etc. I respect the training and education that those in control of the project must surely have. I can only comment on the subject from a civilian perspective of understanding.

From what I understand, part of the reason that the lake has as much water drained from it as it does is for the protection of a few species. I have heard that it is a particular species of Mussel in the Apalachicola, and a sturgeon, maybe? My question / comment is this. Once the lake has been allowed to fill to full pool, why would we let any more out of the lake than comes into the lake? Notwithstanding the reduced flows that would temporarily come from allowing the lake to refill, if the amount allowed through the dam was equal to the amount that would have flowed normally downstream, wouldn't the affected species downstream be dealing with what would have naturally occurred anyway? Drought is a naturally occurring condition. By releasing more water from the lake than actually enters the lake, aren't we then also interfering with the natural order of things?

Comment ID 0107.001.001

Author Name: Newman Charles

Organization:

Thank you for the opportunity to share my concerns in regards to the current state of the ACF Basin and its future.

I am in a unique position. I currently reside in a home on West Point Lake, and my family has owned property on St. George Island for years. As a result, I have a huge interest in not only what is happening along the Chattahoochee, but

what the effect of flows are to Appalachicola Bay and St. George Sound as well. As much as I love fishing the coves of West Point Lake and Lake Lanier, I also love roaming the grass flats and oyster bars of the Bay, looking for trout and redfish.

My concern in mandated water flow. In January of this year, West Point was nearly at full pool. We were fortunate to have a lot of rain over last winter. Unfortunately, the rain stopped. Now we are experiencing a severe drought, and yet the flow down the river continued at its mandated rate. The fishery, and ecological system of Appalachicola Bay survived for thousands of years prior to the damming of rivers along the Chattahoochee, surviving on nothing more than the "run of the river". Perhaps in drought conditions, the flows should be modified.

West Point Lake has FOUR authorizations. It is my understanding that none of them receive any priority over any others. In the state that the lake is currently in, it is meeting the requirements of only one, that being flood control. There's plenty of available capacity!

Comment ID 0108.001.001

Author Name: Crane Mike

Organization: Georgia State Senate

I am in full support of the attached comments and recommendations. I would specifically like to see information regarding the 5000 CFS requirement at the Florida line. This particular requirement is extremely detrimental to water levels at West Point Lake, and I would like to see the data that supports that continued flow demand.

If you can help me with this information and also respond to the specific points in the attached letter, I would greatly appreciate your time.

If there is anything I can do to help the process, please do not hesitate to contact me.

Comment ID 0108.001.003

Author Name: Crane Mike

Organization: Georgia State Senate

•As you are aware, West Point Lake was the first USACE project to have a specific authorization by the Congress of the United States of America for recreation as well as sport fishing, and wildlife development. The constant fluctuation of winter and spring lake levels over the past several years has had devastating impacts on the annual bass spawn, as well as other fish populations. The reduction of fish spawn directly affects the fish take, and therefore the reputation of West Point Lake as a sport fishing destination. We feel strongly that this authorization has not been upheld by the USACE.

Comment ID 0127.001.001

Author Name: Linch Carole

Organization:

We purchased our lake lot at 50 Whitewater Woods on Whitewater Creek when the lake was first impounded. For many years the lake stayed full in the spring, summer, and early fall and we enjoyed boating, fishing, etc. For the past years this has not been true. We can hardly enjoy the lake even in the summer. I know we have had a drought a couple of years but that is not the reason. The reason is that most of the water is sent downstream.

Comment ID 0127.001.003

Author Name: Linch Carole

Organization:

We have been harassed over the years by the Corps with rules that made no sense. Our son died on the lake in 1986 because of the lax enforcement of the boating under influence laws. So you see this is personal for me but it is still important for the lake to be able to be used by the citizens of Troup County and the visitors of the area. Please use wisdom and humanness when you make the decisions on the management of our lake.

I almost didn't write this letter as all the meetings, letters, etc. always have fallen on deaf ears. But I decided to try one last time to make the Corps understand this could be a jewel in their crown and LaGrange and West Point. I look at surrounding lakes (Wedowee, Eufaula, Harding, Martin) that are doing well. Our lake should be just as good as those. Please reconsider this plan that will benefit no one!!

Comment ID 0128.001.001

Author Name: Beard Scott

Organization:

I am writing this message in response to the current scoping period to gather public feedback on the water control manual for the Chattahoochee River Basin, specifically West Point Lake.

I feel that the needs of West Point and Lagrange citizens are not being met with the current water control practices. West Point lake levels are kept too low to allow for recreational purposes even though the lake has been recognized as a recreational lake by Congress.

Comment ID 0129.001.001

Author Name: Franks James

Organization:

The constant lowering of West Point Lake has been very detrimental to my lakeside property. I have gotten into the habit of calling it the yo-yo lake. Please raise the target level for the winter time as well as the low level you would take it to in drought conditions.

Comment ID 0131.001.001

Author Name: Fogg Mike

Organization:

I am a homeowner on West Point Lake. Since we bought our house in 2005, we have rarely seen the lake at full pool even during the summer. Most years I have to repeatedly move my dock out throughout the year use to keep it useable for docking our boat.

Comment ID 0131.001.006

Author Name: Fogg Mike

Organization:

Thank you for the opportunity to provide my comments on West Point Lake and it's operation. It is a great lake and it has so much potential to be even better if lake levels are kept at a higher level. I look forward to a revised Water Control Manual which will benefit us all and allow the Lake to live up to it's full potential.

Comment ID 0135.001.001

Author Name: Jarzen Jim

Organization:

Since moving to LaGrange and purchasing a house that has a dock on West Point Lake I become more and more confused by the management of the lake levels. I was not even able to utilized the lake in 2012 due to low lake levels. I have lived here since 2004 and every year its the same old story, drain the lake in fall only to struggle all year to get it back up to usable levels. During the summer I have to watch lake levels closely to be sure my watercraft does not get stranded in the mud. The lake needs to be maintained at the same level year round. I paid a premium to live on a lake that is nothing more than a mud flat.

Comment ID 0136.001.001

Author Name: Evans Bonnie

Organization:

West Point is very important economically and aesthetically to our area. It can be a beautiful healthy lake and an asset to our community but the fluctuating water level makes it an eyesore. We live on the lake and our home value is affected by the health of the lake. Please help us keep it a level to support the life in the lake as well as the beauty of the lake.

Comment ID 0138.001.001

Author Name: Aalderks Paul

Organization:

I recently heard that the Army Corps is proposing that the winter pool draw down start in September instead of November. I cannot understand how this would do anything but hurt water conservation, West Point Lake, and the local area economies. I had hoped that when the Corps was entrusted with coming up with a viable and responsible water management plan that it would be better than the current plan. It does not appear this is the direction the Corps is taking. I can understand drought conditions and low lake levels but I cannot understand the numerous times we've had significant rainfall only to watch the Corps pour EXTEREME amounts of water over the damn in the name of flood control... or 'winter pool'.

Comment ID 0140.001.001

Author Name: Fortune Ray

Organization:

Would like to understand more about the plans to cut back water supply/time the lake is up to full pool at West Point Lake. Thanks

Comment ID 0142.001.001

Author Name: Weeks Brian

Organization:

These comments are in regards to the outdated guidelines and mismanaged reservoir levels on Lake West Point.

1. The annual dramatic reservoir level fluctuations on Lake West Point create constant shoreline erosion and silt build

up. Lake West Point is already a shallow lake compared to others in the ACF.

Comment ID 0142.001.005

Author Name: Weeks Brian

Organization:

5. The fact that it is going to take 10 years to change and implement the ACF guidelines is another example of the Federal Government and the U.S. Army Corp Of Engineers inability to accomplish any task or goal in a timely manner.

Comment ID 0145.001.002

Author Name: Nelson Alton

Organization:

I understand we have been in a severe drought the last three years. What I don't understand why a recreational lake level cannot be maintained by holding the lake at 635' by passing through the required flow down stream. It appears to myself and many residents on lakefront property on WPL was lowered first and has remained at a very low level, 621-625 this past year and continued into December 2012. Thank you for allowing my view in this manner.

Comment ID 0148.001.002

Author Name: Childress George

Organization:

- As you are aware, West Point Lake was the first Corps project to have a specific authorization by the Congress of the United States of America for recreation as well as sport fishing, and wildlife development. The constant fluctuation of winter and spring lake levels over the past several years has had devastating impacts on the annual bass spawn, as well as other fish populations. The reduction of fish spawn directly affects the fish take, and therefore the reputation of West Point Lake as a sport fishing destination. We feel strongly that this authorization has not been upheld by the Corps.

Comment ID 0153.001.002

Author Name: Criddle Mike

Organization: City of LaGrange, Department of Economic Development

- As you are aware, West Point Lake was the first Corps project to have a specific authorization by the Congress of the United States of America for recreation as well as sport fishing, and wildlife development. The constant fluctuation of

winter and spring lake levels over the past several years has had devastating impacts on the annual bass spawn, as well as other fish populations. The reduction of fish spawn directly affects the fish take, and therefore the reputation of West Point Lake as a sport fishing destination. We feel strongly that the sport fishing and wildlife development authorizations have not been upheld by the Corps.

Comment ID 0158.001.008

Author Name: Turner Billy

Organization: ACF Stakeholders

5. Will USACE consider other operating rules besides the current RIOP based on:

a. keeping more water in the reservoirs and still meeting the minimum required flow including changing the action zones and guide curves in all the reservoirs; and

b. meeting all downstream flow needs?

Comment ID 0161.001.001

Author Name: Henry George

Organization:

Thank you for extending the date for additional scoping comments for West Point Lake in preparation of your updated manual. As a resident of Troup County with home and wildlife habitat adjacent to USACE property at Ringer Access Park, as a retired physician with health and safety concerns for the community, and as a former member of The Georgia Conservancy's board of directors, I am glad to add comments for your serious consideration.

You are aware that managing the release of water from West Point Lake is a most critical issue for residents of our area. With the many competing demands it that USCOE has to address, the most offensive factors from our perspective relate to the relatively simplistic formulas for maintaining Apalachicola mussel beds, commercial navigation for a very few along the lower Chattahoochee, and the continuing "Water Wars" among Georgia, Alabama and Florida. Although these matters relate to statutory matters which you have long held the US Congress must address, and also to infighting among the three state governments, clearly congressional action and litigation resolution are not about to happen in the near future. Consequently, creative regulatory means must be found by you to juggle the demands more equitably in consideration of other binding obligations regarding the original impoundment of West Point Lake, as well as the rational handling of real needs now.

The releases from West Point's dam are much too heavy and too prolonged, to the severe detriment of the economy and life quality in this region; and outrageously now you are even considering greater releases for more months of the year. The water level is far too low for water quality and safety, living conditions, and the economy of this area. You must hold more water within West Point Lake .

Comment ID 0162.001.001

Author Name: Bradfield Jamie

Organization:

My name is Jamie Bradfield and I live on West Point Lake. To say I am disappointed in the management of this lake during this drought period would be an understatement. I understand the need to supply water downstream and I believe it can be done in a reasonable fashion for all concerned. However, due to the Corps strict adherence to outdated document and lack of common sense application, West Point Lake has been depleted in a reckless manner. It is obvious to any thinking person WPL is the sacrificial lamb to appease political pressure by groups with stronger lobbying power in district and federal agencies. There is no reasonable explanation why a lake located in the most severe drought region (Troup Co.) sends all its water to a region of no drought conditions (Apalachicola Bay). Even when we get significant rainfall that could recharge this lake it is all sent down stream and our lake level goes unchanged. It would not take many significant rainfall events to recharge this lake as it has such a large watershed. Why is it the Corp will not use these opportunities to, at least, gradually recharge the lake? It is because the current manuals do not allow for common sense. The new manual should allow for higher winter levels on this lake and should not include reducing the summer pool time frame. If the manual does not include any flexibility we will be stuck in this same rut we exist in today. What if the current drought continues into next year and the lake is not recharged? What will the corps plan be then- completely drain the lake? If we bust every dam from the top of the Chattahoochee to the Gulf of Mexico, how much water will Florida get? It will get what nature sends it. Stop sending more water to Florida than we get here in Ga.

Comment ID 0163.001.002

Author Name: Fryer L.

Organization: MeadWestvaco Corporation

b. The Corps Should Not Rely on Flint River Flows to Meet Apalachicola River Needs to the Detriment of Chattahoochee River Flows

In the past, the Corps has reduced flows in the Chattahoochee River when Flint River inflow was sufficient to meet requirements for the Apalachicola River. This practice is harmful to those on the middle and lower portions of the Chattahoochee River. MWV urges the Corps not to use the additional flows from uncontrolled sources as a justification to reduce the flows within the Corps' control to the detriment of Middle and Lower Chattahoochee River stakeholders. The minimum flows mentioned above should continue to be maintained during these times.

<Portions of the text are in bold font. Please see original letter for details.>

Comment ID 0165.001.009

Author Name: Freed Charles

Organization: Atlanta Rowing Club

6. Challenges for Morgan Falls Dam Operation

Suggested Scope - Include a study of the effect of reducing Buford Dam's discharge peaks on the stability of Chattahoochee water elevation at Morgan Falls Dam.

Discussion - Reducing the discharge peaks would partially re-regulate the Buford Dam output. Buford Dam controls 76% of the Chattahoochee flow leading to Morgan Falls Dam (GA Power-3, 2004). The Georgia Power operators at Morgan Falls monitor 3 USGS gauges upstream of the Morgan Falls reservoir to meet the Atlanta Regional Commission's request for a minimum flow of 750 cfs below Morgan Falls at Peachtree Creek. The Buford discharge schedules are not useful to operators because they can change at any time and it takes 12 hours for Buford releases to arrive at Morgan Falls (GA Power-3, 2004).

Morgan Falls Dam operators achieve good results in re-regulating the downstream flow. However, the widely varying discharges from Buford Dam, often results in Chattahoochee gauge height cycles above Morgan Falls Dam of 6 feet or more (e.g. down from 865 to 862 then rising to 866) over 36 hours (USGS 2335810). When the Morgan Falls elevation is below 864, the sandbars and other submerged hazards create unsafe conditions for rowing and small power boats (See Figures 5 and 6).

Figure 5: Chattahoochee River Exposed Sandbar and Morgan Falls Dam Water Level (elevation) 6/30 - 7/4/2012 (USGS 2335810).

Figure 6: Effect of Buford Dam discharges on Bull Sluice Lake water levels 10/19 - 10/28/2012

<Please refer to original document for figures.>

Comment ID 0168.001.002

Author Name: Barr Douglas

Organization:

Increased Occurrence of "Drought" Operations and Restricted Inflows to Apalachicola River

Before the COE began operating the federal reservoirs under interim procedures in 2007, releases to Apalachicola River during droughts were determined on a case-by-case basis depending on the severity of the drought. Generally, releases to Apalachicola River were reduced to 5,000 cfs (+/-) when composite storage reached the top of Zone 4. Releases were then increased when the composite storage recovered to the top of Zone 4 or slightly above. This was the case during the 1981, 1986, 1988 and 2000 drought periods. In the 1988 drought, releases to Apalachicola River actually remained above 6,500 cfs for approximately two months after composite storage declined below the top of Zone 4 and was reduced to 5,000 cfs for a comparatively short period. In 2000, inflows were reduced to approximately 5,000 cfs just prior to composite storage reaching the top of Zone 4 but were then increased to 6,000 cfs for the next 1-2 months even though composite storage remained below Zone 4. Inflows were then increased to 7,000 cfs and higher

when composite storage increased above Zone 4. Figures 5a and 5b illustrate the COE releases to Apalachicola River and the composite reservoir storage during the 1986 drought. Over the five month period during which the composite storage was below Zone 4, the releases to Apalachicola River were at or above 6,000 cfs for four of the five months. When composite storage recovered above the top of Zone 4, inflows to Apalachicola River increased shortly thereafter to 8,000 cfs and higher.

Figure 4a - Actual Chattahoochee Flow During the 1986 Drought.

<Please refer to the original document for the Figure.>

Figure 4b - Actual Composite Storage <=Top of Zone 4 during the 1986 Drought.

<Please refer to the original document for the Figure.>

Beginning in 2007, the COE formalized conditions under which "Emergency Drought Operations (EDO) would automatically take effect when the composite storage of the reservoirs declined below the bottom of composite zone 4. The EDO was subsequently modified in the 2008 and May 2012 interim procedures. The June 2012 recommended additional to the EDO in comparison to the May 2012 procedures. In all cases the start and end of emergency operations is based solely on the composite storage of the reservoirs. During the emergency operations, the COE suspends normal operations which provide for increased releases to Apalachicola River depending on the basin inflow, time of year and composite reservoir storage. During drought operations the required release to Apalachicola River is reduced to 5,000 cfs. The COE also defined a composite storage Drought Zone. If composite storage drops below the top of the drought zone, the required release to Apalachicola River is reduced from 5,000 to 4,500 cfs.

Each succeeding version of the interim procedures has increased the frequency and duration of Emergency Drought Operations during which the required release to Apalachicola River is 5,000 or 4,500 cfs. As outlined below, the COE has progressively increased the composite reservoir refill requirement at the expense of releases to Apalachicola River.

The 2007/08 interim procedures triggered Emergency Drought Operations when composite storage declined below the top of composite Zone 4. Drought operations were discontinued when the composite storage increased above the top of Zone 3 (bottom of Zone 2). The May 2012 interim operations changed the reservoir refill requirement to the top of Zone 2 before the drought operations would be discontinued. This significantly increased the occurrence and duration of drought operations and the associated release limit of 5,000 cfs to Apalachicola River. The May 2012 interim operations also allowed for the refilling of the reservoirs from December through February of all years with only a 5,000 cfs release requirement to Apalachicola River. Since this is identical to the Emergency Drought Operation release the COE effectively expanded drought operations to include December through February of non-drought years. This assures that the equivalent of drought operations are in effect at least three months of every year (25%) even in non-drought years.

The "Improved" interim operations outlined in the June 2012 "Remand" report recommend additional modifications which would further expand Emergency Drought Operations. These included increasing the top of composite storage Zone 4 in January, February and August - December of each year. As a result, Emergency Drought Operations and the 5,000 cfs release limit begin earlier than in the previous interim operations. Similarly, the top of Zone 2 was increased in January through April and October through December. Increasing the composite storage volume of Zone 2 prolongs drought operations and the lower releases to Apalachicola River. The Composite Zone 2 storage was decreased in June, July and August, however, since these are dry months the change had did end drought operations any sooner

than the previous versions of the interim operations.

Figure 5 illustrates the periods of actual drought operations prior to the 2007 interim operating procedures along with the reservoir refill volume that triggered the return to higher releases to Apalachicola River. As shown, before implementation of the interim operating procedures in 2007, release to Apalachicola were infrequently reduced to 5,000 cfs and coincided with the occurrence and duration of hydrologic droughts. As a result, drought operations were in effect for only 7.2% of the period from 1976-2006 and releases to Apalachicola River were at or below 6,000 cfs for only 3.1% of the period.

Figure 5. - Actual Drought Releases to Apalachicola River, 1976-06.

<Please refer to original document for Figure.>

In contrast, Figures 6 and 7 illustrate the duration of drought operations and the refill requirement for ending drought operations under the "Baseline" and "Improved" interim operations as simulated by the COE for the June 2012 "Remand" report. The baseline represents the 2007/08 interim operations with the 2007 water use reported by the State of Georgia. The "improved" simulation represents the interim operations as recommended in the "Remand" report with what appears to be the 2007 water use. Drought operations are in effect 16.4 and 17.8% of the time for the baseline and improved operations, respectively. There is also a significant increase in the volume of reservoir refill that is required to end the drought related release limits for Apalachicola River under the "Improved" operations. For some drought events the refill requirement needed to end drought operations has doubled.

Figure 6. - Occurrence of Drought Operations and Reservoir Refill Required to End Limits on Releases to Apalachicola River, BASELINE Operations.

<Please refer to original document for Figure.>

Figure 7. - Occurrence of Drought Operations and Reservoir Refill Required to End Limits on Releases to Apalachicola River, IMPROVED Operations.

<Please refer to original document for Figure.>

The increase in the duration of drought operations illustrated above result from the changes made to the May 2012 Interim Operating Procedures and in the June 2012 "Improved" operations. Clearly, the purpose was to increase the refill requirement for the reservoirs prior to ending the Emergency Drought Operations. In addition, as demands in Georgia increase in the future, the "improved" operations result in further increases in the duration of drought operations and the amount of water that must be diverted to reservoir storage before ending the release limitations for Apalachicola River. This is illustrated by Figures 8 and 9 which show the duration of the Emergency Drought Operations and reservoir refill requirement for Georgia's 2020 and 2030 requested withdrawals from Lake Lanier and the Chattahoochee River with the "Improved" Operations (COE simulations GAIMP2020C and GAIMP2030C).

Figure 8. - Occurrence of Drought Operations and Reservoir Refill Required to End Limits on Releases to Apalachicola River, 2020 Georgia Demands.

<Please refer to original document for Figure.>

Figure 9. - Occurrence of Drought Operations and Reservoir Refill Required to End Limits on Releases to Apalachicola River, 2030 Georgia Demands.

<Please refer to original document for Figure.>

Under the "Improved" operations with the 2020 and 2030 Georgia demands, drought operations are no longer infrequent events that occur only during actual hydrologic droughts. With the 2020 and 2030 requested Georgia demands, emergency drought operations would be in effect for 28.8 to 30.6% of the period from 1976-2008. The COE simulation of the 2030 demands includes a continuous period of almost four years during which the drought operations and the associated limits on releases to Apalachicola River would remain in effect. The duration of drought operations also expand to include all or parts of several non-drought years (1982, 1987, 1990, 2003, etc.). As shown in Figure 9, the reservoir refill required to end drought operations would increase to over 1 million acre-ft. At this point the "Emergency Drought Operations" are no longer confined to either emergency conditions or periods of natural hydrologic drought.

Comment ID 0170.001.006

Author Name: Samet Melissa

Organization: NATIONAL WILDLIFE FEDERATION

Despite its enormous ecological value, the Apalachicola River ecosystem has been severely degraded by, among other things, the construction and operation of the ACF System of federal dams and reservoirs. Operation of these upstream reservoirs, along with a long history of federal navigational dredging, have caused significant ecological harm to this vital ecosystem by starving the Apalachicola River of the flows needed to sustain a healthy system and by altering the River's hydrologic function and the shape of its channel. These activities have altered the river's flow regimes; reduced the river's hydraulic complexity and habitat diversity; smothered, displaced, and dried out habitat in the river's rich sloughs, floodplains, and channel margins; and destabilized and widened the river channel.

Comment ID 0174.001.002

Author Name: Perry Val

Organization: Lake Lanier Association

The Corps' ACF Pre-Lanier Flow Record Does Not Accurately Reflect the Lower Extent of the System's Historical Flows

The Corps bases the 5,000 cfs flow minimum on the premise that basin inflow less than 5,000 cfs did not occur in the pre-Lanier average daily flow record for the Chattahoochee gage (1929 through 1955). While flows may not have dropped below 5,000 cfs during that time, a 26-year base period is insufficient to serve as the baseline for minimum flows in the new WCM. Data over the last 20 years has shown substantially lower flows during the post-West Point period than during the so-called "pre-Lanier" period. This calls into question whether the pre-Lanier flow record accurately reflects the true lower extent of historical ACF flows. If not, then all planning based on that record is flawed and is likely unsustainable.

A study performed by Neil Pederson, et al., entitled A Long-Term Perspective on a Modern Drought in the American Southeast, published March 14, 2012, concludes that the baseline period used by the Corps in setting the minimum flow does not accurately reflect the lowest pre-Lanier flows in the ACF. Through their study of paleohydroclimate records, the authors uncovered evidence that the lowest flows in the ACF system likely dropped well below the level the Corps has assumed based on its 26-year pre-Lanier dataset. According to the authors,

"...the recent droughts are not unprecedented over the last 346 years. Indeed, droughts of extended duration occurred more frequently between 1696 and 1820. Our results indicate that the era in which local and state water supply decisions were developed and the period of instrumental data upon which it is based are amongst the wettest since at least 1665." Environ. Res. Lett. 7 (2012) 014034, page 1, (emphasis added).

<Portions of the text are in bold or italicized. Please see original document for details.>

Comment ID 0174.001.004

Author Name: Perry Val

Organization: Lake Lanier Association

A 5,000 cfs Minimum Flow is Unsustainable

When first implemented, the required minimum flow was based on the presumption that dams would be built on the Flint River in addition to those on the Chattahoochee. However, the Flint River dams were never built and have been de-authorized. The Corps' resulting inability to store and control the release of Flint River flows, exacerbated by Florida's elimination of dredging on the Apalachicola River, renders the original goal of ACF navigation unachievable. Nonetheless, because navigation continues to be a nominal authorized purpose, the WCM will presumably be designed to support navigation even though it is not sustainable on a consistent basis.

The WCM should reflect the reality that navigation as originally envisioned is no longer possible and provide for it only during very limited time windows so that it will not negatively affect recreation on Lake Lanier. The windows of navigation under the RIOP and Modified RIOP ("MRIOP") appear to be far too long, given recent precipitation trends.

As explained by the Georgia Environmental Protection Division in its May 2011 comments, long-term average precipitation in the Lanier portion of the ACF Basin has been substantially lower from January through April in the post-West Point period than in the pre-Lanier period. This decline is exerting a disproportionate impact on both Lanier's ability to refill and its capacity to support recreation during the critical Memorial Day through Labor Day time frame. More recently, precipitation has been below average during the fall as well, a period that has not historically seen rainfall in sufficient amounts to replenish Lanier and is even less likely to do so now.

The natural decline in winter and spring precipitation coincides with the increased demand for augmentation flows imposed by the Corps through the RIOP and MRIOP. Again, the presumption that the pre-Lanier record constitutes an accurate baseline for determining appropriate post-dam flows is an inadequately substantiated assumption. The hazard in making that assumption is exacerbated further by the noticeably drier climate that has predominated during the 21st century.

The result of this amalgamation of natural and government-induced effects has been seen in the failure of Lanier to reach full pool by June 1 in all but one year since 2000. Water levels in Lanier are once again mimicking those of 2007-2009, marking the third sustained period of time since 2000 that levels have been drawn down so low. Those levels are a direct result of the inadvisable and legally unrequired 5,000 cfs minimum flow mandated by the Corps.

Lake Lanier was not designed to provide the full volume of flows desired by all stakeholders downstream of Buford Dam, and the new WCM should recognize that operating Lanier to achieve that goal is not legally required or physically sustainable. Even if the Corps' pre-Lanier data were an accurate representation of the lowest ACF historical flows, basin hydrology, precipitation levels, and timing of precipitation have changed in recent years, exacerbating the effects of the insufficiency of the Corps' pre-Lanier data.

<Portions of the text are in bold. Please see original document for details.>

Comment ID 0178.001.001

Author Name: B. (did not provide full name) Don

Organization:

We whole heartedly concur w Lake Lanier Association's assertions below, as they are well founded on commercial feasibility and practicality. Please update your practices similarly-using guidelines based on flawed and dated information is poor business and hurts the State of GA, who is unfairly being asked to carry the burden for others despite struggling w a perpetually re occurring drought as well as compensating for really poor decisions in Ala & Fla.

- The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.
- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built. <This bullet was bold and underlined in the original document.>
- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.
- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily. <This bullet was underlined in the original document.>
- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort. <Parts of this bullet were underlined in the original document.>

Comment ID 0179.001.001

Author Name: Fiman Elizabeth

Organization:

The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0180.001.001

Author Name: Gillespie Brian

Organization:

As a property owner on Lake Lanier, it's my hope that the COE can revise our current requirements to be more reflective of today's water and economic demands.

The enormous swings in Lake Levels over the last 5 years appears to be unnecessary and can be manage better for our lake, water demands and our local economy.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

We need real reform that meets today's requirements and not those decided decades ago. Simply, water going out should not exceed water coming into the lake unless the impact to humans cannot be cured with watersheds outside of our district.

In addition, Lanier should be stabilized as a priority over additional watersheds that wouldn't prevent Lanier from being drained to dangerous levels.

Comment ID 0181.001.001

Author Name: Koch Kenneth

Organization:

For 50 million years prior to the building of Buford Dam, prehistoric Sturgeon and mussels survived in the Appalachian River. Now, somehow, they can't, without an over abundance of water from Lake Lanier. This is preposterous, as Lake Lanier supplies the drinking and business water for more than 3 million people in the Atlanta area and hundreds of thousands more in downstream communities in Ga., Al., and Fla.

Rainfall is not sufficient to guarantee Florida with nearly 5000 cfs year round, especially in the summer and fall. This puts an undue burden on Lake Lanier to supply this amount of water and still be a much needed reservoir during times of drought. The lake still needs 13 inches of RUNOFF between now and the first part of April, in order to go to full pull, and that is just very unlikely, even if we receive above normal rainfall through March and April.

Please do the right thing and cut the mandatory flow to no more than 2500 cfs during drought periods and not more than 3500 hundred cfs during normal rain periods.

Comment ID 0183.001.001

Author Name: Hinshaw Mary

Organization:

As a current resident on Lake Lanier in Oakwood I'd like to submit comments on why the low levels of Lake Lanier should be maintained at higher than present levels.

- The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.
- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.
- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0185.001.001

Author Name: Buffalo Teri

Organization:

You MUST NOT ALLOW unnecessary flows from our water basin. Viable Oysters down stream was not a purpose of the dam At Lake Lanier to Chattahoochee River. We are starving for water in Gwinnett county , Soon the pipes for distribution from Wayne Hill Plant will be exposed, and our drinking water supply pipes will be out of the water line. We must get Lanier up to full pool, and this must be done by closing the Dam Doors to Chattahoochee Until Full Pool is achieved. The Florida ruling on Oysters is unconstitutional, and they are using the water to support a booming hotel and condo business on the Gulf. I have stakeholder rights on Lake Lanier and I am exerting them Today. The ruling on Florida CFS flows must be overturned, and the corps in Mobile must do the right thing. Put some people to work by building more reservoirs Downstream since Florida gets more rain Than Georgia. We are experiencing one the worst droughts in history, And can no longer afford to support oysters downstream, since it was not an intended purpose of the reservoir. The Bushes hijacked the Endangered species act and the Fish and Wildlife Lawsuit should have been thrown out of court. Make BP build those additional Reservoirs for the gulf. What they did to the wildlife (haven't caught a Grouper in 3 years!) is unspeakable and part of their fines should be to build Lakes along the Flint rive System! Thank You Teri Buffalo

Comment ID 0186.001.004

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

4. Assessment of Impacts on Middle Chattahoochee

It is essential that the Corps include in the EIS a complete assessment of the impacts of operations pursuant to the revised manual on the Middle Chattahoochee region. That region has often been given little attention in determination of Corps operations in the ACF Basin. Instead, most of the attention has been focused on the Atlanta area and on the Apalachicola River.

In periods when flows from the Flint River are high and able to meet most or all of the flow needs in the Apalachicola River, the Corps has had a tendency to significantly curtail releases from Lake Lanier. This has resulted in inadequate flows in the Middle Chattahoochee region. These diminished flows have caused problems for water-supply providers in that region, and they have resulted in diminished water quality.

Comment ID 0187.001.001

Author Name: Bowen-Long Anne

Organization:

To whom it may concern,

I live on the lake and would like the following comments known. Many of our docks are dry due to decisions to release more water than necessary. The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0191.001.001

Author Name: Elmore Greg

Organization: Southern Nuclear Operating Company, Inc.

Dear Colonel Roemhildt: T

he U.S. Army Corps of Engineers ("Corps") has solicited public comments regarding the Corps' revision of the scope of issues to consider as it updates its water control manual for the Apalachicola-Chattahoochee-Flint ("ACF") River Basin. 77 Fed. Reg. 62,224 (Oct. 12, 2012). This letter provides the comments of Alabama Power Company ("Alabama Power") and the Southern Nuclear Operating Company ("Southern Nuclear").

Southern Nuclear operates the Farley Nuclear Plant ("Plant Farley"), located on the Chattahoochee River near Dothan, Alabama, which provides 19% of the total electricity generation for Alabama Power Company. Plant Farley is owned by Alabama Power. Plant Farley relies on adequate elevations and flows in the Chattahoochee River for cooling water and discharge assimilation. From time to time, it is necessary to transport oversized equipment to and from Plant Farley by barge. Accordingly, Alabama Power and Southern Nuclear have a significant interest in the Corps' management of its reservoirs in the ACF River Basin.

Comment ID 0192.001.001

Author Name: Spivey Katie

Organization:

When we moved to LaGrange 10 years ago, the Army Corps of Engineers showed up at my home to welcome us, give us information regarding rules and regulations of Westpoint Lake, and collect our dock fees. It was summer, the lake was full, and it was beautiful. Since that time, there have been a lot of problems with changes to Westpoint Lake.

My first personal negative encounter with the Corps was when they rapidly lowered the lake level to begin silt removal on one part of the lake. The only notice given was in the LaGrange Daily News, which I do not read every word of every article every day. There were no postcards, emails, or visits to the people living on the lake. When the lake was lowered so rapidly, my dock, which slid up and down on heavy poles, got hung up on the end closest to the shore. This caused about a 45 degree angle of the dock which caused my boat and its engine to slide off the lift and remain submerged under water for as long as they worked on removing the silt. I think it was submerged for weeks. This caused us to have to replace our boat and file insurance on our dock, which cost around \$6000+. The Army Corps claimed no responsibility, although we could have dry-docked our boat with some notification.

This year when we renewed our lake permits... we pay extra for having electricity to the dock; we pay extra for having our small bulkhead to prevent erosion, and we pay extra for the timber lined path down to the lake. This is all well worth the cost when there is water in the lake. Mostly, it is a red mudhole.

I find myself trying to hide what used to be a beautiful view from my house. I liked to watch the blue herons and occasionally an eagle fly over the lake. I don't see as many as I used to.

People of Troup County are good stewards of the lake. It is a unifying force in our community. Black and white, old and young, rich and poor all take pride in the lake and enjoy what it has to offer. The summers are filled with wake boarders, pontoon boats, and fishing boats.

My husband and I go to the July 4th fireworks by boat, and in the fall, we watch the leaves change on the lake. We sit on the dock until dark, and then watch the meteor showers.

It seems to me that it is unfair to manipulate the lake in this manner. It would be nice if the Army Corps of Engineers would focus on reducing pollution from Atlanta instead of giving them more water to pollute. They should be problem solvers instead of problem creators.

Comment ID 0193.001.001

Author Name: Howard John

Organization:

1. Suggest USACE review its own daily Woodruff discharge data since 1957. It doesn't look good.
2. The daily min discharge rate of 5000cfs has occurred over 40 months of the last 15 years.
3. This compares to just 6 months over the previous 40 years. This looks like a long-term issue.
4. Yearly Woodruff discharges in the last 15 years have fallen 40% below the previous 40 years.
5. Drought season minimum flows in the Flint/Chat basin are frequently less than 1500cfs.
6. These arbitrary 5000cfs flows provide Florida with a surplus when the ACF is in full drought.
7. This surplus is supplied entirely by overdrafts from the Chattahoochee lakes. Hardly fair.
8. Due to relative basin sizes a 14% surplus at Woodruff becomes a 95% overdraft from Lanier.
9. This might be OK for one year but over several consecutive years it's a recipe for disaster.

Comment ID 0198.001.001

Author Name: Snellings J.

Organization:

I am a homeowner at Property Address: 3770 TW Henderson Road, Cumming, Ga. 30041

I support the position of the Lake Lanier Association. Please review the specifics below.

- The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.
- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.
- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.
- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.
- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0201.001.006

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

SUMMARY OF FLORIDA'S FINDINGS

Increasing consumption and drought frequency have reduced inflows to the Corps reservoirs in recent decades. In response, Corps operations have favored elevated lake levels at the expense of river flows. This bias was clearly evident in 2012, as total composite conservation storage remained above Zone 4 nearly the entire year, while Apalachicola River flows generally flatlined at 5,000 cfs after early May. The Corps' continued insistence on elevating storage levels, irrespective of increasing demands, and without regard to empirical evidence that such operations devastated Apalachicola Bay and its oyster population is unacceptable.

Florida's modeling, notably conducted with the Corps' own ResSim Model, indicates that increased demands have taken the reservoir system to its limits. However, the Corps can improve downstream ecological and economic conditions using Florida's alternative operations to seek a better balance between lake levels and flow support. While Florida's alternative operations can have a positive effect on river flows, opportunities to improve conditions in the river and bay are rigidly limited by upstream consumption. Alternative operations must be coupled with reductions in upstream consumption to prevent further degradation of the Apalachicola River and Bay. Perpetuation of the status quo is not a sustainable option for either the lakes or the river.

Again, it does not help that the Corps has effectively shelved about 25% of total conservation storage in Lake Lanier, all but removing it from the Corps' daily operating protocol. The Counsel's Opinion makes abundantly clear that the Corps may drop Lake Lanier to 1035' as necessary to accomplish tomorrow's "water supply" mission. But the Corps has refused even to consider a similar approach to recover the Apalachicola River and offset devastation in Apalachicola Bay today. The Corps has traditionally relied on the specter of unknowable, unprecedented future droughts as reason to hold back stored water. But, given the adversity Florida is now suffering, this justification no longer resonates. By the time the Corps gets around to using water available to it, the damage will likely be irreparable.

<Portions of the text are italicized. Please see the original letter.>

Comment ID 0204.001.001

Author Name: Longmore Bruce

Organization:

Comments regarding water control of ACF:

- The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.
- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.
- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0222.001.001

Author Name: Hale Mark

Organization:

I am a property owner on West Point lake for 5 years now. This is a second weekend type home tht my wife and I along with our 3 young children use for family recreation. When we decided to purchace a lake vacation home we had several options but settled on West Point due to the proximity to metro Atlanta where our primary residence is located. Since the 2nd year of ownership the water levels have dropped throughout the summer months to a point that our dock was unusuable. I have gone to additional expense to give my dock the ability to "chase the water" however the last 2 years it dropped to a level that that could not keep up with. We have friends wo own property on Lake Harding just downstream. They continue to enjoy full lake levels regardless of rain/ flow requirements. This is frustrating to say the least considering the financial commitment we have made to this property. Lake property usually is shielded somewhat from the impact if an economic downturn however if there is no water in the lake then its no longer lake property. We belong to the West Point Coalition and I know they have provided good data supporting higher levels and less overall fluctuation annually. Please strongly consider maintaining a higher level in that West Point Project. There are countless business and property owners in Troup County who depend on it.

Comment ID 0237.001.001

Author Name: Nash Richard

Organization: Apalachicola Riverkeeper

I wish to comment mainly about the mismanagement of the environments that affect the water systems throughout the S.E. You can't have a healthy eco system thats beneficial to mankind with the mindset the army Corps of Engineers has. Private property interests as well as timber companys and reckless development have depleted the forested areas to a point that unless there is a major conservation and replanting effort, there will continue to be major trouble ahead for all our river systems as well as the great network of fisheries and other industries and economies dependent on natural resources.

The Army Corps of Engineers backward in its initial approach and fundamental thinking as they are guided by the the

lowest common denominator: making a fast dollar at the eternal detriment of the future of this country.

Comment ID 0246.001.005

Author Name: McMellen Brannigan Angela

Organization:

Is the Corps really willing to continue threatening the ecological integrity of the Last Great Bay, and the economic health of local communities and their residents who love and rely upon our river and bay?

Humans upstream can reduce their water use. Apalachicola River and Bay ecosystems can't. It's as simple as that.

Thank you for considering my comments.

Comment ID 0248.001.007

Author Name: Mitchell Kristina

Organization:

Is the Corps really willing to continue threatening the ecological integrity of the Last Great Bay, and the economic health of local communities and their residents who love and rely upon our river and bay?

Humans upstream can reduce their water use. Apalachicola River and Bay ecosystems can't. It's as simple as that.

Thank you for considering my comments.

Comment ID 0249.001.007

Author Name: Wright Elizabeth

Organization:

Is the Corps really willing to continue threatening the ecological integrity of the Last Great Bay, and the economic health of local communities and their residents who love and rely upon our river and bay?

Like many of this areas newer residents, I moved to Apalachicola because I fell in love with the river and bay at first sight. The Corps seemingly deliberate failure to protect these remarkable natural resources is like a slap in the face to me.

Humans upstream can reduce their water use. Apalachicola River and Bay ecosystems can't. It's as simple as that.

Thank you for considering my comments.

Comment ID 0252.001.001

Author Name: Whittall Lloyd

Organization:

We concur with the Lake Lanier Association's comments which are as follows:

- The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.
- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.
- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.
- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.
- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0254.001.002

Author Name: Fineout Dennis

Organization:

Lake Lanier. They need a long term water plan, period, and that is not to continue to try to ignore the stakeholders down stream.

Comment ID 0255.001.001

Author Name: Germano Trent

Organization:

We have owned a home on Lake Lanier and whole heartedly support the recommendations of the Lake Lanier Association for fairly treating the lake in light of its original and actual commitments. Thanks for your attention to this

matter.

Comment ID 0256.001.001

Author Name: Carlton Robert

Organization:

As a resident of Gwinnett County and a home owner that lives on Lake Lanier I struggle with the inconsistent manner in which the lake levels are managed. It would seem that water release rate should not exceed water input flow rates. Current water release levels on a daily basis cause river levels down stream to reach levels that crest the river bank on a regular basis. I've had a number of discussions with Congressman Rob Woodale regarding the Army Corp management of the lake levels and the daily release of 5000 cfm. He has asked that I contact him with detail for discussion at this session of the Ga general assembly. I suggest that there be a comprehensive study as it relates to the water release needs in the Flint River water shed. And finally The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

Comment ID 0257.001.001

Author Name: Hendrix James

Organization:

flint river dam never built, lanier was never intended to carry the load it is now.to much water released . flow not cut back soon enough to conserve more water when rains do come. water from lanier is used to support 2 basins !

Comment ID 0258.001.001

Author Name: Hansen Bruce

Organization:

The Corps must come to grips with the fact that global warming has changed the climate in north Georgia, and the new climate is LESS rain. The Corps MUST change it's management procedures so that Lake Lanier is no longer drained for all it's worth. The 5000 CFM requirement is no longer maintainable, and MUST change. As climate change gets worse, this problem will get worse.

Lake Lanier is VERY important to North Georgia's well being and economy. Lanier MUST be brought up to full pool, and left there. Lanier is the head of the ACF system, if Lanier is allowed to degrade, the entire system will go with it. Lanier MUST be much better managed than it has been in recent years.

Comment ID 0261.001.001

Author Name: Garner Mary

Organization: Lake Lanier Association

The safety, water quality, and thus economic influence and enjoyment of Lake Sidney Lanier for the region built up around the lake has been deminished due to fluctuating water levels. Dry coves, stranded and broken docks, dangerous unteactable obstructions in open water contibute to lack of safe and enjoyable use. I'd personally rather not even have the lake in the shape it's in now,a s river flows cannot keep up with overflow at the dam. This is poor management. We can't depend on anything, clean water quality or level.

Comment ID 0267.001.001

Author Name: Huntley William

Organization:

The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should notýtry to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0268.001.001

Author Name: Mansolillo Peter

Organization:

During the 2006-2008 drought, Lake Lanier became the sole source of augmentation flows to maintain the 5,000 cfs minimum required flow at the Chattahoochee Gage. Augmentation releases from Lanier's storage during late summer and fall of 2007 at times amounted to two to three times the basin inflow of the entire ACF. The same phenomenon

occurred again in 2012, dropping Lake Lanier nearly six feet in six weeks between late October and mid-December. As explained above, Lake Lanier alone cannot provide enough water to be the sole source of augmentation flows to meet the 5,000 cfs minimum required flow under the changing climatic circumstances we are facing. We hope that the Corps will take this opportunity to re-examine its fundamental presumptions regarding that flow volume and draft the new WCM in a way that safeguards Lake Lanier's water levels for the future.

Comment ID 0269.001.001

Author Name: Annette Orlando

Organization:

I recently (3 yrs. ago) purchased a home on the lake ADVERTISED to be at the belly of the lake where the water rarely if ever get to low to use. The water level has cost me tremendous amt. of money to maintain boat and dock. If there's no reason to drain the lake as much as it is then why do you want to cost the consumers so much money. In NY where I'm from you are not allowed to sell homes based on false pretenses. The economy will never get better if those in charge continuously rip off the consumer. I want to retire in this house I bout but it doesn't seem like things are getting any better with Lake Lanier- only worse. A shame since I know New Yorkers are looking to relocate- I would not recommend it to my friends and family anymore- again a shame

Comment ID 0270.001.008

Author Name: Fineout Mary Beth

Organization:

Regarding Lake Lanier; they need a long term water plan, period, one that does not continue to try to ignore the stakeholders down stream.

Comment ID 0271.001.001

Author Name: Blair John

Organization:

The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable. Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built. The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions. The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily. Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a

resource of last resort.

Comment ID 0274.001.001

Author Name: Anselmo Wayne

Organization:

It is obvious that the current regulations require modification due to drought conditions that have plagued the area and mismanagement of lake levels by Corp personnel.

Comment ID 0275.001.001

Author Name: Voss Carroll

Organization:

I don't believe it is logical for downstream users to receive more water flow than what is provided by normal rain-fall in the Chattahoochie River basin.

Comment ID 0276.001.001

Author Name: McManus William

Organization:

The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort

Comment ID 0278.001.001

Author Name: Gundlach John

Organization:

The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0279.001.004

Author Name: Vizzini Tom

Organization: Essential Skills

As of now nothing at all has been done.

The frustration come from living in the lake area when we have strict water restrictions and seeing that other states have none and can pull as much out of the system as they desire. This drains our lake and puts pressure on our lake economy.

Comment ID 0279.001.007

Author Name: Vizzini Tom

Organization: Essential Skills

I also agree with other positions like:

- The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the

ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Thank you for your consideration.

Comment ID 0280.001.001

Author Name: Foley Rachel

Organization:

The following summarizes my concerns:

- The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0282.001.001

Author Name: Kump Judith

Organization:

Where Lake Lanier is now, at such low levels, the ground growth is causing more damage to the lake and when the Lake becomes so damaged, it will be beyond repair and good to no one downstream, including something on the order of a snail. What about Lake Lanier's wildlife--it is endangered by the low water levels.

Comment ID 0284.001.001

Author Name: Davene Meeks Strawser Anne

Organization: Lake Lanier Association

Amen to LLA comments.

Comment ID 0286.001.001

Author Name: Searl Kenneth

Organization: Lake Lanier Association

I have been boating on Lake Lanier since the '60s and my wish for many years was to live on the lake and I have been lucky to do that. Unfortunately I can't enjoy the lake very much because of the water levels that are consistently too low. My dock is sitting dry at least 6 months out of a year.

- after reviewing many aspects of the basin I do believe that comments from the Lake Lanier Association are in order.
- 5,000 cfs min flow is not sustainable and is not representative of true lowest historical flows.
- I also agree that Lanier was not designed to support all downstream demands such as the Apalachicola River flows. Those muscles have been there forever and survived many different water flows.
- Navigation of the river below Columbus is not necessary or feasible and should not be supported by the Corps as this further places more demands on Lanier

Comment ID 0289.001.001

Author Name: Simpson Terrence

Organization:

I would like to add my support to calls for a complete reform of the the current policy of water release from Buford Dam

and Lake Sidney Lanier. I completely agree with the following points:

- The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

In addition I feel strongly that the current schedule of releases, their timing and flow rates, both short term and long term, seem to have a near random appearance. I have searched extensively through online resources for some understandable formula or target flow relationship for the daily releases, and have found very little that is understandable by ordinary folks. To that end may I suggest a simple web page describing the release shedule timing and flowrates measured in relation to the SPECIFIC DESIRED DOWNSTREAM EFFECT. I would like to suggest that in trying to satisfy ALL of the many stakeholders in the Lake and the ACF Basin, the Corps may be irrevocably degrading the resource itself.

Thank you.

Comment ID 0290.001.001

Author Name: Holz Robert

Organization:

Please consider reducing the 5,00 cm flow. It is seriously reducing our quality of life. We are retired senior citizens who enjoy boating, fishing and the beauty of Lake Lanier. Each year this is eroded presumably for no good or clearly understandable reasons.

Unles a sustainable withdrawal policy is developed the quality of life on Lake Lamier will be ruined

Comment ID 0297.001.001

Author Name: McLeod Bob

Organization:

The 5,000 cfs minimum flow required at the state line is not representative of the true lowest historical flows in the ACF and is not sustainable.

- Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built.

- The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

- The Endangered Species Act does not require the Corps to augment Apalachicola River flows above run-of-river levels and the practice should not be required because it depletes Lanier unnecessarily.

- Regular navigation is no longer feasible on the ACF and the Corps should not try to support it in view of the other demands on Lanier as a resource of last resort.

Comment ID 0301.001.001

Author Name: Sexton George

Organization:

COMMENTS: We purchased a house on Lake Lanier in 2006. Several years ago I attended a "seminar" put on by the ACE about the ACF basin. It was an excellent presentation. I was shocked to hear that the entire basin as planned was never completed. Specifically the reservoirs on the Flint River were never built. I understand this area has the largest water runoff but cannot be collected. You have the unenviable task of trying to run a "machine" with missing parts. I want to reiterate the Lake Lanier Association's second point " Lanier was never designed to support ALL downstream demands and can't be expected to because the dams originally proposed on the Flint River were never built." I do not know what the solution is (other then to construct the missing reservoirs) but you should not penalize Lake Lanier and its residents for the US Government's failure to complete the entire ACT Basin project. Thank you.

Comment ID 0304.001.001

Author Name: Schurke Robert

Organization:

COMMENTS: - The Corps' current operating rules require more water to be released from Lanier than is necessary and do not allow as much to be stored as is possible. These draw the lake down more than necessary and make it less likely to refill to full pool under contemporary climatic conditions.

Comment ID 0310.001.001

Author Name: Zumwalt Bob

Organization: Lake Lanier Association

COMMENTS: If the "endangered species" survived the drought-stricken years, before dams were built on the Chattahoochee, they would have experienced much dryer situations than now. It's obvious that this is all about more recent commercial species.

Comment ID 0311.001.001

Author Name: CAMPAIGN CAMPAIGN

Organization: LaGrange-Troup County Chamber of Commerce West Point Lake Petition

Dear Pete Taylor (USACE Mobile District),

West Point Lake is a 25,684 acre mainstream Chattahoochee River impoundment that was identified by the US Congress as a recreational demonstration project and has been in existence since 1974. The Lake was authorized by Congress for five uses: 1) flood control, 2) hydroelectric power, 3) navigation, 4) sport fishing and wildlife development and 5) general recreation. In regards to the latter two purposes, West Point Lake offers an abundance of wildlife and numerous ways to enjoy it. When the Lake was created, a forested valley was flooded; trees and other structures were left standing to provide an excellent fish habitat. Man-made fish attractors also improve fishing at the lake. Short, mild winters and long, warm summers plus gradual transitions between seasons characterize the climate-making the project conducive to year-round recreational and sport fishing use. The Lake's impact on the local economy ranges from \$153 million to \$710 million, depending upon how the lake level is managed. However, in recent years, the USACE has dropped water levels at West Point Lake for extended periods of time. Large expanses of exposed mud shoreline, bank erosion and smaller lake surfaces have become the norm, rather than the exception. Of course, I recognize that water is a limited resource throughout the Apalachicola-Chattahoochee-Flint Basin and that droughts are becoming more frequent and longer in duration. Historically, there is some seasonal variation in rainfall with the heaviest rains occurring in the winter and the lightest during the fall. This information, coupled with the fact that the USACE acknowledges that drawdowns are detrimental to recreational use, the fishery and soil erosion, makes the USACE's decision to change the guide curve for the Lake in the late summer/early fall perplexing. By changing the guide curve and, in essence, reducing the potential for the Lake to be used for its intended Congressional authorizations during high recreational and sport fishing season by 40% is not acceptable. This decision, on an already beleaguered lake, would have detrimental effects not only on our community's quality of life but especially to those businesses that depend upon tourism and recreation. I strongly encourage you to reevaluate your decision and re-establish a guide curve for West Point Lake that matches the Congressional authorized use of the Lake.

9.E - WATER MANAGEMENT SUGGESTIONS

Comment ID 0005.001.005

Author Name: Maltese Joe

Organization:

5. The Corps has arbitrarily established "action zones " for the ACF system projects that benefits Lake Lanier and other projects at the expense of West Point lake. These arbitrarily enacted zones have punished the WPL resource and its users by creating a scenario that allows the Corps to utilize WPL stored waters while keeping other lakes full. Yet no other ACF project has a specified authorized recreational purpose. This has kept WPL below its established recreational impact levels since the creation of the project on average a majority of the time. The bottom of the conservation pool for the WPL should be effectively established at 632, the Corps recognized level at which recreation becomes impaired. Operations should be limited between 632 and 635 to eliminate adverse recreational impacts and to comply with the specified authorizations.

Comment ID 0007.001.005

Author Name: Matheny Anthony

Organization:

Please consider keeping the lake at higher levels, when we have rain above the dam let more water out, and when we have no rain CLOSE THE GATES to a minimum release. Sometimes the area south of the dam has rain plus the release of the water from the dam and we are left with no rain AND a dry lake.

Comment ID 0009.001.002

Author Name: Morrison Bill

Organization:

To me the level shouldn't fluctuate more than 2-3 feet yearly. There was no Buford Dam and Lake Lanier 50 years ago and yet somehow the fresh water mussels and barges downstream in Georgia, Florida, and Alabama survived. There is no reason they can't survive now with proper minimal water withdrawals.

Comment ID 0014.001.002

Author Name: Fields Ken

Organization:

Every effort should be made to keep the level above 1065.

Comment ID 0018.001.002

Author Name: Nelson Alton

Organization:

It appears to me, as well as my neighbors, West Point Lake could be held at a minimum of 632 ALS and still pass through water to the south. I am oppose the C.O.E. plan to drop the level below 632 ALS and the subsequent loss of my entitlement to the use of the lake for recreational purposes.

Comment ID 0019.001.001

Author Name: Pearce K.

Organization:

Permantely raising the full pool level of Lake Lanier would have the least amount (best) of impact on recreation, navigation, fish, and wildlife. Retaining a larger water supply would benefit all involved downstream also.

Comment ID 0020.001.001

Author Name: Cook Keith

Organization:

Would someone explain why you don't simply allow Lake Lanier to fill to 1071 feet and then let only as much water OUT as comes IN each hour? i.e., let the flow be controlled by nature like is was for hundreds of years before the dam was there.

Comment ID 0027.001.001

Author Name: Rainio Aku

Organization:

I see that the water release from lake Lanier has been greatly increased. Is there a chance that the water release could be concentrated to one continous period during weekends when there are plenty of fishermen on the river? If possible, the waetr release during weekdays could be more and during weekends less to support the people wanting to fish and bring money to local economy. Thank you for your consideration

Comment ID 0029.001.001

Author Name: St. Amant William

Organization:

If the COE would loosen restrictions on dredging of coves at Lake Lanier and allow shallow coves to be dredged it would increase water storage, increase property values, improve navigation, and make the impact of lowered water levels less severe for recreational use of the lake. It would also increase economic activity in the lake area.

Comment ID 0031.001.002

Author Name: Ray John and Helga

Organization:

We realize we are in drought situation, but it seems storing water during rainy periods and keeping a 628' winter level and 635' level in the summer, would help during a crisis situation.

Please consider this in your research and for once listen to the human side of this problem.

Comment ID 0032.001.003

Author Name: Baker Donald

Organization:

It seems when the Lake starts to fill up it is stopped in reference to the proposed Lake level graph. Why is it not possible to go to 635 as soon as possible to give us a little more breathing room at the end of the season. This magical graph is treated as if it was a commandment from God.

There was a period two years that the Lake was held between 635 and 636 with the exception of one month each year where was dropped for maintenance. This just proves that it can be done. The Col. in charge in Mobile was going to retire and was not looking for promotion so common sense was used.

Comment ID 0034.001.002

Author Name: White Alan

Organization:

As my letter dated August 4, 2009, states, I have read that the Corps has said that the Tennessee River can provide more water than Atlanta needs now and for the future. In the past, I have proposed to others a project that would pump water from the Tennessee River into Carters Lake in northwest Georgia, which would serve as a staging area (1) to release water into the Coosa River, and (2) to convey water to Lake Lanier using the siphon principle at least part of the way. I realized that such a project would be extraordinarily expensive, and as we drifted through the recession that began in 2008 I began to think about a far less expensive project, having learned during my past work that the Corps has migrated water from one river basin to another. And I have come up with a scheme that would migrate water from the Tennessee River Basin, across and through the Alabama-Coosa-Tallapoosa River Basin, and into the ACF Basin.

My migration scheme would start at the southernmost part of the Tennessee River in Alabama, a withdrawal from Guntersville Lake at an elevation of 595 feet. The water would move through a canal or pipe into Weiss Lake on the Coosa River at an elevation of 564 feet, through Weiss Lake, and then probably by pipe until it is pumped up and into the Tallapoosa River in the vicinity of Tallapoosa, Georgia, at an elevation of 1,138 feet. From there, the water would flow down the Tallapoosa River into Harris Lake at an elevation of 793 feet, and through Harris Lake. It would continue to flow down the Tallapoosa River until the river approaches the elevation of West Point Lake on the Chattahoochee River, 625 feet, at which elevation the water would be migrated by canal or pipe into an arm of West Point Lake.

When implemented, my scheme would allow the Corps to manage the Chattahoochee watershed solely for the benefit of Atlanta and other communities down to West Point Lake, and migrate enough water into the Chattahoochee Basin to serve the entire needs of the basin below West Point Lake. I believe that it would enable a substantial part of the ACF Basin, if not the entire basin, to grow and prosper, as the Erie Canal allowed New York City to grow and prosper, and under a changed name still allows the city to prosper. While the Erie Canal completed a water highway for commerce between the middle United States and New York City, my scheme would provide the southeastern United States with an abundance of water for living and work, as well as for commerce. If the Corps can connect the Tennessee River with Mobile Bay, as it did with the Tennessee Tombigbee Waterway Project, it can connect the Tennessee River with the ACF Basin.

I am aware that federal legislation and financing would be required, as well as modifications to the Alabama-Coosa-Tallapoosa River Basin Compact. But if the Corps looks at my scheme and approves it as a factually and financially feasible way to solve the problem of our growing demands upon the relatively finite quantity of water the ACF basin can provide, that would be a major step toward bringing my scheme into fruition.

Comment ID 0034.001.003

Author Name: White Alan

Organization:

P.S. And should Atlanta eventually require more water than Lake Lanier can provide, my scheme would provide an infrastructure to migrate Tennessee River water from Weiss Lake and pump it into Lake Allatoona (elevation, 840 feet) and beyond into both the Chattahoochee and Flint rivers.

cc:

Sally Bethea Chattahoochee Riverkeeper
615 Oak Street, Suite 1000
Gainesville, GA 30504

Apalachicola Riverkeeper
P.O. Box 8 232-B Water Street
Apalachicola, FL 32320

Gordon Rogers Flint Riverkeeper
The Pace Building
211 N. Jefferson Street, Suite 8
Albany, GA 31701

Georgia Water Coalition
c/o April Ingle Georgia River Network
126 S. Milledge Avenue, Suite E3
Athens, GA 30605

Cindy Lowry, Executive Director
Alabama Rivers Alliance
2027 2nd Avenue North, Suite A
Birmingham, AL 35203

Brian Atkins, Division Director
Alabama Office of Water Resources
401 Adams Avenue
P.O. Box 5690
Montgomery, AL 36130-5690

I am too old to expect to see even the first step toward the migration of Tennessee River water into the ACF Basin. Consequently, I am passing my thoughts to others -- younger people who may nurture and tinker with my scheme should they see merit when the need arises. These letters may be copied and sent to others, people believed to be interested in the ACF Basin.

Comment ID 0037.001.001

Author Name: Schmidt Cathy

Organization:

West Point Lake needs to be kept at a range of 630 - 635 ft. to sustain the mandates under which it was developed. LaGrange has lost millions of dollars of revenue because this lake is used, unfairly, as the workhorse for this entire region. There have also been fish kills, fish unable to spawn, and erosion of silt into the lake because of these unsound practices. The plan for this area needs to be revisited to make certain that this lake and community are treated according to the original mandates under which this project was undertaken.

Comment ID 0039.001.001

Author Name: Price Daniel

Organization:

West Point lake has not been maintained at the 628-635 Ft MSL since July. My dock has been dry since June and my quality of "lake living" is non-existent. Please consider a 630 minimal winter pool to conserve much needed water for the growing needs of this area both residential and industrial. The BASS MASTERS ELITE series will bring a lot of high profile attention to West Point Lake please retain and hold water longer every summer here on.

Comment ID 0044.001.003

Author Name: Knox J.

Organization: Retreat on West Point Lake

Additionally, I kindly ask that you strongly consider the following request:

- Increase the West Point Lake rule curve for the winter months to an elevation of 632.5 MSL from 628 MSI. Raising the "winter pool" level by 4.5 feet would help West Point Lake keep a year-round lake and it would allow for a quicker refill in the spring and not ground as many docks in the winter rendering them unusable. If capacity is the concern, a recent study indicates that is a bogus excuse. Global Energy & Water Consulting, LLC recently completed a study funded by local stakeholders that showed that the West Point Lake reservoir can easily handle the additional storage capacity and still absorb large rainfall events without creating flooding conditions. Please see the attached study and conclusions by Global Energy & Water Consulting, LLC. The antiquated and inequitable rule curve being used by USACE is adversely impacting our lake.

- Revise the requirement of 5,000 cubic feet per second of water at the Florida line, as is currently mandated by the Endangered Species Act. I ask that the corps review and adjust its flow manuals so that the lake can maintain a sustainable level and become the recreation destination it was originally designated to be. West Point Lake has been consistently used as the "work horse" of the ACF basin to the detriment of any Lakerelated economic development in Troup County for many years.

<Portions of the text are bolded. Please see original document for details.>

Comment ID 0045.001.003

Author Name: Timmerberg Dick

Organization: West Point Lake Coalition

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0046.001.003

Author Name: Keeth Joey

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0049.001.003

Author Name: Baker Donald

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0050.001.003

Author Name: Baker Sophronia

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact

levels respectively as defined by the USACE.

Comment ID 0051.001.003

Author Name: Walters Wesley

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0052.001.003

Author Name: Wylie Clarence

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0053.001.003

Author Name: Unknown 1 (Illegible) Unknown 1 (Illegible)

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0054.001.003

Author Name: Unknown 2 (Illegible) Unknown 2 (Illegible)

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The

parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0055.001.003

Author Name: Alford Peter

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0056.001.004

Author Name: Reneau Buddy

Organization: Efacec, ACS, Inc.

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0060.001.004

Author Name: Longo Teresa

Organization:

Quit worrying about mussels, they were here before the lake was. Let the lake come to full pool or extend full pool two more feet, leave it full and only let out what comes in (when full). Build more reservoirs that can help handle the consumption needs. Thank ou.

Comment ID 0061.001.003

Author Name: Spinks Tracy

Organization:

- A change to the West Point Lake rule curve for the winter months to an elevation of 632.5 MSL. This change would provide many advantages for the region, and ACF basin as a whole. The additional storage provided would enhance

and support the congressional authorizations of the lake, in particular recreation, sport fishing, and wildlife development. The availability of additional water could also support navigation windows as deemed necessary by the USACE. Studies completed by Global Energy and Water Consulting, LLC support the safety and flood control capabilities of the lake at the increased winter pool level of 632.5. This information has been submitted to the USACE, Mobile office under separate cover.

Comment ID 0062.001.006

Author Name: McGowan O.W.

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0063.001.004

Author Name: Starr Shane

Organization:

6) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0066.001.003

Author Name: Billingsley Randall

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0067.001.003

Author Name: Glazier Richard and Debra

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0068.001.002

Author Name: Smallwood Greg

Organization:

One way to protect Lake Lanier would be to put a minimum level on the lake. Where 1071 is full pool, we could put 1061 as the minimum. A 10 ft window could be achieved. When we are in drought conditions we should not let out anymore than what comes in. The endangered species only got what water flowed straight through the river before the lake backed up and they survived then. If we could raise the max level to 1073 would also give another 2 ft of water to play with.

As a home-property owner on Lake Lanier, what has happened since 2008 is very troublesome. We need to protect out Lake anyway we can.

Comment ID 0069.001.001

Author Name: Rich Lawrence

Organization:

I would like to make three observations concerning the above topic:

1.) Unless there is reason to have a winter pool of 628 there are numerous common sense reasons to raise it to 632.5. These include longer use window, less bank erosion , Larger water reserves and most of all, safer boating on a very shallow lake.

Comment ID 0072.001.003

Author Name: Longo, Jr. P.J. (Pat)

Organization:

Several things I think should be considered when establishing a new water usage policy are these.

1.Consider raising the full pool level to 1073, with over 550 miles of shoreline this would virtually create another Reservoir.

2. Once the water level reaches a certain level, say 10 feet below full pool, go to a water in water out mode. Any Water

that the two rivers put in the lake, this should be the only water let out. Everybody should be made to make Adjustments for the drought.

3. Build the water reservoir that was planned for northwest Georgia but was cancelled during president Carters Administration, to help with water needs downstream.

4. Try to negotiate with Tennessee about tapping the Tennessee river.

5. And last but not least, reconsider tapping any water for muscels or sturgeon downstream. These creatures were Right where they are now long before Lake Lanier was even thought about. These creatures are prehistoric and I'm Quite sure they survived without somebody making sure they were comfortable. If we are so worried about saving Muscles and Sturgeon, let start raising them through aquaculture. This is the biggest no brainer of all. Thanks again for allowing us to suggest some things that might not have been thought of.

Comment ID 0074.001.003

Author Name: Lanett Lanett

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0075.001.003

Author Name: Nichols, Jr. Robert

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0076.001.003

Author Name: Britt William

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0082.001.003

Author Name: Morgan Ashley

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0083.001.003

Author Name: Bice Bonita

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0084.001.003

Author Name: Gay Brenden

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0085.001.003

Author Name: Gay Brian

Organization:

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levels respectively as defined by the IJSACE.

Comment ID 0086.001.003

Author Name: Abernathy Brittney

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE

Comment ID 0087.001.003

Author Name: Eslinger Emma

Organization:

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Comment ID 0088.001.003

Author Name: E_____ (illegible) Frank

Organization:

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Comment ID 0089.001.003

Author Name: Maddox Greg

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The

parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0090.001.003

Author Name: Mayfield Matthew

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0091.001.003

Author Name: Gay Nichele

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0092.001.003

Author Name: Payant Mike and Rebecca

Organization:

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Comment ID 0093.001.004

Author Name: Nix Randy

Organization: State of Georgia House of Representatives, District 69

- A change to the West Point Lake rule curve for the winter months to an elevation of 632.5 MSL. This change would

provide many advantages for the region, and ACF basin as a whole. The additional storage provided would enhance and support the congressional authorizations of the lake, in particular recreation, sport fishing, and wildlife development. The availability of additional water could also support navigation windows as deemed necessary by the USACE. Studies completed by Global Energy and Water Consulting, LLC support the safety and flood control capabilities of the lake at the increased winter pool level of 632.5. This information has been submitted to the USACE, Mobile office under separate cover.

Comment ID 0094.001.003

Author Name: Eslinger Rhonda

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0095.001.003

Author Name: Mayfield, Jr. Robert

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0096.001.003

Author Name: Stradcutter Charles

Organization:

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Comment ID 0098.001.003

Author Name: E____ (illegible) Tom

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0099.001.003

Author Name: Gay Trayten

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0100.001.003

Author Name: Abbott Wayne

Organization: Abbott, Jordan & Koon, LLC, CPAs

• A change to the West Point Lake rule curve for the winter months to an elevation of 632.5 MSL. This change would provide many advantages for the region, and ACF basin as a whole. The additional storage provided would enhance and support the congressional authorizations of the lake, in particular recreation, sport fishing, and wildlife development. The availability of additional water could also support navigation windows as deemed necessary by the USACE. Studies completed by Global Energy and Water Consulting, LLC support the safety and flood control capabilities of the lake at the increased winter pool level of 632.5. This information has been submitted to the USACE, Mobile office under separate cover.

Comment ID 0102.001.007

Author Name: Anderson Wayne

Organization:

Lake West Point should be managed at full pool using a Run of the River format. Clams and oysters have survived for millions of years with fluctuating river levels. Flood control options are multiple and Hydroelectric generation is much more efficient at full pool levels.

Public electric power companies, such as Georgia Power, The Southern Company, and Duke Power Company have successfully maintained fresh water reservoirs for many years using a Run of the River Operating protocol. Shorelines, property values, wildlife and fisheries are protected, recreational use is excellent, and hydroelectric options are met. Plus flood control is always achieved.

Additionally, water quality during low river flow is dramatically lowered and full pool level should be maintained to properly dilute the increased contamination of the inflow.

The Corps of Engineers should take a page from private industry when it relates to fresh water reservoir management. If the lake level can be stabilized at 628, or 625, or 622, all of which have occurred for multiple times for several weeks, WHY can it not be stabilized at 635---- (Full Pool)? Hydroelectric generation is much more efficient, water storage is much cheaper than building additional storage facilities, water quality is dramatically improved, and economic conditions are greatly enhanced. Please consider the users and tax payers of West Georgia and East Alabama in the update of your ACF River Basin Water Control Manual.

Comment ID 0106.001.004

Author Name: Mulvany Gregg

Organization:

To me...it seems that the benefits of a full-pool West Point Lake far outweigh the benefits of seasonally dropping the lake levels to a winter pool.

That's my two-cents. Thank you for your time and consideration. Please feel free to contact me if you want to have any further discussions on the matter.

Comment ID 0107.001.002

Author Name: Newman Charles

Organization:

The citizens of LaGrange submitted that a West Point Lake with a constant pool of 633 feet, would meet ALL of the authorizations, and experience in the last 5 years has shown that the lake, even when full, can hold a 100 year flood event. A 633 foot pool is the best option for the public, and I hope that it is being seriously considered. Maintain that pool, or higher, and use the runoff and the excess over 633, to provide the needs downstream. I also feel that something similar would be the best option for ALL of the lakes in the Basin.

Comment ID 0108.001.004

Author Name: Crane Mike

Organization: Georgia State Senate

•A change to the West Point Lake rule curve for the winter months to an elevation of 632.5 MSL. This change would provide many advantages for the region, and ACF basin as a whole. The additional storage provided would enhance and support the congressional authorizations of the lake, in particular recreation, sport fishing, and wildlife development. The availability of additional water could also support navigation windows as deemed necessary by the USACE. Studies completed by Global Energy and Water Consulting, LLC support the safety and flood control capabilities of the lake at the increased winter pool level of 632.5. This information has been submitted to the USACE, Mobile office under separate cover.

Comment ID 0109.001.003

Author Name: Hornsby Angela

Organization:

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Comment ID 0110.001.003

Author Name: Terrell Ann

Organization:

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Comment ID 0111.001.003

Author Name: Foster Betty

Organization:

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Comment ID 0112.001.003

Author Name: Frazier Earl

Organization:

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Comment ID 0113.001.003

Author Name: Camberlander Howard

Organization:

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Comment ID 0114.001.003

Author Name: Huerta James

Organization:

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Comment ID 0115.001.003

Author Name: McGee Jeremy

Organization:

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Comment ID 0116.001.003

Author Name: Vannes Joan

Organization:

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Comment ID 0117.001.003

Author Name: Nelson John

Organization:

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Comment ID 0118.001.003

Author Name: Clayton Justin

Organization:

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Comment ID 0119.001.003

Author Name: Terrell O.

Organization:

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levels respectively as defined by the USACE.

Comment ID 0120.001.003

Author Name: T. (illegible) Oliver

Organization:

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Comment ID 0121.001.003

Author Name: McCurdy Ralph

Organization:

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Comment ID 0122.001.003

Author Name: Carter Shane

Organization:

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Comment ID 0123.001.003

Author Name: Deloach Tonya

Organization:

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Comment ID 0124.001.003

Author Name: Unknown 3 (Illegible) Unknown 3 (Illegible)

Organization:

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Comment ID 0125.001.003

Author Name: M. (illegible) Wendy

Organization:

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Comment ID 0128.001.003

Author Name: Beard Scott

Organization:

-I request that the water control policy be revised to maintain the lake at 635 feet during the summer season.

-I request that the water control policy be revised to maintain the lake at 632 feet during the winter season.

-I request that the winter season continue to begin in November, not September as is currently being discussed.

I respect the fact that the Corps has a difficult task to balance the needs of all interested parties however I feel very strongly that as Engineers a more viable solution can be found than simply using West Point lake as the work horse for the entire CRB.

Thank you for the opportunity to express my opinion.

Comment ID 0131.001.003

Author Name: Fogg Mike

Organization:

I realize that there have been two major factors over the past few years that contribute to the extreme low lake levels. That being the drought cycle that we have been in and the requirement that USACE is held to by U.S. Fish and Wildlife to provide minimum flow rates to the Apalachicola River.

To help offset the impact of these two factors, I suggest that the operating procedures for the lake and the ACF system be modified to allow more year-round water storage in West Point Lake. By keeping the lake level in the 632 to 633 (minimum) range it will help in offsetting the impact of drought conditions. Even by keeping the lake at these levels, Flood Control can still be maintained. This was proved in September 2009 when North Georgia experienced extreme rainfall amounts and had massive flooding. The water level at West Point Lake rose above full pool but no downstream flooding occurred. The point here is that in the past when lake levels have been down below 630 and the area receives significant rainfall and the lake level rises, immediately that water is released to bring the lake level down because it is above what it should be at that time of year. The area then has reduced rainfall amounts through the year and the lake never recovers.

Comment ID 0141.001.002

Author Name: Moore Brad

Organization: Indian Hills Neighborhood Association

Desired Lake Level

Water shortages in North Georgia and endangered species in the Apalachicola River have dominated the public discourse on ACF operations in the past few years due to the drought in the Southeast. IHNA recognizes that the persistent drought has necessitated lowering reservoir levels to fulfill minimum flow requirements; however, we do wish to specify our desire for maintaining Walter F. George lake at a level of 187 ft or greater.

Comment ID 0142.001.004

Author Name: Weeks Brian

Organization:

4. All lakes on the ACF should be able to be better maintained with higher lake levels each year. Anything under 630 lake level is ridiculous as the low level for Lake West Point. There is no data to support anything under 630 as the minimum lake level.

Comment ID 0143.001.001

Author Name: Leitman Steve

Organization:

Attached are my comments on the Water Control Manual update and two references which are to be attached to my comments.

These comments are being provided in response to the October 12, 2012 Federal Register Notice of Intent to reopen public scoping for 60-days for comments on the updating of the Water Control Manual for the Apalachicola-Chattahoochee-Flint (ACF) basin. My comments here are less detailed as than those provided with my assistance in other documents and forums, specifically, 1) by the Tri-Rivers Waterway Development Association (TRWDA) in a report titled An Evaluation of the Common Ground Between Environmental and Navigation Flows in the Apalachicola-Chattahoochee-Flint Basin which was written by Stacey Graham and Charles Stover of Alabama Power and myself as a consultant to Apalachicola Riverkeeper; and, 2) the modeling approach taken by the U.S. Fish and Wildlife Service (USFWS) in their comments and presented at a November 29 - 30, 2012 meeting in Eufaula, Alabama, showing an alternative approach to managing the reservoir system which is shown to be feasible by the STELLA model and comments regarding this effort submitted by the USFWS. <Portions of the text are underlined. Please see original document for details.>

In developing the Water Control Manual, an import concept which needs to be integrated into the Corps' approach to managing the ACF reservoir, is equity. By equity, I mean that in the future whenever consumptive demands are increased, the consequences of those increases in demands should be absorbed by the region where the increase occurs. For instance, if Metro Atlanta wishes to continue increasing its consumptive demands, the consequences should be borne by Metro Atlanta region, not by downstream users such as citizens in the middle reaches of the Chattahoochee River or Florida. The current method of calculating basin inflow in the RIOP does not encourage this concept; instead as demands are increased the consequences are to lower flows entering Florida at Jim Woodruff Dam. Since the consumptive demands on the basin are approaching the safe yield of the basin, such an approach as recommended by me will provide incentives and disincentives with regard to water resources management that should lead to more sustainable water management decisions in the future. Attached to these comments is a paper published by the Florida Watershed Journal in August 2011 titled An Evaluation of the Use of Local Inflow as a Trigger in the Revised Interim Operating Plan for Managing Reservoirs in the Apalachicola-Chattahoochee-Flint Basin which discusses the rationale and logic for this approach and one approach for addressing the problem: adaptively modifying action zone elevations to meet prescribed downstream performance measures. <Portions of the text are underlined. Please see original document for details.>

The second overriding concept which I believe should be incorporated into the Water Control Manual update is recognition that in the ACF basin, there is a small volume of water stored in the federal reservoirs relative to the volume of flow in the lower river. As such, the reservoir system needs to be managed conservatively and the management of the reservoir system releases should be linked to what the system can provide. The current approach in the RIOP, which bases releases on local inflow, composite reservoir storage and time of year, reflects this philosophy. This concept, however, can be approached in other ways such as providing limits to the volume of reservoir augmentation to downstream flows based on the volume of water in storage at the reservoirs. This is the management approach

recommended in the report provided to both TRWDA/AR and the modeling approach provided to the USFWS. The Corps should consider implementing such an approach in the Water Control Manual update.

A third concept which should be recognized in the management of the ACF reservoir system is that drought is a specific term for a variable concept. Each drought event is different in terms of the basin affected, duration of the drought event, magnitude or intensity of the event and timing, although they are all called drought. Consequently, a one size fits all approach to responding to drought events will not work in the ACF basin. The one-size approach could be a good response in one drought event and a misguided approach in the next drought event. I have attached the draft of a paper I prepared with two of my students which we are going to submit for publication titled An Evaluation of the Causal Factors for the Lowering of Lake Lanier during Drought Events. This paper evaluated the causal factors for the lowering of Lake Lanier during four distinct drought events using the STELLA model. Not surprisingly, the causal factors vary significantly from drought event to drought event. The drought response in the Water Control Manual should take this concept into account and recommend a method which allows for the causal factors of a drought to be incorporated into the response to the drought event. <Portions of the text are underlined. Please see original document for details.>

A fourth concept which should be taken into account is the need to define the performance measures used to evaluate alternatives. It is important in preparing the Water Control Manual for the Corps to explicitly explain the criteria or performance metrics used to compare alternatives and to ultimately decide which approach is recommended for the ACF basin by the Corps. To not do so essentially excludes the many value-based comments stakeholders will undoubtedly provide to the Corps in the process. It is through the use of performance measures that stakeholder values are integrated with technical information. In a published analysis of the failure of the ACF Compact, I concluded that one of the causal factors for the ultimate failure of the Compact was the failure of Alabama, Florida and Georgia to define mutually acceptable, basin-wide performance measures against which to evaluate alternative management scenarios. As part of the process for selecting a basin-wide reservoir management for the ACF basin, the Corps should define the performance metrics used to select the chosen alternative.

A final concept which must be addressed in the Water Control Manual update is consumptive demands. I recognize that the Corps does not have authority over the increasing of consumptive demands except to some extent at the Federal storage reservoirs. Nevertheless, the ultimate success of any water management strategy conceived in the Water Control Manual updating process is inextricably linked to the volume of water consumed. Consequently, I believe the Corps has no option other than to address the implications of increasing consumptive demands in the update. One way this can be addressed is through an approach discussed in the paper I referenced in my first comment: to have the implications of increasing demands manifest in the region where they are generated instead of visiting them on downstream users. This approach relies on adaptively adjusting the action zone levels in the reservoirs which would modify composite storage volumes and thereby release triggers, not on providing specified limits for consumptive demands. Such an approach provides incentives and disincentives to encourage sustainable behavior.

I appreciate the opportunity to provide comments on the Water Control Manual update and am willing to help the Corps in any capacity necessary to make this an upgrade of water management in the ACF basin.

Comment ID 0144.001.001

Author Name: Anonymous Anonymous

Organization:

I just want to say that west point lake winter water level of 628 ft. is a perfect goal for the corps to try and keep. The water level just rose 5 ft due to recent rains. if not for the low lake levels due to drought west point could have had flooding problems.

Comment ID 0147.001.003

Author Name: Foster Betty

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0148.001.003

Author Name: Childress George

Organization:

- A change to the West Point Lake rule curve for the winter months to an elevation of 632.5 MSL. This change would provide many advantages for the region, and ACF basin as a whole. The additional storage provided would enhance and support the congressional authorizations of the lake, in particular recreation, sport fishing, and wildlife development. The availability of additional water could also support navigation windows as deemed necessary by the USACE. Studies completed by Global Energy and Water Consulting, LLC support the safety and flood control capabilities of the lake at the increased winter pool level of 632.5. This information has been submitted to the USACE, Mobile office under separate cover.

Comment ID 0149.001.003

Author Name: H. (illegible) D.

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0150.001.003

Author Name: Nelson Elizabeth

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0151.001.003

Author Name: Wilson Jessica

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0152.001.003

Author Name: Nelson John

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0153.001.003

Author Name: Criddle Mike

Organization: City of LaGrange, Department of Economic Development

- A change to the West Point Lake rule curve for the winter months to an elevation of 632.5 MSL. This change would provide many advantages for the region, and the ACF basin as a whole. The additional storage provided would enhance and support the congressional authorizations of West Point Lake, in particular recreation, sport fishing, and wildlife development. The availability of additional water could also support navigation windows as deemed necessary

by the USACE. Studies completed by Global Energy and Water Consulting, LLC support the safety and flood control capabilities of the lake at the increased winter pool level of 632.5. This information has been submitted to the USACE, Mobile office under separate cover.

Comment ID 0154.001.003

Author Name: Foster Oliver

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0155.001.003

Author Name: Duncan Peggy

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0156.001.003

Author Name: Unknown Unknown

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0157.001.003

Author Name: Nelson Wanda

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0159.001.004

Author Name: Moore Brad

Organization: Friends of Lake Eufaula

Desired Lake Level

Water shortages in North Georgia and endangered species in the Apalachicola River have dominated the public discourse on ACF operations in the past few years due to the drought in the Southeast. FOLE recognizes that the

persistent drought has necessitated lowering reservoir levels to fulfill minimum flow requirements; however, we do wish to specify our desire for maintaining Walter F. George lake at a level of 187 ft or greater.

Comment ID 0161.001.002

Author Name: Henry George

Organization:

I ask you to change releasing guidelines accordingly, and also to consider such radical means as removing power company rights to protect full-pool status of its Chattahoochee-derived lakes and dredge-lowering the floor of West Point and Lanier lakes in order that they will better fulfill reservoir capacity.

Comment ID 0163.001.001

Author Name: Fryer L.

Organization: MeadWestvaco Corporation

MeadWestvaco Corporation (NYSE: MWV) appreciates the opportunity to provide comments on the U.S. Army Corps of Engineers (Corps) efforts to revise the scope of the Environmental Impact Statement (EIS) for updating the Master Water Control Manual (WCM) for the Apalachicola-Chattahoochee-Flint (ACF) River Basin as made known in the Federal Register Notice of Intent (NOI) on October 12, 2012.

MeadWestvaco Corporation is a global packaging company providing innovative solutions to the world's most admired brands in the health care, beauty and personal care, food, beverage, home and garden, tobacco, and agricultural industries. The company also produces specialty chemicals for the automotive, energy, and infrastructure industries and maximizes the value of its land holdings through forestry operations, property development and land sales. MWV's network of 125 facilities and 16,000 employees spans North America, South America, Europe and Asia. The company has been recognized for financial performance and environmental stewardship with a place on the Dow Jones Sustainability World Index every year since 2005. MWV has a vital interest in the ACF River Basin with substantial operations located along the Chattahoochee River near Cottonton, AL that depend on established and adequate river flows for successful functioning.

MWV supports the comments filed pursuant to this NOI, by the TriRivers Waterway Development Association of which MWV is a member organization. MWV also offers the following specific comments.

MWV Facilities in the Middle Chattahoochee Depend on the Corps to Provide Adequate Flows

Although much of the focus in the ACF river system has been on water supply issues in North Georgia and protected species in the Apalachicola River, the ACF System was authorized and constructed for the benefit of all stakeholders in the basin, including those along the middle and lower Chattahoochee River. MWV urges the Corps to acknowledge and address flow needs of these portions of the ACF River System.

a. The Corps Should Provide Agreed-Upon Minimum Flows

MWV has invested many millions of dollars in major industrial facilities along the middle Chattahoochee River. This was done so in reliance upon the Corps' lawful operation of the ACF System and commitment to maintain flows sufficient to serve the congressionally authorized purposes. The future of MWV's facilities depends on continuing, adequate flows to support cooling and process water needs. Also, MWV's NPDES permit limits for wastewater discharges are based on established river flow rates. As a leader in sustainability, MWV has taken substantial and successful steps to reduce the amount of water needed to operate its processes. These efforts were recognized in 2012 when MWV won an American Forest and Paper Association (AF&PA) Sustainability Award for its "Mahrt Mill Water and Energy Reduction Project". This project reduced water use in the paper mill by over 5 million gallons/day.

The Corps should explain in the revised manual and corresponding environmental documentation how it plans to provide for the needs of the communities and industries located in the middle Chattahoochee River. The governors of Alabama, Florida, and Georgia in 2003 signed an agreement establishing flow parameters for the ACF River System. In revising the ACF water control manual, the Corps should plan to operate the System in accordance with those agreed-upon flow parameters. MWV points in particular to the middle and lower Chattahoochee flow requirements of 1,350 cubic feet per second ("cfs") daily average and 1,850 cfs weekly average at Columbus, Georgia, and 2,000 cfs daily average at Columbia, Alabama. We believe these flows are sufficient to meet the congressionally authorized purposes of the ACF River System. Additionally, they correspond to the flows needed to meet the water supply and water quality needs of the Columbus Water Works, as well as the operation of industrial facilities on the Chattahoochee River, including those operated by MeadWestvaco.

<Portions of the text are in bold font. Please see original letter for details.>

Comment ID 0164.001.004

Author Name: Nash Charlotte

Organization: Gwinnett County Board of Commissioners

- Alternatives Analysis

- Increase winter pool storage to 1,071 (msl): The Corps should evaluate an alternative that increases winter pool storage to 1,071 (msl) to be consistent with the summer storage amount; as discussed above, to the extent that recent shifts in rainfall and temperature patterns suggest that more water must be available for releases, a consistent full pool operational measure should be taken into account and incorporated as an alternative rather than curtailing storage and ignoring, availability of Congressionally authorized flood control storage above 1071 (msl).

- Remove 5,000 cfs operating policy as the floor for the ACF Basin: The 5,000 cfs floor is merely a parameter in the 2006 Interim Operation Plan and in any event is based on an incorrect analysis of the baseline conditions in the ACF Basin and should not be the driver for the Corps' operation of the reservoirs in the basin. Basin-wide performance measures should be considered instead.

- Re-examine 750 cfs requirement at the Chattahoochee River below the Atlanta withdrawal point: the 750 cfs operational flow criteria utilized by the Corps should be re-examined in light of current permit requirements and assimilative capacity to determine whether alternatives to that flow may exist. In developing its alternatives, the Corps should de-emphasize use of any discretionary operational policy in favor of operating to maximize water supply, an authorized purpose of the project.

- Maximize water supply at the Buford Dam/Lake Lanier project: The Corps should include in its alternatives analysis an alternative that maximizes the authorized purpose of water supply at Lake Lanier. Applying the Eleventh Circuit decision and the project purposes outlined in the 2010 Scoping Report, the Buford Dam/Lake Lanier project is the only reservoir within the ACF Basin that has water supply as an authorized project purpose and, as such, this purpose should be prioritized in Corps' operational policy. Supporting downstream project purposes at the expense of an authorized project purpose at the Buford Dam/Lake Lanier project would be inappropriate.

Comment ID 0164.001.005

Author Name: Nash Charlotte

Organization: Gwinnett County Board of Commissioners

- Facilitate return flows: The 2012 Legal Opinion of the Corps' Chief Counsel projects availability of water supply from the Buford Dam/Lake Lanier project in reliance upon return flows to the project. Consistent with that forecast, and to maximize the potential for Lake Lanier to satisfy a range of authorized purposes, the Corps' operations should encourage and facilitate return flows to Lake Lanier, including providing direct 1:1 credit to entities providing return flows to the lake. Return flows mitigate the impact of withdrawals and releases made for all purposes on the lake levels, provide a level of assurance of water availability not provided by general basin inflow, and support principles of conservation and reuse. Moreover, to the extent any wastewater provider incurs additional treatment costs to satisfy wastewater permitting requirements for Lake Lanier, direct credit for return flows for each such provider will help offset such costs and thereby incentivize the provision of return flows. As such, directly credited return flows should be encouraged and facilitated.

Comment ID 0165.001.012

Author Name: Freed Charles

Organization: Atlanta Rowing Club

Recommendation

The Atlanta Rowing Club's recommendation is to change the water release pattern at Buford Dam from the present process, which uses extreme peaking discharges, to a more controlled process with far less hourly variation. This reduced peak release plan can be accomplished through a combination of controlling the number of active turbines and the volume through each turbine, similar to the present operation at Morgan Falls Dam. Average daily discharge rates could be maintained the while implementing a pattern of significantly lower peaks. These changes could be

implemented quickly and at low cost. The specific objectives of the change to a reduced peak discharge plan should be:

1. Reduce the peak discharge rates and subsequent gauge height peaks so as to significantly reduce the risks to the general public. We propose a 6 month test in 2013. Given the benefit to public safety, reducing the peak discharges levels should be a high priority in 2013, before the seasonal increase in recreation within the Chattahoochee River National Recreation Area.
2. Reduce the transported sediment to lower the weekly average turbidity attributed to power generation discharges by at least 10% as measured at Norcross.
3. Coordinate with GA Power to maintain a minimum water level (elevation) at Morgan Falls Dam of 864 feet.

Benefits

The reduction in discharge peaks to meet the above objectives would result in the following benefits:

1. Improved Public Safety - This reduced peak release plan would pose less danger from rapidly rising water levels and current flow rates between Buford Dam and Morgan Falls Dam.
2. Reduced Sedimentary Disposition - Lower peak flows could reduce the total transported sediment by over 10%, mitigating the increasing silt deposits that restrict recreation upstream of Morgan Falls Dam. This would also slow the growth of sediment deposits that reduce the Morgan Falls storage capacity required to re-regulate downstream flow.
3. Improved Conditions for Recreation - The recommended plan would eliminate the dramatic changes in water levels and stream flow rates that affect rowing, general recreation and ecology above Morgan Falls Dam.
4. Improved Fishing - The reduction in transported sediment and turbidity would produce healthier conditions for trout.
5. Reduced Water Treatment Costs - The resulting reduced sediment/turbidity would decrease the related maintenance costs for DeKalb and Fulton Counties' water treatment plants that have intakes on the Upper Chattahoochee near Alpharetta.
6. Economic Benefits - Local economies and park revenues would benefit from the increased recreation activity throughout the CRNRA. There is also a potential for lower energy cost to consumers.
7. Consistent With ACF Stakeholders Objectives - This proposed controlled discharge plan should not affect the daily average river flow rates, the average daily power generated at Buford Dam, or conflict with the interests of other ACF Stakeholders.

Comment ID 0168.001.003

Author Name: Barr Douglas

Organization:

December through February Yearly Reduction of Apalachicola River Release to 5,000 cfs to Allow Additional Reservoir Refill

The May 2012 Revised Interim Operating Procedures (currently in effect) and June 2012 "Improved" interim operations allow the reservoirs to be refilled in December and January through February of each year by reducing the required release for Apalachicola River to 5,000 cfs. The 5,000 cfs required release limit applies regardless of the basin inflow or the composite storage of the reservoirs. In addition, no provision is made to share the added storage with Florida for the purposes of increasing inflows to Apalachicola River during the spring spawning period or for low flow augmentation during the summer and early fall.

The December and January-February release requirement is identical to the release during Emergency "Drought" Operations. This greatly increases the period of time in which the required release to Apalachicola River is 5,000 cfs. Under the "Improved" operations and current withdrawals from Lake Lanier and the Chattahoochee River, the duration of the 5,000 cfs reduced release requirement is increased from 17.8% to 38.7% of the period from 1976 to 2008. With Georgia's 2030 requested withdrawals, the 5,000 cfs required release limitation would increase from 30.6 to 48.4% (16 years) of the period from 1976-2008.

Obviously, it is not possible for the COE to reduce releases to Apalachicola River to this level over such a long time period due to the limit on available reservoir storage. It does, however, further expand the COE's discretion to reduce inflows to Apalachicola River to extreme low-flow levels when needed to ensure that all water needs in Georgia are met and the reservoirs refilled to full capacity. It also provides a perspective on the COE's water allocation priorities in the event that the frequency and duration of future droughts is greater than occurred in the past.

The update of the Water Control Manuals should not allow such extreme levels of discretion in reducing the required release to Apalachicola River to 5,000 cfs. At a minimum, the updated manuals should provide for the equitable sharing of the additional storage obtained by the diversion of water to storage from December through February. In addition, the refill provisions should be more constrained with required releases during December-February at higher levels than 5,000 cfs.

Comment ID 0168.001.009

Author Name: Barr Douglas

Organization:**Summary**

The June 2012 "Remand" reports states (page 19) that "Improved Operations reflect system and project operation improvements that the Corps has identified as potentially more efficient in achieving congressionally authorized purposes." The reports also states (page 32) that "Improved Operations use revised guide curves and/or action zones ... These guide curves and/or action zones are used to manage the lakes at the highest level possible while balancing the needs of all the authorized purposes." Specific to Lake Lanier, the reports states "The Improved action zones for

Lake Lanier facilitate refill and store of water relative to the watershed." Therefore, it appears the "Improved" operations represent the COE's preferences for updating the Water Control Manuals. Most of the comments provided, herein are directed at the "Improved" operations. Most also apply to the May 2012 Revised Interim Operating Procedures that are currently in effect.

Comment ID 0168.001.011

Author Name: Barr Douglas

Organization:

3. Of necessity, ResSim must specify detailed reservoir operating procedures including releases for all purposes from each reservoir based on basin inflow and composite storage, diversions to storage, reservoir balancing and all other facets of operations. Reservoir operators, however, would not be required to follow these and would have the discretion to release only the required 5,000 cfs. The simulations, therefore, may greatly underestimate the impact of the June 2012 "Improved" operations on reducing releases to Apalachicola River during "Emergency" Drought Operations. Worst case scenarios should be simulated which examine the potential impacts on releases to Apalachicola River if reservoir operators exercise the broad discretion allowed under the interim operating procedures in a manner different from the base model assumptions.

Comment ID 0168.001.014

Author Name: Barr Douglas

Organization:

6. Currently, reservoir releases to Apalachicola River during non-drought periods are based on the composite storage level of the federal reservoirs and the calculated Basin Inflow. However, the COE's calculated Basin Inflow is actually the true (hydrologic) basin inflow minus all of Georgia's consumptive withdrawals from the Chattahoochee River and Flint River. Therefore, releases to Apalachicola River are determined only after 100% of Georgia water demands are met both now and in the future. This inequity should be corrected in the update of the Water Control Manuals by modifying the method used to compute Basin Inflow.

Comment ID 0168.001.016

Author Name: Barr Douglas

Organization:

10. The "Improved" operations allow the COE to reduce the required release to Apalachicola River to 5,000 cfs each year in December, January and February for the purpose of reservoir refill. This is identical to the limit during the emergency drought operations. This would allow the COE to reduce the release to Apalachicola River to 5,000 cfs for up to 48% of the period from 1976-2008 based on the COE simulation of the 2030 withdrawals (alternative

GAIMP2030C). Similarly large increases also occur in the simulations at lower levels of withdrawals. In addition, there are no requirements that the additional storage be shared with Florida to augment flows during the spawning season or the dry season. Allowing the COE to reduce releases to Apalachicola River with such frequency is unreasonable and should be excluded from the update of the Water Control Manuals or requirements added to equitably share the additional storage.

11. The recommended improved operations allow the COE to discontinue the balancing of operating zone of the reservoirs during droughts. This would allow the COE to reduce releases from Lake Lanier for the purpose of refilling storage in West Point Lake and Lake Walter F. George. Water, therefore, is preferentially stored in Lake Lanier at the expense of the downstream reservoirs. The updated Water Control Manuals should retain the traditional COE practice of balancing the reservoirs.

Comment ID 0174.001.006

Author Name: Perry Val

Organization: Lake Lanier Association

YEAR-ROUND FULL POOL SHOULD BE RAISED TO 1071 MSL IMMEDIATELY, AND TO 1073 AFTER ALL NECESSARY PREPARATIONS HAVE BEEN COMPLETED

The Corps currently operates Lanier with a summer pool of 1071 and a winter pool of 1070. Ostensibly, this is to allow for greater flood control capacity during the wetter winter months. But the additional foot of flood control pool has not been needed in the entire history of the Buford Project and no projections of which we are aware substantiate the need for maintaining the additional foot of flood control storage.

Weather prediction and climate modeling have improved markedly since the full pool levels were set for Lanier, and the best science available for making those forecasts should be used in managing lake levels. The Corps already incorporates forecasting in its management activities, and should have little trouble in utilizing those capabilities to operate the flood control capability of Lake Lanier without dropping winter pool to 1070.

The Association has long championed raising full pool to 1073. The resulting additional 26 billion gallons of stored water at that level would be available for all authorized purposes and would increase the margin of safety in the event of severe drought.

In addition to providing a substantial additional volume of water for all ACF stakeholders, Lanier's nominal level would be two feet higher, allowing shoreline users to stay within approved, maintained recreation areas. A significant percentage of the drowning deaths in Lake Lanier have resulted from inexperienced swimmers venturing outside of the engineered swimming areas, where sudden drop-offs and deep siltation present unseen hazards. When the lake drops, the designated swimming areas are out of the water, leaving users no choice but to venture into these relatively more dangerous areas. The importance of this should be reflected in the WCM, and the most cost-effective solution for both safety and water storage needs is to raise Lanier's level.

Whatever studies and infrastructure adaptations are necessary to accomplish the goal of raising full pool year-round to

1073 should be incorporated in the new WCM and accomplished as soon as possible to benefit all ACF stakeholders.

EXISTING STORAGE AND RAMP RATE PROVISIONS SHOULD BE CHANGED

As mentioned above, we believe the RIOP is based on a fundamental misinterpretation of the ESA. Making matters worse, the Corps has incorporated provisions in the MRIOP that decrease the volume of basin inflow that can be stored in the reservoirs during the critical wet-weather months and increase Woodruff discharges to slow down-ramping. We believe the result of those changes will be to lower Lake Lanier levels even further under the MRIOP than they already are under the RIOP. The primary bases for the changes are the underlying propositions that the Fat Threeridge mussel ("FTR") is endangered and that some portion of its population needs assistance in moving down with the water after rainfall events.

Studies conducted by numerous scientists since the listing of the FTR have shown that it is vastly more populous than the Service believed when it was listed as endangered. It would appear that the population is sufficiently robust that the Service should move to de-list the FTR, and the WCM should be prepared in anticipation of the de-listing. But until the FTR is de-listed, we would challenge the Service's conclusion that it is necessary or even fundamentally beneficial to the species to artificially slow down-ramping.

The FTR thrived in the Apalachicola for millennia under conditions in which river levels varied widely and quickly. This causes us to question whether the Service's down-ramping requirements are based on sound science and whether they are ultimately efficacious in preserving the species. It stands to reason that they may inadvisedly be facilitating the preservation of the weakest members of the species for reproduction, which may ultimately be counterproductive. The down-ramping requirements deplete the resources available to preserve minimum flows in the Apalachicola during severe droughts, and absent an established need for artificially dampening ramp rates, we believe these provisions in the RIOP and MRIOP are unnecessary and should be eliminated.

GEORGIA "CONTEMPLATION"

We understand that recent studies commissioned by the Georgia Environmental Protection Division indicate that Lanier can be maintained at a level roughly four feet higher than is possible under the MRIOP. If an increase in Lanier's level is in fact obtainable under that methodology, especially during the warm-weather months when lake levels have their greatest affect on recreation, the Association would endorse its implementation - in addition to revising the environmental baseline and eliminating the 5,000 cfs minimum flow requirement and down-ramping restrictions.

CONCLUSION

During the 2006-2008 drought, Lake Lanier became the sole source of augmentation flows to maintain the 5,000 cfs minimum required flow at the Chattahoochee Gage. Augmentation releases from Lanier's storage during late summer and fall of 2007 at times amounted to two to three times the basin inflow of the entire ACF. The same phenomenon occurred again in 2012, dropping Lake Lanier nearly six feet in six weeks between late October and mid-December. As explained above, Lake Lanier alone cannot provide enough water to be the sole source of augmentation flows to meet the 5,000 cfs minimum required flow under the changing climatic circumstances we are facing. We hope that the Corps will take this opportunity to re-examine its fundamental presumptions regarding that flow volume and draft the new WCM in a way that safeguards Lake Lanier's water levels for the future.

<Portions of the text are in bold. Please see original document for details.>

<The commenter provided the following two documents in support of their letter. Please see the original letter for a copy of the documents.

- Neil Pederson, et al. (2012), "A long-term perspective on a modern drought in the American Southeast"
- Bleakly Advisory Group, et al. (2010), "Executive Summary - Lake Sydney Lanier Economic Impact Analysis Final Report">

Comment ID 0175.001.002

Author Name: Wissinger Gordon

Organization: National Park Service Southeast Regional Office

Water Quantity

In keeping with its mandates, the NPS seeks to optimize flows below Buford Dam in order to protect and enhance the entire riverine ecosystem. To accomplish this over a broad river system, seasonal and interannual variation, including base flows punctuated by sporadic high and low flow events that mimic the natural (pre-dam) hydrograph, are essential. The United States Fish and Wildlife Service, sister agency to the NPS within the Department of the Interior, will be addressing such broad-scale ecological interests within their comments. Although the NPS strongly supports the broader interests of improving flows within the greater ACF River Basin, our comments specifically address the 48-mile reach of the Chattahoochee River directly downstream of Buford Dam that encompasses the CRNRA.

Historically, the operation of Buford Dam has resulted in river flows with extreme fluctuations in daily and/or hourly flows that represent an extreme deviation from the natural hydrograph. Figures 1-4 depict a typical 7-day hydrograph for each of the four seasons within the last 12 months. Together they demonstrate the extreme fluctuation in daily, and even hourly, flow rates that typify the highly unnatural conditions that exist within CRNRA. While the cold, hypolimnetic releases from Buford offer some benefit to the trout fishery, the extreme fluctuation in flows are arguably a detriment to all species native or introduced. As such, the primary interests of the NPS with respect to the development of a new Water Control Manual are to seek and evaluate operational alternatives that mitigate the extreme nature of short-term (daily/hourly) flow fluctuations while at the same time ensuring ample minimum flows to maintain water quality, waste assimilation, and improve conditions for aquatic flora and fauna.

Figure 1 - Winter Hydrograph

<Please refer to original document for Figure>

Figure 2 - Spring Hydrograph

<Please refer to original document for Figure>

Figure 3 - Summer Hydrograph

<Please refer to original document for Figure>

Figure 4 - Fall Hydrograph

<Please refer to original document for Figure>

In addition to evaluating the operational alternative to mitigate frequent, short-term fluctuations in flow, the NPS would also like the Draft EIS to evaluate operational measures that could be adopted to ensure that increasing incidence of regional drought and/or growing demand for water within the Chattahoochee Basin does not result in unexpected or unavoidable dips in flow within CRNRA. In recent years, historically unprecedented and sometimes dramatic reductions in flow have occurred within the central reach of the CRNRA, most notably in the area upstream of Morgan Falls Dam. It has been documented by CRNRA and the United States Geological Survey (USGS) that flows at the Roswell gage above Morgan Falls Dam have reached extremely low levels (450-500 cfs) periodically over the past few years, even as the 750 cfs minimum flow requirement at Peachtree Creek has been maintained. This suggests that the current minimum flow standard is not protective of the flows required to support recreational uses and ecological needs throughout CRNRA. The NPS recommends that the Draft EIS evaluate the possibility of establishing a flow standard or modeling node within the central reach of the CRNRA (e.g., at the existing Norcross or Roswell gage) to ensure that Buford Dam is operated to maintain sufficient flows throughout the recreation area.

Comment ID 0175.001.007

Author Name: Wissinger Gordon

Organization: National Park Service Southeast Regional Office

Past studies of recreational uses within CRNRA have demonstrated that water-based recreational activities would benefit from moderate and more consistent flows. According to a Recreation Flow Preference Report completed for the NPS (CH2M Hill, 2000), the preferred recreation flows for wade/float fishing, rowing and power boating is between 1,000 to 1,200 cfs. This report further documented that the ideal recreational flow of 1000 - 1200 cfs was available less than 1 percent of the time during the period studied (summer of 1997 and 2000). A USACE report by Nestler (1986) identified optimal canoeing conditions for all user levels as occurring between 1250 cfs - 7000 cfs. Both of these studies provide strong support that higher baseline flows, particularly during the summer recreational season, would enhance the recreational values envisioned by Congress when CRNRA was established.

The NPS has specific concerns related to adequate flows for weekend recreation in the summer, when the park has its greatest number of visitors. Since Buford Dam operations have not historically involved regularly scheduled weekend releases, it will be important for the Draft EIS to evaluate the possibility of supplemental releases to support weekend recreational activities. As noted in the Water Quantity section above, current base flows are not always supportive of recreational uses of the Chattahoochee River, and the potential for insufficient flows is increased on the weekends, when hydropower releases aren't regularly scheduled.

Comment ID 0175.001.010

Author Name: Wissinger Gordon

Organization: National Park Service Southeast Regional Office

In summary, the national importance of the Chattahoochee River corridor as an ecological, recreational, and historic resource was established through its inclusion into the National Park system. In order to ensure park resources are "preserved and protected from developments and uses which would substantially impair or destroy them," the NPS would like to work cooperatively with the USACE to manage flows within the Chattahoochee River. The preservation of base flows in the Chattahoochee River for ecological and recreational purposes is critical. The NPS would encourage the USACE to evaluate the possibility of establishing a flow standard within the central reach of the park (e.g., at the Norcross or Roswell gage) to ensure that water quality and minimum flows are preserved throughout the recreation area. The USACE should also fully consider potential modifications to the operation of Buford Dam to allow for more gradual increases and decreases in water levels or to mitigate the effects of sudden and dramatic changes in river levels. As the USACE prepares the Draft EIS and updated WCM, the NPS requests that impacts to CRNRA be fully evaluated and considered.

Comment ID 0177.001.004

Author Name: Tonsmeire Dan

Organization: Apalachicola Riverkeeper

A New Planning Approach Is Needed

To address these problems, we respectfully urge you to institute the following approach to planning the Water Control Manual updates:

(1) The Corps should immediately initiate an evaluation of the ecological in-stream flows needed to protect and restore the chemical, physical, and biological integrity of the Apalachicola River and its floodplain, the Chattahoochee River, the Flint River, and the Apalachicola Bay; and the species that rely on those waters. Our organization requests that the Corps do this jointly with the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, and the U.S. Geological Survey. The ideal flow regime would mimic the quantity, timing, and quality of flows that existed prior to construction of the dams and reservoirs within the ACF system with consideration of changes in climate and rainfall.

(2) The Corps should prioritize comprehensive review and implementation of a full range of alternatives that will ensure the maintenance of those ecological in-stream flows. The impacts of the proposed alternatives should be evaluated through a comparison to the environmental conditions present under historical flow conditions (pre-ACF and pre-non-Federal dams and reservoirs) in the Apalachicola, Chattahoochee, and Flint rivers.

Comment ID 0182.001.001

Author Name: Overton C.

Organization:

Please review the Lake Lanier Association comments.

These are "FACTS" & common sense, not some bureaucratic manual.

We have wasted too much water & killed endangered species, with excessive releases and not compensating for downstream rains & storms.

The Corp also can save water & \$50m dollars per year by discontinuing the locks downstream, that are not being used & are not needed.

Let's use common sense and do what's right. We're all in this together!

Comment ID 0186.001.005

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

5. Consideration of Instream Flow Needs in the Middle Chattahoochee

Any operating regime must be created to ensure that certain minimum flows are maintained at all times in the Middle Chattahoochee region. Specifically, the operating regime should include a weekly average of 1850 cfs and a daily average of 1,350 cfs at the Columbus, GA USGS gage. A daily average of 2,000 cfs at the Columbia, AL USGS gage should also be included in any operating regime.

Comment ID 0191.001.002

Author Name: Elmore Greg

Organization: Southern Nuclear Operating Company, Inc.

As the Corps revises its ACF water control manual, and considers new water supply operations for the Atlanta-metropolitan area, it is the position of Alabama Power and Southern Nuclear that the Corps must ensure minimum flows of 2,000 cubic feet per second ("cfs") in the Chattahoochee River at Columbia, Alabama and support navigation on the Apalachicola and Chattahoochee Rivers. Each of these issues is explained more fully below.

The Corps must provide 2,000 cfs minimum flow at Columbia, Alabama.

Southern Nuclear defines a flow of 2,000 cfs and river elevation of 74.5 feet mean sea level ("ft MSL") as the minimum conditions necessary for long-term operation of Plant Farley. While Plant Farley can operate for short periods (a few days) with flow below 2,000 cfs, extended operation at lower flow would require detailed evaluation to determine the potential environmental and operational impacts. Generally, Plant Farley operates with a river elevation between 76 and 78 ft MSL. Operation below 74.5 ft MSL also would require detailed evaluation to determine the potential environmental and operational impacts. Other industrial facilities on the Chattahoochee River, including those of MeadWestvaco and Georgia Pacific, also require the same conditions to meet their applicable water quality standards.

Comment ID 0193.001.002

Author Name: Howard John

Organization:

10. USACE must take aggressive action to avoid the possibility of a complete system breakdown.
11. When the Chattahoochee lakes are fully replenished, min flows must be lowered to 3000cfs.
12. This should be done on a month to month trial basis to assess possible damage- likely none.
13. These lower flow rates will help keep the upper lakes well stocked for possible emergency use.

Comment ID 0194.001.003

Author Name: Turner Judson

Organization: Georgia Department of Natural Resources, Environmental Protection Division (EDP)

C. The Corps Should Study Alternatives to the Current RIOP

The State of Georgia continues to believe that the Corps should consider, as part of the EIS process for the WCM, alternatives to the RIOP. Although the Corps has modified the RIOP to be more protective of both system storage and affected endangered species, recent science demonstrates that the flow requirements and thresholds used in the RIOP are based on overestimations of the biological needs of the protected species in the Apalachicola River at the expense of needs upstream. This has resulted, in part, from the use of indirect or surrogate measures based on limited scientific information on biological needs; direct measures based on recent science can and should be utilized. Doing so will provide the basis for alternatives to the RIOP that offer equal or even better results for the protected species, while producing higher reservoir levels.

The State of Georgia requests that the Corps at least carefully reexamine the RIOP using better refined performance measures. Georgia suggests that the Corps apply the following principles in evaluating the RIOP and alternatives:

1. Develop objective, direct, measurable, quantifiable, and scientifically-defensible performance measures;
2. Consider performance measures in the entire ACF Basin as a whole, instead of just those in the Apalachicola River, when evaluating alternatives;
3. Use these performance measures to compare and evaluate all alternatives in a consistent manner;
4. Favor alternatives that demonstrate improved performance related to multiple purposes or interests while also achieving performance measures with the greatest efficiency of individual project and system reservoir storage; and
5. Restrain from drawing conclusions or formulating operations based on incomplete data or insufficient scientific understandings.

Using performance measures that were developed using Corps and FWS data, the State of Georgia has developed an alternative to the RIOP. We will refer to this alternative as the "Georgia Contemplation." The Georgia Contemplation reflects the goal of targeting the highest amount of sustainable Gulf sturgeon spawning habitat and largest amount sustainable flood plain connectivity during the Gulf sturgeon spawning period; optimizing the amount of preferred habitat for the Fat threeridge mussel; and conserving system storage to meet water supply and other authorized reservoir purposes.

Georgia EPD presented the Georgia Contemplation to the Corps, the Fish and Wildlife Service, and various ACF Basin stakeholders at a recent workshop. I have attached a narrative description of the Georgia Contemplation and slides illustrating its effectiveness in comparison with the RIOP. Georgia recommends that the Georgia Contemplation described in these attachments be considered as an alternative to the RIOP in the EIS process for the WCM.

III. Conclusion

Georgia requests that you give the foregoing comments and the comments expressed in Georgia' prior Comment Letters careful consideration in scoping the EIS for the update of the WCM for the Corps' projects in the ACF Basin. Please contact me if you have any questions or if I can be a resource for additional information that would assist you in this process.

Comment ID 0195.001.001

Author Name: Kunzer Arthur

Organization:

As a property owner, and resident on Lake Lanier for 48 years; I ask that you please consider changing your water release policy for Lake Lanier.

I realize there are more issues involved today than when the reservoir was filled in 1957; but there seems to be no effort to provide a stable level for Lanier.

The lake provides a huge economic engine for the Hall/Forsyth/Gwinnett area, and for this reason alone (not to mention property values) I urge you to please reduce the amount of water release from Lake Lanier, and help the lake recover with the help of the current rainfall.

Also raising the full- pool level to 1073 would sure be a big help in maintaining the level of the lake.

Comment ID 0199.001.002

Author Name: Bonham C.

Organization: Southeastern Federal Power Customers, Inc. (SeFPC)

Section I - Legal Foundations

From the Hydropower Customers' perspective, the EIS must start with the foundation of the legal authorities that govern the operations of the Corps' projects in the ACF. Each of the Corps projects on the ACF has authorized project purposes that must be honored as the Corps develops the water control plan. Accordingly, the EIS must start with the established authorized project purposes of the Buford, George, West Point, Andrews and Woodruff projects at the outset.

The identification of the authorized project purposes should be further limited and delineated to specific authorized project purposes. This process should separate and demarcate the obligations of the Corps that are specific and

attendant to a specific project rather than laws of general application. By distilling the Corps' distinct obligations and specifically authorized project purposes, the EIS will begin with a foundation that is set in law and reflects the Congressional intent for each project on the ACF. In fact, it is the individual project authorizations that must be reconciled to develop an overall management plan for the ACF River Basin.

The individual project authorizations should guide the development of the EIS in several ways. First, the legal authorities for project operations will set the boundaries of the Corps' potential actions. Second, the authorities or authorized project operations will inform the development of a baseline that should be used in the Corps' study of future operations. As discussed below, the 11th Circuit's opinion and underlying legislative history supporting the Rivers and Harbors Act both shape the scope of the EIS.

Comment ID 0199.001.006

Author Name: Bonham C.

Organization: Southeastern Federal Power Customers, Inc. (SeFPC)

The Corps has identified that "operational concerns" such as "head limits" restrict the operation of the project of Jim Woodruff Project and the Walter F. George Project. The Corps must include as a scenario in their analysis of operational improvements how the resolution to the head limits would improve operational flexibility.

Comment ID 0200.001.005

Author Name: Hooker Douglas

Organization: ATLANTA REGIONAL COMMISSION

2. The Corps Should Consider New Performance Measures and Operating Rules to Manage the System More Efficiently.

ARC appreciates the Corps' efforts in revising system operations in the ACF Basin to more efficiently and sustainably manage its limited water resources while, at the same time, meeting the multiple purposes of the projects and stakeholders' needs throughout the basin. The changes adopted in the RIOP and May 2012 revised biological opinion have largely mitigated the unreasonable demands the IOP placed on the system and the risk to metropolitan Atlanta's water supply security that the IOP created. Based on the modeling work and analyses that ARC has undertaken, however, we believe that there is further room to improve operations and management of the ACF Basin. We would encourage the Corps to look beyond the RIOP and to consider creative new operating rules and scenarios that manage the system more efficiently.

In addition, the Corps should identify specific, direct measures of performance based on actual stakeholder needs to evaluate operational alternatives. It should also consider more creative and flexible operational rules that take account of advances in hydrologic forecasting, rather than rigid release schedules that focus merely on the quantity of water

delivered downstream.

a. Operating rules should be developed to meet specific objectives and evaluated using direct measures of their performance.

The Corps should use the NEPA process to develop performance measures based on the actual identified needs of stakeholders in the ACF Basin, which would be used to evaluate various operating rules under consideration. This will ensure that the Corps' operating rules are targeted to meet identifiable management objectives; identify trade-offs between different management options; and operate efficiently to achieve the best performance based on the identified metrics.

In this process, the performance measures developed should be direct evaluations of impact, rather than indirect, to the greatest extent possible. For example, if lower salinity in Apalachicola Bay is the management objective, operating rules should be evaluated based on their ability (or inability) to alter bay salinities. Flow-based proxies (for example days with discharge above 16,000 cfs) are typically too coarse and often cannot ensure that the actual management objective will be achieved.

Below we have provided examples of some performance measures that should be considered. A complete set of performance measures can only be developed based on the specific, identified needs of the various stakeholders. Nevertheless, we encourage the Corps to use these as a guide for developing performance measures as it develops the EIS for the ACF Basin.

i. Performance measures for water supply and reservoir levels.

We have provided performance measures for metropolitan Atlanta's water supply in Attachment 1. This suite of measures was also submitted to the ACF Stakeholders group in July 2012. Specific performance measures for water supply include:

Probability of Refill and System Reliability. Lake Lanier should be allowed to refill in as many years as possible in order to minimize the possibility of entering a severe, multi-year drought with low reservoir levels and the corresponding risk to water supply security. Indeed, water supply systems of other major metropolitan areas, including the City of New York and the Washington D.C. Metropolitan Region, typically operate their projects such that they refill in at least 90 percent of the years. Performance measures 1 and 2 in the Attachment are intended to evaluate the probability of reservoir refill.

Lake Levels, Sustainable Releases, and Rate of Drawdown. Levels in Lake Lanier should be evaluated against the risk to water supply and other uses in the ACF Basin, all of which rely on Lake Lanier storage during severe drought. Performance measures 3 through 7 in the Attachment provide a number of alternative ways of assessing the lake levels including the minimum stage on each calendar day of the year; the percentage of weeks in which the lake falls below critical levels; the frequency distribution of Lake Lanier stages; and the rate of drawdown.

Equity Among Projects. We believe that equity among the ACF projects in terms of project refill and recreation impacts

(as defined by Corps criteria) should be evaluated during the EIS process as seen in performance measures 8 through 10 in the Attachment.

Absence of Shortages. Finally, water supply shortages are extraordinarily disruptive and create public health and safety emergencies. Performance measures 11 and 12 in the Attachment assess the potential that water supply needs in the metropolitan Atlanta region are being met. Operating rules should be evaluated to ensure that no water supply shortages occur (both measures should be zero, such that there are no shortages or minimum water quality flow target deficiencies).

ii. Environmental performance measures.

The Corps should use the NEPA process to work with the U.S. Fish and Wildlife Service (FWS) and other stakeholders to develop direct measures of performance to evaluate impacts to protected species, the health of Apalachicola Bay and other environmental considerations.

Protected Species. FWS has developed a range of performance measures in its biological opinions to assess potential impacts of operating policies on threatened and endangered species. While some of these are more direct measures of performance, many focus solely on the magnitude of flow and are not sufficiently tied to benefits or impacts to protected species.

For example, 5,000 cfs has been adopted as an important minimum flow threshold without clear evidence that it is actually necessary. The most recent research indicates that protected mussels have the ability to move when flows fall below 5,000 cfs. At the same time, maintaining this minimum flow can require a substantial quantity of storage. For example, maintaining a minimum flow of 5,000 cfs instead of 3,000 cfs requires the use of 444,000 acre-feet of storage during the 2007-2008 drought, [FN 3] which is over 11 feet in Lake Lanier.

Given the demands on storage that they impose, minimum flows must be carefully tailored to meet distinct, actual needs. Without this, a minimum flow, in and of itself, does nothing to ensure that scarce water resources are used efficiently to meet real needs in the ACF Basin.

[FN 3] This was determined with simulation modeling runs removing all operations in the basin with the exception of a constants minimum required releases from Woodruff Dam. The unimpaired flow set from the Corps ACF RES SIM model released in May 2011 were used.

<Portions of the text are underlined and bolded. Please see the original letter.>

Comment ID 0200.001.007

Author Name: Hooker Douglas

Organization: ATLANTA REGIONAL COMMISSION

b. More creative and flexible operating rules should be considered.

We urge the Corps to look beyond the RIOP and to consider creative new operating rules and scenarios that manage the system more efficiently. We have shown through our own modeling work in conjunction with the State of Georgia that the system can perform more efficiently and satisfy most of the stakeholders needs through innovative approaches to reservoir operations and system management.

The State of Georgia and ARC have collaborated on one such alternative operating rule, referred to as the Georgia Contemplation, which was presented to the Corps, U.S. Fish and Wildlife Service, and various ACF Basin stakeholders at the FWS workshop held in Eufala, Alabama on November 29-30, 2012 and which is included as part of the State of Georgia's ACF scoping comments and submittal. The Georgia Contemplation performs better than the RIOP across a broad range of performance measures identified by the U.S. Fish and Wildlife Service, and we encourage the Corps to study it as the Corps considers and develops alternative operating plans and rules. Some of these components are discussed in greater detail below.

Forecasting. Forecast-based operating rules can improve the benefits derived from reservoir operating rules for all purposes. Forecasts, particularly ensemble forecasts, can and should be used in rules that set real-time variable targets for flows throughout the system. When combined with storage levels, forecasts can be used to determine the appropriate levels of flow support from storage. This will allow better performance for hydropower, navigation, water supply, recreation, environment, and other purposes.

We understand that the Corps is moving forward with a plan to utilize National Weather Service forecasts to improve operations during non-flood periods. We strongly support this effort. It should be noted, however, that these forecasts are biased to be high during low flow events. It is therefore imperative that the Corps employ procedures to correct for and remove this bias, or otherwise explicitly account for the bias in their use of forecasts.

Further, any operating rules that use forecasts should be evaluated using "hindcasts" and simulation modeling. To model forecast-based operating rules over a historic period of record, the Corps should develop a time-series of the forecasts that would have been made given the historical meteorology/hydrology and the current NWS forecasting procedures. This forecast time-series, referred to as a hindcast, can then be used in simulation modeling to test the proposed rules, just as previously proposed, non-forecast based rules have been in the past.

Rule curves and action zones. The Corps should evaluate alternative levels for the rule curves and action zones. It should also consider abandoning rule curves and action zones in favor of setting operating targets that vary continuously based on the values of current storage and inflow forecasts.

Reservoir balancing. The Corps should reconsider its policy of balancing the volume of water stored among the ACF reservoirs so that all of the projects are in the same action zone. Balancing releases of this sort are not the most efficient use of upstream storage and do not adequately account for the disparity in refill potential of the Corps' projects.

Maintaining water in Lake Lanier, the largest and most upstream reservoir in the ACF system, preserves system storage during drought. Water can always be moved downstream, but it cannot be moved upstream once it has been released from Lake Lanier. Thus, in contrast to the lower projects that are replenished both by releases from storage and runoff from their much larger drainage basins, Lake Lanier can only refill through natural inflows from its relatively

small drainage basin. For that reason, water should be released downstream only when it is necessary for designated purposes and measurable performance targets other than simply "balancing" action zones, which disproportionately affect Lake Lanier due to its more limited capacity for refill. For example, under the RIOP, Lake Lanier experiences recreation impact 54% of the recreation season days, compared to 27% in West Point Lake and 5% in Lake Eufala. [FN 4]

Woodruff Dam release requirements. The Corps should reconsider its Woodruff Dam release schedules, including a full analysis and evaluation of minimum flow requirements. The Corps' ability to capture and store water is limited and, as a result, over 90% of the unimpaired flow in the ACF Basin will generally be available below Woodruff Dam under any reasonable operating policy. Moreover, in extreme drought periods, the existing operating rules require that essentially all of the unimpaired flow be passed through Woodruff. In May-November of 2007, Woodruff releases averaged 100% of unimpaired inflow. This extraordinary level of flow support came at great cost to water supply reliability, lake ecology, recreation, and other values throughout the Chattahoochee Basin in Georgia and Alabama.

While we acknowledge the Corps' responsibilities under the Endangered Species Act and its desire to maintain other environmental values in the Apalachicola River, releases to support downstream flows must be balanced against the costs to other users and purposes. It should therefore carefully examine and estimate the tangible benefits of maintaining arbitrary and fixed minimum flows, particularly during extreme droughts, and consider more targeted performance measures as described.

The Corps should also consider new considerations and proposals being put forward by the U.S. Fish and Wildlife Service. Specifically, the FWS is discussing that RIOP ramping requirements could potentially be suspended during low flow periods, and releases made for flow targets could be limited by their draw on storage.

Hydropower. The Corps' remand modeling and our own analyses indicate that modifying operations to improve performance in terms of other objectives usually has an extremely minor impact on hydropower generation and hydropower revenue. We urge the Corps to utilize the methodology employed in the remand modeling to evaluate the impact of alternative rules and system operations on hydropower and to appropriately balance the substantial other benefits that may be achieved against the potentially small impacts on hydropower.

[FN 4] Number of recreation impact days was determined using the results of an RIOP simulation in Res Sim by Georgia EPD and the Water Control Plan definitions of recreation season and recreation impact levels in each lake.

<Portions of the text are underlined and bolded. Please see the original letter.>

Comment ID 0201.001.005

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

Given existing constraints, Florida has developed an alternative reservoir operating regime, which was presented last November at the U.S. Fish and Wildlife Service ("FWS") Workshop in Eufaula, Alabama. That presentation and related work forms the foundation of what follows. For completeness of the Administrative Record, copies of Florida's

presentation at the Eufaula workshop. Florida's earlier comments, and various supporting materials have been uploaded to a private ftp site, which the Corps will be able to access for seven days. The ftp site may be accessed as follows:

1. In the address bar type ftp://ftp.myfwc.com, press the Enter key.
2. From the View Menu select "Open FTP site in 0Windows Explorer".
3. From File menu select "Login As".
4. Type in username "fwcpub", password "wecare". Press the Logon button.
5. Folder where information is located is titled "COE WCP".

Comment ID 0201.001.008

Author Name: Beason Thomas

Organization: Florida Department of Environmental Protection (DEP)

FLORIDA'S ALTERNATIVE OPERATIONS

Applicable Operating Goals and Objectives

The Corps' "water management goals include environmental and social aspects of project regulation." EM 1110-2-3600, Ch. 3 (Development of Water Control Plans) § 3-6.c. These goals are based on laws that "require inclusion of certain aspects of environmental, fish and wildlife, and recreational uses in the management of the projects, or improvement of the environment of the rivers downstream through project regulation." Id. This includes ensuring water quality downstream of Corps facilities is maintained. Id. § 3.6.d. See also ER 1165-2-119, § 8.e (Modifications to Completed Projects) ("Existing projects should be evaluated and reported in accordance with ER 1130-2-334, and those found incompatible with state standards (or which otherwise are not meeting their potential to best serve downstream water quality needs) should be studied in detail to determine the justification for upgrading releases and to establish an appropriate course of action.").

The Corps has elaborated on these issues in ER 1110-2-8154 (Water Quality and Environmental Management for Corps Civil Works Projects). Water quality issues include all aspects of the "physical, chemical, and biological characteristics of water ... including its quantity, distribution, movement, sediments, and biological community " Id. § 5.c. Therein the Corps explains "[w]here the quality of a water resource supports a productive, diverse, and ecologically sound habitat, those waters will be maintained and protected, unless there is compelling evidence that to do so will cause significant national economic and social harm." More importantly, in the case of the Apalachicola River and Bay, "[n]o degradation is allowed without substantial proof that the integrity of the stream will not diminish", Id. § 6.a, and "where degradation has occurred, it is the Corps' policy to restore the resource to a biologically productive, diverse, and ecologically robust condition." Id. § 6.b. (Emphasis supplied).

Finally, it is Corps policy to "develop and implement a holistic, environmentally sound water quality management strategy" which is "in concert with other authorized project purposes" to ensure "the environment will be addressed as equal in value and importance to other project purposes[.]" Id. (Emphasis supplied). To this end, the Corps will "[e]nsure that the project and its operation offer the lowest stress possible to the aquatic environment."

Alternative Operating Regime

In the spirit of the foregoing, Florida has developed an alternative operating regime based on five core principles:

1. Release triggers based on Revised Basin Inflow (RBI) [FN 4] instead of the Corps' net Basin Inflow (net-BI) which is quantified only after all consumptive use is made upstream; [FN 5]
2. Rather than a handful of minimum flow floors, a full suite of minimum flows based on historic exceedance values that vary with seasons, lake storage zones, and general inflow conditions (dry or normal/wet);
3. A sharing of RBI in the form of additional releases of 50% of available RBI over the minimum release, unless storage is in drought zone (except under certain conditions when storm spillage is available);
4. Elimination of "Drought Operations" (5,000 cfs minimum) and "Exceptional Drought Operations (4,500 cfs minimum); and
5. Full use of conservation storage according to design operating range.

Florida contends that the Corps, while meeting its various obligations, must draw more heavily upon storage to minimize departures from the natural hydro graph. The natural hydrograph, which formed the foundation upon which the downstream ecosystem and economy depends, is based on a relatively long period (33 years) of flow records prior to the completion of the first Federal reservoirs.

Florida modeling, however, demonstrates that upstream consumption since the mid-1970s precludes the Corps from obtaining, solely through modified reservoir operations, pre-dam flows in model years 2000 and 2007. When we reset demands at lower levels, it became clear that these demands were the limiting factor. In light of that reality, Florida created a set of "compromised minimum flows" that are achievable within the constraints of existing demands. The compromised flows model (FLCompAlt) worked in all years, but benefits were limited. Changing operations to use storage more aggressively definitely improves flows, but that improvement is rigidly constrained by increased demands that are severely taxing the reservoir system. [FN 6] Thus, it should be clear that the compromised flows are not what the system requires, but merely an improvement over current operations that better reflect the pre-dam environment.

Florida urges the Corps to carefully study the proposed alternative operating regime and evaluate all available authorities the Corps has to use substantially more of their available conservation storage to augment flows during droughts and promote additional conservation upstream so that both river flows and reservoir levels can be adequately protected. [FN 7] Florida's water needs today should not be subservient to Georgia's water needs tomorrow.

Caveats

While Florida has attempted to design an effective operating protocol, Florida's efforts assume the validity of the Corps' underlying Model, which we have used to conduct all of our modeling analyses. To the extent any aspect of the Model is unsound, our conclusions and recommendations could be affected. The State of Alabama has raised legitimate concerns with the underlying tools the Corps is employing to analyze its alternative operating scenarios. Those concerns should be addressed and corrected, and a new version of the Model distributed to the States for their use.

Florida is aware of several major concerns with the Unimpaired Flow ("UIF") data set, which provides the basis for the Corps models. Contrary to prior claims from Georgia, the UIF data set does not represent "natural" flows that would occur absent the activities of man. Agricultural demands appear to be underestimated and a substantial amount of evaporation from thousands of non-federal reservoirs within the Basin has been entirely unaccounted for in the UIF

(Figure 1).

Recent information developed for the ACF Stakeholders indicates that net evaporative losses from non-federal reservoirs exceeds 800 cfs during the spring of nearly all drought years. [FN 8] At the Eufaula workshop, the United States Geological Survey ("USGS") indicated in addition to evaporative losses, there is also a potentially large impact on flow timing because of the large amount of precipitation that can be captured and stored by these small ponds and impoundments when their water levels are low during droughts.

Evaporation from the large federal reservoirs within the Basin also may be substantially underestimated in the UIF. Information presented by the ACF Stakeholders suggests that net evaporative losses in the federal reservoirs in the spring of drought years could be underestimated by as much as 500 cfs or more.[FN 9]

The USGS also indicated that natural flows determined by USGS PRMS (Precipitation Runoff Modeling System) matched Corps UIF relatively well from 1951-1999. But from 2000-2008, PRMS flows appear to be 26% higher than Corps UIF. This new information from USGS supports various previous analyses indicating that the magnitude of underestimated and missing depletions in the UIF is significant and must be corrected.

[FN 4] As defined on Slide 16 of Florida's 11-29-2012 Eufala Workshop presentation.

[FN 5] Id., Slide 15.

[FN 6] Notably, at its Eufala Workshop, FWS used a different approach to improve river flows by changing the Corps' action zones and establishing flow targets, minimum flows, and augmentation limits. Although FWS did not explore the impacts of changes in demands when they modeled their proposed alternative, they reached a conclusion similar to Florida's regarding the limited ability of the reservoir system to improve flows in the Apalachicola River given the existing demands and depletions throughout the basin.

[FN 7] An incidental benefit of Florida's proposed alternative is to encourage upstream conservation as a means to mitigate the impact of reduced lake levels resulting from robust use of reservoir storage.

[FN 8] Figure B.2 (p. 200) in Unimpaired Flow Assessment for the ACF River Basin, Draft Technical Report, Oct. 2012.

[FN 9] Figure 3.19.7 (p. 123) in Unimpaired Flow Assessment for the ACF River Basin, Draft Technical Report, Oct. 2012.

<Portions of the text are italicized and bolded. Please see the original letter.>

Comment ID 0251.001.001

Author Name: Skrzypek Robert

Organization:

Draw water from Lake Lanier only when & if mother nature provides it, allowing Lanier to be maintained at full pool.

Comment ID 0262.001.006

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

E.) The USACE should investigate the potential of raising the elevation of Lake Lanier to 1073.

F.) Develop a water control plan for each reservoir project, as well as a control manual for the coordinated operation of the multiple projects within the ACF river basin.

Comment ID 0262.001.009

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

I.) Identify key species that need upstream and downstream movement then establish fish passage plans for all Corps locks and dams in the ACF River basin.

J.) Consider the amount of water that may be lost from the basins through inter-basin transfers and consumptive uses and place appropriate limitations on any such losses, particularly under drought conditions. Any raw data should be measured using modern technology.

K.) Balance the release of water from each of the reservoirs when lake levels are in Action Zones 2 through 4 as a result of drier than normal or drought conditions.

L.) Consider the potential risks and benefits of reducing the magnitude of the autumn drawdown and/or of beginning the spring refill earlier, especially during dry periods.

M.) Establish adaptive management policies that allow the Corp to make operational changes in response to changing basin conditions and as new scientific, engineering and ecological information becomes available.

Comment ID 0262.001.012

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

P.) The USACE should study the best way that the floodplain in the Apalachicola River can be inundated for three to six weeks per year consecutively.

Q.) The USACE should study raising the winter flood rule curve for each lake during the wet season. Technology and climate models have advanced since the rules curves were established.

Comment ID 0263.001.004

Author Name: Davis Steven

Organization: Columbus Water Works

Water Management Recommendations

Three items in this topic may be worthy of the USACE's considerations: Storage enhancements; return rate for water withdrawals; and system improvements. Storage enhancement is a clear benefit to all water interests. More available water means higher lake levels, increased ability to meet in stream flow needs and increased supply for withdrawals. In so much as the original ACF project was never completed due to no Flint River reservoir, water storage is less than anticipated. Multiple means exist to compensate for this storage deficiency. Enhancing storage in existing reservoirs is attractive due to minimal land impact, minimal evaporative losses, potential to improve recreational utilization, and potential for increased hydropower production. Consideration should be given to raising Lake Lanier's full pool elevation by 2' and/or deepening of numerous and expansive shallow coves in West Point reservoir. New reservoir construction is a consideration recommended by three of the Georgia Regional Planning Councils within the ACF (Middle Chattahoochee RPC, Upper Flint RPC, Lower Flint RPC). Also, aquifer storage and recovery is another future alternative worthy of consideration to offset growing water demands on less water abundant climatic conditions.

Return rates for withdrawn water clearly has an impact on the sustainability of water allocations in the ACF. It appears from the Remand Report (June 2012) that current return rates for Lake Lanier withdrawals are very low (7%), but at the end of the planning horizon the return rate is significantly better (36%), but still very low. Consideration should be given to mitigation opportunities for the impact of high consumptive uses reflected by low return rates. The Corps may not have the authority to set return rates, but considering the significant impact that it has on the sustainability of the ACF water uses, collaboration with the Georgia EPD and other interested stakeholders should be considered in order to develop an implementable plan for progressive improvement in the return flows which could accommodate growth and economic development.

Comment ID 0264.001.001

Author Name: Bishop Richard

Organization: Uptown Columbus, Inc. (UCI)

Uptown Columbus, Inc. (UCI) is a non-profit organization providing for improvement in the central business district in Columbus, Georgia.

In recent years UCI has, via contracts with the cities of Columbus, GA and Phenix City, AL and the Corps of Engineers, become the primary developer and manager of the Chattahoochee River Aquatic Ecosystem Restoration and

Whitewater Project. The project includes removal of two dams built in the 1800's; a habitat pool providing aquatic restoration and fish habitat; and various features for a whitewater recreation venue. It is projected that 188,000 paddle sport enthusiasts will visit the venue starting the summer of 2013.

UCI requests that the Corps of Engineers, in the development of the ACF Water Control Manual(s), take into consideration the economic impact and therefore the water needs of this river restoration and recreation project. The project has been designed for minimum flows of 800 cfs. However during the warmer months, and particularly on weekends, increased flows above the 800 cfs will be needed to provide for optimum recreational opportunities as follows:

May through September, weekends and holidays 3,000 to 5,000 cfs for a minimum of 4 hours, afternoons

May through September, weekdays 3,000 to 5,000 cfs for a minimum of 3 hours, afternoons

Early spring and late fall: 3,000 to 5,000 cfs for a minimum of 2 hours, afternoons

Special events (a few annually) 3,000 to 5,000 cfs for 4 or more hours, afternoons, over 4 to 5 consecutive days.

UCI is aware that Georgia Power Co. has the primary responsibility for providing flows in the whitewater section of the river. However, we also are aware that unless the water is provided from upstream Corps managed storage projects that it will not be possible for Georgia Power Co. to provide the needed flows.

UCI strongly requests that the Corps include consideration of the recreational needs in the Chattahoochee in the Columbus - Phenix City area in the planning of flow management in the Water Control Manual(s).

Comment ID 0265.001.002

Author Name: Sak Kim

Organization:

In addition, all reservoirs in the system should be utilized to their maximum ability. Please start by increasing the full pool level of Lake Lanier to 1073 as soon as possible.

Comment ID 0270.001.003

Author Name: Fineout Mary Beth

Organization:

We also want to maintain Walter F. George lake at a level of 187.5 ft or greater.

Comment ID 0275.001.002

Author Name: Voss Carroll

Organization:

Therefore I strongly request the Corp. to reduce the minimum flow to the average five year rain-fall flow.

Comment ID 0276.001.002

Author Name: McManus William

Organization:

Raise the lanier level nto 1073ft

Comment ID 0279.001.002

Author Name: Vizzini Tom

Organization: Essential Skills

I suggest that in low level conditions that the release of water be tied to a percentage of the measured inflow. This will allow the lake to replenish itself while supplying down stream needs.

Comment ID 0279.001.003

Author Name: Vizzini Tom

Organization: Essential Skills

2 When we are lucky enough to get sufficient rain we are currently limited to a full pool of 1071. That has proven to be too low to sustain the lake in today's climate. With the amount of silt deposited in the lake the capacity for what it can hold has certainly been decreased on the 50 years the lake has been here. Unless a dredging program for increased capacity can me implemented, at great expense I imagine, the easiest and most cost effective was to increase capacity is to raise full pool to 1073.

Comment ID 0282.001.002

Author Name: Kump Judith

Organization:

Make Alabama have water restrictions and build the Flint River containment for themselves.

Comment ID 0287.001.001

Author Name: Gage Ralph

Organization:

As a property owner on lake lanier, it seems to me that by increasing the lake level to 1073 would benefit all water users. When the lake is allowed to drop and then it rains more silt is washed into the lake. With more silt in the lake the amount of storage for water is diminished. It would also make sense to dredge the lake for additional water storage.

Comment ID 0300.001.001

Author Name: Tilghman Sidell

Organization:

While I don't believe Lake Lanier was ever built with the actual or anticipated outflows it is now subject to, it seems to me that a priority should be put on building more reservoirs. And without all the usual red tape, EPA, EPD incumbrances that go along with oh, say the one in Hall County that has been in regulation limbo for over three years. With 159 counties in this state plus Alabamas and Floridas, why are we carrying the load for everyone else?

Comment ID 0303.001.002

Author Name: Gentry Leah

Organization:

An ACF basin wide sustainable water management plan that protects the Apalachicola River and Bay and equitably shares the water of this basin.

Comment ID 0309.001.003

Author Name: Houston Billy

Organization: TRI RIVERS WATERWAY DEVELOPMENT ASSOCIATION

2. Flow Needs in the Middle and Lower Portions of the ACF System

Although the litigation has focused on water supply issues in North Georgia and protected species in the Apalachicola River, the ACF System was authorized and constructed for the benefit of all stakeholders in the basin, including those along the middle and lower Chattahoochee River and the Flint River. We urge the Corps to acknowledge and address the flow needs of those portions of the ACF River System.

a. Communities in the Middle and Lower Portions of the Basin Depend on the Corps to Provide Adequate Flows

As detailed in our previous comments, the communities and businesses located along the middle portion of the ACF Basin have invested millions of dollars on infrastructure, public works projects, and major industrial facilities. They have done so in reliance upon the Corps' lawful operation of the ACF System and commitment to maintain flows sufficient to serve the congressionally authorized purposes. Adequate flows are necessary for the survival of existing facilities owned by companies like Georgia Pacific, MeadWestvaco, and Southern Nuclear Company as well as hope for new economic development, tourism, and fish habitat restoration generated by projects like the 2.5-mile urban whitewater course that is part of the \$26 million Aquatic Ecosystem Restoration of the Chattahoochee River at Columbus, Georgia. Flows from the Corps' storage reservoirs provide support for industrial cooling and discharge assimilation, as well as navigation for shipping and recreation. Flows maintain lake levels to support recreation and aesthetic values. Tri Rivers reiterates its previous request that the Corps explain in the I revise¹ manual and corresponding environmental documentation how it plans to provide for the needs of the communities and industries located in the middle Chattahoochee River and the Flint River.

b. The Corps Should Provide Agreed-Upon Minimum Flows

As detailed in our previous comments, the governors of Alabama, Florida, and Georgia in 2003 signed an agreement establishing flow parameters for the ACF River System. In revising the ACF water control manual, the Corps should plan to operate the System in accordance with those agreed-upon flow parameters. Tri Rivers notes in particular the middle and lower Chattahoochee flow requirements of 1,350 cubic feet per second ("cfs") daily and 1,850 cfs weekly at Columbus, Georgia, and 2,000 cfs daily at Columbia, Alabama. These minimum flows at the Columbus gage are stated in the license issued in 2004 by the Federal Energy Regulatory Commission for the Middle Chattahoochee Project of Georgia Power Company. While some smoothing of flows can take place in the Georgia Power Company dams between West Point and Columbus, the Corps' flow releases at West Point Dam largely control these flows and those farther downstream. We believe these flows are sufficient to meet the Congressionally authorized purposes of the ACF River System. Additionally, they correspond to the flows needed to meet the water supply and water quality needs of Columbus Water Works, as well as the operation of industrial facilities on the Chattahoochee River, including those operated by Georgia Pacific, MeadWestvaco, and Southern Nuclear Company.

c. The Corps Should Not Rely on Flint River Flows to Meet Apalachicola River Needs to the Detriment of Chattahoochee River Flows

In the past, the Corps has reduced flows in the Chattahoochee River when Flint River inflow was sufficient to meet requirements for the Apalachicola River. This practice is harmful to those on the middle and lower portions of the Chattahoochee River. We urge the Corps not to use the windfall of additional flows from uncontrolled sources as a justification to reduce the flows within the Corps' control to below the minimums noted in Part 2.b to the detriment of Middle and Lower Chattahoochee River stakeholders.

<Portions of the text were bolded. Please see original document for details.>

<Portions of the text were italicized. Please see original document for details.>

Comment ID 0309.001.005

Author Name: Houston Billy

Organization: TRI RIVERS WATERWAY DEVELOPMENT ASSOCIATION

As explained in the Joint Report, our consultants sought to define performance metrics to evaluate model output relative to both the availability of the commercial navigation channel and environmental flows in the Apalachicola River. They also took into account the effects of alternative operations on the Corps' three storage reservoirs in the ACF: Lake Lanier, West Point, and Walter F. George. Once these metrics were defined, our project team evaluated (1) the effects of providing the commercial channel with full maintenance and with no maintenance, (2) the effects of instituting augmentation limits on the reservoirs' support of downstream flow needs to account for the fact that in the ACF Basin we have relatively small storage capacity and a large river, (3) the effects of including releases for Columbus and the Farley Nuclear Plant in the operating rules of the reservoir system, and (4) the effects of increasing all withdrawals on the operations we proposed. All of the model evaluations were done using a daily STELLA (Structural Thinking Experimental Learning Laboratory with Animation) model, and the logic for all of the programming of reservoir operations into the model is included as an appendix to the report.

Our report identifies reservoir management rules that would result in flow regimes that would improve navigation flows in the Chattahoochee River and environmental flows in the Apalachicola River, with manageable and minimal impacts to users in the upper basin. The Corps can include specific releases for navigation and define those releases in a flow range that would be beneficial for the Apalachicola River aquatic ecosystem. When inundation of the floodplain is considered as the performance measure to define environmental acceptability, the flow range to accomplish this would be approximately 16,000 to 18,000 cfs. However, that assumes dredging to maintain the navigation channel; without dredging, the release would be 21,000 cfs. In addition, modification of the Chipola Cutoff could reduce diversions into the Chipola River and increase flows available for multiple purposes in the Apalachicola River.

We recognize that there are limits on the amount of augmentation the Corps can provide from the upper basin. We consciously focused on reasonable options. Sensitivity analyses suggests a range of 2,000 to 3,000 cfs. Therefore, for example, if the intent is to provide the 9-foot channel at a 16,000 cfs flow, but the Corps recognized an augmentation limit of 3,000 cfs, then the suggestion is to provide a release so long as net basin inflow exceeded 13,000 cfs. Sensitivity analysis also shows that flows within the range we suggest would not draw composite conservation storage below a level necessary to support minimal operations (e.g., meeting minimum flows required for the Apalachicola River as well as for water supply demands) under the local inflows experienced between 1939 and 2008, assuming consumptive demands equal to those in 2007 and the reservoir operations used in the modeling analyses.

<Portions of the text were bolded. Please see original document for details.>

<Portions of the text were italicized. Please see original document for details.>

Comment ID 0309.001.008

Author Name: Houston Billy

Organization: TRI RIVERS WATERWAY DEVELOPMENT ASSOCIATION

Reservoir elevations are critical to maintaining recreational opportunities. Tri Rivers urges the Corps to strive to

maintain lake elevations under normal conditions of 632.3 to 635 mean sea level ("MSL") at West Point Lake; 187.5 to 190 MSL at Lake Eufaula (Walter F. George); and 76.5 to 77.5MSL at Lake Seminole (Jim Woodruff) when possible. We also recommend that the Corps evaluate alternatives to the rule curves to allow higher elevations during the winter drawdown. Existing rule curves were developed when the information and analytical resources available to the Corps were far more limited than today, such that the Corps should be able to anticipate and manage precipitation more precisely than before. In any event, as a practical matter, pool elevations have routinely been above the rule curve during the drawdown period. Entering the spring with a fuller pool reduces competition between reservoir refill and downstream needs such as navigation and spawning in the Apalachicola River.

<Portions of the text were bolded. Please see original document for details.>

<Portions of the text were italicized. Please see original document for details.>

Comment ID 0314.001.003

Author Name: Illegible Illegible

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0315.001.003

Author Name: Greer Robert

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0316.001.018

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

EPA encourages incorporation of variable flows in the new WCM, including the seasonal, intra-annual and inter-annual variable flow patterns needed to maintain or restore processes that sustain natural riverine characteristics. Naturally variable flows are also a major determinant of physical habitat in streams and rivers and directly affects biological

composition. Modifying flow regimes provides an opportunity to positively alter habitat and influence species diversity, distribution and abundance. Therefore, EPA recommends that, where possible, the operations established within the WCM mimic the natural conditions as closely as possible in the downstream waters.

Comment ID 0316.001.019

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

EPA reiterates the suggestions provided in the Fish and Wildlife Service's Planning Aid Letter (dated April 2, 2010, with March 1, 2011 addendum) to efficiently derive flow targets protective of a balanced and indigenous aquatic flora and fauna. EPA suggests the use of multiple endpoints to demonstrate the protection of aquatic life designated uses. Relevant endpoints include floodplain connectivity (inundation, maintenance of off-channel habitats, wetted perimeter, out-of-bank habitats) and habitat suitability analysis. Because of the intensity of the later (e.g. Physical Habitat Simulation System (PHABSIM)), EPA recommends consulting the relevant wildlife resources agencies to determine which habitat locations are critical to aquatic life in the basin and may warrant prioritized, intensive study.

Comment ID 0316.001.020

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Historically, the regulation of the Chattahoochee River has been operated, in part, to meet an instantaneous flow requirement at Peachtree Creek of 750 cfs. EPA also suggests that the WCM consider the adequacy of that value, particularly in light of multiple requests from the State of Georgia for seasonal reductions below this threshold. The WCM update provides an opportunity for the USACE to work with the Georgia Environmental Protection Division to ascertain whether that value is the most appropriate flow condition to support uses or if a more seasonally variable value would be more appropriate.

Comment ID 0316.001.025

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Recommendations: EPA suggests that the WCM review new and innovative procedures to enhance warning systems to improve public safety and recreation throughout the system.

Comment ID 0317.001.003

Author Name: Meacham Heather

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0318.001.003

Author Name: McDaniel Shane

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0319.001.003

Author Name: Presnel Cheryl

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0320.001.003

Author Name: Unknown 6 Unknown 6 (Illegible)

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0321.001.003

Author Name: Knox Gary

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

Comment ID 0322.001.003

Author Name: Knox Patti

Organization:

3) In order to accomplish #1 and #2 above, the Rule Curve needs to be adjusted upward to a minimum 632.5 MSL and the Action Zones need to be modified upward as well to a minimum 630.0 at the bottom of Action Zone 4. The parameters of 632.5 and 630.0 MSL are significant because they represent the initial and second recreation impact levels respectively as defined by the USACE.

9.F - OTHER

Comment ID 0012.001.001

Author Name: McGrew John

Organization: Georgia Reservoir Company, LLC

Water management

Comment ID 0079.001.004

Author Name: Frost Peter

Organization: Douglasville-Douglas County Water and Sewer Authority

6. The Authority is concerned that the WCM update may impact future water, wastewater, and/or watershed management plans of the Metropolitan North Georgia Water Planning District so as to restrict or place additional unfunded mandates on the Authority's operations.

Please review and consider these comments as part of the scoping process for the WCM update, and please do not

hesitate to contact me with any questions.

Comment ID 0186.001.014

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

14. Concerns Arising Out of June 2012 Legal Opinion

The stated purpose for the revised scoping as described in the NOI is to take account of the opinion issued by the Eleventh Circuit and the subsequent June 2012 Legal Opinion issued by the Corps' Chief Counsel ("Legal Opinion"). Alabama believes that there are several fundamental errors in the Legal Opinion, especially with regard to its analysis of the Corps' authority to accommodate current and increased levels of water withdrawals from Lake Lanier and downstream at Atlanta. If the EIS and water control manual are based on the Legal Opinion as written, then those documents will be fatally flawed. Without attempting to provide an exhaustive list of all of the errors contained in the Legal Opinion, Alabama expresses its concern about the following points:

a. Necessity of Storage Reallocation for Downstream Water Supply

The Legal Opinion incorrectly concludes that no reallocation of storage will be required for current and increased releases from Buford Dam to accommodate downstream water supply. The Legal Opinion bases this conclusion on the fact that Lake Lanier is a multi-purpose project. If the Corps were going to maintain complete flexibility to alter its operations to serve the various purposes, then the Legal Opinion's conclusion might have some validity. But the 2000 Georgia Water Supply Request that prompted the Legal Opinion seeks a firm commitment that certain flows will be available downstream to satisfy water-supply demands. Any municipal and industrial water-supply entity requires that sort of commitment so that it will know that it has the supply that it needs. It is simply inconceivable that the Corps will alter any decision it makes to accommodate downstream water supply, and the point of the Legal Opinion is to analyze whether the Corps has the authority to grant the Georgia Water Supply Request.

The Corps must not engage in the charade that its commitment to make releases for downstream water supply will not be firm. The Corps' own generally applicable documents discussing water-supply operations at federal projects makes clear that a reallocation will be required for a water-supply commitment. In Section 2-7 of EM 1110-2-1430, the Corps states, "Regulation of reservoirs for municipal and industrial (M&I) water supply is performed in accordance with contractual arrangements. Storage rights of the user are defined in terms of acre-feet of stored water and/or the use of storage space between fixed limits of reservoir levels." Section 3-3 of that same document makes clear that such a reallocation in a multi-purpose reservoir is permissible: "When several purposes are to be served from a single reservoir, it is possible to allocate storage space within certain regions of the reservoir storage for each of the purposes." The Corps' Water Supply Handbook (at Ch. 4) similarly makes clear that the conservation storage pool at a multi-purpose reservoir can "consist of dedicated storage" for water supply.

In preparing the EIS and the revised water control manual, the Corps must proceed on the basis that an allocation of part of the conservation storage pool at Lake Lanier will be required if releases from the dam are going to be made for downstream water supply.

b. Flawed Evaluation of Balance Between Hydropower and Water Supply

Alabama also believes that the Legal Opinion contains a flawed evaluation of the effects on hydropower from increased water-supply operations at Lake Lanier. In assessing the appropriate balance between hydropower and releases for downstream water supply, the Legal Opinion abandons the longstanding Corps focus on how increased water-supply operations would affect the amount of conservation storage at Lake Lanier being dedicated to water-supply use. Instead, the Legal Opinion shifts its focus to the effects of increased water-supply operations on system hydropower.

The Eleventh Circuit's opinion stated that Congress intended, through adoption of the Newman Report, to allow for increased water-supply uses if they caused only a slight decrease in system power value. The Legal Opinion completely ignores the fact that the Corps concluded in 1961 that all authority contained in the 1946 Rivers & Harbors Act to increase water-supply operations at Lake Lanier had been exhausted and that all future increases would have to be the subject of a storage reallocation pursuant to the Water Supply Act of 1958.

Contrary to the Legal Opinion's focus only on system hydropower effects, Alabama believes that the effects on Lake Lanier alone are also relevant to the analysis. If one applies the same methodology to Lake Lanier that the Corps uses for its system analysis, it shows a decrease in hydropower value of greater than 20% at Lake Lanier, compared to the 4% value quoted in the opinion for the impact on the entire system.

There are also serious methodological flaws in the Legal Opinion's evaluation of the system impacts, and those flaws result in a significant understatement of the system impacts. First, the comparison is not made with a baseline of operations reflected in the 1958 ACF Manual or even of current operations. Instead, the Corps assumed 2030 projected demands as part of the baseline as well as altered rule curves, thereby seriously understating the system effects. Second, while the Corps assumed future demands for Atlanta in the calculation, it did not take account of increased future demands below Atlanta in the basin. If those are taken into account (as they must be), then the effect is much greater. Third, the use of average hydropower energy values masks the effects during critical time periods. Unless the Corps is willing to lower elevations at Lake Lanier to historically low levels, the effects on hydropower will be much greater than the average suggests during critical drought periods.

Alabama believes that it is essential for these flaws in the Corps' methodology be corrected in order for a valid EIS and water control manual to be produced.

c. Flawed Interpretation of the Water Supply Act of 1958

The Legal Opinion's analysis of the Water Supply Act of 1958 cannot be reconciled with the plain language of the statute. In the Act, Congress required that its approval be obtained for a reallocation of storage for water supply at an existing reservoir if the modification would "seriously affect the purposes for which the project was authorized . . . or would involve major structural or operational changes." 43 U.S.C. § 390b(d). The Legal Opinion, however, stated, "Under the Water Supply Act, operational changes to include additional water supply withdrawals from Lake Lanier are authorized, so long as system operations contemplated under the 1946 RHA can be maintained, and so long as the system purposes authorized in the 1946 RHA continue to be achieved, in keeping with Congressional expectations." The plain language of the statute does not support the interpretation that the assessment of whether major operational changes will occur with a modification should be based on system operations. If the modification would involve major

operational changes at the project in question, then the Act requires congressional approval.

The Legal Opinion fails to take account of the two separate triggers for congressional approval under the Act. Rather than assess whether a modification seriously affects the authorized project purposes and then separately assess whether it involves major structural or operational changes, the Legal Opinion collapses the inquiry into a single examination as to Congress's intent as to purposes reflected in the 1946 RHA. The failure to give distinct meaning to the second trigger violates the fundamental principle that two separate terms in a statute should not be deemed to have the same meaning.

The EIS and water control plan must take account of the actual language of the Act if the process is going to reach a valid conclusion.

Even if the Legal Opinion were applying the correct interpretation of the Act's triggers, its conclusion that congressional approval is not required is still flawed. The notion that direct withdrawals totaling 297 mgd would not fundamentally depart from Congress's intent is absurd. The fact that Congress required a separate authorization in the 1956 Act for a mere 10 mgd in direct withdrawals disproves the conclusion reached in the Legal Opinion. Moreover, the testimony of Corps' officers in the 1950s recited in footnote 143 of the Legal Opinion also undercuts any argument that substantial direct withdrawals of water comport with the intent of Congress as reflected by its adoption of the Newman Report.

The Legal Opinion also fails to give appropriate consideration to the binding decision of the United States Court of Appeals for the D.C. Circuit in *Se. Fed. Power Customers, Inc. v. Geren*, 514 F.3d 1316 (D.C. Cir. 2008). That decision considered a settlement agreement whereby a total of 22% of the conservation storage pool (approximately 240,000 acre-feet) would be dedicated to local consumption, including both direct withdrawals and releases for downstream water supply. That represented an increase of 9% over the amount of the conservation storage pool that was then being utilized for local water-supply. The D.C. Circuit determined that the allocation of 22% of Lake Lanier's conservation storage for local consumption purposes constitutes major operational change within the meaning of the WSA "[o]n its face." 514 F.3d at 1324. The Court went on to state that the allocation of 9% of Lake Lanier's conservation storage pool unambiguously amounts to major operational change within the meaning of the WSA.

The Legal Opinion indicates that the Corps has authority under the WSA to contract to provide 277 mgd for direct withdrawals for water supply without congressional approval. That amounts to 29% of the conservation storage pool. Notwithstanding the Legal Opinion's flimsy efforts to criticize the D.C. Circuit's opinion, that ruling is binding on the Corps. Accordingly, that ruling conclusively requires congressional approval for a reallocation to accommodate 297 mgd in gross withdrawals. [FN 1]

In preparing the EIS and the water control manual, the Corps should not proceed on the mistaken assumption that congressional approval will not be required.

[FN 1] Even if one looks only to the 170 mgd of storage that the Corps states that it has authority to allocate for net direct withdrawals under the WSA, that still amounts to 18% of Lake Lanier's conservation storage pool and thus must be deemed major operational change under the D.C. Circuit's decision. Of course, since the Corps enters into a contracts for water-supply reallocation on the basis of gross water withdrawals and there is no guarantee that returns will be made, the WSA analysis must focus on the gross withdrawal amount.

Alabama also believes that the allocation that will be required in connection with downstream releases will also involve major operational change and thus require congressional approval. It is beyond dispute that the size of that reallocation exceeds the 22% figure that the D.C. Circuit held to be major operational change on its face.

Comment ID 0186.001.016

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

16. Flawed Assumption Concerning Returns

In evaluating the Corps' authority to allow direct withdrawals from Lake Lanier, the Legal Opinion assumed that 107 mgd out of the withdrawals of 297 mgd would be returned to Lake Lanier. The Legal Opinion conceded that, if those returns are not made, then the direct withdrawals may exhaust all of Lake Lanier's conservation storage pool during a critical drought.

Alabama is concerned that the assumption of 107 mgd in returns indefinitely into the future is unrealistic. Alabama is unaware of any operational history that supports the assumption even in the present. Increasing reuse and recycling technologies may diminish in the future whatever returns are actually made in the short term.

Alabama also has a concern about the ability of the Corps to enforce the assumed level of returns. Alabama is unaware of any contract that has been entered into by the Corps for storage for water supply at any federal project that is based upon net withdrawals. In fact, the Corps has repeatedly stated that it does not take returns into account when entering into such contracts and accordingly bases the terms of such contracts on gross withdrawals. Even if a provision could be included in a contract requiring returns, Alabama has concerns about the ability and willingness of the Corps to enforce such a contractual term. In the Alabama-Coosa-Tallapoosa Basin, the Corps has a contract with the Cobb County Marietta Authority with a hard limit on the allocated storage for water supply. Even though that limit has been exceeded for more than 20 years, the Corps has taken no action to enforce it. There is no reason to believe that the Corps would act any differently if there were a contractual returns requirement at Lake Lanier.

In preparing the EIS and revised water control manual, the Corps should not assume that any direct withdrawals will be returned to Lake Lanier.

17. Flawed Operational Assumptions

In assessing the limits of the Corps' authority to accommodate releases for downstream water supply and direct withdrawals for water supply, the Legal Opinion concludes that the Georgia Water Supply Request can be met while maintaining system operations for all other purposes. But the Legal Opinion states that, if the Water Supply Request were granted, Lake Lanier would be drawn down to elevation 1040 during the most severe drought of record, which is 31 feet below the top of the conservation storage pool and just 5 feet above the bottom of that pool. There is nothing in the operational history of the project to suggest that the Corps would really draw the reservoir down that low. The current action zone 4, which corresponds to serious drought conditions, begins at a level as high as elevation 1065. During the 2007 drought, the Corps and Atlanta-area stakeholders expressed alarm when the reservoir's elevation

dropped below elevation 1060.

Alabama does not believe it is credible to assume that the Corps would allow the reservoir's elevation to fall to 1040. Given that water-supply has been the preeminent concern during past drought conditions at Lake Lanier, Alabama believes that other project purposes will likely be sacrificed rather than allow the elevation to drop that low. In preparing the EIS and the Water Control Manual, the Corps must rely on realistic assumptions concerning how far the reservoir's elevation will be allowed to drop during the drought of record, rather than the unrealistic assumptions reflected in the Legal Opinion.

Alabama has concerns about other incorrect operational assumptions reflected in the Legal Opinion and its supporting technical analysis. First, the flow requirement at Peachtree creek was modeled at 800 cfs when it is actually 750 cfs. Second, the model assumed a 76% return percentage downstream, which is extremely high and not guaranteed.

18. Conclusion

Should you have any questions about any of the points raised by Alabama in this letter, please contact me at (334) 242-5497 or via email at Brian.Atkins@adeca.alabama.gov.

Alabama reserves the right to submit additional comments regarding the scope of the EIS.

Comment ID 0307.001.001

Author Name: Nepote Mike

Organization:

COMMENTS: It certainly seems that it would help considerably if 2 new reservoirs were built on te Fla. side of the line to beable to regulate much more. Also evryone needs to pray!

10.0 - WATER QUALITY

Comment ID 0047.001.003

Author Name: Lindow Charles

Organization:

The lake level as of 11/09/2012 is about the lowest I have seen it in the 19 years I have lived on it. It has since gone up about 1.5 feet over the weekend (they don't generate on the weekend) but only at the sacrifice of Lake Lanier. The water quality at this point must be compared to a cup of coffee that has sat in the pot all day and boiled down to a thick goo. I wonder if F.E.M.A. will be able to address the needs of the people who depend on this lake for their drinking and bathing water needs when the Corps finally succeeds in its quest to return this once beautiful lake into a mud puddle, which most of it is now or just a grassy field.

Comment ID 0058.001.001

Author Name: Bennett Tammy

Organization:

As a resident on lake Lanier (16 years), I have the following issues/concerns with the dramatic rise and fall of lake levels and the unintended consequences:

- Significant soil erosion occurring as a result of excessively low water levels; there is too much unprotected and vulnerable shoreline exposed. The last heavy rain resulted in a four foot (4') deep by three feet (3') wide gully, adjacent to our dock, which poured mega-gallons of silt into the lake. At the end of the cycle, our dock was on beached and our cove was smaller.
- Continual erosion is filling-up the lake with silt.
- The rip-rap that home owners install does not help the problem because the lake level rarely reaches rip-rap levels.
- Dredging is not an option for the average family, like us.
- Consider alternatives to stop the erosion on shorelines for lakefront homeowners. Such as:
 - o Planting grass (winter rye)
 - o Laying/dumping gravel
 - o Etc.

Comment ID 0060.001.002

Author Name: Longo Teresa

Organization:

We have so much erosion now because of increased decline in lake levels and failure to keep Lanier a full lake. Rip Rap doesn't do anything anymore since lake levels rarely meet full pool. Lake is filling up with silt because of erosion, dredging is not option, too expensive and doesn't do anything unless lake gets full.

Comment ID 0078.001.003

Author Name: Hanthorn Joshua

Organization:

A higher allocation of Lake Lanier's water to Atlanta may potentially have adverse effects on public health. Historically, drainage has caused water quality degradation in the particular watershed being drained. Water quality degradation causes bacterial skin infections to recreational water users and makes the water unsafe for drinking. Since higher allocation for Atlanta would severely affect the public health of downstream users, the Corps' EIS should consider an alternative to a higher allocation.

Comment ID 0079.001.002

Author Name: Frost Peter

Organization: Douglasville-Douglas County Water and Sewer Authority

4. The Authority is concerned that the WCM update may impact the assimilative capacity of the Chattahoochee River and thereby reduce the Authority's current or future wastewater discharge limits and waste load allocations. Such an impact could also restrict the Authority's ability to locate wastewater treatment plants and discharge points.

Comment ID 0165.001.007

Author Name: Freed Charles

Organization: Atlanta Rowing Club

4. Impact of Turbidity on Fishing

Suggested Scope - Include a study of the impact of varying the Buford Dam peak discharge levels on turbidity measurements at Norcross.

Discussion - Excess turbidity in the river can clog fish gills impacting disease resistance, fish growth and development of eggs and larva. As the particles settle, they can cover the stream bottom and smother fish eggs and invertebrates in the food chain (US EPA, 2012).

A Georgia DNR study investigated fishing at 17 sites on approximately 25 miles of the Chattahoochee from Buford Dam to Roswell Road. This study developed a metric for measuring fishing harvest with their calculation of "catch per unit effort (CPUE)". The investigation found that average rainbow trout fishing results declined precipitously by over 75% (from an average CPUE of 0.64 to 0.13) when the turbidity level exceeded 12 NTU. This study also concluded that 16.5°C was the highest comfortable water temperature for trout (Klein, 2003).

The USGS graphs (Figures 3 and 4) and the summarized observations in Table 3 show that turbidity at Norcross regularly exceeds the 12 NTU level with higher peaks at a higher stream flow (discharge) rates.

The impact of average daily discharge temperature was considered for Cases 1 and 2 above. The typical 11.5°C discharge temperature at 600 cfs and the highest 15.3°C (typically in October) for the peak discharges were used for this calculation. For these two cases, the daily average discharge temperature is estimated to increase from 11.5°C for Case 1 to 12.2°C for Case 2. Therefore, reducing the peak discharge rates does not appear to have a detrimental on river temperatures which should be below 16.5°C for trout health.

Figure 3: Turbidity at Norcross for average flow of 1,170 cfs 10/19 - 10/28/2012

Figure 4: Turbidity at Norcross for average flow of 2,320 cfs 11/16 - 11/25/2012

Table 3: Summary of Turbidity Changes at Norcross for 10 day intervals (USGS 2335000).

<Portions of comment in bold and underlined. Please refer to original document for figures and table.>

Comment ID 0165.001.008

Author Name: Freed Charles

Organization: Atlanta Rowing Club

5. Effects of Transported Sediment on Water Treatment Costs

Suggested Scope - Include a study of the effect of reducing Buford Dam discharge peaks on turbidity and the related water treatment plant costs.

Discussion - Increases in suspended sediment / turbidity in the river water can cause increased maintenance & process costs (e.g. coagulants, filters) for the treatment of the Atlanta/Fulton and DeKalb water intakes located in Alpharetta between Buford Dam and Morgan Falls Dam. A study on the Willamette River concluded that a 1% decrease in turbidity from the source water would result in a 0.25% to 0.35% decrease in the amount of sediment-related treatment costs (State of Oregon, 2010). This cost savings could be significant for an average 10% turbidity reduction.

Additionally, a Georgia Environmental Protection Division Guidance Manual for Preparing Public Water Supply System O & M Plans, May, 2000 has multiple recommendations related to turbidity and maintenance (Georgia EPA 2000).

<Portions of comment bolded and underlined. See original.>

Comment ID 0171.001.002

Author Name: Biagi John

Organization: Georgia Department of Natural Resources, Wildlife Resources Division

Lake Lanier and Chattahoochee River Tailwater

The maintenance of adequate water quality regimes within the reservoir and its tailwater is critical to the continued success of Lanier's striped bass fishery, trout production at Buford Hatchery, and the Chattahoochee River trout fishery. Georgia WRD considers optimal reservoir striped bass habitat to be temperatures <22 °C and dissolved oxygen (DO) levels greater than 5.0 mg/L. During summer lake stratification, striped bass are "pinched" into a narrow zone of suitable water lying between the warm surface waters and the hypoxic deeper stratum. To ensure the success of the Lanier striped bass fishery, it is important that this summer coolwater refuge be maintained in the reservoir.

The Buford Trout Hatchery produces more than 400,000 catchable trout annually and is dependent on Lake Lanier coldwater storage to maintain this production. The hatchery draws cold water from the Chattahoochee River downstream from Buford Dam, so maintenance of adequate river elevation at the hatchery's intake is of prime importance. Discharges of 450 cfs from Buford Dam have been found to be adequate for hatchery operations. However, the ability to operate the hatchery at releases less than 450 cfs have not been evaluated. In rare circumstances (twice in 13 years), Buford Hatchery has requested additional releases to mitigate warmwater runoff associated with tropical storm events. These short-term releases have saved nearly a million trout at the hatchery and had minimal effect on reservoir elevation. We would like the opportunity to formulate a protocol regarding these special releases.

<Portions of the text underlined. See original.>

Comment ID 0171.001.004

Author Name: Biagi John

Organization: Georgia Department of Natural Resources, Wildlife Resources Division

West Point Reservoir and tailwater

The tailwaters of West Point Dam provide recreational fishing opportunities that can be significant at certain times of the year. However, water quality in the tailwater, specifically DO, is poor during the summer months. U.S. Army Corps of Engineers (USACE) monitoring data indicates that DO levels become problematic in June, reach their lowest levels in August, and begin to increase in late October. GAWRD has investigated multiple fish kills downstream of West Point Dam with all events attributable to low DO. We suggest that the USACE consider operational and/or design criteria that would improve DO conditions in the tailwater.

<Portions of the text underlined. See original.>

Comment ID 0172.001.003

Author Name: Martin, et al Mack

Organization: Georgia Council of Trout Unlimited

Dissolved Oxygen (DO)

GA DNR Environmental Protection Division (EPD) classifies the Chattahoochee River downstream of Buford Dam to the I-285 West bridge as secondary trout water in GA DNR EPD Rule 391-3-6-.03(15)(b).

GA DNR EPD Rule 391-3-6-.03(6)(a)(ii) establishes minimum DO water quality standards for trout streams:

"A daily average of 6.0 mg/L and no less than 5.0 mg/L at all times for waters designated as trout streams by the Wildlife Resources Division. A daily average of 5.0 mg/L and no less than 4.0 mg/L at all times for water supporting warm water species of fish."

USACE Engineer Regulation 1110-2-8154.6.a sets maintaining state water quality standards as policy:

"It is national policy that the Federal government, in the design, construction, management, operation, and maintenance of its facilities, shall provide leadership in the nationwide effort to protect and enhance the quality of our air, water, and land resources. Federal facilities shall comply with all Federal, state, interstate, and local requirements in the same manner and extent as other entities. Federal antidegradation policy maintains and protects existing high quality waters where they constitute an outstanding national resource. Where the quality of a water resource supports a diverse, productive, and ecologically sound habitat, those waters will be maintained and protected unless there is compelling evidence that to do so will cause significant national economic and social harm. No degradation is allowed without substantial proof that the integrity of the stream will not diminish. In all cases, the existing instream water uses and the water quality necessary to protect them will be maintained. This national policy is founded on the overall objective established in the Clean Water Act to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The thrust of this policy is to protect all existing and future uses including assimilative capacity, aquatic life, water supply, recreation, industrial use, hydropower, etc. Where uses are degraded, it is the national goal to restore those degraded waters to more productive conditions."

During low/minimum flows from Buford Dam in the fall and early winter months, DO levels have consistently been less than 5.0 mg/l for extended periods, often dropping and remaining below 3.0 mg/l. The exception was 2004 when sluicing was employed during repairs to the #3 turbine. During that time, DO levels exceeded 9.0 mg/l. Reduced DO in trout streams has been associated with decreased fish health and lower angler success. Other aquatic organisms that rely on DO are also negatively affected by low DOs. This impacts the overall health of the river, recreational opportunities and the associated economic benefits that anglers contribute to the local economy.

In a letter dated January 6, 2011, Upper Chattahoochee Chapter of Trout Unlimited (UCCTU), Chattahoochee Riverkeeper (CRK) and Chattahoochee Cold Water Fishery Foundation (CCWFF) expressed concern about low DO levels to USACE Buford Dam requesting that sluicing be evaluated as a method to meet Georgia's DO water quality standards. UCCTU followed up that initial correspondence with a second letter dated August 19, 2011 and a meeting of interested parties on November 17, 2011. Attending that meeting were USACE, GA DNR WRD, National Park Service - Chattahoochee River National Recreation Area (CRNRA), UCCTU, CRK and CCWFF. Due to scoping of the referenced

EIS and sluice gate repairs, this issue is unresolved. Some sluice testing during periods of low DO was accomplished recently with positive results.

Since extended periods of low DO are persistent below Buford dam and complying with state water quality standards is a matter of USACE policy, we request that maintaining minimum DO standards for trout water below Buford Dam as established by GA DNR EPD Rule 391-3-6-.03(6)(a)(ii) be incorporated into the ACF Master Water Control Manual.

Temperature

Cold, clean water is essential to maintain a wild trout fishery such as the Chattahoochee River Tailwater. Coldwater releases from Buford Dam and adequate instream flows are particularly important during the warm periods of late spring, summer and early fall to the brown trout fishery.

USACE Scoping Report for the ACF River Basin dated March 2010 states that "Commenters noted that trout fisheries, which are not part of the natural habitat of the ACF River Basin, should not be accommodated by releasing water out of the lake to maintain a specific water temperature." However, the construction of Buford Dam irrevocably and dramatically changed the historic habitat of the Chattahoochee River downstream of Buford Dam. As a matter of policy, through GA EPD Rule 391-3-6-.03(15)(b), Georgia designates and manages the Chattahoochee River Tailwater as a trout fishery. Wild brown trout now naturally reproduce and thrive in that section of the river.

In February 2001, GA DNR WRD proposed upgrading the secondary trout water classification to primary for the Chattahoochee River Tailwater from Buford Dam to GA 400 after documenting that trout were reproducing in that segment. In May 2002, the GA DNR Board authorized GA DNR EPD and WRD to conduct a 3-year study of temperature effects on trout below Buford Dam to develop an appropriate standard that would protect the fishery. Fieldwork began on these studies in 2003 and concluded in 2007. GA DNR EPD and WRD have proposed that the river from Buford Dam to Island Ford Shoals be known as the Upper Chattahoochee Tailwater Trout Stream. This classification and its accompanying temperature criteria would be designated to protect the year round trout fishing from Buford Dam to Island Ford Shoals where coldwater releases from Buford Dam exert their greatest influence. Proposed thermal management of the Upper Chattahoochee Tailwater Trout Stream by GA DNR would be modeled to ensure that water temperature not exceed 22°C maximum or 20°C as a 5-day average more than once in 30 days measured by USGS Gauge 02335450 at Eves Road.

We request that the ACF Master Water Control Manual support GA DNR's thermal management of the Chattahoochee River Tailwater. Volume and duration of releases are not the only variables affecting downstream water temperatures. During periods of elevated air temperatures, releasing in the late evening allows water to flow downstream and avoid solar heating. Extended periods of no releases, thirty six hours or more, during the late spring, summer and early fall allow water temperatures to rise. Timing releases during the warm weather periods is critical to the fishery's health and will become even more important as Metro Atlanta grows, increasing surface water runoff that contributes to thermal pollution of the Tailwater.

Sedimentation

Sedimentation from erosion is a significant issue in the Chattahoochee River Tailwater. While tributaries contribute a considerable amount of sedimentation to the system, accelerated erosion from bank-scouring and sloughing created by

fluctuating releases from Buford Dam is a major factor. Bank-sloughing causes sedimentation of trout spawning habitat and widens the river channel. Trout require a gravel substrate for successful spawning. Macroinvertebrates, which are a primary food source for trout, also need a rocky or gravelly habitat to thrive. As the river widens, it shallows and more large rocks are exposed acting as a heat sink raising water temperatures. Riverside lots are reduced in size from bank-sloughing resulting in lower property values. Important archaeological sites are also threatened by erosion and siltation.

We request that releases from Buford Dam be managed to minimize erosion from bank-sloughing.

<Portions of the text italicized and underlined. See original.>

Comment ID 0175.001.005

Author Name: Wissinger Gordon

Organization: National Park Service Southeast Regional Office

Water Quality

Water releases from Buford Dam play an important role in supporting water quality within CRNRA for a number of parameters, including temperature, dissolved oxygen, bacterial levels, and turbidity. Any alternative contemplating a reduction, even seasonally, of the current mandated minimum flow of 750 cfs at Peachtree Creek should clearly and credibly evaluate the effects on water quality within CRNRA. As noted in background materials provided by the USACE, Buford Dam has historically been managed to release base flows of up to 1500 cfs to meet water supply needs and downstream water quality standards. If dam operations are modified to institute or accommodate lower base flows, water quality within CRNRA would likely deteriorate due to a reduction in the positive influence of clean water released from Buford Dam.

Currently, over half of the 48-mile CRNRA is 303d-listed for not meeting fecal coliform standards under the state designation as a recreational water body. A USGS study in 1995-96 showed that the density of fecal coliform bacteria; the recognized indicator bacteria in Georgia, regularly exceeds the U.S. Environmental Protection Agency guidelines for recreational waters. Because of the large number of people who use the river for water-based recreation and the historically high levels of indicator bacteria in the Chattahoochee River, the USGS, in partnership with several federal, state, and local agencies, began the BacteriALERT monitoring program in October 2000. The BacteriALERT program has now been in operation for more than a decade and has documented widespread variability in water quality within the Chattahoochee River, with bacterial spikes occurring during rain events when the proportion of surface water to dam releases is highest. These results highlight the importance of releases from Buford in maintaining water quality in CRNRA.

Another source of water quality concern is the increasing number and capacity of wastewater treatment plants operating within the boundaries of CRNRA. Three wastewater facilities currently exist and a third (Forsyth County Shakerag WTP) is slated for construction in the near future. The Georgia State Environmental Protection Division has used historic flow regimes to model the river's capacity to assimilate wastewater discharges. If the Draft EIS considers the potential for lower baseline releases, there needs to be a corresponding evaluation of the potential negative effects of wastewater discharges on water quality within CRNRA. Since past studies on the assimilative capacity of the river

would be invalidated by changes to the flow regime, the Draft EIS should clearly evaluate water quality impacts due to wastewater discharges.

A final water quality concern relates to Dissolved Oxygen (DO) levels downstream of Buford Dam. Based on the classification of this segment of the Chattahoochee River as a secondary trout stream, the state water quality standard for DO is a minimum daily average of 6.0 mg/l and an instantaneous minimum of 5.0 mg/l. The Georgia Department of Natural Resources operates a trout hatchery a few miles downstream of the dam and regularly monitors DO levels in the tailrace. They have found that in the fall during periods of low/minimum flows, DO levels have been below 5.0 mg/l for extended periods of time and have fallen and remained below 3.0 mg/l at times. These low levels of DO can negatively impact the health of fish and other aquatic organism, which has secondary impacts on recreational users and local economies. The Draft EIS should analyze the impact of low DO on the recreational and ecological conditions in the upper Chattahoochee River and evaluate operational changes that could elevate seasonal DO levels in the tailwater.

<Portions of text bolded. See original.>

Comment ID 0186.001.003

Author Name: Atkins J.

Organization: ALABAMA OFFICE OF WATER RESOURCES

3. Compliance with Existing Environmental Laws

The manual update process should also evaluate the Corps' compliance with existing environmental laws. Since the federal reservoirs in the basin were constructed, Congress, Alabama, Florida, and Georgia have enacted a number of laws and regulations designed to protect and enhance the quality of the environment. In operating the federal projects in the basin, the Corps must avoid operations that will violate or lead to violations of federal- or state-imposed water-quality standards. This is a serious and ongoing concern as minimum water-quality standards have often been violated in the Chattahoochee River. For example, in 2009, Alabama sent correspondence to the Corps expressing concern about water-quality issues in the ACF Basin. (Copies of that correspondence are attached.) The Corps should ensure that even under drought conditions, sufficient flow is maintained below each dam so that water-quality standards are met.

<The commenter provided copies of previous correspondence in support of its letter. Please see original letter for copies of the correspondence.>

Comment ID 0191.001.003

Author Name: Elmore Greg

Organization: Southern Nuclear Operating Company, Inc.

Plant Farley's discharge is limited by a National Pollutant Discharge Elimination System Permit issued by the Alabama Department of Environmental Management. That permit contains limits and requirements to ensure the thermal discharge and chemical constituents in the effluent meet applicable water quality standards. At 2,000 cfs flowing past Plant Farley (i.e., going through Andrews Lock and Dam), there are no significant adverse thermal or chemical impacts resulting from Plant Farley's discharge. Plant Farley also discharges small quantities of radioactive waste through the discharge line in strict compliance with regulations of the Nuclear Regulatory Commission ("NRC"). When flows are reduced below 2,000 cfs for extended periods, an evaluation of the impacts of that discharge is required by Southern Nuclear, state environmental agencies, and, potentially, the NRC.

Certain operational parameters concerning the Corps' ACF projects were assumed as part of Plant Farley's construction. The Final Environmental Impact Statement ("FEIS") of the Atomic Energy Commission for construction of Plant Farley discussed the fact that the Corps would generally maintain an elevation of 76 ft MSL and flow of 2,000 cfs. FEIS Related to Construction of Joseph M. Farley Nuclear Plant Units 1 & 2, Alabama Power Company, II - 20 (June 1972). Thus, regulatory approval of the Plant Farley site was based on an assumption that the Corps would continue to maintain those parameters.

Plant Farley's flow and elevation needs have always been taken into consideration by the three states served by the ACF system. The States of Alabama, Florida, and Georgia considered Plant Farley's requirements and those of other facilities on the Chattahoochee River during the interstate compact negotiations concerning a proposed Allocation Formula for the ACF River Basin. The three states signed a Memorandum of Agreement providing for a minimum daily flow of 2,000 cfs below George W. Andrews Lock and Dam, just above Plant Farley.

The Corps has also recognized the need for flow of 2,000 cfs at Columbia, Alabama. For example, the Walter F. George Reservoir Regulation Manual specifically recognizes that Plant Farley and other industries require adequate flows and elevations for their operations and downstream water quality as follows:

Among the industrial users are two paper company facilities and one nuclear power plant. Mead Paper Company, at the headwaters of W.F. George Lake, and the Georgia Pacific Corporation, in the headwaters of Lake Seminole, withdraw water for processes used in the manufacturing of wood products. These companies must also meet special water quality requirements for discharge that are based on a combination of dissolved oxygen and flow in the river. The Alabama Power Company's Farley Nuclear Power Plant is located on the Chattahoochee River downstream from Columbia, Alabama. The plant has an intake structure that provides cooling water for its nuclear fuel, and is dependent upon a river-stage above 76 feet MSL for safe operation.

Apalachicola River Basin Reservoir Regulation Manual, Appendix C, Walter F. George Dam at C-13 (Feb. 1993).

Plant Farley and the other industrial facilities in the region make a major contribution to the regional economy of southeastern Alabama and southwestern Georgia. Flows of 2,000 cfs at Columbia, Alabama, are critical for the continued safe and reliable operation of those facilities. Therefore, Southern Nuclear urges the Corps to ensure its ACF manual revisions clearly provide for the continuation of flows at that level.

Comment ID 0200.001.004

Author Name: Hooker Douglas

Organization: ATLANTA REGIONAL COMMISSION

f. The Corps should provide flexibility for a range of water quality flow targets.

The 1989 Water Control Plan states that "discharges from Buford dam, when considered in combination with the contribution of local drainage between the dam and the City of Atlanta and reregulation by the Georgia Power Company's Morgan Falls Dam, are to be sufficient provide a minimum flow rate of 750 cfs at Peachtree Creek." This flow target was originally established by Georgia EPD in the early 1970s as a "design flow" for use in setting effluent limitations in NPDES permits. While this design flow may still be appropriate under normal conditions, more recent analysis by Georgia EPD has shown that water quality standards will still be met at flows less than 750 cfs. Accordingly, Georgia EPD has on several occasions requested that the 750 cfs flow target be temporarily reduced to preserve storage during drought. These requests were ultimately granted, but only after considerable delay.

ARC requests that this issue be addressed in the EIS and the Manual update, and that flexibility be provided for a range of flow targets to meet water quality considerations as determined by Georgia EPD. We believe that the Corps has sufficient authority to address this issue in conjunction with the authority granted to the State of Georgia under the Clean Water Act, and that such flow targets are not "water quality standards" and do not have to be reviewed and approved by the US Environmental Protection Agency.

<Portions of the text are bolded. Please see the original letter.>

Comment ID 0202.001.003

Author Name: Holbrook Todd

Organization: GEORGIA WILDLIFE FEDERATION

The Corps should also consider management options for maintaining and/or enhancing dissolved oxygen below the dams of major reservoirs. Minimum DO tolerance levels differ amongst aquatic species. The sections of the Chattahoochee River between impoundments need to be studied closely to determine the needs of these downstream ecosystems and the results of these studies should be used to establish flow requirements downstream of the Buford Dam. Sedimentation is a factor throughout the system that can be aggravated or moderated through water release strategies as they impact bank sloughing. Suspended sediment in water can interfere with feeding for visual feeders such as trout and bass. Sediment can be abrasive to the gill membranes of fish, suffocate fish eggs, destroy foraging and shelter areas and have impacts to small aquatic animals that are food for fish. Water releases must be controlled to minimize erosion and sedimentation in the river.

Comment ID 0262.001.013

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

R.) Dissolved Oxygen (DO) levels should be studied for releases from West Point Lake during the summer lake stratification period (May-September). If levels are below state standards, processes should be developed to increase the DO during this period.

Our organization appreciates the opportunity to offer these comments as the USACE continues the development of the new Water Control Manuals for the ACF River System.

Comment ID 0263.001.002

Author Name: Davis Steven

Organization: Columbus Water Works

Water Quality, Biological Resources, Recreation

CWW's request for a USACE flow target to achieve Columbus minimum flows to sustain water quality has been expressed in many venues and correspondences over the past ten plus years. The request is a paramount necessity for Columbus and remains: 800cfs instantaneous flow; 1350cfs minimum daily flow and 1850cfs minimum weekly flow. The absolute necessity for a flow control node in Columbus to be added to the USACE's Operating Plan was demonstrated clearly in the year 2009, the wettest year in Columbus within 130 years of record. Much of the rest of Georgia was receiving ample rainfall which was welcomed in the 2008 drought recovery. Streams, rivers and reservoirs were well along in drought recovery, yet, in Columbus in the summer of 2009, approximately 30% of the days were below the 1350cfs minimum daily flow. On July 1, 2009 the daily flow dropped to an alarming 885cfs. Therefore, in the absence of a flow control target, Columbus is vulnerable to water quality degradation, especially when flows below Woodruff Dam can be met by the Flint River with little or no flow required from the Chattahoochee River.

The minimum flow needs for Columbus were originally expressed for wastewater assimilation purposes, but are now broadened to enhance the viability and restoration of aquatic biological resources in the River Restoration Project. This project removes two run of the river dams in Columbus, restoring the river to its pre-industrialization fall line condition. Also, the River Restoration Project allows for an excellent recreational experience in whitewater rafting, kayaking, and fishing. These two new features in Columbus also require minimum flow protection afforded through the addition of the requested minimum flows at the Columbus USGS gauge.

A repeat of flow management similar to 2009 would be detrimental to water quality, aquatic biological resources, and recreation. Since 2009, CWW has witnessed annually recurring problems with reservoir algae production due in large part to water age within the reservoirs. These problems could be ameliorated by maintaining the requested 1350cfs minimum daily flow in the river, enhancing water turnover within the reservoirs.

Including the requested minimum flows for Columbus would avoid these negative impacts. CWW strongly recommends the Corps' adoption of the minimum flows mentioned above which are: included in the Georgia Power Company's FERC license; agreed upon in the early Tri-State Compact; recommended in the State of Georgia Middle Chattahoochee Regional Water Plans; and acknowledged in the Corps' Remand Report (June 2012).

<Portions of text are underlined and bolded. Please see original document for details.>

Comment ID 0312.001.001

Author Name: Tomlinson Teresa

Organization: COLUMBUS CONSOLIDATED GOVERNMENT

Dear Colonel Roemhildt:

Thank you for the opportunity for public comment with respect to the Environmental Impact Statement and the ACF Water Control Manual relative to water allocations from Lake Lanier. Please find attached my letter dated August 6, 2012 to you and Colonel Donald Jackson concerning the necessity of maintaining a minimum daily river flow rate of 1350 cubic feet per second (cfs), an instantaneous flow of 800 cfs and a weekly flow of 1850 cfs at Columbus and Ft. Benning, Georgia.

As noted in my previous letter, the flow rates are presently achieved 98 percent of the time and we feel that this is a reasonable and sound request. These rates are necessary for assimilating permitted wastewater discharges, to provide high quality drinking water and to ensure economic sustainability for the Columbus and Ft. Benning community, as well as Phenix City, Alabama, our partner in developing a new Chattahoochee RiverPark and other projects along the river. Ft. Benning has requested the same water flow rates as Columbus, as it considers these flow rates to be crucial to its mission and community.

If you are able to visit Columbus in the near future, Steve Davis and I would love to give you a short tour of the water treatment facilities and the Chattahoochee RiverPark project development which is nearing completion.

Thank you again for this opportunity for public comment and we wish you and your team great success in striking the appropriate balance in the ACF water allocation process.

Comment ID 0313.001.003

Author Name: Reed Morton

Organization:

Water Quality

Water quality in the reach between West Point Dam and Walter F. George is fairly good. This is due to primarily to the minimum flows that are released during power generation at all dams along the reach. Good water quality is also attributed to the municipalities along this reach and their ongoing improvements to the wastewater treatment systems they operate. To continue this good water quality trend, a minimum flow of 1350 cfs is needed to assimilate wastewater treatment effluents from several municipal and industrial facilities along this reach. Another reason for the minimum flow is turnover in the reservoirs. It has been proven that during the growing seasons (April-October) higher water age in the

reservoirs causes higher levels of Chlorophyll a, the indicator to algae growth. Control of algae growth is of paramount importance to the environment and human health.

I am at your disposal should you wish to discuss these comments.

<Portions of the comment are bolded. See original.>

Comment ID 0316.001.015

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

The revised WCM should be consistent with state water quality standards, and provide for the attainment and maintenance of all downstream uses (40 CFR § 131.10 (b)), including drinking water, recreation, fishing, swimming, shellfish harvesting and aquatic life protection. This should include ensuring compliance with physical parameters (pH, temperature, conductivity and dissolved oxygen), biological criteria, chemical parameters (including decreases in assimilative capacity for point and non-point sources), nutrient loadings (including lake nitrogen, phosphorus and chlorophyll standards) and providing the flows necessary for protection of aquatic life. The WCM should provide reasonable assurance that water quality standards will not be violated, consider the impact on reasonable potential to exceed water quality standards as analyzed for NPDES permits, confirm that TMDL restoration efforts will not be adversely affected and ensure that reservoir operations will not cause or contribute to water quality impairments or listings.

Comment ID 0316.001.022

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Furthermore, discussion of best management practices for sediment and stormwater management in the system should be central to the WCM analysis of lake operations.

Comment ID 0316.001.023

Author Name: Mueller Heinz

Organization: U.S. Environmental Protection Agency, Region 4

Recommendations: EPA recommends analyzing the affects of the WCM operations on water quality standards, with a particular emphasis on physiochemical endpoints such as dissolved oxygen, biological endpoints such as sensitive aquatic species, and physical endpoints that protect the designated aquatic life use, including adequate flows to maintain the physical integrity of the habitat.

<Portions of the text are bolded. See original.>

11.0 - WATER SUPPLY

Comment ID 0034.001.001

Author Name: White Alan

Organization:

I understand that the Corps of Engineers currently is resuming its longdelayed update of its Master Water Control Manual for the Apalachicola- Chattahoochee-Flint (ACF) Basin now that the Supreme Court has denied the Petitions for Writs of Certiorari to review the Circuit Court Decision concerning Atlanta's water supply. So, I will contribute my two cents.

I will begin by enclosing a copy of my letter dated August 4, 2009, to the Editor of The Atlanta Journal-Constitution that was published almost completely, except for my credentials, which said in effect that Judge Magnuson's decision depriving Atlanta of water from Lake Lanier was essentially wrong and should be appealed. I am enclosing the copy for the portion stating my credentials. A letter to a different Editor predicting that the Supreme Court would deny the Petitions for Writs of Certiorari to review the Circuit Court decision that overturned Judge Magnuson's decision, was not published.

As you are aware, the geographic boundaries of the ACF Basin are finite, and the amount of water it can provide is determined by the quantity and timing of the rainfall over the area. Domestic consumption understandably is the Corps' highest priority use of water, and since the population of the basin is expected to continue to grow into the future, that growth will bring increased domestic consumption as well as an increased agricultural and industrial use for the water.

For the foreseeable present, the Master Water Control Manual can only manage the water in the basin. Construction of reservoirs to release water when it is needed will benefit management of the water supply, but construction of reservoirs to provide shoreline for landowners will provide little, if any, benefit for management. Aquifers might be found or constructed to benefit management. But in the end, our increasing demands upon the water supply will require an infusion of water from outside the basin and, consequently, the Manual must contain provisions that will look toward that point, and plan accordingly.

Comment ID 0034.001.004

Author Name: White Alan

Organization:

I'm tired of the misinformation I read in the AJC about Atlanta's water woes. The politics are horribly uninformed, and the journalism is even worse because neither the politicians nor the journalists have bothered to enlighten themselves as to Atlanta's legal water entitlements.

Let me begin by explaining that water law in the east and water law in the west are completely different.

Eastern water law, which includes the law of the original states, is derived from the English common law and may be characterized as a law of riparian rights. Briefly, as in the United Kingdom, it is based on waterways that flow throughout the year. Owners of land through which, and adjacent to which, water flows, have the right to use the water for virtually any purpose. But they are obligated to receive the flows from above, and are also obligated to permit the flows to continue below. However, they can delay the flows by storing the water temporarily (i.e., Lake Lanier), but, as indicated, they must permit the flows to continue below. Lastly, these rights and obligations pass to subsequent owners of the [and.

Western water law may be characterized as a law of prior appropriation and is generally applicable to areas that were once owned by the United States. It is derived from the fact many waterways obtain their flows from the melt of Winter snows and dry up when the melt is gone. Because of federal laws in the 1800s, water rights were separated from the title to lands owned by the United States and, therefore, no water rights pass to subsequent owners of those lands.

Briefly, many years ago a person or entity would appropriate a quantity of water from a waterway for a specified purpose. The first person or entity to do so, would have a right to use the first quantity of seasonal water for that purpose, the second person or entity, to the second quantity, and so on. If the person or entity with a prior appropriation does not use the appropriation, or for the specified purpose, the second appropriator would become senior, at least for a given season.

The many nuances of both eastern and western water law are beyond my present scope, which is simply to identify some of the basics of each. But since eastern and western water law are so different from one another, and since western water rights largely reflect the Land Laws of the United States as such laws existed on the respective admission dates of the states, I cannot foresee that there can be a national water policy, as our governor would like.

The recent decision concerning Lake Lanier is both correct and incorrect. It is correct insofar as it deprives Atlanta of the benefits of the storage at Lake Lanier because Atlanta did not contribute to the construction of the development. But it is incorrect insofar as it deprives Atlanta of the quantity of Chattahoochee water it was withdrawing when the development was being planned. Atlanta is entitled to that much water under eastern water law, and the matter of interfacing that entitlement with the existing storage benefit of Lake Lanier is properly a matter for the politicians rather than the courts.

The judge is from Minnesota, a state that was once owned by the United States as part of the Louisiana Purchase. Apparently, his rationale paralleled the western law of prior appropriation in which the appropriator of a quantity of water has the right to build a dam on the appropriator's land to store the seasonal water until it is used for the appropriated purpose; and, because Atlanta did not contribute to the development, Atlanta is not entitled to a share of the water.

I don't know what was placed into evidence and have not read the decision, but do not need to because I may well have crafted something similar. I believe that an enlightened federal judge realized that the question of interfacing Atlanta's right to its pre-Lanier withdrawals from the Chattahoochee with Lanier's storage benefits is not a legal issue, but one for the politicians. Consequently, he crafted an opinion that was sure to be appealed (and it should be), while the politicians hammer out a resolution within the likely time frame of the anticipated appeal.

Atlanta's pre-Lanier withdrawals from the Chattahoochee are insufficient for today's needs, and for the future. The supply

provided by Lake Lanier is relatively finite, and additional local storage developments would likely be subject to the same weather conditions as Lake Lanier. Consequently, I believe that Atlanta's quest for water supplies to supplement its withdrawals from the Chattahoochee, and for the future, should look primarily beyond areas subject to local weather conditions. The Biblical story of Joseph's dream counseled the Pharaoh to save during the seven years of plenty for the seven years of famine, as we should be counseled to prepare immediately for Atlanta's next period of drought.

Mayor Hartsfield led Atlanta out of the Great Depression and unwisely, it now appears, declined to burden the taxpayers with the cost of contributing to the Lake Lanier development. We cannot afford to repeat the same error by failing to pay for our present and future water needs. The politicians obviously will have field days trying to pass the cost to others, but in the end it is we, the consumers, who will have to pay as taxpayers for the water we need.

From what I have read, the Corps of Engineers has said that the Tennessee River can provide more water than Atlanta needs now and for the future. If California can transport water from its north to its south, Georgia can do so over a shorter distance through less difficult terrain, and the consent of only the federal government would be necessary if the water is withdrawn from Lake Nickajack on the Tennessee, which development abuts Georgia. Otherwise, a political deal will have to be worked out to cross lands of Tennessee or Alabama, depending upon the point of withdrawal, as to which Georgia politicians might attempt to cause Tennessee and Alabama politicians to compete with one another to become our supplier.

As for my credentials, I studied law at the Wake Forest College (now University) School of Law where I was taught eastern water law and earned a JD cum laude. And I was employed for nineteen years by the Federal Power Commission/Federal Energy Regulatory Commission where I authored for the Commission numerous important hydroelectric decisions that required application of both eastern and western water law. Consequently, I read numerous legal decisions pertaining to western water law and, in effect, created my own law course on the subject.

The decisions I authored were almost always appealed to the United States Courts of Appeal, and their track record over the years resulted in not more than ten reversals. My most important hydroelectric decision pertaining to the Escondido Project involved western water law and, after being overturned in part by a Court of Appeals, was affirmed by the Supreme Court on every legal issue except one, a complex issue left open by Congress in 1930 that the Supreme Court was unable to overturn and, therefore, resolved the issue by resorting to a sometimes used practice that is considered verboten to the courts -- the Court created (i.e., legislated) a procedure for resolving the issue, and remanded my decision for such a resolution. Additionally, I have the distinction of having authored a decision that was affirmed by a Court of Appeals, and having authored another decision reaching the opposite result on the same issue after the political majority of the Commission changed, which was also affirmed by another Court of Appeals.

It is my hope that you will publish this letter in the AJC for the benefit of the public, the politicians, the journalists, and the lawyers who will appeal the recent decision, and if you do not publish this letter, that you will send copies to pertinent individuals for their guidance.

Sincerely,

Alan J. White

P.S. I hereby withhold permission to edit this letter without first submitting your editorial changes to me for my prior

approval, as I am trying to simplify complex interrelated issues and do not want you to get them wrong unknowingly.

Too many years have passed, and I am too old to recall, the citation of the Supreme Court decision in question. It was the first contested relicensing decision in the history of the Commission, and since licenses under the Federal Power Act of 1920 are issued for periods of 50 years, the initial license expired in the early 1970s and the decision I authored reached the Supreme Court in the mid to late 1970s. The facts and law had both changed over the 50 years of the initial license, and the exhibits before me occupied a space more than twenty feet standing in book fashion. Involved was a small hydroelectric project in southern California that diverted water from the San Luis Rey River and transported it through rugged terrain by gravity, including the use of a fascinating (to me) siphon effect. I visited the project, which contributed to my knowledge of the transportation of water over distances.

<Portions of the text are underlined and italicized. Please see original document for details.>

Comment ID 0060.001.001

Author Name: Longo Teresa

Organization:

The impact we have on the lake from pulling of water goes beyond all I can say. We cannot continue to send water to all these other states and think that our current water supply is going to handle all.

Comment ID 0079.001.001

Author Name: Frost Peter

Organization: Douglasville-Douglas County Water and Sewer Authority

In response to and in accordance with the October 12, 2012 US Army Corps of Engineers (USACE) Federal Register Notice of Intent (NOI) to reopen public scoping for the above referenced project, the Douglasville-Douglas County Water and Sewer Authority (the "Authority") hereby submits its comments of the proposed activities.

1. The Authority is concerned that the update to the Water Control Manual (WCM) may adversely impact the Authority's 7Q10 requirements, necessitating additional releases from our small water supply reservoir(s) to the Chattahoochee River during periods of low flow. Such an impact could place additional demand on our potable water supply in drought periods.
2. The Authority is concerned that the WCM update may adversely impact the Authority's future surface water withdrawal permits by reducing the permitted withdrawal amount or restricting the Authority's ability to locate future withdrawals, further limiting our ability to provide water to the residents and businesses of Douglas County.
3. During times of drought when the Authority's reservoir levels are low, and other times such as large water main breaks and other emergencies, the Authority purchases water from the Cobb County-Marietta Water Authority

(CCMWA) to help meet demand in Douglas County. The Authority is concerned that the WCM update may adversely impact the CCMWA's allocated withdrawal capacity and therefore adversely impact the Authority's water supply. This concern also applies to the Authority's future water allocation from the CCMWA included in the Metropolitan North Georgia Water Planning District Long-term Water Supply and Water Conservation Management Plan.

Comment ID 0158.001.004

Author Name: Turner Billy

Organization: ACF Stakeholders

In addition, ACFS asks USACE to address the following questions:

1. How will both consumptive use (withdrawals less returns) and instream or nonconsumptive uses be addressed and the system managed in both wet and dry periods?

Comment ID 0158.001.005

Author Name: Turner Billy

Organization: ACF Stakeholders

2. How will USACE define how returns are calculated, noting that not all users have accurate information about returns?

Comment ID 0169.001.003

Author Name: Kirkpatrick Katie

Organization: Georgia Water Alliance

We agree that both the current and future levels of water supply and wastewater returns at Lake Lanier and the Chattahoochee River in metropolitan Atlanta should be considered and evaluated in the EIS. The current and future levels should also be included in the updated Water Control Manual.

Further, on May 16, 2000, then Governor Roy Barnes wrote to Honorable Joseph W. Westphal, Assistant Secretary of the Army for Civil Works, requesting that the Corps of Engineers allow municipal and industrial water supply withdrawals of 297 mgd from Lake Lanier and requesting releases of sufficient water from Buford Dam to support 408 mgd of water supply withdrawals downstream of the dam. Governor Barnes also provided projections of treated wastewater discharges (return flow) to the lake and river. We suggest the Corps of Engineers and its consultant work closely with the Georgia Environmental Protection Division and the Metropolitan North Georgia Water Planning District to refine the projections provided by Governor Barnes. This coordination is particularly important in updating the Lake Lanier return flow projections.

The positive impacts of return flows on Lake Lanier and the Chattahoochee River are significant and must be factored into the EIS and Water Control Manual. The local governments of metropolitan Atlanta will increase the amount of treated wastewater discharged to the lake and river as part of the overall plan to improve management of water resources in the Atlanta area.

We also agree that the scope of the EIS and the Water Control Manual should include the entire ACF Basin. We believe that the current and future water quantity impacts to the ACF Basin resulting from water use in metropolitan Atlanta are moderate and acceptable. The documentation and evaluation of these impacts should be part of the EIS. We also recognize that there are many users of water outside of metropolitan Atlanta in the ACF Basin. We believe the river system can be managed to meet all reasonable water supply needs. The future water withdrawals and wastewater returns of these users, including agriculture, should be evaluated in the EIS.

The economic benefit of water supply to metropolitan Atlanta and Georgia is substantial. The attachment to Governor Barnes' May 16, 2000 letter contained an analysis of the net economic benefit, consistent with protecting the Nation's economy. This economic analysis was based on conservatively high values for using Lake Lanier's water for hydropower and navigation and conservatively low values for using Lanier's water for water supply. Even with this conservative methodology, water supply was shown to be much more valuable than hydropower and navigation. We are confident that if the Corps of Engineers updated this economic analysis, the value of Lake Lanier's water for water supply would again be shown to be far greater than the value for the other designated uses.

Water supply is essential to the economy and quality of life in metropolitan Atlanta and Georgia. The Georgia Water Alliance looks forward to completion of the draft EIS and draft Water Control Manual and will provide input to those draft documents at the appropriate times.

Comment ID 0184.001.001

Author Name: Amos Ralph

Organization: Forsyth County Board of Commissioners

As chairman of the Forsyth County Board of Commissioners, I urge the U.S. Army Corps of Engineers to diligently work to complete the necessary steps to finalize the update of the Master Water Control Manual for the Apalachicola-Chattahoochee-Flint River Basin. While 20 square miles of Lake Lanier are located in Forsyth County, the county has been denied access to the lake for an intake for more than 25 years, despite our best efforts. Numerous requests for a drinking water intake have been made with the support of both state and federal officials, but unfortunately the Corps has been unable to grant our request. We are thankful to see the Corps once again working on an update to the manual.

Forsyth County has consistently been ranked among the fastest growing counties in the nation - a designation that continues despite the challenging economic climate. It is ironic that construction of Lake Lanier, along with the associated tourism, is a major contributor to the county's growth, and yet it has also blocked the county from exercising our riparian rights to water from Lake Lanier and the Chattahoochee River to meet the needs related to that growth. Currently, even though the county has the necessary state permits, our lack of an intake structure requires us to obtain

our raw water through the city of Cumming's intake.

We support all efforts to protect and increase water supply for the region while maintaining safe lake levels for recreational use. We also support the study of raising the lake level to the benefit of the region. We strongly believe that water supply should be given top priority. We request that the Corps grant our request, as an existing user of water, and approve a new Forsyth County withdrawal intake structure and storage allocation contract as quickly as possible. Delays in solidifying our water supply's future could force the unnecessary spending of tens to hundreds of millions of dollars.

Once again, we support your efforts toward completing this as a top priority.

Comment ID 0188.001.001

Author Name: Gleason Jack

Organization:

My perspective and solution offered as a Concerned Citizen, Forsyth County, Georgia, U.S.A

What's happened to-date regarding the legitimacy of any "Temporary" Water Storage Allocation (WSA) or "Hold-Over Contract" granted of "State Waters" by the U.S. Army Corp. of Engineers (ACE) to the City of Cumming inarguably on behalf of ALL People of Forsyth County over 35 years ago then, and no-doubt very-well so through today is the prime example of those direct impact component-factor "causes" inciting that history of the "Tri-State Water Wars" litigation... whereas the 11th Dist. Court of Appeals, having directed You (ACE) to expedite this "review of Authority" in revision of that "Water Control Manual" offers-up the relief of a "New Day" today.

Our problem -- from My perspective as a Concerned Citizen of Forsyth County -- evolved for:

A) The avarice and greed perpetuated of certain "Stewards" from then back in the 70's on being only maintained for what control remains wrested of the People of Forsyth County's "State Waters" Natural Resources today: The continuing parlay of Them by the City of Cumming for an "Enterprise System" construed to operate less in-the-interest of The People of Forsyth County at-large for what monopoly has been created of that "Temporary" Water Storage Allocation granted the City of Cumming in clear oversight for the exclusion of Forsyth County being "Vested" too some 35 years ago.

I believe that should change with ACE granting each their own WSA as a "Municipal Water Service Provider" in consideration of their respective "Service-Delivery Network/Demand"...then the actual withdrawal and delivery -- directly out of Lake Lanier for that commensurate-use granted of the Georgia Environmental Protection District (EPD) via a "Shared" Raw Water (withdrawal) Allocation -- is negotiated "Home Rule" amongst them much more fairly than occurs of-late for that malaise festered to-date, aka "that mess there up in Forsyth County!".

B) Local, State, and the Federal governments at-large ALL harboring an apparently intentional-ignorance of the Clean Waters Act for the short-sighted and irrational management of Our Watersheds and other Natural Resources...They experience "Death by a thousand-stings" for what failures are otherwise expedited by ALL parties charged with

Stewardship!

The State EPD, it's "Municipalities" such as both the City of Cumming and Forsyth County, and very-well too the Federal Government via YOU, the Army Corp. of Engineers (ACE) YOU ALL are charged with its stewardship...to then operate in the best-interest of "The People" -- first and foremost with its protection and preservation of Our Natural Resources -- and only secondly then, in most-prudent management of those resources "Consumptive Uses"...yet it seems to operate exactly backwards of that for what consideration is given of the sustainability of Our Natural Resources today against what's "Planned" in terms of Growth and Development by Our "Stewards" tomorrow ?

Today the City of Cumming, being granted a "Temporary" Water Storage Allocation in the interest of providing "State Waters" to ALL Citizens of Forsyth County weild what amounts to nothing-less than a Monopolistic "Enterprise System", and, should it remain status-quo, only continues driving what festering wedge it has manifested into between the members of the County Community at-large...but for the process mandated of the 11th Dist. Court of Appeals today there is perfect opportunity to right this wrong.

Grant Forsyth County and the City of Cumming each their OWN respective Water Storage Allocation (WSA) based upon whatever methodology employable then best reflects A) Each Municipality's respective "Service Demand" and B) Each Municipality's grade-review of "Watershed Management" ie: Land Stewardship...as neither have been the best of THAT for what documentation I could provide - of THEIR records! - showing the Watersheds continued degradation of Water Quality, and that DESPITE what comprehensive "Watershed Management Plans" are put-forth in what amounts to little-more than Lip-Service to those objectives intended/construed of the Clean Waters Act...which should well-be of SOME consideration(s) to ACE in granting ANY Municipality/End-User a WSA.

Such endeavor best-starts with the replacement of "Should" with "SHALL" everywhere throughout Federal, State, (and damn-well most-importantly!) "Local" Government "Comprehensive Land-Used Planning"...whereas too much "Growth" is often being projected with too little if ANY concern of what finite Natural Resources are available to sustain that growth-trajectory proposed at an acceptable Levelof- Service (LOS) that will procure a desirable Quality of Life...especially when "Minimum Standards" -- imposed as the "benchmark" -- are being perpetually ignored all-together most of the time

ACE can correct/expedite improvement of such "Stewardship" by teaming-up with Georgia EPD in granting additional capacity -- above-beyond a Municipal Water Providers granted WSA -- @ 50% of their Waste Water Discharge when that discharge EXCEEDS an elevated Level of Purity (LOP) over a given Rate Of Discharge/Time BACK into the "Source" ie; The Lake Sidney Lanier/Upper Chattahoochee River corridor-reach but it must be A) Of significantly improved Water Quality over that of the regions overall Water Quality as-found negatively impacted by Growth & Development, and B) Returned-to- Source where it was otherwise treated/discharged as a "Consumptive Loss".

Comment ID 0194.001.001

Author Name: Turner Judson

Organization: Georgia Department of Natural Resources, Environmental Protection Division (EDP)

Dear Sir or Madam:

The State of Georgia submits these comments in response to the Federal Register Notice of October 12, 2012 (77 Fed. Reg. 62,224) regarding the U.S. Army Corps of Engineers' (the "Corps") proposed revisions to the scope of the Draft Environmental Impact Statement ("EIS") for the Corps' update of the water control plans and manuals (collectively, "WCM") for the Apalachicola-Chattahoochee-Flint ("ACF") River Basin.

This is the Corps' third scoping notice concerning the EIS for the ACF WCM. The Corps' prior 2010 Scoping Report expressed the Corps' intent only to consider as action alternatives reservoir operations that restricted withdrawals and releases for water supply to those allowed under a July 2009 Order of the District Court in *In re Tri State Water Rights Litigation*, Civil Action No. 3:07-md1-1 (M.D.Fla.) (the "MDL District Court Order"). The United States Court of Appeals for the Eleventh Circuit reversed the MDL District Court Order, and the Corps then determined that it possesses statutory authority to operate Lake Lanier to meet Georgia's projected water supply demands as set forth in the May 16, 2000 request of the State of Georgia to the Assistant Secretary of the Army (the "Georgia Water Supply Request," or "Request"). Accordingly, the Corps now must decide whether and how it will meet Georgia's future water supply needs. The Corps' deliberation over the Georgia Water Supply Request affects the scope of the EIS that the Corps must undertake for the WCM.

I. Georgia's Prior Scoping Comments and Basis for Additional Comments

The Corps first solicited comments on the scoping of the ACF WCM on September 19, 2008. In scoping meetings that followed that notice, the Corps announced that the new WCM would merely document then-current operations. Thus, the Corps would not study as an alternative accommodating Georgia's future water needs or modifying the Revised Interim Operating Plan for Jim Woodruff Dam ("RIOP"). In comments that it submitted on November 21, 2008, Georgia pointed out that limiting the scope of the EIS in this manner would violate the National Environmental Policy Act, 42 U.S.C. § 4321 et seq., ("NEPA") and the Administrative Procedure Act, 5 U.S.C. § 701 et seq. ("APA"), and would produce a deficient WCM that promptly would be rendered obsolete.

The Corps issued a second notice and request for comments on scoping in November 2009 in reaction to the MDL District Court Order. The MDL District Court Order provided that, absent congressional action or interstate agreement, as of July 19, 2012, the Corps would have to eliminate virtually all water supply withdrawals from Lake Lanier and limit releases from Lake Lanier during non-peak hydropower periods to no more than 600 cfs. The Corps announced that in light of the MDL District Court Order, in terms of water supply, the action alternative(s) for the ACF WCM would be restricted to the withdrawals and releases from Lake Lanier that were allowed under the MDL District Court Order. Georgia provided written comments stating that, notwithstanding the MDL District Court Order, the failure by the Corps to include as an action alternative operations to meet Georgia's future water supply demands would violate NEPA and produce a meaningless document. The Scoping Report that the Corps issued in March 2010 restricted the alternatives to those that complied with the MDL District Court Order, but it did seem to acknowledge that the Corps would have to account for the serious economic implications of so restricting water supply, stating that "it is clear that the issues of greatest concern are the potential for significant impacts on socioeconomics, water resources, and biological resources." Scoping Report at 96- 97.

The United States Court of Appeals reversed the MDL District Court Order in June 2011, finding that reservoir operations to support water supply-at least water supply withdrawals from the river below Lake Lanier if not also direct withdrawals from the lake-were authorized under the River and Harbor Act of 1946, and that the Water Supply Act of

1958 gave the Corps additional water supply authority. The Court of Appeals directed the Corps to reconsider the Georgia Water Supply Request, first to determine whether the Corps has authority to grant the Request, and then, if the Corps determines it has such authority, to evaluate under NEPA the effects of granting the Request. Earlier this year, the Corps formally rendered the determination that it has authority to grant the Georgia Water Supply Request.

On October 12, 2012, the Corps published notice of its intent to revise the scope of the EIS for a second time, this time, finally, 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." 77 Fed. Reg. 62,224.

These comments are directed at the revised scope that the Corps has proposed. Georgia will not repeat comments that it has made in response to past scoping notices. To the extent that they are not modified herein or superseded by intervening events, however, Georgia's prior comments stand, and Georgia asks that they remain in the record and that the Corps take them into consideration.

II. Comments on Proposed Revisions to Scope

A. In Assessing All Alternatives, the Corps' Must Take Into Account Georgia's Future Water Supply Needs

Pursuant to the order of the Court of Appeals, and having determined that it has legal authority to do so, the Corps has made the correct decision to study as an action alternative allowing withdrawals from Lake Lanier and making releases from Lake Lanier to meet the projected water supply demands included in the Georgia Water Supply Request. The Corps must decide how it will accommodate Georgia's future water supply demands, and it only makes sense to coordinate the decision on Georgia's Water Supply Request with the WCM update so that the WCM reflects that decision. Thus, the NEPA analysis for the WCM update and Georgia's Water Supply request should be consolidated in a single EIS. Moreover, to avoid the delay and unnecessary expenditure of resources associated with serial updates to the WCM, the EIS should look at modifications of reservoir operations over time to meet water supply needs well into the future.

Based on the foregoing, meeting Georgia's future water supply needs should be identified within the EIS as an element of the purpose and need for the updated WCM. Within the EIS, the Corps must "specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." 40 C.F.R. § 1502.13. Georgia's future water supply needs as articulated in the Water Supply Request properly fall within this definition. As a consequence, all alternatives should be evaluated against the criterion of whether and how they accomplish the purpose of meeting Georgia's projected water needs.

Any alternatives that do not involve releases to support up to 408 mgd of withdrawal from the Chattahoochee River above the Peachtree Creek confluence and 297 mgd withdrawal from Lake Lanier by 2040 must account for the economic, environmental, and sociological effects of other water projects that the State or local water systems will have to develop to meet the shortfall. NEPA guidance issued by the Council on Environmental Quality provides that where an alternative would result in predictable actions by others, this consequence of the alternative should be included in the EIS. See Council on Environmental Quality, "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations," Question 3, 46 Fed. Reg. 18026, 18027 (1981). The substantially higher cost and environmental impact of projects to replace Lake Lanier likely render some or all of those alternatives unfeasible. The

Corps does not have to include as an action alternative any alternative that is not feasible. See *Airport Neighbors Alliance, Inc. v. United States*, 90 F.3d 426, 432 (10th Cir. 1996) (finding that Federal Aviation Administration was not required to consider certain alternatives to runway expansion because implementing the alternatives would be infeasible); *Coalition for Lower Beaufort County v. Alexander*, 434 F. 2upp 293 (D. D.C. 1977), *aff'd mem.*, 584 F.2d 558 (D.C. Cir. 1978) (holding that Corps was not required to consider alternative site for pier where alternative site would have required the dredging of a three-mile channel and was foreclosed by its expense and by environmental and navigational problems).

Comment ID 0196.001.001

Author Name: Deal Nathan

Organization: State of Georgia Office of the Governor

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 it 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.

Comment ID 0200.001.001

Author Name: Hooker Douglas

Organization: ATLANTA REGIONAL COMMISSION

The Atlanta Regional Commission (ARC) submits these comments on behalf of the Water Supply Providers in response to the Corps' October 12, 2012, notice in the Federal Register, which solicits additional public comment concerning the scope of water supply alternatives to be considered as it updates its master water control manual for the Apalachicola-Chattahoochee-Flint (ACF) River Basin. These comments supplement the comments ARC submitted on November 28, 2008 and December 30, 2009.

ARC strongly supports the Water Supply Request submitted by the State of Georgia in 2000. As is explained below, metropolitan Atlanta lacks any economically and environmentally viable alternative source of water supply to replace Lake Lanier.

We are therefore gratified by the Corps' acknowledgment that it must consider metropolitan Atlanta's water supply needs as it updates its master water control plans and manuals for its ACF reservoirs. We hope that the following comments will aid the Corps in establishing its NEPA process for the ACF water control manual update and in preparing an environmental impact statement (EIS) that fully addresses metropolitan Atlanta's water supply needs in conjunction with the Corps' other management considerations for the Basin.

<Portions of the text are bolded. Please see the original letter.>

Comment ID 0203.001.001

Author Name: Austin Mayor

Organization: Metropolitan North Georgia Water Planning District

The U.S. Army Corps of Engineers published a notice in the Federal Register on October 12, 2012, announcing its solicitation of scoping comments concerning the update of its Water Control Manual for the Apalachicola-Chattahoochee-Flint ("ACF") River Basin. We are pleased that the Corps is providing this opportunity for input to the process and that it is considering water supply operations in its Manual update, consistent with Eleventh Circuit's ruling, the Corps' NEPA obligations, and its June 2012 authority determination.

The Metropolitan North Georgia Water Planning District ("District") was created by the Georgia General Assembly in

2001 to establish policy, create plans and promote intergovernmental coordination of all water issues in the metropolitan Atlanta area from a regional perspective. As such, the District has an enormous stake in the outcome of the update of the ACF Water Control Manual process.

The primary purpose of the District is to develop regional water resources management plans, which are enforced by the Georgia Environmental Protection Division ("GAEPD") and used for water resources permitting and state-wide planning purposes. The District's comprehensive water supply plans were adopted in 2003 and updated in 2009. These plans rely on Lake Lanier and the Chattahoochee River as the primary source of water supply for the District through the 2035 planning horizon.

Given the lack of other economically or environmentally viable alternatives, the District respectfully requests that the Corps considers the full Georgia water supply request when evaluating an expanded range of water supply alternatives associated with the Buford Dam/Lake Lanier project. This analysis should include a full and complete analysis of alternative supply sources available to meet water supply needs within the District, and a robust analysis of shortages to the metro Atlanta area that would result from granting anything less than the full request. In addition, the Corps should perform a complete economic analysis to determine the NED and RED benefits of granting the Georgia request.

<Portions of the text are italicized. Please see the original letter.>

12.0 - OTHER

Comment ID 0188.001.002

Author Name: Gleason Jack

Organization:

Such a "Balanced Solution" will resolve a variety of "Stakeholders" concerns as follows:

A) Municipalities will find this mechanism provides an invaluable incentive for how it rewards their efforts put-forth in better protecting, preserving, and procuring a viably sustainable Watershed/Watersupply because it then best provides for their desired rate-of-growth trajectory...One construed to procure a more universally acceptable quality-of-life at a more universally desirable Level-of-Service...because "Future Growth & Development" is tied directly to procurement of "Sustainable High Water Quality".

B) Environmental Interests whose endeavors of protecting/preserving/procuring more sustainable Natural Resources are addressed and found met can then relax in relief of what litigation(s) they may have otherwise considered implementing -- ie; Lawsuit Litigation, etc. -- for having every reason to encourage implementing such a "Balanced Solution" to their concerns.

C) ACE and EPD -- both Federal and State -- are then better-than-ever effectively working toward meeting THEIR responsibilities to The People in expediting those fundamental endeavors construed of the intent of the Clean Waters Act of Congress: Procuring an environment that sustains more of a perpetual net-gain than a perpetual net-loss with regard to the protection and preservation of Our Natural Resources...in this case both "Land" and "Water", with "Air" a likely benefactor too

Finally, as an environmentalist "watch-dog" looking out for what I sincerely feel are the best-interest of ALL -- My local, State, and National community -- I think I can document first-hand where time-and-again "Development Interests" have collaborated with both the Public (Co. Planning Dept. and State Regulatory Agencies) and Private ("Prof. Environmental Consultants") in conspiracies that significantly mis-state -- via both intent and omission -- the extent of "State Waters" otherwise present the lands depicted within their "Plat" submissions...please look into this too, as "Prudent Land Stewardship" MUST become a component-factor that ALL Stakeholders revel in the interest of protecting and preserving Our Natural Resources for the future

The predicate construed of finding "balanced solutions" happens only when ALL Stakeholders "Legs" are considered "Cut" if you will at equal-length...to then support what is "tabled".

In closing, please know Your consideration of My perspective is greatly appreciated, thank you

Comment ID 0262.001.010

Author Name: Martin Roger

Organization: Chattahoochee RiverWarden, Inc.

N.) Under authority of Section 216 (P.L. 91-611) of River and Harbor Flood Control Act of 1970, investigate modifying the projects and/or operations in the ACF river basin due to the significantly changed physical and economic conditions in the basin in order to improve the quality of the environment for benefit of the overall public interest, not just the Metro Atlanta region.

12.A - AIR QUALITY

No Comments are Applicable to this Issue Category, and Thus No Response is Necessary.

12.B - CULTURAL RESOURCES

Comment ID 0175.001.009

Author Name: Wissinger Gordon

Organization: National Park Service Southeast Regional Office

Culture and History

Cultural and historic resources within CRNRA are similarly impacted by water releases from Buford Dam. The Ivy Mill ruins in Roswell, Georgia date back to the 1830's and are listed on the National Register of Historic Places. Ivy Mill is prone to flooding during protracted high water releases from Buford dam. In addition to Ivy Mill, the NPS has documented dozens of archaeological sites within the boundary of CRNRA; many of which occur adjacent to the Chattahoochee River and its tributaries. These archaeological sites are at high risk of damage from accelerated erosion caused by the fluctuating releases from Buford Dam. A number of historic fish weirs within CRNRA are also threatened or lost due to siltation, erosion, and flooding related to the current water regime (Gerdes and Messer, 2007). The Draft EIS should consider the impacts of rapidly fluctuating water levels on archeological and historic sites within CRNRA.

<Portions of the text bolded. See original.>

12.C - GEOLOGY AND SOILS

Comment ID 0165.001.005

Author Name: Freed Charles

Organization: Atlanta Rowing Club

2. Erosion / Sedimentation

Suggested Scope - Include a study of the relationships of Buford Dam operations on turbidity, erosion and sedimentation in the area above Morgan Falls Dam.

<Some text underlined. Please see original document for details.>

Discussion - High discharge rates can result in significant increases in erosion, sediment transport, turbidity and pronounced daily and hourly river level fluctuations (Faye, 1980). The Dept of Interior Geological Survey paper observed that relatively severe bank erosion had occurred along the Chattahoochee River downstream of Buford Dam (Faye, 1980).

<Some text underlined. Please see original document for details.>

Several studies have demonstrated an exponential relationship between flow rates and suspended sediment or turbidity in river water (e.g. Cherry 1976: Colby 1956: Ryan & Emmett 2002). A 1980 USGS report (Faye, 1980) presented data from a study of the Upper Chattahoochee and its tributaries (Table 1). Faye found that the relationship between instantaneous stream flow rates and suspended sediment was explained by the exponential function: $C=aQ^b$

Where:

C = suspended sediment concentration, mg/L

Qi = instantaneous stream flow, cfs

a & b = regression constants.

<Text includes a mathematical equation. Please see original document for details.>

Faye included 3 data sets from days when runoff could have affected the relationship between instantaneous flow rate and suspended sediment (Table 1). When these three data sets with runoff effects are excluded, the resulting function should focus on the effects of instantaneous flow rate on transported sediment. The a & b regression constants for the remaining 14 data sets (Faye1980) were averaged to be conservative and to balance differences in channel characteristics along the 36 river miles between Buford Dam and Morgan Falls Dam. The resulting function is $C=2.61Q^{1.16}$.

<Text includes a mathematical equation. Please see original document for details.>

Calculations indicate that a 770% increase in flow rate (from the 1,140 cfs average to 10,000 cfs peaks) could result in a 1,120% increase in suspended sediment. This function was used to develop an indexed model for calculation of the effects of different flow rates on the suspended sediment concentrations. Four different discharge rates were used to achieve the historical average of 1,140 cfs for two examples of peak discharge patterns. These cases assume the peaks to be rectangular in shape while they actually are approximately trapezoidal.

Case 1: (present pattern) 94% discharge at 600 cfs and 6% at 10,000 cfs

Case 2: (reduced peaks pattern) 77% discharge at 600 cfs and 23% at 3,000 cfs

These two cases of discharge patterns were combined with the respective suspended sediment concentrations indicated by the exponential function. The resulting suspended sediment values for Cases 1 and 2 were indexed using the values for the 1,140 cfs average as the base (% Suspended Sediment at % Flow X % Time at the Case discharge rates). A comparison of these two indexed cases indicated that reducing the discharge pattern peaks from 10,000 cfs to 3,000 cfs could reduce the net suspended sediment concentration by 10% (See Table 2).

This conclusion is supported by the USGS data at Norcross (USGS 2335000), the only site in this 36 mile section of the river that records turbidity levels. That USGS data confirm that the number and magnitude of peaking turbidity levels in that area increase significantly with increasing discharge rates (See Figures 3 and 4, and Table 3). The low turbidity levels are approximately equal at 5 FNU, indicating that the level and duration of the peak values affect the average turbidity by about 10%.

Figure 3: Turbidity at Norcross for average flow of 1,170 cfs 10/19 - 10/28/2012

Figure 4: Turbidity at Norcross for average flow of 2,320 cfs 11/16 - 11/25/2012

Table 1: Upper Chattahoochee turbidity study - List of turbidity study data sets (Faye 1980)

Table 2: Indexed calculations of suspended sediment for a base discharge of 1,140 cfs using the average regression constants of the 14 data sets (Faye 1980)

Table 3: Summary of turbidity changes at Norcross for 10 day intervals (USGS 2335000).

<Please refer to original document for figures and tables.>

Comment ID 0165.001.006

Author Name: Freed Charles

Organization: Atlanta Rowing Club

3. Effects of Erosion and Sediment Transport on Bull Sluice Lake

Suggested Scope - For this topic we have two suggestions for inclusion in the scope phase:

1. Development of a model using available USGS data to monitor changes in the Morgan Falls storage capacity. Such a model could include a combination of net flows in the Morgan Falls impoundment and the rate of change in elevation of Bull Sluice Lake to provide a storage volume relationship. Such a model could be used as often as necessary.
2. Implement a study of transported sediment above and below the Morgan Falls impoundment to provide an additional indicator of sediment deposited within the impoundment.

Discussion - Previous studies addressed potential active erosion within the Morgan Falls Dam impoundment (GA Power-1, 2006). The transported sediment that is being deposited appears to be the result of erosion well upstream of the impoundment as noted by the turbidity patterns observed at the Norcross USGS site (see Fig 3 & 4, and Table 3.)

The rowing community is active on the Morgan Falls impoundment daily, year-round. Our frequent observations of the river conditions indicate that the transported sediment has been causing increasing sandbar growth (in numbers and size) over 6 miles above Morgan Falls Dam. Several sandbars upstream of Morgan Falls Dam now span half the river width (See Figure 5). These growing sandbars force the river traffic into narrowing channels creating potential safety issues. When the Morgan Falls elevation is below 864, the water above these sandbars is too shallow for safe rowing and small power boats.

Furthermore, the deposits above Morgan Falls Dam have formed a large area of very shallow water within 50 yards

upstream of the Dam. The growth of these deposits and upstream sandbars continue to reduce the available storage behind the dam.

The 2004 study of the storage capacity at Morgan Falls Dam referenced 2001 aerial photography during a drawdown to 859 feet to establish a bottom profile that was used to estimate the usable storage capacity at that time. The resulting conclusion was that sediment deposition appeared to be approaching equilibrium within the Morgan Falls impoundment (GA Power-2, 2004). The observations of sandbar growth since 2001 would indicate that the storage capacity continues to decline significantly.

Figure 3: Turbidity at Norcross for average flow of 1,170 cfs 10/19 - 10/28/2012

Figure 4: Turbidity at Norcross for average flow of 2,320 cfs 11/16 - 11/25/2012

Figure 5: Chattahoochee River Exposed Sandbar and Morgan Falls Dam Water Level (elevation) 6/30 - 7/4/2012 (USGS 2335810).

Table 3: Summary of Turbidity Changes at Norcross for 10 day intervals (USGS 2335000).

<Portions of comment in bold and underlined. Please refer to original document for figures and tables.>

Comment ID 0175.001.008

Author Name: Wissinger Gordon

Organization: National Park Service Southeast Regional Office

Geology

Prior to the construction of Buford Dam, naturally-occurring water level fluctuations within the Chattahoochee River would have been relatively slow and gradual. Conversely, the operation of Buford Dam, as dictated by hydropower generation, results in abrupt and dramatic changes in water levels for short periods of time. Over time, this has resulted in severe bank erosion and collapse, not only along the main stem of the Chattahoochee River, but also within tributary confluences due to backwash effects. The Draft EIS should evaluate the geomorphological impact of frequent but short-term high flow conditions, with particular emphasis on the accelerated erosion of river and tributary banks. It will be important to quantify the expected short-term and long-term loss of stream banks in order to accurately analyze the environmental, social and economic effects of accelerated erosion.

The environmental effects of severe bank undercutting and erosion include increased siltation, which concerns the NPS because it leads to long-term habitat alterations that may negatively impact aquatic species. In particular, the Draft EIS should evaluate the impact of dam operations on organisms that benefit from a gravel or rocky substrate, including trout, shoal bass, mussels, and macroinvertebrates. A USGS research biologist noted the deleterious effect of accumulated silt on shoal bass and their habitat within the Chattahoochee River above Morgan Falls Dam (J. Long, pers. comm.). In addition, increasing sediment in Bull Sluice Lake has created a shallow water body optimal for the growth of exotic aquatic plant species.

The social and economic effects of rapid bank erosion in a highly populated and heavily developed metropolitan area are becoming increasingly apparent. Over the past few years, CRNRA has worked with a growing number of municipalities, businesses, homeowner associations, and individual property owners to stabilize banks along the

Chattahoochee River and its tributaries in order to prevent loss of property. In most cases, erosion has progressed over a number of years, then reached a tipping point marked by rapid bank loss and/or threatened infrastructure. The social and economic costs associated with property loss and bank stabilization efforts are an emerging issue in communities along the Chattahoochee River. In evaluating alternatives for the operation of Buford Dam, the EIS should consider the future impacts of bank erosion and the growing cost of measures taken to protect private and public property and facilities.

<Portions of the text bolded. See original.>

12.D - HAZARDOUS, TOXIC, AND RADIOACTIVE WASTE

No Comments are Applicable to this Issue Category, and Thus No Response is Necessary.

12.E - MULTIPLE: NAVIGATION AND OTHERS.

Comment ID 0189.001.006

Author Name: Rogers Gilbert

Organization: SOUTHERN ENVIRONMENTAL LAW CENTER

The EIS must evaluate all impacts to aquatic ecosystems and species throughout the ACF system, particularly threatened and endangered species in the river basins. In addition to threatened and endangered species, the Corps' analysis of effects on aquatic systems within the ACF must include all effects on fish populations. This includes both the fish populations present in the rivers and in the downstream impoundments. Both recreational and subsistence fishing occur throughout the ACF system, so the Corps must be sensitive to any flow regime's effects on fish populations and habitat availability. Additionally, the Corps must address any impacts to water quality. Analysis of water quality and instream flow impacts should include an analysis of historic flow regimes that predate the construction of the dams and reservoirs within the ACF system. In analyzing historic ACF stream flows, the Corps should consult with the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, the U.S. Geological Survey, and state resource agencies in Georgia, Alabama, and Florida.