



RECORD OF DECISION

Allatoona Lake Water Supply Storage Reallocation Study and Updates to Weiss and Logan Martin Reservoirs Project Water Control Manuals Alabama and Georgia

The Final Feasibility Report and Supplemental Environmental Impact Statement dated March 2021 (FR/SEIS), with an errata sheet dated April 2021, for the Allatoona Lake Water Supply Storage Reallocation Study and Updates to Weiss and Logan Martin Reservoirs Project Water Control Manuals addresses water supply and flood risk management opportunities and feasibility in the Alabama-Coosa-Tallapoosa (ACT) River Basin in Georgia and Alabama. The U.S. Army Corps of Engineers (hereinafter “Corps” or “USACE”) operates Allatoona Lake under the authority of the River and Harbor Act of 1945 (P.L. 79-14), and reallocation of storage for water supply is evaluated under the Water Supply Act of 1958 (P.L. 85-500). Review of the proposed flood control operations at the Alabama Power Company (APC) projects is carried out under the Coosa Power Act (P.L. 83-436). The USACE final recommendation (Alternative 11) is contained in the Director’s memorandum, dated 28 May 2021. USACE’s Recommended Plan (RP) would reallocate 33,872 acre-feet (ac-ft) of storage in Allatoona Lake (11,670 ac-ft from flood storage and 22,202 ac-ft from conservation storage) and would utilize the USACE, Mobile District (SAM) storage accounting method. The USACE-SAM storage accounting method charges all water supply withdrawals to the respective water supply account, and credits all inflows, including return flows directly to Allatoona Lake or additive flows released from Hickory Log Creek Reservoir, to all accounts according to their proportion of project yield. The USACE RP would also modify flood control storage to the APC projects Weiss Lake and Logan Martin Lake.

Based on review of reports, the reviews by other Federal, State, and local agencies, Tribes, public comment, and the review provided by my staff, I am selecting Alternative 12 (hereinafter “Selected Plan”). Alternative 12 reallocates 14,159 ac-ft¹ from conservation storage for water supply storage and utilizes the Georgia preferred storage accounting method in which 100 percent of return flows from Cobb County’s water treatment facilities at Allatoona Lake and releases from the upstream Hickory Log Creek Reservoir would be credited to the State of Georgia’s water supply storage account. The Selected Plan is technically feasible and economically justified, in accordance with environmental statutes and is in the public interest. In addition, the Selected Plan has no effect on flood risk at Allatoona Lake.

¹ The FR/SEIS describes Alternative 12 as reallocating 14,524 ac-ft of storage to water supply to meet the projected needs of both Cobb County-Marietta Water Authority (CCMWA) and the City of Cartersville, as requested by the State of Georgia. Of that total amount, 365 ac-ft would have been reallocated to meet CCMWA’s projected need of 57 million gallons per day (mgd), but the Corps’ updated analysis indicated that the 12,485 ac-ft of storage under the CCMWA existing storage agreement will be sufficient to meet that need, if Georgia’s proposed storage accounting method were applied. Therefore, the additional storage reallocated under Alternative 12, using Georgia’s proposed storage accounting method, is 14,159 ac-ft, an amount necessary to meet the City of Cartersville’s projected need of 37 mgd (a total of 20,213 ac-ft, 6,045 under Cartersville’s existing agreement plus a reallocation of 14,159), without an additional 365 ac-ft reallocation for CCMWA. See FR/SEIS Errata Sheet, August 25, 2021. See also FR/SEIS Appendix F, pg. F-23.

I have considered all potential impacts of Alternatives 11 and 12, and they are largely comparable with the exception of impacts to flood risk management storage. Alternative 11 has slightly beneficial impacts compared to the No Action Alternative (NAA) for lake level conditions. Alternative 12 has slightly adverse impacts compared to the NAA for Allatoona lake level conditions. Alternative 11 and 12 both have slightly adverse impacts to hydropower compared to the NAA. Alternative 11 and 12 both have slightly beneficial impacts to municipal and industrial water supply because they both provide for the full need in Georgia's request. Neither alternative would have appreciable effects on flows at the Alabama-Georgia state line, drought triggers, or water quality. Alternative 11 has slight beneficial impacts to recreation at Allatoona due to a higher summer level. Alternative 11 and 12 both have slightly beneficial flood impacts compared to the NAA. All other changes are negligible compared to the NAA. Alternative 11 and 12's effects on biological resources are nearly the same, except that Allatoona Lake would have the benefit of a slightly higher pool level year-round for Alternative 11.

Recognizing the importance of USACE's flood risk management (FRM) mission, one of the original authorized purposes of Allatoona Lake, the Selected Plan reallocates storage solely from the conservation pool without changing the flood pool level. Flood storage capacity at USACE reservoirs is a finite resource, and given the changing climate, any potential increase in flood risk is unacceptable. As an overarching policy matter, any reallocation from flood storage is problematic because water supply users have a permanent right to storage under the Act of 16 October 1963 (Public Law 88-140, 43 U.S.C. 390e) upon completion of their required payments. It would be very difficult and likely require Congressional authorization to reallocate any storage back to flood storage should the need arise in the future.

In balancing the alternatives' impacts to the authorized project purposes and objectives, I have kept in mind the project's original authorization, Section 2 of the River and Harbor Act of 1945 (P.L. 79-14), which authorized the plan for flood control (now referred to as flood risk management), hydropower, and navigation. Alternatives 11 and 12 have nearly the same effects on biological resources, and neither would significantly impact any authorized project purpose. Alternative 11 would produce more recreation benefits (at a cost to the water supply users) and a negligible increase in hydropower benefits over Alternative 12.² These benefits do not outweigh the potential impacts to the FRM mission.

The Final FR/SEIS, incorporated herein by reference, evaluated various alternatives that would respond to the State of Georgia's request that the Corps make storage available to meet a future water supply demand of 94 million gallons per day (mgd) for Georgia's municipal water users from Allatoona Lake, and respond to the APC's request to change flood operations at APC's Weiss and Logan Martin Dams. The Selected Plan is a financially feasible plan, as reallocation results in a cost that is lower than the next least costly alternative water supply source that would provide an equivalent quality and quantity of water. The Selected Plan includes:

- **Allatoona Lake.** The Selected Plan would reallocate 14,159 ac-ft of storage in Allatoona Lake from conservation storage to water supply. The proposed reallocation for water supply storage would meet the full 2050 withdrawal need requested by the State of Georgia, on behalf of the Cobb County-Marietta Water Authority and City of

² The State of Alabama, Southeastern Power Administration, and Southeastern Federal Power Customers commented on the FR/SEIS in January 2021 that USACE's analysis utilized an incorrect baseline for measuring hydropower impacts and underestimated the effects to hydropower of reallocating storage for water supply. However, USACE's analysis indicates that the effects on hydropower capacity, value, and generation from adopting Alternatives 11 or 12 (or even the NAA) would be similar, regardless of the baseline used for evaluating those impacts. See FR/SEIS at 5-2 to 5-9 (Table 5-1), 5-51 to 5-51 (Table 5-15), and Appendix D.

Cartersville, GA (94 mgd). The amount of storage reallocated would comprise 2.53 percent of total usable storage in Allatoona Lake (558,853 ac-ft). Combined with existing storage in Allatoona Lake already allocated to water supply, the total storage allocated to water supply would be 32,698 ac-ft, or approximately 5.85 percent of total usable storage in Allatoona Lake, and 12.1 percent of the conservation storage pool. The conservation storage totals 270,247 ac-ft, of which 237,549 ac-ft, or 87.9 percent, would be available for other purposes. The Selected Plan would also use the Georgia Recommended storage accounting method that was included in the 2018 Water Supply Request, resulting in a dependable yield of 94 mgd for water supply.

- **Weiss Lake.** The Selected Plan would approve Alabama Power Company's (APC) request to modify flood operations at Weiss Dam. The maximum surcharge elevation in the reservoir would be reduced from 574 ft to 572 ft. The winter drawdown level in the lake would be increased by 3 ft from elevation 558 ft to 561 ft. The summer pool level of elevation 564 ft would be extended from the current date of August 31 until September 30 to begin the winter drawdown period. With those modifications, the dedicated flood storage (surcharge storage) would be revised to 301,986 ac-ft and seasonal flood storage (below elevation 564 ft) would be revised to 82,014 ac-ft, for a total of 384,000 ac-ft. To be able to conduct flood operations at Weiss Dam in a manner that would not exceed the revised maximum surcharge elevation of 572 ft, APC would make releases in accordance with a revised flood regulation schedule.
- **Logan Martin Lake.** The Selected Plan would approve APC-requested modifications to flood operations at Logan Martin Dam. The maximum surcharge elevation in the reservoir would be reduced by 3.5 ft from elevation 477 ft to 473.5 ft. The winter drawdown level in the lake would be increased by 2 ft from elevation 460 ft to 462 ft. With those modifications, the dedicated flood storage would be revised to 160,105 ac-ft and seasonal flood storage would be revised to 42,574 ac-ft, for a total of 202,679 ac-ft. To be able to conduct flood operations at Logan Martin Dam in a manner that would not exceed the revised maximum surcharge elevation of 473.5 ft, APC would make releases in accordance with a revised flood regulation schedule.

The changed operations at Weiss and Logan Martin would reduce the maximum surcharge flood control storage available, while increasing downstream flows during severe flood events. The impacts of these actions, including increased hazard in certain areas but reduced risk of flood damage overall, are documented in the FR/SEIS, Main Report and Appendices D and G. USACE considers the revised operations under the Selected Plan to provide equal or greater flood control benefits overall compared to the other alternatives evaluated in the FR/SEIS. It is APC's responsibility to ensure all appropriate real estate requirements are existing or obtained. The Federal Energy Regulatory Commission (FERC) may have the authority to require said easements in a license, however the content and requirements of a FERC license under the Coosa Power Act are within FERC's discretion.

In addition to a "no action" plan, 22 alternatives were evaluated. A total of 14 alternatives were included in the final array, which includes: the no action, the baseline capped, and the future without-project alternatives; six alternatives that meet the 2018 Georgia water supply request from Allatoona Lake only (two of which incorporate storage accounting method set forth by the State of Georgia); one alternative that adopts APC-requested modifications to flood operations at Weiss and Logan Martin projects only; and four alternatives that meet the 2018 Georgia water supply request from Allatoona Lake and satisfy the APC-requested modifications to Weiss and Logan Martin projects flood operations (two of which incorporate storage accounting method set forth by the State of Georgia). The final array of alternatives is

described in detail in Table 4-5 of the FR/SEIS. The alternatives were considered in detail during the plan formulation process; three alternatives (in addition to the no action alternative) were selected for detailed analysis of impacts in accordance with the National Environmental Policy Act (NEPA); they are Alternative 11 (USACE's RP), Alternative 10, and Alternative 3. The other alternatives are variations of these three alternatives, and they would likely involve similar impacts to one of the three alternatives. The Selected Plan (Alternative 12) is closest to Alternative 10, except that Alternative 12 includes the use of the Georgia proposed accounting method. Table 4-2 of the FR/SEIS details the differences between Georgia's proposed storage accounting method and the USACE-SAM storage accounting method. The anticipated environmental consequences of the Selected Plan (Alternative 12) are not significantly different from those anticipated for Alternative 10; a summary of environmental consequences for all alternatives are provided in Table 5-1 of the FR/SEIS.

USACE carefully considered both the USACE-SAM and Georgia's proposed storage accounting methods. While the Georgia users' water supply needs could be met using either storage accounting method, without requiring any significant changes to the operation of Allatoona Lake and without significantly affecting the authorized purposes or the human environment, the USACE RP (Alternative 11) includes the USACE-SAM accounting method, which is consistent with current and past practice at Allatoona Lake. However, after review of the FR/SEIS and comments received from Georgia Environmental Protection Division ("GAEPD") and other parties, I selected an alternative that supports the Georgia preferred storage accounting method. Georgia has articulated that it has sovereign authority to allocate the right to withdraw, divert, and impound made inflows in Allatoona Lake, and USACE does not show deference to the State's allocation. USACE's RP would not fully recognize State allocation of use rights for made inflows and thereby conflicts with Georgia State law.

The State of Georgia emphasized in its comments that GAEPD and the Metropolitan North Georgia Water Planning District ("MNGWPD") have studied and engaged in water planning at Allatoona Lake for nearly 20 years and dedicated resources to these efforts. Given the State's efforts, I find it reasonable to defer to the determination of the State on the best way to meet their water supply users' needs, especially where doing so does not interfere with federal purposes, policies, or law.³ The State of Georgia has the primary responsibility for water planning and water supply, not USACE, and the State is willing to assume the risk that its water supply needs may not be met in a drought. I am comfortable allowing them to do so. Any risk of exceedances of the water supply storage reallocation may be addressed in the agreements with the State of Georgia and the water supply providers.⁴

For all alternatives, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the Selected Plan are listed in Table 1.

Table 1: Summary of Potential Effects of Selected Plan (Alternative 12)

³ The State of Alabama observed in comments on the FR/SEIS in January 2021 that Georgia lacks the power to impose its storage accounting method on federal projects and property. Alabama and the Water Works and Sanitary Sewer Board of the City of Montgomery, Alabama also commented that state line flows, drought conditions, and water quality would be adversely affected by reallocation of storage to meet Georgia's needs. In this case, however, I am selecting an alternative that reallocates storage and utilizes Georgia's proposed method after exhaustive analysis by USACE that demonstrates no significant adverse impacts to federal purposes or to resources identified as important to Alabama.

⁴ Because Alternative 12 would change the storage accounting method at Allatoona Lake, the existing storage agreements with CCMWA and the City of Cartersville need to be modified to reflect the updated storage accounting.

	Significant adverse effect	Insignificant effects due to mitigation	Insignificant effects	Resource unaffected by action
Aesthetics	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Aquatic resources/wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Invasive species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fish and wildlife habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Threatened/Endangered species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Historic properties	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other cultural resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hazardous, toxic & radioactive waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hydrology	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Land use	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Navigation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Noise levels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Socio-economics	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental justice	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tribal trust resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Water quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Climate change	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

All practicable means to avoid or minimize adverse environmental effects were analyzed. No compensatory mitigation is required.

The Final FR/SEIS was published on 20 November 2020 and via subsequent notices in the Federal Register extending the Agency review period that closed on 25 January 2021. All comments submitted during this comment period were considered. An errata sheet was prepared for the Final FR/SEIS showing the clarifications to the report made from comments received on the final document.

Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers (Corps) determined that the Recommended Plan may affect but is not likely to adversely affect the following federally listed species or their designated critical habitat: the gray bat, Indiana bat, northern long-eared bat, red-cockaded woodpecker, wood stork, bog turtle, flattened musk turtle, black warrior (Sipsey Fork) waterdog, amber darter, blue shiner, Cahaba shiner, Cherokee darter, Conasauga logperch, Etowah darter, goldline darter, pygmy sculpin, rush darter, snail darter, trispot darter, vermilion darter, Alabama moccasinshell, Coosa moccasinshell, cumberland bean, dark pigtoe, fine-lined pocketbook, Georgia pigtoe, orangeacre mucket, ovate clubshell, southern acornshell, southern clubshell, southern pigtoe, triangular kidneyshell, upland combshell, cylindrical lioplax, interrupted (Georgia) rocksnail, lacy elimia, painted rocksnail, plicate rocksnail, rough hornsnail, tulotoma snail, Alabama canebrake pitcher-plant, Alabama leather flower, gentian pinkroot, Georgia rockcress, green pitcher-plant, harperella, Kral's water-plantain, large-flowered skullcap, Michaux's sumac, Mohr's Barbara's

buttons, small whorled pogonia, swamp pink, Ruth's golden aster, Tennessee yellow-eyed grass, Virginia spiraea, white fringeless orchid, and the whorled sunflower. The U.S. Fish and Wildlife Service (FWS) concurred with the Corps' determination on 6 November 2020. As requested by FWS, the Corps will monitor elevation and flow of Choccolocco Creek, per the recommendation of the FWS. If duration of the 5-year flood exceeds the pre-project 5-year flood by more than 12 hours and 1 foot, the Corps will reinitiate consultation with the FWS regarding the cylindrical lioplax, the painted rocksnail, and the tulotoma snail.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the Corps determined that historic properties may be adversely affected by the Recommended Plan. The Corps and the Alabama State Historic Preservation Officer and Georgia State Historic Preservation Officer entered into a Programmatic Agreement (PA), dated 15 December 2020. All terms and conditions resulting from the PA shall be implemented in order to minimize adverse impacts to historic properties.

The effects of the Selected Plan are nearly the same as the Recommended Plan with respect to biological resources, and the two plans are identical with respect to operation of the Weiss and Logan Martin Dams. The differences between the Selected Plan and the Recommended Plan with respect to Allatoona Lake are unlikely to result in changes that would require reinitiation of consultation with FWS or modifications to the PA.

CLEAN WATER ACT SECTION 401 COMPLIANCE:

Some commenters raised concerns that the Recommended Plan does not comply with Section 311 of the Clean Water Act, 33 USC 1323, because it does not ensure that state water quality standards for waters in the ACT Basin would be met. However, under either the Recommended Plan or the Selected Plan, the Corps would not be undertaking any activity that would require a Clean Water Act permit or a water quality certification pursuant to section 401. As discussed in the FR/SEIS and in the responses to comments in Appendix F, the Selected Plan does not involve any discharges of pollutants from any federal activity. The FR/SEIS does recognize that water quality issues do exist in the basin and evaluates the impacts—judged to be slight—on water quality under the Selected Plan compared to the no action alternative. Those issues, however, would result either from the existence of the dams themselves or from the actions of third parties beyond the Corps' control. Thus, USACE is not required to obtain a Clean Water Act permit or water quality certification as part of the Selected Plan, and the Clean Water Act does not require any specific mitigation measures.

COASTAL ZONE MANAGEMENT ACT:

The Selected Plan is not expected to have any influence on the Alabama coastal zone and thus no consistency determination was made.

WATER SUPPLY ACT OF 1958:

The recommended reallocation of 14,159 ac-ft from Lake Allatoona falls within the authority of the 1958 Water Supply Act. As explained above and in the FR/SEIS, the reallocation of storage under the Selected Plan would not entail any major changes to the Corps' operation of Allatoona Lake or the ACT system projects for their authorized purposes, and there would be no significant impacts to any authorized project purpose. Therefore, no major operational change or serious effects occur as a result of the recommended storage reallocation, and the reallocation can be fully accommodated under the Water Supply Act.

COOSA POWER ACT:

The Corps has evaluated APC's proposed changes pursuant to Section 9 of the Coosa Power Act, which provides that "the [APC] dams shall be subject to reasonable rules and regulations of the Secretary of the Army in the interest of flood control and navigation." The Corps considers the revised flood control operations at APC projects under the Selected Plan to provide equal or greater flood control benefits overall compared to the other alternatives evaluated in the FR/SEIS, and to the natural conditions before construction of the dams, with no significant impacts to navigation.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed. Information about applicable environmental laws can be found in Table 7-1 of the FR/SEIS.

Technical, environmental, and economic criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on the review of these evaluations, I find that benefits of the Selected Plan outweigh the costs and any adverse effects. This Record of Decision completes the National Environmental Policy Act process.

Date

Jaime A. Pinkham
Acting Assistant Secretary of the Army (Civil
Works)