APPENDIX D

Interagency Scoping Meeting Items

a. **Invitation List and Correspondence**
b. **Attendance Roster**
c. **Meeting Presentation**
d. **Meeting Transcript**
e. **Meeting Memorandum**

September 5, 2008

Regional Administrator
Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth St. SW
Atlanta, GA 30303

Dear Regional Administrator:

The U.S. Army Corps of Engineers, Mobile District, will be holding four public scoping meetings during the month of September as part of its review and update of the Water Control Manual (WCM) for the Alabama-Coosa-Tallapoosa (ACT) River Basin. The public is invited to attend the scoping meetings which will provide information on the WCM update process and afford the opportunity to receive input from the public about their issues and concerns regarding that process.

This serves as your agency's invitation to participate in an Inter-Agency Scoping Meeting scheduled for September 11, 2008 at 1 p.m. (CDT). For your convenience, your agency may elect to attend the meeting either in person or via LiveMeeting (videoconference). Your login access to the videoconference information will be provided to you on Wednesday, September 10, 2008. The meeting will allow you to provide input relative to significant resources that your agency believes should be addressed during the WCM update and other issues important to your agency.

Please RSVP to (205) 930-5957 by Tuesday, September 9, 2008.

<u>In-Person Attendance Information</u>:

US Army Corps of Engineers, Mobile District
109 St. Joseph Street
2nd Floor Conference Room
Mobile, AL 36609

Intragency Scoping Meeting Invitee List

Name	Org	Address	Address 2	City	State	Zip	Phone #	Fax #	Email Address
James Murphy	Maritime Administration	501 Magazine Street, Room 1223	Hale Boggs Federal Building	New Orleans	Louisiana	70130	504-589-2000		james.murphy@dot.gov
Regional Executive, Jess Weaver	US Geological Survey	3850 Holcomb Bridge Road, Suite 160		Norcross	GA	30092	770-409-7701	770-409-7725	jdweaver@usgs.gov
Samuel Hamilton	Regional Director U.S. Fish and Wildlife Service, Region 4	1875 Century Boulevard Suite No. 400		Atlanta	GA	30345	404-679-4000	404-679-4006	sam_hamilton@fws.gov
Dr. Richard W. Spinrad, CMarSci	NOAA ,Office of Oceanic and Atmospheric Research	1315 East-West Highway		Silver Spring	MD	20910	301-713-2458	301-713-0163	
Janet Hutzel	Licensing Federal Energy Regulatory Commission	888 First Street, NE		Washington	DC	20426	202-502-8675		janet.hutzel@ferc.gov
Mark Monaco/Branch Chief	National Ocean Service National Oceanic and Atmospheric Administration	1305 East West Highway SSMC4, 9th Floor		Silver Spring	MD	20910	301-713-3028 Ext. 160		mark.monaco@noaa.gov
Dee Stewart	Water Management Division U.S. Environmental Protection Agency	61 Forsyth Street, S.W.	Sam Nunn Atlanta Federal Center	Atlanta	Georgia	30303	404-562-9334		stewart.dee@epa.gov
Douglas Spencer	SEPA	1166 Athens Tech Rd		Elberton	GA	30637	706-213-3800	706-213-3884	douglass@sepa.doe.gov
Paul Gagliano	U.S. Environmental Protection Agency	61 Forsyth Street, S.W.	Sam Nunn Atlanta Federal Center	Atlanta	Georgia	30303	404-562-9373		gagliano.paul@epa.gov
Athena Clark	USGS Alabama Water Science Center Office	75 TechnaCenter Drive	AUM TechnaCenter	Montgomery	AL	36117	334-395-4120	334-395-4168	athclark@usgs.gov
Denesia Cheek	National Park Service Southeast Support Office	100 Alabama Street, NW	Atlanta Federal Center, 1924 Building	Atlanta	Georgia	30303	404-562-3113		denesia_cheek@nps.gov
Herb Nadler	Southeast Power Administration	1166 Athens Tech Road		Elberton	Georgia	30635	706-213-3853	706-213-3884	herbn@sepa.doe.gov
Jeff Weller	USFWS-GA						404-679-7217		jeff_weller@fws.gov
Ken Legg/Administrator	Southeast Power Administration	1166 Athens Tech Road					706-213-3800	706-213-3884	kenl@sepa.doe.gov
Perry Oakes	State Conservation Engineer Natural Resources Conservation Service - Alabama	3381 Skyline Drive	P.O. Box 311	Auburn	AL	36830	334-887-4536	334-887-4551	perry.oakes@al.usda.gov betty.walker@al.usda.gov
Tom Welborn	U.S. Environmental Protection Agency	61 Forsyth Street, S.W.	Sam Nunn Atlanta Federal Center	Atlanta	Georgia	30303	404-562-9354	404-562-9366	welborn.tom@epa.gov
Brian McCallum	USGS- Georgia								bemccall@usgs.gov
Alice Lawrence	Ecological Services U.S. Fish and Wildlife Service	247 South Milledge Avenue		Athens	Georgia	30605	706-613-9493 ext. 222	706-613-6059	alice_lawrence@fws.gov
Marianne Mills/Superintendent	Horseshoe Bend National Military Park	11288 Horseshoe Bend Road		Daviston	AL	36256	256-234-7111		marianne_mills@nps.gov
Mark Thompson/Fishery Biologist	National Marine Fisheries Service Division National Marine Fisheries Service	3500 Delwood Beach Road		Panama City	Florida	32408	850-234-5061		mark.thompson@noaa.gov
Mr. Bill Pearson	Field Supervisor – Ecological Services U.S. Fish and Wildlife Service	1208-B Main Street		Daphne	AL	36526	251-441-5870	251-441-6222	bill_pearson@fws.gov
Arlen Lancaster	USDA, NRCS, Office of the Chief	1400 Independence Ave., SW, Room 5105-A		Washington	DC	20250	202-720-7246	202-720-7690	arlen.lancaster@wdc.usda.gov
Charles Wagner, Acting Regional Engineer	Federal Energy Regulation Commission	3125 Presidential Pkwy	Division of Dam Saftey & Inspections	Atlanta	GA	30340	770-452-3765	770-452-3810	charles.wagner@ferc.gov
Commander	US Coast Guard	Sector Mobile South Broad St.		Mobile	AL	36615			
Duncan Powell	U.S. Environmental Protection Agency Region 4	61 Forsyth Street, SW	Atlanta Federal Center	Atlanta	GA	30303	404-562-9258		powell.duncan@epa.gov
Edward Martin	U.S. Geological Survey, Georgia District	3039 Amwiler Road, Suite 130	Peachtree Business Center	Atlanta	Georgia	30360	770-903-9166	770-903-9199	ehmartin@usgs.gov
Heinz Mueller	NEPA Compliance U.S. Enviromental Protection Agency	61 Forsyth Street, S.W.	Sam Nunn Atlanta Federal Center	Atlanta	Georgia	30303	404-562-9611	do not use fax	mueller.heinz@epa.gov

Intragency Scoping Meeting Invitee List

Name	Org	Address	Address 2	City	State	Zip	Phone #	Fax #	Email Address
J.I. Palmer, Jr.	Regional Administrator, Region 4	61 Forsyth Street, S.W.	Sam Nunn Atlanta Federal Center	Atlanta	Georgia	30303		404-562-9961	sitton.sharan@epa.gov
Jack Holcomb	Regional Hydrologist Forest Service Southern Region	1720 Peachtree Road, NW Suite 816N		Atlanta	Georgia	30367	404-347-5058	404-347-4154	jholcomb@fs.fed.us
Jim Giattina, Water Division Director	Environmental Protection Agency, Region 4	61 Forsyth St. SW	Sam Nunn Atlanta Federal Center	Atlanta	GA	30303			giattina.jim@epa.gov
Jimmy Bramblett	Water Resources Specialist Natural Resources Conservation Service	355 East Hancock Avenue		Athens	Georgia	30601	706-546-2073	706-546-2145	jimmy.bramblett@ga.usda.gov
John Vann	Asst. Dir., Biological Physical Resources Unit Forest Service Southern Region	1720 Peachtree Road, NW Suite 816N		Atlanta	Georgia	30367	404-347-7212		
John W. Carnes	Regional Director/Central Region U.S. Department of Transportation Maritime Administration	501 Magazine Street		New Orleans	LA	70130	318-473-8183		john.carnes@marad.dot.gov
Kirk Cover	Compliance Federal Energy Regulatory Commission	888 First Street, NE		Washington	DC	20426	202-502-8832		charles.cover@ferc.gov
Mr. Jeff Powell	Ecological Services U.S. Fish and Wildlife Service	1208-B Main Street		Daphne	AL	36526	251-441-5858	251-441-6222	jeff_powell@fws.gov
Rebecca Allee/Program Analyst	Habitat Protection Watershed Division National Marine Fisheries Service	1315 East West Highway Building SSMC3, Station 9419	National Oceanic and Atmospheric Administration	Silver Springs	MD	20910	228-668-1701		becky.allee@noaa.gov
Ruth Ann Storey	US Department of Justice	601 D Street, NW		Washington	DC	20004	202-305-0493		ruth.ann.storey@usdoj.gov
Sandy Tucker	Field Supervisor – Ecological Services U.S. Fish and Wildlife Service	247 South Milledge Avenue		Athens	Georgia	30605	706-613-9493 ext. 230	706-613-6059	sandy_tucker@fws.gov
Ted Bisterfeld, NEPA	Environmental Protection Agency, Region 4	61 Forsyth St. SW	Sam Nunn Atlanta Federal Center	Atlanta	GA	30303			bisterfeld.ted@epa.gov
Jim Fenwood	Dir., Biological Physical Resources Unit Forest Service Southern Region	1720 Peachtree Road, NW Suite 816N		Atlanta	Georgia	30367	404-347-7397	404-347-4154	jfenwood@fs.fed.us
USDA-NRCS	USDA-NRCS	P.O. Box 311		Auburn	AL	36830	334-887-4500	334-887-4551	

Alabama-Coosa-Tallapoosa River Basin
Water Control Manual Update
and
Environmental Impact Statement
Interagency Scoping Meeting

September 11, 2008
U.S. Army Corps of Engineers
Mobile District

Name	Organization	Email address
Michael J. Eubanks	USACE-Mobile, Environmental	michael.j.eubanks@usace.army.mil
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Cynthia Henderson	Malcolm Pirnie,	chenderson@pirnie.com
John Nocera	Malcolm Pirnie, Inc	jnocera@pirnie.com
Jonas White		
Bruce Schwennekker		
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Paul Bradley	" " "	Kenneth.p.bradley@usace.army.mil
Jonas White	USACE-Mobile Planning	jonas.white@usace.army.mil

Alabama-Coosa-Tallapoosa River Basin
Water Control Manual Update
and
Environmental Impact Statement
Interagency Scoping Meeting

September 11, 2008
U.S. Army Corps of Engineers
Mobile District

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BILL PEARSON	FISH + WILDLIFE SERVICE	bill_pearson@fws.gov
Yawanna McDonald	MPI	

Alabama-Coosa-Tallapoosa River Basin

Water Control Manual Update
and
Environmental Impact Statement

Interagency Scoping Meeting

September 11, 2008

U.S. Army Corps of Engineers

Mobile District

US Army Corps of Engineers
Mobile District

WELCOME

Dr. Bruce Schwenneker

- Meeting Overview
  - Sign In Sheet
  - Introductions
  - Agenda
  - Meeting Goals
    - Project background
    - Framework for Environmental Impact Statement and Process
    - Agency comments and level of involvement
    - Input on tools, methodology and other discussion
    - Schedule for continuing coordination

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Mobile District

ACT Background
(Jonas White)

- Basin Map
- Alabama Lawsuit
- Comprehensive Study
- Corps/States Negotiations
- ACT/ACF Compacts
- ACT Recent Events

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ACT River System

APC Weiss Dam
Flood Damage Reduction
Hydropower

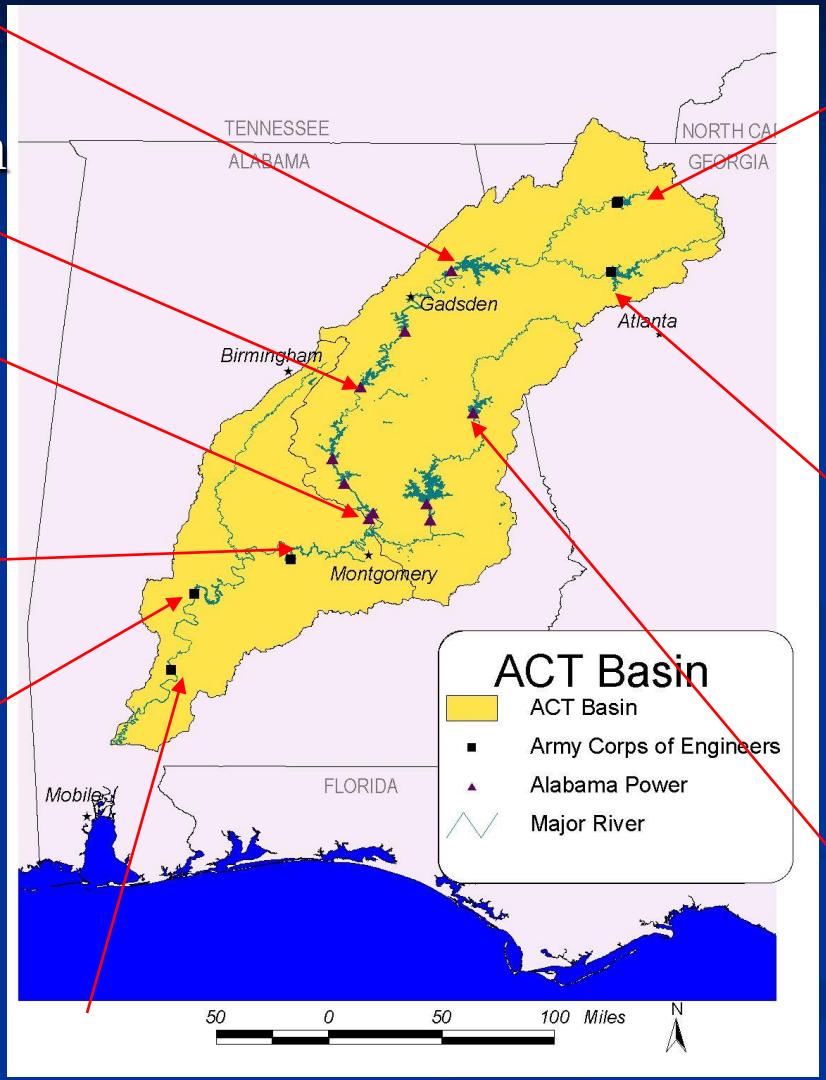
APC Logan Martin Dam
Flood Damage Reduction
Hydropower

APC Jordan Dam
Flood Damage Reduction
Hydropower

R.F. Henry
Hydroelectric Power
Navigation
Recreation
Fish/Wildlife
Water Quality

Millers Ferry
Hydroelectric Power
Navigation
Recreation
Fish/Wildlife
Water Quality

Claiborne
Navigation Recreation
Fish/Wildlife
Water Quality



Carters Lake
Recreation
Flood Damage Reduction
Navigation
Fish/Wildlife
Water Quality
Hydroelectric Power
Water Supply

Lake Allatoona
Hydroelectric Power
Navigation
Recreation
Flood Damage Reduction
Water Supply
Fish/Wildlife
Water Quality

APC Harris Dam
Hydropower
Flood Damage Reduction

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Alabama Lawsuit

- Filed June 1990
- Allegations - NEPA violations related to increased water withdrawals from the ACT and ACF basins

COMPREHENSIVE STUDY

- **Purpose:** *...to determine the capabilities of the water resources of the basins, to describe the water resource demands of the basins, and to evaluate alternatives which utilize the water resources to benefit all user groups within the basins.*
- Conducted in full partnership with Alabama, Florida, Georgia and the Corps (consensus based)
- Six year, $16.3 million Study
- Provided basis for Interstate River Basin Compacts

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Corps/States Negotiations

- 1991 Letter Agreement
  - Allowed limited permanent reallocations of water supply storage in Carters and Allatoona
  - Georgia would participate in Comprehensive Study
- 1992 Memorandum of Agreement (MOA)
  - Lawsuit placed in an inactive status during Comp Study
  - "Live and Let Live"

ACT Compact

- Consensus-based commission for each basin. Three voting State Commissioners (Governors), one non-voting Federal Commissioner
- Required Federal Commissioner concurrence with water allocation formula within 255 days of State Commissioners' agreement
- Adopted "live and let live" provision of the 1992 MOA
- July 2004 – ACT Compact expired

ACT Recent Litigation

- March 2006 - Northern District Court of Alabama ordered case into mediation and implements a stay
- September 2007 - ACT River basin mediation process was halted on. Adopted "live and let live" provision of the 1992 MOA
- October 2007 - Secretary of the Army (Pete Geren) directed the U.S. Army Corps of Engineers to update the water control plans and manuals

ACT Project Management

- Corps of Engineers Product Delivery Team
- Engineering Support - Contractor
- Environmental Support - Contractor
- Scoping Meetings/Management Support - Contractor

ACT Water Control Manual – Background (Randall Harvey)

- ACT WCM Update Process
  - NEPA – EIS Driven
- What is a Water Control Manual?
- Baseline Conditions
- Proposed Action and Alternatives

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ACT Water Control Manual

WE RECOGNIZE THE SIGNIFICANT CHALLENGE!!!

- History
  - (Comp Study, Compacts, mediation, litigation, water allocation, etc)
- Expectations
  - (stakeholders, “revision”)
- Environmental
  - Endangered Species Act
  - Water Quality
- Engineering
  - Modeling
  - Data Availability
- Multi-State Involvement
- Public Involvement
- Multi-Year Drought

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Mobile District

ACT Water Control Manual

Today's water manager must be a software systems technician, data base manager and administrator, a programmer, an engineer, a hydrologic forecaster, a meteorologist, a modeler, a news reporter, an artist, a butcher, a baker, and a water management decision maker!

Water Control Manuals provide documentation including Water Control Plans for specific projects and river basin systems and include guidelines for making water management decisions.

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Authority for Water Control Operations

- Congressional authorization for Federal reservoir projects
- "Blanket" congressional authorizations which apply to all Federal reservoir projects
  - Fish and Wildlife Coordination Act (P.L. 85-624)
  - Flood Control Act of 1944 (P.L. 78-534)
  - Water Supply Act of 1958 (P.L. 85-500)
  - Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500)
  - Endangered Species Act of 1973 (P.L. 93-205)
  - Water Resource Development Acts provisions
- Corps regulation in support of Flood Control and Navigation for non-Federal projects (FERC license, MOAs, etc.)

Regulatory Guidance

Engineering Regulations:

- ER 1110-2-240 (33 CFR Part 222, Sec 222.7)
  - *Water Control Management*
- ER 1110-2-8156
  - *Preparation of Water Control Manuals*
- ER 1110-2-1941
  - *Drought Contingency Plans*

Engineering Manuals:

- EM 1110-2-3600
  - *Management of Water Control Systems*

Other Applicable Documents...

Responsibilities for Water Control Plans and Manuals

- Office of Chief of Engineers *prescribes policies* and general guidelines
- Division Engineer *approves* water control plans and manuals, and associated activities
- District Engineer conducts background studies and *develops* water control plans and manuals
  - Responsibility delegated to Engineering Division, Water Management Section - utilizing inter-disciplinary PDT

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Water Control Manuals

- Documentation of the Water Control Plan for specific projects and river basin systems
- Reference Source
  - ✓Daily use in water control management decisions for all foreseeable conditions affecting a project or river basin system

Water Control Manuals

- Updated or revised as necessary ⇒ *Living Document*
  - Changes made in project area or downstream of project
  - Improvements in technology
  - New legislation
  - New environmental requirements
  - Other relevant factors

- Comply with existing Federal laws and regulations and established Corps of Engineers policy

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Contents of a Water Control Manual

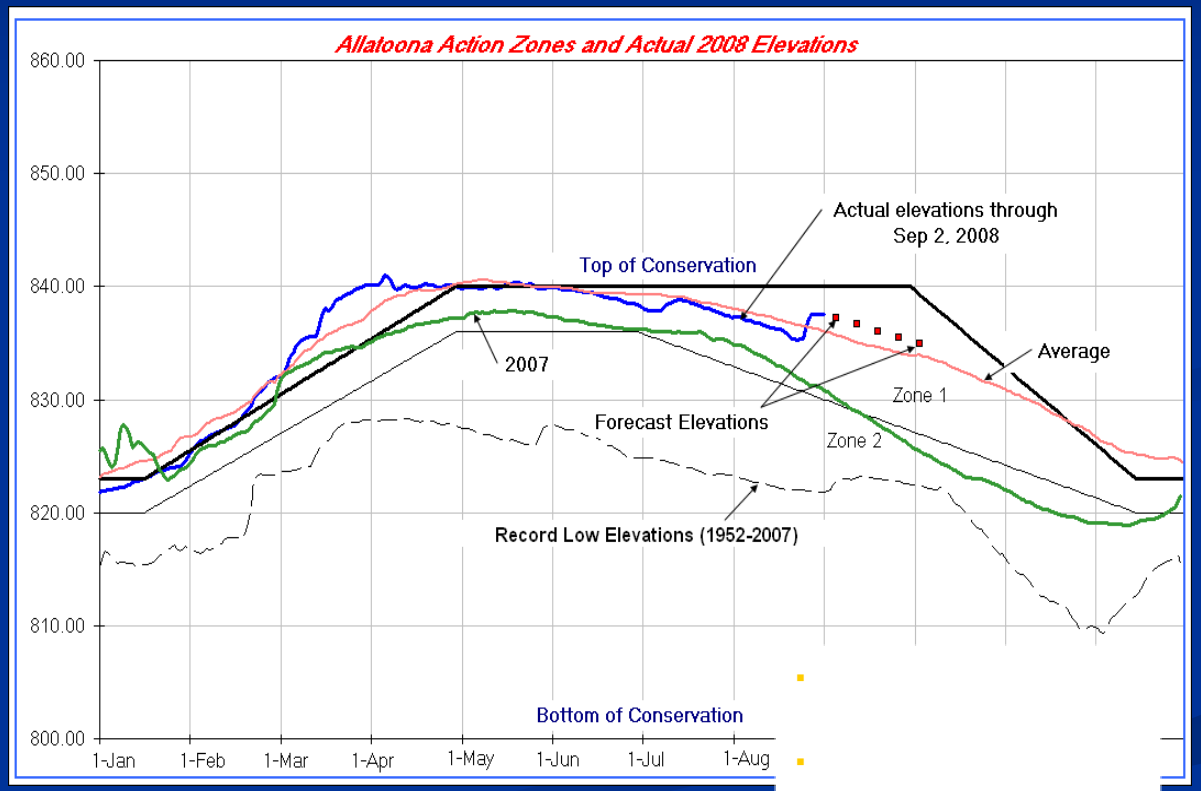
- Pertinent Project Data
- I – Introduction
- II – Description of Project
- III – History of Project
- IV – Watershed Characteristics
- V – Data Collection and Communication Networks
- VI – Hydrologic Forecasts
- VII – Water Control Plan
- VIII – Effect of Water Control Plan
- IX – Water Control Management
- Standing Instructions to the Project Operator

Water Control Plans

- Required for reservoirs, locks and dams, and re-regulation structures
  - Outline regulation schedules for each project and river basin system
  - Basin data collection, analysis & dissemination
  - Assure project safety
  - Regulation of project in authorized manner to balance multiple purposes and demands
    - Normal Condition Operation
    - Flood Damage Reduction Operation
    - Drought Operation

Reservoir Regulation Schedules

- Operating criteria, guidelines and guide curves
- Specifications for storage and releases



General Policies

- Conform with objectives and provisions of authorizing legislation and supporting reports
- Consider applicable Federal law
  - Fish and Wildlife Coordination Act
  - Endangered Species Act
  - NEPA
  - Clean Water Act
  - Federal Water Project Recreation Act
  - Water Resources Development Act provisions
  - Other applicable Federal Statutes

General Policies (cont.)

- Efficient water management with water conservation as a National priority
  - Balanced resource use
  - Maximize all project functions
- Drought Contingency Plan to evaluate conditions requiring deviation from normal release schedules
- Monitor project operations
  - Advisories to higher authorities and other concerned parties
  - Keep the public and stakeholders fully informed

General Policies (cont.)

- Operate for safety of facilities and the general public
  - Issue adequate warnings
  - Alert all affected interests to possible hazards from project operations
- Develop water control plans in concert with all basin interests
  - Federal, State, local agencies
  - Other public interests and stakeholders

Public Involvement

- Water Resources Development Act of 1988
  - Public review and comment required for changes resulting in reallocation of storage or affects on project purposes
- Public involvement and public meetings required:
  - Development of a new water control manual that includes a water control plan
  - Revision/update of a water control manual that changes the water control plan
  - Not required for administrative or informational changes
- Integrate with NEPA Process

Baseline Conditions – NEPA Driven

- 2004 Operation Conditions
  - Federal lake withdrawals when ACT River Basin Compact expired
  - Reservoir system operation

- Baseline will be expanded and updated as required
  - to reflect current problems, opportunities and constraints
  - to establish final planning criteria and objectives
  - to refine measures
  - to formulate the array of alternatives

Proposed Action & Alternatives

- **No Action**
  - The 2008 current reservoir system operations reflecting current water supply demand throughout the basin.
- **Contractually Authorized Plan**
  - The 2008 current reservoir system operation reflecting the contractually authorized water supply withdrawals from Corps lakes.
- **Drought Plan**
  - The 2008 current reservoir operations with a basin-wide drought plan.

National Environmental Policy Act (NEPA)

- A federal law triggered by major federal actions that could affect the quality of the human environment.
- Requires the identification and analysis of potential environmental effects of the proposed federal actions and alternatives before those actions take place.
- A “full disclosure” law with provisions for public access to and public participation in the federal decision-making process.

Environmental Impact Statement (EIS)

- Is prepared in accordance with the NEPA and presents the results of analyses of the potential environmental effects of a proposed action and its alternatives.
- Includes opportunities for public involvement in agency planning.
- Is prepared when a proposed action could cause significant environmental impacts.

EIS (continued)

- Includes analyses of land uses, socioeconomics, cultural resources, transportation, air, noise, utilities, hazardous and toxic materials and wastes, geology and soils, water resources, and biological and natural resources.
- Includes a description of the baseline environmental and socioeconomic conditions against which effects of the proposed action are evaluated.
- Identifies potential consequences and appropriate mitigation (methods to reduce adverse impacts).

Steps in Preparing an EIS

- Define the proposed action, alternatives, and decisions to be made
- Identify resources to be analyzed (scoping) and refine the proposed action and alternatives
- Gather data, conduct analyses, and identify potential environmental effects of the proposed action and alternatives
- Publish a Draft EIS for public and agency review

Steps in Preparing an EIS (continued)

- Conduct public meetings on the Draft EIS to solicit comments
- Publish a Final EIS for public and agency review
- Publish a Record of Decision (ROD)

Legislative, Regulatory & Interagency Framework

- The National Environmental Policy Act of 1969 (NEPA): PL 91-190

- Title 40, Code of Federal Regulations (CFR) 1500-1508: Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

Legislative, Regulatory & Interagency Framework

What is Scoping?

- Proposed action
- Purpose and need for the proposed action
- Possible alternatives
- Seeks input from other agencies, organizations, and the public
- Identify environmental issues
- Agency's planned approach to the analysis

Elements of Scoping Process

- Identify scope of the EIS
- Identify issues to be addressed in the EIS
- Identify and eliminate issues that are not significant or relevant
- Delineate the study area(s)
- Identify potential alternatives

4 Public Scoping Meetings

- Sept 15 - Kennesaw, GA
- Sept 16 – Rome, GA
- Sept 17 – Gadsden, AL
- Sept 18 – Montgomery, AL

- Meetings will be from 5 pm to 8 pm

Format of Scoping Meetings

- All meetings will have the same format and present the same information to the public.
- Open-house style, no formal presentations.
- Subject matter experts located at various information stations.
  - We invite agency participation at the public meetings.
- Court reporter will be available to accept oral statements, and comment forms will be available to accept specific written comments.

US Army Corps of Engineers
Mobile District

Announcement of Public Scoping Meetings

- Database of nearly 4500 contacts
- NOI Supplement/Announcement of Meetings on Aug 22, 2008
- Press release and announcement mailed on Aug 15, 2008
- Webpage: www.act-wcm.com

Scope of the Impact Analysis

- What scoping will evaluate
  - Will capture project and system operations refined since that last Master Manual (1951) was published and the individual project manuals (1979-1993) to changes in basin hydrology and withdrawals/consumption resulting from years of growth/development.
  - Drought contingency requirements to incorporate data and operational changes.
  - Update and quantify current conditions throughout the basin.
  - Incorporate changes due to new/rehabilitated project structural features.

Scope of the Impact Analysis

- What scoping will evaluate (continued)
  - Environmental requirements for water quality, endangered species and fish spawns
  - Procedures for capturing/using real-time data provided by additional gages and monitoring devices.
  - Incorporate latest computer models and techniques to evaluate and establish guidelines for project operations.
  - Improve and streamline methods of communication/data exchange between the Corps and other agencies.
  - Cumulative Impacts
  - Region of Influence

Interagency Coordination

Dr. Bruce Schwenneker

- Open Discussion on any issues
- Agencies and Points of Contact
  - EPA
  - USFWS
  - NOAA
  - NRCS
  - US Coast Guard
  - FERC
  - **SEPA**
  - USGS

US Army Corps of Engineers
Mobile District

Interagency Coordination

(Chuck Sumner)

- Information – Acquisition and Sharing
  - Available Information - Existing
  - Additional Information Needed
  - Technology Transfer
  - Technical Workgroups

Reservoir System Modeling
(James Hathorn)

- Modeling required to update manuals
- Developed by the Hydrologic Engineering Center (HEC)
- HEC-ResSim is the hydrologic model preferred by all 3 states
- Current models developed in partnership HEC & Mobile District

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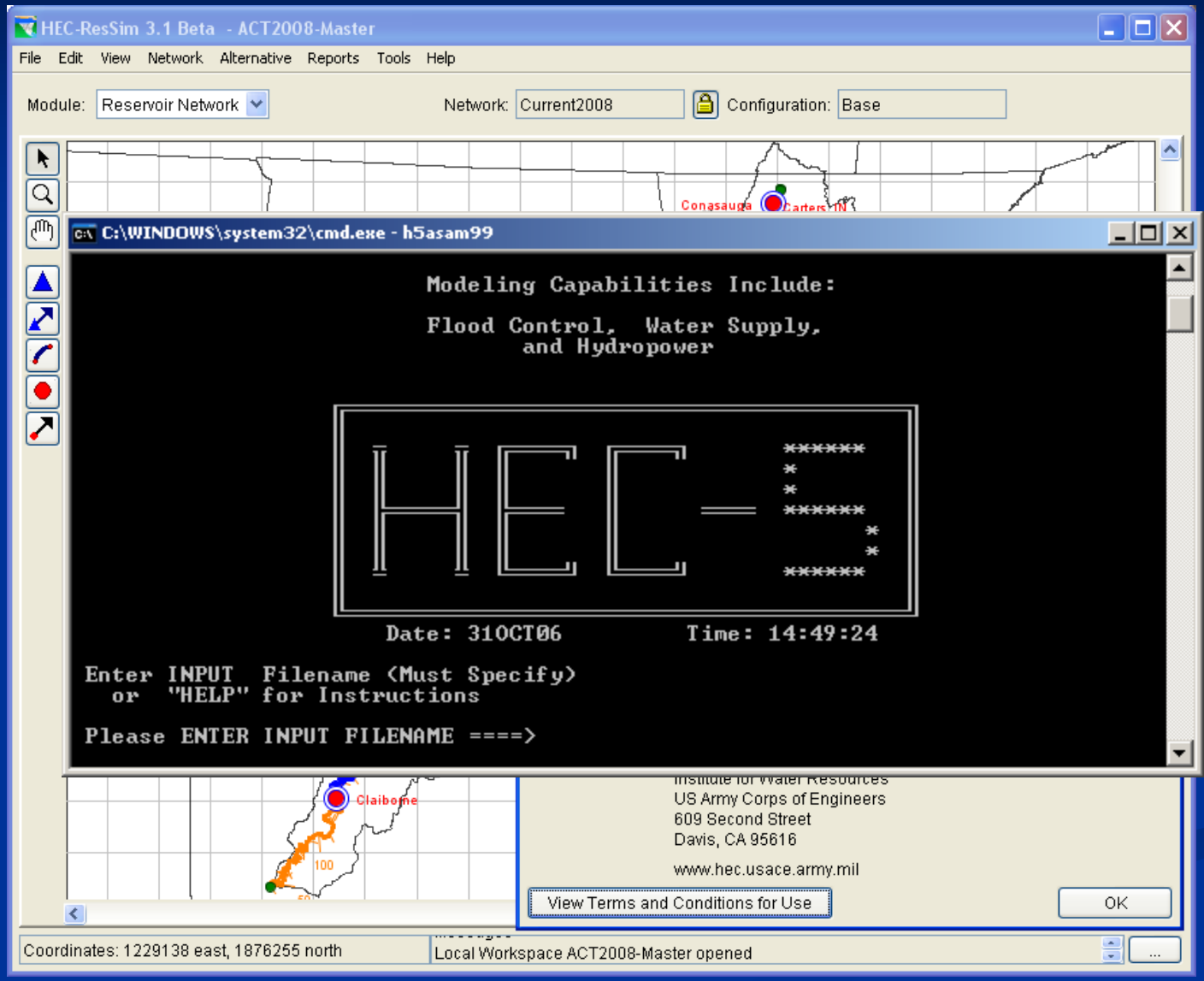
HEC-5 Transition to HEC-ResSim



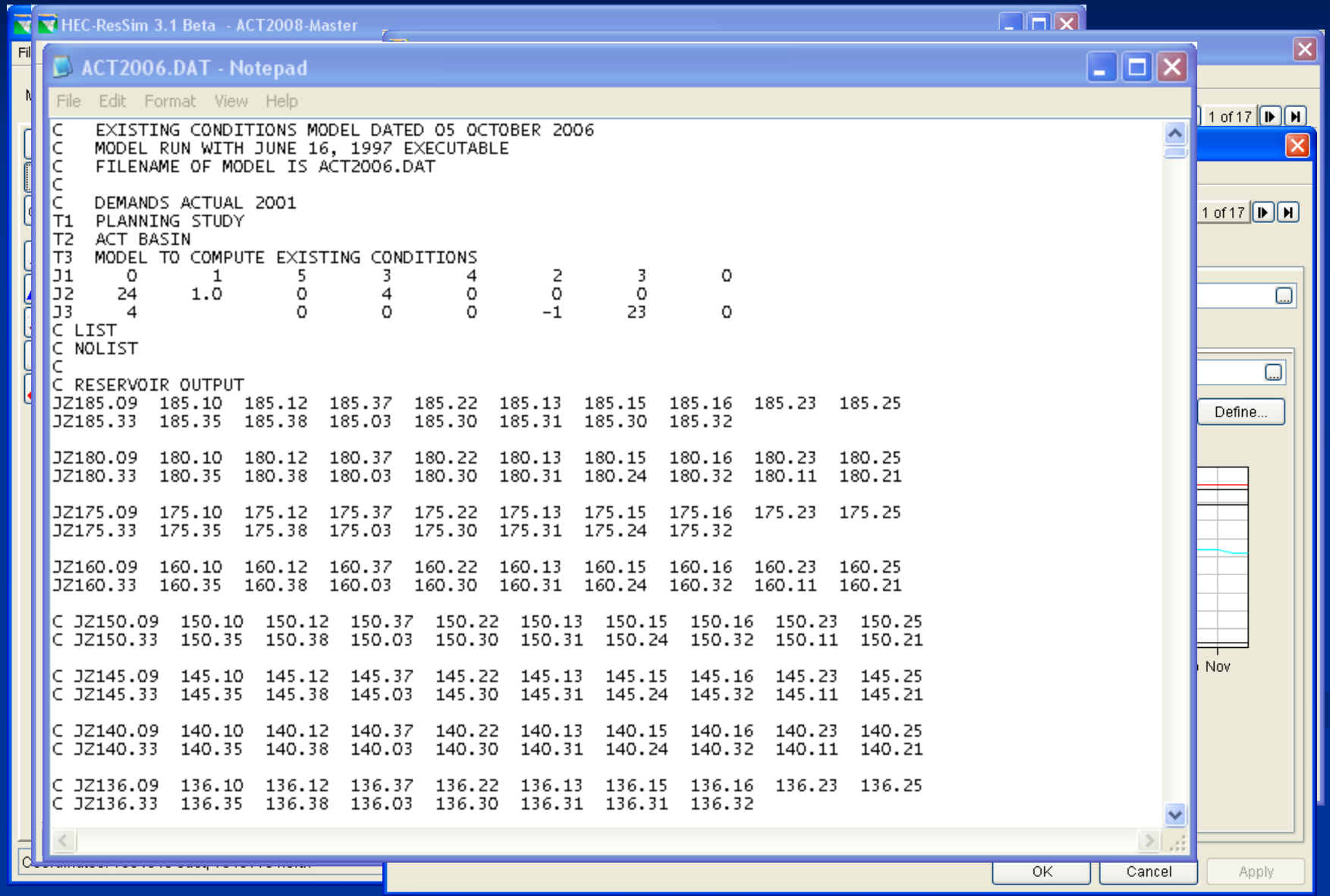
ResSim Major Features

- Graphically Defined System Schematic
- Hierarchical Outlet Structure
- Zone Based Prioritized Operation Rule Set
- Tandem and Parallel Reservoir System Operations
- Compute Interval Ranging from 15min – 1day
- User-defined Plots and Reports

Other Important Features

- Diversions and Diverted Outlets
- Induced Surcharge Operation
- Conditional (If-then-else) Rule Activation
- Release Allocation – Outlet Prioritization
- Scheduled Local & System Hydropower
- Pump-back Storage Operation
- User Scripted Rules & State Variables

HEC-5 conversion to ResSim



Modeling Status

- ACT
  - Res-Sim models: base conditions - 95% complete
  - Res-Sim model: 2008 - 80% complete
  - HEC-5Q Model: developing scope
  - HMS Flood Routing Model developed for Upper Coosa
- General
  - Stakeholder workshop Sept 30 – 02 Oct, Jim Woodruff Dam
  - Hosted meeting in HEC with Mobile Staff & HEC-5Q contractor
  - HEC Staff members traveled to Mobile
  - Conduct weekly technical conference calls with HEC

Concurrent Tasks

- Completed inventory of existing HecRAS and HMS models in the basin
- Collected water use data from AL and GA
- Completed scanning existing Water Control Manuals
- Developing water use projections
- Extending Unimpaired Flow data set through 2006

Linkage to Other Models

- Water Quality Impacts - HEC5Q
- Environmental Impacts – IHA
- Frequency Analysis – HMS
- Habitat / Navigational Impacts - HEC-RAS

Data Transfer

Riverine Aquatic Resources

Protected Species Survey

Riparian Wetland Analyses

Economic Analyses

Reservoir Fisheries Analyses

HEC-5 Output

Freshwater Inflows & Habitat in Mobile Bay

US Army Corps of Engineers
Mobile District

Resource Areas
(Steven Davie)

- Water Resources
- Biological Resources
- Socioeconomic Resources
- Cultural Resources
- Infrastructure Resources
- Other Resources

Water Resources

- Water Quantity
  - Water Use (Municipalities, Agriculture, and Industrial)
  - Interbasin Transfers
  - Minimum Flows and Instream Flows
  - Water Withdrawals
  - Reservoir Storage
- Floodplains
- Groundwater
  - Water Use
- Water Quality
  - Impaired Segments (water quality standards)
  - Non Point Sources
    - Land use activities not regulated as point sources
  - Point Sources Discharges
    - Industrial and municipal wastewater
    - Industrial, urban, and construction-related storm water runoff
    - Concentrated animal feeding operations (CAFOs)
    - Active, inactive, and some abandoned mines
    - Some ships and other vessels
    - Offshore oil rigs
    - Discharges from RCRA remedial action activity meeting point source definition

Biological Resources

- Vegetation
  - Terrestrial
  - Wetlands
- Wildlife
- Fish and Aquatic Life
  - Freshwater
  - Marine
- Threatened and Endangered Species

Socioeconomic Resources

- Economic Development
  - Recreation
  - Navigation
  - Hydropower
  - Flood Control
  - Water Supply
- Demographics
- Environmental Justice
- Protection of Children

Cultural Resources

- Archaeological sites
  - Indian burial grounds
- National and/or Historic Sites
  - Standing structures
  - Landscapes
  - Traditional cultural properties

Infrastructure Resources

- Traffic and Transportation
  - as it relates to changes in navigation
- Water Supply
- Hydropower
- Utilities

Other Resources

- Land use activities
- Hazardous and Toxic Substances
- Safety
- Recreation
- Noise
- Air Quality

Open Discussion

Dr. Bruce Schwenneker

- Discussion Points and Input
  - Alternatives Development
  - Key Issues and Methodology
  - Information Gaps, Needs, Agency Data
  - Information sharing
  - Agency Participation and Roles
  - Technical Workgroups

Next Steps

Dr. Bruce Schwenneker

Proposed Schedule

- NOI in Federal Register – November 9, 2007 and supplement August 22, 2008
- Announcements – August 2008 (press release and announcement)
- Public Scoping Meetings – Sept 15 to Sept 18, 2008
- Scoping Report – December 2008
- Draft WCM and EIS – Spring 2010
- Public Review/Meetings on Draft WCM and EIS – Summer 2010
- Final WCM and EIS – Spring 2011
- ROD – Summer 2011

INTERAGENCY SCOPING MEETING
ALABAMA-COOSA-TALLAPOOSA (ACT) RIVER BASIN
WATER CONTROL MANUAL UPDATE
AND
ENVIRONMENTAL IMPACT STATEMENT

MOBILE, ALABAMA
1:00 P.M. CDT
SEPTEMBER 11, 2008

The proceedings of the INTERAGENCY SCOPING MEETING taken on Thursday, September 11, 2008beginning at 1:12 p.m., at The Army Corps of Engineers Office, 109 St. Joseph Street, 2nd Floor Conference Room, Mobile, Alabama, before Rachel S. Landreneau, ACCR #395, and Notary Public, State of Alabama at Large.

DR. SCHWENNEKER: Good afternoon, my name is Bruce Schwenneker. I'm going to try to moderate this for you and keep things on time, on schedule as we go through. A couple of, I guess, pieces of logistical information we want to get out here.

First of all, there's a sign-up sheet going around, and I'd like to make sure everybody signs in here. We've got about twenty people here in the room, and we'll go around it in a second for introductions and also for those on the phone.

Also, when you speak today, please give your name loud and try to speak into some of the microphones we have so the reporter -- it actually is being recorded, so the reporter can get the right people with the right comments and everything, because she's not going to know who everybody is here.

All right. Let's see. First of all, let's go around the room and do introductions, just real quick who you are and what agency and/or group you're with here.

And how are we set up for microphones for

the phone?

AGENCY REPRESENTATIVE: Just the phone.

DR. SCHWENNEKER: Is it just the phone? It is just the phone. Okay. I'll actually walk it around.

Okay, I'm Bruce Schwenneker with Malcolm Pirnie, and we're working with Jonas to work through the Public Scoping Meetings here and the Agency Scoping Meetings.

MR. DAVIE: I'm Steven Davie with Tetra Tech.

MR. BURKE: I'm Roger Burke, Tetra Tech.

MS. MILLER: Jamie Miller with Tetra Tech.

MR. HATHORN: James Hathorn with the Corps of Engineers.

MS. BAXTER: Elaine Baxter, Corps of Engineers, Planning.

MR. POIROUX: Duane Poiroux, Corps of Engineers, Operations Division.

MR. BRASFIELD: David Brasfield, Corps of Engineers.

MR. PEARSON: Bill Pearson, Fish and Wildlife Service.

MR. EUBANKS: Mike Eubanks, Corps of

Engineers, Environmental.

MR. SUMNER: Chuck Sumner, Corps of Engineers.

MR. NETTLES: Todd Nettles, Corps of Engineers.

MS. McDONALD: Yawanna McDonald, Malcolm Pirnie.

MS. HAZARD: Meredith Hazard, Corps of Engineers.

MR. NOCARA: John Nocara, Malcolm Pirnie.

MS. HENDERSON: Cindy Henderson with Malcolm Pirnie.

MR. HARVEY: Randall Harvey, Corps of Engineers, Board of Management.

MR. SEYMOUR: Chris Seymour, Poltergeist Services.

MR. WHITE: Jonas White, Corps of Engineers.

DR. SCHWENNEKER: All right. Who do we have on the phone?

MS. LAWRENCE: This is Alice Lawrence, Fish and Wildlife Service out of Athens, Georgia.

DR. SCHWENNEKER: Okay.

MS. AUSTIN: Tamieka Austin with

Southeastern Power Administration.

MR. GALLIANO: This is Paul Galliano (phonetic) with BP Region 4 in Atlanta.

MR. WELLER: Jeff Weller (phonetic), Fish and Wildlife Service in Atlanta.

MR. DONNER: Eric Donner (phonetic) with Tetra Tech.

MR. DUKE: Bill Duke with Perk (phonetic) in Atlanta.

MR. THOMPSON: This is Mark Thompson, Wildlife and Fishery Service in Panama City, Florida.

MR. OAKES: Perry Oakes, NRCS, Auburn, Alabama.

MR. GOODEN: Dean Gooden with Tetra Tech.

MR. SOOTER: Jim Sooter with STEL Environmental Enterprises.

DR. SCHWENNEKER: All right. Anybody else?

MR. WELLBURN: Tom Wellburn, EPA, Atlanta.

DR. SCHWENNEKER: All right. Thank you. I guess that takes care of that. So we've got a big group here, and hopefully we'll be able to get some meaningful input into the

scoping session here. What we'd like to do is, I think you all have the agenda that was mailed out also, and Jonas has up on the screen here. Take a look at that.

What we're going to do is go through a little bit of the project background, kind of the framework for the water control manual process and the EIS process, and then try to open it up and get some agency involvement and comment as we go through some of the methodologies here. And then also get into some of the tools that have been developed on some of the HEC modeling, and also some of the methodologies on the environmental resource -- different environmental resource categories that we'll be going through in the evaluation here, and then wrap up talking about the schedule and the timing for everything that'll be going on here.

Now people on the phone, can you hear okay like this?

AGENCY REPRESENTATIVE: Yes.

AGENCY REPRESENTATIVE: Perfect.

DR. SCHWENNEKER: Let us know if you're having problems hearing, we'll try to talk up

or make sure we get the phone, microphone in front of people.

Okay. Jonas, you want to start with a little background on the ACT negotiation, what's been going on?

MR. WHITE: Sure. What I'm going to start with is, I'm going to show a basin map with basin, some of the -- both the Corps projects and the Alabama Power Company projects. I'm going to talk a little bit about some of the litigation or court action that have happened in the past and any ACT recent events that led us up to where we are today.

This is the basin map that lays out the nine projects that will be involved with this particular update, five Corps of Engineers' projects and four Alabama Power Company projects, and this also gives you an idea of the purposes of each of these projects.

This line gives you an introduction to some of the lawsuits that have happened in the past, starting with the 1990 Alabama lawsuit up until the 1992, the Memorandum of Agreement that was signed between the states

and pretty much established the live and let live policy.

Then came the comprehensive study, then the ACT compact, which expired in July of 2004. And recent events that have occurred, beginning with the March 2006 Court of Alabama in the mediation case, leading up to October of 2007, when the Secretary of the Army directed the Corps to update the water control manuals and plans, which is where we are today.

Because this is such a monumental event, there are several different components of what we're doing with the water control manual update. We have a prior delivery team that's established within the Corps of Engineers with representatives from each particular discipline -- Engineering, Environmental, Operations, Office of Counsel and other areas.

We also have engineering support, which is provided by a contractor, and this will assist us in any modeling efforts as we update the manuals. A contractor will be supporting us in preparing an environmental

impact statement and any other environmental issues we may face.

And we also have a contractor that will be assisting us in conducting the Public Scoping meetings and managing the overall effort of the update, and they'll be providing a lot of the feedback throughout the process.

That's it for my brief introduction.

DR. SCHWENNEKER: All right. Randall is going to give us a little bit of background on the water control manual, what they're all about and what the process is here.

MR. HARVEY: Okay. Yeah, what I wanted to do is to, as he mentioned, was to provide the water control manual background of what is a water control manual and in doing so, provide a little bit on what the water control manual update process will be.

And in saying what a water control manual is, is to understand why we need a water control manual, and why we need to do an update. And then lastly, I'll provide what we're considering as our baseline conditions and our proposed action and alternatives.

So as Jonas mentioned, there's many things going on in our water control manual update process. He mentioned the history. There's also a lot of expectation from State colgers (phonetic), agencies, things out there in terms of, Is this a revision or an update, and we want to make clear as we spell out what a water control manual update process is. There is a lot of environmental issues, engineering issues that we take into account. And what we understand is, we notice a significant challenge process that we're undergoing through a water control manual update.

So to understand what a water control manual is, is to understand why we need a water control manual. And basically what they're saying is that a water manager, or what we call a "water basin manager" is basically a water management decision maker, and because of that, because of that is the need for water control manuals. Basically, it provides the documentation that we need to describe a water control plans specific to the projects and specific to the river

basins. These water control manuals include guidelines for making the water management decisions that we have to make each day.

Also to understand what a water control manual is, is to go through a little bit about what the authority for water control operations are. And these are listed here. The main thing to point out is that there's Congressional authorization for each federal reservoir project. There's also blanket Congressional authorizations which cover all federal projects and the inclusion of non-federal projects in a process for the ACT Basin, which is basically the Corps regulation in support of the flood control and navigation and the agreements that we have through memorandums and agreements and also the FERC licenses for those non-federal projects.

And along with those authorities come a regulatory guidance that we have, and what these are, are engineering regulations and engineering manuals that govern and provide the policy and the guidelines for water control management activities as well as

preparing our water control manuals. Now the other applicable documents that, I guess, will be spelled out a little bit later maybe will be need for documentation that we, you know, have to follow, things of that nature. But the main point is that these are regulatory guidelines that we will follow in our water control manual update process.

So we have the authority, and we have the regulations, and then you have what's spelled out as "terms and responsibilities for the water control plans and manuals. From the top down, our Office of Chief of Engineers, our Headquarters, prescribes the policies and the general guidelines that I've just presented.

Our Division Engineer has the responsibility for approving the water control plans and manuals through his division staff. The District Engineer has a responsibility for conducting and developing the water control plans and manuals, and traditionally, that responsibility has been delegated to the Engineering Division and the Water Management Section. But in this case

as you'll see, and as Jonas pointed out, in an effort when we have to follow this NEPA-driven process, we need to and we have to utilize Interdisciplinary Project Delivery Team to make this happen.

So the bottom line of water control manuals, as I mentioned before, it's the primary documentation of the most important piece of the water control manual is the water control plan for the specific projects. But not only that, as a Water Management Section staff, it's a reference source, it's the go-by, it's a book that we live by day to day. So it's the manuals that we use in our daily water management control decisions. And I want to point out for all foreseeable conditions that affect the project and river basin.

So following along with that, when we get to the bottom, or to the end of this road of the water control manual update, it's a living document. So when we go through this process, it's not to end up with something that is, that'll sit on a shelf and just, you know, sit there and not be changed again.

You have to understand it's a living document.

There are instances, such as the ones listed here, that would kind of require some updates. Some of these updates may be just administrative updates that we can do, and have the authority to do without a need for process or without a full-blown effort of an update or revision, but certainly there are other times that if there are instances that take place, then we would go through this process again and to do another update.

The main contents of a water control manual are outlined in here. And I just want to point out probably what I see as the three major sections would be, one's the pertinent project data. We make sure we have that, it's updated, as I said, it's a daily source of information, so it's a quick reference guide to get to key project data, such as what are historical flows, what are your flood control pool elevations, you know, pertinent project data.

And again, the water control manual, the main purpose is to be able to document and

capture the water control plan. And then also at the end of -- the standing instructions to the project operator that we include, because while we're here directing water management activities, it's the project operators and the projects themselves that makes it happen.

So the main portion of the water control manual is the water control plan itself. And these are the water control plans that are required at our federal reservoirs, locks and dams, and our re-regulation structures. Primary purpose is to outline the regulation schedules for each project.

And it's important to point out that the regulation of the project, the water control plan outlines how we do that in an authorized manner to balance the multiple purposes and demand of each project and throughout the river system. And as I mentioned before, it's for all foreseeable conditions. So it's normal operations, flood control operations and drought operations.

And again, following along the lines of a water control manual, the most important

piece for that water control plan, and then the water control plan outlining what the reservoir regulation schedules are and what they do. And they provide our operating criteria, our guidelines and our guide curves.

As an example, here, this is Lake Allatonna guide curve, or what has been referred to traditionally as "rule curves." It outlines the seasonal lake elevations according to our guides, our guidelines, and in Action Zones, which would follow in line with the specifications for releases in our storage.

These are just some of the general policies again that we follow when we're doing work to explain the water control manual update process. Again, we're conforming with the objectives that we have to update, and provisions of all the authorization legislation and all of our regulations.

The primary thing here to do is that we make sure that we come up with a water control manual and plan that provides for the

most efficient water management. Balancing the resource use of our national -- as a national priority. We're maximizing, or we're trying to balance the needs of all the project functions. As I mentioned, there's multiple project purposes.

And again, as we do this, the water control manual will capture how we operate for the safety of the facilities and the safety of the public. So it will include not only a drought plan, but an emergency action procedures as well.

For this process, part of our water control manual update process will require public involvement. And the driving force there is through the NEPA process. But not only that, we do have certain provisions within the water control manual update itself that requires certain public involvement. But in this case, we're going to do that in coordination and conjunction with the NEPA process.

So the baseline conditions for our water control manual update, as mentioned before, goes back to what was it, the State compacts

and in 2004 when the ACT River basin Compact expired. So that becomes what we consider our 2004 operation conditions as a baseline for this NEPA-driven process. So our baseline conditions are the federal lake withdrawals that were taking place at that time, and our reservoir system operations at that time.

The baseline traditionally here is, you know, will be expanded and updated as required to reflect the current problems, the status final planning, define the measures. Basically, the baseline is what we formulate and compare all the alternatives to.

MR. HATHORN: Do you mind if I ask a question?

MR. HARVEY: Yes.

MR. HATHORN: When you say that, I get the impression the baseline may change. Is the baseline going to change, or is it going to stay fixed?

MR. HARVEY: Right, the baseline will stay fixed. And so, thanks, James, for pointing that out, to make sure that we're clear on that.

You know, our baseline is a fixed baseline. Again, to point out that that's what we, that's what we compare our alternatives to.

MR. EUBANKS: And I would add that this is what we propose now going into the scoping process. During the scoping process, we'll evaluate comments regarding baseline, and at the conclusion of that, with our scoping report, we will nail down as we have to something to serve as that baseline for the development and evaluation of alternatives, so, I mean, there could be some adjustment between now and when we get through the scoping process. This is Mike Eubanks.

MR. HARVEY: So with that again, following along the lines of what Mike was saying, going into the scoping meetings, these would be considered our proposed action and alternatives, and then again, you know, we'll nail these down and formulate these as we go through the NEPA and the scoping process.

So we would have a No Action Plan, which is our 2008 current reservoir systems

operations reflecting currently what our water supply and demand is throughout the basin. Second alternative would be our contractually authorized plan. That would be the 2008 current reservoir system operation reflecting the contractually authorized water supply withdrawals from Corps lakes. And we will develop a drought contingency plan for the systems. That would be the third alternative, is a basin-wide drought plan.

That's all I have. Is there any questions?

DR. SCHWENNEKER: All right. We'll get into a discussion more here towards the end.

Now Eric Donner from Tetra Tech, who's going to present the NEPA process. And Eric is on line with us. Go ahead, Eric.

MR. DONNER: I'm going to assume a certain level of familiarity with the NEPA process and try to go through the - there's quite bit of slides, but if there's time at the end, feel free to ask questions.

NEPA, the National Environmental Policy Act, is a federal law required by major -- anytime you have a major federal action that

could affect the quality of the human environment requires identification and analysis of potential environmental effects of the proposed action and the alternatives, and is known as a "full disclosure law" with provisions for public access to and participation in the decision-making process.

The environmental impact statement, which is part of the NEPA process is prepared in accordance with NEPA to present the results of the analysis, potential environmental effects due to proposed actions and the alternatives, includes opportunities for public involvement as compare -- an EIS is prepared when proposed action could cause significant environmental effects.

As part of the EIS, it includes an analysis of a variety of resources both natural, human environment. I'm not going to go through -- list all of these, but you can see them there. There's random mention in the lines of description of the baseline, the environmental socio-economic condition as from the baseline, which is used to evaluate the effect or the significance of the impact.

It identifies potential consequences and appropriate mitigation measures where appropriate to reduce potential impact.

Next, please.

DR. SCHWENNEKER: Bear with us here. There's just a little bit of a delay before you see them on line there.

MR. DONNER: Okay.

DR. SCHWENNEKER: You see the next one, Eric?

MR. DONNER: Yeah.

DR. SCHWENNEKER: It starts off with "Define the proposed action"?

MR. DONNER: Okay. It's coming up a little slow on mine.

But the steps in preparing an EIS, you define the proposed action, the alternatives and the decision-making process along the way. And then through the scoping, you identify the resources that are going to be analyzed, and refine the proposed action and alternatives. A lot of times you'll see alternatives can be an intermittent process before you really define or narrow down what they're going to end up being.

You gather your data, conduct your analysis, identify the potential effects if there any, and then you publish and release for public and agency review the draft EIS. Following the release of the draft EIS, you conduct a public scoping meeting, or public meetings to solicit comments on the draft. Following that you incorporate or you look at the comments, incorporate those that are relevant, you publish the final EIS, put it out for public agency review, and following that, publish a record of decision.

Am I several slides ahead? Okay. One more, please.

MR. WHITE: It's taking a little time.

MR. HARVEY: Okay.

DR. SCHWENNEKER: Next one coming up should be the Regulatory Framework?

MR. HARVEY: Yes. Okay. The EIS all occurs on under this legislative regulatory interagency framework. The primary item is the, is NEPA, National Environmental Policy Act, results of the CEQ regulations for implementing NEPA. And NEPA is really an umbrella that facilitates the coordination --

can you go to the next line? NEPA's the umbrella that facilitates the coordination by integrating processes that might otherwise proceed independently.

The Fish and Wildlife coordination, principals own management, wetlands -- basically, all the coordination with the regulatory agencies, federal agencies, EPA, Fish and Wildlife Service, State SHEPA offices, and then as well as other certain executive orders.

Next. Scoping. As part of the EIS process, the federal agencies describe the proposed action, the purpose and need for the proposed action, and the possible alternatives. But it also, the point at which we're seeking input from the agencies, organizations and the public, and it identifies the environmental issues and the approach to the analysis.

This is really where you formulate your whole approach and how you're going to address the EIS. The elements of the scoping process are you, one, identify the scope of the EIS -- basically what it is you're going

to evaluate, identify the issues to be addressed, identify and eliminate those issues that are not significant or are not relevant, delineate the study area -- also referred to as "region of influence" -- and you identify potential alternatives. The alternatives that are identified are not necessarily the ones that will follow through, they are subject to change as the analysis proceeds.

For this effort there are going to be four public scoping meetings beginning next week, on Monday. There will be two in Kennesaw, or two in Georgia and two in Alabama. All the meetings will be held from five to eight each evening. It goes Monday through Thursday.

Next. The format of the scoping meetings: All four meetings will be the same, the same format, the same information presented. It will be open-house-style meetings, not your typical meeting where you have presentations where people sit and listen and somebody talks. It's more of a, it's an open house or a workshop-style.

We'll have various information stations around -- setup around the room.

The subject matter: Experts located at each of the information stations. We'd also invite agency participation at this meetings, not just the public, but agency personnel as well. And there will be a court reporter there to accept oral comments, and there will be opportunity for written comments as well.

For the public scoping meeting, from a database of about 4500 contacts, mailed out announcements. There's a Notice of Intent supplemental announcement of the meeting sent out on August 22nd. There's a press release and announcement mailed to the contacts on August 15th, and then a website has also been established with the address located there on the screen.

MR. WHITE: And the website is live.

MR. DONNER: Very good. Next. Just briefly, the scope of what the EIS will evaluate, it's going to evaluate the project of system operations, they've been refined since the last master manual and the individual project manuals were published --

which was some time ago, at least for the master manual -- changes in the base hydrology and withdrawals, consumption that have occurred over the years through growth and development, the drought contingency requirements. We're going to incorporate data and operational changes, update and quantify the current conditions throughout the basin, and incorporate changes due to doable for rehabilitative projects structural features.

In addition, to evaluate environmental requirements for water quality and endangered species and fishery resources -- spawnings and such -- procedures for capturing and using real-time data provided by the additional gauges and monitoring devices, incorporate the latest tools, models and techniques and such for establishing guidelines for project operations, and approve and streamline the method for communications between the Corps and the other agencies, and as always will include the cumulative impact analysis.

I know I went through that pretty quick.

It's a lot of information. If you have any questions, feel free to ask.

DR. SCHWENNEKER: We are quite a bit ahead of schedule. We do have some time for questions if anybody has anything at this point.

All right. As we get into the next part of the meeting here, what we'd like to do is, we're going to keep this very open. And what we're going to be doing is go through some of the methodologies, some of the modeling that's gone on in the past, some of the methods that are going to be used for the analysis and for actually both the physical environment and the hydrology as well as the biological and other environmental resources.

And here's what we'd like to do is first start of with some discussions in terms of communications here. We'll get into more communications in a minute.

But first thing is, I have -- this slide just has a list of some of the agencies that are involved here, federal agencies. And what we'd like to do is try to understand from the Agency's perspective who are the

main points of contact and how would you like to disseminate information between agencies and, I guess, between the Corps as the lead agency in this and the other agencies that are going to be reviewing and commenting.

I didn't keep tabs of everybody that's on the phone, but it was a lot more than the eight agencies that we have listed here. And what we don't want to do is just have a lot of confusion in terms of, where is the information going. We just want to make sure that it gets to the right people and that some coordinated, you know, comments and efforts are coming back that really reflect the entire agencies' opinions on things.

You know, at this point, you know, from EPA, how do you want to handle things? I guess, I don't know if that's putting you on the spot at this point, and if you don't have those contacts, you can always provide those later and get that back to us in comments, also.

AGENCY REPRESENTATIVE: Yeah. They'll be -- from an EPA standpoint there will be two primary contacts, our NEPA Program, which

Paul Gagliano represents, and Tom Wellburn, for the Water Division.

DR. SCHWENNEKER: Okay. So basically it will be a double point of contact for you guys then?

AGENCY REPRESENTATIVE: Yeah. The reason for that is, we're involved in the drought management issue and water, and the NEPA process, of course, will be regulated through, or coordinated through our NEPA Program.

DR. SCHWENNEKER: Okay. What about Fish and Wildlife?

MR. PEARSON: Jeff and Alice, do you want me to handle that for you?

DR. SCHWENNEKER: I'm sorry? Would you state your name when you speak so she can get it on record here?

MR. WELLER: Jeff Weller, Regional Office. Go ahead, Bill.

MR. PEARSON: And I'm Bill Pearson here, and I know we've got Alice on the line from our Athens field office in Georgia.

Jeff, I would recommend kind of a two-prong approach for issues dealing with

Alabama, the point of contact would be myself, which is Bill Pearson, the field supervisor for the Alabama field office, and then I've got a staff biologist that will be very much involved in this. His name is Jeff Powell, P-O-W-E-L-L. And you're free to contact Jeff directly, but you can always go through me and I'll get word to Jeff, but he and I both will be working on this issue together.

Alice, are you going to be the contact for Georgia issues?

MS. LAWRENCE: Yeah. We'll probably do the same way that you just stated for Alabama, Sandy Tucker as our field supervisor for Georgia issues, and then myself as a staff biologist, once again I'm Alice Lawrence.

MR. PEARSON: And then of course we've got Jeff Weller on the phone from our Atlanta office. Jeff will be a regional contact and kind of a go-between between Alabama and Georgia, and our regional director, Sam Hamilton. And so if you need to get at that level, Jeff Weller will be the guy that for

most of the issues will handle them at the State level with Alice or myself.

DR. SCHWENNEKER: All right. I think somebody was on from Fisheries, from National Fisheries?

MR. THOMPSON: I'm on. I'm Mark Thompson.

DR. SCHWENNEKER: Hi, Mark.

MR. THOMPSON: As far as the upper level coordination, you'll need to coordinate primarily -- well, our interest will be Mobile Bay and generally the drought impact issues relative to Mobile Bay. And the best point of contact to reach in St. Petersburg is David Dale (phonetic). He's our EIS coordinator, and he's in the Habitat Conservation Division, which will address the central fish habitat issues under the Magnuson-Stevens Act.

And our endangered species coordinator under our Protective Resources Division is David Burnhart (phonetic), and he's in St. Pete, St. Petersburg as well. And I'm the point of contact generally for information as it begins to flow in and

things of that nature.

DR. SCHWENNEKER: All right. Was anybody on from NRCS?

MR. OAKES: Yes. Perry Oakes, NRCS in Auburn, Alabama.

DR. SCHWENNEKER: All right.

MR. OAKES: I'll be your point of contact in Alabama. I don't know what Georgia wants to do, though. It could be the State conservationist in Georgia or Henry McFarland (phonetic), their State engineer, I would say.

DR. EUBANKS: Harry, this is Mike Eubanks. Back several years ago Jimmy Brandlett (phonetic) was the POC that worked with us on a lot of the comp study, water allocation issues. Is he still --

MR. OAKES: Yeah, Jimmy's still there, so, you know, he might be the point of contact in Georgia.

MR. EUBANKS: Okay, thanks.

DR. SCHWENNEKER: All right. So we should still reach out to Georgia to find out who they want to have as their point of contact. Okay?

All right. Anybody from the Coast Guard? Nobody. Okay. And I didn't hear, anybody from FERC?

MR. DUKE: Yes. Bill Duke in Atlanta. I believe you guys have the correct contact, our regional engineer, Charles Wagner, already on your list.

DR. SCHWENNEKER: All right. Anyone from Southeast Power? I thought I heard somebody.

AGENCY REPRESENTATIVE: Yeah. Yeah, we're here from Southeastern. If you could have Herb Nadler (phonetic) as a point of contact, and I think Douglas Spencer. That'll be two. They'll be sufficient.

DR. SCHWENNEKER: And where are they located?

AGENCY REPRESENTATIVE: Elberton. We only have one office.

DR. SCHWENNEKER: All right. And from the GS? All right. We'll reach out to them, also.

All right. Go to the next slide.

MR. WHITE: There's probably some others on the line that haven't identified themselves, other agencies? Any other

agencies on the line that haven't identified themselves for POC's?

DR. SCHWENNEKER: All right. Next, we want to talk a little bit about the interagency coordination.

MR. SUMNER: I'm Chuck Sumner, and I am the EIS manager for the project. I'll be directly involved with EIS, and I'll be the point of contact for those issues that are directly involved with the preparation and writing of the EIS. And you can, anybody can contact me via e-mail, telephone or any other traditional methods.

If you have any information about environmental resources and those types of issues, please get in touch with me. I do ask that if you have any information, or need any information that is related directly to modeling and that type of thing to get in touch with James Hathorn.

James, you want to say anything?

MR. HATHORN: You covered it all, Chuck.

MR. SUMNER: Okay.

DR. SCHWENNEKER: All right. One thing we did what to talk a little bit about also

is this idea of technology transfer and sharing of data and these ideas of technical work groups. And I'm not sure if any agencies on the phone had any ideas about this, you know, what types of work groups we might need, how many, what subjects, and if we do have them, how often do they need to get together, what kind of format and things like that. We hadn't thought through this in too much detail. We kind of wanted to get comments on this whole idea, 'cause I know it does take a lot of effort on everybody's part to participate in these things, and even if it's as simple as whoever the technical group is preparing the data, just presenting it to a group of technical peers, even that, you know, can be cumbersome if it's a lot of information and you start meeting pretty frequently. I know everybody's got budgets and other things that they do, but this was one idea that we had that we thought, well, it might be good to make sure that all the technology and data that's out there is coming to the right people and to the table to assist in getting this project done with,

you know, the state of the art information rather than getting through a whole analysis and in the review of the EIS somebody come up with, Well, you know, we did this study a year ago, or somebody's doing this study as part of the Mobile Basin Recovery Plan that was going on that wasn't in the mix here.

Any thoughts on any of that? And again, you know, you can provide written comments on that, or comments also as we move forward, too.

Nobody's jumping in to volunteer to head any of these up, I see. Okay. It's okay.

All right. Actually, we're about a half-hour ahead of schedule, and if you would have asked me if we were going to be ahead of schedule two hours ago, I would have said, No, we're going to be a half-hour behind, but -- because we did have a lot of slides.

And at this point, maybe we should skip the break for right now and really get into some of the other discussions here on the tools and methodology. James, you got -- okay.

MR. HATHORN: I'm connected on the web,

so I can see what they see, so I don't get too far ahead of these slides.

This is James Hathorn with the Corps of Engineers, and I'm going to talk to you about some of the modeling tools that we use to update the manual. Randall talked about the water control plan itself, but we need to bring that plan to life. We need to see those words in action.

So, how do you do that? You come up with a computer simulation. Think of it as a tabletop game, or a video game. But we call it "ResSim." We were using HD5 in the past, it's a DOS-based molley program, but we have selected ResSim.

Why ResSim? Because it's the best available tool that exists for system operation molley. It just so happens it was developed by the Corps of Engineers, the Hydrologic Engineering Center, located in Davis, California.

These states - the three states that are involved in the water negotiations in the Southeast are big fans of the ResSim. So it just made a whole lot of sense for us to use

ResSim as our modeling tool. We're currently working in partnership with the Hydrologic Engineering Center to develop the tools, these models to update the manuals themselves.

And what you have here on the screen -- well, it's coming -- is the old DOS-based agency file, the Stray Catcher (phonetic), and now we're transitioning to the new and improved ResSim. You had something that was just based on text, you had to understand the code.

The beauty of ResSim is now it's a graphical-user interface, you can actually see the basin itself, and allows us to communicate better with the public. Before, going in the public, it just, it's like a black box, and no one would actually question the results because sometime I will get too deep. But now, when I bring up this graphical tool they can see the project I'm talking about, they can ask questions that are related to something that they see on the screen as opposed to asking questions about something I tell them. So it allows us to

better interact with the public, better interact with federal agencies like on the phone.

And I'll volunteer to head one of those workshops, by the way.

DR. SCHWENNEKER: Oh, great.

MR. HATHORN: -- as part of our proposal anyway, so -- and it's called a "Modeling Technical Work Group." And we have been involved with several of the individuals that are on the phone. Herb Nadler from SEFA has been part of this water negotiations for the last twenty years, and so Herb will be interacting with us as we move forward on a model, because we'll provide information directly to SEFA that they need to do their evaluation. So there is a technical work group that will be developed as a result of the modeling that's taking place.

Well, I'd already talked about all of the good features of ResSim. So I did such a good job selling it to the states, now they insist that we use it. And hopefully, the federal agencies that are on the phone will have an opportunity to see some of the

benefits of ResSim as well as we move forward.

But it has many more capabilities than the Agency 5 Program had in the past. And one that I like to emphasize that's applicable to the ACT would be the Drought Management Plan that Randall talked about has to be incorporated. That Drought Management Plan could be as sophisticated or as simple as, we have a conference call that we talk to all of the agencies or stay close within the basin, or we have a complex matrix that's based on weather conditions, upstream/downstream, reservoir elevations, the status of a particular endangered species somewhere. So we can incorporate some of those ideas now in ResSim, which with Agency 5 we couldn't do that. So that's one of the great benefits of moving to ResSim.

And the if/then/else, if there are some of them that are on the phone or the audience have done some programming, being able to doing conditional statements, like if Altoona is full, we do this, if Altoona is halfway full, then we do something else, if Lake

Martin on the Tallapoosa is below its winter pool, then there's another action. So you can have certain triggers that are within the system based on reservoir elevation, flow downstream of Claiborne. So now ResSim allows us to do those conditional-type statements, which was very, very difficult to do with Agency 5.

I'm going to pass this slide. What it is, is a text of Agency 5. I already talked about a little bit about that. Next slide, please, Jonas.

And what you're going to see is another slide of the ResSim. And this is a zoom in of the upper Etowah portion of their basin itself, and the light blue represents the lakes themselves, and you see Carters Lake, and you see Altoona Lake toward the bottom right-hand corner, and towards the left central is Lake Weiss.

So when we developed this model, it would include all the reservoirs within the ACT Basin. And as Randall talked about, some are owned by the Corps and others are owned by Alabama Power. We work in conjunction with

Alabama Power to make decisions throughout the entire basin. So part of the model captured that download that takes place between the Corps and Alabama Power Company. So we're using what happens in reality and we're trying to translate that to the model itself.

Here's a zoom in of Carters Lake. Carters is a unique project. It has pump-back capabilities. So when we make a release from Carters, and you can pump some of the water back up to the reservoir and re-use. We talk about re-use as far as water conservation in the United States. Well, it's re-used for hydro-power, and it has the greatest capacity in all of the projects that we have with them over at district. So ResSim is able to capture that pump-back capability to one of our particular projects.

Next one. What's coming up next is once again some of the interface of the ResSim program. You're able to enter the physical data of a particular project. When I say "project," I'm talking about a dam or a lock and dam.

Next slide, Jonas.

So you enter the physical data and then you enter the operational data. That's the information that's in the manual, how do we respond to different conditions within the basin. So there's a tab that allows you to put in the operation data. So what I'm trying to do is give you an inside look to this ResSim tool, so it's not a black box. The last thing we want is the tool that we use to be interpreted as a "black box" to the federal agencies as well the public.

Now, where are we? The ResSim model that represents the base condition, that Randall mentioned, is about 95 percent complete. We're developing what we're calling our "2008 Condition." It's about 80 percent complete. So we're well on our way to developing the models. We work hand in hand with the Agency 5-Q model, and that's the water quality of the analysis. Information that comes out of the ResSim is fitted to the Agency 5-Q to do one day water quality analysis. And we're developing an HMS model, which is a runoff model for the upper part of Etowah Basin, and

that involves our operation for Allatonna and Carters. What I'm trying to do is just give you a quick view of some of the models that we're using.

Now, I talked about volunteering to be one of the leaders. Well, this is why. We have a state code of workshop on the last day of September and the first two days in October, and it's going to be at Jim Woodruff Lock & Dam. We have invited two participants from each state and two participants from the federal agencies that have participated in workshops in the past, such as EPA and SEFA.

And so what we're going to do is introduce these ResSim models to those federal teams, those stakeholders and give them an opportunity to touch, feel, smell, taste, live ResSim for three days, and we're going to do as a project. A lot of the individuals will model the ACT Basin, but they have no idea what it looks like, they've never been to a dam, so we thought this would be a great opportunity to bring those individuals who have done a lot of what we call "arm-chair water management" and bring

them to a real project and see it. And so we're hoping this will be a great success, and we anticipate that we may have to put on a second one, because word is getting out about this workshop and everybody wants to attend.

Now the intended workshop is for technical individuals like myself who do modeling. We don't want to put my friend Davie or others who are non-technical to sleep during this three-day process. We want them to be able to interact and enjoy this. So you have to have somewhat of a technical background in order to really enjoy the three-day workshop.

We have hosted HEC several times at the district. We've been out there a few times to talk about both the water quality and the reservoir simulation model.

Next slide. We're getting there.

All right. The other tasks that we're doing, we're doing an inventory of existing models within ACT Basin, such as ResSim model and HMS models. Those are backwater models and runoff models. So any federal agency

that's on the line, on the phone that has information related to H&H type model within the ACT Basin, we would love to hear from you, to make sure that we have the latest and greatest information.

We've also collected the water-use data for both Alabama and Georgia. This allows us to compensate or to include the most current water use in our analysis, and we're scanning those manuals that Randall talked about so they're in an editable form, such as editable Word document or PDF.

And we're developing water-use projection, because we're operating 2008 based on today's withdrawals. Well, will that operation work in 2030. So we got to do some projections to see if the increased demands will have -- will cause us to change our method of operation. And we're expending, expanding -- I'm sorry -- extending our unimpaired flow to capture 2006. Our desire was to capture 2007, but the states have not cooperated, provided us the data that we need. When they provide the data, we'll extend it to 2007.

Now the ResSim model is probably the first step when it comes to analyzing this water control plan as in text. And we pass on the information to other models. And I've listed four such models. I talked about HC5Q already. The IHA indicators of hydrologic alteration is a great tool for summarizing comparison between different baselines, or different alternatives, so we'll be using that.

The HMS is a frequency-announce program we're going to be using to evaluate the flood operation at Carters and Altoona and HEC-RAS for Habitat. We may not have funding to do a full-blown HEC-RAS. We're going to do inventory or available modeling to address the concerns particularly below Carters as well as Claiborne. So we're hoping to use available modeling to whatever our funding will allow us to do, but we can talk about that more as we move on.

Next slide.

And this is just a demonstration of the entities that we pass information to, and previously it was done through HC5, now it's

going to be done through ResSim. And at this time, I'm going to stop and see if there's any questions that you have related to some of the tools that we're going to be using to evaluate the model -- I'm sorry, to evaluate the manual.

Hearing none, I'll return back to my seat.

DR. SCHWENNEKER: You answered all their questions they have now.

MR. HATHORN: Hopefully, so.

DR. SCHWENNEKER: All right. Jonas, you want to go on to the next slide there.

MR. DAVIE: All right. This is Steven Davie. I'm going to talk about some of the resource areas, and you'll see there on the agenda -- I mean, it's an obvious statement, but just to make it, these are different, these are the resource areas that we'd be addressing through NEPA, these are not the project purposes that the Corps manages the system.

Eric talked about NEPA and the EIS process, and one of the big things that Eric talked about there is identifying the

resource areas that we need to address in the EIS. So what we've done here in the next couple of slides is, we've put some of the major resource areas down in the presentation. Hopefully that will stimulate the agencies here on the call to -- and the one here in person to start thinking about what areas you want to see addressed in the EIS, because you'll be reviewing it.

So I'm going to go through these couple of slides. Let me start with water resources. Water resources is really broken into two categories, looking at quantity and quality. And things in the quantity category, the obvious ones are water uses. This could be water supply. It could be consumptive use. That includes agricultural, industrial uses throughout the entire basin.

We also know that there are minimum flow requirements in the basins. An example of that is the Coosa at Rome. And so we'll be looking at those alternatives and how they differ from the baseline and comparing to those minimum flow requirements, the water withdrawals that gets at water uses, drinking

water supply, also reservoir storage throughout the entire ACT Basin.

Other areas that are part of water quantity, we'd be looking at flood plains and potential impacts in those flood plains -- not only in the reservoirs themselves, but also in the rivers that connect them, and also the potential impacts on groundwater and water usage of ground water if there would be any impact at all to the groundwater resources.

On the right-hand side, Water Quality, we'd be looking at the water quality standards. James talked about the ResSim model. That's the hydrology and hydraulics component, but there's that 5-Q component that simulates quality. And so the Corps would be looking at the 5-Q model to simulate what water quality impacts are due to those alternatives.

We would also be looking at both point and non-point sources. And we just listed -- I think most of you know the difference between a point and non-point source at this point -- lots of point sources in the basin,

everything from animal operations to industrial, municipal, and so we list those all there under point sources.

MR. EUBANKS: Steven, I'd like to back up a second, you mentioned about under the quantities, the minimum flow requirements and you mentioned Rome. It's actually minimum flow requirement below the two Corps projects, one at Carters and Altoona, 240 C5S.

MR. DAVIE: Good point.

MR. EUBANKS: Not to combine to Rome, but that's probably what you meant.

MR. DAVIE: Right, I did. Thanks for the clarification.

AGENCY REPRESENTATIVE: We thought you were trying to put out an alternative.

MR. DAVIE: No.

DR. SCHWENNEKER: Steve, I've got a couple of questions also if you want to back up just -- on the, I guess as we go through this, maybe talk a little bit also about this region of influence or, you know, the region of impact, you called it. Primarily, we'd just be looking at the main stem, because it

would be actions that would, I guess it would be effects of water quality in the main stem as affected by the Corps' actions. So you're not going to be looking up in the watershed at a lot of these things.

MR. DAVIE: Yeah. We -- I mean, I just want -- that's a good comment.

AGENCY REPRESENTATIVE: It may be analyzed in terms of cumulative effects of other watershed effects going on from development or, you know, land clearing or things like that, but the key of our analysis would be a point out looking at impacts to water quality, water quantity based on different methods of operating the existing locks and dams, infrastructures for reservoirs.

DR. SCHWENNEKER: Yeah, I just want to kind of clarify that we're not looking at the entire watershed per se, unless there's some cumulative effects that pretty much the analysis would be limited to the main stem and the effects of decisions that would be made in terms of control, I guess of water control manual practices and whatever comes

out OF that and its effects on water control water stem.

MR. DAVIE: For the biological resources, we listed here just kind of the main topics. We'd be looking at the upland, both the vegetative and the wildlife. We would be looking at the fish and aquatic life, both the fresh water and the marine.

Someone from NOAA already mentioned Mobile Bay, has an interest there from the marine side, down in the estuary, but we'd also be looking at all the potential impacts on freshwater aquatic life throughout the entire ACT. And then, of course, the T&E species, we would be looking at any impacts at all that these alternatives would have on those species, and we would be looking to the Fish and Wildlife Service to make sure that we have those updated, and that we would be focused on the potential impacts of those species.

Are there any questions on that?

DR. SCHWENNEKER: I just happen to have another one.

MR. DAVIE: That's good.

DR. SCHWENNEKER: In terms of, we're looking at fisheries and, I guess, primarily it's going to be the impacts or potential effects down in the Mobile Bay of different operations. Are you going to be looking -- I guess, Mike, in terms of the 5-Q model, does it look at salinity issues or anything like that, or is there any discussions in looking at salinity issues and flows?

MR. EUBANKS: I think based on wherever we were back around 2000, I don't know that we have a quantitative model that will evaluate that as a part of our analysis, and what we were working with was the National Ocean Service back then it was more of a qualitative analysis based on the flow changes at Claiborne, you know, the lower most lock and dam on the Alabama River.

DR. SCHWENNEKER: So you're looking at essentially using flow as a surrogate for, you know, obviously reduced flow's going to increase salinity if you don't --

MR. EUBANKS: Right.

DR. SCHWENNEKER: You know, it doesn't take rocket science to figure out, you can do

it from an inference perspective.

MR. DAVIE: We didn't mention it here, but someone mentioned on the phone the central fish habitat, looking at that both in the freshwater and the marine. So I'm sure salinity would get at the central fish habitat in the estuary, and then looking at things like flow and velocity and water level for the habitat up in the lakes and reservoir system.

And hopefully, like I said in the beginning, this is just, we're just keying on some of the major areas and hopefully this will help you, the federal agencies, formulate your comments in this scoping phase. That's, again, it's a scoping phase that we're trying to identify all of these areas as we move forward into the EIS.

For socio-economic resources, I'm going to hand it over to Todd Nettles and let him do this slide.

MR. NETTLES: Basically for economics, we want to stress this will be a qualitative approach as well as both the current and baseline conditions. We will be looking at

existing data that we currently have and try to obtain data from other agencies and resources that can help us get there that has already been collected. We're not going to do a whole lot of going out and developing new inputs.

As far as recreation, basically we'll be using visitor days at the different lakes and reservoirs that the Corps and Alabama Power have. For navigation, we're going to be using the -- looking at the average daily flows provided by James Hathorn and the ResSim output to determine basically a rating curve to determine how often there is an available navigation system.

We're also going to be looking at water-born commerce and the lock performance maintenance system for hydro power. Again -- okay. Well, first, the only model that we're going to be using is outputs from ResSim. So I'll say we're using data, that's all that will come from ResSim. Basically, the hydropower is going to be used in the ResSim output to determine megawatt hours, and then we'll compare those megawatts hours to

current baseline conditions and the drought plan, what will be (inaudible).

Flood control, we'll be using the day sheets from the budget request that the Corps puts in every day -- every year to determine the average data that's presented. Water supply will be broken down into categories, both the M&I, Municipal and Industrial -- sorry -- and the Agricultural.

For Municipal and Industrial, we're looking at demand in millions of gallons per day and the contract versus current. As far as agricultural, again millions of gallons per day, and we also were going to try to contact the National Resource Conservation Service, which I believe Perry Oakes is on the line, that's, I guess who we will be contacting for Alabama in order to get some of the data there as far as land use changes and how that's effected every time.

Demographics is basically going to be population, employment, income in the area, how that's changed and what we expect in the future. Social effects will be part of the NEPA requirement, so they're going to be

providing to Environmental. Environmental Justice, basically minority and low income. Hopefully, anything we're going to do is going to adversely impact the minority groups or low income, but we will be looking at that as far as policy and (inaudible) the protection of the children. That's basically it.

I just what to stress that's the qualitative approach. We're not going to be looking at changes, putting dollar values on these different scenarios.

MR. DAVIE: This is Steve again. I'm picking back up with the cultural resources. Two major components here, the archeological sites, which we'd be looking at Indian burial grounds. We've got a coordination meeting coming up with national tribal leaders. And so we'd be looking at them to update that information.

We would start with the layout and the information we had from the comp study, and then we'd be updating that, to look at those potential sites. And then also national and historic sites, getting that information from

both federal governments and states of where those projects are, where those sites are in the ACT Basin.

Infrastructure resources, looking at the potential impacts on existing infrastructure, starting with traffic and transportation, if there were a need as it relates to navigation, if there was a change in navigation -- for example, if the change in navigation caused more truck traffic of cargo, then that would be taken into account in the EIS, looking at that impact. And then also infrastructure as it relates to water supply, hydropower and utilities, if there's any movement of intakes or any infrastructure related to hydropower as those changes, that would be also evaluated in EIS.

MR. HATHORN: Steve, can I ask you a question?

MR. DAVIE: yes.

MR. HATHORN: This is James Hathorn. The water supply, strictly looking at if it's going to impact an intake -- look at Altoona, in particular -- if we were to develop an alternative that required them to lower their

intake in order to continue to get their water, that's the kind of locational, relocational impact you're talking about?

MR. DAVIE: That's right.

MR. HATHORN: Same at Carters?

MR. DAVIE: That's right. Anywhere.

MR. HATHORN: Anywhere? So even if it's our power project as well?

MR. DAVIE: Yeah.

DR. SCHWENNEKER: The NEPA evaluation, I think we've looked at that broader context of anywhere within the basin if the Corps is modifying its operations to evaluate the effect on any M&I water supply intake?

MR. HAWTHORN: Okay. Now the reason I ask that --

DR. SCHWENNEKER: It's from available data.

MR. HATHORN: Yeah. You know, there's a Drought Management Plan that we may develop and it may cause a particular reservoir to be drawn down that's not Corps owned, but it may require an entity to relocate their intake, but it's still perceived as a Corps action even though we're operating in partnership

with a private company that's has a FERC license to meet the minimum requirement or to comply with their laws? I think the answer is yes --

MR. DAVIE: Yes.

MR. HATHORN: -- but I just wanted to hear you say it.

MR. DAVIE: Well, I heard you say it. I believe so, 'cause it's --

DR. SCHWENNEKER: Yeah, it's not a direct impact. It would be a secondary impact. You would have to disclose, you know, potential effects underneath them.

MR. DAVIE: Okay.

AGENCY REPRESENTATIVE: If the Corps action results in that impact, then yes.

MR. DAVIE: Yeah.

MR. HATHORN: It's an agreement that the Corps is part of. I'm talking about this Drought Management Plan, there'll be as a result of developing this Drought Management Plan, it doesn't exist now, whereas basin-wide, and so if we develop, we agree to it, and it causes a particular private-owned reservoir to draw down lower than it has

historically. Now a particular entity has to relocate their intake.

AGENCY REPRESENTATIVE: Well, the Corp agreement to that plan is a federal action, so the answer is yes.

MR. HAWTHORN: All right. Yeah.

MR. POIROUX: This is Duane Poiroux. Also on that, it may not be a physical structure. You got a lot of industrial folks out there that require a certain flow to assimilate their discharges.

MR. POIROUX: So it's not only a withdrawal from the -- for the intake structure but enough flow to take care of their discharge for their permits.

MR. HAWTHORN: That's a good point.

MR. DAVIE: I.E., treatment.

MR. POIROUX: Treatment.

MR. DAVIE: Additional treatment.

MR. POIROUX: Or either they got a holding pool and they don't have --

MR. DAVIE: Holding ponds, yeah.

MR. POIROUX: -- that long, but they may have to, so.

MR. PEARSON: Bill Pearson. Steve,

you're aware that the State of Alabama has developed a Drought Management Plan in concert with Alabama Power, and I suspect that they'll let the contractors know here that that does in fact exist, and so they'll be some level of coordination that's going to have to go on to try to integrate these drought plans, I'm assuming. So I just thought for the record, I'd just like to put it out there that the State of Alabama does have one, they're very close to, I think, trying to get that thing implemented, and it's just going to need to be dealt with. So I thought I would just put that on the table.

MR. HATHORN: Right. This is James Hathorn again. And once, as Randall mentioned, when we develop the drought contingent plan, our regs require us to coordinate with federal and state stakeholders, it's not done in a vacuum. So when we get ready to move forward with our Drought Management Plan, we definitely will incorporate the State of Alabama's drought plan.

I can't tell you the particulars of what

we're going to incorporate, but we would hope that -- we would like to, as I say, merge together. It's just too early to say how much of it will be part of the ACT Basin Drought Plan, 'cause that's a state-wide drought plan, and we're looking for a drought plan specifically to reservoir operations.

MR. PEARSON: It's going to be a challenge.

MR. EUBANKS: And it would grasp not just Alabama, but the entire basin. Alabama and Georgia what we would be looking at is a basin-wide Drought Management Plan.

MR. DAVIE: All right. Thanks. Just one more slide.

We listed some other resource areas, and back to what Eric said in his NEPA slides, we would have to go through all the resource areas and analyze them and determine whether there's an impact at all. So other things here, other land-use activities, hazardous and toxic substances -- I don't think that would be an issue here -- safety, recreation, air and noise, those are other common NEPA areas that would have to be looked at to

determine if there's an impact or not.

That's it for the resource areas.

DR. SCHWENNEKER: All right. Thanks, Steve. I'll tell you at this point, let's take about a, let's take a 15 minute bio-break for everybody. We've been sitting here an hour and a half.

And while you're taking a break, think about questions and input and we'll come back and, you know, finish up some discussions here, talk a little bit about next steps and where we're going with everything, and then, you know, see if we can get some input here. Again, we'll have a schedule for getting formal agency input that we'll go over also here.

(At this time, a break was taken.)

DR. SCHWENNEKER: We still have everybody on the phone? Okay. Good.

All right. Well, thanks for hanging in there everybody. What we'd like to do, just for the next sessions here are just really open this up to some more discussion. We've had some, but we'd like to get some more input. Some of the points that come up I'll

go through in a minute. But what we're going to do is, we've got a -- for those of you on the phone, you won't be able to see them, but what we're going to do is just try to capture as many points as we can on some flip charts here, and, you know, just kind of store those for, you know, your comments and information we may need to go back and take a look at and maybe develop some methods, look at the information gathered, whatever it might be.

All right. Some of the things, you know, I know we kind of went through some of these a little bit quick in the presentations, but any inputs, discussions on any of the alternatives, the alternatives development, the no-action alternative that we had gone over, anything along those lines? Because, you know, in the NEPA process, you know, the alternatives really kind of define where we go with this. Bill?

MR. PEARSON: This is Bill Pearson. I've just got two, actually one question and one comment. The question would be: Is the Corps going to seek cooperating agency status from other federal agencies, you know, in a

formal way? That's the question.

And secondly, in terms of information sharing, we've done this in the past when we've, passed on large amounts of material and monster e-mail files in order to get away from all of that, should we set up maybe an FTP site that somebody could host and we could pass that kind of information along? I know the Corps done that before on some of its ACT CF things and something like this might be helpful as well. That's all I have.

MR. EUBANKS: Mike Eubanks. The FTP site question and website and data sharing, that is a definite thing we will do and encourage for large file sharing between the Corps FTP site and other FTP sites, which will accommodate that and be, you know, publish those information. And when, for example, if we have a large file or data file that need to be shared, we will post that. I would advise you for the Corps FTP site, they have gotten so diligent about weekly cleaning, you know, removing, you know, files, temporary, or whatever protocol, they do clean that site about once a week. So if we send an e-mail

out, you know, that such and such file and it's on this FTP site, be aware. And we'll try to put, you know, that it should be available for the next seven days, or ten days, however much. You know, do download those files if you need them, want them.

The other thing regarding cooperating agencies, at this point in time, for the update of the manual, for primarily looking at existing operations, I don't think we will be asking for cooperating agencies, although we do welcome commenting and, you know, definitely working with the other federal agencies as we have in the past, you know, keeping that dialog and coordination open. And of course, we'll be working with you guys, the Fish and Wildlife, on the Endangered Species Act conversation as well as with the NOAA agencies for marine species and then the central fish habitat.

DR. SCHWENNEKER: All right. Thank you. Anybody else have any input on or questions, I guess, regarding the alternatives, alternatives development?

I guess also any other key issues in the

methodology? We talked about a little bit about, you know, keeping the modeling and everything to the main stem. Any other comments, I guess, on analysis, methodology? And these are typically the toughest things to iron out, you know, before you really get into some of the data accumulation gathering and things, but if there's any input there, we'd certainly like to get that as soon as possible.

All right. Also, I guess agency data, information gap needs that you see, that we may need to focus on, and/or are there any agency studies out there and efforts and things you guys know about that are going on that we may be need to be aware of right now up front in the scoping process that can help us further develop and refine the methods and things?

I mean, you know, I know a few things were mentioned, the Mobile Basin Recovery Plan for all the endangered species there. I think there's thirteen simultaneous that there's plans going on for. That's, you know, a huge effort. It's been underway for

a while. And, you know, things like that are out there, and efforts like that are out there that can be useful, and there may be things that are going -- other agencies have going on that we don't know about.

MR. PEARSON: Again, this is Bill Pearson. In terms of information needs or data gaps, I would just offer the point that the Fish and Wildlife Service is involved with some other folks up in the state, and I would encourage the Corps to look for opportunities to gather water quality data on the Alabama River, in particular.

And we've got plans, and have developed some plans for monitoring the program on the Alabama River, and we would like to be able to offer that to the Corps during this process so that the Corps can help us gather the information that we need to address these water quality issues, which are tied to the endangered species issue, 'cause there are data gaps on the Alabama River.

DR. SCHWENNEKER: All right. Thanks, Bill.

AGENCY REPRESENTATIVE: Bill, is that --

I'm sure it's in coordination with the State ADEM's monitoring to -- you talked about you've developed monitoring plans but don't have the resources to do the monitoring, so looking for --

MR. PEARSON: That's correct.

DR. SCHWENNEKER: Okay.

MR. PEARSON: I'd like to, if you guys are going to be the ones to deal with that issue, we'd welcome time later to sit down and go through all that with you and let you know what we've got and where we think the gaps are. It's certainly something that Mike Eubanks is aware of as well. We've talked to Mike about these issues.

MR. EUBANKS: Yeah. I remember reviewing a draft and we talked about different collaborative efforts between federal, state and private industry in terms of water quality data, 'cause there's a good bit of data collection now.

MR. PEARSON: Absolutely.

MR. EUBANKS: But it's, not everybody knows what's going on, so I, you know.

MR. PEARSON: It just seems like this is,

you know, in terms of a federal action, this is an ideal opportunity to gather data that we need and we don't have on the Alabama River to assess these impacts, and it needs to be directly in line with the federal action the Corps' anticipating at this point.

DR. SCHWENNEKER: Any other studies, efforts out there that you guys know of on the phone?

MR. THOMPSON: Is Mike Eubanks still there?

DR. SCHWENNEKER: Mike is still here.

MR. THOMPSON: Several years ago when we looking at a fresh water inflow issue, Bart Minarco (phonetic) with NOAA began to look at modeling Mobile Bay for salinity. Mike, what was the long-term of that?

MR. EUBANKS: Steven, may be able to --

MR. THOMPSON: Do you remember the effort? He was looking at Apalachicola Bay as well as Mobile Bay?

MR. EUBANKS: Right. I think NOAA focused on, or the International Ocean Service where Mark was located, I think focused on modeling for Apalachicola Bay. I think EPA has had

some interest in Mobile Bay. Jim Greenfield and Steven Davie here with Tetra Tech may be more familiar, so, Steven.

MR. THOMPSON: Well, anyway, I know there was some effort and various discussions regarding salinity or some modeling in both watersheds, Apalachicola Bay and Mobile Bay, and whether our National Ocean survey folks put in more effort than that, I'll have to run that down.

DR. SCHWENNEKER: I'm sorry. Who is this on the phone?

MR. THOMPSON: This is Mark Thompson, Wildlife and Fishery Service.

DR. SCHWENNEKER: All right. Thanks Mark.

MR. EUBANKS: Yeah, whatever you find out there, Mark, we would appreciate finding out what the status is.

MR. THOMPSON: Yeah. It was my understanding at that time they were waiting on funding for each model to be run. And I don't know if the Corps ever contributed funding to that or not.

MR. EUBANKS: Yeah.

MR. THOMPSON: Anyway, I'll try to run that down.

MR. PEARSON: From my understanding, I know Mark worked with JoAnn Brand here on that oyster regression model and there was discussion between JoAnn and Mark of updating that regression model using a salinity model in Apalachicola Bay. We hadn't talked about it on Mobile Bay. But there is 3-D model that we worked on for both EPA and the state, ADEM and EPA Region 4 funded it, and it's set up, I think it goes through 2006 -- 2001 to 2006, and it does salinity, it is calibrated for salinity.

So that may be -- 2003 to 2006? - so that may be something where EPA would be willing to cooperate. And that was -- I know Paul's on the phone. That was done with Tim Wool (phonetic) and Jim Greenfield, the Mobile Bay model, and then Lynn Sisk (phonetic) and Chris Johnson at ADEM.

I think, Bruce, you talked about it. I mean, just looking at changes in flow and coming up with a simple regression to look at changes in salinity, but there is that other

tool out there that EPA and the State may be willing to cooperate.

AGENCY REPRESENTATIVE: Oh, we definitely would like to do that.

MR. PEARSON: And I'm not sure about Mark Minarco's work. I don't know if that ever got started on Mobile Bay.

MR. THOMPSON: I can e-mail Mark and -- this is Mark Thompson again. I can e-mail Mark and just ask him for an update on such.

MR. PEARSON: That will be great.

DR. SCHWENNEKER: All right. Any other tools, methodologies that any of the agencies know of, efforts going on out there?

MS. LAWRENCE: This is Alice Lawrence from the Athens, Georgia, office, Fish and Wildlife Service. If we have, you know, reports dealing with biological resources, or questions dealing with what data you already you have, who would be the point of contact for that in the future? Is that Chuck, or would it be someone else?

MR. EUBANKS: That's biological data, Alice?

MS. LAWRENCE: Yeah, uh-huh.

MR. EUBANKS: Yes, that would be Chuck Sumner.

DR. SCHWENNEKER: Okay. All right. I guess some of the other points I have here for open discussion, we've talked about a little bit about agency participation and roles. You know, I think, Mike, summed up that we certainly want as much input from the agencies as we go through this as we can, and through your official roles as cooperating agencies on the project, participation in any technical workshops that we may form, and, I guess we'll be putting, the whole scope of all this together and move forward here.

Anything -- Yeah, I'm sorry. Go ahead.

MR. HATHORN: This is James Hathorn. Bruce, with your permission, can I ask Herb, I mean, Nadler, while he's on the phone?

DR. SCHWENNEKER: Sure.

MR. HATHORN: Herb, are you still there?

MR. NADLER: Yeah.

MR. HATHORN: Is there any interest from your office to participate in the ResSim workshop, the last week in September?

MR. NADLER: Let me check. I know we've

got a lot of travel coming up. I'm pretty sure I wouldn't be able to do it, but if you wouldn't mind having Douglas, but I know he's traveling over the next couple of weeks. He's not in today, but I've jotted down the dates and I can get back with you. Okay?

MR. HATHORN: Is he as tough as you are?

MR. NADLER: Well, we hired him because of that.

MR. HATHORN: Oh, okay. All right. Well, I guess he's welcomed then. Yes, send me the information.

MR. NADLER: Okay.

MR. HATHORN: I appreciate it.

DR. SCHWENNEKER: All right. Any other input at this point? Technical process? Communications? All right, Jonas, hit the last one.

MR. WHITE: This slide gives you an idea of what our proposed schedule is. There's several things that have already occurred, specifically the NOI in the Federal Register, the announcement for the public scoping meetings, the scoping meeting that will take place next week, and the proposed timeframe

for the scoping report in December of 2008; completion of the draft of the water control manual and EIS, spring of 2010; public review of the meetings on the draft, water control manual and EIS, summer of 2010; respective the final water control manual and EIS, spring 2011; and a regular decision, summer of 2011.

Now as with any study that we undertake, there's several things that kind of affect our schedules. There could be funding, could be controversy, could be in the change in administration. So there's several things that could affect our schedules.

But I would recommend that you check the website that's been hosted for the water control manual, and I'll repeat that later, but the website is intended to be a living document as well. So when things change, we will update the website, we'll put different information on the website.

There will also be the location for you to be able to provide electronic comments if you can't make it to the public meeting, so there's going to be several ways of providing

comments for the meetings. Again, one would be the website, then there'll be a hard copy comment form that you can download and send in the mail, or if you're at the public meetings and you don't have the opportunity to use the internet, then you can take a form right there onsite and submit your comments, and then we'll have the court reporter as well if you're there in person.

But that's about it for this.

DR. SCHWENNEKER: Just a comment. What is the, what's the deadline for submittal of comments, right now would be?

MR. WHITE: October 20th.

DR. SCHWENNEKER: October 20th. All right.

MR. WHITE: I'll definitely recommend that you check the website, and many of the things that were presented here are also on the website, and for more information, you can refer to other sites on the website, such as the Corps' main page, the Corps' water management page to provide you additional information.

DR. SCHWENNEKER: All right. Any other

input on any other topic before we sign off here? You've got all of the experts right here in the room, you can ask any questions you want.

MR. HATHORN: I've got a general question.

DR. SCHWENNEKER: All right.

MR. HATHORN: James Hathorn, again. If after the deadline, a federal agency has a comment, are they allowed to submit that comment?

MR. EUBANKS: Absolutely. This is Mike Eubanks. The purpose for a day for the scoping, close-of-comment period for scoping is primarily so we can complete the scoping reports, start to work on a range of alternatives, and start kicking off the analysis so you can do the modeling. You know how many model runs you have to do.

But if, if Bill Pearson, my good buddy here sends us a comment on October 21st, I mean, then we will still have to evaluate it and see how we can work it into the process, but it may not make it into the scoping report, but the Corps will still evaluate it

and work through that and through the NEPA process all the way out to the record of decision.

MR. HATHORN: Okay. Thank you, Mike.

DR. SCHWENNEKER: All right. Well, we thank you for your time. That's all. Thank you.

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THE INTERAGENCY MEETING CONCLUDED AT 3:00 P.M.

STATE OF ALABAMA:

COUNTY OF BALDWIN:

I hereby certify that the above proceedings were taken down by me and transcribed by me using the stenomask tape and that the above is a true and correct transcript of said proceedings taken down by me and transcribed by me.

I further certify that I am neither of kin nor of counsel to any of the parties nor in anywise financially interested in the outcome of this case.

I further certify that I am duly licensed by the Alabama Board of Court Reporting as a Certified Court Reporter as evidenced by the ACCR number following my name found below.

So certified on this the 25thi day of September, 2008.

_____

RACHEL S. LANDRENEAU, ACCR #395
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