

## ACFS Governing Board Meeting

Bagby State Park Lodge, GA

May 18 & 19, 2011

### Welcome, Introductions, Meeting Objectives and Agenda

The Governing Board (GB) meeting started at 9am. Dan Tonsmeire welcomed the group and thanked the Middle Chattahoochee Water Coalition for hosting the meeting. Tonsmeire noted that Bagby State Park is the birthplace of the ACFS because it is where the charter was developed three years ago. Tonsmeire noted the hard work that the committees have been doing to move the organization forward and thanked the Governing Board members for their contributions. Gail Bingham welcomed the group and asked the GB members to introduce themselves. Pat Stevens noted that the May 2011 issue of Southern Living has an article featuring Billy Dalton from Apalachicola.

Bingham reviewed the meeting objectives and agenda. Bingham reviewed some ground rules, noting the value of trying to learn from one another and addressing each other's concerns. **Billy Turner made a motion, seconded by Brad Currey, to approve the agenda. There were no objections, and the motion was adopted by consensus.**

### Old Business

Tonsmeire gave a Chair's report in which he reviewed the status of priority actions from the 2011 Annual Plan:

#### *2011 PRIORITY ACTIONS THAT CAN BE ACCOMPLISHED WITHIN CURRENT BUDGET:*

1. *Develop and submit consensus comments to the draft USACE water control manual when released, submit consensus comments on the regional Georgia water plans when released, recommend that Alabama engage in water resource planning, and begin to review Florida water management plans, as they affect the ACF Basin;*
  - **Issues Committee will recommend forming a Water Control Manual Work Group at this meeting**
  - **Preliminary letter for approval by Governing Board at this meeting**
  - **Issues Committee will propose approach during their report**
2. *Seek opportunities and provide consensus recommendations to the Governors of the States of Alabama, Florida and Georgia, either in the context of implementation of Judge Magnuson's rulings in the Tri-States Water Rights Litigation or related to other interstate agreements;*
  - **Some outreach about ACFS as a resource; no response to date**
3. *Create a "best practices" report, based on information collected from members representing all applicable interests and geographic regions within the basin regarding current activities designated to improve water quality and increase conservation and water use efficiency.*
  - **Will have an update at this meeting on the survey being conducted by the Vinson Institute**
4. *Create acceptance of the value of our grass-roots, basin-wide ACFS organization among key national, regional and state decision-makers, including elected officials;*
  - **Meetings have been held in all sub-basins; Intergovernmental Affairs Committee (I-GAC) will report**
5. *Develop an overarching Five-Year Planning Program, a conceptual guide or organizational "roadmap" of the long-term aspirations and commitments of the organization.*
  - **Will be initiated this summer; interest groups will need to meet**

6. *Develop and implement a fundraising strategy for priority action items.*
  - **Case statement has been written and a report will be made at this meeting**
7. *Begin to investigate institutional options for basin-wide water resources planning and management.*
  - **No activity to date; volunteer has offered to draft a white paper for discussion by the Issues Committee**
8. *Evaluate options for sustainable, paid organizational support and management of ACFS.*
  - **Executive Committee lead; milestones have been added to annual plan**
9. *Build on the needs matrices developed to date and engage in a dialogue that helps members understand one another's needs further and begins to define approaches for coming to a consensus on how the basin should be managed.*
  - **Will be part of the Sustainable Water Management Plan process**

#### 2011 PRIORITY ACTIONS NEEDING FUNDS AND IMPLEMENTATION PLANS

10. *Initiate a sustainable water resource management assessment to develop an impartial, inclusive and transparent process to define the water quantity and quality needs of the basin stakeholders, evaluate alternative water management scenarios, and reach consensus on one or more management alternatives.*
  - **RFP was developed, five proposals received, and report will be made at this meeting**
11. *Initiate an independent, science-based in-stream flow assessment to identify the flow regime and lake levels necessary to sustain the physical, biological, and chemical integrity and health of the ACF System.*
  - **Initiation of the Instream Flow Assessment will be part of Sustainable Water Management Plan - See # 10 status**

In response to questions regarding the 2012 Annual Plan, Tonsmeire said that the interest groups need to meet before the September GB meeting as called for in the 5-Year Planning Program. Conference calls might be used. The Annual Plan and Five Year Planning Program documents will be updated in time to be adopted at the December 2011 GB meeting.

Next the GB considered the summary for the March 2011 GB meeting. **Vince Falcione made a motion to approve the meeting summary. Mark Masters seconded the motion. There were no objections to the motion, and the motion was approved by consensus.**

#### Sustainable Water Management Plan

Charles Stripling and Woody Hicks made a presentation on the status of this initiative on behalf of the Data Needs Sustainability (DNS) and Professional Service Contracting (PSC) Work Groups.

#### ACTIVITIES SINCE MARCH MEETING

- Initiate a sustainable water resource management assessment to develop an impartial, inclusive and transparent process to define the water quantity and quality needs of the basin stakeholders, evaluate alternative water management scenarios, and reach consensus on one or more management alternatives
- Circulated Request for Qualifications (RFQ)
- Responses received from eight entities
- Discussed process with Governing Board in March and received approval to proceed
- Joint DNS, PSC and Executive Committee meeting April 18 to complete the Request for Proposals (RFP)
- Circulated RFP on April 22 to all eight entities that submitted statements of qualification
- Received proposals on May 13 from five entities

Stripling said that the RFP responses were opened this week. The workgroups do not yet have a recommendation for a selected consultant.

*SCOPE OF WORK* (Note: RFP provided as a hand-out.)

1. Detailed work plan, milestones and Sustainable Water Management Plan outline
2. Problem definition, clarification of needs and interests and definition of performance indicators/metrics
3. Tailor a collaboratively developed model(s) based on interest-based performance indicators/metrics
4. Data and information gathering
5. Development of water management alternatives
6. Conduct iterative modeling to evaluate alternatives against the performance indicators/metrics
7. Seek consensus of the ACFS on one or more management alternatives
8. Report and study dissemination

Hicks said that seeking consensus on data inputs and performance indicators would be a difficult task, but one that must be addressed. Proposals were received from the following entities: Black & Veatch, Golder, Hydrologics, Leitman, PBS&J. Hicks said that that next he and Stripling will distribute copies of the proposals to the DNS and PSC work groups and begin to rank and discuss the proposals.

Stripling requested approval from the GB for the following review process:

- DNS work group to review and rank the proposals and recommend finalists to the Governing Board to be interviewed
- Executive Committee to conduct interviews, select the preferred candidate, negotiate a contract, and submit a proposed contract to the Governing Board
- Governing Board makes final decision on contract at September meeting, or on a called meeting if funding becomes available earlier.

Mitch Reid made a motion to approve the proposed review process. Brad Moore seconded the motion.

The GB discussed the approval process. In response to a question about the cost estimates in the RFPs, Hicks said that the total proposal costs ranged from \$200,000 to \$1.2million. It also was noted that the DNS work group is large (34 members). Pat Stevens said, however, that the DNS Work Group was self selected (volunteers) and therefore not necessarily well-balanced. She encouraged anyone interested in the selection to consider joining the DNS Work Group and participating in the selection process.

Copies of the proposals to be distributed to the work groups will not have cost information in them. Cost is a significant factor, but the approaches may differ at this stage. The Executive Committee will negotiate costs with the winning bidder.

Scoring sheets based on the criteria specified in the RFP will be used in the review. The criteria are not weighted.

George Martin expressed appreciation for the work groups' efforts. He asked if the Scope of Work addresses how the consultant will consider and use the wealth of existing information on the ACF. Hicks said that the RFP did address the need to integrate existing data, including the existing unimpaired flows data (with modification and updating).

Jim McClatchey asked if this Scope of Work will address Dave McLain's concern about in-stream flow assessment. McLain said that Item 4B of the Scope of Work addresses this, but perhaps does not completely resolve the issue. Tonsmeire said that there was concern and discussion about the extent of the in-stream flow assessment for the RFP. A gap analysis is needed first to define what would be entailed in a full instream flow assessment and how much time and funding it would take. A full in-

stream flow assessment would be costly and so the RFP asks for the first step: a gap analysis. Completion of an in-stream flow assessment can be the focus of a future RFP. Hicks said that the GB could discuss with the USFWS the level of detail needed to evaluate flows in this process. McLain commented on the value of an in-stream flow assessment to set performance metrics. This was acknowledged as desirable, but not fully attainable in this RFP. A lower level of detail could be appropriate for a first cut. Mitch Reid said that using an iterative and adaptive process is important to making progress toward ensuring sound flow targets. Hicks said that we clearly need an in-stream flows assessment, but at this time, we need to proceed as proposed. Hicks said that USFWS could assist in setting flow criteria. It was clarified that an in-stream flows assessment is a site-specific evaluation of the flow needs of aquatic life. Florida has developed in-stream flows assessment as a management tool.

Stripling said that ACFS needs to make decisions based on the best information available and cannot wait for all the data to be collected. McClatchey agreed that we do need to proceed without all the data, but underscored that it will be a challenge to reach a consensus on sufficiency of data used.

Homer Hirt noted the importance to in-stream flows for tourism. Tonsmeire emphasized that the RFP starts the process of an in-stream flows assessment; it is a first step. Hicks said that an in-stream flows assessment is one of several tasks that need to be completed and reminded the GB that this will be an iterative and adaptive process; we will learn as we go.

Bill McCartney noted that the conflict of interest criteria from the RFP was not included on the scoring sheet. He asked how potential conflicts of interest would be addressed in the review process. It was noted that the scoring sheet has an area for "other" comments, and conflicts of interest could be noted there. Bingham reminded the group that the first step was the request for disclosure of relationships and proposed approaches for addressing any conflicts in the RFP and said that potential conflicts of interest and costs will both be central to the next steps in the selection process. Stripling said that PSC would emphasize potential conflicts of interest in their review.

***Tonsmeire asked for approval of the motion for the proposed review process outlined above and reread the motion with clarification that the Executive Committee will make the final selection of finalists to be interviewed after consideration of the recommendations from the DNS and PSC working groups . There were no objections, and the motion was approved by consensus.***

#### **BREAK**

#### **Information Session: Georgia Regional Water Councils**

Stripling introduced Tim Cash from the Georgia Environmental Protection Division (EPD) to make a presentation about the plans of the Georgia regional water councils. Cash started by saying that the regional water planning process was a large initiative with many parts, and many people at this meeting were involved. Cash said he might not be able to answer all questions, but information is available in the plans and supplemental materials.

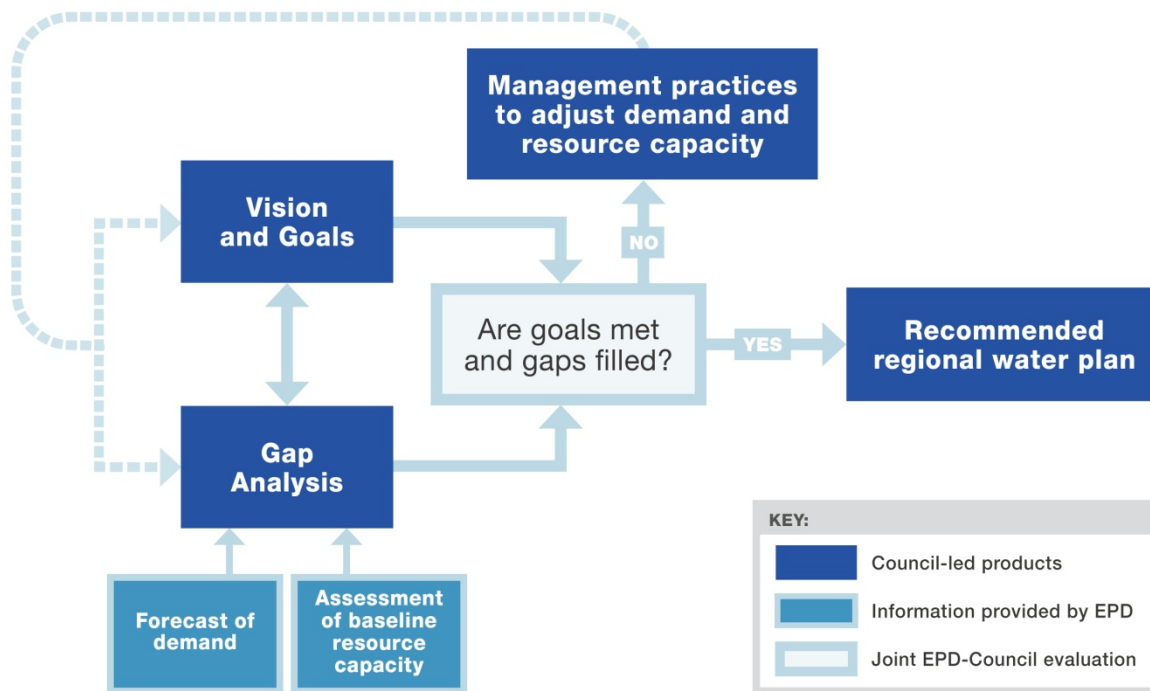
Cash explained that the regional water planning process was established by the Statewide Water Plan, adopted by the General Assembly in 2008. The water planning process has three main components: (1) forecasts, (2) resource assessments, and (3) regional planning. Regional water planning started after the adoption of the Statewide Water Plan with the appointment of council members to the regional water planning councils in late 2008 by the Governor, Lieutenant Governor, and Speaker of the House. Members represented a variety of interests.

Early in the process, EPD compiled data from a variety of sources to support the planning process and developed a planning guidance for the regional water councils. The regional councils met for the first

time at a kick-off meeting in March 2009. Then, each council met about ten times over the next two years. The councils submitted plans for EPD review and public comment on May 2, 2011. EPD expects that final plans will be adopted in September 2011. The plans are currently subject to public review.

Cash referred to the planning region map. He noted that the Metropolitan North Georgia Water Planning District was created by earlier legislation and follows a different process and schedule, but coordination between the councils and the Metro District has occurred and will continue in the future. Four councils are active in the ACF Basin: Coosa-North Georgia (includes Upper Chattahoochee), Middle Chattahoochee, Upper Flint, and Lower Flint-Ochlockonee.

The planning process is illustrated in the following chart:



Cash noted the importance of the Councils’ vision and goal statements as other important criteria that guided regional water plan development.

Cash discussed the development of population forecasts by the Georgia Office of Personnel and Budget. The population forecasts were an input to the development of water and wastewater forecasts. Forecasts were adjusted based on council and ad hoc input.

Three resource assessments evaluated the capacities of the water resources on which each region relies: surface water availability, groundwater availability, and surface water quality. The resource assessment process included the following steps: (a) develop and run simulation models, (b) establish unacceptable impact criteria, (c) evaluate current conditions for baseline assessment, and (d) apply future demand and management practices. The surface water availability assessment evaluates the ability of surface water resources to meet current needs without substantially altering hydrologic flow regime. The groundwater availability assessment evaluates the sustainable yield of prioritized aquifers. The surface

water quality assessment evaluates the capacity of surface waters to assimilate pollutants without unacceptable degradation of water quality. Cash reviewed the results of the assessments:

#### *SURFACE WATER AVAILABILITY*

- Chattahoochee: No “gap” between availability and need in Chattahoochee; adequate storage available to offset reduced inflows during drought
- Flint: Small gap at Montezuma; significant gap at Bainbridge

#### *GROUNDWATER AVAILABILITY*

- Within sustainable yield for Claiborne, Clayton, and Cretaceous
- Above sustainable yield for Upper Floridan in the Dougherty Plain

#### *SURFACE WATER QUALITY*

- All three regions have DO assimilative capacity available
- Nutrients may be a concern in the future, with more nutrient loading from point sources in the future

Cash reviewed the high priority management practices for each of the three councils. He noted that the practices were tailored to the uses and concerns of each region:

#### Middle Chattahoochee

- Support Tier 1 and 2 conservation activities
- Encourage point source discharges for major facilities
- Study new and/or enhancement of existing storage reservoirs
- Implement new and/or enhance existing surface water storage
- Utilize and improve upon reservoir release operations
- Advocate for changes to the Corps Water Control Manual
- Improve water quality monitoring

#### Upper Flint

- Improve agricultural water use metering program
- Suspend irrigation only through Flint River Drought Protection Act
- Evaluate storage options in Upper Flint for supply and flow augmentation

#### Lower Flint-Ochlockonee

- Continue improving agricultural water use efficiency through innovation
- Evaluate reservoir storage options in Flint River Basin for flow augmentation
- Replace surface water withdrawals with groundwater withdrawals
- Continue enforcement of existing permits, regulations and implementation of existing plans and practices

The three councils worked together because they share resources in the ACF. They made three joint recommendations:

- Recognize the critical need for more storage in the Apalachicola-Chattahoochee-Flint (ACF) System and recommend that a plan for additional storage be developed
- Urge EPD and those involved in the resource assessment modeling to improve upon existing models for future regional water planning
- Request that state and federal agencies reevaluate the scientific justification for the minimum flow requirements at Woodruff Dam that are intended to maintain healthy aquatic ecosystems

The councils had some significant concerns about the modeling assumptions and approach used in the resource assessments. They recommended improvements in the models and data inputs, and they were cautious to proceed based on information available while being careful not to over-rely on the model results.

Cash described the public comment process for the regional water plans. See the following website: [www.georgiawaterplanning.org](http://www.georgiawaterplanning.org) EPD will determine if changes are needed in any of the plans to make them consistent with the planning rules and guidance. If so, they will be returned to the councils for changes.

***Q. How were Alabama needs addressed?***

The Middle Chattahoochee Council requested data from Alabama, but Alabama was not responsive. The Council recommended that better information from Alabama be used in the future. The Council used information from the U.S. Army Corps of Engineers (USACE) from 2005 to estimate Alabama demands.

***Q. How were watershed issues addressed when the councils were based on political boundaries?***

The resource assessments were based on watershed and aquifer boundaries. Implementation of management practices requires consideration of political boundaries. Inter-council coordination was strong and ensured dialogue over shared watershed resources.

***Q. How were inter-basin transfers addressed?***

They were discussed in detail. The council recognized the need to manage them carefully.

***Q. What is the EPD Director's plan to finalize the plans?***

The EPD Director can approve a plan, request changes from the council, or adopt a plan with conditions.

***Q. Given that the water councils are political, how much weight will our comments have?***

EPD will review all comments.

***Q. Will the presentation slides be made available?***

Yes.

***Q. Where can I find the flow targets for the Chattahoochee at the state line?***

Look at the March 2010 surface water availability resource assessment synopsis report (see: [http://gawaterplanning.org/pages/resource\\_assessments/index.php](http://gawaterplanning.org/pages/resource_assessments/index.php))

***Q. How did you calculate the withdrawals and returns when you might have different use levels during drought than under normal conditions?***

We used the longest period of record we had available for withdrawals and returns, and so we had a broad range of conditions. Look at the forecasts to see more detail:

<http://gawaterplanning.org/pages/forecasting/index.php>

***Q. How were returns from septic tanks and land application systems considered?***

Returns for these treatment methods were assumed to be zero in the modeling.

***Q. How will the state implement these plans?***

We will be briefing our partner agencies and developing implementation strategies.

**Q. Is there a place in the planning process where you might involve other groups in implementation, specifically in re-evaluating flow targets?**

It would be appropriate to involve other groups in implementation. The details of implementation are not yet defined.

**Q. How will implementation be funded?**

Section 7 of the plans addresses cost and funding issues, including possible funding sources. Specific funding sources need to be better defined.

**Q. How will a statewide water plan be developed?**

The Georgia Water Council developed a statewide water plan that adopted by the General Assembly in 2008. The statewide plan created the regional water planning process that led to the development of these ten stand-alone regional water plans (not including the plans of the Metropolitan North Georgia Water Planning District).

Many ACFS members will be making separate comments; ACFS can also submit comments.

Information Session: National Integrated Drought Information System

Tonsmeire introduced John Feldt of the Southeast River Forecast Center of the NOAA National Weather Service. He discussed current hydrometeorological conditions in the Southeast. In the ACF, most of the ACF reservoirs recharged well over the winter season. Inflows are currently dropping off. Current streamflow conditions are below normal in the lower part of the basin and normal in the upper part of the basin. Intensification of drought is expected. The Southeast currently has a blocking pattern that is expected to keep conditions dry for the next two weeks. It is possible that we will get back to more normal levels of precipitation in the summer, but it will take 5-7 inches of rain to make up for the current deficit. We are currently leaving La Niña conditions and moving to a neutral position that is expected to remain for the tropical storm season. Streamflow is expected to be below normal in the lower part of the basin. In the southern part of the basin, it has been very dry and expected to stay dry in the short-term. Conditions may return to normal but are dependent upon the tropical storm season.

Information presented by Feldt is available on the Southeast River Forecast Center website: <http://weather.gov/serfc> Information will soon be forthcoming on NIDIS drought briefings. See: <http://www.drought.gov>

**Q. Do you have long-term projections with respect to climate change for the region?**

No, our work is focused more on the shorter term. Climatology considers longer term conditions.

**Q. What is normal?**

It could be defined as the absence of drought or flood, but “normal” usually does not last long here.

Information Session: U.S. Army Corps of Engineers

Wilton Rooks introduced Colonel Steve Roemhildt, District Engineer and Commanding Officer of the Mobile District of the U.S. Army Corps of Engineers (USACE). Roemhildt thanked the group for the opportunity to address the ACFS. The Mobile District has a broad range of activities, including emergency response.

Roemhildt provided an overview of the ACF and ACT Water Control Manual (WCM) and Environmental Impact Statement (EIS) Updates. The challenge for the USACE is to manage competing demands. The update of the Water Control Manual is currently driven largely by the Judge Magnuson ruling of July 17,



2009. That decision limits use for water supply and eliminates flow requirements for water quality. Roemhildt emphasized that the USACE is on schedule and following its plan for the Water Control Manual update based on the Magnuson ruling. USACE will not pursue reallocation for water supply in the Water Control Manual effort. Resolution on the allocation issue could come from the Executive Branch or Congress, but it is not expected from either. Resolution could also come from consensus among the three states. Roemhildt thinks this is the most likely and desirable path to resolving the “water wars.” The USACE is willing to provide technical assistance in those negotiations, but cannot facilitate them.

WCM updates will include drought plans, operations management to meet congressional authorizations, the Endangered Species Act (ESA), and recent legal rulings. The USACE is using the ResSim model. Pete Taylor from the USACE addressed the modeling effort, noting its complexity. Model inputs (including flows, lake levels, water quality, etc.) span a long period of record. The modeling process is iterative. The USACE is currently finishing agency technical review. Public release of the draft ACF WCM, plans, and EIS will be in August 2011. The ACF WCM will be finalized in early 2012. Public release of draft ACT WCM, plans, and EIS will be about four months after the ACF products. There will be an independent, external peer review process and an extensive public review and comment process. The USACE will be ready for implementation in July 2012 in accordance with Judge Magnuson’s ruling. Roemhildt concluded by underscoring that the WCM update is not intended to resolve the tri-state water controversy. Only the states, Congress and the Courts can do so. The update will not satisfy all stakeholder desires since the USACE is implementing Magnuson’s order, which is Draconian. The USACE stands ready to assist the states in their negotiations.

Next, Colonel Roemhildt answered questions from ACFS GB members that had been provided to him in advance of the meeting.

**Q. Is raising the normal pool level of Lake Lanier and/or West Point under consideration? If so, were the potential impacts on downstream flooding analyzed?**

The USACE is not considering these options to raise these lake levels as a part of the WCM update. It would be a reallocation of storage. The USACE might consider revising spring refill and fall drawdown periods at these lakes (with no impact to flood damage reduction provided).

**Q. What protections will the update provide for the Middle Chattahoochee?**

The USACE is not targeting specific river segments. We will meet flow requirements for ESA. We are aware of user desires, and we think most concerns can be addressed most of the time.

**Q. Does USACE concur with 2009 Stockdale memorandum asserting its authority to re-allocate storage for water supply (under Water Supply Act of 1958)?**

The memo does represent the view of the USACE, but we have to implement Magnuson ruling, which dictates differently.

**Q. Does the USACE concur with the memo’s assertion that present water uses should be the baseline for reallocation?**

That is a legal question for the courts and lawyers.

**Q. How will USACE respond if the Magnuson ruling is remanded to the agency with instructions for the USACE to consider water supply in the WCM?**

We cannot know until we get the ruling.

**Q. Millions are dependent on Lake Lanier for water supply. Will the USACE put that at risk?**

The USACE must follow the court's decision. If the states come to agreement or Congress provides other direction, the USACE will respond accordingly.

**Q. To what extent is USACE incorporating USFWS criteria from the April 2010 and March 2011 planning aid letters (PALs)?**

The USACE is complying with requirements for consultation with USFWS. The outcome of this consultation will be detailed in the WCM and EIS. It is premature to release details.

**Q. Judge Magnuson said that the "court is troubled by Corps' refusal to take responsibility for its utter failure to conduct any sort of environmental analysis on the plan by which it has operated in the ACF basin for more than 20 years." What is the USACE doing to take meet NEPA requirements for analysis of the environmental impacts of its management decisions in the ACF?**

We are following the full spectrum of NEPA requirements. An EIS that analyzes environmental impacts (of the proposed action and reasonable alternatives) is being prepared.

**Q. Judge Magnuson said "Nor will this Court or future Courts look favorably on Corps' stubborn insistence on excluding from its analysis all reasonable alternatives in the ACF Basin. For instance, an EIS that does not at least consider the effect of current and future water withdrawals from Lake Lanier as well as other points in the systems is, for all intents and purposes, a useless document." What steps is USACE taking to address this?**

The WCM update is not a comprehensive study for the Basin. The EIS will analyze environmental impacts of implementing the proposed WCM and reasonable alternatives.

**Q. Because the USACE is limited in authorization by Congress to navigation and flood control, what would it recommend as an appropriate institution to manage all uses and stakeholder concerns in the ACF and complement the USACE mission?**

That is not for USACOE to decide. It is best left to the states. We have no recommendations, but will work with any appropriate entities in the future.

**Q. Will the USACE public notice rules updates for procedures to follow in future water reallocation actions under the 1958 Water Supply Act?**

This is a policy decision that would be addressed by Headquarters. It does not affect this ACF WCM update.

**Q. Is it better to provide two sets of comments (one for the WCM, one for the EIS) or one set?**

It does not matter; either way is fine.

**Q. The USACE evaluates critical yield for reservoirs in two ways (sustainable extractions vs. storage needed to provide sustainable in-stream flows). Will the critical yield ratios be explicit in the WCM or EIS?**

No. The will be included, but not specifically addressed.

**Q. How will the USACE address navigation in the WCM?**

Navigation is an authorized purpose, and we are looking at how to meet navigation needs within the system parameters.

Next, Colonel Roemhildt took questions from GB members in the meeting.

**Q. What do lake levels have to do with allocation? Why can't you increase Lake Lanier's level by two feet?**

We need to have a purpose for increased storage. We are not authorized or funded to take that type of action.

**Q. Is the USACE looking at "wrongful" allocations at other USACE facilities?**

I cannot speak for outside the Mobile District. Congress is looking at this issue. We do expect to have unauthorized withdrawals if the Magnuson ruling holds in July 2012.

**Q. Will the WCM have a target flow at Woodruff Dam?**

Yes, it will have a flow target to address ESA concerns.

**Q. How is Flint contribution addressed at Woodruff?**

Inflows from the Flint are evaluated and do contribute to overall basin inflow in our calculations.

**Q. So you must make an assumption about Flint flows to calculate Chattahoochee operations?**

Yes.

**Q. After the WCM update is complete and separate from the allocation conflict, how can USACE address cumulative impacts for reservoirs that are proposed in ACF and ACT?**

We cannot answer that here. Georgia permitting is done by the Savannah District.

**Q. If funds were available from an outside source, is there a USACE cost-sharing opportunity for studies of the Basin?**

We must have an authority to do the work and accept funds. We have the authority to look at navigation or flood control questions, but not other types of questions.

**Q. Will you re-think releases for navigation in the WCM update to provide seasonal flows for navigation?**

You will see the draft WCM in August, and it will address navigation specifically.

**Q. How will the Mobile District approach the need for Florida Department of Environmental Protection water quality certification for navigation actions?**

We will try to maintain all authorized uses in the ACF.

**Q. ACFS can give you rich input on the WCM. How can we solicit you to consider our comments on the WCM with full consideration of where they are coming from?**

We do appreciate your efforts, and we can come back and talk with you again after the draft documents are available.

**Q. Is the USACE limited to considering only comments on flood control and navigation?**

No, we will consider comments on all authorized uses. We anticipate some comments to address the full basin as well as very specific comments. We will consider them all.

**Q. Is it possible that the EIS will be so negative that you cannot implement given the Draconian nature of the Magnuson decision?**

I cannot answer that question specifically at this time, but we do not anticipate that the EIS will indicate impacts that are that severe.

Tonsmeire thanked the Colonel for his presentation and asked the Colonel to plan on attending the September GB meeting.

## Information Session: U.S. Fish and Wildlife Service (USFWS) Planning Aid Letter (PAL)

Woody Hicks introduced Sandy Tucker (Field Supervisor for the Georgia Ecological Services Laboratory) and Will Duncan (Ecologist/Hydrologist) of the USFWS to address the Planning Aid Letter from USFWS to USACE for the WCM update process.

Tucker said that while the USACE has multiple purposes that it must balance, the USFWS has a very focused job responsibility. In the WCM update, the USFWS involvement is driven by two pieces of federal legislation: (1) Fish and Wildlife Coordination Act (FWCA) and (2) the Endangered Species Act (ESA). The FWCA requires that the USACE give fish and wildlife equal consideration. The ESA requires that federal agencies not cause a species to move more quickly toward extinction (jeopardy). Under the FWCA, the USFWS serves as technical advisors, but under the ESA, the USFWS can have more impact on the action of the USACE.

Through the Planning Aid Letter (PAL), the USFWS serves as a technical advisor to the USACE. The PAL informed the USACE what the USFWS wants for USACE to consider with respect to fish and wildlife needs in the WCM update. The USFWS includes the states, especially the state wildlife agencies, in its coordination efforts.

Next, Will Duncan presented slides on the “Ecological Imperative for Ecosystem Flow Guideline Development” to address how the USFWS has developed its flow guidelines. His slides will be available on the ACFS website. Duncan emphasized that a narrow focus on minimum flows for riverine management is inadequate. Developing a flow regime requires the consideration of biological data with and hydrologic data and an adaptive management approach.

A guiding principle in developing flow regimes is that ecosystems evolved as a response to the natural flow regime. The USFWS seeks to restore various components of the flow regime that are important to the ecosystem (e.g., stable periods of spring flow for reproduction, low flows for foraging and suspension of eggs in the water column, high flows for migrations for reproduction, and flood flows for maintaining and creating habitats and floodplain access). In some cases, restoring some natural flow regime components can be done with a minor impact on flows and lakes and major benefits to the ecosystem. This approach has been taken elsewhere (e.g., Trinity River, CA; Rio Grande, NM), and solutions have been identified. The PAL considered only hydrologic data selected on a lower portion of the flow hydrograph to smooth out the graphs, but requires pulses to be utilized to improve conditions for biological resources. The pulses can be moved around to attempt to achieve better ecological conditions.

The USFWS recognizes that natural systems have been modified and are no longer “natural”, but they seek to provide for habitat for all species in some years. They desire inter-annual variation.

Next, Tucker and Duncan answered questions from GB members.

### **Q. What would an in-stream flow study add to our understanding of the system and aquatic health? How would that affect our ability to manage the system?**

It is very helpful to understand the biological responses to flows. An in-stream flow study would be valuable. Is it realistic in the time frame that you have? It does take time. Multiple years of data collection would be needed, followed by analysis and reporting.

**Q. You said that this is a rare opportunity to look at ecological flow needs for whole basin, but you did not discuss lake levels or impacts on fish and wildlife in reservoirs. Why?**

Good question. It is being evaluated. The USACE and USFWS have looked at lake level changes and how it affects fisheries.

**Q. What is the status of the ESA? Does it have to be renewed? What if Congress fails to renew the ESA? The Rivers and Harbors Act predates the ESA. Does it prevail over the ESA?**

The Rivers and Harbors Act does not have greater authority than the ESA. ESA has been evaluated against other statutes (not the Rivers and Harbors Act), and the Court has said: do both. We do not put endangered species first or last.

**Q. You did not cite the Coastal Zone Management Act (CZMA) or Clean Water Act (CWA) in your comments. How does USFWS address these other federal statutes?**

The USFWS coordinates with federal and state agencies in implementation of CZMA. For CWA, we do address water quality issues in FWCA documents. We do not look at human health impacts of water quality, but evaluate water quality for fish and wildlife. Neither of these statutes is directed to USFWS as a primary agency.

**Q. What is the relationship between the PAL and the Revised Interim Operating Plan (RIOP)? What is the basis of the low flow requirement for Woodruff Dam?**

The RIOP and PAL concern two different actions of the USACE. The RIOP addresses current day-to-day operations. The PAL is about the USACE's proposed alternatives in the WCM update.

The Woodruff Dam low flow requirement is not about mussels. It is operational. It relates to the design of Woodruff Dam and the intake for Plant Scholz. The Woodruff Dam low flow requirement was revised to go as low as 4500 cfs in the 2007-2008 drought. At that time, the USACE asked USFWS if that requirement would cause jeopardy for mussels, and USFWS responded that it would not.

**Q. How can you evaluate the impacts on flows of changes to channel hydrology?**

The PAL does not consider changes in geomorphology of the river. We need higher peaks to get floodplain inundation, but we still expect to see some floodplain inundation. We are addressing a very managed and altered system.

**Q. Can you comment on the correspondence between USFWS and Georgia EPD over flows in the Flint, especially concerning the Spring Creek Basin and ESA listed mussels? How will this issue affect flows at Woodruff Dam and how does it fit into the bigger picture?**

The nature of the problem is that agricultural water withdrawals (from both surface and groundwater) in this highly interconnected system contribute to low water in mussel habitat. In a 2006 letter to Georgia EPD, we raised the issue and encouraged them to sort it out. The current situation is not sustainable for the mussels. It does not just concern the Flint. For example, in the Chattahoochee, Sawhatchee Creek is a concern. We expect that Spring and Sawhatchee Creeks will be dry (no flow) next week. We are talking with EPD, the Georgia Wildlife Resources Division, and farmers to see what we can do.

**Q. Does USFWS have concerns in upper part of Flint Basin?**

There is not as much agricultural water use there, and we do not have the high level of interconnection between surface and groundwater there.

**Q. Does the USFWS have to consider the needs of an ESA listed species over those of commercial fisheries species?**

The USFWS does not have a statute that requires action to protect commercial fisheries species as it does for endangered and threatened species. We do coordinate with our colleagues in other agencies so that we do not work at cross purposes.

**Q. Is USFWS involvement with the USACE limited to the two laws discussed?**

The FWCA and ESA require our involvement with the USACE, but we do not put on blinders and only focus on these issues. We value coordination with other agencies.

**Q. If you use pre-dam flows in guiding the development of a flow regime, do you also need to consider pre-dam indicator species?**

Yes.

**BREAK**

Committee and Work Group Status Reports

***Finance Committee Report: Billy Turner and Brad Currey***

Turner referred to a one-page committee report included with meeting materials. There will be a request for dues payment this summer. Currey reported that a case statement had been developed for ACFS fund-raising with the assistance of Coxe Curry & Associates. (Currey noted that Coxe Curry's assistance was pro-bono, and he is not related to the Curry of that firm.) Currey referred to a prospect list and solicitation form that was distributed to the GB members with the case statement, asking GB members to list potential prospects whom they would be willing to contact. ***GB members should complete the solicitation form and return it to him or to Coxe Curry & Associates by May 25<sup>th</sup>.*** Solicitation training will be provided to GB members to assist in fund-raising request meetings. He reported the following status report on fund-raising meetings to date:

Woodruff Foundation: No formal request has been submitted, but the initial conversation was encouraging. Woodruff would want to be sure there is geographically diverse financial support.

Southern Company: Currey asked recently retired DEO David Ratcliffe how to approach Georgia Power, Gulf Power, and Alabama Power to request \$75,000 from each for this project. He was not sure based on the initial reaction, but it does appear that the idea has been put in motion.

Imlay Foundation: Currey talked with John Imlay, who indicated that the Imlay Foundation might be interested in supporting the project. Currey anticipates "a low six figure amount". Imlay put Currey in touch with the foundation manager.

Currey said that the case statement budget includes \$500,000 for the sustainable water management plan, \$115,000 for the in-stream flows work (not the whole assessment), \$250,000 for administration, and \$135,000 for meetings and facilitation. Currey said that it is important to nail these amounts down soon so that we can be specific in what we are asking for.

Next, Currey answered GB members' questions.

**Q. What will potential funders look for in our financials?**

The Imlay Foundation wants to see tax returns and financial statements, which we sent. I explained to the foundation that we do not have any completed audits yet because we are a new organization.

**Q. Is there any possibility of getting funding from the three states?**

Not likely. It will probably be up to us, the private sector, and foundations, but I believe the money is there. ACFS has the appeal of being a community driven and stakeholder led effort.

The GB members expressed their appreciation to Brad Currey for his efforts on fund-raising.

***Do Better Work Group: Charles Stripling and Rob McDowell***

Stripling introduced Rob McDowell, Director of Environmental Policy at the Carl Vinson Institute of Government (CVIOG) at UGA to provide a report on the survey conducted by the Do Better Work Group. McDowell's slides are available on the ACFS website.

Information Session: UGA Carl Vincent Institute

Rob McDowell said that the survey questions were developed by CVIOG and modified and approved by the Do Better Work Group. The questions addressed management practices that were compiled from a variety of sources in all three states. The survey ran from April 15-May 16. It had 62 questions. There were 54 respondents.

The results describe whether the respondents use/expect to use/do not expect to use/not sure if they will use each practice. The survey results also address the perceived importance of the practices and impediments to implementation. He then provided an overview of the results of the analysis using graphical representation of the number and content of the responses to the survey.

The next steps are to provide a final report to the Executive Committee by June 15, 2011 and to conduct an experts survey with more specific questions for particular user groups. A report on the experts survey will be provided to ACFS in July.

Next, McDowell responded to questions from GB members.

**Q. Why were the responses not analyzed by watershed?**

The Do Better Work Group asked us not to do it that way. They did not want such comparisons to pit one basin against another.

**Q. Do the survey results weight the responses based on the user population represented by each respondent?**

No.

Several GB members made comments on the survey:

- I am concerned about how the results will be distributed.
- There were strange findings because many respondents had knowledge only to respond to a limited number of the questions.
- We need information on regional variation in order to determine needs.

- It would be more helpful to take this survey out to non-ACFS members to get a broader picture of what is being done. The expert survey may provide more accurate information.
- I didn't understand a lot of it so I didn't respond. That might have affected response rates.
- Be careful about use of results. The survey did not have a random or representative sample, so the results are skewed. Don't publish this as our opinion on anything.
- Survey was too heavily focused on conservation practices.

McDowell noted that the diversity of basin made the survey challenging. He said that we should be able to address the "not sure" responses and the lack of information for some sectors (e.g., agriculture) through the expert survey. He said that CVIOG could do a follow-up analysis (and possibly data collection) and try to address some of the concerns raised. He said that this survey is a first step – the first of its kind in the region. It can be improved upon in the future. Charles Stripling said that this is a learning process, and the GB had good comments. The Do Better Work Group can determine how to make modification and improvements.

### ***Intergovernmental Affairs Committee (I-GAC): Wilton Rooks***

Rooks referred to the committee's written report in the meeting materials. He said that the committee members have worked to build on personal contacts with state and federal agencies on behalf of ACFS. Rooks met with Georgia Governor Deal. Charles Stripling met with Krysta Harden, Chief of Staff at USDA. Apalachicola caucus members met with the new Florida DEP Director Herschel Vinyard, several state representatives, and a state senator. Dan Tonsmeire and Dave McLain met with Assistant Secretary of the Army Jo-Ellen Darcy. Rook mentioned that the new ACFS newsletter and media strategy will help to create mechanisms by which to grow awareness of the organization.

The meeting adjourned for the day. At dinner, Billy Turner made a presentation about the new whitewater rafting project, Ready 2 Raft, on the Chattahoochee River at Columbus.

### May 19, 2011

The GB meeting reconvened at 8:45am. Tonsmeire thanked the group for their work and noted that several members told him that they felt that yesterday's meeting was very productive.

Brad Currey cited a recent David Brooks editorial, "Nice Guys Finish First" (New York Times, May 17, 2011, see: [http://www.nytimes.com/2011/05/17/opinion/17brooks.html?\\_r=1&hp](http://www.nytimes.com/2011/05/17/opinion/17brooks.html?_r=1&hp)). The editorial cites two books: (1) Super Cooperators: Altruism, Evolution, and Why We Need Each Other to Succeed by Martin Nowak and Roger Highfield and (2) The Righteous Mind: Why Good People Are Divided by Religion and Politics by Jonathan Haidt. These books emphasize the value of cooperation and the strength of groups that are cooperative. Currey said that ACFS has spent time getting to know each other and figuring out what we can live with. Currey said that we can come together and find solutions to intractable issues.

Next, Gail Bingham reviewed agenda for the day and asked for approval. There were no objections. The meeting proceeded with committee reports.

### ***Membership Committee: Jim Poff***

Poff made the following observations and recommendations on ACFS membership

#### (1) General Membership:

- Numbers are weak in all basins
- Interest groups need ability to self-nominate members



- Need to schedule public awareness meetings
- (2) GB Membership
- Should evaluate each basin for geographical and interest group representations
  - Start early dialog with members (those with terms expiring and those that have not fulfilled their duties)
  - Strive for fewest at-large positions as possible (3 max.)
  - GB member candidates must be approved by each basin caucus coordinator and or GB members vote.
  - GB member candidates must be ready for approval before last quarterly meeting of each year.

Three-fourths of general membership is on GB at this time. ACFS needs some depth to the general membership. A comment was made that ACFS needs to offer more benefits to general members in order to attract more general members. It was suggested that all GB meeting materials be distributed to all members (GB and general members).

It was also suggested that the GB be careful to maintain some founding GB members on the GB to preserve institutional knowledge. This could be addressed with a by-laws change that removes term limits for founding members.

#### ***Education and Outreach Committee: Deron Davis***

Davis reported that the ACFS website looks good and thanks are due to Wilton Rooks. See: <http://acfstakeholders.org/>

The first issue of the ACFS electronic newsletter will be distributed in June. It will have a similar look to the website and link to the website. It will include sub-basin reports, committee reports (as desired by the committees), highlights of GB meetings, member profile (Billy Turner in this issue), Chairman's Corner, a stakeholder profile (possibly thermoelectric power in this issue), a membership form, and information on upcoming meetings.

The committee is choosing some conferences to target, including the Georgia Environmental Conference and the Alabama Water Resources Conference.

In implementing the media strategy, the ACFS will target large media outlets, but small rural outlets will receive press releases and information. The media strategy identifies GB members as spokespeople for each media outlet. Identified spokespeople will receive training and visit media outlets. At this time, information distributed to media outlets will focus on the ACFS review of the WCM update.

David reported that Steve Cannon will not be able to serve as co-chair. Davis will serve as chair. The meetings subcommittee needs volunteers; let Davis know if you are interested.

A slideshow about ACFS is available on the website. It can be used for presentations to local groups, such as civic organizations. See: <http://acfstakeholders.org/resources/presentations/>

Chad Taylor noted that members are invited to add material to the references website.

Bingham said that she is familiar with a West Virginia organization that includes member profile videos on its website. It might be a helpful tool for the ACFS to consider.

### **Issues Committee – Frank Stephens**

Stephens reported that the Issues Committee currently has 17 members. New members are welcome. Next, he reviewed the status of 2011 Annual Plan (AP) items that the committee is addressing:

1. Item 5 from AP: Review 5 Year Planning Program document and suggest priorities for 2012 Annual Plan: The committee will begin this task in the summer.
2. Item 7 from AP: Evaluate institutional remedies for ACF issues: The committee has not started this task yet.
3. Item 1 from AP: Develop comments on WCM Update and state level water planning: See below.

The Committee recommends formation of a working group to develop comments on the WCM update. They would like to form the group and recruit members today. Stephens reviewed a draft work plan for the work group.

Stephens also presented a pre-publication comment letter drafted by the Issues committee for the USACE on the WCM update. Dave McLain and Brad Moore were acknowledged for taking the initial lead. Copies of the draft letter were included with the meeting materials.

The comment letter makes the USACE aware of the expertise and perspective offered by ACFS and requests a minimum of 90 days for the comment period on the draft WCM and EIS to provide for thorough GB review. **Homer Hirt made a motion to approve sending the letter as drafted to USACE. Tim Thoms seconded the motion.**

The GB discussed whether the letter should be specific about the number and locations of public meetings on the WCM and EIS. Geographic distribution across the full ACF Basin is desired, and the following locations were suggested by GB members: Apalachicola, Chattahoochee, Marianna, Bainbridge, Eufaula, Columbus, LaGrange, Atlanta, and Gainesville. Bingham and Stephens will make minor edits to address the need for geographic diversity in the meeting locations.

The GB also discussed the challenge of coming to consensus on the comments. It is expected to be a learning experience for the group to understand each others' interests better. It will be a dry run for future deliberations and a chance to begin building consensus. It was suggested that the draft be modified to add thanks to the Colonel for coming to the May GB meeting and for his offer to come to the September GB meeting. Tonsmeire called the question on the motion, incorporating edits projected during the GB discussion. Minor edits will be made to the letter based on the GB discussion above. **There were no objections, and the motion was approved by consensus.**

### **BREAK**

After a break, the Issues Committee report continued. Stephens reviewed a summary of the workplan for the WCM work group that the committee has proposed:

1. Formation (approval or work plan, member sign-ups, facilitation by Resolve)
2. Documents review (distribute documents, USACE presentation to GB in September, questionnaire to guide member review)
3. Consensus comments (build consensus on comments, schedule additional GB meeting if needed, send comments to USACE)

**Mark Masters made a motion to establish the WCM Work Group and approve the proposed work plan. Mitch Reid seconded the motion.**

In discussion, some concern was expressed about the ability of ACFS to have an impact on the USACE, but it was noted that it will be an important exercise for the group and there is no harm in trying. We will make people aware of ACFS in the process.

Tonsmeire called the question. ***There were no objections, and the motion was approved by consensus.***

Stephens passed around a sign-up sheet for WCM Work Group membership. He noted that work groups are open to all ACFS members, not just GB members. ***Nominations for members for the WCM Work Group should be sent to Frank Stephens by June 1.***

Next, Stephens raised the issue of how to address the Georgia regional water plans. Comments are due June 23<sup>rd</sup>. With no GB meeting before then, it will be very difficult to develop consensus comments on multiple plans in time. He suggested that the ACFS not try to submit consensus comments on the regional plans. GB members can make their own individual comments and share them with the group if they wish to.

It was generally agreed that there is not enough time for ACFS to act on this. Mark Masters said that if members wish to share their individual comments with the other GB members, send their comments to [admin@acf.org](mailto:admin@acf.org), and he will distribute the comments to the group.

Tim Thoms asked whether ACFS could provide a generic comment saying that ACFS did not have time to develop consensus comments. Stephens said that the Executive Committee could do this without a GB vote. George Martin said he would prefer if the comment did not say we do not have enough time to comment, but rather that we appreciate the effort that went into the plans and we will comment individually. The comment can also thank Tim Cash (EPD) for his presentation at this meeting and his participation in previous meetings.

### **General Discussion on Issues Associated with Draft Revisions to WCM**

Next, Bingham invited the GB to comments to provide early input to the Water Control Manual (WCM) Work Group deliberations. She said that it would help the group to learn more about each others' perspectives and that no decisions would be made now. Bingham said that how a question is stated is important, and she provided the following as the discussion question for the group:

*Based on your expertise and knowledge and on the Colonel's presentation, and with the goal of equitable sharing, what are some ideas that you have about targets of opportunity for a comment letter that would benefit multiple interests in this Basin and move us toward consensus on a sustainable water management plan for the Basin?*

The following is a summary of ideas and questions raised in the brainstorming session focused on this question:

- Ask USACE to take a broader focus
- Focus on Governors instead of USACE
- State to USACE that the WCM is focused on a narrow part of the problem (and this is not the right way to solve the problem)
- Suggest need for multi-state institution for broader management and planning
- Urge USACE to address infrastructure and structural issues
- Frustrated that we are not commenting on Georgia Regional Water Plans

- Communicate needs of Middle Chattahoochee – We have developed a consensus on needs in the Middle Chattahoochee and want comments from the GB on the identified Middle Chattahoochee needs
- Develop consensus on needs throughout ACF
- Define “sustainability” with long-term view
- Governors are not the solution – their efforts have failed multiple times
- Pressure the three Governors to ask for a re-allocation study and provide input into the re-allocation study (to address that USACE said WCM update is not a re-allocation study)
- Focus on the EIS – we can add value there in defining the real impacts
- Implement ACFS Action item #7 (2011 Annual Plan) – Consider a water master for basin; we should advance this idea
- Governors are the only point of possible change in ACF management – otherwise USACE will follow Magnuson decision
- Alabama needs water management planning and identification of needs
- Threat to water supply of 1.2 million people in Metro; USACE is re-allocating water away from that use
- Can only make recommendations to USACE and Governors at this time; initiating work on recommendation for water master is in Annual Plan
- Send comment letter to Secretary Darcie; Col. Roemhildt is taking orders from HQ
- Frustration of many including Judge Magnuson with USACE strategy to follow orders; USACE may be trying to force a solution by this strategy; 11<sup>th</sup> Circuit decision may change the USACE path
- If the Governors reach an agreement, Congress has to agree to with it
- What would we tell the three Governors that they should do? (as a consensus organization) Don’t know the answer at this time. We need to come to consensus on the real issues.
- Can ACFS support uses and interests that are illegal (unauthorized)?
- Can ACFS reach consensus on relevant criteria for tradeoffs that we will need to make? (rank uses, economic impact, authorization, aquatic life needs, severity of impacts)
- Research by ACFS into interstate commission or river master may be a path forward. New institution with adaptive management approach would provide us with a long-term way to address management. It could subordinate some of the federal agency and state sovereignty issues.
- If we ask USACE (or other agency) for more study, they will need more funding. They will want our support. Can we support their funding requests? USACE does have cost-sharing opportunities for funding studies.
- Define ACF user needs
- ACFS is not ready to do anything as a group until we agree on what we want (Middle Chattahoochee has done so; other sub-basin caucuses need to.)
- Need to see the WCM before we can define our needs for ACF
- Get past the 2012 drop dead date (Magnuson ruling) without loss of access to water supply
- Implement conservation measures throughout ACF
- Increase available storage and supply of water (need study on raising Lanier level, other options)
- Interbasin transfers – need to evaluate impacts

- Develop Basinwide Water Management Plan
- Develop tri-state governance structure for ACF
- Need to evaluate facts and decide what information we do agree on
- Scope of WCM EIS will not address re-allocation options. The scope limits the EIS.
- Sub-basin needs were submitted from all caucuses last year. Many could not be quantitatively defined. Development of Sustainable Water Management Plan will include focus on performance indicators. It will help us to refine our performance indicators.
- Where do our interests intersect? That's what we can focus on as a group.
- Apalachicola needs are not well defined. Quantitative targets for Apalachicola would help set management for rest of Basin. (Some disagree with this.)
- Quantification of Apalachicola needs requires scientific study. In-stream flow assessment will not set a quantitative target directly. It will define impacts of various flow levels. We know we can't restore to pre-dam flows, but at this time, it's what we know. How close can we get to pre-dam flows?
- ACFS RFP for Sustainable Water Management Plan is something we have already agreed to: This is what is needed.
- USFWS Planning Aid Letter: Is that an acceptable starting point for defining flow targets? Achievable? USFWS is recommending that we get as close as we can.
- Separate the needs definition from evaluation of what is attainable. The Sustainable Water Management Plan process will do this.
- Convince states that we need to do further study and establish management institution to provide the time and process to address this appropriately. Might not be able to agree on numbers but we can agree on a process that will meet the requirements of the Magnuson decision.
- We are working toward discussing flows and levels.
- Inclusion of in-stream flow study in RFP is an important point of agreement for ACFS. Acknowledge that we can do the Sustainable Water Management Plan, but the in-stream flow study will provide for adaptive management in future.
- Interstate institution for water management requires Congress and participating state legislatures to approve. Did it once before and did not work. Compact is not a solution for ACF.
- Regional water plans in Georgia represent the water needs of Georgia. USACE will see it as Georgia's plan.

In summary the main themes of this discussion were:

- Common factual basis
- Adaptive management
- Institutions for interstate management
- Skepticism about USACE response
- Need for comments to Governors about path forward
- Optimism about future opportunities

## Wrap Up and Next Steps

The GB reviewed a summary of decisions, action items and next steps from this meeting:

### Approved:

- Review process for the RFP responses, including the following:
  - DNS work group to review and rank the proposals and recommend finalists to be interviewed
  - Executive Committee to interview finalists, select the preferred candidate, negotiate a contract, and submit a proposed contract to the Governing Board
  - Governing Board makes final decision on contract at September meeting, or on a called meeting if funding becomes available earlier.
- Meeting summary from March 2011 GB meeting
- Meeting agenda for this meeting
- Creation of WCM Work Group and approval of work plan
- Pre-publication comment letter to USACE

### Next Steps:

- GB Meeting: September 15 & 16
- GA Regional Water Plans: EC to write short and positive comment letter; individual comments can be shared with group via e-mail
- ResSim Workshop: Frank Stephens will share notes with GB
- Request for dues payment to be sent to membership this summer
- ACFS Webpage: Provide items for Resources webpage to Chad Taylor
- RFP response review process
  - Proposals and scoring sheets to be distributed to DNS and PSC members
  - Will follow process approved above
- Fund-raising
  - GB members to complete and return solicitation selection forms (including review of prospects list) by May 25 to Brad Currey or Coxe Curry & Associates
  - Training for GB members that will assist with fund-raising solicitations
- Do Better Work Group:
  - Receive survey report from UGA Carl Vinson Institute of Government by June 15, 2011
  - Carl Vinson Institute of Government to perform experts survey and report to Do Better Work Group in July 2011
  - Do Better Work Group to determine next steps for use of survey results; EC will need to decide on how it will be distributed (or not)
- Outreach and Education Committee:
  - First issue of ACFS Newsletter to be distributed in June 2011
  - GB members asked to submit ideas for newsletter

- GB members should notify Deron Davis of their media contacts (spokespeople will be listed in minutes by region)
  - Power point presentation is available for download on website
- Issues Committee
  - Will begin implementation of Action priority #5 (5 year planning program) this summer; include interest groups in this review
  - Action priority #7: Issues committee charged with developing an approach to considering institutional options for basin-wide planning
  - Initiate the WCM Work Group
  - GB members to nominate WCM Work Group members to Frank Stephens by June 1
- Executive Committee: To develop Executive Director job description and bring recommendation to the GB
- Intergovernmental Affairs Committee:
  - Implement annual plan items #2 and #4
  - Continue outreach to elected officials with help from Education and Outreach Committee and caucuses
- Distribute copy of EPD, USACE, and FWS presentations to GB via the Resources webpage
- Might ask FSU/UGA/Auburn/UF group that sent letter to do a research paper on water law in the three states

Next, the GB brainstormed about possible topics for the September GB meeting:

- Invited presentation by Colonel Roemhildt (USACE) on WCM update
- WCM Update comments
- Five-Year Planning document review
- Selection of consultant for Sustainable Water Management Plan
- Lake Lanier: Proposal to Raise Level by Two Feet (presentation) – and West Point
- Update on Georgia regional water plans
- Agricultural irrigation – information on extent, practices (possibly at December meeting)
- Membership committee report on caucus selection
- Last meeting of existing GB (be prepared for GB membership, leadership, charter decisions at December GB meeting)
- Proposed charter changes should be raised at September meeting (so they can be voted on at December meeting)
- Expanded discussion of sub-basin needs (2 hours)
- Invite Assistant Secretary Darcy and General from USACE to September meeting (in addition to Colonel)

Tonsmeire thanked the GB and the meeting organizers. The meeting was adjourned.