

ACFS Governing Board Meeting

Lake Lanier Islands Resort

September 12 & 13, 2011

DRAFT – Pending Approval by GB

Welcome, Introductions, Meeting Objectives and Agenda

The Governing Board (GB) meeting started at 1:30pm. Dan Tonsmeire (Chair) welcomed the group. He noted that the September 11th memorial over the weekend highlighted for him the value of our freedom to meet and express our opinions to our government leaders. Tonsmeire said that since the last GB meeting, the Executive Committee and many others, including staff, have worked hard and that their efforts have been productive. Tonsmeire reflected on the history of the organization and how three principles have been common threads since the organization's beginning: trust and respect for each other, working together, and seeking consensus.

Next, Gail Bingham (facilitator) asked those present to introduce themselves. After the introductions, Tonsmeire thanked all of the guests for coming, and he then thanked the Upper Chattahoochee Caucus for hosting the meeting and recognized the meeting sponsors.

Next, Bingham reviewed the meeting objectives:

- *Learn about status and key elements of the Draft Water Control Manual update process.*
- *Review next steps and provide initial ideas on a possible future Draft Water Control Manual recommendation;*
- *Receive report of the Executive Committee on contractor selection for the sustainable water management plan and authorize proceeding with an interim contract for phase 1 scopes of work in each proposal, within the context of existing funds. Deliverables will include the items in the phase 1 scopes of work along with a comprehensive, coordinated work plan for the SWMP scope of work and an IFA scope of work.*
- *Discuss and seek consensus on endorsement of feasibility study for increasing the full pool action zone level in existing federal ACFS reservoirs;*
- *Update from River Center Forecast and learn about USGS Water Smart program plans;*
- *Discuss next steps for updating the Five-Year Planning Program and Annual Plan for 2012;*
- *Receive financial report and learn about ongoing fundraising activities;*
- *Learn about other ACFS committee and work group activities, and organize next steps ; and*
- *Suggest topics for next Governing Board meeting and plan next steps.*

Bingham reviewed the meeting agenda and timetable. She noted an adjustment in the order of agenda items: the University consortium proposal will be discussed in full today and will not be on tomorrow's agenda. She asked if there were any questions about the agenda; there were none.

Old Business

Tonsmeire asked for consideration of approval of the meeting minutes from the GB meeting at Bagby State Park in May (2011). ***Vince Falcione made a motion, with a second from Wilton Rooks, to approve the May meeting minutes. The motion was approved by consensus.***

Information Session: USACE Water Control Manual Update

Tonsmeire introduced Major General Todd Semonite and Colonel Steven Roemhildt from the U.S. Army Corps of Engineers (USACE). Semonite is the Commander of the South Atlantic Division for the USACE, and Roemhildt is the District Engineer and Commanding Officer for the Mobile District. Semonite said that he appreciated the opportunity to attend the meeting because ACFS represents multiple stakeholder interests and is seeking solutions that meet diverse needs. USACE seeks to do the same. He explained the USACE would be as transparent as possible about on-going work on the Water Control Manual. Semonite said that it is easier to balance the seven different purposes of the ACF in wet years; there is no silver bullet when conditions are dry. However, he thinks that ACFS has great potential to find the needed balance. The USACE wants to be a team player and facilitate solutions. He said that the USACE can inform decisions, but the solution for the ACF has to come from the states. Semonite said that the ACFS is unique in its focus on finding consensus for the ACF. He emphasized that ACFS has a high level of credibility as an organization and is a group that has “value-added potential” and that “can help inform decisions to take a holistic systems approach.”

Next, Roemhildt reviewed the work of the Mobile District in general, including three major areas of focus: military construction, inter-agency and international support, and civil works. In Georgia, the civil works mission is shared with the Savannah District. Management of the ACT/ACF rests with the Mobile District. USACE has over 200 recreational areas in the ACF and ACT in Georgia with significant economic benefits. These areas raise over \$44 million in user fees for the U.S. Treasury each year. Roemhildt reviewed budget cut impacts that will affect 31 recreational areas in the ACF and ACT in Georgia.

Next, Roemhildt explained the status of the Water Control Manual (WCM) update process. The USACE started the process of updating the WCM in 2008 in accordance with the Secretary of the Army’s directive and the stated purpose and need of the project. In 2009, the Magnuson decision changed the course of the process with the ruling that water supply is not an authorized purpose of Lake Lanier. At that time, the USACE revised its scope for the WCM update to implement the Magnuson ruling deleting water supply operations for Lanier. However, the 11th Circuit Court overturned the Magnuson ruling this summer. Roemhildt summarized the 11th Circuit Court’s ruling as follows:

- Water supply is a purpose of the project as originally authorized.
- Within 12 months, USACE to determine limits of water supply authority under applicable legislation and its ability to meet current water supply operations and Georgia’s request in 2000.
- Court directs: “if the agency ultimately concludes that it does not have the authority to grant the Georgia request, it nevertheless should indicate the scope of the authority it thinks it does have, under the RHA, the WSA, and the 1956 Act. This way, the parties will have some further instruction, based on sophisticated analysis, of what the Corps believes to be the limitations on its power.”
- Court recognized the USACE blocked at every turn during prior 21 years litigation: “... the Corps asserts that this order once again thwarted it in its attempts to consummate the decision making process. The Corps states that ‘every single day since 1990 the Corps was either operating under an agreement that barred it from formally taking any steps to reallocate storage,

or was actively engaged in a process that could have led to a final agency action reallocating storage.’ The historical sequence of events supports the veracity of this claim.”

Roemhildt emphasized that the 11th Circuit Court’s ruling notwithstanding, resolving issues in the ACF will require the states to work together to find solutions. Roemhildt acknowledged some additional points related to the 11th Circuit Court’s ruling, including: (1) the need to address return flows, (2) the need to adjust the timelines for the WCM update and NEPA compliance processes, and (3) Alabama, Florida, and the Southeastern Federal Power Customers have requested an en banc review of the June 2011 ruling by the 11th Circuit Court. The clock does not start ticking on the one year for the USACE response to the court until a decision is reached on the en banc review. However, the USACE is starting work on its response now.

Next, Roemhildt reviewed the current status for ACF reservoirs. He said that the system did not receive much precipitation from recent storms, and at this time, about one-third of the aggregate conservation storage in the ACF is depleted. Composite storage in the Mobile District reservoirs is in Zone 3. Drought operations start in Zone 4.

In closing, General Semonite said that they he anticipated that some might ask what opportunity there would be for public comment during the development of the USACE response to the 11th Circuit Court. He said that the initial response will be a legal opinion of the USACE. Comments will be accepted and reviewed, but no formal public involvement is anticipated until the public comment phase. Future work on the Water Control Manual will have a public involvement component. Next, Semonite and Roemhildt took questions from the GB:

Q. How do state water plans affect USACE’s water resources management in the ACF?

They do not directly affect the USACE’s management, but the states do have input. State and regional water plans can be submitted to the USACE for consideration in the WCM process.

Q. Will there be any peer review or communication with the states regarding the USACE’s legal opinion to be developed in accordance with the 11th Circuit Court ruling?

The USACE will receive and read any comments sent to us, but the USACE response to the litigation required by the ruling is a USACE legal opinion. Its development will not necessarily have two-way communication associated with it. The USACE is comfortable with this because the response to the courts will be an agency statement of its position on USACE authority. On the other hand, the WCM update process is about basin operations, and for that, the agency needs input from the states and the public. The USACE needs to balance the requirements of the litigation process with the agency’s interest in being collaborative and open.

Q. Can you clarify if the response to the court requires a technical as well as a legal component?

It will require both. The USACE is just starting its analysis now. We will know more as the process proceeds.

Q. The ACFS is working to develop a scientifically based Sustainable Water Management Plan. If we determine possible ACF management solutions in this process, do we have to wait until the WCM process to submit them to the USACE?

The USACE wants this kind of input. The agency cannot promise to what extent it will be used during the formulation of its legal position, but the USACE wants to be collaborative and transparent. The legal opinion is the top priority of the USACE at this time, and then it will focus on the WCM process. The

USACE welcomes the input of the ACFS and wants to work with the ACFS. General Semonite stated that the ACFS has a lot of credibility.

Q. How does the Endangered Species Act (ESA) affect current USACE efforts on the ACF?

The USACE must obey existing laws, including ESA, and will comply with the ESA. Phase II of the litigation includes ESA issues.

Q. Is there funding available for ACFS' work from USACE or other federal sources?

The USACE wants to work as a team with ACFS. ACFS might be able to find a way to leverage the resources of the USACE in support of ACFS work. However, we do not have any funding available to provide direct financial support.

Q. Are there examples of projects that address only recreational navigation and not commercial navigation?

Not sure, and we wouldn't want to speculate on this issue.

Q. Can we engage USACE expertise in our work or in peer review of the work our consultants on the SWMP perform?

The USACE wants to help, but we do not have funding or authority for that purpose. The USACE is trying to cut costs. We will team with you in whatever way we can.

Q. Is ACF fertile ground for an interstate water commission or compact?

Semonite said that in his experience an interstate commission can be a very effective solution. He has been told, though, that it has been tried in the ACF in the past without success. He said that the USACE would not take the lead on such an approach in the ACF. He said that this approach has merit, in part because it can include the important component of enforcement authority. He noted that the single federal representative in some situations, such as the Delaware River Basin Commission, has worked well to provide a mechanism for a consistent federal perspective and approach.

Q. Is there any provision in the WCM process to consider the impacts of metropolitan Atlanta growth on the ACF watershed?

Roemhildt stated that the WCM update is not a blank slate to determine how to operate the federal projects, but rather an update to current operations. With regard to considering growth, the EIS will address cumulative impacts and growth across the basin.

Q. Will alternative sources be considered to supplement the basin in the WCM update?

That is not in the scope.

Roemhildt noted that the current Revised Interim Operating Plan (RIOP) for the ACF is at best a "C-" solution. The USACE wants to provide consistency and predictability for this region, and to do so, they need the states to be involved in identifying a better solution. In closing, Semonite asked the ACFS to send the USACE a request if it needs something, and the USACE will respond.

Issues Discussion: Water Control Manual Work Group Update

Brad Moore referred to a hand-out listing action items for the work group. He noted that now that the WCM process is delayed for at least a year, the focus of the work group on the interim would shift toward state water planning, especially in Alabama and Florida.

Moore asked whether anyone wanted to comment on the ACFS plans with respect to the WCM update now that we have heard from the USACE. Mitch Reid said that the USACE sees the ACFS as having a high level of credibility, and the USACE will listen carefully to what ACFS has to say because it reflects stakeholder consensus.

Frank Stephens said that it is possible that the membership of the work group might change somewhat as a result of the temporary shift in focus for the group and encouraged those interested in participating on the work group should contact Brad Moore.

Dan Tonsmeire asked whether the work group would be appropriate for work on the question of whether to recommend the development of a commission or compact for the ACF. Moore replied that this issue would probably be better suited to the Intergovernmental Affairs Committee. Bingham noted that work proposed by the university consortium to be discussed next also could inform ACFS decisions on this issue.

In closing, Moore noted the importance of building name recognition for ACFS and letting the governors know about the organization.

BREAK

Update on University Consortium and Issues Committee Recommendation on Proposal

Tonsmeire introduced Chad Taylor as a representative of the Executive Committee, which has been discussing the possibility of working with a consortium of universities from the three states. Chad Taylor said that four universities are involved in the current discussions (Auburn University, Florida State University, University of Florida and University of Georgia), and interested faculty members have been identified.

Next, Frank Stephens, on behalf of the Issues Committee (IC), referred to the first item in the hand-out entitled Proposal to the ACF Stakeholders. This hand-out is from the developing consortium. The first item in the proposal is to begin to investigate institutional options for basin-wide water resources planning and management (Item 7 of the ACFS 2011 Annual Plan). Stephens asked for the first step of approval for item #1 in the proposal, contingent upon the availability of funds and pointed out that the proposal would require a two-step approval process (in two GB meetings). Item #1 is budgeted at \$15,000. He noted that all four universities would share in the work and in the funding.

Tonsmeire asked for a motion for the first step in the approval process for Item #1 in the proposal, contingent upon funding. Bill McCartney made a motion, second from Tim Thoms, to approve Item #1, as follows:

The IC recommends favorable consideration by the EC and the GB of the University Proposal regarding institutional options with the following understandings and conditions:

- ***Subject to the approval and availability of funds***
- ***On the understanding that the EC and the GB are satisfied that the \$15,000 effort (money and workload) is reasonably parceled out to all four universities; and***

- ***Subject to the engagement of all four universities, at least to the extent that the deliverable reflects participation and concurrence by representatives of all four universities with no hierarchy of authorship.***

In discussion of the motion, Brad Moore said that ACFS' #1 priority is the Sustainable Water Management Plan (SWMP) and its #2 is the executive director position. He said that these priorities are what ACFS should use its funding for first. The proposal from the university consortium is a lower priority.

George Martin asked whether Georgia Tech and Aris Georgakakos would fit into this consortium. Billy Turner responded that Georgakakos' potential involvement with ACFS should be more clear after discussion of the SWMP later. Also, the proposed work addresses institutional mechanisms for water management, and Georgakakos' work is focused on system modeling.

Tonsmeire said that the university representatives have indicated that a public-private partnership like the proposed project enhances the universities' ability to attract other external funds to support related work.

Jerri Russell asked for clarification on who prepared the proposal. The universities wrote the proposal and submitted it to ACFS.

Wilton Rooks asked whether the motion should stipulate that this project would only be funded with external funds. Bill McCartney responded that, although he agreed with the priorities mentioned earlier and with the value of seeking external funds, it would be useful to keep some flexibility as the ACFS might want to fund this work with internal funds at a later date.

Chad Taylor clarified that any contract to the universities would have to be approved by GB in the future. The motion only allows ACFS to begin seeking funds for the proposal.

Dick Timmerberg asked why navigation is targeted and other interests are not addressed in item #2 in the proposal. Bingham clarified that the motion only addresses item #1 in the proposal. Chad Taylor said that the Issues Committee has referred item #2 back to a sub-group for further refinement. A revised version of #2 will be presented at a later date.

In response to a procedural question about the two meeting approval process, Frank Stephens said that today's motion would be approval to develop the project further and draft a contract for approval on the second vote. The motion was read again, and Tonsmeire called the question. ***The motion was approved by consensus.***

Regarding item #2 in the proposal, Homer Hirt suggested some specific modifications. Bingham reminded the group that the Issues Committee has referred item #2 to a subgroup for further discussion. Billy Turner said that addressing the navigation issues raised in #2 should be kept on the ACFS agenda, and funding might be available sooner rather than later to support such work. Dick Timmerberg said that the issue should not be an ACFS priority at this time. Bill McCartney said that the issue is a part of the Five-Year Plan, the Issues Committee is discussing it, and it will come back to the GB.

Sustainable Water Management Plan

Charles Stripling made a report on behalf of the Executive Committee (EC) on contractor selection for the sustainable water management plan. Stripling said that getting started on phase 1 of the Sustainable Water Management Plan (SWMP) is the equivalent of ACFS moving from the sidelines to being on the field. With this step, ACFS will be able to "get in the game." He started his report with the following summary points:

- The DNS, PSC and Executive Committee have engaged in a systematic process to prepare a scope of work, review proposals and reach consensus on a recommendation to the Governing Board for the SWMP technical consultant.
- Black and Veatch (B&V) will be proposed as contractor for the SWMP scope of work.
- Atkins will be proposed as contractor for an In-Stream Flow Assessment (IFA).

Next, he made the following recommendations about the process going forward:

- At this meeting, the EC will seek authorization from the GB to enter into contracts with Black & Veatch and with Atkins for *Phase 1* of the SWMP and IFA contracts.
- This is a substantive decision requiring a second vote no less than 7 business days from this meeting. The EC proposes a virtual meeting for this second vote, on a date where a quorum can be met.
- Products of these Phase 1 contracts will be:
 - A plan initiation meeting for the SWMP;
 - An annotated literature review evaluating existing IFA data for the entire ACFS basin; and
 - More defined work plans for remaining phases, integration and sequencing of tasks for the SWMP and IFA, which reflect ACFS's fundraising goals and are phased in increments that stand alone as useful products for ACFS.
- The budget for these phase 1 contracts combined will be within available ACFS funds.

Next, Stripling reviewed the process of developing the recommendation regarding the selection of contractors for the SWMP:

March 2011 – Seven firms responded to the ACFS Request for Qualifications

April 2011 – The Data Needs Sustainability Work Group (DNS) and EC reached consensus on a detailed SWMP Scope of Work; Request for Proposals (RfP) was sent to all seven firms

May 2011 – GB authorized the EC to select finalists to be interviewed based on reports from the DNS and PSC, conduct interviews, select the preferred candidate, negotiate a contract, and submit a proposed contract to the GB.

May/June 2011 – Five proposals were received. DNS members reviewed the proposals and completed individual ranking sheets based on the technical criteria in the RfP. Results of the individual rankings were compiled, and the work group held a call to evaluate the technical merits of the proposals. Three firms (Atkins, Black & Veatch, and Hydrologics) were rated high for interviews.

July 2011 – Circumstances that might pose a potential conflict and eight questions were reviewed by the EC and sent to the three firms rated high for interviews. The firms provided the information requested. The Professional Services Committee (PSC) reviewed the responses, held a call, and wrote a report to the EC. The PSC did not recommend elimination of any firm, but did identify issues for each firm to address, suggested questions for B&V and a potential remedy for Atkins, and noted concern about restrictions on Hydrologics from lawyers.

July/August 2011 – A subgroup of the EC (all sub-basins) consulted with Hydrologics and determined that potential conflicts could not be overcome. EC selected two firms for interviews,

Atkins and Black & Veatch. Interviews were conducted on August 8, based on a structured interview approach. Approach, qualifications, potential conflicts and remedies were discussed. The EC spent approximately 2.5 hours with each firm.

August 2011 – The EC reached a preliminary consensus on a recommended approach based on the interviews, subject to additional information to ensure clear and complementary work assignments. Questions were sent to both firms, and replies were received at the first of September.

September 2011 – The EC reached consensus on the motion being proposed today.

Next, Stripling recommended the following as next steps:

- The EC will continue discussions with B&V and Atkins to ensure:
 - Work assignments take advantage of the strengths of both firms
 - Contract negotiations will include clarification of approaches and roles and responsibilities for peer review of both the SWMP and IFA work being done for ACFS, including the roles of the two contractors and potential external third parties. This does not mandate or rule out any specific approaches. It may include technical peer review of the development of documents, review of documents or coordination and management of a peer review process. The goal is to gain the most innovative ideas into both the SWMP and IFA processes. Final consensus will be by the ACFS Governing Board.
 - IFA will be complementary to but not duplicative of the SWMP and each firm can complete its work independently
 - Work is phased and sequenced to ensure work products are available at the right times and that each work product can be completed with available funding
 - The firms can work effectively together
 - Any remaining concerns about potential conflicts are addressed
- Phase 1 funding will provide important initial deliverables and a comprehensive, coordinated work plan for the SWMP and an IFA.

Next, Stripling made the following additional points about the SWMP contractor selection process:

- The EC reached consensus in making this decision.
- The EC also will propose an oversight / management mechanism.
- Final consensus will be by the ACFS Governing Board.

Next, Stripling distributed a hand-out with a detailed motion. The full motion is attached as Appendix A. A summary of the initial motion is:

Authorize proceeding with an interim contract for phase 1 scopes of work in each proposal, within the context of existing funds. Deliverables will include the items in the phase 1 scopes of work along with a comprehensive, coordinated work plan for the SWMP scope of work and an IFA¹ scope of work.

Bingham gave the GB time to review the hand-out with the details of the motion. Then, **Jim McClatchey made the motion as distributed, and Bill McCartney seconded it.** Question and answer from the GB followed:

¹ This was later changed to IFLLA (Instream Flow and Lake Levels Assessment).

Q. Does starting on Phase 1 of the project jeopardize our ability to favorably pursue funds from other funding sources in the future?

Brad Currey said that based on his discussions with funders so far, he does not believe it will have a negative impact. Initial funders have not made their grants contingent on full funding.

Q. Will we be able to negotiate the Phase 1 contracts if we are not clear on how much we will be able to fund-raise? How will we negotiate when we don't know how much funding we can raise?

We are only discussing Phase 1 contracts at this time. The work will be coordinated with the fund-raising process.

Q. Will having the more detailed plan of action that will be developed in Phase 1 assist us in fund raising?

Currey said that more specificity about the plan should help in fund-raising. Currey also said that the Woodruff Foundation also asked him if anyone is listening to ACFS. Currey plans to notify the foundation about General Semonite's comments about ACFS' credibility today.

Q. Why are lake levels not included in the IFA?

Bingham noted that lake levels are in the scope of work. With further discussion, it was agreed to change references to the IFA to the In-stream Flows and Lake Levels Assessment (IFLLA).

Q. Why do you recommend using two vendors?

Jim McClatchey responded that using two contractors allows ACFS to take advantage of the best that each contractor has to offer. In particular, Florida stakeholders have not been able to articulate their specific needs in the ACF, and these members have worked closely with Atkins. The EC thought that Atkins could best help us to define Apalachicola needs through the IFLLA component. The benefits outweighed the difficulties of working with two contractors.

Q. Is the IFLLA a gap analysis?

Stripling responded yes. It is described on page 2 of the hand-out.

Q. What is the process for approving the interim contract?

Stripling responded that the EC would bring a draft contract to the next meeting (which may be an interim meeting before the next scheduled GB meeting in December).

Q. Can you summarize the conflicts of interest issues, especially with respect to the firms that worked on the Georgia regional water plans? Their relationship with the regional water councils raises concerns in the event of conflict between an ACFS plan and the Georgia regional plans.

Stripling responded that he does not think this is a concern. He said that ACFS could have sought a contractor from outside the area, but they would not have known much about our system. He said that by focusing firms that have worked in the region, the committee knew there would be inherent potential conflicts. Stripling said that both firms (Atkins and B&V) have done lots of work in the ACF, but they will be working for ACFS. He said that past work is not necessarily a conflict, but it is something that we need to watch throughout the process. Stripling said that in the regional water council meetings, he saw B&V doing what they were contracted to do, which was to work for the stakeholders, and he expects that is what they will do for ACFS.

Bill McCartney added that the Apalachicola Caucus believes that a peer review process will help to address any potential conflicts.

Brad Currey noted that the elimination of Hydrologics from consideration was due to potential conflicts tied to limitations that Atlanta Regional Commission lawyers would have placed on the firm's participation, but that their experience also offers value to ACFS. He said that he expects Hydrologics will be reviewing whatever the other firms produce for ACFS. Currey added that there are conflicts among the Georgia regional water plans, and lot of negotiating remains to be done to arrive at a consistent plan for the ACF.

Frank Stephens said that these two items (SWMP and IFLLA) are the top two items in the 2011 Action Plan, if funding is available. He said that we need to proceed with these projects. He recommended against paying one firm to peer review another, but emphasized the need for on-going review of intermediate work products by the GB and membership.

Q. Will the \$50,000 (total) for both Phase 1 contracts support us in setting the scope and budgets for the rest of the project?

Stripling responded that it would and added that the \$50,000 will be a good investment in planning the rest of the project and will save ACFS money down the road. Careful project planning is important, because the sequencing of the project tasks is critical.

Q. What do you envision from the project initiation meeting?

Bingham said that the hand-out with the motion includes the full B&V response on what will be included in Phase 1, including the project initiation meeting.

Q. Will communication with B&V and Atkins be channeled through the EC?

Stripling responded that it does not have to be through the EC, and it might be better for it to be handled by a different group, established specifically to provide oversight for these contracts. He said that the group should have representation of all sub-basins.

Q. How will Atkins incorporate lake levels in the IFLLA? Does this increase the scope?

Tom Singleton from Atkins responded that they would look at the available data set on lake levels. The consideration of lake levels requires a different data set and different methods, but Atkins can add consideration of lake levels without an increase in cost and scope for the first step of the task. In response to additional questions, Singleton clarified that the IFLLA would include Apalachicola Bay and groundwater interactions.

Q. Is there any ball park assessment of total cost for the full project (not just Phase 1)?

Stripling responded that we do have cost estimates from vendors for what they proposed to do, not what ACFS will ask them to do. The vendors' estimates were generally around \$750,000.

Stripling thanked Woody Hicks and the DNS for their efforts on the RfP. Bingham clarified that the GB would be voting on the full motion in the hand-out, noting that the final page is just an example of what a data gaps analysis would look like. Bingham said that all references to the IFA in the motion would be changed to IFLLA (in-stream flows and lake levels assessment).

Betty Webb said that she would like to see Apalachicola Bay's inclusion in the IFLLA specifically mentioned in the motion as well.

Tonsmeire called the question, and the motion was approved by consensus. A copy of the modified motion is included as Appendix A to this meeting summary. The GB asked Steve Simpson to briefly introduce B&V team and Ken Jones to introduce the Atkins team. Then, the GB adjourned for the day.

BREAK FOR THE DAY

Reconvene Governing Board Meeting

Tonsmeire started the meeting on Tuesday morning at 8:00. He welcomed guests and remarked on ACFS's progress in the past year. He then asked Frank Stephens to talk briefly about Gwinnett County's water system. Stephens described Gwinnett's operations and facilities.

Committee and Work Group Status Reports

Finance Committee and Fund-raising Report: Billy Turner referred to the profit & loss statement (year-to-date) included with the meeting materials. He noted that membership dues were deferred last year and have all been committed. Thus, dues for the coming year are extremely important to the financial situation at this time. Next, Turner referred to the membership application, also included with the meeting materials. ***He asked the members to submit these forms at this meeting and turn them into Mark Masters, who will process them and issue invoices for membership dues.***

Next, Brad Currey gave a report on the status of fund-raising activities. Currey remarked on the importance of mutual trust within ACFS and the members' commitment to finding a solution with which we can all live. He said an ACFS consensus will support political leaders in advancing identified solutions.

Currey said that the organization is trying to raise \$1 million: \$500,000 for development of the SWMP, \$115,000 for the initial component of the in-stream flows and lake levels analysis, \$135,000 for meetings and process facilitation, and \$250,000 for organizational needs (to move from a volunteer-driven to a professionally-led organization).

Currey reported that, so far, ACFS has raised \$100,000. Half of the identified prospects have been contacted. Additional calls and follow-up are needed. Currey encouraged members to be specific as to amount in their requests for funding. ***He asked that those making calls to prospects send status reports to Courtney Hamill at Coxe Curry Associates.***

Currey said that funders want to know that the GB members are invested in the process ("skin in the game"). He said that some funders will make their gifts conditional on ACFS' ability to raise the full amount.

Currey also remarked that funders want to know who will be listening to ACFS. General Semonite's comments yesterday were very supportive of ACFS' credibility. Currey said that ACFS needs more of this kind of support. Currey has visited with Mark Williams of the Georgia Department of Natural Resources, and he will be visiting with Allen Barnes of the Georgia Environmental Protection Division. He encouraged GB members to have similar meetings with key state government officials in all three states.

In closing, Turner noted that 47 prospects have been identified. He encouraged those making calls on prospects to follow through. Turner said that Coxe Curry would support those making calls on prospects if they need assistance. It was noted that audited financial forms are not currently available; the first audit will be conducted in 2012.

Membership Committee Report: A membership committee report was distributed. Jim Poff first addressed the committee's work on Membership Vetting Procedures. The committee proposes several items to amend the organization's operating procedures. No charter revisions are needed. The GB discussed the importance of balance of GB members across the 14 interest categories.

Tonsmeire asked if the committee was making a motion to amend the operating procedures. Poff said that the motion might need revisions, and he wanted some input from the GB. Bingham asked if GB members had suggestions, which the committee could consider and bring back to the GB as a motion at a later date.

Mitch Reid asked whether the modifications were needed before the December meeting when new GB members will join. George Taylor said that the improvements are welcome and the organization can begin to work under the principles of the proposed modifications at this time. Taylor suggested that item (i) in the procedures should be clarified to indicate that notice should be distributed broadly, and not only to the member whose term is expiring. Brad Moore suggested that the procedures should address the need to notify the general membership when the GB is seeking to fill GB positions.

Dan Tonsmeire said that while some tweaks are needed, it seems like there is general support for the proposed changes from the committee. Mark Masters said that only one vote is needed to amend the operating procedures. **Glenn Page made a motion, with a second from Ellis Cadenhead, that the GB authorize the EC to implement changes in the operating procedures as suggested by the Membership Committee with appropriate modifications based on suggestions from the GB.**

Dan Tonsmeire said that GB members should address additional comments on the Membership Vetting Procedures to Jim Poff who will compile and share the comments with the EC. Poff asked that GB members should submit their comments within one week (by September 20th). A summary of suggestions for modifications included:

- Outline the process for notifying the general membership on open GB seats.
- Provide an opportunity to members to review who fills which interest group seats in each caucus when term expirations occur so that GB members can provide input to their own and other caucuses. (List distributed by e-mail to GB.)
- Item viii is probably not applicable to the ACFS.
- Item (ix) needs to be more precise with regard to the EC's authority. It is too unclear and broad as currently written.
- As long as we are operating by consensus, the issue of interest group balance is less of a concern.

Billy Turner said that there are 19 GB members whose terms end in 2011. These seats will need to be filled by the GB meeting in December.

Tonsmeire called the question, and the motion was approved by consensus.

Next, Poff referred to the draft ACFS Membership Recruitment Plan included in hand-out. **Poff asked for GB members to review and send comments on the draft recruitment plan.**

Intergovernmental Affairs (IG) Committee Report: Wilton referred to the committee report hand-out. He noted that the impact of the efforts to reach out to government agencies was evident in the General's comments on ACFS' credibility yesterday. The IG will continue to work with USACE to build a productive relationship. **Rooks said that the IG Committee needs a new chairperson.**

Education and Outreach Committee Report: Wilton Rooks gave the committee report for Deron Davis. Rooks said that the first issue of the ACFS newsletter was distributed in July, and the new website is available. He referred to the committee report from Deron Davis that is included in the meeting materials. Rooks emphasized that the ACFS now has a clear and crisp message, and sub-basin caucuses should think about how to get that message out in their communities. Communicating the ACFS message will support the organization in fund-raising, intergovernmental affairs, and membership recruitment. Deron Davis can support members in making presentations on ACFS in their communities with talking points and powerpoint slides.

National Integrated Drought Information System (NIDIS)

Lisa Darby gave an update on NIDIS and the drought early warning system for the ACF. In November, NIDIS will hold a climate outlook forum; details will follow by e-mail from NIDIS.

Next, John Feldt from the National Weather Service River Forecast Center gave an update on the hydro-meteorological situation and forecast for the region. Feldt said that while it has been a busy tropical storm season, not many tropical storms have come on-shore, and it seems that the tropical storm season is slowing down. Rainfall over the past 30 and 90 days in the region has been drought-like. A La Niña advisory is now in effect, and below normal precipitation is expected in the fall and winter in the region. Feldt took some questions from the GB:

Q. The Flint River Drought Protection Act requires drought declaration by March 1. Is that a realistic date by which to declare a drought?

Feldt said that March 1 is toward the end of the recharge period. He said that you can assess the degree of drought at any given time. We have improved tools for assessment. In terms of drought prediction, the science is improving but still developing.

Q. What is the typical duration of La Niña?

Feldt said he is surprised we are going back into a La Niña now. It is typically on the order of 6-8 months. In this case, we just came out of one and we are going right back into one. Feldt said that he is beginning to question whether we ever really came out of the last major drought.

Next, Sonja Jones from USGS gave a report on the WaterSMART program. First, she reported that USGS held a WaterSMART planning meeting on June 22-23 and formed working groups for three areas of technical concern: Water Use, Ground Water/Surface Water Interactions, and Ecological Assessment of In-stream Flows. The project conducted a week of synoptic sampling in mid-July and is planning a stakeholder meeting in early 2012.

Jones reported that for water use data, WaterSMART will build on existing water use programs in all three states. The project will compile water withdrawal and return flow data for 2007-2011. They will develop new methods to estimate agricultural withdrawals to address areas where there are gaps in this data. The objective will be to measure net water use. Water use estimation tasks will include: estimation of consumptive use based on available water withdrawal and discharge data, inter-basin transfers, and use of satellite-based models to estimate evaporative losses from irrigated land.

In addressing ground water - surface water interactions, the project will assess groundwater and surface-water availability under current hydrologic, climatic, land-use, and water-demand conditions under differing climatic scenarios under projected changes in land-use. The primary task will be to develop an integrated watershed assessment by coupling existing digital models that simulate interaction of climatic factors with groundwater- and surface-water-flow systems.

In addressing ecological flows, the project goals will be to (a) improve ability to forecast ecological outcomes for future scenarios of water availability and use, (b) build on existing models for ACF that couple hydrology with metapopulation dynamics for fish and mussel assemblages, and (c) collect and compile data to narrow uncertainty regarding flow-ecology relations, as conditioned by water quality and landscape conditions. The primary tasks will be: (a) strategic data collection – fish, mussel and water quality dynamics in relation to flow variability, (b) expansion and development of data sets for testing ecological flow hypotheses, and (c) integration of water quality and flow alteration effects with existing models for forecasting ecological responses to future water management.

Next, Jones summarized the activities conducted in the drought synoptic sampling program. Drought conditions in ACF provided a unique opportunity to characterize hydrologic conditions and ecological habitats during peak of irrigation season. USGS launched a large scale drought synoptic effort during week of July 18th during which stream flow and water quality were measured at 200 sites and groundwater levels were measured at 400 wells. During the synoptic, the field parameters measured were dissolved O₂, specific conductance, pH, temperature, and alkalinity. Follow-up work is planned for September, at which time USGS will assess populations of fish and mussels and collect water quality samples in streams within a Piedmont and a Coastal Plain sub-basin. USGS plans to expand the synoptic in the coming months to measure biological recovery from drought in differing portions of the basin.

Next, Jones took questions from the GB:

Q. How are you working together with USFWS?

Our personnel are located next door to each other, and we are coordinating closely.

Q. USFWS consults with USACE. Will USGS data be used in the USFWS consultation on endangered species with the USACE?

USFWS can share the data with USACE.

Q. Will your models provide improved sensitivity to support earlier drought prediction?

Not sure that we will be able to do that.

Q. The July 2011 water quality data were from one-time samples on a limited set of parameters, but water quality is not static. How will that water quality data be used?

Primarily it will be used as calibration data for the model. USGS intends to incorporate water quality data into the ecological models. Also, the July 2011 data gives an indication of conditions at that time.

Q. Is there a model for long-range drought projections for future years?

The WaterSMART effort will not address drought projections directly, but there are efforts elsewhere to be able to make future climate projections. John Feldt from the River Forecasting Center offered to share information on existing climate models with the GB (*Mark Masters will distribute by e-mail*).

Q. USGS WaterSMART effort is very relevant to SWMP development. When will information be available that might support the ACFS in developing its SWMP?

The WaterSMART project starts on October 1, 2011, and it will continue for three years. It will be focused on water use data first. USGS can review proposed work plans or results in the SWMP process. USGS can also share relevant work products and data sets with ACFS as it develops them.

BREAK

Status Report on Annual Plan for 2011

Tonsmeire referred to the 2011 Annual Plan included with the meeting materials. The Annual Plan has been an important tool for the Executive Committee, which appointed liaisons with each committee and used the plan to track progress and keep on task. Tonsmeire reviewed the status of 2011 Priorities that can be accomplished within the current financial resources of the ACFS (see list starting on page 3 of the 2011 Annual Plan). During his review, he referred to the draft Executive Director job description, which was included in the meeting materials. *Tonsmeire asked GB members to share any comments on the draft job description with Wilton Rooks or himself.* Overall, Tonsmeire concluded that ACFS has been able to accomplish most of what it set out to do in 2011.

ACFS Five-Year Planning Program Revisions and Annual Plan for 2012

On behalf of the Issues Committee (IC), Frank Stephens asked the GB for input on priorities for 2012 while keeping in mind the goal of building the organization's credibility and supporting and focusing on the organization's vision and mission. Stephens referred to two hand-outs: the 2012 Action Plan Priorities Questionnaire and the Five-Year Plan 2012-2016 Questionnaire. Stephens reviewed items in the Five-Year Plan and noted where some of them have already been acted on. The Issues Committee will be working on the 2012 Annual Plan and Five-Year Action Plan in the coming weeks. *The Issues Committee asks that GB members complete the following five tasks:*

- 1. Indicate 3 to 5 priorities on the 2012 Annual Plan Questionnaire*
- 2. Review, edit, and indicate priorities on the Five-Year Plan Questionnaire.*
- 3. Submit the completed questionnaires to Frank Stephens today or by end of week.*
- 4. Interest groups should collaborate and select priorities and submit to Stephens within 2 weeks.*
- 5. Sub-basin caucuses should collaborate and select priorities and submit to Stephens within 2 weeks.*

Electronic copies have been sent to the GB members (and will be re-sent) for those that want to submit the questionnaires electronically. It was noted that there is a reference to the 2009 Magnuson Ruling on the 2012 Annual Plan Priorities Questionnaire, which is now out of date. Edits such as this are welcome. Next, GB members asked several questions of Stephens:

Q. We are already doing two items on the 2012 Annual Plan Questionnaire. Should we still indicate them as priorities?

Good question. Yes, there is only so much that can be done, and we need to confirm that these are the priorities.

Q. What does the asterisk on page 3 of 5-Year Plan reference?

The asterisk there is a typo.

Q. Where is the development of the natural baseline flow regime in the items of the Five-Year Plan?

Edit the document to add it. In response, Gordon Rogers said that he would like for the record to reflect that the development of the baseline data set is still missing from the document after being suggested for inclusion in the past. Stephens asked whether item E2 addresses Rogers' concern. Rogers responded that

it does not fully address his concern. He is interested in ecological performance criteria, but prior to the development of such criteria, he is interested in an independent assessment of natural baseline flows for the system.

Q. How should the interest groups organize themselves to provide their input?

GB members should use the GB list to organize their own interest group conference calls. Each GB member has identified his/her interest groups, including at-large members.

Q. How will the committee use the questionnaire responses in selecting priorities?

The IC will be driven primarily by the ACFS mission and vision as criteria. The IC will also consider the opportunity costs of not taking particular actions. The IC will build upon the work of the Action Planning work group.

Q. How will you integrate this planning process with the SWMP?

This can be considered by the IC as it reviews the input from the GB. Many of these tasks in the plans are components of the SWMP process. The SWMP is central to the ACFS' focus, and it includes several items from the Five-Year Plan.

Q. Should we rank our priorities?

If you like.

Q. What are natural baseline flows?

Gordon Rogers responded that a natural baseline flows assessment would use pre-impoundment (pre-1950) and pre-irrigation (pre-1970) data to develop a baseline flows dataset from historical data.

Proposal to Endorse a Feasibility Study for Increasing the Full Pool Action Zone Level at Existing Federal ACFS Reservoirs

Wilton Rooks presented slides to describe a proposal for the ACFS to endorse a feasibility study for increasing the full pool action zone level at existing federal ACF reservoirs. Since 2007, several local governments and the Georgia General Assembly have indicated support to increase the full pool action zone level for Lake Lanier. This was discussed briefly at the March 2011 meeting.

Today's proposal is to consider the full pool level for three federal reservoirs in the ACF: Lake Lanier, West Point Lake, and Lake Walter F. George (Lake Eufala). Each reservoir is different, and local interests have different goals. The proposal is to study each reservoir individually, as well as all of the reservoirs collectively.

Rooks said that while the proposal is to consider all three reservoirs, he has the most information on the proposal to consider Lanier, and he would provide some background on that example. Rooks listed the following as reasons to raise full pool for Lake Lanier by two feet:

- Saves additional 26 Billion gallons for use during droughts (100% above conservation level, Increases conservation pool by 7 %)
- Cheapest new water 'source' in the ACF Basin
- Lowest environmental impact

- Fastest way to save more water
- More water for downstream use when needed (future demands on Lake Lanier from downstream needs will increase – not decrease)
- One time impact with long term benefits

Rooks noted that in 1976 the USACE investigated raising Lanier’s full pool level from 1070’ to 1071’. The 1976 report said that the proposed action would have no significant environmental impacts within the reservoir or along inundated shorelines because pool level fluctuations would remain within the historical operational limits. Rooks noted that the elevation of Lanier has exceeded 1071 feet 3727 times and 1077 feet six times since 1959. Lanier has exceeded 1073 feet for several days or more on several occasions since 1959.

Rooks listed the following as issues of concern with raising the Lanier full pool level:

- | | |
|----------------------------|----------------------------|
| • Bridge(s) elevation | • Dam impact |
| • Environmental impact | • Downstream impacts |
| • Shoreline impact | • Reservoir operations |
| • Marinas impact | • NEPA process |
| • Boat ramps | • Flood control evaluation |
| • Private docks | • Costs/benefits |
| • Parking lots | • Reduced flood control |
| • Camping and picnic areas | |

Rooks emphasized the importance of evaluating flood control. Next, he reviewed the following questions associated with raising Lanier’s full pool:

- How and when do we store extra water?
 - Only when we have excess beyond downstream needs (“peak shaving”)
- What are the impacts on Corps operations?
 - Believed to be minimum to none
- Will some water users benefit at expense to others?
 - Goal is to benefit everyone. Not cost anyone.

Next, Rooks addressed why the ACFS should be involved in this issue:

- Having more water stored is good for future droughts
- ACFS aim is to make recommendations that benefit everyone
- Proposal avoids any and all water allocation issues
- Tri-state organization endorsement
- More flexibility for eventual water allocation decisions

Rooks noted that there is a well-defined process for Congress to consider this type of proposal (Section 216 proposal). Rooks proposed the following as next steps:

- ACFS Pass motion
- Create ACFS work group
- Work group develop plan for approval by EC to communicate with Corps of Engineers and with Congressional Delegations
- Request congressional support to fund the study: Section 216 of 1970 Flood Control Act establishes the approval and funding process

Rooks referred to a motion included in the meeting materials, which reads as follows:

Motion to Endorse Feasibility Study for Increasing the Full Pool Action Zone Level at Existing Federal ACFS Reservoirs

Move that ACF Stakeholders Governing Board support the study of the impacts and issues associated with raising the year round full pool action zone level in Lake Lanier, West Point Lake and Lake Walter F. George by:

1. Requesting our state Congressional delegations to introduce and pass legislation to authorize and fund the Corps of Engineers to conduct a Section 216 project as authorized by the 1970 Flood Control Act

2. Creating a work group to

a) Work with the Corps of Engineers to define the scope of the funding and timeline required for the project

b) Interface with the Congressional delegations as appropriate

c) Work with the Corps of Engineers during the study

As a specific condition of the motion, no water allocation issues will be considered and none will be requested for inclusion in the funding and authorization by Congress. Among other impacts as included by the Corps of Engineers, the study should include engineering, shoreline, infrastructure, environmental, downstream and reservoir operational impacts from the higher year round full pool levels.

Next, the GB discussed the motion.

Q. Why raise Lanier by two feet (e.g., instead of one foot or four foot)?

Rook responded that motion did not specify a specific level; the proposed study might lead to a different level (other than two feet) by which to raise the full pool.

Q. Does this affect rule curves?

Rooks answered that it is expected that the top rule curve would need to be adjusted, and the rest of the rule curve would remain the same (plus two feet).

Q. How receptive is the USACE to this proposal?

Rooks said he does not want to speak for the USACE, but in his discussions with the USACE, if the study refrains from addressing allocation issues, he thinks that USACE can support the project. Rooks noted that USACE support would be desirable when a request is made of Congress with the proposal for funding.

Several people had questions and comments about the Section 216 funding mechanism. Some members expressed concern that Section 216 funding requires a 50% match and these types of studies are usually very costly and lengthy. There was some disagreement about the level of matching funds required. More information is needed. It was also noted that Congress might choose a different funding mechanism. Rooks clarified that ACFS is not committing funds to this project with this motion.

Q: Should we consider approaching the three state governments to see if they will oppose this proposal?

Rooks responded that this communication with the states could be a task of the work group. Chad Taylor commented that he would like to better understand others' views on this issue before approving the motion. He suggested voting on the motion in December instead of today.

Additional comments included:

- *Be more specific in the proposal. Don't just ask the USACE to evaluate unspecified alternatives.* Rooks responded that ACFS work group could work with the USACE to scope the study more specifically.
- *Add a disclaimer that we are not endorsing additional reservoirs with this proposal.* Rooks responded that he tried to be very specific that the proposal applies only to Lanier, West Point, and Eufala.
- *The work group should include balanced representation of the ACF sub-basins.*
- *The proposal pre-supposes that this is a solution that the SWMP will identify. I am not comfortable going to Congress with this proposal at this time.*
- *Delete the part of the motion about going to Congress with the proposal and focus the motion on creating the work group.*
- *Raising the level of an existing reservoir is much less costly and more environmentally friendly than building a new reservoir, and there is a strong interest among Georgia politicians in adding more storage in the ACF.*
- *Agree to conduct a study, but not to raising the full pool level(s) as a solution.*
- *This proposal seeks to make the entire system less vulnerable to extreme low flow conditions. More storage might support more consumptive use in the system, but this approach is more tolerable than a new reservoir. Providing higher levels of in-stream flows in the ACF will require more storage.*
- *We need to develop a more detailed proposal before acting. The proposal needs more backing in science. We don't want to hurt our credibility.*
- *Implementing the work group will require ACFS human capital. We need to consider how this proposal compares to our other priorities.*

Rooks suggested phasing the work with review by the Executive Committee before taking the proposal to Congress. He emphasized the need for this proposal to go to Congress before the study could become an active USACE project.

Bill McCartney said that this is the first time that ACFS is considering a substantive endorsement of a third party project. He asked Rooks to comment on the precedent that it would set. Rooks responded that it would be an important precedent to set because it would mean that the organization is starting to take positions on issues in the ACF. He said that ACFS needs to take a whole-basin approach, and that's why the proposal includes more than Lake Lanier. He said that if ACFS wants to have influence, the organization needs to become more active with substantive participation on ACF issues.

Bingham summarized the discussion to that point saying that it appears that there is much interest in the proposal, but there also seem to be several concerns about the timing. She asked Rooks what he suggested as next steps. Rooks said that many of the issues noted in the discussion could be addressed by the proposed work group. He does not believe that deciding to study an issue will hurt ACFS credibility, but rather it will demonstrate ACFS willingness to make progress. Rooks suggested that the motion could be modified to add steps for new decisions points for the EC or full GB before taking a proposal to Congress. After some additional discussion, it was clear that the issue would not be resolved within the timeframe of today's meeting. Rooks suggested instead that the ACFS form a work group to report back on this issue at the December meeting.

Charles Stripling made a motion to form a balance work group to study this issue and report back to the GB in December. Billy Turner seconded the motion.

Rooks asked if the work group can discuss the issue with the USACE. Stripling said that the motion does not preclude such discussion. ***Tonsmeire called the question, and the motion was approved by consensus.*** The following GB members volunteered to serve on the work group: Wilton Rooks, Brad Currey, George McMahon, Laura Hart, Jim Phillips, James Emery, Woody Hicks, and Gordon Rogers. Dan Tonsmeire and Chad Taylor will identify Apalachicola caucus members to serve on the work group.

Committee and Work Group Status Reports (cont).

Do Better Work Group: Rob MacDowell (UGA) reported on the further refinement of the Do Better Work Group conservation practices survey results. The MOU with UGA has been extended by two months (with no extra funds) to support expansion of the expert survey. The revised report on survey results will be distributed to the GB members. ***Stripling concluded the committee report by asking the sub-basin caucuses to identify experts to be included in the experts survey.*** (Suggestions should be submitted to Stripling.)

Announcements, Wrap up and Next Steps

Tonsmeire asked for public comment. There was none. He made the following announcements and requests:

- ***Submit your membership and dues to Mark Masters by November 1.***
- ***Select Ex Comm representatives (two from each sub-basin caucus).***
- ***Sign up for committees and working groups that you are interested in.***
- ***Virtual meeting will be scheduled soon for follow-up votes that are needed.***
- ***Conflict of interest work group will be formed. Let Tonsmeire know if you want to participate.***
- ***EC will meet to discuss phase 1 contract negotiation for the SWMP and IFLLA.***

A complete list of actions taken today and follow-up action items will be sent to GB members. The next GB meeting will be on December 8 & 9 in Albany.

Lee Edmiston, from the Florida Department of Environmental Protection and the Apalachicola National Estuarine Research Reserve commented that it is impressive to see the progress ACFS has made to date. He said that Florida will continue to follow the ACFS process.

Tonsmeire thanked everyone for a productive meeting. The meeting was adjourned at 1:15pm.

APPENDIX A:

Motion to Authorize Phase I of the Sustainable Water Management Plan (SWMP) Scope of Work and Phase I of an Instream Flow and Lake Levels Assessment (IFLLA) Scope of Work

(ADOPTED BY GB 9-12-2011)

Move that ACF Stakeholders Governing Board authorize the Executive Committee to proceed, within the context of existing funds, with interim contract with Black & Veatch and Atkins for the following tasks:²

1. Phase 1 in the Black & Veatch SWMP proposal, which includes preparation of a detailed SWMP work plan document and the elements to include in the SWMP;
2. Phase 1 in the Atkins follow up proposal requested by the Executive Committee, which corresponds to a portion of Section 4(b) of the SWMP RfP scope of work; and
3. a comprehensive, coordinated work plan for the SWMP scope of work and an IFLLA scope of work³ as referenced in the Executive Committee Report to the Governing Board below:

Executive Committee Report to Governing Board

GB action item (by consensus as a substantive issue – procurement of professional services – with a two-step process, the second vote to be taken as a virtual meeting at least seven business days following the Sept 12-13 meeting):

- Authorize proceeding with an interim contract for phase 1 scopes of work in each proposal, within the context of existing funds. Deliverables will include the items in the phase 1 scopes of work along with a comprehensive, coordinated work plan for the SWMP scope of work and an IFLLA scope of work.

Proposed report to the GB:

- Report to the GB the steps taken. Phase 1 scopes will be provided to the GB.
- B&V will be proposed as contractor for the SWMP scope of work.
- Atkins will be proposed as contractor for an IFLLA scope of work.
- The EC will work with the two firms to negotiate the details and costs of phase 1 of two, coordinated contracts. This will be consistent with phase 1 of SWMP scope of work and phase 1 of Atkins proposed scope. One product will be a more defined work plan for remaining phases, integration and sequencing of tasks. A total of \$50,000 will be allotted for these phase 1 contracts combined. The contractors will be asked to develop work plans for a scope of work for the full SWMP and IFLLA contracts that is phased in stand alone increments and reflects ACFS's fundraising goals. The detailed contracts beyond phase 1 of each contract will be submitted to the GB for a virtual vote when the contracts are ready.
- Contract negotiations will include clarification of approaches and roles and responsibilities for peer review of both the SWMP and IFLLA work being done for ACFS, including the roles of the

² The geographic scope of this work will include the entire ACF basin including the Apalachicola Bay.

³ The Executive Committee will prepare a scope of work for the IFLLA in consultation with Atkins and will ask the two firms to coordinate their work plans.

two contractors and potential external third parties. This does not mandate or rule out any specific approaches. It may include technical peer review of the development of documents, review of documents or coordination and management of a peer review process. The goal is to gain the most innovative ideas into both the SWMP and IFLLA processes. Final consensus will be by the ACFS Governing Board.

- The EC reached consensus in making this decision.
- The EC also will propose a management mechanism.

Sustainable Water Management Plan Phase 1 Proposal from Black & Veatch

Detailed Work Plan and Milestones and Sustainable Water Management Plan Outline

To ensure a successful Sustainable Water Management Plan, it will be necessary to develop a common understanding among all stakeholders early on and achieve agreement on the specific goals of the Plan. To facilitate alignment between our team and a common understanding of the study definition and range of scenarios likely to be considered, a Plan Initiation meeting will be held. This initial meeting will produce a consistent understanding of the Plan, agreement on overall approach, milestones and task. To complete this first task, we will prepare a detailed work plan document that details project approach, tasks, milestones and the elements to include in the Sustainable Water Management Plan.

Our approach will be to develop a work plan that focuses first on a small set of baseline scenarios and then incorporates varying degrees of sensitivity to the baseline scenario(s) later in the project. This approach permits evaluation of the drivers of uncertainty while developing for the group a solid understanding of a baseline conditions. Complexity is added later in the process, as needed and as budget and schedule allow.

Deliverables: Plan Initiation Meeting and Detailed Work Plan

In-Stream Flow Assessment Phase 1 Proposal from Atkins

Evaluate existing IFLLA data for the entire ACF Basin.

The primary environmental gradients along a river corridor are the upstream-downstream changes in elevation that drive inundation regimes of vegetation and faunal communities along the corridor and in the watershed. Data related to identifying these inundation regimes will be compiled and examined. **This task will be completed by taking inventory of existing, available information and identifying data gaps, i.e. unavailable data necessary to develop an IFLLA.** Available data will be reviewed for relevance to the proposed IFLLA, and strategies for addressing existing data gaps developed. The results of the inventory will determine if existing data are adequate for completion of the IFLLA. The three basins have been studied previously and an evaluation of the information compiled was completed to avoid duplication of effort and ensure that equivalent comparisons can be made among watersheds. The data available for the three watersheds, by topic, will be summarized in table format, similar to the example in Table 1. Data sources will be documented and an annotated literature review will be completed.

Importantly, the Apalachicola River has been studied for years and data for the basin may be adequate to complete a preliminary IFLLA that addresses minimum instream flow requirements for target species, vegetation communities, recreation, or other (e.g. industry, agriculture) uses. Data may be downloaded from the EPA STORET data base and reviewed for relevance and adequacy. Data must be adequate for comparison and statistical analyses.

Deliverables: Annotated Literature Review

Table 1. Inventory and Summary of Existing Information and Data for the Apalachicola, Flint, and Chattahoochee Rivers *

Data Topic	Apalachicola	Flint	Chattahoochee
Hydrology			
Topographic surveys, LiDAR, DTM	X	X	X
NRCS soils maps	X	X	X
Existing aerial photography	X	X	X
Historical aerial photography	X	X	X
Historical maps	X	X	X
Existing and ongoing studies of watersheds	X	X	X
Existing water supply plans	X	X	X
Rainfall stations and data	X	X	X
Stream flow stations and data	X	X	X
Water stage recorders and data	X	X	X
ET stations and data	NC	X	NC
Biology/Ecology			
Existing assessments of ecosystem health	X	X	X
Assessments of hydrologic conditions and ecosystem health	X	X	X
Resource recovery targets for hydrologically altered ecosystems	X	X	NA
Water Quality			
Primary and secondary drinking water standards	X	X	X
Storet data	X	X	X
Data from sources other than Storet	X	X	X
Pollutant loading models	X	X	X
TMDL reports	X	NA	NA
Geology			
Non-potable well locations	X	X	X
Extent of the surficial, intermediate and upper Floridan aquifers	X	X	X
Geologic, geophysical log data for aquifer depths and water quality	X	X	X

*X=Available; NA=Not Available; NC = Not Critical