

Institutional Options: Phase 2



A report prepared for
the ACFS Governing
Board

Summary presented by
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Contributors

- University of Florida, Florida State University and University of Georgia
 - Ph.D. students
 - Graduate clinic/practicum students (in law and ecology) at UF, UGA
 - Professors

Scope of Work

- Determine/describe consensus building process that facilitated assumption of hard management functions by select TWMI's
- Elicit information from ACFS GB re most critical functions for transboundary institution/s in ACF

Research on Other TWMMs

- Literature review
- Phone interviews:
 - Delaware River Basin Commission
 - Susquehanna River Basin Commission
 - Ohio River Valley Water Sanitation Commission
 - Interstate Commission on the Potomac River Basin

Key Findings from Interviews

- Some states say “they give up a little [authority] in order to gain a lot” in creating TWMMIs
- Shrinking federal & state budgets are both constraint and motivator
 - TWMMIs promote efficiency
 - May be perceptions of redundancy
 - Negotiations to amend DRBI authorization to eliminate or constrain authority to approve wastewater treatment proposals

Key Findings from Interviews

- ORSANCO says it gets more attention on water issues from the federal government than the individual states are able to attract
 - Some states receive greater benefits from participating than others
 - West Virginia (3x greater than dues)

Key Findings from Interviews

- ICPRB pre-dates establishment of state regulatory bodies
- Emergence of these in 70s caused it to carve out meaningful role
 - Supplementing states' staff resources
 - Providing basin-wide viewpoint
 - Success in brokering TMDL and water supply agreements

Key Findings from Interviews

- Several of the interviewees suggested that it is difficult to imagine states ceding regulatory authority over water issues
- Transparent advisory board that reports to all interested parties may well be the key

Function Break-out Session at December GB Meeting

- Findings were not meant to be comprehensive or formal
- But to provide direction re future research & discussions
- Limited in time & facilitator resources

Higher Priority

- Coordinating & promoting collaboration*
- Planning*
- Coordinating/disseminating data
- Educating
- Promoting water conservation (including best ag practices)
- Recreation (?)
- Environmental flows (?)

Low Priority

- Flood control
- Restoration
- Power generation

Many Questions re Regulatory/Formal Advisory Role

- Can an advisory body “have teeth”?
- How to reconcile w/ authority of existing entities (federal, state and basin-level)?
- ACFS v. new

TUC'S Proposed Next Steps

1. GAPS analysis (summer 2013)
 - Of functions we've identified, who is doing what in the ACF Basin?
 - Identify opportunities for ACF TWMI

TUC's Proposed Next Steps

2. Meeting w/ select GB members to solicit input re draft and discuss next steps

-Including how to move the TWMI dialogue forward beyond ACFS membership