



Alabama Rivers Alliance
Water Is Life

March 4, 2011

Lynn Sisk
Chief, Water Quality Section
Water Division
Alabama Department of Environmental Management
1400 Coliseum Boulevard
Montgomery, AL 36110-1463

Submitted via Electronic Mail

RE: Request for Extension of Deadline for Submission of Comments on Application for Water Quality Certification under Section 401 of the Clean Water Act

Dear Mr. Sisk:

The Alabama Rivers Alliance (ARA) respectfully requests an extension of the public review period for the application for water quality certification as part of Federal Energy Regulatory Commission (FERC) license application for Alabama Power Company's (APCO) Martin (Tallapoosa River) hydroelectric project currently released for public comment. ARA is a non-profit organization dedicated to the protection and restoration of the rivers of Alabama. We have been and will remain active participants in the re-licensing of the Martin project. The certification of a project such as this under Section 401 of the Clean Water Act is an extremely large and important decision and the consequences of any action on the part of the State will have significant, far reaching impact on the water quality of the Tallapoosa, Alabama, and Mobile Rivers as well as Mobile Bay and the Alabama Gulf Coast. This application is the culmination of a process which began in 2007 and it took the applicant over three years to prepare its application. In consideration of this and in the interest of full public participation, we request that, at a minimum, the deadline be extended for 90 days to June 17, 2011.

Additionally, we have serious reservations regarding the quality and amount of information available to the State in order to reach the required "reasonable assurance that the activity will be conducted in a manner which will not violate applicable water quality standards" under 40 C.F.R. §121.2(a)(3). A decision at this point would be quite premature as the applicant has not yet filed its application with the Federal Agency and there are still many questions as to the quality of information available to the state as well as what, if any, mitigation measures or follow on studies will be required prior to the final application. Because of the ongoing concerns that ARA and other stakeholders have with the re-licensing process, we ask that the state withdraw the notice for public comments until the applicant files its license application with FERC and ADEM, as well as other agencies and stakeholders, has had an opportunity to review and comment on the application. Only then would it be appropriate for the state to undergo an assessment of the applicant's ability to comply with Alabama's water quality standards.

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March 4, 2011

Alabama Rivers Alliance

Thank you for your consideration of this request. Please respond in writing with your decision on this matter. If there are any questions, please do not hesitate to call at the number provided below

Sincerely,



Mitch Reid, J.D.
Program Director
Alabama Rivers Alliance
205.322.6395
mreid@alabamarivers.org

cc. **The Honorable Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First St. NE
Washington, DC 20426**

**James F. Crew, Manager, Hydro Services, Southern Company Generation, 600 North 18th Street, Birmingham, AL
35291**

Jeff Powell, US Fish and Wildlife Service, Daphne ES Field Office, 1208-B Main Street, Daphne, AL 36526

Tom Littlepage, Alabama Office of Water Resources, 401 Adams Avenue, Suite 434, Montgomery, Alabama 36104

**J. Chris Greene, Alabama Department of Conservation and Natural Resources, 64 North Union Street, Suite 658,
Montgomery, AL 36130**