

Issue Action Group: E1 Point & Non-Point Source Pollution

Meeting Notes & Summary: APC Corporate Headquarters January 30, 2002

Finalized 03-12-02

Warrior and Coosa Relicensing Projects Combined

Meeting Attendees

IAG Members:

Dan Catchings	ADCNR
Carl Couret	USFWS
Jim Crew	APC
Don Haney	Lay Lake Home Owners & Boat Owners Association
Henry Mealing	Kleinschmidt
Jim Moore	ADEM
Jerry Moss	ADCNR
Dan Murchison	Lake Mitchell Home Owners & Boat Owners Association
Bill Sim	APC
Kelly Schaeffer	Kleinschmidt
Isabella Trussell	Logan Martin Lake Protection Association
Diana Woods	USEPA

Other Attendees:

Mike Akridge	John Ammons
Harold Clark	Tom Counts
Jeff Duncan	John Eisenbarth
Glen Gaines	Tom Groce
Darryl Harley	George Jackins
Jim Lochamy	Jim McHugh
Ron McKittrick	Jason Moak
Nick Nichols	Christy Nix
John Peconom	Malcolm Pierson
Andy Sheppard	Bert Thaxton

Action Items

- Prepare and distribute meeting notes and summary to team members.
Kelly Schaeffer: Due - February 8, 2002
- Revise work plan per IAG recommendations and post on APC's hydro relicensing web page.
Kelly Schaeffer: Due - February 8, 2002
- Contact Clean Water Partnership, discuss ways to coordinate efforts and distribute information to IAG members.
Jim Crew: Due - February 26, 2002
- APC legal services to review legislative mandates, land use conditions and shoreline permit restrictions.
Jim Crew: Due - February 26, 2002
- Contact Alabama Soil and Water Conservation Service (Vic Payne) regarding their participation on this IAG.
Jim Crew and Henry Mealing: Due - February 26, 2002
- Obtain ADEM 303(d) list (and maps if available) for IAG team members.
Henry Mealing & Bill Sim: Due - February 26, 2002

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- Research the availability of APC Meter Readers as pollution spotters.
Jim Crew: Due - February 26, 2002
- Prepare a list of known point and non-point source pollution sites originating within the project boundaries of the Warrior and Coosa Basins and distribute to IAG members.
Bill Sim & Jim Moore: Due - February 26, 2002
- Identify Federal and State laws and standards regulating levels of point and non-point source pollution.
John Peconom: Due - February 26, 2002
- Review and comment on meeting notes and summary.
IAG Team Members: Due - March 1, 2002
- Coordinate a presentation of the Clean Water Partnership for the next IAG meeting.
Jim Crew and Jim Moore: Due - March 12, 2002
- Review local zoning codes, requirements and ordinances.
IAG Team Members: Due - March 12, 2002

Meeting Notes

These notes summarize the major items discussed during the meeting and are not intended to be a transcript or analysis of the meeting.

Introductions and IAG Background – Jim Crew welcomed the group and thanked them for their continued participation in this relicensing process. Kelly Schaeffer distributed the meeting agenda and extra copies of the draft work plan. The E1 IAG Ecological Issue Statement addresses: “Effects of the various sources of pollution (*e.g.*, both point, non-point, trash, etc.) that originate within the Warrior and Coosa Basins on the water quality of the lakes and rivers of the project study area.” The E1 IAG will review pollution sources within the Coosa and Warrior basins and determine how can APC help address this issue.

Review Draft IAG Work Plan – APC and Kleinschmidt created a draft work plan for the IAG’s review prior to the meeting. The IAG members reviewed, discussed and approved each section of the work plan. Two changes were made to the work plan, 1) add Don Haney of the Lay Lake HoBo as a member of the IAG and 2) a work task discussing the coordination of efforts between this IAG and the Clean Water Partnership Program. Additionally, Jim Moore (ADEM) suggested that APC contact the Alabama Soil and Water Conservation Committee specifically Vic Payne, to get them involved in this IAG. The final work plan can be viewed and/or downloaded at APC’s hydro relicensing web site.

After approving the draft work plan, IAG members discussed the work plan’s tasks/goals and how they might be successfully completed.

Clean Water Partnership

Jim Moore (ADEM) informed IAG team members that ADEM is responsible for regulating a majority of the state’s Point and Non-Point Source Pollution (P&NPS Pollution). IAG team members agreed that because of ADEM’s regulatory authority, they would be an integral member in completing this group’s goals. Currently, ADEM along with other stakeholders throughout the State are involved in a multi-year cooperative project called the Clean Water Partnership (CWP). The CWP is designed to control P&NPS Pollution in each of the state’s watersheds. To increase efficiency, avoid redundancy and facilitate an exchange of information, the IAG decided that group members should coordinate efforts with the Clean Water Partnership program. Currently, there are three IAG members involved in the CWP. In addition to these IAG members, APC has a participant involved in the CWP project and will work to get this individual involved with this IAG’s efforts. Complimentary to their Clean Water Partnership efforts, ADEM has also developed a document that details its strategy for dealing with P&NP Source

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Pollution management. This document is available on ADEM's web site and will be used as a source of information for completing tasks outlined in the work plan.

PM&E Alternatives

Throughout the meeting stakeholders exchanged information on pollution sources and problems as well as ideas that they thought would help alleviate some of the adverse effects of P&NP Source pollution.

A source of pollution that was discussed at length was older problematic private septic systems in the Coosa basin. Though APC is not directly responsible for septic tank oversight, IAG members felt that APC along with other stakeholders could positively contribute to addressing and potentially resolving this issue. Stakeholders discussed potential actions APC might take regarding P&NPS Pollution. Some of the ideas raised included:

- APC issuing requirements and restrictions in any lands sale (APC already requires and restricts certain uses in their lands sales),
- APC "cutting off power" to polluters or not providing service until pollution issues are addressed and using APC Meter Readers as pollution spotters (APC will investigate both options),
- and APC donating lands for use in pollution control.

Each of these and other ideas will be evaluated in greater detail by the IAG. APC and ADEM also agreed to provide ADEM's 303(d) list to IAG team members for use as a reference and analysis tool.

Public Education

In addition to the discussion described above, IAG members also discussed the value of increased public education on P&NP Source Pollution throughout the Coosa and Warrior basins. ADEM is actively reaching out to the public to increase pollution awareness and it was suggested that APC investigate similar steps. It was suggested that public outreach efforts consider including a flyer in APC's monthly bills, an article in the Shorelines Newsletter, and a demonstration project somewhere within one or both of the basins.

Work Tasks

The IAG completed task 1 during the meeting and started working on tasks 2 & 3. Bill Sim (of APC) has most of the information necessary to complete task 2 in GIS format. Together, with other stakeholders including ADEM and the Alabama Soil and Water Conservation Committee, APC will work to complete tasks 2, 3, and 4 and share the results with the IAG before the next meeting. Bill Sim and Jim Moore have been working on a GIS database, which should be accessible to team members within two weeks. Jim Moore noted that ADEM's Warrior Basin assessment has been published and is available and the Coosa Basin assessment will be available in 2003.

Conclusion

The next meeting of the E1 IAG will be held on March 12, 2002. APC will send meeting materials including an agenda and work products as well as meeting logistics to IAG members in advance of the next meeting.

IAG documents and materials are posted on the Internet at www.southerncompany.com/alpower/hydro.

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Meeting Notes & Summary: Sheraton Perimeter Park South Hotel March 12, 2002

Finalized 06-25-02

Warrior and Coosa Relicensing Projects Combined

Meeting Attendees

IAG Members:

Carl Couret	USFWS
Jim Crew	APC
Jay Edwards	USFS
Don Haney	Lay Lake Home Owners & Boat Owners Association
Henry Mealing	Kleinschmidt
Jim Moore	ADEM
Jerry Moss	ADCNR
Bill Sim	APC
Isabella Trussell	Logan Martin Lake Protection Association

Other Attendees:

Pres Allinder	Mike Akridge
John Ammons	James Austin
Sara Chubb	Harold Clark
Keith Floyd	Tom Groce
Jim Hancock	Ron McKitrick
Jason Moak	John Peconom
Alan Peeples	Malcom Pierson
Andy Sheppard	Bert Thaxton
Danny Tignor	

Action Items

- Post finalized work plan and January meeting notes on APC's hydro relicensing web page.
Jason Moak Due - March 29, 2002
- Prepare and distribute meeting notes and summary to IAG members.
John Peconom & Jim Crew Due - March 29, 2002
- Distribute copies of the USFWS's 303(d) map to IAG members that requested a copy.
Henry Mealing Due - May 1, 2002
- Distribute APC's NPDES map locations and table of pollution sources.
Bill Sim Due - May 1, 2002
- Contact National Resource Conservation Service (Bob Jones) regarding their possible participation on this IAG.
Jim Crew Due - May 1, 2002

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- Investigate statewide water service connection agreements as they relate to septic tank control.
Jim Crew Due - May 1, 2002
- Continue investigating ways in which to work with the Clean Water Partnership program
IAG Team Members Due - Ongoing
- Provide a copy of the CWP Coosa River Management Plan to IAG members.
Jim Moore Due – May Meeting

Meeting Notes

These notes summarize the major items discussed during the meeting and are not intended to be a transcript or analysis of the meeting.

Introductions – Jim Crew and Henry Mealing welcomed the group and thanked them for their ongoing participation in this process. Henry performed a roll-call of the IAG's membership. Henry informed the group that there was a computer with internet access set up (off to the side of the room) so that those who reported having problems with the web site could ask APC relicensing team members for assistance.

Review Meeting Minutes and Revised Work Plan – After distributing the meeting agenda, the Group approved the January meeting notes (with corrections) and the revised Work Plan. Final copies of the January meeting notes and revised work plan will be posted on APC's hydro relicensing web page. Henry also verified that the email distribution of IAG materials was working well and that all the members were receiving the documents they needed.

Review IAG Action Items from January – Several action items from the January meeting were reviewed including:

Shoreline Permitting

Handouts outlining APC's shoreline permitting processes were made available to IAG team members.

APC Meter Readers as Pollution Spotters

Due to geographical concerns, workload issues and available human resources, APC's surveillance contractors are limited in how much time they can spend looking for pollution.

As requested by the IAG, Jim Crew spoke with APC's labor relations representatives about using meter readers as pollution spotters. Jim reported to the IAG that the meter readers contract is very specific as to what are and are not their job duties and responsibilities. In addition to contract restrictions, APC meter readers do not have any formal training or the time to spot pollution and meter-reading functions will soon be converted to an automatic electronic process.

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APC meter readers as well as concerned citizens have in the past reported pollution violators to the proper officials leading to positive changes. APC has always encouraged this opportunistic reporting by both its employees and the general public and will continue to do so in the future.

APC's Legal Mandate to Provide Power

At the last IAG meeting members requested that APC investigate whether they could deny electrical service to polluters until any outstanding pollution issues were resolved. Research by APC legal services (Balch & Bingham) determined that APC is obligated by legislative mandate to unconditionally provide power to citizens within its coverage area. APC indicated that only an act of legislation could cause APC to review its service policies.

In the resulting discussion it was pointed out that perhaps individual county health departments could do more to resolve pollution problems. Pres Allinder from the Alabama Department of Public Health (ADPH) indicated that the ADPH lacks the funds, the human resources, and the enforcement options to successfully combat the many pollution problems within their jurisdictions. Pres indicated that much of the problem stems from failing septic systems (10 yrs or older) and not new septic systems, which are subject to stricter regulation. County health officials can barely keep up with new septic installations let alone police failing systems, some of which may never have been inspected.

Unfortunately, APC can do little to patrol or enforce pollution violations, but water service providers may have more ability to actively address this issue. Several meeting participants identified instances where local water service providers may have taken some direct action. Talladega County may have an existing program in place that helps to address pollution problems. The IAG agreed to look into this potential alternative and APC agreed to do their best in cooperating with local communities in addressing pollution issues.

Clean Water Partnership Presentation – Jim Moore of the Alabama Department of Environmental Management (ADEM) gave a presentation on the efforts of the Clean Water Partnership (CWP). The CWP is a “coordinated effort of public and private stakeholders to restore and protect the state’s river basins in accordance with the goals of the Clean Water Act”. Jim provided the IAG with several handouts that describe how local everyday activities can be harmful to the environment. Jim reviewed the overall goals of the partnership and how the program is specifically focused on the Coosa and Warrior watersheds. The Coosa River Management Plan is in its final draft and Jim informed the group that as soon as it was finalized he would make it available to the IAG.

Upcoming Clean Water Partnership Meetings

Jim also informed the group that there were several upcoming CWP meetings including:

- A subcommittee of Neely Henry Lake group will meet on April 2, 2002.
- A subcommittee of the Logan Martin Lake group will meet on April 3, 2002.

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- Lay Lake subcommittee will meet on April 11, 2002 in Columbiana.
- Alabama State Steering Committee: April 23, 2002.
- TMDL Development Workshop: Tuscaloosa May 14th and 15th, 2002.
- Coosa Basin Meeting: Birmingham June 27, 2002

For more information about the CWP or any of these meetings please contact Jim Moore at ADEM.

303(d) Lists

Currently, the final 1998 303(d) list is available on ADEM's web page at www.adem.state.al.us. The EPA did not require ADEM to create an updated 2000 list; however, much of the work had already been completed so a draft 2000 list will soon be available from ADEM. ADEM is actively working to complete a new 2002 list, which should be available in the near future.

ADEM's Point and Non-Point Source Pollution Sites – Bill Sim provided the IAG with an overview of ADEM's database of pollution information. ADEM has extensive pollution records for both the Warrior and Coosa basins. Bill presented several spreadsheets containing these records as well as several graphics summarizing and displaying ADEM's point and non-point source pollution information. Much of this data is similar to the information originally presented in the Initial Information Packages (IIP'S). Bill will make this information available to the IAG via a CD containing tables and maps.

Work Plan Review – Tasks 1 and 2 have been successfully completed. Some members expressed concern that this IAG was duplicating the efforts of the Clean Water Partnership program and expressed an interest in coordinating IAG efforts with the CWP.

IAG Membership

Jim Crew notified the group that he had contacted Vic Payne of the Soil Conservation Service and Vic will not be able to be an active participant in this relicensing process; however, the SCS is working closely with ADEM to address point and non-point pollution issues.

The IAG also requested that Jim Crew contact Bob Jones of the National Resource Conservation Service (NRCS) to see if he would be interested and available to participate in this IAG's efforts.

Conclusion

The next meeting of the E1 IAG will be held on either May 21st or 22nd, 2002. APC will send meeting materials including an agenda, work products, and schedule to IAG members in advance of the next meeting.

IAG documents and materials are posted on the Internet at <http://www.southerncompany.com/alpower/>

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Meeting Notes & Summary: Alabama Power Conference Call Center June 25, 2002

Final 07-16-02

Warrior and Coosa Relicensing Projects Combined

Meeting Attendees

IAG Members:

Dan Catchings	ADCNR
Carl Couret	USFWS
Jim Crew	APC
Henry Mealing	Kleinschmidt
Jim Moore	ADEM
Jerry Moss	ADCNR
Kelly Schaeffer	Kleinschmidt
Bill Sim	APC
Isabella Trussell	LMLPA

Other Attendees:

Pam McDaniel	Jason Moak
John Peconom	John Shuman
Danny Tignor	

Action Items

- Post March 12, 2002 meeting notes on APC's hydro relicensing web page.
Jason Moak Due – June 28, 2002
- Send a USFWS 303(d) map to Dan Catchings ADCNR.
Jason Moak Due – June 28, 2002
- Send a Coosa Surface Water Quality Report to Bill Sim.
Jason Moak Due – June 28, 2002
- Prepare and distribute June 25, 2002 meeting notes and summary to IAG members.
Jim Crew & John Peconom Due – July 2, 2002
- Distribute APC's NPDES map locations and table of pollution sources.
Bill Sim & Jason Moak Due – July 12, 2002

Agreements & Resolutions

- 1) Jim Moore will serve as a liaison between this relicensing process, the Clean Water Partnership (CWP), the Soil Water Conservation Committee (SWCC) and the Natural Resource Conservation Service (NCRS).

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- 2) The IAG moved the idea of water service connections as a pollution control measure to the parking lot pending additional information from stakeholders.
- 3) IAG members will send written inquiries to ADEM's Field Operations division to expedite the Black Warrior Basin report.
- 4) The IAG does not want to duplicate the efforts to the Clean Water Partnership.
- 5) IAG members developed draft recommendations to forward to the Coosa Cooperative Resource Team (CCRT).
- 6) The IAG members agreed to consolidate their efforts with those of the E3 IAG.

Meeting Notes

These notes summarize the major items discussed during the meeting and are not intended to be a transcript or analysis of the meeting.

Introductions – Jim Crew welcomed everyone and thanked them for their continued participation in this IAG's efforts.

Jim informed the group that Beth Wentzel of the Alabama Rivers Alliance had accepted a new position and would no longer be a part of this relicensing process.

Kelly Schaeffer introduced John Shuman of Kleinschmidt and noted that he may be helping with some technical work as well as facilitating some future meetings. John will also be attending July's IAG meetings.

Review March Meeting Summary and Action Items – Kelly reviewed the IAG's March 12, 2002 meeting notes which were accepted without comment and will be posted to APC's hydro relicensing web site. Kelly also reviewed the action items from the March meeting and reported on their progress. Dan Catchings requested a copy of the USFWS's 303(d) map. The NPDES information will be distributed to IAG members on a CD. Jim Moore agreed to serve as a liaison between the CWP, SWCC and the NRCS.

ADEM's Coosa Basin Efforts – Jim Moore (ADEM) provided the IAG with an update of the CWP's efforts within the State, Coosa and Warrior basins. ADEM is undertaking a statewide, stakeholder participation process similar to this relicensing process to help address pollution problems in the State's many watersheds. Working on a rotating 5-year basin assessment schedule, ADEM is able to focus its efforts on a specific basin and analyze pollution sources, effects and problems. Several IAG members are involved in these efforts. ADEM recently issued a report on the Coosa Basin, which was distributed to IAG members via CD. This report

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will be a valuable tool in the preparation of APC's Environmental Assessment (EA). Fieldwork in the Warrior Basin is ongoing this year and a final report should be issued in 2003. Jim mentioned that the final report could be expedited if IAG members submitted written inquiries to ADEM's Field Operations Division.

In addition to its broad statewide efforts, ADEM is also conducting work to better assess the upper, middle and lower Coosa basins. Results of these efforts will help ADEM allocate future funds.

Cooperation with the Clean Water Partnership – APC continues to be involved with the CWP on several levels especially the State Steering Committee.

Upcoming CWP Meetings:

<i>State Steering Committee Meeting</i>	<i>State Steering Committee Meeting</i>
June 27, 2002, 10:00 AM	July 24, 2002
Birmingham ADEM Division 6 Headquarters	Montgomery

All meetings are open to the public and participation is strongly encouraged. For more information on either meeting please contact Jim Moore (ADEM).

Several IAG members noted that other agencies (Alabama Dept. of Economic and Community Affairs (ADECA), USGS, SWCC & NRCS) are addressing the E1 issue and expressed a desire to minimize the duplication of efforts.

Public Education – The IAG was in agreement that public education could play a large role in addressing Point and Non-Point Source pollution problems. ADEM has developed several public education measures as part of the CWP and partnerships (ADECA) and is working to implement them. The IAG agreed that APC should work with ADEM and others to implement and expand the efforts of the CWP instead of creating its own public education plan.

Draft IAG Recommendations – The IAG summarized its efforts into the following recommendations:

1. The IAG recommends that APC use the Coosa Basin Assessment, the Warrior Basin Assessment, the ADEM 303(d) list, and the NPDES information for developing the Coosa and Warrior Environmental Assessments. Additional information identified by the IAG will also be used in this effort.
2. The IAG recommends that APC continue to stay involved with the CWP process.
3. The IAG recommends that APC share technical data with the CWP.

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4. The IAG recommends that APC coordinate with ADEM and ADECA to cooperate on public education efforts at the state and local levels.
5. The IAG recommends that APC incorporate ADEM and ADECA public education information into their Shoreline Management Plan.
6. The IAG recommends that this IAG consolidate its efforts with those of the E3 IAG.

Conclusion

As recommended by the IAG, any issues relating to Point and Non-Point Source pollution will now be addressed at the E3 IAG meetings. The next E3 IAG meeting will be in July 2002.

IAG documents and materials are posted on the Internet at www.southerncompany.com/alpower/hydro