

E-10 – Weiss Bypass Work Group Meeting Summary: February 4, 2004

Revision 2-5-04

Meeting Location – APC Corporate Headquarters, Birmingham, AL

Work Group Members

Jim Crew	APC	Kelly Schaeffer	KA	Jeff Powell	USFWS
Henry Mealing	KA	Stan Cook	ADCNR	Jim Lochamy	APC
Andy Sheppard	APC	Larry Goldman	USFWS	Dan Catchings	ADCNR
Ashley McVicar	APC	Malcolm Pierson	APC	Bill Sim	APC
Steve Kartalia	FERC				

Other Attendees

Jason Moak	KA	April Hall	ARA	Jon Hornsby	ADCNR
Viki Jenkins	APC	Jason Redmond	APC	David Brock	APC

Action Items

- Draft and distribute a document describing information needed from technical groups
Kelly Schaeffer February 10, 2004
- Fish Technical Group conference call
Malcolm, Dan, Jeff P., and Henry February 10, 2004 @ 10:00 AM
- Mussel Technical Group conference call
Malcolm, Jeff G., Henry February 10, 2004 @ 1:30 PM
- Meeting of all Technical Groups in Clanton
All technical group members February 19, 2004 10AM – 3PM
- Draft and distribute meeting notes for the 2-4-04 meeting
Henry, Kelly, and Jim C. February 10, 2004

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.

Jim Crew opened the meeting by reviewing the agenda. Jim noted that Steve Kartalia (FERC) was participating via telephone. Jim also noted that we have a tight timeline for resolving the minimum flows issue in the Weiss Bypass. At the November 2003 meeting, we agreed to have an Adaptive Management Plan (AMP) completed by the end of March 2004.

In December 2003, Kleinschmidt distributed information to the group regarding background information for Weiss Bypass and examples of AMPs prepared during other relicense efforts. Henry Mealing briefly reviewed the information and asked if any members needed clarification of the data. Kelly Schaeffer pointed out (Steve Kartalia concurred) that FERC is very flexible in its consideration of AMPs; therefore, there is no standard format for such approaches since they are usually very site and situation-specific.

Kleinschmidt prepared a “skeleton” AMP that Jim Crew distributed to the group prior to the meeting. Group members agreed that this skeleton could serve as the basis for development of the Weiss Bypass AMP and began discussing some of the details.

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Goals and Objectives

The group discussed the Goals and Objectives of the AMP. Stan Cook presented the concept of using separate **small** technical teams (fish, mussels & snails, and water quality) to develop resource-specific objectives that could be combined to reach overall general goals for the Weiss bypass. Jim noted that “operations” resources will also be available to these technical teams. Bill Sim pointed out that it will be important for the individual technical teams to share information in plenary-type meetings to ensure agreement between the plans developed for individual resource concerns. Jeff Powell noted that there may be a need to examine potential changes in geomorphology (sediment transport; erosion) associated with changes in Weiss Bypass flows.

The Group identified individuals that might/will serve on individual technical teams:

- **Fish** – Malcolm Pierson, Dan Catchings, Jeff Powell, Elise Irwin, Maurice Mettee
- **Mussels & Snails** – Malcolm Pierson, Jeff Garner, Jeff Powell
- **Water Quality** – Bill Sim, Jim McHugh, Jeff Powell (and another USFWS staff specialist), ADEM representative (Lynn Sisk or Jim Moore)

The Group also agreed that these technical teams should have a facilitator available. Henry Mealing will help at the team level and Kelly Schaeffer will assist at the plenary level. A diagram to explain the structure of this effort is attached to these minutes.

Kelly Schaeffer pointed out that input from the individual technical teams will be needed by the first week of March. The fish team and mussels & snail team will meet separately by conference call on February 10, 2004. Bill Sim will organize the water quality team and schedule a meeting. The three teams will meet together on February 19, 2004 in Clanton. Kelly Schaeffer agreed to draft and distribute a document outlining what information is needed from each technical team.

Steering Committee

The Group generally agreed that the steering committee would be composed of the original parties that develop the AMP and would basically be a continuation of the Weiss Bypass Working Group. April Hall expressed concern about representation and participation by other stakeholders in the Steering Committee. Jim Crew pointed out that the Steering Committee must be kept small to allow for timely decision making. Others noted that agencies could serve as conduits for stakeholder concerns, or stakeholders could simply use the FERC process to provide input. However, it was noted that unless FERC is process an “action” (e.g., a license amendment), FERC is unlikely to request public comment.

Ultimately, the Group decided that stakeholder participation needed more thought. Kelly agreed to draft an approach that might satisfy everyone and present it for review and discussion at the next Group meeting.

Dispute Resolution Process

Kelly Schaeffer presented a draft approach to dispute resolution that consisted of three levels:

Consensus at the Steering Committee level – Committee members attempt to resolve all disputes internally using existing resources (e.g., reports & data, facilitation, technical experts, etc.). The Group anticipates that most of the decisions will be made at this level.

FERC Alternative Dispute Resolution (ADR) – The Steering Committee would request FERC’s ADR staff to assist in the group in resolving disputes. The decision of the ADR would be non-binding unless all members agreed to the decision via settlement agreement.

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FERC Resolution – If conflict cannot be resolved, the Steering Committee will submit the conflicting recommendations to FERC, and FERC will make a binding decision, subject to rehearing at FERC and further judicial review. This will be the method of last resort.

Monitoring

Henry Mealing distributed and explained a draft Monitoring Plan that he, Malcolm Pierson, and Jim Lochamy had drafted. He pointed out that it would be essential for APC to collect several years of additional baseline data to further characterize the Bypass prior to initiation of minimum flows. Henry explained that the draft Monitoring Plan was formulated based on existing data and the need to fill data gaps. The Group then discussed individual components of the Plan.

Fish

The group discussed existing data from previous studies such as Irwin's shallow water fishes study and Stewig's gamefish study. Some members pointed out that Dr. Mettee and Pat O'Neil are currently doing IBI (Index of Biotic Indicators) work on Terrapin Creek that may be helpful in formulating sampling plans. It was noted that the selection of indicator species may dictate when, where, and what methods will be used.

Mussels

Malcolm noted that previous studies have provided enough information to adequately characterize the existing mussel population in the Weiss Bypass, with regard to the location, density, and health of sensitive species.

Macroinvertebrates

Steve Krotzer from APC's environmental lab will provide input in this area since he has substantial expertise and experience. Members noted that macroinvertebrate studies may need to examine crayfish populations.

Water Quality and Chemistry

Jim Lochamy reminded the group that APC has and will continue to collect continuous dissolved oxygen (DO) and temperature data from June through October at two locations in the Bypass: one upstream of Terrapin Creek (Sod Farm) and one downstream (Catfish Farm). Also, until minimum flows are initiated, data will be collected in the forebay of the Weiss Lake spillway. APC will also collect the full suite of water chemistry data at these locations.

General Sampling Considerations

It was noted that some amount of flow would be needed to adequately sample fish and macroinvertebrates for baseline information. A flow of approximately 200 cfs was proposed and the Group found this approach acceptable.

Agency Goals and Objectives

Dan Catchings distributed and summarized a document describing the ADCNR's goals and objectives for the Weiss bypass (see attachment). Jeff Powell noted that the group's discussions and ADCNR's goals and objective were consistent with the USFWS goals for the bypass. Jeff also pointed out that the USFWS is interested in examining fish passage issues in the Weiss bypass. A document identifying the USFWS goals and objectives was not distributed at the meeting but is included as an attachment to these notes.

Fish Technical Team – First Discussions

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The Fish Team met at the end of the meeting to discuss a few items. The Team agreed that we need to ask – What-Where – How – When – and know Why in developing objectives for the Weiss bypass. Some general items for each of these areas are presented below:

What do we measure?

1. species diversity
2. key species – representative of key guilds
3. fish abundance – density – CPUE
4. IBI metrics – possibly use some metrics for analysis
5. fish migration – spring spawning migration in bypass

Where do we measure?

1. above Terrapin Creek
2. below Terrapin Creek
3. confluence of Terrapin and Weiss Bypass
4. upstream in Terrapin Creek (check with GSA)
5. exact number and location of sites is TBD by Team.

How do we collect data?

1. boat electrofishing – distance or time
2. back pack electrofishing – distance or time
3. seining – size, number, and type of haul
4. electric grids – check with Irwin
5. gill nets – spring spawning – 100' nets with 25' panels of 1", 1 ½ ", 2" and 3" bar mesh.
6. Collect all fish – identify – measure – weigh – preserve unidentified fish – subsample large catches.

When do we collect data?

1. spawning migration – Feb, March, & April
2. fish community – May-June and Sept-Oct.

Conclusions

Kelly summarized the Group's progress for this meeting and noted several meeting dates for individual technical groups (see Action Items on page 1). APC will send meeting materials including an agenda and work products as well as meeting logistics to members in advance of the next meeting.

Working Group documents and materials are posted on the internet at www.southerncompany.com/alpower/hydro.

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GOALS – General Statements

Alabama Power

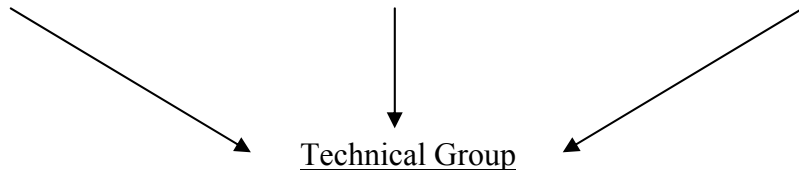
General improvement
of existing resources

USFWS

Protect and Improve
T&E species

ADCNR

River restoration and
biodiversity



Technical Group

- Fish, Mussels and Snails, Water Quality, Operations
 - Jeff Powell – fish – mussels & snails – water quality
 - Malcolm Pierson – fish - mussels & snails
 - Dan Catchings - fish
 - Jeff Garner – mussels & snails
 - Bill Sim – water quality
 - Jim McHugh – water quality
 - Lynn Sisk or Jim Moore – water quality
 - Andy Sheppard – operations information
 - other experts as needed (Metee, O’Neil, Irwin, etc.)
 - Henry Mealing – team facilitator



OBJECTIVES – Metrics/how we measure if we meet goals

targets – metrics to measure for success

1. Species Diversity (specific)
2. Abundance of “key” species
3. Distribution – Upstream VS. Downstream of Terrapin Creek



Adaptive Management Plan Decision Points

1. Did we meet the goals?
2. Are goals appropriate for time period?

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ADCNR Restoration Goals and Objectives - Weiss Bypass (2-4-04).pdf



FWS Restoration Goals and Objectives - Weiss Bypass (2-4-04).pdf