

DRAFT MEETING NOTES

**ALABAMA POWER COMPANY
ALABAMA RIVERS ALLIANCE (ARA) AND
WORLD WILDLIFE FUND (WWF)**

**APC BIRMINGHAM OFFICE
FEBRUARY 15, 2008
9:00 AM – 11:00 AM**

ATTENDEES:

Name	Organization
Jim Crew	Alabama Power Company
Kelly Schaeffer, Henry Mealing	Kleinschmidt Associates
April Hall	ARA
Brian Barr	Camas Land Use Consulting for WWF (by phone)
Judy Takats	WWF (by phone)

ACTION ITEMS:

- Provide ARA and WWF with study results from the Thurlow tailrace minimum flow investigations
- Update the Martin website to include all meeting notes
- Provide a process for requesting information used in the PAD and include a list of literature citations on the website
- Provide a CD-ROM to interested stakeholders of the information that Ashley prepares for the flood frequency analysis

MEETING NOTES:

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

Jim Crew started the meeting by thanking the meeting attendees and reviewing the purpose of the meeting. He informed ARA and WWF that APC had met with the Lake Martin Homeowners/Boat Owners (LMHOBO) on Wednesday and the Alabama Department of Conservation and Natural Resources (ADCNR) and U.S. Fish and Wildlife Service (USFWS) on Thursday to discuss their comments on the APC Draft Study Plans.

Jim updated the group on the status of the proposed relicensing rule curve variance. The “drought based” rule curve variance was approved by FERC in November and will end on April 1. APC had planned to file an application with FERC and seek approval for a continued rule curve variance during the relicensing period so that APC could study the effects of the increased winter pool on project resources. This relicensing rule curve variance would have provided real data on the effects

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of the proposed changes and would have provided higher winter pools during the relicensing process, which is the primary issue of the Lake Martin HOB0. Ashley McVicar completed the initial flood modeling for this effort using the March 1990 flood as a basis (which was 96% of the 100 yr flood). Those modeling efforts determined that a change in the winter pool of three feet (elevation 480 to 483 ft) would result in a two to three feet increase in the downstream flooding for more than 30 miles downstream. When APC visited FERC on February 5, 2008 and presented these initial modeling results, FERC told APC they would have great difficulty in approving the interim variance due to the difference in downstream flow impacts compared to the baseline. FERC suggested that APC continue their modeling efforts for any proposed rule curve change, determine potential impacts and mitigation efforts, and submit the findings in the relicensing proposal application in 2011.

Based on the meeting with FERC, Jim stated that there would be no change in the rule curve during relicensing, and that APC would model alternatives to changing the winter rule curve during relicensing. If a rule curve change is found to be possible, APC will perform the necessary analysis/studies to address that specific change.

As an immediate follow up to this issue, APC has planned a “technical workshop” in March for representatives of each stakeholder group to meet and review the flood flow model with Ashley McVicar (APC). ARA and WWF are welcome to send representatives to this modeling workshop. Jim will coordinate a date and inform ARA and WWF.

Review of the ILP

Kelly Schaeffer provided a review of the ILP study plan process culminating in FERC approval. June 1st will officially begin the ILP with the filing of the PAD and NOI with FERC. Within 60 days from this date (August), FERC will issue a scoping document (which is required for compliance with the National Environmental Policy Act (NEPA)). Within 30 days from this date (September), FERC will hold two scoping meetings (one daytime and one evening meeting) in the vicinity of Lake Martin. Within 30 days (October) from those meetings, public comments should be submitted to FERC on the scoping document and PAD. Within 45 days (mid to late November), APC is required to submit their Final study plans for FERC’s approval. The filing of the study plans initiates a 90 day period for all stakeholders to file their own study plans (which must meet FERC’s criteria) or offer comments on APC’s study plans. Within 60 days (April 2009), FERC will issue their approved study plans (may be a modified version of the plans submitted by APC). Unless a mandatory conditioning agency (FWS, ADEM, ADCNR, and NMFS) disagrees with FERC’s study plan which would put the process into dispute resolution, APC will implement the FERC Approved Study Plan. If a dispute resolution process is implemented, it would likely be

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complete by July 2009 and the modified FERC approved Study Plan would be issued at the completion of the process for APC's immediate implementation.

Discussion of Study Plan Comments

Jim then asked Henry Mealing to walk through the major comments identified in the ARA and WWF letters. Henry suggested that the group discuss comments based on the WWF letter since the two letters raised very similar issues and comments on each study. All of the meeting participants agreed.

MIG 1

Henry told the participants that fish passage is primarily a USFWS and NOAA Fisheries issue and we would look to those federal agencies to provide the bulk of direction for addressing this issue. Henry noted that Jeff Powell was interested in developing a concept document and working with APC to provide information for the USFWS to develop their administrative record relative to Section 18. Henry also noted that there is much interest in the American eel. WWF has concerns with species in the tributaries, especially the RTE species and issues related to connectivity of those species. Brian noted that he will consult with Jeff on the issue of cataloging species as Brian feels they may want to see more than a catalog of species. ARA noted that they would defer to WWF on this issue.

On the Study Plan addressing fish habitats, Brian recommends that APC strongly consider adding additional study sites to improve the validity of the study. They are recommending that APC consider collecting information on 15-18 sites each for seawalls, riprap, and natural undeveloped and increase the number of habitat types to 10-12 each. Henry will discuss this recommendation with APC staff.

For the Evaluation of Minimum Flows study, Henry summarized the goal of the ADCNR which is to investigate whether there can be tweaks in project operations so that flows mimic a more natural flow regime. Henry noted that APC intends to evaluate historical information and see if opportunities exist at Martin to make modifications. Brian noted that ramping on a daily basis is still a major concern for ARA and WWF. Brian referenced the Milstead gage on the Tallapoosa River and noted that he sees a lot of up and down movement on the Tallapoosa River below Thurlow. Henry told the participants that information on effects of flows below Thurlow is being studied as a license requirement of the Yates and Thurlow licenses. APC will send those reports to ARA and WWF and post to the Martin relicensing website.

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For the Entrainment and Mortality Study, Henry described the plan of using a desk top analysis with some field data using hydroacoustic technology to provide an estimate of entrainment and mortality. WWF noted that using hydroacoustics will likely benefit the striped bass study.

Rare, Threatened and Endangered species will focus on the presence of these species within the project boundary including many of the major tributaries of the lake. ARA asked if the “connectivity” issue for RTE species be included somewhere in one of the studies. Henry noted that the RTE studies including Section 7 consultation with USFWS would be the best place to include the connectivity aspect.

For water quality, the WWF and ARA do not support an adaptive management process and are in favor of modeling and researching potential effects associated with changes in project operations.

On the Erosion and Sedimentation issue, APC intends to conduct a “hot spot” study; however, ARA is concerned about baseline sedimentation. ARA would like to understand the current rate of sedimentation in Lake Martin and that would help in comparing to any potential rule curve change. ARA is also concerned about sedimentation in creek mouths and periodic head cutting and flushing of sediments during the drawdown. Henry suggested that we could examine a few creek mouths to determine the magnitude of this issue.

With regard to the Water Quantity, Water Use and Water Withdrawal study, ARA noted that they are interested in long term impacts. ARA suggested talking to the Alabama Office of Water Resources (OWR) about their future water needs.

Jim provided an overview of the Shoreline Management Plan (SMP) process and noted that there has been no work on this issue since APC distributed Land Use maps in September 2007. ARA suggested that Jim post that map on the internet.

WWF and ARA requested that APC consider sending a quarterly email to the Martin stakeholders that would serve as a reminder to check the website for new postings, such as comments on the study plans or upcoming meeting notices.

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Agenda

Martin Project Relicensing
Alabama Rivers Alliance and World Wildlife Fund
February 15, 2008
9:00 AM

Meeting Purpose: Review and discuss study plan comments presented by ARA and WWF, seek clarification of the requests, and provide an update on ILP process.

- 9:00 AM Introductions, Review Meeting Purpose and Agenda
- 9:10 AM Update on Martin Rule Curve and Proposed Variance
- 9:30 AM Review of FERC Study Plan Process
- 9:45 AM Study Plan Comments - Discussion topics
- Water Quality and Quantity
 - Minimum Flows
 - Fish Entrainment
 - Shoreline Management
- 10:45 AM Review Next Steps in ILP Process
- 11:00 AM Adjourn