

**JOHN H. KERR 216 PROJECT MEETING MINUTES
NOVEMBER 15, 2001**

EXECUTIVE COMMITTEE MEMBERS:

<u>NAME</u>	<u>ORGANIZATION</u>	<u>E-MAIL ADDRESS</u>	<u>PHONE</u>
Col. James DeLony	District Engineer, U.S. Army Corps of Engineers, Wilmington		910-251-4501
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David Paylor	Director of Program Coordination, Virginia Dept. of Environmental Quality	dkpaylor@deq.state.va.us	804-698-4240

ADVISORY COMMITTEE MEMBERS:

Leon App	VA Dept. of Conservation and Recreation	leonapp@dcr.state.va.us	804-786-2093
Gene Bennett	Downstream Agricultural Interests	None	252-539-2962
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Frank McBride	NC Wildlife Resources Commission	mcbrideft@earthlink.net	252-451-2543
Jim Mead	NC Division of Water Resources	jim.mead@ncmail.net	919-715-5428
Sam Pearsall	The Nature Conservancy	spearsall@tnc.org	919-403-8558
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Sara Winslow	NC Division of Marine Fisheries	sara.winslow@ncmail.net	252-264-3911

LIST OF ATTENDEES:

The footnotes in the list below signify that these individuals attended as representatives for the Advisory Committee Members who could not attend. The Advisory Committee Member who these individuals represented, correspond to the matching footnote listed below.

<u>NAME</u>	<u>ORGANIZATION</u>	<u>E-MAIL ADDRESS</u>	<u>PHONE</u>
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Terry Brown	Hydraulics Operations Manager, U.S. Army Corps of Engineers (USACE), Wilmington	terry.m.brown@usace.army.mil	910-251-4761
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John Davy		jdavy@dcr.state.va.us	
Col. James DeLony	District Engineer, U.S. Army Corps of Engineers, Wilmington		910-251-4501
¹ Callie Dobson	NC Division of Water Quality	callie.dobson@ncmail.net	919-733-5083 ext.583
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Bob Goss	Southeastern Power Administration	bobg@sepa.doe.gov	706-213-3860
² Jim Guyton	VA Dept of Conservation & Recreation	jguyton@dcr.state.va.us	804-786-2093
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Martin Lebo	Weyerhaeuser Company	martin.lebo@weyerhaeuser.com	252-633-7511
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Jim Mead	NC Division of Water Resources	jim.mead@ncmail.net	919-715-5428
John Morris	Director, Division of Water Resources	john.morris@ncmail.net	919-733-4064
David Paylor	VA Dept of Environmental Quality	dkpaylor@deq.state.va.us	804-698-4240
Sam Pearsall	The Nature Conservancy	spearsall@tnc.org	919-403-8558

These footnotes below denote those team members who were unable to attend the meeting and had a representative attend.

¹ Boyd DeVane NC Division of Water Quality boyd.devane@ncmail.net 919-733-5083

² Leon App VA Dept. of Conservation & Recreation leonapp@dcr.state.va.us 804-786-2093

LIST OF ATTENDEES (continued from page 2):

Terry Ramsey	Operations Manager, COE – John H. Kerr	terry.a.ramsey@usace.army.mil	804-738-6144 ext.110
Jean Richter	FWS/Roanoke River Natl Wildlife Refuge	jean_richter@fws.gov	252-794-3808
³ Ron Sechler	National Marine Fisheries Service	ron.sechler@noaa.gov	252-728-5090
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⁴ Brian Strong	NC State Parks/Resource Management	brian.strong@ncmail.net	919-715-8711
⁵ Jim Thornton	Dominion Resources Services, Inc.	james_thornton@dom.com	804-273-3257
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Sara Winslow	NC Division of Marine Fisheries	sara.winslow@ncmail.net	252-264-3911

* The Corps of Engineers **point of contact** for the John H. Kerr 216 project is **Sharon Haggett**. All correspondence for the Corps of Engineers on this project should be through Ms. Haggett. **John Morris and Dave Paylor**, representing the sponsoring agencies, welcome comments, suggestions, and information.

³ Prescott Brownell	National Marine Fisheries Service	prescott.brownell@noaa.gov	843-762-8591
⁴ Carol Tingley	NC State Parks/Resource Management	carol.tingley@ncmail.net	919-715-8691
⁵ Bill Bolin	Dominion Resources	bill_bolin@dom.com	804-271-5304
⁶ Charles Sledd	VA Dept of Game & Inland Fisheries	csledd@dgif.state.va.us	804-367-8988
Gene Bennett	Downstream Agricultural Interests	None	252-539-2962

Opening Comments

Mr. John Morris – General Welcome. Would like to see the Advisory Committee (AC) build on the existing framework and the work previously completed during the Federal Energy Regulatory Commission (FERC) relicensing process for Dominion Power’s two facilities (Roanoke Rapids and Gaston, downstream of John H. Kerr). Want to ensure that science/models, etc. used during this process is made available to everyone, making the decision-making process transparent. Want everyone to keep open minds and look for improvements for all involved.

Mr. David Paylor – General Welcome. The Executive Committee (EC) will be working on a consensus basis. Will use the Advisory Committee for advice, bouncing ideas off of, and assisting the project such that the correct priorities are addressed. Wants to focus on the practical needs of the watershed. Wants a clear focus maintained on what matters to the reservoir. As we set goals and priorities, we need to keep these needs in mind.

Colonel, James DeLony – General Welcome. Stressed the need for understanding between all members. Advised that there will be limits on what the U.S. Army Corps of Engineers regulations, principles, and guidelines will permit us to fully participate in and fund. Wants team to take long-term view using adaptive management to maintain resources, as well as short-term view to address issues such as the current drought conditions. Wants science and good logic used to make decisions between each view. Believes that nothing stays fixed, and therefore we must assess our assumptions/decisions periodically to determine if we are still doing the “right” thing.

Review of Section 216 Study Authority and Process

Mr. Coleman Long – See attached Power Point presentation.

Review of John H. Kerr 216 905(b) Reconnaissance Report

Ms. Sharon Hagggett – The initial appraisal report was completed and approved in 1996. Funding (\$150K) for the reconnaissance phase was not approved until Fiscal Year 2000. March 2000 Scoping Letter mailed to known stakeholders and comments received. Three informational public meetings held in April, 2000 to gather comments from public. The 905(b) Reconnaissance Report incorporated all of the comments gathered and was approved by Headquarters, US Army Corps of Engineers in May, 2001. Both the State of North Carolina and Virginia signed Letters of Intent to become project sponsors in October, 2000. The next steps to be taken are the development of a Project Management Plan (PMP) and the signing of Feasibility Cost Share Agreements (FCSA) by each study sponsor.

A U.S. Army Corps of Engineers website has been developed and will be updated with all relevant documents and information pertinent to the study. The website address is: www.saw.usace.army.mil click on “authorized projects” and then “Kerr 216.”

The information assimilated from the public meetings and responses to the scoping letter can be captured under six general topics of concern (in order of number of responses):

- 1) Flood Control
- 2) Do Not Remove Dam
- 3) Lake Levels
- 4) Environmental

- 5) Regional Economy
- 6) Recreation/Tourism

Mr. Morris – Commented that the study is not bound by these issues. The process is dynamic and the committee should use the best science available to develop the appropriate framework.

Ms. Haggett – The next deliverable will be a “straw man” of the Draft Project Management Plan (PMP) to be distributed for comment/input from the AC. The PMP is the scope of work, cost, and schedule for the conduct of the feasibility phase of the John H. Kerr 216 project. This document is scheduled to be placed on the website in 3 to 4 months.

Mr. Sam Pearsall – Wanted to know when the Advisory Committee would have the opportunity to comment on the PMP. Believes that the PMP needs to address time, costs, models used, etc. Would like to see a system fully characterized. Should change only one variable at a time, observe the effect(s), and modify as needed. The PMP should be drafted together as a committee.

Executive Committee – The draft PMP to be assembled and placed on the web page is only a straw man – a starting point. This will be an iterative process.

Mr. Thomas Leahy - Raised the issue of technical subcommittees.

Mr. Morris – Technical subcommittees will be considered once we get into more detailed discussions regarding the study. Need additional work first to define the issues that will be addressed.

Mr. Leahy – Suggested that all those involved in the FERC process send comments on what they would like to see emulated from this process or avoided. These should be sent within 2-3 weeks.

Ms. Haggett – Reminded everyone to keep in mind the money for this study is tied to a signed Feasibility Cost Sharing Agreement (FCSA). The FCSA is the legal document that binds the Corps and the project sponsors for the project scope and cost sharing. We need to focus our energies on getting to that point. We are currently capped at the \$150K mark for the Reconnaissance Phase. The larger funding is provided for the Feasibility Phase and is only available to conduct the actual feasibility study once the FCSA is signed. Fiscal Year 2002 funding for the Feasibility Phase is currently at \$400K (Federal funds to be cost-shared 50/50 with project sponsors). Constant, informal communication is encouraged and required throughout the entire study process.

Timeline for the study is tentatively set as follows and will be modified accordingly if the date of Execution of FCSA is changed:

Receive Comments to Incorporate into PMP	12/15/01
Draft PMP on Website	Feb - March 2002
Next Advisory Committee Meeting	March – April 2002
Finalized PMP	June 2002
Execute FSCA	July 2002
Begin Feasibility Phase	July-Aug 2002
No Action Alternative	Aug 2003
Alternative Formulation Briefing	12-18 mo. after No Action Alt.
Draft Feasibility Report/EIS	12-18 mo. after AFB

Col. DeLony – Funding Issues – The Committee is under no pressure to spend the money by a certain time. Believes that there will not be any budget/funding issues with this particular project.

Ms. Haggett – Within a year from the start of the study, we will be responsible for completing a description of the “without-project conditions.” In approximately 18 months, an Alternative Formulation Briefing will take place with US Army Corps of Engineers’ Headquarters to review and evaluate the without-project conditions, the alternatives that are being considered, and what our projections are as to where we are going.

Mr. Long – The “without-project” conditions is also known as the “No-Action Alternative.” This alternative is defined as having the dam in place and being operated just as it is now. Every other alternative we consider will be measured against this scenario. This is how we will determine the benefits and costs of each alternative.

Ms. Haggett – The Draft Feasibility Report and the Environmental Impact Statement will be completed approximately 12-18 months after the Alternative Formulation Briefing. **The ing permit for the study is that the dam provides valuable benefits and will not be removed. This conclusion will be briefly mentioned in this study.** No further exploration will be under taken by the Study.

Mr. John Ellis – If the purposes of the study have already been established, is everything **really** on the table for discussion, or is it all pre-determined?

Mr. Long – It’s a matter of degrees. We can consider everything, but it may be about how **much** can we change/accommodate.

Col. DeLony – There **are** sacred cows, but they may be reprioritized and/or reevaluated. We may be willing to sacrifice them IF we are provided with convincing arguments with the science and economics behind to support them.

Review of Scientific Work Accomplished During Dominion Generation Re-Licensing Efforts at Lake Gaston and Roanoke Rapids and the Applicability of the Work to the John H. Kerr 216 Study

Mr. Morris – Need to use the relevant information gained scientifically from the FERC process as a starting point for this study.

Mr. Jim Thornton - See attached handout on previously completed scientific work relevant to this study. Also see attached handout regarding Terrestrial Ecosystems Working Group.

Mr. Sam Pearsall – See attached Handout regarding the following:

- 1) The baseline data that The Nature Conservancy has collected.
- 2) A Flow Model developed allowing inputs for items such as specific policies/volumes, etc. and the model gives expected outcomes of flow for the next 99 years.
- 3) Flood Model takes output of Flow Model and uses it to predict downstream floods.
- 4) Meta-Model.

Ms. Haggett – Believes the limits of this study are confined to the John H. Kerr reservoir and downstream to the Albemarle Sound.

Mr. Pearsall – Believes that there is a linkage between Kerr and Philpot and therefore that component should be covered in this study. It should be expanded to include those areas where the influence of Kerr reservoir is felt. If we DO want to include these areas, then we are missing relevant stakeholders.

Col. DeLony – Does not know of any authority constraints that would prevent us from looking upstream.

Advisory Committee Identification of High Priority Interests for John H. Kerr 216 Study

Mr. Morris – In the next few days an e-mail will be sent out requesting comments to be submitted back to the Advisory Committee by December 15, 2001. These comments will be used to form a tentative direction that will then be provided for revision/comment.

- Mr. Jim Guyton
- 1) Effects on Virginia State Parks
 - 2) Water Levels
- Mr. Jim Thornton
- 1) Fully utilize system energy
 - 2) Dissolved oxygen below Kerr
 - 3) Partnership to address diadromous fish
- Mr. Tom Brawner
- Overall procedural underpinning of 216, including:
- 1) System wide approach consider Philpott, Smith Mtn, etc.
 - 2) Adaptive Management
 - 3) Maximize public participation
- Specific interests
- 1) Dollar values to all benefits (i.e. tourism, recreation)
 - 2) Long term drought management
 - 3) Address Interbasin transfer policy
- Mr. Ron Sechler
- 1) Restoration of RR Fisheries Resources
(Diadromous/Anadromous Resources)
- Mr. Callie Dobson
- 1) Water quality standard met in ALL North Carolina waters
 - 2) Bank stabilization issues (downstream)
 - 3) Any aquatic community dependent on water quality & quantity
- Mr. John Ellis
- 1) Diadromous fish
 - 2) Water quality in reservoir and river
 - 3) Bank stabilization (Lake & River)
 - 4) Flow regime
 - 5) Downstream resources
 - 6) Shoreline Management/Habitat
- Mr. Martin Lebo
- 1) Salt intrusion
 - 2) Flood control during extreme events
 - 3) Flows for water quality – NPDES discharges/floodplain input
- Mr. Thomas Leahy
- 1) Continued use of Virginia Beach's water supply intake on Lake Gaston
 - 2) Use of cooperative approach to find a win/win proposal
- Mr. Frank McBride
- 1) Hydropower peaking effects on fish – downstream riverine and reservoir area near Kerr turbine outlet
 - 2) Bank stabilization
 - 3) Aseasonal flooding
 - 4) Water quality of Kerr discharge
 - 5) Drought management

- 6) Shoreline management
- 7) Fish passages

- Mr. Jim Mead
- 1) Salt wedge location
 - 2) Riverbank stability and sediment dynamics
 - 3) Diadromous fish
 - 4) Aseasonal flooding/magnitude and duration, timing and frequency
 - 5) Understand SEPA contract and reservoir operation
- Mr. Sam Pearsall
- 1) Balanced management
 - 2) Minimize impacts on D/S ecosystem w/o harm to other purposes
 - 3) Adaptive management
 - 4) Aseasonal flooding
- Mr. Russell Slayton
- 1) Recognize economic asset of lake
 - 2) Water quality, lake levels, residential & industrial use
 - 3) Examine interbasin transfers
 - 4) Define “Adaptive Management” in the report
- Mr. Tom Wilcox
- 1) Drought management
 - 2) Dissolved oxygen at Kerr tailwater
 - 3) Sediment transport
 - 4) Lake recreation
- Mr. Brian Strong
- Effects of Flood Control Operations on:
- 1) Vegetative impacts downstream
 - 2) Terrestrial fauna impacts
 - 3) Water quality impacts (backwater swamps & extended flooding)
- Reservoir Concerns:
- 1) Ability to offer recreational opportunities
- Mr. Jack Hern
- 1) Tourism
 - 2) Recreation
 - 3) Water levels
- Ms. Nancy Wilson
- 1) Lake levels
 - 2) Tourism
 - 3) Shoreline management
 - 4) Drought management
 - 5) Aesthetics
- Mr. Eric Lappala
- 1) Good science on Water quality and Lake levels
- Mr. Bob Goss
- 1) Change in operation and allocation
 - 2) Strong role/ Interest in project purpose
 - 3) Hydropower
 - 4) Drought management
 - 5) Interbasin transfers
 - 6) Environmental resources
 - 7) Balance upstream/downstream

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| Mr. Terry Ramsey | 1) Water Management
2) Lake levels
3) Bank erosion |
| Mr. Gene Adesso | 1) SEPA Commitments |
| Mr. Jean Richter | 1) Flow regime (duration and timing)
2) Water quality/include floodplain |
| Mr. Terry Brown | 1) Operational thresholds – Provide results in real time, usable format |
| Mr. Eugene Tickner | 1) Project Delivery Team in place
2) Processes are followed
3) Full participation
4) Project delivery
5) Communication Plan/Strategy |

Mr. John Morris – Closed meeting with a task for the AC to determine what type of data should be collected to make the appropriate decisions regarding these above-mentioned concerns.