

John H. Kerr 216 Stakeholders Meeting
US Army Corps of Engineers-Wilmington District, Wilmington, NC
1:00 PM, January 24, 2014
Meeting Minutes

Meeting Purpose: At the request of the Kerr 216 non-Federal sponsor, a status briefing for the subject study was held at the Wilmington District offices on January 24, 2014 for a group of interested stakeholders. This meeting was follow-on to a meeting held between these same parties and Tom Reeder of the North Carolina Department of Environment and Natural Resources (NCDENR) at the NCDENR offices in Raleigh during December 2013. Mr. Reeder is the Kerr 216 Feasibility Study Executive Committee representative for the study's non-Federal sponsor (NCDENR).

Meeting Attendees: Gene Adesso (Roanoke River Basin Association), COL Baker (USACE), Christine Brayman (USACE), Sam Colella (USACE), Matt Connolly (USFWS), John Ellis (USFWS), Elden Gatwood (USACE), Chris Graham (USACE), Dick Hamilton (NCWF), Fred Harris (NCWF), Ann Johnson (USACE), Brooke Lamson (USACE), Wilson Laney (USFWS), Brian McCrodden (Hydrologics), Ian McMillan (NCDWR), John Morris (retired), Sam Pearsall (retired/ RRBA), Chuck Peoples (TNC), Jean Richter (USFWS), Fred Tarver (NCDWR), Greg Williams (USACE), Frank Yelverton (USACOE) and Tony Young (USACOE), Pam Castens (USACE), Maria Dunn (NCWRC), Belinda Estabrook (USACE), Tim Wilder (USACE), and Michael Womack (USACE).

Discussion:

- Christine Brayman, Deputy for Programs and Project Management, completed introductions for meeting participants, and chaired the technical discussion on behalf of COL Steven Baker, also in attendance. Supporting Christine as Lead Planner was Frank Yelverton, who provided a powerpoint presentation briefly summarizing the initial problem identification and plan formulation activities for the study, and identification of management measures to address ecosystem degradation along the lower Roanoke.
- Frank quickly summarized for the group the analytical results for QRR-Growing Season Minimum Energy alternative, which was identified as a variation of the Quasi Run-of-River alternative that could optimize ecological outputs while minimizing the effects to downstream agricultural users. These analytical results indicated that the QRR-Growing Season Minimum Energy alternative did not provide any positive ecological outputs and would consequently not be pursued further.
- The Corps summarized for the group the status of the feasibility study: implementation of QRR results in effects to downstream agricultural properties through increased frequency of flooding over existing conditions; the Corps will not compensate users for these effects as the impacts are within the area of effect from initial dam construction; the state of North Carolina has indicated they cannot support QRR with uncompensated impacts to downstream agricultural users and the state cannot afford to provide this compensation itself; without a non-Federal sponsor in support of QRR, the Corps will likely terminate the study as there are no other measures identified with positive ecological outputs and a non-Federal sponsor. If other stakeholders can get agricultural interests on board with QRR, and thereby get State support for QRR, the Corps could move forward with it.
- Gene Adesso reiterated that although the state could not pay for flooding easements downstream, it should not be construed to imply the state does not support QRR. John Ellis

indicated the state had given them the green light to work with agricultural interests to get them on board with QRR.

- The Corps moved through the PowerPoint slides and a technical overview of the study background and analysis. The Commonwealth of Virginia has officially withdrawn from the study, thereby eliminating the viability of implementing the fabric weir above Kerr Dam. The only remaining measure with positive ecological benefits is QRR.
- Discussion ensued about the impacts to downstream agricultural users and the implications for non-Federal support for QRR, as well as the Corps' path to study completion. Chuck Peoples indicated that the Corps' report cites figures for impacted landowners and impacted acreage which are nebulous, and overestimate and that one landowner owns 120 impacted acres. The Corps agreed to verify these figures in the report.
- Key discussion revolved around the status of the study, stakeholder interest in QRR and study completion, and clarification on the position of the state of NC as the non-federal study sponsor relative to compensation of downstream agricultural interests. The Corps indicated that the report would likely be terminated without a non-federal sponsor in support of the project, and when asked if a letter from the state of NC supporting QRR would be of help keeping the study alive, the Corps indicate it would greatly assist with obtaining higher headquarters' approval to release the report for public review, and complete the study. Christine Brayman did indicate the Wilmington District was not the final decision-maker relative to study termination or continuation, but that Corps headquarters would ultimately make that decision.
- When asked if the district had enough funding to complete the study, the Corps indicated it did have enough funding, qualified with the uncertainty that arises from not knowing how extensive the responses to public comments may be.
- John Morris indicated that Tom Reeder had given this group of stakeholders the 'green light' to proceed with working with impacted agricultural interests to try and garner support for QRR. When asked if there was a timeframe associated with resolving the agricultural impacts, the Corps indicated that more than 6 to 8 weeks could jeopardize the Corps' ability to keep the funds we have in hand.
- There was general concern expressed by the stakeholders that it could take longer to resolve the agricultural issue, and discussion continued on the benefits of obtaining an interim letter from the state of NC indicating that they wanted to develop a path forward for study completion (not termination), asking for time to allow the stakeholders to resolve the remaining concerns. The Corps indicated this interim letter would also help make the case for the level of local and state support for the project. The stakeholders indicated they would work with the state to get this letter.
- Additional discussion ensued on the technical evaluation of study alternatives in the document. The economic benefits of QRR above the dam were discussed, and concern was expressed that without these quantified in the report, it would appear unbalanced toward the negative impacts of QRR on hydropower. The Corps indicated that even though the Corps is not quantifying recreational benefits, or increases in property values, statements regarding those values will be

beneficial and these would be incorporated by reference where available. The Corps also indicated that the National Ecosystem Restoration plan is selected on the basis of ecosystem outputs alone – and that there would be no additional federal funding provided for more studies.

- When asked about the timeframe to complete the report and NEPA documentation, the Corps indicated it could likely be completed by the end of the calendar year, assuming they received support for proceeding with QRR from the sponsor, as well as the approval to proceed to preparation of the draft report by higher headquarters. There was general interest in having the District make the request right away to convene the Alternative Formulation Briefing milestone conference.
- COL Baker was asked about meeting with the Southeastern Power Authority (SEPA) and other hydropower interests on their concerns. He indicated he would talk with the hydropower interests.
- The stakeholders indicated they would appreciate being kept informed on study schedule, status, and roadblocks that may occur to keeping the study moving forward. The Corps committed to posting the study schedule (when updated after the AFB conference), meeting minutes, and general status updates on its website.
- The meeting adjourned with the stakeholders' commitment to work with agricultural interests to resolve the state of NC concerns with moving forward, work with the state on letters of support for QRR and study continuation. The Corps indicated it would request that higher headquarters agree to schedule the AFB milestone conference, and would post study schedule and information on its website as soon as it was available.