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November 1, 2012

J. Brian Atkins, P.E.
Division Director
Alabama Office of Water Resources, a division of the
Alabama Department of Economic and Community Affairs
401 Adams Avenue, Suite 434
Montgomery, AL 36103-5690

Dear Mr. Atkins,

The Water Works Board of the City of Birmingham appreciates the opportunity to give our response to the Water Management Issues in Alabama Report. In reviewing the report we found that the Alabama Water Agencies Working Group has done an excellent job of capturing the issues that Alabama faces. These issues are complex and will require a great deal of consideration and planning. We would welcome the opportunity to give our feedback throughout the process that will unfold over the next year in the development of potential legislation.

Below we have made comments on each issue identified in the report. For each issue we focused on the details that were most important to us.

Response to *Water Management Issues in Alabama Report*

Below are some of our thoughts on the twelve issues identified in the report.

Water Resources Management

We agree with local planning. We believe the roles between the states and local entities should be carefully considered to include Regional Planning Councils, Watershed Management Authorities, Soil and Water Conservation Districts, and Irrigation Districts. We believe that local entities should address impacts on the State's water resources from water use, land use patterns, population growth, climate change, economic development, and hydrologic extremes. An evaluation should be done as to how other states have done this so that we can learn from their mistakes and not waste time recreating a method that is already in existence that appears to be the most effective.

Expanded Certificates of Use/Permitting

We agree that any enhanced system for managing water should be part of a comprehensive statewide plan based on water quality, instream flow, and water use data. We have spent millions of dollars engineering and planning our water resources for the future development of the Birmingham Metropolitan Area. Any permitting should require that engineering studies and projection be used to

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address economic development and future population growth. The process must be holistic, recognizing the connection between water quality and quantity, and protection.

Economic Development

We agree that water resource management programs will be better used as tools for economic development and job creation in Alabama. As a water utility for the Birmingham Metropolitan Area, we need to assure that we will always have water resources that can meet the changing demands of the residents and the local industry. When companies consider moving to the area, they often ask us to do studies to assure that we will be able to supply sufficient water to their facility. An ample source of water is vital to growth locally as well as across the state. Planning for water storage for growth should be addressed.

Surface Water and Groundwater Availability

We agree that collection of water resources scientific data is an essential part of water policy development. Funding is needed to assure that USGS adds additional flow stations and well monitoring station throughout the state. Modeling of water resources for streams and groundwater aquifers would be advantageous in understanding inflows and demands. However, models require extensive data to be valuable; therefore the need to expand data collection is necessary.

Drought Planning

Droughts often do not cover the whole state and may be more intense in some areas than others. A committee should be set up to advise the Governor on how to implement drought restrictions. A formal standard operating procedure should be used to describe how the U.S. Drought Monitor shall be used. If the Governor were to issue drought restrictions we would go to the next level in our drought plan which requires our customers to respond by cutting back with lawn watering. We have found this to be effective in the past.

Water Conservation and Water Reuse

We already have programs for water conservation and efficiency within our utility. However, programs for the citizens of the state and industry should be implemented for water conservation. Water reuse has been implemented in other parts of the nation that have been in drought year after year. Water reuse is very costly and should only be considered if Alabama begins to be ineffective in mandatory drought restrictions and the water reuse water rates would be justified. For instance, requiring industry to reuse water could be more costly and slow economic development.

Interbasin Transfers

We agree with allowing interbasin transfer to continue. The historic development of the Birmingham Metropolitan Area was based on iron ore and not being near large bodies of water and water supply. The Birmingham Metropolitan Area is in multiple watersheds. The development of interbasin transfer based on watershed size only would neglect populated areas in multiple watersheds. Therefore, any policy or legislation on interbasin transfer should consider populated areas in multiple watersheds.

Instream Flows

We believe that support and resources for investigation into the instream flow needs of Alabama's aquatic life would be helpful, but maintaining treatable and healthy quality of water for treatment and human consumption must be taken into account. Wastewater returns and industry returns should be used in the calculation of instream flows. Instream flows need to be redefined. In many instances wastewater returns and industry returns have better water quality than the water in the streams.

Interstate Coordination

We support improvement in coordination of water resources activities with other states. The state should support shared partnerships for water resources between states. We agree that a clearinghouse should be developed that reports to the Office of Water Resources and the Governor on current and future issues.

Water Resources Data

We support the development of consistent and reliable data quality standards and protocols for the acquisition and management of water information. Many entities collect water data on our streams and aquifers. Recommendations should be established for parameters to be monitored so that data being collected can be uniform. Stakeholders should be involved in helping determine these parameters. There should also be provisions for review of the list of recommended parameters on a periodic basis.

Key Stakeholders Education and Outreach

We agree that key stakeholders should be given an opportunity to participate in the process of developing a comprehensive policy for the management of Alabama's water resources. We hope to be able to work with the Alabama Water Agencies Working Group throughout this process since we are the largest water utility in the State of Alabama.

Public Education and Outreach

The public must be educated to understand why there is a need for a comprehensive water policy and how they will benefit from such a policy. In educating the public, examples of problems in the past and how the state had no policy to deal with the issues should be shared. Examples could be developed for each of these water issue areas.

Again, we appreciate having this opportunity to give our response. We would welcome any questions that you might have or any further discussion of the issues.

Sincerely yours,



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