



October 31, 2012

Mr. Bennett Bearden
General Counsel for the Geological Survey of Alabama
Chairman - Alabama Water Agencies Working Group
P.O. Box 869999
Tuscaloosa, AL 35486-6999

**Re: Alabama Water Agencies Working Group Report to Governor Robert Bentley
"Water Management Issues in Alabama" Issued received on August 24, 2012**

Dear Mr. Bearden:

The Lake Mitchell Home Owners & Boat Owners Association (HOBO) appreciates the opportunity to submit comments on the above referenced report. We appreciate the leadership of Governor Bentley and the hard work of the Alabama Water Agencies Working Group. We have based our comments on the content of your report only and while there are more water policy issues than just those in the Report, we would welcome the opportunity to discuss them as they are raised.

The mission of Lake Mitchell HOBO is to preserve, protect and improve the quality of life in and around Lake Mitchell, including the water quality, stock of fish, recreational facilities and general safety of boaters, skiers and fishermen on the lake and adjacent areas. It is further the purpose of this organization to improve the markings and directions for people who use the waterway; to aid and develop the curtailing of litter and pollution; and to develop a crime watch program. To fulfill our mission HOBO works with appropriate federal, state and local agencies, officials and programs to make the lake a safe place for recreation and sport.

So with our mission, it is with great consideration that we respond on the matter of water issues in Alabama. Water resources are crucial to not only our Lake but also to our state. Without water, our community would not be here to enjoy lake life and the miracles the water we enjoy provides. But beyond our community the entire state relies on adequate, clean and safe water resources for our lives, our businesses, our recreation and habitat for our state's plants and animals. Although Alabama is fortunate in the water resources we have as compared to other states, we are beholding in large

part to the upstream users of water resources that come into our state before emptying into the Gulf of Mexico. It is in this context that we plainly recognize the need for practicable water management policies for the State of Alabama. However, any new state water management policies will be a complicated undertaking involving social, technical, and political considerations. We urge you to carefully analyze the current water information and continue extensive stakeholder collaboration as you appear to be doing through this opportunity for us to comment. We appreciate this opportunity and certainly intend to remain actively engaged in this important process. The balance of our letter contains Lake Mitchell HOB0's comments to the Report.

Lake Mitchell HOB0's most emphatic comment to the Report is that the Working Group must keep the two-sentence CONCLUSION portion of the Report foremost in your minds and your future actions. This section states:

It is the conclusion of the Alabama Water Agencies Working Group that maintaining the status quo with regard to water management in Alabama is an unwise option. There are many issues that must be addressed before comprehensive water policies and a statewide water management plan can be developed. The path forward will require commitment from the Executive and Legislative Branches of State government as well as key stakeholders to negotiate a workable solution.

Fundamental to this Conclusion is the statement regarding the "many issues that must be addressed before [*emphasis added*] comprehensive policies and a statewide management plan can be developed." In order to do this, it is imperative to base any comprehensive policies and a statewide water management plan on accurate and scientifically-valid data and information. Before changes are made in existing policy or laws, we recommend that the Working Group assess the available existing data and information and determine the adequacy of the existing collection of data to inform any changes recommended. As presented in your Report's Building Blocks for a Future Statewide Water Management Plan section such data is a crucial requirement to any new water management policy or plan for our state. Given the lack of adequate data on existing water uses, stream flows, and minimum stream flow needs, it is premature to create additional or new water use regulatory authority at either the state-wide or regional level. We fear in reading the report that you may be already jumping to solutions in some water management and policy areas before completely understanding the problem. We believe coordinated data collection and analyses by your Working Group and possibly a new water data network should be used to clearly identify the problems that require policy or statutory changes.

Related to this, we are also concerned that a fragmented approach may be taken to establishing water policy. There appeared to be a strong emphasis on interbasin transfer and drought legislative changes. We contend that before a collection of individual statutory or policy changes is made one or a few at a time, that a clear overarching water policy and strategy be developed with stakeholder and public engagement. Then that this strategy is used to set the direction of future policy and statutory changes. This will ensure that they are in alignment with the strategy in order for everyone to understand the need for the changes and how the changes will help us achieve our ultimate water strategy. Without this type of approach we risk establishing a policy and strategy that we never achieve or worse that we never intended.

Another of our other major concerns is that Water Quality was not included as one of the twelve Water Issues Areas that were summarized in the Report. Most, if not all, of the issues seemed to be focused on water quantity. While we are aware that water quantity and water quality are connected, we believe that our state faces many issue regarding the quality of our lakes, rivers and groundwater that has an effect on our quality of life in the State of Alabama. The Report didn't seem to recognize the driver of enhancing the quality of our water resources and the policy issues associated with this. For example, for our Lake community to achieve a Treasured Alabama Lake status is very dependent on other users and dischargers upstream of our lake and without a comprehensive approach to improving our water quality, the ability for our community to achieve this status is difficult and not limited to the authority of one State agency. Although we acknowledge that the Alabama Department of Environmental Management is tasked with ensuring water quality, it is very difficult to do when fragmented from the issue of water quantity. We believe Water Quality should be included as one of the Water Issue Areas.

We do commend your Group's presentation of water conservation and reuse as a way to enhance our management of our valuable water resources. We believe this is an area that can improve the leverage of the water we have and its use in growing our agricultural and industrial businesses.

We also commend the agencies in this Working Group for your willingness and commitment to work together to identify the real water issues in our state and in working together to understand them and present possible solutions for dealing with them. We appreciate the effort of the agencies and the opportunity to provide our comments for your consideration. We support your efforts to better understand our state's water resources. We are certain that when the proper data is collected and analyzed it will be clear what areas need to be considered for potential changes in policy and we look forward to working with you if one of those is in our community. Please feel free to contact us if you have any questions or require any additional information.

Respectfully submitted,

LAKE MITCHELL HOME OWNERS & BOAT OWNERS ASSOCIATION

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