



June 28, 2013

Via Electronic Filing

Alabama Water Agencies Working Group
Alabama Department of Economic and Community Affairs
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water@adeca.alabama.gov

Re: Stakeholder Comments on "Water Management Issues in Alabama"

Dear members of the Alabama Water Agencies Working Group,

As part of our 2012-2013 program year, the League of Women of Mobile just concluded a study of local and regional water issues. As part of the study, about 20 members met monthly to read and discuss water management on the state level. Your document "Water Management Issues in Alabama," was a focal point. We discussed four sections of the report and developed a set of recommendations based upon this study. We hope that you will thoughtfully consider them as you craft this very important policy.

Thank you again for your work to protect and balance all interests in this essential plan.

Sincerely,

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LWV-Mobile Comments on Alabama's Water Policy Draft

The League of Women Voters is a national, nonpartisan, political organization that encourages the informed and active participation of citizens in government and influences public policy through education and advocacy. The League of Women Voters of Alabama supports measures to promote an environment beneficial to life through the protection of natural resources in the public interest. We believe that resources, therefore, should be conserved and protected to assure their future availability. Pollution of these resources, especially of air and water, should be controlled in order to preserve the physical, chemical, and biological integrity of the environment and to protect public health.

The League of Women Voters of Mobile commends Gov. Robert Bentley and the Alabama Water Agencies Working Group for committing to develop a comprehensive water management plan and for engaging in the difficult work necessary to produce such an important policy. Water is an indispensable resource belonging to all citizens of the state of Alabama and we appreciate the Working Group's solicitation and consideration of public input in this process.

When formulating water management policy, the governor and policy makers should, we feel, place the highest priority on protecting both the quantity and quality of drinking water and ensuring its availability to citizens throughout the state of Alabama. Furthermore, we urge the state to take seriously its responsibility to protect and guard the tremendous water resources with which Alabama has been endowed. Finally, we encourage policy makers to examine successful programs implemented in other states and adopt the most effective aspects of these programs to use in Alabama. Once a water management program is established, we trust that Alabama officials will set up a review system that comprehensively examines and reviews the effectiveness of this program and makes modifications as needed.

We ask that the Working Group thoughtfully consider and incorporate the following comments into its final water management plan. We have chosen to examine and limit our comments to four sections of the document entitled Water Management Issues in Alabama. These sections are: *Interstate Coordination, Drought, Interbasin Water Transfers, and Economic Development*.

INTERSTATE COORDINATION:

1. Interstate cooperation begins with Alabama having a water management plan that utilizes best practices as defined by the American Society of Civil Engineers' Regulated Riparian Model Water

Code, which is recognized globally. State residents and policy-makers need to be mindful of the fact that only two of the significant rivers in Alabama begin and end in the state and that 14 percent of all U.S. fresh water flows through our state.

2. Alabama needs to use both economics and science to promote the importance of the Mobile Bay Estuary in the same way that Florida promotes the importance of Apalachicola Bay.
3. Competing states should be encouraged to make use of the relationships they have with federal agencies to enhance communication and coordination. At their best, these U.S. agencies treat all involved states fairly and can encourage better communication.
4. Alabama needs to adopt a more cooperative approach when communicating with neighboring states, especially Florida and Georgia, instead of a litigious one.
5. We agree with the Working Group that Alabama must fund science and data collection to the same extent that other states do.

DROUGHT:

1. Alabama needs drought laws and regulations. The state should adopt the current American Society of Civil Engineers' drought response code, and automatically adopt any future changes in that code.
2. Alabama should create a clear definition of drought conditions as well as a concrete and sustainable monitoring system and an action plan to respond to drought conditions. State agencies should also provide accurate and timely information to the National Drought Monitor.
3. Existing state agencies should monitor drought conditions and be empowered to require certain responses. We should not rely on executive action, as recommended in the working group's report, because executive intervention could turn a drought situation into a political situation. We do not believe political pressure should play a role in drought response.
4. There should be a "trigger" mechanism that requires certain responses by users under certain conditions. The drought response plan should mandate certain behaviors among all users.
5. State agencies should seek to return the state to pre-drought conditions following severe water shortages.

INTERBASIN TRANSFERS:

1. Using science, the state should identify specific scenarios for which it is acceptable to allow inter-basin transfers.
2. Hydrologic unit codes should be sized appropriately for state versus local regulation.
3. The policy should set up a system of preferences for allocation of water, with priority placed on maintaining the ability to provide clean, plentiful drinking water to residents in all parts of the state.

4. Scientists and policy makers should study and evaluate existing IBTs to determine if and how they should continue. No automatic grandfather clauses should be granted.
5. The state should establish a regulatory program for all IBTs, including existing ones, which requires permits and regular reviews.
6. The policy should create a review mechanism to allow competing interests to argue for water allocation.

ECONOMIC DEVELOPMENT:

1. The policy should include comprehensive, long-term planning for all needed uses of water and waterways.
2. Alabama should focus on recruiting companies and industries that are not dependent on large quantities of water for processing.
3. Industry should pay a rate closer to the market value for its water usage.
4. In agriculture, the state should provide incentives to encourage the use of drip irrigation with mulching to minimize water use, and to shift to the planting of more drought-tolerant crops, in drought-prone zones, utilizing no-till farming techniques and other new conservation-conscious technologies.
5. The state should consider uses for grey water and encourage closed-loop use of water to include treated water at factories and plants.
6. Waterways should be protected by buffer areas that separate them from commercial and industrial sites and their run-off.
7. Alabama should study the environmental and chemical impacts of the creation of water infrastructure, including, but not limited to reservoirs and dredging projects.
8. The state should provide funding that will allow for the protection of water quality and quantity.