



May 28, 2013

Bennett L. Bearden, J.D., LL.M., J.S.D.
Special Counsel on Water Law and Policy
Office of the State Geologist
Geological Survey of Alabama
P.O. Box 20276
Tuscaloosa, AL 35402-0276

Subject: AAWWG

Dear Mr. Bearden:

Attached is the letter we delivered personally to Governor Bentley this past December. We were alerted by Alabama Water Watch that the information we shared with the Governor was not given to you. We apologize for any oversight from us and hope that the information can be useful in the proposed legislation.

LMLPA and our Government Committee look forward to assisting your office in this endeavor.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Riley", is written over a light blue horizontal line.

Mike Riley
President
Logan Martin Lake Protection Association

Enclosed: Ltr to Governor Bentley

October 30, 2012

Governor Robert Bentley
State Capitol
Montgomery, Alabama 36130

Subject: Enhanced Comprehensive Water Management Plan

Dear Governor Bentley:

Thank you for soliciting stakeholders input on water resources in Alabama. Logan Martin Lake Protection Association (LMLPA) has a strong interest in protecting the quality and quantity of water in our state. Although we in Alabama have been blessed with an abundance of this natural resource, we know from recent experiences with drought that this resource is finite. Also we know from our experiences with surrounding states that disputes are inevitable and are likely to increase with growth and demands for water increasing in the future. We strongly concur with the Senate Joint Resolution 16, signed May 8, 2012 by Governor Bentley, "That waters of the state, as defined in the Alabama Water Resources Act, are a natural resource of the state and subject to the state's sovereign power to plan and manage the withdrawal & use of those waters, under law, in order to protect public health, safety, and welfare by promoting economic growth mitigating the harmful effects of drought, resolving conflicts among competing water users, achieving balance between consumptive and non-consumptive uses of water, encouraging conservation, preventing significant degradation of natural environments, and enhancing the productivity of water-related activities." As one of the fastest growing regions in our State, we believe our interest and input is important not only for protection of our precious resource but also for job creation and sensible growth in our great State.

We applaud your decision to involve stakeholders of which we are one, in providing input into a statewide water resource planning process. **We further believe that stakeholders, like us, should have additional input into a statewide comprehensive water management plan beyond Nov 1, 2012.**

Among the issues we would like to address are:

- Enhanced Certificates
- Economic Development
- Drought Planning
- Water Conservation and Re-use
- Inter-basin Transfers
- In Stream Flows
- Interstate Coordination
- Water Resources Data
- Key Stakeholders

Enhanced Certificates of Use/Permitting: We believe more comprehensive management and monitoring of water withdrawals, including inter-basin water transfers and enforcing in stream flow standards through some type of permitting is needed. We believe as we continue to grow this will become more and more important.

Economic Development: The availability of water is critical for industry, recreation, power generation, and tourism. Saint Clair and Talladega Counties are among the fastest growing regions in our state. Low flow conditions due to drought or upstream withdrawals, or limited water entering Alabama from Georgia can threaten our economic development and tourism business. The predictability of available water is crucial for future development and investment in our state and communities.

Drought Planning: We encourage the development of a statutory drought planning mechanism. We would support mandatory reductions in withdrawals upon order of the Governor.

Water Conservation and Re-use: We would support local voluntary and mandatory water conservation measures during times of drought.

Inter-basin Transfers: We believe inter-basin transfers must be managed and controlled according to watershed dynamics and demands including downstream needs.

In Stream Flows: As has been noted in the water resources working group, “there exists a real threat in the future of depleting surface and groundwater supplies through excess and use and altering in stream flows to the point that fish and wildlife populations will likely be diminished and wetland/riparian areas significantly degraded.” (P. 26 Water Management Issues in Alabama) LMLPA has a special interest in wetland areas as well as in stream flows that adequately support the fishing and recreational industry year round and not just from Memorial Day through Labor Day. We believe policy or in some cases laws may need to address in stream flow protection (variable in stream flows not static in stream flows). We concur with the working groups statement, “we need to examine and recommend appropriate flow dynamics (in stream flows) for rivers and streams to support biological, recreational, industrial& transportation needs & requirements.” (P. 7 Water Management Issues in Alabama)

Interstate Coordination Issues: With OWR’s (Office of Water Resources) role of coordinating federal, state, & local planning in interstate water issues, we strongly encourage the support of “staff efforts to maintain relationships with peers in neighboring states to improve coordination of activities relating to shared interstate watersheds and maintain continuity and staff level lines of communication if contentious issues arise between the states. We also encourage the Governor to support agency activities such as the Southern Instream Flow Network.

Water Resources Data: We also encourage expanding the state’s “surface water assessment & monitoring capabilities particularly with regard to drought and flows resulting from compact negotiations with other states.”

Thank you for receiving and considering these recommendations. The bottom line for LMLPA is that an expanded statewide comprehensive water management plan that includes policies and regulation is needed as we move into the future. With increasing competing interest for water and a more and a more contentious climate, clarity around who “owns” and who sets priorities for our water use will only become more important not less. Though slow to adopt an enhanced statewide comprehensive plan, we believe Alabama could be the model.

LMLPA and our Government Committee look forward to partnering with your office in this endeavor.

Sincerely,



Mike Riley
President
Logan Martin Lake Protection Association



Randy Smith
Chairman
LMLPA Government Committee

LMLPA Government Committee:

Concurred by:



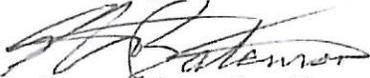
Representative Jim McClendon
District 50

Concurred by:



Representative Randy Wood
District 36

Concurred by:



Commissioner Stan Batemon
Chairman St Clair County Commission

Concurred by:



Commissioner John Luker
Talladega County District 2

Concurred by:



Mayor Bill Hereford
City of Pell City

Concurred by:



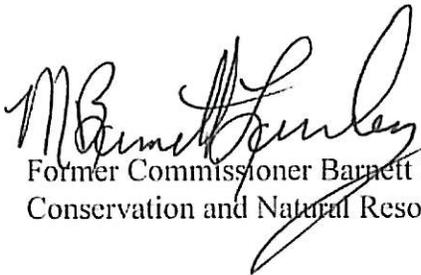
Mayor Rusty Jessup
City of Riverside

Concurred by:



Mayor Elect Bud Kitchin
City of Lincoln

Concurred by:



Former Commissioner Barnett Lawley
Conservation and Natural Resources

Concurred by:



Mayor Joe Lee
City of Moody

Concurred by:



Jerry Woods
Owner of Woods Surfside Marina