

Elizabeth Salter

From: Elizabeth Salter [esalter@alabamarivers.org]
Sent: Wednesday, July 01, 2009 2:37 PM
To: 'Elizabeth Salter'
Subject: [ARA] So What Happened? Triennial Review Summary

Dear Grassroots Leaders,

Several of you have already asked about the triennial review public hearing. Our PR Intern, Molly McPherson, from the University of Alabama, has provided a summary of her notes from the meeting, below. From our count, it looks like at least twenty-four of us sent in comments to ADEM. Good job!

Thank you to all who commented and attended this important regulatory process. We'll have our next chance to comment in 2012! But let's hope for rulemaking hearings in between now and then!

Click here to read the Rivers Alliance's comments for the 2009 review.

[So What Happened? Triennial Review Summary](#)

Monday, the Alabama Department of Environmental Management hosted their Triennial Review Public Hearing where members of the public could give feedback on ADEM's water quality policies. These comments will be taken into consideration as ADEM creates Alabama's water policy for the next three years. According to ARA's records, at least 24 grassroots organizations submitted comments for ADEM's proposed policies of the 2009 Triennial Review. At the hearing, eleven grassroots groups were represented through 22 attendees, including Alabama Rivers Alliance, Save our Saugahatchee, League of Women Voters, Lake Watch of Lake Martin, the Southern Environmental Law Center and Alabama Water Watch, who gave comments.

Representing Alabama Rivers Alliance, Mitch Reid commented that ADEM should utilize citizen data in addition to their own to cover more of Alabama's waterways. Also, ADEM should protect water bodies with federally classified endangered species, Reid said. ADEM should have "more robust regulations for quarry and mine discharge," Reid said. Regarding hydroelectric dams, Reid said that ADEM should regulate dissolved oxygen levels in streams while dams are impounded and regulate upgrades of hydroelectric dams. In the past, ADEM has not shown authority in the area of instream flow and it should assert its authority to make sure we have enough clean water, Reid said.

Gene Hunter spoke on behalf of Save our Saugahatchee. Currently, ADEM does not use EPA standards for limits on turbidity, though it should, Hunter said. According to Hunter, the Saugahatchee's

current use classification should be upgraded to full body contact in water because there is swimming in the water.

Joyce Lanning represented the League of Women Voters, and spoke about new assessments for coastal areas because of the impact population growth has had on these regions. The Magnolia River should be classified as Outstanding Alabama Water, Lanning said. According to Lanning, ADEM should reform state and local enforcement of standards of coastal areas.

Dick Bronson spoke about two topics for Lake Watch of Lake Martin. First, Lake Martin's classification should be upgraded from fishing and wildlife to include swimming and boating, Bronson said. Also, Bronson was "ticked off" that Lake Martin's request for Outstanding Alabama Water classification was denied because it did not have what ADEM referred to as "natural characteristics." "Using four-letter words and sarcasm," Bronson sent a reply saying all lakes are ineligible for OAW status because all of Alabama's lakes are man-made and do not exemplify ADEM's "natural characteristics."

Gil Rogers, representing Southern Environmental Law Center, spoke about adding a new state and federal classification to protect aquatic habitat for endangered species. North Carolina already has this, Rogers said, but ADEM discounted this in 2006 because North Carolina is not pursuing site-specific plans. However, North Carolina is pursuing three site-specific plans currently. Rogers urged ADEM to measure dissolved oxygen concentration throughout the water column instead of only measuring the upper and middle levels. ADEM has and should use its authority to regulate the flow of water, Rogers said. Lastly, the Magnolia River, Locust Fork and Black Warrior deserve OAW classification, Rogers said.

Bill Deutsch made the final comments of the hearing on behalf of Auburn University Fisheries and Alabama Water Watch. Deutsch said ADEM should watch for disillusionment if no changes are made. ADEM should have open communication with the people, Deutsch said. Finally, ADEM could be a "model of national government and civil society working together" for the people and the environment, Deutsch said.

*Thanks again to everyone who joined us in helping to show ADEM that Alabama's citizens are watching and that **Water is Life!***

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