PLAN OF ACTION:
SEDIMENTATION AND PROPERTY LOSS ALONG THE BANKS OF THE LOWER TOMBIGBEE RIVER

May 18, 2007

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Agencies/Organizations

Alabama Clean Water Partnership
Alabama Cooperative Extension System
Alabama Department of Environmental Management
Alabama Department of Revenue
Alabama Farmers Federation
Alabama Forestry Association
Alabama Forestry Commission
Alabama Marine Police
Alabama Onsite Wastewater Training Center
Alabama Power
Alabama Pulp & Paper Council
The Choctaw Advocate
Choctaw County
Clark County Democrat
Congressman Artur Davis' Office
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University of West Alabama
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USDA Farm Service Agency
USDA Natural Resource Conservation Service
U. S. Army Corps of Engineers
U. S. Environmental Protection Agency, Region IV
U. S. Fish & Wildlife Service
Zenah, Hust, Summerford & Williamson

Local Stakeholders

Jonathan Lowery
Jay Steen
Aprille Cook
George Carpenter
Susan Carpenter
Jim Jeter
Tim Browing
Leslie Nixon
Aileen Nixon
Tylor Gibson
Kathy Hunt
Grant Hunt
Bennie Johnson
Kathy Johnson
Bart Robinson
John Besh
Janie Woodridge
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Barbara Pritchett
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Stephanie Parten
Sue Smith
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Peter Smith
Rodney White
Micky Smith
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Dalton James Smith
Raleigh Wilkerson
John Moore
Harry Labhart
Mark Ezell
Patricia Ezell
Don Presley
David Sparrow
Barbara Shoemaker
Billy Shoemaker
Bill Mullins
Herb Vanderberry
Gary Fortenberry
Shirley Fortenberry
Larry Jones
Sharon Jones
Edward Hardrid
Kendall Bush
Sid Nelson
Jimmy James
Thed Spree
Judy Spree
Brock Reynolds
Chad Spree
Billy Johnson
James Johnston

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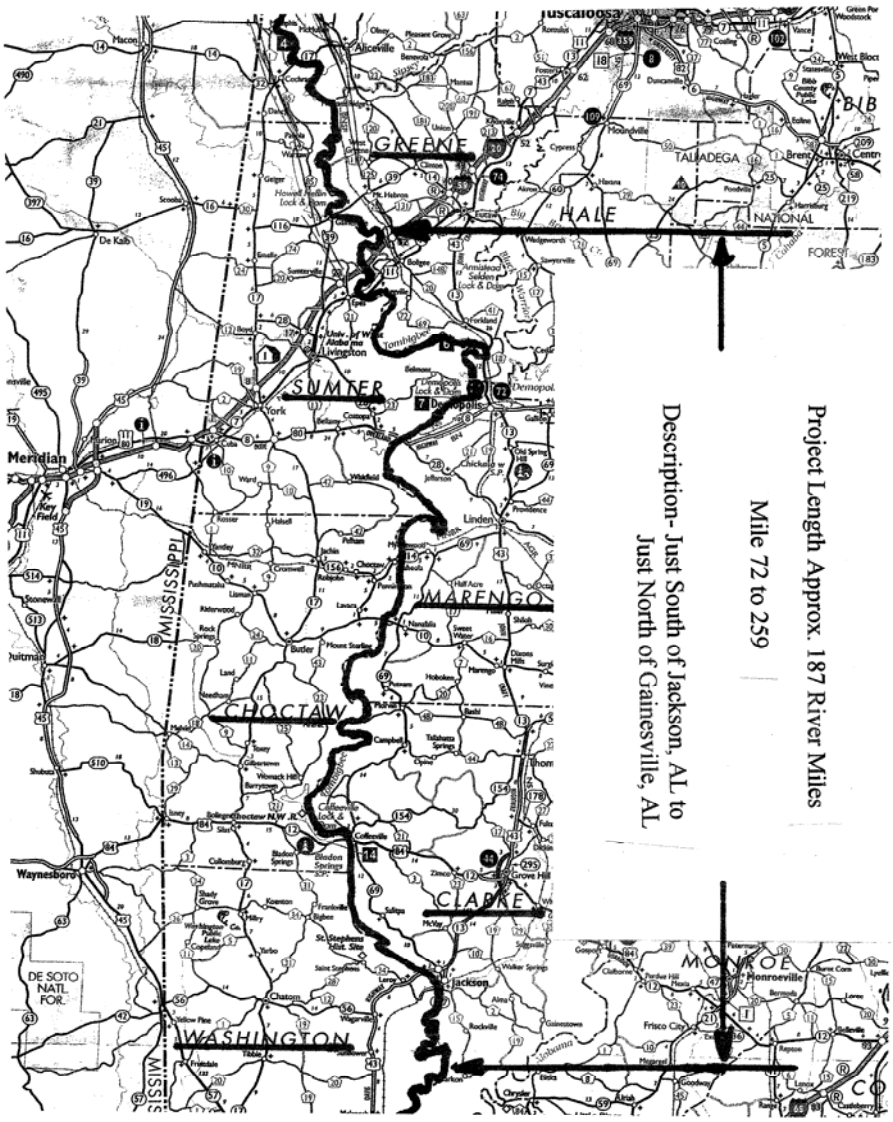
INTRODUCTION

This Plan of Action is the result of a year-long conflict resolution process centered on the issue of river bank erosion, property loss and sedimentation issues occurring along the river banks of the Lower Tombigbee River, from mile 259 in Greene County, Alabama near the Mississippi state line downstream to mile 72 just below the city of Jackson, Alabama.

Nine public meetings designed to 1) identify problem areas along the river, 2) educate stakeholders regarding various aspects and issues associated with river bank erosion, and 3) identify possible causes and methods of correction of those problems were held between April 2006 and February 2007, resulting in the identification of five issue-oriented areas to be addressed in this Plan of Action:



- Control of River Traffic
- Water Level Management
- Location of Problem Areas / Commonalities
- Funding Sources
- Best Management Practices and Structures

This Plan of Action outlines possible solutions, methods of accomplishment, and funding sources necessary to implement those possible solutions.

PROJECT BACKGROUND

The Alabama Clean Water Partnership (ACWP) statewide nonprofit organization is a coordinated, stakeholder-driven effort to restore and protect the state's river basins in accordance with the goals of the Clean Water Act. Focusing on nonpoint source related issues through the implementation of the "Watershed Approach," the ACWP works across political boundaries (city, county and state), linking assorted interests together to safeguard water quality. Funded by the Alabama Department of Environmental Management, the U.S. Environmental Protection Agency, Region IV, and assorted basin partners, the Alabama Clean Water Partnership encourages the involvement of local stakeholders in addressing the protection and restoration of Alabama's water resources. Providing a **neutral** forum in which interested citizens and water users are brought **together** to identify water related issues and challenges and collaborate on plans of action to address those issues, unique partnerships are forged and Alabama citizens are empowered, as they become a part of the solution for long-term water quality improvement. Guided by a twenty-five member board of directors (Attachment A), Clean Water Partnership facilitators are in place across the state, coordinating activities in Alabama's major watersheds, including the Coosa, Tallapoosa, Cahaba, Alabama-Tombigbee, Chattahoochee-Chipola, Choctawhatchee-Pea-Yellow, Conecuh-Sepulga, Tennessee, Black Warrior, and Coastal basins.

The neutral, facilitated stakeholder process provided through the ACWP in the Alabama and Tombigbee River Basins (Ala-Tom CWP) currently supplies one facilitator, Ashley Henderson, to the 22-county area and is sponsored by the Alabama Pulp and Paper Council and the Alabama Forestry Association. A Steering Committee (Attachment B) composed of stakeholders with diverse, basin-wide interests is in place, guiding basin efforts. Though the need for an additional facilitator, whose focus would be solely dedicated to coordinated stakeholder efforts in the 7,693 square mile Tombigbee basin (portion of the Tombigbee in the state of Alabama) is recognized, funds to support this position are currently lacking. The addition of a second facilitator whose focus would be solely on Tombigbee related stakeholder issues is a recognized need and a goal of both the basin and statewide organizations and would greatly increase the effectiveness of the ACWP in this economically depressed area of the state, build citizen participation in the initiative, and allow time for greater fundraising efforts within the basin.

During the "Stakeholder Issue Identification" phase of the ACWP basin management planning process for the Tombigbee River Basin, completed in September 2005, significant erosion of the riverbanks along the Lower Tombigbee River surfaced as a "hot button" issue. First brought to the attention of the Natural Resource Conservation Service, the Tombigbee Resource Conservation and Development Council and the Alabama Farmers Federation by very upset, local landowners and county governments in 1981, and at recurring intervals since, the issue had been repeatedly put aside due to no participating organization having staff available to carry the issue to resolution. The continued "brushing aside" of the issue led to feelings of frustration, anger and hopelessness in the affected rural communities, where private property owners continue to be taxed on

personal property that has fallen into the river, where riverfront cabins and homes have to be relocated or abandoned, and where forest owners watch helplessly as their valued timber topples into the river. While affected property owners recognize the Tenn-Tom as an important economic development tool in the most economically and socially depressed part of the state, increased "finger pointing" was taking place and talk of litigation surfaced often. Based on personal observations of large wakes produced by pleasure craft traveling via the Waterway, from the Gulf of Mexico to destinations across the United States, local property owners believe that the reduction of yacht speed along vulnerable areas would prevent much of the erosion along the banks, preserving their personal property and solving all erosion problems. However, the river bank erosion is most likely coming from several sources, which might also include natural, in-stream processes and fluctuating water levels. Solving the boat wake issue alone will not solve the greater issue of river bank erosion, making education and additional research regarding all sides of the issue paramount if a permanent solution to the problem is to be found.

Abandoned Boat Ramp, Sumter County

Living on the Edge, Choctaw County

Washed out roadway and timber loss, Choctaw County

Senator Pat Lindsey joins interested stakeholders and Corps personnel for a tour of the Lower Tombigbee.

In September 2005 the ACWP, in partnership with the Alabama Pulp & Paper Council, Alabama Forestry Association and Alabama Farmers Federation submitted a grant proposal to the Laura Jane Musser Fund of St. Paul, Minnesota, the primary goals of the project being to address the growing, contentious debate about erosion, sedimentation and the loss of privately owned property into the Tombigbee River due to river bank failure. Additional project goals included the formation of a strong community-based stakeholder group and empowerment of that group to address this issue throughout the community.

Issues identified by basin stakeholders were catalogued and prioritized at a series of educational meetings, where they were also educated regarding possible contributing factors to the issue (Attachment C). This process enabled each stakeholder to better understand the concerns and abilities of others to address their concerns. Considering all possible causes of the erosion issues facing the river, stakeholders then identified the five previously listed categories where the possibility exists of solving the ongoing erosion problems associated with the river. This Plan of Action is a result of the consensus built among participating stakeholders. Once published and circulated throughout the affected area through press releases in local newspapers, by mail and word of mouth, it will allow stakeholders to continue the resolution process, working to satisfy involved partners and benefiting the economic and environmental health of the region.

Thed Spree, local landowner, shares his frustration regarding ongoing property loss along the river.

Dr. Andrew Simon, USDA-ARS National Sedimentation Lab educates stakeholders about natural stream processes.

Though not the primary reason for the project, three "success stories" have come about as a direct result of the public meeting process held in the Lower Tombigbee:

1) Clarification of US Army Corps of Engineers regulations, so that landowners are allowed to recover and harvest timber that has fallen into the river,
2) Minimal dredging by the US Army Corps of Engineers in 2006 of the Boligee sandbar, a popular recreational site on the river used heavily by local stakeholders, and
3) Location of large cogon grass beds, which have now been targeted for eradication by the US Army Corps of Engineers. Cogon grass is a non-native grass that is very invasive, easily spread, and very destructive to wildlife habitat.

CONCLUSIONS AND RECOMMENDATIONS

During the public meeting process as specific categories of issues began to emerge, issues were divided by topic into five major categories, with stakeholder committees formed to address each (Attachment F). Following are the general conclusions and recommendations of each of the five committees. Full committee notes are available in Attachment G.

- **Control of River Traffic**

  There are currently no speed limits or "no wake" zones along the river. The wakes of luxury yacht traffic traveling at high speeds during periods of high water and associated river bank saturation, especially as the water is lowered through the gates, is thought to be a contributing factor of the ongoing river bank erosion problem. A way of enforcing speed limits, if they are established, should be created and may require legislation to establish the limits and fund the increase in enforcement staff necessary to carry out the law. Since the Alabama Department of Marine Police has only two officers currently committed to the entire Tombigbee Waterway, it would be impossible to enforce any new legislation that might be introduced and approved. The following action items are proposed to address this issue:

  1. Assuming new legislation is to be initiated and laws passed to limit speed and enforce no wake zones, the best method of enforcement should be determined (new and innovative ideas are needed to accomplish this goal in conjunction with state and/or federal agencies and politicians to increase enforcement personnel).
  2. Create and introduce appropriate legislation establishing speed and wake limits along the waterway. Determine if new law and the required enforcement should be at the federal or state level and proceed as appropriate for action.

- **Water Level Management through Locks**

  According to the U. S. Army Corps of Engineers, when locks and dams on the river were designed and constructed, the system was designed as a "free flowing river" and was not designed to allow for flood control and/or water storage. When water levels get high, the water flows directly over the dams or through the lock gates when operating. Public perception is that when the water is turned through the gates all at once, it deteriorates the banks which are already saturated by the high waters. This saturation occurs above the average water level and on banks that are not commonly saturated. Two questions should be considered further:

  1. Can the COE do anything to modify the existing lock and dam structures to allow for additional water storage and/or a slower water release through the lock systems?
  2. If this can be done, what would be the cost of doing so? Stakeholders might support this approach if feasible by working through the "political route" to obtain funding for the Corps to make the required modifications and manage once constructed.

- **Location of Problem Areas and Commonalities**

  1. Fifteen "problem areas" have been identified by the Corps as having significant problems with river bank erosion along the river in the project study area. These sites should be investigated further to determine what might be done to correct the problem and the associated cost of that correction (This might involve the use of aerial photography and a detailed on site analysis).

  2. A memorandum of agreement between the Alabama Clean Water Partnership and the USDA-ARS National Sedimentation Laboratory is in place, authorizing work and providing funding provided (either received or in process) from the Alabama Association

of Resource Conservation and Development Councils, USDA ARES and the National Fish & Wildlife Foundation for further studies associated with the issue of river bank failure and sedimentation of the Lower Tombigbee River. The study will include the following components in an effort to provide information as to where the most significant erosion problems are located (in priority order of repair) and measures that should be used to correct them (full project details and the associated budget are available in Attachments I and J:

- **Reconnaissance Survey:** boat survey of the Tennessee-Tombigbee Waterway between river miles 72 and 259 to characterize active geomorphic processes and relative stability.
- **Air Photo Interpretation:** Banklines and bar areas will be digitized in a GIS format for the study reach from aerial photographs obtained by the ACWP for three periods: 1985, 1992 and 2000.
- **Gaging-Station Analysis:** Historical data from U.S. Geological Survey (USGS) gauging stations along the reach will be used to identify changes in channel morphology over the period of record.
- **Geotechnical Testing of Streambanks:** *In situ* tests of the shear strength of bank materials at a number of unstable sites will be conducted.
- **Determination of Critical Bank Conditions:** A bank-stability model developed by the USDA-ARS National Sedimentation Laboratory will be used to model current bank-stability conditions and to determine stable-bank configurations.
- **Production of Maps:** Maps of current channel conditions obtained in Task 1, and results of the air-photo interpretation will be displayed and plotted on a series of interactive and hard-copy maps.
- **Production of Report:** A final report, detailing the approach and results will be produced at the end of the project.

- **Funding Sources for Private or Public Improvements**
  1. Identify the sources for and methods of obtaining appropriations, loans, tax deductions, credits, etc.
  2. Identify any legislation required to bring these things about and develop contacts necessary to get action on these items.

- **Best Management Practices and Structures**
  1. Use National Sedimentation Laboratory final report, to include priority sites and methods of implementation, to guide restoration efforts and protection measures on the river.
  2. Recruit private landowners as partners for associated projects, using selected sites as demonstration sites to promote additional corrective actions.

APPENDECIES

A. Alabama Clean Water Partnership Board of Directors
B. Alabama-Tombigbee Clean Water Partnership Steering Committee
C. Educational Meeting Schedule
D. Educational Meeting Summaries
E. Stakeholder Identified Issues
F. Committee Membership List
G. Committee Reports and Recommendations
H. Specific information on going forward with recommendations
I. Phase II Proposal
J. Plan for Photography Acquisition
K. National Fish & Wildlife Foundation Grant Proposal
L. Press

ATTACHMENT A

Alabama Clean Water Partnership 2007 Board of Directors

John D. Grogan (Chairman of the Board) - Alabama Power Company
Steve Cauthen - Alabama Soil and Water Conservation Committee
Scott Hughes - ADEM Office of Education & Outreach
Shannon Weaver - Natural Resources Conservation Service
Rick Oates - Alabama Pulp and Paper Council
Johnnie Johnston – Sewage Equipment Sales & Service, Inc.
Paul Kennedy – Cawaco RC&D Council
William Kent – Columbus Water Works, Columbus, GA
Randy Morris – City of Dothan
Malcolm Steeves – Mobile Area Water & Sewer System
Sarah Butterworth – Middle Coosa Watershed Project (Etowah/St. Clair County SWCDs)
Bruce Branum – City of Greenville, AL
Thomas R. (Buddy) Morgan - Montgomery Water Works & Sanitary Sewer Board
Mike Roden – AL Mountains, Rivers and Valleys RC&D Council
Micky Smith - University of West Alabama
Bob Grasser – Planner, Retired
Jimmy Carlisle - Alabama Farmer's Federation
Maurice Sledge - Tuscaloosa Water & Sewer Board
Tony Owens – MeadeWestvaco Coated Board
Gary Stringfellow – Alabama Onsite Wastewater Board
Marlon Cook – Geologic Survey of Alabama
Jason Reid – Home Builders Association of Alabama
Buddy Cox – Alabama Department of Transportation
Brian Atkins – ADECA Office of Water Resources

ATTACHMENT B

ALABAMA-TOMBIGBEE RIVER BASIN CLEAN WATER PARTNERSHIP STEERING COMMITTEE

Alabama Pulp & Paper Council – Basin Sponsor
Ashley Henderson - Basin Facilitator
Roy McAuley – Alabama-Tombigbee Steering Committee Chair

Alabama-Tombigbee River Basin Clean Water Partnership Steering Committee

Johnny Adams - Alabama Poultry & Egg Association
Brian Atkins - U.S. Geological Survey
Mary Katherine Brown - MS Dept. of Environmental Quality
Karen Bryan – PELA
Mike Cornett – Tombigbee RC&D Council
Annie Dees - Dee River Ranch, Inc.
Keith Dollar – Gulf States Paper
Leslie Durham/Tom Littlepage – ADECA - Office of Water Resources
Diane Findley/Mike Eubanks - U.S. Army Corps of Engineers, Mobile District
Paul Freeman - The Nature Conservancy
Galen Grider - Rayonier
John Grogan - Alabama Power Company
Steve Guy - Alabama Farmers Federation
Jonathan Hall – ADEM Water Division
John Harris - USDA Natural Resources Conservation Service
Madeline Hildreth – Alabama Forestry Commission
Scott Hughes - ADEM Office of Ed. & Outreach
Patti Hurley – Alabama Water Watch Association
Robert Jones – Retired, Alabama Department of Public Health
Harry Labhart - Gulf States Paper
Roy McAuley – AL Forestry Association
Buddy Morgan – Montgomery Water Works & Sanitary Sewer Board
Rick Oates - Alabama Forestry Association
Judy Palfrey - City of Montgomery
Vic Payne – AL Soil & Water Conservation Committee
Vic Payne - Alabama Soil & Water Conservation Committee
Jeff Powell – US Fish & Wildlife Service
Jason Reid – Alabama Homebuilder's Association
David Roberson - Business Council of Alabama
Jerry Sailors - Coosa River Improvement Association
Phillip Sasnett - Gulf States Paper
Micky Smith/Alan Tartt - University of West Alabama
Don Waldon/Tom Griffith - Tenn-Tom Waterway Development Authority

ATTACHMENT C

Lower Tombigbee Educational Meeting Schedule	
April 25, 2006 Livingston, AL	♦ Project introduction ♦ Issue identification
June 29, 2006 Livingston, AL	♦ Guest speaker – Bill Hust, Esq. – Zeanah, Hust, Summerford and Williamson: Private property rights of landowners along river ♦ Continue issue identification
July 27, 2006 Livingston, AL	♦ **Guest speakers:** ▪ Dr. Andrew Simon, USDA National Sedimentation Laboratory, Oxford, MS – Natural processes and channel functions of a river and bank failure processes. ▪ Robert Allen, US Army Corps of Engineers – Water level management on the Tombigbee River ♦ Continue issue identification
August 31, 2006 Grove Hill, AL	♦ Guest speakers: ▪ Memphis Vaughan & Robert Allen, US Army Corp of Engineers – water management on the Tombigbee River ▪ Jeremy Alford, Alabama State Marine Police – the role of the Marine Police on the Tombigbee River ♦ Continue issue identification
October 2, 2006 Livingston, AL	♦ Guest speakers: ▪ Tom Griffith, Tenn-Tom Waterway Development Authority – history, operations and economic impact of the Waterway ▪ Bill Bass, AL Department of Revenue – how to have private property reassessed for land lost due to erosion ♦ Continue issue identification ♦ Begin Plan of Action
November 9, 2006 Livingston, AL	♦ Guest Speaker: ▪ Dr. Tola Moffett, private consultant – use of best management practices to prevent erosion of property along the river ♦ Plan of Action
December 7, 2006 Livingston, AL	♦ Guest Speaker: ▪ Jeff Powell, US Fish and Wildlife Service – effects of sedimentation and habitat change on fish and wildlife in the Tombigbee River (including threatened and endangered species) ▪ Mike Eubanks, US Army Corps of Engineers – answered stakeholder questions related to water management on the Tombigbee ♦ Plan of Action
January 29, 2007 Livingston, AL	♦ Plan of Action ♦ Fundraising to support further scientific study
February 26, 2007 Boligee, AL	♦ Present DRAFT Plan of Action to stakeholders ♦ Discuss, revise and approve plan of action ♦ Discuss next steps for the group. ♦ Fundraising to support further scientific study
April 19, 2007 Ezsell's Fish Camp Butler County, AL	♦ Present final Plan of Action ♦ Discuss funding options to support further scientific study & on-the-ground implementation measures ♦ View scope of problem by boat

ATTACHMENT D

Educational Meeting Summaries

Meeting 1 – April 25, 2006

ATTENDEES: Allen Tartt, Kendall Bush, Mark Ezell, Raleigh Wilkerson, Jay Steen, Garry Fortenberry, James Johnston, Jimmy James, John Besh, Michael Cornett, Barbara Shoemaker, Rick Oates, John Grogan, Roy McAuley, Allison Jenkins, Ashley Henderson, Wade Riggs.

This was the first in a series of meetings to allow property owners and stakeholders to learn about issues that impact the river banks (specifically as they relate to erosion) in the Lower Tombigbee River Basin. This meeting allowed property owners/stakeholders to express their concerns and provide the study facilitator information to organize additional educational meetings to address these concerns. Major concerns voiced at this meeting were general dissatisfaction with the US Army Corps of Engineers, problems with wakes from yachts and barges, poor water level management, and no funding available to private landowners to fund river bank stabilization along the river.

Mr. Wade Riggs, Facilitator opened the meeting by asking everyone in attendance to introduce themselves and state the major concerns that they had. John Grogan, Chairman of the Alabama Clean Water Partnership (ACWP) Board of Directors addressed the Non-Advocacy policy of the board. Allison Jenkins, ACWP Statewide Coordinator addressed issues relating to the ACWP, Ashley Henderson, Alabama-Tombigbee CWP Facilitator discussed the grant funding the effort and the study objectives. Wade Riggs then facilitated the meeting; basically there were five areas of concern to build the future educational meetings around. They were, 1) Control of river traffic, 2) Water level management, 3) Location of problem areas and commonalities, 4) Funding sources for private or COE improvements, and 5) Management practices to prevent and correct erosion.

Meeting 2 – June 29, 2006

The second meeting of the subject study was held June 29th, 2006, at 6:30 p.m. at the University of West Alabama Environmental Training Center in Livingston, Alabama.

Attendance increased for the second meeting to 34 participants from 16 participants at the original kick-off meeting in April. In attendance were: Tom Griffith, Wade Ross and Roger Gerth, Kay Presley, Jonathan Lowery, Jay Steen, April Cook, George and Susan Carpenter, Mike Cornett, Terry Williamson, Paul Pinyan, Mary Love Tagert, Ashley Henderson, Jim Jeter, Tim Browning, Leslie Nixon, Aileen Nixon, Wade Ross, Roger Gerth, Tylor Gibson, Kathy and Grant Hunt, Bennie and Kathy Johnson, Thed Spree, Wade Riggs, Allison Jenkins, Bill Hust, Garry Fortenberry, Bill Mullins, Jeff Ballweber, Bart Robinson, Rick Oates, Allen Tartt, Evan McDonald, John Besh and Julia Burke Spree.

Wade Riggs opened the meeting by asking Ashley Henderson and Allison Jenkins to say a few words, and then introduced the speaker Bill Hust, Esq. An attorney with Zenah, Hust, Summerford & Williamson. Dr. Andrew Simon from the National Sedimentation Laboratory could not come at the last minute because his wife was in an automobile accident. Mr. Hust spoke regarding stakeholder's rights and a history of legal battles with the federal government. Mr. Hust explained to the group that property above the high water mark is called "fast land", or the property owned by property owners. If a property owner

wants to sue the federal government he can sue in the court of claims or in federal district court. The court of claims provides a venue for claims against the federal government in excess of $ 10,000. The plaintiff must prove causation; i.e. the actions below the high water mark caused damage in the fast land. The federal district court provides a venue for claims against the federal government for less than $ 10,000. The plaintiff must prove causation and that the federal government is not immune from a suit about this issue, i.e.: negligence is involved. Mr. Hust discussed a lawsuit filed by Ms Payne who had property located near Boligee on the Tombigbee River. Ms Payne sued the COE claiming that the Coe caused damage to her property by practices it undertook below the high water mark. The court found that the COE could be held liable for damage in the fast land, but there was not enough evidence presented to hold the COE liable for the damage in Ms Payne's case. The presentation was very informative.

Mr. Thed Spree, a local stakeholder requested the right to make a presentation on behalf of a number of people about the Boligee community regarding the local sand bar and the possibility that the sand bar was to be dredged. Mr. Spree and his assistants gave a very fine presentation, which included concerns about the Boligee sand bar removal, river bank erosion, recreation and future development, barge traffic safety, and hunting interest. US Army Corps of Engineers personnel responded to Mr. Spree's comments but would like to make a formal presentation to present the Corp's involvement in each one of the issues at a later date.

The Tombigbee Clean Water Partnership was pleased with the number and wide representation of attendees at this meeting. We appreciate your interest and would like to encourage all interested parties to continue attendance and invite others with a stake in this process to attend.

Meeting 3 – July 27, 2006

The third meeting of the subject study was held July 27th, 2006, 6:30 pm at the University of West Alabama Environmental Training Center. Attendance increased for the third meeting to 52 participants from 16 at the original kick-off meeting in April, and 34 at the June meeting. In attendance were: Robert Allen, Janalie Graham, Dr. Andrew Simon, Roger Gerth, Joseph Sharp, Amber Houston, Allan Brewer, Rick Saucer, Julia Spree, Ernest Edgeworth, Thed Spree, Ronnie Harwell, Mr. & Mrs. Bass Smith, Mary K. Brown, Ms Kay Presley, Barbara Pritchett, Richard & Charlotte Buckner, Max Joiner, Sid Nelson, Mark Ezell, Shawn Manning, Marlon Cook, James & Martha Sullivan, Terry Williamson, Kathy Hunt, Janie Woodridge, Grant Hunt, Danielle Bushalew, Annie Smith, Stephanie Parten, Sue Smith, Jo H. Beard, Mike Cornett, Jack Smith, Evan McDonald, Peter Smith, Gary Fortenberry, Rodney White, Micky Smith, Mary Ann E. Hall, Agnew Hall, Ashley Henderson, Roy McAuley, Charlotte and Wade Riggs.

Wade Riggs opened the meeting by asking John Grogan to welcome the group and explain the ACWP Non- Advocacy Policy. Allison Jenkins and Wade Riggs covered the rules of conduct for a meeting of this sort. The guest speakers for the third meeting were Dr. Andrew Simon of the National Sedimentation Laboratory and representatives from the US Army Corps of Engineers (COE). Robert Allen discussed how the COE manages the water levels along the Tombigbee. Assisting Robert was Amber Houston, Roger Gerth, Rick Saucer, Janalie Graham, Allen Brewer and Joseph Sharp.

Dr. Simon's presentation covered how sedimentation is naturally transported along the stream, how bank failure occurs, and what is necessary to control the failure of stream banks due to erosion. His presentation described how rivers are open, dynamic systems and that erosion of the banks is a dynamic problem that is not easily solved. He also noted that some erosion methods work better than others because of site specific issues. He presented a computer interactive program which is available on their

web site on which you can run different scenarios on what is the best way to control bank failure from erosion action for particular sites.

Corps of Engineers staff spoke on water management along the Tombigbee and answered a multitude of questions on topics ranging from initial design to why things were not designed differently. One main issue the COE pointed out is that the project was not designed for flood control; they also fielded many questions about the Boligee sandbar from Mr. Spree and his contingents. Within the next two weeks Wade Riggs will be meeting with the COE in Mobile to learn what information they have regarding where the main trouble spots are located from erosion, bank failure and land loss.

The Clean Water Partnership was pleased with the number and wide representation of attendees at this meeting. We appreciate your interest and would like to encourage all interested parties to continue attendance and invite others with a stake in this process to attend.

Meeting 4 – August 31, 2006

The fourth meeting of the Lower Tombigbee River Bank Erosion study was held September 31st at the ALFA building in Grove Hill, Alabama. Attendance at this meeting included the following 20 participants:

Individual stakeholders: Dalton James Smith, Thed & Julia Spree, Charlotte Riggs, Raleigh Wilkerson, Don Presley, John Moore
Alabama Farmers Federation – Paul Pinyan
Alabama Clean Water Partnership - John Grogan, Allison Jenkins
Alabama Dept. of Environmental Mgt. – Patti Hurley
Alabama Marine Police - Jeremy Alford
Alabama State Senator - Senator Pat Lindsey
Alabama – Tombigbee Clean Water Partnership - Ashley Henderson (Ala-Tom CWP Basin Facilitator), Rick Oates (AL Forestry Assn.), Wade Riggs (project facilitator)
Congressman Artur Davis' Office – Kay Presley
Senator Jeff Sessions Office – Mary Susan Jones
US Army Corps of Engineers – Robert Allen, Memphis Vaughan

Wade Riggs, project facilitator, opened the meeting by discussing the importance of the sign-up sheet, the general objective of the study, and the meeting ground rules that were passed out during registration. He then introduced John Grogan, Chairman of the Alabama CWP Board of Directors, who discussed the neutral nature of the ACWP and its Non- Advocacy Policy. After this each attendee introduced himself and stated his specific interest in the process, followed by the introduction of the evening's speakers.

The US Army Corps of Engineers (COE) from Mobile were the first on the program. Mr. Memphis Vaughn and Mr. Robert Allen presented an educational program on how the COE manages water on the Tombigbee. A similar presentation was made at the University of West Alabama but had not been presented to the lower basin stakeholders.

The Tombigbee River is located in the Mobile District of the South Atlantic Division of the Corp of Engineers. Mr. Memphis Vaughn is the Chief of the Water Management Section. The Water Management Department manages projects in the District, develops water control management plans, conducts special studies and manages the rainfall network.

The COE has congressionally authorized purposes for each project. These purposes could include water quality, flood control, recreation, and environmental and others. The COE has no authorization for flood control on the Tombigbee River. All decisions are part of a balancing act to meet the goals for each purpose. The COE also collects, assimilates and distributes data including stream and rainfall gauge data. This information can be found at www.water.sam.usace.army.mil.

Activities that the Water Management Department of the COE might undertake (not necessarily on the Tombigbee) include:

- Flood events-Communicate with key players and provide continuous updates of information.
- Navigation-Maintain levels necessary for navigation.
- Environmental and Water Quality-Make necessary releases.
- Water Supply-Allow some municipalities and industries to withdraw water.

After Mr. Allen finished his presentation, he accepted questions from the group. During the conversation that followed Mr. Allen stated that the COEs interest in recreation included keeping lakes at levels where boating is safe and that the COE has several parks throughout the District. Mr. Memphis Vaughn and Mr. Bob Allen will check to find out the proper procedure for removing trees that have fallen into the river. The COE does not have data about different soil types along the Tombigbee River but suggested checking with the Natural Resources Conservation Service.

Mr. Vaughn pointed out that there are many different COE personnel involved in assorted tasks on the Tombigbee. He instructed the group that one option for issues that span several disciplines within the COE is to contact the District Engineer who can coordinate a response from the various entities within the COE. The contact information for the District Engineer is:

Colonel Peter Taylor
Commander and District Engineer
Department of the Army
Mobile District, Corp of Engineers
190 Saint Joseph Street
Mobile, AL 36602-3630

The second speaker was Mr. Jeremy Alford, Alabama State Marine Police. Mr. Alford discussed safety issues and showed an agency promotional video highlighting the boating safety jurisdiction of the agency. The agency currently regulates safety under the 1994 boater safety act, which requires vessels to have endorsements or license, boaters to have licenses, and restricts boating under the influence. The State Marine Police has the responsibility for enforcement, however only 68 marine policemen operate statewide with only two marine police assigned to the Tombigbee River. Mr. Alford confirmed that there was no speed limit or wake control along the river except maybe where the COE or Coast Guard had no-wake buoys; however, boat owners are responsible if their boat wakes swamp another boat. To report an incident on the Tombigbee River, individuals should call the main Marine Police office in Orange Beach with the location, timeframe and general description or hull number /name of the boat. With this information, the Marine Police can usually find the offending boat. Mr. Alford also reported that the Coast Guard has no enforcement rights. However, cities and counties with marine police can enforce marine laws.

Senator Pat Lindsey of the 22nd Senatorial District was the third speaker. Senator Lindsey discussed possible strategies to get laws passed to regulate speed limits and wakes on the river. He indicated that it would be very hard to get laws restricting speed limits, and that there would probably be a better chance of getting regulations limiting wakes. Additionally, because the COE controls interstate commerce some

research must be done to determine how and if the state could legislate interstate traffic. Senator Lindsey discussed lobbying for a tax credit for lost land to reduce state income tax but felt that because state income taxes are already low this would not be the route to explore for financial redress for property owners.

The meeting ended with comments from Thed Spree, a stakeholder who continues to have concerns regarding the COE's original erosion/sediment control plan when the Tenn-Tom Waterway was developed in the 1970s. Extended discussion was held regarding the goals of the project and how best to move the project forward. After further discussion among the group, the following information will be provided at the next meeting for all participants:

- Summaries of all meetings
- Bulleted list of concerns raised in previous meetings
- List of committees and committee members

The meeting concluded at 8:30 p.m.

Meeting 5 – October 2, 2006

The fifth meeting of the Lower Tombigbee River Bank Erosion study was held October 2nd, 2006 at the University of West Alabama with the following 23 participants in attendance:
Individual stakeholders: Harry Labhart, Mark Ezell, Patricia Ezell, Don Presley, David Sparrow, Garry Fortenberry, Barbara Shoemaker, Billy Shoemaker.
Alabama Farmers Federation – Paul Pinyan
Alabama Clean Water Partnership – Allison Jenkins
Alabama Revenue Dept. - Bill Bass, Ronny Crawford
Tennessee – Tombigbee Waterway Authority- Thomas Griffith
Senator Richard Shelby's Office-- Brad Wilson
Alabama – Tombigbee Clean Water Partnership - Ashley Henderson (Ala-Tom CWP Basin Facilitator), Rick Oates (AL Forestry Assn.), Roy McAuley, AFA, Wade Riggs (project facilitator)
Congressman Artur Davis' Office – Kay Presley
US Army Corps of Engineers – Allen Brewer, Rick Saucer, Roger Gerth

Wade Riggs, project facilitator, opened the meeting by discussing the importance of the sign-up sheet, housekeeping and other general items. Allison Jenkins then covered the project history, Non- Advocacy Policy and the meeting ground rules. Ashley Henderson gave a project overview on where were are to date and process of grant completion. Wade Riggs then introduced the audience and speakers.

Mr. Thomas Griffith, Administrator of the Tennessee/Tombigbee Waterway Authority was the first to speak. Mr. Griffith spoke mainly on the economic impact of the waterway. His general topics of discussion are listed as bullet points below.

COMMERCE AND TRADE
An average of 8 million tons or 1.3 billion ton miles of commerce has been shipped annually in recent years on the Tenn- Tom. These producers, manufacturers and shippers saved an average of 90 million annually in reduced transportation cost.
Many industries that do not ship on the river enjoy reduced rail or truck rates because of the availability of another competitive mode of transportation. These businesses save an average of 20 to 25 percent in transportation compared to businesses that are captive to more limited transportation options.

Lower barge rates also help greatly expand the markets of a region's natural resources, commodities, and products, especially those of low values. Examples include forestry products, coal, ores, and sand and gravel.

An anecdotal study in 2001 found that some $2 million in reduced transportation savings, mainly reduced fuel cost, are realized by those carriers that use the Tenn-Tom to return empties instead of the Mississippi River.

INDUSTRIAL DEVELOPMENT

Based on 94 data industrial development has helped create some 33,000 new jobs. Personal income has increased by nearly $1 billion. Since this study investments in the waterway corridor such as SteelCorr, IPSCO Steel and others have likely doubled the estimated employment and compensation impacts caused by the Tenn-Tom.

NATIONAL SECURITY

The waterway provides a safe route for transporting Delta IV rockets from Decatur, AL to launch sites in California and Florida. The waterway has also helped facilitate other deployment operations by the military such as those by the 101st Airborne Division.

ENVIRONMENTAL QUALITY

The Tenn- Tom was the first large public works project constructed under the National Environmental Policy Act. It demonstrates how a complex project can be built in an environmentally compatible manner.

Water transportation is the most environmentally friendly mode, since it is the most energy efficient. Barge traffic greatly reduces air emissions compared to truck or rail. For example, NOX would increase 3 times if the shipments were transported by rail and 19 times if shipped by truck. In the case of hydrocarbons and carbon monoxide, these emissions would increase 7 and 9 times, respectively if moved by truck. One gallon of fuel can move a ton 514 miles by barge compared to 202 miles by rail and 59 miles by truck. The waterway reduces fuel consumption by 20 million gallons annually compared to shipping by truck and by more than 4 million gallons annually if moved by rail. Barge is also considered the safest of the three modes of transportation.

RECREATION AND TOURISM

The Tenn-Tom has attracted 2.6 to 3.0 million recreational visitors each year since it has been opened. Camping, boating and other leisure activities contribute $52 million to the local economy and directly supports 1500 jobs along the waterway. A study by Horseshoe H Consulting found that boaters contribute about $5 million in additional spending to local communities along the river.

Sport fishing with bass tournaments being held each year is a top ten event on the Tenn-Tom. The larger tournaments generate as much as $500,000 in local sales during the weekend event.
The Tenn-Tom wildlife mitigation project is recognized as one of the most successful of its kind in the nation. Authorized by the U. S. Congress in 1986, some 180,000 acres of public lands in Alabama and Mississippi are intensively managed as wildlife habitat to mediate against losses incurred during the waterway's construction.

MUNICIPAL AND INDUSTRIAL WATER SUPPLY

Some 45 million gallons per day of water are authorized to be withdrawn and nearly that much more has been proposed for future use. The current withdrawal provides processing water for a $750 million paper mill and supplement suppliers in Lee county Mississippi. Lee county development office said—there has

been an increase of 14,376 new jobs in the region because of the increased water supply from the river. This new employment generates nearly $500 million in additional personal compensation.

THE FUTURE

As fuel cost increase and highway congestion approaches gridlock conditions, waterways are expected to carry an increasingly larger share of the two-fold increase in trade predicted for the U. S. by the end of the next decade. Much of this new business will be shipments not now typical for barges, such as high value products and containerized cargo. Containers on barge and movement of automobiles, farm equipment, and other manufactured products now commonplace on European waterways.

After Mr. Griffith completed his talk on the waterway he answered extensive questions on the following issues.

- His Authority on Speed Control and Safety----- Has none.
- '07 & '08 requested budget amounts
- Can benefit amounts be broken into river segments?
- Municipal Water Supply and Return.
- Organization of the waterway authority.

SECOND SPEAKER – Mr. Bill Bass

The second speaker of the night was Mr. Bill Bass, Director Property Tax Division, Alabama Department of Revenue.

Mr. Bass spoke on how to go about having your property reassessed if you lost land because of river bank erosion. Mr. Bass said there was two ways to approach this issue. One was to have a survey done and document the amount of land lost. This however was a very expensive way to approach it since the amount saved in taxes might not offset the survey cost. The other way was to use ortho-photos to determine the amount of land lost. Mr. Bass said to call his office and he would assist anyone in getting this done by using photographs. One thing is to remember in doing this, the water level needs to be approximately the same on each series of photographs otherwise the bank (line) erosion is difficult to determine. In other words if the banks are covered at flood stage it would be impossible to determine loss. Mr. Bass could not provide any information on tax credits from the state. He did pass this issue on to the federal government.

After the second speaker, the group divided into the following committees to work on a plan of action. Topics addressed by the committee groups included: River Traffic Control, Funding Sources, and Water Level Management. Substantial progress was made. After the short committee meetings, Ashley Henderson, Allison Jenkins and Paul Pinyan made brief presentations regarding committee discussions.

The meeting ended at 8:40 PM with no time, date or location for the next meeting announced, as plans for the next meeting are in process (expected to be held the latter part of October or Early November). Speakers from the US Fish and Wildlife Service and from Parker Towing will be sought and committees will again meet.

The following key issues have been identified as plan of action topics and will be researched by the appropriate committee.

- RIVER TRAFFIC CONTROL (Speed, Wakes, Etc.)
- FUNDING SOURCES (Property Tax Relief, Tax credits, Tax deduction for improvements, and other).
- LOCATION OF PROBLEM AREAS

- WATER LEVEL MANAGEMENT
- BMP PRACTICES TO PREVENT EROSION

Meeting 6 – November 9th, 2006

The sixth meeting of the Lower Tombigbee River Bank Erosion study was held November 9th, 2006 at the University of West Alabama with the following 14 participants in attendance:
Individual stakeholders: Lolita Smith, Micky Smith, Aprille Cook, Judy Spree, Thed Spree, Kathy Hunt, John Best, Bill Mullins, Allan Tartt, Herb Vanderberry
Board Chairman, ACWP: John Grogan
Speaker: Dr. Tola Moffett, P.E.,P.G.
Congressman Artur Davis' Office: Kay Presley
Alabama Tombigbee CWP: Wade Riggs, Facilitator

Wade Riggs began the meeting by reminding everyone of the ACWP non-advocacy policy and then introduced Dr. Tola Moffett who spoke on river bank stabilization techniques, methods of controlling bank erosion, and methods of repairing areas that had already eroded. Dr. Moffett did an outstanding job blending actual slides of areas with the reasons of why the erosion took place and methods of correcting such. His presentation was based on reviewing some 800 slides furnished by the COE Vicksburg Waterway Experiment Station. His extensive experience and training in the issues were very evident in his presentation. Dr. Moffett's presentation and the question and answer session lasted pretty much the entire meeting period as he generated a lot of interest and good questions. Dr. Moffett's presentation will be published on the AFA web site and can be accessed by anyone interested.

There will be one additional educational meeting with Mr. Jeff Powell of the U. S. Fish and Wildlife Service to discuss the affects of erosion and siltation on fish and wildlife. This meeting is scheduled for December 7th at the University of West Alabama (See Enclosed Notice).

Points of contact for information through the COE
Fallen trees in the river and what jurisdiction does the COE have.
Munther Sahawneh (CESAM-RD-C) 251-694-3782

Type of lockage information on pleasure boats through COE locks.
BWT: Anthony Perkins (CESAM-OP-BA-TU) 205-752-3571
Tenn-Tom: Alan Brewer (CESAM-OP-CO) 662-327-2142

Determine if COE has jurisdiction to set no wake zones on the entire navigable portion of the river. Find out what COE authority is available in the area.
BWT: James Curry (CESAM-OP-BA) 205-752-3571
Tenn-Tom: Edward Lyon (CESAM-OP-BA-A) 334-872-9554

Find out more about the banks along the Tenn-Tom. ARE CLAIMS ABOUT HOW THEY WERE CUT ACCURATE?
Alan Brewer (CESAM-OP-CO) 662-327-2142

Beginning at the December 7th meeting a plan of action will be developed based on the previous meetings and the above action items identified through the educational process. We desperately need the STAKEHOLDERS help in developing this plan of action.

Wade B. Riggs, P.E.
Conflict Resolution Facilitator

Meeting 7 – December 7, 2006

The seventh meeting of the Lower Tombigbee River Bank Erosion study was held December 7, 2006 at the University of West Alabama with the following 16 participants in attendance:
Individual stakeholders: Judy Spree, Thed Spree, Bill Mullins, Gary Fortenberry, Mary K. Brown, Micky Smith, Larry Jones, Sharon Jones, Edward Hardrid.
Board Chairman, ACWP: John Grogan,
Speaker: Jeff Powell, US Fish and Wildlife Service
Congressman Artur Davis' Office: Kay Presley
Alabama Tombigbee CWP: Wade Riggs, Facilitator,
Allison Jenkins: Statewide ACWP
Corps of Engineers: Mike Eubanks, Allan Brewer

Wade Riggs began the meeting by reminding everyone of the CWP non-advocacy policy and then introduced Mr. Jeff Powell, US Fish and Wildlife Service who spoke to the group regarding the affect siltation has on various fish and wildlife.
Mike Eubanks with the Corps of Engineers out of Mobile was in attendance and answered stakeholder questions in place of Colonel Taylor, who could not make the meeting due to prior commitments.

This was the last educational meeting to be held in this series of public meetings. The next meeting is scheduled for January 29, 2007, 6:30 pm at the University of West Alabama Environmental Training Center. This meeting will focus on the committees reviewing the draft plan of action to be distributed in the spring. Target date on publishing the plan of action is no later than the middle of April, 2007. This means that all interested in providing input should attend the January meeting.
NOTE: If any stakeholder has knowledge of other problem areas please let us know by the next meeting on January 29, 2007. This has a great bearing on what photography is purchased for the next project phase.

Beginning at the January meeting a final draft plan of action will be developed based on the previous meetings and the above action items identified through the educational process. We desperately need the STAKEHOLDERS help in finalizing this plan of action.

Meeting 8 – January 29, 2006

The eighth meeting of the Lower Tombigbee River Bank Erosion study was held January 29, 2007 at the University of West Alabama with the following 13 participants in attendance:
Individual stakeholders: Judy Spree, Thed Spree, Micky Smith, Larry Jones, Sharon Jones, Kendall Bush, John Belsh.
Board Chairman, ACWP: John Grogan
Wade Riggs, Facilitator.

Allison Jenkins, ACWP Statewide Coordinator
Ashley Henderson, Alabama/Tombigbee Basin Facilitator..
ADEM: Patty Hurley
AL Pulp & Paper Council: Rick Oates

Wade Riggs began the meeting by thanking everyone for attending and welcomed Thed Spree back from his recent surgery. The focus of this meeting was to begin assembling the plan of action for the future. Mr. Riggs used an overhead projector to go over a draft outline of the Plan Of Action. After that and the opportunity to answer questions, the group divided into committees to discuss the five problem areas identified in the previous educational meetings held. This actually the second committee meeting on the issues, the first meeting was held during the October 2nd educational meeting. Substantial progress was made.

The Draft Plan of Action will be presented at the February 26 meeting, based on discussions and discoveries made at the previous meetings and the action items identified through the educational process.

Wade B. Riggs, P.E.
Conflict Resolution Facilitator

Meeting 9 – February 26, 2007

The ninth meeting of the Lower Tombigbee River Bank Erosion study was held February 26, 2007 at the home of Sage Spree in Boligee, AL, with the following 17 participants in attendance:
Gary & Shirley Fortenberry, Paul Pinyan (AL Farmers Federation), Mark & Patricia Ezell, Allison Jenkins (AL Clean Water Partnership), Rick Oats (AL Pulp & Paper Council), Micky Smith (University of West AL), Kay Presley (Congressman Artur Davis' office), Graham & Kathy Hunt, Thed & Judy Spree, Wade & Charlotte Riggs, Billy Johnson (Sumter Co. SWCD), Brock Reynolds

The group viewed the Spree's efforts to control river bank erosion on their river front property as well as damage and erosion to property adjoining the Spree place on the river. The draft plan of action was presented to the group and comments recorded, with the group being asked to submit additional photos, documents, etc. that might be included in the final draft. Fundraising and publicity were also discussed with the next meeting of the group being planned in April on the lower end of the river. Participants enjoyed hotdogs and hamburgers provided by the Spree's.

Meeting 10 – April 19, 2007

The following Stakeholders and interested citizens were in attendance for the lunch meeting at Ezell's Fish Camp in Butler, AL and the boat tour of erosion sites afterwards:

Elected Officials: Senator Pat Lindsey, Representatives Alan Harper and A. J. McCampbell, Senator Artur Davis Office: Kay and Don Presley
Stakeholders: Garry Fortenberry, Thed and Judy Spree, Charles Ezell, Grant and Kathy Hunt, Robert Anderson, Peter Smith, Mark and Patricia Ezell, Cecil " Bud" Martin, Sharon Jones, Kathy Johnson.
Clean Water Partnership: Allison Jenkins, Ashley Henderson and Wade Riggs
Alabama Forestry Association: Rick Oates, Executive Director APPCO.
Alabama Forestry Commission: Jim Jeter

News Media: Robert Dewitt, *Tuscaloosa News* and Barry Hendrix, *Choctaw Advocate*
AL Farmers Federation: Paul Pinyan
AL Assn. of RC&D Councils: Noopie Cosby
AL Dept. of Environmental Mgt.: Brian Haigler, Patti Hurley, Chris Bettger

A total of 32 participated in the morning meeting, lunch (provided by the Alabama Farmers Federation and Alabama Pulp & Paper Council) and the afternoon boat tour of the Lower Tombigbee River to examine riverbank erosion.

Allison Jenkins, Alabama Clean Water Partnership (ACWP) Statewide Coordinator opened the morning meeting on behalf of John Grogan, Chairman of the Board of Directors. Allison gave an overview of the ACWP process, with everyone introducing themselves to get acquainted.

Ashley Henderson, CWP Facilitator for the Alabama/ Tombigbee Basins, presented the project history, including how the project was started and a recap of educational meetings held to date.

Wade Riggs, Project Facilitator discussed the next phase of the study to be conducted between March 2007 and April 2008 by the USDA-ARS National Sedimentation Lab in Oxford, MS.

Allison Jenkins followed, discussing the Plan of Action and the next steps in the anticipated process, to include stakeholder workshops, landowner data base and other issues that have been identified in this process.

During lunch, Charles Ezell presented a history of the Ezell's Fish Camp and the challenges they have had with the river, including the installation of sheet piling to keep from loosing the camp and business from erosion. Lunch was enjoyed by all, with special thanks going to Rick Oates and Paul Pinyan for providing.

After lunch there was a boat tour for all who wanted to participate, ending at 4:00 PM. A special thanks to Garry Fortenberry and Thed Spree for all of their assistance in setting up this meeting and the individual boat owners for providing the transportation and to the press for their coverage of this issue.

SECIAL NOTE: As a result of the bank erosion study, the Warrior - Tombigbee Association requested that Wade speak at their annual meeting in Mobile on April 27, 2007. Wade Riggs, Project Facilitator met and spoke to them on the study findings, and provided them with a lot of pictures of bank erosion and property that is close to being lost. Colonel Taylor of the US Army Corps of Engineers and some of his associates were present. Colonel Taylor after the meeting said that they would continue to support us in the future studies as they could. Overall the presentation was well received from all in attendance, which was somewhere around 100 – 125 of the association's membership.

THANKS TO EVERYONE FOR THEIR HARD WORK AND CONTINUED SUPPORT OF THIS PROJECT.

Wade Riggs, Project Facilitator

ATTACHMENT E

Tombigbee Riverbank Erosion Dispute Resolution Project
Issues/Solutions

ISSUES/QUESTIONS RAISED BY STAKEHOLDERS

1. Loss of property into the river
2. Loss of (non-recoverable?) timber into the river
3. Tributary degradation & siltation
4. Loss of roads along riverbank
5. General perception is that the onset of problems was first identified as early as the mid 80's, when locks were completed and boat traffic increased
6. Camps, houses, docks and ancient Indian sites lost into the river
7. Coal dust in the river (from barges?)
8. "Taking of property" as a result of river bank failure
9. 100 year floods seem to happen more often than prior to the opening of the Tenn-Tom Waterway
10. Is the Tenn-Tom considered to be a "Natural River"?
11. Yacht (travel South in fall and North in the spring, traveling at high speeds) wakes causing erosion
12. More damage to riverbank occurs from boat wakes when water levels are high; can the river be shut down during events of extremely high water?
13. Some of the occurring erosion is natural – the question is, how much?
14. Is water level management responsible for part of the erosion?
15. Perception varies on whether barges are a cause for concern due to riverbank erosion.
16. There is no way to control excessive flows which result from "extreme acts of nature", such as hurricane rainfall events that swell rivers and cause property damage along the banks
17. Slow Corps permitting process (for landowner river bank stabilization projects) is frustrating to property owners
18. Why does Corps have to dredge the Boligee sandbar, the "hot spot" for recreation in the area?
19. Did the Corps have an erosion/sediment control plan when the Tenn-Tom Waterway was built?
20. Future development along and increased use of the waterway is a concern to landowners, as it applies to the river bank erosion problem
21. Hunters using public wildlife management areas along the river sometimes encroach on privately owned adjacent lands
22. Is there a way for landowners to be compensated for property lost into the river?
23. Are landowners still paying taxes on lost property and, if so, how can that be fixed?
24. Technical assistance would be greatly appreciated property owners (establishing causes / solutions)
25. Better communications between authorities and property owners is needed
26. Has the Corps planted Cogon grass as an erosion control strategy along the river? There are several large plots which threaten all waters downstream
27. The public was promised that the Tenn-Tom Waterway would bring industry to our area and access to recreation would improve

SOLUTIONS DISCUSSED /ASSOCIATED COMMENTS

1. Hold yacht owners/operators responsible for damages to smaller craft. AL Marine Police does have jurisdiction to enforce
2. Regulate boat speed on water, based on riverbank soil types. - Enforcement is a concern. There are only two AL Marine Police officers patrolling the Tenn-Tom (and the Lower Alabama basin as well), so resources are stretched thin.
3. Educate yachters: Make information available to yacht owners/operators through local papers, marinas, trade magazines, and associations
4. Submit general interest articles to papers to increase stakeholder participation in project
5. Offer tax credits for river bank improvements to land owners – would take passing legislation to enact, but would be a win-win situation for all involved
6. Manage water level to reduce severe hydraulic pressure fluctuation – The Tombigbee is considered a run of the river project with no flood control ability. But could the levels be managed differently?
7. Institute a fee for going through locks, the funds to be used for project related expenses (PR, stabilization, etc.)
8. Make list of potential funding sources clear and easy to access by the general public; agencies such as Natural Resource Conservation Service, US Fish & Wildlife Service and organizations that might be helpful, such as ALFA, etc, may have assistance for land owners, farmers, etc.
9. Encourage participation from partners that can fix the problem:

State Gov. Officials	Tenn-Tom Waterway Development Auth.
Federal Gov. Officials	US Fish & Wildlife Service
Political Representatives (all levels)	Natural Resource Conservation Service
US Army Corps of Engineers	Soil & Water Conservation Districts
US Coast Guard	

11. Investigate an engineered solution consisting of Rip Rap/ Concrete – Expensive, but doable if funding sources are provided (generally too expensive for the common landowner along the river) and Corps permitting is somehow streamlined
12. Reduce dredging. Dredging to provide a minimum channel depth for river transportation is a congressional mandate to the Corps

ATTACHMENT F

EDUCATIONAL PRESENTATIONS

NOTE: These presentations may be found on the Alabama Forestry Association's web site. www.alaforestry.org. under the heading of the Alabama Pulp and Paper Council.

DR. ANDREW SIMON
NATIONAL SEDIMENTATION LAB.
USDA-ARS, OXFORD MS

Dr. TOLA MOFFET
FORMERLY OF TUSCALOOSA TESTING INC.
SUBJECT: BMP'S AND STRUCTURAL METHODS
JEFF POWELL
U.S. FISH AND WILDLIFE SERVICE
SUBJECT: AFFECT SILTATION HAS ON FISH AND WILDLIFE

ROBERT ALLEN
U.S. ARMY CORPS OF ENGINEERS
MOBILE, ALABAMA
SUBJECT: WATER LEVEL MANAGEMENT

OTHER EDUCATIONAL INFORMATION WILL BE POSTED ON THIS WEB SITE AS IT BECOMES AVAILABLE.

ATTACHMENT G

Stakeholder Committees

RIVER TRAFFIC CONTROL

Garry Fortenberry	205-654-2286
David Sparrow	
Barbara Shoemaker	
Billy Shoemaker	
Allison Jenkins	

FUNDING SOURCES

Mary Ann E. Hall	205-654-2351
Julia Spree	205-336-8638
Kathy Hunt	
Mark Ezell	205-459-3739
Rick Oats	

LOCATION OF PROBLEM AREAS

Thed Spree	205-336-8638
Leslie Nixon	205-652-7486
Aileen Nixon	
Agnew Hall	205-654-2546
John Grogan	

WATER LEVEL MANAGEMENT

Don Presley	205-339-0807
Harry Labhart	
Allan Brewer	662-327-2142
Raleigh Wilkerson	334-457-2869
Ashley Henderson	

BMP PRACTICES TO PREVENT EROSION

Terry Williamson	205-367-8168
Kendall Bush	
Wade Riggs	205-394-2513 ****

**** Is available to meet with any committee if requested.

ATTACHMENT H

Stakeholder Committee Reports
January 29, 2006

River Traffic Control (Boat Speed, No Wake Zones)

Issue: Erosion of river banks due to wakes from large yacht traffic

Challenges: Currently there is no speed limit on the waterway/river and no entity with authority to enforce such limits if initiated

Strategies:

1. Designate enforcement "authority to specified entity (legislation required)
    a) AL Marine Police (State)
    b) US Coast Guard (Federal)
    c) Tenn-Tom Waterway Development Authority (Federal)
    d) Local officers including game wardens, sheriffs, police can make arrests when property is damaged as a result of reckless boaters; local "pressure" might be exerted to make this happen

2. Fund enforcement entity
    a) Initiation of a "lock fee" to be collected by the ACOE and returned to a "funding pool" that would fund enforcement of speed limits/no wake zones
    b) Additional legislation to fund enforcement (Federal? State?)

3. Post speed limits / no wake zones
    a) ACOE would post markers – Additional funding required?
    b) Consider soil types and status of bank erosion when establishing no wake zones and posting speed limits, so that restrictions apply only to problem areas

4. Public Education Component
    a) Develop educational flyers for yachters, to be distributed when lock fees are paid, explaining impacts of large wakes and containing maps of waterway showing posted areas, tourist stops on waterway, etc.
    b) Research what other states/waterways do

Water Level Management

Issue: Erosion of river banks due to rapid water release and no flood control release.

Challenges: Currently there is no specific control for the release of water through the locks and for flood control since the waterway was designed as a free flow river system.

Strategies:

1. Question: Can the COE modify the existing lock and dam system to allow for a slower release of water during operations and flood events.

2. Answer: We believe the answer to this question is yes, however there is some problems in analyzing this answer, namely the COE will not participate in the

development of this plan of action for various reasons. Some of which we concur are valid for the COE.

3. Assuming question number 1 can be answered in the affirmative there would have to be a design analysis and technical information from the COE to develop the approximate cost of doing such. The main thrust of this was to aid the COE in getting their job done not to interfere in their business. In other words, the stakeholders could probably assist them in securing appropriations for such improvements.

Recommendations:

1. We recommend that the COE explore these issues in house and provide a written determination to the Alabama Clean Water Partnership of whether or not it could be done and the estimated cost of such.

2. Assuming this effort is feasible and the COE will put the cost of such in a fiscal Budget request, advise the CWP of that budget submission.

Committee Actions: Follow up on the state and federal political routs for change

Funding for Studies and Improvements

Issue 1: Additional study is needed to determine whether erosion is more extreme than natural river meander. Approximately $50,000 is needed to provide this study.

Challenges: Currently, no state or federal funds exist to fund additional study of this issue. Private grants are extremely competitive, will require time consuming applications, and will be structured by the granting entities timetable.

Strategies:

1. Request state funding through state senators and representatives appropriating the cost between the counties or districts involved.
2. Investigate funding through the Blackbelt Action Commission.
3. Consider grant funding through the Alabama Department of Conservation and Natural Resources or the US Fish & Wildlife Agency.
4. Tabulate amount of “matching” funds that have already been used for this project.
5. Consider private funding through corporations such as paper companies, barge companies, ALFA, forestry groups, electric co-operatives.
6. Request a congressional appropriation for this study. This strategy may be limited by the current tone in Washington.
7. Investigate the possibilities of ADECA funding through the County Commission.
8. Locate a local, professional grantwriter.
9. Approach the Tenn-Tom Waterway Development Authority about funding the study.

Issue 2: Provide funding for improvement of private property along the Tombigbee River.

Challenges: The amount of funds required to install BMPs that will work is great. Most individuals cannot afford install BMPs. Currently, no state or federal funds exist to install BMPs on private property. Private grants rarely exist to improve private property, are extremely

competitive, will require time-consuming applications, and will be structured by the granting entities timetable.

Strategies:

1. List benefits of improving private property to reduce sedimentation into the river (ie. improve habitat, reduce dredging costs, etc.)
2. Require a fee on yachts that travel the Tombigbee River in Alabama.
3. Ticket yachters that do not obey no-wake areas.
4. Request a congressional appropriation.
5. Explore federal grant funding and ways that those grants could be redesigned to make them available to private property owners.
6. Lobby for an increase in the US Army Corp of Engineers funding to allow the COE to install BMPs.
7. Investigate private grant alternatives.
8. Tax credits for improvements.

Issue 3: Provide funding for an increased presence of marine police and game wardens to help regulate traffic on the Tombigbee River.

Challenges: Currently, there is no method to direct increased hunting license fees to game wardens and marine police in the Tombigbee River Basin. Public opinion of a statewide increase in hunting fees, especially one necessary to address a regional issue, may be negative.

Strategies:

1. Increase hunting fees and use these funds to hire additional marine police and game wardens.
2. Possibly tie into homeland security funds re. river traffic.
3. Increase fine amounts to fund additional marine police and game wardens.
4. Tax on fuel for boats.

Location of Problem Areas/Commonalities

River Bank Erosion "Hot Spots" on the Tombigbee River
from River Mile 72.8 to Mile 259.4
As Identified by the U.S. Army Corps of Engineers

Mile #	Downstream
72.8	Left
74.4	Right
74.7	Left
75.3	Left
79.8	Left
82.4	Left
103.0	Right
103.5	Left
112.5	Both
114.7	Right
190.9	Right
229.0	Right
251.0	Left
254.4	Right (Spree)
259.4	Left

BMP Practices to Prevent Erosion

To be determined as a result of the ongoing study between the Alabama Clean Water Partnership and the USDA-ARS National Sedimentation laboratory, Oxford, MS and shared with stakeholders upon completion of study.

Public Relations / Public Education & Outreach

Assorted stakeholders continue to make contact with elected officials, reporters and citizens to bring additional attention to the process. A four page informational brochure was produced by the Alabama Clean Water Partnership to be used as a PR tool for the effort and distribution of the 2000 copies printed is underway.

ATTACHMENT I

PHASE II PROPOSAL
Proposal from Dr. Andrew Simon
National Sedimentation Laboratory
Oxford, MS

Changes in Channel Morphology along the Tennessee-Tombigbee Waterway

Proposed Outline of Tasks:

1. **Reconnaissance Survey**: Conduct boat survey of the Tennessee-Tombigbee Waterway between river miles 72 and 259 to characterize active geomorphic processes and relative stability. Rapid geomorphic assessments (RGAs) including digital photography will be conducted at representative sections at an approximate spacing of every 2 miles. Information from the RGAs will be used to calculate a semi-quantitative index of channel stability. Results will provide information on the magnitude, distribution and extent of channel conditions (bar growth or erosion; bank instability etc.) along the reach that will be used to map critical locations and discern any systemwide trends.

2. **Air Photo Interpretation**: Banklines and bar areas will be digitized in a GIS format for the study reach from aerial photographs obtained by the ACWP for three periods: 1985, 1992 and 2000. The three resulting sets of digitized maps will be overlain to calculate amounts and rates of bank retreat and bar growth/erosion along the study reach. Results will be compared to information collected during Task 1. Areas identified by Tasks 1 and 2 as being particularly active will provide guidance for the selection of sites where geotechnical testing and bank-stability modeling will be conducted as part of Tasks 4 and 5.

3. **Gaging-Station Analysis**: Historical data from U.S. Geological Survey (USGS) gauging stations along the reach will be used to identify changes in channel morphology over the period of record. This technique, known as "*specific gauge analysis*" involves an examination of the water-surface width and depth at various discharges over time. Results will provide information on any temporal trends in channel dimensions.

4. **Geotechnical Testing of Streambanks**: *In situ* tests of the shear strength of bank materials at a number of unstable sites will be conducted. Site selection will be based on information obtained from Tasks 1 and 2, and following discussion with the cooperators. Data from this Task will be used in Task 5 as input for bank-stability modeling.

5. **Determination of Critical Bank Conditions**: A bank-stability model developed by the USDA-ARS National Sedimentation Laboratory and available on the Web (www.ars.usda.gov/Research/docs.htm?docid=5044) will be used to model current bank-stability conditions and to determine stable-bank configurations. The model accounts for the two primary controls of bank retreat, hydraulic erosion at the bank toe, and gravitational failure of the bank mass. Data from Task 4 will be used along with information on flow (from USGS gauges) to model a range of conditions that the banks are subject to.
6. **Production of Maps**: Maps of current channel conditions obtained in Task 1, and results of the air-phot interpretation will be displayed and plotted on a series of interactive and

hard-copy maps. These maps will be useful to planning and management agencies to identify critical areas.

7. **Production of Report**: A final report, detailing the approach and results will be produced at the end of the project. The report will include interpretations of trends of channel change, bank-stability and bar conditions along the study reach as well as an interactive GIS-based CD that can be used to "*travel*" along the study reach to view conditions and relevant data.

Budget:

Task	Items	Cost
Boat Survey	Salaries	7212
	Travel	2790
	Fuel	1000
	Equipment	250
	Film	100
Air photo interpretation	Salaries	6257
Gage record analysis	Salaries	3606
Bank testing	Salaries	7212
Critical bank conditions	Salaries	3606
Production of Maps	Salaries	3606
Production of Report	Salaries	4808
	Printing	500
Net		40945
Indirect	(20.8% of Net)	8505
TOTAL		49450

ATTACHMENT J

PLAN FOR ACQUIRING PHOTOGRAPHY FOR THE TOMBIGBEE EROSION STUDY

VENDOR	SCALE	DATE
Mile 72 to 116 from the Tuscaloosa Dist. COE	1-12000	1983
Mile 116 – 217 from Farm Service Agency	1-40000	81-85
Mile 217 – 259 from Columbus Dist. COE	1-12000	1985
Prior to start of Const. (72- 259) UA	1-12000	65-73

Estimated Cost of Photography:

Prints from Farm Service Agency	$1300.00
U of A for Scanning	700.00
	Total $2000.00

Left in data collect line item $5000.00

Note: Photography for three time periods is now being scanned by the University of Alabama Cartographic Lab for second phase interpretation.

Attachment K

Application Form: Five-Star Restoration Challenge Grants

APPLICANT INFORMATION:

Organization (to be named as Grantee): Alabama Clean Water Partnership
P.O. Box 3623
Montgomery, AL 36109

Tax Status: 501(c)(3) Tax ID#: 63-1280346 Fiscal Year: 01/07 through 12/07

Project Contacts

Project Officer: Ashley Henderson
Tele: (334) 270-8236
Fax: (334) 262-1258
E-Mail: ahendersoncwp@charter.net

Financial Officer: Allison Jenkins
Tele: (205) 266-6285
Fax: (334) 514-8325
E-Mail: Ajenkins@elmore.rr.com

PROJECT INFORMATION:

Project Name: Erosion and property loss along the banks of the Lower Tombigbee River
Ecosystem Restoration: _X_ wetland __X__ riparian ____ coastal (check all that apply)
Project Location(s): City: _____
State: _____
Counties: Greene, Sumter, Marengo, Choctaw, Clark, Washington
U.S. Congressional District(s) of project location(s): 1, 7 Longitude/Latitude (if known):____
Project Start Date: Ongoing Project End Date: Ongoing
Application Submission Date: March 29, 2007

Does your project involve restoration, enhancement or protection of wetlands? **YES**
1) Acres of wetland restored/rehabilitated/created (circle appropriate activity) unknown
2) Acres of wetland enhanced/managed (circle appropriate activity) unknown
3) Acres of wetland protected unknown
Total number of acres impacted by project: unknown (ongoing activities are designed to assist in answering this question)

B. Does your project involve restoration or management of riparian corridors? **YES**
1) Buffers restored Unknown (linear feet)

C. Does your project involve the removal of fish blockages? **NO**
1) Instream habitat and fish passage created _____ (linear feet)

GRANT REQUEST:

Five-Star Funds Requested:	$ 20,000
Additional Partner Contributions (total cash/In-Kind)	$ 92,520

Total Project Cost: $ 112,520

PARTNER CONTRIBUTIONS: Please list the names of project partner organizations, the value of their contribution, and indicate whether the contribution is cash or in-kind.

Project Partner	**Amount**	**Cash/In-Kind**
1. AL Assn. of RC&D Councils	$ 20,000	Cash
2. AL Soil & Water Conservation Committee	$ 20,000	Cash
3. Laura Jane Musser Fund	$ 5,500	Cash
4. USDA-ARS National Sedimentation Lab	$ 22,000	In-kind
5. AL Clean Water Partnership	$ 8,000	In-Kind
6. AL Pulp & Paper Council	$ 8,000	In-Kind
7. AL Farmers Federation	$ 3,000	In-Kind
8. Stakeholder Time/Facilities/Services	$ 5,500	In-Kind
9. University of West Alabama	$ 520	In-Kind
Total	$ 92,520	

**** A full list of current project partners and participants is included in Attachment A.**

Can we circulate your application to other potential funding sources? X (yes) ___(no)

APPLICANT SIGNATURE: Ashley Henderson _____ _____
Name of Project Officer Signature Date

PROPOSAL NARRATIVE:

A. Project Summary and Objectives

This project, supporting Phase II of an ongoing Alabama Clean Water Partnership (ACWP) facilitated effort, will identify the causes of excessive river bank erosion leading to property loss, habitat degradation, and sedimentation in and along the 187 river miles of the Lower Tombigbee, from mile 259 in Greene County, Alabama near the Mississippi state line downstream to mile 72 just below the city of Jackson, Alabama (Attachments B and C). A list of the most critical erosion sites, a systematic order in which they should be addressed, and recommend implementation strategies for riverbank stabilization will be produced, so that restorative and preventative actions can begin, stabilizing river banks and restoring riparian habitat. Additional stakeholder identification and outreach will also occur, and additional stakeholder educational opportunities will be offered. Overall project objectives include the following:

1. Production of tools and identification of strategies necessary to develop and implement a long-range plan to decrease erosion and restore and protect riverine habitat along the Lower Tombigbee River,
2. Education and empowerment of local citizenry, and
3. Identification of associated "river centered" economic development opportunities in the affected area.

Project Background: During the "Stakeholder Issue Identification" phase of the ACWP nonpoint source basin management planning process for the Tombigbee River Basin, completed in September 2005, significant erosion of the riverbanks along the Lower Tombigbee River surfaced as a "hot button" issue. First brought to the attention of the Natural Resource Conservation Service, the Tombigbee Resource Conservation and Development Council and the Alabama Farmers Federation by very upset, local landowners and county governments in 1981, and at recurring intervals since, the issue had been repeatedly put aside due to no participating organization having staff available to carry the issue to resolution. The continued "brushing aside" of the issue has produced feelings of frustration, anger and hopelessness in the affected rural communities, where private property owners continue to be taxed on personal property that has fallen into the river, riverfront cabins and homes must be relocated or

abandoned and valued timber is swept downstream. Both in-stream and riparian riverine habitats are compromised. While affected property owners recognize the Tombigbee River as an important economic development tool in the most economically and socially depressed part of the state, increased "finger pointing" was taking place with talk of litigation surfacing often. Based on personal observations of excessive wakes produced by large pleasure craft traveling via the Waterway, from the Gulf of Mexico northward to destinations across the United States, local property owners believe that the reduction of yacht speed along vulnerable areas would prevent the erosion along the banks, preserving their personal property and solving all erosion problems. However, the eroding river banks most likely have multiple contributing factors, which may also include natural, in-stream processes, continued dredging of the river channel, and fluctuating water levels. Solving the boat wake issue alone will not solve the greater issue of river bank erosion, making public education and additional research regarding all possible contributing factors paramount, if a permanent solution to the problem is to be found.

In September 2005, the ACWP, in partnership with the Alabama Pulp & Paper Council and Alabama Farmers Federation, submitted a grant proposal to the Laura Jane Musser Fund of St. Paul, Minnesota. Centered on "environmental conflict resolution", the primary goal of Phase I (ongoing) is to address the growing, contentious debate about erosion, sedimentation and the loss of privately owned property and riverine habitat in and along the Lower Tombigbee due to river bank failure. During the first phase of the project, nine public meetings (Attachment D) designed to 1) identify problem areas along the river, 2) educate stakeholders regarding various aspects and issues associated with river bank erosion, and 3) identify possible causes and methods of correction of those problems were organized by Mr. Wade Riggs, project facilitator, and assorted project partners. Issues identified by stakeholders were catalogued and prioritized and those attending were educated regarding possible contributing factors. This process enabled stakeholders to better understand the perceived problems and abilities of others to address their concerns. Considering all possible causes of the erosion issues facing the river, stakeholders identified five issue-oriented categories to be addressed in a Plan of Action to be produced at the close of Phase I: 1) Control of River Traffic, 2) Water Level Management,
3) Location of Problem Areas / Commonalities, 4) Funding Sources, and 5) Best Management Practices and Structures. The Plan of Action is a result of the consensus built among participating stakeholders. When completed in early April, the information will be used by stakeholders to continue the resolution process, educating and recruiting additional partners (both government and private sector) to benefit the economic as well as the environmental health of the region.

B. Project Description and Need

This project (Phase II) consists of the following components necessary to address future habitat restoration and protection, as well as continuing the conflict resolution process among stakeholders:

1. A study entitled "Changes in Channel Morphology along the Tennessee-Tombigbee Waterway" will be preformed between April 2007 and March 2008 by the USDA-ARS National Sedimentation Laboratory (Sed Lab) in Oxford, MS, under the direction of Dr. Andrew Simon. Dr. Simon brings with him a wealth of experience in working with erosion issues on large rivers. This study will produce a list of sites in greatest need of restoration and/or stabilization, recommended techniques and strategies for accomplishing the same, and the order in which these sites should be addressed so as not to create additional problems. The results of this non-biased, scientific study will allow for future targeted protection and restoration efforts beginning in March 2008 during Phase III of this project. Due to the extent of this problem and the many contributing factors, experts agree that this study should be complete before restoration work begins. Future implementation efforts (protection and restoration) will be carefully targeted so as to "make a difference". Sed Lab study details and the associated budget are provided in Attachment E.
2. Citizen Education & Organization – Mr. Wade Riggs, project facilitator, will continue in his current role, his activities to include the following:
   - Coordination of study activities between stakeholders, private property owners and Sed Lab

personnel , including assistance with the reconnaissance survey on the river (arranging for boats, property owner introductions, and assorted logistics), obtaining property owner permission for geotechnical testing of stream banks, and the acquisition of aerial photography.

- Continued facilitation and coordination of stakeholder educational meetings: Momentum has been gained in the past months, with multiple articles recently appearing in assorted newspapers and a catfish lunch and river trip (to view the problem) scheduled for April 19, 2007 for elected officials and stakeholders. Additional stakeholder meetings will be held at least every eight weeks during Phase II to keep stakeholders updated and involved.
- Development of Landowner Data Base: In order to increase project effectiveness through the education and recruitment of additional participants, contact information of riverfront landowners will be gathered from public records in Greene, Sumter, Marengo, Choctaw, Clarke and Washington Counties (project information will be sent, permission for geotechnical samples will be obtained, etc.)
- A public workshop will be held, recapping information previously presented in Phase I educational meetings (Attachment D) and offering information regarding techniques private property owners should (or should not) use to stabilize riverbanks, the permitting process involved, etc.

C. Final Products

Moving forward with any type of on-the-ground restoration effort on this large river system will take considerable funding and strategic targeting of those monies, probable legislation at both the state and federal levels, and additional recruitment and education of project partners. During this project, in addition to activities being completed as listed in Item B, above, assorted strategies presented in the Plan of Action will be explored further. Examples of those strategies include:

A. Establishing no wake zones along critical areas of the river -This strategy will be effective only if the proper authorities, in this case the AL Marine Police, are properly funded, so that enforcement capability is present.
B. Establishing an erosion control cost share program for private landowners – Federal cost share assistance for businesses along the river are available (through the US Army Corps of Engineers), but are not accessible to private landowners; federal legislation would be required to implement such a program.
C. Socioeconomic benefits - A complaint heard multiple times during the public meeting process is that local residents don't "get anything back" from the river, it just takes away. There are no marinas within this river section. Through this process, the feasibility of a marina on the Lower Tombigbee, eco-tourism opportunities within the region, etc. will be explored.

The completion of Phase II of this project will lay the groundwork for Phase III restoration efforts to begin, ultimately leading to healthier riverine and shoreline habitats, increased public awareness of involved issues, the formation and empowerment of a strong, community-based stakeholder group, and identification of ecotourism-based socioeconomic development opportunities.

Partner Justification – The Alabama Clean Water Partnership (ACWP) nonprofit organization is a collaborative, stakeholder-driven effort to restore and protect the state's river basins in accordance with the goals of the Clean Water Act. Focusing on nonpoint source related issues through the implementation of the "Watershed Approach," the ACWP works across political boundaries (city, county and state), linking assorted interests together to safeguard water quality. Funded by the Alabama Department of Environmental Management (U.S. Environmental Protection Agency, Region 4, Section 319 Funds) and a diverse group of basin partners, the Alabama Clean Water Partnership encourages the involvement of local stakeholders in addressing the protection and restoration of Alabama's water resources. *Providing a **neutral** forum in which interested citizens and water users are brought **together** to identify water related issues and challenges and collaborate on plans of action to address those issues*, unique partnerships are

forged and Alabama citizens are empowered, as they become a part of the solution for long-term water quality improvement. Guided by a twenty-five member board of directors (Attachment F), Clean Water Partnership facilitators are in place across the state, coordinating activities in Alabama's major watersheds, including the Coosa, Tallapoosa, Cahaba, Alabama-Tombigbee, Chattahoochee-Chipola, Choctawhatchee-Pea-Yellow, Conecuh-Sepulga, Tennessee, Black Warrior, and Coastal basins. The neutral, facilitated stakeholder process provided through the ACWP in the Alabama and Tombigbee River Basins (Ala-Tom CWP) is sponsored by the Alabama Pulp and Paper Council and the Alabama Forestry Association and facilitated by Ashley Henderson. An additional facilitator, Mr. Wade Riggs, has been contracted to provide facilitation and coordination of the Lower Tombigbee erosion project. A Steering Committee (Attachment G) composed of stakeholders with diverse, basin-wide interests is in place, guiding basin efforts. A full list of current project partners is included in Attachment A of this proposal.

Assorted partners have offered the following comments regarding this project:

"Our experience with . . . the ACWP has been valuable and we believe the organization can foster an understanding of issues and concerns for all stakeholders in the basin. . . I believe only positive results will come when interested parties communicate and various expertise is brought in to shed light on this complex issue that involves both natural dynamics and man's use of the water resources". Stephen F. Logan, Demopolis Site Manager, BW&T Lakes, US Army Corps of Engineers

"As the State Senator representing Senate District 22, I would like to voice my support of the ACWP's grant application . . . The issue is of major concern to many of my constituents . . . The ACWP is ideally suited to address this issue in a consensus-based fashion". Senator Pat Lindsey, Senate District 22

"The community along the river often feels frustrated about the erosion of our property . . . WE hope that through the Partnership our opinions will be heard and respected. . . We are looking forward to working on this issue with the ACWP". Letter submitted and signed by 54 citizens along the Lower Tombigbee River.

"Parker Towing Company is a barge line which has operated on the Warrior-Tombigbee Waterway for over 65 years. We are vitally interested in the well being of the river and support the efforts of the ACWP to address the ongoing erosion issues through a stakeholder inclusive forum". Charles A. Haun, Executive Vice President, Parker Towing Company, Inc.

C. Project Budget – The project budget for Phase II of the project "Erosion and Property Loss Along the Banks of the Lower Tombigbee River" currently totals $112,520, including the $20,000 in Five Star funds being requested. Additional project funds will continue to be sought, in order to implement Phase III of this project to include actual on-the ground protection and restoration projects. The proposed project budget is included with this document as Attachment H.

Attachments already included elsewhere in this report are not duplicated here.

ATTACHMENT A

Participating Agencies & Organizations

Alabama Association of RC&D Councils
Alabama Clean Water Partnership
Alabama Cooperative Extension System
Alabama Department of Environmental Management
Alabama Department of Revenue
Alabama Farmers Federation
Alabama Forestry Association
Alabama Forestry Commission
Alabama Marine Police
Alabama Onsite Wastewater Training Center
Alabama Power
Alabama Pulp & Paper Council
The Choctaw Advocate
Choctaw County Tax Assessor Office
Clark County Democrat
Congressman Artur Davis' Office
The Demopolis Times
Ezell's Fish Camp
Geological Survey of Alabama
Georgia Pacific
Mississippi Department of Environmental Quality
Mississippi State GeoResources Institute
Dr. Tola Moffett, P.E., P.G.
Parker Towing
Pickens County Herald
Riggs Consulting
Senator Pat Lindsey
Senator Richard Shelby's Office
Senator Jeff Sessions' Office
Sumter County
Sumter County Record-Journal
Tombigbee Resource Conservation & Development Council
Tennessee-Tombigbee Waterway Development Authority
The University of Alabama Cartographic Lab
University of West Alabama
USDA-ARS National Sedimentation Laboratory
USDA Farm Service Agency
USDA Natural Resource Conservation Service
U. S. Army Corps of Engineers
U. S. Environmental Protection Agency, Region IV
U. S. Fish & Wildlife Service
Zenah, Hust, Summerford & Williamson

Individual Stakeholders

Thed Spree
Judy Spree
Kathy Hunt
Grant Hunt
Gary Fortenberry
Shirley Fortenberry
Micky Smith
Lolita Smith
Mark Ezell
Patricia Ezell
Mike Cornett
Terry Williamson
Mary Ann E. Hall
Agnew Hall
Jonathan Lowery
Jay Steen
Aprille Cook
George Carpenter
Susan Carpenter
Jim Jeter
Tim Browning
Leslie Nixon
Aileen Nixon
Tyler Gibson
Bennie Johnson
Kathy Johnson
Bart Robinson
John Besh
Janie Woodridge
Danielle Buckalew
Ernest Edgeworth
Ronnie Harwell
Katie Smith
Bass Smith
Barbara Pritchett
Richard Buckner
Charlotte Buckner
Max Joiner
Shawn Manning
James Sullivan
Martha Sullivan
Annie Smith
Stephanie Parten
Sue Smith
Jo H. Beard
Jack Smith
Evan McDonald
Peter Smith
Rodney White
Dalton James Smith
Raleigh Wilkerson
John Moore
Harry Labhart
Don Presley
David Sparrow
Barbara Shoemaker
Billy Shoemaker
Bill Mullins
Herb Vanderberry
Larry Jones
Sharon Jones
Edward Hardrid
Kendall Bush
Sid Nelson
Jimmy James
Brock Reynolds
Chad Spree
Billy Johnson
James Johnston
Jean White

ATTACHMENT H

OVERALL PROJECT BUDGET

Budget Item	Cost	NFWF Funds Requested	Cash Contributions	In-kind Contributions
1. Salaries	$ 58,307	$ 3,952	$ 32,355	$22,000
2. Travel (Boat Survey)	2,790		2,790	
3. Equipment	250		250	
4. Supplies/Materials				
Film	100		100	
Fuel	1,000		1,000	
5. Printing				
Sed Lab Report	500		500	
6. Indirect Cost				
Sed Lab – 20%	8,505		8,505	
7. Contractual Services				
Mr. Wade Riggs	10,000	10,000		
8. Data base development				
Mileage @ .485/mile	485	485		
Lodging (6 nights)	300			300
9. Newsletter				
Layout/Printing	770	550		220
Postage	615	615		
10. Stakeholder Workshop				
Speaker Fees/Expenses	3,548	3,548		
Copying Costs	300	300		
Meal	550	550		
Facility Fee	250			250
AV Equipment	250			250
11. Project Support	3,000			3,000
12. Project Administration	16,000			16,000
13. Volunteer Time/Services	5,000			5,000
Total Project Cost	**$ 112,520**	**$ 20,000**	**$ 45,500**	**$ 47,020**

Budget Item Justification

Budget Item #1 - Salaries

- $3,500 requested from NFWF will compensate (nonfederal) staff employed by the University of Mississippi Civil Engineering Department for work preformed on the Sed Lab study.
- $32,807 – Cash contributions from the AL Assn. of RC& D Councils and AL Soil & Water Conservation Committee paying for additional salaries associated with Sed Lab study.
- $22,000 – In-kind salary of Dr. Andrew Simon (federal), Sed Lab, project manager.

Budget Item #'s 2-6 – Items associated with Sed Lab study, paid for by cash contributions/grants from the AL Assn. of RC& D Councils, AL Soil & Water Conservation Committee and Laura Jane Musser Fund.

Budget Item #7 – Contractual services of Mr. Wade Riggs, project facilitator for data base development.

Budget Item #8 – Travel expenses associated with data base development: 1000 miles at current state mileage reimbursement rate of $ .485 per mile; Overnight accommodations provided by the University of West Alabama (6 nights at $50/night).

Budget Item #9 – Production and delivery of a stakeholder newsletter:

- Layout by University of West AL print shop at $45 / hour x 6 hours = $270; printing cost for 2,000 newsletters approximately $500, with UWA Print Shop donating $220 worth of services as in-kind.
- Postage – Mailing of 1,500 newsletters @ $ .41 each; leftover newsletters will be used as public relations tools, distributed by stakeholders.

Budget Item #10 – Stakeholder Workshop

- Speaker Fees and Expenses – payment of speaker fees, overnight lodging and travel expenses.
- Copying Costs – written materials for workshop
- Meal – Providing food for approximately 75 workshop participants
- Facility Fee – Provision of workshop location by stakeholder
- AV Equipment Rental – Donation of equipment for use at workshop by stakeholder

Budget Item #11 – Project Support: assorted services provided by the Alabama Farmers Federation, including meeting coordination (notification and recruitment of stakeholders), securing meeting locations, and location of additional funding sources.

Budget Item #12 – Project Administration: grant administration and project oversight provided by the Alabama Pulp and Paper Council and the Alabama Clean Water Partnership. Project coordination and implementation will also be provided when needed.

Budget Item #13 – Volunteer time and Service: Time spent in meetings, travel to and from meetings and events, coordination of meeting details (location, speakers, etc.), recruitment of partners, provision of boats for river tours, etc.

Attachment L

Press Clippings