



## **EXECUTIVE COMMITTEE**

### **Minutes**

### **March 22, 2017**

The Executive Committee of the Metropolitan North Georgia Water Planning District Governing Board met on Wednesday, March 22, 2017 at 9:00 a.m. in the Harry West Room at the R. Charles Loudermilk Center for Regional Community in Atlanta, Georgia.

#### **Members Present**

Hon. Boyd Austin, Chairman

Ms. Katie Kirkpatrick, Vice Chair

Mr. Birdel Jackson, Secretary/Treasurer

Hon. Buzz Ahrens

Hon. Charlotte Nash

Cobb County Designee: Judy Skeel

DeKalb County Designee: Margaret Tanner

Fulton County Designee: Nick Ammons

Henry County Designee: Tony Carnell

#### **Members Not Present**

Hon. Kasim Reed

Hon. Jeff Turner

Chairman Boyd Austin called the meeting to order.

#### **Approve Meeting Minutes**

Chairman Austin called for a motion to approve the minutes December 7, 2016. A motion to approve the meeting minutes was made by Vice Chair Katie Kirkpatrick, seconded by Mr. Birdel Jackson and passed unanimously. Chairman Austin and Hon. Buzz Ahrens abstained.

#### **Drought/Litigation Update**

Ms. Katherine Zitsch provide an update on drought conditions in the Apalachicola-Chattahoochee-Flint (ACF) River Basin. Lake Lanier remains 10-feet below full pool elevation. Assuming average rainfall through summer, Lake Lanier may drop further.

Ongoing litigation includes the Cobb-Marietta Water Authority case v. the US. Army Corps of Engineers (USACE) regarding storage contract withdrawals. Two other cases in the Alabama-Coosa-Tallapoosa (ACT) River Basin are also ongoing including the Cobb-Marietta Water Authority, State of Georgia, and Atlanta Regional Commission v. the USACE as well as the State of Alabama, Alabama Power, and the cities of Mobile and Montgomery v. USACE. The Florida v. Georgia Supreme Court case over equitable apportionment of ACF Basin flows is also ongoing. The Special Master has recommended to the Court that they deny Florida's claims based on the fact that the USACE is not a party to the lawsuit. The Court is likely to take the case between October 2017 and June 2018.

The following questions were asked:

Q: Why was the USACE not a party in the lawsuit?

A: The USACE has sovereign immunity and chose to exercise it early in the case – meaning they chose not to participate in the case. Ultimately, the State of Florida elected to proceed with the case without the USACE as a party.

Q: Has there been any movement on the Record of Decision (ROD) on the ACF Water Control Manual?

A: Our understanding is that is pending.

### **ARC/District Administrative and Staff Services Agreement Confirmation**

Mr. Danny Johnson reviewed the conversation at the December 2016 Executive Committee Meeting where the ARC/District Administrative and Staff Services Agreement was discussed. The Executive Committee then discussed the benefits of the agreement and various ways the agreement could be updated. The group agreed that the agreement details could be improved and updated before the June 2017 Executive Committee Meeting. This could be performed by Metro Water District staff working through Doug Hooker and Boyd Austin.

There being no further business, the meeting was adjourned.