

Kerr Lake 216 Study Status 12/18/14

1. Report has been sent to the USACE Southeast Division (SAD) with a Quasi Run of River (QRR) recommendation.
2. Draft (environmental assessment & preferred alternative) will be published for public comment.
3. Public has 60 days to file formal responses to the draft and these will comprise the “record”.
4. SAD will issue a Record of Decision (ROD). As far as we know, there is no time limit on how long this can take.
5. If USFWS doesn't like the decision, they can theoretically appeal through “elevation” whereby the Sec of Interior negotiates with the Sec of Army. That will not happen as the USFWS is one of our prime supporters' and stakeholder.
6. Anyone that doesn't like the decision, we have to sue the Corps.
7. Appeals will be based on the “record” created.
8. If QRR prevails Wilmington will be obligated to incorporate it into the Kerr Water Control Plan. There is no deadline for this either.

! Late Good News – 12/11/14 !

USACE SAD says concern about hydropower losses has been 99% alleviated. They do not see any chance that this issue will block a QRR recommendation. There is now no danger that the study will be killed as an overdue "legacy study".

The study will be presented **not** as a section 216 recommendation, which would require higher level approval, but as a **change in the water control manual**, which can be approved in Atlanta and which requires a less extensive review process.

(This change does not require any capital expenditure or funding approval)

The Corps is streamlining the study to deal with just QRR, eliminating things that had been considered from time to time such as a water quality structure in Kerr Lake.

One contributor to the delay is the log jam of things to be approved in Atlanta, with few staff people to do it.

By RRBA