

MEMORANDUM FOR RECORD

SUBJECT: John W. Flannagan Advisory Panel Meeting

1. The meeting was held at 1300 hrs on 13 May 2009 at the Breaks State Park.
Attending the meeting were:

Gwyn Dutton	Senator Jim Web
Matthew Quinn	Breaks State Park
Richard Echols	Ky. Dept. of Fish and Wildlife Resources
Bill Kittrell	Va. Dept. of Game and Inland Fisheries
Gene Counts	American Whitewater/Friends of the Russel Fork
Jason Foley	Kentucky Whitewater
Brent Austin	Bluegrass Whitewater
James Stapleton	Russell Fork Water Watch
Steven Ruth	Elkhorn City Adventure Tourism and Development Liaison
Charlotte Mullins	Dickenson Co. Va. Industrial Development Authority
Gerald DeLong	Pike Co Tourism
Chris Eberly	VISTA
Rick Egedi	Sheltoewe Trace Outfitters
Tim Belcher	Elkhorn City Area Heritage Council, Inc.
Jim Schray	CELRH-EC-WM
Dave Meadows	CELRH-EC-W
Chip Miller	CELRH-OR-JFP
Audrea Edwards	CELRH-OR-JFP
Marty Davis	CELRH-OR-JFP
Gene Davis	CELRH-OR-BSA
Randy Campbell	CELRH-PM-PD-F
Alison Rogers	CELRH-PM-PD-R
Peggy Noel	CELRH-PA

2. PURPOSE:

In response to the increased interest in the operation of John Flannagan Reservoir and the resulting challenges in project management, the Huntington District convened the panel to attain advice and guidance for the resolution of future conflicts among the divergent resource interests.

Panelists are expected to provide information and advice from their perspective viewpoints and attempt to understand other members' positions.

The Huntington District will fully consider the advice of the panel members. Any changes to the Project Operational Plan will be coordinated with the appropriate State and Federal agencies and fully meet applicable laws. The details of the plan will be presented to the Advisory Panel before a final decision is made.

3. MINUTES:

Mr. Meadows welcomed everyone to the meeting, thanked them for their interest and initiated introductions.

Mr. Counts noted that he had four goals he was hoping to address: (1) recognize there were 4 different reaches below Flannagan, (2) continue fall releases potentially adding Friday releases of 300-400 cfs release, (3) decrease the summer minimum flow to store water to provide a 6 hour release between 300-400 cfs during summer weekends, (4) and recognition of the 3 seasons below Flannagan: spring which does not require much management, summer which is traditionally low flow, and fall during which he would like to see Friday releases.

There were no additions to the purpose statement of the Panel.

It was suggested that a Trout Unlimited and a lake boater representative be included on the panel.

Mr. Schray reviewed the authorities governing operation of the project: flood control, low flow augmentation (fish habitat, water quality control), fish and wildlife conservation, recreation, water supply, and accommodation of special uses not specifically envisioned provided they do not adversely interfere with authorized project purpose and are in the public interest. He observed that actions that do not fall into these areas or that significantly affect other project purposes must be addressed through a detailed study to determine their effects and feasibility.

Mr. Meadows observed that downstream recreation was not an authorized project purpose but there was some potential to tweak operations if the COE was able to reevaluate operations from a basin wide perspective.

Mr. Campbell reviewed the processes necessary to initiate a basin wide study noting that congressional approval and funding was necessary. He observed congress would set the funding levels for the local sponsor and the COE would use all funding as directed by congress. Mr. Counts noted that at the last meeting regarding Flannagan operations that he had attended the 6 national political representatives agreed to pool their resources to get a basin wide study going. Mr. Campbell responded that although the COE had provide information requested to the congressional representatives, the COE had not been authorize or funded to proceed on this work.

A number of questions were raised: where the clog in the system was and if the state and locals provide 100% of the funding, could the study move forward? Mr. Campbell did not have a response to the first question but noted that although a study could move forward with local funding, the COE could only act if authorized by Congress. In summary, it was estimated that a study would take 2 years, cost around \$250,000 and the local sponsor could provide their contribution in a non-monetary way.

Mr. Counts indicated that he did not think raising the local funds would be a problem. Mr. Austin asked if the group could get a copy of the budget and timeline for the study.

Mr. Campbell explained the process to get an appropriation, acknowledged that the study might cost more than estimated, and explained that the COE could not lobby congress or ask other to.

Mr. Stapleton(?) asked if the previous years releases set a precedent. (In 2008, a request was made and granted to the Bluegrass Wildwater Association for a swift water rescue training course on the Russell Fork below Flannagan. To accommodate this request which was determined to be in the public interest and have no negative effect on other project purposes, the COE provided 200 cfs for a period of 8 hours on Saturday and Sunday July 19 and 20.) Mr. Schray replied that the COE was not authorized to manage the water as requested outside of the specific rescue training class. Mr. Meadows reiterated that a basin study will address these concerns.

Mr. Egedi asked how often the requested flow could be provided through minor deviation and observed that they would like to plan for them. Mr. Counts observed that they would like to advertize them to attract people to the Russel Fork. It was observed that the COE could not do that. Ms. Mullins asked if we can publish our releases in advance. It was noted that the paddlers already disseminate that information already.

Ms. Dutton indicated that if the group would send her information she would push for local initiatives.

Mr. Meadows observed that the COE needed to balance funding of all our needs and Basin studies are low on the priority list.

Mr. Schray reviewed Mr. Egedi's request to modify the fall release schedule, starting the releases 30 minutes later. Mr. Egedi observed that he has been to Ratliff hole and noted that not many paddlers are in the water when the water arrives. The general trend of the conversation indicated that the Elkhorn City interest were considering changing their position and supporting the request. Mr. Meadows observed that the industry needs to agree on this request making sure that they including the private boater perspective.

It was noted that the most of the users on the Russel Fork were canoes and Kayaks as the breaks was to dangerous for rafts. The low summer releases would expand the number of individuals who would be attracted to the gorge.

Mr. Schray summarized Mr. Stanley proposal to shift the whitewater releases dates from October to September thereby shifting the whitewater users out of the peak foliage tourist times. The Group apposed the idea noting that most of the paddlers would not come to the Russel Fork until after Gauley season ended.

Mr. Kittrel observed that there was a significant constituency of anglers in the lake and river who were under represented in the panel. He was concerned with releases in the summer as Flannagan was a warm water fishery. During the late summer the Walleye stack up by the tower and every flood event pulls them downstream Below Flannagan is a stocked trout fishery, active from Oct 1- May 31. Brown trout are reproducing on the pound river. In response to the claim that summer releases would help the trout fishery, he wanted to see the data supporting that idea. In conclusion, he observed that we needed to be careful not to impact the lake fishery.

Mr. Echols observed that at Paintsville Lake they were also concerned about spring and summer releases flushing out the cool water that the walleye needed later in the year. They were also concerned that lake fluctuations threatened the spawning season.

Mr. Counts observed that it was Trout Unlimited's position that trout fry need flushing to stay alive (150-300 cfs).

Mr. Kittrel observed that the only trout spawning occurring downstream was brown trout and they spawn in the fall. He noted that the whitewater release was probably is flushing out the gravel the need and observed that there should not be any fry in the summer. Mr. Echols described Kentucky's sampling program and Mr. Kittrel agreed that summer releases at the 200-400 cfs would not hurt the trout. He then updated the Didymo problem below the project. Didymo is a cold water algae that is growing in the stilling basin. It does not come from the project. It was suggested that the COE pre-flush the Didymo prior to the weekend release to decrease the likelihood that the boaters would carry it into other watersheds. However, it was observed that when the paddler realized an early release was occurring, they would show up for the early release. There was some concern about carrying Didymo to other watersheds.

Mr. Stapleton observed the there were 75 species of native fish in the watershed and suggested that the team should focus on these fish rather than on the exotic fish like trout. Mr. Kittrel agreed that anytime we can mimic natural flows it is better. Mr. Stapleton observed that boater don't want to impact native species.

Mr. Schray agreed to revise the agenda for next year to include other interests in the main body.

Mr. Counts indicated that he will contact the 6 national representatives and send information to Pike and Dickenson Co.

Mr. Miller indicated that we needed to include the secondary interested groups on the lake especially flat-water fishermen.

Mr. Meadows set the next meeting for December of 2009 after the season was over and Mr. Quinn agreed to host the panel at the Breaks again.

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