

Aaron Smith (USACE): Mr. Smith welcomed everyone to the meeting. He asked that everyone introduce themselves, as new members from the Corps team were here, including Nick Krupa, operations manager for the Muskingum Projects, Brian Maka, new public affairs officer, Jay Aya-ay, Chief of the Environmental Analysis Section, and Gus Drum, a Community Planner.

Mr. Smith went over the agenda and the take-aways provided, including a new copy of the Zoar Levee and Diversion Dam, Dam Safety Modification Study schedule. Other take aways included draft copies of the minutes from the August 18, 2011 meeting for review, a list of acronyms the Corps uses regularly, and a translation of the schedule activities.

Mr. Smith asked if there was anything members of the committee wanted to discuss.

Rodney Cremeans (USACE): Mr. Cremeans suggested he update the group on the pump station electrical issue. Mr. Cremeans gave an overview of the pump station and said the Corps understood that AEP would have the new transformers installed in two weeks.

Aaron Smith (USACE): Mr. Smith asked George Kane of the Ohio Historical Society on a progress update on the status of the National Historic Landmark (NHL) status of the village.

George Kane (OHS): Mr. Kane said he didn't expect to hear from the National Park Service (NPS) on the permission to start NHL Nomination until mid to late October 2011.

Aaron Smith (USACE): Mr. Smith asked if the Ohio Historical Society had contacted the National Trust for Historic Preservation.

George Kane (OHS): Mr. Kane stated he had not yet had a chance to contact them.

Sandy Ragon (Cider Mill / Resident): Ms. Ragon asked what the National Trust was.

George Kane (OHS): Mr. Kane explained that they were a national organization dedicated toward advancing historic preservation and that they maintained a list of the top 10 most endangered historic properties and OHS wanted to get Zoar listed.

Sandy Ragon (Cider Mill / Resident): Ms. Ragon asked what the benefit of being listed is.

George Kane (OHS): Mr. Kane responded by saying it would validate the national significance and importance of the Village to national historic preservation interests and concerns and it would raise awareness of the danger to the Village to a larger, broader audience.

Aaron Smith (USACE): Mr. Smith then turned over the floor to Jay Aya-ay, his boss and Chief of the Environmental Analysis Branch in Huntington to discuss how we study and assess the impacts alternatives can have on other social effects and community impacts.

Jay Aya-ay (USACE): “Taking Into Account Social Considerations” provided as a 9 page hand-out.

Mr. Aya-ay explained that while the Corps has had guidance on Other Social Effects (OSE) since the 1970s, it has frankly taken a back seat to economics. But in recent years, more guidance has come out and put more emphasis on the intangible such as social effects and how do we as the Government takes into account these effects during feasibility studies.

Mr. Aya-ay started with a brief discussion of the Four Accounts from the Principles & Guidelines (1983) for water resources planning. These accounts include: (1) National Economic Development (NED) account; (2) Regional Economic Development (RED) account; (3) Environmental Equality (EQ) account; and (4) Other Social Effects (OSE) account. Mr. Aya-ay explained that there is a new draft of P&G that puts more emphasis on intangibles and less than on economics. The new guidance applies to all federal agencies doing water planning. This draft of the new P&G can be found by Google or on the Council on Environmental Quality (CEQ) website.

Mr. Aya-ay then went through a discussion of the evolution of how Social Effects are defined thru time and treated differently. The three statutes and/or policies that really define Social Effects are the Flood Control Act of 1970, the Principle & Guidelines (P&G) of 1983 / and ER 1105-2-100 of 2004 which is the Planning Guidance Notebook for the Corps.

However, Mr. Aya-ay stated that one consistency is the concern about the disruption to cohesion, welfare, quality of community life, and desirable community and regional growth.

Gus Drum (USACE): Mr. Drum pointed out that disruption to community growth does some have monetary associations, they are quantifiable, but our rules don't allow us to account for them in the National Economic Development (NED) analysis, and need to be included in the study in other qualitative ways.

Jay Aya-ay (USACE): Mr. Aya-ay stated that there is overlap between Other Social Effects (OSE) and other accounts, including Environmental Equality (EQ) account.

Mr. Aya-ay also stated that several statutes through time have require analysis, but until recently there has been a tendency to discount the role and importance of OSE and it really was never seriously considered in the decision making process. However, this trend is changing and the Government and society as a whole is starting to realize that we need to apply the same emphasis in decision making on non-economic or intangible factors that affect quality of life.

This change in attitude has resulted in new guidance from Institute for Water Resources (IWR).

Aaron Smith and Gus Drum (USACE): Mr. Smith & Drum pointed out that IWR is a think-tank wing of the Corps and their guidance can be found on-line and we can provide hard copies.

Jay Aya-ay (USACE): Mr. Aya-ay added that IWR's website can be found through Google. Mr. Aya-ay also pointed out that the new Principles & Guidelines being developed for water resources planning put much more emphasis on Other Social Effects (OSE) and Environmental Quality (EQ). Mr. Aya-ay suggested that the group Google Chapter 1 of the new P&G. He added that the Public comment period is closed out, but you can also read what comments were made on the draft policy.

Holley Thouvenin (Resident): Ms. Thouvenin asked how many chapters the new P&G have.

Jay Aya-ay (USACE): Mr. Aya-ay replied that there are two chapters, but Chapter 1 is the most applicable to Water Resources Planning.

Mr. Aya-ay provided the group a table that shows how OSE has been considered through time. He suggested we focus on two columns, The first column displays Engineering Circular (EC) 1105-2-409 and gives you an idea how OSE was considered in the past. Whereas, the right-hand column gives a good indication of how the Corps accounts for OSE today.

To summarize, Mr. Aya-ay stated that in the past, OSE was accounted for internally and with limited involvement with stakeholders, like project sponsors. Today we reach out and include the community in understanding OSE.

Aaron Smith (USACE): Mr. Smith pointed out that for this study, we really need community input on how taking action or not taking action would impact the community and community cohesion and also what types of mitigation could be necessary.

Jay Aya-ay (USACE): It is very important that we talk about can we mitigate for impacts to Community Cohesion.

In terms of selection of a plan to avoid social or community impacts that is different from a National Economic Development (NED) a waiver from the Assistance Secretary of Army for Civil Works (ASA -CW) waiver is required

Mr. Aya-ay continued that there are challenges to capturing and considering social and community impacts, because they are contextual and not quantifiable. However, the bottom line is that in the new IWR guidance, social considerations are not secondary to NED.

Holley Thouvenin (Resident): Was unclear what we would be seeking a waiver from?

Aaron Smith (USACE): Mr. Smith clarified that the waiver would be from the policy we have that requires that we select the NED plan. He also stated that when you select a plan that deviates from the NED plan, the local sponsor of the project is usually required to buy-up 100 percent the difference in cost between the NED plan and the recommended plan. Therefore, it is also likely that a waiver from 100 percent buy-up might be necessary depending on the ability of the local sponsor.

Scott Gordon (Zoar Village Council): Mr. Gordon asked what is baseline: how to assess cohesiveness or how to you compare it to the economics or rate it against the economics?

Jay Aya-ay (USACE): Mr. Aya-ay stated that is a comparison between qualitative and quantitative measures.

Scott Gordon (Zoar City Council): Mr. Gordon was still not clear on how these impacts were weighted against the economics. He wanted to know if there is specific guidance on how to compare between the two accounts? He asked if there are other studies that have done this and can be relied upon for precedent.

Gus Drum (USACE): Mr. Drum stated that how we account for OSE is in its infancy, but basically you want to make sure that your plan, even if it's the NED plan doesn't kill the patient by curing him. In other words, if the NED plan has such significant effects to the community and environment in ways that are not accounted for in the economic analysis, you are justified and picking another plan. The key is the get the data to present the narrative that backs up the argument being made and that is where the community needs to participate in the study.

Aaron Smith (USACE): Mr. Smith pointed out that we would probably develop a rating system per alternative to rate the significance of impact, for example 1 to 10 or Red, Yellow, Green – rate based on input we get about the level of significance associated with each impact.

Scott Gordon (Zoar Village Council): Mr. Gordon asked are you looking at it elevation 916 in terms of performance – so you are going to want to use Dover Dam to full capacity?

Rodney Cremeans (USACE): We have to look at without project condition and forecast what assume what would be reasonable to do.

Aaron Smith (USACE): Mr. Smith clarified that we want to address all significant failure modes, with the goal to make Zoar Levee and Diversion Dam be able to meet authorized purposes. But we have to forecast how we would react in a no action scenario to compare to taking action. We have to consider

how we would react if Dover Dam was operating properly and Zoar Levee was not and storm event occurred that required loading Dover Dam's flowage easement to levels that would put the Village of Zoar at risk. Mr. Smith stated that preventing loss of life was our number one priority.

Gus Drum (USACE): Mr. Drum stated that we have precedence for choosing a project based on Other Social Effects (OSE) that required a deviation from the National Economic Development (NED) plan.

Pat Ragon (Cider Mill / Resident): Mr. Ragon clarified that when you say community in respect to Zoar, it is more than just the Village. The community affected by Zoar is regional, national and international. People from around the world come to see and value this village for its heritage, including German, descendants, tourists and academic scholars.

Gus Drum (USACE): Mr. Drum responded that we need that data from you all so we can include it in the narrative. Zoar is obviously a significant piece of American History, but what it means to others outside of the Village is something we need your help capturing in a credible way. Without supporting documentation for those claims, vertical reviewers will question those claims.

Aaron: Provide log books and back-up data.

Scott Gordon (Zoar Village Council) : I am still struggling with how we weigh this data against the economics

Jami Buchanan (USACE): There is really no way to do a one-to-one comparison between qualitative measures and dollar. But, if we don't feel the National Economic Development (NED) plan is the right answer, we need the qualitative data to back up the decision.

Aaron Smith (USACE): Mr. Smith clarified that we would probably create some rating system to measure the severity of impacts by resource type and matrix that against the effectiveness, completeness, and efficiency of each alternative. If impacts to resources were so severe, it would make it hard to pick that alternative, especially if reasonable mitigation alternatives could not be developed. However, he emphasized the need to have the data that supported the impacts.

Judy Meiser (Cobbler Shop / Resident): We can give you visitation data, dollars associated with, we can get you the figures and pull them together and get them to you . How far back would you like us to go.

Jay Aya-ay (USACE): As far back as you have this information.

Judy Meiser (Cobbler Shop / Resident): I have 30 years worth registers from my Bed and Breakfast. Also, you cannot find a more cohesive community, unless we all lived in one house. Zoar Village is as a tight community as you can get.

Aaron Smith (USACE): Jay, we are certainly asking the community to provide us with all they can, but it is up to the Government to capture this data, correct?

Jay Aya-ay (USACE): Yes, we can collect this information through studies, surveys and workshops. However, sometimes it is more important what we get directly from the stakeholders. We would like to scan in visitation logs or any other supporting data you have.

Pat Ragon (Cider Mill / Resident): Can you clarify exactly what you are looking for, do you want information on address, phone numbers, etc?

Jay Aya-ay (USACE): We don't want to collect any person information, but the location of visitor's residence and how many you had would be appreciated.

Gus Drum (USACE): I would be especially important to know if they are repeat visitors – it shows they are a consistent part of the economy.

Aaron Smith (USACE): I would encourage you all to work together as a community to gather this information across business lines.

Pat Ragon (Cider Mill / Resident): What is Saving America's Treasures – could that help?

George Kane (OHS): Saving America's Treasures is an unfunded imitative. It would be more appropriate to contact the National Trust for Historic Preservation and try to get on their list of 10 most endangered historic properties .

Judy Meiser (Cobbler Shop / Resident): How would the National Trust affect the study?

George Kane (OHS): This is a group with a national perspective on significant historic preservation issues around the county. Getting their support would lend credibly to the argument we have that Zoar is a national treasure.

Judy Meiser (Cobbler Shop / Resident): What impact do letters from visitors have on the study?

Jami Buchanan (USACE): Recently, most of letters received have come from visitors, relatives of village resident, and descendents.

Nick Krupa (USACE): Yes, but should they encourage those letters, do they have any impact?

Jami Buchanan (USACE): Absolutely. Knowing the views of the affected public is critical.

Gus Drum (USACE): It is also important to know who the affected public is, in other words, it sounds like visitors, tourists, relatives, and descendents are feeling impacted. I think having descendent support would be a powerful tool.

Dave Bennett (Bolivar Resident): I think it is important to note that Zoarville didn't get protected and Zoar did, there is a reason for that..

Pat Ragon (Cider Mill / Resident): One thing that concerns me, is the small size of the village and the perception that can have when considering the effects.

But it would be a mistake to think the size of the village is representative of the effect losing it would have. Those of us to choose to live here are only stewards of an important resource, historically, today and in the future. We work to preserve it for everyone around the country that has and does value it and takes advantage of the unique opportunity it provides to learn about a significant piece of American history. But we are also a living community and in many ways we are still a communal village. We work together as a cohesive group to preserve this place, interpret this place, and provide a unique valuable American experience that cannot be experienced elsewhere. We do this not because we have to. In fact there is no ordinance in town that requires us to maintain our properties for historical value. We do it because we want to for the future residents and visitors. Zoar will be occupied long after we are gone, and we feel obligated to make sure it is a viable place for the future. The options being considered will do more than impact a small village to 200 hundred people.

If fact, I don't think the true impact will ever be registered. You should consider the social impact from just doing the study. Today, Zoar is a neurotic community – we are in denial – we are trying to separate ourselves from the reality of your study and most can't handle thinking through all the implications. This room should be packed, but right now there are two prevalent schools of thought that are keeping people away. One, the Corps won't do anything to harm the Village so why bother. Two, there is a real sense of hopelessness, most believe that the Corps is going to make the decision regardless of their participation and don't believe they can have any impact on the outcome. The bottom line is that many residents are disassociating themselves from the current situation for sanity's sake.

George Kane (OHS): It is important to remember that we have a strategy forward and it is incumbent on us to build this qualitative case. We need to take this message to those who are in denial, those who can't believe they can do anything and communicate that we have strategy to give them hope and get them to participate.

Gus Drum (USACE): Everyone needs to realize this is not a foregone conclusion. The Government is just starting this study and the collection of information and intelligence can often change the early pre-conceptions of a study. Mr. Drum pointed out, while it is a qualitative case, that doesn't mean it can't influence decisions.

George Kane (OHS): There are probably hundreds of communities with 200 people in Ohio, and if most disappear the loss will not be great beyond the immediate loss of the town. The loss of Zoar is beyond the community and will be felt nationally amongst a lot of communities.

Aaron Smith (USACE): Mr. Smith pointed out that while we were discussing qualitative accounts, that mitigation costs have to be accounted for in total project cost and thus, impacts to community cohesion, historic properties, and environmental resources do have an economic value as well.

Rodney Cremeans (USACE): Mr. Cremeans scheduled the next meeting for Thursday October 20, 2011 between 7-830 pm at the Zoar School House.

THE MEETING WAS ADJOURNED