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UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

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Keowee-Toxaway Hydroelectric : Project No. 2503-147  
South Carolina and North Carolina  
Duke Energy Carolinas, LLC :  
- - - - -x

Public Scoping Meeting  
Request for Comments on the PAD  
Study Requests

Seneca High School Auditorium  
100 Bobcat Ridge  
Seneca, South Carolina 29378  
Wednesday, June 15, 2011

The public hearing, pursuant to notice, convened at 6:13  
p.m. before a Staff Panel:

- STEPHEN BOWLER, FERC
- PATTI LEPERT, FERC
- RACHEL McNAMARA, FERC
- ELISABETH BLAUGH, FERC

Also:  
JENNIFER HUFF, Duke Power, Project Manager

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## 1 P R O C E E D I N G S

2 MR. BOWLER: If everybody's ready, we will get  
3 started and open the evening scoping meeting for the Keowee-  
4 Toxaway Hydroelectric Project relicensing review.

5 I'm Stephen Bowler with the Federal Energy  
6 Regulatory Commission. I'll be doing a brief presentation  
7 to get us started, in the midst of which Jennifer Huff from  
8 Duke Power Carolinas, LLC will join in to present the  
9 project operation and facilities so we all have a good  
10 baseline understanding of what we're talking about; and then  
11 I'll come back to the podium to get us started on taking  
12 your comments, which is the main reason we're here today.

13 So my presentation will involve introducing my  
14 peers who are here from FERC and covering the reason we're  
15 here. The anticipated schedule, and a brief, really brief  
16 overview of our regulatory process, try to place where we  
17 are in context of that process.

18 Explain how you can get information into our  
19 record, in addition to tonight, and then we'll have the  
20 project description and cover the scope of cumulative  
21 effects, and then we'll go through the procedures for  
22 comment tonight and get started with that.

23 I'm the Acting Project Review Coordinator,  
24 leading the time who will be reviewing this relicensing  
25 application when it comes in, and engaged in this part of

1 the process we call pre-filing. And Monte Terhaar, who is  
2 not with us; he's not on this trip, but he's a civil  
3 engineer on the project. Patti Lepper is out in the lobby,  
4 she'll be in in a minute; she was just in there handing out  
5 scoping documents. She'll be covering cultural resources on  
6 this project for FERC. Rachel McNamara is covering  
7 recreation and land use. Elisabeth Baugh is with our Office  
8 of General Counsel, and is part of our team as Attorney  
9 Advisor. And Sarah Florentino, who is not with us, will be  
10 covering terrestrial resources and threatened and endangered  
11 species.

12 So we have an interdisciplinary team that will be  
13 working on this and reviewing the information you provide  
14 us.

15 Our purpose in being here, which is under our  
16 regulations, and under the National Environmental Policy Act  
17 and several other laws that we try to combine into our  
18 process, we're required to evaluate environmental effects of  
19 the relicensing of the hydro power project, and scoping is  
20 part of the National Environmental Policy Act. It's for us  
21 to early in the game identify issues and concerns that you  
22 have and that need to be addressed as we do the NEPA  
23 document later in the process.

24 And we'll be soliciting input from all parties,  
25 from state and federal agencies, Indian tribes,

1 nongovernmentals, individuals. We started the process on  
2 our end with a scoping document which was issued on May  
3 17th; and that was in response to the filing of the pre-  
4 application document by Duke.

5 This is a slide that gives an overview of our  
6 regulatory process; this is called the Integrated Licensing  
7 Process, and we are in the top row, which is pre-filing.  
8 Everything we're doing now is to help make sure that the  
9 application that's presented to us has the information we  
10 need to do our environmental analysis in the post-filing  
11 phase, and to do the NEPA document. And to cover the issues  
12 thoroughly and make sure the studies are done to provide the  
13 information in that application for that review.

14 So the initial proposal and information document,  
15 the pre-application document came in, and we are now in the  
16 second box on the first row, which is scoping meetings and  
17 public comment. Following this phase, we'll transition into  
18 the study development phase, and I'll talk more about that  
19 in a moment; and then Duke will conduct the studies and  
20 prepare the application. And once they file the application  
21 with us, then we'll move in to obviously the post-filing  
22 phase, and which we'll be looking at the potential effects  
23 and the mitigation proposals, and we'll have more  
24 opportunity for public comment. We'll have an environmental  
25 document with meetings held on that.

1           And ultimately our role as staff is to make sure  
2           that we have a fair and open and understandable process to  
3           get all these issues on the table and get them studied; and  
4           then in the post-filing phase for us to analyze them and  
5           make a recommendation to the five political appointees who  
6           we serve as staff, so that they can make a decision on  
7           whether and how to relicense the project.

8           In terms of the schedule, the broad schedule,  
9           we're in the scoping phase which started in May with our  
10          document and will go through your comment period in July --  
11          I'll give the specifics in a bit -- then that study planning  
12          phase will go from July to January and the studies will be  
13          carried out. At this point the schedule is proposed for two  
14          years, and that will lead to a preliminary license proposal,  
15          which is a precursor to the license application.

16          So the type of information we're asking for is,  
17          we want to know about any significant issues that should be  
18          addressed in the environmental assessment. The scoping  
19          document that we distributed has preliminary list of issues.  
20          We want to hear about any other issues that you would  
21          suggest we add to the list, or modifications of the issues  
22          as we've framed them.

23          We also are asking for study requests to kick off  
24          the study development phase of the process; so these, we're  
25          asking you to identify studies that you believe are needed

1 to address the issues you're concerned about. And in this  
2 case, we're asking that you specifically follow criteria,  
3 which I'll outline in a moment, and how you describe those  
4 studies.

5 We're also asking for information or data that  
6 you know about that we don't at this point, describing the  
7 conditions in the area; and we're asking that you point us  
8 to any available data that it's not clear that has already  
9 been presented in Duke's materials or in ours. And we're  
10 asking you to comment on those documents that we and Duke  
11 have put out so far, the Preliminary Application Document  
12 from Duke and our scoping document.

13 And finally, any plans or future plans,  
14 foreseeable plans that could affect the context of the  
15 analysis we're going to be doing.

16 Specific comment dates for all those things I  
17 just listed, the published deadline is July 15th, 2011, and  
18 we encourage you to make that date. It turns out that our  
19 notice went out one day later than we intended because of a  
20 little glitch, so we will accept them on the 16th; but we're  
21 keeping the schedule the same rather than create confusion,  
22 and we will get back on schedule by taking a day off of one  
23 of our deadlines rather than off of one of yours.

24 So try for the 15th, but we will take them  
25 through the 16th so you get the full sixty days. And then

1 Duke will be holding meetings on the proposed study plan,  
2 which we will participate in, in that study planning  
3 process; and that will be kicked off with their proposed  
4 study plan at the end of August, and then the meetings, and  
5 then they'll revise that study plan, and then if there are  
6 issues that can't be, that are left unresolved from the  
7 negotiations, the Commission makes a determination on where  
8 the study should fall in terms of the different positions.

9 And you can file, in addition to today you can  
10 file comments on the website, at FERC.gov, and there's a  
11 link and there's on-line support and a number to call if you  
12 have trouble. Everything in this proceeding is going to be  
13 referred to under this docket, P-2503 and the subdocket,  
14 147.

15 And the glossy brochure that we had out on the  
16 table has more about filing comments, about accessing  
17 information on our electronic library. Everything in this  
18 proceeding is available on our website except for a few  
19 things that are limited because of security reasons or  
20 whatever; but almost everything is publicly available and  
21 can be accessed through the eLibrary system.

22 You can also, if you want to keep on the project,  
23 you can eSubscribe to it, and you'll get e-mail  
24 notifications when things are filed into the record, and the  
25 nice thing about it is we send you the link, not the

1 document, so you can decide whether you want to download it.

2 Finally, before we go to the facilities and the  
3 operation, I want to cover the study criteria, because these  
4 are critical to the study negotiation process and to the  
5 determinations that the Commission makes on the alternate  
6 disposition of the studies. And there are seven criteria.

7 One is that there are clear goals and objectives  
8 described. For the resource agencies, they would describe  
9 the resource management goals, or for the Indian tribes.  
10 For the nonagencies, it would be explaining the relevant  
11 public interest considerations in regard to the study you're  
12 proposing.

13 The fourth criterion is to explain the existing  
14 information relative to the information that you're asking  
15 for. What is available and why is there more information  
16 needed?

17 It's important to explain the nexus between the  
18 project operations and the effects and the study that you're  
19 addressing in the study. proposing. Obviously if the issue  
20 is not affected or indirectly or cumulatively by the  
21 project, it's not likely to be of great concern in this  
22 process, even though it might be important in another  
23 process, or another realm.

24 The sixth criterion is that you explain the  
25 methodology in as much detail as possible and refer to any

1 evidence or information on the methodology you're proposing  
2 being an accepted practice in the particular field.

3 And finally, we do ask an estimate of the level  
4 of effort and cost of the study you're proposing, which is a  
5 factor in analyzing the value of the information relative to  
6 the cost.

7 So with this, I'll step back and let Jennifer  
8 Huff from Duke describe the project operations and  
9 facilities, and then I'll come back to get us started on the  
10 comments.

11 Presentation by Duke Power

12 MS. HUFF: Good evening. My name is Jennifer  
13 Huff, and I am Duke Energy's Project Manager for the Keowee-  
14 Toxaway relicensing effort.

15 So I'd like to thank everyone for attending  
16 tonight and expressing interest in the relicensing effort.  
17 It's an important project for Duke and we know it's an  
18 important project for the region.

19 This is our second meeting, as Stephen said, and  
20 it's also the second day that I've spent talking about the  
21 project. So if I repeat something for those of you who've  
22 been before that you've heard, my apologies; and if I  
23 forget to say something, my apologies and I'll try to cover  
24 that later.

25 Stephen's asked that I provide an overview of the

1 project. When we talk about the Keowee-Toxaway  
2 Hydroelectric project, we're referring to two hydroelectric  
3 developments: Keowee Hydro Station and Jocassee Pumped  
4 Storage Station.

5 The project is located primarily in two counties;  
6 Oconee and Pickens County, South Carolina. A small portion  
7 of Lake Jocassee extends up into North Carolina into  
8 Transylvania County.

9 The project was originally constructed and is  
10 operated to support the generation of electric power. It  
11 also serves as a public water supply, and it also provides  
12 numerous recreational facilities for the public. It's an  
13 important project for Duke in that roughly 22 percent of our  
14 generating capacity is located here at the Keowee-Toxaway  
15 project in the Carolinas, 22 percent of our generating  
16 capacity in the Carolinas.

17 The project itself has a generating capacity of  
18 867.6 megawatts. It was originally licensed in 1966 for 50  
19 years. So our current license expires on August 31st of  
20 2016. By FERC regulations, we must submit a license  
21 application no later than August of 2014.

22 I'm going to now go into a little bit more detail  
23 about each of our two developments, and I'll start with the  
24 upstream development, the Jocassee pumped storage station.

25 Jocassee is a pumped storage station, and for

1 those of you who are not familiar with pumped storage, I  
2 wanted to provide a brief overview of it.

3 In its generation mode, Jocassee operates like  
4 every other conventional hydro facility, in that water flows  
5 from Lake Jocassee through the turbines into Lake Keowee,  
6 generating electricity that then goes out onto the grid.  
7 However, Jocassee can also take water, pump water from Lake  
8 Keowee back up into Lake Jocassee, thereby saving it for  
9 future use.

10 Pumped storage is currently the only large scale  
11 method that Duke Energy has available to it to store  
12 electricity for future use, and that is part of the value of  
13 Jocassee pumped storage station, is it's ability to store  
14 that electricity in the form of water, for later use.

15 Lake Jocassee has approximately 92 miles of  
16 shoreline including the islands, and roughly 7,980 acres of  
17 surface area. The bulk of the property adjoining Lake  
18 Jocassee is held by North Carolina and South Carolina  
19 agencies for conservation purposes and public recreation.

20 Based on our last recreation use and needs study,  
21 Lake Jocassee and the area immediately surrounding it  
22 receives approximately 325,000 visitors per year. So clearly  
23 that's an important recreational asset for the region.

24 The area around Lake Jocassee, if you're not  
25 familiar with it, is very isolated and primarily rural;

1       there are lots of back country opportunities up around  
2       particularly the northern end of Lake Jocassee.

3                 In addition to our use of Lake Jocassee for the  
4       operation of Jocassee pumped storage station, Bad Creek  
5       pumped storage also uses Lake Jocassee as its lower  
6       reservoir. The Bad Creek Project is a separate pumped  
7       storage station with its own FERC license that expires in  
8       2027. It has a generating capacity of 1,065 megawatts. And  
9       of course the lake is used for a great deal of recreational  
10      boating, kayaking and fishing.

11                We have four units at Jocassee, with a combined  
12      generating capacity of 710.1 megawatts; so the bulk of the  
13      generating capacity at the project is at Jocassee. The full  
14      pond elevation at Jocassee is 1,110 feet above mean sea  
15      level, and we currently have a operating band of 30 feet,  
16      which means that we can draw Lake Jocassee down to 1080  
17      feet. We typically do that only in times of severe and  
18      extended drought.

19                We generate at Jocassee typically during high  
20      demand periods of time. And for Duke, that typically occurs  
21      on a hot summer afternoon or on a very cold winter morning.  
22      We then pump water from Lake Keowee back up into Jocassee  
23      during periods of low demand. And for us, that's typically  
24      at night and on weekends; and that allows us to utilize  
25      excess power from our baseload facilities like, Oconee

1 Nuclear Station and some of our larger coal-fired  
2 facilities, and take that excess power and use it to refill  
3 Jocassee, so we can generate with the water when we need it.

4 Now Keowee is the downstream development. It is  
5 a conventional hydro; in accordance, there's no pumping  
6 capability there. The Lake Keowee is much larger than Lake  
7 Jocassee. Lake Keowee has approximately 388 miles of  
8 shoreline, including its islands, and roughly 17,700 acres  
9 of surface area. Unlike Lake Jocassee, a significant  
10 portion of the adjoining shoreline at Lake Keowee has been  
11 developed in residential housing, most of it single family.

12 The reservoir is also used to support the  
13 operation of Oconee Nuclear Station. Keowee Hydro of course  
14 impounds Lake Keowee, which provides the cooling water for  
15 Oconee Nuclear Station, but the hydro itself also provides a  
16 backup power supply for Oconee. Currently we operate Lake  
17 Keowee to support the operation of Oconee; so therefore our  
18 drawdown is restricted to 5.4 feet.

19 In addition to the support for Oconee, Lake  
20 Keowee is also a regional drinking water supply. There are  
21 two drinking water intake on Lake Keowee. One is for the  
22 Greenville water system and the second is for the City of  
23 Seneca.

24 Like Jocassee, there's also a significant amount  
25 of recreation occurring within the project. Based on our

1 last recreation use and needs study, approximately 900,000  
2 visitors visit Lake Keowee and its facilities per year.

3 Keowee hydro station has two units with a  
4 combined generating capacity of 157.5 Megawatts. The full  
5 pond elevation at Keowee is 800 feet above mean sea level.  
6 Per our license, we are allowed to draw Lake Keowee down 25  
7 feet. However, because of various operational constraints  
8 at Oconee Nuclear Station, as I mentioned, we are currently  
9 limiting the typical drawdown at Keowee to 5.4 feet.

10 We typically operate Keowee for a number of  
11 different reasons; we will use it to provide backup power  
12 supply for Oconee Nuclear Station. We also, at the  
13 discretion of the operators at Oconee Nuclear Station, will  
14 dispatch Keowee to meet the demand on our system for peak  
15 power. We will also operate Keowee to provide downstream  
16 flow release to the U.S. Army Corps of Engineers Hartwell  
17 Project, and to meet the requirements of an agreement that  
18 Duke has with the U.S. Army Corps of Engineers and the  
19 Southeastern Power Administration.

20 That agreement is an attempt to balance the  
21 storage between Duke's Keowee-Toxaway project and the U.S.  
22 Army Corps of Engineers' Hartwell and J. Strom Thurmond  
23 projects. That requirements requires Duke to release water  
24 when the Corp's remaining usable storage is less than 90  
25 percent. And that typically happens when we're in some sort

1 of extended drought period.

2 I wanted to touch briefly on some of the  
3 opportunities that there are for the public to provide input  
4 into the relicensing process. Stephen touched on some of  
5 the ways to provide input to FERC. These are some of the  
6 ways to provide input to Duke, as we're moving forward with  
7 relicensing.

8 We currently have eight relicensing teams. One  
9 of those teams is the stakeholder team, and that team is  
10 charged with a number of responsibilities, one of which is  
11 to ensure efficient communications between the  
12 representative organizations and Duke as we move forward  
13 with the relicensing process. That team is also charged  
14 with negotiating a relicensing agreement. If that  
15 relicensing agreement can be reached, it would set forth  
16 what the parties believe, the way the parties believe the  
17 project should be operated for the next license term, which  
18 will be 30 to 50 years.

19 We also have our seven resource committees, that  
20 are focused on technical issues. The members of those  
21 resource committees are primarily technical resource experts  
22 who have helped us identify and scope the 14 studies that  
23 Duke has already proposed and that are presented in the Pre  
24 Application Document.

25 We will then have at least 14 study teams that

1 will implement the studies that Duke does as part of  
2 relicensing. And those are the scientists, the engineers,  
3 the computer modelers who are actually going out in the  
4 field and implementing the studies, reviewing the study  
5 findings and determining what that means with respect to  
6 continued operation of the project.

7 The public has an opportunity to provide input to  
8 all of those groups; and that, along with the expertise of  
9 the members of the relicensing teams, will be reflected in  
10 the relicensing documents that Duke prepares and ultimately  
11 files with our application.

12 I'll also point out that all of the consultation  
13 record for the comments that we receive are incorporated  
14 into the consultation record that gets filed with the  
15 license application. We currently have 33 different  
16 organizations participating in at least one of the  
17 relicensing teams, not including Duke; and I'm not going to  
18 read these. If you're interested in seeing which  
19 organizations are participating, this information is  
20 available on our website.

21 There are a number of ways to stay informed about  
22 what's going on with relicensing. Stephen has already  
23 talked about the FERC's website, [www.FERC.gov](http://www.FERC.gov); and you can  
24 register there to be notified whenever there's any official  
25 submittal or issuance in this proceeding. Duke also has a

1 relicensing website with a much longer address than FERC's.  
2 I'm going to read it for you, so I'm giving you warning  
3 right now if you want to get ready to write it down. It is:  
4 [www.Duke-Energy.com/lakes/Keowee-Taxaway-relicensing.aspect](http://www.Duke-Energy.com/lakes/Keowee-Taxaway-relicensing.aspect)

5 I know that's a lot to remember; so as an  
6 alternative, just Google Keowee-Toxaway relicensing and it  
7 will take you right there. I've done it, and I know it  
8 works.

9 We also have started sending out an electronic  
10 newsletter; actually, we send out a link to the newsletter,  
11 roughly quarterly. If you're interested in subscribing to  
12 that newsletter, you can send an e-mail requesting that to:  
13 [KTrelicensing@Duke-Energy.com](mailto:KTrelicensing@Duke-Energy.com). We just distributed our June  
14 newsletter a couple weeks ago, so it's posted on the website  
15 if you didn't get it and you want to see what's going on.

16 If you prefer not to go the electronic route, we  
17 also have printed hard copies of some of the major  
18 relicensing documents at local libraries. That's the Seneca  
19 Library, the Salem Library, the Pickens Library, Walhalla  
20 and Clemson. So as we proceed through the relicensing  
21 process, we will be providing hard copies of the major  
22 documents to those libraries.

23 And last but not least, if you have any questions  
24 throughout the relicensing process, you can contact Duke  
25 Energy's relicensing team at the e-mail address:

1                   KTrelicensing@Duke-Energy.com

2           and we'll get back in touch with you.

3                   So that concludes my remarks for the evening.  
4           I'd like to conclude by thanking the folks who've been  
5           involved. As I mentioned, this project is important to Duke  
6           and our customers. Roughly 22 percent of our generating  
7           capacity is represented here at the Keowee-Toxaway area.  
8           When you add the Keowee-Toxaway project, Oconee, and Bad  
9           Creek.

10                   It's all important to the local community for the  
11           tax base and the employment base; it's also important to the  
12           region that depends upon it for drinking water.

13                   So we thank all of you who have been involved in  
14           working on the relicensing effort with us since 2009, and we  
15           look forward to working with you going forward.

16                   MR. BOWLER: Thank you.

17                   Since we're talking about scoping, here's the  
18           scope of what we're scoping. The issues that we see as  
19           cumulative effects, having cumulative effects, relate to  
20           aquatic and terrestrial resources, and the geographic scope  
21           for the aquatic resources that we're proposing at this time  
22           is to include the Jocassee and Keowee contributing  
23           watersheds down to the outflow of Lake Thurmond.

24                   For the terrestrial resources, we're proposing  
25           that the scope, geographic scope, include only the

1 contributing watersheds and the immediate area around the  
2 reservoirs. The temporal scope for both, we're  
3 preliminarily identifying as -- actually, this is pretty  
4 standard, 30 to 50 years, the licensing range, concentrating  
5 on effects from reasonably foreseeable future actions.

6 So now is the point where we get to comments.  
7 And we have only six or seven people signed up, and we have  
8 a bit of time, so I'm not going to establish a specific time  
9 limit; just ask people to be concise and efficient. If  
10 anybody hasn't signed and wants to speak, please do, or at  
11 the end I'll ask if anybody else wants to speak.

12 Make sure that when you come up, it worked well  
13 today if the microphone's working again, to come down to  
14 this podium here, to my right, your left. And then please  
15 state your name and spell your name for the court reporter.  
16 We do have a reporter here who will keep a record of this  
17 that ultimately will be in our public record on line; and  
18 until it's there you can purchase it from the transcribing  
19 company.

20 And again, if you have written comments with you  
21 today, give them to the court reporter. If you want to file  
22 them, we have gone over some of that and it's in the  
23 brochure.

24 Are there any questions about procedure?

25 Any questions about the overall process?

1           If not, I will call up the first speaker, who is  
2 Dana Leavitt. And I'll give a heads-up to the second  
3 speaker, who is Carl Dreter.

4           MR. LEAVITT: My name is Dana Leavitt, I'm with  
5 Upstate Forever. I'm the Director of Special Projects.  
6 Thank you all for giving us an opportunity to give input on  
7 this relicensing.

8           The following comments relate only to the  
9 recreational land component of this process. Upstate  
10 Forever will be offering additional comments regarding the  
11 water resources.

12           We believe, as far as the recreational lands are  
13 concerned, (1) Duke promised in the application to make  
14 virtually all its land available to free public hunting,  
15 fishing and hiking, almost 75,000 acres.

16           (2) It included in Exhibit R to its original  
17 application a lease in South Carolina for 68,000 specific  
18 acres and also had a lease for 13,000 specific acres in  
19 North Carolina.

20           And (3) it made these promises to the public and  
21 the Commission; and

22           (4) the License itself, in reliance on the  
23 application and the lease provides that Duke will provide  
24 for free public access and full public utilization of these  
25 lands adjacent to the reservoirs and the power facilities.

1 And those lands include the lands identified in Exhibit R in  
2 the lease.

3 I would like to highlight specific examples from  
4 the original documents which contain these promises. First  
5 is Duke's license application filed January 4, 1965. This  
6 is the document where Duke put in writing and on public  
7 record its promises to the Federal Power Commission and by  
8 the extension to the public.

9 Near the beginning of the application, a direct  
10 commitment on page 4 that except as need for operation of  
11 the power works Duke will develop and protect, in the public  
12 interest, 74,000 acres. Here's what it says:

13 Duke has already acquired in fee over 100,000  
14 acres of land in the vicinity of the project area. Only  
15 about 26,000 acres of land will be flooded by Keowee and  
16 Jocassee reservoirs. As indicated below, the lands not  
17 flooded by reservoirs will be developed and protected, and  
18 the public interest to the maximum practical extent  
19 consistent with the proper operation of the project works.

20 Page 6. Again, here is another representation  
21 that the bulk of the 75,000 acres will be managed for game  
22 management among other things. Quote: Nearly 75,000 acres  
23 of the land surrounding the project area are forest, and  
24 developing the hydroelectric phase of this project, the  
25 watershed and the forest development will proceed apace.

1 Forest areas not needed for public recreation or industrial  
2 development will be managed for watershed protection, timber  
3 production, and game management.

4 The application makes clear that the forest  
5 management lands are not off limits to public access.  
6 Quote: Other uses for forest are planned in addition to  
7 timber production. Therefore, forest management plans will  
8 be developed in a way compatible with outdoor recreation and  
9 fish and wildlife management.

10 Page 7. Attached to the application is Exhibit  
11 R, the recreation plan. It begins by stating: Duke plans  
12 to develop the maximum recreational potential of this  
13 project. Exhibit R, page 1, Duke states; The proposed plan  
14 set out below will, in the opinion of Duke, provide for full  
15 public utilization of the project waters and adjacent public  
16 lands for recreational purposes, provided it is consistent  
17 with the proper operation of the project for the development  
18 of a water power and other public purposes.

19 Exhibit R, page 1. Under Wildlife Management  
20 Area, Duke states: Duke has entered into a lease with the  
21 South Carolina Wildlife Commission for the establishment of  
22 a public area, hunting area on 60,000 acres of land  
23 adjoining the project area. The lease provided for  
24 protection, managing and propagating of stream fish, turkey,  
25 deer and small game. After the establishment of the

1       adequate wildlife population, the area will be open to  
2       public hunting and fishing under standard recreation or  
3       restrictions in hunting and fishing license requirements.  
4       This area would also be available for hiking, camping and  
5       trail riding with provisions for camp grounds and sanitation  
6       facilities operated under the concession lease.

7                 Exhibit R page 2. Also in Exhibit R there are  
8       commitments for service areas for public access and for  
9       recreational complex, among other things.

10                The application is the document Duke wrote when  
11       it was trying to get public and Commission approval of the  
12       project. It makes very sweeping promises of maximum  
13       possible public use, public access and wildlife management  
14       of the acreage, apart from the area necessary for the  
15       operation of the power project, making a public commitment  
16       in writing to the Commission and to the public that it would  
17       make at least 60,000 and sometimes approaching 75,000 acres  
18       available for public recreation, hunting, fishing and  
19       hiking.

20                The next document I would like to highlight is  
21       the lease. The application references Duke's lease of  
22       December 3rd, 1964 between South Carolina National Bank as  
23       the trustee, and the South Carolina Wildlife Resource  
24       Department.

25                On August 16, 1965 after the original application

1 was submitted, the lease was submitted to the Commission to  
2 be part of the Exhibit R. That lease, (1) leases the  
3 hunting, fishing and trapping rights on 68,000 acres on  
4 Oconee and Pickens County (2) Provides that Duke may use  
5 the property for timber management, public recreation other  
6 than fishing and hunting and minerals, and for any other  
7 purposes they may desire. (3) Allow South Carolina DNR to  
8 designate the areas as a ground for controlled public  
9 hunting. (4) Allow South Carolina DNR to improve wildlife  
10 habitat.

11 Duke committed to keep virtually all of its  
12 property, about 75,000 acres, open to the public for public  
13 use and wildlife management, while it could at the same time  
14 engage in timber management. As long as this lease was kept  
15 in force and not terminated, then the commitment was  
16 substantially complied with. If Duke ever chose to  
17 terminate this lease, it would have to find some other way  
18 to satisfy this broad commitment.

19 Currently, Duke has not maintained this number of  
20 acres available to the public.

21 The next document is the actual license. The  
22 license narrative at the beginning references Duke's plans  
23 for public recreation. It recites that Duke's witnesses  
24 testified, quote: "As to the recreation program proposed by  
25 Duke at the project, it also notes that the Department of

1 Interior, which had first raised concerned about the  
2 project, wrote a letter, May 20, 1966, quote: That the  
3 recreational development plan proposed by Duke afford an  
4 adequate base for development of a recreational potential of  
5 the project, and recommended then that conditions related to  
6 future recreation development be included in any license  
7 issued for the project.

8 So far as is consistent with proper operation of  
9 the project, the licensee shall allow the public free access  
10 to a reasonable extent to project waters and adjacent  
11 project lands owned by licensee for the purpose of full  
12 public utilization of such lands and water for navigation  
13 and recreational purposes, including hunting and fishing.

14 Duke has not fully satisfied the obligation that  
15 it incurred when it forever altered this tremendous public  
16 resource, and that it has not fully lived up to its  
17 commitments at the time it obtained the original license.

18 The final point should be that Duke committed to  
19 providing sixty to seventy-five thousand acres of land for  
20 recreational access, and we currently only have  
21 approximately 40,000 acres; and that 40,000 acre number  
22 includes the 33,000 acres that were purchased back by the  
23 State of South Carolina, the Jocassee Gorges.

24 In order to obtain another 50-year license, Duke  
25 needs to take certain steps to compensate the area for the

1       tremendous loss of habitat, cold water fisheries, land area  
2       and recreational opportunities due to the inundation of  
3       thousands of acres of prime wild area. Thank you very much.

4               MR. BOWLER: Thank you.

5               Karl Deter, followed by Todd Steadman.

6               MR. DIETER: My name is R. Karl Dieter. K a r l  
7       D i e t e r.

8               I'm speaking as an individual, but hopefully on  
9       behalf of those who like to fish, canoe, kayak. July 15th  
10       will be the fifth anniversary, I purchased a Sea Kayak, and  
11       I should have by then 2500 miles, most of it on the lakes  
12       Upstate in South Carolina.

13               So the first point I want to address is greater  
14       public access, which was already mentioned. On Keowee  
15       there's relatively little access. For example, on the  
16       Eastern Shore, the access on the south is from either South  
17       Cove or the marina there in Seneca, and then the next access  
18       is only at, I believe it's the Crow landing at the northern  
19       end of the lake. There's also no access near the dam for  
20       small vessels; canoes and kayaks.

21               So I would like to suggest that there needs to be  
22       greater public access; and one of the things that might be  
23       helpful for the constituency that I mentioned would be  
24       accesses that would have fishing docks and parking space so  
25       that would be available for canoe and some kayaks that don't

1 have to mix with the motorboat traffic on Lake Keowee.

2 The second point that I wanted to address would  
3 be more restrictive shoreline management. So this impacts a  
4 number of things; it impacts the wildlife floor and fauna  
5 protection, which has already been mentioned. It affects  
6 water quality, and it also affects aesthetics.

7 So for example, one such restrictive might be a  
8 greater buffer between the water and the development; a  
9 second restrictive component might be no new permitting of  
10 individual boat docks on Keowee; and new boat dock  
11 facilities would be single facility for a new development or  
12 community.

13 And then I guess the final point was just one of  
14 safety, and it just dawned on me momentarily; and that is I  
15 cawed the Keowee River to the Keowee Dam, and I am unable to  
16 make any distinction between the various sirens as to  
17 whether it's the operation of the plant or it portends  
18 release of water for hydroelectric generation. I paddled  
19 there while electricity was being generated and found that  
20 relatively easy to handle; but if the floodgates are open,  
21 that might be a totally different story. There are no  
22 schedules, since the controls are operated in Charlotte. So  
23 I would suggest there be some distinct signal for release of  
24 water for those using the recreational activities below the  
25 dam. Thank you.

1 MR. BOWLER: Thank you.

2 Todd Steadman, followed by Chris Starker.

3 MR. STEADMAN: My name is Todd Steadman, it's T o  
4 d d S t e a d m a n. I'm a resident and native to Pickens  
5 County. And I was at the session earlier today, and heard a  
6 lot of good ideas from citizens and agencies who were  
7 interested in working with Duke to advance some things and  
8 to include some things; everything from reconstructing Fort  
9 Prince George to increasing the guidelines for the shoreline  
10 of Keowee in particular; access was brought up earlier today  
11 as well. All ideas which seemed fair and reasonable to me.  
12 And I defer completely to the Department of Natural  
13 Resources, which did a presentation today about some of the  
14 issues they were concerned with in regard to habitat and  
15 clean water and general conservation.

16 But I'm here for one reason, and it's none of  
17 those. And it's not to ask Duke to do something new, but to  
18 ask the FERC to look into whether or not Duke has fulfilled  
19 its original obligation to open land, as Dana had mentioned.

20 This is a promise that was made 50 years ago, and  
21 50 years is a long time, and lot has happened in 50 years,  
22 and a lot has been forgotten.

23 You've heard a little bit from Dana already, and  
24 you will hear from others, I suspect; a lot of different  
25 numbers related to this promise. I've heard everything from

1       100,000 acres to 60,000 acres to be set aside by Duke for  
2       conservation of wildlife. And it was one of the selling  
3       points they used to sell this to the people of Oconee and  
4       Pickens County back in the early Sixties.

5               My research shows that the most defensible number  
6       -- and I may be wrong but I believe this to be true -- is  
7       68,000 acres is what was promised to be set aside for  
8       conservation, to be enjoyed by all and to be managed by the  
9       Department of Natural Resources. So far they've provided  
10      somewhere between 40- and 48,000 acres; that's 20,000-  
11      something acres short. These are by the conservative  
12      numbers. And most of which, as Dana mentioned, they did not  
13      give back to the people of South Carolina; they sold that.  
14      I think they originally bought the property for around \$83  
15      an acre, and when they sold it back to the DNR, it was  
16      somewhere in the range of 1600 and 1800 acres. I heard  
17      today 2000 acres.

18              Regardless, they sold it back at a tidy profit.

19              Now there's a lot to be said about the unique  
20      character of this part of the world; our natural beauty, our  
21      cultural heritage. But one thing we shouldn't overlook is  
22      the uniquely fiercely independent people that comprise  
23      Pickens and Oconee County. We are a proud people and we're  
24      honest people. And as such, we say what we mean and we mean  
25      what we do.

1                   And some of the frustration that Duke may have  
2 heard or will hear in the months ahead about this process  
3 may simply be a matter of a sense of some of us that they  
4 have not finished what they started or done what they said  
5 they were going to do. And in short, they had not made good  
6 on their promise to all of us.

7                   The fact of the matter is that the very  
8 development of the Keowee-Toxaway project has increased the  
9 desirability of living here; provided power, recreational  
10 opportunities, cheap power, clean water, all good things for  
11 Pickens and Oconee Counties. And as such, much of the open  
12 land that Duke could have preserved has now been gobbled up  
13 because more and more people wanted to move here. It's kind  
14 of common sense.

15                  And it's no longer accessible to the public.  
16 Meanwhile, over the last 50 years, Duke and its shareholders  
17 have made a lot of money off the land that they own, made  
18 money off the land they sold, and they've made money off of  
19 the land that they flooded.

20                  I don't have a problem with people making a  
21 profit; and again, Duke has provided great jobs, they  
22 provided a lot of positive things for the community. Let's  
23 call all that water under the bridge or over the dam or  
24 water past.

25                  All I'm asking is the FERC take serious look at

1       whether or not Duke has honored their agreement to the  
2       people of this area, and in fact the entire state. Do they  
3       owe us at least 20,000 acres? I believe they do and that  
4       they should work with the various agencies and individuals  
5       and organizations to help make this whole. There are a lot  
6       of properties that need to be protected her, and Duke is in  
7       a position to do this.

8                 The reason I think it's important is we need this  
9       land as wildlife habitat; clean water -- it's what they said  
10      they would do. It's the right thing to do, for those of us  
11      that they promised to our face and also it's the right thing  
12      to do for the future generations.

13                MR. BOWLER: Thank you. Chris Starker followed  
14      by Monte McGuffin.

15                MR. STARKER: My name is Chris Starker, S t a r k  
16      e r. I am a project associate at Upstate Forever. Upstate  
17      Forever is a nonprofit organization working on conservation,  
18      water quality and sustainable development issues in the  
19      Upstate Region of South Carolina including Lakes Keowee and  
20      Jocassee and the broader Savannah River watershed.

21                We have over 2,000 members, many of whom work  
22      with and recreate in the lake; Keowee, Lake Jocassee and  
23      Savannah River watersheds. And one of our three major  
24      initiatives is our clean air and water program which focuses  
25      on promoting water-friendly development, improving lake

1 shore and streamside water quality management and protecting  
2 and restoring the major rivers, streams and lakes in the  
3 Upstate.

4 We are pleased as a stakeholder in relicensing of  
5 the Keowee-Toxaway project and look forward to continuing to  
6 work with Duke Energy and other stakeholders to ensure that  
7 the new license provides for the protection, restoration and  
8 mitigation of the natural resources within the Upper  
9 Savannah Basin. And we are pleased to offer the following  
10 comments.

11 We believe that additional study plans should be  
12 developed and incorporated into the requirements of the  
13 relicensing process, and that these studies should include a  
14 public recreation lands inventory study. I'll have a few  
15 additional comments on that later.

16 Other studies should include a fish entrainment  
17 study, a tributary streams fish community survey. An  
18 enhanced shoreline erosion study that addresses boat speeds,  
19 impervious cover, land use change, and storm water  
20 management. And an assessment of rare, threatened and  
21 endangered species as well as suitable habitat for potential  
22 rare, threatened and endangered species in the vicinity of  
23 the project.

24 And Upstate Forever anticipates drafting and  
25 submitting a number of these study plans for consideration.

1 Duke has proposed to develop a water quality  
2 model that is based on inputs to shallow coves. This model  
3 should include the effects of varying nutrient flows,  
4 bacterial inputs, turbidity and other pollutant modes from  
5 off project areas, and most importantly, it should have the  
6 ability to vary parameters, to model water quality impacts  
7 of future land changes within the basin.

8 The Upstate of South Carolina is one of the  
9 fastest growing regions in the Southeast. Future build-out  
10 along the project reservoirs is determined primarily by  
11 comprehensive plans and land use decisions of each of the  
12 counties surrounding the project. FERC should require Duke  
13 to address and incorporate future land use maps and  
14 comprehensive plans of Oconee and Pickens Counties into the  
15 relicensing process.

16 Duke has indicated that an assessment is being  
17 completed outside of a relicensing process that looks at the  
18 possibility of modifying the operation and infrastructure of  
19 Oconee Nuclear Station in order to provide additional lake-  
20 level flexibility.

21 Given that Duke has operated the project outside  
22 of the conditions of the initial license and requirements of  
23 the original 1968 agreement, United States Army Corps of  
24 Engineers, the assessment would allow for the evaluation of  
25 the feasibility of complying with the initial license

1 conditions. We believe that the results of this assessment  
2 are critical to informing lake level decisions and  
3 negotiations throughout the licensing process.

4 Because the Bad Creek and Oconee Nuclear Stations  
5 and the Keowee-Toxaway projects are not independent, Upstate  
6 Forever continues to believe that these projects should have  
7 the same license terms, and that the cumulative effect of  
8 the operation of the two projects is not adequately  
9 considered with differing time lines.

10 We also encourage Duke and the Department of  
11 Natural Resources to update the fisheries memorandum of  
12 understanding and have the next iteration last determine the  
13 license, rather than a shorter time frame.

14 Similar durations will ensure that the resource  
15 is adequately managed and addressed throughout the entirety  
16 of the license rather than only for portions of the term.

17 You've already heard testimony from others about  
18 the lands made available for public recreation, so I don't  
19 need to repeat those numbers. However, it is our opinion  
20 that Duke has not fulfilled that commitment made in the  
21 license application and the license itself in numerous  
22 public statements and in testimony, and that sufficient  
23 lands have not been made available to the public.

24 We believe that Duke should complete a study to  
25 investigate compliance with all initial license conditions

1 including but not limited to adherence to the recreation on  
2 public lands commitments of the initial license. In  
3 particular, Duke should provide a detailed accounting of all  
4 activities including property transactions and leases taken  
5 to comply with the initial license, and shall list all land  
6 transactions beginning with lands acquired prior to project  
7 development and ending with the current status of each  
8 parcel.

9 This will determine the extent to which that land  
10 was made available for meeting the original recreational  
11 requirements; how much of that land is currently available  
12 to the public for recreation, and the fate of lands no  
13 longer available to the public.

14 Consistent with an account of public recreation  
15 lands, Duke should identify and justify the changes in the  
16 project boundaries from 1966 and the currently proposed  
17 project boundary. This may include the emission of  
18 transmissions lines, rights-of-way, other structures  
19 critical to the project, and recreational lands, as required  
20 as part of the initial license, from the currently proposed  
21 project boundary.

22 We appreciate the opportunity you've provided for  
23 us to provide you with our comments. Upstate Forever will  
24 be submitting additional comments for FERC by the July  
25 deadline. Thank you.

1                   MR. BOWLER: Monty McGuffin, followed by Bill  
2 Marshall.

3                   MR. MCGUFFIN: My names Monty McGuffin. M o n t  
4 y M c G u f f i n.

5                   I've been a resident here, Oconee County all my  
6 life and I've watched the beginning phases of the Keowee-  
7 Toxaway project, and it has been a blessing to Oconee  
8 County, Pickens County, the Upstate.

9                   Most of these fellows that have spoken  
10 previously, pretty much covered some bases that I was  
11 concerned about; it's basically just as I said, my  
12 livelihood is a fisherman. And so one of the things that I  
13 would like for Duke to show some concern for would be the  
14 fishery on Lake Jocassee. The DNR and Duke Energy working  
15 together, they've created a fantastic trout fishery. But  
16 over the last several years I've noticed a decline in the  
17 bass fishery.

18                   I started fishing the lake in 1971, and I fished  
19 it on a regular basis. Over the last several years, I've  
20 noticed from my own observation the decline in that  
21 population observing basically by cruising the shoreline and  
22 watching fish as they move into spawn. There's fewer, fewer  
23 fish moving in to do that, and recently this year, I spent  
24 several days on the water trying to line up a specific day  
25 to go and catch some fish to do a TV show; that's what I do.

1 On a particular day in late April, we spent some time on the  
2 water, pretty much a whole day. We marked several fish in  
3 the shallows, and when we returned the next day with a film  
4 crew to do a TV show, and the water level had been dropped  
5 about 30 inches.

6 When cold fronts move in, it'll move some fish  
7 out; but on this particular day some of the fish that we had  
8 witnessed up in the shallows, on a bed or a nest, the  
9 following day those nests were exposed; all the fish had  
10 moved out. Some of the were on the nest guarding fry. So  
11 that nest become inviable and that was a nest spawn that was  
12 lot.

13 I know from being a fisherman all my life, across  
14 the country there are utilities, electric utilities that  
15 work with states. At certain times of the year, during spawn  
16 sequences of different species, they work and implement  
17 programs to try to sustain and make viable those spawns.  
18 There's one here in South Carolina right now, the Walleye  
19 fishery is being reestablished on Lake Hartwell through some  
20 great efforts by the Georgia DNR and Georgia Power.

21 So hopefully, with the FERC folks here, and Duke  
22 Energy, maybe even with the DNR, the state of South  
23 Carolina, that's something that they'll look at, because  
24 you've heard that old saying 'if you build it, they will  
25 come.' A lot of those 365,000 visitors -- that was a number

1 given out earlier by this gentleman -- a lot of those people  
2 were visiting the lake to fish. And in the early days, Lake  
3 Jocassee was probably one of the premiere bass fisheries  
4 across the whole nation; and it could be that again because  
5 of the type of water it is, the classification that it is.  
6 So that was one of my concerns.

7 The other concern, was the access to the lake,  
8 the public access. According to the original agreement, it  
9 pretty much states in writing they would provide free public  
10 access, free parking, free launching facilities. To date  
11 that doesn't exist.

12 About five years ago -- and it kind of slipped up  
13 on me; I guess I missed meeting somewhere; but I drove up  
14 one morning to launch a boat, and here are these pay  
15 stations. Luckily I had some money in my pocket, which  
16 happened to be \$2. And that's what it cost me to get in.

17 Since that time, there's been a lot of folks,  
18 especially the local folks, that's kind of been a thorn in  
19 their side, I have made calls previously to Duke Energy and  
20 I've been told that there was free access; however, they've  
21 turned in the parcel of land that gives you egress to the  
22 lake, to the State of South Carolina which is now the  
23 Devil's Fork State Park. And that park encapsulates all the  
24 launch areas on the lake. So to get to them you're going to  
25 have to pay some money.

1           The park people say it's not a launch fee; it's a  
2 fee for entering the state park. When I have approached  
3 Duke Energy on some issues with maintenance on the facility  
4 as far as the dock, the ramps, I've been told it belonged to  
5 the park. So I really don't know who it belongs to. I was  
6 told one time that there is public free access to the lake;  
7 it's in Pickens County, and there is a dock in Pickens  
8 County. You've got to travel through a logging road of  
9 about 12 or 15 miles to a ramp that's crumbled up and  
10 disintegrated; so I can't see many of these people with \$15  
11 to \$70,000 boats driving Denalis and pick up trucks pulling  
12 their rigs through the woods.

13           So I would like for them to look at the fact that  
14 apparently there is no free access to the lake; it is fee  
15 based, and I think that hopefully that free access can be  
16 gained again for the people who live here. I know they take  
17 in a lot of money on that \$2; a lot of folks come here, and  
18 state parks, it's a good thing for the area. But when you  
19 negate allowing the local people access to the lake, I don't  
20 think that's a good thing. Especially this day in time,  
21 when you say \$2, that \$2 fee is not access for a whole  
22 family.

23           If you drive in, one of the rangers -- and you've  
24 got six or seven people, it's \$2 per head. So if somebody  
25 takes their family up there to spend a day on the water,

1 they're looking at a pretty substantial fee for the whole  
2 family. And it's just, you know, kind of a thorn in a lot  
3 of people's side. So I hope that they'll look at that when  
4 this other agreement comes up and they're going to provide  
5 the license. I'd like to see them make an effort to work  
6 and get that back for the County and for the whole area, and  
7 allow people access to the lake.

8 Thank you.

9 MR. BOWLER: Thank you.

10 Bill Marshall is our last speaker who signed in.

11 MR. MARSHALL: Good evening. My name is Bill  
12 Marshall, I'm here representing the Department of Natural  
13 Resources. The last name, Marshall, is N a r s h a l l.

14 I provided comments on behalf of the DNR earlier  
15 today and within those comments I describe some of the  
16 statutory responsibilities that our agency has; the breadth  
17 of those responsibilities. I talked a bit about our  
18 relationship with Duke Energy and how that directly  
19 manifests itself at the Keowee-Toxaway Project, particularly  
20 through management of lands, wildlife areas, fisheries  
21 management, law enforcement and public safety.

22 I'm not going to get into those details because I  
23 was asked to provide an abbreviated version of our comments.  
24 And in the best way to do that is to get in to describing  
25 what our interests are, and our interest in this project

1 will reflect some of the issues that we intend to work on  
2 while we're involved.

3 The DNR has been actively involved in the Keowee-  
4 Toxaway relicensing project for a couple of years now. We  
5 have 13 staff involved, and they're involved in 7 different  
6 resource committees and on a stakeholder team. Our  
7 involvement began in the summer of 2009, and our  
8 participation, consultation within these groups over the  
9 last couple of years have allowed us to provide Duke with  
10 input in the development of their pre-application document  
11 and the studies that are being proposed so far.

12 The DNR's interest and objectives related to the  
13 Keowee-Toxaway project include, and I'll go through an  
14 extensive list here. It generally includes the protection,  
15 enhancement and restoration of natural resources and their  
16 associated values at the project. And a specific interest  
17 will include the following:

18 We're interested in ensuring that the FERC  
19 license recognizes that Lake Jocassee and Lake Keowee are  
20 important public trust resources, and that the project is  
21 managed to achieve public benefits. In the realm of water  
22 quality, we're interested in maintaining or enhancing water  
23 quality conditions to meet state standards and current use  
24 classifications that protect and provide for fish and  
25 wildlife habitat, contact recreation and public water

1 supply.

2 In the realm of water quantity, we want to ensure  
3 the implementation of appropriate water management and  
4 downstream flows to protect water quality, fish and wildlife  
5 resources, and navigation, and meet present and future water  
6 supply needs.

7 More specifically, our interests are to improve  
8 information, plans and procedures for making equitable water  
9 management decisions. We are interested in balancing water  
10 management user needs to protect natural resources within  
11 the Keowee-Toxaway project area and in the larger Savannah  
12 River Basin.

13 We're interested in conserving reservoir levels  
14 and protect adequate downstream flows during drought  
15 conditions.

16 Regarding sensitive species, we're interested in  
17 protecting and enhancing rare, threatened and endangered  
18 species, and species of conservation concern to the State.

19 Regarding aquatic resources, our interests are to  
20 protect and enhance fishery resources and aquatic habitat,  
21 and specifically to minimize entrainment mortality for fish,  
22 stabilize lake levels during spawning seasons to promote  
23 reproduction of fish. To protect and enhance shoreline and  
24 littoral habits for aquatic species, and to enhance habit  
25 and flow conditions in the tail race and downstream river

1 reaches and bypass areas.

2 We have interest in reducing the fragmentation of  
3 populations and genetic isolation of native species and  
4 tributary streams.

5 Regarding terrestrial resources, our interests  
6 are to protect and enhance wildlife and botanical resources  
7 and the related habits that they rely upon. More  
8 specifically we're interested in the protection and  
9 enhancement of environmentally sensitive areas and natural  
10 communities of concern; interests are to protect and enhance  
11 riparian vegetation and habit areas on shorelines.

12 We're interested in minimizing habitat losses  
13 from shoreline erosion and development on the Upland areas.  
14 We're interested in increasing the acreage of protected  
15 natural areas. We're interested in improving management of  
16 power line corridors that exit the project to protect and  
17 enhance habitat conditions and to minimize environmental  
18 impacts. And we are interested in minimizing the spread of  
19 exotic, invasive species.

20 Regarding recreation, our interests are to  
21 protect and enhance public opportunities for fishing,  
22 hunting, wildlife viewing, boating and other outdoor  
23 recreation activities. More specifically, we're interested  
24 in expanding and improving existing areas and facilities to  
25 meet user needs. We're interested in development and

1 location of new areas and facilities based on user needs and  
2 relative carrying capacity varies.

3 We're interested in increasing land areas  
4 designated for outdoor recreation and wildlife conservation.  
5 We're interested in the design and management of access  
6 facilities to minimize crowding and safety problems and to  
7 allow for them to be ADA-accessible.

8 We're interested in improving the safety and law  
9 enforcement among recreational users.

10 And another item I forgot to mention earlier  
11 today was the protection and enhancement of aesthetics at  
12 the project. We have particular interest with views at Lake  
13 Jocassee and from Jocassee Gorges Wildlife Area.

14 In the realm of cultural resources, our interests  
15 are to protect archaeological and historic sites and  
16 resources from human and natural impacts, and to increase  
17 public awareness of the history of the area prior to  
18 inundation.

19 So I think this expression of our interest gives  
20 you a sense of the breadth of our interest and  
21 responsibilities that the DNR has. The number of staff that  
22 are involved will continue to pursue these interests and  
23 work on related issues with the staff at Duke and with other  
24 stakeholders.

25 Regarding further comments, we are continuing to

1 review the PAD and the scoping document and more detailed  
2 comments will be forthcoming for the July deadline.

3 Thank you for the opportunity to provide comments  
4 again this evening, and we'll look forward to working with  
5 you all in the future.

6 MR. BOWLER: Thank you, Bill.

7 Is there anybody who signed up who I haven't  
8 called?

9 Is there anybody who didn't sign up who would  
10 like to speak?

11 Please do.

12 MR. POWELL: My name is Frank Powell, P o w e l  
13 l. And my wife Jane and I have been 25 year residents on  
14 Lake Keowee. And I have the good fortune of spending most  
15 of my days in and around the lake, and I'm shocked at how  
16 well it has done in the time that I have been a resident,  
17 and when I first discovered it in 1974.

18 I want to express just one particular interest.  
19 During the Memorial Day weekend my grandson and I enjoyed  
20 much of the public at High Falls Park nearest our residence  
21 on the lake. We actually broke down there, and met a number  
22 of local people who were kind enough to share cell phones  
23 and food while we hung out to get rescued.

24 And during that time I recognized that many were  
25 a bit upset because they were unable to get into the park on

1       that Saturday, and so they had to show up at 8:30 on Sunday  
2       morning and Monday morning in order to get in.

3               I followed up, and approximately 400 locals could  
4       not be allowed into the park for periods up to about four  
5       and a half hours. Now I felt rather sensitive to that  
6       because as most of you are aware, it was torturously hot  
7       Memorial Day weekend here; and I think when my local  
8       neighbors have difficulty finding recreational opportunities  
9       on the lake, paying their \$2 fees, and are turned away, then  
10      I believe that we ought to be able to work with the  
11      decision-makers at hand to ensure that there will be much  
12      less of that in the future with growing heat and growing  
13      numbers of people, enjoying the Lake's resources.

14              MR. BOWLER: Thank you.

15              Is there anybody else who would like to comment  
16      to the record?

17              Are there any questions about filing or  
18      procedural matters? Or the process?

19              With that, I'll close the evening meeting on the  
20      Keowee-Toxaway Hydroelectric Project. Thank you very much  
21      for attending. And it sounds like there might be some  
22      weather out there, so be safe going home.

23              (Whereupon, at 7:21 p.m., the scoping meeting  
24      concluded.)