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UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION  
Office of Energy Projects

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Hawks Net Hydro, LLC : Project No. 2512-069-West Virginia  
: Project No. 14439-069-West Virginia  
- - - - - x

HAWKS NEST HYDROELECTRIC PROJECT  
GLEN FERRIS HYDROELECTRIC PROJECT

Hawks Nest State Park Lodge  
49 Hawks Nest Park Road  
Ansted, West Virginia 25812  
Thursday, October 18, 2012

The public scoping meeting, pursuant to notice, convened  
at 10 p.m., before a Staff Panel:

- MONIR CHOWDHURY, Project Coordinator, FERC
- ALLYSON CONNER, Recreation, Land Use and Cultural  
Aspects. FERC
- TIM KONNERT, Aquatic Resources, FERC
- EMILY CARTER, Terrestrial and Endangered Species  
Issues, FERC.

1 APPEARANCES (CONTINUED):

2

3 CLEO DESCHAMPS, Esq., Office of the General  
4 Counsel, FERC

5 With:

6 DAVID BARNHART, Hawks Next Hydro,

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

2 MR. CHOWDHURY: Good morning. I would like to  
3 welcome you all to the Federal Energy Regulatory  
4 Commission's public scoping for relicensing of the existing  
5 Hawks Nest Hydroelectric Project, FERC Project No. 2512, and  
6 the existing Glen Ferris Hydroelectric Project, FERC Project  
7 No. 14439.

8 My name is Monir Chowdhury, I'm the Project  
9 Coordinator and an engineer at the Commission. I have with  
10 me several Commission staff members who are working on these  
11 projects, and I would like them to introduce themselves and  
12 ask them to state what resource areas they will be working  
13 on.

14 MR. KONNERT: My name is Tim Connert, and I'll be  
15 handling aquatic resources such as water quality and  
16 fishery, and water quantity issues.

17 MS. CONNER: Hi, I'm Allyson Conner, and I work  
18 on recreation and land use and cultural resource issues.

19 MS. CARTER: I'm Emily Carter, and I'll be  
20 working on the terrestrial and endangered species.

21 MS. DESCHAMPS: I'm Cleo Deschamps, and I am an  
22 attorney in the General Counsel's office.

23 MR. CHOWDHURY: We also have Mr. David Barnhart,  
24 representative for the Applicant, Hawks Nest Hydro, LLC.

25 (Slide / PowerPoint presentations)

26

1                   MR. CHOWDHURY: This is our agenda for today's  
2 meeting, so you know what to expect. I will start off with  
3 some introductory remarks; I'll give an overview of the  
4 process and go over some major milestones; and explain the  
5 purpose of scoping. Mr. David Barnhart will then provide an  
6 overview of the project and the proposed operation. I will  
7 then follow with a discussion of issues that we have  
8 identified and are planning to analyze in our environmental  
9 analysis. I will also discuss criteria that need to be  
10 addressed for requesting new studies; and I'll then open it  
11 up for questions and comments before closing the meeting.

12                   I hope everyone had a chance to sign in; if you  
13 haven't, please do so. We also have some handouts at the  
14 door; copies of the scoping document, and a flow chart of  
15 the Commission's licensing process. So please feel free to  
16 take one.

17                   We have a court reporter here with us who will be  
18 transcribing this meeting, because it will serve as part of  
19 the Commission's official record. So if anyone wishes to  
20 speak, please state your name and your affiliation so the  
21 court reporter can attribute the comments to you.

22                   At the Commission we have a official mailing  
23 list. This is important. For the scoping document, we send  
24 the scoping document to all entities that are in our  
25 official mailing list,

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1 as well as the Applicant's distribution list. But going  
2 forward, future mailings from the Commission will only be  
3 going to the entities that are in our official mailing list.  
4 So if you'd like to be in that official mailing list, please  
5 follow the instructions in the scoping document.

6 We also have a system called eSubscription. This  
7 is very convenient if you want to stay in touch with the  
8 project in terms of filings and issuances by the Commission.  
9 This is basically, once you subscribe to these projects,  
10 once there is a submission or an issuance related to these  
11 projects, you will get a short e-mail, which will not take  
12 up your e-mail space; but there will be a link which you can  
13 click and you can go and look at the document.

14 Hawks Nest Hydro, LLC will be using the  
15 Commission's Integrated Licensing Process, the ILP. This is  
16 a simpler version of that process; gives you an idea of  
17 where we will be heading over the next several years.

18 Very left, in the first box is NOI/PAD, which  
19 means Notice of Intent or Pre Application Document, which  
20 was submitted the end of July this year. We are now in the  
21 second box, scoping phase, over the next several months we  
22 will be working on developing study plans.

23 Once there is an approved study plan in place,  
24 the Applicant will implement those studies and begin  
25 preparing a license application. Once a license application  
26

1 is filed, the Commission Staff will review the application.  
2 If we find it adequate, then we'll issue a notice called  
3 Ready for Environmental Analysis, or REA, requesting terms  
4 and conditions and interventions. And we'll then begin our  
5 environmental analysis.

6 Once our environmental analysis is complete, then  
7 the Commission will be ready to issue a license. A  
8 licensing decision would be expected before the expiration  
9 of the current license.

10 Now the top part is called pre-filing stage; the  
11 bottom part was filing. It basically starts after the  
12 application is filed. Next slide, I'm going to go in more  
13 detail about the pre-filing, because this is very important  
14 in terms of study plan development.

15 This is the detailed view of that process. You  
16 will notice that it is very schedule-driven, and it provides  
17 certainty to all when something is going to happen.

18 We are now in Box 4 which is here; and we are  
19 seeking your inputs, comments and study requests in terms of  
20 issues that should be considered for our environmental  
21 analysis.

22 Based on the comments and the study requests, the  
23 Applicant is required to submit a proposed study plan by  
24 January 5, 2013; then the Applicant will have 90 days to  
25 work with stakeholders and participants to resolve any  
26

1       disagreements in terms of studies. The Applicant is then  
2       required to submit a revised study plan which is due to the  
3       Commission by May 5th, 2013. Once that is submitted, the  
4       Commission will look at all the comments and the Applicant's  
5       revised study plan, and then make a study plan determination  
6       approving studies that the Commission will need for its  
7       environmental analysis. It will also explain if there are  
8       any modifications to the Applicant's study plan.

9               Now I'd like to explain the purpose of scoping.  
10       The Federal Power Act gives the Commission the  
11       responsibility to issue licenses for non-federal  
12       hydroelectric projects. Now from this licensing action,  
13       there could be some environmental effects. The National  
14       Environmental Policy Act, or NEPA, requires the Commission  
15       to disclose environmental effects from its licensing  
16       actions.

17               For these two projects, we are proposing to do  
18       the analysis in an Environmental Assessment document, or EA.  
19       And scoping is part of that process. The scoping document  
20       that we issued in September has a brief description of  
21       project facilities; it also includes a preliminary list of  
22       resource issues that we identified, and planning to analyze  
23       for our EA. And it also includes discussion on studies  
24       proposed by Hawks Nest Hydro.

25               The main purpose for our scoping is to solicit  
26

1        comments and inputs from the public, NGOs, resource  
2        agencies, federal, state and local agencies to make sure  
3        that we identify the issues that we need for our  
4        environmental analysis.

5                So we'd like to talk about issues that we have  
6        identified; we'd like to understand the issues that you may  
7        raise; and most importantly we want to make sure that we  
8        capture all the issues that are needed for our environmental  
9        analysis.

10               This is also the time to begin talking about what  
11        type of information will be needed to address the issues.  
12        We have included discussion of types of information that we  
13        are seeking related to scoping, and that is in the scoping  
14        document. We like to get information that will help us  
15        characterize existing environment, and to analyzed proposed  
16        project's effects.

17               So please let us know if there are any other  
18        developmental activities in this area that will help us  
19        characterize the existing environment, or if there are any  
20        additional plans in the area developed for resources in the  
21        project areas.

22               You can provide comments on the scoping document  
23        and request studies. You can mail your comments or you can  
24        file them electronically; the mailing address is in the  
25        scoping document, and also instructions for electronic  
26

1 filing in the scoping document. And all comments and study  
2 requests should identify the project name and project  
3 number, and should be addressed to the Secretary of the  
4 Commission.

5 I'd now like to turn it over to Mr. David  
6 Barnhart, who will provide an overview of the project and  
7 proposed project operation.

8 MR. BARNHART: Good morning. My name is David  
9 Barnhart, I'm Director of Operations for Mid-America, and  
10 I'm also an officer of the Hawks Nest Hydro and Glen Ferris  
11 facilities. This morning I'd like to talk to you about  
12 Hawks Nest and Glen Ferris' role in the community, in the  
13 area, and discuss some of the technical aspects of the  
14 operation.

15 This first picture is the Hawks Nest Hydro  
16 station. Here you see the substation in the background, and  
17 this is where the generators are housed; this is near Glen  
18 Ferris, West Virginia. Power from the Hawks Nest station  
19 has a frequent of 25 Hertz, and it's specifically designed  
20 to power the equipment at the West Virginia Manufacturing  
21 Association. And as most of you know, 60 Hertz is the  
22 standard voltage. At 25 Hertz, this was specifically  
23 designed to be integrated with the furnaces and equipment at  
24 the West Virginia Manufacturing facility.

25 The entire output of the Hawks Nest station is  
26

1 contracted to and consumed by that facility.

2 The West Virginia Manufacturing plant requires a  
3 constant source of energy from Hawks Nest to operate its 25  
4 Hertz motor power and its 25 Hertz furnaces.

5 Hawks Nest provides 12 percent of West Virginia's  
6 total renewable energy source.

7 Hawks Nest's annual payroll is two and a half  
8 million dollars. Hawks Nest, in 2012 spending with local  
9 suppliers, was approximately one million dollars.

10 The annual property taxes are approximately  
11 \$80,000.

12 Hawks Nest provides foundation giving of  
13 approximately \$30,000 for relief. We have a foundation in  
14 the company, and when there are disasters that occur in  
15 areas near our facilities -- and in this particular case we  
16 were involved with the disaster, with the mining accident of  
17 a few years ago, with providing support for home heating;  
18 and here lately with the loss of power from the grid over  
19 many days, to help support the local community.

20 Continuing operations of the project supports the  
21 Hawks Nest State Park, formal recreation facilities, New  
22 River access and opportunities for diverse river  
23 recreational activities.

24 This map right here represents the section of the  
25 New River that we are on. What's in the circle is our Hawks  
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1 Nest facility. This is the dam, and below is what's  
2 represented as the Dries; and between the dam and the  
3 section here where the Hawks Nest station is, is about 5.5  
4 miles long. And the dotted line here is our transmission  
5 line that attaches the Hawks Nest Hydro facility to the West  
6 Virginia Manufacturing Facility.

7 This is a picture of the Hawks Nest Dam. This  
8 was taken last year at a flow of 41,000 cubic feet per  
9 second. This dam has the ability to pass 344,000 cubic feet  
10 per second. Our utilization is 10,000 cubic feet per  
11 second.

12 Hawks Nest operates and generates following a  
13 general seasonal pattern, and I'll show a picture of that a  
14 little later. And the precipitation that we had in the area  
15 and releases from Bluestone Dam are the most significant  
16 aspects of that. Our watershed is about 7,000 square miles  
17 and parts of North Carolina, most Virginia contribute to the  
18 water that we see in the New River.

19 Hawks Nest is licensed as a run-of-river  
20 facility. That means that essentially there is no pondage  
21 for anything, of whatever water comes in is either used  
22 immediately or spilled over the dam; but at the same token  
23 we also have accountability for protection of the public and  
24 for ramping rates for habitat downstream. So we have a  
25 small ability to fluctuate the pond, but it has nothing to  
26

1 do with production; it's there strictly as fish habitat and  
2 safety.

3 We have a continuous, 100 cubic feet per second  
4 minimum flow that's released from the dam, and that is for  
5 fish habitat. Up to 10,000 cubic feet per second can be  
6 passed through the Hawks Nest tunnel; that's the maximum  
7 capacity of the facility. Any flow greater than the 10,100  
8 cfs -- and that's the combination of the 100 cfs and the  
9 10,000 we can use -- ends up going over the dam and  
10 downstream, and that's on an instantaneous basis.

11 So if there's 13,000 cubic feet per second in the  
12 river, the most that we can use is 10,000; the other 2,000  
13 would end up going downstream.

14 In a typical year, 30 percent of the time the  
15 flow in the New River is greater than 10,000 cubic feet per  
16 second.

17 This is a picture of the Hawks Nest Dam and this  
18 is our impoundment area. Here to the side I'll talk about  
19 the tunnel. This gate is ahead of the tunnel; these two  
20 gantry cranes are controlled by operators; we have 24-hours  
21 a day, 7 days a week coverage; and part of our requirement  
22 is to maintain this pond elevation.

23 This Hawks Nest impoundment is 243 acres. Hawks  
24 Nest is bordered by the facility we're in here today on the  
25 west side, and the railroad tracks on the east side. It's a  
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1 concrete gravity dam, and essentially what that means is is  
2 that it's a piece of concrete that's large enough that its  
3 weight is what keeps it in place. And the spillways are  
4 also concrete construction.

5 The dam has 14 spill gates; each of those are 50  
6 foot wide and 25 foot high, and we use those to end up  
7 spilling water downstream. The 100 cubic feet per second  
8 has a gate that is there constantly. The next 10,000 cubic  
9 feet per second is used for generation. Any usage of water  
10 above that occurs and goes downstream, and we lift these  
11 gates to let that water go downstream and maintain the pool  
12 level.

13 Water conveyance elements. We have a 3.1 mile  
14 tunnel that goes underneath two mountains that transports  
15 the water from the Hawks Nest Dam to the Hawks Nest  
16 generation facility. We have a surge basin and surge tank.  
17 Both of those items are essentially safety valves; if  
18 there's an immediate load rejection, all the water flow has  
19 to stop and it generates a pressure wave; and these two  
20 devices are there to relieve that pressure so it doesn't  
21 overpressure the tunnel. They really have nothing to do  
22 with production or storage there; there are strictly  
23 elements there that are again similar in action to a safety  
24 valve.

25 And the penstock, that's at the lower end of the  
26

1 tunnel. The tunnel breaks up into four arms to each of the  
2 four generators that are located at the Hawks Nest station.

3 This is an interior picture of the Hawks Nest  
4 Hydro station. There are four generators here, the fourth  
5 one being there. Each of those are 25 1/2 megawatts, 35,000  
6 horsepower. To give you a rough idea, one of these machines  
7 essentially would run everything in Beckley.

8 The powerhouse is located 1.6 miles upstream of  
9 the junction of the Gauley River and the New River.

10 Four identical 25.5 megawatt machines gives a  
11 total license capacity of 102 megawatts.

12 We have about 542,000 megawatt-hours of  
13 generation per year on an average year. The minimum load  
14 per machine is approximately 7 megawatts. The minimum flow  
15 to an individual machine is about 800 cubic feet per second.  
16 When we get below that, then you end up creating, you're  
17 outside the normal operating range of the machine and create  
18 damage when you go below that.

19 We have two 5.5 mile-long, 25 Hertz, 69,000 volt  
20 transmission lines that the output of the Hawks Nest Hydro  
21 station to the West Virginia Manufacturing Facility.

22 This is a picture of the bypass reach. This is  
23 just downstream of the Cotton Hill Bridge that you see here,  
24 and then this is farther downstream. I believe this one is  
25 just below the surge basin.

26

1                   The bypass reach is about 5 1/2 miles in length.  
2           The 100 cubic foot minimum flow consists of long, individual  
3           steep and shallow pool segments, connected by shorter runs  
4           and shoals and cascade segments; and most of this is in  
5           definition with habitat studies.

6                   Access to the bypass is generally pretty  
7           difficult; very steep slopes, rugged terrain.

8                   The dam, the Cotton Hill Bridge and the surge  
9           basin are have sirens. The reason for those sirens is  
10          public safety. Any of you that live nearby I'm sure have  
11          heard them; and that's the reason that we have this small  
12          amount of bandwidth on the pool elevation. We have to  
13          maintain the pool below its top edge when there's a load  
14          reduction from the plant; there's nowhere else for our  
15          energy to go, so when the generation is shut off, the water  
16          flow stops, and for us to be able to give any downstream  
17          recreationalists an opportunity to get out of the stream  
18          bed, we use that little bit of reservoir capacity to sound  
19          the sirens and then create a time lag between the time that  
20          the siren sounds and when the water comes. The downstream  
21          sirens are because it takes a period of time for that water  
22          to get there; so we time out so at the Cotton Hill Bridge,  
23          then the siren blows again just before the leading edge of  
24          that water would get there, and then again at the surge  
25          basin, to make sure the recreationalists have a notice of  
26

1 the increase in water coming.

2 Ramping rate is also established for fish  
3 habitat. And it's not my area, but one of the elements of  
4 fish habitat is that you don't have sudden changes in the  
5 water flow, and this ramping rate gives an opportunity for  
6 the habitat downstream to respond to those changes in flow.

7 This is a graph of the USGS gauge that I put  
8 together for the last five years, and you can see the  
9 seasonal variation. All the low ones here are summer  
10 operation; the high ones are winter operation. But one of  
11 the things that doesn't tell an accurate story is just to  
12 look at averages. The New River is an extremely variable  
13 river.

14 So the next thing I did is I took this same  
15 database, but I presented it as a day average for each of  
16 the five years. And that's presented on this graph. So the  
17 years 2008 through 2012, each day is represented here. And  
18 again you can see the variations in the flows that you have  
19 on a day's basis. And in the months that end with May up  
20 into November, this was the low periods. And again you can  
21 see quite a bit of variability; but this is the low period  
22 for us as far as generation.

23 This is another representation, and it gives  
24 again an average view of it. This is called a flow duration  
25 curve; and I spoke earlier that 30 percent of the time the  
26

1 flow exceeds the 10,000 use. So if you go right here and  
2 look at 30 percent, and that goes across to the 10,000 cubic  
3 feet per second. So this graph ends up demonstrating on  
4 average what we end up seeing.

5 So 30 percent of the time we would be above  
6 10,000. Ten percent of the time we'd be about 21 -- over  
7 21,000. Five percent of the time we'd be up above 30,000  
8 cubic feet per second in the bypass reach.

9 This again is the same thing, but now we talk  
10 about by the month. So we have the same duration curves  
11 that were shown in the last slide; but now we look at what  
12 the durations are for the months of June through October.  
13 So if you look at the 50 percent curve, you can see each of  
14 the individual months represented that tell you when you had  
15 these specific flows.

16 So as far as research on the use of the water and  
17 the flows that we have, these curves represent the averages;  
18 but then to look at the specific impacts, you need to go to  
19 the daily generations.

20 Hawks Nest project recreation, here's a local  
21 picture here of the, going upstream, of voting and rock  
22 climbing. And the recreational activities include boating,  
23 fishing, wading, rock climbing, paddling in white water high  
24 flow events, and flat water, hiking, picknicking and sight-  
25 seeing.

26

1           We have two formal recreational areas in the Hawks  
2 Nest facility. The Hawks Nest hydro station has a fishing  
3 access on the back side of the station that has public  
4 access, and the Cotton Hill public fishing access area, so  
5 walking trails. So as you move from the parking area off of  
6 Route 16 up to the dam, there are several paths that have  
7 been constructed that allow access to the New River.

8           Additional recreational resources, the Hawks Nest  
9 park including the boat ramp down to the Hawks Nest lake.  
10 And we have annual funding that we provide to the State for  
11 recreational development facility activities and fish  
12 habitat studies.

13           Glen Ferris project. Glen Ferris' FERC number is  
14 14439, it is a different application than the Hawks Nest  
15 license.

16           This is a picture of the Glen Ferris facility,  
17 near Glen Ferris. And I know I said earlier -- Hawks Nest  
18 is near Glen Ferris also; it's actually closer to Gauley  
19 Bridge; but the Glen Ferris facility is actually located in  
20 the little city of Glen Ferris.

21           There's been a significant rehabilitation  
22 project, from 2001 and it's still ongoing, shortly to  
23 complete; and this contract has provided stimulus for local  
24 service providers in the local area.

25           Glen Ferris's annual payroll is about \$100,000  
26

1 per year. Glen Ferris has an annual generation of about  
2 34,000 megawatt hours, that's in comparison to the 544,000  
3 that we saw for Hawks Nest; so this is a very small facility  
4 in relation to Hawks Nest.

5 We expect some efficiency improvements when we  
6 complete the Glen Ferris. Right now it's total output is  
7 about 5.45 megawatts. Glen Ferris will remain as a 60 Hertz  
8 facility; its output is sold outside to the grid. There's  
9 really no attachment at all between the Hawks Nest facility  
10 and the Glen Ferris. Hawks Nest is all 25 Hertz generation,  
11 contracted solely to the West Virginia Manufacturing  
12 Facility; Glen Ferris is a 60 Hertz operation that is sold  
13 to the outside grid. It carries a little bit more value in  
14 that it's a renewable resource and meets some state agency  
15 requirements for the -- most every state has a certain  
16 percentage of their electrical generation that is mandated  
17 to come from renewable resources; and Glen Ferris is in that  
18 role.

19 The Glen Ferris project is neither electrically  
20 or commercially connected to Hawks Nest.

21 And the same picture that we saw earlier; this is  
22 the Glen Ferris area. Here you see the Glen Ferris lake.  
23 This is the dam at Glen Ferris, much different than the  
24 other. Glen Ferris facility has about a 25 foot head  
25 compared to Hawks Nest's 162 foot head.

26

1                   General description. Again, this is a picture of  
2 the dam. You can see it's much different than Hawks Nest.  
3 This dam was actually put in in the mid-1800s as wooden  
4 structure. Most of the dam is only 6 foot high. Right  
5 after the turn of the century, a concrete dam was put in its  
6 place. The Glen Ferris facility is also a run-of-river  
7 operation; there is no impoundment.

8                   And this is a picture of the Hawks Nest station.

9                   The Glen Ferris project is located on the Kanawha  
10 River, just downstream of the junction of the New River and  
11 Gauley River.

12                   It has a 2.2 mile long, 397-acre impoundment that  
13 extends from the dam and runs approximately a third of a  
14 mile below the Hawks Nest powerhouse.

15                   The concrete dam is still located immediately  
16 before the Kanawha River Falls. They have two powerhouses;  
17 the east and the west. The east powerhouse was put in  
18 electrical generation in 1898. The west powerhouse which we  
19 call the new one, was put in in 1917. So you see they've  
20 had a very long life.

21                   There are eight turbo generators there; the total  
22 output capacity is 5.45 megawatts. About 3 megawatts of  
23 that comes from the east powerhouse; the remaining energy  
24 comes from six much smaller units in the west powerhouse.  
25 It's a run-of-river operation; no usable storage capacity;  
26

1       either we use the water for generation or it goes over the  
2       dam instantaneously.

3               The maximum flow through the two powerhouses is  
4       about 3,300 cfs. That's the same as it was before the  
5       rehabilitation, and that's exceeded about 80 percent of the  
6       time.

7               Recreation at Glen Ferris: boating, fishing,  
8       picnicing, sightseeing, and occasionally I see canoeists  
9       that are using the falls. One formal recreational  
10      facility; that's at the Kanawha Falls. There's a day use  
11      picknicking and fishing area with non-swimming beach area,  
12      and the fisherman access at that point is also a handicap  
13      access.

14              Additional recreational activities. DNR  
15      Brookfield and Falls View recreation area; they're outside  
16      the project boundary but they're still supported by the  
17      funding that we provide to the State.

18              Annual funding, in excess of \$100,000 in  
19      combination with the Hawks Nest project for recreational  
20      development and facility maintenance.

21              Relicensing process. This is a copy of the PAD  
22      that probably everyone in this room received. It was  
23      prepared by Brookfield to provide a comprehensive overview  
24      of existing information available to the power and non-power  
25      resources of the project.

26

1                   Twelve organizations responded to the 100 PAD  
2                   questionnaires that were distributed, and provided comments  
3                   as far as their issues of interest. And these are the 12  
4                   organizations that had responded. The PAD was distributed  
5                   to approximately 100 parties, who were in turn all notified  
6                   by FERC about this scoping meeting.

7                   Potential studies and information needs. Based  
8                   on the information collected from the PAD and in conjunction  
9                   with the FERC integrated license process, the study scoping  
10                  process, Brookfield anticipates addressing the following  
11                  issues:

12                  Water quality, fisheries and aquatic habitat,  
13                  terrestrial resources, threatened and endangered species,  
14                  recreation, culture resources. Stakeholder presentation,  
15                  the formal FERC process opportunities to present it will be  
16                  highlighted by FERC. All public relicensing documents will  
17                  be available in a public website; and each of you should  
18                  probably write that down, this website, we just put it up  
19                  last night; and this website address will have this  
20                  presentation in it probably by today or tomorrow; so  
21                  anything that you need to do as far as taking notes here,  
22                  all these slides will be there, along with all the documents  
23                  that have been filed; and we intend to keep this website  
24                  loaded with all the documents; so any of the stakeholders  
25                  represented here want to see the latest in the schedule,  
26

1 they can go to this website. This website also has links to  
2 the Federal Energy Regulatory Commission sites so that you  
3 can see what is there in the official register.

4 The information distribution list for future ILP  
5 transmittals by Brookfield will include all the required  
6 agencies, tribes, organizations that have requested to be  
7 added to or remain on the formal project distribution list.

8 Any specific questions would be addressed to me;  
9 and my contact information is there. I think probably the  
10 singlemost important one though is to write down that other  
11 website, because all the information that has been presented  
12 and will be presented is going to be posted to that website.

13 With that, any questions from the floor on the  
14 technical aspects of the project?

15 All right. Thank you.

16 MR. CHOWDHURY: Thanks, David.

17 The scoping document we issued in September, that  
18 includes an initial list of resource issues that we have  
19 identified and we are planning to analyze for our EA. The  
20 list is not intended to be exhaustive or final. The main  
21 purpose for us to be here is to make sure that we have  
22 captured all the issues.

23 I'm going to go over each of the resource areas  
24 and discuss a little more about specific issues that we have  
25 identified. For aquatic resources, we will be looking at  
26

1 effects of project operation on water quality; we will also  
2 be looking at the adequacy of the minimum flow and the  
3 ramping rate for aquatic habitats in the bypass reach. We  
4 also would be looking at the effects of project operation on  
5 entrainment and impingement of fish populations.

6 For terrestrial resources, we will be looking at  
7 effects of project operation on wetlands, or riparian  
8 habits, terrestrial wildlife, and botanical species. We  
9 will be also looking at effects of maintenance activities on  
10 these resources.

11 For threatened and endangered species, we will be  
12 looking at effects of project operation on species such as  
13 Indiana bat, species such as shovelnose sturgeon. We also  
14 will be looking at endangered mussel species.

15 For recreation and land use, we will be analyzing  
16 the existing public access and recreational facilities to  
17 see whether they would meet current and future demands. We  
18 would also look at effects of project operation on  
19 recreational opportunities and river access.

20 For cultural resources, we will look at the  
21 effects of project operation on archaeological and historic  
22 resources that could be eligible for inclusion in the  
23 National Register of Historic Places.

24 For development resources, we will look at  
25 effects of project operational changes on energy and  
26

1 capacity benefits. In other words, if there is a proposal  
2 to change project minimum flows how that would affect  
3 project energy and capacity benefits.

4 We will also look at what would be the effect of  
5 proposed protection and mitigation measures that would be  
6 recommended by the public and the Commission.

7 So I'd like to know if we have captured all the  
8 issues. That is the purpose of scoping; we want to make  
9 sure that we capture all the issues that you think that  
10 should be considered and what studies that you think should  
11 be conducted for our environmental analysis.

12 Now to request -- this is very important -- to  
13 request studies, you have to address each of these seven  
14 criteria. They were developed to better focus study  
15 requests so that they are relevant to project effects and  
16 project operation; they are within reasonable cost; they're  
17 implemented with acceptable methodologies. So please, if  
18 you do request studies, please address each of these  
19 criteria. And we will then evaluate that request and make a  
20 determination based on each of these criteria.

21 Again, the important dates. All of these dates  
22 are the pre-filing activities. The schedule is in the  
23 scoping document, at the very end. We also have an outline  
24 for our environmental assessment document and a proposed  
25 schedule for our EA analysis.

26

1           So again, the comments on the scoping document  
2           and the pre application document and for a study request due  
3           by November 21st. Then the Applicant is required to submit  
4           proposed study plan by January 5th, next year. After that,  
5           the Applicant will conduct study plan meetings with  
6           stakeholders, try to resolve any disagreements, and then  
7           submit a revised study plan by May 5th, 2013, and then the  
8           Commission will make a determination. We call it study plan  
9           determination that basically will approve the studies that  
10          the Commission will need for its environmental analysis.

11           And it will also explain the study requests that  
12          are not considered or not approved, or if there are any  
13          modifications to the revised study plan submitted by the  
14          Applicant.

15           So with that, I'd like to open it up for  
16          questions and comments.

17           Anybody, please raise your hand. But I'd like to  
18          say one thing, that if you talk, please state your name and  
19          affiliation because it's very important. We have a court  
20          reporter who is transcribing this meeting, and it will be in  
21          the Commission's official record.

22           MR. BAUER: Good morning, everybody. I'm Bobby  
23          Bauer. I've had a chance to meet most everyone. I'm the  
24          Executive Director for West Virginia Professional  
25          Outfitters, and WVPRO is the organization that we're working

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1 with during this relicensing process. We represent eleven  
2 other groups that received the pre application document.

3 These are mainly the Whitewater Outfitters, Wild  
4 Water Expeditions, West Virginia Adventures, Rivermen,  
5 Songer Whitewater, River Expeditions, New and Gauley River  
6 Adventures, Extreme Expeditions, Class VI, Adventures on the  
7 Gorge, Mountain State Anglers, Alpine Ministries and ACE  
8 Adventure, just to name a few. These are all companies that  
9 do business in Fayette County, West Virginia.

10 We do believe it's very important to gather facts  
11 through this relicensing process so we can know how the  
12 utility and how the manufacturing system works together, and  
13 we definitely want to minimize any impact on jobs, and  
14 create a stronger Fayette County in West Virginia.

15 Like Brookfield and West Virginia Manufacturing,  
16 the tourism and rafting industry, is that an industry? And  
17 it's very important to the economy of Fayette County and a  
18 big part of the jobs that are created here in Southern West  
19 Virginia.

20 We're asking for a Level 3 study. It did state  
21 in the PAD that there was a desktop study. We don't think  
22 that's sufficient, so if we could do a Level 3 study to get  
23 better information and maximize opportunities for  
24 recreational use in the bypass. The PAD mentioned a lot of  
25 different stretches of whitewater, and most of these are  
26

1        creeks that only run during the spring and attempted by like  
2        professional kayakers and such.

3                We mainly run the New River and the Gauley River.  
4        And there's a couple different sections of the New, the  
5        Upper New is great for families, the Lower New is a good  
6        Class V section. And the bypass, we think, would be a real  
7        nice, family-friendly adventure if there was water  
8        available.

9                In order to have a really good study that we're  
10       asking for, we believe that an accurate gauge that measures  
11       the river level in cfs; so a full discharge station so we  
12       can communicate with the USGS to find out what the river  
13       level in the bypass would certainly help us with calibration  
14       of cfs, know what kind of water levels are in the bypass and  
15       see what the best levels are to do any kind of recreation  
16       and fisheries.

17               We definitely had a great visit yesterday. I  
18       want to thank Brookfield for giving us that information.  
19       Thanks, Dave, and we hope to continue that relationship with  
20       West Virginia Manufacturing and learn how your operation  
21       works to minimize any kind of negative effects on that  
22       industry. So thanks for having me, for sure.

23               MR. CHOWDHURY: Anybody else? Please come up.

24               MR. JOHNSON: Hello, I'm Rick Johnson. My wife  
25       and I own River Expeditions. We offer rafting, ATV trips,

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1 ziplining, cabins, RV park, restaurant -- we've invested  
2 millions in our facility in the past few years.

3 We live here in West Virginia, all of our money  
4 that is made in West Virginia stays here. I'm a bit unique  
5 to our industry. I used to own mountaintop operations,  
6 that's what brought me here. Tourism -- you know, coal used  
7 to drive our local economy; now tourism does.

8 Tourism brings in about, over \$20 million  
9 annually to our local economy, rafting being the predominant  
10 driver. We also spend millions in payroll, millions in  
11 payroll taxes and property and sales tax, and all that money  
12 stays here in West Virginia. All of our rafting companies  
13 and all the tourism industries in the region are owned by  
14 West Virginians. The money stays here in West Virginia, it  
15 employs local people and it will be here.

16 Tourism is the only resource that has ever been  
17 in Appalachia, in our history, that renews itself every day  
18 and the money stays here in West Virginia. It doesn't go to  
19 out of state and out of country corporations; it's all  
20 reinvested here.

21 What I would like to see happen with the Dries,  
22 as we call them, or the original stream bed of the New River  
23 -- I would like to see it rewatered to some degree. What  
24 we're looking at there is a unique product. In America,  
25 nationally, the whitewater rafting industry has seen  
26

1 significant growth in short, half-day trips that are for  
2 families; and that's what we're looking at this product to  
3 be in the Dries. It would add a significant amount of jobs  
4 and money to the local economy, where again it would stay  
5 here in West Virginia.

6 There's no other product or river product in West  
7 Virginia or any stream bed that offers this product. We  
8 would -- you know, these trips would produce a tremendous  
9 amount of revenue, invite more people to come here.

10 What I would like to see is pulse releases, that  
11 should also improve the fisheries, and renew a stream bed  
12 that's been dead for a hundred years, and revive that  
13 ecosystem. I think it would be pretty cool to watch an  
14 ecosystem come back.

15 Another thing that we really need to invent this  
16 product is verifiable releases, so that would require a  
17 gauge downstream of Hawks Nest Dam. Another thing we need  
18 to do is a Level 3 study as Bobby spoke to so we can see  
19 what the product is.

20 You know, West Virginia -- especially this part  
21 of West Virginia is just a unique area, and tourism is  
22 growing every day, and unfortunately coal is declining every  
23 day. Coal drives the West Virginia economy right now, and  
24 tourism is probably the number three provider of jobs and  
25 taxes in our whole state. And in this local economy, it is  
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1 probably the number one provider. So it's an invaluable  
2 resource.

3 So I just ask that we get releases; we'd like to  
4 see releases in the Dries, in the original stream bed of the  
5 New River, and get a gauge and study. Thank you for your  
6 time.

7 MR. BEUCHLER: My name is Paul Buechler  
8 [spelling]. I'm CEO of Adventures on the Gorge, and we're  
9 an adventure resort.

10 We'll have 100,000 visitors visit our resort this  
11 year, and 90 percent of them are out of state. Our revenues  
12 are approaching \$15 million. We have over 700 W-2s this  
13 year.

14 What I hope we're going to do is focus on facts.  
15 You know, obviously we'd like to have some water down the  
16 Dries to provide another product which we feel will help us  
17 grow and provide a lot of economic benefit to the State.

18 You know, we want a study, and we hope that study  
19 will give us facts. Throughout this process I think we're  
20 going to hear that if we get one drop of water or if the  
21 Hawks Nest Dam gives up one drop of water, it's going to  
22 impact thousands or many, many jobs and it's going to result  
23 in job layoffs and possible closure of plants. And we just  
24 don't think that's true.

25 What we believe is we're asking for a very small  
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1 amount of water during a very small period of the year.  
2 What we hope to improve or what we intend to improve is that  
3 this small loss of water and the resulting power that will  
4 be lost to the plant and need to be purchased from the grid,  
5 is not going to materially impact the cost of the  
6 manufactured products and competitiveness in world markets.

7 What we do believe is going to happen is that  
8 we're going to spur on a whole another product in the  
9 whitewater industry that's going to bring hundreds of  
10 thousands of people over the years to do this product. I  
11 think my partner is going to speak a little bit more  
12 specifically about the product. And that the net effect is  
13 going to be great for the State of West Virginia.

14 What we again believe is that the study will help  
15 us determine the real facts, and the decision should be made  
16 best on the net economic benefit to the State of West  
17 Virginia. I thank you for your time.

18 MR. CHOWDHURY: Anybody else?

19 MR. CAMPBELL: Good morning. My name is Brian  
20 Campbell. I am one of Paul's partners. I handle our  
21 marketing; I am our marketing director at Adventures on the  
22 Gorge. Previous to that I owned the Rivermen; I owned one  
23 of the whitewater rafting companies, and for the last 12  
24 years I have been an officer of the West Virginia  
25 Professional River Outfitters; I'm currently the President.

26

1 I've been involved nationally, I'm currently a Vice  
2 President of America Outdoors, which is our national  
3 association. I'm on the Whitewater Commission.

4 So over the last 20, 25 years I've been heavily  
5 involved in the business of whitewater rafting, both  
6 locally, on a statewide basis, and on a national basis. And  
7 those of you who are in this business, the folks over here I  
8 think are well aware, but most people are unaware of the  
9 tremendous partnership between hydro projects and whitewater  
10 rafting and recreation.

11 Throughout this country the vast majority of  
12 successfully operated whitewater rafting rivers and  
13 destinations only exist because of the partnership between  
14 dams, hydro, and recreation. At times this partnership is  
15 in alignment where the water can be generated, released into  
16 a stream bed and then rafted below the dam; and at times it  
17 is somewhat in conflict, where the water diverted for the  
18 benefit of whitewater rafting reduces the generating  
19 capacities of the dams in question.

20 But just because of that doesn't mean you  
21 shouldn't do it; you shouldn't attempt to strike a balance.  
22 Over the last 25 years, many hydro projects have come up for  
23 relicensing throughout the country. And whitewater rafting  
24 industry that before this relicensing absolutely did not  
25 exist sprung to life throughout rural America, creating jobs  
26

1 and industries that, had it not been for this balancing  
2 process that FERC goes through, these employment  
3 opportunities, recreational opportunities would simply not  
4 exist.

5           While only 35 percent of our revenue at  
6 Adventures on the Gorge comes from rafting, nearly 100  
7 percent of our guests come because of rafting. And we are  
8 an adventure destination resort and our single hook is our  
9 whitewater rafting products. Yes, we add on rock climbing,  
10 we've added canopy tours, we do lodging, we do restaurants.  
11 We've added a lot of things on to the experience our guests  
12 have, but if it weren't for the unique whitewater rafting  
13 products that we currently have, no one would come. No one  
14 comes from Ohio to go rock climbing with us. No one really  
15 even comes to do our canopy tours; a little bit comes from  
16 canopy tours. But it's whitewater rafting and the unique  
17 opportunities that exist here is what really brings 100  
18 percent of our guests to West Virginia.

19           And it's wrong to think that simply because there  
20 is an experience that currently exists on the lower Gorge,  
21 which is a Class 4-Class 5 very difficult experience, or  
22 even on the upper New which is essentially a flow trip, that  
23 doesn't mean that there aren't other opportunities.

24 Throughout this country, throughout the Southeast, on the  
25 Ocoee, on the Pigeon, on the Nantahala, many of the most  
26

1       successful rivers in this country, the ones that have  
2       maintained or grown in the last 10 to 15 years, operate  
3       either in partnership or in conflict with hydro projects.

4               The Pigeon River did not exist as a viable  
5       product until a relicensing project and now it is the  
6       fastest growing -- and it is one of the few growing --  
7       whitewater rafting products in the country. And they grow  
8       because I think there has been a shift away from, back in  
9       the Seventies, Eighties and Nineties, people flock to  
10      whitewater rafting. The harder the river, the better. The  
11      greater the challenge, the more the demand.

12             But in the last 15 years, it is working in the  
13      exact opposite. The most loss the industry has experienced  
14      is on the Upper Gauley, which you would think is our  
15      premiere product, but it is also our most difficult and  
16      demanding product. The products that are growing are the  
17      short format, five to six mile, Class 3 products scheduled  
18      on a reliable dam release. That is the formula for success  
19      through this country. And if it weren't for this  
20      partnership, the rafting industry across this country would  
21      not exist.

22             So to speak again, I'd like for everyone -- what  
23      we're asking for is a thorough study. And I'd like everyone  
24      to look at this process in a slightly different perspective.  
25      If 25 years ago we had actually done this, and we had in

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1 fact scheduled releases on the Dries, I can guarantee you  
2 that an industry and a recreational opportunity that does  
3 not exist today would exist. And if it did exist, would we  
4 today consider killing it? For the sole benefit of  
5 generation.

6 I don't think we would. I think we would again  
7 strike a balance. And as Paul says, we want to work with  
8 hydro, and we want to understand the dynamics of what makes  
9 this partnership work in a way that can both in the end be a  
10 net benefit for West Virginia and the local economy. And I  
11 just again ask for, let's do the studies now so that 25  
12 years from now we don't look back and say "Boy, I wish we  
13 would have done a slightly better job on that." And that's  
14 what we're here to do.

15 Let's just study this thing thoroughly, see  
16 what's viable, see what works, see what the optimum level is  
17 on the Dries for a very family-friendly experience; and what  
18 are the impacts on the dam in hydro generation when we do  
19 that?

20 Thank you.

21 MR. CHOWDHURY: Anybody else?

22 MR. LANGE: Good morning. My name is Russ Lange,  
23 I'm the corporate Energy Manager for Globe Metallurgical.  
24 And Globe owns five facilities in the U.S., five  
25 manufacturing facilities, with one of them being the West  
26

1 Virginia Manufacturing Facility here, or as it is locally  
2 known, as Alloy.

3 Alloy produces silicon metal. Silicon is a  
4 worldwide commodity, and we compete in those markets against  
5 countries around the world that produce the same material.  
6 Alloy has been known for an extended period of time as a  
7 world class producer of silicon, both on the manufacturing  
8 side and the quality side.

9 One of the partial owners of the facility is a  
10 very large company that takes our silicon and produces solar  
11 cells. Solar is the main ingredient for producing  
12 photovoltaic energy, which is a green resource. Silicon is  
13 also an alloy-ing agent in the production of aluminum. So  
14 if you're making an automobile and you're producing a rim  
15 for an automobile, for example, silicon is a primary  
16 ingredient in alloy-ing the silicon for that rim to produce  
17 a very strong alloy; and it actually reduces the overall  
18 weight of an automobile for efficiency and fuel consumption.  
19 But any increase above the current levels of water spill  
20 over the dam increases the production cost for our products.

21 Some of the stats behind the Alloy facility. For  
22 the fiscal year that ended at the end of June of 2012, Alloy  
23 had approximately 250 full-time year-round employees; annual  
24 payroll of almost \$13 million, and total payroll-related  
25 expenditures, with worker's compensation and so forth, of  
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1       \$13.7 million. Taxes, property tax, real estate and other  
2       total tax expenditures of \$1.58 million. We purchase a lot  
3       of raw materials directly here in West Virginia; coal, wood  
4       chips, logs, electricity is a raw material for us as well,  
5       it's a very large percentage of our production cost. The  
6       total expenditures just from West Virginia-based companies,  
7       was \$58.7 million in our last fiscal year.

8                 We also purchase multiple items from local  
9       fabrication shops, hardware stores, local lumber companies  
10      for basic maintenance supplies; and that total was just a  
11      shade under \$7 million in our last fiscal year. So the  
12      total of all these categories for our last fiscal year  
13      directly for West Virginia-based companies was \$81 million  
14      impact.

15                Some notes about the 25 cycle supply into the  
16      facility. By looking at some of the tables that have been  
17      provided, if the river flow level of 3,000 cfs or less,  
18      which equates to roughly a generation output of 30 megawatts  
19      from the tables, the probability would be 20 percent of the  
20      time, or roughly 1752 hours annually that our facility would  
21      be down.

22                Now it's not just as simple as taking the 25  
23      cycle electricity and replacing it with 60 cycle  
24      electricity. The 25 Hertz system that was installed at  
25      Alloy was made, was installed and engineered to run with the  
26

1 hydro facility in conjunction. So the 25 Hertz furnaces we  
2 have, from an efficiency standpoint, are some of the most  
3 efficient in the world from a silicon production standpoint.

4 There's also several processes in the plant that  
5 are strictly fed from the 25 cycle system. We would lose  
6 the ability to convert electricity from the 60 cycle system  
7 to the 25 because we have to commutate, which is an  
8 engineering term, we have to commutate the frequency  
9 converter to make it operate. We would directly lose  
10 process power to two of our five furnaces, furnace 3 and  
11 furnace 14. We would lose all but one of our process water  
12 pumps, which supply cooling water for the whole facility, as  
13 our furnaces are all water cooled, which is very typical in  
14 the alloy industry.

15 We would lose three of our seven process air  
16 compressors; lose our dust collection system, which is for  
17 environmental control; what they call the tram car, which is  
18 the mixed delivery system for delivering the raw materials,  
19 lose the power supply to our process water pumps as I  
20 mentioned, plus our fire system protection. And several  
21 other associated maintenance facilities and maintenance  
22 buildings within the plant would be affected as well.

23 So to conclude, the Alloy facility in West  
24 Virginia Manufacturing has a direct interest in these  
25 proceedings, and we look forward to continuing the  
26

1 discussion with all parties. And thank you for allowing me  
2 to speak.

3 MR. CHOWDHURY: I think there's one gentleman.

4 Yes.

5 MR. COOK: Good morning. My name is Jerry Cook,  
6 I'm President of ACE Adventure Resort. I represent a company  
7 that has taken its millionth customer down the river.  
8 Ninety percent of our business comes from out of state. We  
9 generate, with payroll taxes and so on, in excess of  
10 \$5 million a year.

11 We market this area as America's best whitewater,  
12 and we have people come from all over the world literally.  
13 I see things oftentimes gravitate, these kind of things, and  
14 I've been involved in relicensings on several rivers in the  
15 Southeast before I moved to West Virginia in 1987. My  
16 partners are from West Virginia. And I think what Brian  
17 said was eloquent; that there is a product here that's  
18 totally unique; it's just not a matter of 'well, you can go  
19 to this section or that section'; the section we're talking  
20 about, the Dries, there's nothing like it in the area. With  
21 some compromising, we think we can offer a product that  
22 would literally spur development from camping to restaurants  
23 to lodging. We have an impact of six to eight times; so if  
24 we do \$11 million of business we impact \$66 to \$80 million  
25 ourselves a year; that's what the State says, because of gas  
26

1 and motels and so on.

2 Also let's don't forget the history of this.  
3 This is state public water where the state has as public  
4 trust. Public trust, not private trust. So I think that,  
5 what is the best use of public water? I think that's what  
6 we have to argue. That's what we have to discuss, that's  
7 what we compromise, that's what this is for. I don't think  
8 it's all left or all right.

9 The national river bill, it talks about that the  
10 state must look after the water as a public trust. So we're  
11 not arguing about, do I get it, do you get it? What is the  
12 best for the public. I also own a kayak shop that serves  
13 thousands of kayakers that come here from all over. They  
14 come on their own; they stay where they want to stay, they  
15 bring their friends. There's a whole other industry there  
16 that could be developed.

17 The section we're talking about, I was on the  
18 Olympics on the Ocoee, observing that; and this section is  
19 every bit as good as that is, and that was a section the  
20 Olympics run. So I think it's unique; I don't think it's  
21 either/or. Yes, there's compromises, of course one side  
22 would like to see this and one side would like to see that;  
23 but we have a federal agency regulating a public water in a  
24 state, and for businesses and for the public. And I think  
25 we need to find some way to not be too hysterical or say  
26

1       this is going to cause this and this is going to cause that,  
2       but to find ways to make it work.

3               That's what we're here for, I appreciate the  
4       public place to do this, and I look forward to studies and  
5       some science, and find ways that we all can, as a group work  
6       together, because if this is licensed for 25 years or 50  
7       years, I'm not here. I'd like to be, but I don't think I  
8       will be.

9               So I think we need to look towards the future of  
10       what is best. Not right now, but what's best for the next  
11       25 to 50 years. Thank you.

12              MR. CHOWDHURY: Thanks. Anybody else? Any  
13       questions, comments? Please.

14              MR. SIZEMORE: My name is Fred Sizemore, and I'm  
15       President of Local 8-89 of the Alloy Workers. We're  
16       represented by the Steel Workers of America, the largest  
17       industrial union in North America.

18              There have been some serious questions raised  
19       this morning, most of these people brought up here. The  
20       amount of power that we need at the Alloy plant to produce  
21       silicon metal, 100 megawatts of that at peak power comes  
22       through that tunnel. The silicon metal that's made in our  
23       furnaces is the best in the world. There's no problem with  
24       the quality of our material.

25              Our employees are very well paid. They have good  
26

1 benefits. And part of that is because the revenue that's  
2 generated from the sale of the silicon metal in our  
3 facility. We cannot survive at our operating capacity the  
4 way it is right now without 25 cycle power.

5 This gentleman made a good point a while ago  
6 here; there are many dams in the United States that are  
7 working, either with a hostile or cooperative partnership  
8 with whitewater industries. What differentiates us from  
9 those is the dam down here produces 25 cycle power. I doubt  
10 if any of the dams that you mentioned there in your list  
11 produce 25 cycle power. They're probably all 60 cycle.

12 Another thing I'd like to bring up, where else  
13 will we go to get our energy to make our metal? Whatever  
14 curtailment takes place off of that tunnel, we have to go  
15 somewhere else and try to find the energy to make our metal  
16 with. It takes six pounds of raw materials to make one  
17 pound of silicon metal. And those raw materials include  
18 timber, in the form of wood chips, coal, charcoal, and  
19 quartzite gravel.

20 There is no place we can go and get 25 cycle power  
21 except for this tunnel. And another thing I'd like to bring  
22 up, if you think about it, 100 megawatts of power coming  
23 through a three and a half mile column of water is as green  
24 as you can get. If we had to replace that amount of power  
25 with solar cells -- which we make the material that those  
26

1 are made out of -- we'd have to cover mountaintops with it.  
2 The people breathing in this room right now put a bigger  
3 carbon footprint on the environment than the 100 megawatts  
4 of power that's put that that tunnel.

5 My job is to represent the people working. I  
6 also realize that the whitewater rafting industry has people  
7 that work, too. But the Alloy plant since its inception,  
8 since that dam was created, that plant was built or meant to  
9 be interlocking; one evolved on the other. We're the sole  
10 customer for Brookfield Power. Nobody else. We're the only  
11 one that can use 25 cycle power, and we have to have it.

12 Now that stretch of river, I'll grant you, it's  
13 got a lower level than the rest of it, but the fishing is  
14 fine. And we'll do studies -- I'd like to have a complete  
15 study done of what harm will be done with these hundreds of  
16 thousands of people that are going to be in that gorge. You  
17 want to do a study? Let's to a comprehensive study. The  
18 impact of that many people going down that tract of water.

19 I'm not against the whitewater rafting industry,  
20 but I am about protecting the jobs of the people that I work  
21 with and the job that I've had for 39 years; it's a provider  
22 for me and my family. I want to see the whitewater industry  
23 prosper. There's a lot of river out there; but at the same  
24 time, the Alloy plant cannot survive without 25 cycle power.  
25 And any decrease in that is going to be detrimental to our  
26

1 plant. Thank you.

2 MR. CHOWDHURY: Anybody else? Any more  
3 questions?

4 Please.

5 MR. BASSAGE: Hi, I'm Dave Bassage (ph), I serve  
6 as Chief of Staff at ACE Adventure Resort. I'm a long term  
7 fan of paddling on the Dries whenever I've had a chance to  
8 do it. I'll be brief because most of our points have  
9 already been covered by other people that represent our  
10 industry. But I did just want to go into a little more  
11 detail about why both a Level 3 study and a gauge are so  
12 important.

13 There's basically four different factors that  
14 create whitewater; flow of water -- and that's what we're  
15 all very concerned about here -- combines with gradient,  
16 obstructions and constriction in order to make whitewater.  
17 If you look down at Kanawha Falls, that's an example of a  
18 stretch of whitewater that's pretty much all gradient and  
19 flow.

20 When we look in the Dries, what we have there are  
21 a lot of large boulders that create obstructions as well as  
22 very sheer walls on either side of it that constriction when  
23 the water goes up. That means the changes in water flow  
24 make a dramatic difference in the level of difficulty of the  
25 whitewater that's down there.

26

1           What we need, as an industry, is something that's  
2     predictable so we can provide the type of family experience  
3     we talked about out there, and there is no gauge that can  
4     tell us the flow currently existing in that section of  
5     river. There is a gauge, but it's strictly a stage gauge;  
6     it hasn't been converted to cubic feet per second, in other  
7     words, flow volume.

8           So that's why we ask that that gauge be there, so  
9     we can know what's out there. We can make a guess; Bobby  
10    and I were out there just a couple weeks ago going down and  
11    trying to decide, is this a thousand, is this two thousand,  
12    is it three thousand? We couldn't tell how much flow was  
13    out there. So that's why that gauge is so important.

14           And it's especially important because as that  
15    water goes up and down, that degree of difficulty will  
16    change dramatically. And predictability is important for  
17    any business. It is for your business, it is for ours, and  
18    so we're looking for something that would provide  
19    predictable flows.

20           Finally, I'd just like to say -- you know, a lot  
21    of people can throw a lot of numbers around, and I heard the  
22    statistic of 20 percent of time the facility would be down.  
23    I can promise you that whatever kind of release schedule we  
24    would come up with for water would be nowhere near 20  
25    percent of the amount of time that water is flowing down  
26

1 that river. It would be a far, far smaller number.

2 We don't have a specific request right now in  
3 terms of numbers of releases and size of releases; there  
4 have been some numbers thrown around. Those were just kind  
5 of examples tossed out there. That's why we need the Level  
6 3 study to determine what flows will provide the product  
7 that would work best for us.

8 But I can promise you, no matter what, there  
9 would be nowhere near 20 percent of the time that you folks  
10 use all that energy. Thank you.

11 MR. CHOWDHURY: Any other questions?

12 Well, again I'd like to thank you all for coming.  
13 The transcript of this meeting will be available in our  
14 eLibrary system no sooner than ten days from now, and you  
15 can request copies of transcript. It will cost you 25 cents  
16 per page.

17 I think there is -- someone would like to -- do  
18 you have a question?

19 MS. LUCAS: Hello. Can you all hear me in the  
20 back? Okay.

21 So my name is Heather Lucas, and today I just  
22 wanted to say a word -- I was asked to say something in the  
23 back row there about, from the public perspective; also make  
24 comments later. I work locally here for a nonprofit  
25 organization.

26

1           Some of the things that really resonated with me.  
2       So I grew up spending time on the New River. I'm second  
3       generation in the rafting industry, and the river's just a  
4       really special place for me and for a lot of people here.  
5       And I think what we've seen is a lot of changes here in  
6       what's been going on, and this is a critical opportunity, I  
7       think, for the next generation of people who live in this  
8       area also.

9           I think some of the things that I want us to  
10      consider is really take seriously this balance between all  
11      these interests. We've heard a lot from the developmental  
12      side, from the economics; and I agree with everyone that  
13      economics are important. I really appreciate the words that  
14      were spoken about what it means to have a healthy river  
15      system for current and for future generations; and I think  
16      that that's something that brought me back to West Virginia,  
17      is thinking about healthy, safe rivers. In-stream flows,  
18      things like fish, things like being able to look at a  
19      riverbed and see that there's a vibrant life. I think a lot  
20      of West Virginians care about that; that's why a lot of us  
21      live here. Probably a lot of the guys and women who work at  
22      your plant, that's something that they care about, too.

23           So I just want to make sure that that's on the  
24      table. And at this stage, I've been reading a lot about the  
25      process; and I think that that means this flow study -- I  
26

1 don't know if it goes on the Level 3 flow study or where it  
2 fits, but a study that looks at in-stream flows and  
3 variation in flow for aquatic life, also is really  
4 important.

5           And the economic value is more than just what  
6 visitors come here and spend; it's also a quality of life  
7 that brings a lot of us back to take jobs for about half of  
8 what we'd get paid elsewhere. Some of the other people in  
9 the room get paid about a third; but we're all here for  
10 rivers; like the New River and this stretch of the Dries is  
11 an important part of that.

12           Like I said, I'll submit more comments later, but  
13 that was my public. The other comment about the public  
14 trust really holds for me. So, thank you.

15           Does anyone have questions? I also should note  
16 I'm the only female -- did any other women speak?

17           (Laughter)

18           And I can no longer say I'm under 30, but -- next  
19 generation relative. So thank you.

20           MR. CHOWDHURY: Thanks again.

21           We're still open. Are there any other comments,  
22 questions?

23           If not, the meeting is closed. Thanks.

24           (Whereupon, at 11:30 a.m., the scoping meeting  
25 adjourned.)