BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

In the Matter of: Project Number
Taum Sauk Pumped No. P-2277
Storage Project :

TRANSCRIPT OF AGENCY SCOPING MEETING, taken on behalf of the Federal Energy Regulation Commission, at the Lesterville High School Gymnasium, Highway 21 in the City of Lesterville, County of Reynolds, State of Missouri, between the hours of 7:00 P.M. and 8:09 P.M. on Monday, the 12th day of March 2007, before J. Bryan Jordan, Certified Court Reporter No. 00532 and Notary Public, State of Missouri.
APPEARANCES:

FOR THE FEDERAL ENERGY REGULATORY COMMISSION:

COMMISSION STAFF:

OFFICE OF ENERGY PROJECTS
888 First Street, N.E.
Washington, D.C. 20426

By:
Thomas J. LoVullo, Senior Fisheries Biologist
Andrea C. Shriver, Ecologist
B. Peter Yarrington, Fisheries Biologist
Frank Calcagno, Senior Engineering Geologist

CHICAGO REGIONAL OFFICE
Division of Dam Safety & Inspections

By:
Peggy Harding, Regional Engineer
INDEX

18 Opening Remarks by Mr. LoVullo ............ 4
19 Remarks by Mr. Menne ...................... 6
20 Presentation by Dr. Rizzo ................. 8
21 Public Comments ........................... 29
22 Closing Comments by Mr. LoVullo ......... 46

23
24
25
MR. LoVULLO: Good evening, everyone. My name is T. J. LoVullo, and I'm with the Federal Energy Regulatory Commission in Washington, D.C. I'd like to welcome you here tonight, and I'd like to thank Mrs. Fox for the use of the gymnasium, the School District for that. Originally, we were going to be up in the cafeteria area, but when we started to hear about the level of turnout, she said let's come down to the gymnasium; it's much more comfortable here.

When you came in, there was sign-up sheet in the front. If you would like to give comments tonight, please sign in, and then I will be calling on people in the order in which they signed in.

I'm going to go over the agenda a little bit, just so we know what's going to take place tonight.

I'd like to introduce my other colleagues here, and Ameren staff, as well, before we get going. Right here is, to my right is Frank Calcagno, and he's an Engineering Geologist in our Division of Dam Safety and Inspections.

To his right is Peggy Harding, who is the Director of the Regional Office in Chicago.

At the other table is Pete Yarrington, Senior Fisheries Biologist with FERC in Washington.
Paul Rizzo is with Ameren, a consultant for Ameren, and Mike Menne, who is Vice President of Ameren Safety, Environment, and Health?

MR. MENNE: Health.

MR. LoVULLO: I might have gotten those orders mixed up.

On February 5th, Ameren filed its intent to rebuild the Taum Sauk upper reservoir, and with that, we initiated what's called a NEPA process, the National Environmental Protection Act, and we're in the process of developing an environmental document to look at the impact associated with the construction of that upper reservoir.

Part of the process involves hearing from both the resource agencies and the general public, and NGOs, non-governmental organizations, on what some of the issues are surrounding that proposed action, and so for tonight, we wanted to hear comments from the public on what we should be looking at and focusing in on in our independent review of that proposed action, and so after we hear from Ameren, they're going to give a presentation on what's involved with the reconstruction, then I'll open it up to the public to have comments for whoever signed up to say what they would like.
With that, I'll turn it over to Mike Menne, and he will introduce Paul, who will be doing our site presentation.

MR. MENNE: Good evening. First, I'd like to thank the Federal Energy Regulatory Commission for holding and arranging this meeting, an important meeting regarding the rebuild of the upper reservoir.

As Mr. LoVullo said, my name is Mike Menne. I'm Vice President of Environmental Safety and Health for Ameren Corporation. Many of you around here have seen me many times in this building. I've been--since the day of the breach of the Taum Sauk Reservoir, I've been personally overseeing the restoration of Johnson Shut-Ins and improvement in water quality of the Black River.

It's good to see so many people coming together here. We appreciate you all coming here to offer your thoughts and comments on the environmental impact of our plans to rebuild the upper reservoir. The information that FERC gets from you here, tonight, will be critical in determining how things are going to move forward.

I encourage you to be honest and forthright in your comments, as many of you are among those who are most affected in the areas surrounding the Taum
Sauk Plant.

Having said that, I'd like to introduce our consultant, Mr. Paul C. Rizzo. Paul Rizzo is a three-degree graduate from Carnegie-Mellon University, including his doctorate in civil engineering. He is a Registered Professional Engineer in about 40 states, including here in Missouri. He is a specialist in large dams, especially dams in high seismic areas and constructed with roller-compacted concrete, or known as RCC dams.

He founded Paul C. Rizzo Associates in 1984, a firm that's internationally recognized for dam construction and dam safety expertise. Mr. Rizzo's firm is the engineer of record and construction manager for the Saluda Dam project in South Carolina. That project won the OPAL Award. I'll let him explain that. It's kind of the professional--profession's equivalent of an Oscar for civil engineering projects. The firm is currently working on dam projects in Georgia, Texas, Peru, Iraq, Madagascar, and Kenya, and has recently completed projects in Chile, Macedonia, Romania, and Venezuela, so he has a tremendous amount of experience worldwide in building large dams.

Rizzo & Associates have been working with
Ameren for more than a year. Their task has been not only to evaluate our rebuild options but also to help us understand what happened in the early morning hours of December 14th, 2005. Their guidance and counsel has been invaluable to the company over the last 18 months, and we look forward to working with them in the future.

I know you are interested in Paul's explanation of the rebuild plans, so I'll let him start at this time. Paul?

MR. RIZZO: Thank you, Mike. Testing? Okay. Is that too loud, or just right, or--people in the back, it's okay? Thank you.

I'm going to speak a little bit about the old reservoir that was originally built in the 1960's and then talk about the new planned reservoir and the differences between the two. I'm going to explain a lot of little details, some which may be of interest to you, and explain why this dam is going to be built that is safe, robust, highly resistant to earthquakes, and not going have the same incident again that we had last December.

Let me start with the first slide. It's a picture of an aerial view of the old reservoir. Many of you have seen it, probably, from the ground level;
this is what it looked like from the air.

Just to explain a couple of things, this is an access road, as well as here, up at the top.

The powerhouse is down in this valley over here.

This is a transmission line right-of-way.

This is a road around the top of the upper reservoir, and then along that road is what's called a parapet wall, which I'll explain in a few minutes what that is.

The old dam was built in 1960's technology, using design criteria, design basis, and construction techniques that were popular in the 1960's, actually was an evolving technology in the 1960's; it wasn't fully matured. It was created by simply taking the top of Proffitt Mountain, cutting the top off, and using the material from the middle to build a perimeter dike, the dike that you saw in the previous pictures. They simply dumped the rock, did not compact it, and they did not have an overflow release structure, which I'll explain what that is in a moment, sometimes referred to as a spillway. They had a parapet wall on top of the crest to retain water, they did minimal foundation preparation, and I'll explain just what that involves in another slide,
here, and it was designed for minimal earthquake, as opposed to today's technology requires consideration of very large earthquakes in Central Missouri.

The next slide, the old rock-filled dike had these characteristics. This is the rock fill, the material in brown. This beige color of brown was the foundation rock, and on the surface of the foundation rock, as many of you know from living here, there's a zone of weathered rock and what we call residual soil. It's reddish in this slide. This is the material that was left in place. The rock was simply dumped on top of this material. That's a practice which is not acceptable in current technology for dam construction.

This rock was placed, as I said, by dumping in ten-foot layers, or lifts, as we call them. A parapet wall up on top. Now, this parapet wall in this old design was built to retain water. That's no longer acceptable practice in dam design, either. This is--it had a concrete face on here which provided an impervious barrier for water seeping through the rock fill down the embankment.

The next slide illustrates the objectives that we set up in January a year ago that we--what Ameren wanted to do for a new dam. First off, it had to meet all current dam safety regulations. In the
1960's, these regulations were not very mature, they were not very well developed; they are very well developed now.

Ameren decided, Ameren and the federal regulatory body, FERC, insisted on a vigorous seismic design to resist high-level earthquake or earthquakes in this area.

We are minimizing environmental impact of this project by doing all of our work, or most of the work inside the existing reservoir, not outside. We'll have some parking areas outside, some laydown areas, but the bulk of the work will be inside the old reservoir area.

The new dam will be constructed of RCC. RCC is simply another form of concrete. It hardens just like concrete. It will be--result in a very safe, robust dam with redundancies, meaning backup with suspenders, we call them "suspenders," for backup.

We're using a proven technology. Mike mentioned the Saluda Dam. The Saluda Dam is a project that FERC regulates, we designed and built in South Carolina in the 2002-2005, and that set a lot of precedent in the U.S. for big dam construction with RCC.

Finally, we're going to use the rock
material that I mentioned that comprised the dike as
the aggregate for this concrete, this roller-compactsed
concrete. It will be crushed, it will be processed,
it will be cleaned before we use it.

Next slide.

We will have--it will be roller-compactsed
concrete. Incidentally, when you have an opportunity,
there's a sample of roller-compactsed concrete laying
on the table, from our test program. You can see what
it looks like. It's the same as normal concrete
except it's placed differently.

We will have very comprehensive foundation
preparation--that's something I'm going to emphasize
today--a grout curtain around the entire perimeter of
the new dike. The old dike had a rock curtain only on
certain short stretches on the northwest corner.

We'll have a drainage system with a gallery,
and I'll show you a picture of that in a moment.

We'll not have a parapet wall that retains
water. Our dam will be retaining all water, not a
parapet wall. We'll have a wall, as you'll see in a
moment, but it's only for traffic control on top of
the dam.

The next slide is a schematic of what the
cross-section looks like. You may compare this to the
one I showed you before which had the rock fill all in brown. First off, notice here's our wall; there's no water against it, and our--the water in the reservoir is encompassed entirely by the dam, itself. This brownish color is roller-compacted concrete. This zone, here, is roller-compacted concrete also, but it's treated a little bit special because we want to make it more resistant to seepage than we need here.

This is a gallery that runs--it's a tunnel, actually big enough to drive a vehicle through--around the entire perimeter inside the dam. That gallery serves a couple of purposes. First off, when the dam is full of water, there'll be a natural tendency for a minor amount of seepage to come like this (Indicating) out of the dam. It's, it's a natural flow from this reservoir. We will have a liner on the bottom, an asphalt liner the same as the prior dam, but a little bit thicker. We'll have a grout curtain which is an impervious barrier to drive the water flow down deeper.

We have here what are called relief wells. These relief wells are--drain water up into the gallery. It's a backup-with-suspenders approach, belt-suspenders approach to the grout curtain so that water that would get through and underneath here is
intercepted by these drains which go to the gallery, and the gallery has a number of outlets out here to a control water ditch, itself.

We also have, because this is concrete, all concrete, we have construction joints every 45 feet, and every 45 feet, then we have to have what's called a water stop or a barrier to prevent leakage through the dam.

If those don't function properly for some reason, then we have drains from the crest of the dam to the gallery. These are called crested gallery drains that pick up seepage that might come through here on these lift joints. Again, this is a belt-and-suspenders approach to design, a redundancy built into the project.

Next slide.

What is roller-compacted concrete, the main constituent of our dam? It's concrete the same as you know concrete except it's placed with earth-moving equipment, bulldozers, dump trucks, conveyors, and it's compacted with heavy equipment. The same basic ingredients: Cement, a little bit of fly ash, aggregate, sand, water, all the same except the main difference is it is very dry compared to conventional concrete. We do lots of testing with it, and we
developed a mix design so it doesn't get extremely hot when it's cured. We designed it to minimize the heat, what's called the heat of hydration.

Finally, it's very suitable for Taum Sauk because Taum Sauk is a hard rock foundation once you clear away the residual soil. This kind of dam is best suited on a hard rock foundation.

Next slide.

I have three or four pictures of what RCC looks like when it's being placed in a dam. You can see it's being dumped out of a traditional tandem dump truck; it's being spread with bulldozers. Now, this is about two foot as it comes out of the truck, but the dozer flattens it to one foot thick, so the dam is comprised of one-foot layers all the way up, and it's compacted with heavy earth-moving compactors, smooth drum, that densify it.

The next slide shows it being placed on an off-road truck. You can see how it looks when it comes out of the truck and before it's spread down to one foot.

Next slide.

Here is a picture of the Saluda Dam where we place it by conveyors. This conveyor went back to our batch plant about one-half mile, transported by
conveyor to here, spread with this splicer, and then flattened out and spread in one-foot-thick layers with dozers; one here, one here.

This is the roller compactors that are smoothing it and densifying it. You can also see steps on the downstream side here.

Those are the forms that we used at Saluda. The forms at Taum Sauk will be a little bit fancier than that.

Next slide.

One more view of what roller-compacted concrete looks like when you are placing it. It's not something that you--conventional concrete, you couldn't run a dozer like this on it; it would be too wet, but this mix is very dry.

Next slide. Why do we use Saluda Dam as the precedent? Mike mentioned it; I mentioned it, also. This is what a roller-compacted dam look like--looks like at Saluda Dam at South Carolina near Columbia, South Carolina. This is the entire dam. Including the two end sections, it's about 7,800 feet long, a little more than a mile and a half. Taum Sauk's dam is about 6,800 feet long, about a thousand foot shorter. This dam is 200 feet high, whereas, the Taum Sauk upper reservoir dam is about half that height,
about a hundred feet high.

This dam has similar characteristics as Taum Sauk, but there are some major differences also which I'll explain later.

For example, this one at the time was the largest FERC remediation project in the United States. It cost about $275 million. It's also on hard rock, as well as the Taum Sauk upper reservoir dam will be. Downstream of this dam, 120,000 people live right in the floodplain. 200 feet high versus 100 feet high; I mentioned that before. This is one of the top ten largest dams in the world of RCC type. Actually, it's the third largest in the U.S. at the moment.

It underwent intense regulatory overview, and that's one of the reasons we are using it as a precedent, because of so much oversight that was done for that project. Similar oversight is being done for Taum Sauk, and I'll explain that in a few minutes, as well.

It won a couple of awards in 2005. United States Society for Dams Project of the Year; this is an organization that dam engineers and dam builders belong to, and we are recognized by our peers for that.

Then it also won from the American Society
of Civil Engineers, Outstanding Project of the Year, called O-P-A-L Award. In my business, it's like an Oscar to an actor or actress; the same thing. It's a national award which we're all very proud of.

Next.

I mentioned the intense work that has to be done to clean the rock, to take that maroon residual soil off the rock that I showed you in one of the very early slides. Here, we are doing the same kind of work at Saluda. You can see residual soil in place here, but on this side, it's been cleaned off, and we do this by intense labor. It's very small machines. Here, you see a water jet, you see a vacuum pipe here, going to a vacuum truck, water jet, lots of hand labor, so the rock becomes extremely clean, there's no loose material, there's no clay material, there's no soil whatsoever on that rock when it's ready for concrete.

The next slide, we are finished here and we are ready to place roller-compacted concrete. The idea here is we want to get a very tight bond between the rock and the new dam. We want no, no zone of seepage through there, we want no sifting through there, we want a very tight bond between the RCC and the rock, and this is the kind of surface that you get
that with; rough, undulating, but clean.

Next.

There's been a lot of conversation in the--a lot of written material, our report on the forensic investigation, the FERC's investigation, about the instrumentation, so I thought I would spend just a few minutes describing the instrumentation that the new dam will involve.

This is instrumentation associated with the water levels. We have basically two sets of instruments. We have what are called conventional probes, differential pressure transducers which we use in normal, everyday operations. They tell us when the upper reservoir level is getting low, they tell us when it's about full. It's used simply for operations.

Then we have backup systems, a high level, a high-high level, and we have a float switch. Now, these two are backup to these, to let the operator of the plant know that he's gotten the level too high or is approaching the high level. If this one doesn't work, then this one comes into play.

If neither one of these work and these don't work, then we have a float switch which automatically shuts down the pumps, so the chances of ever--of the
event happening ever again are absolutely minimal.

In addition to these electronic instruments, we have a typical, normal staff gauge, a gauge with marks on it, what the level of the water is, and a TV camera, video camera focused on that gauge, watching the level, so the operator can see on a TV screen at the control house, and he can use that, as well as the electronic instruments, to monitor the lake level.

Now, in the event that none of these work, which is a highly unlikely event, we have an overflow release structure, sometimes referred to as a spillway; not a spillway in the sense of a spillway on a dam, because this one is never supposed to function. It's there for an extreme event that all of these systems don't function.

Next slide.

This is simply a schematic. We have--this is the reservoir shown. We have a little instrumentation house up here, and that has all these instruments in it. It's designed to take care, eliminate wave effects on the instruments.

You'll notice the dam, here, is at fifteen ninety--the water level of 1597, the dam is at 1601, the overflow at 1599.

The next slide summarizes all those numbers,
or the next slide after this, but let me explain to you how the overflow release structure works.

This is an artist's rendering of what the new reservoir will look like: The new RCC dike around the entire perimeter, basically the same footprint as before, not too much different, but significantly deeper because the rock is being cleaned off as I showed you in those earlier slides.

Construction work area here and here, which were also work areas during the original construction.

An access road all the way around the perimeter, and the overflow release structure. This is on the southeast corner of the project, so that if we ever had to--if this ever was used, meaning all the instruments had failed, the flow would be over this, this overflow release structure.

The next slide gives you the design criteria for that overflow release structure. It will take the flow associated with two, the two pumps we have operating at full capacity. It distributes that over 700 foot. The overflow release structure is 700 foot long. Remember, the entire perimeter is 6,800 feet, so more than 10 percent of our dam is for this overflow release structure. Unlike the other--the main dam, this one has a stepped section, meaning as
the water trickles down the side, it goes over six-foot steps down the embankment on the side of the dam. At the base of that, we have what's called a stilling basin. It takes the water and it stills it, makes it go from a turbulent flow condition to a, basically, a sheet flow or laminar flow.

The next slide, there's a couple of pictures of that. You can see an artist's rendering here. This is the stepped spillway action or overflow release structure. Here is the spilling basin.

The next slide is a blow-up of that corner. Here is the dam at 1601, the roadway across the top. It drops down to 1599, and you remember the pool is at an elevation of 1597, so this is two feet above this. This is four feet above the water level here, and this is a--I mentioned a parapet wall. Our parapet wall is primarily for traffic control, but this is a roadway we use for the dam and inspecting the dam.

The steps, with the individual--as the water, if the water were to come over this spillway, the release structure would drop down these steps and dissipate energy just like it would coming down the seats on this gymnasium. By the time it gets to the bottom, it's basically lost all of its energy.

The next slide gives you those elevations
one more time. Normal pool is 1597. Overflow release structure, the crest of that structure is 1599. The top of the dam is 1601, and then the top of the parapet wall is 1604.5. So we've got controls, not only instruments, but the incident of December of 2005 cannot occur, with this kind of configuration, again. The water will be channeled over that one specific section if all instruments were to fail.

Next slide.

A number of the pieces of correspondence that we have received pertaining to the project has asked about our seismic design basis, particularly in relation to what the FERC is demanding in terms of seismic design criteria. We are designing the dam to be compliant with and exceed, basically, the regulations or the guidelines. I should say guidelines because they're still a draft state, published by the FERC in November of last year.

These guidelines call for two types of analysis; what's called a probabilistic analysis and a deterministic analysis.

A probabilistic analysis is like designed for an earthquake that occurs every thousand years or every 500 years, like you design for a flood, a hundred-year flood or a thousand-year flood.
A deterministic analysis is associated with looking at the historical seismicity in the area and designing for at least that or earthquakes larger than that that occurred historically. In our case, we are considering three different kinds of earthquakes: One at New Madrid, one over in Illinois at Wabash Valley, and one right around the area of the Taum Sauk in the Ste. Francois Mountains, because there have been small earthquakes over the years in that area.

Next slide. This is an illustration of how we do a deterministic analysis. We have a site here, for example, we have the New Madrid zone, seismic zone here. The three earthquakes that occurred in 1811-1812 occurred down the center of that, and they were all magnitude 7.2, 7.4, in that range. We are postulating that a magnitude 7.8 occurs here at its closest point to Taum Sauk. We're postulating that occurs and we're designing to resist the motion associated with that earthquake here, and the same thing along in the Wabash Valley, putting the earthquake right here at its closest point and moving—we assume or postulate that an earthquake occurs within 120 miles of the site. There's no basis for that. Actually, we put it within ten miles of the site we assumed it occurs, somewhere in the vicinity
of the site.

    Next slide.

    So the question was asked well, how does the earthquake you are designing for, how does that compare to what's historically occurred? Well, New Madrid is easy. That's 7.2 to 7.4 magnitude versus 7.7 that we're postulating at 68 miles away, not 130 miles, as it would be if it was at the center of the New Madrid.

    Similar to Wabash and background event, I have two numbers for you, and I'll explain that. We began the project by using a magnitude 5.8 somewhere within 12 miles of the dam, based on historicals which we estimate to be around 5.4, so significantly larger than what has occurred in the historical past. Going over the review process with the FERC and the FERC's panel of experts, we agreed to up the design for the local earthquake to a magnitude of 6 and put it closer to the site, basically ten miles away.

    So that's part of the process that we went through for designing the dam, because our firm does not--does not have--is subject to a great deal of oversight by regulatory bodies in this whole effort.

    Next slide.

    Let me speak to that for the last couple of
slides, here. We undergo a rigorous process of review and approval. FERC approves all of our design, all of our construction. FERC required Ameren to retain an independent board of consultants, a BOC or IBOC, and they review all of our work. There are four experts on dam design, then the FERC also had their own panel of experts, three experts that they retained, so when we go to a meeting, for example, I have about 45 people overlooking my shoulder on what we say, and do, and design, and we have about four people there plus Ameren supporting us.

Next slide.

The process involves our submitting all the drawings, and specifications, and calculations to Ameren; the dam safety group, the environmental group, and the operations group. It is reviewed by the board of consultants, the four people. It's reviewed by FERC headquarters staff, reviewed by the FERC regional office staff--Ms. Harding is with the Chicago office; there is also the Atlanta office involved--and it's reviewed by FERC's independent board of consultants. All of these groups have overview, are overseeing our design and will oversee the construction of the project as it goes forward.

I think you went backwards, didn't you? No.
The process is they review everything, we respond to comments, either adapt or accept their comments or discuss with FERC why we won't accept their comments. Usually, they win, quite frankly, and then the FERC and the independent panel evaluate and approve each of our design details.

I think that's last slide. Thank you for your time. I'll be standing back here with the placards and the RCC if anybody has any questions you'd like to discuss. Thank you.

MR. MENNE: I just want to mention associated with the rehabilitation of the reservoir, Ameren did prepare an environmental report. That report was sent out to 18 federal and state resource and regulatory agencies and Indian tribes, as well as over a hundred citizens, many of you in this room, environmental groups, park interests, and state, federal, and local political leaders representing the Taum Sauk area. We did receive some comments from Missouri DNR and MDC on that report. Those comments and our response to those comments, as well as the final environmental report, were sent to FERC on February 2nd, and you can get that information on their electronic library which is on their website.

Subsequent to the submission of that report,
we have received a number of other comments from people with regard to that. I should note that the scope of the environmental report was really limited just to the environmental impact associated with rebuilding this upper reservoir. Several of the comments that we received were outside that scope. However, Ameren intends to respond in writing to all the comments that we have received, and we will be sending a summary of all comments and response to those comments to the Federal Energy Regulatory Commission in the near future.

Again, from Ameren's standpoint, I want to thank you all for showing up tonight. We really appreciate you being here and taking part in this process, and with that, I turn it back over to Mr. LoVullo.

MR. LoVULLO: Okay, with that explanation from Paul Rizzo on the rebuild, we will get into the public comment part. Give me a moment just to look at the list, here, and see whom would like to speak.

About seven or eight people, and there's a number of question marks, too, so we'll do those that have indicated "Yes." Approximately seven to ten minutes to speak, and then those that have question marks, or even if you didn't put a question mark, if
you have a "No" down here that you didn't want to
speak but you want to say something, you are moved to
speak later, you can give your comments after those
that have said "Yes" speak.

Okay, when you speak, as you see, we have a
court reporter. If you can say your name, and if it's
unusual spelling, if you wouldn't mind spelling it for
him, and I'll give you the microphone and you can just
pass it around, and you can speak from your seat, or
if you want to come down, you are welcome to come down
and address the crowd.

This morning, we had an agency meeting in
Jefferson City, and at the agency meeting, there were
also some general public. That venue was more
convenient than coming here to Lesterville, and during
that time, the DNR had indicated they had filed some
comments with the Commission, and Dru Buntin would
like to further explain and provide those comments at
this evening's meeting, as well, so Dru?

MR. BUNTIN: Thank you. First off, I'm not
certain that I'm going to take seven to ten minutes.
We're here to listen to what the community has to say
about this process, but I do want to make folks aware
that our comments were available on the table as you
came in.
There are a couple of special comments. One applies specifically to the environmental report that Mike mentioned earlier. The other task was comments that we made back in March of 2005, when the Federal Energy Regulatory Commission's relicensing process for Taum Sauk was already underway even before the breach ever happened, so some of those comments that included from the March 2005 letter are going to be applicable to the rebuild, some are not, but we wanted to at least make those available to the public, and I won't take up any more of your time, but I'll be here, listening to what you have to say, and if anyone wants to talk after the meeting, I'll be here. Thank you.

MR. LoVULLO: Okay, the first up--and I'm going to do this in the order in which people signed in--is Sheriff Barton.

SHERIFF BARTON: Well, thank you for allowing me to speak tonight for the ladies and gentlemen of FERC and Ameren.

In December of 2005, we had a great tragedy here in this county, and the Lesterville Fire Department and Reynolds County Sheriff's Department responded to that. They did a fine job, in my eyes and a lot of other people's eyes, and it was one reason; it was because Ameren trained us how to do
that. Every year, we had a table-top exercise, and they showed us what to expect when something like this happens, and it really helped, and you can ask the firemen.

Also, I'm sure that the ladies and gentlemen of FERC have met with the environmentalists today, talked about endangered species and things like that. I'd like to invite you to walk back through the hallways of our school, here, and look at the empty desks that our children sits in, and to us, that's the most endangered species that's going to be affected if this dam isn't rebuilt, and I'd like to just look around today at most of the friends, and neighbors, and people of Reynolds County, and I think if every one of them would say nay or yea to build this back, I think you would get a good standing on how this community feels, so how about it?

(Cheers and applause.)

MR. LoVULLO: Thank you. Earlene Fox?

MS. FOX: Earlene Fox, E-a-r-l-e-n-e, F-o-x. I'm the Superintendent of the Lesterville Schools; 71 staff employees, approximately 296 children. We are the hub of this community. A community without a school is--I wouldn't say not a community, but for Lesterville to lose their school, it would be
devastating to this community. This community is very important to this school. I've never seen a school or a community like this. I'm not originally from Reynolds County, but when there is a disaster or there is a crisis, this town, this community comes together and they pull together. When there's an ice storm, they all come together, "You can come to my house if you don't have electric," and that's what we did the day of December 14th of '05, everybody came together. We canceled school. The school was open to Red Cross or to whoever needed it, to the firemen that needed food or whatever, but Ameren is very important to this community, because without Ameren, this community is not going to function. This school will not function, with over 53 percent of our local taxes coming from Ameren. You take away that money, sure, the State's going to kick in some money, but when has a State formula ever funded 100 percent of the schools here in Missouri? Not in my ten years of superintendency, and I don't foresee it coming in the near future, neither. They may say so, but it's not happening. That's why the schools have a lawsuit right now with the State of Missouri, because the funding is not adequate and it's not equitable.

We are the hub. This community does not
have a Chamber of Commerce. It does not have a city
government. They're forming a Chamber. They're,
they're working toward that. That was brought
together, I believe, because of the $5 million that
you brought back to this community so it could be
spent and used in this community, and I have to say
they're doing a fairly good job, and that gentleman
that's kind of heading it may be on the agenda to
speak, too; I don't know.

What I have here in my hand are 70-plus
letters from fourth grade to twelfth grade, from
staff, that I'm going to give you that we sent to
Attorney General Jay Nixon and Governor Matt Blunt
when our commissioners went up to visit with them.
Every one of them is saying we want Ameren to rebuild.
We want to keep our sports program. We want to keep
our school. We want to keep our technology. We like
it here. We like the smallness. You know, 296
students, for many people sitting down here, is
nothing. You know, you are used to dealing with
thousands. Not here. Everybody knows everybody by
name. I could sit here and pretty well tell you every
person that's sitting in this gym, as they could each
other.

I mean, religion is important to this
community, the school is important to this community. Where else would we have these meetings if it wasn't for the school? Where would we have the singings, and the benefits, and the, some of the community members coming in walking every morning? No, that doesn't happen in the big schools, but it happens here. You see 10 to 15 people throughout the day coming in and walking; not now that the weather has gotten pretty, they're back outside, but we have a unique situation here, and we have to have Ameren to keep that unique situation, and if you all do not let them rebuild and stop the politics that is holding everything up, it's holding us up.

It's very hard for me to be doing a budget for next year not knowing what they're going to do. Am I going to be needing cutting staff? Cutting programs? Saying, you know, we can't have some sports programs, we can't have the computers? We have a rotation of every five years, new textbooks. A lot of large schools don't have that, but we have that here. It's important. Do most schools open up when the electric goes out, say "Come in here and take showers"? Probably not, but we do. The uniqueness we have is the good neighbor that we have, Ameren, and I will let you, T. J., have these letters, but we have
to have Ameren to have this school and this community, and I can sit here and say that, and I think you can--everybody in here agrees. That's probably why the majority of the people are here. Yes, some of the businesses took a hard hit, probably, because of the floating and the river, but I think Ameren has held to their word and has corrected a lot of that. They've not told me anything that they have not done. Now, that may not be true, but everything they have told the school, they have came through 100 percent.

Thank you.

(Applause.)

MR. LoVULLO: Jo Ann Franklin? Before you begin, Jo Ann, I'd like to say something. If you have any additional comments, written comments, as well, we will accept them and we will file them with the Commission, and after we're all done, I'll explain how to look at them on-line, and I think it will be a good civics lesson for the kids; they'll be able to read some of their comments on-line that will be in Washington. Jo Ann?

MS. FRANKLIN: My name is Jo Ann Franklin, J-o capital A-n-n Franklin, F-r-a-n-k-l-i-n. I feel differently. I'm a resident that lives on East Fork of Black River. It's impacted my business and my home
greatly.

Before the breach, I did make a statement to FERC about the relicensure, stating that at times, there was no water flow in the East Fork and the stream was drying up because Ameren was having too much spilled and had to keep water and prevent it from flowing down East Fork.

I don't really see this as an act of God. I think that it was an environmental disaster on one of the most pristine streams in Missouri. It was certainly one of the most visited state parks. I think that we need to have an environmental impact study and environmental impact, I think that that definitely needs to be done.

I hear a lot of emotionalism here over the school, but I think what we need to look at is safety. I think that there was awareness of Ameren of the problems that were there and they were not addressed. I also think that the environment has been greatly, greatly impacted. In the streams, the fish that are in the streams that are sight feeders, how do they see in the East Fork? There's a sludge that has gotten on all of the different rock there. The rock is no longer colored; it's all one clay color.

I asked Curt Shieffer, the DNR attorney,
what was going to happen since the Johnson State Park
was going to be moved upwards, because people were
fearful of camping in the area where it previously
was. He told me that if people were in the daytime
playing in the Shut-Ins, there would be an alarm
system if there was a breach and people would have
four minutes to get out of there and that handicapped
people can generally use that area.

He said that--I asked him if there were
small children there and a mother with several kids,
would she, in four minutes, be able to gather up her
children to take them to the walkway up above. He
said that there would be signage so people would know
that there was going to be a breach.

I think that Ameren could use their
resources to stay in this community and do something
that's less dangerous, like maybe wind form or solar
energy. I think that the old reservoir used more
energy than it made.

I think that there's been a violation of
trust and safety with Ameren in this case. They, they
were well aware of the problems that were there, and
management didn't address them.

The licensing process it seems is now
looking at rebuilding, but I think all of the studies
that were supposed to be turned in prior have not
actually been initiated or gathered together because
the breach kind of took things off of track. I think
that it's greatly impacted tourism in the area. I
know that a lot of the businesses are getting
reimbursed by Ameren for their damages, but the
damages are going to continue this next year because
the park will again still be shut.

There is--the plant is supposedly going to
continue to be run by remote control, which makes
another safety issue to me.

I think that a licensure for 50 years is a
very long time, and when I asked Mr. Rizzo about the
RCC, he told me that all concrete cracks and that's
why there's a wall on each side. I think if the
spillway does function, that it's going to pour into
more of the small streams that are there.

I think that we need to look at the
licensing process, so is the rebuilding going to fall
under the current license of what was already
destroyed or will it have to apply for a re--a new
license? I know that the East Fork has changed
greatly since Ameren has been in charge of it. I know
that the stream, when it was drying up, allowed
vegetation to get into the stream, and it also allowed
pools only to be existing and not a steady flow. There were times when there was no flow in the stream at all. I've lived there since 1979, and I know that that's been a change over time, and I've been trying to protect the river for years. I protested when people were driving in it, and I think that the, the river, itself, has been greatly impacted, and I don't see any effort to clean the East Fork and the amount of sediment that's up above I think will be coming down for years.

MR. LoVULLO: Thank you.

The name is difficult: Not the name, it's the penmanship. I'll just go with the first name. Elmer? Am I saying that right?

ELMER WHITTINGER: You got that part right.

MR. LoVULLO: Okay.

ELMER WHITTINGER: I'm Elmer Whittinger. I'm a business owner here in town. First of all, I'd like to clarify one thing: Will the volume of this new reservoir be the same as the old reservoir?

MR. RIZZO: (Nods head in affirmative manner).

ELMER WHITTINGER: Same volume, so the lake would catch it if it overflowed? Thank you. I'm not here to point fingers or take sides
in any debates. I'm here to say basically that Ameren
is one hell of a neighbor. They have done everything
that legally and morally they should have done.

I am embarrassed by Jay Nixon and his
continuing battle with DNR and the Governor. When you
elect a person to the office that he is holding, you
kind of expect him to have a little common sense, and
so far, I haven't seen any common sense from Jay
Nixon. I think the people in this town and this area
are very happy with you guys on the most part, but of
course, everybody's got their own opinion, and
rightfully, they have their own opinion, but I'm proud
to say that you are here and I hope you stay. Thank
you, very much.

(Applause.)

MR. LoVULLO: Ed Stewart?

ED STEWART: My name is Ed Stewart, and I
was sitting there thinking about what could I say that
would make a difference, and I'll just tell you about
me. I don't like environmental wackos. I don't like
the environmental wacko organizations, listed as NGOs,
non-governmental organizations. Back around 1987--I
moved up here in '88, but in '87, in the national
forest land over in Fredericktown, I was told the
reason why my firewood permit wasn't going to be
renewed that year was because, by a forest ranger over there, there were people who came down on the weekend didn't want to hear my chain saw running because they run the woods, hiking, didn't want to run the risk of seeing my truck, or maybe hear a rifle shot, you know, echo across the hills and hollers back there, you know. Turkey season, deer season was going on, so I started an investigation to find out who these people were, and basically, you are talking about groups like the Sierra Club, people like Jay Nixon, Audubon Society, Missouri Coalition for the Environment, and I think the prevailing attitude from urban intellectuals, St. Louis County, Kansas City, Leo Dry (Phonetic), Louis B. Green, his lawyer, his attorney, they think we're a bunch of stupid redneck hillbillies got to be micromanaged by all the smart people like them, but I've got news for them. I've got news for them. They--and you know, I know the people that's going to rebuild this lake. They're engineers, scientists, and they're going to stick to the facts, and they're going to rebuild that lake in the best possible way that, you know, no catastrophe ever happens again, but you know, there's a lot of emotion, emotion you was talking about tonight on both sides.

What people need to realize is, let's be
real. There's nothing in this world that is absolutely fail-safe. I mean, you can have a tornado, an earthquake, a terrorist bring a suitcase bomb, but as long as people do their best to put forth their best, then that's all that anybody can expect, and I'd like to say to the environmental wacko groups that you know have invaded this area, Southeast Missouri, Iron, Madison County for the last 25, 30 years, if you don't like the way things are done around here, move out.

(Applause.)

MR. LoVULLO: That was the last comment that was provided with a "Yes, wanted to give comments," so I'll go through the question marks and read out your names, and if you'd like to give a comment, please feel free to.

Tom Fult (Phonetic)? I can't read the last part. Tom Volner (Phonetic)?

VOICE FROM THE AUDIENCE: He's not here right now.

MR. LoVULLO: Okay, Wade Hill?

(No response)

MR. LoVULLO: Logan?

MR. LOGAN: I'm Wayne Logan, but I've not got anything to say at this time. No, I changed my mind. I'm going to.
MR. LoVULLO: Good.

MR. LOGAN: I just want to talk about the condition of the East Fork. I've fished in the East Fork all my life, starting back in the Forties. It is common for East Fork to dry up in the dry summers. Now, I know that it would be wished that we could put canoes down East Fork, but the only way you could fill East Fork is if the river is up. Otherwise, you couldn't put a canoe on it. You should--well, but now, East Fork has changed. The dam caused--has been--well, it slowed it down. It just doesn't have the flow of water that it used to have, and she--it is correct that the vegetation is choking it out, and--but above all, rebuild the reservoir. Thank you. (Applause.)

MR. LoVULLO: Wayne Hansen?

MR. HANSEN: No.

MR. LoVULLO: Tommy Barton?

SHERIFF BARTON: Me? Yeah, I'll say something. My name is Tommy Barton. I live here in Lesterville. I live on the East Fork River, and I can probably speak for about 30 or 40 people in here, that if one particular family doesn't like it, they need to leave. (Applause.)
MR. LoVULLO: Lloyd Pinckley?

MR. PINCKLEY: Pass.

MR. LoVULLO: Thank you.

Tim Bailey? Or Wendy Bailey?

WENDY BAILEY: No.

MR. LoVULLO: Okay, and that's it for question marks. Anyone who has either spoken or who hasn't spoken who would like to say some words, raise your hand.

JO ANN FRANKLIN: I understand that the original licensure of--I'm sorry, Jo Ann Franklin. The original licensure with the reservoir said that the flow of the water coming in must be the flow going down the East Fork, and that was not followed. It was another breach of trust.

ED STEWART: On page 12, page 11, it mentions endangered species on here, but I notice the wording, it doesn't make any difference which kind of environmental propaganda you want to look at, it's always the same, just "may be threatened," "may be endangered," "may be a problem," never, very seldom rarely "Oh, this is really a problem," it's "could be," it's "We perceive that this could happen in the future," but normally, 90 percent of the environmental message is just that, nothing but propaganda.
MR. LoVULLO: Anyone else?

(No response)

MR. LoVULLO: As I had mentioned earlier, you can provide written comments to the Commission--oh. Okay, excuse me.

TIM BAILEY: I was outside when they called my name.

MR. LoVULLO: Can you state your name for the court reporter?

TIM BAILEY: My name is Tim Bailey. I'd like to introduce myself. I am the President of the Black River Chamber of Commerce, for those of you that were not aware that we were in existence. We have formed--actually, it's been in existence for awhile, but nothing's been really active until of recent. I'm a relative newcomer to the area. In fact, it was the breach that brought me here, but since then, I've made this my home, and I've noticed that there is a lot of potential for this town, and it was my hope in joining the Black River Chamber of Commerce that I could maybe help facilitate some of the necessary changes that would be the best for the town. One of those things would be in increasing our self-reliance. I realize that Ameren, as one of our inherent brethren, is a tremendous contributor to this area, but one of the
things that I wanted to facilitate was that we be able
to stand on our own two feet whether Ameren was here
or not. We most--more than likely, absolutely welcome
them to stay, and that's what we all want, or most of
us, anyway, but from the standpoint of the Chamber of
Commerce and other businesses in the area, we do look
forward to working in the future with Ameren, their
continued contributions to the area, and further
growth of this fine town, but we hope they do stay.
We hope that the environmental concerns that we're all
looking at tonight, that the construction of the dam
will not impact any further the damage that has
already occurred and that we'll work in the future
together as a community along with Ameren to make sure
that that never happens again, and if it does, that we
do have contingency plans in place to continue to
thrive as a town.

(Applause.)

MR. LoVULLO: Okay, a couple of closing
comments. If you wish to file written comments with
the Commission, the closing date is April 11th.

All the comments that we receive tonight
will be taken into consideration as we develop the
NEPA document, as well as the written comments, too,
and if you are going to file your comments with the
Commission, with FERC, the address is on the screen.

I'd also like to mention a--I guess it's a service, not a service but with our FERC On-Line, you can e-subscribe to the Ameren Project and so you will receive correspondence that is filed with the Commission, as well as correspondence that comes from the Commission to Ameren, and you can do this for any project that the Commission regulates, and the number--if you wanted to e-subscribe, the number that's important is the "2277," so if you go on-line at ferc.gov, there's a place there that says, "E-subscription, do you want to e-subscribe," and you can click that and you get a pull-down and then fill in the information, your e-mail address, as well as the project number, and you will receive all correspondence.

One of the things the Scoping Document talked about was a mailing list. If you go on the Commission's--if you wish to be on the mailing list, the correspondence that you receive will only be the correspondence from the Commission to the licensee, and that is in the form of orders that are sent to the licensee, Ameren, as well as public notices, so if there's any letters going back and forth, you won't receive that if you are on the mail list, but if you
e-subscribe, you will receive that, you'll get a
pop-up in your mailbox saying that something was filed
with the Commission or that the Commission responded,
so I just mention that because I see a lot of interest
there in the project, and that's one thing, too, that
if the kids wanted to do, too, to track us from the
high school.

Frank was reminding me to clarify, you get
notification of the correspondence and not the
correspondence, itself, so you will receive an e-mail
saying something was filed or something was
transmitted. You then have to go into that
correspondence, and then you can view it from your
computer or you can print it out, as well.

I'll remind you that behind us, too, as
Mr. Rizzo had indicated, are some of the displays for
the rebuilding of materials that are going to be used
and a sample, a test sample of RCC. If you haven't
seen it, you are welcome to take time after the
meeting to look at that. If there is nothing further,
I want to thank you for coming. Appreciate it, and
have a good evening.

(Applause.)

(Whereupon, at 8:09 P.M.,
the proceedings were concluded.)
State of Missouri. )
 ) SS.
City of St. Louis )

I, J. Bryan Jordan, a Notary Public in
and for the State of Missouri, duly commissioned,
qualified and authorized to administer oaths and to
certify to depositions, do hereby certify that
pursuant to Notice in the matter now pending and
undetermined before the Federal Energy Regulatory
Commission, I was attended at the Lesterville High
School, in the City of Lesterville, State of Missouri,
by the aforesaid FERC Commission staff and by the
aforesaid appearances, on the 12th day of March, 2007,
said proceedings being by me reported in shorthand and
caused to be transcribed into typewriting, and that
the foregoing pages are in all respects a full, true,
correct and complete transcript of said proceedings.

I further certify that I am not of
counsel or attorney for either of the parties to said
suit, not related to nor interested in any of the
parties or their attorneys.
Witness my hand and notarial seal at
St. Louis, Missouri, this 15th day of March, 2007.

J. Bryan Jordan
Certified Court Reporter No. 532
State of Missouri
My License expires: January 1, 2008