

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Alcoa Power Generating, Inc.	Project No. 2197-073
	North Carolina
Progress Energy Carolinas	Project No. 2206-030
	North Carolina

PUBLIC MEETING ON ENVIRONMENTAL ASSESSMENT

At Salisbury, North Carolina

Wednesday, November 14, 2007

Reported by: A. Robin J. Schenck, Court Reporter

Notary Public

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A P P E A R A N C E S

For the FERC Panel: Lee Emery, Fishery Biologist
Stephen Bowler, Fish Biologist
Mark Pawlowski, Chief Hydro East Branch 2
Division of Hydropower Licensing
888 First Street, Northeast
Washington, DC 20426

Also present: Members of the community

PRESENTERS

Larry Jones Dick Martin
Lindsey Dunevant Paul Woodson, Mayor Pro-Tem
Roger Dick Mark Lewis, Councilman
William Kennedy, Councilman
William Burgin, Councilman
Gene Ellis Susan Kluttz, Mayor
Beauford Taylor, Mayor
Steve Reed Robert VanGeons
Robert Petree Mike Taylor

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E X H I B I T S

EXHIBIT DESCRIPTION

Comments from the High Rock Lake Association Inc.
County of Stanly - Why a new License...
Comments by Stanly County to Section 401 (Parker Poe)
Statement of Stanly County, NC November 14, 2007
Stanly County Concerns November 14, 2007
Charlotte.com Hazards in Stanly
Badin: A Town at the Narrows (Historical and Architectural
Survey)
Order Denying Old Republic's Motion For Summary Judgment
Statement from SaveHighRockLake.org
Motion of Ronnie Lee Qualkenbush to Deny Alcoa Power
Generating Inc. License Renewal ...

1 MR. PAWLOWSKI: I think as people come in, filter
2 in and take their seats, we can open up this meeting. I'd
3 like to thank everybody for coming out this evening. My
4 name is Mark Pawlowski. I'm chief of Hydro East Branch 2,
5 Division of Hydro Power Licensing at the Federal Energy
6 Regulatory Commission. With me here this evening I have
7 Lee Emery and Stephen Bowler, who is out making sure that
8 everybody has signed in and can find a place to park.

9 Stephen and Lee are project coordinators for the
10 Yadkin and Yadkin-Pee Dee hydroelectric projects.

11 As you are aware, the Federal Energy Regulatory
12 Commission under the authority of the Federal Power Act has
13 the exclusive authority to license non-federal
14 hydroelectric projects located on navigable waters or
15 Federal lands or connected to the interstate electric
16 grid. Upon the expiration of an original license the
17 Commission may issue a new license for a period of 30 to 50
18 years. Section 4E of the Federal Power Act requires that,
19 when deciding whether to issue a license the Commission
20 must give equal consideration to developmental resources
21 such as power generation, irrigation, flood control and
22 water supply; and environmental resources such as fish
23 and wildlife, including their related habitats,
24 recreational opportunities, visual resources, and cultural

1 or historic properties.

2 Under Section 10-A of the Federal Power Act the
3 Commission must insure that the project licensed is best
4 adapted to a comprehensive plan for improving the waterway
5 for beneficial public uses. In making this judgment the
6 Commission considers comprehensive plans developed by state
7 and Federal entities and the recommendations of state and
8 Federal resource agencies, Indian tribes, and the public.

9 Finally, in issuing a license the Commission must
10 include conditions that adequately and equitably protect,
11 mitigate damages to and enhance fish and wildlife based on
12 the recommendations of state fish and wildlife agencies.

13 Before I turn over this meeting to Stephen and Lee,
14 I'd like to remind people that the purpose this evening is
15 for staff to receive comments on its analysis in the draft
16 Environmental Impact Statement for these projects that was
17 issued on September 28th.

18 Thank you. Lee.

19 MR. EMERY: Good evening. Lee Emery. Glad to be
20 here this evening. Happy to be back in North Carolina.
21 Got two warm welcomes this evening: One, beautiful weather
22 today. Wow. Secondly, these lights are blinding. I can
23 hardly see people out there. Anyway, before we hear your
24 comments on this DEIS, draft Environmental Impact

1 Statement, I want to give you a brief synopsis of events
2 leading up to today. May have seemed like a long process
3 for some folks involved here, but the application for the
4 Yadkin Project was filed with the Commission in April of
5 2006, and is using the traditional licensing process. And
6 we had a scoping document that was issued in December of
7 2006, and we were down here in January holding four public
8 meetings in and around the area. As a result of these
9 meetings site visits and responses to our additional
10 information request to the licenses on March 15th, 2007,
11 the Commission issued a notice that the application was
12 ready for environmental analysis and we then solicited
13 recommendations of terms and conditions from the resource
14 agencies. Those were due in May of 2007.

15 On May 17th, 2007, Alcoa Generating filed a Final
16 Settlement Agreement with -- on numerous -- for this
17 particular project, and then finally the DEIS was issued on
18 September 28th this year with the comments due December
19 8th. Our target schedule next step beyond DEIS -- we'll
20 get it done. Our target schedule is to have a final DEIS
21 issued in January 2008.

22 I'm going to have Gene Ellis of Alcoa Generating say a
23 few words and then we'll get into the process of hearing
24 your comments. See if we hit the mark or missed the mark

1 on this DEIS.

2 MR. ELLIS: Good evening. My name is Gene Ellis.

3 MR. EMERY: Excuse me. Excuse me one second.

4 Before -- I said we would call Gene Ellis with Alcoa
5 Generating, but as we come up, other folks as I call them,
6 please state your name and affiliation for the court
7 reporter we have here.

8 MR. ELLIS: My name is Gene Ellis. I'm a
9 licensing and property manager for Alcoa Power --

10 MR. EMERY: Can you hear him out there okay?

11 AUDIENCE: No.

12 MR. ELLIS: I'll be glad to turn around.

13 (DISCUSSION HELD OFF THE RECORD)

14 MR. ELLIS: Good evening. My name is Gene Ellis
15 and I'm the licensing and property manager for Alcoa Power
16 Generating Incorporated. I appreciate the opportunity to
17 make a few brief remarks about the draft Environmental
18 Impact Statement prepared by the Federal Energy Regulatory
19 Commission staff. And by the way, welcome back to North
20 Carolina.

21 MR. EMERY: Thank you.

22 MR. ELLIS: First I'd like to thank everybody,
23 more than 100 people, who have been involved in the Yadkin
24 Project relicensing during the past five years, especially

1 those folks and 22 organizations who worked so diligently
2 with Alcoa to craft the Relicensing Settlement Agreement
3 that will improve recreation opportunities and
4 environmental protection within and around the Yadkin
5 Project.

6 In addition, I'd like to thank Mark Pawlowski, Stephen
7 Bowler, Lee Emery, and the entire FERC staff for the effort
8 that has gone into the relicensing process. In particular
9 I appreciate their support of the proposals contained in
10 the Relicensing Settlement Agreement which reflect the
11 broad support of state and Federal agencies, environmental
12 interest groups, homeowners and other advocacy groups.
13 Specifically I'm pleased that FERC's staff has recognized
14 the significant benefits associated with the Relicensing
15 Settlement Agreement's proposal to change the operating
16 rules at High Rock Lake, including an extended recreation
17 season that will keep more water in the lake.

18 The Low Inflow Protocol for the Drought Management
19 Plan is another important piece of the effort for
20 conserving water in the Yadkin-Pee Dee watershed during
21 times when water is scarce like it is now. There are many
22 other important proposals the FERC staff has supported in
23 the draft Environmental Impact Statement. Improvements to
24 water quality and development of plans for the protection

1 of rare, threatened, and endangered species are just some
2 examples. In addition, there are areas where we have work
3 to do and we continue to search for appropriate resolutions
4 in those areas. Alcoa will be providing more comprehensive
5 written comments into some of these areas during the public
6 comment period.

7 Since I began my comments with appreciation for the
8 folks that helped us reach this point, I'm going to close
9 with the same. Thanks to all of you who have been a part
10 of this. And like me you're probably very glad that the
11 end is on the horizon. Thank you again for this
12 opportunity to speak this evening and for your continued
13 work on the process.

14 MR. EMERY: Thanks, Gene. Okay, from the number
15 of people who have signed up thus far, we're going to see
16 if allotting at least ten minutes per person to get through
17 all of those people will confine the time line, someone
18 else would like to speak then take some more sequential
19 speakers. Stephen will help me keep time with the
20 speakers. We'll try to keep people on schedule. Please
21 show respect for your fellow speakers. And I'll call out
22 the name, state your name and organization when you get up
23 to speak. Like you to come down to the speaker, the
24 microphone, when you're ready to speak.

1 If you have some written documents, you can give those
2 at the conclusion of the meeting or after speaking to the
3 court reporter.

4 All right. We'll start off with -- I'll call out
5 three names so we have a couple on board. Those three
6 people come up and sit in the front seat and we'll take
7 them one at a time when we're ready to go.

8 The first three speakers will be Mayor Kluttz from
9 Salisbury, Mayor Beauford Taylor from Rockwell, and Steven
10 Reed from the Division of Water Resources. If those three
11 people will come up. And Ms. Mayor please, you can go
12 ahead.

13 MAYOR KLUTTZ: May I go ahead?

14 MR. EMERY: Glad to have you here.

15 MS. MAYOR KLUTTZ: Thank you.

16 MR. EMERY: Beautiful town.

17 MAYOR KLUTTZ: Thank you so much. I am Susan
18 Kluttz, Mayor of Salisbury, and I'm delighted to welcome the
19 Federal Energy Regulatory Commission to our beautiful
20 historic city.

21 I also am happy to introduce to you the Salisbury City
22 Council. And I'd like to ask them to stand, please. Mayor
23 Pro-Tem Paulson, Councilman Pete Kennedy, Councilman Bill
24 Burgin, and Councilman Mark Lewis. I would also like to

1 introduce our City Manager David Treme and a number of
2 Salisbury City staff who are also present and ask them if
3 they would stand, please.

4 Lastly, our Salisbury-Rowan Utilities Department
5 provides water and waste water services to neighboring
6 communities of Granite Quarry, Rockwell, Spencer, East
7 Spencer, Faith, Cleveland, and other communities as well.
8 These communities along with our growing county government
9 have supported Salisbury in expressing their concern to you
10 over the threat to critical infrastructure that serves
11 their communities. And I would like to ask their
12 representatives to stand as well.

13 Thank you for providing to the citizens of Salisbury
14 and our neighbors this opportunity to share with the
15 Commission our comments on the draft Environmental Impact
16 Statement published by the Commission on September 28th,
17 2007.

18 As you know, Salisbury has been participating in the
19 relicensing process since 2002, when Alcoa announced it
20 would apply in April 2006 to the Commission for a new
21 license to operate the Yadkin Hydroelectric Project, which
22 includes High Rock Dam. In compliance with the Commission
23 procedures Alcoa invited Salisbury and other stakeholders
24 to identify studies that Alcoa should conduct regarding the

1 Yadkin Hydroelectric Project. Prior to this invitation
2 Salisbury was becoming increasingly concerned about the
3 growing sediment accumulation and rising flood waters on
4 the Yadkin River that threatened our river pump station and
5 waste water treatment facilities.

6 The pump station and waste water treatment facilities
7 provide service that's essential to the health, safety and
8 welfare of 40 percent of Rowan County's population,
9 including the communities that I've introduced to you
10 earlier.

11 In order to protect these critical water supply and
12 waste water treatment facilities on the Yadkin River,
13 Salisbury needed accurate relevant information on
14 sedimentation and flooding, so in response to Alcoa's
15 request for study topics Salisbury asked Alcoa to conduct
16 studies of the sedimentation and flooding effects on High
17 Rock Dam on Salisbury's water and waste water facilities
18 located on the Yadkin River. We were therefore stunned to
19 learn that Alcoa would not perform a meaningful study of
20 the sedimentation and flooding problems that threaten the
21 health, safety and welfare of so many citizens.

22 Alcoa did eventually publish a study, but that study
23 did not address the main sedimentation problem, --
24 deposition on the related flood effects.

1 Since Alcoa failed to publish the appropriate studies
2 to identify and address the sedimentation and flooding
3 problems, Salisbury was forced to undertake that
4 responsibility. Salisbury advised the Commission on June
5 23rd, 2006, that we intended to provide those necessary
6 studies. Not only that, but Salisbury invited the
7 Commission to conduct peer review of the studies Salisbury
8 would provide.

9 So Salisbury went to work. We succeeded in finding
10 and retaining nationally recognized experts and asked them
11 to provide accurate, unbiased information regarding
12 sedimentation and flooding effects of the Yadkin Project.
13 As you know, Salisbury not only commissioned the needed
14 studies and provided to the Commission the reports from
15 those studies, but even provided the computer files used in
16 the modeling along with other detailed background
17 information so that any interested party could run those
18 models for themselves. We were after the truth and we
19 found it.

20 The resulting studies performed by those experts
21 determined that High Rock Dam causes the High Rock sediment
22 delta. The High Rock sediment delta buries Salisbury's
23 water intakes unless sand is continuously removed. The dam
24 and sediment delta dramatically increase the flooding in

1 our water pumping station and our waste water treatment
2 facilities. During expected heavy flows of the Yadkin
3 River the dam and sediment delta will increase flooding to
4 the point where the pumping station and waste water
5 treatment plant will be flooded, vital equipment will be
6 destroyed, and the water supply for more than 40,000 North
7 Carolinians will be lost.

8 We were tremendously relieved to find that the
9 Commission has proposed its draft Environmental Impact
10 Statement to require Alcoa to implement a sedimentation and
11 flood protection plan that will offset the adverse
12 sedimentation and flooding effects of the Yadkin Project on
13 our critical infrastructure. We request that the
14 Commission stay the course and require Alcoa to implement
15 the sedimentation and flood protection plan proposed in the
16 draft Environmental Statement. And we appreciate FERC's
17 commitment to a fair, honest and unbiased evaluation of the
18 impacts of Alcoa's Yadkin Project.

19 Thank you for providing this opportunity to present
20 these comments tonight and your concerns. And thanks
21 again. Welcome to our community.

22 MR. EMERY: Thank you, Mayor Kluttz. Next Mayor
23 Beauford Taylor, Rockwell.

24 MAYOR TAYLOR: My name is Beauford Taylor. I'm

1 the Mayor of Rockwell, a small town that's 10 miles south
2 of Salisbury. We have a population of about 2,000. We
3 support the request that Salisbury is putting out. The
4 DEIS addresses our concern about the protection of our
5 water supply. We ask that the Commission publish a final
6 Environmental Impact Statement and issue a new license that
7 requires the proposals, sedimentation, and the flood
8 protection plan. Thank you.

9 MR. EMERY: Thank you, Mayor Taylor. Next will
10 be Steve Reed. We put on deck three new players. Speakers
11 rather. Robert VanGeons? Geons? Robert VanGeons. Close?

12 .
13 MR. VANGEONS: Yes.

14 MR. EMERY: Lindsey Dunevant and Robert Petree.
15 Robert, you here? All right, Steve Reed.

16 MR. REED: Thank you. My name is --

17 MR. EMERY: Division of Water Resources.

18 MR. REED: My name is Steve Reed. Last name is
19 spelled R-E-E-D. I'm the Hydro Power Licensing
20 Coordinator.

21 MR. EMERY: Can you hear him back there?

22 AUDIENCE: No.

23 MR. EMERY: Could you come a little closer?

24 MR. REED: My name is Steve Reed. I'm the Hydro

1 Power Licensing Coordinator for the Division of Water
2 Resources which is part of the North Carolina Department of
3 Environment and Natural Resources or NCDENR, all in capital
4 letters.

5 The Division of Water Resources is the lead agency
6 within NCDENR for the relicensing of hydroelectric projects
7 in the state. We have been an active participant in all
8 aspects of the relicensing of the Yadkin Hydroelectric
9 Project since the process began a number of years ago. We
10 have been involved in scoping and defining the issues to be
11 addressed, as well as reviewing and designing study plans.
12 We have participated in a number of the field studies. Our
13 division as well as other NCDENR divisions have been active
14 members on most of the technical work routes. We have
15 reviewed and provided comments on the results of technical
16 studies and have suggested and evaluated various project
17 alternatives.

18 NCDENR is the signatory for the Relicensing Settlement
19 Agreement, or the RSA, and we're here tonight to reaffirm
20 our strong support for that Agreement.

21 We have worked hard with our fellow stakeholders over
22 a number of years to develop an RSA that is both
23 comprehensive and provides a balanced set of enhancement
24 measures for the various interests and resources affected

1 by project operations. We commend FERC's staff for
2 incorporating most of the provisions of the RSA into the
3 staff alternative draft Environmental Impact Statement.

4 We would like to point out, on Page 7 of the DEIS FERC
5 lists all of the parties that have moved to intervene in
6 the Yadkin Project.

7 On February 22nd, 2007, NCDENR filed a Notice of
8 Intervention and an Alternative Motion To Intervene;
9 therefore, it appears that FERC may have inadvertently
10 failed to list NCDENR as an Intervenor, and we ask that
11 this be corrected. Thank you.

12 MR. EMERY: Thanks very much. Robert VanGeon.

13 MR. VANGEONS: VanGeons.

14 MR. EMERY: VanGeons. All right. Thank you.

15 MR. VANGEONS: Good evening.

16 MR. EMERY: You're with Stanly County?

17 MR. VANGEONS: Yes. My name is Robert VanGeons.

18 MR. EMERY: Am I allowed to --

19 MR. VANGEONS: V-A-N I leave a space capital

20 G-E-O-N-S.

21 MR. EMERY: Thank you.

22 MR. VANGEONS: I'm the economic development
23 director for Stanly County. I'm accompanied tonight by a
24 delegation of Stanly County citizens and elected leaders.

1 Chairman of the Stanly County Commission is Tony Dennis,
2 Commissioner Lindsey Dunevant, Attorney Mike Taylor, and
3 concerned citizens Chris Bowman and Roger Dick.

4 We are here tonight to express our great concerns
5 regarding the cumulative environmental impacts this project
6 and its operations have had in our community throughout the
7 years. We desperately need your help if we're to answer
8 some very tough questions.

9 Let me say that Stanly County is strongly supportive
10 of the city of Salisbury's position as it relates to
11 sediment in High Rock Lake.

12 Our own Badi n Lake has a sediment issue also. The
13 primary difference is that Badi n Lake sediment,
14 particularly that in what is known as a public swimming
15 area and the boat launch area, is contaminated with various
16 metals. This was the finding of an RCRA Facility
17 Investigation Report conducted in 1996 and '97. This
18 report found that these substances can be highly toxic and
19 hazardous to human health.

20 Stanly County has requested various studies reports
21 from the Federal and state and Alcoa officials.
22 Unfortunately, it's been our experience that these requests
23 must be surgically specific with regards to what particular
24 study, report, the data or test result we're requesting,

1 and in excruciating detail. And even with this detail,
2 once identified such information has been reluctantly
3 provided only after considerable delay. One example of
4 this is our request for a report written by Alcoa and
5 provided to FERC concerning sinkholes near the High Rock
6 Dam which we requested in early September. We still have
7 not received a response to this request even after
8 completing a - forgive me if I have the acronym wrong - a
9 CE-II request and verifying that we had sent the request
10 and twice making contact with FERC staff.

11 Stanly County has very limited financial ability to
12 conduct our own environmental testing and studies, but we
13 have several small ones currently underway. One of the
14 reasons we would like to have some independent tests and
15 studies completed is that the state and apparently FERC
16 both rely on self-testing and self-reporting by Alcoa.
17 Additionally many of these tests are over a decade old.

18 We respectfully request additional time to complete
19 these tests and analyze the results.

20 And at this time I would like to yield to County
21 Commissioner Lindsey Dunevant who would like to share with
22 you the concerns of the Stanly Commissioners; but as I do,
23 I would like to implore you and actually downright beg you
24 to provide us the resources, time, and assistance necessary

1 to answer these critical environmental questions before
2 moving further with the process.

3 MR. EMERY: Before you go away, a couple -- one
4 thought. This 1996-1997 contaminant data, do you have that
5 or do you have a reference for it?

6 MR. VANGEONS: We can provide you that.

7 MR. EMERY: Okay. And the second thing. The
8 sinkholes, does this occur in the -- area? What makes you
9 think there's a problem with sinkholes in the area?

10 MR. VANGEONS: That --

11 MR. DUNEVANT: I can answer that.

12 MR. EMERY: Okay. Thank you.

13 MR. DUNEVANT: Good evening and welcome to God's
14 country. I am Lindsey Dunevant. I am a member of the
15 Stanly County Commissioners.

16 On September 28th, 2007, the staff of the Federal
17 Energy Regulatory Commission prepared a draft Environmental
18 Impact Statement for the relicensing of Alcoa Power
19 Generating Inc., for at hydroelectric development to the
20 Yadkin River. Despite a long process involving the public,
21 the draft EIS barely mentions the concerns expressed by
22 Stanly County and its citizens. It completely ignores the
23 impact Alcoa's project has and will have on the lives of
24 the 60,000 citizens of Stanly County.

1 Typically the final EIS is the primary decisional
2 record in the FERC relicense process. It should reflect
3 the process, as well as the staff's independent
4 consideration of the record in light of what the law
5 requires.

6 Stanly County believes that FERC's staff has
7 essentially ignored Federal law by failing to address all
8 the issues raised in the relicensing process in its
9 report. We certainly hope that the FERC staff will
10 consider its omissions and follow the law when they issue
11 the final version of this document.

12 Federal law requires that FERC take into consideration
13 the effect on the community served or to be served by the
14 project during the relicensing process. Stanly County is
15 obviously one of those communities affected by the Yadkin
16 Project relicensing and we are baffled as to why those
17 concerns which were -- explained and presented to the FERC
18 staff in great detail are not addressed at all in the draft
19 EIS.

20 Stanly County intends to file Pleadings with FERC
21 asking its staff to address the shortcomings in the final
22 EIS. We are concerned as to how the FERC staff could
23 ignore the impact that Alcoa has had on the people of
24 Stanly County over the past nine years. We can only hope

1 that the FERC staff will correct this glaring omission and
2 address the impact this project has had and will have on
3 our citizens before finalizing its report.

4 Stanly County also finds the draft report puzzling in
5 light of Alcoa's refusal to answer the questions the county
6 has about Alcoa's sediment litigation in Washington State.
7 In that matter Alcoa argued and agreed that environmental
8 cleanup in Badin would cost in excess of \$50 million.
9 Alcoa reports that the -- eight sites that require
10 attention and that it has spent more than \$8 million to
11 remediate those sites. According to Alcoa, there is no
12 further action that is necessary. The \$50 million dollar
13 threshold that Alcoa has admitted in other litigation
14 stands in stark contrast to the \$8 million that Alcoa
15 states it has spent to complete the remediation and
16 analysis. Alcoa has yet to provide a full answer to these
17 questions.

18 Last week Stanly County urged the North Carolina
19 Division of Water Quality to take additional time as
20 permitted under the applicable 401 Water Quality
21 Certification Rules to gather and consider important
22 environmental information related to the potential impact
23 on water quality from Alcoa's proposed operation of the dam
24 system. For the same reasons that Stanly County has asked

1 the state of North Carolina to focus on the impacts to
2 Stanly County we urge the FERC staff to revise its draft to
3 include the Stanly County issues before releasing its final
4 Environmental Impact Statement for the Yadkin Project
5 relicensing.

6 Among other things, critical information is now being
7 gathered and current data should be assimilated to
8 understand fully the potential impact that the proposed
9 relicensing may have on the Yadkin River, Bardin Lake, and
10 related water bodies.

11 In sum, the county believes that FERC cannot and
12 should not issue a final Environmental Impact Statement
13 without fully evaluating all the environmental impacts to
14 the Yadkin River, Bardin Lake, and related water bodies from
15 Alcoa's historic operations, including information from --
16 in the --

17 The FERC staff must and should review this information
18 to determine if the identified impacts to our waters,
19 aquatic life and/or related species and ecosystems will be
20 exacerbated by the operation of the dam system that APGI is
21 proposing to operate for another 50 years.

22 Furthermore, the County believes that the National
23 Environmental Policy Act was intended to alert policymakers
24 and decisionmakers about the interface between decisions

1 they would make and the impacts of those decisions on
2 people. Ignoring the people in Stanly County surely leaves
3 a big hole in the document intended to advise FERC the
4 decisionmaker here of what they should be looking at and
5 what they should do with the power of our laws given to
6 correct, modify and improve the environment as a condition
7 for use of the waters of the Yadkin River.

8 Thank you for allowing us to make this statement
9 today.

10 MR. EMERY: Thank you. Next up Robert Petree and
11 the other three to be on deck will be Mike Taylor, Larry
12 Jones, and Dick Martin. Come down, please, to the front
13 row. Robert Petree.

14 MR. PETREE: I'm Robert Petree with
15 SaveHighRockLake.org. I'm here to represent over 8,000 of
16 our members who are certified stakeholders in the project.

17 In the draft Environmental Impact Statement, the
18 Commission has indicated they were sent the request of APGI
19 included in their Relicensing Settlement Agreement to allow
20 totally unrestricted fluctuations of the water levels at
21 High Rock Lake between full tide and 10-feet below full
22 during the months of November through March.

23 This represents a range of approximately 63% of the
24 average depth of the lake. To date we've been unable to

1 find any other project where such an extreme fluctuation is
2 allowed. This excessive abuse of the aquatic environment
3 of High Rock Lake was not the preference of anyone signing
4 RSA other than APGI. Unfortunately, homeowners who did
5 sign the RSA are in no way directly impacted by the
6 operation of the lake. They were, however, adamantly
7 pursuing other concessions from APGI. These concessions
8 generally fell in two specific areas. First, a downstream
9 interest seeking river flow regulation, as well as flow
10 augmentation during naturally drier periods. It's in their
11 best interest to allow the sacrifice to the environment of
12 High Rock Lake to provide downstream flows exceeding those
13 provided by nature.

14 The second area of interest related to access of APGI
15 land holdings outside the scope of the Project. Since
16 these lands will be considered out of scope of relicensing
17 the Project 2197, the only possibility to acquire access to
18 these properties is for those participants to concede to
19 the bare minimum of environmental protection measures at
20 High Rock. More than 85% of those signing the RSA did so
21 to fulfill one of these two goals at the expense of the
22 environment of High Rock Lake, without regards to the
23 wishes of the citizens they were supposed to be
24 representing. At no point during the entire process did

1 any of the agencies with statutory authority solicit input
2 from the citizens they purported to be representing or
3 offer them any venue to submit unsolicited comments
4 pertaining to the process.

5 These citizens now look to the Commission to do the
6 right thing and provide them with the statutory
7 representation they're entitled to by the Electric
8 Consumers Protection Act of 1986, and the directives of the
9 FERC to provide licensing terms that represent a balance of
10 all stakeholder interests. We ask you to insure the
11 protection of the environment throughout the entire water-
12 shed affected by the operation of the Project, not just
13 areas below the first dam.

14 The Commission is obligated to insure the terms of a
15 new license conform to all current applicable local,
16 Federal, and state regulations, as well as honoring the
17 intent of those regulations. The Commission is under no
18 obligation to consider or guarantee any level of
19 profitability for the licensee or to blindly accept all of
20 the terms included in the RSA.

21 Eighty years of environmental abuse at High Rock Lake
22 does not make it right or even acceptable for the future.
23 This type of abuse of our natural resources for corporate
24 profits is the very reason the Electric Consumers

1 Protection Act of 1986 and the Environmental Policy Act
2 exist.

3 On behalf of thousands of certified stakeholders in
4 Project 2197, we ask the Commission to respond to the
5 following questions and then reconsider their request to
6 limit the drawdowns at High Rock Lake to no more than 6
7 feet from November to March except as required under the
8 Low Inflow Protocol.

9 Did APGI submit any environmental or recreational
10 study results justifying the need or benefit of a 10-foot
11 drawdown of High Rock Lake from November through February?

12 Did the Commission receive comments directly from
13 hundreds of stakeholders, as well as organizations
14 representing many thousands more, indicating they were
15 opposed to drawdowns exceeding 6-feet at High Rock for
16 environmental and recreational safety reasons?

17 Did they receive documentation that a huge majority of
18 the 1.5 million recreation days of public recreation
19 activity at High Rock Lake occurred via the thousands of
20 privately permitted facilities?

21 Documentation indicating nearly all of the privately
22 permitted facilities conforming to APGI mandated design
23 standards are either unsafe or completely unusable at a
24 10-foot drawdown?

1 Did you receive more than one comment directly
2 identifying and specifically supporting the 10-foot
3 drawdown?

4 Because that's all I was able to ever find on the web
5 site.

6 Did the Commission determine that, under a 6-foot
7 drawdown limit the downstream minimum flow requirements
8 would almost always be achievable?

9 Under a 6-foot drawdown limit Water Willow would
10 likely expand within High Rock reservoir and emergent
11 vegetation would likely expand around the reservoir
12 shoreline increasing the amount of fish and wildlife
13 habitat available.

14 Did the commission determine limiting drawdowns at
15 High Rock Lake to 6-feet would protect a greater portion of
16 the reservoir from freezing, desiccation, limiting adverse
17 effects on overwintering reptiles and amphibians than the
18 proposed 10-foot drawdown?

19 Did they determine the 10-foot drawdowns during the
20 normally drier months of November through February would
21 provide little benefit as a flood control measure over a
22 6-feet drawdown?

23 Did they determine that greater and safer access to
24 High Rock Lake for private dock owners and the general

1 public for approximately 13%, approximately 195,000
2 recreation days, would be afforded by a 6-foot drawdown
3 limit at an incremental cost increase of only 0.34% or
4 \$126,000?

5 That's one Alcoa management person not even including
6 their benefits.

7 After answering these questions could you please
8 explain to these stakeholders why the Commission would
9 allow such excessive and unrestricted fluctuations of water
10 levels at High Rock Lake in a draft Environmental Impact
11 Statement?

12 MR. EMERY: Could you put that in the record,
13 that statement? Into the record, your statement.

14 MR. PETREE: Excuse me?

15 MR. EMERY: You're going to submit that to the
16 record? Thanks. Mr. Reed. Mike Taylor.

17 MR. TAYLOR: Good evening. My name is Mike
18 Taylor. I am a lawyer, but I'm also an archeologist. And
19 I'm with the Stanly County delegation. And I want to make
20 three points and make sure that you have some documents
21 which I believe Stanly County, which is an Intervenor in
22 this case, has previously submitted, but I think it's very
23 important that you, the three of you, have these documents
24 before you.

1 I think that it is important to note that Stanly
2 County is the location of the aluminum smelting plant, and
3 that is now not in operation in Stanly County, that the
4 Narrows Dam was constructed to provide power for 90 years
5 ago. And I was very pleased then in being able to talk
6 just before this meeting and realize, and I know you
7 understand that history, the archeology, and the human
8 landscape around the Project is a part of what must be
9 considered in the Environmental Impact Statement.

10 In 1795, an observer said that, at the Narrows of the
11 Yadkin 25 miles below Salisbury you would find probably the
12 most advantageous place for a major industrial city in the
13 entire United States. This is an incredible natural
14 resource that the Yadkin -- that the Narrows Dam -- that
15 the Narrows of the Yadkin is where the Narrows Dam is
16 located. It's very important to understand that.

17 And the Narrows Dam was constructed, it was completed
18 in 1918. When it was completed it was the tallest concrete
19 structure in the United States. It was begun by the French
20 aluminum company during World War I, and then Alcoa came
21 in and took over after World War I broke out. But what's
22 very important to understand is that this took place before
23 there were the laws which led to TVA and public
24 authorities. This is a somewhat unusual situation in the

1 United States in that we have a private company which is
2 benefiting from this dam. It's at a very important site.

3 You may not know there is a national landmark, the
4 Hardaway Site that was discovered within a few hundred
5 meters of the dam, was discovered when they were building
6 the dam. Well, I believe it may have been discovered in
7 the 1930s. It was excavated by my former professor at
8 Chapel Hill, Dr. Geoffrey Koch. It is probably one of the
9 most important Native American sites in eastern North
10 America, with radiocarbon dating going back to 10,000 BC.
11 And it is a national landmark, it is not -- the public's
12 not allowed to go. You can get prosecuted pretty bad if
13 you show up there with a pick and shovel; but this has been
14 an important site for a long long time.

15 Alcoa got there and got the dam built before these
16 public authority laws got put in place. 1958 Alcoa came
17 along and got a 50-year license. And this is something
18 that you need to understand. In the license they said,
19 We're going to provide 950 jobs. Those were some of the
20 best paying jobs in our region and those are now all gone.
21 Globalization means that it is now cheaper to make aluminum
22 in other countries.

23 So what does that mean? They still have a dam. What
24 they're asking FERC to do is allow them to keep this

1 license with what we understand is at least \$40 million a
2 year annual income, and they're not providing hardly any
3 jobs in Stanly County at all. Those high paying industrial
4 jobs are gone. That is part of the human landscape. And I
5 hope that FERC will take this into account. That has not
6 been addressed at all in the draft Environmental Impact
7 Statement.

8 As Commissioner Dunevant pointed out in his statement,
9 Alcoa itself in a lawsuit against its insurance companies,
10 in 2003, there was a finding by the Superior Court of King,
11 Washington, which said that it could well be more than a
12 \$50-million-dollar cleanup. They have not explained what
13 that means to this day and I want to make sure that that
14 goes into the record. That has long ago been submitted to
15 FERC in Washington, but since you are the environmental
16 folks hearing this tonight, I want to make sure that you
17 have a copy of this from King County, Washington. This is
18 an August 2003 Order, Case No. 92-2-28065-5-SEA, Alcoa Inc.
19 and Northwest Alloys Inc., Plaintiffs, against Accident and
20 Casualty Insurance Company, et al, an extremely long list
21 of insurance companies. And may I enter that into the
22 record?

23 MR. EMERY: Yes, you can. Thank you.

24 MR. TAYLOR: By the way, when I was on the board

1 of directors of the Historic Preservation Commission about
2 26 years ago, I wasn't principally responsible, I happened
3 to know about it, we published a book, the Stanly County
4 Historic Preservation Commission, Badin: A Town At The
5 Narrows. The entire town is listed on the National
6 Register of Historic Places. And this explains the
7 background of how the dam came to be built. And I think
8 that this ought to be considered, this important historic
9 area with a national landmark. There's actually three --
10 the national landmark is the Native American site and then
11 there are three National Register areas: The plant itself,
12 the Badin, which was built by the French, and then West
13 Badin which was the African-American town in Badin which
14 was -- it was a very important early planned city. And I
15 would like to enter Badin: A Town at The Narrows, by Brent
16 Glass, which was originally published in 1981 or '2, I
17 believe. I'd like to make sure that is entered into the
18 record.

19 MR. EMERY: Thank you.

20 MR. TAYLOR: And I want to address the
21 environmental side. I want to make sure that you are aware
22 of the editorial in the CHARLOTTE OBSERVER that was
23 published on May 17th, 2007, so you know it isn't just us
24 folks in Stanly County talking about these issues, about

1 the environmental issues, and I would like to have this
2 editorial entered into the record from the CHARLOTTE
3 OBSERVER, if I might.

4 MR. EMERY: Thank you.

5 MR. TAYLOR: I want to make sure that you have
6 the concerns that Mr. VanGeons was addressing about the
7 draft Environmental Impact Statement. And this is a
8 written statement. I'd be glad to give it to each of you.
9 I'd like to enter it into the record.

10 And I don't know if in advance you were given a copy
11 of Commissioner Dunevant's remarks, but I would like to
12 make sure that those are entered into the record, this
13 statement.

14 And then we have submitted this, but, you know, the
15 Federal government is large, we worry about things getting
16 lost in the shuffle. We would like to make sure that you
17 have a copy of the letter on the 401 asking that other
18 issues be explored. We feel like there may be a rush to
19 judgment on the 401 Water Quality Certificate. And this
20 was submitted by some attorneys for Stanly County November
21 9th, to DENR, and I would like to make sure that that is in
22 the record. Although I believe, Jerry, we have submitted
23 that. Is that not correct?

24 And I would also like to give you a statement which

1 just summarizes, it's a general summary of why this license
2 is so important; so important not only for the 60,000 or
3 58,000 people of Stanly County, but for the people up and
4 down this region. It's a matter of deep concern to us and
5 some of the -- especially the economic issues are addressed
6 and I'd like to enter this statement: "Why a new license
7 for the Narrows dam on the Yadkin River matters to the
8 people of North Carolina." This is dated November 5th,
9 2007, and it's on the Stanly County letterhead.

10 And just in closing, I'd like to ask that the FERC
11 staff, you took a first cut at it with the DEIS; we'd just
12 like to suggest that you back up, you take two or three
13 steps back. You're not looking at the big picture yet. We
14 didn't -- maybe you are, but we didn't see it there. Look
15 at the big picture, look at the economic impact on the
16 people of our county. Think about the economics of this
17 situation. Think about the people in our county who have
18 lost their jobs, these high paying jobs that are gone.
19 Please take these issues into consideration when you're
20 putting forward the final Environmental Impact Statement.

21 And thank you very much. I'd be glad to answer any
22 questions or offer any of our Commissioners or delegation.

23 MR. EMERY: Thanks very much. If we have
24 something afterward, we'll ask you. We'll give the other

1 speakers a chance to speak. Thanks very much.

2 MR. TAYLOR: Thank you.

3 MR. EMERY: Larry Jones and Dick Martin next.

4 MR. JONES: Good evening. I'm Larry Jones,
5 president of High Rock Lake Association.

6 Our association was formed in 1954 to foster and
7 promote the welfare of High Rock Lake and the Yadkin
8 River. For over half a century we've worked to obtain more
9 stable water levels in the lake, to improve water quality,
10 and to ensure the lake is operated in a way that provides
11 the best possibility for recreational opportunities to the
12 citizens of the region.

13 Through our association's involvement with the
14 relicensing process, we believe we've found a way to make
15 tremendous strides towards our goals. The Relicensing
16 Settlement Agreement which is a part of Alcoa's license
17 application provides a road map for enhancement of the lake
18 management practices that we believe will benefit all
19 segments of the region, including environmental, economic,
20 and recreational interests.

21 We are pleased the draft Environmental Impact
22 Statement prepared by FERC adopts the principles and the
23 guidelines that the stakeholders incorporated into the
24 Relicensing Settlement Agreement. As one of those

1 stakeholders whose spent countless hours over the last four
2 years developing the RSA, it's gratifying to find that you
3 guys have validated our work.

4 I must tell you tonight that there's one portion of
5 the draft Environmental Statement that causes us concern,
6 and that's the idea that Alcoa alone should be held
7 accountable for the effects of sedimentation in High Rock
8 Lake. Our association is concerned that the financial
9 burden on Alcoa imposed by your adoption of Salisbury's
10 request could jeopardize the relicensing process as it is
11 now proceeding. We're concerned that that potential
12 expense of sedimentation and flood mitigation proposed by
13 Salisbury will lead to extended litigation, hearings or
14 whatever that could cause indefinite delays to the issuance
15 of a new license. If that happens it's our understanding
16 that Alcoa can continue to operate the Project under the
17 terms of the existing license. We'd consider that to be a
18 disaster for the lake and for the region. As an example,
19 consider this year's drought. Alcoa has voluntarily
20 cooperated with the stakeholders and operated the Project
21 in what I'm calling a simulation mode of the proposed Low
22 Inflow Protocol, and as a result the lowest level we
23 reached this fall was 7-1/2 feet below full, which is about
24 exactly what the computer models said we could expect.

1 Compare that back to 2002 when we were down 24 feet in a
2 similar drought. Compare it to other lakes in the region
3 right now that are all down, like Lake Lanier and
4 everything.

5 If the license is delayed, we fear that we'll lose all
6 the gains that so many stakeholders invested thousands of
7 hours developing and in the meantime Alcoa is just going to
8 enjoy increased profits by operating under the present
9 license terms which we know means \$2- or \$3 million a year
10 of additional revenue for them.

11 The sedimentation issue is a real issue; we understand
12 that; but we believe it's a burden that must be shared by
13 the entire watershed community and not just one company.
14 Sedimentation controls, trash and litter policies, storm
15 water retention policies: These are just a few of the
16 areas that must be aggressively addressed by cities and
17 governmental entities to improve the problems facing our
18 rivers and lakes. Examples right here in Salisbury include
19 some huge new housing developments that have remained raw
20 graded for two years or so without seeding and we get huge
21 amounts of sediment runoff right into the lake. We've got
22 still using in this town street washing equipment that just
23 flushes all the trash and debris right into the storm sewer
24 and right into the lake. That's not good stewardship.

1 Construction of I-85 is another problem that's causing
2 sedimentation problems in High Rock.

3 I'm just using all these examples to say it's not just
4 one company's problem, it's not just the fact that High
5 Rock Lake is there that we've got a sedimentation problem.

6 As for the flooding issues, you know, during the past
7 twelve years FERC has performed two different studies - I
8 believe it's about twelve years - saying that and they've
9 concluded that the operation at High Rock Lake does not
10 affect conditions upstream of the I-85 bridge; yet the
11 draft EIS seems to ignore those previous studies. In
12 preparation of DEIS did you revisit those studies? You
13 know, we wonder. I'm sure you did, but it just wasn't
14 clear to us.

15 Have you considered the most recent flood plain maps
16 produced by state and federal agencies?

17 You know, I think it boils down to improvements within
18 flood plains are always at risk and the owners of those
19 facilities must accept those risks if you build in a flood
20 plain.

21 Even more to the point, the Yadkin Project does not
22 threaten the area's water supply. We believe it actually
23 protects it by creating usable storage. A lot's been said
24 about water supplies and danger. We've got a big pond

1 there. We've just got to take it out at the right place, I
2 think. What may be threatened is a century-old water
3 intake system that has served its design life. The burden
4 of any needed floodgates to this aging infrastructure is a
5 civic matter.

6 The High Rock Lake Association believes Salisbury's
7 infrastructure needs are not a reason to delay issuance of
8 the new license.

9 So in conclusion, our association asks that FERC not
10 adopt Environmental Measure No. 19. Thank you.

11 MR. EMERY: Dick Martin.

12 MR. MARTIN: Hi. I'm Dick Martin. While I've
13 lived on the lake about ten years in Anchor Downs, I've
14 sailed on it intermittently since about 1980. I've seen
15 the 12 to 14-foot drawdowns that happen in the winters
16 prior to the 24-foot drop with the drought of 2002.

17 I feel I kind of represent the little people who don't
18 really get heard like the big groups that makes everything
19 look like a fait accompli when all the other people are
20 talking.

21 This year Alcoa has proved that it can keep the lake
22 up during a drought. You've set a precedence and we
23 commend you for that. We also appreciate the proposed
24 extended boating season with the higher levels more of the

1 year. However, I don't think a 10-foot drawdown is really
2 acceptable. A 6-foot drawdown means most of us, because of
3 the shallowness of the lake, can't use our floaters or many
4 of the boat ramps. Alcoa has said that 10 feet is better
5 than 13 feet coming down. Well, I would think that 6 feet
6 is even better environmentally.

7 In the summer it would be desirable not to drop it
8 more than 3 feet. You go to the proposed 4 feet, that
9 gives me an average of 2 to 3 feet at my floater which is
10 like many of them and it's not safe for a sailboat.
11 Pontoon boat, yeah, but not a sailboat. One cannot help
12 but believe that Alcoa is looking out for Alcoa and no one
13 else.

14 Again, I urge limiting the winter drawdown to 6 feet
15 and the summer of 3 feet. I would also urge that a license
16 be granted for no more than 25 or 30 years in the future
17 and not the 50 years as it had been in the past. Thank you
18 very much.

19 MR. EMERY: Thanks very much. That is the end of
20 the list that I have of people who had indicated in writing
21 they wanted to speak. Is there someone else out there in
22 the audience who would like to speak? Hard for me to see
23 you, by the way, out there. If there is someone, raise
24 your hand. Is that someone coming from the back?

1 MR. QUALKENBUSH: Yeah, I --

2 MR. EMERY: Mr. Qual kenbush?

3 MR. QUALKENBUSH: Yes.

4 MR. EMERY: Oh, okay.

5 MR. QUALKENBUSH: My name's Ron Qual kenbush and I
6 live in Lexington, but I own a property in the upper end of
7 the Yadkin River, matter of fact, next door to the city of
8 Salisbury.

9 MR. EMERY: Can you hear back there?

10 MR. QUALKENBUSH: Well, I'll do better. Anyway I
11 own some property that's next door to the city of Salisbury
12 and I've been there many many years and I know the problems
13 with flooding and sedimentation, and I know -- reaction is
14 Alcoa. I called them one time on a flood and I lost
15 thousands of dollars up there and Alcoa's reply to me and a
16 bunch of campers was, Chain them down. Another incident
17 when I talked to Alcoa their reply was, Ignore it. And,
18 you know, I'm glad to see that FERC, you know, they blamed
19 you all for a long time. I even filed some flood claims
20 and you're probably sick of seeing them, but they used to
21 say that, I think his name was Sar-- or somebody said
22 there's nothing that could be done. Well, I'm up there. I
23 been up there boating that area, I see the sedimentation.
24 I own a farm, too, and friends of mine own farms up the

1 river and they've lost thousands of dollars in crops and
2 this, that and the other because of the poor stewardship of
3 Alcoa. And I want to thank the city of Salisbury, because
4 they finally come back and proved that there's a real
5 problem. You all was up there on pontoons, you see the
6 sediment problem, and something has to be done about it.
7 We can't go another 30 to 50 years and have poor stewards
8 like Alcoa, you know, using our waterways.

9 And anyway I wanted to thank you. And I hope you
10 listen to the city of Stanly too. You know, these folks
11 need help there. And that's all. I wasn't going to say
12 anything, but I've listened to a few of them --

13 MR. EMERY: That's fine.

14 MR. QUALKENBUSH: Thank you.

15 MR. EMERY: That's fine. Anyone else out there
16 would like to speak? Yes, there's someone in the back.
17 Please identify yourself when you come up or your
18 organization or individual.

19 MR. KITZMAN: Delane Kitzman. I'm a property
20 owner along the lake. I want to --

21 MR. EMERY: Which lake?

22 MR. KITMAN: High Rock Lake on Lexington, the
23 county side, on Davidson County side. I want to
24 reemphasize, I believe that Mr. Dick Martin probably spoke

1 very well for the vast majority of property owners, and so
2 simply requesting reconsideration of a 6-foot management
3 drawdown and pointing out the issues for all of the
4 property owners and the access and, also, the length of the
5 request for the new licensing, which is very common
6 throughout the United States. Given the nearly 45%
7 projected increase in population for the next 20 years it
8 seems very unrealistic for a Commission to consider a
9 50-year relicensing project. Thank you.

10 MR. EMERY: Thanks very much. And anyone else
11 out there? Don't see anyone. I wanted to remind folks in
12 the back of these papers, if you would like one. It has
13 the address for where you would send the written comments
14 if you happen to think -- written comments. I have some of
15 these. I just want -- to take some along with the
16 address. The deadline is December 8th for comments. Yes,
17 another person.

18 MR. BRAMLETT: Can I say something?

19 MR. EMERY: Sure. Come on up. It's easier.

20 MR. BRAMLETT: My name is Chris Bramlett. I have
21 no notes. I did not come prepared to speak.

22 MR. EMERY: And you're with?

23 MR. BRAMLETT: Stanly County. I have a Ph.D in
24 organic chemistry. I don't know how many of you folks are

1 scientists, but you know if you are and you know that
2 lightning is nature's fertilizer. It fixes nitrogen. When
3 that electric discharge goes through the air it comes
4 through the land as nitrates and fertilizes our plants all
5 over the world. An aluminum plant uses an enormous amount
6 of electric discharge to create aluminum metal out of the
7 bauxite that's dissolved in cryolite. Those pots are lined
8 with carbon and when you get those kinds of electric
9 discharges it fixes nitrogen again, but not as nitrates,
10 but as cyanides. I have read many papers that state how
11 much cyanide is produced in those pots. Those pots are
12 discarded somewhere in Stanly County. I would challenge
13 anybody to give me a clear statement as to how many of
14 those sites there are in Stanly County and to what extent
15 we have those chemicals, not just cyanide but all sorts of
16 other chemicals that are deposited throughout our county.
17 We have never received a satisfactory answer to that.
18 Please for heaven's sake don't leave us another 50 years
19 without knowing how much of that stuff we're living with on
20 a day-to-day basis. Thank you.

21 MR. EMERY: Thank you. Anyone else? My
22 supervisor just reminded me, the meeting does go until
23 9:30, so we will be around here to talk one-on-one with
24 you, if you would like, after the meeting's over.

1 MR. DICK: I'll make a comment.

2 MR. EMERY: Sure. Identify yourself and
3 organization, please.

4 MR. DICK: I will. My name is Roger Dick and I'm
5 with Stanly County and I'm a banker. And my concern
6 started from the economic --

7 MR. EMERY: Can you hear him back there? Can you
8 hear him back there?

9 MR. DICK: Can you hear me now? What I guess I'm
10 most concerned about is something that I heard one of our
11 presidents say around the turn of the century when the
12 Water Act was being passed, in that we were granting
13 permits to the people's resource without any policy. His
14 fear was that most of these waterfalls were in rural,
15 remote places that were poor, such as Stanly County and The
16 Narrows. So my question today, when most states are
17 concerned with their water resources and specifically when
18 the law provides that the hydro power that comes from it
19 also belongs to the citizens, why are we today in America
20 finding that this makes good sense economically in leaving
21 a region that has lost thousands of its textile,
22 manufacturing jobs? Our state has seen this migration.
23 You know, we need this resource back as citizens to rebuild
24 our economy. That applies to all the hydro plants in our

1 state. So my question also, I've learned that in
2 globalization we have free trade policies, so tomorrow, if
3 you grant this license, we can wake up and Duke Power or
4 Progress or Alcoa are now controlled by foreign interests
5 and our water resources that belong to the people are also
6 now owned and controlled by foreign interests. Should that
7 happen and you grant these licenses, how do you protect the
8 people and its resources from falling into the hands of
9 foreign interests when it is virtually free energy that we
10 need to rebuild our economy.

11 MR. EMERY: I think that will conclude the
12 meeting. And now if anyone would like to chat with us.
13 Thanks very much for coming out. Have a good evening.

14 MR. PAWLOWSKI: If anybody would like to
15 informally come up and ask any questions regarding the
16 process and the procedures or anything, we'd be happy to do
17 that to the best of our ability. Thank you.

18 (WHEREUPON, THE PUBLIC MEETING WAS CONCLUDED AT 8:10 P.M.)
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23
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NORTH CAROLINA

ROWAN COUNTY

REPORTER'S CERTIFICATE

I, A. ROBIN J. SCHENCK, a Stenotype Court Reporter and Notary Public duly qualified in the state of North Carolina, do hereby certify that a public meeting in the foregoing matter was held before The Federal Energy Regulatory Commission, at Livingston College, James Varick Auditorium, 701 W. Monroe Street, Salisbury, North Carolina, on the 14th day of November, 2007; that the foregoing pages number 1 through 47, inclusive, constitute a true and correct transcription of the proceeding thereof to the best of my ability.

I do further certify that the persons were present as stated in the appearances.

I do further certify that I am not of counsel for, nor in the employ of, either of the parties in this action, nor have I any interest in the results of this action.

This the 14th day of November, 2007

A. Robin J. Schenck, Stenotype Court Reporter
Notary Public, # 19972580084