

August 12, 2005

Mr. James M. Landreth, Vice President
Fossil and Hydro Operations
South Carolina Electric and Gas Company
111 Research Drive
Columbia, South Carolina 29203

Attn: William R. Argentieri

**Comments on First Stage (Initial) Consultation Document
Saluda Hydroelectric Project, FERC Project No. 516**

Dear Mr. Landreth:

American Whitewater is a nonprofit organization whose mission is to protect and restore our nation's whitewater resources while enhancing opportunities to enjoy them safely. We have approximately 6,500 dues paying members who are primarily noncommercial whitewater paddlers, and also represent over 100 affiliate paddling clubs. Many of our members live and/or recreate in South Carolina and in particular on the Saluda River. We therefore have a direct interest in the outcome of the Relicensing of the Saluda Project.

AW has participated in the Oct. 2004 scoping workshops, Joint Agency and Public Meetings in June 2005 at Saluda Shoals Park, and as a member of Lower Scenic Saluda River Advisory Council (LSSRAC), at the May 2005 LSSRAC meeting with South Carolina Electric & Gas (SCE&G) Staff. AW recognizes and appreciates SCE&G's decision to use a Traditional/Integrated Relicensing method and having open communication with the public on project issues during this process.

American Whitewater has reviewed the Initial Consultation Document (ICD) prepared by South Carolina Electric and Gas Company (SCE&G) for the proposed Relicensing of the Saluda Hydroelectric Project, FERC No. 516.

As a member of the LSSRAC, AW fully supports the two management plans issued as The Lower Saluda River Corridor Plan – published in 1990 by the South Carolina Water Resources Commission (now part of the South Carolina Department of Natural Resources) and Department of Parks, Recreation, and Tourism; adopted as the management plan for the Lower Saluda State Scenic River in 1991, and Lower Saluda Scenic River Corridor Plan Update – published in 2000 as an update and addition to the 1990 corridor plan.

AW offers these recommendations and comments.

Desired Outcomes of Saluda Hydro Project Relicensing

American Whitewater respectfully offers these following desired outcomes as primary objectives to the management of the Saluda Hydro Project and the associated resources as a result of the FERC Relicensing process

Water Quality

Whitewater paddlers are deeply concerned with water quality both for our own sake and for the sake of the river ecosystem itself. Few members of the public come into as much contact with river water on a regular basis as paddlers, so it is only natural that we should be concerned with water quality. We also empathize with, and appreciate the inherent value of, the many organisms that are supported by a healthy river. As such, we have the following preliminary concerns regarding water quality in the Saluda River.

- As a general principle we feel strongly that all water in the project should meet the State water quality standards set forth by the Department of Health and Environmental Control (DHEC) and the Clean Water Act. This includes addressing and implementing solutions to the low dissolved oxygen problem from lake discharges into the river.
- We request that in-depth water quality studies be carried out as part of the relicensing process that characterize water quality conditions in the Saluda River from below the dam to the confluence with the Broad River. Water quality impacts to the river from other projects, and state and regional plans such as the Council of Governments 208 Plan should be considered.

Access and Safety

American Whitewater always advocates for free, safe, and appropriate public access to FERC regulated rivers. These efforts are based on our belief that publicly accessible rivers are socially beneficial, as well as on a strong legislative base that itself is built on the Public Trust Doctrine and federal navigability laws. Section 2.9 of the Federal Power Act has several standard conditions that clearly state that it is the duty of the Licensee to provide recreational access.

Article 18 states:

“So far as is consistent with proper operation of the project, the Licensee shall allow the public free access, to a reasonable extent, to project waters and adjacent project lands owned by the Licensee for the purpose of full public utilization of such lands and waters for navigation and for outdoor recreation purposes, including fishing and hunting: **Provided**, That the Licensee may reserve from public access, such portions of the project waters, adjacent lands, and project facilities as may be necessary for the protection of life, health, and property.” (emphasis in original)

Article 17 states:

“The Licensee shall construct, maintain and operate or shall arrange for the construction, maintenance and operation of such reasonable recreational facilities including modification thereto, such as access roads, wharves, launching ramps, beaches, picnic and camping areas, sanitary facilities and utilities, and shall comply with such reasonable modifications of the project structures and operations as may be prescribed hereafter by the Commission during the term of this license upon its own motion or upon the recommendation of the Secretary of the Interior or other interested Federal and State agencies, after notice and opportunity for hearing.”

Based on the interests of the paddling community to enjoy the Saluda River, and the aforementioned regulatory basis, we would like the following mitigation to be considered during the relicensing process:

- Upgrading and repairing of all existing access points.
- Creation of a take out above Mill Race Rapid (class IV,) to provide a safe and legal area above a known river hazard for float trips.
- Provision of minimum flow requirements for the river that support navigation for recreational boating.
- Provision of consistent and timely communication concerning anticipated flows on the river for recreational users and rescue via online and phone sources.
- Development of procedures and guidelines for gradual releases (ramping) of flows before peak hydro power production is achieved, to protect river users from harm with rapidly rising water.
- Inclusion of all high and seasonally high use areas in the siren and flashing light system, to warn users of rapidly rising water and dangerous conditions. That includes Tail Race, Saluda Shoals, Hopes Ferry, Mill Race, Shandon Rapid, Oh Brother and Ocean Boulevard Rapids.
- Creation of guidelines for introduction of any structure in the river should be established to prevent public endangerment. (ie. The Proposed Low water bridges at the Broad and Saluda Rivers’ confluence for the proposed greenway.)

River Flows

Whitewater paddling is completely flow dependent. Each river offers a unique relationship between flow volumes and the recreational experience they provide. Each river typically offers flows that are too low or too high for a desirable recreational experience, as well as a range of desirable flows. American Whitewater addresses flow mitigation holistically for each river, seeking to integrate the recreational, ecological, and power production values into one flow regime. Our preliminary thoughts on the Saluda are as follows:

- A seasonally variable minimum flow requirement should be set to support the health, survival and propagation of aquatic life and natural communities in and around the river that meets or exceeds state water quality standards.
- Pre-project flows and project inflows should be studied and used to inform decisions on flow regulation.
- Minimum flows should support navigation of the river for recreational boating.
- Ramping (gradual staged raising of water levels) should be studied and used, especially during high use times of the year.
- Scheduled flow releases for recreational events and at desired times of the year when flows can support optimal conditions for recreational uses, such as whitewater boating, special events, and rescue training should be studied and provided.
- A dependable on-line and phone communication system informing of river flows and special conditions needs to be established.
- The value of the spillway as a whitewater recreation resource should be studied following peer reviewed methods. These methods should include at a minimum an on-water single flow whitewater boating feasibility study, possibly followed by a controlled whitewater flow study.

We hope that these comments help all stakeholders in this process understand the interests of the segment of the population that enjoys whitewater paddling. We, like other stakeholders, treasure the Saluda for its many values and look forward to working together toward improved river management.

Specific Comments on the Initial Consultation Document (IDC)

The following are comments provided to address the information provided in the ICD. The numerical system used, references the system in the ICD itself for easy reference purposes.

7.1 (Project Modification for Consideration)

It is important to acknowledge the need for some modification exists and should be examined in depth in order to enhance and restore the public resources, the public's safety, and improve conditions within the project for the future. Flow levels, regimes, practices, wildlife studies, variety of uses, best practices management and overall natural resource impacts and improvements should be studied carefully.

7.2.1 (Flow Rate and Duration Curves)

We feel the use of the USGS gauging system is not an adequate way to inform river users of the river levels for safety purposes. A more reliable and timely information system needs to be implemented. Flow Regimes also need to be addressed to maintain a healthy aquatic environment for the fish and wildlife and also to rid the river of stagnant pool conditions at too low flow conditions. Navigability is also difficult at the extremely low flows we find recorded in the historical data base of the USGS. Flow studies will be required to effectively protect navigability and water quality issues.

7.4 (Project Safety) & 7.4.3 (warning System)

“A siren warning system informs recreational users...”

Through the years American Whitewater has worked in coordination with SCE&G and DNR to improve the information and warning signs for the rising water conditions that exist in a hydro powered river. However, this system is still severely lacking in its ability to truly warn the public users of increasing volume of water being released. Public safety is a vital concern of AW's, and we feel it needs extensive study, consideration and improvement.

9.2.1 (Lake Murray water Quality Conditions)

The last water quality survey was in 1998 and improvements were implemented by SCE&G in monitoring the areas of concern. We request a new study and more information on all aspects of water quality in the project areas. Further planning for future impacts should be implemented to prevent outdated of the Management plan before its time.

9.2.3.3 (Water Uses)

“The Saluda Hydroelectric Project functions as a Reserve Capacity plant, meaning it runs on an ‘as needed basis’.” Considering the fact the Hydro Project no longer is used as a Peaking Facility, the more safety responsible aspect of Ramping (staged gradual release of water), to protect down stream users from the dangers of rapidly rising water, should be intensely examined and addressed as a public safety issue during high use times of year.

14.0 (Recreation Resources) & 14.2 (Project Resources)

14.2.2 (Saluda River)

“..offers a range of paddling experiences from flatwater to whitewater with class II to V rapids.”

14.3.2 (Existing Use and Activities)

Though in the ICD paddling is listed as a recreational use it is never addressed as tangible use as motor boating, fishing, poker runs, dam charity runs or sailing. Numerous whitewater events are held on the Saluda River each year. Canoeing for Kids, a children’s charity, holds a fund raiser on the whitewater sections of the river. A local group of kayakers holds an annual race each January attended by world class kayakers from all over the USA. The SC Fire Academy uses the whitewater section for training of rescue squads, as do the local paddlers. These events and a few others require some scheduling of releases. Scheduled event releases for reliable planning should be studied and open to consideration.

Respectfully Submitted on August 12th, 2005, by:

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CERTIFICATE OF SERVICE

I hereby certify that I have this 12th day of August 2005, served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Carla R. Miner

Contacts listed with '**' must be postal served

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