

1 FEDERAL ENERGY REGULATORY COMMISSION

2 SCOPING MEETING

3 R. L. HARRIS HYDROELECTRIC

4 PROJECT NUMBER P-2628-065

5 CAUSE NUMBER PF-18-4

6 WEDOWER MARINE SOUTH

7 9681 HIGHWAY 48

8 LINEVILLE, ALABAMA 36266

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10 TUESDAY, AUGUST 28, 2018

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

2 MS. SALAZAR: Welcome everyone. Welcome to the
3 scoping meeting for the R.L. Harris Hydroelectric Project.
4 Thank you all for joining us tonight.

5 My name is Sara Salazar. I'm with the Federal
6 Energy Regulatory Commission and I'll be the FERC -- that's
7 the abbreviation we use for our agency -- the FERC
8 relicensing coordinator. So, before we get any farther, let
9 me just model one of our speaking protocols.

10 We are going to define all of the acronyms that
11 we use. So, FERC is another word for the Federal Energy
12 Regulatory Commission and I might say "Commission" as well
13 and I'll also be referring to the project as the "Harris
14 Project." Before we get started with the presentation,
15 Angie wanted to say something about housekeeping.

16 MS. ANDEREGG: Before we get started, Alabama
17 Power in all of our meetings start with kind of a safety
18 briefing. So, I heard it thunder a little bit earlier. In
19 the event of inclement weather -- I don't think it's
20 supposed to get really bad, but if were to get bad we all
21 want to downstairs in the inner area of the building away
22 from windows.

23 In the event of a fire there is an exit on this
24 end as well as on that end. Don't use the elevator. We'll
25 meet out in the parking lot. There's an AED located

1 downstairs, right, Sheila? I'm pretty sure. There's not an
2 AED; never mind. So, there's not an AED, but there are fire
3 extinguishers, though, on either end of the room. And if
4 you haven't found the restroom already, there's a Men's and
5 Women's here and there also another one downstairs. So,
6 thank you.

7 MS. SALAZAR: So, let's take a look at our
8 agenda for the meeting. First, I'm going to introduce the
9 rest of our FERC staff that are here tonight and we're going
10 to cover a couple more housekeeping or meeting protocol
11 items. Next, I will briefly summarize the FERC jurisdiction
12 and (0:02:59.9)* provide an overview of the FERC Integrative
13 Licensing process, and review our schedule for the Harris
14 Project.

15 Then we're going to review the purpose of
16 scoping. After that, Alabama Power is just going to provide
17 a brief overview of the Harris Project operations and
18 facilities. And then, we're going to move through to the
19 resource issues that we've identified to date in our scoping
20 document and Alabama Power's preliminary list of proposed
21 studies, FERC's information needs on how to request studies,
22 and last we're going to review the procedures for providing
23 verbal comments tonight and written ones as well.

24 Okay, so the rest of the FERC team is at this
25 table here in front of me. As I mentioned, though, I'm Sara

1 Salazar and in addition to being the coordinator for
2 relicensing, I'll be reviewing and analyzing the information
3 related to terrestrial resources, so the wildlife and the
4 vegetation, including threatened and endangered species.

5 And Steven (0:04:17.5)* is our chief -- the
6 chief of our group, which is called the South Branch in the
7 Division of Hydropower Licensing. He's not here tonight,
8 but I thought you might be interested in his name. Allan
9 Creamer is right over here and he'll be handling the aquatic
10 resources, including threatened and endangered aquatic
11 species.

12 Monty Tocar (0:04:41.6)* also is not with us
13 tonight, but he'll be covering the geology and soils
14 resources, engineer, and developmental resources. Rachel
15 McNamara is covering recreation, land use, cultural and
16 tribal resources and Kristen Wallick (0:05:01.1) is our
17 attorney from the Office of General Counsel.

18 So, a few more housekeeping items before we get
19 started, if you haven't already done so if you're planning
20 on speaking tonight we're asking everyone to fill out a
21 registration form and that's just so we can have an accurate
22 record of your name and your affiliation for the record.
23 There's also several handouts on the registration table. If
24 you didn't see those, I really encourage you to pick those
25 up. There's a copy of Scoping Document One, which we're

1 going to be talking about tonight and it includes a bunch of
2 information about the Harris Project, explains the FERC
3 Scoping process, and includes a copy of the project schedule
4 at the end. We also have a handy, one-sheet schedule for
5 you to pick up if you like. All of the dates for the Harris
6 Project are in red fonts.

7 And then we have a couple of brochures that
8 explains how to use our electronic library and how to submit
9 documents to our record for the Harris Project. This larger
10 brochure is a very reader-friendly summary of how the FERC
11 hydro licensing process works and how you can participate.

12 So, as I mentioned, we want to get an accurate
13 record of this meeting because we have a court reporter
14 right over here who's going to transcribe our presentation
15 and all the public comments, so we have a few speaking
16 protocols that I'm going to try to model for you all.

17 We'll have a separate microphone for you all to
18 use if you'd like to make a comment and so please use the
19 microphone if you'd like to speak. Speak clearly and
20 audibly, state your name and affiliation, so if you
21 represent an organization, before you provide your comments
22 and you may be asked to spell your name for the record,
23 define any acronyms that you use, and speak one at a time.

24 Questions are welcomed, so let me know if you
25 have questions.

1 So, first, let's review which hydropower
2 projects require a FERC license. Licenses or an exemption
3 from licensing are required for all non-federal
4 hydroelectric projects, including state, municipal, and
5 private projects that are located on a navigatable waterway,
6 occupy federal lands, use surplus water from a federal dam
7 or affects interstate commerce by being connected to the
8 interstate electricity grid.

9 These photos represent typical projects that
10 come to mind when we think of a hydroelectric project. The
11 Commission also has jurisdiction over ocean energy projects.
12 So, per the Federal Power Act, the Commission is required to
13 give equal consideration to energy conservation and
14 environmental resources as well as developmental values,
15 like power generation. Typical environmental
16 considerations include fisheries, water quality, wildlife,
17 vegetation, recreation, and esthetics and developmental
18 considerations include energy production, navigation,
19 irrigation, flood control, and drinking water.

20 The Commission carefully balances these
21 competing uses of project resources to ensure that
22 hydroelectric projects meet our comprehensive development
23 standard. This standard, as described in Section 10(a) of
24 the Federal Power Act, is that the licensed project will be
25 the best adapted to a comprehensive plan for improving or

1 developing waterways for beneficial public uses.

2 Alabama Power will present more details about
3 the Project's facilities and operation a bit later, but I
4 wanted to just cover some basic information about the
5 project to set the stage for this meeting. The FERC project
6 number is the same as the docket number and that's 2628-065.
7 The project has a total capacity of -- total (0:09:54.8)*
8 capacity of 135 megawatts. It is located on the Tallapoosa
9 River in Randolph, Clay, and Cleburne Counties, Alabama,
10 Harris, Sam, and Pounds Harris Lake, the project includes a
11 little over 15,000 acres with land within the James D.
12 Martin Skyline Wildlife Management Area, which is located
13 about 110 miles north of Harris Lake in Jackson County,
14 Alabama and there's also 4.9 acres of federal land
15 administered by the Bureau of Land Management within the
16 Project boundary.

17 So, the Harris Project is under Commission
18 jurisdiction and it was originally licensed in 1973. The
19 current license expires in 2023. So, today we're talking
20 about the FERC relicensing process for this project.

21 And now we have three different licensing
22 processes with the Commission. This project will be using
23 the Commission's Integrated Licensing Process or the ILP and
24 there's two main phases for all of the licensing processes.
25 We call them pre-filing and post-filing and filing, in both

1 cases, refers to the filing of the license application. As
2 you will see in our handouts with the project schedule, the
3 ILP does have some quick turnaround times.

4 So, the ILP regulations have established
5 timeframes to complete various steps for stakeholders,
6 including the Commission staff and these duties and
7 timeframes are intended to keep things moving and so that's
8 why the ILP has been referred to as a "high speed train."
9 If you're not on board, you're going to miss out on steps
10 and not be able to follow the process very well, so stay on
11 board with the process.

12 The pre-filing phase includes all the steps
13 necessary for the applicant to develop a well-developed
14 license application. It's generally lead by the Commission
15 -- by the applicant, sorry. But the Commission staff are
16 involved and scoping and on the study plan development.

17 Resource agencies and other stakeholders are
18 consulted during scoping, the study plan development, review
19 of the study results, and during the development of a
20 preliminary licensing proposal, which is the last step
21 before the license application is filed. Pre-filing ends
22 when the applicant files a license application.

23 And then for post-filing that phase of the
24 process is lead by Commission staff, but it also includes
25 public comment periods and parties may intervene in the

1 process. The license application will describe the existing
2 and proposed project operation and provides information the
3 Commission staff will use to prepare an Environmental
4 document. Ex parte rules apply and that just refers to
5 off-the-record communications with the Commission and its
6 staff about the merits of a project.

7 Generally, after a license application is filed
8 any meetings and discussions with the Commission staff about
9 the merits of the project must be publicly noticed so that
10 all stakeholders have the opportunity to participate.
11 Post-filing includes the preparation of an Environmental
12 document that ends with the issuance of a license order and
13 closure of the re-hearing period.

14 Okay, so here is a copy of the flow chart
15 handout that I mentioned earlier. It shows both the
16 pre-filing and the post-filing phase of the ILP. So, if you
17 would like to stay involved in the licensing process for
18 this project, I strongly encourage you to pick up a copy of
19 that schedule, if you haven't already.

20 Now let's take a closer look at the pre-filing
21 steps in the process. So, here we have just the pre-filing
22 steps in the process with the due dates for the Harris
23 Project in red font. And I know it's a little bit small
24 slide, but please feel free to follow along on your
25 handouts. We're just looking at the top half of the

1 handout.

2 We have completed the first few steps of the
3 process, but the comment periods are still ahead of us. We
4 are currently on the step here outlined in blue with the
5 tiny train. So, we toured the Harris Project today -- some
6 of you were there -- and how we're conducting the scoping
7 meeting. I'll discuss other key pre-filing steps, including
8 the comment periods on study plan development later in the
9 presentation.

10 Here's a quick look at the post-filing steps of
11 the process. That's at the bottom half of the flow chart
12 that I handed out. In this slide the first and last steps
13 are highlighted in orange and that's the filing of the
14 license application and the Commission issues a license
15 order. Stakeholders will have opportunities to comment on
16 the project after the license application is filed and after
17 the Commission issues its Environmental document.

18 Now let's jump back to where we are in the
19 process, in the pre-filing phase. On this slide you can see
20 the remaining steps for scoping highlighted in orange. We
21 encourage all stakeholders to review the applicant's
22 Pre-Application Document or PAD, P-A-D and the Commission's
23 Scoping Document 1 or SD1. Also, if you are interested in
24 following or providing feedback throughout this process then
25 we strongly encourage you to E-subscribe to receive email

1 notifications of each filing on this project docket. The
2 brochures and our website have instructions for
3 E-subscribing and E-filing comments.

4 The first opportunity to provide comments is in
5 about a month. The schedule notes that comments on the PAD
6 and SD1, as well as study requests are due by September 29.
7 However, please note dates on our schedule that fall on
8 weekends or holidays will be due the next business day. For
9 example, September 29 is actually a Saturday, so your
10 comments would be due October 1. We will review all the
11 comments and if needed, we will issue a Scoping Document 2
12 by November 13 of this year to incorporate your feedback.

13 In addition, applicant will review your comments
14 on the PAD and study request and incorporate that feedback
15 in their proposed study plan and that's also due by November
16 13. We'll discuss information needs and study requests more
17 a little bit later.

18 So, what is the purpose of scoping? Scoping is
19 the process of identifying potential impacts of a project on
20 the environment and the community. It is driven by the
21 National Environmental Policy Act or NEPA, FERC regulations,
22 and other regulatory requirements. The scoping process
23 helps us to encourage participation of federal, state, local
24 agencies, Indian Tribes, and other interested stakeholders.

25 It also helps us to identify significant

1 environmental and socioeconomic issues related to the
2 proposed action and it helps us to determine the depth of
3 analysis and significance of issues to be addressed in our
4 environmental document, including eliminating any issues or
5 resources that don't require detailed analysis and also
6 identifying potential cumulative impacts to the project
7 area. It also helps us to identify reasonable alternatives
8 to the project that we should evaluate. And last, it helps
9 us to gather existing information and identify information
10 gaps that could be filled during the pre-filing steps of the
11 licensing process.

12 Okay, so here is where I have your slide coming
13 in.

14 MS. ANDEREGG: So, what I'd like to do is start
15 with a video that we've put together -- that Tina Mills in
16 our group worked really hard to put together that I think is
17 the best overview of the project, and then I might fill in a
18 little bit after, so it's about 12 minutes.

19 [Video played]

20 [In 1906, Alabama Power Company was founded on
21 the vision of providing clean and reliable energy and when
22 the company first brought electricity to the state in 1914
23 it made the lasting commitment to protect Alabama's rivers
24 and surrounding lands while harvesting the waters for the
25 good of every citizen.

1 The dream of harvesting the power of the rivers
2 in the state put the service of Alabama has lead to the
3 fleet of 14 hydroelectric generating facilities the company
4 has today. Of these 14 facilities, 4 are located on the
5 Tallapoosa River, R.L. Harris, Martin, Yates, and Thurlow
6 Dams. Harris is the most upstream dam located above Martin,
7 Yates, and Thurlow.

8 It takes years to secure licensing and approvals
9 from federal agencies to develop a hydroelectric project.
10 In 1968, Alabama Power submitted an application for its
11 original license to the Federal Energy Regulatory Commission
12 for the R.L. Harris Hydroelectric Project, then called the
13 Crooked Creek Project and in 1973 a 50-year license was
14 issued. The license will expire in November 2023.

15 In 1974, construction got underway at the site
16 of Alabama Power's youngest hydro plant located in Randolph
17 County, 10 miles southwest of Wedowee and 8 miles southwest
18 of Lineville. It's an amazing achievement of technology and
19 construction. Amid national challenging economic conditions
20 of the 1970s and heavy floods later that decade, the R.L.
21 Harris Hydroelectric Project was finally completed and went
22 into service in 1983. It was named in honor of R.L. Harris,
23 who served 45 years at Alabama Power as a director and Vice
24 President of Operations.

25 To turn water into power is simple, yet,

1 ingenious. A dam is constructed which holds back water
2 forming a reservoir and a powerhouse is constructed to house
3 the equipment used to convert the energy from the water in
4 the reservoir into electricity. Water enters the dams
5 through an opening located below the reservoir's surface
6 called an "intake" and it moves into the plant through a
7 giant pipe called the "penstock." Once in the penstock, the
8 water travels through the large pipe to the turbine and the
9 pressure of the water causes the blades of turbine to spin.

10 Connected to the spinning turbine is a vertical
11 shaft which is connected to a generator on the other end.
12 Electricity is created by the generator. The electricity
13 from the generator is then sent of the plant and onto the
14 power grid using transmission lines. The water exits the
15 plant through a draft tube and re-enters the river in the
16 tailrace.

17 At Harris, the concrete gravity dam is
18 approximately 1,142 feet in length with a maximum height of
19 151 1/2 feet. There is a 310-foot long gated spillway
20 section with six spillway gates and two non-overflow gravity
21 dam section. Each spillway gate has a capacity of 42,000
22 cubic feet per second, which is equivalent to over 18
23 million gallons of water per minute. The head works
24 contains six intake gates and a penstock. The concrete
25 powerhouse is 186 feet long and 150 feet high. Inside are

1 two vertical generators rated 67 1/2 megawatts each and two
2 vertical Francis turbines rated 95,000 horsepower each.

3 A skimmer weir was included as part of the
4 original construction to help ease or mitigate impacts to
5 water temperature and water quality by allowing Alabama
6 Power to change the depth to which the water is pulled into
7 the penstock. A higher elevation setting on the skimmer
8 weir will allow for water to be taken from a higher
9 elevation in the reservoir. The skimmer weir at Harris can
10 be adjusted up to 18 vertical feet extending from the plant
11 and carrying the electricity that serves homes, businesses,
12 and industrial customers are two 150-kilvolt transmission
13 lines. They extend a mile and a half northwest of the dam
14 to the Crooked Creek Transmission Substation at which point
15 the electricity generated at R.L. Harris is placed onto the
16 power grid.

17 The multipurpose water storage reservoir created
18 by the dam is named Lake Harris. It's also known locally as
19 Lake Wedowee. Lake Harris covers 9,870 acres in Clay,
20 Cleburne, and Randolph Counties and includes 367 miles of
21 stunning shoreline. Water levels on the lake fluctuate
22 seasonally to provide the many benefits this facility was
23 built to support, both upstream and downstream in addition
24 to generating renewable hydroelectric power.

25 At full pool, the reservoir level is at 793 feet

1 above sea level where it stays from May 1 to October 1. In
2 the winter months, there is a mandatory draw down of 8 feet,
3 which creates additional space of the storage of variable
4 and often unpredictable rainfall during the winter and
5 spring seasons. So, beginning October 1 the water level is
6 gradually lowered to a winter pool elevation of 785 feet
7 where it remains until April 1. In April, it's gradually
8 raised back to full pool at 793 feet, which allows the wet
9 season rainfall to be stored throughout the often dry
10 summer months. This seasonal fluctuation of water levels on
11 Lake Harris is in accordance with the U.S. Army Corps of
12 Engineers Water Control Manual for Harris.

13 Additional, Alabama Power operates Lake Harris
14 for flood control according to the U.S. Army Corps of
15 Engineers Water Control Manual or the Alabama Coosa
16 Tallapoosa River Basin. During high flow conditions flood
17 control procedures are implemented. During drought
18 conditions, Alabama Power operates its reservoirs in
19 accordance with Alabama Power's Alabama ACT Drought Response
20 Operations Plan or ADROP, which outlines coordinated drought
21 response efforts among Alabama Power and relevant state and
22 federal agencies.

23 Harris is a peaking hydroelectric facility and
24 generally operates Monday through Friday to provide crucial
25 and almost immediate support during times of peak demands,

1 such as during hot summer days or cold winter mornings. In
2 2005, Alabama Power begin implementing the Harris Green Plan
3 that includes specific daily and hourly releases, also
4 called pulses from Harris Dam to improve the conditions of
5 the Tallapoosa River for downstream aquatic resources.

6 The reservoir supports a number of sport
7 fisheries. Anglers frequently seek large mouth bass as well
8 as Alabama bass. Several bass fishing tournaments take
9 place on Lake Harris annually. Other fish commonly found in
10 the reservoir include channel catfish like white crappie and
11 white bass. Fish found in more river ream environments
12 upstream of the reservoir and downstream of Harris dam
13 include an Alabama shiner, lipstick daughter, silver stripe
14 shiner, and bronze daughter.

15 Surrounding the reservoir are 7,392 acres of
16 project lands. The current land use plan identifies this
17 acreage by category, such as recreational use areas, hunting
18 lands, natural undeveloped lands, and prohibited access
19 lands. Lake Harris also has a scenic easement of the entire
20 shoreline. This easement restricts certain activities, such
21 as cutting trees larger than a specific diameter or clearing
22 specific types of vegetation within the easement area.

23 Lake Harris and surrounding areas provide high
24 quality habitats for a variety of upland and semi-aquatic
25 wildlife species, such as the grey fox, whitetail deer,

1 Virginia possum and grey squirrel. Birds commonly found in
2 the area include wild turkey, the morning dove, and the
3 downy woodpecker. However, there are no published reports
4 of any threatened or endangered species occurring within the
5 project lands at Lake Harris.

6 As part of 1988 Wildlife Mitigation Plan,
7 Alabama Power began management practices associated with
8 wildlife enhancement, including management activities for
9 wood duck, Canada goose, and osprey. Located predominately
10 in the northern Piedmont upland region of Alabama, Lake
11 Harris and the surrounding area includes open water,
12 deciduous and evergreen forests with only small areas of
13 agricultural and residential development.

14 Southern Piedmont Dry Oak Forest is predominant
15 in the area. Other species commonly found here include
16 white oak and northern red oak, hickory species such as
17 pignut hickory as well as loblolly pine, red maple, and
18 American sweet gum.

19 The Harris Project also includes an additional
20 15,063 acres of Project lands near Skyline, Alabama. This
21 acreage was added to the Harris Project after the lake was
22 built as a mitigation measure to benefit wildlife through
23 the Harris Wildlife Mitigation Plan. Harris Project lands
24 at Skyline are located approximately 110 miles north of Lake
25 Harris bordering the Tennessee State Line and Jackson County

1 Alabama. This is approximately 18 miles north of Scottsboro
2 and approximately 37 miles east of Huntsville, Alabama. The
3 Project lands are in the Tennessee River Basin with the
4 closest water source being a small stream known as Little
5 Coon Creek. These 15,000 acres are leased to the State of
6 Alabama and included in the Skyline Wildlife Management
7 Area. Skyline provides quality habitats for a variety of
8 wildlife species, including bald eagle, fox sparrow,
9 redheaded woodpecker and short-eared owl.

10 There are no published reports of any threatened
11 or endangered species occurring within the Harris Project
12 lands at Skyline. However, species that potentially can be
13 found in the surrounding areas include Alabama *(0:29:30.4)*
14 mussel, Cumberland bean, shiny pig toe mussel, and Indiana
15 bat and long-eared bat. Unlike the Lake Harris area, the
16 majority of the Skyline area is forested and generally
17 dominated by white oak, chinkapin oak, post oak, and shumard
18 oak with varying amounts of hickory, sugar maple and other
19 species.

20 Additionally, the Skyline areas features species
21 such as American beech, tulip tree, American basswood, and
22 northern red oak. At Skyline there are outstanding hunting
23 opportunities available through the State of Alabama's
24 Wildlife Management Area Hunting programs. Food plots and
25 greens fields, which are areas planted and set aside as a

1 supplementary food source for wildlife are maintained.
2 Additionally, Skyline has a designated hunting area that is
3 accessible to individuals with physical disabilities.
4 Hunting and fishing are only two of the many recreational
5 activities Lake Harris provides. Boating, swimming,
6 picnicking, hiking and sightseeing are also enjoyed here.

7 Alabama Power maintains eight public boat launch
8 sites, a tailrace fishing platform, a hunting area for the
9 physically disabled, a marina, and Flat Rock Park where
10 visitors can spend the day by the lake. Alabama Power is
11 committed to sustaining Lake Harris for the good of all
12 Alabamans. Alabama Power has shoreline permitting
13 guidelines that include easement and construction standards
14 and encourage the use of best management practices that
15 minimize the impacts of construction on existing resources.

16 In addition, the company's Renew Our Rivers
17 Program is the largest river system cleanup project in the
18 southeastern United States. During a 2016 Renew Our Rivers
19 event on Lake Harris a record number of volunteers collected
20 three 30-yard dumpster of trash.

21 From the time ground was first broken to build
22 Harris Dam through today, Alabama Power as remained
23 committed to the protection of the river and surrounding
24 lands while harnessing the waters as a source for clean,
25 cost efficient, and renewable energy and this commitment

1 will continue in the future under the new license. The FERC
2 license for the R.L. Harris Hydroelectric Project will
3 expire in November of 2023 and Alabama Power has begun
4 taking steps to re-license the project.

5 In 2016, Alabama Power notified the Federal
6 Energy Regulatory Commission that it intends to use the
7 Integrated Licensing Process or ILP to re-license the Harris
8 Project. ILP offers many opportunities for the public to
9 participate and encourages collaboration. Alabama Power
10 anticipates working closely with resource agencies and
11 interested stakeholders to identify and resolve potential
12 issues so that re-licensing at the Harris Project can be
13 achieved.

14 R.L. Harris Hydroelectric Project is an
15 important resource for both Alabama Power and the citizens
16 of Alabama and it will continue to play a vital role in
17 continuing to provide electricity to the state of Alabama.]

18 MS. ANDEGREE: So, that pretty much covered it,
19 so just a couple of other quick things. We talked about
20 Lake Harris being located on Tallapoosa River. It's
21 primarily like the large, vast majority of it is in Randolph
22 County.

23 One thing I want to point out is Harris is the
24 first of four Alabama power projects on the Tallapoosa
25 River. So, there's Harris about 76 river miles down

1 (0:33:15.3)* Martin Dam. You go another eight miles
2 downstream you hit Yates and then another two miles down
3 Yates until we hit (0:33:21.2)*

4 There are no other projects above Harris, so no
5 corridor. There wouldn't be any TBA. There's no other
6 Alabama power projects. So, I say that just to point that
7 all of the water coming into the lake is not dependent on
8 releases from another dam upstream rather it's just good old
9 Mother Nature and inflows.

10 So, the video did note that Harris is youngest
11 project, so the license that we're operating under now is
12 the original license and we've never gone to a relicensing
13 on Harris. We talked about all of the project components
14 several times.

15 So, this is our current land use plan map, so it
16 shows the acreages of some of those chunks of land that are
17 within the project that are adjacent or contiguous to the
18 lake itself. So, we have the pink areas are large areas of
19 hunting lands. We've got recreation lands that are yellow.
20 There's natural undeveloped that's green and then the dark
21 red are the security lands that are right around the dam.
22 And the scenic easement at Harris where there's a strip of
23 land around the project where activities are restricted that
24 (0:34:50.4)* easement is kind of unique to Harris as far as
25 the Alabama power projects go and that has a lot to do with

1 when the project went into service and just kind of how
2 things were looked at a little bit differently when it went
3 into service, and the intent was to maintain kind of the
4 natural esthetic of the lake as people built homes and boat
5 ramps and things like that.

6 So, this is a map of the entire Skyline Wildlife
7 Management Area, and Tina, correct me, the dark pink is
8 Alabama Power's. So, if you can tell this kind of darker
9 pink area those are the 15,000 acres that are Alabama Powers
10 that are within the Harris Project boundary and then the
11 rest of the pink and the teal are within the Wildlife
12 Management Area. There's about 45,000 more acres and those
13 are owned by AVC&R, I believe. So, it's a really big WMA is
14 what I'm saying. It's about 60,000 acres.

15 And then I wanted to show you what we call our
16 operating guide curves and as I say, it's our rule curve.
17 It just shows what the lake level -- like it's our guide for
18 the lake level throughout the year. So, the video mentioned
19 that from May 1 through October 1 we're at full pool.
20 That's 793. And then on October 1 we gradually lower it
21 down to 785, so it lowers eight feet during the winter and
22 then it stays there until April 1 when we gradually lower it
23 back up for the summer. And so we try to maintain it at or
24 below this guide curve. If it's ever above the guide curve,
25 then we're in flood control and we're following the flood

1 control procedures that are in our water control manual
2 that's issued by the Corps.

3 So, for those of you who have been to some of
4 our meetings already, we've set up several tools for us to
5 use in communicating with you all throughout the relicensing
6 process. Really, if you have any questions about anything,
7 any concerns, that sort of thing, it should all come to me.
8 If you're RSVPing for meetings, we might ask you to RSVP to
9 Harris Relicensing@southernco.com or Cecile Jones, who is in
10 the back and she managing all of the meeting logistics and
11 keeps up with head counts, so you might communicate with her
12 some; but on any issue-related type thing you know just
13 always reach out to me.

14 And then we have a relicensing website that we
15 will use to post like meeting notes, things about events,
16 any documents like versions of study plans. The PAD's out
17 there now. We're going to put the video that you all just
18 watched it'll go out there probably some time, if we don't
19 get to it the end of this week, next week. So, if you know
20 of somebody who wasn't able to make it and they might
21 benefit from watching it, they can go and check it out. And
22 then Sara's going to let me make one little plug.

23 MS. SALAZER: Sure. Sure.

24 MS. ANDEREGG: Okay, so if you've been to some
25 of our meetings you've heard us mention that we're

1 developing hats for like Harris Action Teams, so going
2 through relicensing processes if you tried to participate in
3 every single meeting on every single issue I mean it is a
4 full-time job. It's my full-time job. It's not you all's
5 full-time job to be there for every single thing, so what
6 we've tried to do is divide the major issues and the studies
7 that we'll be doing during relicensing into like resource
8 buckets. And so these are the different buckets that we've
9 developed.

10 If at a recent meeting if you've had the chance
11 to sign up for which hat or hats you'd like to participate
12 in, that's great. If you haven't had a chance to yet, I
13 think we're going to put some hat sign-up sheets so you can
14 do it tonight or you can email me later and let me know.
15 But we're going to have our first official hat meeting on
16 September 20. We're going to have it at the Oxford Civic
17 Center and I wanted to go ahead while I've got some of you
18 guys here to kind of let you know that that meeting will be
19 coming up.

20 It's not one of the official ILP process
21 meetings. So, the next Integrated Licensing Process -- I'm
22 trying not to use acronyms -- like study plan meeting will
23 be in mid-December and FERC will attend that. But what we
24 plan on doing is having a series of meetings with you all
25 between now and then so that we can work out the details of

1 all of the studies and make sure that, as much we can, we're
2 kind of on the same page with what we file for our official
3 study plans in November. So, if you haven't had a chance to
4 sign up for a hat or hats and you're interested, just make
5 sure to do that. Thank you for letting me make my plug.

6 MS. SALAZAR: Thank you very much, Angie. The
7 next series of slides are fairly detailed. We're going to
8 review the preliminary list of resources issues that we plan
9 to analyze in our Environmental document and this list was
10 also provided on pages 16 through 19 of the Scoping
11 Document. I think many of you have a copy of that already.
12 And if you don't, we have plenty here on the table for you
13 to pick up.

14 We would like your feedback on this list of
15 issues. If they accurately reflect your interest in the
16 Harris Project, then no action is needed, unless you just
17 want to confirm that on the record. If you have any
18 suggested changes, you would need to tell us either today
19 during the public comment period or file your comments with
20 the Commission.

21 Now when we move through the other slides you
22 might notice some of the bullets have an asterisks and that
23 represents resources that we tentatively identified could be
24 cumulatively affected through continued operation and
25 maintenance of the project.

1 Okay, so all of these are organized through
2 resource area. And starting with the geology and soils
3 resources, we have the affects of continued project
4 operation on shoreline and soil erosion and the
5 sedimentation in Harris Lake as well as project affected
6 reaches of the Tallapoosa River downstream from Harris Dam.
7 We also have the affects of potential operation guide curve
8 changes on erosion of lake shorelines, any increase in
9 sedimentation in Harris Lake caused by such changes, and
10 erosion of riverbanks and sedimentation along the project
11 affected reaches of the Tallapoosa River downstream from
12 Harris Dam.

13 Now moving over to water resources, the issues
14 we've identified so far include the affects of continued
15 project operation for both power generation and flood
16 control on water quantity, including its relationship to
17 lake level, flooding downstream from Harris Dam and droughts
18 or low flow periods, the affects of continued project
19 operation on water quality; particularly, Dissolved Oxygen
20 or DO and water temperature.

21 We also identified the affects of any
22 construction activities on water quality within the project
23 boundary and the affects of potential operation guide curve
24 changes on water quality and nutrient levels on Harris Lake
25 that are associated with tributaries and then the affects of

1 potential project operation guide curve changes on water
2 withdrawals, wastewater assimilation, water quantity, and
3 timing of releases for downstream navigation hydropower use;
4 for example, the green flow releases and downstream
5 flooding potential.

6 For the last couple for water resources include
7 the affects of potential operation guide curve changes on
8 water usage during drought conditions and that's referring
9 to the implementation of the Alabama Drought Response
10 Operations Plan and the affects of land management practices
11 within the project boundary on water quality and the Skyline
12 Wildlife Management Area.

13 So, for fisheries on aquatic resources we
14 identified the affects of low Dissolved Oxygen and/or low
15 water temperature on aquatic resources in the Harris Lake
16 and then project affected reaches of the Tallapoosa River
17 downstream from Harris Dam. Also, we identified the affects
18 of continued project operation, including lake level
19 management and downstream flow releases or the Green Plan on
20 near shore aquatic habitats -- I'm sorry -- near shore
21 aquatic plants, other aquatic habitat, fish, and other
22 aquatic organisms and the Harris Lake, as well as along the
23 Project's affected reaches downstream from the dam.

24 And continuing on with fish and aquatic
25 resources, we identified the affects of continued project

1 operation on fish movement in the Tallapoosa River, the
2 affects of continued project operation on fish entrainments
3 and impingements and the affective entrainments and
4 turbine-induced mortality on lake fisheries. We also
5 identified the affects of providing woody debris and other
6 physical structure as fish habitat on Lake Harris on the
7 lake's aquatic community, including game fish populations.

8 And last, for fish and aquatic, we have the
9 affects of potential operation guide curve changes on near
10 shore aquatic habitat, fish, and aquatic organisms in Harris
11 Lake and along the Project's affected reaches downstream
12 from the dam.

13 For terrestrial resources we tentatively
14 identified the issues on this slide and they include the
15 affects of the frequency, timing, amplitude and duration of
16 lake fluctuations and flow releases from the Project on
17 riparian, wetlands, and lateral (0:46:42.3)* vegetation
18 community types. We also identified the affects of project
19 operation on maintenance activities; for example, road and
20 facility maintenance and project-related recreation on
21 vegetation and wildlife habitat, including non-mated and
22 baseless species.

23 And last, we identified the affects of project
24 operation on maintenance on avian species, including avian
25 electrocution and collision with project transmission lines.

1 Okay, so this is the slide for issues related to
2 threatened and endangered species. We identified the
3 affects of current operation referring to water level
4 management and the Green Plan flow releases and any
5 potential operation guide curve changes on federally-listed
6 freshwater mussels, including the fine-lined (0:47:41.5)*
7 and southern pig toe, the affects of land management
8 activities within the project boundaries of the Skyline
9 Wildlife Management Area on federally-listed threatened and
10 endangered aquatic species, including the (0:48:008.8)*
11 Alabama lamp mussel, Cumberland beam, fine-rayed pig toe,
12 plain Lilliput, rabbit's foot, shiny pig toe, stuff box
13 mussel, and (0:48:15.8) pearly mussel.

14 And last, we identified the affects of continued
15 project operation, including potential operation guide curve
16 changes and maintenance at Harris Lake and management
17 activities of Skyline Wildlife Management Area on the
18 terrestrial federally-listed species, including the
19 red-(0:48:39.6)* woodpecker, grey bat, Indiana bat, northern
20 (0:48:43.9)* bats, priceless potato bean, little
21 (0:48:47.0)* and white (0:48:49.4)* orchid.

22 For recreation and land use, we identified the
23 following issues. It includes the adequacy of existing
24 recreation facilities and public access to meet current and
25 future recreation demands, the affect of project operation,

1 including lake fluctuation and potential operation guide
2 curve changes on access to existing recreation facilities,
3 the adequacy of existing shoreline management policies and
4 shoreline compliance program to control non-project use of
5 project land; for example, permitting piers, boat docks, and
6 other facilities and the adequacy of the exiting shoreline
7 management policies and shoreline compliance program to
8 protect environmental and cultural resources of the
9 Project.

10 There are a couple more. Thank you for bearing
11 with me. Okay, so for cultural resources we identified the
12 following issues. The affects of the project operation and
13 maintenance on historic and archeological resources that may
14 be eligible for inclusion in the National Register of
15 Historic Places and the affects of the project operation and
16 maintenance on properties of traditional religious and
17 cultural importance to Indian Tribes.

18 For developmental resources, we identified the
19 affects of potential operational changes on energy and
20 capacity benefits of the project and affects of protection,
21 mitigation, and enhancement measures on the cost of project
22 power.

23 Okay, so Alabama Power's preliminary list of
24 proposed studies includes studies related to geology and
25 soils, water quantity, quality, fisheries, federally-listed

1 threatened and endangered species, recreation and land use,
2 cultural resources and developmental resources. I'm not
3 going to read through all of the studies that they proposed
4 to date, but you'll see a summary of those in our Scoping
5 Document on pages 20-322 and they also provide a lot of
6 detail about their studies in Appendix T of the
7 Pre-application Document and that was filed to the
8 Commission's E-library on June 1 of this year. If you
9 haven't read it yet, you can check it out.

10 Okay, so now let's cover the FERC information
11 needs and how you can request studies. We're asking for
12 your help in collecting any information that will assist us
13 in conducting an accurate and thorough analysis of the
14 Project's specific and cumulative affects associated with
15 re-licensing the Harris Project. The types of information
16 that we're requesting are listed on pages 22 through 23 of
17 the Scoping Document and also on this slide. We're looking
18 for your comments on the Applicant's pre-application
19 documents, the Scoping Document One, significant
20 environmental issues that should be addressed in our
21 Environmental Document, study requests using the seven study
22 criteria, which we'll talk about in a minute, the
23 information or data describing past and present conditions
24 of the project area, comprehensive plans, resource plans,
25 and future proposal on the project area.

1 So, we request that federal, state, and local
2 resource agencies, Indian Tribes, non-government
3 organizations, and the public send this type of information
4 to the Commission using the instructions on page 23 of the
5 Scoping Document. So, thank you all in advance for
6 assisting us with this information-gathering phase of the
7 process.

8 So going back to our handy flow chart, the next
9 opportunity to commit during the pre-filing phase of the
10 licensing process are highlighted in orange on this slide.
11 First, stakeholders can file with the Commission any
12 comments, as I mentioned before, on the pre-application
13 document, Scoping Document, and any study requests. Those
14 will be due by October 1. We talked about.

15 Stakeholders can then also provide comments on
16 the Applicant's proposed studies during the study plan
17 meeting or if you attend any of the extra meetings that
18 they're having as well, but the IOP meeting will be held on
19 or about December 13 of this year. Then stakeholders can
20 file comments on the Applicant's proposed study plan. Those
21 comments will be due February 11, 2019. And then the
22 Applicant will revise the study plan. That will be filed
23 March 13 of next year and any comments on the revised study
24 plan will be due 15 days later, March 28, 2019. So, that's
25 an example of one of the quickest turnarounds in this phase

1 of the process.

2 Okay, so then these steps for the study plan
3 development are highlighted in orange and they overlap with
4 the comment periods you'll notice. So, as we talked about,
5 you'll file any study requests with the Commission by
6 October 1 of this year. And then next, we ask that everyone
7 review the Applicant's proposed study plan and that, again,
8 will be filed by November 13. And then on or about December
9 13, the Applicant will hold a study plan meeting, that's the
10 IOP meeting and you can comment during that meeting on the
11 proposed studies.

12 Then by February 11, we'll ask you to file any
13 comments on the proposed study plan. And after they file
14 their revised study plan on March 13, again, you'll file
15 your -- if you have any extra comments on the revised study
16 plan, those will be due by March 28. Then on April 12 the
17 Commission will issue a study plan determination and that
18 will identify the approved studies, including any Commission
19 modifications or additional studies. After that, mandatory
20 conditioning agencies may file a Notice of Study Disputes
21 and that will be due by May 2 of next year and the
22 Commission will resolve any study disputes through its
23 dispute resolution process, which is outlined on the flow
24 charts that I provided in the handout and also in Appendix B
25 of the Scoping Document.

1 And the first study season will begin after the
2 Commission's study plan determination. If there's any
3 dispute of studies those studies will start after the
4 Commission's determination on any study disputes.

5 MR. MORRIS: What's a mandatory conditioning
6 agency?

7 MS. SALAZAR: So, the question is what's a
8 mandatory conditioning agency?

9 MR. MORRIS: Yes, I'm curious. It says
10 "mandatory conditioning agency file Notice of Study
11 Dispute," so what is a mandatory conditioning agency?

12 Oh, I'm sorry. I'm supposed to state my name.
13 My name -- I sorry. My name is Barry Morris. I'm a
14 homeowner on Lake Wedowee. That's B-a-r-r-y M-o-r-r-i-s.

15 MS. SALAZAR: So, for example, in this case the
16 Project has Bureau of Land Management lands within the
17 Project boundary and because they have some federal lands
18 under their jurisdiction on the Project boundary they would
19 be considered a mandatory conditioning agency in this case,
20 but you can jump in and add the other ones, Allan.

21 MR. CREAMER: Alan Creamer with FERC. Another
22 example that probably will be applicable to this process is
23 the State Water Quality certifying agency. They'll be
24 another example of a mandatory conditioning agency.

25 MS. SALAZAR: Any other questions? Alright, so

1 here is a list of our study criteria. I'm not going to read
2 through these. You've got a copy of those in your Scoping
3 Document as well, but we're asking everyone to use these
4 criteria when you file study requests, if you have any. So,
5 you can find the list of those summarized in Appendix A of
6 the Scoping Document and there's also on our website a guide
7 to understanding and applying the study criteria for the
8 Integrated Licensing Process. If you need that link, I
9 think it's mentioned in the larger brochure or I could also
10 email it to you.

11 Okay, so if you would like to provide written
12 comments on the Scoping Document, the Applicant's
13 pre-application document, or any study requests you can
14 either give them to the court reporter today, mail them to
15 the Commission, or file them electronically. The Commission
16 strongly encourages electronic filing. Again, you can find
17 the filing instructions on page 23 of the Scoping Document,
18 as well as on the FERC brochures. Please remember to use
19 the Harris Project number, which again it's 2628-065, on any
20 filings.

21 And as noted in this presentation, the deadline
22 for filing those comments and study requests is -- it falls
23 on a Saturday, so the deadline will actually be October 1.

24 So, I know we've covered a lot of information.
25 It's a detailed process. If you have any questions during

1 the licensing process, feel free to contact me or my
2 supervisor, Steven Boller (0:59:26.6)* and my contact
3 information is in the Scoping Document as well.

4 Okay, so we're going to get started now with the
5 comment period and I'm just going to run through the
6 speaking protocol, just a friendly reminder. Please use the
7 microphone and speak clearly and audibly. Remember to state
8 your name and the name of your organization you represent,
9 if any, and the Court Reporter may ask you to spell your
10 name for accurate recording, define any acronyms that you
11 use and speak one at a time. So, I think we had a couple of
12 people registered.

13 MR. CREAMER: Allan Creamer with FERC again. We
14 had six people that indicated they wanted to speak, so I
15 will go through in the order that I have the sheets. So,
16 we'll start with Kenneth Wills.

17 MR. WILLS: You want me to stand or stay seated.

18 MALE SPEAKER: Stay seated.

19 MR. WILLS: Okay. My name is Kenneth Wills.
20 I'm the Acting Coordinator of the newly formed Alabama
21 (1:00:44.0)* Conservation Coalition. Alabama is -- because
22 of our geology we've got one of the highest or the highest
23 bio-diversities east of the Mississippi River. I'm talking
24 about number of plants and animals and part of that is the
25 granite outcrop, a rare plant glade communities that you

1 have in this region of the state, the Piedmont.
2 Unfortunately, none of those are protected in Alabama, but
3 in the Lake Harris Project just to the west of Flat Rock
4 Park, the developed portion of the park, there's actually on
5 Alabama Power land there is a 20-acre area that has an
6 isolated, pristine granite outcrop community.

7 And so the coalition of botanists that I'm
8 representing we're very interested in protecting this area.
9 It has rare species like confederate daisy, mingy spine
10 flower, L-4 (1:01:37.7)*, another name for it. But anyway,
11 the Coalition of Botanists that I represent we basically are
12 asking that the land use designation for that 20 acres of
13 Alabama Power land outlined in the map I'm going to submit
14 be changed from recreation to natural, undeveloped as part
15 of the FERC re-licensing process for Lake Harris so the
16 rare plant communities of the property are protected from
17 development.

18 Now, this proposal it doesn't affect the
19 developed portions of the park and the users and all the
20 people that have fun at the park, but this little isolated
21 area to the west of the main park if it's given a higher
22 form of protection this will ensure for the long term that
23 that area stays pristine as things changed.

24 And we're really excited that Alabama Power has
25 expressed a lot of interest in working with us on this.

1 We've got plans to inventory the plants and animals, help
2 them kill some (1:02:32.3)* on the site. You know do some
3 improvements for the site, so there's a lot of potential for
4 us all to work together on this and so I'm just happy about
5 this proposal, excited about it, and I will submit these
6 written comments to go with my testimony here, so anything
7 else? Do I need to do anything else?

8 MS. SALAZAR: Thank you.

9 MR. WILLS: Okay. Who do I give this to?

10 MS. SALAZAR: I'll give it to the Court
11 Reporter, okay.

12 MR. CREAMER: Thank you, Ken. Next person is
13 Steve Forehand.

14 MR. FOREHAND: Hi, I'm Steve Forehand,
15 F-o-r-e-h-a-n-d, representing Lake Martin Resource
16 Association. I may refer to that as LMRA.

17 As you saw on Angie's presentation, Lake Martin
18 is the next Alabama Power Company project immediately
19 downstream from this project. LMRA was formed in 1970. We
20 represent about 2,000 members on and around Lake Martin. I
21 do plan to file comments electronically, but I did want to
22 encourage any study plans that related to dam operations to
23 consider impacts on the fall extension feature of the Martin
24 license. That fall extension was added as a PM&E measure in
25 the Martin re-licensing a few years ago and it is a somewhat

1 complicated formula to determine whether flows are
2 sufficient to extend the full pool level of Lake Martin from
3 around Labor Day to October 15, as a triggering mechanism
4 depends on water levels in five reservoirs, so we would
5 encourage any studies of operational changes here to
6 consider that PM&E measure so that it's not adversely
7 impacted.

8 MR. CREAMER: Thank you, Steve. Next person
9 that I have is Brad Mitchell.

10 MR. MITCHELL: Hello, I'm Brad Mitchell and I'm
11 here representing myself and some family members. B-r-a-d
12 is the first name, last name is Mitchell, M-i-t-c-h-e-l-l.

13 We own land that has been in my family for four
14 generations and this land was impacted by the impoundment of
15 the water. A good bit of our land was covered up, which is
16 no problem. The power company paid us for that, but it
17 resulted in some out parcels due to the irregular shape of
18 the shoreline, so of those parcels -- a couple of them have
19 been isolated or cut off by Project lands, some of the lands
20 that you're referring to I think here tonight. And what I
21 would like to see happen during this relicensing process
22 would be a reclassification of some lands to allow us to
23 either swap or have an unhindered access to our existing
24 lands.

25 There's not that much land involved and to maybe

1 the power company it's a trivial matter, but to me and my
2 family it's very important, so I would just like to go on
3 record as making a request that I have the opportunity to
4 discuss in greater detail with the appropriate parties the
5 possibility of swapping the land that we have that we would
6 give to you which is contiguous and adjacent to your Project
7 lands in exchange for some land that would be contiguous and
8 adjacent to other properties that we have, which are also
9 classified as recreational property. So, there would be a
10 need to reclassify those lands and I would welcome an
11 opportunity to go into greater detail with the appropriate
12 people at the appropriate time.

13 MR. CREAMER: Thank you, Mr. Mitchell. Next
14 person, Jimmy Traylor.

15 MR. TRAYLOR: Jimmy Traylor, T-r-a-y-l-o-r.

16 I guess we represent an obsolete group now, the
17 Middle Tallapoosa River Association. Most of the members
18 have died off since the creation. Others have moved off.
19 So, at this table there's roughly 245 years of experience on
20 the river. That's before the dam was built till after the
21 dam, so we've seen the affects. We own -- my family and my
22 father -- roughly a mile of riverfront property in Malone.
23 Since the dam, we've lost roughly 79,200 square feet of
24 land, not to mention the trees. So, part of what we're
25 asking -- and we all spend time on the river fishing. We

1 hunt. We also spend time up on the lake. I've been fishing
2 this lake since it was dammed in the eighties and I've seen
3 the affects you know of what has happened up here from a
4 wildlife perspective.

5 For us, below the dam there's a lot of concerns
6 and it starts -- I know this is going to sound trivial, but
7 a little thing like a bug. You know little fish eat bugs.
8 There are no bugs, there's no crawdads, there's no frogs,
9 there's no mink, very few muskrat. We obviously have issues
10 with land erosion. We have issues with farmers losing their
11 crops because of flooding. Part of the Project was sold to
12 the public on the river as flood control. When you get 6 or
13 7 inches of rain, I shouldn't have 30 feet of water.
14 There's a serious issue with that.

15 Back when we were involved originally in 2005
16 with the study for adaptive management with pulsing and Dr.
17 Alisa Irwin ran that study, we all, as stakeholders, agreed
18 at the request of Willard, who many of you don't know who he
19 was, but he was the Alabama Power representative and you
20 know we got to a stopping point and Willard said this. He
21 said I cannot go to my board of directors and the public and
22 ask for a change in the turbine types without a study, so we
23 agreed. We all agreed to a study.

24 I'm sitting here today and concerned of -- how
25 long is that, 15 years, roughly, of studies that have been

1 done. Dr. Irwin should be here with her data. She's not.
2 We're probably the only people left who have fished Crooked
3 Creek, (1:11:02.0)* Buggy, Mud Falls, Hurricane Creek, Corn
4 House Creek, No Business Creek and I don't know what other
5 creek -- and Cedar Creek -- thanks Bob. And we've seen the
6 devastation of the environment up the creeks and down the
7 river. And I hear a lot -- you know we are talking about
8 the lake and that's a great concern.

9 You know, like I said, I enjoy the lake too and
10 we're not asking that the lake be drained. I think there's
11 an intelligent way to do this and I think Alisa's data holds
12 the key to the solution, so we need to look at things like
13 this.

14 Now, you talk about endangered species. Here
15 are some endangered species on the river -- crappie, bass,
16 (1:11:57.9)* carp, brim, yellow cats, also known as an
17 appaloosa, flathead. They're gone. The worst thing that
18 happened was when we agreed to the pulsing. It happens
19 three times a day, 6:00, noon, and 6:00, typically. And
20 what happened was it flushes the river with cold water.
21 Since the pulsing, you were able to flow the river, great,
22 but it killed everything.

23 And I will also say this to the lake people.
24 From my experience and what I'm seeing on the lake, you have
25 a sick environment up here as well. One environment affects

1 the other, up and down. So, don't think for a second that
2 you're living in a great ecological system. You're not.
3 It's not like it was. If you go back in time in the late
4 eighties, the nineties and you look at the habitat up on the
5 lake, the amount of fish they're not there any more and some
6 of that is you know it's natural. It's recreation. But I
7 do believe that a study needs to be made about the bugs. It
8 needs to be made about you know the crawdads. It needs to
9 be made about the natural fish, being the flathead catfish,
10 the blue cats they're gone -- bass, red-eye bass,
11 wore-mouth bass, sucker -- the red-nose sucker, the carp,
12 the brim. Everything has changed. So, I'm requesting a
13 full ecological -- whatever you call it -- study of the
14 environment below, also, the affects of the land erosion,
15 the flooding aspects. I know you bring up raising the
16 winter pool. What does that do to us when we get 4 or 5
17 inches of rain and the lake's full?

18 So, one question I have is what authority does
19 FERC have below the dam or what are the responsibilities of
20 FERC below the dam? Can anyone answer that for us?

21 MS. SALAZAR: Allan, do you want to take a stab
22 at that?

23 MR. CREAMER: The only thing I would say is our
24 authority below the dam is the same as what it would be
25 above the dam. We're looking at what affects the Project

1 has on the resources within the Project boundary. And to
2 the extent that the Project has an affect on the river --
3 you know there's a stretch of the river of the pulsing where
4 the Project has an influence on what's going on. That's
5 generally what the extent of what our jurisdiction would be
6 in terms of looking at project affects. So, it would be
7 within the Project boundary and other project-affected
8 reaches.

9 MR. TRAYLOR: So, we're seven miles below the
10 dam, so you know we get flushed, so I would ask that some
11 studies be done really down to actually Horseshoe Bend. So
12 that's -- what's Horseshoe Bend, 40 miles from here? So,
13 the river's affected really from here to Lake Martin, but
14 specifically, down to Horseshoe Bend.

15 The only other request, though, I would have is
16 this. Is that we live in a time that you know we're looking
17 at wind energy, production of nuclear energy. We're looking
18 at all different aspects, so you know LED lighting, for
19 example, and cost savings. And understand you know this dam
20 is going to be here. That's great. But I would ask this;
21 that there be some type of study be done on the turbines.
22 That if there are more efficient and effective turbines that
23 can do a better job and you can get the lake more water and
24 you know it's the right temperature water and the right flow
25 then the turbines need to be changed, so I would ask that be

1 studied as well. Other than that, that is all I have.

2 Thank you.

3 MR. CREAMER: Thank you, Jimmy. Okay, the next
4 person I have is Brad McLane.

5 MR. MCLANE: Thank you. I'm Brad McLane. The
6 last name is M-c-L-a-n-e and I'm just here on behalf of
7 myself. I have a bunch of different interests related to
8 the lake and the river. My dad owns a house on the lake and
9 a 40-acre parcel. It's the Tranquility Four parcel near
10 Hunter Bend and folks know that it's just undeveloped. We
11 have long-term plans to do something with it, but short-term
12 plans to do absolutely nothing, but we're certainly
13 interested in anything that enhances the value of the
14 fisheries, the lake, and our property.

15 I'm also a long-time lover of fishing and
16 paddling on the rivers and I love the Tallapoosa River.
17 Years ago I had Cindy Lowry's job at Alabama River Alliance
18 and I worked with you and I guess Jim Cruise and I guess
19 everybody else has moved on that was involved in talking
20 about the Tallapoosa River back when we started that
21 Adaptive Management Group.

22 The Tallapoosa River is an absolute treasure.
23 We don't have a lot of rivers left like it that are
24 free-flowing for 44 miles. That's just one of my favorite
25 places to be and it's greatly impacted by the way Alabama

1 Power is operating Harris Dam. Now, the pulsing plan you
2 know it was a good idea. We all got together. We looked at
3 the impacts. We struggled with the different options and
4 the cost and I went onto law school before you all worked
5 out the plan, but for 12 years Alabama Power has been
6 releasing these pulsing flows and I got all the studies.

7 I'm not going to pretend to understand them.
8 I've tried to read them. A lot of them put me to sleep, but
9 you know I've been trying to study the data and I really
10 don't think that it's working. And I don't think that
11 anyone who knows the river or knows the biology will tell
12 you that it's a successful way to manage the river. And so
13 the whole idea of adaptive management that was the kind of
14 process we started out with is that you try something and
15 you see if it works and then you adapt. And so it's passed
16 onto adapt and try something else that will better benefit
17 that wonderful fishery and resource that is the Tallapoosa
18 River.

19 We know that the water's too cold for the
20 warm-water species that live in the Tallapoosa or should be
21 able to thrive in Tallapoosa and so we need to warm up the
22 water to get it to the right temperature. And so, there'll
23 be a capital cost to do that, I would imagine, but the power
24 company really needs to look at a mixing tower or some kind
25 of structure to get that temperature right. If the water's

1 too cold we'll never have the fishery. We'll never have the
2 resource that we should have.

3 The other issue is we need some more options in
4 terms of how water is released. Basically, the way the
5 power company designed the dams we have to really large
6 turbines and there's not really a good way to have any kind
7 of continuous minimum flow or small flow that's there all
8 the time. The power company could spill a little bit of
9 water, but the management options are limited based on the
10 design. So, it's my hope that some of the bright engineers
11 at Alabama Power will be able to kind of look at some of
12 the engineering solutions to look at how can we better
13 operate the dam to balance hydropower, a very important
14 resource, and Lake Wedowee that we love and the Tallapoosa
15 river that we love.

16 One of the ideas that I've long had that we
17 discussed years ago was the idea of a house turbine. You
18 know kind of a small turbine that would be able to generate
19 some kind of continuous minimum flow and could operate at a
20 lot of different levels. And so if we had those tools, if
21 the water was the right temperature, whether it's releasing
22 10 cfs or 10,000 cfs, and we had the ability to look at some
23 kind of continuous minimum flow we could engage in a more
24 meaningful adaptive management process, but I think the
25 design of the dam is really limiting us. So, we need those

1 engineers to come up with some solutions. We really need
2 engineering studies to look at how that dam operates.

3 So, that's all I'll say. I appreciate the
4 chance to comment. Thank you.

5 MR. CREAMER: Thank you, Brad. Cindy, you're
6 next.

7 MS. LOWRY: My name is Cindy Lowry, L-o-w-r-y,
8 and I'm the Executive Director of the Alabama Rivers
9 Alliance, so used to be Brad.

10 We're an organization that works statewide on
11 protecting water and working with local community groups and
12 watershed-based groups, so most of our focus on
13 re-licensing. We were involved in Lake Martin re-licensing
14 and (1:22:12.3)* re-licensing and Black (1:22:13.4)*
15 re-licensing for years and years. And most of our focus
16 will be on the downstream concerns and most of those are
17 ones that Brad just mentioned, so I don't ^^- and we will be
18 submitting written comments, so I don't have to get into
19 detail, but I will just reiterate that I think -- we also
20 care about the water quality in the reservoir and we care
21 and appreciate the concerns of the folks who live around the
22 lake as well, so we want to have dialogue with you guys and
23 appreciate this process so that we can all be open and
24 transparent about our concerns and what we want to see in
25 this re-licensing.

1 The Green Plan, as has been mentioned a couple
2 of times, we do have great concerns about that. It was
3 something to try and we don't feel like it's shown the
4 results that we'd hoped for, so we'll be looking at those
5 studies that were in the PAD really closely and seeing what
6 recommendations Dr. Irwin and others have made that maybe
7 the power company can look at further and that FERC can look
8 at further and then there's some other studies out there
9 that we found that we'll be submitting to you guys to look
10 at as well. So, we'll do all that in written comments, but
11 I just wanted to let you all know that we appreciate the
12 process.

13 The tour today was really exciting and I do hope
14 that we can all continue this process in a way that ends up
15 in the balance that we're all shooting for today, so
16 appreciate it.

17 MR. CREAMER: Thank you, Cindy. So that's all
18 that I have or we have for folks that have signed up. Now's
19 the time if you have any questions about any of the issues
20 that we've identified, the specific things, feel free to ask
21 them. Now's the time to provide any other comments.

22 MR. SMITH: John Smith. I'm a lake homeowner
23 and I've been on the lake over 20 years now.

24 COURT REPORTER: Your name, sir.

25 MR. SMITH: My name is Charles Smith. Can you

1 spell Smith?

2 COURT REPORTER: Yes. For the record, for the
3 record.

4 MR. SMITH: I thought it would be easy. Being
5 from the lake, I've heard some of this and I also
6 participated with some of the stuff down in Lake Martin.
7 And I just want to say from homeowners on the lake over the
8 last, say, five to ten years we've seen a drastic change
9 with management of the lake level and I want to compliment
10 Alabama Power for that change. Part of that had to do with
11 the Green Plan so that they could control the lake level
12 much better. But a lot of us live on the lake in
13 retirement. We enjoy that. Weekends we're covered up with
14 probably a lot more people that come, but the lake really
15 serves as a great opportunity to a lot of people.

16 I do like to ask Alabama Power why do we not see
17 the real curve any more in terms of lake level reporting.
18 It used to be regular. Is there some way we can see that?

19 MS. ANDEREGG: For Smartphones and what we have
20 on our website has changed because I guess we upgraded,
21 redid the website, so on -- is it APC Shorelines.com is the
22 right bureau. It just shows the water level and where it is
23 now and we don't have the real curve any more because it
24 caused more confusion than it helped.

25 MR. SMITH: Not if you understood it.

1 MS. ANDEREGG: Not if you understood it, but
2 most people don't understand it. Is that right, Allan?
3 There is no longer the -- oh, it is on the App. I should've
4 just let him talk, but yeah, it was --

5 MR. SMITH: My second question is we're looking
6 at the Harris Dam permit renewal, but why is the Skyline
7 Wildlife part of it or has it always been part of it? It
8 has? Okay.

9 A lot of the things that has been mentioned has
10 to do with erosion down below Harris. We have terrific
11 erosion above Lake Wedowee and Lake Harris and we see all
12 kind of stuff coming down the river. It's filling in, but
13 nothing is being done in regards to that. Is that part of
14 the permit or do we just forget that?

15 MS. SALAZAR: Yes, that's one of the issues we
16 will be looking at. We identified those issues and that
17 will be covered in our Environmental Document.

18 MR. SMITH: First two or three miles of Lake
19 Harris is just filling in completely and then by all the
20 points on the dam side you're filling, so that's in the
21 first five miles there, so it's getting pretty bad.

22 One of my pet peeves that I've had is recreation
23 on Lake Wedowee. And if you go to Westmore Lake, you go to
24 Georgia Power Lakes they have a lot of campgrounds. They
25 have a lot of recreation areas. We have one, Flat Rock

1 Park, and my big request is let's see if we can't do
2 something for Lake Wedowee where we have some kind of day
3 camp where you can come in and camp for a day or a week and
4 leave or some kind of recreation area where the locals can
5 come and swim and have a safe place to be. We don't have
6 anything around Wedowee for the public to do. They have to
7 go to Clay County to get to Flat Rock Park and there's no
8 reason, no reason at all that we can't have better
9 recreation. We've got great ramps. Alabama Power you did a
10 good job there. Good lighting, good information, but there
11 should be some way that you could go camp for a couple of
12 days and have a beach or somewhere to go to. And I think
13 that's all I got to say. But it's going to be a long
14 process and I feel for you guys down below the dam because
15 flooding is bad and so forth, but thank you.

16 MR. CREAMER: Thank you. Anybody else have any
17 comments you want to make?

18 MR. TRAYLOR: Jimmy Traylor again. If the
19 floodgates are going to be open and sometimes they have to
20 be, but if we see it coming we need some advance warning.
21 The water can rise at our place and if you open two
22 floodgates about 15 feet in an hour, which doesn't give me
23 time to move. And we are in a remote area, so I mean I've
24 lost -- me, personally, close to about \$80,000 worth of
25 campers because of it. There's nothing I can do. I can't

1 get here in time. And Alabama Power does have some -- you
2 know they send me a -- they'll call me or something and say,
3 hey, flood operations in effect or whatever and I've
4 literally got 10 or 15 minutes to move things, so cows get
5 killed, trailers get lost, boats get gone, homes get
6 destroyed. So, if there's something we could do from an
7 advanced warning -- and I realize that some of this is
8 common sense. If there's 10 inches of rain in an hour in
9 Anniston, we probably need to move stuff, but you know the
10 effect -- if you at the leg if your water rises 3 feet in an
11 hour and they release, you're going to give me 12 to 15
12 feet, so we need to think about that. That's all.

13 MR. CREAMER: Thank you.

14 MR. WILLS: This is Ken Wills again. This is
15 just a question kind of relating to that map over there. I
16 probably should've asked it earlier today on the tour.

17 Years ago I was at the Anniston Museum for a
18 meeting, involved Jim Martin, who was Conservation
19 Commissioner then, U.S. Fish and Wildlife Service, and they
20 were talking about mitigation for the Harris Lake Project
21 back then. That was back in the eighties and I think that's
22 how the Skyline thing came about. But I was just curious,
23 on Lake Harris itself are any of the lands shown like on
24 that map are any of those set aside for mitigation or
25 considered mitigation? It was just a question.

1 MS. ANDEREGG: So there are lands that
2 everything you see in green around the lake are natural
3 undeveloped, so those are set aside to not be developed any
4 time in the future and so we allow primitive camping and
5 hiking and so if you know about them you could go out and
6 use them.

7 MR. WILLS: So, that's basically the same as
8 mitigation?

9 MS. ANDEREGG: Yes.

10 MR. WILLS: Okay.

11 MR. CREAMER: Anybody else got any more
12 comments?

13 Okay, seeing none, my job's done.

14 MS. SALAZAR: Alrighty, well, thank you again --
15 all of you for coming to the meeting tonight. Again, if you
16 have any questions, feel free to call me or email me. My
17 contact information is in the Scoping Document and we'll
18 adjourn the meeting. Thank you again.

19 (Whereupon, the meeting was adjourned)

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CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceeding
before the FEDERAL ENERGY REGULATORY COMMISSION in the
Matter of:

Name of Proceeding: R. L. Harris Hydroelectric
Project

Docket No.: P-2628-065

Place: LINEVILLE, ALABAMA

Date: TUESDAY, AUGUST 28, 2018

were held as herein appears, and that this is the original
transcript thereof for the file of the Federal Energy
Regulatory Commission, and is a full correct transcription
of the proceedings.

Fedor Razzuri

Official Reporter

ERRATA SHEET

DEPOSITION OF: Scoping Meeting for R.L. Harris Hydroelectric Project (FERC No. 2628-065)

DATE OF DEPOSITION: August 28, 2018

PAGE 1 of 3 pages

Page	Line	Correction
1	6	replace “WEDOWER” with “WEDOWEE”
3	12	replace “(0:02:59.9)*” with “balancing,”
3	12	replace “Integrative” with “Integrated”
4	5	replace “(0:04:17.5)*” with “Bowler”
4	12	replace “Monty Tocar (0:04:41.6)*” with “Monte Terhaar,”
4	18	replace “Wallick (0:05:01.1)” with “Wallach”
6	5	replace “navigatable” with “navigable”
6	17	replace “esthetics” with “aesthetics”
7	7	replace “(0:09:54.8)*” with “installed”
7	10	replace “Sam, and Pounds” with “Dam impounds”
8	16	replace first “and” with “in”
15	10	replace “feet extending” with “feet. Extending”
17	11	replace “river ream” with “riverine”
17	13	replace “daughter” with “darter”
17	14	replace “daughter” with “darter”
18	25	replace “and” with “in”
19	13	replace “*(0:29:30.4)*” with “lamp-”
21	18	replace “ANDEGREE” with “ANDEREGG”
22	1	replace “(0:33:15.3)*” with “stream is”
22	3	replace “(0:33:21.2)*” with “Thurlow”
22	5	replace “corridor” with “Corps projects”
22	24	replace “(0:34:50.4)*” with “scenic”
23	4	replace “esthetic” with “aesthetic”
23	13	replace “AVC&R” with “ADCNR”
23	22	replace “lower” with “raise”
25	1	replace “hats for” with “HATs, or”
25	11	replace “hat or hats” with “HAT or HATs”
25	13	replace “hat” with “HAT”
25	15	replace “hat” with “HAT”
26	4	replace “hat or hats” with “HAT or HATs”
27	1	replace “through” with “by”
27	3	replace “affects” with “effects”
27	7	replace “affects” with “effects”
27	14	replace “affects” with “effects”
27	18	replace “affects” with “effects”
27	21	replace “affects” with “effects”
27	23	replace “affects” with “effects”
27	25	replace “affects” with “effects”

28	7	replace “affects” with “effects”
28	10	replace “affects” with “effects”
28	13	replace “on” with “and”
28	14	replace “affects” with “effects”
28	17	replace “affects” with “effects”
28	25	replace “affects” with “effects”
29	2	replace “affects” with “effects”
29	3	replace “affective entrainments” with “effect of entrainment”
29	5	replace “affects” with “effects”
29	9	replace “affects” with “effects”
29	15	replace “affects” with “effects”
29	17	replace “lateral (0:46:42.3)*” with “littoral”
29	18	replace “affects” with “effects”
29	21	replace “non-mated and” with “non-native”
29	22	replace “baseless” with “invasive”
29	23	replace “affects” with “effects”
30	3	replace “affects” with “effects”
30	6	replace “(0:47:41.5)*” with “pocketbook mussel”
30	7	replace “affects” with “effects”
30	10	replace “(0:48:008.8)*” with “palezone shiner, spotfin chub”
30	11	replace “beam” with “bean”
30	12	replace “plain” with “pale”
30	12	replace “stuff box” with “snuffbox”
30	13	replace “(0:48:15.8)” with “slabside”
30	14	replace “affects” with “effects”
30	19	replace “(0:48:39.6)*” with “cockaded”
30	20	replace “(0:48:43.9)*” with “long-eared”
30	21	replace “(0:48:47.0)*” with “amphianthus”
30	21	replace “(0:48:49.4)*” with “fringeless”
30	25	replace “affect” with “effect”
31	12	replace “affects” with “effects”
31	15	replace “affects” with “effects”
31	19	replace “affects” with “effects”
31	20	replace “affects” with “effects”
32	14	replace “affects” with “effects”
33	14	insert “that” after “about”
33	18	replace “IOP” with “ILP”
34	10	replace “IOP” with “ILP”
37	2	replace “Boller (0:59:26.6)*” with “Bowler”
37	21	replace “(1:00:44.0)*” with “Glade”
38	9	replace “mingy spine” with “Menge's Fame”
38	10	replace “L-4 (1:01:37.7)*” with “Elf Orpine”
39	2	replace “(1:02:32.3)*” with “exotic invasive plants”
41	21	replace “affects” with “effects”
42	3	replace “affects” with “effects”

44	14	replace “affects” with “effects”
45	2	replace “affect” with “effect”
45	6	replace “affects” with “effects”
54	10	replace “leg” with “lake”