

Duke Power Trial Balloon For The Tuckasegee River

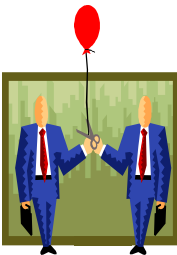
Purpose – Stimulate discussion within the Tuckasegee River Cooperative Stakeholder Team concerning how the interests could fit together in a consensus agreement.

Ground Rules

- Work together. Strive for an efficient process.
- Find and focus on opportunities. Seek creative solutions.
- Explain your interest, not position, and respect others' interests. Make sure others understand your organization's interests and their relation to Duke's Tuckasegee River hydros.
- Trial Balloon = an informal, preliminary proposal. Use trial balloons liberally... formal proposals will come later. Trial balloons are completely non-binding and may be withdrawn, in whole or in part, at any time prior to signing an agreement. We don't have a deal until an agreement is signed.
- No surprises during discussions. Focus on honesty with tactfulness.
- Keep all discussions at the table; Media contacts and information only as agreed to by the team.
- Recognize that ground rule violations can severely impact likelihood of reaching the goal----- a consensus agreement.

Key Remaining Unknowns

- Results of outstanding studies (e.g. CHEOPS Model, Instream Flow Model, Recreation Use and Needs Study, etc.)
- Continued refinement of the collective priorities of the Tuckasegee River Cooperative Stakeholder Team.
- Impacts of relicensing expectations on other Duke Power hydros.
- Timely receipt of any approvals required to implement trial balloon conditions (e.g. FERC approval, agency permits, etc.).



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Duke could agree to the following:

Recreation (Rec) Facilities

- Expand the existing boat ramp at Cedar Cliff.
- Rebuild existing boat ramp at Bear Creek in the same location and add bank fishing area adjacent to rebuilt ramp.
- Add “tote and float” site at Tennessee Creek.
- Improve existing boat ramp and establish a picnic shelter at Andrews Park on Lake Glenville.
- Provide land and gravel parking below Cedar Cliff for whitewater boating access.
- Investigate cost-share partnership potential for improved river access in the following general areas:
 - Cullowhee Dam
 - Delayed Harvest Section
 - Dillsboro
 - Barkers Creek
- Construction to be staggered over period from 2005 through 2009 and prioritized based on Rec Use and Needs Study results.
- Provide a recreation plan.

Public Info

Reservoir information

- Actual lake level readings and target lake level curves for all East Fork and West Fork reservoirs added to Duke Website.
- Lake level information beginning in 2003.

Recreational flow information

- Standard recreational flow schedule for Cedar Cliff and Thorpe maintained by Duke telephone information line and / or website.
- Message communicated to outfitters when augmented recreational flows are reduced under a protocol (e.g. Low Inflow, Power Emergency, Station Emergency / Maintenance protocols).
- Recreational flow information beginning in 2003.

Gage activation

- Reactivate USGS gage # 03510500 at Dillsboro, NC and USGS gage # 03508000 at Tuckasegee, NC.
- Gages fully operational by 2005.

Lake Levels

Maintain current lake level target curves for all East Fork lakes:

- Cedar Cliff 96.0 to 100.0 Jan-Dec
- Bear Creek 96.0 to 100.0 May –Nov, winter drawdown to 93.0.
- Wolf Creek and Tennessee Creek 91.0 to 94.0 May – Dec, winter drawdown to 83.0.

For West Fork lakes:

- Glenville 96.0 to 100.0 May – Jul, 96.0 to 94.0 Aug, 94.0 to 90.0 Sep, winter drawdown to 85.0.
- Tuckasegee lake level as needed to provide minimum flow.

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Any changes from current operation to begin in 2005.

Minimum Flow and Bypass Flow

- Continue existing min. flow at Tuckasegee Plant (20 cfs or inflow, whichever is less. Duke chose to provide this in the bypass channel via the sluice gate out of convenience).
- Continue existing min. flow at Cedar Cliff (10 cfs during non-generation hours only).
- Provide additional 10 cfs min. flow from Cedar Cliff during non-generation hours only (20 cfs total during non-generation hours, no min. flow required while generating).
- Additional min. flow beginning in 2005.

Angling and Boating Recreation Flows

- Define the primary whitewater boating periods as 11:00 am to 4:00 pm on Wed., Thurs., Fri., Sat. and Sun. from Saturday before Memorial Day – Labor Day plus the remaining Saturdays in Sep. and Oct.
- Each evening prior to one of the primary whitewater periods, Duke will check the river flow (as measured at the reactivated USGS gage in Dillsboro) for the period of 11:00 am to 4:00 pm. If the 5-hr avg. reading is less than 500 cfs, Duke will implement the following rec flow releases from its hydro stations:
 - Flow releases targeted at approximately 195 cfs on Sun., Wed. and Memorial Day and approximately 475 cfs on Thurs., Fri., Sat., July 4th, and Labor Day.
 - Releases timed to arrive at the Dillsboro gage around 11:00 am. through 4:00 pm.
 - Once baseline river flows have increased sufficiently to allow avg. flow at the Dillsboro gage to remain above 500 cfs during the primary whitewater boating periods, specific rec flow releases from the Duke Power hydros can be reduced or stopped.
- Above rec flow procedure to begin in 2005, with Duke continuing voluntary rec flow releases until then in coordination with the Tuckasegee Gorge Association.

Resource Enhancement Project

- Remove most/all of the dam at Dillsboro
- Town acquires all Duke hydro landholdings there, including the powerhouse and 3 acres across river from powerhouse for public recreation area.
- Dam removal to begin in 2005.

Shoreline Protection

- Continue enforcing shoreline protection measures for environmentally sensitive areas (e.g. designated wetlands) and continue limiting cutting of trees within the FERC project boundaries.
- Develop shoreline classification maps for each lake on the Tuckasegee River except Dillsboro, identifying any unique areas that need protection for environmental, recreational, cultural or operational reasons and provide the associated lake use restrictions, including incorporating any necessary Species Protection Plans.
- Phase in new lake use restrictions between now and 2005.

Cultural Resources

- Develop a Cultural Resources Management Plan for the Thorpe development and the company houses at Thorpe to ensure that significant cultural resources are documented and protected to the extent necessary.
- Cultural Resources Management Plan to be developed and implemented by 2005.

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If the Tuckasegee River Cooperative Stakeholder Team could agree in consensus to the following:

- 1) Support continued operational flexibility for Duke’s Tuckasegee River hydros (peaking, lake level variability, share the impacts in dry years and plan for power or station emergencies and maintenance).
- 2) Actively participate with Duke in recreation area construction and/or management.
- 3) Support new FERC license conditions and compliance monitoring requirements and 401 Water Quality Certification conditions that are consistent with this trial balloon, reasonably simple to implement and that define any future risks to Duke.
- 4) Agree that the above actions adequately protect, mitigate, and enhance all the resources of the Tuckasegee River as they may relate to Duke’s hydro stations.