

## Catawba-Wateree Hydroelectric Project (FERC No. 2232)

**Study Plan Name:** Shoreline Management Guideline (SMG)      **Study Plan Designation:** SMP 02  
revision

**Study Short Description:** Revise the SMG, as necessary, to account for lessons-learned and address specific stakeholder concerns.

**Applicable Hydro Projects/Developments:** All

**Prerequisite Study Designation:** N/A

The purpose of this document is to describe the study scope, methodology and uses for the results. Previous versions of the study scope document have been reviewed and discussed by the resource agencies and other members of the Recreation and Shoreline Management Resource Committee or Study Team and based on these discussions appropriate methodologies have been added. This document is intended to be the final Study Plan for SMP 02.

### **I.      Study Objective**

To allow input from a wide variety of stakeholders, resource management agencies and Duke Power regarding any proposed revisions to the Shoreline Management Guidelines to ensure the Project's values are protected and enhanced, and regulatory requirements and Duke Power business interests are met.

### **II.     Basis**

Duke Power has periodically revised its permitting processes and criteria to address lessons-learned, allow stakeholder input, and to ensure regulatory compliance while ensuring the Project meets its primary purpose- the production of electricity. Duke Power has historically allowed Non-Project Uses (e.g. private piers, shoreline stabilization, water intakes, etc.) of its hydroelectric reservoirs comprising the C-W Project. The licensee, by allowing such uses, is subject to the conditional authority granted under the land use article standard in most licenses (i.e. Article 39 of the current C-W License) which indicates the licensee may establish a program for issuing permits for specified types of use and occupancy of project lands and waters. While the Shoreline Management Plan (SMP) and the Shoreline Management Guidelines (SMG) are interrelated- the SMG are included in the SMP as an appendix for informational purposes only- the primary difference is that the SMP provides basic guidance on the various types of activities that may take place along a general portion of a reservoir's shoreline and the SMG provide specific criteria for activities in a specific location in that general area. The SMP and SMG are both utilized as part of the review process for any lake use permit application.

### **III.    Geographic and Temporal Scope**

The SMG apply specifically to activities conducted within the project boundary of the C-W Project. The SMG have historically been updated, periodically, since permitting activities were undertaken by Duke Power. The latest revision to the SMG was implemented on June 6, 1996. This particular revision to the

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guideline criteria, associated with relicensing of the C-W Project, will be developed with input from a Focus Group (i.e. representative group of stakeholders), in conjunction with relicensing of the C-W Project, by December 31, 2005 and become effective with filing of the license application in August 2006. Duke Power intends to have revisions to these guidelines finalized by December 31, 2005 and provide notification by March 31, 2006 to the interested parties that revision of these guidelines is eminent.

### IV. Summary of Existing Data

The current version of the SMG consists of the Shoreline Management Guidelines (effective 6/1/96). The basis for development and implementation of the SMG is found in the land use article (i.e. Article 39 paragraph (b) of the C-W License). The Federal Energy Regulatory Commission (FERC) has developed information (i.e. Guidance for Shoreline Management Planning at Hydropower Projects) to assist licensees in the development of Shoreline Management Plans (SMP) and SMG. Additionally, Duke Power has been undertaking to revise the current SMG and has developed draft guidelines for consideration of the Focus Group.

### V. Methodology

Duke Power will provide the opportunity, through a series of meetings allowing input from a wide range of interests in both NC and SC, in coordination with the relicensing process for the C-W Project, to provide input into revision of the criteria associated with each of the existing six (6) permitting programs within the SMG. The study plan lead will solicit input and discussion of the various permitting programs from interested participants utilizing a format (i.e. Focus Group (FG)) that has been conducted successfully in the past. All input will be openly discussed during the FG and will be incorporated, as appropriate, within the SMG Criteria. FG participants will be provided revisions to the SMG Criteria prior to each subsequent meeting. Duke Power will maintain sole responsibility for accepting/rejecting modifications to the SMG based upon a number of factors including, but not limited to stakeholder input/interest, regulatory compliance and business needs. Specific guideline revisions not included in the final product produced as a result of input during the FG process may become a point of negotiation in development of a settlement agreement.

### VI. Schedules and Required Conditions

Duke Power reserves the right to make minor alterations to these guidelines without public notice or resource agency or FERC review to ensure permitting flexibility in the continuous monitoring and regulation of lake use permitting activities. Duke Power expects to make major revisions to the SMG's periodically and input from agencies and other interested stakeholders through the use of a focus group concept has proven an effective way to allow additional input. Duke Power expects to convene a focus group of interested stakeholders prior to making major revisions to the SMG's. Additionally, FERC can mandate modifications to the guidelines as provided for in the land use article standard in new licenses. As required in the ordering paragraph (B) of the Order Modifying and Approving Revised Shoreline Management Plan (issued October 15, 2003), the Shoreline Management Guidelines are approved as a part of the SMP with the understanding that the licensee has reserved the right to make minor changes as necessary. The Commission reserves the right to review such changes.

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|---|----------------|--------------|
| • Study Team review existing SMG (6/1/96)                           | Begin-11/24/03 | End-12/31/04 |
| • Study Team review LM revisions based on 1997 Focus Group comments | Begin-12/22/03 | End-12/31/04 |
| • Resolve outstanding issues/stakeholder negotiations               | Begin-1/3/05   | End-12/30/05 |
| • Notification SMG revisions eminent                                | Begin-3/1/06   | End-4/1/06   |

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- Print revised SMG pamphlet June 2006
- Effective date of revised SMG's coincides with filing license application August 31, 2006

### VII. Use of Study Results

Input from the FG will be evaluated and incorporated, as necessary, to make modifications to the existing SMG for the C-W Project. Duke Power will only solicit input with regard to the permitting criteria, caution statements, consequences for violations and application process(es). SMG components that are not eligible for negotiation include, but are not limited to, application filing fees, annual user/rental fees, corrective action process(es), enhancement fund payments, etc.

### VIII. Study Participants

	<u>Name</u>	<u>Organization</u>	<u>Phone #</u>	<u>E-Mail</u>
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<b>Supporting Consultants</b>				
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### IX. List of Attachments

### X. List of References

- Article 39 of the C-W License
- SMG pamphlet
- General Permits NC (US COE), SC (US COE, SCDHEC)