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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects
Division of Hydropower Licensing

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Mr. RAY F. WARD : Project 9842-006

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Ward Mill Hydroelectric Project

Watauga County Conference Center
971 West King Street
Boone, North Carolina 28607
Tuesday, April 21, 2015

The Daytime Scoping Meeting, pursuant to notice,
convened at 1:10 p.m., before a Staff Panel:

ADAM PEER, Project Coordinator, FERC
MICHAEL SPENCER, Engineer, FERC

with:

ANDREW C. GIVENS, Cardinal Energy Service, Inc.

for the Applicant

LIST OF ATTENDEES

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- Jennifer Burdette, NCDWR
- Chris Goupeau, NCDWR
- Fred Tarver, DENR, Division of Water Resources
- Joe Furman, Watauga County, Planning and Inspection
Department.
- Daniel Hawkins, Court Reporter

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

2 MR. PEER: I think we will get started. Thank
3 you everybody for coming today. This is the Ward Mill
4 Hydroelectric Project daytime scoping meeting. My name is
5 Adam Peer, I am with the Federal Energy Regulatory
6 Commission.

7 Before we get things started, I just want to let
8 everybody know that we do have copies of the scoping
9 document up here, up front; you're free to take a copy. I
10 think everyone is signed in, but if you didn't please sign
11 in before you leave. And then we also have, if anybody is
12 planning on going to the site visit today, we have maps if
13 there are people here that haven't been to the project
14 before.

15 So we will get started. This is just the general
16 agenda that I would like to follow for today. I will go
17 over some brief introductions. I will give an overview of
18 the traditional licensing process, which is the process the
19 Wards have chosen to use for relicensing. I will briefly
20 review the anticipated schedule for that licensing process,
21 focusing in on some of the key dates for that process.

22 I will then review the scoping process. Andy
23 Givens will then provide a brief description of the project;
24 and then after that I will go over some of the resource
25 issues that we have identified in our scoping document; and

1 then I will discuss some of the information needs that we
2 are looking for from the stakeholders; and then finally I
3 will go over some procedures on making comments today,
4 either orally or written.

5 So just for the introductions, again my name is
6 Adam Peer. I am the coordinator for this particular
7 project. We will be covering the aquatic resources,
8 terrestrial resources and threatened and endangered species
9 for the analysis for this project. Mike Spencer, who is
10 also here with us today, he will be covering engineering and
11 developmental resources. We also have a few other team
12 members; we have Rachael MacNamara and Dustin Wilson. They
13 will be covering recreation and land use and cultural
14 resources; and then Thomas Wonkowski, who also is not here,
15 he will be the attorney on this particular project.

16 I think everybody knows each other, but can we
17 just go quickly around the room just introducing ourselves,
18 just the name and entity will be fine, starting off with
19 you.

20 MR. FURMAN: I'm Joe Furman with Watauga County
21 Planning and Inspection Department.

22 MR. GOUDREAU: Chris Goudreau, North Carolina
23 Wildlife Resources Commission.

24 MR. GIVENS: Andy Givens, Cardinal Energy,
25 working with the Wards.

1 THE WARDS: We are the Wards, Virginia and Ray.

2 MR. TARVER: I am Fred Tarver with the North
3 Carolina Department of Environmental Resources, Division of
4 Water Resources, Basin Planning, Instream Flow Group.

5 MS. BURDETTE: I am Jennifer Burdette. I am also
6 with the Division of Water Resources and Water Quality.

7 MR. PEER: Thank you. I just want to go briefly
8 over the meeting procedures again; as I already mentioned,
9 sign in if you have not already done so. During the
10 progress of today's meeting, you may ask any clarifying
11 questions as we go along. When speaking, please state your
12 name and the entity that you represent when you speak.
13 Spell out any names that might not be obvious to the court
14 reporter. Define any acronyms that you might be using in
15 your comments today. Up one at a time and then you can also
16 today, leave any written comments today with the court
17 reporter and can also mail those to the Commission or efile
18 those with the Commission, and those are due by May 21,
19 2015, so next month.

20 So now I just want to briefly go through the
21 traditional licensing process. Here I am just going to
22 focus in on some of the key dates for this process. We are
23 focusing first on the application being accepted. We
24 accepted the application that occurred on January 28, 2015.
25 We issued our notice, our scoping notice, that occurred in

1 March; that was March 18, 2015.

2 Today we are obviously here for the scoping
3 meeting. The next step is actually to issue a second
4 scoping document and we anticipate that might be issued
5 sometime around July 2015. We then anticipate issuing a
6 notice requesting terms and conditions, that would likely
7 occur sometime around August of 2015; and then finally we
8 will be issuing, participating in issuing our Final
9 Environmental Analysis sometime around February of 2016. So
10 those are some of the key dates in this licensing process.

11 Now obviously we are here today for the scoping
12 process and scoping meeting. What is the purpose of
13 scoping? The scoping is driven by NEPA, The National
14 Environmental Policy Act as well as FERC regulations and
15 other regulatory requirements. The scoping process helps us
16 to encourage participation of Federal, State and Local
17 agencies and Indian Tribes and other interested persons. It
18 also helps to identify significant environmental and
19 socioeconomic issues related to the proposed action; it
20 helps us to determine the depth of analysis and significance
21 of issues to be addressed In the EA. It also helps us
22 identify how the project's water would now contribute to
23 cumulative impacts to the Project area. It helps identify
24 reasonable alternatives to the projects that we should
25 evaluate; and then finally helps us to eliminate from

1 detailed study the issues and resources that don't require a
2 detailed analysis during review of the Project.

3 So next, Andy Givens is going to provide a brief
4 description of the project.

5 MR. GIVENS: I will just walk up here. I will
6 just hit it fairly quickly. I think in the scoping
7 document, the explanation of the existing project is fairly
8 good in terms of the specifics it gives. I think everybody
9 is aware that the history of the Project, the site has been
10 in the Ward Family for 100-plus years, I think, and I
11 understand this is about the 3rd dam that they have had on
12 this site. I think this dam was built in about 1963,
13 something like that and was powered into the early 80's,
14 after PURPA. I think prior to that it was used primarily
15 for sawing timber.

16 So it's an existing stone and concrete dam, about
17 130 feet across, about 20 feet high and creates I think
18 about 16 feet of head, and it generates about 168 kW
19 capacity. It has two water wheels in it, all of this of
20 course we will see, if you haven't seen it before, see it at
21 the site visit.

22 It is a run-of-river operation, so the Wards when
23 they are operating will keep the water going across the top
24 of the dam or at the level of the top of the dam, so that
25 the flow out of the project is equal to the flow coming into

1 the project. I think the issues that have been talked about
2 would be things like the stability of the shoreline, and I
3 think even though we just had a big flood on Sunday night
4 through there, I think you will see it is fairly good,
5 stable shoreline. I think the water is still probably six
6 inches to a foot higher than normal maybe.

7 I am always surprised to see things like, we were
8 talking about this earlier, see things like it was about 6
9 or 7 feet higher by midnight Sunday night when flow went
10 from normally about 300 or 400 cfs to about 700 cfs. So I
11 think the shoreline looks pretty stable with that. It's
12 pretty well undeveloped along most of the area within the
13 project boundary except for this mill, and it's pretty
14 accessible with the road running right along beside that,
15 accessible to the public; and it generates in the
16 neighborhood of 300,000 to 500,000 kilowatt hours every
17 year. The power is generated and delivered to Blue Ridge
18 Electric MC and sold to them. They have the site through
19 Blue Ridge's Facilities.

20 I think that hits most of it. Certainly I can
21 answer questions now or we certainly can talk about it at
22 the site visit for those that are going to be able to go on
23 that.

24 MR. PEER: If anybody has any questions, you are
25 welcome to ask them now.

1 MR. GIVENS: Are there any other comments? The
2 Wards live right there at the site, they live across the
3 road from the site.

4 MR. PEER: We will move on to the rest of our
5 presentation and then if people think of other questions we
6 can entertain those after that.

7 All right, in our scoping document we did
8 identify several resource areas that we will be analyzing in
9 our environmental analysis. I'm not going to go into any
10 additional detail on those right at the moment. If we want
11 to talk about those some more later, we certainly can do
12 that.

13 Here I just want to focus in on the fact that we
14 identified no issues related to terrestrial resources,
15 aesthetics and socioeconomics, and that we have determined
16 that no resources will be cumulatively affected by the
17 proposed operation and maintenance of the project.

18 Now in terms of the types of information that we
19 are looking for from the stakeholders, we are looking for
20 significant environmental issues that should be addressed in
21 the Environmental Assessment. We are also looking for
22 information or data describing past and present conditions
23 in the project area. We are looking for comments on the
24 scoping document that we issued and then we are also looking
25 for comprehensive plans, resource plans and future proposals

1 in the project area.

2 Again, just addressing the comment procedure.
3 Again, written comments can be provided today to the court
4 reporter, or you can mail those written comments to the
5 Commission or efile those comments to the Commission; and if
6 you do that, please make sure to note the docket number for
7 those filings is P-9842-006.

8 So next I am just going to open things up for
9 comments and questions. Before we do that, just remember
10 please state your name and whoever you are representing.
11 Spell out any names that might not be obvious to the court
12 reporter and then define any acronyms that you may be using
13 in the comments.

14 So we will just open things up for comments and
15 questions.

16 MR. PEER: Does anyone have any comments or
17 questions? I can open things up just to -- yes?

18 MRS. WARD: I am Virginia Ward and I would like
19 to ask Mr. Tarver a question.

20 (Audience laughter)

21 This is not relative to what you are doing, but
22 in his letter to us you stated that we were in an area that
23 was considered trout water. And I was surprised at that
24 because all the fishermen, and I am going by fishermen, say
25 that from the bridge at Valley Cruces to Laurel Creek, it is

1 not classified as trout water. Has that been changed?

2 MR. TARVER: I don't have the, the Department of
3 Natural Resources has a Watauga Basin -- I guess it used to
4 be a water quality planning document. My comments were
5 probably based on the official designation of the Watauga
6 River below the dam so -- I don't know if Chris knows or not
7 -- Jennifer, but I am assuming that the designation for
8 those waters were trout from back then or DWR now.

9 MRS. WARD: I was about to say, it really isn't
10 relative in a sense except we wanted to know.

11 MR. FURMAN: I think I can help with that a
12 little bit if that is all right. I am Joe Furman with the
13 County. There are two different kinds of classifications.
14 One of them is by Wildlife Resources Commission for fishing
15 and that's -- you know where they stock the water, and
16 either they're hatchery-supported or delayed harvest or wild
17 trout waters. And that is for fishing purposes and that is
18 what the fisherman you have been talking to probably are
19 talking about. And then there are the ones from DWQ where
20 they classify a whole river or whole segment of a river as
21 trout, and I think that part of the Watauga is classified
22 trout by that agency. That doesn't necessary mean there are
23 very many of them there, though; and I think that is the
24 difference.

25 MRS. WARD: Probably will be since we've had a

1 flood, because they tend to wash down.

2 MR. FURMAN: And they starting stocking near the
3 new boat put-in.

4 MRS. WARD: Where?

5 MR. FURMAN: The new boat access. They started
6 stocking so I don't know if they will find their way to you
7 or not.

8 MR. GIVENS: See, below that.

9 MRS. WARD: Below the boat access.

10 MR. GIVENS: Yeah, below the boat access or at
11 the boat access.

12 MR. FURMAN: I can't tell you exactly where they
13 put them in.

14 MRS. WARD: I see that truck go by.

15 MR. FURMAN: Yeah, it's to -- because some of
16 Valley Cruces area I think got closed off. I know, and
17 around Hound-Ear some of it got closed off, so they were
18 looking for a new place to stock.

19 MRS. WARD: Thank you.

20 MR. PEER: Just to add to that, I mean when,
21 sorry, I forget your name but --

22 MR. FURMAN: Joe.

23 MR. PEER: Joe, but as he was saying, you know,
24 the Division of Water Resources is rulemaking when like the
25 Watauga River, it is still a trout-designated. There are

1 certain water quality parameters associated with trout
2 waters, so, and I can't remember what those are off the top
3 of my head -- so that is actually a rule-making procedure so
4 I assume, unless they have been through the process of
5 delisting that as non-trout water I assume it will still
6 have the TR or trout designation to it. And it had certain
7 water quality standards associated with it.

8 MR. WARD: It affects of the water. Coe Creek.

9 MR. FURMAN: Coe Creek?

10 MR. WARD: You know, that is just below the dam.

11 MR. FURMAN: Oh, it does.

12 MR. WARD: A lot of agricultural and everything
13 back that way.

14 MR. PEER: Any other questions? Either related
15 to the trout waters or others?

16 MS. BURDETTE: Jennifer Burdette with the
17 Division of Water Resources. I was curious about the sand
18 gates and how often those have been operated. Do you use
19 those or whether they are operational, I guess?

20 MRS. WARD: Never.

21 MS. BURDETTE: Never? Okay, I wasn't sure.

22 MR. GIVENS: The sand gates, really consists of
23 two of them; a lower one and an upper one, and the hole in
24 the gate is covered and closed by individual timbers. So
25 parallel, horizontal timbers. So the lower one may have 6

1 or 8 that are stacked up there to close that and then the
2 upper one will have 6 or 8.

3 So the operation of them would be if you needed
4 to drain it through the sand gates, you lower the water a
5 little bit through the wheels and you take out a couple
6 boards once you got the tension off, you lower them a little
7 bit more and take out more in the upper gate. Then the
8 lower one, you keep on going if you needed to.

9 We were talking yesterday and they were thinking
10 I'm not sure that the lower one has never been completely
11 taken out since they put in the trash racks, after the
12 initial one. It turns out while we were in there, we
13 referred to them or had they been referred to as sand gates,
14 it turns out that floods like we just had ended up sort of
15 washing out any sand, and there doesn't tend to be an
16 accumulation. They haven't needed to be opened since sand
17 removal, since the dam was built.

18 That's the way they work. So both of them are
19 the individual boards. Occasionally, and I think last year
20 they had to replace a few boards in one of the gates when
21 the water was down in July or August; but that is how those
22 work.

23 MRS. WARD: Thank you.

24 MR. PEER: Now is there leakage? Is that what is
25 occurring through those gates, through the boards?

1 MR. GIVENS: Say it again?

2 MR. PEER: The leakage?

3 MR. GIVENS: There is some leakage through those
4 over time; that varies a little bit with the age of the
5 boards.

6 MRS. WARD: At the time we let the dam down last
7 year one of the boards had broken and yes, there was a leak.

8 MR. PEER: Okay.

9 MRS. WARD: And that was the reason for letting
10 the dam down, to replace the timbers that covered the
11 opening.

12 MR. PEER: Okay.

13 MR. GIVENS: But typically, there's also it seems
14 to me through the wheels, right?

15 MRS. WARD: Yeas, there is a little leakage
16 through the wheels and silt fills the cracks between your
17 boards. Sometimes it works out and then it fills back up.

18 MR. PEER: Okay.

19 MRS. WARD: In leaf season, they wash in and they
20 make a good seal.

21 MR. PEER: Okay. I know there were some comments
22 from the agencies. I don't know, Chris, in terms of the
23 leakage that was occurring, there were some concerns
24 regarding the leakage.

25 MR. GOUDREAU: It is not the leakage so much as

1 it is our concerns in previous comments during the first and
2 second stage process was related to, should there be a need
3 to draw the lake down for any maintenance or repairs to make
4 sure that flows continued below the dams, in other words,
5 that didn't dry up the river. That's really what our
6 concern is first. So either operation or maintenance and
7 repairs, that there is continuous flow through there. So
8 whether it is through the wicket gates or you know, or sand
9 gates, or over the top of the dam, it doesn't really matter
10 to us as long as that doesn't get interrupted.

11 MR. PEER: So you are just concerned about the
12 downstream flow is what the main concern is.

13 MR. GOUDREAU: Yes.

14 MR. PEER: That maintaining some flow.

15 MR. GOUDREAU: Right. I noticed that there was a
16 filing recently from the Atlanta Regional office about plans
17 to repair some turbines. I guess that filing must have been
18 CEII initially, because it is not on the library but this
19 letter references that your plan is acceptable and I was
20 just wondering, does that plan include any drawdown or for
21 the maintenance or repairs of the turbines?

22 MRS. WARD: I had forgotten the gentleman's name
23 in Atlanta, but I talked with him after he sent out his
24 annual letter, and actually I talked with him to find out if
25 everything was where it was, and I explained to him that we

1 had broken bolts in the gates and that we needed to close it
2 down; and we actually have to have those bolts made, and the
3 gentleman called us last week that they are now ready. For
4 safety reasons we wanted to wait until we could lower the
5 dam because we didn't want water pressure outside of the
6 gate while they were in there working.

7 MR. GOUDREAU: Right.

8 MRS. WARD: Basically, that was the plan that we
9 discussed, and I sent a follow-up letter just simply saying,
10 as of the first of December we were offline and that we
11 would plan to replace the bolt gates in spring when the
12 water could be lowered. As far as a detailed plan, we did
13 not have one.

14 Since it was not in the scope of things we didn't
15 see it as a major maintenance problem, but one for safety
16 reasons that we would like to let the dam off while we do
17 it.

18 MR. GOUDREAU: Right.

19 MRS. WARD: I know there are questions that Ray
20 should be answering, but he has a severe hearing problem and
21 he does not always catch it.

22 MR. GIVENS: How far do you think you will have
23 to lower the water to do the bolt replacement? (Speaking to
24 Mr. Ward). When you do the bolt replacement, how far are
25 you going to have to lower the water? Six feet?

1 MR. WARD: No, it's about 7, I guess, 8. Water
2 won't flow into them --.

3 MR. GIVENS: So if you lower that 7 feet, can you
4 do that all through the sand gate? Taking up the top?

5 MR. WARD: The top of the sand gate, if the water
6 doesn't go into the powerhouse --

7 MRS. WARD: Open the sand gates to do that.

8 MR. WARD: -- it would be like down about where
9 water would be just about level with the sand.

10 MR. GIVENS: And how would the river water flow
11 past the dam if it is not going in the powerhouse?

12 MRS. WARD: It would go through the main gate.
13 It will have to be low enough to do that which at 70, 80, it
14 will go through with no problem and carry 100.

15 MR. GIVENS: So that is the upper of the two
16 gates in the dam. You will take off those boards.

17 MRS. WARD: Just the one. One gate will carry
18 it.

19 MR. GIVENS: One gate will take it off.

20 MRS. WARD: One gate will carry the river at 100
21 cfs.

22 MR. WARD: It will carry it at more than that.

23 MR. GIVENS: So you will take it and lower it
24 down through the wheel and removing the boards, and when you
25 get it down to about 7 feet, the boards in the upper gate,

1 upper -- and then you will close the gate to the powerhouse
2 to keep water from coming in where you're working. and then
3 when you are finished. So it will be run-of-the-river
4 during that period of time, through that gate, and when you
5 are finished, when there is over 60 cfs, you will begin
6 replacing the boards in the upper gate.

7 MS. WARD: The water, those are the turbines.

8 MR. GIVENS: Yes.

9 MR. WARD: It all goes in. I think it was 40 cfs
10 you all recommended. I think it was 40.

11 MRS. WARD: Sixty.

12 MR. GIVENS: Sixty is where we --

13 MR. WARD: I mean to fill; but I am saying enough
14 to operate that if I'm careful --

15 MR. GIVENS: If it gets below that, yes.

16 MR. WARD: Below that about 40 or 50, I think.

17 MR. GIVENS: So once it gets to 60, you --

18 MR. WARD: Really, when you get below 50 it is,
19 in the wintertime when you need your heat it is not
20 economical to run it. You can't produce more than maybe 10.

21 MR. GIVENS: When the river flow gets to 60, then
22 you realize that you have to start filling it up. You've
23 got to let it fill up so you can still let at least 40 go on
24 down and use some of that to accumulate.

25 MR. WARD: Since Chris recommended it, you know,

1 we called you last year and lowered it then. It worked real
2 good, going through the turbines and you could hear the
3 river go through.

4 MRS. WARD: It was up between 75 and 80 when we
5 refilled last year. It's a little more of a challenge.

6 MR. WARD: I was kind of skeptical if I could
7 ever do that, but it worked real good.

8 MR. GIVENS: So that will be June maybe? Depends
9 on the weather, I guess.

10 MRS. WARD: It will depend on the water flow.

11 MR. GIVENS: The water available.

12 MR. WARD: Most of your dams, your gates open.
13 This is kind of unique, draining from the top down. Most of
14 your gates come up, don't they, our gate comes up and we
15 drain at the bottom. I am not familiar with dams that way,
16 but this one you go down from the top gates and most of them
17 the gate comes up and the water goes under instead of going
18 over.

19 MR. PEER: I kind of want to get - yes, go
20 ahead.

21 MR. TARVER: This is Fred Tarver again. Just for
22 clarification, I went through the preliminary application
23 document on the PAD, the appendices and -- there is the
24 Watauga Water Quality Basin Plan is in there, and according
25 to the designations in there the Watauga from the source to

1 the 321 Bridge is designated B-class trout-water, high
2 quality water and from 321 down to the state line is the
3 high quality water. So the trout designation drops off at
4 321 Bridge. Isn't that downstream of the dam?

5 AUDIENCE: Yes.

6 MRS. WARD: It drops off there?

7 MR. TARVER: From 321 down to the state line.

8 MR. GIVENS: You say from the start of the river
9 to the 321 Bridge is trout-water?

10 MR. TARVER: It is trout-water, B, high quality
11 water.

12 MR. PEER: Including the --/

13 MR. GIVENS: C is State designation, statewide
14 for all waters. B is for like primary contact, like
15 swimming or boating, that sort of thing and of course, like
16 I said earlier, there are certain water quality designations
17 with temperature and DO standards for trout-water and for B
18 classification as well.

19 MR. WARD: So you have been involved with the
20 Beech Mountain thing?

21 MR. GIVENS: (Laughs). I have been to a few
22 meetings with Beech Mountain, yes, on their water quality
23 issue now.

24 (Simultaneous discussion)

25 MR. PEER: I wanted to get some more

1 clarification on the leakage issue again, mostly because
2 some of the comments seem to indicate that there is a
3 concern in the impoundment as well in terms of the effects
4 of this. Is that true? Is there a concerns with the
5 effects?

6 MR. TARVER: With the effects of what?

7 MR. PEER: There seemed to be a concern, not only
8 on the downstream effects of the leakage but potentially on
9 the effects of leakage on impoundment, the resources in the
10 impoundment, and I wasn't quite sure what the exact the
11 concern was regarding those concerns, or it is was.

12 MR. TARVER: I don't recall concerns about that.
13 I guess there were concerns about whether there was a
14 sedimentation issue in the impoundment, but I don't recall
15 any specific comments about leakage impacts on the
16 impoundment.

17 MR. FURMAN: I am trying to look at my comment
18 letters and see. I don't recollect that either so if I did,
19 boy.

20 MR. PEER: I wasn't sure if it was on the
21 drawdown or if there wasn't anything that you recall, that
22 is fine. That was just my interpretation is that there was
23 also a concern, and I wanted to get more clarification on
24 the exact, what resource-specific concern there was.

25 MR. FURMAN: Like I said, our interest really is

1 not leakage per se, it is maintaining flow below the dam and
2 since there is not a bypass reach here, the powerhouse is
3 integral with the dam so it really is just making sure there
4 is flow down there. Where it comes from, leakage or any
5 other source really is beside the point. It's such a small
6 impoundment water quality is not an issue so.

7 MR. PEER: Okay.

8 MRS. WARD: You keep talking about leakage, to
9 our knowledge there is not any leakage in the dam. It is
10 leakage through the gates and the wheels.

11 MR. PEER: Right, and that gate. Okay.

12 MR. GIVENS: And some I guess through the
13 powerhouse, the turbines.

14 MRS. WARD: The wheels.

15 MR. GIVENS: The wheels, some leakage. You know,
16 it is vintage to the Wards to minimize that leakage because
17 its generation.

18 MR. PEER: Right.

19 MR. GIVENS: And to the extent it is real low,
20 the flow is low, less than 40 cfs, less than 50 cfs, they
21 wouldn't be operating; so maybe some of the water is going
22 over and some of it is getting through the wheels or
23 something. But they made an effort last summer to get the
24 replacement of those boards and the gates replaced so that
25 they would be able to utilize the water instead of having it

1 leaking through so.

2 MR. FURMAN: I do see where you are getting at.
3 My April 7, 2014 letter, this was on draft License
4 application, there was a comment about the description of
5 the project including, it mentions the sand gates and so my
6 comment was, include a description of the sand gates in the
7 dam, the extent to which they leak and how often, for what
8 purposes they are operated.

9 It was more essentially just a comment that the
10 draft License application either mentions them or they are
11 in the drawing but there is no description of it. And that
12 is really what my comment was, just 'tell me more about
13 these sand gates, are they used or not used, do they leak,
14 do they not leak?'

15 MR. GIVENS: Just describe them more.

16 MR. FURMAN: Just describe it more, that was
17 really the intent of the comment; it really wasn't so much
18 about the leakage itself.

19 MR. PEER: Okay. Thank you for that
20 clarification. Question for the Wards or Andy
21 Givens, the license application indicated that there was a
22 fish survey. You had a fish survey that was done in four
23 locations initially and then there was a supplemental fish
24 survey that was conducted in the impoundment?

25 MR. GIVENS: Yes.

1 MR. PEER: In October of 2013, I believe it was?

2 MR. GIVENS: Yes.

3 MR. PEER: Do you have more specific information
4 in terms of the species that were collected and the numbers
5 of those species? Because I don't believe -- I know the
6 application indicates the numbers or the species.

7 MR. GIVENS: Let's see. I was thinking the
8 application has a table that includes additional species or
9 at least the Gangloff report, and I don't have the Gangloff-
10 - well maybe I do.

11 MR. FURMAN: It's Appendix 1, I think.

12 MR. PEER: I believe that the Gangloff stated
13 that there were six species identified, but they didn't list
14 the numbers of those species.

15 MR. GIVENS: I was thinking it had --

16 MR. TARVER: Are you talking about in the
17 impoundment?

18 MR. PEER: In the impoundment.

19 MR. TARVER: Yeah, that is second.

20 MR. GIVENS: Let's see. Is that the list on the
21 last page of that report?

22 MR. TARVER: Yes, Page 4.

23 MR. GIVENS: Page 22. That's downstream. I've
24 got more information with me in the car.

25 MR. PEER: If you can find it, would you provide,

1 file that information with us. We don't really need to
2 spend a lot of time on it right now. It's just information
3 that we're going to need for our analysis so that we know
4 what species are in the impoundment and the numbers of
5 species that are in the impoundment or at least that were
6 collected in that survey.

7 Are there any other questions? Comments?

8 Do you have any questions?

9 MR. SPENCER: Michael Spencer. I don't have any
10 questions. I think it has been very good that we have been
11 able to clarify the situation with the leakage through the
12 gates as well as the wheels and that we will get information
13 about the fish species. That will be very helpful to our
14 analysis.

15 MR. GIVENS: Good.

16 MR. PEER: Well, if there aren't any further
17 questions or comments, I think we will adjourn and close the
18 record.

19 Any questions or comments?

20 MR. GIVENS: So you don't have any other things
21 sort of hanging around that you are thinking about that we
22 should clarify?

23 MR. PEER: No, what I covered today, those were
24 the main issues that I wanted to address.

25 MR. GIVENS: Good.

1 MR. PEER: So if there are no additional comments
2 or questions we will close the record.

3 (Whereupon, at 1:47 p.m., the daytime scoping
4 meeting concluded.)

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