

ATTACHMENT 1a  
OUR SUBMITTAL TO THE CONSULTING  
AGENCIES AND TRIBES



January 7, 2009

Mr. Russell Townsend  
Eastern Band of the Cherokee  
88 Council House Loop  
Cherokee, NC 28719

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Mr. Townsend:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [bargentieri@scana.com](mailto:bargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

WRA/wa

Enclosure

c: M. C. Summer/W. R. Argentieri/File  
Corporate Records  
T. C. Boozer  
R. R. Mahan  
B. J. McManus – Jones Day



January 7, 2009

Mr. Tyler Howe  
Eastern Band of the Cherokee  
88 Council House Loop  
Cherokee, NC 28719

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Mr. Howe:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [bargentieri@scana.com](mailto:bargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

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R. R. Mahan  
B. J. McManus – Jones Day



January 7, 2009

Ms. Elizabeth Johnson  
South Carolina Department of Archives & History  
8301 Parklane Road  
Columbia, SC 29223

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Ms. Johnson:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [bargentieri@scana.com](mailto:bargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

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B. J. McManus – Jones Day



January 7, 2009

Ms. Rebekah Dobrasko  
South Carolina Department of Archives & History  
8301 Parklane Road  
Columbia, SC 29223

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Ms. Dobrasko:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [bargentieri@scana.com](mailto:bargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

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B. J. McManus – Jones Day



January 7, 2009

Mr. Mark Giffin  
SC DHEC  
Bureau of Water  
2600 Bull Street  
Columbia, SC 29201

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Mr. Giffin:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [bargentieri@scana.com](mailto:bargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

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R. R. Mahan  
B. J. McManus – Jones Day



January 7, 2009

Mr. Prescott Brownell  
National Marine Fisheries Service  
219 Fort Johnson Road  
Charleston, SC 29412

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Mr. Brownell:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [bargentieri@scana.com](mailto:bargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

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R. R. Mahan  
B. J. McManus – Jones Day



January 7, 2009

Ms. Vivianne Vejdani  
SC Department of Natural Resources  
1000 Assembly Street, Room 202  
Columbia, SC 29201

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Ms. Vejdani:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [bargentieri@scana.com](mailto:bargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

WRA/wa

Enclosure

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T. C. Boozer  
R. R. Mahan  
B. J. McManus – Jones Day





January 7, 2009

Mr. Richard W. Christie  
SC Department of Natural Resources  
1771-C Hwy. 521 By-pass S.  
Lancaster, SC 29720

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Mr. Christie:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [wargentieri@scana.com](mailto:wargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

WRA/wa

Enclosure

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Corporate Records  
T. C. Boozer  
R. R. Mahan  
B. J. McManus -- Jones Day



January 7, 2009

Mr. Tony Bebber  
SC Dept. of Parks, Recreation & Tourism  
1205 Pendleton Street  
Columbia, SC 29201

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Mr. Bebber:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [bargentieri@scana.com](mailto:bargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

WRA/wa

Enclosure

c: M. C. Summer/W. R. Argentieri/File  
Corporate Records  
T. C. Boozer  
R. R. Mahan  
B. J. McManus – Jones Day



January 7, 2009

Mr. Tim Hall  
U. S. Fish & Wildlife Service  
176 Croghan Spur Road  
Suite 200  
Charleston, SC 29407

Attn: Amanda Hill

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Mr. Hall:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [bargentieri@scana.com](mailto:bargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

WRA/wa

Enclosure

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T. C. Boozer  
R. R. Mahan  
B. J. McManus – Jones Day



January 7, 2009

Ms. Sandra Reinhardt  
CIN-THPO  
1536 Tom Steven Road  
Rock Hill, SC 29730

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Ms. Reinhardt:

South Carolina Electric & Gas Company (SCE&G) submits for your review and comment our response to an Additional Information Request (AIR) received from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008. The AIR cover letter requires that SCE&G provide our response to the Commission no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [bargentieri@scana.com](mailto:bargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

WRA/wa

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R. R. Mahan  
B. J. McManus – Jones Day



January 7, 2009

Dr. Wenonah G. Haire  
CIN-THPO  
1536 Tom Steven Road  
Rock Hill, SC 29730

Subject: South Carolina Electric & Gas Company  
Saluda Hydroelectric Project  
FERC Project No. 516-459  
Response to Deficiencies and Request for Additional Information dated  
November 24, 2008

Dear Dr. Haire:

In accordance with the requirements of the Additional Information Request (AIR) from the Federal Energy Regulatory Commission (Commission) dated November 24, 2008, South Carolina Electric & Gas Company (SCE&G) is required to provide a copy of our response for your review and comment. We are required by the Commission letter to provide our response to them by no later than February 24, 2009. Our response to the Commission will include this correspondence, your responses with any comments and recommendations, how we addressed your comments and recommendations, and our final response to their AIR. As such, SCE&G respectfully requests that you provide any comments or recommendations to our AIR response no later than February 9, 2009.

If you have any questions, or need additional information, please contact Mr. William Argentieri at (803) 217-9162 or [wargentieri@scana.com](mailto:wargentieri@scana.com).

Very truly yours,

Michael C. Summer, General Manager  
Fossil/Hydro Technical Services

WRA/wa

Enclosure

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Corporate Records  
T. C. Boozer  
R. R. Mahan  
B. J. McManus – Jones Day

## Unknown

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**From:** ARGENTIERI, WILLIAM R [BARGENTIERI@scana.com]  
**Sent:** Wednesday, January 14, 2009 9:23 AM  
**To:** Mark Giffin; Prescott Brownell; Vivianne Vejdani; Dick Christie; Tony Bebber; Amanda Hill; Tim Hall; Tyler Howe ; Elizabeth Johnson; Rebekah Dobrasko ; Sandra Reinhardt; Dr. Wenonah Haire  
**Cc:** SUMMER, MICHAEL C; BOOZER, THOMAS C; RMAHAN@scana.com; Brian J. McManus; Alan Stuart; Alison Guth  
**Subject:** Revised ESA - Land Rebalancing Maps - FERC AIR Response Appendix 27

All,

It was brought to my attention that the information contained on Appendix 27 of our Additional Information Request response submitted to you in letter dated January 7, 2009 did not reflect the last SCE&G land rebalancing proposal presented to the Lake and Land Management TWC. We have updated the old ESA maps that were part of the existing Shoreline Management Plan to include the land rebalancing designations as proposed by SCE&G. Below is a link that will allow you to view these updated land rebalancing maps.

[www.orbisprojects.com/Updated\\_ESA\\_2009.zip](http://www.orbisprojects.com/Updated_ESA_2009.zip)

I would recommend that after you click on the link you should save the maps to your desktop or hard drive. Our contractor, Orbis, will leave this information on their FTP site until February 9, at which time the maps will be removed. So downloading them will allow you have them after you have submitted your comments and recommendations to our AIR response.

If you have any problems with the link or downloading the maps, please contact me.

Thank you for your understanding on this matter.

[William R. Argentieri](#)  
South Carolina Electric & Gas Company  
111 Research Drive  
Columbia, SC 29203

Phone - (803) 217-9162  
Fax - (803) 933-7849  
Cell - (803) 331-0179

**SCHEDULE B**  
**ADDITIONAL INFORMATION REQUESTS**  
**SALUDA HYDROELECTRIC PROJECT FERC No. 516**

1. Winter Minimum Pool Elevation Study

On page 2-35 of Exhibit E in your assessment of risks associated with raising the winter minimum pool elevation, you cite a study entitled “Whitepaper Regarding Increasing the Winter Minimum Pool Level for Normal Operations of Lake Murray” completed in 2008 by R.J. Ruane of Reservoir Environmental Management. This document is listed in your literature cited section but was not included in the application appendices. We recognize that conclusions drawing from this study are included in both the Exhibit E and in the Appendix E-1 - Applications of the CE-QUAL-W2 Model for Lake Murray Relicensing Issues. However, please provide a copy of the entire document (Ruane, 2008) so as to assist us in our analysis of these conclusions.

**SCE&G Response:** A copy of the “Whitepaper Regarding Increasing the Winter Minimum Pool Level for Normal Operations of Lake Murray” is included as Appendix 1 of this response.

2. Fish Kills

On page 2-31 of Exhibit E, comments from the Lake Murray Association suggest that a fish kill occurred at the project in 2007. There is no record of this fish kill in the Commission’s files, or that any such kill was reported. Please verify whether a fish kill occurred in 2007, and if so, please provide a report on the species killed; approximate numbers, time, and date of occurrence; probable cause of the kill; and location within Lake Murray where the fish kill occurred.

**SCE&G Response:** SCDNR is responsible for the investigation of fish die-offs in state waters. SCE&G respectfully requests that SCDNR provide the results of any investigation into the 2007 fish die-offs, including dates, numbers, and potential causes, in their response to this AIR so that SCE&G may file it with the Commission.

SCE&G has typically implemented a “last on, first off” scenario for Unit 5 to aid in reducing fish kills in the reservoir and as noted in Section 2.5 on Page 2-43 of our FLA for preservation of coolwater refuge habitat for striped bass in the reservoir during summer months when the lake is stratified. During consultation efforts results of a water quality model indicate it might be better to operate Unit 5 in the mode of “first on, last off” during most of the year, in Section 2.5 on Page 2-43 of our FLA the Applicant proposes to operate Unit 5 preferentially as “first on, last off” from November 1 through July 31 of each year and the bottom-oriented units preferentially as “first on, last off” during the months of August through October. This protection measure of operating Unit 5 in a “last on, first off” scenario is proposed to reduce the potential for extensive striped bass die-offs within Lake Murray. Any costs associated with either of these measures will be included in Exhibit D as part of the Applicant’s response to Schedule A.

### 3. Wastewater Discharges

On page 2-49 of Exhibit E, table 2-1 lists major wastewater dischargers into watersheds of Lake Murray. Although it appears that most of these discharges do not discharge directly into Lake Murray, it is unclear if this is the case. Therefore, please verify whether any of these discharges flow directly into the lake. For discharges into the Lower Saluda River, please describe whether any of these discharges originate within the project-affected reach of the Lower Saluda River below the project dam or are within the project boundary.

**SCE&G Response:** The list of wastewater discharges into the Lake Murray watershed identified on Table 2-1 on Page 2-49 of Exhibit E are not direct discharges into Lake Murray. They are discharges into streams or tributaries that feed into Lake Murray. There are no wastewater discharges directly into Lake Murray. Three wastewater dischargers release effluents into the lower Saluda River within the project boundary. These wastewater discharges are permitted by the South Carolina Department of Health and Environmental Control and are not operated by the Applicant nor required for operation of the Saluda Hydroelectric Project.

### 4. Fish Passage Options

On page 3-14 of Exhibit E, you state that the U.S. Fish and Wildlife Service (FWS) requested, as part of an out-migration study, that the spillway be evaluated for downstream passage. However, you conclude that the spillway is not an option for fish passage. Please describe whether the FWS has commented further on your decision that the spillway should not be considered as an option for fish passage.

**SCE&G Response:** SCE&G is requesting that the FWS provide a statement of concurrence in their comments to this AIR response that the Saluda Hydro spillway is not an option for downstream fish passage.

### 5. Shortnose Sturgeon Management Program

On page 3-18 of Exhibit E, you state that a shortnose sturgeon management program would be prepared and implemented in the Lower Saluda River, but provide no details as to when that program would be prepared and what the program may entail. Because we will need to assess the project's potential effect on federally listed species, please provide us with (a) a schedule for developing the shortnose sturgeon management program and, (b) at a minimum, an outline of any measures that would likely be included in such a program, including estimated costs for the proposed measures.

**SCE&G Response:** The Applicant is still consulting with the appropriate agencies to develop the Shortnose Sturgeon Management Program. The Applicant received a recommendation from National Marine Fisheries Service (NMFS) on November 17, 2008 outlining their proposed monitoring and adaptive recovery program. This recommendation is included as Appendix 2 of this response. A conference call with the consulting agencies will be held in January 2009 to discuss this proposal. At the time that a draft of this AIR response went to the consulting agencies for their 30-day review, the Shortnose Sturgeon Management Program had not been developed and is not included in the draft to the consulting agencies. The Applicant expects to perform all of the NMFS requested monitoring as part of the Santee River Basin Accord since the 10-year plan already addresses Shortnose Sturgeon studies. Therefore, the Applicant



respectfully requests a time extension until July 31, 2009 to consult further with interested stakeholders and agencies to finalize the Shortnose Sturgeon Management Program. Since the program is not developed enough for inclusion in this response, a cost of the Shortnose Sturgeon Management Program on operations cannot be assessed at this time. A proposed draft educational brochure for all Rare Threatened & Endangered (RT&E) species is included as Appendix 3 as part of the mitigation measures associated with filing the FLA.

#### 6. Macroinvertebrate, Mussel, and Trout Programs

On pages 3-19, 3-20, and 3-46 of Exhibit E, you propose to implement a macroinvertebrate community monitoring program, a freshwater mussel restoration program, and a trout adaptive management program. You further state that these programs are currently being developed and would be filed as part of a comprehensive settlement agreement for the project. We will need to assess the environmental effects and costs of your proposed programs now, as opposed to waiting for an uncertain settlement agreement for the project to be filed. Your filing for each of these proposed programs must include a detailed description of any proposed measures, a proposed implementation schedule, and the estimated costs for the proposed measures.

**SCE&G Response:** The proposed Macroinvertebrate Monitoring and Enhancement Program for the Saluda Hydroelectric Project is included as Appendix 4 of this response. The proposed Fresh Water Mussel Program for the Saluda Hydroelectric Project is included as Appendix 5 of this response. The proposed Trout Adaptive Management Program for the Saluda Hydroelectric Project is included as Appendix 6 of this response. As noted in your request, these programs have not been finalized by the Fish and Wildlife Resource Conservation Group or our management. Also enclosed is Appendix 7 which includes minutes from the October 17, 2008 meeting that provides a record of our continued stakeholder and agency consultation. Estimated costs for all of these proposed programs are shown in Exhibit D as part of the Applicant's response to Schedule A. The Applicant respectfully requests a time extension until July 31, 2009 to consult further with interested stakeholders and agencies to finalize the programs.

#### 7. Fish Mitigation Program

On pages 3-20 of Exhibit E, you mention that a fish mitigation program may be developed to address losses caused by turbine entrainment and mortality. You state that you are currently analyzing a proposal from the South Carolina Department of Natural Resources (South Carolina DNR), but that such a measure may be developed outside of the license and separate from any settlement agreement for the project. Please note that any measures involving changes in project structures or operations would require Commission approval, and the environmental effects and costs of those measures must be assessed by Commission staff. Any measures that may be proposed for addressing fish entrainment mortality must include a detailed description of any proposed measures, a proposed schedule for implementing the measures, and the estimated costs associated with the measures. In the event that no measures to address entrainment mortality are proposed, please provide an explanation of why no mitigation is proposed.

**SCE&G Response:** During consultation with the SCDNR it was determined that they have guidelines for investigating fish kills which follow procedures established by the American Fisheries Society for enumerating and valuating such events. If a large turbine induced fish kill event occurs during a generation event the SCDNR would follow these guidelines to conduct the investigation and determine the potential cause. Should SCE&G be found responsible for the fish kill, SCE&G would compensate the SCDNR for the lost fish and staff time accrued during the investigation. Should a small scale turbine induced fish kill occur during a generation event, the SCDNR will only seek reimbursement for staff time used to conduct the investigation. As described in Section 3.1 on Page 3-2 of our Final License Application (FLA), during July 1992, SCE&G installed hydroacoustic transducers near intake tower number 5 to monitor late season movements of blueback herring. When acoustics indicate that blueback herring are congregated near the Unit 5 intake, SCE&G ceases operation of the unit except for emergency operating situations. Since its installation, no significant blueback herring entrainment events have been reported by the SCDNR. As a mitigative measure, SCE&G is proposing to continue operation of the hydroacoustic equipment to reduce fish entrainment and mortality during non reserve call events. The costs associated with the operation and maintenance of this equipment will be included in Exhibit D as part of the Applicant's response to Schedule A.

#### 8. Low Inflow Protocol

On page 3-38 of Exhibit E, you discuss a Low Inflow Protocol (LIP), stating that a final LIP would be filed as part of the settlement agreement. We will need to assess the environmental effects and costs of any proposed LIP now, as opposed to waiting for an uncertain settlement agreement for the project to be filed. Therefore, please provide the details of any proposed LIP for the project, which must include a detailed description of the proposed protocol, a proposed implementation schedule, and the estimated costs for the proposed protocol.

**SCE&G Response:** The Maintenance, Emergency, and Low Inflow Protocol (MELIP) document has not been finalized at this time. A draft of the proposed MELIP is enclosed as Appendix 8. You will notice that there are several highlighted items that have not been resolved and therefore, neither the environmental effects nor a cost of the MELIP on operations can be assessed at this time. Also enclosed is Appendix 9 which includes minutes from the August 5, 2008, August 19, 2008, September 19, 2008, and November 12, 2008 meetings that provides a record of our continued stakeholder and agency consultation. The Applicant respectfully requests a time extension until July 31, 2009 in order to finish the necessary negotiations to finalize the Project MELIP.

#### 9. Santee River Basin Accord

On page 3-43 of Exhibit E, you state that South Carolina Electric & Gas Company (South Carolina Company) is a participant in the Santee River Basin Accord for Diadromous Fish Protection, Restoration, and Enhancement (Accord). You also list several measures that may be implemented at the Saluda Project to benefit diadromous fish restoration, protection, and enhancement. It is not clear, however, what role South Carolina Company will play in implementing the provisions of the Accord, nor is it clear what specific measures are being proposed in your license application. Therefore, please describe your role in the Accord, as well as provide detailed descriptions of any proposed measures (including schedules, and estimated costs for the proposed measures).

**SCE&G Response:** The Santee River Basin Accord (Accord) is included in Appendix 10. The Accord is a cooperative agreement among SCDNR, North Carolina Wildlife Resources Commission, FWS, Duke Energy Carolinas, LLC, and SCE&G to enhance and restore diadromous fish stocks in the Santee River Basin. Restoration of these species is an important management goal of state and federal resource agencies. Federal Energy Regulatory Commission relicensing of the Saluda Hydroelectric Project has provided a unique opportunity to address restoration of these species in the Santee River basin. The Accord will be the foundation for diadromous fish restoration in the Santee River basin providing funding necessary to initiate this large-scale restoration effort. The Accord document provides a description of the Applicant's role in the Accord, descriptions of proposed studies, a proposed schedule for implementing the studies, and the Applicant's costs as a participant in the Accord. The Applicant is an active member of the Accord Board which consists of the utilities and agencies members of the Accord. The Applicant also participates as a member of the Technical Committee developing study plans, implementing the studies, and providing in-kind services as necessary to implement the studies. The Applicant intends to use the Accord Program 10-year action plan as proposed mitigation measures for the Saluda Hydroelectric Project.

#### 10. Instream Flow Video

In Volume 1 (Binder 4 of 6) of your license application, (see the Meeting Notes for Instream Flow/Aquatic Habitat Technical Working Committee for November 27, 2006, page 4), you indicate that a videotape of the lower Saluda River habitat types was taken from a helicopter in the spring of 2005. Please file a copy of this videotape with the Commission, as it would help us to better understand the various habitat types in the Lower Saluda River downstream from the project under various flows conditions. The videotape would also assist in our analysis of your proposed minimum flows for the project.

**SCE&G Response:** Since these videos are contained on a set of three DVDs and exceed the maximum file size for e-filing with the Commission, one set of DVDs will be filed under separate cover letter and mailed to the Commission in response to this request.

#### 11. Bald Eagle Management Program

On page 4-9 of Exhibit E of your license application, you indicate that you did not provide bald eagle nest locations in your license application because of the sensitive nature of this information. In addition, in section 4.6.1 of Exhibit E of your license application, you provide some details of your proposed bald eagle management program. However, you indicate that the details of the final program would not be provided to the Commission until a comprehensive settlement agreement is filed. We will need to assess the environmental effects and costs of your proposed bald eagle management program now, as opposed to waiting for an uncertain settlement agreement for the project to be filed.

So that we may assess potential project effects on bald eagles, please provide both the bald eagle nest locations and the final bald eagle management program. Bald eagle nest locations should be filed with the Commission as privileged information because of the sensitive nature of this information. Your final bald eagle management program should include: (1) a matrix of activities and the required distance of those activities from bald eagle nest sites; (2) methods for identifying new nests and incorporating those nests into the management program; (3) any on-going or proposed public awareness and education programs; (4) all consultation with the FWS and the South Carolina DNR related to this program; (5) a proposed schedule for implementing the program; and (6) the estimated costs for any proposed measures.

**SCE&G Response:** The proposed RT&E Species Management Program for the Saluda Hydroelectric Project is included as Appendix 11 of this response. This proposed RT&E Species Management Program includes the proposed bald eagle management plan and a proposed schedule for implementing the program. As noted in your request, this program has not been finalized by the Fish and Wildlife Resource Conservation Group. Also enclosed is Appendix 7 which includes minutes from the October 17, 2008 meeting that provides a record of our continued stakeholder and agency consultation. Since the locations of the bald eagle nests are sensitive information, this map is shown in Appendix 12 which is labeled "Privileged" and should not be made public. A proposed draft educational brochure for all RT&E species is included as Appendix 3 as part of the mitigation measures associated with the FLA. Estimated costs of this proposed program are included in Exhibit D as part of the Applicant's response to Schedule A. The Applicant respectfully requests a time extension until July 31, 2009 to consult further with interested stakeholders and agencies to finalize this program.

12. Rare, Threatened and Endangered (RTE) Assessment Consultation

On pages 4-16 and 5-20 of Exhibit E of your license application, you make reference to an email from Amanda Hill of the FWS to Shane Boring of Kleinschmidt Associates dated September 25, 2007, regarding FWS' comments on your RTE Assessment. We were unable to locate this email in Volume 2, Consultation Record, of your license application. Therefore, please provide a copy of this correspondence, or direct us to its location in the application.

**SCE&G Response:** This document is included in Appendix 13.

13. Wood Stork Management Program

On page 4-17 of Exhibit E of your license application, you state that you plan to provide the details of a wood stork management program with the Commission when you file a comprehensive settlement agreement. We will need to assess the environmental effects and costs of any proposed wood stork management program now, as opposed to waiting for an uncertain settlement agreement for the project to be filed.

So that we may assess the project's potential effects on the wood stork, please submit a final wood stork management program, which should include: (1) details of any ongoing wood stork monitoring or surveys; (2) details of any public wood stork awareness or education programs; (3) any consultation with FWS and South Carolina DNR related to this wood stork management program; (4) a proposed schedule for implementing the program; and (5) the estimated costs for any proposed measures.

**SCE&G Response:** The RT&E Species Management Program for the Saluda Hydroelectric Project is included as Appendix 11 of this response. This proposed RT&E Species Management Program which includes the proposed wood stork management plan and a proposed schedule for implementing the program. As noted in your request, this program has not been finalized by the Fish and Wildlife Resource Conservation Group. Also enclosed is Appendix 7 which includes minutes from the October 17, 2008 meeting that provides a record of our continued stakeholder and agency consultation. A proposed draft educational brochure for all RT&E species is included as Appendix 3 as part of the mitigation measures associated with this license application. Estimated costs of this proposed program are included in Exhibit D as part of the Applicant's response to Schedule A. The Applicant respectfully requests a time

extension until July 31, 2009 to consult further with interested stakeholders and agencies to finalize this program.

#### 14. Waterfowl Mitigation Measures

On pages 4-18 and 4-19 of Exhibit E of your license application, you indicate you are working with the FWS and the South Carolina DNR to develop a proposal for a new waterfowl management and hunting area to replace or offset waterfowl areas that have been lost as a result of land sales. You also indicate that waterfowl use of the project area has declined, potentially as a result of project operations and management. You indicate that you plan to provide the details of a waterfowl enhancement plan when you file a comprehensive settlement agreement. We will need to assess the environmental effects and costs of any proposed waterfowl enhancement plan now, as opposed to waiting for an uncertain settlement agreement for the project to be filed. If you would like this proposed waterfowl enhancement plan to be considered as part of this relicensing, you should file the details of the waterfowl enhancement plan, including: (1) the location of the new waterfowl area in relation to the project boundary; (2) details of the management of the proposed area; (3) any consultation with FWS and South Carolina DNR related to this measure; (4) a proposed schedule for implementing the provisions of the plan; and (5) the estimated costs for any proposed measures included in the plan.

**SCE&G Response:** We would like this proposed waterfowl enhancement measure to be considered as part of SCE&G's FLA. In an effort to provide you with as much information as possible for your evaluation at this time, the proposed waterfowl area is shown on the revised Exhibit G drawings identifying its relation to the project boundary. These revised Exhibit G drawings are being filed as part of our response to Schedule A. Enclosed as Appendices 14, 15, and 16 are updates filed previously with the Commission that describe our consultation efforts with the agencies. The property currently under consideration is not owned by the Applicant but the Applicant is currently in negotiations with the property owner at this time. Until there is an agreement on the procurement of the property details of the management of this specific proposed area, a proposed schedule for implementing the provisions of the plan or the estimated costs for the purchase and implementation of the proposed measures cannot be determined at this time. The Applicant respectfully requests a time extension until July 31, 2009 in order to finish the necessary negotiations to finalize the waterfowl management area and program.

#### 15. Rocky Shoals Spider Lily Enhancement Program

On page 5-20 of Exhibit E of your license application, you indicate that you plan to provide details of a rocky shoals spider lily enhancement program when you file a comprehensive settlement agreement. We will need to assess the environmental effects and costs of any proposed rocky shoals spider lily enhancement program now, as opposed to waiting for an uncertain settlement agreement for the project to be filed. To facilitate our assessment of the project's potential effects on the rocky shoals spider lily, please include in the final rocky shoals spider lily enhancement program: (1) a description of any on-going monitoring; (2) a description of any protection or enhancement measures proposed for known or newly identified populations; (3) a description of any public awareness or education measures for the rocky shoals spider lily; (4) any consultation with the FWS and the South Carolina DNR related to this program; (5) a proposed schedule for implementing the program; and (6) the estimated costs for any proposed measures that are part of the program.

**SCE&G Response:** The proposed RT&E Species Management Program for the Saluda Hydroelectric Project is included as Appendix 11 of this response. This proposed RT&E Species Management Program which includes the proposed rocky shoals spider lily management plan and a proposed schedule for implementing the program has not been finalized by the Fish & Wildlife Resource Conservation Group or our management. Also enclosed is Appendix 7 which includes minutes from the October 17, 2008 meeting that provides a record of our continued stakeholder and agency consultation. A draft proposed educational brochure for all RT&E species is included as Appendix 3 as part of the mitigation measures associated with this license application. Estimated costs of this proposed program are included in Exhibit D as part of the Applicant's response to Schedule A. The Applicant respectfully requests a time extension until July 31, 2009 to consult further with interested stakeholders and agencies to finalize this program.

16. Aquatic Plant Management Council Memorandum of Understanding (MOU)

On page 5-21 of Exhibit E of your license application, you indicate that you are consulting with the Aquatic Plant Management Council (Council) to develop a MOU to formalize your cooperation with the Council in managing aquatic plants within the project area. You state that you would file this MOU when you file a comprehensive settlement agreement.

We will need to assess the environmental effects and costs of your proposed management activities for aquatic plants now, as opposed to waiting for an uncertain settlement agreement for the project to be filed. To facilitate our assessment of the project's potential effects on aquatic plants, please provide details of any proposed measures you would implement to manage aquatic invasive plants, including: (1) a description of any proposed monitoring of aquatic invasive plant populations; (2) a description of any proposed aquatic invasive management techniques; (3) identification of the entities responsible for implementing any aquatic invasive management techniques; (4) a description of any public awareness or education measures to prevent the spread of aquatic invasive plants; (5) copies of any additional consultation with the Council and other stakeholders with regard to aquatic invasive plant management; (6) a proposed schedule for implementing any aquatic invasive plant management measures; and (7) the costs for any proposed measures. You also should file a copy of the MOU, either separately or along with any settlement agreement filed in this proceeding.

**SCE&G Response:** The Applicant is working on a draft of the MOU at this time. Any draft MOU filed with the Commission as part of this AIR package will be submitted to the consulting agencies for their review prior to finalizing as part of a Settlement Agreement. Once finalized, the Applicant will provide descriptions to sub-items 1-7 as requested by the Commission. The Applicant will file the information under separate cover and respectfully requests a time extension until July 31, 2009 to completely finalize this information request.

17. Floodplain Riparian Vegetation Along The Congaree National Park

On page 5-22 of Exhibit E of your license application, you indicate that project operations are potentially affecting floodplain riparian vegetation in the Lower Saluda River, including the downstream Congaree National Park. You state that you are currently entertaining proposals on operational changes that may have beneficial effects on the Congaree National Park. You also state that preliminary recommendations were expected from the National Park

Service by September 2008, and that any recommendations for changes in the operation of the project would be filed with the Commission for consideration and/or implementation in the new license.

We will need to assess the environmental effects and costs of any proposed measures to protect or enhance floodplain riparian vegetation along the Lower Saluda River now, as opposed to waiting for an uncertain settlement agreement for the project to be filed. For us to assess the project's potential effects on riparian vegetation and the Congaree National Park, please file the details for any preliminary recommendations you received from the National Park Service, and any proposed enhancement measures you may propose related to operational changes at the project. You also should file an analysis of the effects of these changes on vegetation along the Lower Saluda River and within the Congaree National Park.

**SCE&G Response:** The National Park Service (NPS) proposed enhancement measures for the Congaree National Park (CNP) are enclosed as Appendix 17. Our response to their proposal is included as Appendix 18. Since the CNP is approximately 26 miles downstream of the Project boundary, and another 10 miles from the Project powerhouse, the NPS developed their recommendations outside of the relicensing process. As such, no study plans were developed, field studies conducted, or findings from studies used as a basis for their recommendations. The NPS performed technical workshops as noted in the recommendation report. The Applicant has not examined any effects of these recommended changes on vegetation along the lower Saluda River or within the CNP.

As noted in our response to the NPS we are also working with SCDNR on a similar request for striped bass flow enhancements in the Congaree River. The preliminary proposal for a SCDNR striped bass program is enclosed as Appendix 19. Hopefully, providing one set of flows during the April through mid-May time period will suffice for both requests. This proposal was discussed at several meetings between SCE&G and SCDNR during October and November and it was determined that the proposal should be presented to the Instream Flow TWC. A meeting of the Instream TWC was held on December 10, 2008. Enclosed as Appendix 20 are the minutes from the December 10, 2008 meeting that provides a record of our continued stakeholder and agency consultation. As noted in the meeting minutes, after reviewing the SCDNR striped bass proposal, the Instream Flow TWC recommended a new set of minimum flows based on the recommendation that if Saluda Hydro provides 45% of the average daily Broad River flow from April 1 through May 10, the striped bass population in the Congaree River will improve. This proposal was different from the SCDNR original proposal of only requesting these flows after the target elevation was reached. Therefore, the proposed minimum flows presented in the FLA are tentatively being modified by a new proposal from the Instream Flow TWC which still needs to be evaluated by the Applicant. Since this new minimum flow proposal was just presented to the Applicant on December 10, 2008, we have not had sufficient time to evaluate its effects on operation of Saluda Hydro and have not made a determination as to whether it or a modified version of it could be accommodated. We are requesting that the Commission allow the Applicant give due consideration to the new flow proposal and be allowed to continue our consultation process with the stakeholders and agencies in an effort to resolve this issue.

The Applicant has evaluated the effects of the higher minimum flows on the target species identified in the instream flow study and provides them as an attachment to the draft December 10, 2008 meeting minutes (Appendix 20).

Since neither of the proposals for additional flows in support of fish enhancements in the Congaree River or CNP have been finalized, the effects on our operations cannot be determined at this time. However, if the Commission decides to implement the recommendation of the NPS as presented, there will be a very detrimental effect on our ability to use Saluda Hydroelectric Project for generation during the April to mid-May time period. Therefore, the Applicant respectfully requests a time extension until July 31, 2009 to consult further with interested stakeholders and agencies to finalize the minimum or additional flows that we can agree to with the SCDNR and NPS.

We have provided additional information in the form of a report that might be useful in your evaluation and understanding of the CNP as it relates to operation of Saluda Hydro. The report, entitled "The Effects of the Saluda Dam on the Surface-Water and Ground-Water Hydrology of the Congaree National Park Flood Plain, South Carolina" was developed by the US Geological Survey (USGS) for the NPS. This report is included as Appendix 21.

## 18. Recreation Plan

In Exhibit E, page 7-47, of your license application, you state that a draft Saluda Recreation Plan is being developed by the Recreational Technical Working Committee (TWC), and is scheduled to be finalized in the winter of 2008. You provide a preliminary list of proposed enhancement measures in section 7.9 of Exhibit E, including measures for enhancing existing recreation facilities and new recreation facilities.

We will need to assess the environmental effects and costs of any proposed measures and activities outlined in your recreation plan. Therefore, please file the recreation plan. You should include, in the plan, the following information, at a minimum: (1) a description of the proposed enhancement measures for existing recreation sites; (2) a description of proposed new recreational facilities (be sure to include recreational facilities in a revised Exhibit G map and to distinguish existing recreational facilities from proposed); (3) a description of the entity responsible for implementing the proposed measures, who would own the recreation facilities, and who would operate and maintain the recreation facilities; (4) a schedule for implementing the provisions of the proposed plan; (5) the estimated costs for the individual measures included in the plan; (6) a description of whether the existing and proposed facilities are within or outside of the project boundary, including a map denoting the location of all the proposed measures along with the existing project boundary; (7) a description of any consultation conducted in the development of the recreation plan and an explanation if you do not agree with any of the comments and recommendations that you received; (8) a description any future monitoring of recreational facilities and use at the project and for the update of the Recreation Plan; (9) the location of the commercial and private recreation sites; and (10) the accessibility of public, commercial, and private boat ramps at existing and proposed boat levels.

**SCE&G Response:** The proposed Recreation Plan for the Saluda Hydroelectric Project is included as Appendix 22 of this response. This proposed Recreation Plan, which has not been finalized by the Recreation Management Technical Working Committee, the Recreation Resource Conservation Group or our management, provides answers to sub-items 1, 2, 3, 4, 6, 7, 8, and 9 of Item 18 of your AIR. Sub-item 5, estimated costs of the proposed measures included in the proposed Recreation Plan are provided in Exhibit D as part of the Applicant's response to Schedule A.



Although the proposed Recreation Plan is nearing completion, SCE&G would like to point out the enclosed version is incomplete as it is missing Appendix F - As-Built and Concept Design Drawings. SCE&G anticipates these drawings, including each site's relation to the existing and proposed project boundary, will be contained in the final version and submitted with the Comprehensive Settlement Agreement.

In response to sub-item 10, all but one of the public (SCE&G owned) boat ramps were extended to the 345' PD elevation during the Saluda Dam Remediation Project in 2003. During this same period, most of the commercial and private boat ramps were extended to the 345' PD to 347'PD elevation. Based on permits issued during the low water period associated with the dam remediation, at a minimum 90% of all the commercial and private marinas and public parks will be accessible for lake access under the new guide curve. Under the current guide curve, the majority of the ramps are useable because of the extensions performed during the dam remediation drawdown period. Since the proposed new guide curve will maintain a higher lake elevation throughout the year, accessibility to all boat ramps will be better using the proposed new guide curve than the current license guide curve. This information is also provided in the proposed Recreation Plan in Appendix C as a response to Question 19 of the Standard Process Form.

The Applicant respectfully requests a time extension until July 31, 2009 to consult further with interested stakeholders and agencies to finalize this plan.

#### 19. Downstream Recreation Flow Study

In Appendix E6 of your license application, you provide a copy of the Downstream Recreation Flow Assessment Report, dated November 2007. However, this report is missing the following Appendices:

- Appendix E – HEC RAS Flow Model Analysis Tables
- Appendix F – Flow Duration Curves from HEC RAS Flow Model Analysis

We need this information to conduct our assessment of the flows available during the study period, as well as to determine what flows may be appropriate to protect and/or enhance the recreational boating experience on the Lower Saluda River. Therefore, please file copies of the missing appendices.

**SCE&G Response:** The two referenced appendices of our Downstream Recreation Flow Assessment Report are included as Appendix 23 of this response.

#### 20. Recreation Flows

You indicate on page 7-46 of Exhibit E of your license application, that as a part of the Recreation TWC's issue resolution agreements for recreational flows, a preliminary agreement has been reached on a set of recreation flows and a total yearly amount of flow (quantified in acre-feet) that would be provided. You indicate that this agreement would be filed with the Commission with the settlement agreement for consideration and inclusion in the new license. We will need to assess the environmental effects and costs of any proposed set of recreational

flows now, as opposed to waiting for an uncertain settlement agreement for the project to be filed.

In Exhibit E, page 7-51, you state that South Carolina Company is also working with the Recreation Resource Conservation Group (RCG) to establish recreational flow releases on the Lower Saluda River to support on-water activities, such as wade angling and whitewater boating. You indicate that the target flow releases of between 700 cubic feet per second (cfs) and 1,000 cfs would be scheduled and provided for 5 to 9 hours per day, for a total of 32 days over the course of a year, to support wade angling activities. You state that these flows are sufficiently low to also provide opportunities for swimming, tubing, and rock hopping. In addition, you indicate that flow releases for whitewater activities, including kayaking events and rafting, are scheduled for 3 to 9 hours per day, for a total of 19 days annually, and would range from just over 2,000 cfs to 10,000 cfs for Canoeing for Kids events. Additional flow releases between 8,000 cfs and 15,000 cfs, which are tentatively scheduled for 11 days annually, are being evaluated for swift water rescue training.

For us to accurately assess your proposal, please confirm if the flows described above are the recreational flows you plan to include in any settlement agreement, or if you plan to propose alternative flows. Either way, please provide a description of your proposed recreation flows, including the amount (cfs), timing (month/weekday/weekend), and duration (hours) of the flows, as well as the estimated costs (capital and O&M costs) associated with providing your proposed recreational flows.

**SCE&G Response:** The proposed referenced flows are included in Appendix E of the proposed Recreation Plan for the Saluda Hydroelectric Project, which is included as Appendix 22 of this response. This proposed Recreation Plan, which has not been finalized by the Downstream Flow Technical Working Committee or the Recreation Resource Conservation Group, provides proposed recreation flow releases, timing, and durations. Estimated costs associated with this proposal are included in Exhibit D as part of the Applicant's response to Schedule A. The Applicant respectfully requests a time extension until July 31, 2009 to consult further with interested stakeholders and agencies to finalize this plan.

## 21. Recreational Safety Warning Systems

On page E-751 of Exhibit E of your license application, you indicate that South Carolina Company is working with the Safety RCG to determine the appropriate locations to install additional warning sirens and strobes along the Lower Saluda River. Locations currently identified for receiving additional warning systems include Sandy Beach, upstream of Metts Landing, Corley Island, Gardendale, I-20 Bridge, River's Edge/Oh Brother Rapids, Ocean Boulevard, and Stacey's Ledge. In addition, you indicate that you plan to include a warning siren installation plan in the comprehensive settlement agreement for consideration and inclusion in the new license.

We will need to assess the environmental effects and costs of any proposed warning siren installation plan now, as opposed to waiting for an uncertain settlement agreement for the project to be filed. For us to assess your proposal, please file the warning siren installation plan. The plan should include detailed information for any proposed warning systems, including a description of the type, location, and associated capital and O&M costs for these systems, as well as an implementation schedule.

**SCE&G Response:** The proposed warning system between the Saluda Hydro powerhouse and the Riverbanks Zoo, including a description of the proposed warning equipment and a proposed schedule for installation is enclosed as Appendix 24. This plan has not been approved by the Safety Resource Conservation Group or our management. Estimated costs associated with this proposed safety measure are included in Exhibit D as part of the Applicant's response to Schedule A. The Applicant respectfully requests a time extension until July 31, 2009 to consult further with interested stakeholders and agencies to finalize this program.

## 22. Shoreline Management Plan

On page 8-88 of Exhibit E of your license application, you describe various proposed changes to your Shoreline Management Plan and Shoreline Permitting Policies. In Appendix E-7, you state that the Lake Murray Shoreline Management Handbook and Permitting Guidelines and the Lake Murray Shoreline Management Plan would be filed once public review has been completed. To date, your proposed Shoreline Management Plan and Permitting Guidelines have not been filed with the Commission. To assist us in evaluating the merits of the proposed changes to the Shoreline Management Plan and Permitting Guidelines, please file these items.

**SCE&G Response:** The proposed Lake Murray Shoreline Management Handbook and Permitting Guidelines and the Lake Murray Shoreline Management Plan (SMP) are included as Appendix 25 and Appendix 26 of this response. Also included as part of the SMP, the Applicant is providing the proposed land classification maps as Appendix 27. Re-classification of all land within the Project boundary that is owned by the Applicant was required by the Commission by the June 23, 2004 Order, 107 FERC ¶ 62,273. The proposed Lake Murray Shoreline Management Permitting Handbook (Permitting Handbook) and Permitting Guidelines, Lake Murray SMP, and the land re-classification maps have not been finalized by the Lake and Land Management Technical Working Committee, the Lake and Land Management Resource Conservation Group, or SCE&G management. Also enclosed is Appendix 28 which includes minutes from the September 30, 2008, and October 15, 2008 meetings that provides a record of our continued stakeholder and agency consultation to finalize the SMP and Handbook. Estimated costs associated with these proposed documents are included in Exhibit D as part of the Applicant's response to Schedule A. The Applicant respectfully requests a time extension until July 31, 2009 to consult further with interested stakeholders and agencies to finalize the SMP and Permitting Handbook.

## 23. Archaeological Site Monitoring

In section 6.3 of your HPMP, you state that an archaeologist would examine the condition of sites 38SA150 and 38SA244 during major drawdowns, as well as perform a surface collection and additional testing as required under section 6.B of the HPMP. So that we can analyze your proposed measures, please clarify the following:

- a) Is the above-referenced surface collection and additional testing to be undertaken repeatedly (as is suggested by the wording in the HPMP) or on a one-time basis? Is this additional work for the purposes of determining these sites' eligibility for the National Register or for another purpose?

**SCE&G Response:** A response to this information request can be found in Appendix 29. This Appendix is labeled “Privileged” due to its archaeological content and is only being distributed to the SC SHPO and Indian tribes.

- b) Please explain why these two sites would be monitored no more than once every 5 years (even if major drawdown events below elevation 350 feet plant datum occur more frequently than that), while you propose to monitor 24 other sites once every 2 years.

**SCE&G Response:** Approximately 90% of these two sites are under water at normal pool elevation. The new proposed lake level guide curve would not expose much more of the sites, which is why they should be looked at only during major drawdowns. Since the majority of the sites will be underwater most of the time, there is less of a chance of vandalism, destruction, or Project operations effects on the archaeological site. Our reasoning was to avoid conducting a surface investigation too frequently.

#### 24. Tree House Site

In section 6.1 of the HPMP you indicate that data recovery at the Tree House Site (38LX531) has been completed, and that the recovered artifacts are being catalogued. Please provide us with a schedule for completing and submitting the study report. If the final report is not completed by the time you file your response to our additional information request, please file an interim report that includes survey data and your preliminary findings. The report should be filed as sensitive and non-public.

**SCE&G Response:** The Data Recovery Program field work was performed between February 4 and October 29, 2008. Artifact analysis and report preparation are proceeding on schedule, and the draft report should be available on or before April 29, 2010 for review and comment by the SC State Historic Preservation Officer and the Catawba Indian Nation. After we receive their comments and finalize the report, we will file the final report with the Commission as a supplemental filing associated with the Saluda Hydroelectric Project relicensing process (Project Number 516-459). Since the final report will not be complete by the time of this filing, enclosed as Appendix 30 is a management summary for the archaeological data recovery excavations that should suffice as an interim report that includes survey data and preliminary findings. This Appendix is labeled “Privileged” due to its archaeological content and is only being distributed to the SC SHPO and Indian tribes.