

Friends of Lake Keowee Society (FOLKS)
4065 Keowee School Road
Seneca SC 29672

June 25, 2008
The Honorable Kimberly Rose, Secretary
Federal Energy regulatory Commission
888 First Street NE
Washington, D.C. 20426

Re: Comments from FOLKS on Duke Energy Recreation Use and Needs Study, FERC Project P-2503, Submittals:
20080528-5046 and 20080528-5028

Dear Secretary Bose:

We respectfully submit these comments for consideration by the FERC.

We assumed that the RUNS submittal would be handled like the KT SMP and Warpath Landing submittals. Since it has not yet been “noticed” we conclude that there will not be a “formal” comment period and that the FERC accepts this work as the basis for the updated Recreation Management Plan, a draft of which is currently underway and will be presented to the Study Team. As a member of the study team, we look forward to the early receipt of the first draft so that sufficient time can be spent reviewing, discussing and being an active participant in the development of the final product which is to be posted with the FERC before January 1, 2009. One of the difficulties that this process presents is that the time frame for study team and public input continues to be compressed.

FOLKS basic concern continues to be the absence of consideration of what boating infrastructure is currently in place and what the eventual “built-out” boating load on Lake Keowee will be. Of particular concern are the continued implementation rules for the AAI with respect to the possible construction of additional commercial marinas on current public access areas which are to be improved. Please consider the comments we made in submittal 20070304-5002:

“There are currently approximately 5700 public and private slips/docks on the shoreline and the eventual number of shoreline residences estimated at 8-10,000. With the interior lots included there will be significantly more community docks. The effect of not considering this build out will likely be a significant under-estimation of the number of boats that will eventually use Lake Keowee.”

Our concern about the eventual “built out” boating capacity was more heightened as we commented on the first access area “improvement” under the AAI - Warpath Landing. In our motion to intervene in this matter dated April 26, 2006, we requested that action on approval of Warpath Landing be deferred until after the RUNS is completed. The SC PRT submittal (20060511-0051) stated:

“We continue to be concerned about increasing shoreline development and the growing number of watercraft on all of South Carolina's lakes. These contribute to additional user conflicts, increase safety concerns, and diminish the

recreational and leisure experiences. At some point, the cumulative effects of development must create water quality concerns. Furthermore, it has been demonstrated that some recreational uses may be inhibited by additional development. For many years, SCPRT has recommended that South Carolina's lakes should have no more than 50% of the shoreline developed with the remaining 40% natural and 10% recreational. We have also recommended that all cove ends and a significant portion of points and cove sides be left undeveloped for scenic, recreational, and fish/wildlife habitat and spawning purposes.”

Duke Energy currently estimates that approximately 43% of the shoreline is currently developed but there is still considerable shoreline under development.

It is not our intent to re-live the Warpath Landing approval process. As a member organization of the RUNS study team, we saw the comprehensive weekly access area interview reports and the most frequently cited issues were: the intensive shoreline development; excessive litter; the need for public restrooms on the access areas; walking trails; the need for courtesy docks; and food service. In fact, although construction progress is slow, concerns that we had involving sanitary wastes and stormwater management have been addressed satisfactorily. The outstanding concern, that of additional boats has not been addressed.

On page 6 of the RUNS submittal, in discussing the AAIL, we welcomed the statement that “Duke remains committed to these local partnerships (additional leases of access areas to Oconee and Pickens Counties” but we still contend that the next paragraph is not consistent with the original KT Hydro license –

“In addition to these governmental partnerships, the private sector has expressed significant interest in partnering with Duke to develop and manage larger scale, commercially operated public recreation complexes at selected Duke-managed access areas on Lake Keowee. Commercially viable facilities typically include amenity development that is often beyond the normal scope of state or local parks. Facilities may include public marinas, large scale RV and tent campgrounds, rental cabins, waterfront restaurants, conference centers, and hotel type overnight accommodations. Results from this study will provide a basis to help potential partners and Duke Energy assess the needs, benefits, and potential impacts associated with future commercial recreational development proposals.”

While there may be some justification for moderately commercial development, we find that the extensive face-to-face and mailed interviews supported passive development but did not support the types of commercial development which was exclusively intended in the 1000 acre “Recreation Complex” at the northern end of Lake Keowee and which has now been extended to Warpath Landing.

The core issue remains the “boating capacity utilization” now and in the future. The very well done depicitive exhibits of the evolution of boating intensity clearly show where the “choke points” are and on July 4th weekend the upper end of the lake, above Warpath Landing experienced a 44% utilization of boat carrying capacity.

The Louis Berger Group also conducted the AEP Smith Lake RUNS and in their FAQ section we find the following:

Q Why was boating density used as a parameter (for the study)?

A Boat density was considered as a parameter in determining the type of shoreline that is suitable for future high density boat dock projects. The intent is to not place a high-density use in

an area of the lake that currently has an existing high-density boat use. This may be the opposite of how it is done on the land, but on land, additional lanes and traffic lights can be added as traffic increases. The lake is a fixed area that cannot be widened to accommodate increased boat traffic in a narrow cove. Aerial photos of the lake on 10 randomly chosen holiday and weekend days between Memorial Day and Labor Day 2002 were collected and analyzed. To analyze the number of boats on Smith Mountain Lake, the lake was divided into 209 sections. Smith Mountain was divided based on the natural restrictions and coves on the lake. The boat counts were utilized to develop average boat densities for each of the coves on the lake. Boating patterns are not uniform around the lake, therefore it is inappropriate to apply these standards to the entire lake to determine an average carrying capacity for the entire lake as a whole. By utilizing smaller sections of the lake, boating capacity could be more accurately depicted.”

Pickens and Oconee County population projections were cited in the KT RUNS. In addition a standard protocol was used to project the “recreation days” for each of the on-the-water activities. In other RUNS there have been predictions of carrying capacity and we propose that the excellent data which has been gathered be used in the manner described above. It is critical that the possible placement of commercial marinas be tested against the current and projected carrying capacity utilization. The fact is that under SC law, SC DNR has limited enforcement powers. The only way to avoid further crowding in areas like the “S” curves just below the Route 11 Bridge and any other such constricted areas of the lake is for Duke Energy to exercise extreme caution in the possible further placement of commercial “improvements” to the access areas.

With some structural exceptions in the process, this RUNS followed the same protocol as the Saluda and Smith Lake studies and, in fact, this is the first time we saw the excellent graphic depiction of the evolution of boating density from spring into summer and then into fall. We summarize with the following:

1. All of the face-to-face and additional surveys of shoreline, back lot and extended areas present a clear picture of what is wanted by recreators. That information should be the basis for development of the RMP.
2. In the short term we would like to see some of these “wants” implemented by Duke Energy – such as courtesy docks; rest rooms; walking trails; picnic tables and improved litter handling.
3. The extensive boating capacity usage data should be utilized to make some estimates of future boating capacity utilization and be an important consideration for the placement of any further commercial marinas.

With 44% of the shoreline already developed, the public access areas, collectively, represent the total public open area and there is solid evidence in the RUNS that the users, not just the shoreline residents, desire that most of the open area remain in a passive state.

FOLKS appreciates the opportunity to make these comments for your consideration and we look forward to our role on the study team for the RMP.

Bill Graham – President
Ben Turetzky – Executive Director