

Statement of Major Reservations  
To the  
Agreement-in-Principle for Catawba-Wateree  
Relicensing FERC Project no. 2232

City of Camden, SC  
April 13, 2006

The City of Camden, SC values the stakeholder effort expended during the past several years and the many benefits reflected in the Agreement-In-Principle.

While we support most of the AIP, with minor reservations, we have three major reservations and one general item of concern which are defined below.

#### **14.5.3 a 3 e**

We have major reservations regarding the licensee's attempt to condition Wateree Flood Management Enhancement on a 20 year "gag order" being imposed upon FA signatories.

The original proposal for a 40,000 cfs bladder dam provided a high probability of success and stakeholders were less inclined to be concerned about the need to advocate for additional flood relief in the future.

However, the current reduced scope of 10,000 cfs, offers less assurance of success and the imposition of a gag order is unreasonable.

#### **14.5.3.a (5)**

We have major reservations regarding the licensee's attempt to condition Wateree Flood Management Enhancement on obtaining a 50 year license term which is not within the stakeholders' ability to negotiate.

Only FERC can decree a 50 year license; stakeholders do not have the capability to negotiate this time limit.

It is alarming that AIP conditions (higher flows and smaller turbines) increase Wateree flood potential by 3X yet there is no mitigation for this negative impact save a thin hope tied to FERC decreeing a 50 year license.

Wateree flooding impacts water quality, public recreation, and causes property damage. Public safety is at risk due to impassable roads preventing citizens from reaching emergency services and aid.

#### **16.2.2.2**

We have major reservations regarding the licensee's attempt to impose signatory limitations prior to water quality items and the 401 Water Quality Certification being complete.

There are unknowns in the water quality related items in the AIP

The 401 Water Quality Certification does not occur until much later in the relicensing process.

It is unreasonable to expect stakeholders to willingly abandon their rights to be fully engaged in the 401 process.

### **General Concern**

#### **Section 16**

Stakeholders are being asked to fully support the FA.

The AIP is not complete and the FA is unlikely to be complete at the time a final signature is required.

Even more serious is the fact that agencies with jurisdictional authority will impose mandatory conditions which could be inconsistent with the FA.

What processes will be put in place to enable the relicensing effort to survive these barriers?