



11/23/09

Jim Crew
Alabama Power Company
600 North 18th Street
16N-8180
Birmingham, AL 35291

Dear Jim,

We appreciate the opportunity to learn about the progress Alabama Power Company has made to date on studies for the relicensing of the Martin Hydroelectric Project. With the exception of Study Plan 6 (Striped Bass Telemetry Study), the results of the studies provided in the progress updates lacked the specificity required for us to provide detailed feedback or recommended changes. We understand that the lack of specificity in the study updates in particular for Study Plan 3, Study Plan 5, Study Plan 12(A), Study Plan (D), Study Plan 12 (E), and Study Plan 10 is due in part to unusual weather conditions and the resulting high water in the Tallapoosa River. However, based on what was presented at the October 21st meeting we have a few concerns and recommendations for the studies moving forward.

The Federal Energy Regulatory Commission (FERC) determined that Tallapoosa River Mile 12.9 is an appropriate ending point for the geographic scope to determine what effects Martin project operations has on fish and wildlife resources and water quality in project-affected waters. It was unclear at the October 21st meeting how APC planned to study evaluation of downstream minimum flows, rare threatened and endangered species, water quality and sedimentation and erosion in the Tallapoosa River to river mile 12.9. Specificity relating to these studies is critical in understanding project impacts and important in determining appropriate mitigation.

Study Plan 3 (Evaluation of Downstream Flows)

Flow is a fundamental issue during a hydropower relicensing proceeding. American Rivers supports Alabama Department of Conservation and Natural Resources (ADCNR) and Fish and Wildlife Service (FWS) in their desire to understand Martin operational flexibility in order to enhance flows for fish and wildlife and to offset impacts from peaking in the Tallapoosa River to RM 12.9. At the October 21st meeting it was unclear how APC plans to provide information on operational flexibility in order to consider alternative minimum flows, seasonably variable flows, and ramping that could enhance fish and wildlife habitat in the Tallapoosa River and offset impacts caused by peaking. It is also unclear how reviewing project operations, reviewing existing environmental data in the Tallapoosa River, and conducting limited surveys alone described in Study Plan 3 is adequate to meaningfully analyze alternative flow regimes. In order to improve state

and federal agencies and other relevant stakeholders ability to recommend measures that mitigate, protect, rehabilitate, or restore instream resources on the Tallapoosa River, management measures need to include goals and objectives, determination of baseline conditions, monitoring and evaluation, data collecting, analysis, as well as decision making.

Study Plan 10 (Erosion and Sedimentation)

FERC has determined that flow releases from the project have been identified as affecting the shoreline of the Tallapoosa River downstream of the Thurlow Development to RM 12.9. In the April 17, 2009 study determination letter FERC requested that APC inventory and study erosion sites below Thurlow in the 30 mile river reach. At the October 21st study update meeting the erosion sites below Thurlow in the Tallapoosa River were not noted in the presentation. We request that APC provide specific information on the status of the erosion site inventory in the Tallapoosa River. If APC has not begun studying these sites or has not made progress in the study plan due to unusual weather conditions then an updated schedule for starting and finishing should be provided during the meeting on December 3, 2009.

Thank you again for providing the study updates at the October 21st meeting and for providing the opportunity to comment. We look forward to meeting again on these topics at the December 3rd meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Rice", followed by a long horizontal line extending to the right.

Matt Rice
American Rivers
Associate Director of Southeast Conservation

Document Content(s)

Oct. 21st-Martin study update letter to APC.DOC.....1-2