



Judy A. Takats
World Wildlife Fund
Southeast Rivers and Streams
2021 21st Avenue S, Ste 200
Nashville, TN 37212

Direct Phone: 615-279-1814
Fax: 615-297-1429
judy.takats@wwfus.org

worldwildlife.org

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

Jim,

Thank you for providing us the opportunity on October 21st to learn about the progress Alabama Power Company (APC) has made to date on studies for the relicensing of the Martin Hydroelectric Project (FERC Project No. 349). Primarily due to the lack of specificity on the results of studies provided in the progress updates - with the exceptions of information related to unusual weather conditions and Study Plan 10 (Erosion and Sedimentation) - we did not learn enough to recommend specific changes or provide you with detailed feedback at this time. However, based on what was presented, we do have a few thoughts and recommendations related to the relicensing studies moving forward. We hope more detail is provided in the upcoming study update report and at the next meeting, which is scheduled for December 3, 2009 in Alexander City, so we can in turn provide you with more feedback.

Unusual Weather Conditions

From the information provided, the unusual weather conditions this year (i.e. the abundance of summer and early fall rains and cooler than normal temperatures) may have skewed the results of many studies away from what would be expected in a "typical" year. APC will need to look closely at the field data collected this year to ensure that the unusual weather conditions are yielding results that are useable as a representation for a more normal year. We believe the unusual weather, the resulting modifications to project operations, and the subsequent changes to water quality and flow patterns within the reservoir and in the Tallapoosa River in the Martin tailwater and possibly downstream of Thurlow Dam, potentially affect the results of Study Plan 3 (Evaluation of Minimum Flows Downstream of Martin Dam), Study Plan 4 (Fish Entrainment and Turbine Mortality), Study Plan 6 (Striped Bass Telemetry Study), Study Plan 8 (Baseline Water Quality - to the extent that any August and September 2009 water quality data are used in this study), and possibly Study Plan 10 (Erosion and Sedimentation - particularly in at those sites downstream of Thurlow Dam).

For example, given the heavy, late summer rains, it is reasonable and undoubtedly necessary to expect that project operations changed to accommodate the sustained, high flows coming from the upper parts of the Tallapoosa watersheds. Many of the aquatic or amphibious animals living in waters potentially affected by the Martin Project may have shifted their behaviors or responded to their environment in ways that are different from what is ordinary because of the unique weather **and** the unique project operations that resulted from the weather. Both of these factors (project operations and faunal behavior/response) potentially contribute to unusual or atypical study results that may not adequately describe the typical pattern of impact from the Martin Project to natural resources potentially affected by the Project. If it is true that natural resources under study were affected by this year's unusual weather, then protection or mitigation methods developed from information collected during the late summer of 2009 may only hold for years that follow similar weather patterns and may not be useful under more ordinary operations.

The data from this unusual climatic year do provide information on what happens to resources under those conditions. This information is useful and should be used to inform decisions on protection and mitigation measures to address any impacts that are identified from the unusual operations demonstrated during fall of 2009. This situation we describe is analogous to the recreation study on Lake Martin that was conducted in 2007 – a year was one of severe drought. In the case of that study, stakeholders suggested that additional information was needed because the 2007 data were not representative of a typical year.

Study Plan 10, Erosion and Sedimentation Study

APC presented insufficient information to gauge the progress related to a specific request made in the Federal Energy Regulatory Commission's (FERC) "Study Plan Determination", dated April 17, 2009. In that letter, FERC requested that APC inventory and study erosion sites below Thurlow to River Mile 12.9. However, those sites below Thurlow to River Mile 12.9 were not presented. We suggest you provide specific information on the status of the erosion site inventory in these reaches of the Tallapoosa River and whether or not evaluation of those sites have commenced at this point. If APC has not made progress yet on these specific tasks then the schedule for starting and finishing them should be provided in the Study Plan Update Report and during the meeting on December 3, 2009.

Thank you again for providing study updates and the opportunity to provide these comments. We look forward to seeing the forthcoming Study Update Report in late November and meeting again on these topics on December 3rd.

Sincerely,

Judy Takats
Senior Program Officer