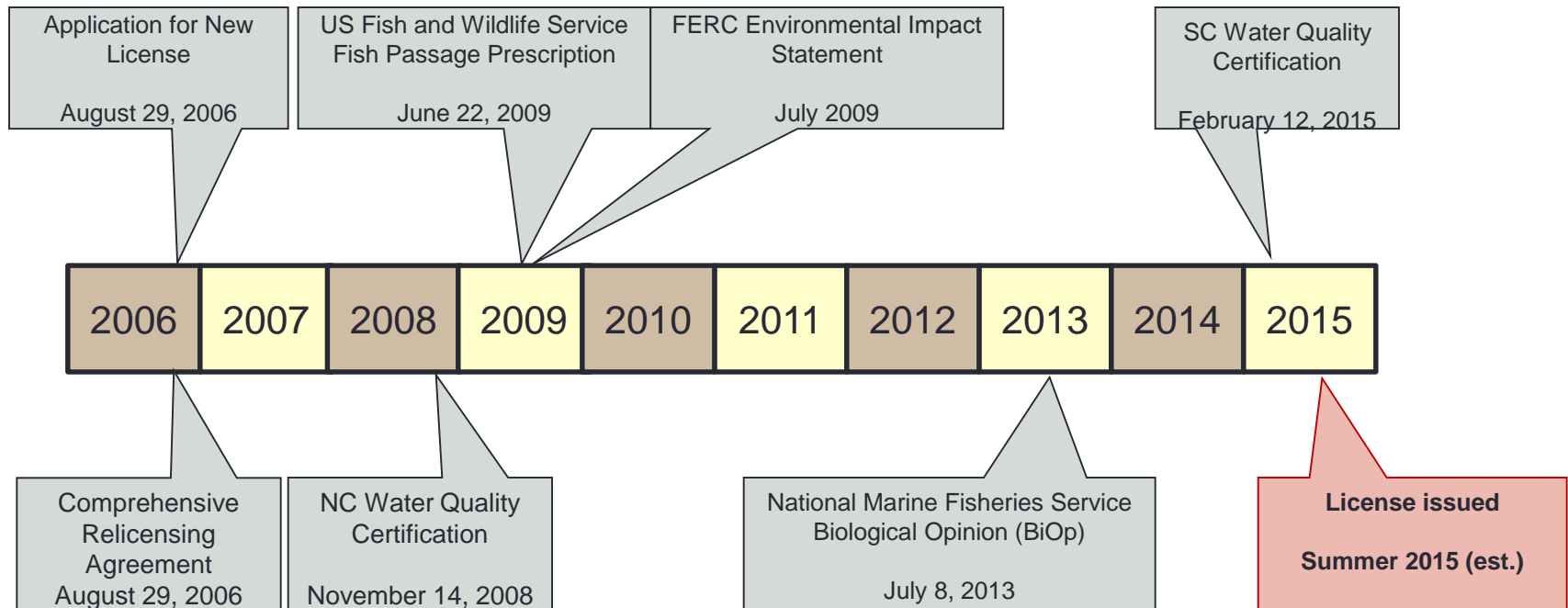


CATAWBA-WATEREE RELICENSING UPDATE

Catawba/Wateree River Basin Advisory Commission

June 12, 2015

Relicensing Process Status



April 2015 CRA Outreach Meetings

1. Review the Federal Energy Regulatory Commission (FERC) relicensing process and where Catawba-Wateree is in the process.
2. Review how the CRA was developed and its benefits to all Parties.
3. Prepare Parties to participate:
 - a) between now and the issuance of the New License
 - b) after the New License is issued (dealing with possible inconsistencies with the CRA)
 - c) after the New License is “final”
4. Introduce the Final Agreement Committee (FAC) and explain its role.
5. Discuss next steps and communications needs.

CRA Structure

Full extent of New License requirements and consistency with the CRA will not be known until the New License is issued.

CRA 39.3 - Enforceability –
As noted in Paragraph 31.1.3, all terms of this Agreement not incorporated as License Articles shall be enforced through remedies available under applicable state or federal law.

Enforceable
as a Contract

Resource
Agreements
(Sections 1-15)

General
Agreements and
Procedures
(Sections 16-39)

Signatures

Enforceable as
New License
Articles

Appendices A-O

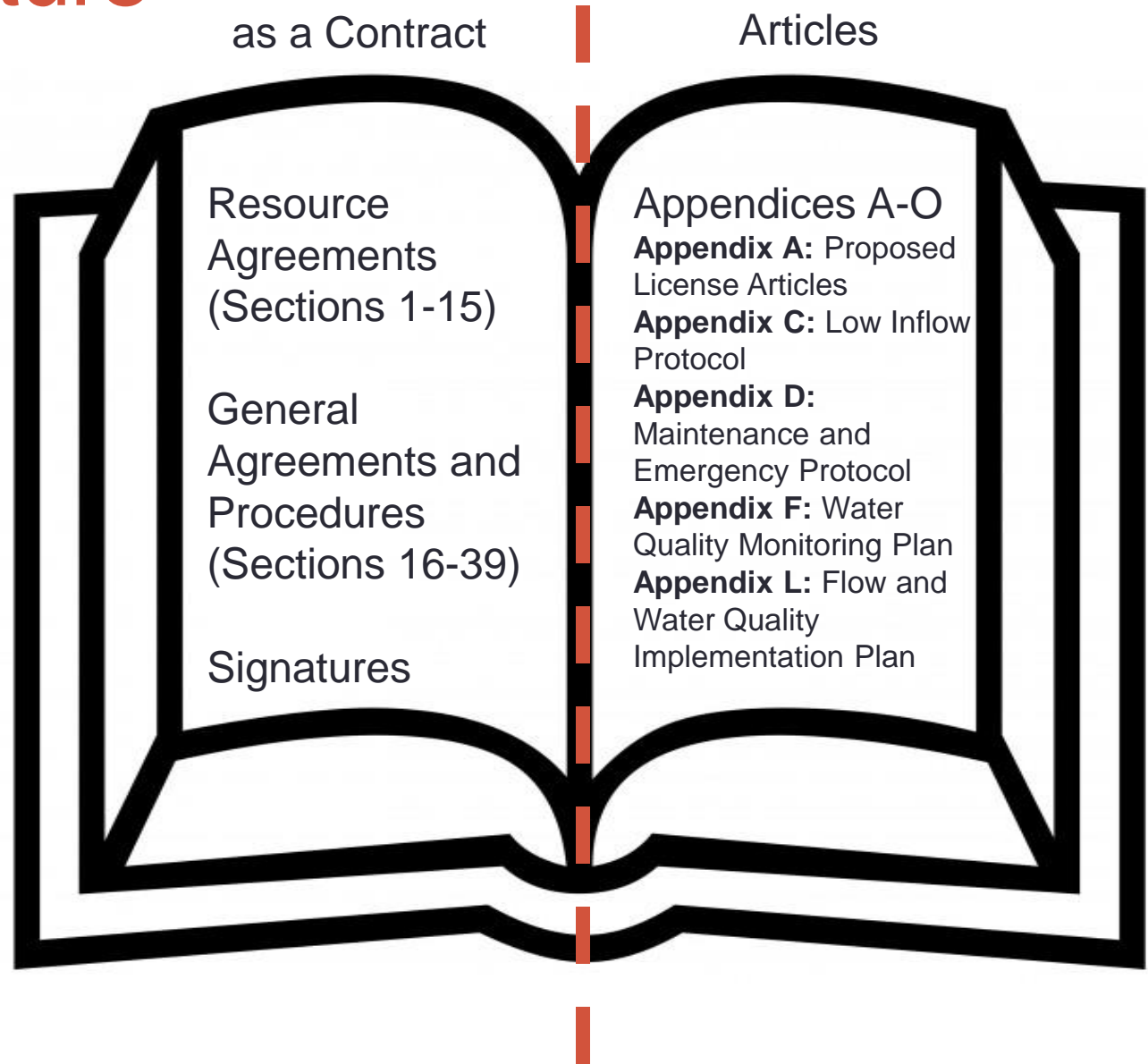
Appendix A: Proposed
License Articles

Appendix C: Low Inflow
Protocol

Appendix D:
Maintenance and
Emergency Protocol

Appendix F: Water
Quality Monitoring Plan

Appendix L: Flow and
Water Quality
Implementation Plan



Other CRA-Related Commitments

- Upper Catawba Public Access, Open Space and Trails Agreement (April 2008)
- Santee River Basin Accord for Diadromous Fish Protection, Restoration and Enhancement (Accord, May 2008)
- North Carolina Water Quality Certification (November 2008)
- SC Water Quality Certification Settlement Agreement (May 2010)
- Settlement Agreement for the *SC v NC* US Supreme Court Case No 138, Orig. (December 2010)
- National Marine Fisheries Service Biological Opinion (July 2013)
- Settlement Agreement Regarding the South Carolina Water Quality Certification (July 2014)
- South Carolina Water Quality Certification (February 2015)

70 CRA Parties

[Duke Energy Corporation](#)
[Resolute Forest Products](#)
[Alexander County, NC](#)
[American Whitewater](#)
[Area II Soil & Water Conservation Districts](#)
[Burke County, NC](#)
[Caldwell County, NC](#)
[Carolina Canoe Club](#)
[Catawba County, NC](#)
[Catawba Indian Nation](#)
[Catawba Indian Nation Tribal Historic Preservation Office](#)
[Catawba Lands Conservancy](#)
[Catawba Regional Council of Governments](#)
[Catawba Valley Heritage Alliance](#)
[Catawba-Wateree Relicensing Coalition](#)
[Centralina Council of Governments](#)
[Chester Metropolitan District](#)
[City of Belmont, NC](#)
[City of Camden, SC](#)
[City of Charlotte, NC](#)
[City of Gastonia, NC](#)
[City of Hickory, NC](#)
[City of Morganton, NC](#)
[City of Mount Holly, NC](#)
[City of Rock Hill, SC](#)

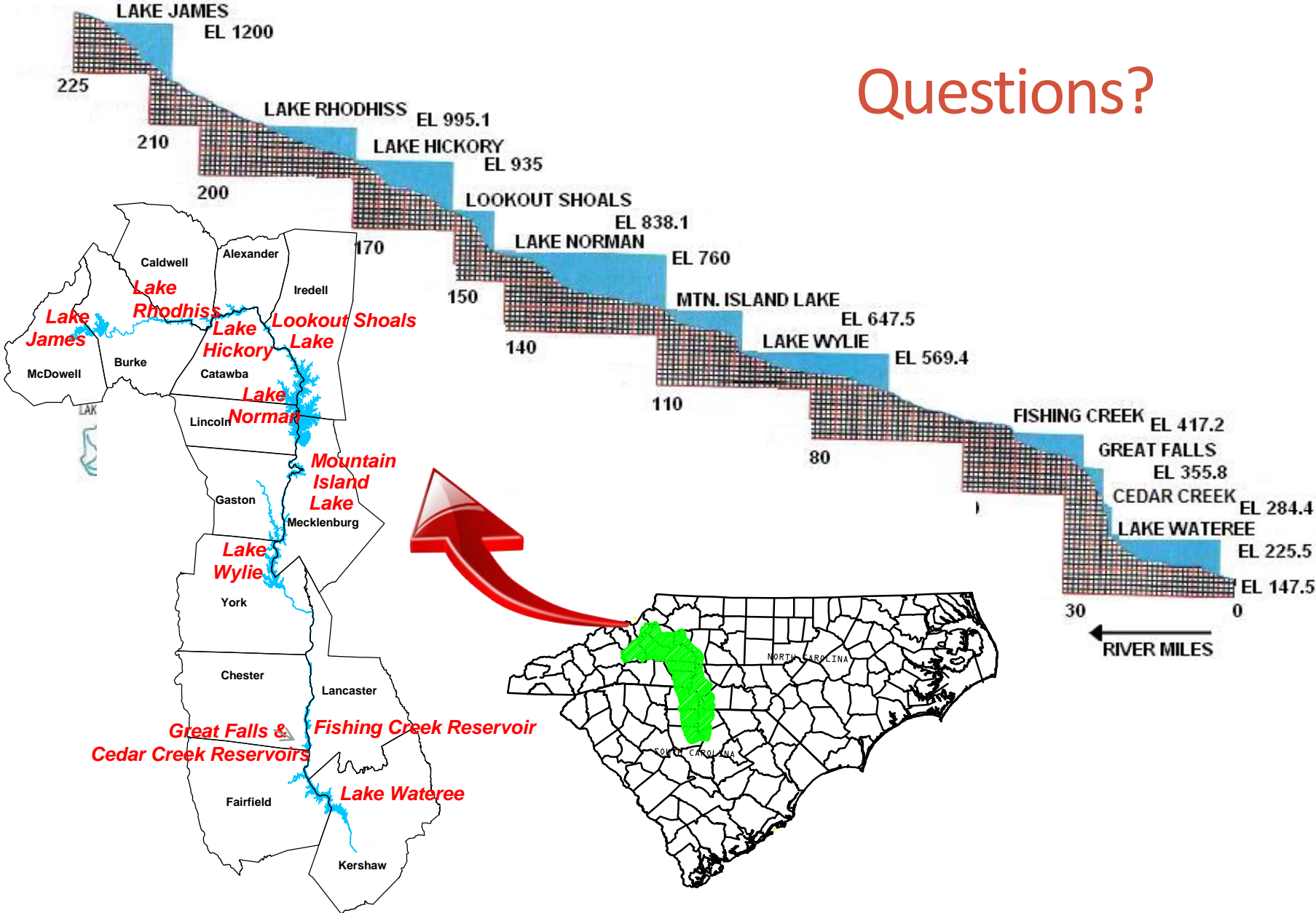
[Crescent Resources, LLC](#)
[Foothills Conservancy](#)
[Gaston County, NC](#)
[Great Falls Hometown Association](#)
[Harbortowne Marina](#)
[International Paper](#)
[Iredell County, NC](#)
[Kershaw County, SC](#)
[Kershaw County Conservation District](#)
[Lake James Homeowners](#)
[Lake Wateree Association](#)
[Lake Wylie Marine Commission](#)
[Lancaster County Water & Sewer District](#)
[Lincoln County, NC](#)
[Lugoff-Elgin Water Authority](#)
[McDowell County, NC](#)
[Mecklenburg County, NC](#)
[Mountain Island Lake Association](#)
[North Carolina Dept. of Environment and Natural Resources \(NCDENR\) with its Divisions of Forest Resources, Parks and Recreation, Water Quality, and Water Resources](#)
[North Carolina Wildlife Federation](#)
[North Carolina Wildlife Resources Commission](#)
[Rivers Edge Marina](#)

[South Carolina Dept. of Archives and History](#)
[South Carolina Dept. of Natural Resources](#)
[South Carolina Dept. of Parks, Recreation and Tourism](#)
[South Carolina Electric & Gas](#)
[South Carolina Wildlife Federation](#)
[Springs Global US, Inc.](#)
[Town of Davidson, NC](#)
[Town of Great Falls, SC](#)
[Town of Valdese, NC](#)
[Trout Unlimited, Inc.](#)
[Union County, NC](#)
[Wateree Homeowners Association – Fairfield County](#)
[Western Piedmont Council of Governments](#)
[York County, SC](#)
[York County Culture & Heritage Commission](#)
[William B. Cash](#)
[Shirley M. Greene](#)
[Frank J. Hawkins](#)
[Timothy D. Mead](#)
[Merlin F. Perry](#)
[Joseph W. Zdenek](#)

Next Steps

- New License Issuance by FERC
 - Summer 2015 (est.)
 - Requirements effective at beginning of issuance month
 - Duke Energy has been voluntarily complying with many expected New License requirements since 2006
- 30-day review period
 - Clarifications
 - Inconsistencies with CRA
- Rehearing requests, other challenges and risks
 - Inconsistent Acts by a Jurisdictional Body
 - New License rehearing requests and other challenges
 - Breaches by a CRA Party
 - Withdrawal of a CRA Party
 - Renegotiation of the CRA
- Keep all Parties informed
- Consider CRA modifications

Questions?



CRA Benefits – Reservoir Levels, Flows & Water Quality

- **New seasonal Normal Operating Ranges for each reservoir**
- Continuous minimum flow releases into **the Catawba River Bypassed Reach (James)**, the Great Falls Long Bypassed Reach, and the Great Falls Short Bypassed Reach
- **Higher continuous minimum flow releases at Bridgewater (James), Oxford (Hickory), and Lookout Shoals**
- **Recreation flow releases**
- **Low Inflow Protocol (LIP), including forming the Drought Management Advisory Group (CWDMAG)**
- Increase aeration capabilities at **Bridgewater (James), Rhodhiss, Oxford (Hickory), and Lookout Shoals**
- New aerating hydro units at Wylie and Wateree (DO and continuous **minimum flows**)



CRA Benefits – Recreation & Land Conservation

- **\$13.1M in funding and price reductions for purchase/protection of 5,371 acres in NC and SC**
- \$3M and 2,455 acres (conveyed or **under easements**) to state agencies for recreation and land conservation
- 2,590 acres for upper Catawba public access, open space, and trails (**purchased and being held by Duke Energy for sale to NC**)
- Over \$4 million for others (primarily local governments) to develop public recreational amenities
- 89 new/enhanced public recreation areas (**conceptual designs in progress; only two land acquisitions remain**)



CRA Benefits – Other

- **The Catawba-Wateree Water Management Group (CWWMG)**
- Over \$600,000 for cultural resources protection and enhancement
- Public information enhancements
- If New License is for 50 years:
 - Modify the Wateree spillway
 - An additional \$3 million and 274 acres available to state agencies

