



Resolving Catawba-Wateree Fish Passage Issues

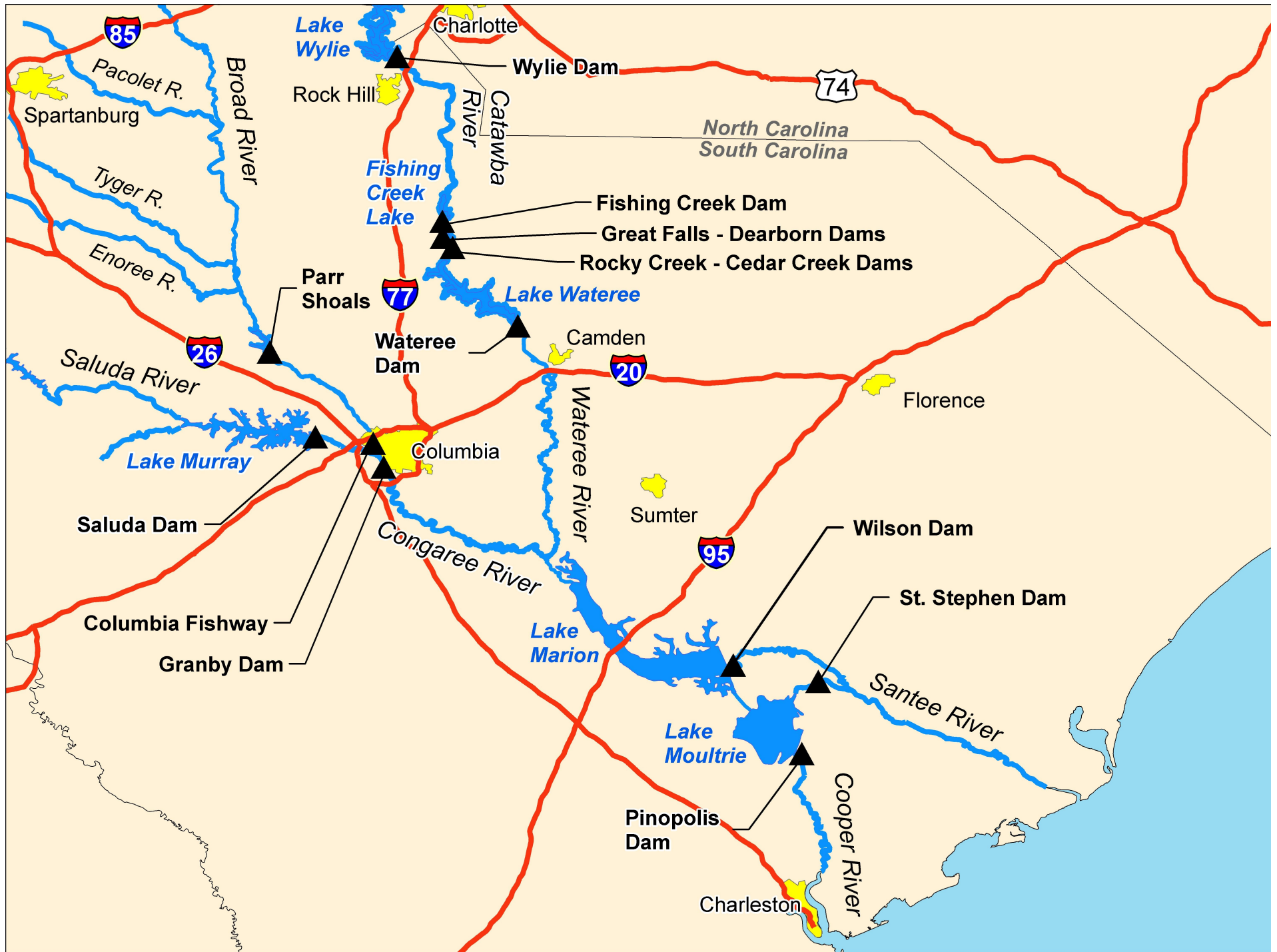
Prepared for the

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Santee Basin Cooperative Fish Passage Accord

- A cooperative agreement to restore diadromous fish (American shad, blueback herring, and American eels) in the Santee River Basin which includes the Catawba-Wateree River Basin
- Parties
 - United States Fish and Wildlife Service
 - South Carolina Department of Natural Resources
 - North Carolina Wildlife Resources Commission
 - South Carolina Electric & Gas
 - Duke Energy Carolinas
 - With participation from
 - National Marine Fisheries Service
 - South Carolina Department of Health and Environmental Control
 - South Carolina Public Service Authority (Santee Cooper)



Chronology

- **Utilities began developing a fish passage strategy in 2004**
 - Extremely high cost of fish passage facilities
 - Inadequate diadromous fishery knowledge base
 - Complex river system, including 3 hydro projects
- **Utilities introduced the Accord to Agency participants in November 2005**
- **Roadblocks**
 - Agencies: Must construct passage facilities immediately
 - Utilities: No biological basis for facilities now
- **November 2006: Agencies present alternatives to regulatory prescription process**
 - Basin-wide effort involving utility and agency partners
 - No-Sooner-Than (NST) dates and bio-triggers in consideration of a 10-year Work Plan
 - Minimum flow releases in the C-W Comprehensive Relicensing Agreement (CRA) adequate
 - Four passage facilities still possible
- **December 2007: USFWS offers new proposal**
 - One trap & truck facility at Wateree Hydro for shad and herring in exchange for fixed facility date and larger Accord contribution
 - American eel passage as eels progress upstream
 - CRA flows adequate for the term of the New License
- **May 2008: Accord Signed**
- **June 2008: Preliminary prescriptions/conditions filed by USFWS and NMFS**

Work Plan

- **Duration** – 10 years starting in 2008
 - Provision to negotiate Work Plan continuation after 10 years
 - Provisions extend for the life of the next Catawba-Wateree and Saluda FERC licenses
- **Who Pays** - Utilities would jointly pay
 - Using savings from reduced/deferred passage facilities
- **Who Does Work**
 - Implemented by contractors, graduate students, agencies, and utilities
- **What Kind of Work (throughout Santee Cooper River Basin)**
 - Hatch and stock 1,000,000 American shad fry to “jump-start” returning shad populations
 - Monitoring adult shad movement patterns in Lakes Marion and Moultrie
 - Monitor juvenile shad movement in riverine sections
 - American eel migration studies
 - Monitor fish movement through the Pinopolis lock

Motivating Factors

- **Utilities' Perspective**

- When, not if fish passage facilities prescribed
- Cooperative study partnership
- Verifying need, type, and timing of future fish passage activities
- Defer fish passage decisions during study period
- Accord serves as the basis for future fish passage prescriptions

- **FERC has limited influence**

- **Avoid trial-type hearings**

- **Duke Objectives**

- Reduce risks and costs to Duke Energy
 - All agencies signing on
 - A provision to renegotiate work plan continuation
 - Retains date certainty and some measure of biological need
 - Benefits the resource
 - Protect the C-W CRA from reopening and inconsistent requirements
- Lay groundwork in case the Accord is not successful
 - SC 401 Water Quality Certification process
 - Future potential trial-type hearing alternative