



DIVISION OF NATURAL RESOURCES
Wildlife Resources Section
PO Box 99, 1110 Railroad Street
Farmington, WV 26571
Telephone (304) 825-6787
Fax (304) 825-6270

Joe Manchin III
Governor

Frank Jezioro
Director

May 1, 2009

Ms Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

RE: Appalachian Power Company, Claytor Lake Project, P-739,
COMMENT, PRELIMINARY LICENSING PROPOSAL

Dear Ms Bose,

Appalachian Power Company (Appalachian) has submitted its Preliminary Licensing Proposal (PLP) for the referenced hydropower project to the Federal Energy Regulatory Commission for review and comments. The West Virginia Division of Natural Resources (WVDNR) has completed its review of the referenced PLP and is providing comments and recommendations for your consideration.

The New River flows in a northerly direction from the Claytor Dam hydropower facility, approximately 63 miles to the West Virginia border and continues as a riverine environment for an additional 14 miles to Bull Falls, the head of the Bluestone Reservoir at normal summer pool. Flows resulting from peaking operations at the Claytor Dam hydropower facility have resulted in significant fluctuations in river stage through the section of the New River in West Virginia affecting recreation, aquatic biota, and habitat.

Page 4-28, §4.3.2 Water Resources, §4.3.2.1 Affected Environment, Water Quantity. Appalachian reports that the "...North Fork originates in the mountainous northwest corner of North Carolina and joins the South Fork near the town of Crumpler, West Virginia." The town of Crumpler is located in Ashe County, North Carolina.

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Appendix A. Water Management Plan, Page 3, § 2A, Downstream Minimum Flow Requirements. Appalachian is proposing to discharge a minimum flow of 750 CFS or inflow, whichever is less, using “autocycle operation.” Autocycling does not provide for a steady minimum discharge, but instead provides a pulsed discharge for a part of each hour that would be averaged to meet the minimum discharge on a mean hourly basis. While the magnitude and duration of these pulses can affect the uses of the New River, particularly in areas near Claytor Dam, the WVDNR does not believe autocycling would have a significant effect on water level fluctuations in West Virginia, therefore, does not object to that practice. The WVDNR, in consultation with the Virginia Department of Game and Inland Fisheries (VADGIF), recommends that the minimum flow be increased to at least 1,250 CFS or inflow, whichever is less, from December 1st through March 31st. The minimum flow of 750 CFS would be maintained for the other eight months. The increased minimum flow would provide a more natural hydrograph during the winter, improve aquatic habitat, and benefit aquatic species, as determined from Appalachian’s Incremental Instream Flow Study. The increased minimum flow would also help to prevent stranding boaters, anglers, and waterfowl hunters.

Appendix A. Water Management Plan, Page 3, §2B, Plant Operations and Reservoir Level Fluctuations. “Appalachian proposes to operate in Levelized Flow mode from April 15th to October 15th and in Peaking mode from October 16th to April 14th.” The WVDNR considers “levelized flow” as the same operational mode as “run-of-the-river.” During the levelized flow mode of operation, the reservoir elevations would be maintained between 1845.0 feet NGVD and 1846.0 feet NGVD under normal operation conditions and attempt to match the outflow from the dam with the inflow to the Claytor Reservoir. The WVDNR concurs with the proposal to operate in levelized flow mode, but recommends that the dates for levelized flow operation be extended to March 1st through November 30th each year. Extending the beginning and end of levelized flow operation would benefit early spawning fish species, and address concerns related to recreational use in the section of the New River that flows through West Virginia upstream of Bluestone Dam. This section of river is still used by boaters and anglers into November. The WVDNR also contends that levelized flows will reduce the rate of bank erosion and failure throughout the riverine sections of the New River.

The Water Management Plan does not include a discussion of ramping rates. The WVDNR recommends that extended ramping rates would decrease the impact on riverine species and habitats related to peaking operations. Of particular biological importance is the ramping down of flows so that aquatic species are not stranded.

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The WVDNR appreciates the opportunity to review and comment on the referenced document. If there are any questions regarding this letter please feel free to contact me at the letterhead address or by email at kerrybledsoe@wvdnr.gov.

Sincerely,

Kerry Bledsoe
Wildlife Resources Section

cc: Teresa Rogers, Appalachian
Bill Kittrell, VADGIF
Bret Preston, WVDNR