

Madam Secretary,

My family bought property on the lake in the 40s and built the first new cabins constructed. We have been here since and my children intend to stay, too. My family and I own 11 acres lakefront on 2 properties on Dublin Hollow (2200 ft of shoreline). I am active in FOCL and Coast Guard Auxiliary, as well as the Claytor Lake Advisory Board.

I have been involved in some of the AEP meetings, when I could get off work. Most meetings were held during the day when most worked and unless one requested notification, the general public was not aware of the meetings. There was one public meeting early on, but none that I am aware of recently. I feel strongly that most lake residents have no idea about new shoreline management and other regulations being proposed by AEP due to FERC relicensing. I was only made aware of these meetings due to my affiliations and still feel that I had inadequate input as often I could not get to meetings held during work time. I saw no public notifications on meetings after the first public meeting.

I must comment on the following issues addressed in the relicense application. While many people will not take the time to write a letter, there are many others concerned as well.

Discontinuation of drawdown affects all lakefront property owners. Drawdown enables us to maintain and clean our property structures and shoreline regularly. It enables shoreline protection, providing ability to rip rap without tearing up above water habitat. Much shore is wooded, thus impedes allowing machinery for shoreline stabilization. On the other side, being environmentally conscious, I support concern for mussels. I realize the pistol grip mussel is pre-endangered, but there must be balance between this consideration and shoreline cleanup and preventing erosion. Mussel Studies the were inadequate. The pistol grip is a deep water mussel and the one found was at the edge of drawdown. Studies were inconclusive as to whether Claytor is a good habitat, if there is a prevalent population, or whether mitigating circumstances such as less frequent drawdown, less footage down, 3 instead of 5 ft, would accomplish both objectives. All effects of discontinuing drawdown should be considered and a compromise reached. Seventy five percent of shoreline owners report using drawdown to upkeep, clean, and maintain property affecting aesthetic value, lake cleanliness, and shoreline erosion. Some schedule of drawdown must be maintained. AEP says they do not drawdown other projects, but at many of these, water level varies greatly while Claytor is relatively stable.

AEP is proposing limiting low density residential dock size to 1000 square feet. With increased boat size and expense today, this is not adequate. Owners need docks large enough to safely accommodate boats and activities. The average wakeboard boat is around 24 feet and pontoon boats larger, thus requiring larger slips. Keeping dock space to 1000 sq. feet, in my experience and drawings that I have seen, doesn't allow meeting current safe building codes or safe walking/swim areas. Larger slip area to accommodate larger boats, causes walkways become narrower with poles in them limiting access to watching children safely swimming. The current proposal of 1000 square feet is inadequate, resulting in unsafe, noncode compliant cookie cutter docks. AEP encourages variation to support aesthetic value and view shed that is not possible within this regulation. They also say they want to maintain consistency from project to project, but other projects are allowed much more space. I suggest that dock regulations be reviewed and a plan similar to Smith Mountain Lake Shoreline dock regulations be implemented. Larger lots should be able to have larger docks and docks should be safe for all.

I am sure you are aware, many exceptions affect dock size: size of property, amount of shoreline, proximity to neighbors etc. These exceptions need a process for approval. Until recently the process has been to apply to the county for a zoning variance. The county has effectively worked with AEP to grant those variances if appropriate. More recently however, AEP has used FERC as an excuse to take exception with several variances approved by the county. AEP had letters sent to the property owners who obtained the zoning variance, threatening to tear down docks if they built them, even though they had county approval. I am greatly concerned that the process approved and previously agreed upon by AEP and the county is being questioned. This threatens my rights as a lake front property owner. I

recommend that the county retain the permitting process for variances and zoning, and that AEP be required to work with the county in support of this process, not at cross purposes. Currently, in addition, where AEP controls the permitting process, there are lengthy delays, as much as a year to obtain approval.

Finally, the Recreation Study proposes to mark the lake with channel markers. At first glance this is good, but there are coves and channels that are too narrow and markers being out in the water will cause more hazard than safety. This includes port and starboard markers in Peak Creek and Dublin Hollow that are the main ski/wakeboard areas on the lake and are narrow. As there are many boats in these areas during the day skiing/wakeboarding, there is enough hazard without adding poles in the water. They will cause safety hazards for boaters/skiers in high density use areas. There are proposed markers that need to be installed for safety such as shallow water and main channel, but not small narrow coves. In these, a pole out in the water will potentially cause accidents. They are just not necessary.

Thank you for consideration of my concerns. I hope AEP will be encouraged to continue working with property owners and local government insuring the best outcome for all.

Respectfully

Laura Walters

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