

11-27-09

Re: AEP Claytor Project FERC # P-739

Dear FERC,

I am writing to you in reference to AEP's relicensing application for the Claytor Hydro project. As a property owner, I am very concerned about several of the restrictions outlined in the shoreline management plan within this application. This plan is intended to protect the scenic, recreational and environmental values of the lake. I am very supportive of protecting these values; however I see several areas within the plan that contradicts this goal. I also see this plan having a negative economic impact for Pulaski County and property owners as a result of some of these restrictions.

The construction requirements set forth in this plan are impractical and very difficult to meet. I have outlined below some of these requirements and their subsequent impact.

- 1000 SF restriction for dock space developed within the project boundary

This area is calculated by using the entire footprint of the structure. Most property owners desire to construct a 2 bay boat slip within their dock which is allowed within the plan. However, almost half of the square footage allowed is taken up by the slip space. After constructing a storage area (48 SF) and stairs to an upper level, there is almost no dock space remaining on the lower level. In fact the area that remains to board a watercraft is very unsafe. There is a 3' 4" walkway left to enter a watercraft. This walkway is impeded by the main pilings supporting the structure. It is nearly impossible for a person with any disabilities to board a watercraft. There are also no deck space remaining for leisure areas and relaxing with covered protection from the sun and the elements. A modest increase in size could alleviate this concern and create a much safer environment to enjoy on the water.

- 16 FT Height Restriction

The height restriction does not allow for the construction of an enclosure over the main dock space and boat lifts. The majority of property owners desire to construct a roof over this space to create a leisure area that is covered where family and guests can enjoy the beauty of the lake while also being protected from the elements. There are certain instances where special considerations should be made prior to construction to promote the fair subdivision of lake front property and to not impede the view of adjoining neighbors. This can be accomplished by allowing Pulaski County to review these cases prior to the issuance of a building permit through a special use permit request. There are no negative environmental implications as a result of these types of structures. They enhance the recreational and scenic values of the property. Pulaski County is the best body to make such determinations regarding the fair subdivision of the property.

- Erosion Control Structures

The plan does not allow for the installation of retaining walls within the project boundary. While I support the use of erosion control stone as a means of shoreline stabilization, to facilitate aquatic life, there is often a secondary structure needed to support the immediate land mass behind the stone. Much of the land is too steep to support vegetative growth as a means of soil stabilization. Without the use of a secondary retention system such as a wall, the land will continue to erode until it fills in the area on the land side of the erosion control stone and begins to infiltrate the lake once again. The allowance of a secondary retention system would prevent additional and unnecessary sediments from eroding in to the lake.

- Suspension of the Annual Drawdown of the Lake

Property owners utilized this time to maintain their docks, to implement shoreline stabilization needs and to enhance the overall lakefront value of their property. There are many areas along the shoreline where this time was invaluable to those installing erosion control stone as the primary means of providing seawall protection to their property. As the water was drawn down, a contractor could have much easier access to build these structures. As a result of the drawdown suspension, these structures must be built by land. There is no way to cut a toe trench in under these circumstances to provide a good footing that will keep the wall of stone in place. The stone must simply be dumped in by land until the appropriate elevation above full pond is accomplished. This technique can be very costly to develop because of the larger quantities of stone needed. It also acts as a larger displacement value to the reservoirs ability to store water. The continued drawdown of the reservoir is essential to provide homeowners the time to perform these tasks responsibly.

Last but not least, I see no regards to the economic implications that will be spawned as a result of many of

these restrictions and construction requirements set forth in this plan. Claytor Lake has become one of the main economic engines and income producers for Pulaski County. The property owners have also made large investments in acquiring and developing this area within the County. It is imperative to continue that trend. Unnecessary restrictions and construction practices do not encourage responsible development nor does it protect the investments that owners have already made. I would like to thank you in advance for your careful consideration given to my comments.

Respectfully,

Eric Rorrer

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