Lake management plan to be shared

Duke could contribute $1M to buying tract

OUR NATURAL BEAUTY

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The opportunity is once-in-a-lifetime for the majority of us living today and a blueprint that will shape what environmental legacy the Upstate's next generation will inherit as the Upstate's demand for natural resources grows over the next half-century.

Preserving ancient forests. Generating electricity. Ensuring enough water to drink.

How Duke Energy manages the pristine waters of lakes Keowee and Jocassee will play a predominant role in determining the outcome – and the details of that covenant with the public are coming into focus now.

Today, Duke will share details of an "agreement in principle" with public stakeholders that has been three years in the making as the energy giant seeks an extension to its license to operate the Keowee and Jocassee hydroelectric stations for up to the next 50 years.

A review of the Keowee-Toxaway project agreement by GreenvilleOnline.com shows a number of compromises and enticements offered by Duke to secure the support it needs for a new license that must be in place by 2016.

The agreement lays out the management of Keowee and Jocassee's water levels: Who gets to take how much and under what circumstances. Oconee Nuclear Station, which uses the waters of Keowee to cool its reactors, will be modified so that it can operate on lower lake levels during times of severe drought.

And the branches of the preliminary agreement stretch beyond the lakes.

For example, Upstate environmentalists would get $1 million they have been seeking for the past five years to preserve the entirety of the long-treasured Nine Times Tract, 16,000 acres that would bridge a gateway to the Jocassee Gorges.



Duke Energy's "agreement in principle" outlines the management of water levels at lakes Keowee, above, and Jocassee. KEN OSBURN/STAFF

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Another $500,000 would go to fund a tower atop Sassafras Mountain, which stands far in the distance as South Carolina's highest peak. Oconee County's land conservation bank would get $600,000.

The caveat: It's all contingent on agreement across a spectrum of sometimes competing interests — and a November deadline to work it all out looms.

Subject to change

The federal government granted Duke Power (as it was called then) its current operating license in 1966, when the company ushered in the age of hydroelectric production. The nuclear station soon followed.

Four long-treasured rivers — Toxaway, Whitewater, Thompson and Horsepasture — reversed course as property was bought for less than $100 per acre and cleared and public access promised.

Power, drinking water and flood control followed. Later, residential and commercial development, mostly on Keowee, emerged as a competing interest.

The lakes and their respective hydro stations have operated under the current license that expires in August 2016.

The Federal Energy Regulatory Commission calls for Duke to engage the community and local government in the licensing process, to determine how to balance the "best future" for the projects for the next 30 to 50 years.

The company in 2009 enlisted 40 people from 22 organizations to represent the interest of stakeholders — environmental groups, tribal leaders, local and state government, water utilities, homeowners.

The group reached an initial set of compromises last September and edited the suggestions to draft the agreement in principle. The agreement is nonbinding and is subject to change after a public open house today.

The meeting is from 4 to 8 p.m. at Clemson University's Madren Center.

Team members will discuss the agreement with their constituencies to gauge their level of support.

At the end of the agreement is a form that allows for a 500-word explanation of why an interest might dissent from whatever agreement is reached.

In July, the team is asked to sign the agreement and report how well the agreement aligns with their interests.

The agreement will then be transformed into a binding relicensing agreement, scheduled to be signed in November, which will then be submitted to FERC in August 2014.

Go to GreenvilleOnline.com to see a video of how Lake Jocassee has recovered from drought and to view a complete copy of the Agreement in Principle.

Feeling 'optimistic'

Environmentalists won a key concession from Duke for a 16,000-acre tract to be taken off the real estate market and protected from development.

The Nine Times Tract is owned by Crescent Resources, a former real estate subsidiary of Duke Energy. The tract forms a crease where the Piedmont meets the Blue Ridge Mountains.

The land has some of the most diverse wildlife in the Southeast.

In 2008, the South Carolina chapter of the Nature Conservancy bought 560 acres of the tract from the environmental group Upstate Forever, which had acquired the property the year before.

Upstate Forever came up short in meeting the $3.5 million asking price for the entire tract but retained an option to buy it in hopes that it could raise enough funds.

The U.S. Forest Service provided a $400,000 grant to buy the remaining portion, a private do-

nor contributed $600,000 and the South Carolina Conservation Bank put in $1.5 million, Upstate Forever Deputy Director Van Whitehead said.

If the groups agree to new license provisions, Duke will contribute $1 million for Greenville conservation group Naturaland Trust to buy the remainder of the land, Duke spokeswoman Erin Culbert said.

The groups include the state Department of Natural Resources, Upstate Forever, South Carolina Wildlife Federation and Pickens County.

Environmentalists are focused on more than land preservation, with shoreline management and water quality at issue, as well, Whitehead said.

Upstate Forever hasn't been fully briefed on the agreement, he said.

"I can't say we've got the final vote," Whitehead said. "Obviously, we're hoping for a few other land conservation projects, but at the end of the day the process is about recognizing certain realities and compromises. I can't say what our ultimate vote will be, but we're optimistic."

Lake debate

The future of lake levels has been a major point of contention throughout the process, as the Upstate recently suffered two years of severe drought before winter and spring rains brought the lakes back up.

The company sees climate change in the future and has proposed new protocol in determining how low the lakes must be drawn down in times of drought.

The company must also meet obligations with the federally managed Lake Hartwell downstream that balance the Savannah River Basin.

The existing license allows Jocassee to be drawn down 30 feet from full pond, Keowee down 25 feet.

In practice, Keowee is dropped to a little more than five feet, a more-steady level than Jocassee, which this summer dropped more than 20 feet, because the Oconee Nuclear Station relies on Keowee for cooling.

The new license would allow Keowee to be dropped to a maximum of four feet and Jocassee to be lowered 14 feet during normal conditions.

Under the new agreement, Keowee could be dropped to 10 feet below full pond, however, if extreme drought conditions persist.

Duke has proposed that it wouldn't make flow releases that intentionally draw down Keowee more than 8.5 feet and would stop releases once hydro project's remaining usable water storage reaches 12 percent, Culbert said.

Modeling using the past 73 years of hydrological data shows Keowee wouldn't be drawn down more than 8 feet, Culbert said.

"It would take severe climate change with a much worse drought than the current drought of record to even reach an 8.5-foot drawdown," she said.

Recently, the state's drought committee, the U.S. Army Corps of Engineers and the U.S. Drought Monitor declared the Upstate to be free from drought. Duke Energy has maintained that its calculations still show the region in a mild state of drought.

The company will make alterations to the Oconee Nuclear Station to allow operations to continue under different lake level scenarios, Culbert said.

The company's current water-level management agreement with water utilities and the U.S. Army Corps of Engineers would become permanent. The agreement sets out guidelines for how much water can be drawn down during a drought and exactly how a drought state is determined.

The lakes will see improvements in recreation under the agreement's proposals.

The Devil's Fork State Park boat ramp on Lake Jocassee would be improved, along with the creation of a designated area for divers. Islands would be maintained and made available for public use, and banks would be open for fishing in most cases.