



August 13, 2013

Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 20426

**RE: Comment on FERC Draft EIS for Lake Martin (Project No. 349)**

Dear Secretary Bose:

The Lake Martin Home Owners and Boat Owners (HOBOS) Association, Inc. appreciates the opportunity provided by FERC to comment on the FERC Draft EIS as published by FERC. The licensing application, as filed by Alabama Power Company (APCo), contained several requests for improving the operation of Martin Dam and the surrounding area, the most important of which is the raising of the winter pool by three feet and a conditional extension of summer pool until October 15 each year when water is available.

FERC responded to APCo's request with a proposal that does not permit the requested water level adjustments. Subsequently, at the public hearing FERC conducted in the local area, FERC representatives presented more information on why the request was initially denied. Additional information was needed about the downstream area before further consideration could be made according to FERC representatives. Alabama Power assured FERC and the 700 stakeholders that the required information would be provided to improve the application request.

To provide concise input concerning this critical issue the Relicensing Committee of the Lake Martin HOBOS will address the stakeholders objecting to the APCo application.

**Downstream Farmers:** FERC's primary reason for denying APCo's requested lake level change was because of a perceived very small increase in the chance of flooding below Thurlow Dam if the lake levels were altered. APCo's modeling indicates that there is almost no change in flooding probability. APCo has further assured all that the additional information about some 24 structures downstream will be identified for FERC.

---

*Post Office Box 1030  
Dadeville, Alabama 36853-1030*

Recent filings by downstream farmers indicate that their primary interest does not deal with lake levels, but with who they can hold responsible in case of negligence in the operation of the water flow. In fact, three board members of the HOBOS met with several of the downstream farmers in 2012, at their invitation, to discuss their priorities. The meeting was held with their attorney in his office. The farmers specifically stated that they were not concerned with raising winter lake levels after the crops were harvested by November. The HOBOS request that FERC look more closely at the real issue involved with the denial of the APCo application.

As a point of clarification, the gentleman who spoke at the public hearing and described his home being flooded actually lives upstream of Lake Martin in the Wadley, Alabama, area. The rain fall from that event actually fell between Lake Harris and Lake Martin. He, unfortunately, was in the direct path of the rain event and no operation of any dam could have helped him. He also filed two comments with FERC's eComment.

**Corps of Engineers:** The Corps of Engineers comment filing of August 12, 2013, reviewed in conjunction with the Georgia EPD filing of August 13, 2013, seems to indicate some coordination between the two agencies, probably for the betterment of water supply in Atlanta. The HOBOS have a particular concern with this situation for the following reasons:

1. The Corps mentions navigation on the Alabama River several times. However they never explain to FERC that in 2012, they notified the public that operation of all locks on the Alabama River would cease due to lack of use. Only after public outcry, has the Corps agreed to open the locks on a very limited basis for the few bass boats, kayaks, and pontoon boats that may desire to pass through. There is **no** commercial transportation on the river, a fact the Corps failed to mention in their filing.

2. The Corps emphasizes in their filing that Lake Martin storage capability represents about half of all storage on the ACT system, yet they do not state that the lake would have to be drained down over 45 feet to reach that Conservation Storage level. The HOBOS request that FERC review the conservation level with APCo to reach a more realistic level.

3. The COE suggests several studies that need to be conducted before approving the increased winter water level. The Corps mythical "navigation" flow rate requirement of 4640 cfs, was established as an agreement (with no studies) many years ago. Perhaps with no true navigation requirements the downstream flow rate requirements should be studied by FERC, and reduced to a more realistic level by COE.

4. The HOBOS request that FERC take a very active role in the review of the COE ACT Operating Manual. It appears that COE wants to make changes in the operation of Lake Allatoona to possibly decrease downstream releases in the fall, and then drawdown the lake in December which could cause flooding potential on the Coosa system, not to mention changing flow rates in the fall on the Tallapoosa. Is this to help supply water to Atlanta?

**Georgia EPD:** The Georgia EPD has only one goal in mind that is to do everything possible to supply an unlimited availability of water to the Atlanta area. Georgia EPD has absolutely no jurisdiction in the operation of Martin Dam. While there does appear to be some coordination between COE and Georgia EPD, FERC must recognize this fact and rule accordingly.

Through five years of meetings and studies, APCo has submitted a well researched plan for Lake Martin's future. The interest level of stakeholders has remained strong throughout the process with all of the meetings well attended by organizations, FERC personnel, and government agency representatives. In addition to the attendance at the FERC public hearing, over 700 filings have been received by FERC, with less than six supporting the FERC decision.

Two economic impact studies were conducted. One study required by FERC and initiated during the scoping meetings by APCo, and the other study conducted by local companies and local government agencies. FERC initially has indicated it did not use these studies, but the local stakeholders feel that the studies must play an important role in any decision made. This decision isn't about some mythical navigation requirement, or some attempt to substitute Lake Martin's water for Lake Allatoona's water so Atlanta will be happy; it is about the very survival of the economies in this three county area.

The Lake Martin Home Owners and Boat Owners Association, Inc., support Alabama Power Company's Final License Application, as submitted.

FOR THE RELICENSING COMMITTEE:

Sincerely,

A handwritten signature in black ink that reads "Jesse M. Cunningham". The signature is written in a cursive, flowing style with a long, sweeping underline.

Jesse M. Cunningham  
Committee Chairman  
Lake Martin HOBOS