



DIVISION OF NATURAL RESOURCES
Wildlife Resources Section
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Joe Manchin III
Governor

Frank Jezioro
Director

April 23, 2009

Hon. Kimberly Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington DC 20426

**RE: COMMENTS ON PROPOSED STUDY PLANS
LONDON/MARMET HYDROELECTRIC PROJECT, P-1175-013
WINFIELD HYDROELECTRIC PROJECT, P-1290-011**

Dear Secretary Bose,

The West Virginia Division of Natural Resources (WVDNR) is providing comments in accordance with 18 CFR § 5.12 on the proposed study plans submitted by Appalachian Power Company (APC) for the London/Marmet Hydroelectric Project No. 1175, and the Winfield Hydroelectric Project No. 1290 located on the Kanawha River, Kanawha County, West Virginia.

1. Water Quality Study Plan, Page 6, Objective 3. APC proposes to “[s]upplement available data by collecting additional water quality data along transects located upstream and downstream of the London, Marmet and Winfield powerhouses from June 15th through September 15th during the study year.” The WVDNR recommends that the supplemental and transect information be collected through October 15th. October begins a new water year. Flows are generally lowest from August through October and should demonstrate the extremes for low dissolved oxygen and high temperature that could be expected during the year.
2. Water Quality Study Plan, Page 8, § 7 Schedule. The WVDNR recommends that the collection of water quality information extend to October 15th.

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3. Transmission Line Corridor Study Plan, Page 3, § 3 Objectives. The WVDNR requests that emphasis be placed on the search for Running Buffalo Clover, *Trifolium stoloniferum*, when conducting the botanical surveys at the London Development. Running Buffalo Clover is listed as an endangered species by the U.S. Fish and Wildlife Service. It is most frequently found in habitats with filtered sunlight that have had some kind of recent disturbance. In West Virginia running buffalo clover has been found on river terraces, jeep trails, old logging roads, skid roads, and wooded thickets.

4. Recreational Use Plan. On December 12, 2008, the Federal Energy Regulatory Commission (Commission) issued a letter to APC stating that the recreation management plan should be prepared in consultation with the Corps of Engineers and the West Virginia DNR, and should include, at a minimum, any plans for monitoring use of the projects' recreation facilities. On December 12, 2008, the WVDNR filed a letter regarding study requests with the Commission following the provisions of 18 CFR §5.9(b). In that letter the WVDNR recommended that "...APC utilize the protocol currently being employed by the Ohio River Fish Management Team at locks and dams throughout the Ohio River in consultation with the WVDNR." The WVDNR recommended that both the development tailwaters and pools be included in the study. Creel census information should be described separately for boat, bank, and pier anglers, for seasonal and monthly estimates. Initially, we propose that the study be repeated every five years throughout the duration of the license. It is the opinion of the WVDNR that the method presented by the Louis Berger Group in the Study Plan does not adequately measure the recreational use at the three projects or in the tailwaters. The WVDNR again recommends that a methodology be employed that incorporates random stratified sampling to capture weekend, week day, and holiday use. The survey should employ an experimental design that incorporates statistical analysis, and a questionnaire comparable with other West Virginia angler surveys. The angler use methodology should be based on standard practices currently used by the WVDNR. The WVDNR concurs with the other elements of the Recreational Use Study Plan.

Thank you for the opportunity to comment on the proposed study plans. If you have any questions regarding this letter please feel free to contact me at 304-825-6787, or by email at kerrybledsoe@wvdnr.gov.

Sincerely,



Kerry Bledsoe
Wildlife Resources Section

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