

November 6, 2002

Mr. John Morris
NC Division of Water Resources, DENR
1611 Mail Service Center
Raleigh, NC 27699-1611

Re: **High Rock Lake**
e-mail of 10/31/2002

Dear Mr. Morris,

Thank you for responding to my concerns about the operation of High Rock Lake. From the tone of your e-mail, I sensed you were somewhat irritated that we questioned operational data for the period 10/25 thru 11/1/2002. Please be assured it was not my intent to irritate anyone; rather, I felt your department needed to be aware of the perspective on lake operation shared by thousands of North Carolina Citizens who are relying upon your agency to protect our interests.

We do not share your view that the Protocol was "successful in reducing releases downstream"; and we are concerned that the Protocol gave Alcoa reason to request permission from FERC to be excused from their obligation to refill High Rock next spring. The Protocol actually increased Alcoa's mandatory downstream release after September 15 from 150 cfs to the "target" 900 cfs specified in the Protocol. We also recall that Alcoa began refilling High Rock Lake on July 21, apparently recognizing the tragic consequences of draining the lake down to 24.1 ft. below full; approximately six weeks before your announcement of the Protocol. We further recall that a huge fish kill **did** occur.

On numerous occasions our Association has requested to be made a party to meetings, conference calls, etc. that are facilitated by your office. If that had been the case, perhaps we would have knowledge of information, agreements, and other factors that are not evident from reading the Protocol as released to the public. That being said, I'm sure you can understand we have no choice but to rely upon a strict interpretation of the Protocol as published. That was the basis for our questions, and I must note that your agency has yet to respond to our specific questions.

Your web page points out the drought is not over, and we on High Rock are acutely aware of the demands on the waters of our lake and river. We continue to urge conservation of river flow and maintenance of high reserves in the event our recent rains do not continue. The extreme drought has taught us lessons for summer time operation, and I think we should reexamine the practice of "normal winter drawdown". Since Alcoa, NC DENR, and NCWRC have all expressed concern to FERC about the probability of low water next Spring; it would seem prudent to ask all parties to abide by the 900 cfs target flow rate when High Rock Lake appears headed towards a draw-down exceeding 5ft. below full pool. That would enhance the position of all parties next Spring if the drought continues, providing reserves going forward into summer.

We truly appreciate your concern and assistance on this matter. DWR's support will be helpful during future negotiations with Alcoa and FERC. We understand the importance of the re-licensing process; but, please remember we have five (5) years to go before a new license is issued. High Rock Lake is a very valuable asset to North Carolina, and we hope your continued support will help the High Rock Lake Association efforts to further enhance that value.

Cordially,

Larry O. Jones
President