

December 22, 2003. However, that filing did not result in the placement of Mr. Walker on the service list. The filing has not been rejected by the Commission and has been docketed (accession no. 20040115-0302. Hence, it appears that the intervention request was over looked by the Commission.

Therefore, should it be necessary, Mr. Walker requests late intervention in the relicensing proceeding for Dillsboro Dam and states as cause therefore under Rule 2008(b), that he was no aware that his intervention request of December 22, 2003, which was timely filed, had been overlooked by the Commission. Mr. Walker, as the owner and operator of a business, located immediately adjacent to the Dillsboro Dam and which involves an easement for access to his property euchres project lands, he has a direct interest at stake that is unique and not represented by any other party. Further, Mr. Walker has participated in these proceedings actively as evidence by his submission of comments and another intervention request for Project Nos. 2601, 2602, 2603 and 2619 on March 12, 2004.

Dillsboro Inn does not request late intervention in the licensing proceeding at this time as the surrender application filing appears to have stayed or rendered moot that proceeding by the initiation of a separate proceeding for consideration of the license's surrender with the removal of the dam and powerhouse.

All filings, orders, correspondence, and other notices respecting this

intervention should be sent to *each* of the following designees:

Thomas J. Walker
Dillsboro Inn
146 North River Road
P.O. Box 270
Dillsboro, NC 28725

Tel. 828-586-3898
E-mail: info@dillsboroinn.com

Protest and Comments. The Dillsboro Inn is located in the Town of Dillsboro immediately downstream of the project's tailrace on the right bank of the Tuckasegee River. A significant attribute of the Inn's setting is the aesthetic values of the dam from the white-sounds and views of water flowing over the dam. Several of the guest rooms and common areas offer panoramic views of the dam. See www/dillsboroinn.com for a view of the dam from one of the common areas. In addition, a significant number of guests enjoy the impoundment and downstream area for passive and active recreational opportunities.

The dam and the Inn serve as a significant draw for tourism in the Town of Dillsboro and the adjacent City of Sylva, the Jackson County seat.

Included herein as Attachments A, B, and C are copies of Mr. Walker's December 2003 cover letter transmitting over 1,100 signatures supporting the dam's continued use, and several letters from Mr. Walker to the Commission that were included in the previous filings of Mr. Walker.

The March 12, 2004 filing transmitted a March 3, 2004 report prepared by Engineering & Hydrosystems Inc., that provides for the Dillsboro Project comments and a suggested approach for the assessment of the dam's continued use is incorporated by reference as if set forth fully herein. (See accession nos. 20040315-0058 and 20040315-0059). Similarly, the December 22, 2004 filing, and in particular the more than 1,100 signatures supporting "saving and improving the Dillsboro Dam, enhancing and dredging the Dillsboro Lake and developing a river park system above and below the Dillsboro Dam," is incorporated by reference herein.

The license surrender application for the Dillsboro License proposes the complete removal of the dam and powerhouse as part of two settlement agreements concerning the relicensing of projects located upstream and downstream of the Dillsboro Dam as well as other project's located on entirely different rivers and some in different river basins.

The Dillsboro Dam's impoundment is part of a ten-mile long segment of a catch and release, cold water trout fishery. This area and upstream was rated by Field & Stream as the best trout fishery in the southeast United States. This area of the river supports recreational fishing by tourist and local residents that will be adversely impacted by the dam's removal. Those impacts have been inadequately addressed in the surrender application and certainly not mitigated by the applicant's use of pre-filing settlements.

Movants are concerned the removal of the dam and cessation of power generation will have an adverse impact upon the socio-economics of the Town of Dillsboro, adjacent communities, Jackson County and Western North Carolina. These impacts, particularly secondary or indirect impacts have not been fully assessed in the application. For example, the impacts of removing the dam as a buffer dam and dividing point between cold and warm water fisheries will impact uses of the river that will have a direct and indirect impacts upon local tourism, recreation, lodging, etc.. The removal of the dam as migration for other hydro projects will not offer sufficient benefits to mitigate these impacts. The settlements payments to the Town of Dillsboro are insufficient and certainly not based upon any assessment of the need for monetary compensation to offset adverse impacts to the local communities and Dillsboro Inn caused by the dam's removal.

The impacts upon the established habitats surrounding and benefitting from the Dillsboro impoundment has been ignored in the surrender application and settlement processes. Hence, there is a need for assessment of the dam's removal upon these long established habitats. In particular, the impact of the dam's removal upon the established cold water fishery upstream of the dam needs to be assessed. The trout fishing and associated tourism seasons are now approaching nine months and are a tremendous benefit to local businesses and the economies of western North Carolina. In contrast, the benefits of the additional whitewater recreation in the upstream segment, the season for which

will remain approximately four months, is speculative at best. That some may canoe or kayak the segment downstream of the East and West Fork projects through the Town of Dillsboro does not justify the dam's removal. Indeed, from an soci-economic point of view maintaining the dam with boating passage facilities by encouraging boaters to shop, sleep and eat in the Town of Dillsboro when portaging the dam.

The removal of the dam will create a river segment that is denuded of shade and vegetation for a significant period of time following the dam's removal. The river segment is likely to be heavily braided with sediment chokes and swallow water. Hence, the boating experience will not be of sufficient quality to attract new tourism and economic activity. It certainly will not draw boaters away from the well known boating and rafting opportunities already offered and being expanded on rivers such as the Nantahala, Ocoee, and lower Tuckasegee rivers. The Commission must assess the resulting boating opportunity presented by the dam's removal with those current and additional opportunities being created at the Tapoco Project, FERC Project No. 2169, the Yadkin Project, FERC Project No. 2197, and on other rivers in Western North Carolina including the Nantahala River and the Ocoee, Chattooga and Oconoluftee rivers. It is respectfully submitted that the dam's removal will not result in unique boating opportunities such that the dam's removal is warranted.

The value of the dam's removal as "off-site" mitigation for other projects

ATTACHMENT A

P-2602-005

To Magalie Roman Salas
Secretary
Federal Energy regulatory Commission
888 First Street, N.E.
Washington, DC 20426

ORIGINAL

Dear Mrs. Salas

I would like to submit my request to become an intervener in the FERC relicensing project #2602 involving Duke Energy Corporations (Nantahala P&L division). NP&L is located in Franklin, N. C. and is currently seeking renewal of its hydroelectric facilities. I respectfully request just cause for my request for intervener status because of the location of my home and business which is right next to and at the base of the Duke Owned Dillsboro Hydro facility and my awareness of the hydrology and conditions of the Tuckasegee Watershed. I am a member of the town of Dillsboro parks advisory board and the Dillsboro Merchants Association. I have followed and studied the related issues earnestly and diligently over the past 3 years while our community has wrestled with a proposed trial balloon to remove the Dillsboro Dam. For a 5 month period I was a member of the Tuckasegee stakeholder team but choose to resign 'in protest' because of the way this stakeholder team, with a restrictive charter was, in my opinion, being controlled and did not allow for public and environmental education and community wide interaction. I resigned just after threats, through the moderator, to have me thrown off the "team" because of efforts to discuss the Issues with our Town board and Jackson County Commission after I did do just that. I regret to say the stakeholder process that occurred in our community was exclusive and was done with much prejudice.

For starters I respectfully submit articles of information that convey my concerns and some qualifications. May I say that since my home, business and community is impacted so greatly by the intensions of Duke Energy to possibly remove the Dillsboro Dam, that I have gone to some length to attend Dam Removal workshops and study the sciences of dam removal and sediment management. The impacts of the lack of sediment management in the Tuckasegee Watershed over the last few decades, coupled with increased development, do necessitate a greater demand for sedimentation management in association with hydro energy in these FERC relicensing hearings.

The role that the Dillsboro Dam plays with respect to flood control at my location is significant and not addressed in any studies. This year on 3 different occasions we had high water events. That is when the river swells up the banks of the reservoir 8 feet and that amounts to 12 feet above the ground level of my property and that water level is just 400 feet from my buildings on the other side of the Dam.

There are other pertinent issues with respect to tourism and the economy as the dam is a draw to a lot of people and is the single most photographed site in our county. Field and Stream magazine rated our river the best Trout fishery in the eastern US and the Dam acts as a separation point between cold water fish(trout) and warm water species.

I could go on and on but please read some of this material I am sending and I will be forwarding more thoughts and pertinent material as we get further along in the process. Thank you for your consideration. All the best and happy holidays. Respectfully

T.J. Walker

FILED
OFFICE OF THE
SECRETARY

23 DEC 22 P 4: 36

FEDERAL ENERGY
LAWYER COMMISSION

*Attachments / E-library

ATTACHMENT B

To Magalie Roman Salas
Secretary
Federal Energy regulatory Commission
888 First Street, N.E.
Washington, DC 20426
FERC Projects Nos. 2601, 2602, 2603, 2619

12/20/03

Dear Mrs. Salas

I would like to submit my request to become an intervener in the FERC relicensing project #2602 involving Duke Energy Corporations (Nantahala P&L division). NP&L is located in Franklin, N. C. and is currently seeking renewal of its hydroelectric facilities. I respectfully request just cause for my request for intervener status because of the location of my home and business which is right next to and at the base of the Duke Owned Dillsboro Hydro facility and my awareness of the hydrology and conditions of the Tuckasegee Watershed. I am a member of the town of Dillsboro parks advisory board and the Dillsboro Merchants Association. I have followed and studied the related issues earnestly and diligently over the past 3 years while our community has wrestled with a proposed trial balloon to remove the Dillsboro Dam. For a 5 month period I was a member of the Tuckasegee stakeholder team but choose to resign 'in protest' because of the way this stakeholder team, with a restrictive charter was, in my opinion, being controlled and did not allow for public and environmental education and community wide interaction. I resigned just after threats, through the moderator, to have me thrown off the "team" because of efforts to discuss the Issues with our Town board and Jackson County Commission after I did do just that. I regret to say the stakeholder process that occurred in our community was exclusive and was done with much prejudice.

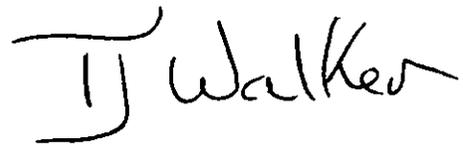
For starters I respectfully submit articles of information that convey my concerns and some qualifications. May I say that since my home, business and community is impacted so greatly by the intensions of Duke Energy to possibly remove the Dillsboro Dam, that I have gone to some length to attend Dam Removal workshops and study the sciences of dam removal and sediment management. The impacts of the lack of sediment management in the Tuckasegee Watershed over the last few decades, coupled with increased development, do necessitate a greater demand for sedimentation management in association with hydro energy in these FERC relicensing hearings.

The role that the Dillsboro Dam plays with respect to flood control at my location is significant and not addressed in any studies. This year on 3 different occasions we had high water events. That is when the river swells up the banks of the reservoir 8 feet and that amounts to 12 feet above the ground level of my property and that water level is just 400 feet from my buildings on the other side of the Dam.

There are other pertinent issues with respect to tourism and the economy as the dam is a draw to a lot of people and is the single most photographed site in our county. Field and Stream magazine rated our river the best Trout fishery in the eastern US and the Dam acts as a separation point between cold water fish(trout) and warm water species.

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T.J. Walker



consulting group estimates. We will be following up on the impacts and science of Dam removal research and sediment control examining this situation closely. We also beg your consideration as we, in the future, want to thoroughly look at the 'best management practices' with respect to Watershed sediment management practices. Thank You for your consideration.



Sincerely, Thomas J Walker

ATTACHMENT C

03/10/04

Thomas Joseph Walker
146 north River Road
Dillsboro, North Carolina
828 5863898

To Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, DC 20426

Re. FERC Project Nos. 2601, 2602, 2603, and 2619

A thorough investigation into the history of the Dillsboro Dam and Reservoir should be conducted and considered during any deliberation on whether to remove the Dam and drain the Dillsboro Reservoir or not. In a book published by The Heinz Center, after years of research, 'Dam Removal, Science and Decision Making', recommendations were made from a panel that studied the 'Economic, Environmental and Social Outcomes of Dam Removal'. This panel chose a 'Three part Task' in approaching the Issues: (1) Outline the nature of likely environmental, economic and social outcomes of dam removal; (2) define indicators for measuring and monitoring outcomes; and (3) indicate sources of useful information for researchers and decision makers considering dam removal. I would like to represent and express the concerns for a dozen neighbors (#3-sources of useful information) who all live adjacent to the Dam and Reservoir, and call to question in these scoping comments, a thorough analysis of likely outcomes (#1), considering that much historical, cultural and economic elements have been left out of the decision making process determining the fate of the Dillsboro Dam. That what has been omitted by the Tuckaseegee Stakeholder process and agreement is a historical and social study that might have had significant bearing on the environmental integrity and physical relationships associated with dam removal at Dillsboro.

Many people who grew up and still live in this neighborhood and have had an extended role in the cultural fabric and historical picture in relation to the Dillsboro Dam have had important stories to be told. These stories, so far, have been left out of this decision making process because there has not been a worthwhile attempt to recognize this dam's history in an inclusive manner. As well, in recent years, there has been a public relations campaign forwarding and representing a corporate agenda while at the same time intentionally allowing for certain "sins of omission", to minimize history, culture and commerce that the Dillsboro Dam and Reservoir have been responsible for. In these scoping comments I hope to shed some light on a few of these examples. In an effort to prepare these scoping comments, I have recently interviewed over a dozen long time residents about how things use to be in relation to the Dam and shared mutual concerns about our neighborhood. This research coupled with my participation at Dam Removal conferences, beneficial research and visits from and with a Dam Removal and Watershed expert (please review Dr Annandale's summation), and in no small measure my own experiential relationship for 9 years of living and working next to the Dillsboro dam has allowed for a measure of education and beneficial awareness in this field, adding to my back round in environmental education. With a little review and scrutiny of the above mentioned "Dam Removal, Science and Decision Making", reaffirming my long held convictions that this deliberation process lacks important social and environmental information and education, for and about our communities experience with the Dam. That in no small measure, important social and historical information is being overlooked and ignored in this process to date.

It should be mentioned that the cultural demeanor of 'country people' has a certain impediments that has not always allowed for a readily inclusive response to public participation, particularly in a crisis such as this. That there are long standing social ways and challenges for isolated people of southern Appalachia to 'come out' and be proactive with levels of participation in a public process that has challenged the most skilled contemporary members of our community. There are many adults and senior citizens who are culturally rich and yet have limited experience representing themselves in the

public arena. People who have lived for close to a century (one neighbor who lives a block from the Dam has lived a century) and have grown up with ancestors living and working in homes and industries powered by this Dam, adjacent to this dam and along the banks of the mile long reservoir. People that have been left out of this Dam removal process because many have been unable to attend extensive meetings that lack culturally inclusive formats for participation by people 'of country'. Individuals and families who have had experiential and cultural ties to our river valley and who remember many important facts and historical events that took place around the Dillsboro Dam and Reservoir in the preceding generations.

I must mention here about previously filed concerns from myself and other intervener sources and observers, about the impediments and short comings of a stakeholder process that included very little social and historical study. A stakeholder derived, dam removal, decision-making process that did not include the ancestral people (after the Cherokee Indians) who live in this affected neighborhood. That half of the dam and 3/4 of the .08 mile Dillsboro reservoir is not in the town of Dillsboro's borders. That most of these folks are Jackson County residents. And that many people in this neighborhood feel that the Town of Dillsboro (who signed a 4, "strongly disagreeing with the Dam's removal proposal", yet was reflected as signing on, as affirmative, to the stakeholder agreement) were led down a limited path, did not stick up for the Dam well enough, and gave in too easily to Duke Energy's relentless quest to remove the Dam. We question a stakeholder agreement that was hardly open to allow for historical and social research and findings (I resigned from the stakeholder team because of its restrictive bylaws and threatened expulsion from the team, over a discussion, at a town board meeting, about the lack of public information and environmental education).

It turns out that from discussions with these long time residents in and about our neighborhood, that there are significant physical effects to the rivers bathymetry that is related to the history of human activity and industry on the river above the Dillsboro Dam. That there has been types of commerce, historical events and cultural practices, some of which occurred on a regular basis on the Dillsboro Reservoir, that have not been studied or considered by Duke Energy or the Resource Agencies advocating and studying Dam Removal. Activities that have had major impacts and bearing on the depth of the reservoir, from right next to the Dam, up to 3/4 of a mile above it and how this affects sediment quantities and projected downstream impacts. How important would it be, for stakeholder scientists and dam removal advocates, to know about physical objects and possible contaminants, in the sediment, under the water and on the shorelines, pertinent to neighborhood concerns and fears, from people with awareness of past human activity and industry, on the river, above the Dillsboro Dam? An environmental past having important biological and physical consequences, that has not been considered in the context of and in relation to the extremely important issue of Sediment Management and Release, in quantity and quality.

There is a body of information and facts about the existence of extensive dredging practices that took place over a period of time in the 40's 50's and into the 60's, that was a cottage industry and had impacts on the environmental integrity and depth of the Dillsboro Reservoir. That is, annual dredging operations, not just periodic dredging every decade or so for the benefit of cleaning the reservoir of sediment. I am submitting for your review an overhead map and pointing out the extent of acreage

on both sides of the reservoir that had 25' piles of sediment, primarily sand, in multiple high mounds on both sides of the reservoir, extending some $\frac{3}{4}$ of a mile up the reservoir. This surprising information was compiled from different families were not only familiar with these operations, but whose fathers were in the dredging business themselves. There has not been any effort to recognize this past industry and in fact, there has been a concerted effort to completely avoid the issue of dredging at all on the Dillsboro Reservoir. This has been reflected in repeated stated intensions of Duke Energy to remove the dam without any dredging in previous proposals during the trail balloon stages of the stakeholder process and in the final stakeholder agreement. Proposals lacking any existence of a sediment problem or management plan associated with Dam removal and forwarded, to date, in the Environmental Assessment prepared by Duke Energy consultants. Studies minimizing the amount of sediment in the reservoir based on the height of the Dam and minimum depth projections of the river bed above the Dam. This error can be understood because above and below the dam and reservoir, for the most part, there is a relatively shallow, bedrock river bed. However there are sections of the Turchasee River that have deeper pools throughout the watershed and Dillsboro has some unique physical and mountainous characteristics. It is evident that in this stretch of the river valley the Dam was built on a rock formation, with natural deep pools ahead of it. That for these reasons the Dam was likely built at this location in the first place. I have been told by dozens of residents over the last three years, people who know that I have inherited this issue next to the Dam, people who use to swim in the reservoir as children, that when it was regularly dredged, that there was deep holes in the river behind the Dam, as much as 28' deep, and then continuous reports of greater depths than projected in the EA, $\frac{1}{2}$ to $\frac{3}{4}$ of a mile up the reservoir. That there was a deeper channel, as much as 18' deep, on the north side of the river around and well past the bend in the river and that dredging took place $\frac{3}{4}$ of a mile up the reservoir. The history on the type of dredging must also be studied because at regular intervals, drag line and bucket scooping practices were in effect. In any event, this information would be surprising to the scientists who have worked for this Dam Removal, including the resource agencies with their critical 'conditioning mandatory authority'. We understand that the depth of the reservoir is critical in determining the amount of accumulated sediment behind the Dam. Because of possible devastating downstream effects of significantly higher accumulations of sediment than projected, affecting our tourism based businesses and economy of the river. We ask for a 3rd party study (other than Duke Energy hired consultants or resource agency contractors) to determine some of these questions considering this collective environmental history. That this 3rd party study be paid for by the licensee and that a same 3rd party review and monitoring be mandated for all past, current and future studies related to Dam removal, although I believe you will find that there have been few such studies done at Dillsboro (except for a sound study done on the whitesound of the Dam). That the depth of deposited sediment, without knowing the original bathymetry, can be determined using sub-bottom profiling technology and side scan radar. Because of the lack of any dredging, as a management practice in the past 30 years in the reservoir in this neighborhood, I have done my own study on reservoir depths. The current depth of the river (top of the sediment) averages 4' to 5' deep below the water surface at minimum flows, all of $\frac{3}{4}$ of a mile up the reservoir. Please refer to previous articles and statements

on sediment management and recreation with respect to the Dillsboro Dam and Reservoir and the proposed removal.

Environmental and economic impact studies have not been done with respect to fish and wildlife in the reservoir if the water levels are lowered. And studies that were done need to have a third party review to determine any greater need assessment and scope out any bias toward dam removal, that certain agencies involved, have been prone to display by there actions and omissions in this process. Especially in relation to the endangered species act and the endangered Elk toe mussel that exists above and below the Dillsboro Dam. In 1958, the reservoir was completely drained for a number days to construct an additional 3' cap on the top of the dam. At that time, "scattered from one end to the other" of the reservoir there was exposure and significant presence of a certain kind of muscle was startling to neighbors who live on the reservoir. We know about the Elk toe muscle being above and below the reservoir, but we may need to get an identity of these crustations that existed in the past in significant quantities on and in the sediment above the Dam at Dillsboro. There has been no wildlife studies done related to this matter, in the reservoir.

As a historic neighborhood we are very concerned about property values, loss of quality fishing locations, poor aesthetics and have other economic and cultural concerns related to what seems to be a poorly planned and funded Dam Removal initiative, being railroaded through our neighborhood. Considering the greater challenges that exist buried under the water of the reservoir that have not been studied, we question and challenge the willingness of Duke Energy and certain resource agencies, who seem to be exercising complicity for dam removal at Dillsboro, to make the right choices and their willingness to do the right things associated with comprehensive remediation and restoration of our run of the river Reservoir in this neighborhood. A neighborhood not only within the town of Dillsboro, but of the full length and boundary of the mile long reservoir connected to the Dillsboro Dam, in Jackson County and above and below the river valley in this part of the watershed... We believe that the Dillsboro Dam and reservoir should stand alone when being weighed in the scope of all the other dams in Jackson County and the Turchasegee system. I was a stakeholder for over a 6 month period and it appeared to me and other participants and observers that the Dillsboro Dam was being leveraged and trade offs where being waged for approval of one proposal against the given theme that dam removal, at least in that process. I ask that the Dillsboro Dam Removal related issues and values 'stand alone' in the context of mitigation. I and many neighbors feel that at a last resort, with the FERC deliberation process and due diligence, that if it is determined to allow for the surrendering of the license and the Dam removal is sanctioned. That full consideration and equal values and resources be applied so one valuable infrastructure is replaced with another infrastructure insuring stable or increased property values and aesthetics. That after a comprehensive study of reservoir history and environmental issues, there be extensive clean up and appropriate dredging sensitive to the adapted reverie ecology, at the appropriate depths.

There are also omissions about historical events such as the 1940 flood that washed out a large metal span bridge (old Sylva Road Bridge) much of which still sits on the bottom of Dillsboro reservoir. What is going be done about this large 300' long base and roadbed of the bridge (see picture) sitting lengthwise along the southern shoreline just 300 yards above the Dillsboro Dam.

resulting drop in the tampering effects of the current water levels? What kind of erosion problems are we going to experience on the already steep banks of the reservoir? What kind of debris and discards of like nature are going to then be visible in the falling or exposed fill and fluvial material? And what is being recommended to address increased stream bank elevations, slopes and increased depths of shorelines. Because of these conditions and relationships, the challenges of stabilization, aesthetics and access along this stretch of the river, planned and implemented with nothing short of installing a partial river rock infrastructure of varied appropriately sizes appropriately buffered by best management shoreline restoration practices, on the shoreline of this .08 mile stretch of run of the river reservoir. We strongly ask for 3rd party reviews of all plans and monitoring of all installation projects funded by who ever is implementing the project. This is being done on other river restoration projects in this country.

Then there is the concerns and observations from people who grew up on the reservoir of indiscriminant dumping in the reservoir and a possible location where toxic substances were disposed o (not fully established) on the shoreline of the reservoir. I can personally attest to this past practice of indiscriminate dumping. I have had to excavate and clean a section my own riverfront property that is next to and used to be an indiscriminant dumping location. I have a background in solid waste management and education and understand that as a whole, 'we are a throw away nation', and indiscriminate waste disposal is a problem in every region of this country. There is plenty of evidence still in the river and in front of my Inn and the riverfront park next to my Inn. This park property was once owned by Nantahala Power and Light and given to the town of Dillsboro some 5 years ago. But this land, as like, much of the property of the on the banks of the Dillsboro Reservoir, that primarily is owned by now Duke Energy utility company is not managed at all and appears abandoned. That type of scenario is known to invite the certain percentage of people in our society that do not observe any etiquette in waste disposal. For the first two years of my residence here I personally had to maintain the Nantahala Power and Light owned park next to me in order to keep it from looking like an abandoned eye sore. To this day there is acreage up and down the Dillsboro Reservoir that is not managed or maintained in one form or another and appears to be abandoned. As a matter of fact any observation, from afar or close up, of the Historic Dillsboro Powerhouse, will give one that same impression. There is little proof in this neighborhood of good stewardship on Duke Energy owned property. Again, this type of neglect from an aesthetic point of view alone may result in a degradation of ethical standards and encourage indiscriminate dumping of all kinds.

There is no doubt that this river valley has a rural history yet there had been in existence prior to the most recent decades, commerce to a significant degree. Commerce that has moved on and has been replaced by a different economy but it has left its mark. History buried not only in the sands of time, but in the sediment of the Dillsboro reservoir (that has not been dredged to any extent in 28 years).

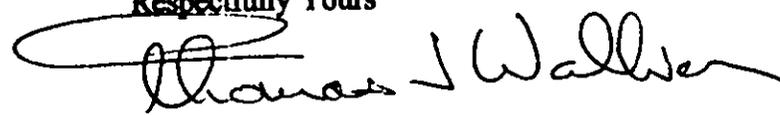
Consequently those of us who have homes and businesses around the Dam have personal concerns, major reservations and fears about the values of our properties and the quality of our life if this Dam is removed. We want to be more involved in preserving the Dam as a monument to the hydroelectric business that it is. I ask that the Federal Energy Regulation Commission not take this request to surrender this license lightly. I offer my services, both as an innkeeper (at whatever government rate

you request and then some gratis hospitality if necessary) and as a neighborhood lesson to garner any of the above input I have personally accumulated from neighbors, informally as it may have been. I reiterate my request from last December to act as an intervener, and I apologize for not sending the appropriate amounts of copies for that request. I was operating from your on line instructions and informal conversations with FERC representatives over the phone. I submit to you the accompanying report from Dr. George Annandale of Energy & Hydrosystems Inc. And I highly recommend for the benefit of all the Dams and Reservoirs, with their individual and collective design life challenges throughout the Tuchasegee Watershed, that the concepts of Life Cycle Management be thoroughly investigated and recommended for all the projects in this region, especially considering our geographic location, geological and fluvial conditions and the challenging projections for future growth and development that this region will experience in the coming decades. To that effect I feel that capacity to generate power at the Dillsboro Dam could be significantly improved with best management practices and current technological improvements. That the design of the Dillsboro Dam, with the existence of its tainter gates, could be used in the context of Reservoir Management that is recommended in his approach of Life cycle management. He has already presented that concept to over 60 members of our community and this design approach, which is obviously part of the original designed and current infrastructure of the Dam as is, is very feasible for the Dillsboro Dam and is well recognized by Jackson County planners.

I want to apologize for any statements made toward any of the above mentioned, diligent employees of Duke Energy Corporation, resource agents or stakeholders who were involvement in that process and who may be offended by any of my statements.

I am also forwarding for your review some other material and a copy of my resume to qualify some of my statements and experience.

Respectfully Yours



Thomas J. Walker, T.J.
 Owner/operator
 The Dillsboro Inn
 Next to the dam at Dillsboro
 Dillsboro Dam Stakeholder

THOMAS J. WALKER, JR.
225 River Road
P.O. 270
Dillsboro , N. C. 28725

EXPERIENCE

1978-
1995

MAGIC GARDENS LANDSCAPING & TOPSOIL, INC.

President

- * Landscaping consulting , Installation, Maintenance contractor.
- * Compost and topsoil marketing related to the landscaping industry and organic markets.
- * Commercial landscape property management including ; irrigation inspection and repair , aboriculture consulting , tree pruning and corrective trimming and turf management .
- * Residential landscape installation , flower garden installation, drainage , excavation and organic foundation landscaping for new construction .
- * Current maintenance accounts : Saint Anthony's school and Church , First Baptist Church of Fort Lauderdale , Third Ave. Associates and Numerous parking lots in downtown Fort Lauderdale and residential maintenance clients.

1984- 1994

WASTE RECYCLING FACILITIES, INC.

Operations , Marketing , and Horticultural Soecialist

- * Consulting and exploration in compost management , Utilization and marketing.
- * Promote the benefits of compost products as a soil amendment .
- * Education , demonstration and promotion of Composting in the solid waste industry .

1991-1992

WASTE MAGIC RECYCLERS, INC.

Consultant / Legislative Liaison

1995- Present

DILLSBORO INN - Owner - Operator - Gardener

GOVERNMENTAL AND CIVIC ACTIVITIES

Broward County Office of Natural Resource Protection

Advisory Board (1/91-1/95)

- * ONRP - Director Search Committee
- * Ground Water Committee
- * Planning and Policy Committee
- * Resource Recovery
- * Tree maintenance ordinance
- Compliance Committee-Chair

Broward County Resource Recovery Board

Technical Advisory Committee - Citizen Representative (1991- 1995)

- * Yard Waste Diversion Committee - Chair (91-92)
- * Assist Recycling Coordinator in Program Development
- * MRF Contract & Negotiation Committee

Broward County Environmental Education Council

- * Founding Member - (1991) * Horticultural Industry rep.
- * Board Chairman - (1992 - 1993)
- * Activity Calender Committee * Resource Directory Committee
- * Fund Raising & Grant Writing

Environmental Coalition of Broward County

- * Director - (1983 - 1993) * Vice President - (1984-1985, 1990-1991)
- * Earth Day Broward - Chairman (March, 1991)
- * Sierra Club - (1985-1992) * Conservation Committee (1989-1991)

Stranahan House

- * Board of Directors - (1987-1988) * Landscape Consulting and Installation during restoration
- * Landscape Maintenance (1983-1988)

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