

161 FERC ¶ 62,216

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Duke Energy Carolinas, LLC

Project No. 2232-653

ORDER MODIFYING AND APPROVING RECREATION MANAGEMENT PLAN
PURSUANT TO ARTICLE 407

(Issued December 19, 2017)

1. On November 14, 2016, Duke Energy Carolinas, LLC (Duke Energy or licensee), licensee for the Catawba-Wateree Hydroelectric Project No. 2232, filed a Recreation Management Plan, pursuant to Article 407 of the project license.¹ The project is located on the Catawba and Wateree Rivers in Burke, McDowell, Caldwell, Catawba, Alexander, Iredell, Mecklenburg, Lincoln, and Gaston counties, North Carolina, and York, Lancaster, Chester, Fairfield, and Kershaw counties, South Carolina. The project does not occupy federal lands.

I. Project Description

2. The 819.102 megawatt (MW) Catawba-Wateree project is located on an approximately 300-mile stretch of the Catawba River, a major tributary of the Wateree River. The project consists of the following 11 developments, from upstream to downstream: (1) Bridgewater at River Mile (RM) 279.6; (2) Rhodhiss at RM 248.0; (3) Oxford at RM 230.0; (4) Lookout Shoals at RM 220.3; (5) Cowans Ford at RM 186.9; (6) Mountain Island at RM 171.5; (7) Wylie at RM 143.5; (8) Fishing Creek at RM 104.8; (9) Great Falls - Dearborn at RM 101.5; (10) Rocky Creek - Cedar Creek at RM 99.3; and (11) Wateree at RM 76.85. Each development includes one or more dams, impoundments, powerhouses, and recreation facilities. The existing project recreation sites are spread out across 10 of the 11 developments.²

¹ Commission staff issued a new license for the project on November 25, 2015. *Duke Energy Carolinas, LLC*, 153 FERC ¶ 62,134 (2015) (License Order), *Order on Rehearing*, 156 FERC ¶ 61,010 (2016) (Rehearing Order).

² While there are no existing project recreation sites at the Great Falls – Dearborn
(continued ...)

II. Background

3. On August 29, 2006, Duke Energy filed an application for a new license to continue to operate and maintain the project. In its license application, Duke Energy included a Comprehensive Relicensing Agreement (Relicensing Agreement).³ Duke Energy and 69 other entities signed the Relicensing Agreement, which resolved all of the entities' outstanding issues associated with the relicensing of the project (except fish passage) and included a number of proposed license articles. Duke Energy adopted the Relicensing Agreement's terms as its relicensing proposal. Commission staff's final Environmental Impact Statement recommended issuance of a new license as proposed by Duke Energy, with some additional staff-recommended measures.

4. To enhance recreational opportunities at the project, the November 25, 2015 License Order required Duke Energy to develop and implement a Recreation Management Plan to guide the construction of the proposed recreation enhancements and to establish the operation and maintenance responsibilities for all project recreation facilities throughout the term of the license. Article 407 requires the licensee to file a Recreation Management Plan for Commission approval. The plan is to include the following:

(1) Provisions for the continued operation and maintenance of the existing project recreation sites described on pages E5-11 through E5-57 of the license application, and clarified in additional information filed on February 13, 2015 and June 12, 2015 (and identified in Article 407).⁴

Development, the Recreation Management Plan proposes several recreational boating-related facilities at this development.

³ On December 29, 2006, Duke Energy filed a revised Relicensing Agreement that (1) removed from the list of parties to the agreement those entities that did not sign the agreement, (2) deleted actions that were contingent upon those entities becoming a signatory, (3) reflected actions already taken, and (4) corrected typographical and grammatical errors.

⁴ Article 407 identifies 58 existing project recreation sites respective to the following developments: six at Bridgewater; six at Rhodhiss; seven at Oxford; two at Lookout Shoals; 13 at Cowans Ford; two at Mountain Island; 10 at Wylie; two at Fishing Creek; two at Rocky Creek - Cedar Creek; and eight at Wateree. License Order, 153 FERC ¶ 62,134 at 102-103.

- (2) Provisions for the construction, operation, and maintenance of new recreation sites or enhancements to existing recreation sites proposed in section 10.1.1 of the Relicensing Agreement filed December 29, 2006 (and specified in Article 407).
- (3) For each measure identified in (2), conceptual drawings and specifications, and a schedule for implementing each measure, grouped in five year increments, with all measures completed within 20 years of Commission approval of the plan.
- (4) Provisions to evaluate the need for, and, if necessary, implement improvements to the portage trails and signage at the Bridgewater Access Area and Rhodhiss Dam Canoe Portage.
- (5) Provisions for wildlife viewing facilities (e.g., wildlife viewing platforms) that are determined to be needed and feasible, after consultation with the North Carolina Wildlife Resources Commission (North Carolina Wildlife Resources) and South Carolina Department of Natural Resources (South Carolina DNR), at selected project recreation sites within the project boundary to be constructed within 20 years following Commission approval of the plan. At a minimum, the plan must include: (a) methods and criteria used to select the recreation sites to provide wildlife viewing facilities; (b) an accounting of the project recreation sites where wildlife viewing facilities will be provided, if any; and (c) conceptual drawings and specifications, cost estimates, and a schedule for implementing the measure(s).
- (6) A provision to provide informal public access at the Lake Cornelius portion of Cowans Ford Development within 10 years of license issuance, developed after consultation with the Town of Cornelius, North Carolina.
- (7) Maps clearly identifying all existing and proposed recreation sites in relation to the Catawba-Wateree Project boundary and indicating the project boundary modifications necessary to enclose all new and existing project recreation facilities in the project boundary.
- (8) Procedures for temporary closure of project recreation sites; a discussion of how the needs of persons with disabilities were considered in the planning and design of the recreation facilities and public access; a discussion of how low impact development practices were considered in the planning and design of the recreation facilities; a description of the signage program at the project recreation sites; and a provision for trash removal from the project recreation facilities.
- (9) A provision to file, with the Commission, biennial reports documenting the progress made on completing the recreation enhancements under the Commission-approved plan.

(10) Provisions to review, every 10 years following license issuance, the project's recreation needs. Following the review, the licensee must file with the Commission for approval a report that includes: (a) a recreation use and needs (RUN) assessment; (b) identification of any additional public recreation facility needs at the project; and (c) a discussion of the need for filing a revised plan. Following Commission approval of the report, if required, the licensee must file with the Commission for approval, a revised plan that describes in detail any changes to the existing plan. If the revised plan specifies additional recreational facilities to be developed, the licensee must provide conceptual drawings, construction schedules, cost estimates, and a provision to construct, operate, and maintain or provide for the construction, operation, and maintenance of, the additional recreation facilities for the term of the license. The RUN assessment and revision to the plan must be developed after consultation with, at a minimum, the consulting entities listed below for the plan.

(11) A statement that discusses how the plan was developed in coordination with the Sturgeon Protection Plan (Article 403), Species Protection Plans (Article 404), and Historic Properties Management Plan (HPMP) (Article 410).

The plan must be developed after consultation with North Carolina Department of Environmental Quality (North Carolina DEQ),⁵ North Carolina Wildlife Resources, South Carolina Department of Parks, Recreation, and Tourism (South Carolina Parks and Recreation), South Carolina DNR, and American Whitewater. The plan must also include documentation of consultation, copies of recommendations on the completed plan after it has been prepared and provided to the entities above, and specific descriptions of how the entities' comments are accommodated by the plan or reasons, based on project specific information, for why a recommendation is not adopted.

5. Duke Energy filed a timely request for rehearing of the License Order, asserting that the license term should be 50 years and requesting that the Commission modify, correct, and clarify other license provisions. On July 5, 2016, the Commission issued an order which granted in part and denied in part Duke Energy's request for rehearing, and modified and clarified several license provisions, including Article 407.⁶

III. Licensee's Proposed Recreation Management Plan

6. The licensee's Recreation Management Plan addresses the requirements of Article 407. The plan explains the operation and maintenance policies; describes existing and

⁵ Formerly the North Carolina Department of Environment and Natural Resources.

⁶ See Rehearing Order, 156 FERC ¶ 61,010 at PP 27-34.

new project recreation sites and proposed new sites and enhancements at existing sites; provides overview maps and photographs of project recreation sites at each development; describes design and construction considerations; and includes provisions for reviewing, monitoring, and updating the plan. Appendices to the plan include an implementation schedule for proposed sites and facilities; recreation tables that inventory project and non-project recreation sites and facilities; conceptual drawings (aerial photographs) of each project recreation site; plans for wildlife viewing facilities; a maintenance agreement with North Carolina Wildlife Resources; a sample Access Area Improvement Initiative (AAII) lease agreement; and documentation of consultation.

7. Specifically, the plan includes provisions to maintain existing project recreation sites and construct the required enhancements at existing project recreation sites and new recreation sites, in accordance with subsections (1) and (2) of Article 407. The plan includes conceptual drawings (aerial photographs) that show existing and proposed project and non-project recreation facilities in relation to the project boundary consistent with Article 407(3). All construction is to be completed in 5-, 10-, 15-, and 20-year intervals, with the majority of the recreation facilities and sites completed within five years. The licensee also includes provisions to evaluate the need for, and, if necessary, implement improvements to the portage trails and signage at the Bridgewater Access Area and Rhodhiss Dam Canoe Portage and to provide informal access at Lake Cornelius at the Cowans Ford Development. The plan also describes the status of a state park on one of the project islands.

8. Pursuant to subsection (5) of Article 407, Appendix E of the plan addresses the feasibility of providing wildlife viewing facilities at the project. In consultation with the required entities, the licensee identified nine project recreation sites for wildlife viewing facilities based on criteria developed during consultation (i.e., an area of diverse ecological habitat, an area that can sustain public use, and an area that does not introduce user conflict with other facilities). The plan includes a map showing the identified locations, sample features and photographs of each type of facility (i.e., either a stand-alone wildlife viewing facility or a combined fishing pier/wildlife viewing facility), cost estimates, and documentation of consultation.

9. The plan outlines provisions for temporary, seasonal, routine, or permanent closures of project recreation sites or facilities. The plan also addresses, in general, coordination with other project plans, accommodations for persons with disabilities, impact minimization construction practices, and signage.

10. In addition to license-required project recreation facilities, the Recreation Management Plan also includes information regarding the licensee's proposal to provide additional non-project recreation facilities through AAII partnerships. Section 2.2.12 and Appendix G of the plan describes the AAII program. The licensee states that the AAII program allows lessees to enhance public recreation opportunities on or adjacent to the project. The licensee provides a listing of the current AAII leases and states that it

intends to maintain, extend, or amend all of these leases. Further, the licensee indicates it plans to offer new leases to either public or private lessees and that all project recreation sites are available for leases.

11. The plan also sets forth the licensee's operations and maintenance policies to manage recreation at the project. The policies address permitted and prohibited uses; availability of recreation facilities and hours of operation; compliance with applicable laws, regulations, policies, and other project plans; contractor use of project recreation sites; availability of bank fishing opportunities; vegetation management; user fees; sanitation; trash removal; and permitted and prohibited uses of licensee-owned islands.

12. The plan states that the licensee will file as-built recreation site plan drawings consistent with current Commission requirements and guidelines within 90 days of completing construction of a new recreation site or proposed recreation enhancement(s) at existing recreation sites, as described in the plan. The plan also includes updating, monitoring, and reporting provisions. The licensee will file biennial reports with the Commission to document its progress and status in developing and constructing proposed sites and facilities in the plan, with the first report filed in 2019. The plan includes a provision for filing future FERC Form No. 80 (Form 80) reports consistent with the Commission's regulations. The licensee will also hold stakeholder meetings in the seventh and fourteenth years following license issuance to design and implement RUN studies. Finally, 10 years following license issuance and every 10 years thereafter (i.e., 2025, 2035, etc.), the licensee will review the recreational needs at the project and file a report with the Commission, in accordance with the requirements stipulated in Article 407 (i.e., RUN study, identification of recreational needs at the project, and a discussion of the need for filing a revised plan).

13. Appendix B of the plan provides recreation tables for the project. Table 1 depicts all of the license-required recreation sites at the project, including the facilities provided at each site. Table 2 identifies each recreation amenity, including location point data, required to be reported on the Form 80.⁷ Additionally, Appendix C lists non-project recreation facilities that have been provided or are proposed at project recreation sites in response to the Relicensing Agreement or by prior lessee request.⁸

⁷ As required by the Commission's regulations, licensees must collect recreation usage data on recreation amenities at projects through the term of their licenses and report the data on the Form 80 every six years. 18 C.F.R. § 8.11 (2017). To ensure accurate completion of the Form 80, Table 2 provides a list of Commission-approved project amenities (e.g., campsites, trails, boat launching areas, etc.) that are required to be reported as Commission-approved.

⁸ Publicly-available non-project recreation amenities must also be monitored and
(continued ...)

IV. Agency Consultation and Public Notice

14. Consistent with Article 407, the licensee provided the draft plan to American Whitewater, North Carolina DEQ, North Carolina Wildlife Resources, South Carolina DNR, and South Carolina Parks and Recreation on September 12, 2016. On October 11, 2016, North Carolina Wildlife Resources provided 21 comments which generally addressed maintenance, courtesy dock building materials, accessibility considerations, relocation of some fishing piers, and requests for additional fishing piers. On October 12, 2016, North Carolina DEQ – Water Resources suggested the licensee add restrictions to its listing of unauthorized uses at boat ramps and recommended installing stormwater structures during construction to divert and retain runoff. On October 12, 2016, South Carolina DNR provided observations and clarifications on proposed recreation facilities and requested additional consultation prior to construction of the proposed recreation facilities. The licensee’s plan adequately addresses each of the above comments. On October 14, 2016, American Whitewater provided seven comments on the boating facilities and opportunities proposed for Fishing Creek Tailrace Fishing Area and the proposed new sites at the Great Falls – Dearborn Development, which are included in the discussion below. South Carolina Parks and Recreation did not comment.

15. On June 13, 2016, the licensee met with North Carolina Wildlife Resources, South Carolina DNR, and the U.S. Fish and Wildlife Service to discuss the criteria and methodology for site selection for wildlife viewing facilities. On July 15, 2016, the licensee provided a draft plan for wildlife viewing facilities to the consulting agencies. On July 20, 2016, South Carolina DNR provided typographical edits. On August 10, 2016, North Carolina Wildlife Resources requested that the licensee locate the combined fishing pier/wildlife viewing facility on the east side of Gunpowder Access Area. The licensee’s plan incorporates all comments received on the wildlife viewing facilities.

16. On January 30, 2017, the Commission issued public notice accepting the filing and soliciting comments, motions to intervene, and protests. No responses to the public notice were filed.

V. Discussion

A. Existing and Proposed Project Recreation Sites and Facilities

17. Consistent with Article 407, the Recreation Management Plan provides for ongoing operation and maintenance of existing project recreation sites that provide public access to a variety of recreation opportunities around the project reservoirs. Further, the

reported on the Form 80.

plan provides for enhancements at existing recreation sites and development of new recreation sites, and reserves sites for future use as needed. The plan will meet foreseeable recreation demand, includes monitoring provisions over the term of the license, and is supported by the consulted entities.

18. Subsections (1) and (2) of Article 407 require 81 total project recreation sites (including two undeveloped sites and one informal site) at the 11 project developments. The licensee's plan includes each of these sites and addresses each of the specific facilities required in Article 407, as well as additional facilities described below.⁹ The approved project recreation sites are listed below by development.

- Bridgewater Development: Black Bear Access Area (AA), Hidden Cove AA, Canal Bridge AA, Linville Canoe/Kayak AA, Fonta Flora AA, Pocket Park AA, Bridgewater AA, Bridgewater Canoe Portage, and Muddy Creek AA
- Rhodhiss Development: Johns River AA, Corpening Bridge AA, Huffman Bridge AA, Castle Bridge AA, Rhodhiss AA, Conley Creek AA (Sawmills Veterans Memorial Park), and Rhodhiss Dam Canoe Portage
- Oxford Development: Gunpowder AA, Lovelady AA, Wittenberg AA, Dusty Ridge AA, Long Shoals AA, Oxford AA, Oxford Tailrace Fishing Area, and Oxford Dam Canoe Portage
- Lookout Shoals Development: Upper Lookout Shoals AA, Sharon AA, Lookout Shoals AA, Lookout Shoals Dam Canoe Portage, and Lookout Shoals Tailrace Fishing Area
- Cowans Ford Development: Buffalo Shoals AA (undeveloped), Slanting Bridge AA (undeveloped), Long Island AA, Stumpy Creek AA, Pinnacle AA, McCrary Creek AA, Marshall Fishing Area, Little Creek AA, Beatty's Ford AA, Ramsey Creek AA, McGuire Fishing Area, Hagers Creek AA, Island Point AA, Cowans Ford Dam Portage and Overlook, and Lake Cornelius (informal access)
- Mountain Island Development: Highway 73 AA, Lucia AA, Neck Road AA, Riverbend AA, and Mountain Island Dam Canoe Portage

⁹ The recreation facilities table appended to this order reflects each project recreation site and the required and additional facilities.

- Wylie Development: Mountain Island Tailrace Fishing Area & Mountain Island River Park, Dutchmans Creek AA, South Point AA, Allen Fishing Area, Copperhead AA, Buster Boyd AA, Allison Creek AA, Ebenezer AA, Nivens Creek AA, Rock Hill Park, and Fort Mill AA
- Fishing Creek Development: Springs Park AA, Fishing Creek AA, and Fishing Creek Tailrace Fishing Area
- Great Falls – Dearborn Development: Nitrolee AA, Great Falls Diversion Dam Portage, Lower Great Falls Reservoir Canoe/Kayak Launch, Great Falls Headworks Portage, and Great Falls Headworks to Cedar Creek Reservoir Portage
- Rocky Creek – Cedar Creek Development: Mudcat Inn AA, Stumpy Pond AA, and Debutary Creek AA
- Wateree Development: Cedar Creek AA, Wateree Creek AA, Taylors Creek AA, Taylors Creek Fishing Area, June Creek AA, Molly Creek AA, Colonels Creek AA, White Oak Creek AA, Buck Hill AA, and Lugoff AA

19. Subsection (1) of Article 407 requires the licensee to operate and maintain the existing project recreation sites described on pages E5-11 through E5-57 (Exhibit E) of the license application. Exhibit E identifies 58 existing recreation sites and facilities at each site and specifies the numbers and types of facilities, including boat ramps, courtesy docks, fishing piers, and parking spaces, and denotes licensee-identified Americans with Disabilities Act (ADA) compliant facilities.¹⁰ However, in the Recreation Management Plan, Duke Energy did not provide the same level of detail as it did in Exhibit E of its

¹⁰ Pursuant to its license requirements, the licensee must consider the needs of persons with disabilities. The licensee's obligation to comply with the ADA exists independent of its project license, and the Commission has no statutory role in implementing or enforcing the ADA as it applies to its licensees. *Northern States Power Co.*, 78 FERC ¶ 61,363, at 62,510 (1997).

application.¹¹ In addition, the plan fails to explain some discrepancies between the Exhibit E facility listings and the plan facilities.¹²

20. Given that Exhibit E was filed with the 2006 license application, there may have been changes at some project recreation sites over time. To accurately document the existing facilities at project recreation sites required to be maintained by the licensee in accordance with Article 407, Commission staff has developed a recreation facilities table, appended to this order. Appendix A of this order identifies the existing and proposed recreation sites for each of the 11 developments, and lists the existing and proposed project recreation facilities required by the license.¹³ This table revises the licensee's project recreation facilities table in Appendix B of the plan by incorporating Exhibit E information for existing recreation sites and facilities, and by including the non-project recreation facilities from Appendix C of the plan.

21. The licensee must review the information in the recreation facilities table (Appendix A to this order) and file a revised table with its first biennial report in 2019 that reflects any needed clarifications and/or revisions and resolves any discrepancies between the plan and Exhibit E information for existing project recreation sites and facilities.¹⁴

¹¹ For example, the plan identifies facilities, but does not consistently quantify the facilities. Additionally, while the plan identifies ADA parking spaces, it does not include designations of accessible facilities from Exhibit E information. More specificity for parking is shown on the conceptual drawings; however, determining quantities of parking spaces is not feasible for every drawing due to scale or photograph quality.

¹² For example, Exhibit E identifies 30 parking spaces at the Johns River Access Area, while the plan conceptual drawing appears to show five vehicle and 15 vehicle with trailer parking spaces; Exhibit E for the Dusty Ridge Access Area identifies 75 vehicle, 40 vehicle with trailer and eight ADA parking spaces while the plan narrative identifies vehicle with trailer parking (including ADA); Exhibit E designates several courtesy docks and fishing piers as ADA (e.g., Neck Road Access Area, Allen Fishing Area, etc.) while the plan narrative and drawings only note ADA parking.

¹³ The table also includes existing and proposed non-project recreation facilities at each recreation site. The non-project recreation facilities, those not required by the license, are further discussed below.

¹⁴ To facilitate flexibility in managing recreation facilities at its project and to allow for some minor variances due to maintenance and/or other site conditions (e.g., changes in numbers of parking spaces due to restriping, use patterns, etc.), the licensee could provide approximations or ranges of numbers of facilities (e.g., parking spaces), *(continued ...)*

22. Subsection (2) of Article 407 requires provisions for the construction, maintenance, and operation of new recreation sites or enhancements to existing recreation sites at each project development. The licensee's plan addresses the requirements stipulated under Article 407(2), with a few exceptions. The licensee's plan did not include signage at the Mountain Island Dam Canoe Portage.¹⁵ Given that the licensee addressed all other items and did not include any reasons for omitting the signage, we conclude that this omission may be an oversight and expect the licensee to install signage at the canoe portage. At Mudcat Inn Access Area, the licensee proposes seven parking spaces, instead of the required approximate 10.¹⁶ We find this difference acceptable.

23. The licensee also states that the Recreation Management Plan does not include plans for a state park on the Great Falls – Dearborn and Rocky Creek – Cedar Creek islands. Although Article 407(2)(j)(2) lists “a new state park on islands associated with Dearborn-Great Falls and Rocky Creek-Cedar Creek Developments,” the licensee's obligation, as clarified on rehearing, is to only include the plans for a new state park, if such a park is developed after offering to lease the islands to a state agency for the agency to develop and maintain a new state park.¹⁷ As the licensee states, no South Carolina agency has leased the islands for a state park. Instead, the licensee will manage the island as outlined in its plan, and will file plans with the Commission should an agency lease the site in the future. The licensee should continue to keep the Commission informed in its biennial reports and updates.¹⁸

24. The licensee exceeds or adds project recreation facilities, beyond Article 407 requirements, as follows: 15-18 (instead of the required 10) parking spaces at Corpening Bridge Access Area;¹⁹ a courtesy dock at Upper Lookout Shoals Access Area (shown on

rather than an exact number (unless specified as a license requirement).

¹⁵ License Order, 153 FERC ¶ 62,134 at 105, Article 407(2)(f).

¹⁶ *Id.* at Article 407(2)(j).

¹⁷ *See* Rehearing Order, 156 FERC ¶ 61,010 at P 31-32.

¹⁸ We note that in accordance with footnote 56 in the Commission's Order on Rehearing, the Commission reserves the right to determine what, if any, further recreation measures need to be implemented at this site in the event that a state park is not constructed. *See id.* at n.56.

¹⁹ It is unclear how many parking spaces the licensee will provide at the Corpening Bridge Access Area, as the licensee indicated approximately 18 spaces in the plan narrative, approximately 16 spaces in the conceptual drawing, and 15 spaces in the consultation record.

drawing LS01); parking at Beatty's Ford; parking at Riverbend Access Area; and a second fishing pier at South Point Access Area. The requirements in subsection (2) and the above revisions and additions are reflected as project recreation in the recreation facilities table appended to this order.

B. Conceptual Drawings

25. Subsection (3) of Article 407 requires the licensee to include conceptual drawings, specifications, and an implementation schedule for each of the proposed recreation enhancements to existing sites and new recreation sites. The plan includes conceptual drawings in the form of aerial photographs with labels identifying existing and proposed project and non-project recreation facilities at each project recreation site. Generally, the drawings show the layout of the recreation site and planned locations of proposed facilities, with some varied specificity among the drawings. The plan narrative includes a list of the proposed facilities and an implementation timeframe.

26. The licensee's plan outlines broad design and construction measures that would be considered or implemented during construction of recreation enhancements and sites. Construction projects will comply with applicable local, state and federal rules, regulations, building and zoning codes, and public safety design standards. The licensee will employ low impact development and site development best practices for stormwater management, and best management practices for all soil and erosion control measures, in accordance with local and state regulations. Facilities will be designed and constructed to retain vegetation, maintain natural habitat, provide a natural view from the water, minimize water quality impacts associated with construction of additional facilities, and use shielded lighting where lighting is provided.²⁰

27. Section 2.4.1 of the plan states that the ADA will be taken into consideration, where feasible, in planning and designing facilities at project recreation sites. The licensee further states that based on the intent and the desired recreational experience, not all facilities and/or amenities are intended to accommodate those with disabilities. While the Commission does not have statutory authority to implement or enforce the ADA, the licensee is reminded of its responsibilities to consider the needs of persons with disabilities in the design and construction of its recreation facilities, in accordance with Commission regulations,²¹ and to comply with all local, state and federal laws specific to accommodating persons with disabilities.

²⁰ Licensee's November 14, 2016 plan, Section 2.4.

²¹ 18 C.F.R. § 2.7(b) (2017).

28. Section 2.2.2 of the plan indicates that project recreation sites are managed consistently with other license plans, including but not limited to, the HPMP,²² Sturgeon Protection Plan,²³ Species Protection Plans,²⁴ Great Falls Boating Safety Plan, and the Shoreline Management Plan (SMP).²⁵

29. The licensee's plan is conceptual and provides generalized information, as described above, for design and construction of the proposed recreation enhancements and sites. Specific design details and site-specific considerations and conditions are not described in the plan narrative or consistently shown on conceptual drawings. However, the licensee proposes to provide specific design plans to North Carolina Wildlife Resources or South Carolina DNR, as applicable, for a 30-day consultation period prior to construction of recreation facilities.

30. Given the amount of proposed development over a range of five to 20 years, we concur with the licensee's proposal to provide design drawings to resource agencies prior to construction of proposed facilities. The licensee also proposes to provide the Commission with biennial reports documenting the progress made toward completion of the recreation enhancements, as required in Article 407. To keep the Commission further informed, we are requiring that the licensee include in its biennial reports a copy of the design plans provided to the agencies during that two-year timeframe and any design plans prepared for the upcoming two-year period. For each new recreation site or enhancement to an existing recreation site constructed or projected for construction in the next two years, the report must also include the following site-specific details: (a) a written description of the recreation facilities (including approximations or ranges of quantities of facilities such as campsites/cabins, picnic facilities, parking, lengths of trails, etc.); (b) a discussion of environmental considerations or issues, if any, and how

²² Article 410 of the license order requires the licensee to implement the HPMP filed on August 29, 2006. License Order, 153 FERC ¶ 62,134 at P 183. The HPMP includes measures to manage historic properties at project recreation sites and islands and an inadvertent discoveries stipulation for any previously undiscovered historic properties.

²³ *Duke Energy Carolinas, LLC*, 159 FERC ¶ 62,130 (2017) (modifying and approving Sturgeon Protection Plan pursuant to Article 403).

²⁴ *Duke Energy Carolinas, LLC*, 157 FERC ¶ 62,003 (2016) (approving amendment to Species Protection Plans under Article 404); *See also* Commission staff letter, Docket No. P-2232-643 (issued July 13, 2017) (acknowledging receipt of updated Species Protection Plans).

²⁵ *Duke Energy Carolinas, LLC*, 159 FERC ¶ 62,177 (2017) (modifying and approving updated Shoreline Management Plan pursuant to Article 409).

those issues are avoided or mitigated; (c) site-specific compliance with other project resource plans (e.g., HPMP, Species Protection Plan, SMP, etc.), as applicable; (d) how the needs of persons with disabilities are considered in the planning and design of the sites and facilities; (e) provisions for signage at the project recreation site; and (f) provisions for trash removal at the site. Although the biennial reports are not to be filed for approval, the Commission reserves the right to make revisions to the Recreation Management Plan based on the information provided in the biennial reports.

C. Non-Project Recreation Facilities

31. In addition to recreation facilities required by the license, the Recreation Management Plan includes many non-project recreation facilities. According to the licensee, such non-project facilities are provided, or being proposed, to enhance recreation within the project area per agreement with stakeholders under the Relicensing Agreement and/or through lease or maintenance agreements with public entities. Appendix C of the Recreation Management Plan is a recreation facilities table that identifies existing non-project recreation enhancements at 12 project recreation sites and proposed non-project recreation enhancements at 33 project recreation sites. These existing and proposed non-project recreation enhancements are included in the recreation facilities table appended to this order.

32. As described in Section 2.2.12 and Appendix G of the Recreation Management Plan, the licensee's AAI program is a framework for private and public entities to lease project lands to enhance public recreation in the project area. Section 2.2.12 states that there are currently several leases with state and local agencies, which the licensee intends to maintain, extend, or amend. There are currently no private sector AAI leases; however, the licensee proposes to offer additional leases at project recreation sites and states that all project recreation sites are open to AAI leases. Appendix G describes the AAI program, including a description of the type and nature of information the licensee will require from a potential lessee prior to granting an AAI lease (e.g., adjacent land use, existing public need, conceptual site plan, agency consultation, etc.), as well as a sample AAI agreement.

33. While the licensee's plan identifies existing and proposed non-project recreation enhancements, we would typically expect that non-project uses, including recreation enhancements, would be filed for Commission review or approval, as applicable, under either the standard land use article (Article 411) of the project license²⁶ or as a non-project use of project lands and waters application. Article 411(d)(6) and 411(e) of the project license describe a process for conveying project lands for non-project recreation

²⁶ Article 411 affords, but does not require, the licensee to make certain conveyances of project lands and waters.

development that includes notifying the Commission and consulting with natural resource agencies, as appropriate, prior to making any conveyance. The Article 411 process allows the licensee to make conveyances for non-project recreation development while at the same time including provisions to ensure that the project's scenic, recreational, and environmental values are protected.

34. The licensee's plan lists the proposed non-project recreation enhancements, provides corresponding conceptual drawings with varying levels of detail, and outlines its requirements for lease applications in a sample AAI lease. Since the licensee has an established procedure in place to collect information from potential lessees to process and grant AAI lease agreements, the licensee should be able to provide to the Commission the information required under Article 411(d)(6) with minimal additional effort. Taking into consideration information provided in the plan for proposed non-project recreation enhancements, we are modifying the information the licensee must include in its Article 411 filings for proposed non-project recreation enhancements included in its plan.²⁷ The filing(s) under Article 411(d)(6) must include: (a) type of interest (fee, permit, easement, right-of-way, lease, etc.); (b) name of entity holding the interest; (c) location of the lands to be conveyed (if different than proposed in the plan); (d) nature of the proposed use (if different than proposed in the plan); (e) identity of consulted agencies; (f) federal or state approvals required; (g) licensee's determination that the proposed use is not inconsistent with its approved Recreation Management Plan (if different than proposed in the plan); and (h) any discussion about how the use is consistent with project purposes, including protecting and enhancing the scenic, recreational, and other environmental values of the project. These notifications must be filed at least 60 days prior to the date of the conveyance (as specified in Article 411(d)). The licensee may file the notifications individually or in groups.

35. We expect the licensee to follow the procedures under Article 411 for any future conveyances, including those made under the AAI framework. For any proposed or future non-project recreation enhancements that are beyond the scope of Article 411, the licensee must file with the Commission an application for a non-project use of project lands and waters. Additionally, we expect that any non-project recreation enhancements to project recreation sites, including those made as part of AAI agreements, are reflected in future plan updates and included in monitoring procedures as applicable.

²⁷ Existing non-project recreation enhancements made under the AAI program or in response to the Relicensing Agreement that are noted in Appendix C of the licensee's November 14, 2016 plan do not require further Commission notification or approval. The proposed non-project enhancements in Appendix C of the plan and any future modifications to project recreation sites and facilities require notification to and/or approval by the Commission, as appropriate, as described in this order.

36. We also note that Article 411 requires the licensee to supervise and control the non-project use and occupancies of project lands for which it grants permission. Further, standard license Article 17 requires the licensee to construct, maintain, and operate such reasonable recreational facilities as may be prescribed by the Commission during the term of the license, after notice and opportunity for hearing. In general, the licensee's designations of non-project recreation apply to recreation facilities that may not have a direct nexus to the project (e.g., maintenance areas, concession areas, playgrounds, ball fields, etc.). However, in several instances, the licensee has designated as "non-project" certain recreation facilities at license-required recreation sites that appear to serve project purposes (e.g., restrooms, parking, picnic areas, trails, campgrounds, courtesy docks, fishing piers, etc.).²⁸ In addition, Appendix C states that, "if an AAI or lease agreement is not established or is terminated, then Duke Energy is not responsible for providing proposed or maintaining existing facilities listed [in Appendix C]." Regardless of how the recreation facilities are characterized, the licensee may in the future be responsible for maintaining existing recreation facilities, including those established pursuant to the AAI program. If a non-project recreation facility operated by an AAI or other lessee is abandoned or if an AAI lease is terminated during the term of the license, the licensee must inform the Commission, so that Commission staff can determine whether the facility is meeting an established recreational need at the project. If so, the Commission may require the licensee to operate and maintain that facility in the future. Third-party construction of a particular recreation facility does not foreclose a future Commission determination that the recreation facility meets a project need and is thus needed for project purposes.

D. Great Falls and Dearborn Development Proposed Facilities

37. Condition 1 of the South Carolina Water Quality Certificate in Appendix B of the license requires the licensee to provide specific recreational boating flows at two adjacent locations (i.e., the Long Bypassed Reach and Short Bypassed Reach) on the Catawba River around the Great Falls development. In addition, Article 407(2)(i) requires the licensee to provide several new recreation facilities at this development (i.e., a canoe/kayak launch; three separate portage routes to access the Long Bypassed Reach, Short Bypassed Reach, and Cedar Creek Reservoir; and a canoe/kayak launch at Lower Great Falls Reservoir) to facilitate water-based recreational access to this previously-dewatered stretch of the Catawba River.

²⁸ For example, at the Canal Bridge and Hidden Cove Access Areas, the only existing restrooms at the sites are designated as non-project facilities; and at the Wittenburg Access Area, proposed non-project facilities include parking, a trail, picnic shelter, and a wildlife viewing area.

38. The licensee's plan includes provisions for each of the five required sites at this development, which together provide a framework for recreational boaters to access this stretch of river with several different options to access the Long and Short Bypassed Reaches. In general, boaters must launch boats at the Nitrolee Access Area, paddle through the Great Falls Reservoir, portage around the Great Falls Diversion Dam and/or Great Falls Headworks, then access the desired reach. By using the various portages and access areas, boaters have the option to run the Long Bypassed Reach, Short Bypassed Reach, or a combination of the two, with the option to run repeat trips (i.e., laps). Boaters may either shuttle vehicles or paddle the river down-and-back using the portages.

39. In its October 14, 2016 comments on the plan, American Whitewater discussed its vision for these recreational boating opportunities through this stretch of the Catawba River and recommended several alternate means for paddlers to access these recreational boating flows, including: (1) improve an existing, informal access area under the Highway 200 Bridge; (2) relocate the proposed Great Falls Diversion Dam Portage further north; (3) provide a boat passage chute (i.e., either by a gate, notch, or backfill/slide) at the Great Falls Diversion Dam; (4) construct an access point on the east side of the Great Falls Diversion Dam; (5) construct a trail from the Lower Great Falls Canoe/Kayak Access Area north to the Great Falls Reservoir; (6) relocate the Great Falls Headworks Portage trail closer to the diversion dam and river channel; and (7) extend the Great Falls Headworks to Cedar Creek Reservoir Portage trail.

40. In response to American Whitewater's recommendations, the licensee raised recreational user conflict concerns between anglers and boaters [for item (1)], safety and operational concerns [for items (1), (2), (3), and (6)] and land ownership and project boundary concerns [for items (4), (5)]. In response to item (7), the licensee states that it adjusted the pertinent drawing to extend the portage trail to the southern end of Mountain Island. The licensee's operational and safety concerns pertain to the need to protect the public from hazards around its project works, which are the subject of its Great Falls Boating Safety Plan.²⁹ Further, the licensee notes its intent to evaluate and refine its plans for the Great Falls Diversion Dam portage once the Boating Safety Plan is approved and flow mechanisms are determined. The licensee's land ownership and project boundary concerns generally state that the licensee either does not own the land (i.e., for the Great Falls Diversion Dam east-side access) or that some land is outside the project boundary (i.e., for the Lower Great Falls Canoe/Kayak Access Area north trail).

²⁹ Article 408 of the license requires the licensee to file for Commission approval, a Boating Safety Plan that evaluates boater safety concerns around the Great Falls Diversion Dam, Great Falls Headworks, and Great Falls-Dearborn Dam in consultation with several stakeholders. The licensee's Boater Safety Plan, filed November 14, 2016, is currently pending before the Commission.

41. The overall framework for providing recreational boating along this previously-dewatered stretch of river has several key components: (1) access areas proposed in the licensee's plan; (2) safety measures proposed in the licensee's Boating Safety Plan; and (3) to-be-determined mechanisms for delivering the required flows through the project. These key components will together determine the success and usability of this stretch of river for recreational boating purposes. Commission staff's review of the licensee's proposed plan finds that the licensee's proposal contains the provisions required by Article 407(2)(i) to construct the five required access areas. Further, the licensee's pending Boating Safety Plan considers the safety of the general public as well as recreational boaters.

42. The licensee's Boating Safety Plan has not yet been approved, specific details are not yet known regarding how recreation flows would be delivered at the Great Falls Diversion Dam, and boaters have not yet had the chance to use this stretch of river for recreational flows. Therefore, the licensee must specifically address recreational boating use at the Great Falls-Dearborn development in its biennial reports, including its progress towards providing recreational boating opportunities, its upcoming plans for construction of the recreation sites (e.g., boat ramps, portages, etc.) and dam modifications for providing recreation flows, and the recreational use of this stretch of river for recreational boating.

43. Additionally, in reporting on recreation boating at the Great Falls-Dearborn development, the licensee must consider the following: (1) the adequacy of proposed recreation enhancements at the Great Falls-Dearborn development, including whether additional lands (either the Great Falls Diversion Dam eastside access or Lower Great Falls Canoe/Kayak Access Area northern trail) are needed for project recreation purposes, including information on the types of ownership rights (e.g., fee simple, easements, etc.) that would be needed for such facilities, the availability of those lands, and their associated costs; (2) specific information on how the flows are being delivered at the Great Falls Diversion Dam, including the location(s) of gates, notches, etc.; where and at what velocity recreation flows are delivered in relation to the diversion dams and portage locations; and options for safely locating portage take-outs, put-ins, or any other facilities contemplated in item (1), above; and (3) whether any additional lands or access areas contemplated in item (1), above, would eliminate the need for other recreation sites described in the plan (e.g., the Great Falls Diversion Dam Portage). The report must demonstrate that various options have been considered to balance recreation, safety, and economic considerations with the operational needs of the project.

E. As-Built Site Plan Drawings

44. The plan states that the licensee will file as-built recreation site plan drawings consistent with the current Commission requirements and guidelines within 90 days of completing construction of the recreation enhancements at the recreation sites described in the plan. Given the amount of construction necessary to complete enhancements to

existing recreation sites and build new recreation sites over a 20-year span, we are modifying the licensee's proposed timeframe and requiring the licensee to file as-built site plan drawings of completed recreation sites and facilities with its biennial reports. Updated as-built site plan drawings of completed recreation sites should also be included in any Recreation Management Plan updates filed by the licensee. We expect any future plan updates to include the most recent as-built recreation site plan drawings in place of the conceptual drawings included in the current plan. Similarly, all associated recreation tables should be updated in the revised plan.

F. Project Boundary

45. Subsection (7) of Article 407 requires the plan to include maps that clearly identify all existing and proposed recreation sites in relation to the project boundary and indicate the project boundary modifications necessary to enclose all new and existing project recreation facilities in the project boundary. Of the 81 existing and proposed recreation sites, four appear to have facilities located outside of the project boundary as depicted in the plan's conceptual drawings and the project's approved Exhibit G drawings. At the Oxford Dam Canoe Portage, the canoe launch, part of the gravel parking, and a portion of the portage extension trail are shown outside of the project boundary. At the Mudcat Inn Access Area and Dutchmans Creek Access Area, portions of the access roads are shown outside of the project boundary. Lastly, the Nitrolee Access Area is entirely outside of the project boundary; the drawing does include a note that states the land for the access area is to be acquired. Though the land for the Nitrolee Access Area is to be acquired, the licensee must still show the proposed project boundary on its Exhibit G drawing, in accordance with Commission regulations.³⁰ To clarify project boundary issues and ensure all project recreation facilities and sites are within the project boundary, the licensee must review its conceptual and Exhibit G drawings for the four sites identified above and file revised Exhibit G drawings.

G. Other Issues

46. In section 2.2.5 of the plan, the licensee indicates that temporary, seasonal, routine or permanent closure of a facility may occur if it endangers public health or safety, creates a public nuisance, or is otherwise incompatible with the overall public recreation use of the project. The licensee states that it will notify the Commission of any facility requiring permanent closure. Permanent closure of a project recreation site or facility

³⁰ In accordance with the Commission's regulations, the Exhibit G drawing includes lands owned in fee by the licensee and lands the licensee plans to acquire in fee; and lands over which the licensee has acquired or plans to acquire rights to occupancy and use other than fee title, including rights acquired or to be acquired by easement or lease. See 18 C.F.R. § 4.41(h)(4)(i)-(ii) (2017).

would require Commission approval. Therefore, the licensee must file a request for any permanent closures with the Commission.

47. Section 2.4 of the plan states that if federal, state, or local permits do not allow for construction of a proposed recreation enhancement, the licensee will replace or substitute the proposed enhancement with an acceptable alternative. The licensee further states if no alternatives are feasible, then it will eliminate the proposed enhancement from the project recreation site and inform the Commission by providing notice and justification for the elimination. Elimination of a required recreation enhancement would require an amendment to the Recreation Management Plan and Commission approval.

48. Section 2.2.7 of the plan describes the signage program for project recreation sites. The licensee states that it will install and maintain signs: (1) compliant with local, state, and federal ordinances; and (2) required by the project license for entrance and regulation, and in compliance with any other license articles, including Article 405 (invasive aquatic species educational signage). The signs will include, but are not necessarily limited to, safety advisories, facility operation schedules, project information, and contact information. The licensee should review the requirements of Part 8 signage and ensure project recreation signage complies with the Commission's regulations.³¹

VI. Conclusion

49. The licensee's plan will provide a variety of recreation opportunities at the project. The plan fulfills the requirements of Article 407, and has not been opposed by any entities. For these reasons, the plan is approved with the modifications described below.

The Director orders:

(A) Duke Energy Carolinas, LLC's Recreation Management Plan, filed November 14, 2016, pursuant to Article 407 of the license for the Catawba-Wateree Hydroelectric Project No. 2232, as modified by paragraphs (B) through (D) below, is approved.

(B) By December 31, 2019, and every two years thereafter until all construction of approved project recreation enhancements to existing recreation sites and new sites is completed, the licensee must file biennial reports documenting its progress on completing the construction of the recreation facilities and sites approved in its Recreation Management Plan. Specifically, the biennial reports must include, but are not limited to, the following items:

³¹ See 18 C.F.R. § 8.2 (2017).

(1) a revised recreation facilities table (Appendix A to this order) that reflects any needed clarifications or revisions and resolves any discrepancies between the Recreation Management Plan and Exhibit E information for existing project recreation sites and facilities (2019 biennial report only);

(2) a copy of the design plans provided to the North Carolina Wildlife Resources Commission or South Carolina Department of Natural Resources, as applicable, during the two-year timeframe for the biennial reports and any design plans prepared for the upcoming two-year period. For each new recreation site or enhancement to an existing recreation site constructed or projected for construction in the next two years, the report must also include the following site-specific details: (a) a written description of the recreation facilities (including approximations or ranges of quantities of facilities such as camp sites/cabins, picnic facilities, parking, lengths of trails, etc.); (b) a discussion of environmental considerations or issues, if any, and how those issues are avoided or mitigated; (c) site-specific compliance with other project resource plans (e.g., Historic Properties Management Plan, Species Protection Plan, Shoreline Management Plan, etc.), as applicable; (d) how the needs of persons with disabilities are considered in the planning and design of the sites and facilities; (e) provisions for signage at the project recreation site; and (f) provisions for trash removal at the site;

(3) a status report that specifically addresses recreational boating use at the Great Falls-Dearborn development including the licensee's progress towards providing recreational boating opportunities, constructing the recreation sites (e.g., boat ramps, portages, etc.) and dam modifications for providing recreation flows, and the recreational use of this stretch of river for recreational boating. Additionally, the status report must consider: (i) the adequacy of proposed recreation enhancements at the Great Falls-Dearborn development, including whether additional lands (either the Great Falls Diversion Dam eastside access or Lower Great Falls Canoe/Kayak Access Area northern trail) are needed for project recreation purposes, including information on the types of ownership rights (e.g., fee simple, easements, etc.) that would be needed for such facilities, the availability of those lands, and their associated costs; (ii) specific information on how the flows are being delivered at the Great Falls Diversion Dam, including the location(s) of gates, notches, etc.; where and at what velocity recreation flows are delivered in relation to the diversion dams and portage locations; and options for safely locating portage take-outs, put-ins, or any other facilities contemplated in item (i), above; and (iii) whether any additional lands or access areas contemplated in item (i), above, would eliminate the need for other recreation sites described in the plan (e.g., the Great Falls Diversion Dam Portage). The report must demonstrate that various options have been considered to balance recreation, safety, and economic considerations with the operational needs of the project; and

(4) as-built site plan drawings of recreation sites and facilities completed during the two-year period. The Commission reserves the right to make changes to the Recreation Management Plan based on the information provided in the biennial reports.

(C) At least 60 days prior to the date of any conveyance for the proposed non-project recreation enhancements in Appendix C of the licensee's Recreation Management Plan, the licensee must notify the Commission of the intended conveyance in accordance with Article 411(d)(6) as modified in this order. As modified, the notification must include: (a) type of interest (fee, permit, easement, right-of-way, lease, etc.); (b) name of entity holding the interest; (c) location of the lands to be conveyed (if different than proposed in the plan); (d) nature of the proposed use (if different than proposed in the plan); (e) identity of consulted agencies; (f) federal or state approvals required; (g) licensee's determination that the proposed use is not inconsistent with its approved Recreation Management Plan (if different than proposed in the plan); and (h) any discussion about how the use is consistent with project purposes, including protecting and enhancing the scenic, recreational, and other environmental values of the project. Any future non-project recreation enhancements must be filed with the Commission under Article 411. Any proposed or future non-project recreation enhancements that are beyond the scope of Article 411 must be filed for Commission approval as a non-project use of project lands and waters application.

(D) If a non-project recreation facility operated as part of the Access Area Improvement Initiative (AAII) by an AAII lessee or by any other lessee is abandoned by a lessee and/or if the licensee or lessee terminates a lease during the term of the license, the licensee must inform the Commission within 30 days of when it becomes aware of the proposed abandonment or termination. The Commission reserves the right to determine whether the facility is meeting an established recreational need at the project and may require the licensee to assume responsibility for operating and maintaining the facility.

(E) Within 90 days of the issuance date of this order, the licensee must file, for Commission approval, revised applicable Exhibit G drawings which enclose and identify project recreation sites and associated facilities within the project boundary as follows: (1) Oxford Dam Canoe Portage (canoe launch, portion of gravel parking, and portion of portage trail); (2) Mudcat Inn Access Area (portion of proposed project access road); (3) Dutchmans Creek Access Area (portion of access road); and (4) Nitrolee Access Area (entire site). The filing must document all changes necessary to the project boundary to entirely incorporate the project recreation sites. The Exhibit G drawings must comply with sections 4.39 and 4.41 (h) of the Commission's regulations.

(F) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 8251 (2012), and the Commission's regulations at 18 C.F.R. § 385.713 (2017). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

Robert J. Fletcher
Land Resources Branch
Division of Hydropower Administration
and Compliance

Appendix A – Project Recreation and Non-Project Recreation Facilities at the Catawba-Wateree Project No. 2232

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
BRIDGEWATER DEVELOPMENT		
Black Bear Access Area	<p>Existing: 6 1-lane boat ramps; 3 courtesy docks; 165 vehicle/trailer and 6 ADA parking spaces; portable restrooms</p> <p>Proposed: (Within 5 years) Restrooms; trails; primitive camping sites; picnic facilities; fishing pier or bank fishing trail, if suitable conditions for a fishing pier are not available (also shade trees, shoreline buffer)</p>	<p>Proposed: Cabins; trails; support facilities (i.e., ranger station, maintenance area, ranger house); additional fishing pier</p>
Hidden Cove Access Area	<p>Existing: 2 1-lane boat ramps; courtesy dock; 7 vehicle and 33 vehicle w/ trailer (including 8 gravel), and 1 ADA parking spaces</p>	<p>Existing: Restroom</p>
Canal Bridge Access Area	<p>Existing: 3 1-lane boat ramps; courtesy dock; 13 vehicle, 71 vehicle w/ trailer and 5 ADA parking spaces</p>	<p>Existing: Restroom</p> <p>Proposed: Additional parking; trailhead amenities</p>
Linville Canoe/Kayak Access Area (currently known as Linville Access Area)	<p>Existing: 2 1-lane boat ramps; courtesy dock; 60 vehicle/trailer and 2 ADA parking spaces</p> <p>Proposed: (Within 10 years after Fonta Flora enhancements) Picnic facilities; restrooms; conversion of existing boat ramp to a canoe/kayak launch site (also shade trees)</p>	<p>Existing: Trail</p> <p>Proposed: Playground; parking; yurts; fishing pier</p>

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
Fonta Flora Access Area (formerly known as New Linville Access Area)	Proposed: (Within 10 years) Approx. 10-acre site with 2 boat ramps for trailered motor boats; courtesy dock; lighted and paved parking area; restroom; access road	Proposed: Trails; picnic tables
Pocket Park Access Area	Proposed: (Within 10 years) Approx. 10-acre site with parking; picnic facilities; overlooks; a bank fishing trail	Proposed: Parking; trailhead amenities
Bridgewater Access Area	Existing: Fishing pier (ADA); 23 vehicle (including 20 gravel) and 1 ADA parking spaces; canoe/kayak launch Proposed: (Within 10 years) Restrooms; a boat ramp for trailered boats; additional parking; picnic facilities	Existing: trail
Bridgewater Canoe Portage	Existing: ≈0.7 mi. Portage Trail with Put-in and Take-Out Proposed: (Within 5 years) Evaluate need for and implement, if needed, improvements to portage trail and signage	
Muddy Creek Access Area	Proposed: (Within 5 years) Approx. 1 to 3-acre site with canoe/kayak access; ≈10 gravel parking spaces	
RHODHISS DEVELOPMENT		
Johns River Access Area	Existing: 1 1-lane boat ramp; courtesy dock; 30 vehicle w/ trailer parking spaces	

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
Corpening Bridge Access Area	Proposed: (Within 5 years) Approx. 10acre site with boat ramp for trailered boats; ≈15 - 18 gravel parking spaces; wildlife viewing facility	
Huffman Bridge Access Area	Existing: Access path with 20 vehicle only parking spaces	
Castle Bridge Access Area	Existing: 6 1-lane boat ramps; 3 courtesy docks (ADA); 149 vehicle w/ trailer and 6 ADA parking spaces Proposed: (Within 15 years) Restrooms	Proposed: Fishing pier
Rhodhiss Access Area	Existing: 2 1-lane boat ramps; courtesy dock (ADA); 100 vehicle w/ trailer and 4 ADA parking spaces Proposed: (Within 5 years) Restrooms	
Conley Creek Access Area (Sawmills Veterans Memorial Park)	Existing: 2 1-lane boat ramps; courtesy dock (ADA); 70 vehicle w/ trailer and 2 ADA parking spaces; fishing pier Proposed: (Within 5 years) 2 additional miles of trail	Existing: Playground; restroom; picnic table; walking trail; baseball fields; multipurpose field; vehicle parking; veterans memorial Proposed: Parking; concessions building
Rhodhiss Dam Canoe Portage	Existing: ≈0.18-mile portage trail with put-in and take-out Proposed: (Within 5 years) Evaluate need for, and if needed, implement improvements to portage trail and signage	

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
OXFORD DEVELOPMENT		
Gunpowder Access Area	<p>Existing: 2 1-lane boat ramps; courtesy dock (ADA); 60 vehicle w/ trailer and 1 ADA parking spaces</p> <p>Proposed: (Within 5 years) Fishing pier/wildlife viewing facility</p>	
Lovely Access Area	<p>Existing: 2 1-lane boat ramps; courtesy dock; 10 vehicle and 40 vehicle w/ trailer and 2 ADA parking spaces</p> <p>Proposed: (Within 15 years) Fishing pier</p>	
Wittenburg Access Area	<p>Existing: 6 1-lane boat ramps; 3 courtesy docks (ADA); 34 vehicle and 164 vehicle w/ trailer and 10 ADA parking spaces; fishing pier (ADA)</p> <p>Proposed: (Within 5 years) ≈15 acre expansion with restrooms; picnic facilities; paved parking; swimming area</p>	<p>Proposed: Parking; trail; picnic shelter; wildlife viewing area</p>
Dusty Ridge Access Area	<p>Existing: 2 1-lane boat ramps; courtesy dock; 75 vehicle and 40 vehicle w/ trailer and 8 ADA parking spaces</p> <p>Proposed: (Within 10 years) ≈1-mile-long trail; restrooms</p>	<p>Existing: Playground; athletic fields; restrooms; concession facility; trails; picnic shelter; vehicle parking</p> <p>Proposed: Picnic shelter; restroom; parking; multipurpose field; and trails</p>

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
Long Shoals Access Area	Proposed: (Within 15 years) Canoe/kayak access with gravel parking	Proposed: Additional day-use facilities that may include, but are not limited to, a picnic area; walking trails; restrooms; playground
Oxford Access Area	<p>Existing: 4 1-lane boat ramps; 2 courtesy docks (ADA); 120 vehicle/trailer and 5 ADA parking spaces</p> <p>Proposed: (Within 20 years) A primitive campground; paved parking; picnic facilities; bank fishing; trails; restrooms; swimming area</p>	Proposed: RV campground with bathhouse, dump station, and marine pump-out; fishing pier
Oxford Tailrace Fishing Area	Proposed: (Within 15 years) Public fishing and wildlife viewing facility	
Oxford Dam Canoe Portage	<p>Existing: ≈0.3 mi. portage trail; 20 gravel vehicle parking spaces</p> <p>Proposed: (Within 15 years) Improved gravel parking; extended Oxford Dam Canoe Portage trail to Riverbend Park</p>	
LOOKOUT SHOALS DEVELOPMENT		
Upper Lookout Shoals Access Area	Proposed: (Within 5 years) Approx. 1 to 5-acre site with a boat ramp for trailered boats; courtesy dock; parking; restrooms; primitive campground	Proposed: Additional parking; trailhead amenities
Sharon Access Area	Existing: 1 1-lane boat ramp; courtesy dock; 28 vehicle w/ trailer and 1 ADA parking spaces	

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
Lookout Shoals Access Area	<p>Existing: 2 1-lane boat ramps; courtesy dock; 53 vehicle/trailer and 2 ADA parking spaces</p> <p>Proposed: (Within 5 years) Restrooms</p>	Proposed: Fishing pier
Lookout Shoals Dam Canoe Portage	Proposed: (Within 20 years) Portage trail with canoe/kayak access and signage	
Lookout Shoals Tailrace Fishing Area	Proposed: (Within 15 years) Public fishing and wildlife viewing facility	
COWANS FORD DEVELOPMENT		
Buffalo Shoals Access Area	<i>Undeveloped licensee owned project rec site</i>	
Slanting Bridge Access Area	<i>Undeveloped licensee owned project rec site</i>	
Long Island Access Area	Existing: 2 1-lane boat ramps; courtesy dock (ADA); 48 vehicle/trailer and 2 ADA parking spaces	
Stumpy Creek Access Area	<p>Existing: 2 1-lane boat ramps; courtesy dock (ADA); 100 vehicle and 51 vehicle w/ trailer and 6 ADA parking spaces)</p> <p>Proposed: (Within 10 years) Fishing pier; picnic facilities; a trail; restrooms; additional paved parking</p>	<p>Existing: Baseball fields; multipurpose fields; picnic shelters; playground; disc golf; concessions; restrooms; trail; vehicle parking)</p> <p>Proposed: Additional parking; trails; playground</p>
Pinnacle Access Area	Existing: 5 1-lane boat ramps; 2 courtesy docks (ADA); 9 vehicle and 131 vehicle w/ trailer and 6 ADA parking spaces	

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
McCrary Creek Access Area	Existing: 4 1-lane boat ramps; 2 courtesy docks (ADA); 98 vehicle/trailer and 5 ADA parking spaces	
Marshall Fishing Area	Existing: Bank fishing trail; 38 vehicle/trailer parking spaces	
Little Creek Access Area	Existing: 2 1-lane boat ramps; courtesy dock; 59 vehicle/trailer and 2 ADA parking spaces Proposed: (Within 10 years) Restrooms; fishing pier; paved parking; picnic shelter	Proposed: Picnic tables; picnic shelters; restrooms; primitive camping; canoe/kayak launch
Beatty's Ford Access Area	Existing: 4 1-lane boat ramps; 2 courtesy docks (ADA); 120 vehicle/trailer and 6 ADA parking spaces; picnic facilities; restroom Proposed: (Within 5 years) Fishing pier; swimming area; additional paved parking (also shade trees)	Existing: Splash pad; playground; walking trail; sand volleyball court; emergency management office; emergency management dock; emergency management ramp Proposed: Picnic tables; picnic shelters; restrooms; bathhouse; concessions; expansion of existing emergency management office, dock, and parking

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
Ramsey Creek Access Area	Existing: 4 1-lane boat ramps; courtesy dock with boat slips; 173 vehicle w/ trailer and 10 ADA parking spaces	Existing: Restrooms; multipurpose field and courts; picnic shelters and tables; trails; fishing pier; courtesy dock; swim beach; maintenance facility; boathouse for police patrol; dog park; playground; vehicle parking Proposed: Additional parking; expansion of existing fishing pier and maintenance facilities
McGuire Fishing Area	Existing: Fishing pier (ADA); 52 vehicle and 3 ADA parking spaces	
Hagers Creek Access Area	Existing: 4 1-lane boat ramps; 2 courtesy docks (ADA); 120 vehicle w/ trailer and 5 ADA parking spaces Proposed: (Within 5 years) Additional paved parking; trails; bank fishing; picnic facilities; restroom; if site conditions allow, a fishing pier	Proposed: RV camping, camping cabins, bathhouse, dump station, marine pump-out; marina slips; marina, dry storage building, boatyard, service area, dock master’s residence; additional parking
Island Point Access Area	Proposed: (Within 15 years) Trails; bank and/or pier fishing; picnic facilities; a swimming area; boat access facilities (2 ramps, courtesy dock, parking); restrooms	Proposed: RV campground with bathhouse, dump station, marine pump-out; courtesy dock, courtesy slips; amphitheater; environmental area and interpretative center; group camping with restrooms; canoe/kayak launch; additional parking; park office; park residence; picnic facilities; restrooms

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
Cowans Ford Dam Portage and Overlook	Proposed: (Within 20 years) Portage trail; reservoir overlook with benches; and ≈10 gravel parking spaces	
Lake Cornelius Informal Access Area	Proposed: (Within 10 years) Licensee will consult with the town of Cornelius, NC, to identify property to provide informal access to Lake Cornelius	
MOUNTAIN ISLAND DEVELOPMENT		
Highway 73 Access Area	Proposed: (Within 5 years) Approx. 2-acre site with canoe/kayak access; ≈10 gravel parking spaces	
Lucia Access Area	Proposed: (Within 5 years) Canoe/kayak access; ≈10 gravel parking spaces; wildlife viewing facility	
Neck Road Access Area	Existing: 2 1-lane boat ramps; courtesy dock (ADA); 61 vehicle/trailer and 4 ADA parking spaces	
Riverbend Access Area	<p>Existing: 4 1-lane boat ramps; 2 courtesy docks; vehicle with trailer parking (including ADA), gravel vehicle only parking</p> <p>Proposed: (Within 10 years) Restrooms; bank fishing; a swimming area; fishing pier; additional paved parking</p>	Proposed: Bathhouse; campground; trail; additional paved parking
Mountain Island Dam Canoe Portage	Proposed: (Within 10 years) Canoe/kayak access and a portage trail; signage	

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
WYLIE DEVELOPMENT		
Mountain Island Tailrace Fishing Area and Mountain Island River Park	Existing: 2 tailrace fishing platforms; vehicle only parking (20 vehicle parking spaces, 2 ADA parking spaces at fishing and 25 vehicle parking spaces, 4 ADA parking spaces at park)	
Dutchmans Creek Access Area	Proposed: (Within 5 years) Canoe/kayak access and ≈10 gravel parking spaces	Existing: Playground; trail
South Point Access Area	Existing: 6 1-lane boat ramps; 4 courtesy docks; 165 vehicle/trailer and 7 ADA parking spaces Proposed: (Within 5 years) Trails; 2 fishing piers; bank fishing area; picnic facilities; a swimming area; restrooms; additional paved parking	Proposed: RV camping; bathhouse; dump station; trail; marine pump-out
Allen Fishing Area	Existing: 2 fishing piers (ADA); bank fishing trail; 29 vehicle and 2 ADA parking spaces; restroom	
Copperhead Access Area	Existing: Four 1-lane boat ramps (2 ADA); 2 courtesy docks; 47 vehicle, 72 vehicle w/ trailer and 3 ADA parking spaces	Existing: Fishing piers; trails; picnic shelter; beach volleyball court; restrooms; primitive camping; wildlife viewing platform; gate house; event docks; vehicle parking
Buster Boyd Access Area	Existing: 4 1-lane boat ramps; 2 courtesy docks (ADA); 51 vehicle and 119 vehicle w/ trailer and 6 ADA parking spaces Proposed: (Within 5 years) Restrooms	

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
Allison Creek Access Area	<p>Existing: 3 1-lane boat ramps; 2 courtesy docks (ADA); 15 vehicle and 90 vehicle w/ trailer and 1 ADA parking spaces; fishing pier (ADA)</p> <p>Proposed: (Within 5 years) Approx. 48-acre expansion with restrooms; picnic facilities; paved parking; an ≈1-mile-long trail</p>	<p>Proposed: RV campground with bathhouse; trail; dump station; marine pump-out; restrooms; gate house; ranger station; maintenance building; volleyball court; playground; swim beach; primitive camping and/or cabins; canoe/kayak launch; picnic facilities; parking</p>
Ebenezer Access Area	<p>Existing: 3 1-lane boat ramps; 2 courtesy docks (ADA); 70 vehicle and 160 vehicle w/ trailer and 6 ADA parking spaces</p>	<p>Existing: Picnic shelters and tables; park office; playground; restrooms; swimming beach; basketball court; volleyball court; bath house; RV and tent camping; park ranger station and office; vehicle parking</p> <p>Proposed: Kayak launch; water/splash area; fire pit; day use and emergency boat slips; event stage; pier with swings; primitive campsites; relocation of parking lot; trails; swimming beach improvements</p>
Nivens Creek Access Area	<p>Existing: 2 1-lane boat ramps; courtesy dock; vehicle and 32 vehicle/trailer and 2 ADA parking spaces</p>	
Rock Hill Park	<p>Proposed: (Within 5 years) Approx. 17-acre site with bank fishing trail with fishing stations; picnic facilities; swimming area; restroom; parking</p>	<p>Proposed: Canoe/kayak launch</p>

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
Fort Mill Access Area	<p>Existing: 1 1-lane boat ramp; 20 vehicle and vehicle w/ trailer parking spaces; 2 fishing platforms (1 ADA)</p> <p>Proposed: (Within 10 years) Restroom; picnic facilities; wildlife viewing facility (combined with fishing platform)</p>	<p>Proposed: Dog park; playground; canoe/kayak launch; assembly shelter with overlook; picnic shelter; parking; horseshoes; basketball; restrooms; amphitheater; maintenance area/building</p>
FISHING CREEK DEVELOPMENT		
Springs Park Access Area	<p>Existing: 2 1-lane boat ramps; courtesy dock; vehicle with trailer parking (including ADA)</p> <p>Proposed: (Within 5 years) Fishing pier; bank fishing trail; vehicle only parking</p>	<p>Proposed: Restrooms; picnic shelters; picnic tables; additional vehicle only parking; trails</p>
Fishing Creek Access Area	<p>Existing: 2 1-lane boat ramps; courtesy dock; 26 vehicle and 54 vehicle w/ trailer and 2 ADA parking spaces</p> <p>Proposed: (Within 10 years) Fishing pier; additional paved parking; picnic facilities; restrooms; a swimming area, if feasible</p>	<p>Proposed: Camping; ranger station/office; concessions</p>
Fishing Creek Tailrace Fishing Area	<p>Proposed: (Within 10 years) Platform, pier, or bank fishing trail with wildlife viewing facility; paved parking</p>	

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
GREAT FALLS – DEARBORN DEVELOPMENT		
Nitrolee Access Area (formerly known as Highway 200 Bridge Access Area)	Proposed: (Within 5 years) 1 to 5-acre site with a canoe/kayak launch; restrooms; gravel parking area	Proposed: Trail
Great Falls Diversion Dam Portage	Proposed: (Within 5 years) Portage trail	
Lower Great Falls Reservoir Canoe/Kayak Launch	Proposed: (Within 10 years) 1 to 7-acre site with canoe/kayak launch	Proposed: Pedestrian bridge
Great Falls Headworks Portage	Proposed: (Within 5 years) Portage trail	
Great Falls Headworks-to-Cedar Creek Reservoir Portage	Proposed: (Within 5 years) Portage trail	
ROCKY CREEK – CEDAR CREEK DEVELOPMENT		
Mudcat Inn Access Area	Proposed: (Within 10 years) Canoe/kayak access; 7 gravel parking spaces; wildlife viewing facility	Proposed: Restrooms
Stumpy Pond Access Area	Existing: 1 1-lane boat ramp; 23 vehicle with trailer parking spaces (including ADA); canoe/kayak launch area	

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
Debutary Creek Access Area	Existing: 1 1-lane boat ramp; gravel (undefined) vehicle and vehicle with trailer parking spaces (≈20)	
WATEREE DEVELOPMENT		
Cedar Creek Access Area	Existing: 2 1-lane boat ramps; gravel (undefined) vehicle and vehicle with trailer parking spaces (≈55)	
Wateree Creek Access Area	Existing: 2 1-lane boat ramps; courtesy dock; 37 vehicle/trailer and 2 ADA parking spaces Proposed: (Within 5 years) Fishing pier; picnic facility; restroom; ≈10 gravel parking spaces	
Taylors Creek Access Area	Existing: 2 1-lane boat ramps; courtesy dock (ADA); 68 vehicle w/ trailer and 2 ADA parking spaces	
Taylors Creek Fishing Area	Proposed: (Within 10 years) Approx. 3-acre expansion with ≈10 gravel parking spaces	
June Creek Access Area	Existing: 2 1-lane boat ramps; courtesy dock; 34 vehicle w/ trailer and 1 ADA parking spaces	
Molly Creek Access Area	Proposed: (Within 5 years) Approx. 100-acre site with a swimming area; paved parking; restrooms; trails; bank and pier fishing; picnic facilities; trailered boat access	Proposed: RV campground; bathhouse; dump station; marine pump-out

Recreation Site Name	Project Recreation Facilities	Non-Project Recreation Facilities
Colonels Creek Access Area	<p>Existing: 3 1-lane boat ramps; 72 vehicle w/ trailer parking spaces</p> <p>Proposed: (Within 5 years) Courtesy dock; swimming area; restrooms; picnic shelter; additional paved parking</p>	Proposed: Picnic tables
White Oak Creek Access Area	<p>Existing: 4 1-lane boat ramps; 2 courtesy docks (ADA); 86 vehicle w/ trailer and 2 ADA parking spaces; event dock</p>	
Buck Hill Access Area	<p>Existing: 2 1-lane boat ramps; courtesy dock; 50 vehicle w/ trailer parking spaces</p>	
Lugoff Access Area	<p>Existing: 1 1-lane boat ramp; 47 and 1 ADA gravel parking spaces; fishing platform</p> <p>Proposed: (Within 15 years) Restrooms; improved gravel parking; wildlife viewing facility (combined with existing fishing platform)</p>	Proposed: Picnic shelter; picnic tables; canoe/kayak launch

Document Content(s)

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