



June 12, 2024

Electronically Filed

Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street N.E.
Washington, DC 20426

Subject: **Bad Creek Pumped Storage Project (P-2740-053)**
Initial Study Report Additional Information Request

Dear Acting-Secretary Reese:

Duke Energy Carolinas, LLC (Duke Energy) is the Licensee, owner, and operator of the 1,400-megawatt (MW) Bad Creek Pumped Storage Project (FERC No. 2740) (Project), located in Oconee County, South Carolina. The Project is currently licensed by the Federal Energy Regulatory Commission (FERC or Commission), and the current operating license for the Project expires on July 31, 2027. Accordingly, Duke Energy is pursuing a new license for the Project pursuant to the Commission's Integrated Licensing Process (ILP), as described at 18 Code of Federal Regulations (CFR) Part 5. As an alternative relicensing proposal, Duke Energy is evaluating the addition of a second underground powerhouse (Bad Creek II Power Complex or Bad Creek II) adjacent to the existing facility to increase renewable energy storage and generation in the region.

In accordance with 18 CFR §5.15(c), Duke Energy filed the Initial Study Report (ISR) with the Commission on January 4, 2024, which summarized study activities performed in 2023, as well as ILP activities expected to be completed in 2024. An ISR meeting was held on January 17, 2024. On May 9, 2024, FERC issued a letter requesting additional information (within 45 days) related to the ISR. Duke Energy is hereby providing the additional information requested by FERC. FERC's requests are repeated below for reference.

Additional Information Request 1

1. **Temporary Access Road:** In section 1.3 of the Initial Study Report (ISR), Duke Energy states that it is evaluating the need to construct a 3.7-mile-long gravel access road to the Fisher Knob community for use during the Bad Creek II Complex construction. Duke Energy states that the access road would: (1) "...*necessarily be constructed* in advance of the start of construction for Bad Creek II and *prior to the new license issuance...*" [emphasis added]; (2) primarily follow an existing,

unmaintained logging road on Duke Energy-owned property; (3) only be maintained during construction of Bad Creek II; and (4) *not become part of the expanded FERC project boundary* [emphasis added]. Duke Energy provided maps of the proposed access road in Appendix B, Attachment 3 of the ISR. Based on the information provided in the ISR, it is not clear what project purposes the existing project access road provides, which of those purposes the proposed temporary access road would replace, and any other project purposes the temporary road would serve before, during, or after construction of Bad Creek II, if any. Therefore, please clarify:

- (1) the current uses, users, and purposes of the existing project access road;
- (2) the proposed uses, users, and purposes of the proposed temporary access road before, during, and after Bad Creek II construction; and
- (3) please indicate whether there would be any recreation access or property access limitations due to the proposed temporary access road and construction of the Bad Creek II Project. If so, please submit, in tabular form, a list of private properties (such as any along Fisher Knob Road), recreational trails, including any Foothills Trail spur trails, and/or recreation access areas that would be closed and the period of closure(s).

Please note that Commission regulations require that all land and water necessary for the operation and maintenance of the project be included in the project boundary and therefore, if the temporary access road would serve a project purpose, it would need to be included in the proposed project boundary and would have to be approved in a license.

Duke Energy's Response:

- (1) The existing Project access road is used to access both Project facilities and non-Project resources including residences at the Fisher Knob community, the South Carolina Department of Natural Resources' (SCDNR) Musterground Wildlife Management Area (WMA), and visitors accessing the Foothills Trail. Road users include:
 - Duke Energy personnel and contractors,
 - Fisher Knob community property owners and their guests,
 - SCDNR for accessing Musterground WMA for management activities,
 - Foothills Trail Conservancy for Foothills Trail maintenance activities,
 - First responders, and
 - The public while accessing the Foothills Trail and Musterground WMA for recreational purposes including hiking, hunting, and fishing.
- (2) The proposed temporary access road would provide access to the Fisher Knob community during Bad Creek II construction. It is envisioned to be gated with access granted solely to property owners at Fisher Knob. Construction would be timed such that the road would be usable before intensive Bad Creek II construction activities commence and public use of Bad Creek Road is limited. At the conclusion of

construction activities following demobilization, the temporary access road would be abandoned and no longer available for use.

- (3) There would be no recreational access or property access limitations due to the construction of the temporary access road since the road currently is not used for either purpose.

During construction of Bad Creek II, Bad Creek Road may be closed to public use. Trails and recreational features that would be affected by this closure are identified in the table below. As presently proposed, private properties would not be affected by the temporary closure due to the construction of the temporary access road. Duke Energy would continue to allow both SCDNR and Foothills Trail Conservancy access to support Musterground WMA and Foothills Trail maintenance activities. Duke Energy would also allow first responders to use the road to support emergency response.

Lands with Restricted Access	Owner	Closure Period
Bad Creek Hydro Access to the Foothills Trail	Duke Energy	During construction
Musterground Road Access	Duke Energy	During construction
Musterground WMA (Note 1)	Duke Energy (leased to SCDNR) and SCDNR	During construction
Bad Creek Project Overlook	Duke Energy	During construction

Note 1: The Musterground WMA would still be available to the public by foot from the Foothills Trail or by boat from Lake Jocassee.

As an update since the ISR, Duke Energy is no longer proposing or requesting to construct the temporary Fisher Knob access road prior to license issuance.

Additional Information Request 2

- 2. **Musterground Road Closure:** During the ISR Meeting, the Foothills Trail Conservancy and the South Carolina DNR expressed concerns with the closure of Musterground Road for the entire construction period of the proposed Bad Creek II Project (approximately 6-7 years). In its response to ISR comments, Duke Energy describes ongoing access discussions with South Carolina DNR for the Musterground Road Recreation Area. Noting that there seems to be no alternate means of access to the Musterground Road Recreation Area, including to Hunt Camp 5, please indicate if Duke Energy plans to explore periodic open access to Musterground Road Recreation Area during the construction period (e.g., perhaps associated with a phased construction period).

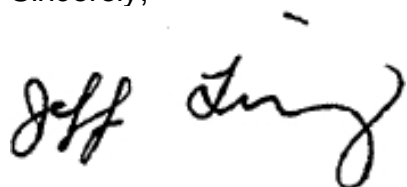
Duke Energy’s Response

Duke Energy continues to consult with SCDNR and other relicensing stakeholders regarding potential alternatives for public access to the Musterground WMA during Bad

Creek II construction. These alternatives include potential alternative roads and could potentially include periodic open periods should an alternative route not be identified. Measures that may be agreed upon are expected to be described as part of Duke Energy's relicensing proposal in the draft and final license application.

If there are questions regarding this filing, please contact Alan Stuart, Senior Project Manager, at Alan.Stuart@duke-energy.com or via phone at 980-373-2079.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lineberger". The signature is written in a cursive, flowing style.

Jeffrey G. Lineberger, PE
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cc: Alan Stuart, Duke Energy
Garry Rice, Duke Energy
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