

FEDERAL ENERGY REGULATORY COMMISSION
Washington, DC 20426
August 29, 2024

OFFICE OF ENERGY PROJECTS

Project No. 2818-025 – Alaska
Green Lake Hydroelectric Project
City and Borough of Sitka, Alaska

VIA FERC Service

Reference: Scoping Document 2 for the Green Lake Hydroelectric Project, P-2818-025

To the Parties Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the Pre-Application Document (PAD), filed on March 26, 2024, by City and Borough of Sitka, Alaska (CBS), for relicensing the Green Lake Hydroelectric Project No. 2818 (hereafter, or project). The project is located on the Vodopad River, between Green Lake and Silver Bay, in the City and Borough of Sitka, Alaska.

Pursuant to the National Environmental Policy Act of 1969, as amended, Commission staff will prepare either an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the “NEPA document”) which will be used by the Commission to determine whether, and under what conditions, to issue a new license for the project. To support and assist our environmental review, we are beginning the public scoping process to ensure that all pertinent issues are identified and analyzed, and that the NEPA document is thorough and balanced. The Commission’s scoping process will satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

Our preliminary review of the environmental issues to be addressed in our NEPA document was included in Scoping Document 1 (SD1), issued on May 20, 2024. We requested comments on SD1 and held scoping meetings on June 12, 2024, to obtain the views of all interested entities on the scope of issues to be addressed in the NEPA document. Based on comments received during the scoping meetings and written comments filed during the scoping process, we have updated SD1 to reflect our current view of the issues and alternatives to be considered in the NEPA

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document. *Key changes from SD1 to Scoping Document 2 (SD2) are identified in bold, italicized type.*

SD2 is being distributed to both CBS's distribution list and the Commission's official mailing list (see section 7.0 of the attached SD2). If you wish to be added to or removed from the Commission's official mailing list, please send your request by email to FERCOnlineSupport@ferc.gov. In lieu of an email request, you may submit a paper request. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All written or emailed requests must specify your wish to be removed or added to the mailing list and must clearly identify the following on the first page: **Green Lake Hydroelectric Project No. 2818-025**.

SD2 is issued for informational use by all interested entities; no response is required. If you have any questions about SD2, the scoping process, or how Commission staff will develop the NEPA document for this project, please contact Jeffrey Ackley at Jeffrey.Ackley@FERC.gov. Additional information about the Commission's licensing process and the Green Lake Project may be obtained from our website at <http://www.ferc.gov>.

Enclosure: Scoping Document 2

SCOPING DOCUMENT 2

GREEN LAKE HYDROELECTRIC PROJECT
(FERC NO. 2818-025)

ALASKA



Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
Washington, DC

August 2024

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SCOPING DOCUMENT 2

Green Lake Hydroelectric Project (FERC No. 2818-025)

1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),¹ may issue licenses for terms ranging from 30 to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects. On March 26, 2024, the City and Borough of Sitka (CBS) filed a Pre-Application Document (PAD) and Notice of Intent (NOI) to file an application for a new license for the Green Lake Hydroelectric Project No. 2818-025 with the Commission.²

The project is located on the Vodopad River between Green Lake and Silver Bay in the City and Borough of Sitka (CBS), Alaska (Figure 1). A detailed description of the project is provided in section 3.0. The project does not occupy any federal lands. The project has a total installed capacity of 18.54 megawatts (MW). The average annual generation of the project from 2016 to 2023 was 41,474 megawatt-hours (MWh).

The National Environmental Policy Act (NEPA) of 1969,³ the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of relicensing the Green Lake Hydroelectric Project as proposed and consider reasonable alternatives to the proposed action. We will prepare either an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the "NEPA document") that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed action and alternatives. The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

¹ 16 U.S.C. § 791(a)-825(r).

² The current license for the Green Lake Hydroelectric Project was issued with an effective date of April 1, 1979, for a term of 50 years. The current license expires on March 31, 2029.

³ 42 U.S.C. §§ 4321-4370(f).

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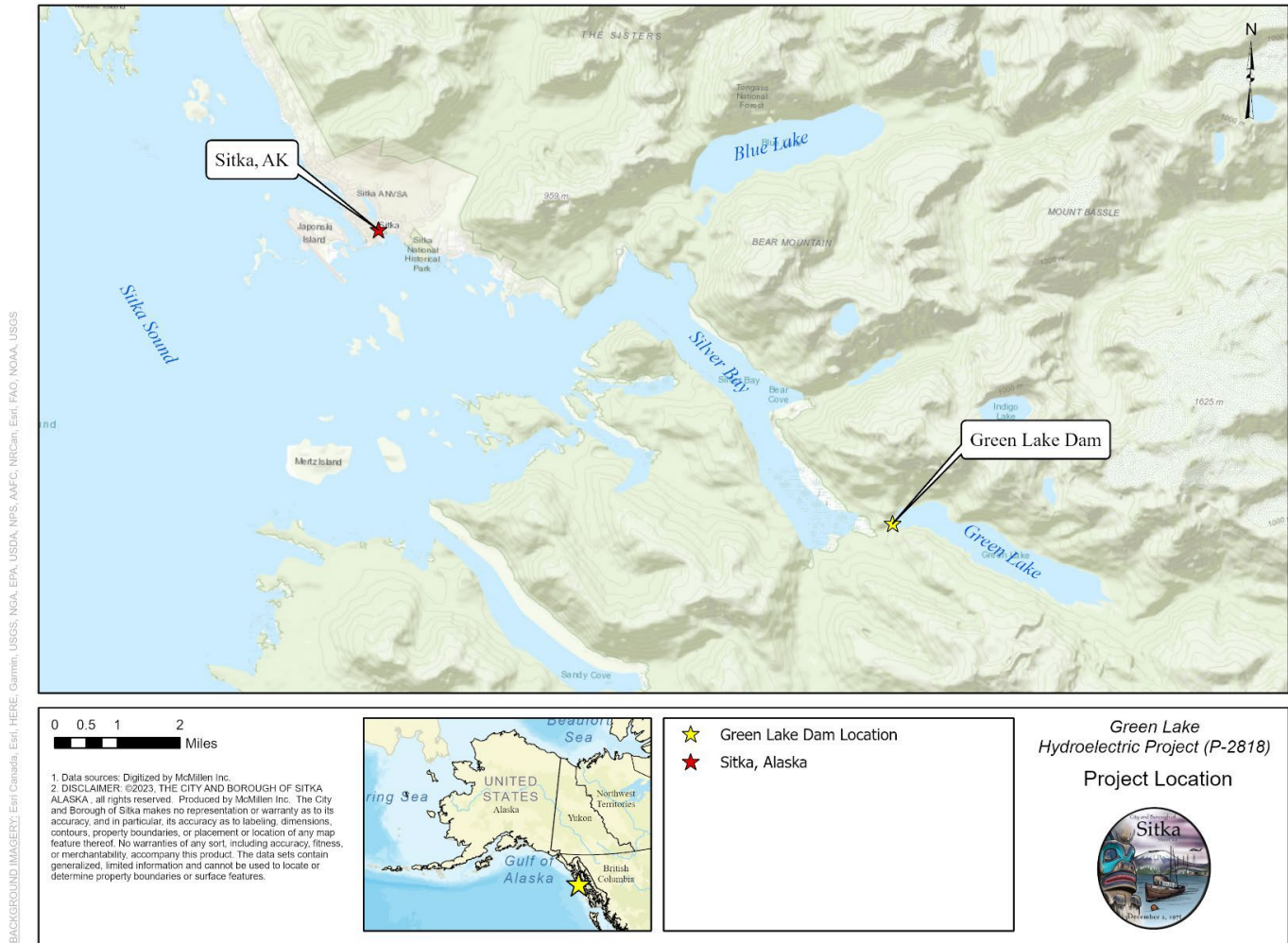


Figure 1. Location of the Green Lake Hydroelectric Project (Source: PAD).

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2.0 SCOPING

This Scoping Document 2 (SD2) is intended to advise all participants as to the potential scope of the NEPA documentation and to seek additional information pertinent to this analysis. This document contains: (1) a description of the scoping process and development of the license application; (2) a description of the proposed action and alternatives to the proposed action; (3) a preliminary identification of environmental issues; and (4) a preliminary list of comprehensive plans that are applicable to the project.

2.1 PURPOSES OF SCOPING

Scoping is the process used to identify issues, concerns, and opportunities for enhancement or mitigation associated with a proposed action. According to NEPA, the process should be conducted early in the planning stage of the project. The purposes of the scoping process are as follows:

- invite participation of federal, state and local resource agencies, Native American tribes, non-governmental organizations (NGOs), and the public to identify significant environmental and socioeconomic issues related to the proposed project;
- determine the resource issues, depth of analysis, and significance of issues to be addressed in the NEPA document;
- identify how the project would or would not contribute to cumulative effects in the project area;
- identify reasonable alternatives to the proposed action that should be evaluated in the NEPA document;
- solicit available information on the resources at issue and study needs; and
- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

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2.2 SCOPING COMMENTS

Commission staff issued Scoping Document 1 (SD1) on May 20, 2024, to enable resource agencies, Indian Tribes, NGOs, and the public to effectively participate in and contribute to the scoping process. In SD1, we requested clarification of the preliminary issues concerning the Green Lake Project and identification of any new issues that need to be addressed in the NEPA document. We revised SD1 based on the comments received during the scoping comment period, which ended July 24, 2024. SD2 presents our current view of issues and alternatives to be considered in the NEPA document. To facilitate review, key changes from SD1 to SD2 are identified in bold and italicized type.

We conducted two scoping meetings in Sitka, AK, on June 12, 2024. The scoping meetings were transcribed by a court reporter. In addition to the comments transcribed from the scoping meetings, written comments on the scoping document were filed by EPA on July 19, 2024. Study requests were filed by U.S. Fish and Wildlife Service and Alaska Department of Fish and Game on July 24, 2024 and July 15, 2024, respectively.

After preparation of the NEPA document, there will be several additional opportunities for the resource agencies, Indian Tribes, NGOs, and the public to provide input. These opportunities occur:

- in response to the Commission's notice that the project is ready for environmental analysis, when we solicit comments, recommendations, terms and conditions, and prescriptions for the proposed project; and
- after issuance of the NEPA document when we solicit written comments on the document.

Scoping meeting transcripts and all written comments received are part of the Commission's official record for the project. The Commission provides all interested persons an opportunity to view and/or print comments via the Internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY).

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2.3 ISSUE RAISED DURING SCOPING

The issues raised by participants during the scoping comment period are summarized and addressed below. As the primary purpose of SD2 is to identify issues to be analyzed in the NEPA document, we revised SD1 to address only those comments related directly to the scope of environmental issues. We do not address comments that are recommendations for license conditions, such as protection, mitigation, and enhancement (PM&E) measures, as the need for such measures will be addressed in the NEPA document or any license order that is issued for the project. We will request comments, recommendations, terms and conditions, and prescriptions when we issue our Notice of Ready for Environmental Analysis. We do not respond to study requests as they will be determined during the study development phase of the pre-filing process. Finally, we do not address comments or recommendations that are administrative in nature, such as requests for changes to the mailing list. Those items will be addressed separately.

General Comments

Comment: EPA provided several comments and recommendations on the development of the NEPA document that were not project-specific, but more general in nature, including baseline conditions, analysis of alternatives, addressing various environmental resources, and consistency with existing environmental laws and regulations.

Response: At the Commission, the existing environmental conditions represent the baseline for conducting an analysis under NEPA. Commission staff will evaluate reasonable alternatives to include CBS's proposal, a no-action alternative, and any other alternatives to the proposed action that are filed in response to the Commission's ready for environmental analysis notice. Staff's basis for recommending or rejecting an action or project alternative will be provided in the NEPA document.

The NEPA document will describe the existing environment of potentially affected resources in the project area and where appropriate include supporting information, and an analysis of the effects of the proposed project and alternatives, including reasonably foreseeable effects, on potentially affected environmental resources, including the issues identified in SD2 and any additional project-related issues identified during the licensing proceeding for the project. The NEPA document will consider those environmental laws and regulations that the

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Commission must fulfil to issue a licensing decision, such as the Endangered Species Act and Clean Water Act.

Comment: EPA asks for clarification of how existing environmental measures from the original license will be incorporated into the new license.

Response: Some of the environmental measures in the original license only applied to the construction phase the project and did not specify any ongoing measures for project operations (e.g. develop a plan to avoid and minimize impacts during construction of the road and transmission line). If a new license is issued, the environmental measures will be forward-looking, based on recommendations from stakeholders, and included in the new if they are in the public interest.

Comment: EPA recommends the NEPA document include CBS's proposal to expand the project boundary around the transmission line and any associated construction as a project alternative.

Response: The proposed project boundary expansion is administrative in nature and will not involve any construction as the final segment of transmission line connecting Green Lake to the substation at Blue Lake already exists. The Green Lake boundary would simply be expanded to align with the current Blue Lake project boundary, thus including the final segment of transmission line which currently does not fall within either project area. As such, this potential change does not merit inclusion as a project alternative.

Geology

Comment: EPA highlights concerns about slope stability within the project area, noting that many soil units have high slope percentages and are prone to landslides due to factors like slope, landform, and drainage. EPA recommends that the NEPA document include measures to address slope stability, particularly for slopes exceeding 15% near hydroelectric infrastructure, and assess landslide risks both within and adjacent to the project boundary. Additionally, EPA advises evaluating soil stability when considering alternatives for expanding the transmission corridor, especially given the occurrence of several significant earthquakes since the dam's original license evaluation. Finally, EPA suggests that the NEPA document should discuss the findings of any seismic or geotechnical investigations conducted.

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Response: CBS does not propose any new construction or modifications to its existing facilities, including the project transmission line. If CBS proposes to include any actions involving construction as part of its relicensing proposal, then it would need to describe the actions, any associated environmental effects, and any new environmental measures proposed to address these effects in the license application as required by sections 4.61(d) of the commission regulation.

Commission's regulation 4.61(e) conforms to 4.41(g)(3) requires a supporting design report that requires stability and stress analyses for all major structures and critical abutment slopes under all probable loading conditions, including seismic and hydrostatic forces induced by water loads up to the Probable Maximum Flood, as appropriate. As part of the licensing process, the Division of Dam Safety and Inspection (D2SI) will evaluate the slope stability, assess landslide risks, and any related issues to seismic activity. In addition, D2SI staff would inspect the project throughout any license term to assure continued adherence to Commission-approved plans and specifications, special license articles relating to construction (if any), operation and maintenance, and accepted engineering practices and procedures. Special articles would be included in any license issued, as appropriate. For these reasons, no changes to the scoping document are warranted.

Aquatic Resources

Comment: The EPA recommends the NEPA document identify: (1) any discharges to waters of the United States that are known, or are likely, to occur; (2) how discharges and exposure of stormwater to pollutants will be managed and minimized; and, (3) the National Pollutant Discharge Elimination System (NPDES) permits that will be obtained for any construction, new (or modifications to) existing permits for operations, and how any previous permit exceedances could be prevented by incorporating pollution prevention measures into the project.

Response: The NEPA document will describe the existing environment of affected aquatic resources in the project area and provide analyses of effects of the proposed action and of alternatives to the proposed action on water resources, including the potential for discharge into navigable waters. The NEPA document will describe how the Commission will comply with the additional regulatory requirements or authorizations that are needed by the Commission prior to license issuance (e.g., Section 7 of the ESA, Section 401 of the Clean Water Act). However, the NEPA document will not address any other state or federal permits the applicant may need to

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obtain because such permits and approvals are outside of the Commission's licensing purview.

Comment: The EPA states that nutrient build up from the hatchery net pens in Green Lake may exacerbate favorable conditions for algal bloom growth and recommends the NEPA document assess the potential for the development of harmful algal blooms in Green Lake.

Response: The hatchery net pen operation in Green Lake is a non-project use of the reservoir. As such, no nexus exists between the project and the potential development of harmful algal blooms resulting from the net pens. Regardless, as part of Alaska's discharge permit for operation of the net pens, the hatchery is required to monitor and report dissolved oxygen concentrations inside and outside the net pens, discoloration and sheen in the surface water, and the presence of anoxic conditions and benthic bacterial or fungal mats below the net pens. Staff's review of the 2022 and 2023 annual monitoring reports found no indication the net pens are adversely affecting water quality or causing harmful algal blooms in Green Lake.

Comment: The EPA recommends that the NEPA document: (1) identify any discharges to the waters of the United States subject to section 404 of the Clean Water Act (CWA); (2) include necessary information to determine whether the project would satisfy the requirements of a 404 permit; and (3) describe how compensatory mitigation will be quantified to offset impacts.

Response: The NEPA document will discuss those statutory and regulatory requirements that must be met before a license can be issued for the project. A CWA section 404 permit is not a prerequisite to the Commission's licensing determination; therefore, jurisdictional issues associated with section 404 permits or other local permits is outside the scope of the NEPA document.

Comment: The EPA recommends the NEPA document "describe aquatic habitats in the project area (e.g., habitat type, plant and animal species, functional values, and integrity) and the environmental consequences of the proposed alternatives on these resources" and to "evaluate impacts to aquatic resources in terms of the areal (acreage for wetlands) or linear extent (for streams) to be impacted and by the functions they perform."

The EPA also recommends the NEPA document assess potential impacts to aquatic biota in the project vicinity, within the reservoir and at Project outflows into

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Silver Bay from water quality from potential nutrient deficits from impounded sediments.

Response: The affected environment sections of the NEPA document will describe current (baseline) conditions for each of the resources identified in section 4.0 of SD2 using the information available. This will include describing existing water quality and hydrologic conditions, wetlands/riparian areas, and aquatic habitat and native fish communities that utilize habitat in Green Lake, the Vodopad River, and associated tributaries in and around the project. Baseline conditions will then be compared to conditions expected under each developmental alternative(s).

Comment: The EPA recommends the NEPA document identify essential fish habitat within the project area and consider the effects to anadromous fish caused by the access road (e.g., blocking fish passage).

Response: We have revised section 4.2.1 to include the potential effects of continued operation of the project on essential fish habitat.

Terrestrial Resources

Comment: EPA recommends considering impacts from construction related disturbance, such as vegetation clearing and the spread of invasive species.

Response: Vegetation clearing and invasive species are already noted as potential impacts in section 4.2.2. No changes to the scoping document are needed.

Climate Change

Comment: EPA states that it published the interim guidance released by the Council on Environmental Quality (CEQ) on January 9, 2023, which aims to assist federal agencies in assessing and disclosing climate change impacts during environmental reviews, as mandated by Executive Order 13990. EPA encourages the consideration of regional and local climate change impacts in project designs, especially for long-lived infrastructure like dams and reservoirs, which are particularly vulnerable to changing water availability and temperatures. The guidance emphasizes the importance of integrating climate resilience and adaptation planning to address hazards such as drought, high-intensity precipitation events, soil erosion, and increased fire risks.

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Additionally, EPA highlights the potential for increased greenhouse gas (GHG) emissions from dams and reservoirs due to climate change, primarily from methane production in anoxic conditions. The EPA recommends that the NEPA analyses consider these potential impacts and incorporate climate adaptation strategies to reduce emissions. Suggested strategies include raising water intake heights, maintaining higher reservoir water levels, and enhancing dissolved oxygen levels through aeration technology or aquatic vegetation, which could help mitigate the effects of climate change on GHG production and water quality.

Response: Regarding the effects of climate change on the project, the environmental analysis will consider recent hydrologic trends in stream flows and reservoir levels to determine if there are any trends in water availability that should be factored into the analysis of project operation. As part of this analysis, we will assess reasonably foreseeable effects that changes in hydrology could potentially have on the project and environmental resources in the project area to the extent that information is available. We will conduct our analysis using, among other things, conventional hydrologic studies and monitoring techniques. Regarding the potential effects of the project on climate change, staff is unaware of any currently proposed measures that could contribute to greenhouse gas emissions or otherwise influence climate change. However, if proposals or recommendations are made during the NEPA process that could affect climate change, analyses to address those potential effects will be conducted.

Environmental Justice

Comment: EPA recommends that the NEPA document address adverse environmental effects of the proposed project on minority and low-income communities, as directed by Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. The EPA also recommends that staff use EPA's EJSCREEN to determine the presence of minority and low-income populations.

Response: Section 4.2.7 of the SD1 identified potential effects of project operation and maintenance on identified environmental justice communities as an issue staff would analyze in the NEPA document. We also intend to use EPA's EJSCREEN tool to conduct a block-level analysis of whether there are environmental justice communities in the vicinity of the project. Therefore, no modification to the scoping document is required.

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Meaningful Public Engagement

Comment: EPA recommends that Commission staff undertake the following steps to ensure meaningful public involvement in the licensing process: (1) review and consider community feedback provided during the NEPA process and ensure it is reflected in the decision-making process; (2) implement robust community engagement practices to maximize participation opportunities for communities that would be affected by the project, such as community-based workshops to facilitate discussion and issue resolution; (3) provide early and frequent outreach and engagement opportunities to collect and incorporate community feedback throughout the NEPA process and to maintain maximum transparency; (4) ensure that translation/interpretation services are provided to accommodate linguistically isolated populations; (5) address technology barriers that may prohibit participation from communities affected by the project; (6) ensure that meetings are scheduled at a time and location that is accessible for community participants, including scheduling meetings after work hours and on weekends as appropriate; (7) provide ample notice of meetings and commenting opportunities so that community members have sufficient time to prepare and participate; (8) promote engagement within outlets used by affected communities; and (9) ensure project-related information is conveyed using plain language.

Response: The Integrated Licensing Process provides numerous opportunities for meaningful public engagement in the NEPA process. Commission staff published notice of the scoping meetings in the Sitka Sentinel on May 31, 2024, prior to the meetings. We held two public scoping meetings, one during the daytime and one during the nighttime, to maximize opportunities for public participation. There will be additional opportunities for the public to file oral and written comments during study plan development, after the filing of CBS's draft and final license applications, and after issuance of the NEPA document.

Subsistence

Comment: EPA recommends the NEPA document analyze the potential impacts of the proposed project and its reasonably foreseeable actions to the regional subsistence practices and economies, including herring.

Response: We revised the scoping document accordingly.

Tribal Consultation

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Comment: EPA states that it encourages Commission staff to consult with the Tribes and incorporate feedback from the Tribes when making decisions regarding the project. EPA requests that the NEPA document describe the issues raised during Tribal consultations and how those issues will be addressed. The EPA recommends the NEPA document evaluate any potential impacts to religious or culturally significant historic properties and consider mitigation strategies.

Response: Commission staff coordinates and consults with potentially affected Tribes regarding a proposed project's effects. These efforts begin during pre-filing by sending letters and making follow-up communications to invite the tribes to participate in the licensing process. The Tribes will have multiple opportunities during the pre-filing and post-filing process to share their concerns and knowledge. Commission staff's NEPA analysis will consider all comments and specific recommendations made by the Tribes.

Section 4.2.6 already notes the effects of continued project operation and maintenance on historic and archaeological resources will be addressed, thus no changes to the scoping to the scoping document are needed.

Indigenous Knowledge

Comment: The EPA recommends the NEPA document include the identification, inclusion, and integration of Indigenous Knowledge into the NEPA analysis.

Response: The Commission's regulations require the consultation with interested Tribes and Indigenous Peoples. FERC offered to consult with Tribes on April 24, 2024. The NEPA analysis will include information potentially provided by the Tribes and Indigenous Peoples.

3.0 PROPOSED ACTION AND ALTERNATIVES

In accordance with NEPA, the environmental analysis will consider the following alternatives, at a minimum: (1) the no-action alternative, (2) CBS's proposed action, and (3) the alternatives to the proposed action.

3.1 NO-ACTION ALTERNATIVE

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Under the no-action alternative, the Green Lake Project would continue to operate as required by the current project license (i.e., there would be no change to the existing environment). No new environmental protection, mitigation, or enhancement measures would be implemented. We use this alternative to establish baseline environmental conditions for comparison with other alternatives.

3.1.1 Project Area

The project is located on the Vodopad River between Green Lake and Silver Bay, approximately 10 miles southeast of the City of Sitka, Alaska. The project lies within the Vodopad River Watershed. The watershed is subject to water quality criteria by the Alaska Department of Environmental Conservation for water supply, aquaculture, and recreation, but the project is the only registered water user within the river basin.

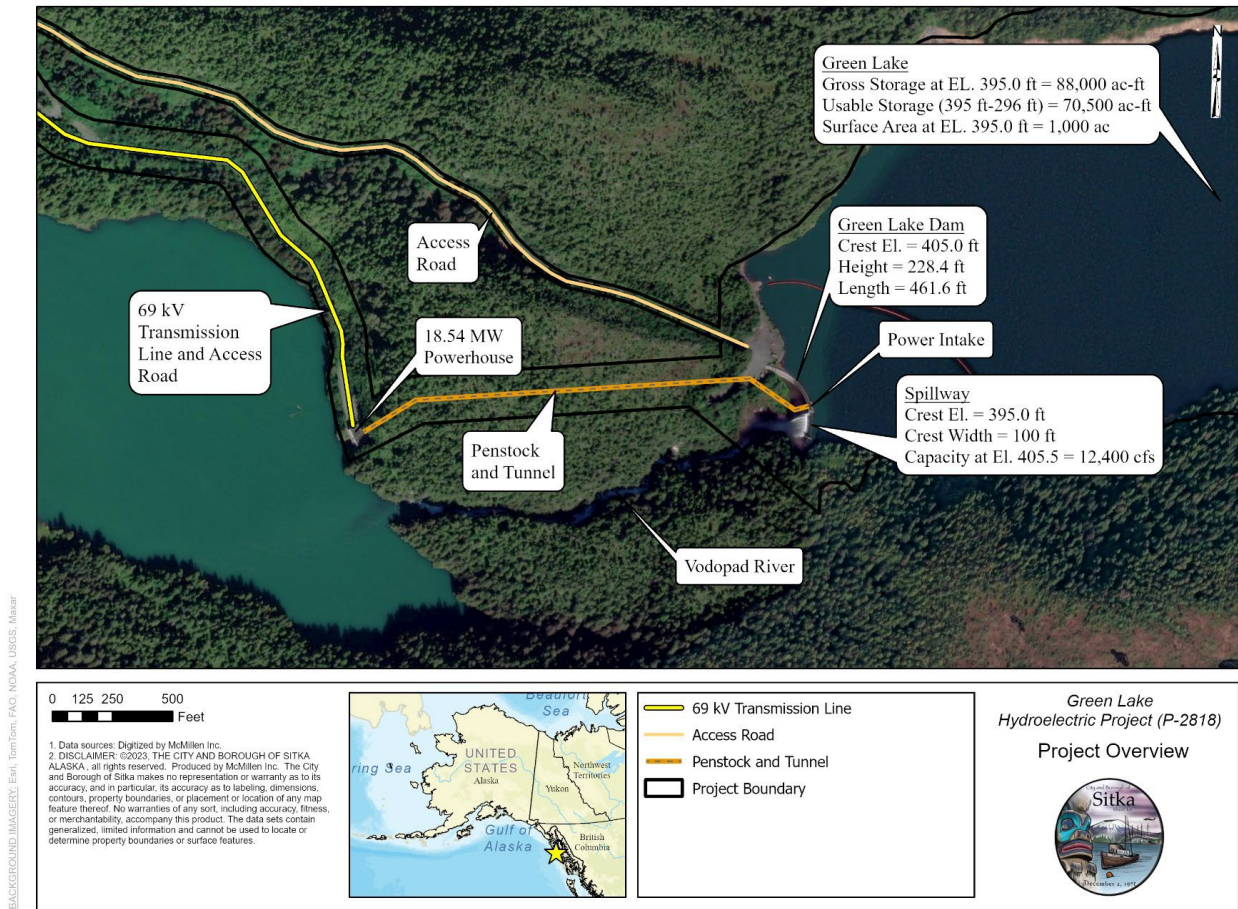
While previously part of the Tongass National Forest, pursuant to a completed land exchange in 1979, CBS now owns all lands within the project boundary. The project boundary does not include any federal lands since the land exchange was completed.

3.1.2 Existing Facilities

The project consists of: (1) a 228-foot-high, 462-foot-long concrete gravity dam with a crest elevation of 405 feet⁴ with a 100-foot-long ungated overflow spillway with a crest elevation of 395 feet; (2) an 1000-acre reservoir with a storage capacity of 88,000 acre-feet at the spillway crest elevation of 395.0 feet; (3) a 200-foot-long, 8-foot-diameter steel penstock connected to a 1,900-foot-long, 9-foot-diameter concrete power tunnel that bifurcates immediately before entering a powerhouse; (4) a 78-foot-long, 48-foot-wide, and 80-foot-high powerhouse containing two Francis-type turbine-generator units, each with an authorized installed capacity of 9.27 MW; (5) a very short tailrace that discharges directly to Silver Bay; (6) a 9-mile-long, 69-kilovolt (kV) transmission line extending from the powerhouse to an interconnection at the Blue Lake Project substation; and (7) appurtenant facilities. Figure 2 displays the major facilities associated with the project, to which the applicant is not proposing any changes. Recreation facilities at the project include a boat landing on Green Lake near the project facilities.

⁴ Elevations in this document refer to the Mean Lower-Low Water (MLLW) datum at the Sitka, Alaska Tidal Gage #9451600. This is equal to the North American Vertical Datum of 1988 (NAVD88) elevation minus 0.15 meters or 0.4921 feet.

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Path: C:\Box\MCM Projects\City of Sitka\Green Lake Relicensing\5.0 Plans and Specs\6.6_GIS\aprx\greenlake Layout: project_overview

Figure 2. Major Facilities Associated with the Project (source: PAD)

3.1.3 Existing Project Operation

The Green Lake project is operated by CBS as a storage project and in conjunction with the Blue Lake Hydroelectric Project (FERC No. 2230).⁵ The Green Lake plant is operated remotely from the Blue Lake powerhouse, which is always staffed, and Green Lake is visited twice per week or more often if needed. The reservoir is typically drawn down by approximately 100 feet over the winter during peak demand and refilled during the summer when inflow from snowmelt is highest. Based on the available flow, CBS

⁵ The Blue Lake Project, licensed in 2007 (7 FERC ¶ 61,021), is located on the Sawmill Creek in the City and Borough of Sitka, and is operated in tandem with the Green Lake Project to meet the City’s total daily electrical needs.

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operates one of the two turbines, with the second being brought online as needed. The maximum combined hydraulic capacity of the turbines is 710 cubic feet per second (cfs). Once the reservoir is full, flow exceeding the project's maximum hydraulic capacity is released over the spillway, which can occur during summer and fall. The annual average generation of the project between 2016 and 2023 was approximately 41,474 MWh, and the applicant is not proposing any change to operations.

3.2 APPLICANT'S PROPOSAL

3.2.1 Proposed Project Operation and Project Boundary

The City and Borough of Sitka proposes to continue to operate and maintain the project as described above and does not propose any modifications to the project's existing facilities or operation. CBS states they may request to expand the project boundary to include the final section of the transmission corridor that connects the Green Lake project to the Blue Lake Substation.

3.2.2 Proposed Environmental Measures

CBS is not proposing any new environmental measures but proposes to continue to maintain the existing project recreation public access and facilities.

3.3 DAM SAFETY

It is important to note that dam safety constraints may exist and should be taken into consideration in the development of proposals and alternatives considered in the pending proceeding. For example, proposed modifications to the dam structure, such as the addition of flashboards or fish passage facilities, could impact the integrity of the dam structure. As the proposal and alternatives are developed, the applicant must evaluate the effects and ensure that the project would meet the Commission's dam safety criteria found in Part 12 of the Commission's regulations and the Engineering Guidelines (<http://www.ferc.gov/industries/hydropower/safety/guidelines/eng-guide.asp>).

The project has been operating for nearly 50 years under the existing license and during this time Commission staff have conducted operational inspections focusing on the continued safety of the structure, identification of unauthorized modifications, efficiency and safety of operations, compliance with the terms of the license, and proper maintenance.

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3.4 ALTERNATIVES TO THE PROPOSED ACTION

Commission staff will consider and assess all alternative recommendations for operational or facility modifications, as well as protection, mitigation, and enhancement measures identified by the Commission, the agencies, Native American Tribes, NGOs, and the public.

3.5 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

At present, we propose to eliminate the following alternatives from detailed study in the NEPA document.

3.5.1 Non-power License

A non-power license is a temporary license the Commission would terminate whenever it determines that another governmental agency is authorized and willing to assume regulatory authority and supervision over the lands and facilities covered by the non-power license. At this time, no governmental agency has suggested a willingness or ability to take over the project. No party has sought a non-power license, and we have no basis for concluding that the Green Lake Hydroelectric Project should no longer be used to produce power. Thus, we do not consider a non-power license a reasonable alternative to relicensing the project.

3.5.2 Project Decommissioning

As the Commission has previously held, decommissioning is not a reasonable alternative to relicensing in most cases.⁶ Decommissioning can be accomplished in different ways depending on the project, its environment, and the particular resource needs.⁷ For these reasons, the Commission does not speculate about possible

⁶ See, e.g., *Eagle Crest Energy Co.*, 153 FERC ¶ 61,058, at P 67 (2015); *Public Utility District No. 1 of Pend Oreille County*, 112 FERC ¶ 61,055, at P 82 (2005); *Midwest Hydro, Inc.*, 111 FERC ¶ 61,327, at PP 35-38 (2005).

⁷ In the unlikely event that the Commission denies relicensing a project or a licensee decides to surrender an existing project, the Commission must approve a surrender “upon such conditions with respect to the disposition of such works as may be

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decommissioning measures at the time of relicensing, but rather waits until an applicant actually proposes to decommission a project, or a participant in a relicensing proceeding demonstrates that there are serious resource concerns that cannot be addressed with appropriate license measures and that make decommissioning a reasonable alternative.⁸ CBS does not propose decommissioning, nor does the record to date demonstrate there are serious resource concerns that cannot be mitigated if the project is relicensed; as such, there is no reason, at this time, to include decommissioning as a reasonable alternative to be evaluated and studied as part of staff's NEPA analysis.

4.0 SCOPE OF CUMULATIVE EFFECTS AND SITE-SPECIFIC RESOURCE ISSUES

4.1 CUMULATIVE EFFECTS

According to the Council on Environmental Quality's regulations for implementing NEPA (50 C.F.R. 1508.7), a cumulative effect is the effect on the environment that results from the incremental effect of the action when added to other past, present and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time, including hydropower and other land and water development activities.

4.1.1 Resources that Could be Cumulatively Affected

Based on our review of the PAD for the project and preliminary staff analysis, we have not identified resources at this time that could be cumulatively affected by the continued operation of the hydropower project.

determined by the Commission.” 18 C.F.R. § 6.2 (2019). This can include simply shutting down the power operations, removing all or parts of the project (including the dam), or restoring the site to its pre-project condition.

⁸ See generally *Project Decommissioning at Relicensing*; Policy Statement, FERC Stats. & Regs., Regulations Preambles (1991-1996), ¶ 31,011 (1994); see also *City of Tacoma, Washington*, 110 FERC ¶ 61,140 (2005) (finding that unless and until the Commission has a specific decommissioning proposal, any further environmental analysis of the effects of project decommissioning would be both premature and speculative).

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4.2 RESOURCE ISSUES

In this section, we present a preliminary list of environmental issues to be addressed in the NEPA document. We identified these issues, which are listed by resource area, by reviewing the PAD and the Commission's record for the project. This list is not intended to be exhaustive or final, but contains those issues raised to date that could have substantial effects. After the scoping process is complete, we will review the list and determine the appropriate level of analysis needed to address each issue in the NEPA document.

4.2.1 Aquatic Resources

- Effects of continued project operation and maintenance on aquatic resources.
- *Effects of continued project operation on essential fish habitat.*

4.2.2 Terrestrial Resources

- Effects of project maintenance (e.g., vegetation clearing along the transmission line corridor) on special status species including migratory birds.
- Effects of project maintenance (e.g., vegetation clearing along the transmission line) on the spread of invasive species.

4.2.3 Threatened and Endangered Species

- Effects of project operation and maintenance on the ESA-listed endangered short-tailed albatross.

4.2.4 Recreation Resources

- Effects of continued project operation and maintenance on recreational use in the project area, including the adequacy of existing recreational access and facilities in meeting recreation needs.

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- Effects of allowing for e-bike access on the Green Lake Access Road.

4.2.5 Subsistence

- Effects of licensing the project on the regional subsistence practices and economies.

4.2.6 Cultural and Tribal Resources

- Effects of continued project operation and maintenance on historic and archaeological resources that are included, or that may be eligible for inclusion in the National Register of Historic Places.

4.2.7 Environmental Justice

- Effects of project operation and maintenance on identified environmental justice communities.

4.2.8 Developmental Resources

- Effects of proposed or recommended environmental measures on project generation and economics.

5.0 CURRENT PROCESSING SCHEDULE

The decision on whether to prepare and EA or EIS will be determined after the license application is filed and we fully understand the scope of effects and measures under consideration. The NEPA document will be distributed to all persons and entities on the Commission's service and mailing lists for the project. The NEPA document will include our recommendations for operating procedures, as well as environmental protection and enhancement measures that should be part of any license issued by the

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Commission. The comment period will be specified in the notice of availability of the NEPA document.

A copy of the approved process plan, which has a complete list of licensing milestones for the project, including those for developing the license application, is attached as Appendix B to this SD2.

6.0 COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA, 16 U.S.C. section 803(a)(2)(A), requires the Commission to consider the extent to which a project is consistent with federal and state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by a project. Commission staff has preliminarily identified and reviewed the plans listed below that may be relevant to the Green Lake Hydroelectric Project. Agencies are requested to review this list and inform the Commission staff of any changes. If there are other comprehensive plans that should be considered for this list that are not on file with the Commission, or if there are more recent versions of the plans already listed, they can be filed for consideration with the Commission according to 18 CFR § 2.19 of the Commission's regulations. Please follow the instructions for filing a plan at <https://cms.ferc.gov/media/comprehensive-plans>.

The following is a list of comprehensive plans currently on file with the Commission that may be relevant to the project:

Alaska Administrative Code. 2012. 5 AAC § 39.222 Policy for the Management of Sustainable Salmon Fisheries. Juneau, Alaska.

Alaska Administrative Code. 2003. 5 AAC § 75.222 Policy for the Management of Sustainable Wild Trout Fisheries. Juneau, Alaska.

Alaska Department of Fish and Game. 2011. Alaska Anadromous Waters Catalog - Southeastern Region. Anchorage, Alaska. June 1, 2011.

Alaska Department of Fish and Game. U.S. Fish and Wildlife Service. 2007. Black Oystercatcher (*Haematopus bachmani*) Conservation Action Plan. Anchorage, Alaska. April 2007.

Alaska Department of Natural Resources. Alaska's Outdoor Legacy: Statewide

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Comprehensive Outdoor Recreation Plan (SCORP): 2009-2014. Anchorage, Alaska.

Forest Service. 2016. Tongass National Forest Land and Resource Management Plan. Department of Agriculture, Ketchikan, Alaska. December 2016.

National Park Service. The Nationwide Rivers Inventory. Department of the Interior, Washington, D.C. 1993.

North Pacific Fishery Management Council, National Marine Fisheries Service, and Alaska Department of Fish and Game. 2012. Fishery Management Plan for the Salmon Fisheries in the EEZ off Alaska. Anchorage, Alaska. June 2012.

Southeast Alaska Fish Habitat Partnership. 2017. Conservation Action Plan 2017-2021. Juneau, AK. 2017.

U.S. Fish and Wildlife Service. 2005. Regional Seabird Conservation Plan. Pacific Region, Portland, Oregon. January 2005.

U.S. Fish and Wildlife Service. 2009. Alaska Seabird Conservation Plan. Anchorage, Alaska. 2009.

U.S. Fish and Wildlife Service. n.d. Fisheries USA: the Recreational Fisheries Policy of the U.S. Fish and Wildlife Service. Washington, D.C.

U.S. Fish and Wildlife Service, *et al.* 2008. Alaska Shorebird Conservation Plan. Version II. Anchorage, Alaska. November 2008.

7.0 MAILING LISTS

The list below is the Commission's official mailing list for the project. If you want to receive future mailings for these proceedings and are not included in the list below, please send your request by email to FERCOnlineSupport@ferc.gov. In lieu of an email request, you may submit a paper request. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Deputy Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: K Debbie-Anne A. Reese, Deputy Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue,

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Rockville, Maryland 20852. All written or emailed requests to be added to the mailing lists must clearly identify the following: **Green Lake Hydroelectric Project (P-2818-025)**. You may use the same methods if requesting removal from the mailing list below.

Register online at <https://ferconline.ferc.gov/FERCOOnline.aspx> to be notified via email of new filings and issuances related to these projects or other pending projects. For assistance, please contact FERC Online Support at FERCOOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

Official Mailing List for the Green Lake Hydroelectric Project

David Elder Electric Utility Director City and Borough of Sitka, Alaska 105 Jarvis Street Sitka, AK 99835	Kord F. Christianson Electric Generation System Manager City and Borough of Sitka, Alaska 105 Jarvis Street Sitka, AK 99835
Philip Mooney Biologist Alaska Department of Fish and Game Habitat & Restoration Division 304 Lake St, Rm 103 Sitka, AK 99835	Governor of Alaska RE: FERC Projects Office of the Governor of Alaska P.O. Box 110001 Juneau, AK 99811-0001
Office of Solicitor 4230 University Dr, Ste 300 U. S. Department of Interior Anchorage, AK 99508	

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APPENDIX A
STUDY PLAN CRITERIA
18 CFR Section 5.9(b)

Any information or study request must contain the following:

1. Describe the goals and objectives of each study proposal and the information to be obtained;
2. If applicable, explain the relevant resource management goals of the agencies or Native American Tribes with jurisdiction over the resource to be studied;
3. If the requester is not a resource agency, explain any relevant public interest considerations in regard to the proposed study;
4. Describe existing information concerning the subject of the study proposal, and the need for additional information;
5. Explain any nexus between project operations and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements;
6. Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate filed season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge; and
7. Describe considerations of level of effort and cost, as applicable, and why proposed alternative studies would not be sufficient to meet the stated information needs.

**APPENDIX B
PROCESS PLAN AND SCHEDULE**

Shaded milestones are unnecessary if there are no study disputes. If the due date falls on a weekend or holiday, the due date is the following business day. Early filings or issuances will not result in changes to these deadlines.

<u>Responsible Party</u>	<u>Pre-Filing Milestone</u>	<u>Date</u>	<u>FERC Regulation</u>
CBS	NOI/PAD and Request to Utilize the Integrated Licensing Process filed	3/26/24	5.5, 5.6
FERC	Initiate Tribal Consultation	4/25/24	5.7
FERC	Issue Notice of Commencement of Proceeding and Scoping Document 1	5/20/24	5.8
FERC	Scoping Meetings and Project Site Visit	6/12/24	5.8(b)(viii)
All Stakeholders	File Comments on PAD/Scoping Document 1 and Study Requests	7/24/24	5.9
FERC	Issue Scoping Document 2	9/7/24	5.1
CBS	File Proposed Study Plan	9/7/24	5.11(a)
All Stakeholders	Proposed Study Plan Meeting	10/7/24	5.11(e)
All Stakeholders	File Comments on Proposed Study Plan	12/6/24	5.12
CBS	File Revised Study Plan	1/5/25	5.13(a)
All Stakeholders	File Comments on Revised Study Plan	1/20/25	5.13(b)
FERC	Issue Director's Study Plan Determination	2/4/25	5.13(c)
Mandatory Conditioning Agencies	File Any Study Disputes	2/24/25	5.14(a)

<u>Responsible Party</u>	<u>Pre-Filing Milestone</u>	<u>Date</u>	<u>FERC Regulation</u>
Dispute Panel	Select Third Dispute Resolution Panel Member	3/11/25	5.14(d)(3)
Dispute Panel	Convene Dispute Resolution Panel	3/16/25	5.14(d)
CBS	File Comments on Study Disputes	3/21/25	5.14(j)
Dispute Panel	Dispute Resolution Panel Technical Conference	3/26/25	5.14(j)
Dispute Panel	Issue Dispute Resolution Panel Findings	4/15/25	5.14(k)
FERC	Issue Director's Study Dispute Determination	5/5/25	5.14(l)
CBS	First Study Season	Spring/Summer 2025	5.15(a)
CBS	File Initial Study Report	2/4/26	5.15(c)(1)
All Stakeholders	Initial Study Report Meeting	2/19/26	5.15(c)(2)
CBS	File Initial Study Report Meeting Summary	3/6/26	5.15(c)(3)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	4/5/26	5.15(c)(4)
All Stakeholders	File Responses to Disagreements/Amendment Requests	5/5/26	5.15(c)(5)
FERC	Issue Director's Determination on Disagreements/Amendments	6/4/26	5.15(c)(6)
CBS	Second Study Season (if needed)	Spring/Summer 2026	5.15(a)
CBS	File Updated Study Report	2/4/27	5.15(f)
All Stakeholders	Updated Study Report Meeting	2/19/27	5.15(f)
CBS	File Updated Study Report Meeting Summary	3/6/27	5.15(f)

<u>Responsible Party</u>	<u>Pre-Filing Milestone</u>	<u>Date</u>	<u>FERC Regulation</u>
All Stakeholders	File Disagreements/Requests to Amend Study Plan	4/5/27	5.15(f)
All Stakeholders	File Responses to Disagreements/Amendment Requests	5/5/27	5.15(f)
FERC	Issue Director's Determination on Disagreements/Amendments	6/4/27	5.15(f)
CBS	File Preliminary Licensing Proposal (or Draft License Application)	11/1/26	5.16(a)
All Stakeholders	File Comments on Preliminary Licensing Proposal (or Draft License Application)	1/30/27	5.16(e)
CBS	File Final License Application	3/31/27	5.17
CBS	Issue Public Notice of Final License Application Filing	4/14/27	5.17(d)(2)

Document Content(s)

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