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FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON D.C. 20426
July 9, 2008

OFFICE OF ENERGY PROJECTS

Project No. 2144-035-Washington
Boundary Hydroelectric Project
City of Seattle, Washington

Barbara Greene, Relicensing Program Lead
Seattle City Light Department
P.O. Box 34023
Seattle, WA 98124-4023

Reference: Determination on Requests for Modifications to the Boundary Hydroelectric Project Study Plan

Dear Mrs. Greene:

Pursuant to 18 CFR § 5.15(c), this letter contains my determination on requests for modifications to the City of Seattle's (City) Boundary Hydroelectric Project study plan.

Background

The City issued an initial study report on March 14, 2008, held meetings on March 26 and 27, 2008, to discuss the results and proposed modifications to the 2008 study efforts, and filed a meeting summary on April 11, 2008. The City proposed modifications to the study plan based on information derived from the ongoing studies. The proposed modifications are detailed in the initial study report and summarized in the April 11, 2008, meeting summary. Tentative agreement on the proposed measures was reached during the March 26 and 27, 2008, meetings.

Written comments were filed by Jerry Boggs of the Selkirk Conservation Alliance (Alliance) on April 23, 2008, the U.S. Forest Service (Forest Service) on May 5, 2008, and the Washington Department of Ecology on May 12, 2008. The Forest Service and Ecology supported the proposed study plan modifications. The Forest Service also provided comments that were not specific requests for study plan modifications, but rather reflect suggestions that would improve the content of the final study reports. The City adequately addressed these comments in its June 16, 2008, letter. No modifications to the study plan are required based on the Forest Service's comments or the City's responses.

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However, the Alliance requested further modifications to the following studies: Sediment Transport and Boundary Reservoir Tributary Delta Habitat Modeling (Study 8); Fish Distribution, Timing, and Abundance Study (Study 9); Recreational Fishery Study (Study 13); and Waterfowl/waterbird Study (Study 15).

Study Determination

Staff reviewed the requests for study modifications and the City's responses and did not identify a need to modify the study plan except as proposed by the City. I accept staff's findings which are discussed in Appendix A. The City's study plan is approved as proposed.

If you have any questions, please contact David Turner at (202) 502-6091 or david.turner@ferc.gov.

Sincerely,

J. Mark Robinson
Director
Office of Energy Projects

cc: Mailing List, Public Files

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APPENDIX A
Staff's Recommendations and Findings on Requested Study Modifications

Comments on the City of Seattle's (City) initial study report and the meeting summary were filed by Jerry Boggs of the Selkirk Conservation Alliance (Alliance) on April 23, 2008, the U.S. Forest Service (Forest Service) on May 5, 2008, and the Washington Department of Ecology (Ecology) on May 12, 2008. The Forest Service and Ecology supported the proposed study plan modifications. The Forest Service also provided comments that were not specific requests for study plan modifications, but rather reflect suggestions that would improve the content of the final study reports. The City adequately addressed these comments in its June 16, 2008, letter. Because these comments do not require modifications to the study plan, they are not addressed further below.

However, the Alliance requested further modifications to the following studies: Sediment Transport and Boundary Reservoir Tributary Delta Habitat Modeling (Study 8); Fish Distribution, Timing, and Abundance Study (Study 9); Recreational Fishery Study (Study 13); and Waterfowl/waterbird Study (Study 15). We reviewed these requests and the applicant's response, according to the criteria for modifying a study (18 CFR § 5.15(d)) and for requesting a new study (18 CFR § 5.15(e)). We provide below the basis for recommending or not recommending additional studies or modifications to the study plan.

Sediment Transport and Boundary Reservoir Tributary Delta Habitat Modeling (Study 8)

The Alliance recommends that Study 8 be modified to require the City to model the probable temperature increase within the reservoir over the last 50 years and determine how that increase has interacted with tributary temperature profiles from the reservoir/tributary interface and upstream. The purpose of the modification would be to determine whether and to what degree warmer reservoir waters have caused temperature increases within the tributaries, thus reducing cold-water refugia for native salmonids.

Although the Alliance recommends the modification to Study 8, it does not provide good cause for why we should require the modification. The purpose of our approved tributary delta habitat study is to, in part, address the relevant issue of how reservoir fluctuations under various operational scenarios would affect water temperatures within the reservoir's tributary deltas. The Alliance's recommended modification would not add information to the project record that would help in addressing this issue given that the purpose of its recommended modification is to, in essence, re-create what effects past project operations have had on tributary delta water temperatures relative to pre-project conditions. Therefore, pursuant to 18 CFR § 5.15 (d), we have no basis for requiring the recommended modification.

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Fish Distribution, Timing, and Abundance (Study 9) and Recreational Fishery (Study 13)

The Alliance recommends that the goals of one or both of Study 9 and Study 13 be modified to include a determination of the effects of predation by recreational fish on the abundance and viability of native salmonids (bull trout, cutthroat trout, and whitefish).

Although the Alliance recommends the modifications to Study 9 and Study 13, it provides no support for why the modifications are necessary but only states without elaboration that the modifications should be approved. Although neither Study 9 nor Study 13 directly estimates predation rates of recreational fish on native fish, the information being gathered in the approved studies will provide the information necessary to describe the temporal and spatial distribution of recreational and native fish, including habitat overlaps, and how project operations affect these and other population attributes. Therefore, pursuant to 18 CFR § 5.15 (d), we have no basis for requiring the recommended modifications.

Waterfowl/waterbird Study (Study 15)

The Alliance recommends that Study 15 be modified to determine the nesting sites for at least the more numerically significant piscivorous waterbirds (e.g., common mergnasers), and make a reliable determination as to predation rates of piscivorous waterbirds and waterfowl on native salmonids.

Although the Alliance recommends the modifications to Study 15, it provides no support for why the modifications are necessary but only states without elaboration that the study will not determine the impact of piscivorous waterbirds and waterfowl on the abundance and viability of native salmondids.

As the City points out, the objectives of this study relative to piscivorous birds were to estimate the number of piscivorous birds using the project area and locate their nest sites if possible and document levels of use during fall migration and winter periods; it was not to estimate predation rates on native salmonids. Survey efforts identified 11 species of piscivorous birds in the study area; no nesting sites for common mergnasers or other piscivorous birds were documented in the initial study report but several broods of common mergnasers were observed. However, the density of mergansers was considered low (2 per river-mile).

Thus, part of the information sought by the Alliance is being gathered by the approved study. There is no new information (18 CFR §5.15 (e) (4)) to suggest that common mergnasers, double-crested cormorant, or other fish-eating birds are occurring at densities on the project reservoir that would represent a significant source of mortality for

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native salmonids. Although the study does not directly estimate predation rates of on salmonids, the information being gathered in the approved study will provide the information necessary to describe the temporal and spatial distribution of the potential predators, including habitat overlaps, and how project operations affect these and other population attributes. Therefore, pursuant to 18 CFR § 5.15 (d), we have no basis for requiring the recommended modifications.

Document Content(s)

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