

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON D.C. 20426

July 6, 2009

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 the determination on requests for modifications to the City of Seattle's (City) Boundary Hydroelectric Project study plan.

Background

The City issued updated study reports on March 16, 2009, held the requisite study meeting on March 24, 2009, and filed its meeting summary on April 8, 2009. Written comments were filed by the U.S. Forest Service (Forest Service) on May 5, 2009, Washington Department of Ecology on May 11, 2009, and the Kalispel Indian Tribe on May 11, 2009. Most of the comments did not specifically request new studies or modifications to the approved study plan pursuant to 18 CFR § 5.15(f), but rather were suggestions that would improve the content of the updated study reports. The City responded to these comments on June 8, 2009.

Study Determination

All comments, including verbal comments made at the March 24, 2009 meeting, and requests for study modifications have been reviewed. We conclude that the Aesthetic/Visual Resources Study Report (Study 23) must be revised to include additional photographs of the project reservoir taken at low pool during summer evening hours from the key observation points identified in the study and from two additional observation sites in the canyon identified by the Forest Service in its May 5, 2009 filing.

Please file the revised Study Report 23 with your license application. The basis for our findings on all requested modifications is attached in Appendix A.

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

Sincerely,

Jeff C. Wright
Director
Office of Energy Projects

cc: Mailing List
Public Files

APPENDIX A

Staff's Recommendations and Findings on Requested Study Modifications

The U.S. Forest Service (Forest Service), Washington Department of Ecology (Ecology), and the Kalispel Indian Tribe filed comments on the City of Seattle's (City) updated study reports and meeting summary. Most of the comments do not specifically request a new study or a modification to the approved study plan pursuant to 18 CFR section 5.15(f), but rather reflect comments on the conclusions drawn from the studies or suggestions to improve the final reports. We reviewed these comments and the City's June 8, 2009 responses, according to the criteria for modifying a study (18 CFR § 5.15(d)) and for requesting a new study (18 CFR § 5.15(e)). Below is the basis for recommending or not recommending additional studies or modifications to the study plan.¹

Inventory of Riparian Trees and Shrubs (Study 16) and Big Game Study (Study 19)

The Forest Service stated that the City unilaterally modified the study area for both of these studies by only mapping potential riparian and big game habitat that might develop in the upper 20 feet of the reservoir fluctuation zone (between elevation 1,974 and 1,994 feet NAVD 88),² rather than the habitat that would develop within the complete range of reservoir fluctuation allowed under the existing license (1,954 to 1,994 feet NAVD 88). The Forest Service states that these studies were designed to determine the habitat that could develop if the project were operated at a level of 1,954 feet NAVD 88; the information would be used to determine mitigation for continuing effects of inundation within the fluctuation zone. The City states that the studies were designed to evaluate the potential for riparian and big game habitats that could develop within the normal range of reservoir fluctuations. The City explains that although the project is licensed to operate as low as 1,954 feet NAVD 88, normal fluctuations occur between 1,974 and 1,994 feet NAVD 88. The City further explains that reservoir drawdowns below 1,974 feet NAVD 88 occur only for maintenance purposes, which are rare.

We agree with the City that the intent of the studies was to look at the potential riparian and big game habitats that could develop within the project operation fluctuation range, not including the drawdown range for maintenance purposes. Further, it is staff's understanding that the project, as constructed, could not operate at an elevation below

¹ Some of the Forest Service's and Ecology's comments on the "Study No. 4, Toxics Assessment: Evaluation of Contaminant Pathways" (Toxics Sampling Plan) reiterated concerns filed previously, which were addressed in the September 24, 2008, study determination; therefore, we don't repeat those discussions here.

² The National American Vertical Datum of 1988 (NAVD 88) is a vertical control datum used for vertical surveying.

1,974 NAVD 88. Therefore, we have no reason to modify the studies or require further analysis. We find the studies to be complete.

Aesthetic/Visual Resources (Study 23)

The Forest Service commented that the study results did not fully meet the study objective of identifying “viewpoints and other locations that have the potential to provide enhanced viewing opportunities of the project area by the public,” in that the analysis did not include research into “new viewpoint opportunities that could be developed and serve visitors without a boat.” Subsequent to the issuance of the updated study report, the Forest Service identified two locations that provide dramatic views of the canyon and Pee Wee Falls that should be considered.

The City contends that the analysis considered all identified key observation points agreed to by the licensing participants (a point that the Forest Service does not dispute); nonetheless, the specific viewing opportunities referenced by the Forest Service are addressed in the study and are being considered in the City’s Recreation Resource Management Plan (Recreation Plan). Moreover, the City considers the purpose of the aesthetic/visual resource analysis to be one of evaluating the existing and expected future aesthetic conditions at the project, and development of new recreational opportunities based on those aesthetic attributes to be more appropriately addressed in the Recreation Plan. The City considers the study to be complete. With the exception noted below, we concur.

The Forest Service also disagreed with the City’s analysis that the visual condition of the shoreline when the reservoir is at the low end of its operating range does not include exposure of extensive areas of reservoir substrate (i.e., there is no prominent “bathtub ring”). The Forest Service recommends that the analysis include representative photos to support that premise. The Forest Service indicates that this information is important because the quality of the aesthetic/visual resource within the project is important to optimizing recreation opportunities provided by the project and the Forest Service will be looking to increase those opportunities.

The City considers the study complete because it provided a topography-based assessment of the potential for substrate exposure in the reservoir in section 5.3.2.2 of the updated study report. That analysis indicates that during the summer, there is limited opportunity to introduce a substantial level of visual contrast because the reservoir fluctuations are limited to 7 feet during this period, and the daily pattern of those fluctuations results in the maximum shoreline exposure at night when people are not present.

While the impact will be reduced on the upper reservoir due to the influence of the falls, the lower reservoir has a steeper topography and the visual impact may be much

more pronounced. Most of the images contained in the study report appear to be at or near full pool reservoir conditions. Pictures within the canyon reach and at the forebay when the reservoir is at a lower pool level during the summer months would better illustrate the contrasts visitors experience when the daylight hours are longest and would assist the Commission's analysis of effects of project operations on the visual/aesthetic resources. Therefore, the City must revise the results of this study to include additional photographs of the lower reservoir conditions at low pool conditions, during the summer evening hours from the key observation points identified in the study and from the two potential observation sites in the canyon identified by the Forest Service (discussed above). The City should file the results with its license application.

Document Content(s)

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