

**FEDERAL ENERGY REGULATORY COMMISSION**

Filing Date: December 19, 2025

Docket Number: Project No. 2705-037

From: Diana Shannon  
Office of Energy Projects, DHAC

Subject: Section 401(a)(2) Neighboring Jurisdiction WQC Determination

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On December 2, 2025, Commission staff notified the Environmental Protection Agency (EPA), via EPA's online portal, that a water quality certification has been received for the pending surrender application for the Newhalem Creek Project, P-2705. On December 18, 2025, EPA provided a response.

A copy of EPA's email is attached.

**From:** [R10-401-Certs](#)  
**To:** [Diana Shannon](#)  
**Subject:** [External] EPA 401(a)(2) Neighboring Jurisdiction Determination: #2705  
**Date:** Thursday, December 18, 2025 11:27:25 AM

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You don't often get email from r10-401-certs@epa.gov. [Learn why this is important](#)

**Caution:** This message does not originate from a known FERC email system. Use caution if this message contains attachments, links or requests for information.

Greetings,

In accordance with 40 CFR § 121.12, EPA has received the project application and 401 water quality certification provided for the proposed Newhalem Creek Hydroelectric Project Decommissioning Project, identified by project number 2705, and has determined not to make a may affect finding.

Please proceed with permit processing and notify the 401 coordinator listed below know if there are any questions regarding this determination.



**Jeff Brittain**

401 Coordinator – U.S. EPA Region 10  
Wetlands and Oceans Section  
Oregon Operations Office  
805 SW Broadway Street, Suite 500  
Portland, Oregon 97205  
[Brittain.Jeffrey@epa.gov](mailto:Brittain.Jeffrey@epa.gov)  
(206) 553-0532