

FEDERAL ENERGY REGULATORY COMMISSION

Washington, DC 20426

November 8, 2019

OFFICE OF ENERGY PROJECTS

Project No. 14873-001 – Alaska
Nuyakuk River Hydroelectric Project
Nushagak Cooperative, Inc.

VIA FERC Service

Reference: Scoping Document 1 for the Nuyakuk River Hydroelectric Projects (P-14873-001)

To the Parties Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the Pre-Application Document (PAD) submitted by Nushagak Cooperative, Inc. (Nushagak Cooperative) for licensing the Nuyakuk River Hydroelectric Project (Nuyakuk River Project) (FERC No. 14873). The project would be located on the Nuyakuk River, in the Dillingham Census Area, Alaska. The project would occupy 357 acres of Bureau of Land Management lands.

Pursuant to the National Environmental Policy Act of 1969, as amended, Commission staff intends to prepare an environmental assessment (EA), which will be used by the Commission to determine whether, and under what conditions, to issue a 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 EA is thorough and balanced.

We invite your participation in the scoping process and are circulating the attached Scoping Document 1 (SD1) to provide you with information on the Nuyakuk River Project. We are also soliciting your comments and suggestions on our preliminary list of issues and alternatives to be addressed in the EA. We are also requesting that you identify any studies that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the EA for the project.

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We will hold two scoping meetings for the Nuyakuk River Project to receive input on the scope of the EA. A daytime meeting will be held at 10 a.m. on December 11, 2019, at the Homewood Suites in Anchorage, AK. An evening meeting will be held at 7 p.m. on December 11, 2019, at the same location. Teleconferencing capability will be provided for those who cannot attend the meeting in person.

We invite all interested agencies, Alaskan Natives, non-governmental organizations, and individuals to attend one or all of these meetings. Further information on our environmental site review and scoping meetings is available in the enclosed SD1.

SD1 is being distributed to both Nushagak Cooperative's distribution list and the Commission's official mailing list (see section 10.0 of the attached SD1). 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 or by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written or emailed requests must specify your wish to be removed from or added to the mailing list and must clearly identify the following on the first page: **Nuyakuk River Project No. P-14873-001.**

Please review the SD1 and, if you wish to provide comments, follow the instructions in section 6.0, *Request for Information and Studies*. If you have any questions about SD1, the scoping process, or how Commission staff will develop the EA for this project, please contact Julia Kolberg at (202) 502-8261 or julia.kolberg@ferc.gov. Additional information about the Commission's licensing process and the projects may be obtained from our website, www.ferc.gov. The deadline for filing comments is **February 4, 2020**. The Commission strongly encourages electronic filings.

Enclosure: Scoping Document 1

SCOPING DOCUMENT 1
NUYAKUK RIVER HYDROELECTRIC PROJECT

ALASKA

PROJECT NO. 14873-001

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

November 2019

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SCOPING DOCUMENT 1

Nuyakuk River Hydroelectric Project (FERC No. 14873-001)

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 October 7, 2019, Nushagak Cooperative, Inc. (Nushagak Cooperative), filed a Pre-Application Document (PAD) for the proposed Nuyakuk River Hydroelectric Project (Nuyakuk River Project) (FERC No. 14873-001).

The Nuyakuk River Project would be located on the Nuyakuk River in the Dillingham Census Area, Alaska (figure 1). The total installed capacity would be 10-megawatts (MW) with an average annual generation of approximately 72,800 megawatt hours (MWh). A detailed description of the projects is provided in section 3.0. The proposed project would occupy 357 acres of Bureau of Land Management lands.

The National Environmental Policy Act (NEPA) of 1969,² the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of licensing the Nuyakuk River Project as proposed, and also consider reasonable alternatives to the licensees' proposed action. At this time, we intend to prepare an environmental assessment (EA) for the Nuyakuk River Project that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed actions and alternatives.

Although our current intent is to prepare an EA, there is a possibility that an environmental impact statement (EIS) will be required. The scoping process will 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) (2018).

² National Environmental Policy Act of 1969, 42. U.S.C. §§ 4321-4370(f) (2012).

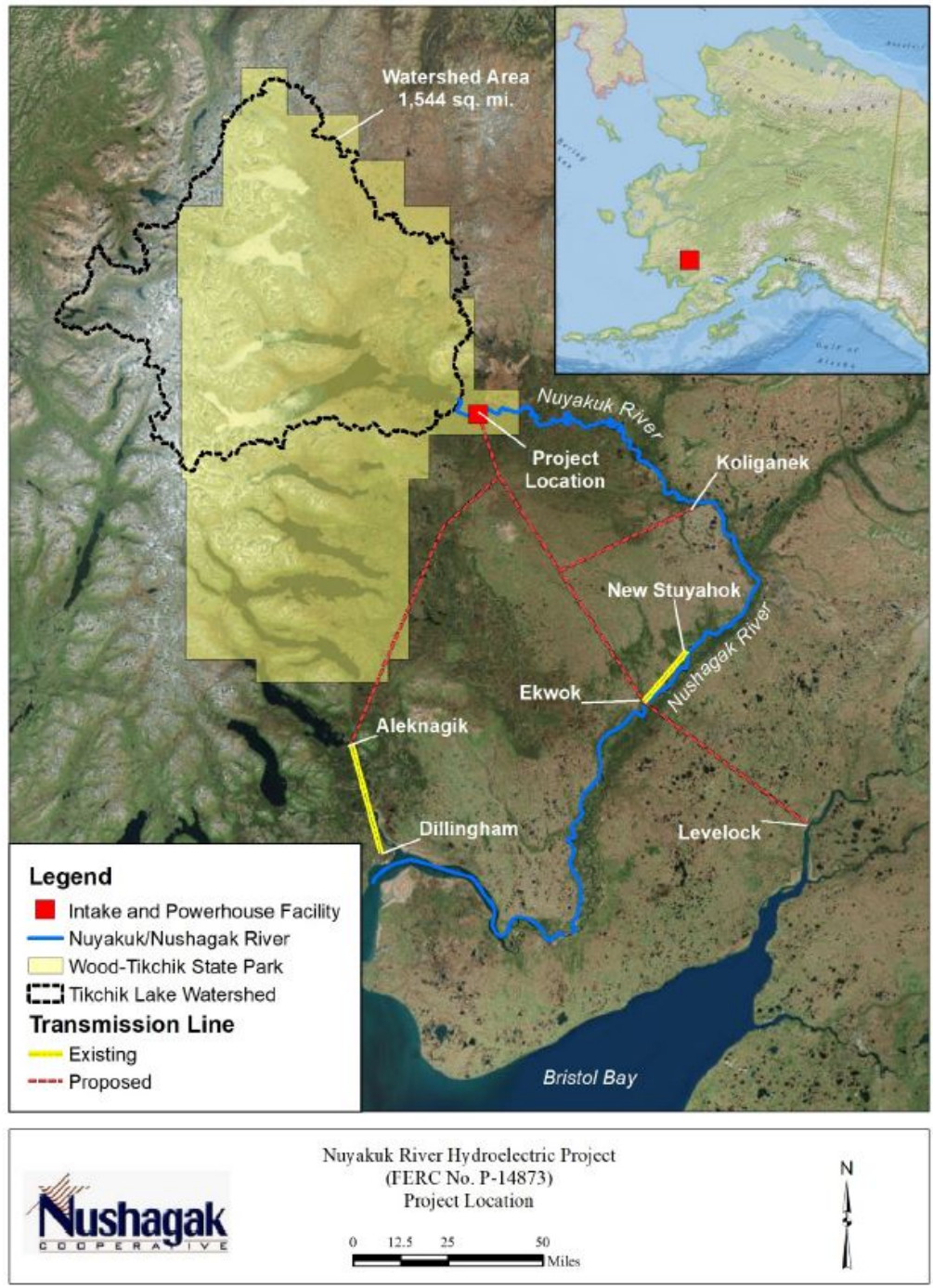


Figure 1: Location of the proposed Nuyakuk River Project (Source: PAD).

2.0 SCOPING

This Scoping Document 1 (SD1) is intended to advise all participants as to the proposed scope of the EA and to seek additional information pertinent to this analysis. This document contains: (1) a description of the scoping process and schedule for the development of the EA; (2) a description of the proposed actions and alternatives; (3) a preliminary identification of environmental issues; (4) a proposed EA outline; and (5) a preliminary list of comprehensive plans that are applicable to the projects.

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, Alaskan Natives, 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 EA;
- 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 EA;
- solicit, from participants, available information on the resources at issue; and
- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

2.2 COMMENTS AND SCOPING MEETINGS

During preparation of the EA, there will be several opportunities for the resource agencies, Alaskan Natives, NGOs, and the public to provide input. These opportunities occur:

- during the public scoping process and study plan meetings, when we solicit oral and written comments regarding the scope of issues and analysis for the EA;
- in response to the Commission's notice that the project is ready for environmental analysis; and
- after issuance of the EA when we solicit written comments on the EA.

In addition to written comments solicited by this SD1, we will hold two public scoping meetings. A daytime meeting will focus on concerns of the resource agencies, NGOs, and Alaskan Natives, and an evening meeting will focus on receiving input from the public. We invite all interested parties to attend one or both meetings to assist us in identifying the scope of environmental issues that should be analyzed in the EA. Teleconferencing capability will be provided for those who cannot attend the meeting in person. The times and locations of the meetings and environmental site review are as follows:

Daytime Scoping Meeting

Date: Wednesday, December 11, 2019
Time: 10 a.m.
Location: Homewood Suites
101 W. 48th Ave.
Anchorage, AK 99503
Phone: (907) 762-7000

Evening Scoping Meeting

Date: Wednesday, December 11, 2019
 Time: 7 p.m.
 Location: Homewood Suites
 101 W. 48th Ave.
 Anchorage, AK 99503
 Phone: (907) 762-7000

Please notify Julia Kolberg at (202) 502-8261 or Julia.kolberg@ferc.gov on or before December 4, 2019, if you plan to attend scoping meetings via teleconference.

Under the Commission's Integrated Licensing Process, the Commission conducts scoping within 90 days of the filing of the licensee's NOI. An environmental site review is typically held in conjunction with that scoping meeting. However, access to the project site is likely to be limited by winter weather conditions when scoping for this project will occur. For this reason, the license applicant will play a video filmed during a flyover of the proposed project site. An environmental site review may be conducted at a later date. Therefore, we are waiving § 5.8(b)(viii) of the Commission's regulations requiring an environmental site review within 30 days of issuance of a notice of commencement of proceeding.

The scoping meetings will be recorded by a court reporter, and all statements (verbal and written) will become part of the Commission's public record for the projects. Before each meeting, all individuals who attend, especially those who intend to make statements, will be asked to sign in and clearly identify themselves for the record. Interested parties who choose not to speak or who are unable to attend the scoping meetings may provide written comments and information to the Commission as described in section 6.0. These meetings are posted on the Commission's calendar located on the internet at www.ferc.gov/EventCalendar/EventsList.aspx, along with other related information.

Meeting participants should be prepared to discuss their issues and/or concerns as they pertain to the licensing of the Nuyakuk River Project. It is advised that participants review the PAD in preparation for the scoping meetings. Copies of the PAD are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (www.ferc.gov), using the "eLibrary" link. Enter the docket number, P-14873-001, to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

Following the scoping meetings and comment period, all issues raised will be reviewed and decisions made as to the level of analysis needed. If preliminary analysis indicates that any issues presented in this scoping document have little potential for causing significant effects, the issue(s) will be identified and the reasons for not providing a more detailed analysis will be given in the EA.

If we receive no substantive comments on SD1, then we will not prepare a Scoping Document 2 (SD2). Otherwise, we will issue SD2 to address any substantive comments received. The SD2 will be issued for informational purposes only; no response will be required. The EA will address recommendations and input received during the scoping process.

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) the applicant's proposed action, and (3) alternatives to the proposed action.

3.1 NO-ACTION ALTERNATIVE

Under the no-action alternative, the proposed project would not be built (i.e., there would be no change to the existing environment). No environmental protection, mitigation, or enhancement measures would be implemented. We use this alternative to establish baseline environmental conditions for comparison with other alternatives.

3.2 APPLICANT'S PROPOSAL

3.2.1 Proposed Project Facilities

The proposed project would consist of a diversion structure, powerhouse, water conveyance, generation, transmission, and appurtenant facilities. The 530-foot-long diversion structure would divert flow from the Nuyakuk River into the project intake. Flow from the intake would pass first through a conveyance channel and then into either one or three conveyance tunnels, depending on the outcome of bathymetry, sub-bottom profiling, and geotechnical investigations associated with project development. The tunnels would deliver flow to the 120-foot-wide, 40-foot-long, 30-foot-high powerhouse which would house three 3.33-MW Kaplan-style turbine generating units. Flow would pass out of the powerhouse through an open channel tailrace. Power generated by the project would be conveyed via a 135-mile-long system of 34.5-kVa transmission line.

The estimated average annual generation would be 55,300 megawatt-hours. The location of the facilities is shown in figure 1.

3.2.2 Proposed Project Operation

The applicant proposes to operate the project in a run-of-river mode, such that outflow from the project approximates inflow. For those months in which the total available inflow to the powerhouse is less than the project's total hydraulic capacity of 7,550 cfs, a minimum instream flow of 1,000 cfs will be provided through the bypassed reach, while the remainder of the available flow will be passed through the powerhouse. The Nuyakuk River experiences high flows between early summer and early fall.

3.2.3 Proposed Environmental Measures

Nushagak Cooperative proposes to operate the Nuyakuk River Project with the environmental protection, mitigation and enhancement (PM&E) measures described below.

Terrestrial Resources

- Design the transmission line to incorporate the latest raptor protection guidelines, and install collision avoidance devices on the line at appropriate locations to protect migrating birds.

3.3 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, Alaskan Natives, NGOs, and the public.

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.

Based on our review of the PAD and preliminary staff analysis, we have not identified any resources that may be cumulatively affected by the proposed operation and maintenance of the Nuyakuk River project.

4.2 RESOURCE ISSUES

In this section, we present a preliminary list of environmental issues to be addressed in the EA. We identified these issues, which are listed by resource area, by reviewing the PAD and the Commission's record for the Nuyakuk River 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 EA.

We reviewed the U.S. Fish and Wildlife Service database of Information for Planning and Consultation and found no record of threatened, endangered, or candidate species or critical habitats in the proposed project location. Therefore, no effect on endangered species from project construction and operation are anticipated at this time; thus, endangered species would not be addressed in detail in the EA.

4.2.1 Geologic and Soils Resources

- Effects of project construction and maintenance activities on soil erosion and sedimentation.

4.2.2. Aquatic Resources

Water Quality

- Effects of project construction activities on water quality (e.g., turbidity and suspended sediment) in the project area.
- Effects of project operation on water temperatures in the impoundment and bypassed reach.

Fisheries

- Effects of project construction activities on fish passage and aquatic habitat in the project area.
- Effects of the project diversion structure and reduced flows in the bypassed reach during project operation on upstream fish passage.
- Effects of the project diversion structure and reduced flows in the bypassed reach during project operation on sediment transport through the project area.
- Effects of project operation including reduced flows in the bypassed reach on fish habitat.
- Effects of project operation on fish injury and mortality due to turbine entrainment.
- Effects of powerhouse tailrace false attraction on upstream migrating fish.

4.2.3 Terrestrial Resources

- Effects of habitat loss and alteration from construction of the intake/diversion, powerhouse, tailrace, airstrip, dock, access roads, maintenance and residential building, switchyard, and transmission line on wildlife and plant species.
- Effects of noise, improved access from project access roads, and increased human presence on wildlife.
- Effects of project construction, operation, and maintenance on migratory birds in the project area.
- Effects of the new substation and transmission line on the potential for raptor and other bird electrocutions and collisions.
- Effects of project construction and operation (project roads and facilities) on distribution and abundance of invasive plant species.

4.2.4 Recreation and Land Use

- Effects of project construction, operation and maintenance on recreational resources and use in the project area.
- Effects of project construction, operation and maintenance on Wood-Tikchik State Park and its management objectives.
- Effects of project construction, operation, and maintenance on transportation resources.

4.2.5 Cultural Resources

- Effects of project construction, operation, and maintenance on properties that are included in or eligible for inclusion in the National Register of Historic Places.
- Effects of project construction, operation, and maintenance on subsistence activities within the project area.
- Effects of project construction, operation, and maintenance on Traditional Cultural Properties and practices within the project area.

4.2.6 Aesthetic Resources

- Effects of project construction, operation, and maintenance on aesthetic resources in the project area.

4.2.7 Socioeconomic Resources

- Effects of project construction, operation, and maintenance on socioeconomic resources, including housing, employment, transportation, governmental services and subsistence resources in the project area.

4.2.8 Developmental Resources

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

5.0 PROPOSED STUDIES

Depending upon the findings of studies completed by Nushagak Cooperative and the recommendations of the consulted entities, Nushagak Cooperative will consider, and may propose certain other measures to enhance environmental resources affected by the project as part of the proposed action. Nushagak Cooperative's initial study proposals are identified by resource area in table 1. Detailed information on Nushagak Cooperative's initial study proposals can be found in the PAD. Further studies may need to be added to this list based on comments provided to the Commission and Nushagak Cooperative from interested participants, including Alaskan Natives.

Table 1. Nushagak Cooperative's initial study proposals for the Nuyakuk River Project. (Source: PAD)

| Resource Area | Proposed Study |
|-------------------------------------|---|
| Geologic and Soils Resources | |
| | Conduct an assessment of rock composition via hard rock drilling techniques to identify the viability of the substrate for supporting project infrastructure. |
| Water Quality and Quantity | |
| | Assess water quality in the Nuyakuk River at the project site. |
| | Collect hydrologic data via stream gaging at the project site. |
| | Sediment transport assessment and modeling in the project area. |
| Fisheries Resources | |
| | Assess fish species seasonal distribution and abundance at the project site. |
| | Conduct bathymetric modeling of Nuyakuk Falls. |
| | Conduct Nuyakuk Falls fish passage evaluation and modeling. |
| Terrestrial Resources | |

| Resource Area | Proposed Study |
|---|--|
| | Assess impacts to migratory wildlife species as a result of transmission line corridor development and operation |
| | Assess the impacts to key avian species as a result of transmission line corridor development and operation |
| | Assess impacts to botanical species as a result of overall project construction and operation |
| Recreation and Aesthetic Resources | |
| | Conduct a comprehensive visual and recreation assessment of the project area to define the extent of the recreational activities that occur in the project area and assess potential project impacts on recreational and visual resources. |
| Cultural Resources | |
| | Conduct a cultural resources assessment in the project area to include a desktop analysis and field studies in consultation with the affected Alaskan Natives and the State Historical Preservation Office. |
| Socioeconomic Resources | |
| | Conduct a desktop analysis to define the existing population and social and economic conditions in the project area and assess the impacts associated with project development and operations. |

6.0 REQUEST FOR INFORMATION AND STUDIES

We are asking federal, state, and local resource agencies, Alaskan Natives, NGOs, and the public to forward to the Commission any information that will assist us in conducting an accurate and thorough analysis of the project-specific and cumulative

effects associated with licensing the Nuyakuk River Project. The types of information requested include, but are not limited to:

- information, quantitative data, or professional opinions that may help define the geographic and temporal scope of the analysis (both site-specific and cumulative effects), and that helps identify significant environmental issues;
- identification of, and information from, any other EA, EIS, or similar environmental study (previous, on-going, or planned) relevant to the proposed licensing of the Nuyakuk River Project;
- existing information and any data that would help to describe the effects of the project and other developmental activities on environmental and socioeconomic resources;
- information that would help characterize the existing environmental conditions and habitats;
- the identification of any federal, state, or local resource plans, and any future project proposals in the affected resource area (e.g., proposals to construct or operate water treatment facilities, recreation areas, water diversions, timber harvest activities, or fish management programs), along with any implementation schedules);
- documentation that the proposed project would or would not contribute to cumulative adverse or beneficial effects on any resources. Documentation can include, but need not be limited to, how the project would interact with other projects in the area and other developmental activities; study results; resource management policies; and reports from federal and state agencies, local agencies, Alaskan Natives, NGOs, and the public;
- documentation showing why any resources should be excluded from further study or consideration; and
- study requests by federal and state agencies, local agencies, Alaskan Natives, NGOs, and the public that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the EA/EIS for the project.

All requests for studies filed with the Commission must meet the criteria found in Appendix A, *Study Plan Criteria*.

The requested information, comments, and study requests should be submitted to the Commission no later than February 4, 2020. All filings must clearly identify the following on the first page: **Nuyakuk River (P-14873-001) Hydroelectric Project**. Scoping comments may be filed electronically via the Internet. See 18 C.F.R. 385.2001(a)(1)(iii) and the instructions on the Commission's website <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, please send a paper copy to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426.

Register online at <http://www.ferc.gov/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support. <mailto:ferconlinesupport@ferc.gov>.

Any questions concerning the scoping meetings, site visits, or how to file written comments with the Commission should be directed to Julia Kolberg at (202) 502-8261 or julia.kolberg@ferc.gov. Additional information about the Commission's licensing process and the Nuyakuk River Project may be obtained from the Commission's website, www.ferc.gov.

7.0 EA PREPARATION SCHEDULE

At this time, we anticipate the need to prepare a draft and final EA. The draft EA will be sent to all persons and entities on the Commission's service and mailing lists for the Nuyakuk River Project. The EA 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 Commission. All recipients will then have 30 days to review the draft EA and file comments with the Commission. All comments on the draft EA filed with the Commission will be considered in preparation of the final EA.

The major milestones, with pre-filing target dates are as follows:

| <u>Major Milestone</u> | <u>Target Date</u> |
|---------------------------|--------------------|
| Scoping Meetings | December 2019 |
| License Application Filed | June 2023 |

A copy of the process plan and schedule, which has a complete list of licensing milestones for the Nuyakuk River Project, including those for developing the license application, is attached as Appendix B to this SD1.

8.0 PROPOSED EA OUTLINE

The preliminary outline for the EA for the Nuyakuk River Project is as follows:

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APPENDICES

Appendix A – License Conditions Recommended by Staff

9.0 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 Nuyakuk River 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 <http://www.ferc.gov/industries/hydropower/gen-info/licensing/complan.pdf>.

The following is a list of comprehensive plans currently on file with the Commission that may be relevant to the Nuyakuk River 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 - Southwestern 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 Comprehensive Outdoor Recreation Plan (SCORP): 2009-2014. Anchorage, Alaska.

Alaska Department of Natural Resources. 2002. Wood-Tikchik State Park Management Plan. Anchorage, Alaska. October 2002.

Alaska Department of Natural Resources. 2005. Bristol Bay Area Plan for State Lands. Anchorage, Alaska. April 2005.

- Alaska Department of Natural Resources. 2005. Nushagak & Mulchatna Rivers Recreation Management Plan. April 19, 2005.
- National Park Service. The Nationwide Rivers Inventory. Department of the Interior, Washington, D.C. 1993.
- U.S. Fish and Wildlife Service, et al. 2008. Alaska Shorebird Conservation Plan. Version II. Anchorage, Alaska. November 2008.
- U.S. Fish and Wildlife Service. 2009. Alaska Seabird Conservation Plan. Anchorage, Alaska. 2009.
- U.S. Fish and Wildlife Service. 2005. Regional Seabird Conservation Plan. Pacific Region, Portland, Oregon. January 2005.
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10.0 MAILING LISTS

The list below is the Commission's official mailing list for the Nuyakuk River Project included in this scoping document. 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 efiling@ferc.gov or by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written and emailed requests to be added to the mailing lists must clearly identify the following on the first page: **Nuyakuk River (P-14873-001) Hydroelectric Project**. You may use the same method if requesting removal from the mailing list below.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> 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 FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

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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 Alaskan Natives 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
NUYAKUK RIVER PROJECT 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. In the preliminary schedule provided in the PAD, Nushagak Cooperative proposes to complete various milestones ahead of the schedule provided below. Based on Commission staff's experience, their projected schedule may not be reasonable. Therefore, Commission staff modified the process plan to be consistent with the Commission's regulations and Commission's staff experience in implementing the ILP.

| Responsible Party | Pre-Filing Milestone | Date | FERC Regulation |
|--------------------------|---|-------------|------------------------|
| Nushagak Cooperative | NOI/PAD filed | 10/7/19 | 5.5, 5.6 |
| FERC | Tribal Meetings, if needed | TBD | 5.7 |
| FERC | Issue Notice of Commencement of Proceeding and Scoping Document 1 | 11/11/19 | 5.8 |
| FERC | Scoping Meetings and Project Site Visit | 12/11/19 | 5.8(b)(viii) |
| All Stakeholders | File Comments on PAD/Scoping Document 1 and Study Requests | 2/4/20 | 5.9 |
| FERC | Issue Scoping Document 2 (if necessary) | 3/20/20 | 5.10 |
| Nushagak Cooperative | File Proposed Study Plan | 3/20/20 | 5.11(a) |
| All Stakeholders | Proposed Study Plan Meeting | 4/19/20 | 5.11(e) |
| All Stakeholders | File Comments on Proposed Study Plan | 6/18/20 | 5.12 |
| Nushagak Cooperative | File Revised Study Plan | 7/18/20 | 5.13(a) |
| All Stakeholders | File Comments on Revised Study Plan | 8/2/20 | 5.13(b) |
| FERC | Issue Director's Study Plan Determination | 8/17/20 | 5.13(c) |

| Responsible Party | Pre-Filing Milestone | Date | FERC Regulation |
|---------------------------------|--|-------------|------------------------|
| Mandatory Conditioning Agencies | File Any Study Disputes | 9/6/20 | 5.14(a) |
| Dispute Panel | Select Third Dispute Resolution Panel Member | 9/21/20 | 5.14(d) |
| Dispute Panel | Convene Dispute Resolution Panel | 9/26/20 | 5.14(d)(3) |
| Nushagak Cooperative | File Comments on Study Disputes | 10/1/20 | 5.14(i) |
| Dispute Panel | Dispute Resolution Panel Technical Conference | 10/6/20 | 5.14(j) |
| Dispute Panel | Issue Dispute Resolution Panel Findings | 10/26/20 | 5.14(k) |
| FERC | Issue Director's Study Dispute Determination | 11/15/20 | 5.14(l) |
| Nushagak Cooperative | First Study Season | | 5.15(a) |
| Nushagak Cooperative | File Initial Study Report | 8/17/21 | 5.15(c)(1) |
| All Stakeholders | Initial Study Report Meeting | 9/1/21 | 5.15(c)(2) |
| Nushagak Cooperative | File Initial Study Report Meeting Summary | 9/16/21 | 5.15(c)(3) |
| All Stakeholders | File Disagreements/Requests to Amend Study Plan | 10/16/21 | 5.15(c)(4) |
| All Stakeholders | File Responses to Disagreements/Amendment Requests | 11/15/21 | 5.15(c)(5) |
| FERC | Issue Director's Determination on Disagreements/Amendments | 12/15/21 | 5.15(c)(6) |
| Nushagak Cooperative | Second Study Season | | 5.15(a) |
| Nushagak Cooperative | File Updated Study Report | 8/17/22 | 5.15(f) |
| All Stakeholders | Updated Study Report Meeting | 9/1/22 | 5.15(f) |

| Responsible Party | Pre-Filing Milestone | Date | FERC Regulation |
|--------------------------|--|-------------|------------------------|
| Nushagak Cooperative | File Updated Study Report Meeting Summary | 9/16/22 | 5.15(f) |
| All Stakeholders | File Disagreements/Requests to Amend Study Plan | 10/16/22 | 5.15(f) |
| All Stakeholders | File Responses to Disagreements/Amendment Requests | 11/15/22 | 5.15(f) |
| FERC | Issue Director's Determination on Disagreements/Amendments | 12/15/22 | 5.15(f) |
| Nushagak Cooperative | File Preliminary Licensing Proposal (or Draft License Application) | 1/24/23 | 5.16(a)-(c) |
| All Stakeholders | File Comments on Preliminary Licensing Proposal (or Draft License Application) | 4/4/23 | 5.16(e) |
| Nushagak Cooperative | File Final License Application | 6/23/23 | 5.17 |
| Nushagak Cooperative | Issue Public Notice of Final License Application Filing | 7/7/23 | 5.17(d)(2) |

Document Content(s)

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