

FEDERAL ENERGY REGULATORY COMMISSION  
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OFFICE OF ENERGY PROJECTS

Project No. 14241-000 –Alaska  
Susitna-Watana Hydroelectric Project  
Alaska Energy Authority

Wayne Dyok  
Susitna-Watana Project Manager  
Alaska Energy Authority  
813 West Northern Lights Boulevard  
Anchorage, AK 99503

**Subject: ILP Process Plan and Schedule**

Dear Mr. Dyok:

On January 8, 2015, we granted Alaska Energy Authority's (AEA) request to hold the Susitna-Watana Integrated Licensing Process (ILP) in abeyance until further notice. On August 26, 2015, AEA asked that we lift the abeyance and proceed with the ILP through the determination on requested study plan modifications and need for new studies. AEA's request included a revised process plan and schedule with a milestone for supplementing the Initial Study Report (ISR) filed on June 3, 2014 with additional data collected in 2014. To assist stakeholders in reviewing the ISR, technical memoranda, and additional new study data, AEA proposed to file a document ("roadmap") that explains how the technical memoranda and additional data relate to the June 2014 ISR. The roadmap was also to include a status report on study plan implementation. AEA proposed to file the roadmap and implementation reports by November 6, 2015.

On September 9, 2015, we requested comments on AEA's request to lift the ILP abeyance, and proceed under the proposed revision to the ILP process plan and schedule. After considering all of the filed comments, we lifted the ILP abeyance on October 27, 2015. However, we deferred approval of the proposed process plan and schedule pending our review of the "roadmap" and all of AEA's filings to determine whether they reasonably function as an ISR as defined in the ILP regulations.<sup>1</sup>

On November 6, 2015, AEA filed its "roadmap" document entitled, *Initial Study*

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<sup>1</sup> The ISR is to describe a prospective applicant's overall progress in implementing the approved study plan and the data collected, including an explanation of any variances from the approved study plan (section 5.15(c)(1)) (2015).

*Report Part D—Supplemental Information to June 2014 Initial Study Report.* For each of the 58 Commission-approved studies, the document supplements AEA’s previous filings by providing a summary of accomplishments for each study, a list of documents related to each study, a list of additional reports that have been prepared to reflect new analyses or data gathered since the June 2014 ISR (i.e., implementation and completion reports), and AEA’s proposed steps to complete the study. In addition, between November 4 and November 25, 2015, AEA filed 29 implementation reports and 10 completion reports describing in detail the methods, variances, and analyses conducted since the filing of June 2014 ISR.

On November 18, 2015, Susitna River Coalition, Mr. Ransy, and Alaska Survival filed letters stating that AEA’s “roadmap” does not meet the intentions of the ISR and that the disjointed nature of the study process and reporting to date places an undue burden on participants to coordinate the record of information. They reiterate their request that the Commission direct AEA to prepare an integrated ISR that functions to tie-together the record of information. They further request that the Commission defer approving the schedule until it determines, in consultation with the other jurisdictional agencies, appropriate procedures to coordinate the record.

### **Integrated ISR**

As stated in our September 9, 2015 letter, the ILP regulations (section 5.15) require a prospective applicant to file an ISR within one year of the study plan determination, and that the ISR describe a prospective applicant’s overall progress in implementing the approved study plan and the data collected, including an explanation of any variances from the approved study plan (section 5.15(c)(1)). Although in this case, the amount of information is quite large and is not provided in a single comprehensive report as contemplated by the regulations, AEA’s filings serve the intent of the ISR. AEA’s additional November 2015 filings should also help the reviewer identify new information, thereby potentially preserving the review work that has been previously completed. There appears to be little additional benefit in requiring AEA to prepare a stand-alone ISR; therefore, AEA is not required to prepare an integrated ISR.

### **ILP Schedule**

AEA’s proposed ILP schedule would provide stakeholders: (1) 102 days to review the record prior to holding ISR meetings on February 9, 10, 11, 23, 24, and 25, 2016; (2) 30 days for AEA to prepare and file an ISR meeting summary (March 17, 2016); (3) 45 days for stakeholders to file ISR comments and requested study modifications (May 1, 2016); (4) 60 days for AEA to file responses (June 30, 2016); and (5) 60 days for the Commission to issue its determination on requested study plan modifications (August 29, 2016). AEA’s proposed schedule stops with the Commission’s determination on study plan modifications. AEA requests that the

Commission establish the remainder of the schedule after its determination on study modifications.

The National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (FWS) request that if the ILP abeyance is lifted, the Commission modify the schedule to allow agencies 60 days to re-engage staff and review contract budgets and scopes of work, 90 days to review the ISR prior to the ISR meetings, and 60 days to file ISR meeting summary comments, and recommendations for study modifications or new studies. They state that they need the additional time to review the large amount of material (over 10,000 pages to date). NMFS adds that because AEA says it can't implement any additional studies required by Commission staff's determination on study plan modifications until after the State reconsiders its commitment to the project in 2017, the additional time it requests would not constrain AEA's abilities to plan for studies. Several non-governmental organizations filed letters supporting the agencies' proposed schedule.

In a letter filed on October 13, 2015, AEA responded, in part, to the NMFS and FWS-proposed schedule changes. AEA asserts that its proposed schedule already accommodates the agencies' need to re-engage staff and contractors by providing more than three months to review the supplemental filings before the proposed February 2016 meetings. AEA argues this timeframe exceeds the one set by the Commission's regulations by two and half months.<sup>2</sup> Further, because the agencies have already reviewed and prepared comments on AEA's June 2013 ISR, AEA asserts that the only additional work required would be to review the supplemental material to be filed by November 6, 2015.

Because of the significant gap in the ILP process and the substantial amount of information in the record, it is reasonable to provide stakeholders additional time to review not only the new material but the other information in the record to prepare for upcoming ISR meetings. Therefore, we are granting the agencies request for additional time, and requiring AEA to schedule the ISR meetings for March 21-25, 2016 (150 days from our October 27, 2015 letter lifting the abeyance). For the same reasons, we are granting the agencies' request to extend the period to file requests for study modifications and new studies to 60 days. Subsequent ILP milestones are modified accordingly in Attachment A.

The process plan and schedule in Attachment A continues to the projected filing of the license application. If AEA is unable to meet this schedule, it should file notification with the Commission as soon as possible.

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<sup>2</sup> 18 C.F.R. section 5.15(c)(2) (2015).

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

Sincerely,

Ann F. Miles  
Director  
Office of Energy Projects

cc: Mailing List  
Public Files

## ATTACHMENT A

### REVISED SUSITNA PROJECT PROCESS PLAN AND SCHEDULE

If a due date falls on a weekend, holiday, or other day on which the Commission is not open for business, the due date is the following business day.

<b>Responsible Party</b>	<b>Pre-Filing Milestone</b>	<b>Date</b>
AEA	Hold Initial Study Report Meetings	March 21-25, 2016
AEA	File Initial Study Report Meeting Summary (October 2014 and January 2015 Meetings, combined)	April 24, 2016
All Stakeholders	File disagreements with Meeting Summary and recommendations for modified or new studies	June 23, 2016
All Stakeholders	File responses to meeting summary disagreements and recommendations for modified or new studies	August 22, 2016
FERC	Issue Director Determination on meeting summary disagreements and recommendations for modified or new studies	October 21, 2016
AEA	Second Study Season	2017
AEA	File Updated Study Report	October 21, 2017
AEA	Hold Updated Study Report Meeting	November 5, 2017
AEA	File Updated Study Report Meeting Summary	November 20, 2017
All Stakeholders	File disagreements with Meeting Summary and recommendations for modified or new studies	December 20, 2017
All Stakeholders	File responses to meeting summary disagreements and recommendations for modified or new studies	January 19, 2018

<b>Responsible Party</b>	<b>Pre-Filing Milestone</b>	<b>Date</b>
FERC	Issue Director Determination on meeting summary disagreements and recommendations for modified or new studies	February 18, 2018
AEA	Third Study Season (if required)	2018
AEA	File Preliminary Licensing Proposal or Draft License Application	July 5, 2018
All Stakeholders	File comments on Preliminary Licensing Proposal or Draft License Application	October 3, 2018