

A photograph of a large dam with water cascading over its spillways. A person is standing in the foreground on a concrete walkway, providing a sense of scale. The sky is overcast.

Pre-Application Document: Now what do I do???

Robert H. Deibel
National Hydropower Program
Manager/National Instream Flow
Coordinator

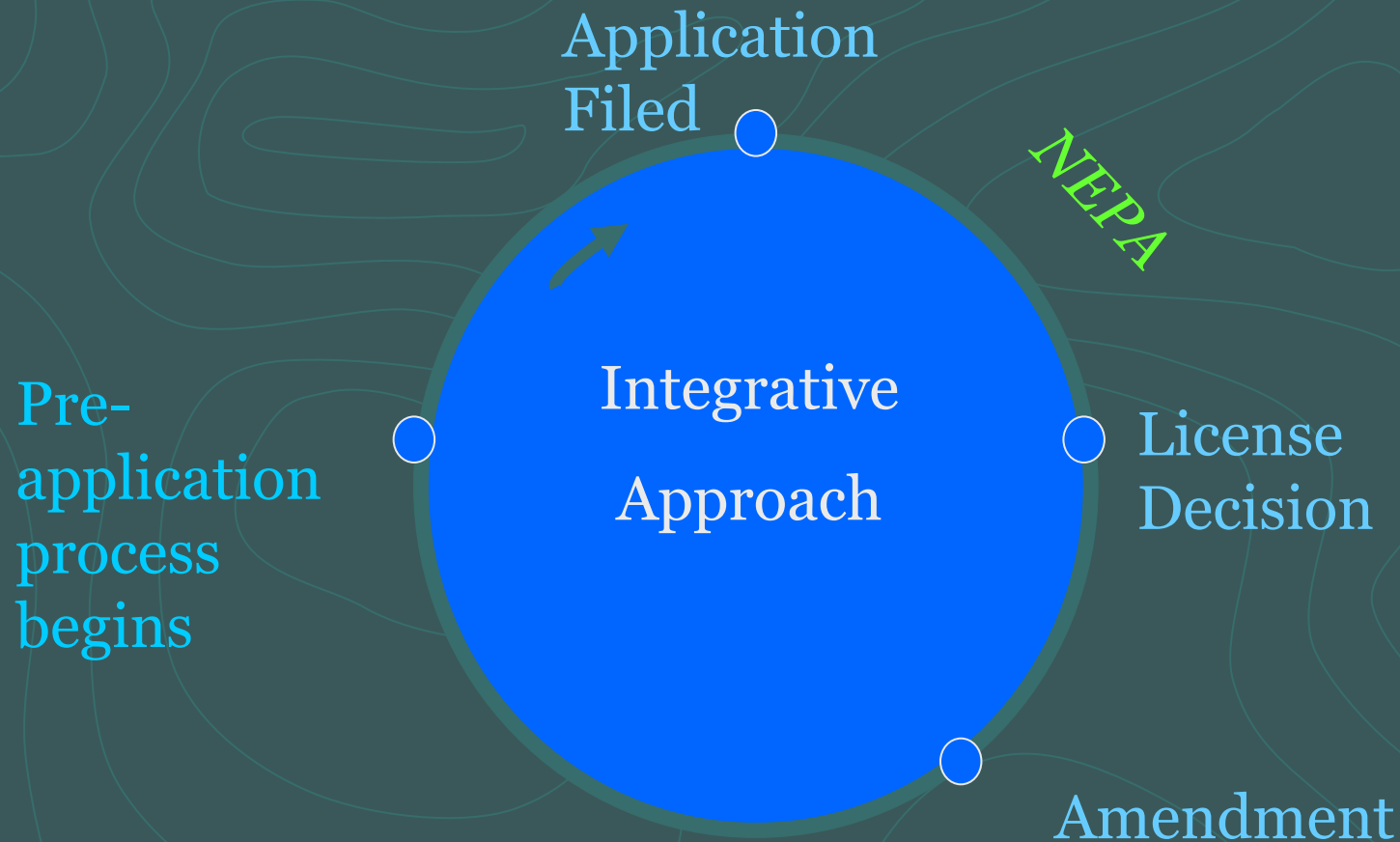
BLM Pumped Storage Workshop
November 6, 2012



Pre-Application Document CFR 5.6

The Pre-Application document is required to be filed with the Notice of Intent no matter which process is selected

Integrative Process






PAD Should contain the following:

- A clear description of the project;
- A concise description of the existing environment and resource impacts to the extent they are known;
- A list of issues and information or studies proposed to fill identified information gaps;
- A list of relevant comprehensive plans;
- A process plan that sets the schedule for developing the license application; and
- A summary of contacts made to seek out information to develop the PAD.

PROJECT NEXUS

(2) “Applicant must exercise due diligence in determining what information exists.. relevant to describing the existing environment and potential impacts of the project proposal (including cumulative impacts).”




A vertical strip on the left side of the slide shows a topographic map of a river valley. The map features contour lines, a river channel, and a yellow line indicating a path or boundary. The background of the slide is a dark teal color with faint, light blue contour lines.

“Due diligence includes, but is not limited to, contacting appropriate agencies and Indian Tribes that may have relevant information, and review of Federal and State ***Comprehensive Plans*** filed with the Commission and listed in the Commission's website”



Role of the Land Mgt Plan

- Your Land Mgt Plan is the “Comprehensive Plan” referenced in the CFR.
- Land Mgt Plans are Programmatic documents that describe the management objectives for that agency.
- Goals, Objectives, Standards and guidelines provide the basis for study requests and 4(e) conditions.
- Agency role is to identify relevant S&G’s and apply them, in an integrated manner, to the project.

A vertical strip on the left side of the slide shows a topographic map of a river valley. The map features contour lines, a river channel, and various land use patterns. The colors range from light green to brown, indicating different elevations and terrain types.

Section 5.6 (d)(2)(v)

Content Requirement of PAD

- Current License Requirements
- Summary of Project Generation and Outflow Records for five years preceding PAD
- Current Net Investment
- Summary of Compliance History

A vertical strip on the left side of the slide shows a topographic map of a river valley. The map features brown contour lines indicating elevation, a blue line representing the river, and a yellow line that likely represents a proposed project alignment. The background of the slide is a dark teal color with faint, light blue contour lines.

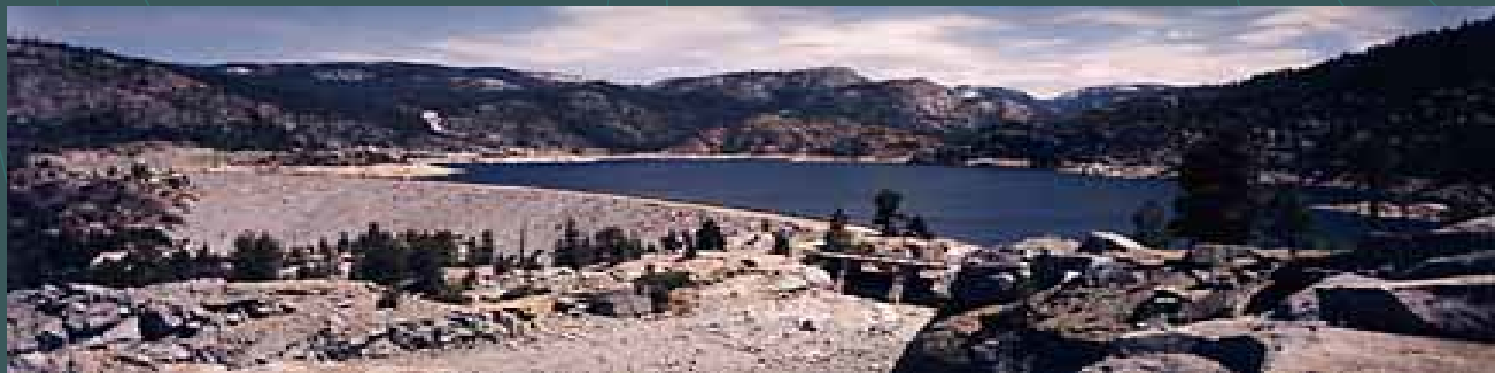
Section 5.6 (d)(3)

Existing Environment

- Summary of Existing Data or Studies
- Description of known or potential adverse impacts and issues associated with construction, maintenance or operation of the Project
- Existing mitigation measures whether required by license or voluntarily implemented

Geology and Soils:

- Including bedrock lithology, stratigraphy, and mineral resources at site
- Soil type, occurrence, physical and chemical characteristics, erodibility
- Shoreline and streambank conditions including steepness, erosion, vegetative cover, slumping, instability



Water Resources (Quantity and Quality):

- > Monthly Minimum/Maximum recorded inflow to power intake
- > Flow duration curve
- > Existing and proposed uses of project waters
(irrigation, domestic or industrial use, etc)
- > Pertinent Federal water quality standards
- > Project affects on water temperature, pH, dissolved oxygen, etc



Fish and Aquatic Resources:

k Description of fish and other aquatic resources
including invasive species in project vicinity

k Description of project's impact on aquatic community

k Identify essential fish habitat

k Temporal and spatial distribution
of species

k Species and life stage composition

k Standing crop, age and growth data

k Spawning and run timing, and location of habitat for
spawning and over-wintering



Wildlife and Botanical Resources:

Description of wildlife and botanical species *including invasive species in project vicinity*



Upland habitat *in project vicinity* including projects' transmission line corridors or rights-of-way

Listing of plants and animals that use the habitat



Temporal and spatial distribution of important species (cultural, commercial, recreational)

Rare and T&E Species:

- P Description of listed rare and threatened and endangered, candidate, and special status species *in project vicinity*
- P List of Federal and State listed or proposed to be listed species known to be present *in project vicinity*
- P Identify habitat requirements, spatial and temporal distribution
- P Identify known Biological Opinions, status reports or recovery plans



Recreation and Land Use:

- < Description of existing recreational and land uses, or opportunities **within the project boundary**
- < Text description and maps of existing recreational facilities, types of activities, locations, capacity, ownership, and management
- < Current recreational use of project lands and waters compared to facility or resource capacity



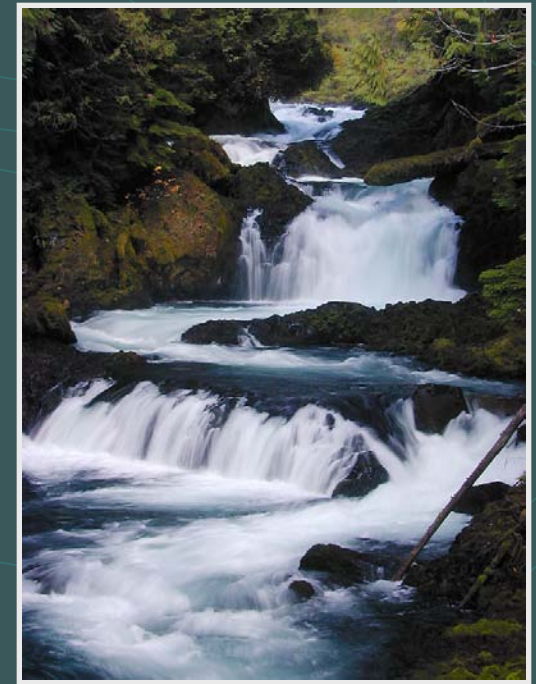
Recreation and Land Use Cont'd:

- < Current and future recreational needs identified in current **Comprehensive Plans** on file with the Commission or other relevant state, local, regional conservation or recreation plan
- < Shoreline buffer zones
- < Current shoreline management plan with regard to permitting development of piers, boat docks, landings, etc



Recreation and Land Use Cont'd:

- < Whether project is located within or adjacent to:
- < Designated or under-study Wild & Scenic River
- < State Protected River
- < Under-study or designated National Trails System or Wilderness
- < Regional or Nationally Important Recreation Area



A vertical strip on the left side of the slide shows a topographic map with contour lines, a yellow vertical line, and a red horizontal line.

Recreation and Land Use Cont'd:

- ◀ Describe non-recreational use within the project boundary
- ◀ Recreational and non-recreational land use and management adjacent to the project boundary

Aesthetic Resources:

- ✓ Description of visual characteristics of the land and water *affected by the project*
- ✓ Include description of dam, natural water features, and other scenic attractions *in surrounding vicinity*





Cultural Resources:

- « Description of known cultural and historical resources of project and ***surrounding area*** (Area of Potential Effect).
- « Identify historic or archaeological sites with emphasis on sites or properties either listed or recommended by State Historic Preservation Office or Tribal HPO for inclusion in National Historic Register of Historic Places



Cultural Resources Cont'd:

- « Identify existing discovery measures such as surveys, inventories, limited subsurface testing that have been undertaken
- « Identify Indian Tribes that may attach religious and cultural significance to historic properties within the project boundary or vicinity and identify the properties (subject to disclosure measures)



Socio-economic Resources:

- « Identify general land use patterns, population patterns and sources of employment *in project vicinity*

Tribal Resources:

- « Description of Indian Tribes, tribal lands and interests affected by the project
- « Identify impacts on Indian Tribes such as fishing practices or agreements

River Basin Description:

- Area of the river basin and length of streams
- Major land and water uses *in project area*
- All dams and diversion structures in the basin, regardless of function
- Tributary rivers and streams, the resources of *which may or may not be affected by project operations*





Preliminary Issues and Studies List:

- Based on resource descriptions and impacts discussion; the PAD must include a list for each resource area identifying:
 - Issues pertaining to the resource
 - Potential studies of information gathering requirements associated with issues
 - Relevant qualifying Federal or state or tribal comprehensive waterway plans
 - Relevant resource management plans

Why Did I Do This and Now What??

👉 After Licensee submits PAD with NOI, within 60 days FERC will commence the proceedings (Sect 5.8)

👉 YOU have 60 days following FERC's issuance of NOI & Scoping Document 1 to comment on the PAD AND to submit YOUR Study Plan Requests (Sect 5.9)

THE WILD RIDE HAS BEGUN!!



A vertical strip on the left side of the slide shows a topographic map of a river valley. The map features contour lines, a river channel, and a yellow line indicating a proposed project route. The background of the slide is a dark teal color with light teal contour lines.

Agency Response

- Comments on general information contained in PAD
- Provides suggestions for additional reference material
- Provides initial comments on issues and additional information needs
- Suggest studies to create substantial evidence record specific to the proposed project

Those That Participate - Lead

- Have someone at every meeting
- Encourage other interested parties to attend
- Document the results of the meetings
- Go on every FERC site visit



Issue Identification

- Lake levels
- Minimum flows vs “mimicking the natural hydrograph”
- Aquatic habitat vs whitewater boating
- Recreation management
- Transportation system
- Noxious weed management
- Heritage resources



A vertical strip on the left side of the slide shows a topographic map of a river valley. The map features contour lines, a river channel, and various terrain features. The colors range from light green for lower elevations to brown and tan for higher elevations. The river is depicted in a light blue color.

Integrative License Process

- Licensee consults with agencies and requests Information to Complete the “Preliminary Application Document” PAD
- *PAD is used to determine need for studies*
- Licensee completes studies and based on results provides a “Final Application” to FERC outlining new operation proposal

The background of the slide is a topographic map with light blue contour lines on a dark teal background. On the left side, there is a vertical strip of a different map, possibly a satellite or aerial view, showing terrain features, roads, and a yellow line. The word "QUESTIONS?" is centered in the middle of the slide in a bold, white, sans-serif font.

QUESTIONS?