

aboveground transmission line. Tacoma is now planning to bury the line underground to mitigate environmental impacts. This mitigation measure is not a substantial change in the proposed action relevant to environmental concerns, within the meaning of 40 CFR 1502.9(c), warranting a supplement to the FEIS. Accordingly, DOE adopted FERC's 1996 FEIS and 2010 Order as a final DOE EIS (DOE/EIS-0456).

Because DOE did not participate as a cooperating agency in preparation of FERC's 1996 FEIS, DOE recirculated the adopted document as a DOE final EIS and filed it with the Environmental Protection Agency (EPA). EPA published a notice of availability in the **Federal Register** on October 8, 2010 (75 FR 62386). DOE did not receive any comments on the final EIS.

### Floodplain Statement of Findings

In accordance with DOE regulations at 10 CFR Part 1022 (*Compliance with Floodplain and Wetland Environmental Review Requirements*), DOE considered the potential impacts of the Cushman Project on floodplains. These findings are based on the assessment of environmental impacts in the final EIS. The location of the Cushman Project and the alternatives considered are discussed in detail in the final EIS. The differences among the alternatives, including the original proposal from Tacoma, are summarized above.

DOE finds that no practicable alternative to locating the Cushman Project in a floodplain is available. The nature of the existing Cushman Dam site and the process of generating electricity from water pressure require that the proposed powerhouse be constructed downstream of the dam; therefore the proposed construction will necessarily be within a floodplain.

FERC's 2010 Order establishes numerous requirements that Tacoma must follow in constructing and operating the proposed new facilities to minimize potential harm to or within the floodplain, including measures to reduce flooding hazards while protecting water quality and fish habitat. For example, Article 403 of FERC's 2010 Order requires Tacoma to implement measures to enhance the channel conveyance capacity of the mainstem Skokomish River for the reduction of risks to human health and welfare from flooding, including, among other things, providing funds to the U.S. Army Corps of Engineers for a *Skokomish River Basin Ecosystem Restoration and Flood Damage Reduction General Investigation*; the preparation, under certain conditions, of a *Mainstem Channel Restoration Plan* in

consultation with NMFS, FWS, the Bureau of Indian Affairs (BIA) and including the comments of the Federal Emergency Management Agency, EPA, and Mason County; and, under certain conditions, providing funds for a *Channel Restoration Account*.

In addition, under Articles 406 and 407 of FERC's 2010 Order, Tacoma must prepare and implement an *Operational and Flow Monitoring Plan* to improve fish habitat, address lake water use changes, improve sediment transport and stream flow, and improve flood control and forecasting. This plan must be submitted to and approved by NMFS, FWS, and BIA. Under certain conditions, Tacoma would be required to develop a *Flood Damage and Mitigation Plan* and provide funding to implement the plan.

### Mitigation

In addition to adopting the measures addressing floodplain impacts, described above, DOE adopts and incorporates by reference all other mitigation measures documented in FERC's 2010 Order. These other measures include but are not limited to:

- Monitoring water use, which provides a feedback mechanism to help ensure that adequate flows will be available to meet the needs of anadromous fish at different times of the year, support aquatic habitats, maintain improvements to the channel capacity of the river, and provide some assurances that the flows released will benefit these resources.

- A variety of fish habitat protection, mitigation and enhancement measures such as habitat enhancement and restoration work that benefits anadromous fish by improving channel habitat and removing instream barriers.

- The use of a floating surface collector for downstream fish passage. Tacoma will use a trap and haul system for upstream fish passage.

- Implementation of a resident fishery, which will include anadromous fish hatcheries.

### Decision

DOE has decided to provide funding, appropriated by the Recovery Act, to Tacoma for the design and construction of certain components of the Cushman Project in Mason County, Washington. These components include a new 3.6 MW powerhouse on the North Fork of the Skokomish River, an integral fish collection and sorting facility, and related transmission infrastructure.

DOE incorporates by reference all mitigation measures and other conditions identified in FERC's 2010 Order. DOE expects that Tacoma will

execute the Cushman Project in compliance with FERC's 2010 Order. Thus, all practicable means to avoid or minimize environmental harm have been adopted.

### Basis for Decision

DOE's decision enables it to meet the objectives set forth in the Solicitation, namely, to provide financial assistance for industry members and industry-led partnerships who propose to develop, deploy, and test hydropower projects to modernize the existing hydropower infrastructure in the U.S. and increase the quantity, value, and environmental performance of hydropower generation.

DOE did not select the No Action alternative because it would not meet DOE's objectives, as set forth in the Solicitation.

DOE decided not to fund alternatives, or alternative components, that were analyzed in the 1996 FEIS but were not authorized under FERC's 2010 Order. Without a FERC license, Tacoma would not be able to implement such alternatives.

Issued in Washington, DC, on this 18th day of November 2010.

**Cathy Zoi,**

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13848-000]

### Qualified Hydro 27, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

November 19, 2010.

On September 30, 2010, Qualified Hydro 27, LLC filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Howard A. Hanson Dam Hydroelectric Project (Howard A. Hanson project) to be located in King County, Washington, near the town of Palmer. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project will consist of the following: (1) The existing 675-foot-long, 235-foot-high earth and rockfill Howard A. Hanson dam; (2) the existing Howard A. Hanson reservoir, which has a maximum usable storage of 106,000 acre-feet between elevation 1,206 feet above mean sea level (msl) and elevation 1,035 feet msl; (3) an 800-foot-long steel liner, placed within the existing outlet tunnel, bifurcated above the existing discharge outlet; (4) a 200-foot-long, 10-foot-diameter steel penstock leading from the right branch of the bifurcation to the powerhouse; (5) a 40-foot-long, 80-foot-wide reinforced concrete powerhouse containing one 2-megawatt (MW) and one 3-MW Francis-type turbine; (6) a substation adjacent to the powerhouse; (7) a 1,000-foot-long, 69-kilovolt (kV) transmission line that will interconnect with the local utility; and (8) appurtenant facilities. The estimated annual generation of the Howard A. Hanson project would be 14 gigawatt-hours.

*Applicant Contact:* Ramya Swaminathan, Qualified Hydro 27, LLC, 33 Commercial Street, Gloucester, MA 01930; phone: (978) 283-2822.

*FERC Contact:* Kelly Wolcott, (202) 502-6480.

*Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications:* 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36. Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site <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. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal

Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13848-000) in the docket number field to access the document. For assistance, contact FERC Online Support.

**Kimberly D. Bose,**  
*Secretary.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 13762-000; Project No. 13773-000; Project No. 13784-000]

**Notice of Competing Preliminary Permit Applications Accepted for Filing and Soliciting Comments, and Motions To Intervene**

November 19, 2010.

FFP Missouri 15, LLC .....	Project No. 13762-000.
Morgantown Hydro, LLC .....	Project No. 13773-000.
Three Rivers Hydro, LLC .....	Project No. 13784-000.

On May 18, 2010, FFP Missouri 15, LLC, Morgantown Hydro, LLC, and Three Rivers Hydro LLC filed applications, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of hydropower at the U.S. Army Corps of Engineers Morgantown Lock & Dam located on the Monongahela River in Monongahela County, West Virginia. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

**Descriptions of the Proposed Morgantown Lock & Dam Projects**

*FFP Missouri 15, LLC's project (Project No. 13762-000) would consist of:* (1) An excavated intake channel slightly longer and wider than the powerhouse; (2) a 60-foot-long, 110-foot-wide, 40-foot-high proposed powerhouse containing two generating units having a total installed capacity of 9.0 megawatts (MW); (3) an excavated tailrace channel slightly longer and

wider than the powerhouse; and (4) a proposed 13-mile-long, ranging from 34.0 to 230-kilovolt (kV) transmission line. The proposed project would have an average annual generation of 26.0 gigawatt-hours (GWh), which would be sold to a local utility.

*Applicant Contact:* Ms. Ramya Swaminathan, Free Flow Power Corporation, 33 Commercial Street, Gloucester, MA 01930; phone (978) 283-2822.

*Morgantown Hydro LLC's project (Project No. 13773-000) would consist of:* (1) A proposed 80-foot-long excavated power canal; (2) a proposed powerhouse containing two generating units having a total installed capacity of 7.2 MW; (3) a 120-foot-long excavated tailrace; and (4) a proposed 0.3-mile-long, 69.0-kV transmission line. The proposed project would have an average annual generation of 26.2 GWh, which would be sold to a local utility.

*Applicant Contact:* Mr. Brent Smith, Symbiotics, LLC., P.O. Box 535, Rigby, ID 83442; phone (208) 745-0834.

*Three Rivers Hydro, LLC's project (Project No. 13784-000) would consist of:* (1) A proposed 85-foot-long excavated power canal; (2) a 45-foot-long, 110-foot-wide, 40-foot-high

proposed powerhouse containing two generating units having a total installed capacity of 3.7 MW; (3) a 95-foot-long excavated tailrace; and (4) a proposed 1,100-foot-long, ranging from 34 to 230-kV transmission line. The proposed project would have an average annual generation of 20.0 GWh, which would be sold to a local utility.

*Applicant Contact:* Mr. Joseph Watt, Esq., Three Rivers Hydro, LLC, 316 South Clinton Street, Suite 4, Syracuse, NY 13202; phone (315) 477-9914.

*FERC Contact:* Tim Looney (202) 502-6096.

*Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications:* 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36. Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the