

# **COVER SHEET**

**FEDERAL ENERGY REGULATORY COMMISSION**

**DRAFT ENVIRONMENTAL IMPACT STATEMENT  
FOR THE LEWIS RIVER PROJECTS**

**Docket Nos. P-2071-000, et al.**

**Cover Letter**

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**DEIS**

# FEDERAL ENERGY REGULATORY COMMISSION

Washington, DC 20426

## TO THE PARTY ADDRESSED

Attached is the draft environmental impact statement (EIS) for the applications for new license (relicense) for PacifiCorp's three existing hydroelectric projects and Public Utility District No. 1 of Cowlitz County's (Cowlitz PUD's) one existing project on the North Fork Lewis River in Cowlitz, Clark, and Skamania counties, Washington. This draft EIS was prepared pursuant to requirements of the National Environmental Policy Act of 1969 (NEPA) and Federal Energy Regulatory Commission (Commission) Regulations Implementing NEPA (18 CFR Part 380).

The draft EIS documents the views of government agencies, nongovernmental organizations, affected Native American Tribes, the public, the license applicants, and the Commission's staff. It contains staff's recommendations on licensing for PacifiCorp's Swift No. 1 (FERC No. 2111), Yale (FERC No. 2071), and Merwin (FERC No. 935) projects, and Cowlitz PUD's Swift No. 2 Project (FERC No. 2213).

You are invited to file comments on the draft EIS. Any comments, conclusions, or recommendations that draw upon studies, reports, or other working papers should be supported by appropriate documentation. Your comments will be considered in staff's preparation of the final EIS.

Comments should be filed with Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The comments must be filed within 60 days of the notice date in the Federal Register and should reference the project discussed in your comments: Project Nos. 2111-018, 2071-013, 935-053, and 2213-011. The Commission strongly encourages electronic filing.

Before the Commission makes a licensing decision, it will take into account all concerns relevant to the public interest. The final EIS will be part of the record from which the Commission will make its decision. The final EIS is expected to be issued in 2006.

To reduce mailing and printing costs, we will be issuing future EISs in both paper copy and compact disc (CD) format. For this project, we will issue the draft EIS in paper format only. The final EIS will be available in both formats. In a separate mailing, we will be sending you this information on a postcard with an opportunity for you to select which format of the final EIS you wish to receive. The Commission is strongly encouraging the use of the CD format in its publication of large documents. If you wish to receive a paper copy of the final EIS, you must return the postcard to us indicating that choice.

**DRAFT ENVIRONMENTAL IMPACT STATEMENT  
FOR HYDROPOWER LICENSES**

Lewis River Projects  
Swift No. 1 (Project No. 2111)  
Swift No. 2 (Project No. 2213)  
Yale (Project No. 2071)  
Merwin (Project No. 935)  
Washington

Federal Energy Regulatory Commission  
Office of Energy Projects  
Division of Hydropower Licensing  
888 First Street, NE  
Washington, DC 20426

September 2005

## COVER SHEET

- a. Title: Relicensing the Swift No. 1 (FERC No. 2111-018), Yale (FERC No. 2071-013), Merwin (FERC No. 935-053), and Swift No. 2 (FERC No. 2213-011) projects
- b. Subject: Draft Environmental Impact Statement
- c. Lead Agency: Federal Energy Regulatory Commission
- d. Abstract: PacifiCorp (applicant) filed an application for new license (relicense) for the Swift No. 1 (FERC No. 2111-018), Yale (FERC No. 2071-013), and Merwin (FERC No. 935-053) projects, and Public Utility District No. 1 of Cowlitz County (Cowlitz PUD) filed an application for new license for the Swift No. 2 Project (FERC No. 2213-011). All the projects are located on the North Fork Lewis River in Cowlitz, Clark, and Skamania counties, Washington. PacifiCorp and Cowlitz PUD also filed a settlement agreement with interested agencies and other parties that outlines PacifiCorp's and Cowlitz PUD's proposed measures for protection and enhancement of environmental resources in the project areas. No increase in generating capacity is proposed for any of the projects.
- The primary environmental resource issues analyzed in this draft EIS are potential impacts on (1) water quantity and quality, (2) aquatic resources, (3) terrestrial resources, (4) recreational resources, (5) land use and aesthetic resources, and (6) cultural resources.
- e. Contact: Jon Cofrancesco  
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Office of Energy Projects  
888 First Street, NE  
Washington, DC 20426  
202-502-8951
- f. Transmittal: This draft EIS prepared by the Commission's staff in connection with the relicense applications filed by PacifiCorp for the existing Swift No. 1 (FERC No. 2111-018), Yale (FERC No. 2071-013), and Merwin (FERC No. 935-053) projects, and by Cowlitz PUD for the Swift No. 2 Project (FERC No. 2213-011), is being made available to the public in September 2005, as required by the National Environmental Policy Act of 1969 (NEPA) and the Commission's Regulations Implementing NEPA (18 CFR Part 380).

## FOREWORD

The Federal Energy Regulatory Commission (Commission), pursuant to the Federal Power Act (FPA)<sup>1</sup> and the U.S. Department of Energy (DOE) Organization Act<sup>2</sup> is authorized to issue licenses for up to 50 years for the construction and operation of non-federal hydroelectric developments subject to its jurisdiction, on the necessary conditions:

[T]hat the project adopted . . . shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water power development, for the adequate protection, mitigation, and enhancement of fish and wildlife (including related spawning grounds and habitat), and for other beneficial public uses, including irrigation, flood control, water supply, and recreational and other purposes referred to in Section 4(e) . . .<sup>3</sup>

The Commission may require such other conditions not inconsistent with the FPA as may be found necessary to provide for the various public interests to be served by the project.<sup>4</sup> Compliance with such conditions during the licensing period is required. Section 385.206 (1987) of the Commission's Rules of Practice and Procedure allows any person objecting to a licensee's compliance or noncompliance with such conditions to file a complaint noting the basis for such objection for the Commission's consideration.<sup>5</sup>

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<sup>1</sup> 16 U.S.C §§791(a)-825(r), as amended by the Electric Consumers Protection Act of 1986, Public Law 99-495 (1986) and the Energy Policy Act of 1992, Public Law 102-486 (1992).

<sup>2</sup> Public Law 95-91 Stat. 556 (1977).

<sup>3</sup> 16 U.S.C. §803(a).

<sup>4</sup> 16 U.S.C. §803(g).

<sup>5</sup> 18 CFR §385.206.