

COVER SHEET

- a. Title: Licensing for the continued operation of Idaho Power Company's Hells Canyon Project, located on the Snake River in Washington and Adams counties, Idaho, and Wallowa and Baker counties, Oregon, Federal Energy Regulatory Commission (Commission or FERC) Project No. 1971-079.
- b. Subject: Final Environmental Impact Statement
- c. Lead Agency: Federal Energy Regulatory Commission
- d. Abstract: Idaho Power Company filed an application for license with the Commission for a new license for the Hell's Canyon Project,¹ FERC Project No. 1971, located on the Snake River in Washington and Adams counties, Idaho, and Wallowa and Baker counties, Oregon. The Hells Canyon Project consists of three developments (dams, reservoirs, and powerhouses) on the segment of the Snake River forming the border between Idaho and Oregon. The three developments are Brownlee, Oxbow, and Hells Canyon. The project affects lands included within the Payette National Forest, Wallowa-Whitman National Forest, Hells Canyon National Recreation Area, and lands administered by the Bureau of Land Management.
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- f. Transmittal: This final environmental impact statement prepared by the Commission's staff on the hydroelectric license application filed by the Idaho Power Company for the proposed Hells Canyon Project, FERC Project No. 1971, is being made available to the public on or about August 31, 2007, as required by the National Environmental Policy Act of 1969²

¹ Referred to in Idaho Power's application as the Hells Canyon Complex.

² National Environmental Policy Act of 1969, amended (Pub. L. 91-190. 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, §4(b), September 13, 1982).

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FOREWORD

The Federal Energy Regulatory Commission (Commission), pursuant to the Federal Power Act (FPA)³ and the U.S. Department of Energy Organization Act⁴ is authorized to issue licenses for up to 50 years for the construction and operation of non-federal hydroelectric development subject to its jurisdiction, on the necessary conditions:

That the project...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)...⁵

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.⁶ Compliance with such conditions during the licensing period is required. The Commission's Rules of Practice and Procedure allow 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.⁷

³ 16 U.S.C. § 791(a)-825r, as amended by the Electric Consumers Protection Act of 1986, Public Law 99-495 (1986); the Energy Policy Act of 1992, Public Law 102-486 (1992); and the Energy Policy Act of 2005, Public Law 109-58 (2005).

⁴ Public Law 95-91, 91 Stat. 556 (1977).

⁵ 16 U.S.C. § 803(a).

⁶ 16 U.S.C. § 803(g).

⁷ 18 C.F.R. § 385.206 (1987).

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