FEDERAL ENERGY REGULATORY COMMISSION
Washington, DC 20426
April 30, 2018

OFFICE OF ENERGY PROJECTS

Project No. 2701-059 – New York
West Canada Creek Hydroelectric Project
Erie Boulevard Hydropower, L.P.

Subject: Scoping Document 1 for the West Canada Creek Hydroelectric Project, P-2701-059

To the Party Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the Pre-Application Document submitted by Erie Boulevard Hydropower, L.P. (Erie) for relicensing the West Canada Creek Hydroelectric Project (FERC No. 2701) (West Canada Creek Project). The project consists of two developments, Prospect and Trenton, and is located on West Canada Creek, in the counties of Oneida and Herkimer, New York.

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, Commission staff intends to prepare an environmental assessment (EA), which will be used by the Commission to determine whether, and under what conditions, to issue a new license for the project. To support and assist our environmental review, we are beginning the public scoping process to ensure that all pertinent issues are identified and analyzed, and that the EA is thorough and balanced.

We invite your participation in the scoping process, and are circulating the attached Scoping Document 1 (SD1) to provide you with information on the West Canada Creek Project. We also are soliciting your comments and suggestions on our preliminary list of issues and alternatives to be addressed in the EA, and requesting that you identify any studies that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the EA for the project.

We will hold two scoping meetings for the West Canada Creek Project to receive input on the scope of the EA. An evening meeting will be held at 7:00 p.m. on May 30, 2018, at the Town of Trenton Municipal Center. A daytime meeting will be held at 10:00 a.m. on May 31, 2018, at the same location. We will also visit the project facilities on May 30, 2018, starting at 1:00 p.m.

We invite all interested agencies, Indian tribes, non-governmental organizations, and individuals to attend one or all of these meetings. Further information on our environmental site review and scoping meetings is available in the enclosed SD1.

SD1 is being distributed to the Commission's official mailing list (see section 10.0 of the attached SD1). If you wish to be added to or removed from the Commission's official mailing list, please send your request by email to ferconlinesupport@ferc.gov or by mail to: Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written or emailed requests must specify your wish to be removed from or added to the mailing list and must clearly identify the following on the first page: **West Canada Creek Hydroelectric Project No. 2701-059**.

Please review the SD1 and, if you wish to provide comments, follow the instructions in section 6.0, *Request for Information and Studies*. If you have any questions about SD1, the scoping process, or how Commission staff will develop the EA for this project, please contact Nick Ettema at (202) 502-6565 or nicholas.ettema@ferc.gov. Additional information about the Commission's licensing process and the West Canada Creek Project may be obtained from our website (www.ferc.gov) or Erie's licensing website, http://www.westcanadacreekproject.com. The deadline for filing comments is **June 29, 2018.** The Commission strongly encourages electronic filings.

Enclosure: Scoping Document 1

SCOPING DOCUMENT 1

WEST CANADA CREEK HYDROELECTRIC PROJECT

NEW YORK

PROJECT NO. 2701-059

Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
Washington, DC

APRIL 2018

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1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),[1] may issue licenses for terms ranging from 30 to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects. On February 28, 2018, Erie Boulevard Hydropower, L.P. (Erie) filed a Pre-Application Document (PAD) and Notice of Intent to seek a new license for the West Canada Creek Hydroelectric Project, FERC Project No. 2701 (West Canada Creek Project or project).[2]

The West Canada Creek Project consists of two developments, Prospect and Trenton, and is located on West Canada Creek in the counties of Oneida and Herkimer, New York. The average annual generation of the West Canada Creek Project from 2013 to 2017 was 216,825 megawatt-hours (MWh).

A detailed description of the project is provided in section 3.0. The location of the project is shown on figure 1. The West Canada Creek Project does not occupy federal lands.

The National Environmental Policy Act (NEPA) of 1969,[3] the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of relicensing the West Canada Creek Project as proposed, and also consider reasonable alternatives to the licensee's proposed action. At this time, we intend to prepare an environmental assessment (EA) that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed action and alternatives. The EA preparation will be supported by a scoping process to ensure identification and analysis of all pertinent issues. Although our current intent is to prepare an EA, there is a possibility that an environmental impact statement (EIS) will be required. The scoping process will satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

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[1] 16 U.S.C. § 791(a)-825(r) (2012).

[2] The current license for the West Canada Creek Project was issued on March 18, 1983, and expires on February 28, 2023.

[3] National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321-4370(f) (2012).

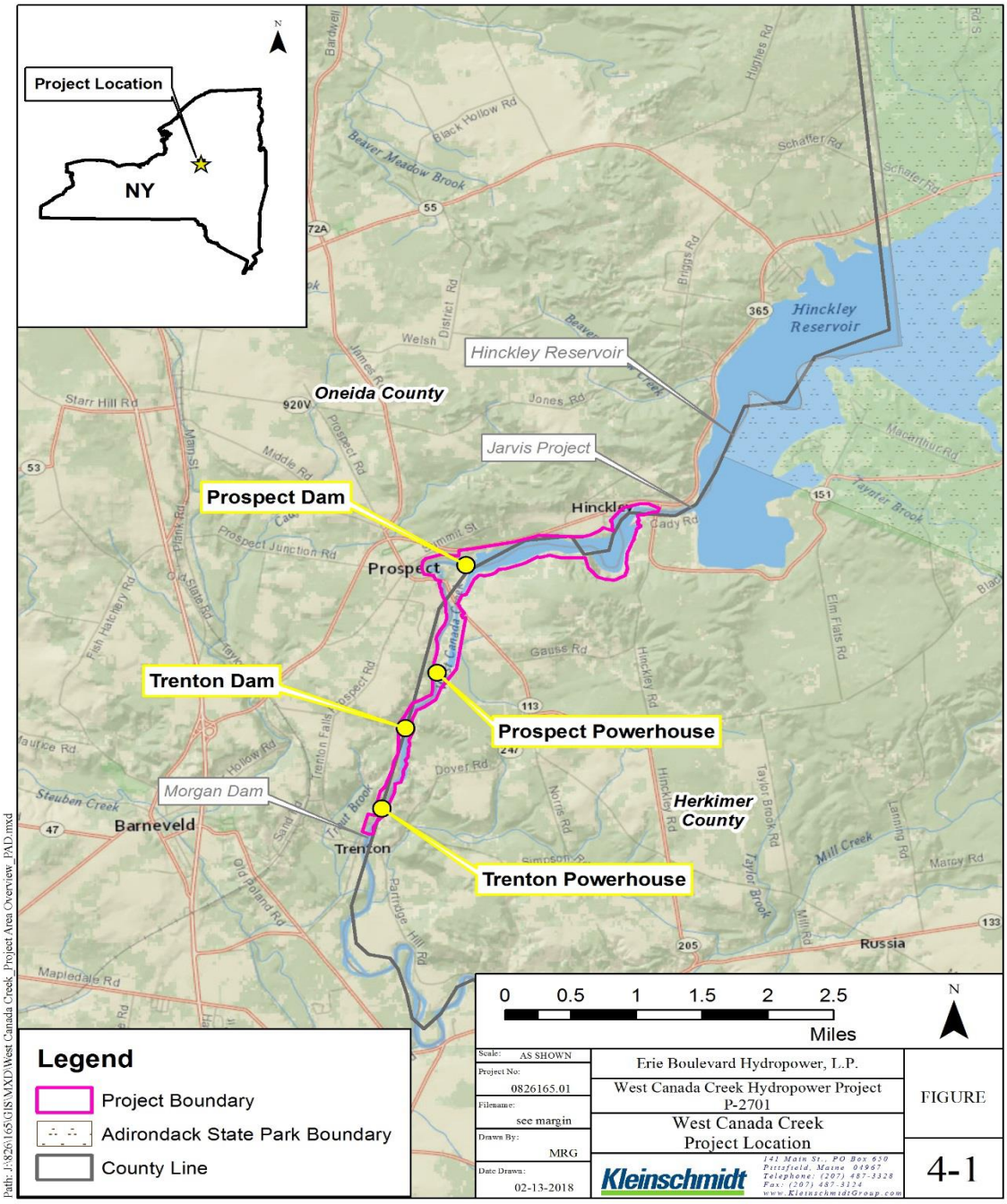

Figure 1. Location of the project. (Source: Erie).

2.0 SCOPING

This Scoping Document 1 (SD1) is intended to advise all participants as to the proposed scope of the EA and to seek additional information pertinent to this analysis. This document contains: (1) a description of the scoping process and schedule for the development of the EA; (2) a description of the proposed action and alternatives; (3) a preliminary identification of environmental issues and proposed studies; (4) a request for comments and information; (5) a proposed EA outline; and (6) a preliminary list of comprehensive plans that are applicable to the project.

2.1 PURPOSES OF SCOPING

Scoping is the process used to identify issues, concerns, and opportunities for enhancement or mitigation associated with a proposed action. In general, scoping should be conducted during the early planning stages of a project. The purposes of the scoping process are as follows:

- invite participation of federal, state, and local resource agencies, Indian tribes, non-governmental organizations (NGOs), and the public to identify significant environmental and socioeconomic issues related to the proposed project;

- determine the resource issues, depth of analysis, and significance of issues to be addressed in the EA;

- identify how the project would or would not contribute to cumulative effects in the project area;

- identify reasonable alternatives to the proposed action that should be evaluated in the EA;

- solicit, from participants, available information on the resources at issue, including existing information and study needs; and

- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

2.2 COMMENTS, SCOPING MEETINGS, AND ENVIRONMENTAL SITE REVIEW

During preparation of the EA, there will be several opportunities for the resource agencies, Indian tribes, NGOs, and the public to provide input. These opportunities occur:

- during the public scoping process and study plan meetings, when we solicit oral and written comments regarding the scope of issues and analysis for the EA;

- in response to the Commission's notice that the project is ready for environmental analysis; and

- after issuance of the EA when we solicit written comments on the EA.

In addition to written comments solicited by this SD1, we will hold two public scoping meetings and an environmental site review in the vicinity of the project. A daytime meeting will focus on concerns of the resource agencies, NGOs, and Indian tribes, and an evening meeting will focus on receiving input from the public. We invite all interested agencies, Indian tribes, NGOs, and individuals to attend one or both of the meetings to assist us in identifying the scope of environmental issues that should be analyzed in the EA. All interested parties are also invited to participate in the environmental site review. The times and locations of the meetings and environmental site review are as follows:

Evening Scoping Meeting

Date and Time:	**May 30, 2018 at 7:00 p.m.**
Location:	Town of Trenton Municipal Center 8520 Old Poland Road Barneveld, NY 13304 Phone Number: (315) 896-2664

Daytime Scoping Meeting

Date and Time:	**May 31, 2018 at 10:00 a.m.**
Location:	Town of Trenton Municipal Center 8520 Old Poland Road Barneveld, NY 13304 Phone Number: (315) 896-2664

Environmental Site Review

Date and Time:	**May 30, 2018 at 10:00 a.m.**
Location:	Prospect boat launch, located on State Route 365 approximately 2/3 mile east of Prospect, NY 13435. Participants will meet in the boat launch parking lot; thereafter, participants should be prepared to drive or carpool to other locations within the project boundary.

Please RSVP via email to steven.murphy@brookfieldrenewable.com **on or before May 23, 2018** if you plan to attend the environmental site review. Persons not providing an RSVP by May 23, 2017, will not be allowed on the environmental site review. Individuals may not access the site without escort of the facility owner, Erie Boulevard Hydropower, LP. Also, persons attending the environmental site review must adhere to the following requirements: (1) persons must be 18 years or older; (2) persons must have a current, valid, government-issued or school photo identification (i.e., driver's license, etc.); (3) persons with open-toed shoes/sandals/flip flops/high heels, etc. will not be allowed on the environmental site review; (4) no photography will be allowed inside the powerhouses; (5) small bags containing personal items for the site visit (i.e., notebooks, maps, water, etc.) will be allowed, but are subject to search; (6) no weapons are allowed on-site; (7) no alcohol/drugs are allowed on-site (or persons exhibiting the effects thereof); (8) hard hats and safety glasses (PPE) will be required while on-site, please bring personal PPE if available, otherwise PPE will be provided; (9) no animals (except for service animals) are allowed on the environmental site review; and (10) individuals participating in the environmental site review will be required to sign a waiver of liability.

The scoping meetings will be recorded by a court reporter, and all statements (verbal and written) will become part of the Commission's public record for the project. Before each meeting, all individuals who attend, especially those who intend to make statements, will be asked to sign in and clearly identify themselves for the record. Interested parties who choose not to speak or who are unable to attend the scoping meetings may provide written comments and information to the Commission as described in section 6.0. These meetings are posted on the Commission's calendar located on the

internet at www.ferc.gov/EventCalendar/EventsList.aspx, along with other related information.

Meeting participants should come prepared to discuss their issues and/or concerns as they pertain to the relicensing of the West Canada Creek Project. It is advised that participants review the PAD in preparation for the scoping meetings. Copies of the PAD are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (www.ferc.gov), using the "eLibrary" link. Enter the docket number, P-2701, to access the documents. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy of the PAD also can be obtained from Erie's licensing website (http://www.westcanadacreekproject.com) or available for inspection and reproduction at the following address: Brookfield Renewable, 33 West 1st Street South, Fulton, New York 13069.

Following the scoping meetings and comment period, all issues raised will be reviewed and decisions made as to the level of analysis needed. If preliminary analysis indicates that any issues presented in this scoping document have little potential for causing significant effects, the issue(s) will be identified and the reasons for not providing a more detailed analysis will be given in the EA.

If we receive no substantive comments on SD1, then we will not prepare a Scoping Document 2 (SD2). Otherwise, we will issue SD2 to address any substantive comments received. The SD2 will be issued for informational purposes only; no response will be required. The EA will address recommendations and input received during the scoping process.

3.0 PROPOSED ACTION AND ALTERNATIVES

In accordance with NEPA, the environmental analysis will consider the following alternatives, at a minimum: (1) the no-action alternative, (2) the applicant's proposed action, and (3) alternatives to the proposed action.

3.1 NO-ACTION ALTERNATIVE

Under the no-action alternative, the West Canada Creek Project would continue to operate as required by the current project license (i.e., there would be no change to the existing environment). No new environmental protection, mitigation, or enhancement measures would be implemented. We use this alternative to establish baseline environmental conditions for comparison with other alternatives.

3.1.1 Existing Project Facilities

The West Canada Creek Project consists of the Prospect and Trenton developments located on West Canada Creek in the Towns of Trenton and Russia, Oneida and Herkimer counties, New York (figure 1). The Prospect and Trenton developments are located approximately 33 river miles (RM) and 31 RM upstream from the confluence of West Canada Creek with the Mohawk River, respectively. The Prospect dam is approximately 2 miles downstream of Hinckley dam which impounds Hinckley reservoir. The Gregory B. Jarvis Hydroelectric Project No. 3211 (Jarvis Project) is located immediately downstream of Hinckley reservoir and discharges into the Prospect reservoir.

The Prospect Development is composed of: (1) a 176-acre impoundment with a normal surface elevation of 1,161.5 feet;[4] (2) a dam that consists of a 306-foot-long, 45-foot-high concrete overflow spillway with three 27-foot-wide Tainter gates; (3) a 400-foot-long, 47-foot-high north dike and a 475-foot-long, 47-foot-high south dike; (4) a 4,500-foot-long, 22-foot-high canal extending from the south dike to a concrete intake; (5) a 430-foot-long, 13.5-foot-diameter steel penstock leading from the intake to the 76-foot-long, 62-foot-wide reinforced concrete powerhouse containing a single turbine generator unit with a nameplate capacity of 17.3 MW; (6) an approximate 1.2-mile-long bypassed reach between the Prospect dam and the powerhouse; (7) 6.9-kilovolt (kV) generator leads that run from the powerhouse to a substation with a 15-kV breaker,

[4] All elevations refer to USGS mean sea level datum (National Geodetic Vertical Datum or NGVD).

6.6/46-kV transformer, and a 46-kV switch connecting to the National Grid interconnection point within the substation; and (8) appurtenant facilities.

The Trenton Development is composed of: (1) a 9-acre impoundment with a normal surface elevation of 1,023.9 feet; (2) a 288-foot-long, 55-foot-high concrete masonry dam with a 100-foot-long, 56-foot-high main spillway with 6-foot-high trippable wooden flashboards and a 10-foot-high, 15-foot-wide sluice gate, a 106-foot-long, 65-foot-high west non-overflow section and an 82-foot-long, 56-foot-high east non-overflow section; (3) a 160-foot-long, 65-foot-high auxiliary spillway with 8-foot-high trippable wooden flashboards; (4) a concrete intake with a 20-foot-high, 14-foot-wide vertical lift gate that leads to a concrete-lined, 1,284-foot-long, 14-foot-diameter tunnel that connects to a 2,000-foot-long, 12-foot-diameter steel pipeline; (5) a surge tank; (6) a 12-foot diameter pipeline extending from the surge tank and branching into three 7-foot-diameter penstocks leading to Powerhouse No. 2 that contains three Francis turbine/generator units with a total rated capacity of 22.5 MW; (7) an approximate 4,000-foot-long bypassed reach that extends from Trenton dam to Powerhouse No. 2; (8) 13.2-kV generator leads that run from the powerhouse to a substation with three 15-kV breakers, two 13.2/46-kV transformers, and two 46-kV switches connecting to the National Grid interconnection point within the substation; and (9) appurtenant facilities. Powerhouse No. 1, the original powerhouse, abuts Powerhouse No. 2 and contains four Francis turbine/generator units that were retired in place in 1989.

3.1.2 Existing Project Operations

The Prospect Development impounds waters up to the Jarvis Project tailrace such that the maximum operating level of the Prospect impoundment is at the same elevation as the Jarvis Project tailrace. Consequently, Hinckley reservoir outflows from the Jarvis Project supply water to the West Canada Creek Project. Hinckley reservoir is operated by the New York State Canal Corporation (Canal Corporation) in accordance with the 2012 Hinckley Reservoir Operating Diagram (figure 2) and governed by operating agreements between the Canal Corporation, the Mohawk Valley Water Authority (MVWA), and Erie.

The current FERC license for the Jarvis Project allows for peaking operations and requires the New York Power Authority (NYPA, as licensee for the Jarvis Project) to coordinate with Erie (as licensee for the West Canada Creek Project) and the Canal Corporation to maintain a continuous minimum flow of 160 cubic feet per second (cfs) into West Canada Creek, as measured immediately downstream of the Canal Corporation diversion weir (Nine Mile Creek Feeder dam) located approximately 1,500 feet downstream of the Trenton powerhouse.

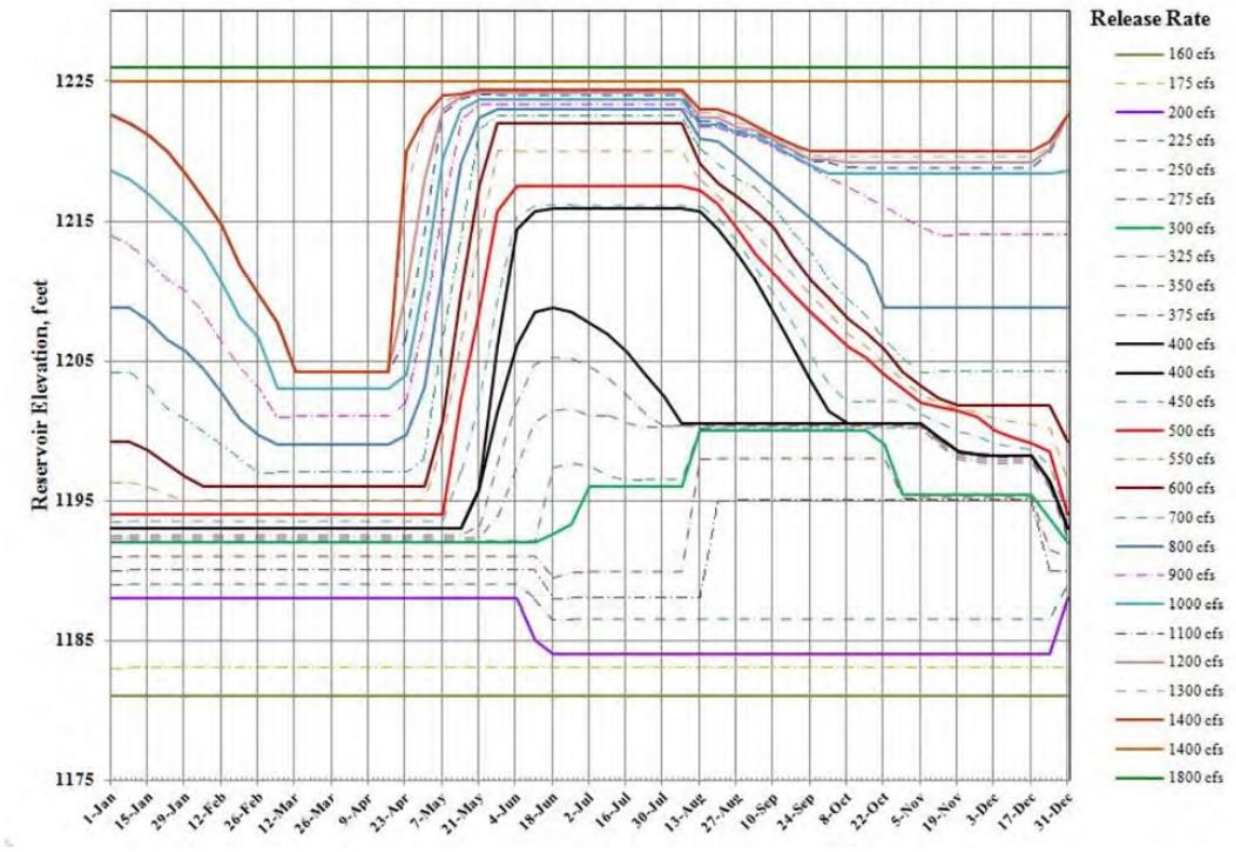

Figure 2. 2012 Hinckley Reservoir Operating Diagram. (Source: PAD for the Jarvis Project available at http://www.jarvis.nypa.gov.)

The NYPA hydrologist communicates with the Erie water resource manager twice a week to discuss the application of the 2012 Operating Diagram based upon the Hinckley reservoir elevation (*See* figure 2). The West Canada Creek Project is typically operated so that daily average inflows from the Jarvis Project into the West Canada Creek Project are released from the Prospect and Trenton developments that same day to maintain daily average outflows. The two developments are typically operated in tandem such that outflow from the Prospect Development is followed by similar outflow at the downstream Trenton Development.

The Prospect Development uses its reservoir's limited storage between reservoir elevations of 1,161.5 feet (normal surface elevation) and 1,156.5 feet for power generation. When flow within the range of 500 cfs to 1,400 cfs is provided from the Jarvis Project, the Prospect reservoir operates in peaking mode and can fluctuate up to

5 feet daily. When inflows are above or below the above range, the Prospect Development will typically operate in run-of-river mode. When river flow exceeds the plant's hydraulic capacity of 1,855 cfs, the Prospect Development operates continuously at the full plant hydraulic capacity through the turbine and spills flows in excess of 1,855 cfs. Managing flows beyond 1,855 cfs is accomplished using any of the three Tainter gates, which have a combined hydraulic capacity of 16,500 cfs at normal impoundment elevation.

The Trenton Development uses its reservoir's limited storage between elevation 1,023.9 (normal surface elevation) and 1,011.9 feet for power generation. When flow within the range of 500 cfs to 1,400 cfs is provided from the Prospect Development, the Trenton reservoir operates in a peaking mode and can fluctuate up to 12 feet daily. When inflows are above or below the above range, the Trenton Development will typically operate in run-of-river mode. If the required 160-cfs minimum flow is interrupted by a turbine shutdown, a minimum flow valve tied to Unit no. 6 at the powerhouse is automated to open and allow the minimum flow to be passed downstream. When river flow exceeds the plant's hydraulic capacity of 1,425 cfs, the Trenton Development operates continuously at the full plant hydraulic capacity through the turbines and spills flows in excess of 1,425 cfs. Managing flows beyond 1,425 cfs is accomplished by using the sluice gate, and then tripping flashboard sections on the main spillway and/or auxiliary spillway as needed.

3.2 APPLICANT'S PROPOSAL

The proposed action is to continue the existing operation and maintenance of the West Canada Creek Project. The current license for the project expires on February 28, 2023.

3.2.1 Proposed Project Facilities and Operations

Erie proposes no new or upgraded facilities or operational changes to the West Canada Creek Project during the term of the new license at this time.

3.2.2 Proposed Environmental Measures

Erie proposes to continue the existing operation and maintenance of the West Canada Creek Project which includes the PM&E measures required by the current license. These measures are described below.

Geologic and Soil Resources

- There are no existing or proposed PM&E measures related to geology and soils for the West Canada Creek Project. The potential need for PM&E measures will be evaluated during the relicensing process.

Aquatic Resources

- Erie provides a continuous minimum flow of 160 cfs or inflow to the project, whichever is less, as immediately measured downstream of the Canal Corporation diversion weir.

Terrestrial Resources

- There are no existing or proposed PM&E measures related to terrestrial resources for the West Canada Creek Project. The potential need for PM&E measures will be evaluated during the relicensing process.

Threatened and Endangered Species

- There are no existing or proposed PM&E measures related to threatened and endangered species for the West Canada Creek Project. The potential need for PM&E measures will be evaluated during the relicensing process.

Recreation and Land Use

- Erie owns and maintains a formal boat launch which provides public access to the Prospect reservoir.

- Erie provides controlled public access during select weekends in the spring and fall to view the Trenton Falls Gorge.

Aesthetic Resources

- There are no existing or proposed PM&E measures related to aesthetic resources for the West Canada Creek Project. The potential need for PM&E measures will be evaluated during the relicensing process.

Cultural Resources

- If any previously unrecorded archeological sites are discovered during the course of construction or development of any project works or other facilities at the project, Erie must stop construction activity, consult with a qualified archeologist, and if necessary, consult with the New York State Historic Preservation Officer to develop a mitigation plan for the protection of significant archeological resources.

3.3 DAM SAFETY

It is important to note that dam safety constraints may exist and should be taken into consideration in the development of proposals and alternatives considered in the pending proceeding. For example, proposed modifications to the dam structure, such as the addition of flashboards or fish passage facilities, could impact the integrity of the dam structure. As the proposal and alternatives are developed, the applicant must evaluate the effects and ensure that the project would meet the Commission's dam safety criteria found in Part 12 of the Commission's regulations and the Engineering Guidelines (http://www.ferc.gov/industries/hydropower/safety/guidelines/eng-guide.asp).

3.4 ALTERNATIVES TO THE PROPOSED ACTION

Commission staff will consider and assess all alternative recommendations for operational or facility modifications, as well as PM&E measures identified by the Commission, the agencies, Indian tribes, NGOs, and the public.

3.5 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

At present, we propose to eliminate the following alternatives from detailed study in the EA.

3.5.1 Federal Government Takeover

In accordance with § 16.14 of the Commission's regulations, a federal department or agency may file a recommendation that the United States exercise its right to take over a hydroelectric power project with a license that is subject to sections 14 and 15 of the FPA.[5] We do not consider federal takeover to be a reasonable alternative. Federal

[5] 16 U.S.C. §§ 791(a)-825(r).

takeover of the project would require congressional approval. While that fact alone would not preclude further consideration of this alternative, there is currently no evidence showing that federal takeover should be recommended to Congress. No party has suggested that federal takeover would be appropriate, and no federal agency has expressed interest in operating the project.

3.5.2 Non-power License

A non-power license is a temporary license the Commission would terminate whenever it determines that another governmental agency is authorized and willing to assume regulatory authority and supervision over the lands and facilities covered by the non-power license. At this time, no governmental agency has suggested a willingness or ability to take over the project. No party has sought a non-power license, and we have no basis for concluding that the West Canada Creek Project should no longer be used to produce power. Thus, we do not consider a non-power license a reasonable alternative to relicensing the project.

3.5.3 Project Decommissioning

Decommissioning of the project could be accomplished with or without dam removal. Either alternative would require denying the relicense application and surrender or termination of the existing license with appropriate conditions. There would be significant costs involved with decommissioning the project and/or removing any project facilities. The project provides a viable, safe, and clean renewable source of power to the region. With decommissioning, the project would no longer be authorized to generate power.

No party has suggested project decommissioning would be appropriate in this case, and we have no basis for recommending it. Thus, we do not consider project decommissioning a reasonable alternative to relicensing the project with appropriate environmental measures.

4.0 SCOPE OF CUMULATIVE EFFECTS AND SITE-SPECIFIC RESOURCE ISSUES

4.1 CUMULATIVE EFFECTS

According to the Council on Environmental Quality's regulations for implementing NEPA (40 C.F.R. 1508.7), a cumulative effect is the effect on the environment that results from the incremental effect of the action when added to other past, present and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time, including hydropower and other land and water development activities.

4.1.1 Resources that could be Cumulatively Affected

Based on information in the PAD for the West Canada Creek Project, and preliminary staff analysis, we have identified water quantity, water quality (i.e., dissolved oxygen and water temperature), and aquatic habitat as resources that could be cumulatively affected by the proposed continued operation and maintenance of the West Canada Creek Project in combination with other hydroelectric projects and other activities in the West Canada Creek Basin.

4.1.2 Geographic Scope

Our geographic scope of analysis for cumulatively affected resources is defined by the physical limits or boundaries of: (1) the proposed action's effect on the resources, and (2) contributing effects from other hydropower and non-hydropower activities within the West Canada Creek Basin. We have identified the geographic scope for water quality and quantity to include West Canada Creek from Hinckley reservoir (upper end of the Jarvis Project boundary) to its confluence with the Mohawk River. We chose this geographic scope because this 35-mile-reach contains hydropower and water supply dams (six dams in total, including the Prospect and Trenton dams), the operation of which may cumulatively affect water quantity and quality and aquatic habitat in the identified geographic reach.

4.1.3 Temporal Scope

The temporal scope of our cumulative effects analysis in the EA will include a discussion of past, present, and reasonably foreseeable future actions and their effects on each resource that could be cumulatively affected. Based on the potential term of a new license, the temporal scope will look 30 to 50 years into the future, concentrating on the

effect on the resources from reasonably foreseeable future actions. The historical discussion will, by necessity, be limited to the amount of available information for each resource. The quality and quantity of information, however, diminishes as we analyze resources further away in time from the present.

4.2 RESOURCE ISSUES

In this section, we present a preliminary list of environmental issues to be addressed in the EA. We identified these issues, which are listed by resource area, by reviewing the PAD and the Commission's record for the West Canada Creek Project. This list is not intended to be exhaustive or final, but contains the issues raised to date. After the scoping process is complete, we will review the list and determine the appropriate level of analysis needed to address each issue in the EA. Those issues identified by an asterisk (*) will be analyzed for both cumulative and site-specific effects.

4.2.1 Geologic and Soils Resources

- No geologic and soil resource issues have been identified for analysis at this time.

4.2.2 Aquatic Resources

- Effects of continued project operation on water quantity and water quality.*

- Effects of water level fluctuations in the Prospect and Trenton reservoirs on fish habitat.*

- Effects of continued project operation and maintenance, including flows in the bypassed reaches and minimum flows downstream of the project, on fish and aquatic habitat.*

4.2.3 Terrestrial Resources

- Effects of continued project operation, including reservoir fluctuations, on riparian and wetland habitat and associated wildlife.

- Effects of continued project operation and maintenance on upland wildlife habitat and associated wildlife such as bald eagles.

4.2.4 Threatened and Endangered Species

- Effects of continued project operation and maintenance on the federally listed threatened northern long-eared bat.

4.2.5 Recreation, Land Use, and Aesthetic Resources

- The adequacy of public access and recreation facilities to meet current and future recreation demand.

- Effects of project operation and maintenance on recreational opportunities and river access within the project area.

- Effects of project operation and maintenance on land use and aesthetic resources within the project area.

4.2.6 Cultural Resources

- Effects of project operation and maintenance on historic properties and archeological resources that are included in, eligible for listing in, or potentially eligible for inclusion in the National Register of Historic Places.

- Effects of project operation and maintenance on any previously unidentified historic or archeological resources or traditional cultural properties that may be eligible for inclusion in the National Register of Historical Places.

4.2.7 Developmental Resources

- Economics of the project and the effects of any recommended environmental measures on the project's economics.

5.0 PROPOSED STUDIES

Depending upon the findings of studies completed by Erie and the recommendations of the consulted entities, Erie will consider, and may propose certain other measures to enhance environmental resources affected by the project as part of the proposed action. Erie's initial study proposals are identified by resource area in table 1. Detailed information on Erie's initial study proposals can be found in the PAD. Further studies may need to be added to this list based on comments provided to the Commission and Erie from interested participants, including Indian tribes.

Table 1. Erie's initial study proposals. (Source: Erie)

Resource Area and Study Name	**Proposed Study**
Aquatic Resources	
Aquatic Habitat Mapping Study	Erie proposes to conduct a study to map the distribution and abundance of aquatic habitat within the West Canada Creek Project boundary to evaluate the types of aquatic habitats that occur there, and identify potential effects of operation of the project on this habitat.
Recreation Resources	
Recreation Study and Inventory of Facilities	Erie proposes to conduct a study to inventory existing recreation facilities and characterize existing recreation use and access at the project.

6.0 REQUEST FOR INFORMATION AND STUDIES

We are asking federal, state, and local resource agencies, Indian tribes, NGOs, and the public to forward to the Commission any information that will assist us in conducting an accurate and thorough analysis of the project-specific and cumulative effects associated with relicensing the West Canada Creek Project. The types of information requested include, but are not limited to:

- information, quantitative data, or professional opinions that may help define the geographic and temporal scope of the analysis (both site-specific and cumulative effects), and that helps identify significant environmental issues;

- identification of, and information from, any other EA, EIS, or similar environmental study (previous, on-going, or planned) relevant to the proposed relicensing of the West Canada Creek Project;

- existing information and any data that would help to describe the past and present actions and effects of the project and other developmental activities on environmental and socioeconomic resources;

- information that would help characterize the existing environmental conditions and habitats;

- the identification of any federal, state, or local resource plans, and any future project proposals in the affected resource area (e.g., proposals to construct or operate water treatment facilities, recreation areas, water diversions, timber harvest activities, or fish management programs, along with any implementation schedules);

- documentation that the proposed project would or would not contribute to cumulative adverse or beneficial effects on any resources. Documentation can include, but need not be limited to, how the project would interact with other projects in the area and other developmental activities; study results; resource management policies; and reports from federal and state agencies, local agencies, Indian tribes, NGOs, and the public;

- documentation showing why any resources should be excluded from further study or consideration; and

- study requests by federal and state agencies, local agencies, Indian tribes, NGOs, and the public that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the EA/EIS for the project.

All requests for studies filed with the Commission must meet the criteria found in Appendix A, *Study Plan Criteria*.

The requested information, comments, and study requests should be submitted to the Commission no later than **June 29, 2018**. All filings must clearly identify the following on the first page: **West Canada Creek Project (P-2701-059)**. Scoping comments may be filed electronically via the Internet. See 18 C.F.R. 385.2001(a)(1)(iii) and the instructions on the Commission's website 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 at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426.

Register online at http://www.ferc.gov/esubscription.asp to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support at ferconlinesupport@ferc.gov.

Any questions concerning the scoping meetings, site visits, or how to file written comments with the Commission should be directed to Nicholas Ettema at (202) 502-6565 or nicholas.ettema@ferc.gov. Additional information about the Commission's licensing process and the West Canada Creek Project may be obtained from the Commission's website, www.ferc.gov.

7.0 EA PREPARATION SCHEDULE

At this time, we anticipate the need to prepare a draft and final EA. The draft EA will be sent to all persons and entities on the Commission's service and mailing lists for the West Canada Creek Project. The EA will include our recommendations for operating procedures, as well as PM&E measures that should be part of any license issued by the Commission. All recipients will then have 30 days to review the EA and file written comments with the Commission. All comments on the draft EA filed with the Commission will be considered in preparation of the final EA. A schedule for the EA preparation will be provided after a license application is filed.

The major milestones, with pre-filing target dates are as follows:

Major Milestone	Target Date
Scoping Meetings	May 2018
License Application Filed	February 2021
Ready for Environmental Analysis Notice Issued	
Deadline for Filing Comments, Recommendations, and Agency Terms and Conditions/Prescriptions	
Single EA Issued	
Comments on EA Due	
Deadline for Filing Modified Agency Recommendations	
Order Issued	

A copy of Erie's process plan, which has a complete list of relicensing milestones for the West Canada Creek Project, including those for developing the license application, is attached as Appendix B to this SD1.

8.0 PROPOSED EA OUTLINE

The preliminary outline for the West Canada Creek Project EA is as follows:

TABLE OF CONTENTS
LIST OF FIGURES
LIST OF TABLES
ACRONYMS AND ABBREVIATIONS
EXECUTIVE SUMMARY

1.0 INTRODUCTION
- 1.1 Application
- 1.2 Purpose of Action and Need for Power
- 1.3 Statutory and Regulatory Requirements
  - 1.3.1 Federal Power Act
    - 1.3.1.1 Section 18 Fishway Prescriptions
    - 1.3.1.2 Section 10(j) Recommendations
  - 1.3.2 Clean Water Act
  - 1.3.3 Endangered Species Act
  - 1.3.4 Coastal Zone Management Act
  - 1.3.5 National Historic Preservation Act
  - Other statutes as applicable
- 1.4 Public Review and Comment
  - 1.4.1 Scoping
  - 1.4.2 Interventions
  - 1.4.3 Comments on the Application
  - 1.4.4 Comments on Draft EA or EIS

2.0 PROPOSED ACTION AND ALTERNATIVES
- 2.1 No-action Alternative
  - 2.1.1 Existing Project Facilities
  - 2.1.2 Project Safety
  - 2.1.3 Existing Project Operation
  - 2.1.4 Existing Environmental Measures
- 2.2 Applicant's Proposal
  - 2.2.1 Proposed Project Facilities
  - 2.2.2 Proposed Project Operation
  - 2.2.3 Proposed Environmental Measures
  - 2.2.4 Modifications to Applicant's Proposal—Mandatory Conditions
- 2.3 Staff Alternative
- 2.4 Staff Alternative with Mandatory Conditions
- 2.5 Other Alternatives (as appropriate)

9.0 COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA, 16 U.S.C. section 803(a)(2)(A), requires the Commission to consider the extent to which a project is consistent with federal and state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by a project. The staff has preliminarily identified and reviewed the plans listed below that may be relevant to the West Canada Creek Project. Agencies are requested to review this list and inform the Commission staff of any changes. If there are other comprehensive plans that should be considered for this list that are not on file with the Commission, or if there are more recent versions of the plans already listed, they can be filed for consideration with the Commission according to 18 CFR 2.19 of the Commission's regulations. Please follow the instructions for filing a plan at http://www.ferc.gov/industries/hydropower/gen-info/licensing/complan.pdf.

The following is a list of comprehensive plans currently on file with the Commission that may be relevant to the West Canada Creek Project.

Adirondack Park Agency. Undated. New York State wild, scenic, and recreational rivers system field investigation summaries. Albany, New York.

National Park Service. The Nationwide Rivers Inventory. Department of the Interior, Washington, D.C. 1993.

New York Department of Environmental Conservation. 1979. Hudson River Basin water and related land resources: Level B study report and environmental impact statement. Albany, New York. September 1979.

New York Department of Environmental Conservation. 1985. New York State Wild, Scenic, and Recreational River System Act. Albany, New York. March 1985.

New York Department of Environmental Conservation. 1986. Regulation for administration and management of the wild, scenic, and recreational rivers system in New York State excepting the Adirondack Park. Albany, New York. March 26, 1986.

New York State Office of Parks, Recreation, and Historic Preservation. New York Statewide Comprehensive Outdoor Recreation Plan (SCORP): 2003-2007. Albany, New York. January 2003.

State of New York Hudson River Regulating District. 1923. General plan for the regulation of the flow of the Hudson River and certain of its tributaries. Albany, New York. June 7, 1923. 63 pp.

U.S. Fish and Wildlife Service. Canadian Wildlife Service. 1986. North American waterfowl management plan. Department of the Interior. Environment Canada. May 1986.

U.S. Fish and Wildlife Service. Undated. Fisheries USA: the recreational fisheries policy of the U.S. Fish and Wildlife Service. Washington, D.C.

10.0 MAILING LIST

The list below is the Commission's official mailing list for the West Canada Creek Project (FERC No. 2701). If you want to receive future mailings for the West Canada Creek Project and are not included in the list below, please send your request by email to efiling@ferc.gov or by mail to: Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written and emailed requests to be added to the mailing list must clearly identify the following on the first page: West Canada Creek Project No. 2701-059. You may use the same method if requesting removal from the mailing list below.

Register online at http://www.ferc.gov/esubscribenow.htm to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

Official Mailing List for the West Canada Creek Project

Cultural Education Center Geologist Geological Survey Albany, New York 12230-0001	New York Public Service Commission Director 3 Empire State Plaza Albany, New York 12223-1000
New York Department of Transportation Director Region 4 1530 Jefferson Rd Rochester, New York 14623-3110	New York State Department of Environmental Conservation Sita Crounse Senior Attorney 625 Broadway Albany, New York 12233-1500
New York State Canal Corporation Lawrence J. Frame PO Box 189 Albany, New York 12201-0189	Regulatory Branch U.S. Army Corps of Engineers, Buffalo District 1776 Niagara St Buffalo, New York 14207-3111
New York State Department of Environmental Conservation Commissioner Office of the Commissioner 625 Broadway, 14th Floor Albany, New York 12233-0001	U.S. Coast Guard Commanding Officer MSO Buffalo 1 Fuhrmann Blvd Buffalo, New York 14203-3105

New York State Energy Research & Dev. Authority Commissioner 17 Columbia Circle Albany, New York 12203-6399	David Stilwell U.S. Fish & Wildlife Service NY Region 5 Field Office 3817 Luker Rd Cortland, New York 13045-9385
U.S. Army Corps of Engineers, New York District Kevin Bruce CENAN-OP-RU, Upstate Regulatory Field Office 1 Buffington St, Bld. 10, 3rd floor North Watervilet, New York 12189-4000	Charles Schumer U.S. Senate 322 Hart Senate Office Building Washington, DC 20510
Commanding Officer U.S. Coast Guard MSO Long Island Sound 120 Woodward Ave New Haven, Connecticut 06512-3628	Adirondack Park Agency PO Box 99 Ray Brook, New York 12977-0099
S. M. Carbone 89 E Main St Fonda, New York 12068-4820	Steven Murphy Licensing Manager Lake Ontario Production Center 33 West First Street South Fulton, New York 13069
Rob Garrett Compliance Specialist Erie Boulevard Hydropwer, L.P. 399 Big Bay Road Queensbury, New York 12804	Frances, Francis, Spiegel & McDiarmid LLP 1875 Eye Street, NW Suite 700 Washington, District of Columbia 20006
James A Besha, P.E. President Fourth Branch Associates 5 Washington Square Albany, New York 12205-5512	County of Herkimer Court House Herkimer, New York 13350
Marine Science Research Center State University of New York Stony Brook, New York 11794-0001	New York Dept. of Agriculture and Markets One Winners Circle Capital Plaza Albany, New York 12235-0001

New York Dept. of Health Empire State Plaza Albany, New York	New York Dept. of Natural Resources New York Cooperative Fish and Wildlife Research Unit Cornell University Ithaca, New York 14853
New York Division of Air Resources Department of Environmental Conservation Albany, New York 12233-0001	New York Fish & Wildlife Management Board 625 Broadway Albany, New York 12233-0001
New York Office of Attorney General 120 Broadway New York, New York 10271-0002	Miles A Counsel New York Public Service Commission 3 Empire State Plaza Albany, New York 12223-1000
New York Rivers United Richard Roos-Collins Director, Legal Services 2140 Shattuck Avenue, Ste. 801 Berkeley, California 94704-1229	New York Sea Grant Institute State University of New York Dutchess Hall Stony Brook, New York 11794-0001
New York State Coop, Ext. Cornell University 103 Roberts Hall Ithaca, New York 14853-5905	Unit Director New York State Department of Environmental Conservation Dam Safety Unity, Division of Water 625 Broadway Albany, New York 12233-3504
NYS Office of Parks and Recreation Commissioner Recreation & Historic Preservation Empire State Building Albany, New York 12223	County of Oneida County Court House Utica, New York 13501
City of Oswego Randolph F Bateman Office of the Mayor, City Hall 13 W Oneida St. Oswego, New York	Paul Nolan Energy Consultant 5515 17th Street North Arlington, Virginia 22205-2722

Chief Engineer U.S. Army Corps of Engineers North Central Office 111 N Canal St Lobby 6 Chicago, Illinois 60606-7291	Glenn R Meloy U.S. Army Corps of Engineers PO Box 2870 Portland, Oregon 97208-2870
U.S. Army Corps of Engineers Chief of Engineers 20 Massachusetts Ave NW Washington, District of Columbia 20314-0001	U.S. Bureau of Land Management Field Manager 626 E Wisconsin Ave Ste 200 Milwaukee, Wisconsin 53202-4618
U.S. Department of Agriculture 1400 Independence Avenue, NW, MS 3815 Office of the Chief Economist – OEPNU Washington, District of Columbia 20250-0001	U.S. Department of Energy Office Director 26 Federal Plz Rm 3206 New York, New York 10278-0004
U.S. Department of Interior Director, Office of Environmental Policy & Compliance 1849 C Street, NW, MS 2430 Washington, District of Columbia 20240	Andrew Tittler U.S. Department of Interior 15 State St. 8th floor Boston, Massachusetts 02109-3502
U.S. Environmental Protection Agency Regional Administrator 290 Broadway Floor 28 New York, New York 10007-1823	U.S. Fish and Wildlife Service Regional Director 300 Westgate Center Dr Northeast Regional Office Hadley, Massachusetts 01035-9587
Paul Hamilton Field Supervisor U.S. Fish & Wildlife Service NY Region 5 Field Office 3817 Luker Rd Cortland, New York 13045-9385	Director U.S. Fish & Wildlife Service NY Region 5 Field Office 3817 Luker Rd Cortland, New York 13045-9385

Kevin Mendik, ESQ NPS Hydro Prgm Coord U.S. Department of Interior 15th State Street, 10th Floor Boston, Massachusetts 02109	

APPENDIX A
STUDY PLAN CRITERIA
18 CFR Section 5.9(b)

Any information or study request must contain the following:

1. Describe the goals and objectives of each study proposal and the information to be obtained;

2. If applicable, explain the relevant resource management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied;

3. If the requester is not a resource agency, explain any relevant public interest considerations in regard to the proposed study;

4. Describe existing information concerning the subject of the study proposal, and the need for additional information;

5. Explain any nexus between project operations and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements;

6. Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate filed season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge; and

7. Describe considerations of level of effort and cost, as applicable, and why proposed alternative studies would not be sufficient to meet the stated information needs.

APPENDIX B
WEST CANADA CREEK PROJECT PROCESS PLAN AND SCHEDULE

Shaded milestones are unnecessary if there are no study disputes. If the due date falls on a weekend or holiday, the due date is the following business day. Early filings or issuances will not result in changes to these deadlines.

Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Erie	Issue Public Notice for NOI/PAD	2/28/18	5.3(d)(2)
Erie	File NOI/PAD	2/28/18	5.5, 5.6
FERC	Tribal Meetings	3/30/18	5.7
FERC	Issue Notice of Commencement of Proceeding and Scoping Document 1	4/30/18	5.8
FERC	Scoping Meetings and Project Site Visit	5/30/18 5/31/18	5.8(b)(viii)
All Stakeholders	File Comments on PAD/Scoping Document 1 and Study Requests	6/29/18	5.9
FERC	Issue Scoping Document 2 (if necessary)	8/13/18	5.10
Erie	File Proposed Study Plan	8/13/18	5.11(a)
All Stakeholders	Proposed Study Plan Meeting	9/12/18	5.11(e)
All Stakeholders	File Comments on Proposed Study Plan	11/11/18	5.12
Erie	File Revised Study Plan	12/11/18	5.13(a)
All Stakeholders	File Comments on Revised Study Plan	12/26/18	5.13(b)
FERC	Issue Director's Study Plan Determination	1/10/19	5.13(c)
Mandatory Conditioning Agencies	File Any Study Disputes	1/30/19	5.14(a)
Dispute Panel	Select Third Dispute Resolution Panel Member	2/14/19	5.14(d)

Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Dispute Panel	Convene Dispute Resolution Panel	2/19/19	5.14(d)(3)
Erie	File Comments on Study Disputes	2/24/19	5.14(i)
Dispute Panel	Dispute Resolution Panel Technical Conference	March 2019	5.14(j)
Dispute Panel	Issue Dispute Resolution Panel Findings	3/21/19	5.14(k)
FERC	Issue Director's Study Dispute Determination	4/10/19	5.14(l)
Erie	First Study Season	Spring – Fall 2019	5.15(a)
Erie	File Initial Study Report	1/10/20	5.15(c)(1)
All Stakeholders	Initial Study Report Meeting	1/25/20	5.15(c)(2)
Erie	File Initial Study Report Meeting Summary	2/9/20	5.15(c)(3)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	3/10/20	5.15(c)(4)
All Stakeholders	File Responses to Disagreements/Amendment Requests	4/9/20	5.15(c)(5)
FERC	Issue Director's Determination on Disagreements/Amendments	5/9/20	5.15(c)(6)
Erie	Second Study Season	Spring- Fall 2020	5.15(a)
Erie	File Preliminary Licensing Proposal (or Draft License Application)	10/1//20	5.16(a)-(c)
All Stakeholders	File Comments on Preliminary Licensing Proposal (or Draft License Application)	12/30/20	5.16(e)
Erie	File Updated Study Report	1/10/21	5.15(f)
All Stakeholders	Updated Study Report Meeting	1/25/21	5.15(f)
Erie	File Updated Study Report Meeting Summary	2/9/21	5.15(f)

Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Erie	File Final License Application	2/28/21	5.17
All Stakeholders	File Disagreements/Requests to Amend Study Plan	3/11/21	5.15(f)
Erie	Issue Public Notice of Final License Application Filing	3/15/21	5.17(d)(2)
All Stakeholders	File Responses to Disagreements/Amendment Requests	4/10/21	5.15(f)
FERC	Issue Director's Determination on Disagreements/Amendments	5/10/21	5.15(f)