

FEDERAL ENERGY REGULATORY COMMISSION

Washington, DC 20426

September 18, 2014

OFFICE OF ENERGY PROJECTS

Project No. 2685-026 – New York  
Blenheim-Gilboa Pumped Storage Project  
New York Power Authority

**Subject: Scoping Document 2 for Blenheim-Gilboa Pumped Storage Project, P-2685**

To the Party Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the Pre-Application Document submitted by the New York Power Authority (NYPA) for relicensing the Blenheim-Gilboa Pumped Storage Project (Blenheim-Gilboa Project or project) (FERC No. 2685). The Blenheim-Gilboa Project is located on Schoharie Creek in Schoharie County, New York. The project is not located on federal lands.

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 engaged in a public scoping process to ensure that all pertinent issues are identified and analyzed, and that the EA is thorough and balanced.

In our June 4, 2014, Scoping Document 1 (SD1), we disclosed our preliminary view of the scope of environmental issues associated with the project. Based on oral and written comments that we received during two scoping meetings held on July 7, 2014, in Gilboa, New York and July 9, 2014 in Cobleskill, New York, the environmental site review on July 8, 2014, and written comments we received throughout the scoping process, we prepared the enclosed Scoping Document 2 (SD2).

We appreciate the participation of governmental agencies, non-governmental organizations, and the general public in the scoping process. The enclosed SD2 for the proposed project is intended to serve as a guide to the issues and alternatives to be addressed in the EA. SD2 serves as a guide to the issues and alternatives to be addressed in the EA. ***Key changes from SD1 to SD2 are identified in bold and italicized type.***

SD2 is being mailed to both NYPA's distribution list and the Commission's official mailing list (see section 9.0 of the attached SD2). If you wish to be added to, removed from, or have your entry corrected on the Commission's official mailing list, please send your request by email to [efiling@ferc.gov](mailto:efiling@ferc.gov) or by mail to: Kimberly D. Bose, 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 added to, removed from, or have your entry corrected on the mailing list and must clearly identify the following on the first page: **Blenheim-Gilboa Pumped Storage Project No. 2685-026**.

If you have any questions about SD2, the scoping process, or how Commission staff will develop the EA for this project, please contact Andy Bernick at (202) 502-8660 or [andrew.bernick@ferc.gov](mailto:andrew.bernick@ferc.gov). Additional information about the Commission's licensing process and the Blenheim-Gilboa Project may be obtained from our website, [www.ferc.gov](http://www.ferc.gov).

Enclosure: Scoping Document 2

cc: Mailing List  
Public Files

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SCOPING DOCUMENT 2  
BLENHEIM-GILBOA PUMPED STORAGE PROJECT  
NEW YORK

PROJECT NO. 2685-026

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

September 2014

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## SCOPING DOCUMENT 2

### Blenheim-Gilboa Pumped Storage Project, No. 2685-026

#### 1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),<sup>1</sup> may issue licenses for terms ranging from 30 to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects. On April 10, 2014, the New York Power Authority (NYPA) filed a Pre-Application Document (PAD) and Notice of Intent to seek a new license for the Blenheim-Gilboa Pumped Storage Project (Blenheim-Gilboa Project or project) (FERC Project No. 2685).<sup>2</sup> The Blenheim-Gilboa Project is located on Schoharie Creek, a tributary of the Mohawk River, in Schoharie County, New York. The Blenheim-Gilboa Project is located in the towns of Blenheim and Gilboa in Schoharie County, New York (figure 1). The Blenheim-Gilboa Project is not located on federal lands.

The Blenheim-Gilboa Project is a pumped storage project with four pump-turbine/motor generating units, with a total plant capacity of 1,160 megawatts (MW). The average annual generation during the years 2002 to 2012 was 619,467 megawatt-hours (MWh), and the average annual pumping consumption during the same period was 924,424 MWh.<sup>3</sup> A detailed description of the project is provided in section 3.0.

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<sup>1</sup> 16 U.S.C. § 791(a)-825(r).

<sup>2</sup> The current license for the Blenheim-Gilboa Project was issued on June 6, 1969, and expires on April 30, 2019.

<sup>3</sup> During the years 2006 to 2010, one pump-turbine generating unit was out of service each year for refurbishment.

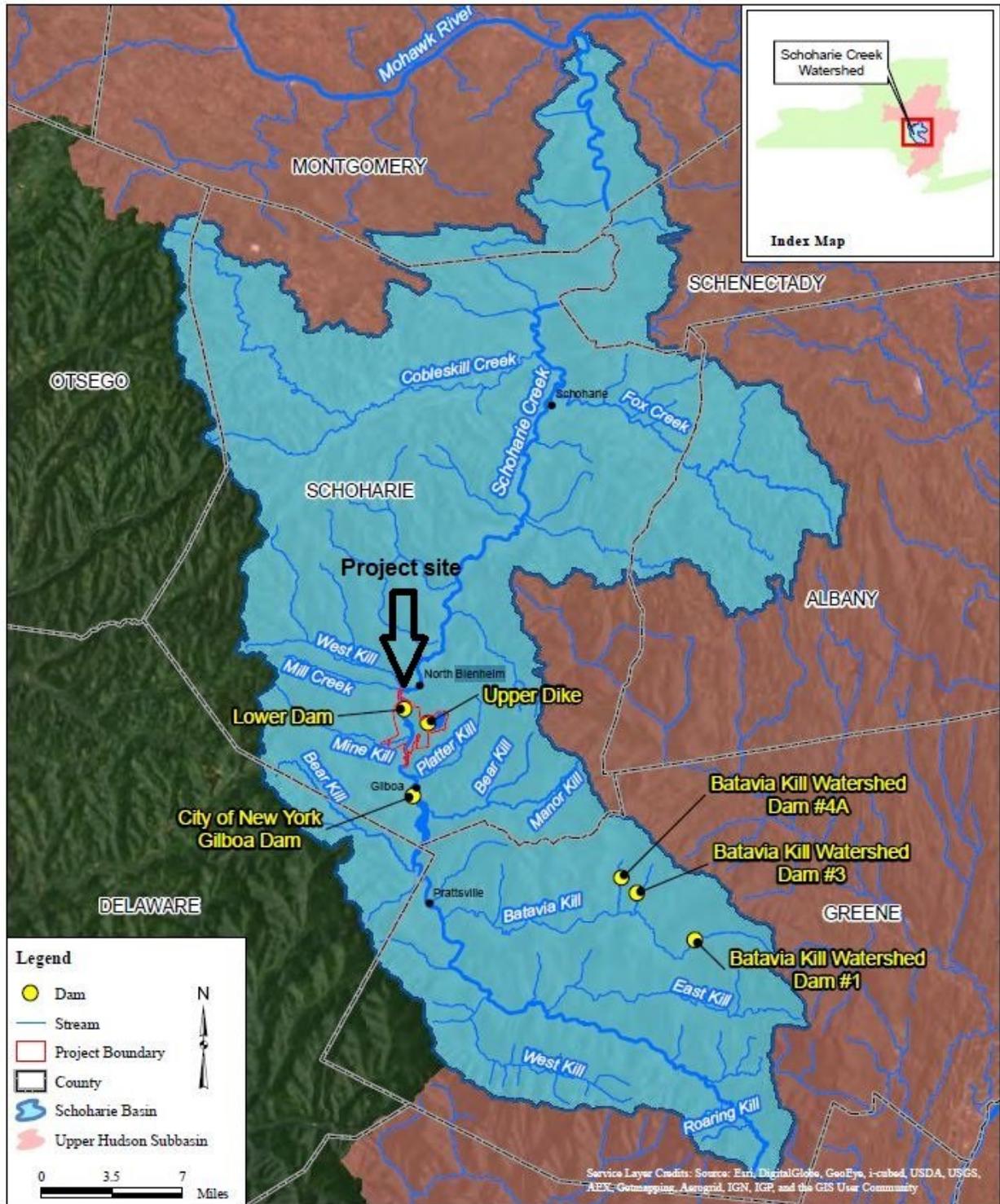


Figure 1. Location of the Blenheim-Gilboa Project within the Schoharie Creek watershed (Source: Pre-Application Document (PAD), as modified by staff).

The National Environmental Policy Act (NEPA) of 1969,<sup>4</sup> the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of relicensing the Blenheim-Gilboa 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 a draft and final EA, there is a possibility that *a draft and final* environmental impact statement (EIS) will be required. This scoping process satisfies the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS *for relicensing the Blenheim-Gilboa Project*.

## 2.0 SCOPING

Scoping Document 1 (SD1) was intended to advise all participants as to the proposed scope of the EA and to seek additional information pertinent to this analysis, including: (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. According to NEPA, the process should be conducted early in the planning stage of the 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;

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<sup>4</sup> National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321-4370(f) (2012).

- 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

*We issued SD1 on June 4, 2014, to enable resource agencies, Indian tribes, NGOs, and the public to more effectively participate in and contribute to the scoping process. In SD1, we requested clarification of preliminary issues concerning the Blenheim-Gilboa Project and identification of any new issues that need to be addressed in the project EA. We revised SD1 following the scoping meetings and site visit and our review of the written comments filed during the scoping comment period, which ended August 8, 2014. This SD2 presents our current view of issues and alternatives to be considered in the EA. To facilitate review, key changes from SD1 to SD2 are identified in bold and italicized type.*

*We conducted scoping meetings in Gilboa, New York on July 7, 2014 (evening) and Cobleskill, New York on July 9, 2014 (morning), and an environmental site review of the project on July 8, 2014, to identify potential issues associated with the project. The scoping meetings and site visit were noticed in a local newspaper and the Federal Register. A court reporter recorded oral comments made during both scoping meetings, and received written comments during the July 7, 2014, meeting.<sup>5</sup>*

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<sup>5</sup> *The transcripts are available at:*

*[http://elibrary.FERC.gov/idmws/file\\_list.asp?accession\\_num=20140722-4001](http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20140722-4001) (July 7, 2014) and*

*[http://elibrary.FERC.gov/idmws/file\\_list.asp?accession\\_num=20140722-4002](http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20140722-4002) (July 9, 2014). Written comments submitted by Alex Bartholomew, Robert Mann, Don Airey, and Anne Mattice-Strauch at the July 7, 2014, scoping meeting are included in the Microsoft Word version of the July 7, 2014, transcript. Sign-in and speaker sheets are also appended to the Microsoft Word*

*In addition to the oral and written comments received at the scoping meetings, the Commission received 21 comment letters from resource agencies, NGOs, and the public (Appendix C).*

*All comments received are part of the Commission's official record for the project. Information in the official file is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 502-8371. Information also may be accessed through the Commission's eLibrary system using the "Documents & Filings" link on the Commission's webpage at <http://www.ferc.gov>. Call (202) 502-6652 for assistance.*

### **2.3 ISSUES RAISED DURING SCOPING**

*The issues raised by participants in the scoping process are summarized below. The summaries do not include every oral and written comment made during the scoping process. We revised SD1 to address comments relating directly to the scoping document. Comments on the Pre-Application Document (PAD) and study requests following the criteria in Appendix A are not discussed here, but will be considered during study plan development and the ensuing study plan meetings. Further, we do not address comments that are recommendations for license conditions, such as protection, mitigation, and enhancement (PM&E) measures, as this will be addressed in the EA or any license order that is issued for this project. We will request final terms, conditions, recommendations, and comments when we issue our Ready for Environmental Analysis (REA) notice. Finally, we do not address comments or recommendations that are administrative in nature, such as requests for changes to the mailing lists. Those items will be addressed separately.*

#### **Public Safety, Emergency Response, Dam Safety, and Flooding**

*Comment: Many commenters expressed concern about public safety, project security, emergency response, dam safety regarding the operation of the lower reservoir dam during flood events (e.g., Tropical Storm Irene), and the ability of the lower reservoir dam and upper reservoir embankment to withstand future flood events.*

*Response: Public safety at licensed projects is of the utmost importance to the Commission. The Commission would continue to require NYPA to ensure that the project meets the Commission's dam safety criteria found in Part 12 of the*

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*version of both transcripts.*

*Commission's regulations and the Engineering Guidelines (<http://www.ferc.gov/industries/hydropower/safety/guidelines/eng-guide.asp>). We have also added a bullet to section 4.2.2 of this document to examine operation-related flooding effects along Schoharie Creek downstream of the project.*

### *Climate Change*

*Comment: Several commenters expressed concerns about the adequacy of the current project facilities and operation to safely function in light of the effects of climate change, particularly the increasing frequency and severity of weather events that pose severe risk to the communities and to the environmental resources of Schoharie Valley.*

*Response: The Commission has typically relied on historical data and project-specific studies to evaluate project effects and inform licensing decisions. We are not aware of any climate change models that are known to have the accuracy that would be needed to predict specific resource impacts and serve as the basis for informing license conditions. However, the appropriate time for considering the usefulness of any existing data and particular models in the context of evaluating project effects and future license conditions would be during the study development phase of the licensing process.*

### *Licensing Process*

*Comment: Many commenters stated that the existing Blenheim-Gilboa Project has a significant effect on environmental resources and communities in the vicinity of the project, and requested that the Commission prepare (or require NYPA to prepare) an Environmental Impact Statement (EIS) instead of an EA to fully evaluate the effects of the project on resources and ensure the project is in compliance with U.S. Environmental Protection Agency regulations.*

*Response: In SDI, we indicated that although our intent is to prepare an EA, the scoping process would satisfy NEPA requirements irrespective of whether an EA or EIS is issued by the Commission. Commission staff stated at the scoping meetings that we intend to prepare an EA. However, we will ultimately decide on whether to prepare an EA or an EIS after completion of any required studies and the submittal of NYPA's preliminary licensing proposal.*

*Comment: Many commenters requested that the Commission consider specific requests for funds, equipment, infrastructure, services, and removal of recreational fees through project relicensing.*

*Response: As noted above, we will address any recommendations for license conditions in the EA or EIS or any license order that is issued for this project. However, it is important to note that such requests may not fall within the scope of the Commission's jurisdiction. A proposed environmental measure must be based on substantial evidence in the record of the licensing proceeding, consistent with the law, and enforceable by the Commission. It is also important to establish a specific relationship between the proposed measure and project effects or purposes.*

*Comment: Several commenters requested that the Commission limit the license term for the Blenheim-Gilboa Project to 25 to 30 years, as a 50-year license term would be too long to react to changing environmental conditions, such as an increased probability of future flood events due to climate change.*

*Response: The Commission typically issues hydropower licenses for a period of 30 to 50 years. For an existing project, we base the license term on the amount of new development, new capacity, or environmental mitigation proposed by the applicant. If severe flood events occur over the term of any license issued for the project, the Commission may require changes to project facilities or operation for the project to adhere to dam safety criteria found in Part 12 of the Commission's regulations and the Engineering Guidelines. Further, to account for changes in environmental conditions during the period of any license issued for the Blenheim-Gilboa Project that may result in effects to fish and wildlife, the Commission typically includes in its licenses a standard license article with a fish and wildlife reopener provision that could be used to require changes to project facilities upon Commission motion or as recommended by the appropriate federal and state fish and wildlife agencies after notice and opportunity for hearing.*

*Comment: Mayor Kevin Neary (Town of Richmondville, New York) stated that NYPA owns land in Richmondville that it uses for the offloading of transformers and other large equipment used in the operation and maintenance of the Blenheim-Gilboa Project. Mayor Neary described the safety hazards associated with transporting such equipment through Richmondville.*

*Response: We appreciate the information. At this time, NYPA has not proposed any new construction or modifications to existing project facilities for the project that would involve transporting equipment through Richmondville.*

### *Project Alternatives*

*Comment: Gail Shaffer stated that the Commission should consider an alternative to transfer the project to a private sector or federal entity.*

***Response: We have revised section 3.4.1 in this document to reflect the comment. At this point, no federal entity has expressed interest in taking over the Blenheim-Gilboa Project, so we do not consider this to be a reasonable alternative to include in our analysis. Further, as sections 6 and 8 of the FPA would not generally provide for the transfer of the Blenheim-Gilboa Project to a private sector entity without the licensee's consent, we do not consider this to be a reasonable alternative to include in our analysis.***

***Comment: A few commenters, either directly or indirectly, raised the issue of project decommissioning. The Schoharie County Board of Supervisors (Schoharie County) stated that Commission staff erroneously concluded that decommissioning the Blenheim-Gilboa Project would result in the loss of a “viable, safe, and clean renewable source of power” because project operation relies on electricity from New York’s bulk electric system to pump water from the lower to the upper reservoir, and NYPA offered no proof that this electricity is supplied by clean renewable sources of power. Schoharie County also stated that NYPA should conduct a study of air emissions resulting from the use of electricity during its pumping operation. Robert Mann stated that the Commission should not relicense the Blenheim-Gilboa Project and should require NYPA to dismantle the project dams, due to NYPA’s disregard of its operating license, its refusal to place a priority on public safety, and the economic effect of the project on local communities. Lastly, Gail Shaffer stated that it is not in the public interest to relicense the project due to its effects on environmental quality, socioeconomics, safety, and NYPA’s treatment of local communities, and that either the generating facility or the entire project should be removed.***

***Response: We acknowledge Schoharie County’s comments on our characterization of the pumped storage project; we have revised section 3.4.3 in this document accordingly. Schoharie County’s request for an air emissions study will be considered during study plan development and the ensuing study plan meetings. In response to concerns about the socioeconomic effects of the Blenheim-Gilboa Project, we have revised SD2 below to clarify that the Commission’s environmental review will examine project effects on socioeconomic resources in Schoharie County. We also discuss public safety concerns in the “Public Safety, Emergency Response, Dam Safety, and Flooding” section above. However, based on the significant costs involved with decommissioning and potentially dismantling the project, and the project’s black start capability and ability to generate power, at this time we do not consider project decommissioning to be a reasonable alternative to relicensing the project with appropriate environmental measures.***

### Geologic and Soil Resources

*Comment: Commenters expressed concern with the effects of local land subsidence and seismic activity on project safety.*

*Response: We have added a bullet to section 4.2.1 of this document to clarify that the Commission's environmental review will examine geologic conditions, including subsidence that may occur within the project area. As mentioned above, the Commission would continue to require NYPA to ensure that the project meets the Commission's dam safety criteria regarding seismic hazard, as noted in Part 12 of the Commission's regulations and the Engineering Guidelines.*

*Comment: The Town Board of Middleburgh commented that there is insufficient flow from the project into Schoharie Creek to keep gravel and sediment moving, resulting in gravel bars being built up and the stream bed rising and spreading out. He states that periodic flow releases from the project would help keep the creek channeled.*

*Response: We have added a bullet to section 4.2.1 of this document to indicate that we will consider the effects of project operation on channel maintenance in Schoharie Creek.*

*Comment: Supervisor Anthony Van Glad (Town of Gilboa) and Gail Shaffer both commented on the importance of farmland within Schoharie County. Mr. Van Glad stated his concern over the erosion of farmland due to flows below the Blenheim-Gilboa Project.*

*Response: We have modified a bullet in section 4.2.1 below to include consideration of project operation and erosion of farmland, including prime farmland.*

### Aquatic Resources

*Comment: The Schoharie County Board of Supervisors expressed concern about the quantity and quality of water released downstream into Schoharie Creek, including the effects of evaporative losses from the project reservoirs.*

*Response: In section 4.2.2 of SD1, we indicated our intention to consider the adequacy of existing minimum flow releases for supporting aquatic resources downstream of the project. Consequently, no changes have been made in this document.*

***Comment: The Town of Blenheim and the Town of Blenheim Long-Term Community Recovery Committee expressed concern with the effects of the project on native fish populations and how the project may have altered populations that existed prior to construction of the project.***

***Response: We have modified a bullet in section 4.2.2 to expand the scope of our assessment of effects of project operation on fish populations. However, consistent with our established practice, the baseline for our analysis is the existing conditions.***

***Comment: The Town Board of Middleburgh commented that it is important that the project provide adequate releases for the aquatic life of Schoharie Creek to flourish, including appropriate flow magnitude and water temperature.***

***Response: In section 4.2.2 of SD1 we indicated our intention to consider the adequacy of existing minimum flow releases for supporting aquatic resources downstream of the project. This would include flow magnitude and water temperature. Consequently, no changes have been made in this document.***

#### **Recreation, Land Use, and Aesthetics**

***Comment: The town boards of Middleburgh and Fulton commented on the availability of recreational flow releases. The Town Board of Middleburgh requested that NYPA provide an environmental study to ensure that adequate conservation and agricultural releases of water are regularly performed and that provisions are incorporated for recreational releases as well. The Town Board states that the Schoharie Creek is a valuable asset for tourism and provides fishing, canoeing, and kayaking opportunities. It goes on to state that the Village of Middleburgh recently reinstated a canoe and kayak race and expansion of that event is being planned, possibly turning it into a two-day event. It concludes that it is important that an adequate supply of water be available and that the Blenheim-Gilboa Project be required to make timed releases if necessary.***

***In addition, American Whitewater stated that the lower reservoir dam has eliminated all whitewater boating opportunities between the Gilboa dam and the project boundary, 1.2 miles north of the lower reservoir dam, along Schoharie Creek. It states that this section of the river drops approximately 200 vertical feet, a vertical drop that is likely sufficient to produce a Class II/III whitewater boating opportunity, but for the presence of the dam. It asks that NYPA provide an appropriate analysis of the recreational impacts of its operation and explore possibilities for mitigating the loss of whitewater boating opportunities.***

*Response: We revised SD2 to clarify that the Commission’s environmental review will include the adequacy of flow releases for recreational opportunities.*

*Comment: The Town Board of Fulton asked what could be done to encourage more tourism, boating, fishing, hunting, and recreation because the activities are allowed at the project but a difficult and unfriendly process discourages most people. It goes on to state that the number of people that take advantage of these activities has steadily declined.*

*Response: SD1 and SD2 both state that “[t]he adequacy of public access and recreation facilities to meet current and future recreation demand” will be resource issues addressed in the NEPA document.*

*Comment: Gail Shaffer and the Town of Blenheim indicate that NYPA formerly maintained the lower reservoir’s desirability as a site for recreational boating. According to the Town of Blenheim, NYPA utilized a trash boom for debris removal throughout the summer and autumn seasons; however, this has been discontinued, and the resultant debris accumulation has detracted from the Mine Kill State Park as a boating destination.*

*Response: We revised SD2 to clarify that the Commission’s environmental review will include an analysis of debris accumulation and its effect on recreation.*

### *Socioeconomic Resources*

*Comment: Many commenters stated that NYPA’s ownership and operation of the Blenheim-Gilboa Project, the loss of tax base associated with project lands, and the demands placed on local infrastructure to serve the project (such as highway maintenance and police, fire, and ambulance services) are substantially detrimental to the surrounding communities’ economic stability, and requested that socioeconomic resources be examined during relicensing.*

*Response: We recognize the commenters’ concerns regarding economic impacts experienced by communities in proximity to the Blenheim-Gilboa Project, and have revised SD2 to clarify that the Commission’s environmental review will examine project effects on socioeconomic resources in Schoharie County.*

### 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 Blenheim-Gilboa 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 Blenheim-Gilboa Project is located on Schoharie Creek in the northern Catskill Mountains, approximately 40 miles southwest of Albany in the towns of Blenheim and Gilboa, New York. The drainage area for the project is approximately 356 square miles, including 40 square miles between the New York City-owned Gilboa dam and the project's lower dam. The project boundary encompasses 2,892 acres of land including an upper and lower reservoir, which have a total surface area of 812 acres. The downstream project boundary extends 1.2 miles north of the lower dam, along Schoharie Creek to State Route 30.

The Blenheim-Gilboa Project is a reversible pumped storage project that consists of an upper reservoir and dike, a lower reservoir and dam, conduits connecting the two reservoirs, an underground powerhouse, spillways, and related facilities (figure 2).

##### Upper Reservoir and Dike

The upper reservoir is situated on the top of Brown Mountain. Three sides of the upper reservoir are formed by a U-shaped, 2.25-mile-long earth and rock-fill embankment called the upper dike with a 30-foot-wide crest at an elevation of 2,008 feet.<sup>6</sup> The upper dike is a homogenous, glacial till, and rolled fill structure with a maximum height of 110 feet above existing ground and 162 feet above bedrock. At the full pool elevation of

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<sup>6</sup>All elevations are referenced to National Geodetic Vertical Datum (NGVD) 1929.

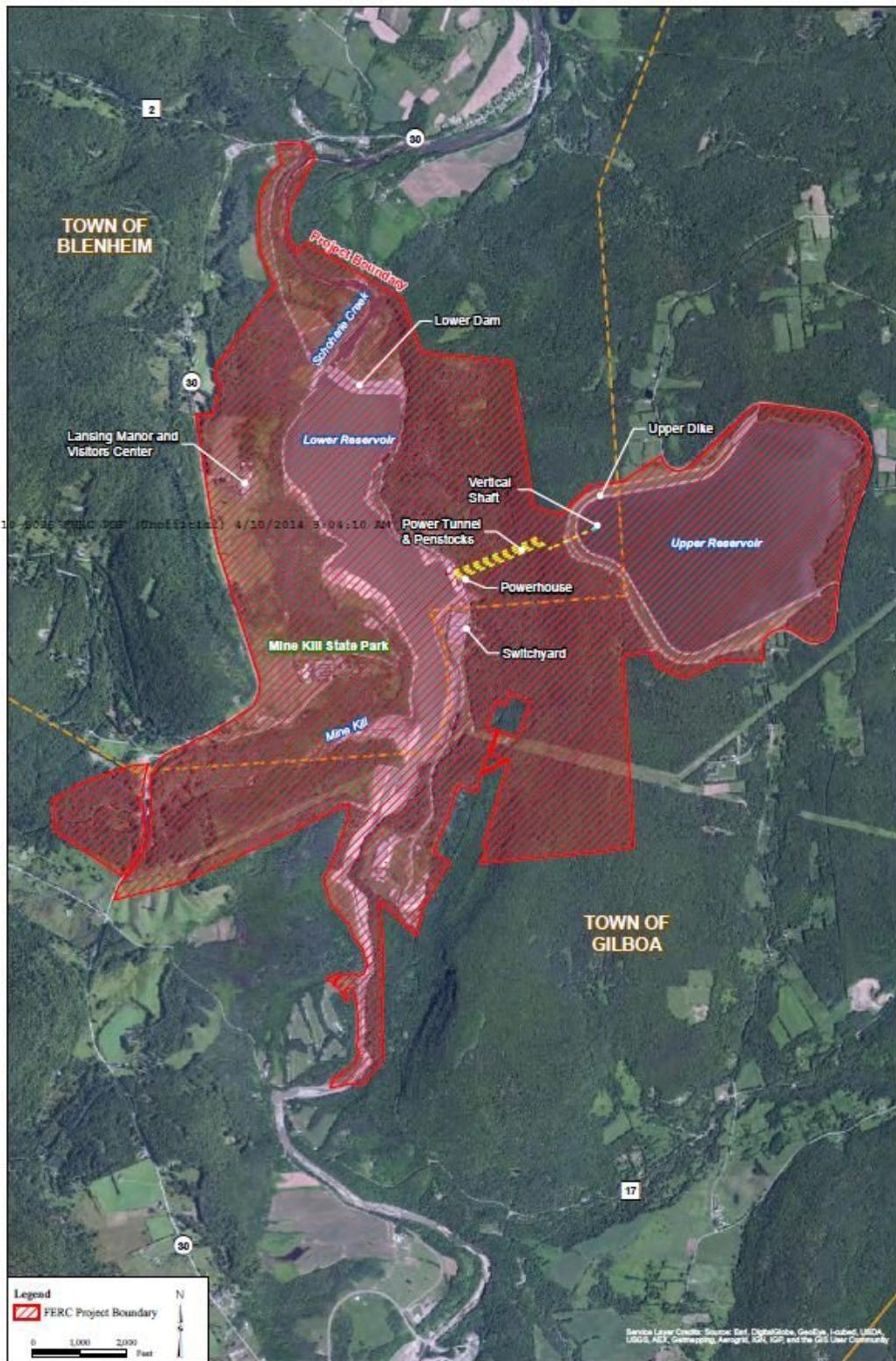


Figure 2. Project facilities for the Blenheim-Gilboa Project (Source: PAD).

2,003 feet, the upper reservoir has a water surface area of 399 acres and a total storage capacity of 18,791 acre-feet. The average depth at the full pool elevation is 47.5 feet. The upstream slope of the upper dike is 3 feet horizontal to 1 foot vertical and the downstream slope is 2.5 feet horizontal to 1 foot vertical.

The upper reservoir has an emergency spillway located at the northeastern corner of the upper dike to pass flows in the unlikely event of over-pumping. The 655-foot-long spillway has a 25-foot-wide asphaltic concrete crest and is armored with riprap on the upstream and downstream slopes. The emergency spillway's crest elevation is 2,005 feet, which is 3 feet lower than the rest of the upper reservoir embankment.

### **Upper Reservoir Intake Structure and Penstocks**

The upper reservoir is connected to the powerhouse penstocks by a 28-foot-wide, 1,042-foot-long vertical shaft inside Brown Mountain, where it is joined at a right angle to a 906-foot-long horizontal power tunnel, leading to a 460-foot-long manifold. At the head of the vertical shaft is a concrete morning glory intake structure located in the northwestern corner of the reservoir. This bell-mouth intake structure is 50 feet in diameter at its top surface and feeds into a 45-foot-high conic section, which tapers from 38 feet at the end of the bell-mouth to 28 feet at the vertical shaft. The anti-vortex intake cover is a hexagonal-shaped, flat slab 125 feet across points and is supported 17 feet above the surface of the intake by six vertical concrete piers spaced radially about the intake. The manifold divides the flow into four 12-foot-diameter penstocks. The maximum length of each penstock is 1,960 feet, of which 1,760 feet is steel-lined. Each penstock delivers water to a pump-generating unit at the powerhouse.

### **Powerhouse and Switchyard**

The powerhouse, located at the toe of Brown Mountain, is a reinforced concrete-gravity structure founded on bedrock. The powerhouse is 526 feet long, 172 feet wide, and 132 feet high, and contains four vertical, reversible 290-MW Hitachi Francis-type pump-turbines that provide a total capacity of 1,160 megawatts.<sup>7</sup> The pump-turbines each have seven 20-foot-diameter blades that operate at 257 revolutions per minute. The units have a reported maximum discharge of 12,800 cubic feet per second (cfs) during

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<sup>7</sup> As part of a refurbishment program conducted between 2006 and 2010, NYPA took one of the project's four turbine-generator units out of service each fall for approximately 8 months. Each of the units' mechanical and electrical components was replaced, along with repairs to most other parts.

generation and 10,200 cfs during pumping. More than three-quarters of the powerhouse is underground.

A switchyard on the eastern bank of Schoharie Creek south of the powerhouse connects the generating units to the New York Independent System Operator (NYISO)-controlled transmission network through three, 345-kilovolt (kV) transmission lines.<sup>8</sup> The Blenheim-Gilboa Project has an authorized nameplate generating capacity of 1,160 MW and generated an average of 619,467 MWh annually for the 11-year period of 2002 to 2012.

### **Lower Reservoir and Dam**

The lower reservoir was formed by damming Schoharie Creek and has a crest elevation of 911 feet. The lower dam impounds the waters of Schoharie Creek creating the 3-mile-long lower reservoir, which has a surface area of 413 acres, and a total storage capacity of 16,167 acre-feet. The average depth of the lower reservoir is 39.6 feet. The lower reservoir is formed by a 1,800-foot-long, central-core rock-fill dam. The embankment has a maximum height of 100 feet and an average height of 80 feet; the top width is 30 feet. The embankment has a 2 feet horizontal to 1 foot vertical slope on the upstream and downstream faces except for the portion above elevation 892 feet, which is a 1.5 feet horizontal to 1 foot vertical slope.

The lower reservoir has a spillway and a low-level outlet. The 425-foot-long, 134-foot-wide concrete-lined, side-chute lower reservoir spillway has a design crest elevation of 855 feet and is electrically controlled by three, 38-foot-wide, 45.5-foot-tall Taintor gates. The low-level outlet, with an invert elevation of 813.0 feet, is located in the east spillway abutment at the lower dam and the intake. The outlet has four low-level discharge valves of 4, 6, 8, and 10 inches for releasing 5 to 25 cfs. There are also two hydraulically operated, 36-inch-diameter, Howell-Bunger valves that can discharge a combined flow of 25 to 700 cfs.

#### **3.1.2 Existing Project Operations**

Project operation is based on the energy needs of the region and New York State. In general, project operations are determined by the demand for electricity. The NYISO, governed by FERC, coordinates between energy producer bids and utility demands to

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<sup>8</sup> On June 3, 2010, the Commission issued an order amending license removing three, 345-kV transmission lines (i.e., the Fraser-Gilboa, Gilboa-Scotland, and Gilboa-Leeds lines) from the Blenheim-Gilboa Project license.

secure reliable, low-cost energy throughout New York. When needed, the project can provide black start capability to restart other power authority facilities, and eventually, the statewide energy grid. Within several minutes the project can generate power when other facilities within the NYISO are shut down. The project also provides the ancillary services of regulation reserve and voltage support to the power system.

The upper reservoir stores potential energy and allows the project to generate up to 1,160 MW of electricity within minutes. The pump-turbines may be turned on or off several times throughout the day; however, the four units in the powerhouse typically generate during the day when consumer demand is high and other power resources are more expensive. Pumping usually occurs at night and on weekends when there is excess electricity in the system available for use.

In the upper reservoir, the total storage capacity of 18,791 acre-feet is composed of 15,085 acre-feet of usable storage between operating levels of 1,955 feet and 2,003 feet and dead storage of 3,706 acre-feet below elevation 1,955 feet. The lower reservoir operates at maximum and minimum levels of 900 feet and 860 feet, respectively. The lower reservoir has a total storage capacity of 16,167 acre-feet, which is composed of 12,422 acre-feet of usable storage between the two operating levels and 3,745 acre-feet of dead storage below elevation 860 feet.

## **3.2 APPLICANT'S PROPOSAL**

The proposed action is to continue to operate and maintain the Blenheim-Gilboa Project on Schoharie Creek, and implement certain environmental protection, mitigation, and enhancement (PM&E) measures. NYPA proposes no new developments or changes in project operation at this point in the licensing process. The current license for the project expires on April 30, 2019.

### **3.2.1 Proposed Project Facilities and Operations**

NYPA proposes no new or upgraded facilities, structural changes, or operational changes to the Blenheim-Gilboa Project during the term of the new license at this time.

### **3.2.2 Proposed Environmental Measures**

In its PAD, NYPA *stated* that the existing license articles govern how the Blenheim-Gilboa Project is designed and operated, although NYPA *did* not specifically identify any existing measures or state whether it proposes to continue operating the Blenheim-Gilboa Project with the environmental protection, mitigation, and enhancement

(PM&E) measures described below. NYPA proposes no new PM&E measures for the Blenheim-Gilboa Project. The potential need for PM&E measures will be evaluated during the relicensing process.

NYPA's existing PM&E measures are as follows:

### **Geologic and Soil Resources**

- NYPA is required by the existing license to prevent soil erosion, stream siltation or pollution resulting from construction, operation, or maintenance of the project, through implementation of its Flood Erosion Control Plan.

### **Aquatic Resources**

- NYPA voluntarily releases a minimum flow of 7 cfs from the lower reservoir for the enhancement of fisheries habitat in Schoharie Creek.
- NYPA presently supports a New York State Department of Environmental Conservation (New York DEC) fish stocking program, and New York DEC's active management of the upper and lower reservoirs.

### **Terrestrial Resources**

There are no existing PM&E measures related to terrestrial resources for the Blenheim-Gilboa Project.

### **Threatened and Endangered Species**

There are no existing PM&E measures related to threatened and endangered species for the Blenheim-Gilboa Project.

### **Recreation, Land Use, and Aesthetics**

- NYPA maintains recreation access to the upper and lower reservoirs, and downstream of the project, including parking lots, boat launches, and access points. Fishing and boating are permitted in each of these areas, and the lower reservoir also allows waterskiing, windsurfing, and tubing. Mine Kill State Park also offers trails, a scenic overview, basketball and tennis courts, a soccer field, a swimming pool, and a playground.

- NYPA maintains a boating access permitting program and an archery hunting program on project lands.
- NYPA maintains the Blenheim-Gilboa Visitors Center and Lansing Manor Complex, including overlooks, picnic areas, and parking lots.
- NYPA maintains the Blenheim-Gilboa Wildlife Management Area (WMA), including 2 acres of wetlands in the WMA in front of the Blenheim-Gilboa Visitors Center.

### **Cultural Resources**

There are no existing PM&E measures related to cultural resources for the Blenheim-Gilboa Project.

### *Socioeconomic Resources*

*There are no existing PM&E measures related to socioeconomic resources for the Blenheim-Gilboa Project.*

## **3.3 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.

## **3.4 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY**

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

### **3.4.1 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.<sup>9</sup> We do not consider federal takeover to be a reasonable alternative. Federal takeover of the project would require congressional approval. While that fact alone

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<sup>9</sup> 16 U.S.C. §§ 791(a)-825(r).

would not preclude further consideration of this alternative, there is currently no evidence showing that federal takeover should be recommended to Congress. *Although one party* suggested that federal takeover would be appropriate, no federal agency has expressed interest in operating the project.

### **3.4.2 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 Blenheim-Gilboa 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.

### **3.4.3 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 *dependable source of electric energy for the region. When needed, the project can provide black-start capability to restart other generating facilities in the statewide grid.* With decommissioning, the project would no longer be authorized to generate power. 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 our review of the PAD and preliminary staff analysis, we have not identified any resources that could be cumulatively affected by the proposed continued operation and maintenance of the Blenheim-Gilboa Project.

## 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 Blenheim-Gilboa Project. This list is not intended to be exhaustive or final, but contains those issues raised to date that could have substantial effects. 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

- Effects of project operation and project-related recreation on shoreline erosion within the upper and lower reservoirs.
- *Effects of project operation on erosion of farmland, including prime farmland.*
- *Effects of potential seismic events and subsidence on project facilities.*
- *Effects of project operation, specifically downstream flow releases, on channel maintenance in Schoharie Creek.*

### 4.2.2 Aquatic Resources

- *Effects of project operation during flood events on Schoharie Creek below the lower reservoir dam.*
- Effects of project facilities and operation on water quality, particularly water temperature and dissolved oxygen, in project reservoirs.

- Effects of *project facilities and operation, including* fish entrainment and mortality associated with pump-storage operation on fish populations in project reservoirs.
- The adequacy of existing minimum flow releases for supporting aquatic resources downstream of the project.

#### **4.2.3 Terrestrial Resources**

- Effects of project operation, maintenance, and project-related recreation on botanical resources and wildlife, including game species.
- Effects of project reservoir fluctuations on riparian and wetland habitat and associated wildlife.
- Effects of project operation, maintenance, and project-related recreation on New York State listed wildlife species, including timber rattlesnake and bald eagle.

#### **4.2.4 Threatened and Endangered Species**

- Effects of project operation, maintenance, and project-related recreation on federally listed threatened and endangered species identified by the U.S. Fish and Wildlife Service (FWS).

#### **4.2.5 Recreation, Land Use, and Aesthetics**

- 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, *including the adequacy of flows for recreational activities and the effects of debris accumulation on recreational access.*
- 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 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 Socioeconomic Resources**

- *Effects of project operation on socioeconomic resources in Schoharie County.*

#### **4.2.8 Developmental Resources**

- Effects of any proposed or recommended PM&E measures on the Blenheim-Gilboa Project economics.

### **5.0 PROPOSED STUDIES**

Depending upon the findings of studies completed by NYPA and the recommendations of the consulted entities, NYPA will consider, and may propose certain other measures to enhance environmental resources affected by the project as part of the proposed action. NYPA's initial study proposals are identified by resource area in table 2. Detailed information on NYPA'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 NYPA from interested participants, including Indian tribes.

Table 1. NYPA's Initial Study Proposals (Source: PAD).

<b>Resource Area and Study Name</b>	<b>Proposed Study/Information Need</b>
<b>Aquatic Resources</b> Literature-based Assessment of Fish Entrainment and Turbine Passage Survival	NYPA proposes to conduct a desktop study to assess the potential effects of passage through the pump-turbines on fish communities at the project.
<b>Recreation</b> Recreational Use/User Contact Study and Assessment of Effect of Project on Recreation Use	NYPA proposes a recreational use and need study to determine the amount of recreation use at the project; interview the recreating public to determine user opinions and goals with regard to the recreation sites; and determine if the operation of the project has an effect on the recreation facilities associated with the project.
<b>Cultural Resources</b> Phase 1A Archaeological Survey and Historic Structures Survey	NYPA proposes a Phase 1A investigation to identify historic properties listed in or eligible for listing in the National Register of Historic Places and to identify and assess any potential adverse effects to historic properties from the continuing operation and maintenance of the project.

## 6.0 EA PREPARATION

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 Blenheim-Gilboa 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:

<u>Major Milestone</u>	<u>Target Date</u>
Scoping Meetings	July 2014
License Application Filed	April 2017
Ready for Environmental Analysis Notice Issued	<b>June 2017</b>
Deadline for Filing Comments, Recommendations, and Agency Terms and Conditions/Prescriptions	<b>August 2017</b>
Draft EA Issued	<b>February 2018</b>
Comments on Draft EA Due	<b>March 2018</b>
Deadline for Filing Modified Agency Recommendations	<b>May 2018</b>
Final EA Issued	<b>August 2018</b>

A copy of the pre-filing portion of NYPA's process plan, which has a complete list of milestones for developing the license application for the Blenheim-Gilboa Project, is attached as appendix B to this SD2.

## 7.0 PROPOSED EA OUTLINE

The preliminary outline for the Blenheim-Gilboa Project EA is as follows:

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## 8.0 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 Blenheim-Gilboa 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 Blenheim-Gilboa Project.

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.

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

## 9.0 MAILING LIST

The list below is the Commission's official mailing list for the Blenheim-Gilboa Project (FERC No. 2685). If you want to receive future mailings for the Blenheim-Gilboa Project and are not included in the official mailing list below, please send your request by email to [efiling@ferc.gov](mailto:efiling@ferc.gov) or by mail to: Kimberly D. Bose, 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: Blenheim-Gilboa Project No. 2685-026. You may use the same method if requesting removal from or a correction to your entry on the official 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](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

### Official Mailing List for the Blenheim-Gilboa Project

Diane Rusanowsky Fishery Biologist NOAA/NMFS/HCD 212 Rogers Avenue Milford, CONNECTICUT 06460	Geologist Cultural Education Center Geological Survey Albany, NEW YORK 12230-0001
Regional Engineer Federal Energy Regulatory Commission New York Regional Office 19 W 34th St Rm 400 New York, NEW YORK 10001-3006	State of New York Marine Sciences Research Center State University of New York Stony Brook, NEW YORK 11794-0001

<p>Director New York Department of Transportation Region 4 1530 Jefferson Rd Rochester, NEW YORK 14623-3110</p>	<p>CHARLES I LIPSKY, PE V. PRESIDENT New York Power Authority 123 Main St White Plains, NEW YORK 10601-3104</p>
<p>Mark Slade Licensing Manager New York Power Authority 123 Main St White Plains, NEW YORK 10601</p>	<p>State of New York Director New York Public Service Commission 3 Empire State Plz Albany, NEW YORK 12223-1000</p>
<p>Janet Hand Deixler Secretary New York Public Service Commission 3 Empire State Plz Albany, NEW YORK 12223-1000</p>	<p>Lawrence J Frame New York State Canal Corporation PO Box 189 Albany, NEW YORK 12201-0189</p>
<p>Commissioner New York State Department of Environmental Conservation Office of the Commissioner 625 Broadway, 14th Floor Albany, NEW YORK 12233-0001</p>	<p>Commissioner New York State Energy Research &amp; Dev. Authority 17 Columbia Circle Albany, NEW YORK 12203-6399</p>
<p>Regulatory Branch U.S. Army Corps of Engineers Buffalo District 1776 Niagara St Buffalo, NEW YORK 14207-3111</p>	<p>Kevin Bruce U.S. Army Corps of Engineers, New York District CENAN-OP-RU, Upstate Regulatory Field Office 1 Buffington St, Bld. 10, 3rd Flr North Watervliet, NEW YORK 12189-4000</p>

<p>Commanding Officer U.S. Coast Guard MSO Buffalo 1 Fuhrmann Blvd Buffalo, NEW YORK 14203-3105</p>	<p>Commanding Officer U.S. Coast Guard MSO Long Island Sound 120 Woodward Ave New Haven, CONNECTICUT 06512-3628</p>
<p>U.S. Department of Transportation 50 Wolf Rd.,6th fl. Albany, NEW YORK 12232</p>	<p>David Stilwell U.S. Fish &amp; Wildlife Service NY Region 5 Field Office 3817 Luker Rd Cortland, NEW YORK 13045-9385</p>
<p>Charles Schumer U.S. Senate 322 Hart Senate Office Building Washington, DISTRICT OF COLUMBIA 20510</p>	<p>Kirsten Gillibrand Senator U.S. Senate 478 Russell Senate Office Bldg Washington, DISTRICT OF COLUMBIA 20510</p>

**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**  
**BLLENHEIM-GILBOA PROJECT PROCESS PLAN AND SCHEDULE**

This process plan establishes the deadlines for the pre-filing process. 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. Shaded milestones are unnecessary if there are no study disputes.

<b>Responsible Party</b>	<b>Pre-Filing Milestone</b>	<b>Date</b>	<b>FERC Regulation</b>
NYPA	Issue Public Notice for NOI/PAD	4/10/2014	5.3(d)(2)
NYPA	File NOI/PAD with FERC	4/10/2014	5.5, 5.6
FERC	Tribal Meetings	5/10/2014	5.7
FERC	Issue Notice of Commencement of Proceeding; Issue Scoping Document 1	6/9/2014	5.8
FERC	Blenheim-Gilboa Project Environmental Site Review and Scoping Meetings	7/7-9/2014	5.8(b)(viii)
All stakeholders	PAD/SD1 Comments and Study Requests Due	8/8/2014	5.9
FERC	Issue Scoping Document 2 (if needed)	9/22/2014	5.1
NYPA	File Proposed Study Plan (PSP)	9/22/2014	5.11(a)
All stakeholders	Proposed Study Plan Meeting	10/22/2014*	5.11(e)
All stakeholders	Proposed Study Plan Comments Due	12/21/2014	5.12
NYPA	File Revised Study Plan	1/20/2015	5.13(a)
All stakeholders	Revised Study Plan Comments Due	2/4/2015	5.13(b)
FERC	Director's Study Plan Determination	2/19/2015	5.13(c)
FWS, New York DEC	Any Study Disputes Due	3/11/2015	5.14(a)
Dispute Panel	Third Dispute Panel Member Selected	3/26/2015	5.14(d)
Dispute Panel	Dispute Resolution Panel Convenes	3/31/2015	5.14(d)(3)

<b>Responsible Party</b>	<b>Pre-Filing Milestone</b>	<b>Date</b>	<b>FERC Regulation</b>
NYPA	Applicant Comments on Study Disputes Due	4/5/2015	5.14(j)
Dispute Panel	Dispute Resolution Panel Technical Conference	4/10/2015	5.14(j)
Dispute Panel	Dispute Resolution Panel Findings Issued	4/30/2015	5.14(k)
FERC	Director's Study Dispute Determination	5/20/2015	5.14(l)
NYPA	First Study Season	Spring/Summer 2015	5.15(a)
NYPA	Initial Study Report	2/19/2016	5.15(c)(1)
All stakeholders	Initial Study Report Meeting	3/5/2016	5.15(c)(2)
NYPA	Initial Study Report Meeting Summary	3/20/2016	5.15(c)(3)
All stakeholders	Any Disputes/Requests to Amend Study Plan Due	4/19/2016	5.15(c)(4)
All stakeholders	Responses to Disputes/Amendment Requests Due	5/19/2016	5.15(c)(5)
FERC	Director's Determination on Disputes/Amendments	6/18/2016	5.15(c)(6)
NYPA	Second Study Season	Spring/Summer 2016	5.15(a)
NYPA	Updated Study Report due	2/18/2017	5.15(f)
All stakeholders	Updated Study Report Meeting	3/5/2017	5.15(f)
NYPA	Updated Study Report Meeting Summary	3/20/2017	5.15(f)
All stakeholders	Any Disputes/Requests to Amend Study Plan Due	4/19/2017	5.15(f)
All stakeholders	Responses to Disputes/Amendment Requests Due	5/19/2017	5.15(f)
FERC	Director's Determination on Disputes/Amendments	6/18/2017	5.15(f)
NYPA	File Preliminary Licensing Proposal	12/1/2016	5.16(a)

<b>Responsible Party</b>	<b>Pre-Filing Milestone</b>	<b>Date</b>	<b>FERC Regulation</b>
All stakeholders	Preliminary Licensing Proposal Comments Due	3/1/2017	5.16(e)
NYPA	File Final License Application	4/30/2017	5.17
NYPA	Issue Public Notice of License Application Filing	5/14/2017	5.17(d)(2)

\* Although the study plan meeting may be held up to 30 days after the filing of its proposed study plan, NYPA requested that the meeting be held prior to October 22, 2014 due to a scheduling conflict on that date.

**APPENDIX C**  
**ENTITIES THAT FILED WRITTEN SCOPING COMMENTS**

*In addition to the oral and written comments received during the scoping meetings and written comments issued by Commission staff, the following entities filed comments on the PAD or SDI:*

<i>Entity</i>	<i>Filing Date</i>
<i>U.S. Fish and Wildlife Service</i>	<i>July 30, 2014</i>
<i>Anne Mattice-Strauch</i>	<i>August 4, 2014</i>
<i>Christian Strauch</i>	<i>August 4, 2014</i>
<i>Robert W. Olsen</i>	<i>August 6, 2014</i>
<i>Dam Concerned Citizens, Inc. (two letters)</i>	<i>August 6, 2014</i>
<i>American Whitewater</i>	<i>August 6, 2014</i>
<i>Town of Blenheim, New York</i>	<i>August 6, 2014</i>
<i>Don Airey/Blenheim Long Term Community Recovery Committee</i>	<i>August 6, 2014</i>
<i>Town of Fulton, New York</i>	<i>August 7, 2014</i>
<i>New York State Department of Environmental Conservation</i>	<i>August 7, 2014</i>
<i>Renee Grabowski</i>	<i>August 7, 2014</i>
<i>Town of Schoharie, New York</i>	<i>August 7, 2014</i>
<i>Town of Blenheim, New York</i>	<i>August 8, 2014</i>
<i>Town of Conesville, New York</i>	<i>August 8, 2014</i>
<i>Michael P. Devlin/Middleburgh Fire Department</i>	<i>August 8, 2014</i>
<i>Schoharie County Board of Supervisors</i>	<i>August 8, 2014</i>
<i>Gail S. Shaffer/Town of Blenheim</i>	<i>August 8, 2014</i>
<i>Ruth Mattice</i>	<i>August 8, 2014</i>
<i>Town Board of Middleburgh, New York</i>	<i>August 13, 2014</i>
<i>Town of Gilboa, New York</i>	<i>September 3, 2014</i>

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