



VIA Electronic Filing

August 11, 2016

Kimberly Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

**Re: Blenheim-Gilboa Pumped Storage Power Project, FERC No. 2685-026;
Request to Amend ILP Process Plan and Schedule**

Dear Secretary Bose:

The New York Power Authority (Power Authority) is relicensing the Blenheim-Gilboa Pumped Storage Project (FERC No. 2685) (Project) using the Federal Energy Regulatory Commission's (Commission) Integrated Licensing Process (ILP). The purpose of this letter is to request an amendment to the ILP schedule for the Project relicensing.

On February 19, 2016, the Power Authority filed its Initial Study Report (ISR), which included complete reports for three of the Power Authority's six relicensing studies¹. The other three of the Power Authority's relicensing studies—the Recreation Use/User Contact Study and Assessment of Effects the Project has on Recreation Use (Recreation Study), the Socioeconomics Study, and the Effect of Project Operations on Downstream Flooding Study (Downstream Flooding Study)—remain outstanding.

The reports for two of these studies, the Recreation Study and Socioeconomics Study, are nearly complete. However, under the Commission's current process plan and schedule for the Project relicensing², the ILP study determination process for these studies is not scheduled to begin until the filing of the Power Authority's Updated Study Report (USR), due on February 18, 2017, and will not be complete until June 18, 2017, when the Director of the Office of Energy Project (Director) issues the study plan determination on the USR. This determination is well after the statutory deadline—April 30, 2017—for the Power Authority to file its final license application (FLA) for the Project.

Accelerating the study determination process for the Recreation and Socioeconomics Studies would provide for earlier discussion and formal resolution of these studies, which in turn would enable the Power Authority to develop a more complete proposal in the FLA for relicensing the Project. Accordingly, the Power Authority requests that the Commission adjust the process plan and schedule for relicensing the Project to accelerate the study determination process for the

¹The ISR filing included the Historic Structures Report, Phase 1A Archaeological Survey Report, and Fish Entrainment/Protection Assessment Study Report. The ISR filing also included the Recreational Boating Desktop Feasibility Assessment Report, which is a component of the Recreation Study.

² The current process plan and schedule is set forth in Appendix B of the Commission's Scoping Document 2, issued on September 18, 2014.

Recreation and Socioeconomics Studies³. The Power Authority proposes to file these study reports with the Commission in mid-September. Following the study report meeting, summary, comment and response steps provided for in the ILP, the Director's determination on these studies would be issued in mid-January 2017. A proposed schedule for accelerating review of the Recreation and Socioeconomic Studies, in addition to the remaining pre-filing steps of the process plan and schedule which include filing the Downstream Flooding Study when it is complete on February 18, 2017, appears in Attachment A.

The Power Authority believes accelerating the process schedule for the Recreation and Socioeconomics Studies will result in significant efficiencies for all stakeholders, and a more streamlined effort, by all parties, in the final stages of the relicensing process. To facilitate the process envisioned in the attached proposal, the Power Authority respectfully requests that the Commission rule on this request by September 9, 2016.

Prior to filing this request, the Power Authority consulted with representatives of the U.S. Fish and Wildlife Service, the New York State Office of Parks, Recreation, and Historic Preservation, the New York State Department of Environmental Conservation, the Towns of Blenheim and Gilboa, and American Whitewater. All responded favorably to the Power Authority's proposed acceleration of the study determination process for the Recreation and Socioeconomics Studies. Documentation of this correspondence appears in Attachment B⁴.

If you have any questions regarding the Power Authority's request, please contact me at (914) 681-6564 or Rob.Daly@NYPA.gov. Thank you for your attention to this matter.

Sincerely,



Robert Daly
Manager, Licensing

Attachments

³ In the June 17, 2016 study plan determination on the ISR, the Director, recognizing the scheduling challenges associated with completing the study review process, suggested that acceleration of the review of any of the outstanding options was an option the Power Authority could pursue. See Determination on Requests for Study Modifications for the Blenheim-Gilboa Pumped Storage Project, Project No. 2685-026 (June 17, 2016).

⁴ Town of Blenheim Supervisor Shawn Smith expressed support via phone on August 2, 2016; Town of Gilboa Supervisor Tony Van Glad expressed support via phone on August 3, 2016.

Attachment A

Blenheim Gilboa Project Proposed Schedule for Filing Recreation and Socioeconomics Study Reports on September 15, 2016*

| Responsible Party | Milestone | Date | FERC Regulation |
|-------------------------|---|-------------------|----------------------------|
| <i>NYPA</i> | <i>File Recreation and Socioeconomics Study Reports</i> | <i>9/15/2016</i> | <i>5.15(c) 5.15(f)</i> |
| <i>All Stakeholders</i> | <i>Hold Study Report Meeting on Recreation and Socioeconomics Study Reports</i> | <i>9/30/2016</i> | <i>5.15(c)(2)</i> |
| <i>NYPA</i> | <i>File Study Report Meeting Summary</i> | <i>10/15/2016</i> | <i>5.15(c)(3)</i> |
| <i>All Stakeholders</i> | <i>File Disputes/Requests to Amend Study Plan</i> | <i>11/14/2016</i> | <i>5.15(c)(4)</i> |
| <i>All Stakeholders</i> | <i>File Responses to Disputes/Amendment Requests</i> | <i>12/14/2016</i> | <i>5.15(c)(5)</i> |
| NYPA | File Preliminary Licensing Proposal (or Draft License Application) | 12/1/2016 | 5.16(a)-(c) |
| <i>FERC</i> | <i>Issue Director's Determination on Disputes/Amendments</i> | <i>1/13/2017</i> | <i>5.15(c)(6)</i> |
| NYPA | File Downstream Flooding Study Report | 2/18/2017 | 5.15(f) |
| All Stakeholders | Preliminary Licensing Proposal Comments Due | 3/1/2017 | 5.16(e) |
| All Stakeholders | Hold Study Report Meeting on Downstream Flooding Study | 3/5/2017 | 5.15(c)(2) |
| NYPA | File Study Report Meeting Summary | 3/20/2017 | 5.15(c)(3) |
| All Stakeholders | File Disputes/Requests to Amend Study Plan | 4/19/2017 | 5.15(f) |
| NYPA | File Final License Application | 4/30/2017 | 5.17(a) |
| FERC | Director's Determination on Disputes/Amendments | 6/18/2017 | 5.15(f) |

* Steps in italics reflect the Power Authority's request to accelerate the review of the Recreation and Socioeconomics Study Reports.

Attachment B

Consultation Correspondence

From: Daly, Rob <Rob.Daly@nypa.gov>

Sent: Tuesday, August 2, 2016 2:44 PM

To: Patch, Stephen (stephen_patch@fws.gov); Carl_Schwartz@fws.gov; Higgins, Michael T (DEC) (michael.higgins@dec.ny.gov); Chris VanMaaren (ccvanmaa@gw.dec.state.ny.us); Hogan, Chris M (DEC) (chris.hogan@dec.ny.gov); Chishti, Salim (PARKS) (Salim.Chishti@parks.ny.gov); BallChinian, Alane (PARKS) (Alane.BallChinian@parks.ny.gov)

Cc: Slade, Mark <Mark.Slade@nypa.gov>

Subject: Blenheim Gilboa Relicensing

Good afternoon,

In FERC's Study Plan Determination issued on June 17, 2016 they indicate the next review of studies would occur during the Updated Study Report (USR) which is due to be filed in February 2017 unless the Power Authority proposes to accelerate the process. The USR schedule provides that NYPA would file any remaining studies in February 2017, allowing for review and comment periods, the Study Determination from FERC would not occur until June 2017.

After assessing the study progress we have made, we would like to accelerate study review for two studies; the Socioeconomic Study and the Recreation Use Study. Acceleration would move review of these two studies from the spring of 2017 (USR timeframe) to the fall of 2016. In doing so, the Power Authority believes we will be better able to inform the License Application for Blenheim Gilboa which is due to be filed with FERC in April 2017.

I would appreciate your feedback on the acceleration, if your agency has any concerns please contact me.

Thank you for your support for our efforts.

Rob

Robert A. Daly

Licensing Manager

New York Power Authority

123 Main Street

White Plains, NY 10601

(914) 681-6564 ofc | (716) 628-5894 cell | Rob.daly@nypa.gov

www.nypa.gov

From: Patch, Stephen <stephen_patch@fws.gov>

Sent: Wednesday, August 3, 2016 8:26 AM

To: Daly, Rob <Rob.Daly@nypa.gov>

Cc: Carl_Schwartz@fws.gov; Higgins, Michael T (DEC) (michael.higgins@dec.ny.gov); Chris VanMaaren (ccvanmaa@gw.dec.state.ny.us); Hogan, Chris M (DEC) (chris.hogan@dec.ny.gov); Chishti, Salim (PARKS) (Salim.Chishti@parks.ny.gov); BallChinian, Alane (PARKS) (Alane.BallChinian@parks.ny.gov); Slade, Mark <Mark.Slade@nypa.gov>

Subject: RE: Blenheim Gilboa Relicensing

Ok with us.

On Tue, Aug 2, 2016 at 2:44 PM, Daly, Rob <Rob.Daly@nypa.gov> wrote:

Good afternoon,

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Steve Patch

Fish & Wildlife Biologist

U.S. Fish & Wildlife Service

New York Field Office (Region 5)

3817 Luker Rd.

Cortland, NY 13045

(607) 753-9334 (voice)

(607) 753-9699 (fax)

<http://nyfo.fws.gov> (web)

stephen_patch@fws.gov (email)

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From: Higgins, Michael T (DEC) (michael.higgins@dec.ny.gov)
Sent: Wednesday, August 3, 2016 9:23 AM
To: Daly, Rob <Rob.Daly@nypa.gov>; Patch, Stephen (stephen_patch@fws.gov); Carl_Schwartz@fws.gov; Chris VanMaaren (ccvanmaa@gw.dec.state.ny.us); Hogan, Chris M (DEC) (chris.hogan@dec.ny.gov); Chishti, Salim (PARKS) (Salim.Chishti@parks.ny.gov); BallChinian, Alane (PARKS) (Alane.BallChinian@parks.ny.gov); Woythal, Mark (DEC) <mark.woythal@dec.ny.gov>
Cc: Slade, Mark <Mark.Slade@nypa.gov>
Subject: RE: Blenheim Gilboa Relicensing

Rob,

The Department has no objection to NYPA's proposed accelerated schedule.

Mike

From: Daly, Rob [<mailto:Rob.Daly@nypa.gov>]
Sent: Tuesday, August 02, 2016 2:44 PM
To: Patch, Stephen (stephen_patch@fws.gov) <stephen_patch@fws.gov>; Carl_Schwartz@fws.gov; Higgins, Michael T (DEC) <michael.higgins@dec.ny.gov>; VanMaaren, Chris C (DEC) <chris.vanmaaren@dec.ny.gov>; Hogan, Chris M (DEC) <chris.hogan@dec.ny.gov>; Chishti, Salim (PARKS) <Salim.Chishti@parks.ny.gov>; BallChinian, Alane (PARKS) <Alane.BallChinian@parks.ny.gov>
Cc: Slade, Mark <Mark.Slade@nypa.gov>
Subject: Blenheim Gilboa Relicensing

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From: Chishti, Salim (PARKS) <Salim.Chishti@parks.ny.gov>
Sent: Wednesday, August 3, 2016 8:17 AM
To: Daly, Rob <Rob.Daly@nypa.gov>; Patch, Stephen (stephen_patch@fws.gov); Carl_Schwartz@fws.gov; Higgins, Michael T (DEC) <michael.higgins@dec.ny.gov>; VanMaaren, Chris C (DEC) <chris.vanmaaren@dec.ny.gov>; Hogan, Chris M (DEC) <chris.hogan@dec.ny.gov>; BallChinian, Alane (PARKS) <Alane.BallChinian@parks.ny.gov>
Cc: Slade, Mark <Mark.Slade@nypa.gov>
Subject: RE: Blenheim Gilboa Relicensing

Rob,

No problems here with the accelerated schedule. Just let us know what you need from OPRHP to support the effort. Looking forward to the meeting on 8/24.

Salim

Salim Chishti, RLA
Park Planner/Landscape Architect

New York State Parks, Recreation and Historic Preservation
Resource and Facilities Planning Bureau, 625 Broadway, Albany, NY 12238
518-474-6722 phone | 518-474-7013 fax | 518-567-8508 cell

www.nysparks.com



From: Daly, Rob <Rob.Daly@nypa.gov>
Sent: Tuesday, August 2, 2016 2:44:03 PM
To: Patch, Stephen (stephen_patch@fws.gov); Carl_Schwartz@fws.gov; Higgins, Michael T (DEC); VanMaaren, Chris C (DEC); Hogan, Chris M (DEC); Chishti, Salim (PARKS); BallChinian, Alane (PARKS)
Cc: Slade, Mark
Subject: Blenheim Gilboa Relicensing

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From: Bob Nasdor | AW [<mailto:bob@americanwhitewater.org>]
Sent: Wednesday, August 10, 2016 2:51 PM
To: Daly, Rob <Rob.Daly@nypa.gov>
Cc: Slade, Mark <Mark.Slade@nypa.gov>
Subject: Re: Blenheim Gilboa Relicensing

Dear Mark,

Thank you for speaking with me about the recreation study and your request to accelerate the timetable for filing the study report. We have no objection to your proposal to file the report in the fall of 2016 rather than the winter of 2017 as originally proposed. We would also welcome any opportunity to discuss ways in which the study report could be modified to address the concerns raised in our prior comments. Thank you for reaching out.

Best regards,
Bob

Bob Nasdor
Northeast Stewardship Director
American Whitewater
365 Boston Post Road, Suite 250
Sudbury, MA 01776
bob@americanwhitewater.org
617-584-4566

Join American Whitewater!

On Wed, Aug 10, 2016 at 8:12 AM, Daly, Rob <Rob.Daly@nypa.gov> wrote:

Good morning Bob,

Hope this finds you well and you have had time to enjoy the summer.

In FERC's Study Plan Determination issued on June 17, 2016 they indicate the next review of studies would occur during the Updated Study Report (USR) which is due to be filed in February 2017 unless the Power Authority proposes to accelerate the process. The USR schedule provides that NYPA would file any remaining studies in February 2017, allowing for review and comment periods, the Study Determination from FERC would not occur until June 2017.

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If American White Water has any concerns with this please contact me.

Thanks again,

Rob Daly
Licensing Manager
New York Power Authority

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