

March 17, 2021

Commissioner Jason W. Brune
Alaska Department of Environmental Conservation
Office of the Commissioner
410 Willoughby Avenue, Suite 303
Juneau, AK 99801



Re: 1991 Fish and Wildlife Agreement for the Eklutna Hydroelectric Project
Proposed Final Study Plans – Request for Concurrence

Dear Commissioner Brune,

In 1991 the owners of the Eklutna Hydroelectric Project (Chugach Electric Association, Matanuska Electric Association, and the Municipality of Anchorage), herein referred to as the “Project Owners”, entered into a Fish and Wildlife Agreement with the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and the State of Alaska, herein referred to as the “Parties”¹. The 1991 Agreement defines a consultation process and requires the Project Owners to fund and conduct studies to examine, and quantify if possible, the impacts to fish and wildlife from the Project, and then develop and propose to the Governor a program to protect, mitigate damages to, and enhance fish and wildlife, while considering the impact of such measures on electric rate payers, municipal water supply, recreational users and adjacent land use, as well as available means to mitigate those impacts.

Specifically regarding the study plans, Section 3 of the 1991 Agreement states that the study plans shall be developed by the Project Owners in consultation with the USFWS, NMFS, Alaska Department of Fish and Game (ADFG), Alaska Department of Environmental Conservation (ADEC), and the Alaska Department of Natural Resources (ADNR). It also states that the Parties shall review the study plans and concur with their scope of work. Section 7 of the 1991 Agreement states that the study plans shall include a schedule for the consultation, comment, and decision making called for in the 1991 Agreement, which shall be adopted by the Parties in consultation with the Governor.

The Project Owners initiated the consultation process required by the 1991 Agreement in March 2019 by conducting a series of initial consultation meetings with key stakeholders, including ADEC. Since then, in addition to continuing stakeholder consultation, the Project Owners compiled all of the relevant existing information, developed an Initial Information Package, identified what additional information is needed, established a Technical Work Group (TWG), and coordinated with the TWG to develop study plans for the studies to be conducted in 2021, the first year of the study program.

¹ The Alaska Energy Authority (AEA) is also a party to the 1991 Agreement for the Snettisham Project, and is the Governor’s representative for the Eklutna Project.

During a stakeholder meeting held on April 16, 2020, several entities agreed or volunteered to participate in the TWG, including the Native Village of Eklutna, USFWS, NMFS, ADFG, Trout Unlimited, the Alaska Institute for Climate and Energy, and staff from Alaska Pacific University. The TWG was established in May/June 2020. A series of site visits and meetings with the TWG were conducted in July/August 2020 to kick-off the study planning process. A Proposed Study Program Framework was presented and discussed with the TWG in September 2020. The Draft Study Plans were distributed to the TWG on October 26, 2020 for review and comment. Meetings were held with the TWG in November and December to discuss the TWG's comments.

In October and November 2020, the Project Owners also reached out to ADNR Division of Parks and Outdoor Recreation (State Parks), Anchorage Water and Wastewater Utility (AWWU), the Alaska Department of Transportation & Public Facilities (ADOT&PF), and the Alaska Railroad Corporation asking if they were interested in reviewing the Draft Study Plans, specifically for the infrastructure related studies. Both State Parks and AWWU provided comments.

The Project Owners revised the study plans based on all comments received and then distributed the Revised Draft Study Plans to the TWG on January 18, 2021 for a second round of review and comment. A meeting with the TWG was held on January 25, 2021 to briefly review the major revisions to the study plans and to answer any clarifying questions from the TWG before the comment deadline on January 29, 2021. The Project Owners then revised the study plans again to address the second round of comments from the TWG.

The Proposed Final Study Plans, including a schedule of activities up through submittal of the proposed Fish and Wildlife Program to the Governor, were distributed to the Parties on February 24, 2021 for review and concurrence. A meeting amongst the State agencies involved in the Project was held on February 25, 2021 to determine how the State of Alaska would concur on the scope of work in the study plans. The State agencies determined that it would be most appropriate for the Commissioners of each State agency (ADFG, ADEC, ADNR, and ADOT&PF) to sign a letter stating that they concur on the scope of work in the study plans, and then the Project Owners would send those concurrence letters to AEA, the Governor's representative, with the study plans for review. The Project Owners would then conduct the required consultation step with AEA as the Governor's representative, and if AEA provides any feedback, the Project Owners would then follow-up with the Parties and the TWG as appropriate.

Therefore, per the process outlined by the State agencies, the Project Owners are requesting your concurrence on the scope of work in the study plans for the Eklutna Hydroelectric Project, and to adopt the schedule outlined in the study plans for the consultation, comment, and decision making called for in the 1991 Agreement. Please sign where indicated below, and email a copy of the signed letter to Samantha Owen at owen@mcmjac.com by March 26, 2021. Our goal is to submit the Proposed Final Study Plans, with the concurrence letters from each State agency, to AEA by March 31, 2021.

If you have any follow-up questions, please feel free to contact Samantha Owen by using the email address above, or by phone at (305) 409-5201.

Sincerely,

Lee B Thibert

Lee Thibert
Chief Executive Officer
Chugach Electric Association

Tony Izzo

Tony Izzo
Chief Executive Officer
Matanuska Electric Association

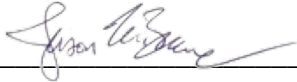
Anna C Henderson

Anna C. Henderson
Municipal Manager
Municipality of Anchorage

Enc.: Proposed Final Study Plans

Cc: Jim Rypkema, Division of Water, Storm Water & Wetlands Program Manager
Curtis W. Thayer, AEA Executive Director

I hereby concur on the scope of work in the study plans for the Eklutna Hydroelectric Project, and adopt the schedule outlined in the study plans for the consultation, comment, and decision making called for in the 1991 Agreement.



Commissioner Jason W. Brune
Alaska Department of Environmental Conservation

March 26, 2021

Date