

From: [Barrett, Tom R \(DNR\)](#)
To: [Owen, Samantha](#)
Cc: [Cobb, Charles F \(DNR\)](#); [Brooks, Henry C \(DNR\)](#); [Bustillos, Kim L \(DNR\)](#)
Subject: RE: Eklutna Hydroelectric Project - Proposed Final Year 2 Study Plans
Date: Thursday, April 7, 2022 9:25:58 AM
Attachments: [COAOP FY2022-16-AK00033.pdf](#)

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Samantha;

I think we have some updates for Section 2.2 of the Year 2 Study Plans. The most recent PSI is dated November 2021 and the Certificate of Approval to Operate is dated January 5, 2022. That will change the last line of Section 2.2. It might be worth a double check of the rest of the dam chapter as these updates are pretty recent.

I think I'll be the coordinator for the Commissioner concurrence letter, so please send to me as well as the DNR Parks and OHA and I'll be sure we get it signed and returned. Also, Kim Bustillos is acting in the assistant engineer position, so please include her with any dam submittals/inquiries.

Thanks very much,

Tom

From: Owen, Samantha <owen@mcmjac.com>

Sent: Friday, April 1, 2022 6:31 PM

To: Sean Eagan - NOAA Federal <sean.eagan@noaa.gov>; Spegon, Jennifer <jennifer_j_spegon@fws.gov>; Benkert, Ronald C (DFG) <ronald.benkert@alaska.gov>; Mendivil, Gary A (DEC) <gary.mendivil@alaska.gov>; Barrett, Tom R (DNR) <tom.barrett@alaska.gov>; Corwin, William B (DNR) <ben.corwin@alaska.gov>; Meitl, Sarah J (DNR) <sarah.meitl@alaska.gov>

Cc: Alisha Falberg - NOAA Federal <alisha.falberg@noaa.gov>; Douglass Cooper <douglass_cooper@fws.gov>; Mahara, Carol J <carol_mahara@fws.gov>; Brekken, Josh M (DFG) <josh.brekken@alaska.gov>; Kirsch, Jonathan M (DFG) <jonathan.kirsch@alaska.gov>; Oslund, Samantha A (DFG) <samantha.oslund@alaska.gov>; Ivey, Samuel S (DFG) <samuel.ivey@alaska.gov>; Battle, David C (DFG) <david.battle@alaska.gov>; Stantorf, Cory J (DFG) <cory.stantorf@alaska.gov>; Rypkema, James (DEC) <james.rypkema@alaska.gov>; Palmer, Charley (DEC) <charley.palmer@alaska.gov>; Brooks, Henry C (DNR) <henry.brooks@alaska.gov>; Cobb, Charles F (DNR) <charles.cobb@alaska.gov>; Wilson, Keith J (DNR) <keith.wilson@alaska.gov>; Beutel, Dan E (DNR) <dan.beutel@alaska.gov>; Alstrom, Audrey D (AEA) <aalstrom@akenergyauthority.org>; Carey, Bryan E (AEA) <bcarey@akenergyauthority.org>

Subject: Eklutna Hydroelectric Project - Proposed Final Year 2 Study Plans

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Hello all,

As you are aware, we are approaching the end of the year 2 study planning process for the Eklutna

Hydroelectric Project, and there are a couple key consultation steps that we need to conduct per the 1991 Fish and Wildlife Agreement.

- Section 3 of the 1991 Agreement states that the study plans shall be developed by the Project Owners in consultation with the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), Alaska Department of Fish and Game (ADFG), Alaska Department of Environmental Conservation (ADEC), and the Alaska Department of Natural Resources (ADNR). The following entities are currently participating in one or more of the established Technical Work Groups (TWGs) for the project: USFWS, NMFS, ADFG, ADNR State Parks, ADNR Office of History and Archaeology (OHA), the Native Village of Eklutna (NVE), Trout Unlimited (TU), and staff from Alaska Pacific University (APU). A Proposed Year 2 Study Program Framework was presented to, and discussed with the TWGs in November 2021. The Draft Year 2 Study Plans were then distributed to the TWGs on February 11, 2022 for review and comment. The Draft Year 2 Study Plans were also distributed to ADEC and the ADNR Water Section since they are not currently participating in one of the TWGs. The Project Owners received responses and/or written comments from USFWS, NMFS, ADFG, ADEC, ADNR OHA, ADNR Water Section, NVE, TU, and The Conservation Fund. A series of meetings were held with the TWGs the week of March 21, 2022 to review any substantive comments that warranted further discussion. The Project Owners then developed a comprehensive comment-response table and have included it as an appendix to the revised year 2 study plans.
- Section 3 of the 1991 Agreement also states that the Parties to the 1991 Agreement shall review the study plans and concur with their scope of work. The Parties to the 1991 Agreement for the Eklutna Hydroelectric Project include the Project Owners (Chugach, MEA, and MOA), the USFWS, NMFS, and the State of Alaska. As you know, 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 year 1 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 year 1 study plans. The Project Owners received concurrence letters from both Federal agencies and all four State agencies last year for the year 1 study plans. The Project Owners intend to follow the same process for the year 2 study plans with one exception. Per ADOT&PF, we do not need to request their concurrence for the year 2 study plans since no study flow releases are being proposed this year, and since there are no other proposed study activities that would involve their infrastructure.
- 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. This schedule has been included in the year 2 study plans. Consistent with the process outlined last year by the State agencies, after receiving concurrence letters from each of the Commissioners, the Project Owners will send the state concurrence letters to AEA, the Governor's representative for this project, with the Proposed Final Year 2 Study Plans for review and feedback. If AEA provides any additional feedback, the Project Owners will then follow-up with the Parties and the TWGs as

appropriate before finalizing the year 2 study plans.

The Proposed Final Year 2 Study Plans are attached to this email for your review. Same as last year, the Project Owners are requesting your concurrence on the scope of work in the year 2 study plans, and to adopt the schedule outlined in the study plans for the consultation, comment, and decision making called for in the 1991 Agreement.

- **ADFG, ADNR, and ADEC** – Please provide a letter of concurrence by **April 15**.
- **NMFS and USFWS** – Please provide a letter of concurrence by **April 29**.

Once we receive all three state concurrence letters, we will send them with the Proposed Final Year 2 Study Plans to AEA for review and request any feedback they might have by April 29. As stated above, if AEA provides any additional feedback, the Project Owners will then follow-up with the Parties and the TWGs as appropriate before finalizing the year 2 study plans. Our goal is to finalize the year 2 study plans by mid-May because our field season generally starts in late-May. We are also working to obtain all necessary permits by that time.

Thank you for your continued participation in the process. And as always, please feel free to contact me if you have any questions.

Regards,

Samantha Owen

Senior Regulatory and Licensing Consultant

McMillen Jacobs Associates

1011 Western Ave., Suite 706 | Seattle, WA 98104

206.743.9251 p | 305.409.5201 c | owen@mcmjac.com

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