

DEPARTMENT OF ENERGY

Federal Energy Regulatory
CommissionNotice Requesting Comments, Final
Terms and Conditions,
Recommendations and Prescriptions

November 13, 1998.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Original License for a Major Water Project—5 Megawatts or Less (filed as an Applicant-Prepared Environmental Assessment).

b. *Project No.:* 11480-001.

c. *Date Filed:* November 25, 1997.

d. *Applicant:* Haida Corporation.

e. *Name of Project:* Reynolds Creek Hydroelectric Project.

f. *Project Location:* On the Southwest side of Prince of Wales Island in Southeast Alaska, about 10 miles east of Hydaburg. The project would not be located on federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. *Applicant:* Mr. John Bruns, Haida Corporation, P.O. Box 89, Hydaburg, AK 99922, (907) 285-3721. *Applicant Contact:* Mr. Michael V. Stimac, HDR Engineering, Inc., 500 108th Avenue NE, Suite 1200, Bellevue, WA 98004-5538, (425) 453-1523.

i. *FERC Contact:* Carl J. Keller, 202-219-2831.

j. *Brief Description of Project:* The proposed project would consist of the following proposed facilities: (1) A 20-foot-long, 6-foot-high, concrete diversion dam; (2) a small concrete box-type intake structure with protective trash racks located on the left side of the diversion dam; (3) a 42-inch-diameter, 3,200-foot-long, steel penstock positioned above ground on saddled supports; (4) a 40-foot-wide, 100-foot-long, pre-engineered metal powerhouse, with one 1,500-kilowatt (kW) horizontal impulse turbine/generator (Phase 1) and a second 3,500-kW turbine/generator to be added (Phase 2); (5) an 80-foot-long tailrace; (6) access roads totaling 500 feet long; (7) an overhead 34.5-kilovolt, 10.9-mile-long transmission line on 300 foot centers; and (8) related appurtenances.

k. *Deadlines for Filing Terms and Conditions, Recommendations, and Prescriptions; Applicant's Reply Comments; and Cost Statements under PURPA:* See item (p) and standard paragraph D-10.

l. This notice also consists of the following standard paragraphs: A-4 and D-10.

m. *Location of Application:* A copy of the application, applicant's Draft Environmental Assessment, responses to information requests, and subsequent filings are available for inspection or reproduction at the Commission's Public Reference and Files Maintenance Branch, located at 888 First Street, NE, Room 2A-1, Washington, DC 20426, or by calling (202) 208-2326. Copies of this information may also be viewed or printed by accessing the Commission's WebSite on the Internet at www.ferc.fed.us. For assistance, users can call (202) 208-2222. Copies of the above information can also be inspected from the applicant's contact located in item h. above.

n. *PURPA:* Haida Corporation intends to seek benefits under § 2210 of the Public Utilities Regulatory Policy Act of 1978 (PURPA), and believes that the proposed project meets the definition under § 292.202(p) of 18 CFR for a new dam or diversion. As such, the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and the state agency exercising authority over the fish and wildlife resources of the state have mandatory conditioning authority under the procedures provided for at § 30(C) of the Federal Power Act.

o. *Submission of Cost Statements:* Within 60 days after the date for filing mandatory terms and conditions, the fish and wildlife agencies must file with the Commission Secretary, a cost statement of the reasonable costs the agency incurred in setting mandatory terms and conditions for the proposed project.

A4. *Development Application—* Public notice of the filing of the initial development application, which has already been given, established the due date for filing competing applications or notices of intent. Under the Commission's regulations, any competing development application must be filed in response to and in compliance with public notice of the initial development application. No competing applications or notices of intent may be filed in response to this notice.

D10. *Filing and Service of Responsive Documents—*The Commission is requesting comments; final recommendations, terms, conditions, and prescriptions; and applicant's reply comments.

The Commission directs that all comments, and final recommendations, terms, conditions, and prescriptions concerning the application be filed with the Commission *within 90 days* from the issuance date of this notice. All reply comments by the applicant must be

filed with the Commission within 135 days from the date of this notice.

Anyone may obtain an extension of time for these deadlines from the Commission only upon a showing of good cause or extraordinary circumstances in accordance with 18 CFR 385.2008.

All findings must (1) bear in all capital letters the title "COMMENTS", "REPLY COMMENTS", "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Any of these documents must be filed by providing the original and the number of copies required by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. An additional copy must be sent to Director, Division of Licensing and Compliance, Office of Hydropower Licensing, Federal Energy Regulatory Commission, at the above address. Each filing must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b), and 385.2010.

David P. Boergers,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory
CommissionNotice of Application Accepted for
Filing and Soliciting Motions To
Intervene and Protests

November 13, 1998.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Conduit Exemption.

b. *Project No.:* 11468-003.

c. *Date filed:* January 28, 1998.