

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D.C. 20426

July 19, 2011

OFFICE OF ENERGY PROJECTS

Project No. 2149-152—Washington
Wells Hydroelectric Project
Public Utility District No. 1 of Douglas County

OVERNIGHT MAIL

Jessica L. Gonzales
Assistant Project Leader
U.S. Fish and Wildlife Service
Washington Fish and Wildlife Office
Central Washington Field Office
215 Melody Lane, Suite 119
Wenatchee, WA 98801

Reference: Request for Formal Consultation under the Endangered Species Act

Dear Ms. Gonzales:

On April 12, 2011, your office received our letter asking for concurrence with the finding in our draft Environmental Impact Statement (EIS) that relicensing the Wells Hydroelectric Project No. 2149 would be “not likely to adversely affect” the Columbia River bull trout Distinct Population Segment (DPS) and its designated critical habitat, and would have no effect on the Ute ladies’-tresses, marbled murrelet, gray wolf, Canada lynx, northern spotted owl, grizzly bear, pygmy rabbit, Wenatchee Mountains checker-mallow, or showy stickweed. By letter filed on May 9, 2011, you state that your agency could not concur with our determination for bull trout. You also state that Douglas PUD’s draft Biological Assessment (BA) does not include an analysis of bull trout critical habitat, and that this analysis should be included in a final BA.

As noted in our April 12, 2011 letter requesting concurrence, the draft EIS provides an analysis of the effects of the proposed relicensing action and continued implementation of the Wells Habitat Conservation Plan on designated critical habitat for the Columbia River bull trout DPS. Our determination in the draft EIS is based on all the available information included as a part of the record for this proceeding, including the license application, consultation record, and draft biological assessment. All of the information and data found in these documents are a part of the public record for this proceeding and represent the best available data on the effects of the projects on bull trout and its designated critical habitat. Consequently, we do not intend to prepare a final BA.

As required by section 7 of the Endangered Species Act, I am therefore requesting formal consultation with your office on the effects of the relicensing of the Wells Hydroelectric Project on the Columbia River bull trout DPS and its designated critical habitat.

Please give us your biological opinion on our findings no later than 135 days from receipt of this request, as required by 50 CFR § 402.14(e). If we don't hear from you within 30 days of this letter, we will assume that you have sufficient information to initiate consultation and will provide us with your biological opinion by December 1, 2011. Any requests for extensions of time should be submitted to the Commission and the applicant in a timely manner that allows for sufficient time for a mutual agreement to extend the 90-day formal consultation period as per section 402.14(e) of your regulations.

Should you need to informally discuss concerns before making your determination, please contact Matt Cutlip at (503) 552-2762 to indicate your interest in initiating a teleconference with all parties on this issue. Please file your response electronically via the Internet. See 18 C.F.R. 385.2001(a)(1)(iii) and the instructions on the Commission's website (<http://www.ferc.gov/docs-filing/efiling.asp>). For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov; call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, your response may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426. Please put the docket number p-2149-152 on the first page of your response.

If you have any questions, please call Matt Cutlip at (503) 552-2762.

Sincerely,

Jennifer Hill, Chief
Northwest Branch
Division of Hydropower Licensing

cc: Public Files, Service List