

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426
September 29, 2017

OFFICE OF ENERGY PROJECTS

Project No. 14227-000 – California
Lake Elsinore Advanced Pumped Storage Project
The Nevada Hydro Company, Inc.

Rexford Wait
The Nevada Hydro Company, Inc.
2416 Cades Way
Vista, CA 92083

Reference: Waiver Request for the Lake Elsinore Advanced Pumped Storage Project

Dear Mr. Wait:

On June 1, 2017, Nevada Hydro Company, Inc. (Nevada Hydro) filed a notice of intent to file a license application (NOI) and a draft license application for the proposed 500-megawatt Lake Elsinore Advanced Pumped Storage Project No. 14227 (LEAPS Project). In its NOI, Nevada Hydro requests waiver of the Commission's pre-filing licensing requirements,¹ allowing it to proceed directly to filing a final license application. In support of its waiver request, Nevada Hydro explains that Commission staff previously prepared a Final Environmental Impact Statement (final EIS) in 2007 for essentially the same project proposal under Project No. 11858.² Accordingly, Nevada Hydro asserts that consultation on the current project proposal has essentially already occurred under the prior proposal and should meet the intent of the Commission's pre-filing consultation requirements.

On August 23, 2017, staff issued a notice soliciting comments on Nevada Hydro's NOI and waiver request, with comments due by September 22, 2017. In response, numerous commenters state that additional consultation is needed due to new and planned development in the project area and changes to the project proposal. In addition, many commenters raise concerns related to potential project effects that may not have been previously considered under Project No. 11858, including, but not limited to, the

¹ 18 C.F.R. § 5.8, 5.9, 5.11, 5.15, 5.16 (2017).

² The Commission's Office of Energy Projects dismissed the previous license application for the LEAPS Project (P-11858) on July 12, 2011.

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route and need for two project transmission lines, the source of project water, acquisition of water and property rights, and the presence of additional federally listed plants and wildlife in the project area.

While Nevada Hydro's proposal and the existing environment may have changed in various ways from that which Commission staff previously evaluated under Project No. 11858, staff believes that the additional issues and project effects that may be identified in the current proceeding can be addressed through the Commission's post-filing process. We expect that any final license application filed with the Commission will address the comments noted above, including the identified additional issues and project effects filed in response to the NOI. Therefore, at this time, it is not necessary to require Nevada Hydro to solicit stakeholder input on additional study needs or seek stakeholder assistance in identifying issues and mitigation needs. We believe that the Commission's post-filing procedures will provide sufficient opportunity for stakeholders to comment on the adequacy of the final license application, identify study needs, participate in the scoping of issues to be evaluated by Commission staff in its environmental review, and identify project effects and mitigation needs. Stakeholders will also have the opportunity to provide comments on any issued environmental document(s). For these reasons, Nevada Hydro's request to waive the pre-filing consultation requirements for the LEAPS Project is approved.

Once the final license application has been filed, it will be evaluated under the milestones provided in the attached table. Please note that the milestones that provide additional opportunities for stakeholder involvement are highlighted in **bold**.

If you have any questions, please contact Jim Fargo at (202) 502-6095 or via email at james.fargo@ferc.gov.

Sincerely,

Terry L. Turpin
Director
Office of Energy Projects

Attachment: Anticipated post-filing process for the proposed LEAPS Project

cc: Mailing List
Public Files

Anticipated Post-filing Process for the Proposed LEAPS Project

The major milestones of the post-filing process for the LEAPS Project are provided below. It is anticipated that the issuance of the Ready for Environmental Analysis (REA) Notice and subsequent milestones will not occur until the additional information needs of Commission staff on the final license application have been satisfied, which may include the completion of any needed additional studies. The milestones that provide opportunities for stakeholder input are highlighted in **bold**.

Major Milestone

- Final License Application filed
- Issue Tendering Notice soliciting additional study requests
- **Additional study requests due**
- Issue Scoping Document 1 for comments
- Public Scoping Meetings
- **Comments on Scoping Document 1 due**
- Issue Scoping Document 2 (if necessary)
- Issue REA Notice soliciting comments, recommendations, terms and conditions, and prescriptions
- **Comments, recommendations, terms and conditions, and prescriptions due**
- Issue updated EIS
- **Comments on updated EIS due**
- Issue final EIS (if necessary)

Document Content(s)

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