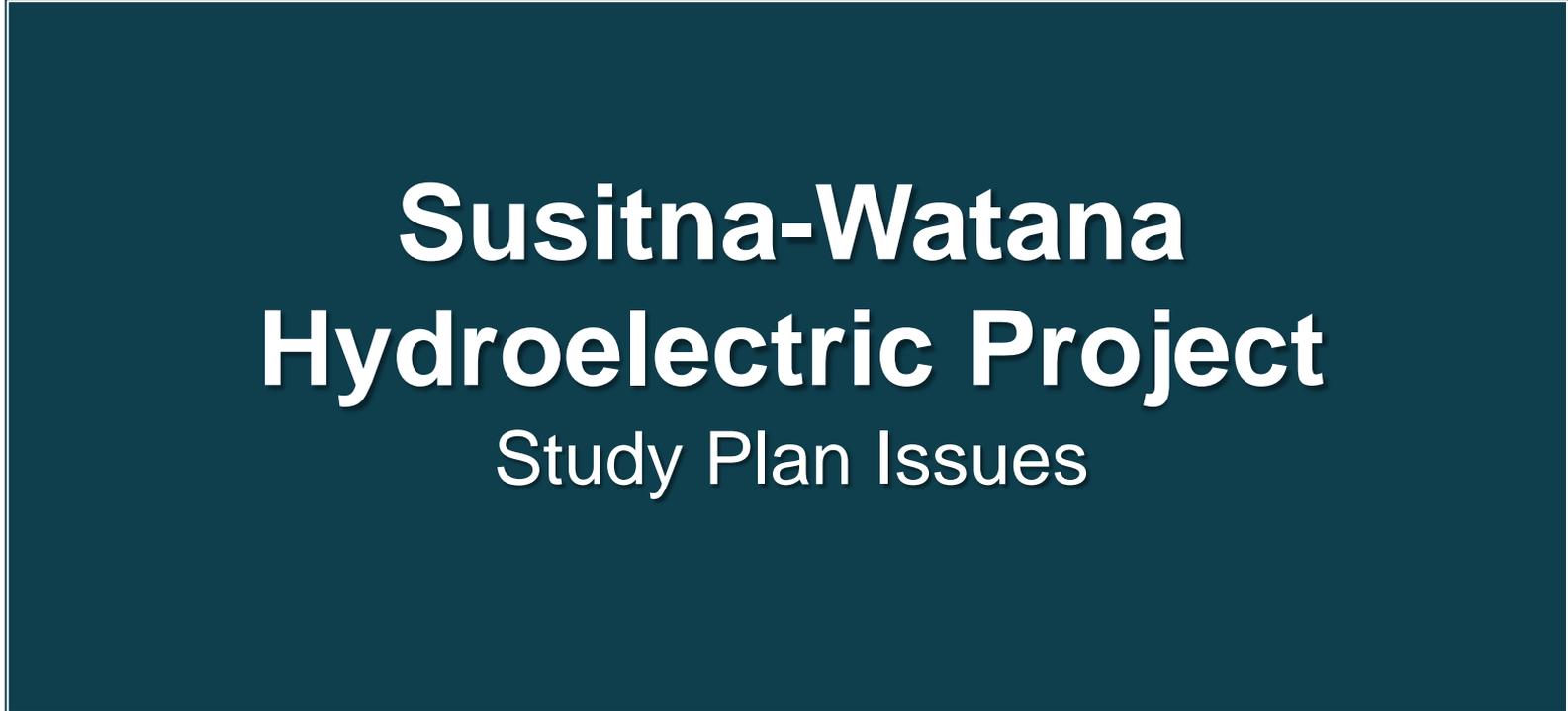
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Susitna-Watana Hydroelectric Project

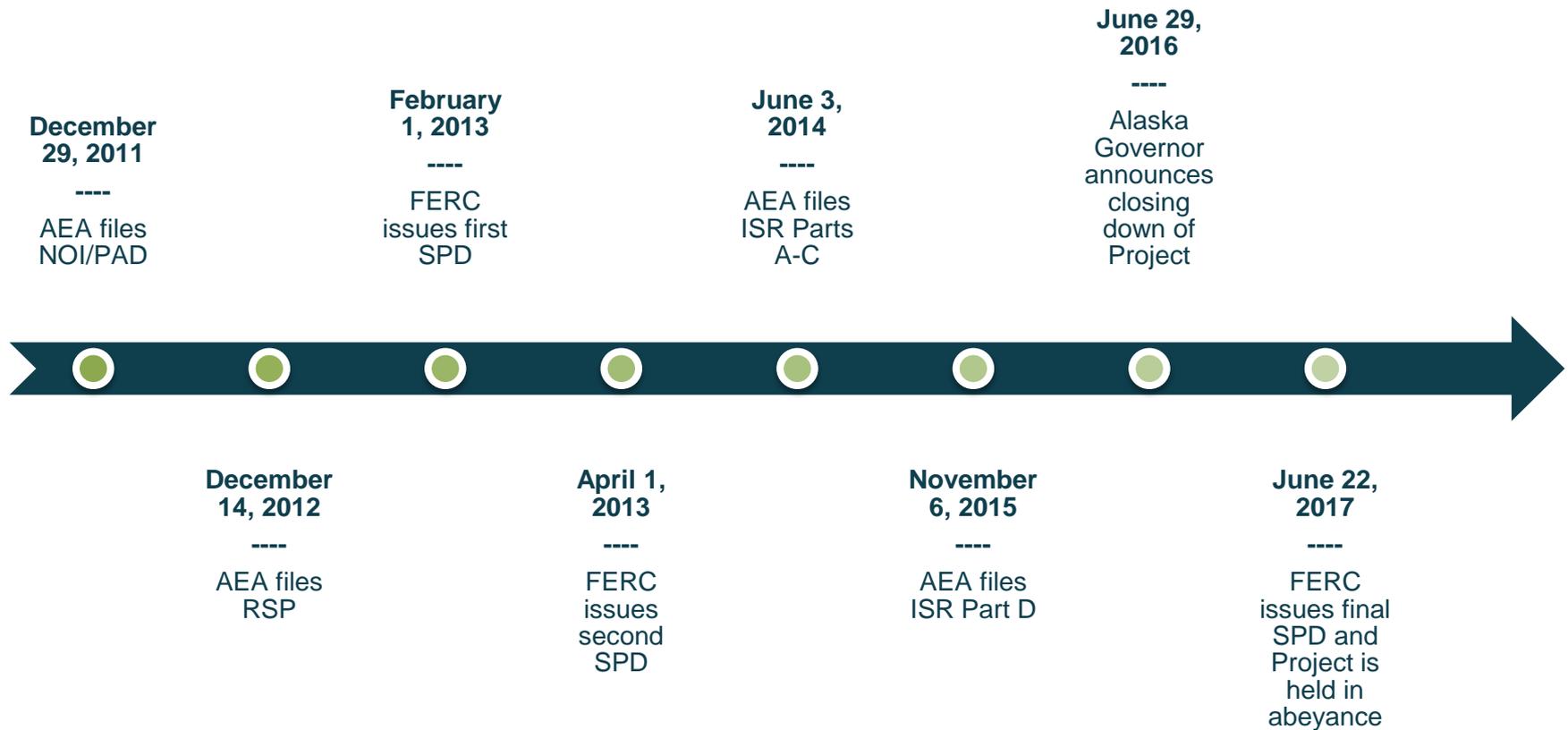
Study Plan Issues

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Michael Swiger

2017 NHA Alaska Regional Meeting | September 19, 2017

Project Timeline



AEA's Revised Study Plan

- 58 studies covering nearly 186,000 acres surrounding the Project site
- Areas of study:
 - Geology & Soil
 - Water Resources
 - Fish Aquatics & Riparian
 - Wildlife Resources
 - Botanical Resources
 - Recreation & Aesthetic Resources
 - Cultural & Paleontological Resources
 - Subsistence Resources
 - Socioeconomic & Transportation Resource

FERC's Initial Study Plan Determinations

- Of 58 total studies proposed by AEA:
 - 32 approved without modification
 - 26 approved with modification
- 1 new requested study rejected
 - National Heritage Institute, NMFS, American Whitewater et al. requested a National-level Economic Evaluation Study

FERC's Study Dispute Panel

- NMFS filed notice of study dispute on February 21, 2013
- Issues in Dispute
 - Glacier and Runoff Changes Study (2 dispute elements)
 - Salmon Escapement Study (4 dispute elements)
 - Fish Passage Feasibility Study (4 dispute elements)

FERC's Study Dispute Panel cont.

- Glacier and Runoff Changes Study
 - Element 1
 - Panel recommended modifications to the study
 - AEA required to review existing literature related to glacial retreat and summarize the potential future changes in runoff associated with glacier wastage and retreat
 - Element 2
 - Rejected by the Panel
 - AEA *not* required to expand the study to include escapement estimates of certain species of Pacific salmon

FERC's Study Dispute Panel cont.

■ Salmon Escapement Study

- All four dispute elements rejected by the Panel
- AEA *not* required to expand the study to include additional tagging efforts and locations, or to expand the study duration to include a full generation of target salmonid species

FERC's Study Dispute Panel cont.

■ Fish Passage Feasibility Study

- Elements 1, 2, and 4
 - Panel recommended modifications to the study
 - Plan to be modified to include NMFS and AEA's agreed upon changes to the text to clarify the proposed study approach, as discussed during the technical conference
- Element 3
 - Rejected by the Panel
 - AEA *not* required to expand the study duration to include a full generation of target salmonid species

FERC's Final Study Plan Determination

- Of the 35 requests for modifications to the studies:
 - 17 adopted in part – minor changes
 - 18 rejected
- 1 new requested study rejected
 - Copper Country Alliance requested a Terrestrial Invertebrate study

Lessons Learned

- Keep initial study proposal targeted – leave room for movement.
- Propose stepwise study plan where appropriate – easier to expand a FERC-approved study than to scale it back.
- Don't be afraid to push back against unreasonable study requests.
- FERC's licensing processes seem better designed for relicensing than original licensing of a large, complex project – ILP, TLP, hybrid or modified process?

What's Next

- FERC has said AEA may restart the ILP.
- Request must demonstrate that the State has a “firm commitment” to the Project.
- No time limit on the restart.
- AEA will not need to repeat steps of the ILP to the extent the Project has not changed and the study data has not become stale.

For more information:

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