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BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: : Project No.

SWEETHEART LAKE HYDROELECTRIC : P-13563-003

PROJECT :  
- - - - - x

Centennial Hall Convention Center

101 Egan Drive

Juneau, AK 99801

Wednesday, December 2, 2015

The above-entitled matter came on for scoping  
meeting, pursuant to notice, at 9:00 a.m., John Matkowski,  
the moderator.

## 1 P R O C E E D I N G S

2 (9:08 a.m.)

3 MR. MATKOWSKI: Thanks for coming out. This is  
4 the public comment meeting for the Draft EIS for Sweetheart  
5 Lake Project -- Hydroelectric Project. My name is John  
6 Matkowski, I'm with the Federal Energy Regulatory Commission  
7 or FERC, Division of Hydropower Licensing in D.C. Oh can  
8 you not see -- and the purpose of this meeting is to receive  
9 comments on our Draft and also the Corp whose is a  
10 cooperating agency on the project Environmental Impact  
11 Statement for the Sweetheart Lake Project.

12 So I guess we will start off with some  
13 introductions here if you want to introduce -- we have our  
14 contractor who assisted on the project if you want to start.

15 MR. FOOTE: Peter Foote with Louis Berger, FERC  
16 contractor we helped to prepare the EIS. I was the Project  
17 Manager for Louis Berger and I am also a fisheries  
18 biologist.

19 MR. O'NEIL: I'm Sean O'Neil with FERC I'm the  
20 environmental engineer on the project. And for the DEIS I  
21 worked on the geology and soils and economic section.

22 MS. RODMAN: Diane Rodman, I'm the terrestrial  
23 biologist with FERC. All the other FERC people I'm from the  
24 Washington, D.C. office. I oversaw Berger's efforts on  
25 terrestrial resources.

1 MS. HYSLOP: My name is Jamie Hyslop, I am  
2 Project Manager for the Corp of Engineers and so I am the  
3 project manager cooperating with FERC for the Sweetheart  
4 Lake Hydro Project. Also I am the Project Manager for the  
5 Corp overseeing the 404 and Section 10 permits for this  
6 project also.

7 MR. MATKOWSKI: And we have our court reporter,  
8 Gaynell Catherine and just to let you know when we start the  
9 comments we have microphones here so you can hear. Speak  
10 loudly, state your name and affiliation and that would be  
11 helpful. Also we have this sign-in sheet, was everybody  
12 able to sign in today?

13 And also there's the parking and if you didn't  
14 know they supposedly tow you so I'm not from Juneau but you  
15 can go to the business office and get a pass. As many of  
16 you already know this is a requirement of the National  
17 Environmental Policy Act. The Commission must conduct an  
18 independent analysis of this project's effects on the  
19 environment related to licensing so our federal action is  
20 licensing not hydropower project.

21 For this project our analysis considered geology  
22 and soils, water quality, fisheries, wildlife, marine  
23 mammals, vegetation, recreation, cultural and other  
24 non-developmental values of the waterway equally with  
25 developmental and energy values associated with the project.

1 So it is our way of balancing -- so just a little history of  
2 the project. This project is over 5 years in the licensing  
3 process.

4           It started in July of 2010 when Juneau Hydro is  
5 the application for the project filed its Notice of Intent  
6 in the pre-application document or PAD. Juneau Hydro  
7 conducted scoping in September of 2011 and that was followed  
8 by a couple of years of field studies. After that they  
9 filed their license application on May 29th, 2014. After  
10 the Commission requested some additional information --  
11 excuse me -- the Commission issued its Notice of Intent to  
12 prepare the EIS and solicited final recommendations and  
13 terms and conditions and that was on November 17, 2014.

14           So that brings us to a more recent step in the  
15 licensing process and that is issuance of our Draft  
16 Environmental Impact Statement and that occurred on October  
17 29th of this year and based on that date and also the EPA  
18 issuance date which gave a 45 day period -- comment period.  
19 Comments are due for this project on December 29th.

20           After we receive comments we will begin to  
21 prepare our final EIS and right now we have it scheduled  
22 around July of 2016 and as any of the dates for this project  
23 that we put it, it's just an estimate so -- and as part of  
24 that Final EIS we will include a response to everyone's  
25 comments both oral and written.

1           And speaking of any oral comments today we also  
2 encourage you to file possibly written comments, maybe  
3 conveying the same response. So basically after the Final  
4 EIS is issued we still have -- we request a concurrence with  
5 the National Marine Fishery Service on Section 7 Endangered  
6 Species Act and the central fish habitat and those processes  
7 are kind of concurrent with how or when we issue a license  
8 for the project.

9           So and depending upon what NIMS response to our  
10 call for endangered species that will determine different  
11 timelines for the potential license issuance. And we also  
12 have the Corp which Jaime Hyslope already described they are  
13 working on the 404 process and I don't know if there is  
14 anything that you wanted to add. Typically that's post  
15 licensing process for FERC. We could issue a license you  
16 know and that's contingent upon the applicant receiving the  
17 404 permit from the Corp.

18           MR. HYSLOP: So what we have decided to do was to  
19 process our application for the Department of Army Permit  
20 concurrently with the release of the Draft EIS and so with  
21 an intent to get as much feedback from the agency and the  
22 public as possible and so that public notice is out right  
23 now and it will close on December 23rd. So it's a 30 day  
24 comment period for the Department of Army permit so.

25           And that -- I can provide all of that information

1 and if anybody would like to have that today, where to  
2 obtain that or where to find out.

3 MR. MATKOWSKI: Thanks and as you may have seen  
4 there were some extra copies of the Draft EIS and both hard  
5 copy and CD in the back you are welcome to take those unless  
6 they are already gone. So that's a little bit of the  
7 history and what is going on with the project, a pretty  
8 short version. So I would like to go ahead and open up the  
9 meeting to any comments, questions or actually let us know  
10 what we did right or wrong or what we missed on the project,  
11 that's what we are here for.

12 It doesn't look like we have anyone that has  
13 signed up for comments. Did you want to speak? Okay. If  
14 you change your mind you can still come up, I'll just change  
15 it to a yes. All right I guess with that if we don't have  
16 any further comments or any comments or clarifications I  
17 guess we will go ahead and close the meeting.

18 MR. MITCHELL: I just want to make a comment --

19 MR. MATKOWSKI: You must open the record.

20 MR. MITCHELL: I just want to say something for  
21 the record.

22 MR. MATKOWSKI: Do you want to identify yourself?

23 MR. MITCHELL: Yeah I'm Duff Mitchell, the  
24 managing director for Juneau Hydropower, the developer of  
25 the Sweetheart Lake Hydroelectric Project. I just want to

1 state for the record that we as a developer appreciate the  
2 opportunity to use the alternative licensing process and we  
3 feel that through that alternative licensing process we are  
4 able to get the input from agencies collaboratively and  
5 cooperatively work through the issues where you have the EIS  
6 as the final result and I think that the project -- the EIS  
7 product as well as the project is probably going to be  
8 better as a result of that process.

9           And I just want to put on the public record that  
10 we think that the cooperation of the agencies that spent the  
11 time, the extra effort to attend all of the meetings and do  
12 the inputs necessary for us to try to build what we want to  
13 try to do is a good project so I just wanted to state that  
14 for the record, thank you.

15           COURT REPORTER: Is it D-u-f-f?

16           MR. MITCHELL: Yes it is.

17           MR. MATKOWSKI: Thanks Duff. Anyone else? All  
18 right well I think we can close the meeting now, we are  
19 going to have another meeting tonight at 6 that is open to  
20 everyone, same room. Again, the comments on the Draft EIS  
21 are due December 29th and that's all I have and with that I  
22 will close the meeting and thanks everyone for coming out  
23 for a short period of time.

24           (Whereupon the meeting was adjourned at 9:20  
25 a.m.)