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Submitted On: 8/22/2024
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Attachment to Julia Chunn-Heer comments on Wave and Tidal Energy Feasibility Study

20080929-3022 FERC PDF (Unofficial) 09/29/2008

Additional submitted attachment is included below.

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

September 29, 2008

OFFICE OF ENERGY PROJECTS

Project No. 12743-001 - Oregon
Douglas County Wave & Tidal Energy Project
Douglas County, Oregon

Douglas County Board of Commissioners
Douglas County Courthouse
1036 SE Douglas
Roseburg, OR 97470

Reference: Study Request for the Douglas County Wave & Tidal Energy Project

Dear Commissioners:

Federal Energy Regulatory Commission (Commission) staff, after reviewing the Douglas County's Pre-Application Document (PAD) for the Douglas County Wave & Tidal Energy Project and attending the joint meeting on July 31, 2008, in Reedsport, Oregon, requests that in developing your license application that you conduct the studies and provide the information identified in the attached schedule A. Please note that staff may determine a need for additional studies or information upon receipt and review of stakeholder comments, study requests, the applicant's study plan, and your license application.

In addition, if you are likely to propose any plans for measures to mitigate project impacts, those plans should be filed with your application.

If you have any questions, please contact David Turner at (202) 502-6091, or via e-mail at david.turner@ferc.gov.

Sincerely,

Jennifer Hill, Chief
Hydro West Branch 1

cc: Mailing List
Public Files

Schedule A
Study Requests

Study Request #1
Recreational Surfing Study

The project would be located on the southern face of the U.S. Army Corps of Engineers' South Jetty which is located on the south bank of the Umpqua River. By letter dated June 22, 2008 and during the July 31, 2008, joint meeting, the Surfrider Foundation (Surfriders) expressed concern that modifications to the jetty to incorporate the oscillating water column and to bury the transmission line could alter a high quality surf break with rare wave characteristics for this portion of the Oregon coast. The Surfriders attribute the rare wave characteristics at the South Jetty to the unique positioning of the South Jetty with regard to the prevailing wind direction, currents, and resulting sand accretions, making this a "premier surf spot." The Surfriders believe that any modifications to the jetty that alter the adjacent substrate composition and character can have permanent, dramatic effects on wave characteristics and its recreational use.

At the July 31, 2008, joint meeting, Douglas County proposed to model the effects of project construction and operation on wave characteristics. However, no details of Douglas County's modeling proposal are available. Moreover, the pre-application document (PAD) does not describe, except in broad terms, existing surfing use of the site.

In order for Commission staff to evaluate how the proposed project may affect existing recreational uses of the area, we need to know: (1) how the project's particular location, configuration, and operation may alter substrate characteristics and movement that contribute to this site's wave characteristics; (2) how such substrate changes and project operations would affect the characteristics of surfing breaks; (3) how much surfing use the area receives and how the project may affect surfing use; (4) what other actions may be occurring in the area that affect surf characteristics (e.g., dredging and spoil disposal of the navigational channel) and how the project may interact with those actions; and (5) if there are any measures or alternatives that may minimize any identified project effects on surfing characteristics and at what cost.

Therefore, we recommend that Douglas County provide the following information in its draft application:

1. A detailed description of the characteristics of the surfing waves at the South Jetty and of alternative surfing sites relative to the South Jetty.

2. A detailed description of the bathymetric features and surf break components that create good surfing waves at the South Jetty (for example, *see* Scarfe et al. 2003a and 2003b);
3. An estimate of existing recreational use, by surfing type (e.g., long boarding, body boarding, boogie boarding, etc.), season (for example, spring, summer, fall, winter or by month), and user characteristics (i.e., skill level, origin of users, etc.) at the South Jetty;
4. A detailed assessment of how project construction and operation would affect wave characteristics and surf break components, types of use, and recreational experiences of the users at the South Jetty;
5. A detailed description of any measures or alternatives that may minimize potential adverse effects, if any, on surfing from project construction and operation, including, as appropriate, (a) design drawings, construction materials, schedules; (b) any adverse effects of these alternatives or measures on competing uses (navigation, cultural resources, etc.) and energy generation; and (c) cost; and
6. A detailed description of the methods used to describe the wave characteristics and existing surfing use at the South Jetty and to determine the effects of project construction and operation on the wave characteristics and surfing use at the South Jetty.

The study should be developed in consultation with the Surfriders, Oregon Parks and Recreation, Corps of Engineers, National Park Service, and the Forest Service.

Literature Cited

Scarfe, B.E., M.H.S. Elwany, S.T. Mead, and K.P. Black. 2003a. The science of surfing waves and surfing breaks—a review. Surfing Science Review. March 7, 2003. http://repositories.cdlib.org/sio/techreport/17

Scarfe, B.E., M.H.S. Elwany, K.P. Black and S.T. Mead. 2003b. *Surfing conditions around jetties*. Center for Coastal Studies, Scripps Institute of Oceanography, La Jolla, CA. Scripps Institution of Oceanography Technical Report March 6, 2003.

Study Request #2

Archeological and Historic Resources Survey

The PAD describes the tribal resources and history in the project area, but does not provide any information as to whether there is likely to be any properties eligible for listing on the National Register of Historic Places. Douglas County also did not propose to conduct a study to determine if cultural resources are present in the area or to assess

the effects of project construction and operation on cultural resources. During the September 12 and 24, 2008, teleconferences with interested tribes, tribal representatives expressed the need for cultural resource survey of project features, including staging areas and access roads.

Section 106 of the National Historic Preservation Act requires that federal agencies, licensees, and those receiving federal assistance take into account the effect of proposed undertakings on any district, site, building, structure, or object that is included in or eligible for the National Register of Historic Places (National Register). Because construction of the project would result in soil-disturbing activities (i.e., burial of the transmission line, stringing of power lines, installing power poles, etc.) that could adversely affect cultural properties, we recommend that you conduct an archeological and historic resources survey to determine the effects of project construction and operation and any potential enhancement measures on archeological and historic resources. The study should be developed in consultation with the Oregon State Historic Preservation Officer (SHPO), Forest Service, affected tribes, and other interested parties. The study area will generally include the Area of Potential Effects (APE). [1]

The survey and subsequent report should satisfy these specific study objectives:

1. identify known resources through the available literature;
2. identify locations that have the potential to contain archaeological resources;
3. locate any archeological sites that may exist in areas exhibiting effects from project operation and in areas where ground-disturbing enhancements are proposed;
4. assess the National Register eligibility of historic resources within the APE, including consideration on whether they may contribute to a larger district;
5. evaluate the potential for effects on historic and archaeological resources from operation of the project or from project-related enhancements; and
6. if necessary, prepare a draft historic properties management plan (HPMP) to be filed with the draft application and a final HPMP to be filed with the license application.

[1] The APE should include the lands proposed to be enclosed by the project's boundary, and lands or properties outside the project's boundaries where project construction and operation or other enhancements may cause changes in the character or use of historic properties, if any historic properties exist.

The generally accepted practice for meeting these study objectives is to conduct a literature review and field reconnaissance. Depending on the results of the field reconnaissance, a more intensive field survey may be necessary. Prior to conducting the survey and report, Douglas County should consult with the SHPO, tribes, Forest Service, and other interested parties on: (a) the delineation of the APE; (b) methods on how the survey should be conducted; (c) anticipated effects on cultural resources; and (d) what properties are and are not considered eligible for the National Register.

The Cultural Resources Report should include all the information necessary to satisfy the objectives listed above. The evaluation of project effects on cultural resources should include both site-specific effects (i.e., project operation and maintenance, erosion, vehicular traffic, etc.).

Study Request #3

Vegetation and Wildlife Habitat Survey

The PAD broadly describes the vegetation and wildlife that may occur in the project area, and states that it will analyze project effects on these resources. Information provided at the July 31, 2008, joint meeting indicates that these analyses will likely be based on a literature review. This likely will not be sufficient to quantify the impacts of project construction and operation on vegetation and associated wildlife habitats (i.e., acres and types of habitat disturbed). Therefore, we recommend that you conduct a survey of the of the project area. Your survey, which must be conducted by a qualified biologist, should include all areas within the proposed project boundary and areas directly or indirectly affected by your project's construction and operation. Include in your license application, a report that:

1. Describes the methods, including a map showing the survey area and the dates and times of the surveys;
2. Describes in detail the existing vegetation, in terms of area covered and component species, and wildlife habitat in the area affected by the project;
3. Describes in detail how the terrestrial vegetation and wildlife would be affected by project construction and operation, including an estimate of the acreages of the different vegetation types that would be affected by each project facility; and
4. Describes any measures you are proposing to minimize or to mitigate any expected adverse impacts (e.g., soil erosion control plans, scheduling to minimize disturbance, etc.).

The study should be developed after consulting with the Oregon Department of Fish and Wildlife, U.S. Fish and Wildlife Service, U.S. Forest Service, affected tribes, and other interested parties.

Study Request # 4

Threatened and Endangered Species Survey

In the PAD, you state that proposed shore station and power line may be located within western snowy plover habitat. You state that marbled murrelets forage just offshore of the proposed oscillating water column. You do not propose any studies to determine if these species are present in the project area.

Under section 7 of the Endangered Species Act, we must evaluate any potential impacts on federally listed species before we decide on your license application.

Therefore, we recommend that you consult with U.S. Fish and Wildlife Service and the Oregon Department of Fish and Wildlife to determine whether your project may affect these species or their habitat. If so, we recommended you engage a biologist who is knowledgeable in the identification and biology of these species to survey all areas of potentially suitable habitat within the proposed project boundary and within nearby areas that may be affected by project construction and operation. You should include in your license application a study report that contains the following information:

1. documentation of consultation with FWS and the Oregon Department of Fish and Wildlife;
2. a description of the methods and results of any surveys deemed necessary;
3. a description of the effects of project operations on threatened and endangered species found in the survey area; and
4. detailed plans to protect threatened and endangered species found in the surveyed areas.

Study Request #5

Effects on the Oregon Dune National Recreation Area

You state that the project would be located within the southern part of the Oregon Dunes National Recreation Area. The Oregon Dunes National Recreation Area is a unit of the National Park System. After October 24, 1992, the Federal Energy Regulatory Commission may not issue an original license under Part I of the Federal Power Act for any new hydroelectric power project located within the boundaries of any unit of the National Park System that would have a direct adverse effect on federal lands within any such unit (16 U.S.C. §797c). In order for the Commission to evaluate potential adverse

effects of the project on the recreation area, your application must include the following information: (1) a map or drawing showing the location of the project features relative to the boundaries of the recreation area; (2) a detailed analysis of the potential effects of project construction and operation on the purposes for which the recreation area was created; and (3) a detailed analysis of the uses of the recreation area, including fishing, hunting, recreation, and aesthetic values. Your analysis must describe construction timing (time and duration), what activities and equipment would be involved (use of heavy equipment, etc.,) for each aspect of construction (e.g., oscillating water column, transmission line burial, stringing overhead cables, etc.), and the potential area of influence of the activities considering any mitigating environmental factors or measures that you would implement [18 CFR § 4.61(d)(2)]. This analysis should be conducted after consultation with the Forest Service.

Document Content(s)