



BRAINERD PUBLIC UTILITIES

8027 Highland Scenic Road • P.O. Box 373 • Brainerd, Minnesota 56401-0373

COMMISSION SECRETARY – Business Office 218.829.8726 – FAX 218.829.4703

SUPERINTENDENT OF UTILITIES – Repair Service Operations 218.829.2193 – FAX 218.829.2308

INTERNET WEB SITE – www.bpu.org

February 28, 2018

VIA E-FILING

Ms. Kimberly D. Bose, Secretary
Mr. Nathaniel J. Davis, Sr., Deputy Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: FERC Project No. 2533 – Brainerd, Notice of Intent to File License Application and Pre-Application Document

Dear Secretary Bose:

Pursuant to 18 CFR §§ 5.5(a) and 5.6(a), Brainerd Public Utilities (BPU) herein electronically files with the Federal Energy Regulatory Commission (FERC), this Notice of Intent (NOI) and Pre-Application Document (PAD) for the relicensing of the Brainerd Hydroelectric Project, FERC Project No. 2533 (Project). The current license for the Project expires on February 28, 2023.

BPU is the existing Licensee and the current owner and operator of the Project. The 3,542.5 kW Project is located in Crow Wing County, Minnesota.

In accordance with the Commission's regulations, 18 CFR S§ 5.5(c) and 5.6(a)(1), BPU is providing notification of the availability of the NOI and PAD to appropriate federal and state agencies, Indian tribes, local governments, and members of the public likely to be interested in the proceeding, as set forth on the attached distribution list.

All interested parties can access and download the NOI and PAD from BPU's public website: <http://bpu.org/our-services/electric/hydro/> or the FERC website: <https://www.ferc.gov/docs-filing/elibrary.asp>. A hard copy will be available for review at the following locations:

- Brainerd Public Utilities Commission, 8027 Highland Scenic Road, Baxter, MN 56425. Please note this location may be annexed to the city of Brainerd and may have a Brainerd, MN 56401 address in the future.
- Barr Engineering Co., 4300 MarketPointe Drive, Suite 200, Minneapolis, MN 55435

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Also, pursuant to 18 CFR §5.2, a printed copy of the NOI and PAD will be available to any party upon request, subject to postage and reproduction reimbursement. If requested, copies of the documents will be provided to the United States Fish and Wildlife Service (USFWS), the Minnesota Department of Natural Resources, and Indian tribes without charge for reproduction or postage.

BPU understands that within 60 days of the filing of the NOI and PAD FERC will provide public notice of the filing. Within 90 days of the filing date, FERC will hold a public scoping meeting and site visit of the Project. Written comments on the PAD must be filed with FERC, with BPU copied, within 30 days of the public scoping meeting. A more detailed schedule of the process is included in Appendix A of the PAD.

Pursuant to 18 CFR § 5.5(e) and 36 CFR §800.2(c)(4), BPU requests that FERC authorize BPU to initiate consultation with the Minnesota State Historic Preservation Office (SHPO), pursuant to Section 106 of the National Historic Preservation Act (NHPA), 16 USC § 470f, and the NHPA implementing regulations at 36 CFR Part 800. Please note 36 CFR §800.2(c)(4) requires FERC to notify SHPO and other consulting parties in writing or by e-mail if this authorization is granted.

Additionally, pursuant to 18 CFR § 5.5(e) and 50 CFR §402.08, BPU requests that FERC designate BPU as its non-federal representative to conduct informal consultation with the National Marine Fisheries Service and USFWS, pursuant to Section 7 of the Endangered Species Act for the Project.

BPU looks forward to working with FERC and other interested parties on the Project relicensing. If you have questions regarding this letter, the NOI, or the PAD, please contact me by phone at 218-825-3213 or by email at smagnuson@bpu.org.

Sincerely,

Brainerd Public Utilities



Scott Magnuson

Brainerd Public Utilities, Superintendent

Attachments:

Distribution List

Certificate of Service

NOI for the Brainerd Hydroelectric Project

PAD for the Brainerd Hydroelectric Project

cc: Distribution List

Distribution List

Federal Agencies

Advisory Council on Historic Preservation

John M. Fowler, Executive Director
Old Post Office Building
1100 Pennsylvania Ave NW STE 803
Washington, DC 20004

U.S. Bureau of Indian Affairs

Diane Rosen, Director, Midwest Regional Office
Norman Pointe II Building
5600 West American Blvd, Suite 500
Bloomington, MN 55437

Federal Emergency MGMT Agency

Brock Long, Administrator
500 C Street SW
Washington, DC 20472

Federal Energy Regulatory Commission

John Zygaj, Regional Engineer
Division of Dam Safety & Inspections
230 South Dearborn Street Room 3130
Chicago, IL 60604

US National Park Service

Randy Thoreson, Recreation Planner
111 East Kellogg Blvd. Suite 105
St. Paul, MN 55101

U.S. Senator

Office of Senator Smith
309 Hart Senate Office Building
Washington, DC 20510

U.S. Senator

Office of Senator Klobuchar
302 Hart Senate Office Building
Washington, DC 20510

U.S. Army Corps of Engineers

FERC Coordinator, St. Paul District

Robert K. Edstrom
190 5th St. East, Suite 700
St. Paul, MN 55101-1638

U.S. Bureau of Land Management

U.S. Department of the Interior
State Director
20 M Street SE Suite 950
Washington, DC 20003

U.S. Bureau of Reclamation

U.S. Department of the Interior
Commissioner
1849 C Street NW
Washington, DC 20240

U.S. Coast Guard

Navigation Standards Division
Commandant (CG-5533)
2100 2nd StREET SW Stop 7580
Washington, DC 20593-7580

U.S. Department of Agriculture - Forest Service

Regional Forester
626 East Wisconsin Avenue
Milwaukee, WI 53202

U.S. Department of Commerce

Office of the Secretary
1401 Constitution Avenue NW
Washington DC 20230

U.S. Environmental Protection Agency

Liz Pelloso, lead NEPA reviewer
77 West Jackson Boulevard
Chicago, IL 60604-3590

US Fish and Wildlife Service

Nick Utrop, Fisheries Biologist
101 American Blvd. East
Bloomington MN 55425

United States Geological Survey

Denver Federal Center
Box 25046
Denver CO 80225

Non-Government Organizations

American Canoe Association

Executive Director
1340 Central Blvd STE 210
Fredericksburg VA 22401

American Rivers

1101 14th St. NW STE 1400
Washington DC 20005-5637

Hydropower Reform Coalition

National Coordinator
1101 14th St. NW STE 1400
Washington DC 20005-5637

Trout Unlimited

227 SW Pine Street STE 200
Portland OR 97204-2700

State Agencies

Minnesota Department of Natural Resources

Charlotte W. Cohn, Hydropower Proj Planner
500 Lafayette Road
Eco. Resources – Box 25
St. Paul, MN 55155-4025

Minnesota Pollution Control Agency

Laurel Mezner Watershed Unit Supervisor
North Central Region
7678 College Road STE 105
Baxter, MN 56425

Minnesota Historical Society

State Historic Preservation Office

Sarah J. Beimers
345 Kellogg Blvd West
St. Paul MN 55102-1903

Minnesota Public Utilities Commission

Daniel P. Wolf, Secretary
121 7th Pl East, Suite 350
St. Paul, MN 55101-2163

Office of the Attorney General

Attorney General Lori Swanson
State Capitol STE 102
St. Paul MN 55155

Office of the Governor

Governor Mark Dayton
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. blvd
St. Paul MN 55155

Minnesota Geological Survey

Harvey Thorleifson, Director
2642 University Ave W
St. Paul, MN 55114-1032

Minnesota Board of Water & Soil Resources

John Jaschke, Executive Director
520 Lafayette Road North
St. Paul, MN 55155-0001

Minnesota Indian Affairs Council

161 St. Anthony Ave.
Suite 919
St. Paul, MN 55103

Local Governments

City of Brainerd

Paul Sandy, City Engineer
501 Laurel Street
Brainerd, MN 56401

City of Baxter

13190 Memorywood Drive
Baxter, MN 56425

Crow Wing County Government

326 Laurel St. Suite 13
Brainerd, MN 56401

Crow Wing Soil & Water Conservation District

322 Laurel St. #22
Brainerd, MN 56401

Township of Center

Chairwoman
22894 Antler Road
Merrfield, MN 56465

Township of Irondale

19121 County Road 12
Ironton, MN 56455

Township of Oak Lawn,

Supervisor
P.O. Box 333
Brainerd, MN 56401

Township of West Crow Wing

Chairman
6930 Cuyuna Avenue
Brainerd, Minnesota 56401

Native American Tribes**Bois Forte Band of Chippewa**

Bev Latady, THPO
1500 Bois Forte Rd
Tower, MN 55790

Cheyenne & Arapaho Tribes

Virginia Richey, THPO
PO Box 167
Concho, OK 73022

Fond du Lac Reservation

Kevin R. Dupuis, Chairman
1720 Big Lake Road
Cloquet, MN 55720

Grand Portage Reservation

Mary Ann Gagnon, THPO
P.O. Box 428
Grand Portage MN 55605

Leech Lake Historic Preservation Office

Amy Burnette, THPO
190 Sailstar Drive NE
Cass Lake, MN 56633

Lower Sioux Indian Community of Minnesota

Cheyenne St. John, THPO
39527 Reservation Highway 1 PO Box 308
Morton MN 56270

Mille Lacs Band of Ojibwe

Natalie Weyaus, THPO
43408 Oodena Drive
Onamia MN 56359

Minnesota Chippewa Tribe

Kevin R. Dupuis, President
P.O. Box 217
Cass Lake MN 56633

Otoe-Missouria Tribe of Indians

John R. Shotton, Chairman
8151 Highway 177
Red Rock OK 74651-0348

Prairie Island Indian Community of Minnesota

Noah White, THPO
5636 Sturgeon Lake Road
Welch, MN 55089

Red Lake Band of Chippewa Indians of MN

Darrell G. Seki, Sr., Chairman
15484 Migizi Dr. P.O. Box 550
Red Lake MN 56671

Santee Sioux Tribal Council

Roger Trudell, Chairman
108 Spirit Lake Ave West
Niobrara NE 68760

**Shakopee Mdewakanton Sioux Community of
Minnesota**

Bill Rudnicki, Tribal Administrator
2330 Sioux Trail NW
Prior Lake MN 55372

Upper Sioux Community of Minnesota

Kevin Jensvold, Chairman
5722 Travers Lane P.O. Box 147
Granite Falls MN 56241-0147

White Earth Reservation

Terrence Tibbetts, Chairman
P.O. Box 418
White Earth MN 56591

Certificate of Service

Certificate of Service

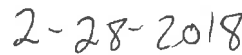
Brainerd Public Utilities

Brainerd Hydroelectric Project

FERC Project No. 2533

Notice of Intent to File License Application and Pre-Application Document

I hereby certify that copies of the foregoing document have been transmitted to the parties included in the distribution list on February 28, 2018.



Mr. Scott Magnuson
Brainerd Public Utilities, Superintendent
8027 Highland Scenic Road
P.O. Box 373
Brainerd, MN 56401
218-825-3213
smagnuson@bpu.org

Date

Notice of Intent

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

February 28, 2017

Brainerd Public Utilities' Brainerd Hydroelectric Project

FERC Project No. 2533

**NOTICE OF INTENT TO FILE
APPLICATION FOR NEW LICENSE**

Pursuant to 18 CFR § 5.5, Brainerd Public Utilities ("BPU" or "Applicant") hereby notifies the Federal Energy Regulatory Commission ("FERC" or "Commission") of its intention to file an application for a new license for the Brainerd Project ("Project"), FERC Project No. 2533. The Applicant is the current Licensee for the Project. Simultaneous with the filing of this Notice of Intent, pursuant to 18 C.F.R. §5.6, the Applicant is filing its Pre-Application Document ("PAD") for the Project with the Commission. The Applicant requests that all correspondence and service of documents relating to this notification and subsequent proceedings be addressed to:

Mr. Scott Magnuson
Brainerd Public Utilities, Superintendent
8027 Highland Scenic Rd
P.O. Box 373
Brainerd, MN 56401
218-825-3213
smagnuson@bpu.org

The following information is provided, consistent with the requirements of 18 CFR § 5.5(b).

(1) Potential applicant or existing licensee's name and address:

Brainerd Public Utilities
c/o Scott Magnuson, Superintendent
8027 Highland Scenic Rd
P.O. Box 373
Brainerd, MN 56401

(2) Project number:

The FERC Project No. is 2533.

(3) License expiration date:

The current Project license expires on February 28, 2023.

(4) Unequivocal statement of intent:

The Applicant intends to file an application for a new license for the Project utilizing the Commission's Integrated Licensing Process (ILP).

(5) Type of principal project works licensed:

From the left bank of the Mississippi River (looking downstream), the Project consists of a short left embankment, a 256-foot-long powerhouse, a 78-foot-long slide gate section, a 207-foot-long bascule (crest) gate section, a single 20-foot-wide steel tainter gate, and a 200-foot-long right embankment.

(6) The location of the project by state, county, and stream, and, when appropriate, by city or nearby city

The Project is located on the Mississippi River in the city of Brainerd in Crow Wing County, Minnesota, and the townships of Center, Irondale, Oaklawn, and West Crow Wing.

(7) The installed plant capacity:

The total installed generating capacity for the Project is 2,942.5 kilowatts.

(8) Names and mailing addresses of:

(i) Every county in which any part of the project is located and in which any federal facility that is used or to be used by the Project is located:

Crow Wing County Government
326 Laurel St., Suite 13
Brainerd, MN 56401

There are no federal facilities used by the Project.

(ii) Every city, town, or similar political subdivision:

(A) In which any part of the project is or is to be located and any federal facility that is or is proposed to be used by the Project is located:

The Project is located within the city of Brainerd and the townships of Center, Irondale, Oak Lawn, and West Crow Wing.

City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Township of Center, Chairwoman
22894 Antler Road
Merrfield, MN 56465

Township of Irondale
19121 County Road 12
Ironton, MN 56455

Township of Oak Lawn, Supervisor
P.O. Box 333
Brainerd, MN 56401

Township of West Crow Wing, Chairman
6930 Cuyuna Avenue
Brainerd, Minnesota

There are no federal facilities used or proposed to be used by the Project.

(B) That has a population of 5,000 or more people and is located within 15 miles of the existing or proposed project dam:

City of Brainerd
501 Laurel Street
Brainerd, MN 56401

City of Baxter
13190 Memorywood Drive
Baxter, MN 56425

(iii) Every irrigation district, drainage district, or similar special purpose political subdivision:

(A) In which any part of the project is or is proposed to be located and any federal facility that is or is proposed to be used by the project is located:

Crow Wing Soil & Water Conservation District
322 Laurel St., #22
Brainerd, MN 56401

BPU is not aware of any irrigation districts, drainage districts, or other special purpose political subdivisions in the immediate vicinity of the Project. No federal facility is used or is proposed to be used by the Project.

(B) That owns, operates, maintains, or uses any project facility or any federal facility that is or is proposed to be used by the Project:

No Project features are owned, operated, maintained, or used by any irrigation district, drainage district, or other special purpose political subdivisions. No federal facility is used or is proposed to be used by the Project.

(iv) Every other political subdivision in the general area of the project or proposed project that there is reason to believe would be likely to be interested in or affected by the notification:

There are no other political subdivisions in the area of the Project that we believe would be interested in or affected by this notification.

(v) Affected Indian tribes:

There are no tribal lands located within or adjacent to the FERC Project boundary. The listing below includes Native American tribes that may have an interest in the Project:

Bois Forte Band of Chippewa

Bev Latady, THPO
1500 Bois Forte Rd
Tower, MN 55790

Cheyenne & Arapaho Tribes

Virginia Richey, THPO
PO Box 167
Concho, OK 73022

Fond du Lac Reservation

Kevin R. Dupuis, Chairman
1720 Big Lake Road
Cloquet, MN 55720

Grand Portage Reservation

Mary Ann Gagnon, THPO
P.O. Box 428
Grand Portage, MN 55605

Leech Lake Historic Preservation Office

Amy Burnette, THPO
190 Sailstar Drive NE
Cass Lake, MN 56633

Lower Sioux Indian Community of Minnesota

Cheyenne St. John, THPO
39527 Reservation Highway 1 PO Box 308
Morton MN 56270

Mille Lacs Band of Ojibwe Indians

Natalie Weyaus, THPO
43408 Oodena Drive
Onamia MN 56359

Minnesota Chippewa Tribe

Kevin R. Dupuis, President
P.O. Box 217
Cass Lake MN 56633

Otoe-Missouria Tribe of Indians

John R. Shotton, Chairman
8151 Highway 177
Red Rock OK 74651-0348

Prairie Island Indian Community of Minnesota

Noah White, THPO
5636 Sturgeon Lake Road
Welch, MN 55089

Red Lake Band of Chippewa Indians of MN

Darrell G. Seki, Sr., Chairman
15484 Migizi Dr. P.O. Box 550
Red Lake MN 56671

Santee Sioux Tribal Council

Roger Trudell, Chairman
108 Spirit Lake Ave West
Niobrara NE 68760

Shakopee Mdewakanton Sioux Community of MN

Bill Rudnicki, Tribal Administrator
2330 Sioux Trail NW
Prior Lake MN 55372

Upper Sioux Community of Minnesota

Kevin Jensvold, Chairman
5722 Travers Lane P.O. Box 147
Granite Falls MN 56241-0147

White Earth Reservation Business Committee

Terrence Tibbetts, Chairman
P.O. Box 418
White Earth MN 56591