

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
April 26, 2018

OFFICE OF ENERGY PROJECTS

Project No. 2533-061– Minnesota
Brainerd Hydroelectric Project
Brainerd Public Utilities

Subject: Scoping Document 1 for the Brainerd Hydroelectric Project

To the Parties Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the Pre-Application Document filed February 28, 2018, by Brainerd Hydro, LLC (Brainerd) for the relicensing of the 3.5425-megawatt Brainerd Hydroelectric Project (Brainerd Project) (FERC No. 2533). The Brainerd Project is located on the Mississippi River, in the City of Brainerd, in Crow Wing County, Minnesota. The project does not occupy federal land.

Pursuant to the National Environmental Policy Act of 1969, as amended, Commission staff intends to prepare an environmental assessment (EA), which will be used by the Commission to determine whether, and under what conditions, to issue a new license for the project. To support and assist our environmental review, we are beginning the public scoping process to ensure that all pertinent issues are identified and analyzed, and that the EA is thorough and balanced.

We invite your participation in the scoping process and are circulating the enclosed Scoping Document 1 (SD1) to provide you with information on the Brainerd Project. We are also soliciting your comments and suggestions on our preliminary list of issues and alternatives to be addressed in the EA. We are also requesting that you identify any studies that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the EA for the project.

We will hold two scoping meetings for the Brainerd Project to receive input on the scope of the EA. An evening meeting will be held at 6:00 p.m. on Wednesday, May 16, 2018 at the Brainerd City Fire Department, 23 Laurel Street Brainerd, MN 56401. A daytime meeting will be held at 9:00 a.m. on Thursday, May 17, 2018 at the Brainerd City Fire Department, 23 Laurel Street Brainerd, MN 56401. We will also visit

the project facilities on May 16, 2018, beginning at 10:00 a.m. at the Brainerd Industrial Center, 1801 Mill Ave, Brainerd, MN 56401. Section 2.2, COMMENTS, SCOPING MEETINGS, AND ENVIRONMENTAL SITE REVIEW of the scoping document contains information on how to RSVP.

We invite all interested agencies, Tribes, non-governmental organizations, and individuals to attend one or both of these meetings. Further information on our environmental site review and scoping meetings is available in the enclosed SD1.

SD1 is being distributed to both Brainerd's distribution list and the Commission's official mailing list (see section 10.0 of the enclosed SD1). If you wish to be added to, or removed from, the Commission's official mailing list, please send your request by email to efiling@ferc.gov, or mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, D.C. 20426. All written or e-mailed requests must specify your wish to be added to, or removed from, the mailing list, and must clearly identify the project name and FERC project number (Brainerd Hydroelectric Project, P-2533-061) on the first page.

Please review SD1 and, if you wish to provide comments, follow the instructions in section 6.0, *Request for Information and Studies*. If you have any questions about SD1, the scoping process, or how Commission staff will develop the EA for this project, please contact Patrick Ely at patrick.ely@ferc.gov, or (202) 502-8570. Additional information about the Commission's licensing process and the Brainerd Project may be obtained from our website, <http://www.ferc.gov>.

Enclosure: Scoping Document 1

SCOPING DOCUMENT 1
BRAINERD HYDROELECTRIC PROJECT
PROJECT NO. 2533-061

MINNESOTA



Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
Washington, D.C.

April 2018

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SCOPING DOCUMENT 1

Brainerd Hydroelectric Project No. 2533-061

1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),¹ may issue licenses for terms ranging from 30 to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects. On February 28, 2018, Brainerd Hydro LLC (Brainerd) filed a Pre-Application Document (PAD) and Notice of Intent to seek a new license for the Brainerd Hydroelectric Project (Brainerd Project or project) (FERC Project No. 2533).²

The Brainerd Project is located on the Mississippi River in the City of Brainerd, Crow Wing County, Minnesota (figure 1). The project does not occupy federal land.

The existing Brainerd Project consists of: (1) a short left embankment; (2) a 256-foot-long powerhouse containing five turbine generators with a totaled installed capacity of 2.9425 megawatts (MW);³ (3) a 78-foot-long slide gate section; (4) a 207-foot-long bascule (crest) gate section; (5) a single 20-foot-wide steel Tainter gate; (6) a 200-foot-long right embankment; (7) a 236-foot-long, 2.4-kilovolt (kV) overhead transmission line; (8) a 25-foot-high dam; and (9) 2,500-acre impoundment. A more detailed description of the project is provided in section 3.0, *Proposed Action and Alternatives*.

¹ 16 U.S.C. §§ 791(a)-825(r).

² The current license for the Brainerd Project was issued on March 2, 1993, with an effective date of March 1, 1993, for a term of 30 years, and expires on February 28, 2023.

³ A license amendment allows for a sixth turbine generator unit, which will increase the total installed capacity to 3.5425 MW. The sixth turbine generator unit has not yet been installed. 156 FERC ¶62,045 (2016).

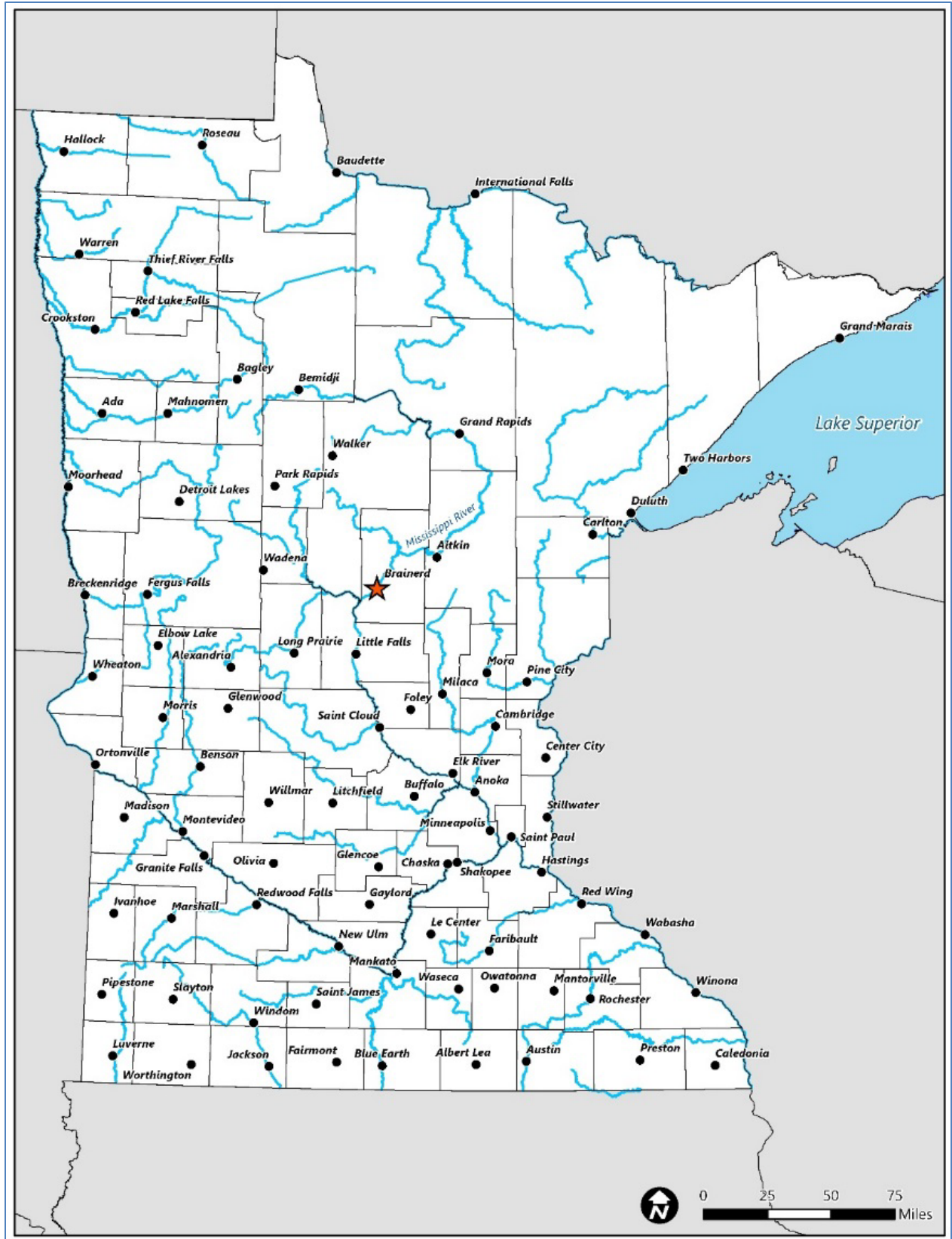


Figure 1. Project location map (Source: Brainerd, 2018)

The National Environmental Policy Act of 1969 (NEPA),⁴ the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of relicensing the Brainerd Project as proposed, and also consider reasonable alternatives to the licensee's proposed action. At this time, we intend to prepare an environmental assessment (EA) that describes and evaluates the probable effects, including an assessment of site-specific and cumulative effects, if any, of the proposed action and alternatives. The EA preparation will be supported by a scoping process to ensure that all pertinent issues are identified and analyzed.

Although our current intent is to prepare an EA, there is a possibility that an environmental impact statement (EIS) may be required. The scoping process will satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

⁴ National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321-4370(f) (2012).

2.0 SCOPING

This Scoping Document 1 (SD1) is intended to advise all participants as to the proposed scope of the EA and to seek additional information pertinent to this analysis. This document contains: (1) a description of the scoping process and schedule for the development of the EA; (2) a description of the applicant's proposed action and alternatives; (3) preliminary identification of environmental issues; (4) a request for comments and information; (5) a proposed EA outline; and (6) a preliminary list of comprehensive plans that are applicable to the project.

2.1 PURPOSE OF SCOPING

Scoping is the process used to identify issues, concerns, and opportunities for enhancement or mitigation associated with a proposed action. According to NEPA, the process should be conducted early in the planning stage of a project. The purposes of the scoping process are as follows:

- invite participation of federal, state, and local resource agencies; Tribes; non-governmental organizations (NGOs); and the public to identify significant environmental and socioeconomic issues related to the proposed project;
- determine the resource issues, depth of analysis, and significance of issues to be addressed in the EA;
- identify how the project would or would not contribute to cumulative effects in the project area;
- identify reasonable alternatives to the proposed action that should be evaluated in the EA;
- solicit from participants available information on the resources at issue, including existing information and study needs; and
- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

2.2 COMMENTS, SCOPING MEETINGS, AND ENVIRONMENTAL SITE REVIEW

During preparation of the EA, there will be several opportunities for the resource agencies, Tribes, NGOs, and public to provide input. These opportunities occur:

- during the public scoping process and study plan meetings, when we solicit oral and written comments regarding the scope of the issues and analysis for the EA;

- in response to the Commission’s notice that the project is ready for environmental analysis; and
- after issuance of the EA, when we solicit written comments on the EA.

In addition to written comments solicited by this SD1, we will hold two public scoping meetings and an environmental site review in the vicinity of the project. A daytime meeting will focus on concerns of resource agencies, NGOs, and Tribes, while an evening meeting will focus on receiving input from the public. We invite all interested agencies, Tribes, NGOs, and individuals to attend one or both of the meetings to assist us in identifying the scope of environmental issues that should be analyzed in the EA. All interested parties are also invited to participate in the environmental site review. The times and location of the meetings and environmental site review are as follows:

Environmental Site Review

Date and Time: Wednesday, May 16, 2018 at 10:00 a.m.
Location: Brainerd Industrial Center
1801 Mill Ave
Brainerd, MN 56401
Phone Number: (952) 842-3703

Evening Scoping Meeting

Date and Time: Wednesday, May 16, 2018 at 6:00 p.m.
Location: Brainerd City Fire Department,
23 Laurel Street
Brainerd, MN 56401
Phone Number: (212) 828-2312

Daytime Scoping Meeting

Date and Time: Thursday, May 17, 2018 at 9:00 a.m.
Location: Brainerd City Fire Department,
23 Laurel Street
Brainerd, MN 56401
Phone Number: (212) 828-2312

Please notify Adele Braun at (952) 842-3703, or ABraun@barr.com, by **May 9, 2018**, if you plan to attend the environmental site review. Participants must wear closed toe shoes and be 16 years or older.

The scoping meetings will be recorded by a court reporter, and all statements (verbal and written) will become part of the Commission’s public record for the project. These meetings are posted on the Commission’s calendar located on the internet at <http://www.ferc.gov/EventCalendar/EventsList.aspx?View=monthview>, along with other

related information. Before each meeting, all individuals who attend, especially those who intend to make statements, will be asked to sign in and clearly identify themselves for the record. Interested parties who choose not to speak or who are unable to attend the scoping meetings may provide written comments and information to the Commission as described in section 6.0, *Request for Information and Studies*.

Meeting participants should come prepared to discuss their issues and/or concerns as they pertain to the relicensing of the Brainerd Project. It is advised that participants review the PAD in preparation for the scoping meetings. Copies of the PAD are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (www.ferc.gov), using the "eLibrary" link. Enter the docket number, P-2533, to access the documents. For assistance, contact FERC Online Support at FERCONlineSupport@ferc.gov, or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy of the PAD is also available for inspection and reproduction by contacting: Scott Magnuson, Superintendent, Brainerd Public Utilities, 8027 Highland Scenic Road, P.O. Box 273, Brainerd, MN 56401.

Following the scoping meetings and comment period, all issues raised will be reviewed and decisions made on the level of analysis needed. If preliminary analysis indicates that any issues presented in this scoping document have little potential for causing significant effects, the issue(s) will be identified and the reasons for not providing a more detailed analysis will be given in the EA.

If we receive no substantive comments on SD1, we will not prepare a Scoping Document 2 (SD2). Otherwise, we will issue SD2 to address any substantive comments received. The SD2 will be issued for informational use only; no response will be required. The EA will address recommendations and input received during the scoping process.

3.0 PROPOSED ACTION AND ALTERNATIVES

In accordance with NEPA, the environmental analysis will consider the following alternatives, at a minimum: (1) the no-action alternative, (2) Brainerd's proposed action, and (3) alternatives to the proposed action.

3.1 NO-ACTION ALTERNATIVE

Under the no-action alternative, the Brainerd Project would continue to operate as required by the current project license (i.e., there would be no change to the existing environment). No new environmental protection, mitigation, or enhancement measures would be implemented. We use this alternative to establish baseline environmental conditions for comparison with other alternatives.

3.1.1 Existing Project Facilities

From the left bank of the Mississippi River (looking downstream) the project consists of a short left embankment, a 256-foot-long powerhouse containing five turbine generators with a total installed capacity of 2.9425 MW,⁵ 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. The project has a normal pool elevation of 1174.0 feet National Geodetic Vertical Datum 1929 (NGVD) with a surface area of about 2,500 acres and a storage capacity of 13,000 acre-feet.

Power is transmitted from the project via a 236-foot-long, 2.4-kV overhead transmission line running from the powerhouse to a pad-mounted transformer located on the left embankment directly east of the powerhouse. Power is then transferred underground to the distribution grid. Annual generation for the project is approximately 19,482 megawatt-hours.

3.1.2 Existing Project Operation

The Brainerd Project operates in a run-of-river mode, such that outflow from the project approximates inflow, and maintains a target elevation of 1174.04 feet NGVD, with fluctuations limited to 0.10 foot, as required by Article 402 of the current license.⁶ Run-of-river mode may be temporarily modified in the event of an emergency if the

⁵ Once the sixth turbine generator unit is installed, the total installed capacity will be 3.5425 MW.

⁶ 62 FERC ¶62,143 (1993).

Minnesota Department of Natural Resources agrees. The project is manually operated by one operator on duty for 24 hours a day, 7 days per week.

If the flow is less than 295 cubic feet per second (cfs), the hydraulic capacity of one unit, flow is passed over the spillway and the powerhouse is shut down. Once flows reach 295 cfs, the powerhouse is used to regulate flow to maintain reservoir level during normal flows. Once flows exceed the available powerhouse capacity, approximately 2,773 cfs, the gates are opened to pass remaining flows.

3.2 APPLICANT'S PROPOSAL

3.2.1 Proposed Project Facilities and Operations

Brainerd proposes to continue to operate the Brainerd Project in a run-of-river mode, such that outflow from the project approximates inflow. Brainerd does not propose any new developments, beyond the addition of a previously authorized sixth generating unit, or changes in project operation.

3.2.2 Proposed Environmental Measures

Brainerd proposes to operate its proposed Brainerd Project with the environmental protection, mitigation, and enhancement measures (PM&E) described in the following below. The potential need for additional PM&E measures will be evaluated during the relicensing process.

Geologic and Soil Resources

- There are no proposed PM&E measures related to geologic and soil resources for the Brainerd Project.

Aquatic Resources

- Continue to operate the project in a run-of-river mode to protect aquatic resources.

Terrestrial Resources

- There are no proposed PM&E measures related to terrestrial resources for the Brainerd Project.

Threatened and Endangered Species

- There are no proposed PM&E measures related to threatened and endangered species for the Brainerd Project.

Recreation and Land Use

- Continue to maintain existing water levels in the project reservoir to maintain current recreational uses in the reservoir and the Mississippi River.

Cultural Resources

- There are no proposed PM&E measures related to cultural resources for the Brainerd Project.

3.3 DAM SAFETY

It is important to note that dam safety constraints may exist and should be taken into consideration in the development of proposals and alternatives considered in the pending proceeding. For example, proposed modifications to the dam structure, such as the addition of flashboards or fish passage facilities, could impact the integrity of the dam structure. As the proposal and alternatives are developed, the applicant must evaluate the effects and ensure that the project would meet the Commission's dam safety criteria found in Part 12 of the Commission's regulations and the Engineering Guidelines (<http://www.ferc.gov/industries/hydropower/safety/guidelines/eng-guide.asp>).

3.4 ALTERNATIVES TO THE PROPOSED ACTION

Commission staff will consider and assess all alternative recommendations for operational or facility modifications, as well as environmental measures identified by staff, federal and state agencies, Tribes, NGOs, and the public.

3.5 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

At present, we propose to eliminate the following alternatives from detailed study in the EA.

3.5.1 Federal Government Takeover

In accordance with 18 C.F.R. § 16.14 of the Commission's regulations, a federal department or agency may file a recommendation that the United States exercise its right to take over a hydroelectric power project with a license that is subject to sections 14 and 15 of the FPA.⁷ We do not consider federal takeover to be a reasonable alternative.

⁷ 16 U.S.C. §§ 791(a)-825(r).

Federal takeover of the project would require congressional approval. While that fact alone would not preclude further consideration of this alternative, there is currently no evidence showing that federal takeover should be recommended to Congress. No party has suggested that federal takeover would be appropriate, and no federal agency has expressed interest in operating the project.

3.5.2 Non-power License

A non-power license is a temporary license the Commission would terminate whenever it determines that another governmental agency is authorized and willing to assume regulatory authority and supervision over the lands and facilities covered by the non-power license. At this time, no governmental agency has suggested a willingness or ability to take over the project. No party has sought a non-power license, and we have no basis for concluding that the Brainerd Project should no longer be used to produce power. Thus, we do not consider a non-power license a reasonable alternative to relicensing the project.

3.5.3 Project Decommissioning

Decommissioning of the project could be accomplished with or without dam removal. Either alternative would require denying the relicense application and surrender or termination of the existing license with appropriate conditions. There would be significant costs involved with decommissioning the project and/or removing any project facilities. The project provides a viable, safe, and clean renewable source of power to the region. With decommissioning, the project would no longer be authorized to generate power.

No party has suggested project decommissioning would be appropriate in this case, and we have no basis for recommending it. Thus, we do not consider project decommissioning a reasonable alternative to relicensing the project with appropriate environmental measures.

4.0 SCOPE OF CUMULATIVE EFFECTS ANALYSIS AND RESOURCE ISSUES

4.1 CUMULATIVE EFFECTS

According to the Council on Environmental Quality's regulations for implementing NEPA (40 C.F.R. 1508.7), a cumulative effect is the effect on the environment that results from the incremental effect of the action when added to other past, present and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time, including hydropower and other land and water development activities.

4.1.1 Resources That Could Be Cumulatively Affected

Based on information in the PAD for the Brainerd Project, and preliminary staff analysis, we have not identified any resources that could be cumulatively affected by the proposed continued operation of the project.

4.2 RESOURCE ISSUES

In this section, we present a preliminary list of environmental issues to be addressed in the EA. We identified these issues, which are listed by resource area, by reviewing the PAD and the Commission's record for the Brainerd Project. This list is not intended to be exhaustive or final, but contains the issues raised to date. After the scoping process is complete, we will review the list and determine the appropriate level of analysis needed to address each issue in the EA.

4.2.1 Aquatic Resources

- Effects of continued project operation on water quality (e.g., dissolved oxygen levels and water temperature) in the Mississippi River downstream of Brainerd Dam.
- Effects of continued project operation on impingement, entrainment, and turbine induced fish mortality.

4.2.2 Terrestrial Resources

- Effects of continued project operation on riparian, littoral, and wetland habitat and associated wildlife.

4.2.3 Threatened and Endangered Species

- Effects of continued project operation and maintenance on the federally threatened northern long-eared bat and the endangered gray wolf.

4.2.4 Recreation and Land Use

- Adequacy of existing recreational facilities and public access at the project to meet current and future recreational demand.
- Effects of continued project operation on recreational reservoir levels.
- Effects of continued project operation and maintenance on land use within the project area.

4.2.5 Cultural Resources

- Effects of continued project operation on properties that are included in or eligible for inclusion in the National Register of Historic Places.

5.0 PROPOSED STUDIES

Brainerd’s initial study proposal is identified by resource area in table 1. Detailed information on Brainerd’s initial study proposals can be found in the PAD. Additional studies may be added to this list based on comments provided by Commission staff, federal and state resource agencies, Tribes, and other interested participants.

Brainerd has not identified any issues relating to the following resources: geology and soils, aquatic, wildlife and botanical, rare, threatened or endangered species, aesthetic, or socio-economics. Therefore, no studies are proposed for these resource areas.

Table 1. Brainerd’s initial study proposals for the Brainerd Project. (Source: Brainerd, 2018).

Resource Area	Proposed Study/Information Need
1. Recreation and Land Use Resources	Conduct a Recreation and Inventory Planning Assessment to inventory and assess recreation facilities and use at the project.
2. Cultural Resources	Conduct a Cultural Resources Inventory Plan to assess a cultural resources survey.

6.0 REQUEST FOR INFORMATION AND STUDIES

We are asking federal, state, and local resource agencies, Tribes, NGOs, and the public to forward to the Commission any information that may assist us in conducting an accurate and thorough analysis of the project-specific and cumulative effects associated with relicensing the Brainerd Project. The types of information requested include, but are not limited to:

- information, quantitative data, or professional opinions that may help define the geographic and temporal scope of the analysis (both project-specific and cumulative effects), and that help identify significant environmental issues;
- identification of, and information from, any other EA, EIS, or similar environmental study (previous, on-going, or planned) relevant to the proposed relicensing of the Brainerd Project;
- existing information and any data that would help to describe the past and present actions and effects of the project and other developmental activities on environmental and socioeconomic resources;
- information that would help characterize the existing environmental conditions and habitats;
- identification of any federal, state, or local resource plans, and any future project proposals in the affected resource area (*e.g.*, proposals to construct or operate water treatment facilities, recreation areas, water diversions, timber harvest activities, or fish management programs), along with any implementation schedules;
- documentation that the proposed project would or would not contribute to cumulative adverse or beneficial effects on any resources. Documentation can include, but need not be limited to, how the project would interact with other projects in the area and other developmental activities; study results; resource management policies; and reports from federal and state agencies, local agencies, Tribes, NGOs, and the public;
- documentation showing why any resources should be excluded from further study or consideration; and
- study requests by federal and state agencies, local agencies, Tribes, NGOs, and the public that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the EA for the project.

All requests for studies filed with the Commission must meet the criteria found in Appendix A, *Study Plan Criteria*.

The requested information, comments, and study requests should be submitted to the Commission no later than **June 28, 2018**. All filings must clearly identify the project name and docket number on the first page: Brainerd Hydroelectric Project (P-2533-061). Scoping comments may be filed electronically via the Internet. See 18 C.F.R. 385.2001(a)(1)(iii) and the instructions on the Commission's website at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper file, mail an original to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

Register online at <http://www.ferc.gov/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support.

Questions concerning the scoping process, preparation of the EA, or how to file written comments with the Commission should be directed to Patrick Ely at (202) 502-8570, or Patrick.Ely@ferc.gov. Additional information about the Commission's licensing process and the Brainerd Project may be obtained from the Commission's website, <http://www.ferc.gov>.

7.0 EA PREPARATION SCHEDULE

At this time, we anticipate preparing a single EA. The EA will be sent to all persons and entities on the Commission's service and mailing lists for the Brainerd Project. The EA will include our recommendations for operating procedures, as well as PM&E measures that should be part of any license issued by the Commission. All recipients will then have 30 days to review the EA and file written comments with the Commission.

The major milestones, with pre-filing target dates are as follows:

<u>Major Milestone</u>	<u>Target Date</u>
Scoping Meetings	May 2018
License Application Filed	February 2021
Ready for Environmental Analysis Notice Issued	
Deadline for Filing Comments, Recommendations, and Agency Terms and Conditions/Prescriptions	
EA Issued	
Comments on EA Due	

Post-filing milestones will be established following Brainerd's filing of the final license application. A copy of the pre-filing portion of the process plan, which has a complete list of the milestones for developing the license application for the Brainerd Project, is attached as Appendix B to this SD1.

8.0 PROPOSED EA OUTLINE

The preliminary outline for the Brainerd Project EA is as follows:

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A— Draft License Conditions Recommended by Staff

9.0 COMPREHENSIVE PLANS

Section 10(a)(2)(A) of the FPA⁸ requires the Commission to consider the extent to which a project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the project. Commission staff has preliminarily identified and reviewed the plans listed below that may be applicable to the Brainerd Project. Agencies are requested to review this list and inform staff of any changes. If there are other comprehensive plans that should be considered for this list that are not on file with the Commission, or if there are more recent versions of the plans already listed, they can be filed for consideration with the Commission according to 18 C.F.R. 2.19 of the Commission's regulations. Please follow the instructions for filing a plan at <http://www.ferc.gov/industries/hydropower/gen-info/licensing/complan.pdf>.

The following is a list of comprehensive plans currently on file with the Commission that may be relevant to the Brainerd Project:

- Minnesota Department of Natural Resources. 1983. Statewide outstanding rivers inventory. St. Paul, Minnesota. March 1983.
- Minnesota Department of Natural Resources. 2015. Minnesota State Parks and Trails System Plan. St. Paul, Minnesota.
- Minnesota Department of Natural Resources. 2016. Minnesota's Wildlife Action Plan, 2015-2025. St. Paul, Minnesota.
- Minnesota Department of Natural Resources. n.d. Canoe and boating route program. St. Paul, Minnesota. 39 pamphlets.
- Minnesota Department of Natural Resources. n.d. Minnesota's State Comprehensive Outdoor Recreation Plan (SCORP): 2014-2018. St. Paul, Minnesota.
- Minnesota Department of Natural Resources. n.d. Strategic Conservation Agenda: The DNR's 10-year Strategic Plan, 2015-2025. St. Paul, Minnesota.
- Mississippi Headwaters Board. 1981. A management plan for the Upper Mississippi River. Grand Rapids, Minnesota. January 1981.

⁸ 16 U.S.C. § 803(a)(2)(A) (2012).

- National Park Service. The Nationwide Rivers Inventory. Department of the Interior, Washington, D.C. 1993
- Upper Mississippi River Basin Commission. 1981. Comprehensive master plan for the management of the Upper Mississippi River system – environmental report. Minneapolis, Minnesota. September 1981.
- Upper Mississippi River Basin Commission. 1982. Comprehensive master plan for the management of the Upper Mississippi River system. Minneapolis, Minnesota. January 1, 1982.
- U.S. Fish and Wildlife Service. 1983. Higgins Eye (*Lampsilis higginsii*) mussel Recovery Plan. Prepared by the Higgins Eye Mussel Recovery Team. Twin Cities, Minnesota. July 29, 1983.
- U.S. Fish and Wildlife Service. n.d. Fisheries USA: the recreational fisheries policy of the U.S. Fish and Wildlife Service. Washington, D.C.

10.0 MAILING LIST

The list below is the Commission’s official mailing list for the Brainerd Project. If you want to receive future mailings for this proceeding and are not included in the list below, please send your request by email to efiling@ferc.gov, or by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, D.C. 20426. All written and emailed requests to be added to the mailing list must clearly identify the following on the first page: Brainerd Hydroelectric Project (FERC No. 2533-061). You may use the same method if requesting removal from the mailing list.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this project or other pending projects. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

Mailing List for the Brainerd Project, **FERC Project No. 2533**

Allette, Inc. David Moeller, Attorney Minnesota Power, Inc. 30 West Superior Street Duluth, MN 55802-2093	Potlach Corporation Turre Sandstrom, Manager P.O. Box 511 Cloquet, MN 55720-0511
Mead and Hunt Linda Mitchell 6501 Watts Road Madison, WI 53719	Nixon Peabody LLP Elizabeth Whittle, Partner 401 Ninth St, NW – Suite 900 Washington, DC 20004
City of Brainerd Dick Johnson, City Clerk 501 Laurel Street Brainerd, MN 56401	City of Brainerd Paul Sandy, City Engineer 501 Laurel Street Brainerd, MN 56401
City of Baxter 13190 Memorywood Drive Baxter, MN 56425	City of Crosby Delores Russel, Clerk 2 2 nd St SW Crosby, MN 56441-1425

<p>City of Nisswa Jan Buss, Clerk P.O. Box 410 Nisswa, MN 56468-0410</p>	<p>City of Pillager City Clerk 306 W. Elm St Pillager, MN 56472-8037</p>
<p>Crow Wing County Government 326 Laurel St., Suite 13 Brainerd, MN 56401</p>	<p>Crow Wing Soil & Water Conservation District 322 Laurel St. #22 Brainerd, MN 56401</p>
<p>Township of Center Chairwoman 22894 Antler Road Merrfield, MN 56465</p>	<p>Township of Irondale 19121 Country Road 1 Ironton, MN 56455</p>
<p>Township of Oak Lawn Supervisor P.O. Box 333 Brainerd, MN 56401</p>	<p>Township of West Crow Wing Chairman 6930 Cuyuna Ave Brainerd, MN 56401</p>
<p>Minnesota Department of Natural Resources Charlotte Cohn, Hydro Proj Manager 500 Lafayette Road, Box 25 St. Paul, MN 55155-4025</p>	<p>Minnesota Pollution Control Agency Laurel Menzer, Watershed Unit Supervisor 7678 College Road, STE 105 Baxter, MN 56425</p>
<p>Minnesota Historical Society State Historic Preservation Office Sarah J. Beimers 345 Kellogg Blvd West St. Paul MN 55102-1903</p>	<p>Minnesota Public Utilities Commission Daniel P. Wolf, Secretary 121 7th Pl East, Suite 350 St. Paul, MN 55101-2163</p>
<p>Office of the Attorney General Attorney General Lori Swanson State Capitol STE 102 St. Paul MN 55155</p>	<p>Office of the Governor Governor Mark Dayton 130 State Capitol 75 Rev. Dr. Martin Luther King Jr. Blvd St. Paul, MN 555155</p>

<p>Minnesota Geological Survey Harvey Thorleifson, Director 2642 University Ave W St. Paul, MN 55114-1032</p>	<p>Minnesota Board of Water Soil Resources John Jaschke, Exec. Dir. 520 Lafayette Road North St. Paul, MN 55155-0001</p>
<p>Minnesota Indian Affairs Council 161 St. Anthony Ave, Suite 919 St. Paul, MN 55103</p>	<p>Minnesota Bureau of Land Management Minnesota DNR 500 Lafayette Road N #30 Saint Paul, MN 55155-4030</p>
<p>Minnesota Department of Natural Resources Division of Waters 500 Lafayette Road N Saint Paul, MN 55155-4032</p>	<p>Minnesota Department of Natural Resources Division of Forestry 500 Lafayette Road N #44 Saint Paul, MN 55155-4002</p>
<p>Minnesota Division of Lands and Minerals Director 500 Lafayette Road N Saint Paul, MN 55155</p>	<p>Minnesota Division of Parks Director 500 Lafayette Road Saint Paul, MN 55155</p>
<p>Minnesota Department of Natural Resources Fish and Wildlife 500 Lafayette Road N Saint Paul, MN 55155-4001</p>	<p>Minnesota Department of Natural Resources Environmental Planner 500 Lafayette Road N Saint Paul, MN 55155-4010</p>
<p>Minnesota Historical Society State Historic Preservation Office Briita L. Bloomberg 345 Kellogg Blvd W Saint Paul, MN 55102-1903</p>	<p>Minnesota Office of Attorney General 900 NCL Tower 445 Minnesota St Saint Paul, MN 55101-2190</p>
<p>Minnesota Pollution Control Agency William Wilde 520 Lafayette Road Saint Paul, MN 55155</p>	<p>Minnesota Pollution Control Agency John L. Stine, Commissioner 520 Lafayette Road Saint Paul, MN 55155</p>

<p>Minnesota Public Utilities Commission Secretary 121 7th Pl East, Ste 350 Saint Paul, MN 55101-2163</p>	<p>Mississippi Headwaters Board Molly McGregor, Chairperson Cass County Courthouse 300 Minnesota Ave Walker, MN 56484</p>
<p>MPCA – Assessment/Planning Section Judy Bostrom Water Quality Division 520 Lafayette Rd N Saint Paul, MN 5515-4102</p>	<p>Northwest Regional Planning Commission 1400 S River St Spooner, WI 54801-8692</p>
<p>National Park Service Randall R Thoreson 111 East Kellogg Blvd. Suite 105 St. Paul, MN 55101</p>	<p>U.S. Army Corps of Engineers FERC Coordinator St. Paul District 180 5th St East, Ste 700 Saint Paul, MN 55101-1638</p>
<p>U.S. Bureau of Indian Affairs Diane Rosen- Midwest Regional Office Norman Pointe II Bldg 5600 West American Blvd, Ste 500 Bloomington, MN 55437</p>	<p>U.S. Environmental Protection Agency Liz Pelloso, Lead NEPA reviewer 77 West Jackson Boulevard Chicago, IL 60604-3590</p>
<p>US Fish and Wildlife Service Nick Utrup, Fisheries Biologist 4101 American Blvd. East Bloomington, MN 55425</p>	<p>US Fish and Wildlife Service Field Supervisor Green Bay Field Officer 2661 Scott Tower Dr New Franken, WI 54229-9565</p>
<p>US Fish and Wildlife Service Regional Director 5600 American Blvd W Ste 990 Bloomington, MN 55437-1458</p>	<p>National Park Service Nick Chevance, Regional Environmental Coordinator 601 Riverfront Drive Omaha, NE 68128</p>
<p>National Park Service Angela Marian Tornes, Midwest Hydropower Coordinator 626 E. Wisconsin Ave, Suite 100 Milwaukee, WI 53202</p>	<p>Advisory Council on Historic Preservation John M. Fowler, Executive Director Old Post Office Building 1100 Pennsylvania Ave NW STE 803 Washington, DC 20004</p>

Federal Emergency MGMT Agency Brock Long, Administrator 500 C Street SW Washington, DC 20472	U.S. Senator Office of Senator Klobuchar 302 Hart Senate Office Building Washington, DC 20510
U.S. Senator Office of Senator Smith 309 Hart Senate Office Building Washington, DC 20510	U.S. Bureau of Reclamation U.S. Department of the Interior Commissioner 1849 C Street NW Washington, DC 20240
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. Department of Agriculture - Forest Service Regional Forester 626 East Wisconsin Avenue Milwaukee, WI 53202
U.S. Coast Guard Navigation Standards Division Commandant (CG-5533) 2100 2nd Street SW Stop 7580 Washington, DC 20593-7580	United States Geological Survey Denver Federal Center Box 25046 Denver CO 80225
U.S. Department of Commerce Office of the Secretary 1401 Constitution Avenue NW Washington DC 20230	American Rivers 1101 14th St. NW STE 1400 Washington DC 20005-5637
American Canoe Association Executive Director 1340 Central Blvd STE 210 Fredericksburg VA 22401	Trout Unlimited 227 SW Pine Street STE 200 Portland OR 97204-2700
Hydropower Reform Coalition National Coordinator 1101 14th St. NW STE 1400 Washington DC 20005-5637	Cheyenne & Arapaho Tribes Virginia Richey, THPO PO Box 167 Concho, OK 73022

Bois Forte Band of Chippewa Bev Latady, THPO 1500 Bois Forte Rd Tower, MN 55790	Fond du Lac Reservation Kevin R. Dupuis, Chairman 1720 Big Lake Road Cloquet, MN 55720
Minnesota Chippewa Tribe Norman DesChampe, President P.O. Box 217 Cass Lake MN 56633	Lac Courte Oreilles Band of Chippewa Indians Mic Isham, Chairman 13394 W Trepania Rd Bldg NOI
Grand Portage Reservation Norman DesChampe, Chairman Grand Portage Reservation Bus. Comm. PO Box 428 Grand Portage, MN 55605-0428	Leech Lake Band of Chippewa Indians George Goggleye, Chairman 115 6th Street N.W., Ste E Cass Lake, MN 56633
Leech Lake Historic Preservation Office Amy Burnette, THPO 190 Sailstar Drive NE Cass Lake, MN 56633	Mille Lacs Band of Ojibwe Natalie Weyaus, THPO 43408 Oodena Drive Onamia MN 56359
Lower Sioux Indian Community of Minnesota Cheyenne St. John, THPO 39527 Reservation Highway 1 PO Box 308 Morton MN 56270	Mille Lacs Chippewa Tribe Melanie Benjamin 43408 Oodena Dr HC 67 Onamia, MN 56359
Mille Lacs Band of Objibwe Indians Mille Lacs Chippewa Tribe Tribal Chairperson 43408 Oodena Dr Onamia, MN 563592236	Otoe-Missouria Tribe of Indians John R. Shotton, Chairman 8151 Highway 177 Red Rock OK 74651-0348
Minnesota Chippewa Tribe Kevin R. Dupuis, President P.O. Box 217 Cass Lake MN 56633	Red Lake Band of Chippewa Indians of MN Darrell G. Seki, Sr., Chairman 15484 Migizi Dr. P.O. Box 550 Red Lake MN 56671

<p>Prairie Island Indian Community of Minnesota Noah White, THPO 5636 Sturgeon Lake Road Welch, MN 55089</p>	<p>Shakopee Mdewakanton Sioux Community of Minnesota Bill Rudnicki, Tribal Administrator 2330 Sioux Trail NW Prior Lake MN 55372</p>
<p>Santee Sioux Tribal Council Roger Trudell, Chairman 108 Spirit Lake Ave West Niobrara NE 68760</p>	<p>White Earth Reservation Terrence Tibbetts, Chairman P.O. Box 418 White Earth MN 56591</p>
<p>Upper Sioux Community of Minnesota Kevin Jensvold, Chairman 5722 Travers Lane P.O. Box 147 Granite Falls MN 56241-0147</p>	

APPENDIX A
STUDY PLAN CRITERIA
18 CFR § 5.9(b)

Any information or study request must contain the following:

1. Describe the goals and objectives of each study proposal and the information to be obtained;
2. If applicable, explain the relevant resource management goals of the agencies or Tribes with jurisdiction over the resource to be studied;
3. If the requester is not a resource agency, explain any relevant public interest considerations in regard to the proposed study;
4. Describe existing information concerning the subject of the study proposal, and the need for additional information;
5. Explain any nexus between project operation and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements;
6. Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate field season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge; and
7. Describe considerations of level of effort and cost, as applicable, and why proposed alternative studies would not be sufficient to meet the stated information needs.

**APPENDIX B
BRAINERD PROJECT PROCESS PLAN AND SCHEDULE**

This process plan establishes the deadlines for the pre-filing process. If the due date falls on a weekend or holiday, the due date is the following business day. Early filings or issuances will not result in changes to these deadlines. Shaded milestones are unnecessary if there are no study disputes.

Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Brainerd	Issue Public Notice for NOI/PAD	2/28/18	5.3(d)(2)
Brainerd	File NOI/PAD with FERC	2/28/18	5.5, 5.6
FERC	Tribal Meetings		5.7
FERC	Issue Notice of Commencement of Proceeding; Issue Scoping Document 1	4/29/18	5.8
FERC	Brainerd Project Environmental Site Review and Scoping Meetings	5/16/18 & 5/17/18	5.8(b)(viii)
All stakeholders	PAD/SD1 Comments and Study Requests Due	6/28/18	5.9
FERC	Issue Scoping Document 2	8/12/18	5.10
Brainerd	File Proposed Study Plan (PSP)	8/12/18	5.11(a)
All stakeholders	Proposed Study Plan Meeting	9/11/18	5.11(e)
All stakeholders	Proposed Study Plan Comments Due	11/10/18	5.12
Brainerd	File Revised Study Plan	12/10/18	5.13(a)
All stakeholders	Revised Study Plan Comments Due	12/25/18	5.13(b)
FERC	Director's Study Plan Determination	1/9/19	5.13(c)
Mandatory Conditioning Agencies	Any Study Disputes Due	1/29/19	5.14(a)
Dispute Panel	Third Dispute Panel Member Selected	2/13/19	5.14(d)
Dispute Panel	Dispute Resolution Panel Convenes	2/18/19	5.14(d)(3)
Brainerd	Applicant Comments on Study Disputes Due	2/23/19	5.14(j)
Dispute Panel	Dispute Resolution Panel Technical Conference	2/28/19	5.14(j)

Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Dispute Panel	Dispute Resolution Panel Findings Issued	3/20/19	5.14(k)
FERC	Director's Study Dispute Determination	4/9/19	5.14(l)
Brainerd	First Study Season	2019	5.15(a)
Brainerd	Initial Study Report	1/9/20	5.15(c)(1)
All stakeholders	Initial Study Report Meeting	1/24/20	5.15(c)(2)
Brainerd	Initial Study Report Meeting Summary	2/8/20	5.15(c)(3)
All stakeholders	Any Disputes/Requests to Amend Study Plan Due	3/9/20	5.15(c)(4)
All stakeholders	Responses to Disputes/Amendment Requests Due	4/8/20	5.15(c)(5)
FERC	Director's Determination on Disputes/Amendments	5/8/20	5.15(c)(6)
Brainerd	Second Study Season	2020	5.15(a)
Brainerd	Updated Study Report due	1/8/21	5.15(f)
All stakeholders	Updated Study Report Meeting	1/23/21	5.15(f)
Brainerd	Updated Study Report Meeting Summary	2/7/21	5.15(f)
All stakeholders	Any Disputes/Requests to Amend Study Plan Due	3/9/21	5.15(f)
All stakeholders	Responses to Disputes/Amendment Requests Due	4/8/21	5.15(f)
FERC	Director's Determination on Disputes/Amendments	5/8/21	5.15(f)
Brainerd	File Preliminary Licensing Proposal	10/1/21	5.16(a)
All stakeholders	Preliminary Licensing Proposal Comments Due	12/30/21	5.16(e)
Brainerd	File Final License Application	2/28/21	5.17
FERC	Issue Public Notice of License Application Filing	3/14/21	5.17(d)(2)