

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
March 6, 2020

OFFICE OF ENERGY PROJECTS

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

VIA FERC Services

Scott Magnuson, Superintendent
Brainerd Public Utilities
8027 Highland Scenic Road
P.O. Box 273
Brainerd, Minnesota 56401

Subject: Staff Comments on the Initial Study Report and Initial Study Report Meeting Summary for the Brainerd Hydroelectric Project

Dear Mr. Olson:

We have reviewed Brainerd Public Utilities' Initial Study Report filed on January 24, 2020,¹ participated in the Initial Study Report Meeting on February 6, 2020, and reviewed the Initial Study Report Meeting Summary filed on February 10, 2020. Based on our review of the documents and participation in the meeting, we are providing comments, pursuant to 18 C.F.R. section 5.15(c)(4).

Our comments are provided in Appendix A. Unless otherwise noted, please address the comments in the Preliminary Licensing Proposal/draft license application and final license application.

¹ The Cultural Resources Study was filed separately on January 27, 2020.

If you have questions, please contact Patrick Ely at patrick.ely@ferc.gov or (202) 502-8570.

Sincerely,

Janet Hutzal, Chief
Midwest Branch
Division of Hydropower Licensing

Enclosure: Appendix A – Staff’s Comments on the Meeting Summary and Initial Study Report

Appendix A
Staff's Comments on the Meeting Summary and Initial Study Report

Recreation Use and Inventory Planning Study

- (1) In the Initial Study Report (ISR), Table 5-3, *French Rapids Access*, of the Recreation Use and Inventory Study states that the interpretive kiosk at French Rapids includes information on ski trails in the area. However, there is no further information provided on the location of these ski trails or where these trails are located in relation to the project boundary. In the ISR meeting summary filed on February 10, 2020, Brainerd Public Utilities states the ski trails are maintained by a ski club and groomed for cross-country skiing on county forest land. Please provide a map that identifies where these ski trails are located in relation to the project boundary and include any existing information on seasonal use of the ski trails in the preliminary licensing proposal (PLP) or draft license application (DLA).

Cultural Resources Study

- (2) The approved study plan requires Brainerd Public Utilities to determine the potential effects of project operation on archeological and historic resource sites within the area of potential effect (APE), including four previously identified archeological sites, and the dam and powerhouse.

The IRS includes an analysis and discussion of the Phase II evaluation of three of the archeological sites. The ISR also includes the following conclusions: 1) Phase III data recovery is not needed; 2) continued erosion monitoring is recommended in three-year intervals; and 3) that no further archeological investigations are recommended. However, the ISR does not state if the project operation and/or maintenance is anticipated to have an effect or an adverse effect on properties eligible for, or list on, the National Register of Historic Places (historic properties) within the APE. Thus, please provide a statement regarding the potential project-related effects on these three sites that underwent a Phase II assessment in the Responses to Disputes on or before April 8, 2020.

Site Access

The ISR states that due to inability to gain permission from the landowner, one of the four archaeological sites was not evaluated, as required by the approved study plan. However, no information was provided demonstrating or describing the communication efforts with the landowner. Thus, please file with the Commission documentation of communication efforts/attempts to reach the landowner, including emails, copies of letters, landowner responses, or any

other communication regarding these efforts. Please file the requested information in your Responses to Disputes by April 8, 2020.

HPMP

As a reminder, if there is an adverse effect to historic properties within the APE, it is recommended that a draft Historical Properties Management Plan (HPMP) be developed and filed for review with the PLP or DLA.