

COVER SHEET

FEDERAL ENERGY REGULATORY COMMISSION

**FINAL ENVIRONMENTAL IMPACT STATEMENT
FOR THE LEWIS RIVER PROJECTS**

Docket Nos. P-2071-000, et al.

Cover Letter

Pages i to vi

FEIS

FEDERAL ENERGY REGULATORY COMMISSION

Washington, DC 20426

TO THE PARTY ADDRESSED

Attached is the final environmental impact statement (EIS) for the applications for new license (relicense) for PacifiCorp's three existing hydroelectric projects and Public Utility District No. 1 of Cowlitz County's (Cowlitz PUD's) one existing project on the North Fork Lewis River in Cowlitz, Clark, and Skamania counties, Washington. This final EIS was prepared pursuant to requirements of the National Environmental Policy Act of 1969 (NEPA) and Federal Energy Regulatory Commission (Commission) Regulations Implementing NEPA (18 CFR Part 380).

The final EIS documents the views of government agencies, nongovernmental organizations, affected Native American Tribes, the public, the license applicants, and the Commission's staff. It contains staff's recommendations on licensing for PacifiCorp's Swift No. 1 (FERC No. 2111), Yale (FERC No. 2071), and Merwin (FERC No. 935) projects, and Cowlitz PUD's Swift No. 2 Project (FERC No. 2213).

Before the Commission makes a licensing decision, it will take into account all concerns relevant to the public interest. The final EIS will be part of the record from which the Commission will make its decision. The final EIS was sent to the U.S. Environmental Protection Agency and made available to the public on or before March 24, 2006.

Copies of the final EIS are also available for review in the Commission's Public Reference Branch, Room 2-A, located at 888 First Street, N.E., Washington, DC 20426. The final EIS also may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link.

This page intentionally left blank.

**FINAL ENVIRONMENTAL IMPACT STATEMENT
FOR HYDROPOWER LICENSES**

Lewis River Projects
Swift No. 1 (Project No. 2111)
Swift No. 2 (Project No. 2213)
Yale (Project No. 2071)
Merwin (Project No. 935)
Washington

Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
888 First Street, NE
Washington, DC 20426

March 2006

This page intentionally left blank.

COVER SHEET

- a. Title: Relicensing the Swift No. 1 (FERC No. 2111-018), Yale (FERC No. 2071-013), Merwin (FERC No. 935-053), and Swift No. 2 (FERC No. 2213-011) projects
- b. Subject: Final Environmental Impact Statement
- c. Lead Agency: Federal Energy Regulatory Commission
- d. Abstract: PacifiCorp (applicant) filed an application for new license (relicense) for the Swift No. 1 (FERC No. 2111-018), Yale (FERC No. 2071-013), and Merwin (FERC No. 935-053) projects, and Public Utility District No. 1 of Cowlitz County (Cowlitz PUD) filed an application for new license for the Swift No. 2 Project (FERC No. 2213-011). All the projects are located on the North Fork Lewis River in Cowlitz, Clark, and Skamania counties, Washington. PacifiCorp and Cowlitz PUD also filed a settlement agreement with interested agencies and other parties that outlines PacifiCorp's and Cowlitz PUD's proposed measures for protection and enhancement of environmental resources in the project areas. No increase in generating capacity is proposed for any of the projects.
- The primary environmental resource issues analyzed in this final EIS are potential effects on (1) water quantity and quality, (2) aquatic resources, (3) terrestrial resources, (4) recreational resources, (5) land use and aesthetic resources, and (6) cultural resources.
- e. Contact: Ann-Ariel Vecchio
Federal Energy Regulatory Commission
Office of Energy Projects
888 First Street, NE
Washington, DC 20426
202-502-6351
- f. Transmittal: This final EIS prepared by the Commission's staff in connection with the relicense applications filed by PacifiCorp for the existing Swift No. 1 (FERC No. 2111-018), Yale (FERC No. 2071-013), and Merwin (FERC No. 935-053) projects, and by Cowlitz PUD for the Swift No. 2 Project (FERC No. 2213-011), is being made available to the public in March 2006 as required by the National Environmental Policy Act of 1969 (NEPA) and the Commission's Regulations Implementing NEPA (18 CFR Part 380).

This page intentionally left blank.

FOREWORD

The Federal Energy Regulatory Commission (Commission), pursuant to the Federal Power Act (FPA)¹ and the U.S. Department of Energy (DOE) Organization Act² is authorized to issue licenses for up to 50 years for the construction and operation of non-federal hydroelectric developments subject to its jurisdiction, on the necessary conditions:

[T]hat the project adopted . . . shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water power development, for the adequate protection, mitigation, and enhancement of fish and wildlife (including related spawning grounds and habitat), and for other beneficial public uses, including irrigation, flood control, water supply, and recreational and other purposes referred to in section 4(e) . . .³

The Commission may require such other conditions not inconsistent with the FPA as may be found necessary to provide for the various public interests to be served by the project.⁴ Compliance with such conditions during the licensing period is required. Section 385.206 (1987) of the Commission's Rules of Practice and Procedure allows any person objecting to a licensee's compliance or noncompliance with such conditions to file a complaint noting the basis for such objection for the Commission's consideration.⁵

¹ 16 U.S.C §§791(a)-825(r), as amended by the Electric Consumers Protection Act of 1986, Public Law 99-495 (1986) and the Energy Policy Act of 1992, Public Law 102-486 (1992).

² Public Law 95-91 Stat. 556 (1977).

³ 16 U.S.C. §803(a).

⁴ 16 U.S.C. §803(g).

⁵ 18 CFR §385.206.

This page intentionally left blank.