

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426
August 5, 2008

OFFICE OF ENERGY PROJECTS

Project No. 349-150-Alabama
Martin Dam Hydroelectric Project
Alabama Power Company

Re: Scoping of environmental issues for relicensing the Martin Dam Project

To the Parties Addressed:

The Federal Energy Regulatory Commission (Commission) is reviewing the Pre-Application Document (PAD) submitted to the Commission by Alabama Power Company (Alabama Power) on June 5, 2008 for relicensing the Martin Dam Hydroelectric Project (FERC No. 349-150). The project is located on the Tallapoosa River in Tallapoosa, Coosa, and Elmore counties, Alabama, near the towns of Alexander City and Dadeville, Alabama. Alabama Power will use the Commission's Integrated Licensing Process (ILP) to relicense the project. Under the ILP, Alabama Power must file their preliminary licensing proposal or a draft license application for the continued operation of the project by December 10, 2010. The final license application must be filed with the Commission on or before June 8, 2011. The current license for the project expires on June 8, 2011.

Pursuant to the National Environmental Policy Act of 1969, as amended, the Commission staff intends to prepare an environmental assessment (EA) on the project. The EA would be used by the Commission to determine whether, and under what conditions, to issue a new license. To support and assist our environmental review, we are conducting a 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 to provide you with information on the project and to solicit comments and suggestions on our preliminary list of issues and alternatives to be addressed in the EA. Please review this scoping document and, if you wish to provide comments, follow the instructions included in section 5.0 *Request for Information and Studies*. Besides our request for information in section 5.0 of the scoping document, the Commission's ILP regulations require that parties wishing to submit comments on the

PAD or staff's scoping document, or wishing to request studies, do so within 60 days of the issuance date of the scoping document.¹

As part of our scoping process and in an effort to identify issues, concerns, and opportunities associated with the proposed action, we will hold two scoping meetings on September 11, 2008, to receive input on the scope of the EA. A daytime meeting focused on resource agencies, Indian tribes, and non-governmental organizations (NGO's), will begin at 9 a.m. An evening meeting, primarily for the public, will start at 6 p.m. Both meetings will be held at the Central Alabama Community College, 1675 Cherokee Road, Alexander City, Alabama 35010. The public, agencies, Indian tribes, and NGOs may attend either or both meetings. We will also visit the project facilities and sites on Lake Martin on Wednesday, September 10, 2008 starting at 9 a.m. from the Martin Dam powerhouse located at 675 Overlook Drive, Dadeville, Alabama 36853. Anyone interested in attending the site visit should contact Viki Pate, at (205) 257-2211 or by e-mail at vjpate@southernco.com by September 3, 2008. More information about the scoping meetings and site visit is available in the scoping document.

The scoping document is being distributed to both the licensee's distribution list and the Commission's official mailing list (see section 9.0). If you wish to be added to or removed from the Commission's official mailing list, please send your request by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written, electronic filings, or e-mailed requests must specify your wish to be removed or added to the mailing list and must clearly identify the following on the first page: Martin Dam Project No. 349-150. For assistance with electronic filing or e-mail notification registration, please refer to the instructions in section 5.0 of the scoping document.

Please review the scoping document and, if you wish to provide comments, follow the instructions in section 5.0. The deadline for filing comments is October 13, 2008. Please direct any questions about the Martin Dam Project relicensing to Lee Emery at (202) 502-8379, or lee.emery@ferc.gov.

Enclosure: Scoping Document

cc: Mailing List
Public Files

¹ CFR 18 Section 5.9 *Comments and information or study requests*

**SCOPING DOCUMENT
MARTIN DAM HYDROELECTRIC PROJECT**

ALABAMA

PROJECT NO. 349-150

Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
Washington, DC

August 2008

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1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),² may issue licenses for up to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects. On June 5, 2008, Alabama Power Company (Alabama Power), the current licensee, filed a Notice of Intent (NOI) to seek a new license³ and a Pre-Application Document (PAD) for the 182.5-megawatt (MW) Martin Dam Hydroelectric Project (FERC Project No. 349-150). The Martin Dam Project is located on the Tallapoosa River in northeast Alabama, in Tallapoosa, Coosa, and Elmore Counties, Alabama, near the cities of Alexander City and Dadeville, Alabama. Alabama Power is using the Integrated Licensing Process (ILP). Alabama Power intends to file its application for a new license for the project with the Commission on or before June 8, 2011. No federal lands occur within the project boundary.

The National Environmental Policy Act (NEPA) of 1969,⁴ the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of licensing the project as proposed, as well as consider reasonable alternatives to the proposed action. Based on our review of the PAD and preliminary analysis of the issues, we propose to prepare an Environmental Assessment (EA) that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed action and alternatives considered. This scoping process will help us to identify the pertinent issues that we will need to analyze in the EA.

² 16 U.S.C. §§ 791(a)-825(r) (2000).

³ The current license for the Martin Dam Project was issued on May 11, 1978 (3 FERC ¶61,137 (1978), for a term of 40 years with an effective date of May 1, 1978; the license expires on June 8, 2013.

⁴ 42 U.S.C. §§ 4321-70(f) (2000).

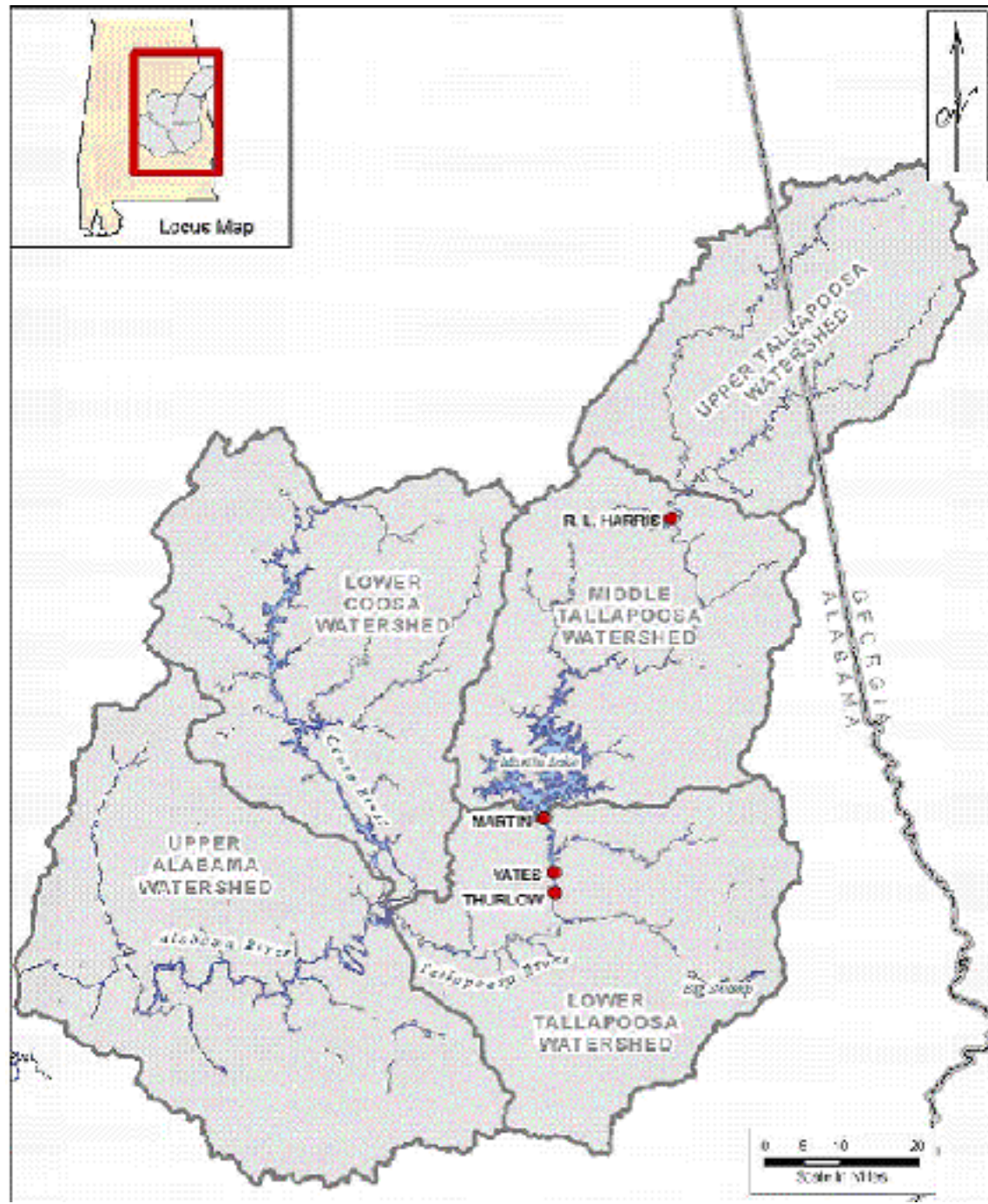


Figure 1. Location of the Martin Dam Project No. 349-150 (Source: Alabama Power, 2008, as modified by staff).

2.0 SCOPING

This scoping document is intended to advise all participants about the proposed scope of the EA and to seek additional information pertinent to this analysis. This document contains a brief description of: (1) the scoping process and schedule for developing the EA; (2) a description of the proposed action and alternatives; (3) a preliminary identification of environmental issues and proposed studies; (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 Purposes of Scoping

Scoping is the process used to identify issues, concerns, and opportunities associated with a proposed action. The process, according to NEPA, 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, Indian tribes, non-governmental organizations (NGOs), and other interested persons to help us identify significant environmental and socioeconomic issues related to the proposed action;
- determine the resource areas, depth of analysis, and significance of issues to be addressed in the EA;
- identify how the project would or would not contribute to cumulative impacts 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; and
- determine the resource areas and potential issues that do not require detailed analysis during review of the project

2.2 Comments and Scoping Meetings

Between now and the Commission's licensing decision, there will be three opportunities for the public and resource agencies to comment on the scope and contents of the EA:

- during the public scoping process and study plan meetings, prior to preparation of the EA, so Commission staff can receive written comments regarding scope and content;
- in response to the Commission's ready for environmental analysis notice; and
- after issuance of the EA, so that staff can receive written comments on the EA.

In addition to written comments solicited by this scoping document, Commission staff will hold two public scoping meetings in the vicinity of the project. A daytime meeting will focus on resource agency concerns and an evening meeting will focus on receiving input from the public. We invite all interested agencies, Indian tribes, NGOs, and individuals to attend one or both of the meetings to assist staff in identifying environmental issues that should be analyzed in the EA. The times and locations of the meetings are listed below.

Daytime Scoping Meeting

Date: Thursday, September 11, 2008
 Time: 9:00 a.m. to 12:00 noon
 Location: Central Alabama Community College
 Betty Carol Graham Center at Alexander City Campus
 1675 Cherokee Road
 Alexander City, AL 35010

Evening Scoping Meeting

Date: Thursday, September 11, 2008
 Time: 6:00 p.m. to 8:00 p.m.
 Location: Central Alabama Community College
 Betty Carol Graham Center at Alexander City Campus
 1675 Cherokee Road
 Alexander City, AL 35010

The licensee and Commission staff will conduct a site visit of the project on Wednesday, September 10, 2008, starting at 9 a.m. The site visit will entail touring the project dam and powerhouse from 9:00 a.m. to 12 noon. From 1:30 to 4:00 p.m. participants will visit several sites around Lake Martin via pontoon boats that will be provided by Alabama Power. These lake sites will include DARE Park, Wind Creek State Park, and the Kowaliga arm of Lake Martin. Those wishing to participate in either the tour of the dam or the pontoon boat tour should provide their own transportation to the Martin dam powerhouse where parking will be available on the east side of the dam. The time and location of the tours are listed below. To appropriately accommodate persons interested in attending these site tours, participants should contact Viki Pate at (205) 257-2211 or vjpate@southernco.com on or before September 3, 2008.

Date: Wednesday, September 10, 2008
 Time: 9:00 a.m. to 12:00 noon (dam and powerhouse tour)
 1:30 to 4:00 p.m. (pontoon boat tour)
 Location: Martin Dam powerhouse at 675 Overlook Drive,
 Dadeville, AL 36853
 Phone: (205) 257-2211

The scoping meetings will be recorded by a court reporter, and both written and verbal statements will become part of the Commission's public record for the project. Individuals presenting statements at the meetings will be asked to clearly identify themselves for the record. Interested parties who choose not to speak or who are unable to attend any of the scoping meetings may provide written comments and information to the Commission as described in section 5.0 of this scoping document. These meetings will be posted on the Commission's calendar, located on the internet at <http://www.ferc.gov/EventCalendar/EventsList.aspx>, along with other related information.

Meeting participants are encouraged to come to the scoping meetings prepared to discuss their issues and/or concerns as they pertain to relicensing the Martin Dam Project. To prepare for the scoping meetings, we ask that participants please review the PAD. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, P-349, to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@FERC.gov or call toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

Following the scoping meetings and comment period, all issues raised will be reviewed and decisions will be made about the level of analysis needed. If our preliminary analysis shows 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 noted in the EA.

If we receive no substantive comments on this scoping document, then we will not prepare a Scoping Document 2 (SD2). If we issue an SD2, it will be for informational use only and will not require a response from any participant in the process. The EA will address the major issues identified during the scoping process.

3.0 PROPOSED ACTION AND ALTERNATIVES

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

3.1 Alabama Power's Proposed Action

Alabama Power is seeking a new license for the continued operation and maintenance of the Martin Dam Project. The Commission will consider whether, and under what conditions, to issue a new license for the project.

3.1.1 Description of Existing and Proposed Project Facilities

Martin Dam is located at river mile (RM) 420.0 on the Tallapoosa River near the cities of Alexander City and Dadeville, Alabama. Martin Dam impounds about 31 miles of the Tallapoosa River, forming Martin Reservoir (or Lake Martin), a 40,000-acre reservoir with (a) 700 miles of shoreline, (b) a gross storage capacity of 1,622,000 acre-feet, and (c) active storage of 1,381,077 acre-feet at a 45.5-foot drawdown.

The existing Martin Dam Project consists of: (1) a concrete gravity dam and an earth dike section, totaling about 2,000 feet (ft) in length with a maximum height of 168 ft, and includes (a) a 720-foot-long gated spillway section with 20 vertical lift spillway gates, each measuring 30 ft wide by 16 ft high; (b) a 250-foot-long concrete gravity intake structure, (c) a 255-foot-long concrete gravity non-overflow section, and (d) an approximately 1,000-foot-long earth embankment; (2) a reservoir with a surface area of 40,000 acres at the normal full pool elevation of 491 feet mean sea level (msl); (3) headworks containing four steel penstocks and 12 intake gates, each fitted with trash racks; (4) a brick and concrete, steel-frame powerhouse, 307 foot long, 58 foot wide, and 99 foot high; (5) four vertical Francis turbines that power four generating units with a total installed capacity of 182.5 MW; (6) two 450-foot-long transmission lines; and (7) appurtenant facilities. The project generates about 33,000,000 megawatts per hour (MWh) annually.

3.1.2 Existing and Proposed Project Operation

The Martin Dam Project operates as a peaking project using a multipurpose storage reservoir (Lake Martin). The water levels in Lake Martin fluctuate seasonally to provide the many benefits the project was built to support. These purposes include hydroelectric power, limited seasonal flood control when the reservoir is in drawdown condition, recreation, municipal and industrial water supply, water quality enhancement, aquatic flow maintenance, and navigation flow support.

Under its normal peaking operations, the project operates within elevations 481 and 491 msl. Flows from the dam vary from leakage during periods of non-generation to 17,900 cubic feet per second (cfs) during generation. The Martin Dam Project typically generates Monday through Friday for eight hours per day. Releases from Martin Dam flow directly into Alabama Power's Yates and Thurlow Hydroelectric Project (FERC Project No. 2407). The Thurlow dam is required to release a minimum of 1,200 cfs. Releases from Martin dam are often necessary to maintain the 1,200-cfs minimum flow requirement.

Alabama Power uses three guide curves for the Martin Dam Project: (1) a flood control guide; (2) an operating guide; and (3) a drought contingency curve. These guide curves are presented in Figure 2. The flood control guide maximizes lake elevations for flood control purposes. The operating guide limits fluctuations in Lake Martin to water levels that stakeholders deemed acceptable during the previous relicensing process for the Martin Dam Project. The area between the flood control guide and operating guide represents the range that Alabama Power operates the project under normal inflow conditions.

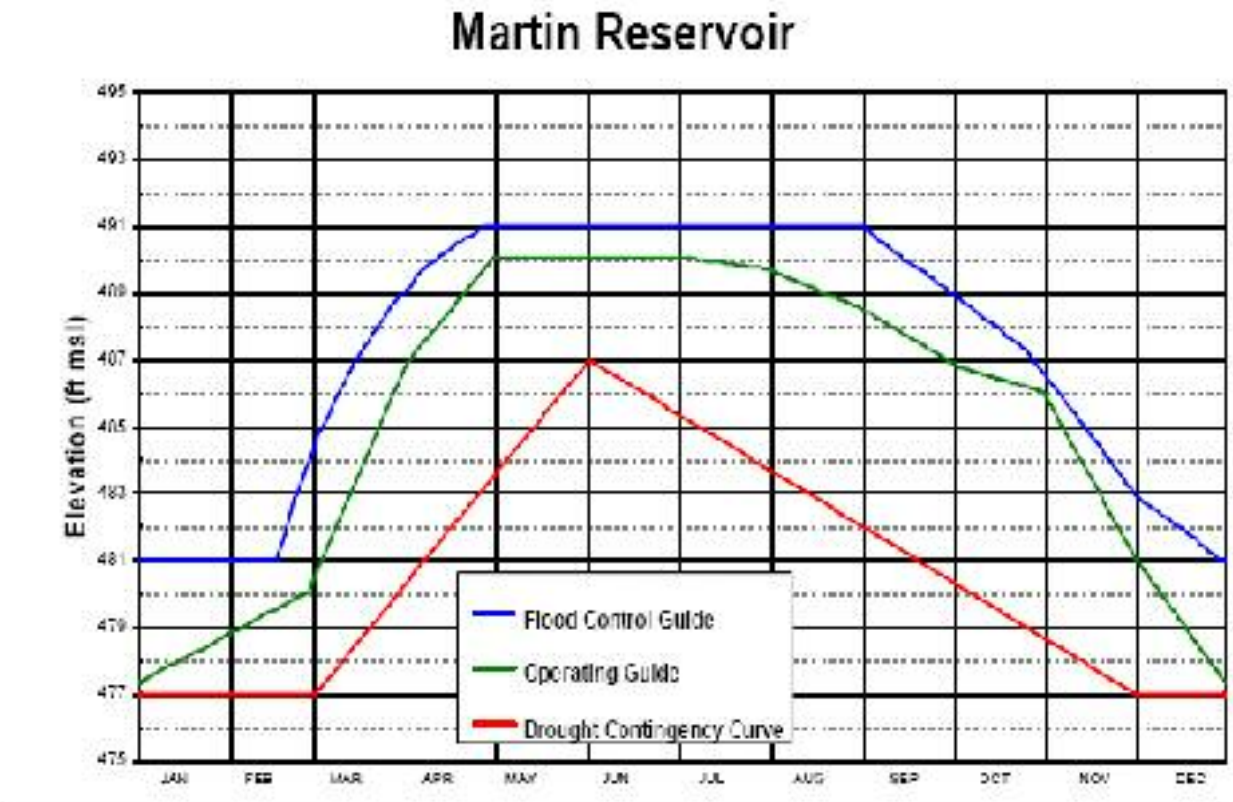


Figure 2. Existing rule curves for the Martin Dam Project No. 349-150. Curved lines in figure represent water elevations in Lake Martin during flooding (top), current operating mode (center), and drought conditions (bottom line) (Source: Alabama Power, 2008, [Figure 4.4-1 in the PAD]).

3.1.3 Proposed Studies

The following are Alabama Power's list of potential studies that it deems necessary to help determine the environmental effects associated with relicensing the Martin Dam Project. Additional studies may be needed based on comments provided by the Commission, federal and state resource agencies, interested participants, and Indian tribes.

Alabama Power has not identified any issues relating to aesthetic resources. Therefore, no studies are proposed for this resource area.

The potential studies identified by Alabama Power are organized by resource area as listed below.

Resource Area	Study Plan
1. Geology and Soils	<i>Erosion, Sedimentation, and Nuisance Vegetation</i> —Collect information about current bank erosion along the shoreline of Lake Martin and along the banks of the Tallapoosa River in the tailrace area downstream from Martin Dam. The study would collect information about sedimentation occurring in the area of Irwin Shoals in Lake Martin and at the mouths of selected tributaries entering the lake. In addition, the study would also document the presence or absence of nuisance aquatic vegetation at sedimentation sites that are identified.
2. Water Resources	<i>Water Quantity, Water Use, and Water Withdrawals</i> —Conduct a literature-based study identifying all known entities withdrawing water from Lake Martin, from Alabama Power-owned lands within the Project boundary, and from specific tributaries entering Lake Martin. The document produced from the study would also contain a description of Alabama Power’s water withdrawal permitting process.
3. Water Resources	<i>Water Quality in Lake Martin</i> —Collect water quality information from Lake Martin and from the tailwaters downstream from Martin Dam. In addition, Alabama Power may collect nutrient information from selected embayments associated with tributaries entering Lake Martin. The data collected would be used to specifically address the water quality certification for the project.
4. Water Resources	<i>Lake Martin Rule Curve Change</i> —Develop a model to determine the feasibility of revising the current rule curve used by the Project. The model would examine raising the winter pool level of Lake Martin by up to 5 feet and extending the summer pool level in the lake into October and November. Alabama Power would also review the current drought contingency curve as part of the study model and potential flood effects associated with a higher winter pool.
5. Water Resources	<i>National Pollution Discharge Elimination System (NPDES) Permits</i> —Conduct a literature review to locate and identify all NPDES permits issued to entities discharging into Lake Martin (including specific point source discharges on specific tributaries entering Lake Martin) and include their authorized effluent discharge limits. Once the list is compiled, the information would be added to a Geographic Information System (GIS) overlay being developed for the project.

Resource Area	Study Plan
6. Fish and Aquatic Resources	<i>Migratory Fish</i> —Conduct a literature-based review of available data on migratory fish currently using, and that historically used, the Tallapoosa River. The American eel was collected downstream from the Thurlow Development and is one of the migratory species of concern.
7. Fish and Aquatic Resources	<i>Shoreline Habitat Assessment</i> —Evaluate four nearshore habitat types ⁵ to determine which type of habitat and structural material or methodology provides the best shoreline refuge habitat for aquatic organisms.
8. Fish and Aquatic Resources	<i>Project Operation and Minimum Flows</i> —Evaluate the current project peaking operation and any flexibility there may be to change this operation, as measured (1) in the tailrace immediately downstream from the Martin Dam and (2) in the Tallapoosa River downstream from the Thurlow Dam. After the data is compiled on current project operations, field surveys may be conducted to collect biological data and water quality data at the two sites evaluated.
9. Fish and Aquatic Resources	<i>Fish Entrainment and Turbine Mortality</i> —Conduct a literature-based study that analyzes data from other fish entrainment and turbine mortality studies to compare and obtain estimates of fish entrainment and mortality caused by the Martin Dam Project. Alabama Power proposes to use hydroacoustics to provide limited field verification of the fish entrainment estimates determined from the study. These verifications would focus on project effects to stocked populations of striped bass and Florida-strain largemouth bass.

⁵ The four habitat types are: (1) natural undeveloped; (2) traditional sea walls; (3) sea wall/ rip rap; and (4) large stone or rock faced shorelines.

Resource Area	Study Plan
10. Fish and Aquatic Resources	<i>Striped Bass Tagging Studies</i> —Conduct an Expert Panel review of project impacts to the stocked striped bass populations in Lake Martin. Based on those findings, Alabama Power may perform a telemetry study on striped bass in Lake Martin to determine (a) striped bass movements in the lake when it undergoes stratification, particularly during the summer and fall when striped bass seek thermal temperatures refuges in the lake, and (b) any impacts of project operations on those refugia.
11. Wildlife Resources	<i>Wildlife Management Plan (Wildlife Plan)</i> — Some land holdings within the project boundary are designated as “Natural and Undeveloped” and have the potential to be managed for enhancing native vegetation and wildlife. ⁶ A Wildlife Plan would be developed in concert with other proposed studies (e.g., the Shoreline Management Plan [Shoreline Plan], and Rare, Threatened, and Endangered (RTE) species surveys) to better manage the 8,800 acres of land within the project boundary.
12. Threatened and Endangered Species	<i>RTE Surveys</i> —Conduct surveys to identify the location and abundance of RTE species within the project boundary (including land and water holdings). Additional tributary sites adjacent to the project boundary may also be included in the surveys if they are affected by project operations. The survey results would identify RTE organisms potentially affected by on-going and proposed project operations and help identify ways of limiting and/or enhancing project effects on those organisms.
13. Recreation and Land Use	<i>Shoreline Management Plan</i> —Develop land use classifications and best management practices, as well as review existing land use maps and shoreline permitting regulations for Alabama Power-owned lands within the project boundary. In addition, Alabama Power would review other proposed relicensing studies (e.g., RTE study, Wildlife Plan, water quality, etc.) and integrate those results, as appropriate into the Shoreline Plan. The Shoreline Plan would combine GIS overlays of all lands within the project boundary with their current land use designation.

⁶ For example, enhancing long-leaf pine forests on project lands could benefit the red-cockaded woodpecker and bald eagles, etc.

Resource Area	Study Plan
14. Recreation and Land Use	<i>Recreation Plan</i> —Develop a Recreation Plan for the project that addresses existing and potential recreational use of the project based on recreation data collected in 2007 at the project.
15. Cultural Resources	<i>Cultural Resources Study</i> —Conduct a literature-based analysis of known historic properties, including properties that may be of interest to Indian tribes potentially affected by the project; use aerial imagery of the project lands to determine project lands that may contain cultural resources; and develop a model to identify areas with a high probability of containing cultural resources that may need to be surveyed. In addition, develop a Historic Properties Management Plan for the Project.
16. Socioeconomics	<i>Proposed Rule Curve Changes on Socioeconomics</i> —Evaluate and estimate the social and economic effects of the proposed rule curve change. The study would examine potential socioeconomic effects on visitors coming to the Lake Martin Project for recreational activities, lakeshore property values, and reservoir related businesses.

3.2 Staff's Modification of the Proposed Action

We will consider various alternatives, including environmental measures not proposed by Alabama Power. We will consider and assess all alternative recommendations for operational or facility modifications, as well as protection, mitigation, and enhancement measures identified by us (the Commission staff), the agencies, Indian tribes, NGOs, and the general public. To the extent that modifications would reduce power production from the project, we will evaluate the costs of providing an equivalent amount of fossil-fueled power generation, and the contributions of such generation to airborne pollution.

3.3 No Action Alternative

Under no-action, the Martin Dam 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.

3.4 Alternatives Considered but Eliminated from Detailed Study

At present, we propose to eliminate the following alternatives from detailed and comprehensive analyses in the EA.

3.4.1 Federal Government Takeover

In accordance with the Commission's regulations,⁷ 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.⁸ We do not, in this case, consider federal takeover to be a reasonable alternative. 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. This alternative has not been raised as a reasonable or appropriate alternative, nor has any federal agency expressed an interest in operating the project.

3.4.2 Nonpower License

A non-power license is a temporary license which the Commission would terminate whenever it determines that another governmental agency will assume regulatory authority and supervision over the lands and facilities covered by the non-power license. Hence, issuing a non-power license for the project would not provide a long-term solution to the issues presented. To date, no party has sought a non-power license, and we have no basis for concluding that the project should no longer be used to produce power. Thus, we do not consider a non-power license to be a reasonable alternative to some form of new license with enhancement measures.

3.4.3 Project Decommissioning

The project decommissioning alternative would involve: (1) denial of the license application for the Martin Dam Project; and (2) ceasing power generation at the project. At a minimum, project decommissioning would have the following effects: (1) the energy currently generated by the project would be lost (about 33,000,000 MWh annually); and (2) there would be significant costs associated with decommissioning the project powerhouse and appurtenant facilities. Because no agency, tribe or stakeholder has suggested that project decommissioning would be an appropriate alternative for the Martin Dam Project, we have no basis for recommending decommissioning. Therefore,

⁷ 18 CFR § 16.14 (2007).

⁸ 16 U.S.C. §§ 14 and 15 (2000).

we do not consider project decommissioning a reasonable alternative to relicensing the project with appropriate environmental enhancement measures.

4.0 SCOPE OF CUMULATIVE ANALYSIS AND RESOURCE ISSUES

4.1 Cumulative Effects

According to the Council on Environmental Quality's regulations for implementing NEPA (40 CFR Section 1508.7), a cumulative effect is an impact on the environment resulting from the incremental impacts of the action when added to other past, present and reasonably foreseeable future actions, regardless of what agency 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

We have reviewed the information provided in the PAD developed for the Martin Dam Project. Based on our preliminary analysis of the PAD, we have identified fishery and water resources as resources that could be cumulatively affected by the proposed relicensing of the Martin Dam Project.

4.1.2 Geographic Scope

The geographic scope of the analysis defines the physical limits or boundaries of the proposed action's effect on the resources. Because the proposed action would affect the resources differently, the geographic scope for each resource may vary. For any resources that participants recommend we analyze for cumulative effects, we are also asking them to recommend the geographic scope of what they think is appropriate for each resource identified.

For fishery resources we chose the Tallapoosa River from the upstream end of the project boundary extending downstream to project-affected waters below the Thurlow Development. We chose the above geographic boundary because the presence and operation of the Martin Dam Project, along with the Yates and Thurlow hydroelectric project could affect the movements of fish and fish populations in the Tallapoosa River.

The geographic scope for water resources would be the Tallapoosa River from the project boundary within Lake Martin, downstream to project-affected stream reaches affected by operational flow releases downstream from the Thurlow dam. This boundary was selected because of the direct interaction between the Martin Dam Project and the

Yates and Thurlow Project and because of the indirect association with other water users (e.g., both consumptive and wastewater releases into Lake Martin) in the area.

4.1.3 Temporal Scope

The temporal scope of the our cumulative effects analysis in the EA will include a discussion of past, present, and future actions and their respective effects on each resource that could be cumulatively affected. Based on the potential term of a new license, the temporal scope will look 30-50 years into the future, concentrating on the effect on the resources from reasonably foreseeable future actions. The historical discussion will be limited, by necessity, to the amount of available information for each resource.

4.2 Resource Issues

In this section, we present the preliminary list of environmental issues and concerns to be addressed in the EA. This list is not intended to be exhaustive or final, but is an initial listing of issues we have identified to date associated with relicensing the project. We may modify or add to the list of issues based on comments received during scoping. After scoping is completed, we will review this list and determine the appropriate level of analysis needed to address each issue in the EA. For convenience, the issues have been listed by resource area. Those issues identified by an asterisk (*) will be analyzed for both cumulative and site-specific effects.

4.2.1 Geology and Soils Resources

- Effects of proposed project operation and rule curve changes on erosion of reservoir and island shorelines, on erosion of riverbanks in project-affected stream reaches downstream from Martin dam, and any increased sedimentation in Lake Martin caused by project operation.

4.2.2 Water Resources

- Effects of the proposed project operation on water quality in Lake Martin, as well as effects on temperature and dissolved oxygen in the Tallapoosa River downstream from Martin Dam and the project's ability to meet state water quality standards.
- Effects of the proposed rule curve on striped bass thermal refugia in Lake Martin.
- Effects of the proposed rule curve changes on water withdrawals, wastewater assimilation, water quantity and timing of releases for downstream navigation, hydropower use (including inflows to, and minimum flow releases from the Yates

and Thurlow Project), and downstream flooding potential.*

- Effects of the proposed rule curve on water quality and nutrients in embayments within Lake Martin that are associated with tributaries.
- Effects of the proposed rule curve on water usage during drought conditions (e.g., the drought contingency operations).

4.2.3 Aquatic Resources

- Fish passage and effects of project operation on movements of migratory fish in the Tallapoosa River.*
- Effects of current operation and proposed rule curve changes on the movement of striped bass into thermal refugia in Lake Martin during the summer and fall periods of the year.
- Effects of proposed project operations on nearshore aquatic plants and aquatic habitats in Lake Martin.
- Effects of project operation or operational changes on fishery resources in project affected waters downstream from Martin Dam, including the Tallapoosa River immediately downstream from Thurlow dam.*

4.2.4 Terrestrial Resources

- Effects of potential changes to pool elevations on bottomland hardwoods, wetlands, riparian vegetation and associated wildlife within the project boundary
- Effects of potential changes in pool elevations on terrestrial resource management plans, and in controlling invasive aquatic organisms and plants.

4.2.5 Rare, Threatened and Endangered Species

- The effects of project operation and maintenance activities on state and federally-listed RTE species that may occur within the project boundary (e.g., management of long-leaf pine habitats for the red cockaded woodpecker and occurrence of potential habitats for the plants Little Amphianthus and Georgia Rockcress) or within project-affected waters.

- The effects of potential increases in recreational activities within the project boundary on all potentially occurring RTE species, including those affected by any changes in project operation.

4.2.6 Recreation and Land Use

- Effects of the proposed Shoreline Management Plan and the continuation of the shoreline permitting program on land use practices within the project boundary.
- Effects of proposed project operation and potential changes to pool elevations on recreational resources, including boating and fishing.
- The ability of the existing and proposed recreational facilities and public access sites to meet current and future recreational demand under the proposed project operations and potential changes to pool elevations.

4.2.7 Cultural Resources

- Effects of the proposed action and alternatives on properties that are included in or eligible for inclusion in the National Register of Historic Places.

4.2.8 Developmental Resources

- Effects of any proposed or recommended environmental measures on the Martin Dam Project economics, including effects of any operational changes on the project's power and capacity benefits.

4.2.9 Proposed Protection, Mitigation, and Enhancement Measures

After Alabama Power completes its studies and reviews the findings and considers the recommendations made by stakeholders, Alabama Power will consider and may propose specific measures to protect, mitigate and enhance environmental resources affected by the project.

5.0 REQUEST FOR INFORMATION AND STUDIES

We are asking federal, state, and local resource agencies, Indian tribes, NGOs, and other entities and individuals to forward to the Commission any information that will assist us in conducting an accurate and thorough analysis of the site-specific and cumulative effects of relicensing the Martin Dam Project. The types of requested information that we seek include, but are not limited to:

- information, quantified data, or professional opinion that may contribute to defining the geographic scope of the analysis, including the analysis of cumulative effects, and identifying significant environmental issues;
- identification of, and information from, any other environmental document or similar study (previous, ongoing, or planned) relevant to the proposed licensing of the project;
- existing information and any data that would help to describe the past, present, and future actions and the 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 agency or Indian tribe resource plans and future project proposals in the affected resource area, such as proposals to construct or operate water treatment facilities, recreation areas, water diversions, timber harvest activities, or fish management programs;
- documentation of any cumulative effects associated with basin-wide activities, including any such effects to resources that may be attributed to relicensing the Martin Dam Project; and
- documentation showing why any resources should be excluded from further consideration.

The requested information and study requests should be submitted in writing to the Commission no later than October 13, 2008. All filings must clearly identify the following on the first page: Martin Dam Project (P-349-150). Address all communications to:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, DC 20426

All filings sent to the Secretary of the Commission should contain an original and eight copies. Failure to file an original and eight copies may result in appropriate staff not receiving the benefit of your comments in a timely manner. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's website (<http://www.ferc.gov>) under the "efiling" link.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects.

For assistance with electronic filing or e-mail notification registration, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at 1-(866) 208-3676, or for TTY, (202) 502-8659. Any questions concerning scoping or preparation of the EA for this proposed action should be directed to Lee Emery at (202) 502-8379 or by email at lee.emery@ferc.gov.

6.0 EA PREPARATION SCHEDULE

At this time we anticipate the need to prepare a draft and final EA (we show our outline for the EA in section 7.0 below). The draft EA will be sent to all persons and entities on the Commission's service and mailing lists for the Martin Dam Project. The draft EA will include our recommendations for operating procedures and environmental protection, mitigation and enhancement measures that should be part of any license issued by the Commission. Recipients will have 30 days to provide the Commission with written comments on the draft EA. All comments filed with the Commission on the draft EA will be considered, and as appropriate, incorporated into the analysis for the final EA. The final EA will be considered in any Commission order rendering a decision on whether to relicense the project.

Appendix A contains the Process Plan and schedule for pre-application activity. Our preliminary schedule for processing the license application is as follows:

ACTION	TARGET DATE
Scoping Meetings	September 2008
License Application Filed	June 2011
Issue Ready for Environmental Analysis Notice	August 2011
Deadline for Filing Preliminary Agency Recommendations	October 2011
Draft EA Issued	April 2012
Deadline for Filing Comments on the EA	May 2012
Deadline for Filing Modified Agency Recommendations	July 2012
Final EA Issued	October 2012

7.0 EA OUTLINE

The preliminary outline for the Martin Dam Project EA is as follows:

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8.0 LIST OF COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA requires us to consider whether or not, and under what conditions, relicensing the project would be consistent with relevant comprehensive plans on the Commission's Comprehensive Plan List. Those plans currently listed on the Commission's Comprehensive Plan List which we consider to be relevant to this project are listed below. We ask agencies to review this list and to inform us of any changes (additions/subtractions) that are needed. If there are plans that should be added to the list, agencies should file the plans according to 18 CFR 2.19.

Alabama

Alabama Department of Conservation and Natural Resources. 1986. Alabama statewide comprehensive outdoor recreation plan (SCORP). Montgomery, Alabama. December 1986.

Alabama Department of Conservation and Natural Resources. 1990. Wildlife lands needed for Alabama. Montgomery, Alabama. October 1990.

U.S. Fish and Wildlife Service. 2000. Recovery plan for the Mobile River Basin aquatic ecosystem. Department of the Interior. Daphne, Alabama. November 17, 2000.

U.S. Fish and Wildlife Service. Undated. Aquatic resources management plan for the Alabama River Basin. Department of the Interior. Daphne, Alabama.

United States

U.S. Fish and Wildlife Service. Undated. Fisheries USA: the recreational fisheries policy of the U.S. Fish and Wildlife Service. Washington, D.C.

Gulf States Marine Fisheries Commission. 2006. The striped bass fishery of the Gulf of Mexico, United States: a regional management plan. Ocean Springs, Mississippi. March 2006.

National Marine Fisheries Service. 1999. Fishery Management Report No. 35 of the Atlantic States Marine Fisheries Commission: shad and river herring [includes alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), Alabama shad (*Alosa alabamae*), American shad (*Alosa sapidissima*), and hickory shad (*Alosa mediocris*)] – Amendment 1 to the interstate fishery management plan for shad and river herring. April 1999.

National Marine Fisheries Service. 2000. Technical addendum 1 to Amendment 1 of the Interstate Fishery Management Plan for shad and river herring. February 9, 2000.

U.S. Fish and Wildlife Service and Gulf States Marine Fisheries Commission. 1995. Gulf sturgeon recovery/management plan. Atlanta, Georgia, September 15, 1995.

National Marine Fisheries Service. 1995. Gulf sturgeon (*Acipenser oxyrinchus desotoi*) recovery/management plan. Prepared by the gulf sturgeon recovery/management task team. September 1995.

U.S. Fish and Wildlife Service. 1990. North American waterfowl management plan. Gulf coast joint venture plan. Department of the Interior. June 1990.

U.S. Fish and Wildlife Service. Canadian Wildlife Service. 1986. North American waterfowl management plan. Department of the Interior. Environment Canada. May 1986.

National Park Service. 1982. The nationwide rivers inventory. Department of the Interior. Washington, D.C. January 1982.

National Marine Fisheries Service. 2000. Fishery Management Report No. 36 of the Atlantic States Marine Fisheries Commission: Interstate Fishery Management Plan for American eel (*Anguilla rostrata*). Prepared by the American eel plan development team. April 2000.

9.0 MAILING LIST

The list below is the Commission's official mailing list for the Martin Dam Project. If you want to receive future mailings for the Martin Dam Project 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, DC 20426. All written and emailed requests to be added to the mailing list must clearly identify the following on the first page: Martin Dam Project No. 349-150. You may use the same method if requesting removal from the mailing list shown below.

Advisory Council on Historic Preservation Office of Project Review The Old Post office Building 1100 Pennsylvania Avenue, N.W. Suite 809 Washington, DC 20004-2501	Division of Game and Fish Alabama Dept. of Conservation & Natural Resources 64 North Union Street Montgomery, AL 36130-0001
Outdoor Recreation Section Alabama Dept. of Conservation & Natural Resources 64 North Union Street Montgomery, AL 36130-0001	Division of Lands Alabama Dept. of Conservation & Natural Resources 64 N Union Street Montgomery, AL 36130-3020
Division of Parks Alabama Department of Conservation & Natural Resources 64 North Union Street Montgomery, AL 36130-3020	Division of Marine Resources Alabama Department of Conservation & Natural Resources 64 North Union Street Montgomery, AL 36130-3020

<p>Rob Grant, Recreation Programs Coordinator Alabama Department of Economic & Community Affairs P.O. Box 5690 Montgomery, AL 36104-5690</p>	<p>Director Alabama Dept. of Environmental Management Water Division/Industrial Branch P.O. Box 301463 Montgomery, Alabama 36130-1463</p>
<p>Director Alabama Dept. of Environmental Management P.O. Box 301463 Montgomery, Alabama 36130-1461</p>	<p>Alabama Forestry Commission 513 Madison Avenue Montgomery, AL 36130-0001</p>
<p>Alabama Historical Commission State Historic Preservation Office 468 South Perry Street Montgomery, AL 36130-0001</p>	<p>Alabama Office of the Attorney General State House 11 South Union Street Montgomery, AL 36130-2103</p>
<p>Alabama Power Company John R. Dorsett, Vice President 600 North 18th Street P.O. Box 2641 Birmingham, AL 35291</p>	<p>Alabama Power Company Gene Allison, Manager Hydro Services 600 North 18th Street P.O. Box 2641 Birmingham, AL 35291</p>
<p>Alabama Public Commission P.O. Box 304260 100 N. Union Street RSA Union, Suite 850 Montgomery, AL 36130</p>	<p>Alabama Rivers Alliance Brad McLane 2027 2nd Avenue, N., Suite A Birmingham, AL 35203-3703</p>
<p>Alabama Soil & Water Conservation Commission RSA Union Building, Suite 334 100 North Union Street Montgomery, AL 36104-3702</p>	<p>Anchor Bay Marina, Inc. Thomas Hollis, Vice President 2001 Castaway Island Road Eclectic, AL 36024-4007</p>
<p>Anchor Bay Marina, Inc. Donald F Seibert, President 2001 Castaway Island Road Eclectic, AL 36024-4007 Elmore</p>	<p>J. Theodore Jackson Central Elmore Water Authority 184 Commerce Street Montgomery, AL 36104</p>

Bobby Payne City of Tallahassee 3 Freeman Avenue Tallahassee, FL 36078-2035	Environmental Protection Agency Region IV 61 Forsyth Street, S.W. Atlanta, GA 30303-8931
Environmental Protection Agency Diana M. Woods 61 Forsyth Street, Fl. 13 Atlanta, GA 30303-8931	Federal Energy Regulatory Commission Regional Engineer Atlanta Regional Office 3125 Presidential Parkway, Suite300 Atlanta, GA 30340-3700
G. L. Finlay 104 Wind Trace Alexander City, AL 35010-8772	Southern Region Forester 1720 Peachtree Street, N.W. Atlanta, GA 30309-2449
M. Lewis Gwaltney, Jr. 4723 Bridgewater Road Birmingham, AL 35243-2613	Jim Bain Lake Martin Resource Association 2544 Willow Point Road Alexander City, AL 35010-6218
Richard M. Bronson Lake Watch of Lake Martin, Inc. P.O. Box 72 Alexander City, AL 35011	Jim Bain Russell Lands, Inc. 2544 Willow Point Road Alexander City, AL 35010-6218
David H. Rackley Habitat Conservation Division National Marine Fisheries Service 331 Fort Johnson Road Charleston, SC 29412	Howard Mindel, Electrical Engineer U.S. Army Corps of Engineers 60 Forsyth Street, S.W., Room 10M-15 Atlanta, GA 30303-8801
Charles Yanny U.S. Army Corps of Engineers Army Engineer District, Mobile P.O. Box 2288 Mobile, AL 36628-0001	U.S. Army Corps of Engineers 550 Main Street Cincinnati, OH 45202
U.S. Bureau of Indian Affairs Solicitor's Office 1849 C Street, N.W. Room 2353 Washington, DC 20240-0001	U.S. Bureau of Indian Affairs Natural Resources Bob Dach, Hydropower Program Manager 911 N.E. 11th Avenue Portland, OR 97232

<p>U.S. Bureau of Indian Affairs FERC Coordinator Portland Area Office 911 N.E. 11th Avenue Portland, OR 97232-4169</p>	<p>U.S. Bureau of Indian Affairs James Kardatzke 545 Marriott Drive, Suite 700 Nashville, TN 37214</p>
<p>U.S. Bureau of Land Management Jackson District Office 411 Briarwood Drive, Suite 404 Jackson, AL 39206-3058</p>	<p>U.S. Coast Guard Commanding Officer 1500 South Broad Street #102 Mobile, AL 36605-1804</p>
<p>Larry E. Goldman, Field Supervisor U.S. Fish and Wildlife Service 1208-B Main Street Daphne, AL 36526-4419</p>	<p>U.S. Fish & Wildlife Service Regional Hydropower Coordinator Susan T. Cielinski 1875 Century Boulevard, Suite 200 Atlanta, GA 30345</p>
<p>J. T. Begley Office of the Solicitor U.S. Fish and Wildlife Service U.S. Department of the Interior 530 South Gay Street Knoxville, TN 37902-1505</p>	<p>William Pearson, Field Supervisor U.S. Fish and Wildlife Service U.S. Department of the Interior 1208-B Main Street Daphne, AL 36526</p>
<p>Cynthia Bohn Ecological Services U.S. Fish and Wildlife Service 1875 Century Boulevard, N.E., Suite 200 Atlanta, GA 30345-3319</p>	<p>Honorable Jeff Sessions U.S. Senate 335 Russell Senate Office Building Washington, DC 20510</p>
<p>Honorable Richard Shelby U.S. Senate 110 Hart Senate Office Building Washington, DC 20510</p>	<p>U.S. National Park Service Department of Interior 100 Alabama Street S.W. Atlanta, GA 30303-8701</p>
<p>Charles F. White 5029 Greystone Way Birmingham, AL 35242-6428</p>	

APPENDIX A—PROCESS PLAN AND SCHEDULE

Below is the schedule for the Martin Dam Project pre-application activity.

Activity	Responsibility	Timeframe and Regulations	Dates
File NOI and Pre-Application Document (PAD)	Alabama Power Company	18 CFR § 5.5, 5.6	<i>June 5, 2008</i>
Initial Tribal Consultation Meeting	FERC	18 CFR § 5.7	<i>July 7, 2008</i>
Commission notices NOI/PAD and issues Scoping Document 1	FERC	Within 60 days of filing NOI & PAD 18 CFR § 5.8	<i>August 5, 2008</i>
Commission holds Scoping Meetings/Site Visit	FERC	Within 30 days of NOI & PAD notice & issuance of SD1 18 CFR § 5.8(b)(viii)	<i>September 10, 2008</i>
Comments on NOI, PAD, SD1, and Study Requests	All Stakeholders	Within 60 days of NOI & PAD notice & issuance of SD1 18 CFR § 5.9	<i>October 3, 2008</i>
Proposed Study Plan	Alabama Power Company	Within 45 days of deadline for filing comments on SD1 18 CFR § 5.11(a)	<i>November 17, 2008</i>
Study Plan Meeting(s)	All Stakeholders	Within 30 days of deadline for filing proposed Study Plan 18 CFR § 5.11(e)	<i>January 6, 2009 (week of)</i>
Comments on Proposed Study Plan	All Stakeholders	Within 90 days after Proposed Study Plan is filed 18 CFR § 5.12	<i>February 16, 2009</i>
Revised Study Plan (if necessary)	Alabama Power Company	Within 30 days of deadline for comments on Proposed Study Plan 18 CFR § 5.13(a)	<i>March 18, 2009</i>

Activity	Responsibility	Timeframe and Regulations	Dates
Comments on Revised Study Plan	All Stakeholders	Within 15 days following Revised Study Plan 18 CFR § 5.13(b)	<i>April 2, 2009</i>
Director's Study Plan Determination	FERC	Within 30 days following Revised Study Plan 18 CFR § 5.13(c)	<i>May 3, 2009</i>
<i>Formal Study Dispute Resolution Process (if necessary)</i>	Stakeholders, FERC, Alabama Power Company	Initiated within 20 days of Study Plan Determination 18 CFR § 5.14	<i>May 25, 2009 to August 17, 2009</i>
First Study Season	Alabama Power Company	18 CFR § 5.15(a)	<i>2009 study seasons</i>
Initial Study Report	Alabama Power Company	365 days from Study Determination 18 CFR § 5.15(c)(1)	<i>November 17, 2009 (week of)</i>
Initial Study Report Meeting	All Stakeholders	Within 15 days from Initial Report 18 CFR § 5.15(c)(2)	<i>December 2, 2009 (week of)</i>
Initial Study Report Meeting Summary	Alabama Power Company	Within 15 days of Study Results Meeting 18 CFR § 5.15(c)(3)	<i>December 17, 2009 (week of)</i>
Second Study Season	Alabama Power Company	18 CFR § 5.15(a)	<i>2010 study seasons</i>
Updated Study Report	Alabama Power Company	Two years from Initial Study Plan Determination 18 CFR § 5.15(f)	<i>November 17, 2010 (week of)</i>
Updated Study Report Meeting	All Stakeholders	Within 15 days of Updated Study Report 18 CFR § 5.15(f)	<i>December 2, 2010 (week of)</i>
Updated Study Report Meeting Summary	Alabama Power Company	Within 15 days of Study Results Meeting 18 CFR § 5.15(f)	<i>Dec 17, 2010 (week of)</i>

Activity	Responsibility	Timeframe and Regulations	Dates
Study Disputes/Request to Modify Study Plan	All Stakeholders	Within 30 days of Study Report Meeting Summary 18 CFR § 5.15(f)	<i>January 3, 2011 (week of)</i>
Responses to Disputes/Study Requests	All Stakeholders	Within 30 days of filing of Meeting Summary Disagreements 18 CFR § 5.15(f)	<i>January 31, 2011 (week of)</i>
Director's Study Plan Determination	FERC	Within 30 days of filing Responses to Disputes/Study Requests 18 CFR § 5.15(f)	<i>February 28, 2011 (week of)</i>
File PLP	Alabama Power Company	No later than 150 days before final application is filed 18 CFR § 5.16(a)	<i>January 9, 2010 (week of)</i>
Comments on Applicant's Preliminary Licensing Proposal, Additional Information Requests (if necessary)	All Stakeholders	Within 90 days of filing PLP or draft license application 18 CFR § 5.16(e)	<i>March 10, 2011 (week of)</i>
License Application Filed	Alabama Power Company	18 CFR § 5.17	<i>June 7, 2011</i>

APPENDIX B- STUDY PLAN CRITERIA (18 CFR Section 5.9(b))

Any information or study request must contain the following:

1. Describe of 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 Indian 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 operations 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 any proposed alternative studies would not be sufficient to meet the stated information needs.

Document Content(s)

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