



**UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

January 30, 2009

Ms. Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First Street NE, Room A-1  
Washington, D.C. 20426

RE: Reynolds Creek Hydroelectric Project (P-11480)  
Application for Amendment of License

Dear Secretary Bose:

The National Marine Fisheries Service (NMFS) has reviewed the proposed license amendment for the Reynolds Creek Hydroelectric Project to be constructed on the southwest side of Prince of Wales Island in southeast Alaska, approximately 10 miles east of Hydaburg. The requested amendment would modify the design of the powerhouse to accommodate one 5,000 kW turbine/generator instead of phasing development by installing one 1,500 kW turbine initially and adding a second 3,500 kW turbine at a later date. This license amendment is considered a non-capacity amendment under 18 CFR Section 4.201(c), as it would not increase the total licensed generating or nameplate capacity.

Although initially licensed by FERC in 1999, this project has not yet been constructed. The project will consist of a small dam at the outlet of Rich's Pond at an elevation of 876 feet, and an intake structure, bypass pipe, steel penstock, powerhouse, and tailrace to return water to lower Reynolds Creek. The tailrace will return Reynolds Creek flows to the channel at a point 50 feet below the anadromous reach of the creek. The 80 foot long tailrace will be lined with rap rap, with about 3 cubic yards of riprap discharged below the ordinary high water line of the creek.

Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires federal agencies to consult with NMFS on all actions that may adversely affect Essential Fish Habitat (EFH). NMFS is required to make EFH Conservation Recommendations, which may include measures to avoid, minimize, mitigate or otherwise offset adverse effects. Reynolds Creek supports spawning runs of pink, chum and Coho salmon. Rearing juvenile salmon are present in the creek from mid-February through late May.



In accordance with Section 305(b)(4)(A) of the Magnuson-Stevens Act, NMFS offers the following EFH Conservation Recommendations that were part of the original license and requests that they remain conditions of the revised license:

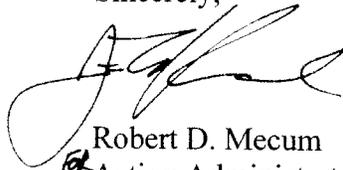
1. Construction below ordinary high water shall only occur between July 18 and August 7 in any one year to reduce the introduction of sediment to spawning areas in Reynolds Creek to protect juvenile anadromous fish and spawning adults.
2. A perched ledge with at least a ten-foot drop in water surface elevation shall be constructed in the tailrace to exclude the entrance of salmonids from Reynolds Creek. There must be a sufficiently deep plunge pool beneath the ledge to allow jumping fish to land in the water without injury.
3. Continuously recording devices that meet or exceed U.S. Geological Survey standards shall be installed and maintained to monitor flows within the anadromous reach of Reynolds Creek before, during, and following construction phases, for the life of the project. Discharge recording devices in the bypass and anadromous reaches shall be located to ensure that all reaches of Reynolds Creek receive the required instream flows.
4. The project shall be operated so that ramping rates of the tailrace discharge back into Reynolds Creek do not exceed:
  - a. June 1 to September 15 – one inch per hour
  - b. September 16 to May 31 – two inches per hour

Additionally, the applicant shall conduct a monitoring program approved by NMFS, the Alaska Department of Fish and Game, and the Alaska Department of Natural Resources to determine the effect of ramping on fish populations and habitat. At the conclusion of the monitoring program the results will be used to adaptively manage ramping rates for the protection of spawning and rearing fish.

Under section 305(b)(4)(B) of the Magnuson-Stevens Act FERC is required to respond to NMFS EFH Conservation Recommendations in writing within 30 days. If FERC will not make a decision within 30 days, you should provide NMFS with a letter within 30 days to that effect and indicate when a full response will be provided.

If you have any questions regarding our conservation recommendations for this project, please contact Sue Walker at 907-586-7646 or [susan.walker@noaa.gov](mailto:susan.walker@noaa.gov).

Sincerely,



Robert D. Mecum  
Acting Administrator, Alaska Region

Cc: Haida Corporation  
HDR EngineeringFERC Portland Regional Office, attn: Patrick Regan  
ADNR Hydropower Coordinator, Jim Ferguson  
ADNR Hydrologist, Shawn Johnson  
USFWS, Richard Enriquez  
ACMP, Erin Allee