

FEDERAL ENERGY REGULATORY COMMISSION

Washington, DC 20426

June 18, 2020

OFFICE OF ENERGY PROJECTS

Project No. 14227-003 – California  
Lake Elsinore Advanced Pumped  
Storage Project  
Nevada Hydro Company, Inc.

**Subject: Scoping Document 1 for Lake Elsinore Advanced Pumped Storage Project  
No. 14227.**

To the Party Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the license application filed on October 2, 2017, by Nevada Hydro Company, Inc. (Nevada Hydro) for an original license for the proposed Lake Elsinore Advanced Pumped Storage (LEAPS) Project (FERC No. 14227). The project would be located on Lake Elsinore and San Juan Creek near the city of Lake Elsinore in Riverside and San Diego Counties, California. The project would occupy approximately 845 acres of land administered by the U.S. Forest Service.

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, Commission staff intends to prepare an Environmental Impact Statement (EIS), which will be used by the Commission to determine whether, and under what conditions, to issue an original 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 EIS is thorough and balanced.

We invite your participation in the scoping process, and are circulating the attached Scoping Document 1 (SD1) to provide you with information on the LEAPS Project. We are also soliciting your written comments and suggestions on our preliminary list of issues and alternatives to be addressed in the EIS. Due to restrictions on mass gatherings related to COVID-19, Commission staff is unable to conduct any on-site scoping meetings. Instead, we are soliciting written comments, recommendations, and information on SD1.

Project No. 14227-003

We invite all interested agencies, Indian tribes, non-governmental organizations, and individuals to submit written comments. Further information on scoping process is available in the enclosed SD1.

SD1 is being distributed to both Nevada Hydro's distribution list and the Commission's official mailing list (see section 9.0 of the attached SD1). If you wish to be added to or removed from the Commission's official mailing list, please send your request by email to [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@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 or emailed requests must specify your wish to be removed or added to the mailing list and must clearly identify the following on the first page: **LEAPS Project No. 14227-003**.

Please review SD1 and, if you wish to provide comments, follow the instructions in section 5.0, *Requests for Information*. If you have any questions about SD1, the scoping process, or how Commission staff will develop the EIS for this project, please contact Kyle Olcott at (202) 502-8963 or [kyle.olcott@ferc.gov](mailto:kyle.olcott@ferc.gov). Additional information about the Commission's licensing process and the LEAPS Project may be obtained from our website, <http://www.ferc.gov>.

Enclosure: Scoping Document 1

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SCOPING DOCUMENT 1  
LAKE ELSINORE ADVANCED PUMPED STORAGE PROJECT

CALIFORNIA

PROJECT NO. 14227-003

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

June 2020

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**TABLE OF CONTENTS**

**1.0 INTRODUCTION ..... 4**

**2.0 SCOPING..... 5**

**2.1 PURPOSES OF SCOPING ..... 6**

**2.2 WRITTEN COMMENTS ..... 6**

**3.0 PROPOSED ACTION AND ALTERNATIVES ..... 7**

**3.1 NO-ACTION ALTERNATIVE ..... 8**

**3.2 APPLICANT’S PROPOSAL ..... 8**

**3.2.1 Description of Existing and Proposed Project Facilities ..... 8**

**3.2.2 Description of Proposed Project Operations..... 9**

**3.2.2 Proposed Environmental Measures ..... 10**

**3.3 ALTERNATIVES TO THE PROPOSED ACTION ..... 18**

**4.0 SCOPE OF CUMULATIVE EFFECTS AND SITE-SPECIFIC RESOURCE ISSUES ..... 18**

**4.1 CUMULATIVE EFFECTS..... 18**

**4.1.1 Resources That Could Be Cumulatively Affected ..... 18**

**4.1.2 Geographic Scope ..... 19**

**4.1.3 Temporal Scope ..... 19**

**4.2 RESOURCE ISSUES..... 19**

**4.2.1 Geologic and Soil Resources..... 19**

**4.2.2 Water Resources ..... 20**

**4.2.3 Aquatic Resources..... 20**

**4.2.4 Terrestrial Resources..... 20**

**4.2.5 Threatened and Endangered Species ..... 22**

**4.2.6 Recreation and Land Use ..... 22**

**4.2.7 Cultural Resources..... 23**

**4.2.8 Aesthetic Resources..... 23**

**4.2.9 Socioeconomics ..... 23**

**4.2.10 Developmental Resources..... 23**

**5.0 REQUEST FOR INFORMATION..... 23**

**6.0 EIS PREPARATION SCHEDULE ..... 25**

**7.0 PROPOSED EIS OUTLINE ..... 26**

**8.0 COMPREHENSIVE PLANS ..... 28**

**9.0 MAILING LIST.....29**

**LIST OF FIGURES**

Figure 1. Location of the LEAPS Project and proposed project facilities (Source: License application as modified by Staff). ..... 5

## SCOPING DOCUMENT 1

### Lake Elsinore Advanced Pumped Storage Project, No. 14227

#### 1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),<sup>1</sup> may issue licenses for terms ranging from 30 to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects. On October 2, 2017, Nevada Hydro Company, Inc. (Nevada Hydro) filed an application for a new license for the Lake Elsinore Advanced Pumped Storage (LEAPS) Project (FERC Project No. 14227-003).

The project would be located on Lake Elsinore and San Juan Creek in Riverside and San Diego Counties, near the city of Lake Elsinore, California (Figure 1). The project would occupy approximately 845 acres of the Cleveland National Forest.

The proposed LEAPS Project would be operated as a pumped storage facility. A new Decker Canyon reservoir would serve as the upper reservoir, and the existing Lake Elsinore would serve as the lower reservoir. The powerhouse for the proposed project would include two, single-stage reversible pump-turbine units, for a total installed capacity of 500 megawatts (MW). The project would generate an average of 1,560,000 megawatt-hours (MWh) annually. A detailed description of the proposed project is provided in section 3.0.

The National Environmental Policy Act (NEPA) of 1969,<sup>2</sup> the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of licensing the LEAPS Project as proposed, and also consider reasonable alternatives to the licensees' proposed action. At this time, we intend to prepare an environmental impact statement (EIS) 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. The EIS preparation will be supported by a scoping process to ensure identification and analysis of all pertinent issues.

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<sup>1</sup>16 U.S.C. § 791(a)-825(r).

<sup>2</sup>National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321-4370(f) (2012).

## Project No. 14227-003

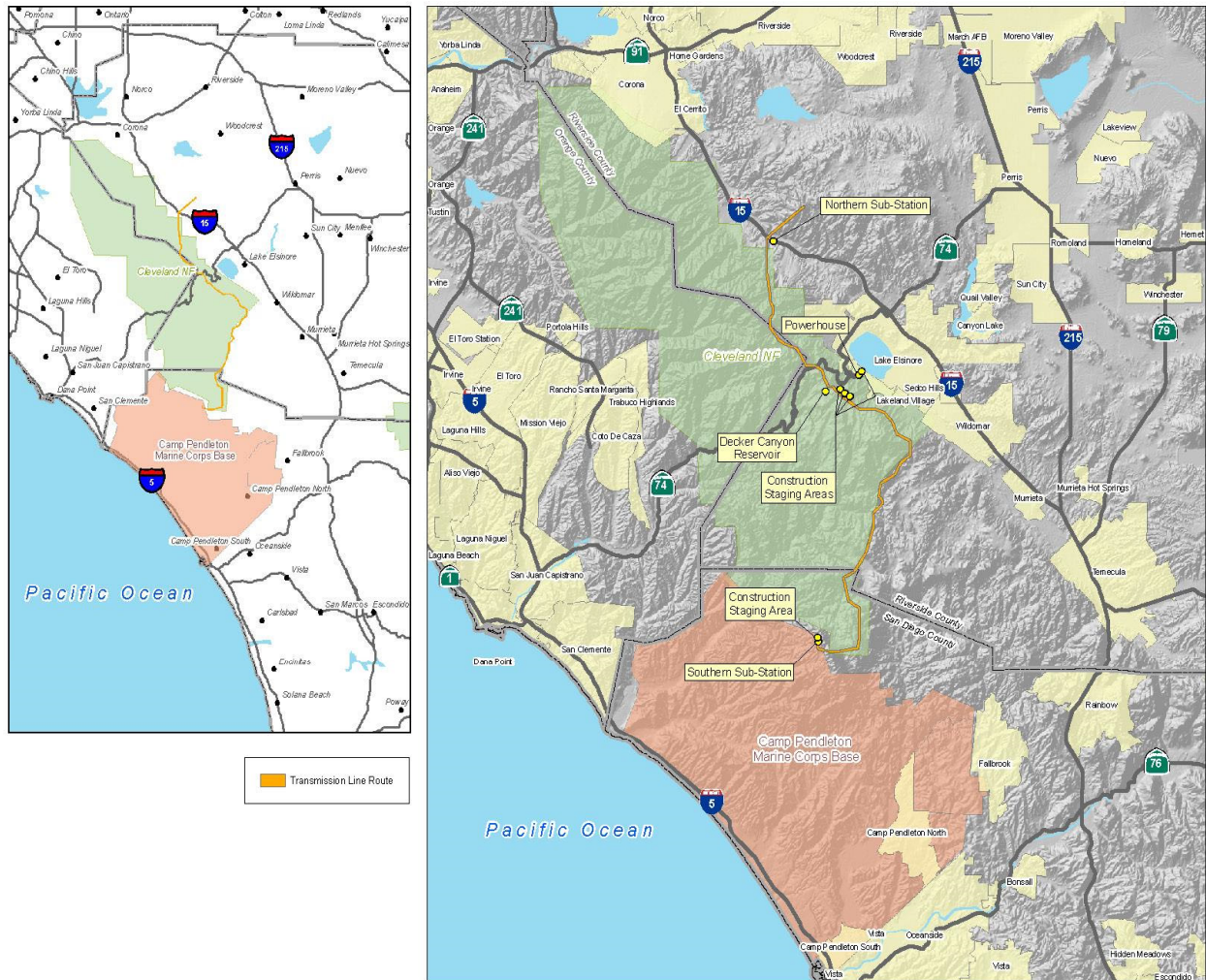


Figure 1. Location of the proposed LEAPS Project (Source: License application as modified by Staff).

## 2.0 SCOPING

This Scoping Document 1 (SD1) is intended to advise all participants as to the proposed scope of the EIS 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 EIS; (2) a description of the proposed action and alternatives; (3) a preliminary identification of environmental issues; (4) a request for comments and information; (5) a proposed EIS outline; and (6) a preliminary list of comprehensive plans which are applicable to the project.

Project No. 14227-003

## **2.1 PURPOSES OF SCOPING**

Scoping is the process used to identify issues, concerns, and opportunities for enhancement or mitigation associated with a proposed action. In general, scoping should be conducted during the early planning stages 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 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 EIS;
- 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 EIS;
- solicit 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 WRITTEN COMMENTS**

Due to restrictions on mass gatherings related to COVID-19, Commission staff is unable to conduct any on-site scoping meetings. Instead, we are soliciting written comments, recommendations, and information on SD1.

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



## Project No. 14227-003

- during the public scoping process when we solicit written comments regarding scope of the issues and analysis for the EIS;
- in response to the Commission's ready for environmental analysis notice; and
- after issuance of the EIS when we solicit written comments on the EIS.

We invite all interested agencies, Indian tribes, NGOs, and individuals to submit written comments to assist us in identifying the scope of environmental issues that should be analyzed in the EIS. All written comments will become part of the Commission's public record for the project.

Scoping commenters should provide written information on issues and/or concerns as they pertain to the licensing of the LEAPS Project. It is advised that commenters review the license application in preparation for providing written comments. Copies of the license application may be viewed on the Commission's website (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, P-14227 for the LEAPS Project, to access the documents. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning COVID-19, issued by the President on March 13, 2020.

Following the comment period, all issues raised will be reviewed and decisions made on the level of analysis needed. If our 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 EIS.

If we receive no substantive comments on SD1, then we will not prepare a Scoping Document 2 (SD2). Otherwise, a SD2 addressing any substantive comments received will be issued for informational use only by all participants or interested persons; no response will be required. The EIS 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) the applicant's proposed action, and (3) alternatives to the proposed action.

Project No. 14227-003

### **3.1 NO-ACTION ALTERNATIVE**

The no-action alternative is license denial. Under the no-action alternative, the project would not be built and environmental resources in the project area would not be affected.

### **3.2 APPLICANT'S PROPOSAL**

#### **3.2.1 Description of Existing and Proposed Project Facilities**

The LEAPS Project would be located on Lake Elsinore and San Juan Creek, in the town of Lake Elsinore, Riverside County, California (see figure 2). The upper reservoir would be located in the headwaters of the San Juan Creek watershed, also in Riverside County. The proposed project would consist of: (1) a lined upper reservoir (Decker Canyon) with a gross storage volume of 5,972 acre-feet and a surface area of approximately 70 acres at a normal maximum water surface elevation of 2,778.5 feet mean sea level<sup>3</sup> (msl); (2) a 260-foot-high main dam located on the southwest side of the upper reservoir; (3) a water conduit system consisting of a 1,248-foot-long, 25-foot-diameter concrete-lined power shaft and a 8,247-foot-long, 15-foot-diameter power tunnel transitioning to two, 250-foot-long, 12-foot-diameter steel penstocks; (4) an underground powerhouse containing two, reversible Francis pump-turbine units with a total installed capacity of 500 MW; (5) the existing Lake Elsinore to be used as a lower reservoir; (6) two 2,450-foot-long, 25-foot-wide, and 25-foot-high concrete-lined tailrace tunnels; (7) about 32 miles of 500-kilovolt (kV) transmission line connecting the project to an existing Southern California Edison (SCE) transmission line located north of the proposed project and to an existing San Diego Gas & Electric Company (SDG&E) transmission line located to the south; and (8) appurtenant facilities.

The 32 miles of 500-kV primary transmission line would connect the project to two existing transmission lines, one owned by SDG&E and the other by SCE. The southern primary transmission line would extend 19 miles to connect the LEAPS Project to SDG&E's existing 230-kV Talega-Escondido transmission line adjacent to Camp Pendleton in San Diego County. A new substation, Case Springs, would be constructed adjacent to the point of connection. The northern primary transmission line would extend 13 miles to connect the project to SCE's existing 500-kV Valley-Serrano transmission line in Alberhill. The applicant proposes to use SCE's existing Alberhill substation, or construct a new, Lake Substation adjacent to the point of connection.

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<sup>3</sup> All elevation data are referenced to mean sea level datum, unless otherwise noted.

Project No. 14227-003

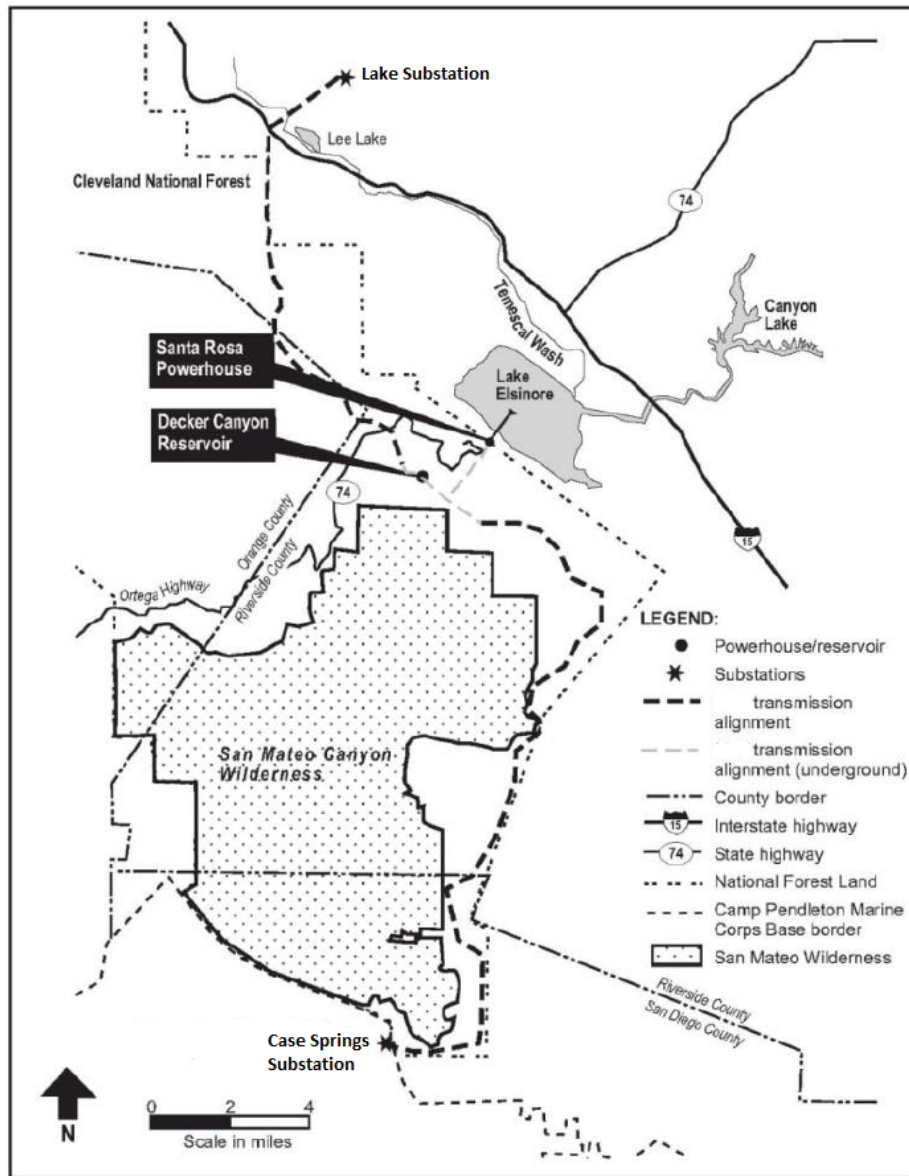


Figure 2 Proposed project facilities for the LEAPS Project (Source: License application, as modified by staff).

### 3.2.2 Description of Proposed Project Operations

The LEAPS Project would operate primarily as an energy storage facility by pumping water out of Lake Elsinore (the lower reservoir) in the storage mode, and allowing the water to flow back into Lake Elsinore in the generating mode. The project would pump water from Lake Elsinore to the upper reservoir during nights and weekends

## Project No. 14227-003

using off-peak, less valuable energy, and would generate high-value energy to meet peak system demands during weekdays. The project would be operated from a control room located in the powerhouse, and load dispatching would be coordinated with participating utilities and the California Independent System Operator. The project would also be capable of operating in various secondary modes to provide benefits to the regional electrical system, including reactive compensation, rapid load change capability, system load and frequency control, and emergency startup capability during blackout conditions.

### **3.2.2 Proposed Environmental Measures**

Nevada Hydro has identified measures to protect and enhance environmental resources of the project area. Nevada Hydro proposes to construct and operate the LEAPS Project with the environmental protection and enhancement measures described below.

#### **General**

- Retain a qualified biologist or natural resource specialist to serve as an environmental construction monitor.

#### **Geologic and Soil Resources**

- Develop and implement an erosion control plan for all project lands to control erosion, stream sedimentation, dust, and soil mass movement including measures to revegetate disturbed areas with native plants.

#### **Aquatic Resources**

##### *Water Quality Resources*

- Develop and implement a detailed plan specifying the activities, locations, methods, and schedule that the environmental construction monitor would use to monitor construction activities in aquatic and terrestrial environments.
- Build access roads at right angles to streambeds and washes to minimize impacts to water resources.

#### **Terrestrial Resources**

##### *Botanical and Wetland Resources*

## Project No. 14227-003

- Consult with the U.S. Forest Service (Forest Service) annually to review the list of special-status species and survey new areas as needed.
- Consult with the U.S. Fish and Wildlife Service (FWS) during the process of developing final design drawings on measures to protect fish and wildlife resources.
- Restrict construction and survey activities to the pre-defined project footprint to minimize impacts to surrounding resources.
- Mark (with flagging) and avoid project-related activities within identified sensitive ecological communities and areas.
- In consultation with resource agencies, develop and implement a plan to revegetate disturbed areas with plant species beneficial to wildlife. The plan would specify the locations to be revegetated and, at a minimum, would include: (1) a description of the species for revegetation and planting densities; (2) fertilization and irrigation requirements; (3) a monitoring program to evaluate the effectiveness of the planting; (4) provisions for the filing of monitoring reports with FERC; (5) a description of procedures to be followed if monitoring reveals that the revegetation is not successful; and (6) an implementation schedule that provides for revegetation as soon as practicable after the beginning of land-clearing or land-disturbing activities within the disturbed area. The plan would be developed at least 180 days before any land-disturbance activities.
- Develop and implement a plan to prevent and control the introduction and spread of noxious weeds and exotic plants of concern in project-affected areas during construction and over the term of any license issued for the project.
- Wash vehicles, tools, and other equipment at an off-site facility to minimize the introduction and spread of noxious and exotic plants.
- Prepare a habitat mitigation plan in consultation with the Forest Service, U.S. Department of the Interior, California Department of Fish and Wildlife (California DFW), and Riverside County to identify appropriate mitigation of habitat losses, including a 1:1 replacement ratio for about 5 acres of oak woodlands, about 32 acres of coastal sage scrub, and about 216 acres of

## Project No. 14227-003

chaparral and grasslands.

- Prior to construction, all contractors, subcontractors, and project personnel would receive environmental awareness training regarding the appropriate work practices necessary to effectively implement the adopted biological measures and conditions and to comply with the applicable environmental laws and regulations, including appropriate wildlife avoidance and impact minimization procedures, the importance of these resources and the purpose and necessity of protecting them; and methods for protecting sensitive ecological resources including special-status plants and animals.
- Prior to any construction activities, develop and implement a plan in consultation with the Forest Service for clearing the upper reservoir area and re-vegetating disturbed areas with native plant species beneficial to wildlife prior to the start of any land-disturbing or land-clearing activities at the project. The plan would include at minimum: (1) topographic maps identifying the location and acreage of lands to be cleared; (2) descriptions of the vegetation to be cleared; (3) descriptions of any resource management goals related to fish and wildlife enhancement through vegetative clearing or retention; (4) descriptions of the disposal methodologies and disposal location of unused timber, brush and refuse, and maps identifying the location of disposal sites; and (5) an implementation schedule.
- Conduct wetland delineations and prepare habitat mitigation and management plans in consultation with the U.S. Army Corp of Engineers (Army Corps), California DFW, and Forest Service. Wetland delineations would be conducted prior to construction, using standard methods described in the 1987 Corps Wetland Delineation Manual in areas potentially impacted by the project and delineated wetlands would be mapped in a geographic information system.
- In consultation with natural resource agencies and stakeholders, conduct pre-construction, protocol-level (if necessary) surveys to identify and map vegetation communities and suitable habitat for sensitive plant and wildlife species whose habitat would be impacted by the project based on final design. Surveys would also include recording incidental observations of wildlife and identify areas impacted by wildfire and drought since 2006. Where applicable, survey results would be submitted to the California Public Utilities Commission (CPUC), Forest Service (if on Forest Service lands), and other agencies (as applicable) and consult on mitigation

## Project No. 14227-003

measures for potential impacts, prior to any ground disturbing activities in a particular area. Mitigation shall prioritize, but not be limited to, avoidance as the primary means to address impacts. If avoidance is not feasible, then relocation/restoration could be implemented. Where relocation or restoration is not feasible or deemed not to fully address impacts, then mitigation through on- or off-site purchase or dedication of habitat at the approved ratios and locations shall be identified and implemented.

- To protect oak trees, avoid parking or driving underneath trees to protect root structures and regular watering and speed limits to control dust.

*Wildlife Resources*

- Implement an avian protection plan consistent with Avian Power Line Interaction Committee (APLIC 1994, APLIC 2006) and FWS (2005) guidelines for the term of any license issued for the project. The plan would include:
  - design and construct the primary transmission lines to minimize avian collisions by utilizing APLIC guidelines;
  - use of diversion markers on overhead lines in the following areas determined as highly utilized avian flight paths: Temescal Wash near Lee Lake, Cow Canyon, Horsethief Canyon, McVicker Canyon, Leach Canyon, Los Alamos Canyon, and Tenaja, and San Mateo Creeks;
  - implementation of an avian reporting system for documenting bird mortalities to identify problem areas; and
  - submitting draft reporting protocol and system to the CPUC, Forest Service (when on Forest Service lands), and other agencies, as applicable.
- To protect nesting raptor species, tree removal or trimming would take place between September 16 and December 31 (i.e., outside the raptor breeding season of January 1 to August 15). To protect all other bird species, all vegetation clearing would occur between August 16 and January 14 (i.e., outside of the general bird breeding season of January 15 to September 15).

## Project No. 14227-003

- For construction activities (excluding tree and vegetation removal and trimming) that cannot take place outside the nesting season, preconstruction nest surveys and monitoring would be conducted by a qualified biologist:
  - For raptor species – conduct surveys within 500 feet of construction zones, 7 days prior to the start of any construction occurring between January 1 and September 15.
  - For all other bird species – conduct surveys within 300 feet of construction zones, 10 days prior to the start of any construction occurring between January 15 and September 15.
  - If nests are found, work may proceed if nests are located at sufficient distance from construction zones to meet pre-defined and species-specific disturbance criteria (i.e., distance and noise).
- Prohibit construction or maintenance activities within 1,320 feet of eagle nests during the eagle breeding season (December through June) or until the nest is no longer active unless there are physical or safety constraints.
- Prior to construction, remove all existing inactive raptor nests outside the raptor breeding season (January to July) from structures that would be affected by project construction.
- Avoid constructing roads during the nesting season, if feasible. Perform surveys for federally listed or other protected species when it's not feasible to keep vehicles on existing roads or to avoid constructing new access roads during the nesting, breeding, or flight season. When applicable, submit survey results to FWS and California DFW and consult on mitigation measures to avoid or minimize potential impacts. These surveys would not replace the need for preconstruction surveys (described above).
- Avoid tree trimming during sensitive periods (e.g., bird nesting season) and perform pre-trimming surveys for federally listed and special-status species.
- In areas not cleared or maintained within a two-year period, conduct pre-disturbance surveys before any brush removal during the breeding season (January 15 to August 15) for vegetation containing active nests, burrows, or dens; if such nests are present, the area would be avoided until after the



## Project No. 14227-003

breeding season or until the site becomes inactive; if burrows or dens are identified soil in the area should be sufficiently dry before clearing activities occur to prevent mechanical damage to burrows.

- Conduct additional preconstruction special-status plant and wildlife surveys at transmission line tower sites and along transmission alignment access road(s) to ensure compliance with the “Western Riverside County Multi-Species Habitat Conservation Plan” (MSHCP).
- Develop and implement a Lake Elsinore monitoring and remediation plan to address potential project-related effects on nesting shorebirds, waterfowl, and other birds.
- Securely cover and/or place exclusion fencing around holes, trenches, and other excavation associated with construction activities to protect wildlife and livestock from entrapment and injury.
- To minimize the effects of artificial lighting during construction, exterior lighting would be set to the lowest illumination allowed for human safety and selectively placed, shielded, and directed away from preserved habitat. Limit project-related vehicle traffic at night to minimize disturbance and prevent mortality of nocturnal wildlife species.
- Prior to construction, conduct a habitat assessment for bat nursery colonies, and if suitable habitat is identified, conduct field surveys for nursery colonies. Prohibit activity near active nursery colonies and before any blasting or drilling in the vicinity of a nursery colony, develop and implement methods to minimize potential impacts caused by falling rocks or vibration.

### **Threatened and Endangered Species**

- Conduct preconstruction, FWS protocol surveys for the Quino checkerspot butterfly (QCB) and their larval host plants in proposed construction areas where suitable is identified and, if necessary, implement appropriate avoidance, minimization, and/or compensation strategies. If QCB is determined to be present or potentially present, implement planned mitigation measures based on site and season.
- Avoid disturbance and removal of suitable riparian breeding habitat for the

## Project No. 14227-003

arroyo toad from October to December to minimize potential impacts to breeding adults, eggs, and juveniles. In areas where the toad is present (or assumed present), construction zones would have exclusion fencing to prevent access by toads. Pre- and post-exclusion fencing surveys within the construction zone would be conducted for toads by a FWS-permitted biologist to handle toads.

- Conduct Stephens' kangaroo rat surveys, and implement appropriate avoidance, minimization, and/or compensation strategies.
- Restore disturbed vernal pool habitat to protect federally listed fairy shrimp species and other sensitive vernal pool species. Maintain and monitor any vernal pool habitat 5 years after restoration or until pre-defined success criteria are met.

### **Recreation and Land Use**

- Develop and implement a safety plan during project construction, identifying potential hazard areas near public roads, trails, and recreation areas and facilities, and measures necessary to protect public safety and conduct daily inspections on National Forest System lands for the plan compliance, public safety, and environmental protection.
- Consult with the Forest Service to develop and implement a recreation development facility plan for a day-use recreation facility at the construction laydown area used during the construction of the upper reservoir on National Forest System lands or for an alternative use and/or location.
- Develop and implement a recreation plan that provides for transferring of cleared land off National Forest System lands to a local entity and developing recreational facilities at the powerhouse location and operation and maintenance funding sufficient to operate the facilities.
- Develop and implement a detailed site plan of construction sites and laydown areas relative to existing recreational facilities and contingencies for restricting public access to these areas and provision of alternative facilities.
- Provide interpretive signage at the upper reservoir.

## Project No. 14227-003

- Provide the Forest Service with an ancillary structure that would complement the firefighters' memorial along Ortega Highway.
- Grade, contour, and revegetate with native plants to return the site to pre-construction conditions or prepare site at the construction laydown area for the upper reservoir or another site for future development by the Forest Service or for another entity as determined by the Forest Service.
- Develop and implement a recreation plan, including the construction of a botanical garden, and provision LEAPS powerhouse tours and other amenities at the LEAPS powerhouse site.
- Develop a hang glider landing site, provide for a community park, and public tours of the powerhouse if the powerhouse is located at the Ortega Oaks site and a northern mid-slope transmission alignment is used.
- Develop an annual fish stocking program for Lake Elsinore in consultation with the FWS, California DFW, and the Lake Elsinore and San Jacinto Watersheds Authority.
- Acquire and modify the multi-family residences nearest the powerhouse site (the Santa Rosa Villas in the case of the Santa Rosa powerhouse site), provide relocation assistance, use properties for construction purposes or retain in vacant condition, and return to the regional housing inventory upon completion of construction to address potential effects on residents during construction.
- Acquire fee simple or leasehold interests in lands needed for project purposes by voluntary sale or conveyance to the extent possible.

**Cultural Resources**

- Develop a Historic Properties Management Plan (HPMP) to protect and manage National Register-eligible cultural resources located within the project's area of potential effect (APE). This plan would: ensure that other management plans consider traditional cultural, historical, and archeological resources; allow determination of the significance of cultural resources identified in the Project's APE.

Project No. 14227-003

### **Aesthetic Resources**

- Prepare and implement a scenery conservation plan to achieve the greatest consistency possible with the High Scenic Integrity Objectives of the Cleveland National Forest Land Management Plan.

### **Socioeconomics**

- There are no proposed PM&E measures related to socioeconomics for the LEAPS Project. The potential need for PM&E measures will be evaluated during the licensing process.

## **3.3 ALTERNATIVES TO THE PROPOSED ACTION**

Commission staff will consider and assess all alternative recommendations for operational or facility modifications, as well as protection, mitigation, and enhancement measures identified by us, the agencies, Indian tribes, NGOs, and the public.

## **4.0 SCOPE OF CUMULATIVE EFFECTS AND SITE-SPECIFIC 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 our review of the license application and preliminary staff analysis, we have identified the following resources that may be cumulatively affected by the proposed operation and maintenance of the LEAPS Project: water quantity, water quality, and fishery resources.

Project No. 14227-003

#### **4.1.2 Geographic Scope**

Our geographic scope of analysis for cumulatively affected resources is defined by the physical limits or boundaries of: (1) the proposed action's effect on the resources, and (2) contributing effects from other hydropower and non-hydropower activities within the Lake Elsinore watershed. Because the proposed action can affect resources differently, the geographic scope for each resource may vary.

For water resources, we would consider cumulative effects in the San Juan Creek River basin from the location of the upper reservoir to the downstream influence of project releases. For fishery resources, we would consider the cumulative effects in Lake Elsinore relative to any fishery management program within Lake Elsinore.

#### **4.1.3 Temporal Scope**

The temporal scope of our cumulative effects analysis in the EIS will include a discussion of past, present, and future actions and their 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 to the resources from reasonably foreseeable future actions. The historical discussion will, by necessity, be limited to the amount of available information for each resource. The quality and quantity of information, however, diminishes as we analyze resources further away in time from the present.

### **4.2 RESOURCE ISSUES**

In this section, we present a preliminary list of environmental issues to be addressed in the EIS. We have identified these issues, which are listed by resource area, by reviewing the license application and the Commission's record for the LEAPS Project. This list is not intended to be exhaustive or final, but contains those issues raised to date that could have substantial effects. After the scoping process is complete, we will review this list and determine the appropriate level of analysis needed to address each issue in the EIS. Those issues identified by an asterisk (\*) will be analyzed for cumulative and/or site-specific effects.

#### **4.2.1 Geologic and Soil Resources**

- Effects of disposal/dispersion methods of spoil material resulting from construction of the proposed project facilities and impact on the surrounding areas.

Project No. 14227-003

#### **4.2.2 Water Resources**

- Effects of project operations on water quantity, such as evaporation, diminished spring flow, and groundwater supplies.\*
- Effects of project operations on groundwater quality.\*
- Effects of project operations on surface water quality (e.g., temperature, dissolved oxygen concentrations, and nutrient cycling in Lake Elsinore).\*
- Effects of project operations on shoreline erosion and sedimentation in project waters.
- Effects of project operations on algae blooms and the potential for the creation of cyanotoxins in project waters.

#### **4.2.3 Aquatic Resources**

- Effects of lake-level fluctuations caused by load-following (peaking) operations on aquatic resources in Lake Elsinore.
- Effects of water quality conditions on fish populations in Lake Elsinore.\*
- Effects of fish entrainment and entrainment-related mortality on fish populations in project reservoirs.\*
- The potential for project operations to spread non-native aquatic species.

#### **4.2.4 Terrestrial Resources**

##### *Botanical and Wetland Resources*

- Effects of project construction on upland vegetation, riparian vegetation, and wetlands including temporary and permanent disturbance of vegetation communities.
- Effects of project construction, operation, and maintenance activities on plant species and plant communities given special status by resource agencies or identified as Regional Forester's sensitive species.

## Project No. 14227-003

- Effects of project construction, operation, and maintenance on the establishment and spread of noxious weeds and exotic plants of concern around project facilities, including lands along access roads and transmission lines, around powerhouses, and at recreation facilities.
- Effects of lower reservoir operation, including water-level fluctuations, on aquatic, littoral zone, and riparian vegetation, and associated wildlife species.
- Effects of project operation and maintenance including vegetation management, herbicide, and pesticide use.

*Wildlife Resources*

- Effects of project construction, operation, and maintenance, including project-related noise and lighting, on wildlife and wildlife habitat, including species given special status by resource agencies or identified as Regional Forester's sensitive species.
- Effects of construction, operation, and maintenance of the project on nesting and wintering raptors and special-status bird species and their seasonal habitats as well as regular roosting sites used by wintering bald eagles.
- Effects of potential collision and electrocution associated with project transmission lines, substations, and appurtenant facilities on all bird species including species that may potentially nest on transmission line structures.
- Effects of project construction and operation, including the effects of human activity and project facilities that potentially pose barriers to wildlife movements (e.g., migration and dispersal) including mule deer, the Santa Ana Mountain population of mountain lions, American badger, bobcat, and gray fox.
- Effects the upper reservoir on wildlife species including the risk of potential toxic algae blooms.
- Effects of construction, operation, and maintenance of the proposed project on special-status bats including, but not necessarily limited to, Townsend's big-eared bat, western red bat, spotted bat, pallid bat, pocketed free-tailed bat, big free-tailed bat, western yellow bat, and western mastiff bat, as well as their habitat.

Project No. 14227-003

#### 4.2.5 Threatened and Endangered Species

- Effects of proposed construction, operation, and maintenance of the project on federally listed endangered and threatened species, and their habitat, in the vicinity of the project, including the endangered southern California steelhead (*Oncorhynchus mykiss*); Munz's onion (*Allium munzii*), San Diego ambrosia (*Ambrosia pumila*), San Jacinto Valley crownscale (*Atriplex coronata* var. *notatior*), Nevin's barberry (*Berberis nevinii*), slender-horned spineflow (*Dodecahema leptoceras*), San Diego button-celery (*Eryngium aristulatum* var. *parishii*), California Orcutt grass (*Orcuttia californica*), Mexican flannelbush (*Fremontodendron mexicanum*), Quino checkerspot butterfly (*Euphydryas editha quino*) and its host plant—dwarf plantain (*Plantago erecta*), southwestern willow flycatcher (*Empidonax traillii extimus*), least Bell's vireo (*Vireo bellii pusillus*), Stephen's kangaroo rat (*Dipodomys stephensi*), and arroyo toad (*Anaxyrus californicus*); the threatened San Diego thornmint (*Acanthomintha ilicifolia*), thread-leaved brodiaea (*Brodiaea filifolia*), spreading navarretia (*Navarretia fossalis*), coastal California gnatcatcher (*Polioptila californica californica*), and California red-legged frog (*Rana draytonii*); and designated or proposed critical habitat for Munz's onion, Riverside fairy shrimp, arroyo toad, thread-leaved brodiaea, coastal California gnatcatcher, and Stephen's kangaroo rat.

#### 4.2.6 Recreation and Land Use

- Effects of upper reservoir construction and operation on recreation use of the Cleveland National Forest.
- Effects of upper reservoir construction and operation on Forest Service Inventoried Roadless Area(s).
- Effects of project construction and operation on recreation use of Lake Elsinore.
- Effects of project construction and operation on wildfire risk and aerial firefighting activities.
- Effects of project construction-related truck activity on vehicle traffic.
- Effects of project construction and operation on residential land use.



Project No. 14227-003

#### **4.2.7 Cultural Resources**

- Effects of construction and operation of the proposed project on historic, archeological, and traditional cultural resources that may be eligible for inclusion in the National Register of Historic Places.

#### **4.2.8 Aesthetic Resources**

- Effects of project construction and operation on aesthetic resources, including unwanted sound from construction-related truck activity.

#### **4.2.9 Socioeconomics**

- Effects of the LEAPS Project on local, tribal, and regional economies.

#### **4.2.10 Developmental Resources**

- Effects of proposed protection, mitigation, and enhancement measures on project economics.

### **5.0 REQUEST FOR INFORMATION**

We are asking federal, state, and local resource agencies, Indian tribes, NGOs, and the public to forward to the Commission any information that will assist us in conducting an accurate and thorough analysis of the project-specific and cumulative effects associated with licensing the LEAPS 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 site-specific and cumulative effects), and that helps identify significant environmental issues;
- identification of, and information from, any other Environmental Analysis, EIS, or similar environmental study (previous, on-going, or planned) relevant to the proposed licensing of the LEAPS 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;

## Project No. 14227-003

- information that would help characterize the existing environmental conditions and habitats;
- the 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, Indian tribes, NGOs, and the public; and
- documentation showing why any resources should be excluded from further study or consideration.

The requested information and comments on SD1 may be filed electronically via the Internet no later than **August 17, 2020**. All filings must clearly identify the following on the first page: **LEAPS Project (P-14227-003)**. 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 <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](mailto: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, please send a copy to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426.

Register online at <http://www.ferc.gov/docs-filing/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. <mailto:fercoNLINEsUKPPORT@FERC.GOV>

Intervenors – those on the Commission's service list for this proceeding – are reminded that if they file comments with the Commission, they must also serve a copy of their filing on each person whose name appears on the official service list. Note that the

Project No. 14227-003

list is periodically updated. The official service list can be obtained on the Commission's web site (<http://www.ferc.gov>) - click on Documents and Filing and click on eService - or call the Office of the Secretary, Dockets Branch at (202) 502-8715. In addition, if any party files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on the resource agency.

Any questions concerning the scoping process, or how to file written comments with the Commission should be directed to Kyle Olcott at (202) 502-8963 or [kyle.olcott@ferc.gov](mailto:kyle.olcott@ferc.gov). Additional information about the Commission's licensing process and the LEAPS Project may be obtained from the Commission's website, [www.ferc.gov](http://www.ferc.gov).

## 6.0 EIS PREPARATION SCHEDULE

The draft EIS will be sent to all persons and entities on the Commission's service and mailing lists for the LEAPS Project. The EIS will include our recommendations for operating procedures, as well as environmental protection and enhancement measures that should be part of any new license issued by the Commission. All recipients will then have 60 days to review the EIS and file written comments with the Commission. All comments on the draft EIS filed with the Commission will be considered in preparation of the Final EIS.

The major milestones, including those for preparing the EIS, are as follows:

<u>Major Milestone</u>	<u>Target Date</u>
Scoping Comments Due	August 2020
Scoping Document 2 Issued (if necessary)	September 2020
Ready for Environmental Analysis Notice Issued	December 2020
Deadline for Filing Comments, Recommendations and Agency Terms and Conditions/Prescriptions	February 2021
Draft EIS Issued	August 2021
Comments on Draft EIS due	October 2021
Final EIS Issued	January 2022

If Commission staff determines that there is a need for additional information or additional studies, the issuance of the Ready for Environmental Analysis notice could be delayed. If this occurs, all subsequent milestones would be delayed by the time allowed for Nevada Hydro to respond to the Commission's request.

Project No. 14227-003

## 7.0 PROPOSED EIS OUTLINE

The preliminary outline for the LEAPS Project EIS is as follows:

### TABLE OF CONTENTS FORMAT FOR AN EIS

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

ACRONYMS AND ABBREVIATIONS

#### 1.0 INTRODUCTION

1.1 Application

1.2 Purpose of Action and Need for Power

1.3 Statutory and Regulatory Requirements

1.3.1 Federal Power Act

1.3.1.1 Section 18 Fishway Prescriptions

1.3.1.2 Section 4(e) Conditions

1.3.1.3 Section 10(j) Recommendations

1.3.1.4 Section 30(c) Fish and Wildlife Conditions

1.3.2 Clean Water Act

1.3.3 Endangered Species Act

1.3.4 Coastal Zone Management Act

1.3.5 National Historic Preservation Act

Other statutes as applicable

1.4 Public Review and Comment

1.4.1 Scoping

1.4.2 Interventions

1.4.3 Comments on the Application

1.4.4 Comments on Draft EIS

#### 2.0 PROPOSED ACTION AND ALTERNATIVES

2.1 No-action Alternative

2.2 Proposed Action

2.2.1 Proposed Project Facilities

2.2.2 Project Safety

2.2.3 Proposed Project Operation

2.2.4 Proposed Environmental Measures

2.2.5 Modifications to Applicant's Proposal—Mandatory Conditions

2.3 Staff Alternative

2.4 Staff Alternative with Mandatory Conditions

2.5 Other Alternatives

2.6. Alternatives Considered but Eliminated from Detailed Study

Project No. 14227-003

### 3.0 ENVIRONMENTAL ANALYSIS

3.1 General Description of the River Basin

3.2 Scope of Cumulative Effects Analysis

3.2.1 Geographic Scope

3.2.2 Temporal Scope

3.3 Proposed Action and Action Alternatives

3.3.1 Geologic and Soil Resources

3.3.2 Aquatic Resources

3.3.3 Terrestrial Resources

3.3.4 Threatened and Endangered Species

3.3.5 Recreation and Land Use

3.3.6 Cultural Resources

3.3.7 Aesthetic Resources

3.3.8 Socioeconomics

3.4 No-action Alternative

### 4.0 DEVELOPMENTAL ANALYSIS

4.1 Power and Economic Benefits of the Project

4.2 Comparison of Alternatives

4.3 Cost of Environmental Measures

4.4 Air Quality

### 5.0 CONCLUSIONS AND RECOMMENDATIONS

5.1 Comparison of Alternatives

5.2 Comprehensive Development and Recommended Alternative

5.3 Unavoidable Adverse Effects

5.4 Recommendations of Fish and Wildlife Agencies

5.5 Consistency with Comprehensive Plans

### 6.0 LITERATURE CITED

### 7.0 LIST OF PREPARERS

### 8.0 LIST OF RECIPIENTS

### APPENDICES

A--License Conditions Recommended by Staff

B--Response to Comments on the Draft Environmental Impact Statement

Project No. 14227-003

## 8.0 COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA, 16 U.S.C. section 803(a)(2)(A), 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 a project. The staff has preliminarily identified and reviewed the plans listed below that may be relevant to the LEAPS Project. Agencies are requested to review this list and inform the Commission 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 CFR section 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 LEAPS Project:

California Department of Fish and Game. 2007. California Wildlife: Conservation Challenges, California's Wildlife Action Plan. Sacramento, California. 2007.

California Department of Fish and Game. 1996. Steelhead Restoration and Management Plan for California. Sacramento, California. February 1996.

California Department of Parks and Recreation. 1998. Public Opinions and Attitudes on Outdoor Recreation in California. Sacramento, California. March 1998.

California Department of Parks and Recreation. California Outdoor Recreation Plan (SCORP). Sacramento, California. April 1994.

California State Water Resources Control Board. 2015. ISWEBE Plan: Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California. Sacramento, California. April 2015. [Amended May 2017 and August 2018.]

California State Water Resources Control Board. 2016. Water Quality Control Plan for the Santa Ana River Basin. Sacramento, California. February 2016. [Amended June 2017.]

Forest Service. 2005. Cleveland National Forest Land and Management Plan. Department of Agriculture, Corona, California. September 2005.

Project No. 14227-003

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.

## 9.0 MAILING LIST

The list below is the Commission's official mailing list for the LEAPS Project (FERC No. 14227). If you want to receive future mailings for the LEAPS Project from the Commission and are not included in the list below, please send your request by email to [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@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 Commission's mailing list must clearly identify the following on the first page: LEAPS Project No. 14227-003. You may use the same method if requesting removal from the mailing list below.

Register online at <http://www.ferc.gov/docs-filing/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 at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659

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## Project No. 14227-003

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Project No. 14227-003

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Project No. 14227-003

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P-14227-003 SD1 06182020.PDF.....1-35