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FEB 14 2013

Block, Darla

From: Nicholas E Josten [gsense@cableone.net]
Sent: Thursday, February 14, 2013 11:41 AM
To: Block, Darla
Cc: Bill Arkoosh; tunupajohn@msn.com
Subject: Supplementary information - Water Permit No. 37-21297
Attachments: 20130214_GS_IDWR.pdf

DEPT OF WATER RESOURCES

February 14, 2013

Subject: Supporting information for federal delay

Dear Ms. Block:

Attached please find the response to your letter to William Arkoosh dated 28-Jan-2013. Please let me know if you would also like to receive a hard copy of this letter and I will send one out today.

Best Regards,
Nick Josten
Agent for William Arkoosh

Nicholas E. Josten
GeoSense
2742 Saint Charles Avenue
Idaho Falls, ID 83404
208-528-6152
gsense@cableone.net

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RECEIVED
FEB 14 2013
DEPT OF WATER RESOURCES

February 14, 2013

Ms. Darla Block
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

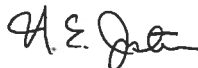
Subject: Evidence of federal delay in processing FERC license application – Little Wood River Ranch II Hydroelectric Project – Water Right Permit No. 37-21297

Dear Ms. Block:

Bill Arkoosh has asked me to respond to your letter dated 28-Jan-2013 in which you request evidence for federal delay preventing development of the subject water right. I have been responsible for FERC licensing of the Little Wood River Ranch II Hydroelectric Project, which is the project for which water Permit No. 37-21297 was intended. The FERC license application was filed by Mr. Arkoosh on 7-Nov-2011. FERC has been processing this application for 14 months as evidenced by the correspondence attached to this letter. Mr. Arkoosh has responded in a timely manner to all FERC requests but the timeline for license issuance is controlled entirely by FERC. At this point the Environmental Assessment has been issued, IDEQ has issued the 401 Water Quality Certification, and agency terms and conditions have been submitted. We expect that the license will be issued in the very near future so that construction can finally proceed. However, the schedule remains dependent on FERC.

If you have any questions please call me anytime at 208-520-5135.

Regards,



Nicholas E. Josten
Agent for Bill Arkoosh

Attachments

Letter dated 11-07-2011, Filing of FERC license application
Letter dated 12-05-2011, FERC acknowledgment of application filing
Letter dated 12-20-2011, FERC request for additional information
Letter dated 03-09-2012, Submittal of additional information (w/o attachments)
Letter dated 03-19-2012, FERC request for clarification
Letter dated 04-03-2012, Submittal of clarification
Letter dated 07-31-2012, IDEQ 401 Certification issued (w/o attachment)
Letter dated 10-25-2012, FERC issues Environmental Assessment (w/o attachment)

Copies

Bill Arkoosh, Gooding, ID
John Arkoosh, Gooding, ID

GeoSense
2742 Saint Charles Ave
Idaho Falls, ID 83404
(208) 528-6152
gsense@cableone.net

November 7, 2011

The Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington DC 20426

Subject: Application for License for a Minor Water Project – Little Wood River Ranch II
Hydroelectric Project - FERC No. 14154

Dear Secretary:

Enclosed please find an original and eight copies of an Application for License for a Minor Water Project for the Little Wood River Ranch II Hydroelectric Project.

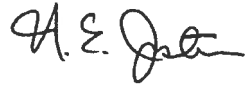
The Draft License Application (DLA) was distributed to stakeholders on 12-Sep-2011 along with a request for a shortened comment period of 30 days. The shortened comment period was requested because this project had been previously reviewed by all stakeholders during a license amendment proceeding under FERC No. 12063 and no additional changes had been made to the project design. DLA comments were received from most stakeholders including all agencies that had actively participated in the preliminary licensing – Idaho Fish and Game, Idaho Department of Environmental Quality, Lincoln County, Big Wood Canal Company, US Fish and Wildlife Service, BLM, and Army Corps. These comments are included in Appendix A of the application. All requests by these agencies were accommodated and have been included in the final licensing proposal. No other agencies filed comments. If any additional comments are received we will forward them to FERC immediately.

Copies of this license application have been sent to the following:

- Corey Skinner, IDWR, Idaho Falls, ID
- John Olson, USEPA – Region 10, Boise, ID
- Ray McClure, Lincoln County, Shoshone, ID
- Kasey Prestwich, BLM, Shoshone, ID
- James Joyner, US Army Corps, Idaho Falls, ID
- Dwayne Winslow, USFWS, Boise, ID
- Suzi Pengilly, Idaho SHPO, Boise, ID
- Cindy Robertson, IDFG, Boise, ID
- Mike McDonald, IDFG, Jerome, ID
- Sonny Buhidar, IDEQ, Twin Falls, ID
- Carolyn Smith, Shoshone-Bannock Tribes, Fort Hall, ID
- Lynn Harmon, Bog Wood Canal Company, Shoshone, ID
- Montie Day, Landowner, Alameda, CA

We are hopeful that these efforts will permit FERC to make a relatively rapid licensing decision for the project, which would enable the applicant to begin construction next winter. Please contact me at (208) 528-6152 if you have any questions.

Best regards,

A handwritten signature in black ink, appearing to read "N.E. Josten".

Nicholas E. Josten
Agent for William Arkoosh

Attachment

Original + eight copies of License Application for Little Wood River Ranch II Hydroelectric Project

Copies

William Arkoosh, Gooding, ID

FEDERAL ENERGY REGULATORY COMMISSION

Washington, D. C. 20426

December 5, 2011

OFFICE OF ENERGY PROJECTS

Project No. 14154-001 —Idaho
Little Wood River Ranch II Hydroelectric
Project
William Arkoosh

William Arkoosh
2005 Highway 26
Gooding, ID 83330

Reference: Acknowledgement of Application Filing

Dear Mr. Arkoosh:

This letter acknowledges the filing of your license application on November 15, 2011. Within 5 days after you receive this letter, please send a complete copy of your application, with the filing date annotated, to: State Director, Idaho State Office, Bureau of Land Management, Lands Services Section (ID-943A), Attn.: FERC Withdrawal Recordation, 1387 S. Vinnell Way, Boise, ID 83709-1657. Also, please file a copy of your cover letter to the BLM with the Commission's Secretary to confirm that BLM has been sent a copy of your license application.

If you have any questions, please contact Jennifer Harper, Project Coordinator, at (202) 502-6136.

Sincerely,

Jennifer Hill, Chief
Northwest Branch
Division of Hydropower Licensing

cc: Service List
Public Files

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426
December 20, 2011

OFFICE OF ENERGY PROJECTS

Project No. 14154-001—Idaho
Little Wood River Ranch II
Hydroelectric Project
William Arkoosh

William Arkoosh
2005 Highway 26
Gooding, ID 83330

Reference: Deficiency of License Application and Request for Additional Information

Dear Mr. Arkoosh:

Your license application filed on November 15, 2011, fails to conform to the requirements of the Commission's regulations. A list of deficiencies is enclosed as Schedule A. We also need additional information before we can complete our evaluation of your license application for this project. A list of additional information is enclosed as Schedule B. Under Section 4.32(e)(1) of the Commission's regulations, you have 90 days from the date of this letter to correct the deficiencies in your application and answer our additional information requests.

If the requested information causes any other part of the application to be inaccurate, that part must also be revised and refiled by the due date.

Within 5 days of receipt, provide a copy of this letter to all agencies you will consult in response to this deficiency request. Then, when you file the requested information with the Commission, you must provide a complete copy of the information to each agency consulted under Section 4.38 of the regulations. Allow the agencies at least 30 days to respond before filing and include copies of all agency comments and recommendations, as well as how you addressed them. If the agencies do not reply, you should provide us dated copies of your request for comments.

Please file your response 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>). For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov; call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, your response may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426. Please put the docket number, P-14154-001 on the first page of your response.

When you file the requested information with us, you must at the same time serve copies of the filing on each agency consulted under section 4.38 of the regulations.

If you have any questions concerning this letter, please call Jennifer Harper, at (202) 502-6136.

Sincerely,

Jennifer Hill, Branch Chief
Northwest Branch
Division of Hydropower Licensing

Enclosure: Schedule A
Schedule B

cc: Public Files
Service List

Schedule A

Project No. 14154-001

**SCHEDULE A
DEFICIENCIES**

1. Section 4.38(b)(2) of the Commission's regulations requires you to consult with all affected Indian tribes. You stated in your license application that you have provided a copy of your license application to one tribe, the Shoshone-Bannock Tribe; however, the Commission has identified two other tribes, the Shoshone Paiute Tribes and the Fort McDermitt Paiute and Shoshone Tribes, as being potentially affected. Please provide a copy of the license application to each of these tribes, allowing at least 60 days for them to comment on the application.
2. On October 14, 2009, under FERC Project No. 12063, you filed an application for a license amendment to modify the project facilities and move the installed site from the north side of the river to the south side of the river, in part, to take advantage of the topography on the south side of the river and reduce the amount of basalt excavation required. Section 4.41(g)(3) of the Commission's regulations requires you to provide a supporting design report to demonstrate that the proposed structures are safe and adequate to fulfill their stated functions. This report must include an assessment of the suitability of the site based on geological and subsurface investigations of soils and rock borings; copies of boring logs, geology reports, and laboratory test reports; an identification of all borrow areas and quarry sites and an estimate of required quantities of suitable construction material; stability and stress analyses for all major structures; and the bases for the determination of the seismic loading and the spillway design flood in sufficient detail to permit independent staff evaluation. As geotechnical issues were partially responsible for your failure to construct under the previous license, we request that you provide this information as part of your license application.
3. Section 4.61(c)(1)(vii) of the Commission's regulations requires you to provide the minimum hydraulic capacity of the plant. Please revise your Exhibit A to include this information.
4. Section 4.61(c)(1)(x) of the Commission's regulations requires you to provide capital costs and estimated operations and maintenance expense of each proposed environmental measure. Please revise your Exhibit A to include this information.
5. Section 4.61(c)(3) of the Commission's regulations requires you to provide the cost of preparing the application. Please revise your Exhibit A to include this information.

Schedule A
Project No. 14154-001

6. Section 4.61(c)(8) of the Commission's regulations requires you to provide a detailed single-line electrical diagram. Please revise your Exhibit A to include this drawing.

7. Section 4.61(c)(9) of the Commission's regulations requires you to provide a statement of measures taken or planned to ensure safe management, operation, and maintenance of the project. Please revise your Exhibit A to include this statement.

Schedule B
Project No. 14154-001

SCHEDULE B ADDITIONAL INFORMATION REQUESTS

The new project configuration would differ from the project that was previously licensed by: (1) decreasing the authorized capacity from 1.50 megawatts (MW) to 1.23 MW; (2) raising the dam from 10 feet to 12 feet; (3) reducing the length of the bypassed reach from 2.3 miles to 1.3 miles; (4) lengthening the feeder canal from 2,800 feet to 3,900 feet; (5) moving the powerhouse and canals from the north side of the Little Wood River to the south side; (6) shortening the tailrace canal from 3,500 feet to 1,600 feet; (7) lengthening the transmission line from 2.0 miles to 2.2 miles; and (8) burying 0.25 mile of the transmission line. As these project facility changes may alter the effects of the proposed project, we request that you provide the information below.

Vegetation Resources

You state on page 7 of the license application, that in 2010 you conducted a botanical survey of two BLM parcels. Please provide a map that identifies where these surveys were conducted relative to the currently proposed project boundary. Please clarify whether other lands, in addition to the BLM lands, were surveyed, and if so, please provide a map showing the location of the additional surveys performed.

Tables 1 and 2 (labeled as Table 3) on pages 8 and 9 of the license application show plants with an asterisk (*) next to their names. This appears to denote invasive species/noxious weeds, although Russian Olive is missing an * in Table 2; however, there is no accompanying note to confirm this. Please revise the table to provide clarification.

To allow us to accurately characterize the project area in our analysis, please clarify the acreages of upland sagebrush, riparian, and/or any other vegetation habitat types within the project boundary. Please indicate the number of acres of each habitat type that would be affected/disturbed by the project. Please include in your discussion which areas would be revegetated and the total acreage that would be revegetated.

On April 10, 2009, the Commission issued orders modifying and approving your Environmental Features Design Plan, Riparian Habitat Improvement Plan, and Environmental Monitoring Plan; however, these plans were based on the original project design licensed as P-12063. As your project facilities have changed in your new

Schedule B

Project No. 14154-001

proposal, please revise the maps for each of these plans to include the project features for the project as it is currently proposed.

Wildlife Resources

Table 4 of the license application provides a partial list of wildlife species in the project area obtained from the license application for Project Number 7530 (Little Wood River Ranch). As this information was compiled in 1983, have any more recent wildlife surveys of the immediate project area around the proposed project site been conducted? Have there been any changes in the project area such that the information from 1983 is likely to be out of date (i.e., residential/commercial development, agricultural development, etc.). Did the surveys conducted on the two BLM parcels include any wildlife surveys?

Developmental Resources

Your application fails to include an estimate of the cost of alternate power for the project. Please provide this information. In your May 24, 2011 filing in response to our request for information regarding the economic feasibility of the project, you provided a 2012 sales rate of 63.78 mills/kilowatt hour (or \$63.78 per megawatt-hour (MWh)). Per the 2011 Annual Energy Outlook, published by the Energy Information Administration, the 2012 estimated total cost for electric power provided by natural gas in the Mountain Census Division 8 (which includes Idaho) is \$35.75/MWh. What support do you have for an estimate of the \$63.78/MWh sales price you provided? Do you have an estimate of a power sales contract, renewable portfolio pricing, or other price structure that would justify this amount? If so, please provide this supporting documentation.

In various places in your application, you describe the lands under the project as "privately owned," with the exception of the 0.5 acres identified as U.S. Bureau of Land Management land. Please provide the name(s) and address(es) for the landowner(s) for the privately owned lands within the project boundary.

Cultural Resources

As part of your consultation documents, you provided a letter dated September 17, 2010, from the Idaho State Historical Society that found that your formerly licensed Little Wood River Hydroelectric Project No. 12063 would have no effect on a property within

Schedule B

Project No. 14154-001

the Area of Proposed Effects (APE) that may be eligible for the National Register of Historic Places. It is unclear from this letter whether this concurrence is based on the original project design for project P-12063, or for the modified project design, as shown in the license amendment proposed in 2009. Please provide the survey and report that was provided to the Idaho State Historical Office. Please file your archeological survey and report as "Privileged." Also, please ask the Idaho State Historical Office to provide its Section 106 review on the application for the Little Wood River Hydroelectric Project No. 14154 that is presently before the Commission and to state if it concurs with the APE shown in your consultation documents. Finally, please provide a description of the APE with your license application.

GeoSense
2742 Saint Charles Ave
Idaho Falls, ID 83404
208-528-6152
gsense@cableone.net

March 9, 2012

Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Subject: Submittal of additional information in response to FERC AIR dated 20-Dec-2011 – Little Wood River Ranch II Hydro Project – FERC No. 14154

Dear Secretary,

This letter provides the additional information requested in your letter dated 20-Dec-2011. A copy of your AIR was sent to Idaho Department of Fish and Game (IDFG), Bureau of Land Management (BLM) and the State Historic Preservation Office (SHPO) on 27-Dec-2011 informing them of the potential need to consult on AIR Items (see Attachment 1). Note that a revised Exhibit F has been included as part of our response (see Schedule A – Item 6). This revised Exhibit F fulfills the requirement to re-submit any part of the license application that changes due to our effort to correct deficiencies.

Schedule A – Item 1

A copy of the license application was sent with a cover letter to Shoshone Paiute tribe and the Fort McDermitt Paiute and Shoshone tribe on 27-Dec-2011 (see Attachment 2). We received no comments from them on this project as of the date of this letter. We will forward any comments that might be received in the future.

Schedule A – Item 2

A supporting design report is attached (see Attachment 3).

Schedule A – Item 3

The minimum hydraulic capacity of the plant is 125 cfs. This has been indicated in the attached revised Exhibit A (see Attachment 4).

Schedule A – Item 4

The revised Exhibit A shows capital costs and the estimated operations and maintenance expense of each proposed environmental measure (see Attachment 4).

Schedule A – Item 5

The revised Exhibit A includes the cost of preparing the FERC application (see Attachment 4).

Schedule A – Item 6

A single line electrical diagram is included in the revised Exhibit F (see Attachment 5).

Schedule A – Item 7

The revised Exhibit A includes a statement of the measures that will be taken to ensure safe management, operation and maintenance of the project (see Attachment 4).

Schedule B – Item 1 – Vegetation Resources

The botanical survey was conducted for the two BLM parcels only. The Botanical Survey Report (Attachment 6) includes a map showing the survey areas. No other areas were surveyed.

Revised versions of Table 1 and Table 2 are provided below. The revised tables include an explanation of the asterisk (*).

TABLE 1 (REVISED). PLANT INVENTORY FOR BLM PARCEL 1 (RIPARIAN/UPLAND).

COMMON NAME	SCIENTIFIC NAME	STRATA
Burdock	<i>Arctium lappa</i>	forb
False Solomonseal	<i>Maeanthemum racemosum ssp. amplexicaule</i>	forb
Goldenrod	<i>Solidago canadensis</i>	forb
Hoary false yarrow	<i>Chaenactis douglasii</i>	forb
Orange Globemallow	<i>Sphaeralcea munroana</i>	forb
Poison Ivy	<i>Toxicodendron rydbergii</i>	forb
Russian knapweed*	<i>Acroptilon repens</i>	forb
Scotch thistle*	<i>Onopordum acanthium</i>	forb
Showy milkweed	<i>Asclepias speciosa</i>	forb
Silverleaf phacelia	<i>Phacelia hastata</i>	forb
Tansy mustard	<i>Descurainia pinnata</i>	forb
Wild clematis	<i>Clematis columbiana or Clematis ligusticifolia</i>	forb
Basin wildrye	<i>Leymus cinereus</i>	grass
Downy brome	<i>Bromus tectorum</i>	grass
Intermediate wheatgrass	<i>Elymus hispidus</i>	grass
Sandberg bluegrass	<i>Poa secunda</i>	grass
Douglas rabbitbrush	<i>Chrysothamnus viscidiflorus</i>	shrub
Golden currant	<i>Ribes aureum</i>	shrub
Gray rabbitbrush	<i>Chrysothamnus nauseosus</i>	shrub
Narrowleaf willow	<i>Salix exigua</i>	shrub
Rosa, sp	<i>Rosa woodsii or Rosa nutkana?</i>	shrub
Willow	<i>Salix scouleriana or S. bebbiana?</i>	shrub
Box Elder	<i>Acer negundo</i>	tree
Russian Olive†	<i>Elaeagnus angustifolia</i>	tree

* Denotes invasive/noxious weed species as listed in Prather, T., S. Robins and D. Moroshita, 2010, Idaho's Noxious Weeds, 5th Edition, University of Idaho Extension

† Denotes other invasive species

TABLE 2 (REVISED). PLANT INVENTORY FOR BLM PARCEL 2 (UPLAND).

COMMON NAME	SCIENTIFIC NAME	STRATA
Diffuse knapweed*	<i>Centaurea diffusa</i>	forb
Long-leaf fleabane	<i>Erigeron corymbosus</i>	forb
Orange globe mallow	<i>Sphaeralcea munroana</i>	forb
Prickly lettuce	<i>Lactuca serriola</i>	forb
Prostrate spurge	<i>Euphorbia supina</i>	forb
Silverleaf phacelia	<i>Phacelia hastata</i>	forb
Silvery lupine	<i>Lupinus argenteus</i>	forb
Stoneseed	<i>Ilthospermum ruderales</i>	forb
Tumble mustard	<i>Sisymbrium altissimum L.</i>	forb
Western salsify	<i>Trappopogon dubius Scop.</i>	forb
Woolly mullein	<i>Verbascum thapsus</i>	forb
Basin wildrye	<i>Leymus cinereus</i>	grass
Crested wheatgrass	<i>Agropyron cristatum</i>	grass
Downy brome	<i>Bromus tectorum</i>	grass
Intermediate wheatgrass	<i>Elymus hispidus</i>	grass
Sandberg bluegrass	<i>Poa secunda</i>	grass
Big sagebrush	<i>Artemisia tridentata</i>	shrub
Douglas rabbitbrush	<i>Chrysothamnus viscidiflorus</i>	shrub
Gray rabbitbrush	<i>Chrysothamnus nauseosus</i>	shrub

* Denotes invasive/noxious weed species as listed in Prather, T., S. Robins and D. Moroshita, 2010, Idaho's Noxious Weeds, 5th Edition, University of Idaho Extension

The table below shows the amount of upland and riparian habitat enclosed within the project boundary. Also included in this table are estimates of the amount of each habitat type that would be subject to construction disturbance and revegetation efforts, and the amount of each habitat type that would be permanently lost due to existence of hydro facilities.

HABITAT TYPE	ACRES	% OF TOTAL	ESTIMATED CONSTRUCTION DISTURBANCE	AREA TO BE REVEGETATED	ESTIMATED PERMANENT LOSS
Total Agricultural	25.4	20.7%	0 acres	0 acres	0 acres
Total Riparian	6.3	5.2%	< 1 acre	About 0.25 acres in vicinity of intake – new riparian areas would be developed on edge of impoundment	< 1 acre
Total Upland & Roads	90.7	74.1%	10 acres	3 acres	7 acres
Total within Project Boundary	122.4	100%	10 – 11 acres	3 acres	7 – 8 acres

A new features map has been developed for the Environmental Features Design Plan, Riparian Habitat Improvement Plan and Environmental Monitoring Plan (see Attachment 7). This new map reflects the new project design.

Schedule B – Item 2 – Wildlife Resources

The project area is largely unchanged since 1983 with the following exceptions:

- The Little Wood River Ranch I project went on line in 1986.
- Mr. Arkoosh added a pivot irrigation system in about 2001, just west of the project area.

No site specific wildlife surveys were conducted. However, because the area has experienced little change since 1983 the wildlife list provided in the license application is believed to be largely accurate.

The project area is within the Snake River Basalts Ecological Section as classified by Idaho Fish and Game (Idaho Department of Fish and Game. 2005. Idaho Comprehensive Wildlife Conservation Strategy. Idaho Conservation Data Center, Idaho Department of Fish and Game, Boise, ID). As mapped in this document by IDFG, the primary habitat types occurring in the project area are arable lands and southern xeric shrubland and steppe. The following is a current list of species of greatest conservation need for these two habitat types.

List of species of Idaho greatest conservation need potentially occurring in the “Arableland” habitat type:

Amphibians

Northern Leopard Frog *Rana pipiens*

Birds

Northern Pintail *Anas acuta*

Greater Sage-Grouse *Centrocercus urophasianus*

Sharp-tailed Grouse *Tympanuchus phasianellus*

Black-crowned Night-Heron *Nycticorax nycticorax*

White-faced Ibis *Plegadis chihi*

Merlin *Falco columbarius*

Long-billed Curlew *Numenius americanus*

Franklin’s Gull *Larus pipixcan*

California Gull *Larus californicus*

Burrowing Owl *Athene cunicularia*

Blue Grosbeak *Passerina caerulea*

Mammals

Wyoming Ground Squirrel *Spermophilus elegans*

Townsend's Pocket Gopher *Thomomys townsendii*

List of Idaho species of greatest conservation need potentially occurring in the “Southern Xeric Shrubland and Steppe” habitat type:

Amphibians

Northern Leopard Frog *Rana pipiens*

Reptiles

Ring-necked Snake *Diadophis punctatus*

Birds

Greater Sage-Grouse *Centrocercus urophasianus*

Sharp-tailed Grouse *Tympanuchus phasianellus*

Merlin *Falco columbarius*

Peregrine Falcon *Falco peregrines*

Long-billed Curlew *Numenius americanus*

Burrowing Owl *Athene cunicularia*

Pinyon Jay *Gymnorhinus cyanocephalus*

Juniper Titmouse *Baeolophus ridgwayi*

Virginia’s Warbler *Vermivora virginiae*

Grasshopper Sparrow *Ammodramus savannarum*

Blue Grosbeak *Passerina caerulea*

Lesser Goldfinch *Carduelis psaltria*

Mammals

Merriam’s Shrew *Sorex merriami*

Spotted Bat *Euderma maculatum*

Townsend’s Big-eared Bat *Corynorhinus townsendii*

Pygmy Rabbit *Brachylagus idahoensis*

Wyoming Ground Squirrel *Spermophilus elegans*

Great Basin Ground Squirrel *Spermophilus mollis*

Idaho Pocket Gopher *Thomomys idahoensis*

Little Pocket Mouse *Perognathus longimembris*

Grizzly or Brown Bear *Ursus arctos*

Bighorn Sheep (populations south of the Snake River) *Ovis canadensis*

Schedule B – Item 3 – Developmental Resources

The Supporting Design Report, Exhibit 2 provides documentation on current PURPA rates.

A map of private land ownership including names and addresses of landowners is provided as Attachment 8. There are two landowners with lands inside the project boundary:

William Arkoosh (Applicant)
2005 Highway 26
Gooding, ID 83330

Montie S. Day
38 Steuben Bay
Alameda, CA 94502

Schedule B – Item 4 – Cultural Resources

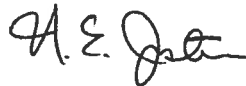
The cultural resource inventory survey conducted by Stephanie Crockett was for lands potentially disturbed by the project exactly as indicated by the APE map (Attachment 9). A copy of the cultural resource inventory report for this project was filed as “Privileged” on 29-Feb-2012. An e-mail has been sent to the Idaho SHPO requesting a new Section 106 review indicating the new project number P-14154 and verifying the APE. This review will be forwarded to FERC as soon as it is received.

A copy of this letter has been distributed to the following resource agencies for review and comment:

- Idaho Fish and Game
- Bureau of Land Management
- State Historic Preservation Office

These agencies have been asked to provide comments within 30 days. At the end of this comment period we will forward to FERC copies of any comments received and provide a statement of our plans to address any agency recommendations.

Best Regards,



Nicholas E. Josten

Attachments

- Attachment 1: Copy of letters to agencies stating intention to consult
- Attachment 2: Copy of letter to tribes
- Attachment 3: Supporting design report
- Attachment 4: Revised Exhibit A
- Attachment 5: Revised Exhibit F
- Attachment 6: Botanical Survey Report
- Attachment 7: Revised features map for Environmental Features Design Plan, Riparian Habitat Improvement Plan and Environmental Monitoring Plan
- Attachment 8: Land ownership map
- Attachment 9: Cultural resource survey APE map

Copies

Bill Arkoosh, Gooding, ID

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
March 19, 2012

OFFICE OF ENERGY PROJECTS

Project No. 14154-001—Idaho
Little Wood River Ranch II
Hydroelectric Project
William Arkoosh

William Arkoosh
2005 Highway 26
Gooding, ID 83330

Reference: Clarification of Additional Information Response

Dear Mr. Arkoosh:

On November 15, 2011, you filed an application to construct, operate, and maintain the proposed Little Wood River Ranch II Hydroelectric Project No. 14154. Upon review of your application, we discovered a number of deficiencies, and therefore, on December 20, 2011, we notified you of the deficiencies and requested that you correct them by March 12, 2012. On March 1 and March 9, 2012, you filed responses to our request. Some of your responses require clarification, which is described in Schedule A.

Please file the information in Schedule A by April 18, 2012. If the corrected information causes other parts of the application to be inaccurate, that part must also be revised and refiled by the due date. Please file your response 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>). For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov; call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, your response may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426. Please put the docket number, P-14154-001 on the first page of your response. If you do not file the requested information by April 18, 2012, we may reject your license application.

If you have any questions or require clarification of the points in this letter, we encourage you to contact Jennifer Harper at (202) 502-6136 immediately.

Sincerely,

Jennifer Hill, Chief
Northwest Branch

cc: Service List
Public Files

INFORMATION CLARIFICATION

Following is a list of information that requires clarification, based on staff's review of your responses filed on March 1 and March 9, 2012. Please provide this requested information within 30 days from the date of this letter.

Supporting Design Report

1. The supporting design document you filed contained a substantial amount of information supporting the economic feasibility of the project. However, the supporting design report is to determine whether, if a license is issued, the proposed project design would be safe and adequate for its intended purposes. The supporting design report must include: (1) an assessment of the suitability of the site based on geological and subsurface investigations; (2) copies of boring logs, geology reports, and laboratory test reports; (3) an identification of all borrow areas and quarry sites and an estimate of required quantities of suitable construction material; (4) stability and stress analyses for all major structures and critical abutment slopes under all probable loading conditions; and (5) the bases for determination of seismic loading and spillway design flood in sufficient detail to permit independent staff evaluation. Please revise your supporting design report to include this information and file your modified supporting design report as "CEII."

2. The authorized installed capacity, in kilowatts (kW) for annual charge purposes, is based on the nameplate rating of the generator. If the output of the generator is not the same as the turbine, then the authorized installed capacity will be based on the smaller of the nameplate ratings of the generators and turbines. In your response, you provided three separate ratings for the generator unit that is proposed for this project: (1) Page 2 of the Supporting Design Report lists the generator as 1,150 kW; (2) Table 1 of the Supporting Design Report lists the maximum generator output as 1,247.415 kW; and (3) Exhibit 4 of the Supporting Design Report lists the maximum generator output as 1,060.303 kW. Please clarify the capacity rating of the generator that will be installed as part of your proposed project, and please verify that the predicted annual power generation given in Exhibit A (5,025 megawatt-hours) is accurate.

Cost Measures

3. Your proposed avian protection measures include avian collision surveys for the first three years after the project goes online; however, you have provided no cost for this item. Also, it is unclear from the information presented if the annual cost included for riparian improvements includes noxious weed control. Please provide clarification on these two items.

GeoSense
2742 Saint Charles Ave
Idaho Falls, ID 83404
208-528-6152
gsense@cableone.net

April 3, 2012

Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Subject: Information clarification in response to FERC letter dated 19-Mar-2012 – Little Wood River Ranch II Hydro Project – FERC No. 14154

Dear Secretary,

This letter provides the clarifications requested in your letter dated 19-Mar-2012.

Section 106 Review

The Idaho SHPO Section 106 review letter showing the correct project number is attached.

Supporting Design Report

The preliminary supporting design report has been completed and e-filed separately from this letter and attachments. The preliminary supporting design report addresses 1) site suitability based on geologic investigations, 2) contains copies of geotechnical data, 3) states that no new borrow areas or quarry sites will be used, and 4) discusses spillway function under potential design flood conditions. No analysis of seismic loading or stability/stress analysis of major structures is included in this preliminary supporting design report. Additional work would be completed if necessary as part of final design.

Installed Capacity

The proposed installed capacity is 1,230 KW as stated in the Project Summary Data table of the Revised Exhibit A submitted with our 9-Mar-2012 letter license application. The estimated average annual generation is 5,300 MWH as stated in Project Summary Data table of the revised Exhibit A submitted with our 9-Mar-2012 letter. The discrepancies noted in your letter resulted from multiple iterations of the project design during the licensing process and feasibility studies. We regret that these inconsistencies were not corrected. The Project Summary Table is intended to present the details of the final project proposal.

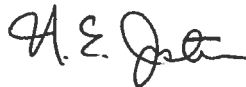
Cost Measures

The avian collision surveys will be conducted by the project applicant and would not result in any additional project cost.

The annual cost of \$1,500 for riparian improvement includes all proposed measures and reflects the applicant's ability to perform much of the work himself. Besides Russian olive eradication, other noxious weed control measures would be used only if environmental monitoring indicated that such measures were necessary. If other noxious weed control measures become necessary the applicant would complete this work in conjunction with routine weed control measures performed

as part of the existing agricultural operation. This work would not constitute an additional cost directly attributable to the hydropower development.

Best Regards,



Nicholas E. Josten

Attachments

Attachment 1: Copy of updated Section 106 review letter

Copies

Bill Arkoosh, Gooding, ID



C.L. "Butch" Otter
Governor of Idaho

Janet Gallimore
Executive Director

Administration
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 334-2682
Fax: (208) 334-2774

Membership and Fund
Development
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 514-2310
Fax: (208) 334-2774

Historical Museum and
Education Programs
610 North Julia Davis Drive
Boise, Idaho 83702-7695
Office: (208) 334-2120
Fax: (208) 334-4059

State Historic Preservation
Office and Historic Sites
Archaeological Survey of Idaho
210 Main Street
Boise, Idaho 83702-7264
Office: (208) 334-3861
Fax: (208) 334-2775

Statewide Sites:
• Franklin Historic Site
• Pierce Courthouse
• Rock Creek Station and
• Stricker Homesite

Old Penitentiary
2445 Old Penitentiary Road
Boise, Idaho 83712-8254
Office: (208) 334-2844
Fax: (208) 334-3225

Idaho State Archives
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 334-2620
Fax: (208) 334-2626

North Idaho Office
112 West 4th Street, Suite #7
Moscow, Idaho 83843
Office: (208) 882-1540
Fax: (208) 882-1763

March 20, 2012

Nicholas Josten
GeoSense
2742 Saint Charles Ave.
Idaho Falls, Idaho 83404

RE: Section 106 Review, Little Wood Hydroelectric Project (FERC No. 14154);
Archaeological Report by Stephanie Crockett, Victor, Idaho, dated 25 August
2010, rec'd 7 September 2010

Dear Mr. Josten:

Thank you for requesting our views on the archaeological survey of the
proposed Little Wood River Hydroelectric Project located in Lincoln County,
Idaho. The survey and report, completed by Stephanie Crockett, easily meet the
Secretary of the Interior's Standards.

Only one site, the remains of a historic homestead (LWR-1), was
identified within the project's area of potential effects (APE). We agree that
LWR-1 may be *eligible* for the National Register of Historic Places. We also
agree that the hydroelectric project will have *no effect* on the historic property.
The BLM archaeologist for this area, Lisa Cresswell, notified us that she also
supports these findings.

We appreciate your cooperation. If you have any questions, please feel
free to contact me at 208-334-3847, ext. 107.

Sincerely,

Susan Pengilly
Deputy SHPO





STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1363 Fillmore Street • Twin Falls, Idaho 83301 • (208) 736-2190

C.L. "Butch" Otter, Governor
Curt Fransen, Director

July 31, 2012

Mr. William Arkoosh
2005 Highway 26
Gooding, Idaho 83330

Mr. Nicholas Josten
Geo-Sense
2742 Saint Charles Avenue
Idaho Falls, Idaho 83404

Re: FERC No. 14154 / Little Wood River Ranch No. 2 Hydropower Project / NWW-2009-365-I02 [NWP-39]

Dear Mr. Arkoosh & Mr. Josten:

Enclosed you will find the Final 401 water quality certification for the above referenced project. If the project is constructed according to the terms and conditions of the certification; and the Section 404 permit and other local State and federal permits; then there is a reasonable assurance that the project will comply with water quality standards in protecting the beneficial uses of the Little Wood River.

If you have any concerns or questions, please contact Dr. Buhidar at (208) 736-2190 or by email at Balthasar.buhidar@deq.idaho.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Allred", is written over a horizontal line.

Bill Allred
Regional Administrator

BA:BBB:gl

Enclosure

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Mr. William Arkoosh

Project No. 14154-001-Idaho

NOTICE OF AVAILABILITY OF ENVIRONMENTAL ASSESSMENT

(October 25, 2012)

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR Part 380 (Order No. 486, 52 FR 47,897), the Office of Energy Projects has reviewed the application for an original license to construct the Little Wood River Ranch II Hydropower Project, and has prepared an environmental assessment (EA). The proposed 1.23-megawatt project would be located on the Little Wood River, six miles west of the Town of Shoshone, in Lincoln County, Idaho. The project would be located on 119.1 acres of private land and would occupy 3.3 acres of federal lands managed by the U.S. Bureau of Land Management.

The EA includes staff's analysis of the potential environmental impacts of the project and concludes that licensing the project, with appropriate environmental measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

A copy of the EA is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's web site at <http://www.ferc.gov>, using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field, to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov, or toll-free at (866) 208-3676, or for TTY, (202) 502-8659.

You may also register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659. Please contact Jennifer Harper by telephone at (202) 502-6136, or by e-mail at Jennifer.Harper@FERC.gov, if you have any questions.

Kimberly D. Bose,
Secretary.