



United States Department of the Interior

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IN REPLY REFER TO:
ER06/0630

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August 14, 2006

Honorable Magalie R. Salas
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Subject: SUPPLEMENTAL COMMENTS – Notice of Application for Competing Preliminary Permit for the Deception Pass Tidal Energy Hydroelectric Project, FERC Project No. 12687-000; Skagit and Island Counties, Washington

Dear Ms. Salas:

The Department of the Interior (Department) has reviewed the subject Notice of Application for Competing Preliminary Permit for the for the proposed Deception Pass Tidal Energy Hydroelectric Project, Project No. 12687-000, located in Skagit and Island Counties, Washington. The Department offers the following comments and recommendations to the Federal Energy Regulatory Commission (Commission) on the application, which are intended to supplement the comments and recommendations that the Department filed on July 17, 2006.

GENERAL COMMENTS

In the preliminary permit, Snohomish Public Utility District (Snohomish PUD) proposes to investigate installing four Tidal In Stream Energy Conversion (TISEC) devices which consist of rotating propeller blades 20 meters in diameter, integrated generators, anchoring systems, mooring lines, and interconnection transmission lines. Regulations created pursuant to the Federal Power Act, as amended, require consultation with the National Park Service (NPS), among others (18 C.F.R. § 4.38(a) and 18 C.F.R. § 5.1(d)). NPS provides technical assistance regarding outdoor recreation resources, through authority of the Outdoor Recreation Act of 1963 (16 U.S.C. § 4601-1), the NPS Organic Act (16 U.S.C. § 1 *et seq.*), the Wild and Scenic Rivers Act of 1968 (Public Law 90-542), and the National Trails System Act of 1968 (16 U.S.C. § 1246(a)). In addition, NPS is required under the NPS Organic Act to preserve unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this generation and future generations. The Department is concerned about potential direct and indirect adverse impacts to the marine environment, and we recommend that the effect of locating turbines within Deception Pass be fully analyzed. In

addition, the applicant should provide evidence that proposed actions will have a minimal effect upon fish and marine mammal populations and their associated habitat.

Recreation and Aesthetic Resources

The Department is concerned about potential impacts to the aesthetic and recreation resources in the Puget Sound. This area is heavily used for boating (non-motorized and motorized), fishing, whale and other wildlife watching, and diving. The Cascadia Marine trail, a non-motorized water trail, is also in the vicinity of the project and we are concerned about development-related impacts to the experience provided by this trail. The Department recommends that studies be conducted to determine the potential impacts the pilot project will have on these resources.

Cumulative Effects

Snohomish PUD has submitted applications for several preliminary permits for tidal energy projects in the Puget Sound area. The Department is concerned about the potential cumulative effects of these tidal energy projects in the Puget Sound. Cumulatively, these could impact aquatic and wildlife (and subsequently, viewing of these species), aesthetics, and other recreation resources. We recommend that the applicant develop a cumulative impact analysis for the pilot project which includes the impacts of other proposed projects in the area.

The Department recommends that the applicant be directed to consult with NPS, the Interagency for Outdoor Recreation, and the Washington Water Trail Association to help further define studies needed to address potential impacts of the pilot project on these resources.

The Department appreciates the opportunity to comment during the planning stages of the Deception Pass Tidal Energy Hydroelectric Project. If you have any questions regarding these comments, please contact Ms. Susan Rosebrough, NPS Hydropower Licensing Technical Specialist, at (206) 220-4121, susan_rosebrough@nps.gov.

The Department appreciates the opportunity to comment.

Sincerely,



Preston A. Sleeger
Regional Environmental Officer

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