

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
March 22, 2007

OFFICE OF ENERGY PROJECTS

Project No. 12686-001—Oregon
Mason Dam Hydroelectric Project
Baker County

Fred Warner, Jr.
County Commission Chair
1995 3rd Street
Baker City, OR 97814

**Subject: Supplement to our Study Plan Determination for the proposed
Mason Dam Hydroelectric Project**

Dear Mr. Warner:

On March 9, 2007, we issued our study plan determination for your proposed Mason Dam Hydroelectric Project. Following the issuance of our study plan determination, we became aware of two comment letters that had been misfiled with the Commission and therefore were not considered during the preparation of our study plan determination.¹ As a result, we are supplementing our study plan determination with this letter. Below we provide: (1) a summary of the misfiled comments; (2) a response to those comments; and (3) an amendment to our March 9, 2007, study plan determination.

The letters in question included comments on your proposed study plan which were filed by the Oregon Department of Environmental Quality (ODEQ) on January 16, 2007, and comments on your revised study plan which were filed by the U.S. Forest Service (Forest Service) on February 22, 2007.

The ODEQ's comments were specific to your proposed Study Plan 1 *Dissolved Oxygen, Water Quality and Temperature Assessment*. In general, the ODEQ's comments support the implementation of this study (as revised) with little modification; given your

¹ Two comment letters were filed with the Commission under the original docket number P-12058-002 instead of the current docket number P-12686-001.

current proposal to operate the project in a “run-of-release” mode. However, ODEQ does recommend that the water quality monitoring season be extended to ensure capturing the full period of reservoir stratification and that reservoir water sampling (in the vicinity of the intake) be conducted vertically from the surface to within one to two meters of the bottom. Commission staff agrees with ODEQ on both points.

Although we had independently addressed ODEQ’s first comment (regarding the monitoring season) in our March 9, 2007 study plan determination, we did not require reservoir water sampling to be conducted at a depth below that of the Mason Dam intake structure. Given the potential of the project’s construction to modify the Mason Dam intake structure, we find that ODEQ provides a compelling argument for the sampling of reservoir waters to within one meter of the bottom; therefore, by copy of this letter, we are amending our March 9, 2007 study plan determination and your revised study plan to include this additional sampling effort.

The Forest Service provided comments on three studies identified in your revised study plan: (1) the *Fish Entrainment Study*; (2) the *Bull Trout and Redband Trout at Upper Confluence of Phillips Reservoir*; and (3) the *Salmonid Spawning and Juvenile Density Study* (not proposed).

The Forest Service’s February 22, 2007 comments do not raise any new issues or concerns that the Forest Service had not already raised in previous letters and study requests. As a result, we find that the March 9, 2007 study plan determination does address the Forest Service’s February 22, 2007, comments.

If you have any questions regarding this letter, or its findings please contact Kenneth Hogan at (202) 502-8434.

Sincerely,

J. Mark Robinson
Director
Office of Energy Projects

Cc: Public Files
Service List
Mailing List

Mr. Ken Anderson
District Ranger
Whitman Ranger District
P.O. Box 947
Baker City, OR 97814

Mr. Paul DeVito
Natural Resource Specialist
Oregon DEQ, Bend Office
2146 NE 4th, Suite 104
Bend, OR 97701