

Section 5

Relicensing Studies

5.1 Consultation Process and Study Plan Development

Progress Energy has a history of working cooperatively and closely with federal, state, and local agencies related to the operation of the Project and the protection of environmental resources. Progress Energy desires to continue to work cooperatively with stakeholders throughout the relicensing process. Progress Energy will generally follow, and expand on, the traditional FERC three-stage consultation process for the relicensing of the Project. A summary of the major steps in the three-stage process is presented below:

First Stage

- Preparation and submittal of the Initial Consultation Document (ICD);
- Resource agency and public review of the ICD;
- Schedule and hold the Joint Meeting; and
- Written comments and request for studies prepared by resource agencies and stakeholders provided to Progress Energy.

Second Stage

- Preparation of Study Plans;
- Execution of needed studies;
- Progress Energy prepares and submits to stakeholders the Draft License Application;
- Comments on Draft Application provided by stakeholders;
- Progress Energy and stakeholders complete Second-Stage Consultation; and
- Progress Energy prepares and files license application with FERC.

Third Stage

- *FERC Issues Public Notice of Filing.* Once filed, FERC will issue a public notice and establish a deadline for filing requests for additional scientific studies, and the procedures for the submission of final amendments.
- *FERC Notifies Applicant of Any Deficiencies.* FERC will notify the applicant, by letter, of any deficiencies in the application and give the applicant a time frame for responding.
- *Submittal of Final Amendments.* An applicant can make final amendments to its application no later than the date established in the Public Notice of Filing.
- *FERC Issues a Notice of Application Acceptance/Rejection.*
- *FERC Issues a Public Notice of Acceptance.* If accepted, FERC will issue a public notice soliciting comments and motions to intervene or protest, and establish dates for filing comments, interventions, or protests.
- *FERC Issuance of Ready for Environmental Analysis Notice.* Under the traditional licensing process, FERC conducts scoping and prepares NEPA documents. FERC staff prepares a scoping document for public comment and may hold a public meeting to discuss the scope of the NEPA document. When sufficient information is available for FERC staff to prepare the NEPA document, FERC will publish a ready for environment assessment (REA) notice requesting comments, recommendations, terms and conditions, and submittal of mandatory conditions.
- *FERC Prepares NEPA Document.* After the close of the REA notice comment period, FERC then prepares the NEPA document typically with a draft for public comment.
- *FERC Prepares a New License Order.* Based on its assessment of the record and its final EA/EIS, FERC staff will prepare an order for consideration by the five Commissioners. Commissioners have final approval authority over new licenses and the new license is only issued upon Commission action.
- *Accept or Deny New License.* The Licensee receiving the new order has 30 days to accept or reject the order. The order, under certain circumstances, can also be appealed. The initial step in the appeal process is a request for rehearing of the order.

Submittal of this ICD initiates the first stage of consultation. Shortly following the submittal of this ICD, Progress Energy will conduct the Joint Meeting, which is expected to be held in late

March 2003. The purpose of the Joint Meeting is to explain the Project and its potential affect on environmental resources, review the information provided in this ICD, and provide opportunity for identification of concerns and issues related to Project operations and Project effects. Progress Energy will also use the Joint Meeting to invite resource agencies and stakeholders to further participate in the relicensing process by being involved with one or more of the RWGs.

Progress Energy will be establishing the RWGs to focus on specific resource areas. The purpose of the RWGs is to provide an opportunity for stakeholders to work jointly on the review and discussion of existing data, identify resource issues, identify needed studies and their goals, and review study plans and study results. The resource areas will include 1) water resources, 2) terrestrial resources, 3) recreation and land use, and 4) cultural resources. Progress Energy will discuss this proposed process for the RWGs at the Joint Meeting and will also use the meeting as a means to initiate the formation of the RWGs. The review of existing data, including the Progress Energy data provided in this ICD, identification of needed studies, and the development of study plans will occur during 2003.

Progress Energy wants to allow sufficient time for the RWGs to become familiar with the Project, its operation, and the resources potentially affected by the Project. Progress Energy proposes the following schedule of relicensing activities to occur between the Joint Meeting and submittal of a license application by April 30, 2006:

Joint Meeting/Site Visit.....	March 25 to 26, 2003
ICD Comment Period.....	March 26 to May 25, 2003
Organizational Meeting for RWGs	Late April 2003
RWG Working Meetings (approximately every 6 weeks).....	To Be Determined
Study Plans Completed	No later than December 31, 2003
Perform Studies.....	2004
Submit Draft License Application.....	November 2005
Submit Final License Application.....	No later than April 30, 2006