UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

City of Tallahassee, Florida	**)**	**Project No. 2891**

CITY OF TALLAHASSEE, FLORIDA'S APPLICATION FOR SURRENDER OF LICENSE

Pursuant to Section 6 of the Federal Power Act ("FPA"), 16 U.S.C. § 799 (2012), and 18 C.F.R. § 6.1 (2016), the City of Tallahassee, Florida ("City"), licensee of the Jackson Bluff Hydroelectric Project No. 2891 ("Project"), hereby applies to surrender its license for the Project. As discussed herein, the City does not intend to seek a new license when the current license expires.

Approval of this surrender would be consistent with the public interest and the Federal Energy Regulatory Commission's ("Commission") policy that a licensee is free to surrender its license and cease project operations.[1] The State of Florida owns the Project dam and reservoir as part of a State recreation area and the Florida Department of Environmental Protection ("FDEP") will continue to manage them as such. The Project powerhouse also is owned by the State and would remain in place; and the City intends to secure and leave in place all the power generating and appurtenant equipment. Thus, the license surrender will entail no site disturbances. Accordingly, this surrender application should be approved.

[1] *Ariz. Pub. Serv. Co*., 109 FERC ¶ 61,036 at P 39 (2004); *Niagara Mohawk Power Corp.*, 98 FERC ¶ 61,227 at p. 61,903, *reh'g denied*, 100 FERC ¶ 61,185 (2002); *Niagara Mohawk Power Corp*., 83 FERC ¶ 61,226 at p. 62,007, *reh'g denied*, 85 FERC ¶ 61,420 (1998).

I. COMMUNICATIONS

All inquiries and correspondence regarding this surrender application should be sent to the persons listed below, and such persons should be placed on the official service list to be established by the Commission's Secretary in this proceeding:

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II. BACKGROUND

The Project is located on the Ochlockonee River in Leon, Liberty, and Gadsden Counties, Florida. The current license, issued in 1982,[2] expires on June 30, 2022.

The Project consists of: (1) a reservoir (Lake Talquin) with a storage capacity of 150,000 acre-feet and a surface area of 10,200 acres at normal power pool elevation of 68.5 feet mean sea level; (2) an earth embankment dam approximately 4,575 feet long (including 1,800 feet of remote dike) with a maximum height of approximately 60 feet above streambed (40 feet above floodplain); (3) a concrete ogee spillway approximately 825 feet long;[3] (4) a gated concrete spillway, approximately 196 feet long, with seven motor-operated floodgates; (5) a powerhouse approximately 132 feet long and 33 feet wide which consists of a brick superstructure and a reinforced concrete substructure, and containing three turbine-generator units having a total installed capacity of 10,900 kW; (6) appurtenant facilities; and (7) transmission facilities consisting of three 200 foot-long,

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[2] *City of Tallahassee, Fla.*, 20 FERC ¶ 62,053 (1982); *City of Tallahassee, Fla.*, 24 FERC ¶ 62,342 (1983) (conversion to run-of-river operation) (attached hereto as Appendix A).

[3] The ogee spillway was constructed in 2009.

4.16-kV generator leads and two three-phase, 4.16/69-kV, 7.5 MVA step-up transformers. The Project does not use or occupy any federal facilities or land.

The City operates the Project under a lease from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida ("Trust Fund"), which owns the dam, gated spillway, and powerhouse structure. The City owns the hydroelectric generating equipment (including the turbine-generators, switchgear and controls, and generator step-up transformers), an emergency diesel generator, and five of the seven motorized spillway gate hoists. Prior to 2012, the City subleased the dam and powerhouse from the Florida Department of Natural Resources ("DNR")[4]—however, in 2012 FDEP assigned its interest in the sublease to the Trust Fund to eliminate the role of FDEP as an intermediary party. The lease expires automatically when the City ceases to use the dam as a hydroelectric generating facility. FDEP will then be responsible, as the State's agent, for operating the dam and reservoir.

Prior to subleasing the dam and powerhouse to the City, DNR operated Lake Talquin as part of the Lake Talquin State Recreation Area under a lease from the Trust Fund and pursuant to a 1977 indenture from Florida Power Corporation.[5] FDEP continues to manage the Lake Talquin State Recreation Area for the primary purpose of public recreation. The sublease contains specific provisions for maintaining the lake level within a limited fluctuation zone and for periodic drawdowns of the lake for the

[4] In 1993, DNR and the Florida Department of Environmental Regulation merged to form the FDEP.

[5] The deed specifies that the grant from Florida Power Corporation is conditioned on the lands conveyed being used "for public park and recreational purposes and other public purposes related thereto."

purpose of improving conditions for public recreation. Article 34 of the Project license requires the City to operate the Project in an instantaneous run-of-river mode.[6]

III. REASON FOR SURRENDER

The City has determined that a combination of lower cost to the City of competing renewable resources and the cost of obtaining a new license make it uneconomical for the City to continue operating the Project. The Project license expires on June 30, 2022. The City will not file a notice of intent to seek a new license by the statutory deadline of June 30, 2017.[7] Nor does the City desire to continue operating the Project while the Commission pursues other potential applicants for a new license.[8] It is well established that the Commission will not entertain applications for preliminary permit or license while the Commission is processing an existing licensee's surrender application.[9] Following the completion of this surrender process, the Project site will be open for redevelopment and all structures and facilities for resumption of hydroelectric generation will be in place should another entity decide to apply for a license in the future.[10]

IV. PLAN OF SURRENDER

The City's plans are to mothball the electric generating facilities and leave them all in place. The City proposes to close the turbine gates with the operating mechanism locked closed to prevent water flow from entering the turbine/generators. Releases to

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[6] *See* Appendix A.

[7] 16 U.S.C. § 808(b)(1).

[8] 18 C.F.R. § 16.26. It is the City's understanding, based on discussions with Commission staff, that as long as the City filed this application before June 30, 2017, the Commission would proceed with the surrender and would not hold the application while it solicited other potential applicants.

[9] *City of Banning, Cal.*, 143 FERC ¶ 62,170 at P 6 (2013), *reh'g denied*, 148 FERC ¶ 61,199 (2014); *Fall River Valley Cmty. Serv. Dist.*, 142 FERC ¶ 62,042 at P 5, *reh'g denied*, 143 FERC ¶ 61,047 (2013).

[10] *Duke Energy Carolinas, LLC*, 123 FERC ¶ 61,069 at P 58 (2008).

maintain lake levels or for fishery purposes would be through the existing spillway gates. There would be no modifications to the existing dam, buildings, or structures. Thus, there will be no environmental impacts to the site from the surrender.[11]

Pursuant to the terms of the lease agreement between the City and the Trust Fund, as explained above, the lease would be terminated and FDEP as agent for the State would assume control of the dam and reservoir. The City will transfer all electrical generation assets and appurtenant facilities owned by the City to the State of Florida.

V. PUBLIC INTEREST CONSIDERATIONS

The Project dam will remain in place. The dam structure has been inspected annually by the Commission's Atlanta Regional Office ("ARO"). The most recent inspection was February 1, 2017. In its February 22, 2017 inspection follow-up letter, ARO stated that the Project is adequately maintained and properly operated. The letter required remediation of some minor issues which the City has addressed or will address in the next three months. The City's Independent Consultant's Fifth Part 12D Inspection and Potential Failure Mode Analysis was completed in August 2014. The inspection and analysis found that the Project is "suitable for continued safe and reliable operation," and has "no immediate structural needs that would cause a loss of pool or cause downstream effect." Other notable findings in the report included: the Project's surveillance and monitoring plan is adequate; the outside perimeter of the Project is in good condition;

[11] Because the plan of surrender is mothballing of the plant and does not entail dam removal or any other activity involving a discharge into navigable waters, no water quality certification from the State under Section 401 of the Clean Water Act is needed for the Commission to approve the surrender. *See* 33 U.S.C. § 1341(a)(1) (2012); *see also North Carolina v. FERC*, 112 F.3d 1175 (D.C. Cir. 1997) (reduction in discharge from a dam does not trigger the Section 401 certification requirement). Any changes in the pattern of releases through the spillway gates as a result of shutdown of the turbines will be at the discretion of FDEP as operator of the dam and will not require a federal license or other approval. Moreover, FDEP is the State agency responsible for issuing Clean Water Act 401 certifications and, as operator of the dam, will be in the best position to ensure that State water quality standards are met.

there are no issues with the structural integrity; and the instrumentation and monitoring schedule for the Project are appropriate. Recommended remediation measures have been completed and accepted by ARO. Appendix B is a letter from the City's consultant, Mead & Hunt, confirming that the overall Project hydraulic capacity in the event of the Inflow Design Flood will not be affected by preventing discharges through the powerhouse.

Following surrender, FDEP will be responsible for operating and maintaining the dam in accordance with Florida's dam safety laws and regulations. Florida's Dam Safety Office is part of FDEP and Florida's State Dam Safety Officer is a member of the Association of State Dam Safety Officials.[12]

Lake Talquin is and will continue to be managed by FDEP as part of a State recreation area. All existing recreation facilities are operated by FDEP, county agencies, or commercial enterprises. The electrical generating facilities and equipment, while not in use, will remain in place in the event another entity wishes to pursue a license to operate them in the future. Environmental considerations are addressed in the following section.

VI. AGENCY CONSULTATION

On March 22, 2017, the City sent letters advising potentially interested federal, state, and local agencies of the City's plans to surrender the Project license. Copies of the letters together with a list of the consulted agencies are contained in Appendix C. The City received letters from the following agencies which are found in Appendix D: U.S.

[12] *See* Florida Department of Environmental Protection, Dam Safety Program, http://www.dep.state.fl.us/water/mines/damsafe.htm (last visited June 5, 2017).

Fish and Wildlife Service ("USFWS"), National Marine Fisheries Service ("NMFS"), Florida Fish and Wildlife Conservation Commission ("FFWCC"), State of Florida Public Service Commission ("PSC"), Florida State Historic Preservation Office ("SHPO"), Northwest Florida Water Management District,[13] and Leon County. The PSC's comment letter noted that the Project is not considered firm generation by the City and accounts for less than one percent of the City's annual generation.[14] The SHPO concurred that the surrender would have no effect on historic properties due to the fact that the plans would not involve ground disturbance or modifications to the facility.[15]

The USFWS comment letter identified four areas of concern: (1) maintenance of minimum flows; (2) Endangered Species Act ("ESA") listed species and associated critical habitats; (3) diadromous fishes, fish passage, and freshwater mussels; and (4) dam safety.[16] The NMFS comment letter similarly raised questions about fishes of interest to NMFS below Lake Talquin including ESA listed species, and also expressed an interest in future upstream passage of eels and shad past the Project dam.[17] The FFWCC comment letter recommended a minimum downstream flow of at least 150 cubic feet per second to benefit aquatic species. It also stated its willingness to provide technical assistance to address potential fish loss from Lake Talquin from discharge through the spillway gates, and identified a potential concern with fisherman access below the dam.[18] Both FFWCC and NMFS commented that providing releases through the spillway gates

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[13] The Northwest Florida Water Management District stated that it had no comments on the surrender action.

[14] *See* Appendix D (Letter from Braulio L. Baez to Triveni Singh (Apr. 5, 2017)).

[15] *Id.* (Letter from Timothy A. Parsons to Triveni Singh (May 16, 2017)).

[16] *Id.* (Letter from Dr. Sean Blomquist to Triveni Singh at 2-4 (Apr. 18, 2017) ("USFWS Letter")).

[17] *Id.* (Letter from Virginia M. Fay to Triveni Singh (Apr. 28, 2017)).

[18] *Id.* (Letter from Jennifer D. Goff to Triveni Singh (Apr. 20, 2017)).

instead of the turbines, as will occur post-surrender, would eliminate any concern of discharging low oxygenated water downstream. Finally, Leon County raised a number of questions primarily related to dam safety.[19]

Agency concerns regarding the impacts of continued operation of the dam and reservoir on downstream aquatic species would be appropriately raised if another entity seeks a future license for the Project, but are not pertinent to the City's surrender application. For example, USFWS asserts "the City would need to elaborate on how they will maintain flows under future situations."[20] As explained above, the City does not own the Project dam and its right to operate the dam under its lease with the Trust Fund will expire once the Commission's surrender order becomes effective and the Project ceases generation. FDEP will be responsible for operating the dam; and FFWCC, as a sister State agency, should be well positioned to advise FDEP on measures for downstream fishery protection such as minimum flows. Similarly, FFWCC will be able to advise the FDEP on the fish escapement and fisherman access issues FFWCC raised in its comment letter. As the Commission has explained:

> When a project will no longer be licensed, the Commission's jurisdiction is going to end. The future operation of any remaining works is then the responsibility of whoever next assumes regulatory authority. The Commission does not believe that, at that point, it has the authority to require the existing licensee to install new facilities, such as fish ladders. Basically, the Commission issues a license for a particular period, subject to certain conditions. The licensee may have an opportunity to obtain a new license at the end of that term, subject to new conditions; but, if it elects not to do so, the Commission cannot go forward and require the same future steps to be taken anyway, as part of the decommissioning process.[21]

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[19] *Id.* (Letter from Vincent S. Long to Robert E. McGarrah and Triveni Singh (Apr. 18, 2017)).

[20] USFWS Letter at 2.

[21] *Project Decommissioning at Relicensing; Policy Statement*, 60 Fed. Reg. 339, 346 (Jan. 4, 1995), FERC Stats. & Regs., Regs. Preambles Jan. 1991-June 1996 ¶ 31,011 (1995) (footnote omitted).

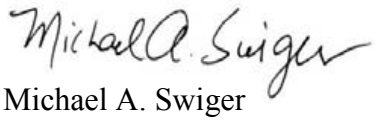
In short, the dam and reservoir will be under the ownership and control of the State of Florida and it will be up to the responsible State agencies, on advice from other State and federal agencies, to put in place whatever measures they deem appropriate to protect the environmental resources at Lake Talquin and in the river below the dam.[22]

Regarding the concerns of USFWS and Leon County on dam safety issues, such matters will be under the jurisdiction of FDEP's Dam Safety Office and neither the City nor the Commission will have further dam safety responsibilities.

VII. CONCLUSION

Based on all of the considerations above, the City respectfully requests that the Commission issue an order authorizing the City to surrender the license for Project No. 2891.

Respectfully submitted,



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Dated: June 5, 2017

[22] Leon County in its comment letter also mentions development by the U.S. Environmental Protection Agency and the FDEP of a Total Maximum Daily Load model for nutrients and dissolved oxygen in Lake Talquin, and asks whether that model would be affected by a change in lake level management. The City has not analyzed that question and does not believe it is relevant to the surrender, particularly because the reservoir will continue to be managed as it has been for the primary purpose of public recreation by FDEP.

SUBSCRIPTION AND VERIFICATION

This Application for Surrender of License for Project No. 2891 ("Application") is executed in the:

State of Florida
County of Leon

By: Robert E. McGarrah
General Manager,
Electric Utility
The City of Tallahassee, FL
2602 Jackson Bluff Road
Tallahassee, FL 32304

being duly sworn, deposes and says that the contents of this Application are true to the best of his knowledge and belief. Counsel for the undersigned applicant has signed the Application this 5th day of June, 2017.

CITY OF TALLAHASSEE, FL

By: _____
(Signature)

Subscribed and sworn to before me, a Notary Public of the State of Florida, this 5th day of June, 2017.

_____
Notary Public

LAURA OSBORNE DEROUEN
Notary Public - State of Florida
Commission # GG 71379
My Comm. Expires Jun 3, 2021
Bonded through National Notary Assn.

APPENDIX A

1 FERC - 75 FERC, 20 FERC ¶62,053, City of Tallahassee, Florida, Project No. 2891-001, Federal Energy Regulatory Commission, (Jul. 14, 1982)

City of Tallahassee, Florida, Project No. 2891-001

[63,090]

[¶62,053]

City of Tallahassee, Florida, Project No. 2891-001

Order Issuing License (Major)

(Issued July 14, 1982)

Robert E. Cackowski, Acting Director, Office of Electric Power Regulation.

The City of Tallahassee has filed an application for a license under Part I of the Federal Power Act (Act) to construct, operate, and maintain the Jackson Bluff Dam Project No. 2891. The project would be located on the Ochlockonee River, a navigable waterway of the United States, in Leon, Liberty, and Gadsden Counties, Florida. [1]

Notice of the application has been published and comments have been received from interested Federal, State, and local agencies. No protests or petitions to intervene have been received, and none of the agencies objected to issuance of the license.

The Applicant proposes to rehabilitate the existing Jackson Bluff Project and replace the existing saddle dam. The proposed project would consist of an existing reservoir with a storage capacity of 150,000 acre-feet and a surface area of 10,200 acres at normal power pool elevation of 68.5 feet m.s.l.; an existing earth embankment dam approximately 3,600 feet long with a maximum height of approximately 60 feet; and an existing powerhouse which consists of a brick superstructure and a reinforced concrete substructure. The powerhouse is approximately 132 feet long and 33 feet wide, and will contain generating units having a total installed capacity of 10,900 kW; the existing transmission facilities which consist of the 200 foot long 6.9 kV generator leads, and the three-phase 6.9/69-kV 12.0 MVA step-up transformer; and appurtenant facilities. Fishing access facilities would be developed below the main dam.

A more detailed description is contained in Ordering Paragraph (B) below.

Jurisdiction

The West Florida Power Company, Tallahassee, Florida, filed Declaration of Intention No. 82 on February 12, 1925, to construct a dam on the Ochlockonee River near Midway, Florida. The U.S. Army Corps of Engineers (Corps), in its review of the Declaration of Intention, stated that the river had been improved and had been used for floating logs. The Corps determined that the part of the river affected by the project was a navigable water of the United States. The Commission, therefore, took jurisdiction [2] from the mouth to river mile 109. The Jackson Bluff Dam is located at river mile 66. For this reason, Section 23(b) of the Act requires that the project be licensed.

Safety and Adequacy

The proposed installation of the generating units would not adversely affect the stability of the existing powerhouse, earth dam, or waterworks. The structures would be safe and adequate if the proposed repairs and construction work are performed in accordance with sound engineering practices.

The existing spillway capacity of 75,000 cfs is not adequate to pass the Probable Maximum Flood (PMF). The Jackson Bluff dam is classified as high hazard; therefore, the spillway capacity should be increased to safely pass the PMF pursuant to Commission Order No. 122 , dated January 21, 1981 [*FERC Statutes and Regulations*

¶30,225]. The Applicant has proposed to increase the spillway capacity to one-half the PMF (142,000 cfs) by replacing the existing saddle dam with a fuse plug and by constructing an overpour section. Before a spillway capacity of one-half the PMF is considered adequate, the Applicant must demonstrate by a detailed dam breach analysis that overtopping and consequent failure of the earth dam during extreme floods would not cause extensive property damage or endanger life. Article 33, therefore, requires the Licensee to determine flood damage potential under conditions up to the PMF and to submit its recommendations for modifying the project structures if failure would cause loss of life or extensive property damage.

In accordance with standard Commission practice, this license includes conditions that require the appraisal of the effects of failure of the Jackson Bluff Dam and any modifications, if necessary, to assure a safe project, and to protect the public in its use of project lands and waters.

Environmental Considerations

A. Fish and Wildlife Resources

[63,091]

Reservoir Drawdown

The Florida Game and Fresh Water Fish Commission (State) recommended that the Applicant's proposed periodic drawdown of the reservoir, once every 5 to 8 years, be initiated earlier than November 1, and emphasized that the frequency of drawdown would be dictated by future environmental and fishery conditions, as determined by the State. The State's recommended schedule would require that the drawdown begin 2 weeks before November 1, and that the reservoir water level be reduced 5 feet by November 1. The remaining schedule would proceed as proposed by the Applicant as follows: the water level would be maintained at elevation 54.5 feet msl for three months, refilling would begin on February 8, and be completed in two phases by March 25. During refilling, the water level would be raised no faster than 1 foot per week. This schedule of drawdown and refill would have the least detrimental effect on the downstream fishery and on recreational interests on the reservoir. The purpose of the reservoir drawdown would be to reduce growth of undesirable aquatic plants, thus improving the sport fishery in the reservoir. Because of the lack of agreement concerning the time for initiating the drawdown, the Applicant is being required by Article 37 to cooperate with the state and U.S. Fish and Wildlife Service (FWS) to establish a mutually satisfactory schedule for the drawdowns during operation. Consultation would result in a drawdown schedule, including the month and day, but not year, of the commencement date, for any drawdown occurring during operation. Operation drawdowns would occur when the State believes they are needed for fishery management purposes, every five to eight years. Article 37 requires the Applicant to file with the Commission the drawdown schedule for these operational drawdowns 90 days prior to the construction drawdown.

The State also raised concerns about the consequences of a summer reservoir drawdown required during the construction phase as currently planned. A summer drawdown could adversely impact the reservoir fishery as well as the downstream striped bass fishery. Staff believes that every effort should be made to schedule the reservoir drawdown during the fall. If this cannot be accomplished, the Applicant should consult with the State to determine methods for drawing down the reservoir in a manner that has least impacts on fishery and recreational resources. Article 37, therefore, requires the Licensee to consult with the appropriate agencies to develop a schedule to draw down the project reservoir during project construction, and file the proposed schedule with the Commission 90 days prior to the construction drawdown.

Flow Releases

The FWS recommended a minimum flow of 325 cfs or the inflow, whichever is less; the National Marine Fisheries Service (NMFS) recommended a minimum flow of 400 cfs or the inflow, whichever is less, between October and March, and a flow of 1,188 cfs between April and September; and, the State recommended a minimum flow of 150 cfs or the inflow, whichever is less. The State indicated that a flow of 50 cfs during the summer, as proposed by the Applicant, would allow the water temperature to exceed the tolerance of striped bass. The lowest flow since 1971, 79 cfs, occurred in 1980. It is likely that summer flows in 1981 were even less

than 1980 flows due to the severe drought. Mortality of striped bass occurred in 1980 and 1981; and in 1981, the mortality was attributed to high temperatures. In addition, low levels of dissolved oxygen which also occurred during low-flow periods, added another stress factor to the striped bass.

Applicant has stated that maintenance of the water level of Lake Talquin within the required 2-foot range would not be possible, given the proposed generating schedule, if a minimum flow as high as 300 cfs, or inflow, whichever is less, is released between non-peak generating periods. Also, if the water level of the lake is reduced more than 2 feet below mean water elevation, recreational, visual, and biological resources of Lake Talquin would be adversely affected. The 2-foot limit on reservoir fluctuations and the release of a minimum flow of 300 cfs could be achieved, however, by reducing the amount of water used for generation during low flow periods.

The 50 cfs minimum flow proposed by the Applicant would not adequately protect the existing fishery resources. A fairly stable water level in Lake Talquin, however, is also necessary to maintain recreational, visual and biological values of the project area. Staff believes that these issues require further study to identify a minimum flow that would not jeopardize the downstream fishery, or not cause the 2-foot drawdown limit to be exceeded. Staff concludes that an interim minimum flow of 150 cfs, as required by Article 34, should be released and that a study be conducted to determine a long-term minimum flow release from the project. Article 35 requires the Licensee to conduct studies to determine the minimum flow necessary to protect downstream fishery resources as well as

[63,092]

to protect the recreational and commercial interests of Lake Talquin.

Interior has expressed concern about minimizing downstream flow fluctuations, particularly during low flow periods. Interior states that flow fluctuation would probably negatively affect a considerable amount of fish nursery habitat below the dam, and could disrupt feeding and rearing habitat, increase food requirements, and generally produce stress that reduces the growth, health, and survival of aquatic fauna. Interior recommended a condition requiring that fluctuations in flow rates and surface elevations as a result of power generating operations be monitored and kept at a minimum. Centrachid spawning in the spring would not be greatly affected by project operation because of normally high flows occurring at this time of year. Spawning and rearing habitat, however, may be adversely affected later in the summer when flows are normally lowest and the effects of peaking operation would be greatest. Article 36, therefore, requires the Licensee to give consideration to a flow that would prevent adverse impacts to the downstream feeding and rearing habitat of resident fish species.

The State recommended that flows in addition to the high flows occurring during peak power generation be provided from the spillway in order to allow full utilization of the striped bass fishery. Flows released from the spillway allow the downstream passage of forage fish, which creates better feeding conditions for striped bass. The optimum range of flows from the spillway would be about 550 cfs to 2,100 cfs. Applicant stated that the proposed schedule of operation would result in the release of optimum flows for striped bass about 14 percent of the time, which represents an increase in the frequency of such releases at present.

Staff believes that the peaking operation alone could account for the increased frequency of release of optimum flows for striped bass. Flows released during operation of the project generally would not have the added benefit of providing food for the striped bass which is a critical factor in determining the value of the flows. Flows in excess of project capacity (4,500 cfs) could be more beneficial if they were released in a controlled fashion so that flow through the spillway would not exceed 2,100 cfs. Every effort should be made by the Applicant to utilize flow forecasts and to begin releasing flows as early as feasible when flows in excess of project capacity are expected. Article 36, therefore, requires the Licensee, to the extent possible, to release flows in excess of project capacity in a gradual manner so that spillway flows do not exceed 2,100 cfs for the protection and enhancement of the striped bass fishery.

B. Water Quality

The Florida Department of Environmental Regulation stated by letter dated September 3, 1981, that a water quality certificate would not be required for operation of the project.

C. Threatened or Endangered Species

Operation of the project is not expected to jeopardize the continued existence or critical habitat of the red cockaded woodpecker or gray bat, both Federally-listed endangered species, that may occur in the vicinity of the project. No other endangered or threatened species are known to occur in the project vicinity.

D. Historic and Archeological Resources

The Florida State Historic Preservation Officer (SHPO) stated by letter of April 7, 1980, that the project would not adversely affect any archeological or historic sites. In accordance with standard Commission practice, [3] Article 38 of this license also requires cultural resource protection measures in the event of any future construction or development at the project, other than the original project development considered and authorized here.

E. Recreational Resources

The State has requested the opportunity to review the Applicant's plans to construct a catwalk below the powerhouse for fisherman access. The Applicant's recreational report provides for such State participation.

The Report on Recreational Resources, Exhibit E, Part 5, generally complies with the Commission's regulations and is approved herein.

EIS Determination

On the basis of the record, including agency comments and the staff's independent analysis, it is found that issuance of a license for this project, as conditioned, is not a major Federal action significantly affecting the quality of the human environment.

Comprehensive Development

The proposed Jackson Bluff Project would operate primarily as a peaking station utilizing the reservoir storage on a daily basis. The proposed new generating units would make good use of the flow and fall of the Ochlockonee River. Applicant has no plans for further development of the project. The project would

[63,093]

have an estimated average annual generation of 27,771 MWh, and would utilize a renewable resource that would save the equivalent of approximately 45,590 barrels of oil or 13,457 tons of coal per year.

It is concluded that, subject to the terms and conditions of this license, Project No. 2891 is best adapted to a comprehensive plan for development of the Ochlockonee River Basin for beneficial public uses and that issuance of this license is in the public interest.

License Term

This license is issued for a term of 40 years. The proposed construction of this project, using an existing dam, is similar to the relicensing of a project for which a moderate amount of redevelopment or new construction is proposed. [4]

It is ordered that:

(A) This license is issued to the City of Tallahassee (Licensee), of Tallahassee, Florida, under Part I of the Federal Power Act (Act), for a period of 40 years, effective the first day of the month in which this order is issued, for the construction, operation, and maintenance of the Jackson Bluff Dam Project No. 2891, located in Leon, Liberty, and Gadsden Counties, Florida, on the Ochlockonee River, a navigable water of the United States. This license is subject to the terms and conditions of the Act, which is incorporated by reference as part of this license, and subject to the regulations the Commission issues under the provisions of the Act.

(B) The Jackson Bluff Dam Project No. 2891 consists of:

(1) All lands, to the extent of the Licensee's interests in those lands, constituting the project area and enclosed by the project boundary. The project area and boundary are shown and described by certain exhibits that form part of the application for license and that are designated and described as:

Exhibit FERC No. 2891-	Showing
G-1	5 Project Boundary
G-2	6 Project Boundary
G-3	7 Project Boundary
G-4	8 Project Boundary

(2) Project works consisting of:

(1) a reservoir with a storage capacity of 150,000 acre-feet and a surface area of 10,200 acres at normal power pool elevation of 68.5 feet m.s.1.; (2) an earth embankment dam approximately 3,600 feet long with a maximum height of approximately 60 feet; (3) a powerhouse which consists of a brick superstructure and a reinforced concrete substructure. The powerhouse is approximately 132 feet long and 33 feet wide, and will contain generating units having a total installed capacity of 10,900 kW; (4) transmission facilities which consist of the existing 200 feet long 6.9-kV generator leads, and the existing three-phase 6.9/69 kV 12.0 MVA step-up transformer; and (5) appurtenant facilities.

The location, nature, and character of these project works are generally shown and described by the exhibits cited above and more specifically shown and described by certain other exhibits that also form a part of the application for license and that are designated and described as:

Exhibit FERC No. 2891-	Showing
F-1	1 Location Plan, Plan & Sections of Main Dam & Plan of Saddle Dam
F-2	2 Plans & Elevation of Spillway & Powerhouse
F-3	3 Powerhouse Plan & Section
F-4	4 Plan of Dam with New Emergency Spillway, Fuse Plug & Overpour Sections, Spillway Cross Section & Rating Curve

(3) All of the structures, fixtures, equipment, or facilities used or useful in the operation or maintenance of the project and located within the project boundary, all portable property that may be employed in connection with the project, located within or outside the project boundary, as approved by the Commission, and all riparian or other rights that are necessary or appropriate in the operation or maintenance of the project.

(C) Exhibits F and G, designated in Ordering Paragraph (B) above, are approved and made a part of the license, only to the extent that they show the general location, description, and nature of the project works.

(D) Exhibit E, Part 5 Report on Recreational Resources, consisting of 21 pages of text and one drawing, FERC No. 2891-9 is approved and made a part of the license.

(E) Exhibit E, Report of Fish, Wildlife and Botanical Resources, Part 4(b) (3), pages

[63,094]

24-26, with the exception of the date for initiating the periodic reservoir drawdown, is approved and made a part of the license.

(F) This license is also subject to the terms and conditions set forth on Form L-4 (revised October, 1975), entitled "Terms and Conditions of License for Unconstructed Major Project Affecting Navigable Waters of the United States," attached to (reported at 54 FPC 1824) and made a part of this license. The License is also subject to the following additional articles:

Article 29. The Licensee shall within 90 days of completion of construction, file in accordance with the Commission's Rules and Regulations revised Exhibit F drawings showing the project as-built.

Article 30. The Licensee shall file with the Commission's Regional Engineer and the Director, Office of Electric Power Regulation, one copy each of the contract drawings and specifications 60 days prior to start of construction. The Director, Office of Electric Power Regulation may require changes in the plans and specifications to assure a safe and adequate project.

Article 31. The Licensee shall commence construction of the proposed project within two years and shall complete construction within 4 years from the effective date of the license.

Article 32. The Licensee shall review and approve the design and construction procedures for contractor-designed cofferdams and deep excavations prior to the start of construction. The Licensee shall file with the Commission's Regional Engineer and Director, Office of Electric Power Regulation, one copy of the approved construction drawings and specifications, and a copy of the letter of approval.

Article 33. The Licensee shall, prior to start of construction, file with the Director, Office of Electric Power Regulation, a study which evaluates the consequences on life and property due to a failure of the Jackson Bluff Dam under flood conditions up to the probable maximum flood (PMF). In the event that failure of the dam during flood flows would constitute a hazard to human life or would cause extensive property damage, the Licensee shall file concurrently with the study its recommendations for modifying the project structures to ensure that a failure during flood flows would not create a significant hazard to downstream life and property. Construction of the project shall not commence until the Director, Office of Electric Power Regulation, approves the study and any necessary modifications.

Article 34. The Licensee shall discharge an interim continuous minimum flow of 150 cubic feet per second or the inflow to the reservoir, whichever is less, for the purpose of protecting fish and wildlife resources. These flows may be temporarily modified if required by operating emergencies beyond the control of the Licensee, for the minimum flow study required by Article 35, and for short periods for fishery management purposes upon mutual agreement between the Licensee and the Florida Game and Fresh Water Fish Commission.

Article 35. The Licensee shall consult and cooperate with the Florida Game and Fresh Water Fish Commission, the National Marine Fisheries Service and the U.S. Fish and Wildlife Service in conducting studies to determine the minimum flow releases needed at the Jackson Bluff Project to ensure protection and enhancement of fishery, wildlife, and recreational resources. Consideration should be given to identifying a flow that would prevent the occurrence of high temperature and low levels of dissolved oxygen which would cause mortality of striped

bass, and that would prevent adverse impacts to the downstream spawning and rearing habitat of resident fish species. Consideration should also be given to modifying project operations, if necessary, to provide the release of the minimum flow and simultaneously maintain the reservoir water level within the 2-foot fluctuation zone as defined in the sublease agreement between the Florida Department of Natural Resources and the Licensee. Further, the Licensee shall, within 2 years from the date of issuance of this license, file a report of its findings, evidence of consultation with the above agencies, and, for Commission approval, recommendations for a minimum flow release from the project.

Article 36. For the protection and enhancement of the striped bass fishery, the Licensee shall, to the extent possible, gradually release flows in excess of the projects powerplant capacity so that flows released from the spillway are between 550 cfs and 2,100 cfs.

Article 37. The Licensee, in cooperation with the Florida Game and Fresh Water Fish Commission and the U.S. Fish and Wildlife Service, shall (1) develop a schedule of drawdown for Lake Talquin to be implemented during project construction to minimize impacts on fishery and recreational resources, and (2) establish a mutually satisfactory schedule, including the month and day of the commencement date, for the periodic drawdown of Lake Talquin to be implemented

[63,095]

at intervals of five to eight years during project operation for fishery management purposes. Further, the Licensee shall file with the Commission, 90 days prior to the construction drawdown, the information required in (1) and (2), and evidence of consultation with the above agencies.

Article 38. The Licensee shall, prior to commencement of any construction at the project, consult with the Florida State Historic Preservation Officer (SHPO) about the need for any cultural resource survey and salvage work. The Licensee shall make available funds in a reasonable amount for any such work as required. If any previously unrecorded archeological or historical sites are discovered during the course of construction or development of any project works or other facilities at the project, construction activity in the vicinity shall be halted, a qualified archeologist shall be consulted to determine the significance of the sites, and the Licensee shall consult with the SHPO to develop a mitigation plan for the protection of significant archeological or historical resources. If the Licensee and the SHPO cannot agree on the amount of money to be expended on archeological or historical work related to the project, the Commission reserves the right to require the Licensee to conduct, at its own expense, any such work found necessary.

Article 39. The Licensee shall pay the United States the following annual charges, effective the first day of the month in which this license is issued:

For the purpose of reimbursing the United States for the cost of administration of Part I of the Act, a reasonable amount as determined in accordance with the provisions of the Commission's regulations in effect from time to time. The authorized installed capacity for that purpose is 14,500 horsepower.

Article 40. (a) In accordance with the provisions of this article, the Licensee shall have the authority to grant permission for certain types of use and occupancy of project lands and waters and to convey certain interests in project lands and waters for certain other types of use and occupancy, without prior Commission approval. The Licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project. For those purposes, the Licensee shall also have continuing responsibility to supervise and control the uses and occupancies for which it grants permission, and to monitor the use of, and ensure compliance with the covenants of the instrument of conveyance for, any interests that it has conveyed under this article. If a permitted use and occupancy violates any condition of this article or any other condition imposed by the Licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a covenant of a conveyance made under the authority of this article is violated, the Licensee shall take any lawful action necessary to correct the violation. For a permitted use or occupancy, that action includes, if necessary, cancelling the permission to use and occupy the project lands and waters, and requiring the removal of any non-complying structures and facilities.

(b) The types of use and occupancy of project lands and waters for which the Licensee may grant permission without prior Commission approval are: (1) landscape plantings; (2) non-commercial piers, landings, boat docks, or similar structures and facilities; and (3) embankments, bulkheads, retaining walls, or similar structures for erosion control to protect the existing shoreline. To the extent feasible and desirable to protect and enhance the project's scenic, recreational, and other environmental values, the Licensee shall require multiple use and occupancy of facilities for access to project lands or waters. The Licensee shall also ensure, to the satisfaction of the Commission's authorized representative, that the uses and occupancies for which it grants permission are maintained in good repair and comply with applicable State and local health and safety requirements. Before granting permission for construction of bulkheads or retaining walls, the Licensee shall: (1) inspect the site of the proposed construction, (2) consider whether the planting of vegetation or the use of riprap would be adequate to control erosion at the site, and (3) determine that the proposed construction is needed and would not change the basic contour of the reservoir shoreline. To implement this paragraph (b), the Licensee may, among other things, establish a program for issuing permits for the specified types of use and occupancy of project lands and waters, which may be subject to the payment of a reasonable fee to cover the Licensee's costs of administering the permit program. The Commission reserves the right to require the Licensee to file a description of its standards, guidelines, and procedures for implementing this paragraph (b) and to require modification of those standards, guidelines, or procedures.

(c) The Licensee may convey easements or rights-of-way across, or leases of, project lands for: (1) replacement, expansion, realignment, or maintenance of bridges and roads for which all necessary State and Federal approvals have

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been obtained; (2) storm drains and water mains; (3) sewers that do not discharge into project waters; (4) minor access roads; (5) telephone, gas, and electric utility distribution lines; (6) non-project overhead electric transmission lines that do not require erection of support structures within the project boundary; (7) submarine, overhead, or underground major telephone distribution cables or major electric distribution lines (69-kV or less); and (8) water intake or pumping facilities that do not extract more than one million gallons per day from a project reservoir. No later than January 31 of each year, the Licensee shall file three copies of a report briefly describing for each conveyance made under this paragraph (c) during the prior calendar year, the type of interest conveyed, the location of the lands subject to the conveyance, and the nature of the use for which the interest was conveyed.

(d) The Licensee may convey fee title to, easements or rights-of-way across, or leases of project lands for: (1) construction of new bridges or roads for which all necessary State and Federal approvals have been obtained; (2) sewer or effluent lines that discharge into project waters, for which all necessary Federal and State water quality certificates or permits have been obtained; (3) other pipelines that cross project lands or waters but do not discharge into project waters; (4) non-project overhead electric transmission lines that require erection of support structures within the project boundary, for which all necessary Federal and State approvals have been obtained; (5) private or public marinas that can accommodate no more that 10 watercraft at a time and are located at least one-half mile from any other private or public marina; (6) recreational development consistent with an approved Exhibit R or approved report on recreational resources of an Exhibit E; and (7) other uses, if: (i) the amount of land conveyed for a particular use is five acres or less; (ii) all of the land conveyed is located at least 75 feet, measured horizontally, from the edge of the project reservoir at normal maximum surface elevation; and (iii) no more than 50 total acres of project lands for each project development are conveyed under this clause (d)(7) in any calendar year. At least 45 days before conveying any interest in project lands under this paragraph (d), the Licensee must file a letter to the Director, Office of Electric Power Regulation, stating its intent to convey the interest and briefly describing the type of interest and location of the lands to be conveyed (a marked Exhibit G or K map may be used), the nature of the proposed use, the identity of any Federal or State agency official consulted, and any Federal or State approvals required for the proposed use. Unless the Director, within 45 days from the filing date, requires the Licensee to file an application for prior approval, the Licensee may convey the intended interest at the end of that period.

(e) The following additional conditions apply to any intended conveyance under paragraphs (c) or (d) of this article:

(1) Before conveying the interest, the Licensee shall consult with Federal and State fish and wildlife or recreation agencies, as appropriate, and the State Historic Preservation Officer.

(2) Before conveying the interest, the Licensee shall determine that the proposed use of the lands to be conveyed is not inconsistent with any approved Exhibit R or approved report on recreational resources of an Exhibit E; or, if the project does not have an approved Exhibit R or approved report on recreational resources, that the lands to be conveyed do not have recreational value.

(3) The instrument of conveyance must include covenants running with the land adequate to ensure that: (i) the use of the lands conveyed shall not endanger health, create a nuisance, or otherwise be incompatible with overall project recreational use; and (ii) the grantee shall take all reasonable precautions to ensure that the construction, operation, and maintenance of structures or facilities on the conveyed lands will occur in a manner that will protect the scenic, recreational, and environmental values of the project.

(4) The Commission reserves the right to require the Licensee to take reasonable remedial action to correct any violation of the terms and conditions of this article, for the protection and enhancement of the project's scenic, recreational, and other environmental values.

(f) The conveyance of an interest in project lands under this article does not in itself change the project boundaries. The project boundaries may be changed to exclude land conveyed under this article only upon approval of revised Exhibit G or K drawings (project boundary maps) reflecting exclusion of that land. Lands conveyed under this article will be excluded from the project only upon a determination that the lands are not necessary for project purposes, such as operation and maintenance, flowage, recreation, public access, protection of environmental resources, and shoreline control, including shoreline aesthetic values. Absent extraordinary circumstances, proposals to exclude lands conveyed under this article from the project shall be consolidated for consideration when

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revised Exhibit G or K drawings would be filed for approval for other purposes.

(G) This order is final unless a petition appealing it to the Commission is filed within 30 days from the date of its issuance, as provided in §1.7(d) of the Commission's regulations, 18 C.F.R. 1.7 (d) (1981). The filing of a petition appealing this order to the Commission or an application for rehearing as provided in Section 313(a) of the Act does not operate as a stay of the effective date of this permit or of any other date specified in this order, except as specifically ordered by the Commission. The Licensee's failure to file a petition appealing this order to the Commission shall constitute acceptance of this license. In acknowledgement of acceptance of this license and its terms and conditions, it shall be signed by the Licensee and returned to the Commission within 60 days from the date of this order.

-- Footnotes --

[1] Authority to act on this matter is delegated to the Director, Office of Electric Power Regulation, under 18 C.F.R. §375.308 (1981), as amended by 46 Fed. Reg. 14119 (1981).

[2] 6 F.P.C Ann. Rep. 67 (1926).

[3] See S.D. Warren, Project No. 2897, Order Denying Rehearing 10 FERC §61,153 (1980).

[4] See The Montana Power Company, Project No. 2301, Order Issuing New License (Major) 56 FPC 2008 (1976).

1 FERC - 75 FERC, 24 FERC ¶62,342, City of Tallahassee, Florida, Project No. 2891, Federal Energy Regulatory Commission, (Sep. 22, 1983)

City of Tallahassee, Florida, Project No. 2891

[63,579]

[¶62,342]

City of Tallahassee, Florida, Project No. 2891

Order Amending License

(Issued September 22, 1983)

Lawrence R. Anderson, Director, Office of Electric Power Regulation.

The City of Tallahassee, Florida (Licensee) on June 13, 1983, filed an application [1] to delete Article 35 from the license, and to revise the requirements of Article 34 of the license issued July 14, 1982, for the Jackson Bluff Project, FERC Project No. 2891 [20 FERC ¶62,053]. Article 35 requires Licensee to conduct studies to determine the long-term minimum flow release needed at the project to ensure protection and enhancement of fishery, wildlife, and recreational resources.

Licensee stated that it would operate the project in a baseload or run-of-river mode rather than peaking mode as originally proposed. Should Licensee desire to operate in a peaking mode in the future, Licensee would consider conducting a study at that time to determine appropriate minimum flows.

The Florida Game and Fresh Water Fish Commission, National Marine Fisheries Service (NMFS), and U.S. Fish and Wildlife Service (FWS) concur with Licensee's request for relief from the study required by Article 35. NMFS and FWS concurrence, however, was subject to the following conditions: (1) a minimum flow of 150 cfs be released from the project; (2) a study, such as that originally required by Article 35, again be required in the event that Licensee resumes plans to operate the project in a peaking mode; (3) a plan of study, if needed, be completed and approved by the resource agencies prior to contracting for the study; and (4) the study, if needed, be completed and the results made available to the agencies prior to initiating peak-load operations.

Operating the project in a run-of-river mode would ensure that the discharge from the project is continuous and approximates the instantaneous inflow to the project reservoir. Run-of-river operation would ensure protection of fish, wildlife, and recreational resources without the requirement of a specific minimum flow. Therefore, Licensee's request to delete Article 35 from the license appears warranted. Further, Article 34, which requires Licensee to release an interim minimum flow of 150 cfs, should be amended to require the project to be operated as run-of-river.

Should Licensee desire in the future to operate the project in a peaking mode, the concern of NMFS and FWS, a license amendment would be required. Potential adverse impacts to the downstream fishery and reservoir recreation opportunities would be addressed at that time.

On the basis of the Commission staff's review and analysis, Article 35 is deleted and Article 34 is revised herein.

It is ordered that:

(A) Article 35 is deleted.

(B) Article 34 is revised to read as follows:

Article 34. The Licensee shall operate the Jackson Bluff Project in an instantaneous run-of-river mode for the protection and enhancement of fish and wildlife resources. Further, Licensee shall at all times act to minimize the fluctuation of the reservoir surface elevation, *i.e.*, maintain a continuous discharge from the project which approximates the instantaneous inflow to the project reservoir. Instantaneous run-of-river operation may be

temporarily modified if required by operating emergencies beyond the control of the Licensee, and for short periods for fishery management purposes upon mutual agreement between the Licensee and the Florida Game and Fresh Water Fish Commission.

-- Footnote --

[1] Authority to act on this matter is delegated to the Director, Office of Electric Power Regulation, under §375.308 of the Commission's regulations, 18 C.F.R. §375.308 (1983). This order may be appealed to the Commission within 30 days of its issuance pursuant to Rule 1902, 18 C.F.R. §385.1902 (1983). Filing an appeal and final Commission action on that appeal are prerequisites for filing an application for rehearing as provided in Section 313(a) of the Act. Filing an appeal does not operate as a stay of the effective date of this order or of any other date specified in this order, except as specifically directed by the Commission.

APPENDIX B

Mead & Hunt
2440 Deming Way
Middleton, Wisconsin 53562
608-273-6380
meadhunt.com

May 26, 2017

Mr. Triveni Singh
City of Tallahassee
2602 Jackson Bluff Road
Tallahassee, FL 32304

Subject: Impact on Project Hydraulic Capacity After Removing Powerhouse from Service
Jackson Bluff Hydroelectric Project
FERC Project No. P-2891

Dear Mr. Singh:

It is our understanding that the City of Tallahassee (City) is considering surrendering the Federal Energy Regulatory Commission (FERC) license for operating the Jackson Bluff Hydroelectric Project (Project). As part of surrendering the license, the City plans on electrically disconnecting the generators within the powerhouse and leaving the wicket gates in the closed position, thus preventing discharges through the powerhouse. The City has asked that Mead & Hunt, Inc. (Mead & Hunt) review how the overall project hydraulic capacity will be impacted without flows through the powerhouse.

Mead & Hunt has reviewed the available documention related to the Project's hydraulic capacity. The Inflow Design Flood (IDF) for the project is 154,500 cubic feet per second (cfs) and is equal to 50% of the Probable Maximum Flood (PMF) of 309,000 cfs. According to the headwater-discharge rating curve shown in Section 6 of the *Supporting Technical Information Document* (STID), the Project's total spillway capacity is equal to approximately 145,200 cfs at a reservoir elevation of 77.0 feet (NGVD 29) which corresponds to the crest of the earth embankment. The total spillway capacity includes flow through both the tainter gate spillway and the auxiliary overflow spillway.

It is important to note that the headwater-discharge rating curve given in the STID does not account for any discharge through the powerhouse. The powerhouse discharge is not typically included in the maximum hydraulic capacity for hydroelectric projects because it is not realistic to assume that the powerhouse would be operational during a large flood event such as the IDF. According to the report titled *Minimum Flow Utlization Feasibility Study* dated January 2004, the maximum hydraulic capacity of the three turbine-generator units within the powerhouse is 5,600 cfs. Therefore, the hydraulic capacity of the powerhouse would be a small fraction (approximately 3%) of the total IDF discharge, and its contribution to the overall hydraulic capacity of the project could be considered negligible.

Because the hydraulic capacity of the powerhouse has not been used in the past for estimating the overall hydraulic capacity of the Project, decommissioning the powerhouse will not have any adverse impacts on the project's ability to pass the IDF (50% of the PMF).

Mr. Nick Hathaway, PE contributed to the review of the Project's hydraulic capacity and also to this letter. If you have any questions or require additional information, please contact me.

Sincerely,

MEAD & HUNT, Inc.

Martin H. Kemps, PE
Project Engineer

APPENDIX C

City of Tallahassee
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SAVE ENERGY SAVE WATER SAVE MONEY

Electric Utility | 2602 Jackson Bluff Rd. Tallahassee, FL 32304 | 850.891.4YOU (4968)
Writer Direct Phone Number: 850-891-5534

March 17, 2017

Holly Weyers
Regional Director Southeast Region
US Department of the Interior – USGS
1770 Corporate Drive, Suite 500
Norcross, GA 30093

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Ms. Weyers:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

The City's FERC license will expire in 2022 and the City is contemplating surrendering the FERC license and ceasing to operate the facility for the purposes of generating electricity. Prior to submitting a surrender application to the FERC, the City is seeking input from your agency on any issues or concerns that you might have with respect to decommissioning of the facility. This input will be submitted to the FERC for consideration as part of the surrender application.

In contemplating the surrender of the FERC license, the City's plans are to mothball the facility in place and not remove any equipment or make any modifications to the facility other than disconnecting the generating units from the electric grid. There would be no modifications to the existing buildings or structures. This will result in no environmental impacts to the site. Further, Lake Talquin has been managed by the State as part of a State recreation area during the term of the FERC license and would continue to be operated by the State for recreational purposes. Ceasing operation of the hydroelectric facility will have no impacts on the primary purpose of Lake Talquin which will remain recreation under State management. Thus, the City would expect no impacts to the wildlife and fisheries.

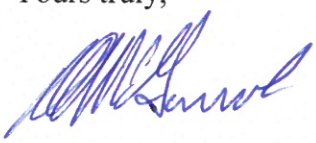
Pursuant to FERC regulations, this facility undergoes a periodic independent safety review. The last review was conducted in April of 2015 and identified only minor issues. All issues identified in this report have been addressed to FERC's satisfaction.

We are available to address any questions you might have as you review this information request. You can direct any questions to Triveni Singh, Assistant General Manager – Generation. Triveni can be reached at: 2602 Jackson Bluff Road, Tallahassee, FL 32304; 850-891-5534 or via e-mail at Triveni.singh@talgov.com.

We are requesting that you provide any comments you might have no later than April 18, 2017. Comments should be directed to Triveni Singh, Assistant General Manager – Generation at the above address.

We thank you in advance for your assistance on this matter.

Yours truly,



Robert E. McGarrah
General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

City of Tallahassee
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Writer Direct Phone Number: 850-891-5534

March 17, 2017

Cynthia K. Dohner
Regional Director, Southeast Region
U.S. Fish and Wildlife Service, U.S. Department of the Interior
1875 Century Blvd., Suite 400
Atlanta, GA 30345

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Ms. Dohner:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

The City's FERC license will expire in 2022 and the City is contemplating surrendering the FERC license and ceasing to operate the facility for the purposes of generating electricity. Prior to submitting a surrender application to the FERC, the City is seeking input from your agency on any issues or concerns that you might have with respect to decommissioning of the facility. This input will be submitted to the FERC for consideration as part of the surrender application.

In contemplating the surrender of the FERC license, the City's plans are to mothball the facility in place and not remove any equipment or make any modifications to the facility other than disconnecting the generating units from the electric grid. There would be no modifications to the existing buildings or structures. This will result in no environmental impacts to the site. Further, Lake Talquin has been managed by the State as part of a State recreation area during the term of the FERC license and would continue to be operated by the State for recreational purposes. Ceasing operation of the hydroelectric facility will have no impacts on the primary purpose of Lake Talquin which will remain recreation under State management. Thus, the City would expect no impacts to the wildlife and fisheries.

Pursuant to FERC regulations, this facility undergoes a periodic independent safety review. The last review was conducted in April of 2015 and identified only minor issues. All issues identified in this report have been addressed to FERC's satisfaction.

We are available to address any questions you might have as you review this information request. You can direct any questions to Triveni Singh, Assistant General Manager – Generation. Triveni can be reached at: 2602 Jackson Bluff Road, Tallahassee, FL 32304; 850-891-5534 or via e-mail at Triveni.singh@talgov.com.

We are requesting that you provide any comments you might have no later than April 18, 2017. Comments should be directed to Triveni Singh, Assistant General Manager – Generation at the above address.

We thank you in advance for your assistance on this matter.

Yours truly,

Robert E. McGarrah
General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

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Writer Direct Phone Number: 850-891-5534

March 17, 2017

David S. Fish
Acting Chief Environmental Compliance and Safety Enforcement Divisions
U.S. Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. Fish:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

The City's FERC license will expire in 2022 and the City is contemplating surrendering the FERC license and ceasing to operate the facility for the purposes of generating electricity. Prior to submitting a surrender application to the FERC, the City is seeking input from your agency on any issues or concerns that you might have with respect to decommissioning of the facility. This input will be submitted to the FERC for consideration as part of the surrender application.

In contemplating the surrender of the FERC license, the City's plans are to mothball the facility in place and not remove any equipment or make any modifications to the facility other than disconnecting the generating units from the electric grid. There would be no modifications to the existing buildings or structures. This will result in no environmental impacts to the site. Further, Lake Talquin has been managed by the State as part of a State recreation area during the term of the FERC license and would continue to be operated by the State for recreational purposes. Ceasing operation of the hydroelectric facility will have no impacts on the primary purpose of Lake Talquin which will remain recreation under State management. Thus, the City would expect no impacts to the wildlife and fisheries.

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We thank you in advance for your assistance on this matter.

Yours truly,

Robert E. McGarrah
General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

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Electric Utility | 2602 Jackson Bluff Rd. Tallahassee, FL 32304 | 850.891.4YOU (4968)
Writer Direct Phone Number: 850-891-5534

March 17, 2017

Brett J. Cyphers
Executive Director
Northwest Florida Water Management District
81 Water Management Drive
Havana, FL 32333-4712

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. Cyphers:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

The City's FERC license will expire in 2022 and the City is contemplating surrendering the FERC license and ceasing to operate the facility for the purposes of generating electricity. Prior to submitting a surrender application to the FERC, the City is seeking input from your agency on any issues or concerns that you might have with respect to decommissioning of the facility. This input will be submitted to the FERC for consideration as part of the surrender application.

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We thank you in advance for your assistance on this matter.

Yours truly,

Robert E. McGarrah
General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

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Writer Direct Phone Number: 850-891-5534

March 17, 2017

Anne Heard
Acting Regional Administrator
U.S. Environmental Protection Agency- Region IV
61 Forsyth St SW
Atlanta, GA 30303

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Ms. Heard:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

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Yours truly,

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General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

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Writer Direct Phone Number: 850-891-5534

March 17, 2017

Eric Summa
Chief - Planning and Environmental Policy Division
U.S. Army Corps of Engineers Jacksonville District
701 San Marco Blvd
Jacksonville, FL 32207-8175

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. Summa:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

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General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

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March 17, 2017

Justin B. Green
Director Division of Water and Resource Management
2600 Blairstone Road, MS-3500
Tallahassee, Florida 32399-2400

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. Green:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

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Yours truly,

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General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

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Writer Direct Phone Number: 850-891-5534

March 17, 2017

David A. Clark
Director State Lands
3900 Commonwealth Blvd. MS 100
Tallahassee, FL 32399

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. Clark:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

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Cc: FERC Surrender File
Triveni Singh

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Writer Direct Phone Number: 850-891-5534

March 17, 2017

Nick Wiley
Executive Director
Florida Fish and Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, FL 32399-1600

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. Wiley:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

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General Manager – Electric

Cc: FERC Surrender File
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March 17, 2017

Dr. Roy E. Crabtree
Southeast Regional Administrator - Fisheries Service
National Oceanic and Atmospheric Administration, US Department of Commerce
263 13th Avenue South
Saint Petersburg, Florida 33701

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Dr. Crabtree:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

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March 17, 2017

Timothy A. Parsons, Ph.D., RPA.
Division Director and State Historic Preservation Director
Florida Department of State
R. A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. Parsons:

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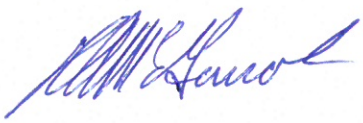

Robert E. McGarrah
General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

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Writer Direct Phone Number: 850-891-5534

March 17, 2017

Braulio L. Baez
Executive Director
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. Baez:

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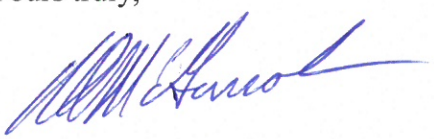

Robert E. McGarrah
General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

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Writer Direct Phone Number: 850-891-5534

March 17, 2017

Chairman
Southeast Basins Interagency Committee
402 New Walton Building
Atlanta Georgia 30303

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Gentlemen:

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We are available to address any questions you might have as you review this information request. You can direct any questions to Triveni Singh, Assistant General Manager – Generation. Triveni can be reached at: 2602 Jackson Bluff Road, Tallahassee, FL 32304; 850-891-5534 or via e-mail at Triveni.singh@talgov.com.

We are requesting that you provide any comments you might have no later than April 18, 2017. Comments should be directed to Triveni Singh, Assistant General Manager – Generation at the above address.

We thank you in advance for your assistance on this matter.

Yours truly,

Robert E. McGarrah
General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

City of Tallahassee
Your Own Utilities℠

ENERGY SMART PLUS℠
SAVE ENERGY SAVE WATER SAVE MONEY

Electric Utility | 2602 Jackson Bluff Rd. Tallahassee, FL 32304 | 850.891.4YOU (4968)
Writer Direct Phone Number: 850-891-5534

March 24, 2017

VIA ELECTRONIC DELVIERY – NO HARD COPY TO FOLLOW

Mr. Robert Presnell, County Administrator
Gadsden County
P. O. Box 1799
Quincy, Florida 32353

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. Presnell:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

The City's FERC license will expire in 2022 and the City is contemplating surrendering the FERC license and ceasing to operate the facility for the purposes of generating electricity. Prior to submitting a surrender application to the FERC, the City is seeking input from your agency on any issues or concerns that you might have with respect to decommissioning of the facility. This input will be submitted to the FERC for consideration as part of the surrender application.

In contemplating the surrender of the FERC license, the City's plans are to mothball the facility in place and not remove any equipment or make any modifications to the facility other than disconnecting the generating units from the electric grid. There would be no modifications to the existing buildings or structures. This will result in no environmental impacts to the site. Further, Lake Talquin has been managed by the State as part of a State recreation area during the term of the FERC license and would continue to be operated by the State for recreational purposes. Ceasing operation of the hydroelectric facility will have no impacts on the primary purpose of Lake Talquin which will remain recreation under State management. Thus, the City would expect no impacts to the wildlife and fisheries.

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We are requesting that you provide any comments you might have no later than April 20, 2017. Comments should be directed to Triveni Singh, Assistant General Manager – Generation at the above address.

We thank you in advance for your assistance on this matter.

Yours truly,

Robert E. McGarrah
General Manager – Electric

Cc: FERC Surrender File
Triveni Singh

City of Tallahassee
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Electric Utility | 2602 Jackson Bluff Rd. Tallahassee, FL 32304 | 850.891.4YOU (4968)
Writer Direct Phone Number: 850-891-5534

March 22, 2017

VIA ELECTORNIC DELIVERY – NO HARD COPY TO FOLLOW

Mr. Vincent Long, County Administrator
Leon County
301 S. Monroe Street
Tallahassee, Florida 32301

Re: City of Tallahassee – C.H. Corn Hydroelectric facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. Long:

The City of Tallahassee currently operates the C. H. Corn Hydroelectric facility located at the western end of Lake Talquin. The facility itself is owned by the State of Florida and the City leases the facility for the purpose of generating electricity. The City operates the facility in accordance with a license issued by the Federal Energy Regulatory Commission (FERC). Under the current FERC license, the City operates the facility as a "run-of-river" facility. This means during normal operations the flow of water from the facility is the same as the flow entering the lake and the facility operates as if the dam were not in place. Under the terms of the lease between the City and State, should the City cease to operate the facility for the purposes of generating electricity, the lease is terminated and the State assumes control of the facility.

The City's FERC license will expire in 2022 and the City is contemplating surrendering the FERC license and ceasing to operate the facility for the purposes of generating electricity. Prior to submitting a surrender application to the FERC, the City is seeking input from your agency on any issues or concerns that you might have with respect to decommissioning of the facility. This input will be submitted to the FERC for consideration as part of the surrender application.

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We are available to address any questions you might have as you review this information request. You can direct any questions to Triveni Singh, Assistant General Manager – Generation. Triveni can be reached at: 2602 Jackson Bluff Road, Tallahassee, FL 32304; 850-891-5534 or via e-mail at Triveni.singh@talgov.com.

We are requesting that you provide any comments you might have no later than April 20, 2017. Comments should be directed to Triveni Singh, Assistant General Manager – Generation at the above address.

We thank you in advance for your assistance on this matter.

Yours truly,

Robert E. McGarrah
General Manager – Electric

Cc: FERC Surrender File
Triveni Singh
Alan Rosenzweig

List of Agencies

Address	Dear
Holly Weyers Regional Director Southeast Region US Department of the Interior – USGS 1770 Corporate Drive, Suite 500 Norcross, GA 30093	Ms. Weyers
Cynthia K. Dohner Regional Director, Southeast Region U.S. Fish and Wildlife Service, U.S. Department of the Interior 1875 Century Blvd., Suite 400 Atlanta, GA 30345	Ms. Dohner
David S. Fish Acting Chief Environmental Compliance and Safety Enforcement Divisions U.S. Department of the Interior 1849 C Street, NW Washington, D.C. 20240	Mr. Fish
Brett J. Cyphers Executive Director Northwest Florida Water Management District 81 Water Management Drive Havana, FL 32333-4712	Mr. Cyphers
Anne Heard Acting Regional Administrator U.S. Environmental Protection Agency-Region IV 61 Forsyth St SW Atlanta, GA 30303	Ms. Heard
Eric Summa Chief - Planning and Environmental Policy Division U.S. Army Corps of Engineers Jacksonville District 701 San Marco Blvd Jacksonville, FL 32207-8175	Mr. Summa

Address	Dear
Justin B. Green Director Division of Water and Resource Management 2600 Blairstone Road, MS-3500 Tallahassee, Florida 32399-2400	Mr. Green
David A. Clark Director State Lands 3900 Commonwealth Blvd. MS 100 Tallahassee, FL 32399	Mr. Clark
Nick Wiley Executive Director Florida Fish and Wildlife Conservation Commission 620 South Meridian Street Tallahassee, FL 32399-1600	Mr. Wiley
Dr. Roy E. Crabtree Southeast Regional Administrator - Fisheries Service National Oceanic and Atmospheric Administration, US Department of Commerce 263 13th Avenue South Saint Petersburg, Florida 33701	Dr. Crabtree
Timothy A. Parsons, Ph.D., RPA. Division Director and State Historic Preservation Director Florida Department of State R. A. Gray Building 500 South Bronough Street Tallahassee, FL 32399-0250	Mr. Parsons
Braulio L. Baez Executive Director Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850	Mr. Baez
Chairman Southeast Basins Interagency Committee 402 New Walton Building Atlanta Georgia 30303	Gentlemen

Address	Dear
Robert Presnell, County Administrator Gadsden County P. O. Box 1799 Quincy, Florida 32353	Mr. Presnell
Vincent Long County Administrator Leon County 301 S. Monroe Street Tallahassee, Florida 32301	Mr. Long

APPENDIX D

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Field Office
1601 Balboa Avenue
Panama City, FL 32405-3721

Tel: (850) 769-0552
Fax: (850) 763-2177

IN REPLY REFER TO:

18 April 2017

Mr. Triveni Singh
Assistant General Manager—Generation
City of Tallahassee
2602 Jackson Bluff Road
Tallahassee, Florida 32304

Dear Mr. Singh,

We've reviewed your letter dated March 17, 2017 regarding future plans for the C.H. Corn Hydroelectric facility. Thank you for the opportunity to respond with U.S. Fish and Wildlife Service (Service) concerns for fish and wildlife resources and how they may be affected within the Project Boundary and downstream receiving waters. The Service submits the following comments and recommendations in accordance with the provisions of the Fish and Wildlife Coordination Act, as amended (16 U.S.C.§§ 661-667e); Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. §§1531-1543); Interjurisdictional Fisheries Act; the Federal Power Act (16 U.S.C.§ 791 *et seq.*); the Migratory Bird Treaty Act (16 U.S.C. §§1536, 1538); the National Environmental Policy Act (42 U.S.C.§ 4321 *et seq.*); the Clean Water Act (33 U.S.C. §1251 *et seq.*); the Electric Consumers Protection Act of 1986 (Pub. L. No. 99-495, 100 Stat. 1243); Scenic Rivers Act of 1968 (Pub. L. No. 90-542) and the Energy Policy Act of 2005 (Pub. L. No 109–58).

We have identified issues that will be important to address whether the City ultimately decides to surrender the FERC license, apply for a new license in 2022, or transfer the license to another agency. In this letter, we outline the Service concerns relating to maintenance of minimum flows below the dam, federally listed species and associated critical habitats, passage of diadromous fishes, and plans for dam safety and maintenance and sediment fate and transport. Given the number of important issues identified at this time, we recommend a meeting of natural resource agency and City personnel prior to your decision on how to proceed with FERC licensing in order to determine what additional information may be necessary to evaluate impacts to fish and wildlife resources in provisions of a license surrender.

Summary

The current 40-year FERC license (20 FERC 62,053) was issued to the City of Tallahassee in 1982 and will expire in 2022. According to information in the license, the Jackson Bluff Dam

(FERC P-2891) was originally built in 1928 and is located at River Mile 66 of the Ochlockonee River, impounding Lake Talquin. It is an earthen embankment dam 60 feet in height, with normal power pool elevation of 68.5 feet m.s.l.

According to your letter, the City of Tallahassee is considering the option to surrender the FERC license and discontinue use of all power generating equipment, leaving it all in place "as is". The letter states that ceasing operation will not impact fish and wildlife resources and that the primary purpose of the project is recreation on Lake Talquin. The Federal Power Act specifies that the primary purpose of any FERC-licensed power generating project is power generation, and that the full requirements of license surrender require removal of all project structures from the river. However, we do understand the City's desire to balance the recreational importance and fishery management needs of Lake Talquin in decision-making.

Maintenance of minimum flows

At the time of the 1982 license, minimum flows below the dam were defined as 150 cfs, which was less than the original recommendations of both the Service and National Marine Fisheries Service (NMFS, 325 and 400 cfs, respectively). A minimum flow study was never conducted, with agencies agreeing at the time to waive this requirement with an amendment in operations from peaking to "run of river" operation. It was agreed that any operational return to peaking would require completion of the downstream flow study.

The USFWS is concerned with maintenance of minimum flows downstream of the dam under a situation of license surrender and the City would need to elaborate on how they will maintain flows under future situations. For example, how would flows be maintained if there was a need for reservoir drawdown for maintenance or nuisance aquatic vegetation control? Additionally, the definition and implementation of run-of-river operations will need to be evaluated and updated regardless of a decision to surrender the FERC license or apply for relicensing, since the current license did not describe the operation mode in specific detail, nor how maintenance, refill and drawdowns would occur.

Listed species and associated critical habitats

At the time of the original license, the only two species listed under the Endangered Species Act (ESA) and known from the project area were the red cockaded woodpecker and gray bat. Since that time, additional aquatic species have been listed (with critical habitat designated) that are directly impacted by project operations and downstream receiving waters in the Ochlockonee River. Federally listed species include the Gulf Sturgeon, and four freshwater mussels: purple bankclimber, shinyrayed pocketbook, Ochlockonee moccasinshell, and oval pigtoe (Table 1). Of particular concern to the USFWS is the only remaining documented population of the Ochlockonee moccasinshell, which is found downstream of the dam.

Scientific Name	Common Name	Status
Anodonta heardi	Apalachicola Floater	Florida SGCN*
Elliptio purpurella	Inflated Spike	Florida SGCN
Elliptoideus sloatianus	Purple Bankclimber	Federally threatened
Glebula rotundata	Round Pearlshell	Florida SGCN
Hamiota subangulata	Shinyrayed Pocketbook	Federally endangered
Lampsilis floridensis	Florida Sandshell	Florida SGCN
Medionidus simpsonianus	Ochlockonee Moccasinshell	Federally endangered
Pleurobema pyriforme	Oval Pigtoe	Federally endangered
Quadrula infucata	Sculptured Pigtoe	Florida SGCN
Utterbackia peggyae	Florida Floater	Florida SGCN

*Species of Greatest Conservation Need

Table 1. Freshwater mussel species that are federally listed or Florida species of greatest conservation need (SGCN) in the Ochlockonee drainage.

Although not currently listed under the Endangered Species Act, the Alabama shad and the American eel were recently evaluated for listing by the NMFS and the Service, respectively. Protection under the ESA was found to be not warranted, but proactive conservation and recovery of both species to prevent listing is a priority for the Service and other resource management agencies.

Downstream of the dam, petitioned species of conservation priority that could be impacted are Barbour's map turtle and alligator snapping turtle. Both of these species are currently under review for ESA listing and are Florida SGCNs. Maintenance of minimum flows as discussed above is critical to maintain basking and foraging habitat and adequate riparian conditions necessary for adequate conservation to preclude listing of these turtle species.

Diadromous fishes, fish passage, and freshwater mussels

In addition to Gulf sturgeon, American eel, and Alabama shad described above, Gulf striped bass are a USFWS trust species given the interjurisdictional nature of their range and fishery. All four species are documented to use the river downstream of the Jackson Bluff dam and have historic and current presence in the basin such that increasing fish passage to the mainstem Ochlockonee and upstream tributaries has potential to increase habitat and contribute positively to recovery efforts for the listed species.

The following relevant comprehensive plans have been filed with FERC by the state of Florida:

Atlantic States Marine Fisheries Commission. 2000. Interstate Fishery Management Plan for American eel (*Anguilla rostrata*). (Report No. 36). April 2000.

National Marine Fisheries Service. 1995. Gulf sturgeon (*Acipenser oxyrhynchus desotoi*) Recovery/Management Plan. Prepared by the Gulf Sturgeon Recovery/Management Task Team. September 15, 1995.

U.S. Fish and Wildlife Service. Gulf States Marine Fisheries Commission. 1995. Gulf sturgeon recovery/management plan. Atlanta, Georgia. September 15, 1995.

In addition to the potential for fish recovery by providing access to upstream mainstem and tributary waters, the impact of fish passage is highly relevant to conservation of listed mussel species in the drainage. There are four listed species and six additional species designated as Florida species of greatest conservation need (SGCN, Table 1). All diadromous fish species discussed are potential hosts and could restore connectivity to upstream waters that would positively impact recovery potential for these mussel species. Species-specific passage plans that cover a range of implementation costs could be considered and we would be able to provide technical assistance as you evaluate options.

Life and fate of facility

Finally, the City will need to demonstrate in detail its plans for the future of the hydroelectric facility and equipment. For example, if turbines are left intact how will trash and woody debris be removed? Accumulation of these materials around inactive turbines would be dangerous and could be damaging if washed downstream during high flow. How will the City deliver the run-of-river flows – across the spillway, through a gate, or through the penstock? How will flows be delivered during periods of extreme low inflow, following maintenance drawdowns, or during high flow events? Leaks and safety at this dam have been recurring issues documented in the FERC library history of this project. In 1990, the USFWS indicated serious concern with safety and structure stability at this dam and these concerns still exist. It is also not clear how flood situations will be handled if power generating equipment is inoperational. For example, in January 2017 during flood conditions, all three turbines were engaged to help move water through the system, so it is not clear that the spillway will be adequate to sustain future flooding and protect downstream fish and wildlife resources as well as public safety. The city will additionally need to demonstrate in detail a plan for future fate and transport of sediment and contaminants in the system. How will ongoing fish- and wildlife-based recreational needs be met? How will changing recreational use and needs be accommodated – for example, there does not appear to be a developed canoe portage facility?

Thank you for the opportunity to contribute comments at this time, and we look forward to discussing these issues with you in more detail. Please contact myself (ext. 243) or Dr. Maureen

Walsh (ext. 234, maureen_walsh@fws.gov) of my staff for information or coordination regarding this project.

Sincerely,

Dr. Sean Blomquist
Deputy Project Leader, Ecological Services

cc:

USFWS (Southeast Region – Laney/Willis)
NMFS (Pace Wilber, Fritz Rodhe)
Florida FWC (Hoehn)
Florida DEP (McCall)

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
http://sero.nmfs.noaa.gov

April 28, 2017 F/SER47:FR/pw

(Sent via Electronic Mail)

Mr. Triveni Singh
Assistant General Manager – Generation
City of Tallahassee
2602 Jackson Bluff Road, Tallahassee, FL 32304

Dear Mr. Singh:

NOAA's National Marine Fisheries Service (NMFS) reviewed your letter dated March 17, 2017, requesting comments on the C.H. Corn Hydroelectric facility (Federal Energy Regulatory Commission Project Number P-2891-016-FL). As the nation's federal trustee for the conservation and management of marine, estuarine, and diadromous fishery resources, the NMFS provides the following comments pursuant to the authorities of the Fish and Wildlife Coordination Act and the Federal Power Act.

The City of Tallahassee currently operates the C.H. Corn Hydroelectric facility located at the western end of Lake Talquin, on the Ochlocknee River, Leon County. The State of Florida owns the facility, and the City leases the facility to generate electricity. Under the current license from the Federal Energy Regulatory Commission (FERC), the City operates the facility as a "run-of-river" facility. The City's license will expire in 2022, and the City is contemplating surrendering the FERC license and ceasing to operate the facility.

Fishes of interest to the NMFS occurring in the Ochlocknee River below Lake Talquin include the Gulf Sturgeon, American Eel, Alabama Shad, and Striped Bass. The Gulf Sturgeon is listed as a threatened species under the Endangered Species Act (ESA) while both the American Eel and Alabama Shad have been evaluated for listing. While protection under the ESA for either species was found to be not warranted at this time, populations of both remain low and need recovery. The NMFS has been working with hydroelectric companies in a number of rivers in the southeastern United States from the Roanoke River in North Carolina to the Sabine River in Louisiana/Texas in passing American Eels above hydroelectric dams to historical habitats. The NMFS is interested in upstream passage of American Eels at the C.H. Corn Hydroelectric facility. Based on our experience at other hydroelectric facilities, eel passage above this dam could be easily achieved and be relatively inexpensive. The Ochlocknee River above Lake Talquin has a large amount of available habitat eels could utilize as they mature. Passage of Alabama Shad may be warranted in the future if it appears the population in the Ochlocknee River would benefit from access to habitats upstream of Lake Talquin.

According to the Florida Fish and Wildlife Commission staff (FWC), if the FERC license is surrendered the facility would be still operated to allow downstream discharges through the spillway gates (T. Hoehn, FWC, personal communication). This would eliminate the concerns

about the discharges of water with a low concertation of dissolved oxygen, which in turn could affect fishes downstream. The FWC recommends maintaining a minimum downstream flow of at least 150 cubic feet per second, which was part of the original license; the NMFS concurs with this recommendation.

Thank you for the opportunity to provide these comments. Please direct related questions or comments to the attention of Mr. Fritz Rohde at our Beaufort Field Office, 101 Pivers Island Road, Beaufort, North Carolina 28516-9722, or at (252) 838-0828.

Sincerely,

/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc: FDEP, Cheryl.McCall@dep.state.fl.us
FWC, Ted.Hoehn@MyFWC.com
USFWS, Wilson_Laney@fws.gov, Maureen_Walsh@fws.gov
F/SER47, Fitz.Rohde@noaa.gov

Florida Fish and Wildlife Conservation Commission

Commissioners
Brian Yablonski
Chairman
Tallahassee

Aliese P. "Liesa" Priddy
Vice Chairman
Immokalee

Ronald M. Bergeron
Fort Lauderdale

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Key West

Executive Staff
Nick Wiley
Executive Director

Eric Sutton
Assistant Executive Director

Jennifer Fitzwater
Chief of Staff

Office of the
Executive Director
Nick Wiley
Executive Director

(850) 487-3796
(850) 921-5786
FAX

Managing fish and wildlife resources for their long-term well-being and the benefit of people.

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: (850) 488-4676

Hearing/speech-impaired:
(800) 955-8771 (T)
(800) 955-8770 (V)

MyFWC.com

April 20, 2017

Triveni Singh
Assistant General Manager - Generation
City of Tallahassee
2602 Jackson Bluff Road
Tallahassee, FL 32304
Triveni.singh@talgov.com

RE: City of Tallahassee, C.H. Corn Hydroelectric Facility, Federal Energy Regulatory Commission (FERC) Project P-2891-016-FL, Technical Assistance Request, Leon County

Dear Mr. Singh:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the City's March 17, 2017, letter requesting a review of the possible decommissioning of the C.H. Corn Hydroelectric Facility on Lake Talquin. We provide the following comments and recommendations as technical assistance in accordance with FWC's authorities under Chapter 379, Florida Statutes.

Project Description

As indicated in the City's letter, the City is contemplating surrendering the facility's FERC license, which expires in 2022, and ceasing to operate the facility for the purposes of generating electricity. The facility would continue to be operated as a run-of-the-river unless the hydroelectric license is transferred to the State. Lake Talquin would continue to be managed for the benefit of recreational uses.

Comments and Recommendations

Flow Levels

FWC staff has coordinated with the City for this project and understands that if the FERC license is surrendered and the facility decommissioned for power generation, the facility would still be operated to allow downstream discharges through the spillways gates. This would eliminate the concern of discharging low oxygenated water downstream from lower depths in the lake. Gulf sturgeon (*Acipenser oxyrinchus desotoi*, Federally Threatened), the Ochlockonee moccasinshell (*Medionidus simpsonianus*, Federally Endangered), and Barbour's map turtle (*Graptemys barbouri*, State Threatened) are known to occur downstream of the dam and their essential behaviors may be affected by low flows. We understand that there may be a requirement for a minimum release (into the Ochlockonee River) of 150 cubic-feet-per-second (cfs), but this has not yet been determined. If the facility is decommissioned and not operated for hydroelectric purposes, FWC staff recommends maintaining a minimum downstream flow of at least 150 cfs. Because there are federally listed species occurring in the downstream areas, we also recommend coordinating with the U.S. Fish and Wildlife Service (USFWS) Panama

City Ecological Services Office (ESO) as necessary for information regarding potential impacts to the federally listed species. The USFWS Panama City ESO can be contacted at (850) 769-0552.

Freshwater Fish and Recreational Fishing

If discharge is only occurring through the spillway gates and not through the turbine gates, there will likely be fish escapement from the lake for multiple species (bass, crappie, striped bass, etc.) during anytime other than minimal flow. Fish loss would increase dramatically with an increase in flow on the Upper Ochlockonee or Little River following any rain event. Under current operations, fish loss from the lake typically occurs only during extreme high water events. Since the FWC maintains a fish stocking and broodfish collection program on Lake Talquin, FWC staff would like to provide further technical assistance for the management of the facility to avoid loss of fish downstream.

Discharges only from the spillway may also affect recreational fishermen who typically use the downstream areas close to the facility and the buoy line near existing turbine discharges. We understand that the existing buoy line could be moved further downstream, which may limit access for striped bass fisherman. We recommend that the buoy line distance be evaluated if flows are only through the spillway side of the dam or if changes in the buoy line distance to the dam are proposed.

We appreciate the opportunity to provide information on this project. If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions regarding the content of this letter, please contact Theodore Hoehn at (850) 488-8792 or by email at ted.hoehn@MyFWC.com.

Sincerely,

Jennifer D. Goff
Land Use Planning Program Administrator
Office of Conservation Planning Services

jdg/th
ENV 1
Tallahassee C H Corn Hydroelectric Facility_32763_042017

cc: Cheryl McCall, DEP-State Lands, cheryl.mccall@dep.state.fl.us
Maureen Walsh, USFWS-PC, maureen_walsh@fws.gov
Fritz Rohde, NOAA, fritz.rohde@noaa.gov

STATE OF FLORIDA

Public Service Commission

April 5, 2017

Mr. Triveni Singh
Assistant General Manager - Generation
2602 Jackson Bluff Road
Tallahassee, FL 32304
Triveni.singh@talgov.com

VIA EMAIL & US MAIL

Re: City of Tallahassee - C.H Corn Hydroelectric Facility; Federal Energy Regulatory Commission Project Number P-2891-016-FL.

Dear Mr. Singh:

Thank you for reaching out for comments on the contemplation of ceasing operation of the C.H. Corn Hydroelectric facility for generation production. Based upon the City of Tallahassee's past Ten-Year Site Plans, the facility is not considered firm generation by the City of Tallahassee and accounts for less than one percent of your annual energy generation. Please continue to update the City's Ten-Year Site Plans as circumstances change.

We appreciate the opportunity to give comments on this project.

Sincerely,

Braulio L. Baez
Executive Director
Public Service Commission

BB/tj

cc: Division of Engineering (Ballinger)

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

Mr. Triveni Singh
City of Tallahassee, Electric Utility
2602 Jackson Bluff Road
Tallahassee, FL 32304

May 16, 2017

RE: DHR Project File No.: 2017-1480/ Received by DHR: March 22, 2017
106-Federal Energy Regulatory Commission (FECR)
Leasee: City of Tallahassee – Owner: State of Florida
Project: C. H. Corn Hydroelectric Facility, West End of Lake Talquin, Leon County
Possible Surrender of FERC License and Decommissioning of Facility
FERC Project Number P-2891-016-FL

Mr. Singh:

The Florida State Historic Preservation Office reviewed the referenced project for possible effects on historic properties listed, or eligible for listing, on the *National Register of Historic Places.* The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties* and under Chapter 267.061, *Florida Statutes*, and implementing state regulations.

We note that the City of Tallahassee's FERC license for the above referenced facility will expire in 2022 at which time the City is considering surrendering the license, decommissioning the facility, and returning it to State ownership. It is our understanding that the proposed decommissioning will not involve any equipment removal or modifications to the facility. It is the opinion of this office that due to the nature of the proposed plan there will be no effect on historic properties. However, if current or future plans change and will involve ground disturbance, project plans should be forwarded to this office for review and comment.

For questions, please contact Robin Jackson, Historic Preservationist, Compliance & Review at *Robin.Jackson@dos.myflorida.com*, or by telephone at 850.245.6496 or 800.847.7278.

Sincerely,

Jason Aldridge
For
Timothy A. Parsons, Ph.D., RPA
Director, Division of Historical Resources and
State Historic Preservation Officer

Northwest Florida Water Management District

81 Water Management Drive, Havana, Florida 32333-4712
(U.S. Highway 90, 10 miles west of Tallahassee)

Phone: (850) 539-5999 • Fax: (850) 539-2777

Brett J. Cyphers
Executive Director

May 17, 2017

Triveni Singh
Assistant General Manager – Generation
City of Tallahassee
2602 Jackson Bluff Road
Tallahassee, Florida 32304

Dear Mr. Singh,

Thank you for your letter dated March 17, 2017, informing the District of the City of Tallahassee's plans to cease operating the C. H. Corn Hydroelectric facility for electricity production and the surrender of its lease to the State of Florida. The District's mission does not include the regulation of energy production, so we have no comments on the pending actions.

Sincerely,

Brett J. Cyphers
Executive Director

Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

April 18, 2017

Mr. Robert E. McGarrah
Mr. Triveni Singh
2602 Jackson Bluff Road
Tallahassee, FL 32304

Re: City of Tallahassee – C.H. Corn Hydroelectric Facility
Federal Energy Regulatory Commission Project Number P-2891-016-FL

Dear Mr. McGarrah and Mr. Singh:

Thank you for the opportunity to provide input regarding the City's contemplated surrender of the referenced FERC license associated with the Lake Talquin dam. As we understand your proposal, the City would discontinue electric power generation at the facility and transfer operational control of the dam to the State of Florida. In working with the County Attorney's Office, your letter has raised a few questions we believe can be readily addressed:

1. Your letter identifies the end of the FERC license in 2022 but does not state when your proposed surrender would occur. Would you please specify the date the City would no longer operate the facility?
2. As noted above, the City Electric staff have assisted in managing the lake levels during storm events to minimize flooding. In particular, Operating Protocols were developed to minimize impacts from the 2010 spillway modifications as part of the City of Tallahassee and Leon County Settlement Agreement regarding the permit challenge. Since the Operating Protocols are currently enforced by the FERC license, how will the terms of the Settlement Agreement be honored by the State? How will continuity of enforcement of the Agreement terms occur when the license is surrendered?
3. If the FERC license is transferred to another entity rather than being surrendered, please describe how County residents can be assured the terms of the City/County Settlement Agreement would continue to be honored?
4. Your letter discusses the management of Lake Talquin's level for recreational purposes, and the expectation of no environmental impacts after hydroelectric power generation and lake level management ceases. However, the USEPA and the FDEP are developing a Total Maximum Daily Load (TMDL) for nutrients and dissolved oxygen in the lake based on active lake level management by the City. Has the City's engineer evaluated the degree lake level management impacts the TMDL water quality model?
5. Your letter reminds us that safety reviews have been overseen by FERC to date. Has the Lake Talquin dam been evaluated by the FDEP Dam Safety Office, and is the structure considered satisfactory? Has the Division of Land Administration committed to address any deficiencies identified by the Dam Safety Office once transfer occurs?
6. When will notification of downstream residents and interested stakeholders, such as the Friends of Lake Talquin, of the potential change in management take place?

Again, I appreciate the opportunity to provide input on this important issue.

Sincerely,

Vincent S. Long
County Administrator

Cc: Herbert W.A. Thiele, County Attorney