

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426
February 27, 2008

OFFICE OF ENERGY PROJECTS

Project No. 12632-000 – Texas
Lake Livingston Hydroelectric Project
Livingston, Texas

Subject: Scoping Document 1 for the Lake Livingston Hydroelectric Project (P-12632)

To the Parties Addressed:

The Federal Energy Regulatory Commission (Commission) is conducting National Environmental Policy Act (NEPA) scoping on the anticipated original license application for the Lake Livingston Hydroelectric Project (FERC No. 12632). The proposed hydroelectric project would be developed and operated by the East Texas Electric Cooperative, Inc. (Cooperative) and would be located at the existing Lake Livingston dam and reservoir on the Trinity River in Polk, San Jacinto, Trinity, and Walker Counties, Texas. The dam and reservoir are owned and operated by the Trinity River Authority of Texas (TRA). No federal lands would be affected by the project.

Pursuant to NEPA, Commission staff intends to prepare an environmental assessment (EA) for the Lake Livingston Project, which will be used by the Commission to determine whether, and under what conditions, to issue an original license for the project. To support and assist our environmental review, we are conducting scoping to ensure that all pertinent issues are identified and analyzed, and the EA is thorough and balanced.

We invite your participation in the scoping process, and are circulating the enclosed scoping document to provide information on the project. We are also interested in your comments and suggestions on the preliminary list of issues we have identified and alternatives to be addressed in the EA.

We will hold two scoping meetings for the Lake Livingston Project to receive input on the scope of the EA. A daytime meeting will be held Thursday, March 26, 2008, beginning at 1:30 p.m. at the Community Meeting Room, Livingston-Polk County Chamber of Commerce, 1001 US Hwy 59 Loop North, Livingston, Texas. An evening meeting will be held March 26, 2008, beginning at 6:00 p.m. at the same location. We will also hold a site visit on March 26, 2008, to view the area's existing resources and the project's

Project No. 12632-000

constructed facilities. The site visit will take place at TRA's Lake Livingston project headquarters (5170 S. FM 1988, Livingston, Texas) following the afternoon meeting.

All interested individuals, organizations, Indian tribes, and agencies are invited to attend one or both of the meetings, and to participate in the site visit. More information on the meetings and a site visit is available in Section 2.0 of the enclosed scoping document.

The SD1 is being distributed to both the Cooperative's distribution list and the Commission's official mailing list (see section 9.0). If you wish to be added to or removed from the Commission's official mailing list, please send your request by email to efiling@ferc.gov or by mail to: Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written or emailed requests must specify your wish to be removed or added to the mailing list and must clearly identify the following on the first page: Lake Livingston Hydroelectric Project No. 12632-000.

Please review the scoping document and, if you wish to provide comments, you may either present them orally during the March 26 scoping meetings, or submit written comments following the instructions in section 5.0 of the scoping document. The deadline for filing comments April 25, 2008. If you have any questions about the scoping process, please contact Sarah Florentino at (202) 502-6863, or via email at sarah.florentino@ferc.gov. Additional information about the licensing process and the Lake Livingston Project may be obtained from the Commission's website, <http://www.ferc.gov>.

Scoping comments may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site (<http://www.ferc.gov>) under the "eFiling" link. The Commission strongly encourages electronic filings. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

You may register online at <http://www.ferc.gov/docs-filing/esubscriptions.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance please contact FERC Online Support.

Enclosure: Scoping Document

cc: Mailing List
Public Files

SCOPING DOCUMENT
LAKE LIVINGSTON HYDROELECTRIC PROJECT - TEXAS
PROJECT NO. 12632

Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
Washington, DC

February 2008

Project No. 12632-000

TABLE OF CONTENTS

1.0 INTRODUCTION 1

2.0 SCOPING 4

 2.1 Purposes of Scoping 4

 2.2 Comments and Scoping Meetings 5

3.0 PROPOSED ACTION AND ALTERNATIVES 7

 3.1 East Texas Electric Cooperative, Inc.’s Proposed Action 7

 3.1.1 Description of Existing and Proposed Project Facilities 7

 3.1.2 Proposed Operation and Environmental Measures 8

 3.2 Alternatives to the Proposed Action 10

 3.3 No Action 10

4.0 SCOPE OF CUMULATIVE EFFECTS AND RESOURCE ISSUES 11

 4.1 Cumulative Effects 11

 4.1.1 Resources That Could Be Cumulatively Affected 11

 4.1.2 Geographic Scope 11

 4.1.3 Temporal Scope 11

 4.2 Resource Issues 12

 4.2.1 Geology and Soils 12

 4.2.2 Water Resources 12

 4.2.3 Aquatic Resources 12

 4.2.4 Terrestrial Resources 13

 4.2.5 Threatened and Endangered Species 13

 4.2.6 Recreation, Land Use, and Aesthetics 13

 4.2.7 Cultural Resources 14

 4.2.8 Developmental Resources 14

5.0 INFORMATION REQUESTED 14

6.0 EA PREPARATION SCHEDULE 16

7.0 PROPOSED EA OUTLINE 17

8.0 CONSISTENCY WITH COMPREHENSIVE PLANS 19

9.0 SERVICE LIST AND MAILING LIST 21

Project No. 12632-000

LIST OF FIGURES

Figure 1: Lake Livingston Hydroelectric Project Location2

Figure 2: Proposed Power Facilities Layout.....3

SCOPING DOCUMENT

Lake Livingston Hydroelectric Project No. 12632

1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission), under the authority of the Federal Power Act (FPA),¹ may issue licenses for terms ranging from 30 to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects.

On December 21, 2007, the the East Texas Electric Cooperative, Inc. (Cooperative) filed a Notice of Intent (NOI) to submit an application for an original license for construction and operation of the proposed 24-megawatt (MW) Lake Livingston Hydroelectric Project. Concurrently with the NOI, the Cooperative filed a Pre-Application Document (PAD) which included a description of the proposed hydropower development, a description of the existing project environment and potential resource impacts, and a preliminary list of issues and proposed studies. The Cooperative will use the Commission's Alternative Licensing Procedures (ALP) to seek a license for the project.

The proposed project would be located on Lake Livingston and the Trinity River in Polk, San Jacinto, Trinity and Walker Counties, Texas. The proposed hydropower facilities would be located in Polk County at the Lake Livingston dam owned by the Trinity River Authority of Texas (TRA) (see figures 1 and 2). A detailed description of the project is provided in section 3.0.

The National Environmental Policy Act (NEPA) of 1969,² the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of licensing the project as proposed, and also consider reasonable alternatives to the Cooperative's proposal. At this time, we intend to prepare a single environmental assessment (EA). The EA will describe and evaluate the probable effects, including any site-specific and cumulative effects, if any, of the proposed action and alternatives. Preparation of the EA is

¹ 16 U.S.C. § 791(a) -825(r).

² National Environmental Policy Act of 1969, as amended (Pub. L. 91-190. 42 U.S.C. § 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, § 4(b), Sept. 13, 1982).

Project No. 12632-000

being supported by a scoping process to ensure that all pertinent issues are identified and analyzed, and that the EA is thorough and balanced.³

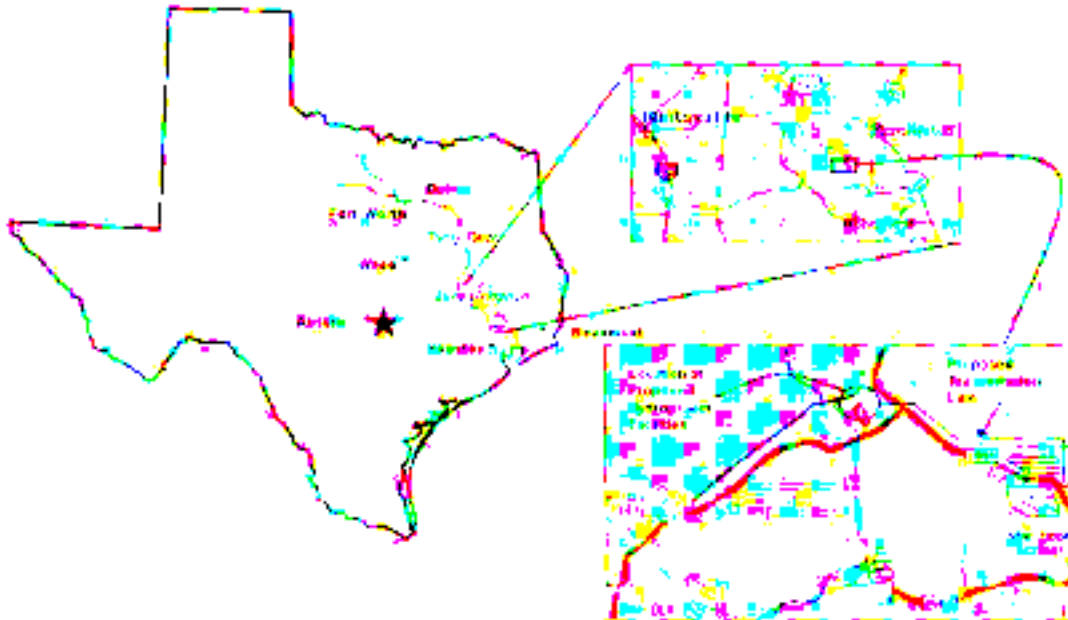


Figure 1. Lake Livingston Project Location. Source: Cooperative, PAD filed December 21, 2007.

³ Commission staff's EA will be based on a Preliminary Draft Environmental Assessment prepared by the Cooperative's consultants and submitted in lieu of Exhibit E at the time the Cooperative files its license application. See section 6.0 below.

Project No. 12632-000

Map
Page 3

Public access for the above information is available only through the Public Reference Room, or by e-mail at public.referenceroom@ferc.gov

Project No. 12632-000

2.0 SCOPING

This Scoping Document (SD1) is intended to advise all participants as to the proposed scope of the EA and to seek additional information pertinent to this analysis. This document contains: (1) a description of the scoping process and schedule for developing the EA; (2) a description of the proposed action and alternatives; (3) a preliminary identification of environmental issues; (4) a request for comments and information; (5) a proposed EA outline; and (6) a preliminary list of comprehensive plans applicable to the project.

2.1 Purposes of Scoping

The scoping process is used to identify issues, concerns, and opportunities associated with a proposed action. According to NEPA, the process should be conducted early in the planning stage of the project. The purposes of the scoping process are as follows:

- invite participation of federal, state and local resource agencies, Native American tribes, non-governmental organizations (NGOs), and the public to identify significant environmental and socioeconomic issues related to the proposed project;
- determine the depth of analysis and significance of issues to be addressed in the EA;
- identify how the project would or would not contribute to cumulative effects in the project area and the Trinity River;
- identify reasonable alternatives to the proposed action that we should evaluate in the EA; and
- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

Following the comment period for this scoping document, all issues raised will be reviewed and decisions made about the level of analysis needed. If preliminary analysis shows that any issues presented in this scoping document have little potential for causing significant effects, the issue(s) will be identified and the reasons for not providing a more detailed analysis will be given in the EA.

Project No. 12632-000

The Commission staff will revise this scoping document, as necessary, to reflect comments received during the comment period, and will then issue a revised scoping document. If no substantial comments are received and no revisions to this scoping document are necessary, we will so notify participants by letter. The EA will address comments and information received during the scoping process.

2.2 Comments and Scoping Meetings

Between now and the Commission's licensing decision there will be the following opportunities for the resource agencies and public to provide comments on the scope and contents of the EA:

- During the public scoping meetings in Livingston, Texas, on March 26, 2008, and during the 30-day public comment period following the scoping meetings (scoping comments are due April 25, 2008);
- following the Cooperative's submission of environmental study reports, and in response to the Commission's notice soliciting preliminary fish and wildlife recommendations, prescriptions, and comments (notice tentatively scheduled for issuance December 17, 2008, with responses due January 30, 2009);
- following the Cooperative's filing of the license application and PDEA, in response to the Commission's formal Notice of Application for License and solicitation of final fish and wildlife recommendations, prescriptions, comments, and interventions; and
- after issuance of the EA so that we can receive written comments on the content of the EA before proceeding with the licensing of the project.

In addition to written comments solicited by this SD1, we will hold two public scoping meetings in Livingston, Texas, on March 26, 2008. Although any person may attend either (or both) of the sessions, the afternoon session is intended primarily for staff members of federal and state resource agencies and local governments, and the evening session is intended to accommodate individuals whose work or other commitments make them unable to attend the earlier session. We invite all interested individuals, organizations, tribes, and agencies to attend

Project No. 12632-000

one or both of the meetings to assist staff in identifying the scope of environmental issues that should be analyzed in the EA. The times and locations of the meetings are as follows:

Daytime Meeting	Evening Meeting
<p style="text-align: center;">Thursday, March 26, 2008</p> <p style="text-align: center;">1:30 pm to 3:30 pm Central Standard Time (CST)</p>	<p style="text-align: center;">Thursday, March 26, 2008</p> <p style="text-align: center;">6:00 pm to 8:00 pm CST</p>
<p style="text-align: center;">Community Meeting Room, Livingston-Polk County Chamber of Commerce 1001 US Hwy 59 Loop North Livingston, Texas 77351</p> <p style="text-align: center;">(936) 327-4929</p>	

The scoping meetings will be recorded by a court reporter, and all statements (verbal and written) will become part of the Commission's public record for the project. Individuals presenting statements at the meetings will be asked to clearly identify themselves for the record. Interested parties who choose not to speak or who are unable to attend any of the scoping meetings may provide written comments and information to the Commission as described in section 5.0. These meetings are posted on the Commission's calendar located on the internet at <http://www.ferc.gov/EventCalendar/EventsList.aspx>, along with other related information.

We suggest that participants review the PAD and this scoping document before attending the scoping meetings and/or preparing comments. A copy of the PAD is available for review at the Commission in the Public Reference Room, or may be viewed on the Commission's website (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, P-12632, to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

Project No. 12632-000

The Cooperative and Commission staff will also conduct a site visit of the project on Thursday, March 26, 2008. The site visit will take place at TRA's Lake Livingston project headquarters following the afternoon scoping meeting. The physical address of the project is 5170 S. FM 1988, Livingston, Texas, 77351.

Access to the dam site is secure, and all individuals wishing to participate in the site visit must register and provide a copy of a photo identification in advance. If you want to attend the site visit, please notify Brian Lawson, the Cooperative's Project Manager, and send him a faxed or scanned copy of a photo ID not later than March 19, 2008, using the following contact information:

Brian Lawson, Project Manager
GDS Associates, Inc.
1850 Parkway Place, Suite 800
Marietta, GA 30067
Phone: 770-425-8100
Fax: 770-426-0303
Brian.Lawson@GDSassociates.com

3.0 PROPOSED ACTION AND ALTERNATIVES

In accordance with NEPA guidelines, the environmental analysis will encompass the following alternatives, at a minimum: (1) the Cooperative's proposed action, (2) any reasonable alternative(s) to the proposed action, and (3) no action.

3.1 East Texas Electric Cooperative, Inc.'s Proposed Action

3.1.1 Description of Existing and Proposed Project Facilities

The proposed project would use the following existing facilities: (1) the TRA's existing 14,400-foot-long (approximate) Lake Livingston dam, having a crest elevation of 145.0 feet mean sea level (msl), and consisting of a basic earth embankment section, outlet works, and spillway; and (2) the 83,000-acre Lake Livingston, with a normal water surface elevation of 131.0 feet msl and gross storage capacity of 1,750,000 acre-feet.

The proposed project would consist of the following new facilities: (1) an intake structure and headrace channel approximately 800 feet long; (2) three steel

Project No. 12632-000

penstocks, about 14 feet in diameter and 450 feet in length; (3) a powerhouse containing three generating units, having a total installed capacity of 24 MW; (4) an approximate 2,000-foot-long tailrace channel; (5) an approximate 2.5-mile-long, 138-kilovolt transmission line interconnecting the project with Entergy's existing Rich substation near Goodrich; and (6) an electric switchyard and other appurtenant facilities. The project would have an estimated annual generation of 124.030 gigawatt-hours, which the Cooperative would sell at wholesale to its constituent electric cooperatives.

For a more detailed description of the project and additional maps, see Appendix B to the Cooperative's PAD filed on December 21, 2007, (available on the Commission's website (<http://www.ferc.gov>) using the "eLibrary" link.

3.1.2 Proposed Operation and Environmental Measures

The Cooperative proposes to operate the project in a run-of-river mode. It plans to use for hydropower production, water releases from Lake Livingston that TRA would otherwise make through the existing spillway gates. The Cooperative does not propose to alter the current operating regime or water release protocols for Lake Livingston, which serves as an important municipal and industrial water supply for the City of Houston, Texas, and other municipalities.

The Cooperative also proposes the following mitigation, protection, and enhancement measures.

- Develop and implement a plan to ensure that hydropower operations do not affect sensitive environmental species downstream from the project, receptors including the striped bass and blue catfish fisheries.
- Conduct physical hydraulic model studies to predict how water quality in Lake Livingston, the spillway tailwater stilling basin, and the proposed tailrace area may be affected by different hydroelectric and reservoir release scenarios. The modeling, which will use the U.S. Army Corps of Engineers' (Corps) CE-QUAL-W2 two-dimensional hydrodynamic and water quality model, will be used to, among other things: (1) evaluate how the flow or discharges would affect the recreational fishery habitat below the dam; (2) predict what minimum release rate through the spillway gates, if any, is needed to support acceptable dissolved oxygen (DO) and temperature levels in the stilling basin; and (3) ensure that project

Project No. 12632-000

discharges do not adversely affect the Trinity River shoreline.

- Develop and implement an *Erosion and Sediment Control Plan* during the detailed project design phase and before construction on the project begins. The plan would be consistent with the requirements of the (1) Texas Commission on Environmental Quality (Texas CEQ) Construction Stormwater Permitting Program, (2) Texas CEQ State General Permit TXR150000 [(National Pollutant Discharge Elimination System (NPDES) Permit] for stormwater discharges associated with construction, and (3) Texas CEQ guidance on Best Management Practices for controlling erosion, sedimentation, and pollutant runoff from construction sites.
- Conduct detailed monitoring and modeling of DO, temperature, and other water quality parameters upstream and downstream from the project, with the focus on identifying any project effects on DO and temperature.
- Conduct baseline surveys to characterize (1) the fish community in Lake Livingston in the vicinity of the proposed intake channel; and (2) the aquatic community and physical/chemical conditions in the Trinity River downstream of Lake Livingston dam.
- Conduct studies to characterize existing striped bass and forage fish movement from the reservoir to the Trinity River downstream of the dam, including (1) acoustic monitoring of fish moving from the reservoir through the spillway gates using DIDSON⁴ imaging technology; and (2) sampling of stomach contents of striped bass and blue catfish in the stilling basin.
- Develop a study plan to address fish entrainment and mortality caused by the project, and to evaluate the project's effects on fish species that serve as food for the striped bass and blue catfish fisheries.
- Resurvey the site for wetlands that may be affected by the proposed project prior to construction. If wetlands are found on the site, work with the Corps to delineate the areas, define mitigation, and obtain, if necessary, a Section 404 permit and a Section 401 water quality certification.

⁴ Dual frequency identification sonar manufactured by Sound Metrics Corporation.

Project No. 12632-000

- Survey the 2.5-mile-long proposed transmission line during the design of the final transmission route to determine whether any wetlands or cultural or historic resources would be affected by the construction of the line.
- Survey the transmission line route during the appropriate seasons (*i.e.*, when plants are conspicuous), and before construction begins, to determine the presence of federally or state-listed rare plants.
- Select a preferred transmission route that minimizes adverse impacts on the following: land use (habitable structures, etc.), community values, aesthetics, recreation and park areas, cultural resources (archaeological/historical), ecology, endangered and threatened species, wetlands, floodplains, soils/prime farmland, geology, and surface- and ground-water features.
- Replace, in-kind, any recreational amenities or park facilities displaced by constructing the proposed power facilities.

3.2 Alternatives to the Proposed Action

We will consider and assess all alternative recommendations for operational or facility modifications, as well as protection, mitigation, and enhancement measures identified by us (Commission staff), the agencies, Indian tribes, NGOs, and the general public. To the extent that modifications would reduce the power production of the proposed project, we will evaluate costs related to generation of replacement power by the most likely alternative source.

3.3 No Action

Under the no-action alternative, the Lake Livingston Hydroelectric Project would not be constructed and there would be no change to the existing environment. No environmental protection, mitigation, or enhancement measures would be needed or implemented. We use this alternative to establish baseline environmental conditions for comparison with other alternatives.

Project No. 12632-000

4.0 SCOPE OF CUMULATIVE EFFECTS AND RESOURCE ISSUES

4.1 Cumulative Effects

According to the Council on Environmental Quality's regulations for implementing NEPA (50 C.F.R. 1508.7), an action may cause cumulative effects if its effects overlap in space and/or time with the effects of other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time, including hydropower and other land and water development activities.

4.1.1 Resources That Could Be Cumulatively Affected

We have reviewed the information provided in the PAD. Based on our review and preliminary analysis, we have identified the following resources that may be cumulatively affected by the proposed construction, operation, and maintenance of the project: water quality and fishery resources.

4.1.2 Geographic Scope

Our geographic scope of analysis for cumulatively affected resources is defined by the physical limits or boundaries of: (1) the proposed action's effect on the resources; and (2) contributing effects from other hydropower and non-hydropower activities within the Trinity River Basin. Because the proposed action can affect resources differently, the geographic scope for each resource may vary. The geographic scope of the cumulative effects analysis will be limited to the area within the project boundary and other areas downstream on the Trinity River that are likely to be impacted by project operations.

4.1.3 Temporal Scope

The temporal scope of our cumulative effects analysis in the EA will include a discussion of past, present, and future actions and their effects on each resource. Based on the potential term of a license, the temporal scope will look 30-50 years into the future, concentrating on the effect to the resources from reasonably foreseeable future actions. The historical discussion will, by necessity, be limited to the amount of available information for each resource.

Project No. 12632-000

4.2 Resource Issues

In this section, we present a preliminary list of environmental issues to be addressed in the EA. This list is not intended to be exhaustive or final, but contains those issues raised to date. Issues that will have a cumulative effects analysis are marked with an asterisk (*). After scoping is complete, we will review this list and determine the appropriate level of analysis needed to address each issue in the EA.

4.2.1 Geology and Soils

- Effects of project construction and operation on geological and soil resources

4.2.2 Water Resources

- Effects of project construction and operation on water storage in Lake Livingston and flows in the Trinity River downstream from the project, including water supply for the City of Houston.*
- Effects of project construction and operation on flow patterns in the Trinity River downstream from the project.*
- Effects of project construction and operation on DO and water temperature in Lake Livingston and in the Trinity River downstream from the project.*

4.2.3 Aquatic Resources

- Effects of project construction and operation on the quantity and quality of aquatic habitat in Lake Livingston and in the Trinity River downstream from the project.*
- Effects of project operation on movement of striped bass and their availability for recreational purposes and as hatchery brood stock.
- Effects of project operation on fish populations caused by fish entrainment and turbine-induced mortality.*

Project No. 12632-000

- Effects of project operation on the state-listed paddlefish.

4.2.4 Terrestrial Resources

- Effects of project construction, operation, and maintenance on wetlands, shoreline vegetation, downstream riparian habitats, and associated wildlife.
- Effects of project construction, operation, and maintenance on state-listed plant and wildlife species.
- Use of project design, construction methods, and proposed project operation and maintenance practices to eradicate or minimize the spread of invasive plant and animal species.

4.2.5 Threatened and Endangered Species

- Effects of project construction, operation, and maintenance on federally-listed rare, threatened, or endangered wildlife and aquatic species that may occur within the project area.
- Effects of project construction, operation, and maintenance on any federally-listed plant species that may be found during the proposed pre-construction surveys.

4.2.6 Recreation, Land Use, and Aesthetics

- Effects of project construction and operation on recreation opportunities in close proximity to the proposed project features.
- Effects of project operation on fishing and boating on Lake Livingston and downstream in the Trinity River.
- Effects of project facilities, construction, and operation on aesthetic resources in the project area.

Project No. 12632-000

4.2.7 Cultural Resources

- Effects of project construction and operation on historic properties and archeological resources in the project area, including the proposed transmission line route.

4.2.8 Developmental Resources

- Effects of any recommended environmental or operational measures on project economics.

5.0 INFORMATION REQUESTED

We are asking federal, state, and local resource agencies, Native American tribes, NGOs, and other interested individuals to forward to the Commission any information that will assist us in conducting an accurate and thorough analysis of the site-specific and cumulative effects associated with licensing the Lake Livingston Project. The types of information requested include, but are not limited to:

- information, quantitative data, or professional opinions that may help define the geographic and temporal scope of the analysis (both site-specific and cumulative effects), and that helps identify significant environmental issues;
- identification of, and information from, any other EA, Environmental Impact Statement, or similar environmental study (previous, on-going, or planned) relevant to the proposed licensing of the Lake Livingston Project;
- existing information and any data that would help to describe the past and present actions and effects of the project and other developmental activities on environmental and socio-economic resources;
- information and data that would help characterize past and existing (baseline) environmental conditions and habitats;

Project No. 12632-000

- the identification of any federal, state, or local resource plans, and any future project proposals in the affected resource area (e.g., proposals to construct or operate water treatment facilities, recreation areas, water diversions, timber harvest activities, or fish management programs);
- documentation of any cumulative effects on environmental resources that may be associated with basin-wide activities, including the proposed project; and
- documentation showing why any resources should be excluded from further study or consideration.

The requested information, and comments on the scoping document, should be submitted in writing to the Commission no later than 30 days following the March 26, 2008, public scoping meetings (*i.e.*, by April 25, 2008).

All correspondence pertaining to the Lake Livingston Project must clearly identify the following on the first page: “***Lake Livingston Project No.1263-000.***” Scoping comments and study requests may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission’s web site (<http://www.ferc.gov>) under the “eFiling” link. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. The Commission strongly encourages electronic filings.

Alternatively, any information and comments may be sent to:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, DC 20426

All filings sent to the Secretary of the Commission should contain an original and eight copies. Failure to file an original and eight copies may result in appropriate staff not receiving the benefit of your comments in a timely manner.

Furthermore, interveners, those on the Commission’s service list for this proceeding, are reminded that, if they file comments with the Commission, they must also serve a copy of their filing on each person whose name appears on the

Project No. 12632-000

official service list for the project.⁵ In addition, if a party files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on the resource agency.

You may register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support.

Any questions concerning the scoping process, how to file written comments with the Commission, and preparation of the EA should be directed to Sarah Florentino at (202) 502-6863 or via email at sarah.florentino@ferc.gov. Additional information about the Commission's licensing process and the Lake Livingston Project may be obtained from the Commission's website, www.ferc.gov.

6.0 EA PREPARATION SCHEDULE

Based on the information provided to date, we intend to prepare a "single EA" for this project, which will be sent to all persons and entities on the Commission's service and mailing lists for the Lake Livingston Project.⁶ The EA will include our recommendations for operating procedures, as well as environmental protection and enhancement measures that should be part of any license issued by the Commission. All recipients (and stakeholders) will then have 30 days to review the EA and file written comments with the Commission. All comments on the EA, filed with the Commission, will be considered in any Commission order rendering a decision on the original license application for the project.⁷

⁵ The official service list can be obtained on the Commission's web site (<http://www.ferc.gov>), by clicking on the Documents and Filing tab, and then on the Service List tab, or by calling the Office of the Secretary, Dockets Branch at (202) 502-8715.

⁶ The Commission's official mailing list is included in section 9.

⁷ Should substantive comments requiring reanalysis be received on the EA, we would consider preparing a subsequent EA.

Project No. 12632-000

The preliminary schedule for preparing the EA is as follows:

MAJOR MILESTONE	TARGET DATE
Scoping	March-April 2008
Agencies/stakeholders file preliminary fish & wildlife recommendations, prescriptions, and comments	January 2009
Commission issues Notice of Application/PDEA; Solicits final fish & wildlife conditions, prescriptions, comments, and interventions	May 2009
Agencies/stakeholders file final fish & wildlife conditions, prescriptions, comments, and interventions on License Application and PDEA	July 2009
Notice of the availability of the EA	November 2009

A copy of the Cooperative's process plan, which has a complete list of milestones for the Lake Livingston Project, is included in table 1-1 of the PAD. These dates are subject to change as the pre-filing consultation and study process proceeds.

7.0 PROPOSED EA OUTLINE

The preliminary outline for the Lake Livingston Project EA is as follows:

SUMMARY

I. APPLICATION

II. PURPOSE OF ACTION AND NEED FOR POWER

- A. Purpose of Action
- B. Need for Power

III. PROPOSED ACTION AND ALTERNATIVES

- A. Proposed Action
 - 1. Project Description
 - 2. Project Operation
 - 3. Project Boundary
 - 4. Project Safety
 - 5. Environmental Measures
- B. Proposed Action with Additional Staff-Recommended Measures

Project No. 12632-000

C. No-Action Alternative

IV. CONSULTATION AND COMPLIANCE

- A. Agency Consultation and Interventions
- B. Scoping
- C. Comments and Recommendations
- D. Compliance
 - 1. Water Quality Certification
 - 2. Section 18 Fishway Prescriptions
 - 3. Endangered Species Act
 - 4. Section 10(j) Recommendations

V. ENVIRONMENTAL ANALYSIS

- A. General Description of the Project Area
- B. Scope of Cumulative Effects Analysis
 - 1. Geographic Scope
 - 2. Temporal Scope
- C. Proposed Action and Action Alternatives
 - 1. Geology and Soils
 - 2. Water Resources
 - 3. Aquatic Resources
 - 4. Terrestrial Resources
 - 5. Threatened and Endangered Species
 - 6. Recreation Resources and Land Use
 - 7. Cultural Resources
 - 7. Aesthetic Resources
- D. No-Action Alternative

VI. DEVELOPMENTAL ANALYSIS

- A. Power and Economic Benefits of the Project
- B. Cost of Environmental Measures
- C. Comparison of Alternatives
- D. Pollution Abatement

VII. COMPREHENSIVE DEVELOPMENT AND RECOMMENDED ALTERNATIVE

- A. Recommended Alternative
- B. Conclusion

VIII. RECOMMENDATIONS OF FISH AND WILDLIFE AGENCIES

IX. CONSISTENCY WITH COMPREHENSIVE PLANS

X. FINDING OF [or NO] SIGNIFICANT IMPACT

XI. LIST OF PREPARERS

Project No. 12632-000

8.0 CONSISTENCY WITH COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA requires the Commission to consider the extent to which a project is consistent with federal and state comprehensive plans for improving, developing, and conserving waterways affected by a project. Agencies are requested to review this list and inform the Commission staff of any changes. If there are other comprehensive plans that should be considered for this list that are not on file with the Commission or if there are more recent versions of the plans already listed, they can be filed for consideration with the Commission according to section 2.19 of the Commission's regulations (18 CFR 2.19).

The following is a list of comprehensive plans currently on file with the Commission that may be relevant to the Lake Livingston Project.

Texas

Department of the Army, Corps of Engineers. Fort Worth District. 1988. Final regional environmental impact statement: Trinity River and tributaries. Fort Worth, Texas. April 29, 1988. 148 pp. and appendices.

Texas Department of Water Resources. 1984. Water for Texas: a comprehensive plan for the future. GP-4-1. Austin, Texas. November 1984. Two volumes.

Texas Parks and Wildlife Department 1988. The Texas wetlands plan: addendum to the 1985 Texas outdoor recreation plan. Austin, Texas. May 1988. 35 pp.

Texas Parks and Wildlife Department. 1990. Texas Outdoor Recreation Plan (SCORP): assessment and policy plan. Austin, Texas. 297 pp. and appendices.

Texas State Soil and Water Conservation Board. 1981. Soil and water conservation: the Texas approach. Temple, Texas. August 1981. 288 pp.

U.S. Fish and Wildlife Service. 1979. Unique wildlife ecosystems of Texas. Department of the Interior, Albuquerque, New Mexico. February 15, 1979. 164 pp. and appendices.

Project No. 12632-000

U.S. Fish and Wildlife Service. 1985. Land protection plan for Texas/Oklahoma bottomland hardwoods and migratory waterfowl. Department of the Interior, Albuquerque, New Mexico. January 15, 1985. 30 pp.

U.S. Fish and Wildlife Service. 1989. Texas bottomland hardwood initiative: a component of the Lower Mississippi Valley joint venture - North American waterfowl management plan. Department of the Interior, Nacogdoches, Texas. October 1989. 59 pp.

United States

Gulf States Marine Fisheries Commission. 2006. The striped bass fishery of the Gulf of Mexico, United States: A regional management plan. Ocean Springs, Mississippi. March 2006.

National Marine Fisheries Service. 1995. Gulf sturgeon (*Acipenser oxyrinchus desotoi*) Recovery/Management Plan. Prepared by the Gulf Sturgeon Recovery/Management Task Team. September 15, 1995. 79 pages and appendices.

National Park Service. 1982. The nationwide rivers inventory. Department of the Interior, Washington, D.C. January 1982.

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

U.S. Fish and Wildlife Service. 1986. Whooping Crane recovery plan. Department of the Interior, Albuquerque, New Mexico. 283 pp.

U.S. Fish and Wildlife Service. Canadian Wildlife Service. 1986. North American waterfowl management plan. Department of the Interior. Environment Canada. May 1986.

U.S. Fish and Wildlife Service. 1990. North American waterfowl management plan, Gulf Coast joint venture plan. Department of the Interior. June 1990. 35 pp.

Project No. 12632-000

U.S. Fish and Wildlife Service. Undated. Fisheries USA: the recreational fisheries policy of the U.S. Fish and Wildlife Service. Washington, D.C. 11 pp.

9.0 SERVICE LIST AND MAILING LIST

The list below contains the names and addresses of agencies, tribes, organizations, and individuals who have been identified as potentially having an interest in this licensing proceeding. The list consists of the Commission's official mailing list for the Lake Livingston Project (FERC No. 12632-000). Additional individuals and entities were identified by the Cooperative as having a potential interest in the project. The SD1 is being distributed to both the Cooperative's distribution list and the Commission's official mailing list. If you want to receive future mailings for the project and are not included in the list below, please send your request to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All requests to be added to the mailing list must clearly identify the following on the first page: Lake Livingston Project No. 12632-000. You may use the same method if requesting removal from the mailing list below.

Service List

Party	Primary Person or Counsel of Record to be Served	Other Contact to be Served
East Texas Electric Cooperative, Inc.	Michael McCarty Brickfield Burchette Ritts & Stone, PC 1025 Thomas Jefferson St. NW Eighth Floor, West Tower Washington, DISTRICT OF COLUMBIA 20007 UNITED STATES mnm@bbrslaw.com	**JOHN H BUTTS MANAGER East Texas Electric Cooperative, Inc. PO Box 631623 Nacogdoches, TEXAS 759631623 Nacogdoches

Project No. 12632-000

Mailing List

Party	Primary Person or Counsel of Record to be Served	Other Contact to be Served
East Texas Electric Cooperative, Inc.	Michael McCarty Brickfield Burchette Ritts & Stone, PC 1025 Thomas Jefferson St. NW Eighth Floor, West Tower Washington, DISTRICT OF COLUMBIA 20007 UNITED STATES	JOHN H BUTTS MANAGER East Texas Electric Cooperative, Inc. PO Box 631623 Nacogdoches, TEXAS 759631623 Nacogdoches
Environmental Protection Agency		DIVISION Environmental Protection Agency COMPLIANCE AND ENFORCEMENT DIVISION 1445 ROSS AVE STE 1200 DALLAS, TEXAS 752022750
Federal Energy Regulatory Commission		Regional Engineer Federal Energy Regulatory Commission Atlanta Regional Office 3125 Presidential Pkwy Ste 300 Atlanta, GEORGIA 303403700 DeKalb
FOREST SERVICE		Director FOREST SERVICE 2405 S. Texas Avenue College Station, TEXAS 778430001 Brazos
GDS Associates, Inc.	Tom Gebhard GDS Associates, Inc. 919 Congress Ave Ste 800 Austin, TEXAS 787012152 UNITED STATES	Robert M. Gross, JR President GDS Associates, Inc. 1850 Parkway Place Suite 800 Marietta, GEORGIA 30067
GENERAL LAND OFFICE		DIRECTOR GENERAL LAND OFFICE STEPHEN F. AUSTIN STATE OFFICE BUILDING AUSTIN, TEXAS 78701

Project No. 12632-000

Party	Primary Person or Counsel of Record to be Served	Other Contact to be Served
National Marine Fisheries Service		Director National Marine Fisheries Service Southeast Regional Office 263 13th Ave S Saint Petersburg, FLORIDA 337015511 Pinellas
National Marine Fisheries Service		David H Rackley National Marine Fisheries Service Habitat Conservation Division 331 Fort Johnson Rd Charleston, SOUTH CAROLINA 29412 Charleston
REGIONAL FORESTER		ENG. STAFF SOUTHERN REGIO REGIONAL FORESTER SOUTHERN REGION 1720 Peachtree St NW Atlanta, GEORGIA 303092449 Fulton
TEXAS BUREAU OF ECONOMIC GEOLOGY		DIRECTOR TEXAS BUREAU OF ECONOMIC GEOLOGY PO Box X AUSTIN, TEXAS 787138924
TEXAS DEPARTMENT OF HEALTH		DIRECTOR TEXAS DEPARTMENT OF HEALTH 1100 W 49th St Austin, TEXAS 787563101 Travis
TEXAS DEPARTMENT OF PARKS & WILDLIFE		TEXAS DEPARTMENT OF PARKS & WILDLIFE PO Box 1685 San Marcos, TEXAS 786671685 Hays
Texas Office of the Attorney General		ATTY.GENERAL Texas Office of the Attorney General PO Box 12548 Austin, TEXAS 787112548 Travis
Texas Office of the Governor		Governor Texas Office of the Governor 1100 San Jacinto Blvd. Austin, TEXAS 78701

Project No. 12632-000

Party	Primary Person or Counsel of Record to be Served	Other Contact to be Served
Texas Public Utility Commission		Librarian Texas Public Utility Commission PO Box 13326 Austin, TEXAS 787113326 Travis
TEXAS SOIL & WATER CONSERVATION BOARD		DIRECTOR TEXAS SOIL & WATER CONSERVATION BOARD PO Box 658 Temple, TEXAS 765030658 Bell
TEXAS SOIL CONSERVATION SERVICE		TEXAS SOIL CONSERVATION SERVICE 101 S Main St Temple, TEXAS 765017602 Bell
TEXAS STATE HISTORICAL COMMISSION		TEXAS STATE HISTORICAL COMMISSION PO Box 12276 Austin, TEXAS 787112276 Travis
TEXAS WATER COMMISSION		TEXAS WATER COMMISSION PO Box 13087 Austin, TEXAS 787113087 Travis
U.S COAST GUARD		US Coast Guard U.S COAST GUARD 3111 Woodridge Dr Houston, TEXAS 77087 Harris
U.S. Bureau of Reclamation		U.S. Bureau of Reclamation PO Box 36900 Billings, MONTANA 591076900 Yellowstone
U.S. Bureau of Reclamation		Regional Director U.S. Bureau of Reclamation 125 S State St Rm 6107 Salt Lake City, UTAH 841381102 Salt Lake

Project No. 12632-000

Party	Primary Person or Counsel of Record to be Served	Other Contact to be Served
U.S. Fish and Wildlife Service		Office Director U.S. Fish and Wildlife Service Southwest Regional Office 500 Gold Ave SW Rm 4012 Albuquerque, NEW MEXICO 871023118 Bernalillo
United States Senate		John Cornyn HONORABLE United States Senate WASHINGTON, DC 20510
United States Senate		Kay B Hutchison Honorable United States Senate Washington, DC 20510
US Army Corps of Engineers		US Army Corps of Engineers SOUTHWESTERN DIVISION 1114 Commerce St Dallas, TEXAS 752421021 Dallas
US Bureau of Indian Affairs		US Bureau of Indian Affairs PO Box 26567 Albuquerque, NEW MEXICO 871256567 Bernalillo
US Bureau of Indian Affairs		US Bureau of Indian Affairs PO Box 368 Anadarko, OKLAHOMA 730050368 Caddo
US Bureau of Indian Affairs		Bob Dach Hydropower Program Manager US Bureau of Indian Affairs Natural Resources 911 NE 11th Avenue Portland, OREGON 97232
US Bureau of Land Management		US Bureau of Land Management PO Box 27115 Santa Fe, NEW MEXICO 875020115 Santa Fe

Project No. 12632-000

Party	Primary Person or Counsel of Record to be Served	Other Contact to be Served
US Department of Interior		Regional Environmental OFFICER US Department of Interior PO Box 26567 Albuquerque, NEW MEXICO 871256567 Bernalillo