

FEDERAL ENERGY REGULATORY COMMISSION  
Washington, D. C. 20426  
September 30, 2024

OFFICE OF ENERGY PROJECTS

Project No. 516-459-South Carolina  
Saluda Hydroelectric Project  
Dominion Energy South Carolina, Inc.

VIA FERC Service

Raymond R. Ammarell  
Fossil Hydro Dam Safety & Civil Engineering  
220 Operation Way, MC C221  
Cayce, SC 29033-3701

**Subject: Additional Information Request for the Saluda Hydroelectric Project**

Dear Mr. Ammarell:

We are currently reviewing the license application filed on August 28, 2008, along with subsequent information filed through the present, for the Saluda Hydroelectric Project (project). A review of the U.S. Fish and Wildlife Service's (FWS) Information for Planning and Conservation (IPaC)<sup>1</sup> database on September 17, 2024, indicated there are six federally listed threatened and endangered species that may occur in the project vicinity, including the endangered red-cockaded woodpecker, the endangered Carolina heelsplitter, the endangered Canby's dropwort, the endangered harperella, the endangered rough-leaved loosestrife, and the threatened smooth coneflower. The updated IPaC species list also indicated two additional species, the candidate monarch butterfly and the proposed endangered tricolored bat, may also occur in the project vicinity.

On July 20, 2010, we issued the environmental assessment (EA)<sup>2</sup> for the Saluda Hydroelectric Project. The EA analyzes the effects of relicensing the project on the federally listed species, including the endangered shortnose sturgeon and the threatened

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<sup>1</sup> See Commission staff's September 24, 2024, memorandum on the Updated List of Threatened, Endangered, Candidate, and Proposed Species Generated by ECOS-IPaC Website on September 17, 2024 ([https://elibrary.ferc.gov/eLibrary/filelist?accession\\_number=20240924-4000&optimized=false](https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20240924-4000&optimized=false)); see also FWS's IPaC website at <http://ecos.fws.gov/ipac/>.

<sup>2</sup> The EA for the project is available at the following link: [https://elibrary.ferc.gov/eLibrary/filelist?accession\\_number=20100720-3058&optimized=false](https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20100720-3058&optimized=false).

wood stork, which were known to occur in the project vicinity at that time.<sup>3</sup> However, none of the aforementioned federally listed, proposed, or candidate species contained in the updated IPaC list were analyzed in the EA. Moreover, the license application contains no or limited information on these species, including information regarding the known occurrences of these species within the project vicinity that may now be outdated. Because the current IPaC list includes new species that were added since the EA was issued, staff is requesting additional information to facilitate our analysis of project effects on these species. We are also requesting additional information for environmental justice. The additional information requests are attached in Appendix A. Within 60 days from the date of this letter, please provide the requested information.

The Commission strongly encourages electronic filing. Please file the requested information using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOOnline.aspx>. For assistance, please contact FERC Online Support at [FERCOOnlineSupport@ferc.gov](mailto:FERCOOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P-516-459.

If you have any questions, please contact Colleen Corballis at [colleen.corballis@ferc.gov](mailto:colleen.corballis@ferc.gov) or at (202) 502-8598.

Sincerely,

Janet Hutzl, Chief  
Midwest Branch  
Division of Hydropower Licensing

Enclosure: Appendix A – Requests for Additional Information

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<sup>3</sup> FWS has proposed the wood stork for delisting. *See* 88 Fed. Reg. 9830 (February 15, 2023).

## APPENDIX A

### REQUEST FOR ADDITIONAL INFORMATION

#### Exhibit E

##### *Threatened and Endangered Species*

1. If the information is readily available, please provide the following information for the endangered red-cockaded woodpecker, the threatened wood stork, the endangered Carolina heelsplitter, the endangered Canby's dropwort, the endangered harperella, the endangered rough-leaved loosestrife, and the threatened smooth coneflower: (1) any records or observations of these species at or near the project; (2) descriptions of the habitats found at the project and the potential for these habitats to support these species; and (3) a description of the effects of project operation and maintenance activities on these species and their preferred habitats at the project.
2. The monarch butterfly is a candidate species for listing under the Endangered Species Act (ESA). If the information is readily available, please provide: (1) any records or observations of this species at or near the project; (2) confirmation of milkweed or nectar-bearing flowers at the project; and (3) a description of maintenance actions (e.g., routine mowing or pesticide application) that may affect monarch butterfly forage or habitat at the project.
3. The tricolored bat is a proposed species for listing under the ESA. If the information is readily available, please provide: (1) any records or observations of this species at or near the project; (2) confirmation of tricolored bat habitat including live and dead leaf clusters of live or recently dead deciduous hardwood trees, Spanish moss, lichen or artificial roosts such as bridges or caves at the project; and (3) a description of maintenance actions (e.g., routine mowing or pesticide application) that may affect tricolored bat habitat at the project.

##### *Environmental Justice*

4. Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*,<sup>4</sup> and Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations*,<sup>5</sup> as amended, require federal agencies to consider if impacts on human health or the environment would be disproportionate and adverse for environmental justice (EJ) communities in the surrounding community resulting from the programs, policies, or activities of

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<sup>4</sup> 86 Fed. Reg. 7,619-7,633 (February 1, 2021).

<sup>5</sup> 59 Fed. Reg. 7,629-7,633 (February 16, 1994).

federal agencies. To assist Commission staff with its analysis under the National Environmental Policy Act (NEPA), please provide the following:

- a) A table of racial, ethnic, and poverty statistics for each state, county, and census block group within the geographic scope of analysis. In this case, the geographic scope of analysis includes areas within five miles of the proposed project boundary. The table should include the following information from the U.S. Census Bureau's most recently available American Community Survey 5-year Estimates for each state, county, and block group (wholly or partially) within the geographic scope of analysis:
  - i. Total population;
  - ii. Total population of each racial and ethnic group (i.e., White Alone Not Hispanic, Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and Other Pacific Islander, some other race, two or more races, Hispanic or Latino origin [of any race]) (count for each group);
  - iii. Minority population including individuals of Hispanic or Latino origin as a percentage of total population;<sup>6</sup> and
  - iv. Total population below poverty level as a percentage.<sup>7</sup>

The data should be collected from the most recent American Community Survey files available, using table #B03002 for race and ethnicity data and table #B17017 for low-income households. A template table is provided below.

- b) Identification of environmental justice populations by block group, using the data obtained in response to part 'a' above, by applying the following methods included in EPA's *Promising Practices for EJ Methodologies in NEPA Reviews* (2016).<sup>8</sup>
  - i. To identify environmental justice communities based on the presence of minority populations, use the "50 percent" and the "meaningfully greater" analysis methods. To use the "50 percent" analysis method,

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<sup>6</sup> To calculate the percent total minority population, subtract the percentage of "White Alone Not Hispanic" from 100% for any given area.

<sup>7</sup> To calculate percentage of total population below poverty level, divide the total households below the poverty level by the total number of households and multiply by 100.

<sup>8</sup> Available online at [https://www.epa.gov/sites/default/files/2016-08/documents/nepa\\_promising\\_practices\\_document\\_2016.pdf](https://www.epa.gov/sites/default/files/2016-08/documents/nepa_promising_practices_document_2016.pdf)

determine whether the total percent minority population of any block group in the affected area exceeds 50%. To use the “meaningfully greater” analysis method, determine whether the minority population percent in any affected block group is 10% greater than the minority population percent in the county using the following process:

1. Calculate the percent minority in the reference population (county)
  2. To the reference population’s percent minority, add 10% (i.e., multiply the percent minority in the reference population by 1.1)
  3. This new percentage is the threshold that a block group’s percent minority would need to exceed to qualify as an environmental justice community under the meaningfully greater analysis method.
- ii. To identify environmental justice communities based on the presence of low-income populations, use the “low-income threshold criteria” method. To use the “low-income threshold criteria,” the percent of the population below the poverty level in the identified block group must be equal to or greater than that of the reference population (county).
- c) A map showing the project boundary and location(s) of any project-related construction in relation to any identified environmental justice communities within the geographic scope. Denote on the map if the block group is identified as an environmental justice community based on the presence of minority population, low-income population, or both.
- d) A discussion of anticipated project-related effects on any environmental justice communities for all resources where there is a potential nexus between the effect and the environmental justice community. Examples of resource effects may include, but are not necessarily limited to, project-related effects on: flooding; erosion or sedimentation of private properties; groundwater or other drinking water sources; subsistence fishing, hunting, or plant gathering; access for recreation; housing or industries of importance to environmental justice communities; and construction-or operation-related air quality, noise, and traffic. For any identified effects, please also describe whether or not any of the effects would be disproportionate and adverse.
- e) A description of any mitigation measures proposed to avoid and/or minimize project effects on environmental justice communities.

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When you file your response with the Commission, please include documentation of any consultation you conducted with entities that expressed interest in environmental justice, copies of their comments, and an explanation of how you have addressed their comments in your final response.

**Environmental Justice Data Table Template**

<b>Geography</b>	<b>Total Population (count)</b>	<b>White Alone Not Hispanic (%)</b>	<b>African American (%)</b>	<b>Native American/ Alaska Native (%)</b>	<b>Asian (%)</b>	<b>Native Hawaiian &amp; Other Pacific Islander (%)</b>	<b>Some Other Race (%)</b>	<b>Two or More Races (%)</b>	<b>Hispanic or Latino (%)</b>	<b>Total Minority (%)</b>	<b>Households in Poverty (%)</b>
<b>State</b>											
<b>County or Parish</b>											
<b>Census Tract X, Block Group X</b>											
<b>County or Parish (if multiple)</b>											

**Exhibit G**

5. Revised Exhibit G maps were filed on October 31, 2018. However, revised project boundary data were not concurrently filed in a geo-referenced electronic format. Please file the revised project boundary data in a geo-referenced electronic format in accordance with section 4.51(h) [*see* section 4.41(h)] of the Commission's regulations. If possible, please use a polygon geometry type (*i.e.*, closed shape(s)) to represent the revised project boundary, rather than a polyline geometry type (*i.e.*, noncontinuous lines). Also, if readily available, please include point or polygon data for all existing, existing future, and proposed future recreational features. In addition, please state the total area of the proposed boundary, in acres.