

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426  
May 21, 2024

OFFICE OF ENERGY PROJECTS

Project No. 2459-279 – West Virginia  
and Pennsylvania  
Lake Lynn Hydroelectric Project  
Lake Lynn Generation, LLC

VIA FERC Service

Jody Smet  
Lake Lynn Generation, LLC  
c/o Eagle Creek Renewable Energy, LLC  
7315 Wisconsin Avenue, Suite 1100W  
Bethesda, Maryland 20814

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Lake Lynn Generation, LLC  
c/o Eagle Creek Renewable Energy, LLC  
7315 Wisconsin Avenue, Suite 1100W  
Bethesda, Maryland 20814

**Reference: Additional Information Request**

Dear Ms. Smet and Ms. Foster:

On April 8, 2024, Lake Lynn Generation, LLC (Lake Lynn Generation) filed responses to Commission staff's additional information requests (AIRs) issued on February 23, 2024. Based on the responses to the AIRs and ongoing review of the associated filings,<sup>1</sup> we need additional information on your relicense application for this project. Pursuant to section 4.32(g) of the Commission's regulations, please provide the additional information requested in the enclosed Schedule A within 60 days from the date of this letter. If the requested information causes any part of the application to be inaccurate, that part must be revised and refiled by the due date.

The Commission strongly encourages electronic filing. Please file the requested information using the Commission's eFiling system at <http://www.ferc.gov/docs->

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<sup>1</sup> Responses to the AIRs included revisions to Exhibit E and Exhibit G of the license application.

[filing/efiling.aspx](#). For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@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, D.C. 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-2459-279.

Please contact Allan Creamer at (202) 502-8365, or via email at [allan.creamer@ferc.gov](mailto:allan.creamer@ferc.gov), if you have any questions.

Sincerely,

Stephen Bowler, Chief  
South Branch  
Division of Hydropower Licensing

Attachment: Schedule A – Request for Additional Information

**SCHEDULE A**  
**REQUEST FOR ADDITIONAL INFORMATION**

***Project Boundary***

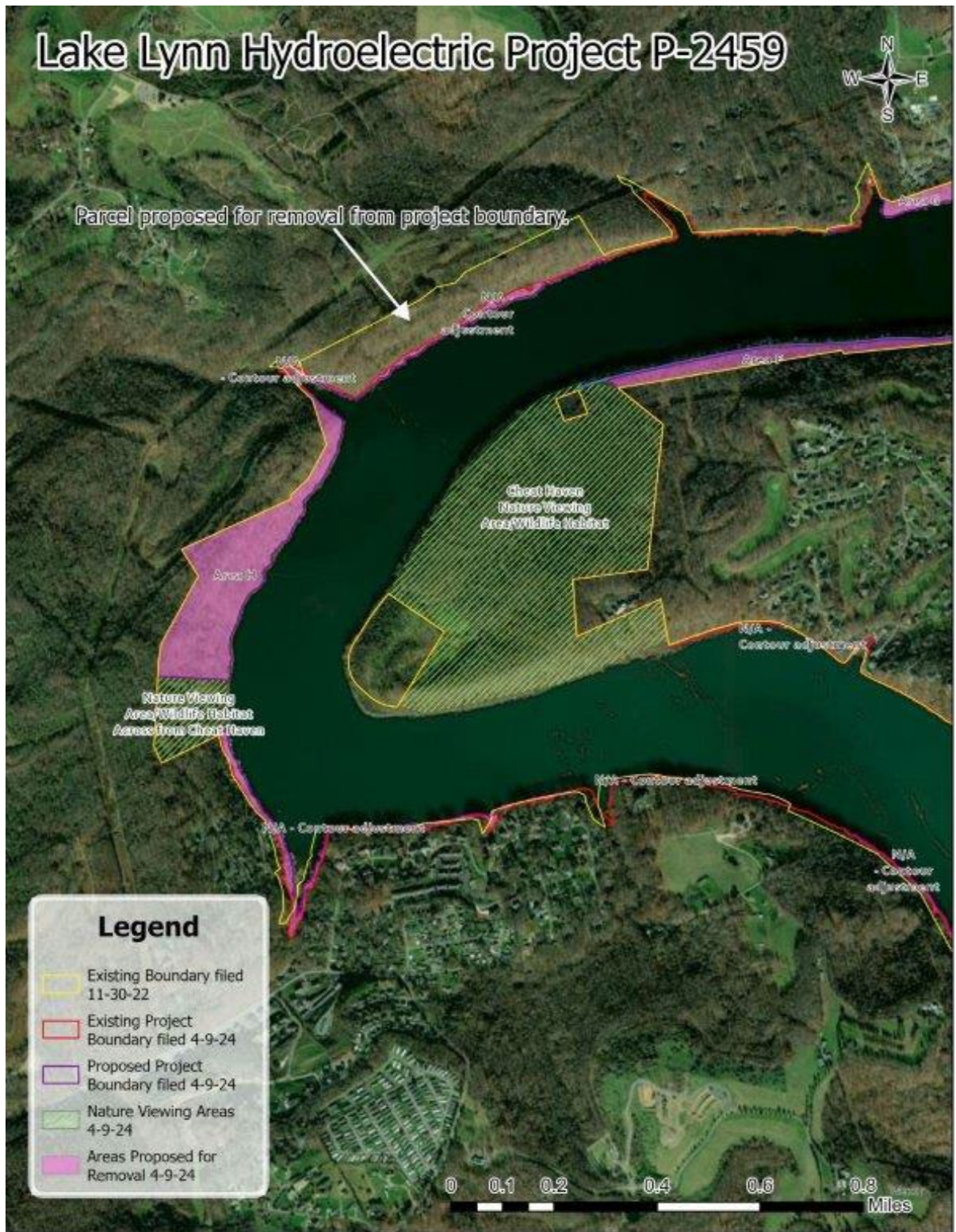
1. In response to Commission staff's February 23, 2024, Additional Information Request (AIR), Lake Lynn Generation states that the existing Lake Lynn Project boundary described in the November 30, 2022, final license application, in both Exhibit E and Exhibit G, was in error.<sup>2</sup> Lake Lynn Generation stated that it used a 1991 Exhibit G map to develop (a) the Exhibit G maps approved by the Commission in 1994,<sup>3</sup> and (b) the GIS-based<sup>4</sup> depiction of the existing Lake Lynn Project boundary. Lake Lynn Generation indicates that it found a newer, more legible, 1996 version, of Exhibit G. However, the April 8 filing says little about the 1996 Exhibit G map(s) used in responding to staff's AIR, and staff is unable to locate the 1996 Exhibit G map(s) for the Lake Lynn Project in Commission records. Therefore, to facilitate staff's review of Lake Lynn Generation's new proposal for removing land from the Lake Lynn Project boundary, please describe the origin of, and explain the basis for, the 1996 Exhibit G map(s).
  
2. Figure 3-3 of Exhibit E, filed April 8, 2024, shows the existing and proposed project boundary for the Lake Lynn Project, which Lake Lynn Generation generated using the 1996 Exhibit G map(s) described in AIR No. 1. The Commission-approved Exhibit G includes an approximately 35-acre parcel of land located along the west side of Cheat Lake (*see* parcel on map below labeled as *Parcel Proposed for Removal from Project Boundary*). However, the GIS layer for the existing project boundary, filed on April 8, 2024, does not include this parcel of land within the existing project boundary. Please clarify and, if necessary, correct this discrepancy.

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<sup>2</sup> Lake Lynn Generation's April 8, 2024, filing at 2.

<sup>3</sup> 69 FERC ¶ 62253 (December 27, 1994) at 10.

<sup>4</sup> GIS refers to Geographic Information System.



***Cultural Resources***

3. In section 3.2.1, *Proposed Project Facilities and Operations*, of the final license application, Lake Lynn Generation proposes to remove lands from the project boundary that, it states, are not required for Lake Lynn Project purposes. In Appendix E of the April 8, 2024, response to Commission staff's February 23, 2024, AIR, Lake Lynn Generation provided maps that show the land parcels proposed for removal. These maps show the location(s) of specific cultural resources, including some that could potentially be removed from the project boundary. The removal of land that contains certain identified cultural resources from a project boundary may be considered an adverse effect. For Commission staff to fully evaluate the proposal, please provide information on whether these resources were evaluated for National Register of Historic Place eligibility. Additionally, for the resources that are found to be eligible, please describe any mitigation or protection measures for these resources, and seek concurrence from the Pennsylvania and West Virginia State Historic Preservation Officers (SHPOs).
4. Once the resources in AIR No. 3 are identified, and the Pennsylvania and West Virginia SHPOs have provided concurrence on the resources, please develop a draft Historic Properties Management Plan (HPMP), and submit the draft HPMP to the Commission and the Pennsylvania and West Virginia SHPOs for comment.