



LOUP POWER DISTRICT

"SERVING YOU ELECTRICALLY"

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Via Electronic Filing

March 27, 2009

Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Subject: Loup River Hydroelectric Project
FERC Project No. 1256
Proposed Study Plan

Dear Secretary Bose:

Loup River Public Power District (Loup Power District or District) herein electronically files its Proposed Study Plan (PSP) for relicensing the Loup River Hydroelectric Project, FERC Project No. 1256 (Project). The District is the owner, operator, and original licensee of the Project. The existing license was effective on December 1, 1982, for a term ending April 15, 2014. Loup Power District is utilizing the Integrated Licensing Process (ILP) for this relicensing effort. Therefore, pursuant to 18 CFR § 5.11, the District is filing its PSP.

Electronic copies of the PSP are available on the District's relicensing website: www.loup.com/relicense, as well as on the Commission's eLibrary. Notice of the availability of this document is being provided to all relicensing participants, including federal and state resource agencies, local governments, and Native American tribes. A distribution list of those parties is attached. Additionally, copies of the PSP will be available at the District's office in Columbus, Nebraska.

If you have any questions regarding the PSP or any information provided by the District, please contact me at (402) 564-3171 ext. 268.

Respectfully submitted,

Neal D. Suess
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Attachments: Distribution List
Proposed Study Plan

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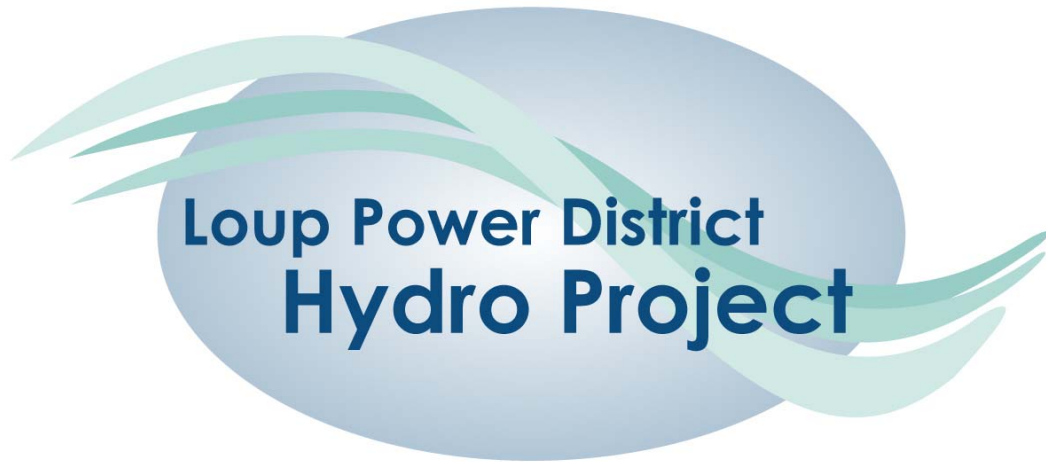
LOUP RIVER HYDROELECTRIC PROJECT FERC PROJECT No. 1256

PROPOSED STUDY PLAN



Loup Power District
Hydro Project

MARCH 27, 2009



**Loup River Hydroelectric Project
FERC Project No. 1256**

Proposed Study Plan

March 27, 2009

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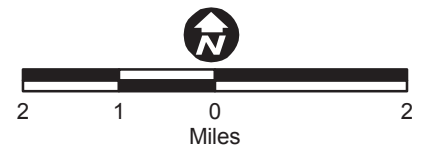
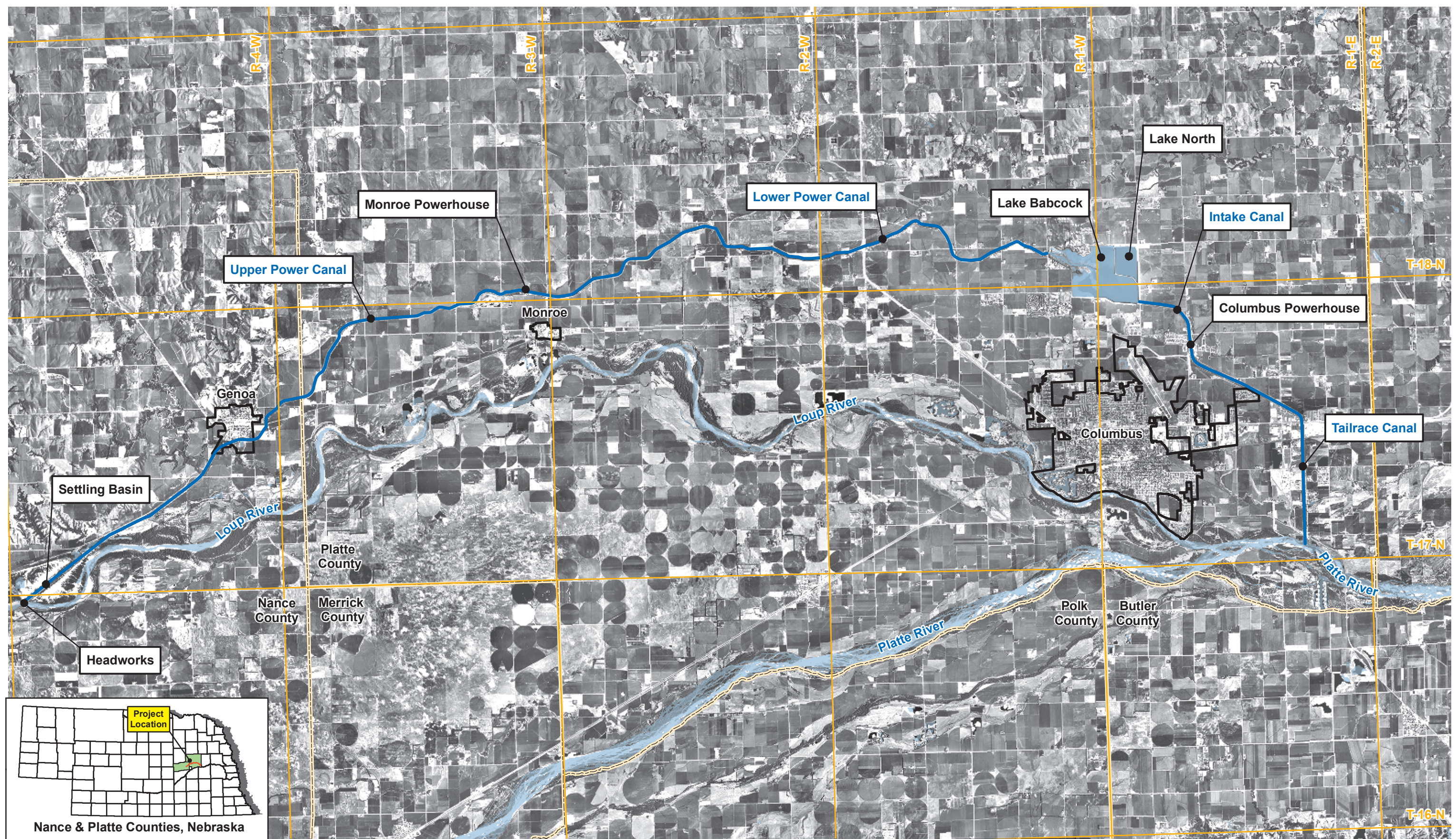
PROPOSED STUDY PLAN

1. BACKGROUND AND PROCESS TO DATE

Loup River Public Power District (Loup Power District or the District) has prepared this Proposed Study Plan (PSP) for filing with the Federal Energy Regulatory Commission (FERC) as part of relicensing the Loup River Hydroelectric Project (FERC Project No. 1256). The Loup River Hydroelectric Project (Project) is located in Nance and Platte counties, Nebraska, where water is diverted from the Loup River and routed through the 35-mile-long Loup Power Canal, which empties into the Platte River near Columbus. The Project includes various hydraulic structures, two powerhouses, and two regulating reservoirs, as shown in Figure 1. The current license for the Project expires on April 15, 2014. Therefore, the District is seeking a new license to continue to operate the Project.

In May 2008, the District initiated a formal outreach effort to provide stakeholders with information about the Project and the relicensing process, to identify resource issues, and to develop preliminary study concepts prior to filing the Notice of Intent (NOI) and Pre-Application Document (PAD). Agency meetings were held on May 7 and June 25, 2008, to introduce the agencies and other stakeholders to the relicensing process and to discuss and compare the hydropower-related issues and concerns identified by the agencies and other stakeholders. Public open houses were held on June 10 and 11, 2008, to provide information about the Project and the relicensing process to the public and solicit input.

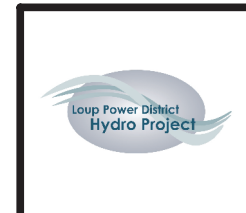
In June 2008, the District established two workgroups: Water Rights and Recreation/Land Use/Aesthetics. The purpose of these workgroups was to help define the questions and issues that are to be addressed and then to report back to the larger group at agency meetings. In July 2008, each workgroup conducted a conference call during which participants discussed issues related to their respective resource areas and identified potential study requests. On July 24 and August 19, 2008, agency meetings were held to discuss potential studies to be performed to address Project-related issues. This process provided agencies, other stakeholders, and the District an opportunity to have open dialogue about issues in advance of the rigorous timeline that began once the NOI and PAD were filed. At the conclusion of these meetings the District sorted, combined, and compiled the issues, concerns, questions, and study requests into 11 proposed studies, which were listed and described in the PAD. An additional 22 issues, concerns, questions, and comments were listed in the PAD; however, for various reasons discussed in the PAD, these did not warrant additional formal studies.



Aerial Imagery: 2006 National Agricultural Inventory Project, Nance and Platte Counties Mosaic.
 Streams/Lakes: 2000 Tiger Line Files, Platte and Nance Counties.

Legend

- Loup Power Canal
- Corporate Limits
- Township/Range
- County Line



Project Location

Loup River Hydroelectric Project
 FERC Project No. 1256
 Proposed Study Plan

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DATE	March 2009
FIGURE	1

The NOI and PAD were filed on October 16, 2008, which initiated the relicensing process for the Project under FERC's Integrated Licensing Process (ILP) (18 Code of Federal Regulations [CFR] 5). The PAD summarizes the initial list of potential issues, concerns, and questions identified during the agency and workgroup meetings; lists and briefly describes proposed studies or information-gathering efforts to address these issues; and describes the identified issues that the District believes can be resolved with available existing information or that are not related to Project relicensing and provides discussion as to why no formal study is necessary for these issues.

Following acceptance of the PAD, FERC issued Scoping Document 1 (SD1) on December 12, 2008. The purpose of SD1 is to provide information on the Project and to solicit comments and suggestions on the preliminary list of issues and alternatives to be addressed in the Environmental Assessment (EA). On January 12 and 13, 2009, FERC conducted a site visit and public and agency scoping meetings. The site visit and scoping meetings were held to provide FERC and other agencies and stakeholders an opportunity to become familiar with the Project and to provide and receive direct input on the proposed scope of the EA.

Subsequent to the FERC scoping meetings, 56 letters and e-filed comments were submitted by agencies, other stakeholders, and the public. Letters were submitted by the following agencies: FERC, U.S. Fish and Wildlife Service (USFWS), National Park Service (NPS), Nebraska Game and Parks Commission (NGPC), Nebraska Department of Natural Resources (NDNR), Tern and Plover Conservation Partnership, Nebraska Off Highway Vehicle Association (NOHVA), and Columbus Area Recreational Trails, Inc. (CART). The following summarizes the number of letters and e-filed comments received, by topic:

- Off-Highway Vehicle Recreation – 36
- Recreational Trails – 6
- General Recreation – 3
- Irrigation – 7
- Threatened or Endangered Species – 3
- Ice Jams – 1

This PSP was prepared in accordance with 18 CFR 5.11. It consists of study plans for the 11 studies proposed in the PAD as well as for an additional study proposed by NDNR, as described below. In addition, the PSP discusses the reasons why some study requests were not adopted by the District. The PSP also includes a schedule for the remainder of the study plan process.

2. PROPOSED STUDIES

The studies proposed by the District to provide additional information to address issues, concerns, and questions raised by agencies and other stakeholders are summarized in Table 1, and detailed plans for these studies are included in Appendix A. These studies are being conducted to provide information for development of the EA prepared as part of Project relicensing as well as information for use in preparing a biological assessment in compliance with Section 7 of the Endangered Species Act. These studies will provide a better understanding of how Project operations may affect sediment, water resources, and other issues related to river ecology and habitat as well as recreational and cultural resources. All proposed studies are slated to be performed over approximately 1 year following FERC's Study Plan Determination (first study season). Depending on the initial results, some studies may need to be modified or extended for an additional year (second study season) to better understand the effects of the Project.

Table 1. Proposed Studies

Study No.	Proposed Study	Study Goal
1.0	Sedimentation	Determine the effect, if any, that Project operations have on stream morphology and sediment transport in the Loup River bypass reach and in the Lower Platte River; compare the availability of sandbar nesting habitat for interior least terns and piping plovers to their respective populations and to compare the general habitat characteristics of the pallid sturgeon in multiple locations.
2.0	Hydrocycling	Determine if Project hydrocycling operations adversely affect or benefit the habitat used by interior least terns, piping plovers, and pallid sturgeon in the Lower Platte River.
3.0	Water Temperature in the Platte River	Determine if Project operations materially affect water temperature in the pallid sturgeon's associated habitat reach of the Lower Platte River.
4.0	Water Temperature in the Loup River Bypass Reach	Determine if Project operations (flow diversion) materially affect water temperature in the Study Reach.
5.0	Flow Depletion and Flow Diversion	Determine if Project operations result in a flow depletion on the Lower Platte River and to what extent the magnitude, frequency, duration, and timing of flows affect the Loup River bypass reach.
6.0	Fish Sampling	Cooperate with the Nebraska Game and Parks Commission (NGPC) in fish sampling efforts independent of Project relicensing and in accordance with a future schedule to be determined by NGPC.

Study No.	Proposed Study	Study Goal
7.0	Fish Passage	Determine if a reasonable pathway exists for fish movement upstream and downstream of the Diversion Weir.
8.0	Recreation User Survey	Determine the public awareness, usage, and demand of the Project's existing recreation facilities to determine if potential improvements are needed.
9.0	Creel Survey	Determine the status of Project fisheries and how the fisheries are used by anglers.
10.0	Land Use Inventory	Determine specific land uses of Project lands and adjacent properties to identify potential conflicts and/or opportunities relating to Project operations, public access, recreation, and environmental resource protection.
11.0	Section 106 Compliance	Achieve NHPA Section 106 compliance through a programmatic, ongoing consultation relationship between the District and the Nebraska SHPO.
12.0	Ice Jam Flooding on the Loup River	Qualitatively determine if the operation of the Loup Power Canal has a material effect on the formation of ice jams or a material effect on the severity of flooding caused by ice jams in the Loup River bypass reach.

In accordance with the regulations of the ILP and as described in the FERC-approved Process Plan and Schedule for the Project, the PSP is being filed electronically with FERC and appropriate agencies and stakeholders. In addition other agencies and stakeholders known to have an interest in the proceeding have been notified via email of the availability of the PSP on the District's relicensing website at <http://www.loup.com/relicense>.

3. STUDY REQUESTS

The letters received from agencies included several formal and informal requests for expanded or new studies. Table 2 summarizes the requests and indicates which requests were incorporated into new or existing study plans. For those requests that have not been adopted, a brief explanation is provided.

Table 2. Study Requests

Request No.	Requestor	Topic of Study	Status
1	FERC	Requested detailed recreation user survey.	Recommended study scope was largely incorporated into the scope of Study 8.0, Recreation User Survey.
2	Nebraska Game and Parks Commission	Requested that District perform Study 6.0, Fish Sampling, and expand to include all fish species rather than just sport fish.	At NGPCs request, the District had previously agreed to facilitate NGPC access to the Project to perform fish sampling. The District is still willing to facilitate NGPC access for sampling but believes this routine periodic data collection effort is unrelated to Project operation and is not needed for relicensing.
3	Nebraska Game and Parks Commission	Requested that Study 4.0, Water Temperature in the Loup River Bypass Reach, include collection of sufficient data to develop a predictive model to determine when temperature-related fish kills may occur.	The District's proposed Study 4.0, Water Temperature in the Loup River Bypass Reach, includes collection of data and comparison to critical thermal maximums for fish species. In addition, a relationship between flow, ambient air temperature, and water temperature will be developed for use in determining when temperatures may exceed acceptable levels and the appropriate response to avoid fish kills. The District is not proposing development of a predictive model.

Request No.	Requestor	Topic of Study	Status
4	Nebraska Department of Natural Resources	Requested a detailed study to determine if Project operations affect ice jam flooding, including development of a predictive model and identification of prevention, alleviation, and mitigation strategies for such flooding.	The District's proposed Study 12.0, Ice Jams, will use ice data gathered by NDNR over the past 15 years to qualitatively analyze potential relationships between Project operations and ice jam formation and resulting flooding in the Loup River bypass reach. The District is not proposing development of a predictive model because NDNR could use the procedures and methodology outlined in the 1994 U.S. Army Corps of Engineers (USACE) <i>Lower Platte River Ice Jam Study</i> report to develop predictive ice jam models at other gaging stations in the USACE study area (including the Loup River downstream of Genoa and the Lower Platte River) whenever needed.
5	U.S. Fish and Wildlife Service	Requested that studies 1.0, 2.0, and 5.0 include evaluation of the un-quantified effects of Tailrace Canal operations on Lower Platte River hydrology and effects of Lost Creek inflows and outflows.	The District has incorporated this request into Study 5.0, Flow Depletion and Flow Diversion.

Request No.	Requestor	Topic of Study	Status
6	U.S. Fish and Wildlife Service	Requested that all transmission and distribution lines owned by the District and all lines within the Project Boundary be evaluated for potential impact on the migration of endangered whooping cranes.	The District is not proposing a study of whooping crane collisions with transmission and distribution lines because the District does not own any transmission lines and the vast majority of the District's sub-transmission and distribution lines are not interrelated to or interdependent with the Project. Furthermore, the Project is located outside the primary migration corridor of the species, and there have been no documented whooping crane powerline collisions east of the primary migration corridor. Further response to this study request is provided in Appendix B.
7	U.S. Fish and Wildlife Service	Requested a study of the quantity and quality of sandbars in the Lower Platte River in relation to hydrocycling fluctuations.	The District is proposing a systemwide analysis of sediment aggradation and degradation, as explained in the methodologies for proposed studies 1.0, 2.0, and 5.0.
8	U.S. Fish and Wildlife Service	Requested a study of hydrocycling effects on pallid sturgeon in the Lower Platte River similar to the study of hydrocycling effects on lake sturgeon by Auer (1996).	The District is not proposing a hydrocycling study similar to the Auer study because the conditions of the Auer study are substantially different from those in the Lower Platte River. The Auer study was of lake sturgeon in extremely shallow rocky rapids immediately downstream of a power dam in Michigan's Sturgeon River, whereas the requested study would be of pallid sturgeon in the deeper sandy channels of the Platte River more than 80 free-flowing stream miles downstream of the Project.
9	U.S. Fish and Wildlife Service	Requested that Project operations be evaluated to determine if there is an effect on ice formation and transport in the Loup River bypass reach with potential impact on sandbar habitat for the interior least tern and piping plover.	The District has incorporated this request into Study 1.0, Sedimentation.

Request No.	Requestor	Topic of Study	Status
10	U.S. Fish and Wildlife Service	Requested that the sediment yield analysis be aligned with the life cycle requisites of the pallid sturgeon, interior least tern, and piping plover.	The District is proposing a systemwide analysis of sediment aggradation and degradation, as explained in the methodologies for proposed studies 1.0, 2.0, and 5.0.
11	U.S. Fish and Wildlife Service	Requested a study of the Loup River bypass reach and the Lower Platte River to ascertain if the size of sandbar habitats for interior least terns and piping plovers fits predictions made by Williams and Wolman (1984) and Parker and Wilcock (1993).	The District is not proposing such a study because USFWS's goal for the study is not defined nor is it clear how the results would be used. Further, there is no clear nexus to the Project.
12	U.S. Fish and Wildlife Service	Requested that studies 1.0 and 5.0 be integrated into a single Loup River bypass reach flow and sediment transport modeling and evaluation exercise to address likely past, present, and future effects of Project operations on sediment budgets and channel morphology.	The District is not proposing a combined study of flow and sediment in the Loup River bypass reach because, as explained in the methodologies for proposed studies 1.0 and 5.0, a more system-wide analysis is proposed based on system sediment aggradation or degradation. Further, Project operations have remained consistent for over 70 years, and with the anticipated NDNR determination of full appropriation in the Platte River basin, future changes in river flow and sediment transport are highly unlikely.

Request No.	Requestor	Topic of Study	Status
13	U.S. Fish and Wildlife Service	Requested a study of the impact of future flow depletions on the Loup River above the Diversion Weir on Federally listed species.	The District is not proposing a study of flow depletions on the Loup River above the Diversion Weir because the District has no control over upstream water use; further, the preliminary NDNR determination of full appropriation of the Platte River basin will ensure that proposed new consumptive uses within and upstream of the basin will have to be offset by retiring an equivalent amount of a current use within the basin. This action by NDNR should ensure that depletion of flows in the Lower Platte River does not continue into the future. Further response to this study request is provided in Appendix B.
14	U.S. Fish and Wildlife Service	Requested a study of net depletive or accretive effects on Platte River streamflow.	The District has incorporated this request into Study 5.0, Flow Depletion and Flow Diversion.
15	U.S. Fish and Wildlife Service	Requested a detailed study of water quality.	The District is not proposing a detailed study of water quality because existing Nebraska Department of Environmental Quality (NDEQ) sampling data shows a generally decreasing trend in polychlorinated biphenyl (PCB) concentrations in fish tissue samples collected in the Loup Power Canal and NDEQ is opposed to sediment sampling because it could result in the resuspension of sediment-bonded PCBs (if PCBs are indeed present in benthic sediment) to the water column and ultimately result in conditions more environmentally damaging than those that currently exist. Further response to this study request is provided in Appendix B.
16	Tern and Plover Conversation Partnership	Requested that studies 1.0, 2.0, and 5.0 include a detailed study of sandbar numbers, sizes, and heights.	The District is proposing a system-wide analysis of sediment aggradation or degradation to determine the Project's effect on sandbars, as explained in the methodologies for studies 1.0, 2.0, and 5.0.

Request No.	Requestor	Topic of Study	Status
17	Tern and Plover Conversation Partnership	Requested that Study 6.0, Fish Sampling, include analysis of all fish species present in the Loup Power Canal and their sizes relative to fish consumed by interior least terns.	Interior least terns do not forage in the Loup Power Canal; therefore, there is no need to conduct fish sampling related to interior least tern foraging. However, the District will facilitate access for whatever sampling effort NGPC plans to conduct.
18	Tern and Plover Conversation Partnership	Requested that Study 10.0, Land Use Inventory, include questions about potential future land development outside the Project Boundary.	The District is not proposing to include future development questions in Study 10.0, Land Use Inventory, because the subject of potential future development of non-Project lands is speculative and unrelated to Project relicensing.
19	Tern and Plover Conversation Partnership	Requested a study of interior least tern tissue samples for the presence of PCB contamination.	The District is not proposing a study of PCB contamination of interior least tern tissue because no evidence has been presented showing PCB contamination in the resident interior least tern population in the Project area. Furthermore, if PCBs were detected in interior least tern tissue, there could be no certainty that it originated from within the Project Boundary.

4. SCHEDULE FOR STUDY PLAN PROCESS

The study plan process includes filing this PSP, conducting an initial study plan meeting, accepting comments on this PSP, holding additional study plan meetings as needed to resolve differences, developing a Revised Study Plan, and providing quarterly progress reports on the status of all studies once the studies begin. The schedule for the study plan process is shown in Table 3, and each task in this process is described below.

Table 3. Study Plan Process

Date(s)	Task
March 27, 2009	File Proposed Study Plan
April 21, 2009	Conduct initial study plan meeting
May 28, 2009 July 1, 2009	Conduct additional study plan meetings
July 27, 2009	File Revised Study Plan
August 26, 2009	FERC issues Study Plan Determination
December 2009, March 2010, and June 2010	File study progress reports

4.1 Study Plan Meeting

Consistent with requirements under 18 CFR 5.11(e), the District will conduct an initial study plan meeting with agencies and other stakeholders within 30 days of the deadline for filing the PSP. This initial meeting is scheduled for April 21, 2009. The purpose of the study plan meeting is to provide agencies and other stakeholders with an opportunity to comment on the District's PSP and to allow the District to field questions related to study requests, goals, objectives, methods, and anticipated results. The goal of the meeting is to attempt to resolve any outstanding issues with respect to the PSP. It is anticipated that FERC staff will attend and participate in the initial study plan meeting.

Subsequent study plan meetings are scheduled for May 28 and July 1, 2009, if needed to resolve any outstanding issues. In addition, several workgroup meetings and/or conference calls will be conducted to address studies and information-gathering efforts with minor comments and revisions.

4.2 Comments on the Proposed Study Plan

The District prefers to receive and respond to comments on this PSP through the study plan meeting and conference call process, described above. It is the District's intent to use this process to work collaboratively with agencies and other stakeholders to resolve issues and concerns related to proposed studies. However, written comments on the PSP, including any revised information or study requests, will be accepted for 90 days from the filing of this PSP (18 CFR 5.12), or no later than June 26, 2009, and should be submitted to:

Neal Suess, President/CEO
Attn: Relicensing
Loup Power District

PO Box 988
2404 15th Street
Columbus, NE 68602

Comments on the PSP should clearly explain any concerns with individual study plans as well as any accommodations reached with the District regarding those concerns. Any proposed modifications to the PSP must address the criteria in 18 CFR 5.9(b).

Upon receiving comments on the PSP, the District will revise the study plans as necessary and will prepare and distribute to agencies and other stakeholders a summary of the District's proposed responses to all of the comments received. At the study plan meeting scheduled for July 1, 2009, the District will meet with agencies and other stakeholders regarding its proposed responses to PSP comments and will attempt to resolve any remaining study disputes to the extent that time allows.

4.3 Revised Study Plan

A Revised Study Plan (RSP) will be filed within 30 days of comment closing, or no later than July 27, 2009. The RSP will specifically address all comments received on the PSP. In accordance with 18 CFR 5.13(a), the RSP will also include a description of the efforts made to resolve differences over study requests. For any requested study that the District does not adopt in the RSP, the District will explain the rationale for its decision with reference to the criteria set forth in 18 CFR 5.9(b).

4.4 Study Plan Determination

FERC will issue its Study Plan Determination by August 26, 2009, within 30 days from filing of the RSP (18 CFR 5.13(c)). If no notice of study dispute is filed in accordance with 18 CFR 5.14 within 20 days of the Study Plan Determination, the RSP as approved in the Study Plan Determination shall be deemed to be approved and the District will proceed with the approved studies. If any portions of the Study Plan Determination are disputed by Federal agencies with authority under Section 4(e) or Section 18 of the Federal Power Act (16 United States Code [USC] 797(e); 16 USC 811) or agencies or Native American tribes with authority to issue Section 401 water quality certification for the Project (42 USC 1341), a formal dispute resolution process will be initiated, as provided for under 18 CFR 5.14, and a final study dispute determination (constituting amendment of the approved study plan) will be issued for the disputed study components.

4.5 Study Progress Reports

The District will prepare study progress reports on a quarterly basis (in December 2009, March 2010, and June 2010). These reports will be filed with FERC and distributed to relicensing participants. One of the main purposes of the quarterly reports will be to inform and obtain input from relicensing participants regarding

potential resource conflicts and potential mitigation opportunities as studies are conducted. Documentation of study results will be provided to relicensing participants upon request in accordance with 18 CFR 5.15(b).