

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Consumers Energy Company and
DTE Electric Company

Project No. 2680-108

NOTICE OF INTENT TO FILE LICENSE APPLICATION, FILING OF PRE-APPLICATION DOCUMENT (PAD), COMMENCEMENT OF PRE-FILING PROCESS, AND SCOPING; REQUEST FOR COMMENTS ON THE PAD AND SCOPING DOCUMENT, AND IDENTIFICATION OF ISSUES AND ASSOCIATED STUDY REQUESTS

(March 20, 2014)

- a. Type of Filing: Notice of Intent to File License Application for a New License and Commencing Pre-filing Process
- b. Project No.: 2680-108
- c. Dated Filed: January 21, 2014
- d. Submitted By: Consumers Energy Company and DTE Electric Company (Consumers Energy and DTE Companies)
- e. Name of Project: Ludington Pumped Storage Project
- f. Location: On the east shore of Lake Michigan in the townships of Pere Marquette and Summit in Mason County, Michigan and in Port Sheldon, Ottawa County, Michigan. The Ottawa County portion is a 1.8-acre satellite recreation site, located about 70 miles south of the project. The Ludington Project is not located on federal lands.
- g. Filed Pursuant to: 18 CFR Part 5 of the Commission's Regulations
- h. Potential Applicant Contact: David McIntosh, Consumers Energy Company, Hydro and Renewable Generation, 330 Chestnut St, Cadillac, MI 49601, phone 231 779-5506, email - David.McIntosh@cmsenergy.com
- i. FERC Contact: Janet Hutzel at (202) 502-8675 or e-mail at janet.hutzel@ferc.gov
- j. Cooperating agencies: Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the

instructions for filing such requests described in item o. below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

- k. With this notice, we are initiating informal consultation with: (a) the U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 C.F.R., Part 402 and (b) the Michigan State Historic Preservation Officer, as required by section 106, National Historical Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.
- l. With this notice, we are designating Consumers Energy and DTE Companies as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historical Preservation Act.
- m. Consumers Energy and DTE Companies filed with the Commission a Pre-Application Document (PAD; including a proposed process plan and schedule), pursuant to 18 CFR 5.6 of the Commission's regulations.
- n. 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, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at FERCONlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

- o. With this notice, we are soliciting comments on the PAD and Commission's staff Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application must be filed with the Commission.

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

[filing/efiling.asp](#). Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. The first page of any filing should include docket number P-2680-108.

All filings with the Commission must bear the appropriate heading: “Comments on Pre-Application Document,” “Study Requests,” “Comments on Scoping Document 1,” “Request for Cooperating Agency Status,” or “Communications to and from Commission Staff.” Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by **May 21, 2014**.

- p. Although our current intent is to prepare an environmental assessment (EA), there is the possibility that an Environmental Impact Statement (EIS) will be required. Nevertheless, this meeting will satisfy the NEPA scoping requirements, irrespective of whether an EA or EIS is issued by the Commission.

Scoping Meetings

Commission staff will hold two scoping meetings in the vicinity of the project at the time and place noted below. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meeting is primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:

Daytime Scoping Meeting

Date and Time: April 17, 2014 at 1 p.m.

Location: Comfort Inn & Suites

7576 S. Pere Marquette Hwy

Pentwater, MI 49449

Phone Number: (231) 869-8000

Evening Scoping Meeting

Date and Time: April 17, 2014 at 6 p.m.

Location: Comfort Inn & Suites

7576 S. Pere Marquette Hwy

Pentwater, MI 49449

Phone Number: (231) 869-8000

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 will be available at the scoping meetings, or may be viewed on the web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

Environmental Site Review

The potential applicant and Commission staff will conduct an environmental site review of the project on July 30, 2014, starting at 9:00 a.m. All participants should meet at the Ludington Pumped Storage Project's upper reservoir parking lot located within the picnic area. The address is 3525 South Lakeshore Drive, Ludington, MI 49431. Attendees will be bused to the project for the environmental site review.

Please notify Melissa Sherman at MELISSA.SHERMAN@cmsenergy.com or via phone (231) 843-5226 by June 30, 2014, if you plan to attend the environmental site review. Persons not providing an RSVP by June 30, 2014, will not be allowed on the environmental site review. Also, persons attending the environmental site review must adhere to the following requirements: (1) persons must be 16 years or older; (2) persons must have a current valid government issued or school photo id; (3) persons with open toe shoes/sandals/flip flops/high heels, etc. will not be allowed on the environmental site review; (4) no cameras or cell phones with cameras will be allowed on-site, if discovered they may be confiscated; (5) no back packs/duffle bags/shoulder bags will be allowed (purses are allowed, but are subject to search); (6) no weapons are allowed on-site; (7) no alcohol/drugs are allowed on-site (or persons exhibiting the effects thereof); (8) all persons coming on-site are subject to search; and (9) no animals (except for service animals) are allowed on the environmental site review.

Meeting Objectives

At the scoping meetings, staff will: (1) initiate scoping of the issues; (2) review and discuss existing conditions and resource management objectives; (3) review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss the appropriateness of any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n. of this document.

Meeting Procedures

The meetings will be recorded by a stenographer and will be placed in the public records of the project.

Kimberly D. Bose,
Secretary.

Document Content(s)

P-2680-108Notice.DOC.....1-5