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September 9, 2013

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

***VIA E-FILING***

**Subject: Progress Report No. 5, East Foreland Tidal Energy Project (P-13821-000)**

Dear Ms. Bose:

On March 11, 2011, ORPC Alaska 2, LLC (ORPC) was issued a preliminary permit for the East Foreland Tidal Energy Project (Project) (P-13821-000). ORPC submits the following six-month Progress Report in compliance with Article 4 of the preliminary permit issued for the Project.

Feasibility and Site Characterization Work

ORPC reached an agreement with Cook Inlet Energy to share bathymetric data collected in the Forelands area. This data will further ground truth ORPC's own bathymetry data and provide the ability to assess the morphology of the seabed forms in the project area over time.

On June 13, 2013, NOAA gave a presentation to Alaska Energy Authority (AEA) on the results of their Cook Inlet modeling effort with a focus on tidal hydrokinetic energy. AEA held the meeting to get input from stakeholders, including ORPC, as to what NOAA's final deliverables should be. NOAA's circulation model had been completed utilizing Rutgers University's Regional Ocean Modeling System code. The accuracy of the predicted velocities for the model appear to be between 7% and 21% as compared to the empirical ADCP data that NOAA collected at nine locations in Cook Inlet during summer 2012.

Project Development

ORPC continues to reach out to stakeholders, potential funders, and potential customers through presentations to the Homer Electric Association Board of Directors on July 9, 2013, Chugach Electric Association Board of Directors on July 17, 2013 and at the Pacific Northwest Economic Region Summit in Anchorage on July 16, 2013 and July 17, 2013.

ORPC began collaboration with the National Park Service (NPS), Hydropower Reform Coalition, and Confluence Research and Consulting to perform an assessment of the potential impacts of the Project on recreational use in the area. NPS has funding to complete a pilot study



based on their recently released document presenting best practices for assessing recreational impacts and has selected ORPC's East Foreland Project as their case study. A kickoff meeting was held at ORPC's Anchorage office on July 10, 2013.

#### Agencies and Stakeholders Consultations Updates

ORPC held a meeting with FERC on May 23, 2013 to discuss the East Foreland Project as well as ORPC's other projects in Maine and Alaska. ORPC explained that it was unlikely that we would be able to file a draft license by August 30, 2013 due to the short field season to collect data as well as other factors. FERC indicated they would be willing to grant ORPC a successive permit for the project given that proper procedures are followed.

ORPC had consultations with Matt Cutlip, FERC, regarding the DPLA deadline and request for a successive permit on July 30, August 1, and August 5, 2013.

Table 1 lists consultations since the last Progress Report.

Table 1. *Agencies and stakeholders consultations.*

DATE	ORPC MEETINGS	NOTES
3/25-28/2013	General Communication Inc. (GCI)	Discussion regarding proximity of GCI-owned Kenai Kodiak Cable Company's cable to Project area
6/13/2013	NOAA/AEA	Cook Inlet modeling
6/16/2013	National Park Service	Preliminary meeting to discuss recreational impact study
7/9/2013	Homer Electric Association	Update on Project
7/10/2013	National Park Service, Hydropower Reform Coalition, & Confluence Research and Consulting	NPS will perform a pilot study of the Project's recreational impact
7/16-17/2013	Pacific Northwest Economic Region Summit, Anchorage	Update on Project
7/17/2013	Chugach Electric	Update on Project
7/30/2013	FERC	Discussion about DPLA deadline
8/1/2013	FERC	Discussion about DPLA deadline
8/5/2013	FERC	Discussion about DPLA deadline



### Environmental Assessment

ORPC has continued work under a U.S. Department of Energy (DOE) funded study for acoustic monitoring of marine mammals at ORPC's project sites in Cook Inlet (DE-EE0002657). As part of this project, ORPC deployed a single Directional Autonomous Seafloor Acoustic Recorder (DASAR) at the East Foreland site for a test deployment of four weeks from September 21-October 21, 2012. The data from this deployment has been analyzed by Greeneridge Sciences to assess the ambient acoustic environment as well as occurrence of beluga whale vocalizations near the site during this timeframe. Greeneridge submitted a draft report on this analysis to ORPC on May 1, 2013. They are revising that report and data analysis based on ORPC input and will be submitting a final report soon.

Two DASARs were also deployed at the East Foreland for the overwinter time period on October 21, 2012. Over the winter both of the steel cables tethering the DASARs to shore parted. ORPC organized a marine based attempt to recover the DASARs on May 31, 2013. DASAR SN 101 was located and returned a "healthy" response when queried by the interrogator. This DASAR was hooked with a grapple, but its steel cable parted during recovery operations; its location, however, was established near shore in -8 feet MLLW water. DASAR SN102 did not respond to the interrogator and was not located. On June 24, 2013 ORPC mounted a land based effort to recover DASAR SN101 on a -6 tide and was successful in locating and recovering the DASAR. An attempt to locate DASAR SN102 was also made on this trip with no success; it is now considered lost. The data from DASAR SN101 appeared intact through March 29, 2013 and has been sent to Greeneridge Sciences for analysis.

### Status of Efforts to Obtain Permission to Access and Use the Land

No work to report.

### Status Regarding Filing NOI and PAD

ORPC will not file a NOI or PAD, as we intend to use the Pilot License process for this project.

### Update to Schedule

ORPC plans to request a successive permit immediately following the current preliminary permit's expiration on March 1, 2014. We therefore will not submit a draft license application on August 30, 2013 as previously scheduled. ORPC's progress in developing the East Foreland Tidal Energy Project has been substantive as demonstrated in this Progress Report. Nevertheless, we will request an additional three-year term because of the following obstacles: limited field season window in Alaska, the time and effort necessary to gather and analyze all applicable site and environmental information, and the time and effort required to maintain funding levels secured from a variety of public sector research and development programs and private sources. Based on our successful experience in Maine, where we have installed and operated the first grid-connected, federally licensed Pilot Project in the country, the emerging nature of the tidal energy industry requires deliberateness even as milestones are being achieved. ORPC has adjusted project schedule of activities accordingly.



***Revised Schedule of Activities Leading to Filing of Draft Pilot License Application\****

- March 2, 2014 .....Request Preliminary Permit (P-13821)
- March 2, 2014 .....Continue consultation with federal and state agencies, and local stakeholders, including Native American tribes, fishing community, and shipping industry.
- April 1, 2014 .....Consult with federal, state, and local agencies and governments to develop a list of issues and studies to be included in the draft pilot license
- May 15, 2014.....Initiate pre-deployment environmental monitoring relevant to East Foreland
- September 1, 2014.....Submit six-month progress report
- March 1, 2015 .....Submit draft pilot license application
- September 1, 2015.....Submit final pilot license application

\*Subsequent to FERC discussion and approval

If you have any questions regarding this submission, please contact me by telephone at 207/221-6254 or by email, [njohnson@orpc.co](mailto:njohnson@orpc.co).

Sincerely,

A handwritten signature in blue ink, appearing to read "Nathan E. Johnson", written in a cursive style.

Nathan E. Johnson  
Director of Environmental Affairs

cc: FERC Service List for P-13821-000