



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

**APR 28 2010**

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

Mr. Richard D. Ely  
Davis Hydro, LLC.  
27264 Meadowbrook Drive  
Davis, CA 95618

Dear Mr. Ely:

Thank for your March 19, 2010 letter to EPA Administrator Lisa P. Jackson, concerning the evaluation of potential air quality impacts of proposed energy projects. As the program manager for EPA's Clean Air Act Section 309/National Environmental Policy Act (NEPA) environmental reviews, I appreciate the opportunity to respond to your letter.

I appreciate your interest in ensuring that relevant environmental impacts are considered when federal agencies propose or approve actions. I also understand that you are particularly interested in the analysis of potential air quality impacts associated with proposals that will be needed to replace electric power that is currently provided by hydroelectric projects that are identified by the Federal Energy Regulatory Commission (FERC) for decommissioning.

As part of EPA's review of NEPA documents, we work with other federal agencies to provide recommendations on how to prepare an appropriate analysis of the potential air quality impacts of a proposed action. The scope of the impact analysis is a case-by-case determination based on the lead federal agency's procedures for implementing NEPA. With that in mind, if you have specific concerns with the process used by FERC in its review of hydroelectric project decisions, I recommend that you also contact FERC directly.

Thank you again for your letter.

Sincerely,

A handwritten signature in cursive script that reads "Susan E. Bromm".

Susan E. Bromm  
Director  
Office of Federal Activities