

148 FERC ¶ 62,209
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of Chelan County

Project No. 637-101

ORDER AMENDING STEHEKIN AREA IMPLEMENTATION PLAN AND
RIPARIAN ZONE PLAN UNDER ARTICLE 403

(Issued September 18, 2014)

1. On August 26, 2014, Public Utility District No. 1 of Chelan County (licensee) filed, for Federal Energy Regulatory Commission (Commission) approval, a request to amend the reporting deadlines of various reports required by the Commission's Order Modifying and Approving Stehekin Area Implementation Plan Under Article 403¹ and the Commission's Order Approving Riparian Zone Plan Under Article 403² for the Lake Chelan Hydroelectric Project, FERC No. 637. The project is located on the Chelan River, in Chelan County, Washington.

LICENSE REQUIREMENTS

2. Article 403 of the project license³ requires the licensee to implement a plan to monitor reductions in dust emissions, establishment of native riparian vegetation, and reductions in non-native plants in the Stehekin area of the project. As required, the Stehekin Area Implementation Plan was developed in consultation with the National Park Service (NPS). This plan includes provisions to provide a technical report to the Commission by November 6, every three years. The plan also requires the licensee to file monitoring reports documenting wildlife in the drawdown zone by November 6 of 2023, 2038, and 2052.

3. The licensee's Riparian Zone Plan supplements the Stehekin Area Implementation Plan to elaborate on the riparian vegetation management portion of the original plan. The Riparian Zone Plan updates the reporting schedule outlined in the Stehekin Area

¹ 123 FERC ¶ 62,100 (issued May 6, 2008).

² 136 FERC ¶ 62,096 (issued August 2, 2011).

³ Order on Offer of Settlement and Issuing New License. 117 FERC ¶ 62,129 (issued November 6, 2006).

Implementation Plan. Under the updated schedule, the licensee's technical reports would be filed with the Commission by November 6, 2014, and every three years thereafter. The updated deadlines for the monitoring reports are November 6 of 2024, 2039, and 2053.

LICENSE'S REQUEST

4. On August 26, 2014, the licensee filed a request to amend the due date of each plan required under the Stehekin Area Implementation Plan and the Riparian Zone Plan, from November 6 to December 31 of the corresponding year. The licensee asserts that the November 6 deadlines, which were based on the date of issuance of the project license, do not provide sufficient time to develop each report, as field work related to the plans may occur as late as mid-September. The licensee affirms that it works closely with the National Park Service (NPS) to implement the plan, and indicates that the NPS concurs with the December 31 deadlines.

CONCLUSION

5. The licensee's request to amend the deadlines for filing its technical and monitoring reports with the Commission appears reasonable. The proposed deadlines would provide an appropriate schedule to convene with the NPS regarding actions taken under the plan and the observed results. Also, reporting by December 31 would keep the Commission apprised of the licensee's actions in a timely manner, while providing ample time for the Commission to provide feedback, if necessary, prior to the following year's field season. As such, the licensee's proposed reporting deadline amendment should be approved.

The Director orders:

(A) Public Utility District No. 1 of Chelan County's (licensee) request, filed August 26, 2015, to amend the November 6 deadlines to December 31, as required by its Stehekin Area Implementation Plan and the Riparian Zone Plan, pursuant to Article 403 of the license for the Lake Chelan Hydroelectric Project (FERC No. 637), is approved.

(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 825*l* (2012), and the Federal Energy Regulatory Commission's regulations at 18 CFR § 385.713 (2014). The filing of a request for hearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing constitutes acceptance of this order.

Thomas J. LoVullo
Chief, Aquatic Resources Branch
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and Compliance

Document Content(s)

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