

144 FERC ¶ 62,172
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of Chelan County

Project No. 637-094

ORDER APPROVING SITE SPECIFIC EROSION CONTROL PLAN
PURSUANT TO ARTICLE 401

(Issued August 27, 2013)

1. On June 14, 2013, Public Utility District No. 1 of Chelan County, licensee for the Lake Chelan Project No. 637, filed a Site Specific Erosion Control Plan pursuant to license Article 401 and U.S. Forest Service 4(e) condition no. 1.¹ The project is located on the Chelan River in Chelan County, Washington and occupies federal lands administered by the U.S. Forest Service and National Park Service.

Background

2. License Article 401 and U.S. Forest Service 4(e) condition no.1 require the licensee to implement provisions of license articles included in the Lake Chelan Settlement Agreement. Specifically, Article 1(a)(2) of the Lake Chelan Settlement Agreement requires the licensee to prepare, in consultation with the U.S. Forest Service, site-specific erosion control plans at least 1 year prior to project related habitat or ground-disturbing activities located on U.S. Forest Service lands. The plans are required to include: a map showing the proposed disturbance; a description of the U.S. Forest Service land management standards for the location; a description of alternatives and mitigation measures; data from surveys, biological evaluations, or consultation; a statement of weed management measures to be implemented, if any; and an environmental analysis of the proposed action.

Licensee's Plan

3. The plan was prepared by the U.S. Forest Service in accordance with the licensee's request and details measures at erosion control sites 1, 2, 14, 15, 16, and 17. These sites are located along the south shoreline of Lake Chelan and two sites, 14 and 16, are classified as developed recreation while the remaining sites are included in the unroaded non-motorized classification.

¹ *Public Utility District No. 1 of Chelan County*, 117 FERC ¶ 62,129 (2006).

4. The plan includes detailed descriptions of each erosion site, including sketches, profiles, and photographs. The plan indicates that erosion control measures at these sites will include the placement of rock and large woody debris and provides notes on specifically where and how these measures will be placed at each site. The plan also states rocks will be sourced from certified weed free pits, land disturbance will be minimized, and the importation of foreign soils will be avoided to reduce the opportunity for the spread of noxious weeds. The plan also states that although the sites have extensive natural vegetation, spot plantings may be performed by U.S. Forest Service personnel at select sites. Additionally, the plan describes a monitoring schedule following installation of the erosion control measures to ensure the objectives of the plan are met.

5. The plan states that the conditions at the erosion control sites have not materially changed since the date of issuance of the final environmental assessment prepared during the project's licensing proceeding and the proposed action would be consistent with the findings of the assessment. The plan also includes a discussion of threatened and endangered species and cultural resources, and how any possible impacts of the erosion control actions would be mitigated.

Discussion

6. The Site Specific Erosion Control Plan for sites 1, 2, 14, 15, 16, and 17 properly shows the measures to be taken at each location to protect the sites from further erosion and promote the establishment of native vegetation. We have reviewed the licensee's proposed methods for controlling erosion at the sites and agree that they should be sufficient in controlling erosion. Additionally, the plan includes provision to monitor the sites into the future, which along with methods to securely anchor the large woody debris, should guarantee the erosion control measures will protect the sites into the future. Consequently, the Site Specific Erosion Control Plan should be approved.

The Director orders:

(A) The Site Specific Erosion Control Plan filed on June 14, 2013, by the Public Utility District No. 1 of Chelan County for the Lake Chelan Project 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. § 8251 (2006), and the Commission's regulations at 18 C.F.R. § 385.713 (2013). The filing of a request for rehearing 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 shall constitute acceptance of this order.

Kelly Houff
Chief, Engineering Resources Branch
Division of Hydropower Administration
and Compliance