

144 FERC ¶ 62,242
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of Chelan County

Project No. 637-062

ORDER APPROVING WILDLIFE HABITAT PLAN UPDATE UNDER ARTICLE 406

(September 18, 2013)

1. On April 10, 2013, Public Utility District No. 1 of Chelan County (Chelan PUD), licensee for the Lake Chelan Project (FERC No. 637), filed a wildlife habitat plan update for 2013-2017 (plan), pursuant to article 406 of the license.¹ The project is located on the Chelan River, near the City of Chelan, in Chelan County, Washington. The project occupies 465.5 acres of federal lands administered by the U.S. Forest Service (FS) and U.S. Department of the Interior, National Park Service (NPS).
2. The original wildlife habitat plan was filed on November 6, 2007 and approved by order issued April 10, 2008.² Article 406 requires that a plan update be filed every five years for approval. The primary goal of the plan is to enhance wildlife habitat along Lake Chelan to accomplish the following: restore, maintain, or improve ecological quality and diversity; restore, maintain, or increase habitat for key indicator wildlife species; and to provide for public use that is compatible with the ecological quality, diversity, and carrying capacity for key wildlife species goals.
3. The plan update includes the following: a summary of the results of the annual wildlife surveys; a detailed description of habitat improvement measures, including methods used and their locations; maps of the improvement locations; and contingency measures to allow for flexibility around a changing landscape. Also, as specified in the settlement agreement (SA) and article 406, Chelan will continue to provide \$20,000 per year to the FS for upland and riparian habitat improvements, and funds for the acquisition of conservation easements on private lands on the north shore of Lake Chelan. Since none of the habitat improvement measures require annual or periodic maintenance, no additional lands are being brought into the project boundary at this time.
4. Finally, the licensee will continue to maintain three upland game feeders and conduct annual winter wildlife surveys. The results of these surveys will be reported

¹ Order on Offer of Settlement and Issuing New License issued November 6, 2006 (117 FERC ¶ 62,129; Order on Rehearing issued April 19, 2007 (119 FERC ¶ 61,055).

² 123 FERC ¶ 62,039.

annually by April 30 to the Commission, Washington Department of Fish and Wildlife (WDFW), U.S. Fish and Wildlife Service (FWS), FS, and NPS.

5. As required by article 406, the licensee met with the Lake Chelan Wildlife Forum (LCWF)³ on July 31, 2012, to develop the wildlife habitat plan update. Following correspondence with several entities of the LCWF, a draft of the plan update was submitted for comment on February 26, 2013. No comments were received.

6. The wildlife habitat plan update for 2013-2017 provides a framework of habitat and wildlife enhancement measures that are prioritized in order of project readiness. This ensures that measures implemented under the plan have been adapted to changing needs in habitat improvements in the project area. We agree that no additional lands need to be included in the project boundary at this time. The licensee's 2013-2017 wildlife habitat plan update meets all of the requirements of article 406 and the SA for upland and riparian habitat improvements. The plan should be approved.

The Director orders:

(A) The wildlife habitat plan update for 2013-2017 filed by the Public Utility District No. 1 of Chelan County on April 10, 2013, for the Lake Chelan Project, FERC No. 637, is approved.

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance, as provided in section 313(a) of the FPA, 16 U.S.C. § 8251 (2012), 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.

Robert J. Fletcher
Chief, Land Resources Branch
Division of Hydropower
Administration and Compliance

³ The LCWF includes WDFW, NPS, FS, FWS, Confederated Tribes of the Colville Reservation, Confederated Tribes of the Umatilla Indian Reservation, Yakama Nation, Wenatchee Sportsman's Association, Lake Chelan Sportsman's Association, NCW Mule Deer Foundation, Foundation for North American Wild Sheep, Audubon Society, and the National Wild Turkey Federation.