

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of Chelan County

Project No. 637-038

ORDER GRANTING EXTENSION OF TIME FOR ARTICLE 401 AND
APPENDIX A, ARTICLE 10(f)

(Issued September 14, 2007)

On August 2, 2007, the Public Utility District No. 1 of Chelan County, licensee for the Lake Chelan Hydroelectric Project, FERC No. 637, requested an extension of time (EOT) until November 1, 2008, to comply with article 401 and Appendix A, article 10(f) 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 the U.S. Department of the Interior, National Park Service (NPS).²

Article 401 and Appendix A, article 10(f) require the licensee to initiate development and implementation of a Traditional Cultural Property (TCP) Management Plan. The licensee's treatment plans for identified TCPs within the Area of Potential Effect are subject to the approval of the land management agency responsible for the property on which the TCPs are located. The licensee is also required to consider any recommendations from the Tribes regarding treatment plans.

The license article and appendix require the licensee to file, for Commission approval, a TCP Management Plan within one year of the issuance of the license following consultation with interested parties, including the members of the Lake Chelan Cultural Forum (LCCF).³ In the request for an EOT, the licensee stated that the LCCF

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

² The federal lands are in the Wenatchee National Forest and the Lake Chelan National Recreation Area of the North Cascades National Park.

³ Members of the LCCF include the Washington State Historical Officer (SHPO), the Confederated Tribes of the Colville Reservation, the Confederated Tribes and Bands of the Yakama Indian Nation, the FS, the NPS, the U.S. Bureau of Indian Affairs, and the licensee.

has held a series of meetings to reach agreement on the process to follow to determine the eligibility requirements of a TCP. Once agreement has been reached on the eligibility requirements, the TCP Management Plan will be developed. The LCCF is currently working on a schedule to develop the TCP Management Plan, and agrees that a one-year extension is needed. In a separate letter dated July 12, 2007, the SHPO also agreed that additional time was necessary for consultation and development of the TCP Management Plan.

The reasons advanced by the licensee in support of the requested EOT for filing the TCP Management Plan pursuant to article 401 and Appendix A, article 10(f) are reasonable. The deadline is extended to November 1, 2008.

The Director orders:

(A) The deadline to file a Traditional Cultural Property Management Plan for the Lake Chelan Hydroelectric Project, FERC No. 637, pursuant to article 401 and Appendix A, article 10(f) of the license, is extended to November 1, 2008.

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F. R. §385.713.

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