

PUBLIC UTILITY DISTRICT NO. 1 of CHELAN COUNTY

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December 16, 2009

Honorable Kimberly D. Bose, Secretary
Nathaniel J. Davis, Sr., Deputy Secretary
FEDERAL ENERGY REGULATORY COMMISSION
888 First Street, NE
Washington, DC 20426

**ATTACHMENT A CONTAINS
PRIVILEGED INFORMATION
- DO NOT RELEASE -**

Subject: Rocky Reach Hydroelectric Project, FERC No. 2145
Article 404 – Ute Ladies’-Tresses (*Spiranthes diluvialis*) Discovery Report

Dear Secretary Bose and Deputy Secretary Davis:

The Federal Energy Regulatory Commission (Commission) issued the “Order on Offer of Settlement and Issuing New License” (License) for the Rocky Reach Hydroelectric Project No. 2145 (Project) on February 19, 2009. In accordance with License Article 404, the Public Utility District No. 1 of Chelan County (Chelan PUD) is required to file a report within 90 days of discovering a new population of a Ute Ladies’-Tresses with the Commission.

Chelan PUD hereby files the report describing the population size, any identified threats to the newly discovered population, and any recommendations for modifying the Ute Ladies’-tresses Management Plan to include additional protection measures or to modify the monitoring and survey efforts to address the new population. The report was prepared after consultation with U.S. Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), and Washington Department of Fish and Wildlife (WDFW).

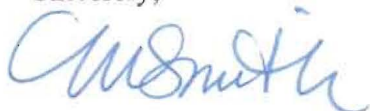
In September 2009, a total of 43 Ute Ladies’ Tresses plants were documented at two new locations, including 42 plants on WDFW land and one on Chelan PUD land. The detailed description, numbers and locations of these new plant discoveries are provided in the September 24 and 28, 2009, notification emails and September 30, 2009, formal notification letter (see **Attachment A**¹). Within ten days of discovery, Chelan PUD sent the emails to Erich Gaedeke (Commission), Gregg Kurz (FWS), Ron Fox (WDFW), Pam Camp (BLM) and Julie Sanderson (BLM) and, Karen Kelleher (BLM). Chelan PUD followed up with a formal notification letter to the same agencies.

¹ **Attachment A contains federally-threatened plant sites and meets the privilege treatment requirements under 18 CFR 388.112(c). In order to protect this sensitive information, Chelan PUD requests the Commission not to release the enclosures to the general public. However, the cover letter can be released to the public.**

Threats to new populations will be considered annually by the Rocky Reach Wildlife Forum (RRWF), as described in the modified Ute Ladies' Tresses Management Plan (Plan) dated December 15, 2009 (see Attachment B). The Plan provides the protection measures and monitoring and survey efforts to address the new populations. Consultation records are included as Attachment C.

If you have any questions or require additional information, please contact Von Pope at (509) 661-4625 or me.

Sincerely,



Michelle Smith
Licensing & Compliance Manager
(509) 661-4180
michelle.smith@chelanpud.org

Enclosures: Attachment A - September 24 and 28 notification email and September 30 formal notification letter (**Privileged Information**)
Attachment B - Ute Ladies' Tresses Management Plan dated December 15, 2009
Attachment C - Consultation Records

cc: Erich Gaedeke
Portland Regional Office
Federal Energy Regulatory Commission
805 SW Broadway, Suite 550
Portland, OR 97205

Karen Kelleher, Pam Campbell
and Julie Sanderson
U.S. Bureau of Land Management
Wenatchee Field Office
915 Walla Walla Avenue
Wenatchee, WA 98801

Joseph Arnett (DNR)
1111 Washington St. SE
Olympia, WA 98504-7014

Steve Lewis and Gregg Kurz
U.S. Fish and Wildlife Service
215 Melody Lane, Suite 119
Wenatchee, WA 98801

Matt Monda, Dave Volsen, and Ron Fox
Washington Department of Fish and Wildlife
1550 Alder Street NW
Ephrata, WA 98823-9699

Contains Privilege Information

-Do Not Release-

*Contains federally threatened plant sites and meets the privilege treatment requirements under 18 CFR 388.112(c). If you have any questions, please contact Von Pope, Wildlife Program Manager, at Chelan County PUD, (509) 661-4625 or von.pope@chelanpud.org.