

133 FERC ¶ 62,040
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of Chelan County, Washington

Project No. 2145-102

ORDER MODIFYING AND APPROVING REVISED
RECREATION MANAGEMENT PLAN
(Issued October 12, 2010)

1. On February 12, 2010, Public Utility District No. 1 of Chelan County (Chelan County PUD or licensee), licensee for the Rocky Reach Hydroelectric Project (FERC No. 2145), filed a revised Recreation Resource Management Plan (plan) pursuant to Article 406 of the license.¹ The project is located on the Columbia River in the City of Entiat, in Chelan County, Washington.

LICENSE REQUIREMENTS

2. Article 406 requires the licensee to file the revised plan for Commission approval. The plan is to include, but not be limited to, a description of the project's seven recreation sites: Rocky Reach Visitor Center and Park, Lincoln Rock State Park, Orondo Park, Entiat Park, Daroga State Park, Chelan Falls/Powerhouse Park, and Beebe Bridge Park; and provisions to develop specific recreation improvements at some of the sites. These sites and improvements include: (1) Lincoln Rock State Park: (a) development of a group campground, (b) improvements to the day-use area, and (c) a new interpretive trail with signage; (2) construction of a 1-mile-long non-motorized trail (a.k.a. Rocky Reach Trail), with signage and a bench, from Lincoln Rock State Park to the fish bypass viewing station located approximately 300 feet downstream from the Rocky Reach Dam; (3) Daroga State Park: (a) enhancement of the shoreline (e.g., revegetation with native species and improvement to the boat launch), (b) improvement of the vault toilets, and (c) a new interpretive trail with signage; (4) Entiat Park: (a) improvement of the day-use area, (b) improvement of the campground area, and (c) construction of an approximate 4,340-foot-long non-motorized trail (Entiatqua Trail) with a viewpoint, signage, and bench to provide additional public access to project lands and waters; and (5) Orondo Park: design and upgrade the irrigation system.

¹ 126 FERC ¶ 61,138, Order on Offer of Settlement and Issuing New License, issued on February 19, 2009.

3. The plan is also to include: design drawings of the new recreation measures, a description of soil erosion and sediment control measures to be used where ground-disturbing activities are proposed, a discussion of how the needs of the disabled were considered in the planning and design of the recreation facilities, a provision for trash clean-up and removal, a cost for each facility, and an implementation schedule.

4. The plan is to be developed after consultation with the Washington Department of Fish and Wildlife (WDFW), Washington State Parks and Recreation Commission (WSPRC), National Park Service, U.S. Bureau of Land Management, and the City of Entiat, Washington. The plan is also to be developed in coordination with the Wildlife Habitat Management Plan required under Article 403, so that recreation enhancements do not conflict with wildlife and associated habitat at the project. The Commission reserves the right to require changes to the revised plan.

DESCRIPTION OF THE PROPOSED PLAN

5. The purpose of the plan is to revise the Recreation Resources Management Plan filed with the Commission on March 20, 2006, as part of the Rocky Reach Comprehensive Settlement Agreement for the project license. The plan describes the existing facilities at the project's seven recreation sites and proposed improvements at Lincoln Rock State Park, Daroga State Park, Entiat Park, and Orondo Park.² The information provided in the plan includes a description of ownership, operation, and maintenance responsibilities for each site; information about existing facilities and recreational use levels; as-built drawings of the existing facilities at each site; and a description of the proposed improvements, including cost estimates and an implementation schedule. The licensee prepared the plan in consultation with the required agencies and other stakeholders.

6. In addition, the licensee proposes to prepare and file with the Commission, final construction drawings for the proposed improvements at each site, including erosion and sedimentation control measures, trash clean-up and removal provisions, and American with Disabilities Act accessibility measures. The licensee proposes to file the final drawings 60 days prior to construction and as-built drawings of the completed improvements within 60 days after completion. The licensee proposes to complete all the improvements within the next 10 years, with construction start dates for each proposed improvement, varying from 2012 to 2015.

² The licensee states that it completed the required boat launch and vault toilet improvements at Daroga State Park and the required upgraded irrigation system at Orondo Park.

7. Regarding the Entiatqua Trail, the license proposes to conduct a feasibility study, within one year of the Commission's approval of the proposed plan, to determine if the planned trail can be built. During the initial planning of the trail, concerns were raised regarding the need for extensive environmental permitting, site conditions, accessibility constraints, and the trail's proximity to a major transportation corridor, including highways and bridges. The licensee, with the concurrence of stakeholders, proposes to further study the matter in consultation with the City of Entiat, Washington State Department of Transportation, C&C Railway, and appropriate agencies. If the study and consultation show that the trail can be built, the licensee would file conceptual drawings, cost estimates, and an implementation schedule with the Commission. If it is determined that the trail cannot be built, the licensee proposes to submit a reasonable alternative for Commission approval.

AGENCY CONSULTATION

8. Chelan County PUD developed the plan in consultation with the National Park Service, WDFW, WSPRC, U.S. Bureau of Land Management, City of Entiat, and the Rocky Reach Recreation and Wildlife Forums. The licensee received comments from WSPRC, WDFW, and the Rocky Reach Wildlife Forum. The commenting parties expressed support for the proposed plan and had minor comments and/or recommendations on the draft plan. No other comments were received. The licensee adequately addresses and/or incorporates the agency comments and recommendations in the proposed plan.

DISCUSSION

9. The licensee's proposed plan adequately addresses the required information under article 406 and provides for the development of the required recreational improvements. The proposed submission of final construction drawings for the improvements at Entiat Park, Lincoln Rock State Park, Daroga State Park and Rocky Reach Trail would allow the Commission to review such plans prior to implementation. In order to ensure that such plans are appropriate and consistent with the conceptual drawings/descriptions in the proposed plan, the Commission should reserve the right to require changes to the final plans.

10. The licensee should file the proposed feasibility study results to determine whether or not the Entiaqua Trail can be built. The proposed study would ensure that the noted concerns are fully considered prior to taking any further action on the facility. The study should include the results of the proposed analysis and recommendations for further action on the trail (i.e. either built the trail as proposed or implement an appropriate alternative). The filing should also include documentation of consultation with

appropriate entities and agencies on the proposed study, study results, and any proposed actions based on such results.

11. If the study results find that the required trail can be built, the licensee's filing should include the proposed development information, as well as a description of soil erosion and sediment control measures to be used where ground-disturbing activities are proposed, a discussion of how the needs of the disabled were considered in the planning and design of the trail, a provision for trash clean-up and removal, and identification of the entity(ies) responsible for construction, operation, and maintenance of the trail. The Commission should reserve the right to require changes to the plan based on the results of the study and consultation.

12. If the required trail cannot be built, the licensee's filing should include, for Commission approval, a plan and schedule for a reasonable alternative, including the development items noted above, and as appropriate, design drawings, cost estimates, and an implementation schedule.

13. In order to accurately include all existing and proposed recreation facilities in the Commission's geographic database for the project, the licensee should also file site-specific information on the location of the existing and proposed facilities, except the Entiatqua Trail, based on the information contained within the proposed plan. Further, the licensee should file as-built drawings for these sites, as proposed, upon completion of the proposed improvements.³

14. Implementation of the plan would provide for additional public recreational opportunities at the project. The licensee's plan adequately fulfills the requirements of Article 406 of the license and should be approved, with the above modifications.

The Director orders:

(A) The recreation resource management plan for the Rocky Reach hydroelectric Project, filed on February 12, 2010, as modified by paragraphs B, C, D, and E, is approved.

(B) Within 1 year of the date of issuance of this order, the licensee shall complete the proposed Entiatqua Trail Feasibility Study and file the study results with the Commission along with documentation of agency consultation. The licensee shall conduct the study in consultation with the City of Entiat, Washington State Department

³ We note that proposed plan contains an as-built drawing of Onondo Park and that the proposed improvements to this site have already been completed.

of Transportation, C&C Railway, Washington Department of Fish and Wildlife, Washington State Parks and Recreation Commission, National Park Service, and U.S. Bureau of Land Management. The licensee shall allow a minimum of 30 days for the agencies to comment and to make recommendations on the study results and any proposed actions, prior to filing the study results with the Commission. If the licensee does not adopt a recommendation, the filing shall include the licensee's reasons, based on project-specific reasons.

(1) If the study finds that the required trail can be built, the licensee's filing shall include the proposed development information for the trail, as well as a description of soil erosion and sediment control measures to be used where ground-disturbing activities are proposed, a discussion of how the needs of the disabled were considered in the planning and design of the trail, a provision for trash clean-up and removal, and identification of the entity(ies) responsible for construction, operation, and maintenance of the trail. The Commission should reserve the right to require changes to the approved plan based on the results of the study and consultation.

(2) If the study finds that the required trail cannot be built, the licensee's filing shall include, for Commission approval, a plan and schedule for a reasonable alternative, including, as appropriate, a description of soil erosion and sediment control measures to be used where ground-disturbing activities are proposed, a discussion of how the needs of the disabled were considered in the planning and design of the alternative facility, a provision for trash clean-up and removal, and identification of the entity(ies) responsible for construction, operation, and maintenance of the alternative facility, design drawings, cost estimates, and an implementation schedule.

(C) At least 60 days prior to the start of construction of proposed improvements at Entiat Park, Lincoln Rock State Park, Daroga State Park and the Rocky Reach Trail, the licensee shall file final construction drawings for the improvements at the subject site, including erosion and sedimentation control measures, trash clean-up and removal provisions, a discussion of how the needs of the disabled were considered in the planning and design of the improvements. The Commission reserves the right to require changes to the final construction plans.

(D) Within 60 days from the date of completion of the proposed improvements at Entiat Park, Lincoln Rock State Park, Daroga State Park and the Rocky Reach Trail sites, the licensee shall file, for Commission approval, an as-built drawing for each site, as the proposed improvements at the specific site are completed, showing the location, type and layout of the existing and newly completed recreation facilities in relation to the project boundary.

Project No. 2145-102

6

(E) The following as-built drawing, filed on February 12, 2010 is approved and made part of the license.

Exhibit	FERC No.	Title
R-1	2145-133	Orondo Park

(F) Within 45 days of the date of issuance of this order, the licensee shall file the drawing approved in ordering paragraph (E), above, in aperture card and electronic format.

(1) Three sets of the approved drawings shall be reproduced on silver or gelatin 35 mm microfilm. All microfilm shall be mounted on type D (3-1/4" X 7-3/8") aperture cards. Prior to microfilming, the FERC Project Drawing Number (e.g., 2145-133) shall be shown in the margin below the title block of the approved drawings. After mounting, the FERC Drawing Number shall be typed on the upper right corner of each aperture card. Additionally, the Project Number, FERC Exhibit (e.g., R-1), Drawing Title, and date of this order shall be typed on the upper left corner of each aperture card. See Fig.1.

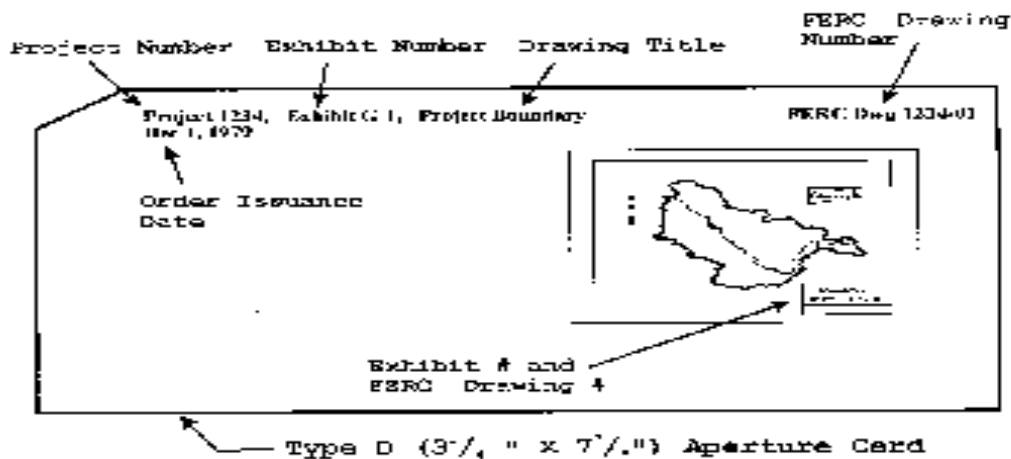


Figure 1 Sample Aperture Card Format

Two of the sets of aperture cards shall be filed with the Secretary of the Commission, ATTN: OEP/DHAC. The third set shall be filed with the Commission's Division of Dam Safety and Inspections, Portland Regional Office.

(2) The licensee shall file two separate sets of exhibit drawings in electronic raster format with the Secretary of the Commission, ATTN: OEP/DHAC. A third set shall be

Project No. 2145-102

7

filed with the Commission's Division of Dam Safety and Inspections, Chicago Regional Office. Each drawing must be a separate electronic file, and the file name shall include: FERC Project Drawing Number, FERC Exhibit, Drawing Title, date of this order, and file extension in the following format [2145-133, R-1, Orondo Park, MM-DD-YYYY.TIF]. Electronic drawings shall meet the following format specification:

IMAGERY – black & white raster file
FILE TYPE – Tagged Image File Format, (TIFF) CCITT Group 4
RESOLUTION – 300 dpi desired, (300 dpi min)
DRAWING SIZE FORMAT - 24" X 36" (min), 28" X 40" (max)
FILE SIZE – less than 1 MB desired

(E) Within 90 days of the issuance date of this order, the licensee shall file location point data representative of each existing and proposed recreation facility provided by the project's approved recreation plan. The location points must be positionally accurate to comply, at a minimum, with National Map Accuracy Standards for maps at a 1:24,000 scale. The location points must include latitude/longitude in decimal degrees based on the horizontal reference datum of the North American Datum of 1983 (NAD 83).

(F) 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 FPA, 16 U.S.C. § 8251 (2006), and the Commission's regulations at 18 C.F.R. § 385.713 (2010). 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

Document Content(s)

P-2145-102.DOC.....1-7