

155 FERC ¶ 62,130
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of Chelan County,
Washington

Project No. 2145-105

ORDER APPROVING OPERATIONS COMPLIANCE MONITORING PLAN
PURSUANT TO ARTICLE 402

(Issued May 19, 2016)

1. On March 30, 2016, Public Utility District No. 1 of Chelan County, Washington, licensee for the Rocky Reach Hydroelectric Project No. 2145, filed a 2016 Operations Compliance Monitoring Plan for Federal Energy Regulatory Commission (Commission) approval, pursuant to Article 402 of the project license.¹ The project is located on the Columbia River in Douglas and Chelan counties, Washington. The project occupies 162 acres of federal lands managed by the U.S. Bureau of Land Management (BLM).

License Requirements

2. During the project's relicensing process, the Confederated Tribes of the Umatilla Indian Reservation (Umatilla) recommended that the licensee develop a detailed operations plan to address the effects of project operations on all native fish species and on water quality. The Umatilla recommended that the plan address turbine operations, spillgate inspections, bypass system operations and inspections, and fishway operations, inspections and modifications. The intent of the recommendation was to consolidate all fisheries- and water quality-related operational protocols and inspection procedures into a single document, in order to simplify review and updates to operations.²

3. Article 402 of the project license requires the licensee to annually develop an operations plan to be implemented in the subsequent year. Each plan must include: descriptions of fisheries- and water quality-related operating criteria for the project turbines, the downstream fish passage facilities, fishways, spillways, and sluiceways; descriptions of fisheries- and water quality-related protocols for startup, in-season

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

² See August 4, 2006 Environmental Impact Statement at 244.

operation, shutdown, and inspection of the project turbines, the downstream passage facility, fishways (including fish salvage), spillways, and sluiceways; and an annual schedule for operation and inspection of these facilities.

4. The licensee is required file its proposed plan by March 30 annually.³ Each plan must be prepared in consultation with the Umatilla, National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (FWS), Washington Department of Fish and Wildlife (Washington DFW), Washington Department of Ecology (Ecology), the Confederated Tribes of the Colville Indian Reservations (Colville), and Confederated Tribes and Bands of the Yakama Nation (Yakama).

License's Plan

5. The licensee's proposed plan describes ongoing criteria and protocols for turbine operation, the juvenile fish bypass system, spillway operation, and the project fishways and traps. The licensee details how it would operate during times of upstream and downstream fish migration to minimize impacts to salmonid populations. The licensee would also continue to monitor total dissolved gas.

6. The proposed plan indicates that the licensee would attempt to coordinate management actions with the resource agencies and tribes; however, if any emergency situation requires any deviation from the plan, the licensee would file a report describing the deviation with the Commission within 10 days of the incident. The report would include descriptions of the emergency situation, operational changes implemented as a result of the emergency, any adverse environmental impacts associated with the emergency conditions, a schedule for resuming normal operations, and any comments received from the resource agencies and tribes.

7. The licensee's filing also includes a schedule for unit outages, as the licensee anticipates repairs to multiple units. Consistent with the licensee's 2015 Operations Compliance Monitoring Plan,⁴ unit C-8 has been offline for repairs since January 2015. The licensee expects to complete the unit C-8 repairs in October 2016. The licensee intends to remove unit C-5 from service for routine maintenance from July through September 2016. The licensee's outage schedule includes repairs and maintenance to occur in 2017 through 2010 as well.

³ See Order Modifying Annual Operations Compliance Monitoring Plan Filing Date Pursuant to Article 402 (139 FERC ¶ 62,162), issued May 30, 2012.

⁴ Order Approving Operations Compliance Monitoring Plan Pursuant to Article 402 (151 FERC ¶ 62,076), issued May 5, 2015.

Consultation

8. The licensee provided a draft plan to the Umatilla, NMFS, FWS, Washington DFW, Ecology, Colville, and Yakama on February 8, 2016. No comments were provided.

Discussion and Conclusion

9. The licensee's proposed Operations Compliance Monitoring Plan for 2016 identifies fisheries-and water quality-related operating criteria for the project turbines, fish bypass operations and fishways, spill plans, schedules, and maintenance operations for the project, as well as protocols for the startup and shutdown of seasonal operations. The proposed plan remains consistent with previous years' iterations, and the licensee has largely maintained compliance through the use of the protocols described in its plan. As such, the licensee's 2016 Operations Compliance Monitoring Plan should be approved.

10. The Commission should reserve the right to require changes to the plan, based upon information provided by the licensee or any tribe or resource agency.

The Director orders:

(A) Public Utility District No. 1 of Chelan County, Washington's (licensee) 2016 Operations Compliance Monitoring Plan, filed with the Federal Energy Regulatory Commission on March 30, 2016 is approved.

(B) The Federal Energy Regulatory Commission reserves the right to require changes to the plan, based upon information provided by the licensee or any tribe or resource agency.

(C) 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 (2012), and the Federal Energy Regulatory Commission's regulations at 18 CFR § 385.713 (2015). The filing of a request for hearing 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.

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and Compliance