

The plan shall include, but not be limited to, the following: (a) descriptions of fisheries- and water quality-related operating criteria for the project turbines, the downstream fish passage facility, fishways, spillways, and sluiceways; (b) descriptions of fisheries- and water-quality-related protocols for startup, in-season operation, shutdown, and inspection of the project turbines, the downstream passage facility, fishways (including fish salvage), spillways, and sluiceways; and (c) an annual schedule for operation and inspection of these facilities.

The licensee shall prepare the plan after consultation with the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Washington Department of Fish and Wildlife, Washington Department of Environmental Quality, the Confederated Tribes of the Umatilla Reservation, the Confederated Tribes of the Colville Indian Reservation, and the Confederated Tribes and Bands of the Yakama Nation. The licensee shall include with the plan, copies of comments and recommendations on the completed plan after it has been prepared and provided to the above entities, and specific descriptions of how the entities' comments are accommodated by the plan. The licensee shall allow a minimum of 30 days for the entities to comment and to make recommendations before filing the plan with the Commission.

The Commission reserves the right to require changes to the plan. Implementation of the plan shall not begin until the plan is approved by the Commission. Upon Commission approval, the licensee shall implement the plan, including any changes required by the Commission.

Article 403. Wildlife Habitat Management Plan. Within one year of the issuance date of the license, the licensee shall file, for Commission approval, a Wildlife Habitat Management Plan to protect and enhance wildlife habitats in a corridor along the project reservoir on the following lands: (1) Chelan PUD lands within the project boundaries; (2) state lands within the Swanee, Entiat, and Chelan Butte Wildlife Management Areas (Chelan Wildlife Area); and public (Forest Service, BLM, and FWS) lands in Chelan and Douglas Counties within approximately a 6-mile-wide corridor of the Rocky Reach reservoir (Rocky Reach Wildlife Area). The plan shall be updated and filed, for Commission approval, at a minimum, every five years thereafter.

Wildlife Habitat Improvements

The plan shall include: (1) a detailed description of the habitat improvement measures that will be implemented over the first five years of the license, including the methods to be used; (2) a detailed description of the location where the improvements will occur, including maps and drawings; (3) a description of any annual or periodic maintenance and monitoring needed to ensure the success of the measures; and (4) a detailed implementation schedule. Priority should be given to habitat improvement projects that occur within and immediately adjacent to the project boundary. Where such

habitat improvements require annual or periodic maintenance to ensure their success, the lands subject to these habitat improvements shall be brought into the project boundary and shown on the exhibit drawings filed pursuant to Article 203. The plan shall also address noxious weed management and control in the wildlife area and on project lands.

Sun Cove Riparian Buffer Zone

The plan shall include the establishment and maintenance of a 50-foot-wide by 3,500-foot-long riparian buffer zone owned by the licensee, located near Sun Cove on the east bank of the reservoir between approximately river mile 491.6 and 492.1. The buffer zone shall be considered part of the Rocky Reach Wildlife Area and subject to the provisions of the plan. The riparian zone shall be managed to preserve its relatively natural conditions, except for two 100-foot-long access corridors along the river to provide public access to the river. The access corridors shall be defined after consultation and in agreement with Washington Department of Fish and Wildlife (Washington DFW). These lands and access corridors shall be brought into the project boundary and shown on the exhibit drawings filed pursuant to Article 203.

Wildlife Surveys

The plan shall also contain a provision and a schedule for the licensee to conduct annual winter bald eagle surveys and Canada goose nesting surveys on the project reservoir, and report the results to the Washington DFW. The annual wildlife surveys shall be conducted in coordination with the Washington DFW and may be altered upon agreement with the Washington DFW.

Reporting and Consultation

The plan shall include provisions for filing with the updated plan, a summary of the habitat improvement measures implemented during the previous five years, as well as the measures proposed for the next five years.

Development and implementation of the plan shall be coordinated with the development and implementation of the Recreation Resources Management Plan (Article 408) to ensure that public access controls and site rehabilitation measures are addressed and consistent with project and adjoining public land management goals and objectives.

The plan shall be developed after consultation with the U.S. Fish and Wildlife Service, U.S. Bureau of Land Management, U.S. Forest Service, Washington DFW, Washington Department of Natural Resources, and Washington Recreation and Conservation Office. The licensee shall include with the plan documentation of consultation, copies of recommendations on the completed plan after it has been prepared

and provided to the above entities, and specific descriptions of how the entities' comments are accommodated by the plan. The licensee shall allow a minimum of 30 days for the entities to comment and to make recommendations before filing the plan with the Commission. If the licensee does not adopt a recommendation, the filing shall include the licensee's reasons, based on project-specific information.

The Commission reserves the right to require changes to the plan. The plan shall not be implemented until the licensee is notified that the plan is approved. Upon Commission approval, the licensee shall implement the plan, including any changes required by the Commission.

Article 404. Ute Ladies'-Tresses Management Plan. The licensee shall implement the following measures to protect four known populations (Chelan Flats, Howard Flats, Gallagher Flats, and the population on U.S. Bureau of Land Management lands) of the federally threatened Ute ladies'-tresses at the Rocky Reach Project: (1) control noxious weeds in accordance with the integrated noxious weed program described in Public Utility District No. 1 of Chelan County's June 11, 2004, "Ute Ladies'-tresses (*Spiranthes diluvialis*) Along Rocky Reach Reservoir Management Plan" filed on March 20, 2006; (2) annually monitor existing populations to track numbers of blooming plants and their distribution and document their distribution with detailed site maps, Global Positioning System coordinates, photos, and physical markers; (3) every five years conduct a survey of suitable habitats along the project reservoir to identify the establishment of any new populations; and (4) acquire through conservation easement, fee-title, or other instrument sufficient rights to implement the above measures and protect the population located at Howard Flats for the term of the license. Such rights shall be acquired within three years of license issuance. Upon acquisition of such rights, all lands covered under the agreement shall be brought into the project boundary (to the extent that these lands are not already within the project boundary) and shown on revised exhibit drawings. The revised Exhibit G drawings shall be filed within 90 days of acquiring the lands in accordance with Article 203.

By December 31 of each year following the issuance of the license, the licensee shall file an annual report with the U.S. Fish and Wildlife Service (FWS), U.S. Bureau of Land Management (BLM), Washington Department of Fish and Wildlife (Washington DFW), and Washington Natural Heritage Program documenting the results of the annual monitoring efforts and noxious weed control measures and, as applicable, the 5-year Ute ladies'-tresses plant surveys.

The licensee shall notify the Commission, the FWS, BLM, and Washington DFW in writing within 10 days of discovering any new populations of Ute ladies'-tresses along the project reservoir. The notification shall identify the location of the new population. Within 90 days of such a discovery, the licensee shall file a report with the Commission 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 shall be prepared after consultation with FWS, BLM, and Washington DFW.

The licensee shall include with the report documentation of consultation, copies of recommendations on the completed report and any proposed changes to the management plan after they have been prepared and provided to the above entities, and specific descriptions of how the entities' comments are accommodated by the report. The licensee shall allow a minimum of 30 days for the entities to comment and to make recommendations before filing the report with the Commission. If the licensee does not adopt a recommendation, the filing shall include the licensee's reasons, based on project-specific information.

The Commission reserves the right to require changes to the above plan. The licensee shall implement the above plan, including any changes required by the Commission.

Article 405. Programmatic Agreement. The licensee shall implement the "Programmatic Agreement Among the Federal Energy Regulatory Commission and the Washington State Historic Preservation Officer for Managing Historic Properties that may be Affected by a License Issuing to Public Utility District No. 1 of Chelan County for the Continued Operation of the Rocky Reach Hydroelectric Project in Chelan County, Washington (FERC No. 2145-060)," executed on April 22, 2006, including but not limited to the Historic Properties Management Plan (HPMP) for the Project. In the event that the Programmatic Agreement is terminated, the licensee shall continue to implement the provisions of its approved HPMP. The Commission reserves the authority to require changes to the HPMP at any time during the term of the license.

Article 406. Rocky Reach Recreation Resources Management Plan. Within one year of the issuance date of the license, the licensee shall file for Commission approval, a revised Rocky Reach Recreation Resources Management Plan. The plan shall include, but not be limited to, the following:

(1) a description of the seven project recreation facilities: 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;

(2) at 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;