

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of Chelan County

Project No. 637-054

ORDER GRANTING EXTENSION OF TIME
(Issued October 2, 2008)

On September 15, 2008, 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, 2010, 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 states that the LCCF has held a series of meetings to reach agreement on the process to follow to determine the

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). A previous EOT extended the filing date to November 1, 2008. See Order Granting Extension of Time for Article 401 and Appendix A, Article 10 (f), issued September 14, 2007.

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.

eligibility requirements of a TCP. In preparing the TCP Management Plan, all members of the LCCF must agree and work from the most current list of places of traditional value and a single set of maps with TCPs identified as bounded properties. Therefore, a “quantification database” of TCPs along with associated maps must be developed. In addition, a place name study is required to ensure linguistic accuracy by implementing the International Phonetic Alphabet, and proper translation and transcription of Indian names. Some translations may require additional informant interviews.

In November 2007, the licensee contracted with Colville Confederated Tribes to develop the quantification database described above. According to contract, this work would be completed in December 2008. Members of the LCCF have expressed that additional information beyond the quantification database is required to complete the TCP Management Plan. Therefore, the LCCF agreed that up to an additional two years are needed to collect relevant information and complete the plan. In a letter dated August 20, 2008, 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, 2010.

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, 2010.

(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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