

UNITED STATES OF AMERICA 136 FERC ¶ 62,096
FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of Chelan County

Project No. 637-072

ORDER APPROVING RIPARIAN ZONE PLAN UNDER ARTICLE 403

(August 2, 2011)

1. On November 1, 2010, Public Utility District No. 1 of Chelan County (Chelan PUD), licensee for the Lake Chelan Project, FERC No. 637, filed a riparian zone plan (plan) pursuant to article 403 of the license and paragraph (B) of the order approving the Stehekin area implementation plan.^{1,2} 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 403 required the licensee to file a plan to monitor the measures implemented in accordance with the Stehekin area implementation plan required by article 4 of the Lake Chelan Settlement Agreement (SA)³ and contained in chapter 4 of the comprehensive plan attached to the SA. The plan filed for approval indicated that a riparian zone plan would be developed, and paragraph (B) of the 2008 order approving the plan required that it be submitted to the Commission for approval. Paragraph (B) states that the plan should include details for the expansion of existing riparian areas, the establishment of new riparian zones, wildlife habitat restoration, the reduction of non-native vegetation, and revegetation with native plant species.

3. The licensee's proposed plan describes the methods and schedules that will be used to reduce non-native plants and to establish and maintain native riparian vegetative habitat along Lake Chelan in the Lake Chelan National Recreation Area (owned by the NPS). Baseline data was collected to determine the best-suited native species to utilize

¹ Order on Offer of Settlement and Issuing New License, issued November 6, 2006 (117 FERC ¶ 62,129, and Order on Rehearing (119 FERC ¶ 61,055 issued April 19, 2007).

² Order Modifying and Approving Stehekin Area Implementation Plan Under Article 403(123 FERC ¶ 62,100 issued May 6, 2008).

³ The Chelan PUD, on behalf of the signatories, filed a comprehensive settlement agreement on October 17, 2003, which includes articles that were included in the license.

for these restoration efforts. Interpretation of the results of the baseline data indicate a high diversity of native species and a moderate cover of non-native species; these data provided guidance for the selection of appropriate species for revegetation. Methods used to eliminate non-native and establish native vegetation may differ in the three areas targeted (lake shoreline, wetland areas, and Stehekin River riparian area). A variety of chemical, physical, and mechanical controls will be used to reduce the cover of canary grass. In order to assess the effectiveness of the revegetation efforts, transects will be established and monitored for cover, density, and frequency of native and non-native species, height of trees and shrubs, density and distribution of trees and shrubs, and distribution of non-native species. Sites will be monitored annually from 2012-2016, in 2018, 2020, and then every five years (2025, 2030, 2035, 2040, 2045, 2050, 2055).

4. In order to accommodate the delay in implementation of the plan that allowed time for gathering field data and analyze information for the development of a comprehensive plan⁴, the licensee proposes a revised reporting schedule for reports on the efforts to reduce non-native species and establish native riparian vegetation. The following reports will be submitted to the Commission according to the schedule detail below:

Report	Date to FERC
Technical report, monitor mitigation measures	Nov. 6, 2014
Technical report, monitor mitigation measures	Nov. 6, 2017
Technical report, monitor mitigation measures	Nov. 6, 2021
Monitoring report for wildlife in drawdown zone	Nov. 6, 2024
Technical report, monitor mitigation measures	Nov. 6, 2026
Technical report, monitor mitigation measures	Nov. 6, 2031
Technical report, monitor mitigation measures	Nov. 6, 2036
Monitoring report for wildlife in drawdown zone	Nov. 6, 2039
Technical report, monitor mitigation measures	Nov. 6, 2041
Technical report, monitor mitigation measures	Nov. 6, 2046
Technical report, monitor mitigation measures	Nov. 6, 2051
Monitoring report for wildlife in drawdown zone	Nov. 6, 2053
Technical report, monitor mitigation measures	Nov. 6, 2056

5. The measures to be implemented under the riparian zone plan provide a strategy for reductions in non-native plants and the establishment of native riparian vegetation on lands along Lake Chelan, which should in turn promote the goal of creating a diverse wildlife corridor in the project area. The licensee's plan meets the requirements of article 403, and the plan should be approved.

⁴ Field work to collect data was delayed due to habitat rehabilitation work from a 2007 fire in the Lake Chelan National Park, and an extension of time for the licensee to file the riparian zone plan was issued on November 20, 2009.

The Director orders:

(A) The riparian zone plan filed by the Public Utility District No. 1 of Chelan County on November 1, 2010, for the Lake Chelan Project, FERC No. 637, pursuant to article 403, is approved.

(B) 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 (2011). 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.

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Administration and Compliance