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File P-2079

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UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

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FEDERAL ENERGY  
REGULATORY COMMISSION

Project No. 2079-039

Placer County Water Agency

ORDER APPROVING REVISED EXHIBITS L AND K

(May 08, 2000)

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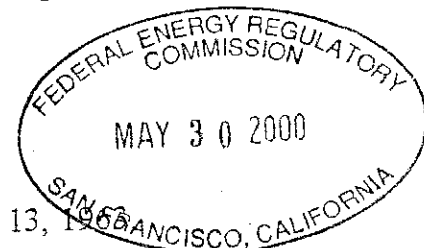
On February 29, 2000, Placer County Water Agency (PCWA), licensee for the Middle Fork American River Project, FERC No. 2079, filed for Commission approval revised exhibit L and K drawings along with aperture cards reflecting as-built modifications to the French Meadows Dam (L.L. Anderson Dam) Spillway. The Middle Fork American River Project is located on the Middle Fork of American River and Rubicon River and their respective tributaries in Placer and El Dorado Counties, California.

BACKGROUND

Spillway discharges of 5,500 in mid May 1996, caused erosion between the French Meadows Dam Spillway escape channel and the Middle Fork of the American River. Deposited boulder, cobble and sand formed a debris dam in the American River that caused water to back up to, and inundate the ring jet valve at the low-level outlet works of the French Meadows Dam. Repairs to spillway escape channel were accomplished under Articles 31, and 32 of the license for the Middle Fork American River Project.<sup>1</sup>

REVIEW

Staff reviewed the filing and found the revised exhibits K-9, and L-3, L-5, and L-6 to be in substantial conformance with the Commission's rules and regulations and are approved by this order. Ordering paragraph (B) of this order assigns drawing numbers to the approved exhibits. PCWA also filed aperture cards for the revised exhibits. PCWA should make a note of the new drawing numbers for the filed exhibits. In lieu of requiring aperture cards with new drawing numbers, we will make note of the drawing numbers and the date of the order on the aperture cards filed.



<sup>1</sup> 29 FPC 460, Order Issuing License (major), issued March 13, 1968

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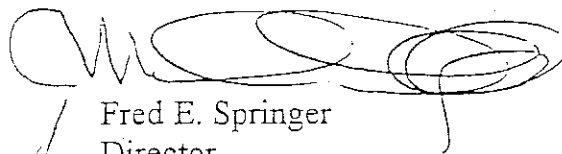
The Director Orders:

(A) The following as-built exhibits of spillway modification to the French Meadows Dam of the Middle Fork American River Project, filed on February 29, 2000, are approved and made part of the license:

Exhibit	FERC Drawing No.	Title	Superseded Drawing No.
K-9	2079-385	French Meadows Reservoir Area Project Area	2079-283
L-3	2079-386	French Meadows Dam Plan	2079-322
L-5	2079-387	French Meadows Spillway Plan, Profile and Sections	2079-324
L-6	2079-388	French Meadows Dam Geology	2079-325

The superseded Drawing Nos. 2079-283, 2079-322, 2079-324, and 2079-325 are eliminated from the license.

(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.



Fred E. Springer  
 Director  
 Division of Hydropower Administration  
 and Compliance

91 FERC ¶ 62,090

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Project No. 2079-040

Placer County Water Agency

ORDER APPROVING REVISED EXHIBIT L

(May 08, 2000)

On March 10, 2000, Placer County Water Agency (PCWA), licensee for the Middle Fork American River Project, FERC No. 2079, filed a revised exhibit L drawing along with an aperture card showing the installation of new low level outlet guard gate at the Ralston Afterbay Dam development. The Middle Fork American River Project is located on the Middle Fork of American River and Rubicon River and their respective tributaries in Placer and El Dorado Counties, California.

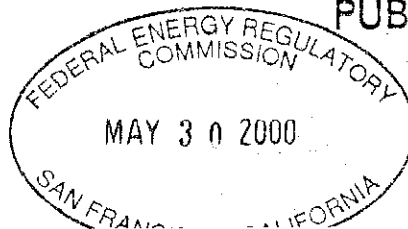
BACKGROUND

In a letter dated March 4, 1998, PCWA requested comments and Commission approval to implement a Sediment Pass Through (SPT) method of operating the Ralston Afterbay Reservoir to reduce the amount of sediment deposited in the project reservoir during high-flow events. To implement the SPT, PCWA concluded installation of a guard gate for the low-level outlet at Afterbay Dam was necessary to provide a means of shutting off water flow in the low level outlet 72-inch sluice pipe, in the event the upstream gate failed to close by debris or malfunction.

REVIEW

Staff reviewed the filing and found the revised exhibit L-37 to be in substantial conformance with the Commission's rules and regulations. This order approves the filed drawing as exhibit L-37, FERC Drawing No. 2079-384 superseding FERC drawing No. 2079-356. PCWA also filed an aperture card for revised exhibit L-37. PCWA should make a note of the new drawing number for exhibit L-37. In lieu of requiring an aperture card with new drawing number, we will make note of the drawing number and the date of the order on the aperture card filed.

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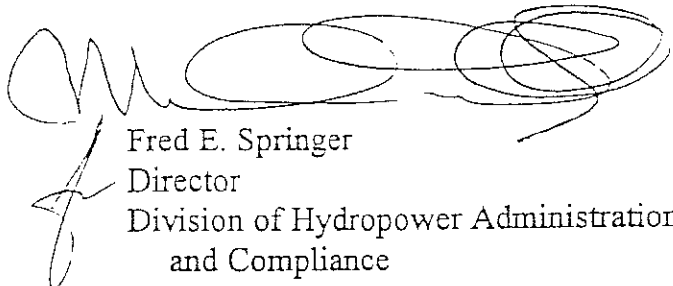
The Director Orders:

(A) The following as-built exhibit for the Ralston After Bay Dam development of the Middle Fork American River Project, filed on March 10, 2000, is approved and made part of the license:

Exhibit	FERC Drawing No.	Title	Superseded Drawing No.
L-37	2079-384	Ralston Afterbay Dam Plan and Sections	2079-356

The superseded Drawing No. 2079-356 is eliminated from the license.

(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.



Fred E. Springer  
Director  
Division of Hydropower Administration  
and Compliance

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Placer County Water Agency ) Project No. 2079-037

ORDER AMENDING LICENSE AND REVISING ANNUAL CHARGES

( Issued September 13, 1999 )

On August 26, 1999, Placer County Water Agency, licensee for the Middle Fork American River Project, FERC No. 2079, filed a letter with the Commission to resolve a discrepancy in the installed capacity for the Middle Fork development of the project. The project is located on the Middle Fork American and Rubicon Rivers in Placer County, California.

BACKGROUND

There are five developments that make up the Middle Fork American River Project, Ralston, Middle Fork, Oxbow, French Meadows and Hill Hole. During an operation inspection of the project, the Commission's San Francisco Regional Office (SFRO) found the installed capacity of one of the generators of the Middle Fork development to be 61,200 kW. The license authorizes two 82,000 horsepower impulse turbines connected to two 54,900 kW generators for a total installed capacity of 109,800 kW for the Middle Fork development.

REVIEW

In its August 26, 1999 letter, the licensee stated that the Unit 1 generator of the Middle Fork development was rewound during the Fall, 1998. The new winding design was same as the original winding design. However, the rating for the Unit 1 generator has increased from 54,900 kW to 61,200 due to the use of better materials. Issuance of this order is necessary to revise the description of the project to reflect correct installed capacity for the Middle Fork development and revise project's annual charges. In accordance with the Commission's policy, the effective date for the revised annual charges will be the date the revised capacity went on-line.<sup>2</sup> According to the licensee, the increased capacity went on-line on December 9, 1998. There has been no changes either in the hydraulic capacity or the operation of the project as result of the rewind of

<sup>1</sup> 29 FPC 460, Order Issuing License (major), issued March 13, 1963.

<sup>2</sup> 66 FERC ¶ 61,086 Order on Rehearing, issued January 13, 1994.

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*MR. BIRN*  
*MR. GORDON*  
*MR. HARRIS*  
*MR. JONES*  
*MR. LEE*  
*MR. MANN*  
*MR. ROBERTS*  
*MR. TAYLOR*  
*MR. WATSON*  
*MR. ZIMMERMAN*

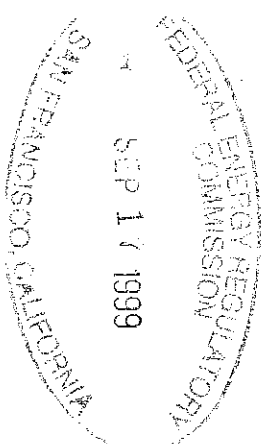
Project No. 2079-037

Unit 1 generator. The minor change in the installed capacity will not result in any environmental impacts other those identified during the project review and subsequent amendments to the license.

The Director Orders:

- (A) The license for the Middle Fork American River Project is amended as provided by this order effective the first day of the month in which this order is issued.
- (B) Ordering paragraph (B) (ii) of the license is revised, in part, as follows:  
All project works consisting principally of the following described developments: "... Middle Fork Powerhouse, would contain two 82,000 horsepower impulse turbine, one connected to 61,200 kilowatt generator and the other connected to 54,900 kilowatt generator,....."
- (C) Within 60 days of the issuance of this order, the licensee shall file a revised exhibit M to reflect the mechanical features of the Middle Fork American River Project.
- (D) Subparagraph (i) of Article 41 of the license, is revised to read as follows, effective December 9, 1998:  
(i) For the purposes of reimbursing the United States for the Commission costs, pursuant to the Omnibus Budget Reconciliation Act of 1986, a reasonable amount as determined in accordance with the provision's of the Commission's regulations in effect from time to time. The authorized installed capacity for that purpose is 217,453 kilowatts, effective the date of this order. Under the regulations currently in effect, projects with authorized installed capacity of less than or equal to 1, 500 kilowatts will not be assessed an annual charge.
- (E) Within 60 days of the issuance of this order, the licensee shall affix a new generator nameplate with a rating of 61,200 kW and provide a photograph of the nameplate to the Commission, with a copy to the Commission's San Francisco Regional Office, for verification.
- (F) The licensee shall report to the Commission any future proposed changes to the project prior to implementing them.

*FERC No. 2079 License*



UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Placer County Water Agency ) Project No. 2079-028

ORDER APPROVING RECREATION AS-BUILT DRAWINGS AND  
AMENDING LICENSE  
(Issued May 16, 1996)

On January 31, 1996, Placer County Water Agency (Licensee) filed 24 recreation as-built drawings showing improvements made to the recreation facilities and campgrounds at the Middle Fork American River Project 1/ located on the Middle Fork American River, in Placer County, Foresthill, California. These as-built drawings were required by ordering paragraph C of the Order Approving Revised Recreation Plan with Modification and Amending License (1992). 2/

The 11 drawings listed below are acceptable and meet the requirements of the order Approving Recreation Plan and should be approved:

Drawing No.	Showing
214210	Index of Drawings, Legend, Vicinity Map
214211	Site Plan - Key Map French Meadows Family Campground
214216	Site Plan - Key Map Lewis Family Campground
214220	Site Plan - Key Map Big Meadows Family Campground
214225	Aspen Site Plan Gates Group Campground
214226	Lodge Pole Site Plan/Ponderosa Site Plan Gates Group Campgrounds
214227	Little Wolf Site Plan Coyote Group Campground
214228	Brush Wolf Site Plan Coyote Group Campground

- 1/ See Order Issuing License (Major Project), 29 FERC, 460 (1963).  
2/ See Order Approving Revised Recreation Plan with Modification and Amending License, 59 FERC, ¶ 62,084 (1992).

Project No. 2079-028

-2-

Drawing No. cont.	Showing
214229	Prairie Wolf Site Plan Coyote Group Campground
214230	Black Bear Site Plan Black Bear Group Campground
214231	Change Shelter McGuire Picnic Area

During our review of these as-built exhibit drawings, discrepancies were noticed in the cataloging of some previously approved project exhibit drawings. The discrepancies are noted below:

On March 10, 1981, the Commission issued Order Amending License (Major) 3/ for the Middle Fork American River Project. Ordering paragraph C approved the following exhibit drawings:

Exhibit	FERC Drawing No. 2079-	Superseding FERC Drawing No. 2079-
J-1	362	272
K-1	363	288
K-2	364	290
L-1	365	--
L-2	366	--

The correct ordering paragraph should read:

Exhibit	FERC Drawing No. 2079-	FERC Drawing No. 2079-
J-1	362	272
K-14	363	288
K-16	364	290
L-43	365	--
L-44	366	--

On July 24, 1984, the Commission issued an Order Approving As-Built Exhibits 4/ for the Middle Fork American River Project. Ordering paragraph A(1) approved the following exhibit drawings:

- 3/ See Order Amending License (Major), 14 FERC ¶ 62,286 (1981).  
4/ See Order Approving As-Built Exhibits, 28 FERC, ¶ 62,092 (1984).

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Exhibit	FERC Drawing No.	Superseding
J-1	2079-367	2079-362
K-1	2079-368	2079-363
K-2	2079-369	2079-364
L-1	2079-370	2079-365
L-2	2079-371	2079-366

The correct ordering paragraph should read:

Exhibit	FERC Drawing No.	Superseding
J-1	2079-367	2079-362
K-14	2079-368	2079-363
K-16	2079-369	2079-364
L-43	2079-370	2079-365
L-44	2079-371	2079-366

The Commission's November 19, 1980 Order Approving As-Built Exhibits J, K, and L 5/ neglected to supersede the following drawings:

Exhibit	FERC No.
L-1	2079-64
L-25	2079-88

This order will delete these drawings from the license.

The Director orders:

(A) The following 11 as-built drawings filed on January 31, 1996 are approved and made part of the license:

Exhibit	Licensee Drawing No.	FERC Drawing No.	Showing
R-1	214210	2079-372	Index of Drawings, Legend, Vicinity Map
R-2	214211	2079-373	Site Plan - Key Map French Meadows Family Campground
R-3	214216	2079-374	Site Plan - Key Map Lewis Family Campground

5/ 13 FERC ¶ 62,182

(cont.) Exhibit	Licensee Drawing No.	FERC Drawing No.	Showing
R-4	214220	2079-375	Site Plan - Key Map Big Meadows Family Campground

R-5	214225	2079-376	Aspen Site Plan Gates Group Campground
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R-6	214226	2079-377	Lodge Pole Site Plan/Ponderosa Site Plan Gates Group Campgrounds
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R-7	214227	2079-378	Little Wolf Site Plan Coyote Group Campground
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R-8	214228	2079-379	Brush Wolf Site Plan Coyote Group Campground
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R-9	214229	2079-380	Prairie Wolf Site Plan Coyote Group Campground
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R-10	214230	2079-381	Black Bear Site Plan Black Bear Group Campground
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R-11	214231	2079-382	Change Shelter McGuire Picnic Area
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(B) Within 90 days of the date of issuance of this order, the licensee shall file an original and two duplicate aperture cards of the approved drawings. The originals should be reproduced on silver or gelatin 35mm microfilm. The duplicates are copies of the originals made on Diazo-type microfilm. All microfilm should be mounted on Type D (3 1/4" x 7 3/8") aperture cards.

Prior to microfilming, the FERC Drawing Number (e.g. 2079-372) shall be shown in the margin below the title block of the approved drawing. After mounting, the FERC Drawing Number should be typed on the upper right corner of each aperture card. Additionally, the Project Number, FERC Exhibit (e.g. R-1),

Drawing title, and the date of this order should be typed on the upper left corner of each aperture card. See Figure 1.

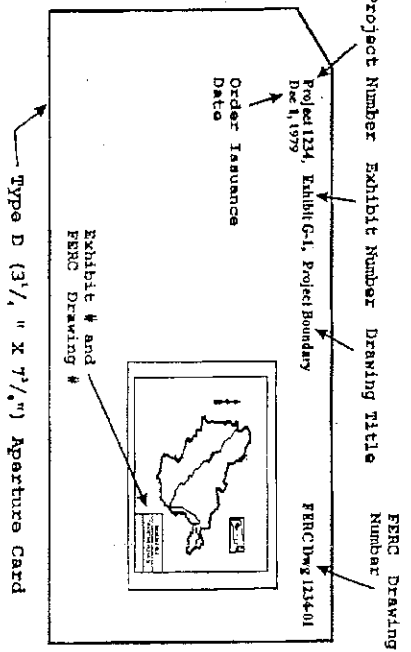


Figure 1. Sample Aperture Card Format

The original and one duplicate aperture card should be filed with the Secretary of the Commission. The remaining duplicate aperture card should be filed with the Commission's San Francisco Regional Office.

(C) The March 18, 1981, Order Amending License, Ordering paragraph C shall read:

Exhibit	FERC Drawing No.	Superseding
J-1	2079-362	2079-272
K-14	2079-363	2079-288
K-16	2079-364	2079-290
L-43	2079-365	--
L-44	2079-366	--

(D) The July 24, 1984, Order Approving As-Built Exhibits, Ordering paragraph A(1) shall read:

Exhibit	FERC Drawing No.	Superseding
J-1	2079-367	2079-362
K-14	2079-368	2079-363
K-16	2079-369	2079-364
L-43	2079-370	2079-365
L-44	2079-371	2079-366

(E) The following exhibit drawings are deleted from the license:

Exhibit	FERC Drawing No.
L-1	2079-64
L-25	2079-88

(F) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of issuance of this order, pursuant to 18 C.F.R. § 385.713.

*J. Mark Robinson*  
 J. Mark Robinson  
 Director, Division of Project  
 Compliance and Administration



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Placer County Water Agency

Project No. 2079-026  
California

ORDER AMENDING LICENSE, REVISING ANNUAL CHARGES,  
AND APPROVING REVISED EXHIBIT M  
(Issued August 30, 1995)

On May 3, 1995, and supplemented on June 6, 1995, Placer County Water Agency, licensee for the Middle Fork American River Project, FERC Project No. 2079, filed a revised exhibit M to the Commission for approval. The filing was made in accordance with a March 13, 1995, Order Amending License.<sup>1</sup>

Background

There are five developments that make up the Middle Fork American River Project, Ralston, Middle Fork, Oxbow, French Meadows, and Hell Hole. The March 13, 1995 order amended the license to reflect the installed capacity at the Oxbow powerhouse. The license was amended to show the Oxbow Powerhouse as "containing one 8,700 hp Kaplan turbine connected to a 6,128 kW generator." The licensee's May 3 and June 6, 1995 filings state that the installed capacity of the turbine is 8,800 hp instead of 8,700 hp. Staff contacted the licensee and the licensee explained that the 8,800 hp turbine had been installed since the Oxbow development went on line in 1966. The capacities did not change at the Ralston, Middle Fork, or French Meadows developments, which went on line in 1966. The Hell Hole development was later added and went on line in 1983.

On March 15, 1995, the Commission issued a Final Rule for Charges and Fees for Hydroelectric Projects.<sup>3</sup> The Rulemaking states that "the authorized installed capacity would be expressed in kilowatts, and would be the lesser of the capacity of the generator or the turbine ... the rating on the generator's nameplate at licensing will be deemed to be the capacity of the generator ..." In our review, we found that the installed capacity at the Oxbow Powerhouse is limited by the generator, which has a capacity of 6,128 kW. Therefore, the total installed capacity for the five developments is 211,153 kW and not 210,428 kW,

as stated in the March 13, 1995 order. In accordance with the Rulemaking, the annual administrative charge for the Middle Fork American River Project will be based on 211,153 kW.

The revised exhibit M, filed on June 6, 1995, reflected an installed capacity of 6,128 kW and other mechanical and electrical equipment at the Oxbow powerhouse.

The Director orders:

(A) The revised exhibit M, filed on June 6, 1995, and the Commission's rules and regulations and its approval and review of the license. The revised exhibit M supersedes, in part, the current exhibit M.

(B) Ordering paragraph (B) (iii) of the license, in part, to read as follows:

All project works consisting principally of the developments described developments: " ... Oxbow Powerhouse, consisting of 8,800 hp turbine connected to a 6,128 kW generator, and ..."

(C) Subparagraph (i) of Article 41 of the license, in part, to read as follows:

(i) For the purposes of reimbursing the United States for the Commission's costs, pursuant to the funding budget plan under the Act of 1986, a reasonable amount as determined in accordance with the provisions of the Commission's total allowed cost of the project to time. The authorized installed capacity for the project is 211,153 kilowatts, effective the date of this order. The installed capacity currently in effect, project's with each of the developments, shall be the lesser of the installed capacity of the generator or the turbine, as assessed an annual change.

(D) This order constitutes final agency action. Payment of the rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. Section 38.101.

J. Mark Robinson  
Director, Division of Project  
Compliance and Administration

<sup>4</sup> The Final Rule also states that the Commission will substitute kilowatts for horsepower in stating a project's authorized installed capacity. This change is to reflect the modern usage in the rating of equipment used in hydroelectric projects. For annual charge purposes, the installed capacity measured in horsepower is converted to kilowatts by multiplying by 3/4. The value is rounded off.

- 1 70 FERC ¶62,163.
- 2 29 FPC 460, Order Issuing License (Major), March 13, 1963.
- 3 70 FERC ¶61,293, Charges and Fees for Hydroelectric Projects, effective April 21, 1995.

DC-A-1

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Placer County Water Agency  
Project No. 2079-025  
California

**ORDER AMENDING LICENSE**  
(Issued March 13, 1995)

On August 31, 1994, Placer County Water Agency, licensee for the Middle Fork American River Project, FERC Project No. 2079, filed a letter with the Commission requesting a determination of the need to amend its license. The request was made in order to revise the rated generating capacity of the Oxbow Powerhouse. The letter filing was in response to a letter dated July 12, 1994, from the Commission's San Francisco Regional Office (SFRO).

**Background**

The license authorizes an 8,700 hp turbine connected to a 6,000 kW generator for the Oxbow Powerhouse. However, the generator unit has a nameplate rated capacity of 7,300 kVA at a 0.9 power factor (6,570 kW equivalent). In the August 31, 1994 filing, the licensee verified that the generator nameplate has not been changed since the project was constructed, and there has been no change to the generator equipment, hydraulic capacity, or the flow regime. Also, the filing states that under normal operations, the minimum generation obtainable is slightly less than 6,000 kW and that under no conditions is the generator capable of generating 6,570 kW. During turbine efficiency tests conducted in the fall of 1966, the generator output was determined to be 6,128 kW. Based on the turbine efficiency tests, this order will amend the installed capacity of the Oxbow Powerhouse to 6,128 kW, for a total capacity of 210,428 kW for all the developments at the Middle Fork American River Project. The increase in capacity will not affect the annual administrative charges based on installed capacity. The minor change in the installed capacity will not result in impacts to the environmental resources other than those identified during the original project review.

Issuance of this order is necessary to revise the project's description to reflect the as-built condition of the project. The licensee must report to the Commission any future proposed changes to the project prior to implementing them.

1 29 FPC 460, Order Issuing License (Major), March 13, 1963.

DC-A-1

The Director orders:

- (A) The license for the Middle Fork American River Project, FERC No. 2079, is amended as provided by this order, effective the first day of the month in which this order is issued.
- (B) Ordering paragraph (B)(ii) of the license is revised, in part, as follows:

All project works consisting principally of the following described developments: " ... Oxbow Powerhouse, contains one 8,700 hp Kaplan turbine connected to a 6,128-kw generator, ... "

(C) Within 60 days of the issuance of this order, the licensee shall file a revised exhibit A to reflect the mechanical features of the Middle Fork American River Project.

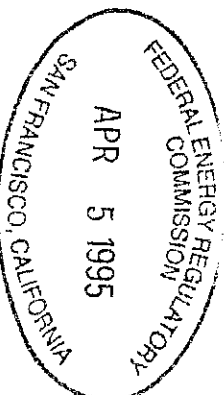
(D) Within 60 days of the issuance of this order, the licensee shall affix a new generator nameplate with a rating of 6,128 kW and provide a photograph of the new nameplate to the Commission, with a copy to the Commission's San Francisco Regional Office, for verification.

(E) The licensee shall report to the Commission any future proposed changes to the project prior to implementing them.

(F) 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.

*J. Mark Robinson*  
J. Mark Robinson  
Director, Division of Project  
Compliance and Administration

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UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Placer County Water Agency  
Project No. 2079-024  
California

ORDER APPROVING SITE PLAN DRAWINGS  
(Issued February 15, 1995)

On November 22, 1994, Placer County Water Agency (licensee) filed site plan drawings and documentation of agency consultation showing proposed improvements to be made at the recreation facilities and campgrounds for the Middle Fork American River Project.<sup>1</sup> These site plan drawings and documentation of consultation were required by ordering paragraph D of Order Approving Revised Recreation Plan with Modification and Amending License (1992).<sup>2</sup> Ordering paragraph D of the 1992 order requires the licensee to consult with the U.S. Forest Service (FS) and California State Historic Preservation Office (SHPO) prior to the installation of the spurs at various recreation areas and campgrounds.

Background and Consultation

Specific site drawings were submitted to the appropriate FS office for consultation and comments incorporated into the site plans.

The El Dorado National Forest was consulted concerning the Big Meadows Campground. The Forest Supervisor approved the plans in a letter dated September 15, 1994, with three modifications: 1) Sites #35 and #41 on drawings 214222 and 214223 will be changed to indicate the contractor is to carefully remove pavement; (2) archaeological monitoring will be required at each site; and (3) the barrier posts will also be cut off as close to the ground as possible with a chainsaw. The licensee agreed to these modifications.

The Tahoe National Forest was consulted concerning all the campgrounds and recreation facilities in the French Meadows area. The Forest Supervisor approved the site drawings for the French

<sup>1</sup> See Order Issuing License (Major Project), 29 FPC, 460 (1963).

<sup>2</sup> See Order Approving Revised Recreation Plan with Modification and Amending License, 59 FERCE, ¶ 62,094 (1992).

DC-A-3

Meadows, Lewis, Gates, Coyote, Black Bear, and McGuire facilities.

In accordance with Section 106 of the National Historic Preservation Act, the FS consulted with the SHPO concerning potential impacts on cultural resources in two of the campgrounds. At Big Meadows Campground the El Dorado National Forest made a determination that the proposed improvements could be carried out with a No Adverse Effect determination. The SHPO concurred with this determination and a copy of this documentation was sent to the Advisory Council on Historic Preservation (Council). In a letter dated February 7, 1994, the Council did not object to the finding of no adverse effect.

Concerning the campgrounds in the French Meadows area the Tahoe National Forest made a determination that an archeological deposit located in the area is ineligible for inclusion in the National Register. The SHPO concurred with the FS conclusion that the archeological deposit discovered is ineligible for inclusion in the National Register in a letter dated August 31, 1994.

Discussion and Conclusion

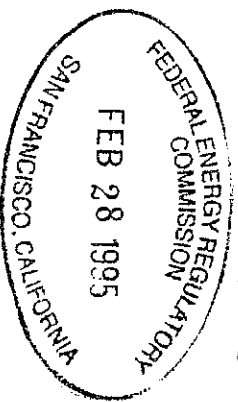
The requirements of ordering paragraph D of the Order Approving Revised Recreation Plan with Modification and Amending License have been met. The requirements of Section 106 of the National Historic Preservation Act have also been met. The final site plans consisting of 24 site drawings should be approved.

The licensee is reminded that ordering paragraph C of the Order Approving Revised Recreation Plan with Modification and Amending License requires the completion of the ordered recreation facilities not later than October 31, 1996. Within 90 days of completing the improvements to the project recreation facilities, the licensee shall file as-built drawings of the facilities as constructed.

The Director orders:

(A) The licensee's site plan drawings, filed November 22, 1994, showing proposed improvements to be made at the recreation facilities and campgrounds for the Middle Fork American Rivers Project fulfill the requirements of ordering paragraph D of the Order Approving Revised Recreation Plan with Modification and Amending License and are approved.

Handwritten initials and signatures: "S (W-ER)", "Nest", "Dsl", "Bas", "Lut", "Am", "Chen", "V", "Mayer", "N", "D2S", "DPCA", "RMS".



Handwritten note: 8/2/95 vvv

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Placer County Water Agency

Project No. 2079-016  
California

ORDER GRANTING WAIVER FROM STREAM GAGE MAINTENANCE

(Issued August 31, 1992)

On March 16, 1992, the Placer County Water Agency (licensee) filed a request to remove a stream gage, in reference to article 6 of the license for the Middle Fork American River Project. Article 6 requires the licensee to install and maintain adequate streamflow gaging equipment to monitor stage and streamflow of the South and North Forks of Long Canyon Creek. Article 6 also requires the licensee to maintain accurate and sufficient records of the gaging data. Currently, a U.S. Geological Survey (USGS) gage continuously measures the combined required minimum flows at the confluence of the South and North Forks. Article 37 requires maintenance of a minimum flow of 5 cubic feet per second (cfs) and 2 cfs, in the North and South Forks, respectively, when diverting water for project use, or the natural flow, whichever is less.

The licensee requested permission to remove USGS stream-gaging station #11433100 located at the confluence of the North and South Forks of Long Canyon Creek. The licensee said that this gage is obsolete since the installation of USGS gages #11433065 and #11433085, located at the South and North Fork diversion dams, respectively. The licensee presently uses these gages to directly measure the flows from each diversion dam through the respective release pipes required by article 37. The two gages only operate when the dams are diverting water to Hell Hole Reservoir through the respective diversion tunnels; otherwise, the natural flow is released.

The licensee did not supply any evidence of consultation with the USGS, California Department of Fish and Game, or U.S. Fish and Wildlife Service concerning the request to remove the gage.

The removal of USGS stream gage #11433100 would no longer allow the licensee to gage stream stage and streamflow at the confluence of the North and South Forks of Long Canyon Creek. The data derived from the operation of this gage is not important to ensure compliance with the minimum flow requirements of article 37. The gages installed in the diversions of the North and South Forks would adequately monitor streamflow to comply with article 37 requirements. Therefore, the Commission grants the licensee a waiver of article 6 concerning their maintenance of USGS gage #11433100. The licensee should not, however, remove the gage, but instead, should allow the USGS to assume the responsibility

For the continued operation and maintenance of the gage. The Commission should reserve the right to rescind this waiver and require the licensee to reactivate and maintain a gaging station at the confluence of the North and South Forks of Long Canyon Creek, if a future need is demonstrated.

The Director orders:

(A) The licensee may not remove the U.S. Geological Survey stream gage #11433100 located at the confluence of the North and South Forks of Long Canyon Creek. The Commission grants the licensee a waiver from the requirement of standard article 6 to maintain this gage and relief from the responsibility for the maintenance of stream gage #11433100.

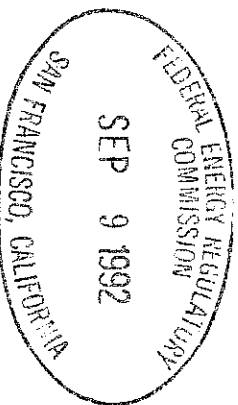
(B) The Commission reserves the right to have the licensee assume responsibility for, or reinstall, stream gaging at the confluence of the North and South Forks of Long Canyon Creek, if a future need is demonstrated.

(C) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days from the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

*J. Mark Robinson*  
J. Mark Robinson  
Director, Division of Project  
Compliance and Administration

*[Handwritten signature]*  
LMT  
*[Handwritten signature]*

DC-A-5



Placer County Water Agency

Project No. 2079-012  
California

**ORDER APPROVING REVISED RECREATION PLAN  
WITH MODIFICATION AND AMENDING LICENSE**

( Issued April 27, 1992 )

On February 28, 1989, the Placer County Water Agency (licensee) filed a revised recreation plan for the Middle Fork American River Project. The plan was to correct deficiencies in the existing recreation plan observed during an August 7, 1987, environmental and public use inspection conducted by the Commission's San Francisco Regional Office (SFRO). The level of recreation use envisioned in the original recreation plan has not been realized; however, the existing facilities are in need of rehabilitation. The licensee proposes to upgrade the existing facilities, to make certain facilities more accessible to the disabled, and provide numerous additional facilities and enhancements to campgrounds, parking lots and other specified facilities. The licensee also proposes to amend the plan by excluding several areas proposed for future development from the plan.

The U.S. Forest Service (FS) provided comments by letters dated February 14, April 24, May 1, 1989, October 9, 1991 and March 13, 1992. The FS is concerned that certain areas not be excluded from the approved recreation plan, and that adequate provisions be made for future recreation development. The FS also made site-specific recommendations regarding certain facilities. By letter issued August 8, 1991, the Commission staff requested additional information from the FS concerning these issues and any other items of concern in the plan. The FS's October 9, 1991, letter responded regarding the need for a water treatment system to supply the recreation facilities. The March 13, 1992 letter provided clarification concerning a spectrum of issues.

The licensee's most recent FERC Form 80 data indicates that the current project recreation facilities consist generally of the following: Balston Afterday: 1 boat launch, and 1 picnic and access area; French Meadows: 2 boat launches, 2 picnic areas, 5 campgrounds with 115 campsites, 7 group camps and 1 visitor center; Duncan Creek: 6 campsites; Hell Hole: 1 boat launch, 1 trail, 2 camping areas, and 1 visitor center.

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Proposed Exclusion of Recreation Areas from the Approved Plan

The licensee's plan proposes to exclude recreation areas outside the project boundary that were identified in the plan as not being project related. The FS had strenuous objections to this aspect of the plan. The FS felt that project-related recreation use of the Arhart, Middle and Big Meadows Campgrounds did occur and recommended that these areas be retained in the plan.

In addition, the National Park Service in its April 7, 1988, comment letter recommended that toilets not be provided near the Duncan Creek Reservoir; increased recreational activity could adversely affect riparian habitat and cultural resources.

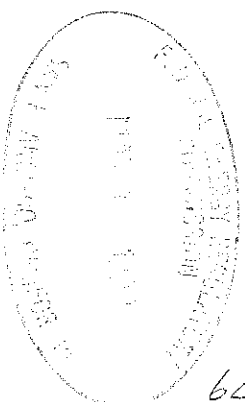
Because direct recreational access to the project is limited by the topography of the project impoundment, project-induced recreation use at the subject campgrounds is likely to occur. Therefore, the revised plan should be modified to retain the campgrounds as part of the approved recreation plan. Further, insufficient need has been identified to require development of the Duncan Creek site, and sensitive environmental resources exist in the area may be adversely impacted by additional recreational development. As such, continued consideration of the Duncan Creek site for future recreational development is unwarranted and it should not be approved in the plan.

Future Recreational Development

The revised plan identifies proposed project recreational development for the remaining license period (until 2013). The licensee has included triggering mechanisms in the plan to identify when future recreational development should be provided. The development may consist of an additional group camp and/or a 30-unit campground. If certain "triggering mechanisms" contained in the plan are activated, the licensee agrees to construct these new facilities. The FS is opposed to the plan's triggering mechanisms regarding group camps but agrees with the licensee's triggering provisions regarding other construction.

2 The licensee's proposed triggering mechanism for group camps requires that six of seven group camps be reserved to at least 75% capacity 14 weekend days per summer (Memorial Day to Labor Day), excluding the Memorial, Labor Day and Fourth of July weekends. Excluding the major holidays, 11 summer weekends (or 22 weekend days) remain.

3 Group camps are camping areas set aside for large groups of people who wish to camp together, rather than at single family campsites.



Problems exist with the triggering mechanism scheme for group camps so the scheme should not be relied upon as the sole means of determining the recreational needs of the project. The licensee's triggering mechanism puts too much emphasis on the separate group camps being used to capacity. The group camps will presumably be occupied by one group at a time. Occupancy by any size group will fully utilize a given group camp regardless of the number of campers at the site. Thus, the licensee's triggering mechanism, requiring a site to be reserved to 75 per cent of capacity, would tend to underestimate the use of the camps. As such, the size of the group should not be considered in determining the need for new facilities. In addition, the mechanisms will not take into account the potential for changing public preference in recreation activities (if group camps fall out of favor) over the course of time.

Although the licensee's proposed triggering mechanism does not completely answer the questions of when and what recreational development is warranted, it is an indication of possible need and should be retained in the plan. If the need for new development is triggered, the licensee should file an application to amend its recreation plan to allow the Commission to evaluate the effects of the licensee's development proposals.<sup>4</sup> However, the Commission will not rely on the triggering mechanisms as the sole means to determine when additional recreation development is necessary.

Commission Order 313, in setting out the Commission's policy regarding recreational development, states:

"We...intend in connection with any application for substantial amendment to a license, reasonably related to recreation, which does not presently incorporate an article requiring the filing of a recreation use plan, the standard free access article, or the article providing for the installation of such recreation facilities as the Commission might...find...required by the public interest, to require the licensee to show cause why such articles should not be incorporated into its license, if the license is otherwise amended in response to the application".

The existing license does not contain a provision for the installation of recreation facilities after notice and opportunity for a hearing identified in order 313. In order to assure that the license contains adequate flexibility to address possible future recreation development needs, this order will

<sup>4</sup> The specific facilities provided (such as vault toilets v. flush type toilets) will be determined at such time as the actual site plans for development are approved.

amend the project license to include article 46, contained in ordering paragraph G. Inclusion of article 46 into the project license will allow for changes in recreational development based on need, and will supplement the triggering mechanisms which may not reflect totally the future recreational needs of the project. In addition, the article will permit additional review of recreational facilities needs, and allow for such additional recreational development as demonstrated to be necessary.

Recommendations Regarding Specific Facilities

The FS also comments that the configuration and number of camping and parking spurs (pads) proposed is inadequate to meet recreational needs.<sup>5</sup> The FS asserts that the number, location, and configuration of the spurs should be determined by the specific topography of each area.

It appears that the licensee's proposal is a reasonable attempt to meet the project's recreational needs; however, additional improvements could be made. In addition, the FS states that cultural resources have been identified in the Big Meadows Campground which may affect installation or modification of that campground. FS assistance in the layout of the spurs should be helpful to the licensee in determining the exact location of the pads and avoiding unnecessary destruction of natural and cultural resources. As such, the licensee should consult with the FS and the State Historic Preservation Officer (SHPO) prior to developing site-specific plans for installation of the spurs. The site plans, along with documentation of agency consultation on the plan, should be filed for Commission approval.

By letter filed October 9, 1991, the FS commented that the Environmental Protection Agency's surface water treatment rules would apply to the campground water systems at the French Meadows Reservoir, and unless an approved water treatment system was in place by June 29, 1993, the State of California would require closure of the campground facilities. The FS recommended that the licensee's plan be modified to include a requirement that the licensee "...identify the appropriate facilities needed to treat the water systems and incorporate that information into the plan in an expedient manner...."

<sup>5</sup> The FS design standard for camping spurs is 55 feet in length. The 45 foot length proposed by the licensee should be acceptable because of the topography of the area. The FS states the licensee's proposal will not provide enough lengthened sites to provide for the demand for RV sites originating from the San Francisco metropolitan area. The FS proposes that 35 spurs be lengthened at French Meadows, 15-20 sites at Lewis Family Campground, and 20 spurs at Big Meadows.

The existing recreation facilities at French Meadows Reservoir use a surface water system to provide potable water. U.S. Environmental Protection Agency and State of California water treatment standards will require approved treatment systems for the water supply to the campgrounds. Because a potable water supply is a part of the existing recreation facilities, the licensee is responsible for ensuring that adequate water treatment systems are installed and public use of the campground continues. It is not necessary for the licensee to include details of how it expects to meet this required standard in this recreation plan.

Regarding the FS initial recommendation that the licensee be required to provide additional sanitary facilities at the Ralston Afterbay, the FS in its March 13, 1992 letter states that commercial rafting interests have arranged to provide sanitary facilities. The FS letter indicates that the facilities are sufficient for the present time. As such, the licensee's plan should not be modified to require construction of the additional sanitary facilities.

Schedule

The licensee proposes completion of certain recreation facilities (Pages 19 through 22) by October 31, 1993. This schedule should be modified to permit the licensee additional time to design and construct the recreation facilities including the modifications to the plan contained in this order. The schedule should be revised to require completion of the facilities, not later than October 31, 1996.<sup>6</sup>

Conclusion

The licensee's proposal, as modified by the ordering paragraphs, will ensure adequate recreational access to the project and should be approved. The environmental impacts of the licensee's proposal should be minor, of short duration, and similar to those associated with constructing the existing recreational facilities.

The Director orders:

(A) The licensee's revised recreation plan filed February 28, 1989, is approved as modified by the following ordering paragraphs.

<sup>6</sup> Except for the campground water systems which must be in place by the deadlines specified by the appropriate state and federal agencies.

(B) The Arhart, Middle Meadows and Big Meadows Campgrounds shall remain approved recreation facilities within the revised recreation plan. Future development of the Duncan Creek reservoir site is not required by this order.

(C) The licensee shall complete the ordered recreation facilities not later than October 31, 1996. Within 90 days of completing the improvements to the project recreation facilities, the licensee shall file as-built drawings of the facilities as constructed.

(D) The licensee shall consult with the FS and SHPO prior to installation of the spurs and on the location and configuration of the spurs. Site plan drawings and documentation of agency consultation should be filed for Commission approval at least 180 days prior to construction of those facilities.

(E) The license is amended to include the following article:

Article 46. The licensee shall construct, maintain, and operate or shall arrange for the construction, maintenance and operation of such reasonable recreational facilities, including wharves, launching ramps, beaches, picnic and camping areas, sanitary facilities, and utilities, giving consideration to the needs of the physically handicapped, and shall comply with such reasonable modifications of the project, as may be prescribed hereafter by the Commission during the term of the license upon its own motion or upon the recommendation of the Secretary of the Interior or other interested Federal or State agencies, after notice and opportunity for a hearing.

(F) 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.

*J. Mark Robinson*  
 J. Mark Robinson  
 Director, Division of Project  
 Compliance and Administration

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

40 FEB 1989

Before Commissioners: Charles A. Trabant, Elizabeth Anne Moler  
and Jerry J. Langdon.

Placer County Water Agency ) Project No. 2079-007

ORDER DISMISSING COMPLAINT  
(Issued November 21, 1989)

On August 31, 1984, the California Sportfishing Protection Alliance (CSPA) filed a complaint, pursuant to Rule 206 of the Commission's Rules of Practice and Procedure, 1/ against the Placer County Water Agency (Placer County), licensee for the Middle Fork American River Project No. 2079, located on the Middle Fork American and Rubicon Rivers in Placer County, California. 2/ CSPA's complaint alleged that between 1966 and 1982 Placer County had repeatedly violated the minimum streamflow requirements of Article 37 of the license. 3/ Placer County filed an answer to the complaint on February 6, 1985.

Commission staff conducted a thorough investigation of CSPA's allegations and concluded that there was merit to at least some of the allegations. While the number of instances of non-compliance was found to be considerably less than alleged by CSPA, violations did occur, particularly prior to 1985, owing to gaging problems associated with changes in stream channels, equipment malfunctions, improper management, improper data reporting procedures, and human error.

By Commission staff letter dated September 9, 1987, Placer County was informed of staff's findings. To remedy the minimum flow compliance problems, Placer County was instructed to improve its program for monitoring minimum flow compliance at all licensed project developments, enter into an agreement with the United States Geological Survey (USGS) to establish a schedule for regular visits to gaging stations, and determine the flow of the streams and rate the streams according to USGS standards. Placer County was also instructed to submit a plan by June 1, 1988, to replace or relocate historically inaccurate gages, submit within 90 days a plan for improving streamflow measuring

- 1/ 18 C.F.R. § 385.206 (1988).
- 2/ The project was licensed on March 13, 1963. See 29 F.P.C. 460 (1963).
- 3/ Id. at p. 466-67.



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Project No. 2079-007

-2-

devices at all minimum flow release points, and submit within 60 days a plan for implementing the equipment improvements Placer County had proposed in an August 9, 1985 report to the Commission's San Francisco Regional Office (SFRRO). A copy of the September 9, 1987 letter to Placer County was sent to CSPA, which has made no further filings in this proceeding. By letter filed October 8, 1987, Placer County notified the Commission of its intent to comply with the directives of the Commission's September 9, 1987 letter. 4/

By letter dated December 3, 1987, Placer County outlined its plans for replacing, relocating, and improving gaging stations for the project, and submitted a draft of its proposed agreement with the USGS concerning operation and maintenance standards. Placer County proposed a December 31, 1988 deadline for implementing its plan to improve streamflow monitoring.

The SFRRO conducted inspections of the facility in June of 1988 and 1989. The 1988 inspection report indicated that Placer County was in the process of implementing the proposed monitoring plan. The 1989 inspection report states that new gaging stations have been installed as proposed and that it appears that Placer County has complied with the September 9, 1987 directive to improve its program for monitoring compliance with the minimum streamflow requirements of its license. 5/

Since, as discussed above, the improvements in streamflow monitoring sought by Commission staff have been implemented, and since Placer County has exhibited a willingness to cooperate in

4/ In its letter, Placer County requested that the requirement to relocate the gaging station below the Hell Hole Dam project feature as specified in the September 9, 1987 letter be deleted, arguing that there were no compliance problems at that site. Staff did not specifically respond to Placer County's request, but has not required that Placer County modify its proposed plans for changes and improvements in the minimum flow monitoring system to include changes at the Hell Hole Dam. Upon review of the matter, we believe that Placer County's plans for this dam site are adequate.

5/ Concerning the proposed agreement with the USGS for periodic visits to gaging stations, the SFRRO reports that the USGS did not wish to enter into such an agreement. Placer County has therefore engaged the services of a consulting hydrologist to record flow readings and monitor the gaging stations under the supervision of the USGS. We are satisfied that this arrangement can ensure minimum flow compliance.

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2079-007  
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(B) Licensee shall provide daily maximum and minimum flow records to the resource agencies upon request.

(C) If the monitoring of streamflow gages identifies a violation of the minimum flow requirements for the El Dorado Project, the licensee shall file, within 30 days from the date of the violation, a report on the violation. The report should identify the cause, severity, and duration of the violation, a description of any

adverse environmental impacts caused by the violation, a description of the measures that were implemented to correct the violation, and measures implemented or proposed to ensure that violations do not occur in the future.

(D) This order is issued under authority delegated to the Director and is final unless appealed to the Commission under Rule 1902 within 30 days of the date of this order.

[¶ 62,220]

Placer County Water Agency, Project No. 2079-009

Order Amending Article 37

(Issued December 16, 1988)

J. Mark Robinson, Dir., Division of Project Compliance and Administration.

On October 24, 1988, the Placer County Water Agency (licensee) filed an application to amend article 37 of the license for the Middle Fork American River Project issued on March 13, 1963 [29 FPC 460]. Article 37 requires the licensee to release designated flows from seven dams comprising the project. In addition, article 37 requires the licensee to ensure that operation of the Oxbow Powerplant development does not cause vertical fluctuations greater than one foot per hour, as measured at stream gages located downstream of the project. Article 37 allows modification of this ramping rate, if the California Fish and Game (DFG) and the licensee mutually agree on an alternative ramping rate.

The licensee states that the portion of article 37 pertaining to the Oxbow development should be amended because the river channel morphology downstream of this generating facility has changed since the license was issued. Additionally, the U.S. Geological Survey relocated the gauging station below the development. As a result of these changes, the licensee is unable to satisfy the present ramping rate requirement of article 37.

In a letter dated September 26, 1988, DFG concurs with the licensee's proposed ramping rate modification.

The licensee's proposed modified ramping rate would not adversely affect environmental resources downstream of the Oxbow development, nor would it affect project operation.

*The Director orders:*

(A) The third paragraph of article 37 of the license issued March 13, 1963, pertaining to releases from the Oxbow Powerplant is amended as follows:

"Provided further that Oxbow Powerplant releases shall not cause vertical fluctuations in stream gages (measured in representative section) greater than three feet per hour."

(B) This order is issued under authority delegated to the Director and is final unless appealed under Rule 1902 to the Commission by any party within 30 days from the issuance date of this order. Filing an appeal does not stay the effective date of this order or any data submittal specified in this order. The licensee's failure to appeal this order shall constitute acceptance of this order.

[¶ 62,221]

Central Hydroelectric Corporation, Project No. 8377-006

Order Approving Erosion Control Plan

(Issued December 16, 1988)

J. Mark Robinson, Dir., Division of Project Compliance and Administration.

On September 14, 1988, Central Hydroelectric Corporation (licensee) filed an erosion control plan as required by article 401 of the license for the Isabella Hydroelectric Project. Article 401 requires the licensee, after consult-

ing with the Department of the Army, Sacramento District Corps of Engineers, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game, to file a plan to control erosion, dust, and slope stability.

UNITED STATES OF AMERICA  
 FEDERAL ENERGY REGULATORY COMMISSION  
 28 FERCL62, 092

Placer County Water Agency ) Project No. 2079-005

ORDER APPROVING AS-BUILT EXHIBITS

( Issued July 24, 1984 )

Placer County Water Agency, licensee for the constructed Middle Fork American River Project No. 2079, filed on April 26, 1984, and supplemented on June 25, 1984, for Commission approval, as-built Exhibits J, K, L and M pursuant to Article 45 of its license.1/ The as-built exhibits show the Hell Hole Powerhouse of the project as finally constructed.

The as-built exhibits have been examined by the staff and found to be in substantial conformance with the Commission's rules and regulations. Exhibits J, K and L show that the Hell Hole Powerhouse was constructed substantially in conformance with the plans approved by the Commission. Exhibit M shows that the installed capacity of the Hell Hole Powerhouse was increased from 550 kW to 725 kW; however, the change is not of a magnitude to warrant revision of the annual charge article of the license.2/

1/ Authority to act on this matter is delegated to the Director, Office of Hydropower Licensing, under §375.313 of the Commission's regulations, 18 C.F.R. §375.313 (1984). This order may be appealed to the Commission by any party within 30 days of its issuance pursuant to Rule 1902, 18 C.F.R. 385.1902 (1983). Filing an appeal and final Commission action on that appeal are prerequisites for filing an application for rehearing as provided in Section 313(a) of the Act. Filing an appeal does not operate as a stay of the effective date of this order or of any other date specified in this order, except as specifically directed by the Commission.

2/ The license for the Middle Fork American River Project was issued on March 13, 1963, for a period of 50 years. The project consists of four developments with a total installed capacity of 211,595 kW.

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Approval of the as-built Exhibits J, K, L and M is an administrative matter designed to conform the license exhibits to the constructed project and would not authorize any construction or change in the project operation; therefore, it would not be a major federal action significantly affecting the quality of the human environment.

It is ordered that:

The license for Project No. 2079 is amended, effective the first day of the month in which this order is issued, as follows:

(1) The following exhibit drawings filed on June 25, 1984, are approved and made part of the license superseding the drawings noted.

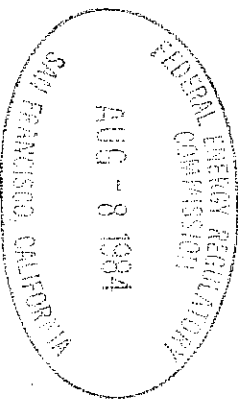
Exhibit	FERC Drawing No.	Superseding
J-1	2079-367	2079-362
K-1	2079-368	2079-363
K-2	2079-369	2079-364
L-1	2079-370	2079-365
L-2	2079-371	2079-366

(2) The as-built Exhibit M, filed June 25, 1984, consisting of one typewritten page entitled "General Description and Specification of Mechanical, Electrical and Transmission Equipment", is approved and made part of the license superseding Exhibit M filed August 25, 1980.

(3) Ordering paragraph (B) of the Commission's March 13, 1963, Order Issuing Major License, amended on March 18, 1981, is further amended to read as follows:

(B) Hell Hole Power Plant consists of: (a) a powerhouse containing a single generating unit with a total installed capacity of 725 kW; and (b) a 2,300-foot-long, 12-KV transmission line connecting the Hell Hole Powerhouse to the 12-KV line west of the powerhouse.

*Quentin D. Edson*  
 Quentin Edson  
 Director, Office of  
 Hydropower Licensing



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