

OD-ORDER, 13 FERC ¶62,225, Yuba County Water Agency, Reservoir Elevation, Project No. 2246, (Dec. 02, 1980)

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Yuba County Water Agency, Reservoir Elevation, Project No. 2246

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Yuba County Water Agency, Reservoir Elevation, Project No. 2246

Order Approving Temporary Waiver of the Requirement of License Article 34

(Issued December 2, 1980)

William W. Lindsay, Director, Office of Electric Power Regulation.

The Yuba County Water Agency, Licensee for FERC Project No. 2246, filed on November 5, 1980, an application requesting authority ¹ to temporarily lower the minimum surface elevation of New Bullards Bar Reservoir from 1,730 feet msl, which is required in Article 34 ² of the license ³, to 1,700 feet msl. Licensee is requesting this temporary waiver of Article 34 in order to facilitate underwater inspection of damage to the lower outlet works in the dam that were sustained during storm releases earlier this year.

The California Department of Fish and Game and the U.S. Fish and Wildlife Service have concurred with Licensee's proposal.

After unsuccessful attempts using underwater cameras and divers to learn the nature and extent of damage to the lower outlet works, Licensee concluded it would be necessary to lower the surface elevation of the reservoir to 1,700 feet msl to complete the investigation. It is planned to reach elevation 1,700 feet msl by mid December 1980. After completion of the inspection, the reservoir level would be returned to elevation 1,730 feet msl; however, the time required to inspect and to refill the reservoir would depend on work conditions and reservoir inflow rate. A minimum release of 1,000 cfs would be maintained downstream at Narrows during the inspection. The California Department of Fish and Game would be kept informed of the status of this release. Some recreational use of New Bullards Bar Reservoir would be temporarily affected during the drawdown period.

On the basis of agencies' comments and the Commission Staff's analysis and review, it is concluded that the temporary waiver of the requirements of Article 34 of the license should be granted.

It is ordered that:

(A) After completion of the inspection of damage to the lower outlet works, Licensee shall refill New Bullards Bar Reservoir in the quickest time possible to the elevation required by the license, and shall provide a schedule of refilling the reservoir to the Commission's Regional Engineer in San Francisco

(B) During the inspection period, Licensee shall keep the California Department of Fish and Game informed on the status of the minimum release required downstream at Narrows.

(C) This order is final unless a petition appealing it to the Commission is filed within 30 days from the date of its issuance, as provided in Section 1.7(d) of the Commission's regulations, 18 CFR 1.7(d) (1979), *as amended* 44 Fed. Reg. 46449 (1979). The filing of a petition appealing this order to the Commission or an application for rehearing as provided in Section 313(a) of the Act does not operate as a stay of the effective date of this permit or of any other date specified in this order, except as specifically ordered by the Commission.

-- Footnotes --

¹ Authority to act on this matter is delegated to the Director, Office of Electric Power Regulation, under Section 375.308 of the Commission's regulations, 45 Fed. Reg. 21216 (1980), amending 44 Fed. Reg. 46449 (1979) and 18 C.F.R. 3.5(g) (1979).

² Article 34. The Licensee shall maintain a minimum pool in New Bullards Bar Reservoir at elevation 1,730 feet.

³ Order amending major (unconstructed) Yuba County Water Agency, FERC No. 2246 (May 6, 1966).

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