

**OD-ORDER, 66 FERC ¶62,182, Yuba County Water Agency, Project No. 2246-025--California, (Mar. 25, 1994)**

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**Yuba County Water Agency, Project No. 2246-025--California**

**[64,428]**

**[¶62,182]**

**Yuba County Water Agency, Project No. 2246-025--California**

**Order Approving Recreation Study and Boating Speed Restriction Plans**

**(Issued March 25, 1994)**

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

On November 18, 1993, Yuba County Water Agency, licensee for the Yuba River Development Project, filed a schedule for conducting a recreation study plan and a boating speed restriction plan as required by an Order Approving Recreation Plan with Modification, Requiring Study Plan, and Amending License issued August 19, 1993 [64 FERC ¶62,117]. <sup>1</sup> The plans include a proposal to study recreation demand and need at the Our House and Log Cabin Diversion Dams. <sup>2</sup> Regarding boating speed restrictions, the licensee states that an existing Yuba County ordinance and new advisory signs will restrict boating speed in certain areas of the reservoir. In addition, the licensee has contracted with the Yuba County Sheriff's Office to provide boating patrol.

The licensee solicited comments on the plans from the National Park Service, U.S. Forest Service, and California Department of Fish and Game. Further, the licensee held a meeting on December 16, 1993 to discuss the plans. The licensee states that the filed plans were approved by the agencies. No other comments or objections were received.

The licensee's plans satisfy the requirements of the August 19, 1993 order. The licensee's plan to study recreation access at the diversion dams should provide additional information to assess the need for future recreation development and access and any improvements needed to existing facilities. The boating speed plan should enhance public safety and protection of the project's environment (from erosion and disturbance to fish spawning). The plans should be approved.

**[64,429]**

*The Director orders:*

(A) The recreation study plan and boating speed restriction plan filed on November 18, 1993 are approved and made part of the license.

(B) The licensee shall file the results of its recreation study, including the comments of the National Park Service, U.S. Forest Service and California Department of Fish and Game, for Commission approval, not later

than December 15, 1994.

(C) 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.

**-- Footnotes --**

**[64,428]**

<sup>1</sup> Ordering Paragraph (B) of the subject order requires:

"Within 90 days of the date of issuance of this order the licensee shall file a study plan to assess the type and amount of recreation use of the Our House and Log Cabin Diversion Dams. The plan shall include a means for assessing current and future recreation demand and the need for future recreation development. The filing shall include documentation of consultation with the U.S. Forest Service, National Park Service, and the State of California Department of Fish and Game."

Ordering paragraph (C) requires:

"Within 90 days of the date of issuance of this order the licensee shall consult with the State of California Department of Fish and Game and file a final plan for reservoir boating speed zones. The filing shall include a description of the means by which the proposal would be enforced, and documentation of consultation with the State of California Department of Fish and Game."

<sup>2</sup> See Study Plan for the Assessment of Recreation at Log Cabin and Our House Diversion Dams, FERC Project 2246-022, dated November 16, 1993 and included in the licensee's November 18, 1993 filing.