

**OD-ORDER, 104 FERC ¶62,226, Yuba County Water Agency, Project No. 2246-045 September 30, 2003**

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**Yuba County Water Agency, Project No. 2246-045****[64,639]****[¶62,226]****Yuba County Water Agency, Project No. 2246-045****Order Amending Recreation Plan****(Issued September 30, 2003)****John E. Estep, Division of Hydropower Administration and Compliance.**

On June 11, 2003, Yuba County Water Agency (Licensee) filed a request for an amendment of the recreation plan for the Yuba River Hydroelectric Project, FERC Project No. 2246. The project is located on Oregon Creek and North and Middle Yuba Rivers in Yuba, Nevada, and Sierra Counties, California. Part of the project land is located in Plumas and Tahoe National Forests.

***Background***

On August 19, 1993, the *Order Approving Recreation Plan with Modification, Requiring Study Plan, and Amending License*<sup>1</sup> was issued. The licensee was given 10 years to file an assessment of the adequacy of project recreation and as-built drawings of the completed renovation to the recreation areas. On June 11, 2003, in the same letter requesting the recreation plan amendment, the licensee asked for a time extension to file the adequacy assessment from August 19, 2003 to December 31, 2005. The time extension was granted in an order dated July 23, 2003.

***Description of Request***

The licensee has divided renovation of recreational sites at the Yuba River Project into a three- phase development. In the initial phase the Cottage Creek Picnic Area was closed. The 1993 order approved the closing of the Cottage Creek Picnic Area due to under use and vandalism. The Commission found the site was not needed to meet recreational demand. Since then it has become apparent that there is a shortage of camping areas when the reservoir level rises above 1945.0 feet and boat-in shoreline camping is not possible. These conditions most commonly occur on Memorial Day weekend and the first couple weekends of June. Therefore, the licensee has asked that the Cottage Creek Picnic Area be reopened on an as-needed basis for overflow camping during high water conditions. The U.S. Forest Service (FS) also recommends reopening the area for camping.

***Discussion***

The request for the Commission to amend the recreation plan to allow the continued use of the old Cottage Creek Picnic Area is reasonable. High water conditions at the reservoir necessitate the relocation of camping areas on a temporary basis. The licensee should maintain the area for campers when it is needed and ensure a safe environment. The FS agrees that reopening this area would benefit the public. The Recreation Plan shall be

amended.

*The Director orders:*

- (A) The amendment to the Yuba River Project recreation plan, filed June 11, 2003, for the continued use of the Cottage Creek Picnic Area for overflow camping is approved.
- (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.

<sup>1</sup> 64 FERC ¶62,117

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