

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Placer County Water Agency

Project No. ~~2079-009~~  
California

ORDER AMENDING ARTICLE 37

(Issued December 16, 1988)

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. 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."

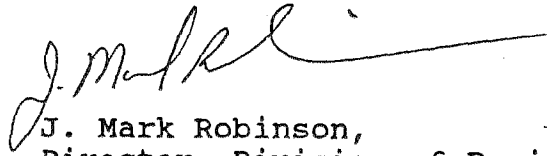
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(B) This order is issued under authority delegated to the Director and is final unless appealed under Rule 1902 to the Commission by any party within 30 days from the issuance date of this order. Filing an appeal does not stay the effective date of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

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