

135 FERC ¶ 62,116  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

PacifiCorp

Project No. 2342-029

ORDER APPROVING REVEGETATION AND WETLANDS MANAGEMENT PLAN

(Issued May 9, 2011)

1. On March 16, 2011, PacifiCorp (licensee) filed a revegetation and wetlands management plan (plan) pursuant to ordering paragraphs (U) and (V)<sup>1</sup> of the Commission's Order Accepting Surrender of License, Authorizing Removal of Project Facilities, and Dismissing Application for New License for the Condit Hydroelectric Project (FERC No. 2342).<sup>2</sup> The Condit Hydroelectric Project is located on the White Salmon River in Klickitat and Skamania Counties, Washington.

BACKGROUND

2. According to the approved surrender application, the licensee will remove certain project facilities and mitigate the effects of removing the dam and draining the reservoir site. As part of the approval, the surrender order required the licensee to file detailed plans and specifications. Paragraph (U) requires the licensee to file for Commission approval, at least 90 days prior to removal activities, a reservoir wetland creation and upland and riparian revegetation plan to provide for natural and managed revegetation of upland, wetland, and riparian habitat affected by project removal, including mitigation for 4.8 acres of lost emergent wetland vegetation. The plan is to include: site preparation and design details; provisions for site stabilization; a description of plant species to be used, plant material sources, densities, planting methods, and fertilization and irrigation requirements; a description of noxious weed control methods for the 3 years following

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<sup>1</sup> See Order Accepting Surrender of License, Authorizing Removal of Project Facilities, and Dismissing Application for New License, issued December 16, 2010 (133 FERC ¶ 61, 232).

<sup>2</sup> On April 21, 2011, the Commission's Order on Rehearing, Denying Stay, and Dismissing Extension of Time Request amended the December 16, 2010 order by deleting ordering paragraph (V) from the license.

dam removal; a description of a 3-year overall monitoring program to include performance standards, success criteria, and procedures to be implemented in the event of unsuccessful vegetation reestablishment or erosion identification; and, an implementation schedule.

3. The licensee is to prepare the plans after consultation with the National Marine Fisheries Service, U.S. Fish and Wildlife Service, U.S. Forest Service, Washington Department of Fish and Wildlife, Washington Department of Ecology (Washington DOE), and the Yakama Nation.

#### LICENCEE'S PLAN

4. The licensee's plan incorporates the requirements of ordering paragraph (U). The plan lists total acreage of revegetation management area to be 62 acres, after accounting for the location of the restored river channel. Of the total management area, an estimated 27 acres of upland, riparian, and wetland areas are expected to be suitable for active revegetation efforts once residual lakebed sediments dry. The remaining 35 acres are composed of rocky substrate and mostly located within steeply-incised canyon areas with 2000-feet upstream of the dam. The plan aims to: 1) provide effective erosion control to the exposed and stabilized sediments of Northwestern Lake; and 2) promote growth of locally adapted, native plant communities. The licensee intends to conduct field inspections following reservoir drawdown to assess the stability and fertility of remaining sediments prior to commencement of revegetation efforts. Lakebed soils will be sampled and analyzed for toxins and fertility before and after drawdown occurs, to assess any need for soil amendments or additions.

5. One seed mixture is planned for all revegetation areas for rapid sediment stabilization, and consists of entirely native seed, with one exception (Regreen) which is sterile in following years. Further, the licensee states that the reported seed mix will be reviewed for any needed changes in consultation with local agencies directly prior to application. Additionally, bare-root tree plantings using woody species will be used to contribute to stabilization and weed control. The plan includes a list of all species to be used in revegetation efforts, and specifically addresses any planting differences between upland and riparian areas. The licensee states that the Washington Department of Natural Resources Reforestation Practices guidelines will be followed. Tree saplings will be acquired from local nurseries and live willow stakes will be used for the native woody vegetation plantings. The licensee provides the planting density rates to be used for planting trees and shrubs. Stabilization and erosion protection of the project area in preparation for revegetation efforts will be done in conjunction with the Erosion Control Plan and the Sediment Assessment, Stabilization, and Management Plan, filed with the

Commission on March 18, 2011, and March 16, 2011, respectively.<sup>3</sup> All spoil disposal areas, staging areas, temporary access roads, and work bridges associated with dam-removal activities, if constructed, will be stabilized and revegetated as described above for upland or riparian areas depending on location.

6. Wetland areas will be allowed to revegetate naturally, with the licensee monitoring progress and implementing corrective measures when needed to include weed control. A wetland contingency plan, included in the March 16 filing, will be implemented if mapping and monitoring indicate that the objective of maintaining 4.8 wetland acres is not achieved. All noxious weed management will be conducted in accordance with the Washington State Northwestern Weed Ordinances. Integrated Pest Management, as detailed in the plan, will also be used for control of noxious and invasive weeds. The plan includes 3-year monitoring programs for revegetation and noxious weed management, and provides for measures in the event that establishment of vegetation is not considered successful. The plan also includes an implementation schedule beginning at the time of sediment stability in year one (October or May) and describes the timing of each consecutive action through years five and six for upland/riparian and wetland areas, respectively.

## CONSULTATION

7. The licensee submitted a draft plan to the required agencies for comment on February 17, 2011. The FS provided several comments surrounding the specified seed mixes and timing for revegetation efforts. Specifically, the FS requested that the licensee consider removing Regreen from the seed mix. The licensee responded that exact seed mixes would be reviewed in consultation with the appropriate local agencies after dewatering assessments have been completed and prior to seed application. The licensee states that Regreen is a sterile hybrid and was deemed to be an appropriate substitution for barley due to the planned application method (hydromulch or broadcast). Further, the licensee agreed with the FS regarding the importance of weed control strategy and the criticalness of establishing grasses and forbs during the first season. No further comments were provided at the time of the March 16 filing.

## DISCUSSION AND CONCLUSION

8. The licensee's revegetation and wetlands management plan includes the measures specified in ordering paragraph (U) to promote revegetation, and wetland establishment following reservoir dewatering and project decommissioning activities. It provides for planting and monitoring of grasses, shrubs, and trees, as well as noxious weed control.

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<sup>3</sup> The Erosion Control Plan and the Sediment Assessment, Stabilization, and Management Plan have not yet been approved by the Commission.

The plan incorporates the activities of the Erosion Control Plan and the Sediment Assessment, Stabilization, and Management Plan to provide a complete assessment of revegetation needs, erosion protection, wetland creation and monitoring, and best management practices for all specified activities. The plan also includes a schedule for completing the various stages of seeding, planting, and multiple-year monitoring. The plan provides measures in the event that an area experiences unsuccessful revegetation, and provides for intervention thresholds during natural regeneration in wetland creation areas.

9. Regarding the comments from the FS on the exact seed mixes and planned woody species to be used during revegetation efforts, we agree that reviewing the exact seed mixes after reservoir drawdown assessments and directly prior to application is appropriate. The licensee should provide the FS with an opportunity to be a party to the planned consultation with local agencies on the final seed mix and woody plant species. We find that the licensee's responses were otherwise adequate in addressing FS comments.

10. The Commission's April 21 order made the surrender of the license for the project subject to the Washington DOE's final section 401 Water Quality Certificate (WQC).<sup>4</sup> WQC condition no. 4.3.5(9) specifies that the licensee is to file a wetland mitigation and establishment report no later than September 30 in years one, three, and five, following wetland establishment. The licensee should file a report by the specified date for each of the listed years.

11. The revegetation and wetlands management plan filed by the licensee includes all of the required elements set forth in paragraph (U). Implementation of the plan should protect the area from excessive erosion, allow for actively managed revegetation where appropriate in upland and riparian areas, and allow for natural recolonization of desired species in wetland areas during and after the reservoir drawdown. The licensee's plan should be approved with the above-mentioned modification.

The Director orders:

(A) The licensee's revegetation and wetlands management plan, filed on March 16, 2011, pursuant to paragraph (U) of the Commission's Order Accepting Surrender of License, Authorizing Removal of Project Facilities, and Dismissing Application for New License, for the Condit Hydroelectric Project, FERC No. 2342, is approved.

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<sup>4</sup> Ordering paragraph (Q) of the April 21, 2011 order incorporates specific conditions of the WQC.

(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the FPA, 16 U.S.C. § 8251 (2006), and the Commission's regulations at 18 C.F.R. § 385.713 (2010). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

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Administration and Compliance

Document Content(s)

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