

ORIGINAL

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FEDERAL ENERGY
REGULATORY COMMISSION

June 22, 1999

J. Mark Robinson
Director
Division of Licensing and Compliance
Office of Hydropower Licensing
Federal Energy Regulatory Commission
Washington, D.C. 20426

Re: Project No. 4656-014 -- Idaho
Arrowrock Dam Project
Boise-Kuna Irrigation District, et al.

Dear Mr. Robinson:

This letter is in response to your letter to Don A. Olowinski dated May 19, 1999 but received by this office on June 9, 1999. The purpose of this letter is to object, pursuant to section 375.314(f)(2) of the Commission's regulations, to the termination of the license for Project No. 4656-014 held by the Boise-Kuna Irrigation District, the New York Irrigation District, the Nampa Meridian Irrigation District, the Wilder Irrigation District, and the Big Bend Irrigation District.

Legislation has been introduced in the United States Senate by Senator Craig and Senator Crapo of Idaho which would extend the license period for the Arrowrock Project. Furthermore, the Districts are currently pursuing a proposal to develop the Arrowrock Project. Termination of the Project license by the Commission would be neither efficient nor cost-effective. The Districts' therefore request that the Commission not pursue termination of the license pursuant to amended article 301 of the license or section 13 of the Federal Power Act.

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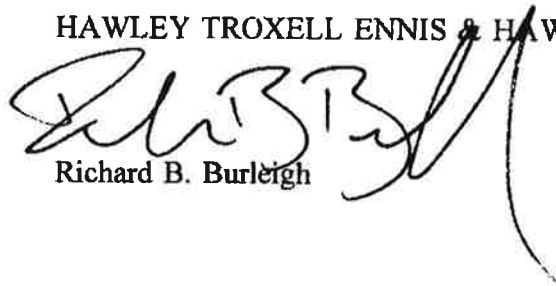
June 22, 1999

Page 2

Please direct future correspondence regarding the Arrowrock Project No. 4656-014 to Albert P. Barker of this firm. Thank you for your cooperation in this matter. If you have any questions, please feel free to contact either the undersigned or Albert P. Barker.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP

A handwritten signature in black ink, appearing to read 'R. B. Burlleigh', is written over the printed name. The signature is stylized with a large, sweeping 'R' and 'B'.

Richard B. Burlleigh

RBB/bb

cc: Boise Project Board of Control
Wilder Irrigation District
Boise-Kuna Irrigation District
New York Irrigation District
Nampa-Meridian Irrigation District
Big Bend Irrigation District

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Calendar No. 298

106TH CONGRESS }
1st Session }

SENATE

{ REPORT
106-170 }

WR#63-10240

ARROWROCK DAM HYDROELECTRIC PROJECT

OCTOBER 4, 1999.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 1236]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1236) to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State of Idaho, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 1236 is to authorize the FERC to extend until March 26, 2005, the time period for the commencement of construction for the Arrowrock hydroelectric project, FERC No. 4656.

BACKGROUND AND NEED

Section 13 of the Federal Power Act requires a hydroelectric licensee to commence the construction of its project within two years of the date of the issuance of the license. That deadline can be extended by the FERC one time for as much as two additional years. Unless additional legislation is enacted, if construction has not commenced by the end of the time period the license is terminated by the FERC.

On March 27, 1989, the Commission issued a license for the Arrowrock Dam. Subsequently the Commission issued an order extending the commencement of construction to March 26, 1993. Under the terms of P.L. 102-486, the deadline was extended until March 26, 1999. On May 3, 1999, the Commission issued a notice of the probable termination of the license for failure to commence project construction by the March 26, 1999 deadline. The license

1008-C
00-26-P

has not yet been terminated. In the absence of this legislation, the license will be terminated.

LEGISLATIVE HISTORY

S. 1236 was introduced on June 17, 1999. A hearing was held by the Subcommittee on Water and Power on July 28, 1999.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on September 22, 1999, by a voice vote with a quorum present, recommends that the Senate pass the bill without amendment.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

S. 1236—A bill to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the state of Idaho

CBO estimates that enacting S. 1236 would have no net effect on the federal budget. The legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

S. 1236 would extend the deadline for construction of a hydroelectric project currently subject to licensing by the Federal Energy Regulatory Commission (FERC) until March 26, 2005. The proposed extension is for FERC project number 4656. This provision may have a minor impact on FERC's workload. Because FERC recovers 100 percent of its costs through user fees, any change in its administrative costs would be offset by an equal change in the fees that the commission charges. Hence, the bill's provisions would have no net budgetary impact.

Because FERC's administrative costs are limited in annual appropriations, enactment of this bill would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

The CBO staff contact for this estimate is Kim Cawley. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out this measure.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the provisions of the bill. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of this measure.

EXECUTIVE COMMUNICATIONS

The pertinent communications received by the Committee from the Federal Energy Regulatory Commission setting forth Executive agency views relating to this measure are set forth below:

STATEMENT OF JAMES J. HOECKER, CHAIRMAN, FEDERAL ENERGY REGULATORY COMMISSION

Mr. Chairman and Members of the subcommittee, I appreciate the opportunity to comment on S. 1236, an act to extend the construction deadlines applicable to a hydroelectric project licensed by the Federal Energy Regulatory Commission.

Section 13 of the Federal Power Act requires that construction of a licensed project be commenced within two years of issuance of the license. Section 13 authorizes the Commission to extend this deadline once, for up to an additional two years. If project construction has not commenced by this deadline, the Commission is required to terminate the license.

On March 27, 1989, the Commission issued a license to five Idaho irrigation districts to construct and operate the 60-megawatt Arrowrock Dam Project No. 4656, to be located at the U.S. Bureau of Reclamation's Arrowrock Dam and Reservoir on the South Fork of the Boise River, in Elmore and Ada Counties, Idaho. The deadline for the commencement of project construction, originally March 26, 1991, was extended by the Commission to March 26, 1993. Under the terms of P.L. 102-486, the deadline was further extended until March 26, 1999. On May 3, 1999, the Commission issued notice of the probable termination of the Project No. 4656 license for failure to commence project construction by the March 26, 1999 deadline. The license has not yet been terminated.

Construction of the project entails installation of two 180-foot-long penstocks; excavation of a 90-by-50-foot tailrace; and construction of a powerhouse, a 15.2-mile-long, 138-kV transmission line, and related project facilities.

S. 1236 would authorize the Commission, upon the request of the licensee and in accordance with the good faith, due diligence, and public interest requirements of section 13, to extend the deadline for commencement of construction until March 26, 2005.

As a general matter, enactment of bills authorizing or requiring construction extensions for individual projects delays utilization in the public interest of an important energy resource and therefore is inappropriate. In cases where project-specific extensions are authorized by the Congress, however, they should be of relatively short duration and respond only to the practical but unforeseeable

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426

OFFICE OF HYDROPOWER LICENSING

Project No. 4656-014--Idaho
Arrowrock Dam Project
Boise-Kuna Irrigation District, et al.

MAY 19 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don Olowinski
Boise Project Board of Control
214 Broadway
Boise, ID 83702

Dear Mr. Olowinski:

According to amended article 301 of the license for the Arrowrock Dam Project, FERC No. 4656, construction of the project was to commence by March 26, 1999. Our records indicate that the construction has not started.

Accordingly, in accordance with section 375.314(f) of the Commission's regulations, this letter constitutes notice of probable termination of the license after 30 days from the date of this letter.

If you have any questions, please call Ms. Regina Saizan at (202) 219-2673.

Sincerely,

Joseph D. Morgan
J. Mark Robinson
Director

Division of Licensing and Compliance

cc: Public Files

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MAY 19 1999

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: James J. Hoecker, Chairman;
Vicky A. Bailey, William L. Massey,
Linda Breathitt, and Curt Hébert, Jr..

Boise-Kuna Irrigation District	)	
Nampa & Meridian Irrigation District)	)	
New York Irrigation District	)	Project No. 4656-013
Wilder Irrigation District	)	
Big Bend Irrigation District	)	

ORDER DENYING REQUEST FOR STAY

(Issued May 3, 1999)

This order denies the licensees' request for a stay of the statutory deadline for the commencement of construction of the 60-megawatt Arrowrock Dam Hydroelectric Project, to be located at the U.S. Bureau of Reclamation's existing Arrowrock Dam and Reservoir on the South Fork of the Boise River in Elmore and Ada Counties, Idaho. 1/

BACKGROUND

The Commission licensed the Arrowrock Dam Project on March 27, 1989. Section 13 of the Federal Power Act (FPA) 2/ requires licensees to commence project construction within the time specified in the license, which shall not be more than two years from the date thereof. Section 13 allows a single extension of that deadline, for no more than two years. If construction does not timely commence, the Commission is directed to terminate the license. 3/

In 1991, the Commission granted the licensees' request for a two-year extension of the construction commencement deadline. 4/ In 1993, pursuant to authority conferred by Section 1704(c) of

1/ 46 FERC ¶ 61,385.

2/ 16 U.S.C. § 806.

3/ Section 13 provides that license termination shall be after due notice and upon written order of the Commission.

4/ Order of January 9, 1991, issued by the Director, Division of Project Compliance and Administration, Office of Hydropower Licensing (Division Director) (unreported).

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the Energy Policy Act of 1992, 5/ the Commission extended the deadline to March 26, 1999. 6/

On March 23, 1999, the licensees filed a request for a stay of the deadline for commencement of construction and related compliance deadlines, 7/ in order to provide them "sufficient time to obtain necessary legislation from Congress to formally extend the License." 8/

DISCUSSION

Requests for stay of licenses or of the statutory deadline for commencement of construction are granted only in narrowly circumscribed circumstances. 9/ We have declined to grant such a stay where, as here, the licensee seeks time to pursue legislative relief from the deadline. 10/ In doing so, we noted that any such legislation enacted could order the Commission to

-
- 5/ Pub. L. No. 102-486. Section 1704(c)(4) authorized the Commission, "upon the request of the licensee of FERC project numbered 4656 (and after reasonable notice) . . . in accordance with the good faith, due diligence, and public interest requirements of section 13 and the Commission's procedures under such section, to extend until March 26, 1999, the time required to acquire the real property and commence construction of project numbered 4656."
- 6/ Order of March 22, 1993, issued by the Division Director (unreported). That order also extended the deadline for completing project construction to March 26, 2001, and the compliance deadlines in a number of license articles to December 26, 1998, or 90 days before commencement of construction, whichever occurs first.
- 7/ The licensees asked that the stay be backdated by at least 120 days to allow them time to comply with the license requirements.
- 8/ Stay request at 6.
- 9/ See, e.g., Southeastern Hydro-Power, Inc., 71 FERC ¶ 61,074 (1995).
- 10/ Town of Telluride, Colorado, 76 FERC ¶ 61,355 (1996). Indeed, we have not granted such a stay where legislation authorizing an extension of the construction deadline was actually pending before the Congress. See Independence County, Arkansas, 49 FERC ¶ 61,057 (1989).

Project No. 4656-013

- 3 -

reinstate the license and extend the construction deadline. 11/
Accordingly, we deny the stay request.

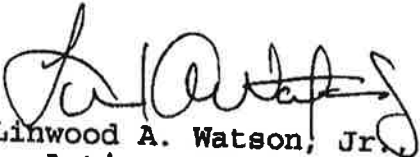
The Commission orders:

(A) The request for stay filed by the above-captioned irrigation district licensees of the Arrowrock Dam Hydroelectric Project is denied.

(B) This order constitutes notice of the probable termination of the license for Project No. 4656 after 30 days from the date of this order.

By the Commission.

(S E A L)


Linwood A. Watson, Jr.
Acting Secretary.

11/ Congress has in fact enacted a number of deadline extension bills providing for the reinstatement of the license of the project in question, had it been terminated before the bill's enactment date. See, e.g., Pub. L. No. 105-189 (Project No. 8864), which provides in pertinent part:

If the license for the project . . . has expired prior to the date of enactment of this Act, the Commission shall reinstate the license effective as of the date of its expiration and extend the time required for commencement of construction of the project as provided

**ENVIRONMENTAL INSPECTION REPORT
(ELECTRONICALLY SUBMITTED)
FEDERAL ENERGY REGULATORY COMMISSION
Portland Regional Office**

	Date of Inspection	<u>July 20, 2018</u>	
Name	<u>Arrowrock</u>	Project No.	<u>4656</u>
Licensee	<u>Big Bend Irrigation District</u>	License Type	<u>Major</u>
License Issued	<u>March 27, 1989 and Amended August 1, 2008</u>	License Expires	<u>February 28, 2039</u>
Location	<u>South Fork Boise River</u>	<u>U.S. Forest Service – Boise National Forest</u>	
	Waterway	Reservation	
	<u>Ada and Elmore</u>	<u>Idaho</u>	
	Counties	State	
Inspector	<u>L. Lewis Wardle</u>		
Licensee Representatives	<u>Rick Martin, Hydro Master - Boise Project Board of Control</u>		
Other Participants	<u>Jim Nutt, Jim Case, Herb Roerick – Forest Service</u>		

SUMMARY OF FINDINGS

This report covers conditions observed on the day of the inspection and the availability of public safety signage and devices, and compliance with the environmental requirements for the Arrowrock Project license.

The following presents the flows and generation during the time of the inspection:

Flow information:

- Total project outflow: 3,400 cubic feet per second (cfs), approximately 1,800 cfs released from Bureau of Reclamation gates at Arrowrock Dam.
- Powerhouse flow: 1,600 cfs
- Spillway flow: 0 cfs

Generation:

- 2 units generating (No. 1 and No. 2) with total generation of 10.5 megawatts (MW)

FERC Project No. 4656

2

Based on file reviews, discussions, and field observations made during the inspection, the licensee was able to demonstrate compliance with all relevant articles related to fish and wildlife, recreation, public safety, and cultural resources. A follow-up letter was issued on August 8, 2018 indicating that there were no follow up items requiring action or noncompliance matters identified during the inspection.

During the on-site review, we documented the nameplate data for the turbines and generators. We then compared this to the information currently on record with the Commission. We discovered some discrepancies as it relates to the installed capacity and authorized capacity, which will be followed-up in a separate Commission letter within 30 days.

Submitted September 21, 2018

L. Lewis Wardle
Senior Project Manager
Louis Berger

A. PROJECT PROFILE

The Arrowrock Project is located 22 miles upstream of Boise, Idaho on the Boise River and immediately downstream of the Bureau of Reclamation's Arrowrock Dam (Photo 1). Project and dam releases both flow into Lucky Peak reservoir downstream which is owned and operated by the U.S. Army Corps of Engineers (Corps).

Project works consist of: (1) two 90-inch-diameter, 120-foot-long penstocks connected to two outlet conduits near their downstream end just upstream of the clamshell gates on Arrowrock Dam; (2) a 50-foot-wide, 80-foot-long, 70-foot-high powerhouse, located on the south side of the river channel, immediately downstream of Arrowrock Dam containing two 7.5-MW generating units operating under a maximum head of 180 feet; (3) a 55-foot-wide, 130-foot-long tailrace discharging into the Lucky Peak Reservoir over a weir at an elevation of 3,021.2 feet mean sea level (msl); (4) a 5.5-mile-long, 34.5-kV transmission line connecting to the Idaho Power Company's 45.5-kV bench feeder adjacent to the Lucky Peak Nursery south of the Mores Creek Bridge; (5) the access road from Arrowrock Dam to the powerhouse; and (6) appurtenant facilities.

This is the first environmental inspection for the project since the project was completed and operational in 2010.

B. INSPECTION FINDINGS

Requirement	Date of Requirement	Follow-Up Needed	Photo Nos.
FISH AND WILDLIFE RESOURCES			
*Standard Article 8 Requires the licensee to install and maintain gages and stream gaging stations	O: 08/01/2008	No	--
*Standard Article 15 requires the licensee to develop Fish and Wildlife measures as ordered	O: 08/01/2008	No	--
Article 102 requires the licensee to conduct annual consultation with USFS to insure protection and development of natural resources (annual meeting by June each year)	O: 08/01/2008	No	--
Article 103 requires the licensee to develop and file a Wildlife Habitat Mitigation Plan	O: 08/01/2008 F: 08/28/2008 AP: 09/24/2008	No	--
Article 112 requires the licensee to develop and file a Pesticide and Herbicide Use Plan – Annual plans if pesticides or herbicides are used. Most recent plan filed 06/07/2018	O: 08/01/2008 F: 09/19/2008 AP: 09/24/2008 F: 11/09/2010 AP: 01/18/2011	No	--

Requirement	Date of Requirement	Follow-Up Needed	Photo Nos.
Article 402 requires the licensee to implement an operations/power shaping plan that excludes the period from May 1 through June 30 to aid in fisheries protection	O: 08/01/2008	No	--
Article 404 requires the licensee to develop a Dissolved Oxygen Plan with provisions for monitoring and reporting after approved by the Idaho Department of Environmental Quality Most recent filing of DO Monitoring Report: 05/09/2017	O: 08/01/2008 F: 06/02/2009 AM/AP: 11/25/2009	No	--
Article 406 requires the licensee to develop and file a Fish Injury and Mortality Plan	O: 08/01/2008 F: 10/20/2009 AP: 12/11/2009 AM: 08/18/2017	No	Photo 2
Article 407 requires the licensee to develop and file a Revegetation Plan Monitoring reports filed 8/8/2012 and 4/5/2013	O: 08/01/2008 F: 08/28/2008 AP: 11/12/2010	No	Photo 3
Article 413 requires the licensee to develop and file a Raptor Protection Plan for that portion of the transmission line that is licensed and prohibits construction activities from December 15 to April 15	O: 08/01/2008 F: 08/27/2008	No	--
RECREATION RESOURCES			
Part 8 requires the licensee to provide for recreation signage and postings	O: 06/10/1980	No	--
Article 104 requires the licensee to develop a Recreation Management Plan	O: 08/01/2008	No	--
Article 115 requires the licensee to develop and file a Road improvement plan	O: 08/01/2008	No	--
Article 410 requires the licensee to develop a Road Utilization Plan	O: 08/01/2008 F: 08/27/2008 AP: 10/03/2008	No	--
Article 411 requires the licensee to develop and file a Recreation Parking Area Plan	O: 08/01/2008 F: 08/21/2009 AP: 01/19/2010	No	--
Article 412 requires the licensee to develop and file a Recreation Use Plan and provisions to monitor future recreational use to insure facilities a meeting recreational need in the project area	O: 08/01/2008 F: 10/01/2009 AP: 04/09/2010 F: 03/31/2011 AP: 08/11/2011	No	--
*Standard Article 18 requires the licensee to allow public free access to project waters and adjacent lands (no public access to project facilities)	O: 08/01/2008	No	--
FERC Form 80 – recreational use report exempted by Order	O: 06/30/2014	No	--

Requirement	Date of Requirement	Follow-Up Needed	Photo Nos.
CULTURAL RESOURCES			
Article 109 requires the licensee to develop and file a Cultural Resource Management Plan (CRMP)	O: 08/01/2008 F: 09/08/2008 AP: 09/26/2008	No	--
Article 409 requires the licensee to follow the provisions of the approved CRMP during construction and provide a report following completion of the project facilities and transmission line HAER documentation filed 01/29/2015	O: 08/01/2008 F: 09/09/2008 F: 03/11/2014 AP: 07/30/2014	No	--
PUBLIC SAFETY			
CFR Part 12.42 requires the licensee to install facilities and measures to assure public safety	O: 08/01/2008	No	Photos 4,6
OTHER ENVIRONMENTAL RESOURCES			
Article 105 requires the licensee to develop an Erosion and Sedimentation Plan	O: 08/01/2008 F: 08/27/2008 AP: 10/10/2008	No	--
Article 106 requires the licensee to develop a Solid Waste and Wastewater Plan	O: 08/01/2008 F: 08/27/2008 AP: 09/15/2008	No	--
Article 107 requires the licensee to develop an Oil and Hazardous Substance Prevention Plan	O: 08/01/2008 F: 05/18/2009	No	Photos 7, 8
Article 108 requires the licensee to develop a Spoils Management Plan	O: 08/01/2008 F: 08/27/2008	No	--
Article 110 requires the licensee to develop a Visual Characteristics Plan	O: 08/01/2008 F: 08/29/2008	No	--
Article 111 requires the licensee to consult with USFS on changes to project lands (in conjunction with annual meeting with USFS)	O: 08/01/2008 F: 09/03/2008 AP: 09/09/2008	No	--
Article 201 – requires the licensee to pay the United States annual charges for the cost of administration of Part I of the Federal Power Act based on an authorized installed capacity of 20,900 horsepower (15,675 kW).	O: 3/27/1989 AM: 8/1/2008	Yes	--
Article 202 requires the licensee to clear lands used for project purposes	O: 08/01/2008	No	--
Article 401 requires the licensee to develop a Land Clearing, Disturbing or Spoil producing Activities Plan	O: 08/01/2008 F: 08/27/2008	No	--
O: Order; AP: Approved; AM: Amended; F: Filed; 18 CFR: Title 18 Code of Federal Regulations *Form L-2 Standard License Articles for Unconstructed Major Project Affecting Lands of the US (October, 1975)			

C. COMMENTS AND FOLLOW-UP

Based on file reviews, discussions, and field observations made during the inspection, no follow-up or non-compliance issues were identified. The following comments and observations are included:

- (1) Fish and Wildlife Resources:** The licensee meets with the Forest Service annually to discuss natural resource issues and any proposed operations and maintenance projects within the project boundary. During the inspection, the licensee provided the inspector with copies of recent consultation for license articles 102, 104, 111 and 112. Additionally, the licensee consults with the Idaho Department of Fish and Game (Idaho DFG), U.S. Fish and Wildlife Service, Corps, and Forest Service on license articles 404/406 (dissolved oxygen monitoring, and turbine mortality and salvage plan) when listed Bull Trout are observed in the tailrace weir pool. This pool becomes isolated from the reservoir below when the Lucky Peak Project is drawn down in the fall and winter months. When fish are observed in this area, the licensee initiates salvage operations to capture these fish and release them back into the reservoir. The licensee has not conducted salvage operations in the past five years. All equipment related to this salvage operation was in place on the powerhouse deck and in good order (Photo 2). Areas that were revegetated following construction of the powerhouse appeared in good condition (Photo 3).
- (2) Recreation Resources:** The licensee does not allow public access across the Arrowrock Dam to the power plant area. All recreational facilities that were funded by the licensee along the north shore of Lucky Peak reservoir, pursuant to a 2009 Agreement with the Corps, which includes four parking areas and a vault toilet on government lands, are maintained by the Corps. The licensee was exempted from filing FERC Form 80 reports in 2014, and have no further recreational obligations within the project boundary.
- (3) Cultural Resources:** The licensee completed Historic American Engineering Record (HAER) documentation of the historic Arrowrock Dam in 2014 and under the current CRMP, will notify participating agencies if any cultural resources are discovered during any ground disturbance activities in the future. The licensee appears to be in compliance with cultural resource requirements.
- (4) Public Safety:** While the project is not accessible to the public, all signage and fencing appeared to be in good order around the dam access area on the day of the inspection (Photo 4). The licensee maintains security cameras on site and monitors unauthorized access of the powerhouse (Photo 5). The boat restraining barrier was in place below the project tailrace in Lucky Peak reservoir (Photo 6).
- (5) Other Environmental Resources:** The powerhouse was clean and well maintained, and all spill containment kits and materials were visible during the inspection (Photo 7). The powerhouse sump was operational as was the oil and water separator

system that discharges into the tailrace area (Photo 8). No areas of erosion were noted during the inspection. The project appeared to be well maintained and in good condition.

D. INSTALLED CAPACITY DOCUMENTATION

The turbine nameplates for Units 1 and 2 list the turbine capacities as 10,360 horsepower (9,324 kW). The generator nameplates for Units 1 and 2 list the generator capacities as 7,500 kW (no KVA rating) with a 0.9 power factor (7,500 kW). This results in an installed capacity of 15,000 kW, which is consistent with the Commission's records. However, Article 201 lists the authorized capacity as 20,900 horsepower (15,675 kW), which does not reflect the equipment nameplates.

E. EXHIBITS AND PHOTOGRAPHS

The following photo location map and 8 photographs show the location of the project and illustrate project features.



Figure 1. Overview location map of Arrowrock (FERC No. 4656) Hydroelectric Project.



Figure 2. Photo location map of Arrowrock (FERC No. 4656) Hydroelectric Project.



Photo 1. Arrowrock powerplant below dam.



Photo 2. Fish salvage equipment.



Photo 3. Revegetation area.



Photo 4. Public safety signage.



Photo 5. Security camera on powerhouse.



Photo 6. Boat barrier boom installed to prevent access to the dam.



Photo 7. Arrowrock spill kit and secondary containment around oil drums.



Photo 8. Oil and water separator control on powerhouse deck.

SORENSEN ENGINEERING, INC.

5203 South 11th East
Idaho Falls, Idaho 83404

Tel 208-522-8069
fax 208-522-8223
Email: ted@tsorenson.net

May 21, 2010

Patrick Regan, P.E.
Federal Energy Regulatory Commission
805 SW Broadway, Suite 550
Portland, OR 97205

Re: Arrowrock Hydro Electric, FERC # 4656, Commercial On-Line date

Dear Mr. Regan:

Pursuant to my telephone call on May 21, 2010 with Jon Miyashiro and in response to your letter dated May 14, 2010 we request that the commercial on-line date be corrected to April 1, 2010. This date coincides with both of the units running and completing the required testing periods, the requirements of the bond resolutions and the power sales commercial on-line date.

Thank you for your willingness to amend the date.

Very truly yours,



Ted S. Sorenson P.E.

Document Content(s)

Arrowrock Commercial On Line date lttr.PDF.....1-1

SORENSEN ENGINEERING
5203 South 11th East
Idaho Falls, ID 83404
Phone: 208-522-8069

December 21, 2009

The Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

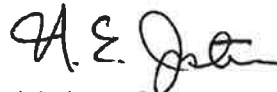
Subject: Arrowrock Dam Hydroelectric FERC No. 4656 – Article 122 – O&M Agreement with Reclamation

Dear Secretary:

Article 122 of the FERC license for the subject project requires the licensee to enter into an operation and maintenance agreement with Bureau of Reclamation prior to commencement of hydroelectric operations. We submit the attached Agreement to satisfy the requirements of Article 122.

You may contact me at (208) 528-6152 if you have any questions.

Regards,



Nicholas E. Josten

Attachments
O&M Agreement

Copies
Al Barker, Boise Project Board of Control, Boise, ID
Ted Sorenson, Sorenson Engineering, Idaho Falls, ID

AMENDMENT #1

TO

CONTRACT No. 1425-07-MR-1S-7071

BETWEEN THE

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

AND THE

BOISE-KUNA IRRIGATION DISTRICT,
NEW YORK IRRIGATION DISTRICT,
NAMPA & MERIDIAN IRRIGATION DISTRICT,
WILDER IRRIGATION DISTRICT, and
BIG BEND IRRIGATION DISTRICT

AMENDMENT FOR OPERATION AND COORDINATION OF THE
ARROWROCK HYDROELECTRIC POWERPLANT

WITNESSETH THAT: The articles cited in Contract No. 1425-07-MR-1S-7071 shall remain the same and in full force and effect; and

WHEREAS, Article 18 of the Contract for Construction and Completion (Contract) of the Arrowrock Hydroelectric Project (project) requires that prior to initial production of electricity at the Arrowrock Powerplant (powerplant), and as condition precedent thereto, the Districts and the Contracting Officer shall enter into an operating agreement covering the details of operations and maintenance of the powerplant and the Arrowrock Dam as required by Article 122 of the License and shall specify that water releases will continue to meet the criteria established by Article 10 of the Contract; and,

WHEREAS, Article 18 of the Contract specifies additional provisions and procedures that must be defined in order to enable the operation of the project.

NOW THEREFORE, Article 18 of the Contract is hereby amended as follows:

18. Operating Agreement

Definitions

- a) "Arrowrock Hydroelectric Restricted Area" shall mean those areas interior to and on top of the powerplant and interior to the fence line of the substation.
- b) "Reclamation Restricted Areas" shall mean the interior spaces of the Arrowrock Dam, valve house, and appurtenant structures; including, but not limited to, the maintenance building, crew house, dam operator's residence area, office building, generator room, stairway, and fuel storage area. Also included in the "Reclamation Restricted Areas" shall be the equipment and materials yard surrounding the maintenance building.
- c) "Shared Facilities" shall include the #1 and #2 water conduits through the dam, associated pipe bifurcations, water conduits from the bifurcations to the turbine shutoff valves (TSV), and the TSVs.

(1) Emergency Procedures and Updates. The Districts have prepared an Emergency Action Plan (EAP) for the Arrowrock Hydroelectric Project. The Districts shall annually review, update, and reissue the EAP, as information contained in the EAP changes. Copies of the updated EAP shall be provided to Reclamation as provided in Article 18 of the Contract and shall be retained at the powerplant and other locations within the Boise Project critical to emergency response.

(2) Flow Releases. Management of flows released from the Arrowrock Dam's reservoir is delegated to the Water Operations Manager (Manager), Middle Snake River Office. Procedures for coordination between Reclamation and the powerplant operations are defined in Exhibit A – Operation & Coordination Rules.

(3) Inspection and Maintenance. The Districts shall notify Reclamation of planned and emergency inspections by the Federal Energy Regulatory Commission (FERC). The Districts shall perform internal inspection and maintenance of the water conduit bifurcations, water conduits between the bifurcations, and the TSVs in accordance with Reclamation standards, which normally is every 3 years. Reclamation shall be afforded opportunity to witness routine tests and inspections with a minimum of 14 calendar days advance notification. In the event emergency inspection, test, or maintenance is deemed necessary by the Districts, the Districts shall provide as much advance notice to Reclamation as reasonably practical. The Districts shall supply Reclamation copies of all maintenance and test reports on the butterfly valve and actuation system. The Districts shall immediately notify Reclamation of any condition with the powerplant that could affect scheduled water deliveries or operation of the Arrowrock Dam Federal Facilities. The Districts shall provide reasonable prior notice and precoordinate all activities that could interfere with operation of the Arrowrock Dam Federal Facilities. The Contracting Officer shall retain the right to modify the timing and extent of the Districts' maintenance activities but shall not unreasonably withhold permission to perform maintenance activities and shall not unreasonably restrict the timing of such activities.

(4) Ownership of the "Shared Facilities." The Districts shall authorize Reclamation to operate all portions of the "Shared Facilities" required for unrestricted operation of the Arrowrock Dam Federal Facilities in accordance with the terms of this Agreement. The Districts confirm that Reclamation is the owner of the #1 and #2 water conduits through the dam.

(5) Normal Procedures. Procedures to minimize the effect of a generator shutdown on the Lucky Peak reservoir and Arrowrock Dam's reservoir operations are defined in Exhibit A – Operation & Coordination Rules.

(6) Safety. The Districts agree to operate and maintain those areas inside the "Arrowrock Hydroelectric Restricted Area" in such a manner as to protect the safety of the public and unimpaired operation of the project. Appropriate fences and barriers shall be maintained to prevent access by the public to hazardous areas in the vicinity of the powerplant. Warning signs

shall be posted in appropriate locations to warn the general public of hazards, shall be clearly visible, and shall be maintained in good condition.

(7) Security. All operations personnel, representatives, contractors, and guests of the Districts shall comply with security procedures defined in Article 20 of this contract and current and future procedures defined in Reclamation's Security Manual WBR 1452.237-80 and WBR 1437.8100 as amended and supplemented. After the powerplant enters commercial production, employees of the Districts and contractors authorized by Reclamation entering the Arrowrock Dam Federal Facilities shall hold a Reclamation issued contractor identification card. Only District employees holding a Reclamation issued contractor identification card may escort and directly supervise guests and contractors not holding a Reclamation issued identification card, required for operations and maintenance of the project. Such guests and contractors shall be preapproved by the Contracting Officer on at least a 48 hour advance notice. The Districts shall have a maximum of seven contractor identification cards activated to provide access through the entry gate to the Arrowrock Dam Federal Facilities. Unescorted security gate access will not be granted to contractors or guests of the Districts.

The Districts shall be responsible for security within the "Arrowrock Hydroelectric Restricted Areas." The powerhouse door shall be kept locked to the maximum extent possible and the substation shall be fenced and locked when qualified personnel are not inside or within the immediate distance and visual range of the substation. Information on any incident affecting the Federal Facilities shall be shared with Reclamation and, as appropriate, initiate the EAP.

(8) Entry and Access by the Districts - The Districts' employees, guests, and contractors shall enter into those areas of the Arrowrock Dam Federal Facilities defined as "Reclamation Restricted Areas" only with permission and escort by representatives of the Contracting Officer. The Districts shall have the right to access the project across the top of the dam and along the access road via the most direct access route to the project. Reclamation shall make reasonable accommodation in its maintenance activities to enable the Districts' access to the powerplant area. The Districts shall provide a monthly entry roster of those employees, guests, and

contractors entering the Arrowrock Dam Federal Facilities to Reclamation. Such roster shall include in and out times and license plate numbers for all vehicles and the company represented.

(9) Entry and Access by Reclamation - Reclamation employees and representatives of the Contracting Officer shall enter into the "Arrowrock Hydroelectric Restricted Area" only with an escort and permission from the Districts.

IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

BOISE-KUNA IRRIGATION DISTRICT

Attest:
Secretary

Lauren S. Boehlke

Mike Kukla
President

STATE OF IDAHO)

)ss

County of)

On this day of Dec. 2, 2009, before me, the undersigned, a Notary Public in and for said state, personally appeared Mike Kukla and Lauren S. Boehlke known to me to be the President and Secretary, respectively, who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Rochelle L. Proesch
Notary Public for Idaho
My Commission Expires: 5-9-2012
Canyon County

IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

BIG BEND IRRIGATION DISTRICT

Attest: Elma Shitty
Secretary

Jeffrey R. Brock
President

STATE OF IDAHO)
)ss
County of)

On this day of , 2009, before me, the undersigned, a Notary Public in and for said state, personally appeared _____ and _____, known to me to be the President and Secretary, respectively, who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Notary Public for Idaho
My Commission Expires:

IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

DISTRICT



NAMPA & MERIDIAN IRRIGATION

Attest:
Secretary

Daren R. Coon

President

Clinton C. Pline

STATE OF IDAHO)

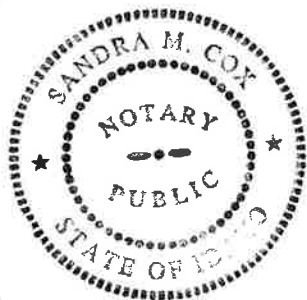
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County of)

On this 2 day of Dec , 2009, before me, the undersigned, a Notary Public in and for said state, personally appeared Clinton C. Pline and Daren R. Coon, known to me to be the President and Secretary, respectively, who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)



Sandra M. Cox

Notary Public for Idaho

My Commission Expires: 7 July 2012

IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

NEW YORK IRRIGATION DISTRICT

Attest: Delta Harwood
Secretary

Paul Warrick
President

STATE OF IDAHO)
)ss
County of)

On this 3rd ^{December} day of December, 2009, before me, the undersigned, a Notary Public in and for said state, personally appeared Paul Warrick and Delta Harwood, known to me to be the President and Secretary, respectively, who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Joann Scription
Notary Public for Idaho
My Commission Expires: 8-20-12

IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

WILDER IRRIGATION DISTRICT

Attest:
Secretary

Diane Paulsen

President

Douglas Norris

STATE OF IDAHO)

)ss

County of)

On this 1st day of Dec, 2009, before me, the undersigned, a Notary Public in and for said state, personally appeared Douglas Norris and Diane Paulsen, known to me to be the President and Secretary, respectively, who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

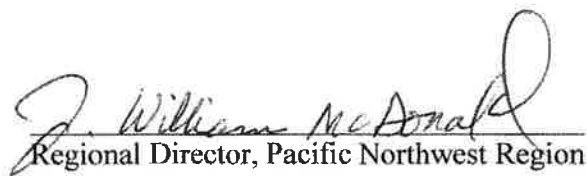
(SEAL)



Lisa Sweet
Notary Public for Idaho
My Commission Expires: 2/13/2010

IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

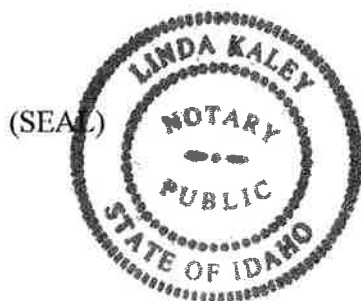
UNITED STATES OF AMERICA


Regional Director, Pacific Northwest Region
Bureau of Reclamation

STATE OF IDAHO)
)ss
County of)

On this 18 day of December, 2009, before me, the undersigned, a Notary Public in and for said state, personally appeared J. William McDonald, known to me to be the official of the UNITED STATES OF AMERICA that executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily act and deed of the said United States for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



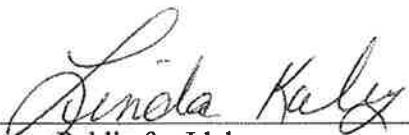

Notary Public for Idaho
My Commission Expires: 6/2/2012
County: Ada
Residence: Meridian ID

Exhibit A

Operation & Coordination Rules

USBR Contract
No.1425-07-MR-1S-7071
Amendment No. 1 Exhibit A

ARROWROCK HYDROELECTRIC PROJECT

DEFINITIONS AND OPERATING RULES

A. EMERGENCY EVENT

An emergency event would be a condition that would cause injury to a person(s) or damage to a project structure. This includes the following:

1. Any unusual leak through or around the dam, or through or around a powerplant structure.
2. Any discernable discharge of oil, hydrocarbons, or hazardous chemicals into the Lucky Peak Reservoir.
3. Any fire or explosion at or near the project.
4. Any injury to a person(s) at or near the project.
5. Any vandalism in progress, or a threatened situation at or near the project.
6. Any security breach or trespass that is suspected to be terrorism, reconnaissance for terrorism, or otherwise harmful to Reclamation or the Arrowrock Hydroelectric Project.

B. NON-EMERGENCY EVENT

1. If the Arrowrock Hydroelectric Project is discharging flow in such a way that daily discharge requirements will not be met.
2. If a Security incident, trespass, or unauthorized access to the project occurs that does not indicate threat to the Arrowrock Dam, Powerplant, or related project facilities.

C. OPERATING AND COORDINATION RULES

Releases

The Arrowrock Hydroelectric Project operates on releases from the Arrowrock Dam. Reclamation and the Districts shall operate and maintain their equipment in a manner that ensures compliance with the FERC license requirements and target water management requirements. Reclamation shall have the right to modify the water operation procedures, from time to time, to satisfy target water management requirements for Arrowrock Dam.

Flow Scheduling

The Districts, or their authorized representatives, shall contact Reclamation's Black Canyon Control Center (BCCC) daily when the hydroelectric project is in operation and request a setpoint flow release. This release schedule may include set point releases for several days in advance.

Discharge requirements for flows through the Arrowrock Dam may be set at any time by Reclamation. The Districts shall maintain a method of communication with Reclamation's BCCC such that the flow changes will be implemented within 2 hours of the requirement being transmitted either electronically and/or verbally from the BCCC. As part of flood control measures, when the Arrowrock Dam water level is greater than elevation 3215.5 feet mean sea level (MSL), the required flow changes shall be implemented within 1 hour of notification by the BCCC. The Districts, or their authorized representatives, shall contact the BCCC within 1 hour of the change being implemented through the turbines and confirm that the required flow change has occurred or that the flow schedule satisfying the Reclamation set discharge requirements have been implemented by the powerplant control system.

Reclamation shall attempt to utilize clamshell gate Nos. 3 through 10 to discharge releases in excess of the powerplant's capability. However, maintenance schedules and total release requirements may necessitate releases through clamshell valve Nos. 1 and 2 when the powerplant is online. When discharges are being made through clamshell Nos. 1 and 2, the Districts shall limit flow through the turbines to maintain flow in each water conduit through the dam to less than 950 cubic feet per second (cfs).

When it is determined by monitoring the powerplant flows and deadband alarm, that flow releases through the powerplant will deviate from the release schedule coordinated with the BCCC by more than a deadband of plus or minus 50 average cfs or 10 percent of the setpoint flow, whichever is greater, during a 24 hour period, the Districts shall coordinate with the BCCC to restore the Arrowrock Reservoir level to target water management levels.

The Districts shall inform the BCCC of the anticipated deviation within 1 hour of startup of the turbine(s) when such increased discharges may cause a deviation from the Reclamation ordered release requirements.

Reclamation will provide at least 5 calendar days notice of normal facility operations and maintenance that may affect powerplant operations. In the event emergency repairs or operations are necessary, notice shall be given as soon as reasonably practical.

Flow Shaping

Flow shaping releases shall occur in accordance with Article 402 of the FERC project license and only when Arrowrock Reservoir is below elevation 3215.5 feet MSL.

During times that the Districts choose to operate the powerplant in a flow shaping mode, the Districts shall precoordinate a schedule of hourly releases that satisfies the overall daily setpoint release designated by the BCCC. The Districts, or designated representatives, shall fax the anticipated shaping schedule to the BCCC before the shaping begins to assure the overall flow release targets are met.

Shutdowns

If a condition occurs at the plant which could be damaging or detrimental to the Federal Facilities, the Districts or their authorized representative shall initiate the Emergency Action Plan coordinated with Reclamation