

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426  
March 19, 2003

OFFICE OF ENERGY PROJECTS

Project No.696-013 B Utah  
American Fork Hydroelectric Project  
PacifiCorp

Mr. Monte Garrett  
PacifiCorp Licensing Project Manager  
825 N.E. Multnomah, Suite 1500  
Portland, OR 97232

**RE: Acceptance of Surrender Application and Additional Information Request**

Dear Mr. Garret:

On January 29, 2003, the Commission sent you a letter confirming our receipt of your request for withdrawal of your pending license application and the enclosed decommissioning plan, filed on December 31, 2002. In that letter, we requested clarification as to whether or not the decommissioning plan was actually a surrender application. The letter stated that if you did not respond within 15 days, we would consider the decommissioning plan to be an application to surrender the license for the American Fork Project. On February 13, 2003, you filed a settlement agreement, supplementing the December 31, 2002 filing. In your cover letter, of the February 13<sup>th</sup> filing, you stated that you did not object to the Commission's consideration of the decommissioning plan to be an application for surrender of the American Fork Project. On February 21, 2003, we noticed the surrender application for the American Fork Project.

By copy of this letter, we wish to inform you that your surrender application for the American Fork Hydroelectric Project has been accepted by the Commission for filing as of December 31, 2002, but is not ready for environmental analysis at this time.

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To support and assist our environmental review, in the near future we will initiate a public scoping process to solicit comments to ensure that all pertinent issues are identified and analyzed.

Our review of the surrender application has raised several questions that we will need additional information from you to complete our review of the surrender application. A listing of the information needed is enclosed in Schedule A.

Under Section 4.32(g) of the Commission's regulations, please file within 60 days from the date of this letter the information requested in the enclosed Schedule A. If the submission of additional information causes any other part of the application to be inaccurate, that part should also be revised and refiled by the due date.

Within 5 days of receipt of this letter, please provide a copy of this letter and the attached schedule to all agencies you will consult in response to this additional information request. Then, when you file the requested information with the Commission, provide a complete copy of the information to each agency and other entity consulted, and to all parties on the service list.

Specific questions included in this request for additional information require your consultation with various entities. Where appropriate, you should request consultation in writing. Allow the entities consulted at least 30 days to respond before filing the additional information with the Commission. In your filing, you should include copies of all responses received from the entities you consulted, and tell us how you addressed any comments and recommendations made. If the entities you attempted to consult with do not reply, you should provide us dated copies of your letters requesting consultation.

Please file an original and 8 copies of the information with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426.

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Please feel free to contact Kenneth Hogan at (202) 502-8434, if you have any questions concerning this additional information request.

Sincerely,

Lon Crow  
Hydro West Branch 2, Chief

Enclosure: Schedule A

cc: Mailing List  
Service List  
Public Files

Project No. 696-013  
Schedule A

### ADDITIONAL INFORMATION REQUEST

Please file within 60 days from the date of this letter the following additional information. When you file this additional information with the Commission, you should at the same time serve exact copies of the filings on the agencies that you consulted during the preparation of the application, as appropriate.

#### Recreational Resources, Land Use Management, Aesthetics, and Cultural Resources:

1) By letter dated February 12, 2003, you transmitted the Settlement Agreement (SA or Settlement) Concerning the Decommissioning of the American Fork Project. In an attachment to the letter, entitled "Explanatory Statement for the Settlement" (explanatory statement), you identify the parties to the Settlement and their missions and responsibilities with regard to protecting, conserving, and or preserving environmental resources. These parties have agreed in the Settlement that implementing the Settlement, if approved unmodified by the FERC, would satisfy its obligations and concerns. For example, you indicate that the Forest Service (USFS) administers National Forest Lands and portions of the National Wilderness Preservation System where this project is located. The National Park Service (NPS) administers the Timpanogos National Monument which is located near the project area. The USFS and NPS manage land in the project area and surrounding canyon land with the objective of retaining its natural beauty. The USFS manages the Lone Wilderness Area with the visual quality objective of "preservation". The USFS and NPS have agreed in the Settlement that implementing the unmodified Settlement would satisfy their land management obligations and concerns with respect to these lands.

The SA or associated documents do not specifically explain how implementing the SA will protect, on a short-term and long-term basis, the environmental resources of the Uinta National Forest (particularly the Lone Peak Wilderness), the National Park Service Timpanogos National Monument, and the project's "Power Plant Historic District" (listed on the National Register of Historic Places). We need this information in order to complete our environmental analysis of your proposed action. Therefore, in the same format that you provided the affected environment information in your explanatory statement (pages 5 through 12), provide us with a detailed statement of how you believe implementing the SA will mitigate or avoid any adverse effects resulting from the proposed decommissioning activities on recreational, aesthetic, and land resources. In addition, identify any enhancements to these resources as a result of decommissioning activities and implementing the SA.

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2) You indicate that the project area receives dispersed recreational use such as hiking and fishing. The USFS indicates that the canyon where the project is located receives the heaviest visitor use in comparison to other canyon areas in the Unita National Forest. These recreationists are presently able to hike and fish along the stream and cross the stream by using the flow line crossings. Describe what short and long-term mitigation you propose to accommodate this recreational activity during and after decommissioning. For example, explain how you will redirect the recreationists during the decommissioning and restoration activities including your plans, if any, to provide advance notice to visitors of the planned activities.

3) You indicate that from several vantage points in the canyon surrounding the project (including Highway 92), the flow line, powerhouse and other project structures are visible to recreationists. Describe what demolition and restoration activity (such as rip rap placement and flow line removal/ temporary storage) will be visible and for what period of time. Describe what portions of the project will remain visible from these vantage points after decommissioning and restoration.

4) You indicate that a new parking area and access pathways will be constructed to allow the public to view the restored powerhouse. If you propose to install these recreational facilities prior to August 2006, provide a conceptual drawing of the facilities showing their relationship with the project boundary and a schedule for constructing the facilities. Also, provide an explanation of who will be monitoring and maintaining these facilities in a safe condition for public use.

5) Explain how you intend to monitor and control the ingress and egress of construction-related traffic to minimize or avoid conflicts with visitor traffic.

#### Terrestrial Resources:

6) On page 6 of the Explanatory Statement for the Settlement Agreement, location and types of wetlands were noted. Further, it was noted that these wetlands were formed "...because of the Project's impoundment of American Fork Creek". However, there is no discussion regarding the potential impacts to these wetlands upon the decommissioning of the project and subsequent removal of the impoundment. In order for us to have a complete understanding of what wetlands might possibly be affected by this project, please provide a description of the wetlands within the project boundary along with a discussion of any short-term or long-term impacts to those wetlands upon the removal of the impoundment (See 18 CFR § 4.51(f)(6)(iii)).

Water Quality and Quantity:

7) A review of the Surrender Application and the Settlement Agreement, filed on December 31, 2002 and February 13, 2003, respectively, did not result in our finding of your request for a 401 water quality certificate. Because in-stream construction or demolition, as in the case of the proposed dam removal, is an activity that may result in a discharge, a 401 water quality certificate is required pursuant to § 4.38(f)(7). Please submit a copy of your 401 water quality certificate, or your application to the State of Utah for a 401 water quality certificate, with your response to this Schedule A. If you do not feel that a 401 water quality certificate is necessary for this proposed action, please file with the Commission, within 20 days from the date of this letter, your reasons why you believe a 401 water quality certificate is not appropriate.