

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

USGen New England, Inc.

Project No. 2323-091

ORDER AMENDING LICENSE UNDER ARTICLE 2

(Issued June 6, 2001)

On April 1, 1001, PG&E National Energy Group, on behalf of USGen New England, Inc. (USGEN) licensee for the Deerfield River Project, FERC No. 2323, filed an application to amend its license. USGEN is proposing to replace a portion of the existing wooden flashboards with an inflatable flashboard system at the Deerfield No. 2 and No. 4 developments of the project. Deerfield No. 2 and No. 4 developments are located on the Deerfield River in Franklin County, Massachusetts.

BACKGROUND

The Deerfield No. 2 Dam consists of a concrete gravity spillway with a crest elevation of 284.66 feet mean sea level (msl). The current license allows for a maximum reservoir elevation of 294.66 feet msl through the use of 10-foot-high wood and pin flashboards. The proposed inflatable flashboard system will be comprised of a single unit with an overall horizontal length of 112 feet, and two-stage 10.5-foot high trippable wooden flashboards will be located on the remaining approximately 146 feet of length of spillway.

The Deerfield No. 4 Dam consists of a 241-foot-long concrete gravity spillway with a crest elevation of 465.66 feet msl. The current license allows for a maximum reservoir elevation of 473.66 feet msl through the use of 8-foot high wood and pin flashboards. The proposed inflatable flashboard system will be comprised of a single unit with an overall horizontal length of 96 feet, and two-stage 8.5-foot high trippable wooden flashboards will be located on the remaining approximately 136.6 feet of length of spillway.

According to USGEN the proposed inflatable flashboard system would (a) reduce the frequency of flashboard failures and thereby significantly reduce debris into the river, (b) improve the operating storage throughout the year and thus improve the capability to provide the required minimum flows downstream, and (c) improve the safety of plant personnel in performing board maintenance and restoration activities.

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REVIEW

According to USGEN the proposed inflatable flashboard system will not alter the the operation or historic maximum operating level of the impoundment at either development. Additionally, it will maintain necessary storage to provide the required minimum flow of 200 cfs under the current license and MA 401 Water Quality Certificate.

USGEN states that all construction activity will be conducted on the crests of Deerfield Nos. 2 and 4 Dams, and there will be no dredging or construction activity within the waterway. There will be no construction activity within the project area that affects wetland areas. Temporary upstream flashboards will be installed at the dam to allow the reservoir to be maintained at crest or just below the crest during construction.

USGEN notified the U.S. Fish and Wildlife Service, Commonwealth of Massachusetts's Division of Fisheries & Wildlife (DF&W), and the Historical Commission (MHC) of its plans to replace a portion of the existing wooden flashboards with an inflatable flashboard system at both developments.

In a letter dated March 22, 2001, the DF&W informed USGEN that its proposal to install inflatable flashboard system is technically sound and would be a net benefit to the fish and wildlife resources of the river.

In a March 7, 2001 letter, the MHC informed USGEN that Deerfield No. 2 development is eligible for listing in the National Register of Historic Places, and requested scaled drawings of the proposed concrete piers, and information on (a) the age of the existing flashboard system, (b) whether the flashboards have been replaced previously, and (c) any replacement of the operating mechanisms. After reviewing the additional information, MHC in a letter dated May 7, 2001, informed USGEN, that the proposed inflatable flashboard system at Deerfield No. 2 and Deerfield No. 4 would have adverse effects on the Deerfield River Hydroelectric System Historical District. However, MHC has determined to accept, with mitigation, the adverse effect of the proposal due to a lack of feasible and prudent alternatives. MHC prepared a Memorandum of Agreement (MOA) to address adverse effect of the undertaking and requested USGEN to sign and return the MOA if the terms and conditions are acceptable to them. On May 24, 2001, USGEN filed with the Commission a letter along with a copy MOA, stating that the mitigation plan outlined in MOA is satisfactory and would sign and return the document to MHC. Ordering paragraph (C) of this order requires the licensee to file with the Commission a signed copy of the MOA.

The Commission's New York Regional Office (NYRO) reviewed the amendment application and found no problems with the proposal. From our review, we conclude that the replacement of existing wooden flashboard system with inflatable flashboard system would improve the operating storage throughout the year, reduce debris in the river due to flashboard failure, and improve plant safety.

We remind the licensee that Article 4 of the license authorizes NYRO to inspect and monitor construction activity at the project. As such, prior to the start of construction, the licensee shall file for NYRO's approval a construction inspection program.

The Director Orders:

(A) The license for the Deerfield River Project is amended as provided by this order effective the day this order is issued.

(B) Ordering Paragraph (B) (2) of the license is revised in part to read as follows:

Deerfield No. 4 consists of: ... (2) a 241-foot-long concrete gravity spillway with a crest elevation of 465.66 feet msl, consisting of a 96-foot long inflatable flashboard section, and approximately 136.6 foot-long section with a two-stage 8.5-foot high trippable wooden flashboards; ...

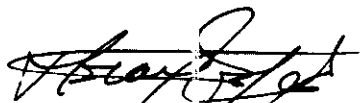
Deerfield No. 2 consists of: (1) a concrete gravity spillway about 15 feet high and approximately 277 feet long, with a crest elevation of 284.66 feet msl, consisting of a 112-foot long inflatable flashboard section, and approximately 146-foot long section with a two-stage 10.5-foot high trippable wooden flashboards,

(C) Within 90 days from the date of this order licensee shall file with the Commission a signed copy of the Memorandum of Agreement between USGEN and Massachusetts Historical Commission to mitigate the adverse effects on cultural resources due to the installation of inflatable flashboard system.

(D) The licensee shall file three copies of the final contact drawings and specification to the Commission's New York Region Office at least 60 days prior to start of construction. The Director, Division of Dam Safety, and Inspections may require changes to the plans and specifications as needed to ensure the safety and adequacy of the project.

(E) Within 90 days of the completion of the installation of inflatable flashboard system, the licensee must file for Commission approval revised exhibits A, and F as applicable, reflecting as-built conditions of the project.

(F) 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.



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