

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 10505-008--California
Graeagle Golf Course Project
Graeagle Land & Water Company

December 28, 2020

VIA USPS FIRST CLASS

Daniel E. West
Chief Executive Officer
Graeagle Land & Water Company
P.O. Box 310
Graeagle, CA 96103

Subject: 2019 Project Shutdown Date Based on Current Water Year Forecasts

Dear Mr. West:

This letter acknowledges receipt of your 2019 water year forecast and project shutdown report for the Graeagle Golf Course Project No. 10505 (Project), filed with the Federal Energy Regulatory Commission (Commission) on October 2, 2020. Article 401 of the February 23, 1989 Order Issuing License¹ for the Project requires that you shut down project operations from August 10 to October 15 when the California Department of Water Resources forecasts a water year for the Feather River at Oroville that is above 130 percent of a normal water year. You are also required to submit project shutdown dates to the Commission annually, within 15 days of occurrence.²

By letter dated September 25, 2020, Commission staff noted that you had not filed your 2019 report under the above requirement, and requested that you file the outstanding report, along with an explanation for the late filing.

¹ 46 FERC ¶ 62,190.

² By letter dated December 21, 2015, Commission staff instructed you to file your annual project shutdown reports with the Commission Secretary, in lieu of filings it with the Commission's San Francisco Regional Office (SFRO). However, a courtesy copy is to be filed with the Regional Engineer of the SFRO.

Your October 2, 2020 report included the 2019 water year forecast and project shutdown date. Review of the 2019 report indicates that it fulfills the above license requirement and the Commission's September 25, 2020 request. Concerning the late filing date, you contacted Commission staff by phone and explained that the failure to file the 2019 report was the result of an administrative error.³ During the call, Commission staff also reminded you of the necessity to keep your contact information with the Commission current. Review of the matter indicates that the late filing of the 2019 report was the result of an administrative oversight, and you correctly filed your 2020 report with the Commission, as acknowledged in our September 25, 2020 letter. Therefore, the late submission of the 2019 report will not be considered a violation of your project license but will be made a part of the project compliance history and may be taken into consideration of any similar future instances. We also remind you that when filing your future annual reports under this requirement, that the ensuing email confirmation should be considered acknowledgement that the reporting requirement has been received and fulfilled.

Thank you for your report. If you have any questions concerning this letter, please contact Mr. Jonathan Schram at (202) 502-8264 or at jonathan.schram@ferc.gov.

Sincerely,



(for) Thomas J. LoVullo
Chief, Aquatic Resources Branch
Division of Hydropower Administration
and Compliance

³ On October 13, 2020, Commission staff spoke with Mr. Daniel West concerning the outstanding report. Mr. West explained that the report had been prepared and submitted electronically by the requisite filing. The timely preparation was reflected in the letter date of the 2019 report. However, Mr. West speculated that it was likely incompletely submitted in the Commission's electronic filing system.