

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

Project No. 2785-082 - Michigan
Sanford Project
Boyce Hydropower, LLC

OFFICE OF ENERGY PROJECTS

Mr. Lee Mueller
Boyce Hydropower, LLC
4132 S. Rainbow Blvd #247
Las Vegas, Nevada 89103

May 1, 2013

Subject: Additional Information for Updated Exhibit G Drawings

Dear Mr. Mueller:

On March 25, 2013, you filed updated Exhibit G drawings for the Sanford Hydroelectric Project, FERC No. 2785, for Commission approval. You filed the drawings in response to a May 23, 2012 letter, sent by Commission staff, which requested updated drawings, and an October 10, 2012 letter, that provided Commission's staff comments on preliminary Exhibit G drawings. Commission staff requested you to update the drawings because the approved drawings currently on file with the Commission are of poor quality and do not meet the Commission's current regulations for exhibit drawings.

After reviewing the drawings you filed, we have the following comments that must be addressed before we can complete our review:

- The proposed drawings identify the project boundary at elevation 631.5 feet NAVD88.¹ However, the approved Exhibit G drawings currently on file with the Commission clearly identify a project boundary line that follows the waters edge. The water's edge is approximately elevation 630.8 feet NAVD88. This elevation is consistent with proposed Exhibit G-1, which identifies the normal water surface elevation as 630.8 feet NAVD88. In addition, this elevation is

¹ Mean Sea Level (MSL) was defined by measuring observed heights of sea level using tide gauges throughout the United States. In 1973, this datum was re-named to the National Geodetic Vertical Datum of 1929 (NGVD29). The North American Vertical Datum of 1988 (NAVD88) was established in 1991 to update elevations for tidal benchmarks throughout the United States. See <http://www.ngs.noaa.gov/faq.shtml#WhatVD29VD88>

consistent with the normal pool elevation identified in ordering paragraph (B) of the license for the Sanford Project² and Article 411 added to your license in an Order on Rehearing and Amending License Order.^{3,4}

Since your filing is merely to replace the existing exhibits with ones that have a much better quality and meet our current drawing standards, we expect you to revise the exhibits to show the project boundary at the normal water surface elevation which is 630.8 feet NAVD88.

- The sole purpose of this proceeding is to update the drawings that we currently have on file. If you wish to amend your project boundary, you may file an application to do so after the current drawings are successfully updated. Any amendment application must be prepared in accordance with sections 4.200 and 4.201 of the Commission's regulations. In addition, the application must include proof of consultation with relevant resource agencies and all affected parties. Any revised Exhibit G drawings must be prepared in accordance with sections 4.39 and 4.41 of the Commission's regulations.

Within 30 days from the date of this letter, you must address the deficiencies and re-file the revised updated Exhibit G drawings. The drawings must show and identify the project boundary at 630.8 feet NAVD88. If the drawings fail to do this, your filing will be rejected.

Please file your submittal electronically via the Internet (eFiling) in lieu of paper. Please refer to the instructions on the Commission's Web site under <http://www.ferc.gov/docs-filing/efiling.asp> and filing instructions in the Commission's Regulations at 18 C.F.R. section 385.2001(a)(1)(iii).⁵ To assist you with eFilings you should refer to the submission guidelines document at <http://www.ferc.gov/help/submission-guide/user-guide.pdf>. In addition, certain filing requirements have statutory or regulatory formatting and other instructions. You should refer to a list of these "qualified documents" at <http://www.ferc.gov/docs-filing/efiling/filing.pdf>.

² 41 F.E.R.C. ¶ 62,192 (issued December 1, 1987)

³ 85 F.E.R.C. ¶ 61,066 (issued October 16, 1998)

⁴ Ordering paragraph (B) and Article 411 identify the normal pool elevation as 625 feet msl and 625 NGVD, respectively. The datums associated with these numbers appear to be incorrect. According to documentation you filed on February 19, 2013, related to repairs to the tailrace wall (specifically, pages 11 and 44 of the FERC Generated PDF version), the 625 feet elevation is in old Sanford datum. In order to convert old Sanford datum to NAVD88, the datum currently used, 5.8 feet must be added.

⁵ <http://www.ferc.gov/legal/fed-sta.asp> Select the link for Code of Federal Regulations and navigate to §385.2001.

With your filing, it is very important for you to include a cover letter that identifies the Project Number (**P-2785**) and the reason for the submittal. If you are making a filing to address an article requirement, please state so in the letter, and identify the article number. The Commission strongly encourages electronic filings; otherwise, you should submit an original and seven copies of its submittal to the following address:

The Secretary
Federal Energy Regulatory Commission
Mail Code: DHAC, PJ-12
888 First Street, N.E.
Washington, D.C. 20426

Please refer to our guidance document on managing hydropower exhibits, available at the Commission's Internet site, for additional assistance.
(<http://www.ferc.gov/industries/hydropower/gen-info/guidelines/drawings-guide.pdf>).

If you have any questions concerning this letter, please contact Jeremy Jessup at (202) 502-6779.

Sincerely,

Charles K. Cover, P.E.
Chief, Project Review Branch
Division of Hydropower Administration
and Compliance

cc: John H. Clements
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