

**FEDERAL ENERGY REGULATORY COMMISSION  
Washington, D. C. 20426**

**OFFICE OF ENERGY PROJECTS**

**Project No. 2785-078 - Michigan  
Sanford Project  
Boyce Hydropower, LLC**

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

**October 10, 2012**

**Subject: Preliminary Exhibit G Drawings**

**Dear Mr. Mueller;**

On July 26, 2012, and supplemented on August 22, 2012, you filed preliminary updated Exhibit G drawings for the Sanford Hydroelectric Project, FERC No. 2785. You filed the drawings in response to a May 23, 2012 letter, sent by Commission staff, which requested updated drawings. Commission staff requested updating drawings because the 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 preliminary drawings, we have the following comments that must be addressed before the drawings are filed for Commission approval:

- The proposed drawings do not identify a project boundary line. The closest line to a project boundary line on the drawings is the line that you identified as "Flowage Rights Contour 638.8." However, the proposed Exhibit G-1 identifies the normal maximum water surface elevation as 630.8. The Exhibit G drawings currently on file clearly identify a project boundary line; however, they do not indicate the elevation. In addition, the project boundary line on the Exhibit G drawings on file appears to follow the water's edge. The water's edge appears to be closer to the 630.8 elevation on United States Geological Survey (USGS) topographic maps.
- The drawings should clearly indicate the elevation and datum associated with the project boundary line when the drawings are filed for approval. We identified inconsistencies in the actual normal pool elevation while reviewing the record on the project. According to your license,<sup>1</sup> the normal pool

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<sup>1</sup> 41 F.E.R.C. ¶ 62,192 (issued December 1, 1987)

elevation is 625.0 feet mean sea level while Article 411 added to your license in an Order on Rehearing and Amending License Order<sup>2</sup> identifies the normal pool elevation as 625.0 feet National Geodetic Vertical Datum (NGVD). In addition, the most recent Dam Safety Inspection Report identified the reservoir level at 631.0 feet and the most recent Environmental Inspection Report identified the reservoir at 630.91 feet as measured on the USGS gage, which is approximately 625.2 feet NGVD. It appears the inconsistencies are a result of using different datums. Please confirm this, and include an explanation of the differences in the datums associated with the project.

- The drawings must be prepared in accordance with Sections 4.39 and 4.41 of the Commission's regulations. Specifically, the drawings will need to be stamped by a professional land surveyor, must identify all principle project features (including Commission approved recreation features) on the drawings, and should identify land rights by legal subdivision within the project boundary.

Within 60 days from the date of this letter, please file updated Exhibit G drawings incorporating the above comments for Commission approval. In addition to the drawings, please include a brief discussion on how you address the above comments. Your response may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR §385.2001(a)(1)(iii) and the instructions on the Commission's web site (<http://www.ferc.gov/docs-filing/efiling.asp>). If you choose not to electronically file, you may file an original and seven copies of the requested information with:

The Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E. PJ12.6  
Washington, D.C. 20426

The first page of the response should clearly show the project number (P-2785-078).

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<sup>2</sup> 85 F.E.R.C. ¶ 61,066 (issued October 16, 1998)

**Project No. 2785-078**

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**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  
Van Ness Feldman  
1050 Thomas Jefferson St. NW  
Washington, DC 20007**

**Frank Christie, P.E.  
Boyce Hydro Power, LLC  
6000 S. M-30 (P.O. Box 15)  
Edenville, MI 49624**

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