

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 2785-086 —
Michigan
Sanford Project
Boyce Hydro Power, LLC

Mr. Lee W. Mueller
Co-Member Manager
Boyce Hydro Power, LLC
10120 W. Flamingo Road, Suite 4192
Las Vegas, NV 89147

March 18, 2014

Subject: Allegation of Minimum Flow Non-Compliance

Dear Mr. Mueller:

We received a report that you may not be operating the Sanford Project in compliance with your license. Specifically, our report indicates that you may not be complying with the minimum flow requirement of Article 401.

As clarified in the Order Modifying and Approving Article 401 Flow Release Plan, you are required to release a continuous minimum flow of 210 cubic feet per second (cfs) from May 1 through March 14 and 650 cfs between March 15 and April 30.¹

According to your letters filed September 10, and December 9, 2013, you are not currently recording flow releases at your project as required by license Article 402. However, you state in your December 9, 2013 letter that the flow gage downstream of the project will be installed and calibrated in June and July 2014.

Because you are not measuring flows released by the project, we request that you file other documentation indicating how you are verifying compliance with your minimum flow requirement. Therefore, within 30 days of the date of this letter, please file a report that contains the following information:

1. The calculations used to estimate flow releases from spillway gates and turbine units;

¹ 94 FERC ¶ 62,157 (February 16, 2000).

2. Copies of your records, between December 1, 2013 and the date of this letter which include the date and time spillway gates or turbine units were adjusted, their new settings, estimated flows, and headpond elevations if required to perform the calculations requested in item 1;
3. Identification of any days during which you may have failed to fully comply with your flow requirements, explanations for any such occurrences, discussion of any adverse impacts, and descriptions of any efforts made on those dates to maintain the required flow; and
4. Any other information necessary for us to determine your compliance with the minimum flow requirements of license Article 401.

The Commission strongly encourages electronic filing. Please file the requested information using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, D.C. 20426. The first page of any filing should include docket number P-2785-086.

Thank you for your cooperation in this matter. If you have any questions, please contact Steven Sachs by telephone at 202-502-8666 or by email at Steven.Sachs@ferc.gov.

Sincerely,

Steve Hocking
Chief, Environmental Review Branch
Division of Hydropower Administration
and Compliance