UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: James J. Hoecker, Chairman;
Vicky A. Bailey, William L. Massey,
Linda Breathitt, and Curt Hébert, Jr.

Central Nebraska Public Power and Irrigation District

Project No. 1417-001

ORDER ISSUING NEW LICENSE

(Issued July 29, 1998)

On June 21, 1984, the Central Nebraska Public Power and Irrigation District (Central) filed an application under Part I of the Federal Power Act (PPA) for a new license to continue to operate and maintain the existing 105.9 megawatt (MW) Kingsley Dam Project, located on the North Platte and Platte Rivers in Garden, Keith, Lincoln, Dawson, and Gosper Counties in south-central Nebraska. 1/ The original license for this project expired on June 30, 1987. Since that time, Central has operated the project under an annual license.

Concurrently with this order, we are issuing an Order Approving Offer of Settlement and Issuance of New Licenses (Master Order), which discusses issues common to this project and Nebraska Public Power District's Project No. 1835. That order is incorporated by reference herein. This order pertains to the Kingsley Dam Project.

PROJECT DESCRIPTION

Project No. 1417, the Kingsley Dam Project, consists of dams, reservoirs, canals, and powerplants. The 3-mile long-Kingsley Dam, on the North Platte River, impounds Lake McConaughy, which has a surface area of 30,500 acres and a

The project is required to be licensed pursuant to Section 23(b) (1) of the FPA, 16 U.S.C. § 817(1), because it is located on the North Platte and Platte Rivers, which are Commerce Clause streams tributary to the navigable Missouri River; it was constructed after 1935; and it affects the interests of interstate commerce because of its interconnection with the interstate electrical grid. The Commission originally licensed the project based on its potential to affect the navigable capacity of the Missouri River. See Federal Power Commission 18th Annual Report at 47-48 (1937).

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maximum allowable storage capacity of 1,790,000 acre-feet. Kingsley Hydro, a 51.9-MW single-turbine hydroelectric plant, abuts Kingsley Dam and discharges to Lake Ogallalla. The Central (or Tri-County) Diversion Dam, located 50 miles downstream of Kingsley Dam at the confluence of the North Platte and South Platte rivers, diverts Platte River flow into the 75-mile-long Supply Canal, which incorporates 27 dams and impoundments and three 18-MW hydroelectric powerplants (Jeffrey, Johnson No. 1, and Johnson No. 2).

The Kingsley Hydro Plant contains one 51,900-kW turbine and one 59,470-kW generator, with an installed capacity of 51,900 kW. The Jeffrey Hydro Plant contains two 9,750-kW turbines and two 9,000-kW generators, with a installed capacity of 18,000 kW. The Johnson No. 1 Hydro plant contains two 9,750-kW turbines and two 9,000-kW generators, with an installed capacity of 18,000 kW. The Johnson No. 2 Hydro plant contains one 18,750-kW turbine and one 18,000-kW generator, with an installed capacity of 18,000 kW. The total installed capacity of the project is 105,900 kW.

WATER QUALITY CERTIFICATION

Project No. 1417-001

The Nebraska Department of Environmental Conservation issued water quality certification for Project No. 1417 on August 30, 1988, with three conditions. Pursuant to Section 401(d) of the Clean Water Act, these conditions are included in the license.

RECOMMENDATIONS OF FEDERAL AND STATE FISH AND WILDLIFE AGENCIES

The U.S. Department of the Interior (Interior) and the Nebraska Game and Parks Commission submitted fish and wildlife recommendations pursuant to Section 10(j) of the FPA. As explained in the Master Order, these parties subsequently filed an Offer of Settlement that modified and effectively withdrew those recommendations. This license is in accordance with our approval of the Offer of Settlement.

ENDANGERED AND THREATENED SPECIES

As explained in the Master Order, the Offer of Settlement includes the reasonable and prudent alternative for protection of endangered and threatened species that the U.S. Fish and Wildlife Service specified in its Final Biological Opinion.

CULTURAL RESOURCES

The license requires Central to implement the provisions of the Programmatic Agreement, executed on July 17, 1998, by Central, the Commission, the Nebraska State Historic Preservation Officer, and the Advisory Council on Historic Preservation.