



## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 9647-003]

### Vecino Vineyards, Inc.; Notice of Proposed Termination of Exemption by Implied Surrender and Soliciting Comments, Motions to Intervene, and Protests

Take notice that the following hydroelectric proceeding has been initiated by the Commission and is available for public inspection:

- a. Type of Proceeding: Proposed Termination of Exemption by Implied Surrender
- b. Project No: 9647-003
- c. Date Initiated: April 23, 2024
- d. Applicant: Vecino Vineyards, Inc.
- e. Name of Project: Hammeken's Power House Canal
- f. Location: The project is located on the East Fork Russian River Mendocino County, California. The project does not include Federal lands.
- g. Filed Pursuant to: 18 CFR 4.106
- h. Applicant Contact: Michael Miller, 14100 Powerhouse Road, Potter Valley, CA, 95469, (707) 743-1830
- i. FERC Contact: David Rudisail, (202) 502-6376, david.rudisail@ferc.gov
- j. Resource Agency Comments: Federal, State, local and Tribal agencies are invited to file comments on the described proceeding. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments.
- k. Deadline for filing comments, motions to intervene, and protests: July 1, 2024.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include the docket number P-9647-003. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

1. Description of Project Facilities: The run-of-river project utilized the flows released into the East Fork Russian River by Pacific Gas and Electric Company's Potter Valley Project No. 77. The project works include: a concrete anti-vortex shield; two 4-foot-diameter 12-foot-long steel penstocks; a powerhouse containing two turbine-generator

units with a combined capacity of 300 kW operating under a head of 15.5 feet; and a 12.4 kV transmission line interconnecting the project with an existing PG&E substation. The project has been not operated since 2013.

m. Description of Proceeding: The exemptee is in violation of Standard Article 1 of its exemption, which was granted on August 26, 1986 (36 FERC 62,223). The Commission's regulation 18 CFR 4.106 provides, among other things, that the Commission reserves the right to revoke an exemption if any term or condition of the exemption is violated. The project has not operated since 2013.

In July 2022, and April, August, and September of 2023, the Commission sent the exemptee letters providing details for filing a surrender application and requiring the exemptee to file information regarding their intentions to surrender the exemption or restore operation of the project. The exemptee has not responded to any of the Commission's correspondence, nor have they filed a surrender application.

n. Location of the Order Issuing Exemption may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-9647) excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659.

o. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

p. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice

and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. Filing and Service of Documents: Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

r. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

Dated: May 15, 2024.

**Debbie-Anne A. Reese,**

*Acting Secretary.*

[FR Doc. 2024-11149 Filed: 5/20/2024 8:45 am; Publication Date: 5/21/2024]