

Pt. 221, List

restore the project waters, lands, and facilities remaining within the project boundary to a condition satisfactory to the United States agency having jurisdiction over its lands or the Commission's authorized representative, as appropriate, or to provide for the continued operation and maintenance of nonpower facilities and fulfill such other obligations under the license as the Commission may prescribe. In addition, the Commission in its discretion, after notice and opportunity for hearing, may also agree to the surrender of the license when the Commission, for the reasons recited herein, deems it to be the intent of the Licensee to surrender the license.

Article 27. The right of the Licensee and of its successors and assigns to use or occupy waters over which the United States has jurisdiction, or lands of the United States under the license, for the purpose of maintaining the project works or otherwise, shall absolutely cease at the end of the license period, unless the Licensee has obtained a new license pursuant to the then existing laws and regulations, or an annual license under the terms and conditions of this license.

Article 28. The terms and conditions expressly set forth in the license shall not be construed as impairing any terms and conditions of the Federal Power Act which are not expressly set forth herein.

LIST OF FPC STANDARD ARTICLES FORMS USED IN PERMITS AND LICENSES FOR HYDROELECTRIC PROJECTS

The following FPC standard articles Forms, in addition to the standard Forms L-3, and L-4 which are provided in this appendix, are available from the FPC offices:

FPC Forms ¹	Title
P-1	Terms and conditions of preliminary permit.
L-1	Terms and conditions of license for constructed major project affecting lands of the United States.
L-2	Terms and conditions of license for unconstructed major project affecting lands of the United States.
L-5	Terms and conditions of license for constructed major projects affecting navigable waters and lands of the United States.
L-6	Terms and conditions of license for unconstructed major project affecting navigable waters and lands of the United States.
L-9	Terms and conditions of license for constructed minor projects affecting navigable waters of the United States.
L-10	Terms and conditions of license for constructed major project affecting the interests of interstate or foreign commerce.
L-11	Terms and conditions of license for unconstructed major project affecting the interests of interstate or foreign commerce.

33 CFR Ch. II (7-1-10 Edition)

FPC Forms ¹	Title
L-14	Terms and conditions of license for unconstructed minor project affecting navigable waters of the United States.
L-15	Terms and conditions of license for unconstructed minor project affecting the interests of interstate or foreign commerce.
L-16	Terms and conditions of license for constructed minor project affecting lands of the United States.
L-17	Terms and conditions of license for unconstructed minor project affecting lands of the United States.
L-18	Terms and conditions of license for constructed minor project affecting navigable waters and lands of the United States.
L-19	Terms and conditions of license for unconstructed minor project affecting navigable waters and lands of the United States.

¹ Revised Oct. 1975.

PART 222—ENGINEERING AND DESIGN

Sec.

- 222.2 Acquisition of lands downstream from spillways for hydrologic safety purposes.
- 222.3 Clearances for power and communication lines over reservoirs.
- 222.4 Reporting earthquake effects.
- 222.5 Water control management (ER 1110-2-240).
- 222.6 National Program for Inspection of Non-Federal Dams.

AUTHORITY: 23 U.S.C. 116(d); delegation in 49 CFR 1.45(b); 33 U.S.C. 467 *et seq.*; 33 U.S.C. 701, 701b, and 701c-1 and specific legislative authorization Acts and Public Laws listed in appendix E of § 222.7.

§ 222.2 Acquisition of lands downstream from spillways for hydrologic safety purposes.

(a) *Purpose.* This regulation provides guidance on the acquisition of lands downstream from spillways for the purpose of protecting the public from hazards imposed by spillway discharges. Guidance contained herein is in addition to ER 405-2-150.

(b) *Applicability.* This regulation is applicable to all OCE elements and all field operating agencies having civil works responsibilities.

(c) *Reference.* ER 405-2-150.

(d) *Discussion.* A policy of public safety awareness will be adhered to in all phases of design and operation of dam and lake projects to assure adequate security for the general public in areas downstream from spillways. A real estate interest will be required in those