UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

In the Matter of the Application of	)	
	)	
PLACER COUNTY WATER AGENCY	)	
	)	
	)	FERC Project No. 2079
For new major license for the	)	
Middle Fork American Hydropower Project	)	

27 September 2012
Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426
Subject: Review of Draft Environmental Impact Statement; Middle Fork American River Project, FERC No. 2079-069; Placer and El Dorado Counties, California
Dear Ms. Bose:

September 27, 2012

Hilde Schweitzer, participating as an independent representative of private boating interests in the FERC relicense process for Project No. 2079, respectfully submits the enclosed Comments on FERC's Draft Environmental Impact Statement.

On August 5, 2011, the Forest Service filed with FERC "The US Forest Service Preliminary Section 4(e) Conditions and Rationale Report for Middle Fork American River Project under P-2079" (e-Library no. 20110805-5059). On November 30, 2011, the licensee filed "Supplemental Information Filed by Placer County Water Agency for the Middle Fork American River Project Relicensing (P-2079)" (e-Library no. 20111130-5221). On July 23, 2012, the FERC filed "DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR HYDROPOWER LICENSE Middle Fork American River Hydroelectric Project—FERC Project No. 2079-069" (e-Library no. 20120723-4002). Hilde Schweitzer files the following comments in response to the DEIS submitted by FERC.

Section 2.2.2.2 discusses the valve structure of Hell Hole development and includes "a low level outlet pipe conveying flows to the Rubicon River or to the powerhouse penstock with a maximum discharge capacity of 852cfs".

Section 3.3.2 discusses the valve in relation to the bypass section of the Rubicon stating: "Controlled flow releases from Hell Hole dam can come from a 20-inch-diameter pipe fitted with a 12-inch hollow-cone valve with an estimated maximum discharge capacity of 20 cfs and a 48-inch-diameter pipe with a hollow-cone valve for low-level discharges of up to 852 cfs at full reservoir volume. However,

PCWA limits discharges from this pipe to prevent spray on the powerhouse and erosion of the powerhouse access road."
The clarifying comment above regarding the low-level outlet valve was the main reason two gages on the Rubicon were requested and agreed to by PCWA and the Stakeholders. PCWA has included plans in it's license application to modify and raise the reservoir level at Hell Hole that may have the potential to delay or modify historic spill from the dam. In the license application PCWA has included two gages on the Rubicon that FERC's staff disagrees with including in the final license. I respectfully request that these gages be re-evaluated for inclusion in the final license and submit the following rationale:

COMMENTS ON SECTION 5.2.3 MEASURES NOT RECOMMENDED BY STAFF

1. **Streamflow Gages on the Lower Rubicon and North Fork American Rivers Gages on the North Fork American and Rubicon River**

Hilde Schweitzer disagrees with FERC staff's proposal to exclude the two gages on the lower Rubicon River from the final license. The ultimate FERC FEIS Alternative 1 should include all of the proposed terms and conditions included in the Forest Services' Preliminary Terms and Conditions and PCWA's Supplemental filing in order to reflect the consensus agreement between stakeholders on November of 2011. FERC's DEIS Alternative 1 includes most but not all of the terms and conditions provided by PCWA in its Supplemental filing and the Forest Service's Preliminary Terms and Conditions.

It is my belief that all of the terms and conditions agreed to by the Stakeholders and PCWA do have nexus to the project and its operations under Section 4(e) of the Federal Power Act that requires that the Commission give equal consideration to power and non-power uses. In particular, the FPA Comprehensive Planning provides a rationale for project nexus for a variety of conditions which FERC has stated in its DEIS have no project nexus.

The gages proposes to be excluded by FERC do have nexus with the Project in that the gage information provides the only real and safe means for recreational boating access in these bypass reaches to occur. The Federal Power Act requires comprehensive planning, which includes recreational and safety concerns impacted by the project's operations.

Because recreational boating cannot be provided through the low level outlet at Hell Hole dam on this bypass section, boaters can only use the resource when Hell Hole reservoir spills or during significant rain events that create boatable levels in this section. Because of the volatile nature of the run, flows typically double or triple in the section between the dam and Ralston powerhouse creating a safety issue if boaters were solely to rely on gage information from the dam vicinity. There are several access points on this bypass section that would have no information about boatable flows if the gage information were

eliminated as recommended by FERC in the DEIS. Several of the lower access points of the run are accessible when the dam area itself is impacted by snow and is not accessible. Eliminating the gages effectively eliminates potential boating opportunity on much of this bypass reach and completely eliminates informed and safe access to the resource.

PCWA and the Stakeholders agree that the gages have a nexus to the project because they provide safe boating access opportunity for these sections of the river. Information from these gages also informs PCWA of project inflow and allows for better water management and planning on their part, potentially saving money and resources. Recreational boaters are respectful of PCWA's need to balance multiple uses of the resource and believe that including these gages will allow for new boating opportunities and use of the resource while incurring a relatively small investment on their part. There is no waste of the resource since there is no request for any additional water releases to provide boating opportunities in these sections through scheduled flow releases in bypass reaches as required in some other FERC licenses. Recreational boaters, anglers and hikers will be able to use the gage information to access these naturally occurring flows safely. Given the increasing importance and value of hydro power, the use of gage information as mitigation seems an extremely cost effective means to provide recreational boating opportunity especially in bypass sections of Projects.

In light of the Federal Power Act's requirements for comprehensive planning and balancing non-power user requests for the project, I urge FERC staff to reconsider its argument of no nexus for these gages.

I would like to thank the FERC and PCWA for the opportunity to participate in this relicense and respectfully request that FERC take into account these comments in its Final NEPA document. Thank you for accepting the comments of Hilde Schweitzer.

Respectfully submitted,
Hilde Schweitzer

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