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February 19, 2008 File No. 01030A Electronically Filed

The Honorable Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street, NE Washington, D.C. 20426

Re:

2007 Study Implementation Progress Report Meeting Summary

Middle Fork American River Project (FERC Project No. 2079)

#### Dear Secretary Bose:

This report provides a summary of the Placer County Water Agency's (PCWA's) 2007 Study Implementation Progress Report Meeting for the Middle Fork American River Project (MFP or Project). The meeting was held on February 4, 2008 at the Canyon View Community Center, Foothills Room, 471 Maidu Drive, Auburn, California, in combination with a regularly scheduled Plenary meeting.

During the meeting, PCWA provided an overview of the progress made on the implementation of 28 stakeholder-approved Technical Study Plans (TSPs) included in the Pre-Application Document (PAD) filed with the Federal Energy Regulatory Commission (FERC or Commission) on December 13, 2007. During the meeting, PCWA highlighted any variances that have occurred during study implementation. No major modifications to the stakeholder-approved TSPs are proposed by PCWA and none were proposed by any of the stakeholders present at the meeting. A minor modification to AQ 1 - Instream Flow Study Plan is proposed by PCWA to address stakeholder comments. Attachment A provides a summary of comments received by stakeholders during the meeting as well as PCWA's responses and proposed modifications to the study plans. The following summarizes the meeting discussion.

#### Overview

PCWA began the meeting by providing an overview of the Commission's study progress reporting requirements and schedule. At this point, PCWA is not required to provide an annual progress report because the FERC has not yet approved PCWA's proposed TSPs. However, PCWA began implementing studies early and is using the FERC's reporting process as a means of providing regular updates to the stakeholders on study

progress. The following are key dates related to the 2007 Study Implementation Progress Report.

- January 22, 2008 PCWA filed a 2007 Study Implementation Progress Report with the FERC and distributed the report to the stakeholders for review and comment.
- February 4, 2008 PCWA held a 2007 Study Implementation Progress Report Meeting.
- February 19, 2008 PCWA will file and distribute a 2007 Study Implementation Progress Report Meeting Summary
- March 20, 2008 Stakeholder comments on PCWA's 2007 Study Implementation Progress Report Meeting Summary are due.

The schedule provides PCWA and the stakeholders with an opportunity to discuss and resolve any comments or proposed study plan modifications before comments are due to the FERC on PCWA's Pre-Application Document (PAD) and the FERC's Scoping Document 1 (SD-1). Comments on these documents are due on April 11, 2008.

PCWA has completed the first year of studies, as outlined in the stakeholder-approved TSPs and has been preparing a series of reports documenting the 2007 study methods and results. Four of these reports were recently distributed to the stakeholders for review and comment, as follows:

- CUL 1 Cultural Resources Study Report 2007
- TERR 1 Vegetation Communities and Wildlife Habitat Technical Study Report -2007
- AQ 11 Water Quality Technical Study Report 2007
- AQ 12 Special-Status Amphibian and Aquatic Reptile Technical Study Report -2007

The technical study reports are organized to address the FERC's reporting requirements and include sections describing accomplishments to date, variances from the TSP, and any proposed new studies. No major variances from the TSPs have occurred. A few minor variances have occurred and generally fall under three categories: 1) schedule changes; 2) deviations caused by poor access conditions or inadvertent errors made during study implementation; and, 3) voluntary enhancements.

Following this overview, several technical specialists briefly described progress on each of the 28 technical studies following the information presented in Attachments B and C of PCWA's 2007 Study Implementation Progress Report.

Discussion topics, stakeholder comments, and PCWA's proposed action or study plan modifications are summarized in Attachment A.

#### **Next Steps**

PCWA has distributed this summary to the stakeholders identified on Attachment B at the same time that it was filed with the FERC. Any stakeholder or the Commission staff may file comments on PCWA's meeting summary within 30 days of the date of the filing of this meeting summary, or by March 20, 2008. Comments should identify any disagreements and any modification to ongoing studies, or new studies proposed.

PCWA looks forward to working with Commission staff and MFP stakeholders as the relicensing proceeds. If you have any questions regarding this meeting summary, please contact Mal Toy, MFP Relicensing Manager, at (530) 823-4889.

Sincerely, PLACER COUNTY WATER AGENCY

Mal Toy

Director of Resource Development

MT:bb

Attachments:

Attachment A - Meeting Summary Table

Attachment B - Distribution List

# ATTACHMENT A Meeting Summary Table

## 2007 Study Implementation Progress Report Meeting Summary

## Stakeholder Comments and PCWA Responses

Technical Study Plan	Discussion Topic	Specific Study Element	Stakeholder Question/Comment	Follow-up Discussion	Proposed Study Plan Modification
AQ 1 Instream Flow	Outstanding Study Element  One-time stranding evaluation downstream of Ralston Afterbay	PCWA explained that one of the AQ 1 Instream Flow outstanding study elements is to complete a one-time stranding evaluation downstream of Ralston Afterbay in the spring of 2008. The exact timing of the study is dependent on flow conditions during spring and early summer. The goal is to conduct the evaluation when flow fluctuations, resulting from typical peaking operations, first begin to occur in the peaking reach.	Several meeting participants expressed concern about how this study would be carried out in 2008 given the current snowpack and projected high flow conditions (runoff) in the river in the spring and early summer.	PCWA explained that the higher flow conditions this year, if they occur, will possibly shift the timing of the stranding evaluation into early summer. In general, higher flow conditions will provide PCWA with a better opportunity to document stranding if it is occurring. The most sensitive time to evaluate stranding would be in the spring or early summer after relatively high flows have been in the channel for an extended period of time and the Project first gains "control" of the runoff (e.g. the reservoirs stop spilling) resulting in rapid flow reduction in the reach and subsequent daily flow fluctuations as peaking operations are initiated.  Associated Action:  PCWA will implement the stranding study during this sensitive time period in	None
				2008 to meet the objectives as stated in the Technical Study Plan. No modifications to the Technical Study Plan are needed.	
AQ 9 Geomorphology	Technical Study Plan Variance  V* estimates in  The Technical Study Plan indicated that V* estimates would be performed in a total of 125 pools located along the bypass and peaking reaches, and two comparison reaches. Of these, 16 pools were not surveyed mainly due to poor	Mo Tebbe of the USDA-FS asked if the elimination of some V* pools would adversely effect instream flow studies, or any other aquatic study.	PCWA explained that it would not and reiterated the fact that V* measurements were taken in representative pools at all study sites. The information collected is sufficient to complete all the analyses outlined in the Aquatic Technical Study plans.	None	
	sample pools	access conditions. However, pools were sampled at every study site.	Bill Deitchman of the Auburn State Recreation Area (ASRA) asked if PCWA is coordinating the relicensing sediment studies with the sediment transport study being performed by another consultant in the Ralston Afterbay area.	PCWA explained that the studies are being coordinated and study data and results are being shared between consultants and relevant information will be summarized in the technical reports completed for the relicensing as appropriate. The information already provided in the Pre-Application Document (PAD) incorporated results from early relicensing studies completed by PCWA in 2005-2006, as well as sediment studies completed downstream of Ralston Afterbay.	None
			Gary Flanagan of the Horseshoe Bar Fly Fishing Preserve asked how PCWA will use the information developed as part of the relicensing studies to determine whether spawning gravels are being depleted or transported from the river. He expressed concern that spawning gravels are high on the bars downstream of Ralston Afterbay and not low enough in the channel to be inundated during the spawning period.	PCWA explained that several studies will address spawning gravel availability and transport in the peaking reach including previous physical habitat studies (meso-habitat surveys) completed by PCWA as part of early relicensing activities (Pre-Application Document - Supporting Document G) and stakeholder—approved study plans included in the PAD (AQ-1 Instream Flow Study and AQ-9 Geomorphology Study). For example, the meso-habitat mapping identified the amount of spawning gravel in representative channel locations in the peaking reach. The geomorphology studies will identify at each instream flow study site what flows transport gravel and the frequency of occurrence of those flows in the river. The geomorphology studies are also assessing how much gravel is being captured in the Project reservoirs. In addition, spawning gravels will be mapped in detail at both of the 2D instream flow modeling study sites in the peaking reach downstream of Ralston Afterbay (also at the 1D instream flow study sites in the bypass reaches). Spawning habitat will be modeled at the instream flow study sites as a function of discharge. The information derived from these studies should adequately address the status of spawning gravels in the river reaches as well the availability of these gravels to fish during the spawning season.	None

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Attachment A\_Meeting Summary Table.doc

## 2007 Study Implementation Progress Report Meeting Summary

Technical Study Plan	Discussion Topic	Specific Study Element	Stakeholder Question/Comment	Follow-up Discussion	Proposed Study Plan Modification
Water Quality S	Fechnical Study Results  Methyl mercury ish tissue esults	PCWA explained that all of the water quality studies have been completed. A report describing study methods and results was distributed to the Aquatic Technical Working Group on February 1, 2008.  PCWA explained that methyl mercury was detected in fish tissue samples at concentrations higher than California's Office of Environmental Health Hazard Assessment (OEHHA) recommend level at all locations in the study area. The highest concentrations were detected in fish collected at Hell Hole Reservoir, but that is also where the largest fish were caught.	Russ Kanz of the State Water Resources Control Board (SWRCB) remarked that a section of the Bear River has been 303 (d) listed.  Associated Action: Russ Kanz is going to follow up with the Regional Water Quality Control Board (RWQCB) to determine whether any action should be taken on any of the study streams/reservoirs given the methyl mercury results.	PCWA also explained that an approach was outlined in the stakeholder-approved AQ 11 Water Quality Technical Study Plan for developing contingency water quality sampling, if deemed appropriate by the Aquatic Technical Working Group (TWG) based on the findings. PCWA has distributed a draft report of the water quality results to the Aquatic TWG for review. After the Aquatic TWG has reviewed the draft report, PCWA will schedule a meeting with the Aquatic TWG, as outlined in the Technical Study Plan, to determine if follow-up sampling is required. As such, no modifications to the Technical Study Plan are needed.	None
Special-Status R	California Red-legged Frog Surveys	Attachment C of the 2007 Study Implementation Progress Report incorrectly indicates that contingency studies for California red-legged frog (CRLF) will be performed in 2008. The correct date for these surveys is 2009 as specified in the AQ 12- TSP.  Further, PCWA has identified in the CRLF Site Assessment that potential habitat for CRLF is present in the Horseshoe Bar area within private property. PCWA will be submitting the Site Assessment to USFWS in February 2008 and will be consulting with USFWS to determine the need for any additional protocol level surveys in 2009 in the study area.	Gary Flanagan of the Horseshoe Bar Fly Fishing Preserve indicated that access to the private property that his group leases may not be available in 2009. He suggested that USFWS be contacted immediately and PCWA obtain approval for conducting the surveys in Spring 2008.	PCWA stated that the CRLF Site Assessment was almost complete and the assessment would be submitted to the USFWS in mid-February for their review (the Site Assessment will be submitted to the USFWS during the week of February 18.). The decision to survey for CRLF in the study area, including the Horseshoe Bar area, is contingent upon USFWS reviewing the Site Assessment and making a determination of the need for protocol-level surveys. USFWS only requires surveys in areas of potential CRLF habitat located on public lands or where landowner permission has been granted. Although PCWA's Site Assessment has identified several ponds on private property in the Horseshoe Bar area as potential CRLF habitat, protocol –level surveys have not been conducted to date or requested by the USFWS. PCWA is very sensitive of landowner property rights and will work with the landowner to obtain permission to conduct CRLF surveys, if such surveys are requested by the USFWS upon review of the Site Assessment. If the landowner grants PCWA access, the surveys will be completed by PCWA within the guidelines identified by the USFWS. If landowner access is not granted, no surveys will be conducted.  **Associated Actions:**  PCWA will contact the USFWS, once the Site Assessment is submitted, to discuss comments on the Site Assessment and obtain concurrence on potential CRLF habitat in the study area and, if appropriate, locations where protocol-level surveys are required by the USFWS.  PCWA will also contact the landowner of the private property where the potential CRLF habitat is present along the peaking reach and attempt to obtain permission to conduct aquatic surveys (including CRLF surveys) associated with relicensing of the Middle Fork American River Project. Surveys for CRLF will only be conducted on this property if landowner permission is granted and the USFWS requires protocol-level surveys to be completed. No modification to the AQ 12 TSP is proposed. PCWA will attempt to expedite USFWS review of the Site Assessment and acquisiti	None

## 2007 Study Implementation Progress Report Meeting Summary

Technical	Discussion	Specific	Stakeholder	Follow-up	Proposed Study Plan
Study Plan	Topic	Study Element	Question/Comment	Discussion	Modification
General Comments Regarding Aquatic Technical Studies	Algae		Julie Leimbach of the Foothill Water Network asked if there was a placeholder in the aquatic studies for an algae study.  Several meeting participants asked whether PCWA would perform additional <i>Didymosphenia</i> studies.  Bill Deitchman of ASRA suggested that PCWA document the location and timing of <i>Didymosphenia</i> observations when encountered during other aquatic studies.	PCWA explained that there was not a placeholder in the aquatic studies for an algae study. PCWA explained that algae samples were collected at a location in a bypass reach (Duncan Creek) and at a location in the peaking reach (Otter Creek confluence). The samples were collected as part of the early relicensing studies completed by PCWA in 2005 and 2006. The samples were requested by the California Department of Fish and Game to identify if the nuisance species <i>Didymosphenia geminate</i> was present in the bypass or peaking reaches. Results from those samples indicate that <i>Didymosphenia geminata</i> is present in the study streams. Additionally, <i>Didymosphenia geminate</i> was identified in several of the benthic macroinvertbrate samples.  Stafford Lehr of the California Department of Fish and Game (CDFG) explained that additional studies are not necessary at this time or appropriate for the relicensing due to the lack of information on environmental conditions which support or promote the development of these algal populations. Research-level studies are currently underway and are necessary to better understand the relation, if any, of hydro Project operations and the presence or spread of the nuisance algal species. State and federal agencies are currently in the process of trying to identify the presence and distribution of <i>Didymosphenia</i> throughout the state. In addition, various researchers are performing studies to determine the relationship between <i>Didymosphenia</i> and factors such as flow and recreation. This issue should be re-visited once the research has matured, perhaps during the term of the new license.  Associated Action:  As requested at the meeting, PCWA posted a USGS <i>Didymosphnia geminate</i> general information report on their website (January 5, 2008). The report is titled "Increase in Nuisance Blooms and Geographic Expansion of the Freshwater Diatom <i>Didymosphenia Geminata</i> " (Open File Report 2007-1425, S.A. Apaulind and L. Elwell, 2007).	The following modification to the AQ 1 –Instream Flow Technical Study Plan is proposed by PCWA. If acceptable to the stakeholders and FERC, this modification will be is incorporated into the study plan by reference.  PCWA will collect presence/absence algae samples at each instream flow study site to identify if Didymosphenia geminate is present. Algae abundance will also be assessed visually and photos will be taken to document the typical abundance of algae at each instream flow study site during late summer.

## 2007 Study Implementation Progress Report Meeting Summary

Technical	Discussion	Specific	Stakeholder	Follow-up	Proposed Study Plan
Study Plan	Topic	Study Element	Question/Comment	Discussion	Modification
General Comments Regarding Aquatic Technical Studies (continued)	Adequacy of the extent of survey locations in the peaking reach	Aquatic survey sites	As a follow-up to a question regarding gravel in the peaking reach, Gary Flannigan asked if the Aquatic TSP sampling sites in the peaking reach are representative of the upper portion of the peaking reach given that the farthest upstream study site in the peaking reach is located about 10 miles downstream of Oxbow Powerhouse.	This comment was not discussed in detail at the meeting because of time constraints in the existing agenda. PCWA's response is as follows.  PCWA completed an extensive consultation with stakeholders in 2007 during development of the stakeholder-approved study plans included in the Pre-Application Document. This collaboration included the selection of representative sample sites to characterize aquatic conditions in each bypass and peaking reach. The selection of representative sampling locations included review of extensive aquatic mapping information collected by PCWA in 2005-2006, the Project video, as well as a two-week field visit in August 2007 to each of the proposed sampling sites with representatives of state and federal resource agencies, non-governmental organization and members of the public.  In regard to the peaking reach, most of the Aquatic TSPs (e.g., AQ 11-Water Quality, AQ 12 -Special-Status Amphibian and Aquatic Reptile, AQ 6 - Fish Passage, and AQ 3 - Macroinvertebrate TSPs) have study sites located throughout the length of the peaking reach at helicopter or vehicle accessible locations. The two study plans that the comment appears to be most applicable to are the AQ 1 - Instream Flow and AQ 2 - Fish Population TSPs.  The entire peaking reach, except for a short section in the middle (near Ruck-a-Chucky-Falls), was classified as the same channel type. An instream flow study site was selected in the upper half and lower half of the reach at accessible locations. In particular, the study site in the upper half of the reach at accessible locations in particular, the study site in the upper half of the peaking reach was selected in coordination with the Aquatic TWG from three alternative study sites because it was representative of the reach and it was located near a tributary (Otter Creek) with a known population of foothill yellow-legged frogs. It was, however, the farthest downstream of the three alternative study sites. The fish population study sites overlaid the instream flow modeling is c	None

## 2007 Study Implementation Progress Report Meeting Summary

Technical	Discussion	Specific	Stakeholder	Follow-up	Proposed Study Plan
Study Plan	Topic	Study Element	Question/Comment	Discussion	Modification
REC 4 Stream-based Recreation Opportunities	Technical Study Plan  Focused Group Survey Question Development/ Coordination	PCWA will be developing survey questions in winter/spring 2008 for three recreational focused groups (trail users, anglers, whitewater boaters) in coordination with Recreation TWG to obtaining information related to flow effects on recreation opportunities and experience in the peaking reach. These studies will be conducted in coordination with the instream flow studies and whitewater boating studies.	Russ Kanz of the SWRCB stated that he would like to be involved with the development of survey questions for the angling flow studies.  Associated Action:  PCWA has added Russ Kanz to the Recreation TWG distribution list and committed to inform Russ of upcoming meetings regarding this topic.	None	None

**ATTACHMENT B** 

**Distribution List** 

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