



FOOTHILLS WATER NETWORK

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February 9, 2009

Dear Mal Toy and PCWA,

Thank you for accepting our enclosed comments on the PCWA Implementation Progress Report. We have appreciated PCWA's collaborative approach to the Middle Fork American Relicensing. We feel that we have made great strides to making this relicensing as collaborative as possible and hope we can continue along this path as we enter 2009.

Upon review of 2008 Study Implementation Progress Report for the Middle Fork American River Project, Foothills Water Network offers the following comments and suggested changes. Our comments focus on how the information is presented in the Update on REC 4 - Stream Based Opportunities Technical Study Plan Focus Group Sessions and Refined Flow Study Approaches as appears in PCWA's February 2009 Progress Report (Update on REC-4), which captures information from the boating focus groups. We provided verbal comments in the REC TWG filing the release of this Update on REC-4 but our discussion at that meeting and the subsequent investigations are not captured in the PCWA Progress Report nor the Update on REC-4 but should be.

As we have discussed with the Licensee, we think that our comments and references to specific sections of the Update on REC-4 can be satisfactorily addressed by their inclusion in the Meeting Summary of the FERC Plenary on February 2, 2009. In this way, the Meeting Summary will contextualize, elaborate on, and in some instances, provide more appropriate substitute language to statements made in the Update on REC-4.

Below are our comments and suggested language for the Meeting Summary followed by Attachment A: a letter from the Foothills Water Network dated August 23, 2006 with regards to information-collection on the Rubicon River and boating test flows and Attachment B: PCWA's response letter.

Area of Disagreement

We do not agree with a few statements made in the REC 4 – Stream Based Opportunities Technical Study Plan Focus Group Sessions and Refined Flow Study Approaches. In some cases, the statements do not reflect the intent of the phased approach and final collaborative decision-making outlined in REC-4. In other cases, we do not agree with the information collected from the boating focus group or how it is presented.

I. Presentation of Information Gathered and Decision-Making Process for Contingency Boating Test Flows

In keeping with the REC-4 Study's phased approach, no decisions on contingency boating studies have been taken as of this comment letter and therefore the Update on REC-4 nor the February 2009 Progress Report should reflect this status.

Specifically, the Middle Fork American, Duncan Creek and Long Canyon on page 6 of the Update on REC-4 reads, "Otherwise, PCWA does not propose to conduct boating flow studies on these reaches" (Update on REC-4 p.6-7). This should not be interpreted that a decision has been taken regarding boating test flows by PCWA. On the contrary, the REC-4 Study says that all Relicensing Participants will take a decision on boating test flows on the bypass reaches after all information is gathered. Nor should it be interpreted that it is solely PCWA's decision. Based on the REC-4 Study, the Relicensing Participants will come to a collaborative agreement on whether to conduct test flows on the bypass reaches.

II. Presentation of Information and Decision-making Regarding Boating Test Flows on the Rubicon

The Update on REC-4's presentation of the feasibility of test flows on the Rubicon needs more elaboration and context. In general, it is important that information be presented in a manner consistent with the REC-4 Study, which states that in the first phase, we will collect information, and then assess the need and feasibility for other boating flow tests.

The Update on REC-4 states: "At this time, controlled flow studies on the Rubicon River do not appear feasible" (p.6). It is incorrect to interpret this to mean that all information on the subject has been gathered and that PCWA has decided not to conduct the test flows on the Rubicon River. In making this statement, PCWA is not taking a decision on boating test flows but merely providing a preliminary opinion based on the limited information at the time of the Update on REC-4. PCWA more aptly frames the status of the decision-making on this issue in the beginning of its' February 2009 Progress Report as follows:

The results of this assessment will be discussed with the Recreation TWG in April 2009 to determine if whitewater boating studies on any of the bypass reaches are necessary. (Page 5 Implementation Progress Report, PCWA)

Therefore, the statement in the Update on REC-4 would more appropriately read:

As of the time of this reporting, PCWA has discovered some challenges to making controlled releases for test flows on the Rubicon River below Hell Hole Dam.

In addition, since the time of the release of Update on REC-4 in July 2008, PCWA has agreed to collect more information on boating the run and investigate the feasibility of controlled or uncontrolled releases in order to do boating flows.

First, PCWA and Relicensing Participants are exploring the possibility of an uncontrolled test flow during a spill period. Second, PCWA and relicensing participants agreed that PCWA would investigate the level of effort, cost, and steps necessary to re-engineer the release valve, relocate, or reorient the powerhouse, or otherwise redirect the release so it does not threaten the powerhouse or the opposite bank of the river. This report is due to be released in 2009 as part of the information gathering phase of REC 4 Study. Third, PCWA is interviewing more boaters about their boating experiences in the bypass reaches to ascertain if boatable flows and optimal conditions are already known.

Furthermore, though the boaters present at the Boating Focus Group may have said that it requires 2-3 days to boat from Mile 25 or Ellicott Bridge to Ralston Afterbay, other boaters have subsequently said that this reach has been boated in one day, depending on flows. This is an important modification because the time necessary to run the reach is not as much of a challenge as first presented in the Update on REC-4. We suggest that the following language too narrowly interprets the boatability of this reach:

It requires 2-3 days to boat to Ralston Afterbay from Mile 25 or Ellicott Bridge, respectively, thereby creating a significant logistical constraint for PCWA to provide such releases.

A more appropriate statement would read:

At certain flows, this run can require 2-3 days to boat from Mile 25 or Ellicott Bridge to Ralston Afterbay. However at some flows, the run has been boated in one day, which could limit the logistical issues with conducting boating test flows on this reach.

In conclusion, it is important to add that even if test flows are not conducted due to challenges with existing conditions, this decision will not preclude exploring a boatable flow releases as protection and mitigation measures for license conditions.

III. Presentation of Information Gathered from Boating Focus Group on Ruck-A-Chucky to Mammoth Bar Reach

The following focus group comment on the Ruck-A-Chucky to Mammoth Bar Reach is much too expansive: “Any flow is okay for more skilled boaters” (p.3 Update on REC-4). We find this statement to be misleading and confusing. Upon further discussion with the consultants, they said a very skilled boater made the statement that he thought the reach could be boated up to very high flows. Accordingly, we think the following statement would better capture the boater’s sentiment and his perspective as a skilled boater: “Skilled boaters are able to boat a wide range of high flows on this reach.”

That said, it is important to note that “more skilled boaters” are not the ones who are very interested in boating this reach; rather it is beginner boaters and those providing kayak instruction, who are interested in boating this reach.

Sincerely,

Foothills Water Network
Julie Leimbach, Coordinator

Middle Fork Working Group Members
Nate Rangel, California Outdoors
Hilde Schweitzer, Boater

June 10, 2008

Dear Mal Toy and Andy Fecko,

The Foothills Water Network Middle Fork Working Group would like to reiterate our high level of interest in the ecological and boating flows for the Rubicon below Hell Hole and associated studies with this river reach. As stated previously, the section of river below Hell Hole is considered a classic Class V Sierra whitewater run. Private boaters and commercial operators are very interested in PCWA providing predictable boating flows for this reach that include ecologically appropriate ramping rates and instream flow variations.

First, it seems that given the concern around the ability to provide boating flows on the Rubicon reach below Hell Hole, we would like to propose having a REC TWG meeting sooner than August to discuss these issues further.

In the meantime, the following questions can inform our discussion and help bring us to a mutually satisfying outcome. Thank you to Mal for answering Hilde's questions regarding the Rubicon in a recent email. We have some further related questions below.

- Please describe the decision-making process that resulted in the revised instream flow tests for the Rubicon and the alternatives considered. Many of the REC TWG members do not participate in the AQ TWG and did not participate in meetings where that decision was made. We believe that the instream flow tests and ability to conduct ramping flows at Hell Hole are directly related with recreation interests for boating on the Rubicon below Hell Hole. It is my recollection that this decision involved a discussion of releasing water via the spillway or siphoning water over Hell Hole Dam. If this decision is documented somewhere, please provide that documentation so that the group can understand its impacts on the recreation test flows and information produced as part of the instream flow studies.
- What level does the reservoir have to be in order to release water via the spillway into the Rubicon reach below Hell Hole?
Given the ability to move water from French Meadows to Hell Hole, is it possible to bring Hell Hole to a level high enough to create a spillway release?
- Would a release out of the spillway negatively impact the powerhouse?
- Can PCWA drain the Hell Hole reservoir in case of emergency?
- What are the regulations of The Division of Dam Safety on the release into the Rubicon?
- How does PCWA test the valve at the top of the Rubicon stretch to the satisfaction of The Division of Dam Safety?

- Does PCWA have the ability to control ramping rates, particularly off of spill events on the Rubicon at Hell Hole Reservoir?
- With current project operations and facilities, what are the limits of instream flows that can be produced out of Hell Hole Reservoir?
Can PCWA produce flows that could be required in a new flow schedule for boating and ecological enhancement?
- What are the options PCWA is exploring for changing the infrastructure at Hell Hole to be able to meet a new flow schedule with increased instream flow variability and appropriate ramping rates on the Rubicon?

The issue of new flow schedules carries quite a history from other relicensings and Foothills Water Network members are sensitive to exploring these issues in full at the beginning of this relicense process. In previous relicensings, participants have encountered a division between a licensee's ability to provide test boating flows and subsequent long-term solutions for ramping rates and scheduled boating flows. Accordingly, we appreciate PCWA's responsiveness to our heightened concern around these issues and look forward to working with PCWA towards a full understanding and comfort level for all participants.

Sincerely,

Foothills Water Network Middle Fork Working Group

Julie Leimbach, Foothills Water Network

Hilde Schweitzer, Private Boater

Dave Steindorf, American Whitewater

Nate Rangel, California Outdoors and California Hydropower Reform Coalition

Dan Crandall, Current Adventures

Gary Estes, Protect American River Canyons

Gary Flanagan, Federation of Flyfishers

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June 30, 2008
File No. 01030A

Julie Leimbach
Foothills Water Network
PO Box 713
Lotus, CA 95651

SUBJECT: PCWA's Response to Foothill Water Network's June 10, 2008 Letter

Dear Ms. Leimbach,

Below, please find responses to the questions you posed to Placer County Water Agency in your June 10, 2008 letter:

Please describe the decision-making process that resulted in the revised instream flow tests for the Rubicon and the alternatives considered. Many of the REC TWG members do not participate in the AQ TWG and did not participate in meetings where that decision was made. We believe that the instream flow tests and ability to conduct ramping flows at Hell Hole are directly related with recreation interests for boating on the Rubicon below Hell Hole. It is my recollection that this decision involved a discussion of releasing water via the spillway or siphoning water over Hell Hole Dam. If this decision is documented somewhere, please provide that documentation so that the group can understand its impacts on the recreation test flows and information produced as part of the instream flow studies.

Response

As it relates to the instream flow releases for the instream flow study, the discussion was that given the current circumstances (reservoir elevation, flow release limitations) it was not physically practical to release a high flow.

Given this limitation, the agreement amongst participating TWG members was that:

- 1. PCWA would collect the instream flow data at medium (highest flow we could release – 65- 70 cfs) and low flow in a manner that allows a backwater step model to be used so that if we could not get a high flow we could still model to higher flows (this essentially meant that in addition to getting water surface elevations at our stream transects, we would also collect water surface elevations at the downstream dams).*
- 2. That we would attempt to collect a high flow water surface elevation based on natural flow events. That is during spring 2008 or 2009 we would measure the highest flow available during the snowmelt period and if that was not successful we would watch for another high flow event.*

What level does the reservoir have to be in order to release water via the spillway into the Rubicon reach below Hell Hole? Given the ability to move water from French Meadows to Hell Hole, is it possible to bring Hell Hole to a level high enough to create a spillway release?

Response

Yes, it is physically possible to move water from French Meadows Reservoir to Hell Hole Reservoir, but at an unacceptable impact to MFP operations. The spillway elevation at Hell Hole Reservoir is 4630 feet, which correlates to a storage of 207,549. As of June 15, 2008, Hell Hole Reservoir storage is 182,409, or an elevation of 4609.2 feet. At a maximum transfer rate of 400 cfs from French Meadows to Hell Hole reservoir, and a cessation of hydroelectric generation at Middle Fork Powerhouse and Ralston Powerhouse (representing about 90% of the entire MFP generating capacity), it would take approximately 31 days to fill Hell Hole Reservoir from French Meadows. The maximum spill created would, of course, be limited to 400 cfs.

In addition, PCWA believes that a forced spill at this time would have several adverse environmental impact downstream in the Rubicon River, particularly to Foothill Yellow-legged frogs. In order to avoid these impacts, any test releases should be timed to occur prior to FYLF breeding.

Would a release out of the spillway negatively impact the powerhouse?

Response

No. the spillway channel enters the Rubicon River downstream of the Hell Hole Powerhouse

Can PCWA drain the Hell Hole reservoir in case of emergency?

Response

Yes. PCWA would open the Hell Hole Reservoir lower level release valve (the 48" Howell-Bunger Valve located immediately adjacent to the Hell Hole Powerhouse) to make any emergency release. Hell Hole Powerhouse and vicinity then would likely need to be repaired or replaced at a later date following an emergency flow release.

What are the regulations of The Division of Dam Safety on the release into the Rubicon?

Response

That the Hell Hole Reservoir lower level release valve is in good working condition and tested annually.

How does PCWA test the valve at the top of the Rubicon stretch to the satisfaction of The Division of Dam Safety?

Response

The Hell Hole Reservoir lower level release valve (48" Howell Bunger valve) is tested annually by closing a butterfly valve located on the upstream face of the dam, and cycling the Howell Bunger valve in a close-open-close sequence. These tests are reviewed and approved by DDS.

Does PCWA have the ability to control ramping rates, particularly off of spill events on the Rubicon at Hell Hole Reservoir?

Response

The spillway at Hell Hole is uncontrolled (i.e., there are no spillway gates). Spring flows in the Rubicon River that enter Hell Hole Reservoir and fill the reservoir beyond elevation 4630 feet will create an uncontrolled spillway release. PCWA cannot control the rate that this spillway flow increases or decreases.

With current project operations and facilities, what are the limits of instream flows that can be produced out of Hell Hole Reservoir?

Response

Approximately 70 cfs.

Can PCWA produce flows that could be required in a new flow schedule for boating and ecological enhancement?

Response

As stated above, PCWA can discharge approximately 70 cfs into the lower Rubicon River. Any new flow schedule will be a subject of discussion in the PM&E phase in the relicensing process.

What are the options PCWA is exploring for changing the infrastructure at Hell Hole to be able to meet a new flow schedule with increased instream flow variability and appropriate ramping rates on the Rubicon?

Response

PCWA will be looking at a number of possible upgrade options to the existing facilities that will hopefully envelope the facility release requirements that will become evident in the PM&E phase. These include shrouding the existing valve location to prevent a release from impacting the existing powerhouse; relocating the existing valve downstream, or relocating the existing powerhouse.

If you have any additional questions or would like to discuss the responses, please don't hesitate to call me at (530) 823-4889.

Sincerely,
PLACER COUNTY WATER AGENCY



Mal Toy
Director of Resource Development

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