



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Southwest Region

2800 Cottage Way

Room E-1712

Sacramento, California 95825-1890

IN REPLY
REFER TO:

August 4, 2011

By overnight delivery and electronic filing

Kimberly Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Subject: Middle Fork American River Project, FERC No. 2079
Notice of Intervention of the Department of the Interior
Request for Inclusion on Service List

Dear Ms. Bose:

Enclosed for filing with the Federal Energy Regulatory Commission in the above-captioned proceeding, please find the original and nine copies of the Notice of Intervention of the Department of the Interior. Please date-stamp the ninth copy and return it to me in the stamped, self-addressed envelope.

Please also add the Departmental representatives listed in the Intervention to the Service List for this Project.

Thank you for your attention.

Sincerely,

Daniel G. Shillito
Regional Solicitor

By: Kerry O'Hara
Assistant Regional Solicitor

Enclosure

cc: Service List, Project No. 2079
Office of Environmental Policy and Compliance, DOI

**BEFORE THE
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

Placer County Water Agency)	
)	
)	Project No. 2079
Middle Fork American River Project)	
)	
Placer and El Dorado Counties, California)	

**NOTICE OF INTERVENTION
UNITED STATES DEPARTMENT OF THE INTERIOR**

In response to the Federal Energy Regulatory Commission's (Commission) June 7, 2011, *Notice of Application Accepted for Filing, Soliciting Motions to Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions*, and as provided in Rule 214(a)(2) of the Commission's procedural regulations, 18 C.F.R. § 385.214(a)(2), the Department of the Interior (Department) hereby files its Notice of Intervention in the Middle Fork American River Project (Project) proceeding. The Department intervenes in this proceeding for the purpose of becoming a party. Pursuant to 18 C.F.R. § 385.214(a)(2), the Department of the Interior's Notice of Intervention, filed within the timing requirements set forth in the Commission's June 7, 2011, Notice, entitles the Department and its component bureaus to party status in this proceeding.

The Department has statutory responsibilities and represents national public interests that could be affected by the proposed Project. These responsibilities include unique statutory

authorities that demonstrate Congressional intent that the Department act in the public interest to protect and promote the public lands, national parks, and fish, wildlife, tribal, cultural, and recreational interests, and to represent those interests that could be directly affected by the proposed Project. No other party or intervenor has such authority to represent these particular national public interests. These statutory authorities as relevant to the proposed Project include the Fish and Wildlife Act of 1956, 16 U.S.C. § 742f(a)(4); the Fish and Wildlife Coordination Act, 16 U.S.C. §§661-666c; the Federal Power Act (FPA), 16 U.S.C. §§ 797(e), 803(j), 811; the Endangered Species Act, as amended, 16 U.S.C. §§ 1531-1543; the Federal Land Policy Management Act, 43 U.S.C. §§ 1701-1785; the Act of June 17, 1902, 32 Stat. 388, as amended and supplemented; and the Act of September 2, 1965, 79 Stat. 615.

ADDITIONS TO SERVICE LIST

The Department requests that the following representatives of the Department of the Interior be included on the Commission Secretary's official service list for this proceeding, to receive all notices and filings in this matter. **Please add the following individuals to the**

Service List:

Jim Eicher
Bureau of Land Management
Mother Lode Field Office
5152 Hillside Circle
El Dorado Hills, CA 95762
916-941-3103
fax - 916-941-3199

Luke Miller
Attorney of Record
Office of the Regional Solicitor
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2800 Cottage Way, E-1712
Sacramento, CA 95825
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SOL-FERC@sol.doi.gov

Rob Schroeder
Bureau of Reclamation
7794 Folsom Dam Road
Folsom, CA 95630
916-979-7274
fax - 916-989-7208

Kevin Tanaka
Attorney of Record
Office of the Regional Solicitor
Department of the Interior
2800 Cottage Way, E-1712
Sacramento, CA 95825
916-978-6134
SOL-FERC@sol.doi.gov

Field Supervisor
Attn: Hydropower Coordinator
U.S. Fish and Wildlife Service
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, CA 95825
916-414-6600

Kerry O'Hara
Attorney of Record
Office of the Regional Solicitor
Department of the Interior
2800 Cottage Way, Room E-1712
Sacramento, CA 95825
916-978-6132
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Stephen Bowes
Hydropower Assistance Program
National Park Service
1111 Jackson Street, Suite 700
Oakland, CA 94607
510-817-1451
Stephen_Bowes@nps.gov

Regional Environmental Officer
Office of Environmental Policy and Compliance
Department of the Interior
1111 Jackson Street, Office 520
Oakland, CA 94607
(510) 817-1477

CONCLUSION

For the reasons stated herein, and because the Department has met the requirements set out in 18 C.F.R. § 385.214(a)(2), the Department respectfully requests that the Commission confer upon the Department all rights and responsibilities of a party to this proceeding.

Respectfully submitted this 4th day of August, 2011.

Daniel G. Shillito
Regional Solicitor

A handwritten signature in cursive script that reads "Kerry O'Hara".

Kerry O'Hara
Assistant Regional Solicitor

**BEFORE THE
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

Middle Fork American River Project

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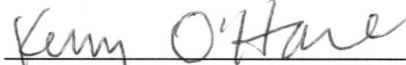
Project No. 2079

Application for New License

Certificate of Service

I hereby certify that the foregoing Notice of Intervention of the Department of the Interior in the above-captioned proceeding has this day been filed electronically with the Federal Energy Regulatory Commission and served, via electronic-mail where electronic-mail addresses were provided, or via deposit in U.S. mail where no electronic-mail addresses were provided or where electronic-mail service failed, upon each person designated on the Service List compiled by the Commission Secretary for this Project.

Dated at Sacramento, California, this 4th day of August, 2011.



Kerry O'Hara
Office of the Solicitor
Department of the Interior
2800 Cottage Way, E-1712
Sacramento, CA 95825