

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
July 18, 2008

OFFICE OF ENERGY PROJECTS

Project No. 2079-061 – California
Middle Fork American Hydroelectric Project
Placer County Water Agency

Mal Toy, Project Engineer
Placer County Water Agency
144 Ferguson Road
Auburn, CA 95603

**Re: Study Plan Determination for the Middle Fork American
Hydroelectric Project**

Dear Mr. Toy:

Pursuant to 18 CFR § 5.13(c) of the Commission's regulations, this letter includes my study plan determination for Placer County Water Agency's Middle Fork American Hydroelectric Project. This determination is based on staff's review of the revised study plan and comments on the proposed and revised study plans.

Background

Placer County Water Agency (Placer County), the applicant for the Middle Fork American Hydroelectric Project (Project), filed its Notice of Intent and Pre-Application Document (PAD) on December 13, 2007 and has chosen to use the Commission's Integrated Licensing Process for the project's relicensing. The Project is located in Placer and El Dorado counties, almost entirely within the Tahoe and El Dorado National Forests. Placer County proposes to continue to operate the 224-MW hydropower facilities, which now generate an average of 1,030,000 megawatt-hours annually. The Project serves as both a water supply and a hydroelectric project. The Project is designed to conserve and control waters of the Middle Fork American River, the Rubicon River, and several associated streams. Hydroelectric power from the project is produced at five powerhouses. With a combined gross storage capacity of 342, 583 acre-feet, the two principal storage reservoirs of the project are French Meadows and Hell Hole.

As a result of extensive pre-filing consultation with interested parties, Placer County included Technical Study Plans with their PAD. On May 23, 2008, Placer County filed a request to expedite the Study Plan Determination Process and waive the Commission's regulations in 18 CFR §5.11 (Potential Applicant's Proposed Study Plan and Study Plan Meetings) and 18 CFR §5.12 (Comments on Proposed Study Plan) for the relicensing of the Project. Placer County stated that expediting the approval process would: (1) provide certainty in the scope of work for studies currently being implemented in 2008 by Placer County based on early stakeholder consensus, and (2) allow the relicensing participants to focus their efforts on completing the technical studies early in the process to provide sufficient time for Placer County and the stakeholders to fully evaluate project effects and collaboratively develop new license conditions.

On June 2, 2008, we issued a request for comments on Placer County's waiver request, with comments due on June 17, 2008. We received no comments on Placer County's waiver request.

On June 18, 2008, we granted Placer County's waiver request. In addition, we requested final stakeholder comments on Placer County's Revised Study Plans by July 3, 2008.

Comments Received on Placer County's Revised Study Plans

On July 7, 2008, we received comments on Placer County's Recreation Resources Technical Study Plans from Friends of the River (FOR). FOR's filing contained no additional study requests nor technical revisions to Placer County's study plans. FOR's filing requested that Placer County develop environmental measures pertaining to public safety, recreation trails, and boating flows. As Placer County's technical studies will be implemented upon our approval and results have not yet been determined, it would be premature at this stage in the relicensing process to develop environmental measures. Environmental measures will be developed by Placer County and analyzed in the Commission's environmental document, which will be forthcoming.

Study Plan Determination

The Transportation System Technical Study Plan (LAND 1) proposed by Placer County includes two Parts: (1) Project roads and trails used almost exclusively by Placer County to operate and maintain the Project; and (2) non-Project general access roads used by Placer County to access Project roads, trails and or facilities. Commission staff contends that the non-Project general access roads are not part of the project as they are not roads used *primarily* for project purposes. As such, any study associated with these non-Project roads would not

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meet the study criteria for project nexus as set forth in section 5.11(d)(4) of the Commission's regulations. Although Placer County has included them within its proposed study plan, Part 2 of the Transportation System Technical Study Plan is excluded from the Commission approved study plan.

Placer County's revised study plan consisting of the Technical Study Plans included in their PAD (filed December 13, 2007), the revised Instream Flow Technical Study Plan (filed on May 23, 2008), and Part 1 of the Transportation System Technical Study Plan is approved. A list of Placer County's Technical Study Plans is included as Attachment A.

If you have any questions, please contact Carolyn Templeton at (202) 502-8785.

Sincerely,

J. Mark Robinson
Director
Office of Energy Projects

cc: Mailing List
Public Files

Attachment A

Aquatic Resources	
AQ 1	Instream Flow
AQ 2	Fish Population
AQ 3	Macroinvertebrates and Aquatic Mollusk
AQ 4	Water Temperature Modeling
AQ 5	Bioenergetics
AQ 6	Fish Passage
AQ 7	Entrainment
AQ 8	Reservoir Fish Habitat
AQ 9	Geomorphology
AQ 10	Riparian Resources
AQ 11	Water Quality
AQ 12	Special-Status Amphibian & Aquatic Reptiles
Cultural Resources	
CUL 1	Cultural Resources
Land Management	
LAND 1	Transportation System
LAND 2	Fire Prevention and Response
LAND 3	Emergency Action and Public Safety
LAND 4	FERC Boundary and Authorization
Recreational Resources	
REC 1	Recreation Use & Facilities Assessment
REC 2	Recreation Visitor Surveys
REC 3	Reservoir Recreation Opportunities
REC 4	Stream-based Recreation Opportunities
REC 5	Visual Quality Assessment
Terrestrial Resources	
TERR 1	Vegetation Communities & Wildlife Habitat
TERR 2	Special-Status Plants
TERR 3	Noxious Weeds
TERR 4	Special-Status Wildlife
TERR 5	Bald Eagle
TERR 6	Special-Status Bats