

ORIGINAL



PLACER COUNTY WATER AGENCY
SINCE 1957

BOARD OF DIRECTORS	BUSINESS CENTER
Gray Allen, District 1	144 Ferguson Road
Vacant, District 2	MAIL
Mike Lee, District 3	P.O. Box 6570
Robert Dugan, District 4	Auburn, CA 95604
Joshua Alpine, District 5	PHONE
	530.823.4850
David Breninger, General Manager	800.464.0030
Ed Tiedemann, General Counsel	WWW.PCWA.NET

June 7, 2013
File No. 101-2

Mr. Thomas Howard, Executive Director
California State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

SUBJECT: Middle Fork American River Project (FERC Project No. 2079)
Water Quality Certification

FILED
SECRETARY OF THE
COMMISSION
2013 JUN 13 A 9:37
FEDERAL ENERGY
REGULATORY COMMISSION

Dear Mr. Howard:

By copy of this letter, Placer County Water Agency (PCWA) is simultaneously withdrawing and re-filing its request for Water Quality Certification from the California State Water Resources Control Board (State Water Board) under Section 401 of the Clean Water Act for the Middle Fork American River Project (MFP), Federal Energy Regulatory Commission (FERC or Commission) Project No. 2079. This request for Water Quality Certification is being made pursuant to California Code of Regulations, Title 23, Division 3, Chapter 28, Article 1, Section 3836(c).

PCWA filed its original Application for Water Quality Certification for the MFP with the State Water Board on July 15, 2011. PCWA's original Application for Water Quality Certification included the initial deposit of \$1,000 to cover the State Water Board's reasonable costs of processing the Application. Since no action was taken on the original request for certification, PCWA withdrew and re-filed its request for Water Quality Certification on June 12, 2012. The State Water Board established a new deadline for certification action of June 12, 2013. This letter formally withdraws the June 12, 2012 request and re-files PCWA's request for water quality certification for the MFP.

California Environmental Quality Act

Issuance of a Water Quality Certification is a discretionary action that requires the State Water Board to comply with the California Environmental Quality Act (CEQA). The State Water Board cannot issue a certification without a final copy of a valid CEQA document. For this project,

PCWA is the lead agency and the State Water Board is a responsible agency for the purpose of compliance with CEQA.

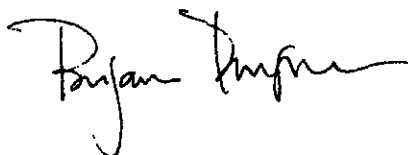
PCWA recently completed the CEQA process for the MFP and filed a Notice of Determination (NOD) with the Placer County Clerk and El Dorado County Recorder-Clerk (May 17, 2013), and filed copies of both NOD's with the State Clearinghouse (May 20, 2013) (Attachment A). The State Water Board was included on all correspondence associated with PCWA's Draft and Final CEQA Supplement.

Water Quality Certification

To assist in the development of the Water Quality Certification for the MFP, PCWA prepared and submitted a Draft Water Quality Certification to State Water Board staff on March 15, 2013. Conditions contained in the Draft Water Quality Certification for the MFP were based on the United States Department of Agriculture-Forest Service (USDA-FS) Final Section 4(e) Terms and Conditions and Draft License Conditions included in FERC's Final Environmental Impact Statement¹.

Thank you for processing this request. PCWA appreciates the continued cooperation of State Water Board staff. With the CEQA process complete, PCWA looks forward to working with State Water Board staff during preparation of the 401 Certification. If you have any questions, please contact me at (530) 823-4064.

Sincerely,



Benjamin Ransom
Environmental Scientist

Attachment A: **Notice of Determination Transmittal to State Clearinghouse**
 Notice of Determination filed with Placer County
 Notice of Determination filed with El Dorado County

c: **Michael Maher, SWRCB**
 Pamela Creedon, CVRWQCB
 Kimberly Bose, FERC
 Alexis Strauss, U.S. EPA

¹ USDA-FS originally filed its Final Section 4(e) Terms and Conditions in December 2012, but subsequently issued a revised version in March 2013 to account for several items that needed correction or clarification.

ATTACHMENT A



Letter of Transmittal

To: State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

DATE: May 20, 2013

PROJECT: Placer County Water Agency's Middle Fork American River Project

WE ARE TRANSMITTING: **HEREWITH**
FOR YOUR: **USE**

REMARKS:

Enclosed please find the following CEQA documentation related to PCWA's Middle Fork American River Project (SCH No. 2012082046):

- Notice of Determination filed with the County Clerk of Placer County and the Environmental Filing Fee Receipt (CDFW and County Administrative Fee).
- Notice of Determination filed with the El Dorado County Recorder-Clerk and the Environmental Filing Fee Receipt (County Administrative Fee only).

Please notify us if the enclosures are not received.

SINCERELY,
CARDNO ENTRIX, INC.

Mary Preuss
Senior Project Coordinator

cc Ben Ransom, PCWA
Beverly Bell, PCWA
Ed Bianchi, Cardno ENTRIX

Notice of Determination

Appendix D

To:
 Office of Planning and Research
 U.S. Mail: Street Address:
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

From:
 Public Agency: Placer County Water Agency
 Address: P.O. Box 6570, Auburn, CA 95604

Contact: Ben Ransom
 Phone: 530-823-4889

County Clerk
 County of: Placer County
 Address: 2954 Richardson Drive
Auburn CA 95603

Lead Agency (if different from above):
 Address: _____

Contact: _____
 Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2012082046

Project Title: Middle Fork American River Project

Project Applicant: Placer County Water Agency

Project Location (include county): Placer County and El Dorado County

Project Description:

See attached.

FILED

MAY 17 2013

Jim McCauley
 COUNTY CLERK OF PLACER COUNTY
 BY: *[Signature]*
 DEPUTY

This is to advise that the Placer County Water Agency Board of Directors has approved the above
 Lead Agency or Responsible Agency)

described project on May 16, 2013 and has made the following determinations regarding the above
 (date)
 described project.

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
Placer County Water Agency, 144 Ferguson Road, Auburn, CA 95603

Signature (Public Agency): *[Signature]* Title: ENVIRONMENTAL SCIENTIST

Date: 5.17.13 Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code, through
 Reference Section 21000-21174, Public Resources Code
 JIM MCCAULEY, COUNTY CLERK Revised 2011

H 13-100

POSTED 05/17/2013
 Rv *[Signature]*

**Placer County Water Agency
Middle Fork American River Project Relicensing**

Project Description:

Placer County Water Agency (PCWA) owns and operates the Middle Fork American River Project (MFP) under a 50-year Federal Energy Regulatory Commission (FERC) license that expired on February 28, 2013. On March 7, 2013, FERC issued an order authorizing PCWA to continue to operate the MFP under an annual license that is automatically renewed until action is taken by FERC on PCWA's Application for New License filed on February 23, 2011. Using FERC's Integrated Licensing Process, PCWA is seeking the renewal of its license to continue operation and maintenance of the MFP. The project under consideration is PCWA's operation and maintenance of the MFP under proposed conditions to be included in the new license issued by FERC. Compliance with CEQA is necessary to support PCWA's Board of Directors future discretionary action of accepting the new license issued by FERC.

The MFP serves as a multi-purpose water supply and hydro-generation project designed to conserve and control waters of the Middle Fork American River, the Rubicon River, and several associated tributary streams. The MFP is located on the west slope of the Sierra Nevada range primarily in Placer County, California. A small component of the MFP (a portion of Ralston Afterbay Dam) is located in El Dorado County, California. The MFP is almost entirely in the Tahoe and Eldorado National Forests, with a small portion located on PCWA-owned or private land. The MFP seasonally stores and releases water to meet consumptive demands within western Placer County and to generate power for the California electrical grid. Water for hydroelectric generation and consumptive use is diverted and stored under permits and a license issued by the State Water Board. The MFP, which began operation in 1967, includes two major storage reservoirs (French Meadows and Hell Hole that have a combined capacity of approximately 342,000 acre-feet), five smaller regulating reservoirs and diversion pools, and five powerhouses (combined capacity of approximately 224 megawatts).

**State of California -- The Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
2010 ENVIRONMENTAL FILING FEE CASH RECEIPT**

RECEIPT# 130103
STATE CLEARING HOUSE# (if applicable) 2012082046

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY PLACER COUNTY WATER AGENCY		DATE 05/17/2013	
COUNTY/STATE AGENCY OF FILING PLACER COUNTY CLERK AUBURN			
PROJECT TITLE MIDDLE FORK AMERICAN RIVER PROJECT			
PROJECT APPLICANT NAME PLACER COUNTY WATER AGENCY			PHONE NUMBER
PROJECT APPLICANT ADDRESS PO BOX 6570 AUBURN	CITY CA	STATE 95604	ZIP CODE - -

PROJECT APPLICANT (Check appropriate box):
 Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$2,995.25	\$ <u>2,995.25</u>
<input type="checkbox"/> Mitigated/Negative Declaration (ND)(MND)	\$2,156.25	\$ _____
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$ _____
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,018.50	\$ _____
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$ <u>50.00</u>
<input type="checkbox"/> Project that is exempt from fees		
<input type="checkbox"/> Notice of Exemption		
<input type="checkbox"/> DFG No Effect Determination (Form Attached)		
<input type="checkbox"/> Other _____		\$ _____

PAYMENT METHOD:
 Cash Credit Check Other _____

TOTAL RECEIVED \$3,045.25

SIGNATURE X 	TITLE S. KASZA, DEPUTY
---	----------------------------------

PROJECT APPLICANT COPY DFW/ASB COPY LEAD AGENCY COPY COUNTY CLERK COPY FG 753.5b (Rev. 11/12)

RECEIVED AT 05/17/2013 10:14:03 AM
 PLACER COUNTY RECORDER
 JIM REYNOLDS
 RECEIVED BY:
 Date: 05/17/2013
 AM. 10:14:03 AM - Filed and Recd
 05/17/2013 10:14:03 AM
 FISH AND WILDLIFE DEPT.
 FEE:
 FISH AND WILDLIFE FEE: \$2,995.25
 Total Payment Recd: \$3,045.25
 Total Fees: \$3,045.25
 Cash - 0.00
 Payment: \$3,045.25
 DEPARTMENT OF FISH AND WILDLIFE
 ALL TOTALS: \$3,045.25 Performed

Notice of Determination

Appendix D

To:
[] Office of Planning and Research
U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

[] County Clerk
County of: El Dorado County
Address: 360 Fair Lane
Placerville, CA 95667

From:
Public Agency: Placer County Water Agency
Address: P.O. Box 6570, Auburn, CA 95604

Contact: Ben Ransom
Phone: 530-823-4889

Lead Agency (if different from above):

Address:

Contact:

Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2012082046

Project Title: Middle Fork American River Project

Project Applicant: Placer County Water Agency

Project Location (include county): Placer County and El Dorado County

Project Description:

See attached.

FILED

MAY 17 2013

WILLIAM E. SCHULTZ, Recorder-Clerk
By [Signature]

This is to advise that the Placer County Water Agency Board of Directors
[] Lead Agency or [] Responsible Agency has approved the above

described project on May 16, 2013 and has made the following determinations regarding the above
(date)
described project.

- 1. The project [] will [] will not have a significant effect on the environment.
2. [] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [] were [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [] was [] was not adopted for this project.
5. A statement of Overriding Considerations [] was [] was not adopted for this project.
6. Findings [] were [] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Placer County Water Agency, 144 Ferguson Road, Auburn, CA 95603

Signature (Public Agency): [Signature] Title: ENVIRONMENTAL SCIENTIST

Date: 5-17-13 Date Received for filing at OPR:

**Placer County Water Agency
Middle Fork American River Project Relicensing**

Project Description:

Placer County Water Agency (PCWA) owns and operates the Middle Fork American River Project (MFP) under a 50-year Federal Energy Regulatory Commission (FERC) license that expired on February 28, 2013. On March 7, 2013, FERC issued an order authorizing PCWA to continue to operate the MFP under an annual license that is automatically renewed until action is taken by FERC on PCWA's Application for New License filed on February 23, 2011. Using FERC's Integrated Licensing Process, PCWA is seeking the renewal of its license to continue operation and maintenance of the MFP. The project under consideration is PCWA's operation and maintenance of the MFP under proposed conditions to be included in the new license issued by FERC. Compliance with CEQA is necessary to support PCWA's Board of Directors future discretionary action of accepting the new license issued by FERC.

The MFP serves as a multi-purpose water supply and hydro-generation project designed to conserve and control waters of the Middle Fork American River, the Rubicon River, and several associated tributary streams. The MFP is located on the west slope of the Sierra Nevada range primarily in Placer County, California. A small component of the MFP (a portion of Ralston Afterbay Dam) is located in El Dorado County, California. The MFP is almost entirely in the Tahoe and Eldorado National Forests, with a small portion located on PCWA-owned or private land. The MFP seasonally stores and releases water to meet consumptive demands within western Placer County and to generate power for the California electrical grid. Water for hydroelectric generation and consumptive use is diverted and stored under permits and a license issued by the State Water Board. The MFP, which began operation in 1967, includes two major storage reservoirs (French Meadows and Hell Hole that have a combined capacity of approximately 342,000 acre-feet), five smaller regulating reservoirs and diversion pools, and five powerhouses (combined capacity of approximately 224 megawatts).

State of California—Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
2013 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#	439193
STATE CLEARING HOUSE # (# applicable)	

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY	<i>Placer County Water Agency</i>			DATE	<i>05/17/2013</i>
COUNTY/STATE AGENCY OF FILING	<i>El Dorado County-Recorder-Clerk</i>			DOCUMENT NUMBER	<i>P13-42</i>
PROJECT TITLE	<i>Middle Fork American River Project</i>				
PROJECT APPLICANT NAME	<i>Placer County Water Agency</i>			PHONE NUMBER	<i>530) 823-4889</i>
PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE		
<i>P.O. Box 4570</i>	<i>Auburn</i>	<i>CA</i>	<i>95604</i>		

PROJECT APPLICANT (Check appropriate box):

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$2,995.25	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (ND)(MND)	\$2,156.25	\$ _____
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$ _____
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,018.50	\$ _____
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$ <u><i>50.00</i></u>
<input type="checkbox"/> Project that is exempt from fees		
<input type="checkbox"/> Notice of Exemption		
<input type="checkbox"/> DFW No Effect Determination (Form Attached)		
<input type="checkbox"/> Other _____		\$ _____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other _____

TOTAL RECEIVED \$ *50.00*

SIGNATURE	TITLE
<i>[Signature]</i>	<i>Deputy</i>

WHITE - PROJECT APPLICANT YELLOW - DFWASB PINK - LEAD AGENCY GOLDEN ROD / COUNTY CLERK DFG 753.5a (Rev. 11/12)

Document Content(s)

13282323.tif.....1-10