



PLACER COUNTY WATER AGENCY
SINCE 1957

BOARD OF DIRECTORS BUSINESS CENTER

Gray Allen, District 1 144 Ferguson Road

Alex Ferreira, District 2 MAIL

Lowell Jarvis, District 3 P.O. Box 6570

Mike Lee, District 4 Auburn, CA 95604

Ben Mavy, District 5 PHONE

530.823.4850

David Breninger, General Manager

800.464.0030

Ed Tiedemann, General Counsel

WWW.PCWA.NET

**BEFORE THE UNITED STATES DEPARTMENT OF AGRICULTURE
UNITED STATES FOREST SERVICE**

Date: November 30, 2012

**Attention: Deputy Chief
National Forest Systems, Forest Service
Washington Office (WO), Lands Staff
Mail Stop 1124
1400 Independence Ave., S.W.
Washington, D.C. 20250-0003**

**Placer County Water Agency's Withdrawal of Alternative Conditions for
16 Preliminary Section 4(e) Terms and Conditions Submitted by
the United States Forest Service for the
Middle Fork American River Project (FERC Project No. 2079-069)**

Placer County Water Agency (PCWA), the existing Licensee for the Middle Fork American River Project (Federal Energy Regulatory Commission [FERC] Project No. 2079) (MFP or Project), filed an Application for New License on February 23, 2011. The United States Forest Service (Forest Service) subsequently filed Preliminary Terms and Conditions under Section 4(e) of the Federal Power Act on August 5, 2011. On September 2, 2011, PCWA submitted alternative conditions for 16 of the Forest Service's Preliminary Section 4(e) Terms and Conditions. PCWA's alternative conditions included nine "Clarified Alternative Conditions" and seven "Modified Alternative Conditions", as follows:

PCWA's Clarified Alternative Conditions

- PCWA Alternative Condition No. 15 – Pesticide-Use Restrictions on National Forest System Lands

- PCWA Alternative Condition No. 22 – Minimum Streamflows
- PCWA Alternative Condition No. 23 – Pulse Flows
- PCWA Alternative Condition No. 24 – Ramping Rates
- PCWA Alternative Condition No. 25 – Outages
- PCWA Alternative Condition No. 26 – Spawning Habitat Improvement Plan for the Middle Fork American River Below Ralston Afterbay Dam
- PCWA Alternative Condition No. 37 – Reservoir Minimum Pool Elevations and Reservoir Levels Recreation Objectives
- PCWA Alternative Condition No. 39 – Recreation Streamflows in the Middle Fork American River Below Oxbow Powerhouse
- PCWA Alternative Condition No. 45 – Erosion and Sediment Control and Management

PCWA's Modified Alternative Conditions

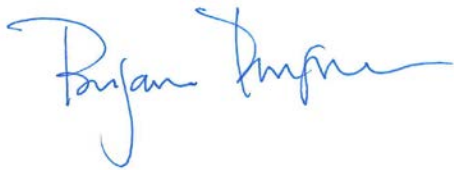
- PCWA Alternative Condition No. 19 – Use of National Forest System Roads for Project Access
- PCWA Alternative Condition No. 28 – Monitoring Program
 - Fish Population Monitoring Plan
 - Foothill Yellow-legged Frog Monitoring Plan
 - Western Pond Turtle Monitoring Plan
 - Benthic Macroinvertebrate Monitoring Plan
 - Mercury Bioaccumulation Monitoring Plan
 - Geomorphology/Riparian Monitoring Plan
 - Water Quality Monitoring Plan
- PCWA Alternative Condition No. 31 – Streamflow and Reservoir Elevation Gaging Plan
- PCWA Alternative Condition No. 41 – Historic Properties Management Plan
- PCWA Alternative Condition No. 43 – Revised Transportation System Management Plan
- PCWA Alternative Condition No. 44 – Revised Fire Management and Response Plan

- PCWA Alternative Condition No. 46 – Revised Vegetation and Integrated Pest Management Plan

Subsequent to filing these alternative conditions, PCWA conducted numerous discussions with the Forest Service, other State and Federal resource agencies, non-governmental organizations (NGOs), and members of the public. As a result of these discussions, consensus was reached on the issues raised with respect to the aforementioned alternative conditions. This consensus was reflected in the advance copy of the Forest Service's Modified Section 4(e) Terms and Conditions for the MFP that was provided to PCWA. Therefore, PCWA is withdrawing all 16 previously filed alternative conditions. PCWA's withdrawal is contingent on the Forest Service filing Modified Section 4(e) Terms and Conditions with the Federal Energy Regulatory Commission that are not substantively different from the advance copy provided to PCWA; in addition, PCWA reserves the right to provide additional comments on the Modified Terms and Conditions if they are substantively different from that advance copy.

If you have any questions regarding this withdrawal of alternative conditions for the MFP, please contact me at (530) 823-4889 or by e-mail at bransom@pcwa.net.

Sincerely,



Benjamin Ransom
Environmental Scientist

Attachments

Attachment A – Distribution List
Attachment B – Certificate of Service

Attachment A
Distribution List

FERC Service List

American Whitewater

Dave Steindorf
CA Stewardship Director
4 Baroni Dr
Chico, CA 95928-4314

CA Dept of Fish & Game

Nancee Murray
Senior Staff Counsel
Office of Gen Counsel
1416 Ninth St., 12th Flr
Sacramento, CA 95814

CA Dept of Water Resources

David Rose, Staff Counsel
1001 I Street
Sacramento, CA 95814

California Outdoors

Nate Rangel
P.O. Box 401
Coloma, CA 95613

Physical Address

986 Lotus Road
Lotus, CA 95651

National Park Service

Stephen M. Bowes
333 Bush St Ste 500
San Francisco, CA 94104-2828

Dept of the Interior, Office of the Solicitor

Patricia Sanderson Port
Regional Environmental Officer
Office of Environmental Policy and Compliance
333 Bush St., Suite 515
San Francisco, CA 94104

Dept of the Interior, Office of the Solicitor

Kerry O'Hara
Assistant Regional Solicitor
2800 Cottage Way, Ste E1712
Sacramento, CA 95825

Downey Brand LLP

David Aladjem
555 Capitol Mall
Sacramento, CA 95814

Granite Bay Flycasters Federation of Flyfishers Spring Creek Guide Service

William Carnazzo
5209 Crestline Drive
Foresthill, CA 95631

CA Dept of Fish & Game

MaryLisa Lynch
Water Program Manager
1701 Nimbus Rd., Suite A
Rancho Cordova, CA 95670

CA Dept of Fish & Game

Sharon J Stohrer
Staff Environmental Scientist
1701 Nimbus Rd.
Rancho Cordova, CA 95670

CA Dept of Water Resources

Russ J Kanz
1001 I Street
Sacramento, CA 95814

California Sportfishing Protection Alliance

Christopher Shutes
1608 Francisco Street
Berkeley, CA 94703

Dept of the Interior, Office of the Solicitor

DOI Solicitor
2800 Cottage Way, E 1712
Sacramento, CA 95825

Dept of the Interior, Office of the Solicitor

Luke Miller
Assistant Regional Solicitor
2800 Cottage Way, Ste E1712
Sacramento, CA 95825

Dept of the Interior, Office of the Solicitor

Kevin Tanaka, Attorney
Solicitor
2800 Cottage Way, Ste E1712
Sacramento, CA 95825

Downey Brand LLP

Wendy Jones
621 Capitol Mall, 18th Flr
Sacramento, CA 95814

Horseshoe Bar Fish & Game Preserve Foothills Angler Coalition

Thomas Bartos, President
7430 Morningside Dr.
Granite Bay, CA 95746

FERC Service List (continued)

Foothills Water Network

Julie Leimbach, Coordinator
P.O. Box 713
Lotus, CA 95651-0713

Physical Address

1230 Scott Road
Lotus, CA 95651

Upper American River Foundation

John Donovan
741 Commons Dr.
Sacramento, CA 95825

Pacific Gas and Electric Company

Alyssa Koo
Attorney
77 Beale Street, #B30A
San Francisco, CA 94105

Pacific Gas and Electric Company

Mark Patrizio
Attorney
P.O. Box 7442
San Francisco, CA 94120

Physical Address

77 Beale Street
Mail Stop B30A
San Francisco, CA 94105

Placer County Water Agency

David A. Breninger
General Manager
P.O. Box 6570
Auburn, CA 95604-6570

Placer County Water Agency

Jay L'Estrange
Director of Power Generation Services
P.O. Box 667
Foresthill, CA 95631-0667

Sackheim Consulting

Kelly Sackheim, Principal
5096 Cocoa Palm Way
Fair Oaks, CA 95628-5159

Spiegel & McDiarmid LLP

Margaret McGoldrick
1333 New Hampshire Ave., NW
Washington, DC 20036

USDA-FS, El Dorado National Forest

Beth Paulson
Hydro Coordinator
100 Forni Rd
Placerville, CA 95667

Individual

Hilde Schweitzer
P. O. Box 852
Lotus, CA 95651

Physical Address

1090 Scott Road
Coloma, CA 95613

KMT&G – Wells Fargo Center

Janet Goldsmith
400 Capitol Mall, 27th Floor
Sacramento, CA 94814-4417

Pacific Gas and Electric Company

Paul Maben
Supervising Program Manager
1108 Murphy's Grade Road
Angels Camp, CA 95222

Pacific Gas and Electric Company

Jennifer Abrams
Attorney
77 Beale Street, #B30A
San Francisco, CA 94105

Placer County Water Agency

Board of Directors
Chairman
P.O. Box 6570
Auburn, CA 95604

Protect American River Canyons

Gary Estes, Board Member
4135 Eagles Nest
Auburn, CA 95603

Spiegel & McDiarmid LLP

William Huang
1333 New Hampshire Ave., NW
Washington, DC 20036

Trout Unlimited

Brian J. Johnson, Staff Attorney
2239 5th St.
Berkeley, CA 94710

USDA-Office of the General Counsel

Joshua S. Rider
33 New Montgomery, 17th Flr
San Francisco, CA 94105

Other Interveners

US Department of Commerce

Richard Wantuck
National Oceanic and Atmospheric Administration
NMFS –Santa Rosa Area Office
777 Sonoma Avenue, Room 325
Santa Rosa, CA 95404-4731

US Department of Commerce

Kathryn Kempton, Office of General Counsel
National Oceanic and Atmospheric Administration
NMFS –SW Regional Office
501 W. Ocean Blvd., Suite 4470
Long Beach, CA 90802

Upper American River Foundation

Bill Templin
5125 Linda Lou Drive
Carmichael, CA 95608

Others

Deputy Chief

National Forest Systems, Forest Service

Washington Office (WO), Lands Staff
Mail Stop 1124
1400 Independence Ave., S.W.
Washington, D.C. 20250-0003

Federal Energy Regulatory Commission

Office of General Counsel-Energy Projects

888 First St., NE
Room 101-56
Washington, DC 20426

Federal Energy Regulatory Commission

Office of Energy Projects

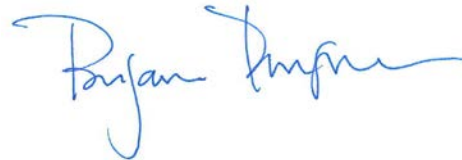
888 First St., NE
Room 61-02
Washington, DC 20426

Attachment B
Certificate of Service

CERTIFICATE OF SERVICE

Pursuant to the provisions of 7 C.F.R. § 1.670, I hereby certify that I have this day served a complete copy of the foregoing document to the Federal Energy Regulatory Commission and each "license party" in the relicensing proceedings for Project No. 2079 as set forth in the attached distribution list, by courier service.

Dated at Auburn, CA this 30th day of November 2012.



Benjamin Ransom
Placer County Water Agency
Environmental Scientist