



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

David Breninger, General Manager 530.823.4850

Ed Tiedemann, General Counsel 800.464.0030

[WWW.PCWA.NET](http://WWW.PCWA.NET)

August 10, 2012  
File No. 01030A  
**Electronically Filed**

**SUBJECT: Notice of PCWA's Intent to Rely on FERC's Environmental Impact Statement, in Combination with a Supplemental Analysis prepared by PCWA, to Satisfy CEQA**

**Notice of Availability of FERC's Draft Environmental Impact Statement for the Middle Fork American River Hydroelectric Project (FERC Project No. 2079-069)**

Dear Relicensing Participant,

Placer County Water Agency (PCWA), a public agency, wishes to provide notice to the Middle Fork American River Project (MFP) relicensing participants of its intention to rely on the Environmental Impact Statement (EIS) prepared by the Federal Energy Regulatory Commission (FERC or Commission) for the relicensing of the MFP, in combination with a supplemental analysis to be prepared by PCWA, to meet the requirements of the California Environmental Quality Act (CEQA). Compliance with CEQA is necessary to support the future discretionary action of PCWA's Board of Directors regarding acceptance of the new license order issued by FERC for the continued operation and maintenance of the MFP. The CEQA process was initiated by PCWA with two public scoping meetings held on March 4, 2008.

PCWA is the lead agency for compliance with CEQA and, as such, will be responsible for preparing the CEQA Supplement to support acceptance of the new license order by PCWA's Board of Directors. The State Water Resources Control Board (State Water Board), also a public agency, will be a responsible agency to the CEQA process. The State Water Board may use the CEQA document to support issuance of a Water Quality Certification under Section 401 of the Clean Water Act for the MFP.

State CEQA Guidelines § 15225 provides that a lead agency (i.e., PCWA) may rely on a National Environmental Policy Act (NEPA) document (i.e., FERC's EIS) to satisfy CEQA provided that the NEPA document is circulated for public review as broadly as state law requires and its availability is noticed consistent with CEQA standards. To satisfy CEQA requirements, PCWA is hereby noticing the availability of FERC's Draft Environmental Impact Statement for the MFP to the relicensing participants (Attachments A-C).

## **Background**

PCWA owns and operates the MFP under a 50-year FERC license, which will expire on February 28, 2013. Using FERC's Integrated Licensing Process, PCWA is seeking the renewal of its license to continue operation and maintenance of the MFP. 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 licenses 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 [AF]), five smaller regulating reservoirs and diversion pools, and five powerhouses (combined capacity of approximately 224 megawatts [MW]).

To formally initiate the MFP relicensing process, PCWA filed its Notice of Intent (NOI) to seek a new license and Pre-Application Document with FERC on December 13, 2007. Two CEQA scoping meetings followed on March 4, 2008. On September 28, 2010, PCWA filed its Draft License Application for the MFP. Following a 90-day review and comment period, PCWA revised the Draft License Application and filed its Final License Application on February 23, 2011.

## **Notice of Availability**

On July 23, 2012, FERC issued a Draft Environmental Impact Statement (DEIS) for the MFP which was prepared in compliance with the NEPA of 1969, as amended. Attachments A and B provide a copy of FERC's formal notice of availability of the document and intention to hold public meetings for the purpose of receiving comments on the DEIS. The formal comment period on the DEIS ends Tuesday, October 2, 2012.

In addition to the locations where FERC has made the DEIS available for public review (Attachment A), a copy of FERC's DEIS is available for review on PCWA's website at <http://relicensing.pcwa.net> and at the following locations:

**Placer County Water Agency**  
Business Center  
144 Ferguson Road  
Auburn, California 95604

**Placer County Library**  
350 Nevada Street  
Auburn, California 95603

**El Dorado County Library**  
345 Fair Lane Drive  
Placerville, California 95667

FERC's DEIS identified unavoidable adverse impacts, based on implementation of the proposed project (new environmental measures), to the following resources areas:

- Water Quality and Aquatic Biota,
- Fish,
- Riparian,
- Special-status Plants,
- Recreation Opportunities,
- Traffic,
- Noise, and
- Visual Resources.

FERC's analysis determined that all of these unavoidable adverse effects would be minor. Based on FERC's impact conclusions in the DEIS, at this time, PCWA does not anticipate any significant environmental effects under CEQA. However, PCWA will further evaluate impacts of implementation of the proposed project under CEQA in a draft supplemental analysis which will be distributed separately to the public for review and comment in November 2012.

Following public review of PCWA's Draft CEQA Supplement, State Water Board will issue a Draft 401 Water Quality Certification for public comment. PCWA will make any necessary revisions to its supplemental analysis based on: (1) comments received on FERC's DEIS; (2) comments received on the Draft CEQA Supplement; (3) conditions contained in the Draft 401 Water Quality Certification; and (4) comments received on the Draft 401 Water Quality Certification. PCWA will then issue a Final CEQA Supplement which will be presented to PCWA's Board of Directors for approval. The State Water Board will subsequently issue its Final 401 Water Quality Certification for the MFP.

If you have any questions, please do not hesitate to contact me at (530) 823-4889.

Sincerely,



Andrew Fecko  
Resource Planning Administrator

c: Placer County Clerk  
El Dorado County Clerk  
State Clearinghouse

Attachment A: FERC's Notice of Availability of the Draft Environmental Impact Statement for the Middle Fork American River Hydroelectric Project and Intention to Hold Public Meetings.

Attachment B: Notice of Draft Environmental Impact Statement Public Meetings.

Attachment C: Distribution List.

PCWA NOA DEIS\_Letter\_081012.docx

## Attachment A

# UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

Middle Fork American River Project

Project No. 2079-069

## NOTICE OF AVAILABILITY OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE MIDDLE FORK AMERICAN RIVER HYDROELECTRIC PROJECT AND INTENTION TO HOLD PUBLIC MEETINGS

(July 23, 2012)

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission (Commission or FERC) regulations contained in the Code of Federal Regulations (CFR)(18 CFR Part 380 [FERC Order No. 486, 52 FR 47897]), the Office of Energy Projects has reviewed the application for license for the Middle Fork American River Hydroelectric Project (FERC No. 2079), located on the Middle Fork of the American and Rubicon Rivers and Duncan and North and South Fork Long Canyon Creeks in Placer and El Dorado Counties, California, and has prepared a draft environmental impact statement (EIS) for the project. The project occupies 3,268 acres of federal lands administered by the U.S. Department of Agriculture - Forest Service.

The draft EIS contains staff's analysis of the applicant's proposal and the alternatives for relicensing the Middle Fork American River Hydroelectric Project. The draft EIS documents the views of governmental agencies, non-governmental organizations, affected Indian tribes, the public, the license applicant, and Commission staff.

A copy of the draft EIS is available for review at the Commission or may be viewed on the Commission's website at <http://www.ferc.gov>, using the "e-Library" link. Enter the docket number, excluding the last three digits, to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866)208-3676, or for TTY, contact (202)502-8659.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

All comments must be filed by **Tuesday, October 2, 2012**, and should reference Project No. 2079-069. Comments may be filed electronically via the Internet. See 18

CFR 385.2001(a)(1)(iii) and the instructions on the Commission's website (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "Quick Comment." For assistance, please contact FERC Online Support. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

Anyone may intervene in this proceeding based on this draft EIS (18 CFR § 380.10). You must file your request to intervene as specified above.<sup>1</sup> You do not need intervenor status to have your comments considered.

Commission staff will hold two public meetings for the purpose of receiving comments on the draft EIS. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization comments, while the evening meeting is primarily for receiving input from the public. All interested individuals and entities will be invited to attend one or both of the public meetings. A notice detailing the exact date, time, and location of the public meetings will be forthcoming.

For further information, please contact Carolyn Templeton at (202) 502-8785 or at [carolyn.templeton@ferc.gov](mailto:carolyn.templeton@ferc.gov).

Kimberly D. Bose,  
Secretary.

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<sup>1</sup> Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.

**Attachment B.**

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Middle Fork American River Hydroelectric Project  
Placer County Water Agency

P-2079-069 – CA

NOTICE OF DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC MEETINGS

(July 31, 2012)

- a. Date and Time of Meetings: Tuesday, August 28, 2012, from 9:00 a.m. to 11:00 a.m. and from 7:00 p.m. to 9:00 p.m. (Pacific Time)
- b. Location: The Holiday Inn Auburn  
120 Grass Valley Highway  
Auburn, California 95603  
Telephone: (530) 887-8787
- c. FERC Contact: Carolyn Templeton, (202) 502-8785, [carolyn.templeton@ferc.gov](mailto:carolyn.templeton@ferc.gov)
- d. Purpose of the Meeting: Commission staff will hold two public meetings for the purpose of receiving verbal and/or written comments on the draft environmental impact statement for the Middle Fork American River Project No. 2079. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization comments, while the evening meeting is primarily for receiving input from the public. All interested individuals and entities are invited to attend one or both of the public meetings. The meetings will be recorded by a court reporter, and all statements will become part of the Commission's public record for the project. This meeting is posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.
- e. All local, state, and federal agencies, tribes, and interested parties, are hereby invited to participate in the meeting.

Kimberly D. Bose,  
Secretary.

## **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., 12<sup>th</sup> Flr  
Sacramento, CA 95814

**CA Dept of Water Resources**  
Russ J Kanz  
1001 I St.  
Sacramento, CA 95814

**California Outdoors**  
Nate Rangel  
P.O. Box 401  
Coloma, CA 95613

**Dept of the Interior**  
**Hydropower Assistance Program**  
Stephen M. Bowes,  
National Park Service  
333 Bush Street, Suite 500  
San Francisco, CA 94104

**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, 18<sup>th</sup> Flr  
Sacramento, CA 95814

**Horseshoe Bar Fish & Game Preserve**  
**Foothills Angler Coalition**  
Thomas Bartos, President  
7430 Morningside Dr.  
Granite Bay, CA 95746

**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 Department of Water Resources**  
David Rose, Staff Counsel  
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**  
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

**Foothills Water Network**  
Julie Leimbach, Coordinator  
PO Box 713  
Lotus, CA 95651-0713

## **FERC Service List (continued)**

### **Individual**

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

### **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**

Law Department FERC Cases  
77 Beale Street, Room 3120 B30A  
San Francisco, CA 94105-7442

### **Placer County Water Agency**

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

### **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 5<sup>th</sup> St.  
Berkeley, CA 94710

### **USDA-Forest Service**

Beth Paulson  
Hydro Coordinator  
100 Forni Rd  
Placerville, CA 95667

### **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

### **Placer County Water Agency**

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

### **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

### **US Fish & Wildlife Service**

Field Supervisor  
2800 Cottage Way, Ste W2605  
Sacramento, CA 95825

### **USDA-Office of the General Counsel**

Joshua S. Rider  
33 New Montgomery, 17<sup>th</sup> Flr  
San Francisco, CA 94105



## **Other Interveners**

### **Upper American River Foundation**

Bill Templin  
5125 Linda Lou Drive  
Carmichael, CA 95608

### **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

### **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

## **OTHERS**

### **National Forest Systems, Forest Service**

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

## **Federal Government/Representatives**

### **Federal Energy Regulatory Commission**

Kimberly D. Bose, Secretary  
888 First Street, N.E.  
Room 61-02  
Washington, DC 20426

### **National Oceanic & Atmospheric Administration – Fisheries**

Jeff McLain  
Acting Central Valley Supervisor  
650 Capitol Mall, Suite 8300  
Sacramento, CA 95814

### **US Bureau of Land Management**

William Haigh  
Office/Field Manager  
5152 Hillsdale Circle  
El Dorado Hills, CA 95672]

### **US Bureau of Reclamation**

Elizabeth (Beth) Dyer  
Natural Resources Specialist  
Central California Area Office  
7794 Folsom Dam Rd  
Folsom, CA 95630

### **US Bureau of Reclamation**

Mike Finnegan  
Central Area Office Manager  
7794 Folsom Dam Road  
Folsom, CA 95630

### **US Forest Service – El Dorado National Forest**

Dorit Buckley  
Archeologist  
Georgetown Ranger District  
7600 Wentworth Springs Road  
Georgetown, CA 95634

### **US Forest Service – El Dorado National Forest**

Jon Jue  
Resource Officer  
7600 Wentworth Springs Rd  
Georgetown, CA 95634

### **US Forest Service – El Dorado National Forest**

Dawn Lipton  
Wildlife Biologist  
100 Forni Road  
Placerville, CA 95667

### **US Forest Service – El Dorado National Forest**

Kim Morales  
Hydrologist  
100 Forni Road  
Placerville, CA 95667

### **National Marine Fisheries Service**

Habitat Manager  
777 Sonoma Avenue, Rm. 325  
Santa Rosa, CA 95404

### **US Bureau of Land Management**

James Michael Eicher  
Associate Field Manager  
5152 Hillsdale Circle  
El Dorado Hills, CA 95762

### **US Bureau of Reclamation**

Peggi Brooks  
Chief Recreation Resources Division  
Central California Area Officer  
7794 Folsom Dam Road  
Folsom, CA 95630-1799

### **US Bureau of Reclamation**

Don Glaser  
Regional Director  
Mid-Pacific Region  
2800 Cottage Way, MP-100  
Sacramento, CA 95825-1846

### **US Environmental Protection Agency**

Region 9 (AZ, CA, HI, NV)  
75 Hawthorne Street  
San Francisco, CA 94105

### **US Forest Service – El Dorado National Forest**

Susan Durham  
Botanist  
100 Forni Road  
Placerville, CA 95667

### **US Forest Service – El Dorado National Forest**

Tom Koler  
Geologist  
100 Forni Road  
Placerville, CA 95667

### **US Forest Service – El Dorado National Forest**

Lester Lubetkin  
Recreation  
100 Forni Road  
Placerville, CA 95667

### **US Forest Service – El Dorado National Forest**

Katy Parr  
Heritage & Tribal Program Manager  
100 Forni Road  
Placerville, CA 95667

## **Federal Government/Representatives (continued)**

### **US Forest Service – El Dorado National Forest**

Paul Sanders  
Engineering/Roads Specialist  
100 Forni Road  
Placerville, CA 95667

### **US Forest Service – El Dorado National Forest**

Patricia Trimble  
District Ranger  
Georgetown Ranger District  
7600 Wentworth Springs Road  
Georgetown, CA 95634

### **USDA – Natural Resources Conservation**

Mike Brenner  
District Conservationist  
251 Auburn Ravine Road  
Auburn, CA 95603

### **US Forest Service – Sierra Nevada Research Ctr**

Amy Lind  
Wildlife Biologist/Herpetologist  
1731 Research Park Drive  
Davis, CA 95618

### **US Forest Service – Tahoe National Forest**

Chris Fischer, District Ranger  
American River Ranger District  
22830 Foresthill Road  
Foresthill, CA 95631

### **US Forest Service – Tahoe National Forest**

Victor Lyon  
Wildlife Biologist  
22830 Foresthill Road  
Foresthill, CA 95631

### **US Forest Service – Tahoe National Forest**

Carrie Smith  
Heritage Program Manager  
Tribal Relations Program Manager  
10811 Stockcrest Spring Dr  
Truckee, CA 96161

### **US Forest Service – Tahoe National Forest**

Dan Teater  
Fisheries Biologist  
22830 Foresthill Road  
Foresthill, CA 95631

### **US Fish & Wildlife Service**

Jeremiah Karuzas  
Fish and Wildlife Biologist  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825-1846

### **US Forest Service – El Dorado National Forest**

Kathy Hardy  
Forest Supervisor  
100 Forni Road  
Placerville, CA 95667

### **US Forest Service – El Dorado National Forest**

Jann Williams  
Biologist  
100 Forni Road  
Placerville, CA 95667

### **US Forest Service – Region 5 – Regional**

Dennis Smith, RHAT Program Manager  
Regional Hydropower Assistance Team (RHAT)  
Pacific Southwest Region  
1323 Club Drive  
Vallejo, CA 94592

### **US Forest Service – Tahoe National Forest**

William Davis  
Landscape Architect  
22830 Foresthill Road  
Foresthill, CA 95631

### **US Forest Service – Tahoe National Forest**

Scott Husmann  
Engineer  
22830 Foresthill Road  
Foresthill, CA 95631

### **US Forest Service – Tahoe National Forest**

Tom Quinn  
Forest Supervisor  
631 Coyote St.  
Nevada City, CA 95959-2250

### **US Forest Service – Tahoe National Forest**

Nolan Smith  
District Archeologist  
22830 Foresthill Road  
Foresthill, CA 95631

### **US Forest Service – Tahoe National Forest**

Mo Tebbe  
Public Service Officer  
22830 Foresthill Road  
Foresthill, CA 95631

### **US House of Representatives**

Tom McClintock  
508 Cannon HOB  
Washington, DC 20515

**Federal Government/Representatives (continued)**

**US Senate**

Barbara Boxer  
501 I Street, Suite 7-600  
Sacramento, CA 95814

**US Senate**

Dianne Feinstein  
One Post Street, Suite 2450  
San Francisco, CA 94104

## **State Government/Representatives**

### **Auburn Area Recreation & Park District**

Kahl Muscott  
123 Recreation Drive  
Auburn, CA 95603

### **California Department of Fish & Game**

Robert Hughes  
Senior Hydraulic Engineer  
830 S Street  
Sacramento, CA 95814

### **California Department of Fish & Game**

Stafford Lehr  
1701 Nimbus Road  
Rancho Cordova, CA 95670

### **California State Parks**

Bill Deitchman  
California State Park Ranger  
501 El Dorado St  
Auburn, CA 95603

### **California State Parks – Folsom State Park**

Jim Micheaels  
Recreation Area  
7806 Folsom Auburn Road  
Folsom, CA 95630

### **Department of Parks and Receptions**

Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer  
Office of Historic Preservation  
1725 23rd St, Suite 100  
Sacramento, CA 95816

### **CA State Senator**

Ted Gaines  
State Capitol Office  
Room 2068  
Sacramento, CA 94248-0001

### **State Clearinghouse**

P.O. Box 3044  
Sacramento, CA 95812-3044

### **California Department of Boating & Waterways**

Harold Flood  
2000 Evergreen Street, Suite 100  
Sacramento, CA 95815-3888

### **California Department of Fish & Game**

Beth Lawson  
Associate Hydraulic Engineer  
1701 Nimbus Road  
Rancho Cordova, CA 95670

### **California Department of Fish & Game**

Matt Myers  
Environment Scientist  
601 Locust Street  
Redding, CA 96001

### **California State Parks – ASRA**

Mike Lynch, Acting Superintendent  
501 El Dorado St.  
Auburn, CA 95603

### **State Water Resources Control Board**

Jennifer Watts  
Division of Water Rights  
P.O. Box 2000  
Sacramento, CA 95812-2000

### **Department of Water Resources**

Ted Frink  
P.O. Box 942836  
Sacramento, CA 94236-0001

### **CA State Assemblywoman**

Beth Gaines  
1700 Eureka Road, Suite 160  
Roseville, CA 95661

## **Local Government**

**City of Auburn**  
Robert Richardson  
City Manager  
1225 Lincoln Way  
Auburn, CA 95603

**City of Lincoln**  
Jim Estep  
City Manager  
600 6<sup>th</sup> Street  
Lincoln, CA 95648

**County of Placer**  
Brett Storey  
County Executive Office  
175 Fulweiler Ave  
Auburn, CA 95603

**El Dorado Board of Supervisors**  
Suzanne Allen de Sanchez  
Clerk to the Board  
330 Fair Ln  
Placerville, CA 95667

**Placer County**  
Holly Heinzen  
Assistance County Executive Officer  
175 Fulweiler Avenue  
Auburn, CA 95603

**Placer County Counsel's Office**  
Scott Finley  
Supervising Deputy County Counsel  
175 Fulweiler Avenue  
Auburn, California 95603

**City of Colfax**  
Bruce Kranz  
City Manager  
P.O. Box 702  
Colfax, CA 95713

**City of Roseville**  
Ray Kerridge  
City Manager  
311 Vernon Street,  
Roseville, CA 95678

**County of Placer**  
Eric Waidmann  
Assistant Treasurer–Tax Collector  
2976 Richardson Drive  
Auburn, CA 95603

**Foresthill Municipal Advisory Council**  
Larry Jordan  
P.O. Box 207  
Foresthill, CA 95631

**Placer County Board of Supervisors**  
Jocelyn Maddux, Field Rep. District 5  
175 Fulweiler Avenue  
Auburn, California 95603

**Town of Loomis**  
Rick Angelocci  
City Manager  
6140 Horseshoe Bar Road, Suite K  
Loomis, CA 95650

**Public Agency**

**El Dorado County Water Agency**

Dave Eggerton  
General Manager  
3932 Ponderosa Road, Suite 200  
Shingle Springs, CA 95682

**El Dorado Irrigation District**

Brian Deason  
Hydroelectric Compliance Analyst  
2890 Mosquito Road  
Placerville, CA 95667

**Georgetown Divide Public Utility District**

Henry White  
General Manager  
P.O. Box 4240  
Georgetown, CA 95634

**Placer County Resource Conservation District**

Tom Wehri  
Board President  
251 Auburn Ravine Road, Ste 105  
Auburn, CA 95603

**El Dorado County Water Agency**

Tracey Eden-Bishop, P.E.  
Water Resources Engineer  
3932 Ponderosa Road, Suite 200  
Shingle Springs, CA 95682

**Foresthill Public Utility District**

Leo Havener  
General Manager.O. Box 266  
Foresthill, CA 95631

**Nevada Irrigation District**

Ron Nelson  
General Manager  
P.O. Box 1019  
Grass Valley, CA 95945-1019

**San Juan Water District**

Shauna Lorange  
General Manager  
9935 Auburn-Folsom Road  
Granite Bay, CA 95746

## **Native American Tribes**

### **Colfax–Todds Valley Consolidated Tribe**

Leon Poitras  
3420 Rattlesnake Rd  
Newcastle, CA 95658

### **Colfax-Todds Valley Consolidated Tribe**

Judy Marks, Secretary  
P.O. Box 4884  
Auburn, CA 95604

### **Shingle Springs Rancheria**

Nicolas Fonseca  
Chair  
P.O Box 1340  
Shingle Springs, CA 95682

### **T'Si–Akim Maidu**

Donald Ryberg  
Chair  
1275 E Main Street  
Grass Valley, CA 95945

### **Todds Valley Miwok-Maidu Cultural Foundation**

Keith Drone  
Cultural Preservation Chair  
P.O. Box 1490  
Foresthill, CA 95631

### **United Auburn Indian Community of the Auburn Rancheria**

Roman Porter  
Tribal Administrator  
10720 Indian Hill Rd  
Auburn, CA 95603

### **United Auburn Indian Community of the Auburn Rancheria**

David Keyser  
Tribal Chairperson  
10720 Indian Hill Rd  
Auburn, CA 95603

### **United Auburn Indian Community Preservation Committee**

John L. Williams  
10720 Indian Hill Rd  
Auburn, CA 95603

### **Washoe Tribe of Nevada & California**

Wanda Batchelor  
Chairwoman  
919 US Highway 395 South  
Gardnerville, NV 89410

### **Colfax–Todds Valley Consolidated Tribe**

Pam Cubbler  
Chair  
P.O. Box 4884  
Auburn, CA 95604-4884

### **Nisenan Maidu**

April Moore  
19630 Placer Hills Rd  
Colfax, CA 95713

### **Shingle Springs Rancheria**

Jeff Murray  
P.O.Box 1340  
Shingle Springs, CA 95682

### **Todds Valley Miwok–Maidu Cultural Foundation**

John Boche, Chair  
P.O. Box 1490  
Foresthill, CA 95631

### **United Auburn Indian Community Preservation Committee**

Allen Adams  
10720 Indian Hill Rd  
Auburn, CA 95603

### **United Auburn Indian Community of the Auburn Rancheria**

Marcos Guerrero, M.A., RPA  
Cultural Resources Specialist  
10720 Indian Hill Rd  
Auburn, CA 95603

### **United Auburn Indian Community Preservation Committee**

Sande Delgado  
10720 Indian Hill Rd  
Auburn, CA 95603

### **Washoe Tribe of Nevada & California**

Marie Barry  
Environmental Specialist  
919 Highway 395 South  
Gardnerville, NV 89410

### **Washoe Tribe of Nevada & California**

Darrel Cruz  
CRO/THPO  
919 US Highway 395 South  
Gardnerville, NV 89410



## **Non-Governmental Organizations**

### **American River Recreation Association & Sierra Nevada Alliance**

Bill Center  
P.O. Box 623  
Lotus, CA 95651

### **Auburn Chamber of Commerce**

Rich Johnson  
Government Affairs Committee  
601 Lincoln Way  
Auburn, CA 95603

### **Audubon Society**

Don Rivenes  
12826 Newtown Road  
Nevada City, CA 95959

### **California Native Plant Society**

Sue Britting  
P.O. Box 377  
Coloma, CA 95613

### **Dry Creek Conservancy**

Greg Bates  
P.O. Box 1311  
Roseville, CA 95678

### **Friends of the North Fork**

Michael Garabedian  
7143 Gardenvine Avenue  
Citrus Heights, CA 95621

### **Granite Bay Flycasters**

Heath Wakelee  
4120 Douglas Blvd. #306-356  
Granite Bay, CA 95746-5936

### **Pacific Gas & Electric**

Dave Ward  
343 Sacramento Street  
Auburn, CA 95603

### **Pacific Gas & Electric**

Steve Pierano  
Relicensing Project Manager  
Mail Code N11E  
P.O. Box 70000  
San Francisco, CA 94177-0001

### **Sacramento Municipal Utility District**

David Hanson  
Project Manager, Hydro Relicensing  
6201 S St  
Sacramento, CA 95817

### **Auburn Chamber of Commerce**

Bruce Cosgrove, CEO  
601 Lincoln Way  
Auburn, CA 95603

### **Auburn Flycasters Granite Bay Flycasters**

Larry Goodell  
P.O. Box 756  
Auburn, CA 95604

### **California Hydropower Reform Coalition**

Laura Norlander  
2140 Shattuck Ave., Suite 605  
Berkeley, CA 94704

### **Canyon Keepers**

Jim Ferris  
501 El Dorado St  
Auburn, CA 95603

### **Farm Bureau, Placer County**

Jim Bachman  
10120 Ophir Road  
Newcastle, CA 95658

### **Friends of the River**

Ron Stork  
915 20th St  
Sacramento, CA 95814

Patricia Gibbs  
5425 Lake Forest Dr  
Loomis, CA 95650

### **Pacific Gas & Electric**

Dave Hinshaw  
PG&E Account Executive  
343 Sacramento Street  
Auburn, CA 95603

### **Protect American River Canyons**

Eric Peach  
P.O. Box 9312  
Auburn, CA 95604

### **Sacramento Municipal Utility District**

Dudley McFadden  
Principal Civil Engineer  
P.O. Box 15830  
Sacramento, CA 95817

## **Non-Governmental Organizations (continued)**

### **Sacramento Municipal Utility District**

Jim Shetler  
Assistant General Manager, Energy Supply  
6201 S St,  
Sacramento, CA 95817

### **Sierra Club – Mother Lode Chapter**

Terry Davis  
801 K Street, Suite 2700  
Sacramento, CA 95814

### **Sierra Club – Placer Group**

Marilyn Jasper  
P.O. Box 7167  
Auburn, CA 95604-7167

### **SARSAS**

Jack Sanchez  
3675 Larkin Lane  
Auburn, CA 95602

### **Auburn Flycasters**

Grant Fraser  
President  
P.O. Box 0756  
Auburn, CA 95604

### **Western States Trail Foundation**

Thomas Christofk  
1216-C High Street  
Auburn, CA 95603

### **Western States Trail Foundation**

Mike Pickett  
1216-C High Street  
Auburn, CA 95603

### **Sacramento Municipal Utility District**

Carol Szuch  
Management Analyst  
6201 S Street  
Sacramento, CA 95817

### **Sierra Club – Mother Lode Chapter**

Allan Eberhart  
801 K Street, Suite 2700  
Sacramento, CA 95814

### **Sierra Salmon Alliance**

Tyrone Gorre  
1700 Meadow Vista Road  
Meadow Vista, CA 95722

### **Trout Unlimited**

Chuck Bonham, California Director  
1808B 5th Street  
Berkeley, CA 94710

### **Western States Endurance Run**

Anthony Rossmann  
Rossmann & Moore, LLP  
380 Hayes Street  
San Francisco, CA 94102

### **Western States Trail Foundation**

Steve Hallmark  
7845 Jeannie Ct.  
Loomis, CA 95650

### **West Yost**

Max Colorado  
1380 Lead Hill Road, Suite 201  
Roseville, CA 95661

## **Public**

### **Advanced Energy Strategies**

Dean Tibbs  
1800 Sutter Street, Suite 870  
Concord, CA 94520-2540

### **Cramer Fish Sciences**

Bradley J. Cavallo  
13300 New Airport Road, Suite 102  
Auburn, CA 95602

### **Foresthill Messenger**

Jim Linsdau  
P.O. Box 1024  
Foresthill, CA 95631

### **Jones & Associates**

Tom Jones  
12331 Incline Drive  
Auburn, CA 95603

### **Lone Star Timber**

Larry Gonzales  
Mason, Bruce, & Girard, Inc.  
13620 Lincoln Way, Suite 380  
Auburn, CA 95603

### **Sierra Pacific Industries**

Tim Feller  
P.O. Box 496028  
Redding, CA 96049-6028

### **Stoel Rives, Attorney at Law**

Attn: Denise Morison  
770 L Street, Suite 800  
Sacramento, CA 95814

Roger Canfield  
7818 Olympic Way  
Fair Oaks, CA 95628

Neil Cochran  
5344 Crestline Drive  
Foresthill, CA 95631

Anthony DeRiggi  
932 46th Street  
Sacramento, CA 95819

Charlie Fullerton  
135 Mering Court  
Sacramento, CA 95864

Chris Shackleton  
2359 Sonata Drive  
Rancho Cordova, CA 95670

### **Canyon Raft Rentals**

John Hauschild  
133 Borland Avenue  
Auburn, CA 95603

### **Dunlap Group**

John Dunlap  
231 Cherry Avenue, Suite 202  
Auburn, CA 95603

### **FROG**

Sherry Wicks  
P.O. Box 568  
Foresthill, CA 95631

### **Leupp & Woodall**

Tim Woodall  
149 Court Street  
Auburn, CA 95603

### **Northern CA Council/Fed of Fly Fishers**

Gary Flanagan  
8459 Lakeland Drive  
Granite Bay, CA 95746

### **Spiegel & McDiarmid LLP**

Frances Francis  
1333 New Hampshire Ave., NW  
Washington, DC 20036

### **Troutman Sanders LLP**

Clifford Sikora  
401 Ninth St., NW, Suite 1000  
Washington D.C. 20004-2134

Bob Center  
10794 Arrow Point Place  
Grass Valley, CA 95959

Dan Crandall  
P.O. Box 828  
Lotus, CA 95651

Craig Crouch  
5307 Hawkhaven Court  
Rocklin, CA 95765

John Greene  
P.O. Box 465  
Meadow Vista, CA 95722

Donna Williams  
4170 Auburn Folsom Road  
Loomis, CA 95650