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February 2, 2009
Handout #6

The Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Re: 2008 Study Implementation Progress Report for the Middle Fork American River Project (FERC Project No. 2079) per 18 CFR § 5.15 (c)(1)

Dear Secretary Bose:

The Placer County Water Agency (PCWA) is submitting this progress report to provide the Federal Energy Regulatory Commission (FERC or Commission) and the stakeholders identified in Attachment A with an update regarding progress made in implementing 28 Technical Study Plans (TSPs) associated with the relicensing of the Middle Fork American River Project (MFP or Project). As required in 18 CFR § 5.15 (c)(1), this report summarizes PCWA's overall progress to date, any variances from the study plans and schedule in implementing the study plans, and any modifications to ongoing studies or new studies proposed by PCWA. This report documents work completed in 2008 and supplements the information provided to the Commission in PCWA's 2007 Study Implementation Progress Report, which was filed on January 22, 2008.

Background

PCWA developed 28 TSPs in collaboration with the stakeholders. The stakeholder-approved TSPs were included in PCWA's Pre-Application Document (PAD), which was filed with the FERC on December 13, 2007 and concurrently distributed to the stakeholders. PCWA received seven comment letters on the PAD. In addition, oral comments on the PAD were provided to PCWA during PCWA's 2007 Study Implementation Progress Report Meeting (February 4, 2008) and during the FERC's Public Scoping Meeting (March 4, 2008). These comments resulted in revisions to one of the 28 TSPs, the AQ 1 - Instream Flow TSP. The revised AQ 1 - Instream Flow TSP was filed with the FERC and concurrently distributed to the stakeholders on May 23, 2008, along with PCWA's responses to comments on the PAD and responses to FERC's Request for Additional Information.

On May 23, 2008, PCWA filed a request to expedite the Study Plan Determination Process and to waive the Commission's regulations in 18 CFR § 5.11. On June 2, 2008, the FERC issued a request for comments on PCWA's request. No comments were received. Therefore, the FERC granted PCWA's waiver request by letter dated June 18, 2008. On July 18, 2008, the FERC issued a study plan determination. Specifically, the FERC approved the TSPs included in the PAD, the revised Instream Flow TSP, and Part 1 of the LAND 1 - Transportation System TSP. Parts of the LAND 1 TSP that pertain to non-Project general access roads were excluded from the FERC's approval because the FERC does not consider them part of the Project.

Study Implementation Progress

Study progress in 2008 is summarized in Attachment B. Attachment B is organized by TSP and describes: 1) study elements completed/data collected; 2) any technical study plan variances; 3) outstanding study elements; 4) proposed modifications; and 5) proposed new studies. In addition, Attachment B includes a "Work Group Update" column that describes what type of study information has been shared with the Technical Working Groups (TWGs) to date, and when the information was provided. Attachment B also includes information that was presented in the 2007 Study Implementation Progress Report for reference and context. The rows in the table containing 2007 information are shaded grey.

The TSP schedules are graphically depicted in Attachment C. The TSP schedules were included in the PAD and revised schedules were included in PCWA's 2007 Study Implementation Progress Report. The schedules included in Attachment C have been updated to show how the studies have progressed over time and how PCWA proposes to proceed through May 2010.

With a few exceptions, all of the TSPs are progressing as outlined in the FERC-approved TSPs. Any variances in study plan implementation are summarized in Attachment B and are briefly summarized below, organized by the following three categories: reporting, voluntary enhancements, and study approach refinements. As indicated in Attachment B, PCWA does not propose any modifications to the TSPs or any new studies.

Reporting

Reporting variances are summarized in Attachment B. In general, reporting variances have occurred because additional time was needed to complete field studies, consult with resource agencies, acquire data from existing sources, or to analyze data. Updated TSP Implementation Schedules are included in Attachment C.

Voluntary Enhancements

PCWA voluntarily conducted additional study elements that were not identified in the FERC-approved TSPs. These voluntary enhancements are identified in Attachment B under AQ 1 - Instream Flow, AQ 6 - Fish Passage, and TERR 3 - Noxious Weeds.

Study Approach Refinements

Several minor variances to the overall scope of work outlined in the TSPs or refinements to study approach have occurred. These variances and/or refinements are identified in Attachment B and are briefly explained in the following.

- AQ 3 - Macroinvertebrates and Aquatic Mollusks

  The TSP stated that the macroinvertebrate metrics will be reported as outlined in Rehn et al. (2007). The macroinvertebrate metrics were reported as outlined in an updated study by Rehn (2008).

- REC 4 - Stream-based Recreation Opportunities

  The REC 4 TSP indicated that PCWA would assemble a group of anglers to assess fishing conditions over a range of flows at specific locations in the peaking reach and on the Rubicon River below Ellicott Bridge. Based on the information developed during an angler focus group session held on May 20, 2008, PCWA proposed to address flow-related fishing issues in the peaking reach by analyzing ramping conditions in the peaking reach in lieu of assembling a group of anglers to assess fishing conditions. PCWA is not proposing to conduct angler flow studies on the Rubicon River below Ellicott Bridge because sufficient information to characterize flow-related impacts to anglers was developed during the angler focus group session.

  The REC 4 TSP also indicated that PCWA would assemble a group of stream crossing users to assess stream crossing conditions over a range of flows at specific locations in the peaking reach. Based on the information developed during the focus group session held on May 12, 2008, PCWA proposed to develop stage/discharge relationships at each of the stream crossing locations in lieu of assembling a group of stream crossing users to assess crossing conditions. PCWA believes this approach will yield information that more directly addresses the issues associated with stream crossing.

  These refinements were documented in writing (Attachment D) and provided to the Recreation TWG members by e-mail on July 14, 2008 for review. The refinements were then discussed and supported by the Recreation TWG at the July 21, 2008 meeting.

- TERR 2 - Special Status Plants

  The TERR 2 TSP indicated that PCWA would conduct special-status fungi surveys. However, surveys for special-status fungi were not conducted because the habitat that they occur in (mature mixed-conifer forests) is not present in the study area where maintenance activities occur or where potential project betterments would be constructed. Information about the vegetation communities present in the study area as determined through mapping performed in conjunction with the TERR 1 TSP, was presented to the Terrestrial TWG on March 3, 2008. Using this information, the TWG determined that it would not be necessary to conduct surveys for special status fungi.

Contingency Studies

Eight of the TSPs identified potential contingency studies. To date five of the contingency studies have been initiated. The remaining three contingency studies are under consideration pending the results of ongoing studies and/or consultation with the stakeholders. The following briefly describes the status of each of the contingency studies. This information is also included in Attachments B and C.

- AQ 2 – Fish Population

  As outlined in the AQ 2 – Fish Population TSP, fish population sampling was conducted in 2007 to identify the spatial distribution and abundance of fish species, and again in 2008 to identify the temporal abundance of fish species. The AQ 2 TSP indicated that a third year of population sampling would be conducted, depending upon the 2007 and 2008 fish population sampling results. The 2007 and 2008 data are currently under review and PCWA will consult with the Aquatic TWG in March 2009 to determine if additional sampling is necessary.

- AQ 7 - Entrainment

  The AQ 7 - Entrainment TSP specified a process for the Aquatic TWG to collaboratively determine if direct sampling of entrainment was needed to supplement the indirect (potential) entrainment estimates developed at Project facilities. During the July 8, 2008 meeting, the Aquatic TWG determined that direct entrainment sampling was necessary to complete the AQ 7 -TSP. PCWA, in collaboration with the Aquatic TWG, developed a scope of work and schedule for direct entrainment sampling. The final draft scope of work was discussed at the September 8, 2008 TWG. It was then revised to reflect comments discussed during the meeting and then distributed to the Aquatics TWG by e-mail on September 16, 2008 for review and approval. No comments were received. Accordingly, as agreed to by the Aquatics TWG, the scope of work was deemed final and is included in Attachment E for reference. Direct sampling is proceeding as outlined in the study plan. A draft report documenting the results of this effort will be distributed to the stakeholders for review and comment in August 2009.

- AQ 9 – Geomorphology

  The AQ 9 – Geomorphology TSP indicated that PCWA would consult with the Aquatic TWG to determine if additional empirical studies are necessary to characterize sediment transport under different flow regimes. If empirical studies are warranted, PCWA will develop the scope of the studies in consultation with the Aquatic TWG. The study methods are likely to include one or a combination of the following approaches: (1) placement and monitoring of tracer gravels; (2) installation and monitoring of pit traps; and/or (3) installation and monitoring of scour chains. If determined to be necessary, these studies would be initiated in April 2009.

- AQ 11 - Water Quality

  The AQ 11 - Water Quality study was implemented during the spring and fall, 2007. Among other things, the study included a screening level assessment of methylmercury concentrations in sport fish muscle tissue at four Project reservoirs and in the Middle

Fork American River downstream of Oxbow Powerhouse. The AQ -11 Water Quality TSP specified a contingency study process that would be implemented if methylmercury concentrations exceeded screening guidelines.

After reviewing the results of studies conducted in spring and fall of 2007, the Aquatic TWG determined that additional fish tissue methylmercury sampling was warranted. Accordingly, PCWA developed a study plan describing the scope of work for additional sampling of sport fish muscle tissue for methylmercury analysis. The draft scope of work was discussed at the September 8, 2008 TWG. It was revised to reflect comments discussed during the meeting and then distributed to the Aquatics TWG by e-mail on September 16, 2008 for review and approval. No comments were received. Accordingly, as agreed to by the Aquatics TWG, the scope of work was deemed final and is included in Attachment F for reference.

Field work associated with this effort was conducted during the fall of 2008 and a draft report documenting the results of this effort will be distributed to the stakeholders for review and comment by April 30, 2009.

- AQ 12 - Special Status Amphibian and Aquatic Reptiles

The AQ 12 – Special Status Amphibian and Aquatic Reptiles TSP included a contingency study to conduct additional FYLF surveys in 2008 depending upon the results of surveys conducted in 2007. After reviewing the results of the 2007 AQ 12 - Special Status Amphibian and Aquatic Reptile TSP, the Aquatic TWG determined that it was only necessary to develop additional FYLF breeding timing data at the 2D modeling validation study sites. This data was collected during the spring of 2008 and will be reported in the AQ 1 - Instream Flow TSR, a draft of which is scheduled to be distributed in June 2009.

- CUL 1 - Cultural Resources

The CUL 1 – Cultural Resources TSP included a contingency to conduct studies to determine whether any of the resources identified through field surveys are eligible for inclusion on the National Register of Historic Places (NRHP). After consulting with the stakeholders, PCWA determined that eligibility studies are necessary at select sites. PCWA developed a CUL 1 - Cultural Resources Evaluation Plan and distributed it to the stakeholders for review and comment on June 18, 2008. The final plan was distributed to the stakeholders on August 28, 2008 and is included in Attachment G for reference, excluding confidential material. Field work associated with this effort was completed during the summer and fall of 2008 and research is ongoing. The eligibility results will be documented in a draft report that will be distributed to the stakeholders for review and comment by April 1, 2009.

- REC 4 – Stream-based Recreation Opportunities

The REC 4 TSP indicated that PCWA would determine the need for flow studies in the bypass reaches based on information developed through the focus group and other sources. Boating opportunities in the bypass reaches were discussed during a whitewater boating focus group session held on April 23, 2008. PCWA is continuing to interview boaters to refine the boatable flow ranges expressed by the focus group participants to develop additional information about the opportunities in the bypass

reaches, including boatable flow ranges, if available. In addition, PCWA is compiling hydrologic information that can be used in conjunction with the boatable flow ranges expressed by the focus group participants to determine how Project operations do or do not affect boating opportunities in the bypass reaches. The results of this assessment will be discussed with the Recreation TWG in April 2009 to determine if whitewater boating studies on any of the bypass reaches are necessary.

- REC 5 - Visual Quality Assessment

  This TSP included a contingency study involving the photo-documentation of water level changes at Ralston Afterbay. This effort was contingent upon summarizing water level changes at Ralston Afterbay based upon the hydrologic record. PCWA decided to photograph the afterbay at various water levels in addition to summarizing the reservoir hydrology. The results of this effort will be documented in the REC 5 - Visual Quality Assessment TSR, a draft of which will be distributed in February 2009.

Next Steps

PCWA will provide a study implementation progress report update during the Plenary meeting to be held from 10:00 AM to 12:00 PM on February 2, 2009 at the Canyon View Community Center (Foothills Room) located at 471 Maidu Rd, Auburn, California. During this meeting, PCWA will discuss overall progress of study plan implementation and address any stakeholder comments. PCWA does not propose any study plan modifications but will provide the stakeholders with an opportunity to discuss any proposed modifications during the meeting.

PCWA will distribute a meeting summary to the Commission and stakeholders for review by February 17, 2009. Any participant or the Commission staff may file comments on PCWA's meeting summary within 30 days, setting forth any disagreement and any modification to ongoing studies or new studies proposed.

PCWA looks forward to working with Commission staff and MFP stakeholders as the relicensing proceeds. If you have any questions regarding the enclosed information, please contact Mal Toy, MFP Relicensing Manager, at (530) 823-4889.

Sincerely,
PLACER COUNTY WATER AGENCY

Mal Toy

Mal Toy
MFP Relicensing Manager

Attachments:

Attachment A - PCWA Progress Report Distribution List
Attachment B - 2008 Technical Study Plan Progress Report Summary Table
Attachment C - Technical Study Plan Implementation Schedules
Attachment D - July 1, 2008 Update on the REC 4 - Stream Based Opportunities Technical Study Plan Focus Group Sessions and Refined Flow Study Approaches
Attachment E - AQ 7 - Entrainment Direct Sampling Approach (Contingency Study)
Attachment F - AQ 11 - Water Quality Contingency Sampling Protocol (Contingency Study)
Attachment G - Final Cultural Resources Evaluation Plan (August 28, 2008), excluding confidential information