

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Placer County Water Agency

Project No. 2079-041

ORDER APPROVING RESERVOIR DRAWDOWN

(Issued September 21, 2000)

Placer County Water Agency (licensee) filed on August 7, 2000, and supplemented on August 23, 2000, a request to draw down the Interbay Reservoir in order to remove a large accumulation of sediment from the reservoir. The project is located on the Middle Fork American and Rubicon Rivers, in Placer and El Dorado Counties, California. The project occupies lands of the Tahoe and Eldorado National Forests.

LICENSEE'S PROPOSAL

The licensee requests approval to draw down the Interbay Reservoir and remove about 70,000 cubic yards of sediment from the reservoir during September-October 2000. The Interbay Reservoir is located on the Middle Fork American River. The sediment was deposited during high flows in January 1997. The licensee plans to maintain the required minimum flow during the maintenance work.

AGENCY CONSULTATION

By letter dated March 23, 2000, the licensee notified various agencies, including the U.S. Forest Service (FS), U.S. Fish and Wildlife Service (FWS), California Department of Fish and Game (CDFG), National Marine Fisheries Service (NMFS), and the Environmental Protection Agency (EPA). The licensee has received a streambed alteration agreement from CDFG, dated August 15, 2000; a water quality certification from the California State Water Resources Control Board, dated August 10, 2000; and a special use permit, dated August 18, 2000, from the FS for the proposed work. By separate letter dated May 12, 2000, the FS recommended that all heavy equipment be washed down prior to arrival on site to prevent or minimize the spread of noxious plants.

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The licensee's proposal was public noticed on August 25, 2000, with a comment period ending on September 20, 2000. No comments or requests for intervention were received.

Further, by letter dated August 21, 2000, the Commission requested concurrence from the California Office of Historic Preservation (SHPO) that no cultural or historic properties are expected to be found within the area of the reservoir and therefore the licensee's planned activities will have no effect on cultural or historic resources. No written comments from SHPO were received within the 30 day comment period.

DISCUSSION

The licensee proposes to remove sediment deposited in the Interbay Reservoir during high flows in January 1997. A temporary drawdown of the reservoir is necessary to facilitate removal of the sediment. The licensee plans to comply with the permits issued by the various agencies to minimize any potential for impacts and plans to maintain the required minimum flow during the work. Commission staff found that no cultural or historic properties listed on the National Register of Historic Places are in the area around the reservoir and determined that the proposed dredging would have no effect on cultural or historic properties. However, if any previously unidentified historic or cultural items are found during the maintenance activities, the licensee should cease work and consult with the SHPO to determine the need for additional cultural resource management measures. If needed, the licensee should prepare a cultural resource management plan. The plan should include, but not be limited to, a description of each discovered property, a description of the potential effect, the proposed measures for avoiding or mitigating the effects, documentation of consultation with SHPO, and a schedule for mitigating the impacts. The licensee should file its plan and evidence of consultation with SHPO with the Commission for approval. The Commission should reserve the right to require changes to the plan based upon the comments. The licensee should not resume work in the area until informed by the Commission that these requirements have been fulfilled. As recommended by the FS, the licensee should clean any equipment to prevent the spread of invasive plants. Based on our review, we conclude that the reservoir drawdown and sediment removal process, with the modifications discussed, should be approved.

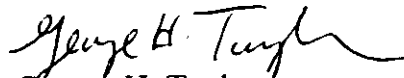
The Director orders:

(A) The licensee's request to drawdown the Interbay Reservoir and remove approximately 70,000 cubic yards of sediment, as modified in paragraph (B) and (C), is approved.

(B) The licensee shall wash down any equipment prior to arrival on site to prevent the spread of invasive plants.

(C) If any historic or cultural items are found during the maintenance, the licensee shall cease work and consult with the California Office of Historic Preservation (SHPO) to determine the need for additional cultural resource management measures. If needed, the licensee shall prepare a cultural resource management plan. The plan shall include, but not be limited to, a description of each discovered property, a description of the potential effect, the proposed measures for avoiding or mitigating the effects, documentation of consultation with the SHPO, and a schedule for mitigating the impacts. The licensee should file its plan and evidence of consultation with SHPO with the Commission for approval. The Commission reserves the right to require changes to the plan based upon the comments. The licensee shall not resume work in the area until informed by the Commission that these requirements have been fulfilled.

(D) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to CFR § 385.713.



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