September 2, 2011
File No. 01030A (P-2079-069)

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First St. N.E.
Washington, DC 20426

Re: Placer County Water Agency's Submittal of a Response to the California Department of Fish and Game Section 10(j) and 10(a) Recommended Conditions for the Middle Fork American River Project (FERC Project No. 2079-069)

Dear Secretary Bose:

Enclosed for filing in the above-referenced docket is Placer County Water Agency's (PCWA) response to the California Department of Fish and Game (CDFG) submittal of Section 10(j) and 10(a) Recommended Conditions with respect to the Middle Fork American River Project, FERC Project No. 2079, as transmitted today to the CDFG and parties included on the FERC Service List. This filing includes:

- One original and seven paper copies of PCWA's response letter.

If you have any questions regarding this filing, please contact me at (530) 823-4889 or by e-mail at afecko@pcwa.net.

Sincerely,

PLACER COUNTY WATER AGENCY

Andrew Fecko
Resource Planning Administrator
P.O. Box 6570
144 Ferguson Road
Auburn, CA 95604

FERC Transmittal_CDFG_090211.doc
September 2, 2011
File No. 01030A (P-2079-069)

Kent A. Smith, Regional Manager
State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
North Central Region
1701 Nimbus Rd., Ste. A
Rancho Cordova, CA 95670

Subject: Placer County Water Agency’s Response to Section 10(j) and 10(a)
Recommended Conditions Submitted by the California Department
of Fish and Game for the Middle Fork American River Project (FERC
Project No. 2079-069)

Dear Mr. Smith:

Placer County Water Agency (PCWA) is the existing Licensee and applicant for a
subsequent license for the Middle Fork American River Project (Federal Energy
Regulatory Commission (FERC) Project No. 2079) (MFP or Project). Pursuant to 18
C.F.R. § 5.23, PCWA hereby submits reply comments to Federal Power Act (FPA) §
10(j) and 10(a) Recommended Conditions submitted by the California Department
of Fish and Game (CDFG) to FERC in a letter dated August 4, 2011 (CDFG Letter) for the
MFP.

PCWA filed its Draft License Application for the MFP on September 28, 2010 and its
Final License Application on February 23, 2011. FERC issued its Notice of Application
Accepted for Filing, Soliciting Motions to Intervene and Protests, Ready for
Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary
Terms and Conditions, and Preliminary Fishway Prescriptions on June 7, 2011. Pursuant to the FPA § 10(j), § 10(a), and 18 C.F.R. § 4.34(b)(2), the CDFG filed its
Recommended Conditions for Fish and Wildlife Protection, Mitigation, and
Enhancement with FERC on August 5, 2011 for the MFP.

As provided in its August 2011 letter, CDFG’s Section 10(j) and 10(a) Recommended
Conditions:
"State and federal agencies participating in their ILP [Integrated Licensing Process] have coordinated to provide a common set of preliminary terms, conditions, and recommendations at this time. The proposed terms, conditions, and recommendations are supported by a preliminary rationale document prepared jointly by the Department and other state and federal agencies, including U.S. Forest Service, U.S. Bureau of Land Management, National Park Service, California State Parks and Recreation, along with guidance shared by the State Water Resources Control Board.”

As such, the CDFG’s Section 10(j) and 10(a) Recommended Conditions are identical to those provided by the United States Department of Agriculture-Forest Service (USDA-FS or U.S. Forest Service) Preliminary Section 4(e) Terms and Conditions filed with FERC on August 5, 2011.

PCWA incorporates by reference and directs CDFG to PCWA’s submittal of alternative conditions for USDA-FS preliminary Section 4(e) conditions which it filed with FERC on September 2, 2011, as applicable comments on the CDFG Section 10(j) and 10(a) Recommended Conditions. These comments were distributed to applicable “license parties”, including CDFG. PCWA requests that the CDFG revise its Section 10(j) and 10(a) Recommended Conditions to be consistent with PCWA’s alternative conditions submitted to the USDA-FS.

Specifically, PCWA provides comments for 16 of the recommended conditions submitted by the USDA-FS and CDFG for the MFP, including:

- Condition No. 15 – Pesticide-Use Restrictions on National Forest System Lands
- Condition No. 19 – Use of National Forest System Roads for Project Access
- Condition No. 22 – Minimum Streamflows
- Condition No. 23 – Pulse Flows
- Condition No. 24 – Ramping Rates
- Condition No. 25 – Outages
- Condition No. 26 – Spawning Habitat Improvement Plan for the Middle Fork American River Below Ralston Afterbay Dam
- Condition No. 37 – Reservoir Minimum Pool Elevations and Reservoir Levels Recreation Objectives
- Condition No. 39 – Recreation Streamflows in the Middle Fork American River Below Oxbow Powerhouse
- Condition No. 45 – Erosion and Sediment Control and Management
- Condition No. 28 – Monitoring Program
- Condition No. 31 – Streamflow and Reservoir Elevation Gaging Plan
Condition No. 41 – Historic Properties Management Plan
Condition No. 43 – Transportation System Management Plan
Condition No. 44 – Fire Prevention and Suppression Plan
Condition No. 46 – Vegetation and Integrated Pest Management Plan

PCWA has consulted with State and Federal resource agencies, including CDFG staff, and a broad array of stakeholders since 2005. This collaboration has resulted in substantial consensus on license terms for PCWA’s MFP. PCWA looks forward to working with CDFG on the resolution of Section 10(j) and 10(a) recommended conditions for the MFP. If you have any questions regarding this letter, please contact me at (530) 823-4889 or by e-mail at afecko@pcwa.net.

Sincerely,

PLACER COUNTY WATER AGENCY

Andrew Fecko
Resource Planning Administrator
P.O. Box 6570
144 Ferguson Road
Auburn, CA 95604

ENCLOSURES
Attachment A: Distribution List
Attachment B: Certificate of Service
Attachment A

Distribution List
# FERC Service List

<table>
<thead>
<tr>
<th>Company</th>
<th>Contact Person</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Whitewater</td>
<td>Dave Steindorf</td>
<td>4 Baroni Dr, Chico, CA 95928-4314</td>
</tr>
<tr>
<td>CA Dept of Fish &amp; Game</td>
<td>Nancee Murray</td>
<td>1416 Ninth St., 12th Flr, Sacramento, CA 95814</td>
</tr>
<tr>
<td>CA Dept of Fish &amp; Game</td>
<td>MaryLisa Lynch</td>
<td>1701 Nimbus Rd., Suite A, Rancho Cordova, CA 95670</td>
</tr>
<tr>
<td>Dept of the Interior, Office of the Solicitor</td>
<td>Kerry O’Hara</td>
<td>2800 Cottage Way, Ste E1712, Sacramento, CA 95825</td>
</tr>
<tr>
<td>Dept of the Interior, Office of the Solicitor</td>
<td>Kevin Tanaka, Attorney</td>
<td>2800 Cottage Way, Ste E1712, Sacramento, CA 95825</td>
</tr>
<tr>
<td>Dept of the Interior, Office of the Solicitor</td>
<td>Regional Environmental Officer</td>
<td>1111 Jackson St., Ste 700, Oakland, CA 94607</td>
</tr>
<tr>
<td>Dept of the Interior, Office of the Solicitor</td>
<td>Stephen M. Bowes, Planner</td>
<td>National Park Service, 1111 Jackson St., Oakland, CA 94607</td>
</tr>
<tr>
<td>Dept of the Interior, Office of the Solicitor</td>
<td>DOI Solicitor</td>
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</tr>
<tr>
<td>Pacific Gas and Electric Company</td>
<td>Paul M. Maben</td>
<td>1108 Murphys Grade Rd., Angels Camp, CA 95222</td>
</tr>
<tr>
<td>Pacific Gas and Electric Company</td>
<td>Mark Patrizio</td>
<td>P.O. Box 7442, San Francisco, CA 94120</td>
</tr>
<tr>
<td>Pacific Gas and Electric Company</td>
<td>Alyssa Koo, Attorney</td>
<td>77 Beale Street, # B30A, San Francisco, CA 94105</td>
</tr>
<tr>
<td>Placer County Water Agency</td>
<td>David A. Breninger</td>
<td>P.O. Box 6570, Auburn, CA 95604-6570</td>
</tr>
<tr>
<td>Placer County Water Agency</td>
<td>Board of Directors, Chairman</td>
<td>P.O. Box 6570, Auburn, CA 95604-6570</td>
</tr>
</tbody>
</table>

*Physical Address*

77 Beale Street, Mail Stop B30A
San Francisco, CA 94105
**FERC Service List (continued)**

**Placer County Water Agency**
Jay L’Estrange  
Director, Power Gen Services  
P.O. Box 667  
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**Foothills Water Network**
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Coordinator  
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Lotus, CA  95651-0713

**Foothills Angler Coalition**
Thomas Bartos, President  
7430 Mornigside Dr.  
Granite Bay, CA 95746

**California Outdoors**
Nate Rangel  
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Coloma, CA  95613

**Physical Address**
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Lotus, CA  95651

**Placer County Water Agency**
Jay L’Estrange  
Director, Power Gen Services  
P.O. Box 667  
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**California Outdoors**
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**Physical Address**
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**CA Sport Fishing Protection Alliance**
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FERC Projects Director  
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**Protect American River Canyons**
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Auburn, CA 95603

**Upper American River Foundation**
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Sacramento, CA 95825

**Trout Unlimited**
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Berkeley, CA 94710

**Sackheim Consulting**
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**Bureau of Reclamation**
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Folsom, CA 95630

**CA State Water Resources Control Board**
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Sacramento, CA 95814

**CA State Water Resources Control Board**
David Rose, Staff Counsel  
1001 I St.  
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El Dorado Water & Power Authority  
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Sacramento, CA 95814

**Downey Brand LLP**
Wendy Jones  
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Sacramento, CA 95814

**USDA-FS**
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Hydro Coordinator  
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San Francisco, CA 94105

**USFWS**
Field Supervisor  
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Sacramento, CA 95825

**Bureau of Land Management**
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Associate Field Manager  
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El Dorado Hills, CA 95762
Other Interveners

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Bill Templin
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Carmichael, CA 95608

Private Boater
Hilde Schweitzer
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Lotus, CA 95651

Physical Address
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Coloma, CA 95613

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

Granite Bay Flycasters
Federation of Flyfishers
Spring Creek Guide Service
Bill Carnazzo, Vice President
5209 Crestline Drive
Foresthill, CA 95631

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
Attachment B

Certificate of Service
CERTIFICATE OF SERVICE

Pursuant to the provisions of 18 C.F.R. § 385.2010, I hereby certify that I have this day served the foregoing document to the Federal Energy Regulatory Commission, upon each person designated on the official service list compiled by the Secretary, and interveners in the relicensing proceedings for Project No. 2079, as set forth in the attached distribution list, by courier service.

Dated at Auburn, CA this 2nd day of September 2011.

Andrew Fecko
Placer County Water Agency
Resource Planning Administrator