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November 1, 2012

File No. 01030A

Electronically Filed

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

**SUBJECT: Placer County Water Agency's Response to Comments on the
Federal Energy Regulatory Commission's Draft Environmental
Impact Statement (FERC Project No. 2079-069)**

Dear Secretary Bose:

Placer County Water Agency (PCWA) filed comments on the Federal Energy Regulatory Commission's (Commission or FERC) Draft Environmental Impact Statement (DEIS) for Hydropower License - Middle Fork American River Project (MFP) (FERC Project No. 2079-069) on October 1, 2012. Two agencies (U.S. Environmental Protection Agency and State Water Resources Control Board) concurrently filed comments regarding the adequacy of the environmental analysis in FERC's DEIS. PCWA has reviewed these comments and believes that FERC can easily respond to these comments by utilizing information/analysis previously filed by PCWA with FERC during the MFP relicensing proceeding and new information to be filed by PCWA in compliance with the California Environmental Quality Act (CEQA). PCWA, the lead agency for CEQA, is currently preparing a Draft CEQA Supplement that will be distributed for public review and filed with FERC in November 2012.¹

PCWA prepared the enclosed table to assist FERC in responding to comments related to the adequacy of the environmental analysis in the DEIS. Table 1 identifies each comment, associated agency, and the document where the requested information/analysis is available. PCWA recommends that FERC either directly incorporate the referenced information/analysis in Table 1 into its Final Environmental Impact Statement (FEIS), or incorporate the information/analysis by reference to

¹On August 10, 2012, PCWA provided notice of its intention to use FERC's Draft EIS as the Draft Environmental Impact Report (EIR) for the MFP. In order to meet the requirements of CEQA, PCWA is preparing additional analysis intended to supplement FERC's Draft EIS. The Draft EIR for the MFP will be comprised of FERC's Draft EIS and PCWA's Draft CEQA Supplement.

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address comments by the U.S. Environmental Protection Agency and State Water Resources Control Board.

PCWA eFiled this document with FERC and concurrently provided courtesy copies (1 paper copy and 1 electronic copy), via courier service, to the Commission's Office of Energy Projects and Commission's Office of General Counsel-Energy Projects. In addition, PCWA provided a copy of this filing to each party designated on the attached distribution list (Attachment 1) via eService, or by mailing paper/electronic copies. The Certificate of Service is provided in Attachment 2.

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

Sincerely,



Andrew Fecko
Resource Planning Administrator

Enclosure

Table 1. PCWA's Response to Agency Comments Regarding the Adequacy of Environmental Analysis in FERC's DEIS

Attachments

Attachment 1. Distribution List
Attachment 2. Certificate of Service

Enclosure

**Table 1. PCWA's Response to Agency Comments
Regarding the Adequacy of Environmental Analysis in FERC's DEIS**

Table 1. PCWA’s Response to Agency Comments Regarding the Adequacy of Environmental Analysis in FERC’s DEIS.

Comment Category	Commenting Agency ¹	Location of Analysis/Requested Information
Impacts from Construction of New or Modification of Existing Project Facilities	State Water Resources Control Board (October 2, 2012) U.S. Environmental Protection Agency (October 2, 2012)	PCWA’s Supplemental Filing (November 2011), includes a comprehensive assessment of impacts associated with modification of existing and construction of new Project facilities and Project recreation facilities and features. Refer to the following sections: <ul style="list-style-type: none"> • Section 3.0 – Environmental Effects Analysis; identifies impacts to all resource areas from modification of existing and construction of new Project facilities and Project recreation facilities and features to be implemented under the new license conditions. • Appendix A – Modified or New Facility Construction Activities and Concept Designs; includes a description of construction activities, as well as avoidance and protection measures and best management practices to be implemented under the new license conditions. • Appendix E – Construction Air Quality Emissions Model; includes the air quality emission model output for construction projects to be implemented under the new license conditions. In addition, the Recreation Plan (July 2011) and Transportation System Management Plan (November 2011) include avoidance and protection measures and best management practices to be implemented during modification and enhancement of existing Project recreation facilities and water supplies, new Project recreation facilities, improvements to select dispersed use areas, and road and trail improvements.
Impacts from Burning of Large Woody Debris	State Water Resources Control Board (October 2, 2012)	Impacts associated with the burning of large woody debris will be evaluated in PCWA’s Draft CEQA Supplement for the Middle Fork American River Project. PCWA is the lead agency for development of the CEQA Supplement with the State Water Resources Control Board as a responsible agency. The Draft CEQA Supplement for the MFP is currently being developed and is expected to be distributed for public review in November 2012.
Impacts from Reservoir Shoreline Erosion on Habitat Following Modification of Small Diversions (shift toward shallower aquatic habitat)	State Water Resources Control Board (October 2, 2012)	PCWA’s Supplemental Filing (November 2011), includes a comprehensive assessment of impacts associated with the small diversion modifications. Refer to the following sections: <ul style="list-style-type: none"> • Section 3.0 – Environmental Effects Analysis; identifies impacts to all resource areas from modification of the small diversions (Duncan Creek Diversion Dam, North Fork Long Canyon Creek Diversion Dam, and South Fork Long Canyon Creek Diversion Dam). The following subsections address potential effects on habitat following modification of the diversions: <ul style="list-style-type: none"> ○ Section 3.4 – Water Quality ○ Section 3.5 – Fish and Aquatic Resources ○ Section 3.6 – Botanical and Wildlife Resources ○ Section 3.7 – Geomorphology ○ Section 3.8 – Riparian Resources • Appendix A – Modified or New Facility Construction Activities and Concept Designs; includes a description of construction activities, as well as avoidance and protection measures and best management practices to be implemented under the new license conditions. In addition, the Sediment Management Plan (February 2011) includes avoidance and protection measures and best management practices to be implemented during sediment management activities to protect environmental resources, including habitat.

Table 1. PCWA’s Response to Agency Comments Regarding the Adequacy of Environmental Analysis in FERC’s DEIS.

Comment Category	Commenting Agency ¹	Location of Analysis/Requested Information
Impacts from Project Operation and Maintenance on Potential Future Reintroduction of Anadromous Fish	State Water Resources Control Board (October 2, 2012)	PCWA’s Supplemental Filing (November 2011), Section 4.3.2 – Anadromous Fish, discusses the potential future reintroduction of anadromous fish. PCWA is committed to collaborate with the National Marine Fisheries Service (NMFS) regarding potential reintroductions into the American River Basin, including the Fish Passage Committee. If reintroduction occurs in the future, PCWA understands that this action will need to be evaluated by FERC through reopening the license.
Impacts from Implementation of the Fire Prevention and Suppression Plan on Air Quality	U.S. Environmental Protection Agency (October 2, 2012)	The objective of the Fire Prevention and Suppression Plan (September 2011) for the MFP is to outline the responsibility of PCWA and its contractor(s) for fire prevention and suppression activities; set-up reporting and attack procedures in the event of a fire in the vicinity of the MFP; and ensure that fire prevention and suppression techniques are carried out in accordance with federal, state, and local regulations. Implementation of this Plan would have no effect on air quality and therefore no analysis is necessary.
Description of Permitting Required for Implementation of the Sediment Management Plan (Dredging)	U.S. Environmental Protection Agency (October 2, 2012)	PCWA’s Sediment Management Plan (February 2011), Section 5.3 – Consultation, states that PCWA will consult with resource agencies and obtain all appropriate permits prior to implementing sediment management activities, including dredging. This may include obtaining a California Department of Fish and Game (CDFG) Streambed Alteration Agreement, U.S. Army Corps of Engineers (USACE) permit under Section 404 of the Clean Water Act, Regional Water Quality Control Board (RWQCB) certification under Section 401 of the Clean Water Act, and a USDA-FS Special Use Authorization.
Cumulative Effects of Climate Change	U.S. Environmental Protection Agency (October 2, 2012)	PCWA’s Supplemental Filing (November 2011), Section 4.5 – Cumulative Effects on Global Climate Change, includes a comprehensive assessment of cumulative effects of climate change as a result of implementation of new license conditions.
Measures to Protect Cultural and/or Tribal Resources and Tribal Consultation Completed	U.S. Environmental Protection Agency (October 2, 2012)	<p>PCWA’s confidential Historic Properties Management Plan (HPMP) (September 2012) was recently revised to address FERC’s comments received on August 23, 2012. The HPMP describes the measures that PCWA will implement to manage the four properties located within the MFP Area of Potential Effect (APE) that have been determined to be eligible for the National Register of Historic Places (NRHP). At the FERC’s request, the HPMP also describes: (1) how PCWA will manage Project activities that may affect paleontological resources (although to date, none have been identified in the Project vicinity); and (2) monitoring of cultural resources within the APE over the term of the license, regardless of NRHP-eligibility status. The HPMP also includes avoidance and protection measures and best management practices to be implemented under the new license conditions.</p> <p>In addition, PCWA’s Vegetation and Integrated Pest Management Plan (VIPMP) (November 2011) describes measures to manage vegetation and pest management activities in the vicinity of potential traditional gathering areas. The VIPMP also includes avoidance and protection measures and best management practices to be implemented during vegetation and pest management activities.</p> <p>PCWA’s Final License Application (February 2011), Section 14.8.3 – Consultation with Native American Tribes, includes a comprehensive discussion of tribal consultation activities completed in development of the Final License Application.</p> <p>PCWA’s Supplemental Filing (November 2011), Section 6.0 – Consultation Documentation, describes consultation activities that were completed with the tribes following submittal of the Final License Application and in the development of the Supplemental Filing.</p>

Table 1. PCWA’s Response to Agency Comments Regarding the Adequacy of Environmental Analysis in FERC’s DEIS.

Comment Category	Commenting Agency ¹	Location of Analysis/Requested Information
Impacts from Issuance of the New License on Environmental Justice	U.S. Environmental Protection Agency (October 2, 2012)	PCWA’s Supplemental Filing (November 2011), Section 3.14.6 – Environmental Justice, includes a discussion of environmental justice and socioeconomic effects of implementation of new license conditions.
Cumulative Impacts	U.S. Environmental Protection Agency (October 2, 2012)	PCWA’s Supplemental Filing (November 2011), Section 4.0 – Cumulative Effects Analysis, includes a comprehensive assessment of cumulative effects as a result of implementation of new license conditions.

¹Agency providing comment on all or a portion of the comment category.

References:

- PCWA. 2011. Supplemental Filing. Filed with FERC on November 30, 2011.
- PCWA. 2011. Recreation Plan (dated July 2011). Included in USDA-FS Preliminary Terms and Conditions, Enclosure 3. Filed with FERC on August 5, 2011.
- PCWA. 2011. Transportation System Management Plan (dated November 2011). Included in PCWA’s Supplemental Filing, Attachment 1B. Filed with FERC on November 30, 2011.
- PCWA. 2011. Sediment Management Plan (dated February 2011). Included in PCWA’s Final License Application, Volume 3, Exhibit E, Supporting Document A, Book 4 (filed with FERC on February 23, 2011), and USDA-FS Preliminary Terms and Conditions, Enclosure 3 (filed with FERC on August 5, 2011).
- PCWA. 2011. Historic Properties Management Plan (dated September 2012). Confidentially filed with FERC on September 21, 2012.
- PCWA. 2011. Vegetation and Integrated Pest Management Plan (dated November 2011). Included in PCWA’s Supplemental Filing, Attachment 1A. Filed with FERC on November 30, 2011.
- PCWA. 2011. Final License Application. Filed with FERC on February 23, 2011.

Attachment 1
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Attachment 2
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 (FERC), each person designated on the official service list compiled by the Secretary, and other stakeholders to the relicensing proceedings for Project No. 2079, as set forth in the attached distribution list, by eFiling and eService (upon receipt of FERC's Acceptance for Filing email). For those parties unable to receive emails, one paper copy of the foregoing documents were provided via courier service. In addition, I have mailed via courier service, one courtesy copy of this document to FERC's Office of Energy Projects and one courtesy copy to FERC's Office of General Counsel-Energy Projects.

Dated at Auburn, CA this 1st day of November 2012.



Andrew Fecko
Resource Planning Administrator