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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.<sup>1</sup>

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

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<sup>1</sup>On 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.

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
November 1, 2012  
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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](mailto: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 <sup>1</sup>	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"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul> 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"> <li>• 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"> <li>○ Section 3.4 – Water Quality</li> <li>○ Section 3.5 – Fish and Aquatic Resources</li> <li>○ Section 3.6 – Botanical and Wildlife Resources</li> <li>○ Section 3.7 – Geomorphology</li> <li>○ Section 3.8 – Riparian Resources</li> </ul> </li> <li>• 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.</li> </ul> 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.**

<b>Comment Category</b>	<b>Commenting Agency<sup>1</sup></b>	<b>Location of Analysis/Requested Information</b>
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 <sup>1</sup>	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.

<sup>1</sup>Agency 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**  
**Distribution List**

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

### **Foresthill Public Utility District**

Tamra West  
Director  
P.O. Box 266  
Foresthill, CA 95631

### **Nevada Irrigation District**

Timothy Crough  
Interim General Manager  
1036 West Main St  
Grass Valley, CA 95945-1019

### **San Juan Water District**

Sauna 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

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

Allen Adams  
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**

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

### **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**

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

### **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 of the Auburn Rancheria**

Roman Porter  
Tribal Administrator  
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

### **Washoe Tribe of Nevada and California**

Lloyd Wyatt- Vice-Chairman  
919 Highway 395  
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

### **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

### **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**

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

### **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 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  
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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

### **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

### **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**

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770 L Street, Suite 800  
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Roger Canfield  
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Fair Oaks, CA 95628

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Foresthill, CA 95631

Anthony DeRiggi  
932 46th Street  
Sacramento, CA 95819

Charlie Fullerton  
135 Mering Court  
Sacramento, CA 95864

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

Donna Williams  
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Loomis, CA 95650

### **Canyon Raft Rentals**

John Hauschild  
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Auburn, CA 95603

### **Dunlap Group**

John Dunlap  
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Auburn, CA 95603

### **FROG**

Sherry Wicks  
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Foresthill, CA 95631

### **Leupp & Woodall**

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Auburn, CA 95603

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

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Granite Bay, CA 95746

### **Spiegel & McDiarmid LLP**

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### **Troutman Sanders LLP**

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Rocklin, CA 95765

Patricia Gibbs  
5425 Lake Forest Dr  
Loomis, CA 95650

Chris Shackleton  
2359 Sonata Drive  
Rancho Cordova, CA 95670

**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 1<sup>st</sup> day of November 2012.



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Andrew Fecko  
Resource Planning Administrator