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March 7, 2013  
File No. 01030A

**Electronically Filed**

**SUBJECT: Notice of PCWA's Intent to Rely on FERC's Environmental Impact Statement, in Combination with a Supplemental Analysis prepared by PCWA, to Satisfy CEQA**

**Notice of Availability of FERC's Final Environmental Impact Statement for the Middle Fork American River Hydroelectric Project (FERC Project No. 2079-069)**

Dear Interested Party,

Placer County Water Agency (PCWA), a public agency, wishes to provide notice to the Middle Fork American River Project (MFP) relicensing participants of its intention to rely on the Environmental Impact Statement (EIS) prepared by the Federal Energy Regulatory Commission (FERC or Commission) for the relicensing of the MFP, in combination with a supplemental analysis prepared by PCWA, to meet the requirements of the California Environmental Quality Act (CEQA). PCWA is the lead agency for compliance with CEQA and, as such, will be responsible for preparing the CEQA Supplement to support acceptance of the new license order by PCWA's Board of Directors. The State Water Resources Control Board (State Water Board), also a public agency, will be a responsible agency to the CEQA process. The State Water Board may use the CEQA document to support issuance of a Water Quality Certification under Section 401 of the Clean Water Act for the MFP.

The CEQA process was initiated by PCWA with two public scoping meetings held on March 4, 2008. PCWA distributed a Draft CEQA Supplement for public review on December 6, 2012. The comment period ended on January 25, 2013. State CEQA Guidelines § 15225 provides that a lead agency (i.e., PCWA) may rely on a National Environmental Policy Act (NEPA) document (i.e., FERC's EIS) to satisfy CEQA provided that the NEPA document is circulated for public review as broadly as state law requires and its availability is noticed consistent with CEQA standards. To satisfy CEQA requirements, PCWA is hereby noticing the availability of FERC's Final Environmental Impact Statement (FEIS) for the MFP to the relicensing participants (Attachment A).

## **Background**

PCWA owns and operates the MFP under a 50-year FERC license, which expired on February 28, 2013. PCWA is currently operating the MFP under an annual license. Using FERC's Integrated Licensing Process, PCWA is seeking the renewal of its license to continue operation and maintenance of the MFP. The MFP serves as a multi-purpose water supply and hydro-generation project designed to conserve and control waters of the Middle Fork American River, the Rubicon River, and several associated tributary streams. The MFP is located on the west slope of the Sierra Nevada range primarily in Placer County, California. A small component of the MFP (a portion of Ralston Afterbay Dam) is located in El Dorado County, California. The MFP is almost entirely in the Tahoe and Eldorado National Forests, with a small portion located on PCWA-owned or private land. The MFP seasonally stores and releases water to meet consumptive demands within western Placer County and to generate power for the California electrical grid. Water for hydroelectric generation and consumptive use is diverted and stored under permits and licenses issued by the State Water Board. The MFP, which began operation in 1967, includes two major storage reservoirs (French Meadows and Hell Hole, that have a combined capacity of approximately 342,000 acre feet [AF]), five smaller regulating reservoirs and diversion pools, and five powerhouses (combined capacity of approximately 224 megawatts [MW]).

To formally initiate the MFP relicensing process, PCWA filed its Notice of Intent (NOI) to seek a new license and Pre-Application Document with FERC on December 13, 2007. Two CEQA scoping meetings followed on March 4, 2008. On September 28, 2010, PCWA filed its Draft License Application for the MFP. Following a 90-day review and comment period, PCWA revised the Draft License Application and filed its Final License Application on February 23, 2011. PCWA later issued a Draft CEQA Supplement on December 6, 2012. The Final CEQA Supplement will be distributed in April 2013.

## **Notice of Availability**

On February 22, 2013, FERC issued a FEIS for the MFP that was prepared in accordance with the NEPA of 1969, as amended, and the FERC regulations contained in the Code of Federal Regulations (CFR)(18 CFR Part 380 [FERC Order No. 486, 52 FR 47897]). Attachment A provides a copy of FERC's formal notice of availability of the document. The FEIS incorporates changes resulting from comments submitted during the comment period on the Draft Environmental Impact Statement (DEIS) (July 23, 2012 through October 2, 2012) and revisions by FERC.

In addition to the locations where FERC has made the FEIS available for public review (Attachment A), a copy of FERC's FEIS is available for review on PCWA's website at <http://relicensing.pcwa.net> and at the following locations:

Placer County Water Agency  
144 Ferguson Road  
Auburn, CA 95603

Placer County Library  
350 Nevada Street  
Auburn, CA 95603

El Dorado County Library  
345 Fair Lane Drive  
Placerville, CA 95667

FERC's DEIS identified unavoidable adverse impacts, based on implementation of the proposed project (new environmental measures), to the following resources areas:

- Water Quality and Aquatic Biota,
- Fish,
- Riparian,
- Special-status Plants,
- Recreation Opportunities,
- Traffic,
- Noise, and
- Visual Resources.

FERC's analysis determined that all of these unavoidable adverse effects would be minor. FERC received comments on the DEIS and addressed these comments in the FEIS. None of the comments received on the DEIS identified additional impacts under NEPA. Based on FERC's impact conclusions in the FEIS, PCWA does not anticipate that the Proposed Project would result in significant environmental effects under CEQA.

PCWA distributed a Draft CEQA Supplement for public review from December 6, 2012 through January 25, 2013. PCWA's Final CEQA Supplement will be revised to address: (1) comments received on FERC's DEIS; and (2) comments received on the Draft CEQA Supplement. PCWA anticipates submitting the Final CEQA Supplement to its Board of Directors for approval in April 2013 and subsequently distributing to the public. Following the completion of CEQA, the State Water Board will issue a Draft 401 Water Quality Certification for public comment.

If you have any questions, please do not hesitate to contact me at (530) 823-4889.

Sincerely,



Benjamin Ransom  
Environmental Scientist

c: State Clearinghouse  
Placer County Clerk  
El Dorado County Clerk

Attachment A: FERC's Notice of Availability of the Final Environmental Impact Statement for the  
Middle Fork American River Hydroelectric Project

Attachment B: Distribution List

**Attachment A**

**FERC's Notice of Availability of the Final Environmental Impact Statement  
for the Middle Fork American River Hydroelectric Project**

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Middle Fork American River Project

Project No. 2079-069

NOTICE OF AVAILABILITY OF THE  
FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE MIDDLE FORK  
AMERICAN RIVER HYDROELECTRIC PROJECT

(February 22, 2013)

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission (Commission or FERC) regulations contained in the Code of Federal Regulations (CFR)(18 CFR Part 380 [FERC Order No. 486, 52 FR 47897]), the Office of Energy Projects has reviewed the application for license for the Middle Fork American River Hydroelectric Project (FERC No. 2079), located on the Middle Fork of the American and Rubicon Rivers and Duncan and North and South Fork Long Canyon Creeks in Placer and El Dorado Counties, California, and has prepared a final environmental impact statement (EIS) for the project. The project occupies 3,268 acres of federal lands administered by the U.S. Department of Agriculture - Forest Service.

The final EIS contains staff's analysis of the applicant's proposal and the alternatives for relicensing the Middle Fork American River Hydroelectric Project. The final EIS documents the views of governmental agencies, non-governmental organizations, affected Indian tribes, the public, the license applicant, and Commission staff.

A copy of the final EIS is available for review at the Commission or may be viewed on the Commission's website at <http://www.ferc.gov>, using the "e-Library" link. Enter the docket number, excluding the last three digits, to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866)208-3676, or for TTY, contact (202)502-8659.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

For further information, please contact Matt Buhyoff at (202) 502-6824 or at [matt.buhyoff@ferc.gov](mailto:matt.buhyoff@ferc.gov).

Kimberly D. Bose,  
Secretary.

**Attachment B**  
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