



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Pacific Southwest Region
333 Bush Street, Suite 515
San Francisco, CA 94104

IN REPLY REFER TO:
ER# 12/552

Electronically Filed

24 January 2013

Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street
NE Washington D.C. 20426

Subject: **Middle Fork American River Project**, FERC No. 2079-069
Bureau of Land Management Correction to Final 10 (a)(5) filing for Sunday
boating flows in Extreme Critical Dry Years below Oxbow Reservoir.

Dear Ms. Bose:

The Department of the Interior filed Final Protection, Mitigation, and Enhancement Measures on November 30, 2012 confirming our preliminary comments, prescriptions, and 10(a) recommendations filed on August 5, 2011.

In reviewing the filings by BLM and the U.S. Forest Service, Commission staff has notified each agency of a discrepancy between the Bureau of Land Management's Final 10(a)(5) Recommendations for Whitewater boating flow releases on Sundays below Oxbow Reservoir in Extreme Critical Dry years conflicts with U.S. Forest Service Final 4(e) Condition 40 on the same issue.

BLM has consulted with the Licensee, U.S. Forest Service, California Department of Parks and Recreation, and NGO's who would be affected by this change. BLM concurs with the rest of the affected parties that the US Forest Service 4(e) Condition 40 is the correct language that was agreed upon by all parties at the time these flows were negotiated. BLM supports FERC in using the U.S. Forest Service 4(e) 40 Condition as the correct agreed upon language for this condition.

The Department of the Interior would like to thank the Commission for catching and notifying us of this discrepancy.

Sincerely,

A handwritten signature in black ink that reads "Patricia Sanderson Port". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Patricia Sanderson Port
Regional Environmental Officer

Cc:
Director, OEPC
OEPC-Staff Contact: Shawn Alam
RSOL-Staff Contact: Kerry O'Hara

Document Content(s)

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