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August 10, 2012
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 Draft Environmental Impact Statement for the Middle Fork American River Hydroelectric Project (FERC Project No. 2079-069)

Dear Relicensing Participant,

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 to be prepared by PCWA, to meet the requirements of the California Environmental Quality Act (CEQA). Compliance with CEQA is necessary to support the future discretionary action of PCWA's Board of Directors regarding acceptance of the new license order issued by FERC for the continued operation and maintenance of the MFP. The CEQA process was initiated by PCWA with two public scoping meetings held on March 4, 2008.

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.

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 Draft Environmental Impact Statement for the MFP to the relicensing participants (Attachments A-C).

Background

PCWA owns and operates the MFP under a 50-year FERC license, which will expire on February 28, 2013. 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.

Notice of Availability

On July 23, 2012, FERC issued a Draft Environmental Impact Statement (DEIS) for the MFP which was prepared in compliance with the NEPA of 1969, as amended. Attachments A and B provide a copy of FERC's formal notice of availability of the document and intention to hold public meetings for the purpose of receiving comments on the DEIS. The formal comment period on the DEIS ends Tuesday, October 2, 2012.

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

Placer County Water Agency
Business Center
144 Ferguson Road
Auburn, California 95604

Placer County Library
350 Nevada Street
Auburn, California 95603

El Dorado County Library
345 Fair Lane Drive
Placerville, California 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. Based on FERC's impact conclusions in the DEIS, at this time, PCWA does not anticipate any significant environmental effects under CEQA. However, PCWA will further evaluate impacts of implementation of the proposed project under CEQA in a draft supplemental analysis which will be distributed separately to the public for review and comment in November 2012.

Following public review of PCWA's Draft CEQA Supplement, State Water Board will issue a Draft 401 Water Quality Certification for public comment. PCWA will make any necessary revisions to its supplemental analysis based on: (1) comments received on FERC's DEIS; (2) comments received on the Draft CEQA Supplement; (3) conditions contained in the Draft 401 Water Quality Certification; and (4) comments received on the Draft 401 Water Quality Certification. PCWA will then issue a Final CEQA Supplement which will be presented to PCWA's Board of Directors for approval. The State Water Board will subsequently issue its Final 401 Water Quality Certification for the MFP.

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

Sincerely,



Andrew Fecko
Resource Planning Administrator

c: Placer County Clerk
El Dorado County Clerk
State Clearinghouse

Attachment A: FERC's Notice of Availability of the Draft Environmental Impact Statement for the Middle Fork American River Hydroelectric Project and Intention to Hold Public Meetings.

Attachment B: Notice of Draft Environmental Impact Statement Public Meetings.

Attachment C: Distribution List.

PCWA NOA DEIS_Letter_081012.docx

Attachment A

UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

Middle Fork American River Project

Project No. 2079-069

NOTICE OF AVAILABILITY OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE MIDDLE FORK AMERICAN RIVER HYDROELECTRIC PROJECT AND INTENTION TO HOLD PUBLIC MEETINGS

(July 23, 2012)

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 draft 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 draft EIS contains staff's analysis of the applicant's proposal and the alternatives for relicensing the Middle Fork American River Hydroelectric Project. The draft 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 draft 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 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.

All comments must be filed by **Tuesday, October 2, 2012**, and should reference Project No. 2079-069. Comments may be filed electronically via the Internet. See 18

CFR 385.2001(a)(1)(iii) and the instructions on the Commission's website (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "Quick Comment." For assistance, please contact FERC Online Support. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

Anyone may intervene in this proceeding based on this draft EIS (18 CFR § 380.10). You must file your request to intervene as specified above.¹ You do not need intervenor status to have your comments considered.

Commission staff will hold two public meetings for the purpose of receiving comments on the draft EIS. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization comments, while the evening meeting is primarily for receiving input from the public. All interested individuals and entities will be invited to attend one or both of the public meetings. A notice detailing the exact date, time, and location of the public meetings will be forthcoming.

For further information, please contact Carolyn Templeton at (202) 502-8785 or at carolyn.templeton@ferc.gov.

Kimberly D. Bose,
Secretary.

¹ Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.

Attachment B.

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Middle Fork American River Hydroelectric Project
Placer County Water Agency

P-2079-069 – CA

NOTICE OF DRAFT ENVIRONMENTAL IMPACT STATEMENT
PUBLIC MEETINGS

(July 31, 2012)

- a. Date and Time of Meetings: Tuesday, August 28, 2012, from 9:00 a.m. to 11:00 a.m. and from 7:00 p.m. to 9:00 p.m. (Pacific Time)
- b. Location: The Holiday Inn Auburn
120 Grass Valley Highway
Auburn, California 95603
Telephone: (530) 887-8787
- c. FERC Contact: Carolyn Templeton, (202) 502-8785, carolyn.templeton@ferc.gov
- d. Purpose of the Meeting: Commission staff will hold two public meetings for the purpose of receiving verbal and/or written comments on the draft environmental impact statement for the Middle Fork American River Project No. 2079. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization comments, while the evening meeting is primarily for receiving input from the public. All interested individuals and entities are invited to attend one or both of the public meetings. The meetings will be recorded by a court reporter, and all statements will become part of the Commission's public record for the project. This meeting is posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.
- e. All local, state, and federal agencies, tribes, and interested parties, are hereby invited to participate in the meeting.

Kimberly D. Bose,
Secretary.

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