

2.3 Relicensing Communication Guidelines¹

2.3.1 Objectives

The Communication Guidelines describe how YCWA plans to communicate with Relicensing Participants during the relicensing. YCWA does not propose that participation in the relicensing is contingent upon formal acceptance of these Communication Guidelines, but that Relicensing Participants will voluntarily abide by the intent of these Communication Guidelines. It should be noted that:

- These guidelines do not apply to FERC or any documents, meetings, correspondence, or other actions for which FERC is responsible during the relicensing proceeding.
- These are guidelines - not hard rules.
- The Communication Guidelines may be revised as necessary at any time during the relicensing proceeding.

2.3.2 Participation

2.3.2.1 Participants

Participation in the relicensing is open to any governmental agency (including FERC), NGO, Native American tribe, or unaffiliated member of the public. YCWA assumes that Relicensing Participants can speak on behalf of the agency, organization or affiliation that he/she represents in the relicensing.

2.3.2.2 Late Participation in the Relicensing

The ILP is a carefully structured process whose success depends on timely participation by all interested stakeholders. YCWA anticipates that each Relicensing Participant that begins participating in the relicensing after the beginning of the relicensing processes will take action to get informed and “up-to-speed.” Late or delayed participation will not be allowed to disrupt the relicensing. Lack of participation in a meeting in which a decision item is placed on the agenda will not be used to delay decisions.

2.3.3 Relicensing Contact List

YCWA will maintain a list of contacts (Contact List) for all Relicensing Participants who express to YCWA an interest in the relicensing and who have provided to YCWA an email address for a contact.

Besides an email address, YCWA will request that each agency, tribe and NGO provide appropriate information (*i.e.*, name, title, affiliation, mailing address, and telephone and fax

¹ This is an excerpt from the Preliminary Information Package in development at this time by YCWA.

numbers) for their designated contacts. YCWA assumes that those designated contacts will keep the appropriate members of their agency, tribe or NGO advised of relicensing activities. Also,

YCWA anticipate that each agency, tribe, and NGO will notify YCWA if contact information for its designated contact changes.

Relicensing is a long process that will extend for at least 5 years. To keep the Contact List current, YCWA intends to periodically issue an email to all those on the Contact List asking for each contact to confirm he or she wishes to remain on the Contact List. YCWA will assume that those who do not respond in a timely fashion are no longer interested in the relicensing, and delete those individuals from the Contact List.

Because YCWA understands that many people are uncomfortable if their contact information is made readily available on the Internet, YCWA does not intend to post the Contact List on the Relicensing website.

2.3.4 Relicensing Website

YCWA has established and plans to maintain a publicly-accessible Internet website as a means of making information regarding the relicensing readily available to Relicensing Participants. Examples of information on the website include the initial FERC license for the Project including an annotated current license, FERC filings and FERC orders regarding the relicensing, and relicensing documents (*e.g.*, NOI and PAD, and other documents such as the Proposed Study Plan, Revised Study Plan, and license application as they are developed). Many of the folders on the website will be empty until such time as documents are developed.

YCWA's Yuba River Development Project Relicensing website can be accessed at www.ycwa-relicensing.com.

2.3.5 Relicensing Action Item Log

YCWA intends to maintain an Action Item Log that will include the status of all action items agreed to by YCWA and Relicensing Participants for the relicensing. The log will include an action item number, when the action item was originated and by whom or at which meeting or workshop, a clear description of the action item, when the action was intended to be completed, who the action item was assigned to, the status of the item and the date it was completed. Closed items will be shaded in grey to indicate they have been completed. YCWA will keep the most current version of the Action Item Log posted on the Relicensing Website. Open action items will be reviewed as appropriate at each YCWA-sponsored meeting.

2.3.6 Meetings

As noted above, these Communication Guidelines only apply to YCWA's sponsored meetings. YCWA anticipates that meetings sponsored by another party (*e.g.*, FERC or a Relicensing Participant) will be organized, noticed, run by, and followed up on by that other party. The guidelines Licensee intends to follow for YCWA-sponsored meetings are provided below.

2.3.6.1 Meeting Locations and Start Time

YCWA intends that meeting locations, including those for regularly scheduled meetings, and start times will be selected by YCWA in consultation with interested Relicensing Participants to assure the greatest participation by those who wish to attend the meeting and the least amount of inconvenient travel for meeting participants overall. YCWA assumes that each Relicensing Participant will be aware of any meeting start time and location posted on the Relicensing Website Event Calendar described below.

2.3.6.2 Event Calendar

YCWA intends to confer with interested Relicensing Participants as much in advance as possible to select meeting dates that provide for the greatest participation by those who wish to attend the meeting. An Event Calendar that includes scheduled meetings will be maintained on the Relicensing Website. Relicensing Participants and others may view the Event Calendar and when a meeting is planned. The calendar will provide details, such as location, and a notice/agenda for the meeting. After a meeting has occurred, the calendar will provide the notice/agenda, the completed sign-in sheet and any presentations made by YCWA at the meeting. It is YCWA's intent that the Action Item Log suffice for a meeting summary.

2.3.6.3 Meeting Notice/Agenda

YCWA anticipates that it will provide a notice for meetings that YCWA conducts.

Soon after YCWA becomes aware of a meeting, YCWA will make a good faith effort to issue an e-mail to the Contact List giving those on the list early notice that the meeting has been scheduled and of the potential agenda.

YCWA will make all reasonable efforts to issue to Relicensing Participants on the Contact List a detailed notice and accompanying agenda and meeting material at least 5 working days in advance of the meeting. If YCWA finds it necessary to significantly modify the notice/agenda, YCWA will make a good faith effort to issue an email to the Contact List describing the change.

If a party on the Contact List wishes another form of notice, the party should contact YCWA and YCWA will, within reason, comply with the request for an alternative form of meeting notification.

YCWA will develop an agenda for an upcoming meeting based on input from the Relicensing Participants at the previous relicensing meeting or as otherwise reasonable. The last agenda topic prior to adjourning a YCWA-sponsored relicensing meeting will always be to identify the date and agenda topics for the next relicensing meeting.

If YCWA is aware that an important item is scheduled for decision (see below) at a meeting, YCWA will highlight this item on the notice/agenda. YCWA expects that lack of participation in a meeting in which a decision item is placed on the agenda will not be used to delay decisions.

To the extent appropriate, standard items on each meeting agenda will include:

- Introductions
- Purpose of Meeting
- Review and Approval of Agenda
- Administrative Items, If Any
- Status Reports, If Any
- Review of Proposed Major Decisions and new Action Items
- Set Date and Agenda for Next Meeting

However, YCWA and Relicensing Participants may make reasonable adjustments or otherwise develop the agenda for any given meeting as necessary.

Also, those who plan to attend a YCWA-sponsored meeting should understand that those at the meeting may re-organize the agenda or proceed through agenda items at a quicker or slower pace than anticipated when the agenda was developed.

2.3.6.4 Telephone Calling into Planned In-Person Meetings

YCWA believes that participation in a meeting in-person rather than by telephone is a more effective and desirable form of communication. However, to accommodate constrained schedules, attempt to encourage participation and to make meetings as accessible as possible to meeting participants, YCWA will attempt to arrange a telephone call-in line for a Relicensing Participant, if the meeting room has such capabilities, if requested by that Relicensing Participant at least 2 days in advance of the meeting. In that case, YCWA will forward the call-in number to the Relicensing Participant who requested it. However, YCWA does not guarantee the quality of the phone connection or that the Relicensing Participant will be forwarded all material that may be reviewed at the meeting. YCWA's hope is that no Relicensing Participant will routinely participate in meetings by telephone.

2.3.6.5 Meeting Moderation/Facilitation

YCWA is committed to conducting an open and transparent process with a free exchange of information and interests among all Relicensing Participants. YCWA anticipate that YCWA will lead YCWA-sponsored relicensing meetings and will make a good faith effort to assure that all meeting participants are heard. However, if YCWA and Relicensing Participants agree that a facilitator is pivotal to the success of any particular relicensing meeting or group of meetings, YCWA will make a good faith effort to provide a facilitator for that relicensing meeting or group of meetings.

2.3.6.6 Meeting Action Items and Decisions

YCWA intends that relicensing meetings will result in action items and decisions. To capture these meeting results, YCWA intends to place all such action items and decisions on the Action

Item Log (See Section 2.3.5). While serving as a meeting summary, the Action Item Log is not intended to be a transcript of the meeting, or meeting notes, or to state the position of any Relicensing Participant on any issue, including sentiment concerning process - only to reflect Action Items and major decisions from the meeting.

YCWA will endeavor to update and post the Action Item Log on the Relicensing Website within 2 business days after each meeting.

If Relicensing Participants request at a meeting, the meeting will include a review of the most recent additions to the Action Item Log.

If a Relicensing Participant suggests a substantive change to an item on the Action Item Log, YCWA, with the concurrence of Relicensing Participants who were at the meeting in which the action item was identified, will review the suggestion and revise the Action Item Log appropriately.

YCWA does not intend to prepare any other summary of a meeting unless YCWA and Relicensing Participants agree that a summary would be important in tracking a particular issue and agree on specific wording that will be included in the summary. The summary will be posted on the Event Calendar for that meeting.

2.3.6.7 Confidential Meetings

Some meetings and information prepared for or shared during a meeting under the ILP may be confidential. For example, information on Native American resources and locations of sensitive environmental and cultural resources are considered confidential material with restrictions on their distribution. YCWA expects that any Relicensing Participant providing confidential information under applicable law or regulations will identify the information as confidential in advance of disclosure and to manage the information appropriately.

2.3.6.8 Decision Making

YCWA intends to make a good faith effort to make decisions and reach agreement by consensus with Relicensing Participants present at any scheduled YCWA-sponsored relicensing meeting. For the purpose of the relicensing, YCWA intends that “consensus” means that all Relicensing Participants “can live with” the decision. YCWA expects that each Relicensing Participant is responsible for completing the necessary internal coordination to ensure their organization can approve a decision. For each major decision at the meeting, YCWA will ask each Relicensing Participant at the meeting if the agency/organization/tribe he/she represents “can live with” the decision. YCWA will assume that Relicensing Participants will be truthful and responsive to all decisions that are put to question.

YCWA intends that lack of participation in a meeting in which a decision item is placed on the agenda will not be used to delay decisions. YCWA encourages each Relicensing Participant to participate in meetings at which decision of interest to them will be considered.

Unless otherwise indicated, YCWA will consider all “can you live with it” decisions as interim decisions subject to further discussion and modification based on additional information or reconsideration.

YCWA intends to include all consensus decisions in the Action Item Log.

2.3.6.9 Attendance at Meetings

YCWA encourages each Relicensing Participant to make a good faith effort to be represented at every YCWA-sponsored relicensing meeting which is of interest to that Relicensing Participant.

2.3.6.10 Preparation for Meetings

YCWA encourages Relicensing Participants to make a good faith effort to arrive at meetings on time, read background information provided before each meeting, and be prepared to effectively discuss topics on the meeting agenda. YCWA encourages Relicensing Participants to discuss material on the agenda with other Relicensing Participants that she or he may think would be interested in the material.

2.3.6.11 Caucus

YCWA encourages Relicensing Participants to call for a caucus, if needed, at any time during a YCWA-sponsored meeting.

2.3.6.12 Relicensing Participants Unable to Attend a Meeting

If a Relicensing Participant finds that she/he is unable to attend or have a representative attend a meeting at which the Relicensing Participant wishes to be represented, the Relicensing Participant may provide to YCWA any input the Relicensing Participant wishes to be considered at the meeting. If this occurs, YCWA will make a good faith effort to accurately convey the information and its source to Relicensing Participants at the meeting.

2.3.6.13 Planned Telephone Conference Calls (In Lieu of In-Person Meetings)

Where Relicensing Participants agree, YCWA plans to arrange a meeting by telephone only (*i.e.*, as compared to a planned in-person meeting to which some meeting participants may call in by telephone, as described in Section 2.3.6.4) for a meeting where a small number of individuals are expected to participate and the agenda is very limited. To the extent reasonable, YCWA intends to treat such telephone conferences as regular YCWA-sponsored meetings. In those instances, YCWA will issue a teleconference meeting notice and agenda, including a call-in number, to those Relicensing Participants who have advised YCWA that they plan to participate in the teleconference (*i.e.*, not to all Relicensing Participants).

YCWA does not intend to conduct any YCWA-sponsored meetings by videoconference.

2.3.6.14 Types of Meetings

YCWA plans to hold various types of meetings. Provided below is a brief description of each type of meeting. This list should not be construed to be comprehensive – other types of meetings may be scheduled and held by YCWA as appropriate.

- Quarterly Relicensing Participants Meetings. Licensee intends to schedule a meeting at least once every 3 months for all Relicensing Participants. In addition to other agenda items, the overall relicensing schedules and process-type issues will be discussed at each of these meetings
- Study Proposal Development Workgroups. YCWA plans to form general resource area study proposal development workgroups. YCWA anticipates the workgroups will meet as needed to try and resolve any differences regarding study proposals, and that the workgroups will continue to meet as long as reasonable progress is made up to the time YCWA files its Revised Study Plan.
- Resource Management Measure Workgroups. YCWA’s goal is to include in its license application resource management measures that each Relicensing Participant “can live with” and which that Relicensing Participant will support in comments and recommendations to FERC and in other Relicensing-related proceedings. To do so, YCWA plans to consult in a timely fashion with Relicensing Participants to schedule and hold workshops for the development of resource management measures with the goal of reaching agreement on as many measures as possible with as many Relicensing Participants as possible. The number of workshops will depend on progress made at the previous workshop.
- Study Status Meetings. YCWA plans to invite Relicensing Participants to bi-annual (*i.e.*, once every 6 months) study status meetings when field studies are actively performed. The purpose of the bi-annual study status meetings will be for YCWA to present to Relicensing Participants a summary of the work to date and key findings. These meetings would also provide a venue for YCWA and interested Relicensing Participants to enter into discussion regarding work status, potential conclusions and other related items.
- ILP Required Meetings. ILP regulations require YCWA to hold meetings at specific times in the Relicensing and for specific purposes.
- Workgroup Meetings. YCWA and Relicensing Participants may agree to form specific workgroups from time to time during the relicensing. YCWA plans that such workgroups would be specifically charged by the YCWA and Relicensing Participants with the accomplishment of a specific task - such as drafting a joint document or focusing on a specific highly technical issue. YCWA intends that these Communications Guidelines will apply to such workgroups unless otherwise agreed to by YCWA and Relicensing Participants. Upon completion of its assigned task, YCWA expects that the workgroup will disband.

2.3.7 Documents

FERC’s regulations identify a number of documents that are required for inclusion in the ILP. The ILP regulations stipulate that either FERC, the applicant or in some instances another party,

is responsible for producing these necessary documents. YCWA anticipates that there will also be other informal documents generated during the course of the relicensing.

2.3.7.1 FERC's Documents

For documents issued by FERC, YCWA anticipates FERC will distribute the documents in accordance with FERC's protocols. YCWA anticipates that all documents issued or received by FERC will be posted and publicly available in the e-Library on FERC's website at www.ferc.gov. To view these, a Relicensing Participant should click on "Documents and Filing," "eLibrary," then "General Search." FERC's website provides further instructions for obtaining documents. Each Relicensing Participant can register to receive a notice each time FERC posts a document to its website regarding the relicensing of the Project. To register, a Relicensing Participant should go to FERC's website, click on "Documents and Filing," and then "eSubscription." FERC's website provides further instructions.

2.3.7.2 Non-Licensee or FERC Generated Documents

YCWA expects that any Relicensing Participant that creates, files with FERC or distributes a document including correspondences is responsible for the distribution of the document. A Relicensing Participant should not assume that by using the "Reply All" function in a YCWA generated e-mail that all Relicensing Participants on the Contact List received her or his e-mail.

2.3.7.3 Licensees' Documents

YCWA anticipates using FERC's e-Filing whenever possible for documents YCWA files with FERC, and anticipates distributing such documents by e-mail, Compact Disc (CD), or paper copy to Relicensing Participants, as appropriate. The distribution will also go to FERC's Service List after YCWA's License Applications is accepted by FERC and FERC establishes a formal Service List. YCWA plans to use e-mail for distribution of informal documents it initiates. YCWA anticipates that it will post on the Relicensing Website all public documents (*e.g.*, letters addressed to YCWA, but not e-mails) YCWA sends or receives regarding the Relicensing.

YCWA will have a target place on each page in each document when it is initially distributed by YCWA a date, name of the document, and page number. Other miscellaneous information, such as "draft" will be shown in the footer of each page in the document, if appropriate.

2.3.7.4 Collaboratively Developed Documents

YCWA anticipates that at times YCWA and Relicensing Participants may desire to collaboratively develop a document. In those cases and unless otherwise agreed to by YCWA and Relicensing Participants interested in the document, YCWA plans to use a single-text approach. Specifically, once an initial draft of the document is developed, YCWA plans to post on its Relicensing Website the document in Microsoft Word or some other appropriate format (*i.e.*, not pdf or a password protected document) that can be downloaded from the Relicensing Website and used by Relicensing Participants. This is referred to as a Posted File.

As a Posted File is revised, YCWA anticipates that YCWA or the Relicensing Participant that revises the Posted File will include in the file name the date of the version of the file and the author/reviser. For instance, a file may be named “Water Quality Study Proposal – Ver 2 – CDFG110108.doc” to indicate the Posted File is version two of a water quality study proposal, the revisions were made by CDFG, and the date of the file is November 1, 2008. The author or reviser will be responsible to be sure the appropriate headers and footers are on the file and the date of the file in the footer matches the date in the file name. YCWA plans to post the revised file on the Relicensing Website if it made the revision, or post the file once provided to YCWA if a Relicensing Participant made the revision.

Periodically, YCWA may move Posted Files that have been revised to a folder on the Relicensing Website named "OLD." YCWA will maintain the OLD folder on the Website until such time as reasonable (*e.g.*, document preparation complete), after which time YCWA will maintain the OLD folder on its or its consultant’s server.

YCWA intends that all changes to a Posted File will be made in Microsoft Word Track Changes or other appropriate manner so that changes and/or comments can easily be understood, shared, and integrated into a revised text.

YCWA plans that Track Changes on a Posted File may be accepted if YCWA and Relicensing Participants developing the document agree.

2.3.7.5 Availability of Information in PAD

In accordance with 18 CFR 5.6(c)(2) and Section 5.2, YCWA plans to provide sources of information on the existing environment and known or potential resource impacts included in the PAD to anyone who requests the information. YCWA will make a good faith effort to provide the document within 20 days of receipt of request. The document may be provided electronically (*e.g.*, by email or on CD) unless the requester asks for the information in hard copy. Except for agencies, YCWA may charge a reasonable cost for copying and postage for the material.

2.3.8 Field Data Availability

As field data are collected for each study, YCWA plans to in an efficient manner compile data, assure itself of data quality (*i.e.*, quality assurance/quality control, or QA/QC, review), and organize data in the format YCWA plans to use to review the data, which may be described in the appropriate study proposal. Once that is done, YCWA plans to make data available to Relicensing Participants in a timely fashion by posting the compiled data on the Relicensing Website or otherwise make the data available (*e.g.*, CD) to Relicensing Participants.

2.3.9 Periodic Reports to Meet FERC Requirements

2.3.9.1 Periodic Progress Reports

YCWA plans to provide FERC with brief written progress reports on a periodic basis as determined by FERC in its Study Plan Determination. The periodic progress reports will briefly

describe the progress for each study since the last progress report, key findings and any modification to the FERC-approved study proposal.

2.3.9.2 Initial and Updated Study Reports

As required by 18 CFR § 5.15(c) and (f), YCWA will file with FERC an Initial Study Report within one year of FERC's Study Plan Determination, and an Updated Study Report within two years of FERC's Study Plan Determination. The reports will describe YCWA's overall progress in implementing the studies, status of schedule, and a summary of data collected to date. These are progress reports and are not intended to be filed *only* after studies are complete, but during performance of the study. The report will also include a discussion of any variance from the FERC-approved study proposal and schedule and modifications to ongoing studies. The reports will include any new studies proposed by YCWA. YCWA will follow guidelines provided in 18 CFR § 5.15(c) and (f) regarding holding a meeting within 15 days of filing each study report and filing a meeting summary within 15 days of the meeting.

2.3.10 Personal Conduct

2.3.10.1 Respect for Participants

YCWA expects that the personal integrity, values, and legitimacy of the interests of each Relicensing Participant will at all times be respected by all other Relicensing Participants.

2.3.10.2 Commitments

YCWA encourages Relicensing Participants to not make commitments lightly. YCWA intends to make a good faith effort to ensure that adequate time is provided for the interests of all Relicensing Participants to be discussed and acted upon. However, YCWA does not intend to routinely defer decisions or allow the relicensing to be disrupted by delay.

2.3.10.3 Communicating Interests

YCWA expects that each Relicensing Participant will communicate its interests on topics under consideration. YCWA firmly believes that it is incumbent upon each Relicensing Participant to state his or her interests, and that timely voicing of these interests is essential to enable meaningful dialogue and full consideration of different points of view. YCWA encourages resource information germane to assessment of potential impacts and development of potential resource management measures to be shared with YCWA and Relicensing Participants.

2.3.10.4 Good Faith

YCWA encourages each Relicensing Participant to make a good faith effort to achieve its relicensing objectives through use of the ILP.

2.3.11 Communications

YCWA understands that all Relicensing Participants, including YCWA, are free to informally communicate with each other; however, all parties are encouraged to share relevant communications with YCWA and among all Relicensing Participants as appropriate.

Other than verbal communications at meetings, YCWA intends that e-mail will be the primary means of YCWA's formal communication among Relicensing Participants. The initiator of any such e-mail is responsible for ensuring it is sent to all Relicensing Participants, as applicable.

YCWA anticipates telephone calls among Relicensing Participants will be treated informally, with no specific documentation.

Page Left Blank