



December 16, 2011

*Filed via Electronic Submittal (E-File)*

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

**SUBJECT:** Yuba River Development Project  
FERC Project No. 2246-058  
Support of FERC's December 15, 2011 Proposal  
To Modify Studies 2.1, 7.10 and 7.11

Dear Secretary Bose:

On September 30, 2011, the Federal Energy Regulatory Commission (FERC) issued a Study Determination for the Yuba County Water Agency's (YCWA) relicensing of YCWA's Yuba River Development Project, FERC Project Number 2246 (Project). On October 20, 2011, the United States Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) filed a notice to initiate a formal study dispute resolution process regarding FERC's Determination. The Study Dispute Resolution Panel held a technical conference on the disputed studies on November 30, 2011, and issued its recommendation on December 9, 2011.

Some of the disputed areas pertained to three studies proposed by YCWA in its August 17, 2011 Revised Study Plan and which were approved with modification by FERC in its September 30, 2011 Study Plan Determination. The three studies are:

- Study 2.1, Hydrologic Alteration
- Study 7.10, Instream Flow Downstream of Englebright Dam
- Study 7.11, Assessment of Narrows 2 Powerhouse as a Barrier to Anadromous Fish Upstream Migration

In an effort to resolve some of NMFS's disputes, YCWA participated in a conference with FERC's and NMFS's staffs on December 13, 2011. FERC's letter dated December 15, 2011 provides the results of the conference, and describes modifications to Studies 2.1, 7.10 and 7.11 that YCWA understands, if included in the Director's study plan dispute determination, would resolve NMFS's disputes regarding these three studies.

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This letter states YCWA's support of modifying the above three studies as described in FERC's December 15, 2011 letter.

YCWA appreciates FERC's and NMFS's initiative in resolving this issue.

If you have any questions regarding this letter, please contact me.

Sincerely,

YUBA COUNTY WATER AGENCY

A handwritten signature in cursive script that reads "Curt Aikens".

Curt Aikens  
General Manager

cc: Alan Mitchnick – FERC DC  
Ken Hogan – FERC DC