



May 15, 2012

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
Request for Extension of Deadline to File
Modified Study 7.11, *Fish Behavior and Hydraulics Near Narrows 2 Powerhouse*

Dear Secretary Bose:

This letter requests the Federal Energy Regulatory Commission (FERC or Commission) extend the filing deadline for Yuba County Water Agency's (YCWA) modified Study 7.11, *Fish Behavior and Hydraulics Near Narrows 2 Powerhouse*, from May 15, 2012 to May 31, 2012.

BACKGROUND

On September 30, 2011, FERC issued a Study Determination for YCWA's relicensing of the Yuba River Development Project, FERC Project No. 2246 (Project). The Determination approved without modification Study 7.11, *Assessment of Narrows 2 Powerhouse Facilities as a Barrier to Anadromous Fish Upstream Migration* (Study), which YCWA had included in its August 2011 Revised Study Plan.

On December 28, 2011, FERC issued a Resolution of Study Disputes that required YCWA consult with the United States Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS), United States Department of Interior, Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG) and California State Water Resources Control Board (SWRCB) to revise the Study to focus on hydraulic data collection and salmonid behavioral observations. Based on the re-focusing of the Study, YCWA renamed Study 7.11 to *Fish Behavior and Hydraulics Near Narrows 2 Powerhouse*. In addition, FERC's December 28 letter directed YCWA to provide a draft modified Study to NMFS, USFWS, CDFG and SWRCB for 30-day review, and then file the modified Study, with a reason why any agency proposals were not adopted, with FERC by March 16, 2012.

To facilitate consultation with NMFS, USFWS, CDFG and the SWRCB, on February 14, 2012, YCWA conducted a field visit to the Narrows 2 Powerhouse area to test various data collection methods. FERC staff attended the site visit.

On March 21, 2012, YCWA held a conference call with NMFS, CDFG and FERC staff to discuss the results of the field visit. The participants generally agreed on how the methods would be applied in the Study, and supported an extension to the deadline for filing the Study from March 16 to May 15, 2012.

On March 23, 2012, YCWA requested a filing date extension from March 16, 2012 to May 15, 2012. FERC granted the extension on April 12, 2012.

On April 17, 2012, YCWA provided to NMFS, USFWS, CDFG and SWRCB a draft modified Study and requested comments as soon as possible but no later than May 17, 2012. To date YCWA has not received any comments on the draft modified Study.

REASON FOR REQUESTED EXTENSION

YCWA requests the two-week extension for two reasons. First, YCWA expects to receive comments on the draft modified Study from NMFS, USFWS, CDFG and SWRCB on May 17. Second, YCWA anticipates it will require approximately two weeks to review the agencies' comments and consult with the agencies to try to resolve any differences, if any; and then for YCWA to prepare a final modified Study to file with FERC.

The requested extension would not affect the overall relicensing schedule. The draft modified Study states that the Study would be completed by the end of February 2013, well in advance of the second field season.

The requested extension would not affect the schedule for performance of the Study as included in the draft modified Study. Study fieldwork is not scheduled to begin until June 2012, with major fieldwork occurring in fall 2012 prior to, during and after a scheduled powerhouse outage. YCWA, at its own risk, has already initiated some of the data collection identified in the Study including: 1) beginning to compile existing information; 2) snorkeling monthly near Narrows 2 Powerhouse;¹ 3) collecting incidental observations of anadromous fish near the powerhouse; and 4) recording powerhouse discharge. Further, if an unscheduled powerhouse outage occurs prior to Study approval by FERC, YCWA will initiate data collection, as specified in the draft modified Study, associated with powerhouse outages.

¹ Snorkeling was not performed in April 2012 because flows in the vicinity of the powerhouse were too high (i.e., more than 3,200 cfs) to safely snorkel. Snorkeling is scheduled for May 17 and 18, 2012 and will be performed monthly until such time as FERC approves the Study. The Study also stated that snorkeling would initiate bi-weekly once 10 passage events at Daguerre Point Dam occur. Passage monitoring occurs annually from March through February. The current 2012 study season (i.e. March to date) has documented six upstream Chinook salmon passage events.

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For the above reasons, YCWA requests that FERC extend the filing deadline for modified Study 7.11 from May 15, 2012 to May 31, 2012.

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

Sincerely,

YUBA COUNTY WATER AGENCY



Curt Aikens
General Manager

cc: Alan Mitchnick – FERC
Kenneth Hogan – FERC
Relicensing Participants via E-Mail