



December 27, 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 - California
Initial Study Report Meeting Summary

Dear Secretary Bose:

In accordance with 18 CFR § 5.15(c)(3), the Yuba County Water Agency (YCWA) hereby files with the Federal Energy Regulatory Commission (FERC) this Initial Study Report meeting summary for relicensing of YCWA's Yuba River Development Project (FERC Project Number 2246).

FERC's September 30, 2011 Study Plan Determination, as amended on December 8, 2011, December 28, 2011, May 14, 2012 and July 24, 2012, required YCWA to perform 44 studies.¹

On December 3, 2012, YCWA filed with FERC and distributed to Relicensing Participants YCWA's Initial Study Report, which covered the period from initiation of the various relicensing studies through November 30, 2012, and provided for each study a description of YCWA's progress in implementing the study plan and schedule, the data collected, and an explanation of any variances to the FERC-approved study. The report also included a description of YCWA's proposed modifications to ongoing studies and new studies.

**INITIAL STUDY REPORT
MEETING SUMMARY**

From 9:30 AM to noon on December 12, 2012, YCWA held an Initial Study Report meeting for YCWA's Yuba River Development Project. The meeting was held at YCWA's office in Marysville, California, and was scheduled in consultation with Relicensing Participants at a September 12, 2012, relicensing conference call. A detailed agenda for the meeting (Attachment 1) was included in YCWA's Initial Study Report, and a reminder of the meeting was e-mailed to Relicensing Participants on December 3, 2012. A call-in number was provided for those who could not attend the meeting in person.

¹ The FERC-approved studies can be found on YCWA's relicensing website (www.ycwa.relicensing.com) under "FERC-Approved Studies" on the Quick Launch bar.

The meeting was attended by 18 people: 16 participated in-person and two participated by telephone. Agencies and organizations represented included: United States Department of Agriculture, Forest Service; United States Department of Interior, National Park Service (Park Service); Fish and Wildlife Service (USFWS); United States Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS); State Water Resources Control Board (SWRCB); California Department of Fish and Game (CDFG); and South Yuba River Citizens League. A copy of the meeting sign-in sheet is attached (Attachment 2).

YCWA made a brief presentation that included:

- The purpose of the meeting.
- A review of the relicensing schedule including the specific schedule regarding the Initial Study Report process (e.g., filing of Initial Study Report meeting summary, comments on the summary, reply to comments, and FERC's resolution of differences). FERC noted that, if no comments are received by FERC regarding YCWA's Initial Study Report and Initial Study Report meeting summary, FERC will deem YCWA's proposed study modifications and new studies approved. YCWA said the Initial Study Report process is repeated in about a year under the Updated Study Report process.
- Using a handout (i.e., a redline revision of Table 2.0-1, *Status of Studies*, in the Initial Study Report [Attachment 3]), YCWA described YCWA's progress in implementing the FERC-approved studies. Specifically, YCWA noted that it had posted 44 technical memoranda, one for each of the FERC-approved studies, to YCWA's Relicensing Website. YCWA further noted that, when the Initial Study Report was filed, 21 of the technical memoranda were final (i.e., the study was complete) and 23 of the technical memoranda were considered interim (i.e., the study was in progress). Since then, YCWA had completed and posted final technical memoranda to the Relicensing Website for four studies.² So at the time of the meeting, the total number of complete studies was 25 and the total number of in-progress studies was 19. YCWA advised Relicensing Participants that, by December 27, 2012, it expected to complete and post a final technical memorandum to the Relicensing Website for one more study.³ YCWA has done this. So at the time this Initial Study Report meeting summary is filed, the total number of complete studies is 26 and the total number of in-progress studies is 18.
- YCWA described study modifications or new studies proposed by YCWA. Specifically, YCWA noted that it proposed in the Initial Study Report one study modification (i.e., to Study 2.5, *Water Temperature Monitoring*), and two new studies (New Study 3.13, *Special-Status Amphibians – Focused 2013 Foothill Yellow-Legged*

² The four studies that were completed between December 3 and December 12, 2012 were: 1) Study 7.1, *ESA-Listed Plants*; 2) 7.3, *ESA-Listed Amphibians – California Red-Legged Frog*; 3) Study 13.1, *Native American Traditional Cultural Properties*; and 4) Study 3.9, *Non-ESA-Listed Fish Populations Downstream of Englebright Dam*.

³ The study YCWA completed between the Initial Study Report meeting and the time this Initial Study Report meeting summary is filed with FERC is Study 3.12, *New Colgate Powerhouse Ramping*.

Frog Surveys, and New Study 3.14, *Special-Status Turtles – Focused 2013 Western Pond Turtle Surveys*). In addition, YCWA advised Relicensing Participants that, as agreed to between YCWA and NMFS, YCWA planned to include in its Initial Study Report meeting summary a proposal to modify Study 7.11, *Fish Behavior and Hydraulics Near Narrows 2 Powerhouse*. This proposed modification is shown in Attachment 4.

- YCWA advised meeting participants that it planned to file a draft license application rather than a preliminary license proposal, as stated in the Initial Study Report filed with the FERC.

Meeting participants noted that some studies are in progress and there are a lot of technical memoranda to review, so it would be difficult to comment on them and the adequacy of the studies by the end of January 2013. FERC encouraged all Relicensing Participants to file comments, but said that if, after January 2013, participants wished to suggest modifications to ongoing studies or new studies, they could work “informally” with YCWA, and if agreement was reached, they could so advise FERC. Otherwise, the next formal opportunity in the ILP process to request study modifications or new studies is the Updated Study Report. FERC noted that the primary criterion for requesting study modifications or new studies in the Updated Study Report process, in addition to the other standard study request criteria, is “extraordinary circumstances.”

Meeting participants said it would have been useful to include in the Initial Study Report a concise list of studies that required consultation regarding additional data collection. YCWA said that if the study required such consultation and the consultation had occurred, the consultation was summarized in Section 5.0, *Study-Specific Consultation*, of the technical memorandum for the study. For in-progress studies, the Executive Summary summarizes work, including consultation, that had not been completed when the technical memorandum was issued.⁴

Meeting participants said they were in the process of reviewing the Initial Study Report.

NMFS said it planned to request at least one modification to Study 7-11, *Fish Behavior and Hydraulics Near Narrows 2 Powerhouse*. The modification would be to monitor fish using a DIDSON™ sonar during operational changes in 2013 at Narrows 2 Powerhouse (i.e., essentially the same scope of work for 2012 that was included in the FERC-approved study).

⁴ To assist Relicensing Participants, YCWA has noted in Attachment 3 which studies required consultation regarding additional data collection, and which of those consultations is not complete at this time. As a summary, 15 of the 44 FERC-approved studies required consultation regarding additional data collection. YCWA has completed the consultation for nine of the studies. The six studies for which consultation regarding the need for additional data collection will occur and the dates the consultation is scheduled to occur are: Study 2.3, *Water Quality* (consultation meeting scheduled for January 30, 2013); Study 3.11, *Entrainment* (February 8, 2013); 6.1, *Riparian Habitat Upstream of Englebright Reservoir* (January 8, 2013); 6.2, *Riparian Habitat Downstream of Englebright Dam* (January 8, 2013); 7.8, *ESA/CESA-Listed Salmonids Downstream of Englebright Dam* (February 8, 2013); and 7.12, *Evaluation of Project Effects on Daguerre Point Dam and Hallwood-Cordua Fish Facilities* (to be determined).

No other meeting participants described any specific study modification of new studies they planned to propose, and all participants reserved their right to file comments with FERC.

Most other comments pertained to ongoing studies or posted technical memoranda. NMFS and YCWA said they planned to confirm the approach to the hydraulic measurements for Study 7-11, *Fish Behavior and Hydraulics Near Narrows 2 Powerhouse*. USFWS was interested in obtaining the rotary screw trap (RST) and VAKI Riverwatcher raw data used in Technical Memorandum 3-9, *Non-ESA Listed Fish Downstream of Englebright Dam*.⁵ The Park Service asked about targeted surveys for dispersed recreation areas and trailheads, as discussed in Technical Memorandum 8-1, *Recreation Use and Visitor Surveys*.⁶ The Forest Service asked about obtaining the raw recreation use data in Study 8-1.⁷

No agreements regarding study modifications or new studies were reached during the Initial Study Report meeting.

YCWA's PROPOSED CHANGES TO STUDY MODIFICATIONS AND NEW STUDIES IN ITS INITIAL STUDY REPORT

At this time, YCWA does not propose additions to the study modifications or new studies proposed by YCWA in its Initial Study Report, with the exception of YCWA's proposed modification to Study 7.11, *Fish Behavior and Hydraulics Near Narrows 2 Powerhouse*, shown in Attachment 4.

If you have any questions regarding this Initial Study Report meeting summary, please contact me.

Sincerely,

YUBA COUNTY WATER AGENCY



Curt Aikens
General Manager

⁵ Links to these data on the RMT website were e-mailed to USFWS on December 19, 2012.

⁶ YCWA said it was in the process of completing the surveys and would address any variances regarding not obtaining the target number of surveys in the final technical memorandum, which is scheduled to be released in late March 2013. YCWA said it had not obtained the target surveys to data because recreational use has been very low at the trailheads and diversion dams.

⁷ YCWA said the data were being reviewed, and final data would be provided in Statistical Product and Service Solutions (IBM SPSS Statistics) format, in which YCWA will perform its data analysis, and in Microsoft® Excel format in the final technical memorandum scheduled to be released in late March 2013. The results in the interim technical memorandum, as described in the Initial Study Report, are preliminary and subject to change as YCWA completes its data review and final analyses.

Attach: Initial Study Report Meeting Agenda
Initial Study Report Meeting Sign-in Sheet
Revised (in Redline) Table 2.0-1, Status of Studies, from Initial Study Report
YCWA's Proposed Modification to Study 7.11

cc: Alan Mitchnick – FERC DC
Ken Hogan – FERC DC
Relicensing Participants on YCWA's Yuba River Development Project's
Relicensing E-Mail Contact List (via e-mail)