



September 19, 2018

Via Electronic Submittal (eFile)

Kimberly D. Bose, Secretary
FEDERAL ENERGY REGULATORY COMMISSION
888 – 1st Street, N.E.
Washington, D.C. 20426-0001

Subject: Yuba River Development Project
FERC Project No. 2246-065 – California
Revised YCWA Proposed Condition RR1, *Implement Recreation Facilities Plan*

Dear Secretary Bose:

This letter provides to the Federal Energy Regulatory Commission (FERC or Commission) the revised Yuba County Water Agency (YCWA) Proposed Condition RR1, *Implement Recreation Facilities Plan* in Attachment 1 to this letter.

YCWA requests that FERC replace the YCWA Proposed Condition RR1, *Implement Recreation Facilities Plan*, in YCWA's Amended Application For New License, with the attached revised condition.

Further, YCWA requests that FERC evaluate the attached YCWA Proposed Condition RR1, rather than the condition in YCWA's current Amended Application For New License, in FERC's Final Environmental Impact Statement (FEIS) being prepared by FERC to support the relicensing of the Project.

BACKGROUND

On April 28, 2014, YCWA filed with the Commission an *Application for New License Major Project – Existing Dam* (FLA) for YCWA's Yuba River Development Project, FERC Project Number 2246 (Project). Appendix E2 to Exhibit E of the FLA included YCWA's proposed conditions for inclusion in the new license. YCWA's Proposed Condition RR1 included a Plan describing how YCWA would manage Project recreation facilities.

YCWA filed with FERC an *Amended Application for New License Major Project – Existing Dam* (Amended FLA) on June 2, 2017. The Amended FLA included YCWA's Proposed Condition RR1 with some modifications.

On June 26, 2017, FERC issued a *Notice of Application Accepted for Filing, Soliciting Motions to Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments*,

Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions (REA Notice) for the Project relicensing.

By August 30, 2017, interested Relicensing Participants filed comments on YCWA's Amended FLA. The United States Department of Agriculture, Forest Service (Forest Service) referenced Proposed Condition RR1 as one of their Preliminary Federal Power Act, Section 4(e) conditions.

On April 12, 2018, YCWA filed with FERC a revised YCWA Proposed Condition RR1, to address several minor edits that YCWA and the Forest Service discovered after the August 2017 filings.

On May 30, 2018, FERC issued a Draft Environmental Impact Statement (DEIS) for the Project. The DEIS included an assessment of YCWA's April 12, 2018, Proposed Condition RR1, and based on that assessment, FERC staff recommended that YCWA's Proposed Condition RR1, with modifications, be included in any license issued for the Project (pp. 5-1 and 5-2 of the DEIS).

Over the past few months, YCWA, working with the Forest Service has collaboratively revised YCWA's April 12, 2018, Proposed Condition RR1 to address FERC's recommended modifications in the DEIS, including: 1) defining YCWA's funding responsibility for the Oregon Creek Day Use Area to accommodate whitewater boating use; 2) including footbridges over stream crossings and signs to make users aware of the sensitive nature of California red-legged frog habitat along the West Shoreline Trail; and 3) continuing to close Moran Road from October 15 to May 1 to protect the California red-legged frog from vehicle mortality. In addition, YCWA and the Forest Service collaboratively developed additional measures to address bear-related interactions at the recreation facilities, including installation of animal-resistant food lockers at the boat-in campgrounds, development of a bear incident report form to track bear-related incidents by facility operating staff, and the addition of food storage instructions and relevant ordinances to standardized recreation facility signage. The result of this collaboration is documented in the attached revised YCWA Proposed Condition RR1.

AGREEMENT WITH PLAN

The attached revised YCWA Proposed Condition RR1 and this transmittal letter were provided to the Forest Service for review. YCWA understands the Forest Service supports the attached revised YCWA Proposed Condition RR1, and the Forest Service plans to include this revised version of the *Recreation Facilities Plan* in its Final FPA 4(e) conditions.

REQUEST

YCWA requests that FERC replace YCWA Proposed Condition RR1 in YCWA's Amended FLA with the attached revised Proposed Condition RR1. YCWA requests that FERC evaluate the attached revised Proposed Condition RR1, rather than the one in YCWA's Amended FLA, in FERC's FEIS being prepared to support relicensing of the Project

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

Sincerely,



Curt Aikens
General Manager

Attachment 1: Revised YCWA Proposed Condition RR1, *Implement Recreation Facilities Plan*

cc: Alan Mitchnick, FERC DC
Parties on FERC's Official Service List for the Yuba River Development Project
Relicensing, FERC Project No. 2246-042
Relicensing Participants on YCWA's Yuba River Development Project's
Relicensing E-Mail Contact List (via e-mail)

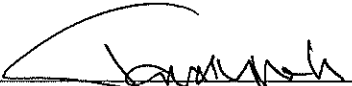
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary of the Federal Energy Regulatory Commission in this proceeding (Yuba River Development Project, FERC Project No. 2246-065).

Dated in Sacramento, CA, this 19th day of September 2018.


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