

SECTION 1

INTRODUCTION

Under the provisions of the Federal Power Act (FPA),¹ on May 16, 1963, the Federal Power Commission (FPC) issued to the Yuba County Water Agency (YCWA or Licensee) an initial license for the Yuba River Development Project (Project). The FPC issued an order on May 6, 1966 amending the initial license and making it effective from May 1, 1966 through April 30, 2016.

To continue to operate the Project after the initial license expires, Licensee must obtain a new license from the Federal Energy Regulatory Commission (FERC), FPC's successor. This process is called "relicensing." Under relicensing, FERC will reassess use of the resources affected by the Project by applying current laws and regulations to such topics as land use, recreation, water supply, habitat, endangered species, historical, and cultural values. In making this assessment, FERC must give "equal consideration" to power and non-power uses. Relicensing provides Licensee, resource agencies, and the public the opportunity to comment on these issues in the context of Project facilities and operations. Through this process, FERC assures that the new license is consistent with a comprehensive plan for utilization of the affected resources.

Licensee has prepared this Preliminary Information Package² to assist federal and State of California agencies, Indian tribes, local governments, non-governmental organizations, businesses, members of the public, and others interested in the relicensing proceeding, which are collectively referred to as "Relicensing Participants," to prepare for the relicensing.

1.1 Yuba County Water Agency

YCWA, located in Marysville, California, is a public agency formed in 1959 pursuant to the Yuba County Water Agency Act (West's Water Code App. §§ 84-1 – 84-28). Section 4.1 of the Yuba County Water Agency Act (West's Water Code App., § 84-4.1) authorizes YCWA to develop hydroelectric power in connection with YCWA's projects. For additional information regarding YCWA, refer to Section 2.1 of this Preliminary Information Package and to YCWA's website at www.ycwa.com.

¹ The Federal Power Act (FPA) of 1920 provided the Federal Power Commission (FPC), the Federal Energy Regulatory Commission's (FERC) predecessor agency, and now provides FERC with exclusive authority to license all non-federal hydroelectric projects that are located on navigable waterways or federal lands. The Yuba River Development Project (Project) is located in part on federal lands and is therefore subject to FERC licensing.

² This Preliminary Information Package is not required by FERC's Integrated Licensing Process (ILP) regulations. However, to the extent possible, Licensee has organized this Preliminary Information Package in a format similar to the Pre-Application Document (PAD) and included information that will also be included in the PAD.

1.2 Yuba River Development Project

The Project, which was constructed in the mid 1960s and put into service in 1970, replaced Pacific Gas and Electric Company's (PG&E) Bullards Bar Project, a water supply/power project that was constructed between 1922 and 1924 by the Yuba River Power Company. The first dam at Bullards Bar was constructed in 1899.

The existing Project is located in Yuba, Sierra, and Nevada counties, California, on the main stem of the Yuba River, the North Yuba River, and the Middle Yuba River, including Oregon Creek, a tributary to the Middle Yuba River. A portion of the FERC Project Boundary³ is located on United States-owned land managed by the United States Department of Agriculture (USDA) Forest Service (Forest Service) as part of the Plumas and Tahoe national forests (PNF and TNF, respectively).

The Project consists of three developments, New Colgate, New Bullards Minimum Flow, and Narrows 2, which range in elevation from 280 feet to 2,049 feet.⁴ In total, the Project includes:

- 1 dam and associated storage reservoir - New Bullards Bar
- 2 diversion dams - Our House and Log Cabin
- 2 diversion tunnels - Lohman Ridge and Camptonville
- 2 power tunnels and associated penstocks - New Colgate and Narrows 2
- 3 powerhouses - New Colgate, New Bullards Minimum Flow, and Narrows 2
- 7 recreation areas - Emerald Cove Marina, Hornswoggle Group Camp, Schoolhouse Family Camp, Dark Day Campground, Dark Day Boat Ramp, Garden Point Campground, and Madrone Cove Campground

The Project does not include any aboveground water conduits (*e.g.* canals or flumes), nor does it include any transmission lines.

Licensee typically operates New Bullards Bar Reservoir by capturing winter and spring runoff from rain and snowmelt. Consequently, New Bullards Bar Reservoir normally reaches its peak storage at the end of the spring runoff season, and then is gradually drawn down until its lowest elevation is reached in mid-winter. The reservoir does not undergo significant daily changes in elevation. New Bullards Bar Reservoir has mandatory flood pool criteria from October through April that can affect storage. Our House and Log Cabin diversion dam impoundments do not store water and Licensee operates them to divert water to New Bullards Bar Reservoir in spring during high flow periods. Licensee operates New Colgate Powerhouse for peaking/ancillary services and the New Bullards Minimum Flow and Narrows 2 powerhouses as base load facilities.

³ The FERC Project Boundary is the area that Licensee uses for normal Project operations and maintenance, and is shown on Exhibits J, K, and G of the current license.

⁴ All elevation data are in United States Department of Commerce (USDOC), National Oceanic and Atmospheric Association (NOAA), National Geodetic Survey (NGS) Vertical Datum of 1983 (NAVD 83).

Project benefits include water supply, flood control, recreation, fish and wildlife habitat, and power generation.

Detailed information regarding Project facilities, features, and operation is included in Section 6 of this Preliminary Information Package. Refer to Section 3.0 for a description of the river basins in which the Project is located.

1.2.1 Lower Yuba River Accord

A uniquely important agreement regarding the Project is the Lower Yuba River Accord (Yuba Accord). In 2005, YCWA and 16 other interested parties signed memoranda of understanding that specified the terms of the Yuba Accord. The Yuba Accord is a comprehensive, consensus-based program to protect and enhance aquatic habitat in the Yuba River downstream of the United States Army Corps of Engineer's (USACE) Englebright Dam. Following environmental review, YCWA executed four agreements in 2007, which together comprise the Yuba Accord.

These four agreements are: 1) the Lower Yuba River Fisheries Agreement, which specifies the Yuba Accord's Lower Yuba River minimum streamflows and creates a detailed fisheries monitoring and evaluation program; 2) the Water Purchase Agreement, under which the California Department of Water Resources (CDWR) purchases water (some of which is provided by the Yuba Accord's minimum streamflows) from YCWA for CALFED's Environmental Water Account (the first long-term acquisition of water that protects Bay/Delta fish and wildlife), and for State Water Project and Central Valley Project contractors; 3) the Conjunctive Use Agreements with seven of YCWA's member units, which specify the terms of the Yuba Accord's groundwater conjunctive-use program; and 4) amendments to the 1966 Power Purchase Contract between YCWA and PG&E.

Together, this package of agreements commits more water to minimum instream flows and provides greater reliability for both instream and consumptive uses than would be possible without the agreements. Licensee has been operating the Project in conformance with the Yuba Accord since 2006.⁵ On May 20, 2008, the State Water Resources Control Board (SWRCB) adopted its Corrected Order WR 2008-0014, which approved the long-term amendments to YCWA's water-right permits that were necessary so that YCWA may continue to implement the Yuba Accord. For additional information regarding the Yuba Accord, refer to <http://www.ycwa.com/projects/detail/8>.

1.3 Relicensing Process

To prepare an application for a new license, Licensee intends to follow FERC's Integrated Licensing Process (ILP) as established in regulations found in Title 18 of the United States Code of Federal Regulations (18 CFR), Part 5. These regulations require Licensee to file with FERC a notice of intent (NOI) to file an application for a new license and a Pre-Application Document

⁵ The 2006, 2007, and early 2008 operations were under one-year pilot programs that were approved by the State Water Resources Control Board (SWRCB).

(PAD) sometime between November 2010 and April 2011, and an application for a new license by April 2016.

Licensee has established a publicly accessible website (www.ycwa-relicensing.com) as a means of making Project relicensing information readily available to Relicensing Participants.

Refer to Section 2.0 of this Preliminary Information Package for information regarding the relicensing process.

1.4 Contents of This Preliminary Information Package

This Preliminary Information Package provides Relicensing Participants with existing, relevant, and reasonably available information related to the Project that has been obtained and reviewed by Licensee to date, the relicensing process, and the resources potentially affected by the Project. It is Licensee's intent that this Preliminary Information Package will assist Relicensing Participants in the identification of Project-related issues and information needs, and facilitate development of study requests.

Licensee exercised due diligence in acquiring the information included in this Preliminary Information Package. Licensee is in the process of contacting appropriate governmental agencies, Indian tribes and others potentially having relevant information, conducting extensive searches of publicly available databases and its own records, and broadly distributed a comprehensive questionnaire designed specifically to identify existing, relevant, and reasonably available information related to the Project.

Further, beginning in mid-2009, Licensee conducted a series of meetings with Relicensing Participants: to seek out additional sources of existing, relevant, and reasonably available information; to familiarize Relicensing Participants with Project facilities, features and operations; and to review Licensee's relicensing plans and the ILP.

Specifically, this Preliminary Information Package includes the following sections:

- Table of Contents – A listing of each section, subsection, table, figure, map, photo, and appendix included in the Preliminary Information Package.
- Glossary – A list of terms, acronyms, and abbreviations commonly used in the Preliminary Information Package and an accompanying definition of each.
- Section 1 – This introduction to the Preliminary Information Package.
- Section 2 – A process plan and schedule for all relicensing activities through filing of the License Application, per 18 CFR § 5.6(d) (1). This section also includes a description of YCWA and its relicensing goals and interests, Licensee's Relicensing Communication Guidelines, and an ILP Flow Chart.
- Section 3 – General description of the river basins and sub-basins potentially affected by continued operation of the Project, per 18 CFR § 5.6(d)(3)(xiii).

- Section 4 – A discussion of major laws that apply to the Project and this relicensing proceeding.
- Section 5 – A list of comprehensive plans filed with FERC (Qualifying Plans) and other plans that apply to the Project and this relicensing proceeding, per 18 CFR § 5.18(d)(4)(iii).
- Section 6 – A description of the existing Project facilities and operations, and Licensee’s proposed new facilities and changes in Project operations, per 18 CFR § 5.6(d)(2).
- Section 7 – A description of the existing environment by resource area, per 18 CFR § 5.6(d)(3)(i)(A), (B), and (d)(3)(ii)-(xiii) based on information acquired and reviewed by Licensee to date.
- Section 8 – A list of sources of information cited in the Preliminary Information Package.
- Appendix A – A summary of contacts made by Licensee in preparation of the Preliminary Information Package.
- Appendix B – A listing and brief description of existing, relevant and reasonably available information by resource area found by Licensee during preparation of the Preliminary Information Package.
- Appendix C - The name of each person authorized to act as agent for Licensee in the relicensing proceeding.
- Appendix D – A series of hardcopy maps at a scale of 1:24,000 that show the Project Area⁶ and surrounding non-Project facilities and features.
- Appendix E – Licensee’s low-altitude helicopter videos of Project-affected river reaches and Project facilities and features on digital video disk (DVD). A copy of the Helicopter Video on DVD can be obtained by contacting Jim Lynch at HDR|DTA (Telephone 916-564-4214 or E-Mail james.lynch@hdrinc.com).
- Appendix F – Regulated and unimpaired hydrology, including reservoir elevations. Due to the file size of the Hydrology data it is not posted on the website, but a CD of the files can be obtained by contacting Jim Lynch at HDR|DTA (Telephone 916-564-4214 or E-Mail james.lynch@hdrinc.com).

⁶ For the purposes of this document, the Project Area is defined as the area within the FERC Project Boundary and the land immediately surrounding the FERC Project Boundary (*i.e.*, within about 0.25 mile of the FERC Project Boundary) and includes Project-affected reaches between facilities and downstream to the next major water controlling feature or structure, USACE’s Daguerre Point Dam.

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