



November 5, 2010

**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  
Notification of Intent to File an Application for a New License (NOI) and  
Request for Designation as Non-Federal Representative

Dear Secretary Bose:

Pursuant to Section (§) 5.5 of Title 18 of the Code of Federal Regulations (CFR), the Yuba County Water Agency (YCWA or Licensee), a special district under California State law, gives notice to the Federal Energy Regulatory Commission (FERC) of YCWA's intent to file an application for a new license for the Yuba River Development Project (Project), FERC Project Number 2246 on, or before, April 30, 2014. YCWA is the existing licensee, and current owner and operator of the Project. The initial license for the Project was issued by the Federal Power Commission (FERC's predecessor) to YCWA on May 16, 1963, effective on May 1, 1963. The Federal Power Commission's May 6, 1966, Order Amending License changed the license's effective date to May 1, 1966, for a term ending on April 30, 2016. Information required under § 5.5 and § 16.6(b) and other useful information concerning the Project is provided below.

Simultaneously with the filing of this Notice of Intent (NOI), under separate cover YCWA e-Filed with FERC a Pre-Application Document (PAD) in conformance with 18 CFR § 5.6.

**YCWA'S NAME, ADDRESS AND TELEPHONE NUMBER**

YCWA's physical address (same as mail address) and telephone number is:

**Yuba County Water Agency**  
1220 F Street  
Marysville, CA 95901  
Tel: (530) 741-6278

YCWA's designated agent is Mr. Curt Aikens, General Manager for YCWA. Mr. Aikens' telephone number and email address are (530) 741-6278 and caikens@ycwa.com, respectively.

### **PROJECT NUMBER**

The FERC Project Number for the Yuba River Development Project is 2246.

### **LICENSE EXPIRATION DATE**

The expiration date of the existing Yuba River Development Project is April 30, 2016.

### **UNEQUIVOCAL STATEMENT OF INTENT TO FILE AN APPLICATION FOR A NEW LICENSE**

YCWA's intent is to file with FERC an application for a new license for the Yuba River Development Project, FERC Project No. 2246, by April 30, 2014 - two years prior to the expiration of the existing FERC license. YCWA intends to file the application in conformance with Title 18 of the CFR, Chapter 1 (Federal Energy Regulatory Commission, Department of Energy), Subchapter B (Regulations under the Federal Power Act), Part 5 (Integrated License Application Process), commonly referred to as FERC's Integrated Licensing Process, or ILP.

### **TYPE OF PRINCIPAL PROJECT WORKS LICENSED**

The Project is located on the west slope of the Sierra Nevada in Central California in Yuba, Sierra, and Nevada counties. The Project consists of three developments - New Colgate, New Bullards Minimum Flow, and Narrows 2 - whose principal works include:

- 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 underground power tunnels - New Colgate and Narrows 2
- 1 above ground penstock - New Colgate
- 3 powerhouses - New Colgate, New Bullards Bar Minimum Flow, and Narrows 2
- 7 recreation areas, all located on New Bullards Bar Reservoir - Emerald Cove Marina, Hornswoggle Group Camp, Schoolhouse Family Camp, Dark Day Campground, Dark Day Boat Ramp, Garden Point Campground, and Madrone Cove Campground

### **LOCATION OF THE PROJECT**

The location of the Project is:

State:

California

Township or nearby town:	City of Marysville
Counties:	Yuba, Nevada, and Sierra
Stream or other body of water:	Yuba River; Middle Yuba River and North Yuba River; and Oregon Creek, a tributary to the Middle Yuba River

### **INSTALLED PLANT CAPACITY**

The Project has three powerhouses. Based on a June 10, 1992, FERC order, the FERC-authorized installed capacity in kilowatts (kW) for each powerhouse and the total FERC-authorized installed capacity for the Project are as follows:

New Colgate, Unit 1	157,500 kW
New Colgate, Unit 2	157,500 kW
New Bullards Bar Minimum Flow, Unit 1	150 kW
Narrows, Unit 1	<u>46,750 kW</u>
Total	361,900 kW

### **COUNTIES, CITIES, TOWNS IN WHICH THE PROJECT IS LOCATED AND FEDERAL FACILITIES TO BE USED BY THE PROJECT**

The name and mailing address of the counties in which the Project is located are:

**County of Nevada**  
Board of Supervisors  
950 Maidu Avenue  
Nevada City, CA 95959-8600

**County of Sierra**  
Board of Supervisors  
100 Courthouse Square, Suite 11  
Downieville, CA 95936

**County of Yuba**  
Board of Supervisors  
915 8<sup>th</sup> Street, Marysville, CA 95901-5737

The Project is not located within any designated cities, towns or subdivisions, nor is a Project dam located within 15 miles of any city or town with a population of 5,000 or more.

The Project passes water through the federally-owned Englebright Reservoir, which is located on the Yuba River near the City of Marysville. However, none of the Yuba River Development Project facilities are integral parts of Englebright Dam: the Project's Narrows 2 Power Conduit and Narrows 2 Powerhouse, the lowermost Project facilities, are not connected or attached to Englebright Dam in any way, nor do they intersect the dam in any way (e.g., the powerhouse power tunnel and penstock does not pass through the dam).

Englebright Dam, which forms Englebright Reservoir, was constructed by the California Debris Commission in 1941, 18 years before YCWA was formed and 22 years before the Federal Power Commission issued the initial Project license. The dam is owned by the United

States and operated by the United States Army Corps of Engineers (USACE). The primary purpose of the dam is to trap and contain sediment derived from extensive historic hydraulic mining operations in the Yuba River watershed. Englebright Reservoir is about 9 miles long with a surface area of 815 acres and a gross storage capacity of about 70,000 ac-ft.

The Project does not use any other federal facilities or any State of California facilities. In conformance with 18 CFR § 5.5(c), YCWA will include the parties above on the Yuba River Development Project Relicensing Contact List, and will make a copy of this NOI and accompanying PAD available to each party listed above.

**IRRIGATION DISTRICTS, DRAINAGE DISTRICTS, PLANNING/ZONING AREAS AND SPECIAL PURPOSE POLITICAL SUBDIVISIONS IN WHICH THE PROJECT IS LOCATED**

The Project is located within the following irrigation district, drainage district, planning/zoning areas, or similar special purpose political subdivision areas:

**Nevada Irrigation District**  
1036 West Main Street  
Grass Valley, CA 95945-5424

**Sierra Nevada Conservancy**  
Executive Director  
11521 Blocker Drive, Suite 205  
Auburn, CA 95603

**Nevada County Resource Center**  
Manager & Bear River Watershed  
Coordinator  
113 Presley Way, Suite 1  
Grass Valley, CA 95945-5846

**Yuba County Resource Center**  
Conservation District Director  
1511 Butte House Road, Suite B  
Yuba City, CA 95993

**Nevada County Local Agency  
Formation Commission**  
Executive Officer  
950 Maidu Avenue  
Nevada City, CA 95959

**Yuba County Local Agency  
Formation Commission**  
Commission Clerk  
825 Ninth Street, Suite B  
Marysville, CA 95901

**Sierra County Local Agency  
Formation Commission**  
Executive Officer  
P.O. Box 530  
Downieville, CA 95936

**Hallwood Irrigation District<sup>1</sup>**  
Post Office Box 1349  
Marysville, CA 95901

**Browns Valley Irrigation District<sup>1</sup>**  
9370 Browns Valley School Road  
Post Office Box 6  
Browns Valley, CA 95918

**Ramirez Water District<sup>1</sup>**  
1528 Starr Drive, S-A  
Yuba City, CA 95993

**Brophy Water District<sup>1</sup>**  
1190 Civic Center Boulevard  
Yuba City, CA 95993

**South Yuba Water District<sup>1</sup>**  
Post Office Box 8  
Rio Oso, CA 95677

**Cordova Irrigation District<sup>1</sup>**  
Post Office Box 1111  
Marysville, CA 95901

**Wheatland Water District<sup>1</sup>**  
Post Office Box 404  
Wheatland, CA 95962

**Dry Creek Mutual Water  
Company<sup>1</sup>**  
Post Office Box 813  
Wheatland, CA 95692

Licensee pumps water approximately 6 acre-feet of water each year directly from New Bullards Bar Reservoir to supply water to the YCWA's Cottage Creek Water Treatment Plant for domestic and recreational uses adjacent to the reservoir. No other parties divert water directly from the Project facilities or features for irrigation or domestic water uses. However, after water is used for power generation at Project facilities, water may be diverted downstream for other uses such as power, irrigation, domestic water supply and recreation.

The Project is not located within any federal special purpose political subdivision.

In conformance with 18 CFR § 5.5(c), YCWA will include the parties above on the Yuba River Development Project Relicensing Contact List, and will make a copy of this NOI and accompanying PAD available to each party listed above.

#### **OTHER POLITICAL SUBDIVISIONS IN THE PROJECT AREA THAT MAY BE INTERESTED IN THE RELICENSING**

In addition to the parties noted above, YCWA has reason to believe that the following political subdivisions in the general area of the Project would likely be interested in or affected by this relicensing:

**Browns Valley Irrigation District**  
9370 Browns Valley School Road  
Post Office Box 6  
Browns Valley, CA 95918

**City of Marysville**  
Mayor  
P.O. 150  
Marysville, CA 95901-0150

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<sup>1</sup> YCWA Member Unit

In conformance with 18 CFR § 5.5(c), YCWA will include the parties above on the Yuba River Development Project Relicensing Contact List, and will make a copy of this NOI and accompanying PAD available to each party listed above.

## **NATIVE AMERICAN TRIBES THAT MAY BE AFFECTED BY THE RELICENSING**

Native American tribes that may be affected by the Project were identified based on information provided to YCWA by the Native American Heritage Commission on March 17, 2009, Plumas National Forest in July 2009, and from additional outreach to other known local tribes throughout 2009 and 2010. Identified tribes include:

### **Greenville Rancheria of Maidu Indians**

Kyle Self, Chairperson  
P.O. Box 279  
Greenville, CA 95947-0279

### **United Auburn Indian Community**

Davis Keyser, Chairperson  
Marcos Guerrero, Cultural  
Representative  
10720 Indian Hill Road  
Auburn, CA 95603

### **T'Si-akim Maidu**

Ellen Moon, Vice Chairperson  
152 Mill Street, Suite A  
Grass Valley, CA 95945-4771

### **Washoe Tribe**

**of Nevada & California Washoe**  
Archive and Cultural Center  
William Dancing Feather  
861 Crescent Drive  
Carson City, NV 89701-7704

### **T'Si-akim Maidu**

Don Ryberg, Chair  
Grayson Coney, Cultural Director  
Bill Jacobson, Cultural Representative  
P.O. Box 1316  
Colfax, CA 95713-1316

### **Washoe Tribe**

**of Nevada & California**  
Waldo Walker, Chairperson  
Darrel Cruz, Cultural/THPO  
Lynda Shoshone  
DeAnn Roberts, Chair of  
Woodfords Community  
919 U.S. Highway 395 South  
Gardnerville, NV 89410-8968

### **Maidu/Miwok**

Jill Harvey  
117999 McCourtney Road  
Grass Valley, CA 95949-9759

### **Maidu/Miwok**

Rose Enos  
15310 Bancroft Road  
Auburn, CA 95603-8464

**Todd Valley Miwok-Maidu  
Cultural Foundation**  
Christopher Suehead, Cultural  
Representative  
P.O. Box 1490  
Foresthill, CA 95631-1490

**Shingle Springs Band  
of Miwok Indians**  
Jeff Murray, Cultural Resources  
Manager  
Nicholas Fonseca, Chairperson  
P.O. Box 1340  
Shingle Springs, CA 95682-1340

**Nisenan/Maidu**  
April Moore  
19630 Placer Hills Road  
Colfax, CA 95713-9617

**Pakan-Yani Band  
of Strawberry Valley Rancheria**  
Calvin Rose, past Chairperson  
56 Oakwood Lane  
Oroville, CA 95966-9663

**Pakan-Yani Band  
of Strawberry Valley Rancheria**  
Chris Logan  
2560 Yard Street  
Oroville, CA 95966-5140

**Pakan-Yani Band  
of Strawberry Valley Rancheria**  
Cathy Bishop, Chairperson  
Rea Cichocki  
1540 Strader Avenue  
Sacramento, CA 95815

**United Auburn Indian Community  
of the Auburn (Maidu & Miwok)**  
Jessica Tavares, past Chairperson  
Shelly McGinnis, past Cultural  
Representative  
Yolanda Chavez, past Cultural  
Representative  
575 Menlo Drive, Suite 2  
Rocklin, CA 95765-3709

**Maidu Cultural and Development  
Group**  
Warren Gorbet, Chairperson  
Lorena Gorbet  
P.O. Box 426  
Greenville, CA 95947-0426

**Colfax-Todd Valley Consolidated  
Tribe**  
Lavina Suehead, Chairperson  
P.O. Box 4884  
Auburn, CA 95604-4884

**Pakan-Yani Band  
of Strawberry Valley Rancheria**  
Pearl Wagner, Representative  
2594 C Street  
Oroville, CA 95960-6525

**Pakan-Yani Band  
of Strawberry Valley Rancheria**  
Robert Kerfoot  
P.O. Box 667  
Marysville, CA 95901

**Camptonville Community  
Partnership**  
Cathy LeBlanc  
CCP Box 218  
Camptonville, CA 95922

**Enterprise Rancheria  
of Maidu Indians**

Frank Watson, Vice Chairperson  
1940 Feather River Blvd, Suite B  
Oroville, CA 95965

**Maidu Nation**

Claire LeCompte  
P.O. Box 204  
Susanville, CA 96130

**Mooretown Rancheria of  
Maidu Indians**

Laura Winner  
Gary Archuleta  
Guy Taylor  
#1 Alverda Drive  
Oroville, CA 95966

**Susanville Indian Rancheria**

Melany Johnson, THPO  
Tim Keesey, Environmental Manager  
P.O. Box U/745 Joaquin Street  
Susanville, CA 96130

**Enterprise Rancheria  
of Maidu Indians**

Glenda Nelson, Chairperson  
1940 Feather River Blvd, Suite B  
Oroville, CA 95965

**Butte Tribal Council and  
Enterprise Rancheria**

Ren Reynolds, Councilman  
1693 Mt. Ida Road  
Oroville, CA 95966

**Tyme Maidu Tribe of Berry Creek  
Rancheria**

Jim Edwards, Chairperson  
Dwayne M. Brown  
5 Tyme Way  
Oroville, CA 95966

**Mechoopda Maidu Indians**

Dennis Ramirez  
Mike DeSpain  
125 Mission Ranch Blvd.  
Chico, CA 95926

In conformance with 18 CFR § 5.5(c), YCWA will include the parties above on the Yuba River Development Project Relicensing Contact List, and will make a copy of this NOI and accompanying PAD available to each party listed above.

**FEDERAL, STATE AND LOCAL AGENCIES THAT MAY BE INTERESTED IN  
THE RELICENSING**

For informational purposes, YCWA provides to FERC the following addresses of federal, State of California, and local agencies that YCWA believes would be interested in the Yuba River Development Project Relicensing. By including this list here, YCWA does not imply that each of these agencies will be interested in the Yuba River Development Project Relicensing, or agencies not included in this list would not be interested in the Relicensing.



Federal Agencies

**Tahoe National Forest**  
Forest Supervisor  
631 Coyote Street  
Nevada City, CA 95959-2250

**Plumas National Forest**  
Forest Supervisor  
159 Lawrence Street  
Quincy, CA 95981

**U. S. Army Corps of Engineers**  
Chief – Regulatory Branch  
Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

**National Park Service**  
Outdoor Recreation Planner  
600 Harrison Street, Suite 600  
San Francisco, CA 94107-1390

**U.S. Environmental Protection Agency**  
Regional Director  
Pacific Southwest Regional Office  
75 Hawthorne Street  
San Francisco, CA 94105-3922

**Federal Emergency Management Agency**  
Regional Office  
Presidio of San Francisco, Bldg. 105  
San Francisco, CA 94129-4052

**US Bureau of Land Management**  
Field Manager - Region Four  
63 Natoma Street  
Folsom, CA 95630-2671

**U. S. Fish and Wildlife Service**  
Branch Chief – Energy and Power  
2800 Cottage Way, Suite W-2605  
Sacramento, CA 95825-1846

**NOAA Fisheries Service**  
Southwest Region  
777 Sonoma Avenue, Room 325  
Santa Rosa, CA 95404-6515

**U. S. Forest Service**  
Regional Hydropower Assistance  
Team  
650 Capitol Mall, Suite 8-200  
Sacramento, CA 95814-4700

**U.S. Bureau of Indian Affairs**  
Area Director  
Regional Office  
2800 Cottage Way  
Sacramento, CA 95825-1885

**Advisory Council on Historic Preservation**  
Western Office of Project Review  
12136 West Bayaud Avenue, Suite  
330  
Lakewood, CO 80228-2115

**US Geological Survey**  
California Water Science Center  
Director  
6000 J Street, Placer Hall  
Sacramento, CA 95819-2605

**US Fish and Wildlife Service**  
Anadromous Fish Restoration  
Program  
Habitat Restoration Coordinator  
4001 North Wilson Way  
Stockton, CA 95205-2486

**US Bureau of Reclamation**

Director  
2800 Cottage Way  
Sacramento, CA 95825

**California Bay-Delta Authority**

Upper Yuba River Studies Program  
Program Manager  
650 Capital Mall, Fifth Floor  
Sacramento, CA 95814-95814

**U.S. Geological Survey**

California Water Science Center  
Director  
6000 J Street, Placer Hall  
Sacramento, CA 95819-2605

State of California Agencies

**California Department of Boating  
and Waterways**

Director  
2000 Evergreen Street, Suite 100  
2800 Cottage Way  
Sacramento, CA 95815

**California Department of  
Transportation**

CALTRANS  
Director – District 10  
P.O. Box 2048  
Stockton, CA 95201

**Regional Water Quality Control  
Board**

Central Valley Region  
Executive Officer  
11020 Sun Center Drive, #200  
Sacramento, CA 95670-3888

**State Water Resources Control  
Board**

Section 401 Coordinator  
1001 I Street  
P. O. Box 2000  
Sacramento, CA 95812-2048

**California Department of Water  
Resources**

1416 Ninth Street, 11th Floor  
P.O. Box 942836  
Sacramento, CA 95814-5511

**California Department of Parks and  
Recreation**

Office of Historic Preservation  
State Historic Preservation Office  
P. O. Box 942896  
Sacramento, CA 94296-0001

**California Department of Forestry  
and Fire Protection**

Region 2 – Cascade  
Nevada-Yuba-Placer Unit  
13760 Lincoln Way  
Auburn, CA 95603-3236

**California Department of Fish and  
Game**

Manager – Region 2  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670-4503

Local Agencies

**Yuba County Planning Department**

Director  
915 8<sup>th</sup> Street, Suite 123  
Marysville, CA 95901

**Sierra County Department of  
Planning**

Director  
P.O. Box 530  
Downieville, CA 95936

In conformance with 18 CFR § 5.5(c), YCWA will include the parties above on the Yuba River Development Project Relicensing Contact List, and will make a copy of this NOI and accompanying PAD available to each agency listed above.

**BUSINESSES, NON-GOVERNMENTAL ORGANIZATIONS AND MEMBERS OF THE PUBLIC THAT MAY BE INTERESTED IN THE RELICENSING**

For informational purposes, YCWA provides to FERC the following businesses, non-governmental organization (NGOs) and members of the public that TCWA has reason to believe would likely be interested in the Yuba River Development Project Relicensing. By including this list here, YCWA does not imply that each of these businesses, NGOs and members of the public will be interested in the Relicensing or alternatively that businesses, NGOs or members of the public not included in this list would not be interested in the Relicensing.

**Pacific Gas and Electric Company**

Director, Hydro Relicensing  
ATTN: David Moller  
Mail Code N11D  
245 Market Street, Rm. 1147  
San Francisco, CA 94105-0001

**Natural Heritage Institute**

Director of NHI Legal Services  
ATTN: Richard Roos-Collins  
100 Pine Street  
San Francisco, CA 94111

**American Whitewater**

Conservation Director  
ATTN: Dave Steindorf  
4 Baroni Drive  
Chico, CA 95928-4314

**California Hydropower Reform  
Coalition**

Director  
ATTN: Keith Nakatani  
436 14<sup>th</sup> Street, Suite 801  
Oakland, CA 94612-2726

**California Sportfishing Protection  
Alliance**

Director  
ATTN: Jim Crenshaw  
1360 Neilson Street  
Berkeley, CA 94702-1116

**California Trout**

Executive Director  
ATTN: Gary Seput  
870 Market Street, Suite 528  
San Francisco, CA 94102-3023

**Friends of the River**  
Conservation Director  
ATTN: Ron Stork  
915 20th Street  
Sacramento, CA 95814-3115

**Foothill Water Network**  
Coordinator  
ATTN: Julie Leimbach  
P.O. Box 713  
Lotus, CA 95651-0713

**American Rivers**  
Associate Director, Dam Programs  
ATTN: Steve Rothert  
409 Spring Street  
Nevada City, CA 95959-2422

**Sierra Club**  
Mother Lode Chapter  
Chapter Chair  
ATTN: Barbara Williams  
801 K Street, Suite 2700  
Sacramento, CA 95814-2700

**Environmental Advocates**  
ATTN: Megan Anderson  
19555 Burning Bush Road  
Nevada City, CA 95959

**Dobbins-Oregon House Action  
Committee**  
P.O. Box 703  
Oregon House, CA 95962

**Trout Unlimited**  
CA Hydropower Coordinator  
ATTN: Chuck Bonham  
1808B 5<sup>th</sup> Street  
Berkeley, CA 94710-1915

**Sierra Nevada Alliance**  
Executive Director  
ATTN: Joan Clayburgh  
P.O. Box 7989  
South Lake Tahoe, CA 96158-7989

**South Yuba River Citizens League**  
Executive Director  
ATTN: Jason Rainey  
216 Main Street  
Nevada City, CA 95959-2509

**Environmental Defense Fund**  
ATTN: Thomas Graff  
California Regional Office  
123 Mission Street, 28<sup>th</sup> Floor  
San Francisco, CA 94105-1551

**Federation of Fly Fishers**  
Northern California Council  
ATTN: Frank Rinella  
P.O. Box 1017  
Meadow Vista, CA 95722-1017

**The Bay Institute of San Francisco**  
695 De Long Avenue, Suite 100  
Novato, CA 94945

In conformance with 18 CFR § 5.5(c), YCWA will include the parties above on the Yuba River Development Project Relicensing Contact List, and will make a copy of this NOI and accompanying PAD available to each party listed above.

#### **READILY ACCESSIBLE, REVIEWABLE AND REPRODUCIBLE INFORMATION**

This NOI as well as other information required under 18 CFR § 5.2 and § 16.7 including the PAD is available to businesses, NGOs and members of the public for inspection, review and

reproduction (at a reasonable cost of reproduction and postage) during regular business hours (8:00 a.m. - 5:00 p.m., Monday through Friday) at YCWA's place of business; that is:

**Yuba County Water Agency**  
1220 F Street  
Marysville, CA 95901

The public is instructed to contact Mr. Curt Aikens, or his designee, by telephone at (530) 741-6541 to make an appointment to review the information.

A copy of this NOI as well as the PAD is also available at the following public library in the Project region:

**Yuba County Public Library**  
303 2<sup>nd</sup> Street  
Marysville, CA 95901-6011

In addition, in conformance with 18 CFR § 5.2 and to facilitate the distribution of documents and information regarding the Yuba River Development Project Relicensing, YCWA maintains a Yuba River Development Project Relicensing Website at <http://www.ycwa.relicensing.com>. Information and Relicensing documents (except for excessively large documents) including this NOI and PAD are available in portable document format (.PDF) on the Website.

#### **PUBLICATION OF NOTICE OF INTENT**

YCWA is publishing a notice of the filing of this NOI and PAD in the following daily and weekly newspapers of general circulation in each county in which the Project is located: the Appeal-Democrat and the Mountain Messenger.

#### **REQUEST FOR NON-FEDERAL REPRESENTATIVE STATUS FOR CONSULTATION UNDER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT**

As provided for in 18 CFR § 5.5(e), at this time YCWA requests FERC designate YCWA as FERC's non-federal representative for purposes of consultation under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR § 800.2(c)(4). Please note that 36 CFR § 800.2(c)(5) requires FERC notify the State Historic Preservation Officer, appropriate Tribal Historic Preservation Officers, and other consulting parties in writing (or email) if this authorization is granted.

#### **REQUEST FOR NON-FERERAL REPRESENTATIVE STATUS FOR CONSULTATION UNDER SECTION 7 OF THE ENDANGERED SPECIES ACT**

*Secretary Bose*  
*November 5, 2010*  
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As provided for in 18 CFR § 5.5(e), YCWA requests that FERC designate YCWA as FERC's non-federal representative for purposes of consultation under Section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR Part 402, Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and the implementing regulations at 50 CFR § 600.920.

If you have any questions about this notice, please contact me.

Sincerely,



Curt Aikens  
General Manager  
YUBA COUNTY WATER AGENCY

cc: Alan Mitchnick – FERC DC  
Frank Winchell – FERC DC  
Robert Finucane – FERC, San Francisco  
Yuba River Development Project Relicensing Contact List (via e-mail)