

Meeting Memorandum

To: Public Files
From: Alan Mitchnick, West Branch, Division of Hydropower Licensing
Date: May 2, 2014
Docket: P-2246-058
Project: Yuba River Development Project

Subject: Commission Staff Memorandum of Understanding Meeting with California State Water Resources Control Board Staff on Coordination of Pre-application Activities

On April 9, 2014, Commission staff¹ met with staff² from the California State Water Resources Control Board (Water Board) on pre-application activities for the Yuba River Development Project (project) Integrated Licensing Process (ILP). A copy of the meeting agenda is attached.

Commission staff described the current status of the ILP process for the project, noting that the updated study plan determination has been delayed and that the final license application is due to be filed no later than April 30, 2014.

Commission staff summarized the status of the ongoing studies noting that the Commission approved an extension until March 31, 2016 for the Yuba County Water Agency (YCWA) to complete a telemetry study at the Narrows 2 powerhouse because of drought conditions. Consequently, the ready for environmental analysis notice will be delayed until after the final study report is filed.

Commission staff discussed its *ex parte* (off-the-record communications) policy, indicating that after the license application is filed meetings with the Water Board would have to be on the record and observed by all participants.

Commission staff indicated that it would rely on the completed studies for preparing the environmental analysis for relicensing the project, information in the final license applications, and any future additional information requests.

¹ Timothy Welch, Alan Mitchnick, and Shana Murray (FERC point of contact on implementation of MOU)

² Erin Ragazzi, Parker Thaler, Marianna Aue, Susan Monheit, Andy Sawyer, and Jeff Parks

The Water Board staff discussed sources of information and issues that it believes the Commission should consider in its NEPA document for the project:

- Fish passage alternatives (trap and haul to provide fish access to North Yuba River; trap and haul to provide fish access to Middle and South Yuba Rivers; and notching Englebright dam to provide fish access to Middle and South Yuba Rivers)--Commission staff requested that the Water Board provide information in the record describing the alternatives and providing the basis for these alternatives and noted the Commission could not require YCWA to make changes to Englebright dam as it is a Corps of Engineers (Corps) facility.
- 2014 temperature data to be developed as a result of approval of the 2014 flow variance for the project³
- Methods to reduce fish entrainment at Our House and Log Cabin outlet structures through water diversions into Lohman Ridge and Camptonville diversion tunnels
- Evaluation of alternative water year classification systems for the Yuba River, potentially examining one water year classification system for the entire Yuba River watershed
- Effects of construction and operation of the proposed flood control outlet
- Methods of passing large woody material at New Bullard bar reservoir (Water Board staff noted the Corps pilot program to manage large woody material in the lower Yuba River)
- Effects of tailwater depression system—Water Board staff indicated that it supports the additional information requested by Commission staff
- Causes of straying of spring-run Chinook salmon from Feather River into the lower Yuba River and the project's contribution to straying
- Effects of YCWA's proposed removal of a gravel bar at Narrows 2 powerhouse (time, method, amount excavated, disposal location, monitoring, water quality impacts)
- Effects of sediment removal at Our House and Log Cabin reservoirs (contaminants, timing, amount of sediment, frequency, disposal)

³ Update provided by Water Board staff following meeting: Due to slightly improved hydrologic conditions, YCWA no longer plans to implement the flows approved through the temporary urgent change petitions issued by the Water Board on February 9, 2014. Instead, the Water Board recommends that data gathered through other processes such as the River Management Team on 2014 low flow conditions be considered during the FERC relicensing.

- How Narrows 1 and Narrows 2 would operate after the existing power purchase agreement between YCWA and PG&E expires in 2016 and effect on downstream flows
- Analysis of fish entrainment from New Bullards Bar reservoir and how it would be affected by lower reservoir levels
- Need for a water quality monitoring plan
- Analysis of methods to operate the project during extreme low-flow conditions (e.g., conference years under the Lower Yuba River Accord)
- Desire to ensure consistency between the project relicensing effort and implementation of the Water Board's Phase 2 (Bay-Delta flow objectives) and Phase 4 (flow criteria for priority tributaries) of the Bay-Delta Effort, including an analysis of proposed flows as a percent of unimpaired flow to assist with comparison between efforts.

The Water Board staff indicated that YCWA will be the lead agency under CEQA. Commission and Water Board staff agreed that a meeting among the Water Board staff, YCWA, and Commission staff may help in integrating the CEQA process into the licensing process (e.g., schedule).

AGENDA | PRE-APPLICATION FILING ACTIVITIES, MEMORANDUM OF UNDERSTANDING MEETING

FEDERAL ENERGY REGULATORY COMMISSION AND STATE WATER RESOURCES CONTROL BOARD

April 9, 2014, 9:00 a.m. – 11:00 a.m. (Pacific). 12:00 p.m. - 2:00 p.m. (Eastern)

Call-in Number: (916) 227-1132

Location: Room 1422

Meeting Goal: Discuss informational needs of FERC and State Water Board for license issuance and water quality certification purposes for the Yuba River Development Project (No. 2246).

TIME	AGENDA ITEM	PRESENTER(S)
9:00	<i>Introductions</i>	<i>All Participants</i>
9:10	<i>Overview of Meeting and Project Timeline/Next Steps</i>	<i>Parker</i>
9:30	<p>FERC:</p> <ul style="list-style-type: none"> • Additional Analysis, Information, or Data • Project Alternatives for NEPA Document 	FERC
10:15	<p>State Water Board:</p> <ul style="list-style-type: none"> • Additional Analysis, Information, or Data • Project Alternatives for CEQA Document 	State Water Board
11:00	ADJOURN	

Document Content(s)

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