



**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

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August 1, 2019

In reply refer to: FERC_2016_0701_001

Mr. Brad Arnold
General Manager/Secretary
South Sutter Water District
2464 Pacific Avenue
Trowbridge, CA 95659

Re: Camp Far West Hydroelectric Relicensing Project (FERC NO. 2997-031), Cultural Resources Study Report and Tribal Interests Study

Dear Mr. Arnold:

The State Historic Preservation Officer (SHPO) received additional correspondence on July 22, 2019 regarding two previous submittals from the South Sutter Water District (SSWD) continuing consultation regarding the above referenced project to comply with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation found at 36 CFR Part 800. SSWD has been delegated Section 106 consultation authority by the Federal Energy Regulatory Commission (FERC), pursuant to FERC's May 13, 2016 Notice of Intent to File License Application, Filing of Pre-Application Document, Approving Use of the Traditional Licensing Process for the Camp Far West Hydroelectric Project (project).

The project is located on the Bear River in Yuba, Nevada, and Placer counties. It includes a 170-foot high dam, which creates the 93,740 acre-foot Camp Far West Reservoir, covering approximately 2,863.7 acres. A powerhouse is located at the base of the dam. The FERC license for the project expires on June 30, 2021, thus SSWD is in the process of seeking a new license from FERC (undertaking).

The current correspondence received responds to SHPO comments made by letter on May 24, 2019 on the following documents:

- *Tribal Interests Study For the Camp Far West Hydroelectric Project FERC Project No. 2997 Nevada, Placer, and Yuba Counties, California (HDR & Albion, March 2019)*
- *Cultural Resources Study Report; A Cultural Resources Inventory for the Camp Far West Hydroelectric Project FERC Project No. 2997 Nevada, Placer, and Yuba Counties, California (HDR, April 2019.)*

The following comments on the above documents were made by the SHPO in the May 24, 2019 letter:

1. Pursuant to 36 CFR 800.4(b), the SHPO finds the historic property identification efforts to be incomplete at this time. The SHPO reiterates comments previously made by letter of August 25, 2016 to FERC Secretary Kimberly D. Bose on the Pre-Application Document: “All cultural resources must be evaluated in order to determine whether there are any potential historic properties...before effects can be identified or assessed...It behooves the applicant to first determine which properties are eligible prior to proceeding with the assessment of effects...Only when this step is complete and historic properties have been adequately identified, may the consultation then proceed to the assessment of effect (36 CFR Part 800.5)...I encourage FERC and SSWD to complete evaluations of all identified cultural resources for both the National Register of Historic Places and the California Register of Historical Resources as part of the identification efforts.”
2. Without a complete understanding of the significance of the resources located within the APE and the characteristics that would qualify them for listing in the NRHP, the SHPO cannot consider how project activities may or may not diminish those characteristics and therefore cannot at this time comment on the finding of effect pursuant to 36 CFR 800.5.
3. Pursuant to 36 CFR § 800.5(a)(2)(vii), the transfer of property outside of federal control is a potential adverse effect. Since SSWD is proposing to transfer HDR-CFWH-67, P-58-1024/CA-YUB-1006H, and P-58-1032/CA-YUB-1014H outside of the existing FERC boundary, full evaluation of these resources is required in order to appropriately assess effects.
4. The built environment report should be updated to reflect the correct eligibility status of resources within the APE listed in Table 3, as this is very unclear to the reader because the information is buried in Section 5.1.1.1 of the Built Environment report, a confidential attachment.
5. The built environment report should be updated regarding the following:
 - Built Enviro report, Section 2.3—Clarify whether any of the non-project resources that are over 50 years old be affected by the continued O&M of the project.

- Built Enviro report, Section 2.3—Clarify whether the Drum-Rio Oso line eligible as a contributor to another hydro district (such as Drum-Spaulling Historic Hydroelectric System).

At this time, SSWD on behalf of FERC are providing the following response to SHPO comments:

1. SSWD plans to complete historic property identification efforts under the HPMP, as needed. SSWD anticipates that FERC will complete Section 106 requirements through the execution of a PA that will require implementation of the HPMP.
2. SSWD plans to complete historic property identification efforts and assessment of adverse effects under the HPMP, as needed. SSWD anticipates that FERC will complete Section 106 requirements through the execution of a PA that will require implementation of the HPMP.
3. Same response as #2.
4. SSWD agrees and has updated the built environment report to correct eligibility status.
5. SSWD has updated Section 2.3 of the built environment report as requested.

SSWD provided additional information regarding the following resources:

- HDR-CFWH-67: “the boundary removal will only remove a small portion of the site from the FERC project boundary...because a portion of the site will still be within the FERC project boundary, it will still be under FERC’s jurisdiction...”
- P-58-1024/CA-YUB-1006H: “This site was not relocated during the inventory of the APE and is assumed to have been destroyed...or was simply mis-mapped and not located within the APE...”
- P-58-1032/CA-YUB-1014H: “This site was not relocated during the inventory of the APE and is assumed to have been destroyed...or was simply mis-mapped and is not located within the APE.”

In its letter of July 22, 2019, SSWD stated that is not re-requesting SHPO concurrence on historic property identification efforts for this undertaking. Nor is it re-requesting SHPO concurrence on a finding of effect for the undertaking. Instead, SSWD plans to complete historic property identification efforts and assessments of adverse effects under the HPMP, as needed. SSWD anticipates that FERC will complete Section 106 requirements through the execution of a programmatic agreement that will require implementation of the HPMP.

Further, SSWD stated that they request SHPO concurrence with the findings of adverse effects for historic properties identified with SHPO concurrence thus far, (excluding unevaluated resources). SSWD also seek SHPO concurrence that the HPMP will

address potential effects on historic properties for the duration of the new Project operating license.

In response to your letter of July 22, 2019, the SHPO offers the following comments:

- The SHPO reiterates comments previously made by letter of August 25, 2016 to FERC Secretary Kimberly D. Bose on the Pre-Application Document as well as comments previously made to SSWD by letter of May 24, 2019: “All cultural resources must be evaluated in order to determine whether there are any potential historic properties...before effects can be identified or assessed...It behooves the applicant to first determine which properties are eligible prior to proceeding with the assessment of effects...Only when this step is complete and historic properties have been adequately identified, may the consultation then proceed to the assessment of effect (36 CFR Part 800.5)...I encourage FERC and SSWD to complete evaluations of all identified cultural resources for both the National Register of Historic Places and the California Register of Historical Resources as part of the identification efforts.”
- The SHPO reiterates comments previously made to SSWD by letter of May 24, 2019: Without a complete understanding of the significance of the resources located within the APE and the characteristics that would qualify them for listing in the NRHP, the SHPO cannot consider how project activities may or may not diminish those characteristics and therefore cannot at this time comment on the finding of effect pursuant to 36 CFR 800.5.
- The SHPO will not comment on SSWD’s determination that the undertaking will cause adverse effects to historic properties until a reasonable and good faith effort to identify historic properties within the APE have been completed pursuant to 36 CFR 800.4(b)(1).
- Pursuant to 36 CFR § 800.5(a)(2)(vii), the transfer of property outside of federal control is a potential adverse effect. Despite SSWD proposing to transfer only a portion of HDR-CFWH-67 outside of the existing FERC boundary, the entire site should be included within the APE and a full evaluation of the resource is required to assess effects.
- The SHPO will not comment on SSWD’s proposal to resolve adverse effects through implementation of its Historic Property Management Plan (HPMP) until historic property identification efforts are completed and a complete understanding of the significance of the resources is understood. Further, the

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SHPO will not provide comments on the HPMP until historic property identification efforts are completed.

If you have any questions, please contact Brendon Greenaway at (916) 445-7036 or Brendon.Greenaway@parks.ca.gov.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'J' followed by a horizontal line extending to the right.

Julianne Polanco
State Historic Preservation Officer