



**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

In the Matter of the Application of)
)
SOUTH SUTTER WATER DISTRICT)
)
)
For new major license for the)
Camp Far West Hydroelectric Project)

FERC Project No. 2997-031

**MOTION TO INTERVENE
BY
NEVADA CITY RANCHERIA,**

Pursuant to Rule 214 of the Federal Energy Regulatory Commission's (hereinafter "FERC" or "Commission") Rules of Practice and Procedure, 18 C.F.R. § 385.214, Nevada City Rancheria (hereinafter "Movant") moves to intervene in the above captioned proceeding. By this motion, Movant seeks to protect the non-developmental values of the river and to ensure that the Commission's decision and the Licensee's implementation of this project are in the public interest.

DESCRIPTION OF INTERVENOR

The Nevada City Rancheria Nisenan Tribe was federally recognized until 1964 when it was "terminated" and its members lost their designation as "Indians". Created in 1913 by Presidential Executive Order, the reservation land was the center of Tribal life until the land was sold at auction. Despite the loss of federal status, the Tribal families have continued to express their ancient culture and continued to function as a Tribal unit. The membership is made up of Nisenan people who can prove their ancestry to Deer Creek and the greater Yuba and Bear River watersheds, long before the coming of the Gold Rush. They are also all no-less than 1/8 Nisenan blood. They still live within their ancestral homelands and are direct descendants of the original, core families that lived on the Nevada City reservation. The Nisenan Indians of this place struggle to gain some level of stability and are therefore seeking to have its federal status restored. The Tribe has interest in the waters affected by the Camp Far West Hydroelectric Project

(hereinafter “Project”). Licensee South Sutter Water District’s application for a new major license will directly affect the interest of the Tribe and its members and its participation in this process is in the public interest.

All filings, orders, and correspondence respecting this intervention should be sent to:

Shelly Covert
Tribal Chairperson
Nevada City Rancheria
P.O. Box 2624
Nevada City, CA 95959
530-570-0846
shelly@nevadacityrancheria.org

Movants request service and other correspondence related to this proceeding in electronic format. No hardcopies please.

GROUND FOR INTERVENTION

As described above, Movants has a direct and substantial interest in the outcome of this proceeding, and their intervention in this action is in the public interest as required by 18 C.F.R. §385.214(b)(2)(iii). Movant has a strong interest in adequate and equitable protection, mitigation, and enhancement measures for fish and wildlife, the protection of recreation and water quality. Movant’s participation in this proceeding will enable a more complete record to be developed and lead to better-informed decision-making. No other party in this proceeding will be able to adequately protect Movant’s interests.

The application for a new license for the Camp Far West Hydroelectric Project has the potential to affect the health of the Bear River watershed through its operations.

Movants’ participation will facilitate development of a more complete record, thereby ensuring more informed decision-making consistent with the public interest.

STATEMENT OF POSITION

Movants seek to participate in these proceedings in order to ensure that the public resource values of the Bear River watershed, its tributaries, and the surrounding environment are protected, and that the licensing process fully complies with all state and federal environmental laws. The outcome of this process has consequences for future fishery resources, water quality and quantity, physical river processes, and Native American cultural resources. The impacts of the Project, operations, and long-term management under the new license relate to the specific and unique interests of Movant’s and their members, and can only adequately be addressed by the intervention of Movant in this proceeding.

In this proceeding, Movant will continue to advocate for positions consistent with the protection, enhancement, and restoration of aquatic species and their habitat, and of recreational opportunities.

CONCLUSION

WHEREFORE, Movant has a substantial interest in the outcome of this application proceeding for a new major license and no party can adequately represent this interest. Movant respectfully requests that the Commission grant intervention in the Camp Far West Hydroelectric Project application proceeding for a new major license.

Dated this 29th day of October 2019

Respectfully submitted,

<Shelly Covert>

Shelly Covert
Tribal Chairperson
Nevada City Rancheria
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Grass Valley, CA 95945
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FEDERAL ENERGY REGULATORY COMMISSION**

In the Matter of the Application of)	
)	
South Sutter Water District (SSWD))	
)	
)	FERC Project No. 2997-031
For new major license for the)	
Camp Far West Hydroelectric Project		

Certificate of Service

I hereby certify that the foregoing Motion to Intervene of the Nevada City Rancheria in the above-captioned proceeding has this day been filed online with the Federal Energy Regulatory Commission and served via email or surface mail upon each person designated on the Service List compiled by the Commission Secretary for this Project.

Dated at October 29th, 2019

Document Content(s)

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