

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON D.C. 20426
August 30, 2019

OFFICE OF ENERGY PROJECTS

Project No. 2997-031–California
Camp Far West Hydroelectric Project
South Sutter Water District

VIA FERC Service

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

**Reference: Acceptance Letter and Request for Additional Information for the
Camp Far West Transmission Line Project License Application**

Mr. Arnold:

Your license application for the Camp Far West Hydroelectric Project No. 2997-031 has been accepted by the Commission for filing as of July 1, 2019, but is not ready for environmental analysis at this time.

To support and assist our environmental review, in the near future we will initiate a National Environmental Policy Act public scoping process to solicit comments to ensure that all pertinent issues are identified and analyzed.

Under Section 4.32(g) of the Commission's regulations, please file within 90 days, unless otherwise noted, from the date of this letter the information requested in the enclosed Schedule A. If the submission of additional information causes any other part of the application to be inaccurate, that part should also be revised and refiled by the due date. Also, please be aware that further requests for additional information may be sent to you at any time before final action on your application.

Within 5 days of receipt, please provide a copy of this letter and the attached schedule to all tribes and agencies you will consult in response to this additional information request. Then, when you file the requested information with the Commission, provide a complete copy of the information to each agency and other entities consulted, and to all parties on the service list.

The Commission strongly encourages electronic filing. Please file the requested information using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, D.C. 20426. The first page of any filing should include docket number **P-2997-031**.

If you have any questions regarding this letter, please contact Quinn Emmering at (202) 502-6382 or via email at quinn.emmering@ferc.gov.

Sincerely,

Timothy Konnert, Chief
West Branch
Division of Hydropower Licensing

Attachments: Schedule A – Requests for Additional Information

REQUESTS FOR ADDITIONAL INFORMATION

The following is a list of additional information needs that have been identified after review of the final license application (FLA) for the Camp Far West Hydroelectric Project. Please file the requested information within 90 days, unless otherwise noted, from the date of this letter.

Dam Safety Review

1. Please note that, in accordance with the Commission's letter dated August 26, 2019, from the Division of Dam Safety and Inspection's San Francisco Regional Office (D2SI-SFRO), we will be proceeding with the proposed construction of new Auxiliary Spillway as an amendment to the existing license and the proposed Pool Raise will be assessed as part of the relicense.
2. Additional supporting information is needed that demonstrate modifications associated with the proposed pool raise, will be safe and adequate to fulfill their stated functions. Although your Exhibit F should be in general conformance with section 4.41(g), we recognize that some of the Supporting Design Report (SDR) items listed in that section may not be applicable since it is existing project and not a new license and/or because they are covered in the project's Supporting Technical Information Documents, Independent Consultant's Part 12D Reports, or other Part 12D-required submittals. We also recognize that the proposed pool raise is still in the conceptual phase, and that any SDR for these modifications should serve only as a proof of concept.

The supporting information should include, but not necessarily be limited to, stability analyses for water retaining structures associated with the pool raise under normal, flood, and seismic loadings and be in conformance with Chapter 3 of our Engineering Guidelines. The supporting information should also include the results and recommendations of the pending Geotechnical Investigation and Design and any supporting information used to derive the flood and seismic loadings. In addition, we suggest that the stability analyses take into account the effect of any silt load in the reservoir, the effectiveness of any spillway foundation drains, cutoff walls, embankment core wall, embankment buttress berms, or any other stability-enhancing features.

3. We note that the drawings submitted in Exhibit F depict the primary components, as detailed in Exhibit A. The drawings are preliminary and are labeled as conceptual, which is consistent with a 30% engineering submittal.

Exhibit E – Environmental Report

Recreational Resources

4. The following inconsistencies were identified in the FLA, Section 3.3.6, Recreation Resources, and in the corresponding sections and table of the FLA, Appendix E2, Attachment 2, Recreation Facilities Plan.

(a) In Table 3.3.6-1 Recreation facilities at the NSRA and SSRA, you identify the presence of a 0.4-mile, 10-foot-wide, dirt recreation road within the North Shore Recreation Area (NSRA), Other Facilities; however, in Other Facilities (page E3.3.6-17), you do not mention this 0.4-mile recreation road. In your response, please clarify the existence of this 0.4-mile recreation road, and identify the road surface material.

(b) In *Family Campground* (page E3.3.6-6), you state that the circulation roads consist of a one-way, 10-foot-wide dirt road, and two-way, 20-foot-wide paved road; however, in Table 3.3.6-1, recreation road widths for the NSRA Family Campground are described as being 20 feet wide (paved) and 12 feet wide (dirt). In your response, please clarify the correct road width of the dirt road within the NSRA Family Campground.

(c) In *Group Campground* (page E3.3.6-9), you state that the access road to the campsites is dirt-surfaced; however, in Table 3.3.6-1, you state that the road is paved. In your response, please clarify the correct access road surface material within the NSRA Group Campground.

(d) In *Dispersed Use Areas* (page E3.3.6-13), you state that the Jet Ski Cove and Boss Point access roads are both 12 feet in width; however, in Table 3.3.6-1, you state that recreation roads in this area are 10 feet wide. In your response, please clarify the correct road width of these recreation roads within the NSRA Dispersed Use Areas.

(e) In *Family Campground* (page E3.3.6-20), you state that the circulation roads consist of one-way, 12-foot-wide and two-way, 20-foot-wide paved roads; however, in Table 3.3.6-1, recreation road widths for the South Shore Recreation Area (SSRA) Family Campground are described as being 20 feet wide and 10 feet wide. In your response, please clarify the correct road widths of the paved roads within the SSRA Family Campground.

(f) In *Picnic Area* (page E3.3.6-24), you state that the circulation road is dirt and asphalt-paved; however, in Table 3.3.6-1, you state that the road is dirt. In

your response, please clarify the correct circulation road surface material within the SSRA Picnic Area.

(g) In *Swim Beach* (page E3.3.6-26), you state that the circulation road is dirt-surfaced; however, in Table 3.3.6-1, you state that the road is paved. In your response, please clarify the correct circulation road surface material within the SSRA Swim Beach area.

Cultural Resources

5. In section 3.3.10.2.4 of your final license application, you state that on June 7, 2019, you submitted the current historic properties management plan (HPMP), dated June 2019, to the involved Indian tribes, and with the California State Historic Preservation Office (SHPO) for review and concurrence. You anticipate that you would file a final HPMP with the Commission by the end of September 2019. In a letter filed with the Commission on August 2, 2019, the SHPO stated that it would not provide comments on the HPMP until the identification of all historic properties are complete. Based on these comments, it does not appear that you would be able to file a final HPMP with us by September 2019.

Therefore, please revise the June 2019 HPMP based on our comments below, and submit it to the involved Indian tribes and SHPO for another round of reviews and comments. Allow 30 days for the involved Indian tribes and SHPO to send back any comments they may have on the HPMP, then revise it accordingly, and add a new section to the HPMP on how you addressed each comment made on the document. Then, within 120 days from the date of this letter, file the revised HPMP with the Commission.

In providing the revised HPMP to the SHPO, state that the SHPO does not necessarily have to concur in the HPMP; however, they should review and comment on it. Explain to the SHPO that in cases involving large FERC hydroelectric projects, where multiple archaeological sites are being adversely effected, it is not possible for the evaluation of all historic properties to be completed prior to issuance of a new license. Instead, a phased approach can be used through execution of a programmatic agreement (PA), (as allowed through 800.14(b) of the regulations implementing section 106 of the National Historic Preservation Act), and through implementation of a HPMP.¹ The

¹ We note that this approach has been used successfully over several decades with scores of FERC hydroelectric projects in California, and as recently as July of this year, the SHPO has executed a PA under similar circumstances (*See Lassen Lodge Hydroelectric Project, FERC Project No. 12496*).

HPMP would contain the necessary steps to complete the identification of historic properties that may be adversely affected by the project, and the necessary measures to resolve any potential project-related adverse effects to those sites determined eligible for the National Register of Historic Places (National Register). These particular steps detailed in the HPMP would be carried out during the term of the new license.

6. In a letter filed on July 10, 2019, you provided an email correspondence from the United Auburn Indian Community (UAIC) that states the religious and cultural significance of the Middle Bear River (Kumin Seyo) archaeological district that is within the project's area of potential effects. The UAIC emphasizes that the archaeological district also needs to be evaluated as a traditional cultural property (TCP). Please address these comments in your revised HPMP, and how you would fully resolve project-related adverse effects to this archaeological district and TCP incorporating the comments made from UAIC.

Comments on the June 2019 HPMP

7. In comparing sections 4 and 5 of the HPMP, it is difficult to follow the breakdown of National Register-eligible, and National Register-unevaluated archaeological sites that are presently being adversely affected by project-related effects versus other future project-related effects. Please clarify these distinctions. In addition, we recommend that adverse effects that are presently occurring on archaeological sites be listed first, such as reservoir inundation and fluctuations, followed by future potential adverse effects, such as the pool raise and proposed changes to the recreational facilities.

8. Although parts of section 4 are referenced in section 5, it is difficult to match the narrative between the two sections (for example, compare the breakdown of archaeological sites in section 5.3 back to section 4). Please match these two sections more closely. To make things more easy to cross reference, it is suggested that you do something along the lines of combining Tables 4.1-1, 4.2.-1, and 4.3-1 into a single table listing all of the remaining 34 archaeological sites as either eligible for the National Register or unevaluated, along with a column that shows the type of project-related effects (including those sites that could not be located), both existing (like fluctuating water levels), or future (construction and pool raise). Then follow this same narrative and corresponding table(s) into section 5.

9. In section 5.3.1 of the HPMP, you state the 22 archaeological sites that are presently adversely affected by the project (or will be in the future), need to be evaluated for National Register eligibility. You further state that individual resource-specific evaluation plans would be developed as a result, and that such plans would be crafted

within 2 years after license issuance (see Table 7.3-1). Because almost all of these archaeological sites are presently being adversely affected by fluctuating water levels, and by additional adverse effects from the pool raise, a more aggressive approach should be implemented. In close consultation with the California SHPO, work out a more detailed, priority-based approach on when each of these 22 archaeological sites would be evaluated for the National Register. We recommend that you use a timeframe of 1 year to complete all National Register evaluations, including seeking SHPO concurrence on individual National Register eligibilities. On the Middle Bear River (Kumin Seyo) archaeological district, and from the comments of the UAIC, a National Register evaluation on this particular district should be made in regards to it being TCP as well. The UAIC and other involved Indian tribes should also be consulted with in making this particular National Register evaluation.

10. Under section 5.3.2, second paragraph, last sentence on page 114, it states that eight unevaluated district elements are further referenced under section 5.5. It is not clear how these eight unevaluated district elements are related to the remaining five unevaluated discussed in the same paragraph. Please clarify.

11. In section 5.6.1 of your HPMP, you state that a draft mitigation plan would be developed by SSWD within two years after license issuance following a finding of a project-related adverse effects to a historic property. For historic properties that are presently experiencing project-related adverse effects (essentially archaeological sites), taking a minimum two years to draft a mitigation plan before starting to resolve adverse effects to particular National Register-eligible sites in the field seems too long. As with determining National Register eligibilities for the remaining unevaluated archaeological sites, a detailed, priority-based approach should be used, including when mitigation plans would be completed for each site, followed by a short timeframe on when such mitigation would be carried out in the field. As with National Register evaluations, specifics on these plans should be crafted in close consultation with the SHPO, along with input from the involved Indian tribes.