

**ATTACHMENT 5:**  
**Transcript of Joint Meeting**

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PUBLIC MEETING

SOUTH SUTTER WATER DISTRICT

IN THE MATTER OF: )  
 )  
Camp Far West Hydroelectric )  
Project, FERC Project No. )  
2997 )  
----- )

HDR OFFICE

2379 GATEWAY OAKS DRIVE

SUITE 200

SACRAMENTO, CALIFORNIA

MONDAY, JUNE 27, 2016

1:30 P.M.

JAMES F. PETERS, CSR  
CERTIFIED SHORTHAND REPORTER  
LICENSE NUMBER 10063

A P P E A R A N C E S

1  
2 Mr. Brad Arnold, South Sutter Water District

3 Ms. Leigh Bartoo, United State Fish and Wildlife Service

4 Mr. Jon Bertolino, Sacramento Municipal Utility District

5 Ms. Beth Campbell, United State Fish and Wildlife Service

6 Ms. Leigh Campbell, Sierra Streams Institute

7 Mr. Allan Eberhart, Sierra Club

8 Mr. Marcos Guerrero, United Auburn Indian Community

9 Mr. Tom Holley, National Marine Fisheries Service

10 Mr. Sean Hoobler, California Department of Fish and  
Wildlife

11 Ms. Katy Janes, Sierra Streams Institute

12 Ms. Beth Lawson, California Department of Fish and  
13 Wildlife

14 Mr. James Lynch, HDR

15 Ms. Anna Milloy, California Department of Fish and  
Wildlife

16 Ms. Susan Monheit, California State Water Resources  
17 Control Board

18 Ms. Julianne Polanco, California State Historic  
Preservation Office

19 Ms. Marie Rainwater, Rainwater & Associates

20 Ms. Meiling Roddam, California State Water Resources  
21 Control Board

22 Mr. Chris Shutes, California Sportfishing Protection  
Alliance

23 Mr. Charles Vertucci, HDR

24 Ms. Alison Willy, United State Fish and Wildlife Service  
25

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1 P R O C E E D I N G S

2 MS. RAINWATER: Okay. So if we could have  
3 everyone bring their focus to the meeting. A really quick  
4 introduction. My name is Marie Rainwater. I do  
5 facilitation, and my purpose here is just to support  
6 discussion. I have no political, technical, or any kind  
7 of agenda other than providing process support. I've  
8 worked with a lot of you that are in the room. But for  
9 those of you I haven't worked with before, I just wanted  
10 to give that quick intro.

11 A couple of housekeeping things. James sitting  
12 to my right is a court reporter, who will be transcribing  
13 the meeting today. If -- please make sure you sign-in on  
14 the sign-in sheet. If you have a complicated name, please  
15 print so he can read it afterwards. We're going to have  
16 you do it verbally, but he said he'd prefer print neatly,  
17 so that he can follow up, if he don't know how to spell  
18 your name. And if there's any hitch in the get-along in  
19 his hearing, a comment or a question, he'll interrupt to  
20 get clarification, if needed.

21 Bathrooms, for those of you who don't know,  
22 straight out this door, and then out the doors that are  
23 just to the left, and then out and around to the right are  
24 the women's and the men's bathroom. There's a hanging  
25 card right there that will let you in that tame way. If

1 that card is not available, you just come in and through  
2 like you did with reception, and they'll let you in.

3 So that's the housekeeping. I'm going to turn it  
4 back over to Jim to kind of intro the meeting, and then  
5 we'll -- or do you want to do the go-arounds right now?

6 MR. LYNCH: Oh, go-arounds.

7 MS. RAINWATER: The go-arounds meaning let's go  
8 around the room. And if folks could introduce themselves,  
9 name and affiliation. And if you're a community member,  
10 that's fine, you can say that. So...

11 MS. JANES: I'm Katy Janes. I work for Sierra  
12 Streams Institute up in Nevada City.

13 MR. LEAH: I'm Leah Campbell. I also work for  
14 Sierra Streams Institute.

15 MR. ARNOLD: I'm Brad Arnold. I'm the General  
16 Manager for South Sutter Water District.

17 MR. SHUTES: Chris Shutes, FERC projects director  
18 for the California Sportfishing Protection Alliance. Law

19 MS. LAWSON: Beth Lawson for the California  
20 Department of Fish and Wildlife.

21 MR. EBERHART: Allan Eberhart, Sierra Club.

22 MR. BERTOLINO: Jon Bertolino with the Sacramento  
23 Municipal Utility District.

24 MS. MILLOY: Anna Milloy, California Department  
25 of Fish and Wildlife.

1 MR. HOOBLER: I'm Sean Hoobler, fisheries  
2 biologist, California Department of Fish and Wildlife.

3 MR. VERTUCCI: Chuck Vertucci with HDR.

4 MS. WILLY: Alison Willy with the U.S. Fish and  
5 Wildlife Service here in Sacramento. I'm the hydropower  
6 coordinator.

7 MR. LYNCH: Jim Lynch with HDR.

8 MS. BETH CAMPBELL: Beth Campbell, U.S. Fish and  
9 Wildlife Service, Anadromous Fish Restoration Program.

10 MS. MONHEIT: Susan Monheit, State Water Board.

11 MS. RODDAM: Meiling Roddam, State Water Board.

12 MS. POLANCO: I'm Julie Polanco. I'm a State  
13 Historic Preservation Officer.

14 MS. BARTOO: Leigh Bartoo, Fish and Wildlife  
15 Service.

16 MR. HOLLEY: Tom Holley, National Marine  
17 Fisheries Service.

18 MS. RAINWATER: Okay. Did we skip anyone?

19 All right. Jim.

20 MR. LYNCH: Okay. One thing I did want to just  
21 take a second on safety.

22 (Thereupon an overhead presentation was  
23 presented as follows.)

24 MR. LYNCH: Number one, if we have an emergency  
25 during this meeting, our evacuation route is back out



1 through the front door, down the steps, and we normally  
2 congregate over here in the parking lot. You'll see a  
3 bunch of people. Go over there.

4 Also, are there any first-aid trained people in  
5 the room?

6 (Hands raised.)

7 MR. LYNCH: Okay. If you -- anything happens,  
8 those are good people to know, so move over to them

9 We also have a defibrillator and other first-aid  
10 equipment in the office. So if anything is needed, let us  
11 know, and we can move on to those.

12 Chuck, did I miss anything?

13 MR. VERTUCCI: Sounds good.

14 MS. RAINWATER: Okay.

15 MR. LYNCH: Okay. With that, We'll jump to the  
16 meeting.

17 --o0o--

18 MR. LYNCH: The purpose of today's meeting is to  
19 satisfy the requirements of the traditional licensing  
20 process that FERC authorized South Sutter to use for a  
21 joint agency and public meeting. The agent -- the meeting  
22 itself provides an agent -- provides agencies and tribes  
23 and members of the public an opportunity to discuss the  
24 information that was in South Sutter's PAD, including the  
25 proposed studies that South Sutter included in the PAD,



1           Then we'll have a discussion of the information  
2 in the PAD, the resource issues, and the studies. I  
3 believe we're scheduled to go till 5:00 o'clock. Does  
4 anyone have any time constraints? Does that work for  
5 everybody. My suspicion is we'll be done before then, but  
6 does that work for everybody?

7           Okay. I will point out up on the credenza is --  
8 are two things. One is a fact sheet that looks like this.  
9 It has a lot of the key project information on one side  
10 and a map of the project on the other side. Also, up  
11 there are copies of the PAD and the notice of intent to  
12 file an application for new license that was filed by  
13 South Sutter, the CD. Please take a set, if you don't  
14 already have it. It's also available on FERC's eLibrary,  
15 and on the relicensing website.

16           MS. RAINWATER: Anyone want one?

17           Julie do you have your hand up?

18           I got you.

19           Anyone else?

20           Okay.

21           MR. LYNCH: As I said, a lot of this information  
22 is pretty well detailed in the PAD, so I'm not going to  
23 hit everything here. You'll need to look at that, but I'm  
24 going to try to hit some of the highlights.

25                           --o0o--

1 MR. LYNCH: So the project itself is basically  
2 composed of what FERC would call one development, in that  
3 it's a reservoir and a power house. That's basically the  
4 project. There's no canals, no transmission lines, no  
5 flumes, no other reservoirs besides this one, and only  
6 this power house. The capacity is about 6.8 megawatts.

7 This is Camp Far West Reservoir. And there's --  
8 oops. There's two recreations, one on the north side and  
9 one on the south side. This is the dam. This is Bear  
10 River coming in. This is Rock Creek, a separate arm of  
11 the reservoir. And downstream of the dam is the power  
12 house, right here.

13 Downstream about 1.3 miles is a nonproject  
14 diversion dam. As I said, it's not part of the project.  
15 It's not used or useful for the purpose of power  
16 generation, nor is it under FERC's jurisdiction.

17 There are no other dams that I'm aware of  
18 downstream. This is at about river mile 18.2 and the Bear  
19 River confluences with the Feather River.

20 --o0o--

21 MR. LYNCH: This is some detail. This is the dam  
22 itself right here. You see the Camp Far West Dam. It's  
23 some information. I won't go into -- read all of this,  
24 because it's all in the PAD. But basically, the reservoir  
25 has a storage capacity on paper of 104,000 acre feet.

1 Back in 2008, a bathymetry study was done. And a  
2 bathymetry study -- detailed bathymetry study found the  
3 storage was around 94,000. I will say that that doesn't  
4 mean that there's been 10,000 acre feet of accumulation in  
5 the reservoir.

6           When the initial bathymetry -- initial estimate  
7 of the storage was done, that was done back in the 70s.  
8 And the way they did it back then was 50-foot contours and  
9 off topo maps basically. There could be more 10,000 acre  
10 feet of sediment come in. There could be less. You don't  
11 really -- you can't really rely too much on the initial.  
12 But that is the water rights amount.

13           The surface area is about 2,000 acre feet --  
14 2,000 acres, and it backs up on the Bear River mile --  
15 Bear River portion about 5.2 miles.

16           The dam is about -- the dam itself is 181 feet  
17 high, and about 2,000 feet long at the crest elevation.  
18 And the normal maximum water surface elevation of the  
19 reservoir is 300 feet. That means that's the normal pool  
20 at the full pool. It doesn't mean to say that the dam  
21 doesn't surcharge water periodically, which can occur at  
22 any dam, but that's the normal maximum water surface  
23 elevation.

24           There's the low level outlet, which is located  
25 right here, for those of you who saw the -- who were out

1 on the site visit this morning, it's just a little bit  
2 different review, but we were right about here I'd say.  
3 This is where the low level outlet is. It's controlled by  
4 a 48-inch Howell-Bunger valve. It has a intake invert  
5 elevation of about 175 feet. There's an intake tower in  
6 the reservoir.

7           And the maximum capacity is 500 cfs. The power  
8 house I said is 6.8 megawatts. There's one unit, a  
9 Francis Turbine unit. And importantly, the minimum  
10 operating conditions, because of the reservoir  
11 configuration, the intake, and other considerations, you  
12 have to have a reservoir at a pool of 236 feet elevation  
13 or greater, and be putting out 130 cfs in order to operate  
14 the power house. If either one of those conditions aren't  
15 met, the power house doesn't operate, any releases go  
16 through the low level outlet.

17           The maximum flow through the power house 725 cfs.  
18 That's at normal maximum water surface elevation, power  
19 house full open. There is a spillway that you can see  
20 right here, and that's at 320 feet. It has a capacity of  
21 106,500 cfs. South Sutter is in the process of modifying  
22 the spillway as required by FERC under a separate process,  
23 to increase the capacity to 136,000 cfs. And that's going  
24 on outside relicensing, and we're, I believe, shooting to  
25 start that construction in 2019.

1 MR. ARNOLD: Yeah, they were looking at 2017.

2 MR. LYNCH: Seventeen. Because that's required  
3 by FERC's dam safety. So that's going on outside of the  
4 relicensing. And then the Bear River, as I said,  
5 downstream about 1.3 miles is the nonproject diversion  
6 canal. And the dam itself is at river mile 18.2 -- 18.2  
7 miles upstream from the Feather River confluence.

8 There's one switch yard that's right here.  
9 There's also the recreation areas, and there's two dikes  
10 or wing dams that are described in the fact sheet and also  
11 in the PAD.

12 --o0o--

13 MR. LYNCH: And this is just -- I wanted to give  
14 you an idea of downstream. So this is Bear River flowing  
15 from upstream to downstream. Here's the Feather River  
16 down here. Here is the diversion dam -- the nonproject  
17 diversion dam up here. There's two gauges. One is a USGS  
18 gauge at Highway 55 -- 65. And then there's also a gauge,  
19 a CDEC gauge, at Pleasant Grove Road. It's about 18  
20 miles, and this map has river miles on it.

21 So within the -- there's a FERC project boundary.  
22 This is the FERC project boundary. The area that South  
23 Sutter needs to operate the project on a daily basis.  
24 It's around elevation 320 feet, so about 20 feet above the  
25 normal maximum water surface elevation, except it does

1 have areas where it goes outside that, higher than that  
2 around the dam obviously and around the recreation areas.

3 So all the facilities are included within the  
4 FERC project boundary. All of the FERC project boundary,  
5 except for about five percent, is owned by South Sutter.  
6 The remaining five percent is in private ownership that  
7 South Sutter has easements to access cooperation of the  
8 project. And there's no federal land within the boundary,  
9 and there's no federal land along the river downstream of  
10 the project until at least the Feather River.

11 --o0o--

12 MS. LAWSON: Who gets the power from the project?

13 THE COURT REPORTER: I'm sorry. I didn't hear  
14 that.

15 MS. RAINWATER: Beth, I'm sorry. Can you guys  
16 say your name when you make a comment or question for the  
17 court reporter?

18 MS. LAWSON: Beth Lawson. I just was asking who  
19 gets the power from the project, is that SMUD?

20 MR. LYNCH: Yeah. South Sutter has a contract  
21 with SMUD. SMUD operates and maintains the power house,  
22 and sees all the power from the power generation.

23 MS. LAWSON: Does that contract expire with the  
24 end of this license?

25 MR. LYNCH: It expires in 2035, I believe.



1 Somewhere around 2031, 2035, somewhere around there. And  
2 that also is described in the PAD.

3 Any questions about project facilities?

4 MR. HOLLEY: Jim.

5 MR. LYNCH: Yes.

6 MR. HOLLEY: This is Tom Holley. When was the  
7 dam built? I know the license was issued in 1981. Was  
8 that --

9 MR. LYNCH: I think the -- no, the dam was  
10 built --

11 MR. ARNOLD: Sixty-four. It was completed in  
12 '64.

13 MR. HOLLEY: What about the non-project diversion  
14 dam, when was that built, do we know?

15 MR. LYNCH: It's in the PAD. I forget the date,  
16 but it was before then. And there was old Camp Far West  
17 Dam that was predated -- a pre-existing one as well. I  
18 believe that's in the introduction section of the PAD.

19 MR. HOLLEY: Thanks.

20 MR. LYNCH: Yeah.

21 Project operations. This project is operated  
22 primarily to provide irrigation water to South Sutter and  
23 to Camp Far West Irrigation District, two separate  
24 organizations. Typically, water deliveries are made from  
25 April through mid-October for water delivery. And at the

1 nonproject diversion dam, about 475 cfs is diverted into  
2 South Sutter's water conveyance canal. That's on river  
3 left as you're going down the stream, the south side.

4           And about 40 cfs of that is rediverted to Camp  
5 Far West Irrigation District within a few hundred feet on  
6 the west conveyance canal. Also, Camp Far West Irrigation  
7 District has a west canal diversion that diverts up to  
8 about 35 cfs. So the total diversions downstream are  
9 around -- can be around 500 at full operations. That  
10 varies depending upon the irrigation period of when the  
11 diversions are being made, and other conditions, the water  
12 year type, demand, things like that.

13           There's a description on the fact sheet and in  
14 the PAD about South Sutter and what type of crops they  
15 grow, the area of the service territory, things like that.  
16 So you can look at that for more detail.

17           Power generation. If the reservoir is filling  
18 during winter or early spring, normally all the water, or  
19 725 cfs of that water, will go through the power house,  
20 full generation. When releases are made for irrigation an  
21 in-stream flow requirements during spring and summer,  
22 typically around 530 cfs will go through the power house  
23 or less. Again, that's very general number. It varies by  
24 time of year, varies by conditions, but those are pretty  
25 good generalizations.

1           As I said, the power house has to be -- the  
2 elevations and flows have to be a certain level, in order  
3 for the power house to operate. And the low level intake  
4 is the elevation 175, which I think there's about 1,300  
5 acre feet of dead pool below that, which means below that  
6 intake, they can -- below that elevation 175, they can't  
7 divert anything outside -- out of the reservoir, that's  
8 why it's called dead pool.

9           Downstream, the minimum flow requirements in the  
10 FERC license 25 cfs from April 1 through June 30th, 10 cfs  
11 July 1 through March 31st or inflow to Camp Far West  
12 reservoir, whichever is less. And that's measured at the  
13 nonproject diversion dam. Those of you who were there  
14 today, you saw that basically there's a diversion into the  
15 canal. And then within a few feet of that diversion,  
16 there's a diversion out of the canal downstream. That's  
17 where the minimum flow is provided, and that's where it's  
18 gauged.

19           Also, per South Sutter's water rights, in dry and  
20 critically dry years, and if storage in Camp Far West  
21 Reservoir on April 1st is greater than around 33,000 acre  
22 feet, they increase flows by no more than 37 cfs from July  
23 through September, up to a total maximum around 4,400 acre  
24 feet.

25           And that's provided under the Bear River

1 agreement, and it was brought into their water rights.  
2 And that expires -- that requirement expires December  
3 31st, 2035.

4 MR. SHUTES: So, Jim, in terms --

5 THE COURT REPORTER: Can you identify? I'm  
6 sorry.

7 MR. SHUTES: Chris Shutes. In terms of the 37 --  
8 well, in terms of the July through September flow  
9 augmentation in the water right, is the July through  
10 September period mandated in the water right?

11 MR. LYNCH: I believe it is. I believe it is,  
12 Chris.

13 MR. SHUTES: And is it discretionary when within  
14 that time period the release is?

15 MR. LYNCH: Brad, could you --

16 MR. ARNOLD: The Department of -- DWR dictates  
17 that to us --

18 MS. RAINWATER: Brad, can you --

19 MR. ARNOLD: Before -- I'm sorry. They form --  
20 Department of Water Resources formally writes a letter to  
21 us and give us the dates and time that they'd like the  
22 delivery to be made.

23 --o0o--

24 MR. SHUTES: Thank you.

25 MR. LYNCH: Sure.

1           This is some graph -- three graphs showing the  
2 normal water year -- represent normal, wet, and dry water  
3 year. And for our relicensing, we chose the period of  
4 record from water year '76 through 2014. And the -- this  
5 is based on historical flows, historic measured flows, and  
6 the -- I will say the storage in the reservoir is based on  
7 the 104,000 acre feet area capacity curve, not on the 2008  
8 bathymetry.

9           So you'll see it goes up a little bit higher. So  
10 this would probably be -- if we did it on the 2008  
11 bathymetry, this would probably peak out close to the year  
12 then up at the 100,000.

13           The scale on this that we've got flows up to  
14 12,000 cfs, on the left vertical axis, and storage up to  
15 120,000 on the right, and cfs across the bottom. This is  
16 broken into reservoir storage, which is the blue shaded.  
17 The USGS gauge 1240, which is the Highway 65 gauge,  
18 remember, downstream, and the CDEC gauge, which is down --  
19 further downstream, and then the low level outlet  
20 releases, the power house, and the spillway.

21           And you can see where the spills occurred in  
22 these different periods. And you get an idea of the  
23 difference in flows. I mean, in the normal water year,  
24 you see spills up around 2,500. And in a wet water year,  
25 they're up around 12,000, I guess, and dry water years





1 reserves its right to propose modifications to facilities  
2 and operations any time during the relicensing.

3 Yes.

4 MS. MONHEIT: Susan Monheit. So SMUD is getting  
5 the power, but it's going across PG&E's transmission line?

6 MR. LYNCH: Sure. It happens a lot in  
7 California. That's correct.

8 Any other questions about the facilities or the  
9 operations?

10 Okay.

11 --o0o--

12 MR. LYNCH: Relicensing process. As I mentioned  
13 earlier, FERC allowed South Sutter to use the traditional  
14 licensing process. And this relicensing -- probably some  
15 of you are more familiar with the integrated licensing  
16 process. And if you want to talk about the difference  
17 about -- between those later, I can do that off-line.  
18 Just let me know.

19 But this is focusing on the TLP. FERC granted  
20 South Sutter that right, and we're exercising it. Prior  
21 to relicensing, South Sutter did some things to prepare  
22 for the relicensing. One is they obviously collected all  
23 existing, relevant, and reasonably available information  
24 they could about the project and the resources it affected

25 They sent out pre-PAD information inquiries --



1 questionnaires to 66 parties requesting information, any  
2 information they had regarding the project, also any known  
3 or suspected project defects, and suggested -- and any  
4 suggested information needs. I received nine completed  
5 questionnaires from the 66, which actually is not a bad  
6 return, considering some of the other relicensings we've  
7 been involved with.

8           We also have established a relicensing website.  
9 And that's the address for it, [sswdrelicensing.com](http://sswdrelicensing.com). And  
10 that's -- that website will include things such as any  
11 relicensing documents. Right now, for instance, the PAD,  
12 the NOI are posted there. You can get that at any time,  
13 or you can get it on eLibrary.

14           And if -- when we have meetings and schedules,  
15 and stuff like that, we'll always keep the events calendar  
16 updated, so you can look at that.

17           We also will maintain a contact list. So we've  
18 tried to create a contact list of everybody we think would  
19 be interested in the relicensing and we'll update that  
20 through sign-in sheets. Anybody who's not on that, I'll  
21 add it -- add them to the list. So when we send out  
22 general emails, you'll be on that list. You'll get those  
23 emails.

24           If you decide you don't want to get all those  
25 emails, and there can be a lot of them, just drop us an

1 email and let us know. But I'd request you don't says I  
2 only want these type of emails. It's all or nothing,  
3 unfortunately. It get's a little too complicated when we  
4 try to cull it.

5           And periodically, you'll probably see, like every  
6 year or so, something from us just saying you're on this  
7 list. If you'd like to remain on the list, let us know.  
8 And we do that because agency staff leave or people get  
9 uninterested, and they continue to get it, but we don't  
10 know they don't want it. So we normally just say, "Hey,  
11 do you still want to stay on this list"? So you'll see  
12 something like that periodically.

13           The relicensing can go on for formally three or  
14 four years, and informally for 10 years. So we want to  
15 keep people involved. We want to be involved. We've also  
16 developed a water balance/operations model, which just  
17 shows how the water comes into the system and comes out of  
18 the system.

19           We designed it for base case. Base case is how  
20 the project is operated today. And we took the hydrology  
21 from '76 through 2014, and we took how the project is  
22 operated today, and we superimposed that on that  
23 hydrology. So it would be how would the project have  
24 operated from 2014 -- from '76 through 2014, if it was  
25 operated the way it is operated today, for instance, with

1 those additional Bear River agreement flows, which didn't  
2 come into effect until 2000 something -- within in 20  
3 years like that.

4 MS. LAWSON: And Jim -- Jim, this is Beth Lawson.  
5 Are you going to update that with the new bathymetry,  
6 because it seems like the plots before --

7 MR. LYNCH: I believe that -- I believe it is in  
8 there. Those plots are from the historic. I believe it's  
9 in there.

10 MS. LAWSON: Okay.

11 MR. LYNCH: And one thing I should mention on the  
12 operations model. We did something that at least we don't  
13 typically do. But for the base case, we assumed that the  
14 minimum flows from NID and PG&E's upstream relicensings,  
15 which they haven't been issued licenses yet, but FERC has  
16 issued and FEIS for those. We assume those minimum flows,  
17 which were pretty much agreed to by everybody and in 4(e)  
18 conditions, would be part of the base case.

19 So it's not the old minimum flows, it's the  
20 minimum flows that FERC said would be in a new license and  
21 its FEIS, as inflow into the project.

22 MR. SHUTES: So, Jim, you have three different --  
23 you have a -- is it historic conditions, near-term  
24 conditions, and future conditions? So is the near-term  
25 conditions the one that you just referred to?

1           MR. LYNCH: That would be, what we'd call, the  
2 base case for the modeling purpose. So it would include  
3 existing operations with inflow being predicated on the  
4 historic, but with the modeled output from the NID and  
5 PG&E, Chris.

6           MR. SHUTES: Okay.

7           MR. LYNCH: Does that --

8           MR. SHUTES: Yes, that answers that question.

9           And then the second question is what was the  
10 basis for the future conditions? How did you determine  
11 what the inflow would be under the future conditions?

12           MR. LYNCH: We took the FEIS from NID and PG&E,  
13 and we took what they had said, NID and PG&E said, what  
14 were going to be water deliveries in the future. So the  
15 base case includes existing water deliveries. Future  
16 would include that, and --

17           MR. SHUTES: So --

18           MR. LYNCH: Let me finish -- and also depending  
19 upon where NID is with its centennial upstream project --  
20 centennial res upstream project. When we get to filing  
21 the application, we would -- depending upon where it is,  
22 we would include the Centennial in it, if it's that far  
23 along.

24           MR. SHUTES: But it's not included now?

25           MR. LYNCH: It's not included now, because it's

1 not that far along, in the future conditions.

2 MR. SHUTES: Right. But the -- basically, the  
3 future conditions that you do have there are based on the  
4 projections that NID and PG&E/PCWA made as they were  
5 reported in the FEIS?

6 MR. LYNCH: Absolutely. Their future run. I  
7 think it was 2065, the name of the run, something like  
8 that. So it had the -- existed the FEIS minimum flows  
9 with their future water deliveries. The base case would  
10 be -- the upstream FEIS minimum flows with existing water  
11 flows.

12 Thanks, Chris. Those were good questions. I  
13 wanted to be sure to point out that difference in the base  
14 case.

15 MS. LAWSON: That's different from what we've  
16 done in the past.

17 MR. LYNCH: It is, but it seemed like we're just  
18 going to overlap with that, so -- and also those flows  
19 upstream were collaboratively developed. FERC has them in  
20 the FEIS. We'd be switching them in the middle of  
21 relicensing. We might as well just do it now.

22 MS. LAWSON: Okay.

23 MR. LYNCH: All right. We also collected some  
24 water temperature information. Put loggers in in the Bear  
25 River downstream of the project, and also took reservoir

1 profiles in Camp Far West Reservoir. We collected some  
2 qualitative fish data. We found there wasn't much data in  
3 the Bear River downstream, so we did some qualitative  
4 sampling to see what was there. And we did a habitat  
5 mapping from the Bear River from the reservoir downstream  
6 to the Feather.

7 We also had a site visit with some of the  
8 agencies to try to get them a little bit early in the  
9 process, and familiar with the process. Some of the  
10 agencies participated, not all of it -- not all of them.  
11 So those are some of the things we did early.

12 --o0o--

13 MR. LYNCH: Milestone dates completed. As I  
14 said, we filed the NOI and the PAD. We filed the copies  
15 to the agencies. We also filed, at that time, a request  
16 to use the traditional licensing process. We put notices  
17 in newspapers, give the agencies the request to use the  
18 TLP.

19 And on May 13th, FERC issued its Notice of  
20 Intent -- its notice of Proceeding. I won't read the  
21 whole thing. But in that, FERC basically approved use of  
22 the TLP, they set a bit of a timeline in place. One of  
23 them was to have this meeting.

24 And they also delegated authority to SSWD to  
25 South Sutter as FERC's non-federal representative for

1 consultation under Section 106 of the National Historic  
2 Preservation Act, and also to initiate consultation --  
3 informal consultation with NMFS, and with Fish and  
4 Wildlife Service under Section 7 of the Endangered Species  
5 Act.

6 --o0o--

7 MR. LYNCH: This -- I apologize for the quality  
8 of this. This is right out of FERC's schedule. They have  
9 a very -- very good diagrams with the ILP and the TLP.  
10 This is a TLP diagram. This is what occurs prior to the  
11 time we file a license application. And this is what FERC  
12 does after we file the license application.

13 I'm not going to spend any time on this, because  
14 it's basically FERC's schedule for its calendar, and they  
15 have a tremendous ability to modify that. But this is the  
16 part that we'll be doing, and this is where we file the  
17 application. This just basically goes down and then  
18 starts up again.

19 So basically, it's the FERC -- we file the NOI  
20 and the PAD; FERC approves the use of the TLP; the public  
21 meeting, where we are today; consultation with parties on  
22 studies; conduct the studies; file the application --  
23 draft license application and then final license  
24 application.

25 Other milestone dates.

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MR. LYNCH: June 10th, we sent out everything. We set the agenda and agreed with everybody on this meeting date; put a notice in the local newspapers, as required by the regulations; and filed with FERC an agenda and notice of this meeting.

We had a site visit this morning with the agencies. And we're going to list -- today, we're holding the joint meeting.

--o0o--

MR. LYNCH: Future dates. FERC's TLP requirements are that 60 days from the date of this joint meeting, the parties submit comments to South Sutter on the PAD, and I'd say especially with regard to studies. You want to take a look at this regulation. It says how those comments should have submitted.

I will point out that the TLP, unlike the ILP, says you're supposed to submit the comments to South Sutter. But I find that most people go ahead and file them with FERC anyway. We'll leave that up to you, however you want to do it to satisfy the requirements, but I do suggest you take a look at this requirement. It's very similar to what you see in the ILP for comments. But it's slightly different, so you should take a look at that when you file your comments.



1 MR. SHUTES: So are the study criteria the same,  
2 Jim?

3 MR. LYNCH: Basically, yeah, Chris. There's five  
4 of them. I think there's six of them. They're  
5 basically --

6 MS. MILLOY: They're a little --

7 MR. LYNCH: Yeah, it's just slightly different,  
8 but if you file the IL -- if you're used to filing the ILP  
9 ones, we can get those too. It's up to you. Very much  
10 like the ones up on the wall right there.

11 Yeah, I find the TLP regulations to be kind of  
12 confusing, I do, compared to the ILP.

13 MR. SHUTES: That would be helpful, thanks.

14 MR. LYNCH: Late 2016, if there's any  
15 disagreements, we'll try to resolve those disagreements.  
16 I will say the TLP allows the parties, if they disagree  
17 with a proposed study, they can -- and we can't work it  
18 out, you can file a letter with FERC. And I'll refer you  
19 to those regulations, the 18 CFR, et cetera, right here.

20 You can file a letter with FERC on a dispute, or  
21 we could actually, as well. And then the other party --  
22 you have to submit it to the other parties. And the other  
23 parties have like, I think, it's 15 days to file comments,  
24 and then FERC results.

25 MR. SHUTES: So, Jim, you say parties. Is there

1 an intervention that comes sooner here?

2 MR. LYNCH: There's no intervention, because  
3 there's not a --

4 MR. SHUTES: There's not a proceeding yet.

5 MR. LYNCH: Correct. Correct. So there's no  
6 formal intervention --

7 MR. SHUTES: So the other relicensing  
8 participants is what you're referring to?

9 MR. LYNCH: Yeah. I think the way FERC puts it  
10 in the regulations, other interested parties on this  
11 issue, something like that, Chris.

12 MR. SHUTES: Okay.

13 MR. LYNCH: Well, even in the ILP, there's not an  
14 intervention until the other --

15 MR. SHUTES: No, I understand that, but usually  
16 they don't call people parties in the ILP, until there's  
17 actually been a call for intervention.

18 MR. LYNCH: Correct.

19 And then in 2017, we'll be doing the studies.

20 We'll probably start some of them, as an example the  
21 cultural studies, under 106. They're kind of their own  
22 schedule. So we'll be starting that early.

23 2018, we'll bring preparing the draft license  
24 application. We're shooting for December 2018 to put out  
25 the draft license application. I will say the TLP doesn't

1 have that 150-day requirement -- no later than 150 days  
2 that the ILP has in it, but I think FERC assumes that's  
3 the case, because you need about 150 days to complete the  
4 process, if you go past. So we're going to try to get it  
5 out a little bit before the 150 days.

6           And then that would -- if we did in December,  
7 that would be March of 2019 you'd file -- you'd provide  
8 any comments on the draft license application. April and  
9 May we'd try to work out any differences with regards to  
10 PMEs, Protection, Mitigation, Enhancement Measures, and  
11 any resource effects, if we differ on the -- how we're  
12 characterizing the resource effects in the draft license  
13 application.

14           And then in June 2019, the application will be  
15 filed. These is our target dates. Obviously, they're a  
16 little bit loose, as compared to the ILP, where they  
17 domino, at least in the first year pretty tight, where we  
18 have to pin it down to 2:00 o'clock on a certain day. So  
19 this is a little bit different.

20

21   --o0o--

22           MR. LYNCH: The related processes. As I  
23 mentioned, we're going to have a -- basically a kick-off  
24 for the Section 106 meeting here on Wednesday. That's a  
25 confidential meeting. It's with tribes and with SHPO.

1 And as I mentioned, there's no federal agencies. So just  
2 SHPO and the tribes, and FERC if they want to participate  
3 by phone, and also a site visit that day. And that will  
4 move -- hopefully move the 106 process along.

5 And I would like to say for both Fish and  
6 Wildlife Service and NMFS, for Section 7, I'll probably  
7 drop you an email about having an ESA kick-off meeting.  
8 I'm more than happy to do that with you, if you'd like to  
9 do it together, or separately, just let me know, and we'll  
10 organize that.

11 MR. HOLLEY: Thank you.

12 MS. POLANCO: I have a question.

13 MS. RAINWATER: Yes.

14 MS. POLANCO: Julie Polanco.

15 So earlier on slide 14 it says that -- don't --  
16 you don't need to go back, but it said that FERC delegated  
17 non-formal consultation to the board for Section 106. How  
18 is that different from formal consultation?

19 MR. LYNCH: It should have said formal. If it  
20 said non-formal, I made a mistake when I typed it. I  
21 apologize on that.

22 MS. POLANCO: It said -- somewhere it said  
23 informal.

24 MS. RAINWATER: Yeah, right there. Second line  
25 from the paragraph Jim.

1 MR. LYNCH: Informal.

2 MS. POLANCO: Oh, that was for the purposes of  
3 Section 7?

4 MR. LYNCH: That was for ESA, yes.

5 MS. POLANCO: Okay. Thank you for that  
6 clarification.

7 MR. LYNCH: Yeah. FERC treats ESA versus  
8 historic --

9 MS. POLANCO: That's fine. I misread the slide.  
10 Thank you. That's helpful.

11 MR. LYNCH: Yeah, no problem.

12 Okay. So as I mentioned at the end of the last  
13 slide, I'll get out to Fish and Wildlife Service, and NMFS  
14 just a query, give them a little bit of thought, or maybe  
15 after this meeting we can talk, if you'd like to set up a  
16 meeting to talk. And we can -- if you want, we can try to  
17 have the interagency task force convened with NMFS, if you  
18 want at the same time. I think we've basically got  
19 everything there to do that.

20 Okay. Any questions on the process?

21 Anybody awake?

22 (Laughter.)

23 MR. LYNCH: Okay.

24 --o0o--

25 MR. LYNCH: Okay. The PAD in.

1 I'm not going to go through the PAD in detail.  
2 This is a copy of it. It's kind of big. There's a lot to  
3 it. I'm just going to go through the major sections. So  
4 it had had five sections, I believe, and a bunch of  
5 appendices. So in the introduction, there's basically  
6 just a reaffirmation of an intent to file a new license,  
7 purpose of the document. There's a description of  
8 statutory and regulatory requirements, and some detail,  
9 and also comprehensive plans.

10 Comprehensive plans are broken down by both the  
11 FERC qualifying plans, which have to be formally addressed  
12 by FERC, and then any ones that we thought weren't formal  
13 qualifying plans, but were relevant, we also mentioned as  
14 non-qualifying plans.

15 And then there's a process plan and schedule, of  
16 which there is always. The process plan was pretty  
17 detailed, but FERC delayed putting out the notice of  
18 proceedings, so obviously the dates in that very detailed  
19 schedule aren't exact at this point. And there's a  
20 process plan on how South Sutter plans to get information  
21 out and work with people. So you should take a look at  
22 that as well.

23 The existing and proposed project, we already  
24 talked about those. There's a lot of detail in there on  
25 the facilities, operations. It also has the annotation of

1 the existing license in there. So it's the FERC license  
2 brought up to date with any changes that are in there, as  
3 well as any other agreements, water rights, things like  
4 that, that either affect or could be affected by the  
5 relicensing.

6 This is a general description of the river basin  
7 and then the existing environment and effects, which is by  
8 far the largest section. And this is broken down by the  
9 normal sections, geology and soils, water resources, fish  
10 and aquatic, botanical, wildlife, ESA, recreation, land  
11 use, cultural, tribal interests, socioeconomic, noise,  
12 air. It's broken down by each of those sections, and  
13 generally follows an organization of here's what the  
14 baseline conditions are, based on what we've found from  
15 all of the existing, relevant, and reasonable available  
16 information.

17 If you're looking through the PAD and you find  
18 that there's some information that you're aware of that's  
19 not included in there, we apologize for that. And if you  
20 could get it to us, we'd love to get it. And I will point  
21 out that over the next few years, as any information is  
22 developed outside the relicensing, the application will  
23 bring that in as well. So the application is intended to  
24 also reflect all the existing, relevant, and reasonably  
25 available information.





1 can find it, agent for South Sutter which is Doug.  
2 Summary of any contacts we made it -- we made to prepare  
3 the PAD. Information sources. Project maps, this is  
4 usually a very good reference source, the projects maps,  
5 by the way. It includes 1 to 2400 scale maps, all the way  
6 from the reservoir down to Feather River -- down to the  
7 Feather River. So that's usually a really good source to  
8 take a look at.

9 Hydrology and power generation, this is all of  
10 the hydrology data that we were able to find historic, and  
11 how we created the hydrology the rest of -- and filled in  
12 the hydrology database, and also power generation, I  
13 believe, in the past five years.

14 The water balance/operations model, including a  
15 description of how it was prepared, and how would it be  
16 used, as well as the actual model itself is in Appendix G.  
17 And, as I said, the detailed study plans are in Appendix  
18 H.

19 --o0o--

20 MR. LYNCH: Any questions on the PAD, and what's  
21 in the PAD? Any specific things you're looking for I  
22 might be able to direct you to?

23 Anybody?

24 Yes, Allan.

25 MR. EBERHART: Allan Eberhart.

1 I wasn't clear from looking at the boundaries,  
2 how far does the boundary go upstream of the high water in  
3 the reservoir on the Bear?

4 MR. LYNCH: Normal maximum water surface goes up  
5 to elevation 320. So in terms of distance, not too far.

6 MR. EBERHART: A quarter mile?

7 MR. LYNCH: I doubt that it goes that far. My  
8 guess is closer to three or four hundred feet up on the  
9 normal maximum, because the normal maximum water surface  
10 elevation is 300, and the boundary is at 320.

11 And also, Allan, in the -- those project maps, I  
12 believe we have the project boundary through the elevation  
13 shown there.

14 MR. EBERHART: Okay.

15 MR. LYNCH: Any other questions about what's in  
16 the PAD, about where information might be found if you're  
17 looking for something specific?

18 MS. RAINWATER: Chris.

19 MR. LYNCH: Chris.

20 MR. SHUTES: Jim, I have a more specific  
21 question. I don't expect you to answer it today. I was  
22 looking at the model briefly. And there's some numbers  
23 that I think might be stated in acre feet -- or in cfs  
24 that should be stated in acre feet, where there might be a  
25 toggle somewhere that would change that, what can we do to

1 get, you know, a meeting with Lee or whoever is doing the  
2 modeling to go over some of these small issues or a phone  
3 call even?

4 MR. LYNCH: Let's handle that at the end, Chris,  
5 but I think that's something we can definitely do. Also,  
6 if you have any specific questions, I'm fine being  
7 informal with this. If you look at something in the  
8 model, and you say I don't quite understand this, if you  
9 would drop me an email, I could get Lee back in touch with  
10 you.

11 MR. SHUTES: That would be fine.

12 MR. LYNCH: But I think having a modeling  
13 meeting, somewhere down the road, is a smart thing to do.  
14 And you're absolutely correct, Lee Bergfeld from MBK is  
15 the architect of the operations model. The water  
16 temperature model Megan Lionberger will handle that. So,  
17 Chris, again, if there's something specific you need  
18 sooner than that meeting, just get an email to me and  
19 we'll -- we'll get an answer.

20 MR. SHUTES: Okay. Thank you.

21 MR. LYNCH: I'll send -- Beth you'd probably be  
22 looking at that too. I'd prefer that you get to me first,  
23 rather than going right to --

24 MR. SHUTES: Absolutely. That's fine. However  
25 you want to do it.

1 MR. LYNCH: Thanks.

2 Any other questions on the PAD?

3 --o0o--

4 MR. LYNCH: Okay. Resource issues. Again, this  
5 in Section 4. But we went through and -- went through --  
6 we kind of looked at what FERC usually -- how FERC  
7 organizes its NEPA resources issues and tried to follow  
8 that format, because it seemed it was a good idea to get  
9 FERC something that's in FERC format when they get to it.  
10 So we identified quite a few issues, about 50 total.

11 So rather than reading all these, I'm going to  
12 put each of this six slides here -- I'm going to put each  
13 one up on the screen for a couple minutes, for 30 seconds  
14 or so.

15 Take a look through it. I think you'll see we've  
16 covered a lot of things, geology and soils. If you see G  
17 and S in front of it, it was -- it's related primarily,  
18 not uniquely, but primarily to geology and soils. WR is  
19 water resources. It's a water resource type issue. AR is  
20 aquatic. T is terrestrial. RR is recreation.

21 So you'll see it, but that's how we organized  
22 them primarily. Again, they're not unique to that  
23 resource issue, but they're mostly tied to that resource  
24 issue. That's probably where you'd find it discussed in  
25 the application, and in the PAD.

1           So I'm going to put these up, and then I'm just  
2 going to ask if it's okay to move to the next page after  
3 you've had a chance to take a look at them.

4                           --o0o--

5           MR. LYNCH: So this one of six, and it's all the  
6 geology and soil and the first water resource.

7           Maybe you can help me with this.

8           MS. RAINWATER: Yeah, I'm watching people's  
9 eyeballs. They're reading.

10          MR. LYNCH: Thanks.

11          MR. SHUTES: So, Jim, one of the -- as regard to  
12 the flow regime, one of the things that I noticed in your  
13 Appendix G is that there's no gauging or flow records for  
14 Dry Creek.

15          MR. LYNCH: Right.

16          MR. SHUTES: And I understand why if there's no  
17 records, you can put that in the model.

18          (Laughter.)

19          MR. SHUTES: But it's -- also, it goes to what  
20 the impacts are on resources, because depending on what  
21 the flow is in Dry Creek, what the flow is coming out of  
22 the project, that would have different effects. And what  
23 I'm wondering is if there is someway either to get a  
24 temporary gauge on Dry Creek, or on the river downstream  
25 of Dry Creek, or else to do some kind of comparison

1 calculation for the watershed based on a local stream with  
2 similar rainfall hydrology --

3 MR. LYNCH: Yeah, area.

4 MR. SHUTES: -- area, and that sort of stuff, so  
5 that we could get some kind of sense. And I think that --  
6 of what's going on there. And I think the interest really  
7 is not so much in the cumulative flow, but in the episodic  
8 flow, because those are the times at which fish will be  
9 using -- at least in the winter and in the fall, would be  
10 using that resource.

11 And so understanding that, you know, it takes a  
12 long time to get a USGS gauge back up and running,  
13 although there appear to be -- or CDEC -- some gauges  
14 that -- for which there's no data, which are not helpful.

15 (Laughter.)

16 MR. LYNCH: No data is sometimes helpful.

17 (Laughter.)

18 MR. LYNCH: Agreed.

19 MR. SHUTES: If there's somehow, as a practical  
20 issue, to get a sense of what we're looking at for Dry  
21 Creek, it is a significant resource. It does have some  
22 salmon in it. And it would be good to be able to figure  
23 out a way to work with that in this process.

24 So I'm putting that out there now. And if we  
25 could think about how we might do that, we'll probably

1 make some kind of study proposal or something. But if we  
2 just want to cut to the chase, it would be helpful to do  
3 that.

4 MR. LYNCH: Well, basically what you're saying is  
5 you'd like a node at just downstream of the confluence of  
6 Dry Creek on Bear River in the model?

7 MR. SHUTES: If that's possible, I mean, as a  
8 modeling node, or at least historic hydrology, or  
9 something.

10 MR. LYNCH: Okay.

11 MS. LAWSON: Well, they better get a gauge for  
12 awhile to verify some synthesized -- some historic  
13 hydrology.

14 MR. LYNCH: Well, we've got the Dry Creek near  
15 Wheatland gauge that it's upstream.

16 MR. SHUTES: Do you have records of that -- from  
17 that? I couldn't find any data for that.

18 MR. LYNCH: I believe we do have records on that.  
19 How long those records are, I'd have to ask Megan and Lee.

20 MR. SHUTES: So if you could circulate that, that  
21 would be a great start.

22 MR. LYNCH: It should be on the hydrology CD, I  
23 think, but I'll find out.

24 MS. RAINWATER: Okay. So you'll --

25 MR. LYNCH: It might not be on that.

1 MR. SHUTES: I didn't chase that one down.

2 MS. RAINWATER: So you'll verify, Jim, that  
3 that's there, and if not --

4 MR. LYNCH: No, I won't verify. I'll find out.

5 MS. RAINWATER: You'll find out. Okay.

6 MR. LYNCH: There's a difference.

7 (Laughter.)

8 MS. RAINWATER: Right. Okay. You're right.

9 And then what I'm hearing is it sounds like you  
10 understand the interest that Chris and Beth are alluding  
11 to, and it may be met by that, or it may not, but you can  
12 contemplate.

13 MR. LYNCH: Well, if we have a model -- yeah, if  
14 we have a modeling node just down stream of Dry Creek,  
15 that I think --

16 MR. SHUTES: That would be great.

17 MR. LYNCH: I think that is basically what you're  
18 saying.

19 MS. RAINWATER: Right.

20 MR. LYNCH: And I could ask -- I could ask lee  
21 about that. I don't know if that's particularly difficult  
22 for him, but I'll ask, Chris.

23 MS. RAINWATER: Okay. And then Allan.

24 MR. EBERHART: Beth, did you guys have every  
25 develop anything about flows for Dry Creek?



1 MS. BETH CAMPBELL: We don't -- let's see, let me  
2 think about that.

3 MS. RAINWATER: Beth, can you say your name?

4 MS. BETH CAMPBELL: Beth Campbell.

5 We have a temperature model for Dry Creek, where  
6 we did a habitat assessment on it to -- sort of habitat  
7 restoration would be appropriate, since the temperature  
8 model on a flow model we have. I think we have some  
9 historic flow data on the creek itself, but not Bear River  
10 downstream, I've heard, you know, at the mouth.

11 MR. LYNCH: If you did a temperature model, does  
12 it go all the way down?

13 MS. BETH CAMPBELL: Yeah.

14 MR. LYNCH: So you wouldn't need flows to do a  
15 temperature model, I think?

16 MS. BETH CAMPBELL: Well, I had the initial  
17 temperature data that I provided and then they -- yeah,  
18 they had -- they had the pressure transducers and stuff.  
19 And then there -- as I recall, there wasn't -- there was  
20 some data gaps in the flow data, so that was kind of  
21 significant. I can provide the report.

22 MR. LYNCH: I understand the interest, Chris.

23 MR. EBERHART: Okay. Thank you.

24 MR. LYNCH: So I'll check on that.

25 MR. SHUTES: Yeah, and if it's there somewhere, I

1 don't see it, but I could have missed it.

2 MR. LYNCH: All right.

3 MS. RAINWATER: Okay. Alison.

4 MS. WILLY: Alison Willy. I have questions about  
5 a couple of them. I found the GS -- the G&S2 to be  
6 confusing and that it's effects of the project on sediment  
7 in the Bear River downstream of the project, especially  
8 related to trapping of sediment at Camp Far West. And  
9 that's really upstream of the dam, so I was really  
10 confused about what, in fact, that measure was. So  
11 hopefully that will become clarified as we move forward.

12 And then I was also confused about WR1 in that  
13 it's very general and very true to all FERC projects, but  
14 I don't really know what it means specifically. So  
15 hopefully that will also be elucidated later.

16 MR. LYNCH: Well, one thing I should say on this  
17 project, unlike many of the other projects we work on, the  
18 inflow to Camp Far West Reservoir is dictated primarily by  
19 upstream releases. It's not -- we don't have an  
20 unimpaired flow by any means. We don't have an unimpaired  
21 flow coming into Camp Far West.

22 So looking at it, for instance, a comparison done  
23 impaired and project flows, we felt that would be a waste  
24 of time. That's not pre-project. That's not reality.  
25 It's whatever the -- on YCWA for instance, we have a

1 hydrology data set called with project and without  
2 project. And basically the without project here is what  
3 would the stream look like if Camp Far West wasn't there,  
4 but you still would not have that impaired hydrology  
5 coming in.

6           So these are -- I was going to just let you guys  
7 read these, and then as we get to the next section, we can  
8 talk about it. I'm not looking to rewrite these. I am --  
9 I'm looking for input for anything we may have missed.  
10 And based on that, we can -- we'll -- we might take a  
11 swing at reworking these, but really it's to perform --  
12 provide FERC and us more input on when we write the  
13 application and what specifically resource issues we  
14 should be looking at.

15           So I wanted to give you a flavor for what we've  
16 already sort of identified. I realize some of it may not  
17 be written as clear as they should be.

18           MS. WILLY: No, I really appreciate your  
19 clarification on WR1, because I'm like, okay, that -- I  
20 can hear what the context is and have an expectation that  
21 that's going to become clear.

22           And the G&S2, we'll figure that out, I imagine,  
23 as it's moving forward, because it's a common feature in  
24 the -- it's just worded in a way that I'm a little  
25 confused, that's all.

1 MR. LYNCH: Those are good points.

2 MS. RAINWATER: Okay. Anything else on this  
3 slide?

4 All right.

5 --o0o--

6 MR. LYNCH: The next slide is basically all water  
7 resource related issues that we've identified. And as I  
8 said, as you -- if you go and look at the table in Section  
9 4, these resource issues would be there and how we -- our  
10 data gap analysis. Is the existing information adequate  
11 to address these issues or do we need more information.

12 MS. RAINWATER: Yes, Leah.

13 MS. LEAH CAMPBELL: Leah Campbell. This is  
14 actually back to the last slide. Just caught in my head.  
15 You mentioned that you're not really considering what the  
16 impacts will be of Centennial until later in the  
17 application for us to see how their process is going?

18 MR. LYNCH: Well, we wouldn't assess the effects  
19 of Centennial anyway. It's not the perfect space.

20 MS. LEAH CAMPBELL: But in terms of are you  
21 working at all with NID to understand what their expecting  
22 the downstream impacts of that reservoir to be to consider  
23 then what that impact will have on --

24 MR. LYNCH: In terms of impacts, maybe it's just  
25 a semantics issue here. We're not looking -- we won't

1 address in this project, in any way, the effects of  
2 Centennial, if and when at the time it goes forward. What  
3 we will do is if Centennial becomes more of reality, if  
4 it's a reasonable foreseeable future action, when we write  
5 the application as a future condition, we'll look at the  
6 model and whatever NID puts out and says this is how we're  
7 going to operate Centennial, here's what the release is  
8 into -- I think their model goes through Combie, and  
9 downstream of Combie -- we would treat that as a future  
10 flow condition coming into the reservoir.

11 MS. LEAH CAMPBELL: Okay.

12 MR. LYNCH: Did I answer that?

13 MS. LEAH CAMPBELL: Yeah.

14 MR. LYNCH: And, Chris, I think we were touching  
15 on that, too. Is that consistent with what I said  
16 earlier?

17 MR. SHUTES: That's way I understand, yeah.  
18 Yeah. So right now we're already anticipating that there  
19 will be reduced inflow at Camp Far West, because of  
20 whatever NID is planning for the next 50 years with  
21 existing facilities. And if there are additional  
22 facilities, and they have sufficient likelihood that  
23 they're going to occur, then you will include that as an  
24 alternative future inflow condition in the model.

25 MR. LYNCH: Correct. The key is that they would

1 have to produce something, on a daily time step over the  
2 period we're looking at, for us to model it and have input  
3 into our model -- our operations model. I suspect they  
4 will, but I don't know that as fact.

5 MR. SHUTES: Maybe you should ask their  
6 consultant?

7 (Laughter.)

8 MR. LYNCH: I don't talk to him.

9 (Laughter.)

10 MR. LYNCH: I think actually the only one who  
11 can -- the only one who can answer that question is NID.

12 MR. SHUTES: Okay.

13 MR. LYNCH: Anything on this second slide?

14 MS. WILLY: I haven't finished reading it.

15 MR. LYNCH: Oh, yeah.

16 Sure, Susan

17 MS. MONHEIT: Susan Monheit. So WR8, does that  
18 include a public health at recreation beaches and E. coli,  
19 is that included in water quality?

20 MR. LYNCH: I believe it is. The answer is it  
21 is, but whether we repeat it in recreation, I forget. It  
22 would -- it should. Either here or there it would include  
23 that.

24 MS. RAINWATER: Other questions?

25 Yes.

1 MS. RODDAM: Meiling Roddam. Another thing to  
2 consider in regards to water quality is effects of project  
3 operations and management on algae, both downstream of the  
4 project and in the reservoir.

5 MR. LYNCH: Aquatic invasives?

6 MS. RODDAM: Just algae, in general. Just mainly  
7 density, and if there is any toxic algae species, just  
8 because it is becoming an issue in other FERC projects.

9 MR. LYNCH: I think we have that. But if I  
10 don't, let me know on the aquatic section.

11 MS. RODDAM: Okay. I'm not sure I saw it in the  
12 PAD, but if you could direct me to it, that would be  
13 great.

14 MR. LYNCH: Okay. If we don't, it is something  
15 that was intended to.

16 MS. RODDAM: Okay.

17 MS. RAINWATER: Okay. Alison.

18 MS. WILLY: Alison Willy. I was confused about  
19 WR2, in that its effects of O&M to water quality and  
20 quantity, but it refers with special-status plants and  
21 natural communities. And it's my understanding that  
22 special-status plants are terrestrial. So I don't  
23 understand the connection between the water quality and  
24 quantity to terrestrial plant species. And then also,  
25 that applies to many of the natural communities in the

1 projects, not all of them, but certainly the terrestrial  
2 ones. So it's just a -- it's confusing to me that it  
3 seems like two separate issues.

4 MR. LYNCH: Riparian vegetation.

5 MS. WILLY: Yeah, and that's covered in the next  
6 one, in WR3.

7 MR. LYNCH: Some of these overlap.

8 MS. WILLY: Right. And that's why I said, for  
9 the natural communities, some of them are terrestrial, and  
10 some are within the -- but I just was confused about why  
11 terrestrial species were related to that?

12 MR. LYNCH: Well, at the time, we didn't -- we  
13 weren't sure if there would be any special status aquatic,  
14 so we left it special-status plants.

15 THE COURT REPORTER: Mr. Lynch, could you speak  
16 up a little.

17 MS. RAINWATERL: Jim, can you speak up.

18 MR. LYNCH: I'm sorry. At the time that we wrote  
19 this, we weren't sure whether there'd be any special  
20 status aquatic plants. So rather than make it terrestrial  
21 or aquatic, we just left it general aquatic.

22 MS. WILLY: Oh.

23 MS. RAINWATER: It's meant to be inclusive not  
24 exclusive here.

25 MR. LYNCH: Yes.



1 MS. WILLY: So is there going to be maybe a  
2 recreation or something -- someplace else --  
3 special-status terrestrial plants would be addressed  
4 someplace else?

5 MR. LYNCH: Yes, under terrestrial.

6 MS. WILLY: Bing. Got it. Thank you.

7 MR. LYNCH: Yeah. This is more tied to the  
8 river -- the water interconnection.

9 MS. WILLY: Right. No, I understand we're with  
10 water resources. I just couldn't make the connection in  
11 my brain. I don't know of any federal status aquatic  
12 plants, and so it just seemed like if there was an upland  
13 component, that this was picking up that I couldn't  
14 understand.

15 MS. RAINWATER: Okay. I'm seeing several people  
16 needing a break.

17 So -- no, you're not the only one, Beth. Don't  
18 worry.

19 I'm going to -- Jim, if it's okay. If there  
20 aren't any other questions on this page, then I'd suggest  
21 taking a break, because others may need one too and give a  
22 chance for those folks to get back in the room.

23 Jim?

24 MR. LYNCH: And I was going to suggest if there  
25 aren't any on this page, I'll turn to the next page, and

1 when you come in off your break, you can read the next  
2 page.

3 MS. RAINWATER: Anyone object to that as a way of  
4 going forward?

5 Okay. So let's take like about a 10 minute  
6 bathroom break.

7 MR. LYNCH: And just as a heads-up, the next page  
8 up, which is aquatic and one water resources. And this is  
9 three of six.

10 MS. RAINWATER: Okay.

11 (Off record: 2:36 p.m.)

12 (Thereupon a recess was taken.)

13 (On record: 2:46 p.m.)

14 MS. RAINWATER: Okay. Thanks, everybody, for  
15 making that quick. Marcos, you just joined us, so there's  
16 a request to have you introduce yourself. We just did  
17 name and affiliation.

18 MR. GUERRERO: Marcos Guerrero, United Auburn  
19 Indian Community, Cultural Resource Manager.

20 MS. RAINWATER: Did you catch that.

21 Okay. He'll sign -- he did sign in sheet.

22 Okay. So he'll get your details off the sign-in  
23 sheet. Anybody else not sign in?

24 MR. GUERRERO: Can I win a free boat or  
25 something.

1 MS. RAINWATER: No. You and Sean today. Man.  
2 So real quick housekeeping. If I can have  
3 everybody's attention. If everyone could bring their  
4 focus back to the meeting, please.

5 With the show of hands, who would like a copy of  
6 the sign-in sheet, now that we think it's complete?

7 (Hands raised.)

8 MS. RAINWATER: One, two, three, four. Okay. So  
9 why don't you make five.

10 MR. LYNCH: Where is it?

11 MS. RAINWATER: Where is it?

12 Okay.

13 Thank you. Okay. So, Jim, had put up the  
14 aquatic list, and do folks still need some time to read  
15 this?

16 MS. WILLY: I do.

17 Okay. All right.

18 MS. LAWSON: Can you go back to the previous one.  
19 Thanks. Sorry.

20 MR. LYNCH: No problem.

21 MS. LAWSON: What does it mean, WR4 says effects  
22 of project O&M on water temperature in the reservoir due  
23 to water fluctuations.

24 MR. LYNCH: The reservoir operations drawdown  
25 during the year.

1 MS. LAWSON: Okay. But, I, mean it's just a  
2 general water temperature modeling study, right?

3 MR. LYNCH: Um-hmm.

4 MS. LAWSON: So --

5 MR. HOOBLER: These aren't studies being  
6 proposed, are they? These are issues they have identified  
7 in that.

8 MR. LYNCH: Resource issues.

9 Also, Chuck pointed out to me -- I forgot to  
10 bring up something that's pretty important. In Section 4  
11 of the resource issues, some of those resource issues from  
12 those nine the respondents, the pre-PAD information  
13 questionnaire, came from that. And in some cases, we  
14 didn't rewrite them at all. So Chuck just said to be sure  
15 we didn't write all of these.

16 But also in that -- on the responses to the  
17 pre-PAD information questionnaire, there were some  
18 resource issues that we didn't include. And in the PAD,  
19 we say which ones and why. We may have said that we  
20 thought they were outside relicensing or didn't include  
21 them for this reason. And also, there was some data  
22 gathering of studies recommended in those responses to the  
23 questionnaire, which we did not adopt.

24 And also in the PAD is the rationale  
25 identification of who recommended what, and if we didn't

1 adopt it, why we didn't adopt it. So I should have  
2 brought that out when I was going through that section and  
3 I didn't.

4 MS. RAINWATER: Okay.

5 MR. LYNCH: So should I go back to the next page.

6 MS. LAWSON: Yeah.

7 MS. RAINWATER: Okay. Any questions?

8 I see some folks have turned their heads like  
9 you're done reading. Any questions on this page?

10 Anyone need more time?

11 Okay.

12 --o0o--

13 MS. RAINWATER: Next up, Jim.

14 MR. LYNCH: So this is the terrestrial and I  
15 think two are of the ESA-related resource issues.

16 MS. RAINWATER: Anybody need more time?

17 Any questions?

18 Oh, you need some more time?

19 Okay. Alison.

20 MS. WILLY: Alison Willy. I have a question.

21 Does O&M include grazing?

22 MR. LYNCH: No. Grazing is not a FERC. Meaning  
23 cattle grazing and things like that?

24 MS. WILLY: Yeah. So there's cattle grazing  
25 within the FERC boundary, which I'm assuming is an O&M.

1 MR. LYNCH: No, it's not related to the project  
2 operation --

3 THE COURT REPORTER: I'm sorry, I can't hear.

4 MR. LYNCH: Oh, I'm sorry. Grazing -- cattle  
5 grazing is not related to project operation and  
6 maintenance. There may be private landowners or others  
7 who allow cattle to graze on the land. That's not under  
8 FERC's jurisdiction. So cattle grazing is not a project  
9 O&M activity.

10 MS. WILLY: Got it. So the cattle that are there  
11 are not related to the water district at all, they're  
12 private?

13 MR. LYNCH: They may be related to the water  
14 district, but not for the purposes of power generation.

15 MS. WILLY: I see.

16 MS. RAINWATER: Other questions?

17 Okay. Anyone object to going to the next slide?

18 Okay.

19 --o0o--

20 MR. LYNCH: So this is the fifth -- sixth and  
21 it's one ESA, recreation -- four recreations, and land  
22 use, aesthetics, and one socioeconomic.

23 MS. RAINWATER: Anyone need more time?

24 Okay. Any questions or comments?

25 Any objection to moving to the next slide?

1           Okay.

2                               --o0o--

3           MR. LYNCH: This is the last of the resource  
4 issues cultural, tribal interest, air, and noise. As I  
5 said, there's about -- when you add them all up, there's  
6 52 or 50, somewhere around there.

7  
8           MR. HOOBLER: What are TCPs again?

9           MR. LYNCH: Tradition cultural properties.

10          MR. HOOBLER: That was Sean.

11          MR. LYNCH: Traditional cultural properties.

12          Sorry, I should have written that out.

13          MS. RAINWATER: Anyone need more time?

14          Alison.

15          MS. WILLY: I don't need more time.

16          So if it turns out that there's a California  
17 red-legged frog issue, and I'm not saying that there is,  
18 but if it turns out that there's a California red-legged  
19 frog issue, where would that fit in here?

20          MR. HOOBLER: One more back.

21          MR. LYNCH: Amphibians.

22          MS. WILLY: Got it. Okay. Thank you.

23          MS. RAINWATER: Any other comments or questions  
24 on this slide?

25          MS. POLANCO: This is Julie Polanco. One

1 question. You have nothing in there about built  
2 resources, and I'm wondering has the dam itself been  
3 evaluated?

4 MR. LYNCH: That would be evaluated under the  
5 NRHA eligible. Built resources wouldn't that be  
6 considered as a cultural resource to be evaluated at that  
7 point. That's our intent, let me put it that way.

8 MS. POLANCO: Okay. It just might be the term  
9 cultural resources.

10 MR. LYNCH: I'm sorry. Yeah, we intended that to  
11 include built.

12 MS. POLANCO: Okay. So you might want to just  
13 add historic and cultural resources.

14 MR. LYNCH: Thank you.

15 MS. POLANCO: That will cover it all for you.

16 MR. LYNCH: Thank you.

17 MS. RAINWATER: Other comments or questions?

18 MR. LYNCH: And to answer your question, I don't  
19 believe it's been evaluated at this time. But Danielle  
20 will know that better at the 106 meeting.

21 MS. POLANCO: Right. And I know there's another  
22 meeting so -- on the 28th. Thank you.

23 MS. RAINWATER: Okay. Next slide then.

24 --o0o--

25 MR. LYNCH: So those were the resource issues



1 that we identified through initially our own assessment  
2 and in looking at those nine responses, that are in the  
3 pre-PAD information questionnaire. And then based on  
4 that, we did a data gap analysis, which is taking a look  
5 at what existing information is, what we think the  
6 resource issues are. And then also, both NEPA and CEQA  
7 require that you address the issue commensurate with the  
8 project effect. So that doesn't mean you need reams and  
9 reams of data on something that is a low likelihood and a  
10 low effect. It's that you have that information  
11 commensurate with the project effect.

12 So that's how we did our data gap analysis. And  
13 there's a table in there that goes through and says here's  
14 what we thought the resource issue was, here's what we  
15 think the existing relevant information is, and we think  
16 there's a data gap analysis, and if there's isn't, no. ;  
17 and if there is, what study do we propose?

18 And here's what we ended up with a list of  
19 studies. I'm not again going to go through all these.  
20 Most of these studies are organized in the same way.  
21 They're kind of set up a little bit close to those study  
22 plan criteria that you see -- criteria you see to the left  
23 of the screen. So there's a discussion of the goal of the  
24 study and the purpose of the study, existing information,  
25 which would normally refer back to what's in the PAD -- in

1 the section in the PAD. Study methods, which would  
2 include the study area, where we think the geographic area  
3 of the study is. Then the methods which would include any  
4 specifics sites, for instance, that we think need to be  
5 studied, specific locations, or as close as we can at that  
6 point.

7           And then a section on analysis, and QA/QC of the  
8 data. And then reporting and schedule and estimated cost,  
9 because those are the things that FERC normally looks for.  
10 And those -- references cited, any maps or figures also  
11 associated with it with their standard protocols. If  
12 they're unique, we've attached them. If they're on the  
13 website or otherwise available, we'll let them -- you can  
14 look on the website with the reference.

15           So all of these are organized in that fashion.  
16 They're pretty detailed, and they're in Exhibit H.

17           MS. RAINWATER: Questions on that overview?

18           Alison.

19           MS. WILLY: Is the slide show from today going to  
20 be on the webpage linked to today's meeting?

21           MR. LYNCH: I can make it.

22           MR. VERTUCCI: Yeah, we can do that.

23           MR. LYNCH: Sure, we can do that.

24           MR. VERTUCCI: Is a PDF okay or would you prefer  
25 the PowerPoint?

1 MS. WILLY: PDF is fine.

2 MR. VERTUCCI: Okay. We can do that for you.

3 MR. LYNCH: Chuck Vertucci.

4 And also we'll -- as I said, when we file this  
5 were FERC we'll include this PowerPoint with the  
6 transcript, and the sign-in sheet, and the notices of  
7 publication for the meeting.

8 MS. RAINWATER: Okay. Other questions on this  
9 slide?

10 Okay. What's next, Jim?

11 --o0o--

12 MR. LYNCH: Discussion.

13 MS. RAINWATER: Okay.

14 MR. LYNCH: Now, we're at the good part of the  
15 meeting.

16 Did -- in terms of the resource issues, what's in  
17 PAD, project description, operations, are there any other  
18 questions regarding that?

19 MR. HOBLER: Can you repeat yourself?

20 MR. LYNCH: Sure. I asked if there were any  
21 questions regarding the description of the project, its  
22 operation, the resource issues that we've identified  
23 today, and the list of study plans, and what's in the PAD,  
24 how it's organized?

25 MR. HOBLER: So this may come up in our

1 discussion, but when we start talking about resource  
2 issues, as identified by South Sutter Water District in  
3 the PAD, it seems like Chinook salmon were pulled out  
4 from -- I mean, you didn't address the anadromous issue  
5 fully as I see you have red surveys put up there. It  
6 seems like you're just addressing certain anadromous fish,  
7 instead of looking at the whole spectrum of what is in the  
8 Bear River -- could be in the Bear River.

9           So, for example, I didn't see anything in the  
10 resource -- aquatic resource guide that talked about  
11 sturgeon, white or green?

12           MR. LYNCH: No. Well, I would suspect if it was  
13 green, it was North American, it would be addressed under  
14 ESA, and if it was white and it's there, it would be  
15 addressed under the aquatic. But you're correct, we  
16 didn't call out species specific, Sean. We tried to keep  
17 the non-ESA under aquatic and the ESA on the ESA section,  
18 because of the Section 7 issues. That was the intent.

19           MR. HOOBLER: I have to think on that a little  
20 bit.

21           MR. LYNCH: We don't want to blend them  
22 altogether, because we're trying to be treating them  
23 differently in the application, because of the Section 7  
24 issue.

25           MR. HOOBLER: And I think what I'm really saying

1 is I didn't see where white sturgeon were called out as a  
2 potential resource issues. I don't recall reading the ESA  
3 section. I think I kind of skipped that one.

4 MR. HOLLEY: There was no mention of sturgeon,  
5 green sturgeon in the T&E species section.

6 MR. HOOBLER: And we know we do have sturgeon in  
7 the system. It's been documented. And it didn't seem  
8 like it was addressed at all in the PAD.

9 MR. LYNCH: Did we have that? I don't know that  
10 we had that information at the time that we wrote the  
11 application. I don't believe we had information from the  
12 parties saying that there was sturgeon identified in  
13 the -- we didn't have any data sources with that. It  
14 could be that they're there, but I don't believe anybody  
15 filed anything with us and said here's data documenting  
16 sturgeon occurs in the Bear River. I believe since then  
17 we've heard you've seen them, which is fine. We're not  
18 disagreeing. I don't think we had that when we wrote it.

19 MS. RAINWATER: But, Jim, the bottom line I'm  
20 hearing in your answer is that there was no intentional  
21 exclusion --

22 MR. LYNCH: No, absolutely not.

23 MS. RAINWATER: -- of any species in terms of  
24 addressing aquatic resources?

25 MR. LYNCH: No. Absolutely. Thank you.

1 MS. RAINWATER: Okay. Chris.

2 MR. SHUTES: I'm struggling again, and you went  
3 through this once before, to find the study plans. In the  
4 version of the PAD that I downloaded, there was just a  
5 list of the study plans, but the study plans weren't  
6 there. And then I just went to the website again and  
7 seemed to have the same thing. Can you post or send out a  
8 separate PDF of Appendix H with each of the study plans  
9 for us?

10 MR. LYNCH: Could we take a two-minute break, and  
11 probably what I can do is bring up the website and show  
12 you exactly where it is on the website?

13 MR. SHUTES: Okay.

14 MS. RAINWATER: Sure.

15 Anyone object?

16 Okay. Two minute break.

17 (Off record: 3:03 p.m.)

18 (Thereupon a recess was taken.)

19 (On record: 3:06 p.m.)

20 MS. RAINWATER: All right. We're ready to get  
21 going again, folks.

22 Okay. So, Jim, you're going to orient us on that  
23 or Chuck is?

24 MR. LYNCH: So Chuck is going to drive. This is  
25 the -- if you go to the relicensing website,

1 sswdrelicensing.com. This is the page you come up with.  
2 And Chuck is going to drive you to the study plans.

3 MR. VERTUCCI: This is the documents. Probably  
4 the best spot for the individual PDFs is under the  
5 licensing documents, and the pre-application document.  
6 And they are a little bit out of order, but the first one  
7 is Appendix H, Study Plans. And if you open that  
8 dropdown, there's all the individual PDFs of the studies.

9 MR. LYNCH: Did you find that, Chris?

10 MR. SHUTES: Yeah. I followed the other link and  
11 I didn't get there.

12 (Laughter.)

13 MR. SHUTES: There's another link on the side.

14 MR. VERTUCCI: Yeah. On the FERC filings, that  
15 page we posted those exactly how we filed them with FERC.

16 MR. SHUTES: Right.

17 MR. VERTUCCI: So probably for kind of working  
18 copies, it's better to work under this relicensing  
19 documents, because the FERC filing PDFs are all compiled  
20 into as few PDFs as possible for filing. This is where  
21 you'll find all the individual PDFs. And if you look also  
22 on this page is where all the individual resource sections  
23 are as well. So if you're after a specific topic, this is  
24 probably the best shot, instead of downloading the entire  
25 PAD.

1 MR. LYNCH: We wanted to include on the webpage  
2 exactly what was filed with FERC. And because of FERC's  
3 filing requirements, it's sometimes compiled awkwardly.

4 MR. SHUTES: Okay. Thank you.

5 MR. LYNCH: Does that help, Chris?

6 MR. SHUTES: That helps.

7 MS. RAINWATER: Okay. Thank you.

8 So, Jim, you either have to really project or you  
9 have to come sit by me.

10 MR. LYNCH: I'll project.

11 (Laughter.)

12 MS. RAINWATER: Okay. I worked enough years to  
13 not take it personally.

14 Okay. Next.

15 MS. WILLY: This is his chair.

16 MS. RAINWATER: Yeah, I know it's his chair.

17 You let me know if he's not projecting  
18 sufficiently.

19 Okay. So, Jim, what's the next slide, what are  
20 we on to?

21 MR. LYNCH: Discussion.

22 MS. RAINWATER: All right. That's right.  
23 Discussion. So the purpose of this, why don't you set us  
24 up, what you're looking for here.

25 MR. LYNCH: I just wanted to key up. First of



1 all, anything you say here, you should, in comments --  
2 whenever you comment on, you should be sure and make those  
3 comments as well. So if today the answer is thanks, and  
4 we'll put our comments in our filing, perfectly fine, but  
5 you shouldn't feel like if you comment here now, I don't  
6 need to put my comments in my binder. You should do that  
7 as well.

8           So the purpose of the public meeting is for  
9 people to have a discussion about this in an open forum,  
10 so that's why we're opening it up to an open forum. We're  
11 not, at this point, at a position where we're going to  
12 commit to doing anything based on this open forum. But if  
13 the discussion would be worthwhile here, that's great.

14           So I just want to be crystal clear, don't think  
15 if you say it here, I don't need to comment in my  
16 writings. You do.

17           MS. RAINWATER: Okay. So it sounds like you've  
18 given it a fairly good overview of the PAD, and what  
19 you've identified there in terms of resource areas and  
20 issues, and then the study -- what you plan to do -- study  
21 plans, and then the actual study plans.

22           So is there anything else besides the questions  
23 and comments you brought up as we were going through those  
24 slides, anything else that you guys are concerned about,  
25 or that you want to put on the table for discussion.

1 Chris.

2 MR. SHUTES: I have a question about process.  
3 There will be a FERC scoping meeting for this, is that  
4 right? How does that work?

5 MR. LYNCH: (Nods head.)

6 MR. SHUTES: And I have a related question for  
7 the State Board. Will the State Board be having a scoping  
8 meeting at the same time?

9 MR. LYNCH: Excellent question, Chris. FERC will  
10 have a NEPA scoping meeting after we file the application,  
11 four or five years from now, and they determine the  
12 application is ready for environmental review. So that's  
13 one big difference between the TLP and ILP, the FERC  
14 scoping occurs at the end. And with regards -- I don't  
15 my -- Susan is not sitting there.

16 MS. MONHEIT: I'm hiding from the light.

17 MR. LYNCH: Okay. So I'll just point out that  
18 for the purposes of CEQA, at this time, because South  
19 Sutter is a public agency, they would -- they propose to  
20 be the lead agency for preparing this CEQA document. Of  
21 course, with the State being -- in combination with the  
22 State Board, and the State Board being the responsible  
23 agency for issuing the 401. And that wouldn't occur --  
24 typically, that doesn't occur in relicensing until  
25 after -- about the time the FEIS is coming on, somewhere

1 in that area. So that's probably five years from now is  
2 my guess.

3 MR. SHUTES: Yes, but there's the FERC State  
4 Board MOU.

5 MR. LYNCH: Which pertains primarily on the CEQA  
6 portion, where the State Board is lead agency, not another  
7 party.

8 MR. SHUTES: Okay. Did I say that right, Susan?

9 MS. MONHEIT: (Nods head.)

10 MR. SHUTES: Okay.

11 MS. RAINWATER: Other questions or -- oh, go  
12 ahead, Chris.

13 MR. SHUTES: And I have a related question.

14 MR. LYNCH: Could I just add one more thing to  
15 that?

16 MR. SHUTES: Yes, please.

17 MR. LYNCH: So, for instance, the spillway  
18 modification, that would have its own CEQA and NEPA  
19 process outside of this.

20 MR. SHUTES: The question I have was the intent  
21 of the MOU between the FERC and the State Board was to try  
22 to synch up studies so that any studies that were needed  
23 for FERC would also be done, more or less, on the same  
24 time path as those that need to be done for the State  
25 Board and CEQA.

1           MR. LYNCH:  Where the State Board is the lead  
2 agency for CEQA.

3           MR. SHUTES:  I understand that, Jim, but the  
4 intent of the MOU was to synch up the processes.  Will the  
5 State Board be doing anything new or different in order to  
6 assure that -- that we don't get into a scenario where we  
7 finish the FERC process, and we basically need to start  
8 the 401 water quality certification, including the CEQA  
9 from ground zero from scratch once the NEPA and FERC  
10 process is completed?

11           MR. LYNCH:  That's a question for Susan.

12           MR. SHUTES:  That is a question for Susan, but I  
13 think it's something we all might want to think about,  
14 because I believe it's in everyone's interest to try not  
15 to duplicate or -- either duplicate studies or delay the  
16 process.  And so this is kind of a first where we have a  
17 project starting a relicensing, FERC -- the State Board is  
18 not going to be the lead CEQA agency, but we -- you know,  
19 we'd all like to see it move along efficiently and in a  
20 cost effective way.

21                     And if there are interests or needs that the  
22 State Board has, I would hope that the State Board would  
23 try to find a way to make those be known, and that the  
24 licensee, the consultants would try to accommodate that  
25 within reason, so that we could all do this at once, and

1 so this could be a four- or five-year process and not an  
2 eight- or ten-year process.

3 MS. RAINWATER: Susan, do you want to respond?

4 MS. MONHEIT: I do not have a formal response at  
5 this time. Let me look at the MOU and talk to you.

6 MR. SHUTES: (Nods head.)

7 MS. RAINWATER: Okay.

8 MR. LYNCH: I also understand your concern,  
9 Chris.

10 MS. RAINWATER: Are there other comments or  
11 questions?

12 Sean.

13 MR. HOOBLER: This is Sean Hoobler again.

14 So as I brought up earlier under the anadromous  
15 issue and ESA, once again, you know, I'm looking at the 11  
16 studies proposed, and it seems that the ESA studies that  
17 are being broken out for anadromous fish revolve around  
18 salmon red surveys, which would conclude that we're not  
19 even going to discuss sturgeon then? Is -- or do we  
20 need -- how can we bring that up to discuss the need for  
21 understanding how sturgeon are using the Bear River below  
22 Camp Far West, which we know they do periodically, which  
23 is part of their life history?

24 MR. LYNCH: As I said, when we wrote the PAD, we  
25 didn't have that information, so we'd look forward to

1 people making recommendations on that. We didn't mean to  
2 exclude it. We weren't aware of it at the time. If there  
3 are suggestions on that commensurate with the use and the  
4 level on the issue, we're happy to look at that. We're  
5 again looking at the project effects -- at that point,  
6 we're looking at the project effects on sturgeon, not  
7 the -- gathering data on just on the -- how the sturgeons  
8 use it.

9           So we will look forward to comments on that.  
10 We'll give it some thought as well. Sean, as I said, if  
11 something came out after we issued the PAD, I believe, so  
12 we'll think about that too.

13           MR. HOOBLER: So -- and then just --

14           MR. LYNCH: We're not -- we didn't exclude it for  
15 a reason.

16           MR. HOOBLER: That's understood. I found it  
17 easily enough though just doing a search, U.S. Fish and  
18 Wildlife studies. I contacted DWR. I did all this after  
19 the TLP process that came out.

20           MR. LYNCH: So is this formal surveys and --  
21 or -- documentation?

22           MR. HOOBLER: They have a documented history.  
23 They've documented it. And that's how I got the  
24 information. So I'll try to forward that along to Chuck  
25 here, and --

1 MR. LYNCH: I appreciate it. Thank you.

2 MR. HOOBLER: But, you know, we'll probably be  
3 making some comments on that.

4 MR. LYNCH: Good.

5 MR. HOOBLER: I'm assuming maybe NOAA might, too.

6 MR. LYNCH: As I said, it wasn't an intent to  
7 exclude anything. It was just I didn't recognize it at  
8 the time.

9 MS. RAINWATER: Okay. Other comments or  
10 questions?

11 Tom.

12 MR. HOLLEY: Tom Holley, NMFS. Kind of  
13 piggybacking on what Sean said regarding the salmonid red  
14 study. You said earlier you wanted to separate the T&E  
15 species. So what was the thinking going into you just  
16 separating the red survey in terms of the T&E species? It  
17 seems like there's a bunch of different studies where you  
18 could document anadromous species, salmon and steelhead.  
19 They're contained within the stream fish study, in-stream  
20 flow, water temperature. So why did you choose to just do  
21 a red survey focused on salmon and steelhead, and not like  
22 a gravel budget study for the whole watershed?

23 MR. LYNCH: Because we were trying to identify --  
24 good questions, Tom. We were trying to identify the  
25 distribution of the red surveys, the use, because that

1 would feed into our in-stream flow study. So the question  
2 was do they use that upper area there where we were  
3 focusing on the red surveys, and where's the use, how much  
4 use is occurring up there, and that we hope would inform  
5 how we analyzed the in-stream flow data.

6 MR. HOLLEY: So, I mean, just in terms of our  
7 agency, we'd like to see a study that would kind of  
8 synthesize the project effect on our endangered salmonid  
9 species?

10 MR. LYNCH: I understand.

11 MR. HOLLEY: So to the extent that, you know,  
12 there's a study that looks at the whole life cycles for  
13 salmon and steelhead and sturgeon, and puts all that  
14 information in one place, that will make ESA consultation  
15 that much easier when it comes down to that.

16 MR. LYNCH: Thank you.

17 MS. RAINWATER: Okay. Other comments or  
18 questions?

19 Sean, and then we'll go to Chris.

20 MR. HOUBLER: So the Department will probably be  
21 making some comments on the effects of the reservoir  
22 drawdown and access to the tributaries. I noticed that,  
23 you know, the licensee did an excellent job of trying to  
24 distill down project effects on certain things, but there  
25 is a concern with a brown trout fishery that's at the head



1 of the Bear River essentially and connectivity there. So  
2 we may be making comments on that. I notice that it was  
3 kind of excluded from the studies. All of the studies  
4 seemed to be centric and focused on the Lower Bear River.

5 MR. LYNCH: Okay. Thanks for that.

6 MS. RAINWATER: Okay. Chris.

7 MR. SHUTES: Right now, the fish population study  
8 seems -- appears to be a traditional snorkel and/or  
9 electrofishing study? I think one of the biggest  
10 interests the NGOs have in the Lower Bear River is in  
11 juvenile rearing and the use of the river at specific  
12 times of year that might not be captured at a time when  
13 snorkel and electrofishing surveys are generally conducted  
14 usually in low water in the fall.

15 The times of interest are migration of fall-run  
16 salmon, primarily adults, into the system in the fall, and  
17 rearing of either fall-run salmon that are born, or that  
18 hatch out of the Bear River or Dry Creek, and then the use  
19 of the Lower Bear River by fish -- by juvenile fish that  
20 were born or that emerged from in other rivers for  
21 rearing, where such rearing may not be available in the  
22 Feather River. And that would be better captured by some  
23 kind of rotary screw trap kind of evaluation.

24 So I would ask the licensees to consider that as  
25 something additional or potentially if you had to choose

1 more valuable, in terms of gathering information about the  
2 actual use of species of interest in the river than the  
3 traditional snorkel survey or electrofishing survey,  
4 during which you'd expect to find warm-water species  
5 primarily. And we know that they're there. It's unusual  
6 that any resource agencies manage for those species. But  
7 if there's an existing use or an opportunity to enhance  
8 the use for rearing in the Lower Bear River, I think  
9 information, particularly when there's extra water in the  
10 system, or there could be, would be a useful thing to know  
11 and might be a benefit that the district could help with,  
12 without very much cost or water loss or expense to the  
13 district, but that would be a substantive contribution  
14 that this watershed could make to the Feather and Yuba and  
15 other watersheds as a whole.

16 MR. LYNCH: Thanks, Chris.

17 MR. SHUTES: So we'll probably be proposing  
18 something along those lines, and we'll try to work with  
19 the resource agencies who are better at the technical  
20 specifications than I sometimes am.

21 MR. LYNCH: Thanks.

22 MS. RAINWATER: Okay. Other questions or  
23 comments at this point?

24 I'm trying to give an appropriately long pause  
25 there.

1           Okay. Well, dovetailing with what Jim said, the  
2 expectation is that for any sort of substantive comments,  
3 you guys will be writing them too and submitting them, so  
4 that the licensee can contemplate them.

5           Jim, is there more that you want to go over  
6 today?

7           MR. LYNCH: I want to, number one, we have copies  
8 of the sign-in sheet for those who asked for them, and  
9 additional copies of the -- electronic copies of the PAD  
10 and NOI. And did Tom get his?

11          MR. VERTUCCI: Yep.

12          MR. LYNCH: So I think Tom got a copy of it.

13           I wanted to remind people of the -- we'll put it  
14 on the website. Sorry, I have to back up here. So August  
15 26th we'll put that on the website. That's our  
16 calculation of the date, 60 days from today.

17           I do want to point out to people that I believe  
18 the TLP regulations allow that agencies can request an  
19 additional 60 days, but at least in our experience, you  
20 need cause to be make -- to be granted the request. It  
21 can't just be, "We're busy".

22           There has to be a reason for it that FERC -- so  
23 you could make that request. If you're going to do that,  
24 I urge you to make that request early to FERC, not at the  
25 last minute. FERC has been a little reluctant to grant

1 extensions on anything recently. I don't quite know why,  
2 but they have been.

3 So August 26th is the date. Again, you should  
4 submit those to South Sutter, to Brad. And -- but if you  
5 want to file them as well, that's perfectly fine, and  
6 we'll pull them off the eLibrary. We'll see them when we  
7 file it.

8 MR. SHUTES: And electronic submission is  
9 appropriate?

10 MR. LYNCH: Absolutely. Absolutely. Preferred.

11 MS. RAINWATER: Anything else you want to go over  
12 today, Jim?

13 MR. LYNCH: I think that's it.

14 I do want to thank everybody for coming. Really  
15 appreciate it.

16 MS. RAINWATER: Brad, any final comments?

17 MR. ARNOLD: No.

18 MS. RAINWATER: You're good. Okay. I just  
19 wanted to give you the opportunity. It wasn't meant to be  
20 a pressure question.

21 Okay. Anything else anybody else wants to touch  
22 on before we adjourn?

23 MR. EBERHART: Did I remember to thank Jim for  
24 the water?

25 (Laughter.)

1 MS. POLANCO: Thank you for including us in this.  
2 It helps.

3 MS. RAINWATER: Okay. You guys. Yes, Julie.

4 MS. POLANCO: Thanks for including us. It helps  
5 me to understand all of your concerns that are related and  
6 not. I know our staff is going to be attending the June  
7 29th meeting. Happy to see Marcos here as well, but thank  
8 you for including us. It's helpful for me to hear the  
9 rest of the concerns, so we can understand the bigger  
10 context.

11 MR. LYNCH: Thank you, and thank you for coming.  
12 We'll see you on Wednesday.

13 MS. POLANCO: I won't be there, but my staff will  
14 be there.

15 MR. LYNCH: Okay.

16 MS. RAINWATER: Any other final comments from  
17 folks?

18 All right. Then we're adjourned.

19 Thank you.

20 (Thereupon the meeting adjourned  
21 at 3:26 p.m.)  
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C E R T I F I C A T E O F R E P O R T E R

I, JAMES F. PETERS, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing meeting was reported in shorthand by me, James F. Peters, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed, under my direction, by computer-assisted transcription;

I further certify that I am not of counsel or attorney for any of the parties to said meeting nor in any way interested in the outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of July, 2016.



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