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Department of
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Forest
Service

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Date: November 1, 2004

Ms. Magalie R. Salas
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**FOREST SERVICE COMMENTS TO THE FERC DRAFT
ENVIRONMENTAL IMPACT STATEMENT
UPPER NORTH FORK FEATHER RIVER PROJECT NO. 2105**

Dear Ms. Salas:

Enclosed for filing are the Lassen and Plumas National Forest's Comments on the Federal Energy Regulatory Commission's (FERC) Draft Environmental Impact Statement (DEIS). As per the schedule filed with the December 1, 2003 Forest Service Preliminary 4(e) Conditions, the Forest Service legal council will file the Final 4(e) License Conditions within 60 days of the release of the FERC DEIS, or by November 8, 2004.

Throughout Upper North Fork Feather River relicensing process, the Forest Service consulted with the Licensee, Federal agencies, State agencies, Non-Governmental Organizations, interested individuals, and participated in an extended collaborative process. The combined efforts of all involved parties resulted in the completion of a Settlement Agreement on April 22, 2004. The Forest Service was a signatory of the settlement.

In order to further clarify the enclosed response to the DEIS, the Forest Service requests a "clarification meeting" with the FERC, as allowed under the Interagency Task Force proceedings. The meeting objective would be to discuss this response.

The DEIS addressed a broad spectrum of Forest Service concerns. Significant progress was made within the collaborative following the submittal of the Forest Service Preliminary 4(e) document on December 1, 2003. For the most part, the attached comments reflect the progress made within the collaborative following submittal of the Preliminary 4(e) document. Progress has also resulted in some of our previous comments and Preliminary 4(e) conditions becoming obsolete.

The Forest Service appreciates this opportunity to further clarify and address remaining concerns and changes given the magnitude of possible effects to National Forest System lands for the next licensing period. If you have any questions or concerns on this submittal, please contact Mike Taylor, Forest Service Team Leader, at the Feather River Ranger District, Plumas National



Forest, at (530) 532-7427 or Kathy Turner, Lassen National Forest Hydropower Coordinator, at (530) 336-3360.

Sincerely,

/s/ James M. Peña
JAMES M. PEÑA
Forest Supervisor

cc:

Kathy Turner, Hat Creek RD, Lassen NF

Bob Hawkins, RHAT

Service List

FS Mailing List

Certificate of Service

I hereby certify that I am serving the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Oroville, California, this 2 day of November , 2004.

 Mike Taylor
FS Team Leader

**Forest Service Comments
on the FERC September 2004
Draft Environmental Impact Statement (DEIS) for the
Upper North Fork Feather River Project No 2105**

Comments below are arranged and reference the corresponding text from the FERC Draft Environmental Impact Statement (DEIS) for ease in cross-referencing. Extensive revisions have been made to a number of the Forest Service preliminary 4(e) conditions submitted to FERC on December 1, 2003. The revisions reflect settlement negotiation progress made subsequent to December 1, an update of standard condition format and content, incorporation of some stand-alone conditions into other conditions, and deletion of some conditions. Renumbering of nearly all conditions has also taken place.

ACRONYMS AND ABBREVIATIONS

Page xvi and xvii

Is it appropriate to add SA and SSC to the list of acronyms?

1.0 PURPOSE OF ACTION AND NEED FOR POWER

1.6 SETTLEMENT AGREEMENT

Page 9 Line 6, Signatories to Settlement Agreement:

Footnote 8 refers to signatories of the April 22, 2004 2105LG Settlement Agreement (SA) and references the Plumas National Forest specifically. It is important to note that although Jim Pena, Forest Supervisor of the Plumas National Forest, signed the agreement, it was with concurrence and on behalf of the Lassen National Forest as well. The SA is applicable to both the Plumas and Lassen National Forests.

2.0 PROPOSED ACTION AND ALTERNATIVES

2.1.2 Proposed Environmental Measures

Page 14 Line 22-23, Measure 20, Lake Almanor water levels:

The 4th bullet summarization of the Lake Almanor water level in the event of multiple sequential dry or critically dry years should be modified to reflect more recent agreements in the SA that provide for consultation with interested parties. The addition of words from the SA such as those highlighted and underlined in the following sentence would add clarity: “ In the event of multiple, sequential dry or critically dry water years, PG&E would be allowed to decrease surface water elevations below those specified above..., **after parties outlined in the SA are consulted to determine operational plans to manage these drought conditions.**” The Forest Service final 4(e) condition will reflect this more recent SA wording.

Page 16 Line 7 & 11; Page 210 Line 3; Page 328 Line 26-28, Page 334 Lines 29-39, Measure 30, Recreation O&M:

Recreation operation and maintenance (O&M) is discussed, but does not utilize the specific definitions provided in the SA that were developed after much discussion between PG&E and the Forest Service. The intent of these definitions is to clearly specify PG&E's responsibilities in operating Forest Service recreational facilities following their reconstruction. Please provide or reference these definitions, as provided below, and use the terms "heavy maintenance" and "operational maintenance" as applicable rather than the more generic term "O&M" (as on Page 210 Line 14-16 of the DEIS). The Forest Service final 4(e) condition will reflect this more recent SA wording.

- Heavy maintenance: Maintenance or reconditioning that arrests deterioration and appreciably prolongs the life of the property. From an accounting standpoint, the expenditures may be capitalized. Examples include installing a new roof, new floor, or new siding, replacing electrical wiring or heating systems, repairing or replacing pipes, pumps or motors, repairing or maintaining government property threatened or damaged by heavy snow or ice, repairing or maintaining the paths, lands, walks, roads, or walls adjacent to other government-owned structures, and performing exterior painting or refinishing.
- Operational maintenance: Maintenance or reconditioning that neither materially adds to the value of the property nor appreciably prolongs its life. The work serves only to keep the facility in an ordinary, efficient operating condition. From an accounting or tax perspective, it is work that may be expensed. Examples include interior painting, repair of broken windows, light bulb replacement, cleaning, unplugging drains, preventative maintenance, normal wear and tear, water, sanitation, road maintenance, greasing, servicing, inspecting, oiling, adjusting, tightening, aligning, sweeping, and incidental snow removal.

Page 18 Line 7, Measure 49, Project boundary:

Since some of the recreational facilities discussed in relation to the project boundary are located on the Plumas National Forest, please add the word "Plumas" as follows: "...the following Forest Service facilities located on the **Plumas** and Lassen National Forests: ..."

Page 18 Line 21-23, Measure 53; Page 20 Line 31, Measure 7, Page 247 Line 20-30; Page 340 Line 31-37, Measure 56; Page 344 Line 38-40, Measure 19; Shoreline Management Plan (SMP):

These pages discuss: 1) the PG&E proposal to implement the SMP included in the final license application within 30 days of license issuance, and 2) the FERC modification of implementation to first include a plan revision. We support FERC's version to include a revision prior to implementation, as per the wording on Page 344 Line 40 that includes Forest Service review. The SMP version currently contained in the final license application does not contain edits provided to PG&E by the Forest Service in July 2004 and other parties. The Forest Service final 4(e) condition will reflect this need for review and incorporation of additional edits prior to implementation.

Page 18 Line 29, Measure 56; Page 22 Line 4-5, Measure 22; Page 341 Line 3, Measure 58; Page 345 Line 15 & 25-35, Measures 21 & 25; Historic Properties Management Plan (HPMP):

These pages reference the HPMP; however, none of them specifically list the Forest Service as an involved party. Since some of the project-affected sites are located on the Plumas and Lassen National Forests, the Forest Service needs to be included and listed for review and development of the HPMP. Preliminary Forest Service 4(e) Condition 40 specified the licensee consulting with the Forest Service in regard to historic properties; this requirement will be carried forward into the final 4(e) condition as well (Condition 43). (See reference below to Page 250 Line 27-28 for additional discussion).

2.2.2 Staff's Alternative

Page 20 Line 17, Measure 2:

The Forest Service agrees that a water level and flow gaging plan is a necessary environmental measure. The Forest Service supports the establishment of a flow gaging station on the North Fork Feather River in the vicinity of Gansner Bar for the purpose of better documenting actual flow through the Belden reach. This information will allow the Licensee, Forest Service and other agencies and interested parties to better understand the linkage between actual discharge and aquatic biology monitoring.

Page 21 Line 3, Measure 10:

Implementation of this measure should be coordinated with monitoring outlined in the project Settlement Agreement (Seneca, Butt Valley Creek, and Belden Reach Biological Monitoring) and as reflected in Forest Service Condition 26. The Settlement Agreement monitoring schedule was based on adjustment of potentially three generations of rainbow trout to the new project flow regime. Evaluation of the results of monitoring fish and macroinvertebrates proposed to take place in years 16 to 18 after license issuance will be used to adjust streamflow as appropriate. Additional monitoring proposed in this measure would help to establish additional baseline information and help to define the fish and macroinvertebrate response to adjusted streamflow should that occur.

3.0 ENVIRONMENTAL ANALYSIS

3.2 SCOPE OF CUMULATIVE EFFECTS ANALYSIS

Page 27, Lines 23-25:

Include amphibians (or herptofauna) as an affected resource. There have been numerous discussions that the "low" water temperatures and un-natural hydrograph would prevent environmental "cues" for amphibian species to complete a normal life-cycle and therefore create conditions that are not suitable for amphibian species within the Belden and Seneca reaches. While the nearest confirmed foothill yellow-legged frog (FYLF) population is some distance downstream, the project has significantly altered streamflow

allowing encroachment by riparian vegetation of previously open and dynamic gravel bars that could have provided FYLF breeding, basking, and rearing habitat.

3.3 PROPOSED ACTION AND ACTION ALTERNATIVES

3.3.1 Water Resources

Page 39 Line 6, Belden Powerhouse peaking:

Peaking of the Belden Powerhouse was recognized as a significant contributor to the number and magnitude of spill flows occurring at Rock Creek Dam (FERC No. 1972). During settlement negotiations, the Licensee agreed to block load the Belden Powerhouse to reduce the number of spill flows at Rock Creek Dam. A Belden Powerhouse block loading protocol has been included in the Upper North Fork Settlement Agreement and is reflected in Forest Service final Condition 25. Peaking of the Belden Powerhouse may not be occurring at this time.

3.3.1.2 Environmental Effects

Page 66 Lines 9 –10

While it is agreed that no specific stream bypass flow has been adopted for lower Butt Valley Creek, the project Settlement Agreement does contain a provision for pulse flows should biological monitoring of the stream indicate that a pulse flow or multiple pulse flows would benefit the stream fishery.

Page 75 Lines 35-36, Water Temperature and Dissolved Oxygen Management:

The Forest Service final 4(e) condition submittal will not contain a specific water quality condition. The Forest Service does, however, fully support the water quality component of the project Settlement Agreement.

3.3.2 Aquatic Resources

Page 98 Line 11, Sacramento perch:

The Sacramento perch is neither a Lassen or Plumas National Forest Sensitive species.

3.3.2.2 Environmental Effects

Page 118 Line 24, Emergency and Planned Maintenance Outage Spill Plan:

Forest Service preliminary 4(e) Condition 30 referenced in this paragraph was deleted from the list of final 4(e) conditions. The requirements of this condition are met by Belden Block Loading and ramping protocols defined in the project Settlement Agreement.

Page 123 Lines 34-40, Monitoring of Aquatic Resources in Bypass Reaches:

Forest Service preliminary 4(e) Condition 33 was incorporated into the project Settlement Agreement and appears as a component of final Condition 26. Monitoring of lower Butt Creek will take place at nearly the frequency specified. Monitoring of the Seneca and

Belden reaches will occur less frequently and for a different purpose. Fish entrainment monitoring is not a component of either the project Settlement Agreement or Forest Service final 4(e) conditions.

Page 130 Lines 14-18, Fish Barriers

The Forest Service supports modification or removal of man-made fish barriers but does not support manipulation of natural barriers. There may be healthy populations of amphibians or other herptofauna above natural barriers that would be negatively affected by the introduction of fish into that stream reach. Delete the words “either natural” (line 14) and substitute the following “Human-made barriers within the NFFR, Butt Creek, or associated tributaries directly effects *native* fish by blocking or limiting movement into and use of upstream spawning and rearing habitat.” It should be noted that the only fish barriers proposed for modification are “human-made” (Gage NF-9 Weir and the Gansner Bar Fish Barrier).

Page 131 Lines 28-30, Fish Entrainment

Forest Service preliminary 4(e) Condition 33 has been revised and incorporated into final Condition 26. Fish entrainment monitoring is not a component of this or any other Forest Service final condition. However, if fish passage over Belden Forebay Dam is provided, the possible impact on hardhead should be investigated since hardhead will gain access to the Belden reach with removal of the Gansner Bar fish barrier dam.

Page 132 Lines 16-19, Fish Pathogens

If anadromous fish are re-introduced to the Seneca reach there is the potential for the inadvertent introduction of fish pathogens into the NFFR as well. Reintroduction planning should include an investigation of the risk of disease introduction.

3.3.3.2 Environmental Effects

Page 150 Lines 1-3, Vegetation Management

Forest Service preliminary 4(e) Condition 35 addresses the development of a vegetation management plan prior to conducting ground-disturbing activities. The provisions of Conditions 35 have been incorporated into final Condition 40. Additionally final Condition 41 Vegetation Management Plan requires assessment and treatment of hazardous fuels surrounding project facilities.

Page 152 Lines 30-34; Page 158 Lines 30-31, Wildlife Habitat/Enhancement

The text of the DEIS suggests that the wildlife habitat enhancement plan (final 4(e) Condition 31) be combined with the threatened, endangered, proposed for listing and sensitive species protection plan (final 4(e) Condition 45). The two concepts have been kept separate since the focus of the wildlife habitat enhancement plan is an area of Licensee land located primarily in the Lake Almanor causeway area. Forest Service final 4(e) Conditions 44 and 45 reference Licensee responsibility to reduce or eliminate impacts to special status species.

Page 153 Lines 10-16, Control of Noxious Weeds:

Forest Service final 4(e) Condition 46 contains not only the broad headings indicated but additional detail concerning identification, control, and monitoring of invasive plants.

3.3.4.2 Environmental Effects

Page 172 Lines 21-26, Bald Eagle:

The purpose of the statement concerning coordination of Licensee activities with the Forest Service and other appropriate agencies was to ensure uniformity in the management of the bald eagles within and adjacent to project lands. It is recognized that jurisdictional limitations will at times not adequately encompass the requirements of a comprehensive management plan. The Forest Service final 4(e) Condition 47 now contains the statement: “Coordination of Licensee activities on Licensee lands within the project boundary with the Forest Service and other appropriate agencies to achieve the goals and requirements set forth in this plan.”

3.3.5 Recreational Resources

Page 174 Line 5, Page 175 Table 3-26, Recreation Site Names:

Recreation facility names on Lake Almanor have been redundant and confusing for decades. Although there have been attempts to eliminate similar names (such as Licensee’s “Almanor Campground” being renamed to “Rocky Point” to eliminate confusion with the Forest Service “Almanor Campground”), this has not been totally successful, which led to the SA wording to continue discussions to eliminate other name redundancy. We suggest a number of changes to Table 3-26 below in ~~strikeout~~ to eliminate incorrect wording and ***bold italics*** to add wording for clarity and consistency with the SA and 4(e) documents. These recommendations could be used for reference throughout the DEIS, such as in the list of recreation facilities on Page 210, Lines 32-35. General comments:

- The significance of the number following some site names is unclear. It does not appear to tie to the map number on Figure 3-9, and should be defined.
- We’ve indicated facilities currently being managed by the Forest Service with a “(FS)” to differentiate them from Licensee facilities.

Table 3-26:

Facility	Lake Almanor	Butt Valley Res.
Boat Ramps/lanes	Almanor boat launch (FS)	Alder Creek day-use area and boat launch
	Canyon dam boat launch and day use area (FS)	
Picnic Areas/Tables	Almanor rest area <i>picnic area</i> (FS)	Alder Creek day-use area and boat launch
	Almanor scenic overlook	
	Canyon dam boat launch and day use area (FS)	

	Canyon dam day-use area	
	Eastshore day-use area	
Angler Access Sites	Almanor boat launch (FS)	Alder Creek day-use area and boat launch
	Almanor beach (FS)	Cool Springs Campground
	Canyon dam boat launch and day use area (FS)	
	Canyon dam day-use area	
	Dyer View day-use area (FS)	
	Eastshore day-use area	
	Rocky Point Campground	
Trailheads	Dyer View day-use area (FS)	
	Lake Almanor recreation trail – LART (FS)	
Campgrounds/Camp-sites or (Bunkhouses)	Rocky Point campground (loops 1, 2, and 3)	Cool Springs Campground
	Camp Connery group camp	
	Last Chance campground and group camp	
	Almanor <i>Family</i> campground north (FS)	
	Almanor campground south (FS) (included in above entry)	
	Almanor group reservation camp <i>campground</i> (FS)	
	Almanor overflow camping area (recently closed by FS)	
Swimming Areas	Almanor beach (FS)	Alder Creek day-use area and boat launch
	Canyon dam day-use area	Cool Springs Campground
	Dyer View day-use area (FS)	
	Rocky Point Campground	

Page 174 Lines 12 & 27, facility ownership and name:

In the SA, preliminary, and forthcoming final 4(e) License conditions, the “north” and “south” campground loops are combined under the one facility name of “Almanor Family Campground”. FERC may want to reword these paragraphs in the DEIS for consistency with these other documents.

Page 174 Lines 13 & 28, Concessionaire name:

The California State University Chico Research Foundation (CSUCRF) is no longer the Forest Service concession permittee. To account for changing permittee names we suggest these references in the DEIS be changed to more generic wording such as a “concession or Forest Service operation” to account for the time period from current day to when the Licensee will take over campground operation after reconstruction.

Page 179 Line 15-16, Naming confusion:

We agree with FERC's discussion of confusion over recreation facility names. The change to the Almanor Campground unfortunately does not eliminate all the naming confusion in and around Lake Almanor. It might be germane to mention here that the SA addresses the need for additional name changes under the "Interpretation and Education Program" where it states, "Licensee and Forest Service will review facility naming practices and re-name facilities with similar names in order to reduce visitor confusion." This wording will also be a part of our final 4(e) language.

Page 181 Lines 18-31, Lake Almanor Recreation Trail (LART):

We would appreciate consideration of modification of the first sentence as shown in bold italics: "The LART is a *Forest Service managed* paved, 10 foot wide trail that is *currently* 9.5 miles long, *with a planned 1.5 mile extension to terminate at the Forest Service Canyon Dam boat launch and day-use area.*"

Page 184 Table 3-27, Facility names:

This table lists "Almanor", which we assume to be the Forest Service "Almanor Family Campground" which combines both the north and south loops, but we are unsure. Please clarify which "Almanor" campground is addressed.

3.3.5.2 Environmental Effects

Page 190 Lines 23-32, Recreation Resource Management Plan (RRMP):

The Forest Service does not consider the RRMP complete; additional review and edits are needed prior to finalization. The Forest Service will designate a representative(s) for future RLA Working Group meeting attendance.

Page 191 Table 3-31, Facility names:

Rather than recreating this table, each line for the "Forest Service Facilities" entries is addressed below:

General comment: please specify whether the Forest Service facilities are on the Plumas or Lassen National Forest. In the current table, the first 11 entries (ending in the LART) are on the Lassen National Forest (LNF), with the remaining three facilities on the Plumas National Forest (PNF).

Almanor campground north: add check mark under the "Campsites" column, consider combining with next entry as "Almanor Family Campground"

Almanor campground south: add check mark under the "Campsites" column, consider combining with above entry as "Almanor Family Campground"

Almanor campground boat launch: change name to just "Almanor boat launch" for consistency with other comments and SA/4(e) text, add a check mark under the "Boat Launches" column.

Almanor campground day use: delete this entry, unsure what is being referenced.

Picnic beach: change name to "Almanor beach" for consistency with other comments and SA/4(e) text, add a check mark under the "Swimming Areas/Shoreline Access" column.

Canyon dam boat launch/day use area: Add check marks under the following columns: “Picnic Tables”, “Swimming Areas/Shoreline Access”, and “Boat Launches”.

Almanor rest area (SR 89): change name to “Almanor Day Use” for consistency.

Almanor overflow camping area: delete this entry.

Almanor group reservation camp: change this name to “Almanor Group Campground” for consistency with other comments and SA/4(e) text.

Dyer View day-use area: Add a check mark under the “Swimming Areas/Shoreline Access” column.

Lake Almanor recreation trail: Add “(LART)” after this heading.

Page 194 Line 24-26; Page 329 Line 3, ADA:

A statement has been added to Forest Service final 4(e) Condition 32 under Paragraph 1. Recreation Facilities Development Program regarding Forest Service jurisdiction over recreation facility ADA compliance for facilities located on National Forest System lands.

Page 196 Lines 23-30, Page 202 Line 36, Percentage cap:

While this FERC DEIS discussion of the Licensee and Forest Service funding partnership in reconstructing Forest Service managed campgrounds is mostly consistent with SA wording, there is one significant difference that needs correction. The DEIS places a maximum cap on both the percentage (40%) and dollars (\$5,000,000 in 2004 dollars) provided by PG&E. While we agree with the \$5,000,000 cap, the 40 percent parameter was intended as an approximation only. This was discussed in meetings between the Licensee and Forest Service with final SA wording agreed upon as follows: “Although the Forest Service will attempt to maintain the 40/60 percent split each year, Forest Service may elect to require Licensee to provide a greater or lesser percentage of matching funds in any given year provided that the total cost to Licensee to fund recreation improvements at the above Forest Service-owned recreation facilities shall not exceed \$5,000,000 (2004 dollars).” For consistency and to avoid undue constraint in this funding partnership, we request the FERC eliminate wording on applicable pages of the DEIS that indicates an exact percentage cap and replace it with “approximate” wording.

Page 196 Lines 31-38, and Page 329, any excess of Licensee \$5,000,000 funding:

This referenced paragraph discusses the disposition of any remainder of the \$5,000,000 Licensee funds should the Forest Service not be able to raise their proportionate share. This is an appropriate discussion that is consistent with wording found in the SA. The concern is that this verbiage is not carried forward into the FERC “Recommended Alternative” in Section 5.2.1 found on pages 324-345. The Forest Service recommends specific reference to any remaining amount of the \$5,000,000 Licensee recreational funding be addressed under Measure #29 starting on page 329.

Page 197 Lines 7 and 25, Facility reconstruction:

In reference to reconstruction of Almanor Campground, group campground, and RV dumpsite, the two above referenced lines state “...PG&E rehabilitate...” and “...PG&E construct...”. This wording gives the false impression that PG&E will be completing the

construction of these facilities. This should be clarified to show that PG&E will only provide matching funding (up to a maximum cap of \$5,000,000) to the Forest Service who will be responsible for the actual construction.

Page 198 Lines 3-5, operation of Almanor picnic area:

These lines indicate an obsolete Forest Service recommendation that PG&E take over full operation, maintenance and interpretation at the Almanor picnic area under an annual operations agreement with the Forest Service. This has since been changed and is addressed in Appendix B of the SA, which are items that are agreed not to be included in the new project license. Therefore, this recommendation by the Forest Service needs to be removed from the DEIS.

Page 200 Lines 11-12, Canyon Dam day use area jurisdiction:

Due to the similar names of the Forest Service and Licensee Canyon dam facilities, the Forest Service preliminary 4(e) license Condition 44 (Paragraph E.7) inadvertently showed as regular text, indicating the Forest Service had 4(e) authority. This was an error and should have been shown in italics as a 10(a) recommendation. Therefore, the DEIS wording at line 11 needs to be changed from “4(e)” to “10(a)”. This will be corrected in our final 4(e) submittal.

Page 201 Lines 10-25, Page 242 Lines 5-15, Page 339 Lines 11-15, Southwest Shoreline Access Zone:

The paragraph on Page 201 needs to be edited to be consistent with the SA and final 4(e) documents by the following bold, italicized wording: “...the southwest shoreline access points, ***as they are constructed***, under an annual operations agreement with the Forest Service.”

Additionally, the references on Pages 201, 242, and 339 need to address and include portions of these new southwest shoreline facilities that will otherwise be outside of the Project boundary upon construction (may be limited to roads leading to the facilities depending on site placement). This appears to have been inadvertently omitted in the SA and preliminary 4(e), however, the final 4(e) will include wording to include these portions of the Southwest shoreline areas inside the Project boundary.

Page 205 Line 18, Powerhouse Trails:

The project Settlement Agreement contains a timeline of 5 to 10 years after license issuance for construction of the Butt Valley powerhouse trails. This timeline is repeated in Forest Service final 4(e) Condition 32.

Page 207 Line 31, North Fork Fishing Trail:

The project Settlement Agreement contains a timeline of 1 to 3 years after license issuance for completion of the North Fork fishing trail access improvement. This timeline is repeated in Forest Service final 4(e) Condition 32. There is anecdotal evidence that the current catwalk around the Caribou 1 Powerhouse is quite adequate in terms of being a safe structure, but the open nature of the catwalk does deter some people from using the

catwalk to access the North Fork above Caribou. The Forest Service supports retrofitting the catwalk but in a manner that will not deter some potential users.

Page 210 Lines 1-13, Page 328 Lines 26-28, Page 334 Lines 29-39, Recreation O&M:

The DEIS discussions concerning recreation operation and maintenance are summaries that leave out detail found in both the SA and preliminary 4(e) documents, while in other cases wording from Appendix B of the SA that was not intended to be included as license conditions are shown. Many of the O&M details will need to be worked out in future planning efforts and may be too specific for the FERC to address in the DEIS; however, there are several key elements we'd like to see addressed in the DEIS so they are not lost during development of specific recreational plans:

1. Consideration of the local recreating public, including a seasonal boat launch pass at Forest Service facilities if the Licensee institutes fees.
2. Continuation of similar seasonal operating periods at recreation facilities currently under Forest Service administration. For example, the Forest Service currently maintains year-round boat-in access at the Canyon Dam boat launch through a snowplowing contract with the County. This is the only public winter boat launch on Lake Almanor and is heavily used by locals, tourists, and fishing guides. With winter reportedly being the best season for fishing on the Lake, a reduction in the season for this facility could have a devastating effect on the local economy generated by recreational users.
3. The appropriate O&M plan needs to include detailed discussions of fees and use of fees by the Licensee, as per the SA and final 4(e) conditions.

Page 211 Line 18, Interpretation and Education (I&E) Plan Timeline:

The project Settlement Agreement does not include Tribes in the list of agencies and stakeholders listed as potential contributors to the development of an I&E program. Tribes have been included in the Forest Service final 4(e) condition regarding development of the I&E program.

Page 211 Line 19 and Page 212 Line 2, Interpretation & Education (I&E) Plan Timeline:

The Forest Service preliminary 4(e) referenced a 5 year timeline from license issuance for PG&E to develop the I&E plan, as referenced on Page 212 Line 2 of the DEIS. However, the more current Settlement Agreement, of which the Forest Service was signatory, agreed on a two-year timeframe for this plan development. This should clear up the timeline conflict addressed by FERC in the DEIS on these 2 pages.

Page 213 Lines 14-18, Recreation Monitoring Program

Forest Service preliminary 4(e) Condition 42 has been edited and incorporated into final Condition 35. The reference to the Forest Service reserving the right to require changes in the project has been removed. Forest Service authority to require project changes is reserved elsewhere.

Page 216 Lines 13-15, Recreation Coordination and Review:

The elements appearing in Forest Service draft 4(e) Condition 41 have been incorporated into final 4(e) Conditions 35, 36, and 37.

3.3.6.2 Environmental Effects

Page 249 Lines 14-22, Fire Prevention and Response Plan:

The Forest Service has divided the fire management issue into two emphasis areas. The first is a focus on fire prevention at project facilities and adoption of procedures that minimize the risk of a fire start. Also included are measures to take in the event of a fire caused by Licensee activities. Measures of this sort are outlined in final Forest Service 4(e) Condition 9. An equally important component of fire management is the treatment of live and dead fuels surrounding project facilities for the purpose of reducing the possible damage caused by a wildfire. Treatment will also facilitate control efforts. This second component is described in Forest Service final 4(e) Condition 41.

3.3.7 Cultural Resources

Page 250 Line 27-28, Page 281 Line 32, Cultural Resources:

The first reference above appropriately discusses both the Lassen and Plumas National Forests as members of the Cultural Resources Working Group. Please assure that the Licensee contacts the appropriate archaeologists on both Forests when this working group reconvenes. We have not heard from this working group for some time and do not know the status of this group.

3.3.7.2 Environmental Effects

Page 279 Line 15-18, Programmatic Agreement (PA):

In this reference, the FERC states they will develop a draft version of the PA to which the Forest Service will be a “concurring party”. As per other relicensing projects (Pit 3, 4, 5, and others), when there are affected sites on National Forest System (NFS) lands the Forest Service must be a signatory to the PA not just a “concurring party”. As a concurring party there is the potential in a dispute that decisions could be made on NFS lands without Forest Service concurrence. The PA must include the Forest Service with “signatory status” as it applies to decisions on NFS lands. This was addressed in the Forest Service preliminary 4(e) license Condition 40 and will be carried forward into the final 4(e).

Page 280 Line 28-33, Area of Potential Affect (APE):

The Forest Service believes that this historic site has been impacted by project operation and continues to be in jeopardy. The Forest Service is willing to discuss modification of the APE with the licensee.

5.0 STAFF’S CONCLUSIONS

5.2.1 Recommended Alternative

Page 326 Lines 17-21, Pulse flow monitoring:

The project Settlement Agreement specifies that recommendations to alter the pulse flow schedule would be made after an affirmative decision by resource agencies. While the licensee would petition FERC to make the change, the decision to recommend a change is not entirely that of the licensee.

Page 326 Lines 26-29, Ramping rates

Monitoring of ramping rates will be conducted and recommendations to modify ramping rates will be made if deemed appropriate after review by resource agencies and other Settlement Agreement signatories. If new ramping rates are recommended for geomorphic pulse flows, the total volume of water released for the modified pulse flow including the new ramping rate will not change. However, if the ramping rates for recreation river flows are changed, the total volume of water released shall not exceed 110% of the modified recreation river flow release.

Page 328 Line 7, Gansner Bar fish barrier:

Removal of the Gansner Bar fish barrier is not a component of the project Settlement Agreement. Removal of the barrier was discussed a number of times during settlement negotiations. Resource agencies supported removal. The Forest Service supports removal since rainbow trout and hardhead residing in the river below the junction of the East Branch and the North Fork will regain access to the upper Belden reach.

Page 328 Line 32, Recreation Monitoring Program bullet:

Add a "frequency" element to the list of monitoring attributes to be addressed. It should specifically address monitoring at 1, 6, and 12 year intervals and the specific elements to be monitored at those timeframes, as is discussed in the DEIS (Page 212 Lines 34-35), SA, and upcoming final 4(e) documents.

Page 329 Lines 1-2, RRMP review:

Lines 1-2 should specify the review frequency of the RRMP. Wording from other portions of the DEIS, as well as the SA and 4(e) documents, state: "The frequency of the RRMP updates shall not exceed every 12 years..."

Page 329 Lines 3-4, RRMP finalization:

Lines 2-4 do not provide a time period for finalization of the RRMP. The SA and 4(e) both provide 12 months, which should be incorporated into this DEIS text.

Page 335 Line 17, Recreation monitoring timeframe:

The DEIS discusses recreational monitoring at 6 year intervals in conjunction with the Form 80 process, but does not detail other recreational monitoring to be conducted annually and at 12 year intervals as discussed above under "Page 328 Line 32, Recreation Monitoring Program bullet". We recommend the DEIS consistently reference the 3 monitoring timeframes and the constituent elements at each of those intervals.