



Federal Energy
Regulatory
Commission

Office of Energy Projects

September 2004

FERC/DEIS - 0172D



**Draft Environmental Impact Statement
Upper North Fork Feather River Project
California**

(FERC No. 2105)

888 First Street N.E., Washington, DC 20426

**DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR HYDROPOWER LICENSE**

Upper North Fork Feather River Project—FERC Project No. 2105

California

**Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
888 First Street, N.E.
Washington, DC 20426**

September 2004

1 FEDERAL ENERGY REGULATORY COMMISSION

2 WASHINGTON, DC 20426

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4 OFFICE OF ENERGY PROJECTS

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6 TO THE PARTY ADDRESSED:

7 **Reference: Draft Environmental Impact Statement**

8 Attached is the draft environmental impact statement (draft EIS) for the Upper
9 North Fork Feather River Project (FERC No. 2105), located on the North Fork Feather
10 River and Butt Creek, in Plumas County, California. This draft EIS has been prepared
11 pursuant to requirements of the National Environmental Policy Act (NEPA) and the
12 Federal Energy Regulatory Commission's (FERC's or Commission's) regulations
13 implementing NEPA (18 CFR Part 380).

14 This draft EIS documents the view of governmental agencies, non-governmental
15 organizations, affected Indian tribes, the public, the license applicant, and Commission
16 staff. It contains staff evaluations on the applicant's proposal and the alternatives for
17 relicensing the Upper North Fork Feather River Project.

18 You are invited to file comments on the draft EIS. Any comments, conclusions, or
19 recommendations that draw upon studies, reports, or other working papers should be
20 supported by appropriate documentation. Your comments will be considered in the
21 staff's preparation of the final EIS.

22 Comments should be filed with Magalie R. Salas, Secretary, Federal Energy
23 Regulatory Commission, 888 First Street, N.E., Washington, DC 20426. All comments
24 must be filed by November 1, 2004, and should reference Project No. 2105-089.
25 Comments may be filed electronically via the Internet in lieu of paper. The Commission
26 strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and instructions at
27 <http://www.ferc.gov> under the eLibrary link.

28 Before the Commission makes a licensing decision, it will take into account all
29 concerns relevant to the public interest. The draft EIS will be part of the record from
30 which the Commission will make its decision. The final EIS is expected to be issued in
31 the fall of 2004.

32 Copies of the draft EIS are available for review in the Commission's Public
33 Reference Branch, Room 2A, located at 888 First Street, N.E., Washington, DC 20426.
34 The draft EIS also may be viewed on the Internet at www.ferc.gov under the eLibrary
35 link. Please call (202) 502-8822 for assistance.

36 Attachment: Draft Environmental Impact Statement

COVER SHEET

- a. **Title:** Relicensing the Upper North Fork Feather River Project in Plumas County, California, FERC Project No. 2105-089
- b. **Subject:** Draft Environmental Impact Statement
- c. **Lead Agency:** Federal Energy Regulatory Commission
- d. **Abstract:** Pacific Gas and Electric Company (PG&E) filed an application for a new license for the existing Upper North Fork Feather River (UNFFR) Project, which is located on the North Fork Feather River, in the vicinity of the community of Chester, Plumas County, California. The UNFFR Project generates 1,171.9 gigawatt-hours of electricity annually.

The draft environmental impact statement (EIS) presents the staff's evaluation of the developmental and non-developmental consequences of PG&E's proposal, alternatives to the proposed action, and the no-action alternative. Key issues associated with relicensing this project include providing appropriate minimum flows in the bypassed reaches, whether enhancement of the supply of gravel and other native materials is needed, management of Lake Almanor water surface elevations and its effect on nearshore and riparian habitat, controlling noxious weeds, protecting threatened and endangered species, providing recreational enhancements, and protecting cultural resources.

The staff's recommendation is to relicense the project as proposed, with additional measures to protect and enhance environmental resources, including various measures to protect and monitor water quality; measures to control flows to the bypassed reaches and manage Lake Almanor water levels to enhance habitat for aquatic biota; monitoring aquatic, riparian, and terrestrial plants, fish, and wildlife; protective measures for fish and wildlife; various recreational enhancements; and development of several land use plans.

- e. **Contact:** John Mudre
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Office of Energy Projects
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(202) 502-8902

f. **Transmittal:** This draft EIS prepared by the Commission's staff on the hydroelectric license application filed by PG&E for the existing Upper North Fork Feather River Project (FERC No. 2105-089) is being made available to the public on or about September 17, 2004, as required by the National Environmental Policy Act of 1969¹ and the Commission's Regulations Implementing the National Environmental Policy Act (18 CFR Part 380).

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¹ National Environmental Policy Act of 1969, amended (Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, §4(b), September 13, 1982).

1 **FOREWORD**

2 The Federal Energy Regulatory Commission (Commission), pursuant to the
3 Federal Power Act (FPA)² and the U.S. Department of Energy Organization Act³ is
4 authorized to issue licenses for up to 50 years for the construction and operation of non-
5 federal hydroelectric development subject to its jurisdiction, on the necessary conditions:

6 That the project ... shall be such as in the judgment of the Commission
7 will be best adapted to a comprehensive plan for improving or developing
8 a waterway or waterways for the use or benefit of interstate or foreign
9 commerce, for the improvement and utilization of water-power
10 development, for the adequate protection, mitigation, and enhancement of
11 fish and wildlife (including related spawning grounds and habitat), and for
12 other beneficial public uses, including irrigation, flood control, water
13 supply, and recreational and other purposes referred to in Section 4(e)...⁴

14 The Commission may require such other conditions not inconsistent with the FPA
15 as may be found necessary to provide for the various public interests to be served by the
16 project.⁵ Compliance with such conditions during the licensing period is required. The
17 Commission's Rules of Practice and Procedure allow any person objecting to a licensee's
18 compliance or noncompliance with such conditions to file a complaint noting the basis
19 for such objection for the Commission's consideration.⁶

² 16 U.S.C. §791(a)-825r, as amended by the Electric Consumers Protection Act of 1986, Public Law 99-495 (1986), and the Energy Policy Act of 1992, Public Law 102-486 (1992).

³ Public Law 95-91, 91 Stat. 556 (1977).

⁴ 16 U.S.C. §803(a)(1).

⁵ 16 U.S.C. §803(g).

⁶ 18 CFR §385.206 (1987).