

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



June 7, 2013

To: Potentially Interested Parties

Subject: Notice of Availability of Applications for Conduit Exemption for Mojave Siphon Powerplant and for Conforming License Amendment to South SWP Hydropower Project, Federal Energy Regulatory Commission Project No. 2426

Pursuant to the Federal Energy Regulatory Commission (FERC) Regulation 18 CFR § 4.38(b)(1), the California Department of Water Resources (DWR) is notifying potentially interested parties on the availability of the Initial Consultation Document (ICD) for the Mojave Siphon Powerplant (MSPP), a facility of the South SWP Hydropower Project No. 2426 (P-2426). DWR intends to file applications with FERC for approval to convert the existing 32.4 megawatt MSPP, located on the East Branch of the California Aqueduct, State Water Project, to a conduit exemption. The ICD is available on DWR's website at <http://www.water.ca.gov/hlpc>. Hard copies and electronic copies of the ICD are available upon request.

DWR is seeking input from interested parties on the ICD and requests your written comments, or an acknowledgement of no comments, by **Monday, September 9, 2013**. Any comments should follow the requirements of 18 CFR § 4.38(b)(5). Please address your comments to:

Mr. Ted Craddock, Chief
Hydropower License Planning and Compliance Office
California Department of Water Resources
P.O. Box 942836
Sacramento, California 94236-0001

The purpose of the ICD is to comply with first stage consultation requirements under 18 CFR §4.38, and consists of the draft conduit exemption application and the associated draft application to make conforming amendments to the P-2426 license. The draft conduit exemption application includes Exhibit A (Project Description), Exhibit E (Environmental Report), and Exhibit G (Project Boundary Map). Exhibit F (Project Engineering Drawings) is non-public Critical Energy Infrastructure Information (CEII), and is not included.

MSPP is an existing licensed facility of P-2426. The proposed conduit exemption for MSPP will not involve any new construction or changes in the operation of the existing generating facility. The application to convert the licensed MSPP facility to a conduit exemption will involve a request from FERC for approval to change the authorization under which it operates as provided for in the Federal Power Act. This change in authorization will have no environmental effects. The draft license amendment application requests FERC approval to remove the MSPP and associated lands from the P-2426 license, modify or eliminate the associated maps and facility design drawing exhibits from the P-2426 license, and reduce the authorized installed capacity under P-2426.¹

Joint Agency Public Meeting

Pursuant to FERC's regulations under 18 CFR § 4.38(b)(3), DWR has scheduled a joint agency public meeting from 9:00 a.m. to 11:00 a.m. on **Thursday, July 11, 2013**, to seek input from agencies, Native American tribes, and the public that may be interested in the proposed conduit exemption application. The meeting will be held at:

Courtyard Marriot
9619 Mariposa Road
Hesperia, California 92345

Newspaper notices on the availability of the ICD and public meeting will be issued in accordance with FERC's regulations. During the public meeting, we will be discussing the conduit exemption application Project description, current facilities operation, and the conduit exemption application processes including an introduction to the three stage consultation requirements. We will also discuss waiving any applicable fees from fish and wildlife agencies for Federal Power Act Section 30(c) and waiving second stage consultation requirements. An opportunity for a site visit will take place immediately following the public meeting for those who RSVP and provide the required security information by **Thursday, June 27, 2013** as detailed below. Transportation will be provided during the site visit.

DWR requests that you RSVP to Ms. Olivia Virgadamo at (916) 263-0359, or via email at Olivia.Virgadamo@water.ca.gov if you plan to attend the public meeting. Please indicate your availability to participate in the site visit, and if you require special accommodations.

¹ DWR is also circulating on this same date an ICD for its request for issuance of a conduit exemption for the Alamo Powerplant and to make conforming amendments to the P-2426 license. The draft P-2426 license amendment application included with the ICD for the Alamo Powerplant is the same draft license amendment application being circulated in the ICD for the MSPP conduit exemption application.

If you are participating in the site visit, you **must** RSVP in advance by **Thursday, June 27, 2013** prior to the public meeting for security clearance purposes. You must receive security clearance in order to participate in the site visit. Please provide the following information:

1. Your legal full name
2. Any prior aliases
3. Government issued identification card and/or passport number
4. Your affiliation
5. Interest in the site

For security purposes, participants who do not RSVP and provide the required security clearance information by Thursday, June 27, 2013 will NOT be allowed to participate in the site visit.

You will have the opportunity to submit written comments on the draft conduit exemption application following the public meeting. DWR is requesting your written comments, or an acknowledgement of no comments, by **Monday, September 9, 2013**. Any comments should follow the requirements of 18 CFR § 4.38(b)(5).

Request for Resource Agency and Native American Tribe Waiver of Second Stage Consultation

Following the first stage consultation, DWR intends to submit an application for a conduit exemption to FERC. The FERC rules allow for a second stage of consultation, which involves environmental studies, if necessary, and further review of a draft application. Because the conduit exemption for MSPP will merely substitute one form of FERC authorization for another, and will have no effect on natural or cultural resources, DWR is requesting resource agencies and Native American tribes to waive the second stage consultation requirements pursuant to 18 CFR § 4.38(c) and is including a waiver for those entities as it applies. This will allow DWR to proceed directly with filing the application for a conduit exemption to FERC. After your review of the ICD, please indicate your response to this request by completing and returning the enclosure titled "**Mojave Siphon Powerplant Conduit Exemption Second Stage Consultation Waiver**". Please either mail, or scan and email, the signed waiver to Ms. Virgadamo at Olivia.Virgadamo@water.ca.gov by **Monday, September 9, 2013**.

Request for Fish and Wildlife Agency Waiver of Fees for Federal Power Act Section 30(c)
Pursuant to 18 CFR § 4.301(a)(2) and (b), state and federal fish and wildlife agencies may be eligible for reimbursement of costs to set mandatory terms and conditions. Fish and wildlife agencies must provide a prospective exemption applicant with a reasonable estimate of the total costs the agency anticipates it will incur to set any mandatory terms

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and conditions, if applicable. If your agency is eligible for reimbursement pursuant to this regulation, DWR requests an estimate of the costs for setting any mandatory terms and conditions, if applicable, or an acknowledgement that your agency intends to waive any fees and is including a waiver for those entities as it applies. After your review of the ICD, please indicate your agency's response by completing and returning the enclosure titled "**Mojave Siphon Powerplant Conduit Exemption Waiver of Fees for Federal Power Act Section 30(c)**". Please either mail or scan and email the signed waiver to Ms. Virgadamo at Olivia.Virgadamo@water.ca.gov by **Monday, September 9, 2013**.

For more information, please contact me at (916) 263-0261, or your staff may contact Ms. Virgadamo at (916) 263-0359.

Sincerely,



Ted Craddock, Chief
Hydropower License Planning and Compliance Office
Executive Division