

## INITIAL STATEMENT

### BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION APPLICATION FOR NEW LICENSE

- (1) The Department of Water Resources of the State of California (DWR or Applicant), existing licensee for Federal Energy Regulatory Commission Project No. 2100, hereby submits this application for a new license for a new term of 50 years as described in the attached exhibits. The Applicant's existing license for Project No. 2100 expires on January 31, 2007.
- (2) As part of its application, the Applicant requests a change in the name of Project No. 2100 to "Oroville Facilities." Under the initial license, Project No. 2100 was identified as "Feather River Project," and "Oroville Division, State Water Facilities."
- (3) The location of the Project is:
  - State or Territory: California
  - County: Butte
  - Township or nearby town: Oroville
  - Stream or other body of water: Feather River
- (4) The exact name and business address of the Applicant are:

Department of Water Resources  
1416 Ninth Street  
P.O. Box 942836  
Sacramento, California 94236-0001

All written correspondence regarding this Application should be addressed to the attention of Mr. Henry M. "Rick" Ramirez, Program Manager, Oroville Facilities Relicensing Program.

The exact name and business address of each person authorized to act as agent for the Applicant in this application are:

Lester A. Snow, Director  
Department of Water Resources  
1416 Ninth Street, Room 1115-1  
P.O. Box 942836  
Sacramento, California 94236-0001

Vernon T. Glover, Deputy Director – State Water Project  
Department of Water Resources  
1416 Ninth Street, Room 1115-9  
P.O. Box 942836  
Sacramento, California 94236-0001

Nancy J. Saracino, Chief Counsel  
Department of Water Resources  
1416 Ninth Street, Room 1118  
P.O. Box 942836  
Sacramento, California 94236-0001

- (5) The Applicant is an agency of the State of California organized and existing pursuant to the laws of the State of California. It is a municipality within the meaning of Section 796(7) of the Federal Power Act.
- (6)(i) The statutory or regulatory requirements of the State in which the Project is located that affect the Project as proposed, with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes, and with respect to the right to engage in the business of developing, transmitting, and distributing power and in any other business necessary to accomplish the purposes of the license under the Federal Power Act, are:
- California Water Code Section 11295 authorizes DWR to construct and operate plants and works for the generation, transmission, sale and use of electric power.
  - California Water Code Section 11130 authorizes DWR to use any State real property including the land lying beneath any navigable waters of the State for the purpose of the State Water Project, which includes the Oroville Facilities.
  - California Water Code Section 1375 *et seq.* authorizes the State Water Resources Control Board to issue water rights permits.
  - California Water Code Section 13160 authorizes the State Water Resources Control Board (SWRCB) to act as the State water pollution control agency for purposes of compliance with Section 401 of the Federal Clean Water Act, including providing a certificate that a federally authorized activity will not reduce water quality below applicable standards.

(6)(ii) The steps that the Applicant has taken or plans to take to comply with each of the laws cited above are:

1. DWR has been in continuous compliance with, and has properly sought and obtained all consents, approvals, and other authorizations required to be obtained from time to time by DWR pursuant to California law.
2. The SWRCB has issued four water rights permits to DWR covering the operation of the Oroville Facilities: (a) two permits, P16477 and P16480, allow the use of up to 11,000 cfs of direct diversion and up to 3,880,000 acre-feet per year diversion to storage for power generation at the Oroville Facilities, including incidental recreation and fish and wildlife enhancement; and (b) two permits, P 16478 and P16479, allow the use of the same quantities of water for consumptive use purposes.
3. A request for water quality certification will be filed with the SWRCB after the Final Application for License is filed with FERC consistent with FERC requirements and guidance.

(7) The existing Oroville Facilities are owned by:

State of California, acting by and through  
Department of Water Resources  
1416 Ninth Street  
P.O. Box 942836  
Sacramento, California 94236-0001

(8) The following exhibits are filed herewith and are hereby made a part of this application:

- Exhibit A: Project Description
- Exhibit B: Project Operation and Resource Utilization
- Exhibit C: Construction History and Proposed Construction Schedule
- Exhibit D: Statement of Costs and Financing
- Exhibit F: Supporting Design Report and General Design Drawings
- Exhibit G: Project Maps
- Exhibit H: Information Required for New License
- PDEA: Preliminary Draft Environmental Assessment

This application is executed in the

State of California            )  
                                          ) ss.  
County of Sacramento        )

By: Lester A. Snow, Director  
Department of Water Resources  
1416 Ninth Street  
P.O. Box 942836  
Sacramento, California 94236-0001

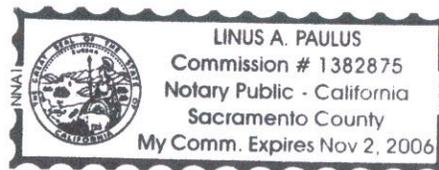
The undersigned, being duly sworn, deposes and says that the contents of this application are true to the best of his knowledge or belief. The undersigned Applicant has signed this application this 14th day of January 2005.

**DEPARTMENT OF WATER RESOURCES (APPLICANT)**

By:   
Name

Subscribed and sworn to before me this 14th day of January 2005.

  
Notary Public, State of California  
My Commission Expires: 11/02/06



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BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION  
APPLICATION FOR NEW LICENSE

APPLICATION OF  
STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
DEPARTMENT OF WATER RESOURCES

**FOR THE  
OROVILLE FACILITIES  
FERC PROJECT NO. 2100**

PURSUANT TO:  
Code of Federal Regulations  
Title 18—Conservation of Power and Water Resources  
Chapter 1, Subchapter B  
Part 4, Subpart D, Section 4.38  
Part 4, Subpart F, Sections 4.50 and 4.51  
and  
Part 16, Subpart B

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**STATE OF CALIFORNIA**  
*Arnold Schwarzenegger, Governor*

**THE RESOURCES AGENCY**  
*Mike Chrisman, Secretary for Resources*

**DEPARTMENT OF WATER RESOURCES**  
*Lester A. Snow, Director*

*P. Joseph Grindstaff*  
*Chief Deputy Director*

*Brian E. White*  
*Assistant Director*  
*Legislative Affairs*

*Nancy J. Saracino*  
*Chief Counsel*

*Susan Sims Teixeira*  
*Assistant Director*  
*Public Affairs*

*Gerald E. Johns*  
*Deputy Director*

*Stephen W. Verigin*  
*Deputy Director*

*Tom Glover*  
*Deputy Director*

*Peter S. Garris*  
*Deputy Director*

**OROVILLE FACILITIES RELICENSING PROGRAM**

*Raphael A. Torres, Executive Manager*  
*Henry M. "Rick" Ramirez, Program Manager*  
*Nick Kontos, Supervising Engineer, WR*

**OROVILLE FACILITIES RELICENSING STEERING COMMITTEE**

*Stephen L. Kashiwada, Chief, Division of Operation and Maintenance*  
*David V. Starks, Chief, Utility Operations*  
*Ward A. Tabor, Assistant Chief Counsel*  
*James F. Blood, Acting Chief, Oroville Field Division*  
*Barbara J. McDonnell, Chief, Division of Environmental Services*  
*Dwight P. Russell, Chief, DPLA Northern District*  
*Richard Sanchez, Assistant Chief, Division of Operations and Maintenance*

**STATE WATER PROJECT ANALYSIS OFFICE**

*Dan Flory, Chief*  
*Robert B. Cooke, Principal Engineer, Project Water Management*  
*George T. Qualley, Principal Engineer, Project Power Management*  
*Mark E. Andersen, Supervising Engineer, Chief, Oroville Facilities Relicensing Branch*

### **RELICENSING TECHNICAL COORDINATORS**

*Christina R. Acken, Senior Engineer, WR, Cultural*  
*Teodoro Z. Alvarez, Senior Engineer, WR, Environmental*  
*Lori C. Brown, Senior HEP Utility Engineer, Engineering & Operations*  
*James H. Upholt, Senior Engineer, WR, Recreation & Land Use/Land Management*  
*David W. Lane, WR Engineering Associate, Web Master*  
*Melanie D. Baillie, Associate Governmental Program Analyst, Budget*  
*Susan M. Larsen, Staff Services Analyst, Contracts*  
*Gary B. Lotspeich, Staff Services Manager II (Retired), Contracts*  
*Raymond Valdez, Student Engineer, Graphics and Web Site Development*

### **OROVILLE FACILITIES RESOURCE AREA MANAGERS**

*Rashid Ahmad, Supervising Engineer, WR, Engineering*  
*William M. Cochran, Supervising HEP Utility Engineer, OFD Liaison*  
*Curtis L. Creel, Supervising Engineer, WR, Operations*  
*Stephen A. Ford, Environmental Program Manager II, Environmental*  
*Victoria Foster, WR Engineering Associate, Engineering Drawings*  
*Dale Hoffman-Floerke, Environmental Program Manager I, Environmental/Recreation*  
*Laurence Kerckhoff, Staff Counsel, OCC Liaison*  
*Carrol Leong, Senior Land Surveyor, Project Boundary*  
*James L. Martin Jr, Recreation & Wildlife Res. Advisor, Land Use*  
*William D. Mendenhall, Supervising Engineer, WR, GIS*  
*Janis K. Offermann, Senior Environmental Planner, Cultural*  
*Douglas C. Rischbieter, Staff Environmental Scientist, Recreation*  
*Terry Mills, Environmental Program Manager I, Environmental*  
*Russell G. Stein, Senior Environmental Scientist, Environmental Document Oversight*

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Letter of Transmittal

**Volume I: Application and Technical Exhibits**

**Part 1 – Exhibits A, B, C, D and H**

**Initial Statement**

**Exhibit A: Project Description**

**Exhibit B: Project Operation and Resource Utilization**

**Exhibit C: Construction History and Proposed Construction Schedule**

**Exhibit D: Statement of Costs and Financing**

**Exhibit H: Information Required for New License**

**Volume II: Application and Technical Exhibits**

**Part 2 – Exhibits F and G (Not for public distribution - CEII)**

Exhibit F: Supporting Design Report and General Design Drawings

Exhibit G: Project Maps

*Note: Volume II is being provided to FERC only. It contains Critical Energy Infrastructure Information (CEII), which under FERC's Order No. 630-A is being withheld from public viewing. To view this information, a CEII request may be filed under the provisions of 18 C.F.R. Section 388.113 or a FOIA request may be filed under 18 C.F.R. Section 388.108.*

*The California Public Records Act does not require the disclosure of any record the disclosure of which is exempted or prohibited pursuant to federal law (Cal. Govt. Code Section 6254(k)).*

**Volume III: Preliminary Draft Environmental Assessment (PDEA)**

Introduction to the PDEA

Chapter 1.0 Application

Chapter 2.0 Purpose of Action and Need for Power

Chapter 3.0 Proposed Action and Alternatives

Chapter 4.0 Consultation and Compliance

Chapter 5.0 Environmental Consequences

Chapter 6.0 Developmental and Economic Analysis

Chapter 7.0 Comprehensive Development Analysis and Recommendations

Chapter 8.0 Recommendations of Fish and Wildlife Agencies

Chapter 9.0 Consistency with Comprehensive Plans

Chapter 10.0 Finding of No Significant Impact

Chapter 11.0 Literature Cited

Chapter 12.0 List of Preparers

Chapter 13.0 List of Recipients

**Volume IV: PDEA Appendices: Part 1 – Appendices A through F**

A Consultation and Compliance

B Project Description/Information

C Modeling Tools and Results

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- D Information for Proposed PM&E Measures
- E Biological Assessments and Opinions
- F Supporting Information for Related Actions

**Volume V: PDEA Appendices: Part 2 – Appendix G**

- G Resource Area-Specific Appendices on Aquatic Resources, Cultural Resources, Geology and soils, Land Use, Water Quality and Water Quantity

**Volume VI: PDEA Appendices: Part 3 – Appendices H and I**

- H List of Proposed Plans and Programs
- I Draft Recreation Management Plan

**Volume VII: PDEA Appendices: Part 4 – Figures Volume**

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**APPLICATION FOR NEW LICENSE**

**OROVILLE FACILITIES  
FERC PROJECT NO. 2100**

- Volume I: Application and Technical Exhibits**
- Initial Statement**
  - Exhibit A: Project Description**
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