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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
Division of Hydropower Licensing

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South SWP Hydropower Project Project 2426-227
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SOUTH SWP PROJECT

Embassy Suites by Hilton Valencia
28508 Westinghouse Place
Valencia, California 91355
Tuesday, October 26, 2016

The public scoping meeting, pursuant to notice, convened
at 9:05 a.m, before a Staff Panel:

- JOHN MUDRE, Ph.D., Project Manager, FERC
- KYLE OLCOTT, Outdoor Recreation Planner, FERC

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

2 DR. MUDRE: All right. Welcome everyone here
3 today to our scoping meeting for the South SWP Hydropower
4 Project. My name is John Mudre and I'm with the Federal
5 Energy Regulatory Commission. I'm with FERC, so most of you
6 are probably familiar, but we'll go through the introduction
7 really quickly.

8 FERC is an independent regulatory agency. It has
9 five members that are appointed by the President, confirmed
10 by the Senate, and designated by the President. FERC
11 regulates the interstate transmission of electrical power,
12 natural gas, and pipelines and also regulates the nonfederal
13 hydropower industry.

14 The hydropower program at FERC is composed of
15 three divisions. We have the Licensing Division which is
16 who we are, that issues licenses for projects. We have a
17 License Administration and Compliance Division that oversees
18 licenses after they are issued to make sure that all of the
19 conditions of the licenses are being met. And we also have
20 a very active Dam Safety Division. They make sure that
21 public safety is protected at all of our projects.

22 So, today we're here at the scoping meeting, and
23 what we're going to do today is identify potential
24 environmental effects, issues, concerns associated with the
25 relicensing of the South SWP Project. We want to identify

1 information and study needs that will ultimately be used to
2 develop operational and environmental recommendations.

3 What we're going to talk about is existing
4 conditions at the project. Resource manager objectives.
5 Existing information. Study needs. The process plan and
6 schedule for the relicensing. And also about cooperating
7 agency status.

8 So, in a little bit more detail, the purposes of
9 scoping are to identify significant issues for analysis;
10 identify cumulatively affected resources. Identify
11 reasonable alternatives for analysis; and to identify issues
12 and resources that don't require more detailed analyses.

13 Our first effort in the scoping process was the
14 preparation of the scoping document, Document One, or SD-1
15 as we call it. It was mailed out to everyone on the mailing
16 list and the supplemental mailing list. If you don't have a
17 copy, there are some copies in the back here. It can also
18 can be found on our website, and I'll talk about that a
19 little more later.

20 SD-1 identifies our EA preparation schedule. The
21 proposed EA outline. And I'm saying EA, which is for
22 Environmental Analysis, which is what we think we're going
23 to be doing now; but as we get into our analysis, and there
24 are more issues that need to be addressed in a more
25 comprehensive fashion than we could do in the EIS. But at

1 the present time our plan is to do an Environmental
2 Assessment, or EA.

3 We identified, the comprehensive plans that we
4 identified are listed in the SD-1 that otherwise might not
5 be brought to our attention. Our mailing list, the official
6 mailing list is in SD-1, as well as instructions on how to
7 get on the list. The process plan and schedule shows how
8 and when things happen through the process and it also, it
9 contains information on how to comment, how to get your
10 comments into the official record with the Commission.

11 We also have some handouts in the back that list
12 the various ways that you can comment. We also identified
13 in SD-1 preliminary studies, and it went to various
14 categories; and those categories are: geology and soils,
15 water resources, aquatic resources, terrestrial resources,
16 threatened and endangered species, recreation, and also land
17 use, aesthetic resources, socioeconomic resources, cultural
18 resources, and developmental resources, which is like power
19 generation and also water supply. It's going to take all of
20 these categories and issues into account when we're
21 preparing the environmental document to inform the licensing
22 decision.

23 We have a lot of resources, people that are going
24 to be involved in the process. Our website is probably a
25 good first place to start, www.ferc.gov. From the main page

1 you can get to our eLibrary, which is a repository of all
2 documents that go in or go out for a particular project.
3 You can search South SWP; the project number is P-2426; so
4 you enter that and then it will display all of the documents
5 that are coming in or coming out.

6 To make it even easier for people, we also have
7 it on there what's called eSubscription, where you can go in
8 once, enter your email address and what project you're
9 interested in, and then every time something comes in or
10 goes out, you'll get an email saying that 'This thing was
11 filed today, or this was issued today,' and provides a link
12 that will take you right to that document. So, that's a
13 very convenient and easy way to keep track of what's going
14 on.

15 At the website, you can also look at the mailing
16 and service lists for the project. The mailing list is
17 people who have identified that they're interested in the
18 project and want to receive mail. The mailing list is
19 getting a little outdated, passe with the electronic
20 versions. More people now are getting their information
21 electronically versus hard copies through snail mail. But
22 that is still an option if you want it.

23 The website, also, you can look our hydroelectric
24 project, the relicensing handbook. It talks about different
25 processes and where things happen. It provides more

1 information on the process. SWP, the Applicants, also have
2 a relicensing website, DWR's website is listed there. You
3 can just Google it and find it if you don't want to write
4 that down. Next slide.

5 Our agenda for the day. Introduction; I think
6 I've taken care of that for now. We're going to have the
7 State Water Board give a little bit of recitation about
8 their role in the process and then we're going to have, the
9 Applicants are going to provide an overview of the projects,
10 describe preliminary issues and studies that they've
11 identified in their pre-application document, the PAD.

12 Then we get to the real reason we're here, which
13 is to get agency and public comments about the different
14 types of issues and things, just briefly. And then if
15 there's any other issues that we want to discuss after that,
16 we can do that as well.

17 I hope everyone saw the sign-in sheets on their
18 way in. When you were signing in there was a place where
19 you could put a yes or no on whether you wanted to speak or
20 give comments today, and some people are signed in. If you
21 didn't sign in that you want to speak, we'll let you speak
22 anyway. Just raise your hand when we ask if anybody else
23 wants to make comments.

24 We do have a court reporter today, he is over in
25 the corner. He is preparing transcripts of this meeting,

1 and those transcripts will be put into the public record;
2 they'll be available on our website within ten days to two
3 weeks. If you need to get them sooner, you can see the
4 court reporter and he can arrange that you get a copy sooner
5 than that.

6 I think that's it for that.

7 AUDIENCE: John?

8 DR. MUDRE: Yes, sir.

9 AUDIENCE: Can you just back up for a minute and
10 describe the difference between the mailing and the service
11 lists, and then also talk a little bit about intervention
12 and what that means?

13 DR. MUDRE: Yes, I forgot to do that. The
14 mailing list is for people who are just interested in
15 keeping track of the project and what's going on. The
16 service list is something different. The service list is a
17 list of people who have petitioned to intervene in the
18 process. What that means is they -- the bottom line is,
19 people that intervene are not happy with the outcome, and
20 want a rehearing, and are asking the Commission to
21 reconsider their decision and maybe do something else
22 instead.

23 In some ways that's a really good thing,
24 particularly if you're an agency that has a lot of interests
25 in the projects. Your average person, sometimes it sounds

1 like a good idea, but it also comes with some drawbacks. If
2 you are an intervener, anytime you file something with us,
3 you have to also send copy to all of the other people on the
4 service list. But many people find it worthwhile.

5 AUDIENCE: Thanks.

6 DR. MUDRE: We're going to have, it's going to be
7 Nathan?

8 MR. FISCH: Yes.

9 DR. MUDRE: Nathan with the State Water Board is
10 going to go over the Water Board's role in this process.

11 MR. FISCH: Thank you. How's it going, everyone?
12 My name is Nathan Fisch, like he said, I am the
13 environmental scientist for the State Water Board. Today I
14 just want to give a brief overview of our role in the
15 relicensing process. First, a brief overview the role of
16 the State Water Board in the relicensing process, and the
17 role of the Board in general.

18 The mission of the Board is to preserve, enhance,
19 restore California's water resources. We do that in a
20 couple ways. Regions will have basin plans and the State
21 Board approves them as official, and then also in terms of
22 permitting, licensing, conditions for protecting the water
23 quality.

24 So the Boards are broken into nine regional
25 boards and one state board. The State Board is broken into

1 two divisions. The Division of Financial Assistance will
2 provide grants for small projects. The Division of Water
3 Quality will work on basin plans and approvals, the MPLs,
4 things like that. Susan and I are in the Department of
5 Water Rights. And like it sounds we work, on water rights
6 throughout the state; so riparian appropriate rights and all
7 the things that go along with them, including what the
8 beneficial uses are, the points of diversion and things like
9 that.

10 Within the Division of Water Rights, Susan and I
11 are in the Water Quality Certification program. What our
12 group is charged with doing is providing 401(k) Clean Water
13 Act certifications for projects. Those are required for
14 projects that discharge into the waters of the United
15 States.

16 So that's our large role in the relicensing
17 process, but that doesn't come until after FERC has released
18 their NEPA document. Subsequently, I believe for this
19 project, DWR is going to be the CEQA lead. So DWR would
20 produce a CEQA document, and subsequently we would release a
21 401 Clean Water certification.

22 That's just a brief overview of our role in the
23 licensing process. It goes a lot more into detail as things
24 go on and we'll have opportunities for public comment and
25 everything in the future.

1 Are there any quick questions?

2 AUDIENCE: I've got a question.

3 MR. FISCH: Yes.

4 AUDIENCE: Does the NEPA and the CEQA, can they
5 be done at the same time?

6 MR. FISCH: They can be. I believe part of our
7 MOU that came out a couple years ago, you are going to have
8 some pilot projects, but we haven't worked out one yet.

9 AUDIENCE: (Inaudible).

10 MR. FISCH: She said you have to be the CEQA lead
11 for that to happen; so for this that doesn't work out.

12 Any other questions?

13 Thank you.

14 DR. MUDRE: Thank you, Nathan.

15 Yes, the Water Board does have a very important
16 role in the process, as he mentioned under Section 401 of
17 the Clean Water Act. The Commission cannot issue a for a
18 project, without either a water quality certificate or a
19 waiver thereof by the Water Board.

20 At this time I'm going to turn the meeting over
21 to Kyle, and he is going to do a brief run-through of the
22 Integrated Licensing Process or ILP, which is the licensing
23 process that is being used for this relicensing.

24 MR. OLCOTT: Thanks, John. My name's Kyle
25 Olcott, I'm a outdoor recreation planner with FERC. I work

1 in the West Branch with John, and I just want to talk
2 briefly about, some of you might have heard these terms and
3 acronyms thrown around; as the ILP is the licensing process
4 that we're using for this project. There are others, the
5 ILP is different. It's the newest process that we have. It
6 was created in 2003, it is the default, and that's what we
7 will use for this.

8 The goal of the ILP was to front load the process
9 and also to have the 401 and any sort of Endangered Species
10 Act reviews go concurrent with our licensing process,
11 address the issues on the front end as opposed to post-
12 application filing. There are established time frames and
13 you can see this cute little train clip art. It is meant to
14 show that, the idea is that it's a little train and once
15 that leaves the station, it's hard to get back on board.
16 So, the time line start and they're pretty strict, and I
17 think it's important to get involved now and to understand
18 what the deadlines are as we go through.

19 There's a lot of information on this on our
20 website as well and we'd be happy to answer any specific
21 questions that you might have. But here's a general
22 overview of the ILP, and you can see we're beginning the
23 scoping process now and the next phase will be the study
24 plan development which is a very important part of it; and
25 the studies are done, application filed, then we determine

1 that it's ready for the environmental assessment, ready for
2 environmental analysis rather; prepare the environmental
3 document which leads to the issuance of the license order.
4 The goal of the ILP again is to streamline everything,
5 identify the concerns and issues, have all the stakeholders
6 involved from the very beginning, to complete the licensing
7 application.

8 So here we've already got to the NOI and PAD
9 phase, most of you I hope have reviewed the PAD by now. The
10 next phase, rather the PAD is, parallels the structure of
11 our environmental document, and that's the way it's set up.
12 It was designed to gather the existing information, identify
13 all of the relevant stakeholders, and identify any
14 information needs that the applicant might see.

15 That's what the purpose of the PAD is, and we've
16 all had a chance to look at that. Now we're beginning the
17 scoping process, issued Scoping Document One and have a
18 meeting, and here we are. Now is the time to have all of
19 the different stakeholders have a chance to provide input
20 for developing a study plan. That's going to be an
21 extremely important step, and it ultimately leads toward the
22 decision being made at FERC' but there is an important
23 opportunity for all of the stakeholders to request that
24 studies be done and then ultimately the study plan is
25 determined and reviewed by us at FERC, and then the

1 applicant will go forth and conduct the studies.

2 So some of the agencies here and stakeholders may
3 be interested in requesting studies. There are some
4 criteria for that, and I think they're fairly common sense,
5 and if you're going to propose that someone do a study you
6 should have goals, etcetera. And you can see, nexus to the
7 project, obviously we need to know the methods, and the
8 costs.

9 Any study request should include this information
10 that are set out in the regulations as well. Of course, the
11 next step after the study plan is determined is to conduct
12 the studies. One to two years, the study seasons as we call
13 them, and throughout the study seasons there will be
14 meetings and chances for stakeholders to provide comments.
15 There are updated study reports that the applicant is
16 required to file as well, outlining their process and any
17 deviations from the plan, etcetera.

18 This is leading towards the preparation of what
19 we call the PLP or DLA, Preliminary Licensing Proposal or
20 Draft License Application. One thing that we are going to
21 afford with the ILP -- just kind of as a general comment
22 from our perspective -- is that the application should be
23 complete. When the final license application is filed, we
24 want it to be a complete application that includes any of
25 the plans. Recreation management plan, historical

1 properties management plan, all of these things should be
2 included rather than dealt with after the issuance of a
3 license in the ILP.

4 So that's what we're looking for, and what that
5 means is once the license order is issued, that we can begin
6 to operate under that license and not have to wait for DHAC
7 to approve any of the outstanding plans. The whole goal
8 again with the ILP is to push towards a complete license
9 application where all of the issues and stakeholders have
10 engaged throughout the process so that there aren't any
11 significant issues raised after filing of a license
12 application.

13 So, once the application is filed, then we will
14 review that at FERC and prepare our environmental document,
15 or rather, we then will issue our REA notice, which
16 basically saying that it's ready for our analysis and that
17 it's complete and that it contains everything that is
18 required by the regulations; this is the licensing
19 application.

20 Then we move towards the environmental document.
21 At the time of the REA notice, this is where we will solicit
22 conditions from any of the historic condition agencies.
23 Folks from the Forest Service and others. Under the
24 Federal Power Act, there are certain agencies that have
25 mandatory conditions and 4D conditions is what we call them

1 for projects that occur on federal reservations. But there
2 are other mandatory conditions related to the Endangered
3 Species Act, etcetera that are incorporated into the license
4 and those are whether or not FERC agrees with them, those
5 are put into the license.

6 So that, that at the time of the REA notice,
7 that's when we solicit conditions from the agencies and
8 mandatory conditioning agencies. Then we prepare our
9 environmental analysis, which at this time we are planning
10 to prepare an EA. There are some differences between an EA
11 and an EIS and how we do it. So, it depends on what issues
12 come up or don't come up. We may change our plan to EIS.

13 They're are very much the same in how we operate
14 at FERC. And this is our huge document that we'll put out
15 with the information that was submitted in the license
16 application, and this is where we get to make our
17 recommendations which could be different from what was
18 proposed and evaluate all of the different alternatives
19 there.

20 This is all leading up towards the issuance of a
21 license order which would be the final product of the
22 licensing process. This order would contain all of the,
23 including all mandatory conditions, like I said, whether or
24 not we agree with them in our analysis, as well as our
25 recommendations based on the license application and any

1 information submitted by the stakeholders.

2 That does it for the ILP process. We'd be glad
3 to provide any procedural answers to you. John Mudre, the
4 project coordinator, but anyone on the project team here at
5 FERC. Get in touch with us, we can answer your specific
6 questions. The scoping document has some information about
7 the ILP milestones and we'll talk about that later at the
8 end of the meeting before we adjourn.

9 DR. MUDRE: Thank you, Kyle. I'll just mention
10 that the last step with issuance of the order, that's the
11 time when people who are intervenors on the service list can
12 file a motion for rehearing.

13 MR. OLCOTT: Then we're on to.

14 DR. MUDRE: Whenever you're ready.

15 MS. SCHOLL: Good morning. FERC has asked us to
16 give a little bit of information in the review of the
17 projects. There is a lot more detailed information,
18 obviously, in our PAD document and also in the Scoping
19 Document One. But just to provide an overview. South SWP
20 Hydropower.

21 (Pause to fix technical difficulties with
22 projector)

23

24 MS. SCHOLL: So just to give an overview of the
25 project facilities and, this is a little bit hard to see,

1 but we do have the same map, a bigger version on the back
2 door if you want to look at it later, and also behind me on
3 the wall as well as in the PAD and the Scoping Document One.

4 But just a quick overview from north to south of
5 the project facilities. It starts with the Warne hydropower
6 development which has Quail Lake up here in the north.
7 Transitioning into Lower Quail Canal, and then into the
8 Peace Valley Pipeline intake embankment, down through the
9 Peace Valley into Warne Power plant. Then from there
10 there's also a bypass channel that is available for doing
11 maintenance and such on the Peace Valley Pipeline, that is
12 the Gorman bypass roughly parallel to the Peace Valley
13 Pipeline.

14 And on the west, Warne Power Plant, a 75 megawatt
15 generation plant. Pyramid Lake. And then from Pyramid
16 Lake, you'll go through the Angeles Tunnel into the Castaic
17 Power Plant, 1,275 megawatt. And then the upper forebay to
18 the south which acts as the forebay for the pump back
19 operation and the after-bay for the regular generation.
20 The Elderberry Dam is the southernmost facility in the
21 project. And as well, transmission lines both for Warne and
22 Castaic Power Plant, our project facilities as well. Next
23 slide.

24 These project facilities, Warne is a 75-megawatt
25 hydroplant. It operates as run-and-release; basically this

1 is State Water Project water that is coming down through the
2 system. Quail Lake has Quail Lake and Lower Quail Canal act
3 as the forebay, so Warne Power Plant and there are no
4 natural inflows into those facilities; it's all State Water
5 Project water.

6 They recover energy from the State Water Project.
7 Basically, the State Water Project is delivering water to
8 southern California and a large cost of of that is pumping
9 water; and we do take advantage of hydropower generation
10 opportunities when we can to offset that pumping cost.

11 The State development, 1275 megawatt is a pumped
12 storage operation. Similar to Warne, it's an energy
13 recovery facility. The water passes from the Warne plant
14 through Pyramid lake, and then the water is captured in
15 Elderberry forebay and downstream of Castaic Powerplant, and
16 then it's pumped back through Castaic when the timing and
17 conditions are right, to Pyramid, then scheduled again
18 through Castaic Powerplant to provide additional generation
19 again as electric demand dictates and needs dictate.

20 The pumpback process is repeated until that state
21 water project water is needed for delivery to the southern
22 California users downstream.

23 Natural inflows into Pyramid Lake are minimal.
24 They're roughly 3 percent, and inflow equals outflow. For
25 those natural inflows, they're not used as part of the

1 hydropower generation, and similarly for Elderberry forebay
2 that is the case.

3 The majority of the project recreation occurs at
4 Pyramid Lake. There is some recreation at Quail, but
5 there's a number of facilities and opportunities at Pyramid.
6 Next slide.

7 As far as proposed changes by the licensees,
8 there's no changes to the project operations that are
9 proposed. No proposed changes to the existing project
10 facilities, with the exception of the addition of Quail
11 retention embankment. It just outs westward, roughly, from
12 the Peace Valley Pipeline intake embankment is ahead of
13 where the water would flow into Peace Valley Pipeline. It
14 serves a function as a flood detention, regulating in the
15 event that Lower Quail Canal would fail; it provides flood
16 attenuation so that there's no flooding on Interstate 5.

17 Because of that function as part of the project,
18 when we reassessed facilities we thought it should be
19 included in the project. That's our proposal. We had to
20 get a look at the project boundary and we proposed to modify
21 that boundary to encompass all project facilities including
22 what I just mentioned, the Quail detention embankment. No
23 new ones that are not related to project functions.

24 As well at this time, if you don't propose any
25 modification to the existing project reserves protection

1 measures. However, we will be doing studies; and based on
2 the studies and other consideration we may propose some
3 modifications or add new measures.

4 Preliminary, our proposed studies, we have a very
5 robust PAD, if you will, that we did have a lot of
6 information available, both from the licensing agencies and
7 from our outreach to other agencies. So as far as filling
8 information gaps, our proposed studies are 13, and these
9 include an aquatic invasive species study. The Quail Lake
10 fish population study. We looked at the Pyramid Reach fish
11 populations, and this is between Pyramid Dam and Lake Piru.

12 A special status of aquatic amphibians and semi-
13 aquatic snake study. Botanical resources, nonnative
14 invasive plants, special status terrestrial wildlife
15 species, ESU-listed plants as well as amphibians including
16 the California red-legged frog. ESA listed a bird species.
17 Recreation facilities demand analysis and condition
18 assessment, cultural resources study, Indian tribal
19 resources study.

20 That is our last slide.

21 MR. SMITH: Can we ask questions?

22 DR. MUDRE: Thank you, Gwen.

23 Yes, you certainly can.

24 MR. FISCH: This is why we have two microphones.

25 MR. SMITH: Hey, Gwen. This is Dennis Smith from

1 the Forest Service. I was wondering why the lack of studies
2 in Piru Creek, since I know inflow equals outflow, but you
3 also deliver to United Water; and that delivery has the
4 potential to impact aquatic species, also geomorphology,
5 riparian vegetation, and I just wondered why you haven't
6 proposed any studies on that?

7 MS. SCHOLL: The studies we proposed were based
8 on the information gaps, and that is a good question. I'm
9 going to ask for Jim to further answer that question.

10 MR. LYNCH: Thank you. This is Jim Lynch with
11 HDR, consultant to DWR on relicensing.

12 Dennis, we did look at that in the PAD, Section
13 4, I believe we did a data gap analysis. One reason is
14 there's a lot of information on Piru Creek and including a
15 VO that was done which looked at a lot of those conditions;
16 that was relatively recent.

17 We felt that that type of information, also the
18 amount of flows that were being added to the system for that
19 additional water delivery downstream, seemed to be rather
20 small compared to the overall, compared to what was coming
21 through in the inflow/outflow release. Those are the
22 general reasons, Dennis. there's more information.

23 MR. SMITH: Then the other question I have about
24 that is. Pyramid obviously captures sediment --

25 MR. LYNCH: Yes.

1 MR. SMITH: -- that forms -- in geomorphology in
2 the Piru Creek, so it does have a direct impact, and I
3 wonder why that wasn't any geomor' studies proposed.

4 MR. LYNCH: One reason is we looked downstream
5 again, there was quite a bit of information in the existing
6 literature as well as studies. And from a geomorphological
7 standpoint of sediment there appeared to be a great
8 representation and a relatively good system downstream. So
9 we felt we didn't need to go looking too far to find where
10 there was a problem, but the existing information suggested
11 there was no problem in the system.

12 MR. LYNCH: Thanks.

13 MR. TAYLOR: I have a question. Robert Taylor.
14 Forest Service. How can you be sure that no local water
15 makes it into the system?

16 MS. SCHOLL: The department has extensive
17 monitoring in the NEPA, amass water balance is part of our
18 operations. There is some information in the PAD -- we have
19 our Southern Field Operations Division staff that can
20 provide a lot more information on that either now or as an
21 aside, if you like.

22 MR. TAYLOR: So having gone through the PAD
23 myself, it seemed the focus on your natural inflow
24 monitoring was all surface water-based. So, I had a
25 question on how you monitored. Whether you are getting

1 ground water inflow along the blasted tunnel, the Angeles
2 Tunnel was blasted out and the amount of energy it takes to
3 blast a tunnel through fractured mountain front would put a
4 lot of wave energy that could break up the rock on the
5 outside of the tunnel; so ground water could potentially
6 infiltrate down the outside of the Angeles tunnel. So, I
7 was wondering if you're monitoring whether you're getting
8 groundwater inflowed into the system?

9 MS. SCHOLL: Jim, would you like to. Thank you.

10 MR. LYNCH: Again, this is Jim Lynch. Good
11 questions. As you probably, you reviewed the PAD you saw
12 that we had a hydrology CD with all that data in it. So, we
13 not only monitor what's coming into the system but all
14 through the system. For instance, we know how much water
15 goes into the tunnel and how much comes out of it. We can,
16 based on that, we know water is not being added.

17 Certainly there's a, when -- initially, how can
18 we be certain there's no change? Nobody can be certain of
19 anything. But within the level of hydrology and the level
20 of the monitoring we've done for a system this large, these
21 flows, we're very, very confident over the years that we've
22 got this. We do a lot of hydrology, again, that's in a CD
23 that includes all the existing information and that would be
24 a good thing to look at.

25 And we can certainly talk about where we have

1 been monitoring all through the system.

2 Does that help?

3 MR. TAYLOR: Affirmative.

4 DR. MUDRE: I forgot a few things in our
5 presentation. Let me get those out now and then we can go
6 to your questions.

7 I just wanted to say, we talked about Scoping
8 Document One, and we talked about people submitting their
9 comments on it; but we didn't say what we do with those
10 comments. We get those comments in. We review the comments
11 and then we issue a Scoping Document Two which incorporates
12 those comments and addresses them in it. So something does
13 happen with the comments that you give us, and we look
14 forward to receiving them.

15 The other thing is that, I think most people who
16 have been doing this, I like to say, when you do make
17 comments or ask questions, state your name for the court
18 reporter and if it's a difficult name, maybe spell it so we
19 get it correct in the record. Those were the two things.

20 MR. FOSTER: This is Bill Foster with the
21 National Marine Fishery Service, and our interest in this
22 project is the effects that it may have on the Southern
23 California Steelhead which are endangered and currently
24 reside below Santa Felicia Dam. However, the Rainbow Trout
25 above both dams are genetically similar to the steelhead

1 there below Santa Felicia Dam; and they are essentially
2 isolated steelhead, but they don't have protection under the
3 ESA because they are above the limited anadrome, and
4 anadromous fish can only get up to the base of Santa Felicia
5 Dam.

6 So I was still wondering about, like, the Forest
7 Service had said that there was no geomorphological study of
8 what sediment and/or large woody debris might be trapped at
9 Pyramid Lake or Dam, so that would have, the lack of that
10 going downstream would have an effect in the middle reach as
11 well as, on fish habitat in between the two dams.

12 So, I was wondering about that. In addition, the
13 steelhead are also being genetically similar, the Santa
14 Felicia is another FERC project where we filed a biological
15 opinion, a jeopardy biological opinion; and they are
16 currently going through a funded fish passage program, which
17 they have not physically passed fish yet, but are working in
18 that direction. So the possibility through the course of
19 this relicensing and into the licensing future of this
20 project, steelhead leap very well, being right below the
21 dam, are more directly affected.

22 I do appreciate in the scoping document where you
23 mention that the, where you want to look at the effects of
24 the continued project operation of, on the implementation of
25 our, we have a Southern California steelhead recovery plan.

1 Steelhead are endangered down here. So, in addition, I'd
2 like to add that we should consider the implementation of
3 the Santa Felicia biological opinion, because that will
4 have a direct impact on how your project -- the effect of
5 your project moving forward.

6 MS. SCHOLL: Thank you for your comment. As far
7 as the geomorphology study, Jim had discussed that earlier.
8 There's --.

9 MR. FOSTER: There's actually one last thing I
10 wanted to mention. Bill Foster, NOAA Fisheries. I
11 appreciate that you're operating currently under an inflow-
12 outflow kind of concept, but I also want to ensure that
13 surface water runoff is somehow gauged or collected or
14 accounted for either through some sort of hydrological
15 model, or in some cases, for instance, your Gorman Creek
16 bypass channel may actually catch surface water, and I
17 wasn't aware that that in itself is gauged; although Gorman
18 Creek I can see is gauged, and Piru Creek is gauged. The
19 point being is that while you mention that the inflow of
20 natural water is somewhere in the 1 to 3 percent level, that
21 time of the year it's higher due to storms, obviously.
22 Those storm events are very important to the current
23 resident, isolated steelheads that are downstream of the
24 dam.

25 And so, we wanted to just ensure that you're

1 actually actively gating the amount of inflow that's coming
2 in naturally. In addition to working with the water that
3 you send downstream to United. Thank you.

4 MS. SCHOLL: Thank you.

5 DR. MUDRE: Thank you, Bill.

6 What I think we'll do now; we did have some
7 people sign in to make comments and a couple of you asked
8 some questions already, but we'll just go through them and
9 see if they have anything more they would like to add.

10 Nathan, did you?

11 MR. FISCH: Yes. Nathan Fisch, State Water
12 Board. I had a question about the proposed operations, and
13 if that included the possibility of Cal Water --?

14 DR. MUDRE: Anyone want to answer that one?

15 MS. SCHOLL: The question again is our --? We
16 are not proposing changes in existing operations. I don't
17 know if I know how to answer that one.

18 MR. LYNCH: From hydropower, from a FERC
19 relicensing standpoint, you're talk about upstream?

20 MR. FISCH: Yes.

21 MR. LYNCH: Way upstream?

22 MR. FISCH: Yes.

23 MR. LYNCH: The water comes that comes into the
24 projects starts at Quail and is basically the inflow from
25 the State Water project. Whatever that is in the future

1 will be what it is. We don't think it's part of the
2 relicensing process.

3 MR. FISCH: All right.

4 MS. SCHOLL: Thank you, Jim.

5 DR. MUDRE: Thanks, Jim.

6 Let's see, Bill Foster, you've decided to
7 comment, you had some questions. Did you have anything else
8 you'd like to add?

9 MR. FOSTER: Yew. I'd like to also point out
10 that I want to be able to work through the study plan
11 process to ensure that we've got studies to examine both
12 cumulative and direct effects on resources downstream of the
13 project. I'll be working with the Forest Service and the
14 other, California Department of Fish and Wildlife towards
15 that end. I encourage everybody to work together on
16 identifying the information needs that we're going to have
17 to address. Thank you.

18 DR. MUDRE: I appreciate that, Bill.

19 To that point, let me just say again that we're
20 looking for scoping comments where you can give us your
21 thoughts about what the issues are and also we'll be
22 requesting people's inputs into the study plan and
23 development process. We hope that people contribute to both
24 of those processes.

25 Zachary Likins?

1 MR. LIKINS: My name is Zachary Likins. Last
2 name is L I K I N S. I work for Los Angeles County
3 Department of Parks and Recreation. I just want to let
4 everyone know that yesterday, actually, a new master plan
5 for trails in the Castaic area was approved by the Board of
6 Supervisors. We've been working closely with LADWP and the
7 Department of Water Resources. Some of these proposed
8 trails do enter the FERC boundary, near and around the
9 elevated forebay. We just hope to be included in this
10 process and we'll share the plan.

11 DR. MUDRE: Great. Thanks, Zachary. That's an
12 example of exactly the type of information that we're trying
13 to get here today and soliciting, so you can file that
14 information with us, and share with the applicants as well,
15 and we'll try our best to address your issues.

16 MS. KLOSE: Kristie Klose. K R I S T I E K L O
17 S E.

18 My question is about the studies between Pyramid
19 and Lake Piru, and you're going to look at fish population
20 assessments. Do you have any plans to look at other
21 biodata, chemistry, substrates, things like that, of that
22 nature?

23 MS. SCHOLL: Jim?

24 MR. LYNCH: This is Jim Lynch again from HDR.
25 Actually, we took a look at the existing information, we

1 felt there was awful lot of information regarding water
2 chemistry, and of the biota. We really think the existing
3 information is adequate to address what we need for
4 relicensing.

5 DR. MUDRE: We've got some, and all of the people
6 who signed up and indicated they'd like to speak. Anyone
7 else who does can do so now.

8 MR. TAYLOR: Robert Taylor, Forest service.

9 I just wanted to state for the record that the
10 Forest Service will be submitting comments on the PAD, NOI,
11 SD-1 as well as submitting additional study plan requests by
12 November 29th of this year.

13 DR. MUDRE: Excellent.

14 MR. FOSTER: Bill Foster, National Marine Fishery
15 Service.

16 My agency, too, will be submitting similar study
17 requests moving forward, meaning the Forest Service. The
18 PAD, at least it wasn't completely apparent to me, the
19 status of some of the habitat downstream of the dam, you
20 logically want to know so that you can kind of create a
21 before and after picture,
22 and understand what the project might need to do to either
23 maintain habitat or to actually improve habitat. Depending
24 on the status of it right now, it wasn't apparent that we
25 know how good or bad it is. I'm hoping to gain that through

1 the study process.

2 I might also add that they're -- and you see this
3 in the process plan, that there will be several
4 opportunities to revise a study plan through for project
5 including a dispute process. if necessary, although we
6 sincerely hope not. Eventually we'll be putting together
7 terms and conditions through the REA notice process, and
8 then the Fish and Wildlife agency will be able to get some
9 additional confirmation from the FERC, from FERC about the
10 types of information and terms that we've proposed.

11 At that point, eventually we'll get information
12 from the mandatory conditions agencies.

13 I appreciate everybody who is here today. Thank
14 you.

15 DR. MUDRE: Thank you, Bill.

16 Anyone else with comments, questions at this
17 point?

18 MS. MONHEIT: This is Susan Monheit, State Water
19 Board. My question is: Do the current operations and
20 proposed operations on the project at all attempt to reflect
21 the natural heighth draft of the system, and how does the
22 surface water get added to that?

23 MS. SCHOLL: I can speak I guess physically we
24 discussed with Pyramid, that inflow equals outflow. There
25 is in Article 52 of our license that's also reflective of

1 our 401 Water Quality Certification associated with the
2 project that requires inflow equals outflow at Piru Creek to
3 be protective of the rare toad, endangered species. That is
4 a prescribed license requirement.

5 Did you want to add anything? With regard to
6 inflow equals outflow at Elderberry?

7 So basically, it's the same. I guess it's all to
8 say.

9 Is that helpful, Susan?

10 SUSAN MONHEIT: Yes. Thank you.

11 DR. MUDRE: Thank you, Susan.

12 MR. FOSTER: I was wondering if FERC could really
13 briefly describe the concept of the comprehensive plan under
14 the Federal Power Act and how that is an encompassing kind
15 of plan for a watershed. The reason I ask that is because
16 in the Central Valley of California we filed a recovery plan
17 for several endangered salmon and steelhead, and it has been
18 considered as a comprehensive plan. I will be filing our
19 Southern California steelhead recovery plan as well as the
20 Santa Felicia PL for consideration as comprehensive plans
21 for the watershed. And I don't know if others may want to
22 understand what that means.

23 DR. MUDRE: Is Tom here? There you are.

24 Did you hear that? The comprehensive plans. This
25 is Tom Blonkowski. He's with our Office of General Council

1 and he's the OGC staff that's been assigned to work with
2 this project. He's here today.

3 MR. BLONKOWSKI: I'm not prepared to answer that
4 question at the moment.

5 DR. MUDRE: Well, through our licensing process,
6 I don't know -- can't cite you the regulations, but we do
7 need to ensure, at least, consider the consistency of our
8 actions with comprehensive plans; and these comprehensive
9 plans, there's lots of things that -- they are comprehensive
10 plans, and in their own right they are comprehensive plans a
11 lot of times, but with respect to the Commission's licensing
12 process, the comprehensive plans that we consider are the
13 ones who have been filed with the Commission in accordance
14 with our regulations, and approved by the Commission as a
15 comprehensive plan.

16 So, if you do have something in a comprehensive
17 plan and you would like us to consider it in this process,
18 then you can give me a call at a later point or look in our
19 regs or on the website, it explains the process also. But
20 if you do need to file it with the Commission with a letter
21 requesting that it be considered as a comprehensive plan in
22 this process.

23 MR. FOSTER: It is my understanding that the
24 FERC's terms and conditions in their license order should
25 not be inconsistent with the terms and conditions and

1 expectations that are in the comprehensive plans. They'll
2 have to be considered so that they're kind of in line with
3 each other.

4 DR. MUDRE: If we have to consider the
5 consistency of the plan with whatever action than we're
6 taking, but it's not, from my understanding, it's not a
7 mandatory-type thing.

8 MR. FOSTER: Right. I understand. Thank you.

9 MS. MARTIN: My name is MaLisa Martin with the
10 National Parks Service, Rivers, Trails and Conservation
11 Assistance Program.

12 (Spelling name)

13 I guess I'm following up on the question from
14 Susan about the natural hydrograph. Your response is that
15 according to Article 52 that you manage the inflows and
16 outflows, but if they're supplemented from the state water
17 project, that didn't exactly to me seem to answer the
18 question about a natural hydrograph, which goes to the other
19 comments about surface water inputs, and that you might be
20 getting -- you say you have that 3 percent, but how is that
21 monitored? Is there any efforts to monitor the storm events
22 that might help push pulses of sediment and stuff like that
23 for habitat purposes?

24 MS. MONHEIT: I might not have been clear about
25 the, Article 52 as addressing inflow and outflow of Piru

1 Creek. We do also have, as we mentioned, a state water
2 project was coming through feeding Pyramid Lake, so the
3 inflow equals outflow pertains to Piru Creek. We do have an
4 extensive -- gauging and some other operational ways that we
5 calculate those inflows and outflows accurately, so we can
6 abide by the Article 52 conditions.

7 But as far as that State Water Project water that
8 comes into Pyramid, that is going through the system to
9 provide hydropower generation and then to provide deliveries
10 to Southern California.

11 Is that more clear?

12 MS. MARTIN: More clear.

13 DR. MUDRE: Thank you.

14 MS. KLOSE: Kristine Klose, Los Padres National
15 Forest. Can you describe a little bit about how the water
16 enters Piru Creek from Pyramid Lake? Does it enter the
17 water from the top, from the center, from the bottom?

18 MS. SCHOLL: There is a low level stream release.
19 Bonnie, do you mind providing more detail on this?

20 MS. DUECKER: Hi. I'm Bonnie Duecker with the
21 Department of Water Resources, Southern Field Division. We
22 have releases that go through an intake structure in the
23 lake. Sort of upstream of the spillway facilities. We have
24 stream release valves that come out of the bottom of the
25 lake on the most westerly and southerly portion of the lake.

1 Those are released directly into Piru Creek. We follow all
2 the restraints for anything other than natural inflow. They
3 do come out of the bottom of the lake and are released into
4 the creek. We have an emergency spillway; we have a stream
5 release spillway and we have the actual gated spillway with
6 a gate, radial gate, depending on the amount of the flow.

7 Yes? Another question?

8 MR. SMITH: Dennis Smith, Forest Service. Hey,
9 Bonnie, before you sit down, I was wondering, so it's inflow
10 versus outflow, physically how is that achieved when there
11 are storm pulses that come down from Upper Piru? You know,
12 they are gauged and then how responsive is your release
13 valves to those kind of pulses?

14 MS. DUECKER: We have, we monitor especially Piru
15 Creek with satellite, every 15 minute intervals; and then
16 that's checked by USGS regularly to make sure they approve
17 our method of hydrology. Then we can operate those gates at
18 a very slow, a very quick response, but a slow lag time. At
19 large events we actually stay out there and we're in contact
20 with what those readings are. At high flows we go to a
21 change in storage during significant PMF events. So yes, we
22 have 15 minute intervals that we're reading that. Remotely.

23 MR. SMITH: So, I guess. I don't know if that
24 answers my question. Storms come in as pulses, how quick
25 does your system respond to that pulse? For the release. I

1 mean, is it instantaneous, is it an hour delay? Is it a day
2 or a week later that you put down the pulse? You know, just
3 how physically --

4 MS. DUECKER: Physically, I believe we have to
5 release that within 24 hours. We have to match it, but
6 we're generally within 15 minutes to an hour. Considering
7 the size of the lake, that's pretty fast.

8 MR. SMITH: Okay. Thanks.

9 DR. MUDRE: Anyone else? Any other questions?
10 Okay. I'm going to do something a little unusual at this
11 point. We had the microphone issue earlier, but I do want
12 to introduce the rest of the FERC team and our contractor
13 staff.

14 Kyle is here, he's introduced himself. Tom has
15 as well. Three other FERC staff are assigned to this
16 project but not here today. Jim Fargo is engineer. Allen
17 Mitchnik, terrestrial resources and also endangered species.
18 And Frank Wenchel, who is our cultural resources specialist.
19 And then as I mentioned during the site visit yesterday, we
20 do have a contractor, support staff who is Louis Berger. We
21 have six of them here today. I'm just going to give the
22 mic to them and let them introduce themselves and what their
23 role is here.

24 MR. RYCHENER: My name is Tyler Rychener. I'm a
25 terrestrial biologist, and I'm acting as the Louis Berger

1 project manager for this task.

2 MR. FOOTE: I'm Peter Foote. I'm a fisheries
3 biologist and I'll be responsible for aquatic resources.

4 MS. MacDOUGALL: I am Allison MacDougall. I'll
5 be assisting Frank Mitchell with cultural resources, tribal
6 resources on the project.

7 MS. SHEPARD: I am Lela Shepard. I'll be working
8 with Kyle Olcott on recreation, land use and aesthetic
9 resources.

10 MR. HODGE: Hi. I'm Ken Hodge, a civil engineer.
11 I'm looking at geology and soils, engineering and economics
12 on this project.

13 MS. FOREMAN: I'm Alynda Foreman, and I'm an
14 ecologist with Louis Berger and I'll be working with Allen
15 Mitchnik on the terrestrial issues and threatened and
16 threatened and endangered species.

17 DR. MUDRE: Okay. Thank you. Last opportunity
18 for comments or questions at this meeting. I'm certain we
19 will take them anytime, but as far as today's meeting.

20 I just want to stress a few important dates and
21 milestones that are coming up. Comments on the PAD, SD-1,
22 and study requests are due November 29th , 2016.

23 MR. SMITH: By what time?

24 DR. MUDRE: Five o'clock p.m., Eastern Standard
25 time.

1 AUDIENCE: That's two o'clock.

2 DR. MUDRE: If it comes in at 5:01, you're out of
3 luck. I don't make the rules.

4 Then we will read those comments and as
5 appropriate issue Scoping Document Two by January 15th,
6 2017. I'm just guessing now that we will be issuing -- we
7 won't have enough subsequent comments that we'll issue an
8 SD-2. The applicants will file their proposed study plans
9 by January 15th, 2017. Then some time before the middle of
10 February, the applicants will hold a study plan meeting
11 where they'll talk about their proposed study plan and
12 they'll take questions, comments.

13 Jim, did you nail down a date for that meeting
14 yet? Or?

15 MS. SCHOLL: We're looking at February 7th or
16 8th. But we were hoping to maybe solicit some feedback on
17 the better of those two dates.

18 DR. MUDRE: Okay. I don't have our calenders
19 here, but we'll keep everyone informed about when those
20 dates are. It's probably one of two of those dates.

21 MS. SCHOLL: Yes, February 7th or February 8th.

22 DR. MUDRE: We will issue a study plan
23 determination that will consider proposed studies and then
24 any alternate -- the licensee proposes studies, and any
25 studies proposed by others, and keep our determination on

1 what the appropriate studies for this relicensing are. If
2 people don't like our decision there is a dispute resolution
3 process -- that we won't go into today in hopes that we
4 don't need to go into today, in hopes that we won't need to
5 go there; but there is one if we do need to go there, and
6 it's on our website and all of these resources and books
7 that we talked about.

8 I think even in this process plan and schedule
9 put together by the applicants and including the PAD and
10 also put into the back of SD-1, there's a schedule that
11 shows when, how, the dates on which the study dispute
12 resolution would take place. So, there's some information
13 there.

14 Then one or two years of studies would be 2017
15 and 2018. The applicants must file their preliminary
16 licensing proposals or that licensing application by
17 September 3rd, 2019. When they do that and request
18 comments, consider those, the licensee considers comments
19 that they get on them as they file their final license
20 application, which must be filed by January 31st, 2020.

21 I think that the Applicants anted to make a
22 little closing statement?

23 MR. CRADDOCK: Yes, I appreciate that, John. Hi
24 everyone. I'm Ted Craddock with the California Department
25 of Water Resources. We wanted to just extend a thank you

1 for all of your interest in the project and coming out today
2 and providing feedback to us. These are important
3 facilities for the Department of Water Resources and the Los
4 Angeles Department of Water and Power, and they've served
5 the customers that we ultimately provide water and power to
6 in Southern California.

7 So, thank you very much. I also wanted to give
8 an opportunity for Simon with the Los Angeles Department of
9 Water and Power to make a statement and maybe also extend a
10 special thanks to John and the FERC staff for organizing
11 this meeting today, I really appreciate it. John.

12 MR. ZEWDU: Simon Zewdu. Last name is Z E W D U.
13 From the Los Angeles Department of Water and Power. I just
14 wanted to say thank you, again, for all stakeholders and
15 FERC for meeting here. We just want to emphasize that this
16 is an important project with the Los Angeles Department of
17 Water and Power and we are committed to work with FERC and
18 all stakeholders collaboratively in the coming years..
19 Thank you, everyone.

20 DR. MUDRE: Thank you.

21 MR. FOSTER: I have a real brief question. Bill
22 Foster, National Fisheries Service. I know that in the
23 Scoping Document 1, they have got the process plans kind of
24 laid out there, the due dates, ending with the final license
25 application, which is a very fixed date. But a lot of the

1 dates are like, beginning dates, finish dates, and I would
2 appreciate if FERC or the licensee could clarify that;
3 perhaps it's the finish dates that are the actual dates, or
4 at least when you take the process plan and you have 'do
5 this, and on this date,' -- we all are more accustomed to a
6 final actual simple date rather than some range. I know
7 there is a range allowed in the regulations, but in some
8 cases it would be easier to know that date ahead of time
9 more fixed.

10 DR. MUDRE: That last date is the final date or
11 the deadline for filing. So all these things take a bit of
12 time and they may well take up to the last day to file
13 something. A lot of our schedules are based on thirty days
14 from this, and sixty days from that, and so, we don't know
15 all the time when something is going to come in, so the last
16 day reflects the final date or the deadline. Again, as
17 things come in, those days may have minor adjustments as we
18 move through the process. That's where they are now.

19 MR. FOSTER: Okay. Thank you.

20 DR. MUDRE: With that, I'd also like to thank
21 everyone for coming out today and that's your time and your
22 thoughts and hope you're able to participate as this process
23 moves forward. I think that's all I have.

24 MR. SMITH: I would just like to ask the agencies
25 to stay for five or ten minutes so we can meet and greet and

1 coordinate, after the meeting.

2 MR. FOSTER: Bill Foster, National Marine
3 Fisheries Service. I just wanted to clarify that I
4 understand that currently the DPS of endangered steelhead is
5 not directly below the project dam. We've had several
6 projects where this type of situation is similar where
7 there's a passage order in development or funding, and so
8 there's a likelihood that fish could arrive to be more
9 directly affected by the project; and that's why I'm going
10 to be working with the Forest Service and the Department of
11 Fish & Wildlife; because currently the fish below Pyramid
12 Dam are not under any ESA protection even though they're
13 genetically related.

14 I don't want everybody to get too excited about
15 where I'm going with this, but we have the goal to protect
16 these fish and we'd like to try to set up licensing
17 processes and conditions in advance so that it's easier to
18 deal with the issue of endangered species early in the
19 process and have a project kind of ready for it. So that
20 you don't have to go through the process of licenses in the
21 future. So I appreciate that. Thank you.

22 DR. MUDRE: Thank you, and I'm sure that working
23 together, everybody can see that you get to the right place
24 at the right time.

25 Anything else?

1 If not, this meeting is adjourned.

2 (Whereupon, at 10:20 a.m., the meeting

3
4 concluded.)

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1 CERTIFICATE OF OFFICIAL REPORTER

2

3 This is to certify that the attached proceeding

4

5 before the FEDERAL ENERGY REGULATORY COMMISSION in the

6

Matter of:

7

Name of Proceeding:

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South SWP Hydropower Project

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Docket No.: 2426-227

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Place: Valencia, California

16

Date: October 26, 2016

17

18 were held as herein appears, and that this is the original

19

transcript thereof for the file of the Federal Energy

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Regulatory Commission, and is a full correct transcription

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of the proceedings.

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Daniel Hawkins

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Official Reporter