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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: : Docket Number
SANTA FELICIA HYDROELECTRIC PROJECT : P-2153-021
- - - - - x

Hearing Room 62-26
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C.

Thursday, June 9, 2005

The above-entitled matter came on for
teleconference, pursuant to notice at 3:10 pm.

BEFORE:
Ken Hogan, FERC Staff
Emily Carter, FERC Staff
Charlane Scott, FERC Staff

1 VIA PHONE:

2 Tina Cannon, California Department of Fish and
3 Game

4 Terri Dickerson, California Department of Fish
5 and Game

6 Maurice Cardenas, California Department of Fish
7 and Game

8 John Dickinson, United Water

9 Pete Dalpozzo, United Water

10 Michelle Kinnun, United Water

11 Doug West, Park Services Manager, Lake Pirou,
12 United Water

13 Murray McEachron, United Water

14 Jim Edmondson, California Trout

15 Kenneth Hodge, Louis Berger Group

16 John Hart

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

2 (3:10 p.m.)

3 MR. HOGAN: Let's begin and have everybody
4 introduce themselves. This is Ken Hogan with FERC.

5 MS. CARTER: Emily Carter with FERC.

6 MS. SCOTT: Charlane Scott with FERC.

7 MR. HOGAN: That's it here.

8 MS. CANNON (By phone): Tina Cannon, T-I-N-A C-
9 A-N-N-O-N with the California Department of Fish and Game.10 MS. DICKERSON (By phone): Terri Dickerson with
11 the California Department of Fish and Game.

12 MR. HOGAN: What was the first name, again?

13 MS. DICKERSON: Terri, T-E-R-R-I Dickerson.

14 MR. HOGAN: Thank you.

15 MR. CARDENAS (By phone): Maurice Cardenas,
16 California Department of Fish and Game.17 MR. HOGAN: Could you spell the last name,
18 please, Maurice?

19 MR. CARDENAS: C-A-R-D-E-N-A-S.

20 MR. HOGAN: Thank you.

21 MR. DICKINSON (By phone): This is John Dickinson
22 with United Water.23 MR. DALPOZZO (By phone): Pete (inaudible) with
24 United Water.

25 MS. KINNUN (By phone): Michelle Kinnun--

1 THE REPORTER: The last name of the last person?

2 MR. HOGAN: The person before Michelle.

3 MR. DALPOZZO: Pete Dalpozzo.

4 MR. HOGAN: A little louder and slower, please?

5 MR. DALPOZZO: Pete Dalpozzo. I'm with United
6 Water.

7 MR. HOGAN: Okay, the spelling of the last name?

8 MR. DALPOZZO: D-A-L-P-O-Z-Z-O.

9 MR. HOGAN: Thank you.

10 MS. KINNUN (By phone): Michelle Kinnun, K-I-N-N-
11 U-N, with United Water.

12 MR. WEST (By phone): Doug West, W-E-S-T, Park
13 Services Manager, Lake Pirou, United Water.

14 MR. MCEACHRON (By phone): Murray McEachron,
15 United Water. McEachron is M-c-E-A-C-H-R-O-N.

16 MR. DICKINSON: And that's it for United Water.

17 MR. EDMONDSON (By phone): Jim Edmondson, E-D-M-
18 O-N-D-S-O-N, California Trout.

19 MR. HODGE (By phone): This is Kenneth Hodge, H-
20 O-D-G-E, from the Louis Berger Group, Consultants to the
21 Commission.

22 MR. HART (By phone): And John Hart, H-A-R-T.

23 MR. HOGAN: Okay, is that everybody?

24 MR. DICKINSON: It appears so.

25 MR. HOGAN: Okay. I would like to thank

1 everybody for attending. As we have tried to make it clear,
2 this teleconference is for Commission Staff to obtain
3 clarification from United regarding their response to our
4 AIRs.

5 Earlier this week, or earlier last week we
6 submitted to United with permission to submit to the Group
7 our informal agenda for today's teleconference. With that,
8 I would like to start with the Land Management AIR No. 2.

9 Emily, is that yours?

10 MS. CARTER: Yes--well, it's Karen. In your
11 response, you had--well, in our original AIR we had
12 requested a map that indicated recreation sites, and also
13 included the project boundary so that we could see where the
14 sites were in relationship to the project boundary. And in
15 your response you had indicated that you couldn't find a map
16 from the original license application from 1953. But a
17 separate drawing could be made upon request.

18 Here we have pulled that particular map, and it
19 did not indicate the information that we needed. So we are
20 still wanting a map that includes the recreation sites and
21 the project boundary.

22 MR. DICKINSON: That's great. This is John
23 Dickinson at United Water. If we could have a copy of that
24 map that we're missing, it would greatly facilitate our
25 drafting of the current rec facilities onto that old

1 platform.

2 What I am unsure of is whether the project
3 boundaries in the original--for the original project
4 followed United Water's property line in the rec area, or
5 whether they follow contours and certain elevations. And
6 it's on that Sheet 2 of that old 1953 Exhibit G that will
7 tell me which case, or where which case occurs, and then we
8 could put our current rec facilities on there in short
9 order.

10 MR. HOGAN: Okay.

11 MS. CARTER: Yes, that was Exhibit K.

12 MR. DICKINSON: Oh, is it Exhibit K? Okay.

13 MR. HOGAN: Yes.

14 MS. SCOTT: It would actually be an--okay, excuse
15 me.

16 MR. HOGAN: We can probably do that, John. We
17 will FedEx that out to you.

18 MR. DICKINSON: That would be great. Or if it
19 were scanned, it could just go electronically, too.

20 MR. HOGAN: It's, I don't know, 11 x 17, or
21 larger?

22 MR. DICKINSON: It's larger, I think. At least
23 Sheet 1 is 24 x 36 kind of size.

24 MR. HOGAN: Okay, that's probably what we're
25 talking about. I don't know that we have a scanner large

1 enough to handle that.

2 MR. DICKINSON: Okay, a copy would be great.

3 MR. HOGAN: Okay.

4 Charlane, did you want to handle the engineering
5 questions, or would you like Ken to?

6 MS. SCOTT: I would like Ken Hogan (Hodge?) to
7 handle those questions.

8 MR. HOGAN: Ken Hodge, are you prepared to take
9 that on?

10 MR. HODGE: Certainly.

11 MR. HOGAN: Thank you.

12 MR. HODGE: This is Ken Hodge from the Louis
13 Berger Group.

14 The next few responses here are in direct
15 response to your AIR submittal. I don't know if you have
16 had a chance to--have you had a chance to look at these
17 ahead of time?

18 MR. DICKINSON: I have. I have the answers for
19 you here, or we could mail them to you.

20 MR. HODGE: Both. Let's do both.

21 MR. HOGAN: Folks, we need to pause in between
22 for the Court Reporter. And we need a name up front.

23 MR. DICKINSON: I'm sorry. John Dickinson at
24 United Water. Yes, I can answer almost all of the agendized
25 questions here today, and we can also follow up in writing.

1 MR. HODGE: Okay, this is Ken Hodge again. The
2 first one, it appeared that either the accumulated
3 depreciation or the subtotal were incorrect under the "DAM"
4 column. Could you provide the documentation there?

5 MR. DICKINSON: Yes. It's the subtotal that's
6 incorrect. The correct amount should be \$2,785,399.

7 MR. HODGE: Okay, this is Ken Hodge again. Now
8 does that mean that the total under the Net Investment Value
9 is incorrect?

10 MR. DICKINSON: Oh, yes, I didn't check that.
11 That's a good question. And I don't have a calculator on
12 me. But it was just a math error. If you look down the DAM
13 Column, you will see that I inadvertently put the same
14 number in the subtotal as the accumulated depreciation. So
15 I would just need to add those numbers across to find out
16 whether that \$7.2 million is correct or not.

17 MR. HODGE: Okay, this is Ken Hodge again. I
18 think the number that you have may have coincided with the
19 number that you put there. So if you provide--either way,
20 if you give us the number for the subtotal, we can always do
21 the maps of the other, but I just wanted to make sure that
22 that was clear.

23 MR. DICKINSON: John Dickinson at United Water.
24 I have a calculator here in front of me, and if you want to
25 hold for just a second I will run these through and we will

1 answer it right here and now.

2 (Pause.)

3 MS. CANNON: This is Tina Cannon with the
4 Department of Fish and Game. Is there a web site or
5 somewhere where I can look at the same documents that you
6 are all referring to?

7 MR. HOGAN: If we could get an e-mail--

8 MR. DICKINSON: We e-mailed the agenda out to the
9 stakeholders. You should have it in an e-mail already.

10 MS. CANNON: Who would that be from?

11 MR. DICKINSON: From United Water, from Michelle
12 Kinnun, United Water.

13 MS. DICKERSON: This is Terri Dickerson. I don't
14 think I got anything, either.

15 MR. DICKINSON: I don't have you on our
16 stakeholders list.

17 MR. HOGAN: Okay, if we could just get e-mail
18 addresses, we'll take care of that right now.

19 MR. DICKINSON: Oh, you will do it?

20 MR. HOGAN: Yes.

21 MR. DICKINSON: Okay.

22 MS. CANNON: Tina Cannon. My e-mail address is
23 tcannon@dfg.ca.gov.

24 MR. HOGAN: Okay, and I will repeat that. It's
25 tcannon@dfg.ca.gov?

1 MS. CANNON: That's correct.

2 MR. HOGAN: Okay, the next one?

3 MS. DICKERSON: This is Terri Dickerson. My e-
4 mail address is tdickerson--that's D-I-C-K-E-R-S-O-N--
5 @dfg.ca.gov.

6 MR. DICKINSON: Maurice, did you get this
7 document?

8 MR. CARDENAS: I don't think so. I'd like to.
9 That's mcardenas@dfg.ca.gov.

10 MR. HOGAN: Okay, let me just repeat that,
11 Maurice. That's M-C-A-R-D-E-N-A-N-A-S?

12 MR. CARDENAS: C-A-R-D-E-N-A-S. I think you had
13 an extra "a" there.

14 MR. HOGAN: At dfg.ca.gov?

15 MR. CARDENAS: Correct.

16 MR. HOGAN: And, Terri, your e-mail was
17 tdickerson@dfg.ca.gov?

18 MS. DICKERSON: That's correct.

19 MR. HOGAN: Anybody else?

20 (No response.)

21 MR. HOGAN: Okay, we will get this to you
22 momentarily. It will be coming from Emily Carter.

23 MS. CANNON: Thank you.

24 MR. HODGE: This is Ken Hodge. Are we ready to
25 move forward?

1 MR. HOGAN: Yes.

2 MR. HODGE: Okay, on the next item, this is
3 really just a definition of terms. You provided Energy
4 Values for summer and winter periods, and you subdivided
5 that into on-peak, mid-peak, and off-peak periods. And
6 because these definitions may vary from project to project,
7 I was wondering if you could give us a little definition on
8 what you consider to be "summer" and "winter," and what time
9 of day would apply to, or what periods would apply to "on-
10 peak," "mid-peak," and "off-peak," just so that we have that
11 clear in our minds.

12 MR. DICKINSON: Yes, very good. This is John
13 Dickinson at United Water. These are from Southern
14 California Edison Company's Tariff Rate Sheets. "Summer
15 period" extends from the first Sunday of June, and ends at
16 the start of the winter period on the first Sunday of
17 October each year.

18 The Summer On-Peak is 12:00 noon to 5:00 p.m.

19 Mid-Peak is both 5:00 p.m. to 11:00 p.m., and
20 5:00 a.m. to 12:00 noon.

21 And Off-Peak is 11:00 p.m. to 5:00 a.m.

22 The winter has the same times except instead of
23 being called "on-peak," it's called "mid-peak" and "off-
24 peak" and "super off-peak." So should I run through those
25 again?

1 Winter Mid-Peak is 12:00 noon to 5:00 p.m.

2 Winter Off-Peak is 5:00 p.m. to 11:00 p.m., and
3 5:00 a.m. to 12:00 noon.

4 And Winter Super Off-Peak is 11:00 p.m. to 5:00
5 a.m.

6 MR. HODGE: This is Ken Hodge again. So they
7 just give them slightly different names in the winter?

8 MR. DICKINSON: Yes.

9 MR. HODGE: Okay.

10 MR. DICKINSON: And significantly different rates
11 sometimes. Let's see. Not so much here, huh.

12 MR. HODGE: Okay, this is Ken Hodge again.
13 Moving on to Item F, we appreciate the information that you
14 provided, but there's some sketchiness in some of the
15 information that was provided in the table presented for
16 Item F.

17 MR. DICKINSON: Yes.

18 MR. HODGE: And I'm not sure whether it's going
19 to be easier to answer this over the phone, or to send
20 something to us, but let me go through this and just explain
21 what our concerns are.

22 In some places you have dates that are listed as
23 "n/a" which could be "not applicable" or "not available" as
24 the case may be. If that information can be provided, we
25 would appreciate it.

1 Our second comment, we didn't have a definition
2 here of whether the costs that you are providing are what we
3 would call "capital costs" or whether they would be
4 considered "annual" or "O&M" type costs, or "expense costs,"
5 or whatever you want to term it.

6 So if we could have that clarification, we
7 actually account for capital costs differently than we do
8 non-capital costs. So if that type of clarification could
9 be provided.

10 MR. DICKINSON: Okay. This is John Dickinson,
11 United Water. Before we run through all of these, it would
12 help me if we could stop at them so I can address them and
13 ask you questions of what you need.

14 MR. HODGE: Certainly.

15 MR. DICKINSON: Great.

16 MR. HODGE: So we'll go back to the first item,
17 the "non-applicable" or "not available."

18 MR. DICKINSON: Yes. Almost uniformly these mean
19 "not applicable." I think the estimated finish of the
20 Recreation Plan would just be not available. And I can
21 discuss these one at a time.

22 The first pair of 'not-applicable's, we have in
23 modifying the Ramping Rate. Our estimated finish for that
24 is not applicable because it would certainly be through the
25 term of the license that we would be modifying the Ramping

1 Rate, and we're not sure what that would get. And we're not
2 sure there's an actual cost to modifying the Ramping Rate.
3 There might be some little addition of staff time, but it is
4 not going to be a very significant cost to this thing.

5 So it doesn't really cost us anything to modify
6 those Ramping Rates, and we don't know when we would finish
7 it. So I am not sure that either of those are applicable.

8 The second one: "Inspect lower creek after
9 spills," again we don't know when we would finish that. It
10 could be through the terms of the license. So the estimated
11 finish, you know, is a not applicable question.

12 The estimated cost, I had \$4000 here. That will
13 be only in those years when it spills will we be doing the
14 surveys, so we would have to do some statistical guessing of
15 how many times it is going to spill during the life of the
16 license, and we could certainly provide that for you.

17 Again down in the next one with N/As, Dry Season
18 Flow Reduction, again we don't know when that would finish.
19 Presumably through the life of the license. And we're not
20 sure there is any cost at all associated with that. So we
21 would just be making adjustments, our staffs there,
22 adjusting things anyway. So I'm not sure there's a cost
23 associated with that.

24 The big one here that is going to be an issue we
25 wil have to get into is on the Recreation Master Plan and

1 the estimated finish of that is not available, and I have to
2 start as being ongoing which we will address in a future
3 question here, I understand.

4 The Recreation Master Plan is a costly
5 improvement to the recreation area that we are trying to
6 negotiate with vendors to perform on a lease arrangement,
7 and so we are not sure when that will finish, as well, and
8 it would be certainly, probably, beyond the terms of the
9 license even, the potential vendors and the vendors that
10 we're negotiating with now are seeking a 75-year lease.

11 Conservation Release Info to Whitewater: We
12 don't know when that would finish. I presume it would go on
13 through the project, and certainly through the license. And
14 there might be some small cost of putting that information
15 on the web site, but it would be very small also.

16 The Whitewater Takeout at the Swim Beach: We
17 have that completed and there is a further question about
18 this which we will get to. It is completed, so it will just
19 be there and available in perpetuity, as far as we can see,
20 at least through the probably 50-year life of that project,
21 of that feature. And its costs, I could separate those out
22 perhaps but they're already sunk costs and they were done
23 through a California Department of Boating and Waterways
24 Grant.

25 The next set of N/As are down on "Comply With

1 Cultural Resource Laws." We hope that we are complying with
2 all laws currently, and so that current and ongoing. I
3 don't imagine that we would ever envision not complying with
4 laws, so there's really no estimated finish on that. And
5 the cost of complying with cultural resources laws, yes, we
6 probably could come up with a number on that. Maybe the
7 "N/A" is inappropriate there. So I'll put a question mark
8 and we'll get a number for that.

9 MR. HODGE: Okay.

10 MR. DICKINSON: "Cultural Resource Mitigation," I
11 guess at this point--and we'll be talking about this later,
12 also--we're not sure what that is, and so that's why it has
13 an "N/A" and "unknown" there.

14 So that's all of the first question regarding
15 that table.

16 MR. HODGE: Okay, this is Ken Hodge again. We
17 will move back to the second one here, and I don't know
18 whether it's prudent to discuss this over the phone, or if
19 you understand what we're looking for--

20 MR. DICKINSON: Well, I have--John Dickinson,
21 United Water--I have one question about what you're asking,
22 because you're separating in between Operations Cost and
23 Capital Costs.

24 When we capitalize something, typically it is a
25 hard feature. Now some of these--most of these are one-time

1 costs to develop numbers, operating numbers, so they're one-
2 time costs but they're not into any kind of feature that we
3 would capitalize on our books.

4 So when you're asking whether they're capital--
5 what does a one-time study fall into? Do you want that as a
6 Capital Cost, or as something else? What do you classify
7 that as?

8 MR. HODGE: This is Ken Hodge again. Well,
9 different utilities seem to, or different companies seem to
10 do this a little bit differently, but my expectation is it
11 would likely not be a Capital Cost.

12 MR. DICKINSON: Okay.

13 MR. HODGE: But what I would say--

14 MR. DICKINSON: But I can pull it out for one
15 time.

16 MR. HODGE: --is you provide an explanation that
17 this is--it would be a one-time study cost, so it would be
18 not a Capital Cost.

19 MR. DICKINSON: Okay. Very good. And that's
20 what I believe most of these are, where I have a slash "/per
21 year" there.

22 MR. HODGE: Okay, and the second half--this is
23 Ken Hodge again--the second half of that has to do with
24 potential lost energy. It wasn't clear to me if there is
25 any expectation of lost energy here. Can you answer the

1 question whether there's any lost energy associated with any
2 of these measures?

3 MR. DICKINSON: There's likely very small lost
4 energy with these measures. I believe they would be--the
5 ones that involve flows would be the Ramping Rate, and the
6 Dry Summer Release, and the Relief-related ones. And
7 there's very little energy changes in that. So I would
8 almost say--oh, and the Flushing Flows in the spring, but
9 presumably we could generate power with a portion of that
10 flow, too.

11 That's something I could answer numerically for
12 you, though, in this submittal that we will send.

13 MR. HODGE: Okay, thank you. Moving on to the
14 third item. And I think we have talked about this already
15 as far as the term "ongoing."

16 What our concern is there is where--and perhaps
17 it only applies to the Cultural Resources laws, which I
18 understand your term there, but as far as the Rec Master
19 Plan, what we tried to take into consideration is some
20 things start before the new license is issued and are
21 completed at some point after, and we tried to set a
22 dividing line being when the license is actually issued to
23 whether it's something that was expended before or after
24 that point.

25 MR. DICKINSON: Oh, okay.

1 MR. HODGE: So my question here is primarily for
2 the Rec Plan, "ongoing" implies to me that you have actually
3 started work in advance of receiving the new license. And
4 while we give credit for all of that, we set the starting
5 point for future costs as being when the license is issued.

6 So basically what we would do is account for that
7 as part of the net investment of the project before you
8 actually receive the new license.

9 MR. DICKINSON: Okay.

10 MR. HODGE: So that was the purpose for asking
11 what "ongoing" meant in terms of the Rec Plan.

12 MR. DICKINSON: John Dickinson, United Water.
13 The reason I put "ongoing" in the Rec Master Plan is we have
14 completed this one part of it that is also serving as the
15 Whitewater Takeout at Swim Beach. That is actually, that
16 feature is included in this Rec Master Plan.

17 And later one when we get into it, it is also
18 significantly included in the capitalization of the Rec
19 features in the table above. So that was why it was
20 ongoing, both that's happening and negotiations for securing
21 for the capital for doing the rest of that Master Plan are
22 ongoing. But I see what you're saying. In doing your
23 economic analysis, you need to know when the clock starts.

24 MR. HODGE: Correct.

25 MR. DICKINSON: So I can get some more detail on

1 what we have actually done to date, or done to some future
2 date--what we expect to have done by some future date when
3 we would plan to have a new license.

4 MR. HODGE: Okay, this is Ken Hodge again. I
5 think we have addressed Item 4 which has to do with the
6 Whitewater Takeout. Again, if you provide that definition I
7 think we will be okay.

8 MR. DICKINSON: And the answer to that, more
9 specifically--John Dickinson, United Water--the answer to
10 that more specifically is that it was about, and correct me,
11 Doug, it's about a \$2 million project, this boat ramp that's
12 up there at the Swim Beach. And the Capitalization numbers
13 we gave you in Table A, the Net Investment Value, or the
14 Recreation Facilities Value, that \$6 million. That includes
15 all but maybe \$20- or \$40,000. Because what it is, we close
16 our books July 1, and so this was as of July 1, '04, on that
17 Net Investment Value.

18 MR. HODGE: Okay, this is Ken Hodge again. So if
19 you can provide me clarification of what, if any, of these
20 values are included in the Net Investment Value that you
21 provided just so that we know that it's already accounted
22 for so we don't double account for it.

23 MR. DICKINSON: Yes. You bet.

24 MR. HODGE: Okay?

25 MR. DICKINSON: Okay.

1 MR. HODGE: Ken Hodge, moving on. Item 5, we've
2 kind of talked about this already. The Recreation Plan has
3 an \$18 million cost assigned to it, but yet you have a
4 series of things listed under it. If you could provide a
5 breakdown of what you expect those costs to be for the
6 individual items, and again putting that in terms of when
7 that work would start and finish, and what the costs would
8 be for the individual measures in either capital or
9 noncapital costs it would be appreciated. That's a pretty
10 big lump of money for you not to have any kind of breakdown
11 of how that money is being spent.

12 MR. DICKINSON: Okay. We do have a breakdown of
13 that and can provide that. I guess our main feature here,
14 and I'm hoping--this is John Dickinson, United Water
15 again--maybe, Ken Hogan, you can weigh in on how maybe
16 others have handled this in other license applications.

17 These components on this list with the asterisks
18 are highly dependent on our ability to proceed with the Rec
19 Master Plan. For example, the one that says "relocate
20 maintenance building," well the concessionaire, the lessee,
21 is going to make that decision and do that work as to where
22 that's going to occur and how it's going to be laid out and
23 everything. So we can't give a date and say we're going to
24 move this maintenance building by such-and-such a date.
25 Indeed, if we aren't able to get a concessionaire to come up

1 with an \$18 million improvement project, we likely would not
2 be moving the maintenance building.

3 So what we want to be allowed to do in the Master
4 Plan Improvement, we don't want to be required to do all
5 these other things, although we would like to--probably some
6 of them are appropriate as stand-alones, but we would need,
7 if we weren't going to have the Master Plan Improvement, we
8 would do it differently, and we would like the opportunity
9 to submit some plan or something, like reconfiguring the
10 trash collection. There's probably a better way for us to
11 do the trash collection than what we have there. But we're
12 hoping this Master Plan will go through, and then that's all
13 going to be taken care of under that Plan.

14 If it doesn't, we'd like to be able to submit
15 some other alternative for how we would handle the trash
16 collection.

17 Does any of that make sense? Has anyone done
18 something like this before?

19 MR. HOGAN: Well I think what you want to do
20 makes sense, or I understand it. This is Ken Hogan with
21 FERC. I think the way that we will probably be looking at
22 the Master Plan is looking at the current Recreation
23 facilities and the Recreation demand, determining the
24 adequacy, and then looking at the Plan and seeing if there
25 are things--that if a need is demonstrated for recreation,

1 we are going to be saying, you know, you have to do this for
2 recreation and maybe we will pick something out of the
3 Master Plan.

4 Regarding whether or not--it sounds like, if you
5 have the ability to do the Master Plan through your lessees,
6 you want to be able to just go ahead and do that. And one
7 thing that we can do in our analysis is look at the Master
8 Plan and make a determination as to whether or not we feel
9 that the items included in the Master Plan would be
10 appropriate and good, if you wanted to do them. And in that
11 case, just give you authorization to go ahead and do that at
12 your own desire without making you do it.

13 So I think that's probably how we will be
14 handling it.

15 MR. DICKINSON: Okay. Yes, because there's also
16 this, the Park--and, gosh, I've never talked to you folks
17 about this before, too--the Park is also under the County of
18 Ventura, and we have a Conditional Use Permit for the
19 existing Rec facilities, and for these--we have one that is
20 waiting for agreements, you know, waiting for this lease
21 agreement stuff before we get this new Conditional Use
22 Permit from the County of Ventura that's already been
23 negotiated and detailed out.

24 A neighboring facility of ours is owned and
25 operated by Bureau of Reclamation--

1 MR. HOGAN: Hold on just a second. "A
2 neighboring facility of theirs." Okay, go ahead.

3 MR. DICKINSON: Lake Casitas is in Ventura
4 County, as well, and it's a Bureau of Rec project. And they
5 do not have County of Ventura authority because they are a
6 Federal project. And I'm wondering, if not by virtue of our
7 FERC license here, if we're not a Federal project also?

8 MR. HOGAN: Well, no. We only license non-
9 Federal projects, but I don't know--

10 MR. DICKINSON: I see what you're saying, okay.

11 MR. HOGAN: I don't know. Can you explain the
12 role of the County a little bit better for me?

13 MR. DICKINSON: Sure. At least in California,
14 land use, if you're doing, if you're using land in
15 conformance with the, the region or County's General Plan.
16 Like there's a zoning for a certain piece of property and
17 that allows certain uses, ii you stay within that zoning
18 umbrella then you can do those things on your property.

19 If you wanted to do something different on your
20 property, you'd go and get a conditional use permit. It
21 lets you use the property for what you want to use it for,
22 but they get to condition it. And that's primarily
23 designed, that system, in law for protecting your neighbors.

24 MR. HOGAN: Okay.

25 MR. DICKINSON: So that your neighbors have a say

1 on what you do on your property if it's outside of the band
2 of zoning. They don't really have a zone for boating
3 recreation and stuff like that, so--yes, it's zoned open
4 space there, but we've got buildings, and structures,
5 improvements and stuff that probably are outside of Open
6 Space Zoning, and so we have sought and received these
7 Conditional Use Permits for having the Park up there at the
8 Lake.

9 MR. HOGAN: Okay. Typically what the Commission
10 does is, if we're requiring you to put in a rec facility or
11 anything else, it is our expectation that you will make
12 every step necessary to obtain the proper permits and
13 permissions to do so.

14 I don't know how we handle it in the event that
15 you can't obtain a Special Use Permit. That's got to be
16 handled in our Division of Hydro Compliance. But I don't
17 think that's a concern for us at this moment.

18 MR. DICKINSON: Okay. Good. Thank you. I
19 just--the question popped in my mind.

20 MR. HOGAN: Okay.

21 MR. DICKINSON: MR. HODGE: Good. Thanks.

22 MR. HODGE: This is Ken Hodge again. Just to
23 follow up on the earlier part of that discussion, as far as
24 the implementation and timing for some of these measures,
25 what some licensees do is to put it in a timeframe such that

1 they commit to do it within a certain number of years--say
2 within 5 years, within 10 years, or something. At least
3 what that gives an indication of is what your expectation is
4 of when this would be completed, even if you can't nail it
5 down to a specific year.

6 That just prevents the Commission from giving you
7 permission to put something in, and then you put it in year
8 29 of a 30-year license. You know, people would wonder,
9 well, when are you going to put it in? You said you would
10 put it in, but you never said when.

11 So our reasoning there, if you could provide some
12 kind of window of when you expect that that would be
13 completed, if it would be within 2 years, or 5 years, or 10
14 years, or whatever, I think that would be good enough for
15 our purposes.

16 MR. DICKINSON: This is John Dickinson, United
17 Water. I think we could do that for some of the specifics
18 below, but we can't do that for the overall Master Plan
19 improvements. Those were always considered to be a
20 privatization of the Park. I mean, that was the whole idea
21 behind the Master Plan.

22 Currently United Water is subsidizing the Rec
23 Facilities up there to the tune of--and correct me if I'm
24 wrong--\$400,000 a year, and by privatizing it the District
25 will be able to save some of that subsidization of the Rec

1 area.

2 So by committing to spending \$18 million of our
3 constituents' money, I'm not in a position to do that. I
4 don't think our board is in a position to do that.

5 MR. HOGAN: Understood.

6 MR. DICKINSON: Okay.

7 But we can come up with some time frames for
8 submitting plans for the specific aesthetic features if we
9 want to remodel the trash collection, and so forth.

10 MR. HOGAN: John, I guess my recommendation would
11 be--and we got this at the scoping meeting--that you're not
12 proposing to do any of the Master Plan under the new
13 license; it's just out there and it's separate from the
14 license. And if it comes up, you're going to do it on your
15 own, but you weren't proposing any of it as part of this new
16 license.

17 And if that's the case, that's fine. Again, you
18 are more than welcome not to propose any additional
19 recreational facilities.

20 On the other hand, if you were proposing one,
21 two, or some aspect of the Master Plan, I think that's where
22 Ken would like to see, you know, potentially that you would
23 be proposing to put in an estimated expense.

24 MR. DICKINSON: Okay. I understand the question,
25 and I will need to have conversations here on our end to see

1 if any of those features are ones that we want to commit to.

2 MR. HOGAN: Okay.

3 MR. HODGE: Okay, this is Ken Hodge again. Item
4 6, I'm not sure what to do with this one now since you said
5 the Culture Resource Mitigation was an unknown factor at
6 this point, but I guess if you get some further
7 clarification on that, you will provide us whatever
8 information you can?

9 MR. DICKINSON: John Dickinson, United Water.
10 Yes, let me update you on the status on that.

11 I guess Matt Carpenter at Entrix never joined us.
12 I mailed him the contact information, but--

13 MR. CARPENTER (By phone): I made it on, John.

14 MR. DICKINSON: Oh, hi, Matt. I made contact
15 with the archeologist for the Forest Service and we had a
16 good conversation. I need to get her copies of all the
17 stuff we have so far for the license and the study plan.

18 Our goal on this, if I'm not mistaken, what the
19 District is proposing here on how this would work is we want
20 to write a Cultural Resources Management Plan for the
21 project area, and we want to have it march in lockstep with
22 the Forest Service's Cultural Resources Plans, because our
23 property boundaries co-mingle up there.

24 And so I was going to get her the information,
25 and she was going to give me a sample, or give me her plan

1 and a sample of a plan she would like to see, and then we
2 can just submit that as our mitigation and we will adopt
3 this plan.

4 Does that sound like what we're supposed to be
5 doing here?

6 MR. HOGAN: Could you go through that one more
7 time for us?

8 MR. DICKINSON: Okay.

9 MR. HOGAN: Sorry.

10 MR. DICKINSON: John Dickinson, United Water. In
11 a nutshell, United Water proposes to adopt a Cultural
12 Resources Management Plan that is approved and blessed by
13 the Forest Service so that they are similar in scope and
14 nature, so that we're doing the same thing when any given
15 activity is proposed.

16 MS. CARTER: This is Emily Carter with FERC. Who
17 were you getting the sample Management Plan from?

18 MR. DICKINSON: From the Los Padres National
19 Forest Geologist.

20 MS. CARTER: Okay.

21 MR. HOGAN: We're thinking about that.

22 MR. DICKINSON: Okay.

23 MR. CAPELLI (By phone): This is Mark Capelli. I
24 just joined the conference call.

25 MR. HOGAN: Welcome, Mark. Did everyone else get

1 the handout by e-mail? Tina?

2 MS. CANNON: Yes, I received it by e-mail.

3 MR. HOGAN: Thank you.

4 MR. HODGE: Okay, this is Ken Hodge again. I
5 guess we will move on to the last item here. Basically what
6 we're looking for here is this table has very, very, very
7 brief descriptions of what these items are. And if we could
8 get some kind of more of a description of what is involved
9 here, I think it would certainly help not only me with costs
10 but also the resource people in knowing exactly what we're
11 talking about here. And I'm not sure what format that is,
12 and perhaps Ken Hogan could speak to that, but I think we
13 need a little more definition to be able to evaluate the
14 adequacy of these proposals.

15 MR. DICKINSON: John Dickinson, United Water. I
16 would just state that I created the table from the Scoping
17 Document. And as I understand it, the Scoping Document was
18 created from Exhibit E, which has all the subsections. I
19 believe there's more detail on these in each of the sections
20 of Exhibit E. But, you know, I think you are entirely
21 right. It is appropriate to assemble one document that has
22 more detail in it on these.

23 MR. HODGE: Okay. Ken Hodge. That was all I
24 had. I'll pass it back to Ken Hogan, I guess.

25 MR. HOGAN: Okay, that's all we have.c

1 MS. CARTER: This is Emily Carter with FERC. I
2 just wanted to go back to the Cultural Mitigation and the
3 Historic Properties Management Plan. Just to clarify, the
4 plan that you seem to have, John, seems to--I believe would
5 work just fine, sharing with the Forest Service.

6 MR. DICKINSON: Okay. Thank you.

7 MR. HOGAN: Okay. So, John, we've got a list of
8 things here that you're going to be getting back to us on,
9 and we are going to be sending you out a copy of Sheet 2 of
10 Exhibit K. And we will probably be putting in, or we will
11 be putting in a letter just summarizing this meeting and
12 what we are expecting from you for a product and a turn-
13 around time.

14 MR. DICKINSON: John Dickinson, United Water.
15 That would be great, Ken, because I kept notes here, but I
16 think I committed--oh, Michelle's got good notes, better
17 notes than I do, but if you had it in a letter that would be
18 great.

19 MR. HOGAN: Okay, and I am hoping Louis Berger
20 kept good notes, too?

21 MR. BERGER (By phone): For John...

22 MR. HOGAN: I'm going to take that as a 'yes,'
23 John?

24 MR. BERGER: And how soon might the, the, the,
25 transcript be done?

1 MR. HOGAN: It will be available to us, John, in
2 three days, and to everybody else in ten.

3 MR. BERGER: Okay.

4 MR. HOGAN: We will get the letter out next week,
5 John.

6 MR. BERGER: Exactly.

7 MR. HOGAN: John Dickinson, I will send the map
8 to you today or tomorrow FedEx.

9 MR. DICKINSON: Very good. John Dickinson,
10 United Water. We will get right on putting the exhibits
11 together to show the relationship of the Rec Facilities and
12 the project boundaries.

13 MR. HOGAN: Sounds great.

14 MR. HODGE: This is Ken Hodge again. John, for
15 the non-map related items, do you have any sense for what it
16 would take you to put this together?

17 MR. DICKINSON: In terms of time, I'm thinking a
18 couple of weeks at the most.

19 MR. HODGE: Okay.

20 MR. DICKINSON: Yes.

21 MR. HOGAN: That sounds excellent, John. Does
22 anybody have any other questions or anything they would like
23 to add?

24 MS. CANNON: This is Tina Cannon with the
25 California Department of Fish and Game. Could somebody just

1 briefly describe to me what the process will be from here
2 with this data? Because I know that United Water has
3 submitted additional information. They've submitted an
4 Entrix Technical Memorandum dated May 17th, et cetera, and I
5 just wanted to know what the process is for how that
6 information will be treated, and what your timelines are.

7 MR. HOGAN: Okay, this is just basically
8 clarification to that additional information. As I said a
9 few moments ago, Commission Staff will be going out with a
10 letter to United summarizing our expectations and providing
11 a time frame for them to submit this clarification
12 information to us.

13 We are now prepared to go out with our Ready-for-
14 Environmental-Assessment Notice--

15 (Strange noise on phone.)

16 MR. HOGAN: Is everybody still there?

17 (Voices affirm they are.)

18 MR. HOGAN: And we will begin our NEPA
19 processing, our development of our Environmental Assessment.

20 MS. CANNON: Okay, thank you.

21 MR. HOGAN: Any other questions?

22 (No response.)

23 MR. HOGAN: Okay.

24 MR. DICKINSON: United Water is okay.

25 MR. HOGAN: Great. Well thank everybody. I

1 appreciate your participation, and, John and United, I thank
2 you for your assistance in helping us with our
3 clarifications.

4 MR. DICKINSON: Well I thank the Commission, and
5 I thank all of the participants here. We will get the
6 information out as quickly as we can and share it with
7 everyone.

8 MR. HOGAN: Great. Have a good day everybody.

9 MR. DICKINSON: Thank you.

10 MS. CARTER: Thank you.

11 MR. CAPPELLI: Are you going to send that letter
12 to the stakeholders?

13 MR. HOGAN: Yes. Did you get your answer?

14 MR. CAPPELLI: Yes.

15 MR. HOGAN: Yes, it will go out to everyone who
16 is on the Service List.

17 MR. CAPPELLI: Okay. Thank you.

18 MR. HOGAN: The only thing that will not go out
19 is the map.

20 MR. CAPPELLI: Which map is that?

21 MR. HOGAN: Who is this?

22 MR. CAPPELLI: This is Mark Cappelli speaking.

23 MR. HOGAN: Mark Cappelli with NOAA.

24 MR. CAPPELLI: I came in late.

25 MR. HOGAN: Yes, Mark, there's an old map with

1 the 1953 license application. It is Sheet 2 of Exhibit K
2 that we have on file here at the FERC that United lost from
3 their original license application, and they would like to
4 have a copy of it so that they can prepare a map which
5 indicates the project boundary as it corresponds to their
6 Rec Facilities.

7 MR. CAPELLI: I see.

8 MR. HOGAN: So we're just going to send them a
9 copy of the map that we have here on file so that they can
10 prepare that and file it with us. The new map everybody
11 will get.

12 MR. CAPELLI: Okay, thanks for the verification.

13 MS. CANNON: Mark, this is Tina Cannon. I just
14 wanted to let you know that Entrix Technical Memorandum was
15 not discussed or flowed. That was not included as part of
16 the discussion today.

17 MR. CAPELLI: Okay.

18 MS. CANNON: Okay, thank you.

19 MR. CAPELLI: We commented on that in our comment
20 letter.

21 MS. CANNON: Okay, thank you.

22 MR. HOGAN: Thanks.

23 (Whereupon, at 3:55 p.m., Thursday, June 9, 2005,
24 the teleconference in the above-entitled matter was
25 adjourned.)