

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426
November 02, 2006

OFFICE OF ENERGY PROJECTS

Project No. 2107-016
Poe Hydroelectric Project
Pacific Gas and Electric Company

Sandra Morey
Regional Manager
California Department of Fish and Game
1701 Nimbus Road, Suite A
Rancho Cordova, California 95670

David L Harlow
Acting Field Supervisor
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

Reference: Notification of Section 10(j) Meeting

Dear Addressee:

On August 2, 2006, we issued the draft environmental assessment for the Poe Hydroelectric Project. By letters issued August 11, 2006, we notified you of our determination that some of the agencies' recommended fish and wildlife measures, made pursuant to Section 10(j) of the Federal Power Act (FPA), may be inconsistent with the public interest and comprehensive development standard of Sections 4(e) and 10(j) of the FPA or section 313(b) of the Federal Power Act.

In our August 11, 2006, letters, we indicated that we planned to conduct a meeting to help resolve some of the issues associated with the Poe Hydroelectric Project relicensing. Subsequently, Commission staff contacted your staff to identify a mutually agreeable date and location. The purpose of this letter is to notify you that we will hold a section 10(j) meeting, in Sacramento, California, according to the enclosed agenda. The meeting will be held from 9:00 a.m. to 5:00 p.m. on November 28 at the:

Hilton Sacramento Arden West
2200 Harvard Street
Sacramento, CA

Although the 90-day time period to hold meetings as provided by the Commission's regulations has passed, I believe that a meeting would help resolve the remaining issues associated with the project. Therefore, I am waiving section 4.34(e)(5) of the Commission's regulations in this instance.

The 10(j) meeting is being held as a forum to allow Commission staff and state and federal resource agencies with 10(j) authority to attempt to resolve apparent inconsistencies between their 10(j) recommendations and the Federal Power Act. While other interested entities may attend the meeting as observers, discussions will be limited to the above agencies. A summary of the 10(j) meeting will be placed in the public record about 20 days following the conclusion of the meeting.

If you have any questions, please contact John Mudre at (202) 502-8902 or john.mudre@ferc.gov.

Sincerely,

Timothy J. Welch, Chief
Hydro West Branch 2

Enclosure: Schedule for Poe Hydroelectric Project 10(j) meeting

cc: William E. Foster
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Mailing List
Public Files

MEETING AGENDA
Section 10(j) Meeting
Poe Hydroelectric Project
November 28, 2006, 9:00 a.m. – 5:00 p.m.
Sacramento, California

A. Introduction

- Introduction of Participants
- Meeting Procedures and Objectives

B. Discussion

- Water temperature moderation program and flows (FWS, CDFG)¹
- Minimum flow releases, including the new agency minimum flow recommendation (FWS, CDFG)
- Instream flow effects monitoring program (FWS, CDFG)
- Pulse flows of 2,000 cfs for a period of 72 hours if by March 1, following successive dry and critically dry years, flows of that magnitude have not occurred within the previous 18 months (CDFG)
- Development of a ramping rate plan and schedule (FWS, CDFG)
- Fisheries and macroinvertebrate monitoring plans, with monitoring programs on a bi-annual basis for the duration of the license (FWS)
- Evaluation of Poe Reach biological monitoring program results, with possible later revisions to the instream flow schedule, based on monitoring results (FWS)
- Amphibian monitoring plan with monitoring on an annual basis for the term of the license (FWS).

¹ We understand that this recommendation is now included within the new agency minimum flow recommendation.

C. Summary of Meeting

- Issue resolution
- Follow-up actions