

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, DC 20426

March 11, 2009

OFFICE OF ENERGY PROJECTS

Project No. 2088-068
South Feather Power Project
South Feather Water and Power Agency

Rodney McInnis, Regional Administrator
National Marine Fisheries Service
Southwest Region
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U.S. Department of Agriculture
33 New Montgomery, 17th Floor
San Francisco, CA 94105

Reference: Notification of Section 10(j) Meetings

Dear Addressee:

On November 7, 2008, we issued our draft environmental impact statement for the South Feather Power. By letters issued November 7, 2008, we informed 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 November 7, 2008, letters, we indicated that we planned to conduct a meeting to help resolve some of the issues associated with the South Feather Power Project relicensing. Consequently, we will hold a section 10(j) meeting from Wednesday

March 25 to Thursday March 26, in Sacramento, California, according to the enclosed agenda. As indicated on the agenda, we also plan to discuss issues related to the Forest Service 4(e) conditions issued for the project.

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 meetings will be held at the conference room of the office of Devine Tarbell & Associates, 2720 Gateway Oaks Drive, Suite 300, Sacramento, California.

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. Similarly, Forest Service 4(e) discussions will be limited to Commission staff and appropriate federal agency personnel. A summary of the 10(j) and 4(e) meetings will be placed in the public record about 20 days following the conclusion of the meetings.

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: Agenda for South Feather Power Project 10(j) meeting

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Service List
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PROPOSED MEETING AGENDA
Section 10(j) and FS Section 4(e) Clarification Meeting
South Feather Power Project
March 25-26, 2009, 9:00 a.m. – 4:30 p.m.
Sacramento, California

A. Introduction

1. Introduction of Participants
2. Meeting Procedures and Objectives
3. Chronology of 10(j) Process

B. Discussion of 10(j) Issues

1. Downstream water temperatures – conformance with Oroville Settlement Agreement (Cal Fish & Game and NMFS)
2. Selective withdrawal (Cal Fish & Game)
3. Screening of diversions (Cal Fish & Game)
4. Fish and macroinvertebrate monitoring (Cal Fish & Game)
5. Minimum flows (Cal Fish & Game)

C. Discussion of 4(e) conditions

1. Minimum flows
2. FYLF monitoring and studies

D. Other Issues (if any)

D. Summary of Meeting

1. Issue Resolution
2. Follow-up Actions

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