

Comment Author	Date Received	Comment	SMUD Response
<p>Mike DeBord Camino Resident</p> <p>Comment on the Initial Consultation Document (ICD)</p>	<p>01/26/2012</p>	<p>I question why proposed "new projects" are included by SMUD in a license renewal process (and delaying the relicensing of existing UARP facilities) instead of being addressed through a separate stand-alone license process. It seems logical that a "license renewal" would relate to existing facilities and a separate license application would relate to totally new proposed projects.</p>	<p>Modifications and additions to existing facilities are often proposed during relicensing, since that is the time when the terms and conditions of a new license, and project economics, are evaluated. The proposed generation facility and boating flow valve were conceived over the past four years to comply with the anticipated new license terms. Since those new terms were not fully known until the end of the relicensing process, the New Slab Creek Powerhouse and Boating Flow Valve are being addressed in an amendment.</p>
		<p>On October 5, 2011, a meeting of the IHJAC was conducted and that was the very first time the proposed New Slab Creek Powerhouse was discussed by SMUD with the IHJAC or, as far as I know, with the surrounding residents. This revelation at this late stage of the process of evaluating the impacts of the proposed Iowa Hill Pumped Storage project, including fire concerns, construction concerns, traffic concerns, NEPA and CEQA concerns, is unbelievable.</p>	<p>SMUD initiated project planning and environmental studies in 2010, released an Initial Consultation Document in 2012, and released a Draft Non-Capacity License Amendment Application (DNLAA) in 2013. Each of these steps constitutes part of the normal regulatory process for a license amendment. SMUD has conducted three public meetings to discuss the project, in: (1) SMUD's Freshpond Office, (2) the Camino schoolhouse, and (3) the Swansboro Fire Station. Each of these meetings was held after the release of the Initial Consultation Document</p>
		<p>During the FERC required December 1, 2011 meeting for the proposed New Slab Creek Powerhouse, SMUD representative Scott Flake claimed that SMUD had conducted meetings on this proposed powerhouse for many years with other parties. If this is so, why did SMUD not ever mention this project to the IHJAC and the community surrounding the proposed project site</p>	<p>The new powerhouse and boating flow release valve are independent of Iowa Hill. They are being proposed in response to a requirement of the new FERC license that SMUD consider facility modifications at Slab Creek Dam to accommodate new minimum and boating flows from the dam. The proposed facilities are located down in the bottom of the South Fork American River canyon, immediately adjacent to existing hydro facilities, in a remote area with little or no residential or commercial use.</p>

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		<p>while we were considering and evaluating impacts of the proposed Iowa Hill Pumped Storage project in the same area? It would have seemed appropriate that SMUD would have so advised us that in the same reservoir area location as the proposed Iowa Hill Pumped Storage project that another related multi-year construction project with similar issues and concerns was being planned by SMUD.</p>	
		<p>During the question/answer component of the December 1, 2011 SMUD meeting, I asked a simple question based on my understanding of how the current underground tunnels between reservoirs enhances the power generation of the downstream hydro plants. My question was, "Does the proposed powerhouse produce a net gain for SMUD for power generation?"</p> <p>The answer was provided by SMUD's civil engineer Chris Moffitt, Hydro Asset Owner, "Under the current configuration, the water goes to the White Rock powerhouse through the White Rock tunnel and makes more power at White Rock than (it will) at the new powerhouse. So this is a net loss for SMUD as far as revenue from generation/'...SMUD's answer deals with the planned diversion of what is now a more efficient water flow process that</p>	<p>The net loss of power generation that Chris Moffitt referred to is a result of the increased minimum bypass flow and recreational boating releases required of the new license. The New Slab Creek Powerhouse offsets a portion of this generation loss by producing power near the base of the dam from the increased minimum flows.</p> <p>As discussed previously, the proposed project was conceived to comply with the anticipated new license terms. Alternative concepts, or solutions, considered by SMUD to provide the required increase in flows included increasing the volume of water released at the base of Slab Creek Dam through a larger valve, or through a powerhouse constructed alongside the dam. These alternatives were rejected for a variety of reasons, as described in the Section 3.1.4 (Alternatives to Proposed Project) of the FNLA. Another option for boating flow releases was to spill water over the dam, which while viable from an operational/facilities perspective, was considered less viable than constructing a boating release valve adjacent to the new powerhouse.</p>

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		<p>produces power at the White Rock powerhouse. Instead, SMUD plans to run the water (diverting it from the tunnel) directly to the proposed New Slab Creek Powerhouse. SMUD's authoritative answer to this question is alarming. Is it not bad enough that the proposed Iowa Hill pumped storage project will require far more energy to pump water up to the storage reservoir than it can produce through the hydro's when the water is returned to the Slab Creek Reservoir, but now the proposed New Slab Creek Powerhouse will also produce less energy than the current configuration and result in another net energy losing project for SMUD? My question is should FERC license these two back-to-back energy losing projects?</p>	
		<p>I previously wrote to FERC on September 30, 2008 (see attached) to advise of a discrepancy by SMUD regarding the proposed Iowa Hill pumped storage project because SMUD included in their license application that they were planning to use natural gas fired plants to power the proposed Iowa Hill pumped storage facility while they advised us they were planning to use wind mills to power the pumping process. I believe that discrepancy created a serious conflict between the Final Environmental Impact Statement</p>	<p>The new powerhouse and boating flow release valve are independent of Iowa Hill. The New Slab Creek Powerhouse represents a new source of hydropower, and will offset a portion of cumulative loss of power throughout the UARP that results from increased minimum and recreational boating flows required by the new license. Power for the pumping cycle of the Iowa Hill facility can come from a variety of sources, including natural gas plants, wind turbines, and hydro power.</p>

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		and the Final California Environmental Quality Act Supplemental Analysis certified by SMUD, and impacted the reviews and also the cost analysis. Now SMUD advises that they propose yet another project, the new Slab Creek Powerhouse that appears inefficient in both cost and energy. Is there a better option?	
		Is the licensing of the proposed New Slab Creek Powerhouse consistent with FERC's Mission statement, which in part, is to promote the development of efficient energy infrastructure that serves the public's interest? I don't understand how FERC can license the proposed New Slab Creek Powerhouse when SMUD states that the new powerhouse will in fact be a net loss for SMUD as far as revenue from generation.	The net loss from power generation would be greater if the New Slab Creek Powerhouse was not built, since little or no energy would be generated from the higher minimum flow and recreational boating release requirements into the SFAR below Slab Creek Dam under the new license.
Jim Summers Private Citizen	06/03/2013	In the Application cover letter, as well as several other places in the Application, it is stated that the proposed project is needed to meet increased minimum and boating flows that will be required under SMUD's anticipated new license. It is further stated "The primary purpose of the new powerhouse and boating flow valve is to allow SMUD to comply with new license requirements to release minimum and boating flows." These statements are egregiously misleading and, in fact, are inaccurate. Under the provisions of the currently pending	The referenced documents are accurate. The New Slab Creek Powerhouse and Boating Flow Valve are being proposed exclusively to comply with the new license. The existing facilities at Slab Creek Dam can release only a maximum of approximately 263 cfs. Starting in year 4, the new license will require minimum releases of up to 415 cfs, so facility modifications are necessary. The new license's required boating flows of between 850 and 1,500 cfs can be released currently only by forcing water to spill over the dam. While facility modifications for boating flows are not required for at least 15 years, SMUD has determined such modifications are preferable to intentional spills. This decision to construct a boating flow valve earlier than potentially required complies with the

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		<p>license SMUD will be authorized to create required minimum flows by modifying the existing valving at the dam. Additionally, on page 29 (Exhibit B) it states that "The use of spilled water (Appendix A, Photo 7) to provide boating flows will continue through Year 10, at which time SMUD must determine, in consultation with the UARP Relicensing Consultation Group, if facility modifications are necessary to release boating flows." If at that time "MODIFICATIONS ARE DEEMED NECESSARY, SMUD MUST IMPLEMENT THE BOATING FLOWS USING THE MODIFIED FACILITIES BY YEAR 15." (Emphasis is mine) In view of the fact that SMUD will have the authorization and the ability to meet the minimum downstream flow requirement by a relatively simple modification to existing facilities, and in view of the fact that provisions to review the boating flow requirements are already in place and agreed to (Settlement Agreement), and in view of the fact that the mandatory consultation contained in the Settlement Agreement that triggers that review will not take place until after year 10, please explain why this Application is not premature and why it must be approved at this time.</p>	<p>new license.</p>
		<p>During public discussions it has been stated that, even with the new</p>	<p>The net loss of power generation refers to the cumulative loss of power across all UARP powerhouses that will take</p>

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		<p>powerhouse operating, there will be a net loss of energy production due to the fact that boating releases will diminish the production at White Rock. The Application affirms that assessment by stating the new powerhouse will restore only a portion of the energy production lost due to boating flows. Explain why SMUD thinks it is practical and economically prudent to spend at least \$15 million more than necessary only to lose some renewable energy production when it is possible to provide fishery flows by simple modification of the existing valve at the dam and provide boating flows by continuing with spill events as in the past.</p>	<p>place under the increased minimum releases required of the new license. The New Slab Creek Powerhouse represents a new source of hydropower, and will offset a portion of cumulative loss throughout the UARP, although there will still be a net loss.</p> <p>The cost justification for building the project is fully discussed in Exhibit D of the FNLAA (Costs and Financing). The option to modify the existing valve at Slab Creek Dam was evaluated and determined to be infeasible, as discussed in Section 3.1.4 of the FNLAA (Alternatives to Proposed Project).</p>
		<p>Page 3, Paragraph 2.1 states, in part, "A key feature of the process is a streamlined approach to the FERC environmental review and consultation process." The Forest Service, along with a number of concerned agencies, have sent FERC a letter dated February 13, 2012, which details just why this "streamlined" process should not be considered. What is the status of the recommendations and comments in that letter?</p>	<p>In accordance with the resource agencies' comments, SMUD is not planning to streamline the license amendment process in the manner described in the Initial Consultation Document.</p>
		<p>Page 1, Paragraph 1.0: The proposed powerhouse is located on SMUD-owned land. The Forest Service has informed SMUD that any portion of the project on FS land will require a Special Use</p>	<p>Section 53091(d) of the Government Code exempts local agency infrastructure for electrical energy generation and transmission from local building codes, and the Federal Power Act preempts the application of County land use authority for hydroelectric project facilities licensed by</p>

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		Permit. Is it not the case that any portion of the project (or project components) on privately-owned land would require a Special Use Permit from the County?	FERC. Therefore, those portions of the project on SMUD-owned land will not require an El Dorado County special use permit.
		Page 15, Paragraph 3.1.2: "While the option exists to physically separate minimum and boating releases, the most efficient and economical method is to combine the two water release functions into a single new powerhouse/boating valve at the adit." It states further, "This requires less construction, increases efficiency, and is more economical than the construction of similar dual-purpose facilities at the base of the dam." What methodology was used to arrive at the conclusion that continuing to spill water to supply boating flows while supplying fishery requirements via a new valve at the Dam requires more construction, is less efficient, and is less economical? Are the engineering studies that support such a conclusion available to the public?	The decisions made by SMUD were not solely based on efficiency and cost. They were also based on safety, engineering feasibility, and SMUD's ability to precisely achieve the desired boating flows. As described above, the option to implement fish releases by placing a new valve on the existing release facilities was determined to be infeasible from an engineering perspective. This conclusion was reached on the basis of concerns raised by SMUD engineers associated with extremely high velocities moving through the pipe inside the dam on an annual basis. Measurement of these velocities was tested in the field as well. The concept of spilling water to create boating flows for at least 15 years and potentially over the entire term of the new license was rejected on the basis of concerns over: (1) continued damage to the existing Slab Creek Powerhouse at the base of the dam, (2) boater safety if the White Rock Powerhouse were to automatically shut off during a spill event, and adding more water to the river, and (3) precision in achieving the boating flow target volume.
		The Storm Water Pollution Plan and the Erosion and Sedimentation Control Plan contained in paragraphs 2 and 3 on Page 20 do not include any mention of North Canyon Creek which abuts Slab Creek Road for almost 2,000'. What provisions will be made to eliminate pollution of North Canyon Creek?	The New Slab Creek Powerhouse Project will not result in significant pollution of North Canyon Creek.
		Page 24, Paragraph 3.1.4: "Meeting the	The flood of 1997 referred to in the FNLA was not

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		<p>new UARP license requirements for minimum releases and boating flows can occur in a variety of ways." That statement seems to contradict previous declarations that the powerhouse must be built to provide those flows. (See above) "Alternative 1, No Slab Creek Powerhouse" is misleading in that it implies if no powerhouse is built within the next few years, it will never be built. Again, I refer you to the Settlement Agreement that details the plan for boating flows to be provided by continuing the "spill" and that the acceptability of that operation would be reviewed after 10 years. Additionally, this document states that "Slab Creek Reservoir was not designed to, nor is it capable of, capturing large runoff events from the mostly unregulated SFAR basin." It then goes on to cite the "flood of 1997" as an example of a large runoff event. That is ironic in that that event was caused by a land-slip along the SFAR that temporarily dammed the river. When that dam was breached, the resulting surge of water washed away houses, trees and debris, much of which ended up in Slab Creek Reservoir. In other words, such an event was approximately equal to a 1,000-year event. The irony is that the land-slip was caused by the super-saturation of an area that a wildfire had devastated</p>	<p>caused by a landslide event, but rather a very large rain event. This can be confirmed by review of newspapers around New Year's Day 1997.</p> <p>SMUD's Slab Creek Reservoir is not a long-term storage reservoir like Union Valley, Ice House, and Loon Lake. Hence, large runoff events in wet water years often lead to uncontrolled spill over the top of the dam. This concept, as discussed in the FNLA, is totally unrelated to whether the reservoir is "capable of weathering large events," which was in the context of dam failure considerations</p>

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		<p>years before. That long ago fire emanated during construction of SMUD's UARP. It must also be noted that contrary to the thought that the dam is not capable of weathering large events, Slab Creek Reservoir and Dam withstood that once-in-a-lifetime event.</p>	
		<p>Pages 29/30, Paragraph 3.2.1: The connection of spilling boating flows over the dam in spring months and the potential shutdown of the White Rock Powerhouse is unclear. If SMUD must spill more water than that which is safe for boaters, would it not be possible to simply notify the boaters?</p>	<p>If the White Rock Powerhouse were to automatically shut down during a boating controlled spill event, the increase in water over the dam would be immediate, allowing no opportunity to notify boaters who have already started down the river.</p>
		<p>At the first two public meetings regarding the proposed powerhouse, it was stated that the new flows would eliminate the need to spill water at the Slab Creek Dam. However, on Page 31, last paragraph, it states: "The Project, however, will not alter the incidence of spill events passing over Slab Creek Dam in spring of certain years. Spill magnitude, frequency and duration will be largely unaltered. The volume of water passing through the White Rock Tunnel for power generation at the White Rock Powerhouse will be unaltered." Again, if that is the case, why is this new powerhouse required?</p>	<p>The boating flow valve would eliminate the need to create a controlled water spill at Slab Creek Dam for boating purposes. This is a substantial benefit even though, as discussed in the FNLA, wet water year high flow events that currently take place would continue to occur with the new facilities in operation.</p>
		<p>Page 34, Paragraphs 3.3.3/3.3.4: The construction route listed involves portions of Carson Road, Larsen Road,</p>	<p>In finalizing the transportation plan for the New Slab Creek Powerhouse Project, SMUD may use more than one staging area if it is determined that separating, for</p>

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		<p>North Canyon Roads and Slab Creek Road. I believe the Draft Application incorrectly classified these roads. While it is debatable that Carson Road might be a "rural minor arterial", identifying Larsen Road as a "rural local collector" and North Canyon Road as a "minor rural collector" overestimates their current use. Both of these roads are more appropriately labeled as "country lanes". In any case, these roads are not capable of handling major construction traffic. The later conclusion (Page 144) that "Overall, adding construction traffic to Camino roads used by residents and/or businesses will not adversely impact traffic congestion or safety on Camino roads" is simply without foundation and SMUD needs to reveal the methodology used to arrive at such a conclusion. The life blood of the agri-tourism ventures carried on in Camino/Apple Hill is the rural character of the area. Having a country day in Apple Hill means traveling on our tree-lined lanes, visiting our local farm sheds and sampling our homemade cuisine. That country experience is, to a large degree, dependent on a number of rural components but our tree-lined country lanes are a major and vital part of Apple Hill's marketing effort. (I must add at this point the fact that several SMUD Directors, past and present, have stated</p>	<p>example, van pool operations from equipment deliveries would reduce impacts on a given route to the worksite below Slab Creek Reservoir. The approach will be to reduce transportation impacts to the greatest degree practicable, including van pools for the workforce, and a tightly managed queuing process for accumulating materials and equipment for delivery to the job site at times and via routes that avoid conflicts with established school bus schedules, peak traffic in the Apple Harvest area during harvest and tourist seasons, and other factors. SMUD has already verified with the Camino School administration, for instance, that the data we have previously collected regarding school bus routes and times are still valid. Slab Creek Reservoir Road is accessible only via North Canyon Road. Accordingly, at some point, all traffic to the worksite will flow down North Canyon Road, either from the west or the east. Traffic will be distributed across the feeder roads into North Canyon Road so as to assure minimal practical impacts on local traffic and roads along the routes to the worksite. Further, traffic will be constrained to avoid conflict with well established traffic patterns associated with schools, Apple Hill tourist and charter services, and other relevant factors.</p>

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		<p>that they would not be in favor of any project that would change the character of Apple Hill.) The proposed construction traffic associated with the new powerhouse, if routed as intended, WILL change the rural character of Apple Hill. That fact can be verified by any group that specializes in the study of agri-tourism, such as UC Davis. SMUD says they will restore the roads after damaging them. That is a meaningless statement as restoring the roads to a previous condition, which is impossible on its face, will do nothing insofar as mitigating the economic damage suffered by the local businesses. SMUD also says they must make some unspecified improvements to local roads prior to the start of construction. "Improving" our country lanes could very well create irreversible harm to our rural ambience and create, as an unintended consequence, a growth inducement. The simple fact is SMUD does not have to access their UARP facilities through the middle of our thriving agri-tourism and rural-tourism area. SMUD must justify, with substantiated facts, their insistence on using these roads and must produce a detailed study of the effects the proposed construction traffic will have on the socioeconomics of Apple Hill. Slab Creek Road, on the other hand, is not a part of the country</p>	<p>The road improvements SMUD contemplates are minor in nature. We do not believe there is a need for widespread widening, adding new lanes, or altering road geometry, any of which could negatively affect the rural nature of the area or induce growth. Instead, we foresee the need to smooth certain rough road sections, fill potholes, and improve turning points for construction vehicles at important intersections such as North Canyon and Slab Creek roads. The design of road improvements at the intersection of these two roads will be developed in such a way as not to endanger resident drivers, pedestrians, and bicyclists.</p>

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		<p>lane system. SMUD adequately describes the road by a sign posted near the top gate. The sign says "WARNING Hazardous dead end road. Sharp turns - Steep Grade and Falling Rock ". During the last decade there have been numerous accidents on that road due to its hazardous nature and two of those accidents resulted in fatalities. On top of the road hazards associated with the proposed project, Slab Creek Road is the only emergency egress from the lands that are recognized as having one of the highest wildfire potentials in El Dorado County. Therefore, Slab Creek Road must be widened in many areas, have substantial re-grading to prevent pollutants from entering North Canyon Creek and, as recommended by the Forest Service, be paved to at least partially mitigate the air quality degradation that will surely occur. In addition, to aid in reducing noise, it is recommended that there be a strict restriction on the use of jake-brakes and, in the interest of safety, runaway truck lanes be installed.</p>	<p>SMUD does not agree that Slab Creek Road, from its intersection with North Canyon Road to the permanent gate for the old construction road leading down to the project site must be widened in many areas. This same road was used for construction purposes during the initial construction of Slab Creek Dam.</p> <p>Many of the concerns raised in this comment will be minimized by implementation of the Construction Noise Plan and Transportation Management Plan.</p>
		<p>SMUD repeatedly assures the Camino citizens that a "van pool" will mitigate the traffic increases associated with construction into insignificance. That is nonsense. As an example, after stating that there will be 50 workers at the powerhouse project it is opined that, due</p>	<p>SMUD is committed to using vanpools to bring workers to the construction site, for no other reason than there simply are not adequate parking facilities at the site for a large number of private vehicles. There is no discrepancy in the estimated vanpool roundtrips. The estimated number of vans that will be used to shuttle workers is 3 to 5. This number is referenced in the Fire Protection section of the</p>

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		<p>to the van pool, there will be only 5 or 6 worker vehicle round trips per day. (The estimate is 3 to 5 trips per day in another part of the Application.) A construction project such as a powerhouse involves people with many different disciplines. Heavy equipment owner/operators, cement finishers, masons, framers, electricians, plumbers, sheetrock hangers, finish carpenters, and roofers are but a few of the workers who will require specialized tools and will not be riding to work in a van pool. It is assumed that CH2MHILL is the consultant that prepared the transportation plan. The conclusions are debatable and, therefore, the methodology used and the information provided to the consultant by SMUD should be publicly evaluated to justify those conclusions.</p>	<p>document to address potential impacts to emergency service vehicles in the narrow canyon area. These 3 to 5 vans are estimated to make approximately 5 to 6 roundtrips on a typical day.</p>
		<p>I ask for a clarification: On the first page of the Draft Application, in bold letters over a beautiful picture of Slab Creek Dam during a spill event, the purpose of the Application is described as "TO AUTHORIZE THE CONSTRUCTION OF THE NEW SLAB CREEK POWERHOUSE AND BOATING RELEASE VALVE." It is my understanding that FERC is not in the business of issuing use permits or building permits. This headline gives the impression that should FERC approve</p>	<p>SMUD will not commence construction solely under the authorization of FERC. As discussed in Section 4.1 of the FNLA (Applicable Laws, Ordinances, Regulations, Statutes, and Plans) SMUD will seek a variety of permits from agencies such as the State Water Resources Control Board, the California Department of Fish and Wildlife, U.S. Forest Service, Cal Fire, and the U.S. Army Corps of Engineers.</p>

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		<p>the license SMUD would be free to proceed with construction without further permitting. I ask that it be made clear that the agencies controlling the lands on which any and all components of the proposed project sit will be asked to issue whatever permits are required by Federal, State and local regulations and that any approval on the part of FERC or the SMUD Board of Directors does not constitute a permit to build the proposed project.</p>	
<p>U.S. Department of Homeland Security</p>	<p>06/04/2013</p>	<p>Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the Counties of Eldorado (Community Number 060040), Maps revised April 3, 2012; and Sacramento (Community Number 060262), Maps revised August 16, 2012. Please note that the Counties of Eldorado and Sacramento, California are participants in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.</p>	<p>SMUD reviewed the current Flood Insurance Rate Map (FIRM) for area of the proposed New Slab Creek Powerhouse Project – FIRM of El Dorado County, California (Panel 0525E).</p>
		<p>A summary of these NFIP floodplain management building requirements are as follows:</p> <ul style="list-style-type: none"> • All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 	<p>The FIRM map clearly shows the project site does not lie within a riverine floodplain, as defined by Flood Zones A, AO, AH, AE, or A1 through A30.</p>

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		<p>through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.</p> <ul style="list-style-type: none"> • If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any development must not increase base flood elevation levels. The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials. A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways. • Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic 	

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		<p>data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but no later than six months after such data become available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA Website.</p> <p>Please Note: Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The El Dorado County floodplain manager can be reached by calling Roger Trout, at (530) 621-5775. The Sacramento County floodplain manager can be reached by calling George Booth, Senior Civil Engineer, at (916) 874-6484.</p>	
Robert Penn Private Citizen	06/09/2013	I want to focus primarily on Smud's apparent plan to expedite or Fast track approval and construction. If the intent is to circumvent the NORMAL regulatory requirements such as noise, transportation, environmental, etc, etc,	SMUD initiated project planning and environmental studies in 2010, released an Initial Consultation Document in 2012, and released a Draft Non-Capacity License Amendment Application (DNLAA) in 2013. Each of these steps constitutes part of the normal regulatory process for a license amendment. We did ask the resource agencies

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		<p>and most importantly in this case, public review and input, the application should be Side Tracked!</p> <p>It is paramount that Smud honestly seek and utilize public review and input for the mitigation phase on this project. Studies conducted for the Iowa Hill project, totally separate as you state, are, I assume stale by now, and should not be considered applicable to the powerhouse site. Further. the relative size of the project does not negate the need for full compliance of all regulations, and in particular, community involvement!</p>	<p>to consider waiving review and comment on the DNLAAs as a streamlining concept for pre-filing, which they declined.</p> <p>SMUD has conducted three public meetings to discuss the project, in: (1) SMUD's Freshpond Office, (2) the Camino schoolhouse, and (3) the Swansboro Fire Station. Each of these meetings was held after the release of the Initial Consultation Document that contained a set of mitigation measures for the proposed project.</p> <p>Studies performed for the Iowa Hill Project, such as the study of roads are still useable to describe the condition of roads in the community of Camino. SMUD staff evaluated the roads repeatedly during the last few years and find that their physical state of repair and traffic patterns remain consistent with the descriptions in the road studies.</p>
		<p>In an attempt to be brief I will address one MAJOR issue; <u>FIRE!</u> It is not an understatement to state that Smud's history on Uarp fire issues is not exemplary! Examples:</p> <ol style="list-style-type: none"> 1. The ice house fire. 2. Refusal to remove the large, tinderbox log deck just below Slab Creek dam. This hazard is immediately adjacent to the proposed powerhouse site and has become no less a threat! 3. Correctly, Smud documents define the Slab Creek canyon as an area of "EXTREME FIRE DANGER" yet interestingly fails to apply that label in their communications, describing the 	<p>SMUD recognizes the foothills of the Sierra Nevada Mountains in the area of the UARP are at a high risk of fire; however, with proper prevention measures, that risk can be managed so that work at the UARP can be safely performed as it has been done for over 50 years. SMUD's transmission line right-of-way vegetation management, for example, incorporates two levels of fire prevention: the management of vegetation that may come in contact with the transmission wires and fire control measures implemented during vegetation management operations. A specific fire prevention plan will be incorporated into any construction activities and will be based on the requirements of the regulatory agencies and the NEPA/CEQA document that will describe specific mitigation requirements to reduce fire exposure.</p>

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		<p>issue as "LESS THAN SIGNIFICANT."</p> <p>4. A cavalier attitude on the topic and toward community fears! Several years ago, when asked, what Smud could do to help protect our homes from fire, the Smud risk management officer told the audience to ensure that their home fire policies were in force!</p> <p>5. Earlier, in the mitigation on Iowa Hill, it was suggested that Smud execute an adequate bond to cover fire damage to homes, should Smud be at fault. That suggestion was not adopted.</p> <p>6. Smud apparently does not plan to monitor rafting activities and the potential for rafters starting fires.</p>	<p>SMUD takes fire safety very seriously and provides quick reference cards to each employee and in each vehicle. Each vehicle has incipient fire response equipment and instruction for proper communication. SMUD's role is to prevent, detect and communicate. To evaluate and fine-tune the UARP's fire response preparedness, SMUD staff members recently undertook a FERC Emergency Action Plan exercise with Federal, State and Local agencies in attendance.</p>
<p>Mark Stanley Member, Iowa Hill Joint Advisory Committee, representing CCAC</p> <p>Resident of Camino</p> <p>Retired, Chief Deputy Director, California Dept. of Forestry & Fire Protection</p>	<p>06/25/2013</p>	<p>In SMUDs cover letter to FERC SMUD indicates that "...<i>the project proposed in this amendment is needed to meet increased minimum and boating flows that will be required under SMUD's anticipated new license.</i>" If this project is needed to meet the increased flows and it is a new project how was SMUD going to meet the needs as stated in the various settlement agreements for the UARP license project currently under review by FERC.</p>	<p>Without the New Slab Creek Powerhouse and Boating Flow Valve Project, SMUD can meet the 263 cfs minimum flow required for the first three years by running the existing release facilities at Slab Creek Dam at maximum capacity. However, since the new license requires SMUD to achieve minimum releases up to 415 cfs after three years, SMUD would need to build the proposed project or else modify the existing Slab Creek Dam facilities. . Because it is physically impossible to release the required boating flows of between 850 and 1,500 cfs through the existing facilities at Slab Creek Dam, SMUD would have to either build the proposed project or else force water to spill over the dam.</p>

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		<p>Moving on in the list of notifications SMUD was advised that I have replaced Christa Campbell as the CCAC representative more than a year ago yet I was never sent the draft until after someone else told me it was out for review and I called to request a copy. Also in the list of recipients Andrea Tuttle has not been the Director of the California Department of Forestry and Fire Protection since 2004. I can only wonder how many other notifications are sitting in trash bins waiting to be reviewed due to changes in staffing.</p>	<p>SMUD has modified the mailing list accordingly.</p>
		<p>In the purpose statement a number of things are stated. SMUD states that they are doing this in order to comply with increased flow requirements. If SMUD knew that this facility was necessary to comply with the proposed UARP settlement agreements why was it not discussed in the CEQA document or the NEPA document as actions to be taken?</p>	<p>The specifics of facility modification at Slab Creek Dam, and other UARP dams requiring similar changes, were not known at the time the CEQA and NEPA documents were finalized.</p>
		<p>As has already been stated by the State Water Quality Control Board the project as it relates to Iowa Hill portion of the project does not contain enough detail on the project in order to be evaluated</p>	<p>The New Slab Creek Powerhouse Project does not relate to Iowa Hill. Nevertheless, SMUD offers the following clarification. Page 24 of the SWRCB's Water Quality Certification for the new UARP FERC license, released in October 2013, documents the CEQA compliance for the</p>

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		<p>for CEQA compliance and will require more specificity in the plan in order to do that. How can SMUD then propose to tier this NEW project off of a CEQA document that does not satisfy the threshold to be evaluated under CEQA?</p>	<p>relicensing, including authorization for SMUD to construct the Iowa Hill Project if SMUD chooses to do so. The SWRCB relied on this CEQA documentation to issue the Certification, and makes findings (in Attachment A) that the SWRCB-jurisdictional environmental impacts of the project, including Iowa Hill, as operated under the new license in compliance with the Certification will be less-than-significant.</p>
		<p>If this is truly a NEW project as SMUD states, how was SMUD going to comply with the required increase in flow as required in the UARP project as proposed by SMUD. What has changed to make the previous solution, and I assume there was a solution, now inoperable and this solution necessary to comply with the increased flow requirements? Perhaps this speaks more to the lack of detail in a plan or absence of a plan that the Water Quality Control Board refers to. Perhaps it is time for SMUD to have all their plans prepared and reviewed <u>before</u> asking regulatory and permitting agencies to issue permits and license based on a promise that great plans will be prepared. SMUD should be held to the same standards as everyone else.</p>	<p>The proposed project is, in fact, a new generation facility and boating flow valve that was conceived over the past four years to comply with the anticipated new license terms. Alternative concepts, or solutions, considered by SMUD included increasing the volume of water released at the base of Slab Creek Dam, either from a valve or through a powerhouse. This alternative was rejected for a variety of reasons, as described in the Section 3.1.4 (Alternatives to Proposed Project) of the FNLA. The option for boating flow releases was to spill water over the dam, which while viable from an operational/facilities perspective, was considered less viable than constructing a boating release valve adjacent to the new powerhouse.</p> <p>SMUD has not asked regulatory agencies to make decisions without proper environmental review.</p>
		<p>In section 2.1 SMUD indicates that this project is included as part of the UARP project but apparently it was not considered in the original submission. Figure G-1 page 153 clearly shows that this was not in the UARP project</p>	<p>The proposed new powerhouse and boating flow valve will ultimately become part of the UARP, requiring a modification of the existing UARP Project Boundary. Hence, we include in Exhibit G of the FNLA a map of the proposed boundary expansion to encompass the new powerhouse and valve. This is a requirement of license</p>

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		<p>boundary. How could this now be part of the UARP when it was not included in the submitted license application? When several members of the Iowa Hill Joint Advisory Committee have proposed that the IHJAC also be convened to address mitigations for this New Project we have been told in no uncertain terms that this is not part of the UARP and therefore the IHJAC will not be consulted. Why is it that SMUD says it is part of the UARP in order for SMUD to request streamlining (fast tracking) of the environmental portions of the process because it is part of the UARP and at the same time say that since it is a NEW project and has nothing to do with Iowa Hill and that the IHJAC will not be involved.</p>	<p>amendment proceedings.</p> <p>The new powerhouse and boating flow release valve are independent of Iowa Hill. Neither project is dependent upon the other from a constructability standpoint. Both projects are geographically close and thus, have the potential to affect traffic, noise, water quality, terrestrial resources, and fire in the same general area. Thus, we utilized information from previous studies performed on the above resource areas for the UARP and Iowa Hill to inform impact assessment and mitigation planning.</p>
		<p>Page 5 states that the construction of this facility will benefit El Dorado and Placer county residents displacing tons of carbon emissions. What is being shut down in these counties as a result of the facility? What kinds of carbon emissions will be released as part of the construction of this facility? What other air quality, noise, and environmental impacts, rural quality of life, and economic impacts to Apple Hill® will there be to the residents of the community where the facility will reside? How will this facility positively impact Placer County that lies nearly 40 miles</p>	<p>The carbon emission reduction benefits referenced in the DNLA will result from the production of 10.5 gigawatt-hours annually produced at the new powerhouse from hydroelectricity. The equivalent volume of energy produced by natural gas burning powerplants in Sacramento County would result in approximately 1,794 metric tons of carbon emissions. Thus, the amount of carbon compounds in the air will be lowered in Sacramento County as well as nearby counties, such as El Dorado and Placer, due to the prevailing winds that generally blow from west to east in the Sacramento area.</p>

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		north of the project/	
		<p>Section 3.1.3.1 states that, "Beginning as early as reasonably practical within three months after the conclusion of construction activities. . ." minimum streamflows will be started in order to meet the aquatic needs of species between the dam and the new powerhouse. What happens to these aquatic resources during the 1.5, 2, 3-4 or 5-6 year construction period? All of these construction times are used in various places in the document. By this statement it appears that the flows out of the dam will be significantly reduced to a point of negatively impacting the species dependent on at least minimal flows</p>	<p>During the construction period, SMUD will make all minimum releases from Slab Creek Dam in full compliance with the new license. These releases will flow past the construction site, undiminished in volume. Once construction of the new powerhouse and boating flow valve are complete, the flows will be achieved by a combination of releases from the dam and discharges from the new powerhouse. The potential impacts to aquatic species in the segment of river between the dam and powerhouse are fully discussed in Section 5.3 of the FNLA.</p> <p>SMUD has modified the FNLA to eliminate the conflicting statements of the construction period.</p>
		<p>In the body of the document, SMUD describes preparing plans of various sorts, fire, transportation, noise, etc., prior to starting work, but none of those activities are listed on the timeline diagrams, nor are there any tasks for CEQA or NEPA compliance. As we have seen with Iowa Hill it is very difficult to comment on transportation, fire, noise, aesthetic, dust, or any other plan without having them to review or at least with enough specificity that are able to be reviewed. The transportation plan for instance says there will be a park & ride area. Specifically where will that be located, as this will affect the various routes of travel? It does say it will</p>	<p>With regard to the transportation plan, there are several possibilities, but SMUD does not yet have any sites under lease at present. There may be more than one staging area if it is determined that separating, for example, van pool operations from equipment deliveries reduces impacts on a given route to the work site below Slab Creek Reservoir. The approach will be to reduce transportation impacts to the greatest degree practicable, including van pools for the work force, and a tightly managed queuing process for accumulating materials and equipment for delivery to the job site at times and via routes that avoid conflicts with established school bus schedules, peak traffic in the Apple Hill area during harvest and tourist seasons and other factors. SMUD has already verified with the Camino School administration for instance, that the data we have previously collected regarding school bus routes and times are still valid. Slab</p>

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		comply with the laws. Is that the plan?	Creek Reservoir Road is accessible only via North Canyon Road. Accordingly, at some point, all traffic to the worksite will flow down North Canyon Road, either from the west or the east. Traffic will be distributed across the feeder roads into North Canyon Road so as to assure minimal practical impacts on local traffic and roads along the routes to the work site. Further, such traffic will be constrained to avoid conflict with well established traffic patterns associated with schools, Apple Hill tourist and charter services, and other relevant factors.
		When does the public, which will be impacted by this project, get to see and substantively comment to FERC or any other regulatory body on the specifics of the plans that will be prepared in the future? All of these plans indicate that SMUD will coordinate with all of the various regulatory agencies and owners of the lands SMUD will be operating on but again that consultation is not listed anywhere in the timeline. It only lists the FERC permit being completed on 7-13-2013. Does that mean that SMUD already has the plans done but are not making them available to the public for review? SMUD has a very specific timeline for construction, purchase of equipment, etc., but don't have a clue when it will develop these specific plans? Are these more backroom deals that we will not be able to comment on or have a very short window of comment? There also seems to be some confusion in the construction time.	The resource protection plans prepared for the New Slab Creek Powerhouse Project will be submitted to FERC as part of the overall project construction plan. In addition, SMUD will submit the socioeconomic plans dealing with fire, transportation, and noise to El Dorado County. Lastly, SMUD will post these plans on the New Slab Creek Powerhouse Project Website. The schedule contained in the DNLA has been updated in keeping with the date of the license issuance. Resource protection plans are typically developed as part of functional design or as overall construction plans are being developed. At this conceptual stage in the project development, the estimated project construction period is roughly 2.5 years, which is reflected in the project schedule of the FNLA.

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		<p>Throughout the document various construction time are listed form 1.5 years to 2 years to 3-4 to 5-6 years. I understand that it is hard to estimate precisely how many days it will take but there is a range of 4.5 years between the 1.5 years stated in some places and the 5-6 years for the same project stated in section 3.3. What is the real estimated time of construction? A realistic or at least consistent estimate might be in order.</p>	
		<p>Section 5.8.1 discusses noise but never discusses what or how the project or project construction will affect noise. It has a table of noise measured on one day in August but does not say what that means. I am unclear on what the purpose of the table is if you are not comparing the current noise level on one day of the year to what the project noise or construction noise levels will be. There is also no mention of how the canyon acts like a megaphone amplifying the noise as it rises out of the canyon to the homes on the rim. I guess if you live in Sacramento the noise created by this project is considered negligible impact.</p>	<p>There are two sections of the FNLA that address noise. Section 5.8.1.1 discusses the affected environment related to noise, including a discussion of the general noise characteristics of the project area and field measurements that provide more specific information. Section 5.8.2.2 discusses the likely impacts associated with noise related to project construction. This section discusses the distance between the construction site and the nearest residences as well as the physiographic features of the canyon (morphology and vegetative cover) that would affect the reverberations of noise from the canyon bottom.</p>
		<p>Page 142 describes fire responsibilities. First of all EDCFD does not have fire protection responsibilities in Amador County hence the name El Dorado County Fire District, and secondly its</p>	<p>The FNLA has been modified in accordance with the comment on the responsibilities of the EDCFD.</p> <p>SMUD has reached out to CalFire on the issue of fire protection for the project. As described in the CalFire</p>

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		<p>responsibilities are for structural fire protection not wildland. Since the area of the project is on SMUD property it falls under the jurisdiction of the California Department of Forestry and Fire Protection (Calfire) as it is classified as SRA or State Responsibility Area. The area in question that is USFS is also protected by Calfire under a traded acres agreement.</p> <p>As I have been saying to staff at SMUD for at least 6 years now, Calfire has wildland fire protection responsibilities in this area and therefore should be your primary point of contact but that somehow never sinks in with anyone.</p>	<p>letter submitted in response to the New Slab Creek Powerhouse Project Initial Consultation Document, SMUD initially met in January 2012 with Tom Tinsley and Bob Little of CalFire to discuss the project in the field. Our commitment to working with all pertinent fire prevention jurisdictions, including CalFire, is reflected in the following sentence from Section 5.9.2.2 (Socioeconomics – Fire Protection) of the FNLA: “The construction plan for the Project will contain a fire prevention component consistent with all Federal, State, and Local regulations regarding fire protection related issues.”</p>
		<p>Page 145 again talks about working with federal and local fire agencies but again no mention of Cal Fire which is the State’s responsible agency for the SRA, where the project is located. The document also states: “Once construction is complete, SMUD will modify the Fire Prevention and Response Plan prepared for the UARP to incorporate the Project.” Iowa Hill is part of the UARP and both the IHJAC and the residents in Camino have been asking for a fire protection plan for Iowa Hill for many years now. SMUD has repeatedly told the residents, that SMUD will prepare a fire protection plan prior to construction of Iowa Hill if it is ever built. I find it curious that SMUD proposed to</p>	<p>The sentence, “Once construction is complete, SMUD will modify the Fire Prevention and Response Plan prepared for the UARP to incorporate the Project” is in keeping with the new license. The Fire Prevention and Response Plan is expected to be a requirement of the new license. It has nothing to do with Iowa Hill construction, but rather is a long-term plan required by the US Forest Service that applies to operations and management of all existing facilities that comprise the UARP. Hence, the reference to adding the Slab Creek Powerhouse, a new facility, to this UARP-wide O&M fire plan is correct and appropriate.</p>

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		modify a nonexistent plan when the project is completed, when apparently it has yet to be written. If it does exist why has it been kept under wraps?	
		I remember the SMUD attorney at a fire protection mitigation planning meeting for Iowa Hill , when asked about SMUD having a large insurance policy should a fire occur from construction. His response was that the residents better have our fire insurance policies up to date. Is this the SMUD fire plan? Again SMUD states it will obey the laws. This is the minimum not what is right for the residents at risk from fire in an extreme fire threat canyon.	The key elements of the fire plan that will be prepared in conjunction with the New Slab Creek Powerhouse Project construction plan are summarized in the FNLA.
		It is stated that impacts on local roads will be minimal but in the traffic study charts included has N/A listed as documentation of use on both North Canyon and Larsen Rd. How is it that you can predict no impact when there is a 125-parcel development in Audubon Hills accessed by North Canyon between Larsen and Slab Creek roads. SMUD also states that the road is dangerous due to sharp turns and narrow roads, How will large trucks and heavy equipment negotiate these "dangerous" spots without endangering resident drivers, walkers, bicyclists, etc.? Should we also have good car insurance and personal injury policies?	The FNLA has been updated with respect to traffic on North Canyon and Larsen roads. The road improvements SMUD contemplates are minor in nature. We do not believe there will be a need for much if any widening, adding new lanes, or altering road geometry, any of which could negatively affect the rural nature of the area or induce growth. Instead, we foresee the need to smooth certain rough road sections, fill potholes, and improve turning points for construction vehicles at important intersections such as North Canyon and Slab Creek roads. The design of road improvements at the intersection of these two roads will be developed in such a way as not to endanger resident drivers, pedestrians, and bicyclists.
		Much is described about the increase in	SMUD crews take pride in our ability to work safely within

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		<p>recreational use of the area with better access to the river and a new boat launch. As is also stated in the document, Slab Creek Road is gated. How will all these new recreational users gain access? What will be the increased risk of fire from the additional recreation use be and how will this be mitigated? As witnessed by the fire in Mariposa that was started from an escaped campfire, carelessness of people, do pose a risk, for fire starts. The presence of people recreating, as well as construction activities increases the risk of fire in the area. In most if not all of the statements in the document, as far as mitigations are concerned, the statements basically says SMUD will do what the law requires, implying they will do the minimum and no more.</p>	<p>the community and forest. Everyday our crews fan out throughout the project area to work on projects large and small. Each job is carefully planned, and each day starts with a job tailboard discussion on safe work practices. The result is an excellent safety record recently recognized by Cal OSHA with the award of the Golden Gate safety excellence program. SMUD recently completed a fuels reduction and forest thinning project on the 87 acres of SMUD-owned property above Slab Creek reservoir.</p> <p>Working safely in a forest setting is something SMUD does every day, in particular as part of our vegetation management program along the UARP transmission line corridor. Using the same safety-focused programs we currently employ and by coordinating with Federal and State regulatory agencies, we believe that the safest possible work environment will be established for our work at the New Slab Creek Project.</p> <p>Recreational access for whitewater boating periods will be via Slab Creek Reservoir Road. During whitewater boating days, SMUD will open the gate leading to the river side. SMUD will not implement a fire protection plan for increased recreational activities below Slab Creek Reservoir. This is in keeping with recreational developments throughout the UARP (particularly at the storage reservoirs), where SMUD is not responsible for fire protection plans for recreational activities. It should be noted that the increased boating flows below Slab Creek are limited to a six days in the spring (March-May) of wetter water years; no boating releases are required in dry or critical dry water years. Outside of these six days, SMUD will continue to utilize its security gate for this area</p>

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			to restrict public access to the whitewater boating put-in location.
		<p>Pardon me for saying this but, I Do Not Trust SMUD to do anything except what benefits SMUD, and SMUD or SMUD staff could care less about impacts to the local community, or the environment. I believe the main concern is the checkbook. While costs are a legitimate concern it should not outweigh the impacts to either the environment or the residents of the local community who have to live with the project. This can be seen in all the settlement agreements negotiated prior to license submission by SMUD in order to solicit and <u>require</u> support for the license application to FERC for the UARP, without any consideration for contacting the local community, where all of the impacts and <u>none</u> of the benefits will occur. To the layperson this might be considered buying support from potentially contentious groups.</p>	Comment noted.
		<p>I would hope that the various regulatory, licensing, and permitting agencies would require SMUD to prepare complete plans, complete and valid monitoring studies, and public reviews prior to issuance of any such permits or licenses. I would also like to remind SMUD Board members that that when staff indicates that they have settlement</p>	Comment noted.

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		<p>agreements with all the various interest groups that does not include the members of the community that will be impacted by this and the proposed Iowa Hill Pump Storage Project, and we are very interested in the impacts to our community and the potential of fires destroying our community, economy, and rural environment in the area.</p>	
<p>Mike DeBord Camino Resident</p> <p>Comment on the Draft Non-capacity License Amendment Application (DNLAA)</p>	<p>06/30/2013</p>	<p>The powerhouse application prepared by SMUD does not include my prior comments that I prepared on January 26, 2012 and forwarded to Kimberly Bose, Secretary; FERC, James Fargo, Civil Engineer, FERC; each of the Board of Directors, SMUD; John Di Stasio, General Manager, SMUD; and Dave Hanson, Project Manager, SMUD. I know that SMUD received my written comments as I received a certified letter from Scott Flake, P.E., Manager Power Generation, SMUD dated February 3, 2012 that acknowledged my letter.</p>	<p>The omission has been rectified.</p>
		<p>In Mr. Flake's response on February 3, 2012, he states that "To be clear, this project is not in any way related to the proposed Iowa Hill Pumped Storage Development, nor was it part of the El Dorado/SMUD Cooperation Agreement that resulted in the formation of the Iowa Hill Joint Advisory Committee". That's interesting as most of the topics and concerns covered during the meetings of the IHJAC for the Iowa Hill project, such</p>	<p>While it is correct the two projects are geographically close and impose similar potential socioeconomic impacts (e.g., noise, fire, traffic), their need, purpose, constructability, and operation are totally independent. First, the Iowa Hill Project was included in the UARP relicensing process; the Slab Creek Project is proposed as a result of the relicensing process and, therefore, subject to its own, separate license amendment process. The need for one project does not influence the need for the other. Slab Creek is the only viable option to meet the new license conditions, while Iowa Hill is a storage and</p>

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		<p>as those related to fire, noise, transportation and socio economic impacts are likely to be the same topics and concerns for the proposed powerhouse, in the same general area and impacting the same surrounding residents. In fact, I would expect that SMUD will utilize the work prepared during the IHJAC meetings related to the Iowa Hill project for the powerhouse project. If so, how are the two projects not related in any way?</p>	<p>generation project that SMUD may choose to pursue to facilitate use of energy from renewable sources.</p>
		<p>The following briefly are my continuing concerns with the current and past construction proposals by SMUD:</p> <ul style="list-style-type: none"> • SMUD knew that the option they chose for the pumped storage project was in an “Extreme Fire Risk” designated area, including the tourist-related Apple Hill area, and chose it anyway never mentioning it in their site selection criteria or evaluation. • SMUD knew that the White Rock-Camino corridor was between 3 and 19 times the fire risk of the other five UARP segments and pursued this location for two large construction projects anyway. • SMUD states that an “Extreme Fire Risk” is a rating of 1.5 or greater; this level predicts greater than one fire per 1,000 	<p>SMUD acknowledges these fire-related concerns and has discussed many of these issues in public forums, including the Iowa Hill Joint Advisory Committee, relative to the Iowa Hill Project. SMUD recognizes the foothills of the Sierra Nevada Mountains in the area of the UARP are at a high risk of fire; however, with proper prevention measures, that risk can be managed so that work at the UARP, including new construction, can be safely performed as it has been done for over 50 years. SMUD’s transmission line right-of-way vegetation management, for example, incorporates two levels of fire prevention: the management of vegetation that may come in contact with the transmission wires and fire control measures implemented during vegetation management operations. A specific fire prevention plan will be incorporated into any construction activities and will be based on the requirements of the regulatory agencies and the NEPA/CEQA document that will describe specific mitigation requirements to reduce fire exposure.</p> <p>SMUD takes fire safety very seriously and provides quick reference cards to each employee and in each vehicle.</p>

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		<p>acres for every 1-10 years. The actual risk rating for the Camino-White Rock segment is “5.8-Extreme” and SMUD chose it anyway.</p> <ul style="list-style-type: none"> • SMUD was provided a letter by Doug Leisz, Registered Professional Forester, retired Associate Chief of the United States Forest Service and Regional Forester in California, regarding the very real wildfire threat of the Iowa Hill project, and SMUD merely continued to pursue not just one huge construction project, but now is adding another construction project to the same “Extreme Fire Risk” designated area. • SMUD states that the risk of starting a fire in this “Extreme Fire Risk” area will increase during construction, and continues to pursue this site for both construction projects, as well as allowing “smoking” on site during construction. • SMUD made an agreement during the UARP re-licensing process to add recreational rafting into the “Extreme Fire Risk” with knowledge that human activity increases the fire risk which is already designated as 	<p>Each vehicle has incipient fire response equipment and instruction for proper communication. SMUD’s role is to prevent, detect and communicate. To evaluate and fine-tune the UARP’s fire response preparedness, SMUD staff members recently undertook a FERC Emergency Action Plan exercise with Federal, State and Local agencies in attendance.</p> <p>With respect to brush clearing in and or around Iowa Hill, SMUD has completed a fuels reduction and forest thinning project on the 87-acre parcel of land owned by SMUD in the Iowa Hill area. This has substantially reduced woody debris at the site thereby lowering the threat of a fire start or fire spread across the land, whether the fire is started by SMUD or other parties entering SMUD’s land.</p> <p>There is no clear nexus between the log pile near Slab Creek Dam and the construction/operation of the new powerhouse and boating release valve. SMUD has worked closely with the US Forest Service and the State Water Resources Control Board to reach a decision to leave the log pile in its present location.</p> <p>SMUD did not initiate rafting flows downstream of Slab Creek Reservoir prior issuance of the new license. Regardless, SMUD does not intend to implement a fire protection plan for recreational activities below Slab Creek Reservoir. This is in keeping with recreational activities and developments throughout the UARP (particularly at the storage reservoirs), where SMUD is not responsible for fire protection plans for recreational activities. It should be noted that the increased boating flows below Slab Creek are limited to a six days in the spring (March-</p>

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		<p>“Extreme Fire Risk”.</p> <ul style="list-style-type: none"> • SMUD, over the years of planning, has not taken any steps that were recommended by at least one community member of the IHJAC to begin the process of brush clearing on and around the Iowa Hill construction site and to work with surrounding neighbors on an unified fire prevention plan. • SMUD continues, year after year, with no development of a fire plan stating they are not the “experts” in fire prevention planning while initiating and promoting activities that will increase the risk of a devastating wildfire fire for the surrounding communities. • SMUD knows that fighting a wildfire in this canyon will likely not be effective by ground crews due to the steep terrain and heavily wooded landscape, and the extinguishing of a wildfire in these canyon walls will require immediate and sufficient air support, and a lot of luck. • SMUD knows that the inadequate ingress and egress for the proposed construction sites will create conflicts by those trying to leave the site during an 	<p>May) of wetter water years; no boating releases are required in dry or critical dry water years. Outside of these six days, SMUD will continue to utilize its security gate for this area to restrict public access to the whitewater boating put-in location.</p>

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		<p>evacuation while fire responders will be trying to access the site.</p> <ul style="list-style-type: none"> • SMUD has never satisfactorily clarified who is responsible and liable for construction-related activities or SMUD-approved recreational activities in this canyon as the property ownership includes many parties. • SMUD has never taken any action to remove the large “log pile” tinderbox that is in close proximity to the proposed projects. • SMUD already is allowing an increased fire risk for the surrounding community by taking no action to prevent or monitor current recreational activity on their property including partying, drinking alcoholic beverages, and lighting fires--even after being provided pictures of such activities on their property (a fire previously occurred shortly after pictures were taken of such unsupervised activities). • SMUD is now initiating rafting activities many years prior to contract requirements and SMUD still has no fire plans, and no emergency plans for access for rescue and recovery operations. 	

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		<ul style="list-style-type: none"> SMUD has not demonstrated any plans for “ongoing”, on-site monitoring of recreational activities, including rafting, that would ensure fire prevention and protection for the surrounding community. <p>SMUD states that the entire fire risk is “less-than-significant” even though surrounding neighbors could easily be overtaken by a wildfire initiated by SMUD’s construction activities or related to the new recreational activities in this “Extreme Fire Risk” designated area.</p>	
<p>County of El Dorado</p> <p>Brian K. Veerkamp, Supervisor, District III</p>	<p>07/11/2013</p>	<p>The cover letter of the proposed Amendment states the purpose of the Application is for FERC “to authorize the construction of the new Slab Creek powerhouse and boating release valve.” That purpose would be better stated as to authorize SMUD to seek all required Federal, State and Local permits and certificates necessary for the construction of the new Slab Creek powerhouse and boating release valve.</p>	<p>The Federal Power Act requires application to FERC, and FERC approval, before constructing, operating, and maintaining powerhouses and related facilities on water bodies under FERC jurisdiction. The purpose of the proposed Amendment is to obtain that authorization. SMUD will seek all required ancillary approvals from other entities in accordance with the appropriate procedures.</p>
		<p>Since 2007, the El Dorado County BOS, County Agencies, El Dorado Parties and the citizens of El Dorado County have come to rely on the boating flow schedule and monitoring provisions contained in the Settlement Agreement. Those provisions detail how the boating flows are to be provided during the initial years after issuance of the pending</p>	<p>The 2007 Settlement Agreement’s process for determining whether facilities must be modified to ensure SMUD can provide the required stream releases was adopted in case the existing facilities prove inadequate for that purpose. In this case, instead of waiting to determine whether the existing facilities can be used to meet the required releases at Slab Creek Dam, SMUD has decided to voluntarily make modifications to meet the release requirements. This application will ensure these</p>

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		<p>FERC license. They also spell out the time necessary to ascertain whether any modifications to the existing facilities are necessary. Those schedules have not been met and, therefore, as stated above, the subject Application is premature. El Dorado County expects SMUD to adhere to the provisions of the Settlement Agreement.</p>	<p>improvements come on line as soon as possible to better control flows and ramping rates to meet license requirements and ensure a better experience for whitewater boaters while reducing losses to energy generation at the same time.¹ Early implementation not only adheres to the terms of the Settlement Agreement, it exceeds them.</p>
		<p>The danger of fire emanating in the canyon in which SMUD has proposed two new developments is one of the environmental issues that creates widespread apprehension and fear among our citizens. SMUD has concluded, without any supporting data, that the fire danger is not significant. This conclusion is not only incorrect, it is unacceptable. It is just plain wrong to put off developing a Fire Plan to some unspecified future date. SMUD has agreed to provide for a dramatic increase in the numbers of people that will recreate in an area that is recognized by all to have an extreme fire potential. Again, the required monitoring program which will start soon after the issuance of the pending FERC license must include an approved Fire Plan and strict overview of any activity that could exacerbate an already dangerous</p>	<p>SMUD is not putting off development of a Fire Plan to some unspecified date. The Fire Prevention and Response Plan that the commenter referenced will be prepared in consultation with State and local fire agencies and the U.S. Forest Service, and will be submitted to FERC within one year of issuance of the new license.</p> <p>SMUD recognizes the foothills of the Sierra Nevada Mountains in the area of the UARP are at a high risk of fire; however, with proper prevention measures, that risk can be managed so that work at the UARP can be safely performed as it has been done for over 50 years. SMUD's transmission line right-of-way vegetation management, for example, incorporates two levels of fire prevention: the management of vegetation that may come in contact with the transmission wires and fire control measures implemented during vegetation management operations. In addition to the Fire Prevention and Response Plan, SMUD will incorporate a specific fire prevention plan into all construction activities, to be based on the requirements of the regulatory agencies and the CEQA document that imposes specific</p>

¹ SMUD currently has a small powerhouse on the face of Slab Creek dam rated at 400 kW. SMUD intends to operate the proposed powerhouse in the same manner our existing small facility operates.

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		situation.	<p>mitigation requirements to reduce fire exposure. In the case of the Eldorado National Forest, we use the standard procedures and alerts issued by the U. S. Forest Service. SMUD takes fire safety very seriously and provides quick reference cards to each employee and in each vehicle. Each vehicle has incipient fire response equipment and instruction for proper communication. SMUD's role is to prevent, detect and communicate. To evaluate and fine-tune the UARP's fire response preparedness, SMUD staff members recently undertook a FERC Emergency Action Plan exercise with Federal, State and Local agencies in attendance.</p> <p>In addition to the measures we already use, our community outreach program as part of the Iowa Hill Joint Advisory Committee (IHJAC) provided additional valuable insights many of which were included in our CEQA document for relicensing. The identified mitigation measures will also be included in our construction activities for Iowa Hill and other activities, such as the New Slab Creek Powerhouse Project, to the extent practicable. We have not yet implemented these provisions only because no new construction project has been undertaken since 2007. Nevertheless, we will continue to use programmatic prevention and communication protocols that have been tested with Federal, State and local agencies and served all of us well for over a half century.</p> <p>The need for a fire plan associated with whitewater boating below Slab Creek Dam is limited. It should be noted that the increased boating flows below Slab Creek are limited to six days in the spring (March-May) of wetter water years; no boating releases are required from Slab</p>

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			Creek Dam in dry or critical dry water years. Outside of these six days, SMUD will continue to utilize its security gate for this area to restrict public access to the whitewater boating put-in location.
		As you know, Apple Hill is one of El Dorado County's major agri-tourism and rural tourism areas. People from many miles away come to Apple Hill to have a country day. The country day might include a visit to our farm-shed produce markets, our down-home county cuisine kitchens, our pick-your-own produce farms our pick your own pumpkin patches or pick your own Christmas tree farms. These products have been marketed successfully due to the unique rural character for which Apple Hill is famous. That rural character is epitomized by our tree-lined country roads. These roads are not designed nor meant to carry the construction traffic SMUD is proposing. In fact, SMUD has concluded that in order to accommodate the proposed traffic road "improvements" will be necessary prior to any construction. Any such "improvements" could very well negatively impact our precious rural character and could also be growth-inducing. We must make it clear that the undersigned will not allow any project or project component to reduce the effectiveness of our long-standing rural atmosphere. It is well known that the	The road improvements SMUD contemplates are minor in nature. We do not believe there is a need for widespread widening, adding new lanes, or altering road geometry, any of which could negatively affect the rural nature of the area or induce growth. Instead, we foresee the need to smooth certain rough road sections, fill potholes, and improve turning points for construction vehicles at important intersections such as North Canyon and Slab Creek roads.

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		<p>UARP facilities can be accessed without routing construction traffic through the heart of Apple Hill.</p>	
		<p>Many new developments with multiple elements and moving parts as with the pending FERC license necessitate processing them individually by El Dorado County just as any independent project. With each passing year aspects have changed and continue to change with State, Federal, and local statutes thus increasing the importance of an independent review of nearly 10 year old proposed license/project. As you know project review is ever-changing in California and we all must work together to mitigate "all" impacts. I can't emphasize enough the importance of keeping our Camino area whole, especially due to its economic significance to our local economy and the County. As the new Board representative and co-chair of the IHJAC committee I would respectfully request we re-evaluate the scope and purpose of the committee and expand its charge to encompass any and all projects related to the FERC license in El Dorado County. The importance of communication and proper outcomes to the benefit of SMUD and our constituents must be conveyed.</p>	<p>Since receiving this comment, SMUD management met with El Dorado County Supervisors to discuss these issues and has agreed to regular communications between the two parties to ensure full understanding of SMUD's plans going forward.</p>
		<p>Finally, we are advised that SMUD is proposing a land swap with the Forest</p>	<p>This issue has no apparent nexus to the New Slab Creek Powerhouse Project.</p>

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		<p>Service that will, for all intent and purposes, eliminate the Forest Service's overview of the proposed projects. As in the case of the Settlement Agreement, El Dorado County has relied on the requirement that SMUD's projects meet the El Dorado National Forest environmental restrictions and view shed requirements. Any land swap that would reduce or eliminate required Forest Service permits and/or certifications could have a significant impact on El Dorado County. Therefore we ask that the County be included in any discussions or negotiations involving the potential land swap.</p>	
<p>Office of Historic Preservation – Dept. of Parks & Recreation</p>	<p>07/19/2013</p>	<p>Per Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800, any federal undertaking must take into account the effects of the undertaking on historic properties and afford the Advisory Council on Historic Preservation the reasonable opportunity to comment on the undertaking. As the Upper American River Project is receiving a license from the Federal Energy Regulatory Commission (FERC), it meets the definition of an undertaking as defined in 36 CFR Part 800.16(y).</p>	<p>SMUD agrees this project is an undertaking pursuant to National Historic Preservation Act § 106. The Programmatic Agreement between FERC and the State Historic Preservation Officer (SHPO) (February 2009) states that FERC, as part of the new license, will require SMUD to implement the October 2008 UARP Historical Properties Management Plan (HPMP). Following the protocol in HPMP § 5.6, SMUD retained a USFS-approved archaeologist to conduct a cultural resources investigation that included extensive consultation with the El Dorado National Forest and appropriate Native American tribes. The archaeologist will also consult with SHPO before SMUD finalizes and submits the cultural resources survey report required under § 5.6.</p>
<p>Robert A. Smart, Jr.</p>	<p>07/30/2013</p>	<p>The Sacramento Municipal Utility District (SMUD) seeks amendment to its license for the Upper American River Project (P-</p>	<p>The Brockliss Bridge has no clear nexus to the New Slab Creek Powerhouse Project.</p>

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Private Citizen Parks and Recreation Commissioner for El Dorado County		2101) to capture energy that would otherwise be lost; I request SMUD work cooperatively with the Forest Service and include the Brockliss Bridge project as a component of the license. Both of these projects have strong “ green ” benefits for our residents and potentially a much larger recreating public.	
		Currently the Crystal Basin can only be accessed from the greater Sacramento area by motor vehicle. SMUD has been a major source of financing this wonderful recreation complex, but recreationalists wanting to travel to the area under their own power are excluded. I believe the Eldorado National Forest, El Dorado County, and SMUD have historically not recognized a barrier at the old Brockliss Bridge site is preventing many non-motorized recreationalists from enjoying the recreation assets of our area. <u>A new bridge is needed.</u> The main component of the project is a bridge that spans the South Fork of the American River and a small crossing of Brockliss Creek. El Dorado County recognized this barrier when it approved its 2012 Parks and Trails Master Plan and made the Brockliss Bridge a Tier 1 need. The bridge is critical to facilitate non-motorized travel to the Crystal Basin, but	Comment noted.

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		<p>it is also the missing link in the Pony Express National Historic Trail which stretches from Sacramento to Saint Joseph, Missouri. Construction of the bridge could help stimulate our local economy because it will allow non-motorized recreationalists the ability to walk and ride to and from South Lake Tahoe and utilize associated business opportunities. At the Sierra Crest, the trail intersects the Pacific Crest Trail which stretches from Canada to Mexico. The cost of this project should not be borne exclusively by SMUD; the project needs a cooperative agreement with the Forest Service, El Dorado County, and SMUD.</p>	
		<p>I am a Parks and Recreation Commissioner for El Dorado County and have worked for the U.S. Forest Service in this area. I think I can be of assistance to you in developing a cooperative agreement that will lead to the construction of this missing link.</p>	<p>Comment noted.</p>
<p>Garry Dykstra – Private Citizen</p>	<p>08/01/2013</p>	<p>After attending the Board Of Supervisor Meeting on July 22, 2013 upon request several residents from the Pevine/White meadow area voiced their concerns of traffic, garbage, medical response, a list go on and on.</p> <p>Also the concerns on the bridge only being used for a specific group of people, as residents of this area (full</p>	<p>This comment has no apparent nexus to the New Slab Creek Powerhouse Project.</p>

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		<p>time) our concerns also include the same. Medical response and FIRE EVACUATIONS being the top priority. If this is the case we all recommend placing POSTS in the center of the bridge approach with key access by local Sheriffs Officers or Forest Service Officials or give a key to people living in the area.</p> <p>Any misuse, that resident will loose [sic] the key!</p> <p>If the bridge is used in such a manner we all feel that the road up Pevine Ridge to Crystal Basin will would be in need of work, thusly</p> <p>Access would have to be surfaced for Medical and Fire response vehicles, also would need to be Engineered to withstand that vehicle weight, which would also include our evac. Vehicle weight when necessary. We also feel that an impact study be done if not already done</p>	
<p>American Whitewater</p> <p>American River Recreation Association</p> <p>California</p>	08/05/2013	<p>Again, we applaud SMUD's willingness to engage the recreational community and actively pursue solutions to the issues within the scope and spirit of our settlement agreement. Building the New Slab Creek powerhouse will allow SMUD to meet the new minimum instream flow requirements and</p>	<p>Comment noted.</p>

Comment Author	Date Received	Comment	SMUD Response
<p>Outdoors</p> <p>Hilde Schweitzer, private boater</p>		<p>whitewater boating release requirements while generating additional hydropower.</p>	
		<p>After review of the DNLAAs, we note that SMUD has addressed our initial concerns about the effects of the new powerhouse on the Slab Creek put-in with the addition of “common practice” use of a fixed cone valve with a reinforced concrete structure to dissipate flow energy before flows are released into the river channel. We ask that SMUD continue consultation with representatives of the boating community during the design and construction of this facility to meet the overall design goals of minimizing impact to instream boaters at the put-in and giving enough lead time before the first major rapid.</p>	<p>SMUD will continue consultation with representatives of the boating community during the design of the boating flow valve and energy dissipating structure.</p>
		<p>Another issue that has been identified is impact to the recreational flows and access during the construction phase. For instance, without further detail of the impacts to instream flow, the installation of the cofferdam to dewater the project area and allow the river to pass during construction raises concerns. We therefore ask that SMUD consult the boating community to mitigate any resulting effects to instream boaters at the put-in and any effects to boater</p>	<p>It is SMUD’s intent to ensure that construction of the New Slab Creek Powerhouse Project will not hinder whitewater boating during the construction phase of the project. SMUD will consult with the whitewater boating community prior to and during construction, if necessary, to ensure boater safety and access during this period.</p>

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California State Water Resources Control Board	08/05/2013	<p>access during the construction phase.</p> <p>Water Rights: Operation of the project proposed in the DNLAAs is likely to require changes to SMUD's state-issued water rights. A place of use may need to be added that corresponds with the location of the new powerhouse and boating release valve. Additional changes may be required for SMUD's water rights licenses that currently require 36 cubic feet per second (cfs) to be released in the SFAR "through a near streambed outlet of Slab Creek Dam". SMUD should consult with Division of Water Rights Permitting and Licensing staff to determine what, if any, changes are needed to remain in compliance with its water rights permits and licenses.</p>	SMUD will file petitions for change to its water rights to the extent necessary to accommodate operation of the new powerhouse.
		<p>CEQA Compliance: It will be necessary that a comprehensive environmental document with suitable analysis of any alternative flows, construction impacts, operational effects to SFAR resources, and mitigation measure (as necessary) be provided for review and comment within the appropriate regulatory timeframe of the proposed project.</p>	As with the relicensing, SMUD will use the NEPA document prepared by FERC, supplementing with, adding or identifying further analysis to the extent necessary to comply with CEQA. If FERC does not circulate the NEPA document for review and comment, then SMUD will. CEQA Guidelines §§ 15221, 15225(a).
		<p>Project Construction Activities: Measures will need to be identified and implemented to ensure project construction activities do not impact water quality or beneficial uses. It is anticipated that SMUD will develop and</p>	A SWPPP is included in Section 3.1.3 (Proposed Environmental Measures) of the FNLAAs, which includes the implementation of best management practices. The plan will be prepared by a Qualified SWPPP Developer (QSD), in consultation with CDFW, USFS, and SWRCB. The plan will be implemented by a Qualified SWPPP

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		implement a Storm Water Pollution Prevention Plan (SWPPP) for the proposed project. The SWPPP should include the implementation of best management practices (BMPs) to control all pollutants and their sources, including sources of sediment associated with construction.	Practitioner (QSP), who will also evaluate the adequacy and effectiveness of the erosion control measures throughout project construction activities
		A Spill Prevention and Control Plan (SPCP) may also be necessary. This plan would be to identify measures to be implemented to prevent, control, contain, and safely remove inadvertent releases of hazardous substances during construction and operation of the proposed project.	SMUD agrees and has added the implementation of a Spill Prevention and Control Plan component to the SWPPP described in Section 3.1.3 (Proposed Environmental Measures) of the FNLA.
		A portable onsite concrete batching facility is proposed for possible use during construction of the proposed project. If such a facility is to be used, BMPs specific to the batch facility should be developed for including in the SWPPP. Specific measures should also be developed to manage the accidental discharge of unset concrete during project-related activities.	SMUD agrees that the SWPPP should include BMPs to prevent stormwater runoff from a portable concrete batching facility, if used, from entering the SFAR.
		Project-related construction activities should be timed to prevent the disruption of spawning periods or other sensitive life cycle stages of SFAR aquatic species.	SMUD will work with the construction contractor to develop a construction plan that minimizes to the degree possible, disruption of spawning and life stages of aquatic organisms in the SFAR.
		Minimum Instream Flow Variance: Any short-term variance from minimum flow requirements established in the	SMUD will seek approval from the SWRCB for any short-term variance from the minimum flow requirements of the water quality certification.

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		UARP or proposed project water quality certification would require the approval of the SWRCB.	
		Water Quality: If not already performed, specific studies to determine the downstream effects of the proposed project on water temperature, turbidity, and other relevant components of water quality will be necessary.	SMUD did perform a modeling study of the effects of the proposed project on water temperature. The resulting report was included with the documents supporting the DNLAAs and is also part of the FNLAAs package. Project operations are not expected to impose long-term effects on turbidity or any other water quality constituents of the SFAR.
		Water Quantity: Section 5.2.2.1 (page 75) of the DNLAAs states: "Once the Project is operational, hydrology in the 8.0-mile SFAR bypass reach from Slab Creek Dam to White Rock Powerhouse will be unchanged except in the ¼-mile reach [below Slab Creek Reservoir Dam]. Minimum releases from the dam into the ¼-mile reach will be reduced from the seasonally changing values of 63 to 263 cfs to a constant value of 10 cfs." It is SWRCB staff's understanding that SMUD and other stakeholders agreed to a different minimum flow schedule for the ¼-mile reach below Slab Creek Reservoir Dam in January of 2013. This flow schedule appears on page 20 of the DNLAAs in Table 3.1.3-1, and includes a flow regime that varies from 15 to 36 cfs depending on water year type, except for whitewater boating releases when the valve at Slab Creek Reservoir will be fully opened to release a 250 cfs	SMUD has corrected the error in the DNLAAs referencing a constant minimum release from Slab Creek Dam of 10 cfs. The new language in the FNLAAs correctly identifies the minimum flow in the ¼ mile reach as ranging from 15 to 36 cfs, depending on water year type, with releases of 250 cfs release during the boating flow release periods.

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		recreation flow.	
		<p><u>Proposed Environmental Measures:</u> SWRCB staff suggests that environmental measures or plans be developed far in advance of the proposed deadline of “90 days before initiating ground disturbing activities.” A schedule should be developed, which will allow sufficient time for development and review of the plans. Each of these plans should include, as appropriate: (i) a statement of goals and objectives; (ii) a description of all proposed monitoring and mitigation efforts; (iii) specific, measurable success criteria that can be used in combination with monitoring data to objectively evaluate the effects of the proposed project on each of the associated resources and/or the success of any implemented mitigation treatments; and (iv) a monitoring, maintenance, and reporting schedule. Plans that contain water-related elements should be submitted to the SWRCB for review and approval.</p>	<p>The deadline the comment author cites is the date by which the plans must be submitted to FERC. Once FERC issues an Order authorizing SMUD to move forward with project development, SMUD will prepare a schedule showing the timeline of activities such as: (1) preliminary consultation with resource agencies, including the SWRCB, (2) development of a draft plan, (3) 90-day review of draft plan by resource agencies, and (4) submittal to FERC for approval. Each plan will include the appropriate sections as described in the comment.</p>
		<p><u>Post-Project Monitoring:</u> Because project-related construction activities have the potential to adversely affect BMI populations on Iowa Canyon Creek, it is recommended that post-Project BMI monitoring be performed on Iowa Canyon Creek. Monitoring could take place at the sites where ECORP Consulting Inc. previously conducted</p>	<p>The New Slab Creek Powerhouse Project will not alter the flow regime of Iowa Canyon Creek, and therefore long-term monitoring of the creek in the same manner as Measure 8.B.8 of the 401 Water Quality Certification is not warranted. However, SMUD will include a monitoring plan for BMI in the lowermost portion of Iowa Canyon Creek (roughly the last 200 feet) that will be subject to the Iowa Canyon Creek Configuration Plan. The FNLA has been modified to include a monitoring plan for BMI, fish, and</p>

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		<p>monitoring in the summer of 2010 (page 79 of DNLAAs). Such monitoring could be performed concurrently with the BMI monitoring described under Condition 8.B.8 of the draft UARP water quality certification. Such monitoring should be subject to adaptive management similar to those described in Condition 9 of the draft UARP water quality certification if it is determined that the BMI objectives will likely not be met without adjustment.</p>	<p>riparian vegetation to ensure the objectives of the plan (primarily surface flow for trout movement) are fully realized.</p>
<p>Resource Agencies:</p> <p>USDA Forest Service, Eldorado National Forest</p> <p>USDI Bureau of Land Management</p> <p>California Department of Fish and Wildlife</p>	<p>08/06/2013</p>	<p><u>Modification of Settlement Agreement:</u> Proposed Article 1-1 (Minimum Streamflows) provides that SMUD is to make a good faith effort to provide the specified minimum streamflows within the capabilities of the existing facilities. This is one of the provisions that the Resource Agencies, as parties to the Settlement Agreement, think would require modification with the filing of the proposed Application for License Amendment for a new Slab Creek Powerhouse. Some of the recreation measures may require modification as well.</p> <p>There is protocol in the Settlement Agreement that the Licensee must adhere to in order to make changes to the Settlement Agreement. Parties to the Settlement Agreement requested that terms negotiated and agreed to in</p>	<p>The comment author misperceives Article 1-1. The requirement to make good faith efforts to provide the specified minimum flows within the capabilities of existing facilities is an interim measure, applicable only until facility modifications can be installed to ensure the required flows are met. The sentence of Article 1-1 prior to the one the commenter references states: "Where facility modification is required to maintain the specified minimum streamflows, the licensee shall complete such modifications as soon as reasonably practicable and no later than 3 years after license issuance." SMUD's decision to modify the Slab Creek facilities is consistent with the Settlement Agreement's requirement to modify facilities as soon as reasonably practicable.</p>

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		<p>the Settlement be included in any new license issued for the Project. To avoid the potential disruption to the Settlement Agreement by license conditions that are inconsistent with its terms, any suggestion that these agreed-upon terms be altered may require an amendment to the Settlement Agreement, under Section 4.14 of its provisions, for which SMUD must give the Settlement Parties sixty days notice.</p>	
		<p>Resource Agency Authorities: SMUD anticipates that the Application for License Amendment shall be filed following issuance of a new license for the UARP. As such, it shall be considered an amendment proceeding, to which the regulations at 18 CFR Part 200 apply. The Resource Agencies are of the view that this proposed amendment would constitute a substantial change to the license, if issued, under section 6 of the Federal Power Act (16 U.S.C. 799) for which public notice must be provided. Moreover, the Resource Agencies plan to exercise their authorities under Sections 4(e), 10(a), and 10(j) of the Federal Power Act.</p> <p>A special use permit will be required for any activities on National Forest System or Bureau of Land Management lands associated with this amendment, and</p>	<p>SMUD and FERC will adhere to all regulatory requirements for the license amendment process. SMUD will obtain all required authorizations for construction of the project.</p>

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		<p>cost recovery regulations will be utilized to collect reasonable fees for the processing of the application. Other authorizations necessary for implementation of the proposed project will include but not be limited to Clean Water Act section 401 Water Quality Certification and section 404 Permit, as well as Streambed Alteration Agreement under Fish and Game Code section 1600.</p>	
		<p>Environmental Compliance: It is necessary that a comprehensive environmental document with suitable analysis of any alternative flows, construction impacts, operational effects to SFAR resources, and mitigation measures (as necessary) be provided for review and comment within the appropriate regulatory timeframe of the Amendment Process, and that the environmental document be adequate to support Resource Agency preliminary Terms and Conditions. Additionally, it is recommended that proper documentation of compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) (ESA) be included within future environmental documents. This letter does not constitute ESA consultation with the USDI Fish and Wildlife Service.</p>	<p>SMUD and FERC will adhere to all environmental review regulatory requirements for the license amendment process.</p>
		<p>Proposed Environmental Measures</p>	
		<p>Minimum Streamflows: the Resource</p>	<p>All of the plans noted by the comment author will be</p>

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		<p>Agencies appreciate the inclusion of agreed-upon minimum streamflows in the SSCD.</p> <ul style="list-style-type: none"> • Storm Water Pollution Prevention Plan • Erosion and Sedimentation Control Plan • Iowa Canyon Creek Reconfiguration Plan • SFAR Habitat Improvement Plan • SFAR Gravel Augmentation Plan • Special-Status Plant Protection Plan • Invasive and Noxious Weeds Management Plan • New Slab Powerhouse Construction Transportation Management Plan • New Slab Powerhouse Construction Fire Protection Plan • New Slab Powerhouse Construction Noise Plan <p>For each of the above ten plans, SMUD proposes to develop a plan no later than 90 days prior to construction. The Resource Agencies propose that SMUD develop and provide these plans well ahead of construction. Additionally, the plans shall be approved by CDFW, FS, and BLM, if applicable, prior to filing the plans with FERC.</p>	<p>developed well in advance of 90 days prior to construction. Once FERC issues an Order authorizing SMUD to move forward with project development, SMUD will prepare a schedule showing the timeline of activities such as: (1) preliminary consultation with resource agencies, including the above agencies, (2) development of draft plans, (3) 90-day review of draft plans by resource agencies, and once the plans are finalized, (4) submittal to FERC for approval.</p>
		<p>The Resource Agencies previously provided the following bulleted comments. SMUD has remained silent</p>	<p>The comments are outside the scope of the New Slab Creek Powerhouse Project. Boater access has already been addressed in the relicensing, and SMUD maintains</p>

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		<p>in the SSCD on takeout facilities in general for this river reach. SMUD did not include in the SSCD any boating take-out facilities including vehicular access, parking, kiosk sign, or water gage at the boater takeout facility at White Rock Powerhouse. White Rock Power House currently provides road access to the existing power house facility for SMUD workers, but the public is not allowed to use this access road from a vehicle. Allowing by permit or other authorization means for boaters to access and park their vehicles for taking out their gear is essential and must be addressed in the license amendment.</p> <ul style="list-style-type: none"> • SMUD agreed in Article 1-15 of the Settlement Agreement to prepare a Recreation Management Plan that addresses whitewater recreation needs in the Slab Creek Reservoir Dam to White Rock Powerhouse area within 2 years of obtaining a license. SMUD see also agreed in Article 1-24 to develop a plan within 2 years that will provide easement for access and parking in the vicinity of the White Rock Powerhouse for the recreational streamflows and must purchase or lease property for those facilities, if necessary. Constructing the put-in parking and beginning whitewater flows prior to resolving issues regarding public access at the takeout 	<p>its commitment to work with the resource agencies and the boating community on the take-out facility and recreation management plan as required in the new UARP license.</p>

Comment Author	Date Received	Comment	SMUD Response
		<p>(including the construction of takeout facilities, permanent signing, emergency response or takeout, and other issues besides put-in parking) could result in problems as well as potentially affect the results of required use monitoring studies. A take-out for the boating run needs to be included as part of the License Amendment. A kiosk sign also needs to be placed at the put-in site and at the take-out site discussing river information. A standard Forest Service recreation sign should be included at Slab Creek Road marking the way to the Slab Creek Reservoir boat ramp and put-in.</p> <ul style="list-style-type: none"> • A manual water gage should be placed at the take-out. The gage should calculate river flow at the White Rock Powerhouse so boaters can see what the actual flows are when dropping off their shuttle vehicle. 	
		<p><u>Environmental Effects:</u></p>	
		<p><u>Water Quality:</u> the SSCD states on p. 78: "...The above measures will be included in a Construction Plan SMUD will prepare for the Project. The plan will include a detailed description of all BMPs to be followed by the construction contractor. This plan will incorporate all requirements of federal and state resource agencies as identified in the Clean Water Act 401 Water Quality Certificate, Clean Water Act 404 Permit,</p>	<p>The U.S. Forest Service will have the opportunity to review water quality standards during project construction.</p>

Comment Author	Date Received	Comment	SMUD Response
		<p>and Streambed Alteration Agreement with the State of California, Department of Fish and Game. (SMUD, pg. 78)".</p> <p>The following information is from the two guidance documents containing best management practices under which the Forest Service currently operates:</p> <p>"Activities on lands withdrawn under authority of the Federal Energy Regulatory Commission (FERC) will be exempt from Forest Service administrative control through the NFS permit system. When a FERC permit is issued, or renewed, the Forest Service makes a complete study of water quality and quantity needs, and provides FERC with recommended requirements and mitigation measures under which the permittee should operate to protect natural resources." (See R5 FSH 2509.22, Soil and Water Conservation Handbook, Chapter10, Water Quality Management Handbook, pg. 205).</p> <p>"Facilities on lands withdrawn under authority of the Federal Energy Regulatory Commission (FERC) are exempt from Forest Service administrative control through the NFS permit system. When a FERC permit is issued or renewed, however, the Forest Service may provide FERC with recommended requirements and mitigation measures under which the permittee should operate to protect NFS</p>	

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		<p>resources. Such recommendations may include any BMPs necessary to avoid, minimize, or mitigate adverse effects to soil, water quality, and riparian resources.” (See National Best Management Practices for Water Quality Management on National Forest System Lands, National Core BMP Technical Guide, 2012 pg. 142).</p> <p>Please ensure that the Forest Service is included in developing appropriate water quality standards.</p>	
		<p><u>Riparian Vegetation and Wetlands:</u> The SSCD does not reference the Sierra Nevada Forest Plan Amendment ROD (2004), Riparian Conservation Areas, and Riparian Conservation Objectives, so it is not immediately clear if this direction has been addressed and appropriate analysis provided. There is also no reference to the Eldorado National Forest Land and Resource Management Plan.</p>	<p>SMUD has modified the FNLAA to include a discussion of the New Slab Creek Powerhouse Project’s consistency with the Riparian Conservation Areas of the Sierra Nevada Forest Plan Amendment ROD. A discussion of the project’s consistency with the Eldorado National Forest Land and Resource Management Plan has also been in added to the FNLAA.</p>
Melba Leal Private Citizen	08/06/2013	<p>The purpose of this letter is a sincere request, that the Sacramento Municipal Utility District (SMUD), with its amendment to the license for the Upper American River Project (P-2101), include the Eldorado National Forest, Brockliss Bridge Project. Through amendments and components special needs can be accomplished, and this (I</p>	<p>The Brockliss Bridge has no clear nexus to the New Slab Creek Powerhouse Project.</p>

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		<p>believe) could be one of those grand opportunities. Upon completion of the Brockliss Project a vital link for trail access to the California, and Pony Express National Historic Trail, and the Crystal Basin recreation area would be fulfilled.</p> <p>Having been personally involved with this project for approximately twenty-four years with the California Division of the National Pony Express Association, (NPEA), as well as a past board member of the El Dorado County Trails Advisory Committee, this project has always been considered a special need for completion for the recreation/trails community. The main problem is funding. Each year the project is not completed the estimated cost goes higher. The NPEA has some funding but minimal, considering the project cost by the Forest Service.</p> <p>Enclosed are some important speaking points for the Brockliss Bridge Project. I wish to thank you in advance for consideration of this request, and I look forward to your response.</p>	
Lindell Price Private Citizen	08/06/2013	Construction of SMUD's Slab Creek Generation facility will bring additional construction traffic. This construction traffic along with the resulting road wear will especially impact bicyclists, walkers,	The Brockliss Bridge has no clear nexus to the New Slab Creek Powerhouse Project. The Transportation Management Plan for the New Slab Creek Powerhouse Project will include a variety of measures to minimize impacts to bicycling on North Canyon Road. The plan will

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		and equestrians, so I am requesting that SMUD provide mitigation for these additional impacts by replacing the historic Brockliss Bridge as an equestrian, bicycling, and hiking access to the Crystal Basin Recreational Area.	contain a number of measures, including: (1) use of an offsite staging area for workers and delivery trucks; (2) scheduling construction traffic from the staging area to avoid periods of peak traffic, Apple Hill tourism traffic, and school bus pick-up/drop-off timing; (3) compliance with applicable laws, ordinances, regulations, and standards; (4) road improvements and reconstruction if damaged; and (5) implementation of driver awareness training to minimize impacts to bicyclists, pedestrians, and resident drivers.
		Non-motorized access to the 85,000 acre Crystal Basin Recreational Area was overlooked in the re-licensing of SMUD's Upper American River Project (UARP). Although SMUD's consultants reported that 22% of visitors to Slab Creek Reservoir wanted a better non-motorized trail system, and 63.6% of Canyonlands visitors indicated that non-motorized trails are extremely important, non-motorized access improvements to the Crystal Basin Recreational Area have not as yet been included as part of SMUD's required mitigation.	Comment noted.
		I request that replacement of the historic Brockliss Bridge be included as part of SMUD's mitigation.	The Bockliss Bridge has no clear nexus to the No Slab Creek Powerhouse Project.
Stanley Price Private Citizen	08/06/2013	While I missed the opportunity to participate as a party to the relicensing of SMUD's Upper American River Project (UARP) and do appreciate the mitigation measures that were identified through that process, one important mitigation measure was overlooked:	SMUD does not agree there is a nexus between the New Slab Creek Powerhouse and Boating Flow Release Valve and access for non-motorized transport to the Crystal Basin Recreational Area.

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		<p>rebuilding the Brockliss Bridge. SMUD, for being licensed to generate additional power from water mandated for release, and when the dam is over-topping, should provide additional mitigation to stakeholders.</p> <p>A very large and historical portion of the SMUD mitigation for the licensing of UARP power generation is the Crystal Basin Recreational Area. There is a barrier to the Crystal Basin for non-motorized users. Equestrians, hikers and cyclists seeking to travel across the mountains, or reach the Crystal Basin area do not have safe access from the populous areas of El Dorado County, and the west. Replacing the Brockliss Bridge would provide that non-motorized access, which would greatly enhance the usefulness of the Crystal Basin Recreational Area.</p>	
		<p>The Brockliss Bridge location is the only missing link of the Congressionally mandated Pony Express National Historic Trail. There is a USDA Forest Service Decision Notice for the Brockliss Segment of the Pony Express Trail. The Cross State Bicycle Route developed by District 3 of Caltrans calls for this river crossing. The El Dorado County Parks and Trails Master Plan, March 27, 2012, has the bridge replacement as a highest level priority, Tier 1 (TR1.D.). The Brockliss Bridge links all these plans, as</p>	<p>Comment noted.</p>

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		well as addressing a current need and demand for connectivity across the river.	
		<p>Local Economic Development would be enhanced by a Brockliss Bridge which would assist the local community, individuals and businesses to enhance Geotourism through Visitor satisfaction, Community benefit, Community Involvement, and Protection and enhancement of destination appeal. The adjacent community of Pollock Pines can provide visitor services for non-motorized travel and recreation.</p> <p>A nexus exists the New Slab Creek Powerhouse and Boating Flow Release Valve and to access for non-motorized transport to the Crystal Basin Recreational Area. There is an omission.</p>	Comment noted, but SMUD does not agree there is an omission in the FNLA with regard to this issue.
		The construction and construction workers at the work site create dust, noise, and heavy vehicle use that affect the neighbors and the entire community. Roads to the site are deteriorated, and the human and mechanical presence increases fire risk. Impacts need to be identified, and PM&E Measures (protection, mitigation, and enhancement measures), need to be provided.	Sections 5.8.2 and 5.9.2 of the FNLA include a discussion of proposed PM&E measures to minimize project construction impacts on noise, traffic, and fire.
		As a cyclist, I ride North Canyon Road at least 6 times a year. The construction	The Transportation Management Plan for the New Slab Creek Powerhouse Project will include a variety of

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		<p>will affect me, by causing me to not ride on North Canyon Road to avoid the construction traffic. This is an effect the PM&E Measures do not address. This loss of my use is not mitigated against even if the road is as good as it presently is after construction is completed.</p>	<p>measures to minimize impacts to bicycling on North Canyon Road. The plan will contain a number of measures, including: (1) use of an offsite staging area for workers and delivery trucks; (2) scheduling construction traffic from the staging area to avoid periods of peak traffic, Apple Hill tourism traffic, and school bus pick-up/drop-off timing; (3) compliance with applicable laws, ordinances, regulations, and standards; (4) road improvements and reconstruction if damaged; and (5) implementation of driver awareness training to minimize impacts to bicyclists, pedestrians, and resident drivers.</p>
		<p>The Recreation Demand Technical Report, September 2004, prepared for SMUD, does not address hiking in the area of Canyonlands, one of their study areas, where the Brockliss Bridge was located. The extensive studies of the UARP (Upper American River Project), prepared for the FERC Project No. P-2101 leave out pertinent facts. These missing factors include Cultural Resources, Roads and Transportation, and Recreation. By not including historical trails (the Congressionally mandated Pony Express National Historic Trail, and access to the Crystal Basin Recreational Area by non-motorized transport, there were omissions by the consultants, Devine Tarbell & Associates, Inc., and The Louis Berger Group. Omitting these recreational uses initially prevented these uses from being discussed during the negotiations.</p>	<p>Hiking and historical transportation such as the old Pony Express Trail in the Canyonlands area of the UARP has no clear nexus to the New Slab Creek Powerhouse Project.</p>

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		<p>The missing historical transportation and recreation link for non-motorized transport to the Crystal Basin Recreational Area of the Brockliss Bridge is a major omission. The consultants determined 22% of visitors to Slab Creek Reservoir indicated they wanted a better non motorized trail system, and 63.6% of the visitors to the Canyonlands indicated that non-motorized trails were extremely important. The consultant did conclude that in 5.1.2, Activity Trends, "Summer activities projected to have the greatest growth that can be accommodated at and near the UARP include, in order of greatest to least: hiking/walking..." These findings did not result in non-motorized access being addressed adequately in the consultant's subsequent reports.</p> <p>The Pony Express National Historic Trail has only one gap in the entire length from Missouri to Sacramento, California. That gap is across the South Fork of the American River in the Canyonlands section of the study, on lands owned by the Forest Service. This is a missing Cultural Resource.</p>	
		<p>To propose an Amendment Application for a FERC Project that has flawed reports on Cultural Resources, and</p>	<p>The amendment application focuses, as it should, solely on the resource issues related to the New Slab Creek Powerhouse Project. Construction of the new</p>

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		<p>Recreation is continuing to play with a hidden advantage. If FERC does not require SMUD to construct the bridge prior to utilizing power from the new Slab Creek Powerhouse, new Recreation Reports should be required to be prepared, prior to granting the License Amendment.</p>	<p>powerhouse and boating flow valve do not warrant reevaluating the broader UARP-wide studies undertaken as part of the relicensing.</p>
		<p>The Brockliss Bridge would be the gateway for non-motorized use of the SMUD/Forest Service facilities in the Crystal Basin. The construction of the Brockliss Bridge would provide opportunities for whole new user groups. This is a recreational nexus between the project and SMUD's activities with the Upper American River Project for equestrians, hikers, bicyclists, historical recreations, and fishermen.</p> <p>There is an existing need and demand for the Brockliss Bridge with its historical, recreational and economic benefits. I ask FERC to add the Brockliss Bridge to appropriate Section 4 (e) Terms and Conditions, Upper American River Project, FERC No. 2101. The completion of the Brockliss Bridge connection would be required prior to power generation from the Slab Creek Powerhouse and Boating Flow Release Valve.</p>	<p>The Bockliss Bridge has no clear nexus to the New Slab Creek Powerhouse Project.</p>