

**DRAFT FINAL APPLICATION FOR LICENSE  
OF MAJOR UNCONSTRUCTED PROJECT**

**EXHIBIT E – CONSULTATION  
DETAILED DESCRIPTION OF  
CONSULTATION EFFORTS AND RESULTS**

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**LAKE ELSINORE  
ADVANCED PUMPED STORAGE PROJECT  
FEDERAL ENERGY REGULATORY COMMISSION  
PROJECT NUMBER 14227**

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### ATTACHMENTS FOLLOW SECTION 8.0:

<u>Supplement</u>	<u>Title</u>
2.2	Consultation Summary Matrix
3.0	Letters from Resource Agencies and Indian Tribes
4.0	Letters from the General Public
7.3	Public Workshop Report
7.3	Forest Service Letter on Substation Use
7.3	USFS LEAPS Facility Siting Workbook
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## EXHIBIT E

### EVIDENCE OF CONSULTATION EFFORTS

#### 1.0 Introduction

The proposed Lake Elsinore Advanced Pumped Storage Project (the “Proposed Project”) described herein is largely identical to the project described in the Final Environmental Impact Statement prepared by the Federal Energy Regulatory Commission (“Commission”) and the U.S Forest Service<sup>1</sup> (“FEIS”) as Commission Project No. 11858. Because extensive consultation occurred in this previous docket culminating with the issuance of the FEIS, and because little in the region has changed, the Applicant (all references to the Applicant herein refer to the Nevada Hydro Company, Inc.) herein describes to the Commission a consultation process focused on refreshing information relevant to updating the FEIS in a manner as the Commission may select.

Although the Applicant anticipates working with Commission staff to determine how this application will be advanced, whether using the traditional licensing process (“TLP”), the integrated licensing process (“ILP”) or some combination, documenting the scope of consultation with resource agencies and other stakeholders is essential to the success of the process.

To meet this mandate, this volume provides information organized into the following sections:

- 1.0 INTRODUCTION**
- 2.0 SUMMARY OF ALL CONSULTATION EFFORTS**
- 3.0 LETTERS FROM RESOURCE AGENCIES AND INDIAN TRIBES**
- 4.0 LETTERS FROM THE GENERAL PUBLIC**
- 5.0 REMAINING DISAGREEMENTS WITH RESOURCE AGENCIES OR INDIAN TRIBES**
- 6.0 EVIDENCE OF WAIVERS UNDER 18 CFR 4.38(E)**
- 7.0 EVIDENCE OF ATTEMPTS TO CONSULT**
- 8.0 CONSISTENCY WITH COMPREHENSIVE PLANS FOR IMPROVING, DEVELOPING, OR CONSERVING A WATERWAY OR WATERWAYS AFFECTED BY THE PROPOSED PROJECT**
- 9.0 LIST OF RESOURCE AGENCIES AND INDIAN TRIBES CONSULTED**

Following this discussion, this volume provides copies of letters and other documents and matrixes to assist in documenting the consultation efforts.

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<sup>1</sup> / Federal Energy Regulatory Commission and United States Department of Agriculture, United States Forest Service, Trabuco Ranger District, Final Environmental Impact Statement for Hydropower License – Lake Elsinore Advanced Pumped Storage Project, FERC Project No. 11858, FERC/EIS-0191F, January 2007.

## **2.0 Summary of all Consultation Efforts**

Commission rules, whether for the TLP or ILP, require that the Applicant document the consultation process and any disagreements with resource agencies. This section is intended to provide an overview and summary of the consultation process since this docket was opened.

To meet this mandate, this section summarizes filings received in this docket to date. Copies of the filings received from agencies (none were received from Indian tribes), as well as from the general public, are contained in [Supplement 3.0](#) and [Supplement 4.0](#), respectively.

### **2.1 Consultation Summary Matrix**

A “Consultation Summary Matrix” is provided as [Supplement 2.1](#) that identifies each of the filings received by the Commission and Applicant on this project since the preliminary permit was filed by the Applicant in late 2011.

For each filing, this matrix provides the Commission’s accession number and filing date (if available), the date of the document, and a short description of the contents.

The matrix also provides three columns that generally summarize whether (i) the filing is from a Tribe or resource agency and (ii) whether the filing contains a request for one or more studies (“Study Request”) or whether the letter contains comments on any aspect of the project or proceedings (“Comment”). Approximately 29 filings were received in the docket and the Applicant, including 7 from resource agencies. Two of these filings from agencies contain substantive comments, none that are characterized as study requests. Descriptions of these substantive comments, provided by the Fish and Wildlife Service (“FWS”) and the California Water Resources Control Board (“Water Board”), may be found in Section 7.1.

## **3.0 Letters from Resource Agencies and Indian Tribes**

Copies of all filings received from resource agencies are provided in [Supplement 3.0](#) to this volume. Indian tribes have not provided comments in this docket (although extensive consultation took place in docket P–11858).

## **4.0 Letters from the General Public**

Copies of all letters received from the public are contained as [Supplement 4.0](#) to this volume.

## **5.0 Remaining Disagreements with Resource Agencies or Indian Tribes**

The Applicant does not believe that there remain any disagreements with resource agencies, although the Applicant intends to continue consultation with interested resource agencies following the assessment to be provided by the Applicant’s environmental consultant, as described in Section 7.1. Again, Indian Tribes have not provided comments in this docket, although extensive consultation took place in docket P–11858.

## **6.0 Evidence of Waivers Under 18 CFR 4.38(e)**

The Commission requires, at 18 CFR 4.38(f), that the Applicant document the consultation process and any disagreements with resource agencies. As part of this requirement, the Commission requires that the Applicant submit evidence of waivers received under 18 CFR 4.38(e).

No waivers have been requested by the Applicant nor offered by any agency or Indian tribe.

## **7.0 Evidence of Attempts to Consult**

Under either the ILP or TLP, the Commission requires that the Applicant document the consultation process and any disagreements with resource agencies. This section is intended to provide evidence of the Applicant's consultation efforts since filing its Preliminary Permit in this docket. This consultation should be viewed as supplementing the extensive consultation that occurred in docket P-11858.

### **7.1 Update to FEIS now underway**

As noted elsewhere in this Application, the Applicant has engaged the services of TRC Solutions,<sup>2</sup> a highly qualified environmental consulting firm, to assess changes that may have occurred since issuance of the FEIS that might be addressed in an update to the FEIS ("TRC Report"). The Applicant will provide their report to the Commission when complete to incorporate into the Project Docket. The Applicant will also use its findings as a basis for additional pre-filing consultation, if the findings conclude it is required.

### **7.2 Consultation outreach by the Applicant**

In the previous project docket, the Company had commenced consultation with a number of California government agencies in connection with meeting the requirements to support issuance of the Section 401 certification by the California State Water Resources Control Board ("Water Board").

The issue the Company faced was identifying a lead agency to meet the mandates of the California Environmental Quality Act ("CEQA"). CEQA requires state and local agencies within California to follow a protocol of analysis and public disclosure of environmental impacts of proposed projects and adopt measures to mitigate those impacts. CEQA applies to certain activities of state and local public agencies which must comply with CEQA when undertaking an activity defined by CEQA as a "project." The proposed LEAPS "project" meets this mandate by requiring discretionary approval by the Water Board.

Because they saw value to the State's ratepayers in the Project, California Public Utilities Commission ("CPUC") offered to be the lead agency for the Project, if the Company agreed to

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<sup>2</sup> / Information on the company may be found on its web site at [www.trcsolutions.com](http://www.trcsolutions.com)

treat its primary lines as a transmission line. As the California agency with responsibility for approving electric transmission facilities, the CPUC offered to act as the lead agency for undertaking the environmental review of the Project under CEQA and would prepare an Environmental Impact Report in compliance with CEQA that would be used by the Water Board to process the Company’s application for Section 401 Certification.

The Company saw value to this proposal as the CPUC had already independently completed an extensive CEQA analysis of the Project in connection with its analysis of another project, known as the Sunrise Powerlink project proposed by SDG&E.<sup>3</sup> This analysis included a review of the Project as functional alternatives to the Sunrise project. The CPUC concluded after its detailed analysis that the Company’s “TE/VS Project” was “the environmentally superior transmission project” in this proceeding<sup>4</sup>.

Believing this deep familiarity with the project had value, the Company agreed to propose its “TE/VS Project” to the CPUC, and the CPUC agreed to act as the lead CEQA agency because, under CEQA, the lead agency must evaluate the impacts of an entire project, even if the agency does not have authority over all aspects of the project. From the perspective of the CPUC, the pumped hydro portion of the project is dependent on the TE/VS Project; therefore, the pumped storage project is a connected action that must be considered. Under Section 15378 of the CEQA Guidelines, the CPUC was to analyze both the “TE/VS Project” and the pumped storage portions of the “Project” as the “whole of the action,” even though CPUC’s authority extended only to the approval or denial of the CPCN application for the TE/VS Project elements.<sup>5</sup>

In its Decision Number D12-05-022, the CPUC dismissed the application for approval of the transmission project, without prejudice, after concluding that the application was procedurally deficient and should be dismissed. The decision noted that before a party could refile for approval of the project, that it meet a number of conditions before the Commission would accept a new application.

Order 1.f. of this decision required Nevada Hydro to host a public workshop as follows:

*To the extent that the project proponents (or subsequent proponents) consider filing a future application for a similar project, the project proponents shall convene*

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<sup>3</sup> / In the Matter of the Application of San Diego Gas & Electric Company for a Certificate of Public Convenience and Necessity for the Sunrise Powerlink Transmission Project, Application 06–08–010.

<sup>4</sup> / See “Overall Environmentally Superior Alternative” #3 on page ES–4 of the Final EIS for the Sunrise Powerlink [here](#). The complete final EIS/EIR is available [here](#). In January 2008, the CPUC and BLM issued a Draft EIR/EIS for SDG&E’s Sunrise 500 kV Transmission project in Imperial and San Diego Counties. The Final EIR/EIS was published in October 2008. In the Sunrise EIR/EIS, the CPUC considered the Project as one of alternatives analyzed. One alternative was transmission-only, the other was transmission plus generation. The Final EIS was used as a basis for the alternatives evaluation, in addition to an early draft of the Applicant’s PEA and limited fieldwork.

<sup>5</sup> / The issue of how the wires portion of the Project is to be considered is now moot, as the Company has since abandoned working with the CPUC to approve the “TE/VS Project” and will license the entire project, including its primary lines, under the Federal Power Act’s requirements through the Commission. Nonetheless, the materials prepared by the Company and accepted by the CPUC remain extremely relevant for use in this docket.



*a technical workshop, before any application is filed at this Commission. The technical workshop must be held in the location of the proposed project;*

Order 1.g. required further as follows:

*To the extent that a future project of this type is considered, Nevada Hydro (or any subsequent project proponent) is responsible for convening and properly noticing such a workshop, which will be held at Nevada Hydro's expense. The technical workshop must focus, at a minimum, on the proposed project description as a stand-alone project, the proposed route, costs, benefits, and modeling assumptions,. The workshop must be widely-noticed and held well before any subsequent application is filed at the Commission. Project proponents must maintain a list of workshop attendees;*

Order 1.h. required further as follows:

*Nevada Hydro (or subsequent project proponent) must supply a thorough description of the workshop and must explicitly demonstrate in any subsequent application how it has considered and incorporated the input from such a workshop. Project proponents must serve any subsequent application on workshop attendees, among others, as well as on the service list to this proceeding;*

In the event the Applicant decided to refile for approval of the wires portion of the project with the CPUC and to meet consultation requirements from the Commission, the Applicant went ahead and convened and hosted a public workshop, at a location central to the project location. Although the focus of the meeting was on the wires portion of the project, much discussion also took place relating to the pumped storage portion. The meeting, although scheduled for the hours 4 pm to 8 pm, actually began at 3:30 pm commensurate with the arrival of interested parties, and lasted until after 8 pm. The Company had provided extensive notice of the meeting. The Company's consultant mailed 5,000 invitation cards to interested and affected parties, placed public notice display advertising in the three daily newspapers of general circulation in the region, and distributed notice to the email list developed in connection with proceedings at the CPUC. Representatives of resource agencies and members of the public attended. A detailed report of this workshop may be seen as Supplement 7.3 Public Workshop Report. Video documentation of the workshop is available.

The applicant found that information it received from the workshop to be extremely useful, and has incorporated some of the suggestions from the workshop into the Project described in this Application. Specifically, Nevada Hydro has corrected mapping and routing errors identified in the workshop by area residents, and revised the Application to better articulate the project's benefits. Nevada Hydro also discussed with Forest Service staff fire-related issues.

### **7.3 Agency Consultation**

The following subsections describe the consultation interaction with Resource Agencies. No agency or tribes have requested an additional time extension.

### 7.3.1 Consultation outreach

In 2014, the Applicant distributed to the nearly 50 resource agencies identified in the FEIS a request that they review the FEIS and advise the Commission on issues that the agency feels may need to be updated or otherwise revised as part of licensing in this docket. Although four agencies responded, only the U.S. Fish and Wildlife Service and the California State Water Resources Control Board responded with substantive comments for the Commission’s consideration. Copies of all letters received are included in Supplement 2 to this volume. These comments are summarized below.

### 7.3.2 Consultation with the US Forest Service

With the publication of the FEIS in 2007 generally identifying areas within the Forest the Proposed Project would touch, Nevada Hydro began a process with the Cleveland Forest personnel to identify specific sites within the Forest for project facilities. Roughly 30 of the approximately 32-mile length total length of the two primary line connections to the grid traverse the Cleveland National Forest. This vetting process involved detailed evaluation of the proposed location of each of the 170 transmission towers to be located on Forest land, as well as substation and work locations within the Forest. Project and Forest staff met on site and discussed each proposed location to assess existing site conditions, proposed site access methods, tower erection as well as site maintenance and rehabilitation. The results of this extensive collaboration may be found at Supplement 7.1 USFS LEAPS Facility Siting Workbook.

With this detailed information, the applicant was able to produce detailed site designs for project facilities. These detailed designs may be seen in a number of Attachments to this Application and in the detailed Project route Facility Maps (also in the Attachment section to this Application).

The project described in the FEIS included a connection point to the Talega–Escondido 230 kV line that was within Camp Pendleton. Because of the hazards involved in locating major infrastructure within an active military exercise area, the Applicant decided to move this connection point to a more amenable location.

During the course of this preliminary permit, the Applicant began working with personnel of the Trabuco District of the Forest to identify a suitable location within the Forest for this “Case Springs” substation. In 2012, the Forest agreed to allow use of a site to the north of the FEIS identified site, but within the Cleveland National Forest, immediately adjacent to the Talega–Escondido corridor. The Forest’s acknowledgement of this understanding may be seen at Supplement 7.3 Forest Service Letter on Substation Use. Specific information on site design may be found in the Attachment section to this Application (Case Springs Substation Drawings) and in Exhibit A.

### **7.3.3 Fish and Wildlife Service**

FWS provided a July 3, 2014 letter in which it suggested a number of updates to the FEIS, including:

- a) Assessing newly designated critical habitats to a number of federally listed species. A number of these have already been addressed in the Draft EA, included as an attachment to this Application.
- b) Suggested updated surveys to account for wildfires that have ravaged the area since the last survey was completed.
- c) More detailed information on the wires portion of the Project. This information has since been provided as part of the package of extensive relevant information the Applicant has developed in connection with its application to the CPUC in their role as lead agency for analysis of the Project under the CEQA, described in Section 7.2.

The Applicant will reach out to FWS upon completion of the TRC report and discuss with them work already completed by the Applicant to respond to the issues they raise. The Applicant believes it will be able to reach agreement with FWS on methods and timing to address any outstanding issues (i.e., updated spring surveys) while the Commission is processing the accepted application.

### **7.3.4 State Water Board**

The Water Board provided a June 30, 2014 letter in which it provided a number of comments on the FEIS, including:

- a) An analysis of impacts to Decker Canyon watersheds from emergency releases of water, including mitigation measures.
- b) A bathymetry assessment of the extent of expanding shoreline due to project operations at various lake levels, including any impact on evaporation and shoreline recreation.
- c) A recommendation that “the Applicant conduct more project specific assessments and pursue appropriate mitigation development that can be included in the FEIS.”
- d) Additional groundwater studies for Decker Canyon, including approval of a groundwater management plan prior to the start of construction.
- e) Better descriptions of runoff potential and spoil storage and disposal.
- f) Soil toxicity assessment of the effects of construction of the intake construction.
- g) A better description of the cofferdam and impacts on water quality, recreation and fisheries.
- h) Better development of the Emergency Action Plan and appropriate mitigation.
- i) A better description of the effects of Project operation on Lake Elsinore water quality.

- j) A better description of the effects of lake level fluctuation on aquatic resources.

The Applicant believes that these issues have been adequately addressed during the extensive consultation work in the previous docket with the Santa Ana Regional Water Quality Board (the “Santa Ana Board”). A copy of the notice from the Santa Ana Board to the Water Board is included as Supplement 7.3 Santa Ana to State Board. Nonetheless, The Applicant will consult with both the Santa Ana and Water Board on any issue that may require further discussion or analysis.

### **7.3.5 Consultation on Water Supply**

The Applicant has discussed with a number of area agencies the status of water related studies for Lake Elsinore since the FEIS was published. The Lake Elsinore and San Jacinto Watersheds Authority (“LESJWA”) referenced the following reports relating to Lake Elsinore itself, published since the FEIS was issued.

- Lake Elsinore/Canyon Lake TMDL Compliance Program; San Jacinto River Watershed Storm Water Sampling and Analysis Plan (December 2008)  
<http://www.sawpa.org/wp-content/uploads/2012/08/Final-Sampling-and-Analysis-Plan-08-09.pdf>
- Lake Elsinore Phase 2 Water Quality Monitoring Plan to Evaluate the Efficacy of the In-Lake Nutrient Reduction Facilities (Aeration and Mixing) for Lake Elsinore (December 2010)  
<http://www.sawpa.org/wp-content/uploads/2012/08/Lake-Elsinore-Phase-2-Monitoring-Plan-2010.pdf>
- San Jacinto Onsite Wastewater Management Program (November 2007)  
[http://www.sawpa.org/wp-content/uploads/2012/09/SanJacintoSepticSystemsMgmtPlanvNov172007\\_001.pdf](http://www.sawpa.org/wp-content/uploads/2012/09/SanJacintoSepticSystemsMgmtPlanvNov172007_001.pdf)
- Three Special Studies on Nitrogen Offsets in Semi-Desert Lake Elsinore in 2006-2008 as part of the Nutrient TMDL for Reclaimed Water Added to Stabilize Lake Levels (June 2009)  
[http://www.sawpa.org/wp-content/uploads/2012/09/HORNEN-OFFSETSRptDrafttoEVMWD6\\_001.pdf](http://www.sawpa.org/wp-content/uploads/2012/09/HORNEN-OFFSETSRptDrafttoEVMWD6_001.pdf)
- In-Lake Sediment Nutrient Reduction Plan for Lake Elsinore ((October 2007)  
[http://www.sawpa.org/wp-content/uploads/2012/09/LakeElsinoreSedimentNutrientReductionPlan\\_001.pdf](http://www.sawpa.org/wp-content/uploads/2012/09/LakeElsinoreSedimentNutrientReductionPlan_001.pdf)
- San Jacinto Watershed Model Update (2010) – Final (October 2010)

[http://www.sawpa.org/wp-content/uploads/2013/04/SanJacinto\\_ModelUpdate\\_Final\\_100710.pdf](http://www.sawpa.org/wp-content/uploads/2013/04/SanJacinto_ModelUpdate_Final_100710.pdf)

In addition, reports on modeling at Lake Elsinore (and the adjacent Canyon Lake) include the following:

- Task 1: Estimate Rate at Which Phosphorus is Rendered No Longer Bioavailable in Sediments. (December 2012)  
<http://www.sawpa.org/wp-content/uploads/2012/09/Draft-Task-1-Draft-Tech-Memo1.pdf>
- Task 2: Evaluation of Long-Term Reduction of Phosphorus Loads from Internal Recycling as a Result of Hypolimnetic Oxygenation in Canyon Lake. (April 2012)  
<http://www.sawpa.org/wp-content/uploads/2012/09/Draft-Task-2-Tech-Memo-4-22-12-rev1.pdf>
- Task 3: Evaluation of Alum, Phoslock and Modified Zeolite To Sequester Nutrients in Inflow and Improve Water Quality in Canyon Lake. (May 2012)  
<http://www.sawpa.org/wp-content/uploads/2012/09/Draft-Task-3-Tech-Memo-5-17-20121.pdf>
- Task 4A: Evaluate Water Quality in Canyon Lake Under Pre-Development Conditions and TMDL-Prescribed External Load Reductions. (June 2012)  
<http://www.sawpa.org/wp-content/uploads/2012/09/Draft-Task-4a-Tech-Memo1.pdf>
- Task 4B: Evaluate Water Quality in Lake Elsinore Under Pre-Development Conditions (June 2012)  
<http://www.sawpa.org/wp-content/uploads/2012/09/Draft-Task-4b-Tech-Memo1.pdf>
- Task 5A: Simulations Using Refined Model Parameter Set Under Steady-State Conditions. (December 2011)  
<http://www.sawpa.org/wp-content/uploads/2012/09/Draft-Task-5a-Draft-Tech-Memo1.pdf>
- Task 5B: Evaluate Effects of Management Alternatives for Canyon Lake on External Nutrient Loading to Lake Elsinore (June 2012)

<http://www.sawpa.org/wp-content/uploads/2012/09/Draft-Task-5b-Tech-Memo1.pdf>

- Task 6: Predicted Water Quality in Canyon Lake with In-Lake Alum Treatments and Watershed BMPs. (September 2012)

<http://www.sawpa.org/wp-content/uploads/2012/09/Draft-Task-6-Tech-Memo.pdf>

The Santa Ana Regional Water Quality Control Board published the following:

- Lake Elsinore and Canyon Lake Nutrient TMDL Annual Water Quality Report (August 2015)

<http://www.sawpa.org/wp-content/uploads/2012/05/Final-LECL-TMDL-Annual-Report-FY-14-15.pdf>

- Draft Lake Elsinore/Canyon Lake TMDL Comprehensive Phase 2 Compliance Monitoring Program Framework (July 2014)

<http://www.sawpa.org/wp-content/uploads/2012/05/2014-7-6-Draft-LECL-TMDL-Comprehensive-Phase-2-Compliance-Monitoring-Program-Framework.pdf>

- Comprehensive Nutrient Reduction Plan for Lake Elsinore and Canyon Lake (January 2013)

[http://www.sawpa.org/wp-content/uploads/2012/05/CNRP-for-Lake-Elsinore-and-Canyon-Lake\\_Final.pdf](http://www.sawpa.org/wp-content/uploads/2012/05/CNRP-for-Lake-Elsinore-and-Canyon-Lake_Final.pdf)

- Final Project Report- Proposition 40 San Jacinto River Watershed Nutrient TMDL BMP Implementation – Wetlands Enhancement Project (December 2012)

Finally, the Elsinore Valley Municipal Water District published in 2011 their “Urban Water Management Plan”. This is available at:

<http://www.evmwd.com/civicax/filebank/blobdload.aspx?blobid=31890>

While the Applicant does not believe any of these updated reports alters the conclusions reached in the FEIS, where relevant, the Applicant has incorporated these reports into Exhibit E.

#### **7.4 Consultation with the Public**

Although not expressly required by Commission regulations, the Applicant also consulted with public organizations and various citizens’ associations since filing in 2011. This date was selected as it is the date the Commission issued public notice on the application for the preliminary permit.

A total of 22 letters were received from non–resource agency parties. The comments addressed a variety of issues. The Applicant’s summation of these issues and responses thereto follow.

#### 7.4.1 Summary of Issues Raised and Applicant’s Response

- k) **Primary connection (Gen–tie) or transmission line.** A number of parties noted the apparent confusion as to whether the project consisted of one or two lines to connect the powerhouse to the grid or a high voltage transmission line connecting SCE and SDG&E. As has been clearly described in Section 5.2 of Exhibit A of this Application, the Applicant has executed two large generator interconnection agreements which describe the connection of the Proposed Project to the grid using primary lines.
- l) **Water supply and the relationship with the Elsinore Valley Municipal Water District.** Applicant will obtain all necessary property rights including water rights to construct, operate and maintain the Project as will be required by the FERC license.
- m) **Northern connection point.** SCE pointed out that there may be some confusion as to the connection point in their service territory. The northern interconnection will connect the powerhouse to SCE’s existing 500 kV Valley-Serrano transmission line, in the unincorporated area of Alberhill in Riverside County. Depending upon timing and permitting, a new substation owned by the Applicant known as “Lake” will be constructed adjacent to the point of connection. Alternately, SCE is developing its proposed “Alberhill” substation less than a mile from the proposed Lake site. If approved at this site, this could serve as the connection point for the proposed Project in place of Lake. The interconnection agreement with SCE identifies this point as “Alberhill” while the FEIS identifies this point as “Lake”.
- n) **Southern connection point.** SDG&E pointed out that the precise location of the connection point with their Talega-Escondido transmission line adjacent to Camp Pendleton is not apparent. This location is shown on “Project Facility Route Maps” included in the Attachment section to this Application.
- o) Biological impact analysis needs to be updated.
- p) **Land use analysis needs to be updated in light of the update to the revised Forest Management Plan.** The Applicant expects the Cleveland Forest will incorporate this into the update to the FEIS they and the Commission will produce.
- q) **A greenhouse gas (“GHG”) analysis needs to be included under NEPA rules issued since the FEIS was published.** A number of parties identified a gap in the FEIS analysis to assess the release of greenhouse gases under new NEPA requirements. The Applicant agrees, but as this is a complex undertaking, suggests that the results be included in the update to the FEIS. As facilities like the proposed Project allow for more efficient use of grid equipment, reducing the need for thermal plant cycling; and increasing the penetration of renewable energy production resources, the operation of the facility will

be critical for reducing and avoiding greenhouse gas emissions in the overall operation of the power grid, reducing overall GHG production in the CAISO footprint.

- r) **The impact of the proposed project on causing fires and on impeding the ability of firefighters to fight a fire.** A number of individuals raised the issue of fires in the vicinity of the Proposed Project. Nevada Hydro believes that this issue has been adequately addressed in the FEIS.

## 7.5 Conclusion of Second Stage of Consultation

Under the TLP process, 18 CFR 4.38(c)(10) mandates that the second stage of consultation ends (i) ninety days after the issuance of the DLA in cases where no resource agency or Indian tribe has responded with substantive disagreements or (ii) at the conclusion of the last joint meeting held pursuant to paragraph (c)(6) of this section in cases where a resource agency or Indian tribe has responded with substantive disagreements.

Based on the above, the Applicant believes that it has concluded the second stage of consultation and, therefore, submits its FLA to the Commission for the LEAPS project.

## 8.0 Consistency with Comprehensive Plans for Improving, Developing, or Conserving a Waterway or Waterways Affected by the Proposed Project

As required in the TLP process in 18 CFR 4.38 (f)(6) and 2.19(a) and (b), the Applicant must evaluate the project’s consistency with applicable “comprehensive plans” identified by the Commission. As the FEIS found the project to be consistent with all identified plans at that time, the Applicant assumes that if the Commission identifies additional plans through the course of the its processing the Application, that consistency will be determined at that time.

## 9.0 List of Resource Agencies and Indian Tribes Consulted

A list of resource agencies and Indian tribes consulted follows:

Name	Agency	Agency2	Street	City
<b>Chief</b>	Army Corps of Engineers	San Francisco District Office	333 Market Street, Floor 8	San Francisco, CA 94105-2102
<b>Mark Durham, Chief</b>	Army Corps of Engineers	South Coast Section, Regulatory Branch	P.O. Box 532711	Los Angeles, CA 90053-2325
<b>Area Director</b>	Bureau of Indian Affairs		2800 Cottage Way	Sacramento, CA 95825-1846
<b>Fred Allgaier</b>	Bureau of Indian Affairs		3000 Youngfield Street, Suite 230	Lakewood, CO 80215-6551
<b>Director</b>	Bureau of Land Management	California State Office	2800 Cottage Way, Suite W1834	Sacramento, CA 95825-1886
<b>Regional Director</b>	Bureau of Reclamation	Attn: LC 705	P.O. Box 61470	Boulder City, NV 89006-1470
	California Air Resources Board		P.O. Box 2815	Sacramento, CA 95812-2815
<b>Director</b>	California Department of		P.O. Box 942836	Sacramento, CA



**EXHIBIT E – CONSULTATION**

FERC Project No. 14227

	Water Resources			94236-0001
<b>Environmental Analyst</b>	California Department of Conservation	MS 24-01	801 K Street	Sacramento, CA 95814-3500
	California Dept. of Fish and Game	Water Rights & FERC Coordinator	P.O. Box 944209	Sacramento, CA 94244-2090
<b>Curt Taucher</b>	California Dept. of Fish and Game	Regional Manager, Region 6	4949 Viewridge Ave	San Diego, CA 92123
<b>Larry L. Eng, Ph.D.</b>	California Dept. of Fish and Game	Regional Manager, Region 5	4949 Viewridge Ave	San Diego, CA 92123
<b>Mike Meinz</b>	California Dept. of Fish and Game	FERC Relicensing Coordinator	1701 Nimbus Road, Suite A	Rancho Cordova, CA 95670-4503
<b>Regional Manager</b>	California Dept. of Fish and Game		1234 E. Shaw Ave.	Fresno, CA 93710-7802
<b>Resource Mgmt. Division, Chief</b>	California Dept. of Parks & Recreation		P.O. Box 942896	Sacramento, CA 94296-0001
<b>Environmental Services Division</b>	California Fish & Game Commission		1416 9th Street	Sacramento, CA 95814-5511
<b>Cherilyn E. Widell, Director</b>	California Office of Historic Preser.		P.O. Box 942896	Sacramento, CA 94296-0001
<b>Dave Woelfel</b>	California Regional Water Quality Control Board		42347 Dusty Trail	Murrieta, CA 92562-5213
<b>Mark G. Adelson, Chief</b>	California Regional Water Quality Control Board	Regional Planning Programs Section	3737 Main Street, Suite 500	Riverside, CA 92501-3348
<b>Director</b>	California State Lands Commission	Suite 100-South	100 Howe Ave.	Sacramento, CA 95825-8202
<b>Supervisor, FERC Coordination</b>	California Water Resources Control Board		P.O. Box 2000	Sacramento, CA 95812-2000
<b>Samantha K. Olson, Staff Counsel</b>	California Water Resources Control Board		P.O. Box 100	Sacramento, CA 95812-0100
<b>Darrell Vance, District Ranger</b>	Cleveland National Forest		1147 E. 6th Street	Corona, CA 92879-1616
<b>William Metz, Forest Supervisor</b>	Cleveland National Forest		10845 Rancho Bernardo Road, Suite 2000	San Diego, CA 92127-2107
<b>Ronald L. Tippetts, Chief</b>	County of Orange	Environmental Planning Division	P.O. Box 4048, 300 N. Flower Street	Santa Ana, CA 92702-4048
<b>Jack Gipsman, Attorney</b>	Department of Agriculture	Office of General Counsel	33 New Montgomery Street, Floor 17	San Francisco, CA 94105-4506
<b>Jennifer L. Frozena</b>	Department of the Interior		1849 C Street NW, Mailstop 6557	Washington, DC 20240-0001
<b>Willie R. Taylor, Director</b>	Department of the Interior	Office of Env. Policy & Compliance	1849 C Street, NW, MS 2342 – MIB	Washington, DC 20240
	Department of Transportation	State of California	464 W. Fourth St., 6th Floor	San Bernardino, CA 92401
	Department of Transportation	State of California	P.O. Box 231	San Bernardino, CA 92403
<b>David P. Schmidt, CMD-2</b>	Environmental Protection Agency	Region 9 - Federal Activities Office	75 Hawthorne Street	San Francisco, CA 94105-3920
<b>Edward J. Perez</b>	Federal Energy Regulatory Commission		101 SW Main Street Suite 905	Portland, OR 97204-3217
<b>Regional Engineer</b>	Federal Energy Regulatory Commission	Portland Regional Office	101 S.W. Main Street, Suite 905	Portland, OR 97204-3217
<b>Field Supervisor</b>	Fish and Wildlife Service	Room W-2605	2800 Cottage Way	Sacramento, CA 95825-1846
<b>Regional Director</b>	Fish and Wildlife Service	Attn: FERC Coordinator	911 NE 11th Ave	Portland, OR 97232-4169
<b>Supervisor</b>	Fish and Wildlife Service	ARCATA FWO	1655 Heindon Road	Arcata, CA 95521-4573

<b>Supervisor</b>	Fish and Wildlife Service		2493 Portola Rd Suite B	Ventura, CA 93003-7726
<b>Larry Rannals</b>	US Marine Corps Camp Pendleton		Box 555010	Camp Pendleton, CA 92055
<b>Regional Director</b>	National Marine Fisheries Service		501 W Ocean Blvd, Suite 4200	Long Beach, CA 90802-4221
<b>Brandi L. Bradford, Hydro Program Coordinator</b>	National Park Service		1111 Jackson Street, Suite 700	Oakland, CA 94607-4807
<b>Southern California Hydro Coordinator</b>	National Park Service		1111 Jackson Street, Suite 700	Oakland, CA 94607-4807
<b>Randy Moore, Regional Forester</b>	U.S. Forest Service	Pacific SW Region 5, MRM-Lands Staff	1323 Club Drive	Vallejo, CA 94592
<b>Gary P. Dubois, Cultural Resources Director</b>	Penchanga Indian Reservation	Penchanga Cultural Resources	Post Office Box 2183	Temecula, CA 92592
<b>State of California</b>	Resources Agency of California	Room 1311	1416 9th Street	Sacramento, CA 95814-5511
<b>FERC Coordinator</b>	U.S. Geological Survey		Placer Hall—6000 J Street, Suite 2012	Sacramento, CA 95819-6129

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