

Attachment 9

Federal Communications



United States
Department of
Agriculture

Forest
Service

Pacific
Southwest
Region

Regional Office, R5
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Vallejo, CA 94592
(707) 562-8737 Voice
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File Code: 2770
Date: MAR 29 2007

Philis J. Posey
Acting Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Via Electronic Filing

RE: Forest Service Final 4(e) Conditions for the Lake Elsinore Advanced Pumped Storage Project, FERC Project No. 11858

Dear Secretary Posey:

The Federal Energy Regulatory Commission (FERC) Office of Energy Products staff, and the Forest Service as a cooperating agency, issued a Final Environmental Impact Statement (Final EIS) for the Lake Elsinore Advanced Pumped Storage Project, FERC Project No. 11858, in January of 2007. A portion of the proposed project is located on National Forest System lands administered by the Cleveland National Forest. The following comments and conditions comprise the report of the Secretary of Agriculture in accordance with section 4(e) of the Federal Power Act.

We have reviewed the record in the Final EIS to determine project consistency with the 2005 Cleveland National Forest Land Management Plan (LMP) and the purposes for which the Cleveland National Forest was reserved. Based on that review, we find project features that impact or would eliminate critical watershed components, such as riparian areas and springs, are not consistent with the LMP or purposes of the Cleveland National Forest reservation. The project would unavoidably conflict with the recreation setting, scenery, and wildlife habitat objectives of the LMP. The staff alternative, through mitigation and design factors, reduces impacts to unique riparian habitats and provides transmission line locations that could be made consistent with the LMP and purposes for the Cleveland National Forest reservation. This project does not appear to conflict with any known projects or projects previously constructed by the United States. We have no objection to a license being issued, subject to certain conditions necessary for the protection and utilization of National Forest System lands and resources affected by the project.

We filed preliminary 4(e) conditions on April 27, 2005, and revised preliminary conditions on June 22, 2006. Enclosure I contains the final 4(e) conditions to be included in the license that I find necessary for the protection and utilization of the affected National Forest System lands. The final conditions are based on the Forest Service review of the Final EIS, coordination with Federal, State and local agencies, public comment, and consultation with the co-applicants. We



have also reviewed the co-applicants alternative 4(e) terms and conditions, along with supporting rationale documentation and included those provisions where applicable. Our response to the alternative conditions is documented in Enclosure II. In addition to several edits for clarification and some combination and deletion of conditions, we have made changes to the revised preliminary Condition No. 37 "Scenery Conservation Plan" to more completely disclose the effects to the public the impacts of this project, and revised preliminary condition No. 38 "Habitat Mitigation Plan" to comply with existing MOU with US Fish and Wildlife Service and California Dept of Fish and Game. Enclosure III outlines the rationale for the revised mitigation ratios. Under authority delegated from the Secretary of Agriculture, I consider these final conditions necessary to avoid or mitigate resource and environmental impacts caused by the proposed project.

Please contact Virgil Mink at (951) 736 1811 ext. 3277 if you have any questions.

Sincerely,

for Katherine Clement
BERNARD WEINGARDT
Regional Forester

Enclosures

Peter;

I discussed this with Bob Hawkins and he is not available at the same time as Keith. He did go through a tower by tower analysis with SDG&E but he said he spent several days ahead of time going through the gis files for the modified route and also with the Landscape Architect. His comment was, " that task was rushed a bit and if there had been more time it would of been best to run through the package with the interdisciplinary team first before meeting with SDG&E. "

If you can get me 6 copies of the package, I will distribute it to the Forest Service team for their review. Perhaps if we had three weeks to review the package, we could come together for a more meaningful meeting.

Virgil W. Mink, Special Use Administrator Trabuco Ranger District,
Cleveland National Forest
1147 East 6th Street
Corona, CA 92879-1616
(951) 736 1811 ext. 3277
fax (951) 736 3002
vmink@fs.fed.us

To "Peter
Lewandowski"
<environment@cox.net>
"Virgil Mink" <vmink@fs.fed.us>

cc 08/22/2008 12:37 PM
<rwait@controltechnology.org>

Subject USFS Meeting (LEAPS and TE/VS)

Virgil,

Early next week, we will be delivering to you a packet identifying individual tower locations, construction areas, and access road requests for LEAPS and TE/VS. Can we schedule a follow-up meeting to discuss that packet and roll-up our sleeves and discuss each tower site?

In talking with the CPUC, it is our understanding that Bob Hawkins recently worked through a similar siting analysis with SDG&E. Could we bring Bob Hawkins into these discussion so that that same mechanism could be applied to this project?

Assuming that you have your packet on Tuesday, what's the first date we could meet?

Peter Lewandowski



United States
Department of
Agriculture

Forest
Service

Cleveland National Forest
SO

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File Code: 2700

Date: December 18, 2008

Billie C. Blanchard
Project Manager - TE/VS Interconnect
State of California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

Dear Ms. Blanchard:

We have reviewed the alignment presented on December 15, 2008 by the Co-Applicants for the Talega-Escondido/Valley Serrano 500 kV transmission line (TE/VS), one of the project facilities for the Lake Elsinore Advanced Pumped Storage (LEAPS) Project. The Final EIS prepared by the Federal Energy Regulatory Commission (FERC) and Cleveland National Forest determined project consistency with the 2005 Cleveland National Forest Land Management Plan (LMP) and the purposes for which the Cleveland National Forest was reserved. Based on our review, we concluded the transmission line facility as a component of the LEAPS Project was consistent with the purposes of the Cleveland National Forest reservation. The LEAPS Project would unavoidably conflict with the recreation setting, scenery, and wildlife habitat objectives of the LMP and Forest Service approval of the LEAPS Project would require a LMP amendment. This project does not appear to conflict with any known projects or projects previously constructed by the United States. We offered no objection to a license being issued by FERC, subject to certain conditions necessary for the protection and utilization of National Forest System lands and resources affected by the project.

The LEAPS hydroelectric development within the Cleveland National Forest, providing over 500 MW of generation capacity, will occupy a significant number of acres of National Forest System land, almost all the essential project features, including reservoirs, dams, and transmission facilities are located on the National Forest. The Forest can accept, subject to the 4(e) conditions in the EIS, the location of the supporting towers and access roads for the TE/VS transmission line. The final determination of the Marine Corps regarding the location of a Case Springs Substation will determine the location of the last four tower sites on the Cleveland National Forest.

The Cleveland National Forest is equally interested in reviewing the other project elements necessary for the LEAPS to operate as intended. We will be available to meet with you at your convenience to discuss these items. Any questions or comments should be directed to the project administrator, Virgil Mink at (951) 736-1811 extension 3277 or vmink@fs.fed.us.



Sincerely,

/s/ William Metz
WILLIAM METZ
Forest Supervisor

cc: James Fargo
Federal Energy Regulatory Commission
Office of Energy Projects
888 First Street - NE
Washington DC 20426



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File Code: 2720

Date: June 11, 2012

Mr. Rex Wait
The Nevada Hydro Company
2416 Cades Way
Vista, CA 92081

Dear Mr. Rex Wait,

This letter is to acknowledge that we are in receipt of your Special Use Proposal (form SF299) for the Lake Elsinore Advanced Pumped Storage (LEAPS) Project, including a proposed sub-station on National Forest System Lands near Case Springs. This project has been proposed to the Federal Energy Regulatory Commission (FERC). The proposal is also unsigned; however it was delivered to me personally by Mr. Rex Wait, Vice President of The Nevada Hydro Company (TNHC), at our meeting in Corona on May 3, 2012. A signed copy will be required for our screening process.

Although we have not officially accepted your proposal, we will keep your forms on file here at the District Office in Corona. I understand that you have submitted your project to the California Public Utilities Commission (CPUC) for a Certificate of Public Convenience and Necessity ("CPCN") for the construction and operation TE/VS Interconnect as a stand-alone transmission line. Significance of the CPCN, include;

1. Interconnection for LEAPS
2. Interconnect the SCE and SDG&E transmission systems
3. TNHC would become an "electrical corporation." Assuming that the CPCN is granted, TNHC will not need separate eminent domain hearings before it may commence acquisition of rights-of-way through private property. "An electrical corporation may condemn any property necessary for the construction and maintenance of its electric plant."

FERC and USFS coordinated to develop an Environmental Impact Statement ("EIS") on LEAPS and the TE/VS Interconnect in accordance with the National Environmental Policy Act. FERC issued the Final EIS ("FEIS") for LEAPS license which includes the TE/VS Interconnect for public comment on January 30, 2007. Adoption of the FEIS by FERC will complete the Federal environmental review process for the license. The Forest Service filed Final Terms and Conditions for inclusion in any license issued for this proposed project pursuant to section 4(e) of the Federal Power Act on March 29, 2007.



Once your company has been identified and received a Certificate of Public Convenience and Necessity (CPCN) by the CPUC, the U.S. Forest Service will continue the process of screening your proposal.

If you have any questions or concerns regarding this letter, please feel free to contact Becky Brand, Special Use Administrator at 951-736-1811 ext. 3222.

Sincerely,


KEITH W. FLETCHER
District Ranger