

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426
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OFFICE OF ENERGY PROJECTS

Project No. 176-018 – California
City of Escondido

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Reference: Summary of Meeting and Request for Comments on Possible Dismissal of Application

To the Parties Addressed:

On June 19, 2006, representatives of the Federal Energy Regulatory Commission (FERC), the City of Escondido, Packard Government Affairs, Vista Irrigation District, Bureau of Indian Affairs, and the Pala, La Jolla, Rincon and Pauma Bands of Mission Indians met in Escondido at the East Valley Community Center to discuss the status of the pending application to relicense the Escondido Hydroelectric Project No. 176.

Attendance:	Bureau of Indian Affairs	Tom Dang
	City of Escondido	Gary Bates Chris Bill Carl Burgess Jeffrey Epp Don Lincoln Mary Ann Mann Glen Peterson Darren Southworth Garret Springsteen
	FERC	Linda Gilbert Ann Miles Ann-Ariel Vecchio
	Packard Government Affairs	Ron Packard Clyde Romney
	Pala and La Jolla Bands of Mission Indians	Barbara Karshmer
	Rincon and Pauma Bands of Mission Indians	Bob Pelcyger
	Vista Irrigation District	Elaine L. Chan Kent Foster Don Smith

At the meeting, Commission staff put forth the option of dismissing the application with continuation of project operation under the existing license, and requested comments from the parties present. Discussion at the meeting emphasized the Commission's interest in taking action on the pending application, which was filed in 1971¹, and the need to update the environmental record. The parties expressed their initial concern that any change from the status quo could have unintended consequences and slow their progress toward a final settlement agreement and its implementation. The parties present also raised questions about how the different action agencies would complete and possibly coordinate the environmental analyses required to comply with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). Other issues discussed included the status of the project's 1975 water quality certification, the requirement that the Commission issue a license consistent with the Water Rights Settlement Act, progress toward a settlement, the Commission's jurisdiction over the Lake Henshaw facilities, the status of the pending application to replace the Rincon penstock, and the relationship between the Water Rights Settlement Act and the possibility of reopening the site to competition.

Staff explained that whether the Commission itself or the Director issued an order on the dismissal, parties could seek rehearing of that order. To allow the Commission an opportunity to consider the parties' views before taking action, staff proposed and the parties present agreed to a 45-day comment period from the date of the meeting. **This is a reminder that comments are due to the Commission on or before August 3, 2006.**

After the meeting, Commission staff and other parties visited project facilities, including the Bear Valley powerhouse, Lake Wohlford, the Rincon powerhouse, upper and lower Escondido canal, the Escondido diversion, and Lake Henshaw.

¹ The license that the Commission issued in 1979 was reversed in part and remanded to the Commission in 1984. The Commission has since deferred action on the pending application in light of the Water Rights Settlement Act, passed in 1988 and amended in 2000.

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If you have any questions, please call or email Ann-Ariel Vecchio, FERC Team Leader, at (202) 502-6351 or ann-ariel.vecchio@ferc.gov.

Sincerely,

Ann F. Miles, Director
Division of Hydropower Licensing

cc: Service List
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