

COVER SHEET

FEDERAL ENERGY REGULATORY COMMISSION

DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR OROVILLE FACILITIES

Docket No. P-2100

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EXECUTIVE SUMMARY

On January 11, 2001, the Federal Energy Regulatory Commission (Commission or FERC) issued a letter order approving the California Department of Water Resources' (DWR) request to use the alternative licensing procedures defined in 18 CFR §4.34(i), for relicensing the Oroville Facilities (FERC Project No. 2100).

DWR filed a license application with the Commission for a major new license to continue to own, operate, and maintain the Oroville Facilities (FERC Project No. 2100) on January 26, 2005. The 762-megawatt project is located on the Feather River in Butte County, California and occupies 2,000 acres of federal lands managed by the U.S. Department of Agriculture, Forest Service within the Plumas and Lassen National Forests and 3,900 acres managed by the U.S. Bureau of Land Management. The 2005 application included a preliminary draft environmental assessment.

DWR's license application outlined its proposal to continue operating the Oroville Facilities Project in accordance with certain existing and interim operational and environmental measures. DWR filed a comprehensive Offer of Settlement (Settlement Agreement) with the Commission on March 24, 2006, which replaces the Proposed Action outlined in the license application. The terms of the Settlement Agreement⁷ include a wide range of measures described in Proposed Articles A100 through A135. The agreement also includes a set of measures that DWR proposes to implement outside of the project license.

Under the Proposed Action, DWR would implement six programs designed to enhance habitats for coldwater fisheries to benefit the threatened and endangered Central Valley spring-run Chinook salmon and Central Valley steelhead in the Feather River, and warmwater fisheries in Lake Oroville. The Proposed Action includes a comprehensive program to monitor water quality and bacteria levels at project waters for the benefit of both fisheries and visitors using the project's swimming areas. Wildlife would be enhanced through proposed measures to manage the Oroville Wildlife Area. These measures include: protecting nesting grebes and vernal pool habitat; minimizing disturbance to nesting bald eagles; protecting threatened and endangered species including the giant garter snake, California red-legged frog, valley elderberry longhorn beetles; providing upland food and nesting cover for waterfowl; and managing invasive plants. The substantial recreational opportunities of the Oroville Facilities would be enhanced and expanded through the implementation of the Recreation Management Plan, which includes upgrades to existing facilities, construction of new facilities, and comprehensive monitoring of recreation use over the term of any license issued for the project. Finally, the Proposed Action includes the implementation of a Historic Properties Management Plan and specific measures to address conflicts between recreation use and the protection of cultural resources. These environmental measures are described in detail in section 2.2.3, *Modifications to DWR's Proposal*, of this draft environmental impact statement (EIS).

Staff has revised some of the applicant-proposed project-related environmental measures to increase monitoring activities or accelerate the implementation schedules. We recommend including measures that would address concerns and recommendations made by the U.S. Department of Agriculture, Forest Service, Butte County, Native American Tribes, and visitors who use the extensive project-related trails. These include measures to: (1) develop a fuel management plan on National Forest System lands; (2) prepare biological evaluations of any proposed new construction on National Forest System lands; (3) revise the Recreation Management Plan to include the development of maintenance standards, the completion of a trail condition inventory prior to recommending any redesignation of trail use and the inclusion of trail users in the recreational monitoring program; and (4) close the Foreman Creek boat launch and develop a plan to protect cultural resources and install recreation facilities. Staff's

⁷ The Settlement Agreement is available on the Commission's web site from the eLibrary feature at <http://www.ferc.gov/docs-filing/elibrary.asp>. Accession number 20060330-0215.

revised and additional recommended measures are described in section 2.3.5, *Staff Alternative*, of this draft EIS.

In this draft EIS, we analyze and evaluate the environmental effects associated with the issuance of a new license for the existing hydropower project and recommend conditions for inclusion in any license issued. For any license issued, the Commission must determine that the project adopted will be best adapted to a comprehensive plan for improving or developing the waterway. In addition to the power and development purposes for which licenses are issued, the Commission must give equal consideration to energy conservation and the protection and enhancement of fish and wildlife, aesthetics, cultural resources, and recreational opportunities. This draft EIS for the Oroville Facilities Project reflects the staff's consideration of these factors.

Overall, the measures proposed by DWR under the terms of the Settlement Agreement, along with additional staff-recommended and revised measures, would protect and enhance existing water use, water quality, fish and wildlife, land use, aesthetics, recreational, and cultural resources. In addition, the project would continue to provide a large portion of the electricity needed to pump water through the California State Water Project at a lower cost than potential replacement power sources.

New environmental and recreation measures as proposed by the applicant would cost \$11,820,300. The Staff Alternative would cost \$11,682,500 or about \$137,800 less than DWR's Proposal. Generation would decrease 43,500 megawatt-hours under both DWR's Proposal and the Staff Alternative compared to the No-action Alternative, and this would reduce power benefits by about \$1,480,000, although the annual cost of pump-back energy would drop by \$35,000.

Based on our independent analysis of the Oroville Facilities Project, including our consideration of all relevant economic and environmental concerns, we conclude that issuing a new license for the project as proposed by DWR, along with staff's modification and additions to those proposals, would be best adapted to a comprehensive plan for the proper use, conservation, and development of the Feather River.