

COVER SHEET

DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE UPPER AMERICAN RIVER AND CHILI BAR HYDROELECTRIC PROJECTS

Docket Nos. P-2101-084 and P-2155-024

Cover Letter (and other information before the Table of Contents)

DEIS



**Federal Energy
Regulatory
Commission**

**Office of
Energy
Projects**

September 2007

FERC/DEIS - 0216D

Draft Environmental Impact Statement for Hydropower License



**Upper American River Hydroelectric Project
FERC Project No. 2101-084, California
Chili Bar Hydroelectric Project
FERC Project No. 2155-024, California**

**Federal Energy
Regulatory Commission
888 First Street N.E.
Washington, DC 20426**

**Forest Service
U.S. Department of
Agriculture
Eldorado National Forest
100 Forni Road
Placerville, CA 95667**

**DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR HYDROPOWER LICENSE**

Upper American River Hydroelectric Project—FERC Project No. 2101—California

Chili Bar Hydroelectric Project—FERC Project No. 2155-024—California

Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
888 First Street, N.E.
Washington, DC 20426

Forest Service
U.S. Department of Agriculture
Eldorado National Forest
100 Forni Road
Placerville, CA 95667

September 2007

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, DC 20426

OFFICE OF ENERGY PROJECTS

To the Agency or Individual Addressed:

Reference: Draft Environmental Impact Statement

Attached is the draft environmental impact statement (EIS) for the Upper American River Project (UARP or Project No. 2101-084) located in the California counties of El Dorado and Sacramento, within the Rubicon River, Silver Creek, and the South Fork of the American River (SFAR) drainages; and the Chili Bar Hydroelectric Project (Project No. 2155-024), located on the SFAR in El Dorado County, near the town of Placerville, California.

The draft EIS documents the view of governmental agencies, non-governmental organizations, affected Indian tribes, the public, the license applicants, U.S. Department of Agriculture, Forest Service (Forest Service) and the Federal Energy Regulatory Commission (Commission) staff. It contains staff evaluations on the applicants' proposals and the alternatives for relicensing the UARP and Chili Bar Project.

The Commission and the Forest Service have agreed to participate as cooperating agencies in the preparation of the EIS for the UARP and Chili Bar Project. The Commission will use the EIS to determine whether, and under what conditions, to issue new licenses for the Projects. The Forest Service will use the EIS to base its finding under section 4(e) of the Federal Power Act and to decide whether to issue any necessary special use authorizations.

You are invited to file comments on the draft EIS. Any comments, conclusions, or recommendations that draw upon studies, reports, or other working papers should be supported by appropriate documentation. Your comments will be considered in staff's preparation of the final EIS.

Comments should be filed with Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The comments must be filed within 45 days of the notice date in the Federal Register and should reference the project discussed in your comments: Project No. 2101-084 and/or Project No. 2155-024. The Commission strongly encourages electronic filing.

Before the Commission makes a licensing decision, it will take into account all concerns relevant to the public interest. The EIS will be part of the record from which the Commission will make its decision. The final EIS is expected to be issued in January 2008.

Copies of the draft EIS are available for review in the Commission's Public Reference Branch, Room 2A, located at 888 First Street, NE, Washington DC 20426. The final EIS also may be viewed on the Commission's web site at www.ferc.gov by using the "eLibrary" link. Please call (202) 502-8222 or TTY (202) 208-1659 for assistance.

Attachment: Draft Environmental Impact Statement

COVER SHEET

- a. Title: Relicensing the Upper American River Project (UARP), Federal Energy Regulatory Commission (FERC or Commission) Project No. 2101 and the Chili Bar Project, FERC Project No. 2155.
- b. Subject: Draft environmental impact statement
- c. Lead Agency: FERC with U.S. Department of Agriculture, Forest Service (Forest Service) as a cooperating agency.
- d. Abstract: The UARP is on the Rubicon River, Silver Creek, and South Fork of the American River (SFAR) near Placerville, California. The project affects 6,375 acres of federal land administered by the Eldorado National Forest and 42.3 acres of federal land administered by the U.S. Bureau of Land Management.
- The Chili Bar Project is on the SFAR in El Dorado County, near Placerville, California. The project affects 48 acres of federal land administered by the U.S. Bureau of Land Management.
- e. Contact:
- | Environmental Staff | Forest Service |
|--------------------------------------|--|
| James Fargo | Beth Paulson |
| Federal Energy Regulatory Commission | U.S. Department of Agriculture, Forest Service |
| Office of Energy Projects | Eldorado National Forest |
| 888 First Street, NE | 100 Forni Road |
| Washington, DC 20426 | Placerville, CA 95667 |
| (202) 502-6095 | (530) 642-5174 |
- f. Transmittal: This draft environmental impact statement prepared by the Commission's and the Forest Service staff on the hydroelectric license application filed by Sacramento Municipal Utility District and Pacific Gas and Electric Company for the existing UARP and Chili Bar Project (FERC Project Nos. 2101 and 2155) is being made available to the public on or about September 21, 2007, as required by the National Environmental Policy Act of 1969¹

¹National Environmental Policy Act of 1969, amended (Pub. L. 91-190. 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, §4(b), September 13, 1982).

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FOREWORD

The Federal Energy Regulatory Commission (Commission), pursuant to the Federal Power Act (FPA)² and the U.S. Department of Energy Organization Act³ is authorized to issue licenses for up to 50 years for the construction and operation of non-federal hydroelectric development subject to its jurisdiction, on the necessary conditions:

That the project...shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water-power development, for the adequate protection, mitigation, and enhancement of fish and wildlife (including related spawning grounds and habitat), and for other beneficial public uses, including irrigation, flood control, water supply, and recreational and other purposes referred to in section 4(e)...⁴

The Commission may require such other conditions not inconsistent with the FPA as may be found necessary to provide for the various public interests to be served by the project.⁵ Compliance with such conditions during the licensing period is required. The Commission's Rules of Practice and Procedure allow any person objecting to a licensee's compliance or noncompliance with such conditions to file a complaint noting the basis for such objection for the Commission's consideration.⁶

²16 U.S.C. §791(a)-825r, as amended by the Electric Consumers Protection Act of 1986, Public Law 99-495 (1986) and the Energy Policy Act of 1992, Public Law 102-486 (1992).

³Public Law 95-91, 91 Stat. 556 (1977).

⁴16 U.S.C. §803(a).

⁵16 U.S.C. §803(g).

⁶18 C.F.R. §385.206 (1987).

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