

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



December 20, 2017

Honorable Kevin McIntyre
Chairman
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

FERC Project No. 2100 – Request for Issuance of New License

Dear Mr. McIntyre:

The purpose of this letter is to respectfully request that the Federal Energy Regulatory Commission (Commission) issue the new license for the continued operation of the California Department of Water Resources' (DWR) Oroville Facilities. This license will allow the state to move forward with \$1 billion in investments for long-sought environmental and recreational improvements for the region—identified in the March 2006 comprehensive Settlement Agreement—including the Lower Feather River Habitat Improvement Plan and extensive recreation improvements included in the 2006 Recreation Management Plan. These improvements include new floating campsites, improved lake and river access, additional trails and boat launch facilities, and more. Fifty-one parties signed the Agreement which balances all the various interests of the parties and addresses water supply, power generation, recreation, and fish and wildlife protection.

The National Marine Fisheries Service issued its final Biological Opinion in December 2016, clearing the way for the Commission to issue the license. Shortly thereafter, however, changes at the Commission left it without a quorum and thus unable to approve the new license. Now, with the quorum restored, the time is ripe for the Commission to act so these important projects can move forward.

These projects are supported by the state and a broad and diverse group of community stakeholders including federal and state resource agencies, local governments, water contractors, tribes, non-governmental organizations, and local residents. While an important purpose of the license is simply to reauthorize the use of the dam for hydroelectric power generation, the benefits of licensure are broader.

Following the wettest January and February in 110 years of hydrologic records, the Oroville spillways sustained major damage earlier this year. Since then, repairing and reconstructing the main flood control spillway in time for the flood control season has been our top priority. Repairs planned for 2017 were successfully completed by the November 1 target date in cooperation with the Commission and the state's Division of Safety of Dams.

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December 20, 2017

Page 2

Some parties, including some Settlement Agreement signatories, have asked the Commission to delay the new license for hydroelectric power because of the February spillway incident. Respectfully, the relicensing of the hydroelectric facility is separate from the Commission's administration of Part 12D dam safety regulations and, while considerable work remains on the spillway repairs in 2018, DWR is eager to move forward with the new license implementation.

Settlement Agreement parties have worked for more than 11 years to get this license approved and allow the state to move forward with significant work that will benefit the community and the state as a whole. All the environmental clearances, studies and other requirements have been met. The last element needed is a majority vote of the Commission. The application is complete and the Commission can now act on the approval. I respectfully request that the Commission do so.

If you have any questions, please do not hesitate to contact me at (916) 653-7007.

Sincerely,

A handwritten signature in black ink, appearing to read 'Grant Davis', with a stylized, cursive script.

Grant Davis
Director

cc: (See attached list.)

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, Northeast
Washington, D.C. 20426

Mr. Frank Blackett
Federal Energy Regulatory Commission
frank.blackett@ferc.gov

Ms. Cindy Messer, Chief Deputy Director
Department of Water Resources
Cindy.Messer@water.ca.gov

Mr. Joel Ledesma, Deputy Director
Department of Water Resources
Joel.Ledesma@water.ca.gov

Mr. Dave Duval, Chief
Department of Water Resources
David.Duval@water.ca.gov

Mr. Eric See, Branch Chief
Department of Water Resources
Eric.See@water.ca.gov

CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C., this 21st day of December, 2017.

/s/ Mealear Tauch
Mealear Tauch
Van Ness Feldman, LLP
1050 Thomas Jefferson Street, NW
Seventh Floor
Washington, DC 20007-3877