

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D.C. 20426

November 25, 2014

OFFICE OF ENERGY PROJECTS

Project No. 12496-002—California
Lassen Lodge Hydroelectric Project
Rugraw, LLC

Neil Manji
Regional Manager
California Department of Fish and Wildlife
601 Locust Street
Redding, CA 96001

Reference: Responses to Additional Study Requests

Dear Mr. Manji:

After reviewing your June 20, 2014 study request, based upon the information below, we are not requiring surveys for breeding yellow-legged frogs.

You noted in your comments on the final license application that California Fish and Wildlife staff has observed adult foothill yellow-legged frogs in the proposed bypassed reach on multiple occasions. You believe that operation of the project has the potential to adversely affect foothill yellow-legged frogs by scouring or stranding egg masses but note that no effects analysis is included in the application. You requested that the Commission require the applicant to conduct surveys for basic baseline information and an analysis to determine potential effects.

To avoid potential construction-related impacts to the frog, Rugraw (applicant) proposes to avoid in-water work and/or construction in riparian areas during the time that egg masses of the frog are present (typically mid-April through mid-May). The applicant also proposes to conduct preconstruction surveys for juvenile and adult foothill yellow-legged frogs immediately prior to construction if in-water work would occur during the breeding season (mid-March to August, depending on local water conditions). If egg masses are found, the applicant would delay construction until eggs have hatched. If juveniles or adults are found within the project reach or 500 feet downstream, the applicant proposes to relocate them outside of the project area (e.g., outside of the area of impact, immediately upstream of the project area).

With regard to future project operations, although some adult frogs have been identified, no evidence of breeding foothill yellow-legged frogs has been detected in the project area during numerous aquatic surveys, including surveys for California red-legged frogs in 1998 and 2012 or during 2013 terrestrial surveys or numerous aquatic surveys. The nearest known breeding location is about 5 miles downstream of the project.

Based on the above, we conclude that we have the necessary information for our environmental analysis of the project.

Because you did not include study methods or explain why the study objectives cannot be achieved using the data already available as required by Section 4.32(b)(7) of the Commission's regulations, we are not requiring this study. Further, you did not explain why this request was not made during the pre-filing consultation process or show good cause why its request should be considered by the Commission as required by our regulations [Section 4.32(b)(7)].

If you have any questions, please contact Adam Beeco at (202) 502-8655 or via email at: adam.beeco@ferc.gov.

Sincerely,

Timothy J. Welch, Chief
West Branch
Division of Hydropower Licensing

cc: Mailing List
Public File
Rugraw, LLC