

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 1962-191--California
Rock Creek-Cresta Hydroelectric Project
Pacific Gas and Electric Company

May 18, 2021

VIA FERC Service

Jan Nimick, Vice President,
Pacific Gas and Electric Company
245 Market Street, Mail Code N11E
San Francisco, CA 94105

Subject: Water Temperature Report Plan and Schedule – Article 401 and Condition 4.D.

Dear Mr. Nimick:

This letter acknowledges receipt of your Water Temperature Report Plan and Schedule, filed April 1, 2021, for the Rock Creek-Cresta Project No. 1962. On December 22, 2020, the Federal Energy Regulatory Commission (Commission) granted to Pacific Gas and Electric (PG&E) an extension of time, to December 31, 2022, to file the water temperature report for the project, also known as an Additional Reasonable Control Measures Report (Control Measures Report).¹ The Control Measures Report is required to evaluate whether mean daily temperatures of 20°C or less have been and will be achieved in the Rock Creek and Cresta reaches, and if not, whether additional reasonable control measures are available. The Control Measures Report is required to include recommendations for the implementation of any such measures. The Commission’s December 2020 order approving the extension required PG&E to file a plan and schedule to complete the Control Measures Report, developed in consultation with the U.S. Forest Service and the project’s Ecological Resources Committee.

The Control Measures Report is required by Article 401 and Forest Service Condition No. 4.D from the Appendix of the Order Approving Settlement and Issuing

¹ Order Granting Extension of Time for Water Temperature Report Under Article 401 and Condition 4.D.

New License for the Rock Creek-Cresta Project,² as well as ordering paragraph (D) of the Commission's Order Modifying and Approving Water Temperature Monitoring Plan Under Article 401.³ The extension of time was necessary because a license has not yet been issued for the upstream Upper North Fork Feather River (UNFFR) Project No. 2105, and temperatures in the river reaches to be addressed by the Control Measures Report are determined by the flow regimes of the UNFFR project.

According to your filing, PG&E agreed to additional consultation meetings with the ERC and the Forest Service beyond the currently scheduled meetings. The schedule is dependent upon the Commission issuing a license for the UNFFR project prior to March of 2022. If the UNFFR project license is not issued by then, PG&E may seek to revise the schedule in consultation with the ERC and Forest Service, and file an extension of time request with the Commission.

Pacific Gas and Electric Company began implementing an Interim Reasonable Control Measures Plan in 2012 and will continue to implement those measures until measures in the final Control Measures Report are implemented.

Your plan and schedule is as follows:

- (1) Continue to collect and analyze data and assess temperatures in the Rock Creek and Cresta reaches and throughout the Upper North Fork Feather River consistent with the FERC Project No. 1962 project license.
- (2) When a FERC license is issued for UNFFR, PG&E will implement new required flows and evaluate whether: (i) the mean daily temperature objective of 20° C or less is being met in the Rock Creek and Cresta reaches; and (ii) evaluate whether monitoring under the new UNFFR license requirements provides additional insight on the adequacy of the existing Rock Creek – Cresta interim temperature control measures and determine if there is a need for changes to interim temperature control measures.
- (3) **By May 31, 2021**, compile existing water temperature, streamflow, meteorological monitoring data (2001-present) and provide to the ERC and Forest Service for discussion and joint review.
- (4) Review modeling results from relevant models for use in evaluation of potential reasonable control measures.
 - a. **By July 31, 2021**, report out on results from relevant modeling efforts pertaining to the Rock Creek and Cresta reaches including but not limited to those pursuant to Forest Service Condition No. 4.C from the

² 97 FERC ¶ 61,084, issued October 24, 2001.

³ 102 FERC ¶ 62,136, issued February 28, 2003.

Appendix of the Order Approving Settlement and Issuing New License for the Rock Creek-Cresta Project (FERC No. 1962) and Section I.3 from the Rock Creek-Cresta Settlement Agreement (December 2000).

- b. **By September 30, 2021**, complete review of results from relevant models.
- (5) **By November 30, 2021**, discuss and seek agreement on the factors that are controllable, if any, for improving June through September water temperatures in the Rock Creek and Cresta reaches, with the goal of achieving mean daily temperatures of 20° C or less.
- (6) Within the timeframe defined by this plan and schedule, discuss potential reasonable control measures and evaluate economic considerations.
- (7) **By October 15, 2022**, provide a Draft Report to the ERC and Forest Service. The Draft Report will include any new water temperature data, and, if identified, any recommended reasonable control measures, to reduce June through September water temperatures in the Rock Creek and Cresta reaches. In collaboration of the draft report, PG&E will respond or address comments from the ERC and Forest Service.
- (8) **By December 31, 2022**, PG&E will respond to comments from the ERC and Forest Service, and after approval by the Forest Service, file the Final Report with the FERC.

You provided your draft plan and schedule to the Forest Service and ERC on February 19, 2021. The Forest Service and some members of the ERC provided edits on March 4, 2021. The ERC members who provided comments were California Department of Fish and Wildlife, State Water Resources Control Board, U.S. Fish and Wildlife Service, California Sportfishing Protection Alliance, American Whitewater and Plumas County. Comments and edits were discussed during consultation meetings on March 15 and 17, 2021. You received final comments from the Forest Service, and the ERC members listed above on March 22, 2021.

The Forest Service and ERC recommended that the final plan and schedule include discussion on options and use of the Coldwater Habitat and Fishery Mitigation Enhancement Fund (Condition 1.E.). PG&E stated that the appropriate time to discuss this fund is after the control measures are identified, as it is unknown if these measures are needed or what they would be, therefore discussion is premature. However, PG&E encourages discussion on how to use the fund outside of Condition 4.D, and PG&E intends to add a recurring agency item to future ERC meetings to discuss the fund. The Forest Service and ERC recommended that the schedule also include an update of the economic analysis for PG&E's projects in the North Fork Feather River, to determine whether measures are reasonable. PG&E stated that limiting the focus on power valuation may omit other economic impacts such as those requested by Plumas County.

Commission staff find these responses reasonable. All other comments were incorporated into the plan and schedule.

Your plan and schedule to complete your Control Measures Report, pursuant to Article 401 and Condition 4.D is acceptable. We look forward to the report, due December 31, 2022 per the Commission's December 22, 2020 Order Granting Extension of Time.

Thank you for your cooperation. If you have any questions regarding this matter, please contact me at (202) 502-8171 or andrea.claros@ferc.gov.

Sincerely,

Andrea Claros
Aquatic Resources Branch
Division of Hydropower Administration
and Compliance