

**NOTICE OF AVAILABILITY FOR NOTICE OF INTENT TO RELY  
ON FERC FINAL ENVIRONMENTAL IMPACT STATEMENT, WITH  
MANDATORY CONDITIONS, IN COMBINATION WITH A  
SUPPLEMENTAL ANALYSIS, TO SATISFY CEQA FOR THE YUBA-  
BEAR RIVER HYDROELECTRIC PROJECT**

The Nevada Irrigation District (NID) owns and operates the Yuba-Bear Hydroelectric Project. NID operates and maintains the project pursuant to the license issued by the Federal Energy Regulatory Commission (FERC or Commission) (FERC Project No. 2266) under the Federal Power Act (FPA). This multi-purpose project provides flood control in the Middle Yuba, South Yuba, and Bear rivers; helps to meet NID and Placer County Water Agency (PCWA) water demands; improves recreation and enhances environmental resources in the Middle Yuba, South Yuba, and Bear rivers; and provides clean, renewable energy to California.

To continue operation and maintenance of the project, NID must obtain a new federal license from FERC. NID has applied to FERC for a license with a 50-year term, and FERC has issued, in compliance with the National Environmental Policy Act (NEPA), a final environmental impact statement (FEIS) that contains FERC staff's recommendation with mandatory conditions for terms to be included in the new license. Once FERC issues the new license, NID may operate and maintain the project consistent with the terms and conditions in the new license, contest the new license by seeking rehearing before FERC, or reject the license.

NID is a local government agency and subject to the requirements of the California Environmental Quality Act (CEQA). NID is the CEQA lead agency for acceptance of the new license because it will carry out and implement the terms and conditions in the new license (CEQA Guidelines Section 15051). This notice of availability (NOA) is to inform Native American Tribes, CEQA responsible and trustee agencies, and other interested parties about NID's intention to prepare a CEQA Supplemental Analysis to FERC's FEIS, which will follow the general CEQA Initial Study format (i.e., Appendix G of the CEQA Guidelines).

This NOA, consistent with CEQA guidelines, starts a 30-calendar day review period of the Notice of Intent (NOI). Any Native American Tribal Members, responsible and trustee agencies, involved federal agencies, interest groups, and members of the public are invited to provide input on the NOI and MID's intent to prepare a CEQA Relicensing Supplemental Analysis (in form of Initial Study). All input received will be documented and considered in the development of the Supplemental Analysis, anticipated to be completed this fall.

**PUBLIC REVIEW & COMMENT PERIOD:** June 26 to 5:00 p.m., July 25, 2024

## **1.0 PROJECT OVERVIEW**

For the **Yuba-Bear Hydroelectric Project**, NID will need to decide whether to accept the new FERC license. In accepting a new license, NID would:

- Continue to operate, maintain, and manage the existing Yuba-Bear Hydroelectric Project facilities.
- Remove from licensed facilities a segment of Chicago Park Forebay Road and the unnamed recreation road that provides access to the Jackson Meadows administrative site.
- Construct a new proposed powerhouse (the Rollins upgrade) that would be within the existing FERC Project Boundary on NID-owned land adjacent to the existing Rollins Powerhouse.
- Construct and rehabilitate existing facilities at the following recreation areas: Jackson Meadows reservoir, Milton diversion impoundment, Bowman Lake, Sawmill Lake, Canyon Creek, Dutch Flat No. 2 forebay, and Dutch Flat afterbay.
- Make minor modifications to the existing FERC Project Boundary.
- Implement the other terms and conditions in the new license.

In the FEIS's conclusion, FERC staff selected the FERC Staff Alternative with all mandatory conditions as the preferred alternative. FERC staff also recognized that the FERC license must include: 1) any mandatory conditions submitted by Forest Service and Bureau of Land Management pursuant to FPA Section 4(e) that meet the FPA requirements; and 2) any conditions included in a final, valid, and timely WQC issued by the State Water Resources Control Board (SWRCB) under Clean Water Act Section 401. Therefore, the FERC preferred alternative, combined with all other mandatory conditions, will be carried through the CEQA Supplemental Analysis as the proposed Project.

## **2.0 POTENTIAL ENVIRONMENTAL IMPACTS**

NID intends to prepare a CEQA Supplemental Analysis pursuant to Section 15221(b) to add and supplement, among other things, the following CEQA considerations that were not addressed or fully covered in the FEIS: 1) air quality effects; 2) noise effects; 3) climate change; 4) a program for monitoring or reporting on mitigation measures; 5) Native American tribe consultation, including outreach requirements required by Public Resources Code Section 21080.3.1 (adopted by Assembly Bill 52); 6) growth-inducing impacts of the Proposed Project; and 7) assessing and incorporating into the Proposed Project any revisions to USFWS conservation measures that have occurred post-FEIS, as well as Forest Service and BLM plan development measures that were defined post-FEIS. While preparing the Supplemental Analysis, NID may identify other CEQA considerations that will be included. Given the inclusion of all FERC-approved mandatory conditions presented by Forest Service, BLM and USFWS, it is assumed that there will be no unmitigable impacts resulting from the proposed Project construction and operations; therefore,

no alternatives to the proposed Project will be carried through the CEQA analysis (as would be the case in completing an Initial Study/Negative Declaration or Initial Study/Mitigated Negative Declaration CEQA process).

### 3.0 CEQA NOTIFICATIONS

NID has prepared and is distributing this NOA to give notice to Native American Tribes and interested agencies and parties of its intent to rely on the FEIS for the NID relicensing, in combination with a supplemental analysis (in the format of an IS, using Appendix G of the CEQA guidelines as a template) to be prepared by NID, to meet the requirements of CEQA in accordance with Public Resources Code section 21083.7 and CEQA Guidelines sections 15221 and 15225. NID is providing this NOA by: 1) uploading an NOI and this NOA to the Governor's Office of Planning and Research, State Clearinghouse Unit, via CEQA Submit for publication to CEQAnet; 2) emailing the NOA to Native American Tribes, responsible agencies, trustee agencies, counties, and other interested parties; 3) posting the NOA at County Clerk offices for Sierra, Nevada, and Placer counties; and (4) posting the NOA and NOI on the NID website for public access.

At release of the CEQA Supplemental Study, NID will be providing notice by: 1) uploading filing documentation and CEQA Supplemental Study (IS) to the Governor's Office of Planning and Research, State Clearinghouse Unit, via CEQA Submit for publication to CEQAnet; 2) emailing the NOA to Native American Tribes, responsible agencies, trustee agencies, counties, and other interested parties; 3) posting an NOA at County Clerk offices for Sierra, Nevada, and Placer counties, (4) posting the supplemental study (Initial Study) and NOA on the NID website, and (5) publishing the NOA in county newspapers of general circulation in the area affected by the proposed project.

### 4.0 SUBMITTING COMMENTS

The *NOTICE OF INTENT TO RELY ON FERC FINAL ENVIRONMENTAL IMPACT STATEMENT, WITH MANDATORY CONDITIONS, IN COMBINATION WITH A SUPPLEMENTAL ANALYSIS, TO SATISFY CEQA FOR THE YUBA-BEAR HYDROELECTRIC PROJECT RELICENSING* is available for public review at <https://www.nidwater.com/yuba-bear-project> and at the Governor's Office of Planning and Research, State Clearinghouse Unit, via CEQAnet. Given this is not an EIR process, no public meetings will be held at the release of NOI or upon release of Supplemental Analysis documentation. Submission of comments are invited from all Native American Tribal members and interested parties until **5:00 p.m. PDT on July 25, 2024**. Comments can be submitted via email to Nevada Irrigation District [stepaniank@nidwater.com](mailto:stepaniank@nidwater.com) or via mail post to Nevada Irrigation District, attention: Kris Stepanian, Board Secretary, at 1036 W Main Street, Grass Valley, CA 95945.

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