Conservation Groups’ Comments Regarding Request to Use Traditional Licensing Process

On January 29, 2014, Turlock Irrigation District and Modesto Irrigation District (collectively, Districts) submitted a Pre-Application Document (PAD) for the original licensing of their La Grange Hydroelectric Project (P-14581). eLibrary no. 20140129-5254. In the cover letter and Section 2.2.1 of the PAD, the Districts requested Federal Regulatory Energy Commission (FERC) approval for use of the Traditional Licensing Process (TLP), rather than the default Integrated Licensing Process (ILP).

On February 24, 2014, the Districts convened a meeting to discuss process selection with stakeholders. On February 26, 2014, the Districts requested an extension of time for stakeholders to file comments on the request for use of the TLP. eLibrary no. 20140226-5134. On February 28, 2014, the Office of Energy Projects (OEP) extended the deadline for filing comments on the Districts’ request for use of the TLP to March 21, 2014. eLibrary no. 20140228-3010. OEP noted, “section 5.3(c)(1)(i) of the Commission’s regulations require you to include a justification for a request to use the TLP. Your TLP request did not include the necessary justification.”

Conservation Groups¹ request use of the ILP for the original licensing. We agree that the Districts have not demonstrated that the TLP is the superior process according to the criteria listed under 18 C.F.R. § 5.3(c)(1)(ii). For example, we believe the ILP’s procedures for early stakeholder and OEP Staff involvement will contribute to the efficient and collaborative resolution of complex resource issues like fish passage, which have the potential to be controversial. See 18 C.F.R. § 5.3(c)(1)(ii)(B), (C), and (E).

We request that you add the undersigned to the service list compiled for this proceeding and that the Districts note the undersigned as the designated contacts requested in Section 2.3.1 of the PAD. We appreciate the Districts’ efforts to reach consensus among stakeholders for the process selection by holding the meeting and requesting additional time to comment.

¹ American Rivers, American Whitewater, the California Sportfishing Protection Alliance, California Trout, Central Sierra Environmental Resource Center, Friends of the River, Golden West Women Flyfishers, Northern California Council Federation of Fly Fishers, Trout Unlimited, and Tuolumne River Trust.
Dated: March 21, 2014

Respectfully submitted,

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Conservation Groups’ Comments re Licensing Process
TID/MID La Grange Project (P-14581)
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CERTIFICATE OF SERVICE

La Grange Hydroelectric Project (UL11-1-000, P-14581)

I, Nicholas Niiro, hereby certify that I have this day served the foregoing document, “Conservation Groups’ Comments Regarding Request to Use Traditional Licensing Process,” by electronic mail on each person with an email address designated on the official service lists compiled by the Secretary in the UL11-1-000 and P-14581-000 dockets.

Dated: March 21, 2014

By:

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