

Appendix C
ILP Schedule

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APPENDIX C

ILP SCHEDULE

Process Plan and Schedule for DWR's Devil Canyon Project Relicensing Using the ILP Based on Filing the NOI and PAD on August 1, 2016

ILP				
Subsection(s)	Lead	Activity ¹	Timeframe (Start and Finish) ^{2,3}	
18 CFR § 5.5. NOTIFICATION OF INTENT				
(a)-(g)	DWR	File NOI to file an application for a new license and request for nonfederal representative status under § 7 of the ESA and § 106 of the NHPA. <i>(No earlier than 5.5 years and no later than 5 years prior to expiration of the current license)</i>	8/1/16 (Monday)	
18 CFR § 5.6. PRE-APPLICATION DOCUMENT				
(a)-(e)	DWR	File PAD. <i>(No earlier than 5.5 years and no later than 5 years prior to expiration of current license)</i>	8/1/16 (Monday)	
18 CFR § 5.7. TRIBAL CONSULTATION				
--	FERC	Hold meeting with potentially affected Native American tribes. <i>(No later than 30 days from date NOI and PAD filed)</i>	8/2/16 (Tuesday)	8/31/16 (Wednesday)
18 CFR § 5.8. NOTICE OF COMMENCEMENT OF PROCEEDING, DECISION ON USE OF TLP, AND INITIATION OF ESA AND NHPA INFORMAL CONSULTATION				
(a)	FERC	Issue NCP and decision regarding DWR's request to use TLP. <i>(No later than 60 days from date NOI and PAD filed)</i>	8/2/16 (Tuesday)	9/30/16 (Friday)
(b)	FERC	Request initiation of informal consultation under § 7 of the ESA and/or § 106 of the NHPA, if appropriate. <i>(No later than 60 days from date NOI and PAD filed)</i>	8/2/16 (Tuesday)	9/30/16 (Friday)
18 CFR § 5.8. ISSUE SCOPING DOCUMENT 1				
(c)	FERC	Issue SD1. <i>(No later than 60 days from date NOI and PAD filed)</i>	8/2/16 (Tuesday)	9/30/16 (Friday)
18 CFR § 5.8. HOLD NEPA SCOPING MEETING AND SITE VISIT				
(e)	FERC	Post notice of NEPA scoping meeting in Federal Register and local newspapers. <i>(No later than 30 days from date NCP issued)</i>	10/1/16 (Saturday)	10/31/16 (Monday)

Process Plan and Schedule for DWR's Devil Canyon Project Relicensing Using the ILP Based on Filing the NOI and PAD on August 1, 2016 (continued)

ILP				
Subsection(s)	Lead	Activity ¹	Timeframe (Start and Finish) ^{2,3}	
(e)	FERC	Notify agencies, tribes, and nongovernmental organizations by mail of scoping meeting. <i>(No later than 30 days from date NCP issued)</i>	10/1/16 (Saturday)	10/31/16 (Monday)
(d)	FERC	Hold NEPA scoping meeting and conduct site visit. <i>(No later than 30 days from date NCP issued)</i>	10/1/16 (Saturday)	10/31/16 (Monday)
(d)	Relicensing Participants	Resource agencies, tribes, and members of public may attend joint meeting to identify issues for NEPA scoping and preliminary study needs, and discuss process plan, schedule, and cooperating agency statuses. <i>(No earlier than 30 days but no later than 60 days from date NCP issued)</i>	10/1/16 (Saturday)	10/31/16 (Monday)
--	FERC	Post an audio recording or written transcript of the NEPA scoping meeting(s) on ELibrary.	--	--
18 CFR § 5.9. COMMENTS AND INFORMATION OR STUDY REQUESTS				
(a)	DWR & Relicensing Participants	File comments on PAD and SD1, and request studies. <i>(No later than 60 days from date NCP issued)</i>	10/1/16 (Saturday)	11/29/16 (Tuesday)
18 CFR § 5.10. SCOPING DOCUMENT 2				
--	FERC	Issue SD2. <i>(No later than 45 days from end of PAD and SD1 comment period)</i>	11/30/16 (Wednesday)	1/13/17 (Friday)
18 CFR § 5.11. APPLICANT'S PROPOSED STUDY PLAN AND STUDY PLAN MEETINGS				
(a)	DWR	File Proposed Study Plan. <i>(No later than 45 days from end of PAD and SD1 comment period)</i>	11/30/16 (Wednesday)	1/13/17 (Friday)
(e)	DWR	Hold Proposed Study Plan meeting. <i>(No later than 30 days after date Proposed Study Plan filed)</i>	1/14/17 (Saturday)	2/13/17 (Monday)
18 CFR § 5.12. COMMENTS ON PROPOSED STUDY PLAN				
--	Relicensing Participants	File comments on Proposed Study Plan. <i>(No later than 90 days after date Proposed Study Plan filed)</i>	1/14/17 (Saturday)	4/13/17 (Thursday)
18 CFR § 5.13. REVISED STUDY PLAN AND STUDY PLAN DETERMINATION				
(a)	DWR	File Revised Study Plan. <i>(No later than 30 days from date Proposed Study Plan comment period ends)</i>	4/14/17 (Friday)	5/15/17 (Monday)
(b)	Relicensing Participants	File comments on Revised Study Plan. <i>(No later than 15 days from date Revised Study Plan is filed)</i>	5/18/17 (Thursday)	5/30/17 (Tuesday)
(c)	FERC	Issue Study Plan Determination. <i>(No later than 30 days from date Revised Study Plan is filed)</i>	5/18/17 (Thursday)	6/14/17 (Wednesday)

Process Plan and Schedule for DWR's Devil Canyon Project Relicensing Using the ILP Based on Filing the NOI and PAD on August 1, 2016 (continued)

ILP				
Subsection(s)	Lead	Activity ¹	Timeframe (Start and Finish) ^{2,3}	
(d)	FERC	Revised Study Plan approved. (20 th day after FERC Determination if no study plan disputes filed)	7/5/17 (Wednesday)	
18 CFR § 5.14. FORMAL STUDY DISPUTE RESOLUTION PROCESS				
(a)	Mandatory Conditioning Agencies and Tribes	File NOD. (No later than 20 days from date FERC Determination issued)	6/14/17 (Wednesday)	7/5/17 (Wednesday)
(d)	FERC	Convene Dispute Resolution Panel (No later than 20 days from date NOD filed)	7/6/17 (Friday)	7/25/17 (Tuesday)
(i)	DWR and Relicensing Participants	File comments on NOD. (No later than 25 days of date NOD filed)	7/6/17 (Friday)	7/31/17 (Monday)
(k)	Dispute Resolution Panel (DRP)	Deliver to FERC finding on NOD. (No later than 50 days of date NOD filed)	7/6/17 (Friday)	8/24/17 (Thursday)
(l)	FERC	Director of Office of Energy Projects issues written determination regarding NOD. (No later than 70 days of date NOD filed)	7/6/17 (Friday)	9/13/17 (Wednesday)
18 CFR § 5.15. CONDUCT STUDIES				
(a)	DWR	Conduct studies.	6/15/17 (Thursday) ⁴	1/31/20 (Friday) ⁴
(b)	DWR	File periodic progress reports.	FERC determines frequency	
(c)(1)	DWR	File Initial Study Report. (No later than 1 year after FERC's approval of Revised Study Plan)	6/15/17 (Thursday)	6/14/18 (Thursday)
(c)(2)	DWR	Hold Initial Study Report meeting. (No later than 15 days of date Initial Study Report filed)	6/15/18 (Friday)	6/29/18 (Friday)
(c)(3)	DWR	File Initial Study Report meeting summary, including proposed plan modifications and new studies. (No later than 15 days after Initial Study Report meeting)	6/30/18 (Saturday)	7/16/18 (Monday)
(c)(7)	FERC	Approval of meeting summary and study plan modifications if no disagreements filed. (30 th day after meeting summary filed)	8/15/18 (Wednesday)	
(c)(4)	Relicensing Participants	File disagreements with meeting summary, including DWR's proposed study plan modifications and new studies. (No later than 30 days after Initial Study Report meeting summary filed)	7/17/18 (Tuesday)	8/15/18 (Wednesday)

Process Plan and Schedule for DWR's Devil Canyon Project Relicensing Using the ILP Based on Filing the NOI and PAD on August 1, 2016 (continued)

ILP				
Subsection(s)	Lead	Activity ¹	Timeframe (Start and Finish) ^{2,3}	
(c)(5)	DWR & Relicensing Participants	File responses to disagreements. <i>(No later than 30 days after disagreement period ends)</i>	8/16/18 (Thursday)	9/14/18 (Friday)
(c)(6)	FERC	Resolve disagreement and amend study plan. <i>(No later than 30 days after response to disagreements period ends)</i>	9/15/18 (Saturday)	10/15/18 (Monday)
(f)	DWR	File Updated Study Report, including election of DWR to file a DLA rather than a PLP, if DWR chose to do so.	6/15/18 (Friday)	6/14/19 (Friday)
(c)(2)	DWR	Hold Updated Study Report meeting. <i>(No later than 15 days from date Updated Study Report filed)</i>	6/15/19 (Saturday)	7/1/19 (Monday)
(c)(3)	DWR	File Updated Study Plan meeting summary, including DWR's proposed study plan modifications and new studies. <i>(No later than 15 days after Updated Study Report meeting)</i>	7/2/19 (Tuesday)	7/16/19 (Tuesday)
(c)(7)	FERC	Approve meeting summary and study plan modifications if no disagreements filed. <i>(No later than 30 days after meeting summary filed)</i>	8/15/19 (Thursday)	
(c)(4)	Relicensing Participants	File disagreements with meeting summary, proposed study modifications, and new studies. <i>(No later than 30 days after Updated Study Report meeting summary filed)</i>	7/17/19 (Wednesday)	8/15/19 (Thursday)
(c)(5)	DWR & Relicensing Participants	File responses to disagreements. <i>(No later than 30 days after disagreement period ends)</i>	8/16/19 (Friday)	9/16/19 (Monday)
(c)(6)	FERC	Resolve disagreements and amend study plan. <i>(No later than 30 days after responses to disagreements period ends)</i>	9/17/19 (Tuesday)	10/16/19 (Wednesday)
18 CFR § 5.16. PRELIMINARY LICENSING PROPOSAL OR DRAFT LICENSE APPLICATION				
(a)-(d)	DWR	File PLP or DLA. <i>(No less than 150 days prior to deadline for filing license application)⁸</i>	9/3/19 (Tuesday)	
(e)	Relicensing Participants	File comments on PLP/DLA. <i>(No later than 90 days of date PLP or DLA filed)</i>	9/4/19 (Wednesday)	12/2/19 (Monday)

Process Plan and Schedule for DWR’s Devil Canyon Project Relicensing Using the ILP Based on Filing the NOI and PAD on August 1, 2016 (continued)

ILP				
Subsection(s)	Lead	Activity ¹	Timeframe (Start and Finish) ^{2,3}	
			(a)	DWR

¹The activity description is a good faith effort to summarize the pertinent regulation. The reader is encouraged to read the specific regulation.

²When an activity is contingent on completion of a previous activity, the schedule assumes the previous activity is completed the latest date possible for that previous activity, unless otherwise indicated.

³According to 18 CFR Section 385.2007(a)(2), if a filing date falls on a Saturday, Sunday, or federal legal public holiday, the deadline for filing becomes the next business day. The schedule includes this consideration.

⁴The ILP schedule assumes that studies begin when FERC issues its Study Determination and may continue for 2 years or more.

- Key:
- DLA = Draft License Application
 - DWR = California Department of Water Resources
 - ESA = Endangered Species Act
 - FERC = Federal Energy Regulatory Commission
 - FLA = Final License Application
 - ILP = Integrated Licensing Process
 - NCP = Notice of Commencement of Proceeding
 - NEPA = National Environmental Policy Act
 - NHPA = National Historic Preservation Act
 - NOD = Notice of Dispute
 - NOI = Notice of Intent
 - PAD = Pre-Application Document
 - PLP = Preliminary Licensing Proposal
 - SD1 = Scoping Document 1
 - SD2 = Scoping Document 2
 - TLP = Traditional Licensing Process

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