

6.0 RELEVANT COMPREHENSIVE WATERWAY PLANS

Section 10(a)(2)(A) of the FPA requires FERC to consider in relicensing the extent to which a project is consistent with federal and State comprehensive plans for improving, developing, or conserving waterways affected by the project. Specifically, on April 27, 1988, FERC issued Order No. 481-A revising Order No. 481, issued October 26, 1987, establishing that FERC will give FPA Section 10(a)(2)(A) comprehensive plan status to any federal or State plan that meets all three of the following criteria: (1) it is a comprehensive study of one or more of the beneficial uses of a waterway or waterways; (2) it specifies the standards, the data, and the methodology used to develop the plan; and (3) it is filed with FERC. Such plans are sometimes referred to as “Qualifying Plans.”

A review of FERC’s December 2014 Revised List of Comprehensive Plans (<http://www.ferc.gov/industries/hydropower/gen-info/licensing/complan.pdf>) shows that FERC has listed under Section 10(a), 76 comprehensive plans for the State. DWR reviewed the list and concluded that 19 of the plans may pertain to the Project relicensing. Each of these plans is described below with the specific reference given, and in the order in which they appear in FERC’s December 2014 Revised List of Comprehensive Plans with the specific reference given. Any recommendations in the Plan specific to the Project or Project area are noted.

California Department of Fish and Game. U.S. Fish and Wildlife Service. 2010. Final Hatchery and Stocking Program Environmental Impact Report/Environmental Impact Statement. Sacramento, California. January 2010.

This jointly prepared document considers the environmental effects of several alternative hatchery management schemes that would direct management of federal and State hatcheries and related stocking programs and associated activities in California. The preferred alternative will allow CDFW to continue stocking fish for the express purposes of providing recreational opportunities to anglers. This alternative provides a mechanism for CDFW to implement guidelines that will allow for the protection of native species by identifying those species prior to continuing stocking. The pre-stocking evaluation protocol includes steps to provide for restoration of native species in those areas where stocking is not consistent with CDFW’s goals to manage and protect multiple species. This alternative also provides a mechanism for continuing to improve the management of CDFW-operated anadromous hatcheries to minimize impacts on salmon and steelhead, as well as other native species. The alternative includes steps to reduce impacts from the private stocking permit program by eliminating permit exclusions and requiring certification for hatchery operations as well as by providing for species surveys at planting locations. This is also the USFWS preferred alternative, and is the NEPA Environmentally Preferable Alternative. The plan does not include any specific recommendations regarding the surface waters in the vicinity of the Project.

California Department of Fish and Game. 2007. California Wildlife: Conservation Challenges, California's Wildlife Action Plan. Sacramento, California. 2007.

In response to the State Wildlife Grant Program enacted by Congress in 2000, CDFW partnered with the Wildlife Health Center at the University of California Davis to develop California's Wildlife Action Plan, entitled California Wildlife Conservation Challenges. California's Wildlife Action Plan is directed at answering three primary questions:

- What are the species and habitats of greatest conservation need?
- What are the major stressors affecting California's native wildlife and habitats?
- What are the actions needed to restore and conserve California's wildlife, thereby reducing the likelihood that more species will approach the condition of threatened or endangered?

The document concludes that CDFW's species of special concern have the greatest need of conservation; this "Special Animals List" consists of 140 avian species, 127 mammals, 102 fishes, 43 reptiles, 40 amphibians and 365 invertebrates. It also concludes that in California's nine bioregions—Mojave Desert, Colorado Desert, South Coast, Central Coast, North Coast-Klamath, Modoc Plateau, Sierra Nevada and Cascades, Central Valley and Bay-Delta, and Marine Region—the major stressors to California's native wildlife and habitats consist of growth and development, water management conflicts, invasive species and climate change. And last, with respect to actions needed to restore and conserve California's wildlife, 11 statewide conservation actions were recommended, as well as specific conservation actions for each of the 9 regions in California, including the Sierra Nevada bioregion where the Project is located.

California Department of Fish and Game. 2003. Strategic Plan for Trout Management: A Plan for 2004 and Beyond. Sacramento, California. November 2003.

This Plan identifies key issues and concerns relative to trout resources and fisheries in California, and develops goals and strategies that will address these issues during the next decade. The Plan guides and enables trout managers to meet public trust responsibilities of protecting and maintaining California's heritage of native trout and other aquatic resources; emphasizing the use of sound ecosystem management principles. It provides for diverse angling and recreational opportunities; and encourages increasing the general public's appreciation and awareness of trout and their habitats. The scope of the Plan includes all resident (non-anadromous) forms of salmonids including landlocked steelhead, resident coastal cutthroat trout, and inland salmon. Presently, there are 11 native species or forms of trout in California, and three non-native species of trout. The Plan supports a strategy that calls for an ecosystem (watershed) approach and includes strategies that recognize interactions between trout and other aquatic species. This approach is consistent with an ecosystem management strategy stipulated in the CDFW's department-wide strategic plan. The goals and strategies presented in this Plan have been developed around two themes that reflect the general mission of CDFW: (1) habitat and native species protection and

management; and (2) public use, in this case, recreational angling. The Plan does not include any specific recommendations regarding the surface waters in the vicinity of the Project.

California Department of Fish and Wildlife. 2008. California Aquatic Invasive Species Management Plan. Sacramento, California. January 18, 2008.

This California Aquatic Invasive Species Management Plan was released by CDFW in January 2008. Recreational equipment and activities have been identified as vectors for distributing some AIS and this Plan proposes management actions for addressing AIS threats to the State. It focuses on the non-native algae, crabs, clams, fish, plants and other species that continue to invade California's creeks, wetlands, rivers, bays and coastal waters. The main purpose of the Plan is to coordinate State programs, create a statewide decision-making structure and provide a shared baseline of data and agreed-upon actions so that State agencies may work together more efficiently. In addition, the Plan provides the State's first comprehensive, coordinated effort to prevent new invasions, minimize impacts from established AIS and establish priorities for action statewide. Finally, the Plan supports the State's first rapid response process for high-risk invaders and applies to Silverwood Lake.

California Department of Parks and Recreation. 1998. Public Opinions and Attitudes on Outdoor Recreation in California. Sacramento, California. March 1998.

DPR's SOPA, the most recent version of which is dated 2012, provides information used in the development of the DPR's SCORP. The SOPA identifies: (1) California's attitudes, opinions, and values with respect to outdoor recreation; and (2) demand for, and participation in, 42 selected outdoor recreation activities. Broad generalizations contained in the document include:

- Outdoor recreational areas and facilities are very important to the quality of life of most Californians;
- Californians are fairly well satisfied with the areas and facilities currently available;
- Californians spent approximately 2.2 billion days participating in outdoor recreation activities during 1997;
- Simple and inexpensive activities are engaged in far more than those which require considerable skill and expense;
- Californians do not show a strong willingness to pay for the recreational areas and facilities they use or desire; and
- Californians strongly believe that protection of the natural environment is an important aspect of outdoor recreation.

The Plan does not include any specific recommendations regarding the Project or the area within the Project boundary.

California Department of Parks and Recreation. 1994. California Outdoor Recreation Plan. Sacramento, California. April 1994.

The objectives of DPR's SCORP, the most recent version of which is dated 2015, are to determine outdoor recreation issues that are currently the problems and opportunities most critical in California, and to explore the most appropriate actions by which State, federal and local agencies might address these issues. The SCORP also provides valuable information on the State's recreation policy, code of ethics, and statewide recreation demand, demographic, economic, political and environmental conditions. The Plan lists the following major issues: (1) improving resource stewardship; (2) serving a changing population; (3) responding to limited funding; (4) building strong leadership; (5) improving recreation opportunities through planning and research; (6) responding to the demand for trails; and (7) halting the loss of wetlands. The Plan does not include any specific recommendations regarding the Project or the area within the Project boundary.

California Department of Water Resources. 1983. The California Water Plan: Projected Use and Available Water Supplies to 2010. Bulletin 160-83. Sacramento, California. December 1983.

DWR first published the California Water Plan in 1957. The Plan focused on the quantity and quality of water available to meet the State's water needs, and management actions that could be implemented to improve the State's water supply reliability. Since then, DWR has updated the Plan numerous times, including in 1983 (the reference used in FERC's List of Comprehensive Plans for the California Water Plan) and 1994 (the reference used in FERC's List of Comprehensive Plans for the California Water Plan Update).

California Department of Water Resources. 1994. California Water Plan Update. Bulletin 160-93. Sacramento, California. October 1994. Two Volumes and Executive Summary.

This document is an update to the California Water Plan discussed above.

California State Water Resources Control Board. 1995. Water Quality Control Plan Report. Sacramento, California. Nine Volumes.

This reference is to the first edition of the water quality control plans adopted by the SWRCB pursuant to the CWA. The nine plans, which apply to different areas of California, formally designate existing and potential beneficial uses and water quality objectives. The northern part of the Project lies within the Lahontan RWQCB's planning territory and the southern part is within the Santa Ana RWQCB's territory. Both agencies have issued basin plans, but only the Lahontan Basin Plan identifies designated beneficial uses for surface waters potentially affected by the Project. The SWRCB has amended the water quality control plans a number of times since 1995, with the most recent amendment of the Lahontan Basin Plan in November 2010. Refer

to Section 1.0 for a description of the CWA and to Section 4.1 for a description of designated beneficial uses in the Lahonton Basin Plan.

California - The Resources Agency. 1983. Department of Parks and Recreation. Recreation Needs in California. Sacramento, California. March 1983.

In response to the Roberti-Z'berg Urban Open Space and Recreation Program Act of 1976, the DPR conducted a statewide recreational needs assessment. The report consisted of two major elements: (1) the Recreation Patterns Study that surveyed current participation and projected recreation demand; and (2) the Urban Recreation Case Studies that examined the leisure behavior and needs of seven underserved populations. The purpose of the needs analysis was to: (1) develop statewide recreation planning data; (2) analyze the recreation needs of California's urban residents; and (3) modify project selection criteria used in the administration of grants to local agencies under the Roberti-Z'berg Act. In general, this report is a wide-ranging, programmatic document providing guidance for statewide planning. The plan does not include any specific recommendations regarding the Project or the area within the Project boundary.

Forest Service. 2005. San Bernardino National Forest Land and Resource Management Plan. Department of Agriculture, San Bernardino, California. September 2005.

The Forest and Rangeland Renewable Resources Planning Act (FRRRPA) requires that each national forest prepare an initial forest plan that provides direction for the efficient use and protection of forest resources within their administrative boundaries.

The revised land and resource management plans for the southern California national forests, including the SBNF, describe the strategic direction at the broad program-level for managing the land and its resources. Part 1 is the vision for the southern California national forests. It describes the forests' uniqueness on a national and regional level. It describes the USFS' national goals, the roles and contributions that national forests make, the desired conditions for the various landscapes within the national forests, and evaluation/monitoring indicators used to assess progress made toward accomplishing the desired conditions.

Part 2 is the strategy. It describes the objectives that the USFS intends to implement in order to move the forests toward the vision described in Part 1. The national forests have been subdivided into geographic areas called "places." The Silverwood Place is a landscape consisting of unique desert-influenced and riparian ecosystems, for the Mojave River from Silverwood Lake to Deep Creek. Rapidly growing, high desert urban communities flank the lower reaches, sending visitors in search of leisure opportunities at the Silverwood Lake SRA. Important habitat exists here in the north-facing hillsides for the bald eagle and California spotted owl. Critical habitat for arroyo toad also occurs on Deep Creek.

Part 3 is the design criteria. It includes laws, standards, and other guidance that the Forest Service uses during project planning and implementation.

National Park Service. The Nationwide Rivers Inventory. Department of the Interior, Washington, D.C. 1993.

The Nationwide Rivers Inventory (NRI) is a listing by the NPS of more than 3,400 free-flowing river segments in the United States that are believed to possess one or more “outstandingly remarkable” natural or cultural values judged to be of more than local or regional significance. In addition to these eligibility criteria, river segments are divided into three classifications: Wild, Scenic, and Recreational river areas. Under a 1979 Presidential Directive and related Council on Environmental Quality procedures, all federal agencies must seek to avoid or mitigate actions that would adversely affect one or more NRI segments. Such adverse impacts could alter the river segment’s eligibility for listing and/or alter their classification.

The following river reaches in San Bernardino County have been listed on the NRI:

- An 11-mile reach of the Colorado River from the upper end of Lake Havasu to Interstate Highway 40 crossing was listed in 1982. This pristine stretch of river flows through the scenic Topock Gorge and the Havasu National Wildlife Refuge.
- Four reaches of Deep Creek, totaling 19 miles, were listed as recreation/scenic in 1993.
- Two reaches of Lytle Creek, totaling 8 miles, were listed in 1993. The Middle Fork, from its source with the Cucamonga Wilderness downstream to the wilderness boundary, was listed as scenic. The 5-mile-long South Fork was also listed as scenic.
- Two reaches of the Santa Ana River, totaling 17 miles, were listed as scenic/recreation in 1993. The 3-mile scenic reach, between Filaree Flat and Bear Creek, contains an outstanding native trout fishery. The 14-mile recreation reach, between Heart Bar and Filaree Flat, receives high levels of recreation use.
- Four miles of the South Fork Santa Ana River, were listed as wild in 1993. This reach receives high levels of recreation use.
- Eight miles of Bear Creek, a tributary to the Santa Ana River, was listed as wild in 1993.
- Lastly, four reaches of the Whitewater River totaling 15 miles, were listed as wild in 1993.
- No Wild, Scenic, or Recreational river designations occur in the vicinity of the Project.

State Water Resources Control Board. 1999. Water Quality Control Plans and Policies Adopted as part of the State Comprehensive Plan. April 1999.

This citation in FERC's List of Comprehensive Plans refers to an April 1999 submittal by the SWRCB to FERC of a listing of all SWRCB plans and policies. The transmittal referenced that all of the listed plans and policies are part of the "State Comprehensive Plan," even though it does not exist as a single plan.

As described above, the most pertinent SWRCB plan or policy that applies to the Project is the Lahontan Basin Plan. In connection with the FERC relicensing process, the SWRCB may condition the Project's operations to protect water quality and beneficial uses of water under Section 401 of the CWA and the Lahontan Basin Plan through the SWRCB's water quality certification. This certification, or waiver thereof, will be a pre-requisite of issuance of a new FERC license, and will include conditions to ensure the Project will comply with the Lahontan Basin Plan.

U.S. Fish and Wildlife Service. Canadian Wildlife Service. 1986. North American Waterfowl Management Plan. Department of the Interior. Environment Canada. May 1986.

The North American Waterfowl Management Plan (NAWMP) is an update of the Convention for the Protection of Migratory Birds, which was established between the United States and Canada in 1916. The Plan is a guide for private and public entities in the conservation and management of waterfowl. Goals and general recommendations are described for the protection of habitat, financing of research and managing harvest. The Plan outlines a framework for separating the larger group of waterfowl into smaller guilds, dabbling ducks, diving ducks, sea ducks, and geese, which will benefit from similar management strategies. The NAWMP leaves implementation to local conservation and management groups.

U.S. Fish and Wildlife Service. n.d. Fisheries USA: The Recreational Fisheries Policy of the U.S. Fish and Wildlife Service. Washington, D.C.

This is a 12-page policy that was signed by John F. Turner, then Director of the USFWS, on December 5, 1989. Its purpose is to unite all of the USFWS's recreational fisheries capabilities under a single policy to enhance the nation's recreational fisheries. Regional and Assistant directors are responsible for implementing the policy by incorporating its goals and strategies into planning and day-to-day management efforts. The USFWS carries out this policy relative to FERC-licensed hydroelectric projects through such federal laws as the Fish and Wildlife Coordination Act, the CWA, the ESA, NEPA and the FPA, among others. The plan does not include any specific recommendations regarding the Project or the area within the Project boundary.