

**Nevada Irrigation District**

# **Deer Creek Project Conduit Exemption / Surrender Applications**

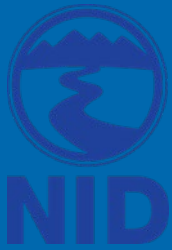
(FERC Project No. 14530)



# Introduction



- In November 2023, Nevada Irrigation District (NID) took full ownership and began operations, assuming full responsibility for all FERC-related matters, of the Deer Creek Project, FERC Project No. 14530
- One of the first activities NID performed was a review of the existing Federal Energy Regulatory Commission (FERC) license and relicensing status
- Based on the review, NID concluded that, as an NID project, the Deer Creek Project qualified for a conduit exemption. Since only the powerhouse would be included in the exemption, NID would surrender the other portions of the Project



# Project Facilities

- South Yuba Canal - excluding upper 1.57 miles, which is part of PG&E's Drum-Spaulling Project (P-2310), 13.91 miles of wooden, steel, and concrete raised flume, gunite open ditch, and short sections of tunnel
- Chalk Bluff Canal - 3.22 miles of flume & pipe
- Deer Creek Forebay & Dam - 16 acre-foot impoundment formed by 14-foot-high earthen dam
- Deer Creek Penstock - 1-mile-long, 4-foot-diameter steel pipe
- Deer Creek Powerhouse - 1 unit, 5.7 megawatt powerhouse
- Access Roads - 25.9 miles, 11.3 miles of which provide joint access

# Project Operations



- PG&E releases NID's daily water demand plus ~5 cfs from Spaulding Reservoir through PG&E's Spaulding 2 Powerhouse directly into PG&E's South Yuba Canal or through PG&E's Drum Canal and releases the ~5 cfs at a spill gate at canal mile 1.57 to meet PG&E's Drum-Spaulding Project's minimum flow requirements in the South Yuba River
- PG&E releases NID's daily water demand into NID's South Yuba Canal
- Water is released from the Deer Creek Powerhouse into the South Fork Deer Creek. No minimum flow requirement under existing license
- Most of the water is diverted into NID's Cascade Canal a few hundred feet downstream of the powerhouse

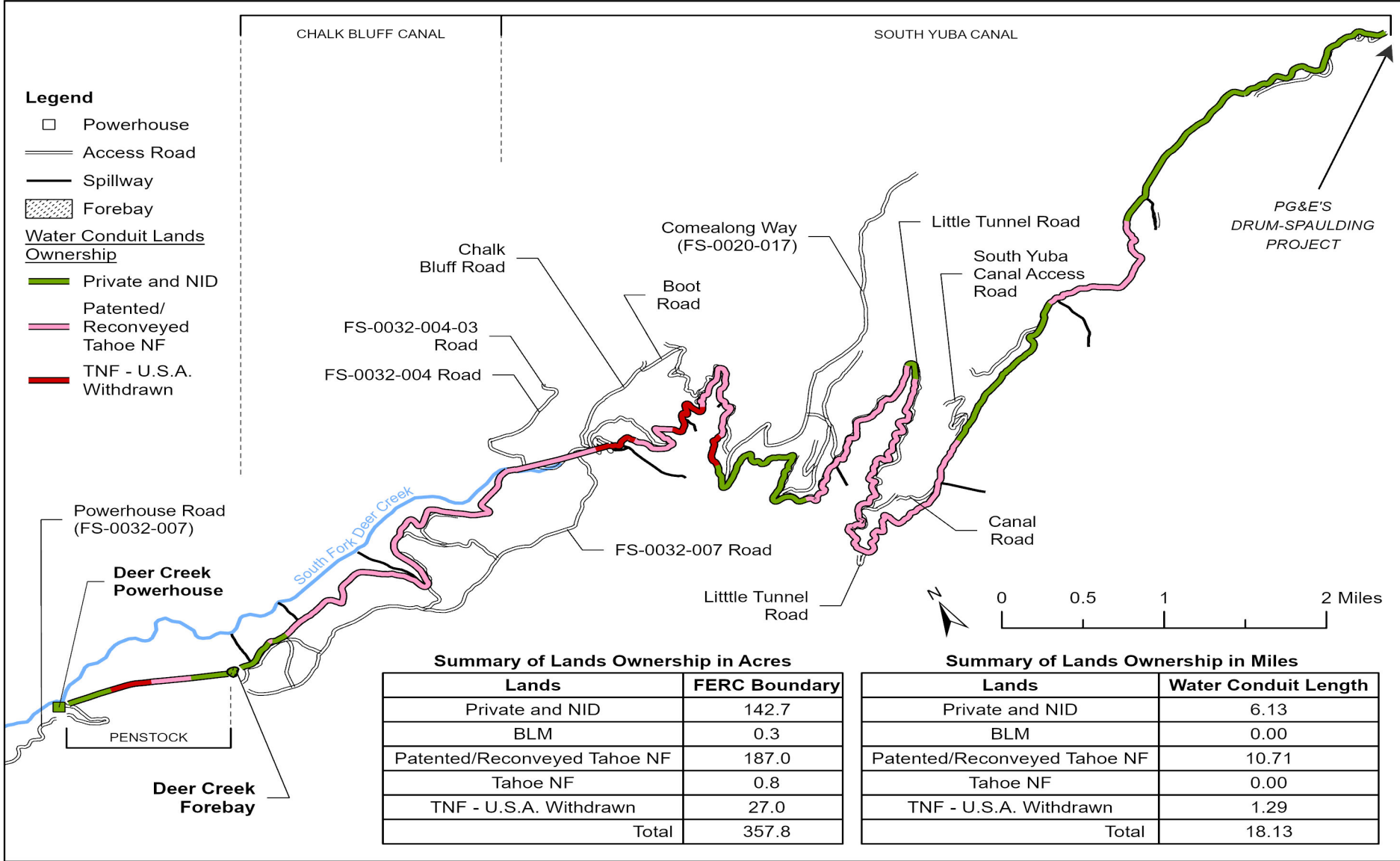


# Pertinent Timeline



- 1858 - South Yuba & Chalk Bluff canals began providing water to mining towns.
- 1907 - Deer Creek Powerhouse began providing electricity to local communities.
- June 1963 - Federal Power Commission issued to PG&E an initial license for the Drum-Spaulling Project, which included the Deer Creek Development.
- April 2011 - PG&E filed an application with FERC to relicense its Drum-Spaulling Project.
- June 2012 - PG&E amended its relicensing application proposing a separate license for the Deer Creek Development.
- December 2014 - FERC issued a Final Environmental Impact Statement.
- January 2019 - PG&E and NID requested FERC transfer the Deer Creek Development, excluding the transmission line, to NID under a separate license, and include the transmission line in PG&E existing Rollins license (P-2784).
- November 2021 - FERC transferred the Deer Creek Project license to NID contingent on completion of certain requirements.
- November 2023 - PG&E and NID completed the license transfer requirements. NID took full ownership and began operations, assuming relicensing responsibility.
- Today - NID operates the Deer Creek Project under an annual license.

# Project Map



- Legend**
- Powerhouse
  - Access Road
  - Spillway
  - ▨ Forebay
- Water Conduit Lands Ownership**
- Private and NID
  - Patented/Reconveyed Tahoe NF
  - TNF - U.S.A. Withdrawn

**Summary of Lands Ownership in Acres**

Lands	FERC Boundary
Private and NID	142.7
BLM	0.3
Patented/Reconveyed Tahoe NF	187.0
Tahoe NF	0.8
TNF - U.S.A. Withdrawn	27.0
<b>Total</b>	<b>357.8</b>

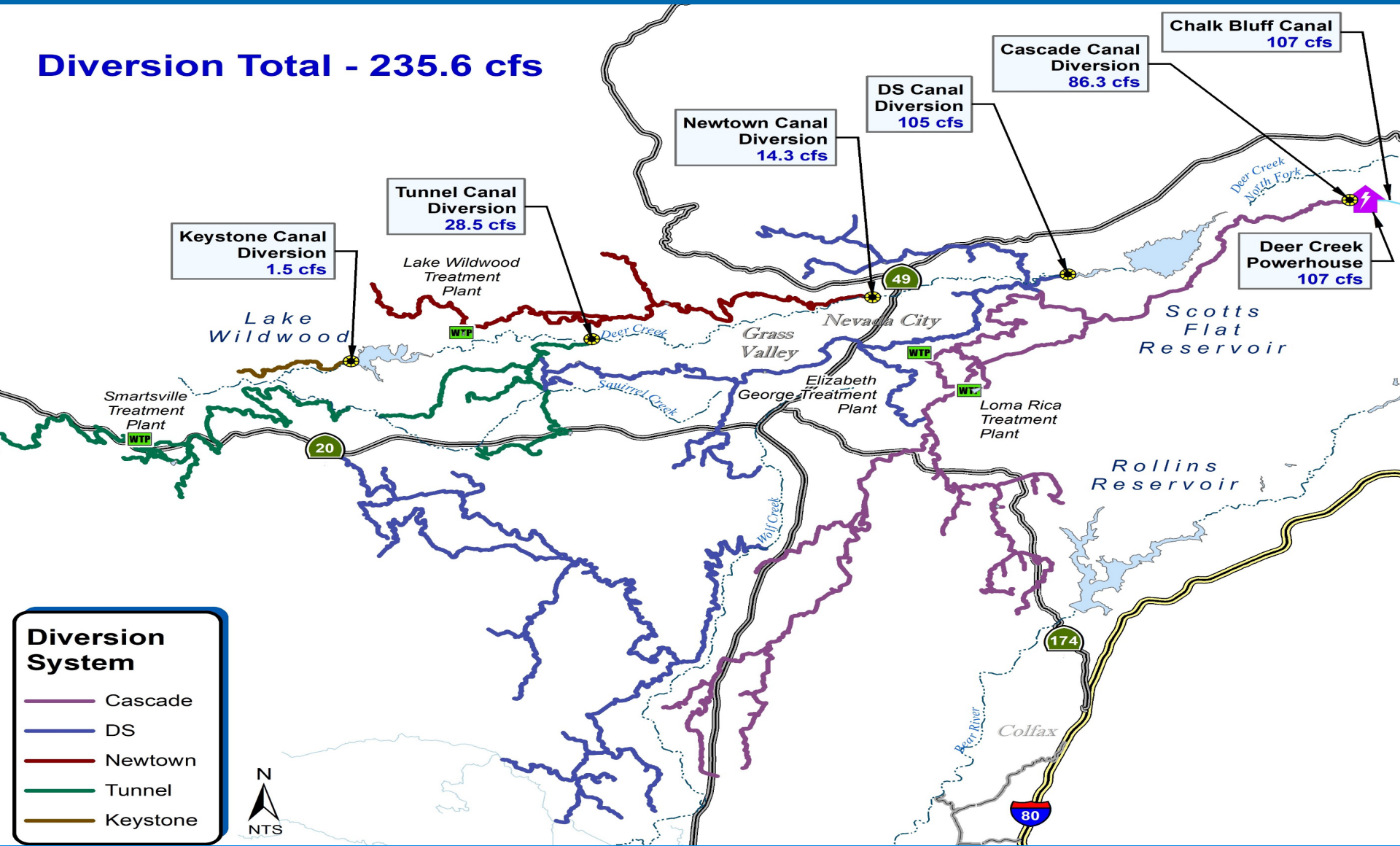
**Summary of Lands Ownership in Miles**

Lands	Water Conduit Length
Private and NID	6.13
BLM	0.00
Patented/Reconveyed Tahoe NF	10.71
Tahoe NF	0.00
TNF - U.S.A. Withdrawn	1.29
<b>Total</b>	<b>18.13</b>

# South Yuba/Chalk Bluff Canals Provided Consumptive Water



**Diversion Total - 235.6 cfs**



## Diversion System

- Cascade
- DS
- Newtown
- Tunnel
- Keystone



# Why Conduit Exemption?



- Checks all the boxes at 18 C.F.R Section 4.30(30). The Powerhouse is:
  - An existing hydroelectric facility that will be operated and maintained for the generation of electric power and will include all structures, fixtures, equipment, and lands used and useful in the operation and maintenance of the hydroelectric facility but will exclude the existing water conduit on which the hydroelectric facility is located (PG&E retained transmission line as part of its P-2784)
  - Utilizes for electric power generation the hydroelectric potential of an existing water supply conduit
  - Has an installed generating capacity less than 40 MW
  - Is not an integral part of a dam (the forebay and penstock are part of the same water delivery system as the canals)
  - Discharges the water it uses for power generation into South Fork Deer Creek and then withdraws into the same water supply system as the conduit on which the hydroelectric facility is located a quantity of water equal to or greater than the quantity discharged from the Deer Creek Powerhouse
- **It is a FERC authorization similar to a license except the project would not need to be relicensed. FERC must adopt conditions submitted by federal and state fish and wildlife agencies**



# Why Surrender Application?



- NID would file concurrently with its conduit exemption application, a surrender application for the water delivery facilities (i.e., South Yuba and Chalk Bluff canals, forebay, and penstock and appurtenant works) that are now under license
- If approved, the facilities would no longer be under FERC jurisdiction, but under the federal and state jurisdiction that applies to all other NID non-FERC water delivery facilities
- The surrender of these facilities now under license would be contingent on FERC granting the conduit exemption



# Discussion