

Staff Report

TO: Board of Directors

FROM: Peter Wade, P.E., Director of Power Systems
Tina Haenny, Hydroelectric Compliance Analyst

DATE: January 22, 2025

SUBJECT: **2025 Award of a Multi-Year Consulting Contract for Yuba-Bear Project Relicensing Support Services (Consent)**

HYDROELECTRIC

RECOMMENDATION:

Award a sole source multi-year contract with HDR Engineering, Inc. for consulting services related to the Federal Energy Regulatory Commission (FERC) Yuba-Bear Project Relicensing for a cost of \$250,000 in 2025 and \$150,000 in both 2026 and 2027 with a total amount not to exceed \$550,000 for three years through December 31, 2027 and authorize the General Manager to execute all necessary documents.

BACKGROUND:

Relicensing of the Yuba-Bear Hydroelectric Project began in 2008 to prepare for the expiration of the 50-year license in 2013. A Draft License Application was submitted in 2010, followed by a Final License Application in 2011, and an Amended License Application in 2012. Since expiration in 2013, NID has been operating under the 1963 original License conditions on annual continuation granted by the Federal Energy Regulatory Commission (FERC) until a new license is issued. HDR Engineering, Inc. has assisted NID throughout the licensing process, negotiations, and continues to provide vital support in the Relicensing process.

In addition to ongoing proceedings related to the Yuba-Bear relicensing, NID anticipates HDR to provide focused support in the following areas:

On August 29, 2024, NID resubmitted an application to the State Water Resources Control Board (State Water Board) for water quality certification (WQC), pursuant to a July 1, 2024 letter from the FERC ordering the submittal. On September 25, 2024, the State Water Board sent a letter notifying NID that the Project certification application was complete and pending before the State Water Board, and they would act on the request within a reasonable time period, not to exceed one year. NID anticipates review of the

draft WQC, comments, possible proposed alternatives, and comments/responses by other interested parties.

Facilitation of the FERC issuance of a revised Biological Assessment (BA), supplemental EIS, or NMFS issues a Biological Opinion (BO) in response to the March 8, 2021 Additional Information Request (AIR). NID anticipates review, possible comments for FERC and other interested parties, and consultation meetings.

Facilitation of the Non-Capacity License Amendment to remove five upper division facilities from the existing FERC license. NID anticipates preparation of the draft application and required exhibits, consultation with resource agencies and tribes, and filing the final application with FERC. NID will apply for a WQC with the State Water Board and prepare a Notice of Exemption to satisfy California Environmental Quality Act (CEQA). NID will develop and distribute a Special Use Permit application to the U.S. Forest Service for those facilities that are located on National Forest System Lands and will no longer be under FERC jurisdiction when the non-capacity license amendment is approved by FERC.

Staff is recommending award of a sole source multi-year contract to HDR Engineering, which is a well-established consulting firm with specialized knowledge in FERC Relicensing and holds a long relationship and understanding of the Yuba-Bear Hydroelectric Project and the relicensing process that began in 2008. HDR Engineering, Inc. is currently under contract with the District for Yuba-Bear Project Relicensing. The subject contract is a continuation of the work already in progress. HDR Engineering's prior knowledge and expertise should result in a cost and time savings when compared to other potential consultants. HDR Engineering's proposal demonstrates good project approach and the cost of services appears to be reasonable.

This sole source award complies with the following District Procurement Policy Section:
3080.3.J.2 In order to match other products in use on a particular public improvement completed or in the course of completion.

BUDGETARY IMPACT:

The 2025 Hydroelectric Department Budget includes \$325,000 for relicensing services (50112-52603). The 2025 contract amount is expected to be \$250,000. Funding for future years will be included in the annual budget cycle.

Attachments: None

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