

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

463



FROM: Executive Office

SUBMITTAL DATE:
March 2, 2005

SUBJECT: Lake Elsinore Advanced Pump Storage Project

RECOMMENDED MOTION: That the Board of Supervisors

1. Authorize the Executive Officer or his delegate to electronically file Motions to Intervene and Protests for the Environmental Analysis Phase of this project and for any further applications, as required; and
2. Receive and file the attached project status report.

BACKGROUND: On January 4, 2001, your Board approved and the Chairman signed a Motion to Intervene on the Lake Elsinore Advanced Pump Storage Project (LEAPS) on the Preliminary Permit Application to the Federal Energy Regulatory Commission (FERC). The Motion to Intervene allows the County to exercise its rights to participate in all hearings and proceedings, receive copies of case-related FERC documents and have the legal standing to be heard by the Court of Appeals, if the County were to dispute the final order by the FERC.

Continued on page 2

Rhonda King
Rhonda King, Deputy CEO

FORM APPROVED
COUNTY COUNSEL
MAR 03 2005
B.T. [Signature]
Departmental Concurrence

| | | | |
|-----------------------------|-------------------------------|------|---|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$ 0 | In Current Year Budget: |
| | Current F.Y. Net County Cost: | \$ 0 | Budget Adjustment: |
| | Annual Net County Cost: | \$ 0 | For Fiscal Year: |
| SOURCE OF FUNDS: n/a | | | Positions To Be Deleted Per A-30 <input type="checkbox"/> |
| | | | Requires 4/5 Vote <input type="checkbox"/> |

C.E.O. RECOMMENDATION: Approve

County Executive Office Signature *[Signature]*

Policy
 Policy
 Consent
 Consent
 Dep't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: *reside commit* | District: | Agenda Number:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

3.4

March 2, 2005

The Preliminary Permit Application has been reviewed and the Final Application has been accepted. FERC has issued its Notice of Application Ready for Environmental Analysis and Soliciting Comment, Recommendations, Terms and Conditions, and Prescriptions. With the issuance of this notice and the acceptance of the Final Application for the LEAPS project, the County must file another Motion to Intervene and Protests in order to maintain its rights and legal standings in this process.

FERC strongly encourages electronic filings and has provided for this process in the Code of Federal Regulations, Section 18CFR385.2001(a)(1)(iii). Its web site (www.ferc.gov) provides for the filing of Motions to Intervene as well as the filing of other comments and notices. Staff is recommending that the current Motion to Intervene be filed electronically and that any future Motions to Intervene be filed as soon as the notice is issued.

A project status report on the LEAPS project is attached for your review.