

COMMENTS ON DRAFT
WATER QUALITY CERTIFICATION
FOR THE RELICENSING OF
OROVILLE FACILITIES

DEPARTMENT OF WATER
RESOURCES

October 5, 2010



Basin Plan Beneficial Uses

Include

**Cold Freshwater, Spawning,
Rearing, and Migration Fish Uses**

Settlement Agreement Protects Beneficial Uses

- Beneficial uses are met under current facility operations
- Beneficial uses will be further protected through the Settlement Agreement

Beneficial Uses Are Protected Under Existing Conditions

- Lower Feather River currently supports a robust salmon population for all runs:
 - 2001 return of roughly 200,000 salmon
 - 2001 juvenile emigration estimates of naturally spawned salmon: 29 million
 - 2004 juvenile emigration estimate of naturally spawned salmon: 29.3 million

Draft NMFS BiOp Supports Settlement Agreement

- Feather River is and will continue to be important habitat for survival and recovery of salmonids
- NMFS found Settlement Agreement addresses all key factors which affect the viability of the species
- NMFS found that the terms of the Settlement Agreement will improve conditions for the species

Project Operations Have Consistently Supported Salmon Production

- Wildlife and fishery agencies found salmon collapse (2008-2009) was primarily due to poor ocean conditions
- FR Hatchery still met production goals for spring and fall-run
- Preliminary observations show significant increase in salmon returns on Lower Feather River in 2010

Beneficial Uses will be Further Protected Under the Settlement

- Settlement Agreement is comprehensive program providing improved water temperatures and habitat
- Facility modifications and operation plans will be designed to lower temperatures and provide more reliable cold water supply
- Lower Feather River Habitat Improvement Plan will further improve habitat conditions for salmonids

Condition S8

Temperature Requirements

WQC Modifications to Settlement are not Necessary

- Draft WQC sets specific temperature requirements rather than targets
- Specific temperature requirements unnecessarily restrict operational flexibility
- Target temperatures in Settlement Agreement enable DWR to optimize the currently available cold water pool



WQC Requirements May Harm Salmon

- WQC temperature requirements for LFC could result in loss of cold water pool needed to meet temperature requirements later in the year
- Depletion of cold water pool earlier in year could result in loss of protection for salmon during critical spawning period (Sept-Nov)

Condition S7
River Valve or Alternative
and Temperature Control at
Fish Hatchery

Hatchery Temperature Requirements can be met Through Balanced Operational Measures

- WQC focuses on the use of the river valve or development of an equivalent alternative
- Current facilities and planned operations will be able to meet the temperature requirements for the hatchery without use of the river valve or an alternative

Condition S9
Habitat Expansion
for Spring-run Salmon

Spring-run Habitat Expansion

- WQC calls for expansion of spawning habitat to support an additional 2,000 to 3,000 spring-run Chinook outside of the Feather River
- Existing conditions in the Feather River support a robust population of naturally spawning spring-run

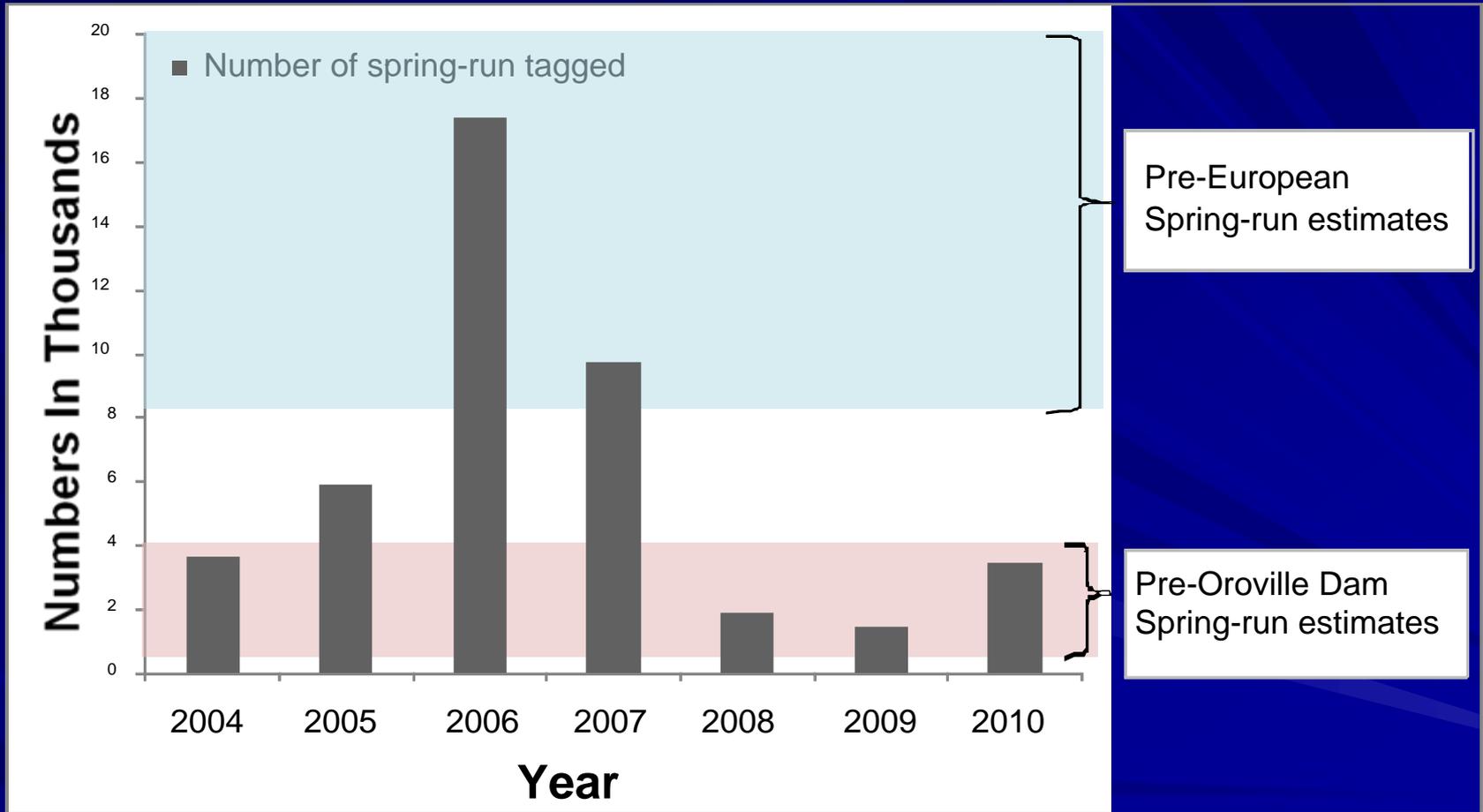
Spring-run Returns to Feather River Hatchery

Year	Number
2004	3,650
2005	5,950
2006	17,438
2007	9,756
2008	1,915
2009	1,462
2010	3,502

Current Spring-run Returns Are Within Historical Range

- Annual spring-run returns prior to construction of Oroville Dam were between 500 to 4,000 fish
- Annual spring-run returns prior to European settlement were between 8,000 to 20,000 fish

Recent and Historical Spring-run Salmon Returns



Conditions for Spring-run Enhanced under Agreement

- LFRHIP includes the following actions:
 - Fish Weir Program
 - Feather River Hatchery Genetics Management Plan
 - Temperature Improvements
 - Gravel and Large Woody Material Supplementation
 - Channel Improvement Program
 - Riparian and Floodplain Improvement

Recommendation

- Request the Board adopt DWR's April 8, 2010 redline version of the Water Quality Certification, especially for Conditions S7 (River Valve), S8 (Temperature Targets), and S9 (Spring-run Habitat Expansion).