

From: Sharon Stohrer
To: Eric Theiss
Date: 10/13/05 3:33PM
Subject: Re: Request for Extension of Deadline

Eric,

Please submit CEQA Scoping comments on Project 2105 by close of business on Monday, 10/24/05. The submittal by NOAA may be made before 5:00 pm at my email address or by hardcopy received at the Cal EPA address of the SWRCB. Thank you for the notification of your interests.

Sharon Stohrer

Sharon Stohrer
State Water Resources Control Board
1001 I Street, 14th Floor
Sacramento, CA 95814
(916) 341-5397

SSTOHRER@waterboards.ca.gov

>>> Eric Theiss <Eric.Theiss@noaa.gov> 10/13/05 11:14 AM >>>

Hello Sharon,

NOAA Fisheries Service requests a five working-day extension of time to file our comments for the Notice of Preparation and Environmental Checklist for CEQA compliance. If acceptable to your agency, our new deadline would then become close of business on October 24.

Eric

-- ><> Eric TheissHydro CoordinatorNOAA Fisheries650 Capitol MallSuite 8-300Sacramento, CA 95814-4706Office Telephone: 916-930-3613Office Fax: 916-930-3629Please note: email attachmentswith .exe extensions or .zip archivescontaining .exe extensionswill be removed from messagessent to NOAA.GOV email addresses

CC: MaryLisa Lynch; Mike Hoover; Mike Taylor

Sharon Stohrer - Request for Extension of Deadline

From: Eric Theiss <Eric.Theiss@noaa.gov>
To: Sharon Stohrer <sstohrer@waterrights.swrcb.ca.gov>
Date: 10/13/2005 11:16 AM
Subject: Request for Extension of Deadline
CC: MaryLisa Lynch <MLYNCH@dfg.ca.gov>, Mike Hoover <michael_hoover@fws.gov>, Mike Taylor <mftaylor@fs.fed.us>

Hello Sharon,
NOAA Fisheries Service requests a five working-day extension of time to file our comments for the Notice of Preparation and Environmental Checklist for CEQA compliance. If acceptable to your agency, our new deadline would then become close of business on October 24.
Eric

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Eric Theiss
Hydro Coordinator
NOAA Fisheries
650 Capitol Mall
Suite 8-300
Sacramento, CA 95814-4706
Office Telephone: 916-930-3613
Office Fax: 916-930-3629

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Sacramento Area Office
650 Capitol Mall, Suite 8-300
Sacramento, California 95814-4706

October 24, 2005

Ms. Sharon Stohrer
California State Water Resources Control Board
1001 I Street, 14th Floor
Sacramento, CA 95814

STATE WATER RESOURCES
CONTROL BOARD
2005 OCT 24 PM 4:51
DIP. OF WATER RIGHTS
SACRAMENTO

Re: Notice of Preparation and Environmental Checklist for CEQA Compliance, Upper North Fork Feather River Project, Federal Energy Regulatory Commission Project No. 2105

Dear Ms. Stohrer,

The National Marine Fisheries Service (NMFS) is directed by the Federal Power Act and the Federal Endangered Species Act, among other authorities, to analyze impacts to anadromous fishes and their habitats, and to implement reasonable measures for their protection, mitigation, and enhancement. The Upper North Fork Feather River Project, Project No. 2105 (Project), which is licensed by the Federal Energy Regulatory Commission (FERC), utilizes waters of the state primarily for the purpose of hydropower production. NMFS would like to emphasize that Central Valley spring-run Chinook salmon (*Oncorhynchus tshawytscha*) and Central Valley steelhead (*Oncorhynchus mykiss*) were known to inhabit the Project area, and were adversely affected by the construction of Project facilities. Approximately 95% of the historical spawning and holding habitat for Central Valley spring-run Chinook salmon and Central Valley steelhead has been blocked by dams throughout their former range. These species are now listed under the Federal and California State Endangered Species Acts as Threatened.

NMFS is currently participating in relicensing processes involving most of the FERC dams in the Feather River watershed. On March 11, 2005, NMFS filed with FERC its Comments, Modified Terms and Conditions, and Modified Prescriptions for the Upper North Fork Feather River Project, No. 2105, which provided that partial restoration of anadromous fish passage is reasonable and feasible for implementation (Attachment 1). Under the Federal Power Act, NMFS has been given the authority to prescribe fishways to suitable habitats such as the Seneca Reach of the NFFR and Yellow Creek. Using a trap-and-haul approach, anadromous fish would largely be contained within these two stream segments. Although provision is made to modify the timeframe to accommodate the Oroville Project relicensing timeline, the prescription describes the installation of the facilities beginning 3 years after Project license issuance. Any analysis of the environmental impacts of relicensing this project should also include an analysis of an alternative including these modified terms and conditions and modified prescriptions.

Currently within the Project relicensing process, stakeholders are considering mitigation for the impact of warm Project water to the Belden, Rock Creek, Cresta, and Poe reaches of the NFFR. Because of the potential impact of a thermal curtain to Lake Almanor fisheries, offsite mitigation is currently being proposed. NMFS asserts that an appropriate mitigation should include direct



benefit to Central Valley spring-run Chinook salmon or Central Valley steelhead because of project effects to these ESA listed species.

If an investigation of these mitigation opportunities is to be undertaken after the License has been issued, NMFS recommends to all stakeholders that the Licensee be given a defined period of time to allow for a collaborative decision-making process and for implementation of the chosen alternative. In addition to the mitigations which have been prescribed, NMFS also recommends that the following alternatives be considered singly or in combination to mitigate for Project impacts:

- Trap-and-Haul fish passage from lower to upper Feather River habitats, which could include
 - Nelson Creek (Middle Fork)
 - Onion Valley Creek (Middle Fork)
 - Jamison Creek (Middle Fork)
 - West Branch of the North Fork
 - South Fork
- Trap-and-Haul fish passage within other watersheds blocked by dams, which could include
 - Yuba River
 - American River
 - Upper Sacramento River
- Improvements for anadromous fish habitats in other stream segments, which could include
 - Temperature improvements for the Feather River below the Oroville Project boundary
 - Little Butte Creek
 - Big Chico Creek
 - Antelope Creek

Improvements of this nature will have a positive effect on our agency's ability to restore anadromous fish species listed under the Federal Endangered Species Act, which will reduce the regulatory burden on many beneficial uses of the state's waters. Please contact Mr. Eric Theiss at 916-930-3613, or via electronic mail at Eric.Theiss@NOAA.Gov if you have any further questions regarding these comments or require additional information.

Sincerely,



Steve Edmondson
Northern California Habitat Manager

cc: Secretary Magalie Roman Salas (9 copies), Federal Energy Regulatory
Commission, 888 First Street, NE, Washington, D.C. 20426
Supervisor Bill Dennison, County of Plumas, 520 Main St.,
2nd Floor, Quincy, CA 95971
Jim Peña, Forest Supervisor, Plumas National Forest,
159 Lawrence Street, Quincy, CA 95971
David Moller, Pacific Gas and Electric Company, Mail Code N11C,
PO Box 770000, San Francisco, CA 94177
Ralph Torres, Department of Water Resources, 11th Floor 1416 9th Street,
Sacramento, CA 95814