

**From:** Nancy Summers <summers@directcon.net>  
**To:** <Jwatts@waterboards.ca.gov>  
**Date:** 10/23/2011 8:00 PM  
**Subject:** Fwd: Water Quality Certification Letter

> REFERENCE: STATE WATER RESOURCES CONTROL BOARD'S DRAFT 401 PERMIT  
> FOR SACRAMENTO MUNICIPAL UTILITY DISTRICT'S PROPOSED RELICENSING OF  
> THE UPPER AMERICAN RIVER PROJECT, FEDERAL ENERGY REGULATORY  
> COMMISSION PROJECT NO. 2101.

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> Ms Watts

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> Listed below are my comments regarding the Draft 401 Permit for the  
> above project. These comments concern only those portions of the  
> Certification dealing with the proposed Iowa Hill project.

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> PUBLIC ENVIRONMENTAL REVIEW

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> Your letter to SMUD of June 30, 2008 calls attention to the fact  
> that the Iowa Hill portion of the FERC application is so lacking in  
> project-specific details that the Board will have to condition the  
> 401 Certification to ensure that "sufficient information is gathered  
> before construction and operation of the proposed Iowa Hill facility  
> can begin." The draft Certification speaks to that lack of  
> information in Paragraph 17, page 6 where it states "Additional  
> environmental review pursuant to the California Environmental  
> Quality Act (CEQA) WILL be required prior to  
> construction." (Emphasis mine) However, in many other sections of  
> the draft Certification it is clear that the Deputy Director will  
> have authority to determine if further environmental review is  
> required. As an example, in Paragraph 76, Page 22, it states that  
> SMUD will consult with the State Water Board and "other state and  
> federal agencies to assure that appropriate measures are implemented  
> that will minimize or avoid potential adverse environmental  
> impacts." That Paragraph goes on to say that the Deputy Director  
> will determine if an amended Certification that speaks to water  
> quality and the environment is required. That seems to say that the  
> Deputy Director could determine that public review of some  
> environmental impacts, other than those affecting water quality, is  
> not required.

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> As you know, in the Policy And Case Law section of the CEQA  
> Guidelines (Paragraph 15003) it states, in part, "The EIR is the  
> heart of CEQA/" It goes on to say, "The EIR is to demonstrate to  
> an apprehensive citizenry that the agency (In this case, SMUD) has,  
> in fact, analyzed and considered the ecological implication of its  
> actions." Let me assure you, by not being forthcoming regarding  
> project-specific plans, SMUD has not created any EIS, EIR or any  
> other CEQA-required document that has demonstrated to our  
> "apprehensive citizenry" that SMUD has adequately considered the  
> ecological damage that will be created by this massive project.

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> Therefore, I respectfully request in the 401 Permit it is made  
> explicitly clear that as project-specific documents are produced  
> SMUD will be required to go through the public processes of a  
> complete and comprehensive EIR. Further, I request that it be  
> stated that any decisions, by your Board's staff or any other  
> agency, that reduce or eliminate the need for public review of  
> environmental impacts, be publicly divulged immediately.

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> FIRE DANGER

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> In Paragraph 31, Page 11, it is stated that the "debris pile"  
> located below Slab Creek Reservoir dam is "entirely composed of wood  
> debris." Having observed the debris trapped behind the dam close up  
> and from the air, and living within view of the reservoir, I am very  
> aware of the clean-up operation and I disagree with that statement.  
> Any threat to water quality from that pile would, of course, not be

