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**Subject:** FW: Complaint for Violations of Sacramento River Temperature Management Plan

**From:** William Jennings [mailto:deltakeep@me.com]

**Sent:** Tuesday, August 25, 2015 6:40 AM

**To:** Howard, Tom@Waterboards; Evoy, Barbara@Waterboards

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**Subject:** Complaint for Violations of Sacramento River Temperature Management Plan

Hi Tom, Barbara:

When the State Water Board weakened the already non-protective 56°F daily average temperature requirement on the Sacramento River to a target of 57°F not to exceed 58°F, we assumed that staff would closely monitor the U.S. Bureau of Reclamation (USBR) to ensure that the relaxed temperature standard would not be exceeded.

The scientific literature extensively documents that daily average temperatures are not protective of aquatic life and temperatures between 56°F and 58°F cause significant daily mortality to incubating salmon eggs and emerging alevins. August/September is a critical period for incubating eggs and emerging winter-run Chinook salmon and last year's brood year was decimated by USBRs violations of temperature criteria.

Sacramento River water temperature has been rising each day over the last week even though Redding air temperatures have been below 100°F. The Clear Creek temperature criteria has now been violated. Temperatures at both the Above Clear Creek compliance point and the Highway 44 Bridge exceeded the 58°F daily average standard yesterday, 24 August 2015. Specifically, daily average temperatures at Clear Creek and Highway 44 Bridge yesterday were 58.5°F and 58.02°F. Temperatures reached a high of 61°F at Clear Creek and 59.8°F at Highway 44.

The causes are obvious.

Whiskeytown and Keswick Reservoirs are heat-sinks. Daily average water temperature in releases from Whiskeytown Reservoir through the Spring Creek powerhouse into Keswick Reservoir on 24 and 25 August were 58.6°F and 58.8°F, respectively. Spring Creek power generation increased to 1,884 cfs on August 23. The August 24 data has not yet been posted.

Shasta Reservoir releases have been predominately made through the penstocks to generate peak power in the afternoons. These daytime releases have significantly increased temperatures. For example, Shasta Reservoir releases in the afternoon of 24 August reached 14,765 cfs and temperatures reached 57.4°F, while evening/early morning releases were about 2,000 cfs with temperature as low as 50.5°F. For 23 August, afternoon reservoir

releases reached 10,994 cfs while temperatures reached 58.2°F. By contrast, evening/early morning reservoir releases were less than 500 cfs and temperatures were as low as 50.6°F.

Warming in Keswick Reservoir further increases the already elevated temperatures resulting from Spring Creek and Shasta power generation. Keswick discharge temperatures on 23 and 24 August averaged 56.3°F and 57.1°F, respectively, and were subsequently warmed by ambient air temperatures, which increased average water temperature at the Clear Creek compliance point on 23 and 24 August by an additional 1.5°F and 1.4°F, respectively.

The result has been significant mortality to incubating eggs and emerging alevins.

The solutions are equally obvious.

Trinity River water transferred from Trinity Reservoir to Whiskeytown Reservoir to the Sacramento River via Spring Creek powerhouse or released directly to Clear Creek serves only one purpose: delivery of water to Sacramento Settlement Contractors. These water deliveries have not only increased temperature in the Sacramento River, they have led to further depletion of the limited cold water pool in Shasta Reservoir. The solution is to either keep the water in Trinity Reservoir for possible release into the Trinity River to lessen the present crisis on the Klamath River or, alternatively, hold the water for delivery in late October or November when temperatures have cooled.

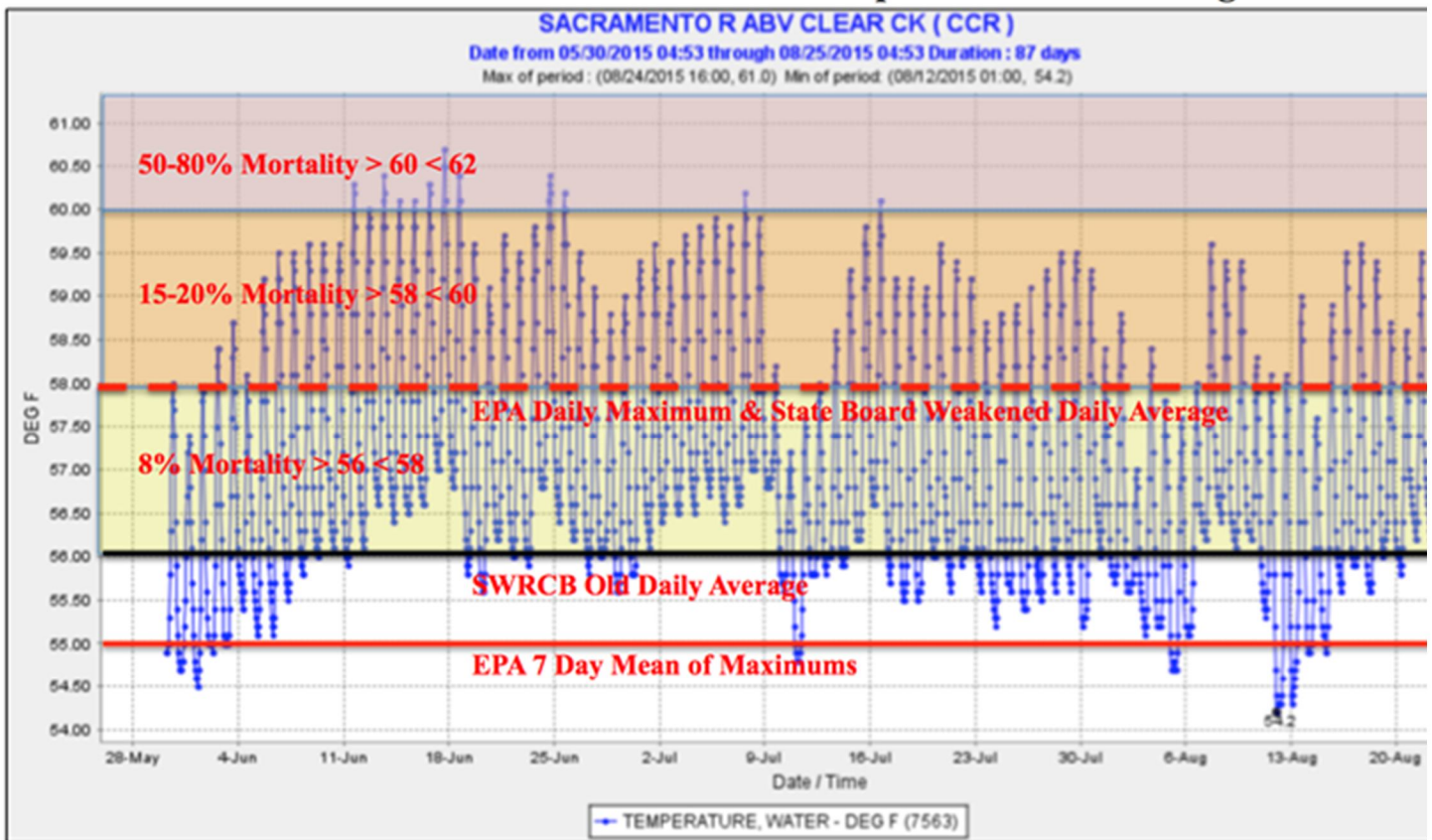
The National Marine Fisheries Service (NMFS) OCAP Biological Opinion Reasonable and Prudent Action I.2.3.C. states, "If, during the temperature control season, a Clear Creek TCP on the Sacramento River cannot be achieved, then Reclamation shall bypass power at Shasta Dam if NMFS determines a bypass is necessary for preserving the cold water pool. This power by-pass may be necessary to maintain temperature controls for winter-run, or later in the temperature season, for spring-run." Since NMFS has essentially become a subsidiary to USBR, it is left to the State Water Board to curtail power generation until temperatures can be stabilized. Alternatively, the Board might experiment with shifting power generation to late night/early morning when temperatures are lower.

Please let us know what actions the State Water Board will be taking to ensure compliance with Sacramento River temperature criteria and let us know when we can expect to see sanctions issued against USBR for violations of the Sacramento River Temperature Management Plan. We would also like to know what sanctions will be issued against USBR for repeated violations of the salinity criteria at Threemile Slough, Jersey Point and Vernalis, as well as the continuing violations of salinity criteria at Brandt Bridge, Old River near Tracy and Old River near Middle River in the South Delta.

Surely the State Water Board cannot reasonably pursue sanctions against Delta farmers for alleged violations if it is unwilling to hold USBR accountable for its violations of already weakened water quality standards.

We look forward to your reply. Cheers!

## Sacramento River Above Clear Creek Temperatures: June – August 2015



Mortality schedules as presented by NMFS at 18 February 2015 State Board workshop.

Winter-run spawning: late May-early August; eggs hatch, early July-mid September; fry emerge, late July-late October.

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