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To Whom it may concern: Re Draft 401 Water Board Report

Having reviewed the draft 401 Report prepared by the California Water Board it is apparent that the Water Board has ignored 3 key incentives for the Klamath River; providing replacement power for 300,000 clients (JC Boyle); replacement of water for servicing the free flow of the River; and water quality and water temperature improvement for 190 miles of the Klamath River.

To alleviate the potential loss of flow dynamics for a River that is federally designated as a "Warm Water River" They have junked well recognized solutions that technically exist and well supported by 6 Federal Statues & 3 Calif State Laws.

- Bi-State Compact
- Endangered Species Act
- The Wild & Scenic Rivers Act
- Nat'l Environmental Policy Act
- Federal Reserve Water Rights Act
- Clean Water Act
- Siskiyou County Flood Control Water Conservation District
- The California Wild & Scenic Rivers Act
- The 2014 Sustainable Ground Water Management Act

Ignoring State addressed water origin counties Klamath and Siskiyou & over 100 years of use and distribution of Klamath River Flows signals a return to negative flow dynamics. They would exist if the linear flow of the five water storage structures did not exist. Simply said, "a realistic plan for the flow dynamics of the Klamath River cannot be supported without the full assistance of Klamath, Jackson, & Siskiyou Counties and that's what the 1957 Bi-State Compact is all about.

The State Board has in their water plan has approved of demolishing 4 critical hydroelectric storage facilities supporting over 130,000 monthly acre ft of water, can serve 18 degree centigrade flow temperatures and meet the water quality parameters that are being violated for Ph , conductivity dissolved oxygen , suspended solids, coliform nitrates, total ammonia, total ammonia, unionized ammonia orthophosphate, total phosphorus and BOD, that are generated in both the point source pollution & non-point source pollution that exists because of long standing land development adjacent to Keno and Upper Klamath Reservoirs.

Research that occurred and has been published by the Denver Office of the Bureau of Reclamation UKBOS (Upper Klamath Basin off stream storage) calculated a water storage replacement cost and water quality treatment cost to satisfy the losses of the 4 hydro storage facilities and meet current use & demand of priority uses as spelled out in the Klamath Basin Restoration Agreement and the Klamath

Hydroelectric Settlement Agreement in excess of 8 billion dollars. The question immediately arises as to who becomes the payee for the experiment the State Water Resource Control Boards plan now offers and what might be the additional cost to replace hydroelectric power with the fuel being natural gas from Wyoming and North Dakota.

There exists today committed uses and distribution of Klamath River Flows and 2017 hydrologic studies and those preceding it by the University of Calif. Berkley would if responded to by the 2 states will show that the inflows as released during the 2017 irrigation year are insufficient to accommodate domestic, irrigation, and the Migration of adult salmon to Iron Gate Hatchery if flows and storage into Copco and Iron Gate are not present to borrow water.

In 2017 a wet precipitation year, all available storage in Upper Klamath Reservoir was utilized & in Sept & Oct. (the migration period for Salmon); the outflow managed by Pacific Corp did not meet the agreement standards of 1,000 cubic Ft a second for Sept. and 1300 cubic ft/sec in Oct even though over 60,000 ac/ft of water was borrowed from those 2 reservoirs. The concept of Linear Water Flow as developed by J.C. Boyle of Copco and endorsed by the Authors of the Bi-State Federal Compact has been ignored by the writers of the 401 study submitted by the WB.

In 2014 Gov. Jerry Brown and his legislature transmitted to the Counties in California the Sustainable Ground Water Management Act and disclosed in the Jan/March Calif. Agriculture magazine the aforementioned Act. Four (4) aquifers in Siskiyou County were classified as being over drafted and at significant and unreasonable levels and recorded medium priority for replenishment. Those 4 are Scott, Shasta, Butte Valley, & Tule Lake, all receive some replenishment from the Klamath River & its flex in-flow from the storage and canal systems from Upper Klamath Reservoir, Keno reservoir, the flows of the Klamath River, Copco Reservoir & Iron Gate. Without their presence the four could have very well been over-drafted if the linear flow dynamic system did not exist. The Siskiyou County Flood Control and Water Conservation District is the local Gov't Agency authorized by the State to develop and implement a statewide plan to ensure compliance with SGMA and will include reviews of off River storage plans in the Scott and Shasta, possibly a canal system to Butte Valley and additional canal flows and storage in Tule Lake.

The recently released State Water Resources Control Plan is totally insufficient to be responsive to the water supply land use and rural communities. It avoids aquifer recharge, misses the River flow needs for migrating salmon and interferes with State adjudicated, and Federal Reserved water rights, ground water governance, storm water collection and the current economic agriculture value in Klamath, Siskiyou and Jackson Counties.

The Audience in these 3 Counties is significant to agriculture and in need of a broad buy-in. Folks need to be a part of the decision making process and the State should be supportive towards all of the measures and flow dynamics that exist with an understanding of the entire harmonics of the sources and pathway of the entire River System.

Sincerely

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