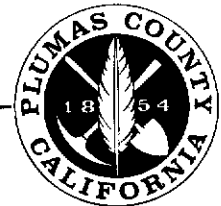


SJS



**DEPARTMENT OF PUBLIC WORKS**

STATE WATER RESOURCES CONTROL BOARD

1834 EAST MAIN, QUINCY, CA 95971 PHONE (530) 283-6268 FAX (530) 283-6323

2005 OCT 12 PM 2:14

DIV. OF WATER RIGHTS SACRAMENTO

**TOM HUNTER**  
DIRECTOR

**MARTIN BYRNE**  
ASST. DIRECTOR

**MIKE MANIT**  
DEPUTY DIRECTOR

October 6, 2005

Sharon Stohrer  
State Water Resources Control Board  
PO Box 2000  
Sacramento, CA 95812-2000

RE: Upper North Fork Feather River Hydroelectric Project - FERC 2105.

Dear Sharon,

Thank you and other members of the staff for attending the scoping meeting yesterday. I thought that the presentations were orderly and concise and meaningful. It is too bad that the Board members could not attend the meeting.

I want to offer the following comments pertaining to the Notice of Preparation:

I thought that the NOP was pretty well done in presenting the known facts. I am quite interested in the six (6) alternatives noted on page 6. These six items illustrate conceptually what the Water Board staff is centering on to study.

For your information I am a native of Plumas County as was my father. One of my uncles was on the construction crew that heightened the Lake Almanor Dam in the late 1950's, early 1960's.

I have recreated in the North Fork of the Feather River, hunted and fished both lakes and have enjoyed their beauty all of my life. I have enjoyed working collaboratively for the past three years in trying to make the area even better.

At this point I would like to reiterate the Plumas County position and then go into more detail on each issue.

- 1) Adamantly opposed to any of the thermal curtains for Lake Almanor or Butt Lake.
- 2) Do not alter the terms of the settlement agreement.
- 3) Any proposed alternatives that the Water Board studies should clearly show what effects will be to both lake and the settlement agreement.
- 4) The County agrees with PG&E that the 24 alternatives as presented do not satisfy the 20° C for all water years (1962 condition 4 D Report) offsite mitigation proposal could provide a viable alternative.
- 5) The shoreline erosion that has occurred and continues to occur should be regulated.

## **Explanation:**

### **1) No thermal curtains.**

As you could tell by the comments at the scoping meeting the 230 participants at the meeting and many other residents are adamantly opposed to the installation of any thermal curtains.

#### **Their reasoning includes:**

- a) Aesthetics - Unsightly protrusion into the lake which can be seen by boaters and residents in the area and across the lake.
- b) The cost of the curtain is estimated at \$42.6 million and this is only for construction and does not address the dissolved oxygen problem. This estimate also does not include operation and maintenance.

This is a very high cost for items that still do not meet the 20° C at all times.

- c) Environmental - As you heard from two tribes yesterday, there is a significant problem with possible Indian artifacts in any dredged area within both lakes.

Also, the reduction of minnows being transported between Lake Almanor to Butt Lake will certainly affect the trophy lake that Butte Lake currently is.

The rising of the temperature of Lake Almanor will lower the Thermocline 10 feet which also reduces the area of the Thermocline by 30%. This is a very significant reduction which will result in a degradation of Lake Almanor and its fisheries.

The increased temperatures will allow for more algae generation and weed growth that will hinder boating.

I should also note that there were a significant amount of State and Federal legislators in attendance that are very concerned about the proposed curtains. I believe that the curtain alternative should be noted as considered but ELIMINATED.

### **2) Settlement Agreement:**

On April 22 , 2004 the following parties signed a Settlement Agreement on several issues related to the FERC 2105 project:

- Pacific Gas and Electric.
- U.S. Department of Agriculture Forest Service.
- U.S. Department of Interior Fish & Wildlife Service.
- U.S. Department of Interior National Park Service.
- California Department of Fish & Game.
- American Whitewater.
- Plumas County.
- Chico Paddleheads.
- Shasta Paddlers.
- California Sportfishing Protective Alliance.

## **The items that were agreed upon were many and include:**

- a) Streamflows for PM&E of fish, wildlife, and other aquatic biota in Project-affected stream reaches.
- b) Streamflows for stream channel maintenance in Project-affected reaches.
- c) Streamflows for whitewater boating and other river-based recreation on the Belden and Seneca reaches.
- d) Water quality associated with Project operations and facilities excluding erosion and water temperature (see Table 2).

- e) Streamflow fluctuations from Project operations, including Ramping Rates.
- f) Streamflow gaging for compliance monitoring.
- g) Stream ecology monitoring.
- h) Steamflow information for use by the public.
- i) Facility modifications to implement the PM&E measures stated in Appendix A.
- j) Administration of Settlement.
- k) River sediment management.
- l) Project reservoir operation and land management principles.
- m) Recreation facilities development during the term of the New Project License.

Item l is most important to the County as it includes lake level criteria which is based upon water year types. I believe that these lake levels will provide a lower water temperature for the outflows. Therefore the importance of high lake levels for creation of a maximum cold water pool should be displaced, analyzed and relevant conclusions should be drawn as to the need for high lake levels.

All of these items are very important to all of the agencies and NGO's that participated in the settlement discussions. I am requesting that these items not be diminished in the Water Boards creation of the 401 certification.

There were also a few subjects that were not resolved. The County is concerned with the shoreline erosion and water temperature. Shoreline erosion will be discussed later.

**3) Environmental Lake affects:**

As the Water Board pursues a means of providing lower river temperatures I am requesting that in each alternative, the environment affects to both Butt Lake and Lake Almanor be defined and evaluated.

An example of this when PG&E was reviewing the thermal curtain alternative, they had not evaluated the affects to the lakes and their environment. The County requested that these affects be quantified so that we could properly evaluate the proposal.

We also want the same consideration from the Water Board as they evaluate the alternatives.

Even through CEQA is weak on economic requirements we feel that significant changes could be catastrophic to the economy of the Lake Almanor basin and are quite concerned and interested in the outcome of the 401 certification.

**4) 1962 License Condition 4D Report:**

This document discusses 24 alternatives to lower the temperature and PG&E offers its opinion on the reasonableness of each of the alternatives. As presented, the County agrees with the conclusions that none of these 24 alternatives will satisfy the 20° C, requirement in all water years. A big factor in most of the alternatives is the cost which includes the construction of the components and also the cost of lost generation.

If the Water Board ultimately agrees that the water temperature cannot be reasonably lowered to the 20°C, Plumas County has an offsite alternative to consider. This alternative has been evolving for the past year. The official Plumas County response will include the full proposal.

Basically the offsite mitigation proposes to rehabilitate the streams upstream of the North Fork Feather River. The Plumas County CRM has been performing this work when monies are available for the past 20 years.

These improvements provide tremendous benefits to the total environment. Down cut meadow streams are returned to near surface flows which rewater the meadows and bring them back to a more natural state.

Plumas County has negotiated this alternative with the members of the 2105 LG and have transmitted the proposal to you for consideration.

The entire project total \$28,551,250. I know that Leah wanted to review the monitoring portion of this total to enhance what is monitored to better reflect the changes made by the project. This may increase the total that I have as of today.

Please note that this offsite alternative proposes to enhance 81 miles of stream which affects 5,760 acres of immediately adjacent lands.

I believe that the County, USFS and PG&E are in agreement on this offsite proposal. We have not come to an agreement on how much money PG&E should contribute to the project. In my mind, the cost of the 24 alternatives create values that could be used to calibrate what their contribution should be. If we do not come to an agreement with PG&E, I would assume that the Water Board could establish the amount of funds for this alternative.

The County and the CRM would very much like to provide a tour for you and your consultants to see some of the Projects on the ground. The sooner that this could occur the better as these areas will be covered in snow as winter approaches.

Part of our submittal will include a CD of the Power Point that the CRM presented to the 2105 LG. It will include a voice over by Jim Wilcox.

#### **5) Shoreline Erosion:**

The County contends that there is ongoing shoreline erosion and the Water Board should issue mitigation measures to curtail this erosion.

PG&E will counter that they have the right to erode as created by certain legal documents. I do not believe that these documents should affect how the State of California reviews and approves their project.

I personally know of a location south of Rocky Point where I used a 3/4" pipe (chose my fishing spot), to which lied on the original ground above the lake shore and approximately 12' from the existing bank. This property corner has now been eroded away. This area is on land of USA.

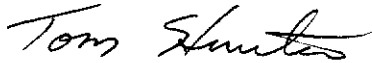
About 5 years ago a portion of the State Highway 147 was undermined and required stabilization to protect the highway.

PG&E has protected many shoreline areas that are not covered by the subject deeds. I feel that they should be required to create protection for these highly erodible areas.

Sharon you have been personally involved in the 2105 LG meetings and we have appreciated your input. Please keep those parties interested and involved in the Water Board pursuit of the 401 certification.

We are always available to discuss alternatives and work towards a meaningful solution. Thank you for the opportunity to provide comments for this project.

Sincerely,



Tom Hunter, Director

cc: Board of Supervisors

Leah Wills

th:cf