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CHRIS SHUTES
1608 Francisco St.
Berkeley, CA 94703
Phone: (510 421-2405
blancapaloma@msn.com
Consultant to California Sportfishing Protection Alliance

BEFORE THE

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

HEARING IN THE MATTER OF DOUGLAS COLE AND HEIDI COLE AND MARBLE MOUNTAIN RANCH, DRAFT ORDER NO. 2018-00XX	**CLOSING BRIEF OF CALIFORNIA SPORTFISHING PROTECTION ALLIANCE**

I. INTRODUCTION

The California Sportfishing Protection Alliance (CSPA) respectfully submits this closing brief for the hearing in the matter of Douglas Cole and Heidi Cole and Marble Mountain Ranch.

The key hearing issues are as follows:

1) Does the past or current diversion or use of water by Douglas and Heidi Cole and Marble Mountain Ranch constitute a waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, particularly in light of any impacts to public trust resources?

2) If the past or current diversion or use of water by Douglas and Heidi Cole and Marble Mountain Ranch constitutes a waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, what corrective actions, if any, should be implemented, and with what time schedule should they be implemented? How should the implementation time schedule for any corrective actions be coordinated with the requirements of the Cleanup and Abatement Order issued by the North Coast Regional Water Quality Control Board?

The hearing record demonstrates that some of the past diversion and use of water by Douglas and Heidi Cole has constituted an unreasonable use of water and an unreasonable method of diversion of water. The hearing record also clearly demonstrates that Marble

Mountain Ranch's past unreasonable use and unreasonable method of diversion has harmed public trust resources.

The State Water Resources Control Board (State Board) should adopt the Draft Order, including the NMFS minimum recommended bypass flows, adjusting the timetable as recommended in the conclusion of this document..

II. BACKGROUND

Stanshaw Creek is a perennial tributary to the Klamath River in Siskiyou County. Diverter Marble Mountain Ranch (MMR) diverts up to 3 cfs from Stanshaw Creek .87 miles upstream of the confluence of Stanshaw Creek and the Klamath River. (Ex. MMR-1, pp. 2-3) MMR diverts up to .35 cfs for consumptive purposes. (Water use estimated by Cascade Stream Solutions, CSS Report, WR-82, p. 14) MMR uses the remainder of the water that it diverts from Stanshaw Creek to generate hydropower that provides electricity to MMR and its associated property and buildings. Water that passes through MMR's hydropower generator and that MMR does not otherwise use on the ranch discharges to Irving Creek, a tributary to the Klamath River that enters the Klamath downstream of the mouth of Stanshaw Creek. MMR claims a pre-1914 water right of 3 cfs as its basis-in-right for its diversion. That basis-in-right is not a subject of dispute in this hearing. It appears that at times, MMR may divert water in excess of that claimed right. (Ex. WR-82, p. 7)

MMR's diversion of water for hydropower has been the subject of dispute since at least 1994, when MMR filed application 29449 for a water right to divert water from Stanshaw Creek for hydropower. (Ex. WR-5) CSPA filed a protest of this application in 2000. (Ex. WR-42) Efforts to resolve disputes relating to the MMR diversion have been ongoing since 2002. (Ex. WR-80, p. 1) Various parties collaborated to seek funding to assist MMR in making changes and/or improvements to its diversion and associated works. Because grant funders were reluctant to fund improvements to a diversion without a clear basis in right, Lennihan Law, the Mid Klamath Watershed Council and Cascade Stream Solutions produced a report on September 1, 2014 that analyzed the water rights of MMR. (Ex WR-80, "Lennihan Report")

The Lennihan Report found that the likely amount of the MMR pre-1914 right was 1.16 cfs. (*Id.*, p. 2) Grant proposals for improvements and changes to the MMR diversion works proceeded in 2014-2016 based in part on this report, and a grant offer from the National Fish and Wildlife Foundation (NFWF) was live through July 2016. However, though witnesses Murano and Anderson (and others) testified in this hearing that Mr. Cole initially indicated interest in accepting this NFWF grant (HT 11/16/17, p. 228 l. 18 to p. 229 l. 23), Mr. Cole subsequently declined the grant on the grounds that acceptance would limit the face value of his water right. (HT 11/14/17, p. 188 l. 23 to p. 189 l. 7) The North Coast Regional Water Quality Control Board issued a cleanup and abatement order (CAO) to the Coles on August 4, 2016, mooting the NFWF grant. (Ex. WR-142)

Mr. Cole testified in hearing that he was willing to forego all future diversions for hydropower in the months of June, July and August. (HT 11/14/17, pp. 236-237) Pending the resolution of this hearing, MMR has shut down its power generating facilities since 2016. (HT 11/14/17, p. 236, l. 8 to p. 237, l. 2)

III. MARBLE MOUNTAIN RANCH'S METHOD OF DIVERSION IS UNREASONABLE.

A. MMR does not continuously measure its diversion in cfs.

MMR has acknowledged that it does not measure its diversion in cubic feet per second. Its professed method of measurement is a notch system in its flashboard works that Mr. Cole has dubbed "Stanshaw units." (HT 11/15/17, p. 10, l. 21 to p. 11, l 12) While this site-specific system assists MMR in the practical management of its diversion, it does not provide a reliable means of quantifying its diversion for purposes of reporting its diversion to the State Board or in the event of future bypass-flow requirements. According to Prosecution Team witness Sklyer Anderson, quoting page 8 of Exhibit WR-82, "'This unit of measurement is unique and has not been correlated to a commonly-used unit of measurement, e.g., cubic feet per second.'" (HT 11/16/17, p. 258, ll. 15-17)

B. MMR does not continuously measure the flow in Stanshaw Creek upstream of its diversion or the flow that it allows to bypass its diversion.

Nowhere in the record is there evidence that MMR maintains permanent gaging equipment that measures the flow of Stanshaw Creek upstream of the MMR diversion or downstream of the MMR diversion.

C. MMR's diversion works do not allow precise regulation of the amount of water diverted.

MMR's point of diversion "consists of a hand-stacked rock wing dam located on the south bank of Stanshaw Creek. The rock wing dam extends about halfway across the creek channel." (Direct testimony of Prosecution Team witness Taro Murano, HT 11/13/17, p. 184, ll. 3-6)

D. MMR's diversions for hydropower deprive Stanshaw Creek of flow because MMR does not return the water discharged from its generator to Stanshaw Creek.

As stated *supra*, water that passes through MMR's hydropower generator and that MMR does not otherwise use on the ranch discharges to Irving Creek. Witness Steven Cramer for MMR testified that the fisheries benefits of Irving Creek are not dependent on the added flow of water discharged from MMR's hydropower operation. (HT 11/13/17, p. 130, l. 22 to p. 131, l. 3)

MMR's out-of-basin diversion deprives Stanshaw Creek of flow. *See* Exhibit KT-8, pp. 29-31, for quantification of flow reductions into lower Stanshaw Creek, and analysis of these reductions, *infra*. The deprivation of flow to Stanshaw Creek caused by MMR's diversion reduces flow into the off-channel pond adjacent to the mouth of Stanshaw Creek. The amount of flow lost to the off-channel pond is variable, depending on the variable configuration at any given moment of the channel at the bottom end of Stanshaw Creek in relation to the off-channel pond. (Testimony of Steven Cramer, HT 11/13/17, p. 153, ll. 7-13)

MMR witness Mr. Cole testified that it would cost $1 million to reconfigure his hydropower operation to return water discharged therefrom, and not otherwise used on the ranch, to Stanshaw Creek. (HT 11/15/17, p. 89, ll. 7-14)

Because of the biological effects of the MMR's diversion of water from Stanshaw Creek as described *infra,* MMR's method of diversion of water for hydropower is unreasonable.

E. Klamath River coho salmon, steelhead and Chinook salmon rely on the thermal and velocity refuge provided by Stanshaw Creek for non-natal rearing.

In Exhibit KT-8, Karuk Tribe fisheries biologist Toz Soto describes the general function of tributaries to the Klamath River in providing juvenile rearing habitat for anadromous salmonids, notably coho salmon, steelhead, and spring Chinook salmon:

> In late summer months the Klamath River becomes too warm for salmon to the point where fish must actively migrate and seek out cold water patches known as thermal refugia in order to survive. Thermal refugia are typically located in lower reaches of cold tributaries including the alluvial deltas and confluences such as Stanshaw Creek. Tributaries like Stanshaw Creek are absolutely critical for the survival of juvenile salmon during the dry hot summer months. This is particularly true for salmon species such as Steelhead, Spring Chinook and Coho, which spend an entire year rearing in fresh water. (Ex. KT-8, p. 3)

NMFS fisheries biologist and witness Shari Witmore, in her Master's thesis submitted as Exhibit NMFS-9, makes similar observations about Klamath River coho salmon in particular (Ex. NMFS-9, pp. 2-4).

Exhibit KT-9, *The Role Of The Klamath River Mainstem Corridor In The Life History And Performance Of Juvenile Coho Salmon (Oncorhynchus kisutch)* (Soto *et al*., 2016) describes the limited availability of high quality summer and winter rearing habitat in the Klamath River corridor for coho salmon in particular.

> The Klamath River mainstem corridor contains a very limited number of high quality summer and/or overwintering habitats (generally small in size with sparse distribution). This is also true of most of the spawning tributaries in the river basin. These conditions are at least partly (varies by subbasin) the result of past and/or current land use practices (e.g., mining, road building, logging, agriculture) (NMFS 2014). Despite limited availability of high quality habitats in summer and winter within the river corridor, the importance of the role of the corridor to juvenile coho may be much greater today than its historic role.

(Ex. KT-9, pp. ii-iii)

Witness for the Karuk Tribe Toz Soto stated in direct testimony that there are three main types of thermal refugia provided by Klamath River tributaries:

> There's the cold-water plume at the confluence of the tributary. There's the floodplain habitat, such as the off-channel pond at Stanshaw Creek. Those are usually flood channels that are fed by cold-water tributaries. And then the lower reaches of cold-water tributaries are thermal refugia, as well.
> (HT, 11/16/17, p. 17, ll. 17-24)

Stanshaw Creek provides all three of these types of habitat, provided that flow is sufficient to maintain connectivity between Stanshaw Creek and the Klamath River. Mr. Soto stated that coho salmon prefer the off-channel habitat. (*Id.*, p. 18, ll. 5-7)

Information in the record shows that coho salmon, Chinook salmon and steelhead used the off-channel pond at the mouth of Stanshaw Creek for non-natal rearing in the years 2002-2011. (Ex. KT-6, pdf p. 11) Steelhead and salmon were also detected in the plume from Stanshaw Creek in the Klamath River in some of those years, primarily in July as opposed to August. (*Id.*) The survey report (Ex. KT-6) sometimes does not distinguish between the pond and the lower reach of Stanshaw Creek itself, so it is unclear whether fish were detected in the stream as opposed to the pond.

Salmonids also use the off-channel pond near the mouth of Stanshaw Creek in the winter as a velocity refuge. Exhibit NMFS-9, notes that winter growth rates of coho are very rapid in the Stanshaw Creek off-channel pond compared to other tributary sites the author sampled (p. 46) and to summer growth rates in the Stanshaw Creek off-channel pond (p.61). This suggests both the high value of the off-channel pond near the mouth of Stanshaw Creek and the impairment of that value during the summer.

F. MMR's diversion of water from Stanshaw Creek to Irving Creek harms public trust resources in the off-channel pond near the mouth of Stanshaw Creek, and indirectly in the Klamath River.

Witness Toz Soto, fisheries biologist for the Karuk tribe, describes in his testimony that he personally witnessed the mortality of juvenile salmonids in the off-channel pond near the

mouth of Stanshaw Creek in the summer of 2009. (Ex. KT-4, pp. 5-6). On cross-examination, Mr. Soto stated the likely cause of this mortality was water temperature. (HT, 11/16/17, p. 70, ll. 12-17) Mr. Soto also testified that during the 2015-2016 drought, when MMR was not diverting for hydropower generation, he "did not observe fish kills or harmful habitat conditions at the site." (Ex. KT-4, p. 7)

On cross-examination, Mr. Soto testified that ambient air temperatures in the Somes Bar area (Somes Bar is located several miles downstream of Stanshaw Creek) often reach 100°F in September and 90°F in October. (HT 11/17/17, p. 102, l. 15 to P. 103, l. 4) Combined with flow data in KT-8, pp. 29-31, this suggests that when MMR is diverting for hydropower, there is a direct thermal impairment of the habitat value of the off-stream pond near the mouth of Stanshaw Creek in the months of September and October. As noted *supra*, Mr. Cole indicated that MMR would voluntarily forego diversions for hydropower in the months of June, July and August, but not in September and October.

In oral testimony, Mr. Konrad Fisher, witness for Old Man River Trust and owner of land adjacent to the mouth of Stanshaw Creek and the Stanshaw Creek off-channel pond, stated that he has seen stranded fish in the off-channel pond in the majority of years since his family purchased the property in 1994. He attributed these stranding events to a rapid decline in the stage height of the pond, usually occurring in early summer. (HT 11/16/17, p. 191. ll. 10-18).

Exhibit KT-8, page 30, shows that the Karuk Tribe measured flow in Stanshaw Creek above the MMR diversion on July 28, 2009 at 1.7 cfs, and that it measured flow in Stanshaw Creek just downstream of the MMR diversion on the same date at 0.1 cfs and flow upstream of Highway 96 at 0.5 cfs. Exhibit KT-8, pages 29-31 demonstrates similar patterns over multiple years. Even in 2011, which Mr. Soto confirmed on cross-examination (HT 11/16/17, p. 107, ll. 11-13) was a wet water year in the Klamath Basin, flow on September 13 was measured at 3.2 cfs upstream of the MMR diversion but was measured at between 0.5 and 0.7 cfs downstream of the diversion above Highway 96. (Ex. KT-8, p. 30). The MMR diversions deprive the pond near the mouth of Stanshaw Creek of sufficient flow for habitat function in June-September, and likely through October, even in wet years.

More generally, Mr. Soto described in direct oral testimony some of the types of harms to habitat in Stanshaw Creek that he has observed: “Well, when fish can’t access the refugia, they’re exposed to lethal water temperatures in the mainstem. If fish become trapped in the refugia, then they’re unable to move, so they’re basically stuck there. And if water quality degrades, they could be harmed.” (HT 11/16/17, p. 24, ll. 11-16)

As noted *supra*, Mr. Soto’s testimony describes the benefits to fish in the Klamath River of the “cold water plume” from tributaries to the Klamath River, including Stanshaw Creek. Also as noted *supra*, evidence in the record shows use of this plume by salmonids. (Ex. KT-6, pdf p. 11) If, as Mr. Soto testified, reductions in flow in Stanshaw Creek increase water temperature in Stanshaw Creek and the off-channel pond, it is reasonable to assume that reductions in the volume of the plume that enters the Klamath River and increases in the water temperature of the plume reduce the value of the plume as a thermal refuge.

Mr. Steven Cramer, witness for MMR, stated that 1 cfs of flow into the off-channel pond was necessary to maintain water quality in the off-channel pond. (HT 11/13/17, p. 101, ll. 2-10)

A 2015 report by Ross Taylor and Associates stated that between 2 and 2.5 cfs was necessary to maintain connectivity between Stanshaw Creek and/or the off-channel pond and the Klamath River. (Ex. KT-7 and also CDFW-7, p. 6) Mr. Soto concurred with this assessment. (HT 11/16/17, p. 96, ll. 2-3)

Mr. Cramer testified on the value of the off-channel pond based on one visit to the off-channel pond at the mouth of Stanshaw Creek in October 2017, at a time when MMR was not diverting for hydropower. Mr. Cramer stated: “The floodplain pond has value and those numbers show it. It's just what they've done to it now, it's not performing.” Mr. Cramer opined that the pond was “not performing” because fish could not get to it. (HT, 11/13/17, p. 97, ll.8-11) Mr. Cramer attributed lack of connectivity between the pond and the Klamath River to man-placed rocks in the Stanshaw Creek stream channel.

Mr. Cramer stated that the pond had served as a thermal refuge in previous years, but that since a restoration project in 2013, the pond did not seem to be functioning as well as

previously. He further testified that more than 5 cfs was necessary to maintain connectivity between Stanshaw Creek, including the off-channel pond, and the Klamath River, under the October 2017 configuration of the off-channel pond and the adjacent section of Stanshaw Creek. Mr. Cramer attributed the magnitude of this volume most immediately to human manipulation of the stream channel to direct water from Stanshaw Creek into the pond. He further stated that the amount of flow needed to maintain connectivity between the off-channel pond and the Klamath River was "circumstantial." (HT, 11/13/17, p. 143, l.14 to p. 144, l. 15)

At hearing, witness Mr. Fisher read from the project description of the 2013 Restoration Project. This description ascribed sediment infill of the pond in substantial part to overtopping of the MMR ditch in 2005-2006. Mr. Fisher stated that he had witnessed the erosion that resulted from this event, which he characterized as a mudslide. (HT 11/16/17, p. 181, l. 3 to p. 182, l. 13) On rebuttal, Mr. Cole stated that "sedimentation is consistently a part of the Stanshaw system" (Ex. MMR-27, p. 6), and that wildfire in the summer of 2017 had "nuclearized" the corridor of Stanshaw Creek. (HT, 11/16/17, p. 275, ll. 18-20)

Witness Mr. Soto explained on cross-examination by counsel for MMR that the human-placed rocks near the mouth of Stanshaw Creek were placed to direct water from Stanshaw Creek into the off-channel pond. He further opined that it did not appear to him that these rocks blocked connectivity between the off-channel pond and Stanshaw Creek at the flow shown in a photograph taken in October 2017 by Mr. Cramer [approximately 5 cfs], and that connectivity between the pond and the Klamath River was maintained at the time via Stanshaw Creek. (HT 11/16/17, p. 65, l. 25 to p. 68, l. 4)

There is clearly intensive and extensive interest in the off-channel pond near the mouth of Stanshaw Creek. This interest includes, but is not limited to, the importance of the pond as a thermal refuge for fish. Witness Philip Albers, a member of the Karuk Tribe, testified about its significance to him as a place he has visited with his family since early childhood. Witness Leaf Hillman, Chairman of the Karuk Tribe, testified that the tribe had spent twelve years trying to reach a collaborative solution with the owners of MMR. (Ex. KT-1, pp. 3-4) Witness Konrad Fisher testified that he signed off on the 2013 restoration project to improve the condition of the

off-channel pond and had allowed prolonged heavy equipment traffic across his land during the implementation of the project. (HT 11/16/17, p. 180, l. 22 to p.181, l. 3) Mr. Fisher also testified about the importance of the off-channel pond for swimming. (HT 11/16/17, p. 136, ll. 12-16) The Karuk Tribe, Mr. Fisher, NMFS, DFW, the State Board, and the North Coast Regional Board have all spent extensive time and resources to improve the condition of the off-channel pond. The National Fish and Wildlife Fund was willing to expend grant money on projects whose resource goal was to improve the off-channel pond's condition.

There is agreement that the particular configuration of the off-channel pond in relation to the mouth is variable. The present configuration is a result of natural events, such as the flooding of the Klamath River in the winter of 2017 and wildfire in the summer of 2017, and of various direct and indirect human activities. There is abundant evidence in the record of willingness and intent by multiple parties to mitigate negative impacts to fisheries of any past or future natural or human actions that change the configuration of the off-channel pond and Stanshaw Creek adjacent to it.

The short-term condition of the off-channel pond near the mouth of Stanshaw Creek, whatever it may be (and whose degree of recent impairment is disputed), does not relieve the State Board from its obligation to find MMR's longstanding, unquantified out-of-basin diversion of water using antiquated diversion and conveyance works an unreasonable method of diversion. In addition, the State Board has the responsibility to require necessary flow in Stanshaw Creek year-round to enable Stanshaw Creek to heal itself, with or without human intervention.

IV. MARBLE MOUNTAIN RANCH'S DIVERSIONS FOR HYDRPOWER ARE AN UNREASONABLE USE OF WATER.

In Water Rights Order 2012-0004, the Board described a "series of factors to consider in allegations that water use is wasteful or unreasonable." It listed those as:

> 1) Other potential beneficial uses for conserved water; 2) whether the excess water serves a reasonable and beneficial purpose; 3) probable benefits of water savings; 4)

the amount of water reasonably required for current use; 5) amount and reasonableness of the cost of saving water; 6) whether the required methods of saving water are conventional and reasonable rather than extraordinary; 7) availability of a physical plan or solution.

1) There is analysis, *supra,* of the extensive potential of beneficial uses of water that would be conserved if MMR did not use it to generate hydropower or if MMR returned it to Stanshaw Creek following hydropower generation.

2) Regarding the beneficial use of water that MMR now diverts, the record is mixed. MMR does not measure its electrical use. (Ex. WR-82, CSS Report, p. 6). There are carriage losses in the MMR ditch of .4 cfs measured by CSS on August 23, 2013. Estimates are between .4 cfs and 1 cfs of ditch losses. (Ex. WR-82, p. 11) Witness Joey Howard, principal of Cascade Stream Solutions, testified that MMR does not reduce its diversion to meet reduced electrical demand:

> Mr. Petruzzelli: Okay. And when they have lower power demands do they, say restrict their diversion to limit generation to what they actually need at that time?
>
> Witness Howard: It's my understanding that when they have a lower -- when they have a lower demand they burn the -- they generate heat with the water to burn off that extra energy.
> (HT 11/13/17, p. 47, ll. 4-11)

Mr. Howard also stated that he had observed MMR diverting less water than it needed to operate its hydropower unit but more water than it was using for other purposes. (*Id.*, ll. 17-23*)*

3) As stated in bullet #1 *supra*, the probable benefits of water savings are encapsulated in the beneficial uses of water available if water is conserved by eliminating the diversion or by returning water used for power generation to Stanshaw Creek.

4) The amount of water required for beneficial use is variable. MMR has not refined its hydropower system to match diversions to need.

5) The cost of water savings has changed over time, no doubt increasing since a grant was initially contemplated in 2004 to support moving the discharge from MMR's hydropower operation from Irving Creek back to Stanshaw Creek. While part of the

delay is attributable to regulatory uncertainty regarding the water right of MMR, part of the delay must also be laid at the feet of MMR in waiting for a better deal following the release of the Lennihan Report. If the effort was to preserve the hydropower generation, September 2014 to August 2016 was the time period in which MMR could have advanced a plan for returning the discharge to Stanshaw Creek. An affirmative effort in this vein may or may not have received support for additional grant funding. However, the ultimate choice of MMR in this time period was to double down on the existing configuration of its hydropower project rather than risk either paying full freight for re-rerouting its discharge or abandoning its hydropower operations for other options. The clock ran out, and the CAO has foreclosed any opportunity for assistance with this option.

6) There are reasonable options for power supply to MMR. These include going on the grid, using diesel generators exclusively, paying the cost of rerouting hydropower discharge to Stanshaw Creek, or a host of hybrid options. Diverse parties have entered some of these options into the record. These options are relatively but not prohibitively expensive. They are also not outside the realm of normal options for similar operations. Mr. Cole, on rebuttal, when asked by counsel if it was "common to run a diesel generator 24/7," replied: "Not for extended periods. We're putting a heavy load on the equipment we have. (HT 11/16/17, p. 279, ll. 3-7) However, Mr. Cole provided no supporting evidence for this assertion. It is, rather, MMR's existing power use and the means of supplying it that is extraordinary. Witness Mr. Tucker stated that no one else in his extensive knowledge of the mid-Klamath region uses 3 cfs to generate power. (HT 11/16/17, p. 131, ll. 1-13)

7) There are a number of physical plans or solutions available. However, having run out the string on regulatory indulgence, MMR will have to fund them completely.

In sum, the Board must find that MMR's use of water is unreasonable.

V. CONCLUSION AND RECOMMENDED REMEDY

In moving to a regulatory resolution, options that may appear or may have once appeared to be the most reasonable or rational solutions are no longer available. This is regrettable but no longer avoidable.

CSPA agrees with the findings in Table 2 of the Draft Order (Ex. WR-1) that are shown as being under the jurisdiction of the State Water Board. CSPA also agrees with the legal basis for the Draft Order as delineated therein.

CSPA recommends that the Board adopt the requirements in Table 4 of the Draft Order. CSPA recommends that timetable in Table 4 of the Draft Order be set back by two years so that MMR has the opportunity to comply.

CSPA recommends that MMR not be allowed to generate hydropower until it has completed the tasks in Table 4 of the Draft Order.

CSPA recommends that the proposed new October 15, 2018 deadline also require a determination by MMR on that date whether or not it will re-route its water discharges from Irving Creek to Stanshaw Creek. The order should include a provision that, in the event that MMR declines to do re-route its discharges from Irving Creek to Stanshaw Creek, MMR must permanently cease diversions for hydropower generation on October 15, 2018, and must commence dismantling its power generation facilities on that date.

Executed this 29th day of March, 2018.

Chris Shutes
Water Rights Advocate
California Sportfishing Protection Alliance

STATEMENT OF SERVICE

HEARING IN THE MATTER OF DOUGLASCOLE AND HEIDI COLE AND MARBLE MOUNTAIN RANCH, DRAFT ORDER NO. 2018-00XX

I hereby certify that I have this day submitted to the State Water Resources Control Board and caused a true and correct copy of the following document(s):

CLOSING BRIEF OF CALIFORNIA SPORTFISHING PROTECTION ALLIANCE

to be served **by Electronic Mail** (email) upon the parties on the service list for the above-referenced proceeding.

I certify that the foregoing is true and correct and that this document was executed on March 29, 2018 at Berkeley, CA.

Signature: _____

Chris Shutes
Water Rights Advocate
California Sportfishing Protection Alliance
1608 Francisco St.
Berkeley, CA 94703
blancapaloma@msn.com