

Anderson, Skyler@Waterboards

From: Konrad <k@omrl.org>
Sent: Tuesday, April 19, 2016 4:37 PM
To: ncolegrove@fs.fed.us; lcy@fs.fed.us; Anderson, Skyler@Waterboards; Feiler, Stormer@Waterboards; Bean, Caitlin@Wildlife; Bob Pagliuco - NOAA Affiliate; Margaret Tauzer - NOAA Federal; Petruzzelli, Kenneth@Waterboards; Murano, Taro@Waterboards; jgrunbaum@fs.fed.us; Gary Curtis
Subject: [FWD: Sharing Stanshaw Creek]
Attachments: Stanshaw Maps 2016.pdf

To Whom it Concerns:

Please see the e-mail below and the attached map. Feel free to share this with applicable staff at your respective agency. I'm happy to talk any time. (Cell: 530.921.9660)

Sincerely,
Konrad Fisher

----- Original Message -----

Subject: Sharing Stanshaw Creek
From: "Konrad" <k@omrl.org>
Date: Tue, April 19, 2016 4:11 pm
To: "Douglas Cole" <gustranch@marblemountainranch.com>

Hi Doug:

During the January stakeholder meeting in Orleans, and in an e-mail the same week, we agreed you would evaluate three options to meet your power needs: (1) Solar power; (2) Hydropower using a higher point of diversion; and (3) Hydropower using the current point of diversion. Based on the March 24, 2016 letter to SWRCB from your attorney, it appears you have decided not to evaluate the viability of solar power or hydropower using a higher point of diversion. I would respectfully ask you to reconsider given the benefits of solar power and/or hydropower with a higher point of diversion, and the drawbacks of hydropower with the current point of diversion.

First, solar power has become increasingly cost-effective, you have a lot of south-facing property, and it might impress your guests and increase the value of your business.

If solar power cannot meet your needs, I believe it would benefit both of us if you considered a hydropower system with a higher point of diversions (I will address the permitting issue below). **Please refer to the attached maps showing the current and potential future point of diversion, and your trail.** A hydropower system with a higher point of diversion would allow you to use considerably less water to produce an equivalent amount of power. It would also be much easier to return tail water to Stanshaw creek because the water would never have to be taken out of the Stanshaw Creek watershed.

There are serious disadvantages to designing a hydropower system using the current point of diversion. First, it requires you to maintain a trail and pipe on a very steep hillside that is prone to slides. As I explained in my previous letters, your ditch washes out many winters filling Stanshaw Creek with mud. A trail wide enough for you to walk and install a water pipe would likely wash out during rainy months without considerable reinforcement and maintenance.

The most serious disadvantage to a hydropower system using the current point of diversion is that you and I will be competing for water from the same bypass reach after I build my hydropower system. Your water use would have to be curtailed in order for me to produce power to meet my needs.

The March 24, 2016 letter from your attorney reads “The USFS’s review found that changing the point of diversion for Marble Mountain Ranch is not an acceptable option. The USFS also confirmed that the current maintenance approach of clearing sediment from the diversion and using it to reinforce the berm is an effective approach for maintaining a diversion such as the Coles’.”

If this is true, please let me know who at USFS made this assertion. During our January meeting, I did hear Mr. Fry express his opposition to a hydropower system using a higher point of diversion. I do not believe this opinion constitutes the formal position of the USFS. I suspect the USFS will reach a different conclusion than Mr. Fry after they considered all relevant factors.

I have no doubt that it would be a process to obtain a special use permit from the USFS. However, it would also be a process to obtain permits from CalTrans to return tail water to Stanshaw Creek via Hwy 96. Moreover, the USFS has already issued you a special use permit for a trail from your property to the Marble Mountain Wilderness. Since they were willing to issue a permit for a trail for a private business, it seems reasonable that they would issue a permit for a new water line that would help protect fisheries and public trust resources.

I understand there are time constraints given grant deadlines for public funding sources. However, I urge you to find a way to meet your electricity needs without compromising my ability to produce hydropower and protect juvenile salmon on my property. As a starting point, I urge you to calculate your actual electricity needs and consumptive water needs, and then share this information with stakeholders and agency staff.

-Konrad



1:10,000

Stanshaw Creek

Stanshaw

Stanshaw Cr

RIVER

Potentia 1870'

Current 1180'

Young Ranch 1040'

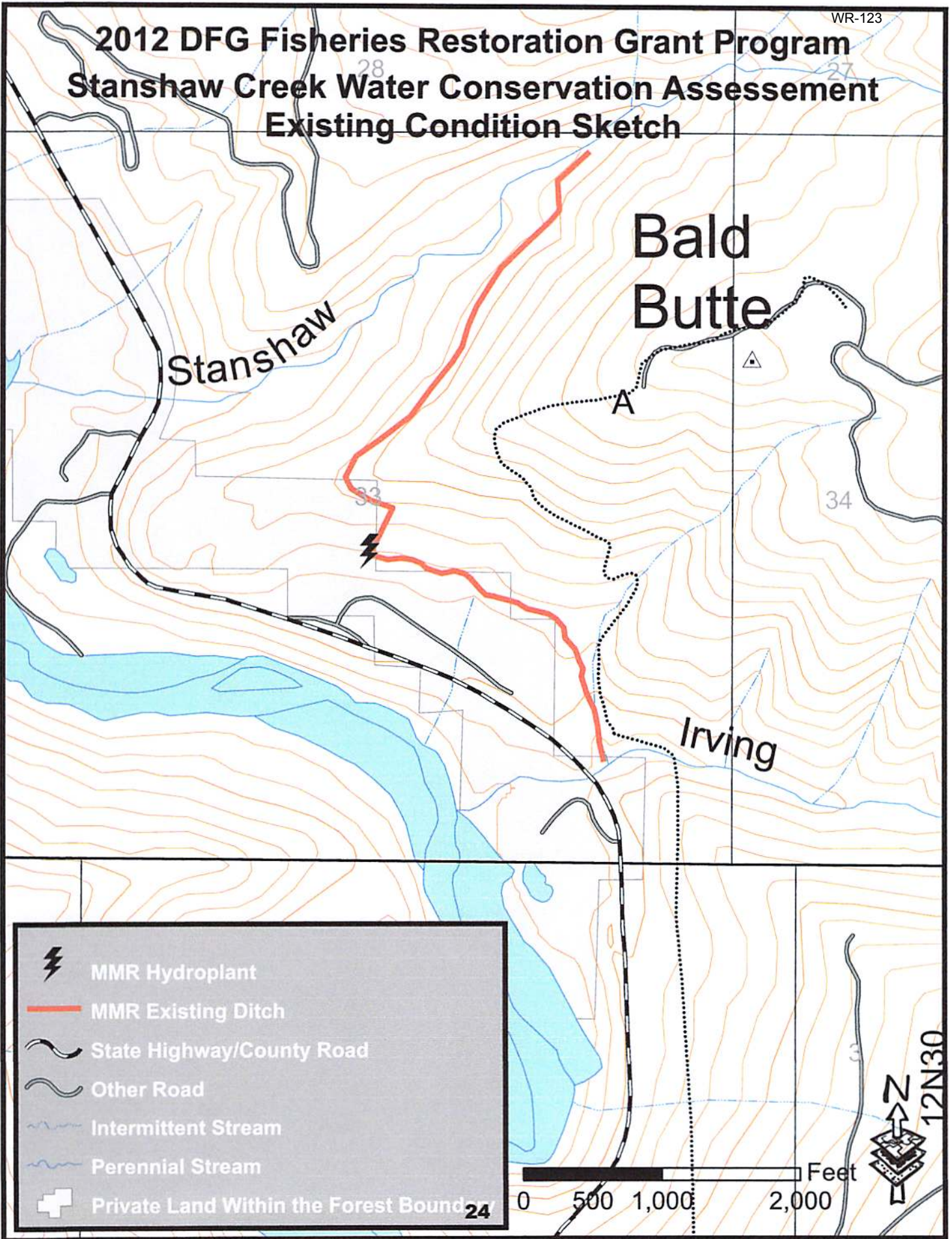
BM 847

1396

774

10-10

2012 DFG Fisheries Restoration Grant Program Stanshaw Creek Water Conservation Assessment Existing Condition Sketch



MMR Hydroplant



MMR Existing Ditch



State Highway/County Road



Other Road



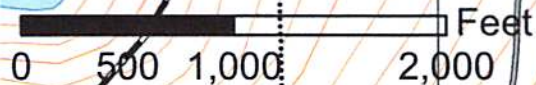
Intermittent Stream



Perennial Stream



Private Land Within the Forest Bound





1:20,000

Stanshaw Creek

