



# COUNTY OF SISKIYOU

## Board of Supervisors

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P.O. Box 750 □ 1312 Fairlane Rd  
Yreka, California 96097  
[www.co.siskiyou.ca.us](http://www.co.siskiyou.ca.us)

(530) 842-8005  
FAX (530) 842-8013

July 17, 2018

Ms. Michelle Siebel  
State Water Resources Control Board  
Division of Water Rights- Water Quality Certification Program  
PO Box 2000  
Sacramento, CA 95812-2000

**Subject: Comments re Draft California State Water Resources Control Board Water Quality Certification for Klamath River Renewal Corporation Lower Klamath Project**

Dear Ms. Siebel:

The Siskiyou County Board of Supervisors, through coordination with its consultant, SWCA Environmental Consultants, writes this letter to provide comments on the California State Water Resources Control Board's (California Water Board) *Draft California State Water Resources Control Board Water Quality Certification for Klamath River Renewal Corporation Lower Klamath Project*.

It is the County's understanding that the draft Water Quality Certification has been published for comments prior to the release of the draft Environmental Impact Report that the California Water Board is drafting related to the Klamath River Renewal Corporation's application to the Federal Energy Regulatory Commission to remove the four Lower Klamath River Dams. The County anticipates the release of the draft EIR later this year, which should include a much more robust and detailed analysis of all impacts as a result of potential dam removal, many of which will significantly impact Siskiyou County. This letter is not meant to serve as the County's final comments related to the Water Quality Certification, and additional comments will be provided when the California Water Board makes the draft EIR available for public comment.

**Coordination with Oregon Department of Environmental Quality**

U.S.C. §1341 (a)(2) stipulates that when a discharge may affect the quality of the water of a downstream state, the upstream state must notify the downstream state. As the Oregon Department of Environmental Quality has issued a draft Water Quality Certification in parallel with the California Water Board's draft certification, additional information must be provided in Section 1, Background, to provide the public with any coordination and notification processes that have transpired between the two agencies. The California Water Board must ensure that Oregon's draft Water Quality Certification meets all water quality standards and adopted criteria. There is nothing in the California Water Board's draft Water Quality Certification that describes that this cumulative

analysis has taken place; and as such Siskiyou County requests that they be provided with this information.

**Condition 1. Water Quality Monitoring and Adaptive Management**

Under the "Reporting and Adaptive Management" subsection on pages 17 and 18 of the draft California Water Quality Certification, the condition states that "Monitoring and monthly reporting shall continue until otherwise approved by the Deputy Director." This condition should include the parameter(s) by which the Deputy Director would conclude that monitoring and monthly reporting is no longer required; and again we request that this information be provided to Siskiyou County.

**Condition 4. Anadromous Fish Presence**

Under the Frequency and Duration subsection on page 24, the condition states that "Fish presence surveys shall be conducted for at least four consecutive years and until otherwise approved or modified by the Deputy Director." This condition should include the parameter(s) by which the Deputy Director would conclude that fish presence surveys are no longer required; and we request that this information be provided to Siskiyou County.

We look forward to the California Water Board's responses to our comments and inquiries; please feel free to contact Elizabeth Nielsen, Project Coordinator, at (530) 842-8012 or [enielsen@co.siskiyou.ca.us](mailto:enielsen@co.siskiyou.ca.us). This letter was approved by the Siskiyou County Board of Supervisors on July 17, 2018, by the following vote:

AYES: Supervisors Haupt, Kobseff & Criss  
NOES: None  
ABSENT: Supervisors Nixon & Valenzuela  
ABSTAIN: None

Sincerely,



Ray A. Haupt, Chair  
Board of Supervisors

cc: ODEQ



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July 17, 2018

Chris Stine, Hydroelectric Specialist  
State of Oregon Department of Environmental Quality  
165 E 7th Ave, Suite 100  
Eugene, OR 97401

**Subject: Comments re Draft Oregon Department of Environmental Quality Water Quality Certification for Klamath River Renewal Corporation Lower Klamath Project**

Dear Mr. Stine:

The Siskiyou County Board of Supervisors, through coordination with its consultant, SWCA Environmental Consultants, writes this letter to provide comments on the Oregon Department of Environmental Quality's (ODEQ) draft *Water Quality Certification for Klamath River Renewal Corporation Lower Klamath Project (Water Quality Certification)*.

**Coordination with California State Water Resources Control Board**

1. U.S.C. §1341 (a)(2) stipulates that when a discharge may affect the quality of the water of a downstream state, the upstream state must notify the downstream state. It is not apparent in reading the *Water Quality Certification*, that this procedure has taken place. Please provide some context for any coordination and notification that has occurred between Oregon and California with respect to the issuance of a Water Quality Certification that would affect California water quality.

**Condition 2. Water Quality Management Plan**

1. Under the list of parameters listed on page 2 of the *Water Quality Certification* - are total suspended sediments (TSS) and total dissolved solids (TDS) both included in suspended sediment concentration requirement? If not, then why aren't TSS and TDS part of the monitoring protocol?
2. Why is ODEQ not requiring monitoring of sediment contaminants such as DDT, DDD and DDE, TCDD along with semi-volatile organic compounds and dioxin-like compounds? These contaminants were shown in the December 2012 Water Quality Support Technical Information to exceed screening limits and ODEQ's Bioaccumulation screening level values (SLVs). This seems especially important since J.C. Boyle sediments have higher chemical concentrations and more chemicals of potential concerns (COPCs) than the other reservoirs. The lists of chemicals in sediment samples from J.C. Boyle that exceed one or more sediment screening levels (Table C-5) and those that

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Brandon Criss  
District 1

Ed Valenzuela  
District 2

Michael N. Kobseff  
District 3

Lisa Nixon  
District 4

Ray Haupt  
District 5

exceed one or more human health sediment screening levels (Table C-6) of the December 2012 Water Quality Support Technical Information are extensive and should not be ignored.

#### **Condition 4. Miscellaneous Measures Protective of Beneficial Uses**

1. Under the "Frequency and Duration" subsection on page 24, the condition states that "Fish presence surveys shall be conducted for at least four consecutive years and until otherwise approved or modified by the Deputy Director." This condition should include the parameter(s) by which the Deputy Director would conclude that fish presence surveys are no longer required.
2. J.C. Boyle was originally constructed at the site which was historically known as "Moonshine Falls". This potential natural fish passage barrier should be included in the list on page 4 under 4(a)(iii).

#### **Condition 5. Reservoir Drawdown and Diversion Plan**

1. On page 5 under 5(c)(iii), Cultural Resource Discovery should include a site security and protection plan for each discovered site.
2. On page 5 under 6(a), the licensee should be required to develop and implement an Aquatic Invasive Species (AIS) Monitoring and Protection Plan to prevent introduction of any AIS by heavy equipment involved in the removal process both on land and in water.

#### **Condition 6. Reservoir Area Management Plan**

1. On page 6 under 6(b)(iii), the Licensee should be required to inspect and remedy physical barriers to fish passage more frequently than once per year since the migratory fish species have different upstream passage windows. At the very least there should be a spring and fall inspection period that occurs well in advance of the known upstream passage windows so that remedies can be implemented prior to the onset of fish migration.

#### **Condition 8. Site Restoration, Erosion and Sediment Control**

1. Page 8 under 8(d)(i), it is assumed that there has been some coordination between the Licensee and the U.S. Bureau of Land Management (BLM) regarding the Topsy Campground removal since that facility is owned by the BLM. Please provide some context for coordination between ODEQ and BLM.
2. Page 8 under 8(e), much of the terrain on the downslope side of the J.C. Boyle canal is very steep. It seems negligent to side-cast canal earthen material since much of it will eventually end up in the river reach causing turbidity.

#### **Condition 10. Spill Response**

1. Page 10 under 10(a)(vi), equipment operated in state waters should have a manifest showing previous work locations and also be fully inspected for AIS presence prior to use on this project to prevent contamination in the Klamath River.

We look forward to the ODEQ's responses to our comments and inquiries; please feel free to contact Elizabeth Nielsen, Project Coordinator, at (530) 842-8012 or [enielsen@co.siskiyou.ca.us](mailto:enielsen@co.siskiyou.ca.us). This letter was approved by the Siskiyou County Board of Supervisors on July 17, 2018, by the following vote:

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NOES: None

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ABSTAIN: None.

Sincerely,



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Board of Supervisors

cc: California Water Resources Control Board



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