

PB  
PROJECT  
2105



Old Guys for the Environment

PETER

At the local level I've been involved in the process and review of **project 2105** for 8 years. I have reviewed all the documents put forward by the State Board staff. I am disappointed in the outcome of the effort over all those years. The State Board is the Supreme Court for water issues in California. Your decision process deserves better support. So also does the public you serve.

C.E.Q.A. is simple process, it is a check list as to how to identify and evaluate impacts of a proposed action such as your water quality certification. Following the process of C.E.Q.A. will help you avoid the mistakes made in the draft document.

My first suggestion is that you craft a clear and generally understandable objective. Using 20c as a standard without tying it to something meaningful to the impacted public leaves the reader in doubt. Perhaps if you said 20c which we believe will improve fish survival or growth or relieve stress could give you something to measure your success. The use of 20c elicits the question...Why? Something like "in order to increase trout populations by 10%" gives you something you can measure and to which you can be held accountable. It will also help us the why of your decision.

The temperature, dissolved oxygen and hydrology data used by your consultants to model and predict future conditions is old. Changes in the climate around Lake Almanor generate a much different picture of current conditions and the likely future following your actions. Up to date information is available from PG&E,DWR and the Lake Almanor Water Quality Committee. Use of this data will bring you much closer to the "Best Available Science" standard.

The cold springs and their sphere of influence on temperature refugia are critical to the summer survival of trout I the lake The temperature and volume of these areas should be included in your analysis or you should provide a reason why you left them out. Your drafters overlooked the recent detrimental changes in blue green algae populations and outbreaks of swimmers itch which may be related to temperature increase. Because our watershed is at the top of the State Water Project you should be concerned over the possibility that an increase in temperature could result in an invasion by quagga muscles. The recent drought offers an important test case for the impacts of your proposal.

The most egregious error in the DEIR is the failure to consult with the Native American Tribes who have sacred sites in the project area Corrective action should be taken immediately. It cannot wait

for a second draft. Failure to do so is a fatal flaw you must avoid. An apology should be your first action. When you consult you will learn that the proposed location for the temperature curtain is a sacred burial ground. It was discovered when the Prattville diversion was built. Human remains were disturbed and destroyed. No future loss can be allowed. No mitigation is viable. No amount of adaptive management could cause the tribes to abandon their heritage.

Impacts to Butt Lake seem to have escaped notice by the preparers of the DEIR. If you force the construction of a temperature curtain at Prattville you will impact a second trophy trout fishery. The curtain, which cannot be shut down, regardless of negative impacts to temperature downstream, if power production is ongoing. The curtain will curtail the movement of pond smelt to Butt Lake. A major loss of food supply will occur. I cannot think of a way to mitigate this significant impact. Perhaps sufficient reproduction of pond smelt will occur in Butt Lake, but it is only speculation at this point.

Please do not ignore the economic consequences of your proposed action. The staff draft alternative leaves substantial concern for the economic future of the Almanor Basin. The more than one million annual visitors to the area could be reduced just because of a perceived future threat. Sales tax, bed taxes and property tax could be lost. I am certain I will lose value in my property. These taxes support vital public services in my county. If they are lost will the State Board provide compensation?

There may be a way to dig out of this pit. The staff draft alternative which is hidden in the notice of availability might provide a starting point. You should include and mandate the Settlement Agreement as a major mitigation measure. The temperature curtain is dead on arrival, PG&E says it is "unwise", the public hates it, it is ugly as sin with its' huge lighted buoys and the Tribes promise to take the issue to court. But... a release of 250 cfs. from the bottom of Canyon Dam in all but critically dry years could provide a benefit if it were restricted to July and August. It will still impact power production which will require purchases by PG&E. and it will reduce usable trout habitat in Lake Almanor. This impact could be mitigated by the use of aeration before, during and after the low level releases. There is an existing remote monitoring station which can tell you how the action is working. It is a compromise that might gain acceptance.

I just want to get this all behind us. I'm retired after all, I want to go fishing. If you have any questions or require any clarification please contact me. If appropriate I will come to Sacramento to talk about any of the many issues.

Dick Daniel



Chief Old Guy...Old Guys for the Environment.

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PB



Old Guys for the Environment

CHAIR MARCUS (FELICIA)

MAR 5 2015

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Dick Daniel

A handwritten signature in black ink that reads "Dick A. Daniel". The signature is written in a cursive, flowing style.

Chief Old Guy...Old Guys for the Environment.

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PB



Old Guys for the Environment

Tom...

DWR

MAR 5 2015

SUPROB EXECUTIVE

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