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FERC 2105

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STATE WATER RESOURCES
CONTROL BOARD

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DIV OF WATER RIGHTS
SACRAMENTO

TO: Peter Barnes, Engineering Geologist
State Water Resources Control Board
Water Quality Certification Program
P.O. Box 2000
Sacramento, CA 95812-2000

From: Kim R. Davis
4450 El Centro Rd, # 524
Sacramento, Ca 95834

Comments

SWRCB DEIR

Water Qualification Certification

PG&E's Upper NFFR Hydroelectric FERC Project 2105

Thermal Curtin, Lake Almanor

I write today as a property owner in Lake Almanor; however my involvement and interest in the Thermal Curtin's extends from this. Back in 2005 upon the proposal of the Thermal Curtin's I was working for a north state Senator who had many constituents with property in Lake Amanor. As a staff member I became intimately involved in the issue. I attended many meetings at the local level but also meetings involving legislators, SWRCB members and staff.

There are several items of importance to point out, but I first want to address the attitude put forth to the local community members as well as the legislators themselves by the SWRCB staff in particular, and in some incidences that of board members. The attitude was of arrogance and complete disrespect. As a staffer I had worked with many agencies at both the federal and state level for 17 years and I had never witness such a show of insolence. It is my hopes that the current staff and Board members will be professional and courteous and treat this issue and the stakeholders in a manner that is befitting of their professional positions.

It is obvious that the previous staff and Board picked the Thermal Curtain as the preferred solution regardless of the facts that were overwhelming in evidence that the Thermal Curtains were NOT a viable solution, my points as to why are mentioned later in my comments.

The deck was stacked from the beginning on this issue, the back deal agreements and top down push, i.e. "The Agenda." was evident. I am sorry if I sound cynical but my experiences working those 17 years in resource issues have shown me repeated disingenuousness from bureaucrats, and my experience with this issue I observed regularly the deception.

I witnessed firsthand a high placed staffer say to a legislators face with complete smugness you will not win, we will get what we want. I have to ask who is we, and why would the SWRCB staff be so adamant about pushing the Thermal Curtain when it is obvious that it would have such severe negative third party impacts? I truly believe until this pompous draconian way of doing business is purged from this process, a true solution will not be forthcoming.

Points of matter that draw into question the Thermal Curtain being used as a viable solution.

- There is no proof that the Thermal Curtain will meet the Boards objective of reducing the water temperature by 1 degree 40 miles downstream. One does not have to be a scientist to know that this is ridiculous and obviously impossible, not to mention cost prohibitive.
- The Curtains will fail and it is so obvious, you have now added taking cold water 250-600 cfs from Canyon Dam. This is asinine, and further perpetuating more damage to the environment.
- Has the SWRCB done their due diligence and provided data to show the historical water temperatures? No they have not. The DEIR does not provide supported facts or evidence as required by CEQA.
- The Water Board has been provided evidence that these proposed solutions will have severe negative impacts on the Lakes and the environments of Lake Almanor, Butt Lake and now Canyon Dam. The Board must guarantee by law that these solutions will not negatively affect water quality and ecosystem in and around these bodies of water.
- The boiler plate response of insignificant to every public comment of concerns is beyond comprehension and further shows the contempt. When attorneys state that DEIR is one of the most flawed they have ever reviewed speaks volumes to the fact that the bureaucrats could care less and the Board is detached.

- The SWRCB are appointed people who come to these positions from the private sector, and may not have the knowledge in all issues set them. You do learn on the job, and we know that these issues can be overwhelming. The standard protocol of the board to follow staff recommendations is the natural default. In this case it is painfully obvious that the SWRCB have not done their due diligence and took the easy route intentionally dismissing the facts brought before them. The SWRCB needs to do research beyond the staff's recommendations. If you do not, the result will be numerous lawsuits over the irreparable damage to the environment. The cost to the state of California will be enormous, not to mention the collapse of several communities in an already depressed north state. This would be a complete derelict of your duties and to add insult to injury this will all be avoidable if you do your fiduciary duty!
- We all know what happens when a body of water warms up, so the logic is incomprehensible that state biologists would allow Lake Almanor and Butte Lake and now Canyon Dam to warm up in order to cool down, 2 creeks, that have not been proven to be cold water creeks, they have only been declared it, by the staff, who seem to have already made up their minds..
- The cost of the Thermal Curtains is exorbitant, and even after all these years it is brought back to the table with NO suggestions or plans to pay for them or the maintenance. Since the installations of these will create enormous damage to the bodies of water, and the economy generated from these lakes will cease, I ask is the state of California ready to take on this price tag? As an appointee of the Governor I cannot imagine he would expect this Board to be so fiscally irresponsible.
- The complete disregard for the American Indian concerns and issues brought forth is also beyond comprehension. When the media is made aware of the cost to the tax payers and the political dismissal of our Native Americans, I am sure the phones will be ringing off the hook at the SWRCB offices.
- The past Board and staff have chosen to ignore scientific data stating professional warnings of the dangers of water temperatures being lowered. Staff wrote insignificant and so the Board concurred. Is this new Board going to follow such careless policy?

- It is apparent that by any means the goal is to get cold water into these creeks to raise their temperature level 1 degree. Regardless of, if it works or how detrimental it is. I agree "Not A Drop More Of Our Cold Water!"

In conclusion, should you choose to accept this blatant flawed DIER, the responsibility and the consequences are on your shoulders? This Board and this staff will be known for the most irresponsible decision makers under the Brown Administration.

On a last note, since PG&E makes power then why don't they place a water cooling devise, at the creeks and recycle the water within the creek by running it through these coolers then back into the creeks. This would be a much more cost effective, less invasive strategy. . an extremely cost effect manner to reach your goal with no harm to anyone or any eco-system could be the solution. It is that simple!