

From: Sharon Stohrer
To: MaryLisa Lynch
Date: 10/14/05 8:16AM
Subject: Re: request for time extension

MaryLisa,

Please submit CEQA Scoping comments on Project 2105 by close of business on Monday, 10/24/05. The submittal by DFG may be made before 5:00 pm at my email address or by hardcopy received at the Cal EPA address of the SWRCB. Thank you for the notification of your interests.

Sharon Stohrer

Sharon Stohrer
State Water Resources Control Board
1001 I Street, 14th Floor
Sacramento, CA 95814
(916) 341-5397

SSTOHRER@waterboards.ca.gov

>>> "MaryLisa Lynch" <MLYNCH@dfg.ca.gov> 10/13/05 3:42 PM >>>
Sharon

The Department of Fish and Game requests a five working-day extension of time to file our comments for the Notice of Preparation of a Draft Environmental Impact Report. If acceptable to your agency, our new deadline would then become close of business on October 24.

Thank you for your consideration,

MaryLisa F. Lynch, Staff Environmental Scientist
FERC Hydropower Relicensing Coordinator
California Department of Fish and Game
Sacramento Valley Central Sierra Region
1701 Nimbus Road, Ste. A
Rancho Cordova, CA 95670
916.358.2875
916.358.2912 fax

CC: Kent Smith; Lori Powers; Nancee Murray; Sandra Morey

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To: <SSTOHRER@waterboards.ca.gov>
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CC: "Kent Smith" <KSMITH@dfg.ca.gov>, "Lori Powers" <LPOWERS@dfg.ca.gov>, "Nancee Murray" <Nmurray@dfg.ca.gov>, "Sandra Morey" <SMorey@dfg.ca.gov>



STATE OF CALIFORNIA
THE RESOURCES AGENCY

Department of Fish and Game
Sacramento Valley & Central
Sierra Region

1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

Phone Number. (Main Office): (916) 358-2900



FAX COVER SHEET

TO: SWRCB Attn: Sharon Steiner
PHONE NO. _____
FAX NO: 341-5400

FROM: Sandra Morey for MaryLise Lynch
PHONE NO: _____
FAX NO: (916) 358-2912

DATE: 24 Oct 05

PAGES: 4 page(s) total, including this cover sheet

MESSAGE:

Sharon,
Could you please confirm receipt.
Thanks
MaryLise



State of California - The Resources Agency

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

Sacramento Valley - Central Sierra Region
1701 Nimbus Road, Suite A
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October 24, 2005

Ms. Sharon Stohrer
State Water Resources Control Board
Post Office Box 2000
1001 I Street, 14th Floor
Sacramento, CA 95812-2000

STATE WATER RESOURCES CONTROL BOARD
2005 OCT 24 PM 1:41
DIV. OF WATER RIGHTS
SACRAMENTO

COMMENTS ON THE STATE WATER RESOURCES CONTROL BOARD'S SCOPE AND CONTENT OF NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR UPPER NORTH FORK FEATHER RIVER HYDROELECTRIC PROJECT

The Department of Fish and Game (Department) has reviewed the State Water Resources Control Board's (State Water Board) Notice of Preparation (NOP) of a Draft Environmental Impact Report for Upper North Fork Feather River (UNFFR) Hydroelectric Project Water Quality Certification (DEIR) and is providing the following comments. The Department is providing comments in response to the NOP under the California Environmental Quality Act (CEQA) as both a responsible and trustee agency. As trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of such species. In this capacity, the Department administers the California Endangered Species Act (CESA), the Native Plant Protection Act (NPPA), and other provisions of the California Fish and Game Code that afford protection to these trust resources.

The waters of the UNFFR, including Lake Almanor, Butt Valley Reservoir and Belden Forebay, serve as habitat for many aquatic species of significant value to the public for recreation, commercial, economic, educational, and cultural purposes. Recreational angling is a recognized interest of the Department, both in the reservoirs associated with the project, and in the river reaches downstream of the reservoirs. The Department has a fifty-year history directed toward developing and maintaining the popular fishery in Lake Almanor. This fishery is primarily for salmonids (trout and related species) and bass (smallmouth and largemouth). Since the salmonid fishery is not self-sustaining, the Department annually stocks the lake with large numbers of hatchery-reared fish. Butt Valley Reservoir is a valued trophy trout fishery that is currently

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sustained by natural reproduction. The Department annually stocks the Belden Forebay with rainbow trout. Concurrently, the cold water sport fisheries below the reservoirs are also recognized significant interests of both the Department and the general public. The trout population below the reservoir in the Belden Reach is not self-sustaining. The Department annually stocks hatchery-reared fish in this reach. The Seneca Reach below Canyon Dam (Lake Almanor) supports a self-sustaining population of rainbow trout and provides angling for wild-reared trout. Because of the significant resource values in this area, the Department encourages the State Water Board to consider alternatives which protect cold water species, both in the reservoirs and in the river.

In general, the Department is supportive of the State Water Board's scope and content as provided in the Notice of Preparation and attached environmental checklist. We do have some specific comments as follows:

Page 6, Potential Alternatives

The Department recognizes the Water Board's intent to analyze alternatives that would avoid or substantially lessen any significant impacts of the project. Moreover, the Department acknowledges the value of the off-site compensatory mitigation for cold freshwater habitat listed as bullet six. We suggest that, in addition, the Board also consider an alternative for off-site compensatory mitigation that would result in a temperature benefit to cold freshwater fisheries downstream of the project reservoirs, within the Feather River Watershed.

Page 14, BIOLOGICAL RESOURCES 4(a).

The Department recommends that the scope of the proposed cumulative effects analysis be broadened to include the entire North Fork Feather River (NFFR) from Lake Almanor to Lake Oroville, not just the "project area". Lake Almanor (Canyon Dam) was originally constructed by Western Power in 1914 and expanded in 1916, 1927, 1963, and 1997. The purpose for construction was to store spring runoff and release stored water during the later summer months for power production at Big Bend (now Poe; FERC 2107). That purpose has not changed since 1914, although several other hydroelectric projects have been added to the system including Butt Valley and Caribou #1 powerhouses in 1921 (FERC 2105), Rock Creek and Cresta powerhouses in 1950 (FERC 1962), Poe powerhouse (originally Big Bend powerhouse) in 1958 (FERC 2107), Caribou #2 powerhouse in 1958 (FERC 2105), Belden powerhouse in 1969 (FERC 2105), and Oak Flat powerhouse in 1985 (FERC 2105). Since the onset, the operation

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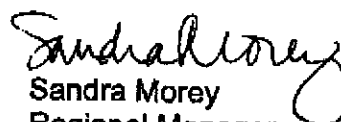
of Lake Almanor and its associated hydroelectric projects have altered the annual hydrograph and increased water temperatures in the NFFR from Canyon Dam downstream to Lake Oroville. Therefore, the cumulative impact analysis for the proposed project should include the entire NFFR from Lake Almanor to Lake Oroville.

Page 42, CUMULATIVE IMPACTS

The microscopic protozoan *Ceratomyxa shasta* is endemic to the NFFR and causes serious mortalities in rainbow trout. Elevated water temperature can intensify *Ceratomyxa* impacts. Therefore, the cumulative impact analysis should address the relationship between the project-related elevated water temperature and the predominance of *Ceratomyxa* in the NFFR between Belden Dam and Poe powerhouse.

As a final comment, CEQA (21081.6) requires that a public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. The Department has an interest in the eventual enforcement of permit conditions in any Section 401 certificate issued for this project. The Department requests that the Board consider development of cooperative agreements that could provide for enforcement efforts specifically directed toward, but not limited to, reducing poaching in the UNFFR project area during spawning season in areas where project features promote increased poaching, and increasing enforcement of stream bed alteration agreements when project features have increased the need for such permits (i.e. shoreline erosion/water quality at Lake Almanor reservoir).

Thank you for the opportunity to comment on the scope and content of the DEIR. If you have questions about the Department's comments please contact Ms. MaryLisa Lynch, Staff Environmental Scientist, at (916) 358-2875 or via email at mlynch@dfg.ca.gov.


Sandra Morey
Regional Manager

cc: Ms. MaryLisa Lynch
Mr. Kent Smith
Department of Fish and Game
1701 Nimbus Road
Rancho Cordova, CA 95670