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July 7, 2020

VIA ELECTRONIC SUBMITTAL

WR401Program@waterboards.ca.gov

State Water Resources Control Board
Division of Water Rights – Water Quality Certification Program

Mr. Jordan Smith
P.O. Box 2000
Sacramento, CA 95812-2000

RE: Public Comment
Revised Draft Environmental Impact Report (State Clearinghouse No. 2005082122)
Upper North Fork Feather River Hydroelectric Project
Federal Energy Regulatory Commission Project No. 2105 (Lake Almanor, Butt Valley
Reservoir, and Belden Forebay)

Dear Mr. Smith:

Plumas County (Plumas) appreciates the opportunity to provide comments regarding the Revised Draft Environmental Impact Report (RDEIR) for Pacific Gas and Electric (PG&E) Company's Upper North Fork Feather River (UNFFR) Hydroelectric Project Federal Energy Regulatory Commission (FERC) Project No. 2105 (Project).

Plumas continues to have a direct and unique standing and history as a primary stakeholder in this proceeding and asserts all arguments set out in prior comments within the record including, but not limited to, comments of Plumas County on the Project Draft Environmental Impact Report (DEIR) dated March 26, 2015 and available at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/docs/ferc2105/unffr_plumascounty.pdf

Plumas is pleased to note that the revisions and improvements to the RDEIR go a long way to correct the numerous DEIR inadequacies.

Plumas supports the terms of the April 22, 2004 final UNFFR Project Relicensing Settlement Agreement (Settlement) and applauds the State Water Resources Control Board (SWRCB) for its work in providing consistency in the RDEIR within the framework of the 2004 Project Settlement terms.

Plumas understands the proposed project, along with three water temperature management alternatives developed to address the ongoing impacts of the UNFFR Project on temperature in the North Fork Feather River, were evaluated in the RDEIR. The proposed project being generally defined as the continued operation of the UNFFR Project under a new FERC license, as outlined in PG&E's application to FERC, measures from the Settlement, federal agencies' mandatory conditions, and FERC's Staff Alternative. Alternatives 1 and 2 include installation of thermal curtains at Prattville and Caribou intakes. Alternatives 1 and 3 include increased releases from Canyon Dam up to 250 cfs (cubic feet per second) from June 16th to September 15th.

The RDEIR recognizes these water temperature management alternatives would have a range of impacts and benefits with respect to preservation and protection of beneficial uses associated with Lake Almanor and the North Fork Feather River. Plumas strongly supports Alternative 3 and offers the following RDEIR comments with respect to temperature control, thermal curtains, and oxygenation.

TEMPERATURE CONTROL

Plumas understands the proposed project was developed to ensure PG&E could meet its objectives for the UNFFR Project, including, but not limited to, implementing measures to conserve energy, mitigate damage to fish and wildlife (including related spawning grounds and habitat), provide recreational opportunities, and preserve other aspects of environmental quality.

As a stand-alone, Alternative 3 increases the summertime releases up to 250 cfs from the low level outlets at Canyon Dam to the Seneca reach to reduce water temperatures of the North Fork Feather River.

Releasing 250 cfs from Canyon Dam is beneficial to avoiding significant environmental impacts and makes an important and worthwhile improvement in effectively reducing water temperatures downstream in the Seneca, Belden, Rock Creek, and Cresta reaches. As stated in the RDEIR, Alternative 3 would avoid significant construction-related, Aesthetic, and Recreation impacts associated with thermal curtains; would allow for the potential impacts to the coldwater fishery in Lake Almanor to be modified more easily in response to any impacts to the lake fishery; and would strike a balance between improved cold water habitat in the UNFFR and loss of cold water habitat in Lake Almanor and Butt Valley Reservoir.

THERMAL CURTAINS

Plumas is very concerned with potential impacts and outcomes associated with the installation of thermal curtains at the Prattville (Lake Almanor) and Caribou (Butt Valley Reservoir) intakes. While water temperature management Alternatives 1 and 2 do not initially require the installation of thermal curtains, there are provisions that could lead to the development and implementation of a "Contingency Plan" that could possibly include the installation of thermal curtains during the term of the new FERC license.

Plumas notes that monitoring, plans, or studies are required to inform future actions in relation to thermal curtains; however, these actions would be at the sole discretion of the SWRCB Deputy Director. Plumas is concerned about this excessive delegation of authority to the SWRCB Deputy Director and raises the question of the applicability of the California Environmental Quality Act (CEQA) to subsequent determinations and actions made by the Deputy Director—to the extent the action has not been analyzed in the RDEIR—as those decisions appear to constitute discretionary decision-making under CEQA that would require further environmental analysis.

Plumas does not support Alternatives 1 or 2 and does not recommend the door be left open for future consideration of the use of thermal curtains, but if it must, consultation processes in the future for reconsideration of thermal curtains should be expanded and modified to include collaborative decision-making, including that of Plumas. Plumas continues to ask the SWRCB to exercise its regulatory power in a rational, balanced, and equitable manner.

OXYGENATION

In the March 26, 2015 DEIR comment letter by Plumas, the County recommended oxygenation of Lake Almanor, and more particularly described in Attachment 1, comments of Gina Johnston, PhD, and Attachment 2, comments of Alice Rich, PhD. Despite these DEIR comments, Plumas notes the RDEIR did not analyze the augmentation of oxygen in Lake Almanor through oxygenation.

Plumas stands by installation of oxygenation infrastructure as a reasonable mitigation measure for cooling downstream waters during peak summer heat conditions. Improvement of dissolved oxygen levels would help mitigate exacerbating summer anoxic conditions and the thermal stress that coldwater fish in Lake Almanor experience.

Plumas requests that oxygenation be considered. Augmentation of an oxygenation facility at or near Canyon Dam is an opportunity to mitigate the impacts on Lake Almanor's coldwater fish habitat and, for example, improve recreation and the existing trout fishery.

CONCLUDING REMARKS

Plumas recognizes that many of the deficiencies in the DEIR have now been adequately addressed, with the exception of oxygenation, and believes the modifications substantially affirm the decades of efforts made by many parties who have urged the SWRCB to reach the most equitable, effective, and reasonable balance of beneficial uses under the Clean Water Act that the Project can provide.

Plumas commends the SWRCB for the additional analysis, modeling, and overall effort it took to recirculate the RDEIR with the inclusion of Alternative 3. The above RDEIR comments are offered in support of Alternative 3, as the RDEIR demonstrates this management alternative will provide the best balance of controllable factors in bringing water temperatures into conformance while protecting the beneficial uses in Lake Almanor.

Plumas can't stress enough how important a milestone moment this is in, (1) sustaining the long-term and safe operation of Project facilities over the term of the new FERC license, (2) developing and implementing long anticipated plans for the enhancement of Project amenities such as recreational opportunities, and (3) monitoring and conserving environmental and biological resources for the reservoirs and waters within and downstream of the Project area for generations to come.

Sincerely,



Kevin Goss

Chair, Board of Supervisors

cc: Board of Supervisors, Plumas
Doug LaMalfa, Congressional District 1
Brian Dahle, Senate District 1
Megan Dahle, Assembly District 1
Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission
Curtis Anderson, Office Chief, Northern Region, California Department of Water Resources