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5 March 2005

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2005 MAR 14 P 4: 29  
REGULATORY COMMISSION

Mr. Arthur G. Baggett, Jr., Chairman  
California State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812

Ref.: Upper North Fork Feather River / FERC Project 2105

Dear Chairman Baggett:

For quite some time now, Pacific Gas and Electric Company (PG&E) has been working to satisfy requirements for the relicensing of its hydropower facilities on the upper North Fork of the Feather River (NFFR) under FERC Project Number 2105. Virtually all of the federal and state requirements have been met, with the exception of a water quality permit from the California State Water Resources Control Board (SWRCB). From what has been discussed in public meetings, it seems that the principal holdup to SWRCB approval is a downstream water temperature requirement that was levied on PG&E during an earlier relicensing effort for the lower reaches of the NFFR.

PG&E has been attempting to meet the SWRCB's requirement to reduce the summertime water temperatures to 20 degrees Celsius or less between Rock Creek Dam and Cresta Powerhouse "to the extent that Licensee (PG&E) can reasonably control such temperatures." To that end, PG&E has conducted and contracted for an extensive array of scientific analyses and experiments, costing well over one million dollars. Additional funds have been expended by the various participating agencies as they have supported this effort to find a practical and acceptable solution. But in spite of the best efforts of all the participants, considering more than twenty alternatives, no reasonable solution has been forthcoming. In particular, alternatives that would selectively extract cold water from the upstream reservoirs at Lake Almanor and Butt Valley have been shown to be poor options due to an absurd cost-benefit relationship, an unacceptable impact on the fisheries of both lakes, a high probability of disturbance of Native American sites, and suspected adverse impacts on local water quality and tourism.

Given the amount of resources that have been expended in the pursuit of the downstream water temperature requirement, and the lack of an acceptable alternative to satisfy that need, I believe that it is time to accept the conclusion that PG&E is not able to "reasonably control such temperatures." I believe that it would be foolish to stubbornly press on with this arbitrary stipulation in the face of the overwhelming evidence now assembled.

I use the word "arbitrary" above because there is serious doubt in the public's mind that the downstream water temperature value of 20 degrees Celsius (68 degrees F.) is a valid figure for the lower reaches of the NFFR. Nobody questions the assertion that trout prefer cold water and would thrive best at 20 degrees C. or a little lower. But to this point, there has been no public dissemination of any scientifically validated water temperature measurements that would substantiate the claim that the lower reaches of the NFFR were ever in the 20 degree C. range during July and August before the installation of hydropower facilities.

When you couple the lack of substantiating water temperature evidence with the fact that there have been no large scale trout kills attributed to warm waters in the lower reaches of the NFFR, the basic premise for the original "requirement" becomes highly suspect. And while it may have been a worthy goal to attempt to cool the summertime waters, for enhanced trout fishery purposes, the impact of attaining that goal has proven to be clearly excessive.

I am therefore requesting that the SWRCB take the environmentally responsible approach by (a) formally rescinding the reduced water temperature requirement, and (b) issuing PG&E the necessary water quality permit to allow the relicensing process to conclude.

Sincerely,

Dale E. Knutsen

Copy to:

- Federal Energy Regulatory Commission
- California Department of Fish & Game
- US Senator Dianne Feinstein
- US Representative John Doolittle
- California State Assemblyman Rick Keene
- California State Assemblyman Doug LaMalfa