

ORIGINAL

October 14, 2005

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FERC Project 2105

State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000
Attn: Sharon Stohrer

2005 OCT 24 P 4: 31
FEDERAL ENERGY
REGULATORY COMMISSION

Re: Scoping Comments – Notice of Preparation of a Draft Environmental Impact Report

My name is Bob Lambert and I have vacationed at Lake Almanor since 1974 when my family built a summer home on the peninsula. Since my retirement from Pacific Gas and Electric Co. in 2002 I have been fortunate to spend entire summers in this beautiful place. Part of this time I have participated as a volunteer for Plumas County on the relicensing of PG&E's Project 2105 including the 2004 Settlement Agreement. I also develop and maintain the Project 2105 Committee website www.project2105.org. I want to thank you for this opportunity to comment on the Water Board's EIR.

As a 3 year participant in the relicensing process, I was very relieved when negotiations on the Settlement Agreement were completed in April, 2004 and signed by 9 parties because many issues, including summer lake levels, appeared to have been resolved. However, some issues were not decided in the Settlement Agreement such as water temperatures downstream of the project. As we have since learned, the temperature issue has become the focus of this community because of the possible withdrawal of cold water and the construction of the Thermal Curtains.

Many others have commented on the cold water releases and Thermal Curtains so instead I'll focus on the Settlement Agreement and my concern that the Water Board, through its unilateral 401 Certification powers could overturn certain provisions of the Settlement Agreement including requirements on summer lake levels and instream flow releases for fish. Keep in mind that the Water Board was not a signatory of the Settlement Agreement and is not bound by its provisions.

Like many homeowners and visitors to this area, I am very concerned about summer lake levels. On page 27 of the Notice of Preparation, you correctly state that the seasonal water levels will be relatively unchanged under the Settlement Agreement. What you don't mention is that, under its current FERC license, PG&E has been under no obligation to maintain minimum summer lake levels. The Settlement Agreement corrects this by establishing minimum lake levels between June 1 and August 31 of each year depending on the type of water year that occurred during the previous winter.

During the early part of my PG&E career I conducted planning studies on the operation of Lake Almanor in which I would develop various operation strategies for the lake. I found that the operation of Lake Almanor is quite flexible and PG&E could, if it wanted, draw down the lake much lower and much earlier than it does now. It is only to meet summer peak electric loads that PG&E fills the lake as high as it does and then draws it down in July and August. Thus the Settlement Agreement is important in providing our community certainty as to how the lake will be operated.

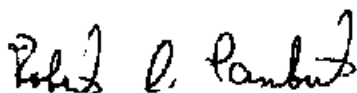
In order to address the temperature issue, the 2105 Licensing Group studied several alternatives during the past year and a half. These studies mostly conducted by PG&E have resulted in several schemes, many of them half-baked, described in PG&E's Rock Creek-Cresta License

Condition 4D Final Report that might help reduce the water temperature downstream to help meet the Water Board's requirements. Some of these schemes, including the Thermal Curtains, would removed cold water directly from Lake Almanor that could result in disaster for Lake Almanor.

None of these schemes appear to reasonably meet the Water Board's downstream temperature requirements. While the studies have so far respected provisions agreed-to in the Settlement Agreement there is no guarantee that the Water Board conducting its own studies during the EIR process will continue do so. It is important to understand that instream flow releases and water levels in the Settlement Agreement go hand-in-hand and represent a delicate balance between parties to the agreement. The agreed-to instream releases allow reasonable summer lake levels. Higher releases would result in lower lake levels. But if the Water Board finds that downstream water temperature requirements can be met by greatly increasing cold water releases from Lake Almanor to well beyond what was agreed to in the Settlement Agreement and then adopts those releases in its final plan, the water levels in Lake Almanor could be substantially lower.

I am concerned that since the Water Board is not bound by the Settlement Agreement, it will not feel obligated to respect the Settlement Agreement when it grants PG&E it's 401 Certification.

In conclusion, I urge that you respect the provisions of the Settlement Agreement in developing remedies to reduce downstream water temperatures.



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