

APPENDIX B
SCOPING AND PUBLIC INVOLVEMENT

Upper North Fork Feather River
Hydroelectric Project

Draft Environmental Impact Report

State Water Resources Control Board
Sacramento, CA

November 2014

Appendix B

Upper North Fork Feather River Hydroelectric Project Water Quality Certification EIR

FINAL DRAFT SCOPING AND PUBLIC INVOLVEMENT REPORT

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Appendix B

Upper North Fork Feather River Hydroelectric Project Water Quality Certification EIR

FINAL DRAFT SCOPING AND PUBLIC INVOLVEMENT REPORT

1. Introduction

This document describes the scoping and public involvement process for the Upper North Fork Feather River Hydroelectric Project Water Quality Certification Environmental Impact Report (EIR).

In 2005, North State Resources, Inc. (NSR) prepared a Scoping Report to assist the State Water Resources Control Board (State Water Board) in determining the scope of the EIR that was to be prepared in support of an Upper North Fork Feather River (UNFFR) Hydroelectric Project Water Quality Certification. The 2005 Scoping Report is available on the website created for the UNFFR EIR process: NSRprojects.com, select Upper North Fork Feather River EIR/CEQA Scoping.

“Scope” means the alternatives, environmental issues, and impacts that will be analyzed in an EIR as well as the level of detail required. The scoping process for the Draft EIR was open to Tribes; federal, state, and local agencies; public and private organizations; and interested individuals. The objectives of scoping were to:

- identify the resource concerns of the public, agencies, and Tribes;
- facilitate an efficient process for preparing the EIR;
- define the alternatives and significant issues to be examined in detail in the EIR; and
- produce a comprehensive environmental document that thoroughly analyzes all pertinent resource issues.

This report evaluates the comments that were provided as part of the scoping process and documents initial public involvement in the CEQA process. A key part of scoping, public participation provides a means of identifying the resource concerns of federal, state, and local agencies; the project proponent; and interested stakeholders in an open and objective environment.

2. Initial Scope of the Analysis

The State Water Board submitted a Notice of Preparation (NOP) to prepare a Draft EIR for the water quality certification for the UNFFR Project to the State Clearinghouse, Governor’s Office of Planning and Research, on August 30, 2005. The purpose of the NOP was to notify state, regional, and local agencies about the proposed project and to solicit comments on the CEQA Environmental Checklist that was

submitted along with the NOP. The checklist identified impacts of the proposed project that would be potentially significant under CEQA, as well as areas for which the impacts would be less than significant or there would be no impact. The NOP and checklist are included in Attachment B-1 to this appendix.

3. Summary of Meetings and Opportunities for Public Involvement

The following is a summary of the public involvement and scoping processes that have been completed to date:

- August 30, 2005** The NOP and Environmental Checklist were sent to the State Clearinghouse, announcing a 30-day review period for state, regional, and local agencies. The NOP and Environmental Checklist were also mailed to more than 200 other interested parties, including Tribes and members of the public. The NOP included notice of a Scoping Meeting to be held in Chester, California, on September 27, 2005.
- September 14, 2005** The State Water Board sent a letter to agencies, Tribes, and the public inviting participation at the Scoping Meeting and extending the deadline for submittal of scoping comments to October 17, 2005. A copy of the letter is included in Attachment B-1.
- September 21, 2005** Notices of the Scoping Meeting were published in the following newspapers of general circulation: *Chester Progressive*, *Chico Enterprise Record*, *Feather River Bulletin*, *Indian Valley Record*, *Portola Reporter*, *Lassen County Times*, *Westwood Pinepress*, and *Sacramento Bee*. Copies of the notices are included in Attachment B-1.
- September 27, 2005** The State Water Board held the Scoping Meeting on the proposed EIR at Chester Memorial Hall in Chester, California. The purpose of the meeting was to describe the proposed project and to solicit comments from members of the public and other interested parties. The meeting was facilitated by Mike Hardy of the Center for Collaborative Policy and transcribed by Ellen E. Hamlyn, a certified shorthand reporter. Questions were answered by representatives of the State Water Board and NSR staff members. Informational materials available at the meeting were provided by the State Water Board, the project proponent (Pacific Gas and Electric Company), and Plumas County. A transcription of the Scoping Meeting is included as Attachment B-2.
- December 16, 2005** NSR activated a web site with a link to electronic copies of the Scoping Meeting transcript and comment letters received on the NOP and Environmental Checklist. The web site is at nsrprojects.com (select Upper North Fork Feather River EIR).

4. Scoping Comments

The scoping process resulted in the submission of written comments from three Tribal entities; nine federal, state, and local agencies and three elected representatives; nine non-governmental organizations (NGOs); and 53 members of the public. These comments were submitted to the State Water Board via the U.S. Postal Service, email, and comment forms provided at the public meeting. In addition, 39 persons, including elected representatives, Tribal representatives, NGO representatives, Plumas County officials, and members of the public made oral comments at the public meeting.

The following section discusses the process of reviewing, organizing, and incorporating the comments into the CEQA process.

REVIEW AND ORGANIZATION OF SCOPING COMMENTS

NSR conducted a content analysis of the public meeting transcript and the comment letters to assist in identifying significant resource issues, new alternatives, and potential mitigation measures. The analysis was focused on identifying new resource issue areas and sources of information that could be useful in the CEQA process. The content analysis process consisted of first sorting the comments into one of five groups: (1) oral comments made during the public meeting, (2) written comments from Tribal entities, (3) written comments from government agencies and elected representatives, (4) written comments from NGOs, and (5) written comments from members of the public. The next step in the process was to identify each individual comment in the transcript and the letters and to code the individual comments in accordance with the resource and issue areas to be evaluated in the EIR (e.g., Aesthetics, Cultural Resources, Fisheries, Water Quality). The coded transcript and letters were then reviewed to compile a list of representative comments as well as comments that raised new issues or provided new information for each resource and issue area. The comments selected as representative or as informative are included as Attachment B-3 along with a table that categorizes all of the comments received by section of the EIR. Coded comment letters and the coded public meeting transcript are posted on www.nsrprojects.com.

SUMMARY AND ANALYSIS OF COMMENTS

This section summarizes the comments made on the NOP. This information was used by the State Water Board to identify the range of alternatives, potential project impacts, and associated mitigation measures to be analyzed in the EIR. Some of the comments listed below are paraphrased, either to isolate specific resource issues or because two or more commenters used different wording to make the same point. Comments that are direct quotes are shown with quotation marks.

State Water Board's Regulatory Responsibilities and Objectives

Three Tribal entities requested formal consultation on the proposed project under Section 106 of the National Historic Preservation Act, citing various regulatory authorities for their argument that the State Water Board should (or must) engage in formal consultation.

One commenter stated that federal regulations require that the State Water Board's decision concerning Section 401 Water Quality Certification be made within 1 year of receiving a complete application for certification. Another stated that the State Water Board's regulations prohibit approval of a project that

benefits one area to the detriment of another area. Support for a 20-degree temperature threshold was expressed by one commenter, while another stated that adherence to California Fish and Game Code Section 5937 is mandatory.

Baseline Conditions

Three letters contain comments that may be especially useful in determining the baseline conditions for the analyses in the EIR. One commenter stated that historically the North Fork Feather River supported a trophy trout fishery that drew anglers from all over the United States. The same commenter went on to say that the California state record for resident rainbow trout, a 21-pound fish, was caught in the Feather River in 1926. A Tribal entity questioned why the North Fork Feather River does not also have a warm water fishery designated use, stating that the Tribe “used to gather eels, snapping turtles and other warm water species in the North Fork watershed.” Another commenter pointed out that the State Water Board may be able to obtain useful information from a report prepared by the California Department of Fish and Game on a 6-year study completed in 1986 on some of PG&E’s North Fork Feather River projects.

Project Description and CEQA Alternatives

Representative comments concerning alternatives were organized into categories that focus on 1) the declared project, based on the License Application and the terms of the Project 2105 Relicensing Settlement Agreement¹ (partial settlement agreement²); 2) opposition to thermal curtain alternatives; 3) an alternative or alternatives that could include one or more of the 24 alternative measures evaluated in the *Rock Creek–Cresta Project, FERC Project No. 1962, License Condition 4D Report on Water Temperature Monitoring and Additional Reasonable Water Temperature Control Measures*³ (Rock Creek–Cresta License Condition 4D Report; also known as the 24 Alternatives Report); 4) an alternative that could be based on the offsite Water Restoration and Improvement Alternative (also called Alternative D); and 5) other ideas concerning alternatives.

Many comments were received urging the State Water Board to analyze and implement the terms of the Settlement Agreement. Major issues cited in comments supporting the Settlement Agreement included water levels in Lake Almanor and instream releases.

A number of commenters expressed opposition to the installation of thermal curtains at Lake Almanor and Butt Valley Reservoir, particularly at Lake Almanor. Opposition to thermal curtains is widespread among the elected officials, county officials, and members of the general public who commented on the NOP. Reasons cited for opposition included effects on the economy of the Lake Almanor region, the beauty of the lake, the health of the lake’s fishery, and a fear that, in the words of one commenter, Lake Almanor “would turn into another Clear Lake.” Many commenters stated that the economy of the Lake Almanor region depends on tourism and raised a concern that the number of tourists would decline if the beauty of the lake and the quality of the recreational experience it offers were adversely affected. These

¹Upper North Fork Feather River Project, FERC Project No. 2105, Relicensing Settlement Agreement (see FERC submittal 20040504-0171, posted 4/30/04 to Docket #p-2105-089).

²Termed “partial” Settlement Agreement because there are unresolved resource issues that remain outside the content of the settlement, including water temperature concerns in the North Fork Feather River watershed.

³Amended September 2005 by PG&E, with following title: *North Fork Feather River Study Data and Informational Report on Water Temperature Monitoring and Additional Reasonable Water Temperature Control Measures* (see FERC submittal 20050922-0305, posted 9/21/05 to Docket #p-1962-000).

commenters asserted that businesses would suffer or even fail, job opportunities for adults and teenagers would decrease, and property values would drop if the aesthetic and recreational values of Lake Almanor were adversely affected. Some commenters raised the issue of PG&E ratepayer costs associated with constructing and maintaining thermal curtains.

Several of the comments directed toward the Rock Creek–Cresta License Condition 4D Report suggest that the 24 alternative measures be independently evaluated to determine whether they could result in lower water temperatures in the North Fork Feather River regardless of their cost, including lost power generation. Other comments suggest that none of the 24 alternative measures would achieve the 20-degree water temperature threshold.

Many comments were received supporting the Watershed Restoration and Improvement Alternative. Several commenters expressed doubt that restoration projects on tributaries to the East Branch of the North Fork Feather River could influence water temperatures in the North Fork Feather River.

Comments that identify other potential alternatives range from suggestions for mitigation measures such as instream and pulse flows and vegetation management to trap-and-haul fish passage in various streams in the Feather River watershed as well as offsite in other northern California rivers. The decommissioning of Butt Valley Dam, construction of fish ladders, and removal of barriers to fish passage were suggested as measures that should be analyzed in the EIR.

Aesthetics

Numerous comments were received that stated concern regarding the potential for a thermal curtain in Lake Almanor to create unsightly views that could destroy the beauty of the lake. One commenter stated that the curtain would have to be lit at night to ensure boating safety, thus creating light pollution. Many commenters expressed doubt that the adverse aesthetic impacts of a thermal curtain could be mitigated to a less-than-significant level.

Air Quality

Several comments raise concern that power generation lost as a result of increased coldwater releases at Canyon Dam would require the development of alternative sources of electricity, including the use of fossil fuels that would adversely affect air quality.

Cultural Resources

Numerous commenters expressed concern that dredging, which could be done in conjunction with the installation of a thermal curtain at Lake Almanor, could disturb Indian artifacts as well as an inundated Maidu cemetery in the Prattville area. Other comments concern the impacts of shoreline erosion on other buried artifacts around Lake Almanor. One commenter stated that there are also Maidu burials in Butt Valley Reservoir that could be disturbed if a thermal curtain were installed in that reservoir.

Fisheries

Many commenters asserted that the installation of thermal curtains on Lake Almanor and Butt Valley Reservoir would have an adverse impact on the fisheries in those water bodies. Numerous commenters also expressed concern that increased cold water flows from Canyon Dam would adversely affect the

Lake Almanor fishery, including exposing fish to *Ceratomyxa shasta* or driving the fish deeper into the lake and exposing them to bottom lice. One common assertion was that the thermal curtains and/or increased cold water flows from Canyon Dam would lower the downstream water temperature by only 1 degree and that this “small” benefit would not be worth the economic and environmental costs to the Lake Almanor area. Others suggested that mitigation should be required for the impacts from barriers to fish passage, such as dams. Two commenters requested that the State Water Board consider measures to reduce poaching during spawning season.

Geology, Soils, and Minerals

A number of commenters raised concern about the impacts of shoreline erosion at Lake Almanor on water quality and cultural artifacts. One commenter requested that the State Water Board consider cooperative agreements concerning increased enforcement of streambed alteration agreements for project features that affect shoreline erosion and other water quality factors. Another commenter stated that a PG&E analysis performed in the 1990’s found a potential for active faults at Lake Almanor and nearby areas.

Hazards and Hazardous Materials

Several commenters stated that a thermal curtain on Lake Almanor would constitute a safety hazard to boat traffic. One commenter expressed the concern that recreation boating flows in the Belden reach could create a safety problem for children and adults during the camping season. Comments focusing on hazardous materials risks include the possibility that dredging activities required for installation of thermal curtains could introduce contaminants to water supplies. Another commenter requested that the State Water Board consider the impacts on water quality in Lake Almanor from polluted runoff coming from roads and homes around the lake.

Land Use and Agriculture

One comment was received concerning agriculture. The commenter stated that changes in the operation of the Upper North Fork Feather River Project beyond those in the Settlement Agreement could result in changes to the timing or magnitude of irrigation water deliveries for the Western Canal, which could affect agriculture.

Population and Housing

One comment letter raises concerns about project affects on population and housing. The commenter disagreed with the conclusion in the NOP that the proposed project would not affect population and housing and stated “if they take cold water out of Almanor and destroy our lakes..., we’re going to become a ghost town.”

Public Services

One comment was received concerning public services. The commenter stated that placement of a thermal curtain on Lake Almanor would result in an increased need for local fire districts to perform lake rescues.

Recreation

Several comments were received regarding possible whitewater recreation flows in the Belden Reach. The commenters stated that the flows would constitute a safety hazard to campers along the river and that they could harm fish and macroinvertebrate species in the river. Concern was also expressed that increased water temperatures in Lake Almanor as a result of a thermal curtain could cause increased growth of algae and weeds, which could hinder boating opportunities.

Transportation and Traffic Circulation

No comments were received concerning transportation and traffic circulation issues.

Vegetation, Wildlife, and Wetlands

One commenter stated that hydrologic changes in the Feather River have resulted in adverse effects to native riparian habitats, including the spread of non-native invasive species. Several comments were received concerning potential impacts of the proposed project on wildlife, including impacts on macroinvertebrate species from changes in flows and impacts on insect hatches in Lake Almanor. One commenter stated that the EIR needs to consider the impacts on bald eagles if there are adverse impacts to fish. Another commenter stated that the Sierra Nevada's second largest breeding population of willow flycatcher, which is listed as endangered under the California Endangered Species Act, occurs on the west shore of Lake Almanor and that this population could be affected by changes in water levels.

Water Quality

Numerous commenters brought up concerns about water quality in Lake Almanor. Nearly all of these comments focus on the issue of increased water temperatures in the lake as a result of a thermal curtain and/or increased cold water flows from Canyon Dam. Some of those commenting on this issue asserted that higher water temperatures in Lake Almanor would adversely affect fish by reducing the area of the lake's thermocline and would allow for increased growth of algae and weeds; one commenter stated that an algae bloom on the lake would cause an odor. Another comment emphasizes the importance of high lake levels to maintain a maximum cold water pool in Lake Almanor to benefit fish. Several comments raise concern about the effects of shoreline erosion on water quality at Lake Almanor. Other comments on water quality in Lake Almanor point out the possibility of pollutants and silt affecting the lake's water quality as a result of any dredging in association with a thermal curtain, and raise concern about the spoil pile that would be created from the dredged sediments. Several commenters mentioned concerns about polluted runoff from development around Lake Almanor.

Numerous comments were also received concerning water quality in the North Fork Feather River, including Butt Valley Reservoir. Many of these comments assert that there is no proof that water temperatures in the North Fork were ever lower than they are now. Others express strong doubt that the water temperature thresholds set in the Rock Creek–Cresta Settlement Agreement could be achieved by any means. One commenter suggested dredging and removal of silt and debris deposited during flooding in 1997 to increase channel depth in the North Fork Feather River, thereby reducing water temperature. A few commenters stated that the State Water Board must impose strict cold water standards for the North Fork Feather River to protect cold water species.

Water Resources

Several comments were received concerning water resources. One commenter stated that if an alternative in the EIR will be based on the terms of the Settlement Agreement, the EIR must evaluate and mitigate the effects on groundwater quality and rate of groundwater flow that could result from lower lake levels. Another commenter raised concerns about the possible flooding of property adjacent to Lake Almanor as a result of changes in lake levels specified in the Settlement Agreement.

Growth-Inducing Impacts

No comments were received concerning growth-inducing impacts.

Cumulative Impacts and Other CEQA Considerations

Several comments were received concerning the potential for the Upper North Fork Feather River project to have cumulative effects on the watershed. Most of these comments urge the State Water Board to analyze the cumulative impacts on water temperature, sediment transport, and fish passage of all of PG&E's projects on the North Fork Feather River from Lake Almanor to Lake Oroville. One commenter stated that the cumulative impacts analysis should address any relationship between project-related elevated water temperatures and the occurrence of *Ceratomyxa shasta* between Belden dam and Poe powerhouse. Another commenter stated that the EIR should analyze the cumulative effects on water quality in Lake Almanor from sluicing of silt from PG&E's project operations on the Hamilton Branch.

Monitoring

CEQA requires the preparation of a Mitigation Monitoring Plan (MMP) to ensure that the mitigation measures identified in an EIR are implemented and achieve the intended response. Comments focused on the monitoring of various environmental resource parameters were compiled for possible inclusion in the MMP. Several comments recommend monitoring of project impacts, including impacts on planted and wild trout species in the North Fork Feather River from changes in flows, impacts on water quality and fish in Lake Almanor, impacts on macroinvertebrate species from whitewater recreational flows, and impacts on willow flycatcher from changes in lake levels of Lake Almanor.

5. New Issues Identified

The scoping comments received raise several issues not previously identified in the CEQA Environmental Checklist. These issues, organized by checklist sections, are described below.

AESTHETICS

- If thermal curtains were constructed on Lake Almanor and Butt Valley Reservoir, nighttime lighting of the curtains would create a new source of light that could adversely affect nighttime views.

AGRICULTURE

- Changes in the timing and magnitude of flows from Lake Almanor could affect deliveries to the Western Canal, which supplies water for agricultural uses.

AIR QUALITY

- Loss of power generation from changes in flows could result in the need for new power sources that could include the use of more polluting fuels, such as fossil fuels.
- Algae blooms on Lake Almanor resulting from warmer water temperatures could cause objectionable odors.

BIOLOGICAL RESOURCES

- Changes in flows could affect macroinvertebrate species in the North Fork Feather River.
- Changes in water levels and temperature could affect insect hatches on Lake Almanor that are a food source for fish.
- Changes in water levels in Lake Almanor could affect a breeding population of willow flycatcher on the west shore of the lake.
- Adverse impacts on fish could affect bald eagles.
- Whitewater recreational flows could have an adverse impact on fish and macroinvertebrate species in the affected reaches of the North Fork Feather River.
- If a thermal curtain were constructed on Lake Almanor or there were increases in cold water flows from Canyon Dam, water temperatures in the lake could increase, causing harm to Lake Almanor's fishery.
- If a thermal curtain were constructed on Lake Almanor, it could prevent pond smelt from reaching Butt Valley Reservoir, thus eliminating a food source for trout in the latter reservoir.

HYDROLOGY AND WATER QUALITY

- If a thermal curtain were constructed on Lake Almanor or there were increases in cold water flows from Canyon Dam, water temperatures in the lake could increase, thereby causing increases in algae, or "algae blooms."
- Runoff from any spoils pile containing material dredged during construction of thermal curtains could affect water quality in Lake Almanor and Butt Valley Reservoir.

PUBLIC SERVICES

- If thermal curtains were constructed on Lake Almanor and Butt Valley Reservoir, they could constitute a hazard to boaters, thereby increasing the number of lake rescues performed by local emergency personnel.

RECREATION

- Whitewater recreational flows in the Belden reach could create a safety hazard for persons camping along this reach.

ATTACHMENT B-1

Notice of Preparation, Environmental Checklist,
Letter Announcing Scoping Meeting,
and Newspaper Notices of Scoping Meeting

Notice of Preparation

Form B

To: State Clearinghouse, Governor's Office of Planning and Research
(Agency)
P.O. Box 3044
(Address)
Sacramento, CA 95812-3044

Subject: Notice of Preparation of a Draft Environmental Impact Report and
Notice of CEQA Scoping Workshop

Lead Agency:	Consulting Firm (If applicable):
Agency Name <u>State Water Resources Control Board</u>	Firm Name <u>North State Resources, Inc.</u>
Street Address <u>P.O. Box 2000 or 1001 I Street, 14th Floor</u>	Street Address <u>5000 Bechelli Lane, Suite 203</u>
City/State/Zip <u>Sacramento, CA 95812-2000</u>	City/State/Zip <u>Redding, CA 96002</u>
Contact <u>Sharon Stohrer</u>	Contact <u>Paul Uncapher</u>

The State Water Resources Control Board will be the Lead Agency and will prepare an environmental impact report (EIR) for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project.

Project Title: Environmental Impact Report for Upper North Fork Feather River Hydroelectric Project
Water Quality Certification

Project Location: Chester Plumas
City (nearest) County

Project Description (Brief)

The attached Environmental Checklist contains the project description and location and describes the potential environmental effects.

Due to the time limits mandated by State law, your response should be sent at the earliest possible date but must be received no later than 30 days after receipt of the notice.

Please send your written response to Sharon Stohrer at the address shown above or at SStohrer@waterboards.ca.gov. We will need the name for a contact person in your agency.

<p>Scoping Workshop: A public workshop will be held to provide information on the EIR referenced in this notice and to receive comments to the NOP. This workshop will be held:</p> <p>When: September 27, 2005 Where: Chester Memorial Hall, corner of Gay and Stone Streets, Chester, CA Time: 3:00 p.m. to 7:00 p.m.</p>

Date _____ Signature _____ Title _____
Telephone _____

UPPER NORTH FORK FEATHER RIVER HYDROELECTRIC PROJECT
WATER QUALITY CERTIFICATION
CEQA ENVIRONMENTAL CHECKLIST

- 1. Project title:** Upper North Fork Feather River Hydroelectric Project Water Quality Certification
- 2. Lead agency name and address:** State Water Resources Control Board
1001 I Street, 14th Floor
Sacramento, CA 95814
- 3. Contact person and phone number:** Sharon Stohrer
(916) 341-5397
- 4. Project location:** Plumas County, California
Plumas and Lassen National Forests
- 5. Project sponsor's name and address:** Pacific Gas and Electric Company
245 Market Street
San Francisco, CA 94105
- 6. General plan designation:**

The Plumas County General Plan (updated 2004) has identified the following General Plan Designations: Residential, Commercial, Industrial, and Resource Production.

7. Zoning:

The Plumas County General Plan (updated 2004) has identified the following zoning categories for each designation:

Residential:

Multiple Family
Single Family
Suburban
Secondary Suburban
Rural
Rural Agriculture Buffer
Rural Prime Expansion
Limited (20 acres per dwelling)

Commercial:

Periphery Commercial
Convenience Commercial

Industrial:

Prime Industrial
Limited Industrial

Resource Production:

Agricultural Preserve
Important Agriculture
Important Timber
Timberland Production Zone (TPZ)
Prime Mining
Recreation
Open Space
Lake

8. Description of project:

The project description begins on page 3.

9. Surrounding land uses and setting:

See Section 7 for land uses.

The general setting for the UNFFR Project can be characterized as rural forested landscapes influenced by water-based recreational activities, primarily on Lake Almanor, Butt Valley Reservoir, and the North Fork Feather River. Lands within and adjacent to the UNFFR Project area are also used in the forest products industry and offer a wide range of habitats for a diverse assemblage of wildlife species.

10. Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

USDA Forest Service

U.S. Fish and Wildlife Service

U.S. Department of Commerce – NOAA Fisheries

U.S. Army Corp of Engineers – Sacramento District

California Resources Agency – California Department of Fish and Game

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input checked="" type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

UNFFR Project Description

Introduction

Pursuant to the Federal Power Act (FPA) and Federal Energy Regulatory Commission (FERC) regulations, Pacific Gas and Electric Company (PG&E) submitted an application for a new license for its Upper North Fork Feather River (UNFFR) Hydroelectric Project (FERC No. 2105) to FERC on October 23, 2002 (Pacific Gas and Electric Company 2002). PG&E's license to operate the UNFFR Project expired in October 2004, and FERC has issued a one-year extension that expires in October 2005. It is anticipated that FERC will continue to issue annual license extensions until the relicensing process has been completed.

Section 401 of the Clean Water Act (CWA) (33 U.S.C. § 1341) requires every applicant for a federal license or permit that may result in a discharge into navigable waters to provide the federal licensing or permitting agency with certification that the project will be in compliance with specified provisions of the CWA. Section 401 provides that conditions of certification shall become conditions of any federal license or permit for the project. The State Water Resources Control Board (State Water Board) is the agency in California that is responsible for water quality certification of any potential discharge from an activity that requires a FERC license or amendment. (Wat. Code, § 13160; Cal. Code Regs., tit. 23, § 3855, subd. (b).)

The issuance of a Section 401 certification is a discretionary action subject to California Environmental Quality Act (CEQA) compliance. Because of the level of controversy surrounding the UNFFR Project and the likelihood of significant impacts, the State Water Board has decided to prepare an environmental impact report (EIR). The State Water Board will be the lead agency for the CEQA process.

Under the provisions of the CWA, a Section 401 certification for the UNFFR Project may be issued if the State Water Board determines that the UNFFR Project will comply with specified provisions of the CWA, including water quality standards and implementation plans. The State Water Board will determine whether the UNFFR Project adequately protects the beneficial uses and meets the water quality objectives for water bodies in the project area, as defined in the Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board, Central Valley Region (Regional Water Board) (California Regional Water Quality Control Board, Central Valley Region 2004).

Water quality conditions resulting from controllable factors must be protective of the beneficial uses designated in the Basin Plan. The Basin Plan designates beneficial uses for two specific water bodies associated with the UNFFR Project, Lake Almanor and North Fork Feather River. Additional information concerning the Basin Plan and designated beneficial uses for these two water bodies and their tributaries is available at the following web site:
<http://www.waterboards.ca.gov/centralvalley/>.

Background

The UNFFR Project impounds the North Fork Feather River at Canyon dam, creating Lake Almanor. Butt Creek is impounded by Butt Valley dam, resulting in Butt Valley Reservoir. The dominant features of the UNFFR Project are located on public lands managed by the USDA Forest Service (USFS) and watershed lands managed by PG&E. These lands are located in Plumas County in the general vicinity of Chester, California (Figure 1) (all figures are at the end

of this document). In general, the project boundary established by FERC coincides with the water bodies identified as Lake Almanor, Butt Valley Reservoir, and the North Fork Feather River between Canyon dam and the Belden powerhouse. As currently licensed, the UNFFR Project is capable of generating 362.3 megawatts (MW) of electricity.

FERC prepared a draft environmental impact statement (DEIS) for the relicensing of the UNFFR Project (Federal Energy Regulatory Commission 2004) pursuant to the National Environmental Policy Act (NEPA). The DEIS was circulated for public review in September 2004. The document evaluates the effects of continued project operations in accordance with environmental measures presented in a partial Settlement Agreement (Federal Energy Regulatory Commission 2004) signed by some stakeholders in the Project 2105 Collaborative Licensing Group (Licensing Group). The DEIS also evaluates a FERC “staff’s alternative” that modifies the set of recommended settlement agreement measures and adds environmental measures determined necessary by FERC. The DEIS includes a no-action alternative. In developing the EIR, the lead agency will use information and analyses provided in the DEIS, as determined adequate and appropriate.

Although State Water Board staff provided guidance to the collaborative Licensing Group, the State Water Board was not a party to the Settlement Agreement. The Licensing Group was unable to achieve consensus concerning several water quality issues for which the State Water Board is responsible. After reviewing the DEIS, the State Water Board determined that the document is not adequate to support the Section 401 certification process because it does not address all resource issues and does not fully satisfy the requirements of CEQA. The State Water Board has determined that an EIR is required to comply with CEQA.

Proposed Project

For purposes of CEQA, the proposed project can be defined as the operation of the UNFFR Project as proposed in PG&E’s Application for License of the UNFFR Project (October 2002) plus the protection, mitigation, and enhancement measures for the UNFFR Project as described in the partial Settlement Agreement (April 2004). The following section provides a brief overview of the UNFFR Project features, the operational configuration, and the changes to the UNFFR Project proposed in the partial Settlement Agreement. Additional information on the UNFFR Project can be accessed at the web sites below:

- <http://www.ferc.gov>
- <http://project2105.org/>

The physical features of the UNFFR Project include three dams that impound water from the North Fork Feather River and Butt Creek, five powerhouses, and three stream bypass reaches. Figures 2a and 2b show the dams, impoundments, and bypass reaches associated with the UNFFR Project. Generation and transmission facilities are also shown on these figures, as well as the recreational facilities located near the reservoirs and bypass reaches. The UNFFR Project also includes numerous roads and administrative facilities to support operation and maintenance activities.

UNFFR Project reservoirs include Lake Almanor (1,142,251 acre-feet), Butt Valley Reservoir (49,891 acre-feet), and Belden Forebay (2,477 acre-feet). Generation capacity is provided by Butt Valley powerhouse (41 MW), Caribou No. 1 powerhouse (75 MW), Caribou No. 2 powerhouse (120 MW), Oak Flat powerhouse (1.3 MW), and Belden powerhouse (125 MW).

Features of the UNFFR Project are operated in an integrated manner. Operation of the UNFFR Project is coordinated with other PG&E facilities in the North Fork Feather River watershed, including the upstream Hamilton Branch Project (unlicensed) and the downstream Rock Creek–Cresta (FERC No. 1962), Bucks Creek (FERC No. 619), and Poe (FERC No. 2107) projects. Downstream of these hydroelectric projects, the waters of the North Fork Feather River flow into Lake Oroville and the FERC No. 2100 project operated by the California Department of Water Resources, then to the Feather River, and ultimately into the Sacramento River system.

Under existing conditions, water levels in Lake Almanor, Butt Valley Reservoir, and Belden Forebay are controlled by PG&E's streamflow requirements and operational decisions made for power generation. Lake Almanor is managed to ensure that the lake level does not exceed the full-pool elevation of 4,494 feet mean sea level (msl) and to avoid spill at Canyon dam. Typically, outflows from Canyon dam and the Prattville intake are controlled in the spring to allow the lake to refill with snowmelt, though in drier years the lake may not completely fill. During the summer, the lake is managed for power production and recreational opportunities. The Canyon dam intake tower is designed to selectively draw from either the lower water column or higher in the lake strata, allowing some control over the temperature of flow releases. The Canyon dam outlet structure has a maximum capacity of 2,100 cubic feet per second (cfs), but is generally operated to release minimum instream flows to the Seneca bypass reach (Seneca reach) of the North Fork Feather River. Although current minimum flow releases are established at 35 cfs, the Settlement Agreement provides for a comprehensive revised flow release schedule that will be evaluated in the EIR.

Butt Valley Reservoir is operated to meet power system needs, while also providing recreational opportunities, including fishing, swimming, boating, and camping. Flow enters the reservoir from the upper Butt Valley Creek and from Lake Almanor through the Prattville diversion tunnel to the Butt Valley powerhouse. Butt Valley dam has no outlet structure for releases to the bypass reach of lower Butt Creek. Currently, there is no minimum instream flow requirement for Butt Creek, and all surface flow entering the reservoir is diverted through the Caribou No. 1 and No. 2 intakes. A 1997 seismic retrofit of Butt Valley dam altered the natural drainage course of Benner Creek, a tributary to Butt Creek located immediately below Butt Valley dam, converting it from a perennial to an intermittent stream. Lower Butt Creek receives limited leakage from the bottom of the dam, and operation of the Caribou No. 1 and No. 2 powerhouses prevents spill at the dam.

Belden Forebay functions as a regulating facility, buffering the effects of the Caribou powerhouse discharges prior to intake of flows through the Belden tunnel or through the Oak Flat powerhouse to the Belden bypass reach (Belden reach). Because it is a regulating impoundment, the operational parameters provide for daily surface-level fluctuations of up to 10 feet. These fluctuations may be a limiting factor for recreational opportunities at Belden Forebay. The Oak Flat powerhouse, an integral part of Belden dam, has a maximum capacity of 140 cfs and currently serves as the release structure for minimum flows to the bypass reach. Minimum flow requirements for the Belden reach of the North Fork Feather River are set at 60 cfs, with flow increases to 140 cfs during the spring and summer fishing season. Data indicates that summer water temperatures in the Belden reach often exceed thresholds protective of cold freshwater habitat necessary to support a healthy, reproducing population of rainbow trout. The partial Settlement Agreement provides for a comprehensive revised flow-release schedule, but does not include measures that fully address seasonal water temperature concerns.

In addition to power generation, the UNFFR Project facilities provide a range of recreational opportunities, including contact and non-contact water-based recreation. Lake Almanor and Butt Valley Reservoir offer a variety of recreational facilities, including campgrounds, marinas, and day-use areas. The partial Settlement Agreement includes protection, mitigation, and

enhancement measures for recreation facilities recommended for inclusion in a new license for the UNFFR Project. Additional information on recreational facilities associated with the UNFFR Project is available at the web sites listed in the preceding section.

Potential Alternatives

CEQA requires that an EIR incorporate a reasonable range of alternatives. The *CEQA Guidelines* suggest that alternatives analyzed in an EIR should be limited to those that would avoid or substantially lessen any of the significant impacts of the project and that the EIR need examine in detail only the alternatives that the lead agency determines could feasibly attain most of the basic objectives of the project.

In addition to alternatives to the proposed project, CEQA requires consideration of the incidental environmental impacts of any potential conditions of project approval. In this case, measures in addition to those specified in PG&E's application and the Settlement Agreement may be necessary to ensure compliance with Basin Plan requirements. Through impoundments and changes in the magnitude and seasonal timing of flows, the UNFFR Project has affected water quality in the North Fork Feather River downstream of Canyon dam. Effects of the UNFFR Project on downstream water temperatures have been recognized since 1980, when PG&E, along with the California Department of Fish and Game, began studies of the river in connection with the relicensing of the Rock Creek–Cresta Project (FERC No. 1962). In that relicensing effort, a settlement agreement (2000) stipulated that additional studies must be conducted to determine the feasibility of modifying UNFFR Project facilities, operations, or other measures to achieve desired water temperatures in the North Fork Feather River. Conditions of the Rock Creek–Cresta Settlement Agreement and FERC License No. 1962 establish goals for restoring water temperatures of 20° Celsius or lower through the Rock Creek and Cresta reaches of the North Fork Feather River to achieve consistency with Basin Plan requirements to protect cold freshwater habitat as a designated beneficial use. The partial Settlement Agreement for the UNFFR Project does not resolve the issue of whether additional measures may be necessary to achieve temperature objectives.

A wide range of alternative measures have been suggested to the State Water Board that may address the water quality impacts associated with the UNFFR Project features and operation. Through the CEQA scoping process, the State Water Board seeks additional data and input on project alternatives from responsible agencies, trustee agencies, Tribes, and the interested public. Some of the alternative measures that have been discussed to date include:

- Installation of a temperature control device for selective withdrawal of cold water through the Prattville intake structure;
- Reoperation of the Caribou No. 2 powerhouse to deliver reduced flows to the North Fork Feather River in coordination with an equivalent increase in flows from the low-level outlet at Canyon dam;
- Construction of mechanical water chillers at reach-specific locations in the North Fork Feather River watershed;
- Riparian vegetation enhancement measures on the North Fork Feather River;
- Reoperation of Belden dam to provide increased flow to the Belden reach; and
- Off-site compensatory mitigation for cold freshwater habitat – “North Fork Feather River Watershed Restoration Alternative” (Alternative “D” as presented by the Licensing Group, if other on-site mitigation options are not feasible or do not fully mitigate impacts of the UNFFR Project).

The State Water Board has not yet formulated project alternatives or decided whether to include any of the alternative measures listed above in the EIR. The State Water Board is in the process of conducting a preliminary evaluation of the feasibility of these alternative measures and developing CEQA alternatives.

The State Water Board will consider all comments received during the CEQA scoping process concerning the alternatives and alternative measures that should be considered in the EIR. In conducting the preliminary evaluation of the feasibility of alternatives, the State Water Board will consider all available and relevant information. Appraisals of the various proposed alternatives will include the application of feasibility criteria, including: (1) the ability of the measure to provide temperature moderating benefits to the affected North Fork Feather River reaches; (2) the cost of implementation versus predicted benefits; and (3) the potential for incidental environmental impacts that may result from implementation of the measure. As the CEQA process proceeds, measures may be subject to varying degrees of evaluation and analysis to ensure that a reasonable range of alternatives is presented in the EIR. In addition to fully evaluating a reasonable range of alternatives, the EIR will identify alternatives that were considered by the State Water Board but were determined to be infeasible during the scoping process. To ensure full disclosure, the EIR, supported by the administrative record, will explain the rationale for this determination.

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) An explanation for each of the answers shown in the checklist follows each section of the checklist.
- 2) All answers take into account the whole proposed action, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction (short-term: 1–5 years) as well as operational (long-term: 30-50 years) impacts.
- 3) If a particular physical impact may occur, the checklist indicates whether the impact is potentially significant, potentially significant unless mitigation is incorporated, or less than significant; the checklist also indicates whether no impact would occur. Designation of a “potentially significant impact” is appropriate if there is substantial evidence that an impact may be significant and that mitigation measures would not reduce the impact to a less-than-significant level.
- 4) “Potentially significant unless mitigation [is] incorporated” applies if implementation of a mitigation measure would reduce effects to a less-than-significant level.

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
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1 AESTHETICS -- Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Narrative Responses:

- a) The scenery in the project area has a high and growing value. The natural beauty of the Sierra/Cascade provinces is widely known, and residents of and visitors to the project area regularly experience scenic views and dramatic landscape features. Highly scenic views include those of 10,457-foot-high Mt. Lassen; Dyer Mountain, the most noticeable mountain feature because of its proximity to Lake Almanor; and the broad meadow landscapes found north of State Route 36 (SR 36) and on the extensive lowlands (Pacific Gas and Electric Company 2002). Plumas County’s General Plan provides scenic protection for the Feather River Highway corridor (SR 70), the Lake Almanor Scenic Area, and the Johnson Fields–North Causeway Scenic Area.

Some of the existing facilities associated with the UNFFR Project are clearly visible and contrast markedly with the region’s water bodies and the natural, forested environment, particularly near Lake Almanor, Butt Valley Reservoir, and the Belden and Seneca reaches of the North Fork Feather River. Project components identified in PG&E’s license application and the construction of new operational and recreation facilities and enhancements to existing facilities identified in the Settlement Agreement could alter the visual character in these portions of the project area.

Project-related impacts on scenic vistas, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- b) SR 89 has been designated a California State Scenic Highway by the California State Legislature, although the portion of SR 89 that crosses Canyon dam is not part of the state scenic highway system. In addition, portions of SR 89, SR147, and SR36 that circle Lake Almanor are part of the Lassen Scenic Byway, which is part of the larger Volcanic Legacy Scenic Byway designated by the Federal Highway Administration’s Scenic Byways Program on June 13, 2002. The Feather River Scenic Byway follows SR 70 and was designated for inclusion in the National Scenic Byways system in 1990 (Pacific Gas and Electric Company 2002). To protect scenic resources, Plumas County zoning regulations guide the types and extent of development within a 100-foot scenic corridor along SR 70 and SR 147 and portions of SR 89 and SR 36; any elements of the proposed project that lie within the scenic corridor would be analyzed for compliance with these regulations.

Construction and operation of project components, particularly the construction of new facilities and enhancement of existing facilities, could alter the visual character in these portions of the project area.

Project-related impacts on scenic resources along a state scenic highway, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- c) The UNFFR Project lies in the generally forested environment that surrounds the North Fork Feather River, including Lake Almanor and Butt Valley Reservoir. Project components identified in PG&E's license application and the construction of new facilities and enhancement of existing facilities identified in the Settlement Agreement could degrade the existing visual character of the project area.

PG&E has proposed to plant evergreen trees to reduce the visual dominance of some structures and establish native plants between roads and spoil sites in some areas. Water in Lake Almanor and Butt Valley Reservoir would be maintained at levels that would retain their visual quality.

Project-related impacts on the visual character and quality of the project area, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- d) Construction of new facilities and enhancement of existing facilities identified in PG&E's license application and/or Settlement Agreement could result in increased lighting of project elements, such as recreation areas, appurtenant facilities, and gaging stations. If construction occurred at night, construction lighting would also temporarily increase the amount of light in portions of the project area.

Project-related impacts on day or nighttime views in the project area, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
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2 AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.
Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Narrative Responses

- a) The lands that would be influenced or affected by the proposed project are not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program (Department of Conservation 2002).
- b) Areas zoned for agriculture in the project area include important timber, timberland production zones, and important agriculture (Plumas County 2005). The proposed project would not conflict with any existing areas currently zoned or planned for agricultural use in the project area. In addition, none of the project area is under a Williamson Act contract.
- c) There are few agricultural uses in the area of the UNFFR Project. Agricultural uses are found primarily outside the project boundary on open space lands north of SR 36 and in the area surrounding Cool Springs Campground, adjacent to Butt Valley Reservoir; these lands have been used for cattle grazing on a recurring basis (Pacific Gas and Electric Company 2002). Implementation of the proposed project would not result in the conversion of existing farmland to non-agricultural uses. The construction of new facilities and enhancements to existing facilities would not convert farmland to non-agricultural uses. Those portions of the project area currently being used for grazing would remain available for that purpose.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
3 AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses

- a) There are no air quality or attainment plans for Lassen or Plumas counties (Ozanich, pers. comm.; K. Smith, pers. comm.).
- b) PG&E periodically obtains permits from the Northern Sierra Air Quality Management District to burn debris from canals, levees, ditches, and reservoirs. Internal combustion engines at PG&E's UNFFR Project facilities are exempt from permitting requirements, either because they are operated infrequently or because they generate only low amounts of emissions. PG&E's portable equipment is exempt from registration by the California Air Resources Board (CARB) because it does not meet the horsepower thresholds required for registration (Pacific Gas and Electric Company 2002).

Construction of new facilities, enhancements to existing facilities, and other proposed measures included in PG&E's license application and/or the Settlement Agreement (e.g., removal of the Gansner Bar fish barrier) would include ground-disturbing activities that could temporarily increase levels of PM10. Vehicular traffic to and from the work site, operation of construction equipment, and burning of debris during construction of these facilities would result in increases in emissions of PM10 or other pollutants above the existing background levels. The operation of new and enhanced recreational facilities could generate additional vehicular traffic to and from the project area, which would result in long-term increases in vehicular exhaust emissions in the project area. Increased recreational use could also result in increases in smoke and PM10 emissions.

Project-related impacts on local air quality, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- c) The UNFFR Project is located in an area designated non-attainment for the criteria pollutant PM10 under the state standard and is in attainment or is unclassified for all other state and federal air quality standards (California Air Resources Board 2005).

Construction of new facilities and enhancements to existing facilities and other proposed measures included in PG&E's license application and/or Settlement Agreement (e.g., removal of the Gansner Bar fish barrier) would include ground-disturbing activities that could temporarily contribute to higher PM10 levels in the project area.

Project-related impacts on local air quality, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- d) Sensitive receptors in the project area consist primarily of permanent and seasonal residents and transitory recreational users. Hydroelectric facilities generally do not produce substantial air pollutant concentrations; however, construction activities associated with new facilities and enhancements to existing facilities could expose sensitive receptors to brief increases in local concentrations of PM10 and other pollutants.

Project-related impacts on local air quality, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- e) The proposed project has the potential to create objectionable odors. Hydrogen sulfide odors emanating seasonally from Canyon dam releases have been reported in the past, and measures to modify releases, as described in the Settlement Agreement, have the potential to continue to generate odors in the general vicinity of Canyon dam, depending on the water year type.

Project-related impacts involving objectionable odors, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
4 BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Narrative Responses:

a) PG&E conducted surveys for special-status plants in spring and summer 2000. No plant species listed as threatened or endangered under the federal Endangered Species Act or the California Endangered Species Act or candidates for state or federal listing were documented in the project area. Occurrences of 12 rare plant species were documented and mapped. Most of these rare plants are located in upland areas and would not be affected by water-related project operations. Fluctuating water levels may have an adverse impact on a few rare plant populations located closer to water bodies, and populations of noxious weeds may affect other rare plant species.

PG&E conducted extensive wildlife surveys in the project area in 2002. There are a large number of wildlife species in the project vicinity that carry some form of protective designation, including species listed as threatened or endangered under the federal Endangered Species Act and the California Endangered Species Act as well as California Species of Special Concern and Forest Service Sensitive species. Through the FERC relicensing process, PG&E, in consultation with the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (DFG),

identified 18 special-status wildlife species that may occur in or near the project area. Three of these species—valley elderberry longhorn beetle (VELB) (*Desmocerus californicus dimorphus*), bald eagle (*Haliaeetus leucocephalus*), and California red-legged frog (*Rana aurora draytonii*)—are federally listed as threatened. Two of these species—American peregrine falcon (*Falco peregrinus anatum*) and willow flycatcher (*Empidonax trailii*)—are state listed as endangered, and three of the species—greater sandhill crane (*Grus canadensis tabida*), California wolverine (*Gulo gulo luteus*), and Sierra Nevada red fox (*Vulpes vulpes necator*)—are state listed as threatened.

Other special-status wildlife species with the potential to occur in the project area include the California spotted owl (*Strix occidentalis occidentalis*), northern goshawk (*Accipiter gentilis*), Pacific fisher (*Martes pennanti pacifica*), pine marten (*Martes americanus*), pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Plecotus townsendii pallescens*), western red-bat (*Lasiurus blossevillii*), Cascades frog (*Rana cascadae*), foothill yellow-legged frog (*Rana boylei*), mountain yellow-legged frog (*Rana muscosa*), northern leopard frog (*Rana pipiens*), and western pond turtle (*Clemmys marmorata*).

The project area supports both warmwater and coldwater fisheries, with the warmwater fish concentrated in the reservoirs. Two special-status fish species are present in the project area: hardhead (*Mylopharodon conocephalus*) and Sacramento perch (*Archoplites interruptus*). Hardhead has been documented only in the tailrace of the Belden powerhouse. The instream flow regimes stipulated in the Settlement Agreement are not expected to have an adverse impact on hardhead. Sacramento perch is found in Lake Almanor and Butt Valley Reservoir and is thought to have been introduced to the project area. Alterations to minimum streamflows and pulse flow rates are stipulated in the Settlement Agreement. Habitat for most fish, including the Sacramento perch, as well as macroinvertebrate species is expected to remain the same or improve under the new flow regime. Federal and state resource agencies have defined a goal of attempting to return flow regimes toward a more natural hydrograph, which would benefit coldwater fish, particularly rainbow trout (*Oncorhynchus mykiss*).

Project-related impacts on species identified as a candidate, sensitive, or special-status species, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- b) Riparian areas are identified in the Sierra Nevada Forest Plan Amendment as important habitats for preservation and restoration because they provide essential habitat for riparian and aquatic species. Native riparian habitat in the project area consists primarily of narrow, discontinuous patches along the North Fork Feather River and its tributaries. In areas of high disturbance, such as around powerhouses and below dams, native riparian species have been replaced by invasive vegetation, generally dominated by Himalayan blackberry (*Rubus discolor*). Increases in flows could result in the establishment of additional riparian vegetation in areas where it is currently lacking as well as the potential for loss of current riparian areas that would be inundated. The loss of riparian vegetation could have an impact on wildlife species that rely on riparian vegetation. Ultimately, increased flows would likely benefit riparian areas as they would better mimic a natural riverine system.

PG&E's license application proposes to implement a vegetation management plan that would include attempting to remove some of the more invasive plant species from the project area, such as Himalayan blackberry. Removal of invasive species would improve access for recreation and enhance opportunities for the establishment of native riparian vegetation and riverine habitat.

Project-related impacts on riparian habitat or other sensitive natural community, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- c) Persistent emergent wetlands in the project area are prevalent along the west shore of Lake Almanor, although riparian wetlands are also found along the North Fork Feather River and its tributaries. The project area contains abundant riverine and lacustrine open water wetlands. In addition, freshwater seeps and wet meadow habitats occur locally. All of these wetland features may be considered jurisdictional features by the U.S. Army Corps of Engineers (Corps) under Section 404 of the Clean Water Act. The Lassen National Forest Land and Resource Management Plan (LRMP) calls for protection of wetlands as important wildlife habitat. PG&E's license application proposed a resource management plan that would benefit sensitive biological resources in the project area, including protecting and enhancing wetlands in the causeway area of Lake Almanor. In addition, a wildlife habitat enhancement plan is proposed that would benefit and protect wetland habitats.

Project-related impacts on federally protected wetlands, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- d) If any structural fish barriers (e.g., the Gansner Bar fish barrier on the Belden reach) or weirs are removed, movement of fish and other aquatic species would be improved. Under the existing flow regime, summer water temperatures in the Belden reach often exceed the conditions recognized to be fully protective of cold water species, including rainbow trout. Proposed reductions in summer flow for dry and critically dry water year types could create thermal barriers to the movement of trout within the Belden reach. The use of wildlife breeding areas should not be impeded if mitigation measures are implemented, including seasonal considerations for construction activities and pre-construction surveys for sensitive wildlife species. Migratory birds use the project area during their fall and spring migration; their use of the resources should not be affected by project implementation.

Project-related impacts on the movement of native resident or migratory fish, established native resident or migratory wildlife corridors, or the use of native wildlife nursery sites, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- e) The EIR will evaluate whether the proposed project will be consistent with Plumas County General Plan policies for biological resources.
- f) Based on a review of the license application materials and the Plumas County General Plan, there is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan associated with the project area.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
5 CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as identified in Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

Professional archaeological fieldwork in and around the area of potential effect (APE) for the UNFFR Project was initiated in the late 1940s. Since that time, 31 professional surveys have been conducted throughout the Lake Almanor, Butt Valley Reservoir, and North Fork Feather River region by university teams and professional archaeological consultants, resulting in coverage of approximately 75 percent of the APE. The 25 percent of the APE that has not been surveyed is considered inaccessible because of the steepness of the terrain (Federal Energy Regulatory Commission 2004).

A total of 57 prehistoric (pre-Euro-American settlement) or aboriginal archaeological sites as well as 50 historic (post-Euro-American settlement) archaeological sites and structures have been documented within the APE. Many of these sites, particularly the prehistoric and aboriginal sites, are located beneath, or in very close proximity to, Lake Almanor, Butt Valley Reservoir, or the North Fork Feather River; these sites are inundated or are affected by project facilities and operations, including wave action, changing water levels, and recreational facilities and activities.

In 2001, PG&E commissioned an ethnographic study to identify traditional cultural properties (TCPs) for the relicensing of the UNFFR Project. The Native American population in the area consists primarily of the Mountain Maidu, represented by the federally recognized Greenville Rancheria and the Susanville Indian Rancheria. The Mountain Maidu, the Honey Lake Maidu, and the Maidu Cultural and Development Group have demonstrated a strong interest in the project because their ancestors historically used or resided in the area (Federal Energy Regulatory Commission 2004).

Based on interviews with members of the Maidu groups who have expressed interest in this project, 14 potential TCPs have been identified within the APE. In addition, past research (Compas 2001) found references to nine ethno-historic Maidu villages in the Lake Almanor area, although the existence of the majority of these villages could not be verified and they are assumed to be inundated beneath Lake Almanor (Federal Energy Regulatory Commission 2004).

- a) The California State Historic Preservation Officer (SHPO) has determined that the majority of the historic archaeological sites and standing structures in the APE are not eligible for listing on the National Register of Historic Places (NRHP); however, many of these sites are listed, or may qualify for listing, on the California Register of Historical Resources (CRHR).

The proposed project includes the construction of new facilities and the enhancement of some existing facilities. Construction of these new facilities and enhancements could result in impacts on several historic archaeological sites that occur within the APE. Among these is the Stover Ranch site located along the northwest shore of Lake Almanor; this site is not currently listed on the NRHP, but may be eligible for listing. Other examples of eligible or potentially eligible historic archaeological sites that may be affected by new or enhanced recreational facilities include the Caribou Camp Historic District, Caribou Powerhouse No. 1, the Prattville Public Service Employees Association Camp, and Lake Almanor itself. Lake Almanor appears to be eligible for listing on the NRHP because of its association with the development of California's hydroelectric infrastructure and because it was world's largest man-made reservoir at the time it was constructed (Federal Energy Regulatory Commission 2004). An assessment of a specific site's NRHP eligibility will be made in compliance with the Draft Programmatic Agreement (DPA) described in Appendix E4-A of PG&E's license application.

PG&E's license application proposed measures for the future management or treatment of most of the sites and structures currently listed on the CRHR as well as those eligible or potentially eligible for listing on the CRHR. In addition, a Cultural Resources Management Plan (CRMP) will serve as the implementing mechanism for the DPA.

Project-related impacts on historic cultural resources, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- b) None of the 57 prehistoric archaeological sites has been officially evaluated for the NRHP by FERC or the SHPO; however, many of these sites are listed on the CRHR. Several TCPs and ethnographic villages are also included on the CRHR, although none has been evaluated for listing on the NRHP by FERC or the SHPO. Many of the prehistoric archaeological sites known to occur within the APE are located along the shoreline of Lake Almanor, are partially or completely inundated by the lake, or, depending on water level fluctuations, are sometimes partially inundated and sometimes completely inundated. Increased recreational opportunities around the lake could lead to increased disturbance of some of these sites.

Project-related impacts on prehistoric cultural resources, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- c) No known paleontological sites or unique geological features occur within the APE.
- d) Two human burial sites are known to occur within the APE, the Belden Cemetery and a Maidu burial ground; the Maidu site is inundated by Lake Almanor. PG&E does not anticipate that the project would affect the Belden Cemetery, but drawdown of lake levels could expose the Maidu site. In addition, currently unknown human burial sites within the APE could be encountered during construction or enhancement of new or existing facilities.

Project-related impacts involving the disturbance of human remains, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
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6 GEOLOGY AND SOILS -- Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on strata or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Narrative Responses:

- ai) The most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the project vicinity does not identify any known earthquake faults in the project area. Therefore, the proposed project would not expose people or structures to the potential rupture of a known earthquake fault
- aii) As stated above, the most recent Alquist-Priolo Earthquake Fault Zoning Map for the project vicinity shows that there are no known earthquake faults within the project area. There are, however, known faults near the Plumas-Lassen county border northeast of the project area. Strong seismic shaking, possibly originating at one of the faults/fault complexes northeast of the project area, has the potential to expose people or structures in the project area to adverse effects associated with new or modified recreational facilities. New and expanded facilities included in the proposed project would not increase the risk of seismic activity in the project area but they could increase the number of people exposed to such risk.

Impacts to people or structures from strong seismic ground shaking, including impacts resulting from the construction and operation of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- a) As described above, strong seismic shaking within the project area could possibly originate at one of the faults/fault complexes northeast of the project area. Ground shaking has the potential to trigger mass wasting and/or soil liquefaction where there are in situ bedrock and soils prone to these effects. The UNFFR Project includes a number of existing and proposed facilities that, depending on their geologic and soils context, could expose people or structures to adverse effects from earthquake-triggered mass wasting and/or liquefaction. New and expanded facilities included in the proposed project would not increase the risk of mass wasting and/or liquefaction in the project area but they could increase the number of people exposed to such risk.

Impacts to people or structures from seismic-related ground failure, including impacts resulting from the construction and operation of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- a) The project area is spanned by the geologic contact zone between the Cascades and Sierra Nevada geologic provinces, which is known to contain extensive bodies of weakly consolidated, highly weathered, or otherwise landslide-prone rocks. These rocks are observable throughout much of the project area, particularly in association with the drawdown zones of the reservoirs. PG&E has conducted a geomorphic study of the project area; among other findings, the study showed that sediment sources to the Seneca and Belden reaches of the North Fork Feather River are dominated by chronic shallow landsliding (i.e., rockfalls) and, probably, deep-seated episodic landsliding. The vast majority of these landslides occur in the steep canyon reaches of the North Fork Feather River and deposit material into the river.

New and expanded facilities included in the proposed project would not increase the risk of landslides in the project area but they could increase the number of people exposed to such risk.

Impacts to people or structures from landslides, including impacts resulting from the construction and operation of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- b) The UNFFR Project includes numerous roads in upland areas that could be subject to substantial soil erosion. To address the potential for upland soil erosion that could affect water quality in nearby water bodies, PG&E and the Plumas National Forest entered into a road maintenance agreement in 1998 to ensure that the two parties regularly reevaluate maintenance needs and prioritize maintenance activities.

Construction of new facilities and enhancements to existing facilities would involve ground-disturbing activities that could require site-specific erosion control techniques. These techniques would be designed in accordance with the requirements of the Clean Water Act (i.e., USFS Best Management Practices [BMPs] and erosion-control guidelines adopted by CalTrans and Plumas County).

Impacts related to soil erosion, including impacts resulting from the construction and operation of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

The project area also contains reservoirs that are subject to shoreline erosion and loss of topsoil. PG&E conducted studies to map the severity, location, and elevation of shoreline erosion occurring at Lake Almanor. The study found that about 7 percent of the reservoir's shoreline has experienced substantial erosion. The draft Shoreline Management Plan (SMP) contained in PG&E's license application

stipulates annual surveys of erosion along the Lake Almanor shoreline and implementing shoreline erosion control measures, as necessary, to limit erosion that would affect cultural resource sites, threatened or endangered species, PG&E-owned facilities, and other sites of high value, such as developed recreation sites. The draft SMP further committed to provide shoreline erosion control measures at Westwood Beach and Stumpy Beach day-use areas, close and rehabilitate user-created vehicular and off-road vehicle (ORV) access routes along the shoreline, and determine annually the need to update the SMP based on discussions with the USFS, Plumas County, and other interested parties.

There is also a potential for shoreline erosion at Butt Valley Reservoir and Belden Forebay. Any shoreline erosion at these locations would primarily affect PG&E facilities.

Impacts related to shoreline erosion around Lake Almanor, Butt Valley Reservoir, and Belden Forebay, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- c) The proposed project includes a number of existing and proposed facilities (e.g., roads, recreational facilities, powerhouses, reservoirs) that, depending on the stability of the geology and soils at the specific site, could expose people or structures to adverse effects from on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. Available soils mapping information held by PG&E, the USFS, Plumas County, and other sources will be reviewed to determine if these facilities are or would be located in areas with known or potentially unstable soils. New and expanded facilities included in the proposed project would not increase the risk of unstable geology or soils occurring in the project area but they could increase the number of people exposed to such risk.

Impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction, and collapse, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- d) The proposed project includes a number of existing and proposed facilities (e.g., roads, recreational facilities, reservoirs) that may be located on expansive soils, as defined by Table 18-1-B of the Uniform Building Code. Available soils mapping information held by PG&E, the USFS, Plumas County, and other sources will be reviewed to determine if these facilities are or would be located in areas with known or potentially expansive soils. New and expanded facilities included in the proposed project would not increase the risk of expansive soils occurring in the project area but they could increase the number of people exposed to such risk.

Impacts related to expansive soils will be evaluated in the EIR, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, to determine if the impacts would be significant.

- e) The proposed project includes a number of proposed facilities that may be located on soils incapable of supporting the use of septic tanks or alternative wastewater disposal systems; some of these facilities may be proposed for areas where sewers are not available. Soils mapping information held by PG&E, USFS, Plumas County, and other sources will be reviewed to determine if the facilities are or would be located in areas with known or potentially expansive soils.

Impacts related to soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available will be evaluated in the EIR to determine if the impacts would be significant.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
7 HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

- a) A variety of hazardous materials would be used in the during the construction and maintenance of new facilities or enhanced existing facilities. Construction, operation and maintenance of these facilities may require the use of lubricating oils, paint, solvents, and fuels for vehicles, watercraft, and aircraft. Operation and maintenance activities may involve materials such as lubricating oils, paint, solvents, lead acid batteries, and fuels for vehicles, watercraft, and aircraft. Project operations may influence concentrations of metals and polychlorinated biphenyls (PCBs) in project area waters. There may be residual hazardous materials in soils and sediments near the Caribou No. 1 penstock and Caribou No. 2 powerhouse as a result of a large rockslide that severely damaged these facilities in 1984 and included the

release of PCB-contaminated mineral oil into the environment. MTBE, an additive to gasoline, could enter project reservoirs as a result of any increases in power boating stemming from new and enhanced recreational facilities. There is also the potential for hydrocarbon deposits to enter the water bodies as a result of increased use of powerboats and marina facilities.

All hazardous materials are and would continue to be used in a manner consistent with federal, state, and local requirements, as well as PG&E's policies, standard operating procedures, and BMPs. Adherence to these guidelines would reduce the potential for exposure of the public or the environment to hazardous materials.

Project-related impacts involving the routine transport, use, or disposal of hazardous materials, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- b) Most of the hazardous materials used during construction, operation, and maintenance of new and enhanced facilities would be stored at project facilities. In the event of an upset or accident, these materials could leak and thereby release hazardous materials into the environment. Hazardous wastes associated with the construction, operation, and maintenance of new and enhanced facilities would be stored at the Canyon Dam Service Center, located at Canyon dam, or at approved staging areas. All hazardous materials would be used in a manner consistent with federal, state, and local requirements, as well as PG&E's policies, standard operating procedures, and BMPs. Adherence to these guidelines would reduce the potential for exposure of the public or the environment to hazardous materials.

There is also the potential for accidental spills of hazardous materials into water bodies such as Lake Almanor from vehicle, powerboat, fire, flood, and lakeshore-related accidents. Increased numbers of people in the project area as a result of new and enhanced recreational facilities would increase the risk of such accidents.

Project-related impacts involving the release of hazardous materials into the environment as a result of upset and accident conditions, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- c) The nearest schools, Almanor High School, Chester Junior/Senior High School, and Chester Elementary School, are located approximately 1 mile from the project boundary. The proposed project would not emit hazardous emissions or handle hazardous materials within one-quarter mile of an existing or proposed school.
- d) Government Code section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Hazardous Waste and Substances Sites List (Cortese List). A review of the California Department of Toxic Substances Control website (http://www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm) indicated that there are two hazardous waste sites on Army Depots in Herlong, which is approximately 50 miles east of Lake Almanor. Additionally, a review of the U.S. Environmental Protection Agency's Comprehensive Environmental Response, Compensation and Liability Information System website (<http://www.epa.gov/superfund/sites/cursites/index.htm>) indicated that four hazardous waste sites are located near Quincy, which is approximately 20 miles south of Canyon dam. There are no known hazardous waste sites located in the project vicinity.
- e) The northern edge of the project site is located directly adjacent to Rogers Field Airport in Chester. The proposed project is not anticipated to affect this airport.
- f) The project site is not located within the vicinity of a private airstrip. However, there are heliports at the Indian Valley Hospital in Greenville and the Plumas District Hospital in Quincy. The proposed project is not anticipated to affect these facilities.

- g) The principal highways in the project area are SR 36, SR 70, SR 89, and SR 147. Major roads in the project area include Old Town Road, Mooney Road, Caribou Road, Prattville-Butte Reservoir Road, Peninsula Road, Big Springs Cut-Off Road, Old Haun Road, Seneca Road, Rocky Point Campground Road, Almanor Drive West Road, and Lake Almanor West Drive.

Project-related impacts involving implementation of or interference with an adopted emergency response plan or an emergency evacuation plan, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- h) The project area is surrounded by National Forest Service lands and private forested lands that may be prone to wildland fires. Portions of the project area are adjacent to Chester, which is an urbanized community, and to residential developments, particularly those around Lake Almanor. The California Department of Forestry and Fire Protection recorded more than 350 small fires in the Lake Almanor region from 1981 through 2001 (Federal Energy Regulatory Commission 2004). The Sierra Nevada Forest Plan includes standards and guidelines that provide direction for managing “defense and treat zones” to prevent loss of life and property and for interrupting the spread of wildland fire and reducing fire intensity (Foster Wheeler Environmental Corporation 2002). PG&E’s license application included preparation and filing of a Fire Prevention and Response Plan.

The levels and types of recreational activities in the project area offer conditions conducive to human-caused wildfires. Construction of new facilities and enhancements to existing facilities would increase the potential for human caused wildfires in the project area.

Project-related impacts involving the exposure of people or structures to the adverse effects of wildland fires, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
8 HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

Impacts of the UNFFR Project on water temperature and dissolved oxygen (DO) levels in the project reservoirs and bypass reaches is one of the most technical issues evaluated during the relicensing process. The Settlement Agreement for the downstream Rock Creek–Cresta Project (FERC No. 1962) stipulated additional studies to determine the technical feasibility of modifying UNFFR Project facilities and/or operations in order to achieve water temperatures in the UNFFR Project and Rock Creek–Cresta Project bypass reaches that would be consistent with the Basin Plan objective of protecting cold freshwater habitat as a designated beneficial use. To date, the issues have been extensively scoped and studied, but feasible alternatives for environmental analysis have not yet been completely developed.

The Settlement Agreement for the UNFFR Project stipulates several flow-related measures that have the potential to affect water quality and subsequently affect beneficial uses. These measures include minimum and pulse flows released to the North Fork Feather River based on water year type and ramping rates. The license application and Settlement Agreement acknowledge the unresolved nature of water temperature management within UNFFR Project waters. The Settlement Agreement also stipulates requirements that may have unanticipated water quality effects associated with modification of existing streamflow measurement facilities, including Gages NF-2, NF-9, and NF-70.

- a) If the UNFFR Project were licensed according to the minimum instream flow provisions of the Settlement Agreement, it would generally benefit water quality (i.e., water temperature, DO, metals) in all of the bypass reaches and would have an unknown but negligible impact on water quality in the project reservoirs. The only exception would be in the Belden reach during dry and critically dry years, when, according to the Settlement Agreement, the minimum flow releases would be less than under current operations during summer months. At the same time, operating the UNFFR Project in accordance with the Settlement Agreement provisions may not meet all of the water quality standards specified in the Basin Plan, most notably water temperature, DO, and metals.

The Basin Plan provides for narrative and numeric objectives for water temperatures in the North Fork Feather River: The narrative objective states, “The natural receiving waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in temperature does not adversely affect beneficial uses.” The numeric objective states that “At no time or place shall the temperature be increased more than 5° Fahrenheit (°F) above the natural receiving water temperature.” The Rock Creek–Cresta Settlement Agreement set a goal of providing a daily mean water temperature of 20° Celsius (°C) or less along the entire lengths of the Rock Creek and Cresta bypass reaches; it additionally stipulated consideration of facilities modifications and operational measures for the UNFFR Project that would meet the temperature objective for the Rock Creek and Cresta bypass reaches.

PG&E modeling predicts that operation of the UNFFR Project to meet the minimum instream flow provisions identified in the Settlement Agreement (without other facilities modifications and operations measures) could reduce the percentage of time that mean daily water temperatures exceed 20°C in the Belden reach, but that temperatures would still exceed 20°C during parts of the year in the Belden reach and the downstream North Fork Feather River bypass reaches. Meeting the increased minimum instream flow in the Seneca reach via increased releases from the Canyon dam low level outlet could result in increased total metals loading in the Seneca reach, but the concentrations of metals, nutrients, and DO would be changed only negligibly, if at all. During dry and critically dry years in the Belden reach, there would likely be an increase in water temperature.

Project-related impacts on water quality, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- b) Groundwater affected by the UNFFR Project surrounds Lake Almanor and occurs to a much lesser degree adjacent to Butt Valley Reservoir and Belden Forebay. Alluvial groundwater occurs to an unknown extent within and along the relatively narrow and steep canyon bottomlands through which the bypass reaches flow.

The proposed project includes a new instream flow regime in the project bypass reaches. Under the flow regime proposed in the Settlement Agreement, project operations affecting storage and the seasonal fluctuation of water surface elevations in the project reservoirs would be relatively unchanged. The proposed instream flows that would be released into the bypass reaches would have a minor, perhaps unmeasurable, effect on any adjacent alluvial groundwater because the resulting seasonal changes to the controlling stream water surface elevation would be small (less than 0.5 feet).

The proposed operational changes that would affect seasonal water level fluctuations in Butt Valley Reservoir and Belden Forebay would potentially affect groundwater elevations adjacent to those reservoirs and could therefore affect supplies for any producing groundwater wells in their vicinity to an unknown degree.

In the past, PG&E operated Lake Almanor such that the lake level fluctuated seasonally, typically as much as 5 feet and, under very dry conditions, as much as 10 feet. Most or all of the groundwater supplies used for wells that could be affected by the proposed operational changes would be associated with rock units (alluvial, volcanic) surrounding Lake Almanor. It is unknown what, if any, impact potential lake level fluctuations would have on the groundwater supplies surrounding the lake.

Project-related impacts on ground water supplies, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- c) The project includes reservoirs that interrupt the natural transport of sediment (i.e., sand, gravel, etc.) and discharge nearly sediment-free water into the project bypass reaches. The project reservoirs also reduce the frequency and magnitude of peak flows occurring in the project bypass reaches by capturing natural runoff and diverting some percentage of the peak flow discharge into penstocks for power generation. The combined effects of reduced sediment supply and reduced peak flows have the potential to change the condition of the channel bed substrate, with associated effects on substrate-dependent riparian and aquatic vegetation and aquatic habitats.

The project bypass reaches are generally relatively steep channels, with channel bed substrates dominated by bedrock, boulders, and cobble-sized materials. Lesser amounts of gravel and sand-sized sediment occur in patches where near-bed flow velocities are relatively small because of local flow obstructions, such as bedrock outcrops or large channel bed elements. In reaches with slopes that are locally more gradual and with channels that are wide enough, there are more extensive depositional units containing a substantial amount of gravel-sized sediment that could be suitable for trout spawning.

In general, current sediment transport theory is not well developed for steep mountain channels with mixed sediment sizes, including large, relatively immobile bed elements. Calculations using typical sediment transport equations indicate that the capacity to transport spawning gravel-sized sediment is much greater than the supply of spawning gravel-sized sediment available to the reach. However, the best-developed theory suggests that the actual dynamics of sediment transport and deposition are such that increases in the supply of spawning gravel-sized sediment not exceeding the theoretical sediment transport capacity increase the frequency and average size of gravel-sized sediment patches on the bed.

The Settlement Agreement includes pulse flow releases to the Seneca and Belden reaches and, if determined necessary, to the Butt Creek reach, that could disturb or partially transport spawning gravel-sized sediment in these reaches to an unknown degree. PG&E has conducted geomorphic studies of the project bypass reaches that characterized the general channel substrate conditions and sediment source mechanisms and identified the density of potentially suitable and actively used trout spawning substrate. Associated incipient motion studies provide rough guidance on the possible effects of pulse flow releases on bed substrate conditions. The overall quality of the spawning gravel and the suitability of the substrate for successful spawning are unknown. In general, however, the availability of suitable spawning substrate has not been identified as a definite limiting factor for the existing fish populations.

Project-related impacts related to erosion and siltation processes, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- d) In general, the UNFFR Project is operated to avoid uncontrolled spills from the project reservoirs into the bypass reaches. Only during extreme runoff conditions or outages resulting from emergency maintenance activities have there been uncontrolled spills. The Settlement Agreement identifies the requirement to prepare a plan to both minimize reservoir spills and to improve planning, scheduling, and notification to affected agencies and landowners regarding both planned and emergency spills.

Uncontrolled spills can cause flooding of roads managed by various public and private entities (CalTrans, USFS, Plumas County). Flooding has the potential to affect campgrounds, public safety, sensitive aquatic habitats, and seasonal life stages of aquatic wildlife. A recent uncontrolled spill from Belden Forebay into the Belden reach caused local flooding of a project road. PG&E has conducted geomorphic studies and associated incipient motion studies indicating that flows required to initiate natural geomorphic processes (e.g., disturbing stream-side riparian vegetation) would exceed the capacity of the existing low-flow channel and cause local flooding of roadways along the Belden reach, presumably in the same locations that may have been inundated during the recent uncontrolled spill. Changes to reservoir operations and proposed lake level rule curves may increase or decrease the potential for on-site and off-site flooding.

Project-related impacts on on-site and off-site flooding, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- e) The proposed project would include construction of new facilities and enhancements to existing facilities, some of which would be located near the shores of the project reservoirs and bypass reaches. Some of these new amenities and recreational improvements would require the construction of new or expanded impervious surfaces. In some locations, new or expanded restroom facilities would also be constructed. The proposed improvements would have the potential to create or contribute runoff water that could either exceed the capacity of existing stormwater facilities, if applicable, or constitute a new and substantial source of polluted runoff.

Project-related impacts on stormwater facilities and the quality of stormwater runoff, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- f) The proposed project would include numerous ground-disturbing and other activities with the potential to affect water quality. Any instability and local erosion at an engineered, contoured landfill along the Belden reach could affect water quality in the reach. This landfill was constructed for the placement of materials from the landslides

near the Caribou powerhouses and is known to contain PCB spoils. In addition, increased recreational use of project waters could affect bacteria levels on a seasonal basis.

Project-related impacts on water quality, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- g) Flood Insurance Rate Maps (FIRMs) for Plumas County include maps covering the North Fork Feather River corridor and lands surrounding Lake Almanor and Butt Valley Reservoir. Plumas County flood hazard maps include the shoreline areas immediately upslope from Lake Almanor and Butt Valley within the flood hazard zone. The proposed project would include the construction of new facilities and enhancements to existing facilities along the shoreline of the project reservoirs; the locations of these proposed facilities and enhancements may be within the FIRMs and/or the Plumas County flood hazard zone.

Project-related impacts on water quality, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- h) The proposed project includes new facilities and modifications to existing facilities, many of which would be within or immediately adjacent to the Plumas County flood hazard areas mapped around the perimeter of Lake Almanor and Butt Valley Reservoir.

Project-related impacts from the placement of structures within a 100-year flood hazard area, including impacts resulting from the construction of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- i) UNFFR Project reservoirs were generally designed to minimize or prevent catastrophic downstream flooding that could result from partial or complete dam failure, failure of reservoir outlet works, penstock failure, etc. In addition, the reservoirs are operated to prevent uncontrolled reservoir spills. However, the reservoirs are potentially subject to catastrophic failure that would result in downstream flooding due to strong seismic shaking or seismically induced landslides into reservoirs, causing flow to overtop the project dams and potentially initiate structural damage leading to complete dam failure. New and expanded facilities included in the proposed project would not increase the risk of flooding in the project area but they could increase the number of people exposed to such risk.

Increases in baseflow, along with whitewater recreational flows identified in the Settlement Agreement, could increase safety risks to recreational users, including those engaging in whitewater activities, swimming, and angling.

Project-related impacts concerning the potential for flooding will be evaluated in the EIR to determine if the impacts would be significant.

- j) The North Fork Feather River flows from the volcanic terrain associated with Lassen Volcanic National Park. A recent U.S. Geological Survey report (U.S. Geological Survey 2005) identifies the Chester/Lake Almanor area as within the area that could be subject to lahars/mudflows and secondary flooding associated with volcanic activity. Because the project area is not located in a coastal area, it is not subject to tsunamis. New and expanded facilities included in the proposed project would not increase the risk of lahars/mudflows in the project area but they could increase the number of people exposed to such risk.

Project-related impacts concerning the potential for catastrophic mudflows will be evaluated in the EIR to determine if the impacts would be significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
9 LAND USE AND PLANNING -- Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

- a) Much of the project area lands are undeveloped or are developed for residential, commercial, industrial, agricultural, resource extraction, and recreational purposes. The proposed project would not physically divide an established community.
- b) Construction of proposed project facilities (e.g., recreation facilities) identified as conditions of approval for the FERC relicensing may conflict with land use plans, policies, or regulations such as the following:
 - Lassen National Forest Land and Resource Management Plan, as amended
 - Plumas National Forest Land and Resource Management Plan, as amended
 - Plumas County General Plan
 - Bureau of Land Management Resource Management Plans

Construction of new facilities and enhancements to existing facilities will be evaluated to ensure compliance with the goals and objectives of the Plumas County General Plan and the lands managed by the USFS.

PG&E proposes to amend the FERC boundary to include certain lands currently managed by the USFS. It also proposes to assume responsibility for the operation and maintenance of two day-use areas and two boat launches. Each of these activities will be evaluated against the Plumas County General Plan and the USFS LRMPs to ensure consistency with goals and objectives of the pertinent planning documents.

PG&E proposes to implement the Lake Almanor Shoreline Management Plan (SMP) included in the license application within 30 days after license issuance. The SMP integrates existing shoreline management policy and permitting documents into one comprehensive plan. The SMP will be evaluated against the other planning documents that cover shoreline use and management to ensure consistency.

Project-related impacts concerning conflicts with applicable land use plans, policies, and regulations, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts are significant.

- c) There are no adopted habitat conservation plans or natural community conservation plans that cover the proposed project area.

		<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
10	MINERAL RESOURCES -- Would the project:				
	a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

- a) There are 203 active mining claims located on federal land situated along the North Fork Feather River within the southern portion of the FERC re-licensing project boundary. These claims include both lode and placer claims. Lode claims include rock-in-place bearing veins or lodes of valuable minerals. Placer claims are mineral deposits not subject to lode claims and generally consist of unconsolidated material, such as sand and gravel, containing free gold or other materials (Federal Energy Regulatory Commission 2004). These mining claims occur in or adjacent to both the Seneca and Belden bypass reaches. Most of these claims are placer claims located in the vicinity of Seneca, although lode claims also occur in this area.

It is not anticipated that the proposed project would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The Department of Conservation, State Mining and Geology Board does not identify the presence of significant mineral deposits within Plumas County (Department of Conservation 2000).

- b) The Plumas County General Plan identifies prime mining resource production areas within the study area. These are defined as areas where accessibility, surrounding land uses, and the environmental setting will permit extraction of materials (Plumas County 2005).

Project-related impacts on the availability of a locally important mineral resource recovery site, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
11 NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Narrative Responses:

- a) Activities associated with the proposed project include the construction of new facilities and the enhancement of existing facilities. Noise from construction and from the enhanced and expanded carrying capacity of these facilities could affect sensitive receptors located within the vicinity of the proposed project (e.g., nearby residences and recreation facilities).

Noise impacts from construction would be temporary and would cease at the termination of construction. It is anticipated that PG&E would continue to engage in operation and maintenance activities that could lead to short-term or intermittent noises (e.g., traffic use on roads accessing the project sites). However, it is not anticipated that these activities would generate noise levels in excess of standards established in the Plumas County General Plan.

Project-related noise impacts, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- b) The construction of new facilities and enhancements to existing facilities could involve the use of heavy equipment that would generate a minimal amount of localized groundborne vibration and groundborne noise. These construction activities could expose sensitive receptors, including nearby residences and temporary and seasonal recreational users to groundborne vibration or groundborne noise. Potential sensitive receptors would be residences and/or existing providers

and users of recreational facilities located within the vicinity of the existing and proposed recreational facilities. These facilities include the North Shore Campground and the Stover Ranch, Catfish Beach, Westwood Beach, and Stumpy Beach day-use areas.

Project-related impacts from groundborne vibration or groundborne noise levels, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- c) The construction of new facilities and enhancements to existing facilities would increase ambient noise levels within the vicinity of sensitive receptors (i.e., recreational facilities, residences and businesses).

Project-related impacts from permanent increases in ambient noise levels, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- d) The construction of new facilities and enhancements to existing facilities could generate temporary and intermittent ambient noise that is discernibly higher than existing noise levels within the project area. The effect would depend on how much noise the equipment generated, the distance between construction activities and the nearest sensitive receptors (i.e., recreational facilities, residences, and businesses), and the existing noise levels experienced by those sensitive receptors. Please refer to narrative responses b and c above for a description of these sensitive receptors. It is anticipated that project construction activities would comply with the Plumas County General Plan.

Project-related impacts from temporary or periodic increases in ambient noise levels, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- e) The northern edge of the FERC boundary for the project is located within 2 miles of Rogers Field Airport in Chester. The proposed project includes the construction of new facilities and enhancements to existing facilities (e.g., Westwood Beach and Stover Ranch day-use areas and North Shore Boat Launch) within 2 miles of this airport. Implementation of the proposed project would therefore cause an increase in the number of recreational users within 2 miles of the airport. These users could be exposed to excessive noise levels from arriving and departing aircraft.

Project-related noise impacts stemming from the proximity to an airport, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- f) The FERC boundary for the UNFFR Project is not located within the vicinity of a private airstrip.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
12 POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Narrative Responses:

- a) The proposed project would not include any facilities that would directly or indirectly induce population growth.
- b) The proposed project would not displace any housing.
- c) The proposed project would not displace any people.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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13 PUBLIC SERVICES -- Would the project:

- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

- a) Public services in rural areas are typically provided by county governments and limited purpose special districts. In general, county services provide schools, police, and fire protection.

Currently, the public services in the project area are associated with public safety and the protection of natural resources (e.g., law enforcement, fire protection). These services are provided by the USFS, CalTrans, Plumas County Sheriff's Office, California Highway Patrol, and California Department of Forestry and Fire Protection from locations within and adjacent to the project area. The UNFFR Project encompasses lands already served by these public service agencies. The proposed project includes the development of new facilities that, in turn, could create a need for new or expanded governmental facilities (i.e., fire and police protection).

Project-related impacts on fire and police protection, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

Almanor High School, Chester Junior/Senior High School, and Chester Elementary School are located in the community of Chester in the general vicinity of the UNFFR Project. There are no state or county parks in the project area (Plumas County 2005). It is unlikely that the proposed project would have an adverse effect on schools. There is a small municipal park in Chester but it is unlikely that the proposed project would affect this park.

Although there are a number of public facilities within and adjacent to the UNFFR Project, these are predominantly recreational. Recreational facilities are discussed in Section 14 of this checklist.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
14 RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

- a) FERC requires licensees to construct, maintain, and operate recreational facilities where possible to meet recreational demand, given the unique characteristics of each site and public safety concerns. In addition to constructed facilities, lands contained within the FERC boundary are open to the public for recreational use, with the exception of lands secured for safety or security reasons. FERC requires licensees to provide the public with reasonable free access to these lands for recreational purposes (Pacific Gas and Electric Company 2002).

The existing UNFFR Project provides public recreational opportunities along the shorelines of Lake Almanor, Butt Valley Reservoir, and the bypass reaches. PG&E and the USFS share areas of responsibility in the region (Federal Energy Regulatory Commission 2004). Recreational facilities in the project area are abundant and varied, although they are concentrated around Lake Almanor, Butt Valley Reservoir, and along the Belden and Seneca reaches. The license application and Settlement Agreement provide for numerous recreational enhancements and the construction of new facilities, which could reduce recreational pressure on local parks and other regional recreational facilities.

The recreational facilities at Lake Almanor are owned and operated by PG&E, USFS, or various commercial enterprises. All recreational facilities at Butt Valley Reservoir are owned and operated by PG&E. Recreational facilities on Lake Almanor and Butt Valley Reservoir include campgrounds/campsites, swimming areas, trails, day-use areas, picnic areas/tables, boat ramps/launches, angler access sites, and dispersed recreation sites.

Recreational facilities along the Belden reach include picnic areas/tables, campgrounds/campsites, angler access sites, swimming areas, and trails. The Seneca Reach has a fishing trail (Pacific Gas and Electric Company 2002). Additional private recreational facilities exist within the FERC boundary, and a municipal recreational facility, Chester Park, is located in the town of Chester. In addition, PG&E leases some of its privately held lands for recreational uses to non-profit organizations and similar groups (e.g., Public Service Employees Association Camps). These organizations are generally responsible for operating and maintaining the facilities on leased lands.

The Settlement Agreement provides for future decisions on the feasibility of whitewater recreational flow releases in the Belden reach. This potential recreation opportunity could increase the variety of on-water recreation in the project area and allow for a greater distribution of whitewater boater days throughout the North Fork Feather River system. Although additional whitewater recreation opportunities would help to satisfy the demand demonstrated for this use during relicensing studies, it could cause conflict between user groups and greater competition for the limited ancillary recreation facilities in the area.

Project-related impacts on parks and other recreational facilities, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- b) The proposed project includes the construction of new recreational facilities and the enhancement of existing recreational facilities. The following measures are stipulated in the Settlement Agreement:
- Modify campsites and restroom facilities to be compliant with the Americans with Disabilities Act (ADA)
 - Create boat launches
 - Convert overflow camping areas into day-use swim areas
 - Relocate campsites
 - Provide ADA accessible access routes
 - Widen entrance roads and improve internal road circulation
 - Construct new restrooms and shower facility buildings
 - Construct and improve access trails for anglers
 - Construct new bear-proof food lockers
 - Replace older Klamath stoves with campfire rings
 - Expand parking areas to include gravel parking areas
 - Construct informational kiosks and signage
 - Expand group camping areas and create new tent campgrounds
 - Develop new trailhead parking areas
 - Expand sandy beach areas

Some new construction of recreational facilities will depend on future monitoring of use levels to justify the need for management actions and/or new facilities. The Recreation Resource Management Plan concentrates new recreational development in appropriate locations, thereby retaining as much of the natural open space as possible to protect a range of resource values, such as wildlife, aesthetics, and cultural resources. PG&E plans to implement protection measures, such as restoring and revegetating decommissioned campgrounds and campsites, and implementing erosion control where appropriate.

Impacts of project-related recreational facilities that could have an adverse physical effect on the environment, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
15 TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

- a) The construction of new facilities and enhancements to existing facilities has the potential to generate an increase in traffic within and adjacent to the project area. PG&E has conducted a traffic study that provides an inventory and classification of all roads within the project area. The study analyzed traffic use levels and made regional projections. In addition, daily traffic counts were collected in the project area during the 2001 recreation season. Based on the data collected, it was determined that the project road system is suitable for the traffic expected during the life of the proposed license. The results of these studies along with ongoing monitoring performed by PG&E in accordance with FERC Form 80 requirements will be used to evaluate the potential impacts on traffic of the proposed project.
- Project-related impacts on traffic, including impacts from construction of new facilities and enhancements to existing facilities, will be evaluated in the EIR to determine if the impacts would be significant.
- b) As discussed above, it is unlikely that the proposed project would have a significant effect on roadway capacity or level-of-service standards, including for those roadways and highways designated as part of the congestion management network.

- c) The UNFFR Project currently uses fixed-wing and rotary aircraft in conjunction with operation and maintenance activities. No changes in air traffic patterns are anticipated.
- d) The proposed project would comply with applicable USFS and Plumas County requirements. PG&E maintains several road maintenance agreements with the USFS that ensure that roadways within the National Forest System are maintained in a safe driving condition. In addition, PG&E will be required to prepare a Road Traffic Survey Plan, as stipulated in the Settlement Agreement. The plan will include provisions for traffic monitoring every 6 years, in accordance with FERC Form 80 requirements. The proposed project includes developing recreational day use and campground areas that would be accessible from SR 36 and SR 147. Some of these facilities would require recreational users to cross a retired railroad spur (i.e., North Shore and East Shore campgrounds and Stover Ranch, North Shore, Catfish Beach, Westwood Beach day use areas). However, impacts associated with recreational traffic crossing the railroad spur are not anticipated since it is no longer in use.

Turnouts will be developed for each of the facilities located along SR 36 and SR 147 to improve traffic safety conditions. No dangerous intersections are anticipated as part of the proposed recreational facilities.

- e) The proposed project would not substantially change existing emergency access within the project area. As discussed above, PG&E has an existing road maintenance agreement with the USFS that requires it to maintain roads on National Forest System lands in a safe, drivable condition.
- f) PG&E is proposing to develop new recreational facilities (i.e., North Shore, Catfish Beach, and East Shore campgrounds; Stover Ranch, Westwood Beach, and Stumpy Beach day-use areas) and to construct enhancements to existing recreational facilities. Therefore, there is a potential for the proposed project to generate a substantial increase in long-term traffic in the project area. Additionally, there is a potential for the project to result in long-term increases in parking demand; however, the proposed new facilities listed above would include parking areas, and the parking capacity at existing recreational facilities (i.e., Rocky Point Campground, East Shore Group Campground area, North Shore Public Boat Launch, etc.) would be increased.
- g) The proposed project would not have any components that are likely to conflict with adopted policies, plans, or programs supporting alternative transportation.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
16 UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

- a) The UNFFR Project complies and will continue to comply with state and local public health and safety codes and regulations in designing and operating project facilities, including recreation facilities. Any wastewater associated with the UNFFR Project would continue to be treated either on site for primary treatment or transported to an approved facility. Any new disposal systems would be designed and installed in conformance with PCEHD (Plumas County Environmental Health Division) and USFS requirements to ensure that wastewater treatment requirements of the Regional Water Board are met.
- b) The proposed project includes the construction and operation of new recreational facilities and enhancements to existing recreational facilities. These facilities will require the construction of new, or the expansion of existing, on-site wastewater treatment facilities.

Project-related impacts concerning wastewater treatment, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- c) UNFFR Project facilities that generate stormwater runoff include service centers, switchyards, and parking lots associated with power generation or recreational facilities (PG&E 2000). Currently, there are no known stormwater facilities, including surface or subsurface drainage facilities, in the project vicinity. Parking lots associated with new or expanded recreational facilities would require the construction of self-contained stormwater drainage facilities.

Project-related impacts related to stormwater drainage facilities, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- d) The UNFFR Project could increase water demand through land use intensification, particularly in areas associated with new recreational facilities identified in the Settlement Agreement.

Project-related impacts concerning water supply, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- e) Wastewater treatment in the project area is usually provided by individual septic tanks, although the USFS provides sewer service for recreational uses on or adjacent to USFS land (Almanor Campground and Day Use Area, Canyon dam, Hutchins Meadows Campground, Sundew Campground, and Mill Creek Campground)

Project-related impacts concerning the capacity of wastewater treatment facilities, including impacts resulting from the construction, operation, and maintenance of new or enhanced facilities, will be evaluated in the EIR to determine if the impacts would be significant.

- f) Day-to-day operations at PG&E administrative facilities generate little solid waste. PG&E provides solid waste collection and disposal services at most, but not all, of its campgrounds and other recreational facilities and at the powerhouses themselves. Hazardous wastes are removed periodically by a contracted hazardous waste disposal service. Waste is removed to the appropriately classified landfill, recycler, or incinerator. Ordinary trash collection is part of normal facility maintenance and management; solid waste is typically disposed of through commercial providers. These providers have indicated that they can serve the projected future development associated with existing and planned facilities associated with the UNFFR Project.

- g) Any solid waste generated by the UNFFR Project would be disposed of at an approved landfill, in compliance with local, state, and federal regulations pertaining to solid waste disposal.

17 CUMULATIVE IMPACTS

CEQA requires that environmental impact reports consider the contribution of the proposed project to the cumulative impacts of closely related past, present, and reasonably foreseeable, probable future projects. The EIR for this project will consider the cumulative impacts of the proposed project, taking into consideration all of PG&E's hydroelectric projects within the watershed, from the Mountain Meadows Reservoir/Hamilton Branch powerhouse facilities above Lake Almanor downstream on the North Fork Feather River to Big Bend dam where flow is delivered into Lake Oroville. The analysis will also include the evaluation of impacts contributed by all other water-related projects in the watershed. The cumulative impacts analysis will analyze the incremental contribution of the proposed project to various flow-related impacts, including water temperature, geomorphological processes, fisheries, riparian habitat, and recreation.

The purpose of the cumulative impacts analysis is to determine if the proposed project will contribute to "cumulatively considerable" impacts, to these resources. The lead agency will determine if any of the proposed project's impacts will result in significant cumulative impacts to resources.

References

California Air Resources Board. 2005. 2004 state area designations.

California Department of Conservation. 2002. Farmland Mapping and Monitoring Program. ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/fmmp2002_36_40.pdf

California Department of Conservation, State Mining and Geology Board and Division of Mines and Geology. 2000. Guidelines for classification and designation of mineral lands. Sacramento, California.

California Regional Water Quality Control Board, Central Valley Region. 2004. The Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board, Central Valley Region: The Sacramento River Basin and the San Joaquin River Basin. Fourth edition. Revised September 2004 (with Approved Amendments). Also at <http://www.waterboards.ca.gov/centralvalley/>.

Compas, L. 2001. Cultural resources inventory for the Pacific Gas and Electric Company Upper North Fork Feather River FERC relicensing project, Plumas County, California (FERC #2105). Prepared by PAR Environmental Services. Sacramento, California.

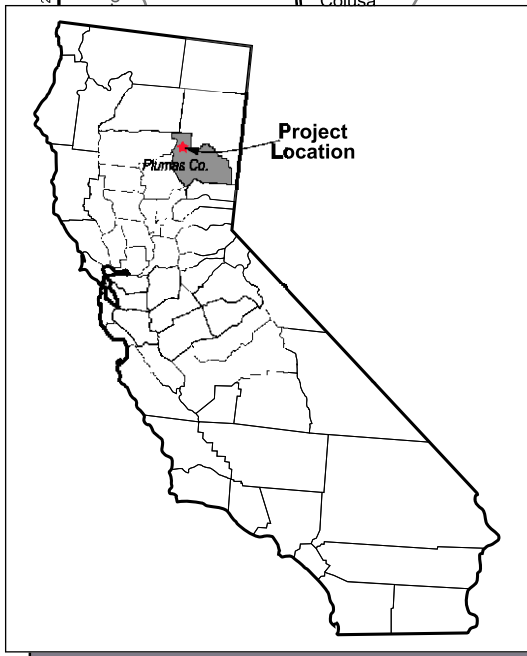
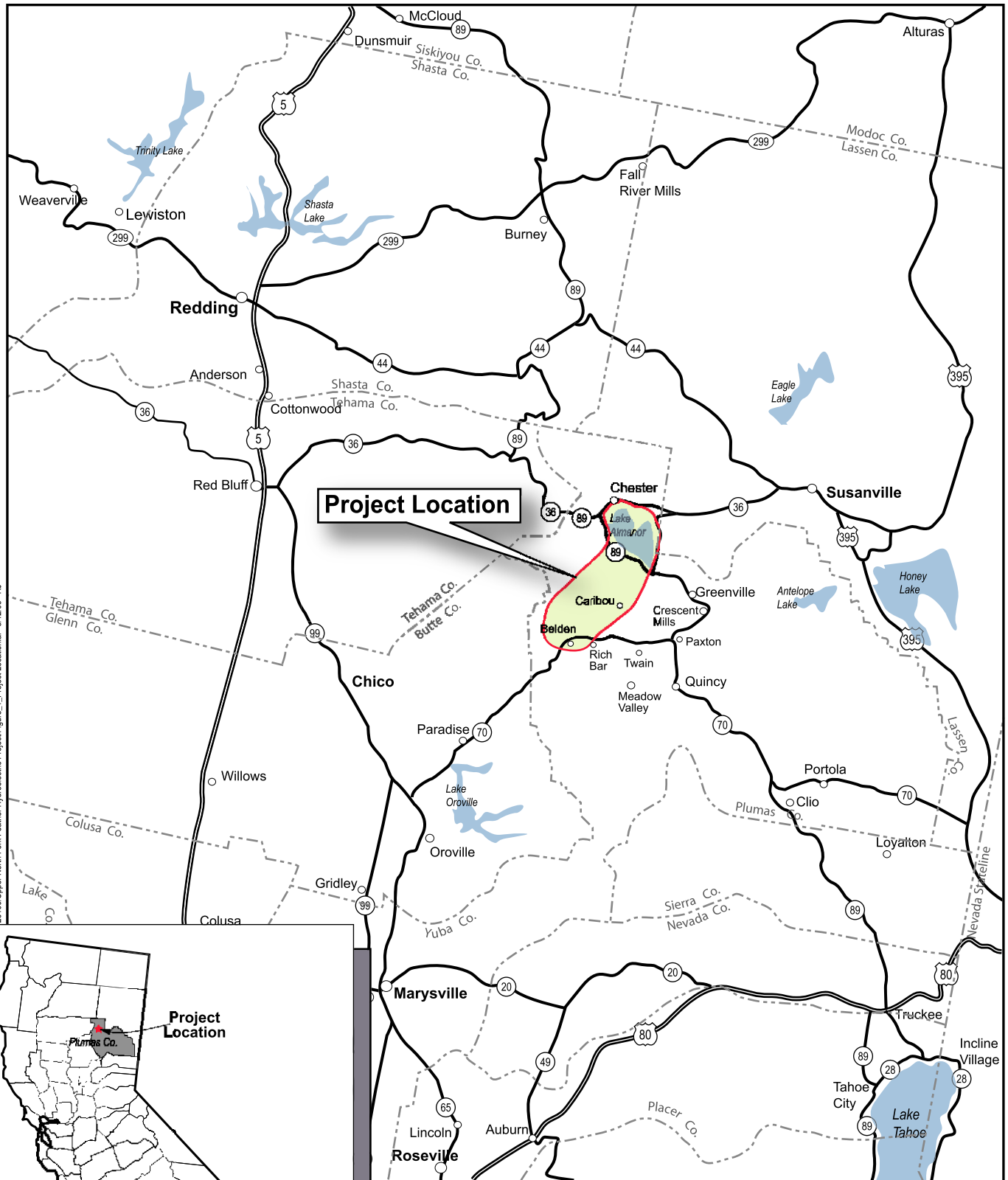
Federal Energy Regulatory Commission. 2004. Draft environmental impact statement for hydropower license: Upper North Fork Feather River Project – FERC Project No. 2105, California. Federal Energy Regulatory Commission, Office of Energy Projects, Division of Hydropower Licensing. Washington, D.C. Also at <http://www.ferc.gov>

Pacific Gas and Electric Company. 2002. Upper North Fork Feather River Project, FERC No. 2105: Application for New License. Final: October 2002.

Plumas County. 2005. Plumas County General Plan. Updated 2004. Quincy, California.

U.S. Geological Survey. 2005. Volcano Hazards of the Lassen Volcanic National Park Area, California.

26100 Upper North Fork Feather Hydroelectric Project Figure 1 Project Location.ai 8/12/05 RJ



Upper North Fork Feather River
FERC Project # 2105

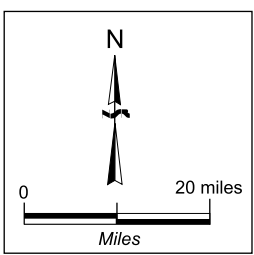
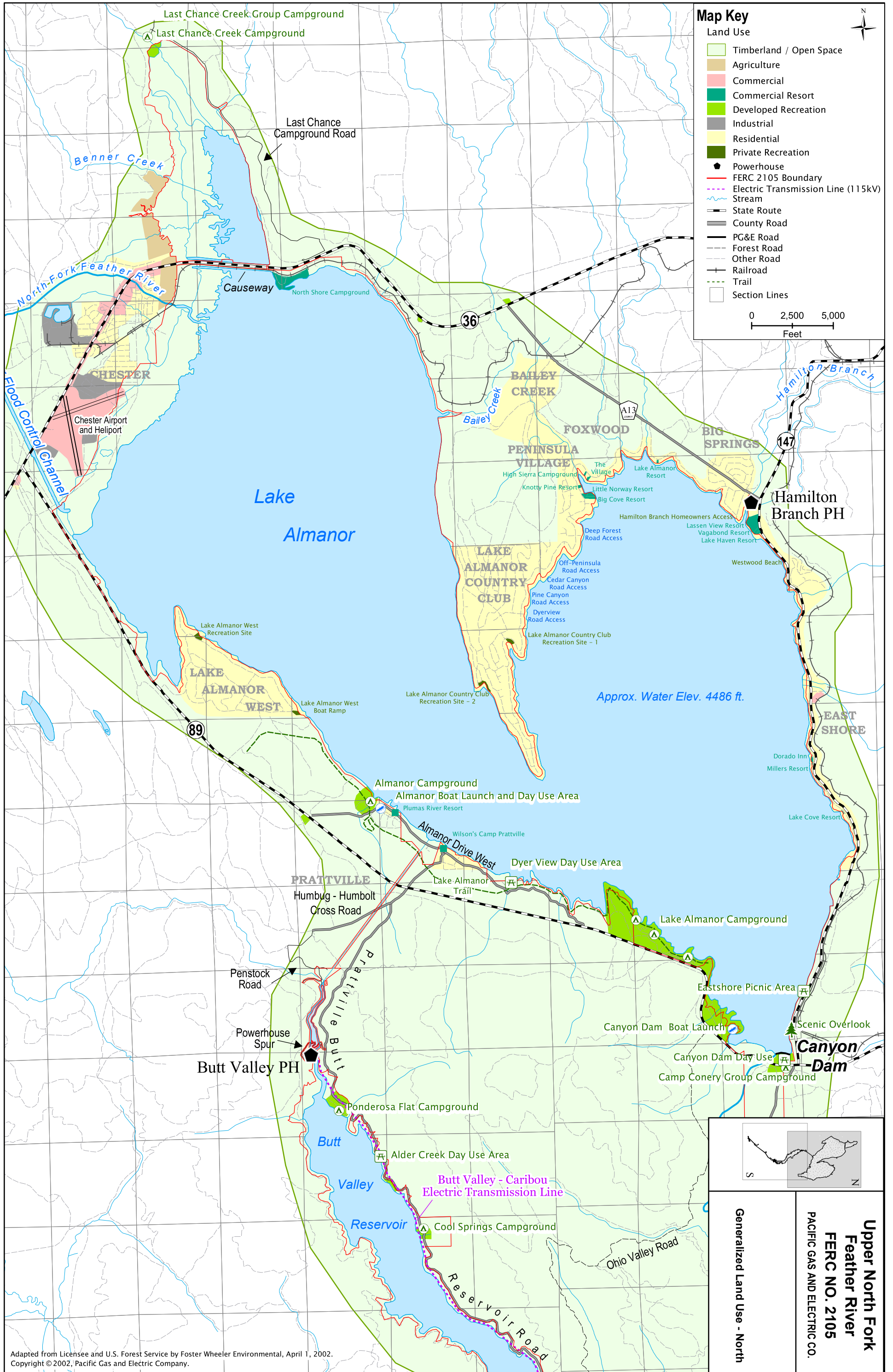
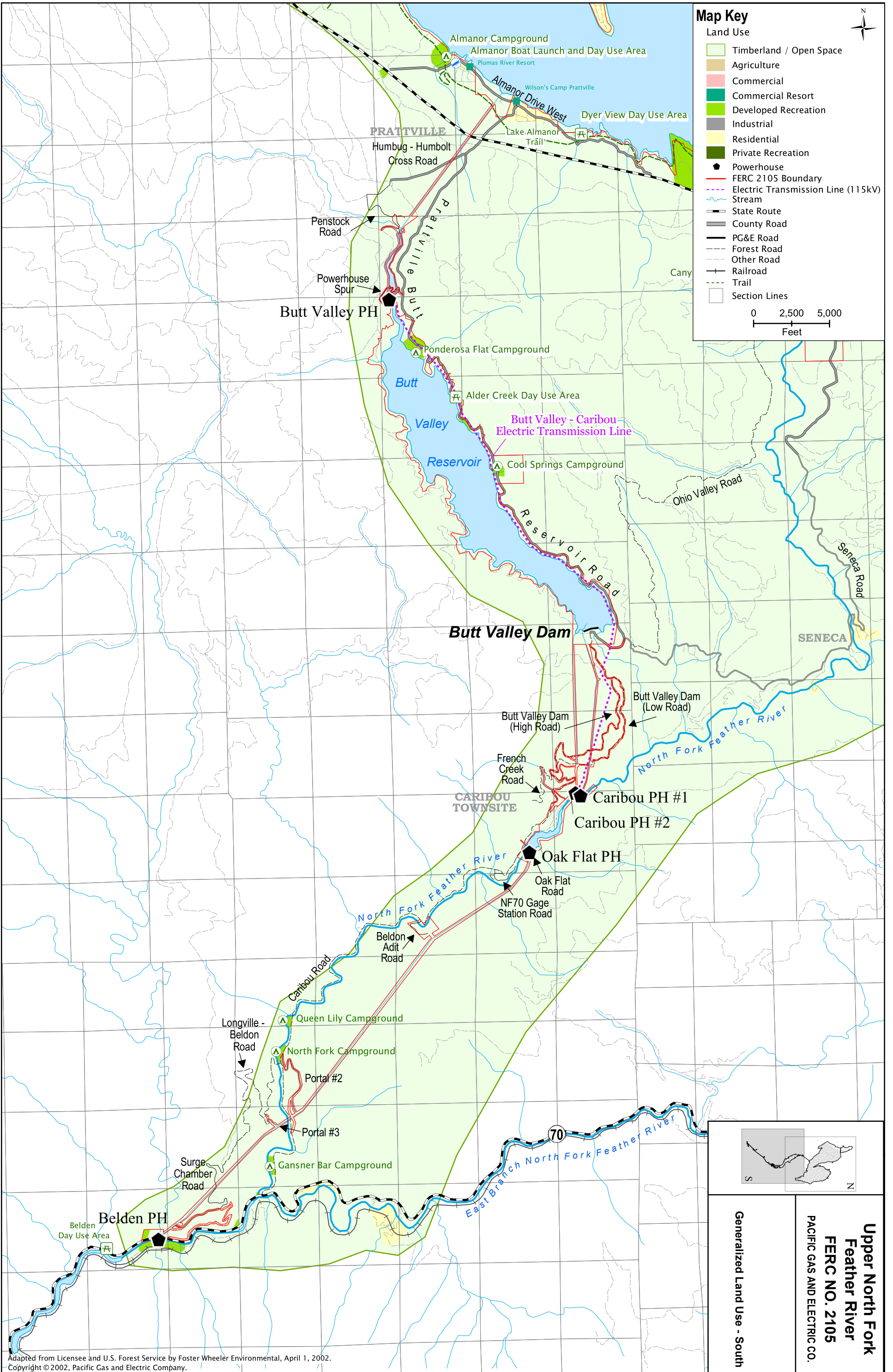


Figure 1
Project Location



Adapted from Licensee and U.S. Forest Service by Foster Wheeler Environmental, April 1, 2002.
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Map Key

Land Use

- Timberland / Open Space
- Agriculture
- Commercial
- Commercial Resort
- Developed Recreation
- Industrial
- Residential
- Private Recreation

Infrastructure

- Powerhouse
- FERC 2105 Boundary
- Electric Transmission Line (115kV)
- Stream
- State Route
- County Road
- PG&E Road
- Forest Road
- Other Road
- Railroad
- Trail
- Section Lines

0 2,500 5,000
Feet

Upper Feather North River
FERC NO. 2105
PACIFIC GAS AND ELECTRIC CO.

Generalized Land Use - South

Adapted from Licensee and U.S. Forest Service by Foster Wheeler Environmental, April 1, 2002.
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Alan C. Lloyd, Ph.D.
Agency Secretary

State Water Resources Control Board

Division of Water Rights

1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterrights.ca.gov



Arnold Schwarzenegger
Governor

September 14, 2005

Dear Interested Party:

INVITATION TO PARTICIPATE

I am writing on behalf of the State Water Resources Control Board (State Water Board) to invite all interested parties to attend a public scoping meeting on the Environmental Impact Report (EIR) to be prepared for the Upper North Fork Feather River Hydroelectric Project (FERC #2105) Water Quality Certification. The meeting will be held in Plumas County on September 27, 2005, from 3:00 p.m. to 7:00 p.m. at the Chester Memorial Hall, corner of Gay and Stone Streets, Chester.

The State Water Board is the lead agency for the hydroelectric project relicensing under the California Environmental Quality Act (CEQA). As lead agency, the State Water Board encourages comments that will assist the State Water Board in determining the range of actions, alternatives, mitigation measures, and significant effects that should be analyzed in depth in the EIR. Consistent with CEQA, the EIR will address resource issues that cover the whole of the hydroelectric project in addition to any cumulative effects of the project that may be identified. The State Water Board will consider public comments in determining the scope and content of the EIR. A stenographer will be present at the scoping meeting to record oral comments and transcribe the proceedings.

In addition to oral comments, the State Water Board will accept written comments through October 17, 2005. Please send your written comments to Sharon Stohrer, State Water Resources Control Board, P.O. Box 2000, Sacramento, California 95812-2000 or you may submit electronic comments to 2105comments@nsrnet.com.

I look forward to seeing you at the public meeting.

Sincerely,

James W. Kassel, Chief
Hearings and Special Projects Section

California Environmental Protection Agency

Scoping Meeting Publicity

The State Water Resources Control Board held a public scoping meeting on the proposed Upper North Fork Feather River Hydroelectric Project Water Quality Certification Environmental Impact Report at Chester Memorial Hall in Chester, California, on September 27, 2005. Notice of the meeting was included in the NOP and published in the *Chester Progressive*, the *Feather River Bulletin*, the *Indian Valley Record*, the *Portola Reporter*, the *Lassen County Times*, the *Westwood Pinepress*, and the *Sacramento Bee*. Following are copies of the notices published in these newspapers.

- Chester Progressive, Feather River Bulletin, Indian Valley Record, and Portola Reporter:

**PUBLIC SCOPING MEETING FOR ENVIRONMENTAL
IMPACT REPORT FOR UPPER NORTH FORK
FEATHER RIVER HYDROELECTRIC PROJECT
WATER QUALITY CERTIFICATION**

The State Water Resources Board invites all interested parties to attend a public scoping meeting on the Environmental Impact Report (EIR) to be prepared for the Upper North Fork Feather River Hydroelectric Project Water Quality Certification. The State Water Board is the lead agency for the project under the California Environmental Quality Act. As lead agency, the State Water Board seeks new information and ideas from the public to assist in identifying the range of actions, alternatives, mitigation measures, and significant effects that should be analyzed in depth in the EIR. A stenographer will record oral comments and transcribe the proceedings of the scoping meeting.

The public scoping meeting will be held in Plumas Co. on September 27 from 3:30 p.m. to 7:00 p.m. at the Chester Memorial Hall, corner of Gay and Stone Streets, Chester.

In addition to oral comments, the State Water Board will accept written comments through October 17, 2005. Please send written comments to Sharon Stohrer, State Water Resources Control Board, P.O. Box 2000, Sacramento, CA 95812-2000 or you may submit by e-mail at 2105comments@nsrnet.com.

- Lassen County Times and Westwood Pinepress:

**PUBLIC SCOPING MEETING FOR ENVIRONMENTAL
IMPACT REPORT FOR UPPER NORTH FORK
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■ Chico Enterprise Record:

Enterprise-Record

PUBLIC SCOPING MEETING FOR ENVIRONMENTAL IMPACT REPORT FOR UPPER NORTH FORK FEATHER RIVER HYDROELECTRIC PROJECT WATER QUALITY CERTIFICATION

The State Water Resources Control Board invites all interested parties to attend a public scoping meeting on the Environmental Impact Report (EIR) to be prepared for the Upper North Fork Feather River Hydroelectric Project Water Quality Certification. The State Water Board is the lead agency for the project under the California Environmental Quality Act. As lead agency, the State Water Board seeks new information and ideas from the public to assist in identifying the range of actions, alternatives, mitigation measures, and significant effects that should be analyzed in depth in the EIR. A stenographer will record oral comments and transcribe the proceedings of the scoping meeting.

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■ Sacramento Bee:

Lic# 735756

getsolarise.com

PUBLIC SCOPING MEETING FOR ENVIRONMENTAL IMPACT REPORT FOR UPPER NORTH FORK FEATHER RIVER HYDROELECTRIC PROJECT WATER QUALITY CERTIFICATION

The State Water Resources Control Board invites all interested parties to attend a public scoping meeting on the Environmental Impact Report (EIR) to be prepared for the Upper North Fork Feather River Hydroelectric Project Water Quality Certification. The State Water Board is the lead agency for the project under the California Environmental Quality Act. As lead agency, the State Water Board seeks new information and ideas from the public to assist in identifying the range of actions, alternatives, mitigation measures, and significant effects that should be analyzed in depth in the EIR. A stenographer will record oral comments and transcribe the proceedings of the scoping meeting.

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ATTACHMENT B-2

Transcription of Public Meeting

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CEQA SCOPING WORKSHOP

---oOo---

TUESDAY, SEPTEMBER 27, 2005

3:34 P.M.

---oOo---

CHESTER MEMORIAL HALL

CHESTER, CALIFORNIA

REPORTED BY ELLEN E. HAMLYN, CSR #5558

1 TUESDAY, SEPTEMBER 27, 2005; SUSANVILLE, CALIFORNIA
2 3:30 P.M.

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PROCEEDINGS

MIKE HARTY: I would like to get this meeting started and move into what's most important. My name is Mike Harty and I will be facilitating, moderating this evening, but what I want to promise you is that after I outline what we're planning to do, I don't plan to talk very much, it's really about giving you all an opportunity to provide your input to the state board as the scoping process begins and I'm going to talk a little bit about that in a minute.

I work for the Center for Collaborative Policy which is an organization in Sacramento that's affiliated with Sacramento State University and I'm a mediator and facilitator and so if you're feeling like the meeting isn't working for you, talk to me, but don't ask me any questions about water temperature, fish or curtains, I can't help you. There are plenty of people here tonight who can answer those questions and I'm going to have them introduce themselves here in a minutes.

Okay, let me get the official part out of way. This is a scoping meeting sponsored by the

-2-

1 California State Water Resources Control Board and I'm
2 going to refer them tonight as the board.

3 Under the California Environmental Quality
4 Act there are a few acronyms, as many of you know, are
5 familiar with this CEQA, it's the act and when I say the
6 board, it's the board. The board is preparing an

7 environmental impact report for the Upper North Fork
8 Feather River Project and the purpose for tonight's
9 meeting, the purposes are two. First, the Board would
10 like to share information with you about the CEQA process
11 and the water quality certification process and that's the
12 purpose for all of the information stations in the other
13 room and the handouts for you.

14 And Vickie Hanson from the Board is the
15 senior board staff member here and I'm sorry, Vickie
16 Whitney. I'm sorry, Vickie. And Vickie, if you could
17 actually stand up and let folks know you are here. Vickie
18 Whitney is going to speak with you in a couple of minutes
19 and let you know a lot more about the water quality
20 certification process.

21 The other goal is to gather new ideas and
22 new information from all of you for the board as it goes
23 through the scoping process about possible alternatives,
24 about mitigation measures and potential environmental
25 impacts from this project. So there are two purposes

-3-

1 tonight, the board wants to provide you some information
2 about what they're up to and hear from you. Okay?

3 All right, the first thing I want to do is
4 acknowledge all the help we've gotten from Bill Dennison.
5 Where are you Bill? Thank you, Bill.

6 BILL DENNISON: I appreciate it very much.

7 MIKE HARTY: Bill has not only helped us organize
8 this space, but has really helped us in organizing the
9 speakers and the approach to the program, so I really, I

10 don't often get that assistance and I really, I thank you
11 for that.

12 And I'm going to be very careful with my
13 list. All right, so Vickie has introduced herself. The
14 other thing I'd like to do is have the other staff members
15 from the State Board just raise your hands or stand up so
16 that at least people in this room know who else is here
17 from the State Board. Vickie is not alone. And any one
18 of these folks, some of them you probably know, is here to
19 talk to you about either the CEQA process or the water
20 quality certification process that they are going through.

21 The other people I'd like to introduce to
22 you are the members of the team from North State
23 Resources. North State is the environmental consultant
24 who is under contract to prepare the environmental report
25 and I just want you to see all the folks from North State

-4-

1 who are here this evening as well. And Paul is the
2 project manager from North State. Who else? Is anyone
3 else? There we go. And people are in the other room, I
4 see a bunch of hands back there so you can go find them.

5 Okay, if you haven't been to the information
6 stations, we're going to have a break after the first part
7 of the meeting and you can hang out here, you can go
8 outside or you can go back once you're, you have the
9 opportunity to go back to the information stations and
10 talk to the folks who are there.

11 How to provide input, because it is about
12 providing input. There are many ways to do it. A few of
13 you, one or two I suspect, are hear to speak tonight,

14 right? Just kidding. You have the opportunity and we're
15 looking forward to hearing your comments this evening as
16 one way of providing your input to the board about
17 mitigation measures, alternatives and potential
18 environmental impacts.

19 That's not the only way that you can do it.
20 There are forms that you can fill out if you would prefer
21 not to speak, and this is an example of the form. You can
22 write your comments on the form and leave it in one of the
23 boxes on the table. It counts just as much as a speaker's
24 comments here tonight.

25 You also have the opportunity, if you would

-5-

1 like to, to prepare some written comments after this
2 meeting and submit them to the board by October 17th.
3 That's the important date. So those are the opportunities
4 to really provide comment.

5 You can also talk to members of the board
6 who are here tonight. You can talk to the NSR staff, the
7 technical folks and advise them of things that are on your
8 mind. But if you really want to document those comments,
9 put them in writing either on the comment form in a letter
10 to the State Board or you'll speak tonight.

11 As far as tonight's speaking, Ellen is our
12 court reporter. How many have you been to a public
13 meeting where there's a court reporter before? Many you
14 of, so for some of you this is familiar. I'm trying to
15 slow down the speed at which I'm speaking because Ellen is
16 creating a transcript of this entire public comment

17 session. She does that by typing on a machine that is not
18 like any machine you or I have ever typed on. But she
19 needs your help tonight and there are a couple of things
20 you need to do, and she'll remind me if I'm not doing it.

21 First of all, you need to speak at a
22 reasonable speed, not too fast. The second thing is you
23 need to speak one at a time. She can't capture more than
24 one person speaking at a time. And if you get going too
25 fast, I may ask you to slow down and she may ask for help

-6-

1 and we'll have to stop and pick up.

2 The last thing is she needs to be able to
3 see your face which is why we have the podium up here. I
4 know it can be a little bit daunting to speak in front of
5 a room full of people whether you know them or not, but
6 Ellen maybe does a little bit of lip reading and has all
7 sorts of tricks so she needs to be able to see your face.
8 That's why we've got it organized this way.

9 Ellen is going to make a transcript and if
10 you are interested in obtaining a copy of the transcript
11 she is making because this is what she does for a living,
12 you should see her, okay? we're going to take a couple of
13 breaks, she needs to take a break, and you can talk to her
14 then and she is local right here in Chester as I
15 understand, she may be your neighbor, I don't know.
16 That's how we are capturing all your comments, we're not
17 scribbling on flip charts or doing anything like that
18 tonight, we'll have a transcript.

19 Okay, the way we're going to organize the
20 comment period is as follows: we've got two parts to the

21 comments. In the first part, we're going to give an
22 opportunity to government officials, elected officials or
23 representatives of government agencies to provide their
24 input to the board. And on my list now I think we've got
25 about seven or eight people who've taken the time to come

-7-

1 here tonight. We have representatives of tribes, we have
2 representatives from congress and from the assembly and
3 the state senate in addition to Bill and I don't know
4 whether another of your supervisors is here tonight.

5 BILL DENNISON: I don't believe so.

6 MIKE HARTY: So we're going to hear from the
7 government officials during the first part and then we are
8 going to have about a 30-minute break and after that
9 break, we're going to have the second part which is
10 devoted to individual comments and the comments from any
11 representatives of non-governmental organizations. So
12 we'll have part one and part two and I'll explain how
13 we're going to work part one and part two, it will be
14 pretty basic.

15 What I need to do with you before I stop
16 talking and turn it over to Vickie is to get your
17 agreement to a couple of things. A lot of you are here
18 tonight. I don't know how many of you would like to
19 speak, but it's real important to us that everyone has the
20 same opportunity because you've taken the time and it's
21 important to you. Many of you live up here, you're here
22 because this is something that is part of your lives for
23 many of you and I appreciate that as do other folks, so we

24 want to make sure that all of you have the same
25 opportunity to speak. That means that there needs to be

-8-

1 an agreement we all have about a couple of things.

2 First of all, everyone who speaks has the
3 same opportunity. I'm guessing you may hear one or two
4 things that you don't necessarily agree with here tonight.
5 Understood. That's why you're here because people have
6 some real strong feelings about things, but it's got to be
7 okay for people to make comments that you don't agree with
8 and I'm going to ask you all to give people that space.
9 Yep? Okay, good.

10 The second thing is we're going to ask you
11 particularly in part two to respect approximately a
12 three-minute guideline. And I say approximately because
13 I'm not going to give you the hook, I promise. What it
14 means is if we have 10 people who take six minutes, we've
15 lost 30 minutes for other folks and it's getting later and
16 some folks are getting hungrier and the seats are kind of
17 hard, I think, so there's various motivators, but I'd ask
18 you to be respectful of the timeline. I may let you know
19 when we are past three minutes, but you should make your
20 own decisions about how much time you want to take. That
21 will work? Yep? Okay.

22 I am going to let your government officials
23 take as much time as they need, it's up to you to manage
24 them, okay?

25 Here's the last thing that I have on my list

-9-

1 and that is I have a suspicion that there are some things
2 that are very important to a lot of you and we could get
3 into a situation where it sounds like people are saying
4 the same thing, so what I'd like to ask you to do is if
5 you basically want to endorse what you heard before and
6 don't need three minutes to do it, do it. I endorse what
7 I have heard before, okay, one, two, three. You don't
8 have to take your full three minutes. All right? That
9 will make it easier for the rest of you, so the less
10 repetition we have, the more time there's going to be to
11 talk about the things that are new, the things that the
12 board has not heard before. Okay?

13 I think that's the last thing that I wanted
14 to talk about. When we get to part two, I'll tell you how
15 we're going to work things, but basically the one rule is
16 or my request is if you do want to speak, I hope you have
17 filled out one of the public input cards, the little white
18 cards because I'm going to use this system of these cards
19 to let people know who's next. We're going to have you
20 come up and speak from the podium and I'm also going to
21 give your card to Ellen so that she can spell your name
22 correctly in the transcript and we don't have to stand
23 here spelling it each time, so there's a reason for the
24 card system. But I'd ask you all just to take a minute if
25 you would like to speak, fill it out with your name and

-10-

1 the address and make sure I get it before the individual
2 comment session starts in a while. Okay?

3 Any questions about how we are going to do
4 the meeting?

5 AUDIENCE MEMBER: When?

6 MIKE HARTY: When? I am going to turn things over
7 to Vickie Whitney right now and thank you for that prompt.

8 VICTORIA WHITNEY: See how much paper this podium
9 can hold.

10 First, on behalf of the State Water
11 Resources Control Board, I would like to welcome everybody
12 here this afternoon. My name is Vickie Whitney. I'm the
13 Chief of the Division of Water Rights and I would like to
14 welcome you both on my behalf and on behalf of our board
15 members. Unfortunately they couldn't be here today, that
16 was my fault. I was dealing with a family emergency over
17 the last few weeks. My mom passed away and I had to leave
18 from her funeral to take my daughter to college out of
19 state. By the time I got back and let them know what was
20 going on, their calendars were booked and they couldn't
21 clear it, so our board, Tam Doduc, is very interested in
22 this issue, I talked to her about it, and she wanted me to
23 express her regrets to you all that she couldn't come.

24 One of the reasons that we're transcribing
25 the meeting is so the board members can read all of the

-11-

1 comments that you all make and hear your words in your own
2 words. So again, thank you, and welcome today.

3 The purpose of the meeting today, as Mike
4 said, is to share information regarding the CEQA, that's
5 California Environmental Quality Act and Water
6 Certification Process and to receive public comments on

7 all aspects of PG&E's project.

8 As Mike said, Ellen is transcribing the
9 meeting. When you get up to speak, please say your name
10 clearly. She'll have your card, but that way we will make
11 sure there is no mix ups and you are correctly identified.

12 As many of you know, PG&E has filed an
13 application for a new license with FERC. Before FERC,
14 that is Federal Energy Regulatory Commission, can issue
15 that license, the State Water Board has to certify under
16 Section 401 of the Federal Clean Water Act that operation
17 of the project will be consistent with state and federal
18 water quality standards. Any conditions of certification
19 are mandatory and become conditions of any federal permit
20 or license that is issued for the project by the federal
21 government.

22 The issuance of a water quality
23 certification is a discretionary act. That means the
24 board can decide not to issue it if it so chooses and
25 because it's a discretionary act, it's subject to

-12-

1 compliance with CEQA. The State Water Board has decided
2 to develop an EIR to meet the requirements of CEQA. There
3 are several different of types documents the State Board
4 can prepare. The EIR is the most stringent in terms of
5 review of the alternatives and mitigation measures that
6 are being proposed.

7 The purposes of this meeting is, this
8 scoping meeting is to receive information from you all
9 concerning the potential environmental impacts of the

10 project itself of the alternative ways of meeting the
11 project goals and of any mitigation measures. We'd like
12 to hear from the elected officials from the tribes and
13 from other resource agencies and the public in developing
14 our EIR because we want to make sure it's as comprehensive
15 as possible.

16 For purposes of CEQA, the project is defined
17 as the operation of Upper North Fork Feather River Project
18 as proposed in the application that PG&E filed with, filed
19 for its license with FERC and also the protection
20 mitigation and enhancement measures which are called
21 PM&E's. They are described in the settlement agreement
22 that PG&E has reached with some of the stake holders. I
23 suspect some of you are familiar with that agreement.

24 Under the Clean Water Act, that's the
25 federal law, the State Water Board has to determine

-13-

1 whether operation of the project as proposed will comply
2 with the water quality control plan for the Sacramento and
3 San Joaquin River basins. Those water quality control
4 plans are adopted by the Regional Water Quality Control
5 Board. In this case, that's the regional board that's in
6 Sacramento. Then they're approved by the State Water
7 Resources Control Board. They go to the office, the state
8 office of administrative law for approval and then they go
9 to federal EPA who also has to approve them.

10 The basin plan designates the beneficial
11 uses for the North Forth Feather River and for Lake
12 Almanor and also defines a unique set of -- I already said
13 that, unique set of beneficial uses. The basin plan also

14 specifies water quality objectives that are designed to
15 protect the beneficial uses and the poster in the back
16 lists both the beneficial uses and some of the water
17 quality objectives.

18 The State Board's responsibility is to
19 ensure that the beneficial uses of both the river and the
20 lake will be reasonably protected. It is not our desire,
21 our goal or our interest to sacrifice the beneficial uses
22 of one of those water bodies for the benefit of the other.

23 The basin plan directs us with the
24 controllable factors policy which basically states that
25 controllable water quality factors are not allowed to

-14-

1 cause further degradation of water quality in instances
2 where other factors have already resulted in water quality
3 objectives being exceeded.

4 Controllable factors are defined as those
5 actions, conditions or circumstances that may influence
6 water quality and may be reasonably controlled.

7 For instance, weather, which none of us can
8 control although we would like to, is not designated as a
9 controllable factor, but releases from the dam are
10 designated as controllable factors.

11 The most significant issues in this case
12 concern the measures that are necessary to protect three
13 of the beneficial uses that are designated for Lake
14 Almanor and for the North Fork Feather River. Those three
15 are habitat for coldwater fisheries, recreation and power
16 generation. These three uses are going to be very

17 important in formulating the alternatives that we are
18 going to evaluate in the EIR and they are the focus of
19 some of the exhibits that are in the back room, so I would
20 encourage you all to look at the exhibits before you leave
21 if you haven't already taken a look at them.

22 The State Board has received information
23 that's been collected over the past 20 to 30 years along
24 with data and surveys that were conducted during the FERC
25 relicensing process and after going through those, we've

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1 identified several resource values that are impacted as a
2 result of the ongoing operation of PG&E's project
3 facilities.

4 Many of the environmental resource issues
5 that are associated with the North Fork Feather River
6 Project have already been analyzed in an environmental
7 impact statement or EIS that's been prepared by FERC.
8 Federal agencies prepare EIS's, state agencies prepare
9 EIR's. They're essentially the same type of document.
10 They are disclosure documents, although there are these
11 legal distinctions between the two. The PM&E's and the
12 settlement agreement may resolve some of the issues that
13 were identified.

14 In developing the EIR, the State Water Board
15 will consider the EIS and the settlement agreement and
16 their ability to address potentially significant impacts
17 of the hydropower project. However, there are still some
18 unresolved issues that we need to fully address in our
19 CEQA document.

20 Water temperature is one of those issues and
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21 it's probably the most complex of the outstanding issues
22 that are associated with this project. That's both water
23 temperature in the river and water temperature in the
24 lake.

25 PG&E and the Department of Fish & Game has

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1 long recognized the water temperature to be a significant
2 problem particularly in the river in the early 1980s as
3 Fish & Game and PG&E began monitoring water temperatures
4 and their effects on the fishery populations of the river.
5 In that decade, Fish & Game and PG&E agreed that
6 temperature reductions in the river were necessary to
7 restore a healthy coldwater, cold fresh water fishery.
8 PG&E then determined that releasing cold water from Lake
9 Almanor was likely the most feasible approach to
10 temperature reduction in the river downstream of the dam
11 from the monitoring and feasibility studies that were done
12 on cold water in the 1980s.

13 The concept of the Prattville intake
14 notification or thermal curtain, I'm sure you are familiar
15 with that given there are signs on almost everybody's
16 lawn, was developed. The thermal curtain has the
17 potential to restore and protect the cold fresh water
18 beneficial use designated for all reaches of the north
19 fork of the river, but we are very aware of the local
20 opposition. As I said, we actually drove around town
21 today and I went for a walk around the block earlier today
22 and we've seen all your signs and seen them before and we
23 have read articles in our local paper as well as articles

24 that have appeared in your paper. We are mindful of your
25 concerns and we are committed to carefully evaluating any

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1 impacts that the temperature control measures or any other
2 mitigation may have on the lake so that all three of those
3 beneficial uses, coldwater fishery, recreation and power,
4 are equally protected for both the lake and the river.

5 CEQA requires that the EIR that we prepare
6 include a reasonable range of alternatives and Dana, who
7 is our attorney, said a reasonable range is three, right,
8 plus the no project alternative.

9 To meet this requirement, the EIR is going
10 to analyze multiple alternatives. In developing those
11 alternatives, the State Board will include measures to
12 minimize impacts to all significant resource areas that
13 have been identified as being potentially significant.
14 Each alternative will actually be a package of mitigation
15 measures and will include a measure for minimizing impacts
16 for water temperature in the river.

17 The State Board's planning to follow a
18 systematic approach in determining the viability of any of
19 the proposed measures that we are considering as part of
20 an alternative package that addresses water temperature
21 and coldwater fisheries. Initially, we're going to cast a
22 wide net. That is, we're going to look at as many
23 alternatives as we all can come up with for potentially
24 improving temperature in the river. Some of those
25 individual measures may only affect a specific reach of

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1 the river or a specific lake and others may affect more
2 than one reach of the river or more than one lake. The
3 project involves several lakes, as I'm sure you know.

4 The State Water Board is going to use a
5 preliminary screening process that considers effectiveness
6 in meeting temperature objectives, cost, contractibility,
7 incidental environmental impacts and other technical
8 factors. Through this screening process, we plan to
9 winnow down the possible alternatives to arrive at a
10 smaller set of technically feasible alternatives. A
11 reasonable range of these technically feasible
12 alternatives will be evaluated in the EIR.

13 The State Water Board and our technical
14 experts from North State Resources are currently
15 evaluating all the data that was collected for the
16 relicensing of the project by FERC. Included in this
17 effort are an appraisal of all predicted modeling that was
18 done on the water temperature issue. There's some
19 modeling graphs that are on one of the posters in the back
20 room, you might want to take a look at that.

21 A preliminary assessment of the thermal
22 curtain has not been completed, but we do intend to look
23 at whether or not the thermal curtain is feasible before
24 we go any farther and do a more specific and more detailed
25 analysis.

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1 As I stated earlier, one of the purposes of
2 the CEQA scoping process is to obtain input from other

3 state and federal resource agencies, the tribes and the
4 public to assist in the development of those alternatives.

5 One thing to keep in mind is that CEQA
6 itself does not require that the board take any action. A
7 CEQA document is a disclosure document so the purpose of
8 developing the document is to make sure that our board is
9 fully informed when they do make their decision regarding
10 what conditions they're going to impose and the water
11 quality certification for this project.

12 The State Board is going to consider all the
13 comments and all the mitigation measures that are proposed
14 for satisfying a complete alternative package and the
15 inflow of your ideas and of constructive suggestions for
16 consideration in the alternative selection is very
17 important to us and I want to emphasize that. So we do
18 appreciate you all being here and we are looking forward
19 to hearing your comments.

20 In closing, I want to reiterate, it's
21 important to our board chairman, to our board and to me
22 personally that our process be open, transparent and a
23 fair process, and that the process be developed so that we
24 can thoroughly evaluate the issues and concerns raised in
25 this scoping session to develop a well reasoned and a

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1 scientifically supported EIR and also the water quality
2 certification decision.

3 We do keep in mind both the policy input
4 that you provide as well as the scientific input. We do
5 have certain legal standards that we have to maintain. We
6 always anticipate that we are going to be sued when we

7 make a decision of this magnitude because we almost always
8 are, even though we seek to avoid that, so we want to make
9 sure our document is legally defensive as well as
10 scientifically defensive and further, it's good public
11 policy.

12 As Mike said, through the scoping process,
13 you can provide your verbal comments to the court reporter
14 today or you can provide written comments. We will read
15 all of the comments that you submit to us. The open
16 comment period ends on October 17th, 2005, so please
17 endeavor to get your comments in by that time.

18 In addition to commenting during the scoping
19 process, there is another opportunity for the public to
20 participate on the draft EIR. As we move forward, the
21 State Water Board is going to evaluate whether additional
22 opportunities for public input should be made available.

23 The opportunity that is required by law
24 comes at the time we issue or the draft environmental
25 impact report. That environmental impact report will be

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1 made publicly available. Many of you, I think all of you,
2 signed up on a sheet of paper in the back room indicating
3 whether you want a copy of that document. Those are
4 interesting, specifically for people who are technical
5 geeks or science geeks. They make really good sleeping
6 material if you don't put yourself in that category, but
7 they do provide a lot of public information and I would
8 encourage everybody to read at the very least the
9 executive summary and then go into the document and delve

10 deeper into the technical issues you are specifically
11 interested in.

12 We appreciate the outstanding contributions
13 that you've made so far in this effort and we look forward
14 to your continued participation, the participation of
15 local landowners, government agencies and our legislative
16 representatives, tribal representatives, non-governmental
17 organizations and all users of water resources in your
18 watershed.

19 And I'd like to close by stressing that we
20 are here to learn from each other. I've had an
21 opportunity to speak and I'm looking forward to hearing
22 you all speak. We will be available to answer your
23 questions at the information stations in the other room
24 following the public speaking portion of the meeting.

25 And lastly, I'd like to thank you all again

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1 for your continued participation in this effort and I hope
2 it is a collaborative one. Thank you very much.

3 MIKE HARTY: All right, I have a list here of
4 government representatives and if someone has come since I
5 got the list, please feel free to let me know, but what I
6 would like to do is start with Lorena Gorbet from the
7 Maidu Cultural and Development Group. We have all forms
8 of governments and Lorena is from a tribal government.

9 LORENA GORBET: I'm Lorena Gorbet, coordinator for
10 the Maidu Cultural and Development Group. The Maidu
11 Cultural and Development Group is intervenor in the 2105
12 relicensing process and has been involved since the
13 initial meeting.

14 The MCDG also commented on the Rock
15 Creek-Cresta project in the 1990s. MCDG is instrumental
16 in keeping the Native American community informed about
17 water projects and issues within our traditional territory
18 and have taken their concerns and comments back to those
19 agencies and companies involved.

20 The hydro projects in Big Meadows, Mountain
21 Meadows, Butt Valley and Humbug Valley has taken 109
22 Indian land allotments totaling 16,000 acres resulting in
23 a huge cultural disruption to those Maidu that were
24 displaced. An MCDG priority is site protection.

25 The Maidu oppose the installation of thermal

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1 curtains in Lake Almanor and Butt Valley Reservoir because
2 the Maidu burials are under the water of these two lakes.
3 There is a Maidu cemetery under the water out from
4 Prattville. PG&E has stated that they dredged through
5 this whole area in the 1930s possibly scattering our
6 ancestor's bones widely over the lake bottom. We
7 therefore feel that the whole area needs to be declared as
8 a burial site. There are also burials in Butt Valley
9 Reservoir.

10 If the thermal curtain's alternative were
11 selected as the required alternative to cool the north
12 fork of the Feather River reaches, the Maidu community
13 would expect to be consulted on every step of planning and
14 construction according to state and federal laws, mainly
15 the Native American Graves Protection and Repatriation
16 Act. We would expect Native American monitors to be on

17 the job sites to see that any dirt dredged from the lake
18 bottoms would be searched for human remains and artifacts.
19 We would expect repatriation of any recovered human
20 remains on site along the shoreline and a repository or
21 cultural center built by the licensee to house any
22 artifacts removed.

23 The Maidu Summit Group is a collection of 10
24 Mountain Maidu organizations and tribes, both federally
25 recognized and unrecognized. In August 2004, the Maidu

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1 Summit Group posted a resolution opposing the thermal
2 curtain alternative and supporting upstream restoration as
3 an alternative.

4 We believe that off site mitigation to
5 improve the streams in the North Fork Feather River
6 watershed reflect and improve fish and wildlife habitats
7 and bring many more benefits to the North Fork Feather
8 River and PG&E.

9 Off site mitigation also provides improved
10 access for our Native American community to many miles of
11 watershed creeks for the riparian resources we lost with
12 the flooding of Big Meadows, Mountain Meadows and Butt
13 Valley.

14 Our written comments will be submitted
15 before the October 17th deadline and will include these
16 comments in detail, a copy of the Mountain Maidu Summit
17 Resolution, copies of our information on the Indian
18 allotments and copies of all of our prior comments
19 concerning the 2105 Project relicensing. Thank you.

20 MIKE HARTY: And I believe that Mike DeSpain is
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21 here from the Greenville Rancheria; is that right? Is
22 Mike here?

23 MICHAEL DeSPAIN: I apologize if I'm a little
24 sketchy when I start this. A lot of this was finished
25 this morning as I was coming back from Red Bluff on the

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1 phone, so I was trying to get this done.

2 My name is Mike DeSpain. I'm the Greenville
3 Rancheria Tribal Environmental Director. The Greenville
4 Rancheria would once again like to voice its opposition to
5 the proposed thermal curtains on Lake Almanor.

6 A copy of this will have our tribal chair
7 signatures on it, on the outside of my comments. Please
8 bear in mind that the Greenville Rancheria is a federally
9 recognized tribe and under Section 106, the National
10 Historic Preservation Act. Consultation is required prior
11 to issuance of a federal license. The scope and mandatory
12 consultation should be appropriate of the requirements of
13 other statutes such as CEQA, NEPA, NACRO, the American
14 Indian Religious Freedom Act, Archeological Resources
15 Protection Act, all of which are important matters which
16 concern the tribe and are an issue at this project.

17 I'd like to begin with the cultural issues
18 that are present and proposed by the thermal curtains.
19 This is a primary concern that Greenville Rancheria and
20 the Native Americans have because of an identified Native
21 American cemetery originally located in the Prattville
22 area.

23 As Lorena specified, PG&E did do some

24 dredging in the 1930s and literally scattered bones and
25 remains across the bottom of the entire area. No one has

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1 any current records of the remains or how the dredging was
2 completed.

3 The site clearly meets the criteria for the
4 National Registry of Historic Places and processes for
5 registration would be initiated shortly according to the
6 National Historic Preservation Act.

7 Even if an Indian tribe has not been
8 designated -- even if an Indian tribe has not been
9 designated by the National park to have a tribal historic
10 preservation officer who can act for the state historic
11 preservation officer on its lands, it still must be
12 counseled about undertakings on our affected lands on the
13 same basis and in addition to the SHPO. Given that
14 legislation, why has the jurisdiction for culturally
15 sensitive sites been given exclusively to the SHPO? For
16 anyone who don't know what SHPO stands for, it's State
17 Historic Preservation Officer. That is only a state
18 agency. An indian tribe like Greenville and Susanville
19 are federal agencies with sovereign nations status.

20 To continue, Greenville Rancheria has not
21 signed the MOU for this reason. State agency, on whose
22 authority do state agencies have signatory rights over
23 federally recognized Indian tribe? This is an integral
24 right of sovereign nations recognized by the federal
25 government.

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1 According to the application legislation,
2 the tribes ought to have been consulted as de facto THPO's
3 on this project. The result of neglect is that Native
4 American ancestral bones scattered at the bottom of Lake
5 Almanor are going to be dredged over without any regard to
6 requirements of Section 106.

7 If this California State Water Resource
8 Control Board properly appoints lead agencies, which steps
9 are going to be taken for provisions under Section 106 to
10 be followed?

11 To make matters worse -- to make matters
12 worse, our enquiries to the SHPO's office in Sacramento
13 indicated that even their office is not aware of the
14 potential destruction of a Native American cemetery at the
15 bottom of Lake Almanor due to the thermal curtains.

16 Prior consultation with the SHPO has been
17 defective. For example, the date of cultural studies are
18 incorrect and the studies clearly did not address the
19 issues or take consultation with tribes into account.

20 There is another violation of Section 106,
21 federal agencies or in this case the designee, the State
22 Water Resource Control Board are obligated to provide the
23 advisory counsel on historic preservation in Washington,
24 D.C. a reasonable opportunity to comment on undertakings
25 which will affect historic properties which is definitely

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1 in the case of this project.

2 Individuals for contacts, Monica Fordham,

3 Native American project specialist. Advisory counsel on
4 historic preservation, Washington, D.C., would like to
5 request a report be submitted directly to the executive
6 director as soon as possible. Heather Campbell, FERC
7 division hydroelectric administration compliance,
8 Washington, D.C., United States EPA has been notified of
9 this process. They're my actual bosses since the
10 beginning when Mr. Dennison approached me in reference to
11 this. This has been going on about six months, so U.S.
12 EPA is very notifiable of the entire situation.

13 We have spoken this morning with, as I
14 mentioned, Monique Fordham, Native American program
15 specialist for the advisory counsel for historic
16 preservation in Washington. The ACHP has no information
17 about this project so we initiated a process whereby your
18 agency will be contacted by the office of the executive
19 director of the ACHP and our contact with our counsel be
20 ongoing until this issue is resolved.

21 Secondly, there are environmental issues
22 raised by the proposed thermal curtains which I would like
23 to comment on to the tribal environmental director. Under
24 Title 40, Code of Federal Regulations Protection of the
25 Environment, Section 131.12, specifies a mandatory

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1 anti-degradation policy for the states which briefly calls
2 for the maintenance and protection of existing instream
3 water use and be the level of water quality necessary to
4 protect existing uses. Dredging Lake Almanor being a
5 coldwater fishery, it would kill quite a few of the
6 crustaceans on the bottom layer and drop the thermal

7 climate at same time.

8 Essentially, construction of one or more of
9 the thermal curtains would draw approximately 50 percent
10 of the coldwater pool from Lake Almanor, kill the food
11 source for the Butt Valley trophy fishery and still not
12 guarantee a positive result for the fisheries downstream.
13 Thank you.

14 MIKE HARTY: The last word I had was that Senator
15 Finestein would be submitting written comments and that a
16 representative from her staff is not here; is that
17 correct?

18 BILL DENNISON: That's correct.

19 MIKE HARTY: So I'm going to move to Chris Parilo
20 from Congressman Doolittle's office.

21 CHRIS PARILO: Thank you very much. I'm happy to
22 be here on Congressman Doolittle's behalf today.

23 As many of you know, he has been following
24 this effort very closely for the last couple years and of
25 course this turnout today is indicative of the deep

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1 concern that all the communities have regarding this
2 process.

3 what I would like to do is to speak first,
4 read first off from a letter the congressman, some of his
5 written excerpts from the letter he will be delivering to
6 the State Board as well as to FERC and also to make a few
7 other points toward the end. I'll start by reading this
8 letter.

9 I'm writing on behalf of my constituents on

10 the Lake Almanor area of Plumas County regarding the
11 Federal Energy Regulatory Commission of processing of
12 PG&E's application for a new license for the Canyon Dam
13 and Lake Almanor project.

14 FERC Number 2105, the FERC 2105 license will
15 also include Butt Valley Reservoir as well as PG&E
16 Powerhouse, Caribou 1 and 2, Beldon and Oak Flat.

17 As you know, after diligent and sincere
18 efforts by county officials and residents as well as PG&E
19 authorities, a final settlement -- as you know, after
20 diligent and sincere efforts by county officials and
21 residents as well as PG&E authorities, a final settlement
22 agreement resolving many complex and important issues was
23 executed by a multitude of parties in April of 2004.
24 while this agreement settled numerous aspects contained in
25 the new license, several pressing issues still remain

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1 disputed including shoreline erosion, the length of and
2 coldwater resources in Lake Almanor.

3 Specifically, I'm writing today to express
4 my opposition to any agreement that includes a
5 scientifically unsupported thermal curtain around the
6 Prattville intake structure. The current proposal has
7 been forwarded to comply with agreements as delineated in
8 the Rock Creek-Cresta relicensing settlement agreement,
9 FERC license Number 1962.

10 This license compelled PG&E to make
11 reasonable attempts to maintain water temperatures 20
12 degrees celsius or less in the Feather River between Rock
13 Creek-Cresta Powerhouse. Significantly, this license

14 contained the term reasonable to describe the measures
15 PG&E is to implement to reach this goal. Clearly after
16 factoring in the cost associated with constructing this
17 structure, the impact of the communities around Lake
18 Almanor, the devastation of fisheries in Butt Lake and
19 Lake Almanor, this temperature control mechanism can be
20 called anything but reasonable.

21 I am dismayed that the FERC 2105 license has
22 hijacked by a detail outlined in the previous process and
23 my constituents in the Lake Almanor area are expected to
24 solely bear the burden of this action. It should be
25 stressed that the installation of this curtain would

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1 result in the removal of nearly 50 percent of the cold
2 water contained in Lake Almanor. The removal of this
3 amount of cold water will have a devastating impact on the
4 ecosystem and established fisheries.

5 In addition to the dramatic resource damage,
6 homeowners in the greater community around Lake Almanor
7 stand to suffer from the unsightly visual impacts of the
8 structure, negative impacts on boating and other
9 recreation and decreased tourism that could coincide with
10 severe restriction of colder water in Lake Almanor.

11 I appreciate the willingness of FERC and the
12 State Water Board to allow local stake holders to obtain
13 new licenses. However, due to the unreasonable costs and
14 environmental destruction that will result from these
15 thermal curtains, I encourage you to take the lead and
16 move this process in a different direction. It is

17 paramount that FERC and the State Water Board clearly
18 consider the far reaching socioeconomic and environmental
19 implications even if the state agencies fail to do so.

20 The scientifically unsupported curtain
21 proposed will not achieve agency goals, is an unacceptable
22 selection to this process.

23 And I would also like to add on the
24 congressman's behalf that the congressman has been very
25 impressed with the well organized and respectful manner in

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1 which Lake Almanor and Plumas County officials and
2 citizens have conducted themselves during the entire
3 process. He would also like to thank the representatives
4 of the Native American communities that are here today for
5 the sentiments they have expressed and they efforts they
6 have made today to protect their cultural sites.

7 while the first aspects of this process in
8 the congressman statements simply objects to the thermal
9 curtains, it is important to note that county stake
10 holders and PG&E have focused increased time and energy on
11 an alternative that will help improve the watershed and
12 environment while protecting the communities that have
13 grown up around the lake.

14 Congressman Doolittle fully supports the
15 watershed restoration improvement alternative forwarded by
16 the local community and believes the off site mitigation
17 measures would bring substantial immeasurable and positive
18 environmental results to these important watersheds.

19 And lastly, a common theme that will be
20 repeated throughout the day is that Plumas County serves

21 as one of the headwaters for California's entire water
22 supply. County officials and residents have repeatedly
23 proven they work together to enhance these watersheds and
24 provide high quality water supplies and high quality
25 environments. These enhancements produce state wide

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1 benefits and it would be an indefensible mistake if state
2 authorities exacted unreasonable costs from these local
3 communities that have been such good stewards of the local
4 environment.

5 The role of government should be to work
6 with local communities in achieving positive results, not
7 to obstruct or threaten with unproven ideas that will have
8 devastating impacts on hard working families and
9 communities. Thermal curtains, I think, would really
10 bring life to the phrase no good deed goes unpunished.

11 Congressman Doolittle applauds the state
12 authorities for conducting the workshops in a manner that
13 allows everyone's voices to be heard. He welcomes the
14 opportunity to continue to work with state and federal
15 authorities in order to facilitate an outcome that will
16 benefit the watershed and all stake holders in the local
17 community. The importance of this process cannot be
18 underestimated and the congressman will continue to
19 advocate for a solution that does not include thermal
20 curtains. The congressman takes a proactive approach to
21 enhancing watershed while protecting Lake Almanor.

22 Thank you very much.

23 MIKE HARTY: Next I have Gary Story from

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24 Congressman Herger's office.

25 GARY STORY: On behalf of Congressman Herger, I

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1 appreciate this opportunity to speak in front of all of
2 you. It's incredible to see this public turnout and
3 although the congressman does not represent this area any
4 longer, he does speak very kindly of it to this day.

5 I will be reading a prepared statement that
6 the congressman has made regarding the thermal curtain and
7 the notice of scoping workshop prepared by CEQA.

8 I appreciate the opportunity to address the
9 members of the California State Water Resources Control
10 Board and to offer my comments concerning the Upper North
11 Fork Feather River Hydroelectric Project Water Quality
12 Certification.

13 It is my understanding that because of the
14 level of controversy surrounding the UNFFR project and
15 likelihood of significant impacts, the State Water Board
16 has decided to prepare an environmental impact report.

17 As I previously stated, the proposal for a
18 thermal curtain project for Lake Almanor is an ill
19 conceived and misguided idea that seeks to employ a plan
20 to resolve river problems by harming the lake and
21 surrounding communities.

22 I would like to review some recent findings
23 that may result from implementation of the thermal
24 curtain. According to the Thomas Payne and Associates
25 report, it states that the Lake Almanor salmon habitat

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1 could be reduced up to 40 percent.

2 Jacob Odgaard, one of the researchers that
3 presented the thermal curtain is quoted in a May 20, 2004
4 Iowa State news release stating that a continuous withdraw
5 of only cold water could deplete the lake's cold water
6 supply resulting in damage to the lake habitat.

7 According to Rhonda Coda, a seasoned Cal
8 Fish & Game biologist who wrote in a June 14th, 2003
9 letter to FERC concerning the thermal curtain and stated,
10 quote, "We are not willing to take a chance that our
11 concerns will not upset the delicate ecological balance in
12 these two prized trophy trout lakes. Therefore, we
13 recommend a feasibility study be abandoned and deep water
14 releases at Prattville and Canyon Dam not be pursued."

15 The 2004 Payne and Associates report
16 indicated that the thermal curtain would virtually
17 eliminate the pond smelt that provide the major food
18 source for the trophy trout in Butt Reservoir and require
19 mitigation measures to restore the appropriate level of
20 dissolved oxygen.

21 Simply put, even with their reasons for
22 reducing the water temperature down streams, current
23 information shows that the installation of the thermal
24 curtain at the Prattville intake will have a detrimental
25 and negative impact both to Lake Almanor and Butt

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1 Reservoir.

2 Recent data indicates \$53 million will be

3 borne by PG&E rate payers in construction costs plus
4 maintenance of the thermal curtains. And with this price
5 tag, what benefits can you accurately cite that will
6 substantiate the enormous tax that you are effecting?
7 what evidence has been presented to establish a positive
8 cost versus benefit ratio? what will be the increase in
9 fish population and at what cost? where is the science
10 that will guarantee the success of the thermal curtain?
11 And finally, who will take responsibility if millions of
12 dollars are spent with no measurable results?

13 The state water quality standards need to be
14 met. The state water quality standards need to be met in
15 a way that we all understand together. We need to ensure
16 that we address the fisheries and the entire watershed not
17 at one isolated point. We also need to make certain that
18 state and federal actions are not detrimental to the
19 fisheries and to the ecology of Lake Almanor and Butt
20 Reservoir.

21 In summary, CEQA requires that an EIR
22 incorporate a reasonable range of alternatives. CEQA
23 guidelines also suggest that alternatives analyzed should
24 be limited to those that would avoid or substantially
25 lessen any of the significant impacts of the project and

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1 that the EIR need exam in detail only the alternatives
2 that the lead agency determines could feasibly attain most
3 of the basic objectives of this project.

4 There is virtually no public support for the
5 thermal curtain. The licensee cannot recommend the
6 project nor can they designate another alternative as

7 reasonably acceptable.

8 Local tribes have objected and stated their
9 opposition here today. Lake Almanor residents and area
10 businesses have come together to state their opposition
11 through the Save Lake Almanor Committee. There are
12 socioeconomic considerations that have not been fully
13 reviewed, et cetera, et cetera.

14 Based on existing information and studies,
15 the thermal curtain should be abandoned and taken off the
16 list of considerations. I urge the State Water Board to
17 provide some leadership in this process by recognizing the
18 futility of the thermal curtain proposal and proceeding in
19 an expeditious manner to utilize taxpayers resources in
20 the most cost effective and prudent manner possible.

21 Thank you for this opportunity to comment.

22 MIKE HARTY: Next on my list is Assemblyman Rick
23 Keene.

24 RICK KEENE: Good afternoon. I'm standing here on
25 behalf of the community of Chester. This is my district.

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1 I grew up in the mountains. We've seen what has happened
2 already to the devastating consequences of environmental
3 policies from timber policies and now we see the state
4 wanting to come in and eliminate I think the most valuable
5 asset in this entire region which is Lake Almanor and I
6 stand on behalf of the citizens and want to register my
7 opposition.

8 The fact of the matter is the science is
9 very clear on this matter. This is not something that has

10 not had scrutiny, that PG&E has already collected the
11 data, it's already been indicated from all of the
12 available science that this particular project will not in
13 its best day have more than one degree celsius impact on
14 the fisheries on the Feather River, but it can have
15 devastating impacts up here.

16 The modeling that has been stated that is
17 used to substantiate this particular option is flawed, has
18 not been tested. In fact, the thermal curtain options
19 that have been installed at other locations have not been
20 tested as well. We cannot allow this particular lake to
21 be used as a guinea pig to try out this option. The fact
22 of the matter is that it has many devastating, potential
23 devastating impacts to this community.

24 Number one, economics. The fact of the
25 matter is this lake is a valuable asset to this community.

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1 The recreational opportunities here which is factored in
2 one of the three factors that was outlined here today,
3 recreation was number two, could be devastated by this
4 project. And the fact of the matter is, I have already
5 met with Vickie Whitney about six months ago and we
6 discussed these issues. I asked them to accelerate these
7 particular meetings which is why we are here today. I
8 believe that once this is looked at closely, it will be
9 seen as unfeasible and we can get on with looking at what
10 is best for the Feather River fisheries.

11 The fact of the matter is that this turns
12 into a swampy pond, no one will reverse this decision.
13 That's very clear, no one will go back and take that

14 thermal curtain out, let alone the devastating impacts on
15 Native American burial sites, the devastating impacts on
16 the local economy and the property values.

17 The fact is whenever the state acts in such
18 ways, it moves on to the next project and frankly, this
19 community cannot sustain a hit like that.

20 It is very easy to sit in Sacramento and to
21 make decisions that affect people that they don't know and
22 they don't see. That is why this community has rallied
23 together to oppose this project.

24 And the devastating impact on the
25 environment is not just limited to the fisheries and the

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1 drawing of cold water, which you are going to hear
2 repeated over and over today and you already have. The
3 environmental impacts from putting in this project itself
4 are dramatic and the elimination of the fisheries that
5 have already been discussed. The fact is that there many
6 options available out there to improve the fisheries on
7 the Feather River, many options. And the fact is that
8 most of them will be nothing but positive. I would ask
9 that the board act quickly to rule out this option which I
10 believe will be their conclusion as well and that we move
11 on to talking about what we could do to better the
12 fisheries on the Feather River. These are my comments.

13 MIKE HARTY: Assemblyman LaMalfa.

14 DOUG LaMALFA: Hi there. I'm Assemblyman Doug
15 LaMalfa. I represent the second assembly district. I
16 also served as vice chairman of the National Resources

17 Committee and spent my first term on the Agility Commerce
18 Committee in Sacramento. It's good to be up here with you
19 folks today and I really commend you all for your
20 commitment to being here, to turn out to these meetings,
21 to putting up the signs even all the way down on I-5 in my
22 assembly district.

23 My office has been contacted by numerous
24 individuals who own land in the Almanor Basin, who
25 recreate on and around Lake Almanor and fish in Lake

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1 Almanor, Butt Valley Reservoir, the Feather River and its
2 respective tributaries. These constituents I represent
3 have all expressed opposition to those alternatives
4 utilizing a variety of combination of thermal curtains and
5 modified intake structures on Almanor and Butt Valley
6 Lake. There have been no requests of any support for any
7 of the cold water removal options, none.

8 The comments my office have received have
9 mirrored many of my own comments. Most of these concerns
10 revolve around the fact that many of the solutions being
11 proposed lack a wide perspective of what is best for the
12 entire system.

13 First, a basic disagreement with the concept
14 of trying to improve one resources at the expense of
15 another. The draining of cold water from Lake Almanor or
16 Butt Valley Reservoir will have serious consequences to
17 the long-term health of these prized fisheries.

18 By the way, Ellen, Mike, I did edit this
19 down a little bit, so your audience may be happy of that,
20 too.

21 Constructing curtain structures to remove
22 cold water from Lake Almanor would reduce coldwater
23 habitat and change the balance of Almanor's dual
24 ecosystem, fish habitat, recreation areas, views and
25 potentially introduce contaminants to water supplies due

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1 to the dredging activities.

2 Such an action, I believe, violates both
3 federal and state policies with respect to water
4 degradation. To quote the Code of Federal Regulations,
5 once again the water, where the water, where the quality
6 of the water exceeds levels necessary to support
7 population of fish, shellfish and wildlife and recreation
8 in and on the water, that quality shall be maintained and
9 protected without allowing the water quality that is
10 necessary to accommodate an important economic or social
11 development in the area. That's an aspect that needs to
12 be continued to address, the economic and social impact of
13 the area. That doesn't always get done with environmental
14 review in this state as we know.

15 In allowing such degradation or lower water
16 quality, the state shall assure water quality adequate to
17 protect existing uses fully.

18 Not only does this project damage existing
19 uses, the desired outcome of reducing water temperature 25
20 miles downtown at Rock Creek-Cresta is highly doubtful
21 given dilution rates and the 25-mile stretch of exposed
22 waterway being warmed by the sun.

23 Secondly, I would have to disagree with the

24 notion that the 20-degree temperature goal is absolutely
25 necessary to obtain irrespective of all facets of water

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1 quality as pertains to fish and at any cost. This
2 unrealistic, arbitrary number was posed without any
3 year-round historical data for which these facilities were
4 constructed.

5 Further, according to PG&E's July 2005
6 report on water temperature monitoring, quote, in summary,
7 water temperature monitoring indicates that a mean daily
8 water temp of 20 degrees or less is not consistently
9 achieved in the months of July and August and no
10 reasonable water temperature control measures are
11 available to achieve such water temperatures year round.
12 The goal is asking for the unrealistic and I believe
13 completely unnatural.

14 Thirdly, it is clear there would be numerous
15 negative affects to constructing any of the thermal
16 curtain scenarios, including the discernments of multiple
17 layers of soils at the bottom of both lakes which could
18 have heavy contaminants as we heard about before. The
19 dredging of these sites will not only contaminate the
20 water that passes through, but possibly the area around
21 the spoils pile and also is disrespectful of the native
22 tribes' history.

23 After one factors in the cost benefit ratio
24 to this power compared with the potential harm it will
25 cause these waterways, it is questionable why any of the

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1 alternatives are still being considered. Added an overall
2 affect on other species in the ecosystem, it is an
3 unacceptable alternative.

4 Then think about the estimated effects on
5 loss of power generation to California's already limited
6 grid and the subsequent air quality affects from replacing
7 hydro generation to other forms of electricity generation,
8 we realize how misguided this solution truly is.

9 This type of narrowly focused management for
10 only one part of the watershed without any consideration
11 to its other parts, other uses and other users is short
12 sighted, ill advised especially for a public entity who is
13 charged with maintaining water quality for the entire
14 state.

15 These are projects that clearly degrade one
16 resource for a questionable benefit elsewhere. A clear
17 public benefit does not exist. It was stated that there
18 is not a desire to cause one resource to be degraded for a
19 marginal, in my view, and unproven benefit to another, yet
20 that indeed is what will happen here.

21 Being there's no alternative which would
22 obtain the arbitrary temperature year round, I believe a
23 preferred solution would be one, to improve the habitat
24 and provide riparian restoration along the north fork of
25 the Feather River where it would make improvements for

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1 habitat for multiple species, water clarity, oxygen levels
2 and water temperature, all without a negative impact to

3 the other resources.

4 Decision makers often refer to this type of
5 alternative as win, win. We need a few more win, wins
6 around here. Perhaps that is why local decision makers
7 who best know these waterways and lands have been studying
8 and examining this idea. I believe the public and rate
9 payers would benefit, the environment would benefit and
10 the species would thrive.

11 while I have not seen the specific research
12 showing the extent of benefit by restoration, it is clear
13 we should be looking for more reasonable and collaborative
14 approaches such as this that indeed benefit all.

15 Finally, we should agree to resolve this
16 issue in a timely fashion that ends these lengthy and
17 costly exploratory sessions that many engineers would have
18 serious negative effects on the species, the environment
19 and the public who will be footing the bill through their
20 monthly utility payments and so that citizens can take
21 down their signs and go back to their lives.

22 On behalf of the citizens I represent, I
23 thank you for the opportunity to present in the public
24 forum here.

25 MIKE HARTY: Next I have Nadine Bailey.

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1 NADINE BAILEY: My name is Nadine Bailey. I'm the
2 senior field representative for Senator Sam Aanestad and
3 the senator apologizes for not being here today, but I'd
4 like to think that if he was here, he would have some
5 words of wisdom for the staff and the water board and I
6 think since he's a physician, one of the things he might

7 say is to remember first do no harm.

8 These are the -- we will also submit these
9 in writing. The thermal curtain is a mitigation
10 alternative associated with the above project has created
11 a great deal of intention and an enormous outcry, not only
12 from citizens living in the area, but for many outside
13 counties and numerous constituents through my four senate
14 districts.

15 Over 5,000 people have signed petitions, and
16 there's the little stack. And if you are a petition
17 gatherer like I am, you know those aren't easy to get.

18 Mitigation is necessary to ensure the
19 quality of the environment, the quality of the
20 historically significant areas and the quality of life.
21 The thermal curtains as a mitigation alternative for this
22 project is especially noteworthy because the thermal
23 curtains would have substantial and significant negative
24 impact on the fisheries, the tribal natives, native and
25 cultural resources and the ecological balances of the lake

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1 and the economic health of communities at large. It would
2 be unprecedented for the State of California to knowingly
3 accept or require any action that would harm our state's
4 resources, so I have to state here that the State Water
5 Resource Control Board staff compelling these is
6 questionable.

7 There are numerous examples of codes and
8 laws that prevent harm of the state's natural resources.
9 Cal Fed, the state's largest resource based program which

10 has served as a model for resource issues not only
11 designed its basic solution principles that there would be
12 no significant redirected negative impacts, but also that
13 the solutions would have broad public acceptance and
14 solutions needed to be affordable.

15 The community has voiced loud and clear that
16 there is to be no cold water extraction from Lake Almanor
17 or Butt Lake. Lake Almanor is both a cold and warm water
18 lake and currently judged to be in pristine shape, so if
19 Cal Fed, our state's largest resource based program,
20 recognizes the importance of no re-directive negative
21 impacts in solution based projects or mitigation, then it
22 only seems appropriate and responsible that the State
23 Resource, State Water Resource Control Board would follow
24 suit.

25 A study from Iowa State University has shown

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1 that the removal of cold water from both Almanor and Butt
2 Lakes would result in maybe only one degree celsius
3 temperature change for the Rock Creek-Cresta reaches. I
4 realize that there is a competing study leaving the
5 question to which study is valid. In the view of this, it
6 must be proven without a doubt that thermal curtains would
7 not have a negative impact on the lakes.

8 Early on in many issues and concerns
9 associated with the thermal curtains, including the CEQA
10 requirements, were known to the SWRCB staff and the
11 overwhelming opposition and legitimate concern show how
12 unrealistic the thermal curtains were. With this
13 knowledge, they should have been initially cut from

14 further investigation.

15 And since this is not my area, I did tell
16 Kim that I was going to interject in here that the senator
17 is also scrutinizing other decisions by the State Water
18 Board and there have been some very serious charges
19 leveled against the regional boards about the accuracy of
20 their modeling and those charges have been made by a PhD
21 professor that taught at one of the most prestigious
22 colleges in California, so we are asking for some peer
23 review for some of these models that they not be taken for
24 granted that just because the state has submitted a model,
25 that it is accurate.

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1 Likewise, the thermal curtain did not meet
2 CEQA criteria which require that an EIR incorporate a
3 reasonable range of alternatives and that the EIR need
4 examine in detail only alternatives that the lead agency
5 determines could feasibly obtain the most basic
6 objectives.

7 I again have to ask why SWRCB staff continue
8 to require the thermal curtains be investigated. It
9 appears that the staff disregarded their most basic
10 function in the CEQA process. This was a tremendous waste
11 of time, money and money that could have and should have
12 been spent investigating other viable and reasonable
13 options.

14 Even though one can logically argue that the
15 current water temperature in the Rock Cresta reaches has
16 not harmed fish and this is a required mitigation based on

17 unwarranted designation, it's still nonetheless a required
18 mitigation.

19 However, it is becoming clear that there
20 just isn't current viable technology for a direct solution
21 to accomplish the water temperature reduction at the Rock
22 Cresta reaches. So in due diligence, it has been the
23 local community that has come up with a viable and
24 reasonable mitigation alternative, the off site North Fork
25 Feather River Watershed Restoration and Improvement

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1 Alternative, previously known as Alternative D. I think
2 we should go back to Alternative D. This alternative is a
3 resource and community, is resource and community friendly
4 and will have the permanent positive environmental impacts
5 on the entire watershed and eventually the Rock
6 Creek-Cresta reaches.

7 In conclusion, again I will state that we
8 cannot allow any alternative that is harmful to our
9 fisheries, our lakes, our archaeological resources, our
10 native and cultural heritage and our communities at large.
11 Thus, I have a request that the thermal curtains or any
12 alternatives that would extract cold water from the lake
13 be removed as an option and therefore because the North
14 Fork Feather River Watershed and Restoration Improvement
15 Alternative is the currently the only viable and
16 reasonable practical and rational alternative, it needs to
17 be seriously considered. Thank you.

18 MIKE HARTY: The next name I have is Dave Keller.

19 DAVE KELLER: Good afternoon, I'm Dave Keller, the
20 district representative for State Senator Dave Cox. We're

21 pleased to be here. I'll keep my comments brief so that
22 the nearly 300 people here will have a chance to say
23 something.

24 Before I go any further, I would like to
25 take this opportunity to say that the senator appreciates

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1 the scoping sessions being conducted in Chester as well as
2 the opportunity for public testimony.

3 The senator is having the opportunity to be
4 briefed both by the water board staff and by members of
5 the Save Lake Almanor Committee. Senator Cox's meeting
6 with the water board staff, he expressed his clear and
7 strong opposition to the thermal curtain proposal. That
8 remains his position today.

9 He believes that a thermal curtain would
10 damage the ecology of the lake and the economy of the
11 region. There is overwhelming opposition to the thermal
12 curtain by the community and other affected parties, as we
13 will find out as the evening continues.

14 At the same time, the senator supports the
15 community's plan which emphasizes streamside shade
16 restoration to decrease downstream water temperatures.
17 Thank you.

18 MIKE HARTY: And I think the last of my elected
19 officials is Bill.

20 BILL DENNISON: Thank you very much. For the
21 record, I am Bill Dennison, Plumas County Supervisor,
22 District 3 and board chair.

23 I want to go through -- I really talk fast.

24 I'll slow down for you, Ellen. I also chair the Lake
25 Almanor 2105 Committee that is providing information and

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1 advice to the Plumas County Board of Supervisors for the
2 past three years.

3 I'd like to, if I may, take this opportunity
4 to introduce another Plumas County supervisor that took
5 the time to come here, Plumas County Supervisor Bill
6 Powers from Portola. Thank you, Bill.

7 You will fully appreciate the commitment and
8 the knowledge of this group from the statements you will
9 hear from a couple of those committee members that I
10 talked to you about as far as the 2105 Committee.

11 It's important for you to know that Plumas
12 County has been working collaboratively with PG&E's
13 various agencies, fishing groups and all others that would
14 care to be involved under the umbrella of a group that's
15 been called, known now as the 2105 Licensing Group which
16 we refer to now as 2105 LG. We reached consensus on many
17 issues that are summarized in the April 22nd, 2004
18 project, 2105 Licensing Settlement Agreement. That's
19 important to us, you'll hear more about that agreement and
20 Plumas County is firmly in support of that agreement.

21 In that agreement, Table Number 2 is a list
22 of six unresolved issues and Plumas County is requesting
23 that you specifically, I'm talking about you, I'm talking
24 about State Water Board, that you specifically address
25 shoreline erosion as part of a water quality problem.

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1 I'm submitting Plumas County Resolution
2 04-7076 that was passed unanimously by the Board of
3 Supervisors in October of 2004. You need to know that the
4 supervisors discuss this a lot, it's not just a casual
5 thing for us and most every meeting we talk about it in
6 one form or another. And Plumas County reiterates that we
7 specifically oppose further consideration of any one of
8 the three thermal curtains that have been proposed for
9 construction in Lake Almanor and Butt Reservoir and any
10 other scheme that proposes to reduce the Lake Almanor
11 coldwater pool at the expense of fisheries and lake
12 ecology.

13 Reasons for those objections are stated in
14 our resolution and have been strengthened over the past
15 eleven months. Other resolution statements are still
16 viable in that except for the concern at that time that no
17 other alternatives to the water temperature issue studies
18 have been conducted by PG&E, we said that was fact and it
19 was at that time. But since that time, since last
20 October, PG&E has conducted 23 other alternatives for
21 consideration and these have all been reviewed in detail
22 by the 2105 Licensing Group during several meetings,
23 several subcommittee meetings over the last eight months.

24 You have received a PG&E July 2005 final
25 report on the Rock Creek-Cresta called the License

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1 Condition D, that on page II, I refer it to, the last
2 paragraph, that states, and I'm going to paraphrase this

3 on how I read it, it says we have tried all the
4 possibilities for reducing the downstream temperatures but
5 can't meet the temperature requirements requested under
6 the Rock Creek-Cresta FERC Project Number 1962. That is
7 in essence what PG&E told us in that summary.

8 Plumas County agrees with PG&E's evaluation
9 as it pertains to the thermal curtain and respectfully
10 requests the State Water Board to consider those reasons.

11 First, the Rock Creek-Cresta license
12 requests for further review of a thermal curtain in Lake
13 Almanor as a means of reducing water temperature 25 miles
14 downstream has the words reasonably and reasonableness
15 throughout the document. We know that these terms cannot
16 be applied to the thermal curtain proposal.

17 Second, the notice of preparation that we
18 are addressing today on page 7 states in part, and this
19 was noted by Ms. Whitney, that appraisals of various
20 proposed alternatives will include the application of
21 feasibility criteria, including one, the ability of the
22 measure to provide temperature moderating benefits to the
23 affected North Fork Feather River reaches.

24 Number two is that they must, the cost of
25 the implementation versus predicted benefits has to be

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1 considered.

2 And three, the potential for incidental and
3 environmental impacts that may result from the
4 implementation of the measure.

5 I need not elaborate why the thermal curtain
6 alternative fails on all counts. You'll read that vividly

7 in the report of the FERC hearings we had. You recall we
8 went to Chico for some of those, we had them here, very
9 vivid in why the thermal curtain fails all those tests.

10 You'll hear today from many knowledgeable
11 people who have been working collaboratively to assist in
12 the water reduction issues and the State Water Board will
13 be receiving more written details prior to the October
14 17th deadline that will provide more reasons that the
15 thermal curtain should not be implemented.

16 One of those documents, I want you to pay
17 particular attention to the receiving at the State Board,
18 it's simply called the thermal curtain and it's a CD that
19 will have a voiceover view that very vividly displays the
20 problems that it would cause for our communities and the
21 implications in the long term to the state.

22 It is of interest that it must be seriously
23 considered that to date, and I think it was Assemblyman
24 LaMalfa that said there has not been one individual, not
25 been one group that has publicly expressed support for the

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1 thermal curtain. That's significant.

2 We would not expect the fishermen nor a real
3 environmentalist to support a proposal that would cause
4 degradation to large proven fisheries in Lake Almanor and
5 Butt Valley Reservoir with an unguaranteed result to the
6 smaller fisheries in Rock Creek-Cresta. In fact, this is
7 not permitted under October 28th, 1960 Water Resource
8 Control Board Resolution Number 68-16.

9 Page 7 of the notice of preparation states

10 in part that EIR will identify alternatives that were
11 considered by the State Water Board but were determined to
12 be unfeasible during the scoping session. We believe that
13 review of this data will be so convincing to the State
14 Water Board that they will quickly remove the thermal
15 curtain from the list of alternatives and respectfully
16 request an early review and an early removal.

17 Because none of the proposals to lower the
18 water temperatures at the Rock Creek-Cresta reaches meet
19 the State Water Board feasibility test, the 2105 Licensing
20 Group submitted off site watershed restitution and proven
21 alternative, Alternative D, I think you're right, Nadine,
22 it's shorter, but we also recognize that there is more
23 detail that needed to be submitted and Plumas County has
24 been working collaboratively to do that and will be
25 submitting more details and hopefully have a full

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1 understanding with the 2105 LG before the 17th.

2 That's my summary on behalf of Plumas County
3 and I want to thank you all you for coming to join us.
4 There's much more to be said and we all thank you, the
5 State Board staff, for being here so that you'll have the
6 opportunity to hear more from the people that really feel
7 this deeply. This is a gut wrenching situation for many
8 people and you'll hear it, you'll see it. Please pay
9 attention. Thank you.

10 MIKE HARTY: How are you all doing? Okay? How
11 hard are those seats? Just want you to know the people
12 that you voted for, I gave them the hard seats.

13 Now, we had planned at this point to take
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14 about a half an hour break. That's what I thought. I
15 just want you to know that I've got two other options for
16 you, one is you stand up, take about a one-minute stretch
17 and we roll on. Yes? That's what we're going to do.
18 Take a minute, stretch and we're going to move right into
19 part two of the meeting here.

20 (Break taken.)

21 MIKE HARTY: This is the opportunity for
22 individuals and for any representatives from
23 non-governmental organizations to provide comments. Our
24 prior agreement is three minutes guideline, okay? And I
25 will be paying some attention to that.

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1 Now, I have been asked to remind people that
2 when you speak into a microphone, you've got to hold it
3 right up to your mouth. You notice the difference between
4 this and this? So I'm going to, I am going to ask people
5 to put the microphone up to their mouth and I've got
6 spotters and listeners back there, I'm going to ask you to
7 raise your hands if you can't hear and we'll make sure
8 we've got this working.

9 Now, here's what we have agreed. I was
10 approached, we were approached by a group of people who
11 asked for an opportunity rather than have an uncoordinated
12 set of comments, to have a coordinated set of comments and
13 many of you are out there and I have speaker cards from
14 all of those folks. And what we agreed is the following:
15 That for this group, many of whom I believe are part of
16 the 2105 group, as many of you as can provide your

17 comments in 30 minutes will speak. After 30 minutes, we
18 are going to provide an opportunity for up to three other
19 folks to speak. Then we'll go back to three from this
20 group, unless you've all finished, then we'll go back to
21 unaffiliated individuals and alternate up to three until
22 everyone's finished, okay?

23 Now, at the moment, I have speaker cards for
24 four additional people only. If you'd like to speak, if
25 you'd like to offer comments tonight to Ellen, for Ellen

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1 to capture as part of the transcript, please get one of
2 the speaker cards that are available on the sign-in table
3 and fill it out and give it to me. Otherwise, I don't
4 know that you'd like to speak. Is there anyone who would
5 like to speak who hasn't filled out a card yet? Do you
6 want to let me know? Some people still thinking about it?
7 No? Okay, then my working assumption is that we may get
8 you home for dinner, okay? Or supper, depending on where
9 you're from.

10 So, I am going to start with the first 30
11 minutes and we'll see how far we get and on my watch, it's
12 5:05. So George Protsman, you're first on my list.

13 GEORGE PROTSMAN: First of all, and most
14 importantly, I want to take the opportunity to thank all
15 of you for being here and that makes me proud to be the
16 chairman of the Save Lake Almanor Committee.

17 It is through your effort to be informed and
18 most importantly to respond to the critical issues facing
19 Lake Almanor with the thermal curtain and with the
20 withdrawal of cold water that has brought our community

21 together as never before to solve this problem and to stop
22 the thermal curtain and to save Lake Almanor.

23 we're all interested in implementing a
24 collective solution to the problem, but the key rationale,
25 as has been said before -- and I want to say something

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1 else that's really important, the fact that you're all
2 here and did what you have done is a direct relationship
3 why our legislators have taken the time A, to listen to
4 us, and B, to respond in a most positive way. We said
5 when we first put out information, if you remember us,
6 we'll remember you, and we certainly have reasons to
7 remember you.

8 I'm not going to take up all my time unless
9 I've already taken up too much time because a lot of what
10 has been said by our legislators, I would just like to say
11 ditto, ditto, ditto, ditto, ditto, ditto, ditto, and we
12 know what that means.

13 we've talked about a standard of
14 reasonableness. We talked about a standard of
15 reasonableness that must be applied by the State Water
16 Resource Board. Hopefully that is reason from the board's
17 perspective from a fair and adequate accurate information
18 employed them by the State Water Resource Board staff.
19 This is very important that they, people from a distant
20 way who have never been to Lake Almanor and may never be
21 here understand what a pristine California resource this
22 is and why we are fighting so hard to protect it.

23 I want to also mention one important thing

24 in terms of reasonableness. Is it reasonable to even
25 consider further degradation of Native American

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1 archaeological sites by the thermal curtain dredging of
2 sacred locations in Lake Almanor? Is that reasonable? I
3 think the answer is no.

4 Is it reasonable to risk a magnificent
5 pristine Almanor Basin ecology for an unproven risky
6 scheme without good science support to experimentally
7 improve another resource 30 miles downstream? I think the
8 answer is no.

9 I hope that you will continue to support
10 Lake Almanor and Save Lake Committee and will let your
11 voices be heard. They really count. The most important
12 thing that you've done is to just be here and express your
13 support for saving Lake Almanor. Thank you.

14 MIKE HARTY: Wendy Durkin is the next speaker and
15 then on deck is Aaron, just so you know.

16 WENDY DURKIN: Hi, everyone. I just wanted to --
17 everybody hear me now? Okay, I'll eat it. I wanted to
18 first make sure I encourage each and every one of you to
19 fill out your comment cards and mail them in or leave them
20 with us this evening. It's really important if you don't
21 want to speak, at least we know what your opinion is.

22 Most of you I recognize, 90 percent of you
23 out there. I grew up in this community. My family grew
24 up in logging. We saw the destruction of our community
25 when logging was basically stopped because of the spotted

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1 owl and so when I heard about this thermal curtain issue,
2 I had to get involved. I'm terrified that Lake Almanor
3 with coldwater extraction would become like Clear Lake and
4 I think that's why all of us are here right now, to stop
5 that.

6 As I reviewed the NOP, which I think most of
7 you have also reviewed, I was concerned. We've talked
8 about the fish habitat downstream a lot, but we haven't
9 talked about the fish habitat here at all and the NOP
10 doesn't seem, in my opinion, to really grasp that and I
11 feel like it's a real big oversight that fish habitat
12 downstream is outweighing our fish habitat here.

13 And then I also think that our world is
14 getting so convoluted that somewhere along the line our
15 fish habitat has outweighed our human habitat and that's
16 what I'm concerned about is the NOP was full of holes
17 regarding the fiscal impact to our community. They
18 mention aesthetics, but they didn't say a moss filled,
19 algae infested lake would ruin our job possibilities in
20 this community. They mentioned the endangered species,
21 but they didn't mention that the bald eagles that feed on
22 the fish and so forth are also an issue for us.

23 I think my favorite or my least favorite
24 part of the NOP was under hazards. It stated project
25 results hazards for people residing or working in the

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1 project area, would there be any. And it was less than
2 significant. Well, to me, the jobs and livelihood are

3 extremely significant in this community and I think it's
4 really a gaping hole in their research to not put the
5 socioeconomics of our community into their NOP.

6 They also stated that they wouldn't be
7 reviewing population and housing because there wouldn't be
8 an impact. Well, you're right because if they take cold
9 water out of Almanor and destroy our lakes, we don't have
10 to worry about housing and population, because we're going
11 to become a ghost town and I think that that's again
12 another big oversight.

13 I think that Lake Almanor is the heart of
14 Plumas County and the willful inaccuracies of the NOP make
15 me feel like they are performing open heart surgery on our
16 community without the benefit of anesthesia.

17 And in closing, ask for new ideas and my
18 perspective is that we need new ideas to put people, jobs
19 and our environment above water temperature, so thank you.

20 MIKE HARTY: Aaron, you are next and after Aaron is
21 Paul Garrido.

22 AARON SEANDEL: Good afternoon. Thanks to everyone
23 for coming, it's great to see such a good crowd. Some of
24 you know that I've been pretty active in the community and
25 this is for the State Water Resources Board people, just

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1 so you understand that I'm the chair of the Plumas County
2 Water Quality Subcommittee, so I have a particular
3 interest in the water quality issue.

4 And what I would say is that I would agree
5 with everything that's been said so far about the thermal
6 curtain and the inappropriateness of considering it, the

7 costs of the thermal curtain. The odds of it working are
8 impossible, improbable.

9 I would suggest a couple of other things and
10 again, directed to the staff on the water board.

11 Number one, I would be looking at any
12 license that's being issued to have an adequate proactive
13 water quality sampling program, not one that reacts to
14 problems after they have been created, but one that is
15 proactive before the problems start. So I encourage you
16 to do that.

17 Secondly, I would point out to you that
18 when, if we proceed with a thermal curtain option, you're
19 talking about digging out 42,000 cubic yards of silt and
20 that is undoubtedly going to cause a water quality
21 problem. It's just logical.

22 The other part of the piece is that the
23 silt. The spoil pile will be placed right adjacent to the
24 lake and thereby pernicate some issues of run off from
25 this spoil, from this spoil pile. And what is -- there

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1 isn't any contingency at this point in time in any of the
2 work towards the license that is going to deal with that
3 possibility, so I encourage you to look at the potential
4 degradation that could occur from the spoil pile and from
5 the excavation of 42,000 cubic yards of silt.

6 The -- another thought occurs to me is that
7 when you're constructing, if you're considering
8 constructing a thermal curtain, you're going to be using
9 hazardous waste material, oil, grease, whatever, cement,

10 concrete, all of which have the potential to create a
11 debilitating condition to the lake and we're very
12 concerned about that as you have already heard, so I urge
13 you to throw that into the mix as well.

14 There are a couple of other items that I
15 would add. We haven't talked much about dissolved oxygen.
16 The agreement, the literature in the agreement that we've
17 signed talks about dissolved oxygen of being less than
18 five milligrams per liter occurring at Canyon Dam from
19 early August in through mid October. This is according to
20 the sampling results. Dissolved oxygen has a negative
21 affect, impact on the fishery.

22 Since this is the deepest part of the lake,
23 Canyon Dam, it's reasonable to assume that most of the
24 lake, which is more shallow and has less cold water than
25 Canyon Dam, has less dissolved oxygen. That's a

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1 reasonable assumption. I think you should look into that
2 and see what the impact would be on the rest of the
3 fishery. You've already heard that the habitat for
4 coldwater fish would be dramatically reduced by the
5 withdrawal of the cold water and I think that's a very,
6 very important consideration to me.

7 I've some concern about -- am I over? Well,
8 just two things. One, there is literature that is
9 available to you about the impact of warm water on a large
10 shallow body. The (inaudible) Reservoir is a case in
11 point, what's happening down there this summer with the
12 water being warmer and the odor that's emanating from the
13 lake because of the larger algae bloom.

14 Another item to consider is the discussion,
15 there's been discussion about the relocation of fish from
16 lower reaches to the Seneca reach and possibly into the
17 lake, I don't know.

18 What is being done to assure if you do this,
19 and I'm not sure you're going to do it, what is being done
20 to assure that no diseased fish are transported? Because
21 that could have a very negative impact on the lake.

22 So in summary, in four minutes or less, I
23 agree with everything that's been said and again, I
24 appreciate the fact that you folks are here and taking the
25 time to listen to us. Thank you very much.

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1 MIKE HARTY: Okay, we've got Paul next and then
2 after Paul is Bob Orange.

3 PAUL GARRIDO: I'm Paul Garrido. I'm here
4 representing the Almanor Fishing Association and 300 of
5 its members. I would like to share our concerns regarding
6 this proposed thermal curtain in the Lake Almanor and Butt
7 Valley Reservoir.

8 This project is certain to have a negative
9 environmental impact in the health of Lake Almanor and
10 cause serious damage to the Butt Valley Reservoir and the
11 respected fisheries. Proposal to remove 50 percent of
12 cold water from Lake Almanor could decrease the
13 temperature a few degrees to enhance the fishery between
14 Beldon and Rock Creek-Cresta is highly unlikely when you
15 consider the distance the water must travel through Butt
16 Valley Reservoir, PG&E forebays and powerhouses.

17 If 50 percent of our cold water is removed
18 in early summer, the west shore Lake Almanor would quickly
19 warm, driving the fish deeper and expose them to cocoa
20 pods, bottom lice which will attach themselves to the
21 child's body and gills which could result in the death of
22 the fish.

23 Also, the effects of removing cold water in
24 the early summer would drive the fishery into known spring
25 areas earlier in the summer thus creating competition for

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1 food and dissolved oxygen. The water removal would
2 disrupt the many insect hatches including the very popular
3 Hexagenia hatch which usually starts on the west shore in
4 the early spring. Imagine the fish being driven from the
5 west shore of the lake by the removal of cold water and
6 then having to find a few springs in May or June where
7 normally they don't move until June or July or late June,
8 July and August. So that will make a difference.

9 I could go on as far as the Alternative D,
10 which I think is the best one, there's a whole paragraph
11 here, I'll save you some time, we all spoke about it
12 before. But also due to the increased local population,
13 tourism, fishing and boating pressure on these lakes, we
14 should be thinking about improving the environment of Lake
15 Almanor and Butt Valley Reservoir instead of damaging it.
16 Thank you.

17 MIKE HARTY: The next is Bob Orange. And after
18 that is Dave Bradley and Chester High School.

19 BOB ORANGE: Board members, I'm speaking, writing
20 this letter on behalf of the California Fish & Game Board

21 Association which I'm currently serving as regional
22 director and the state vice president. The Fish & Game
23 Association has proudly represented California game
24 wardens for 80 years. We are fully sworn state peace
25 officers.

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1 My patrol district is that of Plumas County.
2 I'm based here in Chester. I've been employed as a warden
3 for 27 years. I've had this district for the past 15.
4 Prior to that, my father was a warden for 38 years.

5 My professional experience and observation
6 is that Lake Almanor is a unique fishery. It sustains a
7 great coldwater fishery and an equally wonderful warm
8 water fishery. Both of these fisheries receive
9 substantial volunteer enhancement efforts. This is not
10 found on many other lakes and communities. It is my
11 opinion that we cannot improve the fishery of this lake,
12 it is best to be kept as is.

13 The purpose of the coldwater curtain is to
14 lower the water temperature of the Feather River
15 downstream. The desired project is improve the fishery.
16 However, we can improve the fisheries within the FERC 2105
17 Project area in other methods other than the thermal
18 curtain.

19 The first recommendation is build a fish
20 ladder and water gauging station barrier dam upstream of
21 Butt Lake on Butt Creek. This dam is a barrier to
22 spawning trout allowing passage for spawning fish denied
23 access for dozens of miles of perfect spawning ground.

24 The increase of natural wild trout fish populations in
25 Butt Lake would be significant. Our personal observations

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1 are that of approximately every 50 fish that try to go
2 over this dam, only one is successful.

3 Another recommendation I have is improve
4 spawning of tributary streams, of the many streams of
5 Feather River and targeted coldwater area. Modifications
6 need to be made for trout who are denied access to
7 spawning grounds. These are culverts under roads and
8 crossings under the railroads. Situations you have are
9 elevated drops at these locations which prohibit trout
10 from traveling up streams. Modifications of fish ladder
11 need to be built which allow passage. These locations can
12 be shown to your personnel at any time. Construction of
13 these facilities would be a one-time cost. It would be a
14 small maintenance, yet greatly increase the numbers of
15 trout in the system where the cold water is designated to
16 go.

17 Another proposal would be increased fish
18 regulations throughout the affected section. Presence of
19 game wardens to enforce the many specialized fish
20 regulations is very limited. The regulations range from
21 zero, two and five fish limits to seasons ranging from
22 year round to specific time frames. These are all
23 designed to improve the fisheries and cannot work unless
24 there is an educational enforcement program to ensure
25 compliance with the law. When trout are spawning, they

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1 become very susceptible. Poaching in the tributary
2 streams to Almanor and Devil's Stream is commonplace. If
3 there is an increase in the warden presence, the numbers
4 of trout spawning would greatly increase through a
5 reduction of the poaching activity.

6 I propose that as part of this project the
7 funding be provided to California Department of Fish &
8 Game for an enhanced enforcement effort specifically
9 directed to reducing poaching in FERC 2105 Project area
10 during the spawning season. Enhanced directed enforcement
11 should also be funded to reduce violations in the Hamilton
12 Branch area to reduce litter. There are a couple of
13 wardens in Plumas County. Funding for overtime and bring
14 in additional wardens to patrol the problem areas would be
15 a significant way to increase fish populations. It would
16 also create greater safety, security and enjoyment by the
17 sportsmen, citizens using the lake oppose the thermal
18 curtain and support Alternative D as proposed by Plumas
19 County. Thank you.

20 MIKE HARTY: So I think what will take us through
21 the first 30 minutes is the presentation that Dave and his
22 students have prepared here and, Dave, would you like a
23 microphone?

24 DAVE BRADLEY: Please. My name is Dave Bradley and
25 I'm a biology instructor at Chester High School and we

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1 have a unique class which is the luminology class offered
2 to upper level students. These are the remains of my

3 students that have come here to support me and were
4 involved with the data that I'm going to provide.

5 One of projects that we do in our class is
6 we study the stratified lakes of Plumas County. And one
7 of the projects we did was we went out to Lake Almanor and
8 we measured the depth and the temperature changes that
9 occurred with the depths and when I presented the
10 information to Paul Dario just casually, he said why don't
11 you come to this presentation and give data because our
12 class is interested in it and we came up with some
13 interesting information.

14 I'm going to hand the mike quickly to these
15 four students and they are going to introduce themselves.

16 SAMANTHA KEELING: Samantha Keeling.

17 LENI AREBEROS: Leni Areberos.

18 LOUIS MULLEN: Louie Mullen.

19 DANIEL WEST: Daniel West.

20 DAVE BRADLEY: Few technical difficulties. The
21 Power Point is warming up right now.

22 We sampled at two sites. Primarily, we were
23 interested in all that was going on with the thermal
24 curtain and we sampled by Prattville which was the site
25 where the thermal curtain is going to be in place.

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1 After sampling at Prattville, we then went
2 to the east shore. I have here a map where they're
3 proposing the thermal curtain. The thermal curtain is
4 going to be placed about in this area. I sampled the
5 first site which I called Prattville at this location.
6 The second location, which I call the east shore, was

7 taken approximately in this area here. This is the
8 deepest water that I could find.

9 This is the data that I collected. Sampling
10 the temperature at one meter depths which I have changed
11 into feet and you can see that the upper, what we call the
12 epilimnion, the stratified part of the lake which they
13 call the warm layer of the lake that doesn't mix, it is,
14 the upper layer, 68 degrees and we come down and it
15 doesn't change, doesn't change, which is typical for a
16 lake, it remains, epilimnion essentially 36 feet, so at
17 36 feet, we still have warm water that is not mixing with
18 the lower layers. We don't see a temperature change until
19 40 feet and it's just a minor change and it goes to 64, 59
20 and 57.

21 We have studied, there are three areas of
22 the lake, epilimnion which is warm, the thermal climb,
23 which is the transition and the hypolimnion which is the
24 cold reservoir of water that we are discussing today.

25 When we graph the results, you can see there

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1 is very, very little cold water available where they are
2 planning to take the water out. Most of it is this warm
3 epilimnion.

4 At the same time, we took a Secchi disk
5 depth, which is basically we lower a white disk in the
6 lake and we keep lowering, keep lowering it and when it
7 disappears, we call it the Secchi disk depth and that
8 gives us an idea of the clarity in the epilimnion. We've
9 had some discussions on what will happen to the lake if

10 things get out of control. You will see that Secchi disk
11 depth rise, rise, rise as the clarity of the lake
12 decreases.

13 MIKE HARTY: Can you point that out for the
14 transcript?

15 DAVE BRADLEY: The Secchi disk depth is located
16 about 33 feet, so I could lower a white disk 33 feet
17 before it disappeared.

18 I did not find the hypolimnion. You can see
19 we have what was called a thermocline. We never found
20 that deep, deep reservoir of water that everybody talks
21 about. The question was how deep do I have to go? And
22 that's when I went to the next site.

23 The next site was at Prattville and you can
24 see now I'm sampling at a depth of 65 feet. Again, the
25 epilimnion remains constant at a depth of, well, we have

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1 69 degrees, 69 degrees, 69 degrees, finally at 32 feet, we
2 begin to see a change, just about the same as the Secchi
3 disk. The change occurs, keeps changing. The cold water
4 that everyone talks about is occurring at about 52.5 feet.
5 My total depth is only 65 feet, so we're talking about
6 15 feet of cold water which for lakes is not that cold.
7 It's only, the coldest is 55 feet.

8 what I did also with this class, we measured
9 oxygen levels. I know there was concern about oxygen
10 levels we discussed. You can see in the epilimnion in the
11 warm layer that is separated from the cold layer, we have
12 sufficient oxygen, we have eight parts per million. When
13 we hit the thermocline as the temperature changes, our

14 oxygen level begins to drop until finally in the
15 hypolimnion in the cold water, we are down to about
16 one part per million oxygen and trout need at least five
17 to be comfortable, five to six.

18 And we look at saturation of that in the
19 epilimnion which is mixing, we have 100 percent saturation
20 of oxygen. Again the thermocline, it goes to 80 percent
21 and then in the hypolimnion, the deep, deep cold water, we
22 are down to about 10 percent saturation.

23 It's the conclusion of our class when we got
24 our results was there's not much cold water. I mean, you
25 can see from our results that the lake is pretty shallow

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1 and if we were to -- what I didn't have data, which would
2 have been very nice, was what percent of Lake Almanor is
3 50 feet or deeper? And you know what, I don't think it's
4 that much. I wish I could have the data to look at that.
5 It would be interesting to find out what percent they are
6 talking about of our lake of taking.

7 I appreciate the opportunity to share our
8 results and thank you.

9 MIKE HARTY: Vickie was just asking that a copy of
10 the slide presentation be submitted to the State Board. I
11 suspect it will enhance the reading by the board of the
12 testimony.

13 That's our first 30 minutes and so
14 consistent with my agreement, I have the names of a number
15 of other folks who had also said they'd like to speak and
16 I want to provide that opportunity.

17 The first is Keith Crummer. Patty, you had
18 asked for a minute or two, I think. Do you want to come
19 up and do that next?

20 KEITH CRUMMER: Hello. My name is Keith Crummer.
21 My wife and I live near the west shore of Lake Almanor as
22 full-time residents. We have lived here for the past
23 19 years. I have been a practicing professional forester
24 since I received my degree in forestry from the University
25 of California at Berkeley 40 years ago.

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1 I spent over 30 years working with the U.S.
2 Forest Service, ending that career with six years as
3 district ranger of the one half million acre Almanor
4 Ranger District that's headquartered here in Chester and
5 two years as ecosystem manager for the one point two
6 million acre Lassen National Forest which is all around
7 us. Both as district ranger and ecosystem manager, I was
8 responsible for all wildlife and fisheries activities
9 under my jurisdiction. I have lived the effects of
10 unquestioned biological decisions and followed their
11 course when they departed from the world of true science
12 and took up a life of their own in the activist political
13 world.

14 The spotted owl debacle is a case in point.
15 Poor biology was quickly seized upon by anti-logging
16 activists resulting in the loss of a vital industry along
17 with thousands of good paying jobs.

18 Also suffering are our local working
19 families and our economy. The health of our forest
20 continues on a precipitous decline resulting in the loss

21 of habitat for the very creature that the whole mess was
22 supposed to protect and as a result, we have destroyed the
23 very infrastructure and work force that could turn this
24 fiasco around.

25 This thermal curtain proposal has the same

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1 foul smell. The proponents cannot specify the
2 pre-hydroelectric river temperature which seems to be
3 essentially the same as the current temperature or that
4 the proposed curtains will in fact make a substantial
5 positive change. The only thing that can be agreed upon
6 is that the curtains will cause a negative effect on the
7 fisheries of Butt and Almanor Lakes.

8 we also know that stream restoration work as
9 proposed by the Save Lake Almanor Committee will improve
10 the fisheries within the project areas and perhaps a good,
11 be good for downstream fisheries as well. We know for
12 sure that upstream restoration will cost a whale of a lot
13 less than screwing up our local lakes and desecrating the
14 villages at grave sites of the Maidu Indians.

15 The course seems clear, instead of it's
16 curtains for Almanor, let's raise the curtains on common
17 sense.

18 MIKE HARTY: I have a card, one other card for John
19 Miller, so you'll be up next, John.

20 PATTI KROEN: Good evening. My name is Patty Kroen
21 and since October 2002, it has been my distinct pleasure,
22 Bill, to be the facilitator for the 2105 Licensing Group.
23 The group is composed of numerous federal, state and local

24 government agencies, non-government organizations, tribes
25 and members of the public, and all of them have been

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1 working collaboratively, they've been working very hard
2 and diligently to resolve as many issues as possible with
3 regard to the FERC relicensing of Project 2105.

4 On April 22nd, 2004, the 2105 Licensing
5 Group signed a settlement agreement that resolved issues
6 related to lake level, stream flow and recreation. The
7 2105 Licensing Group continues to work collaboratively
8 seeking solutions to the remaining unresolved issues. I
9 think Bill listed those for you earlier.

10 The stake holders who signed the settlement
11 agreement are as follows: Pacific Gas & Electric Company
12 as the licensee, the U.S. Department of Agriculture Forest
13 Service, California Department of Fish & Game, Plumas
14 County, American White Water, Chico Paddle Heads, Shasta
15 Paddlers, the Mountain Meadows Conservancy and California
16 Sport Fishing Protection Alliance. The 2105 Licensing
17 Group respectfully submits this April 2004 settlement
18 agreement to the CEQA process and encourages the State
19 Water Resources Control Board to evaluate it in your
20 process. Thank you.

21 MIKE HARTY: John.

22 JOHN MILLER: My name is John Miller and I live in
23 Hamilton Branch and I'm a retired engineer.

24 And looking at this project, the proposed
25 thermal curtain, there can only be one description for it

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1 and that's junk science. There's no reason for it.

2 If the dam was the cause of a problem, then
3 we could see that there might be a responsibility there
4 for remediation, but if the dam was not in place, the
5 river would be widened out all over the shallow marsh and
6 it would be much warmer, the water would be much warmer
7 going down the river, so this seems like a bureaucrat's
8 dream sitting behind some desk or they're trying to make
9 the residents of Almanor Basin pay for a fish hatchery
10 that doesn't exist now downstream. And I hope that the
11 thing does not -- this has been occupying everybody's mind
12 and I hope it doesn't obscure the fact that we are
13 expecting some improvements in our public access and
14 recreational facilities in this lake for, from PG&E as a
15 result of this relicensing and I hope this doesn't get us
16 going on some dead end here and I want us to remember
17 those things. Thank you.

18 MIKE HARTY: Let's go back to the set of cards that
19 I have. The next name I have is Jerry Duffy. Is Jerry
20 here?

21 BILL DENNISON: He asked me to read his statement.
22 He couldn't be here.

23 MIKE HARTY: Sure. And then after this statement
24 will be Glen Long.

25 BILL DENNISON: Thank you. This is for Mr. Jerry

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1 Duffy, D-u-f-f-y, a resident here in Chester. And he
2 would like to define unreasonable.

3 He defines it this way: The time, money and
4 effort being spent to favorably alter the stream
5 temperature in a small portion of the Feather River
6 drainage. He said this is not found in Webster's
7 dictionary, but I believe that unreasonableness fits this
8 situation. There was the Feather River drainage before
9 any hydropower flood control efforts and now there is the
10 same drainage following man's efforts. Nature in it's
11 wonderful way has and continues to work on both before and
12 after the construction of hydropower flood control
13 facilities in the Feather River was accomplished at a time
14 when power and water control were paramount and the
15 quality of water and the fish habitat were at best
16 secondary considerations.

17 Many changes have occurred since then both
18 in how we as a society view water quality and habitat plus
19 those which can be attributed to nature. I would suggest
20 that while very altered from pre-hydro time, both water
21 quality and fish habitat in the north fork of the Feather
22 River are good and in fact, many would rate them as very
23 good.

24 Can the water quality and habitat be
25 improved? Certainly, but not by focusing the energy and

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1 money on one short portion of the overall stream length
2 particularly by utilizing methods such as the curtains
3 which by their use are destructive to present fish habitat
4 to, I'm sorry, to present fish habitat and possibly water
5 quality.

6 Please back away from this keyhole approach
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7 to improvement and look at the entire drainage. Also,
8 look to improvement solutions which are known positives,
9 not ones that cut and paste resulting in both losses and
10 gains.

11 For instance, the stream side shade canopy
12 and the tree cover over the ephemeral water courses has
13 been recognized as invaluable for many years, but there is
14 little or no effort underway to restore this where it has
15 been lost due to fire and other reasons.

16 Today's north fork of the Feather River
17 because of the licensing process is exposed to scrutiny.
18 The decisions following this exposure can be reflective of
19 true needs or left over from that political battle.

20 I'm sure if the fish could vote, they would
21 be on the side of environmental improvements of the north
22 fork of all of the Feather River without destroying Lake
23 Almanor. Thank you.

24 MIKE HARTY: Next is Glen and after Glen is
25 William, it's Bill Baber; is that it?

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1 GLEN LONG: If I run over, my wife called and said
2 I could have her three minutes.

3 Judging by a lot of the faces in here, it's
4 a good time to be out fishing or out playing golf, but
5 this is an important issue and I think we all need to be
6 here for it.

7 My name is Glen long, I'm a businessman here
8 in Chester. My wife, Heather, and I moved here about
9 three years ago, left the corporate word behind to make a

10 permanent home in the Lake Almanor Basin. While we've
11 only lived here a short time, many of you know my parents
12 who built a home here on the lake. We've been coming here
13 since the '70s vacationing, so I could say over 30 years I
14 have seen the evolution of our community and the
15 untarnished beauty of Lake Almanor and Butt Valley
16 Reservoir.

17 For those of you who don't know Heather and
18 I, we own the Chester Manor Motel and the North Woods
19 Gallery and are in the process of building the Best
20 Western Rose Quarts Inn all here on Main Street. Like
21 many who come before us and some after, we've invested
22 everything we own, and a lot that we don't, to being a
23 successful member of this community.

24 I can't help but ask in a situation like
25 this what we are really trying to accomplish and at what

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1 cost. The lower reaches of the Feather River are
2 difficult to reach and the numbers of visitors are
3 insignificant compared to the crowds that are drawn to the
4 Lake Almanor Basin on an annual basis. We are faced with
5 a plan to lower water temperatures that isn't guaranteed
6 to work, the solution costing \$50 million and millions to
7 maintain, all in an area that gets little use and all
8 designed to fix a problem virtually no one agrees with.

9 We have been against the definite
10 destruction of the most productive and successful trout
11 fisheries in the United States. The reduced usability of
12 the lake by boaters and skiers because of the overgrowth
13 of native grasses growing over the bottom of the lake,

14 eroding if not destruction of our economic foundation
15 derived from a strong housing market and the economic
16 disaster that would befall every business in the Almanor
17 Basin.

18 From a cost and benefit perspective, it
19 doesn't make sense to build a thermal curtain putting so
20 much at risk for a problem that could be resolved at a
21 fraction of the cost and a little sweat equity.

22 Now, to maybe take a different perspective
23 on this, and I don't use these analogies lightly, but I
24 want to talk about fragility and certainly the fragile
25 nature of the world we live in our own environment here.

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1 As the president of the board of directors for the Almanor
2 Basin Resource Center, the last two years, the chairman of
3 the 4th of July parade, I see the greatness and fragile
4 nature of the environment on an almost everyday basis.

5 On 9/11/2001, I was in Washington, D.C., and
6 a couple days later in New York and I saw the impact a few
7 people had on our nation, on major corporations and
8 individuals across our country. Just this last month,
9 this last weekend, we saw how natural disasters have an
10 impact that ripple across our entire nation. So here we
11 are debating on our own potential disaster, one that will
12 have a significant impact on our community and all the
13 lives of everyone here. There is as it relates to this
14 issue, there's two profound differences between 9/11,
15 Katrina and Rita and the thermal curtain. The first is
16 not that we -- the first is we will not receive any

17 government assistance to assist in the loss of jobs, the
18 bankrupt businesses or catastrophic failure of our real
19 estate market, not a penny.

20 The second, probably the most important, is
21 this disaster hasn't happened yet and doesn't have to.

22 Just as our community is turning a corner in
23 so many ways, make a responsible decision and help us
24 protect our unique and wonderful paradise here in the
25 Sierras. Stream restoration is a logical choice for so

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1 many reasons and one that will have entire community
2 support. Thank you.

3 MIKE HARTY: Bill, and then we'll see if there are
4 any folks who have not given me cards yet.

5 WILLIAM BABER: Thanks, Mike. There must be 200
6 people here. I'd say that's a pretty good turn out and I
7 haven't heard anyone speak in support of thermal curtains,
8 so, and I'm sorry, Vickie, the State Board members, at
9 least one or two of them could not be present to hear and
10 see the outpouring of lack of support for the thermal
11 curtain proposal.

12 Anyway, my name is William B. Baber, the
13 Third, Bill Baber. I've been a landowner in the Lake
14 Almanor Basin for at least 25 years, in the Sacramento
15 Valley since world war II, probably 65 years, in
16 agriculture production. I'm very familiar with water
17 application. I'm also currently a retired lawyer,
18 experienced in water and real estate matters, having
19 represented numerous irrigation and water districts before
20 the State Board members.

21 And Vickie, I know I've seen you down there
22 and particularly on our fabulous Bay Delta hearings which
23 seem to never end.

24 VICTORIA WHITNEY: They're designed to never end.

25 WILLIAM BABER: I think that's absolutely true,

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1 seeing all the lawyers and engineers and various other
2 personnel that appears at those hearings for God knows how
3 many years.

4 I've been practicing law or I did practice
5 law for in excess of 32 years representing water
6 districts, both water and irrigation districts, mutual
7 water companies in the water area and appearing before
8 Vickie and numerous State Board hearings, county
9 supervisors, board of directors for various districts,
10 including, Doug, your dad, so I think I've had enough
11 experience to give my opinion of what we have here as a
12 real boondog.

13 It's absolutely incredible the amount of
14 money that is being proposed to be spent by PG&E,
15 approximately 55 million, to just install the thermal
16 curtains, much less maintain them which will require
17 another million or two a year, including the monitoring
18 efforts and possible mitigation efforts.

19 So I have basically one major opposition I
20 think the State Board is aware of, it's that there are
21 five water year types, wet, above normal, normal, dry and
22 critically dry, which we deal with every year.

23 It's been proposed that in only 50 percent

24 of these five water year types would one percent celsius
25 water reduction temperature be gained by installing the

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1 thermal curtains and depositing cold water down the north
2 fork of the Feather River. That's incredible for the tune
3 of \$55 million, all of which us as rate payers of PG&E
4 will pay at some point in time.

5 Now, these five water year types, I'm sure
6 Vickie knows and the State Board knows, are talked about
7 at every State Board hearing by the various lawyers and
8 engineers and estimating what the ramifications would be
9 depending upon what the weather brings us each year and
10 what type of water year type we have. Imagine if only
11 50 percent of the water year types, whichever one we get
12 every year, will only one percent of the water temperature
13 possibly be achieved 40 years downstream on the north fork
14 to the tune of 55 million bucks. Amazing.

15 Second, PG&E, Fish & Game and FERC have
16 previously agreed from the draft EIS last year that any
17 minimal water temperature reduction would not be prudent.
18 Should the State Board EIR choose these curtains as an
19 environmental risk, which certainly it is, who removes
20 these curtains and repairs the community damage suffered
21 in this basin should they fail? Certainly this is the
22 State Board because they are a regulatory body. They are
23 not going to come out and remove the curtains, they don't
24 really give a dam, folks, because they've ordered them to
25 be inserted.

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1 well, let's look at some of the other
2 agencies and see if they would have the responsibility for
3 removing the curtains should they not work. Let's look at
4 PG&E. Well no, because they, all they want is they want
5 to continue producing power, they're not concerned about
6 removing the curtains if they don't work. They're not the
7 body to remove, so it's not PG&E. How about Fish & Game?
8 No, they don't worry about it. How about FERC? No, they
9 are an energy approving federal agency. They aren't going
10 to remove those curtains if they don't work.

11 well, lets look at NMFS, the National Marine
12 Fishery Service, that wonderful federal agency that talks
13 about endangered fish. Are they going to remove the
14 thermal curtains? No, that's not going to happen, they
15 aren't charged with that duty.

16 what about NOMA? NOMA is the National
17 Organization of Atmospheric Administration Agency. Again,
18 a fish agency. That isn't their charge, they are not
19 going to remove these curtains if they don't work.

20 So what happens? who bears the damage? who
21 bears the removability? who bears the arguments, the harm
22 that comes if these things don't work? You know who it
23 is? It's us, it's here in the basin, we go out and look
24 at them, we go out and deal with it, but who else is going
25 to remove them if they don't work? Nobody.

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1 This environment risk alternative
2 essentially of moving 50 of the L.A. coldwater pool would

3 definitely degrade the fisheries, you heard that before.
4 Both Almanor and Butt Valley fisheries which currently are
5 some of the best trophy trout fishing areas in the United
6 States. You've heard that, so I support those.

7 By the way, I haven't heard one person
8 support the thermal curtain -- I'll be in just a minute,
9 Mike, I promise -- support this, these alternatives. So
10 we, I'll tell you, I support everyone else who has talked,
11 the legislature, Doug, Rick Keene and the man here from
12 Doolittle's office, George and Wendy had some really good
13 stuff that she threw out, there hasn't been one here to
14 support it. Let me see if I can add one other thing.

15 Bill Dennison told me that our Alternative D
16 has been changed to a Watershed Restoration Improvement
17 Alternative and I support that as a very reasonable
18 approach. First it would probably cost about 30 million
19 less which we would not have to bear as rate payers of
20 PG&E and this would be a very acceptable, reasonable
21 environmental alternative to relicensing PG&E's power
22 plants which certainly must continue to exist and produce
23 power for the benefit of all of us and I would hope the
24 State Board would consider approving this 401 permit under
25 the Clean Water Act process without the thermal curtains

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1 and inserting instead the Watershed Restoration
2 Improvement Alternative.

3 By the way, in the early part of the last
4 century, around the 1920s, this was the world's largest
5 manmade lake by PG&E, it's absolutely beautiful, what's
6 been happening here, and we want that to continue without

7 the thermal curtains. Thank you.

8 MR. HARTY: I'm going to take a quick tour through
9 the cards I have here.

10 In keeping with the approach of alternating
11 cards from folks who are not part of the organized
12 presentation, I have one card from Charles Watson and if
13 you'd like to step up here, Charles. And then I don't
14 have another one, but --

15 CHARLES WATSON: Good evening. My name is Charles
16 Watson. I'm a registered professional geologist with the
17 State of California, Number 7818. I'm here to comment on
18 the geology of the soil section of the draft EIR,
19 environmental impact report. These are specific comments
20 to the report.

21 As per items AI, AII and AIII, no active
22 faults are known to pass through the project site as for
23 the most recent earthquake fault zone map issued by the
24 State of California. However, in PG&E's analysis of the
25 Lake Almanor and Butt Reservoir dams in the 1990s, their

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1 consultants show the potential for active faulting to be
2 possible, but was inconclusive based upon the preliminary
3 level of investigation. Proximal potential active faults
4 were identified to be associated with the Lake Almanor,
5 Lassen Peak's seismic trends that includes the Indian
6 Valley, Mule Shoe Mine, Skinner Flats and Lake Almanor
7 faults, and I have a number of authors who cited those
8 studies that has been submitted to the group.

9 It is not known why these investigations

10 were not submitted to the California geologic survey and
11 earmarked for additional study, but it seems curious that
12 these preliminary investigations were not considered
13 during the draft EIR process, especially in light they
14 were produced by PG&E.

15 Furthermore, in considering the proposed
16 project and it's ramification that additional studies
17 should be made to better qualify these geological features
18 and their potential seismic hazards.

19 As per item AIB, the draft environmental
20 impact report has correctly identified the potential for
21 significant land slides in the Seneca and Beldon reaches
22 of the northern fork of Feather River to be significant
23 due to extensive bodies of weakly consolidated, highly
24 weathered and otherwise land slide prone rocks.

25 It is understood that consideration for land

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1 slides for the primary recommendation for May in the
2 application that is not clear. It was also considered for
3 any of the alternate proposals or any combination of the
4 alternative proposals.

5 It is also not clear if the potential for
6 land slide was considered for the seismic hazards as
7 identified in the aforementioned section.

8 As per items B, C, D and E, in specific to
9 the draft EIR report, I concur that these items need to be
10 evaluated to determine if the impacts are significant.
11 Thank you very much.

12 MIKE HARTY: I just want to get a clarification,
13 Charles. Were your citations to the draft EIS? Is that

14 what the citations were to?

15 AUDIENCE MEMBER: The check list for NOP.

16 MIKE HARTY: They're references to the check list,
17 great. And we'll have one more and then we'll go back to
18 the other cards that I have. And this is Dave Steindorf.

19 DAVE STEINDORF: I would probably be better off
20 yelling anyway, but I have a lot to read. I think I
21 should probably get going, I don't know if I can make my
22 three minutes.

23 My name is Dave Steindorf and I work with
24 American white water and I've spent a significant amount
25 of time on all of the relicensing projects on the North

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1 Fork Feather River working with the Department of Fish &
2 Game, Forest Service, the Water Board, having great times
3 at the meetings with Mr. Dennison, all the members of
4 Plumas County and it's been an education for me.

5 I know one of the first meetings I went to,
6 I actually brought my daughter in a car seat and for those
7 of you dads or moms who tried to attend meetings with your
8 little ones, it usually doesn't go very well. But she
9 actually just started the third grade, she's eight years
10 old, so that's my benchmark for how long I've been
11 involved in this process. I kind of look at her grow up
12 and go wow, it has been a long time.

13 I agree with a number of the statements that
14 have been made out here today. I think there's been a
15 considerable amount of important input that's been brought
16 forth to this process. I also think that defining balance

17 in these situations is difficult at best and I don't think
18 this is necessarily the best of situations.

19 I would agree with probably most of the
20 elected representatives who say that public participation
21 is a great thing, but when I look out across this room, I
22 see a train wreck and I think that if we analyze that, why
23 is that? It's great to have people come to these meetings
24 and participate, but the seeds of this train wreck were
25 actually sewn quite a long time ago.

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1 when I first started coming to these
2 meetings dealing with Rock Creek-Cresta, the concept of
3 this temperature curtain was already on the table. And as
4 Vickie had said earlier, this idea was actually hatched
5 back in the 1980s, so how did it get from there to here?
6 I think that's a very important question. How did we go
7 this long before it was brought to the notice of this
8 community and really analyzed not only for it's ecological
9 impacts, but also the other social impacts. I mean,
10 clearly, this was not an idea that was going to have broad
11 based political support out there. It's pretty obvious to
12 see that at this point.

13 So after being involved in a number of these
14 proceedings, there are a key thing that I've come away
15 with. The main one is the fact that working with all
16 these licenses separately has brought us to this point.
17 The fact that we dealt with temperature issues on Project
18 1962 in Rock Creek-Cresta separately from Almanor at this
19 point is obvious that that was a huge mistake. Not only
20 have we put this community in an uproar and concerned with

21 their issues, we spent a lot of money to get to this point
22 and I think that's primarily due to the fact that we dealt
23 with all of these licenses separately.

24 I don't want to talk about this train wreck,
25 I want to talk about the next one and the next one is the

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1 one we are going to hand off to our kids in 30 to
2 40 years. I believe we can avoid that by lining up these
3 licenses on the next time around so you don't find out
4 that the folks downstream have put a requirement on your
5 lake that you don't like. Who knows what kind of wild
6 idea they'll come up with next time.

7 How do we avoid that? If we can get the
8 licenses of the Poe Project, Rock Creek-Cresta and 2105 to
9 all line up at the same time, we'll all be a part of that
10 discussion. And while I can't guarantee it, I think it's
11 far less likely that we will end up at this point where we
12 are today.

13 And I think there's a few truths out there.
14 One, water will continue to run down hill between now and
15 then. And the other one is in the words of Mark Twain,
16 whiskey's for drinking and water's for fighting over. And
17 I think that will continue to be the case in California.

18 But from my perspective, I know I would
19 rather send my daughter to a fight with boxing gloves on
20 than go to a train, on a train wreck that she knows is
21 going to be derailed and I think that's where we're headed
22 unless we take that step. Thank you.

23 MIKE HARTY: The next card I have is Russell Lesko

24 and then after Russell, I've got Gary Pini. Did I
25 pronounce that correct?

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1 RUSSELL LESKO: Good evening. My name is -- you
2 got that Ellen? Good evening, my name is Russell Lesko
3 and I'm a recently retired natural resources professional.
4 I last served as the division chief for natural resources
5 at Lassen Volcanic National Park. I've been a year-round
6 resident of Lake Almanor from 1995. I am part of the
7 organized group, not to suggest the other group is
8 disorganized, but I have been asked to address
9 specifically the aesthetic issues. And specifically to
10 alternative measures that the State Water Resource Control
11 Board has identified and is considering for inclusion in
12 the draft EIR and that measure being the thermal curtains.

13 The first potential impact that is in the
14 notice of preparation is in fact aesthetics. There are
15 four categories under aesthetics, all of which have been
16 checked potentially significant unless mitigated, excuse
17 me, unless mitigation is incorporated. That's important,
18 potentially significant unless mitigation is incorporated.
19 And two of these categories are, have a substantial
20 adverse affect on scenic vistas and substantially degrade
21 the existing visual character or quality of the site and
22 its surroundings.

23 I respectfully suggest to the board that the
24 floats that are required to suspend thermal curtains are
25 large, unsightly metallic contraptions, something on the

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1 size of very large propane tanks and in the case of Lake
2 Almanor, these would stretch for 2,600 feet. There would
3 also be two thermal curtains in Butt Valley.

4 And I would further suggest to the board
5 that these floats, these contraptions cannot be mitigated
6 in terms of scenic vista. I think it's impossible. And I
7 would suggest that that be changed or viewed in the notice
8 of preparation as mitigation, of impacts that cannot be
9 mitigated.

10 Anyone who's seen the thermal curtain in
11 whiskey Town can attest to the visual blight that it is.
12 And I would be remiss not to mention the eyesore that the
13 Lake Almanor curtain poses were it to be placed in front
14 of what is designated in the Project 2105 settlement
15 agreement as Marvin Alexander Beach. Marvin was a beloved
16 and respected man who spent 20 years of his life defending
17 Lake Almanor water levels, water quality and lake
18 aesthetics.

19 Marvin passed away in September of '04, but
20 not before admonishing PG&E, the State Water Resource
21 Control Board and FERC that support for a thermal curtain
22 would be political suicide, his words, not mine.

23 Another visual impact associated with
24 thermal curtains is the spoils, which Aaron mentioned,
25 that would be associated with dredging, 42,000 cubic feet,

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1 I believe. I've been told this area would equate to the
2 size of a football field, 15 feet high in spoils. They

3 would constitute another visual blight on the lake shore
4 that would not easily be mitigated.

5 In closing, I ask the board to apply their
6 own criteria with objectivity and due diligence and if you
7 do that, I think you will conclude that thermal curtains
8 do not meet the aesthetics criteria for inclusion as a
9 project alternative in the draft EIR. This should be
10 considered an unfeasible alternative. Thank you for this
11 opportunity.

12 And I will submit with my comments a picture
13 of a boat demonstration that was conducted last year
14 showing essentially the perimeter of what the thermal
15 curtain floats would look like.

16 MIKE HARTY: So the next name I have is Gary and
17 then I'm going to ask for an opportunity to have Arthur
18 woods make his presentation because he's got some other
19 things that he's got to do, one of our students, like
20 homework and things like that. Gary, if you want to give
21 your comments and then Arthur, you will be next, okay?

22 GARY PINI: Good afternoon. Thank you for letting
23 me have the time.

24 My name is Fire Chief Gary Pini. I'm with
25 the Peninsula Fire Protection District here on Lake

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1 Almanor. I'm here solely to express my concerns that if
2 the curtain is placed in the lake, that all safety issues
3 have been considered.

4 Currently around the Lake Almanor Basin,
5 there are five separate fire districts. Currently three
6 of the five provide water rescue responses for emergencies

7 on the lake. Where the fire districts operate 24 hours a
8 day, 7 days a week, 365 days a year, this is unlike the
9 sheriff's office boat patrol that is on the -- the
10 sheriff's office boat patrol that is on the lake from the
11 end of May to October and they have said hours.

12 with the number of boats on the lake
13 increasing annually, the number of responses for lake
14 rescues have increased and I can only see it increasing if
15 the curtain is in place.

16 Currently there are islands on this lake
17 that are exposed certain times of the year and those
18 islands have caused numerous accidents. The severity of
19 the accidents have been from no injuries to accidents with
20 death. With additional obstacles on this lake, I can only
21 see the accidents increasing.

22 If my facts are right, the curtains will
23 protrude to the equivalent of two football fields out from
24 the shoreline and is approximately three football fields
25 wide. It will severely impact boat traffic along the

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1 portions of the west shore.

2 I ask and request if the curtain is
3 installed, that there is patrolling in areas for careless
4 boat operators and for pedestrians playing or walking
5 around or on the curtain. I can see accidents happening
6 from people playing on the curtain. Again, increasing
7 emergency responses from the fire districts.

8 If built, the structure must be very well
9 lit so that the entire structure can be seen from all

10 directions in the late afternoon and evening hours
11 preventing accidents. Corner markers will not work for
12 this large of an item.

13 Again, my stand on this issue is about
14 safety. Safety for the citizens who use the lake, safety
15 for the emergency responders that have to respond to water
16 rescues because trust me, not all of our water rescues are
17 in the day with no winds. The majority of our calls are
18 after dark in the severe weather and if built, the safety
19 for the contractors building plus placing the curtain. I
20 ask you to please take all the safety issues into
21 consideration. Again, thank you for your time.

22 MIKE HARTY: Arthur. And then after Arthur, it
23 will be Ed Wing.

24 ARTHUR WOODS: Thank you. My name is Arthur Woods
25 and I'm a senior at Chester High School.

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1 I want to start by saying that this is a
2 very unique issue. Nationally when we watch the news, we
3 can see that -- am I going too fast? I know how fast
4 she's typing over there.

5 We can see that most issues nationally
6 really have a response that's equal on both sides and this
7 is really not such an issue.

8 From a youth perspective, this thermal
9 curtain would impact the youth very highly. I am up here
10 representing about 600 kids that live around Lake Almanor
11 ranging from the year of 18 years old to one and I'll tell
12 you that I grew up in Lake Almanor, I was born here, and
13 if the thermal curtain had been installed when I was

14 growing up, my life would have been completely different,
15 it would have been a lot more terrible, and so I want --
16 it would have.

17 This is, the thermal curtain affects youth
18 on a few different levels. To start out economically,
19 I've had a job over the summer for the past seven years.
20 This is likewise for most of the kids at the high school.
21 Those jobs are what allow kids to get money for college,
22 to get money for their personal expenses which their
23 parents can't always afford. And those jobs are directly
24 impacted by the tourism of our area and tourism is
25 directly impacted by the quality of our lake. So in turn,

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1 a thermal curtain would negatively impact the youth jobs.

2 Additionally, families have real estate
3 prices, families have jobs in the area, too. The families
4 would be very negatively impacted if a thermal curtain
5 were installed.

6 On a different issue, youth just love to use
7 the lake and its surrounding area for recreation, fishing,
8 boating, swimming, all things that would be terribly
9 impacted by a thermal curtain.

10 As shown by Mr. Bradley and his class, this
11 really wouldn't work and so we held a rally last year at
12 the high school. I wanted to see what our response would
13 be like. I'll tell you we had more students at the rally
14 against the thermal curtain than I've ever seen at any
15 football game. Students at the age of 12 are able to
16 understand just how ridiculous the thermal curtain is and

17 I think that really speaks for itself.

18 I want to tell you that I always have
19 students coming up to me and asking what's going on with
20 the thermal curtain, is it still going in. And so youth
21 are showing their support for this cause. This isn't just
22 a normal cause, this is an issue that impacts our
23 community and the youth are the future of our community.

24 So my request to the State Water Resource
25 Control Board is that each member has a heart, each member

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1 is a person. I request that you look into your hearts and
2 look at the community, a community that has a heart, look
3 and see the thermal curtain not only impacts every person
4 in this room, but every person in this community, the
5 youth included. Thank you.

6 MIKE HARTY: Just about on three minutes, wasn't
7 it. Ed, you're up here and Bob Lambert is next.

8 ED WING: I would have to follow Arthur, it's going
9 to be tough.

10 My name is Ed Wing and I've been a full-time
11 resident of Lake Almanor for 15 years when we started
12 camping up here in the early 60s and spent many a summer
13 at the forest service campground on the west shore.

14 First, let me thank all you folks for
15 showing up. It is rewarding to those of us who have
16 worked so hard against the thermal curtain, thank you.

17 Since the previous speakers have so
18 completely described the degradation of the Lake Almanor
19 and Butt Valley Reservoir that the thermal curtain would
20 surely cause, I'm going to talk about two other issues

21 that are not covered in this CEQA document.

22 Under alternative two on the document is
23 reoperation of Canyon Dam and Caribou Powerhouse. Greatly
24 increasing the summertime flows from Canyon Dam will still
25 remove a large part of Lake Almanor's coldwater pool and

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1 have negative affects on trout habitat and positive
2 affects on algae and weed buildup, just like the thermal
3 curtain would be in Prattville.

4 The coldwater releases at Canyon Dam will
5 bypass the powerhouses at Butt Lake, Caribou 1 and 2 and
6 at Beldon. This will increase the cost of electricity to
7 all PG&E customers by many millions of dollars each year.
8 The plan would soon cost even more than installing the
9 thermal curtain.

10 Also, don't forget that hydropower is
11 renewable and non-polluting. That's what we're all after
12 these days, right? The loss of electrical generation will
13 have to be made up by burning polluting fossil fuels and
14 other power plants. At a time when California and the
15 entire nation are in a severe energy crunch, it is insane
16 to even consider this option.

17 My second point is you have heard many of
18 the facts against the thermal curtain. Now let's consider
19 the 20 degrees celsius goal for Rock Creek-Cresta which is
20 driving this nightmare. No one was taking temperature
21 readings on the Lower North Fork before 1913.

22 I'm going to make a statement, the Lower
23 North Fork Feather River at Rock Creek-Cresta never was a

24 coldwater river in the late summer. With that statement,
25 I have given you as much proof as the water board has ever

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1 given to us that it was a coldwater river. We've asked
2 many, many times and they've given us zilch. The only
3 difference is that I will give you some facts why this
4 reading is very suspect.

5 Right next door we have the middle fork
6 which is officially wild and scenic above Lake Oroville
7 and free flowing just like it was thousands of years ago.
8 The middle fork and north fork both start high in the
9 mountains, are snow fed in the springtime and by late
10 summer, it's all spring water. They both end up in hot
11 canyons, so what is the temperature comparison? Official
12 2002 readings show that during July on the middle fork at
13 Milsap Bar, the temperature reached a high of 23.3
14 celsius. At the Rock Creek-Cresta reaches on the north
15 fork that same July, high temperatures varied from 22.8 to
16 19.7 degrees depending on the location in the Rock
17 Creek-Cresta area. So despite all these horrible
18 environmentally degraded dams and power plants that the
19 north fork has, it still has colder water even now than
20 the middle fork does in the same part of its -- just
21 one minute more.

22 This fact will lead a reasonable person to
23 believe that the water at Rock Creek-Cresta is at least as
24 cold now as it ever was in July.

25 Enough is enough. Millions of rate payer

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1 and tax payer dollars are been spent studying this to
2 death. The answers came in over a year ago. It is not
3 reasonable to damage the most beautiful large lake in
4 California for the very slight advantage every other year
5 for the lower river. As a matter of fact, we've just
6 learned it's not even legal under the clean water act to
7 degredate one area to help another.

8 Take the thermal curtains and the Canyon Dam
9 releases off the table and get on with improving the
10 upstream watershed habitat.

11 Now, we are always told at these public
12 meetings that our input is important, so I'd like to have
13 a little vote right now. would all of those opposed to
14 depleting Lake Almanor's coldwater pool by any means,
15 please stand up.

16 would the court reporter please verify the
17 vote? Thank you very much.

18 MIKE HARTY: Bob Lambert and after Bob, we have Ron
19 Davey.

20 BILL DENNISON: He left.

21 BOB LAMBERT: My name is Bob Lambert and I've
22 vacationed here at Lake Almanor since 1974 when my family
23 built a summer home on the peninsula. Since my retirement
24 in 2002, I've been fortunate to spend entire summers in
25 this beautiful place. Part of this time, I've

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1 participated as a volunteer for Plumas County on the
2 relicensing of PG&E's Project 2105, including the 2004

3 settlement agreement. I also develop and maintain the
4 Project 2105 Committee web site.

5 I want to thank you for this opportunity to
6 comment on the water board's EIR and provide you with a
7 complete written statement by October 17th.

8 As a three-year participant in the
9 relicensing process, I was very relieved when negotiations
10 and the settlement agreement were completed in April 2004
11 and signed by nine parties because many issues, including
12 summer lake levels, appear to have been resolved.

13 However, some issues were not decided in the
14 settlement agreement such as water temperatures downstream
15 of the project. Many others have commented on the
16 coldwater releases and thermal curtains, all of which I
17 agree with, so instead, I'll focus on the settlement
18 agreement and my concern that the water board through it's
19 unilateral 401 certification powers could overturn certain
20 provisions of the settlement agreement, including
21 requirements on summer lake levels and instream flow
22 releases. Keep in mind that the water board was signatory
23 to the settlement agreement and is not bound by it's
24 provisions.

25 Like many home owners and visitors in this

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1 area, I'm very concerned about summer lake levels. On
2 page 27 of the NOP, you correctly state that the seasonal
3 water levels will be relatively unchanged under the
4 settlement agreement. What you don't mention is that
5 under its current FERC license, PG&E has been under no
6 obligation to maintain minimum summer lake levels. The

7 settlement agreement corrects this by establishing
8 reasonable lake levels between June 1 and August 31st,
9 thus providing the community with some certainty as to
10 summer lake levels.

11 In order to address temperature issues, the
12 2105 Licensing Group studied several alternatives during
13 the past year and a half. These studies mostly conducted
14 by FERC have resulted in several schemes, many of them
15 half baked, that might help reduce the water temperature
16 downstream. None of these schemes appear to reasonably
17 meet the water board's downstream temperature
18 requirements.

19 while the studies have so far respected
20 provisions agreed to in the settlement agreement, there is
21 no guarantee that the water board conducting its own
22 studies during the EIR process will continue to do so. It
23 is important to understand that instream flow releases and
24 water levels in the settlement agreement would go hand in
25 hand and represent a delicate balance between parties to

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1 the agreement.

2 The agreement for instream releases allow
3 reasonable summer lake levels. Higher releases would
4 result in lower lake levels. But if the water board finds
5 that downstream water temperature requirements can be met
6 by greatly increasing coldwater releases from Lake Almanor
7 to well beyond what was agreed to in the settlement
8 agreement and then adopts those releases in its final
9 plan, the summer water levels in Lake Almanor could be

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substantially lower.

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

MIKE HARTY: Next on my list is, I believe Aaron is going to read some comments from Al Herrens Schmidt.

AARON SEANDEL: This is a letter that's addressed -- two extra minutes that I used last time.

This is a letter addressed to you, Sharon Stohrer, a staff member of the State Water Resources Control Board. It is from Al Herrens Schmidt, H-e-r-r-e-n-s-c-h-m-i-d-t. You need the address?

Ms. Stohrer, the reason for this letter is to express my view pertaining to the deplorable conditions that exist today with Lake Almanor shoreline erosion.

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When one considers that this can transform into a serious environmental problem, there is a need to resolve such conditions. The problem was predicted in the 70s as a result of permission granted to PG&E to allow raising of the lake level to 4,494. PG&E has never accepted any responsibility to help prevent shoreline erosion.

What is more, it is evident to this day there are signs of excavations to the lateral surface taking place. In spite of the fact that such a condition takes place below the 4,500-foot level, it ultimately will take away the subsurface of private property. As a result of such a condition, an excavation could take place on private property and has, an excavation which the private

14 property owners of their right to enjoy their property to
15 the fullest constitutes a partial eviction. Although only
16 partial, it could still leave the property owner with a
17 right to action.

18 Ms. Stohrer, every property owner realizes
19 the greater good that results from a higher lake level as
20 it relates to hydropower, but every lakefront owner does
21 not understand is the utility's stance in ignoring the
22 negative environmental impact it creates. The sad
23 scenario is it will continue unless mandated by your
24 organization in concert with FERC to bring under control
25 the minimizing of lakefront erosion. The future license

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1 issued to PG&E should so stipulate these concerns.

2 How important is it? And he has sent some
3 pictures to you and you will get those in the mail. The
4 photos are very validated concerns that have been
5 expressed in this letter.

6 I sincerely hope that you have the
7 opportunity to cruise the lakefront, to see first hand the
8 erosion problem.

9 I further hope you take seriously a
10 long-term licensing that provides adequate environmental
11 protection.

12 Thanking you in advance for your attention
13 and hopefully your serious consideration. Respectfully
14 submitted, Allan Herrenschildt.

15 MIKE HARTY: I have a card for Sam and then after
16 Sam, I have Wayne. For those of you who are feeling that

17 you are ready to leave, I would like to remind everyone
18 that there is a whole lot of information that you may not
19 know about and the information that was prepared by the
20 State Board and is over in the other room, so on your way
21 out, if you want to stop by there. There also are
22 handouts that hadn't been available, we sold out of them,
23 they are a hot item, but if you would like to get a copy
24 of the handouts because you didn't get one, Paul Uncapher
25 is right there, raise your hand, and Paul will arrange to

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1 get you a copy of the handouts.

2 SAM BOSSIO: I'm following up a little bit on Al
3 Herrenschildt because I was assigned the task of
4 discussing erosion problems. That hasn't been a big
5 subject so far, but it is a big subject.

6 To preface the whole thing, I might explain
7 that when my wife and I bought our lot at Lake Almanor in
8 1968, the water level was 4,490 feet and it remained that
9 way until in the early 70s when we had an oil embargo
10 which some of us older people will remember and which led
11 to the state asking that and approving that PG&E request
12 to raise that level by four feet, which they did do in
13 1974. That was made permanent in a subsequent action by
14 the state agencies and in part, it was made permanent
15 because PG&E made a statement. I'll read part of it.

16 The division of safety of dams formerly had
17 set the lake at 4,490 feet above sea level, but granted
18 the dam owner, dam's owner, the Pacific Gas & Electric
19 Company, a temporary permit to raise the lake to
20 4,494 feet, temporary. Then they moved to have it made

21 permanent and PG&E, quote, and this is an article in the
22 Sacramento Bee dated June 6, 1974, PG&E cites the request
23 of federal energy officials to reduce the use of fossil
24 fuel and power generation and argues that all of the
25 damage will occur on PG&E land.

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1 I can attest to the fact that all the damage
2 does not occur only to PG&E land. I have brought, I
3 believe it's five pictures taken at my own waterfront
4 which reflect the difference.

5 Just to explain a little bit of the
6 difference, when we first bought the lot and until this
7 happened, we could walk down from our house to the lake
8 level. There would be a flat area the size probably 30 by
9 30 feet where you could picnic and just sit and watch the
10 water and then you could step down no more than two feet
11 to the water and/or the area that is ordinarily covered by
12 the water.

13 Since that time, Picture Number 1 -- what I
14 will do is give these to Ellen and she can perhaps make
15 them a part of the transcript for the members of the board
16 to review at their desire and wish. But since that time,
17 Picture Number 1 just shows the erosion and this goes back
18 to '95. I walked down there yesterday and it's at least a
19 10-foot cliff vertical, completely vertical to the water
20 from where our land now ends. This shows you generally
21 what happened, Picture Number 1.

22 Picture Number 2 shows stakes that have been
23 planted by the people that went out and established the

24 corners and all that sort of thing which established where
25 the 4,500 foot level is supposed to be.

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1 Picture Number 3, Picture Number 3 shows
2 where our corner marker on the southwest corner of our lot
3 is. It's now in the dirt and in the water, meaning that
4 there has been erosion above the 4,500 foot level.

5 Number 5 is the same picture but taken from
6 a different angle and closer up. Number 4, I mean.

7 Number 5, if I can get to it, Number 5 shows
8 what is happening to some of the trees and some of the
9 shoreline.

10 In addition to those pictures, I have
11 pictures which were given to me by Michael Wilhoit to
12 present and I will include those in the packet that I
13 leave with you folks to use in the future.

14 The long and short of it is that PG&E at one
15 time was doing rip rap and taking other steps to protect
16 the shoreline. It abandoned that more than 15 years ago
17 and it claims that it has the power and the right to erode
18 the peninsula into a gravel pit if it chooses to do so
19 with no liability to anybody because of certain provisions
20 and agreements it made with Mr. Clifford and others.

21 The only solution to that will be if this
22 agency will include a requirement for erosion control
23 which then will be included in the FERC license when it is
24 granted.

25 And I might just mention that there is a

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1 precedence to this, the Pelton Round Butte Service
2 License, and it contains in particular Articles 428 and
3 429. We need a similar treatment for Lake Almanor. Thank
4 you very much.

5 MIKE HARTY: Sam, are you planning to send those in
6 by mail to the state board?

7 SAM BOSSIO: I was thinking I can leave them with
8 Ellen and she can include them with the transcript if she
9 types it up. Whatever you want to do.

10 MIKE HARTY: I would encourage you to do both.
11 Leave them with us and we'll sort it out here.

12 BILL DENNISON: They are labeled on the back.

13 MIKE HARTY: Next is Richard Fording, I believe, is
14 going to be up next. Is that right?

15 BILL DENNISON: Yes.

16 WAYNE DYOK: Thank you, my name is Wayne Dyok. I
17 am a consultant to Plumas County. And first, I want to
18 thank you, Victoria, Sharon, Jim and Paul for listening so
19 attentively. Hopefully, you've got some good information
20 on the thermal curtain and there are enough fatal flaws
21 with the cultural resources, the loss of the coldwater
22 pool, the loss of the associated fishery, the water
23 quality, the aesthetics, the safety issues, the recreation
24 impacts and even the cost so that you can very quickly put
25 this to bed and in your EIR say it was an alternative that

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1 was considered and be eliminated from further
2 consideration.

3 I'm not going to be talking about the
4 thermal curtain here tonight, I'm going to be following up
5 on what Sam was alluding to with respect to the shoreline
6 erosion.

7 Sam had talked about the Pelton Round Butte
8 Project which is owned by Portland General Electric in
9 Oregon and they recently received a FERC license and there
10 are two articles that Sam mentioned, Article 428 which
11 deals with the shoreline management plan, and Article 429
12 which deals with shoreline erosion.

13 Our request to the water board is as a
14 condition of the 401, to look very closely at those two
15 articles and to include them in your 401, assuming that
16 you issue a 401 for the project.

17 With respect to the shoreline management
18 plan, we have been working with PG&E and other members of
19 the 2105 collaborative and we didn't get everything that
20 we wanted in there, but we think we can live with what's
21 in that shoreline management plan. We wish that it could
22 have more public input from you all, but it is what it is
23 and the one area that we have a huge disagreement with
24 PG&E on deals with the shoreline erosion.

25 The Article 429 that Sam and I are alluding

1 to in the Portland General Electric license requires the
2 licensee to file a shoreline erosion plan within one year
3 that one, discusses the conditions and probable causes of
4 shoreline erosion. Two, describes agreed upon actions.
5 And three, provide that all the actions included are
6 conducted under the shoreline erosion plan be developed

7 and implemented with the shoreline management working
8 group.

9 So how does that relate to us? PG&E has
10 done an analysis of the shoreline, some of that is good,
11 but there's a lot more information that they haven't
12 included that we would like to work with them and we would
13 like that same shoreline management working group, we
14 would like it to include the county, we would like it to
15 include water board staff and others as appropriate.

16 Within three years, the licensee is required
17 to rehabilitate a number of shoreline erosion sites and
18 that's important because that's what FERC is requiring
19 them to do is to fix the shoreline problems and that's
20 what we're asking the water board and FERC to do with PG&E
21 is have them fix the shoreline erosion problems.

22 What they're to do is to survey the area,
23 provide a baseline survey map that shows where areas are
24 that are affected by erosion and the key part here is the
25 shoreline erosion that affects water quality, fish

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1 habitat, terrestrial habitat and tribal reservation lands.
2 Those are important things that we feel PG&E needs to take
3 responsibility for and to fix. Things like the Clifford
4 deed, the Red River deed that allows PG&E to erode -- I've
5 been struggling this with for three years and I can't see
6 the logic, where two people can agree you can erode the
7 shoreline, but really FERC is responsible for managing the
8 shoreline as well as the water board from a water quality
9 perspective, so it is really the water board's

10 responsibility and FERC's responsibility to ensure that
11 PG&E repairs these erosion sites where they're affecting
12 the resources and we would ask you that you take a hard
13 look at those provisions in PGE's license and adopt them
14 for your 401. Thank you.

15 MIKE HARTY: Okay, Richard. And then after Richard
16 is Nancy.

17 RICHARD FORDING: My name is Richard Fording and
18 I've lived at Lake Almanor for 20 years. I've assisted
19 George Protsman in managing the Save Lake Almanor
20 Committee.

21 One of the things I did at the Doolittle
22 meeting for those of you who were present was take on Cal
23 Trout for being one of the parties that started the ball
24 rolling on the 20-degree temperature and for not following
25 up in the process and being involved in the process or

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1 opposing the thermal curtain because they are in fact a
2 group that is a proponent of trout.

3 Since that time, the Sacramento Bee
4 reported, I called them the enemy. This struck a nerve.
5 I've been in contact with Ryan Stranko, the executive
6 director of Cal Trout and his latest correspondence, he
7 made two important comments. Cal Trout and I personally,
8 this is a quote, also seek to insure that the Lake Almanor
9 fishery remains healthy. We are very concerned about Lake
10 Almanor impacts and would never advocate for measures that
11 would threaten the coldwater fishery there.

12 That's a huge comment considering the
13 source.

14 The second thing I have for you tonight, and
15 this is difficult for me because it was so difficult for
16 the author of this letter, Ken Wilson at Camp Prattville,
17 he can't even hardly talk about the curtain issue, so I'll
18 try and get through his letter. This is addressed to whom
19 it may concern and he asked me that I forward it to the
20 State Water Control Resources Board.

21 It is with great emotions that I write this
22 letter. I'm unable to speak on the proposed thermal
23 curtain issue due to my intense feelings towards this
24 potential negative impact, not only on my business, but
25 also the lives of my wife, my three boys, my grandmother

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1 and future generations.

2 In 1928, like my grandparents, Frank and
3 Neddy Wilson, they purchased the Prattville property from
4 Red River Lumber Company. They could have bought land any
5 where around the lake. However, they chose Prattville for
6 its unobstructed view of Mount Lassen. They established a
7 resort, Wilson's Camp Prattville Resort which has been
8 family owned and operated for 75 years.

9 Today my family and I operate the RV park,
10 the marina and cabins while my grandma, Carol Franchetti,
11 operates the cafe.

12 Through the years literally tens of
13 thousands of people from around the state, country and
14 world have been introduced to Plumas County either through
15 a good meal or a pleasant stay with us. Many of these
16 people have come to start their own businesses, purchased

17 real estate, and joined our community sharing and enjoying
18 Lake Almanor's pristine waters.

19 Our guests come to our resort almost solely
20 for the purpose of fishing, water recreation and scenic
21 viewing. The proposed thermal curtain would all but
22 completely destroy those activities to the point my
23 business, which is the oldest operating business on the
24 lake, becomes non-existent.

25 The proposed thermal curtain is to be built

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1 a mere 300 yards north of my resort. It would obstruct
2 our view of Mount Lassen as well as obliterate the fish
3 habitat.

4 with all the other constraints placed on the
5 small business today, federal, state and local, we cannot
6 afford any business hardship. We're already pressed just
7 to make a living and the proposed thermal curtain would be
8 the straw that breaks the camel's back. Not many
9 businesses make it for 75 years plus and counting and even
10 fewer remain in the family.

11 We would like to have the opportunity to
12 pass our business down to our three boys some day and
13 continue the legacy. The proposed thermal curtain would
14 deny them the chance and destroy the oldest resort on the
15 lake along with many others.

16 Emotions aside, it is a proven fact that the
17 proposed thermal curtain will indeed annihilate the
18 excellent fishing, clear blue water, recreational
19 opportunities and scenic views that both residents and
20 visitors alike have come to know and love.

21 I ask for your support in not destroying my
22 livelihood, my family's lifestyle, my family owned resort
23 through the proposed thermal curtain. It's not fair to
24 condemn Lake Almanor businesses and residents for the
25 saving of habitat somewhere else.

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1 I hope you'll take my advice into
2 consideration and keep Lake Almanor clean and beautiful
3 and small local businesses like myself in operation.

4 Signed sincerely, Ken, Debbie, Kenny, Cody,
5 Calvin Wilson and Caroline and Peter Franchetti. Thank
6 you.

7 MIKE HARTY: Nancy is next. And then after Nancy
8 is Fred.

9 NANCY FOOTE: Thank you. I've been sitting next to
10 the water board and I'm delighted to note that they've
11 been taking notes throughout this and I thank you for
12 being here. You didn't come here about me.

13 Here's what it's going to look like. This
14 is that material that's going to be piled on the shore.
15 You can't mitigate that. These are the tubes and their
16 floats. You can't mitigate that. If you camouflage them,
17 as Gary Pini will point out, everyone will run into them.
18 I don't have any more to say. Thank you.

19 MIKE HARTY: Okay, Fred. And then after that is
20 Pat.

21 BILL DENNISON: She left.

22 MIKE HARTY: How about Linda?

23 BILL DENNISON: She's here.

24 FRED SHANKS: Really nice to be last because you
25 don't have to say anything. I'm just kidding.

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1 what I really want to say has been said by
2 most everybody else here. My name is Fred Shanks. I've
3 been in the Prattville area since 1958 which is like
4 47 years, so I have some knowledge about Lake Almanor.

5 we now have what I consider to be a very
6 pristine, beautiful body of water out there called Lake
7 Almanor and there are some who want to take this thing
8 away from us and that's very disturbing.

9 This curtain thing is a hideous looking
10 outfit. You just saw a picture of it. Those buoys that
11 are out there look like, I don't know, I call them, look
12 like world war II mini-sub. They are just big, really, I
13 guess the same size as some of these propane tanks you see
14 around the area and they're going to be connected with
15 chains, as I understand it, and as the water moves up and
16 down and sideways, they're going to be making a lot of
17 noise.

18 Now, this thing, if you look at that
19 Prattville Intake from the water side, these things exist,
20 I mean, they go 375 feet on either side. That's, what is
21 that? 750 feet. And then they go out 900 feet into the
22 water. And around that, there's contemplated to be
23 another 300 feet all the way around for a safety zone.

24 Inside the curtain is about 19 acres and if
25 you add the safety zones, it comes out to about 30 acres

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1 in round figures. It's obviously a hazard to boating, and
2 that's been mentioned several times so I won't say anymore
3 about that.

4 These buoys support or hold up from the lake
5 top to the lake bottom a fabric they call a curtain which
6 is there on both sides of this thing to channel the
7 coldest water of Lake Almanor into this inlet. Now, in
8 order to get it there and through the inlet, you have to
9 dredge all these Indian artifacts and burial sites. I
10 think that's absolutely unconscionable to do something
11 like that. It's been done before in the 30s, I don't know
12 how that happened, but I would certainly hope that we have
13 enough feelings for the sacredness of these things to not
14 touch them again.

15 These curtains are about 15 million bucks a
16 piece. It's been -- there have been many, many, many,
17 many studies made in the last three years, all of which
18 result in the answer that is virtually impossible to lower
19 the temperature at the Rock Creek-Cresta regions by one,
20 two, or three degrees and you cannot do it. It's
21 therefore totally not cost effective.

22 So now, if this is done and this lake warms
23 up and we're going to get a lot of algae, green algae,
24 it's going to be a disaster to Plumas County, to property
25 owners, all of this has been mentioned.

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1 So in closing, I just want everybody to
2 think about this. why do fish have more rights than

3 humans? why are fish more important than humans? And why
4 do we make, do many times over and over in this country,
5 we try to improve something at the detriment of something
6 else? I think this thing is really an ugly dude, has no
7 credibility, and will accomplish nothing but a lot of
8 anguish. So that's all I've got to say. Thank you very
9 much.

10 MIKE HARTY: And Jerry, you are after Linda and the
11 last card that I have.

12 LINDA FULLER: Linda Fuller, I'm with Plumas
13 Association of Realtors and I have told some of our local
14 realtors at Bill's request to find out how this is
15 affecting our market and it is affecting our market.
16 Buyers are very worried about what will happen to their
17 investments should property values drop due to poor lake
18 quality. I've been a realtor here in the basin since
19 1991. My family has been in real estate here for nearly
20 30 years.

21 As we all know, tourism is the major source
22 of revenue in Plumas County. The 2005 transient occupancy
23 taxes have not yet been collected but last year, the
24 basin, just the basin, generated \$420,135, which funds the
25 general fund which probably most of us know.

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1 My office does a lot of vacation rentals and
2 a lot of those renters and friends of ours have indicated
3 should the lake quality change or drop, they will be
4 looking for other areas to vacation.

5 Having said that, if the dollars that are
6 spent in the basin, not just in the TOT tax, but what our

7 vacationers spend, if those go away, so too will the local
8 businesses. We've seen that. If you've been here a long
9 time, you've probably seen blight on the peninsula, in the
10 peninsula village area and it wasn't pretty.

11 Now, the property taxes, I just talked to
12 the tax assessor today, and just in the Lake Almanor
13 Basin, see if I can get this right because it's a big
14 figure, \$1,140,425,670.25, I'm just kidding, was generated
15 in property taxes just in the lake basin. Now, should the
16 property values go down, so, too, will property taxes.

17 The state director to the California
18 Association of Realtors and I have brought this to Region
19 2, which is, which are the following counties, Butte,
20 Lassen, Plumas, Shasta, Siskiyou, Tehama and Trinity
21 County, they all understand that their clients who are the
22 PG&E rate payers will bear the cost of the thermal curtain
23 should it be installed. They have agreed to support the
24 Plumas Association of Realtors in our opposition of the
25 thermal curtain and will stand with us should we ask

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1 assistance of the California Association of Realtors to
2 protect the client's property values and let me tell you,
3 we're a very powerful association.

4 Also while I was at the current region
5 meetings, I spoke to the attorneys for Region 2, asking
6 them if they felt at this time it was a disclosure issue
7 for realtors in the basin to the buyers and they said
8 absolutely, yes, so it's definitely affecting real estate.

9 MIKE HARTY: Is there anyone who would like to

10 offer comments after Jerry speaks? No, well, Jerry.

11 JERRY BERGIS: I'm last.

12 MIKE HARTY: You are.

13 JERRY BERGIS: Thank you. First of all, I
14 appreciate you guys juggling the schedule because I was
15 slated to speak earlier, but I had to go back to work.

16 You probably heard a lot of the same things
17 over and over so I'm going to cut to the chase. I moved
18 up here a year and a half ago after retiring out of the
19 computer business and my wife and I brought the kids up
20 and we bought Chester True Value Hardware. Subsequently,
21 I also joined Rotary and I also joined the Chamber so I'm
22 kind of entrenched. And the reason we came up here,
23 because we thought this was a beautiful place. We looked
24 at places around Tahoe and other parts of the world and we
25 decided that this is the place that we were going to grow

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1 our new roots.

2 Subsequently, when we bought the store,
3 during the negotiations it was brought to our attention
4 that about 75 to 90 percent of our annual income for the
5 store would be between the months of April and September.
6 Last year, we really didn't realize that because I'd only
7 bought the store in May, so I didn't see a full year.

8 This year, I have.

9 If the thermal curtain, any other kind of
10 water extraction device is built and we see a decline in
11 fishermen, hunters, people coming up to rent, people
12 coming up to go camping, people coming up to open up their
13 homes and eventually closing their homes for winter, my

14 business is going to be severely hurt. I do have a good
15 clientele of the locals here. However, that's not enough
16 to support a business the size of True Value based on what
17 we've seen for the first year.

18 So again, I am totally against the curtain
19 or any kind of a device that would pull cold water off
20 this lake, Butt Lake and turn these lakes into some kind
21 of an algae pit. Thank you.

22 MIKE HARTY: So I want to--

23 BILL DENNISON: We had Bob Shore. Is he here?
24 Could I make a comment before we leave, a question?

25 MR. HARTY: Do you want the microphone?

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1 BILL DENNISON: Two things, Bill Dennison. I've
2 been asked by several people if maybe Vickie, you could
3 give the process kind of a schedule of what's going to
4 happen from this point on and then most important, would
5 all of you that are able bodied stay and help George and
6 Doug put away the chairs. If you don't, my wife has to
7 come back and do it.

8 MIKE HARTY: Is Bob here?

9 BOB SHORE: That would be me. Thank you, I thought
10 I dodged this. Everything else has pretty much been said
11 and I'm in definite agreement with the result of the
12 thermal curtain.

13 Like Jerry and like Glen, Kathy and I are
14 new business owners in the area, we bought the Shell
15 Station here on Main Street and invested everything we
16 had. We're homeowners on the peninsula and property

17 owners in town with the business.

18 I was doing a little research on this issue
19 the other night. We have vacationed up here for years.
20 I've been coming up here since the late 50s with my family
21 and we vacationed all over the Northern California area
22 from Tahoe to the Pacific to Almanor and always came back
23 to this area for a reason, because it's beautiful.

24 Doing some research on Northern California
25 recreation areas, I came across this and I wanted to share

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1 it with you. I'm going to read to you about another lake
2 in California.

3 It's 19 miles long, eight miles wide at the
4 widest point and it has 100 miles of shoreline. Like most
5 lakes, this lake is dotted with resorts. Many, if not
6 most which have their own launch ramp, gas docks, in
7 addition to eleven free public ramps around the lake.

8 Going on to talk about wildlife, this guide
9 that I found on the internet says this lake is teeming
10 with life and is anything but clear. It should probably
11 be renamed Green Lake, often choked with hydrilla and blue
12 green algae. An elevated view of this lake often shows
13 large green blotches on the surface of this water covering
14 tens of square kilometers. Hydro jet boats and personal
15 watercraft intake ports get wrapped around propellers and
16 it only makes the lake look and smell distasteful. High
17 algae and bacteria counts in the summer often make it a
18 fairly unpleasant place to swim as it will make your skin
19 itch, dye your bathing suit green and potentially infect
20 your mucous membranes.

21 On the other hand, following a particular
22 spectacular die off of algae, accompanied by an awe
23 inspiring odor often settles down and becomes quite
24 pleasant to use for the season.

25 Perhaps as a result of the lake's more

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1 negative properties, fishing is the greatest attraction of
2 this lake, home to blue gill, crappie, bass, sunfish and
3 catfish.

4 This is about another warm water lake in
5 California, Clear Lake.

6 Anyway, we certainly don't want Lake Almanor
7 to have this description on the internet for visitors
8 coming up to this area. Thank you very much.

9 MIKE HARTY: Okay, is there anyone else who has not
10 had an opportunity? Anyone change their mind? No, okay.

11 Now before you leave, I want to again invite
12 you to take a look at the information that the State Board
13 and NSR have prepared to explain both the way the CEQA
14 process works. There's a diagram, for example, of all the
15 steps in the CEQA process. I'll give the microphone here
16 to Vickie in a moment to provide a summary explanation,
17 but all that is in the next room and if you're not too
18 hungry and want to take a look at the information that's
19 been provided, I think you'll find it helpful because it's
20 one example of all the work the State Board and North
21 State are putting into this process to keep the commitment
22 that Vickie has made on behalf of the board.

23 So I want to thank everyone for coming

24 tonight and Vickie, I'm going to turn it over to you and
25 you can provide your explanation and then I think we'll

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1 close the meeting and pick up the chairs.

2 VICTORIA WHITNEY: I want to reiterate, Mike, and
3 thank you everybody for coming. As Nancy I think it was
4 noted, we have been taking notes. We're actually not
5 going to do anything yet until the comment period closes
6 and then we're going to review all of the comments that we
7 receive from everybody.

8 We will, as I stated earlier, do an initial
9 review of all of the potential alternative measures that
10 we've identified for each one of the impacts that we've
11 identified, not just temperature on the river, but other
12 impacts as well. And then we're going to winnow the
13 alternatives down to the ones that we're going to study in
14 more depth.

15 All of the results of that will be in our
16 draft EIR. We may release portions of the draft EIR, I
17 don't know how we are going to do that, we haven't decided
18 that actually, in advance to get some feedback. Again,
19 that hasn't been decided, it's going to depend upon the
20 comments that we get in total, not just the comments we
21 received here today.

22 After we produce the draft EIR, we will
23 release it publicly and everybody will have an opportunity
24 to comment on that EIR. The board will then review those
25 comments, make any changes that it feels necessary, feels

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1 are necessary to that draft document and produce a final
2 EIR.

3 How long this takes depends in part on the
4 process if as a result of the comments we get on the draft
5 EIR, for instance, we identify new alternatives that we
6 want to look at or identify impacts that we hadn't
7 disclosed previously. We need to recirculate that draft
8 EIR and then there's another opportunity for comments, so
9 everything is kind of iffy, it just depends what happens.

10 Normally it takes about two years to produce
11 a CEQA document. We are just starting our process of
12 looking at this. I know FERC has previously released a
13 draft EIS and there's been a lot of work done by other
14 entities, but we're just starting in our process.

15 So again, I thank you all for being part of
16 that process. And I just wanted to add, I'm a forth
17 generation Californian, my grandfather owned half a
18 section of property in Plumas County, so I actually have
19 spent a lot of time up here, not so much around Lake
20 Almanor as near Quincy, but this area is near and dear to
21 my heart and as I said earlier, we're concerned about the
22 lake as well as about the river, so thank you all.

23 ----oOo----

24 (Proceedings concluded at 7:12 p.m..)

25 ----oOo----

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1 STATE OF CALIFORNIA)
2 COUNTY OF PLUMAS) §

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I, do hereby certify that the foregoing transcript, consisting of 137 pages hereof, was taken by me in shorthand at the time of the proceedings therein, and that the foregoing is a full, true and correct transcription of the proceedings to the best of my ability held at said time.

DATED: 10th day of October, 2005.

ELLEN E. HAMLYN, CSR #5558

ATTACHMENT B-3

Representative Comments and Comment Summary Table

Attachment B-3

Representative Scoping Comments on NOP and CEQA Environmental Checklist for Upper North Fork Feather River Hydroelectric Project Water Quality Certification

State Water Board's Regulatory Responsibilities and Objectives

- Plumas County would like to remind the SWRCB that CEQA guidelines suggest that the EIR should be completed within one year. Also, according to federal regulations, the 401 Water Quality Certification decision must be made within one year of submittal of a complete application.
- Friends of the River supports the work SWRCB staff is doing and their adherence to the 20 degree C temperature standard established by the SWRCB under state and federal law and required as part of the Sacramento River Basin Plan.
- The State Water Resources Control Board is the Agency in California that is responsible for water quality certification of any potential discharge from an activity that requires a FERC license or amendment. For the purposes of Section 106 [of the National Historic Preservation Act of 1966], the agency official has the authority to commit the Federal agency (FERC) to any obligation it may assume in the implementation of a program alternative. The agency official may be a State, local, or tribal government official who has been delegated legal responsibility for compliance with Section 106 in accordance with Federal law. Thus, the State Water Board is obligated to comply with the requirements of Section 106 in this proceeding. . . . The scope of this mandatory consultation must adequately fulfill the requirements of other statutes, such as: National Environmental Policy Act; California Environmental Quality Act, the Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act, and the Archaeological Resources Protection Act.
- Susanville Indian Rancheria (SIR) hopes that we can develop meaningful consultation with SWRCB to address our concerns with this project and develop appropriate mitigation. . . . We request that a formal meeting be scheduled between SWRCB and the SIR to develop meaningful consultation with regard to this project.
- If the thermal curtains alternative were selected as the required alternative to cool the North Fork of the Feather River reaches, the Maidu community would expect to be consulted on every step of planning and construction according to State and Federal laws, mainly the Native American Graves Protection and Repatriation Act. . . . We would expect repatriation of any recovered

human remains on-site along the shoreline and a repository or cultural center built by the licensee to house any artifacts removed.

- If the curtains alternative is chosen, we expect we [Maidu Cultural and Development Group] would be consulted in every step of the process as intended by the Burton Bill SB18 which we believe applies to the SWRCB as you are a state agency. The Burton Bill SB18 requires consultation with both recognized and [un]recognized tribes in California. We expect that in addition the SWRCB will consult with the federally recognized Susanville and Greenville Indian Rancherias under the federal tribal consultation protocols.
- We request that the State Water Resources Control Board institute an ongoing consultation of the Tribe throughout every facet of this project on account of the intensive cultural sensitivity of the issues we have presented. This would include, but not be limited to, the presence of Native American Archaeological monitors as part of the essential mitigation measures built into this project.
- A proposal that would cause degradation to large proven fisheries in Lake Almanor and Butt Valley Reservoir with an unguaranteed result to the smaller fisheries in Rock Creek–Cresta . . . is not permitted under October 28th, 1960 Water Resource Control Board Resolution Number 68-16.
- In your own regulations, a project shall not be given approval with benefit for one area at the detriment of another.
- California Fish and Game Code 5937 is mandatory and there is no discretionary language that allows DFG or the SWRCB not to require and PG&E not to release water from the dam to protect the people’s public trust assets in Butt Creek from the dam to the confluence of Butt Creek and the North Fork Feather River. Aside from Fish and Game Code 5937, it is a water quality problem and issue that the SWRCB must address.

Baseline Conditions

- The North Fork Feather River historically supported a trophy trout fishery which was recognized in national publications and drew anglers from all over the United States. Indeed, the California state record for resident rainbow trout, a 21-pound whopper, was caught in the Feather River in 1926. Trout, steelhead and salmon historically thrived in the North Fork Feather River, taking advantage of abundant cool water originating from the headwaters.
- We [a tribal entity] question why the North Fork Feather River is being designated only as a cold-water river than a warm water fishery and a coldwater fishery, as we used to gather eels, snapping turtles and other warm water species within the North Fork watershed. The river was traditionally cold in the winter but warmer in the summer with the fish that needed the cooler water moving upstream to the shaded pools in the streams of the watershed.

- California Department of Fish and Game has completed a six-year study in 1986 on the North Fork Feather River, which focused on biological impacts in the Rock Creek–Cresta reach. This report also contains significant data on the temperature relationship and impacts of PG&E’s Upper NFFR project. These data should be included in the analysis of impacts and development of alternatives.

Project Description and CEQA Alternatives

SETTLEMENT AGREEMENT

- The Settlement Agreement includes lake level criteria based on water year types. I believe these lake levels will provide a lower water temperature for the outflows. The importance of high lake levels for creation of a maximum cold water pool should be . . . analyzed.
- We request that the State Board recognize and preserve the progress of the settlement agreement to the greatest extent possible.
- The CEQA analysis should disclose how all alternatives will affect the 1962 and 2105 settlement agreements. Effects on the agreements should be a significant factor in determining “reasonable and feasible” temperature modifications for the North Fork Feather River.
- The agreement for instream releases allows reasonable summer lake levels. . . .If the water board finds that downstream water temperature requirements can be met by greatly increasing coldwater 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 summer water levels in Lake Almanor could be substantially lower. I urge you to respect the provisions of the settlement agreement in developing remedies to reduce downstream water temperatures.
- The selection of a water quality alternative by the SWRCB should not be subject to the lake levels agreed to by the 2105 Committee because the agreed-upon lake levels did not disclose, evaluate, and consider the operations of Lake Almanor on the basis of the 24 alternatives.

OPPOSITION TO THERMAL CURTAIN

- The benefits of this plan [thermal curtains in Lake Almanor and Butt Valley Reservoir] do not outweigh the costs. Not only are thermal curtains potentially very costly to install and maintain, the economic impacts to nearby communities must be considered. Drawing immense quantities of cold water from these shallow water bodies will undoubtedly upset the ecological balance and corollary recreational and economic benefits these lakes provide.
- The cost of the curtain is estimated at \$42.6 million. This estimate does not include operation and maintenance. This is a very high cost of items that do not meet 20° C at all times.
- Should the State Board EIR choose the curtains as an environmental risk, who removes the curtains if they fail?

- How did this fiasco originate, let alone survive?
- The community stands united in its disapproval of the proposed thermal curtains and its almost certain ill effect upon the lake, the economy, and the environment for wildlife.

SOCIO-ECONOMIC IMPACTS

- The benefits of this plan [thermal curtains in Lake Almanor and Butt Valley Reservoir] do not outweigh the costs. Not only are thermal curtains potentially very costly to install and maintain, the economic impacts to nearby communities must be considered. Drawing immense quantities of cold water from these shallow water bodies will undoubtedly upset the ecological balance and corollary recreational and economic benefits these lakes provide.
- Significant changes could be catastrophic to the economy of the Lake Almanor basin.
- Decreased tourism . . . could coincide with severe restriction of colder water in Lake Almanor.
- Recent data indicates \$53 million will be borne by PG&E rate payers in construction costs plus maintenance of the thermal curtain. . . . What evidence has been presented to establish a positive cost versus benefit ratio?
- A moss filled, algae infested lake would ruin our job possibilities in this community.
- Jobs for youth are directly impacted by the tourism of our area and tourism is directly impacted by the quality of our lake. A thermal curtain would negatively impact youth jobs.
- Families would be negatively impacted by the thermal curtain in terms of real estate prices and jobs.
- With all the other constraints placed on small business today, federal, state, and local, we cannot afford any business hardship. The proposed thermal curtain would be the straw that breaks the camel's back. The proposed thermal curtain would . . . destroy the oldest resort on the lake along with many others. . . . It's not fair to condemn Lake Almanor businesses and residents for the saving of habitat somewhere else.
- Buyers are very worried about what will happen to their investments should property values drop due to poor lake quality.
- Would the overall public trust interests of the entire watershed benefit more from \$50,000,000 being spent on watershed restoration and improvement rather than a thermal curtain?

ROCK CREEK–CRESTA LICENSE CONDITION 4D (24 ALTERNATIVES)¹

- PG&E hydro projects on the North Fork Feather River have affected water quality in the river for cold water species and their habitat. PG&E has developed 24 alternatives to improve water

¹ Amended September 2005 by PG&E, with following title: *North Fork Feather River Study Data and Informational Report on Water Temperature Monitoring and Additional Reasonable Water Temperature Control Measures* (see FERC submittal 20050922-0305, posted 9/21/05 to Docket #p-1962-000).

quality and reduce detrimental high water temperatures to cold water species and their habitat (all life stages) in the river. However, for self-serving reasons, PG&E has advocated that all 24 alternatives are unreasonable because of the costs to PG&E of each individual alternative. Mitigation for the direct, indirect, and cumulative effects to the environment of the North Fork Feather River is part of doing the people's business affecting the people's trust assets. Consequently, the amount of money to restore the people's public trust resources affected by PG&E's dams, reservoirs, conduits, and powerhouses is part of doing business. There must be no limit to the cost to mitigate the damages caused by PG&E's hydro projects in the North Fork Feather River watershed.

- None of the 24 alternatives [in the 4D report] will satisfy the 20° C requirement in all water years.
- A big factor in most of the [24] alternatives [in the 4D report] is the cost, which includes the construction of the components and the cost of lost [power] generation.
- The SWRCB must independently evaluate the 24 alternatives and other alternatives and must not rely on PG&E's self-serving water temperature findings.
- PG&E has rejected all 24 cold water alternatives. We request the SWRCB to describe the facts and rationale when alternatives and also recommended mitigation measures are rejected as infeasible in the EIR.
- Based on the preliminary information that has been advanced, it does not appear that mechanical water chillers provide enough benefit to justify the cost of construction and operation, their negative environmental impacts, and the visual degradation to the North Fork Canyon. Perhaps chillers have a place in the Poe reach, but such a massive and unsightly installation would need to be designed and screened to fully mitigate visual impacts.

WATERSHED RESTORATION AND IMPROVEMENT ALTERNATIVE (ALTERNATIVE D)

- Offsite mitigation proposes to rehabilitate the streams upstream of the North Fork Feather River. . . . These improvements provide tremendous benefits to the total environment. Down cut meadow streams are returned to near surface flows which rewater the meadows and bring them back to a more natural state.
- If the Watershed Restoration and Improvement Alternative is included in the EIR, the EIR must disclose, evaluate, and mitigate all of the individual projects being considered in the County's proposal.
- The legal and factual basis for consideration of offsite mitigation for water temperature related impacts should be fully evaluated. Any offsite alternative must be fully documented as to its need, relationship to the North Fork Feather River fisheries, the basis for change in the fisheries objectives in the Rock Creek–Cresta Project license and Settlement Agreement, and impact to fisheries of the North Fork Feather River.

- If the County's proposal is included, the EIR must disclose, evaluate, and mitigate all of the individual projects being considered in the County's proposal.
- [We] would like to recommend the acceptance of the "Watershed Restoration and Improvement Alternative." . . . Offsite mitigation also provides improved access for the Native American community to many miles of watershed creeks for the riparian resources which were lost to the Tribe with the intentional flooding of Big Meadows, Mountain Meadows and Butt Valley.
- The biggest temperature increase affecting the Rock Creek and Cresta reaches is from the East Branch water. The East Branch flows roughly east-west, so it gets a lot of afternoon sun exposure. Providing more shade trees along the shores of the East Branch could significantly reduce the 5 degree increase that occurs there.

OTHER

- All of the [structural and operational] alternatives [mentioned in the NOP], including a curtain at the Prattville intake, should be retained for evaluation in the EIR. Premature removal of identified alternatives without adequate justification may misalign with existing statutes.
- If mitigation for thermal impacts of the project cannot be achieved within the project reaches using structural measures, we recommend at least one other alternative be developed in addition to Alternative D [Watershed Restoration and Improvement Alternative] to provide a reasonable range of options. We suggest the Board examine the types of measures in our December 1, 2003, and subsequent filings [with FERC]. Therein, we specified increments of other measures (e.g., instream and pulse flow, vegetation management, etc.) which were not adopted or not fully adopted in the partial Settlement Agreement. These would not mitigate thermal impacts in-kind, but would provide some level of enhancement to coldwater fisheries within project reaches.
- The analysis of alternatives should disclose how the temperature modification alternatives may affect the existing agreement for reservoir operations at Buck's Lake.
- The analysis of alternatives should disclose how temperature modification alternatives may affect the existing schedule of Western Canal water deliveries from Lake Almanor to Lake Oroville.
- The Department [of Fish and Game] encourages the State Water Board to consider alternatives which protect cold water species, both in the reservoirs and in the river.
- NMFS recommends that the following alternatives be considered singly or in combination to mitigate for project impacts: (1) Trap-and-Haul fish passage from lower to upper Feather River habitats, which include Nelson Creek (Middle Fork), Onion Valley Creek (Middle Fork), Jamison Creek (Middle Fork), West Branch of the North Fork, and South Fork; (2) Trap-and-Haul fish passage within other watersheds blocked by dams, which could include Yuba River, American River, and Upper Sacramento River; and (3) Improvements for anadromous fish habitat in other stream segments, which could include temperature improvements for the Feather River below the Oroville Project boundary, Little Butte Creek, Big Chico Creek, and Antelope Creek.

- If stream temperature and fish passage cumulative effects, as well as other water quality issues, cannot be fully mitigated within the project, an alternative that provides in-kind mitigation outside the project area should be considered.
- A water temperature control alternative considering increased flows in the Seneca reach (400-500 cfs) along with reduced diversions to Caribou 2 powerhouse should be considered and modeled. This should include isolation and separation (using a curtain wall or permanent structure) of cold water flows from the North Fork through Belden Forebay, Rock Creek and Cresta Reservoirs.
- Alternatives that should be considered include insulating large steel pipes which supply water to the generating stations at Hamilton branch and Butte Lake reservoir.
- We recommend decommissioning of Butt Valley Reservoir and Dam, and Butt Valley powerhouse; the modification of Caribou Intake #1 and 2 to divert cold water directly from Lake Almanor, with diversions made a multi-level outlets located at lake elevation where water could be diverted to PG&E's Caribou #1 and #2 powerhouses. Butt Valley Reservoir would not have to be removed and could be used as a recreational fishing lake with the waters of Butt Creek providing inflow into the reservoir to protect the cold water fishery and also outflow for Butt Creek. Pond smelt could be planted into the reservoir annually for food for the cold water fishery.
- We can improve the fisheries within the FERC 2105 project area by methods other than the thermal curtain. [One] recommendation is to build a fish ladder and water gauging station barrier dam upstream of Butt Lake on Butt Creek. This dam is a barrier to spawning trout . . . denied access to dozens of miles of perfect spawning ground. The increase of natural wild trout populations in Butt Lake would be significant. Of approximately every 50 fish that try to go over this dam, only one is successful.
- Improve the spawning in tributary streams. Modifications need to be made for trout that are denied access to spawning grounds. There are culverts under roads and crossings under the railroads. Elevated drops at these locations prohibit trout for traveling upstream. Modifications or fish ladders need to be built which allow passage.

AESTHETICS

- Unsightly protrusion into the lake which can be seen by boaters and residents.
- The NOP states (page 8, paragraph 4): “Potentially significant unless mitigation [is] incorporated” applies if implementation of a mitigation measure would reduce effects to a less-than-significant level. I challenge the board to come up with a mitigation method that adequately addresses the degradation of the beauty of these two scenic lakes.
- The floats that are required to suspend thermal curtains are large, unsightly metallic contraptions . . . that would stretch for 2,600 feet. These contraptions cannot be mitigated in terms of scenic vista. . . . I would suggest that that be changed . . . in the NOP to impacts that cannot be mitigated.

- A visual impact associated with thermal curtains is the spoils . . .42,000 cubic feet I believe. They would constitute another visual blight on the lake shore that would not easily be mitigated.
- Under “Aesthetics,” items 1a, b, c, and d [of the NOP] can only be classified as “potentially significant” in that they cannot be mitigated without grave danger to watercraft.
- All three thermal curtains would have to be lit from dusk to dawn for reasons of boating safety. This lighting system would produce substantial, widespread light pollution in an otherwise remote, pristine environment. This is unacceptable.

AIR QUALITY

- Think about the estimated effects on loss of power generation to California’s already limited grid and the subsequent air quality effects from replacing hydrogeneration to other forms of electricity generation.
- Coldwater releases at Canyon Dam will bypass the powerhouse at Butt Lake, Caribou 1 and 2, and Belden. . . The loss of electrical generation will have to be made up by burning polluting fossil fuels and other power plants.

CULTURAL RESOURCES

- There is a significant problem with possible Indian artifacts in any dredged area within both lakes.
- The County believes that PG&E’s proposed erosion control plan included as part of the Shoreline Management Plan does not adequately address erosion sites that are adversely affecting resources, including Maidu cultural resources.
- Regardless of whether Lake Almanor would have to be lowered to recover Native American burial grounds and artifacts for the cold water curtain, the lake must be lowered to recover those important and valuable historic treasures of the history of Native Americans.
- The proposed thermal curtain near Prattville . . . could further desecrate a Maidu village and cemetery as a result of associated dredging.
- There were at least nine individual Mountain Maidu villages in the Big Meadows area. By tradition, the Maidu would have a burial ground near each village so that the people could watch over the buried bones of their ancestors. So we maintain that there are at least nine different burial areas in Big Meadows, not just the two listed by the State.
- When the cultural surveys were done by PAR Environmental for the 2105 Project, we [Maidu Cultural and Development Group] had Native American monitors going with the survey crews. These monitors reported that there were artifacts and sites everywhere around the lake and that the survey crews said that whole areas should be declared as sites and protected. . . . We want to see shoreline erosion controlled by means that do not further disturb cultural artifacts and sites.

- The Maidu oppose the installation of thermal curtains in Lake Almanor and Butt Valley Reservoir because of further disturbances to Maidu burials under the water of these two lakes. There is a Maidu cemetery under the water out from Prattville. PG&E has stated that they dredged through this whole area in the 1930s, possibly scattering our ancestors' bones widely over the lake bottom. We therefore feel that the whole area needs to be declared as a burial site.
- There are also [Maidu] burials in Butt Valley Reservoir.
- The EIR should disclose, evaluate, and mitigate the effects to Native American Burial Grounds and Artifacts at the bottom of Lake Almanor resulting from new operations of Lake Almanor and the proposed cold-water curtain.
- [The proposed thermal curtain] is a primary concern because there is an identified Native American cemetery, originally located in the Prattville area, which has been literally scattered across the bottom of Lake Almanor by dredging which took place in the 1930's by Great Western Power. . . . If tribal concerns are neglected, Native American Ancestral bones scattered on the bottom of Lake Almanor may be dredged over once again in conjunction with the operation of the proposed thermal curtains.

FISHERIES

- The reduction of minnows being transported between Lake Almanor to Butt Lake will affect the trophy lake that Butt Lake currently is.
- Changes to the recreational fishery in terms of species changes as well as loss of recreational use and economic benefits should be included. This must encompass the entire area of impact of increased water temperature (Almanor to Oroville).
- Even if the water temperature could be lowered enough to vastly improve the fishery in the canyon, this is still an area that is so physically demanding and dangerous to fish, only a limited number of persons could fish from Belden to Cresta.
- Under the Federal Power Act, NMFS has been the authority to prescribe fishways to suitable habitats such as the Seneca reach and Yellow Creek. Using a trap-and-haul approach, anadromous fish would largely be contained within these two stream segments. . . . Any analysis of the environmental impacts of relicensing the [UNFFR] project should also include an analysis of an alternative including [the] modified terms and conditions and modified prescriptions [contained in NMFS' Comments, Modified Terms and Conditions, and Modified Prescriptions for the Upper North Fork Feather River Project filed with FERC on March 11, 2005].
- NMFS asserts that an appropriate mitigation should include direct benefit to Central Valley spring-run Chinook salmon or Central Valley steelhead because of project effects to these ESA listed species.
- The SWRCB must disclose, evaluate, and mitigate the direct and cumulative effects to cold water conditions for Chinook salmon spring-run species and steelhead trout (all life stages) that will be restored below Canyon Dam . . . and that may migrate into the North Fork Feather River from

Yellow Creek, which has been selected as a restoration area for the pre-project spring-run salmon and steelhead trout.

- If project features such as dams prevent fish passage, this will require mitigation.
- If 50% of our cold water is removed in early summer, the west shore of Lake Almanor would quickly warm, driving the fishery deeper and exposing them to coccidiosis (bottom lice), which attach themselves to the trouts' bodies and gills, which can result in the death of the fish.
- Impacts of temperature increases should be analyzed in relation to incidence and prevalence of the fish disease *Ceratomyxa shasta*.
- Impacts to the movement of avian, aquatic, and mammalian species through habitat modification and destruction should be considered a significant impact. The project has and continues to have a significant adverse impact on the movement of fisheries resources in the North Fork Feather River as well as the Hamilton Branch, Butt Valley Creek, and numerous tributary streams. The checklist is incorrect in regards to this issue.
- According to the Thomas Payne and Associates report, Lake Almanor salmon habitat could be reduced up to 40 percent [as a result of the thermal curtain].
- The 2004 Payne and Associates report indicated that the thermal curtain would virtually eliminate the pond smelt that provide the major food source for the trophy trout in Butt Reservoir and require mitigation measures to restore the appropriate level of dissolved oxygen.
- Increase fishing regulations throughout the affected reach. Presence of game wardens to enforce the many specialized fish regulations is very limited. Poaching in the tributary streams to Almanor and Devil's Stream is commonplace. If there is an increase in warden presence, the numbers of trout spawning would greatly increase. . . I propose that as part of this project funding be provided to California Department of Fish & Game for an enhanced enforcement effort specifically directed to reducing poaching in the FERC 2105 Project area during the spawning season.
- Could the fishery effects on Almanor and Butt outweigh the marginal benefits of one degree Celsius cooler water in the lower North Fork of the Feather River?
- The SWRCB must disclose, evaluate, and mitigate the direct and cumulative effects to cold water conditions for Chinook Salmon spring-run species and steelhead trout that will be restored below Canyon Dam in the North Fork Feather River and also any Chinook Salmon spring-run species and steelhead trout that may migrate into the North Fork Feather River from Yellow Creek, which has been selected as a restoration area for the pre-project spring-run salmon and steelhead trout.
- Increased flows in the North Fork Feather River below Canyon Dam and below Belden Forebay Dam downstream for fishery protection must be disclosed in the EIR and monitored by PG&E to determine the annual status of the planted trout species and also wild trout species in the river resulting from the improved flows.

- Genetic analysis of Brown trout stocks in Lake Almanor, Butt Valley Creek and Reservoir should be completed to identify if any variation in these stocks occurs. This analysis should be compared to other stocks to determine if the claimed differences in fact exist to warrant separate management and impact consideration.
- The Department [of Fish and Game] requests that the Board consider development of cooperative agreements that could provide for enforcement efforts directed toward reducing poaching in the Upper North Fork Feather River project area during spawning season in areas where project features promote increased poaching.
- Under alternative two in the document [NOP] is reoperation of Canyon Dam and Caribou Powerhouse. Greatly increasing the summertime flows from Canyon Dam will remove a large part of Lake Almanor's coldwater pool and have negative effects on trout habitat and positive effects on algae and weed buildup.

GEOLOGY, SOILS, AND MINERALS

Shoreline Erosion

- The shoreline erosion that has occurred and continues to occur should be regulated.
- The Water Board should issue mitigation measures to curtail ongoing shoreline erosion. PG&E will counter that they have the right to erode as created by certain legal documents. [These] documents should [not] affect how the State of California reviews and approves their project.
- Plumas County requests that the SWRCB evaluate shoreline erosion in the EIR and impose conditions in the 401 Water Quality Certification that protect environmental and social resources around Lake Almanor.
- Plumas County recommends that the SWRCB include two conditions to protect Lake Almanor: a shoreline management plan and a shoreline erosion plan.
- The County recommends that SWRCB's Water Quality Certification include conditions identical to Article 429 of PG&E's license.
- During the settlement negotiations, PG&E reiterated its right to erode areas that were conveyed to PG&E via the Red River and Clifford Deeds. . . . A side agreement between PG&E and the previous owners of the Clifford and Red River deeds cannot preempt the State Board's responsibility to protect environmental resources.
- The Department [of Fish and Game] requests that the Board consider development of cooperative agreements that could provide for enforcement efforts directed toward 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).
- When the cultural surveys were done by PAR Environmental for the 2105 Project, we had Native American monitors going with the survey crews. These monitors reported that there were artifacts and sites everywhere around the lake and that the survey crews said that whole areas

should be declared as sites and protected. . . . We want to see shoreline erosion controlled by means that do not further disturb cultural artifacts and sites.

- We request that the water board look very closely at two articles in the Pelton Round Butte Project license, Article 428, which deals with the shoreline management plan, and Article 249, which deals with shoreline erosion, and include these articles in the 401.

Seismic

- In the Geology and Soils section of the CEQA checklist, items a) i, ii, and iii [indicate that] no active faults pass through the project site as for the most recent earthquake fault zone map issued by the State of California. However, in PG&E's analysis of the Lake Almanor and Butt Reservoir dams in the 1990s, their consultants show the potential for active faulting to be possible, but was inconclusive based upon the preliminary level of investigation. Proximal potential active faults were identified to be associated with the Lake Almanor, Lassen Peak's seismic trends that includes the Indian Valley, Mule Shoe Mine, Skinner Flats and Lake Almanor faults.
- It is not clear whether the potential for landslides was considered for the seismic hazards analysis in the NOP.

HAZARDS AND HAZARDOUS MATERIALS

Hazards

- The proposed recreation boating flows in the Belden Reach are a major public safety problem because there are children and adults recreating in the state's water of the river during the camping season, which most likely could result in life threatening situations.
- The thermal curtain will severely impact boat traffic along the portions of the west shore. I request that if the curtain is installed, that there is patrolling for careless boat operators and for pedestrians playing or walking around or on the curtain. I can see accidents happening from people playing on the curtain.
- If built, the thermal curtain must be very well lit so that the entire structure can be seen from all directions in the late afternoon and evening hours, preventing accidents. Corner markers will not work for this large of an item.
- My stand on this issue [thermal curtain] is about safety. Safety for the citizens who use the lake, safety for the emergency responders that have to respond to water rescues—the majority of our calls [Peninsula Fire Protection District] are after dark in severe weather—and safety for the contractors building plus placing the curtain.
- Under "Aesthetics," items 1a, b, c, and d can only be classified as "potentially significant" in that they cannot be mitigated without grave danger to watercraft.
- There's the issue of safety for water enthusiasts with lower water levels.

Hazardous Materials

- Constructing curtain structures . . . would potentially introduce contaminants to water supplies due to dredging activities.
- The SWRCB's authority over water quality is not solely over cold water, but it must also include the effects to water quality in Lake Almanor resulting from adverse polluted runoff (polluted runoff, gasoline, diesel, oil, pollutants, soil, sediment, etc.) from county roads and streets and residential homes resulting from development and maintenance of roads and properties.
- Alternatives that should be considered include monitoring development and controlling impacts from increased urban run-off and pollution.

NOISE

- The buoys [associated with the thermal curtain] are the same size as some of these propane tanks you see around the area and they're going to be connected with chains, as I understand it, and as the water moves up and down and sideways, they're going to be making a lot of noise.

POPULATION/HOUSING

- They [NOP] stated they wouldn't be reviewing population and housing because there wouldn't be an impact. Well, you're right because if they take cold water out of Almanor and destroy our lakes, we don't have to worry about housing and population because we're going to become a ghost town.

PUBLIC SERVICES

- With the number of boats on the lake increasing annually, the number of responses [by the fire districts] for lake rescues has increased and I can only see it increasing if the curtain is in place.

RECREATION

- The increased temperatures [in Lake Almanor as a result of thermal curtain] will allow for more algae generation and weed growth that will hinder boating.
- The proposed recreation boating flows in the Belden Reach are a major public safety problem because there are children and adults recreating in the state's water of the river during the camping season, which most likely could result in life threatening situations.
- Before any test recreation boating flows are conducted, there must be an inventory of all fish and macroinvertebrate species in the [Belden Reach]. The SWRCB must [then] evaluate the results of the "bug study" being prepared by PG&E on the Rock Creek-Cresta reaches and the pulse flow/bug study being conducted by the University of California, Davis, to determine whether it would be in the public interest to provide fluctuating boating flows [that would] harm public trust assets (bugs and trout) that are owned by the people of the State of California.

- Federal actions that affect flow, access to the river and navigation may potentially adversely impact opportunities for American Whitewater and Chico Paddleheads members to utilize the North Fork Feather River.

UTILITIES/ENERGY

- It may be possible to make marginal temperature improvements in the North Fork below Canyon Dam, but only by . . . imposing significant reductions in power generation.
- The analysis of alternatives should disclose impacts to hydropower generation.
- Coldwater releases at Canyon Dam will bypass the powerhouse at Butt Lake, Caribou 1 and 2, and Belden. This will increase the cost of electricity of all PG&E customers by many millions of dollars each year. . . . The loss of electrical generation will have to be made up by burning polluting fossil fuels and other power plants.

VEGETATION, WILDLIFE, AND WETLANDS

- Water removal from Lake Almanor in the spring would disrupt the many different insect hatches, including the very popular hexagenia hatch (hex hatch), which usually starts on the west shore of the lake in early spring.
- The continuing impacts to wetland habitats should be evaluated and mitigation measures implemented to mitigate impacts to less than significant as required by CEQA.
- Freshwater mussels . . . have been and will continue to be impacted, including the extirpation of some species, as a result of reduced reproductive success associated with pulsed flows associated with this project.
- Hydrologic changes have resulted in significant changes to the native riparian habitats associated with the Feather RIVER. Many of these species . . . have been eliminated or replaced with non-native invasive species.
- The NOP mentioned endangered species, but it didn't mention . . . the bald eagles that feed on the fish.
- We need to know how the SWRCB can protect water quality and macroinvertebrate species in Butt Creek below Butt Creek Dam without ordering daily flows at all times directly from Butt Creek Dam to the confluence of Butt Creek and the NFFR in accordance with Fish and Game Code 5937 and also in accordance with the SWRCB public trust duties and responsibilities pursuant to the Mono Lake decision. . . . Include mandatory daily flow requirements from Butt Valley Dam into Butt Creek in the water quality certification for the project.
- We are requesting the SWRCB to disclose, study, and mitigate in the EIR the effects to water quality and to macroinvertebrate species resulting from the failure of the Department of Fish and Game to order PG&E to release the state's water at all times from Butt Valley Dam into Butt Creek pursuant to California Fish and Game Code 5937.

- In reviewing the Terrestrial Resources, section 3.3.3 of the FEIS I noticed a glaring error. On page 3-166 it states that the State endangered Willow Flycatcher does not occur in the project area. I can tell you that the west shore of Lake Almanor represents the second largest breeding site for this species in the Sierra Nevada with between 18 and 21 breeding territories. I was consulted by Garcia and Associates several years ago and provided them with this information and I believe they documented Willow Flycatcher in their surveys at this site as well. Any qualified individual conducting a survey of the area during the appropriate survey period would have detected this species.

WATER QUALITY

Lake Almanor

- The rising of the temperature of Lake Almanor will lower the thermocline 10 feet, which also reduces the area of the thermocline by 30 percent. This is a very significant reduction which will result in a degradation of Lake Almanor and its fisheries.
- The increased temperatures [as a result of thermal curtain] will allow for more algae generation and weed growth.
- [Items agreed upon in the Settlement Agreement include] streamflows for PM&E of fish, wildlife, and other aquatic biota in project-affected stream reaches. [This] item . . . includes lake level criteria based on water year types. I believe these lake levels will provide a lower water temperature for the outflows. The importance of high lake levels for creation of a maximum cold water pool should be . . . analyzed.
- An algae bloom may take place in the summer, creating an odor.
- Lake Almanor is not a cold water lake even in the best of conditions. What happens in a drought year?
- The literature in the agreement that we've signed talks about dissolved oxygen being less than five milligrams per liter occurring at Canyon Dam from early August through mid-October. This is according to the sampling results. Dissolved oxygen has a negative impact on the fishery. Since Canyon Dam is in the deepest part of the lake, it is reasonable to assume that most of the lake, which is more shallow and has less cold water than Canyon Dam, has less dissolved oxygen.
- The Department [of Fish and Game] requests that the Board consider development of cooperative agreements that could provide for enforcement efforts directed toward 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).
- Disclose, evaluate, and mitigate the direct effects to water quality in the Hamilton Branch by PG&E's operations [sluicing of silt], and also the cumulative effects to water quality in Lake Almanor.

- If we proceed with a thermal curtain option, you're talking about digging out 42,000 cubic yards of silt. . . . The spoil pile will be placed right adjacent to the lake and thereby predicate some issues of runoff from this spoil pile.
- The EIR must disclose, evaluate, and mitigate the direct, indirect, and cumulative effects to water quality in Lake Almanor resulting from development and street and road construction along the lake (polluted runoff, gasoline, diesel, oil, pollutants, soil, sediment, etc.) in conjunction with the agreed upon monthly and daily reservoir levels.
- Constructing curtain structures . . . would potentially introduce contaminants to water supplies due to dredging activities.
- I'm terrified that Lake Almanor with coldwater extraction would become like Clear Lake.
- What impact, if any, will there be to the currently positive effects that Lake Almanor enjoys from routine "turnover" of its waters if either the outflow from the lake is increased dramatically and/or the outflow is positioned to remove only bottom water of a colder temperature than is currently obtained? . . . My concern is that increased outflow and/or manipulated temperature of the outflow could prevent either a total or a timely turnover, thus diminishing the water quality.
- Alternatives that should be considered include monitoring development and controlling impacts from increased urban run-off and pollution.
- The EIR should address the possibility that "swimmer's itch" will become more prevalent if the lake becomes warmer. Some have stated that "swimmer's itch" has been present in Lake Almanor in the past along the west shore when lake levels are low in dry years.

North Fork Feather River

- No evidence has been provided to the community that river temperatures were cooler prior to the construction of the existing hydroelectric facilities.
- There may be periods of time when it is impossible to meet cold water temperatures in the North Fork Feather River without causing seasonal harm to the fishery in the Seneca reach.
- The proposal to remove 50% of the cold water from Lake Almanor to decrease the temperature a few degrees to enhance the fishery between Belden and Rock Creek/Cresta is highly unlikely when you consider the distance the water must travel through Butt Valley Reservoir, PG&E forebays and powerhouses.
- The desired outcome of reducing water temperature 25 miles downstream at Rock Creek–Cresta is highly doubtful given dilution rates and the 25-mile stretch of exposed waterway being warmed by the sun.
- We believe the SWRCB must impose strict cold water quality requirements to protect and improve the cold water wild trout species and other cold water species of the NFFR water in the proposed draft and final EIR.

- Any analysis of benefits should carefully examine the period of exceedence of this criterion [20° C or lower] within a season, the frequency of exceedence of this criterion over the long term between seasons, and changes in benefit (or impact) that would occur in the range above and below the criterion. Consideration of a single temperature objective would not . . . adequately describe the temperature moderating benefits of an alternative measure. . .
- The Service believes that the thermal impacts of projects on the North Fork Feather River should be preferentially and maximally mitigated by actions which create thermal benefits within these same reaches.
- Visual observation of the Feather River upstream of the area of the needed temperature reduction is that since the flooding in 1997, particularly in the Belden area, quite a bit of silt and debris have significantly reduced the water depth. There are numerous islands and vegetation that are apparent. An assumption might be made that if these areas were excavated or dredged to improve the water capacity and depth, it would also reduce the water temperature and assist the fish habitat to recover.
- We recommend that a bottom outlet valve is constructed at Butt Valley Dam for the purpose of releasing water at all times to protect water quality and keep fish in good condition at all times in Butt Creek to the confluence of Butt Creek and the NFFR. We recommend that the inflow from Butt Creek into Butt Valley Reservoir is released by PG&E directly from Butt Valley Dam.

WATER RESOURCES

- It looks to me that the SWRCB may be in favor of this proposal [increased flows] because increased flows means increased water deliveries to Southern California in the summer. To take the water from our Lake Almanor for delivery to So. Cal. under the guise of environmental concern is, in my opinion, a very serious violation of the public trust.
- The EIR must disclose, evaluate, and mitigate the . . . alteration and water quality effects and rate of groundwater flow in Lake Almanor resulting from the agreed upon monthly and daily reservoir levels in the Settlement Agreement.
- The EIR must disclose, evaluate, and mitigate exposure of people and their property to flooding in Lake Almanor resulting from the agreed upon monthly and daily reservoir levels in the Settlement Agreement.
- The EIR must disclose whether PG&E has all of the water rights to store and divert the state's water at the project under the existing FERC license. The EIR must also disclose whether the agreed-upon lake levels (in the Settlement Agreement) and other uses of the state's water at the subject project is in compliance with the California Water Code.

Cumulative Impacts and Other CEQA Considerations

- The Department [of Fish and Game] recommends that the scope of the proposed cumulative effects analysis be broadened to include the entire North Fork Feather River from Lake Almanor to Lake Oroville, not just the "project area." Lake Almanor was originally constructed . . . to

store spring runoff and release stored water . . . for power production. That purpose has not changed since 1914, although several other hydroelectric projects have been added to the system. . . . Since the onset, the operation of Lake Almanor and its associated hydroelectric projects have altered the annual hydrograph and increased water temperatures in the North Fork Feather River from Canyon Dam downstream to Lake Oroville. Therefore, the cumulative impact analysis should include the entire North Fork Feather River from Lake Almanor to Lake Oroville.

- The microscopic protozoan *Ceratomyxa shasta* is endemic to the North Fork Feather River 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 North Fork Feather River between Belden Dam and Poe powerhouse.

- The alternatives must consider and study the following: The direct and cumulative effects to compatible cold water for cold water species (all life stages) in Lake Almanor, Butt Valley Reservoir, Butt Creek directly below Butt Valley Dam to the confluence of the North Fork Feather River and Butt Creek, North Fork Feather River from Canyon Dam to the Belden Forebay Reservoir, Belden Reservoir, North Fork Feather River from the Belden Forebay Dam to the Rock Creek Dam, North Fork Feather River from the Rock Creek Dam to Cresta Dam, North Fork Feather River from Cresta Dam to Poe Dam, North Fork Feather River from Poe Dam to the Poe Powerhouse, North Fork Feather River from the Poe Powerhouse to Big Bend Dam, and from the Big Bend Dam to the North Fork Arm of Oroville Reservoir.
- The cumulative effects analysis must include the cumulative effects resulting [from] the transportation of sediment from the Upper North Fork Feather Project 2105, Rock Creek-Cresta Project 1962, Poe Project 2107, and Bucks Creek Project 619 to the river environment in the North Fork Feather River watershed.
- It is likely that the project cumulative effects analyses will reveal that project effects reach far downstream. Evaluation of these effects and possible mitigation options will best be accomplished if project alternatives span both within project measures and outside project measures, such as those listed on page 6 of the NOP.
- If stream temperature and fish passage cumulative effects, as well as other water quality issues, cannot be fully mitigated within the project, an alternative that provides in-kind mitigation outside the project area should be considered.
- Increased flows in the North Fork Feather River below Canyon Dam and below Belden Forebay Dam downstream for fishery protection must be disclosed in the EIR and monitored by PG&E to determine the direct and cumulative effects to water quality.
- Disclose, evaluate, and mitigate the cumulative effects to water quality in Lake Almanor as a result of sluicing of silt from PG&E's operations on the Hamilton Branch.

Monitoring

- Increased flows in the North Fork Feather River below Canyon Dam and below Belden Forebay Dam downstream for fishery protection must be disclosed in the EIR and monitored by PG&E to determine the annual status of the planted trout species and also wild trout species in the river resulting from the improved flows.
- Because of the potential withdrawal of cold water, it would be reasonable for the SWRCB to order PG&E to monitor cold water and fish population levels in Lake Almanor.
- PG&E must monitor the effects to macroinvertebrate species resulting from recreational boating flows.
- I would be looking at any license that's being issued to have an adequate proactive water quality sampling program, not one that reacts to problems after they have been created, but one that is proactive before the problems start.

- Willow Flycatcher should be placed at the forefront of the forthcoming wildlife habitat management plan and monitoring that is described in the FEIS pages 3-180 through 3-184. Monitoring to assess the effects of changes in lake level on this species would be prudent.

COMMENT SUMMARY TABLES

Agencies and Elected Representatives

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
Assemblymember Tim Leslie			X										X			X	X				
Plumas Co. Dept. of Public Works, Director Tom Hunter		X	X	X		X	X	X					X			X	X	X			X
NOAA Fisheries, Eric Theiss																					X
FWS, Michael Hoover		X	X				X									X	X			X	
US Representative John Doolittle			X	X			X						X			X	X				X
Plumas Co. Board of Supervisors, Chair William N. Dennison		X	X														X	X			
Solano Irrigation District, Katy Rodrigues																					X
DFG, Sandra Morey		X	X			X	X	X					X		X		X	X		X	
NOAA, Steve Edmondson			X				X										X				X
Native American Heritage Commission, Program Analyst Carol Gaubatz						X															
U.S. Forest Service, David L. Harlow			X				X										X				

COMMENT SUMMARY TABLE

Members of the Public	Introduction State Water Board's Regulatory Responsibilities and Objectives Project Description and CEQA Requirements Air Quality Cultural Resources Fisheries Geology, Soils, and Minerals Hazards and Hazardous Materials Land Use and Agriculture Noise Public Services Recreation Transportation and Traffic Circulation Utilities/Energy Vegetation, Wildlife and Wetlands Water Quality Water Resources Growth-Inducing Impacts Cumulative Impacts and Other CEQA Other																				
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
Adamson, Eric			X	X			X						X								
Bagshaw, Allyn			X			X										X	X				X
Baiocchi, Bob	X	X	X			X	X	X					X		X		X			X	
Bossio, Sam								X													
Brown, Mr. & Mrs. Ronald D.			X				X									X					
Carson, Dave (Lake Cove Resort & Marina)			X														X				
Davey, Ron			X	X												X					X
Decoto, Ron		X	X		X		X						X	X		X	X	X		X	
Dougan, Patricia			X																		
Ervin, Douglas E.		X														X	X				
Fau, Debra			X													X	X				
Foote, Anne				X																	
Foote, Nancy				X																	
Fording, Richard		X	X				X						X	X		X	X			X	
Franchetti, Carol and Peter			X	X			X						X			X					
Galloway, John		X	X			X	X						X			X	X				X
Gans, Bob & Karyn			X			X										X	X				
Gardner, John T.			X		X		X						X			X					
Getz, Mary			X				X						X			X	X				
Gray, Paul & Mary			X																		
Heming, Devra		X															X	X			
Herrenschmidt, Al								X								X					
Hiner, Brock & Vickie			X	X		X		X	X				X		X	X	X				X
Hollister, David			X				X														
Ingersoll, Rima (3)			X										X								
Jereb, Tom (PG&E)			X	X	X	X	X	X		X			X		X	X	X	X			
Johnson, C. William			X													X		X			
Johnston, Bridget (Bridie)																	X				
Keesling, John M.			X																		X
Keesling, Merle M.			X																		
Knutsen, Dale E.		X	X														X				
Lambert, Bob																X		X			
Leete, John H.			X										X				X				
Lesko, Russell			X	X																	
Livingston, Bruce & Doris			X			X	X										X				X
Luger, Mr. & Mrs. Marty			X																		
Meinz, Mike			X				X										X			X	
Moncur, Hugh D.			X				X						X			X	X	X			X
Murphy, John K.			X				X										X				
Penick, Patrick L.			X				X						X			X	X				
Ridd, Jan E.			X				X						X								
Seandel, Aaron			X	X	X		X	X	X							X	X				X
Selk, Arnold			X				X									X	X				X
Shaw, Lois & S.W.			X				X						X								
Smith, Mary Jo			X													X	X				
Todd, Bryan			X													X					
Webb, Charles P.			X				X											X			
Weslar, Herbert & Sharon			X	X			X						X								
Wilhoit, Mike								X													
Wing, Ed		X	X			X							X		X	X	X				X
Woods, Kristin			X																		
Baiocchi Family Trust, Bob Baiocchi	X	X	X			X	X	X					X		X		X			X	

COMMENT SUMMARY TABLE

Tribal Entities

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
	Introduction	State Water Board's Regulatory Responsibilities and Objectives	Project Description and CEQA Alternatives	Aesthetics	Air Quality	Cultural Resources	Fisheries	Geology, Soils, and Minerals	Hazards and Hazardous Materials	Land Use and Agriculture	Noise	Public Services	Recreation	Transportation and Traffic Circulation	Utilities/Energy	Vegetation, Wildlife and Wetlands	Water Quality	Water Resources	Growth-Inducing Impacts	Cumulative Impacts and Other CEQA Considerations	Other
Greenville Rancheria, Lorie Jaimes		X	X			X	X									X	X				
Maidu Cultural and Development Group, Coordinator Lorena Gorbet		X	X			X	X	X					X			X	X				
Susanville Indian Rancheria, Ms. Stacy Dixon		X	X			X	X									X	X	X			

COMMENT SUMMARY TABLE

Non-Governmental Organizations

	Introduction	State Water Board's Regulatory Responsibilities and Objectives	Project Description and CEQA Alternatives	Aesthetics	Air Quality	Cultural Resources	Fisheries	Geology, Soils, and Minerals	Hazards and Hazardous Materials	Land Use and Agriculture	Noise	Public Services	Recreation	Transportation and Traffic Circulation	Utilities/Energy	Vegetation, Wildlife and Wetlands	Water Quality	Water Resources	Growth-Inducing Impacts	Cumulative Impacts and Other CEQA	Other
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
Almanor Fishing Association, Paul Garrido			X				X								X	X					
Friends of the River, Kelly L. Catlett		X	X				X						X		X	X					
California Trout, Curtis Knight		X	X				X						X			X	X				
Family Water Alliance, Board Member Susan A. Sutton		X	X			X									X	X	X			X	
California Sportfishing Protection Alliance, Jerry Mensch			X				X						X		X	X				X	X
The Anglers Committee, Bob Baiocchi	X	X	X			X	X	X					X		X	X				X	
American Whitewater, David W. Steindorf			X										X		X		X			X	
Point Reyes Bird Observatory, Ryan Burnett															X						

COMMENT SUMMARY TABLE

Public Meeting Transcript

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
	Introduction	State Water Board's Regulatory Responsibilities and Objectives	Project Description and CEQA Requirements	Aesthetics	Air Quality	Cultural Resources	Fisheries	Geology, Soils, and Minerals	Hazards and Hazardous Materials	Land Use and Agriculture	Noise	Public Services	Recreation	Transportation and Traffic Circulation	Utilities/Energy	Vegetation, Wildlife and Wetlands	Water Quality	Water Resources	Growth-Inducing Impacts	Cumulative Impacts Considerations	Other
Gorbet, Lorena			X			X										X					
DeSpain, Michael			X			X	X									X	X			X	
Parillo, Chris (Congressman Doolittle)			X	X			X	X					X			X		X			X
Story, Gary (Congressman Herger)		X	X			X	X									X	X			X	X
Keene, Rick			X			X	X						X				X				
LaMalfa, Doug		X	X	X	X	X	X		X				X		X	X	X	X			X
Bailey, Nadine (Senator Sam Aanestad)		X	X			X	X									X					
Keller, Dave (Senator Dave Cox)			X													X	X				
Dennison, Bill			X				X	X								X	X			X	X
Protsman, George			X			X										X		X			
Durkin, Wendy			X				X									X	X				
Seandel, Aaron			X		X		X		X								X				X
Garrido, Paul			X				X						X			X	X				
Orange, Bob			X				X						X								
Bradley, Dave																	X				
Crummer, Keith			X			X	X														
Kroen, Patti			X																		
Miller, John			X										X				X				X
Duffy, Jerry			X				X									X	X				
Long, Glen			X				X						X								X
Baber, William			X				X								X						X
Watson, Charles								X													
Steindorf, Dave		X																		X	
Lesko, Russell			X	X																	
Pini, Gary									X			X	X								
Woods, Arthur			X										X								
Wing, Ed			X		X										X	X	X				X
Lambert, Bob			X														X				
Seandel, Aaron (Al Herrenschmidt)								X									X				
Bossio, Sam								X													
Dyok, Wayne			X	X		X	X	X	X				X			X	X				X
Fording, Richard (Ken Wilson)			X	X			X						X								
Foote, Nancy			X	X																	
Shanks, Fred			X	X					X		X					X					X
Fuller, Linda			X										X								X
Bergis, Jerry			X																		
Shore, Bob			X		X											X					

Comment Received From	Date Submitted/Received	Method Submitted	Comment originally sent to
Assemblymember Tim Leslie	9/22/2005	Fax	SWRCB Chair Ms. Tam M. Doduc
Senator Dave Cox	9/27/2005	Written Transcript	Unknown
US Representative Wally Herger	9/27/2005	Written Testimony	CEQA Scoping Workshop
Greenville Rancheria, Lorie Jaimes (1st copy of 2)	9/29/2005	Letter	SWRCB
Almanor Fishing Association, Paul Garrido	unknown	Hard copy comments	Unknown
Decoto, Ron	10/19/2005	Hard copy comments	Unknown
Decoto, Ron	6/14/2003	Letter	FERC Secretary Commission Magalie R. Salas
Johnson, C. William	9/26/2005	Letter	SWRCB Sharon Stohrer
Leete, John H. (1 of 2)	unknown	Written Comment Form	SWRCB
Heming, Devra	unknown	Written Comment Form	SWRCB
Leete, John H. (2 of 2)	unknown	Written Comment Form	SWRCB
Woods, Kristen	unknown	Written Comment Form	SWRCB
Luger, Mr. & Mrs. Marty (1 of 2)	9/22/2005	Hard copy comments	NSR Paul Uncapher
Ingersoll, Rima (Knotty Pine Resort) (1 of 7)	9/20/2005	Letter	NSR Paul Uncapher
Ingersoll, Rima (Pine Cone Lodge RV Park) (2 of 7)	9/21/2005	Letter	NSR Paul Uncapher
Ingersoll, Rima (Lake Haven Resort) (3 of 7)	9/22/2005	Letter	NSR Paul Uncapher
Wing, Ed (1 of 2)	10/15/2005	Letter	NSR Paul Uncapher
Knutsen, Dale E. (1 of 2)	9/28/2005	Letter	NSR Paul Uncapher
Fording, Richard	9/22/2005	Letter	NSR Paul Uncapher
Ridd, Jan E.	9/23/2005	Email	Almanor Fishing Association, Paul Garrido
Lesko, Russell (1 of 3)	9/27/2005	Hard copy comments	CEQA Scoping Workshop
County of Plumas, Deputy County Counsel Brian L. Morris (1 of 2)	10/17/2005	Transmittal, 4CDs, 1 DVD	SWRCB Sharon Stohrer
Herrenschmidt, Al	9/22/2005	Letter and 30 photos	SWRCB Sharon Stohrer
Maidu Cultural and Development Group, Coordinator Lorena Gorbet	10/11/2005	Letter with attachments	SWRCB Sharon Stohrer
Foote, Nancy	9/27/2005	Photo image	Unknown
Galloway, John	10/13/2005	Letter	SWRCB Sharon Stohrer
Plumas Co. Dept. of Public Works, Director Tom Hunter	10/6/2005	Letter	SWRCB Sharon Stohrer
Native American Heritage Commission, Program Analyst Carol Gaubatz (1st copy)	10/12/2005	Fax	SWRCB Sharon Stohrer
Johnston, Bridget (Bridie)	10/3/2005	Letter	SWRCB Sharon Stohrer
Friends of the River, Kelly L. Catlett (1 of 2)	10/13/2005	Letter	Governor Arnold Schwarzenegger
NOAA Fisheries, Eric Theiss	10/13/2005	Email request for extension of SWRCB Sharon Stohrer	SWRCB Sharon Stohrer
CDFG, MaryLisa Lynch	10/13/2005	Email request for extension of SWRCB Sharon Stohrer	SWRCB Sharon Stohrer
USFWS, Michael Hoover	10/14/2005	Email request for extension of SWRCB Sharon Stohrer	SWRCB Sharon Stohrer
Baiocchi, Bob	10/17/2005	Email request for extension of SWRCB Sharon Stohrer	SWRCB Sharon Stohrer
Hiner, Brock & Vickie	10/5/2005	Written	SWRCB
California Trout, Curtis Knight	10/12/2005	Letter	SWRCB Sharon Stohrer
Meinz, Mike (1 copy of 2)	10/16/2005	Letter	SWRCB Sharon Stohrer
Friends of the River, Kelly L. Catlett (2 of 2)	10/17/2005	Emailed Letter	SWRCB Sharon Stohrer
Lambert, Bob A. (1 of 2)	10/14/2005	Letter	SWRCB Sharon Stohrer
US Representative John Doolittle	10/17/2005	Letter	SWRCB Chair Ms. Tam M. Doduc
Plumas Co. Board of Supervisors, Chair William N. Dennison	10/17/2005	Letter and attachments	SWRCB Sharon Stohrer
PG&E, Senior Project Manager Tom Jereb (1 of 3)	10/17/2005	Emailed letter	SWRCB Sharon Stohrer
Selk, Arnold	10/14/2005	Letter	SWRCB Chair Ms. Tam M. Doduc
Carson, Dave (Lake Cove Resort & Marina) (1st copy of 3)	10/17/2005	Letter	SWRCB Chair Ms. Tam M. Doduc
Keesling, Merle M.	10/17/2005	Written Comment Form	SWRCB
Brown, Mr. & Mrs. Ronald D.	10/17/2005	Written Comment Form	SWRCB
Carson, Dave (Lake Cove Resort & Marina) (2nd copy of 3)	10/17/2005	Letter	SWRCB Sharon Stohrer
Family Water Alliance, Board Member Susan A. Sutton	10/4/2005	Letter	SWRCB Chair Ms. Tam M. Doduc
Gans, Bob & Karyn	10/5/2005	Written Comment Form	SWRCB
Wing, Ed (2 of 2)	10/15/2005	Letter	SWRCB Sharon Stohrer
Davey, Ron (Davey's Lake Location) (1 of 3)	9/16/2005	Letter	SWRCB Sharon Stohrer
Ingersoll, Rima (Lake Haven Resort) (4 of 7)	9/20/2005	Letter	SWRCB Sharon Stohrer
Ingersoll, Rima (Knotty Pine Resort) (5 of 7)	9/20/2005	Letter	SWRCB Sharon Stohrer
Ingersoll, Rima (Pine Cone Lodge RV Park) (6 of 7)	9/20/2005	Letter	SWRCB Sharon Stohrer
Baiocchi Family Trust, Bob Baiocchi (1 of 2)	9/24/2005	Emailed Letter	SWRCB Sharon Stohrer
California Sportfishing Protection Alliance, Jerry Mensch (1 of 2)	9/23/2005	Letter	SWRCB
Luger, Mr. & Mrs. Marty (2 of 2)	9/22/2005	Hard copy comments	SWRCB
Ingersoll, Rima (Lake Haven Resort) (7 of 7)	9/20/2005	Faxed letter	NSR Paul Uncapher
Moncur, Hugh D.	9/21/2005	Letter with attachments	SWRCB Sharon Stohrer
Franchetti Family (Wilson's Camp Prattville Resort)	9/23/2005	Letter	To whom it may concern
Ervin, Douglas E.	9/3/2005	Letter	SWRCB Chair Mr. Arthur G. Baggett, Jr.
Fau, Debra	9/10/2005	Letter	SWRCB Chair Mr. Arthur G. Baggett, Jr.
Davey, Ron (Davey's Lake Location) (2 of 3)	9/16/2005	Letter	SWRCB Chief James W. Kassel
Todd, Bryan	9/30/2005	Email	Agency Secretary Lloyd
The Anglers Committee, Bob Baiocchi	10/4/2005	Email with attachments	SWRCB Sharon Stohrer
Lesko, Russell (2 of 3)	9/28/2005	Email with attachments	2105comments@nsrnet.com
Seandel, Aaron	9/28/2005	Letter	SWRCB Sharon Stohrer
Knutsen, Dale E. (2 of 2)	9/28/2005	Letter	SWRCB Sharon Stohrer
Davey, Ron (Davey's Lake Location) (3 of 3)	9/28/2005	Letter	SWRCB Sharon Stohrer
Bossio, Sam	9/27/2005	Photo images fr. Testimony	SWRCB
Wilhoit, Mike	9/27/2005	Photo images fr. Testimony	SWRCB
Solano Irrigation District, Katy Rodrigues	9/22/2005	Transmittal, return of NOP copy	SWRCB Sharon Stohrer
Foote, Anne	9/28/2005	Postcard	SWRCB Sharon Stohrer
Adamson, Eric	10/3/2005	Written Comment Form	SWRCB
Gray, Paul & Mary	10/3/2005	Written Comment Form	SWRCB
Dougan, Patricia	10/3/2005	Written Comment Form	SWRCB
Gardner, John	10/2/2005	Letter	SWRCB
Smith, Mary Jo	10/5/2005	Written Comment Form	SWRCB
Penick, Patrick L.	9/18/2005	Letter	SWRCB Chair Mr. Arthur G. Baggett, Jr.
Crews, Mark for Plumas Co. Dept. of Public Works, Director Tom Hunter	10/24/2005	Email with attachments	SWRCB Sharon Stohrer
County of Plumas, Deputy County Counsel Brian L. Morris (2 of 2)	10/17/2005	Email with attachments	2105comments@nsrnet.com
PG&E, Senior Project Manager Tom Jereb (2 of 3)	10/17/2005	Email with attachments	2105comments@nsrnet.com
California Sportfishing Protection Alliance, Jerry Mensch (2 of 2)	9/23/2005	Email with attachments	SWRCB Sharon Stohrer
Baiocchi Family Trust, Bob Baiocchi (2 of 2)	9/24/2005	Email with attachments	SWRCB Sharon Stohrer
Lambert, Bob A. (2 of 2)	10/14/2005	Email with attachments	2105comments@nsrnet.com
Hollister, David	10/13/2005	Email	2105comments@nsrnet.com
Getz, Mary	9/22/2005	Email	2105comments@nsrnet.com
Weslar, Herbert & Sharon	10/8/2005	Email	2105comments@nsrnet.com

Livingston, Bruce & Doris		9/29/2005 Email	2105comments@nsrnet.com
Shaw, Lois & S.W.		9/28/2005 Email	2105comments@nsrnet.com
Lesko, Russell (3 of 3)		9/28/2005 Email with attachments	2105comments@nsrnet.com
Greenville Rancheria, Lorie Jaimes (2nd copy of 2)		9/29/2005 Letter	SWRCB
Native American Heritage Commission, Program Analyst Carol Gaubatz (2nd copy)		10/12/2005 Letter	SWRCB Sharon Stohrer
Susanville Indian Rancheria, Ms. Stacy Dixon		10/13/2005 Letter	SWRCB Sharon Stohrer
Webb, Charles P.		10/20/2005 Written Comment Form	SWRCB
Bagshaw, Allyn	unknown	Written Comment Form	SWRCB
Meinz, Mike (2nd copy of 2)		10/16/2005 Letter	SWRCB Sharon Stohrer
Murphy, John K.		10/12/2005 Letter	SWRCB Sharon Stohrer
Carson, Dave (Lake Cove Resort & Marina) (3rd copy of 3)		10/7/2005 Letter	SWRCB Chair Ms. Tam M. Doduc
American Whitewater, David W. Steindorf		10/17/2005 Letter	SWRCB Sharon Stohrer
Department of Fish & Game, Sandra Morey		10/24/2005 Faxed letter	SWRCB Sharon Stohrer
National Oceanic and Atmospheric Administration, Steve Edmondson		10/24/2005 Letter	SWRCB Sharon Stohrer
PG&E, Senior Project Manager Tom Jereb (3 of 3)		10/17/2005 Letter + bound report	SWRCB Sharon Stohrer
Keeling, John M.		10/17/2005 Written Comment Form	SWRCB