



State Water Resources Control Board ORIGINAL



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Arnold Schwarzen
Governor

NOV - 7 2005
NOV. 7, 2005

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510-0504

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FEDERAL ENERGY
REGULATORY COMMISSION

Dear Senator Feinstein:

UPPER NORTH FORK FEATHER RIVER HYDROELECTRIC PROJECT (FERC NO. 2105)

Thank you for your letter expressing your concerns regarding issues associated with the relicensing of Pacific Gas & Electric Company's (PG&E) Upper North Fork Feather River Hydroelectric Project (Project No. 2105). Your letter directs attention to water temperature issues on the North Fork Feather River (NFFR) below Lake Almanor and raises concerns regarding the potential effects of measures being considered by the State Water Resources Control Board (State Water Board) to remedy degraded water temperature conditions. We share your concerns as we work toward achieving protection of all waters of the state.

As you know, the federal Clean Water Act and the California Porter-Cologne Water Quality Control Act direct the State Water Board and the Regional Water Quality Control Boards in assessment of the water quality needs for California waters. The State has developed Water Quality Control Plans (Basin Plans) that designate the beneficial uses of the waters within the region and the water quality objectives, including limitations on constituent levels and temperature, designed to protect those beneficial uses. As part of its water quality certification of Project No. 2105, the State Water Board must certify that project features and PG&E operations will comply with the Basin Plan. Specifically, the State Water Board must ensure that the designated beneficial uses of both Lake Almanor and the NFFR are protected.

The Basin Plan applies the test of "controllable factors" and directs the State Water Board to take into account the extent to which temperature can be controlled through the implementation of feasible temperature control measures. Two decades ago (1980's) PG&E and the Department of Fish and Game (DFG) conducted NFFR fishery and water temperature monitoring studies. PG&E and DFG agreed that a thermal curtain or other water temperature control device in Lake Almanor would be developed to selectively withdraw cold water for delivery to the NFFR to protect the cold freshwater beneficial use.

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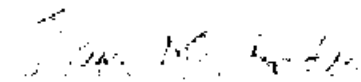
The Prattville thermal curtain is one of a number of temperature control measures that are currently being evaluated. Other temperature control measures have been studied, including: (1) an underwater hooded pipe (fitted to the Prattville intake from Lake Almanor), (2) temperature curtain(s) in Butte Valley Reservoir, (3) increased flow releases from Canyon Dam to the NFFR along with re-operation of several powerhouses, and (4) a variety of tributary stream diversions and mechanical chilling devices along the NFFR for thermal benefits to individual river segments. The State Water Board has not selected a preferred temperature control measure and continues to look at proposals through the public scoping process for development of an Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA).

CEQA requires that the EIR consider a range of reasonable alternatives that would feasibly attain most of the basic objectives of the project. In the EIR the State Water Board will evaluate various alternative packages that include temperature control measures that may effectively moderate thermal conditions of the NFFR. Consistent with CEQA, the potential impacts of proposed alternatives on cultural resources and other environmental resources will be addressed.

You expressed your concern regarding the perceived cost of a thermal curtain. When considering reasonableness of cost, the State Water Board will evaluate the temperature curtain's costs along with the costs of other proposed measures for temperature moderation and the ability to achieve compliance with the Basin Plan objectives.

Thank you for your interest in this matter. If you have other questions regarding water rights or the water quality certification process for hydroelectric project relicensing in California, please contact Victoria Whitney, Chief of the Division of Water Rights at (916) 341-5302, or by email at vwhitney@waterboards.ca.gov.

Sincerely,



Tam M. Doduc
Board Chair

cc: see next page

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