FOOTHILLS WATER NETWORK

COMMENTS ON
PRE-APPLICATION DOCUMENT
AND STUDY REQUEST
CAMP FAR WEST PROJECT (P-2997)
LICENSEE: SOUTH SUTTER WATER DISTRICT

August 26, 2016

Bradley J. Arnold
General Manager/Secretary
South Sutter Water District
2464 Pacific Avenue
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Via electronic filing

Dear Mr. Arnold:

The Foothills Water Network (FWN or Network) and its member organizations respectfully request submit comments on the Pre-Application Document (PAD) and submit study request(s) for the relicensing of the Camp Far West Project (P-2997) in Nevada, Placer and Yuba counties, California. The project is owned and operated by licensee South Sutter Water District (SSWD). The PAD was released on March 14, 2016.

The Network is a group of water resource stakeholders in the Yuba River, Bear River, and American River watersheds. The overall goal of the Foothills Water Network is to provide a forum that increases the effectiveness of non-profit conservation organizations to achieve river and watershed restoration and protection benefits for the Yuba, Bear, and American rivers.

I. Comments on Water Resources

The PAD shows in Chapter 3.2.2 that the Bear River downstream of the present project was historically almost an ephemeral stream in which summer base flows (in cfs) were often in single digits. Independent FWN review of historic flow records confirms this observation. Figures 3.2.2-3 through 3.2.2-14 provide exceedance values for pre-project, pre-powerhouse, and post powerhouse flows in the lower Bear River downstream of SSWD's non-project diversion dam at RM16.9 (hereinafter, "SSWD Diversion Dam").

Summer water temperatures in the lower Bear River downstream of the project, and in particular downstream of the SSWD Diversion Dam, exceeded 25° C in 2015 (Figure 3.2.2-39). In 2015, water temperatures in the lower Bear River climbed rapidly after July 1, when SSWD switched from making dam releases through the low level outlet and began making dam releases through the powerhouse, whose intake is much higher in elevation than the low level outlet. It is unclear whether there is sufficient cold water in Camp Far West Reservoir that would allow year-round cold water releases to the lower Bear River if the powerhouse were not used or if the powerhouse intake were relocated to the bottom of the reservoir. However, the California Department of Fish and Wildlife manages the Bear River in summer as warm water habitat, and has discouraged high summer flow releases downstream of the SSWD Diversion Dam, so that anadromous fish in the Feather River that pass the mouth of the Bear River are not attracted into the Bear River where summer water temperatures may be unsuitable for cold water species.

Chapter 3.2.2 of the PAD informs the reader that there is no Army Corps of Engineers flood management requirement for Camp Far West Reservoir, and p. 2-7 of the PAD states that the reservoir is operated annually in "fill and spill" mode.

The Operations Model provided with the PAD shows on the Annual Summary tab for the baseline current and future conditions (columns K-P and columns Y-AE respectively) that less than 10,000 AF of water in storage is generally carried over in Dry and Critically Dry water years. The same set of columns in the Operations Model demonstrates that in many years, there is substantial spill from Camp Far West Reservoir into the lower Bear River that is not diverted at the SSWD Diversion Dam, though the level of spill is less than historical and is forecasted to diminish further due to increased diversions by Nevada Irrigation District upstream of SSWD's project.

Dry Creek-Spenceville, the largest tributary to the lower Bear River, rises upstream of the Spenceville Wildlife Area and passes through Beale Air Force Base before entering the lower Bear River from river right at approximately RM 5.1. Dry Creek has a run of fall-run Chinook salmon that ascend Dry Creek during and after rain events in the fall, and that exit Dry Creek during winter and spring. Releases and spills from the project may affect the immigration and emigration of salmon in Dry Creek-Spenceville, as well as rearing conditions and habitat in the Bear River downstream of confluence with Dry Creek-Spenceville. The PAD, however, does not include any hydrology data for Dry Creek-Spenceville. The gages on the lower Bear River for which the PAD provides data are all upstream of confluence with Dry Creek-Spenceville. Data from an old USGS gage on the lower end of Dry Creek-Spenceville does not appear to be available from USGS on the internet.

As a representative of the Network discussed during the initial meeting for the project relicensing, the Network requests that either 1) historical hydrology data for Dry Creek-Spenceville be added to the Appendix F of the PAD as a supplement, or else 2) that the licensee install a temporary gage on Dry Creek-Spenceville near the site of the historical USGS gage and provide the data to relicensing participants in sufficient time to inform terms, conditions and recommendations in the relicensing process. The Network also requests that, if sufficient data is available to inform it, the licensee modify the project Operations Model by adding a node either

at the historical USGS gage site on Dry Creek-Spenceville or else on the lower Bear River downstream of confluence with Dry Creek-Spenceville.

II. Comments on Aquatic Resources

The aquatic resources of the lower Bear River must be seen in the context of the hydrology that is regulated by the project, as well as by the historical hydrology that preceded the project. The PAD cites to Yoshiyama et al. (2001) to argue that the Bear River historically was likely not home to spring-run Chinook salmon or steelhead. In addition, the PAD deals with salmon in the lower Bear River solely from the perspective of those that spawn in the Bear River and their progeny. However, it is virtually certain that non-natal rearing of anadromous salmonids and sturgeon takes place in the lower Bear River. Maslin (1996) documents non-natal rearing of salmonids in Sacramento River tributaries, many of them ephemeral.[1] As a professor at Chico State University, Maslin has directed student research into this phenomenon for many years. Healey (2013) documented non-natal rearing of salmon during 2012 in Auburn Ravine, whose outfall enters the Sacramento River just south of the confluence of the Feather and Sacramento rivers at Verona.[2] Thomas Cannon, fisheries biologist who consults for the California Sportfishing Protection Alliance, personally surveyed Auburn Ravine in past years and documented non-natal rearing there, and states that the tributaries of the Feather including the lower Bear River also exhibit the non-native rearing phenomenon.[3] The California Department of Fish and Wildlife has documented the presence of sturgeon in the lower Bear River during high flow events.[4] The Anadromous Fish Recovery Program Working Paper (USFWS, 1995) provided draft water allocation priorities for water on the Bear River, including flow and temperature recommendations in above normal and wet-water year types for sturgeon.[5]

However, none of the studies proposed by the licensee would capture the non-natal rearing in the lower Bear River that may in fact be the lower Bear River's most important function in supporting salmonids and sturgeon. Traditional fish population surveys (snorkel or electrofishing), such as the survey that SSWD conducted in 2015, cannot capture this use because they are conducted during low water periods. Licensee proposed redd surveys, which for fall-run Chinook salmon would take place in the October-January time period, would provide data only for fish that spawned in the lower Bear River.

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[1] See Maslin, Paul E., et. al, 1996. Intermittent Streams as Rearing Habitat for Sacramento River Chinook Salmon: 1996 Update. Available at http://swrcb2.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow/docs/exhibits/swrcb/swrcb_maslin1997.pdf

[2] Michael Healey, California Department of Fish and Wildlife (DFW), 2013: 2013 Auburn Ravine Rotary Screw Trap Monitoring Report. This report was filed as an attachment to DFW's comments on the Final Environmental Impact Statement for the combined relicensing of the Yuba-Bear/Drum-Spaulding projects. See e-Library 20150206-5016.

[3] Thomas Cannon, pers. comm.

[4] Sean Hoobler, DFW, pers. comm.

[5] U.S. Fish and Wildlife Service, Anadromous Fish Restoration Program,Working Paper on Restoration Needs, vol 3, 1995, p. 3-xh-26. Available at: https://www.fws.gov/lodi/anadromous_fish_restoration/documents/WorkingPaper_v3.pdf

FWN recommends that these licensee-proposed surveys be supplemented by rotary screw-trap surveys in the January-May time period. FWN recommends that a screw-trap be placed in the lower Bear River upstream of Dry Creek-Spenceville and a second screw-trap be placed either in the lower end of Dry Creek-Spenceville or in the lower Bear River downstream of Dry Creek-Spenceville. FWN has included a proposed study plan as an attachment to these comments.

III. Comments on Direct and Cumulative Effects

Table 3.1-1 of the PAD lists under "Direct/Indirect Effects" the "Camp Far West Reach," "Approximately 1.3 mi of the Bear River from Camp Far West Dam at RM 18.2 to the non-Project Diversion Dam at RM 16.9." The same table lists under "Cumulative Effects" the "Lower Bear River Reach," "Approximately 16.9 mi of the Bear River from the non-Project diversion dam at RM 16.9 to the confluence of the Bear River and the Feather River at RM 0.0." The apparent argument is that the operation of the "non-project" SSWD Diversion Dam renders project effects downstream of it "cumulative." Members of the Network, in filings by "Conservation Groups" in the relicensing of the Merced River Project (FERC No. 2179) have extensively argued that effects downstream of an agricultural diversion dam for which water is stored in a FERC licensed reservoir should be considered as direct effects by the Commission.[6] We reaffirm but shall not reprise those arguments here. However, the Commission has in part agreed. In the April 1, 2011 Revisions to Study Plan for the Merced River Project, the Director of the Office of Energy Projects wrote:

> Regarding downstream flows, review of existing information and preliminary staff analysis suggests that, during the non-irrigation season, the magnitude and duration of releases from New Exchequer dam have a direct effect upon flows in the 23-mile downstream reach, however, during the irrigation season, non-jurisdictional water withdrawals limit the available water supply for instream flow needs, and thus during this time, flows are not directly affected by the project.[7]

At minimum, the PAD should be revised to indicate that releases from the Camp Far West Project when the SSWD Diversion Dam is not operating should be considered direct effects, and that studies relating to resources in the lower Bear River during the non-irrigation season should be considered as addressing direct project effects.

IV. Conclusion

Thank you for the opportunity to comment on the Pre-Application Document for the relicensing of the Camp Far West Project (FERC no. 2997).

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[6] See e.g. Comments of Conservation Groups on Initial Study Report, relicensing of the Merced River Project (FERC no. 2179), eLibrary 20110131-5038, p. 10.

[7] Revisions to Study Plan, Merced River Project, April 1, 2016, eLibrary 20110401-3042, p. 2.

Respectfully submitted,

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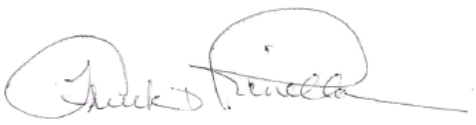

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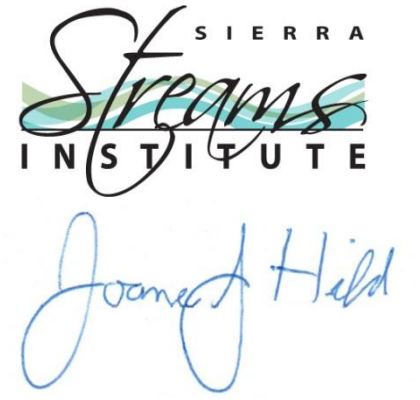

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Attachment:

Proposed Study:
Evaluation of Migration and Use of the Lower Bear River by Juvenile Chinook Salmon and Other Anadromous Fish Using Two Rotary Screw Traps