



FOOTHILLS WATER NETWORK

Hon. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Via electronic filing

July 9, 2020

Re: COMMENTS ON SCOPING DOCUMENT 1 FOR CAMP FAR WEST
HYDROELECTRIC PROJECT, FERC PROJECT NO. 2997

Dear Secretary Bose,

The enclosed comments are being filed to meet the deadline of July 9, 2020 established by the Federal Energy Regulatory Commission (Commission) for Comments on the Scoping Document 1 (SD1) for the Camp Far West Hydroelectric Project (Project, FERC No. 2997), owned and operated by the South Sutter Water District (SSWD, Licensee).

This response was jointly developed and signed by non-governmental organizations participating in the Camp Far West Relicensing. The Foothills Water Network (Network) represents a broad group of non-governmental organizations and water resource stakeholders in the Yuba, Bear, and American River watersheds. The overall goal of the 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 River watersheds. This includes negotiations at the county, state, and federal levels, with an immediate focus on the FERC relicensing processes.

The Network respectfully submits the following comments on the South Sutter Water District's Scoping Document 1.

I. AQUATIC MONITORING

Assuming that the Commission moves forward with the EA, the Network believes the Commission needs to include an analysis of aquatic and salmonid monitoring. As outlined in the Network's comments on SSWD's Draft License Application, the Network believes that monitoring is important in determining the actual benefits of the proposed actions. The Network would like to work with the Licensee and agencies to develop a proposal that can effectively measure and monitor critical fish populations including the spawning fall-run Chinook salmon and steelhead and salmonids.

II. FUTURE IMPACTS

As stated in our comments on the Draft License Application (DLA), the Network has approached opportunities for fisheries improvements in the framework of the existing facilities in the watershed. The Network is concerned that the construction of the proposed Centennial reservoir by the Nevada Irrigation District upstream of the Camp Far West Reservoir could limit these opportunities for improvements that are mutually acceptable to the Network, the Resource Agencies and to SSWD. The Network would like to work with relicensing participants to find specific terms to include in the license that address changes to water year type classifications. The Network believes that the EA should evaluate the impacts of the construction and operation of Centennial Reservoir (if built) on SSWD's current and proposed operations. The Network believes that FERC will need to analyze the construction of Centennial as an alternative under the National Environmental Protection Act.

III. ENVIRONMENTAL ANALYSIS

The Network requests, pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, the Commission prepare a full Environmental Impact Statement (EIS) for the Project due to additional information needed related to groundwater concerns within the Project boundaries.¹ The Commission released the SD1 for the EA on June 6, 2020 to “ensure that [the Commission] identify and analyze all pertinent issues.”² If the EA concludes that the Project will have significant environmental impacts, then the Commission will be required to prepare an EIS.³ In order to save time and resources, the Network recommends the Commission prepare an EIS to include the information from the SGMA process and truly evaluate the environmental impacts of the Project on a threatened river.

As required by the California Sustainable Groundwater Management Act (SGMA), the Licensee as part of the West Placer Groundwater Sustainability Agency is preparing a Groundwater Sustainability Plan (GSP) in the next year.⁴ The Project is included within the boundaries of the North American Groundwater Subbasin (NASb).⁵ The NASb is classified as a high priority basin and shows groundwater levels declining.⁶ As acknowledged by SGMA and recent U.S. Supreme Court decision *County of Maui v. Hawaii Wildlife Fund et. al.*, groundwater and surface

¹ See National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321-4370(f) (2006).

² See SD1 Document, p. 1 elibrary no. 20200609-3046.

³ See CEQ NEPA Regulations, 40 C.F.R. § 1508.9.

⁴ See West Placer Groundwater Sustainability Agency “Notice of Intent to Begin Preparation of a Groundwater Sustainability Plan for the North American Subbasin of the Sacramento Valley Groundwater Basin,” last accessed July 8, 2020. Available at: <https://westplacergroundwater.com/#about&scroll>.

⁵ *Id.*

⁶ See California Department of Water Resources Bulletin 118, SGMA Basin Prioritization Dashboard Impacts, last accessed July 8, 2020. Available at: <https://gis.water.ca.gov/app/bp-dashboard/final/#>.

water resources are interconnected.⁷ Therefore, in addition to the other environmental concerns as outlined by the Network and Resource Agencies, the nexus between Project operations and groundwater levels requires a “hard look” by the Commission.⁸

Thank you for your consideration of the Network’s comments. If you have any questions regarding our comments please contact Traci Sheehan at 530-919-3219 or traci.sheehan@gmail.com.

Respectfully submitted,



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⁷140 S. Ct. 1462; 206 L. Ed. 2d 640 (*argued November 6, 2019, decided April 23, 2020*), *see also* 23 CCR §§ 351(aa), 354.34(2).

⁸ *Kleppe v. Sierra Club*, 427 U.S. 390 (1976) (*citing* 42 U.S.C. § 4331(b)).



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A handwritten signature in black ink that reads "Melinda Booth". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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A handwritten signature in black ink that reads "Natalie Stauffer-Olsen". The signature is cursive and somewhat stylized.

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**BEFORE THE
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

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South Sutter Water District (SSWD))	
)	
)	FERC Project No. 2997
)	
Camp Far West Hydroelectric Project)	

Certificate of Service

I hereby certify that I have this day served the foregoing document, by first class mail or electronic mail, a letter to Secretary Bose, Federal Energy Regulatory Commission (FERC), the comments of the Foothills Water Network, California Sportfishing Protection Alliance, Friends of the River, Friends of Spenceville, Sierra Club, South Yuba River Citizens League and Trout Unlimited on FERC's Scoping Document 1 and this Certificate of Service upon each person designated on the official service list compiled by FERC in the above-captioned proceeding.

Dated at July 9, 2020



Traci Sheehan Van Thull
Coordinator
Foothills Water Network