

**BATTLE CREEK SALMON AND STEELHEAD
RESTORATION PROJECT**

SCOPING REPORT

JULY 2001

**US Department of the Interior
Bureau of Reclamation
Mid-Pacific Region
Sacramento, CA 95825**

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I. INTRODUCTION

The purpose of this report is to provide an overview of the development of the Battle Creek Salmon and Steelhead Restoration Project (Restoration Project), discuss public involvement, and outline issues and concerns raised by the public. In particular, this report will focus on public scoping.

Part II provides an overview of the Restoration Project, including the need for a restoration effort, the collaborative approach that led to the development of a restoration plan and the purpose of the Restoration Project.

Part III discusses the environmental compliance process associated with the Restoration Project, and in particular the role of public scoping in that process. Part III also describes the public scoping meeting that was held on January 31, 2000, in Manton, California, and the next steps in the environmental process.

Part IV discusses the project alternatives, and provides a detailed schematic for each alternative.

The appendices contain copies of scoping notifications, items presented at the public scoping meeting, and comments received.

II. RESTORATION PROJECT OVERVIEW

Need for Habitat Restoration

The decline of naturally-produced *anadromous*¹ salmonid fish species in the Sacramento River system can be attributed to a number of factors, including the loss and degradation of spawning habitat due to changes in hydrologic regimes caused by water management for flood control, irrigation, and hydropower production. In order to preserve and enhance current salmonid populations, habitat restoration actions are needed. An opportunity to restore uniquely valuable habitat exists on Battle Creek, a tributary to the Sacramento River. This creek has been modified by hydropower, aquacultural (hatchery), and agricultural operations for approximately a hundred years.

The Battle Creek watershed is located on the volcanic slopes of Mt. Lassen in northern California in Shasta and Tehama counties (Figure 1). Battle Creek stretches through remote, deep, shaded canyons and riparian corridors, contains cold spring-fed water and carries relatively high flows throughout the year. Prior to development within its watershed, Battle Creek provided a contiguous stretch of prime habitat for anadromous chinook salmon and steelhead trout from its confluence with the Sacramento River upstream to natural fish barriers.

¹ Anadromous refers to fish that spend most of their life in the ocean and enter into freshwater to spawn.

Fish habitat in Battle Creek has been primarily affected by the development of a privately-owned hydroelectric project and a Federal fish hatchery. The Battle Creek Hydroelectric Project, Federal Energy Regulatory Commission Project 1121 (Hydroelectric Project) was constructed within and adjacent to Battle Creek and its tributaries in the early 1900's. It consists of several small diversion dams, about 40 miles of canals, and five powerplants. The Hydroelectric Project has been owned and operated by Pacific Gas and Electric Company (the Licensee) since 1919 and was licensed by FERC in 1976 for a period of 50 years. Between 1979 and 1980 four powerhouses were replaced and in 1981 a fifth powerhouse was added to the Hydroelectric Project. The Coleman National Fish Hatchery (CNFH), located downstream of the Hydroelectric Project, was constructed in the 1940's to mitigate for the anadromous fish impacts associated with construction of Shasta Dam on the upper Sacramento River.

A restoration effort on Battle Creek is supported by and consistent with the following acts, programs and plans:

Central Valley Project Improvement Act (Title 34 of Public Law 102- 575, 1992)
Anadromous Fish Restoration Program

California State Salmon, Steelhead Trout, and Anadromous Fisheries Program Act
(California Senate Bill 2261, 1990)

CALFED California Bay-Delta Ecological Restoration Program

Upper Sacramento River Fisheries and Riparian Habitat Management Plan (California
Senate Bill 1086, 1989)

Central Valley Salmon and Steelhead Restoration and Enhancement Plan, prepared by the
California Department of Fish and Game, 1990

Steelhead Restoration Plan and Management Plan for California, prepared by the
California Department of Fish and Game, 1990

Restoring Central Valley Streams — A Plan for Action, prepared by the California
Department of Fish and Game, 1993

National Marine Fisheries Service Proposed Recovery Plan for Sacramento River Winter-
Run Chinook Salmon, prepared by the National Marine Fisheries Service, 1997

Actions to Restore Central Valley Spring-Run Chinook Salmon, prepared by the California
Department of Fish and Game, 1996

Land Use Plans in Shasta and Tehama Counties

The Central Valley Project Improvement Act (CVPIA) mandated changes in Central Valley Project management, particularly to protect, restore, and enhance fish and wildlife habitat.

Section 3406(b)(1) of CVPIA requires the development of a program that will make all reasonable efforts to ensure that by the year 2002, natural production of anadromous fish in the Central Valley rivers and streams will be sustainable on a long-term basis, at levels not less than twice the average levels attained during the period of 1967-91. The U.S. Fish and Wildlife Service (FWS) developed the Anadromous Fish Restoration Program (AFRP) to meet this requirement.

A draft AFRP restoration plan, prepared in May 1997 by FWS in coordination with State and Federal agencies, stakeholders and interested parties, identified eight actions that would help restore Battle Creek. One of the actions identified was the increase of flows past Hydroelectric Project diversions to provide adequate holding, spawning, and rearing habitat for anadromous salmonids. Under the authority of Section 3406(b)(3) of the CVPIA, the Bureau of Reclamation (Reclamation) has entered into agreements with Pacific Gas and Electric Company to reduce diversions to the Hydroelectric Project. From 1995 to the present, Reclamation has been acquiring water from Pacific Gas and Electric Company to increase instream flows in the lower reaches of Battle Creek. The intent of this action to provide anadromous salmonid flow-related habitat needs (identified through the AFRP) while planning for and implementing a long-term restoration project on Battle Creek.

Development of a Restoration Plan

Recognizing the importance of restoring habitat in order to sustain and increase populations of naturally-produced salmonids in Battle Creek, a group of interested parties (landowners, stakeholders, Pacific Gas and Electric Company, and government agencies) formed early in 1997. This group, the Battle Creek Working Group (BCWG) embraced a collaborative approach in developing a technical plan which would determine salmon and steelhead habitat needs in different stream reaches within Battle Creek, and identify the physical and biological factors which could be implemented to restore fish habitat. This plan, entitled the *Battle Creek Salmon and Steelhead Restoration Plan*, prepared by Kier Associates for the BCWG was completed in 1999.

Based on information revealed in the 1999 plan, Pacific Gas and Electric Company committed to working cooperatively with the BCWG to develop a cost-effective and equitable restoration plan involving modification of Hydroelectric Project facilities and operations, and increases in streamflows. During this timeframe, agencies and stakeholders worked together to develop a proposed plan for restoration of fish habitat. This cooperative effort led to the signing of an Agreement In Principle in early 1999 between Reclamation, National Marine Fisheries Service (NMFS), the FWS, the California Department of Fish and Game (CDFG), and Pacific Gas and Electric Company, to pursue a restoration project for Battle Creek. Pursuant to the signing of the Agreement In Principle, Reclamation submitted a proposal to Federal-State interagency program known as the CALFED Bay-Delta Program to seek funding to support a restoration project on Battle Creek. Subsequently, CALFED accepted the proposal and approved \$28 million dollars in directed funding for the planning and implementation of the Restoration Project contingent upon the development of a detailed formal Memorandum of Understanding (MOU) between parties in conformance with the Agreement In Principle and terms of the CALFED funding. The MOU

was signed in mid-1999. In addition to triggering the release of the \$28 million in CALFED funding, provisions of the MOU called for contributions from Pacific Gas and Electric Company in the form of water-rights transfers, increased instream flow, and foregone energy generation. The MOU also provided for the funding of adaptive management through a separate third party funding agreement providing an additional \$3 million.

Purpose of the Restoration Project

The purpose of the Restoration Project is to restore approximately 42 miles of habitat in Battle Creek plus an additional 6 miles of habitat in its tributaries while minimizing the loss of clean and renewable energy produced by the Hydroelectric Project. Habitat restoration would enable safe passage for and facilitate the growth and recovery of naturally produced salmonids within the Sacramento River and its tributaries, including the Central Valley spring-run chinook salmon, State and Federally listed as threatened; the Sacramento River winter-run chinook salmon, State and Federally listed as endangered; and the Central Valley steelhead, Federally listed as threatened. The Restoration Project will be accomplished through modification of Hydroelectric Project facilities and operations, including instream flow releases.

The Restoration Project area consists of the portion of the Hydroelectric Project below the natural fish barriers (Figure 2). Restoration efforts shall occur at Hydroelectric Project sites along and on the tributaries to the North Fork and South Fork of Battle Creek, including the North Battle Creek Feeder Diversion Dam, Eagle Canyon Diversion Dam, Wildcat Diversion Dam, Coleman Diversion Dam, Lower Ripley Creek Feeder Diversion Dam, Inskip Diversion Dam, Soap Creek Feeder Diversion Dam, South Diversion Dam, Eagle Canyon Canal, Wildcat Canal, Inskip Canal, South Canal, and Inskip Powerhouse and South Powerhouse. A staging area and a means to gain access to each project site, i.e., an existing access road/trail or new access road/trail, would be necessary to carry out construction activities.

In addition to the Restoration Project, other restoration efforts are ongoing in the Battle Creek watershed. The FWS is reevaluating CNFH operations, as well as looking at improvements to the hatchery intakes and the seasonally-operated fish barrier dam. Also, the Battle Creek Watershed Conservancy (BCWC), an organization of local landowners and interested parties with vested interests in the Battle Creek watershed, has brought attention to the wider issue of watershed management to promote and retain anadromous fish habitat restoration. The BCWC has been working with Lassen National Forest and communities in the upper Battle Creek watershed to implement land management/erosion control practices.

III. PUBLIC SCOPING

Overview of Environmental Compliance

Due to the Federal and State actions associated with the Restoration Project both National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) compliance is required. Reclamation, the lead Federal agency, is responsible for ensuring overall NEPA compliance and FERC, a cooperating Federal agency, is responsible for ensuring that

proposed changes to the Hydroelectric Project comply with NEPA prior to issuing a license amendment for the Hydroelectric Project. All FERC licensing actions in California, including new licenses, license amendments, and relicensing, require Clean Water Act Section 401 water quality certification from the California State Water Resources Control Board (SWRCB). The SWRCB is the State lead agency for ensuring CEQA compliance. NEPA and CEQA compliance will be fulfilled through preparation of a joint NEPA/CEQA environmental document known as the Environmental Impact Statement/Environmental Impact Report (EIS/EIR). Public scoping is an integral part of the development of the environmental document.

Purpose of Public Scoping

Public involvement is a vital component of NEPA and CEQA processes that serves to include the public in decision-making. Scoping is a public involvement process designed to gather input from the public, including their issues and concerns, and together with technical input and agency considerations define the significant issues to be addressed in the environmental document. NEPA regulations define scoping as “an early and open process for determining the scope of issues to be addressed, and for identifying the significant issues related to the proposed action.” Similarly, the CEQA guidelines define scoping as “the process of early consultation with the public and agencies during the initial stage of EIR preparation.”

The main objectives of the scoping process are to:

- # provide the public and potentially affected agencies with adequate information and time to review and provide oral and/or written comments on a project;
- # help ensure that issues related to the project are identified early and properly studied;
- # ensure that the project alternatives are balanced and thorough; and
- # prepare the appropriate environmental documentation.

It is important to note that the scoping process itself is not intended to directly resolve issues and concerns expressed throughout the process. The scoping process is used to obtain information on those issues and concerns, which in turn are addressed adequately and appropriately in the environmental document. The scoping process, therefore, does not provide answers to the difficult questions, issues, and concerns raised, but instead frames them for subsequent discussion within the environmental document. One way to identify issues and concerns related to a proposed project is through a public scoping meeting.

Public Scoping Meeting

A public scoping meeting for the Restoration Project was announced in various ways. Reclamation published its Notice of Intent to prepare an EIS/EIR, and notice of public scoping meeting in the Federal Register on January 12, 2000 (Appendix A). This notice was accompanied by a Reclamation press release announcing the public scoping meeting which was

mailed to about 130 interested individuals, stakeholders, and organizations (Appendix A). In addition, the BCWC announced and described the public scoping meeting in the December 1999 issue of the Battle Creek Watershed Conservancy News, which was mailed to over 500 stakeholders. The BCWC placed public service announcements in three local newspapers and distributed flyers throughout the Battle Creek watershed.

The public scoping meeting was held on January 31, 2000, at the Manton School Gymnasium in Manton, California. The meeting agenda, a handout describing public scoping, comment cards, and a NEPA flowchart and a draft NEPA/CEQA/FERC environmental flowchart (Appendix B) were distributed. Attendees included agency staff members, local residents, and representatives from various organizations including the Nature Conservancy, Red Bluff Fisheries Forum, Friends of the River, and the Pacific Coast Federation of Fishermen’s Association.

The first portion of the meeting was an informal discussion and display session. Representatives from the BCWC, Federal and State resource agencies, and Pacific Gas and Electric Company discussed the Restoration Project and gathered public comments. The display stations were entitled Project Maps, Fisheries, Hydropower, Current Restoration Project Alternatives, General Information and Process, and Challenges. Various pamphlets, fact sheets, and supporting materials (Table 1) were available at the display stations.

Table 1: Summary of Scoping Meeting Display Materials
CALFED Bay-Delta Program: Working Together for a Solution
Figures from the <i>Battle Creek Salmon and Steelhead Restoration Plan</i> : Anadromous Salmonid Life Stages in the Upper Sacramento River, California Maximum Potential Restored Habitat for Winter-Run Chinook Salmon Maximum Potential Restored Habitat for Spring-Run Chinook Salmon Maximum Potential Restored Habitat for Fall-Run Chinook Salmon Maximum Potential Restored Habitat for Late-Fall-Run Chinook Maximum Potential Restored Habitat for Steelhead
A Legacy for the Future: Fish and Wildlife Restoration Through the Central Valley Project Improvement Act (U.S. Fish & Wildlife Service)
Salmon of the Pacific Coast (U.S. Fish & Wildlife Service)
Anadromous Fish: Salmon & Steelhead are in the Battle Creek Watershed Year Round (The Battle Creek Watershed Conservancy)
Coleman National Fish Hatchery (U.S. Fish & Wildlife Service)
Other Agency Activities and Contacts: Battle Creek Watershed (Bureau of Reclamation)
Federal Energy Regulatory Commission: How to Access Documents Filed with FERC via the Internet (Federal Energy Regulatory Commission)
Notice of Pacific Gas and Electric Company's Request to Use Alternative Procedures in Filing an Amendment Application (Federal Energy Regulatory Commission)
Notice of Intent to Prepare an Environmental Impact Statement/Environmental Impact Report , and Notice of Public Scoping Meeting (Federal Register January 12, 2000)
What Is a Watershed Conservancy? (The Battle Creek Watershed Conservancy)
The Battle Creek Watershed Conservancy Needs You (The Battle Creek Watershed Conservancy)

A project overview and public comment session followed the display session. The President of the BCWC welcomed all attendees, introduced individuals involved in the Restoration Project, and voiced concerns shared by many residents of the watershed regarding the focus, direction and funding of the Restoration Project. Agency representatives discussed the scoping process, purpose of and need for the Restoration Project, and the current project alternatives. Comment cards were received and oral comments were recorded (Appendix C).

Comments Received

Copies of letters received throughout scoping are included in Appendix C. Please note that numerous form letters were received. To eliminate repetition, a blank copy of each form letter is included along with a summary table listing the signers of each form letter. Comments include oral as well as written comments received at the public scoping meeting. Issues raised throughout the scoping process include, but are not limited to the following:

- # The need for the Restoration Project EIS/EIR to address Battle Creek as a whole, including the Coleman National Fish Hatchery, rather than just addressing the Hydroelectric Project reach.
- # The need for responsible coordination of the various initiatives ongoing in the Battle Creek watershed, including the Restoration Project, wetlands restoration activities, intake and barrier weir modifications at the CNFH, and other watershed initiatives.
- # Recognition of the ability of the improving condition of the upper Sacramento River to better contribute to and support fisheries restoration.
- # Potential benefits associated with moving late-fall salmon and steelhead production from the CNFH to an enlarged Livingston Stone hatchery at the base of Shasta Dam.
- # Potential benefits of decoupling the CNFH from Battle Creek natural production to the maximum extent possible through the use of an existing agricultural channel to connect the hatchery directly to the Sacramento River for outgoing and returning fall-run hatchery fish.
- # Potential benefits of reducing the water diverted from Battle Creek and integrating CDFG wetland operations with CNFH effluent treatment.
- # Reducing the scale and cost of the proposed CNFH intake improvement program.
- # Modifying the CNFH barrier weir to provide free passage for fish to the maximum extent possible.

Next Steps in the Environmental Process

Issues, concerns, and information gathered through scoping will be utilized during the development of the draft EIS/EIR. The draft EIS/EIR will analyze the impacts to resources for each project alternative. Resources to be analyzed include, but are not limited to power generation and economics; land use; public services and utilities; socioeconomics; transportation; wildlife; vegetation; surface water hydrology; geology and soils; ground water; public health and safety; aesthetics; noise; air quality; cultural resources; environmental justice; recreation.

A Notice of Availability will be published in the Federal Register initiating a public review and comment period on the draft EIS/EIR. Similarly, a Notice of Availability will be filed with the State Clearinghouse. These notices will include the names and addresses of representatives to whom comments can be sent, as well as the date, time, and location for a public hearing on the draft EIS/EIR. In addition, a public notice will be distributed to interested individuals and agencies. Written and oral comments on the draft EIS/EIR will be received at the public hearing. All comments received on the draft EIS/EIR will be considered during the development of the final EIS/EIR.

A Notice of Availability of the final EIS/EIR will be published in the Federal Register. Reclamation will issue a Record of Decision approximately 30 days after the final EIS/EIR is filed with the Environmental Protection Agency. The SWRCB can certify the final EIR, and then may issue the Clean Water Act Section 401 water quality certification for the Restoration Project. Any water quality certification issued by the SWRCB will be based on information in the final EIR and the administrative record. Upon issuance of the water quality certification, FERC will grant a license amendment for the Hydroelectric Project. Once FERC issues the license amendment, implementation of the Restoration Project can begin.

IV. RESTORATION PROJECT ALTERNATIVES

The following alternatives were developed in an open forum. Information from existing programs and plans (such as the AFRP and the Battle Creek Restoration Plan), Battle Creek flow and temperature monitoring data, screen and ladder criteria, and hydropower operations were utilized during development of the alternatives. Following the alternative descriptions are schematics of each alternative which illustrates proposed facility changes and instream flows.

Alternative 1 — No-Action — Future Without Salmon and Steelhead Restoration Project

Alternative 1 represents conditions that would continue under a “no salmon or steelhead restoration project” or “future without salmon and steelhead restoration project” alternative.

The Hydroelectric Project would continue operating under current FERC License Number 1121 provisions. There would be no changes to Hydroelectric Project facilities and operations, and instream flow releases would be the FERC-required continuous minimum flows below dams, including 3 cubic feet per second (cfs) in the North Fork of Battle Creek and 5 cfs in the South Fork of Battle Creek. Existing fish ladders would be operated and maintained according to

license conditions. Fish screening would not be included. The Licensee would continue to maintain FERC-required stream gages, documentation, and operations criteria. All costs associated with this alternative would continue to be the responsibility of the Licensee.

Alternative 2 — New Fish Screens and Ladders at Six Diversion Sites Below Natural Fish Passage Barriers

Alternative 2 was derived from actions identified in the AFRP.

The inset table in the schematic indicates the proposed continuous minimum instream flows (by month).

Facility changes would be new fish screens and fish ladders at North Battle Creek Feeder, Eagle Canyon, Wildcat, South, Inskip, and Coleman diversion dams. The fish screen capacities would be able to handle full-flow water rights, and the fish ladders would be designed to discharge about 10 percent of the specific recurrence frequency of high stream flows at the fish ladder entrance. Current CDFG and NMFS fish passage criteria would be met. Facility features would be sized with simple hydraulic calculations and engineering judgment.

Alternative 3 — Removal of Wildcat, Coleman, South, Lower Ripley, and Soap Creek Dams/New Fish Screens and Ladders at Eagle Canyon, North Battle Creek Feeder and Inskip Dams

Alternative 3 is the proposed plan outlined in the 1999 MOU.

The inset table in the schematic indicates the proposed continuous minimum instream flow releases (by month).

Facility changes for this alternative include:

- # Removal of the South, Wildcat, Lower Ripley Creek, and Soap Creek diversion dams and appurtenant facilities.
- # Removal of Coleman Dam, but retention of Coleman Canal, which would still function as a conduit to Coleman Powerhouse.
- # Construction of new fish screens and fish ladders at the Inskip, North Battle Creek Feeder, and Eagle Canyon diversion dams.
- # Construction of a tailrace connector between the Inskip Powerhouse and Coleman Canal.
- # Replacement of the Inskip Powerhouse bypass.
- # Construction of a tailrace connector between South Powerhouse and Inskip Canal

Tailrace connectors would be installed to convey water directly from South and Inskip Powerhouses to associated downstream canals to meet several fishery restoration goals. Implementation of tailrace connectors would allow stream habitat to stabilize, improving the ability of spawning fish to return to the areas where they were born and prevent North and South Battle Creek waters from mixing, eliminating the potential for false fish attraction.

The tailrace connector between South Powerhouse and Inskip Canal would be a full-flow tunnel. Water leaving South Powerhouse would be conveyed through a tunnel and outlet works to Inskip Canal. The existing South Powerhouse bypass would be integrated with this new tailrace connector.

The tailrace connector between Inskip Powerhouse and Coleman Dam would be a full-flow buried pipe. Inskip Powerhouse bypass would be replaced with a new system and integrated with this new tailrace connector.

Fish screens would be full-flow and “fail-safe.” The MOU defines fail-safe fish screen as a fish screen that is designed to automatically shut off the water diversion whenever the fish screen fails to meet the design or performance criteria until the fish screen is functioning again.

Fish ladders would be sized and designed to meet CDFG and NMFS standards and would be “fail-safe.” The MOU defines fail-safe fish ladder as a ladder having features inherent in its design that ensure the structure will continue to operate to facilitate the safe passage of fish under the same performance criteria as designed under anticipated sources of failure.

The Licensee would transfer its existing water rights to CDFG for diversion at those sites where dams would be removed. The Licensee would cooperate with CDFG to convert the use of the transferred water rights from power production to instream use.

Alternative 4 — Removal of Wildcat, Coleman, South Lower Ripley, Soap Creek and Eagle Canyon Dams/New Fish Screens and Ladders at North Battle Creek Feeder and Inskip Dams

Alternative 4 was developed in response to suggestions that Eagle Canyon Diversion should be included in the Hydroelectric Project features for removal.

The inset table in the schematic indicates the proposed continuous minimum instream flow releases (by month).

Facility changes for this alternative include:

- # Removal of Eagle Canyon, Wildcat, South, Lower Ripley Creek, and Soap Creek diversion dams and appurtenant facilities.
- # Removal of Coleman Dam, but retention of Coleman Canal, which would still function as a conduit to Coleman Powerhouse.

- # Construction of new fish screens and fish ladders at the Inskip and North Battle Creek Feeder diversion dams.
- # Construction of a tailrace connector between Inskip Powerhouse and Coleman Canal.
- # Replacement of the Inskip Powerhouse bypass.
- # Construction of a tailrace connector between South Powerhouse and Inskip Canal.

Tailrace connectors would be installed to convey water directly from South and Inskip Powerhouses to associated downstream canals to meet several fishery restoration goals. Implementation of tailrace connectors would allow stream habitat to stabilize, improving the ability of spawning fish to return to the areas where they were born and prevent North and South Battle Creek waters from mixing, eliminating the potential for false fish attraction.

The tailrace connector between South Powerhouse and Inskip Canal would be a full-flow tunnel. Water leaving South Powerhouse would be conveyed through a tunnel and outlet works to Inskip Canal. The existing South Powerhouse bypass would be integrated with this new tailrace connector.

The connector between Inskip Powerhouse and Coleman Dam would be a full-flow buried pipe. Inskip Powerhouse bypass would be replaced with a new system and integrated with this new tailrace

The fish screen capacities would be able to handle full-flow water rights, and the fish ladders would be designed to discharge about 10 percent of the specific recurrence frequency of high stream flows at the fish ladder entrance. Current CDFG and NMFS fish passage criteria would be met. Facility features would be sized with simple hydraulic calculations and engineering judgment.

Alternative 5 — Removal of Wildcat, Coleman, Soap Creek and Eagle Canyon Dams/ New Fish Screens and Ladders at Inskip and South Dams

Alternative 5 was developed as the “Battle Creek: A Time for Action” proposal between late 1997 and early 1998 by stakeholders under the auspices of the BCWG.

The inset table in the schematic indicates the proposed continuous minimum instream flow releases (by month).

Facility changes for this alternative include:

- # Removal of the Eagle Canyon and Wildcat diversion dams and appurtenant facilities.

- # Removal of Coleman Dam, but the Coleman Canal would continue to function as a conduit to Coleman Powerhouse.
- # Construction of new fish screens and ladders at the North Battle Creek Feeder, Inskip, and South diversion dams.
- # Construction of a tailrace connector between Inskip Powerhouse and Coleman Canal.
- # Construction of a new normal-season tailrace connector between South Powerhouse and Inskip Canal.

Tailrace connectors would be installed to convey water directly from South and Inskip Powerhouses to associated downstream canals to meet several fishery restoration goals. Implementation of tailrace connectors would allow stream habitat to stabilize, improving the ability of spawning fish to return to the areas where they were born and prevent North and South Battle Creek waters from mixing, eliminating the potential for false fish attraction.

The tailrace connector between South Powerhouse and Inskip Canal would be an open channel structure along the right edge of the stream channel. Its design would be such that powerhouse discharge water would be separated from South Battle Creek only during normal streamflows; therefore not eliminating North and South Fork Battle Creek water mixing under all flow conditions. Because of typical high flow events that would overtop the separator structure and the sediment load in South Battle Creek, this structure would need annual maintenance to ensure proper operation when stream flow returned to normal conditions. The existing South Powerhouse bypass would be integrated with this new tailrace connector.

The tailrace connector between Inskip Powerhouse and Coleman Dam would be a full-flow buried pipe.

The fish screen capacities would be able to handle full-flow water rights, and the fish ladders would be designed to discharge about 10 percent of the specific recurrence frequency of high stream flows at the fish ladder entrance. Current CDFG and NMFS fish passage criteria would be met. Facility features would be sized with simple hydraulic calculations and engineering judgment.

Alternative 6 — Removal Dams and Appurtenant Facilities of the Hydroelectric Project Below Natural Fish Passage Barriers, Except Volta Powerhouses

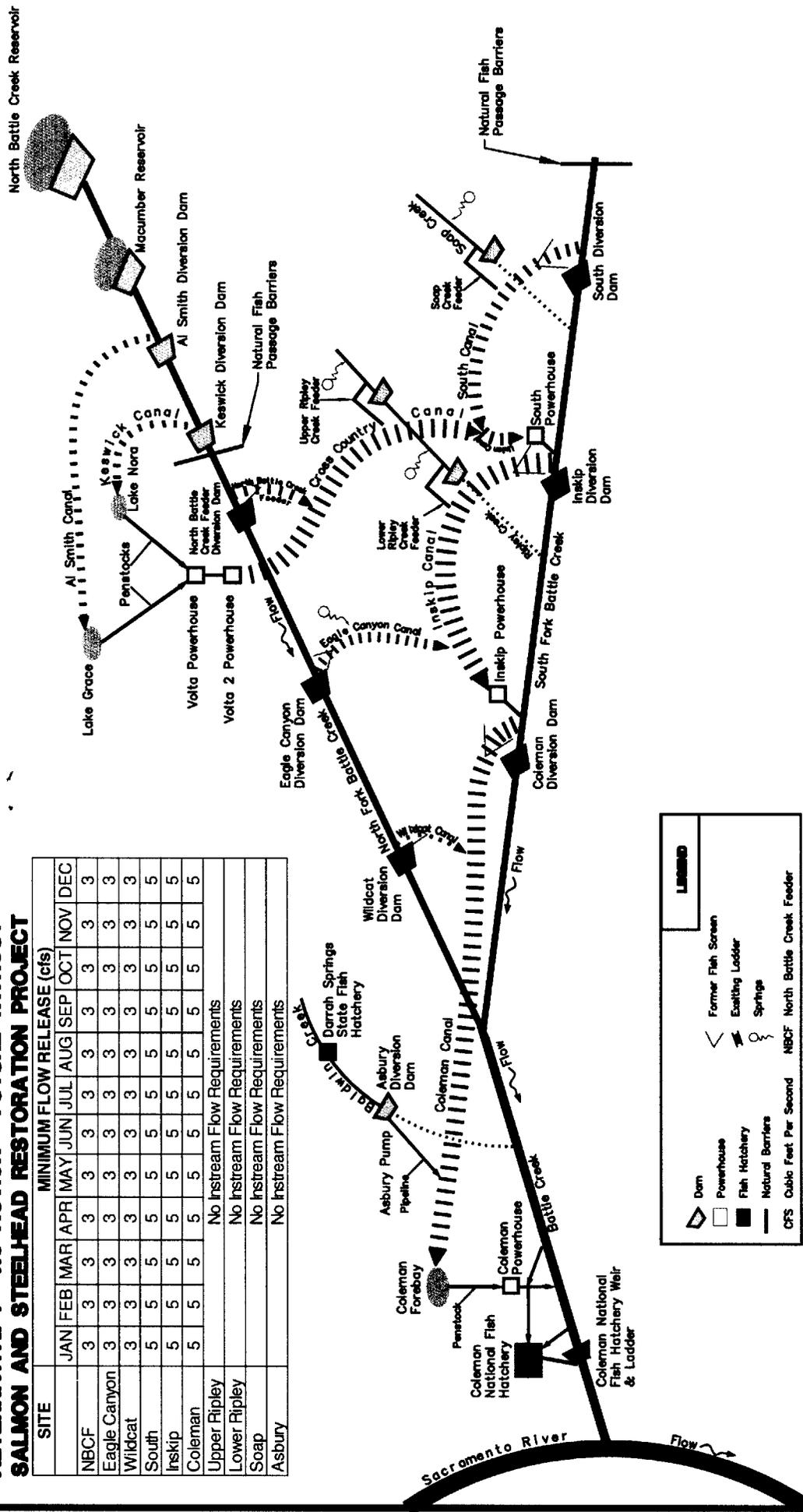
Alternative 6 is the complete removal of the portion of the Hydroelectric Project within Restoration Project boundaries.

There would be no required instream flow releases associated with this alternative.

Facility changes include the complete removal of all hydroelectric dams and appurtenant facilities, except for the two Volta powerhouses, below the natural fish passage barriers on Battle Creek. Appurtenant facilities to be removed would include canals, pipelines, flumes, connectors, powerhouses, switchyards, transmission lines, and all other supporting operational infrastructure.

ALTERNATIVE 1 - NO ACTION - FUTURE WITHOUT SALMON AND STEELHEAD RESTORATION PROJECT

SITE	MINIMUM FLOW RELEASE (cfs)											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
NBCF	3	3	3	3	3	3	3	3	3	3	3	3
Eagle Canyon	3	3	3	3	3	3	3	3	3	3	3	3
Wildcat	3	3	3	3	3	3	3	3	3	3	3	3
South	5	5	5	5	5	5	5	5	5	5	5	5
Inskip	5	5	5	5	5	5	5	5	5	5	5	5
Coleman	5	5	5	5	5	5	5	5	5	5	5	5
Upper Ripley	No Instream Flow Requirements											
Lower Ripley	No Instream Flow Requirements											
Soap	No Instream Flow Requirements											
Asbury	No Instream Flow Requirements											



LEGEND

- Dam
- Powerhouse
- Fish Hatchery
- Natural Barriers
- CFS Cubic Feet Per Second
- NBCF North Battle Creek Feeder
- Former Fish Screen
- Existing Ladder
- Springs

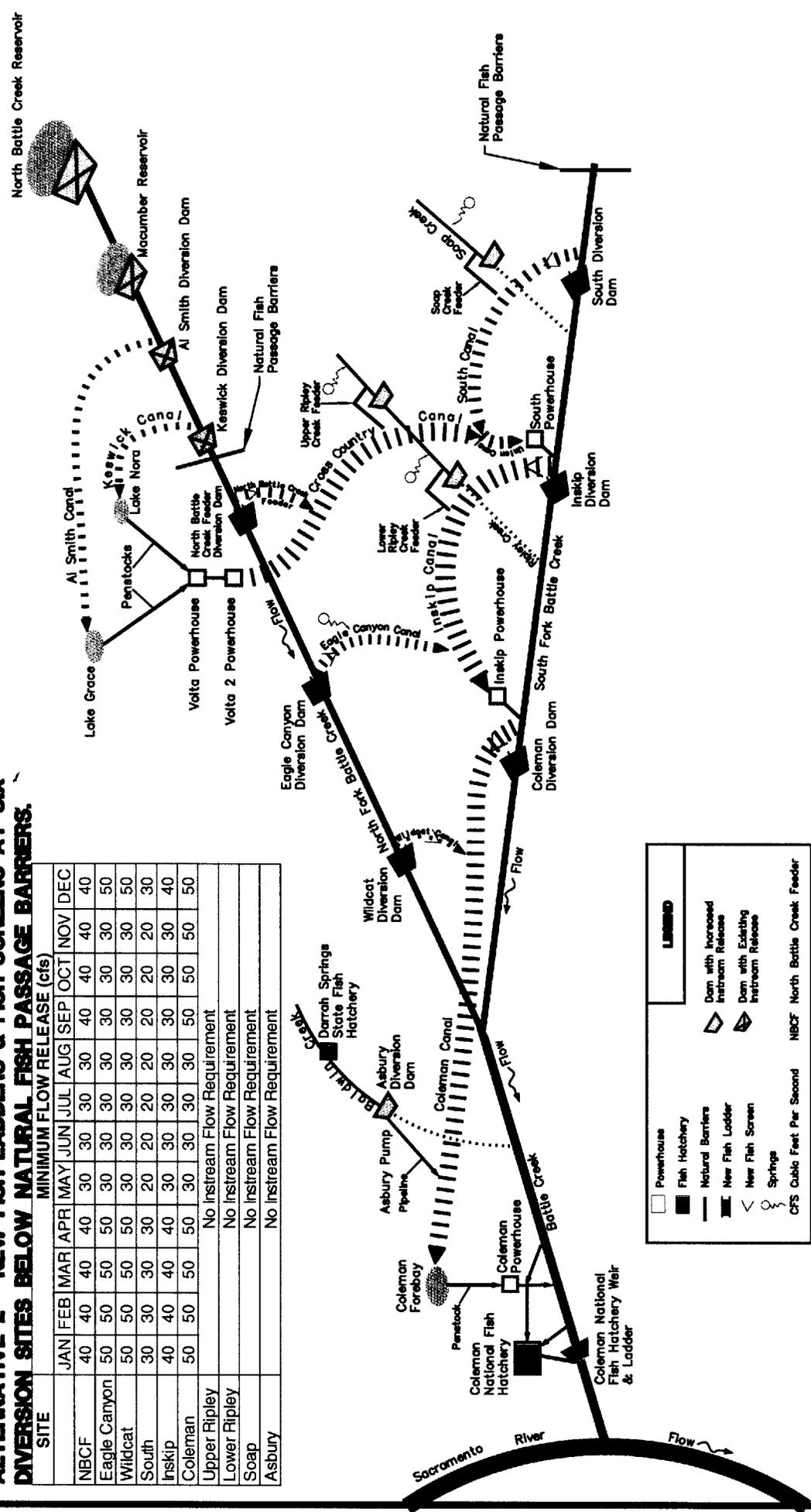
BATTLE CREEK SALMON AND STEELHEAD RESTORATION PROJECT
 Battle Creek near Manton, California

Battle Creek Schematic

DATE: July 15, 1988
 DRAWING: Battle Creek
 SHEET: 1 of 6

ALTERNATIVE 2 - NEW FISH LADDERS & FISH SCREENS AT SIX DIVERSION SITES BELOW NATURAL FISH PASSAGE BARRIERS.

SITE	MINIMUM FLOW RELEASE (cfs)											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
NBCF	40	40	40	40	30	30	30	30	40	40	40	40
Eagle Canyon	50	50	50	50	30	30	30	30	30	30	30	50
Wildcat	50	50	50	50	30	30	30	30	30	30	30	50
South	30	30	30	30	20	20	20	20	20	20	20	30
Inskip	40	40	40	40	30	30	30	30	30	30	30	40
Coleman	50	50	50	50	30	30	30	30	30	30	30	50
Upper Ripley	No Instream Flow Requirement											
Lower Ripley	No Instream Flow Requirement											
Soap	No Instream Flow Requirement											
Asbury	No Instream Flow Requirement											



LEGEND

- Powerhouse
- Fish Hatchery
- Natural Barriers
- New Fish Ladder
- New Fish Screen
- Springs
- CFS Cubic Feet Per Second
- NBCF North Battle Creek Feeder
- Dam with Increased Instream Release
- Dam with Existing Instream Release

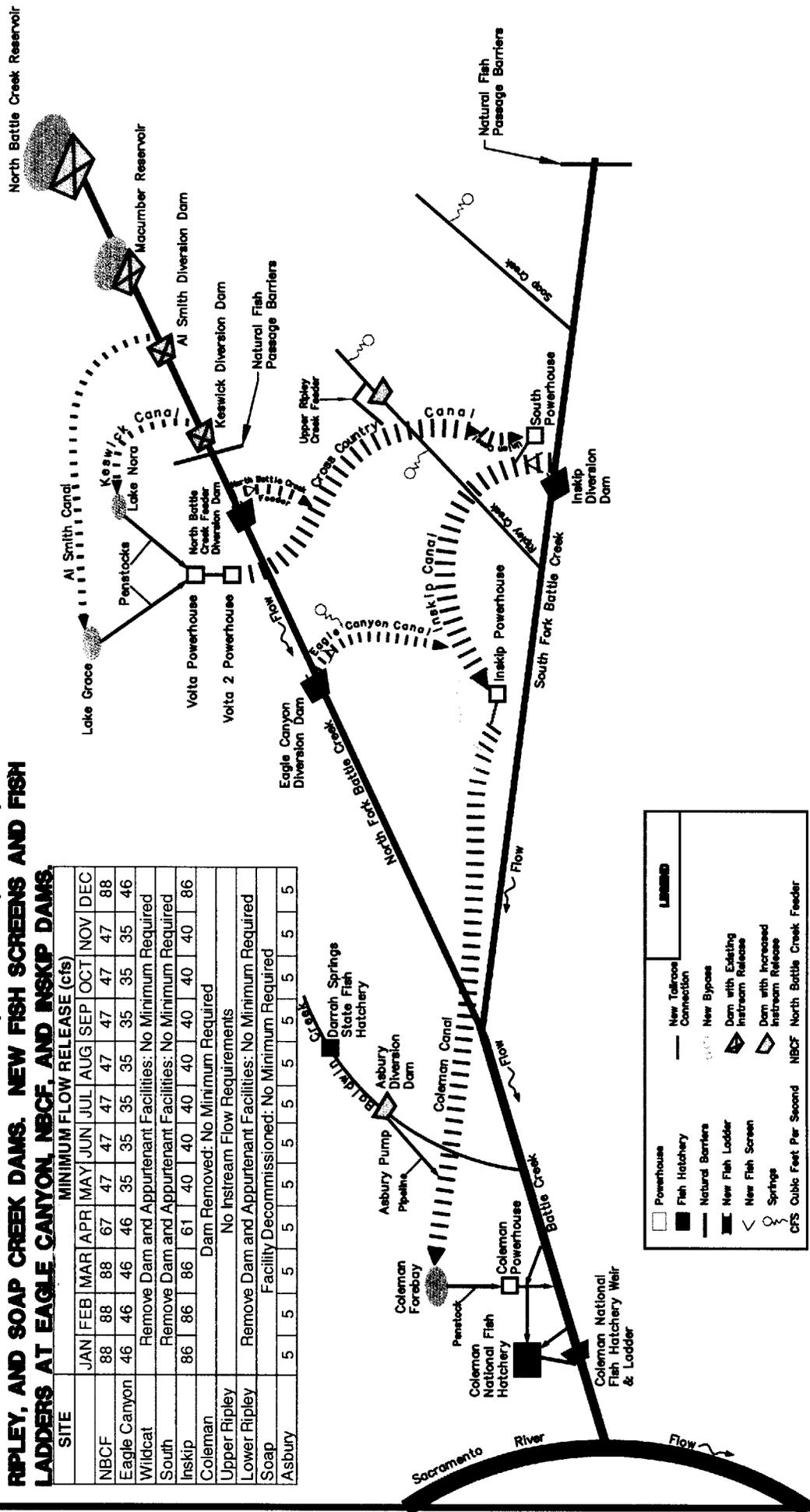
BATTLE CREEK SALMON AND STEELHEAD RESTORATION PROJECT
Battle Creek near Manton, California

Battle Creek Schematic

DRAWING : Battle Creek
Revision Date: July 15, 1999
Sheet 2 of 6

ALTERNATIVE 3 - REMOVAL OF WILDCAT, COLEMAN, SOUTH, LOWER RIPLEY, AND SOAP CREEK DAMS. NEW FISH SCREENS AND FISH LADDERS AT EAGLE CANYON, NBCF, AND NSKIP DAMS.

SITE	MINIMUM FLOW RELEASE (cfs)											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
NBCF	88	88	88	67	47	47	47	47	47	47	47	88
Eagle Canyon	46	46	46	46	35	35	35	35	35	35	35	46
Wildcat	Remove Dam and Appurtenant Facilities: No Minimum Required											
South	Remove Dam and Appurtenant Facilities: No Minimum Required											
Inskip	86	86	86	61	40	40	40	40	40	40	40	86
Coleman	Dam Removed: No Minimum Required											
Upper Ripley	No Instream Flow Requirements											
Lower Ripley	Remove Dam and Appurtenant Facilities: No Minimum Required											
Soap	Facility Decommissioned: No Minimum Required											
Asbury	5	5	5	5	5	5	5	5	5	5	5	5



LEGEND

- Powerhouse
- Fish Hatchery
- Natural Barriers
- New Fish Ladder
- New Fish Screen
- Spring
- CFS: Cubic Feet Per Second
- New Tailrace Connection
- New Bypass
- Dam with Existing Instream Release
- Dam with Increased Instream Release
- NBCF North Battle Creek Feeder

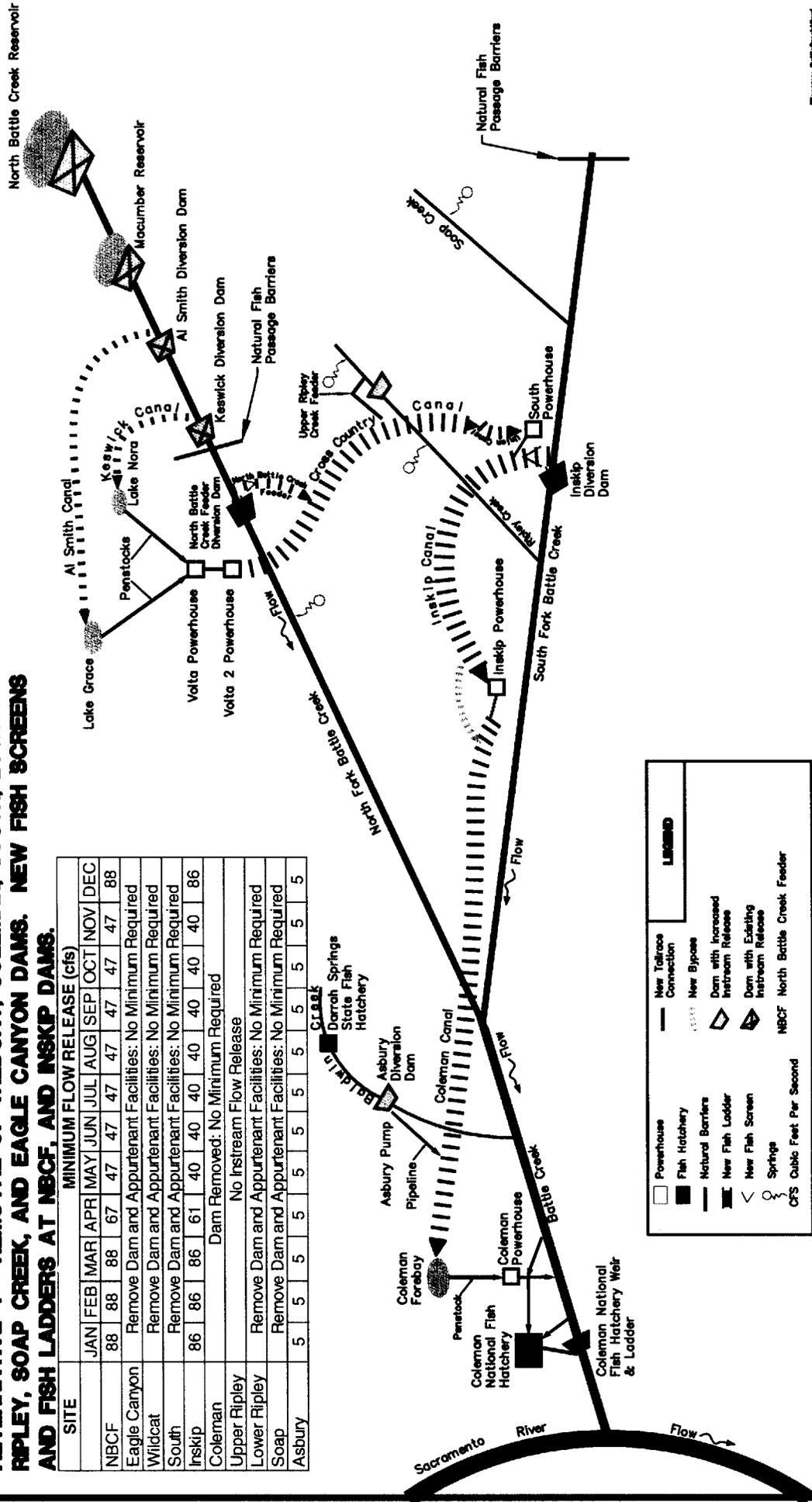
BATTLE CREEK SALMON AND STEELHEAD RESTORATION PROJECT
 Battle Creek near Manton, California

Battle Creek Schematic

PROJECT: BATTLE CREEK RESTORATION
 DRAWING: Battle Creek
 SHEET: 3 of 8

ALTERNATIVE 4 - REMOVAL OF WILDCAT, COLEMAN, SOUTH, LOWER RIPLEY, SOAP CREEK, AND EAGLE CANYON DAMS. NEW FISH SCREENS AND FISH LADDERS AT NBCF, AND INSKIP DAMS.

SITE	MINIMUM FLOW RELEASE (cfs)											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
NBCF	88	88	88	67	47	47	47	47	47	47	47	88
Eagle Canyon	Remove Dam and Appurtenant Facilities: No Minimum Required											
Wildcat	Remove Dam and Appurtenant Facilities: No Minimum Required											
South	Remove Dam and Appurtenant Facilities: No Minimum Required											
Inskip	86	86	86	61	40	40	40	40	40	40	40	86
Coleman	Dam Removed: No Minimum Required											
Upper Ripley	No Instream Flow Release											
Lower Ripley	Remove Dam and Appurtenant Facilities: No Minimum Required											
Soap	Remove Dam and Appurtenant Facilities: No Minimum Required											
Asbury	5	5	5	5	5	5	5	5	5	5	5	5



LEGEND

- Powerhouse
- Fish Hatchery
- Natural Barriers
- New Fish Ladder
- New Fish Screen
- Springs
- CFS Cubic Feet Per Second
- New Tailrace Connection
- New Bypass
- Dam with Increased Instream Release
- Dam with Existing Instream Release
- NBCF North Battle Creek Feeder

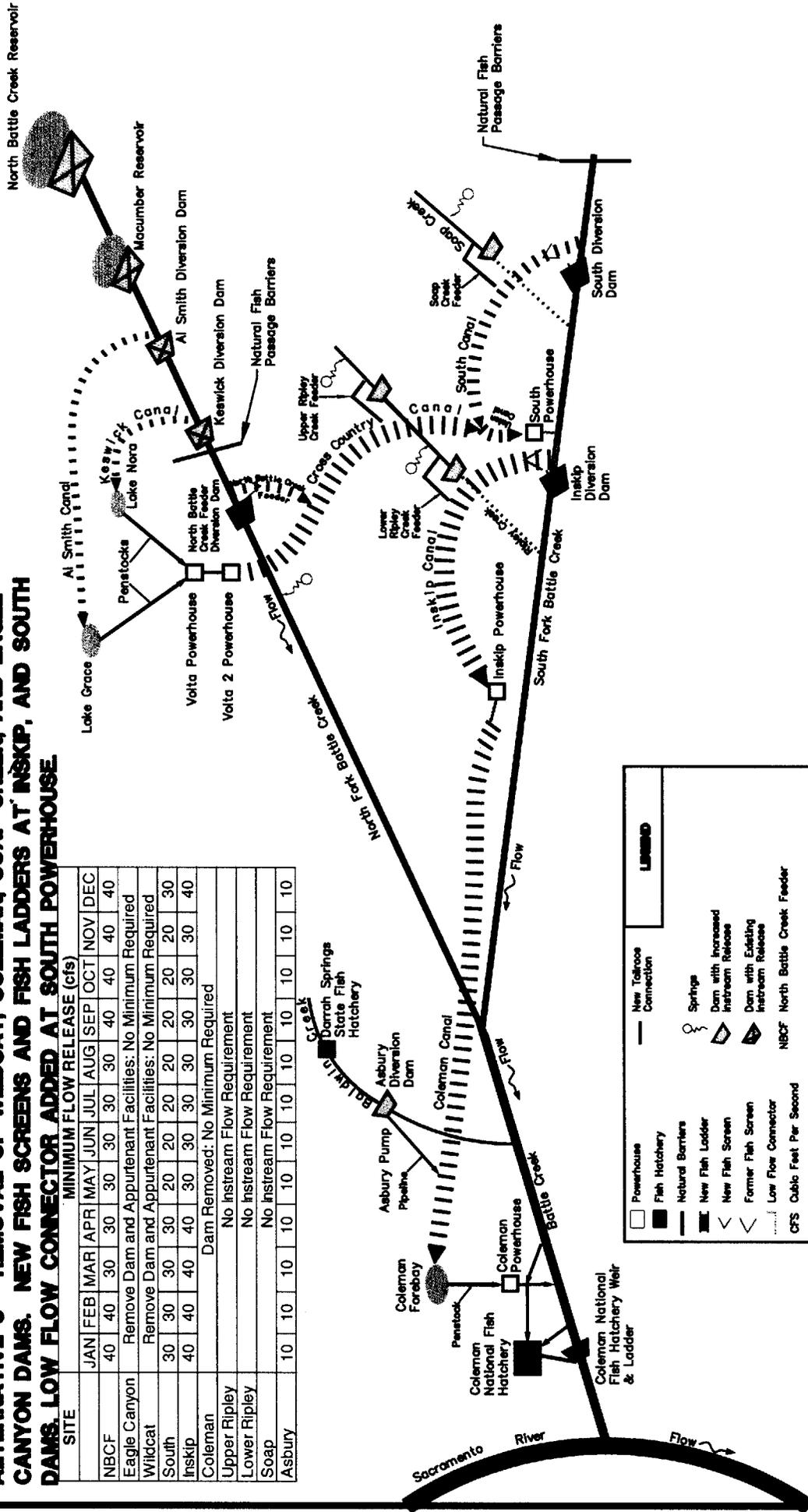
BATTLE CREEK SALMON AND STEELHEAD RESTORATION PROJECT
 Battle Creek near Manton, California

Battle Creek Schematic

DRAWING :
 Battle Creek
 Revision Date: July 15, 1989
 Sheet 4 of 8

ALTERNATIVE 5 - REMOVAL OF WILDCAT, COLEMAN, SOAP CREEK, AND EAGLE CANYON DAMS. NEW FISH SCREENS AND FISH LADDERS AT INSKIP, AND SOUTH DAMS. LOW FLOW CONNECTOR ADDED AT SOUTH POWERHOUSE

SITE	MINIMUM FLOW RELEASE (cfs)											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
NBCF	40	40	30	30	30	30	30	30	40	40	40	40
Eagle Canyon	Remove Dam and Appurtenant Facilities: No Minimum Required											
Wildcat	Remove Dam and Appurtenant Facilities: No Minimum Required											
South	30	30	30	20	20	20	20	20	20	20	20	30
Inskip	40	40	40	30	30	30	30	30	30	30	30	40
Coleman	Dam Removed: No Minimum Required											
Upper Ripley	No Instream Flow Requirement											
Lower Ripley	No Instream Flow Requirement											
Soap	No Instream Flow Requirement											
Asbury	10	10	10	10	10	10	10	10	10	10	10	10

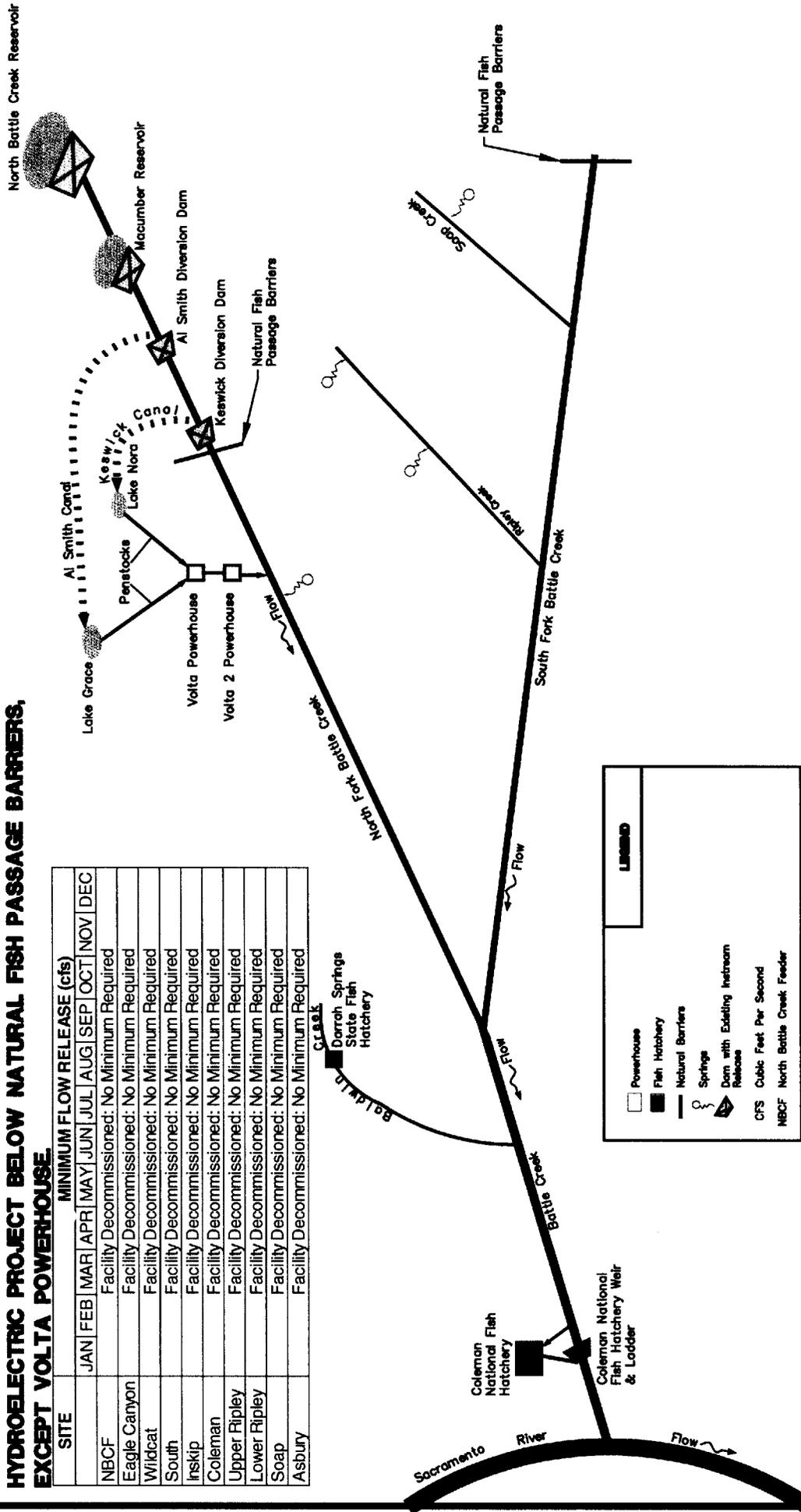


LEGEND

- Powerhouse
- Fish Hatchery
- Natural Barriers
- New Fish Ladder
- New Fish Screen
- Former Fish Screen
- Low Flow Connector
- CFS Cubic Feet Per Second
- New Tailrace Connection
- Springs
- Dam with Increased Instream Release
- Dam with Existing Instream Release
- NBCF North Battle Creek Feeder

ALTERNATIVE 6 - REMOVE DAMS AND APPURTENANT FACILITIES OF THE HYDROELECTRIC PROJECT BELOW NATURAL FISH PASSAGE BARRIERS, EXCEPT VOLTA POWERHOUSE.

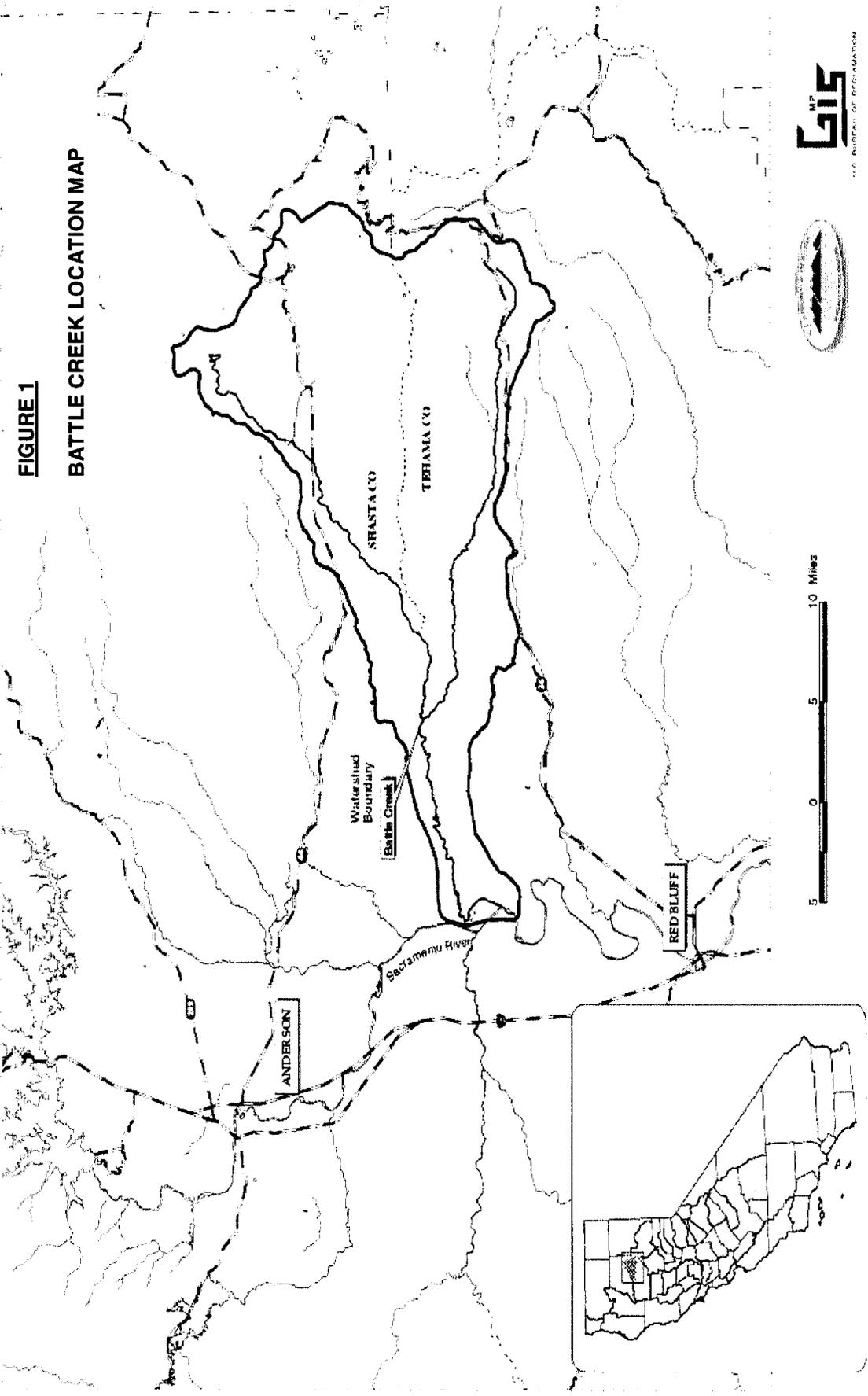
SITE	MINIMUM FLOW RELEASE (cfs)											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
NBCF	Facility Decommissioned: No Minimum Required											
Eagle Canyon	Facility Decommissioned: No Minimum Required											
Wildcat	Facility Decommissioned: No Minimum Required											
South	Facility Decommissioned: No Minimum Required											
Inskip	Facility Decommissioned: No Minimum Required											
Coleman	Facility Decommissioned: No Minimum Required											
Upper Ripley	Facility Decommissioned: No Minimum Required											
Lower Ripley	Facility Decommissioned: No Minimum Required											
Soap	Facility Decommissioned: No Minimum Required											
Asbury	Facility Decommissioned: No Minimum Required											



FIGURES

FIGURE 1

BATTLE CREEK LOCATION MAP



APPENDIX A

PUBLIC SCOPING ANNOUNCEMENTS

NOTIFICATION PROCEDURE:

To determine whether the records are maintained on you in this system, inquiries should be made to the Systems Manager identified above. A written, signed request stating that the requester seeks information concerning records pertaining to him/her is required. The request envelope and letter should be clearly marked "PRIVACY ACT INQUIRY." (See 43 CFR 2.60 for procedures on making inquiries.)

RECORD ACCESS PROCEDURES:

To see your records, write to the Systems Manager above. Describe as specifically as possible the records sought. The request envelope and letter should be clearly marked "PRIVACY ACT REQUEST FOR ACCESS." A request for access must meet the content requirements of 43 CFR 2.63. If copies are sought, indicate the maximum you are willing to pay (43 CFR 2.63(b)(4)).

CONTESTING RECORDS PROCEDURES:

Follow procedures addressed in the "Records Access Procedures" section above.

RECORD SOURCE CATEGORIES:

Correspondence responded to by the BLM Correspondence Unit.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 00-706 Filed 1-11-00; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF THE INTERIOR**Bureau of Reclamation****Battle Creek Salmon and Steelhead Restoration Project, Tehama and Shasta Counties, CA**

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of Intent to prepare an Environmental Impact Statement (EIS)/ Environmental Impact Report (EIR), and notice of public scoping meeting.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA) and Public Resources Code, Sections 21000-21178.1 of the California Environmental Quality Act (CEQA), the Bureau of Reclamation (Reclamation), the lead Federal agency, the Federal Energy Regulatory Commission (FERC), a cooperating Federal agency, and the State Water Resources Control Board (SWRCB), the lead State agency, propose to prepare a joint EIS/EIR for the proposed Battle Creek Salmon and

Steelhead Restoration Project (Restoration Project).

The proposed Restoration Project is described as modification of the Battle Creek Hydroelectric Project, FERC Project 1121 (Hydroelectric Project), owned and operated by Pacific Gas and Electric Company (PG&E) and licensed by FERC, to restore 42 miles of salmon and steelhead habitat within and adjacent to reaches of Battle Creek and its tributaries. Project alternatives range from "No Action" (no change to the Hydroelectric Project) to decommissioning and removal of all hydropower diversion dams, water conveyance facilities, powerhouses, transmission lines, and related support installations within the restoration area. Action alternatives within the range consist of various combinations of dam decommissioning and removals, fish screen improvements, fish ladder improvements and increased streamflows below dams. To ensure biological effectiveness of the proposed Restoration Project, monitoring and adaptive management are included in all "action" alternatives.

DATES: A scoping meeting will be held to solicit comments from interested parties to assist in determining the scope of the environmental analysis and to identify the significant issues related to the proposed Restoration Project. The meeting will be held on January 31, 2000 at the Manton Joint Union Elementary School located at 31345 Forward Road in Manton, California. A display session and informal discussion will occur from 5-6 p.m., and the public scoping meeting will occur from 6-8 p.m.

ADDRESSES: Send written comments on the scope of the project to Mary Marshall, Environmental Specialist, Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825 by February 14, 2000.

Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of

organizations or businesses, available for public disclosure in their entirety. **FOR FURTHER INFORMATION CONTACT:** Ms. Mary Marshall, Reclamation Environmental Specialist at telephone number: (916) 978-5248 or e-mail address:

MMARSHALL@MP.USBR.GOV.

Additional information regarding the proposed Restoration Project can also be accessed on the Reclamation Web Site: <http://www.mp.usbr.gov/regional/battlecreek/index.html>.

SUPPLEMENTARY INFORMATION: Battle Creek is a tributary of the Sacramento River entering at river mile 271, between Red Bluff and Redding in California. Battle Creek lies on the volcanic slopes of Mount Lassen in Shasta and Tehama Counties, contains cold, spring-fed water, maintains relatively high flows throughout the year, and stretches through remote, deep, shaded canyons and riparian corridors. Prior to human-influenced alterations to the Battle Creek watershed beginning around the turn of the 20th century, Battle Creek historically provided a contiguous stretch of prime habitat for anadromous fish, specifically the salmon and steelhead species.

In June, 1999, the U.S. Bureau of Reclamation entered into a Memorandum of Understanding (MOU) along with the National Marine Fisheries Service (NMFS), the U.S. Fish and Wildlife Service (USFWS), the California Department of Fish and Game (CDFG) and PG&E which signaled the intent of these agencies to pursue a restoration effort on Battle Creek in relation to modification of the Hydroelectric Project. Consequently, the California-Federal interagency program known as "CALFED" provided \$28 million in directed funding to Reclamation for the planning and implementation of the proposed Restoration Project. As lead Federal agency, Reclamation is responsible for ensuring NEPA compliance for the proposed Restoration Project.

The Federal Power Act establishes with FERC the exclusive authority to license nonfederal water power projects on navigable waterways and Federal lands. PG&E will be required to file an application with FERC for an amendment to PG&E's existing license to operate the hydropower facilities on Battle Creek that would be affected by implementation of the proposed Restoration Project. FERC will ensure that proposed changes in the Hydroelectric Project comply with NEPA prior to issuing the license amendment.

All FERC licensing actions in California, including new licenses,

license amendments, and relicensing, require Clean Water Act Section 401 water quality certification from the SWRCB. SWRCB involvement in Clean Water Act Section 401 certification requires CEQA compliance, and the SWRCB will act as the CEQA lead agency.

The proposed Restoration Project supports the restoration directives of the Central Valley Improvement Act (CVPIA) Anadromous Fish Restoration Program; the CALFED Restoration Program; the State Salmon, Steelhead Trout, and Anadromous Fisheries Program Act (California Senate Bill 2261, 1990); Central Valley Salmon and Steelhead Restoration and Enhancement Plan; the Upper Sacramento River Fisheries and Riparian Habitat Management Plan (California Senate Bill 1086, 1989); National Marine Fisheries Service Proposed Recovery Plan for Sacramento River Winter-run Chinook Salmon; Restoring Central Valley Streams—A Plan for Action and the Steelhead Restoration Plan and Management Plan for California.

Dated: January 5, 2000.

Frank Michny,

Chief, Division of Environmental Affairs.

[FR Doc. 00-686 Filed 1-11-00; 8:45 am]

BILLING CODE 4310-94-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Proposed Information Collection Request Submitted for Public Comment and Recommendations; Main Fan Maintenance Record

AGENCY: Notice.

SUMMARY: The Department of Labor, as part of its continuing efforts to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

DATES: Submit comments on or before March 13, 2000.

ADDRESSES: Send comments to Diane B. Hill, Program Analysis Officer, Office of

Program Evaluation and Information Resources, 4015 Wilson Boulevard, Room 715, Arlington, VA 22203-1984. Commenters are encouraged to send their comments on a computer disk, or via Internet E-mail to dhill@msha.gov, along with an original printed copy. Ms. Hill can be reached at (703) 235-1470 (voice), or (703) 235-1563 (facsimile).

FOR FURTHER INFORMATION CONTACT: Diane B. Hill, Program Analysis Officer, Office of Program Evaluation and Information Resources, U.S. Department of Labor, Mine Safety and Health Administration, Room 719, 4015 Wilson Boulevard, Arlington, VA 22203-1984. Ms. Hill can be reached at dhill@msha.gov (Internet E-mail), (703) 235-1470 (voice), or (703) 235-1563 (facsimile).

SUPPLEMENTARY INFORMATION:

I. Background

Title 30 CFR 57.8525 requires that main fans be maintained according to either manufacturers' recommendations or a written periodic schedule adopted by the mine operator. The main fans are the major life support system to the entire underground mining operation. The air flow provided by the fans assures fresh air to the miners at working faces, reduces the chance of the air reaching threshold limit values of airborne contaminants, and dilutes accumulations of possible explosive gases.

II. Desired Focus of Comments

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to the Main Fan Maintenance Record. MSHA is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

A copy of the proposed information collection request can be obtained by contacting the employee listed below in the contact section.

II. Current Actions

MSHA is seeking to continue the requirement for a regular fan maintenance schedule to assure an uninterrupted supply of air in the mine.

Type of Review: Extension.

Agency: Mine Safety and Health Administration.

Title: Main Fan Maintenance Record.

OMB Number: 1219-0012.

Affected Public: Business or other for-profit.

Cite/Reference/Form/etc: 30 CFR 57.8525.

Total Respondents: 21.

Frequency: Annually.

Total Responses: 7.

Average Time per Response: 1.57 hours.

Estimated Total Burden Hours: 11 hours.

Total Annualized Capital/Startup Costs: None.

Total Operation and Maintenance Costs: None.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: January 5, 2000.

George M. Fesak,

Director, Program Evaluation and Information Resources.

[FR Doc. 00-718 Filed 1-11-00; 8:45 am]

BILLING CODE 4510-43-M

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977:

1. Monterey Coal Company

[Docket No. M-1999-135-C]

Monterey Coal Company, 14300 Brushy Mound Road Carlinville, Illinois 62626 has filed a petition to modify the application of 30 CFR 75.1909(b)(6) (nonpermissible diesel-powered equipment; design and performance requirements) to its No. 1 Mine (I.D. No. 11-00726) located in Macoupin County, Illinois. The petitioner relief from the requirement to add brakes on each wheel of its Petitto Mule Model 2066,

News Release

Mid-Pacific Regional Office 2800 Cottage Way Sacramento CA 95825-1898

916/978-5100
Fax 916/978-5114
Internet address: [Http://www.mp.usbr.gov](http://www.mp.usbr.gov)



MP-00-06
Jeffrey S. McCracken

FOR IMMEDIATE RELEASE: January 12, 2000

JOINT ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT TO BE PREPARED FOR BATTLE CREEK SALMON AND STEELHEAD RESTORATION PROJECT; PUBLIC SCOPING MEETING SCHEDULED

Reclamation has begun the process of preparing a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the proposed Battle Creek Salmon and Steelhead Restoration Project. Reclamation, the lead Federal agency, along with the Federal Energy Regulatory Commission (FERC), a cooperating Federal agency, and the State Water Resources Control Board (SWRCB), the lead State agency, will prepare the joint EIS/EIR.

The agencies are currently conducting a public scoping process on the proposed project which is described as modification of the Battle Creek Hydroelectric Project, FERC Project 1121, owned and operated by Pacific Gas and Electric Company and licensed by FERC, to restore approximately 42 miles of salmon and steelhead habitat within Battle Creek proper and an additional 6 miles within its tributaries. Battle Creek enters the Sacramento River between Red Bluff and Redding. Battle Creek historically provided a contiguous stretch of prime habitat for anadromous chinook salmon and steelhead trout from its terminus upstream to the natural barrier waterfalls.

A public scoping meeting will be held to solicit comments from interested parties to help determine the scope of the environmental analysis and to identify the significant issues to be addressed. The meeting will be held:

In Manton

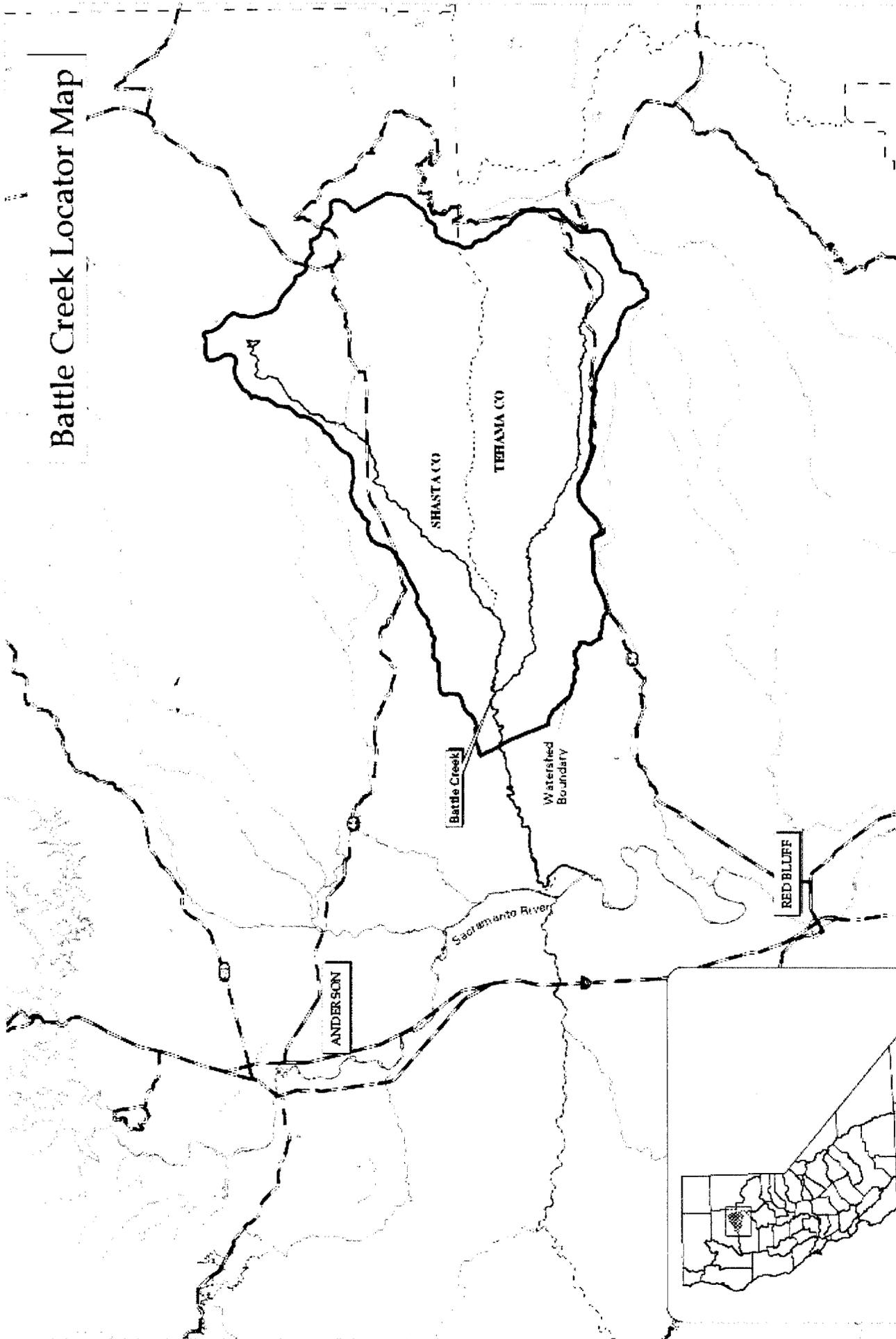
Monday, January 31, at 5 p.m.
Manton Joint Union Elementary School
31345 Forward Road (*directions below*)

For additional information, please contact Mary Marshall, Reclamation Environmental Specialist, at 916/978-5248 (TDD 916/978-5608), or James Canaday, SWRCB Environmental Specialist, at 916/657-2208. Additional information is available at: <http://www.mp.usbr.gov/regional/battlecreek/index.html>. Send written comments on the scope of the project to Ms. Mary Marshall, Environmental Specialist, Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825 by February 14, 2000.

Directions to meeting location: Interstate 5 at Red Bluff take Highway 36 "Lassen Park" exit east. Proceed 2 miles east then follow Highway 36 left. After 12 miles on Highway 36 turn left on County Road A6 at Dales Station, at the Manton sign. Proceed 16 miles to Manton, where County road A6 ends at the Manton Corners Store. Proceed slightly to the right for 100 feet on Forward Road to the Manton Elementary School, which is on the right.

###

Battle Creek Locator Map



APPENDIX B

PUBLIC SCOPING MEETING HANDOUTS

**Battle Creek Salmon and Steelhead Restoration Project
Public Scoping Meeting
Manton, CA
January 31, 2000**

Informal Discussion and Display Session
5 p.m. — 6 p.m.

Welcome! Please feel free to visit the various stations and discuss the proposed project with representatives from Federal and State agencies and the Pacific Gas Electric Company. Comment cards and a flipchart are available at each station to gather your comments.

Project Maps

General Location Plan
Project Area Plan
Aerial Photograph Poster Boards of Habitat Stream Reaches

Fisheries

Salmon Life Cycle
Battle Creek Fisheries/Habitat Stream Reaches

Hydropower

Existing Conditions Schematic
Film Loop of Existing Project Features

Alternatives

Project Description
Existing Project Alternatives

General Information and Process

Battle Creek Web Site and List Server Information
NEPA & NEPA/CEQA/FERC Flowcharts
Memorandum of Understanding (MOU)
Federal Register Notice of Intent
Federal Regulatory Commission (FERC) Information
CALFED

Challenges

Existing Conditions Schematic
Hydropower Project and Hatchery Restoration Activities
Other Activities in the Watershed

**Battle Creek Salmon and Steelhead Restoration Project
Public Scoping Meeting
Manton, CA
January 31, 2000**

Public Scoping Meeting
6 p.m. — 8 p.m.

Welcome and Introductions —

Battle Creek Watershed Conservancy

Purpose of the Scoping Meeting —

Mary Marshall, Bureau of Reclamation

Background of Proposed Project —

*Harry Rectenwald, CA Department of Fish and Game
Jean Oscamou, Pacific Gas & Electric Company*

Public Input — Recap of station comments with additional public input —

Sam Cervantes, Bureau of Reclamation

General Public Comments —

all Station Teams

Follow-up and Conclusion of Meeting —

Mary Marshall, Bureau of Reclamation

Battle Creek Salmon and Steelhead Restoration Project
Public Scoping Meeting
Manton, CA
January 31, 2000

Purpose of Public Scoping

Public involvement is a vital component of the National Environmental Policy Act (NEPA) process. It serves to include the public in the decision-making process and to allow full environmental disclosure. The formal purpose of scoping is to obtain information that will focus the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on the significant issues. NEPA regulations define scoping as "an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action." Similarly, the California Environmental Quality Act (CEQA) Guidelines define scoping as "the process of early consultation with the public and agencies during the initial stage of EIR preparation." Scoping also gives the public and agencies the opportunity to identify:

- Significant environmental or resource issues;
- Project participants;
- Potentially affected geographical area;
- Resources available for the project;
- Project constraints;
- Reasonable alternatives to be considered; and
- Mitigation measures to be considered.

Meeting Format

During the informal discussions and display session, from 5 p.m. to 6 p.m., representatives from Federal and State resource agencies and the Pacific Gas and Electric Company will be present at various stations to informally discuss the proposed project and gather public comments.

During the public scoping meeting from 6 p.m. to 8 p.m., a brief presentation, including a background of the proposed project will take place. After the presentation, the public is again invited to contribute comments/ideas regarding the proposed project. Reclamation, which is conducting the meeting, may or may not respond directly to questions at the meeting, however comments, ideas, and discussions will be summarized and recorded in a "Scoping Report." Comments within the Scoping Report will be considered during the development of the draft EIS/EIR.

Comment Timeframes and Follow-Up

Under NEPA and according to the January 12, 2000 Notice of Intent (NOI) published in the Federal Register, comments on the proposed project for inclusion into the Scoping Report should be sent to Mary Marshall, Environmental Specialist, Bureau of Reclamation, 2800 Cottage Way, Sacramento, CA 95825 by February 14, 2000. Additionally, as part the CEQA process, a Notice of Preparation (NOP) will soon be

distributed to the public for a 30 day comment period. The NOP will contain proposed project information, including existing proposed project alternatives. Comments received on the NOP will also be documented in the Scoping Report. The Scoping Report will be sent out to the public/interested parties approximately two-three months after the NOP comment period closes. Comments within the Scoping Report will be considered during the development of the draft EIS/EIR. The Draft EIS/EIR is scheduled for completion in late-fall 2000. A public comment period will occur upon the release of the Draft EIS/EIR. Responses to comments received on the Draft EIS/EIR will be noted in the Final EIS/EIR.

Battle Creek Salmon Steelhead Restoration Project

January 31, 2000

Public Scoping Meeting

Name: _____ Title: _____

Organization: _____

Address: _____

Phone: _____ Fax: _____

Others we should communicate with on future forums:

Name: _____ Name: _____

Organization: _____ Organization: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

THANK YOU FOR YOUR PARTICIPATION!

Battle Creek Salmon and Steelhead Restoration Project

We appreciate your input.

THANK YOU FOR YOUR PARTICIPATION!

DEPARTMENT OF INTERIOR USE ONLY:

Battle Creek Salmon and Steelhead Restoration Project

We appreciate your input.

THANK YOU FOR YOUR PARTICIPATION!

DEPARTMENT OF INTERIOR USE ONLY: _____ _____ _____

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Battle Creek Salmon Steelhead Restoration Project

January 31, 2000

Public Scoping Meeting

Name: _____ Title: _____
Organization: _____
Address: _____

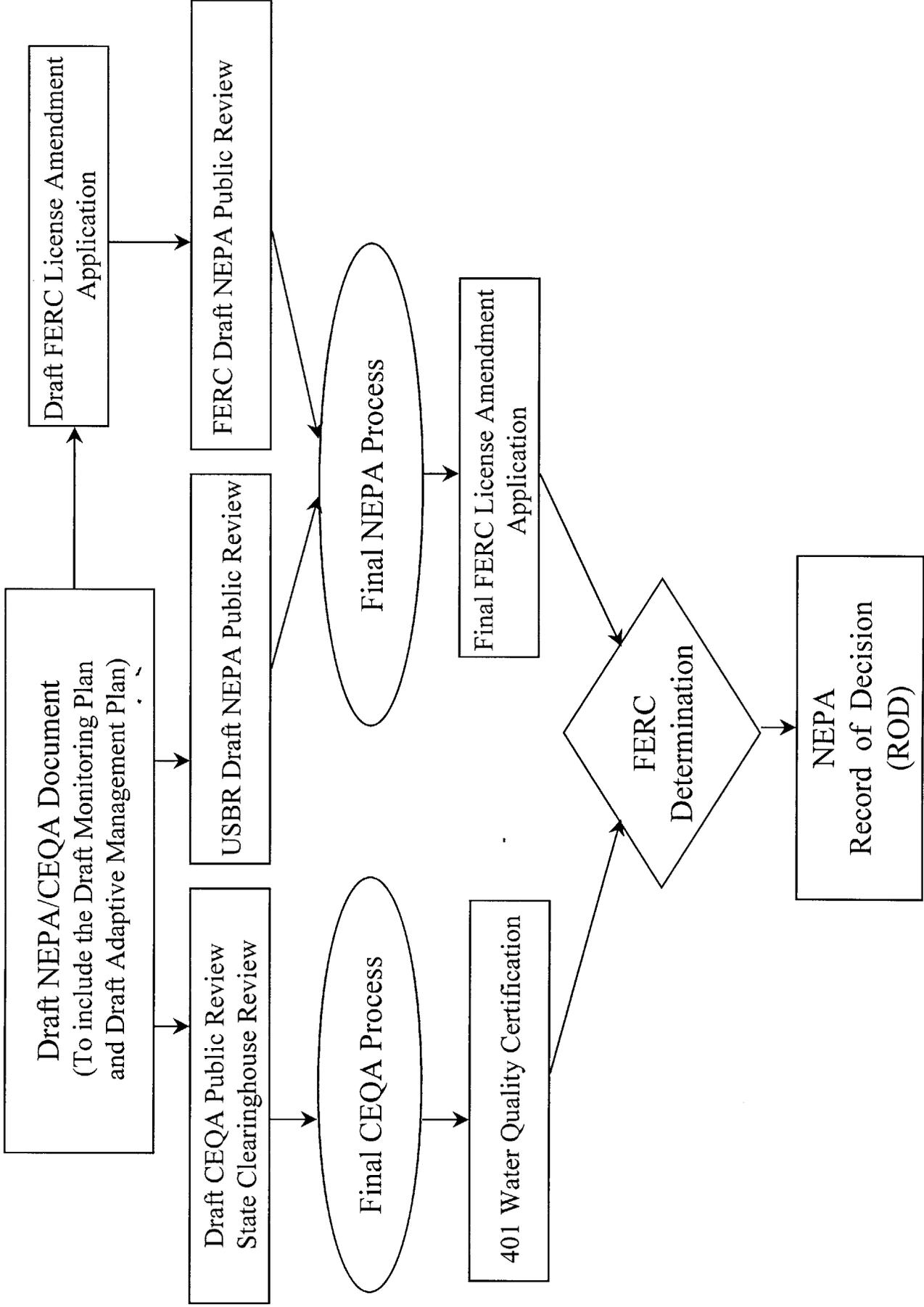
Phone: _____ Fax: _____

Others we should communicate with on future forums:

Name: _____	Name: _____
Organization: _____	Organization: _____
Address: _____	Address: _____
Phone: _____	Phone: _____

THANK YOU FOR YOUR PARTICIPATION!

DRAFT NEPA/CEQA/FERC Environmental Flowchart



APPENDIX C

PUBLIC COMMENTS

Battle Creek Salmon and Steelhead Restoration Project
Public Scoping Meeting
January 31, 2000
Manton CA

MEETING SUMMARY

Flipchart Notes

Project Maps

- ! Want to see Coleman Hatchery operations evaluated as part of the project
- ! Include operations of facilities above the natural barriers in the project
- ! How will the project effect water users on Digger Creek?

Fisheries

- ! Want instream, and in canals, sport fishing to continue
- ! Allow spawners to spawn in Battle Creek upstream of CNFH barrier dam
- ! Stop decoying Sacramento River salmon to Battle Creek
- ! New cattle fencing needs to replace any structure (e.g., canal/ditch) that now serves as a fence
- ! Don't damage existing roads when removing ditches/canals
- ! Use South Canal for spoil disposal from tailrace connector, to minimize truck traffic past residences
- ! Manage access to diseased salmon to avoid conflicts with trout farms
- ! Minimize project costs [current estimates are too high]
- ! Solving the separation of hatchery/wild fish at CNFH must be an integral part of restoration project planning
- ! Develop alternate way for hatchery fish to get to CNFH — dealing with weir must be done as part of the same process as dam removal — wholeistic approach
- ! Natural fish should have exclusive use of watershed and hatchery fish should stay out of watershed
- ! Local residents are concerned about the possible loss of water rights

Hydropower

- ! Will existing roads remain on south canal system?
- ! Stock prices [will the price of Pacific Gas and Electric Company's stock be affected?]
- ! Do not want to see Pacific Gas and Electric Company forced out of its business
- ! Want colder (spring) water in stream
- ! Will additional power houses be removed?
- ! What happens if there is a new [hydropower] owner?
- ! Is Pacific Gas and Electric Company getting funding for project?

Alternatives

- ! South Canal road paralleling can should stay in
- ! Ditch (South Canal) serves as a fence to keep cows in, will Reclamation provide a means to replace fencing?
- ! Can portions of South Canal be left open (not filled in)?
- ! How does the project impact flows on Digger Creek?
- ! Does this project set a precedent for the need for increased instream flows in higher reach streams?
- ! What about the potential for water exports from Battle Creek and tributaries to other areas (e.g., South Canal)?
- ! What about removal of Eagle Canyon Dam?
- ! Open Battle Creek above Panthers Creek on south fork.
- ! Why not Eagle Canyon?
- ! Opportunity for partial removal at Wildcat.
- ! Impacts to sport fishing should be addressed
- ! Water rights [what happens with individual water rights? Will they be affected?]

General Information and Process — no comments received at station.

Challenges

- ! Status/future of water canal sport fisheries
- ! Fish survival through powerhouse.

Public Input Session

- ! Inform residents of water flow changes
- ! How will powerhouses be affected if Pacific Gas and Electric Company divests the structures?
- ! Canals have been used for fire suppression — Will water flow be affected in canals? — Specifically Cross Country Canal.
- ! Will a new EIS to be developed for license amendment [FERC/Pacific Gas and Electric Company] or will the same EIS [BOR/SWCB] be used?
- ! Does Pacific Gas and Electric Company currently have license? Will this process extend term of current license?
- ! Does FERC always have alternative processes?
- ! What are acronyms [EIS/EIR, CEQA, NEPA, FERC, etc.]?
- ! Will EIS/EIR be one or two reports?
- ! Wildcat Canal — will easement be abandoned? Residents want input on process. What about restoration possibilities? Impacts on trees, water for cows, etc.
- ! If nothing is done, Federal government can require in 2026 that Pacific Gas and Electric Company remove everything — why not just wait for that?
- ! Taking out Eagle Canyon Dam has been said to hurt hydro-economics — how does FERC balance hydro vs. natural resources?
- ! Will existence of MOU prejudice evaluation of project?
- ! Will there be changes in Cross Country Canal?

- ! If there is a reduction of water in Cross Country Canal, will it affect other water rights?
- ! Must include Coleman operations — must be compatible with this project
- ! Must work with local residents and Battle Creek Watershed Conservancy [consider trespassing issues]
- ! Review alternatives
- ! Where will increased flows begin?
- ! Will there be fish screens on Voltas to Cross Country Canal?
- ! How many winter-run have been observed on north fork, spring-run? If we don't make these changes won't we lose these fish in 5 years?
- ! Who makes the decision to go forward?
- ! All information is collected and put into the best project for approval
- ! In NEPA process, will the fish will be reintroduced into an area where they haven't been?
- ! Assuming there is a presence of endangered/listed/protected species on a landowners property, is there or will there be any regulatory relief for [creek side] landowners?
- ! Any support for landowners doing their own restoration projects?
- ! Landowners concern with potential cattle access in creek [where restorations efforts are being accomplished]
- ! Participants request details on the Safe Harbor Program which offers relief for landowners for ESA regulations
- ! How do fish know to get upstream into newly opened areas? Is there any way to "plan eggs?"
- ! As a taxpayers, are we paying for Pacific Gas and Electric Company structures to be removed that created the problems? Does Pacific Gas and Electric Company profit from hydro facilities?

Comment Cards

If this restoration project is intended to truly restore the resources, Pacific Gas and Electric Company should donate the land around the decommissioned dams to conservation easements or at least offer to sell the land to a public land agency.

When the threatened and endangered fish arrive don't burden the landowners with additional regulations. These fish should be considered an experimental population. This watershed is in excellent condition due in part to the historic land management practices. Give incentive to improve land management practice, not penalties.

Next time you have a public personation, have a pa system or presenters that are willing to project their voices.

Battle Creek salmon and steelhead restoration project — priority here — in all aspects of scoping, planning, and managing. Why? Because these stream creatures are an indication of stream quality and quantity for sustainable fisheries production. This in turn assures a level of stream flows for rural and urban use.

Alternatives Station: If the ladders and fish screens turn out to not be “100 percent fail proof,” then the Eagle Canyon Dam should be removed. This requirement should be included in the FERC license amendment.

Alternatives Station: Two additional restoration alternatives should be considered in the EIS/EIR: (1) removal of Eagle Canyon Dam and (2) removal of all dams below natural barriers.

Alternatives Station: Will there be any changes in the lake releases from North Battle Creek and Macumber Reservoirs? Also, how will water rights be monitored? (Note from JRO following discussions with Mr. Stewart: Suggestion is to increase North Battle Creek Reservoir to 1.5 cfs to keep Macumber in better condition. License requires North Battle Creek and Mcumber be kept full to September 10, but North Battle Creek could be allowed to draw down without big impact on recreation use in order to improve recreation at Macumber.)

The Battle Creek Watershed Conservancy

PO BOX 606, MANTON, CA 96059-0606

**Statement for the Battle Creek Salmon and Steelhead Restoration
Program Scoping Meeting**

Manton, California, 31 January 2000

Statement of purpose

The purpose of this document is to ensure that the scope of the NEPA process for the proposed Battle Creek Salmon and Steelhead Restoration Program includes the direct and reasonably expected effects of the program on the local residents. To impose a program of this magnitude upon the local population without adequate consideration for its needs is a recipe for failure, failure in an ecological sense for the restoration goals, and failure in a social sense for the community. Therefore I ask that the NEPA EIS address the question of whether the proposed program adequately addresses the local concerns detailed below, and whether the proposed program includes adequate mitigation measures.

Introduction

The Battle Creek watershed is a thinly-populated rural area with an economy based upon ranching, forestry, aquaculture, recreation, agriculture, hydropower production, and retirement living. Most of the residents were first attracted by the secluded and relatively untouched countryside, and "leave us alone" has long been the appropriate summary of the local attitude toward the outside world.

When the news of a big agency-lead environmental program reached the residents the first reaction was fear and suspicion. The program was enormous – more than \$75 million all told, when required modifications to Coleman National Fish Hatchery are included – and by bringing endangered species into the local streams the threat of regulation was serious. All portions of the local economy seemed under threat, because nearly all economic activities related in one way or another to water.

The Battle Creek Watershed Conservancy was formed out of this strong concern. Over the last three years the Conservancy has watched over resource-agency planning activities, brought news of agency ideas to the local residents, and brought local concerns back to the agencies. As a result of this mostly-volunteer activity the residents now have a better idea of what has become the Battle Creek Salmon and Steelhead Restoration Program, and some – but not all – fears and rumors have been put to rest.

I would say that the current attitude toward the Restoration Program is "let's make the best of it." The residents think that the program will likely go forward, so we should take

advantage of those features of the Program which can help us, while trying to minimize any damage to our local economy.

A program of this size cannot help but have a significant impact upon the local residents. For example, the presence of endangered species in our back yards is a guarantee of increased resource-agency monitoring and regulatory activity, which may affect future allowed land use patterns and may affect some economic activities. As another example, the presence of abundant salmon and steelhead well up into the middle reaches of the watershed can be expected to attract locals, outsiders, and poachers and bring increased trespass and game-warden activity.

The local residents in the watershed will be the de-facto trustees of the salmon and steelhead which are the objects of the restoration program. Whether these fish will thrive and multiply, thereby enhancing the economy of the state of California in many ways, or whether they will end upon local barbecue grills, depends upon the attitude of the residents. And this attitude will depend upon how well the restoration program is designed, upon how well local concerns are taken into account, and upon what mitigation measures are proposed to address these concerns.

This is not a "threat," but simply a realistic view of the situation. The residents are not going to hold the salmon and steelhead for ransom; they simply will ask the agencies to take the local concerns seriously and to make reasonable accommodations.

I believe that each of the concerns expressed below is a "connected action" in the NEPA sense, in that the concern reflects a problem which is either a direct outgrowth of the proposed Battle Creek Salmon and Steelhead Restoration Program, or something which is an outcome which could be reasonably expected from the development of the Program.

Please note that while this document reflects my personal views, the concerns expressed reflect the public input received by the Battle Creek Watershed Conservancy during its many public meetings.

Concerns relating to the potential success of the Restoration Program

The following concerns grow out of a desire for the Restoration Program to be a success. If the local residents are to endure some restrictions and inconveniences for the benefit of the salmon and steelhead, then the resource agencies need to do their homework to ensure that the fish thrive, and that the benefits of the program will not be compromised by foreseeable events in the future.

1. It has always been the opinion of the Conservancy that the Restoration Program should be designed considering the entire creek as a single ecosystem, top to bottom. The EIS should evaluate whether the program plan adequately considers the system in its entirety, including the fish, the physical environment, and the residents. Furthermore, the program should consider not only the immediate actions needed to restore the salmonid habitat, but should consider the long-term actions required to ensure that the large investment represented by the proposed Restoration Program is protected for the foreseeable future, so that the ecosystem will continue over time to be excellent habitat for salmonids *and* for people.

2. Current land-use patterns, particularly in riparian areas, are held by the resource agencies to have been very beneficial for the fish habitat in the watershed. If these land-use patterns were replaced by development it may be assumed that the "restored" fish population would suffer, so we may expect that the resource agencies will oppose development in certain areas. It is critical for the future success of the restoration program, and for the future goodwill of the community, that the owners of critical riparian or other habitat be offered reasonable compensation in the form of conservation easements. This is a NEPA connected action, since future development may be reasonably expected.
3. Since the local residents want the proposed Restoration Program to be done well or not done all, many are concerned about the potential effects of the Coleman National Fish Hatchery (CNFH) on the natural fish which are the subject of the restoration activities. There is no point in spending \$75 million on restoring Battle Creek if a significant part of the natural population is affected negatively by CNFH. These concerns center on four potential effects of the hatchery population and management practices on natural fish: genetic effects, due the large pool of hatchery-origin fish; physical competition effects, due to the 100,000+ hatchery fish in Battle Creek; passage problems, due to the management of the CNFH barrier weir; and disease effects, due to the large biomass (estimated at 700 tons) of dead hatchery fish in the creek each year. Alternative management practices have been proposed which could significantly ameliorate these potential problems, and these alternatives should be considered as connected actions, since the success of the proposed Restoration Program requires adequate consideration of CNFH influences.
4. The proposed Restoration Program rightly includes an adaptive management element, based upon a monitoring program and a set of goals. It is important that this monitoring program be adequate for the evaluation of the success of the proposed Restoration Program, while at the same time being designed to take into account the local concerns about monitoring. The EIS should adequately address the problem of operating an adequate monitoring program in such a manner that the local community is significantly involved. If the community feels that the monitoring program is oppressive or a vehicle for uncovering incidental environmental violations, there is a danger that the success of the proposed Restoration Program could be put in jeopardy. This is clearly a connected action.
5. The success of the proposed Restoration Program depends very significantly upon the goodwill of the local residents. The EIS should assess whether the proposed Restoration Program plan adequately addresses and mitigates the social problems associated with the external imposition of the Program on the local community, and the problems of poaching, trespass, and enforcement associated with the presence of salmonids as an attractive nuisance. This is a connected action, since the success of the proposed activities depends upon the cooperation of the local residents.

Concerns relating to the effects of the restoration program on the local population and local economy

The following concerns are specific examples of side effects of the proposed Restoration Program.

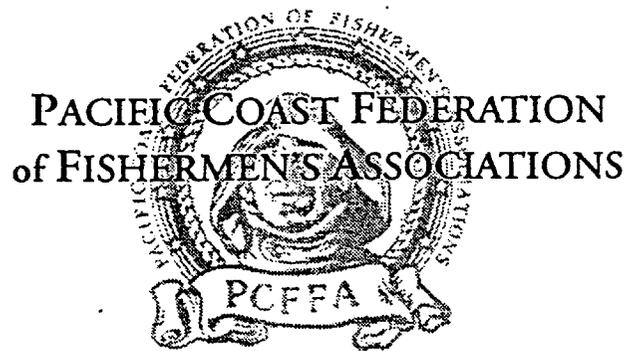
6. The execution of a plan of such scope as the proposed Restoration Program inevitably has negative side effects during construction, such as truck traffic, helicopter flights, etc. The EIS should assess whether the program adequately address these problems and provide methods for the resolution of such problems promptly as they arise. This is a connected action.
7. One of the most significant parts of the local economy is aquaculture. The local trout hatcheries depend critically upon disease-free water and raceways for their operation. The presence of wild salmonids in nearby waters provides a potential pathogen source (via predator transmission) which could devastate hatchery operation. The EIS should address whether the proposed program adequately addresses this problem and provides suitable mitigation measures. This is a connected action.
8. Sports fishing is a local recreational and economic factor in the watershed. Much of this fishing is in PG&E canals, both on private and public land. These canals may be deprived of fish once their intakes are screened. The EIS should address whether the proposed program adequately addresses this problem and provides suitable mitigation measures. This is a connected action.
9. The presence of large salmonids in the creeks of the community, over most of the months of the year, will provide a significant "attractive nuisance," drawing people from a wide area. This will result in increased trespass, since at present there is no significant public access to Battle Creek from CNFH to near Mineral or near Shingletown. Poaching is likely to be a significant problem, and poaching brings with it increased enforcement activity. The EIS should address whether the proposed program adequately addresses the negative social effects of trespass, poaching, and increased enforcement activities, so that a negative feeling toward the Restoration Program does not develop.

Thank you for your consideration.



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Comments of the Pacific Coast Federation of Fishermen's Associations Concerning Preparation of the Joint Environmental Impact Statement/Environmental Impact Report for the Battle Creek Salmon & Steelhead Restoration Project

Presented by William F. "Zeke" Grader, Jr., Executive Director, PCFFA
Manton, California, 31 January 2000

Thank you for this opportunity to provide the Pacific Coast Federation of Fishermen's Associations [PCFFA] recommendations concerning how the Battle Creek Salmon and Steelhead Restoration Project [Restoration Project] can conform to the requirements of the National Environmental Policy Act [NEPA] and the California Environmental Quality Act [CEQA]. PCFFA has been deeply involved in this project from its very beginning. The successful accomplishment of this project is important to PCFFA for three principal reasons:

- The Restoration Project was developed initially by the Battle Creek Working Group. The Working Group, which includes Battle Creek landowners, fishermen, and water users, was organized in the winter of 1996-97 by PCFFA's former president, Nat Bingham. At the time of Nat's death in 1998 he was serving as PCFFA's fish habitat restoration coordinator and chairing the Battle Creek Working Group. We want the restoration of Battle Creek's fish habitat and fish populations to succeed for Nat Bingham's sake.
- PCFFA's members are largely salmon fishermen. The disastrous decline of winter-run chinook salmon following completion of the Red Bluff Diversion Dam led to the listing of that species, under the federal Endangered Species Act, in 1990. In their efforts to preserve the remaining winter-run, government regulators have cut horribly into our ability to make a living on the sea. These government constraints will not go away until there is an increase in the number of winter-run chinook salmon returning to Sacramento Valley streams. Battle Creek is the hands-down best place to give winter-run a place to make a come-back. The Restoration Project must succeed if California's commercial salmon fishermen are to make a come-back.

- The environmental compliance project being launched here this evening will serve also, if we understand this correctly, as the environmental compliance documentation for the modification of the Federal Energy Regulatory Commission [FERC] license for PG&E's Battle Creek Hydroelectric Project. That is a deal worked out between PG&E and the resources agencies. We had better get it right for the Restoration Project, then, because there will be no second chance to get it right before FERC.

We have grouped our recommendations in what we think are natural divisions: those concerning the necessary scope of the project, deficiencies in the MOU-contemplated project; issues concerning the operation of the project that bear on its ability to succeed; and project monitoring and evaluation issues.

SCOPING THE RESTORATION PROJECT CORRECTLY

- 1. The location, configuration, and operations of the Coleman National Fish Hatchery directly effect fish life in Battle Creek above and below the hatchery. The operation of Coleman Hatchery and the management of lower Battle Creek need to be included within the project area.**

For much of the year the hatchery barrier dam is the end of line for salmon and steelhead returning to Battle Creek. More than 100,000 adult chinook salmon perished in the creek below the dam last fall without spawning. Without dwelling on what that represents in the way of lost economic opportunity, which drives my members nearly berserk, I would point out that that is 600 or 700 tons of rotting flesh in the stream attributable to Coleman operations - a significant water quality problem. We are aware that the U.S. Fish and Wildlife Service plans to modify the dam and their operations in the stream, and that they plan to do NEPA and CEQA paperwork at that time. We are convinced, however, that Coleman operations are so integral to the condition of Battle Creek and the success of the Restoration Program that environmental compliance efforts need to address the Restoration Project, Coleman operations, and the management of lower Battle Creek as one.

- 2. Coleman Hatchery operations, particularly those of the barrier dam, should be considered "connected actions" for purposes of the Restoration Project's environmental compliance.**

Under its present operating regime the hatchery barrier dam is frustrating the recovery of spring-run, fall- and late fall-run chinook salmon and steelhead by preventing their timely migration into the stream above the dam. The Restoration Project cannot restore these important species unless and until the operation of the dam is modified. The two actions - the upstream restoration and the modification of the Coleman dam - are, therefore, connected and must be considered together under NEPA and CEQA.

- 3. The alternative measures for the configuration and operation of Coleman Hatchery and its barrier dam identified in the Battle Creek Working Group's April, 1999 report *Maximizing Compatibility Between Coleman National Fish Hatchery Operations, Management of Lower Battle Creek, and Salmon and Steelhead*, should be considered fully in the selection of the final elements of the Restoration Project.**

The Battle Creek Working Group, developers of the Restoration Project, studied the impacts of Coleman Hatchery on Battle Creek fish life as they might effect the success of the Restoration Project. In its April 1999 report on the subject, the Working Group identified a number of issues concerning the impact of the hatchery and advanced a number of alternative measures for resolving those issues. At the Working Group's May 1999 meeting Fish and Wildlife Service representatives assured the Working Group that the alternative measures would be fully evaluated during the Service's 1999 Coleman Hatchery re-evaluation process. The Service did not evaluate the Working Group's alternatives fully in 1999. We understand now that the Service is funded to consider these issues in-house, instead, with the assistance of a Service-selected consultant.

The Service has demonstrated that it has difficulty evaluating its own operations in a timely, objective manner. Given the hatchery's significant impacts on Battle Creek and its fish life, responsibility for a timely, objective evaluation of the alternative measures identified in the Working Group's April 1999 report should now be passed to those directly responsible for the Restoration Project. I am submitting a copy of the April 1999 Working Group report with our comments this evening.

- 4. The Battle Creek uplands and the watershed above the PG&E reaches must be included in the Restoration Project area.**

While Battle Creek represents the hands-down best opportunity to provide drought-safe habitat for California's salmon species of concern, the Restoration Project will succeed only if conditions on the side hills and in the watershed above the immediate restoration reaches remains favorable. There are times of the year when stream temperatures will absolutely determine the success of spawning, hatching and rearing of juvenile salmon. If meadows are lost, streams are silted in, or the watershed somehow gets paved over, the Restoration Project investment will be lost. The role and future of these watershed lands must be considered in the selection of the final elements of the Restoration Project.

SHORTCOMINGS IN THE MOU-CONTEMPLATED RESTORATION PROJECT

- 5. Removal of Eagle Canyon diversion dam should be included in the formulation of the Restoration Project.**

The removal of PG&E's Eagle Canyon diversion dam was contemplated in the Working Group's January, 1999 *Battle Creek Salmon and Steelhead Restoration Plan* [Plan], the document that got the ball rolling to where we are this evening. The Plan makes clear that the reach of Battle Creek above Eagle Canyon diversion dam has some of the highest habitat values for winter- and spring-run chinook salmon in the entire basin. The restoration of this habitat was compromised when the resources agencies bowed to PG&E's demands, in the course of developing the MOU between them, to leave Eagle Canyon dam in place.

The Plan was further compromised by the agencies-PG&E negotiations in that a principal criteria used by the Working Group for selecting restoration actions was to "Provide stable environments not subject to drastic changes due to mechanical failures, inadequate maintenance, and reservoir drawdowns" [Plan at page 52]. The MOU provision for installing a "fail-safe" fish screen and ladder at Eagle Canyon, i.e, instead of removing the dam, is nearly comical when you contemplate boulders the size the Volkswagens sloughing into that box canyon and bouncing along on the floods. That "fail-safe" Eagle Canyon fish screen will join the scrap downstream on a flood like that of 1 January 1997 - or any number of other recent flood events. The Restoration Project should give serious consideration to the removal of Eagle Canyon diversion dam and adherence to the Plan's call for trouble-free restoration measures.

6. Opening the South Fork of Battle Creek above the Panther Creek Grade should be included in the formulation of the Restoration Project.

Good additional fish habitat lies upstream of the boulder cluster at Panther Creek. Modifying this barrier to enable fish migration above Panther Creek should be included within the formulation of the Restoration Project.

7. Barrier removal and gravel supplementation on Baldwin Creek should be included in the formulation of the Restoration Project.

The high potential for steelhead habitat improvement on Baldwin Creek should not be ignored in developing the final elements of the Restoration Project.

OPERATING CONDITIONS NECESSARY IF THE SELECTED RESTORATION PROJECT IS TO SUCCEED

8. The Restoration Project should include a conservation easement element.

Much has been said about the quantity and quality of Battle Creek streamflow as potential fish habitat. Of nearly equal importance to the success of the proposed Restoration Project is the condition of the watershed lands. It is our understanding that the residents have expressed, in their *Battle Creek Strategy*, their wish that the human population of the watershed remain pretty much as it is today. That, in our view, would

work best for the success of the Restoration Project. Things being what they are in California today, however, things are not likely to remain as they are in the watershed without a conscious plan and program for assuring that. Conservation easements must be investigated, planned in cooperation with the watershed landowners, funded, and implemented as an explicit element of the selected Restoration Project.

9. **The selected Restoration Project should include an on-going upper watershed conservation element.**

As we explained in Recommendation 4, above, restoration investment in the PG&E reaches will not produce sustainable new populations of salmon and steelhead in Battle Creek unless the quality of the streamflow into the restoration reaches equals or exceeds that which is available today. Even a modest decline in Battle Creek's upper watershed water quality, particularly with regard to temperature, can cause a significant decline in downstream fish habitat. The Restoration Project must include on-going support for community-based watershed assessments and efforts to improve watershed management activities, including forest harvesting, road maintenance, grazing, and others.

PROJECT MONITORING, EVALUATION AND ADAPTIVE MANAGEMENT ISSUES

10. **The selected Restoration Project should include an on-going monitoring, evaluation, and adaptive management program that targets community involvement and fosters community support for the Restoration Project.**

It is our belief that the Battle Creek Salmon and Steelhead Restoration Project, perhaps more than any major ecosystem restoration project we know, is going to succeed or fail on the amount of local participation and support the project can engender. Battle Creek watershed youngsters will develop into either hands-on stewards of the most exciting stream restoration project in the state or poachers of the most expensive salmon in the state. And I don't mean poached lightly in white wine, either. I mean poached like every kid who has grown up near a salmon stream has been poaching salmon for as long as any of us can remember. The choice is ours - or, more precisely, that of the Restoration Project developers.

There is a tendency for projects of government to turn increasingly inward, to become the province of government employees. That simply will not work in the case of Battle Creek. Private property owners control the lands over which stream monitors must pass. These owners will have legitimate concerns about who is crossing their land, for what purpose, where the information is going to end up, and what it is going to be used for. These are all legitimate concerns.

A program for monitoring stream temperatures, stream flows, stream "ramping" rates, and a host of other information elements needed for the evaluation and adaptive management of the Restoration Program, needs to be designed early and in ways that the watershed community itself can reliably gather most of the information. The Working Group developed a tool, the so-called "KRIS-Battle Creek" program, that can be used by ordinary citizens to capture and update the necessary monitoring data. Government specialists can help the watershed community interpret the data for a larger audience - in all likelihood the Internet community.

These measures - community involvement, community funding, community training - must all be conscious elements of the Battle Creek Salmon & Steelhead Restoration Project if the project is to succeed.

Thank you.



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February 14, 2000

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Mr. Jim Canaday
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Dear Ms. Marshall and Mr. Canaday:

The following are scoping comments by Friends of the River, Environmental Defense, CalTrout, Lassen Forest Preservation Group, Shasta Chapter of the California Native Plant Society, American Whitewater and Chico Area Fly Fishers, Inc. regarding the Battle Creek Salmon and Steelhead Restoration Plan. Hereinafter, the above organizations will be referred to as "NGOs".

State and Federal natural resource protection agencies are in agreement that populations of winter, spring, fall and late-fall-run chinook salmon and steelhead are in serious decline and must be restored. The NGOs agree with the seriousness of the potential loss of these species and therefore support restoration alternatives that have the greatest chance of reversing the decline of these species. Although the proposed project detailed in the Battle Creek Salmon and Steelhead Restoration Project Memorandum of Understanding (MOU) is an important step towards significant restoration, additional restoration alternatives may provide more effective restoration measures and therefore should be evaluated in the NEPA/CEQA environmental review process.

Fish biologists agree that Battle Creek - a key tributary to the Sacramento River - provides the single best opportunity to protect, restore and enhance all runs of naturally-reproducing salmon and steelhead in the Sacramento River watershed, including the endangered winter-run chinook salmon, the threatened spring-run chinook salmon, and steelhead. As the Battle Creek Salmon and Steelhead Restoration Plan states, Battle Creek represents a critical opportunity for restoring stream habitats like those of the upper Sacramento River that were blocked by the construction of Shasta Dam. Given the serious lack of adequate habitat for anadromous fish in California

Battle Creek Salmon and Steelhead Restoration Plan Scoping Comments
February 14, 2000

and the restoration goals of state and federal agencies, Battle Creek should be restored to its maximum potential.

The Battle Creek Salmon and Steelhead Restoration Plan indicates that Eagle Canyon Dam is located in the highest quality fish habitat on all of Battle Creek. Removing this dam would provide assured access to an additional 11 miles of habitat upstream and would be the most effective, and in all likelihood the only fail-safe means for restoring this critical habitat. Therefore, the NGOs urge the Bureau of Reclamation and the Water Resources Control Board to consider the full range of reasonable alternatives in the EIS/R, including the removal of Eagle Canyon Dam in addition to the five dams proposed in the agreement. Another alternative should include the removal of all eight dams below the natural fish migration barriers; this alternative would still leave several diversion dams, reservoirs, and powerhouses upstream of the natural barriers. The NGOs also request that the EIS/R analyze the removal of all dams for recreation purposes such as whitewater rafting and kayaking. As you know, NEPA/CEQA requires consideration of a reasonable range of alternatives to the proposed project, including those that the MOU omits.

The NGOs believe the EIS/R must evaluate the likely risks and consequences of each alternative on sensitive, threatened, and endangered wildlife and botanical species and habitat. Each alternative must also fully consider the potential adverse environmental impacts of installing a fish screen and ladder on the Eagle Canyon Dam. To this end, it should be emphasized that Pacific Gas and Electric Company (PG&E) has stated (and the Restoration Project requires) that their proposed fish ladders and screens will be designed to be "100% fail-safe". The design and operating requirements for "100% fail-safe" facilities must be defined in the EIS/R. Additionally, the NGOs urge the Bureau of Reclamation and the State Water Resources Board to require PG&E to remove Eagle Canyon Dam if the fish ladders are not "100% fail-safe". The NGOs also strongly recommend that PG&E adhere to an environmental monitoring and adaptive management plan (as the MOU provides) to evaluate the effectiveness of the fish screens and ladders, and to respond accordingly (with removal of Eagle Canyon Dam) if the facilities fail to be 100% effective.

The installation of the "100 % fail-safe" fish screen and ladder on the Eagle Canyon Dam called for in The Battle Creek Salmon and Steelhead Restoration Project will cost taxpayers nearly \$2 million. Unfortunately, few fish passage facilities work under all flow conditions, and the facilities often require nearly continuous maintenance and repair, which can be particularly expensive for remotely located facilities. The NGOs strongly suggest that the EIS/R evaluate the economic effects of each alternative including the cost of operating and maintaining "fail-safe" ladders and screens on Eagle Canyon Dam over the life of the dam. The cost savings of not installing and maintaining fish ladders and screens on Eagle Canyon dam should also be included. The NGOs continue to believe that immediate removal of Eagle Canyon Dam would result in considerable taxpayer, ratepayer, and shareholder savings relative to the investment, operations, monitoring and eventual decommissioning costs that will be required under the Restoration Plan proposed project's "fail-safe" intentions as proposed. The financial

impacts of delisted species or the prevention of listing additional species should also be included in the analysis.

We recommend that water quality impacts from the dams proposed to remain on the river be evaluated in the EIS/R under the requirements of the Clean Water Act. Specifically, but not limited to, the impact on water temperature from the remaining dams should be evaluated. Certification of the project under Clean Water Act section 401 (a) will be necessary.

Given Battle Creek's unique circumstances and overarching ecological importance, as well as the \$50-plus million investment of public, ratepayer, and shareholder funds that the proposed restoration project represents, the NGOs request PG&E to provide conservation easements for all their project related lands to ensure that this property is sustainable and compatibly managed in the future. PG&E properties that no longer support project facilities should be donated to the Bureau of Land Management (BLM) to protect their public trust resource values. Furthermore, the Bureau of Land Management should be included in this restoration effort because some of the facilities planned for decommission are located on BLM land. For example, the canals and road located directly downstream of South Dam are located on BLM property. When South Dam is removed, the canal and roads next to the dam should be removed as well. The public should not be left with facilities (road and canal) that no longer serve a purpose and may well be a safety hazard to people and animals. (deer and other animals could drown in the canal).

In addition, the groundwork should be laid in this EIR to consolidate land in the Battle Creek watershed into public ownership whenever possible; when there are willing sellers, funds should be allocated to achieve this goal. For example, South Diversion Dam is located on a parcel of private property surrounded on all sides by public land managed by the BLM. This parcel should be owned and managed by the BLM. In addition, if PG&E divests of its assets on Battle Creek, project related lands that are not transferred to the BLM could be available for a new owner to acquire and develop in a manner which may be detrimental to the watershed. Battle Creek restoration must be planned as a long-term project that will protect anadromous salmon and steelhead, as well as associated species and habitat, for posterity. All efforts to protect these important national heritage resources will be ineffective if the lands of this area are bought and developed by real estate developers. At the present time, the county of Tehama has shown no reluctance to arbitrarily alter existing zoning and land planning allocations in order to promote real estate development, industry, and other forms of economic growth in the county (e.g., Celebrity City).

Other issues that will effect restoration of Battle Creek must be considered in the EIS/R. We have concerns about the effects to this fishery from commercial hatchery operations in the Eagle Canyon area that may potentially introduce hatchery-contaminated run-off into Battle Creek. In addition, it seems likely that contamination of the South Fork may be occurring as a result of grazing in the headwaters at Battle Creek Meadows, and the presence, in Battle Creek meadows, of the waste sewage settling pond for the town of

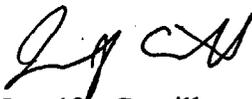
Mineral. In wet years this settling pond overflows into the meadow. The impacts of logging on private and public lands in the upper watershed is a significant issue that has impacted and will continue to impact water quality and the effectiveness of the restoration project in the future.

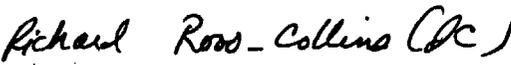
We believe these issues should be addressed in coordination with other restoration planning efforts. We also find that these issues were eliminated from consideration early in the planning process, by the presence on the Battle Creek Working Group, of private interest groups representing commodity extraction and other industry groups, while conservation and environmental groups were conspicuously absent from the planning process (TNC the notable exception). The National Environmental Policy Act, NEPA, requires that federal actions which are connected and closely related must be addressed in the same impact statement (40 CFR 1508.25). We believe that a Battle Creek Salmon and Steelhead Restoration Project, under a joint state EIR and federal EIS, must be sufficient in scope to address all of the issues that are related to salmon and steelhead recovery in the Battle Creek watershed.

NGOs believe it is extremely important that the project comply with the federal guidelines requiring the protection of the free flowing character and outstanding values of those portions of Battle Creek that the Bureau of Land Management has determined eligible for National Wild and Scenic River status. Each alternative must be evaluated in terms of its impacts on Battle Creek's eligibility for Wild and Scenic River status. The BLM's own Redding Resource Management Plan states that until BLM or other agencies address the suitability for including portions of the South Fork in the National Wild and Scenic Rivers System, public lands in the study corridor must be maintained in public ownership and managed during the interim period to protect any outstandingly remarkable values associated with the corridor. The outstanding remarkable values include anadromous fisheries, cultural/historic, recreation, vegetation, scenic quality, water quality, wildlife, and physiography/geology.

We appreciate the opportunity to provide the Bureau of Reclamation and the California State Water Resources Control Board with our scoping comments on this important and timely restoration plan. We reserve the right to add additional comments as other issues arise. We request that you publish a revised scoping document in response to timely comments.

Sincerely,


Jennifer Carville
Policy Advocate
Friends of the River
915 20th Street
Sacramento, CA 95814


Richard Roos-Collins
Attorney
Friends of the River

Jim Edmonson (JC)

Jim Edmonson
Conservation Director
CalTrout
5436 Westview Court
Westlake Village, CA 91362

David Yordas (JC)

David Yordas
Senior Analyst
Environmental Defense
5655 College Ave, Suite 304
Oakland, CA 94618

Vivian Parker (JC)

Vivian Parker
Conservation Chairperson
Shasta Chapter
California Native Plant Society
6221 Shoo Fly Rd.
Kelsey, CA 95667

Stephen Sayre (JC)

Stephen Sayre
Lassen Forest Preservation Group
985 Salem Court
Chico, CA 95928

John Ost (JC)

John Ost
Chico Area Fly Fisherman, Inc.
1255 E. Lindo Ave.
Chico, CA 95926

John Gangemi (JC)

John Gangemi
Conservation Director
American Whitewater
482 Electric Avenue, Suite 3
Big Fork, MT 59911

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



April 19, 2000

Jim Canaday
State Water Resources Control Board
Division of Water Rights
901 P Street
Sacramento, CA 95814

RE: SCH#2000042043 – Water Quality Certification for the Battle Creek Salmon and Steelhead Restoration Project

Dear Mr. Canaday:

The Native American Heritage Commission has reviewed the above mentioned NOP. To adequately assess the project-related impact on archaeological resources, the Commission recommends the following action be required:

1. Contact the appropriate Information Center for a records search. The record search will determine:
 - Whether a part or all of the project area has been previously surveyed for cultural resources.
 - Whether any known cultural resources have already been recorded on or adjacent to the project area.
 - Whether the probability is low, moderate, or high that cultural resources are located within the project area.
 - Whether a survey is required to determine whether previously unrecorded cultural resources are present.
2. The final stage of the archaeological inventory survey is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - Required the report containing site significance and mitigation be submitted immediately to the planning department.
 - Required site forms and final written report be submitted within 3 months after work has been completed to the Information Center.
3. Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check.
 - A list of appropriate Native American Contacts for consultation concerning the project site and assist in the mitigation measures.

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should include provisions for accidentally discovered archeological resources during construction per California Environmental Quality Act (CEQA) §15064.5 (f). Health and Safety Code §7050.5 and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery and should be included in all environmental documents. If you have any questions, please contact Debbie Pilas-Treadway at (916) 653-4038.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Myers".

Larry Myers
Executive Secretary

CC: State Clearinghouse

DEPARTMENT OF TRANSPORTATION

P.O. BOX 496073
REDDING, CA 96049-6073
PHONE (530) 225-3236
FAX (530) 225-3271



IGR/CEQA Review
Sha-5-.741
NOP
Water Quality Certification for the Battle
Creek Restoration Project
SCH# 2000042043

April 28, 2000

Mr. Jim Canaday
State Water Resources Control Board
Division of Water Rights
901 P Street
Sacramento, CA 95814

Dear Mr. Canaday:

Caltrans District 2 has completed review of the Notice of Preparation for the Water Quality Certification for the Battle Creek Salmon and Steelhead Restoration Project draft Environmental Impact Report. The project consists of modification of the Hydroelectric Project to restore 42 miles of salmon and steelhead habitat within and adjacent to the reaches of Battle Creek and its tributaries.

Based on the project information submitted, approval of this action will not adversely impact facilities under our jurisdiction; therefore, we have no comment.

Thank you for providing us the opportunity to review this project. If you have any questions, or if the scope of this project changes, please call me at 225-3369.

Sincerely,

A handwritten signature in cursive script that reads "Andrea Redamonti".

ANDREA REDAMONTI
Local Development Review
District 2



SMUD

SACRAMENTO MUNICIPAL UTILITY DISTRICT □ P. O. Box 15830, Sacramento CA 95852-1830, (916) 452-3211
AN ELECTRIC SYSTEM SERVING THE HEART OF CALIFORNIA

HRL 00-029

May 5, 2000

Mr. Harry M. Schueller
Chief, Division of Water Rights
State Water Resources Control Board
901 P Street
Sacramento CA 95814

Dear Mr. Schueller:

Recently you had submitted a document concerning the Battle Creek EIS/EIR Anadromous Fish Restoration Project. In this Notice 7 plans for restoration of fish passage were mentioned:

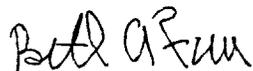
- 1989 "Upper Sacramento River Fisheries and Riparian Habitat Management Plan"
- 1990 California Department of Game (CDFG) "Central Valley Salmon and Steelhead Restoration Enhancement Plan"
- 1993 CDFG "Restoring Central Valley Streams: A Plan for Action"
- 1996 USFWS "Draft Anadromous Fish Restoration Plan"
- 1996 CDFG "Steelhead Restoration and Management Plan for California"
- 1996 Actions to Restore Central Valley Spring-Run Chinook Salmon
- 1997 Sacramento River and Tributaries Technical Team Meeting Report of the CALFED Bay-Delta Program

I would like to make a request for these documents, if in fact they are available through your provisions, the address is:

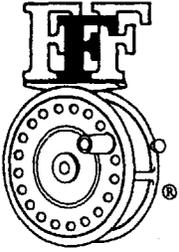
Beth A. Furr
Sacramento Municipal Utility District
6301 S Street, Mail Stop A352
Sacramento CA 95817-1899

Thank you for your attention to this matter. If you have any questions, I can be reached at (916) 732-6354.

Sincerely,

A handwritten signature in cursive script that reads "Beth Furr".

Beth Furr
Administrative Assistant



FEDERATION OF FLY FISHERS™
Conserving • Restoring • Educating Through Fly Fishing
Northern California Council

May 15, 2000

Mr. Jim Canaday
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Subject: Scoping Comments - Battle Creek Restoration EIS\R

The Northern California Council of the Federation of Fly Fishers represents over 30 angling organizations and thousands of anglers living and fishing in California and Nevada. Our members not only fish for steelhead and salmon, but they are actively involved in restoration and conservation efforts. Our members are frequent visitors to the Sacramento River.

Following are our scoping comments on the joint state and federal Environmental Impact Statement/Report (EIS\R) for Battle Creek.

1. The EIS\R should consider a full range of alternatives, including removal of Eagle Canyon Dam in addition to five dams proposed in the current MOU. This is the only realistic way to insure fish passage and provide access to 11 miles of additional critical habitat for the declining numbers of threatened and endangered steelhead and chinook salmon that try to spawn in the creek.
2. The use of fish ladders and screens is proposed as part of the current agreement. The promise of fish screens and ladders which are "100% fail-safe" has no basis in past practice. In the past, promises of effective fish ladders have been largely unfulfilled. Ladders and screens have been mis-engineered. Dam operators have frequently failed to operate or maintain dams in a manner that assures fish passage. The promise of effective fish ladders and screens is particularly dubious in this case due to the remote location of Eagle Canyon Dam and the resulting difficulty of access for maintenance and public inspection. In this light any alternative which includes a fish ladder must include:
 - a full accounting of the realistic environmental impact of fish ladder and screen installation
 - a specific definition of the "100% fail safe" criteria
 - a routine inspection and environmental review of ladder and screen operation with documentation and review paid for by the dam operator
 - a provision that requires removal of Eagle Canyon Dam if the fish screens and ladders fail to meet the "100% fail-safe" standard.
3. The EIS\R should include an alternative that removes all eight dams on Battle Creek below natural migration barriers.

4. There must be a realistic analysis of the economic effect of each alternative. PG&E's valuation, including the value of hydropower generated, must not be accepted at face value.
5. PG&E property associated with hydropower operations should be included in a conservation easement. Land not associated with operations should be made available for trade to the Bureau of Land Management. BLM has determined Battle Creek is eligible for National Wild and Scenic status. The free flowing nature of this invaluable natural resource should be preserved for the greater use of the public and protected from development.

Respectfully submitted,



Robert N. Ferroggiaro
Vice President, Conservation
Northern California Council - Federation of Fly Fishers
9270 Oak Leaf Way
Granite Bay, CA 95746
(916) 791-6391 Tel
(916) 791-6574 Fax
E mail rferro@ns.net

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 1121-050—California
Battle Creek Hydroelectric Project
Pacific Gas and Electric

Mr. James Canaday
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95818-2000

MAY 16 2000

Subject: Comments on Draft Alternatives for the Battle Creek Salmon and Steelhead Restoration Project

Dear Mr. Canaday:

The Federal Energy Regulatory Commission (Commission) offers the following comments on the draft alternatives represented in the Notice of Preparation (NOP) for the joint Environmental Impact Report/Environmental Impact Statement (EIS/EIR) for the Battle Creek Salmon and Steelhead Restoration Plan. The State Water Resources Control Board is the state lead agency for the development of the EIR under the California Environmental Quality Act (CEQA) and the U.S. Bureau of Reclamation is the lead federal agency for the development of the EIS under the National Environmental Policy Act (NEPA). The Commission is a cooperating federal agency in the preparation of the EIS.

Background

The Battle Creek Salmon and Steelhead Restoration Plan proposes to reestablish approximately 42 miles of salmon and steelhead habitat in Battle Creek and an additional 6 miles of habitat in its tributaries. The proposed project would be accomplished through modification of Pacific Gas and Electric Company's hydroelectric project which consists of nine diversion dams (below natural waterfall barriers), associated water conveyance facilities, five powerhouses, transmission lines and appurtenant facilities.

The NOP stated that the Battle Creek Salmon and Steelhead Restoration Plan was prepared under the supervision of the Battle Creek Working Group (BCWG) consisting of individuals representing stakeholders and government resource agencies responsible for watershed management. The NOP indicated that members of the BCWG discussed a wide range of actions that would maintain a balance between continued hydropower production while meeting salmon and steelhead habitat needs. The NOP stated that the

modifications varied from a "No-Action" alternative (maintaining the existing hydroelectric features and operations) to the complete decommissioning of the lower portion of hydroelectric project including the removal of all hydroelectric diversion dams, water conveyance facilities, powerhouses, transmission lines and related support installations except for the two Volta powerhouses. The NOP identified these two options as the "bookend" alternatives.

The NOP stated that with the two bookend alternatives defined, the BCWG began the process of screening and evaluating a number of restoration alternatives that consisted of various combinations of dam removals, installation of fish ladders and fish screens, and increasing streamflows below the dams. The NOP stated that the result is four main alternatives plus two bookend alternatives that are proposed to be examined in the EIS/EIR.

Discussion

Developing an appropriate range of alternatives to be discussed in the EIS/EIR is critical to ensuring the document fully discloses the options available to the decision makers and the affected public. Under NEPA, the EIS should rigorously explore and objectively evaluate all reasonable alternatives. Additionally, NEPA requires that a no-action alternative be evaluated as one of the alternatives evaluated. Under the no-action alternative, the document would examine the environmental impacts on salmon and steelhead populations within the project area under existing hydroelectric license conditions.

The four main alternatives (alternatives 2 through 5) were developed based on data collected by technical teams conducting investigations to determine salmon and steelhead habitat needs in each stream reach. The NOP also indicated that the California Department of Water Resources completed a reconnaissance level engineering investigation to provide engineering data and cost estimates for mitigative measures. The NOP stated that the stakeholders used the information in the reports to evaluate the biological feasibility of restoration improvements and to maximize the potential for providing practical restoration alternatives.

The 6th alternative (or other "bookend") represents the complete removal of all hydroelectric facilities below the natural barriers except the Volta powerhouses. From the description of how alternative 6 was derived, it would appear that it was established from identifying the opposite bound, or range, to the no-action alternative. After defining a range, the NOP indicated that the BCWG set out to define reasonable alternatives in between the "bookends". However, unlike the no-action alternative, alternative 6 is not a statutory requirement. Therefore, inclusion of alternative 6 in the EIS/EIR as a

reasonable alternative (because it is a "bookend") does not appear to be clearly supported by data. Additionally, alternative 6 does not meet the objective of the restoration plan which proposes to restore salmon and steelhead habitat while maintaining a viable hydroelectric project.

The Battle Creek Hydroelectric Project consists of five powerhouses with a total installed capacity of 36,056 kW.¹ The three powerhouses proposed to be decommissioned under alternative 6 contribute a total of 26,550 kW or approximately 75 percent of the project's total installed capacity. There is no data provided that indicates that such a large percentage of lost generation would allow the project to remain economic.

Alternative 6, which was chosen as the other bookend to the no-action alternative, is beyond the scope of the objectives of the proposed Salmon and Steelhead Restoration Plan and should therefore, be eliminated from consideration as a reasonable alternative to be examined in the EIS/EIR. NEPA allows for any alternatives which were eliminated from detailed study, to be briefly discussed in the document with the reasons for their elimination reviewed. It is recommended that alternative 6, as described in the NOP, not be considered as an alternative but rather briefly reviewed in the EIS/EIR. The five remaining alternatives should adequately analyze the environmental impacts associated with implementing salmon and steelhead restoration in Battle Creek.

Thank you for your consideration. If you have any questions regarding this matter, please contact Mr. T.J. LoVullo at (202) 219-1168.

Sincerely,



Fred E. Springer
Director
Division of Hydropower Administration
and Compliance

cc: Mail List

¹ Order Amending License. 69 FERC ¶ 62, 251 (1994).

Subject: Battle Creek Salmon & Steelhead
Restoration Project -
Scoping Meeting -

Ed & Beverley (Sue) Shaw
and Horace and Peggy Crawford, who
both are land owners through which
the Wildcat Pipeline and canal pass
through, here-by submit the following
additional items.

We request that appropriate
representatives meet with us to discuss
alternatives to a complete removal of the
abandoned Wildcat Pipeline and Canal.

We request that this meeting be held
soon, and prior to the completion of
the commissioning engineering and letting
of bids. This meeting would be a
continuation of earlier discussions and
requests that have been made to David
Garcia's office.

We believe that this would
lead to a win-win agreement that
would have substantial cost savings
for this project.

Sincerely,
Ed & Beverley Shaw



F R I E N D S O F T H E R I V E R

915 20th Street, Sacramento, CA 95814
916/442-3155 • FAX: 916/442-3396 • E-mail: info@friendsoftheriver.org • www.friendsoftheriver.org

CALIFORNIA'S STATEWIDE RIVER CONSERVATION ORGANIZATION

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Steve Evans

DEVELOPMENT DIRECTOR
Richard Penny

May 19, 2000

Jim Canaday
Environmental Specialist
State Water Resources Control Board
PO Box 2000
Sacramento, CA 95812-2000

Dear Mr. Canaday:

Please accept the attached comments from Friends of the River as formal input for the scoping process of the Battle Creek Restoration Project EIR. These comments were originally submitted by FOR and other groups in February 2000 to the State Water Resources Control Board and the Bureau of Reclamation.

In summary, the EIR should do the following:

- **Consider a full range of alternatives in the EIR, including one alternative that removes Eagle Canyon Dam** in addition to the five dams proposed in the agreement, and **another alternative that removes all eight dams below the natural fish migration barriers** (this would still leave several diversion dams, reservoirs, and powerhouses upstream of the natural barriers).
- Evaluate the **economic effects** of each alternative.
- Evaluate the impacts of each alternative on sensitive, threatened, and endangered wildlife and botanical **species and habitat**.
- **Fully consider the adverse environmental impacts of installing a fish screen and ladder** on the Eagle Canyon Dam, which is located in a rugged canyon inaccessible to construction vehicles.
- **Require PG&E to adhere to an environmental monitoring plan to evaluate the effectiveness of the fish screens and ladders, and respond accordingly if the facilities fail to be 100% effective.**

Friends of the River
Scoping Comments: Battle Creek EIR



A NONPROFIT TAX DEDUCTIBLE ORGANIZATION

- **Require** PG&E to remove Eagle Canyon Dam if the fish ladders are not "100% fail-safe". The project requirements for "100% fail-safe" facilities must be defined.
- Request PG&E to provide **conservation easements** for all their project related lands to ensure that this property is not inappropriately developed in the future. PG&E properties that no longer support project facilities should be traded to the Bureau of Land Management to protect their public trust resource values.
- **Require** the project to comply with federal guidelines requiring the protection of the free flowing character and outstanding values of those portions of Battle Creek that the Bureau of Land Management has determined eligible for National Wild and Scenic status.

Friends of the River appreciates the opportunity to provide input during the scoping process. If you have any questions, please call me at 916-442-3155 extension 223.

Sincerely,



Jen Carville
Policy Advocate

Yahi Group of the Sierra Club Conservation Committee

Jim Canaday
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA

RE: Scoping Comment for Battle Creek Restoration Project

I appreciate the opportunity to comment on the Battle Creek Restoration Project. Fisheries biologists agree that Battle Creek provides the very best opportunity to restore and enhance the runs of salmon and steelhead in the Sacramento River watershed. This includes the endangered winter run Chinook salmon and the threatened springrun Chinook salmon and steelhead.

After years of analysis and negotiations, PG&E, the U.S. Bureau of Reclamation, u.s. Fish and Wildlife Service, National Marine Fisheries Service, and the California Department of Fish and Game have signed an agreement that is an important step towards significant restoration.

Now additional restoration alternatives must be evaluated in the public environmental review process. In order to have the desired effect of increasing the runs of salmon and steelhead, fish passage and fish spawning habitat should be enhanced as much as possible. Fish passage needs to be a priority to make it work. Any one place that would limit fish passage would harm the project significantly.

Specific comments

(1) Carefully select an alternative to evaluate with the major objective of increasing the runs of the salmon and steelhead. For example include removing all the dams completely as the one alternative for assuring fish passage. Consider this as the preferred alternative, since it will assure that the project will work.

(2) Fully consider the alternative of removing the Eagle Canyon Dam as opposed to the proposed screen and ladder. Include all the adverse environmental effects on the building of the fish ladder. Include in the evaluation the recognition that fish ladders may not be as effective as planned, sometimes cost more than projected, and may cause harmful effects to build. Then, once built, they may still prevent fish passage during some water flows.

(3) Make fish passage a priority for the restoration. If the plan includes trying to use the fish ladder as a means of allowing the Eagle Canyon Dam, include removing the

dam as part of the project if the fish ladder does not work and the dam with the fish ladder still forms a barrier to fish passage. This means that studies to evaluate the fish ladder's effectiveness need to be part of the project plan. The intention to allow fish passage is not enough, the fish ladder must actually work.

(4) Request that PG&E provide conservation easements to assure the protection of resources and the control of future development. For example, any properties that no longer support facilities should be traded to the Bureau of Land Management

Comply with all federal guidelines that support the protection of those portions of Battle Creek that the BLM has found eligible for National Wild and Scenic status.

(4) When we visited the upper watershed of Battle Creek, we noted that the soil there is very erosive. Make sure that soils are protected in any planning for the watershed.

Conclusion

Restoring the anadromous fisheries to Battle Creek and its tributaries would be a valuable achievement. However, if any one limiting factor is allowed to remain, it could be a costly failure. Removing all the dams would be the best alternative to assure success.

Sincerely,



Helen Ost
1255 East Lindo Ave
Chico, CA 95926
Phone/Fax: (530) 343-2417
Email: Johnheln@inreach.com

WALTER COOK
Attorney at Law (Ret.)
42 Northwood Commons
Chico, CA 959737214

Tel: 530/345-5474
Fax: 530/345-5474
E-Mail: wcmc95@aol.com

May 19, 2000

Jim Canaday
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95818-2000

Via Fax: 916/657-1485

Re: SCOPING COMMENTS
DEIS/DEIR, Battle Creek
Anadromous Fish Restoration Project

Dear Mr. Canaday:

- 1.** I understand that Wildcat, Coleman, South, Lower Ripley Creek and Soap Creek dams are to be removed. Inskip, Eagle Canyon and N. Battle Creek Feeder dams, together with any other dams on the Battle Creek watershed, should also be considered for removal as an alternative in the DEIS/DEIR.
- 2.** For some reason the Keswick Diversion Dam, the Al Smith Dam, the Macumber Reservoir Dam, and the North Battle Creek Reservoir Dam have not been included in the project. What impact the removal of these dams would have on salmon and steelhead should be considered.
- 3.** The relative merits and impacts of the proposed fish ladders and screens on the one hand, and the decommissioning and removal of the dams to be laddered on the other hand, should be considered.
- 4.** Riparian vegetation on the Battle Creek watershed should be studied to determine the steps that may be needed to restore the fishery.
- 5.** The needs, benefits and impacts of increased minimum flows in excess of the proposed 35-88 cfs need to be considered.
- 6.** The impact of any flow fluctuations on anadromous and other fish and aquatic species should be studied.
- 7.** Flow ramping rates should remain steady, especially during spawning, rearing and migration periods for salmon and steelhead.
- 8.** The potential entry of cattle and other livestock into the project waters, and their numbers should be estimated.

9. The impact of cattle and other livestock on the purity of water, riparian vegetation, bank preservation, and streambed habitat for salmon and steelhead spawning, rearing and migration must be considered.
10. Studies should be made to determine the needs of invertebrates and other food for the salmon and steelhead during all their life stages in Battle Creek.
11. Water temperatures needed for the salmon and steelhead, and their food sources should be studied to determine the optimum requirements for fish health and growth.
12. Periodic future monitoring of all plan elements should be established, and the results should be prepared in a form useful for reasonable public study.
13. The results of the fish restoration plan should be studied for at least 15 years after they have been implemented, with provisions that would permit future modifications of the plan if the adopted plan proves inadequate to restore the fish.
14. Public access for fishing and other recreation needs to be enhanced. The EIS/EIR must study the impact of the restoration project on public access.
15. PG&E has applied to the State Public Utilities Commission for permission to divest itself of its hydro projects in California, including those on Battle Creek. . The PUC is presently in the process of preparing an EIR for the divestiture. The Battle Creek EIS/EIR should be coordinated with the PUC CEQA process. All cumulative impacts should be studied.
16. The PUC may lose control of the hydro facilities after any sale by PG&E. In addition, the Federal Energy Regulatory Commission only has control of a portion of the lands owned by PG&E included in the divestiture. Any mitigation or other conditions or requirements of the EIS/EIR must be made binding on any and all future owners, over and above the requirements of FERC licenses and permits.
17. Of course, the impact of the project on all species listed under the Endangered Species Act must be studied.
18. Please place me on your project mailing list for future documents in this project.

Yours truly,



WALTER COOK

Horace and Peggy Crawford
Quail Run Ranch
"A Private Wildlife Sanctuary"
2164 Stewart Avenue
Walnut Creek, CA 94596
Email hcrawpcraw@aol.com

*Ed & Beverley (Sue) Shaw
P.O. Box 1159
Palo Cedro, Ca - 96093
(530) 515-0194*

January 31, 2000

To: Bureau of Reclamation

Subject: Battle Creek Salmon and Steelhead Restoration Project
Scoping Meeting - Manton, CA. January 31, 2000

*To the Bureau of Reclamation
Battle Creek Restoration
project. We hereby submit
these same items.
Beverley Shaw & Ed Shaw*

Written Submittal from Landowner

Horace and Peggy Crawford, owners of Quail Run Ranch, "A Private Wildlife Sanctuary", on the North Fork of Battle Creek, submit this summary of comments, suggestions, and questions to The Bureau of Reclamation. This submittal is for the Bureau's use in addressing significant issues in the preparation of the EIS/EIR for the Battle Creek Salmon & Steelhead Restoration Project. Our mailing address is shown at the top of this letter.

Opening statements:

We want to see the Salmon and Steelhead Restoration Project be successful. However you must listen, work with, and lend support to the people, especially affected landowners, who can convey significant impacts that need to be addressed.

For over 2 years we have been going to the meetings in Manton. We are members of the Battle Creek Watershed Conservancy. We have met with PG&E, written to PG&E, met with David Gore, written to David Gore, written to others and met and talked with many others at the Manton meetings in the past.

Property Location:

We are registered landowners along the North Fork of Battle Creek on the Tehama County side. Our property line includes one (1) mile along the centerline of the North Fork of Battle Creek. We are down stream of Wildcat Dam. Wildcat Canal and pipeline runs, or did "run", through our ranch, and the Shaws' Place until it was suddenly shut off with absolutely no notice when this project was started back in 1995/96.

Original Shutdown of Wildcat Canal without complete Impact Assessment Process

We, along with our neighbors Ed and Sue Shaw, were never given the opportunity to provide comments when the initial "assessments" having to do with shutting down Wildcat Canal were made. We were never contacted by PG&E or anyone else before the pipeline and canal were shut down. Our damage began then. We (the Crawfords and the Shaws) have requested copies of that assessment and, you guessed it, we have never received this nor any explanation as to why we were not contacted and given some consideration. (Attached is a copy of my original letter to PG&E about the situation.)

Comment: We request that the EIS/EIR include a full assessment of the negative impact of shutting down Wildcat Pipeline and Canal. Some of the impacts that should be addressed are the negative effect on flora and fauna along the canal and in particular trees dying, loss of property beauty along the canal, loss of property value, loss of fire protection water source, loss of livestock drinking water.

Questions:

1. Was an environmental assessment made at all before Wildcat Canal was shut down?
2. Who had the responsibility and accountability to notify and do right by the affected landowners?

Construction Impact of Removing and Restoration – Wildcat Dam, Wildcat Pipeline and Wildcat Canal

We have been told that there will be significant construction effort required to remove the pipeline, remove the footings, restore the right-of-way, fill in the open canal, and remove the Canal Bridge.

Comment: The impact of these activities should be addressed in the EIS/EIR.

Questions:

1. Will the impact of sediment generated by the removal of Wildcat Dam be addressed?
2. We are concerned about trout fish kill and sediment deposits along the creek.

Loss of Property Value

Our property was seriously negatively impacted when the canal was shut down permanently. We would not have purchased this property for the intended purpose of creating a private wildlife sanctuary and family retreat had we known that within a few short years, Wildcat Canal would be shut down without notice. We may not be able to sell the property in the future.

Comment: The impact of property value loss due to loss of flora and fauna etc. should be addressed in the EIS/EIR.

Question:

1. Will there be consideration of compensation to those negatively affected landowners? We have been told that there may be.

Why Wildcat Dam and Not Eagle Canyon Dam?

Current plans call for decommissioning of Wildcat and other dams, however the next dam above Wildcat Dam is to remain.

Question:

1. If the intent is to restore steelhead and salmon habitat, why would Eagle Canyon Dam have been excluded from decommissioning?
2. If a fish ladder and screen at Eagle Canyon Dam is a solution, why not a fish ladder at Wildcat Dam and re-activating Wildcat Pipeline and Canal as it operated for eighty years?
3. Who makes these decisions?

Fishing Rights and Changes Thereto

Comment: The EIR/EIS should address the impacts to sport fishing and changes to the regulations for taking fish.

Questions:

1. Will there be added restrictions placed upon trout fishing on the section of the North Fork of Battle Creek below Wildcat Dam to the bridge at Wildcat Road?
2. As the project progresses and there are more and more salmon and steelhead in the creek, will the trout population be expected to decline or increase?
3. Will Steelhead fishing be allowed?

Natural State

The project is limited to certain changes to open up more water to Salmon and Steelhead migration, but not all the way. The EIR/EIS should address this issue.

Questions:

1. Why not take out all the dams and forget about spending a ton of money on modern new fish ladders, new canals, tunnels, etc.?
2. Is the ultimate plan to completely restore Battle Creek to its pristine natural state?
4. Why not now?

PG&E Insight

It is not clear in any of the documents that we have read as to what the situation is with PG&E. I therefore have the following questions:

1. It was our understanding that the current water rights for hydropower lease that PG&E holds will expire around 2020. When will it expire?

2. We have heard that PG&E will gain a lucrative new lease as this project progresses. What are the facts?
3. We have heard that under PG&E's existing water rights, they are to receive payment for water that they have rights to, but do not take. Have they earned rights for payment for water not used as a result of Wildcat Canal being turned off for the last few years?
4. Will PG&E gain by getting out of an obligation to remove dams, pipelines, and canals in the future by having these removed under special funding of the restoration project?
5. How much will they save?
6. How much will they be paid for water not used?

Scar on the Hillside

When the pipeline section of Wildcat Canal was installed, a shelf on the steep sides of the hill had to be carved out of the rock face. This should be addressed in the EIR/EIS.

Question:

1. What are the plans for mitigating this situation after the pipeline is removed?

Delays, Delays.

It has been over 4 years since the Wildcat canal was turned off. Earlier meetings and publications led us to believe that the Wildcat decommissioning work would be underway by mid 2000. We had therefore assumed that the abandoned easement would have been cleared this year. We are still waiting. We have heard that the project may be a year to a year and a half behind schedule at this point?

Questions:

1. Who has let this delay happen?
2. Why are we just now starting preparation of an EIS/EIR?
3. How long should we be expected to live with the negative aspects of an easement that, for all practical purposes, was abandoned four years ago?
4. How can we obtain a complete copy of the easement agreement or agreements?
5. How can we learn specifically about what requirements are called for when this type of easement is abandoned?

Closing Comment

We would appreciate receiving written response to our questions and to seeing that the EIS/EIR document includes consideration of the items that have been brought to your attention in this submittal.

Should you have any questions and/or desire to meet with us, we are ready to do so.

Very truly yours,

Horace Crawford and *Peggy Crawford*
 Horace Crawford and Peggy Crawford
Ed Shaw and Beverly S. Shaw
 Attachment: Letter to PG&E dated May 16, 1996

**Horace and Peggy Crawford
Quail Run Ranch
"A Private Wildlife Sanctuary"
2164 Stewart Avenue
Walnut Creek, CA 94596
Email hcrawpcraw@aol.com**

January 18, 2000

**Ms. Angela Risdon, Senior License Coordinator
Pacific Gas and Electric Company
P.O. Box 770000
San Francisco, CA 94177**

**Ms. Mary Marshall, Environmental Specialist
U.S. Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825**

**Mr. Jim Canaday, Environmental Specialist
State Water Resource Control Board
P.O. Box 2000
Sacramento, CA 95812-2000**

**Subject: Battle Creek Project Hydroelectric Project
Battle Creek Salmon and Steelhead Restoration Project
Communications Protocol
Written Communications-Interested Parties - Mailing List**

Mailing List Addition

For some reason, Horace and Peggy Crawford, owners of Quail Run Ranch on Battle Creek, have been left off the Interested Parties mailing list to receive notifications relative to the Battle Creek Salmon and Steelhead Restoration Project. Would you please use your influence to see that we are added to the list and that we receive any mailers that have already gone out as well as those in the future? Our mailing address is shown at the top of this letter.

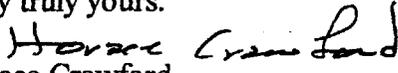
Will someone please notify me that our name and address has been added?

For over 2 years I have been going to the meetings in Manton. I am a member of the Battle Creek Watershed Conservancy. I have met with PG&E, written to PG&E, met with David Gore, written to David Gore, written to others and met with many others at the Manton meeting. I cannot understand why we are not on the Interested Parties list. I have signed in at every opportunity.

We are registered landowners along the North Fork of Battle Creek. Wildcat canal runs, or did "run", through our ranch until it was suddenly shut off with absolutely no notice when this project was started. We, along with our neighbors Ed and Sue Shaw, were never given the opportunity to provide comments when the "assessments" having to do with shutting down Wildcat Canal were made. We (the Crawfords and the Shaws) have requested copies of that assessment and you guessed it, we have never received it.

I want to see the Salmon and Steelhead restoration project be successful, however you must listen and lend support to the people, especially property owners, who can convey the "Impacts" that need to be addressed.

Very truly yours.


Horace Crawford

cc:
Jim Goodwin, P.E.
Civil Engineer
U.S. Bureau of Reclamation
Division of Design and Construction
Mid-Pacific Region, MP-210
2800 Cottage Way
Sacramento, CA 95825

cc: Ed and Sue Shaw

Robert C. Meador, Location/Eng. Control
U.S. Bureau of Reclamation
Willows Mid-Pacific Construction Office
1140 West Wood Street
P. O. Box 988
Willows, CA 95988

David W. Gore
Chief Liaison/Project Management
U.S. Dept. of the Interior
Bureau of Reclamation
Attention: MP-205
2800 Cottage Way
Sacramento CA 95825-1898

Mike Drury
Land Planning
PG&E, Chico Area
350 Salem
Chico, CA 95926

May 17, 2000

Patricia M. Puterbaugh
1540 Vilas Rd.
Cohasset, CA. 95973

State Water Resources Control Board, Division of Water Rights
Jim Canaday
P.O. Box 2000
Sacramento, Ca. 95812-2000

Dear Mr. Canaday,

I am writing to urge you to consider a FULL range of alternatives in the EIS/EIR for the Battle Creek Restoration Project. This river is a key tributary in the Sacramento River watershed restoration and will provide excellent habitat for our threatened anadromous fish. I am very pleased to see the plans for removal of 5 small dams and the plans for fish ladders and screens on 3 other dams. However, I am dismayed to see that there is no alternative mentioned for the removal of the Eagle Canyon Dam. Your EIR must mention a full range of alternatives, including a plan to remove this dam. Removal of this dam will guarantee 100% fail-safe passage to migrating salmon.

Unfortunately, the plan for a 100% fail-safe fish screen and ladder is almost an impossibility. Especially as this ladder will be built at taxpayer expense – 2 million dollars! If this fish ladder is not 100% “fail-safe”, what will be plan B? The EIR should require that PG&E adhere to an environmental monitoring plan to evaluate the effectiveness of the fish ladders and screens. I would also like to see conservation easements written into this EIR so that this property will be allowed to stay as it is now – pristine. It is also important that the project comply with federal guidelines requiring the protection of the free flowing character and outstanding values of those portions of Battle Creek that the BLM has determined eligible for National Wild and Scenic status.

I would also like you to consider alternatives which: remove all eight dams below the natural fish migration barriers, evaluate the economic effects of each alternative, fully evaluate the adverse environmental impacts of installing a fish screen and ladder on the Eagle Canyon Dam.

Please keep me informed on the status of this important project

Sincerely,



Patricia M. Puterbaugh

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

RE: Removal of dams along Battle Creek

Dear Mary Marshall and Jim Canaday,

I am a citizen concerned with river preservation.

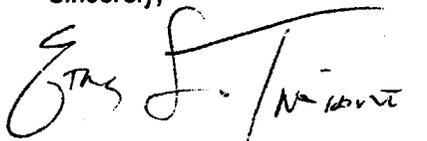
Please don't let a completely effective Battle Creek restoration project slip through you hands.

I'd like you to consider:

- A) Removal of the Eagle Canyon Dam in addition to the five dams already in the memorandum as a way to ensure a passage for salmon and steelhead.
- B) Removal of all eight dams below the natural fish migration barriers , leaving the diversion dams, reservoirs and powerhouses upstream.
- C) Bring the project into compliance with the federal guidelines for the protection of the free flowing character and outstanding value of portions of Battle Creek under National Wild and Scenic Status.

Thank you for your work on this monumental and significant project.

Sincerely,


126A ANZA ST.
SF, CA 94118

**Nancy Harris Dalwin
286 Cumberland St.
San Francisco, CA 94114**

May 8, 2000

**Jim Canaday
California State Water Resources Control Board,
Division of Water Rights
P.O. Box 2000
Sacramento, California
95812-2000**

RE: Support of removal of Battle Creek dams

Dear Jim Canady

I am urging the State Water Resources Control Board agency to include the following issues in a joint state and federal EIS/R:

... Consider a full range of alternatives in the EIS/R, including one alternative that removes Eagle Canyon Dam in addition to the five dams proposed in the agreement, and another alternative that removes all eight dams below the natural fish migration barriers (this would still leave several diversion dams, reservoirs, and powerhouses upstream of the natural barriers).

... Evaluate the economic effects of each alternative.

... Evaluate the impacts of each alternative on sensitive, threatened, and endangered wildlife and botanical species and habitat.

... Fully consider the adverse environmental impacts of installing a fish screen and ladder on the Eagle Canyon Dam, which is located in

a rugged canyon inaccessible to construction vehicles.

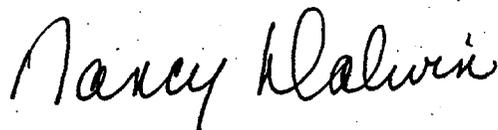
... Require PG&E to adhere to an environmental monitoring plan to evaluate the effectiveness of the fish screens and ladders, and respond accordingly if the facilities fail to be 100% effective.

... Require PG&E to remove Eagle Canyon Dam if the fish ladders are not "100% fail-safe". The project requirements for "100% fail-safe" facilities must be defined.

... Request PG&E to provide conservation easements for all their project related lands to ensure that this property is not inappropriately developed in the future. PG&E properties that no longer support project facilities should be traded to the Bureau of Land Management to protect their public trust resource values.

... Require the project to comply with federal guidelines requiring the protection of the free flowing character and outstanding values of those portions of Battle Creek that the Bureau of Land Management has determined eligible for National Wild and Scenic status.

Sincerely,

A handwritten signature in cursive script that reads "Nancy H. Dalwin". The signature is written in black ink and is positioned below the word "Sincerely,".

Nancy H. Dalwin

May 10, 2000

Jim Canaday
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Jim,

I am writing with regard to the "Battle Creek Salmon and Steelhead Restoration Project Memorandum of Understanding" agreement between PG&E and many state and federal agencies. It is now under review by two environmental laws, NEPA and CEQA. I would like to advocate, during this review process for increased restoration of this watershed. With this in mind, I request that you:

- Consider a full range of alternatives in the EIS/R, including one alternative that removes Eagle Canyon Dam in addition to the five dams proposed in the agreement, and another alternative that removes all eight dams below the natural fish migration barriers (this would still leave several diversion dams, reservoirs, and powerhouses upstream of the natural barriers).
- Evaluate the economic effects of each alternative.
- Evaluate the impacts of each alternative on sensitive, threatened, and endangered wildlife and botanical species and habitat.
- Fully consider the adverse environmental impacts of installing a fish screen and ladder on the Eagle Canyon Dam, which is located in a rugged canyon inaccessible to construction vehicles.
- Require PG&E to adhere to an environmental monitoring plan to evaluate the effectiveness of the fish screens and ladders, and respond accordingly if the facilities fail to be 100% effective.
- Require PG&E to remove Eagle Canyon Dam if the fish ladders are not "100% fail-safe". The project requirements for "100% fail-safe" facilities must be defined.
- Request PG&E to provide conservation easements for all of their project related lands to ensure that this property is not inappropriately developed in the future. PG&E properties that no longer support project facilities should be traded to the Bureau of Land Management to protect their public trust resource values.
- Require the project to comply with federal guidelines requiring the protection of the free flowing character and outstanding values of those portions of Battle Creek that the Bureau of Land Management has determined eligible for National Wild and Scenic status.

Our rivers, creeks and watersheds are a vital part of our life, as they are to the aquatic species living in them. Protecting and restoring these resources is essential to our quality of life.

Thank you so much for your time and energy in reading this letter.

For the rivers,

A handwritten signature in cursive script that reads "Eve A. Ladwig-Scott". The signature is written in black ink and is positioned above the printed name.

Eve Ladwig-Scott
2418 Dennison Dr.
Davis, CA 95616
(530) 758-7248

John Hill
25360 Anderson Avenue
Barstow, CA 92311
(760) 253-7691
jhnewtalk@yahoo.com

Jim Canaday
State Water Resources Control Board,
Division of Water Rights
PO Box 2000
Sacramento, CA 95812-2000

MAY 11, 2000

Mr. Canaday:

Within the public comments on the Battle Creek Restoration Project, I want to ask for the demolition of the Eagle Canyon Dam and eight others below the natural fish migration barriers in addition to the five listed in the agreement. I also want to state that fish ladders have not and are not the most successful in all water level conditions and the creation and preservation of long reaches of fish run on the rivers is best.

Thank you,

A handwritten signature in black ink, appearing to read "John Hill", written over a horizontal line.

John Hill

From: "Lorne, Matt" <mlorne@dot.state.nv.us>
To: "MMARSHALL@MP.USBR.GOV" <MMARSHALL@MP.USBR.GOV>
Date: 2/29/00 6:09PM
Subject: FW:

> -----Original Message-----

> From: Lorne, Matt

> Sent: Tuesday, February 29, 2000 4:50 PM

> To: 'nmarshall@mp.usbr.gov'

> Subject:

>

> Comment on the scope of the Battle Creek Salmon and Steelhead Restoration

> Project:

>

> Comment: Please thoroughly discuss in the proposed EIS/EIR the option of

> removing dams to restore spawning grounds. This should include a

> cumulative analysis of dam impacts on salmon and steelhead spawning

> grounds.

>

>

> Thank you for the opportunity to comment:

>

>

>

> Matt Lorne

2/19/00
Dear Mary Mackill & John Chubbey -

As a taxpayer, I would like to
ask you to the value that the
Battle Creek tributary has to the
future of the region. Having salmon
back in the river means bringing
the river back to life, and I
want you to consider all the
alternatives being proposed to
make this happen. Some ideas:

1) Remove the Eagle Canyon
dam to restore the best salmon
& steelhead habitat in the
watershed, in addition to the five
other dams that PGE has agreed
to remove. Even if Eagle Canyon
& the five other dams identified
identified in the agreement are removed,
seven storage & diversion dams for the mill

of costs, and all the project
proceeds would remain in the
contract to generate power & profit to
for the ~~public~~ utility.

2) Contract is independent
economic analysis of P&E's
suggested not generating revenues
to ensure an equitable split of
restitution ~~at~~ costs between the
public & P&E.

Thank you for considering these
proposals.

Sincerely,
Leigh Fitzgerald
Truckee, CA

STATE OF CALIFORNIA
DIVISION OF WATER RESOURCES

OFFICE OF THE DIRECTOR
1000 CALIFORNIA STREET
SACRAMENTO, CALIFORNIA 95834

STAFF ASSISTANT
M. J. ...

19 February 2000

4110 Howe Street

Oakland CA 94611

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Dear Ms. Marshall -

I support the Bureau of Reclamations goals to restore Battle Creek and am writing to encourage your agency to consider the removal of Eagle Creek Dam.

Restoring Battle Creek is very important because it provides our best opportunity to actually restore all salmon & steelhead runs in the Sacramento River watershed, including the endangered winter run chinook salmon and the threatened spring run chinook salmon & steelhead.

Eagle Canyon Dam should be removed! Fishladders are not enough! I'm especially concerned about installation of ladders in an area that is virtually inaccessible by construction/maintenance vehicles -- ladders do not work when they are not maintained.

Please consider:

- * removing eight dams below the natural fish migration barriers
- * evaluating the economic effects of each alternative
- * evaluating the impacts on threatened & endangered wildlife & plants
- * fully consider the impacts of installing a fish ladder in a rugged canyon

You should consider requiring the owner (PG&E) to remove Eagle Canyon Dam if the ladders cannot be proven to be 100% safe. I look forward to hearing your position on this issue.

Sincerely, Jennifer Diegel

2-20-00

Dear Mary Marshall and Jim Canada,
I am writing to express my concern about Battle Creek habitat restoration plans. I hope you will consider the following alternatives to the current memorandum:

Proposed Alternatives:

- (1) Removal of Eagle Canyon Dam, along with the five dams already described in the memorandum, to ensure a passage for salmon and steelhead.
- (2) Removal of all eight dams below the natural fish migration barriers, leaving the diversion dams, reservoirs and upstream powerhouses.
- (3) Bring project into compliance with the federal guidelines for protection of the freeflowing character and outstanding value of portions of Battle Creek under Wild & Scenic status.

The above alternatives/options may be viable if ~~the~~ the vital Battle Creek watershed is to serve us in the future.

I hope you will seriously consider these alternatives.

~~Susan Windman~~
Susan Windman

**Battle Creek Salmon and Steelhead Restoration Project
Public Comment Letters**

	Submitted By		Submitted By
Letter 1	Flo Samuels; Sandy Terry San Francisco CA -- signature indecipherable	Letter 2	Frank Livni; Greg Robinson Colfax CA -- signature indecipherable Brisbane CA -- signature indecipherable
Letter 3	Lisa Tracy; W.B. Davis; Richard Denny San Jose CA -- signature indecipherable San Francisco CA -- signature indecipherable Citrus Heights CA -- signature indecipherable	Letter 4	Sylvia Kleinsmith; Richard McFarland Oakland CA -- signature indecipherable Mountain View CA -- signature indecipherable
Letter 5	Salyer CA -- signature indecipherable Willow Creek CA -- signature indecipherable	Letter 6	Lee Ross; Ronald Herdman Friends of the Eel River, Redway CA Morgan Hill CA -- signature indecipherable
Letter 7	Kris Schmidt; Juanita McFarland	Letter 8	J.C. Shultes; S. Hackett; Rodger Magill 2 -- signature indecipherable San Francisco CA -- signature indecipherable Mountain View CA -- signature indecipherable
Letter 9	J.C. Shultes; Dylan Hayes; Eva Pavlicek signature indecipherable	Letter 10	Diane Bloch; Rebecca Kress; Cindy Detwiler Daly City CA -- signature indecipherable Fremont CA -- signature indecipherable
Letter 11	Michael Scott McGuire signature indecipherable Oakland CA -- signature indecipherable Berkeley CA -- signature indecipherable 2 San Francisco CA -- signature indecipherable	Letter 12	John Merlo; C. Downing; Robert Brister; Tara Warfield 2 -- signature indecipherable

	Submitted By		Submitted By
Letter 13	Sally Ross; Valerie Wolf; Derrick Hilbert; Christopher Ito; Jennifer Fortner; Eve A. Ludwig-Scott; Jessica L. Hoffschildt Vallejo CA -- signature indecipherable	Letter 14	J. Colbert; Diane Bloch; Brent Briggs; Hilary Staples 2 -- signature indecipherable Fremont CA -- signature indecipherable Daly City CA -- signature indecipherable
Letter 15	E. Olson; Thomas Newland; Suzanne Ferraggiaro 2 -- signature indecipherable North San Juan CA -- signature indecipherable	Letter 16	J. Petrosky; Patrick Elliott Glen Ellen CA -- signature indecipherable
Letter 17	Jenni Taylor; Shail Pec-Crowe; William Gustafson signature indecipherable Fairfax CA -- signature indecipherable Bakersfield CA -- signature indecipherable San Francisco CA -- signature indecipherable	Letter 18	J. Schiess; Flo Samuels; Jeeon K. Majumdar signature indecipherable Davis CA -- signature indecipherable San Francisco CA -- signature indecipherable
Letter 19	J. Brooks; J. Colbert; Gail Ludwig; Lynn Zonge; Donna Boyd; Matt Shogren; Dennis O'Brien; Melissa Ezerberg	Letter 20	D. Fong; Jon Hazlett; S. Peabody; Kristin Otte; Brian Martin; Stewart Weiss; Victoria Harris; Suzanne Tolfeson; 2 -- signature indecipherable Paradise CA -- signature indecipherable Rancho Cordova CA -- signature indecipherable
Letter 21	Michel Olson; Adrian Tieslan; K. McBurney; Trudy Wilkinson; Heather Wahanik; Don Desjarlais; Daniel Durkin; Julianna Hedstorm; Bruce Campbell; Robert McBride; Pam Helm; Tim Jones; Elizabeth Long; James Prince; Martin Homec; Dirk Wahanik; Philip Weyman; Julie Vandenwal; Nicolette Schlarb; Hal Fiore; Annie Sharf; Lebrin St. John; Robert Wren; Donna Wren; Al Roundtree; Lindsay Fredericks; Alice Sharp; Jill Hoffman; Judy Weber; Shannon Wehner; Erin Gardner; Nanette Thomas; Tom Martens; Patricia Martens; Rebecca King; Mary Rodgers; Michelle McGraw; Klista Redfield; Jon-Paul Salouen; David VanBrocklin; Rick Ardito; John Lester; Elyse Anderson; Dominique Cox; Rafael DeLaFuente; Bern Kreissman; You N. Hyung Nam; Sara Carmichael; Cindy Hergenrother; Cecile Martin; Tracy Schuster; Nicole Hamilton; Christina Bernhardt; David Cook; Brandon Johnson; Anne Woods; Robin Leanne Durna McBride; 3 -- signature indecipherable; 4 Davis CA -- signature indecipherable; 2 Sacramento CA -- signature indecipherable; Quincy CA -- signature indecipherable; Robbins CA -- signature indecipherable; Bodega Bay -- signature indecipherable		

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Mary Marshall and Jim Canaday,

I am concerned about the plans on the habitat restoration of Battle Creek. Please consider the following alternatives to the current memorandum:

- 1) Removal of the Eagle Canyon Dam in addition to the five dams already in the memorandum as a way to ensure a passage for salmon and steelhead.
- 2) Removal of all eight dams below the natural fish migration barriers , leaving the diversion dams, reservoirs and powerhouses upstream.
- 3) Bring the project into compliance with the federal guidelines for the protection of the free flowing character and outstanding value of portions of Battle Creek under National Wild and Scenic Status.

These are options that may be viable if the vital Battle Creek watershed is to serve us in the future.

Sincerely,

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Mary Marshall and Jim Canaday,

As a concerned citizen and one who enjoys life on the river, I would like to discuss the value of the Battle Creek tributary. Increasing fish populations can affect the vitality of the entire river system my region, the Central Valley. The river ecosystem needs help now if it is to ever recover its potential for service to the people of California.

With regards to the Battle Creek restoration project initiated by your agencies, half measures will be totally insufficient at this stage of the degeneration of the river system. A proposed agreement between the governmental agencies and PG&E calls for a "100 percent fail-safe" fish screen and ladder on the Eagle Canyon Dam. How will this mandate be maintained? Can the installation of a fish ladder be an effective aid to migration against the tremendous power that the dam itself has to impede the movement of the fish? How will the ladder be properly maintained when Eagle Canyon Dam sits in the middle of a rugged canyon with very poor (if any) motorized access to it?

Because of this and many other reasons, I encourage you to consider removal of the Eagle Canyon dam as the only "100% fail safe device

Thank you for your time and consideration.

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Ms. Marshall and Mr. Canaday:

I am writing to urge you to consider restoring Battle Creek by taking the following measures:

Remove the Eagle Canyon dam to restore the best salmon and steelhead habitat in the watershed, in addition to the five other dams that PG&E has agreed to remove. Even if Eagle Canyon and the five other dams identified in the agreement are removed, seven storage and diversion dams, miles of canals, and all the project powerhouses would remain in the watershed to generate power and profit for the utility.

Conduct an independent economic analysis of PG&E's supposed lost generating revenues to ensure an equitable split of restoration costs between the public and PG&E.

Sincerely,

Dear Ms. Marshall and Mr. Canaday:

I am an avid whitewater boater and California and support protection of those rivers for their recreational and environmental values.

I want to urge you both to support full restoration of Battle Creek by doing the following:

1. Restore the best salmon and steelhead habitat in Battle Creek by removing Eagle Canyon Dam.
2. Remove the other eight dams which block fish migration
3. Consider requiring PG & E to remove the dams if the fish ladders cannot be proven to be 100% fail safe.

Sincerely,

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Ms. Mary Marshall
Environmental Specialist, Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825.

Dear Ms. Marshall:

I believe that the salmon and steelhead runs on Battle Creek could be restored if you consider the following options:

- Consider a full range of alternatives in the EIS/R, including one alternative that removes Eagle Canyon Dam in addition to the five dams proposed in the agreement, and another alternative that removes all eight dams below the natural fish migration barriers (this would still leave several diversion dams, reservoirs, and powerhouses upstream of the natural barriers).
- Evaluate the economic effects of each alternative.
- Evaluate the impacts of each alternative on sensitive, threatened, and endangered wildlife and botanical species and habitat.
- Fully consider the adverse environmental impacts of installing a fish screen and ladder on the Eagle Canyon Dam, which is located in a rugged canyon inaccessible to construction vehicles.
- Require PG&E to adhere to an environmental monitoring plan to evaluate the effectiveness of the fish screens and ladders, and respond accordingly if the facilities fail to be 100% effective.
- Require PG&E to remove Eagle Canyon Dam if the fish ladders are not "100% fail-safe". The project requirements for "100% fail-safe" facilities must be defined.
- Request PG&E to provide conservation easements for all their project related lands to ensure that this property is not inappropriately developed in the future. PG&E properties that no longer support project facilities should be traded to the Bureau of Land Management to protect their public trust resource values.
- Require the project to comply with federal guidelines requiring the protection of the free flowing character and outstanding values of those portions of Battle Creek that the Bureau of Land Management has determined eligible National Wild and Scenic status.

Thank you

Sincerely

Dear Mary Marshall and Jim Canaday,

The Eagle Canyon Dam issue is crucial if the restoration of Battle Creek is to proceed in a proper way.

Battle Creek restoration is a crucial opportunity, and any incomplete measures will fall short. I would like to see the Eagle Canyon Dam removed . This will ensure that the project can succeed in its goals of restoring the creek. Moreover...

----Striking deals with PG&E which allow it to skirt its responsibilities is shameful

----The Wild and Scenic status of Battle Creek must be assessed
(we have a unique watershed fed by spring flows and of outstanding value)

As you both know Battle Creek is a key area for the entire Central Valley, in terms of fish restoration. The habitat under discussion can provide an essential haven , and a more protected one for salmon and steelhead.

Lets not make Battle Creek and the beautiful salmon of our region disappear without trying real measures that will restore them.

Thank you for you effort to date, and I'm looking forward to your further cooperation.

7 February 2000

Ms. Mary Marshall
Environmental Specialist
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825.

Dear Ms. Marshall,

I am writing to comment on the EIS/R for the Battle Creek Salmon and Steelhead Restoration Project. I believe that the project plan should comply with federal guidelines requiring the protection of the free flowing character and outstanding values of those portions of Battle Creek that the Bureau of Land Management has determined are eligible for National Wild and Scenic status. I would like to encourage you to fully consider the adverse environmental impacts of installing a fish screen and ladder on the Eagle Canyon Dam. No engineering solution can be 100% effective, especially when it is located in a rugged canyon that is not easily accessed by construction vehicles. Consequently I urge you to implement the one alternative that removes Eagle Canyon Dam in order to allow free passage of fish and restores Battle Creek to its naturally free flowing condition. Of course you should proceed with the removal of the other five dams proposed in the agreement. If you decide not to remove Eagle Canyon Dam, PG&E must be required to adhere to an environmental monitoring plan that will evaluate the effectiveness of the fish screens and ladders, and respond accordingly if the facilities fail to be 100% effective. When these screens and ladders are found to not be "100% fail-safe," PG&E must be required to remove the Eagle Canyon Dam at PG&E's expense.

Finally, as mitigation for their hydroelectric projects, PG&E should be required to provide conservation easements for all their project-related lands to ensure that this property is not inappropriately developed in the future. PG&E properties that no longer support project facilities should be traded to the Bureau of Land Management in order to protect their public trust resource values.

Thank you for your consideration and honest efforts to restore salmon and steelhead on Battle Creek.

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

RE: Dam Removal along Battle Creek

Dear Sir and Madam:,

This letter is a formal comment as part of the environmental review process under way.

I urge the Bureau of Reclamation to consider removing Eagle Canyon Dam and five other dams along Battle Creek. Please also consider a wide range of alternatives in the scoping process. I hope you will consider another alternative which would remove all eight dams below the natural fish migration barriers. Please also consider evaluating the economic effects of each alternative and the environmental impacts of each including impacts on sensitive, threatened, and endangered wildlife and botanical species.

I believe that upon further examination the Bureau may understand that installing a fish screen and ladder at Eagle Canyon Dam is not economically and environmentally feasible. The dam is located in a wild canyon inaccessible to construction vehicles. Ladders are not 100% fail safe, when not monitored enough.

Please consider removing all dams and complete a full economic and environmental analysis of those options.

With Regards,

Dear Mary Marshall and Jim Canaday,

I am a avid fisher man who is passionate about the salmon issue. When I heard about you agreement with PG&E vis a vis Battle Creek restoration, I knew that this was a key struggle for the revival of fish. Let populations. Lets face the fact that real opportunities to significantly change the salmon situation are few. As we progress into the new millenium these opportunities become less. Please don't let a completely effective Battle Creek restoration project slip through you hands.

After going over the information that I received let me make the suggestion of some options to consider:

- 1) Removal of the Eagle Canyon Dam in addition to the five dams already in the memorandum as a way to ensure a passage for salmon and steelhead.
- 2) Removal of all eight dams below the natural fish migration barriers , leaving the diversion dams, reservoirs and powerhouses upstream.
- 3) Bring the project into compliance with the federal guidelines for the protection of the free flowing character and outstanding value of portions of Battle Creek under National Wild and Scenic Status.

Thank you for your work on this monumental and significant project.

Sincerely,

February 19, 2000

Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

RE: Dam Removal along Battle Creek

Dear Mary Marshall and Jim Canaday,

I was excited to hear of the Bureau's plan to remove fish blocking dams on Battle Creek.

A tributary of the Sacramento River, Battle Creek provides critical habitat for salmon and steelhead and is considered our best chance to return endangered and threatened fish to the Sacramento River.

I was disappointed to hear that removal of Eagle Canyon Dam may not be considered. I write to urge the Bureau and other evaluators to consider this alternative and to also consider alternatives to remove eight dams along the creek.

Fish ladders are not "fail safe" (and under the physical conditions of Eagle Canyon, far from effective!). I encourage the Bureau to consider removal of the dam and also a requirement to PG & E of its removal if the ladders are not "fail safe".

I'd also encourage the Bureau of Land Management to consider, and work with PG & E to purchase its properties that no longer support facilities. We need to make sure those areas are not developed in the future.

I feel that it is of utmost importance for us to support strategies that will return endangered and threatened fish to the watershed. I hope you do as well.

Thank you for your time,

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

RE: Dam Removal along Battle Creek

Dear Mary Marshall and Jim Canaday,

Please consider the alternatives to the already formulated agreement with PG&E with regards to restoration of fish habitats in the Battle Creek watershed.

The "100% fail safe" fish screen and ladder (as stated in the memorandum) is not clearly defined. This kind of device will need repair and maintenance. What are the provisions for ensuring continual operation of the ladder? I have been alerted to the option of dam removal down stream of the natural fish migration barriers.

Have you seriously considered dam removal? Dams are, in my estimation, the major factor in river restoration. Removing dams serves to ensure revival of natural habitat, whereas leaving them in place, regardless of other measures, ensures nothing.

The Eagle Canyon Dam could be removed in light of the fact that ladders are not 100% fail safe.

Lets do the right job from the beginning on Battle Creek. I hope we can preserve Battle Creek for it's outstanding recreational opportunities and the fish populations and habitat contained within it.

Respectfully yours,

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

RE: Dam Removal along Battle Creek

Dear Sir and Madam:

Thank you for your work regarding Battle Creek restoration. I am writing to urge you to take the next step, action. The major impediment to restoration must be acknowledged: It is the dams themselves. This impediment cannot be diminished with the addition of fish ladders and the removal of minor dams. For this reason I believe that the Eagle Canyon Dam should be removed.

You would do well to consider the following actions:

1-- Forming an environmental monitoring plan to evaluate the effectiveness of the fish screens and ladders, and respond in case the facilities fail.

2-- Looking at which portions of Battle Creek can be protected under the National Wild and Scenic status.

3-- Forming an agreement with PG&E to insure the safety of the land through conservation easements for all their project related real estate.

Thank you for your attention.

Sincerely,

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Sir and Madam:

The fact that dams are a significant impediment to the natural life of a river cannot be obscured with the addition of fish ladders and the removal of minor dams. For this reason I believe that the Eagle Canyon Dam should be removed.

I believe your agreement with PG&E calls for a fish ladder if the Eagle Canyon Dam . This ladder may not be easily maintainable and thus would not be able to comply with the "100% fail safe" mandate. Lets put the environmental review process to its best use by ...

- 1) Forming an environmental monitoring plan to evaluate the effectiveness of the fish screens and ladders, and respond in case the facilities fail.
- 2) Looking at which portions of Battle Creek can be protected under the National Wild and Scenic status.
- 3) Forming an agreement with PG&E to insure the safety of the land through conservation easements for all their project related realestate.

Thank you for your attention.

Sincerely

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Ms. Marshall and Mr. Canaday,

I understand that the Bureau of Reclamation is participating in a plan to restore Battle Creek. I support these goals and encourage your agency to consider a full range of alternatives especially removal of the Eagle Canyon Dam.

Restoring Battle Creek is very important – it provides our best opportunity to actually restore and enhance all runs of salmon and steelhead in the Sacramento River watershed, including the endangered winter run chinook salmon, and the threatened spring run chinook salmon and steelhead.

An effort like this requires no half measures – Eagle Canyon Dam should be removed. Fish ladders are not enough. I'm especially concerned about installation of ladders in an area that is virtually inaccessible by construction/maintenance vehicles—ladders do not work when they are not maintained.

Your agency is participating in a historic effort and we are relying on you to make the right decisions – we all know that the wrong ones have been made in the past.

Please consider:

- A wide range of alternatives including another alternative that removes eight dams below the natural fish migration barriers
- Evaluating the economic effects of each alternative
- Evaluating the impacts on threatened and endangered wildlife and plants
- Fully consider the impacts of installing a fish ladder in a rugged canyon

I believe you should also consider requiring the owner (PG&E) to remove Eagle Canyon Dam if the ladders cannot be proven to be 100% fail safe.

I look forward to hearing your position on this issue.

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Ms. Marshall and Mr. Canaday,

It is good to know that our public officials are concerned about the life of rivers and recognize some key issues, namely the Battle Creek restoration project.

Battle Creek is very important – it provides our best opportunity to actually restore and enhance all runs of salmon and steelhead in the Sacramento River watershed, including the endangered winter run chinook salmon, and the threatened spring run chinook salmon and steelhead.

To fully ensure the success of your endeavor on behalf of the public, installation of fish ladders will not be enough.

Thanks to your agencies, dialogue on this crucial issue has been initiated. Lets continue this dialogue and evaluation of factors involved with the participation and input of the constituent public.

Connected issues include:

- Another alternative that removes eight dams below the natural fish migration barriers
- Evaluation of the economic effects of each alternative
- Evaluation of the impacts on threatened and endangered wildlife and plants
- The impacts of installing a fish ladder in a rugged canyon

It is advisable that the Eagle Canyon Dam be removed if the ladders cannot be proven to be 100% fail safe.

I look forward to hearing your position on this issue.

Regards,

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Ms Marshall and Mr Canaday,

Let me put in my two cents on the project plans for Battle Creek. I heard about you agreement with PG&E and I find it insufficient from the viewpoint of the public. I know that this is a key agreement for the future of salmon in the entire Central Valley, and therefore it is important to the general vitality of riverine life in California. Lets face the fact that real opportunities to significantly change the salmon situation are few. Please don't let a complete Battle Creek project slip through you hands.

After going over the information that I received let me make the suggestion of some options to consider:

- 1) Removal of the Eagle Canyon Dam in addition to the five dams already in the memorandum as a way to ensure a passage for salmon and steelhead.
- 2) Removal of all eight dams below the natural fish migration barriers , leaving the diversion dams, reservoirs and powerhouses upstream.
- 3) Bring the project into compliance with the federal guidelines for the protection of the free flowing character and outstanding value of portions of Battle Creek under National Wild and Scenic Status.

Thank you for your work on this monumental and significant project.

Sincerely,

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Mr. Canaday and Ms. Marshall:

I am writing to urge you to consider removing Eagle Canyon Dam on Battle Creek and the other eight dams that block fish migration.

Battle Creek is considered by experts to be one of the best opportunities to help restore four runs of endangered salmon and steelhead in the entire Central Valley, including the nearly extinct Sacramento River winter chinook salmon.

Located on the North Fork of Battle Creek. The dam is located in the middle of the highest quality salmon and steelhead habitat in the entire watershed, and should be a high priority for removal.

Sincerely,

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Mary Marshall and Jim Canaday,

As a taxpayer, I would like to alert you to the value that the Battle Creek tributary has to the future of the region in which I live. Having salmon back in the river means bringing the river back to life, and I would like you to consider all the alternatives being proposed to make this happen.

The current agreement between the governmental agencies and PG&E calls for a "100 percent fail-safe" fish screen and ladder on the Eagle Canyon Dam. How will this mandate be maintained? Can the installation of a fish ladder be an effective aid to migration against the tremendous power that the dam itself has to impede the movement of the fish? How will the ladder be properly maintained when Eagle Canyon Dam sits in the middle of a rugged canyon.

Because of this and many other reasons, I encourage you to consider removal of the Eagle Canyon dam. This proposal can be supported under the federal guidelines requiring protection of the free flowing character and outstanding value of areas under National Wild and Scenic status.

I hope that you will consider all alternatives and evaluate the environmental as well as the economic impact of removing those dams.

Thank you for your time and consideration

Sincerely,

February 19, 2000

Ms. Mary Marshall
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Mary Marshall and Jim Canaday,

I'm writing to urge the Bureau of Reclamation to consider removing Eagle Canyon Dam and five other dams along Battle Creek. Please consider this letter my formal comment as part of the scoping comments you are considering.

I also urge the Bureau to consider a wide range of alternatives in its scoping process. I'd hope you will consider another alternative which would remove all eight dams below the natural fish migration barriers. Please also consider evaluating the economic effects of each alternative and the environmental impacts of each including impacts on sensitive, threatened, and endangered wildlife and botanical species.

I believe that upon further examination the Bureau may understand that installing a fish screen and ladder at Eagle Canyon Dam is not economically and environmentally justified. The dam is located in a wild canyon inaccessible to construction vehicles. Add to the fact, that ladders are not 100% fail safe, especially when not monitored enough.

Please consider removing all dams and complete a full economic and environmental analysis of those options.

Thank you for your consideration.

February 22, 2001

Ms. Mary Marshall
Environmental Specialist
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Jim Canaday
Environmental Specialist
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

RE: Battle Creek Restoration

Dear Ms. Marshall and Mr. Canaday:

I am aware that an agreement has been signed for a major restoration project on Battle Creek. This is a rare opportunity to restore the best habitat for salmon and steelhead in the Sacramento River watershed, habitat which is currently being significantly imposed upon by a series of dams and diversions along Battle Creek.

California's current energy struggles are challenging our commitment to restoration projects such as these. I urge you to carry out your responsibility to protect public trust values by continuing with the restoration project. The public strongly opposes weakening of environmental protection and regulations during the current crisis.

I urge you to ensure that Battle Creek meets state water quality standards, and that use of its water supports beneficial uses, including threatened Chinook salmon and steelhead trout, as well as recreation.

Please continue your efforts to restore this invaluable watershed, as guided by the Battle Creek Memorandum of Agreement. It is of utmost importance that you study and consider removing all dams below the natural fish barriers.

Thank you for your consideration.

Sincerely,

Remove Battle Creek Dams!

Mr. Jim Canaday
California State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95814

Re: Scope of Battle Creek Restoration Project Environmental Impact Report

Dear Mr. Canaday:

Please regard this letter as my formal scoping comments in response to the Notice of Preparation for the Battle Creek Restoration Project Environmental Impact Report (EIR).

The EIR should:

- Consider a full range of alternatives, including one alternative that removes the Eagle Canyon Dam, which currently blocks access to the most valuable salmon and steelhead habitat in the watershed.
- Consider at least one alternative that removes all eight dams below the natural fish migration barriers.
- Provide a quantified comparison of how much habitat becomes accessible between various alternatives and include a realistic assessment of fish ladder effectiveness.
- Require PG&E to adhere to an environmental monitoring plan to evaluate the effectiveness of the fish screens and ladders, and respond accordingly if the facilities fail to be 100% effective, including removing additional dams if needed.
- Require PG&E to provide conservation easements for all of the project related lands to ensure that this property is not inappropriately developed in the future. PG&E properties that no longer support project facilities should be donated to the Bureau of Land Management to protect their public trust resource values.
- Require the project to comply with federal guidelines requiring the protection of the potential Wild & Scenic River values of Battle Creek, as identified by the Bureau of Land Management.
- Ensure that whatever alternative is ultimately chosen and implemented is certifiable under the Clean Water Act as maintaining the beneficial uses and quality of water in Battle Creek.

Please notify me of any decision the State Board may make concerning this matter.

Thank you.

Sincerely,

Signature:

Print Name:

Print Address:

Date: