

1608 Francisco St.
Berkeley, CA 94703
November 7, 2008

Bill Zemke
Senior License Coordinator
Pacific Gas & Electric Company
Via e-mail

Dear Bill,

I am writing on behalf of the California Sportfishing Protection Alliance (CSPA) in support of the proposed changes to Condition 5A of the license of the Rock Creek – Cresta Project (FERC #1962). These changes would alter the flow regime on the Cresta reach for the second five-year period of license implementation, as defined in the license and the Rock Creek – Cresta Settlement Agreement. These changes are discussed in a letter from you to Settlement signatories and other interested parties dated October 7, 2008; the text of the proposed changes is attached to the letter.

As an active member of the Rock Creek – Cresta Ecological Resources Committee (ERC), CSPA has participated in the development of the proposed new flow regime, along with American Whitewater, several resource agencies, Plumas County, and PG&E.

Along with the rest of the ERC, CSPA would prefer that the new flow regime be adopted without a license amendment. However, should a license amendment be required by FERC, CSPA is prepared to support it, provided it is consistent with the above-cited document.

While not ideal from our perspective, the proposed Cresta reach flow regime for the second five-year period represents an improvement over the existing flow regime for the Cresta reach for that period, from a number of perspectives:

- The proposed flow regime more closely mimics the natural hydrograph in biologically critical spring and early summer months. This provides a host of aquatic benefits, some of which are more quantifiable than others. In general, CSPA supports flow regimes for hydro projects in the Sierras that mimic in particular an extended descending limb of the snowmelt hydrograph. The proposed flow regime for the Cresta reach, at least in Normal and Wet years, is a modest first step in accomplishing this.
- It is more protective of Foothill Yellow-Legged Frogs (FYLF) in the Cresta reach than the previous flow regime. Notably, the higher base flows in the May-June period will reduce the effects of project operations that might result in desiccation of FYLF egg masses as the project goes from spill to base flow, since the base flows in the FYLF breeding season will be higher than under the previous flow

regime. Reducing the distance between spill flows and base flows decreases the likelihood of desiccation.

- The higher base flows in July (in Normal and Wet water years) will provide flow and also slight water temperature benefits to rainbow trout.
- In providing whitewater flows within a flow regime that more closely mimics the natural hydrograph, the new flow regime reduces, at the very least, the perception of recreational user conflicts.

CSPA continues to believe that the largest issue facing the NF Feather River trout fishery is excessive summer water temperatures. The proposed new flow regime for the next five-year period on the Cresta reach only incidentally addresses this problem, and the cover letter regarding the proposed change recognizes that this issue remains essentially to be addressed.

CSPA wishes to emphasize that flows during the third five-year period, as given in the license and Settlement Agreement, will not be not affected by the proposed change to the Cresta reach flows during the second five-year period. Flows for the third five-year period, both on the Cresta and Rock Creek reaches, remain to be determined.

In conclusion, CSPA supports the proposed changes to Condition 5A as provided to the ERC on October 7, 2008.

Respectfully submitted,

Chris Shutes
FERC Projects Director
California Sportfishing Protection Alliance