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March 06, 2019

Mr. Jim Watson
Sites Project Authority
P.O. Box 517
Maxwell, CA

Re: Requesting a recirculated Draft Sites Reservoir EIS/EIR

Ayukii Mr. Watson:

We are requesting a revision and recirculation of the draft Sites Reservoir DEIS/EIR because the initial DEIS/EIR was inadequate under the law to fully describe the impacts on the fishery resources of the Klamath-Trinity Basin. Following is a list of issues that we believe need to be addressed in a new draft document.

1. **Tribal Consultation and Mitigation Absent.** There is no Tribal consultation outside the footprint area and there are cultural resources within the foot print area with no mitigation measures discussed for their protection. AB-52 tribal consultation is now required and federal Tribal consultation has always applied.

2. **Foreseeable Impacts to Trinity River Water Temperature Objectives Associated with Sites Project Operations Need to be Honestly Evaluated.** The revised Trinity River Division water operations associated with the Sites Project (shifting diversions to winter/spring from summer/fall in dry years) violates the 2000 Trinity Record of Decision and will lead to increased water temperatures in Lewiston Reservoir and downstream in the Trinity River. The Draft EIS/EIR does not disclose the impact, even though the proposed operation would clearly increase river temperatures. Any increase in the temperature of water released to the Trinity River would degrade water quality conditions and increase the potential for violations of North Coast Basin Plan water quality (temperature) objectives protective of adult spring and fall Chinook, as well at the water temperature objectives established under the Trinity River Record of Decision to protect outmigrating juvenile salmonids. The water temperature model developed by USGS for the Trinity River should be used to evaluate the impacts to Trinity River

water temperatures and attainment of water temperature objectives See detailed comments in attached memo from Kamman Hydrologics.

3. **Foreseeable Impacts to Trinity River Associated with Trinity Lake Carryover Storage.** The Sites Project water operation and temperature analyses assume a minimum Trinity Reservoir carryover storage volume of 600TAF, thereby impacting Trinity River water temperatures. Water temperature modeling for the Trinity River, including studies by the Bureau of Reclamation, indicate that initial October 1 carryover storage volumes of 600- and 750-TAF are not sufficient to satisfy Trinity River temperature objectives for a single dry/critically dry water year-type, let alone multi-year droughts. It is reasonable to foresee that current implementation of the ROD Flows without sufficient carryover storage will not achieve Trinity River temperature objectives during critically dry year-types and possibly not meet objectives of the ROD for the Long-Term Plan to Protect Adult Salmon in the Lower Klamath River. Additionally, Trinity Reservoir storage has no chance of being replenished during multi-year droughts. See detailed comments in attached memo from Kamman Hydrologics.

4. **Inaccurate Existing (Baseline) TRD Water Operations.** The water operations analysis for Sites Project EIR/S did not include an analysis considering use of Humboldt County's 50 TAF water contract included as a provision of the Trinity River Division Act. The ROD for the Long-Term Plan to Protect Adult Salmon in the Lower Klamath River (Lower Klamath ROD) identifies Humboldt County's 50 TAF water contract as a volume of water available to release into the Trinity River to reduce the probability of a fish kill in the Lower Klamath River. The omission of the Humboldt County 50 TAF contract and the Lower Klamath ROD in the DEIR/S analyses could have significant effects on the water quality conditions and potential impacts to both the Trinity and Sacramento Rivers. Therefore, the DEIR/S should be considered incomplete in the analysis of the effects of the Site Project operations on the Trinity River. See detailed comments in attached memo from Kamman Hydrologics.

5. **Mitigation for Trinity/Lower Klamath Impacts.** Effective mitigation measures must be recommended to ensure that fishery/fish habitat management objectives for the Trinity River and lower Klamath River will be met. The Bureau of Reclamation has used the auxiliary outlet on Trinity Dam to release colder water during drier years, but this action results in the loss of power generation and this impact on CVP power generation needs to be evaluated.

6. **Incomplete Cumulative Impact Assessment Pertaining to TRD Operations.** Several issues were not evaluated as part of the cumulative impact assessment that will likely have adverse impacts on the Trinity River including (1) the impact of the 600 TAF minimum carryover storage in meeting Trinity River water temperature objectives during multi-year droughts, (2) accounting for Humboldt County's 50 TAF water contract, and (3) the influence of climate change on meteorology and hydrology of northern California rivers. See detailed comments in attached memo from Kamman Hydrologics.

While the Karuk lands are located above the confluence of the Klamath and Trinity rivers, any degradation of water quality conditions in the Trinity River will likely degrade conditions in the lower Klamath River. Use of cold water stored in Trinity Reservoir is critical for the implementation of the Lower Klamath ROD, using Humboldt County's 50 TAF water contract and additional Trinity water to protect Klamath Basin salmon stocks. The availability of cold water in sufficient volumes is critical for this management action which affects both Klamath and Trinity adult salmonids. Additionally, the improved thermal conditions in the Trinity River during juvenile salmonid outmigration also benefits Klamath origin juveniles in the Klamath River below the confluence of the Trinity River.

Any actions that have adverse impacts on the fishery resources of the Karuk Tribe need to be thoroughly evaluated and disclosed, and effective mitigation measures proposed. Therefore, a recirculated Draft EIS/EIR is necessary for the Sites Project due to the inadequate analysis of impacts to the Klamath-Trinity Basin in the Sites Draft EIS/EIR.

If you have questions about our concerns, please contact Joshua Saxon, Executive Director, 530-493-1600 ext. 2037

Yootva,

Russell 'Buster' Attebery
Chairman

cc: Armando Quintero, Chairman, California Water Commission
Joe Yun, Executive Officer, California Water Commission
E. Joaquin Esquivel, Chairman, SWRCB
Eileen Sobeck, Executive Officer, SWRCB
Hoopa Valley Tribal Council
Yurok Tribal Council
Humboldt County Board of Supervisors
Trinity County Board of Supervisors