



BOARD OF SUPERVISORS
COUNTY OF HUMBOLDT

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Fritz Durst, Chairman
Sites Project Authority
P.O. Box 517
Maxwell, CA 95955

Subject: Request to Protect Humboldt County's Trinity River Interests from Adverse Impacts caused by the Sites Reservoir Project

Dear Chairman Durst:

In a letter dated January 9, 2018, the Humboldt County Board of Supervisors expressed conditional support for the proposed Sites Reservoir Project, if robust and binding assurances are provided that:

1. Construction and operation of the Sites Reservoir Project will result in no additional demands for diversions of Trinity River water to the Sacramento Basin, and
2. The Sites Project Authority and the Bureau of Reclamation will work with Humboldt County and other Trinity River stakeholders to identify opportunities to reduce out-of-basin transfers of Trinity River water as part of the coordinated operations of the Central Valley Project and the future Sites Reservoir Project.

You replied with a letter (dated January 15, 2018) to the chair of the Board of Supervisors in which you asserted that no Trinity River water would be diverted into Sites Reservoir and therefore no additional demands on the Trinity River would occur as a result of the project. However, we find that this letter is not sufficiently robust and binding.

Subsequently, we are in receipt of the January 21, 2019 report by Kamman Engineering and Hydrology in which two significant impacts affecting the Trinity River were identified within the Sites Reservoir Project Draft Environmental Impact Report/Environmental Impact Statement ("Draft EIR/EIS") as follows:

1. The surface water modeling does not include an accounting of Humboldt County's 1959 water contract with the Bureau of Reclamation for annual releases of not less than 50,000 acre-feet of Trinity River water, nor does it include the anticipated flow releases described in the Bureau of Reclamation's Long-Term to Protect Adult Salmon in the Lower Klamath River (2017 Record of Decision), and
2. The surface water modeling identifies a significant change in the pattern of Trinity River exports to the Sacramento River from fall to spring in some water year types, thereby increasing residence time of water in Lewiston Reservoir and increasing Trinity River water temperatures. This change would likely violate North Coast Basin Plan Trinity River temperature objectives and SWRCB Water Right Order 90-05; however, the document fails to disclose the increased potential for temperature violations.

It is our understanding that Sites Project Authority representatives have stated that the temperature modeling results have limited accuracy due to the methods and assumptions; however, we are not reassured. Although your letter assured us that no harm would be caused to the Trinity River, we are concerned that the modeling results published in your Draft EIR/EIS show that the operations of the Sites Project would likely cause irreversible harm to migrating salmon and the document does not discuss alternatives or mitigations to address these impacts.

Based on the findings by Kamman Hydrology and the lack of robust and binding assurances, we specifically request that a water right term and condition be placed on the water rights application for the Sites Reservoir Project as follows:

"Trinity River water shall not be used to fill Sites Reservoir unless the Trinity River Division of the Central Valley Project is releasing water as a result of storage conditions requiring "Safety of Dams" releases beyond normal operating plans and concurrently when Shasta Reservoir is making flood control releases. Furthermore, Humboldt County's 1959 water contract with the Bureau of Reclamation, Trinity River Record of Decision (ROD) flows, and releases to implement the Bureau of Reclamation's Long-Term Plan to Project Adult Salmon in the Lower Klamath River shall not be reduced or negatively impacted in any way as a result of any Sites Reservoir decisions, modeling, operational plans, and water rights petitions."

Alternatively, we would consider entering into a Memorandum of Understanding with the Bureau of Reclamation and Sites Project Authority with clearly defined obligations and commitments to ensure that Humboldt County's 1959 water contract with the Bureau of Reclamation and our interests in the Trinity River are sufficiently protected.

We request a response by January 15, 2020, after which we will consider whether to withdraw our conditional support for the proposed Sites Reservoir Project.

Sincerely,

Rex Bohn, Chairman
Humboldt County Board of Supervisors

cc: Senator Dianne Feinstein
Senator Kamala Harris
Congressman Jared Huffman
Congressman John Garamendi
Congressman Doug LaMalfa
Senator Mike McGuire
Trinity County Board of Supervisors
Karuk Tribal Council
Hoopa Valley Tribal Council
Yurok Tribal Council
California Water Commission
Charles Bonham, Director CA Dept. of Fish and Wildlife
Karla Nemeth, Director CA Department of Water Resources
Ernest Conant, Regional Director Bureau of Reclamation