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PUBLIC HEARING BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION  
(FERC)

McCLOUD-PIT HYDROELECTRIC PROJECT  
FERC PROJECT NO. 2106-059  
CALIFORNIA

THURSDAY, SEPTEMBER 9, 2010  
HOLIDAY INN, 1900 HILLTOP DRIVE  
REDDING, CALIFORNIA  
7:00 P.M.

Members Present Representing the FERC Team:

- Emily Carter
- Joyce Brooks
- Paul Muessig
- Jeff Elseroad
- Shana Murray
- Matt Buhyoff

Reported by CHERYL K. SMITH, CSR 5257

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D 9:00 AND 7:00 SIGNUP SHEETS (Provided by FERC)

1 PUBLIC HEARING  
2 BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION  
3 SEPTEMBER 9, 2010

4 ---o0o---

5 (7:00 p.m. Public Comment Session)

6 ---o0o---

7 MS. CARTER: Okay. I guess we'll go ahead and  
8 get started. My name is Emily Carter, I'm the Federal  
9 Energy Regulatory Commission Project Coordinator for the  
10 McCloud-Pit Project, and I want to welcome you to our  
11 evening public open meeting for the Draft Environmental  
12 Impact Statement for the McCloud-Pit Project.

13 A few introductions. We'll introduce everyone at  
14 the table first.

15 MS. MURRAY: Shana Murray, I am the recreation and  
16 land use resource person for FERC.

17 MR. BUHYOFF: Matt Buhyoff, fishery biologist for  
18 FERC.

19 MR. ELSEROAD: Jeff Elseroad, project manager,  
20 information, EA Consultants.

21 MR. MUESSIG: Paul Muessig with EA Engineer  
22 Science and Technology, and I am the fisheries and water  
23 quality, quantity, geology and fisheries.

24 MS. BROOKS: Joyce Brooks, Long View Associates,  
25 and we worked with recreation, land use, and aesthetics.

1 MS. CARTER: If you can't hear, we have plenty of  
2 seats in the front.

3 Okay. As many of you are aware, this Draft EIS  
4 was issued for the relicensing of the McCloud-Pit River  
5 Project where the document contains staff analysis of the  
6 studies and information that is on the public record for the  
7 Project. This process has been going on for about five  
8 years, since 2006 that PG&E filed their Notice of Intent to  
9 File an Application and began the relicensing process with a  
10 pre-application document. Then we went through the study  
11 period and filed the final application in July of last  
12 year. The Commission issued a ready for environmental  
13 analysis in December, and then on July 30th we issued our  
14 Draft Environmental Impact Statement.

15 So you have several opportunities to comment. We  
16 had the morning meeting, and then we got this one where we  
17 provide -- the purpose is to provide interested parties with  
18 an opportunity to verbally give us their comments on the  
19 document and the information contained within it regarding  
20 the Project.

21 Then there is also the public comment period for  
22 written comments, and that ends September 28th. And there  
23 are several ways you can file those comments with the  
24 Commission to make sure they get into the public record. If  
25 you go to our web at F-E-R-C dot G-O-V you can go to

1 e-filing and there is the e-comment option where you don't  
2 even have to register, you can just type up your comments  
3 and file them. Or if you have a larger document that you  
4 would like to file you can register and use the e-filing  
5 system and get in it the system and on the public record  
6 that way. Or you can go the old fashion route and file them  
7 via paper by sending them to the Secretary of the  
8 Commission.

9 Do not e-mail them to me or any FERC staff. They  
10 have to go through e-filing system or they won't get on the  
11 public record.

12 For this meeting, and as this morning, we have a  
13 Court Reporter, so she will be transcribing it, and we will  
14 have a transcript of the proceedings that will go into the  
15 public record within 12 days. If you would like a copy  
16 before that you have to actually get one directly -- pay for  
17 one directly from the court reporter service. But after the  
18 12 day period, they will be available free in the public  
19 record via the FERC web site.

20 Since we have a Court Reporter, we've got a  
21 podium, so we'll go through the list just in the order of  
22 when you signed up to speak. And I would like you to come  
23 to the podium and then clearly state your name, and if it's  
24 unusual spell it, and your affiliation. And then since we  
25 have a fair amount of people that would like to speak, I

1 would like everyone to limit their comments to five minutes  
2 so we can keep things moving in respect to other people that  
3 have comments.

4 And are there any questions? If not, we'll go  
5 ahead and start with the first person, who is Thomas Ford.  
6 I think it's Thomas Ford with the McCloud RiverKeepers.  
7 Thomas something. Okay. If not, the next one is --

8 MS. MURRAY: Okay. Paul --

9 MS. CARTER: Paul, with a G.

10 MR. GAMACHE: I don't really want to use the mic.  
11 Do I have to use the mic?

12 MR. MURRAY: As long as the Court Reporter can  
13 hear you.

14 MS. CARTER: As long as she can hear you.

15

16 PUBLIC COMMENT BY PAUL GAMACHE

17

18 MR. GAMACHE: So I was really hoping not to  
19 speak first, just to learn more about this whole situation.  
20 I don't know if you've ever been to the American River  
21 Festival, or the Pit River Festival, or the Feather River  
22 Festival, but these are, at least during the summer, a great  
23 opportunity for people to get together. I don't know all  
24 the deep fishery issues, I just know that being able to  
25 kayak is a lot of fun. It's a great opportunity, and for

1 the most part it causes very very very little harm for the  
2 overall good it does for the community. So I was really  
3 hoping to learn more about this whole situation. But my  
4 experience is all in whitewater, so anybody, especially if  
5 you've never been rafting before or kayaking, I would love  
6 to take you rafting so you can experience that. So anybody  
7 who might have a vote or say or like to learn more about  
8 whitewater, I would love to take you. This Saturday is the  
9 Trinity River clean up. I'm in charge of organizing and  
10 putting together clean up. And it's a great opportunity to  
11 come, not only do you get to clean the river, but you get to  
12 go rafting. And if you've never gone, it's a free  
13 opportunity. You'll get a free lunch and some surprises at  
14 the end. So, yep.

15 I'm not sure if I spelled my name, it's  
16 G-A-M-A-C-H-E. So, thank you.

17 MS. CARTER: Thank you.

18 Also on the list was Mark Turtlehill, with  
19 American Whitewater, he had a question mark. Did you want  
20 to speak?

21 MR. TURTLEHILL: Yeah, I'm not going to speak.

22 MS. CARTER: Dennis Amato.

23 MR. AMATO: Emily, may I ask first, can I  
24 continue where I left off this morning on some things that  
25 are related the EIS that I didn't get a chance to cover?

1 MS. CARTER: Okay. Just remember about five  
2 minutes, please.

3 MR. AMATO: Okay.

4 MS. MURRAY: Yeah, we're just having you come up  
5 to the mic so she can hear.

6 MS. CARTER: Yeah, it's not really necessary for  
7 the room, but it's easier for her, that way your words are  
8 directly put into the record as you say them.

9

10 PUBLIC COMMENT BY DENNIS AMATO

11

12 MR. AMATO: Thanks for the opportunity.

13 A couple of questions in regards to the Commission  
14 so we get an understanding of what your role and  
15 responsibility is.

16 A SPECTATOR: Could you turn the mic up.

17 MS. CARTER: I can turn it on.

18 MR. AMATO: I guess the question is, what is the  
19 first priority of the Commission, you're charged under  
20 your -- the main of your operation? What do you do in FERC  
21 relicensing? What is your No. 1 duty and responsibility?

22 MS. CARTER: We have to look at the environmental  
23 impact of the Project and balance the environmental and the  
24 power generating and economic issues, and come up with the  
25 best possible resource for the human environment.

1                   MR. AMATO:    Great.  Thank you.  What role did the  
2                   Commission play, if any, in the enactment of the Electric  
3                   Consumer's Protection Act of 1983, and amended in 85?

4                   MS. CARTER:    I don't know.

5                   MR. AMATO:    Is that something that we can get a  
6                   response to later on?

7                   MS. CARTER:    That's a yes.

8                   MR. AMATO:    I guess, and here's the reason why,  
9                   just to explain.  I mean, I accept your yes, I don't want to  
10                  talk you out of it.  Maybe I should just keep quiet.  The  
11                  connection is one of the responsibilities that you mentioned  
12                  was efficient use of the resource in the form of power  
13                  production.  So that's the relationship to the act that we  
14                  feel is the only act that we can find that relates to the  
15                  protection for the consumer of what it sounds like is your  
16                  responsibility as the Commission to supervise in these  
17                  relicensings.  Thank you.

18                  MS. CARTER:    Was that everything?

19                  MR. AMATO:    Yeah.

20                  MS. CARTER:    Okay.  Thank you.

21                  MR. AMATO:    You're welcome.

22                  MS. CARTER:    Okay.

23                  Next is James Pepin.

24

## 1 PUBLIC COMMENT BY JAMES PEPIN

2

3 MR. PEPIN: Yeah, my name is James Pepin, I'm from  
4 Redding. P-E-P-I-N. And kind of would like to address some  
5 of the issues on this as being a wilderness whitewater run,  
6 and also a possibility of fishing this wilderness run. If  
7 you put artificially low flows on this stretch of river it  
8 doesn't allow access for someone like me, who I broke my  
9 ankle, I tore all the cartilage out of it and I can't really  
10 hike down the river.

11 I would like to see flows that mimic the natural  
12 flow of the river again in the McCloud river. This way I  
13 could access the river via raft, kayak, inflatable kayak,  
14 and fish along the way during fishing season. I'm also a  
15 whitewater kayaker. I enjoy the recreational opportunity  
16 there when the river flows are at higher level. This is  
17 something that really isn't addressed right now. I would  
18 like to see more natural flows along that stretch of river.

19 I would like to see more boat days on this stretch  
20 of the river. Right now we're lucky if we have one percent  
21 of the days on the river where you can actually go boating  
22 and whitewater kayaking.

23 I had the opportunity to participate in the flow  
24 study, and we saw more natural flows in the higher ranges.  
25 And I fish, I know how to fish, and it's still a fishable

1 reach during these higher flows, it's just a little more  
2 challenging. And those are the issues that I would like to  
3 see being addressed in this Project.

4 MS. CARTER: Thank you.

5 Next is Peter Gerrodette.

6

7 PUBLIC COMMENT BY PETER GERRODETTE

8

9 MR. GERODETTE: Close.

10 My name is Peter Gerrodette, that's spelled  
11 G-E-R-R-O-D-E-T-T-E.

12 So I have lived in Northern California, well,  
13 nearly all my life. I have been a kayaker for almost 20  
14 years, and I have never boated this stretch of water.  
15 Largely the issue for me has been flows and access. So I  
16 would like to see that improve and increase. And I think  
17 it's unfair if flows were regulated to slant towards a  
18 particular population of people that want to access it,  
19 primarily fly fisherman, and not give us flows. So I would  
20 like to see a more natural flow regime. I think it would be  
21 healthier for the water shed and all the interested parties.  
22 Thank you.

23 MS. CARTER: Thank you.

24 Next is Ron Rogers.

## 1 PUBLIC COMMENT BY RON ROGERS

2  
3 MR. ROGERS: My name is Ron Rogers, that's  
4 R-O-G-E-R-S. I'm from Redding, California. I have lived  
5 here since 1981, and I have boated the McCloud. I'm a  
6 kayaker, and occasional rafter. I'm married to an avid  
7 fisher person, and she is just learning how the fly fish.  
8 And I wish to voice my opposition to a statement and a  
9 position apparently favored by FERC in their draft. I'm  
10 astounded that this agency would come out with a statement  
11 such as this.

12 "Given the importance of the existing blue ribbon  
13 fishery in the Lower McCloud River, we give more weight to  
14 safe angling opportunities than to recreational boating.  
15 Therefore, for reasons noted above, we do not recommend  
16 American Whitewater's recreational spring boating releases."

17 What you're proposing to do is to give almost  
18 exclusive use of this waterway to one small group of  
19 people. My wife would like to be able to fish this river,  
20 and not just the one/sixth of it that's open to the public.  
21 The McCloud River is a public resource that's owned by  
22 everyone, and it should be available to everyone in the  
23 state to use the waters, and to fish for the fish.

24 What many of the -- many of the fly fishing  
25 anglers are proposing is to keep the McCloud River at an

1       artificially wadable fishing flow every day of the season.  
2       These anglers are wishing to keep the Disneyland fly fishing  
3       flows that they've had for so long at the expense of more  
4       natural flows and other users, including boaters and  
5       nonshore based fisherman.

6                 Presently approximately five/sixths of the length  
7       of the Lower McCloud River is off limits to the general  
8       public due to exclusive private land ownership. Without the  
9       personal connections or willingness to pay for guided  
10      fishing expeditions, the general public is largely precluded  
11      from partaking in these public resources that belong to  
12      everyone.

13                Artificial Disneyland flows prevent raft and cat  
14      boat based fishing on the McCloud. I request that FERC  
15      consider the fishing opportunities which could occur at the  
16      beginning of the fishing season if there were more natural  
17      flows at that time, gradually ramping down to the natural --  
18      I mean, to the lower wadable flows. Not only would these  
19      higher flows help sustain and increase the fishery on the  
20      McCloud, but they would make this heretofore private river  
21      more public.

22                And my comments about -- or my feelings about safe  
23      angling opportunities could be summed up as this. If  
24      certain fisherman think it's unsafe to fish on the McCloud  
25      at higher flows, I recommend the following: Fish from

1 shore; fish from pools you feel comfortable in; fish from a  
2 boat; go upstream to areas where there is lower flows; go to  
3 another river; or wait until next weekend when the flows  
4 will probably be lower. Thank you.

5 MS. CARTER: Thank you.

6 Okay. We have Bruce Jones, who was a maybe.  
7 Bruce, did you want to --

8 MR. JONES: Yeah, I'm Bruce Jones. I have public  
9 speaking terror, so...

10 MS. CARTER: Okay. We will be gentle, so...

11 MR. MUESSIG: We don't bite.

12

13 PUBLIC COMMENT BY BRUCE JONES

14

15 MR. JONES: I just came in support of the boating  
16 opportunities because I think that access is important to  
17 all. And the river is not open to all if it's only open to  
18 the wealthy fisherman that can afford to be in there, you  
19 know, under a guided trip. You know, and I spent most of  
20 my -- the last 20 years raising kids, so I didn't have that  
21 much boating opportunity in the past, but that's what I'm  
22 doing now. I enjoyed it, it's recreation, and it's really  
23 good for my health and good for my head. And, you know, I  
24 would like to have access and that opportunity to go in  
25 there. I have property in McCloud, and I live the Paradise,

1 California, so I'm doing the upper section, but I would like  
2 to see the lower section. Thanks.

3 MS. CARTER: Thank you.

4 Okay. Mike Martini.

5

6 PUBLIC COMMENT BY MIKE MARTINI

7

8 MR. MARTINI: My name is Mike Martini. I live in  
9 Chico. Martini, M-A-R-T-I-N-I.

10 I have had the opportunity to run the McCloud at a  
11 time when there was flow on there. Access was very  
12 difficult. The problem is when this run actually reaches a  
13 boatable flow, access is an extreme problem. There is a lot  
14 of times snow on the road going down to the access, and if  
15 you're not a classified four boater you can't run those four  
16 miles, and then therefore access the water when it is  
17 boatable. So access is an issue. And I believe that this  
18 is quite possibly one of the best reaches of water that I've  
19 ever seen. It's beautiful. It's an untapped resource.  
20 And, you know, I want my kids to be able to go down on a  
21 raft and for me to be able to teach them how to fish that --  
22 that run. Right now with the flows it's, A, too cold, and  
23 there is no access. So right now it's a physical  
24 impossibility for that to happen. So I am in support of a  
25 more natural flow regime that would allow more opportunity

1 for my children and other people's children.

2 MS. CARTER: Thank you.

3 Okay. Eric White.

4

5 PUBLIC COMMENT BY ERIC WHITE

6

7 MR. WHITE: Well, I can sum up my comments in a  
8 couple of words. Access and opportunity. When the river is  
9 good and up and flowing it's hard to get access to the reach  
10 due to snow by the dam. And this is just such a marvelous  
11 resource that I would hate to see it go away from the  
12 boating community, and the fisherman kind of gain all the --  
13 all of the grandeur of the experience that's in that canyon.  
14 It's a beautiful stretch of river. I would like to see  
15 access when we can get down there when there isn't snow by  
16 the dam and be able to boat this and have the opportunity to  
17 boat it as a private citizen of the United States. And, you  
18 know, a lot of us don't come from money, and a lot of people  
19 who are able to fish that reach come from money and they pay  
20 big money to do it. And I think we should as private  
21 citizens have access to this river so we can enjoy it as  
22 much as anybody, so finances aren't involved in it.

23 Thank you.

24 MS. CARTER: Thank you.

25 Okay. Next is Ilona Karow. Did I totally

1 butcher that?

2

3

PUBLIC COMMENT BY ILONA KAROW

4

5 MS. KAROW: That's okay, it's close enough.

6 Ilona Karow, K-A-R-O-W. I'm a kayaker also. That's

7 I-L-O-N-A.

8

9 I don't think there is too many female kayakers  
10 represented here today, so I might be the only one. There  
11 are many women kayakers who are capable of doing class 4  
12 kayaking. I have not done this section of the McCloud yet,  
13 would like to very much. From the people that I have talked  
14 to who have done it, they say it's stunningly beautiful.  
15 And I got into kayaking just within the last few years, I'm  
16 50 years old, because I was having a lot of feet problems  
17 and could barely walk anymore. And so getting into a kayak  
18 was a way that I could do recreation sitting on my butt and  
19 enjoy nature again, because I could not hike. And so I have  
20 started doing a lot of kayaking and seeing some beautiful  
21 rivers, and have participated on the Pit releases, another  
22 stunningly beautiful river. I have also done the Rogue  
23 River many times where I see kayakers and fishermen seem to  
24 be in harmony fishing the river.

25

I'm looking forward to hopefully being able to do  
the McCloud. And I agree with the American Whitewater's

1 position. I believe they're only asking for a very limited  
2 amount of natural flow releases in the spring, but also  
3 we're concerned about having access. I guess the river does  
4 spill in the winter, and there could be boatable flows in  
5 the winter, but there is no way to actually physically get  
6 to the river on those spill days maybe. So historically  
7 it's been very difficult access for those people who wish to  
8 kayak the river, or raft it, or do it in boats. And so I  
9 agree with the position that I think American Whitewaters is  
10 only asking for limited natural type flow releases in the  
11 beginning of the spring. I think they're doing that in  
12 deference to the fisherman who have historically had access  
13 to this river, that we're only asking for limited days in  
14 the spring, and I don't think that is unreasonable. And I  
15 guess that's the end of my comments. Thank you.

16 MS. CARTER: Thank you.

17 Next is Dave Steindorf.

18

19 PUBLIC COMMENT BY DAVE STEINDORF

20

21 MR. STEINDORF: So I would just like to say from  
22 the outset --

23 THE REPORTER: I'm sorry, please spell your  
24 name.

25 MR. STEINDORF: S-T-E-I-N-D-O-R-F. First name is

1 Dave.

2 As I mentioned to a couple of people on the way  
3 in, I actually cut short my fishing trip in British Columbia  
4 to be here tonight, so it's a little bit of irony to be  
5 having this discussion about boating and angling. And I  
6 think from the outset, I think that there are solutions and  
7 balancing of this Project that I think can accommodate a  
8 wide array of uses out there.

9 As a number of you have reiterated earlier,  
10 American Whitewater's position has always been that we want  
11 to see a more natural flow regime on the McCloud, and more  
12 specifically something that represents the snow melt  
13 hydrograph. Earlier this year we actually submitted a paper  
14 that was done by U.C. Davis on the importance of the  
15 recession limb of the snowmelt hydrograph. If you haven't  
16 read it, I recommend that you do, because not only will you  
17 be seeing that type of flow schedule on this Project, but  
18 also other projects that we're working on, and we worked on  
19 a number across the state.

20 So basically the idea is you would have peeked  
21 flows in April and May, and then those would gradually  
22 recede. And that's really important for a number of  
23 different things. It's important for frogs, because if  
24 frogs go out there and they lay their egg masses, if the  
25 flows come down to fast their eggs masses get de-watered.

1 Same can be true with -- also with spawning trout, or could  
2 be salmon. It's also when salmon tend to migrate, so that  
3 there are a lot of different things that are connected to  
4 that.

5 And the other thing is it's also good for  
6 paddling. And the McCloud River, which is designated as  
7 being suitable as a wild and scenic river, is truly one of  
8 the remarkable rivers in, not only in California, but I  
9 would actually say in the country. 25 miles class 3, 4 and  
10 really provides an amazing opportunity. And now the only  
11 way to see the river top to bottom is actually in a boat.

12 And we also like to say that our flows that we  
13 proposed are consistent with the flows that have been  
14 proposed by the Forest Service, actually jointly agreed to  
15 by PG&E and also the Department of Fish and Game. So we  
16 feel like there is a pretty good consensus of opinions out  
17 there.

18 I won't repeat the quote that Ron Rogers pulled  
19 out from the DEIS. But for us right now we're actually  
20 seeing a pattern of behavior with FERC, not just on this  
21 Project, but on other projects across the state. The last  
22 year we've seen a postponement of flows on the Pit 1  
23 Project. We've seen elimination of flows from the FERC  
24 license on the Borel Project, B-O-R-E-L, on the Kern. I  
25 don't know the project number off the top of my head.

1 MS. CARTER: 382.

2 MR. STEINDORF: Thank you. She's good.

3 We've also seen flow either elimination or delay  
4 on flows on the Rock Creek-Cresta Project, on the Pit 3, 4,  
5 5 Project. We've on also seen that on the Tuolumne Project.  
6 For us we've see a pattern or behavior, not just a deference  
7 of angling over whitewater boating, but a whole array of  
8 uses. And we think that FERC needs to look at that more  
9 carefully, but not in relicensing, but also in what's going  
10 on with project implementation.

11 And so they're also -- I want to make the point  
12 that, you know, we understand the idea and the angst that  
13 comes about with change, and changing what the flows can be  
14 on this river, and particularly for the entities that have  
15 become accustom to that. And that's why, you know, in  
16 approaching this process and trying to strike a balance we  
17 didn't step into it and ask for 50 percent improvement in  
18 the boatable days out there, or 20 percent improvement, or  
19 even a 10 percent. What we're looking at is literally a one  
20 percent improvement in the number of whitewater boating  
21 opportunities out there, and we think that's a very  
22 reasonable use of the resource.

23 And we also think that, you know, there is a lot  
24 of information, misinformation out there. And I would like  
25 to say that in terms of the angling community, there is no

1 discussion about doing summer pulse flows or weekend pulse  
2 flows. You know, what we're talking about is a restoration  
3 of a more natural hydrograph that would actually reduce  
4 fluctuations in the spring. Currently the Project has base  
5 flows out of the dam that are out of the dam at a minimum of  
6 40, it has to be roughly 200 CFS by Ad-Di-Na, cubic feet per  
7 second, and what happens then when the project spills, it  
8 can go from that 200 up to 2000 literally in a matter of  
9 hours or less. And so what a higher base flow would do is  
10 it buff it, just as it does in the natural system. You  
11 would never see flows on the Upper McCloud that go from 200,  
12 because it never gets that low, up to 2000. So we're  
13 actually taking about reducing the amount of variability  
14 that you have in the spring. It's also important for  
15 maintaining the channel out there.

16 In our trips down the river what we saw is that  
17 any of the cobble bars that are out there are now completely  
18 inundated with alders. And all of those alders are roughly  
19 10 years old, and they've been there since the 1997 flood.  
20 So just in order to maintain the channel out there, we feel  
21 like you need to have more flows, particularly flows that  
22 are higher in the spring and then gradually come down.  
23 And if you look at the riparian report that was submitted  
24 with the Draft License Application it actually outlines  
25 that. And we will be submitting that in our comments also.

1           I think, you know, there are a number of other  
2 things that we actually did propose in our flow proposal  
3 that wouldn't impact angling. And one of the things that  
4 was disturbing to us is that we proposed flows in dry and  
5 critically dry years that would be down to base flows before  
6 the opening day of trout season. And yet there was no  
7 reference in that in the DEIS that you actually analyzed  
8 that alternative. No impact to anglers to slow speed down  
9 to base flow, providing an opportunity in dryer years, and I  
10 think that we have peak flows of only 300 CFS, which was  
11 still considered to be an anglable flow, and yet there was  
12 no reference to that in the DEIS.

13           We also included in our alternative condition that  
14 we filed just a simple change to use stage rather than flow  
15 to measure ramping rates. And we documented that.  
16 Unfortunately FERC said that we didn't provide a rationale  
17 for that change of using stage rather than ramping. And I  
18 would like to point out that within our comments we had  
19 charts and graphs and we had a rationale in there. So you  
20 might say that you disagreed with our rationale, but to say  
21 that we didn't submit one just wasn't accurate. So I would  
22 recommend you go back and take a look at that.

23           The other I thing, important issue that we wanted  
24 to address with this is really the fact that a number of  
25 different agencies that, and NGO's that have spent a

1 significant amount of time on this Project, Forest Service,  
2 Fish and Game, State Water Board, had a number of proposals  
3 within their recommendations that went to FERC.

4 In fact, you had a flow proposal agreed to by both  
5 Forest Service that was Mandatory Commissioning Authority  
6 and PG&E, and that was dismissed. And it is disturbing that  
7 with all of this collective knowledge in the room, people  
8 that have spent, individually myself, you know, hundreds of  
9 hours, and collectively we've spent thousands of hours on  
10 this Project, to have that recommendation set aside by FERC,  
11 and that's really -- I think that's disturbing, and it  
12 really does undermine the entire process. And I think, you  
13 know, it is something that not just on this Project, but I  
14 think on others, I think FERC really needs to evaluate.

15 Earlier last year President Obama actually issued  
16 a memorandum on transparency in government. And if you  
17 haven't seen it, I think it's worth reading. Really  
18 outlines his expectations for how government entities are  
19 supposed to act. And one of the points in there from the  
20 President said: "Collaboration actively engages Americans  
21 in the work of their Government. Executive departments and  
22 agencies should use innovative tools, methods, and systems  
23 to cooperate among themselves, across all levels of  
24 Government, and with nonprofit organizations, businesses,  
25 and individuals in the private sector. Executive

1 departments and agencies should solicit public feedback to  
2 assess and improve their level of collaboration and to  
3 identify new opportunities for cooperation."

4 This meeting is an example of that, and I think  
5 that is good. But I think on the other areas within the  
6 DEIS I feel like FERC actually fell down on this mandate. I  
7 think there is an opportunity within the final DEIS to  
8 actually do better.

9 And we've actually -- American Whitewater has  
10 participated in a quite a number of FERC relicensings across  
11 the States. American Whitewater as an organization has  
12 participated in over 20, I think I individually have  
13 participated in 11. Sometimes I wonder what I did before I  
14 did this, but -- and I have to say that at this juncture we  
15 do question the value of continuing to participate. There  
16 are other options. We could just simply engage in State  
17 Water Resources Control Board in the 401 process. That  
18 would probably be more time effective for us. But we would  
19 like to believe that going forward and looking to the Final  
20 Environmental Analysis that's done on this Project, that  
21 hopefully we can see a better outcome. Thank you.

22 MS. CARTER: Thank you.

23 Okay. Dave was the last one that had signed up  
24 to speak, so was there any one who originally said they  
25 didn't want to speak or put a question mark down that --

1       yes.  Would you like to come on up and state your name,  
2       please.

3

4

PUBLIC COMMENT BY SANDY WATTS

5

6               MR. WATTS:  Sandy Watts, W-A-T-T-S.  S-A-N-D-Y.

7               I wasn't going to speak, but I'm going to speak  
8       now.  I've live here since 1976, and I had a chance to fish  
9       the McCloud, the Pit, the Upper Sac, Trinity, you name it, I  
10      have done it all.  I'm lucky enough to be able to work at  
11      the Fly Shop for 20 years.  I'm the kind of guy when you  
12      come in the Fly Shop, people say my family and I are here,  
13      you know, we want to go fishing on the McCloud River, can  
14      you tell us what is working, can you tell us where to go,  
15      what is the road conditions like.  And I'm kind the guy that  
16      can tell you that.  I can tell you what rock to stand on.

17              It's all age groups.  There are little kids like  
18      as little as five, six, eight, ten years old, middle aged,  
19      and older aged like myself.  I'm now 68.  And I have to tell  
20      you that these people, when they go and they experience that  
21      and the great opportunity they have to experience the  
22      beautiful pristine river, clean, pure and gorgeous.  And  
23      they come back and they thank me.  They give me -- try to  
24      give me money.  I won't take it.  I mean, it's unbelievable  
25      the response that I get from people who enjoy this from the

1 bottom of their heart, to come back later. They come by,  
2 they write letters, and my boss gets to see it, that kind of  
3 thing, and that makes me feel good. But when I'm doing  
4 something for a group of people, and to say that these  
5 people are a few rich people is misleading. These are all  
6 age groups; these are all financial groups; and they all  
7 come up and they look forward to going fishing in a place  
8 like this.

9 I can tell you, too, that I -- like the last  
10 number of years over on the Trinity River, the boat traffic  
11 has been -- just really grew like you wouldn't believe. I  
12 can't tell you the number of junk and garage and crud that I  
13 see on the river because of the boat traffic. And I think  
14 when you increase things like that it's going to make the  
15 pristine part of it go away. And it's -- it's just a  
16 wonderful sport, and it's a wonderful opportunity to be able  
17 to enjoy a pristine part of nature. And I think that any  
18 time you increase any kind of track that way, you are going  
19 to actually tear that part of it down.

20 With that, I want to thank you.

21 MS. CARTER: Thank you.

22 MR. AMATO: Could I get two minutes in light of  
23 the fact that Mr. Steindorf had about 14.

24 MS. CARTER: Yes, you can have two minutes.

25 MR. AMATO: Dennis Amato.

1 MS. CARTER: I'm timing you, you know.

2 MR. AMATO: Thank you. Nothing but BS, brevity  
3 and simplicity.

4 MS. CARTER: Exactly.

5

6 PUBLIC COMMENT BY DENNIS AMATO

7

8 MR. AMATO: I guess I direct this to the  
9 Commission based upon statements that were said briefly ago  
10 by American Whitewaters. Their statements with regard to  
11 supposed problems, channel, riparian, ramping rate, this is  
12 a cover in the sense of, or something above the real issue,  
13 because none of those things can be substantiated by any  
14 type of science. This is not mathematical science. This is  
15 science based upon speculation, possibilities. Every  
16 relicensing study done in this relicensing process proves  
17 out the fact that the McCloud River is a near perfect, there  
18 is nothing wrong with it. So anything that talks about the  
19 fact of anything other than the real issue here I think  
20 needs, for everybody, to put aside. All information is  
21 important, regardless.

22 So let's get down to the bottom line and save  
23 ourselves a lot of grief, headaches, I have had them, I'm  
24 sure everybody has, that whatever position in the  
25 relicensing process has gone through the same thing. Some

1 of us 11 times, some of us once, like the McCloud  
2 RiverKeepers. The river is what it is. There is history in  
3 this river that goes back to eight, ten countries. Japan,  
4 Chile, New Jersey and Pennsylvania. The Delaware River  
5 fish, they came from the McCloud. All of those places I  
6 mentioned, Argentina, throughout Europe, that's how we got  
7 Brown Trout which weren't native to our country. It was  
8 that swap for that McCloud Rainbow. We're not talking about  
9 any old stream here, you're talking about the world's most  
10 famous trout stream. And you want to share it. Okay, the  
11 sharing is out there. And every relicensing that has taken  
12 place in this state for the last 20 years where trout  
13 streams have suffered. And comparing the number of people,  
14 the Outdoor Foundation 2008 report said that whitewater  
15 kayaking has declined 50 percent in the last eight years.  
16 The percentages of U.S. population .4 percent, whitewater  
17 kayak, and close to 22 percent, fresh water fish. We got  
18 the numbers, and we want to keep that river.

19 Thank you very much.

20 MS. CARTER: Thank you.

21

22 FURTHER PUBLIC COMMENT BY PAUL GAMACHE

23

24 MR. GAMACHE: May I speak again, because I don't  
25 understand more over what is going on.

1 MS. CARTER: Okay. State your name again.

2 MR. GAMACHE: Okay. Again my name is Paul  
3 Gamache, G-A-M-A-C-H-E. And I really -- just to hear the  
4 comments and the opposition, and it's extremely frustrating.  
5 I agree with the gentleman in the front, boating is a major  
6 problem on the Trinity with traffic and littering, and boat  
7 flips over, and things come out into the Trinity. I'm not  
8 allowed to say or speak on behalf of the Forest Service, but  
9 I work as a river ranger on the Trinity River as a U.S.  
10 Forest Service employee. And it's extremely frustrating  
11 dealing with this.

12 I'm currently trying to get all the companies to  
13 discontinue use of single use water bottles. As you notice  
14 the hotel here thankfully has cups with water in them as  
15 opposed to providing one time use bottled water. Commercial  
16 companies will put that underneath the thwart, and if it  
17 flips, it comes out. And so it's everyone's responsibility  
18 to follow leave-no-trace practices. We try to tell  
19 everybody, the commercial companies, the private boaters,  
20 everyone that comes out that this is a resource that needs  
21 to stay clean. It's -- everyone will enjoy the river more  
22 if they don't see trash going down the river, and follow the  
23 waters, rafting traffic. And one of the largest things I  
24 see is fishing line, other fishing evidence is everywhere,  
25 because anyone can hike in with a fishing line and fish any

1 time they want, and drinking is usually associated with that  
2 as well, so cans and bottles are left behind.

3 So I hope that everyone that works in the fishing  
4 industry also gives a leave-no-trace speech to their  
5 commercial guests who come in. Just make sure that you keep  
6 the McCloud beautiful, and the Trinity beautiful, and  
7 everyone works together to really use these resources the  
8 best they can.

9 So I just -- as you can tell a lot of us here are  
10 passionate about this issue. And I hope if rolls were  
11 reversed, kayakers and whitewater boaters would welcome  
12 fisherman, and an large amount of paddlers are fisherman.  
13 Personally I don't fish, I don't have the time for it, I'm  
14 not good at it, and I don't enjoy it. But my friends catch  
15 fish and it's great. But we really should be utilizing  
16 these resources together and not fighting each other,  
17 because there is a lot more problems than somebody losing  
18 McCloud out there.

19 But anyway, thank you.

20 MS. CARTER: Thank you.

21 Okay. Was there any one else that had not  
22 originally wanted to --

23

24

1 PUBLIC COMMENT BY JERIMY McNEELY

2

3 MR. McNEELY. I will speak. My name is Jeremy  
4 McNeely, J-E-R-I-M-Y, M-c-N-E-E-L-Y.

5 Okay, here we go. I come from both sides of the  
6 issue. I have been an avid whitewater person since 89, and  
7 a fly fisherman since about 92. I know Sandy real well, I  
8 know a lot of whitewater people real well.

9 In regards to the whitewater community on the  
10 rivers, whether it's daily boating, overnight boating, I  
11 have yet to see trash left anywhere from whitewater. We  
12 pack it in, we pack it out, everywhere, so... Overnighters,  
13 I've kayaked out of my boat on the Middle Fork of the  
14 Feather River, the only trace you ever see is a fire pit.

15 When I go steelhead fishing on the Trinity in the  
16 wintertime from the Lewiston Bridge down to say Pigeon Point  
17 access, the only thing I see is netting from roe balls, jars  
18 from salmon eggs, hooks, fishing line, beer, cigarette  
19 butts, cigarette packs. I mean, it's -- and that's not the  
20 fly fishing community. I feel that the fly fishing  
21 community has a lot of the same thoughts that the whitewater  
22 community does. Keep it clean, we love our resources, we  
23 love our rivers.

24 When you get below the Pigeon Point area,  
25 typically I rarely see trash. Yeah, you're going to see, as

1 Paul stated, you're going to see a single use bottle. I was  
2 snorkeling in the Trinity River this past weekend, I found a  
3 nickel, and that was it. I mean, that really was it. I  
4 didn't find trash on the bottom. Whiskeytown Lake, covered  
5 in trash.

6 I personally would like to put a raft in and be  
7 able to go down the McCloud River and fish with my wife and  
8 kids, even though my kids hate fishing. I would like to  
9 kayak it with my friends, you know, during the time when  
10 angling is legal to do. I don't have the money to go to the  
11 lodges that are on the McCloud River, but I do have the  
12 money for whitewater equipment and spend a lot of money with  
13 fly fishing because of him.

14 It's a, you know, I feel it's a resource for  
15 everybody, and everybody should have access to it. I mean,  
16 the gentlemen that have been doing it for years and years, I  
17 understand the serenity of fly fishing because when I see  
18 somebody come into my area, you know, I'm kind of like a  
19 bear, you know, get away from me. I want my own area to  
20 fish.

21 However, you know, I have kayaked over spots where  
22 people are fishing, I had one guy tell me that, you know, he  
23 was a guide, and, oh man, he was angry because these  
24 kayakers came through and they couldn't catch any more fish  
25 for the rest of the day, and they were full of crap. It's

1 just, you know, fish are fish, you know, they're going to go  
2 back to you, striking whatever they're after if, you know,  
3 if they feel that it's okay. A kayaker or raft may change  
4 it for 20 minutes or so, but change your position, go  
5 somewhere else. I have to do it. When I'm fly fishing for  
6 steelhead on the Trinity, there is guided fly fishing trips  
7 that come over, you know, you step back, you let them go  
8 through. You hook one up while they're going through.  
9 They're no different than a kayaker or, you know, a  
10 whitewater person, so it should be for everybody.

11 If you believe it in God he made it for everybody.  
12 And if you don't, it doesn't matter, it's still for  
13 everybody. Doesn't matter.

14 Thank you.

15 MS. CARTER: Thank you.

16 Did anyone else want to say anything? Okay.  
17 Well, I really appreciate everyone coming out. I know both  
18 sides are very passionate, and I appreciate everyone giving  
19 us their comments. Between this morning meeting and this  
20 evening we've gotten a lot of good feedback, things that  
21 we'll take back to analyze in the Final Environmental Impact  
22 Statement.

23 I just want to reiterate that the written comments  
24 are due September 28th, and then the Commission will review  
25 everything in the public record and we'll prepare our Final

1 Environmental Impact Statement to be issued by February  
2 28th. And we'll use the information in the public record  
3 and the comments that we received today that will be in the  
4 transcript, and anything that is filed, which will then  
5 become the basis of any licensing decision that the  
6 Commission makes for the McCloud-Pit Project.

7 So thank you all again. I appreciate you coming  
8 out and spending your time to comment on the Project. And  
9 if that's everything, we'll go ahead and close the meeting.

10 (The meeting was adjourned at 8:00 p.m.)

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