



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404-4731

November 23, 2020

Refer to NMFS No: INQ-2020-00037
Project No. 5737-000, -007
California Anderson Dam Hydroelectric Project
Santa Clara Valley Water District

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Subject: Resolution of NMFS' Comments Pertaining to Adjustable Weirs, Fish Monitoring, and Coyote Percolation Dam for Santa Clara Valley Water District's FERC Order Compliance Project (FERC Project No. 5737-000, -007)

Dear Secretary Bose:

This letter responds to the Federal Energy Regulatory Commission's (FERC) request for confirmation that the three issues presented in Santa Clara Valley Water District's (Valley Water) September 25, 2020, letter have been resolved to NOAA's National Marine Fisheries Service's (NMFS) satisfaction. These issues pertain to: (1) adjustable weirs below Anderson Dam; (2) fisheries monitoring in Coyote Creek; and (3) fish passage at the Coyote Percolation Dam.

In September 2020, NMFS and Valley Water met several times to discuss NMFS' recommendations to FERC during the Endangered Species Act emergency section 7 consultation for interim risk reduction measures at the Anderson Dam Project in Santa Clara County, California. The result of these efforts were resolution of the three issues outlined above, which are summarized in Valley Water's September 25, 2020, letter to FERC and NMFS.¹ NMFS confirms that these commitments by Valley Water address recommendation #2 (adult and juvenile steelhead monitoring) presented in our August 14, 2020, letter to FERC; and recommendations #4 (adjustable weirs in outlet channels) and #6 (fish passage at Coyote Percolation Dam) in our August 31, 2020, letter to FERC. However, we believe there is a need to further clarify the design process pertaining to fish passage at the Coyote Percolation Pond inflatable dam.

Valley Water's letter of September 25, 2020, indicates the inflatable bladder dam at the Coyote Percolation Pond may be constructed in two phases. Phase 1 would be constructed by December

¹ Valley Water has committed to the addition of the following project elements in the FERC Order Compliance Project (FOCP) and Anderson Dam Seismic Retrofit Project: (1) installation of adjustable weirs or another feasible engineering design solution that Valley Water demonstrates and NMFS agrees addresses the biological concerns associated with the bifurcation of reservoir releases in the dual outlet channels below Anderson Dam; (2) conducting effectiveness monitoring for fisheries during the FOCP and, beginning in 2024, a more comprehensive fisheries monitoring program in Coyote Creek; and (3) design and construction of an inflatable dam at the Coyote Percolation Pond in a manner that provides for unimpeded fish passage over the deflated bladder to the maximum extent possible.



2023 as part of Valley Water's FERC Order Compliance Project and include the new bladder dam, its foundation, as well as retrofits to the weir panels of the existing fishway to enhance fish passage. Phase 2 would be completed no later than 2027 and include modification of Coyote Creek downstream of the dam to allow fish to safely pass over the deflated bladder. Valley Water's letter also indicates that the feasibility analysis of the Phase 2 downstream channel modifications will be completed by July 2021, and that the design of both Phases will be developed in coordination with NMFS.

Given the expedited design and construction schedule for replacement of the Coyote Percolation Dam, we are concerned that the design of Phase 1 could quickly proceed to a stage beyond which NMFS' recommendations could be incorporated. To ensure Phase 1 adequately considers and incorporates design elements that allow for successful fish passage in Phase 2, we have recommended that our fish passage engineer meet regularly with Valley Water's design team and planning milestones be established. These suggested milestones were discussed at the November 10, 2020, meeting of the Executive Committee for the Anderson Dam fisheries technical workgroup and they are included below for FERC's consideration.

- (1) Hydraulic modeling should be performed to evaluate water depths and velocities at the dam's foundation and within the downstream channel over a range of flow conditions.
- (2) Dam foundation design should ensure water depths and velocities allow for effective fish passage across the foundation over a range of flow conditions.
- (3) Dam foundation height would benefit from being set as low as possible to minimize the elevation difference/hydraulic drop from the foundation to the downstream channel.
- (4) Fish ladder retrofit design plans should enhance fish passage during periods when the bladder dam is inflated.
- (5) Facility design and operational plans for Anderson Dam Seismic Retrofit Project should ensure effective fish passage consistent with Measure 6.4.2.1.1(D) of the Fish and Aquatic Habitat Collaborative Effort Settlement Agreement.

Thank you for the opportunity to provide our response. Should you have questions regarding these recommendations, please contact Darren Howe at 707-575-3152 or by email at Darren.Howe@noaa.gov.

Sincerely,



Alecia Van Atta
Assistant Regional Administrator
California Coastal Office

cc: Jennifer Ambler, FERC, Washington, D.C.
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ARN File #151422WCR2020SR00062

**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

NOAA's National Marine Fisheries Service's)	Project No. P-5737-000
Comments Pertaining to Adjustable Weirs, Fish Monitoring,)	Project No. P-5737-007
and Coyote Percolation Dam)	
California, Anderson Dam Hydroelectric Project)	
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served, by first class mail or electronic mail, a letter to Secretary Bose, Federal Energy Regulatory Commission, containing NOAA's National Marine Fisheries Service's (NMFS) comments pertaining to adjustable weirs, fish monitoring, and Coyote Percolation Dam for Santa Clara Valley Water District's FERC Order Compliance Project, P-5737-000 and P-5737-007. This Certificate of Service is served upon each person designated on the official P-5737-000 and P-5737-007 Service Lists compiled by the Commission in the above-captioned proceedings.

Dated this 23rd day of November 2020,

Andrea Berry

Andrea Berry
Administration Support Assistant
National Marine Fisheries Service



Document Content(s)

2020-11-23 NMFS Ltr Resolution FOCP Issues.PDF1