

936 JUL 11 PM12:50

July 9, 1996

Governor Pete Wilson
State Capitol, First Floor
Sacramento, CA 95814

Gentlemen:

I am writing to bring to your attention that the El Dorado Irrigation District (EID) is proposing to lower the flow in Webber Creek below the dam. This action will affect the fish habitat in Webber Creek and to my knowledge they have not made an Environmental Impact Statement concerning this proposed action as required by the National Environmental Policy Act. I am also not aware of any opportunity for public input into this proposal by EID.

Please advise me on the status of their proposal, the Environmental Impact Statement, and the conclusion to this matter. I look forward to your reply. My address is :

Douglas J. Ferrarelli
3001 Jasper Circle
Rescue, CA 95672

Sincerely,



Douglas J. Ferrarelli
Resident of El Dorado County

cc: Department of Fish and Game Attention: Jacqueline E. Schafer - Director
El Dorado Irrigation District Attention: Rob Alcott - District Manager

DEPARTMENT OF FISH AND GAME

1416 NINTH STREET

P.O. BOX 944209

SACRAMENTO, CA 94244-2090
(916) 653-7664

October 9, 1996

Mr. Douglas J. Ferrarelli
3001 Jasper Circle
Rescue, California 95672

Dear Mr. Ferrarelli:

Governor Pete Wilson has asked me to respond to your letter regarding El Dorado Irrigation District's (EID) Weber Dam, located on the North Fork Weber Creek, in El Dorado County. Hopefully, this letter will clarify the issues you brought up in your letter, as well as ongoing actions by the Department.

Weber Dam was constructed over 75 years ago. Since the early 1980's, this reservoir has been under the jurisdiction of the Federal Energy Regulatory Commission (FERC) because EID constructed a small hydroelectric facility at the Dam. Weber Reservoir has historically been operated as a storage reservoir for agricultural water that is delivered via Weber Creek. As part of its regulatory responsibility, the FERC declared Weber Dam seismically deficient, with the possibility of creating a flood hazard to property downstream of the dam should it fail. As a result, EID began exploring different alternatives to address the problem.

The three alternatives being considered are as follows:
1) replacement of the dam with one that meets current seismic safety standards; 2) notch the dam to lower the reservoir level, thereby alleviating the potential flood hazard; or 3) complete removal of the dam and restoration of the inundation zone of the reservoir. The Department has been involved in the discussions with the FERC and EID regarding the different options and will have an opportunity to comment on whatever option EID chooses.

The most recent order by the FERC states that EID must pass all inflow waters through the dam that occur this winter. This will be an improvement over historical operations as EID has typically captured all of the inflow water for storage purposes. The creek downstream of the dam will be allowed to function in a more natural manner because whatever flow enters the reservoir must be released downstream.

The question of National Environmental Policy Act (NEPA) or California Environmental Quality Act requirements will be decided by either the FERC or EID as they are the lead agencies. The U.S. Fish and Wildlife Service has stated that some level of

Mr. Douglas J. Ferrarelli

October 9, 1996

Page Two

environmental analysis is needed for NEPA compliance for all three alternatives that EID is exploring. The Department's policy is to defer to the respective agencies when public safety is involved, as it is in this case.

If the Department can be of further assistance in answering any additional questions you may have, please contact Mr. Banky Curtis, Regional Manager, Department of Fish and Game, Sacramento Valley - Central Sierra Region (Region 2), 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, telephone (916) 358-2899.

Sincerely,

COPY Original Signed by:
Jacqueline E. Schafer

Jacqueline E. Schafer
Director

cc: Governor's Office

Mr. Banky E. Curtis
Department of Fish and Game
Rancho Cordova, California

bc: Resources Agency

Mr. Stafford Lehr, Region 2
Mr. Patrick O'Brien, Region 2

Lehr:pdr

File: Dir, ExFile, LO, IF-R2
fish96/webergov.996
REF #345X