

Townsend, Jeanine@Waterboards

From: Ken Miller <tamer1@suddenlink.net>
Sent: Saturday, July 07, 2012 4:41 PM
To: commentletters
Subject: KBRA

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



To SWB:

The KBRA is unnecessary, and worse, it is dangerous.

Therefore, I ask you to exercise your 401 Certification authority immediately or formally waive it so that the KHP relicensing process can resume

According to Glen Spain of PCFFA, PacifiCorps cannot afford to operate the four dams, especially if the CWA and ESA must be complied with.

Glen Spain responded to the "Constitutional Sheriff's" assertion that they would defend against the dam removal:

interesting.... but the Sheriffs omit the fact that these dams do not belong to the County or "the people," but are privately owned. The County thus has no say, and no vote of "the people" to "keep the dams" means anything. *What are they doing to protect the Constitutional right of PacifiCorp to dispose of its own property however it sees fit?*

And they omit the fact that these dams, even if relicensed, are simply no longer cost effective. In fact, FERC estimated that the dams, once relicensed, would actually generate 27% LESS power than the little bit they do today (82 MW), and then cost the company more than \$20 million/year in net LOSSES ... which would have to be passed on to its customers, including most of Siskiyou County!

They are, in short, trying to impose Government Socialism on the Company to force it to run its assets at a loss! How incredibly ironic! Someone should point this out to them!

Wait Glen, if PC cannot afford to operate the dams without imposing ever-increasing rates on their customers, and if PC cannot come into compliance with the CWA and ESA so long as the dams are in, why are we making any sort of taxpayer funded deal, and more to the point, why are you supporting said ripoff end-run around our most precious laws? Since you are pointing out ironies, I thought you would enjoy this one.

All the KBRA gives us taxpayers is some studies of toxic algae blooms, a few promises, plus deadly water diversions and chemical agriculture in sensitive wetlands.

In exchange, our most precious environmental laws will be compromised by regulation by stakeholder committees.

Why would we want to pay Pacificorps to remove dams they have benefitted from for 50 years and now can no longer afford to operate, and which violate our laws and kill salmonids?

You state that:

The North Coast Regional Water Board has determined that KHP removal would result in full compliance with TMDL load allocations.

Because the Federal Power Act preempts state environmental regulation in most other contexts, the water quality certifications process is the only regulatory mechanism the State has to address the KHP's water quality impacts.

Please exercise your duty and authority to protect and restore our WQ.

Thank you,

Ken Miller, MD