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Kilarc-Cow Creek Hydroelectric Project License Surrender (Proposed Project)

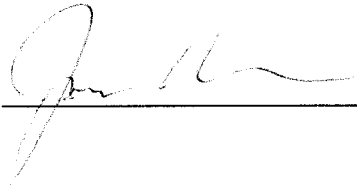
Comments from Coalition

1. As interveners in the FERC Project 606, the "Project", Shasta County, Evergreen Shasta Power, LLC, the ADU, and the Tetrick Ranch, "the Coalition" hereby requests that all evidence, comments, and alternatives that were presented to FERC by the Coalition in the FEIS proceeding should be included in the CEQA process record. They are relevant to understanding the background of the Coalition, to evaluating the PG&E proposal to surrender its license at the FERC, and to resolve and protect the water rights of the affected parties and the public interest. A list of these documents and their electronic links is attached as "Attachment A" herein. We ask that they be made a part of this proceeding's record. It should also be noted that the alternative proposed by ESP and Shasta County to the FERC is still open for consideration. See Offer of Settlement of Tetrick Ranch, the Abbott Ditch Users, Shasta County, Sierra Pacific Industries, Inc., and Evergreen Shasta Power, LLC under P-606 dated 1/22/2010 eLibrary accession number 201200122-5126.
  
2. I am informed that the Coalition had multiple non-public meetings with the SWRCB, CDFG, NMFS, CDNR, PG&E, Congressmen, Senators, environmental law firms, and several NGO's to discuss other alternatives and proposals. The Coalition's plan and several options attempted to balance and make tradeoffs among holders of water rights, protection of existing water delivery systems, maintaining renewable energy, provision for local and regional fire suppression, public recreation, and habitat enhancement. The proposals and options included maintaining the Kilarc plant and decommissioning the South Cow plant, land trades, mitigation, and acquisition proceeds to PG&E and other such offers in exchange

for maintaining all or part of the Project. PG&E informed the Coalition that if the resource agencies would buy in to any of our alternatives, that they would work with us to attempt to settle matters. While the agencies seemed interested at these meetings in the benefits of the mitigation and lands being offered, they made it very clear that they would not accept any alternative that retained hydro power in any part of the Project. Certain key people at the resource agencies stated that they agreed with the merits of our proposed alternatives, but stated that a decision had already been made and that they stood by the 2005 MOU that would decommission the entirety of the FERC Project 606 (Kilarc/South Cow Creek).

3. This pre-decision by the signatories of the MOU without offering the adjoining and affected landowners, water right holders a place at the table, has caused much frustration and dismay throughout the FERC process. It is our hope that the SWRCB will take a broader view of the matters at stake and seriously consider abrogating the 2005 MOU in that the terms of the 2005 MOU are not being met by the proposed License Surrender Application.
4. Over 8 years have gone by since the 2005 MOU and there are still no details and, to my knowledge, nothing has materialized. From the transcripts of the public meetings held by FERC Staff, it appears that water supply issues and alternatives have not been addressed.
5. The 2005 MOU should have included the landowners and water right holders such as Sierra Pacific Industries, the ADU and the Tetrick Ranch. Any revised MOU or re-established MOU should include the members of this Coalition.
6. The Coalition requests that the SWRCB instruct FERC to add conditions reconsider and redraft the FEIS; and adopt the SWRCB recommendations as a condition.

Shasta County



Date

4/12/13