

Whitmore, CA  
19 July 2007

Andrew J. Black  
Federal Energy Regulatory Commission  
Director  
Office of External Affairs  
Washington, D.C. 20426

Subject: Kilarc-Cow Creek Hydroelectric Project No. 606-000

Dear Mr. Black:

On receipt of your letter of July 2<sup>nd</sup>, 2007, I have no choice but to respond. As a representative of the Whitmore Community stakeholders (Chairman of the "Save Kilarc" committee) I am obligated to maintain the effort to retain the 104 year old facility which is extremely important to the whole Cow Creek watershed and to Shasta County and California.

Several things should be brought to your attention for timely consideration. Initially, the effected stakeholders were not aware of the potential to lose Kilarc until Synergics (now eliminated) held meetings in the area. PG&E held their first meeting with stakeholders in Whitmore and Palo Cedro May 15th and 16th 2007. In their technical meeting they indicated, as you have, that they would accept local inputs monthly and keep the community informed. The first monthly meeting in June was replaced by a tour of the facilities (Kilarc-Cow Creek Power Stations). No meeting, no input. The July and August meetings were cancelled and a September date indicated (no time or Place). FERC overview and assistance with input forums would facilitate data for final determination of the facility utilization.

The delay in accepting inputs and responding to them leads to great concerns. There are studies that need to be done in a timely manner by entities acceptable to FERC so alternatives to decommissioning will be available and should be a part of the "surrender application". The California Public Utilities Commission has approved \$10.4 Million of ratepayers money to prepare the "surrender application". We would like to see some of it used to provide timely evaluation of pertinent conditions.

Available information indicates the major problem effecting the continued operation of Kilarc is four miles of Old Cow Creek that has reduced water flows that effect fish habitat, due to diverted flows for power generation. This section of the creek can hardly be considered spawning grounds for Salmon or Steelhead, since well below the Kilarc Power Station Whitmore Falls is a barrier Salmon cannot navigate and Steelhead might negotiate in extremely high water flows (California Fish and Game). Even an ecologically stable 100 year old condition does not seem sufficient to "Save Kilarc". Four miles of creek to support very questionable migration is driving the loss of a facility that provides renewable power, recreational facilities, historical structures, and has been

termed the finest handicap fishing (ADA) in the North State. Of even more importance to the community is the availability of water for fire protection in a highly volatile fire prone area.

Additionally be advised that the water rights area is a "ball-of-snakes". PG&E divestiture of water rights is undetermined and interfaces with ranchers that have granted rights to PG&E and use diversions on their private property that will be major problems. Water rights have been adjudicated in court and could well be in the courts for years to come, delaying any satisfactory resolution.

An inspection of the facilities (Kilarc-Cow Creek) is scheduled for August 15th 2007. We would respectfully request that representatives of the local stakeholders be included in the process. Fire protection of the watershed homes and ranches is of prime importance to local residents.

Assistance with our local concerns will be appreciated.

Thomas Glenn Dye

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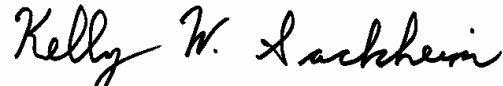
P-606 Service List and Active Agency Contacts

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**CERTIFICATE OF SERVICE**

I hereby certify that I have on this day served the foregoing document by first class mail postage prepaid or email upon each person designated on the official service list compiled by the Secretary of the Commission in this proceeding.

Dated at Fair Oaks, CA this 27<sup>th</sup> day of July 2007.



Kelly W. Sackheim, Principal  
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Submission Contents

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