

ORIGINAL

11 Dec. 2008

30655 Whitmore Rd
Whitmore, CA 96096

RECEIVED
OFFICE OF THE
SECRETARY
2008 DEC 29 A 11:18
ENERGY COMMISSION

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

**Reference: PG&E's Kilarc/Cow Creek Draft Surrender
Application FERC Project 606**

Dear Ms. Bose:

I am writing to bring awareness of the local citizens concern about the decommissioning of Kilarc/Cow Creek hydroelectric power generation and associated facilities. In the overall activity attendant with the destruction of the valuable assets, the concerns of the affected ratepayers/stakeholders has not received due consideration. FERC provided some information in a meeting in January 2008. The decision to decommission was stated as the normal process of PG&E deciding not to renew their license. The information presented at the meeting indicated that regulations required submission of a Surrender Application, but destroying the facilities could be halted with sufficient new information of the effects of removal. The effort to provide this information has been ongoing. Since the local stakeholders were not privy to the decision to surrender the license in March of 2005 it was late in being recognized, making retention a very up hill battle.

Data to support retention has been being submitted for some time. From the perspective of the residents of the

Cow Creek Watershed, and many California residents that use the facilities of Kilarc reservoir, concerns about the loss of "green " power and the recreational benefits to be lost should be succinctly reviewed.

In 2007 over 700 individuals signed a petition to retain Kilarc, the more contentious unit. More signatures were destroyed by a rumor that the facilities were being taken over by another hydroelectric power entity. Recently a flyer insert in a local community newspaper elicited well over 100 more signatures of concerned citizens. There is no local support for decommissioning.

Local ranchers and their attorneys have written FERC detailing problems not addressed in the Draft License Surrender Application (DLSA). These problems are not simple and address the damage and litigation potential that could result from the current decommissioning plan. The California Public Utility Commission has already authorized \$10.4 Million ratepayer money for decommissioning. Subsequently PG&E has revised their estimate to \$14.5M and with the problems identified in the aforementioned letters to FERC it is obvious the cost will go much higher.

The local residents in the watershed have identified many problems. Typical of which is the hydrology of the watershed. All of Whitmore, as well as many below Whitmore, rely on wells or surface water (Creek, springs and diversion ditches). Water rights have long been established (1969) and legally adjudicated. The last known survey of ground water was in 1984 and indicated conditions were marginal and development should be monitored carefully. Some wells are operating marginally and the loss of Kilarc may effect the ground water and some surface springs. Such a loss would severely affect property values and the local quality of life. Since the

system has been stable for over a century the drastic change could be cause for significant liability.

Anandromous fish are a major factor in retention of the power stations. This has been and is still being addressed with many changes in cooperation with the California Department of Fish and Game as associated with the South Cow Creek facility. Addressing anandromous fish in regard to Kilarc defies logic. It has not effected the fluctuation of Salmon and Steelhead in its 104+ years of operation. These fish have not been observed above Whitmore Falls that are over two miles below the Kilarc Power Station. In spite of this fact, a recommendation has been made by Davis Hydro LLC for a fish enhancement project if they can acquire a license to operate Kilarc.


One of the reasons for retention is the forebay/reservoir that provides both economic and recreational benefits to the area. It would cost millions of dollars to replace and duplicating its amenities would be next to impossible. The reservoir is easily accessed in all but occasional heavy snows. It is stocked with catch able trout by the Fish and Game and provides bank fishing from all sides and is assessable by seniors and the disabled (ADA). PG&E has maintained the access road, parking area, picnic area complete with tables and benches, BBQ stands, vault toilets, and trash removal with free public access. There are spectacular views of the North Valley, also of Mt. Lassen and Mt. Shasta. Hiking trails are also available.

The forebay, being on the Pacific Flyway, provides exceptional wild life viewing as it is a stop over for migrating water fowl. Ducks, geese, and even pelicans have been observed on the water. Eagles and Osprey fish the waters and Mallard ducks nest there. Yes, they would find other stopping points but the attraction of one long standing stopping point and raptor feeding body of water would be lost, no longer available to the public.

Aside from the loss of the clean hydroelectric power and the historical power stations, the decommissioning would severely impact the 100 year old stable ecology of the Cow Creek Watershed, and would be a major loss to California residents even beyond the affected area. Millions of dollars are programmed to destroy a valuable asset that meets the needs of the Pacific Forest and Watershed Lands Stewardship Council, chartered to divest the property released to the State of California, for public benefit and connecting youth to the outdoors.

The need for power generation is increasing year by year and the distribution system is aging and in need of improvement. The allocated funds for decommissioning the Kilac/South Cow Creek project could much more effectively be used to improve the distribution system and conserved water; the New California Gold. Maintaining the basic status quo does not change the stable ecology, does not create litigation over water rights and uses, retains the current hydrology, retains the historic power house structures, retains a source of "green" energy, and saves a valuable recreation facility for the local economy as well as all California residents.

Respectfully Submitted



Thomas "Glenn" Dye

Chairman "Save Kilarc" Committee

Retired Registered California

Professional Engineer