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April 6, 2009

The Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First St., N.E.
Washington, D.C. 20426-001

filed electronically

Re: Clarification re: "Support of the proposed Kilarc Reconstruction Alternative expressed by Ryan Fogerty, Fish Biologist, conveyed by Save Kilarc Committee under P-606." (FERC accession no. 20090331-5019)

Dear Secretary Bose:

Subject letter begins, "I am writing to express *my* support of the proposed Kilarc Reconstruction Alternative." (emphasis added) The letter continues, "I was given a tour of various sites of the Kilarc-Cow Creek project by Dick Ely, Ph.D. of Davis Hydro, LLC. I was shown the Kilarc reservoir as well as the proposed rearing and spawning channels for Steelhead Trout."

The signature block says,
"Sincerely,
Ryan Fogerty
Fish Biologist, USFWS"

It is understood, and we believe it was Mr. Fogerty's intent to identify, that the reference to his employment with the USFWS as a fish biologist is a reflection of his scientific credentials that support his opinion. Mr. Fogerty's opinion is of interest because he works as a fish biologist in a salmonid fish hatchery doing work very similar to which we propose. We have made, and will make, no other representation, and regret any misunderstanding.

We know that the official position of the USFWS is only presented on USFWS letterhead by USFWS administrators and designated contacts, not technical staff, including fish biologists.

Respectfully
Davis Hydro LLC



Richard D. Ely, Principal

cc: E-mail recipients on P-606 Service List and others including additional contacts at USFWS
Stacey Evans and Steve Nevares of PG&E
Thomas "TJ" Lovullo, FERC
Ryan Fogerty; Save Kilarc Committee