

Place

Pg 1

San Jose, CA. 95139
21 April 2013

Jeffrey Parks
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA. 95812-2000

Re: Kilarc-Cow Creek

{FERC P-606} CEQA

Ref: P-606 Biological

Evaluation Draft August 2009

Jeff,

1. I urge you and your staff to reference the P-606 Biological Evaluation Document {FERC # 20090827-5009 }, in addition to the LSA, FERC EIS; and other documents in this Process. Let me make a few comments on this particular document.

2. Section 2.2, **Project Purpose and Objectives**: Great set of five bullets, especially the 5th if it was meant to include in addition to the conveyance facilities and forebays; the diversion structures that are actually in stream beds.

“Decommission all conveyance facilities and forebays in an environmentally sound manner.”

3. Section 1.1 on **Regulatory Overview** seems to be an excellent summary of various past Process stages, and the CEQA stage now beginning.

4. Section 1.2 **Project History** is also very informative, especially the conclusion of the first paragraph that ends on Page 1-3 with:

“Pursuant the Agreement, PG&E, among other things, agreed not to file an application for a new license by the statutory deadline of March 27, 2005, and instead agree to support decommissioning of the Project. In exchange, the other signatories agreed to support a scope of decommissioning that would address specified subjects but would provide PG&E flexibility to address these subjects in the most cost-effective manner.”

5. Page 1.3, **Federal Action History**, seems complete; and illustrates quite well how such exclusionary processes evolve such a questionable set of objectives, and PM&E's {My comment letter of 19 April 2013 - paragraph 1, and Attachment IV}.

6. See Section 2.3.1.1: Second paragraph is quite insufficient; but for the official record: The next to last sentence in paragraph two is a deliberate falsehood. Licensee by late October, early November 2008 had more than sufficient documentation with respect to what my position was on this side of the dam with respect to trying to create the conditions that would re-establish some resemblance of the pre-dam bank.

7. One has to seriously wonder where some of the statements and numbers in this Process come from,

and what was the writers assumption in making those statement. For example later in Section 2.3.1.1, page 2-4, on **Avoidance and Minimization Measures** sub-paragraph 2) :

“It is estimated that up to 400 feet of stream channel may need to be dewatered to remove the dam and excavate the pilot thalweg channel...”

This number seems to be off by about a factor of 2X as I can't possibly conceive of why one would dewater more than 200 to 225 feet of creek to remove this structure.

Respectfully,

David W. Albrecht

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