


April 20, 2013

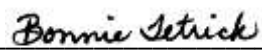
Kilarc-Cow Creek Hydroelectric Project License Surrender (Proposed Project)

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. 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 us 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 nothing has materialized. The transcripts of the public meetings held by FERC Staff make it clear 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.

Tetrick Ranch By:  Date April 20, 2012
Steve Tetrick

By:  Date April 20, 2012
Bonnie Tetrick

Attachment A

Project 606 FERC filings by Tetrick Ranch, Shasta County, the Abbott Ditch Users, Evergreen Shasta, and Erik Poole.

| Title | Date | eLibrary Accession Number |
|--|-------------|----------------------------------|
| Comments on Final Environmental Impact Statement of Tetrick Ranch under P-606. | 10/14/11 | 20111014-5044 |
| FOIA Responses from NMFS and U.S. Fish & Wildlife Service submitted by Tetrick Ranch and Evergreen Shasta Power, LLC under P-606-027. | 11/16/10 | 20101116-5054 |
| Motion to Correct Erroneous Statements in PG&E "Answer" and Statement of Corrections and Request for Waiver, if Necessary; or in the Alternative, Motion of Tetrick Ranch and Evergreen Shasta Power, LLC to Reject PG&E's "Answer" under P-606-027. | 10/12/10 | 20101012-5319 |
| Comments on DEIS of Erik Poole / ADU under P-606. | 8/25/10 | 20100825-5065 |
| Motion to Intervene of Evergreen Shasta Power, LLC under P-606. | 8/25/10 | 20100825-5089 |
| Comments of Tetrick Ranch and Evergreen Shasta Power, LLC, on Draft Environmental Impact Statement for the Kilarc-Cow Creek Hydroelectric Project License Surrender and Proposed Decommissioning under P-606. | 8/25/10 | 20100825-5114 |
| Shasta County submits request to reschedule the public meeting until mid-August re: the DEIS Kilarc-Cow Creek Project under P-606. | 7/6/10 | 20100706-0023 |
| Shasta County Board of Supervisors' notice of public hearing under P-606. | 7/6/10 | 20100708-0022 |
| Comment of County of Shasta (CA) under P-606. | 6/30/10 | 20100630-5086 |
| Response of Tetrick Ranch under P-606. | 6/24/10 | 20100624-5128 |
| Reply Comments of Evergreen Shasta Power, LLC, Tetrick Ranch, Abbott Ditch Users, Shasta County, and Sierra Pacific Industries, Inc. under P-606. | 2/22/10 | 20100222-5104 |
| Motion to Intervene Out-of-Time of Evergreen Shasta Power, LLC under P-606. | 1/22/10 | 20100122-5121 |

| Title | Date | eLibrary Accession Number |
|--|-------------|----------------------------------|
| Motion Requesting Settlement Process and for Prompt Action under P-606. | 1/22/10 | 20100122-5124 |
| Offer of Settlement of Tetrick Ranch, the Abbott Ditch Users, Shasta County, Sierra Pacific Industries, Inc., and Evergreen Shasta Power, LLC under P-606. | 1/22/10 | 20100122-5126 |
| Comments of Erik Poole re: Kilarc- Cow Creek License Surrender Proceedings under P-606. | 1/19/10 | 20100119-0033 |
| Follow-Up Comments of Erik Poole to 20091230-5001 under P-606. Letter dated: 1/8/2010. | 1/14/10 | 20100114-5007 |
| Response of Erik Poole under P-606. | 12/30/09 | 20091230-5100 |
| Response of Tetrick Ranch to Comments of California Department of Fish and Game under P-606. | 12/30/09 | 20091230-5103 |
| County of Shasta submits response to the Request for Information from Robert H. Grieve, of the Commission 's Division of Hydropower Administration and Compliance dated 12/16/09 re: Kilarc-Cow Creek Hydroelectric Project under P-606. | 12/24/09 | 20100104-0103 |
| Response to Data Request of Shasta County, California under P-606. | 12/16/09 | 20091216-5110 |
| Comments of Evergreen Shasta Power, LLC re: Kilarc & Cow Creek under P-606. | 11/16/09 | 20091116-0231 |
| Comments of an Individual re: Kilarc- Cow Creek Hydroelectric Project under P-606. | 11/16/09 | 20091116-0237 |
| Comment of Tetrick Ranch, et al. under P-606. | 10/30/09 | 20091030-5063 |
| Comment of Shasta County under P-606. | 10/19/09 | 20091019-5093 |
| Scoping Comments and Information submission of Tetrick Ranch and the Abbott Ditch Users re: Pacific Gas and Electric Co under P-606. | 10/16/09 | 20091016-5088 |
| Answer and Supplemental Comments of Tetrick Ranch and Abbott Ditch Users, etc. under P-606. | 8/25/09 | 20090825-5082 |

| Title | Date | eLibrary Accession Number |
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| Comment of Tetrick Ranch, et al. under P-606. | 7/14/09 | 20090714-5093 |
| Motion to Intervene of Tetrick Ranch under P-606 | 7/13/09 | 20090713-5165 |
| Tetrick Ranch requests a meeting with FERC in connection with Pacific Gas and Electric Company's Kilarc-Cow Project under P-606. | 6/15/09 | 20090619-0071 |
| Comments of Steve & Bonnie Tetrick re: Pacific Gas and Electric Company's Kilarc-Cow Creek Project under P-606. | 6/12/09 | 20090612-5142 |
| Comments on P-606 PG&E DLSA submitted by Erik Poole on behalf of the Abbott Ditch Water Users (ADU) under P-606. | 11/7/08 | 20081107-5043 |
| Comments of Mr. and Mrs. Steven Tetrick, owners of the Tetrick Ranch, regarding Pacific Gas and Electric's South Cow Creek power house under P-606. | 9/25/07 | 20071016-0041 |
| Erik Poole requests that he be added to the mailing list for information re: filings and submissions for Pacific Gas and Electric Company's Kilarc-Cow Creek Hydroelectric Project under P-606. | 5/29/07 | 20070601-0026 |
| Comments of Shasta County Department of Resource Management concerning the First Stage Consultation Package dated June, 2002 re: Kilarc-Cow Creek Hydroelectric Project Relicensing under P-606. | 7/23/02 | 20020812-1261 |
| Shasta County submits change of address to update the official mailing list re: Pacific Gas & Electric Co., et al. under P-2667, et al. | 5/9/02 | 20020514-0157 |