



August 24, 2010



CarLisa Linton-Peters
Federal Energy Regulatory Commission
Office of Energy Projects
888 First Street, NE
Washington, D.C. 20426

**COMMENTS OF FRIENDS OF THE RIVER AND TROUT UNLIMITED ON THE
DRAFT EIS FOR THE KILARC-COW CREEK LICENSE SURRENDER, FERC P-606**

Ms. Linton-Peters,

Thank you for the opportunity to comment on the Draft EIS for Pacific Gas and Electric's Kilarc-Cow Creek License Surrender. Friends of the River (FOR) and Trout Unlimited (TU) have long been interested parties in this proceeding. TU and FOR have been participating in the above noted process since it was in the early planning stages, and are signatories to the 2005 multi-party Settlement agreement with Pacific Gas & Electric. Therefore, TU and FOR have a direct interest in the decommissioning process of the Kilarc-Cow Creek hydroelectric project and welcome the opportunity to provide input to the Commission's environmental analysis.

TU and FOR concur with the staff's recommendation of license surrender as proposed by PG&E, with additional staff recommendations. Members of TU and FOR enjoy the recreational opportunities afforded directly or indirectly by Old Cow Creek and South Cow Creek, which are tributaries to Cow Creek and the Sacramento River. The streams have been identified by the California Department of Fish and Wildlife and National Marine Fisheries Service as important habitat for fall- and spring-run Chinook, steelhead trout, and resident rainbow trout. South Cow Creek in particular is of enormous importance to the recovery of Chinook salmon, and includes habitat for the very rare spring-run and increasingly rare fall-run populations. Enjoyment of recreational opportunities on the Sacramento River depends upon healthy tributary habitat for steelhead and salmon; thus, TU and FOR members who make use of the Sacramento River's recreational opportunities also have an interest in the health of Cow Creek.

The decommissioning process of the Kilarc-Cow Creek Hydropower project will go a long way to improving the suitability of Cow Creek as a healthy contributor to the Sacramento River's steelhead and Chinook salmon populations. The spawning and rearing habitat that South Cow Creek will provide for salmon and steelhead, and Old Cow Creek will provide for steelhead and resident rainbow trout, plus the water the two tributaries contribute downstream, are

important to salmon and trout populations, and to our groups. We think the staff recommendation adequately protects these interests and we are pleased that Commission staff appear to understand the value of restoring these creeks.

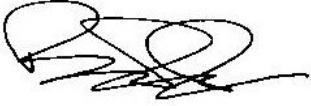
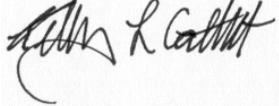
The LSA correctly notes that much higher minimum flows, as well as fish screens and fish ladders, would have been required at the project diversions had it proceeded through relicensing. We concur with staff's conclusion that neither AA1 nor AA2 would provide suitable flows for aquatic habitat. We also concur that studies of aquatic habitat and water quality would have to be conducted by applicants if AA1 were pursued, and we believe that the minimum instream flow is likely to be at least the 20 cfs analyzed by staff. (See page 62; see also DFG comments on DEIS, p. 3)

Although we value the recreational resource provided by the Kilarc forebay, it seems unlikely that proposals to maintain the forebay without also delivering this quantity of water and meeting water quality standards downstream could pass muster with the agencies under the law. As parties to the original Settlement, we remain willing to discuss disposal of the facilities and retention of Kilarc forebay so long as alternative proposals would restore downstream fish and comply with modern water quality laws.

We concur with Commission staff in concluding that the alternate proposals are not as protective of the resource or provide restoration that is as complete as the surrender proposal from PG&E, and that surrender is in the public interest. (See page 263, stating that "Commission staff believes that any short-term and long-term environmental impacts and loss of generation produced by the project would be outweighed by the significant long-term environmental benefits gained from the project removal.") The project area presents one of the best and most cost-effective opportunities for anadromous fish recovery in the northern Central Valley.

Again, thank you for the opportunity to provide comments on the Draft EIS. We commend the staff on the work they have done so far on the Draft EIS and look forward to reading the final draft.

Sincerely,

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