



June 3, 2003

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THE SECRETARY Power Generation

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FEDERAL ENERGY  
REGULATORY COMMISSION

ORIGINAL

245 Market Street  
San Francisco, CA 94105  
*Mailing Address*  
Mail Code N11C  
P.O. Box 770000  
San Francisco, CA 94177

Honorable Patrick Wood, III, Chairman  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

J. Mark Robinson  
Director, Office of Energy Projects  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

**FERC PROJECT NO. 2105**  
**UPPER NORTH FORK FEATHER RIVER PROJECT**  
**REQUEST FOR CHANGE IN ISSUANCE DATE OF**  
**NOTICE OF READY FOR ENVIRONMENTAL ANALYSIS**

Gentlemen:

The 2105 Licensing Group, is seeking the Federal Energy Regulatory Commission's (Commission) concurrence on a schedule for the relicensing proceeding of the Upper North Fork Feather River Project (FERC Project No. 2105) that will support a productive conclusion to the multi-party collaborative settlement process currently underway. The participants in this collaborative relicensing process include the licensee, Pacific Gas and Electric Company (PG&E), federal and state resource agencies, non-governmental organizations, county governments, and the general public. Preparation of this letter by PG&E was agreed to at the 2105 Licensing Group's May 22 meeting and participants were encouraged to show their support by also providing their signature.

In November 2002, the 2105 Licensing Group began work on a comprehensive settlement agreement. The Licensing Group has since been meeting on a biweekly basis. However, a settlement agreement is not scheduled for completion until September 30, 2003. By June 30, 2003 PG&E will complete the reservoir operations analysis and water temperature modeling runs that are critical to the settlement process. Once this technical information is in hand, the 2105 Licensing Group will require an additional three months for review and then completion of settlement negotiations. September 30, 2003 is the projected completion date of the Draft Technical Settlement Document ("DTSD"). The DTSD will contain the general substance of agreements reached by the Licensing Group, and will be the framework for a final settlement agreement with proposed license provisions. The DTSD will be filed with the Commission in advance of the completed settlement agreement, to allow for its use in preparing the FERC

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Project No. 2105 Environmental Impact Statement (EIS). The 2105 Licensing Group requests that the Commission adopt the settlement agreement as one of the alternatives in its NEPA analysis.

On April 25, 2003, the Commission issued its NEPA Scoping Document 1 for the Upper North Fork Feather River Project relicensing. Scoping Document 1 lays out a schedule for preparation of an EIS. The schedule calls for the Commission to issue a notice in July 2003 that PG&E's license application is "Ready for Environmental Analysis" (REA). The draft EIS is scheduled for release in January 2004 and the final in July 2004. We commend the Commission for moving forward on a schedule that focuses on accomplishing a licensing decision prior to the expiration of the current license (i.e., October 31, 2004). However, issuance of the REA in July would delay the settlement process, as resource agencies would be forced to put the settlement on hold while they develop preliminary prescriptions and recommendations for terms and conditions. This timeline will limit resource agency and Commission use of PG&E's forthcoming technical information. Also, the 2105 Licensing Group believes this would also result in establishment of formal, potentially adversarial positions in response to the REA notice and could actually result in delay of the licensing decision if there are conflicting recommendations and prescriptions. All participants agree that the schedule presented in Scoping Document 1 would seriously undermine and obstruct the success of the comprehensive settlement sought by all Licensing Group participants.

Although it is the legitimate interest of any agency to ensure that its processes move forward with reasonable dispatch, the 2105 Licensing Group cannot concur if that effort burdens and/or obstructs a settlement process reflecting diligent and good faith efforts by all interested participants. The diversity of interests in this matter is readily represented by the undersigned and the unanimity of the consensus among those interests. Although the State Water Resources Control Board is not a signatory to this letter, this agency is an active participant in the collaborative process and supports the Licensing Group in their request for postponement of the Commission's issuance of REA. Participants in this collaborative effort are dedicated to the process and remain optimistic that settlement can be achieved with final protection, mitigation, and enhancement measures that will best protect all interests and provide a solid NEPA alternative for the Commission to evaluate.

The 2105 Licensing Group respectfully requests that the Commission accommodate the proposed expedited schedule outlined above and delay its REA until October 2003. We recognize that in the short term this may delay issuance of the draft EIS by one or two months to accommodate inclusion of the settlement agreement as an alternative and additional time for the resource agencies to submit their preliminary prescriptions and recommendations. However, in the long term the 2105 Licensing Group believes that this adjustment in schedule will expedite the Commission's goal of a licensing decision prior to expiration of the current license. In addition, the 2105 Licensing Group invites the Commission's staff to review the 2105 Committee's meeting summaries that are posted on Plumas County's website at <http://www.project2105.org>. These summaries not only demonstrate the Licensing Group's progress, but also provide valuable information for the Commission's EIS.

Honorable Patrick Wood  
J. Mark Robinson  
June 3, 2003

The 2105 Licensing Group thanks you in advance for your attention in this matter and look forward to the Commission's support of our collaborative efforts in the Upper North Fork Feather River relicensing.

Respectfully submitted,



Tom Jereb, Relicensing Project Manager  
Pacific Gas and Electric Company

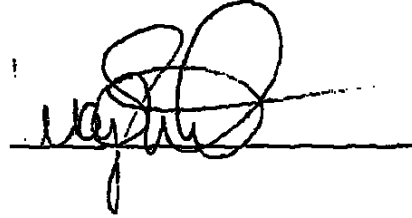
Individual signature pages for representatives for the following participants are attached:

U.S. Department of the Interior, U.S. Fish and Wildlife Service  
U.S. Department of Agriculture, Forest Service  
California Department of Fish and Game  
Plumas County  
American Whitewater  
California Sportfishing Protection Alliance  
Mountain Meadows Conservancy  
Anglers Committee Against Artificial White Water Flows  
2105 Committee Plumas County  
Dyer Mountain Associates

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J. Mark Robinson

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Individual Signature

A handwritten signature in black ink, appearing to read "Wayne S. White", is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke.

Organization

Sacramento Fish and Wildlife Office  
Sacramento, California

Signatory Representative

Wayne S. White  
Field Supervisor

Date

May 29, 2003

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J. Mark Robinson

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May 30, 2003

Individual Signature

James M Peña

Organization

Plumas National Forest

Signatory Representative

James M Peña  
Name

Date


6/2/03

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May 30, 2003

Individual Signature

  
Larry L. Eng, Deputy Regional Manager

Organization

CA FISH & GAME DEPT

Signatory Representative

Larry L. Eng  
Name

Date

5/28/03

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05/28/03

Individual Signature

Tom Hunter

Organization

Plumas County

Signatory Representative

Tom Hunter, Director of Public Works  
Name

Date

May 28, 2003

May-29-03 03:56P John Gangemi

406-837-3156

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May 30, 2003

Individual Signature

John T. Gangemi

Organization

American Whitewater

Signatory Representative

\_\_\_\_\_

Name

Date

May 30, 2003



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May 30, 2003

Individual Signature

Jerry Mensch

Organization

California Sportfishing Protection Alliance

Signatory Representative

Jerry Mensch  
Name

Date

5/29/2003

Individual Signature Steve Robinson

Organization Mountain Meadows Conservancy

Signatory Representative Steve Robinson, EXECUTIVE DIRECTOR  
Name

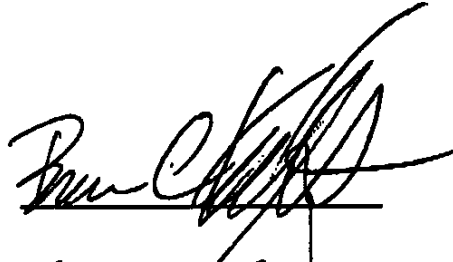
Date 5-30-03

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May 30, 2003

Individual Signature



Organization

ANGLERS COMMITTEE AGAINST ARTIFICIAL  
WHITE WATER FLOWS

Signatory Representative

BRIAN KEMPKE  
Name

Date

5-29-03

Honorable Patrick Wood  
J. Mark Robinson

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May 30, 2003

Individual Signature

Caron Scandal

Organization

Pleasant County 2105 Committee

Signatory Representative

WILLIAM DENNISON  
Name

Date

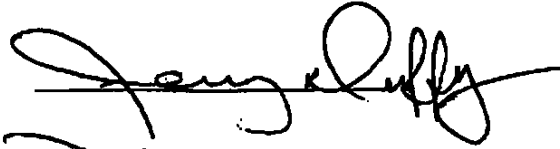
May 28, 2003

Honorable Patrick Wood  
J. Mark Robinson

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May 30, 2003

Individual Signature



Organization

DYER MTN ASSOC

Signatory Representative

\_\_\_\_\_  
Name

Date

5/30/03

**Honorable Patrick Wood  
J. Mark Robinson  
June 3, 2003**

**Distribution List:**

**American Whitewater  
Mr. John T Gangemi  
482 Electric Ave.  
Bigfork, MT 59911**

**Supervisor Jim Chapman, Chair  
Lassen County Board of Supervisors  
221 South Roop St., Ste 4  
Susanville, CA 96130**

**Supervisor Bill Dennison  
Board of Supervisors, Plumas County  
520 West Main Street, Room 309  
Quincy, CA 95971**

**Anglers Committee  
Mr. Robert J Baiocchi  
P. O. Box 1790  
Graeagle, CA 96103**

**Supervisor Bob Pyle  
Lassen County Board of Supervisors  
221 South Roop St., Ste 4  
Susanville, CA 96130**

**Supervisor Robert Meacher  
Board of Supervisors, Plumas County  
520 West Main Street, Room 309  
Quincy, CA 95971**

**California Trout  
Mr. Curtis Knight  
P. O. Box 650  
Mt. Shasta, CA 96067**

**Lassen County Public Works Director  
Larry D. Millar  
707 Nevada Street, Suite 4  
Susanville, CA 96130**

**Maidu Cultural and Development Group  
Mr. Farrell Cunningham  
P. O. Box 426  
Greenville. CA 95947**

**CA Sportfishing Protection Alliance  
Mr. Jerry Mensch  
2553 Stonehaven Dr.  
Sacramento, CA 95827**

**CA Water Resources Control Board  
Mr. Jim Canaday  
1001 "I" Street  
Sacramento, CA 95814**

**Greenville Rancheria  
Ms. Lorie Jaimes, Tribal Chair  
410 Main Street  
Greenville, CA 95974**

**Chico Paddleheads  
Mr. Dave Steindorf  
179 Valley Ridge Dr.  
Paradise, CA 95964**

**CA Water Resources Control Board  
Ms. Sharon Stohrer  
1001 "I" Street  
Sacramento, CA 95814**

**Susanville Indian Rancheria  
Valerie Edwards, Tribal Chairperson  
Drawer U  
Susanville, CA 96130**

**Shasta Paddlers  
Mr. Kevin Lewis  
4641 Hornbeck Ln  
Anderson, CA 96007-2631**

**County of Plumas  
Mr. Rob Shulman, County Counsel  
520 Main Street, Room 302  
Quincy, CA 95971-9115**

**Susanville Indian Rancheria  
Mr. Alan Lowry  
Drawer U  
Susanville, CA 96130**

**National Park Service  
Mr. Harry Williamson  
650 Capital Mall, 8-300  
Sacramento, CA 95814**

**County of Plumas  
Ms. Christi Goodman  
1834 East Main  
Quincy, CA 95971**

**Honey Lake Maidu  
Mr. Jeremy Peconom  
7597 Elizabeth Road  
Vacaville, CA 96130**

**Friends of the River  
Ms. Kelly Catlett  
915 20<sup>th</sup> Street  
Sacramento, CA 95814-3115**

**Lake Almanor 2105 Committee  
P. O. Box 3343  
Lake Almanor, CA 96137-3343**

**Mr. Ron Morales  
Honey Lake Maidu  
1101 Arnold Street  
Susanville, CA 96130**

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Distribution List, continued:

California Waterfowl Association  
Mr. Mark Hennelly  
4630 Northgate Blvd.  
Suite 150  
Sacramento, CA 95834

Trout Unlimited  
Chuck Bonham  
828 San Pablo Ave., Suite 208  
Albany, CA 94706

U. S. Forest Service  
Mr. Bob Hawkins  
Regional Hydropower Coordinator  
650 Capitol Mall, Room 7524  
Sacramento, CA 95814

U. S. Forest Service  
Mr. Michael Condon  
159 Lawrence Street  
Quincy, CA 95971-6025

Dyer Mountain Associates  
Mr. Jerry Duffy  
P.O. Box 847  
Westwood, CA 96137

CA Dept. of Water Resources  
Mr. Henry Ramirez, Chief  
Project Power Planning Branch  
1416 Ninth Street  
Sacramento, CA 94236-0001

U. S. Forest Service  
Mr. Mike Taylor  
Feather River Ranger District  
875 Mitchell Ave.  
Oroville, CA 95965-4699

National Marine Fisheries Service  
Eric Theiss  
650 Capitol Mall, Suite 8-300  
Sacramento, CA 95814

U.S. Fish and Wildlife Service  
Mr. Mark Gard  
2800 Cottage Way, Room W-2605  
Sacramento, CA 95825

Mountain Meadows Conservancy  
Mr. Steve Robinson  
P. O. Box 40  
Westwood, CA 96137-0040

Westwood Chamber of Commerce  
Mr. Fred Binswanger  
P. O. Box 141  
Westwood, CA 96137

CA Dept. of Fish and Game  
Mr. Banky Curtis, Reg. Manager  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670

CA Dept. of Fish and Game  
Mr. Mike Mainz  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670

Robert Hughes  
Calif California Department of Fish and Game  
Native Anadromous Fish & Watershed Br.  
830 S Street  
Sacramento, CA 95814

U. S. Forest Service  
Ms. Susan Jeheber-Matthews, District Ranger  
Almanor Ranger District  
900 East Highway 36  
Chester, CA 96020

U. S. Forest Service  
Ms. Terry Simon-Jackson, District Ranger  
Mount Hough Ranger District  
39696 Highway 70  
Quincy, CA 95971

Federal Energy Regulatory Commission  
Mr. John Mudre  
Mail Code PJ-11.7  
888 First Street, N.E.  
Washington, DC 20426