

198 Sprucemont Place
San Jose , CA. 95139
6 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

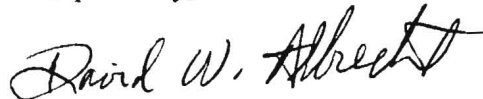
Jeff,

1. Since the submittal of the PG&E LSA, and the FERC NEPA Process that was completed with the issuance of the EIS August 16, 2011, please find per Attachment I {2 pages text / 7 pages diagrams} my description of events & key physical changes that have since occurred in the region of the South Cow Creek Dam structure that resides on our property in Shasta County. In October of 2011, with the support of myself and Peter Hufford whose abutting lands are also involved in the De-Commissioning; P,G & E did a detailed Engineering Survey in the area shown. Therefore they have in their possession the necessary information to develop a set of much more precise diagrams & aerial overlays than shown in the Attachment. For the area involved; P,G & E should document the present state of Recovery today after two years.
2. The Staiger (Albrecht) family's ownership of this property dates to the 1940's and therefore we have first hand knowledge of the power that South Cow can potentially unleash; such as in the 100 year water events forty some years ago. Removing a 100 year structure whose span together with the intake structure that is more than fives the width of the normal stream channel, and whose presence has effected significant geomorphic changes from that before 1907 needs a very clear definition of all the issues involved. Sound, common sense practices with respect to now existing riparian vegetation can be one of the most important factors and allies now and leading up to removal. Therefore, going forward ; and until the dam removal process is actually accomplished, we believe it is appropriate that the CEQA require that one of the Resource Agencies such as the CDF&G {and not just the landowner} should also provide input, review, and approval for any "Vegetation Management" request in the immediate area of the dam. Without that support, our position at this time, is a conservative one, of allowing the natural riparian vegetation in the area beyond the deeded easement boundaries for the canal, and especially P,G E's definition of the FERC boundary, to not be further disturbed.
3. I will document under separate cover my on going concern that the key geomorphic issues for the dam are very loosely and not appropriately defined, or well understood. Although they may be well intended, the LSA PME's trying to address the issue are incomplete. As of now, if these now existing PME's were the sole criteria from which to develop an Engineering plan, there is probably more than 80% chance of a "Low Quality Plan" and very negative outcome. Unfortunately, when working in such areas as a stream bed, things can be a very one way street with it being virtually impossible to reverse or correct the damage. "Mistakes Happen" in all documentation - it is a fact of the real world. However, it is essentially those errors be identified

and well documented on a checklist with a proposed date and a honest commitment to rectify them. In the various Review Processes over the last five years, this has not happened. Failing to follow this most basic of generally accepted process disciplines is how "errors" often get forgotten, overlooked, perpetuated, and swept under the rug.

4. PG& E already has a copy of the Attachment. This document is being furnished to the three Resource Agencies below for the review, and distribution within their organizations. A copy will also eventually make its way to FERC.

Respectfully,



David W. Albrecht
(408) 225-7600
dtalbrecht@sbcglobal.net

1 Atch: 7 Page Doc titled "South Cow Creek {FERC P-606} Diversion Dam Area

cc:

Brenda Oslen : USFWS 10950 Tyler Road , Red Bluff, CA 96080
David White : NOAA 777 Sonoma Ave. # 325 , Santa Rosa, CA. 95404
Matt Myers : CFD&G 601 Locust Street , Redding, CA. 96002

ATTACHMENT I

SOUTH COW CREEK {FERC P-606} DIVERSION DAM AREA “PG & E CLEAR CUT OPERATION in MARCH 2011”

1. Clear cut apparently occurred 3/21/2001 and appears to have been a unilateral* action initiated by PG&E Northern California Hydro Operations in Shasta County with zero co-ordination with their San Francisco team managing the proposed Decommissioning of P-606. On March 26, by pure happen stance, the impacted landowner (Albrecht's) first observed the “clear-cutting” from a distance on the Mill Creek Canal side. Both Shasta County Hydro Operations, and the PG&E San Francisco team responsible for the License Surrender Application (LSA) were notified. The (LSA), which calls for the scheduled removal of the Diversion structure in 2013, purports to limit riparian vegetation removal in the dam region; with best bank, soil, and erosion practices to be followed.

*“Unilateral” also means no De- Commissioning “Resource Agencies were contacted, nor was the proper landowner. The only notice given was by mail to the adjacent property owner; without PG&E’s map included for the proposed work area. Using a multitude of the most basic and primitive first hand standard engineering document review processes; that PG&E GIS generated map appears to be a corrupt and deficient document {See attachment II}. In terms of accuracy, this GIS map information appears to have been never subject to even the most basic review.

2. All mature riparian vegetation (mostly Alder and Willow) was cleared to the ground between the main canal berm all the to the very edge of South Cow Creek (a distance of about 30 ft.); and for an approximate length of 95 ft. (about 0.065 acres). The “clear cut area” is illustrated in a schematic diagram (Figure I, page 3) of this document {softcopy file is Page 3 001.jpg} The “Clear Cut” starts about 80 feet downstream of the Diversion Structure.

a. This “clear cut defoliation” that occurred; lies entirely in the NE¼ of Section 33 that are the private lands of the Albrechts, with approximately 80% of the cut lying beyond the deeded easement for this part of the Project. {The deeded easement width of 37.5 feet from the centerline of the canal is located approximately at the base of the first steep slope of the berm. About 40% of the cut can even be defined as being beyond PG&E’s arbitrarily constructed FERC Project boundaries in this region.

b. The “pre-cut” nature of the riparian vegetation lying along South Cow Creek is best understood from a “Google Earth” August 2010 aerial view of this area shown as Figure II on page 4 {Softcopy file is Page 4 001.jpg}. The 1907 deeded easement requirements of 75 feet for the Project bounds in the NE¼ of Section 33 are projected onto this Figure together with the generally accepted definition* of the N¼ point of Section 33. *Generally accepted means per PGE K-2 documents, PG&E LSA documents, USGA maps, projections from century old landowner fences, etc.

c. Figures III A & B { Page 5 001.jpg file} shows a 2009 lands eye view of South Cow Creek looking immediately downstream from points on the dam surface. Figure IV {Softcopy file Page6 001.jpg } shows the old bypass pipe exit in a 2009 picture at the Creek edge. This point is less than a yard upstream of where the 2011 March “clear-cut” was initiated.

d. Figures V-A & V-B {Softcopy file is Page7 001.jpg} show pictures of the "clear-cut" area taken in early April 2011 before the down riparian vegetation was latter "chipped" latter that month. Figure V-A is taken from the main canal berm looking towards the Mill Creek canal side with that side retaining wall and the NE side of the diversion structure in the upper right corner. Figure V-B is the "clear-cut area" taken from the Mill Creek Canal side. Neither the main canal or the berm top shows in this picture as they are at the same elevation as the camera. The wooded area in the background is that on the upslope beyond the far side of the main canal.

e. Figures VI-A & B {Softcopy file is Page 8 001.jpg } give some perspective of the size of riparian vegetation removed near the Creek.

f. Figure VII-A & B {Softcopy file is Page 9 001.jpg } are pictures of the clear cut area taken from the main canal berm side on 7/25/2011 show the berry and vine vegetation that has started to regenerate.

3. As shown in the Figure I schematic; on the main canal side before the 'clear-cut' area begins, there is now left standing downstream of the dam only about a 40 ft long X 40 feet wide stand of alders and willows. Unfortunately it seems it will be necessary to remove at least 50% of this remaining riparian vegetation during the dam removal process in order to remove the old "metal bypass pipe" that is embedded in this region. It would be totally inappropriate to leave such a metal structure in direct proximity of the Creek. Therefore if the dam is actually removed in the near future (< 3years), there effectively will be zero mature vegetation along the Creek bank on the main canal side for a distance of about 175 ft downstream of the dam location.

4. On a visit to PGE Northern California headquarters on 7/27, the departing Hydro operations manager suggested possible artificial "replanting" of the area nearest the Creek bank. This is possibly a good idea, but this landowner wants to wait until end of Spring 2012 to assess what new growth is developing from the old root systems; and assess what Nature can do to self-heal its wound. Unnecessarily working and intruding in the "cut" area could cause even more harm than has already been done in terms of additional damage to still living root systems.

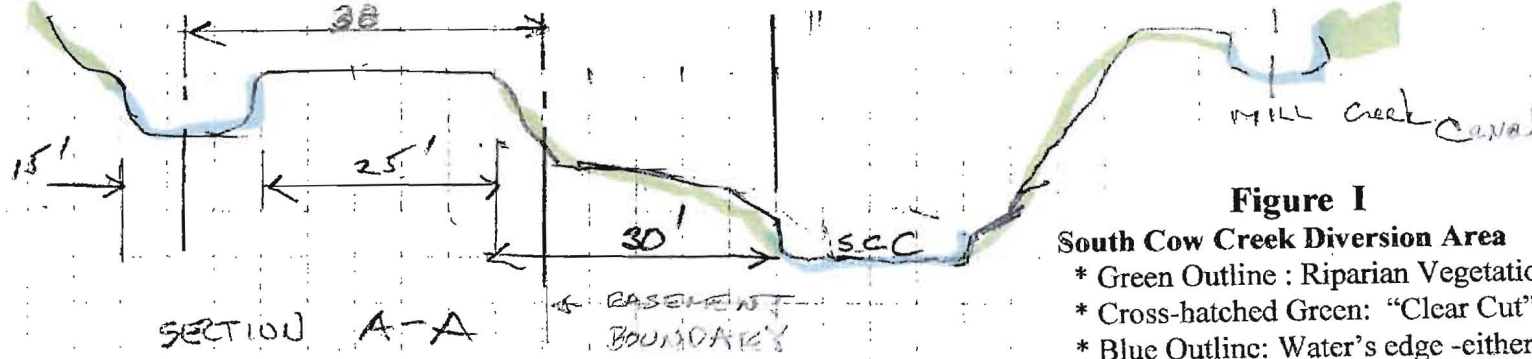


Figure 1
South Cow Creek Diversion Area
 * Green Outline : Riparian Vegetation
 * Cross-hatched Green: "Clear Cut" area
 * Blue Outline: Water's edge -either Creek or Cana

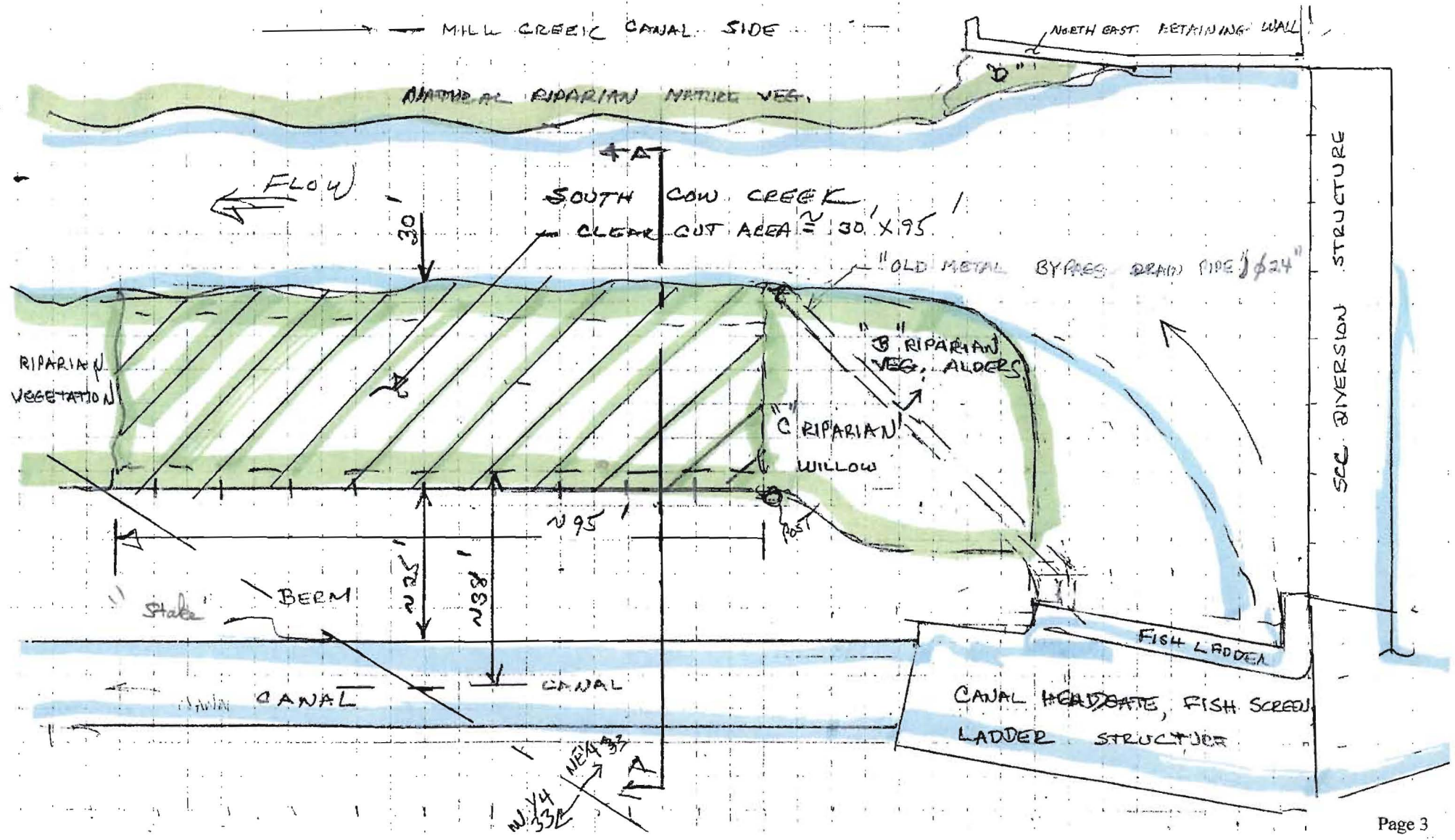




Figure II

August 2010 Google Earth View of South Cow Creek Dam Area

- * Red overlay lines that bound canal & dam represent 1907 Deeded Easement bounds
 - + Similar easement bounds for Mill Creek canal intentionally not shown
- * Generally accepted position northern boundary of Section 33 & N¼ point shown at top of photo

Figure II "A"
{ RIPARIAN HABITAT - South Cow Creek Dam Area }



August 1 2010 Google Earth View { Before March 2011 Clear Cut }



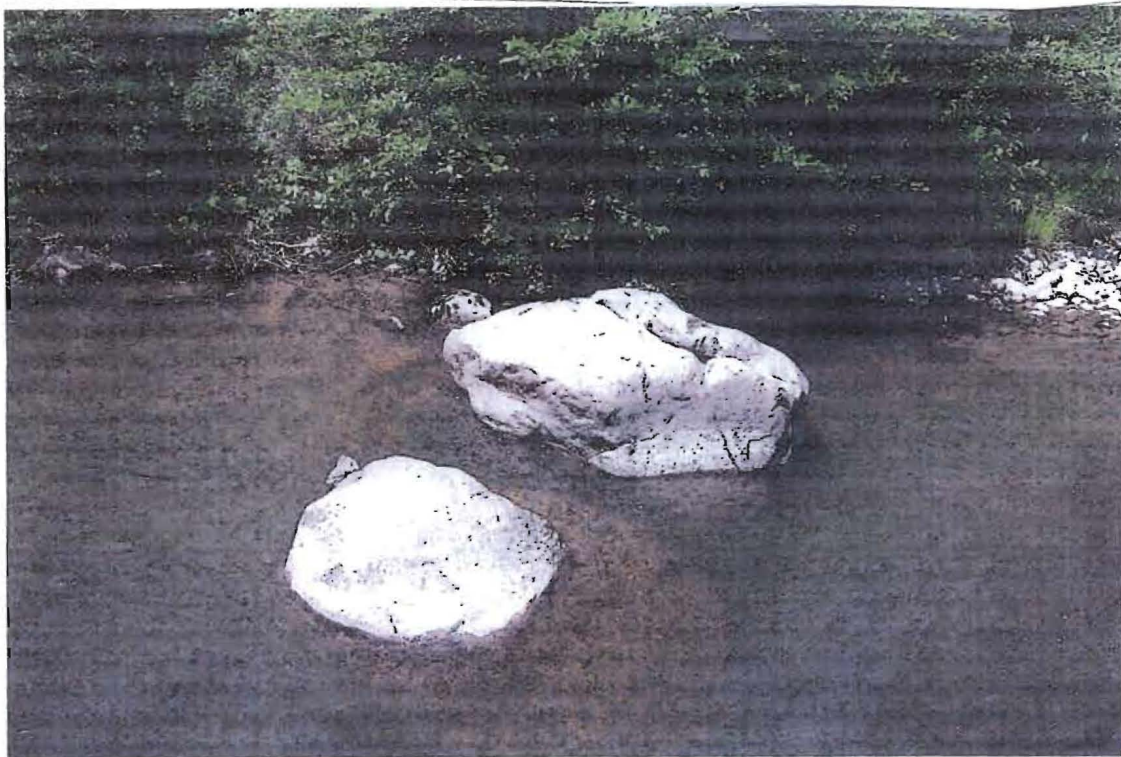
July 27 2011 Google Earth View { After March 2011 Clear Cut }

Figure III-A {South Cow Creek immediately downstream of dam - July 2009}



0660.jpg
7/2009

Figure III-B { South Cow Creek below dam just to left of Figure IV-A - July 2009}
+ Fish ladder just to left of this picture
+ *pointer represents corresponding areas between photos A & B



0660.jpg
7/2009



249.JPG
9/2009

Figure IV
{ Exposed exit area of now embedded Old Metal Bypass Drain Pipe - Sept 2009 }

Figure V-A { Clear cut area viewed from main canal side looking towards dam}
+ Early April 2011



5cc 3.jpg

Figure V-B { Clear cut area viewed from Mill creek canal side looking downstream}
+ Early April 2011



5cc 1.jpg

Figure VI-A {Typical Mature Riparian Vegetation cut 3/21 - Picture early April 2011}



SCC5, JPS

Figure VI-B {Typical Mature Riparian Vegetation cut 3/21 - Picture early April 2011}



Page 8

SCC4, JPS

Figure VII-A { Clear cut area upstream end - Picture 7/25/2011 }



05C0069.JPG
7/25/2011

Figure VII-B { Clear-cut area downstream end - Picture 7/25/2011 }



05C0068.JPG
7/25/2011