

## **Initial Statement**



## **INITIAL STATEMENT**

### **UNITED STATES OF AMERICA**

**Before the**

### **FEDERAL ENERGY REGULATORY COMMISSION**

**Pacific Gas &                    )**  
**Electric Company        )**   **Project No. 606**  
**)**  
**)**

### **Draft Application for Surrender of License for Major Project**

1. Pursuant to 18 CFR Part 6, Pacific Gas & Electric Company (“PG&E”), Licensee for the Kilarc-Cow Creek Hydroelectric Project, FERC Project No. 606 (the “Project”), hereby files with the Federal Energy Regulatory Commission (“FERC”) a Draft License Surrender Application (DLSA) for the Project. As required by 18 CFR §6.1, this DLSA is being filed in the same form and manner as an application for license.

2. The location of the Project is:

State: California  
County: Shasta  
Nearby Town: Whitmore  
Streams: Old Cow Creek and South Cow Creek

3. The exact name, business address, and telephone number of the applicant are:

Pacific Gas and Electric Company

*Physical Address:*

Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, CA 94105

*Mail Address:*

Pacific Gas and Electric Company  
Power Generation, Mail Code N11C  
P.O. Box 770000  
San Francisco, CA 94177

*Telephone Number:*

(415) 973-7000



The exact name and business address of each person authorized to act as agent for the applicant in this application are:

Mr. Randal S. Livingston, Vice President - Power Generation  
Pacific Gas and Electric Company  
P.O. Box 770000, Mail Code: N11E  
San Francisco, CA 94177

**4. The applicant is a domestic corporation and is not claiming preference under Section 7(a) of the Federal Power Act.**

(i) The statutory or regulatory requirements of the State in which the Project is located and that affect the Project as proposed, with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes, and with respect to the right to engage in the business of developing, transmitting, and distributing power and in any other business necessary to accomplish the purposes of the license under the Federal Power Act are:

*California Fish and Game Code § 1602* – Requires that parties notify the California Department of Fish and Game (CDFG) prior to conducting any work in a streambed.

*California Water Code § 102* – Allows for appropriation and use of water for power purposes.

*California Water Code § 13160; Title 23 California Code of Regulations § 3855* – Regulates the filing and issuance of water quality certificates to applicants otherwise required to obtain such a certificate under federal law.

*California Water Code § 6102* – Requires owners of dams to cooperate with the California Division of Safety of Dams (CDSOD) in the inspection and maintenance of dams.

*California Public Utilities Code, Division 1, § 201 et seq.* – Regulates the right of a public utility to produce, generate, transmit, or furnish power to the public.

(ii) The steps which the applicant has taken or plans to take to comply with each of the laws cited above are:

PG&E will submit a § 1602 notification to CDFG should work in a streambed not proposed in this DLSA be required.

PG&E has the water rights necessary to operate the Project.



PG&E will file an application for a water quality certificate with the State Water Resources Control Board within 60 days after FERC issues a Notice of Ready for Environmental Analysis (REA) under the National Environmental Policy Act (NEPA).

PG&E cooperates with CDSOD on annual inspections of the Project dams.

PG&E has demonstrated its ability to engage in the business of developing, transmitting, and distributing electric power under the relevant California statutes.

**5. The name and address of the owners of existing Project facilities are:**

Pacific Gas and Electric Company

*Physical Address:*

Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, CA 94105

*Mail Address:*

Pacific Gas and Electric Company  
Power Generation, Mail Code N11C  
P.O. Box 770000  
San Francisco, CA 94177

*Telephone Number:*

(415) 973-7000



**Subscription and Verification**

**[To be filed in Final License Surrender Application.]**

This Application for Surrender of License for Major Project, is executed in the

STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

By \_\_\_\_\_, the \_\_\_\_\_ of Pacific Gas & Electric Company, being truly sworn, deposes and says that the contents of this application are true to the best of his/her knowledge or belief. The undersigned applicant has signed this application this \_\_\_\_ day of \_\_\_\_\_, 2008.

Pacific Gas & Electric Company

Applicant

By \_\_\_\_\_  
\_\_\_\_\_

Notary Public:

SUBSCRIBED AND SWORN TO before me, a Notary Public of the State of California, this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

Notary Public residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



**UNITED STATES OF AMERICA**

**Before the**

**FEDERAL ENERGY REGULATORY COMMISSION**

)  
**Pacific Gas &        )   Project No. 606**  
**Electric Company    )**  
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**Statement Pursuant to 18 CFR § 4.32**

1. Name and address of every person, citizen, association of citizens, domestic corporation, municipality, or state that has any proprietary right necessary to operate, or decommission and remove the Project:

Pacific Gas and Electric Company

<i>Physical Address:</i> Pacific Gas and Electric Company 77 Beale Street San Francisco, CA 94105	<i>Mail Address:</i> Pacific Gas and Electric Company Power Generation, Mail Code N11C P.O. Box 770000 San Francisco, CA 94177	<i>Telephone Number:</i> (415) 973-7000
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2. Name and address of every county in which any part of the Project, and any Federal facilities that are used by the Project are located:

Shasta County Board of Supervisors  
 1450 Court Street, Suite 308B  
 Redding, CA 96001-1680

3. Name and address of every city, town, or similar local political subdivision in which any part of the Project, and any Federal facilities that are used by the Project, are located:

Unincorporated Shasta County

Lands occupied by the Project include federal lands managed by:

Bureau of Indian Affairs



4. Name and address of every city, town, or similar local political subdivision that has a population of 5,000 or more people and is located within 15 miles of the Project dams:

No cities, towns, or communities of 5,000 or more people are located within 15 miles of the Kilarc and Cow Creek diversion dams.

5. Name and address of every irrigation district, drainage district, or similar special purpose political subdivision in which any part of the Project and any Federal facilities that would be used by the Project, would be located:

Western Shasta Resource Conservation District  
3270 Parallel Road  
Anderson, CA 96007

6. Name and address of every irrigation district, drainage district, or similar special purpose political subdivision that owns, operates, maintains, or uses any Project facilities or any Federal facilities that would be used by the Project:

Not applicable.

7. Name and address and address of every other political subdivision or other entity in the general area of the Project that there is reason to believe would likely be interested in, or affected by, the surrender application:

Central Valley Regional Water Quality Control Board, Redding Branch  
415 Knollcrest Drive, Suite 100  
Redding, CA 96002

Shasta County Air Quality Management District  
1855 Placer Street, Suite 101  
Redding, CA 96001

California Department of Fish and Game  
601 Locust Street  
Redding, CA 96002

CalFire  
875 Cypress Avenue  
Redding, CA 96001



US Army Corps of Engineers  
152 Hartnell Avenue  
Redding, CA 96002

California State Parks  
P.O. Box 2430  
Shasta, CA 96087

US Fish and Wildlife Service  
10950 Tyler Road  
Red Bluff, CA 96080

NOAA Fisheries  
777 Sonoma Avenue, Room 325  
Santa Rosa, CA 95404

US Fish and Wildlife Service  
2800 Cottage Way, Room W-2605  
Sacramento, CA 95825

Bureau of Land Management  
2800 Cottage Way, Room W-1834  
Sacramento, CA 95825

California Department of Water Resources  
901 P Street  
Sacramento, CA 95814

California Water Resources Control Board  
1001 I Street, 14<sup>th</sup> Floor  
Sacramento, CA 95814

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

National Park Service  
1111 Jackson Street  
Oakland, CA 94607





**8. Name and address of all Indian tribes that may be affected by the Project:**

The following are Native American contacts in Shasta County provided by the Native American Heritage Commission:

Redding Rancheria (Pit River, Wintu, and Yana Tribes)  
Tracy Edwards, Chief Executive Officer  
Barbara Murphy, Chair  
2000 Redding Rancheria Road  
Redding, CA 96001

Pit River Tribe Environmental Office (Pit River, Wintun)  
Sharon Elmore, Cultural Information Officer  
37118 State Hwy 299E  
Burney, CA 96013

Roaring Creek Rancheria (Pit River)  
P.O. Box 52  
Montgomery, CA 96065

Wintu Tribe of Northern California  
Kelli Hayward  
3576 Oasis Road  
Redding, CA 96003

Madesi Band (Madesi, Pit River)  
Carol Cantrell, Cultural Resource Representative  
P.O. Box 203  
Montgomery, CA 96065

Madesi Band, Pit River Indians  
Ben Lego  
P.O. Box 278  
Montgomery Creek, CA 96065

Wimmemem Wintu Tribe  
Caleen Sisk-Franco, Tribal Chair  
14840 Bear Mountain Road  
Redding, CA 96003

Atsugewi Band, Pit River Indians  
Bill George  
P.O. Box 114  
Hat Creek, CA 96040



Atsugewi Band, Pit River Indians  
Laverna Jenkins  
42277 Wilcox Rd.  
Hat Creek, CA 96040

Itsatawi Band Cultural Resources (Itsatawi, Pit River)  
Reitha Amen  
18342 Rory Lane  
Cottonwood, CA 96022

Itsatawi Band Cultural Resources (Itsatawi, Pit River)  
Willard Rhoades  
3907 Joanne Lane North  
Cottonwood, CA 96022

United Tribe of Northern Calif., Inc. (Wintu, Wintun, Wintoon)  
Gloria Gomes, Chairperson  
20059 Parocast  
Redding, CA 96003

United Tribe of Northern Calif., Inc. (Wintu, Wintun, Wintoon)  
James Hayward Sr., Cultural Resources Program  
2000 Redding Rancheria Road  
Redding, CA 96001

Carol Sinclair (Wintu)  
9253 Chaparral Drive  
Redding, CA 96001

Matthew Root (Wintu)  
16117 North Street  
Keswick, CA 96001

Loretta Root (Wintu)  
5620 Kofford Lane  
Redding, CA 96001