

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL REGULATORY ENERGY COMMISSION

In the Matter of the Application of)	June 17, 2008
)	
Pacific Gas & Electric Company)	
(PG&E))	
)	Project No. 803
for a New License for the)	
DeSabra – Centerville Project)	
On Butte Creek and)	
West Branch Feather River)	

**MOTION TO INTERVENE
OF
CALIFORNIA SPORTFISHING PROTECTION ALLIANCE,
FRIENDS OF BUTTE CREEK, FRIENDS OF THE RIVER,
AMERICAN WHITEWATER,
SACRAMENTO RIVER PRESERVATION TRUST,
GOLDEN WEST WOMEN FLYFISHERS,
NORTHERN CALIFORNIA COUNCIL OF
THE FEDERATION OF FLY FISHERS**

Pursuant to Rule 214 of the Federal Regulatory Energy Commission’s (hereinafter “FERC” or “Commission”) Rules of Practice and Procedure, CFR 385.214, the filers seek to intervene in the above captioned proceeding. By this motion, movants seek to protect and enhance the environmental and recreational values of the affected lands and waterways and to ensure that the Commission’s decision with respect to this project is in the public interest.

DESCRIPTION OF INTERVENORS

California Sportfishing Protection Alliance (CSPA) is a nonprofit, public benefit fishery conservation organization incorporated in 1983 to protect, restore, and enhance the state's fishery resources and their aquatic ecosystems. CSPA works to ensure that

these renewable public fishery resources are conserved to enable public sportfishing activity. As an alliance, CSPA represents several thousand members that reside in California. Since its inception, CSPA has been actively involved in the conservation of the San Francisco Bay - Delta estuary's fishery resources and those of the Central Valley. It has been particularly concerned about the prolonged and extensive decline of anadromous fish species, including ESA-listed steelhead and spring-run Chinook salmon, which results from development activities conducted in waters utilized by these species of fish. CSPA has worked with many government agencies to stop this decline and to restore these fish populations to self-sustaining levels. The decline of these fisheries significantly reduces sportfishing opportunities and effort, causing serious hardship to a California sportfishing industry that supplies goods and services to more than 2 million anglers. CSPA members fish in Project streams. CSPA has been an active advocate for the restoration and enhancement of the fisheries in Butte Creek and the West Branch Feather River since the 1980s, and has been a consistent advocate within the current DeSabra-Centerville relicensing proceeding.

Friends of the River (FOR) is a nonprofit organization working to preserve, restore, and sustain California rivers and streams for both environmental and recreational purposes. FOR has approximately 5,500 members in the state of California. Friends of the River has been actively involved in the relicensing of the DeSabra-Centerville project and has been a strong advocate for Wild & Scenic River status for Butte Creek since the early 1990s. Many of FOR's members recreate along Butte Creek and the West Branch Feather River and are interested in the long-term protection of the lands affected by this project. FOR is nationally recognized as an authority on the adverse impacts of dams on

rivers and ecosystems. FOR is actively involved in the relicensing of hydroelectric projects throughout California—including projects on the Feather, Klamath, American, and Sacramento Rivers. FOR serves on the steering committee of the California Hydropower Reform Coalition and is headquartered in Sacramento, California.

Friends of Butte Creek (FBC) is a nonprofit, public educational organization with over 100 members that was formed in 2000 to protect and enhance the threatened spring run Chinook salmon (SRCS) fishery and recreational resources in Butte Creek. Many of its members live in the Butte Creek Canyon. FBC was instrumental in organizing the purchase of 93 acres on Butte Creek below the Honey Run Covered Bridge for donation to CSU Chico as a nature preserve to protect critical habitat for the SRCS. FBC, since its inception, has actively monitored salmon and steelhead in Butte Creek and has created a Creekwatcher program to report incidents regarding poaching, pollution, and unusual mortality of the SRCS and steelhead to appropriate authorities. FBC has posted extensive information about Butte Creek on its website, www.buttecreek.org. FBC members live, fish, and engage in other recreational activities in and along Butte Creek and the West Branch Feather River. FBC has been actively engaged in the current FERC relicensing proceeding beginning a year before the release of the Pre-Application Document.

American Whitewater (hereinafter AW) is a national nonprofit river conservation and recreation organization founded in 1954. AW has more than 6,500 members and 100 local-based affiliate clubs, representing approximately 80,000 whitewater paddlers across the nation. American Whitewater's mission is to conserve and restore America's whitewater resources and to enhance opportunities to enjoy them safely. As a conservation-oriented paddling organization, American Whitewater has an interest in the

rivers throughout California. A significant percentage of American Whitewater members reside in Central and Northern California and are able to drive a short distance to recreate in this watershed.

Golden West Women Flyfishers (GWWF) is a twenty-five year old angling club with approximately 150 members throughout Northern and Central California. GWWF has been very active in conservation projects over the past several years and is affiliated with the Conservation Network of the Northern California Council, Federation of Fly Fishers (NCCFFF). Past fisheries conservation projects have included the GWWF as an Intervenor on a proposed hydropower project in Modoc County which would have put Redband trout, a Species of Concern, at risk. GWWF is actively involved in the coastal steelhead restoration of Alameda Creek, working with agencies and other organizations on a fish passage barrier removal project. Recently, GWWF has had a leadership role in working with state and federal agencies and several NGO's for the protection and restoration of endangered Central Valley steelhead as well as fall-run Chinook salmon on the lower Tuolumne River. GWWF is often called to participate in meetings with state and federal legislators about fisheries issues in California and regularly works with fish conservation organizations, including CSPA, California Trout, Northern California Council Federation of Fly Fishers, Trout Unlimited, and Save Our Wild Salmon. We are concerned about the future of Butte Creek because many of our members regularly enjoy fishing for steelhead trout there. In addition, GWWF fully supports the restoration and protection of the endangered spring-run Chinook salmon population.

The Northern California Council, Federation of Fly Fishers is a California-Nevada group and a member council of the Federation of Fly Fishers, Livingston,

Montana. The NCCFFF represents 31 member fly fishing clubs from Fresno to the Oregon border, and the northern part of Nevada. We have approximately 6,000 members, and we are focused on fishery restoration, protection of water and riparian habitats, and maintaining our state fish species for the benefit of the fishing community. We work with state resource agencies, federal agencies, as well as other NGO groups to further fishery protections and restoration.

Sacramento River Preservation Trust (Trust) is a nonprofit corporation organized under the laws of the State of California based in Chico, California. Formed in 1984, the Trust's purpose is to protect, preserve, and restore the natural values of the Sacramento River ecosystem from its headwaters to the Bay-Delta and the wildlife its supports, including spring-run Chinook salmon. Butte Creek is a tributary of the Sacramento River. The Trust has worked continuously to restore the Sacramento River and Bay-Delta to their former richness and to protect their native species. The Trust has been deeply involved in the administrative and judicial actions that led to the ESA listing of SRCS. Most of the Trust's more than 800 members use the Sacramento River and the Bay-Delta for recreational and educational purposes on an ongoing and continuing basis, and a number of those members either live near or regularly visit Butte Creek in the Project area.

All filings, orders, and correspondence respecting this intervention should be sent to the following:

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Please update the official service list for this project to **include** the following contacts:

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In addition, **please remove** the following contacts from the service list:

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GROUNDS FOR INTERVENTION

Members of CSPA, FBC, FOR, AW, SRPT, GWWF, and NCCFFF, (herein Conservation Organizations) use and enjoy Butte Creek and the areas surrounding Pacific Gas and Electric Company's DeSabra-Centerville project. Our members fish, hike, boat, camp, view wildlife, and otherwise recreate in and around the project area. Project operations affect physical river processes and the health of aquatic species and their habitat. Further, project operations determine the suitability of Butte Creek, the West Branch Feather River, and related tributaries for recreational pursuits. Through intervention, Conservation Organizations seek to obtain equal consideration of power and non-power values; adequate and equitable protection, mitigation, and enhancement measures for fish and wildlife; and the protection of recreation, water quality, and other non-power values of Butte Creek and the West Branch Feather River.

Conservation Organizations have expertise in matters that are woven into relicensing proceedings including healthy river environments and recreation. The participation of CSPA, FBC, FOR, AW, SRPT, GWWF, and NCCFFF will facilitate development of a more complete record thereby ensuring more informed decision-making consistent with the public interest.

STATEMENT OF POSITION

Conservation Organizations seek to participate in these proceedings in order to ensure that the public resource values of Butte Creek, the West Branch Feather River, and the surrounding environment are protected and retained and that the licensees comply with all state and federal environmental laws. Butte Creek currently supports around 70%

of the total remaining population of Central Valley SRCS as well as significant populations of federally listed steelhead. For this reason, Butte Creek is supremely important to Conservation Organizations and their respective members. Recognizing this importance, Conservation Organizations have participated and are participating in the underlying collaborative relicensing effort. However, notwithstanding that involvement, project operations going forward under new license conditions as proposed by Licensee will fail to optimize anadromous fishery resources, water quality and quantity, and could cause serious adverse effects, in the form of widespread pre-spawn mortality, to sensitive populations of federally listed salmon and steelhead. Project operations going forward as proposed by licensee may also limit reasonable recreational opportunities.

In these relicensing proceedings, Conservation Groups will advocate positions consistent with the protection, enhancement, and restoration of aquatic species and their habitat, including, but not limited to: (1) protected and enhanced cold water habitat for federally listed salmon and steelhead in Butte Creek; (2) instream flow license conditions that optimize habitat for all life stages of anadromous salmonids and other beneficial aquatic species in Butte Creek and WBFR; (3) Appropriate fish passage facilities at two major project diversions. Conservation Groups will also advocate positions consistent with protection and enhancement of recreational opportunities in the Butte Creek and West Branch Feather River watersheds. These positions have a basis in fact and law; namely, the beneficial use and public interest values of Butte Creek and the West Branch Feather River.

CONCLUSION

WHEREFORE, Movants have a substantial interest in the outcome of these relicensings and no party would adequately represent their interests, the movants respectfully request that the Commission grant intervention in the DeSabra-Centerville relicensing proceedings.

Dated this 17th day of June, 2008.

Respectfully submitted,

FRIENDS OF THE RIVER

By _____/s/_____
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CALIFORNIA SPORTFISHING PROTECTION ALLIANCE

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GOLDEN WEST WOMEN FLYFISHERS

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NORTHERN CALIFORNIA COUNCIL, FEDERATION OF FLY FISHERS

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SACRAMENTO RIVER PRESERVATION TRUST

By _____/s/_____
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing documents upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 17th day of June 2008.

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