

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

In the Matter of the Application of)	
)	
PACIFIC GAS AND ELECTRIC CO.)	
)	Project No. 2106
for New Major License for the McCloud-)	
Pit Project)	
)	

**MOTION TO INTERVENE
OF
FRIENDS OF THE RIVER AND AMERICAN WHITEWATER**

Pursuant to Rule 214 of the Federal Energy Regulatory Commission's (hereinafter "FERC" or "Commission") Rules of Practice and Procedure, 18 CFR 385.214, Friends of the River and American Whitewater move to intervene in the above captioned proceeding. By this motion, Friends of the River and American Whitewater seek to protect the non-developmental values of the river and to ensure that the Commission's decision with respect to these projects is in the public interest.

DESCRIPTION OF INTERVENORS

Friends of the River (hereinafter "FOR") is a non-profit 501(c)3 organization working to protect, preserve, and restore California rivers and streams for both environmental and recreational values. FOR has approximately 5,000 members in the state of California. Many of our members recreate along the McCloud River and its tributaries and are interested in the long-term protection of the McCloud River. The interests of FOR's members are directly affected by the outcome of these proceedings.

American Whitewater (hereinafter "AW") is a national non-profit river conservation and recreation organization that was founded in 1957. Our mission is to

conserve and restore America's whitewater resources and to enhance opportunities to enjoy them safely. AW has 6,000 members and over 100 affiliate clubs, representing approximately 30,000 whitewater paddlers across the nation. AW seeks to ensure that whitewater opportunities are preserved and the riverine ecosystem is protected from adverse impacts. The intervention of AW is therefore in the public interest.

FOR and AW have been participants in McCloud relicensing meetings. FOR is a member of the McCloud River Coordinated Resource Management Planning Group (CRMP) that is tasked with coordinating large-scale resource planning and implementing the long-range goals and principles of the McCloud Coordinated Resource Management Plan.

Therefore, FOR and AW have a direct interest in the relicensing of the McCloud project that is not represented by any other party.

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

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GROUNDNS FOR INTERVENTION

Members of FOR and AW use and enjoy the McCloud River and its tributaries in the areas surrounding Pacific Gas and Electric's project. FOR and AW members hike, boat, and fish in and around the project area. Project operations determine the suitability of the McCloud River and its tributaries for recreational pursuits. Further, project operations may adversely affect physical river processes and the health of aquatic species and their habitat. Through intervention, FOR and AW 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 the McCloud River and its tributaries.

FOR and AW have participated in the FERC relicensing process at various levels, including reviewing and providing written comments on draft, final and scoping documents; providing scientific information; and working within the collaborative process. FOR and AW have expertise in matters that are woven into relicensing proceedings, including instream flows, healthy river environments, and recreation. The participation of FOR and AW will facilitate development of a more complete record thereby ensuring more informed decision-making consistent with the public interest.

Thus, FOR, AW and their members have a demonstrated, strong public interest in the relicensing of the Project and its impacts on the ecological health of the McCloud River and its tributaries.

STATEMENT OF POSITION

FOR and AW seek to participate in these proceedings in order to ensure that the public resource values of the McCloud River, its tributaries, and the surrounding

environment are protected and retained and that the licensees comply with all state and federal environmental laws. The McCloud River is of great importance to FOR, AW and their members. Recognizing this importance, FOR and AW participated in the collaborative relicensing effort. However, notwithstanding that involvement, Project operations going forward under new license conditions will affect fishery resources, water quality and quantity, and physical river processes. Project operations going forward will also affect recreational opportunities.

In these relicensing proceedings, FOR and AW will advocate positions consistent with the protection, enhancement, and restoration of aquatic species and their habitat. FOR and AW will also advocate positions consistent with protection and enhancement of recreational opportunities in the McCloud River and its tributaries. These positions have a basis in fact and law; namely, the beneficial use and public interest values of the McCloud River and its tributaries.

CONCLUSION

WHEREFORE, FOR and AW have a substantial interest in the outcome of these relicensing proceedings and no party would adequately represent their interests, FOR and AW respectfully request that the Commission grant intervention in the Pacific Gas and Electric relicensing proceeding for the McCloud-Pit Project.

Dated this 18th day of December, 2009.

Respectfully submitted,

FRIENDS OF THE RIVER



By _____

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AMERICAN WHITEWATER



By _____

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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 18th day of December, 2009.

Carla Miner

Carla Miner, Stewardship Assistant
American Whitewater

Service List for P-2106-000 Pacific Gas and Electric Company

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