

ORIGINAL



SKAGIT COUNTY PUBLIC WORKS DEPARTMENT

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FEDERAL ENERGY
REGULATORY COMMISSION

October 12, 2006

The Honorable Magalie Roman Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

RE: Supplemental Comments of Skagit County, Washington on the Final Environmental Impact Statement for the Baker River Hydroelectric Project; FERC Project no. P-2150-033

Dear Secretary Salas:

Skagit County, Washington ("County") respectfully submits comments on the Final Environmental Impact Statement ("FEIS") in the above-captioned docket. The County supports staff's recommendation in the FEIS for flood control, Lower Baker recreation, and shoreline erosion with minor modifications. The County encourages the Commission to consider these modifications and authorize Article 107, Article 305, and Article 110 as part of a new license for the Baker River Hydroelectric Project ("Baker Project").

Flood Control

The County agrees with the need to add the 29,000 acre feet of storage in Lower Baker to the existing flood control storage that currently exists in Upper Baker. As noted on page 3-56, paragraph 2, the County concurs that structural modifications to Lower Baker Dam are needed to fully realize the benefits of additional flood storage. For this reason, Skagit County and PSE entered into an agreement, Appendix B to the Settlement Agreement, to "work cooperatively to seek funding from federal and state sources for the capital costs of spillway modifications at Lower Baker Reservoir necessary for the provision of 29,000 acre-feet of storage in the Lower Baker Reservoir, as described in Proposed Article 107.

The County is also encouraged by the inclusion of the provision that allows flood control storage requirements to be modified for short periods upon agreement between PSE and the Corps of Engineers and the requirement for PSE to review its project operations and develop procedures to address imminent flood events. As noted in the Settlement Agreement, PSE typically operates Upper Baker during the flood season at levels five to ten feet below the required flood storage levels in order to minimize spills during minor flood events. The County believes these provisions are key to providing additional, timely flood control storage during major flood events and the County has initiated discussions with PSE and the Corps of Engineers on the technical elements of such operations.

The County notes that Table 3-8, page 3-52, shows that the timing of the flood control storage in Upper Baker Reservoir as outlined in Column 3 (as proposed in Article 107(a)) is different from the storage timing currently being used by the Corps of Engineers (Column 4). The County further notes on Page 3-53, 1st paragraph, that the Corps intends to continue using the more restrictive flood control period until the General Investigation is completed and Congressional approval received.

Since the 1970s, Corps operations of Upper Baker have shown that earlier flood control operation is critical. The County asks that FERC suggest to the Corps that they provide the full 74,000 acre-feet of flood storage in Upper Baker on October 15 each year as recommended in Article 107.

The County appreciates the FERC clarifying the re-opener provisions for Article 107.

Lower Baker Recreation

The County fully supports the recommendation to develop a Lower Baker Recreation Plan that includes development at the current existing recreation site and to eliminate the option to develop additional recreation at an alternative off-site. As you know, Skagit County has worked diligently to obtain the necessary access to this site and looks forward to working with PSE in the development of this site.

The County notes that Article 305, as originally submitted by PSE, established a 10-year time period for the development of this plan. The time period was commensurate with the potential problem of identifying and obtaining a suitable site and the potential need to look at alternative off-site locations. Since this problem has been resolved and a site selected, the County is optimistic that the plan could be developed in a relatively short time period after the license is issued.

Shoreline Erosion

The County fully appreciates the fact that FERC has made it clear that shoreline erosion control should proceed at both reservoirs. To ensure that the reduction of shoreline erosion occurs at both reservoirs, the County suggests wording to the effect that attention be paid to each reservoir relatively proportional to the current levels of erosion, as outlined in relicensing Study A14a, be included in Article 110.

The County appreciates the opportunity to comment on the FEIS and the inclusion of Article 107, Article 305, and Article 110 in a new Project license.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Kenneth A. Dahlstedt, Chairman



Ted W. Anderson, Commissioner



Don Munks, Commissioner

BCC/rb:djm