

April 2, 2013

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California Energy Commission
Dockets Office, MS-4 Re: Docket No. 11-RPS-01
RPS Proceeding
1516 Ninth Street
Sacramento, CA 95814-5512

Re: BC "Run of River"

Hello,

I took part in your California Energy Commission WebX on "BC Run of River Projects" on March 22, 2013. The meeting number was 924 650 895 and my attendee ID was 11659.

Unfortunately I was inexperienced and did not "raise my hand" in time to make a verbal comment. Please accept the following as a written submission of what I wished to say.

I appreciate your mandate is not to evaluate individual projects, but to confirm that British Columbia and California incorporate similar methods of analysis of environmental and socio-economic effects. The most detailed data I have is on the Narrows Inlet Hydro proposal and as such, will use it as an example to illustrate my points. This project (and the associated approval procedure) is indicative of British Columbia "Run of River" projects.

Thank-you in advance for your consideration of my concerns.

☐ Initial comments by the moderator describe California definition of "Run of River" as being projects that incorporate a weir to form a headpond from which a small portion of the river is diverted through penstocks to power turbines, returning to the river of origin a short distance away. The majority of British Columbia projects do not meet this definition.

Alpine lakes such as Ramona Lake are being bored into with large tunnels that accommodate penstocks used to drain levels by 145 feet in order to augment natural river flows. In some cases, such as the Kokish River Project, the natural river flow is diverted for distances up to 6 miles. British Columbia regulations require only 5% of the mean annual flow be maintained in the diverted portion. The flows in Ramona Creek will deviate from natural in a significant manner. There will be high water, with an altered temperature and oxygenation....for a significantly longer period of the year than would be expected with natural runoff flow. The lake is being drained to keep the flows unnaturally high for a

longer period of the year. This contradicts the instream flow requirement paragraph of your conclusions.

☒ The California definition of eligible projects is “30Mw or less in generating capacity”. The majority of British Columbia projects do not meet this definition.

The Narrows Inlet Hydro proposal consists of 5 powerhouses. Though each individual powerhouse may be less than 30Mw capacity, they are not feasible to build unless joined together in clusters by means of many miles of transmission lines. In the case of the Ramona component of the Narrows Inlet proposal, there are 2 powerhouses on one river. The others are in very close proximity. In effect this becomes one large 62 Mw project. This is true of most British Columbia projects, with Toba Inlet/Montrose being another good example. The clusters are in very remote areas, far from existing infrastructure. These are major construction projects that disrupt the environment....even qualifying for Season 5, Episode 3 of Mega Builders television show....with the caption “Following the problematic construction of a \$600million hydroelectric project in British Columbia, Canada”.

☒ The moderator states another mandate is to ensure the level of transparency, public participation and governmental oversight with approval of these projects is equivalent to what would take place in California. There are no British Columbia projects that meet these criteria of transparency.

I speak from experience. The few communications I have had with your office on this subject have been heartening. I was treated with respect, my queries were answered promptly (without monetary cost), the agenda was spelled out openly and I felt respected. This is not happening in British Columbia.

The Provincial government does not require a full Environmental Assessment Office review unless the project is over 50Mw capacity. Public meetings are held in very remote small communities with no opportunity to formally ask questions of the proponent in a public setting with records being kept. The recent Egmont Community Hall meeting regarding the Narrows Inlet Hydro proposal is a prime example. Information is not published on the government website in a timely manner. The only way additional information can be obtained, or queries relating to discussions held between government ministries and the proponent can be answered, is by way of formal Freedom of Information requests paid for out of pocket by the citizen asking...and then much of it is redacted. I personally have paid 427.00 to process a request relating to Narrows Inlet Hydro dated October 29, 2012.....yet to receive a response.

The Environmental Assessment Office director in charge of the Narrows Inlet proposal was Kathy Eichenberger. Ms. Eichenberger was dispatched to address the Californian Senate in 2010 on the virtues of BC “Run of River” projects. This was in direct conflict of her role as a neutral adjudicator in the environmental assessment process for the Narrows Inlet application.

☒ There was a statement made by one commenter that there are both provincial and federal Canadian government bodies providing oversight. This is not true.

In 2012 the federal Canadian government removed protection of fish habitat from the mandate of the federal Department of Fisheries and Oceans. The Canadian Environmental Assessment Agency (CEAA) was removed from oversight of the Narrows Inlet Hydro project in 2012. This does not meet the requirements stated in you conclusions. No cumulative impact studies are done, each project is treated on its own, even if in close proximity to others. This is particularly problematic in the confines of Narrows Inlet with every freshwater source being impacted by a power project. "Narrows" is just that....narrow. In 2006 the Province of British Columbia removed any authority of local cities, municipalities and regional districts to scrutinize hydro power projects, even if within the boundaries of their jurisdiction.

☒ Another commenter made mention of a unique and onerous requirement in British Columbia to have power companies respect the very real aboriginal First Nations land and title concerns. While this process deserves accolades, it is irrelevant for consideration. California does not have the same requirement and could not be expected to evaluate any agreements that have been reached. A private power company that reaches a proper and well deserved business agreement with British Columbia First Nations does not necessarily translate into a project that meets Californian environmental and socio-economic concerns relating to small hydro.

☒ Comments were made to the effect our provincial government would impose mitigation of any factors deemed environmentally sensitive. Unfortunately, funding of departments responsible for inspection has been cut to such a low level that enforcement of construction/operating irregularities is non-existent. The Tyson Lake project by the same proponents as Narrows Inlet had serious issues with siltation due to failure of alpine lakeshore, but the province did not have the staff to attend in a timely fashion. Federally in Canada, there is an official investigation beginning by Suzanne Legault, Information Commissioner of Canada..... an investigation into the "muzzling" of government scientists, a wide-reaching probe that will cover six different federal departments....the request specifically named Environment Canada, the Department of Fisheries and Oceans and Natural Resources Canada. There is every reason to be suspect of what you are being told.

☒ The spirit of "Run of River" is a 30Mw or less project, with a small headpond behind a weir, close to existing infrastructure, with a minor diversion not significantly altering the river flow that quantifiably reduces generation of electricity by means of fossil fuels....with no discernible environmental impact. Narrows Inlet Hydro does not meet this definition, nor do most BC projects.

☒ Sea-run cutthroat trout are "Blue Listed" and will be directly affected by the Ramona component of Narrows Inlet Hydro. This directly contradicts EcoLogo certification.

If a regular citizen like me gets involved on such a level that I make a submission to your office, there are issues of great concern. Narrows Inlet is a local pristine fjord, frequented by many, that is about to undergo highly visible industrialization under the guise of "green" power. I am honoured that your office is taking the time to evaluate my statements. Please feel free to contact me for any clarifications you may require.....I have volumes of documentation and photos.

Ken Holowanky