

ATTACHMENT B - MEMORANDUM FROM RICHARD ROOS-COLLINS, GENERAL
COUNSEL, KRRC TO ELIZABETH NIELSEN, DEPUTY COUNTY ADMINISTRATOR,
RE: COUNTY PERMITS FOR COMPLIANCE WITH LICENSE SURRENDER ORDER
FOR LOWER KLAMATH PROJECT

EXHIBIT B



December 5, 2022

Memorandum

To: Elizabeth Nielsen
Deputy County Administrator

Natalie Reed
Assistant County Counsel
Siskiyou County

From: Richard Roos-Collins
General Counsel, Klamath River Renewal Corporation

Thru: Dustin Till
Assistant General Counsel, PacifiCorp

Kevin Takei
Senior Attorney, Office of General Counsel, California Department of Fish and
Wildlife

Re: **County Permits for Compliance with License Surrender Order for Lower
Klamath Project**

On November 17, the Federal Energy Regulatory Commission (FERC) issued the license surrender for the Lower Klamath Project. This order approved the detailed engineering specifications, means and methods, and schedule for dam removal and habitat restoration, as submitted by the Renewal Corporation. As co-licensee along with the States of California and Oregon, we must comply with the license surrender order.

The Renewal Corporation provides this memo to specify the County permits that we believe are appropriate for the purpose of implementing the license surrender order. Table 1 relates to dam removal work that the Renewal Corporation will perform, and Table 2 relates to Fall Creek hatchery construction that PacifiCorp will perform on its

property. These permits will contribute to protection of health and safety, as well as property.

As stated in the license surrender order (paragraphs 118 to 121), FERC has a good neighbor policy with respect to preemption under the Federal Power Act. A licensee complies with local requirements where possible but is not expected to comply with other requirements that would “conflict with” a license order or make compliance “impossible or unduly difficult.”

The Renewal Corporation and PacifiCorp will continue to work cooperatively with the County to refine the list of applicable permits in Table 1 and 2. We will submit applications, pay associated fees, and support County staff in the expedited issuance of such permits. However, the Renewal Corporation will not seek other County permits or approvals that would purport to change specifications, means and methods, and schedule authorized in the license surrender order.

Table 1.
Construction Work by Klamath River Renewal Corporation

Permit	Description of Construction Work	Agency & Contact
Hazardous Materials Business Plan (New)	<i>Storage and generation of regulated materials related to construction.</i> <u>Applicant:</u> Kiewit, RES	Dan Wessell Deputy Director Division of Environmental Health Phone: 530-841-2100 Fax: 530-841-4076
Business Licenses (New and Renewal)	<i>Permit for entities doing business in Siskiyou County</i> <u>Applicant:</u> Kiewit, RES, Renewal Corporation, McMillen Jacobs Engineering, and others as appropriate	Jennifer Taylor Treasurer – Tax Collector’s Office Phone: 530-842-8340 or 888-854-2000 ext.8340
Sign Permit <i>Coordination: Meet with County staff with signage types and locations to establish if permits are necessary.</i>	<i>Signage for public information</i> <ul style="list-style-type: none"> - General marquee sign - Overall Project Information signs - Temporary construction signs <u>Applicant:</u> Kiewit, RES, Renewal Corporation, McMillen Jacobs Engineering	Hailey Lang Deputy Director Planning Division Phone: 530-841-2100 Fax: 530-841-4076 e-mail: hlang@co.siskiyou.ca.us
Encroachment Permit <i>Coordination: Meet with County staff to review locations and MOU regarding road improvements</i>	<i>Ager-Beswick radius increase. Copco Road pre-emptive roadwork (if applicable).</i> <u>Applicant:</u> Kiewit	Terry Smith Public Works Thomas Deany, Director Public Works Phone: 530-842-8250

Permit	Description of Construction Work	Agency & Contact
Over Dimensional Permit <i>Coordination: MOU includes an option for issuing a project-wide permit. Coordinate with County to establish process.</i>	<i>Oversized loads.</i> <u>Applicant:</u> Kiewit, RES	Thomas Deany Siskiyou County Department of Public Works 1312 Fairlane Road, Yreka, CA 96097 - Phone: 530-842-8250
Building Permits for Construction Camps	- <i>Temporary work and RV/housing trailers for project personnel (similar to a fire camp). Existing housing footprint area will be utilized for temporary trailers.</i> <i>Copco Village:</i> - <i>Septic approval (completely self-contained unit)</i> - <i>Water lines, storage tanks</i> - <i>Electrical hookups, and service</i> <i>Iron Gate</i> - <i>Temporary Office Trailers (self-contained)</i> <u>Applicant:</u> Kiewit, RES, McMillen Jacobs Engineering	Glenn Shockency Deputy Director Building Division Phone: 530-841-2100 Fax: 530-841-4076
Demolition Permit <i>Coordination: Establish if demolition permit is applicable for removal of buildings.</i>	- <i>Demolition of houses and administrative buildings only.</i> <u>Applicant:</u> Kiewit, RES	Glenn Shockency Deputy Director Building Division Phone: 530-841-2100 Fax: 530-841-4076
Septic Tank Decommissioning Inspection	<i>Decommissioning of existing septic systems at recreation and housing sites.</i> <u>Applicant:</u> Kiewit, RES, Renewal Corporation, PacifiCorp	Dan Wessell Deputy Director Division of Environmental Health Phone: 530-841-2100 Fax: 530-841-4076

Table 2.
Construction Work by PacifiCorp

Permit	Description of Construction Work	Agency & Contact
Hazardous Materials Business Plan (New)	<i>Storage and generation of regulated materials related to construction.</i> <u>Applicant:</u> PacifiCorp/JR Merit	Dan Wessell Deputy Director Division of Environmental Health Phone: 530-841-2100 Fax: 530-841-4076
Business Licenses (New and Renewal)	<i>Permit for entities doing business in Siskiyou County</i>	Jennifer Taylor Treasurer – Tax Collector’s Office

Permit	Description of Construction Work	Agency & Contact
	<u>Applicant:</u> PacifiCorp/JR Merit	Phone: 530-842-8340 or 888-854-2000 ext.8340
Sign Permit <i>Coordination: Meet with County staff with signage types and locations to establish if permits are necessary.</i>	<i>Signage for public information</i> <ul style="list-style-type: none"> - <i>General marquee sign</i> - <i>Overall Project Information signs</i> - <i>Temporary construction signs</i> <u>Applicant:</u> PacifiCorp/JR Merit	Hailey Lang Deputy Director Planning Division Phone: 530-841-2100 Fax: 530-841-4076 e-mail: hlang@co.siskiyou.ca.us
Encroachment Permit <i>Coordination: Meet with County staff to review locations and determine need for permit.</i>	<i>Ingress/Egress to the Fall Creek Hatchery</i> <u>Applicant:</u> PacifiCorp/JR Merit	Terry Smith Public Works Thomas Deany, Director Public Works Phone: 530-842-8250
Over Dimensional Permit	<i>Oversized loads.</i> <u>Applicant:</u> PacifiCorp/JR Merit	Thomas Deany Siskiyou County Department of Public Works 1312 Fairlane Road, Yreka, CA 96097 - Phone: 530-842-8250
Building Permits for FCH Building(s)	<i>Construction of human occupied building(s).</i> <ul style="list-style-type: none"> - <i>Building code for structure</i> - <i>Electrical and plumbing code</i> - <i>No permit applicability to the fish holding related facility.</i> <u>Applicant:</u> PacifiCorp/JR Merit	Glenn Shockency Deputy Director Building Division Phone: 530-841-2100 Fax: 530-841-4076