

Sandy River Basin Watershed Council
P.O. Box 868 Sandy OR. 97055 (503) 668-1646

Electronic filing

January 17, 2003

Magalie R. Salas
Secretary
Federal Energy Regulatory Commission
888 First St. NE
Washington DC 20426

RE: Bull Run Hydroelectric Project, Project No. 477-024

Dear Ms. Salas:

Enclosed for filing in the above referenced proceedings is the Sandy River Basin Watershed Council's MOTION TO INTERVENE and COMMENTS on the Bull Run Hydroelectric Project Amendment of License, Surrender of License Settlement and Decommissioning Plan.

Thank you for your assistance. Please call Russell Plaeger, Watershed Coordinator, at 503-668-1646 if you have any questions or need additional information.

Sincerely,

George W. Hoyt
Chairman

UNITED STATE OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Notice for License Amendment, Surrender)	Project No. 477-024
And Settlement and Decommissioning Plan)	Bull Run Hydroelectric Project
Portland General Electric)	
_____)	

**SANDY RIVER BASIN WATERSHED COUNCIL'S
MOTION TO INTERVENE AND COMMENTS ON LICENSE AMENDMENT,
SURRENDER AND SETTLEMENT AND DECOMMISSIONING PLAN
FOR THE BULL RUN HYDROELECTRIC PROJECT,
FERC NO. 477-024**

I. Introduction

On November 12, 2002 Portland General Electric Company (PGE) filed an Amendment of License, Surrender of License and Settlement and Decommissioning Plan with the Federal Energy Regulatory Commission (Commission) for the Bull Run Hydroelectric Project, FERC No. 477-024. On November 21, 2002 the Commission issued a Notice of Application for Amendment of License, Surrender of License, Settlement and Decommissioning Plan and Soliciting Comments, Motions to Intervene, and Protests.

The Sandy River Basin Watershed Council moves to intervene in this proceeding pursuant to 18 CFR 385.214. Additionally, the Sandy River Basin Watershed Council appreciates the opportunity to comment on various documents. We have reviewed them and offer the following comments.

Service of process and other communications should be made to:

George W. Hoyt
Sandy River Basin Watershed Council
PO Box 868
Sandy OR 97055

II. Motion to Intervene

A. Interest of the Intervenor

The Sandy River Basin Watershed Council (hereinafter known as Watershed Council) is a non-profit 501 (c)(3) organization founded in 1997. The Watershed Council's board of directors represents private and public landowners and other stakeholders that have a direct interest in the future of the Sandy River Basin. The Watershed Council is the local implementing body for the State of Oregon's Oregon Plan for Salmon and Watersheds throughout the entire Sandy River Basin. The Watershed Council works with private and public entities, individual landowners, community groups and volunteers to plan and implement habitat restoration and enhancement projects throughout the Sandy River Basin. The Watershed Council conducts tours, educational events and other programs to increase public awareness and promote stewardship of the Sandy River Basin's natural resources. As such the Watershed Council has a strong interest in the future of the Sandy and Little Sandy Rivers and, therefore, the re-licensing of the Bull Run Hydroelectric Project. The majority of our board and general members reside within the Sandy River Basin. Federal actions that affect flow, habitat for Federal and State ESA listed fish and wildlife species, access to the river and navigation may potentially adversely affect the efforts of the Watershed Council to protect and restore the natural resources of the Sandy River Basin. Therefore, the Watershed Council has a direct interest in the re-licensing proceedings for the Bull Run Hydroelectric Project, FERC No. 477-024 on the Sandy and Little Sandy Rivers.

B. Grounds for Intervention

Intervention by the Watershed Council is in the public interest as required by 18 CFR 385.214 (b)(2)(iii). The Watershed Council has significant undeniable interests in the restoration, enhancement and preservation of the Sandy and Little Sandy rivers' natural, cultural and recreational resources. No other party to the proceeding will be able to adequately represent those interests. The Watershed Council has a direct and substantial interest in the outcome of this process.

C. Background

The Watershed Council has been interested in this proceeding since Portland General Electric initiated the re-licensing process. The Watershed Council was an active participant in the Settlement Group convened by Portland General Electric in December 2001 and is a signatory to the Settlement. The Settlement and Decommissioning Plan submitted by Portland General Electric to FERC is a direct byproduct of the Settlement Group.

III. Comments

The Settlement and Decommissioning Plan submitted by Portland General Electric as part of the Surrender Application is strongly supported by a wide array of interests. The Surrender Application encompasses the professional expertise of state and federal agency resource professionals as well as detailed analysis by non-governmental organizations and the public. As such the Watershed Council recommends that FERC accept the Surrender Application and the Settlement and Decommissioning Plan in its entirety. The parties to the settlement agree that the Settlement and Decommissioning Plan represent the best alternative for the Sandy and Little Sandy Rivers.

IV. Conclusion

The Watershed Council represents interests not represented by any other party to the proceeding. Our intervention is in the public interest as required by 18 CFR 385.214 (b)(2)(iii). Therefore, we respectfully submit that the Commission grant this timely motion for intervention.

In addition, for the foregoing reasons, it is our view that FERC should approve the License Amendment, Surrender, and Settlement and Decommissioning Plan for the Bull Run Hydroelectric Project, FERC No. 477-024 on the Sandy and Little Sandy Rivers. The Settlement and Decommissioning Plan represent the best alternative as determined by state and federal agency resource professionals as well as non-governmental organizations and the public.

Respectfully submitted this 17th day of January, 2003.

George W. Hoyt, Chairman
Sandy River Basin Watershed Council

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