

February 26, 2021

CONTAINS REQUEST FOR CEII TREATMENT

VIA HAND DELIVERY

Kimberly D. Bose
Secretary, Federal Energy Regulatory
Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Exhibits I, K and R; Definite Decommissioning Plan Final Design and Management Plans: Lower Klamath Project; FERC Project Nos. 14803-001 and 2082-063

Dear Secretary Bose:

Today the Klamath River Renewal Corporation (“Renewal Corporation”) filed its final design specifications and sixteen (16) management plans describing the specific methods that the Renewal Corporation will use to implement its Definite Decommissioning Plan for the Lower Klamath Project. This filing updates the Renewal Corporation’s *Amended Application for Surrender of License for Major Project and Removal of Project Works and Request for Expedited Review*, FERC Nos. 14803-001, 2082-063 (Amended Surrender Application).¹

Renewal Corporation now files nonpublic versions of **Exhibit I** (Remaining Facilities Plan), **Exhibit K** (Reservoir Drawdown and Diversion Plan) and **Exhibit R** (Final Design).

<p>Exhibit I: Remaining Facilities Plan</p>	<p>The Remaining Facilities Plan (filed in 2 parts) identifies measures that the Renewal Corporation will implement to protect water quality conditions associated with non-operational structures that will remain on-site following completion of the Proposed Action. The Remaining Facilities Plan contains two subplans:</p> <p>Appendix A: California Remaining Facilities Plan Appendix B: Oregon Remaining Facilities and Operations Plan</p>
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¹ FERC accession no. 20201117-5191.

<p>Exhibit K: Reservoir Drawdown and Diversion Plan</p>	<p>The Reservoir Drawdown and Diversion Plan (filed in 4 parts) describes the proposed drawdown methods, procedures, schedules, and monitoring efforts the Renewal Corporation will implement as part of the Proposed Action. The Reservoir Drawdown and Diversion Plan contains three subplans:</p> <p style="padding-left: 40px;">Appendix A: California Reservoir Drawdown and Diversion Plan Appendix B: California Slope Stability and Monitoring Plan Appendix C: Oregon Reservoir Drawdown and Diversion Plan</p>
<p>Exhibit R: Final Design</p>	<p>Exhibit R provides the final design specifications for the Definite Decommissioning Plan. Exhibit R updates and supersedes in its entirety Exhibit A-2 of the Amended Surrender Application. Exhibit R is comprised of:</p> <p style="padding-left: 40px;">R-1 (Final Design Report): (in 10 parts) R-2 (Final Design Drawings): (0000 General, 1000 JC Boyle, 2000 Copco 1 (in 2 parts), 3000 Copco 2 (in 2 parts), 4000 Iron Gate (in 3 parts), 5000 RB Drawdown, 6000 RB Construction, 7000 Recreation, E0000 Electrical (in 3 parts), Master Drawing List, Restoration and Recreation) R-3 (Technical Specifications) R-4 (Iron Gate Facility - Diversion Tunnel): (survey and model coordination)</p>

These documents contain specific detailed information designated as Critical Energy/Electric Infrastructure Information (“CEII”) under the Commission’s rules. These documents are provided on the enclosed set of five CDs (three copies of each CD are provided). Public versions of Exhibit I, Exhibit K and Exhibit R are being concurrently filed in this proceeding.

The Renewal Corporation requests confidential treatment of the CEII contained in **Exhibit I, Exhibit K and Exhibit R** pursuant to 18 C.F.R. § 388.113. The CEII has been marked according to the Commission’s instructions. **Exhibit I, Exhibit K and Exhibit R** qualify as CEII pursuant to the Commission’s rules because they contain sensitive dam safety and construction information that (a) relates details about the production, generation, transmission, or distribution of energy, (b) could be useful to a person planning an attack on critical infrastructure, (c) is exempt from mandatory disclosure under the Freedom of Information Act, and (d) gives strategic information beyond the location of the critical infrastructure. Accordingly, the Renewal Corporation requests confidential treatment of **Exhibit I, Exhibit K and Exhibit R** as CEII pursuant to 18 C.F.R. § 388.113.

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The CEII being submitted with this filing will continue to be CEII so long as the Lower Klamath Project continues in operation. While the Renewal Corporation expects the Lower Klamath Project to be decommissioned and removed on or before December 2023, it is possible the period for decommissioning and removal could be greater than the five-year period set out in 18 C.F.R. § 388.113(e)(1). Upon any expiration of the CEII designation, the critical infrastructure information should therefore be treated as CEII and re-designated so long as the Lower Klamath Project remains in operation. A proposed CEII Protective Agreement was filed in FERC Nos. P-14803-001 and P-2082-063 on December 1, 2017 (FERC accession no. 20171201-5385) and is referenced here for purposes of 18 C.F.R. § 388.113(d)(1)(iii).

Should FERC require any further information, please direct any such requests to counsel as identified below.

Respectfully submitted,

s/ Markham A. Quehrn

Markham A. Quehrn
Perkins Coie LLP
Attorneys for Klamath River
Renewal Corporation

Enclosures

cc: Service List (w/o enclosures)
Douglas Johnson, (D2SI) Portland Regional Engineer (w/o enclosures)