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February 28, 2020

Mr. David E. Capka, P.E.
Director
Division of Dam Safety and Inspection
Federal Energy Regulatory Commission
Office of Energy Projects
Division of Dam Safety and Inspections – Headquarters Office
888 First Street, N.E.
Washington, D.C. 20426

Subject: Klamath Project No. 2082 and the Lower Klamath Project No. 14803
Restoration Company Letter of Assurance

Dear Mr. Capka:

Resource Environmental Solutions, LLC (RES) was retained by the Klamath River Renewal Corporation (KRRC) to serve as the Restoration Company for the Klamath River Renewal Project (Project). In this role, RES is responsible for designing, constructing, and maintaining the restoration aspects of the Project, including complying with the restoration obligations in all applicable permits and governmental approvals.

Since joining the KRRC team in April 2019, RES and its subcontractors—including the Yurok Tribe, Camas, Stantec, and ESA—have completed a thorough review of existing reports and data and performed fieldwork to inform our restoration design.

In completing our 60%-level design package and design criteria report, the RES team and Camas have worked alongside state and federal regulators to establish a common expectation for successful river restoration. These efforts included in-person regulatory workshops, conference calls, and field site visits to review RES' 30%-level design and draft the 60%-level design. This resulted in a common collaborative understanding regarding RES' (1) design and regulatory approach and (2) anticipated post-construction adaptive management measures. The RES team expects to continue to work collaboratively with state, federal and other stakeholders to ensure the key elements of restoration are captured in all applicable permits and other governmental approvals.

Based on the above, and following extensive negotiations with the KRRC, we have developed a Guaranteed Maximum Price (GMP) proposal to the KRRC. Our covered work within this GMP includes all restoration and monitoring actions following removal of the dams, as well as the long-term maintenance of that restoration, all in accordance with and as expected to be required by the applicable permits and other governmental approvals. This includes, without limitation, responsibility for responding to changing conditions after the dams are removed, including revegetation, as needed, and the removal of barriers to fish-passage in a manner that is consistent with the anticipated permit conditions and other governmental approvals and provides for a transfer of liability of natural resource impacts resulting from dam removal from the KRRC to RES.

RES has experience working on complex restoration projects requiring stream restoration, revegetation, and long-term stewardship. As such, the restoration components of the Project are similar to other complex projects that RES has undertaken, including:



- **Bois d'Arc Lake Project, Fannin County, TX.** This is a \$132 million restoration project covering 15,000 acres of habitat restoration including 70 miles of streams with 20+ years of maintenance and adaptive management.
- **Lake Maurepas Watershed Projects, Livingston, Ascension, Tangipahoa, and St. John the Baptist Parishes, LA.** These are two simultaneous rehabilitation, enhancement, and preservation projects covering over 9,000 acres with 15 years of federal long-term maintenance and adaptive management and 50 years of state long-term maintenance and adaptive management responsibilities.
- **Robinson Fork Mitigation Bank - Phase 1 Project, Washington County, PA.** This project involved over 20 miles of stream restoration with up to 10 years of maintenance and adaptive management.

Based on our successful preconstruction and design work to date, RES' history and our extensive expertise in completing complex restoration projects, along with our interactions with state and federal regulators, we are confident that we will achieve the habitat restoration requirements for the Project based on the GMP we have provided.

Our good faith and extensive negotiations have also yielded an advanced draft of a Habitat Restoration, Maintenance and Liability Transfer Agreement (HRM<A). The HRM<A version, submitted to the FERC on February 28, 2020, is substantially complete. The HRM<A reflects multiple telephonic meetings with the KRRC and its representatives, an exchange of multiple drafts among the parties, a two-day in-person negotiation among the parties, and the involvement of key stakeholders such as PacifiCorp, California, and Oregon. RES expects that continued good faith negotiations will lead to a fully executable version in a matter of a few additional weeks. RES is committed to continuing to work with the KRRC and the other stakeholders in good faith and expects that a final version can be reached on or before April 1, 2020.

If you have any questions or need additional information, please do not hesitate to contact me at (713) 986-9220.

Sincerely,

A handwritten signature in black ink, appearing to read "Elliott M. Bouillion", written over a white background.

Elliott M. Bouillion

President & Chief Executive Officer

RES

cc: Mark Bransom, CEO KRRC
Laura Hazlett, COO and CFO KRRC