

Michael Deckert
8518 20th Street East
Edgewood, WA 98371
03/08/2023

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Project No. P-2833 Cowlitz Falls Project
Copper Canyon Facility, **Complaint** of non-compliance regarding Copper Canyon as-built drawing 20221202-5031

Dear Secretary Bose,

The simplified procedure for complaints involving small controversies is available to complainants if the amount in controversy is less than \$100,000 and the impact on other entities is de minimis.

I support the Licensee's Copper Canyon Facility. I note based on the Licensee's March 6, 2023 filing and contrary to the Licensee's December 2, 2022 filing there is a Gravel Trail to River and Creek. On May 16, 2022 the correct location of the Gravel Trail to River and Creek as it existed was provided to the Licensee; but, in violation of FERC's orders, the Licensee did not address the concerns and comments provided to them.

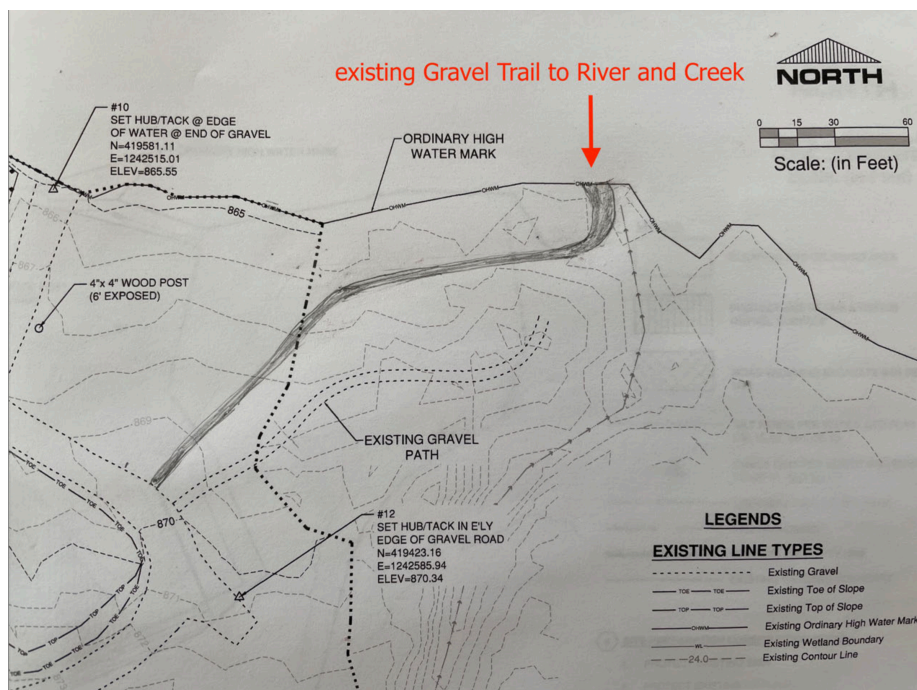


Figure 1 – Existing Gravel Trail to River and Creek in May 2022

I further note that as discussed at the May 23, 2022 meeting the Licensee stated they would remove the boulders from the boat ramp, and are providing around the loop-road non-handicapped parking servicing the picnic shelter. I further note that in early October 2022 the Licensee ordered 4 non-ADA compliant picnic tables, 2 ADA compliant picnic tables, as well as two trash receptacles for the Copper Canyon picnic shelter. Those picnic tables and trash receptacles have been installed.

A complaint filed under this simplified procedure must contain:

1. **The name of the complainant;**
Michael Deckert
2. **The name of the respondent;**
Lewis County Public Utility District #1 (Licensee)
3. **A description of the relationship to the respondent;**
I am a user of the Licensee's recreational facilities.
4. **The amount in controversy;**
Less than \$100,000.
5. **A statement why the complaint will have a de minimis impact on other entities;**
The facilities are as-built facilities, as approved by the Commission, and currently exist.
6. **The facts and circumstances surrounding the complaint, including the legal or regulatory obligation breached by the respondent;**

Paragraph (D) of FERC's 11/17/2020 order states "(D) Within 90 days from the individual completion date for the Copper Canyon Creek Take-Out Site improvements, Project Laydown Area, and North Boat Launch Site, as identified in ordering paragraph (B) above, the licensee must file as-built site plan drawings for each completed take-out site showing **the type and location of all improvements** (*emphasis added*) provided at each site, including all associated access road improvements. The filings must also include photographs of each sign/kiosk installed at each take-out site showing their message/contents."

The Licensee's submitted as-built drawing 20221202-5031 falsely locates the Gravel Trail to River and Creek. The true location of the Gravel Trail to River and Creek had been provided to the Licensee as part of comments on their progress reports.

The Licensee's as-built drawing does not show the location of Licensee's improved loop-road parking spots servicing the picnic shelter. The 4 non-ADA compliant picnic tables, 2 ADA compliant picnic tables, and trash receptacle improvements are not shown. All improvements should be accurately shown and documented as required in paragraph D for FERC's approval.

7. **The requested relief;**
 - a. The Licensee should file a complete as-built drawing including all of the Copper Canyon improvements:

- i. The boat ramp without boulders blocking it.
 - ii. The accurate location of the full Gravel Trail to River and Creek
 - iii. The non-ADA loop-road parking spots serving the picnic shelter as stated in the May 23, 2022 meeting.
 - iv. 4 non-ADA picnic tables
 - v. 2 ADA picnic tables
 - vi. 2 trash receptacles
 - b. FERC, as a facilitator, attend the April 24, 2023 meeting being hosted by the Licensee. The Licensee is neither reporting or addressing comments and concerns as required by FERC order.
8. A complainant filing under this simplified procedure is required to simultaneously serve the complaint on the respondent and any other entity referenced in the complaint.
A copy of this filing was emailed to the Licensee.

Respectfully submitted,

Michael Deckert