



IN REPLY  
REFER TO:

## United States Department of the Interior

OFFICE OF THE SOLICITOR  
Pacific Southwest Region  
2800 Cottage Way  
Room E-1712  
Sacramento, California 95825-1890

March 27, 2024

By electronic filing

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

Subject: Potter Valley Hydroelectric Project, No. 77-320  
Application for temporary variance of flow requirements  
Notice of Intervention of the Department of the Interior  
Request for Inclusion on Service List

Dear Ms. Bose:

Enclosed for filing with the Federal Energy Regulatory Commission in the above-captioned proceeding, please find the Notice of Intervention of the Department of the Interior.

Please note that our intervention also contains the names of Department representatives to be added to the Secretary's Service List for this proceeding.

Thank you for your attention.

Sincerely,

Lance Wenger  
Regional Solicitor

By: Kerry O'Hara  
Assistant Regional Solicitor

Enclosure

cc: Service List, Project No. 77  
Office of Environmental Policy and Compliance, DOI


**BEFORE THE  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

<b>Potter Valley Hydroelectric Project</b>	)	
	)	<b>Project No. 77-320</b>
<b>Application for temporary variance</b>	)	
<b>Pacific Gas &amp; Electric Company</b>	)	
_____	)	

Certificate of Service

I hereby certify that the Notice of Intervention of the Department of the Interior in the above-captioned proceeding has this day been filed electronically with the Federal Energy Regulatory Commission and served, via deposit in U.S. mail or by electronic mail, upon each person designated on the Service List compiled by the Commission Secretary for this Project.

Dated at Sacramento, California, this 27<sup>th</sup> day of March, 2024.



\_\_\_\_\_  
Lynhette Hocking  
Administrative Assistant  
Office of the Solicitor  
Department of the Interior  
2800 Cottage Way, E-1712  
Sacramento, CA 95825

**BEFORE THE  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

<b>Pacific Gas &amp; Electric Company</b>	)	
	)	
	)	<b>Project No. 77-320</b>
<b>Potter Valley Hydroelectric Project</b>	)	
<b>Eel River and East Fork, Russian River</b>	)	
<b>Lake and Mendocino Counties, California</b>	)	

**NOTICE OF INTERVENTION  
UNITED STATES DEPARTMENT OF THE INTERIOR**

In response to the Federal Energy Regulatory Commission’s (Commission) February 29, 2024, Notice of Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Protests, and as provided in Rule 214(a)(2) of the Commission’s procedural regulations, 18 C.F.R. § 385.214(a)(2), the Department of the Interior (Department) hereby files its Notice of Intervention in the request for a temporary variance of flow requirements for the Potter Valley Hydroelectric Project (Project). The Department intervenes in this proceeding for the purpose of becoming a party. Pursuant to 18 C.F.R. § 385.214(a)(2), the Department of the Interior’s Notice of Intervention, filed within the timing requirements set forth in the Commission’s February 29, 2024, Notice, entitles the Department and its component bureaus to party status in this proceeding.

The Department has statutory responsibilities and represents national public interests that could be affected by the variance of flow requirements for this Project. These responsibilities include unique statutory authorities that demonstrate Congressional intent that the Department

act in the public interest to protect and promote the public lands, fish, wildlife, tribal and recreational interests. No other party or intervenor has such authority to represent these particular national public interests.

### **ADDITIONS TO SERVICE LIST**

The Department requests that the following representatives of the Department of the Interior be included on the Commission Secretary's official service list for this proceeding, to receive all notices and filings in this matter.

Field Supervisor  
Attn: FERC Coordinator  
U.S. Fish and Wildlife Service  
Arcata Fish and Wildlife Office  
1655 Heindon Road  
Arcata, CA 95521  
[fws-afwo\\_comments@fws.gov](mailto:fws-afwo_comments@fws.gov)

Kerry O'Hara  
Attorney of Record  
Office of the Regional Solicitor  
Department of the Interior  
2800 Cottage Way, Room E-1712  
Sacramento, CA 95825  
(916) 978-6132  
[SOL-FERC@sol.doi.gov](mailto:SOL-FERC@sol.doi.gov)

Regional Environmental Officer  
Office of Environmental Policy and Compliance  
Department of the Interior  
2800 Cottage Way, Room E-1712  
Sacramento, CA 95825  
(415) 420-0524  
[OEPC\\_REOSac\\_FERC@ios.doi.gov](mailto:OEPC_REOSac_FERC@ios.doi.gov)

Zane Ruddy, Fisheries Biologist  
BLM Arcata Field Office  
1695 Heindon Road  
Arcata, CA 95521  
[jruddy@blm.gov](mailto:jruddy@blm.gov)

**CONCLUSION**

For the reasons stated herein, and because the Department has met the requirements set out in 18 C.F.R. § 385.214(a)(2), the Department respectfully requests that the Commission confer upon the Department all rights and responsibilities of a party to this proceeding.

Respectfully submitted this 27<sup>th</sup> day of March, 2024.

Lance Wenger  
Regional Solicitor

By: Kerry O'Hara  
Kerry O'Hara  
Assistant Regional Solicitor