

COMMENTS
Pacific Gas and Electric Company – Potter Valley Hydroelectric Project
FERC Project No. 77-332

July 23rd, 2026

Debbie-Anne A. Reese – Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426



Submitted via FERC eFiling

Re: Pacific Gas and Electric Company – Potter Valley Hydroelectric Project (FERC Project No. 77-332)

Application for Surrender of License and Application for Non-Project Use of Project Lands

Scoping Comments on Proposed Surrender, Decommissioning, and Non-Project Use of Project Lands; Submission of CalWild's Community Vision for the Upper Eel River Watershed and Conservation Partners' Assessment of the Eel River Conservation Easement

To whom it may concern at the Federal Energy Regulatory Commission:

CalWild is a California-based 501(c)(3) public benefit corporation that is helping Tribes and diverse stakeholders develop a collaborative consensus vision for the future of the main-stem Eel River watershed upstream of Cape Horn Dam and Scott Dam. Representative Mike Thompson urged us to take on this unexpected and unsought role given our long history of working on issues affecting the Mendocino National Forest (MNF) and the communities around it (please note that roughly 215,000 acres of the MNF is above Cape Horn Dam and Scott Dam in the main-stem Eel River headwaters). Our collaborative vision process is funded by grants from the California State Coastal Conservancy and the Resources Legacy Fund.

Scoping Comments and New Information

These comments build on CalWild's November 30, 2025, comments and do not replace or narrow the comments and recommendations included in that filing. We incorporate those comments by reference and submit the attached Memorandum re: Assessment of Eel River CE and Community Vision for the Upper Eel River Watershed as new information developed after our November 2025 filing. The Community Vision, which was submitted with our November 2025 comments, is attached again for ease of reference. We ask that the Commission consider the Community Vision and the Conservation Partners assessment together during the scoping process and in the NEPA document.

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We are not speaking in this letter for the participants in our Eel River collaborative process. Some participants in the visioning process wish to keep the dams on the Eel intact, while others support their proposed removal. CalWild remains neutral on the question of the proposed dam removals and the diversion to the Russian River. Our role has been to engage and gather input from communities which have felt excluded from other processes and negotiations regarding the Eel watershed's future, and to address issues these other processes have neglected. We are not asking the Commission to use the Community Vision as support for either dam removal or retention.

Our process seeks to:

- Help PG&E identify and mitigate lost recreation opportunities if its proposed dam removals are approved
- Identify projects to improve restoration, fire resiliency and recreation in the region regardless of whether dams are removed
- Address restoration on the 215,000 acres above Cape Horn and Scott dams, especially in Gravelly Valley
- Improve fire resilience and safety in the Lake Pillsbury basin

Please note that Tribal concerns suffused all three of these topics during many of our meetings.

CalWild's Eel River headwaters collaborative process

The enclosed Community Vision is the culmination of nearly two years of work. As noted in our prior correspondence, our collaborative effort has consisted of:

- More than 130 interviews with individuals representing affected constituencies in the project area
- Two in-person all-day workshops with Tribes and diverse stakeholders at Robinson Rancheria on September 5–6, 2024 and November 15, 2024
- Two Tribal-only listening sessions in Round Valley (December 16, 2024) and Upper Lake (January 10, 2025)
- 11 meetings with local, state, and federal elected and agency officials and non-governmental organizations

Through these interviews, meetings, and workshops we engaged:

Eight Tribes identified by the USFS and others as the most appropriate for the affected region; local governments; the U.S. Forest Service; the Bureau of Land Management's Arcata Field Office; the California Department of Fish and Wildlife; FireScape Mendocino; elected officials at the state and federal levels; representatives of the Lake Pillsbury communities; conservation organizations; recreation groups representing boaters, anglers, hunters, civil aviation enthusiasts, and OHV users; businesses; chambers of commerce; and resource conservation districts.

We offer this list for informational purposes only and do not purport to speak for these Tribes, officials, agencies, organizations, or businesses. Their identities are available by request and are reflected in the enclosed vision document.

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Findings and Recommendations from the Community Vision

Working with diverse interests, we developed 34 recommendations meant to mitigate the impacts of potential dam removals and to improve conditions for wildfire resilience, restoration, and recreation. We have divided the recommendations into those that are most immediately actionable and those that can be implemented over the long-term. Our goal is for these community recommendations to be implemented by PG&E in partnership with the USFS, the Federal Energy Regulatory Commission, Congress, the State of California, affected local governments, Tribes, and stakeholders.

Overarching Recommendation: Conservation Easement

PG&E's lands within the upper Eel River watershed are covered by a conservation easement. There were strong concerns expressed by many participants in our process that the conservation easement may impede efforts to provide wildfire, restoration, and recreation mitigations along the Eel River and under Lake Pillsbury. We recommend that PG&E negotiate any needed changes to the conservation easement to ensure that, while fulfilling its original conservation purpose, the agreement does not hobble efforts to mitigate the impacts of dam removals on the affected land, water, and people.

Conservation Partners Assessment of the Conservation Easement

The attached memorandum evaluates whether implementing the recommendations in the Community Vision for the Upper Eel River Watershed, November 2025 would require amendments to the conservation easement held by Mendocino Land Trust (MLT) over PG&E property. The conservation easement has been in place since June 24, 2022 and encumbers 5,620 acres of lands in the Eel River watershed, including some of the land around Lake Pillsbury, land around the Cape Horn Dam and Van Arsdale Reservoir, and along the Eel River in Lake and Mendocino Counties.

Overall, the memo concludes that most Community Vision recommendations appear implementable under the existing conservation easement, particularly actions focused on land management, wildfire resilience, habitat and wildlife restoration, invasive vegetation control, forest management, and passive recreation. Amendments are likely required only for a narrower set of actions involving new or expanded permanent roads, structures, camping infrastructure, or recreational improvements that exceed, or are inconsistent with, the easement's existing permitted uses.

Key Findings from the Conservation Partners Assessment

- Most recommendations are allowed under the current easement. Activities such as fire management planning, vegetation treatment, prescribed and cultural burning, invasive plant control, riparian restoration, wildlife habitat improvements, fencing or signage to prevent illegal use, and many passive recreation enhancements generally fall within existing permitted uses. Not all recommendations affect land encumbered by the conservation easement, and the conservation easement does not extend over the entire watershed.

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- Some recommendations may be permitted, depending on location, design, and other factors. Actions involving emergency water sources, evacuation routes, communications infrastructure, water drafting sites, dry hydrants, sediment management, road or trail improvements, boat launch points, and recreation access areas may be allowed depending on location, design, degree of ground disturbance, relationship to Beneficial Public Values, and whether the activity would significantly impair those values.
- Amendments may be needed for certain new infrastructure. New recreational OHV trails, new camping structures or expanded camping facilities, and new or expanded roads intended primarily for economic development rather than protection of Beneficial Public Values would likely require a conservation easement amendment.
- Pre-existing third-party rights must be reviewed. The easement recognizes numerous existing roads, utility corridors, recreation facilities, and other third-party rights that predate the easement. Those rights may independently authorize certain activities, but each relevant easement, license, or agreement should be reviewed during implementation planning.

Working with Mendocino Land Trust (MLT)

Planning and implementation of Community Vision recommendations on land encumbered by the conservation easement should proceed in close collaboration with MLT. MLT's obligation to protect the easement's Beneficial Public Values aligns with many Community Vision goals. MLT is responsible for ensuring that the land is protected as contemplated in the conservation easement and for enforcing the conservation easement in accordance with its terms.

The conservation easement requires the landowner to prepare an Annual Work Plan for Mendocino Land Trust review by February 15 each year. Mendocino Land Trust approval is not required for all activities, but it may be required or advisable for actions outside the identified Hydro Operating Zone that are discretionary and likely to impair Beneficial Public Values, for certain new roads or trails, for communications infrastructure, and for certain activities following decommissioning and transfer to a third party.

Implementation if Dam Removal Moves Forward

If Cape Horn Dam and Scott Dam are removed, and if the projects in the Community Vision are to happen, implementation should follow the practical screening framework in the Conservation Partners assessment. Each proposed activity should first be assessed to determine whether it is located within the conservation easement area and, if so, categorized as allowed, conditional, or amendment-required under the easement.

For conditional items, the proposed location, design, purpose, relationship to Beneficial Public Values, and potential impacts should be defined. Where activities rely on existing roads, utilities, recreation facilities, or access rights, relevant title documents and third-party agreements should be reviewed before determining whether the conservation easement itself restricts the proposed action.

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For items that are not allowed under the current conservation easement, an amendment is required, and MLT must be a party to any amendment. Without that amendment, projects involving new or expanded permanent roads, structures, camping infrastructure, or recreational improvements that exceed, or are inconsistent with, the easement's existing permitted uses cannot move forward as proposed.

Examples of Projects That May Require an Amendment

New recreational OHV trails are not permitted under the conservation easement. If a new recreational OHV trail network is desired, then an amendment would be required.

If new camping improvements or structures are desired, then an amendment would likely be required. The conservation easement permits maintenance, repair, improvement, replacement, and reconstruction of existing cabins and camping facilities in their existing locations with their existing footprints and without a substantial increase in height. New camping structures and improvements appear to be beyond the contemplated passive recreational use.

Maintenance, repair, restoration, and replacement or reconstruction in substantially the same location and same footprint of existing roads is allowed. New or expanded roads intended primarily for economic development rather than protection of Beneficial Public Values would likely require a conservation easement amendment. Improvements to roads developed under easements or agreements that pre-date the conservation easement may be permitted under those agreements, but the particular documents would have to be reviewed.

Modification of Navy Camp is allowed for existing improvements, including runways and existing camping infrastructure. If new camping infrastructure is desired, then an amendment may be required.

As written, the conservation easement is dense and complex. After dam removal and/or transfer of the conservation easement land from PG&E to one or more third parties, MLT may want to consider whether to amend and restate the easement to make it a more straightforward and effective management tool. We ask that the Commission include the Conservation Partners assessment in the scope of the NEPA document and consider whether implementation of the Community Vision would be prevented, limited, or delayed by the existing conservation easement.

Immediately Actionable Items

The Community Vision identifies several recommendations that are immediately actionable and that should be undertaken as part of PG&E's proposed decommissioning of Scott Dam and Cape Horn Dam and the restoration of the Upper Eel River watershed. These immediate priorities include the following:

Fire Resilience – Immediately Actionable

- **Develop a fire management plan.**

In 2021, PG&E provided funding to the USFS to prepare the Mendocino National Forest

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- Prescribed Fire and Fuels Management Strategy Environmental Assessment (EA) under NEPA. The MNF approved the EA on April 25, 2024. PG&E should again work with the USFS to fund the completion and implementation of a fire management plan specific to the dam removal proposal should it go forward.
- **Develop alternative emergency water sources.**
PG&E should fund the development of a pond or another new source of water that is large and deep enough and with sufficient clearance to allow heavy-lift helicopters to draw water during fires. Lake Pillsbury currently serves this purpose. With climate change and fluctuations in Lake Pillsbury's depth during drought years, an alternative water source would be beneficial even if Scott Dam is not removed. This replacement emergency water source should also serve as a community hub and economic draw by offering recreational opportunities such as swimming, fishing, picnicking, wildlife viewing, and other activities.
- **Improve critical evacuation routes.**
The best evacuation routes from the Lake Pillsbury area include Mendocino County Road 240/Lake County Road 301, which connects Lake Pillsbury to Potter Valley, and the Elk Mountain Road (USFS Road M1/Lake County Road 301), which connects Lake Pillsbury to Upper Lake. These roads are currently in poor condition despite serving as the primary ingress and egress routes to Lake Pillsbury. If dam removals occur, the USFS and Lake and Mendocino Counties should explore the feasibility and advisability of realigning existing roads to create more direct escape routes.

Habitat and Wildlife Restoration – Immediately Actionable

- **Develop and maintain a native plant seed bank.**
PG&E should work with the USFS, interested Tribes, and other partners to develop and maintain a native seed bank to promote the growth of desirable and ecologically appropriate trees, grasses, and shrubs in Gravelly Valley and along the water's edge within the project footprint and impacted areas in the MNF.
- **Prevent illegal OHV use in Gravelly Valley.**
Before dam decommissioning were to begin, PG&E should work with the USFS and other interested parties to prevent illegal OHV use in Gravelly Valley through the installation of fences or by other means.

Recreation Enhancement – Immediately Actionable

- **Develop a Recreation Management Plan.**
If dam removal goes forward, PG&E should work with the USFS to fund the completion of a recreation management plan under NEPA for the Eel River watershed above Cape Horn Dam. Key issues that the recreation management plan should address include trail enhancement; enhanced camping opportunities; access points for swimming, fishing, picnicking, and other recreation opportunities; wildlife viewing areas; shade and cover in

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- recreation areas; interpretive facilities; and designated boat launches for whitewater boating.

While the recommendations above represent the most immediately actionable items, there are several additional priorities in the Community Vision that should also be incorporated into long-term planning and mitigation efforts.

In the area of fire resilience, longer-term needs include improving emergency communications in the Lake Pillsbury basin, increasing the pace and scale of good fire through prescribed and cultural burns, and identifying potential locations for fire cameras and other early-warning technologies.

In the area of habitat and wildlife restoration, additional priorities include ensuring that invasive species such as yellow star thistle, medusahead, salt cedar/tamarisk, and cheatgrass do not dominate former reservoir beds, addressing the needs of wildlife such as deer and tule elk as water sources and habitat change, and restoring the Eel River's riparian habitat given its ecological and cultural importance.

In the recreation section, longer-term priorities include improvements to the main ingress and egress roads serving the Pillsbury basin, ensuring that any replacement water source for fire suppression also serves recreational purposes, and considering the modification of Navy Camp into a fly-in camp interpreting its World War II and fire management history.

These additional items remain central to the long-term health, safety, and resilience of the Upper Eel River watershed and the communities that depend upon it.

Relevance to the Commission's NEPA Scoping Process

The Community Vision and the Conservation Partners assessment are directly relevant to the resource areas identified for the Commission's NEPA document. The wildfire recommendations address emergency water, evacuation routes, communications, vegetation, prescribed and cultural fire, and the safety of residents and visitors. The habitat and wildlife recommendations address native plants, invasive plants, tule elk and other wildlife, fish habitat, sedimentation, and riparian restoration. The recreation recommendations address trails, camping, river access, wildlife viewing, shade, interpretive facilities, boat launches, roads, replacement water sources, and Navy Camp.

The conservation easement assessment identifies which Community Vision projects may proceed, which require additional location and design analysis, which require collaboration or approval from MLT, and which require an amendment. We ask that the Commission's environmental review examine whether the Community Vision recommendations can be implemented under the land-use requirements that will remain after surrender. The ability to implement these projects is part of whether the impacts of the proposed dam removals can be mitigated.

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Conclusion

The impacts of the proposed dam removals to Lake County and other local communities would be multiple, significant, and complex. If dam removal is approved, PG&E has an opportunity, and we believe an obligation, to mitigate these impacts by listening to the community input we have gathered and by carefully reviewing the enclosed Community Vision.

CalWild remains neutral on the question of whether Cape Horn Dam and Scott Dam should be removed. If the dams are removed, however, we recommend that projects in the Community Vision be able to move forward. We respectfully request that the Commission include the Community Vision and the Conservation Partners assessment in the scope of the NEPA document and consider the steps needed to implement the recommendations, including any conservation easement amendment or amendment and restatement that may be necessary after dam removal and/or transfer of the conservation easement land from PG&E to one or more third parties.

Please contact me if you have questions or would like to discuss further. Thank you for considering our requests.

Sincerely,



Mark Green
Executive Director
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mgreen@calwild.org

Attachments:

1. A Community Vision for the Upper Eel River Watershed (Final Report | November 2025)
2. Memorandum re: Assessment of Eel River CE and Community Vision for the Upper Eel River Watershed

A Community Vision for the Upper Eel River Watershed



Final Report | November 2025

Welcome!

On behalf of CalWild's Board, staff, volunteers and supporters, welcome to this **Community Vision for the Upper Eel River Watershed** in northern California.

CalWild (formerly the California Wilderness Coalition) is a statewide nonprofit conservation organization founded in 1976 which focuses on problem-solving to protect and restore California's extensive public lands.

CalWild was invited by federal officials to play a convener role in developing this vision, and we are grateful to the California State Coastal Conservancy and the Resources Legacy Fund for the resources which have enabled us to carry out the project.

We here at CalWild are gratified by the welcome we have received from the varied participants in this community visioning process. Despite sometimes deep disagreements about future management of the Upper Eel River watershed and proposed dam removals, these many community voices have come together to identify outcomes for which they share support. Participants can be justly proud of the work they have done here and will be directly responsible for the implementation of ideas in the community vision as they occur going forward.

CalWild's hope for the usage of this vision is that it will serve as a springboard for leveraging more fine-grained planning, implementation funding and community enjoyment of project benefits for decades to come. Whatever is decided about the proposed dam removals, there is a positive vision herein that can strengthen and enhance resilience of the communities surrounding the Upper Eel and Mendocino National Forest.

It has been a privilege for CalWild to work with these remarkable Tribes, communities, constituents and stakeholders. I extend our deepest gratitude to you all.

For a healthy and vital Eel River region,



Mark Green
Executive Director
CalWild

A Community Vision for the Future of the Upper Eel River Watershed

CalWild is a California-based 501(c)(3) public benefit corporation which spent nearly two years working with Tribes and diverse stakeholders to develop a vision for the future management of the main-stem Eel River watershed in the Mendocino National Forest (MNF) in response to Pacific Gas and Electric Company's (PG&E) proposed removals of Cape Horn Dam and Scott Dam. U.S. Representative Mike Thompson urged CalWild to take on this role given our long history of engaging with the U.S. Forest Service (USFS) on the management of the MNF and with stakeholders in the affected counties, particularly Lake and Mendocino.

This community vision consists of recommendations meant to improve conditions and/or mitigate impacts of the proposed dam removals on the affected people, land, water, and plant and wildlife habitat in the upper main-stem Eel River watershed. Please see the map of the project area included in this report.

Our Eel River Tribal and stakeholder visioning process was funded by grants from the California State Coastal Conservancy and the Resources Legacy Fund.

This Vision Statement is the product of our collaborative process and contains several community-generated proposals meant to:

- Improve **fire resilience** in the Lake Pillsbury basin
- Address **restoration** not only in the Eel River corridor, but on the 215,000 acres of the Mendocino National Forest above the dams
- Help identify and mitigate lost **recreation opportunities** if the proposed dam removals move forward
- Enable local residents to live **healthy and well-supported** lives
- Ensure that **Tribal communities** are able to participate in and benefit both financially and culturally from the efforts proposed herein

CalWild is not speaking in this Community Vision for participants in this visioning process, and this community vision does not express an opinion on whether dams should be removed.

This community vision does not express an opinion on whether dams on the Eel River should be removed.

Some participants in the visioning process wish to keep the dams on the Eel intact, while others support their proposed removal.

Some of the participants in our process wish to keep the dams on the Eel intact, while others support their proposed removal. CalWild is neutral on the question of the proposed dam removals and the diversion to the Russian River. Our role has been to engage and gather input from communities which have felt excluded from other processes and negotiations regarding the Eel watershed's future, and to address issues these other processes have neglected.



Workshop at Robinson Rancheria, Sept. 6, 2024 (photo: Mark Green)

This report is a compilation of recommendations generated through community engagement with the goal that PG&E, the U.S. Forest Service, elected officials, state and federal agencies and other willing parties will assist in achieving the objectives identified by the stakeholders and Tribal nations involved.

Developing the Community Vision

Primarily spanning 18 months in 2024-2025, this vision was developed through:

- More than **130 interviews with individuals** representing affected constituencies with interests in the project area. These individuals were identified primarily through consultation with the USFS, elected officials in Lake and Mendocino Counties, and Representative Thompson and his staff.
- Two **in-person all day workshops** with Tribes and diverse stakeholders at Robinson Rancheria. The first of these workshops occurred on September 5-6, 2024 and was attended by 48 participants. The second workshop occurred on November 15, 2024 and was attended by 31 participants. We chose Robinson Rancheria as the site of the two workshops because of its central location for most of the affected Tribes and stakeholders.
- Two **Tribal-only listening sessions** in Round Valley on December 16, 2024 and in Upper Lake on January 10, 2025. Seven Tribes were officially represented at these sessions, and 21 members of the seven Tribes also attended. We chose Round Valley as a meeting location because of the logistical difficulties many citizens of the Round Valley Indian Tribes have in attending meetings in Lake County.
- **11 meetings** with local, state, and federal elected and agency officials and non-governmental organizations.

People and communities engaged

Through these interviews, meetings, and workshops we engaged:

- 4 businesses
- American Rivers
- American Whitewater
- Big Valley Band of Pomo Indians
- Bureau of Land Management, Arcata Field Office
- California Deer Association
- California Department of Fish and Wildlife
- California Native Plant Society Sanhedrin Chapter
- California Trout
- Civil aviation enthusiasts
- Clear Lake Environmental Research Center
- Dry Creek Rancheria Band of Pomo Indians
- FireScape Mendocino
- Friends of the Eel River
- Habematolel Pomo of Upper Lake
- Lake County Board of Supervisors
- Lake County Chamber of Commerce
- Lake Co, Resource Conservation District

- Lake Pillsbury Alliance
- Lake Pillsbury Fire Protection District
- Local Governments and Agencies
- Mendocino County Board of Supervisors
- Mendocino Land Trust
- Middletown Rancheria of Pomo Indians California
- Off-highway vehicle (OHV) users
- Potter Valley Tribe
- Redbud Audubon
- Robinson Rancheria Pomo Indians of California
- Rocky Mountain Elk Foundation
- Round Valley Indian Tribes
- Sherwood Valley Band of Pomo Indians
- Sierra Club Motherlode Chapter
- Sierra Club Redwood Chapter
- Sonoma County Water Authority
- The Willits Environmental Center
- Tuleyome
- U.S. Forest Service
- U.S. Representative Jared Huffman
- U.S. Representative Mike Thompson
- U.S. Senator Alex Padilla

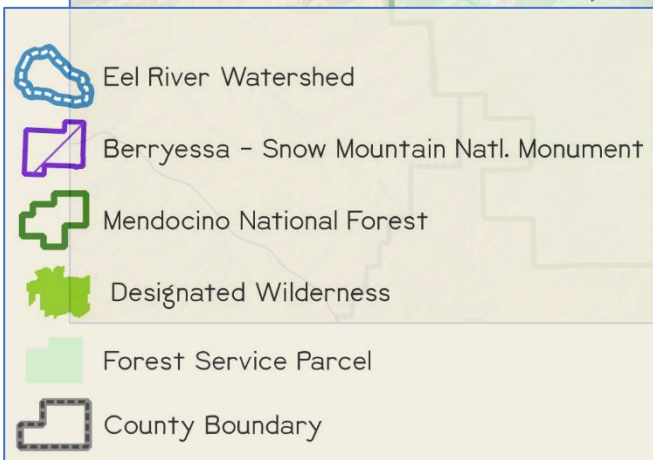
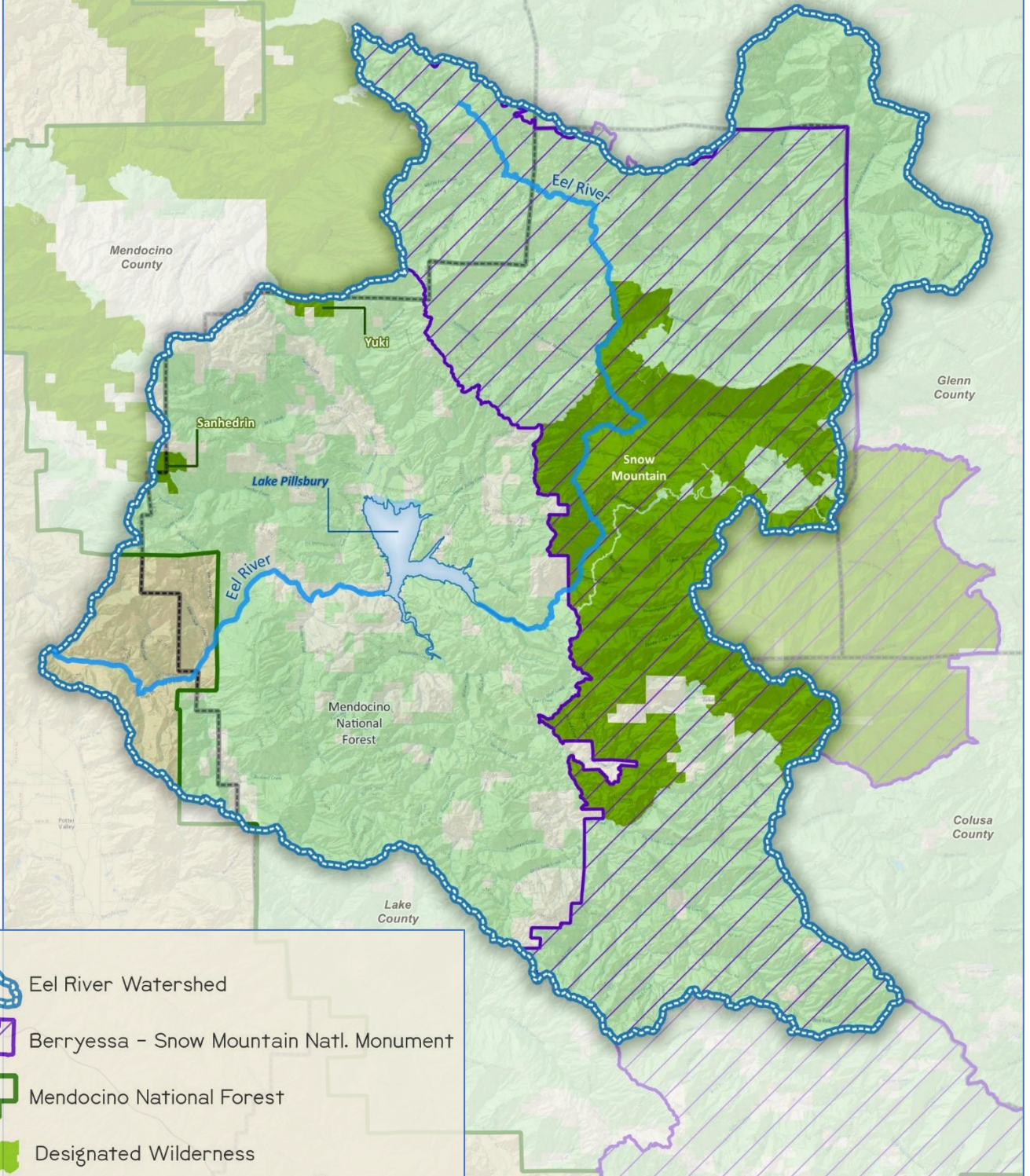
What People Shared

The word cloud below shares the primary words and themes people shared in our workshops and interviews. The larger the font, the more people used the particular word.

Our job was to understand these themes and capture the following recommendations and to share them with Tribes and affected stakeholders for their consideration.



Upper Eel River Watershed Mendocino National Forest



The Community Vision



Eel River from High Rock Overlook (photo: Trevor McBroom)

Recommendations

Working with diverse interests, we developed 34 recommendations meant to mitigate the impacts of potential dam removals and to improve conditions for wildfire resilience, restoration, and recreation. Our goal is for these community recommendations to be implemented by PG&E in partnership with the USFS, the Federal Energy Regulatory Commission, Congress, the State of California, affected local governments, Tribes, and stakeholders. We have divided the recommendations into those that are most immediately actionable and those that can be implemented over the long-term.

OVERARCHING RECOMMENDATION: **Negotiate needed changes to conservation easement**

PG&E's lands within the upper Eel River watershed are covered by a conservation easement. There were strong concerns expressed by many participants in our process that the conservation easement may impede efforts to provide wildfire, restoration, and recreation mitigations along the Eel River and under Lake Pillsbury. We recommend that PG&E negotiate any needed changes to the conservation easement to ensure that, while fulfilling its original conservation purpose, the agreement does not hobble efforts to mitigate the impacts of dam removals on the affected land, water, and people.



Scott Dam at Lake Pillsbury reservoir (photo: Friends of the Eel River)

Increasing Wildfire Resiliency

The USFS has monitored fire starts in the Eel River headwaters since President Theodore Roosevelt established the MNF in 1907. Agency fire records list dozens of human- and lightning-ignited fires in the region over these 118 years. Mitigating fire risk must be an essential part of PG&E's dam decommissioning plans.

Immediately actionable

Develop a fire management plan

In 2021, PG&E provided funding to the USFS to prepare the *Mendocino National Forest Prescribed Fire and Fuels Management Strategy Environmental Assessment* (EA) under the National Environmental Policy Act (NEPA). The MNF approved the EA on April 25, 2024 (please see <https://www.fs.usda.gov/project/?project=59722>). We recommend that PG&E again work with the USFS to fund the completion and implementation of a fire management plan specific to the dam removal proposal should it go forward.

Develop alternative emergency water sources

The community vision recommends that PG&E fund the development of a pond or another new source of water that is large and deep enough and with sufficient clearance to allow heavy-lift helicopters to draw water during fires. Lake Pillsbury currently serves this purpose. With climate change and Lake Pillsbury's depth fluctuations in drought years, the alternative water source would be beneficial even if Scott Dam is not removed. As we note below under recreation, this replacement emergency water source should also serve as a community hub and economic draw by offering such recreational opportunities as swimming, fishing, picnicking, wildlife viewing, and other activities.

Improve critical evacuation routes

The best evacuation routes from the Lake Pillsbury area include Mendocino County Road 240/Lake County Road 301 that connects Lake Pillsbury to Potter Valley and the Elk Mountain Road (USFS Road M1/Lake County Road 301) that connects Lake Pillsbury to Upper Lake. These roads are currently in poor condition despite serving as the primary ingress and egress routes to Lake Pillsbury. If dam removals do occur, we ask that the USFS and Lake and Mendocino Counties explore the feasibility and advisability of realigning existing roads to create more direct escape routes.

Longer term

- **Improve emergency communications** given the lack of cellular service in the Lake Pillsbury area and the potential loss of American Telephone and Telegraph's current landline under the reservoir. Hull Mountain north of Lake Pillsbury or Big Signal Peak to the west could potentially serve as cellular antennae sites after appropriate Tribal consultation and environmental review by the USFS. Participants also recommended that PG&E explore ways to create backup communication methods using satellite-based phone networks.
- Use vegetation treatments, home hardening and other structural improvements, and other methods to **improve the fire resilience of developed areas** in the Lake Pillsbury basin. Fire mitigation in this wildland urban interface is a very high priority. Secure equipment and resources such as graders, masticators, chippers, and removal equipment.
- **Increase the pace and scale of "good fire"** use in the Eel River headwaters, including both prescribed fire and Tribal cultural burns, as per the MNF's existing fire plans and its work with the Firescape Mendocino collaborative effort. PG&E should support the USFS' efforts to train Tribal members as burn bosses.
- Identify potential locations for **fire cameras and other technologies** designed to provide an advance warning of fires that may, or have, entered the Eel River headwaters. Lake Pillsbury Fire District and the USFS should be asked to provide priority locations for cameras and cost estimates for their installation.
- Ensure that the footprints of the two reservoirs are not dominated by highly flammable **invasive vegetation** such as cheatgrass or yellow star thistle.
- **Increase water storage capacity** at the USFS' Soda Creek Fire Station.
- **Harden water drafting sites** for ground-based (as opposed to helicopter) fire management needs.
- Establish an **improved interagency emergency alert system** that can warn residents and visitors of impending fire threats and evacuation orders.
- **Increase staffing for USFS fire crews and dedicated funding for Tribes and partners** like the California Conservation Corps and Lake County RCD who can perform fuel treatments, particularly during the offseason.
- **Deepen wells** for private landowners.
- **Install dry hydrants and staging points** along the Eel River for fire crews.
- **Reconcile water rights** to allow for additional surface water storage.
- Incentivize landowners to **build and maintain storage ponds** and access to them.
- **Train Tribal members to serve as wildfire response crews** and removing barriers to increased Tribal leadership and engagement in fire management.

Habitat and wildlife restoration

Many people are working to recover the Eel River's imperiled salmon, steelhead trout, and lamprey. Many participants in our process identified this recovery work as a highly important value. There is also a great need for terrestrial restoration to complement fishery restoration efforts in the Eel River and tributaries. Participants in the community vision suggested that PG&E work with the USFS, Tribes, and others as necessary and appropriate to meet terrestrial restoration needs as well.

Immediately actionable

Develop and maintain a native plant seed bank

We recommend that PG&E work with the USFS, interested Tribes, and other partners to develop and maintain a native seed bank to promote the growth of desirable and ecologically appropriate trees, grasses, and shrubs in Gravelly Valley and along the water's edge within the project footprint and impacted areas in the MNF.

Prevent illegal OHV use in Gravelly Valley

Before dam decommissioning begins, PG&E should work with the USFS and other interested parties to prevent illegal OHV use in Gravelly Valley through the installation of fences or by other means.

Longer term

- Ensure **invasive plants** such as yellow star thistle, medusahead, salt cedar/tamarisk, and cheatgrass do not dominate the former reservoirs and other disturbed sites.
- **Address the needs of wildlife** such as deer and tule elk. The tule elk herd at Lake Pillsbury continues to grow and is a real success story for this species, which was almost wiped out in the 19th century. Many of the participants in our meetings and interviews expressed grave concerns for what the removal of Lake Pillsbury means for America's smallest elk. One option that should be explored is how the replacement emergency water sources referenced above under both fire resilience and recreation could benefit tule elk and other wildlife. For example, tules and other desired plants could be established at these or other sources of water in Gravelly Valley.

- **Address the need for “good fire”** to help manage vegetation, especially in cooperation with Tribes interested in working with the U.S. Forest Service on cultural burns and prescribed fire.
- **Improve existing roads and OHV trails** to ensure that salmon, steelhead, and lamprey can reclaim historic habitat. In addition to culvert maintenance and/or replacement as needed, bridges should be constructed to eliminate road crossings that involve driving through the water and disturbing spawning habitat. This includes USFS Road M3 where it crosses Rice Fork and—most infamously—USFS Road M10/Lake County Road 301C where it crosses Bear Creek. The latter crossing between Lake Pillsbury and the Central Valley can be deceptively deep and has swamped untold numbers of vehicles over the decades.
- **Manage sedimentation.** A massive surge of sediment can threaten all downstream aquatic habitat and result in major ecosystem changes.
- **Restore the Eel River’s riparian habitat.** The river’s edge is an ecotone critical for biodiversity and where cultural uses and recreation interface with the river.



Lake Pillsbury reservoir in winter (photo: Lake Pillsbury Alliance)

Enhancing recreational opportunities

Lake Pillsbury has been the most popular recreation attraction in the MNF for decades. In addition to boating and other water-based recreation, the area's campgrounds serve as staging areas for visiting other parts of the MNF. Lake County and nearby communities derive substantial economic and other benefits from these recreational visitors. The potential impacts of losing Lake Pillsbury as a recreational resource should be mitigated by enhancing other recreation opportunities.

Immediately actionable

Develop a Recreation Management Plan

If dam removal goes forward, PG&E should work with the USFS to fund the completion of a recreation management plan under NEPA for the Eel River watershed above Cape Horn Dam. Key issues that the recreation management plan should address include:

- **Trail enhancement.** Note that while there are a plethora of foot and horse trails in the nearby Snow Mountain Wilderness and an abundance of OHV trails outside of the Wilderness, there are no official, maintained non-motorized trails outside of Snow Mountain in the entire Eel River headwaters region. This means that there are quite literally no trails that are legally open to bicycles. Opportunities exist to build new non-motorized trails that are open to mountain bikes, horses, and hikers that can connect Gravelly Valley to existing trails such as those at Snow Mountain. There is also great interest in rebuilding the ancient trails that once ran along both the Eel River and Rice Fork that connected Indigenous people in Gravelly Valley to the Central Valley to the east and downstream to the west. These ancient paths were destroyed by the development of Lake Pillsbury and subsequent road construction elsewhere, but portions of them still exist at Bloody Rock and along Cold Creek in the Snow Mountain Wilderness. A network of designed and maintained trails for bicycles, horses, and pedestrians throughout the basin would discourage the development of unauthorized trails. There is also a need for high-quality trailheads, including staging areas that meet the needs of equestrians.
- **Enhanced camping opportunities,** including proposals for the disposition of current campgrounds managed by PG&E at Lake Pillsbury and the need to increase the camping opportunities provided by the USFS.

- **Access points** for swimming, fishing, picnicking, and other recreation opportunities on the restored Eel River. Note that currently there is only one trail (the Bloody Rock Trail in the Snow Mountain Wilderness) that provides non-motorized access to the Eel River above Cape Horn Dam.
- **Wildlife viewing areas** such as through the installation of bird platforms and interpretive signage such as information on the tule elk and anadromous fish.
- **Shade and cover in recreation areas** to help visitors cope with the summer heat.
- **Interpretive facilities** that educate visitors on the Indigenous cultural heritage, ongoing restoration efforts, and Euro-American heritage of Gravelly Valley and the surrounding region.
- Designated **boat launches** for whitewater boating. Whitewater boating currently occurs on the Rice Fork above Lake Pillsbury, between Scott Dam and Cape Horn Dam, and below Van Arsdale. If the reservoirs are removed as proposed by PG&E, such boating opportunities should be expanded and enhanced. The boat launches could also double as day-use areas for picnicking and swimming, interpretive sites, wildlife viewing areas, and trailheads.

Longer term

- **Road improvements** recommended under *fire resilience*, above. Please note that the MNF is the closest national forest to the Bay Area and yet—due to poor road conditions—it is the least visited forest in our state. Improvements to the two most popular ingress and egress routes to the Pillsbury basin would help mitigate adverse economic impacts to Lake County. Again, the two routes are Mendocino County Road 240/Lake County Road to Potter Valley and USFS Road M1/Lake County Road 301 to Upper Lake.
- Ensure that any **replacement water source** for fire suppression and other needs also serves recreational purposes such as swimming, fishing, picnicking, flatwater boating, wildlife viewing, and other activities.
- **Modify Navy Camp into a fly-in camp** that interprets the World War II heritage and fire management history of the airstrip. The Gravelly Valley airstrip was a back-up landing site for military aircraft during World War II when airports in the Bay Area were fogged-in, and after the war it became the first forward attack air base for fire suppression used by the USFS in the United States.

Thank You

CalWild thanks our generous funders, all participants and helpful partners, and the **Eel River Project Team** members: Ruth Atkins, Ryan Henson, Mark Green, Sara Husby, and André Sanchez for their diligent work on this project, as well as Caelan McGee of Zephyr Collaborations.



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Executive Summary:

Memorandum re: Assessment of Eel River CE and Community Vision for the Upper Eel River Watershed

The attached memorandum evaluates whether implementing the recommendations in the *Community Vision for the Upper Eel River Watershed*, November 2025 would require amendments to the conservation easement held by Mendocino Land Trust (MLT) over PG&E property. The conservation easement has been in place since June 24, 2022 and encumbers 5,620 acres of lands in the Eel River watershed, including some of the land around Lake Pillsbury, land around the Cape Horn Dam and Van Arsdale Reservoir, and along the Eel River in Lake and Mendocino Counties.

Overall, the memo concludes that most Community Vision recommendations appear implementable under the existing conservation easement, particularly actions focused on land management, wildfire resilience, habitat and wildlife restoration, invasive vegetation control, forest management, and passive recreation. Amendments are likely required only for a narrower set of actions involving new or expanded permanent roads, structures, camping infrastructure, or recreational improvements that exceed, or are inconsistent with, the easement's existing permitted uses.

The conservation easement is structured around permitted commercial hydropower-related activities and the protection of Beneficial Public Values. The Beneficial Public Values include native fish, wildlife, and plant habitat; forest resources; scenic viewshed; passive outdoor recreation; protected historical and cultural values; and limited agriculture.

Key Findings

- **Most recommendations are allowed under the current easement.** Activities such as fire management planning, vegetation treatment, prescribed and cultural burning, invasive plant control, riparian restoration, wildlife habitat improvements, fencing or signage to prevent illegal use, and many passive recreation enhancements generally fall within existing permitted uses. Note that not all of the recommendations affect land encumbered by the conservation easement and the conservation easement does not extend over the entire watershed.
- **Some recommendations may be permitted, depending on location, design, and other factors.** Actions involving emergency water sources, evacuation routes, communications infrastructure, water drafting sites, dry hydrants, sediment

management, road or trail improvements, boat launch points, and recreation access areas may be allowed depending on location, design, degree of ground disturbance, relationship to Beneficial Public Values, and whether the activity would significantly impair those values.

- **Amendments may be needed for certain new infrastructure.** New recreational OHV trails, new camping structures or expanded camping facilities, and new or expanded roads intended primarily for economic development rather than protection of Beneficial Public Values would likely require a conservation easement amendment.
- **Pre-existing third-party rights must be reviewed.** The easement recognizes numerous existing roads, utility corridors, recreation facilities, and other third-party rights that predate the easement. Those rights may independently authorize certain activities, but each relevant easement, license, or agreement should be reviewed during implementation planning.

Working with Mendocino Land Trust

Planning and implementation of Community Vision recommendations on land encumbered by the conservation easement should proceed in close collaboration with MLT. MLT's obligation to protect the easement's Beneficial Public Values aligns with many Community Vision goals. MLT is responsible for ensuring that the land is protected as contemplated in the conservation easement and for enforcing the conservation easement in accordance with its terms.

The conservation easement requires the landowner to prepare an Annual Work Plan for Mendocino Land Trust review by February 15 each year. The plan must include reasonably detailed information about anticipated actions that are required by law, regulators, or third-party agreements and involve prohibited uses or are likely to impair Beneficial Public Values; discretionary actions that are neither expressly permitted nor prohibited and are likely to impair Beneficial Public Values; and permitted uses that are likely to significantly impair Beneficial Public Values. If an unplanned action arises later, the landowner must provide notice to Mendocino Land Trust as required by the conservation easement.

Mendocino Land Trust approval is not required for all activities, but it may be required or advisable for actions outside the identified Hydro Operating Zone that are discretionary and likely to impair Beneficial Public Values, for certain new roads or trails, for communications infrastructure, and for certain activities following decommissioning and transfer to a third party.

Practical Implications

The attached memo provides a practical screening framework for planning and implementing the Community Vision recommendations. Planned actions based on those recommendations should first be assessed to determine whether the proposed activity is located within the conservation easement area. If so, the activity should be categorized as allowed, conditional, or amendment-required under the easement. For conditional items, the next step is to define the proposed location, design, purpose, relationship to Beneficial Public Values, and potential impacts. Where activities rely on existing roads, utilities, recreation facilities, or access rights, relevant title documents and third-party agreements should be reviewed before determining whether the conservation easement itself restricts the proposed action.

As written, the conservation easement is dense and complex. After dam removal and/or transfer of the conservation easement land from PG&E to one or more third parties, MLT may want to consider whether to amend and restate the easement to make it a more straightforward and effective management tool.

**Analysis Table of Eel River CE: Whether CE Amendments are Needed or Not
To Achieve the Community's Vision for Eel River**

ORGANIZED BY COMMUNITY VISION RECOMMENDATIONS: assumed the recommendations are all located within the CE area, unless noted below. Note this analysis considers only the CE, and not provisions of any easements or other title documents that pre-dated the CE, any third party leases, licenses, rights of access, agreements, etc.

#	COMMUNITY VISION RECOMMENDATION	<u>Allowed:</u> Can proceed under the current CE <u>Conditional:</u> Depends on site location, community preferences, or is pending further analysis <u>Amendment Required:</u> Not allowed under current CE	Required to be included in Annual Work Plan?	MLT Approval Required?
1	Negotiate needed changes to conservation easement (amendment).	See below	No	Yes, MLT must be a party to any CE amendment.
	INCREASING WILDFIRE RESILIENCY:			
2	Develop a fire management plan	<i>Allowed.</i> CE does not preclude a fire management plan from being prepared by the community, the MLT, or landowner. A CE amendment would be needed in order to <i>require the landowner</i> to prepare a specific fire management plan, but we understand that the community's desire is not to have this be a landowner requirement. Note that any fire management plan must be consistent with the vegetation and forest management activities allowed in the Permitted Uses and included in the Annual Work Plan, and may want to consider the Forest Service's Forest Plan for Mendocino National Forest. <i>Exhibit I, paras 4, 9</i>	Only if the action would likely significantly impair a Beneficial Public Value or is included as part of forest management plan	Only if the plan were likely to significantly impair a Beneficial Public Value. Review of the Annual Work Plan. After decommissioning and termination of all hydro activities and transfer to a third party, approval will be required for all forest management activities.
3	Develop alternative emergency water sources (also see below)	<i>Conditional.</i> If the alternative emergency water source would be needed for prudent and customary land management or to protect,	Only if the action would likely	Only if the action would likely significantly impair a

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		preserve, or enhance Beneficial Public Values, then development of the alternative water sources would be a Permitted Use. If development of the alternative water sources would significantly impair a Beneficial Public Value, then MLT approval would be required. <i>Exhibit F, para. 4(d); Exhibit I, para. 2; Section 7.3.4(c)</i>	significantly impair a Beneficial Public Value	Beneficial Public Value but all improvements of this type should be in collaboration with MLT.
4	Improve critical evacuation routes (also see below)	<i>Allowed or Conditional.</i> Improvements of existing routes would be <i>Allowed</i> as the maintenance , repair, replacement, or reconstruction of an existing improvement. Replacement or reconstruction has to be in substantially the same location. <i>Exhibit I, para. 7</i> New, substantially expanded, or relocated evacuation roads may be permitted if the evacuation routes are needed for prudent and customary land management or to protect, preserve, or enhance Beneficial Public Values. Because construction of new evacuation routes would likely significantly impair Beneficial Public Values, MLT approval would be required. <i>Exhibit F, para. 9; Section 7.3.4(c)</i> Note: Existing roads developed under any third-party easements and other third-party interests	Yes	Yes

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		should be reviewed in any planning for evacuation routes. <i>Exhibit H</i>		
5	Improve emergency communications	<i>Conditional.</i> If located on CE-encumbered land, improving emergency communications & establishing improved interagency emergency alert systems will require further analysis depending on the location and kind of infrastructure desired. <i>Allowed with Approval.</i> The landowner reserved rights to new and existing electrical distribution and telecommunications infrastructure with MLT's approval, even if not related to hydroelectric activities. <i>Exhibit I, para.11</i> <i>Allowed with Approval.</i> If improved communications infrastructure would be needed for prudent and customary land management or protection of Beneficial Public Values, then they would be permitted (with MLT approval if the infrastructure would likely significantly impair a Beneficial Public Value). <i>Exhibit F, para. 4(d)</i> In addition, there are a number of third-party rights for utility lines and roads that pre-date the CE. If additional communication infrastructure would be permitted under those pre-existing	Only if the action would likely significantly impair a Beneficial Public Value	Yes. Review of the Annual Work Plan. After decommissioning and termination of all hydro activities and transfer to a third party, approval will be required for all forest management activities.

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		rights, then the CE would not prohibit them. <i>Exhibit H</i>		
6	Improve fire resilience of developed areas (vegetation treatment, home hardening, structural improvements)	<i>Allowed.</i> The right to manage trees, brush, and vegetation for fire management is a Permitted Use. In addition, the maintenance , repair, replacement, or reconstruction of an existing structure or improvement (replacement or reconstruction has to be in substantially the same location) is also a Permitted Use. <i>Exhibit I, paras. 4, 7</i>	No	No
7	Increase the pace and scale of prescribed fire and Tribal cultural burning	<i>Allowed.</i> Forest management activities expressly contemplate prescribed fire. <i>Exhibit I, para. 9(a)-(c)</i>	Yes	Review of the Annual Work Plan. After decommissioning and termination of all hydro activities and transfer to a third party, approval will be required for all forest management activities.
8	Identify locations for fire cameras and other technologies for early fire detection and warning	<i>Allowed.</i> Commercial and non-commercial forest management is permitted, including preventing, mitigating, and/or responding to any natural disaster, including wildfire. This monitoring would be included in the forest	Yes, if installed as part of forest management activities.	Review of the Annual Work Plan. After decommissioning and termination of all hydro activities and transfer to a third

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		management plan, so it would also be permitted. <i>Exhibit I, para. 9</i>		party, approval will be required for all forest management activities.
9	Ensure highly flammable invasive vegetation (e.g., cheatgrass, yellow star thistle) does not dominate the two reservoirs (also see below)	<i>Allowed.</i> The right to manage trees, brush, and vegetation for fire management is a Permitted Use. In addition, the right to control or eliminate noxious weeds and non-native plant species that threaten Beneficial Public Values is also a Permitted Use. <i>Exhibit I, para. 7; Exhibit I, paras. 4, 12</i>	No	No
10	Increase water storage capacity at Soda Creek Fire Station	<i>Not applicable.</i> The Soda Creek Fire Station is not located on lands encumbered by the CE (not on PG&E property).	n/a	n/a
11	Harden water drafting sites for ground-based fire suppression	<i>Conditional.</i> If fire hardening improvements are needed for prudent and customary land management or to protect, preserve, or enhance Beneficial Public Values, then development of the alternative water sources would be a Permitted Use. If development of the alternative water sources would significantly impair a Beneficial Public Value, then MLT approval would be required. <i>Exhibit F, para. 4(d); Exhibit I, para. 2; Section 7.3.4(c)</i>	Only if the action would likely significantly impair a Beneficial Public Value	Only if the action would likely significantly impair a Beneficial Public Value, but all improvements of this type should be in collaboration with MLT.
12	Establish improved interagency emergency alert systems	See analysis for Recommendation 5 for communications infrastructure.	See Rec. 5	See Rec. 5

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13	Increase staffing and funding for fire crews and programs/partners	<i>Allowed.</i> CE only addresses uses of the land, not funding or staffing.	No	No
14	Deepen wells for private landowners	<i>Not applicable.</i> The Soda Creek Fire Station is not located on lands encumbered by the CE (not on PG&E property).	n/a	n/a
15	Install dry hydrants and staging points along Eel River	<i>Conditional.</i> If the dry hydrants and staging points were needed for prudent and customary land management or to protect, preserve, or enhance Beneficial Public Values, then installation of the dry hydrants and staging points would be a Permitted Use. If installation of the dry hydrants and staging points would significantly impair a Beneficial Public Value, then MLT approval would be required. <i>Exhibit F, para. 4(d), Exhibit I, para. 2, Section 7.3.4(c)</i>	Only if the action would likely significantly impair a Beneficial Public Value	Only if the action would likely significantly impair a Beneficial Public Value but all improvements of this type should be in collaboration with MLT.
16	Reconcile water rights to allow additional surface water storage	<i>Not Applicable.</i> Review and analysis of water rights is not addressed under the CE. Under the CE, PG&E reserved the right to exercise all its all riparian, appropriative, and surface water rights for hydroelectric uses. Once all hydro has been decommissioned and hydro uses terminated, on transfer of the land, PG&E relinquishes all rights specifically reserved for hydro operations, so this reservation will terminate, but PG&E would either retain or transfer its water rights. The CE does not	n/a	n/a

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		require water rights remain with the ownership of the land.		
17	Incentivize landowners to build and maintain water storage ponds and access to them	Not applicable for lands not encumbered by the CE. For water storage on the CE land, see analysis for Recommendation 3.	See Rec. 3	See Rec. 3
18	Train Tribal members and expand Tribal leadership in wildfire response	<i>Not applicable.</i> CE only addresses uses of the land, not leadership or staffing.	n/a	n/a
	HABITAT & WILDLIFE RESTORATION:			
19	Develop and maintain a native plant seed bank	<i>Allowed.</i> Seed collection or any similar activity is not specifically addressed, and is therefore a right reserved to the landowner so long as it does not significantly impair Beneficial Public Values. If a native seed bank entails a physical structure to be located on the CE land, the CE expressly allows a minor, temporary structure or use of an existing structure. <i>Exhibit I, paras. 8, 9; Section 7.1</i> <i>Allowed.</i> If a new structure is desired on CE land, then structures and improvements made in the course of prudent and customary land management activities and/or to protect, preserve, or enhance the Beneficial Public Values are allowed; MLT approval would be required if any Beneficial Public Values would	No Only if Beneficial Public Values would be significantly impaired	No Only if Beneficial Public Values would be significantly impaired.

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		be significantly impaired. <i>Exhibit F, para. 4(d), Section 7.3.4(c)</i>		
20	Prevent illegal OHV use in Gravelly Valley through installing fences or other means	<i>Allowed.</i> Fences are allowed as a Permitted Use to manage third party recreational, cultural, and other noncommercial or informal uses of the land. Signage is specifically allowed to support and manage safety and permitted uses of the Property, including unauthorized entry and uses. <i>Exhibit I, paras. 5, 13; Section 9.2</i>	Yes. <i>Section 9.2.3</i>	MLT consultation required. <i>Section 9.2.3</i>
21	Ensure invasive plants (i.e., yellow star thistle, medusahead, salt cedar, tamarisk, cheatgrass) do not dominate in former reservoirs and other disturbed areas.	<i>Allowed.</i> The right to manage trees, brush, and vegetation for fire management is a Permitted Use. In addition, the right to control or eliminate noxious weeds and non-native plant species that threaten Beneficial Public Values is also a Permitted Use. <i>Exhibit I, para. 7; Exhibit I, paras. 4, 12</i>	No	No
22	Address wildlife needs, including tule elk habitat and water access	<i>Allowed.</i> Improvements for prudent and customary land management activities and/or to protect, preserve, or enhance Beneficial Public Values (such as habitat) are permitted. <i>Exhibit F, para 4(d); Exhibit I, para. 2</i>	Only if Beneficial Public Values would be significantly impaired	Only if Beneficial Public Values would be significantly impaired.
23	Address the need for prescribed and cultural fire to manage vegetation for habitat	<i>Allowed.</i> Forest management activities expressly contemplate prescribed fire. <i>Exhibit I, para. 9(a)-(c)</i>	Yes	Review of the Annual Work Plan. After de-commissioning and termination of all hydro activities and

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				transfer to a third party, approval will be required for all forest management activities.
24	Improve existing roads and OHV trails, highlighting need for bridge crossings to protect fish habitat	<i>Allowed.</i> Maintenance, repair, restoration and replacement or reconstruction in substantially the same location and same footprint of existing improvements is allowed. <i>Exhibit I, para. 7</i> Improvements for prudent and customary land management activities and/or to protect, preserve, or enhance Beneficial Public Values (such as habitat) are permitted. Note that motorized off road recreational use off of existing roadways is <u>not</u> considered an activity "related to the protection or preservation of the Beneficial Public Values." <i>Exhibit F, paras. 4(d), 5; Exhibit I, para. 2</i> <i>Conditional.</i> Road and watercourse crossing construction, maintenance, repair, and enhancement are permitted as part of forest management activities. <i>Exhibit I, para. 9</i> <i>Amendment Required.</i> New recreational OHV trails are not permitted under the CE. If a new recreational OHV trail network is desired, then	Yes, if included in forest management or would significantly impair Beneficial Public Values.	Review of the Annual Work Plan. After de-commissioning and termination of all hydro activities and transfer to a third party, approval will be required for all forest management activities. Approval required if would significantly impair Beneficial Public Values.

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		an amendment would be required. <i>Exhibit F, para. 9</i>		
25	Manage sedimentation	<i>Conditional.</i> Whether certain activities to control sedimentation is permitted depends on the activities desired to manage sedimentation. Prudent forest management and the California Forest Practice Rules include requirements to manage the effect of forestry activities and roads on watercourses and reduce watercourse sedimentation. Forest management is permitted under <i>Exhibit I, paragraph 9</i> .	Yes, if included in forest management.	Review of the Annual Work Plan. After de-commissioning and termination of all hydro activities and transfer to a third party, approval will be required for all forest management activities.
26	Restore riparian habitat along the Eel River	<i>Allowed.</i> Improvements for prudent and customary land management activities and/or to protect, preserve, or enhance Beneficial Public Values (such as habitat) are permitted. Trimming, cutting down, and clearing away trees, brush, and vegetation for vegetation management is permitted (meadow restoration is included as an example, so riparian habitat restoration should also be permitted). Removal of noxious weeds and non-native plant species is permitted. May be included as part of forest management, which contemplates protection and enhancement of riparian resources and wildlife habitat for native species and to control	Yes, if included in forest management. Yes, if the work would significantly impair Beneficial Public Values.	Review of the Annual Work Plan. After decommissioning and termination of all hydro activities and transfer to a third party, approval will be required for all forest management activities.

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		invasive and non-native vegetation. <i>Exhibit F, para 4(d), Exhibit I, paras. 2, 4, 9, 12</i>		
	ENHANCING RECREATIONAL ACTIVITIES:			
27	Develop a Recreation Management Plan for the upper Eel River watershed, which should include the below key issues	<i>Allowed.</i> The CE does not preclude a recreational management plan from being prepared by the community, MLT, or landowner. A CE amendment would be needed in order to require the landowner to prepare a recreational management plan, but we understand that the community's desire is not to have this be a landowner requirement.	No	No, but any plan for future improvements or actions should be prepared collaboratively with MLT.
28	Enhance non-motorized trail networks (hiking, biking, equestrian)	<i>Allowed.</i> Construction of new trails (or the relocation of existing trails) on the Property to protect, preserve, or enhance the Beneficial Public Values (passive recreation, such as hiking) is permitted with MLT's approval. Trail markers are specifically permitted. <i>Exhibit F, para. 9, Exhibit I, paras. 2, 13</i> Note that the CE does not address mountain bike or equestrian use of the Property, so trails for biking and/or equestrian use should be developed with the collaboration of MLT.	Yes	Yes

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29	Enhance and improve camping opportunities, disposition of current campgrounds at Lake Pillsbury	<i>Conditional.</i> The CE permits maintenance, repair, improvement, replacement, and reconstruction of existing cabins and camping facilities in their existing locations with their existing footprints and without a substantial increase in height. <i>Exhibit I, para. 10</i> Primitive, "leave no trace" camping is likely a passive recreational use and therefore permitted. <i>Exhibit D, para (d)</i> <i>Amendment Required.</i> If new camping improvements or structures are desired, then an amendment would likely be required. The CE allows structures and improvements for customary and prudent land management and specifically gives an appropriately sized caretakers cottage as an example, but new camping structures and improvements would not fall under land management. Likewise, new structures and improvements are permitted to protect, preserve, or enhance the Beneficial Public Value of passive recreation, which gives examples of hiking, fishing, hunting, birding, boating, and sightseeing. Camping with supportive structures and improvements appears to be beyond the contemplated passive recreational use.	Removal of any existing camping infrastructure	No approval for work on existing camping improvements and primitive camping. Amendment likely required for new camping structures and improvements. Removal of existing camping infrastructure would need to be included in the Annual Work Plan and approved by MLT.

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To Achieve the Community's Vision for Eel River**

#	COMMUNITY VISION RECOMMENDATION	<u>Allowed:</u> Can proceed under the current CE <u>Conditional:</u> Depends on site location, community preferences, or is pending further analysis <u>Amendment Required:</u> Not allowed under current CE	Required to be included in Annual Work Plan?	MLT Approval Required?
		The removal of existing camping and recreational infrastructure is not specifically addressed in the CE. If such removal would likely significantly impair any Beneficial Public Values, such removal would need to be included in the Annual Work Plan and require MLT approval.		
30	Develop access points for swimming, fishing, picnicking, and river recreation on the restored Eel River	<i>Allowed.</i> The CE permits the construction of new roads and trails (or the relocation of existing road and trails) on the Property to protect, preserve, or enhance the Beneficial Public Values with MLT's prior written approval. Access signage is specifically permitted. <i>Exhibit F, para.9; Exhibit I, paras 2, 13</i> New boat docks are not permitted, but boat launch points may be permitted. Structures and improvements to protect, preserve, or enhance Beneficial Public Values (such as boating) are permitted. Consultation with MLT is recommended. <i>Exhibit F, para. 4(d); Exhibit I, paras. 2, 10</i>	If the development of roads or trail access point would significantly impair Beneficial Public Values.	Yes
31	Create wildlife viewing areas, bird platforms, and interpretive signage	<i>Allowed.</i> The CE permits structures and improvements to protect, preserve, or enhance the Beneficial Public Values (including, for example, garbage enclosures, benches, interpretive kiosks). Applicable Beneficial Public	If construction is contemplated and would likely significantly impair any	Review of Annual Work Plan.

**Analysis Table of Eel River CE: Whether CE Amendments are Needed or Not
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		Values would be passive recreation, such as hiking, fishing, hunting, birding, boating, and sightseeing. <i>Exhibit F, paras. 4(d), 11, Exhibit I, para. 2</i> Any construction of wildlife viewing areas and bird platforms would likely need to be included in the Annual Work Plan. <i>Section 7.3.4(b)</i>	Beneficial Public Values.	
32	Provide shade and cover in recreation areas to help w/heat	<i>Allowed.</i> The CE permits structures and improvements to protect, preserve, or enhance the Beneficial Public Values (including, for example, garbage enclosures, benches, interpretive kiosks). Shade and cover to support passive recreation would likely fall into this permitted use. <i>Exhibit F, para. 4(d); Exhibit I, para. 2</i>	If construction is contemplated and would likely significantly impair any Beneficial Public Values.	Review of Annual Work Plan.
33	Develop interpretive facilities highlighting Indigenous and regional history	<i>Allowed.</i> The CE permits structures and improvements to protect, preserve, or enhance the Beneficial Public Values (including, for example, garbage enclosures, benches, interpretive kiosks). <i>Exhibit F, para. 4(d); Exhibit I, para. 2</i>	If construction is contemplated and would likely significantly impair any Beneficial Public Values.	Review of Annual Work Plan.
34	Designate whitewater boat launches if reservoirs and current launches are removed.	<i>Conditional.</i> It is clear that new or expanded boat docks outside of their existing footprint and/or with substantial increase in height is not a Permitted Use and thus not allowed per the	If construction is contemplated and would likely significantly	Possibly, if significant impairment of Beneficial Public Values; collaboration

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		current CE. However, boating is a specifically listed Beneficial Public Value and a boat launch (typically a ramp leading into the body of water) is different than a boat dock. Collaboration with MLT is recommended on any plans for boat launches. <i>Exhibit F, para. 4(d); Exhibit I, paras. 2, 10</i>	impair any Beneficial Public Values.	with MLT recommended.
35	Improve regional road access to mitigate adverse economic impacts to Lake County	<i>This depends on what roads and improvements are desired:</i> <i>Allowed.</i> Maintenance, repair, restoration, and replacement or reconstruction in substantially the same location and same footprint of existing roads is allowed. <i>Exhibit I, para. 7</i> <i>Conditional; Amendment Required for New or Expanded Roads for Economic Development.</i> Replacement or reconstruction of roads not in the same location or same footprint and new roads are not permitted unless related to hydro operations, required by a regulator, or in response to an emergency, though construction of new roads on the Property to protect, preserve, or enhance the Beneficial Public Values is permitted with MLT's approval. New roads solely to support economic impacts would not be in support in the Beneficial Public Values. <i>Exhibit F, para.9</i>	If road would significantly impair a Beneficial Public Value	Review of Annual Work Plan. Approval of new roads related to Beneficial Public Values Approval of any amendment.

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		Note, improvements to the existing road network on the CE land that have been developed under easements or agreements that pre-date the CE may be permitted under those easements or agreements, but the right belongs to the parties under the easements or agreements, and the particular easements or agreements would have to be reviewed to determine the extent those roads could be improved.		
36	Ensure replacement water sources also support recreational purposes	<i>Conditional.</i> If the replacement water sources are allowed under the analyses above, then passive recreational use would be permitted as a Beneficial Public Value. As noted above, new boat docks are not permitted. See Recs. 30, 34 above.	If work would significantly impair a Beneficial Public Value	If significant impairment of Beneficial Public Values.
37	Modify Navy Camp into a fly-in interpretive camp highlighting WWII and fire management history	<i>Allowed for existing improvements (e.g., runways, existing camping infrastructure).</i> If the Navy Camp is located on the CE land, then maintenance, repair, restoration, and replacement or reconstruction in substantially the same location and same footprint of existing improvements is permitted. In addition, structures and improvements to protect, preserve, or enhance Beneficial Public Values (e.g., historical values protected by law), such	If work would significantly impair a Beneficial Public Value	Review of Annual Work Plan. Approval of any amendment.

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		as interpretive kiosks are also allowed. <i>Exhibit F, para. 4(d), Exhibit I, paras. 2, 7, 10</i> <i>Amendment Required for new camping infrastructure.</i> If new camping infrastructure is desired, then an amendment may be required. Existing camping facilities may be repaired and replaced, but there is no permitted use for new camping facilities, and depending on the camping and infrastructure desired, it may not fall under the Beneficial Public Value of passive recreation. <i>Exhibit F, para. 4(d); Exhibit I, paras. 2, 7, 10</i>		

Exhibit 1. Map of the Property

