

[Filed electronically via FERC eFiling]

July 23, 2026

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

Re: Potter Valley Hydroelectric Project No. P-77-332 — Comments of Sonoma County, Humboldt County, Sonoma County Water Agency, Mendocino County Inland Water and Power Commission, Eel-Russian Project Authority, Round Valley Indian Tribes, California Trout, and Trout Unlimited on Scoping Document 1.

Dear Secretary Reese,

Sonoma County, Humboldt County, Round Valley Indian Tribes, Sonoma County Water Agency, Mendocino County Inland Water and Power Commission, Eel-Russian Project Authority (“ERPA”), California Trout, and Trout Unlimited (collectively, the “Commenting Parties”) submit these comments in response to Scoping Document 1 (“SD1”), issued May 22, 2026, for Pacific Gas and Electric Company’s (“PG&E”) application for surrender and decommissioning of the Potter Valley Hydroelectric Project No. 77 (the “Project”) and the proposed non-project use of project lands to construct the New Eel-Russian Facility (“NERF”).

I. INTRODUCTION AND INTEREST OF THE COMMENTING PARTIES

The Commenting Parties are members of the Two-Basin Partnership, a coalition of water agencies, counties, a sovereign Tribal Nation, and conservation organizations spanning the Eel and Russian River watersheds. Commenting Parties spent years negotiating the Two-Basin Solution: a framework that supports PG&E’s removal of its aging and uneconomic Eel River dams, restoration of the Eel River and its native fisheries, and maintenance of water supply reliability for the Russian River basin through the NERF.

The Commenting Parties support the proposed action and the preliminary identification of alternatives and resource issues. The Commenting Parties urge the Federal Energy Regulatory Commission (“Commission”) to complete its review on the current processing schedule. These comments address: (1) the need for the surrender order and any license surrender agreement to fully incorporate ERPA’s role in constructing and operating the NERF; (2) the Commenting Parties’ continued commitment to a regional, Two-Basin Solution to a resilient water supply and fisheries recovery; and (3) the Commenting Parties’ commitment to work cooperatively with PG&E through decommissioning, project removal and the construction of NERF.

II. THE COMMENTING PARTIES SUPPORT THE PROPOSED ACTION

The proposed action — removal of Scott Dam and Cape Horn Dam, restoration of the former reservoir footprints, and construction of the NERF by ERPA is the negotiated, regionally supported outcome of years of stakeholder engagement. It is the only approach before the Commission that achieves the region's co-equal goals: restoring volitional fish passage to high-quality habitat in the upper Eel River watershed for threatened salmon, steelhead, and Pacific lamprey, and maintaining water supply stability for the Russian River basin through a modern, fish-friendly diversion facility. Upon dam removal, the Eel River will become California's longest free-flowing river, while the NERF preserves diversions that support Lake Mendocino storage, Potter Valley agriculture, and municipal supply for residents of the Russian River basin.

Commission staff recognized in SD1 that decommissioning without the NERF would eliminate the infrastructure necessary for future diversions to the East Branch Russian River. The Commenting Parties agree, and emphasize that the purpose and need for the proposed action should continue to reflect the integrated, two-basin character of the proposal. Separate from the decommissioning process, the Commenting Parties are also working collaboratively on new storage in the Russian River watershed to be supplied by the NERF, and to replace the storage that will be lost if PG&E's application is granted.

III. THE SURRENDER ORDER SHOULD FULLY INCORPORATE ERPA AND THE NERF

The Commenting Parties' central request in scoping is that the Commission's NEPA document and surrender order fully incorporate ERPA's role in constructing and operating the NERF. Specifically, the Commenting Parties support:

- Authorization of the proposed non-project use of project lands to allow ERPA to construct the NERF while the existing license remains in effect;
- Inclusion of PG&E's requested condition that all lands and project works necessary for the NERF be removed from the project boundary and Commission jurisdiction upon completion of decommissioning work at Cape Horn Dam, construction of the NERF, and PG&E's filing of a decommissioning report; and
- Coordination of surrender conditions and NERF construction sequencing so that removal of Cape Horn Dam and construction of the NERF proceed in an integrated manner that avoids unnecessary impacts to the Eel River fishery or interruption of water deliveries to the Russian River.

ERPA has secured funding for and is diligently advancing the NERF's design. Commission staff's recognition of the NERF in SD1 confirms it is a viable project that can utilize parts of the Project's diversion infrastructure for future uses that will benefit both the Eel and Russian River basins.

IV. THE COMMENTING PARTIES SUPPORT COMMISSION STAFF'S TREATMENT OF ALTERNATIVES

The Commenting Parties support Commission staff's preliminary determination in section 3.4 of SD1 to eliminate from detailed study the retention of Scott Dam, phased removal, federal takeover, and a non-power license. Retention of Scott Dam is infeasible given documented dam safety and environmental concerns and there is no evidence that a federal takeover or a non-power license are feasible.

The Commenting Parties urge the Commission to resist any suggestion that the scope of this proceeding be expanded to entertain speculative alternatives aimed at preserving Scott Dam or transferring the Project or its works to entities outside the region. The future of the Eel and Russian Rivers should be decided through the locally negotiated framework now before the Commission, built by the tribes, water agencies, counties, irrigators, and conservation organizations of both watersheds. Late-arising proposals from outside interests would delay decommissioning of uneconomic infrastructure, prolong regulatory uncertainty in both basins, and undermine the water supply security the Two-Basin Solution provides.

V. COMMITMENT TO A REGIONAL SOLUTION AND TO WORKING WITH PG&E

The Commenting Parties reaffirm their commitment to the Two-Basin Solution and to seeing it through. We will continue engaging with PG&E to support timely development of the decommissioning and mitigation plans that are due in July 2027, coordinate on NERF construction sequencing, collaborate on Russian River Basin storage, and support the Commission's current processing schedule. Each year of delay prolongs the operation of aging infrastructure, extends harm to listed fish populations, and postpones the water supply certainty communities in both basins need.

This proceeding is the product of communities in two watersheds choosing collaboration over conflict. The Commenting Parties urge the Commission to complete a thorough and efficient environmental review, authorize surrender and decommissioning as proposed, and incorporate ERPA and the NERF fully into the surrender order.

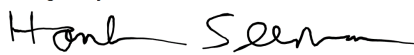
Thank you for the opportunity to comment. Please direct any questions to the undersigned.

Respectfully submitted,



David Guhin
County Executive
Sonoma County

Signed by:



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Hank Seemann

Deputy Director
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Humboldt County

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Sonoma County Water Agency



Scott Shapiro
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Joseph Parker

President

Round Valley Indian Tribes

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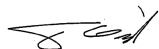
Executive Director
Eel-Russian Project Authority



Walter "Redgie" Collins
Vice President, Legal and Government Affairs

California Trout, Inc.

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Matt Clifford

California Director
Trout Unlimited

cc: Service List for Project No. P-77-332