



June 24, 2025

Debbie-Anne Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Re: Urgent Request for Approval of PG&E's Temporary Variance of Flow Requirements (FERC Project No. 77-320)

Dear Acting Secretary Reese,

We, the undersigned organizations, write to urgently request the immediate approval of Pacific Gas and Electric Company's (PG&E) application for a temporary variance of flow requirements for the Potter Valley Project (FERC Project No. 77). This request follows a Motion to Intervene and comments submitted on May 15, 2025¹, by Friends of the Eel River, Trout Unlimited, and California Trout, underscoring the critical need for prompt action by the Commission to protect imperiled salmonid species in the Eel River.

As detailed in the motion and supporting comments, without a variance, PG&E is obligated to operate the Project under the 2003 Reasonable and Prudent Alternative ("RPA") flow schedule. Yet the significant and worsening limitations on storage capacity in Lake Pillsbury, caused by sediment accumulation and seismic risk management, render that schedule unachievable in most years. The California Division of Safety of Dams (DSOD) has required PG&E to keep the spillway gates at Scott Dam permanently open, eliminating 20,000 acre-feet of effective storage. Combined with the need to retain 12,000 acre-feet to avoid sediment blockage of the only functioning low-level outlet, the Project's ability to meet prescribed flows is severely constrained.

PG&E's current request seeks authorization for a targeted and flexible flow management strategy to proactively manage Lake Pillsbury's cold-water pool, essential to the survival of ESA-listed juvenile steelhead downstream of Scott Dam. The company's request aligns with interim protective measures proposed by the National Marine Fisheries Service (NMFS), which have

¹ Doc. Accession No.20250514-5005

been endorsed by the California Department of Fish and Wildlife (CDFW) and adopted by the Commission in previous years.

Delays in approving previous variances have had serious consequences. In 2023, the late-season approval of the variance contributed to elevated release temperatures (up to 22.6°C), pushing conditions near the lethal threshold for rearing juvenile steelhead. By contrast, earlier implementation of the 2022 variance helped stabilize temperatures and prevent catastrophic losses.

PG&E's current request specifies that when "**daily average water temperatures exceed 15°C** (which could occur beginning in June, assuming median and average values [Figure 6]), PG&E will notify Agencies and begin meeting weekly to determine if diversions to the EBRR, as measured at E-16, should be further reduced in support of preserving water storage for cooler release temperatures."² (emphasis added) Indeed, the daily average water temperature at E-16 exceeded 15°C on June 6, 2025, and at this writing was last reported to be 16.2°C on June 17.³

At water temperatures 18°C or above, juvenile steelhead suffer increased predation from non-native pikeminnow. Such harms at the Potter Valley Project are not covered by an incidental take permit,⁴ As PG&E has explained, it is necessary to reduce the outflow from the Lake Pillsbury reservoir to protect its cold-water pool. The longer this measure is delayed, the less effective it will be in preventing harm to Threatened steelhead, because less cold water will be left and because high release volumes that continue today mix and warm the remaining water.

We emphasize that the proposed 2025 variance is not a new concept – it builds upon a proven framework used in past years and already analyzed and supported by FERC, NMFS, and CDFW. As noted in our May 2025 motion, this is a time-sensitive matter. The difference between a June approval and one issued in late summer can determine whether conditions become lethal for listed salmonids trapped below Scott Dam.

Until Scott and Cape Horn Dams are removed as part of PG&E's pending license surrender, interim flow modifications such as the one proposed are essential to reduce harm to ESA-listed fish. The 2025 temporary variance represents a science-based, flexible effort to mitigate those impacts while maintaining public safety and water supply reliability.

We urge the Commission to act swiftly to approve PG&E's request and PG&E's pending license amendment. A prompt decision will enable immediate changes to reservoir operations that

² Doc. Accession No.20250214-5221, p. 8

³ California Data Exchange Center reporting for Potter Valley Project (PG2) at https://cdec.water.ca.gov/dynamicapp/queryGroup?s=pg2&dur_code=D

⁴ NMFS letter to FERC, *Endangered Species Act and Magnuson-Stevens Fishery Conservation and Management Act Consultations on the Potter Valley Project (P-77) on the Eel River, California* (March 16, 2022) Doc. Accession No. 20220317-5064.

preserve cold-water storage through the critical summer months and provide desperately needed protections for the Eel River's recovering fisheries.

Thank you for your attention to this urgent matter.

Sincerely,

Redgie Collins

Legal and Policy Director

California Trout

Matt Clifford

California Director

Trout Unlimited

Alicia Hamann

Executive Director

Friends of the Eel River