



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



June 21, 2024

Honorable Debbie-Anne A. Reese
Acting Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

SUBJECT: REQUEST FOR THE FEDERAL ENERGY REGULATORY COMMISSION TO APPROVE PACIFIC GAS AND ELECTRIC COMPANY'S FEBRUARY 22, 2024, TEMPORARY VARIANCE OF FLOW REQUIREMENTS (FERC PROJECT NO. 77-320)

Dear Secretary Reese:

California Department of Fish and Wildlife (CDFW) respectfully urges the Federal Energy Regulatory Commission (FERC) to immediately approve Pacific Gas and Electric Company's (PG&E) 2024 Minimum Instream Flow Variance Request Due to Restricted Storage Capacity, dated February 22, 2024 (Variance), for the Potter Valley Hydroelectric Project located on the Eel River and East Fork of the Russian River in Lake and Mendocino counties, California. Approval will conserve as much cold water as possible in Lake Pillsbury for the protection of federally Endangered Species Act (ESA)-listed salmonids, ESA critical habitat and essential habitat for Pacific Coast Salmon within the Eel River.

Approval of the PG&E Variance request would reduce minimum instream flows in the East Branch Russian River. Due to the seismic risk at Scott Dam, PG&E has elected to leave the spillway gates at Scott Dam open indefinitely, thereby reducing the storage capacity in Lake Pillsbury by approximately 20,000 acre-feet. On March 29, 2024, CDFW filed a motion to intervene and commented in this proceeding supporting the Variance request (Doc. Accession No. 20240329-5339).

On June 11, 2024, FERC staff filed a letter from Sonoma County Water Agency (SCWA) regarding Russian River water management. In that letter, SCWA states that, "With significant tributary flows and maximum storage levels in Lake Mendocino at this time, the projections for storage water supplies in Lake Mendocino indicate that there will likely be sufficient supplies to fully meet the requirements of the authorized uses of storage releases." PG&E filed a supplemental filing on June 14, 2024, in which Section 4.0 Model Results states, "Comparison of Baseline and Proposed Variance scenarios show an average

Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission
June 21, 2024
Page 2

decrease in maximum summer temperature of about 1.2° C across all meteorological conditions due to the flow variance beginning on July 1st." The model run also shows that Lake Pillsbury cold water releases would extend until almost September when ambient air and water temperatures start to seasonally cool the Eel River.

The delayed implementation of the 2023 variance likely contributed to a 2.5° C warmer release temperature than in 2022, despite 2023 being a much wetter year. Water temperatures in August and September of 2023 were very close to the lethal threshold for rearing steelhead trout of 23° C, with an observed peak of 22.6° C. A delay in implementation of the 2024 variance will likely result in water temperatures meeting or exceeding this threshold again. For the above reasons, CDFW fully supports PG&E's Variance request to preserve cold-water storage in Lake Pillsbury and conserve cold water for the protection of listed salmonids in the Eel River. Implementing the requested Variance as soon as possible is crucial to conserving as much cold water as possible.

All communications, pleadings, and orders with respect to this proceeding should be sent to the following individuals:

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Sincerely,

DocuSigned by:

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Jason Roberts, Acting for
Tina Bartlett, Regional Manager
Northern Region

ec: Page 3

Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission
June 21, 2024
Page 3

ec: FERC Service list

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Allan Renger, Trevor Tollefson, Matt Myers, Chris Ramsey
California Department of Fish and Wildlife