

These comments are submitted on behalf of the Marin Conservation League by Kate Powers, Marin Conservation League's Land Use, Transportation, and Water Committee Co-chair.

Marin Conservation League (MCL) is a nonprofit environmental organization whose mission is to preserve, protect, and enhance natural assets in a changing climate. Our focus area is within Marin County; however, we track regional planning and broader issues that provide context to Marin's issues and/or that align with our purpose.

MCL has tracked the challenges and opportunities in the Eel River watershed for over a decade, particularly as they relate to fish habitat, the Potter Valley hydroelectric facility, and the aging, seismically challenged Scott and Cape Horn dams.

Both of Marin County's water agencies, Marin Water and North Marin Water District, are contractors of Sonoma Water's water supply from the Russian River watershed. Sonoma Water's supply is augmented by the water that enters the Russian River through the diversion of the Eel River at the Potter Valley facility. In addition, Marin homes and businesses receive power from PG&E and we recognize that the hydroelectric plant at Potter Valley is no longer economically viable to operate, costing PG&E and its ratepayers millions of dollars per year.

MCL supports PG&E's proposed action

We support PG&E's proposed actions to decommission and remove the two dams and associated facilities and features, except for the planned New Eel-Russian Facility (NERF) that will be operated by the Eel-Russian Project Authority (ERPA). **We support the dams' removal to advance as soon as possible to restore the health of the Eel River.**

We also support PG&E's commitment to restore the remnant inundation zones including adjacent riparian, wetland, and upland areas affected by the decommissioning.

We support the construction of the NERF by ERPA while PG&E's existing license remains in effect with the understanding that future operation and maintenance of the NERF facility by ERPA will require separate environmental review and permits to be completed by ERPA.

MCL requests analysis of one of the additional "Alternatives to Proposed Action" and also FERC's dismissal of any late inquiries into taking over the lands and facilities on the Eel.

MCL joins several other environmental organizations in urging that FERC's NEPA analysis include both PG&E's proposed Action, including the Non-Project use of Project Lands to construct the NERF as well as one "without the NERF" diversion (3.4.3 Alternative). It is critical that dam removal is not contingent on the NERF diversion facility being built. Impacts from the surrender and decommissioning with the NERF

diversion and impacts of the surrender “without NERF” diversion should be **analyzed separately and compared.**

To be clear, MCL supports the proposed NERF diversion and the Two Basin solution. The solution is a balanced approach that continues to meet water supply needs for the Russian River basin. However, NEPA should analyze an alternative in which dam removal proceeds even if the NERF encounters obstacles or delays.

But for the above comments on the NERF, we agree with the Commission’s dismissal of the alternatives considered but eliminated from detailed study. **MCL urges FERC to move forward and dismiss late proposals that would substantially disrupt years of collaborative planning or delay completion of the NEPA process.** Such proposals would blindside current stakeholder cooperation and could jeopardize local control over water rights and water supply. Delay in the License Surrender process will likely create significant costs and uncertainty for regional stakeholders. FERC should consider those impacts as it works through the NEPA and License Surrender process.

Scope of Resource Issues, Minimization and Mitigation

MCL appreciates the Scoping Document’s lists of cumulative effects and resource issues that could have substantial effects. **We expect FERC’s NEPA process to fully analyze impacts to the natural environment, and to prioritize minimizing and mitigating impacts to the greatest extent possible.**

We recognize the enormity of the construction project but at the same time we are encouraged by the environmental effort and successes of other recent dam removal projects in the West, such as those on the Elwha and Klamath Rivers.

Thank you for the opportunity to provide comments on the FERC Scoping Document for the proposed Potter Valley Hydroelectric Project surrender and decommissioning.

Given the deteriorating condition of the aging facilities, timely completion of the NEPA process and implementation of the selected action is in the public interest. We hope that the NEPA process will proceed expeditiously.