

# **ENCLOSURE 1**

**From:** [Joshua Fuller - NOAA Federal](#)  
**To:** [Pope, Jackie](#)  
**Cc:** [Scott McBain](#); [Renger, Allan@Wildlife](#); [Wyatt Smith](#); [josh\\_boyce@fws.gov](#); [Bob Coey - NMFS](#); [Babcock, Curt@Wildlife](#); [Kormos, Brett@Wildlife](#); [Anderson, Andrew](#); [Joseph, Matthew](#); [Gigliotti, Tony](#); [Lent, Michelle](#); [Cheslak, Edward](#); [Walther, Janet](#); [McCready, Chadwick](#); [Visinoni, Jamie](#); [Myers, Matt@Wildlife](#); [Jeffrey Jahn](#); [Matt Goldsworthy - NOAA Federal](#); [Tom Daugherty](#)  
**Subject:** Re: Potter Valley Long Term Variance request - Redlined and Clean version  
**Date:** Tuesday, July 25, 2023 5:02:37 PM

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Hello Jackie -

Thank you for the opportunity to review and comment on PG&E's Potter Valley Project (PVP; FERC No. 77), *2023 Long-Term Flow Regime Due to Limited Storage Capacity*, received via email, dated July 20, 2023. The National Marine Fisheries Service (NMFS) supports the need for this long-term variance to conserve water storage within Lake Pillsbury, while providing operational flexibility for improved water management that ensures suitable flow and water temperature conditions for federally ESA-listed salmonids that inhabit the Eel River downstream of Scott Dam. NMFS believes that this variance captures our recommended *Interim Protective Measures* (IPMs), as outlined in NMFS' March 16, 2022 letter filed to FERC, and that the flow components of this long-term variance remain consistent with the intent of NMFS' 2002 Biological Opinion. NMFS also believes full implementation of this long-term variance, which includes NMFS' recommended IPMs, provides the most immediate and implementable actions aimed to avoid and minimize impacts to ESA-listed salmonids until future PVP decommissioning outcomes are determined. NMFS is available to provide technical assistance and support on the implementation of this long-term variance, as requested by FERC and/or PG&E.

Please let me know if you have any questions or comments regarding NMFS technical assistance and support for this proposed long-term variance.

Best regards,  
Joshua Fuller

On Mon, Jul 24, 2023 at 10:50 AM Myers, Matt@Wildlife <[Matt.Myers@wildlife.ca.gov](mailto:Matt.Myers@wildlife.ca.gov)> wrote:

Dear Ms. Pope:

The California Department of Fish and Wildlife (CDFW ) reviewed the attached PG&E Potter Valley Project (FERC No. 77) 2023 Long-Term Flow Regime Request Due to Limited Storage. This longer-term flow regime would reduce East Branch Russian River flows in the summer and fall to proactively manage reservoir storage. This regime aims to protect Project facilities and minimize potential impacts to aquatic species in the Eel River.

It also implements National Marine Fisheries Service Interim Protective Measures submitted on March 16, 2022.

The CDFW staff participated in resource agency consultation meetings on the development of this request and provided comments to PG&E. PG&E has addressed our comments in this request, and CDFW supports submittal to FERC for approval and implementation beginning in 2024. If you have any additional questions, please feel free to contact me at [Matt.Myers@wildlife.ca.gov](mailto:Matt.Myers@wildlife.ca.gov) or Allan Renger at [Allan.Renger@wildlife.ca.gov](mailto:Allan.Renger@wildlife.ca.gov).

Matt Myers

Senior Environmental Scientist

California Department of Fish and Wildlife

530-638-6027 (cell)

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**From:** Pope, Jackie <[JHPL@pge.com](mailto:JHPL@pge.com)>

**Sent:** Thursday, July 20, 2023 4:13 PM

**To:** Scott McBain <[scott@mcbainassociates.com](mailto:scott@mcbainassociates.com)>; Joshua Fuller - NOAA Federal <[joshua.fuller@noaa.gov](mailto:joshua.fuller@noaa.gov)>; Renger, Allan@Wildlife <[Allan.Renger@wildlife.ca.gov](mailto:Allan.Renger@wildlife.ca.gov)>; Wyatt Smith <[Wsmith@rvit.org](mailto:Wsmith@rvit.org)>; Myers, Matt@Wildlife <[Matt.Myers@wildlife.ca.gov](mailto:Matt.Myers@wildlife.ca.gov)>; [josh\\_boyce@fws.gov](mailto:josh_boyce@fws.gov); 'Bob Coey - NMFS' <[bob.coey@noaa.gov](mailto:bob.coey@noaa.gov)>

**Cc:** Anderson, Andrew <[A5AK@pge.com](mailto:A5AK@pge.com)>; Joseph, Matthew <[MWJA@pge.com](mailto:MWJA@pge.com)>; Gigliotti, Tony <[T1GF@pge.com](mailto:T1GF@pge.com)>; Lent, Michelle <[M4LQ@pge.com](mailto:M4LQ@pge.com)>; Cheslak, Edward <[EFC3@pge.com](mailto:EFC3@pge.com)>; Walther, Janet <[JMW3@pge.com](mailto:JMW3@pge.com)>; McCready, Chadwick <[COMM@pge.com](mailto:COMM@pge.com)>; Visinoni, Jamie <[JNVS@pge.com](mailto:JNVS@pge.com)>

**Subject:** RE: Potter Valley Long Term Variance request - Redlined and Clean version

**Importance:** High

**WARNING:** This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Greetings Agencies,

We received management approval for the requested Fort Seward temperature monitoring contribution. Please see the attached redline and clean proposals.

Please provide comments or concurrence as soon as possible.

Thank you,



**Jackie Pope** | Hydro License Coordinator | Power Generation

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**Pacific Gas and Electric Company**

Phone: (530) 254-4007

Email: [jhpl@pge.com](mailto:jhpl@pge.com)

**ROUND VALLEY INDIAN TRIBES**  
*A Sovereign Nation of Confederated Tribes*

TRIBAL COUNCIL OFFICE  
77826 COVELO ROAD  
COVELO, CALIFORNIA 95428  
PHONE: 707-983-6126  
FAX: 707-983-6128



LOCATION: ON STATE HWY 162  
ONE MILE NORTH OF COVELO  
IN ROUND VALLEY  
TRIBAL TERRITORY SINCE TIME BEGAN

July 27, 2023

ROUND VALLEY RESERVATION ESTABLISHED 1856

Ms. Jackie Pope  
Hydro License Coordinator  
Pacific Gas and Electric Company  
245 Market Street  
San Francisco, CA 94105

RE: Potter Valley Project (FERC No. 77) 2023 Long-Term Flow Regime Request Due to Limited Storage Capacity

Dear Ms. Pope:

We have reviewed the PG&E Potter Valley Project (FERC No. 77) 2023 Long-Term Flow Regime Request Due to Limited Storage. Our staff and consultants have participated in the resource agency consultations on the development of the request. The Round Valley Indian Tribes (RVIT) understands that the rationale for this request is the need for revised flow management measures, based on the recent seismic risk analysis requiring PG&E to keep the Scott Dam spillway gates open, thereby reducing end-of-spring storage in Lake Pillsbury by up to 20,000 acre-ft. In addition, consistent with our May 23, 2022 comments to you on PG&E's 2022 Flow Variance request, RVIT continues to support implementation of the March 16, 2022 National Marine Fisheries Service (NMFS) Interim Protective Measures that seeks to protect Eel River fish while PG&E conducts and implements the License Surrender and Decommissioning process.

We are informed that the PG&E Long-Term Flow Regime Request: (1) adopts a flexible flow management strategy with agency participation that will enable annual flow management for the Potter Valley Project that will maintain Lake Pillsbury storage and enhance protection for the Eel River fishery, (2) implements the NFMS Interim Protective Measures, and (3) implements and funds the flexible flow management strategy and Interim Protective Measures from 2024 until the Decommissioning process is completed. Accordingly, RVIT supports PG&E's request to implement the Long-Term Flow Regime and fund the Interim Protective Measures. We appreciate the substantial effort that you and your staff have made in working with RVIT and other agencies in developing the Long-Term Flow Regime Request, and we look forward to its implementation beginning in 2024.

Sincerely yours,

Lewis Whipple, President  
Round Valley Tribal Council



Power Generation

300 Lakeside Drive  
Oakland, CA 94612  
Mailing Address:  
Mail Code N11D  
P.O. Box 770000  
San Francisco, CA 94177

Click or tap to enter a date.

**Via Electronic Submittal (E-File)**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
Office of Energy Projects  
888 First Street, N.E.  
Washington, DC 20426

**Re: Potter Valley Project (FERC No. 77)  
2023 Long-Term Flow Regime Request Due to Limited Storage Capacity**

Dear Secretary Bose:

This letter presents Pacific Gas and Electric Company's (PG&E) request for a long-term flow regime for PG&E's Potter Valley Project (Project), Federal Energy Regulatory Commission (FERC) No. 77. PG&E is evaluating the seismic risk at Scott Dam as part of its Dam Safety Program. Recently, PG&E dam safety engineers determined that the seismic risk is more significant than previously understood. To reduce the potential seismic risk, PG&E has determined that the radial gates at Scott Dam will remain open indefinitely, reducing the water storage capacity by approximately 20,000 acre-feet (af).

In a letter to PG&E dated April 12, 2023, the California Department of Water Resources, Division of Safety of Dams (DSOD), concurred with PG&E's finding and instituted a year-round operation restriction of the reservoir of Scott Dam to an elevation of 1,900 feet (PG&E datum). In a letter to PG&E dated April 28, 2023, FERC concurred with PG&E's findings of potential for seismic instability. With the dam's radial gates remaining open, water availability will be similar to drought conditions experienced in 2020 and 2021, when Lake Pillsbury's spring inflow did not reach the spillway crest elevation and the Project operated under FERC-approved flow variances.

On July 8, 2022, PG&E submitted a proposed plan and schedule for preparing and filing the surrender application and decommissioning plan for the Project. PG&E anticipates filing the surrender application and decommissioning plan by January 2025.

Given that the Project is not expected to return to historical normal operations that were the underlying basis for the license-required flows, PG&E is requesting a departure from the current license requirements from 2024 until Project Decommissioning is completed. Specifically, this longer-term flow regime would reduce East Branch Russian River (EBRR) flows in the summer and fall to proactively manage reservoir storage in a manner that protects Project facilities and minimizes potential impacts to aquatic species in the Eel River, including salmonid species that are protected under the federal

**Commented [SM1]:** FERC's July 5 letter calls this "long-term flow regime", so may want to make sure we're all on the same page on what to call this request, including FERC

**Commented [RC2]:** I think this should be the 03/28/2023 letter from FERC re: Letter to Division of Dam Safety and Inspections? The 04/25/2023 letter is in regards to the winter operations of the Cape Horn Dam Sediment doors?

**Commented [PJ3R2]:** You are correct, edit accepted

**Commented [SM4]:** Added this because the variance will actually increase diversions in the winter due to E5 adjustment

**Commented [PJ5R4]:** Agreed

Endangered Species Act (ESA). In addition, per FERC's letters dated March 28, 2023, and April 28, 2023, PG&E has been engaged in discussions to develop this proposal pursuant to 18 CFR 4.200 to ensure the spillway gates remaining open indefinitely complies with environmental requirements.

### Current License Requirement

Article 52 of the Project license requires PG&E to comply with the National Marine Fisheries Service (NMFS) Reasonable and Prudent Alternative (RPA) that amended the license by FERC's Order Amending License, issued January 28, 2004. The RPA (license-prescribed flows) includes requirements for the minimum instream flows of the Project. It should be noted that PG&E has requested flow variances in 7 out of the last 10 years when the spillway gates were in operation, and the need for flow variances demonstrates that current license-prescribed flows will be unobtainable in nearly all years with the gates permanently inoperable and the reservoir storage restriction in place.

### Long-Term Flow Regime Request Conditions

An outline of the longer-term variance (long-term flow regime) is proposed below and has been developed in coordination with the U.S. Fish and Wildlife Service (USFWS), NMFS, California Department of Fish and Wildlife (CDFW), and the Round Valley Indian Tribes (RVIT) (hereafter Agencies). First, the need for the proposed Long-Term Flow Regime is expected to begin in January 2024 and extend until Project Decommissioning is completed, and the "variance period" for each year is defined as May 16 until Lake Pillsbury storage excess 36,000 af after October 1 of each year.

Second, the following conditions will serve as the foundation of the long-term flow regime and encompasses NMFS recommended Interim Protective Measures (IPMs):

- Gaging Station E-2 will be reclassified as Critical Water Year Type (WYT). In practice, the E-2 flows will be the combined releases for E-11, E-16, and Potter Valley Irrigation District, with a floor set by the minimum opening of the low-level outlet (approximately 35 cubic feet per second [cfs]).
- Gaging Station E-16 flows will initially be reclassified as a Dry WYT (25 cfs). Based on storage and water temperature projections, with PG&E and Agency coordination, ~~E-16~~ E-16 flows at E-16 may be adjusted between 5 (Critical WYT – 5 cfs) and 25 cfs (Dry WYT – 25 cfs) when mean daily water temperatures at E-2 exceed 16 degrees Celsius to maintain cooler water temperatures for ESA-listed salmonid species downstream of Scott Dam. Additionally, E-16 flows can also be adjusted if the Lake Pillsbury storage forecast shows a reduction is needed to preserve adequate storage through the end of the year (or prolonged dry period).

Gaging Stations E-11 and E-16 will go to a target flow, rather than a minimum flow. Flows will be calculated at a 24-hour average, measured at E-11 and E-16.

**Commented [KB6]:** What environmental requirements exactly and under what law(s)? Can they be more specific here?

**Commented [RA7R6]:** This may be intentionally vague to avoid reference to RPA/ESA and need for ESA consultation.

**Commented [PJ8R6]:** This is language taken from FERCs April 28, 2023.

**Commented [PJ9R6]:**

**Commented [KB10]:** Just a comment here that can be ignored, but this is a very vague assertion that does not explain the 'why' of this demonstration by comparison.

**Commented [RA11R10]:** I added language to address this comment

**Commented [PJ12R10]:** Thank you for the edits Allan, changes accepted

**Commented [SM13]:** FERC's July 5 letter calls this "long-term flow regime", so may want to make sure we're all on the same page on what to call this request, including FERC

**Commented [SM14]:** Tried to clarify what the "long-term variance period" consists of. Because this is long-term, is it 2024-Decom, or is it May 16 to 36,000 af?

**Commented [PJ15R14]:** Agreed



rather than instantaneous. This will allow for a tighter compliance buffer on minimum instream flows to conserve water.

- ~~Gaging Stations E-11 and E-16 will go to a target flow, rather than a minimum flow. Flows will be calculated at a 24-hour average, measured at E-11 and E-16, rather than instantaneous. This will allow for a tighter compliance buffer on minimum instream flows to conserve water.~~
- ~~Gaging Station E-11 license-prescribed minimum instream flows will remain unchanged, unless modified upon mutual agreement between PG&E and the Agencies specific criteria outlined below are met and the flow changes are approved by the Agencies.~~
- ~~Each year, the Drought Working Group (DWG) will meet once monthly beginning in May to discuss storage levels, release flow rates, water temperature profiles, release temperatures, and estimated temperature projections at E-2. Monthly meetings will continue until the reservoir exceeds 36,000 af after October 1.~~
- PG&E will submit monthly storage reports to FERC during the variance period.
- During the variance period, PG&E will submit monthly flow and storage reports to FERC.

Third, additional diversions may be allowed to EBRR when Lake Pillsbury is spilling, and all targeted environmental conditions (as determined by the Agencies) are satisfied in the Eel River. Diversions are limited by the bypass capacity of approximately 135 cfs and using appropriate ramping rates and diversion thresholds (exemption from Section E.5 of the RPA). ~~By November 15, 2023, the Agencies will develop potential initial guidelines to submit to FERC by November 30, 2023 for minimum E-11 flow thresholds for spill diversions to E-16 to commence and end, as well as diversion ramping rates. PG&E may then develop an alternative E.5 diversion prescription based on Agency guidelines, and with Agency review and approval, may be implemented. These guidelines may be refined in subsequent years based on the mitigation monitoring efforts described below. PG&E will inform stakeholders of possible discretionary diversion, details will be included in the guidelines submitted by November 30, 2023. The DWG will be convened for once monthly meetings to discuss spill thresholds set by Agencies, estimated spill duration and diversion allowances. Monthly meetings associated with additional diversions to EBRR will continue during the spill period.~~

Lastly, to allow for flexible management in the event of severe Lake Pillsbury storage depletions that could pose future risk to dam infrastructure stability, minimum instream flows at compliance points (including E-11 flows to the Eel River) may be further modified annually upon mutual written agreement between PG&E and the Agencies. If proposed flow regimes are agreed upon, PG&E will notify FERC within 30 days of reaching an agreement with the Agencies, or no later than May 1 of every year. If no adjustments are needed, the flows will automatically conform to the conditions outlined above. If FERC does not respond with objections within 15 days of PG&E submittal, the proposed flow regime developed by PG&E and reviewed by the Agencies will go into effect on May 16 of each year.

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**Commented [RC16]:** To match with language below should this refer the process where flows will be "modified annually upon mutual agreement between PG&E and the Agencies" instead of referring to a specific criteria (we don't see specific criteria)

**Commented [SM17]:** Made this the foundation, and then provide for last resort flexibility in the next paragraph

**Commented [PJ18R17]:** Scott, I adjusted to incorporate NMFS comment in the paragraph below

**Commented [SM19]:** Again, may need to refine this term

**Commented [PJ20R19]:** Updated this request to long term flow regime, however I left the term variance when referring to a specific period of time when the flow changes are active under the flow regime

**Commented [SM21R19]:** OK, sounds good. I defined "variance period" above to say this

**Commented [SM22]:** This is new, and sort of contradicts the DWG bullet above w/respect to timing. If this is the intent, may want to re-phrase this to clarify, e.g., "When Lake Pillsbury is spilling, the DWG will be convened once monthly to discuss spill thresholds, etc"

**Commented [SM23]:** I'm not sure the Agencies should be officially "proposing" a flow regime. A collaborative discussion with a submittal by PG&E seems better. May need some better wording to make clear that PG&E is leading the effort, and Agencies are assisting and agreeing

**Commented [PJ24R23]:** Agreed

**Commented [SM25]:** Is this "legal" to do this (FERC's silence gets transformed into an action)?

**Commented [PJ26R25]:** There are a few precedences in other licences, however FERC will have to review an maybe modify these terms.

**Commented [PJ27R25]:**



Flows downstream of Scott Dam will return to the license-prescribed flows when Lake Pillsbury storage exceeds 36,000 af following October 1 of each year- (i.e., end of variance period). This 36,000 af storage threshold would allow the reservoir to meet minimum flow obligations, including a possible block water release, through January of the following year in the event of extremely low inflow in early winter.

**Commented [SM28]:** We use RPA flows above sometimes, may be good to use appropriate/standard term throughout (RPA flows or license-prescribed flows) to avoid confusion

**Commented [PJ29R28]:** Agreed, changed to license - prescribed

### Impacts, Interim Protective Measures, and Agency Consultation

Under Title 18 of the Code of Federal Regulations, Section 4.200, this request details anticipated environmental effects of the proposal related to leaving the spillway gates open indefinitely, avoidance and minimization measures that will be implemented, and documentation of consultation with the Agencies.

### Anticipated Biological Impacts

PG&E biologists have reviewed this long-term flow regime proposal and believe that the proposed long-term flow regime is necessary to conserve water in Lake Pillsbury to provide adequate flow releases and suitable water quality conditions for the long-term protection of Chinook salmon (*Oncorhynchus tshawytscha*) and steelhead trout (*O. mykiss*) and coho salmon (*Oncorhynchus kisutch*) in the watershed.

**Commented [RC30]:** Coho Salmon are introduced here but are not in the discussion below. Coho Salmon details should be added below to be consistent.

**Commented [KB31R30]:** Yes, I agree. Please insert throughout.

**Commented [RA32R30]:** We request PG&E make this edit

**Commented [PJ33]:** Andrew add sentence about Coho rarely found in project area

#### Eel River below Lake Pillsbury and Van Arsdale Reservoir

The primary ESA-listed fish species impacted by the Potter Valley Project are Chinook salmon and steelhead trout. Life stages of these species that could potentially be in the river and whose habitat conditions are influenced by project operations during the flow variance period are adult steelhead trout (pre- and post-spawn) and juvenile Chinook salmon and steelhead trout. If the variance extends beyond October, adult Chinook salmon will also be present in the mainstem Eel River. Coho are primarily found in the South Fork Eel River although a small population persists in Outlet Creek, a tributary stream to the mainstem Eel River approximately 30 river miles downstream of Cape Horn Dam. Although critical coho habitat is present in the project area, Coho have been reported only four times at Van Arsdale Fisheries Station (located at PG&E's Cape Horn dam), 47 fish in 1946/47, one fish 1984/85, one fish in 2000 and four in 2001 (NMFS issued November 26, 2002).

Adult steelhead trout migrate into the upper Eel River watershed to spawn primarily from January through April. Under the proposed long-term flow regime, it is expected that flows in the Eel River for adult steelhead trout migration and spawning would not be reduced below the license-prescribed flows.

Juvenile Chinook salmon remain in the river for several weeks after hatching and then migrate to the ocean during spring (typically April–June), as flows decline, and water temperatures increase. Juvenile steelhead trout, which typically spend 1 or

more years in the river before migrating to the ocean during late winter and spring (typically February–June), require suitable habitat conditions throughout the summer. Under the variance proposal, available spring rearing habitat in the Eel River between Scott Dam and Cape Horn Dam could be reduced after May 15, although an increase in spring flows followed by a decrease to summer levels, as prescribed by the license flows, would still occur under the variance proposal, thus providing important migration cues for downstream migrating fish.

The proposed variance would reduce minimum flows in the Eel River between Scott Dam and Cape Horn Dam to preserve storage in Lake Pillsbury. Anticipated impacts to Chinook salmon and steelhead trout would be similar to those experienced during drought conditions in 2020–2022 when the Project operated under FERC-approved temporary flow variances. These impacts include a reduced cool-water pool in the reservoir, which could cause increased water temperatures in the reach between Scott Dam and Cape Horn Dam and decreased available habitat between the dams because of lower flows and higher water temperatures. Although available summer rearing habitat for steelhead trout would be reduced under the proposed variance, minimum flows between the dams would remain above the E-2 “Critical” classification prescribed by the license. Summertime flow requirements in the Eel River below Cape Horn Dam under the proposed variance would remain unchanged from the license flows, unless modified in consultation and agreement with the Agencies.

**Commented [SM34]:** See consistency comment above on flow terms (license-prescribed versus RPA)

Transitioning into fall and winter, the proposed flow variance is the prudent action, given reduced storage capacity in Lake Pillsbury and the unpredictability of future storm activity and inflow conditions. Implementation of the proposed flow variance will conserve water in Lake Pillsbury and support suitable water quality conditions for aquatic resources below Scott Dam. It will also reduce the risk of reservoir bank erosion and sloughing at low reservoir storage levels that could limit PG&E's ability to make releases at Scott Dam, which could in turn impact downstream aquatic resources (including Chinook salmon and steelhead trout) because of changes in flow, high levels of turbidity, and sedimentation.

Overall, the ability to increase winter diversions to the Russian River when Scott Dam is spilling, combined with reduced flow releases based on springtime reservoir storage, would allow PG&E to support Russian River water needs to the extent possible, and protect Project facilities that provide suitable flow and water temperatures for Eel River fisheries.

### **East Branch Russian River**

The primary fish species of interest in the EBRR downstream of the powerhouse is resident rainbow trout (*O. mykiss*). Both natural origin and hatchery rainbow trout inhabit this stream reach. CDFW historically planted catchable resident rainbow trout to support the local sport fishery; however, planting activities have been reduced in recent years because of persisting drought conditions and lower flows. Under the variance, flows in the EBRR would be reduced from a Normal to either a Dry or

Critical classification (25 cfs to 5 cfs), resulting in a reduction in habitat for rainbow trout and other aquatic species. In turn, this would likely result in the continuation of reduced sport fishing opportunities for the duration of the long-term flow regime.

### Interim Protective Measures

PG&E met with NMFS to discuss their recommended Interim Protective Measures (IPMs) on April 5, 2023, and April 11, 2023, and CDFW on May 31, 2023, followed by a joint Agency meeting on June 12, ~~2023~~2023, and July 14, 2023. In partnership with the Agencies, PG&E developed this longer-term variance approach to address the reservoir restriction and minimize or avoid impacts to ESA-listed salmonids by implementing NMFS recommended IPMs (as described in NMFS March 16, 2022, letter to FERC) while PG&E prepares and implements the surrender application and Decommissioning Plan for the Project. Water temperature data and previous scenarios will inform this long-term variance based on Lake Pillsbury storage and inflow, escapement/abundance of Chinook salmon and steelhead, and water temperature.

Below is the outline of the IPMs PG&E will implement in coordination with the Agencies under the long-term variance as part of mitigation for the reservoir restriction:

- PG&E will complete and use the Lake Pillsbury CE-QUAL water temperature model in coordination with the Agencies to implement a flexible management approach to reservoir releases during the July through September period. The approach will support the goal of achieving cooler temperatures for ESA-listed salmonids rearing in the reach of Eel River between Scott Dam and Cape Horn Dam.
- PG&E will fund, through a partnership agreement with the Pacific States Marine Fisheries Commission (PSMFC) or mutually agreed upon equivalent, the replacement of CDFW's DIDSON device with a new ARIS system for the monitoring site located on the mainstem Eel River above the confluence with South Fork Eel River, see table 2.
- In partnership with CDFW, PSMFC, and RVIT, PG&E will contribute funding for sonar monitoring for up to 7 months a year at the mainstem Eel River above the confluence with the South Fork Eel River, and the Middle Fork Eel River just upstream of the confluence of the mainstem Eel River at Dos Rios. The contribution amount will be evaluated on an annual basis in coordination with the Agencies to ensure the data are available to informing Project water management decisions.
- PG&E will contribute funding for the RVIT stream gaging program to monitor flow conditions in the main stem of the Eel River and the Rice Fork above Lake Pillsbury and Tomki Creek. The contribution amount will be evaluated on an annual basis in coordination with the Agencies to ensure the data are available to informing Project water management decisions.

Commented [KB35]: Will CDFW take ownership of this or will PSMFC?

Commented [RA36R35]: Added language to address this comment

Commented [KB37]: And PSMFC?

Commented [RA38R37]: added

• This contribution also includes ~~one-time~~ funding to RVIT for a temperature probe to be installed and monitored at the U.S. Geological Survey gaging station at Fort Seward or a nearby site.

PG&E, in coordination with the Agencies, will review the above mitigation measures annually to ensure the work provides information useful to Project operations. If review of mitigation measures show they are insufficient, not beneficial or unrelated to Project operations, PG&E, in coordination with the Agencies, will reevaluate the IPMs and revise mitigation measures as needed. PG&E will inform FERC of mitigation measure changes within 30 days of the agreement with the Agencies, and no later than the May 1 notification. A simplified cost table for annual funding can be found in Table 1 below. Funding will be evaluated annually at the Agency meeting and adjusted appropriately to ensure the IPMs mitigate impacts related to the reservoir storage restriction, ~~and~~ provide valuable data for Project ~~management, management.~~ The amount of payment may be adjusted, if necessary, annually based actual increases or decreases in Salaries, Benefits, Services, Supplies, Equipment, Capital Outlay, Overhead, or Administration, this will be discussed annually during the Agency Meeting, and reasonable inflationary costs adjusted from the 2023/2024 annual cost in Table 1. not to exceed the total costs in Table 1.

Table 1: Annual IPM costs beginning in 2023/2024.

Item	Entity	<u>2023/2024</u> Annual Cost
Sonar Monitoring- mainstem Eel River <u>at-below</u> Fort Seward	CDFW/ <u>PSMFC</u>	\$96,894
Sonar Monitoring- Middle Fork Eel River	RVIT	\$50,300
Stream Gauge Monitoring <u>and Fort Seward water temperature monitoring</u>	RVIT	<del>\$7580,000</del>
CE-QUAL Reservoir model annual maintenance	PG&E/Stantec	\$20,000
<b>Total</b>		<del>\$242247,194</del>

Table 2: One-time expenditures.

Item	Entity	Total purchase price
ARIS Sonar Monitoring System	CDFW	\$93,095

### Agency Coordination

Providing Project license-required flows with the reduced reservoir level has a risk of drawdown rates that cause destabilization of hillslopes adjacent to the dam outlet works and, in the worst case, reaching critical minimum pool at Lake Pillsbury; therefore,

**Commented [SM39]:** OK we can add this. However, there is a 1-time cost of \$1,000, then annual O&M is \$5,000 (all costs are USGS). If you want to have RVIT do the O&M, we'd need to talk with USGS, as it would be awkward for us to do that.

**Commented [PJ40R39]:** We need to add some language about resolving this issue later, we are

**Commented [PJ41]:** Removed from request, there are to many unknown variables with the Fort Seward gauge at this time. PG&E management is unable to agree to this funding element without a estimate and verification from the USGS that this is a plausible request. Temperature is measured at E-2 below Scott Dam.

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**Commented [KB42]:** Meant to suggest that mitigation may need to be adjusted both up or down based on annual assessment.

**Commented [RA43R42]:** Good comment and addition

**Commented [RC44]:** We can not cap the costs at 2024 levels. Costs may increase incrementally for the same level of effort over time and this can be discussed at the annually agency meeting.

**Commented [PJ45R44]:** Language added by PG&E manament, PG&E would like to discuss this potential cost increase annually

**Commented [PJ46R44]:**

**Commented [PJ47]:** This is not accurate, the 2023 monitoring funding will be provided through the annual variance request

**Commented [PJ48R47]:**

Kimberly D. Bose, Secretary  
Click or tap to enter a date.  
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PG&E coordinated with the Agencies during the development of this longer-term variance proposal and the Agencies provided input to PG&E.

Enclosed with this request is the correspondence record. Responses were received from CDFW, NMFS, USFWS, and RVIT and are provided in Enclosure 1.

If you have questions, concerns, or comments, please do not hesitate to contact Jackie Pope, license coordinator at (530) 254-4007.

Sincerely,

Janet Walther,  
Senior Manager, Hydro Licensing

Enclosure:  
1. Agency Responses

Internal

Kimberly D. Bose, Secretary  
Click or tap to enter a date.  
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JHPL (530) 254-4007 [\[File path where final letter resides\]](#)

**BCC:**

**With Enclosures**

PGenRegulatoryCorrespondence@pge.com

Jackie Pope

Chadwick McCready

Andrew Garcia

Rob Riedlinger

Mike Evans

Edward Cheslak

Andrew Anderson

Michelle Lent

T Vaught

Craig Stankiewicz

**SAP:** [\[Notification Number\]](#)

**Notification:**

- Analyst to attach letter and enclosure
- Close Notification? [Choose an item.](#)

**LC Task :**

- Analyst to update long-text with date of filing
- [Add other instructions \(e.g., close or change due date\)](#)

**DSE Task N/A**

**Outgoing Commitments for LC:** [Choose an item.](#)

- **If YES**, LC create new LC task (Could also include tasks for O&M, biologist, etc.)