



September 15, 2026

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

**Re: Scoping Comments on the Potter Valley Hydroelectric Project, Project No. P-77-332,
Scoping Comments of the Environmental Protection Information Center**

Dear Secretary Reese:

The Environmental Protection Information Center (EPIC) is a North Coast environmental organization based in Arcata, California, with a longstanding commitment to the protection and restoration of native fisheries, free-flowing rivers, water quality, biodiversity, climate-resilient ecosystems, and the communities that depend upon them. EPIC has been deeply engaged in river and fisheries issues throughout Northwestern California, including the Klamath River Basin. That direct regional experience informs these comments.

EPIC strongly supports timely surrender, decommissioning, and complete removal of Scott Dam and Cape Horn Dam. The Eel River presents one of California's most important opportunities to reconnect threatened salmon and steelhead with extensive upper-basin habitat, restore natural river processes, advance Tribal cultural revitalization, and improve long-term climate resilience.

We urge FERC to keep dam removal on an expeditious path, analyze a genuine No-NERF or Independent Dam Removal Alternative, and ensure that the recovery of Eel River fish is not made contingent on the financing, permitting, design, or construction schedule of a separate interbasin diversion facility. We also request rigorous pre-removal baselines, long-term fisheries and water-quality monitoring, adaptive management, sediment safeguards, invasive-species controls, native and culturally relevant revegetation, Tribal co-stewardship, and enforceable financial assurances.

The recent Klamath River dam removals provide practical lessons that should be incorporated now. Those lessons include establishing monitoring systems before removal, planning for rapid fish recolonization, preparing for short-term sediment and water-quality disturbances, beginning revegetation as reservoir lands are exposed, controlling invasive species early, protecting restoration areas from unmanaged livestock and free-roaming equids, and funding multi-year adaptive management rather than treating demolition as the end of restoration.

Finally, recent public statements concerning possible acquisition of the Potter Valley Project by a Southern California water district, and possible federal involvement in continued project operation, warrant a clear procedural response. If a sufficiently concrete acquisition, federalization, expanded-diversion, or export proposal exists, it must be disclosed and its

connected and cumulative effects analyzed. If it remains speculative, it should not be used to delay surrender and dam removal.

I. EPIC Support for Timely Dam Removal

EPIC strongly supports timely completion of the National Environmental Policy Act process and the surrender and decommissioning of the Potter Valley Project. EPIC supports complete removal of Scott Dam and Cape Horn Dam and restoration of a free-flowing Eel River.

The Eel River is a major wild salmon and steelhead watershed. Federal and state fisheries agencies have identified dam removal as an opportunity to restore access to extensive habitat now blocked by the project. FERC should evaluate the project at the scale of the watershed and the life cycle of migratory fish, not merely as demolition of two structures.

II. FERC Should Preserve a Timely and Certain Path to Complete Dam Removal

The environmental review should focus on how to accomplish surrender, decommissioning, dam removal, and restoration safely and effectively. It should not become a vehicle for indefinite delay while speculative proposals for continued operation, new ownership, expanded hydropower, or new water exports are developed outside public view.

Delay itself has environmental consequences. Each additional year of blockage postpones volitional access to upper-basin habitat for threatened salmonids and perpetuates altered flow, temperature, sediment transport, and river connectivity. FERC should evaluate and disclose the environmental cost of delay associated with financing, permitting, construction, ownership disputes, litigation, NERF development, or any proposed transfer of project assets.

- Retain complete removal of Scott Dam and Cape Horn Dam as the central action under review.
- Reject indefinite continued operation as a reasonable long-term outcome where the existing licensee seeks surrender.
- Disclose a clear schedule for surrender, drawdown, deconstruction, restoration, and post-removal monitoring.
- Quantify the ecological consequences of delay, including delayed fish passage and delayed access to climate-resilient habitat.
- Do not allow speculative ownership or water-export proposals to postpone the pending surrender proceeding.

III. FERC Must Analyze a Genuine No-NERF or Independent Dam Removal Alternative

EPIC requests a reasonable alternative under which complete dam removal proceeds independently of construction of the New Eel-Russian Facility (NERF). EPIC recognizes the extensive work by local water managers, Tribes, fisheries interests, counties, and other stakeholders to develop a two-basin solution. Nevertheless, Eel River recovery should not be made contingent upon the financing, permitting, final design, litigation risk, or construction schedule of a separate interbasin diversion facility.

FERC should directly analyze this question: If NERF is delayed, redesigned, unfunded, unpermitted, enjoined, or never constructed, can full dam removal still proceed on the fastest environmentally responsible schedule? The answer should be developed through a genuine alternatives analysis rather than assumed away.

- Analyze the proposed action involving NERF.

- Analyze complete dam removal independent of NERF.
- Analyze sequencing that permits Scott Dam removal to proceed if NERF-related work is delayed.
- Analyze options for Cape Horn decommissioning that do not make dam removal permanently dependent on a replacement interbasin diversion.
- Compare the ecological consequences of each year of delay under each alternative.

IV. Fisheries Recovery Must Be a Central Purpose and Measurable Outcome

The environmental review should not treat fish passage as merely one impact category among many. Restoration of longitudinal connectivity is a defining ecological consequence of the action. FERC should evaluate not only whether fish can pass former dam sites, but whether the action creates conditions for population-level recovery.

- Expected recolonization by Chinook salmon, coho salmon, and steelhead.
- Quantity, quality, thermal suitability, and seasonal accessibility of newly available habitat.
- Spawning distribution, juvenile rearing, and access to cold-water refugia.
- Population productivity, spatial structure, diversity, and abundance.
- Disease and pathogen risk, predation pressure, and invasive species.
- Marine-derived nutrient restoration and food-web effects.
- Implications for Tribal, recreational, and commercial fisheries.
- Cumulative effects of any continuing interbasin diversion during low-flow and high-temperature periods.

V. Establish Pre-Removal Baselines and Long-Term Fisheries Monitoring

A central lesson from the Klamath River is that monitoring architecture should be established before barriers are removed. Post-removal recolonization can occur quickly. If baseline systems are not in place, agencies lose irreplaceable information about timing, abundance, distribution, survival, and the mechanisms driving recovery.

FERC should require a coordinated monitoring program beginning before drawdown, continuing through construction, and extending for at least ten years after removal, with longer monitoring where key parameters have not stabilized.

- Sonar where appropriate, including DIDSON or ARIS technology.
- PIT tagging and fixed detection arrays.
- Radio or acoustic telemetry where appropriate.
- Redd and carcass surveys.
- Environmental DNA monitoring.
- Juvenile outmigration monitoring and rotary screw traps.
- Genetic stock identification.
- Continuous temperature and dissolved oxygen networks.
- Disease and pathogen surveillance.
- Standardized annual public reporting and accessible data.

VI. Klamath Lesson: Plan for Sediment, Water Quality, and Construction Risk Before Drawdown

The Klamath River demonstrates that large-scale sediment evacuation can be managed, while also showing the importance of preparing for short-term turbidity, water-quality disturbance, and

construction-related risk. The lesson is not that sediment release should prevent removal. The lesson is that sediment management must be site-specific, transparent, monitored in real time, and linked to adaptive response.

- Characterize sediment volume, grain size, and spatial distribution.
- Test for mercury, legacy pesticides, petroleum constituents, metals, and other contaminants of concern.
- Model dry, normal, wet, and extreme storm sequences.
- Identify downstream deposition zones and effects on spawning gravels and redds.
- Evaluate effects on benthic macroinvertebrates, juvenile salmonid gills and feeding, dissolved oxygen, and the estuary.
- Establish real-time turbidity and dissolved oxygen monitoring.
- Set biological and water-quality trigger thresholds with enforceable response protocols.
- Evaluate drawdown timing and rate to reduce impacts to vulnerable salmonid life stages.
- Maintain fish rescue, stranding response, and immediate fish-mortality notification protocols.

VII. Prevent the Spread and Expansion of Sacramento Pikeminnow and Other Invasive Species

Reconnection changes biological access in both directions. FERC should require a specific invasive-species strategy before removal, not defer this issue to general future management. Particular attention should be given to Sacramento pikeminnow predation on juvenile salmonids and the possibility that construction, drawdown, or restored connectivity could alter invasive-fish distribution.

- Map current distribution and abundance above and below project facilities.
- Evaluate whether removal could expand invasive access to newly connected habitat.
- Evaluate targeted suppression before, during, and after removal.
- Use eDNA and other surveillance methods with rapid-response triggers.
- Address invasive mussels, aquatic plants, and terrestrial weeds.
- Require construction-equipment inspection and decontamination protocols.
- Identify long-term funding and responsible entities.

VIII. Klamath Lesson: Begin Revegetation Early and Use Native and Culturally Important Species

The Klamath experience shows that reservoir restoration begins during drawdown, not after demolition is complete. Exposed reservoir sediments can be colonized quickly by invasive plants and can remain vulnerable to erosion and disturbance. Revegetation should therefore begin as lands are exposed and continue for years.

- Prioritize locally sourced native seed and plant materials.
- Incorporate culturally significant species identified through Tribal consultation.
- Restore riparian trees, shrubs, wetlands, and native grass and forb communities appropriate to site conditions.
- Control invasive plants before they dominate exposed reservoir sediments.
- Establish measurable survival, cover, and invasive-species performance standards.
- Require replacement planting and corrective action when standards are not met.
- Restore tributary mouths, floodplain connections, and process-based habitat where appropriate.

- Provide secure funding for at least ten years of monitoring and corrective action.

IX. Klamath Lesson: Protect Restoration Lands From Unmanaged Horses, Livestock, and Other Large Herbivores

The Klamath dam-removal experience has revealed a practical restoration risk that should be addressed before Eel River reservoir lands are exposed. Free-roaming horses have been documented grazing on Klamath restoration plantings near former reservoir areas, interfering with revegetation efforts. This experience shows how quickly substantial investments in native seeding, culturally important plants, riparian recovery, erosion control, and invasive-species suppression can be undermined when large numbers of unmanaged equids gain access to newly disturbed restoration lands.

EPIC has also received reports from the Klamath region alleging that privately handled or adopted horses have been released into or near restoration areas. EPIC has not independently verified those specific allegations and does not rely on them as an established fact. The documented free-roaming horse problem, however, is sufficient to demonstrate the need for advance planning. FERC should not wait for a comparable conflict to arise on the Eel River.

The environmental review should evaluate grazing and trampling as foreseeable threats to restoration success and require a coordinated equid and livestock exclusion and response plan before drawdown. The plan should respect lawful animal ownership and applicable state, federal, Tribal, and local authorities while preventing intentional abandonment, unauthorized release, unmanaged congregation, and repeated grazing within sensitive restoration areas.

- Map likely access points, travel corridors, watering areas, and vulnerable restoration zones before drawdown.
- Establish enforceable no-grazing and restoration-protection zones where needed.
- Use wildlife-compatible fencing, gates, cattle guards, or other barriers where appropriate and safe.
- Adopt rapid-response protocols for unauthorized horses or livestock entering restoration areas.
- Clarify jurisdiction and responsibility among FERC, the surrender applicant, counties, landowners, Tribes, animal-control authorities, and land-management agencies.
- Prohibit intentional release or abandonment of domestic, adopted, or privately controlled equids on project restoration lands, to the extent allowed by applicable law.
- Require incident reporting, photographic documentation, and public tracking of recurring grazing damage.
- Establish restoration repair obligations and contingency funding where trampling or grazing causes failure.
- Coordinate humane capture, owner identification, removal, and placement procedures before an emergency occurs.
- Evaluate whether local ordinances, land-use rules, access controls, agreements, or other enforceable mechanisms are needed to prevent mass release or unmanaged accumulation of horses near restoration lands.

This issue should be integrated into the revegetation plan, invasive-species plan, erosion-control plan, public-access plan, and adaptive-management framework. Protection of newly exposed reservoir lands is a foreseeable component of successful restoration, not an afterthought.

X. Tribal Co-Stewardship and Cultural Revitalization Must Be Integrated Into Implementation

Dam removal is not solely an infrastructure project. It is an act of ecological and cultural restoration. The Klamath experience demonstrates that Tribal leadership is central to successful river restoration. FERC should identify concrete mechanisms for meaningful Tribal participation in implementation, fisheries monitoring, revegetation, cultural-resource protection, adaptive management, employment, and long-term stewardship.

- Restore access to culturally important fisheries and support food sovereignty.
- Protect cultural landscapes and archaeological resources exposed during drawdown.
- Require Tribal monitoring during ground disturbance and robust inadvertent-discovery protocols.
- Include culturally significant plants and stewardship practices in revegetation.
- Support Tribal employment, contracting, and scientific monitoring.
- Develop durable co-stewardship mechanisms rather than limiting Tribes to ordinary stakeholder consultation.

XI. Analyze Climate Change, Water Temperature, and the Full Recovery Horizon

The Eel River of 2050 will not experience the same climate as the river of the twentieth century. FERC should analyze dam removal under hotter summers, severe drought, altered runoff timing, extreme atmospheric rivers, wildfire, post-fire sediment pulses, and cumulative warming. Upper-basin reconnection may provide salmonids access to habitat that becomes increasingly important under climate change. That resilience benefit should be quantified rather than treated qualitatively.

XII. Analyze Basin-Wide, Estuary, and Marine Fishery Benefits

The geographic scope of analysis should extend beyond the immediate dam sites. Restoring salmon populations can affect downstream Tribal communities, the Eel River estuary, marine-derived nutrient transport, coastal food webs, recreational and commercial fisheries, and broader North Coast fishery resilience. FERC should avoid an artificially narrow project-area analysis that counts local construction impacts while discounting basin-wide and marine benefits.

XIII. Transparently Address Any Southern California Acquisition, Federalization, or Expanded Water-Export Proposal

Recent public statements concerning possible acquisition of the Potter Valley Project by the Elsinore Valley Municipal Water District, a Southern California water agency, and possible federal involvement in continued project operation raise legitimate questions about whether an alternative ownership, operation, or water-export proposal is being developed. EPIC does not ask FERC to speculate about an undefined proposal. EPIC asks FERC to ensure that a sufficiently concrete proposal is not developed outside public view and then used to derail or delay the pending surrender proceeding.

If any federal agency, prospective purchaser, water district, or other entity has advanced a concrete proposal to acquire project assets, obtain or transfer water rights, preserve either dam, restart or expand hydropower, federalize the project, incorporate facilities into a Bureau of Reclamation project, increase interbasin diversions, or convey Eel River water beyond the existing Russian River context, FERC should require disclosure sufficient to determine whether the proposal is reasonably foreseeable and relevant to NEPA.

- Analyze all connected conveyance, pumping, storage, and infrastructure.
- Analyze energy demand and greenhouse-gas emissions.
- Analyze evaporation, seepage, and other conveyance losses.
- Analyze water-right changes and effects on Eel River flows.
- Analyze effects on salmonids, Tribal resources, and downstream communities.
- Analyze cumulative effects with existing interbasin transfers.
- Analyze growth-inducing effects where legally relevant.
- Analyze the environmental consequences of delaying dam removal.

A vague expression of acquisition interest should not delay NEPA review or surrender. Conversely, a sufficiently developed export or federalization proposal should not evade environmental analysis by remaining outside the formal record.

XIV. Evaluate Public Safety and the True Cost of Retaining Aging Infrastructure

FERC should compare dam removal against the real long-term consequences of retaining century-old infrastructure, not an imaginary baseline in which the dams remain indefinitely without major rehabilitation, maintenance, regulatory compliance, and risk-management costs.

- Seismic risk and dam-safety deficiencies.
- Outlet reliability and flood considerations.
- Consequences of failure and downstream evacuation.
- Emergency access and wildfire-related risks.
- Long-term rehabilitation and deferred-maintenance costs.
- Climate-driven extreme precipitation.
- Potential transfer of growing safety and financial liabilities to taxpayers or future ratepayers.

XV. Require Enforceable Adaptive Management and Long-Term Financial Assurance

The Klamath experience demonstrates that removing concrete is only the beginning of river recovery. FERC should require a public adaptive-management framework with baseline conditions, measurable objectives, monitoring frequency, responsible entities, public reporting, decision thresholds, corrective actions, contingency funding, and independent scientific review.

- Adult returns and juvenile production.
- Spatial distribution and redd abundance.
- Fish passage and recolonization.
- Water temperature, dissolved oxygen, and turbidity.
- Sediment deposition and channel evolution.
- Invasive species.
- Riparian vegetation and restoration performance.
- Tributary and floodplain connectivity.

Binding financial assurances should be sufficient to address sediment contingencies, invasive-species control, revegetation failure, grazing or trampling damage, erosion repair, fish and water-quality monitoring, Tribal monitoring, unforeseen channel instability, adaptive management, and long-term reporting.

Conclusion

The Potter Valley Project presents a rare opportunity to restore a free-flowing Eel River and reconnect extensive habitat for native salmon and steelhead. The Klamath River has shown that

large-scale dam removal is possible. It has also shown that successful restoration requires more than demolition. It requires early planning, Tribal leadership, rigorous baseline science, sediment preparedness, immediate revegetation, invasive-species control, protection of restoration lands from unmanaged grazing and free-roaming equids, transparent monitoring, long-term funding, and adaptive management.

EPIC urges FERC to proceed expeditiously toward complete removal of Scott Dam and Cape Horn Dam; analyze a genuine No-NERF or Independent Dam Removal Alternative; quantify the environmental cost of delay; establish comprehensive pre- and post-removal fisheries monitoring; require enforceable sediment, invasive-species, revegetation, equid and livestock management, and adaptive-management plans; center Tribal consultation and co-stewardship; analyze climate resilience and basin-wide fishery benefits; fully disclose and appropriately analyze any sufficiently developed outside acquisition, federalization, expanded-diversion, or Southern California or Central Valley export proposal; reject speculative proposals as a basis for delay; and ensure that long-term restoration is fully funded.

The Eel River's salmon have already waited more than a century for access to habitat blocked by these dams. They should not be required to wait another generation.

Respectfully submitted,

A handwritten signature in cursive script that reads "Amber Jamieson".

Amber Jamieson

Water Advocacy Director

Environmental Protection Information Center (EPIC)

Arcata, California

SUGGESTED MATERIALS FOR REVIEW

1. Pacific Gas and Electric Company, Potter Valley Project surrender application and decommissioning materials, filed July 25, 2025.
2. National Marine Fisheries Service, Southern Oregon/Northern California Coast coho salmon recovery and status materials. These sources address listed salmonid recovery, habitat access, limiting factors, and the importance of connectivity.
3. California Department of Fish and Wildlife, Potter Valley Project and fisheries restoration materials. CDFW has described the scale of habitat reconnection associated with removal of migration barriers.
4. California State Water Resources Control Board, Potter Valley Hydroelectric Project water quality certification proceeding and June 2026 CEQA scoping report. The state record identifies concerns regarding native fish, pikeminnow, invasive species, water quality, sediment, and restoration.
5. Klamath River Renewal Corporation, Lower Klamath Project Definite Plan and restoration materials. These documents provide a comparative example for drawdown, demolition, reservoir restoration, revegetation, and post-removal management.
6. Federal Energy Regulatory Commission, Lower Klamath Project surrender environmental review, Project No. P-14803. This is a key federal NEPA analogue for large-scale dam removal in the region.
7. National Oceanic and Atmospheric Administration, Klamath River post-removal fisheries monitoring and habitat restoration materials. NOAA has documented coordinated efforts to determine when fish return, how many return, which species return, and where they go.
8. Oregon Watershed Enhancement Board, Klamath River Post-Dam Removal Habitat Restoration update, April 2026. This agency update addresses ongoing restoration after dam removal and the continuing need for post-removal investment.
9. Kurtis Alexander, California's massive dam removal project faces new problem: wild horses, San Francisco Chronicle, August 2, 2024.
10. Federal Energy Regulatory Commission. Potter Valley Hydroelectric Project, Project No. P-77-332. Official project page, scoping notices, Scoping Document 1, filings, and environmental review materials.
11. Federal Energy Regulatory Commission. Lower Klamath Project, Project No. P-14803. Draft and final environmental review materials for surrender and decommissioning.
12. Pacific Gas and Electric Company. Potter Valley Hydroelectric Project Surrender Application and Decommissioning Plan. Filed July 25, 2025.
13. California State Water Resources Control Board. Potter Valley Hydroelectric Project Water Quality Certification Proceeding. Scoping and certification materials, including June 2026 CEQA Scoping Report.
14. National Marine Fisheries Service. Final Coastal Multispecies Recovery Plan, including Southern Oregon/Northern California Coast coho salmon materials.
15. National Marine Fisheries Service. Five-year status review and recovery materials for Pacific salmon and steelhead relevant to the Eel River.
16. National Oceanic and Atmospheric Administration Fisheries. Klamath River post-dam-removal fish monitoring, recolonization, and habitat restoration materials.
17. California Department of Fish and Wildlife. Potter Valley Project fisheries, restoration, and feasibility materials.

18. Klamath River Renewal Corporation. Definite Plan for the Lower Klamath Project and associated appendices, restoration plans, monitoring materials, and implementation updates.
19. Oregon Watershed Enhancement Board. Klamath River Post-Dam Removal Habitat Restoration. Board update, April 2026.
20. U.S. Department of Agriculture. Public intervention and statements concerning the Potter Valley Project, including December 2025 intervention materials.
21. U.S. House of Representatives, Office of Representative Jared Huffman. Congressional correspondence and requests for information concerning proposed Southern California acquisition, federal involvement, and potential water export.