



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404-4731

June 17, 2024

Refer to NMFS No: SWR-2002-1652

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

Re: 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 Acting Secretary Reese:

NOAA's National Marine Fisheries Service (NMFS) respectfully urges the Federal Energy Regulatory Commission (FERC) to expedite the approval of Pacific Gas and Electric Company's (PG&E) *2024 Minimum Instream Flow Variance Request Due to Restricted Storage Capacity, dated February 22, 2024*, for the Potter Valley Hydroelectric Project (Project) located on the Eel River and East Fork of the Russian River in Lake and Mendocino counties, California.

PG&E has elected to leave the spillway gates at Scott Dam open indefinitely due to seismic risk, thereby reducing the storage capacity in Lake Pillsbury by approximately 20,000 acre-feet. PG&E's February 22, 2024 flow variance request seeks to reduce East Branch Russian River flows to proactively manage water storage elevations in Lake Pillsbury. This is intended to protect Project facilities and conserve colder water within Lake Pillsbury to minimize potential impacts to federally Endangered Species Act (ESA)-listed salmonids, ESA critical habitat and essential fish habitat for Pacific Coast Salmon within the Eel River.

PG&E's June 14, 2024 supplemental filing with FERC presents a comparison of average daily water temperatures at station E-2 (Scott Dam needle valve) for 2022 and 2023 (Figure 1), which demonstrates that continued elevated Project releases through the summer of 2023 accelerated the depletion of cooler water in Lake Pillsbury. This resulted in elevated release water temperatures, stressful and potentially unsuitable conditions for salmonids in late summer 2023, when compared to the more suitable temperature conditions for salmonids in 2022.

Additionally, this supplemental filing also provides modeling results for 2024 of Project flow release temperatures (Figure 4-1) reaching higher levels than those observed in 2023 by late summer with no approved variance. Therefore, implementing the requested variance as soon as possible is critical to conserving the coldwater pool in Lake Pillsbury. This action is essential for the Project's ability to release flows that provide more suitable summer rearing temperatures and physical habitat conditions for salmonids below Scott Dam.



In summary, NMFS respectfully urges FERC to approve PG&E's flow variance request as soon as possible to minimize unauthorized take of listed species. Should you have questions regarding this letter, please contact Joshua Fuller at Joshua.Fuller@noaa.gov or at (707) 575-6096.

Sincerely,



Alecia Van Atta
Assistant Regional Administrator
California Coastal Office

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