

MEMORANDUM

To: Water Advisory Committee October 26, 2021
From: Susan Harvey, WAC Chair
Drew McIntyre, TAC Chair
Subject: Approve - WAC Support for Abeyance Request in Relicensing of the Potter Valley Project

PG&E's most recent license to operate the Potter Valley Hydroelectric Project (PVP) expires on April 14, 2022. On April 6, 2017 PG&E filed a Notice of Intent (NOI) with the Federal Energy Regulatory Commission (FERC) initiating license renewal. After working on various approved studies for about one year, PG&E decided to abandon the Potter Valley Project and subsequently filed a Notice of Withdrawal to FERC on January 25, 2019. On June 28, 2019, Sonoma County Water Agency¹ Mendocino County Inland Water and Power Commission, Ca. Trout and the County of Humboldt filed their intent to apply for a new license with FERC. Shortly thereafter, these parties and the Round Valley Indian Tribes entered into an agreement to advance a two-basin solution and are collectively referred to as the NOI Parties (aka Planning Agreement Partners or Two Basin Partners).

During 2020, the NOI Parties completed a Feasibility Study Report and filed an Initial Study Report to FERC in September 2020. A Study Plan determination was issued by FERC on March 16, 2021 and the NOI Parties have not yet been able to secure funds to start the required studies. Accordingly, on September 2, 2021, the NOI Parties submitted a letter to FERC requesting abeyance in the relicensing schedule until May 31, 2022 and added supplement correspondence on September 13, 2021 (Attachment 1). A FERC response letter was issued September 23, 2021 approving the abeyance through April 14, 2022 along with other conditions (Attachment 2).

The Water Contractors have continued to support Sonoma County Water Agency in its cooperative efforts with the other NOI Parties in working towards a beneficial FERC License based on the shared objectives of a Two-Basin Solution for the mutual benefit of the Eel River and Russian River basins. As a result, on October 20, 2021 another WAC PVP Ad Hoc Subcommittee meeting⁽¹⁾ was convened to review a draft support letter for the NOI Parties abeyance request to FERC (see Attachment 3). At that time, the subcommittee recommended bringing the draft comment letter to the full WAC for approval.

Recommendation

That the WAC approve the abeyance request support letter in relicensing of the Potter Valley Project (Attachment 3) and authorize signature by the WAC Chair, Susan Harvey

¹ WAC PVP Ad Hoc Subcommittee was created at the November 5, 2018 WAC/TAC meeting and consists of the WAC Chair, Santa Rosa WAC Member, NMWD WAC Member, and TAC Leadership (Chair and Vice Chair)