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**COUNTY OF MENDOCINO
BOARD OF SUPERVISORS**

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July 16, 2019

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Reference: Potter Valley Project No. 77-285
Comments in Support of NOI Parties June 28 Notice of Intent Filing

As the Chair of the Mendocino County Board of Supervisors, I am writing to show our support of the Mendocino County Inland Water and Power Commission (Mendocino County IWPC), Sonoma County Water Agency (Sonoma Water), California Trout, Inc. (CalTrout), and the County of Humboldt, California (together, NOI Parties) in their filing of a Notice of Intent (NOI) to file an application for a new license for the Potter Valley Project, Federal Energy Regulatory Commission (FERC or Commission) Project No. 77 (Project) on June 28, 2019. The NOI Parties, as proxies for the new Regional Entity they will undertake to form, represent that the Regional Entity, once formed, will have an unequivocal intent to file an application for a new license for the Project, utilizing the Commission's Integrated Licensing Process.

In Potter Valley, three small privately owned hydroelectric plants also rely on the tailrace waters from the Potter Valley Project to generate renewable and clean energy. Since the completion of Coyote Valley Dam in 1959, the water released from the Potter Valley Project has been impounded and stored in Lake Mendocino and used for irrigation of crops, as well as domestic, municipal and industrial water supplies and has also provided significant recreational and environmental benefits, and also supports a hydroelectric project at Lake Mendocino.

The number of people to benefit directly or indirectly from the Potter Valley Project is estimated to exceed 500,000.

The Mendocino County Board of Supervisors supports the licensing approach proposed by the NOI Parties. As the record in this proceeding indicates, the Potter Valley Project is an unusual project that calls for an innovative process in order to reach a satisfactory conclusion in the public interest. Among other things, the Project involves the diversion of water from the Eel River into the East Branch Russian River, thereby affecting not one but two watersheds. Further, the current licensee initially filed an NOI, then withdrew it, thereby greatly reducing the time available for an alternative licensee to prepare a license application in time for the Commission to issue a new license in an orderly and considered manner before the current license expires. The NOI Parties' proposal represents a sensible approach to licensing that maximizes the opportunity for a new project license that balances the diverse needs of all entities affected by the Project in a timely fashion.

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Two years ago, U.S. Representative Jared Huffman convened stakeholders in a Potter Valley Project Ad Hoc Committee to enable dialogue among stakeholders to develop recommendations on the terms of any new license for the Project. The Huffman Committee has attracted a broad cross-section of the interests affected by Project and currently boasts over 25 members, including each of the entities comprising the NOI Parties. Members of the Ad Hoc Committee are committed to reaching a “Two-Basin Solution” with co-equal goals of improving fish passage and habitat on the Eel River sufficient to support recovery of naturally reproducing, self-sustaining and harvestable native anadromous fish populations including migratory access upstream and downstream at current project dam locations and minimizing or avoiding adverse impacts to water supply reliability, fisheries, water quality, and recreation in the Russian River and Eel River basins. The NOI Parties’ are uniquely situated to work with the Ad Hoc Committee and to take proper account of Mendocino County’s interests, as well as the legitimate interests of others, in seeking a new license for the Project.

We support the NOI Parties commitment to these principles as they develop the Feasibility Study that will ultimately define the details of the Project, and we urge the Commission to adopt the process set forth in the NOI with the aim of materially benefitting both basins.

Sincerely,



Carre Brown, Chair

Mendocino County Board of Supervisors