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August 10, 2016

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SECRETARY OF THE
COMMISSION
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FEDERAL ENERGY
REGULATORY COMMISSION

Subject: Project No. 77-282 – COMMENTS of North Marin Water District on Application by Pacific Gas and Electric Company for Temporary Variance of Minimum Flow Requirements

Dear Madame Secretary:

This law firm serves as General Counsel to the North Marin Water District (“NMWD”), and in that capacity we are hereby submitting NMWD’s COMMENTS on the Application for Temporary Variance of Minimum Flow Requirements submitted by Pacific Gas and Electric Company (PG&E”), the owner and operator of the Potter Valley Project, FERC Project No. 77-282 (“Project”).

NMWD is a retail water utility which serves a suburban population of approximately 61,000 people in or near the city of Novato, California. Approximately 80% of the water NMWD serves to its customers is purchased from the Sonoma County Water Agency (“SCWA”) and supplied from the Russian River. One important component of the SCWA water supply is the water that is released into the East Branch of the Russian River from the Project, and the proposed reductions in those releases are the subject of the instant Application. From the perspective of NMWD, and probably also that of the other retailer water entities that buy water from the SCWA, there has been a significant reduction in the reliability of Upper Russian River water supplies available to the SCWA since Project operations were changed approximately a decade ago. That reduction adversely impacts the availability of water to meet minimum flow requirements in the Russian River, and adversely affects the reliability to meet the needs of NMWD and the many other entities that are reliant on Russian River supplies.

Historical data shows that diversions into the Russian River from the Project averaged over 160,000 acre-feet annually (“AFA”) from 1922 through 1983, declined to an average of about 135,000 AFA from 1984 through 2006, and then dropped to an average of about 72,000 AFA between 2006 and 2014. NMWD is also aware of studies by SCWA which demonstrate that if Project releases into the Russian River system are eliminated, Lake Mendocino would go dry for some period during 60% of the hydrologic years included within their simulation studies.

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NMWD believes that insufficient attention is paid to drinking water supply as one of the many beneficial uses made of water that is released through the Project, and that water management decisions are being made by PG&E in an inconsistent manner. In the recent series of dry years, for example, Lake Pillsbury, the Project's key storage facility was operated as follows:

-In 2013, inflow to Lake Pillsbury from Oct. 1, 2012 to July 21, 2013 was 255,122 acre-feet ("AF"), and as of July 21, 2013; 15.1% of the inflow, or 38,622 AF, remained in storage;

-In 2014, for the comparable time period, inflow was 113,101 AF, but 46.2% of the inflow, or 52,209 AF, remained in storage.

-In 2015, for the comparable time period, inflow was 178,659, and 14.6% of the inflow, or 26,058 AF, remained in storage.

-2016 saw more substantial precipitation, and the inflow for the comparable time period rose to 448,678 AF, but as of July 21, a mere 8.3%, or 37,435 of that total, remained in storage.

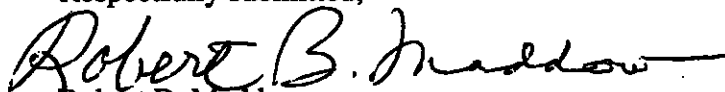
The reduced amount of water in Lake Pillsbury has a cascading effect, because it results in reduced water in Lake Mendocino, a key SCWA reservoir that is especially important for water releases into the Upper Russian River for protection of threatened and endangered species, to say nothing of the water available to other entities that have water rights or contractual entitlements to Russian River water for a variety of consumptive beneficial uses. For many years, Russian River water users have made consistent and significant strides in water conservation and water use efficiency, but even continuation of those efforts may not be sufficient if there are further reductions of flows from the Project into the East Branch of the Russian and into Lake Mendocino. A reduction of minimum flows in the East Branch Russian River to "possibly the 5 cfs critical year requirement" as proposed by PG&E cannot be substantiated as reasonable given Lake Pillsbury's inflow this water year to-date is nearly 3 times the normal year criteria (160,000 AF).

NMWD's comments are intended to demonstrate to the FERC that serious attention needs to be paid to all consumptive uses of water released from the Project. With all due respect to the FERC regulators, PG&E, and the SCWA, NMWD submits that the Potter Valley Drought Working Group that PG&E has proposed should be expanded to include one or more informed voices from the drinking water entities that are impacted by Project operations. NMWD respectfully suggests that there are several ways in which this could be accomplished – e.g., the Chairs of the Water Advisory Committee (made up of elected officials from the public entities that buy water from SCWA) and/or the Technical Advisory Committee (made up of General Managers of those entities) could be added to the Group, and/or perhaps one or more representatives from that group of entities could be named. NMWD's General Manager is willing to serve in such a capacity.

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On behalf of NMWD, the opportunity to submit these comments is greatly appreciated. Persons who should be contacted in regard to these COMMENTS are the undersigned, whose phone number appears in the letterhead and whose e-mail address is rmaddow@bpmnj.com, and Chris DeGabriele, NMWD's General Manager, who may be reached at (410) 761-8905.

Respectfully submitted,


Robert B. Maddow

cc: Applicant's Contact
Service List
North Marin Water District

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