

From: [theresa ryan](#)
To: [_CityCouncilListPublic](#)
Subject: [EXTERNAL] Proposal for Diversion of Eel River
Date: Tuesday, October 24, 2023 10:41:09 AM

Dear Council Members:

The following letter was sent to your city council by Alicia Hamaan, Executive Director of Friends of the Eel River. I have been following the Russian River Forum meetings re: the Potter Dam Removal etc. I would like you to consider her comments when you hear the proposal from Sonoma Water and Mendocino Water Agency and one of the tribes. I have been following the Russian River Forum meetings closely and briefly ask that you please do not just rubber stamp this proposal of Sonoma and Mendocino County Water Agencies and one of tribes. You have to get into the weeds of what the governance will be of this proposal and whether it really will protect the fisheries and the river ecosystem. Will it just be urban water users that benefit? And what about all the legal and illegal diversions that happen on the Russian before it even gets to the water agencies?

I am copying Ms Hamaan's letter because it included so many important points I did not want to leave out.

Sincerely
Theresa Ryan
Chair, Water Committee, Sierra Club Redwood Chapter

The most important thing in the proposal is it that there be a water diversion which does not harm the Eel River. There are several conditions that would need to be met.

- First, water could only be diverted during the wet season when the Eel has water to spare. Scott McBain is currently in the midst of a water availability analysis, this will better inform the parameters of any future diversion.
- Second, Cape Horn Dam must be removed to allow for volitional fish passage. And new diversion infrastructure cannot place the burden of any failures of the infrastructure on Eel River fish. Sonoma Water proposes two options for diversion infrastructure on the Eel, FOER and other fisheries advocates prefer option C1 - Control Section with Pump Station. It leaves less infrastructure in the river and poses less risk to Eel River fish.
- Third, removal of both Scott and Cape Horn dams cannot be contingent on building diversion infrastructure. Sonoma has yet to fully develop their engineering plans, or publicly announce funding mechanisms. PG&E is moving quickly toward dam removal - they propose dam removal could begin as early as 2028. Eel River fish cannot wait for Sonoma to figure out the complicated questions of who pays how much for water that has been nearly free for a century. Some water users stand to benefit a lot more than others, there are some serious questions around equity that water contractors like the City of Cotati should take a

hard look at. Why would their constituents benefit from subsidizing water use in Potter Valley?

- Finally, Sonoma's plan still includes seeking a "Nonpower License" from FERC. This is problematic because it could preclude the license from needing to comply with the Endangered Species Act. Nonpower licenses are extremely rare, I believe FERC has only issued 2 ever. This licensing path leads to a lot of uncertainty. A better option is to leave Cape Horn dam removal to PG&E and install diversion infrastructure, likely licensed under the CA Department of Fish and Wildlife, after dam removal.

I'll also add that the staff report presents this as a process that had such a short timeline that it precluded Sonoma from having a robust public process. This is really misleading. PG&E announced in 2018 that they would not seek to relicense the project. Sonoma spent several years working with the "Two Basin Partnership" to come to this very solution, yet didn't spend that time answering complicated questions like how much Eel River water is used by various contractors, or who will pay what amounts for construction and O&M costs. When the Two Basin Partnership was ultimately unsuccessful, PG&E's license expired in the spring of 2022 and shortly after the company began preparing for license surrender and decommissioning. Sonoma had plenty of time to meet with water contractors and other stakeholders, or even to use their Russian River Water Forum as something other than a waste of everyone's time. Instead they developed this vague plan at the last minute, seemingly as another attempt to delay dam removal.

In sum, I would raise questions like how much of that diverted water the City of Cotati actually benefits from, how much they want to pay for that and whether there are other most cost-effective options to improve water supply, and how much they care about preventing extinction of summer steelhead in the Eel River. You're right to point to the high quality habitat and designation of the Eel as a stronghold for salmonids.

The recently California ESA listed Northern California summer steelhead in the Eel River are the southernmost run of summer steelhead on the planet. Preserving their life history is critical to protect the species diversity which will give steelhead resiliency to survive through climate change. When FERC waited the entire summer to approve the variance that PG&E requested this year, they essentially killed the next generation of the upper basin steelhead. If this continues to happen, and we continue to prevent the steelhead from accessing the high-quality cold water habitat trapped behind Scott Dam, extinction is all but certain.

Hope this is helpful. Feel free to call me if you'd like to discuss further, (707) 382-8859.

Best,
Alicia

Alicia Hamann (*she/her*)

Executive Director

Friends of the Eel River

