



Congressman Huffman’s Potter Valley Project Ad Hoc Committee

AGENDA

Wednesday, May 30, 2018, 11:00-2:00

Location: Ukiah Valley Conference Center, Cabernet Room 1, 200 S. School St, Ukiah

Preparation

- € Please bring your own lunch.
- € Please bring your own copies of meeting materials.
- € Please sit with your organization.

Meeting Goals

- € Receive PG&E update on decision making on Potter Valley Project relicensing
- € Confirm 2018 work plan and operating protocols
- € Consider interest-based factors to evaluate potential outcomes from the Ad Hoc process
- € Provide feedback on fish passage and water supply objectives for technical working groups

Contacts: Facilitators Gina Bartlett 415.271.0049 or Julia Golomb 603.793.6639

AGENDA

11:00	Welcome & Introductions Congressman Huffman
11:05	Review Agenda & Meeting Purpose
11:10	Update on PG&E Plans, Decision Making, and any Implications on FERC Process
11:40	2018 Work Plan and Operating Protocols Materials: 2018 Work Plan and Charter
12:00	Facilitator Assessment Interview Findings <ul style="list-style-type: none"> € Topics for Ad Hoc Discussions € Factors to Evaluate Potential Outcomes from the Ad Hoc Process
12:15	Working Groups <ul style="list-style-type: none"> € Fish Objectives and Passage Filtering Criteria <i>Joshua Fuller and David Manning for Fish Passage Working Group</i> € Preliminary Water Supply Objectives <i>Don Seymour for Water Supply Working Group</i> <p><i>To learn more, please review meeting summaries at pottervalleyproject.org</i></p>

12:45	BREAK
1:00	Discuss Scenario Elements <p>€ As an outcome of this process, the Ad Hoc will hopefully recommend one or more potential scenarios for the future of the Potter Valley Project. These “elements” would be necessary to consider to form any particular scenario.</p>
1:50	Clarify Action Items and Next Steps

Ad Hoc 2018 Work Plan

Spring and Summer

- Fish Passage Working Group and Water Supply Working Group
- Developing viable recommendations and conducting supporting technical work

Sept / Oct

- Ad Hoc Meeting 2
- Confirm Strategies
 - Strategies / Scenarios for Modeling + Technical Work
 - Refine Criteria to Evaluate Solutions
 - Negotiate Solutions for Mutual Gain

- Fish Passage Working Group and Water Supply Working Group
- Develop and refine recommendations

Nov / Dec:

- Ad Hoc Meeting 3
- Receive and Deliberate on Recommendations / Solutions



Congressman Huffman's Potter Valley Project Ad Hoc Committee

DRAFT Charter

Draft 5/17/18 for Ad Hoc Review on 5/30/18

Purpose

The purpose of this document is to provide a framework for participation, cooperation, communication, and decision-making for Congressman Jared Huffman's Potter Valley Project Ad Hoc Committee. The Ad Hoc Committee began meeting in May 2017 and is developing recommendations by December 2018 that will inform the Potter Valley Project's Federal Energy Regulatory Commission (FERC) relicensing process. The current Potter Valley Project license expires in April 2022.

2018 Outcome

The Ad Hoc's goal for 2018 is to agree on potentially viable scenarios, building on technical working group recommended solutions, for the future of the project and the associated opportunities and impacts of the scenarios. These scenarios would be advanced for consideration to the state and federal agencies with conditioning authority under the FERC relicensing process. Ad Hoc members are seeking a two-basin solution that addresses issues and concerns in the Eel River and Russian River watersheds.

Topics under Discussion

During its meetings in 2017 and independent interview process with the Consensus Building Institute in early 2018, Ad Hoc Committee participants have identified the following topics as key to developing planning scenarios.

- Fish Passage and Populations
- Eel and Russian River Flows
- Water Beneficial Uses (domestic and agricultural demand, Potter Valley irrigation, water quality, and dependency)
- Lake Pillsbury Recreation
- Power Production and the FERC Relicensing Process
- Dam Safety and Liability
- Governance for Managing the Project in the Future

Decision Making

Each organization or agency participating will speak with one voice in final Ad Hoc decision making. If an organization or agency has more than one representative, the organizational representatives will identify one spokesperson to participate in assessing whether the Committee has consensus on a particular recommendation.

The Ad Hoc Committee will strive for consensus decision-making in its deliberations. The definition of consensus spans the range from strong support to neutrality, to abstention,

to “I can live with it.” A member organization can “stand aside” and let the Committee reach consensus. This would still constitute a consensus agreement and outcome.

If consensus cannot be reached, the Ad Hoc Committee will forward the options considered, with explanation of areas of consensus and divergence, for consideration during the formal FERC relicensing process.

Working Groups

The Fish Passage Working Group is developing information and recommendations on fish passage for the Ad Hoc Committee. The Ad Hoc formed the working group to develop detailed technical information and work for the Ad Hoc’s consideration. The charge of the working group is to:

- Identify existing information and best available science
- Develop objectives for fish passage
- Identify viable solutions (near term, longer term)

The Water Supply Working Group is developing information and recommendations on water supply for the Potter Valley Project Ad Hoc Committee. The Ad Hoc formed the working group to develop and analyze detailed water supply scenarios and recommendations for managing water supply issues and concerns to inform the Ad Hoc’s discussions. The charge of the working group is to:

- Identify water supply issues on Eel and Russian Rivers
- Develop objectives for water supply
- Identify viable solutions (near term, longer term)
- Assess consequences, opportunities, and challenges of potential futures for the Potter Valley Project

Process Agreements

Commitments

- ✓ Ad Hoc Committee members’ consistent, effective participation is essential.
- ✓ Members commit to reviewing materials in advance of meetings and being ready to participate actively in problem solving during meeting time.
- ✓ Members commit to listen, consider other perspectives, and rely on best available science. Considering others’ interests and demonstrating flexibility to problem solve is essential to participate.
- ✓ Members commit to use best efforts and work in good faith for the expeditious completion of the goals and outcomes for its work together as outlined in this charter.
- ✓ Each member will coordinate and communicate deliberations and outcomes with its constituents or colleagues participating in the Ad Hoc process, including its work groups, and other decision makers within member’s organization or agency.

- ✓ Each member will consult with and represent the concerns and interests of the organizations and constituents that they represent. Members with established organizations and constituents are responsible for ensuring that all significant issues and concerns of their organizations and constituents are fully and clearly articulated during meetings. These representatives are also responsible for ensuring that any eventual recommendations are communicated to their constituents and/or the agencies they were appointed to represent.
- ✓ Members are free to informally communicate with each other. Representatives are encouraged to share relevant communications among all members, as appropriate to advance progress and communication.

Visitors

- ✓ Meetings are open to others to listen and learn; however, visitors will respect that these meetings are a continuation of previous dialogue and deliberation.

Tribes, Agencies, and FERC Process

- ✓ Participation in the Ad Hoc process will not bind any participant to any particular interpretation of law or regulation, or require any participant to take particular action(s) or excuse any action otherwise required by applicable law. Participation in the Ad Hoc will not be construed as a waiver or release of any right or authority held by any participant.
- ✓ Participation in the Ad Hoc Committee will not limit the discretion under applicable law of any public agency.
- ✓ Participation in the Ad Hoc Committee will not be construed as a waiver of sovereign immunity by the United States, the State of California, any Tribe or any public agency.
- ✓ Participation in the Ad Hoc Committee will not preclude any participant from continuing to assert its positions or take any actions in the FERC relicensing or other regulatory or adjudicatory proceeding.
- ✓ Participation in the Ad Hoc Committee will not be construed as a future commitment of resources by any Federal agency.
- ✓ A participant may determine that a work product from the Ad Hoc Committee process should become part of a relicensing or other process or regulatory proceeding. The Ad Hoc Committee may consider information from other sources and processes.

Rules of Conduct

Members and facilitators agree to:

- ✓ Be prompt in arriving and after breaks.
- ✓ Stay for the entire meeting.
- ✓ Participate, don't dominate. Our interest is in collective problem solving and hearing all perspectives.
- ✓ Follow the instructions from the facilitator.
- ✓ Assure that all participants are heard and that one person speaks at a time. Refrain from side conversations.
- ✓ When appropriate, distinguish between personal vs. organizational perspectives.

Roles and Responsibilities

Convener

Congressman Jared Huffman has convened the Ad Hoc Working Group.

Ad Hoc Participants

Participants in the Ad Hoc commit to the process agreements outlined above. Members will prepare in advance and arrive at meetings prepared to discuss the issues at hand. Members or their alternates should attend all meetings consistently or arrange for an alternate to attend on their behalf, should represent their organization's views, and should report back to the organizations they represent. During meetings, members should communicate their organization's interests, concerns, and recommendations. Members are encouraged to allow the opportunity for everyone to contribute by keeping their statements brief and concise, without dominating discussions. Members are committed to problem solving and engaging in negotiations to advance solutions that address the interests of all members.

Working Groups

As needed, the Ad Hoc can establish small working groups to carry out a particular task. Working groups will receive the purpose or assignment and develop recommendations for Ad Hoc consideration. Membership in working groups is open to Ad Hoc members and others with expertise in the working group subject matter.

The Ad Hoc currently has two working groups: fish passage and water supply.

The Fish Passage Working Group's charge is to:

- Identify existing information and best available science.
- Develop objectives for fish passage.
- Identify viable solutions (near term, longer term).

The Water Supply Working Group's charge is to:

- Identify water supply issues on Eel and Russian Rivers.
- Develop objectives for water supply.
- Identify viable solutions (near term, longer term).
- Assess consequences, opportunities, and challenges of potential futures for the Potter Valley Project.

Consensus Building Institute Facilitators

In cooperation with members, the facilitators from the Consensus Building Institute will design meetings and guide the overall process toward achieving its mutually agreed-upon purpose and goals. The facilitators will work with all the parties to ensure the process is credible, fair, and effective.

The facilitators will:

- Formulate the agenda and desired outcomes for the sessions, including developing a meeting framework or work plan, for the overall process.
- Facilitate effective meetings.
- Create high level meeting summaries to advance the discussion and problem solving.
- Post materials and documents on the project web site.
- Identify and synthesize points of agreement and disagreement.

- Assist in building consensus among members through full group, small group, and individual conversations.
- Work with members to ensure process and participation agreements outlined in this charter.
- Serve as a confidential communication channel for members, alternates, and other stakeholders who wish to express views privately because they do not feel comfortable doing so in a larger group or to facilitate problem solving and conflict resolution.
- Assure a fair, effective, and credible process, but remain impartial with respect to the outcome of the deliberations.

If a member has a concern about bias, neutrality or performance of the facilitator, s/he should raise the concern first with the facilitators and then the funders of the facilitators: California Trout, PG&E, or Sonoma County Water Agency.

Communication and Media

The Ad Hoc Committee and work groups will post its materials and related information on pottervalleyproject.org.

The Consensus Building Institute will provide meeting summaries for Ad Hoc Committee and working group meetings. Each meeting summary will begin with a concise description of meeting highlights and outcomes, intended for Ad Hoc members to easily share with their leadership.

The purpose of the Ad Hoc Committee is to prepare its member organizations for the relicensing process. Sensitive content will be treated with consideration, and participants will not share confidential discussions with non-participants. Participants will be free to share agreed-to scenarios and outcomes.

Ad Hoc Committee members reserve freedom to express their own opinions to media representatives, but not the opinions of others. The temptation to discuss someone else's statements or position should be avoided. Participants can refer media inquiries to group members for individual comments.

If contacted by the press or an external party concerning the discussions, participants are asked to:

- Refrain from discussing sensitive or confidential information.
- Point out that s/he is not speaking on behalf of the Committee
- Present individual / organization views only and conscientiously refrain from expressing, characterizing or judging the views of others
- Avoid using the press as a vehicle for negotiation.

Charter Amendments

The Ad Hoc Committee can amend this charter when needed using its decision-making guidelines

Work Plan

The Ad Hoc Committee will meet three times in 2018. The facilitators will work with Congressman Huffman’s office and Ad Hoc Committee members to organize its meeting agenda and goals for the year.

Meeting	Tentative Topics
May	Operating Guidelines Fish and Water Supply Objectives Factors to Evaluate Solutions / Potential Scenarios
September	Strategies / Scenarios for Modeling and Technical Work Refine Factors to Evaluate Solutions / Potential Scenarios Negotiate Solutions for Mutual Gain
November/ December	Receive and Deliberate on Working Group Recommendations Continue Negotiating Solutions / Scenarios and Potential Opportunities and Impacts

Ad Hoc Participants

Congressman Jared Huffman’s Office	Congressman Jared Huffman John Driscoll	Lindsay Righter
California Department of Fish and Wildlife	David Hines Eric Larson Jon Mann	Matt Myers Allan Renger
California Trout	Reggie Collins Curtis Knight	Darren Mierau
City of Ukiah	Sean White	
Coyote Valley Band of Pomo Indians	Chairman Michael Hunter Emily Luscombe	
Friends of the Eel River	Scott Greacen David Keller	
Humboldt County	Supervisor Estelle Fennell Hank Seemann	
Lake County	Supervisor Jim Steele	
Mendocino County	Supervisor Carre Brown Supervisor John McCowan	
National Marine Fisheries Service	Bob Coey Steve Edmonson	Josh Fuller Alicia Van Atta
North Coast Regional Water Quality Control Board	Bryan McFadin	
Pacific Coast Federation of Fishermen’s Association	Vivan Helliwell Noah Oppenheim	
Pacific Gas and Electric Co.	Craig Adley (consultant) Ed Cheslak	David Moller Alison Talbott or Brian

	Paul Kubicek Michelle Lent	Bottari Larry Wise
Potter Valley Irrigation District	Guinness McFadden Janet Pauli	
Round Valley Indian Tribes	Curtis Berkey Scott McBain	President Jim Russ Scott Williams
Russian Riverkeeper	Don McEnhill	
Sonoma County	Supervisor James Gore	
Sonoma County Water Agency	Grant Davis Melissa James Jay Jasperse Pamela Jeane	David Manning Don Seymour Mike Thompson
State Water Resources Control Board	Sean Maguire Parker Thaler	
Trout Unlimited	Brian Johnson	
U.S. Fish and Wildlife Service	Damon Goodman Nick Hetrick	
U.S. Forest Service	Dawn Alvarez Derrick Bawdon	Ann Carlson Dennis Smith
Wiyot Tribe	Chairman Ted Hernandez Eddie Koch Tim Nelson	

Ad Hoc Committee Discussion Topics

Stakeholder Issue Assessment

Consensus Building Institute

5/7/2018

Recommended Topics for Discussion and Consideration

- € Fish Passage and Populations
- € Eel and Russian River Flows
- € Water Beneficial Uses
 - Domestic and Ag Demand
 - Potter Valley Irrigation
 - Dependency on Potter Valley Project diversions (including Upper Russian River)
 - Water Quality
- € Lake Pillsbury Recreation
- € Power Production
- € Dam Safety and Liability
- € Project Governance

Original Ad Hoc Topics (identified at meeting in 2017)

- € Fish passage and populations
- € Eel and Russian River flows
- € Potter Valley irrigation
- € Domestic water use and dependency on PVP (including Lake Mendocino)
- € Lake Pillsbury recreation
- € Power production

Interest-Based Decision-Making Factors

V1 (05.23.18)

Developed by Consensus Building Institute (CBI)

CBI has interviewed many participants in the Ad Hoc Committee process and reviewed materials. The goal of the Ad Hoc Committee process is to explore potential areas of consensus to inform the FERC relicensing process. The following are interest-based decision-making factors. These factors attempt to encompass the full range of interests articulated via participating Ad Hoc Committee members. Ad Hoc Committee members value factors differently, yet will commit to consider all of these factors when evaluating future scenarios for the Potter Valley Project.

Two-Basin Solution

- Ecology of both Eel and Russian River systems considered

- Realize beneficial uses on both river systems

 - Eel River - communities, agriculture, fisheries, recreation

 - Russian River - communities, agriculture, fisheries

Regulatory and Sovereignty

- Able to fulfill statutory responsibilities for recovery of listed salmonids in Russian and Eel Rivers

- Achieve the state's water quality objectives

- Tribal sovereignty and water rights

- Water rights

- FERC license requirements

Hydropower Project Operations and Customer Affordability

- Consider effect on project

- Production capacity, value, and cost

- Provide for hydropower projects downstream

- Operate efficiently and comply with contract obligations (including PG&E contract with PVID)

- Dam safety and liability

- Consider operator and other employee safety

Fish Populations

Consider conditions for a viable anadromous (salmon, steelhead, and lamprey) fish population

Get anadromous fish spawning access to the upper watershed (above Scott Dam)

Riparian Habitat

Encourage healthy riparian ecosystem supportive of fish populations and recreation

Economic Vitality

Recognize the project's water supply and recreation benefits

Minimize disruption to local economies

Process - Scientific

Decisions are based on science and can be linked to scientific evidence or models

Process - Collaborative

Options vetted and considered with transparency and a range of stakeholders contributing

Build on Eel River Forum and implement proposed actions in Eel River Action Plan

Maintain constructive relationship with stakeholders

Consensus

Stakeholders from a range of interests can at least "live with" the proposed solution



Potter Valley Project / Huffman Ad Hoc Committee Fish Passage Working Group

WORKING DRAFT Fish Passage Objectives

V2 – 5/7/2018

The Fish Passage Working Group (FPWG) is developing information and recommendations on fish passage for the Potter Valley Project Ad Hoc Committee. The FPWG is composed of Potter Valley Project stakeholders charged with identifying a prioritized list of conceptual-level passage options that would meet three fish passage objectives for targeted anadromous fish species beyond Cape Horn and Scott dams, located within the upper mainstem Eel River, California. If these fish passage objectives are achieved, recommended fish passage options will promote the recovery and long-term viability of currently depressed fish populations in the Eel River. The FPWG strives to identify fish passage options that meet the following objectives for each targeted fish species:

Objective #1 Population Viability of Upper Eel River Anadromous Fishes

Evaluating passage and reintroduction of anadromous Chinook salmon, Pacific Lamprey and steelhead trout to historically occupied habitats above Scott Dam is one of the primary goals of the Potter Valley Project Two-Basin Solution Committee. To achieve the goal of successful reintroduction, the Fish Passage Working Group (FPWG) recommends that fish passage objectives promote the viable fish population (VFP) concept (an expansion of the viable salmonid population (VSP) concept used in NMFS' salmonid recovery planning documents to be inclusive of non-salmonid fishes). These population viability concepts (VFP/VSP) are based on four parameters fundamental to evaluating population viability status: abundance, productivity, spatial structure, and diversity. Abundance can be enhanced by increasing the carrying capacity of existing populations. Increased population productivity (number of downstream migrating juvenile fish per spawner) can result from improved survival rates in newly accessible high quality habitat. Enhancing spatial structure, or the ability of individuals to disperse across a landscape, can be a direct benefit of improved fish passage. Enhanced spatial structure promotes life history diversity as fish populations adapt to new environments. These four parameters could constitute independent objectives; however, the timeframe required for each of these objectives varies and not all may need to be improved to achieve overall population viability for the targeted species. The FPWG suggests using the VFP concept as a guiding principal to investigate fish passage alternatives for Scott and Cape Horn dams.

Objective #2 Access to Abundant High Quality Habitat

Allow anadromous fish access to historically occupied streams with sufficient habitat quantity and quality to complete essential life stages and promote long-term population viability. Accessible streams should provide habitat and water quality conditions that allow for timely seasonal spawning and juvenile rearing opportunities. Where possible, provide opportunities for fish to reside and access stream networks with seasonally interconnected high quality habitat. Avoid exposing fish to low quality habitat that harbor introduced predatory fish species.

Objective #3 Functional Fish Passage

Provide safe, timely, reliable, and effective upstream and downstream passage at Scott and Cape Horn dams for all targeted adult and juvenile anadromous fish life-stages.. Employ fish passage options and technologies that minimize stress, injury, and mortality, while maximizing passage efficiency, and minimizing migratory delay. Consider each targeted species life stage requirements, needs for timely seasonal movements, and habitat quality and quantity in affected lake and stream environments.

Habitat Conditions:					
Fish Passage Concept:					
	Very High	High	Medium	Low	
Hydrologic impairment (upper Eel River)					
Hydrologic impairment (Eel River)					
Geomorphic impairment (upper Eel River)					
Geomorphic impairment (Eel River)					
Potential for habitat production capacity					
Water quality constraints (reservoir)					
Water quality constraints (below reservoir)					
Ecosystem benefit					

Habitat Conditions:					
Fish Passage Concept:					
	Very High	High	Medium	Low	
Hydrologic impairment (upper Eel River)					
Hydrologic impairment (Eel River)					
Geomorphic impairment (upper Eel River)					
Geomorphic impairment (Eel River)					
Potential for habitat production capacity					
Water quality constraints (reservoir)					
Water quality constraints (below reservoir)					
Ecosystem benefit					

Operations and Maintenance:					
Fish Passage Concept:					
	Very Good	Good	Fair	Poor	
Reliability of facility					
Reliability of operations					
Debris management					
Durability of structure					
Passage performance certainty					
Operational certainty					
Adaptability of collection and passage					
Potential to complement a downstream passage facility					

Operations and Maintenance:					
Fish Passage Concept:					
	Very Good	Good	Fair	Poor	
Reliability of facility					
Reliability of operations					
Debris management					
Durability of structure					
Passage performance certainty					
Operational certainty					
Adaptability of collection and passage					
Potential to complement an upstream passage facility					

Cost:					
Fish Passage Concept:					
	Very High	High	Medium	Low	
Construction					
Operation and maintenance					
Certainty of cost					

Cost:					
Fish Passage Concept:					
	Very High	High	Medium	Low	
Construction					
Operation and maintenance					
Certainty of cost					

Preliminary Water Supply Objectives

Water Supply Work Group Meeting Held 05.11.18

The Water Supply Work Group has only met once so the group has not yet reviewed these objectives. These objectives are preliminary to share with the Ad Hoc and inform its discussion.

Draft Objectives

- Address water supply needs and demands across both basins
- Consider future hydrographs
- Articulate existing constraints (costs)
- Maximize benefits of coordinating operations, timing, and flow regimes along with biological considerations for timing, quality, and temperature
- Evaluate a small number potential scenarios that consider fish passage to inform Ad Hoc decision making.

Note: The Working Group would like to consider options beyond existing regulatory, legal, and physical constraints to explore scenarios, including dam removal, but the existing models will not support this work

Potter Valley Project Scenario Elements

Working Draft for Ad Hoc Discussion on 05.30.2018

These elements are shared with the Ad Hoc as a starting point to confirm the variables that might make up any future scenario.

Fish Passage at Scott Dam

1. Scott Dam as is with fish passage
2. Partial removal or lower Scott Dam
3. Scott Dam complete Removal

Diversions

1. No diversions
2. Divert to meet minimum Russian River flows
3. Divert to meet PVID
4. Status quo
5. PVID supply (year round)
6. East Fork Lake Mendocino late winter
7. Divert when water available

Storage

1. Status quo
2. Reduced storage at Pillsbury
3. No storage at Pillsbury
4. Increased storage at Lake Mendocino • Raise Coyote Dam
5. PVID storage in Potter Valley

Power Generation

1. Status quo
2. Generation based on available flow
3. No generation

Project Ownership

1. PGE
2. Public
 - FERC
 - Regional/local
3. Tribal
4. Independent/Private
5. NGO
6. Combination

License Status

1. New FERC operating license (different license conditions)
2. Existing FERC operating license (current license conditions - 20 years interim)
3. No FERC license (no hydropower)

Operating Costs

1. Power generation revenues
2. Water supply revenues
3. No revenues
4. Bonds
5. Private funding

Cape Horn Dam

1. Status quo
2. Adequate fish passage
3. Removal

Lake Recreation at Pillsbury

1. Status quo Lake Pillsbury recreation
2. Changed/modified reservoir
3. Riverine recreation
4. No reservoir (lake based recreation)