

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION AFFIRMING SUPPORT FOR THE AMENDED PLANNING AGREEMENT TO UNDERTAKE FEASIBILITY STUDY OF A POTENTIAL LICENSING PROPOSAL FOR THE POTTER VALLEY PROJECT**

**WHEREAS**, the Potter Valley Project, located on the main stem of the Eel River in Mendocino County, generates hydroelectric power and through its operation serves as an inter-basin transfer of water from the Eel River basin to the Russian River basin; and

**WHEREAS**, the main stem of the Eel River flows through Humboldt County for approximately eighty-one (81) river miles before discharging into the Pacific Ocean; and

**WHEREAS**, the Potter Valley Project affects environmental quality, ecosystem services, native anadromous fisheries, and beneficial uses of water in both the Eel and Russian River basins; and

**WHEREAS**, Pacific Gas and Electric's ("PG&E") hydropower license for the Potter Valley Project expires on April 14, 2022; and

**WHEREAS**, on April 6, 2017, PG&E filed a Pre-Application Document and Notice of Intent to file a new license application for the Potter Valley Project; and

**WHEREAS**, shortly thereafter, Congressman Jared Huffman convened the Potter Valley Project Ad Hoc Committee to work toward a Two-Basin Solution that protects fisheries and water supply in both the Eel and Russian River basins; and

**WHEREAS**, on January 25, 2019, PG&E announced that it would discontinue efforts toward relicensing the Potter Valley Project; and

**WHEREAS**, on March 1, 2019, the Federal Energy Regulatory Commission issued a Notice Soliciting Applications from any entity interested in filing a new license application for the Potter Valley Project; and

**WHEREAS**, entities interested in obtaining a license to operate the Potter Valley Project must file a notice of intent to submit a new license application, a pre-application document and a proposal to complete the pre-filing stages of the licensing proceeding, which includes a proposed study plan, by July 1, 2019 and a final license application by April 14, 2020; and

**WHEREAS**, California Trout, Inc., Mendocino County Inland Water and Power Commission and Sonoma County Water Agency have agreed to work together to study the feasibility of forming a regional entity to develop a potential licensing proposal for the Potter Valley Project that will advance the goals and principles of the Two-Basin Solution proposed by the Potter Valley Project Ad Hoc Committee; and

**WHEREAS**, California Trout, Inc., Mendocino County Inland Water and Power Commission, and Sonoma County Water Agency have expressed a desire to enter into an "Amended Planning Agreement to Undertake Feasibility Study of a Potential Licensing Proposal for the Potter Valley Project" ("Amended Planning Agreement") with the County of Humboldt in order to advance the goals and principles of the Two-Basin Solution proposed by the Potter Valley Project Ad Hoc Committee.

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**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of June 18, 2019

**NOW, THEREFORE, THE HUMBOLDT COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES AS FOLLOWS:**

1. The County of Humboldt hereby affirms its support of the collaborative effort to solve the regional issues and concerns associated with the Potter Valley Project.
2. The County of Humboldt hereby acknowledges that consideration of Russian River water users' interests will be essential to achieving the goals and principles of the Two-Basin Solution proposed by the Potter Valley Project Ad Hoc Committee.
3. The County of Humboldt hereby commits to work together with California Trout, Inc., Mendocino County Inland Water and Power Commission, Sonoma County Water Agency and other stakeholders to study the feasibility of forming a regional entity and developing a potential licensing proposal for the Potter Valley Project to advance the following shared objectives:
  - Minimize or avoid adverse impacts to water supply reliability, fisheries, water quality and recreation in both the Russian River and Eel River basins;
  - Improve 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;
  - Reliance on best available science and engineering analyses as the basis for evaluating options for restoration, water delivery and hydroelectric generation pursuant to a new license;
  - Collaboration on funding;
  - Active participation of tribes and other stakeholders who are willing to support the other shared objectives;
  - Economic welfare of both basins;
  - Continued hydroelectric generation; and
  - Protecting tribal cultural, economic and other interests in both the Eel and Russian River basins.
4. The County of Humboldt hereby affirms its intent to enter into the Amended Planning Agreement with the understanding that the parties will consider a wide range of options to effect the Two Basin Solution, including, without limitation, options that involve refurbishing the facilities of the Potter Valley Project for the purpose of continued operations. In undertaking the feasibility study, the parties will consider all options that advance the interests of the parties, are based on good science and engineering and are fiscally feasible and sustainable over the long-term.

Dated: June 18, 2019

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Rex Bohn, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_ and the

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

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following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA

County of Humboldt

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

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**KATHY HAYES**

Clerk of the Board of Supervisors of the  
County of Humboldt, State of California